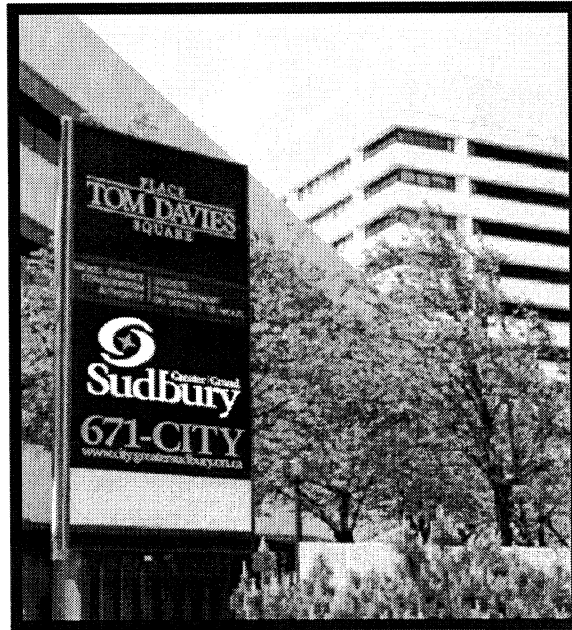


Vision: The City of Greater Sudbury is a growing, world-class community bringing talent, technology and a great northern lifestyle together.

Vision : La Ville du Grand Sudbury est une communauté croissante de calibre international qui rassemble les talents, les technologies et le style de vie exceptionnel

Agenda Ordre du jour



For the
City Council
Meeting
to be held

Pour la réunion
du Conseil
municipal qui
aura lieu

Tuesday, July 13, 2004

mardi 13 juillet 2004

at 6:00 p.m

à 19 h

**Council Chamber
Tom Davies Square**

**dans la Salle du Conseil
Place Tom Davies**

 **Greater | Grand
Sudbury**
www.city.greatersudbury.on.ca

Regular Council

Agenda

FOR THE CITY COUNCIL MEETING
TO BE HELD ON

TUESDAY, JULY 13, 2004

COUNCIL CHAMBER

TOM DAVIES SQUARE

6:00 P.M.

Agenda
ordre du jour



(15TH)

FOR THE **REGULAR MEETING OF CITY COUNCIL**
TO BE HELD ON **TUESDAY, JULY 13, 2004 AT 6:00 P.M.**
IN THE **COUNCIL CHAMBER, TOM DAVIES SQUARE**

MAYOR DAVID COURTEMANCHE, CHAIR

- 5:15 P.M. COMMITTEE OF THE WHOLE - "IN CAMERA"**
COMMITTEE ROOM C-11, TOM DAVIES SQUARE
To deal with: Personnel Matter
- 6:00 P.M. REGULAR COUNCIL MEETING**
COUNCIL CHAMBER, TOM DAVIES SQUARE

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

The Council Chamber of Tom Davies Square is wheelchair accessible. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. Persons requiring assistance are requested to contact the City Clerk's Office at least 24 hours in advance of the meeting if special arrangements are required. Please call (705) 671-2489, extension 2475. Telecommunications Device for the Deaf (TTY) (705) 688-3919. Copies of Agendas can be viewed on the City's web site at www.greatersudbury.ca.

1. Moment of Silent Reflection
2. Roll Call
3. Declarations of Pecuniary Interest

PUBLIC HEARINGS

{NONE}

PRESENTATIONS/DELEGATIONS

{NONE}

MATTERS ARISING FROM THE "IN CAMERA" SESSION

At this point in the meeting, the Chair, Deputy Mayor Craig, will rise and report any matters discussed during the "In Camera" session. Council will then consider any resolutions or by-laws.

MATTERS ARISING FROM THE PLANNING COMMITTEE: 2004-07-13

At this point in the meeting, Council will consider, by way of one resolution, the recommendations adopted by the Planning Committee. Any questions regarding the recommendations should be directed to Councillor Thompson, Chair, Planning Committee.
(RESOLUTION PREPARED)

MATTERS ARISING FROM THE FINANCE COMMITTEE: 2004-07-13

At this point in the meeting, Council will consider, by way of one resolution, the recommendations adopted by the Finance Committee. Any questions regarding the recommendations should be directed to Councillor Gainer, Chair, Finance Committee.
(RESOLUTION PREPARED)

PART I - CONSENT AGENDA

**(RESOLUTION PREPARED adopting resolutions for
Items C-1 to C-15 contained in the Consent Agenda)**

(For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.)

PART I - CONSENT AGENDA (continued)

<u>MINUTES</u>	<u>PAGE NO.</u>
C-1 Report No. 14, City Council, Minutes of 2004-06-24. (RESOLUTION PREPARED - MINUTES ADOPTED)	M1 - M18
C-2 Report of the Ad-Hoc Committee - Council Auditor, Minutes of 2004-06-24. (RESOLUTION PREPARED - MINUTES ADOPTED)	M19 - M21
C-3 Report No. 6, Sudbury & District Board of Health, Minutes of 2004-06-17. (RESOLUTION PREPARED - MINUTES RECEIVED)	M22 - M28
C-4 Report of the Tender Opening Committee, Minutes of 2004-06-22. (RESOLUTION PREPARED - MINUTES RECEIVED)	M29 - M30
C-5 Report of the Tender Opening Committee, Minutes of 2004-06-23. (RESOLUTION PREPARED - MINUTES RECEIVED)	M31 - M36
C-6 Report of the Tender Opening Committee, Minutes of 2004-06-29. (RESOLUTION PREPARED - MINUTES RECEIVED)	M37 - M38
C-7 Report of the Tender Opening Committee, Minutes of 2004-07-06. (RESOLUTION PREPARED - MINUTES RECEIVED)	M39
C-8 Report of the Greater Sudbury Police Services Board, Minutes of 2004-05-25. (RESOLUTION PREPARED - MINUTES RECEIVED)	M40 - M43
C-9 Report of the Nickel District Conservation Authority, Minutes of 2004-06-16. (RESOLUTION PREPARED - MINUTES RECEIVED)	M44 - M47
C-10 Report No. 4, Greater Sudbury Public Library Board, Minutes of 2004-05-20. (RESOLUTION PREPARED - MINUTES RECEIVED)	M48 - M49
C-11 Report of the Ad-Hoc Committee - Proposed Uniform Store Closing By-law, Minutes of 2004-06-30. (RESOLUTION PREPARED - MINUTES RECEIVED)	M50 - M65
 <u>TENDERS</u>	
C-12 Report dated 2004-07-07 from the General Manager of Public Works regarding Tender Award, Contract 2004-16, Paris Street Bridge Rehabilitation and Road Work. (RESOLUTION PREPARED)	1 - 2

PART I - CONSENT AGENDA (continued)

TENDERS (continued)

PAGE NO.

- C-13 Report dated 2004-07-07 from the General Manager of Citizen & Leisure Services regarding Purchase of Ice Edging Equipment - Municipal Arenas. **3 - 5**
(RESOLUTION PREPARED)

(Eleven of fourteen ice edgers are older models that do not have a dead man switch which would immediately turn off the ice edger once the handle is released. To ensure the health and safety of our workers, the decision was made to replace all of the older ice edgers with new equipment.)

- C-14 Report dated 2004-07-07 from the General Manager of Citizen & Leisure Services regarding Award of RFP for Point of Sale System at Sudbury Community Arena. **6 - 8**
(RESOLUTION PREPARED)

(The Point of Sale (POS) System is used at the Sudbury Community Arena to control inventory, record sales and reconcile cash for all concession operations. The POS system currently in place has failed and must be replaced prior to the 2004-2005 arena operating season.)

ROUTINE MANAGEMENT REPORTS

- C-15 Report dated 2004-07-09, with attachments, from the General Manager of Corporate Services regarding Liquor License Extension - Sudbury Shrine Club. **9 - 13**
(RESOLUTION PREPARED)

(The Sudbury Shrine Club will be hosting their Annual Pig Roast/Barbecue on July 22, 2004 for their members.)

TELEPHONE POLLS

{NONE}

BY-LAWS

THE FOLLOWING BY-LAWS APPEAR FOR A THIRD AND FINAL READING:

- 2004-192 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE THE REMAINDER OF THE LANE SOUTH OF VAN HORNE STREET ABUTTING LOTS 112 TO 117, PLAN 2-S, SUDBURY

Planning Committee Recommendation 2004-145

Received 1ST and 2ND reading at the City Council meeting of 2004-06-24.

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

2004-193 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE FREDERICK STREET (UNOPENED) SOUTH OF VAN HORNE STREET ABUTTING LOTS 111 AND 112, PLAN 2-S, SUDBURY AND TO TRANSFER IT TO THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE DIOCESE OF SAULT STE. MARIE

Planning Committee Recommendation 2004-146

Received 1ST and 2ND reading at the City Council meeting of 2004-06-24.

2004-194 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE THE NICKEL LAKE SHORE ALLOWANCE

Planning Committee Recommendation 2004-147

Received 1ST and 2ND reading at the City Council meeting of 2004-06-24.

THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:

2004-195 See **PART II - REGULAR AGENDA - STORE CLOSING BY-LAWS**

2004-200F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO WITH RESPECT TO DEVELOPMENT CHARGES

Report dated 2004-07-09, with attachments, from the General Manager of Corporate Services regarding 2004 Development Charges Study.

14 - 45

(2004 Development Charges Study being presented for approval and implementation of new Development Charges.)

2004-201 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF JULY 13, 2004

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

2004-202 3 A BY LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE LIONS CLUB OF CONISTON TO AUTHORIZE THE ERECTION OF A FRIENDSHIP ARCH AT THE CONISTON PARK AND A GRANT PERTAINING THERETO

Report dated 2004-06-25, with attachments, from the General Manager of Citizen & Leisure Services regarding Coniston Lions Club Friendship Arch at the Coniston Park.

46 - 49

(The Lions Club of Coniston is requesting Council's permission to install a Lions Club Friendship Arch at the Coniston Park located at the corner of Second Avenue and Government Road in Coniston.)

2004-203 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SUDBURY REGIONAL SOCCER ASSOCIATION TO USE AN INDOOR SOCCER FLOOR SURFACE BY WAY OF GRANT

Report dated 2004-06-25 from the General Manager of Citizen & Leisure Services regarding Agreement with the Sudbury Regional Soccer Association for the Use of the Artificial Playfield Surface.

50 - 51

(Council decided on 2004-02-26 not to renew the lease for the rental space at the Exhibition Centre which leaves the Sudbury Regional Soccer Association into negotiations with the owners of the Exhibition Centre - Resolution 2004-100.)

2004-204 See **PART II - REGULAR AGENDA - STORE CLOSING BY-LAWS**

2004-205 See **PART II - REGULAR AGENDA - STORE CLOSING BY-LAWS**

2004-206P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 236 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2004-142

(This amendment is a site specific amendment to permit the creation of one residential lot within the Agricultural Reserve of the Valley East Secondary Plan - Roma and Angele Miron, Parcel 18511 S.E.S. in Lot 6, Conc. 3, Hanmer, 5000 Desmarais Road, Val Therese.)

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

2004-207 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This By-law updates the list of enforcement officers.)

2004-208A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH CUSTOM BIO-GAS INC. FOR A FEASIBILITY STUDY

Council Resolution 2004-101

2004-209A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN EXTENSION AND AMENDING AGREEMENT WITH CHRISTOPHER J. STEWART O/A C.J. STEWART CONSULTING SERVICES

Council Resolution 2004-321

2004-210 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2004-152, A BY-LAW TO AUTHORIZE FUNDING FROM COMMUNITY PLACEMENT TARGET FUNDING TO VARIOUS SOCIAL SERVICE AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS TO PROVIDE DIRECT AND INDIRECT SERVICES TO ONTARIO WORKS PARTICIPANTS

Council Resolution 2004-273

(This By-law amends the existing By-law to delete the reference to money going to the Red Cross operating the cold weather alert program.)

2004-211E 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO GRANT APPROVAL FOR THE EXPROPRIATION BY THE CITY OF GREATER SUDBURY OF CERTAIN LANDS REQUIRED FOR THE SOUTH END ROCK TUNNEL PROJECT

Planning Committee meeting of 2004-07-13

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

- 2004-212E 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE EXPROPRIATION OF PARCEL 28558 S.E.S. FROM LORIS CECCHETTO FOR THE SOUTH END ROCK TUNNEL PROJECT

Planning Committee meeting of 2004-07-13

- 2004-213Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2000-65Z TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND CITY OF VALLEY EAST

Planning Committee meeting of 2004-07-13

(This By-law removes the "H", Holding Symbol from the subject lands to zone them "C2", General Commercial. - Cerilli Group Inc., Municipal Road # 80, Val Therese)

- 2004-214Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee meeting of 2004-07-13

(This By-law rezones the subject property to C1-30 to allow signs which are normally permitted in a "C2" Zone and to allow a business identification ground sign with a total sign area of 20.96 square metres. - Shell Canada Products, 1329 Regent Street, Sudbury.)

- 2004-215Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND CITY OF VALLEY EAST

Planning Committee Recommendation 2004-105

(This By-law rezones the subject property to Single Residential to permit the creation of six lots for single residential use on the Larocque Street extension. This property is also the subject of Consent Applications B37/2004 to B42/2004. - Jean Brassard & 844367 Ontario Inc., Larocque Avenue Extension, Val Caron.)

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

- 2004-216Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND CITY OF VALLEY EAST

Planning Committee Recommendations 2003-123 and 2003-124

(This By-law rezones the subject property "RU-22", Special Rural to permit the storage, maintenance and sale of mobile homes, trailers, cargo containers and storage garages in addition to all other "Rural" land uses. Further, the location for mobile home and storage facility activities on the subject lands has been identified, the requirement for a 75 foot planting strip established and "RU-22" zoned lands identified as an area where Site Plan Control shall apply. - Valley View Mobile Homes Village Inc., Gravel Drive, Hanmer)

- 2004-217Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee meeting of 2004-07-13

(This By-law removes the "H" Holding Symbol from the subject property to zone it "PS-4", Private Open Space Special, permitting a single dwelling - Tim & Laurie Smith, South Bay Road, Sudbury)

- 2004-218Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER TOWN OF NICKEL CENTRE

Planning Committee Recommendation 2004-137

(This By-law does not rezone the subject property. This By-law permits a model, manufactured home retail sale display area for a maximum temporary period of one year. The By-law establishes standards for the provision of parking and loading areas, signs and the requirement that a building permit must be obtained. - 630411 Ontario Inc., Falconbridge Road/Municipal Road # 86, Garson)

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

2004-219Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendations 2003-208 and 2004-47

(This By-law rezones the subject property to "R1.D2.5", Single Residential to permit a lot addition to Parcel 20425 S.E.S., resulting from Consent Application B0119/2003. - Nickel District Conservation Authority / Andrew Caruso, 2420 South Bay Road, Sudbury)

2004-220Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND CITY OF VALLEY EAST

Planning Committee Recommendation 2004-122

(This By-law rezones the subject property to Single Residential to permit the creation of four lots for single residential use on the St. Michel Street Extension. This property is also subject of Consent Applications B60/2004 to B63/2004. - Philippe & Louise Landry, St. Michel Street Extension, Hanmer)

2004-221A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Report dated 2004-07-07, with attachments, from the General Manager of Public Works regarding Traffic Control - Algonquin II Subdivision.

52 - 55

(This By-law controls traffic with a "Stop" sign at the intersection facing east-bound traffic on Trailview Drive at Mist Hollow Drive)

2004-222 3 3A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART 4 ON PLAN 53R-14476 TO DALRON CONSTRUCTION LIMITED

Planning Committee meeting of 2004-07-13

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

2004-223 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE FROM CATHERINE MCBRIDE OF PARCEL 9351 S.E.S. FOR THE SOUTH END ROCK TUNNEL PROJECT

Planning Committee meeting of 2004-07-13

2004-224 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF JESUITES LANE, SUDBURY BEING PARTS 1 AND 2 ON PLAN 53R-13877 TO 1311928 ONTARIO INC.

Planning Committee meeting of 2004-07-13

2004-225 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PARCEL 40319 S.E.S. TO DR. ARDYTH ANN WELLS DENTISTRY PROFESSIONAL CORPORATION

Planning Committee meeting of 2004-07-13

2004-226A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A LEASE AGREEMENT WITH 3336263 CANADA LTD. OF PART OF LOT 104, PLAN M-95, CROSS STREET, SUDBURY

Planning Committee meeting of 2004-07-13

2004-227 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PART OF LOT 8, PLAN SR-2968, ROSELAND DRIVE, WAHNAPIAE TO GERALD GAUDETTE AND LINA GENIER

Planning Committee meeting of 2004-07-13

2004-228A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE ARTS AND CULTURE GRANTS 2004

Report dated 2004-07-07 from the General Manager of Citizen & Leisure Services regarding Arts and Culture Grants for 2004.

56 - 63

(As part of the 2004 budget deliberations, Council approved funding in the amount of \$224,800 for the Arts and Culture grant Allocations. In 2004, four new groups were added to the Arts and Culture granting program.)

PART I - CONSENT AGENDA (continued)

CORRESPONDENCE FOR INFORMATION ONLY

PAGE NO.

- C-16 Report dated 2004-07-07, with attachments, from the General Manager of Economic Development & Planning Services regarding Development Liaison Advisory Committee Status Report to City Council. **64 - 70**
(FOR INFORMATION ONLY)

(Council requested that the Development Liaison Advisory Committee (DLAC) prepare a regular report to Council on progress being made toward meeting building permit benchmarks. At its meeting of June 24, 2004, DLAC passed the following resolution:

"THAT DLAC has reviewed Building Services' benchmark information for January 1, 2004, through April 30, 2004, and is satisfied and supportive of the progress made in this area, and

FURTHER THAT DLAC's approval of these findings should be communicated to City Council as per Council's request for regular updates.")

- C-17 Report dated 2004-07-06, with attachments, from the General Manager of Public Works regarding Sidewalks - Highway 144, Dowling. **71 - 74**
(FOR INFORMATION ONLY)

(Council directed staff to contact MTO to have sidewalks incorporated into their proposed resurfacing of Highway 144 in Dowling. A letter dated June 24, 2004 from MTO is attached.)

PART II - REGULAR AGENDA

STORE CLOSING BY-LAWS

- 2004-195 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REPEAL CERTAIN STORE CLOSING BY-LAWS OF ITS FORMER CONSTITUENT MUNICIPALITIES

Report dated 2004-07-09, with attachments, from the General Manager of Corporate Services regarding Store Hours By-law. **75 - 89**

(This By-law repeals the five store closing By-laws of the former municipalities.)

PART II - REGULAR AGENDA (continued)

STORE CLOSING BY-LAWS (continued)

PAGE NO.

- 2004-204 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REQUIRE THE CLOSING OF CERTAIN RETAIL BUSINESS ESTABLISHMENTS

Report dated 2004-07-09, with attachments, from the General Manager of Corporate Services regarding Store Hours By-law.

75 - 89

(This By-law repeals the five store closing By-laws of the former municipalities and establishes new uniform store closing hours for the entire City.)

- 2004-205 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REQUIRE CERTAIN RETAIL BUSINESS ESTABLISHMENTS TO BE CLOSED ON CIVIC HOLIDAYS PROCLAIMED BY THE MAYOR

Report dated 2004-07-02 from the General Manager of Corporate Services regarding Mayor's Proclamation - August Civic Holiday.

90 - 91

(The Municipal Act, 2001 provides that a local municipality may, by By-law, require retail business establishments to be closed for any period of time proclaimed by the head of Council as a civic holiday. Mayor Courtemanche has indicated that he will follow the request of a majority of Councillors.)

PART II - REGULAR AGENDA (continued)

STORE CLOSING BY-LAWS (continued)

PAGE NO.

RECOMMENDED PROCEDURE - STORE HOURS BY-LAWS

ORDER OF QUESTIONS TO BE CONSIDERED BY COUNCIL

Question #1

DOES COUNCIL WISH A NEW UNIFORM STORE CLOSING BY-LAW?

IF YES:

- a) The recommendation of the Ad Hoc Committee is presented:

“That store hours be established as follows:

Monday to Friday - 5 a.m. to 9 p.m.
Saturday and Sunday - 5 a.m. to 6 p.m.

With the exception of the month of December when stores will be opened from 5 a.m. to 11 pm on Fridays and Saturdays (until Christmas), with the other days of the week remaining unchanged.”

- b) Amendments to the resolution are introduced and voted on.
c) Draft By-law 2004-204 (as amended) to be presented and voted on.

IF NO:

- a) Draft By-law 2004-195 to be presented and voted on. (This repeals all existing store closing by-laws of the former municipalities and store hours will be deregulated.)

PART II - REGULAR AGENDA (continued)

STORE CLOSING BY-LAWS (continued)

PAGE NO.

Question #2

DOES COUNCIL WISH A BY-LAW REQUIRING STORES TO BE CLOSED ON DAYS PROCLAIMED BY THE MAYOR?

IF YES:

- a) Draft By-law 2004-205 to be presented.
- b) Amendments to By-law are introduced.
- c) Draft By-law 2004-205 (as amended) to be presented and voted on.
- d) Motion to request the Mayor to proclaim the August Civic Holiday to be presented and voted on.

IF NO:

- a) No action is required.

REFERRED AND DEFERRED MATTERS

PAGE NO.

{NONE}

MANAGERS' REPORTS

- R-1 Report dated 2004-07-09, with attachments, from the General Manager of Emergency Services regarding Emergency Medical Services Division Ambulance Fleet Standardization. 92 - 96
(RESOLUTION PREPARED)

(The Ontario Ministry of Health and Long Term Care will no longer act as the purchasing agent in the area of ambulance acquisitions for all municipalities. Two Ontario certified manufacturers (Demers and Crestline) will be designated as "vendors of record".)

- R-2 Report dated 2004-07-09 from the General Manager of Emergency Services regarding City of Greater Sudbury Fire Services 2004 Capital Procurement Purchase Plan. 97 - 100
(RESOLUTION PREPARED)

(This report outlines 2004 Capital Equipment Acquisition requirements based on fire service needs.)

PART II - REGULAR AGENDA (continued)

MANAGERS' REPORTS (continued)

PAGE NO.

- R-3 Report dated 2004-07-07, with attachments, from the General Manager of Public Works regarding Status Report - David Street Water Treatment Plan Expansion.
(RESOLUTION PREPARED) **101 - 113**

(Report to Council on the status of Contract 2002-34 for the expansion of the David Street Water Treatment Plant.)

- R-4 Report dated 2004-07-07, with attachments, from the General Manager of Public Works regarding On-Street Bicycle Lanes - Howey Drive/Bellevue Avenue/Bancroft Drive Corridor.
(RESOLUTION PREPARED) **114 - 123**

(At the Council meeting of 2004-05-13, Council directed staff to submit a report regarding on-street bicycle lanes along the Howey Drive / Bellevue Avenue / Bancroft Drive road corridor.)

- R-5 Report dated 2004-07-02, with attachments, from the General Manager of Corporate Services regarding Appointment of Board Member, Sudbury & District Health Unit.
(RESOLUTION PREPARED) **124 - 136**

(At the 2004-06-24 Council meeting, Councillor Gainer submitted his resignation as a Member of the Board of Directors, for the Sudbury & District Health Unit.)

MOTIONS

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

NOTICES OF MOTIONS

PART II - REGULAR AGENDA (continued)

"IN CAMERA" (Incomplete Items)

10:00 P.M. ADJOURNMENT (RESOLUTION PREPARED)

{TWO-THIRDS MAJORITY REQUIRED TO PROCEED PAST 10:00 P.M.}

2004-07-09

**ANGIE HACHÉ
DEPUTY CLERK**

**CORRIE-JO CAPORALE
COUNCIL SECRETARY**

DE LA RÉUNION ORDINAIRE DU CONSEIL MUNICIPAL
QUI DOIT AVOIR LIEU LE MARDI 13 JUILLET 2004 À 18 H
DANS LA SALLE DU CONSEIL, PLACE TOM DAVIES

LE MAIRE DAVID COURTEMANCHE, PRÉSIDENT

- 17 H 15 **COMITÉ PLÉNIER - À HUIS CLOS**
SALLE DE COMITÉ C-11, PLACE TOM DAVIES
Objet de la réunion : des questions relations au personnel
- 18 H **RÉUNION ORDINAIRE DU CONSEIL MUNICIPAL**
SALLE DU CONSEIL, PLACE TOM DAVIES

**(VEUILLEZ ÉTEINDRE LES TÉLÉPHONES CELLULAIRES ET LES
TÉLÉAVERTISSEURS)**

La salle du Conseil de la Place Tom Davies est accessible en fauteuil roulant. Si vous désirez obtenir un appareil auditif, veuillez communiquer avec le greffier municipal, avant la réunion. Les personnes qui prévoient avoir besoin d'aide doivent s'adresser au bureau du greffier municipal, au moins 24 heures avant la réunion, aux fins de dispositions spéciales. Veuillez composer le (705) 671-2489, poste 2475; appareils de télécommunications pour les malentendants (ATS) (705) 688-3919. Vous pouvez consulter l'ordre du jour au site Web de la Ville à l'adresse www.grandsudbury.ca.

1. Moment de silence
2. Appel nominal
3. Déclarations d'intérêt pécuniaire

{AUCUNE}

EXPOSÉS / DÉLÉGATIONS

{AUCUNE}

QUESTIONS DÉCOULANT DE LA SÉANCE À HUIS CLOS

À cette étape de la réunion, l'adjoint au maire Craig, président de la réunion, rapportera toute question traitée pendant la séance à huis clos. Le Conseil examinera ensuite les résolutions ou les règlements.

QUESTIONS DÉCOULANT DE LA RÉUNION DU COMITÉ DE PLANIFICATION tenue le 13 juillet 2004

À cette étape de la réunion, le Conseil municipal se penchera, par une résolution, sur les recommandations qu'a adoptées le Comité de planification. Toutes questions au sujet des recommandations devraient être adressées au conseiller Thompson, président du Comité de planification.

(RÉSOLUTION PRÉPARÉE)

QUESTIONS DÉCOULANT DE LA RÉUNION DU COMITÉ DES FINANCE tenue le 13 juillet 2004

À cette étape de la réunion, le Conseil municipal se penchera, par une résolution, sur les recommandations qu'a adoptées le Comité des finances. Toutes questions au sujet des recommandations devraient être adressées au conseiller Gainer, président du Comité des finances.

(RÉSOLUTION PRÉPARÉE)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS

**(Résolution préparée pour les articles
C-1 à C-15 de l'ordre du jour des résolutions)**

(Par souci de commodité et pour accélérer le déroulement des réunions, les questions d'affaires répétitives ou routinières sont incluses à l'ordre du jour des résolutions et on vote collectivement pour toutes les questions de ce genre.

À la demande d'un conseiller, on pourra traiter isolément d'une question d'affaires de l'ordre du jour des résolutions par un débat ou par un vote séparé. Dans le cas d'un vote séparé, la question d'affaires isolée est retirée de l'ordre du jour des résolutions et on ne vote collectivement qu'au sujet des questions à l'ordre du jour des résolutions.

Toutes les questions d'affaires à l'ordre du jour des résolutions sont inscrites séparément au procès-verbal de la reunion.)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

<u>PROCÈS-VERBAUX</u>	<u>PAGE N°</u>
C-1 Rapport n° 14, Conseil municipal, procès-verbal de la réunion tenue le 24 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M1 - M18
C-2 Rapport du Comité ad hoc - vérificateur du Conseil, procès-verbal de la réunion tenue le 24 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M19 - M21
C-3 Rapport n° 6, Service de santé publique de Sudbury et du district, procès-verbal de la réunion tenue le 17 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M22 - M28
C-4 Rapport du Comité de dépouillement des soumissions, procès-verbal de la réunion tenue le 22 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M29 - M30
C-5 Rapport du Comité de dépouillement des soumissions, procès-verbal de la réunion tenue le 23 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M31 - M36
C-6 Rapport du Comité de dépouillement des soumissions, procès-verbal de la réunion tenue le 29 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M37 - M38
C-7 Rapport du Comité de dépouillement des soumissions, procès-verbal de la réunion tenue le 6 juillet 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M39
C-8 Rapport du Conseil des services policiers du Grand Sudbury, procès-verbal de la réunion tenue le 25 mai 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M40 - M43
C-9 Rapport de l'Office de protection de la nature du district du Nickel, procès-verbal de la réunion tenue le 16 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL ADOPTÉ)	M44 - M47
C-10 Rapport n° 4, Conseil de la Bibliothèque publique du Grand Sudbury Public, procès-verbal de la réunion tenue le 20 mai 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL REÇU)	M48 - M49
C-11 Rapport du Comité ad hoc – règlement proposé sur la fermeture uniforme des heures de fermeture des magasins, procès-verbal de la réunion tenue le 30 juin 2004 (RÉSOLUTION PRÉPARÉE - PROCÈS-VERBAL REÇU)	M50 - M65

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

SOUMISSIONS

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- C-12 Rapport daté du 7 juillet 2004 du directeur général de Travaux publics au sujet de l'attribution du contrat 2004-16, remise en état et travaux routiers du pont de la rue Paris
(RÉSOLUTION PRÉPARÉE) **1 - 2**

- C-13 Rapport daté du 7 juillet 2004 de la directrice générale des Services aux citoyens et des Loisirs au sujet de l'achat de coupe-bordure de patinoire - arénas de la municipality
(RÉSOLUTION PRÉPARÉE) **3 - 5**

(Onze des quatorze coupe-bordure sont de vieux modèles qui ne sont pas dotés d'interrupteur qui mettraient immédiatement les appareils en position arrêt une fois la poignée lâchée. Pour veiller à la santé et à la sécurité de nos travailleurs, on a pris la décision de remplacer les vieux modèles de coupe-bordure par du nouveau matériel.)

- C-14 Rapport daté du 7 juillet 2004 de la directrice générale des Services aux citoyens et des Loisirs au sujet de l'attribution de DP pour le système de points de vente à l'Aréna communautaire de Sudbury
(RÉSOLUTION PRÉPARÉE) **6 - 8**

(Le système de points de vente sert à l'Aréna communautaire de Sudbury à contrôler les stocks, à enregistrer les ventes et à faire des rapprochements de caisse pour toutes les exploitations de concession. Le système de points de vente qui est actuellement en place a fait défaut et doit être remplacé avant la saison d'exploitation 2004-2005 de l'aréna.)

RAPPORTS DE GESTION COURANTS

- C-15 Rapport daté du 9 juillet 2004, accompagné de pièces jointes, du directeur général des Services corporatifs au sujet de la prolongation du permis d'alcool – Sudbury Shrine Club
(RÉSOLUTION PRÉPARÉE) **9 - 13**

(Le Sudbury Shrine Club tiendra son barbecue annuel le 22 juillet 2004 à l'intention de ses members.)

SONDAGES TÉLÉPHONIQUES

{AUCUN}

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS

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LES RÈGLEMENTS SUIVANTS PARAISSENT POUR LA 3^E ET DERNIÈRE LECTURE :

2004-192 3^E RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR FERMER LE RESTE DE LA RUELLE AU SUD DE LA RUE VAN HORNE CONTIGUË AUX LOTS 112 À 117, PLAN 2-S, SUDBURY

Recommandation du Comité de planification 2004-145

1^{re} et 2^e lectures lors de la réunion du Conseil municipal tenue le 24 juin 2004

2004-193 3^E RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR FERMER LA RUE FREDERICK (NON OUVERTE) AU SUD DE LA RUE VAN HORNE CONTIGUË AUX LOTS 111 ET 112, PLAN 2-S, SUDBURY ET POUR LA TRANSFÉRER À LA SOCIÉTÉ ÉPISCOPALE CATHOLIQUE ROMAINE DU DIOCÈSE DE SAULT STE. MARIE

Recommandation du Comité de planification 2004-146

1^{re} et 2^e lectures lors de la réunion du Conseil municipal tenue le 24 juin 2004

2004-194 3^E RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR FERMER L'ALLOCATION RIVERAINE DU LAC NICKEL

Recommandation du Comité de planification 2004-147

1^{re} et 2^e lectures lors de la réunion du Conseil municipal tenue le 24 juin 2004

LES RÈGLEMENTS SUIVANTS PARAISSENT POUR TROIS LECTURES :

2004-195 Voyez le PARTIE II - ORDRE DU JOUR RÉGULIER - RÈGLEMENT SUR LA FERMETURE DES MAGASINS

2004-200F 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY AU SUJET DES DROITS D'AMÉNAGEMENT

Rapport daté du 9 juillet 2004, accompagné de pièces jointes, du directeur général des Services corporatifs au sujet de l'étude sur les droits d'aménagement de 2004

14 - 45

(L'Étude sur les droits d'aménagement de 2004 est présentée aux fins d'approbation et de mise en oeuvre de nouveaux droits d'aménagement.)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

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2004-201 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR CONFIRMER LES DÉLIBÉRATIONS DU CONSEIL MUNICIPAL LORS DE SA RÉUNION TENUE LE 13 JUILLET 2004

2004-202 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER UNE CONVENTION AVEC LE CLUB DES LIONS DE CONISTON POUR AUTORISER LA CONSTRUCTION D'UN ARC DE L'AMITIÉ AU PARC CONISTON ET UNE SUBVENTION POUR CE FAIRE

Rapport daté du 25 juin 2004, accompagné de pièces jointes, de la directrice générale des Services aux citoyens et des Loisirs au sujet de l'arc de l'amitié du Club des Lions de Coniston au parc Coniston

46 - 49

(Le Club des Lions de Coniston demande la permission du Conseil municipal d'installer un arc de l'amitié du Club des Lions de Coniston au parc Coniston situé à l'intersection de l'avenue Second et du chemin Government, à Coniston.)

2004-203 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER L'ASSOCIATION RÉGIONALE DE SOCCER DE SUDBURY À UTILISER UNE SURFACE INTÉRIEURE DE SOCCER PAR UNE SUBVENTION

Rapport daté du 25 juin 2004 de la directrice générale des Services aux citoyens et des Loisirs au sujet de la convention avec l'Association régionale de soccer de Sudbury pour l'utilisation de la surface de jeu artificielle

50 - 51

(Le Conseil municipal a décidé le 26 février 2004 de ne pas renouveler le bail de l'espace à louer du Centre d'exposition ce qui laisse l'Association régionale de soccer de Sudbury négocier avec les propriétaires du Centre d'exposition - Résolution 2004-100.)

2004-204 Voyez le PARTIE II - ORDRE DU JOUR RÉGULIER - RÈGLEMENT SUR LA FERMETURE DES MAGASINS

2004-205 Voyez le PARTIE II - ORDRE DU JOUR RÉGULIER - RÈGLEMENT SUR LA FERMETURE DES MAGASINS

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

PAGE N°

- 2004-206P 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR ADOPTER LA MODIFICATION 236 DU PLAN OFFICIEL POUR LA ZONE DE PLANIFICATION DE SUDBURY

Recommandation du Comité de planification 2004-142

(Cette modification vise un emplacement particulier afin de permettre la création d'un lot résidentiel au sein de la réserve agricole du Plan secondaire de Valley East - Roma et Angèle Miron, parcelle 18511 S.E.S. du lot 6, conc. 3, Hanmer, 5000, chemin Desmarais, Val Therese.)

- 2004-207 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR NOMMER DES AGENTS D'APPLICATION DES RÈGLEMENTS MUNICIPAUX AFIN D'APPLIQUER LES SECTIONS SUR LA PROPRIÉTÉ PRIVÉE ET SUR LE STATIONNEMENT RÉSERVÉ AUX PERSONNES HANDICAPÉES DU RÈGLEMENT 2001-1 ET DU RÈGLEMENT 2003-30T SUR LES ITINÉRAIRES DES POMPIERS

(Ce règlement met à jour la liste des agents d'application.)

- 2004-208A 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER UNE CONVENTION AVEC LA SOCIÉTÉ CUSTOM BIO-GAS INC. AUX FINS D'UNE ÉTUDE DE FAISABILITÉ

Résolution du Conseil municipal 2004-101

- 2004-209A 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER UNE PROLONGATION ET UNE CONVENTION DE MODIFICATION AVEC CHRISTOPHER J. STEWART O/A C.J. STEWART CONSULTING SERVICES

Résolution du Conseil municipal 2004-321

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

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- 2004-210 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 2004-152, RÈGLEMENT VISANT À AUTORISER LE FINANCEMENT PROVENANT DU FINANCEMENT CIBLÉ POUR LES PLACEMENTS COMMUNAUTAIRES À DIVERS ORGANISMES DE SERVICES SOCIAUX AFIN D'AIDER À LA PRESTATION DE PROGRAMMES COMMUNAUTAIRES AFIN DE FOURNIR DES SERVICES DIRECTS ET INDIRECTS AUX PARTICIPANTS À ONTARIO AU TRAVAIL

Résolution du Conseil municipal 2004-273

(Ce règlement modifie le règlement existant en effaçant la référence à des fonds destinés à la Croix-Rouge qui fait fonctionner le programme d'alertes par très grands froids.)

- 2004-211A 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR APPROUVER L'EXPROPRIATION PAR LA VILLE DU GRAND SUDBURY DE CERTAINES TERRES REQUISES POUR LE CHANTIER DU TUNNEL DE ROCHE DANS LE SUD DE LA VILLE

Réunion du Comité de planification tenue le 13 juillet 2004

- 2004-212E 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER L'EXPROPRIATION DE LA PARCELLE 28558 S.E.S. DE LORIS CECCHETTO POUR LE CHANTIER DU TUNNEL DE ROCHE DANS LE SUD DE LA VILLE

Réunion du Comité de planification tenue le 13 juillet 2004

- 2004-213Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 2000-65Z POUR MODIFIER LE RÈGLEMENT 83-300, RÈGLEMENT GÉNÉRAL DE ZONAGE DES ANCIENNES VILLES D'ONAPING FALLS ET DE VALLEY EAST

Réunion du Comité de planification tenue le 13 juillet 2004

(Ce règlement enlève le symbole « H » (Holding) des terres en question pour redéfinir leur zonage « C2 », Générales commerciales. - Cerilli Group Inc., route municipale 80, Val Therese)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

PAGE N°

- 2004-214Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 95-500Z, RÈGLEMENT GÉNÉRAL DE ZONAGE DE L'ANCIENNE VILLE DE SUDBURY

Réunion du Comité de planification tenue le 13 juillet 2004

(Ce règlement redéfinit le zonage de la propriété en question à C1-30 pour permettre des panneaux qui sont normalement permis dans une zone « C2 » et pour permettre un panneau d'identification d'entreprise au niveau du sol ayant une superficie totale de panneau de 20,96 mètres carrés. - Shell Canada Products, 1329, rue Regent, Sudbury.)

- 2004-215Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 83-300, RÈGLEMENT GÉNÉRAL DE ZONAGE DES ANCIENNES VILLES D'ONAPING FALLS ET DE VALLEY EAST

Recommandation du Comité de planification 2004-105

(Ce règlement redéfinit le zonage de la propriété en question à Résidentielle unifamiliale pour permettre la création de six lots pour usage résidentiel unifamilial du prolongement de la rue Larocque. Cette propriété est aussi sous réserve des demandes d'autorisation B37/2004 à B42/2004. - Jean Brassard et 844367 Ontario Inc., prolongement de l'avenue Larocque, Val Caron.)

- 2004-216Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 83-300, RÈGLEMENT GÉNÉRAL DE ZONAGE DES ANCIENNES VILLES D'ONAPING FALLS ET DE VALLEY EAST

Recommandations du Comité de planification 2003-123 et 2003-124

(Ce règlement redéfinit le zonage de la propriété en question à « RU-22 », Spéciale rurale pour permettre l'entreposage, l'entretien et la vente de maisons mobiles, caravanes, conteneurs et garages d'entreposage en plus de toutes les autres utilisations « rurales ». De plus, l'emplacement pour les maisons mobiles et les installations d'entreposage sur les terres en question a été déterminé, l'exigence de la bande de plantation de 75 pieds a été établie et les terres zonées « RU-22 » ont été déterminées comme un endroit où le contrôle du plan de situation doit s'appliquer. - Valley View Mobile Homes Village Inc., promenade Gravel, Hanmer)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

PAGE N^o

- 2004-217Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 95-500Z, RÈGLEMENT GÉNÉRAL DE ZONAGE DE L'ANCIENNE VILLE DE SUDBURY

Réunion du Comité de planification tenue le 13 juillet 2004

(Ce règlement enlève le symbole « H » (Holding) de la propriété en question pour redéfinir son zonage à « PS-4 », Espace ouvert privé spécial, permettant une habitation unifamiliale - Tim et Laurie Smith, chemin South Bay, Sudbury)

- 2004-218Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 83-304, RÈGLEMENT GÉNÉRAL DE ZONAGE DE L'ANCIENNE VILLE DE NICKEL CENTRE

Recommandation du Comité de planification 2004-137

(Ce règlement ne redéfinit pas le zonage de la propriété en question. Ce règlement permet une zone d'exposition de maisons-témoins préfabriquées pour la vente au détail pendant une période temporaire maximum d'un an. Ce règlement établit les normes des zones de stationnement et de chargement, des panneaux et de l'exigence d'un permis de construction. - 630411 Ontario Inc., chemin Falconbridge / route municipale 86, Garson)

- 2004-219Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 95-500Z, RÈGLEMENT GÉNÉRAL DE ZONAGE DE L'ANCIENNE VILLE DE SUDBURY

Recommandations du Comité de planification 2003-208 et 2004-47

(Ce règlement redéfinit le zonage de la propriété en question à « R1.D2.5 », Unifamiliale résidentielle pour permettre l'ajout d'un lot à la parcelle 20425 S.E.S., résultant de la demande d'autorisation B0119/2003. – Office de protection de la nature du district du Nickel / Andrew Caruso, 2420, chemin South Bay, Sudbury)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

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- 2004-220Z 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 83-300, RÈGLEMENT GÉNÉRAL DE ZONAGE DES ANCIENNES VILLES D'ONAPING FALLS ET DE VALLEY EAST

Recommandation du Comité de planification 2004-122

(Ce règlement redéfinit le zonage de la propriété en question à Unifamiliale résidentielle pour permettre la création de quatre lots à usage unifamilial résidentiel dans le prolongement de la rue St. Michel. Cette propriété est aussi sous réserve des demandes d'autorisation B60/2004 à B63/2004. - Philippe et Louise Landry, prolongement de la rue St. Michel, Hanmer)

- 2004-221A 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR MODIFIER LE RÈGLEMENT 2001-1, ÉTANT UN RÈGLEMENT POUR RÉGULER LA CIRCULATION ET LE STATIONNEMENT SUR LES ROUTES DANS LA VILLE DU GRAND SUDBURY

Rapport daté du 7 juillet 2004, accompagné de pièces jointes, du directeur général de Travaux publics au sujet de la régulation de la circulation – lotissement Algonquin II

52 - 55

(Ce règlement règle la circulation par l'entremise d'un panneau « Arrêt » à l'intersection qui fait face à la circulation en direction de l'est sur la promenade Trailview à la hauteur de la promenade Mist Hollow.)

- 2004-222 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER LA VENTE DE LA PARTIE 4 DU PLAN 53R-14476 À LA SOCIÉTÉ DALRON CONSTRUCTION LIMITED

Réunion du Comité de planification tenue le 13 juillet 2004

- 2004-223 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR AUTORISER L'ACHAT DE LA PARTIE DE CATHERINE MCBRIDE DE LA PARCELLE 9351 S.E.S. POUR LE CHANTIER DU TUNNEL DE ROCHE DANS LE SUD DE LA VILLE

Réunion du Comité de planification tenue le 13 juillet 2004

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

RÈGLEMENTS (suite)

PAGE N°

2004-224 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR
AUTORISER LA VENTE D'UNE PARTIE DE LA RUELLE
JESUITES, SUDBURY, ÉTANT LES PARTIES 1 ET 2 DU
PLAN 53R-13877 À LA SOCIÉTÉ 1311928 ONTARIO INC.

Réunion du Comité de planification tenue le 13 juillet 2004

2004-225 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR
AUTORISER LA VENTE D'UNE PARTIE DE LA PARCELLE
40319 S.E.S. À LA SOCIÉTÉ DR. ARDYTH ANN WELLS
DENTISTRY PROFESSIONAL CORPORATION

Réunion du Comité de planification tenue le 13 juillet 2004

2004-226A 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR
AUTORISER UNE CONVENTION DE BAIL AVEC LA
SOCIÉTÉ 3336263 CANADA LTD. AU SUJET D'UNE
PARTIE DU LOT 104, PLAN M-95, RUE CROSS, SUDBURY

Réunion du Comité de planification tenue le 13 juillet 2004

2004-227 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR
AUTORISER LA VENTE D'UNE PARTIE DU LOT 8, PLAN
SR-2968, PROMENADE ROSELAND, WAHNAPIAE, À
GÉRALD GAUDETTE ET À LINA GÉNIER

Réunion du Comité de planification tenue le 13 juillet 2004

2004-228A 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR
AUTORISER LES SUBVENTIONS POUR LES ARTS ET LA
CULTURE EN 2004

Rapport daté du 7 juillet 2004 de la directrice générale des
Services aux citoyens et des Loisirs au sujet de subventions
pour les arts et la culture en 2004

56 - 63

(Dans le cadre des délibérations budgétaires de 2004, le Conseil
municipal a approuvé un financement s'élevant à 224 800 \$ pour
les subventions pour les arts et la culture. En 2004, quatre
nouveaux groupes ont été ajoutés au programme de subventions
pour les arts et la culture.)

PARTIE I - ORDRE DU JOUR DES RÉSOLUTIONS (suite)

CORRESPONDANCE À TITRE DE RENSEIGNEMENT SEULEMENT

PAGE N^o

- C-16 Rapport daté du 7 juillet 2004, accompagné de pièces jointes, du directeur général des Services de développement économique et de planification au sujet du rapport de la situation du Comité consultatif de liaison de développement au Conseil municipal
(À TITRE DE RENSEIGNEMENT SEULEMENT) 64 - 70

(Le Conseil municipal a demandé que le Comité consultatif de liaison de développement (CCLD) rédige un rapport régulier à l'intention du Conseil municipal sur les progrès réalisés afin de satisfaire aux points de référence en matière de permis de construction. À sa réunion du 24 juin 2004, le CCLD a adopté la résolution suivante:

« QUE le CCLD examine les renseignements sur les points de référence des Services de construction du 1^{er} janvier 2004 jusqu'au 30 avril 2004 et qu'il soit satisfait des progrès réalisés dans ce domaine et qu'il les appuie

ET QUE l'approbation du CCLD au sujet de ces résultats soit communiquée au Conseil municipal conformément à la demande du Conseil de recevoir des comptes rendus réguliers.»)

- C-17 Rapport daté du 6 juillet 2004, accompagné de pièces jointes, du directeur général de Public Works au sujet de trottoirs – route 144, Dowling
(À TITRE DE RENSEIGNEMENT SEULEMENT) 71 - 74

(Le Conseil municipal a demandé au personnel de communiquer avec le MTO pour faire incorporer des trottoirs à la remise en état de la chaussée proposée de la route 144 à Dowling. Une lettre datée du 24 juin 2004 du MTO est jointe au présent ordre du jour.)

PARTIE II - ORDRE DU JOUR RÉGULIER

RÈGLEMENTS SUR LES HEURES DE FERMETURE DES MAGASINS

- 2004-195 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR ABROGER CERTAINS RÈGLEMENTS SUR LES HEURES DE FERMETURE DE SES ANCIENNES MUNICIPALITÉS CONSTITUANTES

Rapport daté du 9 juillet 2004, accompagné de pièces jointes, du directeur général des Services corporatifs au sujet du règlement sur les heures de fermeture des magasins 75 - 89

(Ce règlement abroge les cinq règlements sur les heures de fermeture des magasins des anciennes municipalités.)

PARTIE II - ORDRE DU JOUR RÉGULIER (suite)

RÈGLEMENTS SUR LES HEURES DE FERMETURE DES MAGASINS (suite)

PAGE N°

- 2004-204 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR EXIGER LA FERMETURE DE CERTAINS COMMERCES DE DETAIL

Rapport daté du 9 juillet 2004, accompagné de pièces jointes, du directeur général des Services corporatifs au sujet du règlement sur les heures de fermeture des magasins

75 - 89

(Ce règlement abroge les cinq règlements sur les heures de fermeture des magasins des anciennes municipalités et établit des nouvelles heures uniformes de fermeture des magasins pour toute la Ville.)

- 2004-205 3 RÈGLEMENT DE LA VILLE DU GRAND SUDBURY POUR EXIGER LA FERMETURE DE CERTAINS COMMERCES DE DÉTAIL LES JOURS FÉRIÉS MUNICIPAUX PROCLAMÉS PAR LE MAIRE

Rapport daté du 2 juillet 2004 du directeur général des Services corporatifs au sujet de la proclamation du maire – jour férié municipal au mois d'août

90 - 91

(La Loi de 2001 sur les municipalités stipule qu'une municipalité locale peut, par voie de règlement, exiger que les commerces de détail soient fermés pendant toute période proclamée jour férié municipal par le chef du Conseil municipal. Le maire Courtemanche a indiqué qu'il respectera la demande de la majorité des conseillers.)

PARTIE II - ORDRE DU JOUR RÉGULIER (suite)

PROCÉDURE RECOMMANDÉE - RÈGLEMENTS SUR LES HEURES DES MAGASINS

ORDRE DES QUESTIONS QUE LE CONSEIL DOIT ÉTUDIER

Question 1

LE CONSEIL DÉSIRE-T-IL UN NOUVEAU RÈGLEMENT UNIFORME SUR LES HEURES DE FERMETURE DES MAGASINS?

SI OUI

- a) On présente la recommandation du Comité ad hoc :
- « Que les heures des magasins sont établies comme suit :
- Du lundi au vendredi - de 5 h à 21 h
Les samedi et dimanche - de 5 h à 18 h
- Sauf le mois de décembre où les magasins seront ouverts de 5 h à 23 h le vendredi et le samedi (jusqu'à Noël), les autres jours de la semaine demeurant inchangés. »
- b) On présente des modifications à la résolution et on vote à leur sujet.
- c) On présente l'ébauche de règlement 2004-204 (telle que modifiée) et on vote à son sujet.

SI NON

- a) On présente l'ébauche de règlement 2004-195 et on vote à son sujet. (Celui-ci abroge tous les règlements existants sur les heures de fermeture des magasins des anciennes municipalités et les heures des magasins seront déréglementées.)

PARTIE II - ORDRE DU JOUR RÉGULIER (suite)

RÈGLEMENTS SUR LES HEURES DE FERMETURE DES MAGASINS (suite)

PAGE N°

Question 2

LE CONSEIL DÉSIRE-T-IL UN RÈGLEMENT EXIGEANT LA FERMETURE DES MAGASINS LES JOURS PROCLAMÉS PAR LE MAIRE?

SI OUI

- a) On présente l'ébauche de règlement 2004-205.
- b) On présente des modifications au règlement.
- c) On présente l'ébauche de règlement 2004-205 (telle que modifiée) et on vote à son sujet.
- d) On présente une motion demandant au maire de proclamer le jour férié municipal en août et on vote à son sujet.

SI NON

- a) Aucune mesure n'est nécessaire.

QUESTIONS REPORTÉES ET QUESTIONS RENVOYÉES

PAGE N°

{AUCUNE}

RAPPORTS DE GESTIONNAIRES

- R-1 Rapport daté du 9 juillet 2004, accompagné de pièces jointes, du directeur général des Services d'urgence au sujet de la normalisation du parc d'ambulances des Services médicaux d'urgence
(RÉSOLUTION PRÉPARÉE)

92 - 96

(Le ministère de la Santé et des Soins de longue durée de l'Ontario n'agira plus en qualité d'acheteur dans le domaine des acquisitions d'ambulance pour toutes les municipalités. Deux nouveaux fabricants agréés en Ontario (Demers et Crestline) seront désignés « fournisseurs inscrits ».)

PARTIE II - ORDRE DU JOUR RÉGULIER (suite)

RAPPORTS DE GESTIONNAIRES (suite)

PAGE N°

- R-2 Rapport daté du 9 juillet 2004, accompagné de pièces jointes, du directeur général des Services d'urgence au sujet du plan d'achats pour l'acquisition d'immobilisations en 2004 des Services d'incendie de la Ville du Grand Sudbury **97 - 100**
(RÉSOLUTION PRÉPARÉE)

(Ce rapport décrit les besoins en matière d'acquisition d'immobilisations en 2004 fondés sur les besoins des services d'incendie.)

- R-3 Rapport daté du 7 juillet 2004, accompagné de pièces jointes, du directeur général des Travaux publics au sujet d'un rapport de la situation – agrandissement de l'usine de traitement de l'eau de la rue David **101 - 113**
(RÉSOLUTION PRÉPARÉE)

(Rapport au Conseil municipal sur l'état du contrat 2002-34 pour l'agrandissement de l'usine de traitement de l'eau de la rue David.)

- R-4 Rapport daté du 7 juillet 2004, accompagné de pièces jointes, du directeur général des Travaux publics au sujet de pistes cyclables dans la rue – corridor de la promenade Howey, de l'avenue Bellevue et de la promenade Bancroft **114 - 123**
(RÉSOLUTION PRÉPARÉE)

(Lors de la réunion du Conseil municipal tenue le 13 mai 2004, le Conseil a demandé au personnel de lui présenter un rapport au sujet de pistes cyclables dans la rue dans le corridor de la promenade Howey, de l'avenue Bellevue et de la promenade Bancroft.)

- R-5 Rapport daté du 2 juillet 2004, accompagné de pièces jointes, du directeur général des Services corporatifs au sujet de la nomination d'un membre du conseil d'administration, Service de santé publique de Sudbury et du district **124 - 136**
(RÉSOLUTION PRÉPARÉE)

(Lors de la réunion du Conseil municipal tenue le 24 juin 2004, le conseiller Gainer a remis sa démission à titre de membre du Conseil d'administration du Service de santé publique de Sudbury et du district.)

MOTIONS

ADDENDA

PÉTITIONS CIVIQUES

PARTIE II - ORDRE DU JOUR RÉGULIER (suite)

PÉRIODE DE QUESTIONS

AVIS DE MOTIONS

HUIS CLOS (questions inachevées)

LEVÉE DE LA SÉANCE À 22 h (RÉSOLUTION PRÉPARÉE)

{UNE MAJORITÉ DES DEUX TIERS EST REQUISE POUR POURSUIVRE LA RÉUNION APRÈS 22 h.}

Le 9 juillet 2004

**ANGIE HACHÉ
ADJOINTE AU GREFFIER MUNICIPAL**

**CORRIE-JO CAPORALE,
SECRÉTAIRE DU CONSEIL**

Request for Decision City Council



Type of Decision

Meeting Date	July 13, 2004				Report Date	July 7, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Tender Award, Contract 2004-16, Paris Street Bridge Rehabilitation and Road Work

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

That Council commit \$1.3 million from the 2005 Capital Roads Budget

This certifies that this future commitment is within the Annual Repayment Limit for the City of Greater Sudbury as re-calculated

S. Jonasson
S. Jonasson

Background Attached

Recommendation

THAT the City enter into a contract with Nor Eng Construction and Engineering Limited for the Paris Street Bridge Rehabilitation and Road Work in the amount of \$4,744,380.00 , this being the lowest bid, and

THAT an allocation of \$1.3 million be approved from the 2005 Capital Roads Budget

Recommendation Continued

Recommended by the General Manager

Don Bélisle
Don Bélisle
General Manager of Public Works

Recommended by the C.A.O.

Mark Mieto
Mark Mieto
Chief Administrative Officer

Date: July 7, 2004

Report Prepared By

Robert M Falcioni, P. Eng.
Roads and Drainage Engineer

Division Review

Don Bélisle
General Manager of Public Works

Background:

The project involves the Rehabilitation of the Paris Street overpass and the approach roadways from John Street to Van Horne Street.

Tenders were opened on May 18, 2004 and there were five bidders as follows:

Nor Eng Construction and Engineering Inc.	\$4,744,380.00
Teranorth Construction and Engineering Limited	\$5,501,094.72
Belanger Construction (1981) Inc.	\$6,389,597.02
Pioneer Construction Inc.	\$6,450,194.03
Underground Services (1983) Ltd.	\$6,724,804.48

The actual construction will take two years to complete and is expected to be finished in the late fall of 2005.

The Engineer's estimate for the project as called was \$4,837,444.00.

The financing for the project is budgeted with \$1,500,000.00 in 2003 and \$2,200,000.00 in 2004 for a total of \$3,700,000.00. The total estimated cost for completion including engineering is \$5,000,000.00.

There are two options to construct the project. One option would be to reduce the scope of the work to fit into the allocated budget. This could be done by removing the road works portion and cutting back the work on the approaches. This work still needs to be done and could be put into another contract, however that would result in an extra year of construction.

Another option would be to commit \$1,300,000.00 out of the 2005 Capital Roads Budget to this project and have it completed in 2005.

As part of this project and to assure the public that our bridges are safe even during construction the City will be requesting that the temporary supports and bracing be reviewed by a third party and monitored during construction to ensure that they remain competent.

It is therefore recommended that the City enter into a contract with Nor Eng Construction and Engineering Limited for the Paris Street Bridge Rehabilitation and Road Work in the amount of \$4,744,380.00.

Request for Decision City Council

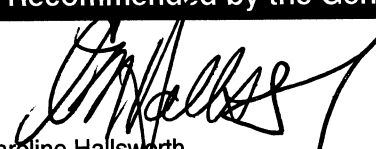


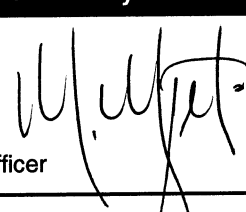
Type of Decision										
Meeting Date	July 13, 2004				Report Date	July 7, 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low	
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed	

Report Title
Purchase of Ice Edging Equipment - Municipal Arenas

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
Background Attached	

Recommendation
<p>That Zamboni be identified as the vendor of record for ice edging equipment and further, that the City of Greater Sudbury purchase eleven Zamboni Ice Edgers with propane tanks for a total cost of \$46,299 with funding to come from the Capital Financing Reserve Fund - Citizen and Leisure Services.</p>
Recommendation Continued

Recommended by the General Manager
 Caroline Hallsworth General Manager, Citizen and Leisure Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Report Prepared By



Richard Ahola
Manager of Municipal Arenas and Community Centres

Division Review



Réal Carré
Director, Leisure, Community and Volunteer Services

Executive Summary

The department recommends the standardization of ice edger equipment to the Zamboni Ice Edger, which is the ice edger equipment which provides the safest and sturdiest operation for municipal arenas.

Background

Ice edging is performed daily by arena maintenance staff to reduce the build-up of ice in close proximity to the interior dasherboard system so as to ensure that the ice surface remains flat, and doesn't form a bowl like playing surface. Proper ice maintenance is essential in providing a safe ice surface for all arena users.

During the course of the previous ice season, one of our arena employees was seriously injured when he slipped and fell while operating an ice edger. In reviewing the condition of ice edging equipment currently utilized at municipal arenas, eleven of our fleet of fourteen ice edgers were found to be older models that do not have a dead man switch which would immediately turn off the ice edger when the handle is released. Further, all of these ice edgers are fueled by gasoline which is a health risk to the employees and end users of these facilities as carbon monoxide fumes can build up within the facility.

Accordingly, to ensure the health and safety of our workers, the decision was made to replace all of the older ice edgers with new equipment. Because arena maintenance staff, particularly part-time staff move between arenas, the decision was made to standardize to one type of ice edger equipment so as to ensure that all municipal arena staff equipment are trained on and familiar with the ice edging equipment.

There are two suppliers of ice edging equipment as described below:

	Olympia Resurface	Zamboni
Deadman Switch	Yes	Yes
Engine	6.5 horsepower, Briggs and Stratton	9.0 horsepower, Briggs and Stratton
Cutting Span	12 inches	18 inches
Weight	110 lbs.	200 lbs.
Foot Protection	Limited	Full
Price per Unit, including taxes	\$2,810.25	\$4,209.00

Having reviewed the equipment specifications, the department has determined that the Zamboni equipment is preferred for a number of reasons. The Zamboni model provides the greatest protection to staff as it is equipped both with a deadman switch and with a full foot protection system. Because of its larger size, the unit is not only more effective in edging ice, but is less easily tipped or capsized. The department currently has three Zamboni units in operation and this equipment has proven to be very effective and is preferred by staff who have used the equipment.

Accordingly, Council is asked to endorse Zamboni as the vendor of record for ice edging equipment and further to authorize the expenditure of \$46,299 from the Capital Financing Reserve Fund - Citizen and Leisure Services which presently has an uncommitted balance of \$109,000.

Request for Decision City Council

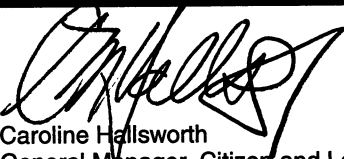


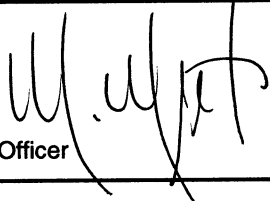
Type of Decision									
Meeting Date	July 13, 2004				Report Date	July 7, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Award of RFP for Point of Sale System at Sudbury Community Arena

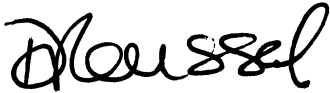
Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
Background Attached	

Recommendation
<p>That Council approve the the purchase of the Point of Sale system for the Sudbury Community Arena in the amount of \$104,040 plus Provincial Sales Tax for a total of \$111,332 and;</p> <p>THAT the contract for the Point of Sale system be awarded to Sabrepoint Incorporated;</p> <p>FURTHER THAT \$71,333 be funded from the 2003 Citizen and Leisure Services Capital Budget Allocation for the Sudbury Arena and that \$40,000 be funded from the Capital Financing Reserve Fund - Citizen and Leisure Services.</p>
Recommendation Continued

Recommended by the General Manager
 Caroline Hallsworth General Manager, Citizen and Leisure Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Report Prepared By



Ray Mensour
Manager, Sudbury Community Arena

Division Review



Réal Carré
Director, Leisure, Community and Volunteer Services

EXECUTIVE SUMMARY

The Point of Sale (POS) system is used at the Sudbury Community Arena to control inventory, record sales and reconcile cash for all concession operations, which generate approximately \$275,000 in sales annually. The value of concession inventory over the course of a season is approximately \$114,000. The DI/AN Point of Sale system currently in place has failed and can no longer support concessions at the Sudbury Arena. It is important that the Point of Sale system be replaced prior to the 2004-2005 arena operating season so as to ensure the proper management and control of concession inventory and sales at the Sudbury Community Arena.

BACKGROUND

There are 12 concession booths at the Sudbury Community Arena which serve more than 150,000 spectators annually for various events throughout the year. The concessions operation is the major source of revenue at the Sudbury Community Arena. In 2004, the beverage and concession operations are budgeted to generate approximately \$275,000 in revenues. The budget for concession products is approximately \$114,000, which represents a substantial investment in inventory which must be properly managed and monitored.

The current DI/AN Point of Sales system was purchased in 1993 and was anticipated to be operational for approximately seven years. DI/AN is an outdated DOS based program, which is no longer operating properly. The system failed last season and can no longer "communicate" with each individual concession booth. Currently, the system only generates total sales at the end of each event. It does not break down sales per booth or by concession clerk, which makes it extremely difficult to balance the cash in each booth at the end of each event, and also to match sales against inventory. Further, the system does not summarize the taxes owing from the Gross Sales generated and staff are reporting taxes based on past percentages, which numbers may not always be accurate. In addition, DI/AN software support is no longer available.

Over the past several months attempts have been made to resolve the current DI/AN system problems, however, the DI/AN program no longer has sufficient software upgrades that are fully compatible with the current system. No one, including the company DI/AN who it was purchased from, a local contractor who attempted to pin point trouble areas in our point of sale systems, and the City's Information Technology department, has been able to identify a solution which would allow the DI/AN system to again communicate properly with our different concession locations.

The proposed point of sale system includes 27 Touch Screen units, power supply and back-up. All required licences, inventory system, server, full installation and training. It offers advanced Point of Sale functionality, intuitive Windows-based touch screens, built in redundancy, multiple revenue centre capabilities, and extensive reports. It has the tools to effectively and efficiently manage each concession location. This integrated system is designed to be upgraded as required to accommodate our future needs while helping us to maximize the life and value of this investment. This system will withstand high transaction volumes, continuous operation and contaminants such as food, grease and dirt.

A Request for Proposal to replace the Point of Sale system at the Sudbury Community Arena was issued on May 21, 2004. There were four respondents to the Request for Proposal.

Evaluation of Point of Sales				
	RSG	SABREPOINT	ABS	TESORO
35% Product Quality	25	35	25	10
20% References	15	15	15	15
20% Service Support/ Partnership	15	20	15	15
25% Price	10	15	0	15
TOTAL POINTS	65	85	55	55

It is recommended that the contract for the purchase of the Point of Sale system for the Sudbury Community Arena in the amount of \$104,040 plus applicable taxes be awarded to Sabrepoint Incorporated. This being the proposal which scored the highest when evaluated as described above. Further, it should be noted that the annual software licence costs for this product are \$1,500 and that the annual maintenance costs for the associated hardware is \$10,294. These costs will be absorbed within the current budget allocated to the Sudbury Community Arena.

It had been anticipated that the Point of Sale system at the Sudbury Community Arena should have been replaced in 2000, however limited resources precluded updating the system at that time. The failure of the current system has necessitated the replacement of this system prior to the 2004 - 2005 arena event season. To fund this unbudgeted expense, \$71,333 allocated in the Citizen and Leisure Capital Envelope in 2003 for security upgrades at the Sudbury Arena which has not been spent due to fire department concerns related to the installation of a Meg Lock system can be re-allocated to the purchase of the Point of Sale System. The Capital Financing Reserve Fund - Citizen and Leisure Services has an uncommitted balance of \$109,000. Should Council approve the purchase of the Ice Edging equipment, that balance will be reduced to \$63,000. Therefore, it is recommended that the balance of \$40,000 required for the purchase of the Point of Sale system be funded from the Capital Financing Reserve Fund - Citizen and Leisure Services.

Request for Decision City Council



Type of Decision										
Meeting Date		Tuesday, July 13, 2004				Report Date		Friday, July 9, 2004		
Decision Requested		<input checked="" type="checkbox"/>	Yes		No	Priority		<input checked="" type="checkbox"/>	High	Low
		Direction Only			Type of Meeting		<input checked="" type="checkbox"/>	Open		Closed

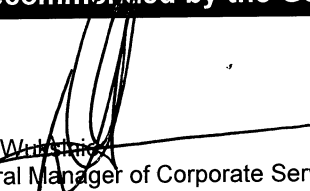
Report Title

**LIQUOR LICENSE EXTENSION
SUDBURY SHRINE CLUB**

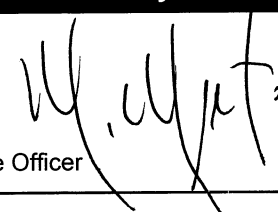
Policy Implication + Budget Impact	
N/A	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<u>POLICY IMPLICATION</u>	
NONE	
<u>BUDGET IMPACT</u>	
NONE	
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p>THAT this Council has no objection to the granting of a Liquor License Extension to Sudbury Shrine Club which will be held at the Shrine Banquet and Convention Centre, 2565 Kingsway Blvd, Sudbury, Ontario, for their Annual Pig Roast/Barbecue on July 22, 2004. The hours of operation are 3:00 p.m. to 11:00 p.m. with an anticipated attendance of 150 people.</p> <p>AND FURTHER THAT this approval be subject to the conditions as attached in Schedule 'A'.</p>
Recommendation Continued

Recommended by the General Manager


 Doug Whitlock
 General Manager of Corporate Services

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Date: Friday, July 9, 2004

Report Prepared By



Roger Leblanc
Municipal Law Enforcement Officer

Division Review

BACKGROUND:

Attached is an application submitted by Nels Conroy, Event Organizer and Member, on behalf of Sudbury Shrine Club, requesting Council's approval for a Liquor License Extension. The request is made to facilitate their Annual Pig Roast/Barbecue for the members of the Club. This event will take place on July 22, 2004 at 2565 Kingsway Blvd, Sudbury, Ontario. The hours of operation will be 3:00 p.m. to 11:00 p.m. with an anticipated attendance of 150 people.

In accordance with Council's policy, this application was circulated to the Fire Chief, Police Chief, Acting Director of Emergency Medical Services, Director of Leisure, Community & Volunteer Services, Manager of Transit Operations, Co-ordinator of Traffic and Transportation and the City Solicitor. Their concerns, if any, have been added to the conditions for approval.

The foregoing resolution has therefore been placed on the Agenda for your consideration.

SCHEDULE 'A'
CONDITIONS:

1. That the special event organizer shall ensure the provision of adequate clean-up of the site and those properties adjacent to the event area no later than 12:00 o'clock noon on Friday, July 23, 2004;
2. That the event representative ensure emergency vehicles have access to the event area;
3. That all Ontario Fire Code regulations must be adhered to, in particular, with respect to Section 2.8 that indicates a Fire Safety Plan is required for this event;
4. That no bonfires of any kind, barbecues or similar types of cooking devises shall be operated on the site without the consent of the Fire Chief, and that an approved fire extinguisher be provided for each of the foregoing;
5. That the special event organizer, or his designate, must be present on the site during the entire duration of the event.
6. That any tent be erected in accordance with the provisions of the Ontario Building Code.



Sudbury Shrine Club

2565 Kingsway

Sudbury, Ontario P3B 2G1

Telephone: 524-0335 Fax: 524-8858



To : City Of Greater Sudbury Municipal Clerk;

In accordance with the Ontario Gaming commission requirements for application for a Temporary Extension Licence , I am writing to inform you of our desire to hold an Pig Roast/Barbecue at the Shrine Banquet and Convention Centre, 2565 Kingsway Blvd. on Thursday July 22/04 from 3:00 p.m. until approximately 11:00 p.m. Attendance will be approximately 150.

The meal will be served indoors in the Main Hall and we wish to erect a 20 X 20 Marquee outdoors for attendees to observe the Roasting of the Pig. This is not a public event, it is for members and invited guests only. It is our desire to serve and consume alcohol within the confines of the the outdoor area which is unlicensed. The area proposed for this permit is 25m X 30m on the parking lot adjacent to the front entrance of the Banquet Centre We will confine the permit area with a 3 ft perimeter fence.

Your earliet attention to this matter is appreciated.

Yours truly

Nels Conroy

Event Organizer and Member Sudbury Shrine Club



city of | ville de
SUDBURY

Application for Approval of Outdoor Fund Raisers and Community Festivals

Name of Applicant Nels Conroy

Name of Group Sudbury Shrine Club

Address 2565 Kingsway Telephone (705) 524 0335

Proposed Event (Describe all activities to be held) outdoor barbeque for members and guests, only; indoor washrooms and food service in Starlight Room

Anticipated Attendance 150 Location Shrine Banquet Facility

Date July 27, 2004 Hours of Operation 15:00 23:00

Owner/Occupant of Location SUDBURY SHRINE CLUB

Address 2565 Kingsway Telephone No (705) 524 0335

Security Proposed (State whether police, private security or other and numbers) Members, all smart served, twelve

Proposed Access To Location and Proposed Parking Area (Attach Sketch if necessary) see sketch

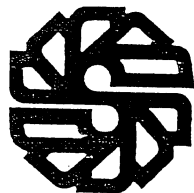
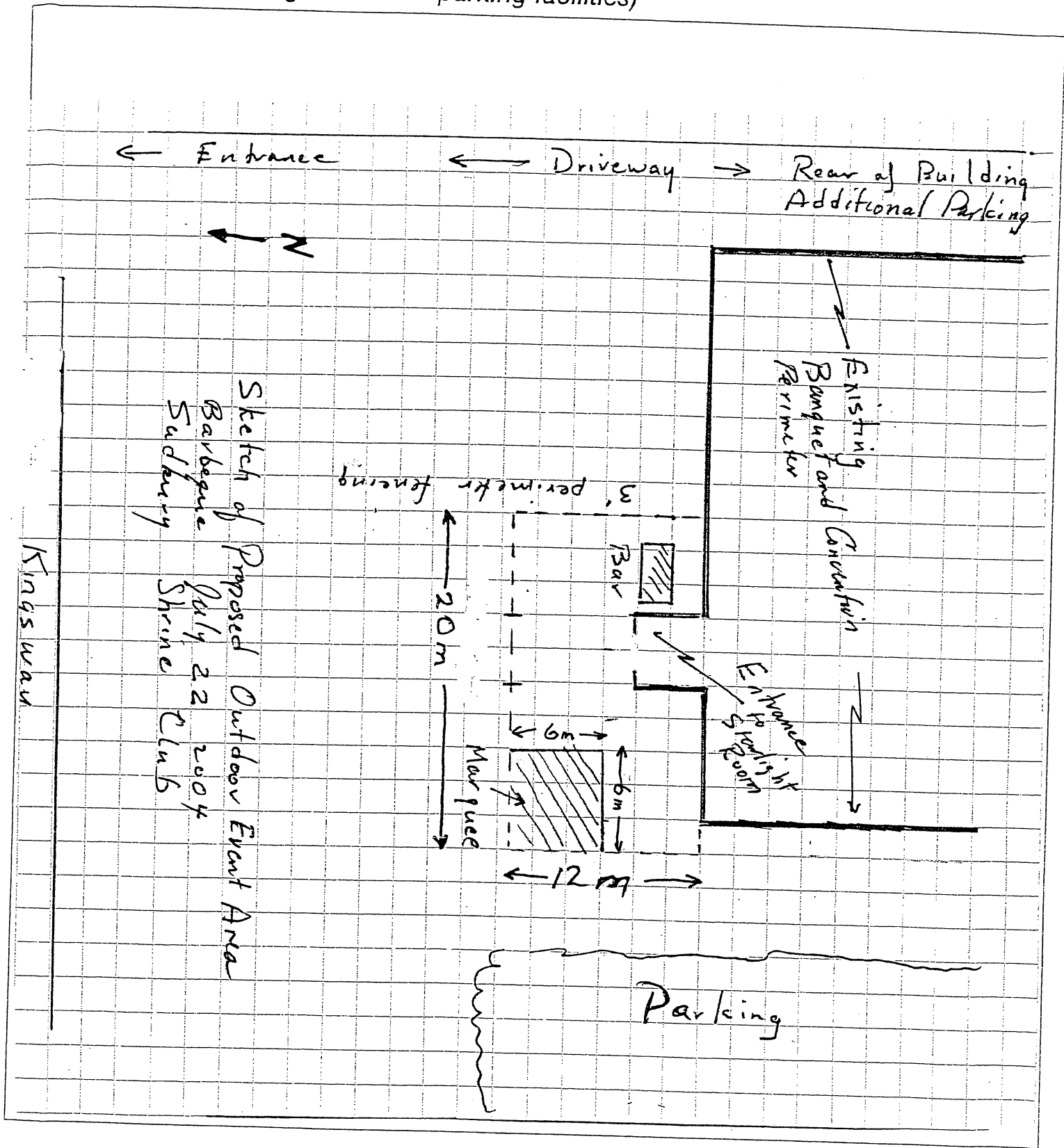
Has This Event Been Held Before? (Provide Details) yes
July 24, 2003 120 attendees
barbeque pig roast
inside food service

Has this Group sponsored ant previous outdoor fund raisers or community festivals?
yes see above

Nels Conroy - member
Signature of Applicant

I/WE certify the above information to be correct and undertake to advise the Municipal ByLaw Enforcement Officer immediately upon any change in the above information.

Site Plan (including location of parking facilities)



city of | ville de
SUDBURY

bylaw

Request for Decision City Council



Type of Decision

Meeting Date	July 13, 2004				Report Date	July 9, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Development Charges By-Law (2004)

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

Recommendation

WHEREAS the City of Greater Sudbury will continue to experience growth through development and redevelopment; and

WHEREAS development and redevelopment requires the provision of physical services by the City of Greater Sudbury; and

WHEREAS Council desires to ensure that the capital costs of the growth-related demands for, or the burden on municipal services does not place an unfair financial burden on the City or its existing taxpayers while, at the same time, ensuring new taxpayers contribute no more than the net capital costs attributable to providing the current level of municipal services; and

Recommendation Continued

Recommended by the General Manager

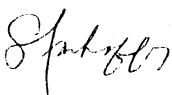

D. Wuksinic
General Manager of Corporate Services

Recommended by the C.A.O.


M. Mieto
Chief Administrative Officer


Date: July 9, 2004

Report Prepared By



C. Mahaffy
Manager of Financial Planning & Policy / Deputy Treasurer

Division Review



S. Jonasson
Director of Finance / City Treasurer

Continued . . .

WHEREAS the City of Greater Sudbury has undertaken a Study of, among other matters, services, expected growth, growth related facilities and the costs thereof; and

WHEREAS the Study was disseminated to the public and a public meeting was held and Council heard comments and representations from the public;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury hereby determines that no further Public Hearing is required on this matter and that the proposed By-law 2004-200F as circulated be passed to come into effect on July 14, 2004.

BACKGROUND

Development Charges Study Update - 2004

As the present Development Charges By-law, 99-200F, expires on August 31, 2004, the firm of Hemson Consulting Ltd. was engaged to prepare a Development Charges Study Update. This study was completed at the end of June, and copies of the study along with the draft proposed development charges by-law are being circulated to Council. In addition, both documents have been available to the public since the end of June, as was advertised in the Notice of Public Meeting in the Sudbury Star on June 16th and Le Voyageur the following week. In accordance with the Development Charges Act, a public meeting is to be held on July 13th at 1:00 p.m. Mr. John Hughes will make a brief presentation at that meeting.

In order to finalize the development charges process, it is proposed that the by-law be adopted by Council on July 13th, 2004, the same day as the public meeting. Provided that no major amendments to the proposed by-law are made, this will be possible. However, if major changes are proposed, then the By-law will not be able to proceed until the August meeting of Council. The old development charges By-law does not expire until the end of August. However, since the recommended Development Charges are slightly less than the charges under the current By-law, the intent was to have the new rates take effect the day after the by-law is passed

Date: July 9, 2004

Proposed Rates - July 14, 2004

The residential development charges proposed in the Hemson Study are as follows:

Service Category	Singles, Semi-Detached & Rows \$	Multiples & Apartments \$
Police	151	91
Roads	525	317
Wastewater	603	364
Water	1,171	707
Total (fully serviced)	2,450	1,479
Presently being Charged	2,850	1,723

In comparison, the current development charge for a single family dwelling in a fully serviced area is \$2,850. The proposed new rate of \$2,450 is approximately 86% of the current charge. Only properties within a water and wastewater service area pay this full charge. All properties will pay the general portion of the Development Charges - for Police and Roads, since all properties benefit from these services. Properties outside of a water and wastewater service area pay only the Police and Roads charges as outlined above. In addition, properties within only a water or only a wastewater service area pay only the three applicable charges. There is no collection of development charges for services that are not available to the property.

The proposed charges relate to excess capacity of growth-related projects already completed and which the former Regional Council intended should in part be paid for by new development. As under the previous two studies, the residential charges have been established at slightly less than 50% of the eligible amount. No institutional commercial or industrial (ICI) development charges have been proposed, in keeping with established practice. Had development charges been established for the ICI sector, they would have accounted for the balance of the eligible amount.

Future Growth Related Capital Projects

The Development Charges Study does not address charges for future growth-related capital projects since no such projects have been approved by Council at this date. However, if and when new growth-related projects are approved, the Development Charges By-law will have to be amended to include these new projects. A new study will have to be undertaken, and another Public Hearing held. The intent to recover any portion of a capital project through Development Charges must be clearly stated when the project is first approved by Council.

At that time, Council may decide to apply the new portion of the development charges on an area specific basis for water and wastewater projects, while leaving any other projects on a City-wide basis. Council may also consider having development charges apply to the Institutional, Commercial and Industrial sector as well.

Date: July 9, 2004

Official Plan

The new Official Plan which is currently being developed may identify future growth-related capital projects. This planning process is clearly the time when Council will have the opportunity to debate the merits of projects which may affect the City's future growth and development. Following the adoption of a new Official Plan in the Spring of 2006, Council may want to consider amendments to the Development Charges By-law currently proposed, should growth-related projects result.

Proposed New Development Charges By-law

Proposed By-law 2004-200F is attached. Other than the new reduced amounts and the new expiry date, very little in this by-law differs from the By-law currently in effect.

Summary

The continuation of Development Charges is consistent with Council's policy of optimizing user fees to generate revenue for capital projects. Over the five years that the present Development Charges By-law has been in effect, approximately \$2.5 million in revenue has been generated. This revenue has been immediately credited to the Capital Financing Reserve Fund related to the specific service, and has become available to fund other capital projects in Roads, Water, Wastewater and Policing areas. Without these funds, some of the projects would not have been undertaken, or taxes and water/wastewater rates would have been increased to allow the projects to proceed.

BY-LAW 2004-200F
OF THE CITY OF GREATER SUDBURY

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BY-LAW 2004-200F

**A BY-LAW OF THE CITY OF GREATER SUDBURY
WITH RESPECT TO DEVELOPMENT CHARGES**

WHEREAS subsection 2(1) of the *Development Charges Act*, S.O. 1997, c.27 provides that the council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from the development of the area to which the by-law applies;

AND WHEREAS by Resolution No. 2004- adopted by Council on July 13, 2004, Council has indicated that it intends to ensure that the increase in the need for services attributable to the anticipated development will be met, subject to sufficient development charge revenues being generated and other municipal affordability criteria being met;

AND WHEREAS Council has before it a report entitled "Development Charges Background Study", the City of Greater Sudbury, dated June 25, 2004 (the "Study");

AND WHEREAS the study was made available to the public, and Council gave notice to the public and held a public meeting pursuant to section 12 of the Act on July 13, 2004, and the Study and the proposed Development Charges By-law were made available to the public, and Council heard comments and representations from all persons who applied to be heard;

AND WHEREAS Council determined that no further public meetings were required under section 12 of the Act;

NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY

ENACTS AS FOLLOWS:

Definitions

1. In this By-law,

“**Act**” means the *Development Charges Act, 1997*, S.O. 1997, c.27;

“**apartment dwelling**” means a building containing six or more dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common elements;

“**board of education**” means a board of education, French and English, public school boards and separate school boards;

“**building or structure**” means a structure occupying an area greater than 10 square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof;

“**Building Code Act**” means the *Building Code Act*, S.O. 1992, chapter 23, as amended and all Regulations thereto including the *Ontario Building Code, 1997*, as amended;

“**City**” means The City of Greater Sudbury;

“**Council**” means the Council of The City of Greater Sudbury;

“Designated Town Centres” means an area shown in Schedule "C1 to C8" of this By-law;

“development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the total floor area, and includes redevelopment;

“development charge” means a charge imposed pursuant to this By-law;

“dwelling unit” means one or more habitable rooms designed or intended to be used together as a single and separate house-keeping unit by one person or jointly by two or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside the unit itself;

“floor” includes a paved, concrete, wooden, gravel, or dirt floor;

“front-ending agreement” means an Agreement made under section 44 of the Act;

“grade” means the average level of proposed or finished ground adjoining a building or structure at all exterior walls;

“local board” means a public utility commission, transportation commission, public library board, board of park management, local board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of the City;

“multiple dwellings” means all dwellings other than single-detached dwellings, semi-detached dwellings, and row dwellings;

“non-residential uses” means land, buildings or structures or portions thereof used, or designed or intended to be used for a use other than for a residential use;

“owner” means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

“protracted” means in relation to a temporary building or structure the persistence of its construction, erection, placement on land, alteration or of an addition to it for a continuous period exceeding eight months;

“redevelopment” means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use of a building or structure from residential to non-residential or from non-residential to residential;

“residential uses” means land, buildings or structures or portions thereof used, designed, or intended to be used as living accommodation for one or more individuals;

“row dwelling” means a building divided vertically into two or more separate dwelling units, with at least 50 per cent of the above grade area of the main wall(s) on one or two sides of each dwelling unit attached to or the same as a main wall of another dwelling unit;

“sanitary sewer service area” means, within The City of Greater Sudbury,

- (i) properties that are connected to the municipal sanitary sewer services but are not located within 500 ft. (152.5 m) of the municipal water services as they may exist from time to time;
- (ii) properties that abut streets, easements, or rights-of-way upon which municipal sanitary sewer services have been placed or are placed from time to time but are not located within 500 ft. (152.5 m) of the municipal water services as they may exist from time to time, and

- (iii) properties that are located within 500 ft. (152.5 m) of municipal sanitary sewer services as they may exist from time to time but are not located within 500 ft. (152.5 m) of municipal water services as they may exist from time to time.

“semi-detached dwelling” means a building divided vertically, into two separate dwelling units, with at least 50 per cent of the above-grade area of a main wall on one side of each dwelling unit attached to or the same as a main wall on one side of the other dwelling unit;

“services” means services designated in this By-law including Schedule “A” to this By-law or in agreement under section 44 of the Act, or both;

“sewer and water service area” means, within The City of Greater Sudbury,

- (i) properties that are connected to the municipal sanitary sewer and water services;
- (ii) properties that abut on streets, easements, or rights-of-way upon which municipal sanitary sewer and water services have been placed or are placed from time to time;
- (iii) properties that are located within 500 ft. (152.5 m) of municipal sanitary sewer and water services as they may exist from time to time.

“single-detached dwelling” means a completely detached residential building containing only one dwelling unit; for the purposes of this By-law semi-detached and row housing are classified as “single”.

“temporary building or structure” means a building or structure constructed or erected or placed on land for a continuous period not exceeding 12 months, or an addition or alteration to a building or structure that has the effect of increasing the total floor area thereof for a continuous period not exceeding 12 months;

“total floor area” means the sum total of the total areas of the floors in a building or structure, whether at, above, or below-grade, measured between the exterior faces of the exterior walls of the building or structure or from the centre line of a common wall separating two uses, or from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall;

“water service area” means, within The City of Greater Sudbury,

- (i) properties that are connected to the municipal water services but are not located within 500 ft. (152.5 m) of the municipal sanitary sewer services as they may exist from time to time;

- (ii) properties that abut streets, easements, or rights-of-way upon which municipal water services have been placed or are placed from time to time but are not located within 500 ft. (152.5 m) of the municipal sanitary sewer services as they may exist from time to time, and
- (iii) properties that are located within 500 ft. (152.5 m) of municipal water services as they may exist from time to time but are not located within 500 ft. (152.5 m) of municipal sanitary sewer services as they may exist from time to time.

Rules

- 2. For the purpose of complying with section 6 of the *Act*:
 - (a) The area to which this By-law applies shall be the area described in section 3 of this By-law;
 - (b) The rules developed under paragraph 9 of subsection 5(1) of the *Act* for determining if a development charge is payable in any particular case and for determining the amount of the charge shall be as set forth in sections 4 through 18 inclusive and section 24 of this By-law;

- (c) The exemptions provided for by such rules shall be the exemptions set forth in sections 19 through 22 inclusive of this By-law, the indexing of charges shall be in accordance with section 15 of this By-law and there shall be no phasing in as provided in subsection 16(1) of this By-law; and
- (d) The redevelopment of land shall be in accordance with the rules set forth in section 23 of this By-law.

Lands Affected

- 3. This By-law applies to all lands in the geographic area of the City.

Designation of Services

- 4. It is hereby declared by Council that all development land within the area to which this By-law applies will increase the need for services.
- 5. The development charge applicable to a development as determined under this By-law shall apply without regard to the services required or used by an individual development.
- 6. As outlined in Schedule 'A', development charges shall be imposed and related Reserve Funds credited for the following categories of services to pay for the increased capital costs required because of increased needs for services arising from development:

- (a) Police
- (b) Roads
- (c) Sanitary Sewer
- (d) Water

Approvals for Development

7. Development charges shall be imposed against all lands, buildings or structures within the area to which this By-law applies if the development of such lands, buildings or structures requires any of the following approvals:

- (a) The passing of a zoning by-law or of an amendment thereto under section 34 of the *Planning Act*;
 - (b) The approval of a minor variance under section 45 of the *Planning Act*;
 - (c) A conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (d) The approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (e) A consent under section 53 of the *Planning Act*;
 - (f) The approval of a description under section 50 of the *Condominium Act*;
- or

(g) The issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

8. No more than one development charge for each service designated in section 6 shall be imposed upon any lands, buildings or structures to which this By-law applies even though two or more of the actions described in section 7 are required before the lands, buildings or structure can be developed.

9. Notwithstanding section 13 if two or more of the actions described in section 7 occur at different times, additional development charges shall be imposed in respect of any increased or additional development permitted by that action.

10. Where a development requires an approval described in section 7 after the issuance of a building permit and no development charge has been paid, then the development charge shall be paid prior to the granting of the approval required under section 7.

11. If a development does not require a building permit but does require one or more of the approvals described in section 7, then the development charge shall nonetheless be payable in respect of any increased or additional development permitted by such approval required for the increased or additional development being granted.

12. Nothing in this By-law prevents Council from requiring, as a condition of an agreement under sections 51 or 53 of the *Planning Act*, that the owner, at his or her own expense, install such local services related to a plan of subdivision or within the area to which the plan relates, as council may require, or that the owner pay for local connections to storm drainage facilities installed at the owner's expense, or administrative, processing, or inspection fees.

Calculation of Development Charges

13. The development charge with respect to the use of any land, buildings or structures shall be calculated in the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units.

Amount of Charge

14. The development charges described in Schedule "B" to this By-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential component of the mixed use building or structure, according to the type of residential use.

Indexing of Development Charges

15. The development charges set out in Schedule 'B' hereto shall be adjusted without amendment to this By-law annually on September 1 in each year, commencing September 1, 2005, in accordance with the *Statistics Canada Quarterly, Construction Price Statistics* (catalogue number 62-007) based on the 12 month period ending December 31, 2004 and annually thereafter. The City Treasurer shall advise Council of such adjustments.

Phasing, Timing of Calculation and Payment

16. -(1) The development charges set out in this By-law are not subject to phasing in and are payable in full, subject to the exemptions and credits herein from the effective date of this By-law.

(2) Subject to section 23 (with respect to redevelopment) and subsection (3), the development charge shall be calculated as of, and shall be payable, on the date the first building permit is issued in relation to a building or structure on land to which the development charge applies.

(3) Notwithstanding subsection (2) the City may require an owner to enter into an agreement, including the provision of security for the owner's obligations under agreement, pursuant to section 27 of the Act providing for all or part of a development charge to be paid before or after it otherwise would be payable. The terms of such agreement shall then prevail over the provision of this By-law.

Unpaid Charge

17. If for any reason a development charge remains unpaid at the time a building permit is issued, the Treasurer of The City of Greater Sudbury shall add the unpaid development charge to the tax roll to be collected as taxes.

Payment by Money or the Provision of Services

18. -(1) Payment of development charges shall be by cash or by certified cheque.

(2) In the alternative to payment by the means provided in subsection (1), the City may, by an agreement entered into with the owner, accept the provision of services in full or partial satisfaction of the development charge otherwise payable provided that:

(a) If the City and the owner cannot agree as to the reasonable cost of doing the work under subsection (2), the dispute shall be referred to Council whose decision shall be final and binding.

- (b) If the credit exceeds the amount of the charge for the service to which the work relates;
 - (i) the excess amount shall not be credited against the charge for any other service, unless the City has so agreed in an agreement under section 38 of the *Act*; and
 - (ii) in no event shall the City be required to make a cash payment to the credit holder.

(3) Nothing in this By-law prevents Council from requiring, as a condition of any approval given under the *Planning Act* that the owner, at the owner's expense, install such local services as Council may require in accordance with the City's local services' policies in effect at the time.

Rules with Respect to Exemptions for Intensification of Existing Housing and Prior Payment of Charges Related to Development

19. -(1) This By-law does not apply with respect to approvals related to the residential development of land, buildings or structures that would have the affect only,

- (a) Of permitting the enlargement of an existing dwelling unit;
- (b) Of creating one or two additional dwelling units in an existing single detached welling unit;

- (c) Of creating one additional dwelling unit in an existing semi-detached dwelling unit; or
- (d) Of creating one additional dwelling unit for any other existing residential building.

(2) Notwithstanding clauses (1)(b) to (d), a development charge shall be imposed with respect to the creation of one or two additional dwelling units in a dwelling, if the total floor area of the additional one or two dwelling units exceeds, the total floor area of the existing dwelling unit in clause (1)(b) and (1)(c), or the smallest existing dwelling unit in clause (1)(d).

(3) If, prior to the 23rd day of November, 1991, a property owner, pursuant to a Servicing Agreement or a Subdivision Agreement with The Regional Municipality of Sudbury or pursuant to the conditions of a Consent to a Severance, has paid an amount related to a development for a specific property to which a Development Charge under this By-law would be payable, the owner shall be given a credit against the Development Charge payable hereunder with respect to the development equal to the amount paid, provided

- (i) the credit shall not exceed the Development Charge payable for the individual item and charge as specified in Schedule 'A' hereof, and

- (ii) there is no change in the proposed development that would increase the density of development from that proposed or permitted at the time the said agreement was made, in which event the Development Charge payable shall be adjusted accordingly.
- (4) In determining the increase in units subject to a development charge, the existing dwelling units shall be the maximum number of dwelling units existing legally or in a legal non-conforming manner under the applicable zoning By-law in the building or structure within the three years preceding an application for a Building Permit in respect of the increased dwelling units.
- (5) For the purpose of subsection (1), the exemption for one additional dwelling unit shall only apply if a single additional dwelling unit is being created. Where an exemption has been given under this By-law or any predecessor By-law for one additional dwelling unit, no further exemptions shall apply.
- (6) For the purposes of this section, the exemptions provided by subsection (1) above shall only apply to the creation of one or two additional dwelling units constructed at one time during the currency of this By-law.

Rules with Respect to Exemptions for Designated Town Centres

20. This By-law does not apply with respect to approvals related to residential development of land, buildings or structures located within the boundaries of the Designated Town Centres as shown in Schedule 'C1 to C8' of this By-law.

Categories of Exempt Institutions

21. The following categories of institutions are hereby designated as being exempt from the payment of development charges:

- (a) Buildings or structures used as hospitals governed by the *Public Hospitals Act*, R.S.O 1990, c. P. 40;
- (b) Buildings or structures owned by and used for the purposes of The City of Greater Sudbury;
- (c) Buildings or structures owned by a board of education and used for school purposes;
- (d) Buildings or structures owned by and used for the purposes of a college of applied arts and technology established pursuant to the *Ministry of Colleges and Universities Act*, R.S.O. 1990, c. M.19;
- (e) Buildings or structures owned by and used for the purposes of a university established by an Act of the Legislative Assembly of Ontario.

Temporary Buildings or Structures

22. -(1) Temporary buildings or structure shall be exempt from the provisions of this By-law.

(2) In the event that a temporary building or structure becomes protracted, it shall be deemed not to be nor ever to have been a temporary building or structure, and the development charges required to be paid under this By-law shall become payable on the date the temporary building or structure becomes protracted.

(3) Prior to the issuance of a building permit for a temporary building or structure, the City may require an owner to enter into an agreement, including the provision of security for the owner's obligation under the agreement, pursuant to section 27 of the Act providing for all or part of the development charge required by subsection 22(2) to be paid after it would otherwise be payable. The terms of such agreement shall then prevail over the provisions of this By-law.

Rules with Respect to the Redevelopment of Land

23. -(1) Where there is a redevelopment of land on which there is a conversion of space proposed, or on which there was formerly erected a building or structure that has been demolished, a credit shall be allowed against the development charge otherwise payable by the owner pursuant to this By-law for the portion of the previous building or

structure still in existence that is being converted or for the portion of the building or structure that has been demolished, as the case may be, calculated by multiplying the number and type of dwelling units being converted or demolished or the non-residential total floor area being converted or demolished by the relevant development charge in effect on the date when the development charge is payable in accordance with this By-law.

(2) A credit in respect of any demolition under this section shall not be given unless a building permit has been issued or a subdivision agreement has been entered into with the City for the development within two years from the date the demolition permit was issued.

(3) The amount of any credit hereunder shall not exceed, in total, the amount of the development charges otherwise payable with respect to the development.

Interest

24. The City shall pay interest on a refund under subsection 18(3), (5) and 25(2) of the *Development Charges Act, 1997* at a rate equal to the Bank of Canada rate on the date this By-law comes into force.

Front-Ending Agreements

25. The City may enter into agreements under section 44 of the *Act*.

Schedules

26. The following Schedules to this By-law form an integral part of this By-law.

- Schedule 'A' Designated Services
- Schedule 'B' Residential Development Charges
- Schedule 'C1 to C8' Designated Town Centres

By-law Registration

27. A certified copy of this By-law may be registered in the by-law register in the Land Registry Office against all land in the City and may be registered against title to any land to which this By-law applies.

Date By-law Effective

28. This By-law comes into force on July 14, 2004.

Date By-law Expires

29. This By-law expires five years after the date on which it comes into force.

Repeal

30. By-law No. 99-200F of the former Regional Municipality of Sudbury is hereby repealed on the effective date this By-law comes into force.

Headings for Reference Only

31. The headings inserted in this By-law are for convenience of reference only and shall not affect the construction or interpretation of this By-law.

Severability

32. If, for any reason, any provision, section, subsection or paragraph of this By-law is held invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, reenacted or amended, in whole or in part or dealt with in any other way.

Agreements

33. -(1) Agreements with the City of Greater Sudbury pursuant to subsections 16(3) and 18(2) of this By-law may only be executed on the City's behalf following the passage of a specific By-law by Council authorizing the Agreement. Agreements pursuant to subsection 22(3) for temporary buildings or structures may be executed by the Chief Building Official and the Clerk on behalf of The City of Greater Sudbury without further Council involvement. Front Ending Agreements pursuant to Section 25 of this By-law may only be executed by the Mayor and Clerk following passage of a By-law specifically for the project and after all necessary steps have first been taken regarding the processing of such matters.

(2) The General Manager of Public Works and the Clerk are hereby authorized to execute Agreements on behalf of The City of Greater Sudbury between the City and an owner of land providing for the deferral of the sewer and/or water portion of the total development charge if and only if the owner is seeking a Building Permit for the development of a building which will be located more than 500 feet (152.5m) from the municipal water and/or sanitary sewer services as they may extend from time to time but the property itself is located within 500 feet (152.5 m) of such services. This Agreement shall provide that payment for the services that are not within 500 feet (152.5m) of the building shall be deferred until such time as services are within this limit, at which time the owner shall pay to the City the full amount of the development charges deferred or the then development charges for the services deferred, whichever is higher.

Administration

34. This By-law shall be administered by the City Treasurer.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL this 13th day
of July, 2004.

MAYOR

CLERK

SCHEDULE 'A

**To By-law 2004-200F
of the City of Greater Sudbury**

**DESIGNATED SERVICES
Charges per Unit**

<u>Categories</u>	<u>Singles, Demi-Detached and Row Housing</u>	<u>Multiples and Apartments</u>
<u>General</u>		
1. Police	\$151	\$91
2. Roads	<u>\$525</u>	<u>\$317</u>
GENERAL TOTAL	\$676	\$408
<u>Sanitary Sewer</u>	\$603	\$364
<u>Water</u>	<u>\$1,171</u>	<u>\$707</u>
TOTAL CHARGE	<u>\$2,450</u>	<u>\$1,479</u>

SCHEDULE "B"

**To By-law 2004-200F
of the City of Greater Sudbury**

**FOR BUILDING PERMITS OR OTHER APPROVALS ISSUED FROM
JULY 14, 2004 TO AUGUST 31, 2005 INCLUSIVE
AND THEREAFTER WITH ADJUSTMENTS**

<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>	<u>COLUMN 4</u>	<u>COLUMN 5</u>
RESIDENTIAL USES	LANDS WITHIN SEWER AND WATER SERVICE AREA	LANDS WITHIN WATER SERVICE AREA	LANDS WITHIN SANITARY SEWER AREA	LANDS <u>NOT</u> WITHIN EITHER WATER SERVICE AREA, SANITARY SEWER AREA, OR SEWER AND WATER SERVICE AREA
Singles, Semi- detached and Row Dwellings	\$2,450 per unit	\$1,847 per unit	\$1,279 per unit	\$676 per unit
Multiples and Apartments (Consisting of 3 or more units)	\$1,479 per unit	\$1,115 per unit	\$772 per unit	\$408 per unit

SCHEDULE "C1"

**To By-law 2004-200F
of the City of Greater Sudbury**

Request for Decision City Council



Type of Decision

Meeting Date	July 13, 2004				Report Date	June 25, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Coniston Lions Club Friendship Arch at the Coniston Park

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Allocation of \$500 from the CIP/NPP capital envelope already budgeted for Ward 5

Background Attached

Recommendation


THAT Council grant permission to the Lions Club of Coniston for the installation of the Lions Club Friendship Arch in the Coniston Park located at the corner of Second Avenue and Government Road.

Recommendation Continued

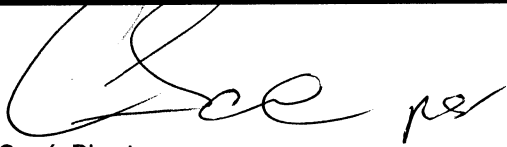
Recommended by the General Manager


 Caroline Hallsworth
 General Manager, Citizen and Leisure Services

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Report Prepared By



Réal Carré, Director
Leisure, Community and Volunteer Services

Division Review

Background

The Lions Club of Coniston is requesting Council's permission to install a Lions Club Friendship Arch at the Coniston Park located at the corner of Second Avenue and Government Road in Coniston. The letter from the Lions Club of Coniston requesting this approval is attached for the information of Council.

The Lions Club of Coniston has been a pillar for the community of Coniston over the last forty years. The Club's many contributions to the community include the provision of Christmas food baskets and their association with the Annual Christmas Telethon; provision of medical equipment for residents; construction of the Memorial Cemetery in Coniston; provision of training equipment for the Coniston Fitness Centre; funding for the outdoor hockey rink and tree planting in the Coniston Park.

The City of Greater Sudbury has a number of Friendship Arches installed in community parks and facilities, all of which recognize the strength of the partnerships between the Lions Clubs and the communities which they serve. Arches are currently located at High Falls in Onaping Falls, in Chelmsford at the parkette located on the corner of Hwy. 144 and Regional Road 55; at the Azilda Lions Club and Valley East Lions Club Dens, both of which are municipally owned buildings leased by the Lions Clubs and in the parkette located beside the Garson Arena.

Purchase of the Friendship Arch is being sponsored by families associated with the Lions Club of Coniston and the Club will be providing funds for the transportation of the arch to the community. Ward Five councillors, Doug Craig and Frances Caldarelli, have approved an allocation of \$500 from the CIP/NPP funds for their ward to assist the Lions Club of Coniston with costs associated with the installation of the monument, including the cost of rental of excavating equipment and aggregate.

Attachment

May 25, 2004

REÇU LE

27 MAI 2004

Mr. Real Carre
Director of Citizen & Leisure Services
City of Greater Sudbury

Dear Sir:

The Lions Club of Coniston is intending to purchase and place a Friendship Arch in recognition of the many years of Lionism and the relationship between the Lions Club of Coniston and the people of town of Coniston. It is a fiberglass structure of about five feet in height, six feet at base length and about three feet in depth. Our intention is to place this monument in the Park at the corner of Second Avenue and Government Road in Coniston. This park was erected in 1967 to commemorate Canada's Centennial year, and it is still a place that is highly used and cherished by the people of Coniston. Placement of the arch at this location would enable a greater portion of the population to see the monument and once again, be reminded of the presence of such a great service club in its Community.

The arch itself costs \$2,000 – these funds have already been donated privately through the Franchetto and Battistuzzi families of Coniston, some of whom are members of the Club. It was difficult for the Club itself to raise the necessary funds for the Arch, but these members realized what an asset it would be to Coniston and a further representation of community and solidarity. The Lions Club of Coniston will be providing the funds for shipping the monument from Brockville, Ontario.

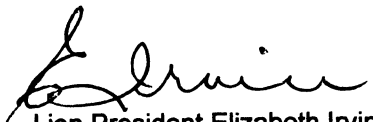
Our request to you and the members of Council of the City of Greater Sudbury is the permission to place the monument at a strategic location in the park. As well, we are also requesting funds for the placement of the monument. I have calculated that the cost of the placement should run between \$400 to \$500 – that includes the price of equipment (backhoe or mini-excavator), aggregate (white stone, sand and gravel) plus the cost of fringe benefits and applicable taxes and overhead charges. The members of the Lions club will be performing the work of placing the arch, but we require equipment to prepare the site and materials to place it firmly in the ground, and stabilize it as well.

I believe the Coniston Lions Club is well deserving of this grant (property and funds), as we have been a pillar of the community for forty years. We have provided the community of Coniston, and other communities as well, with donations of either funds, equipment or the like to enable others to maintain their sense of dignity and presence in our community.

For example, the creation of a small Parkette at the corner of Government Road and Edward Street to commemorate those who perished in the train/bus accident of 1951; provision of Christmas food baskets and association with Christmas Telethon; provision of medical equipment for residents; in conjunction with the Coniston Involvement Group, provided for trees for planting to dedicate to deceased residents; construction of the Memorial Cemetery in Coniston; provision of training equipment for Coniston Fitness Centre; funding of outside hockey rink; tree planting in the Coniston Park; family days in the Coniston Park; town clean up and street sweeping (several years ago); donation of computer equipment to Mike Solski Memorial Library; just to name a few.

This monument would be continued recognition of our presence in our community and we hope that you and the Members of Council will see fit to approve the area in the park and required funds for this endeavor. We would also like to hold a dedication ceremony in July of 2004.

Thanking you in advance for your time and effort in this matter, I remain,

A handwritten signature in cursive script, appearing to read "E. Irvine".

Lion President Elizabeth Irvine
Lions Club of Coniston

Request for Decision City Council



Type of Decision										
Meeting Date	July 13, 2004				Report Date	June 25, 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open		Closed	

Report Title

Agreement with the Sudbury Regional Soccer Association for the Use of the Artificial Playfield Surface

Policy Implication + Budget Impact


	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
	Background Attached

Recommendation

That staff be authorized to enter into an agreement with the Sudbury Regional Soccer Association, granting use of the City of Greater Sudbury's artificial playfield surface currently located at the Exhibition Centre, to the Sudbury Regional Soccer Association.

	Recommendation Continued
--	--------------------------

Recommended by the General Manager



Caroline Hallsworth
General Manager, Citizen and Leisure Services

Recommended by the C.A.O.



Mark Mieto
Chief Administrative Officer

Report Prepared By



Réal Carré, Director
Leisure, Community and Volunteer Services

Division Review

Background

The Indoor Soccer Centre was developed in 1999 as a partnership between the former City of Sudbury and the Sudbury Regional Soccer Association. While the City of Greater Sudbury originally held the lease for the rental space at the Exhibition Centre, Council decided on February 26, 2004 not to renew that lease (Resolution 2004-100). The Sudbury Regional Soccer Association is currently negotiating with the owners of the Exhibition Centre in order to enter directly into a lease agreement to continue operating the indoor soccer program at the Exhibition Centre.

The City owns the artificial playfield surface. The Sudbury Regional Soccer Association is a non-profit association and has requested permission from the City to continue to use, without charge, the artificial playfield surface belonging to the City. The artificial playfield surface was purchased by the City of Sudbury at a cost of \$192,600 in 1999 and installed at the Exhibition Centre at that time. Council is being asked to approve a grant to the Sudbury Regional Soccer Association for their continued use of the artificial playfield surface while their program continues to operate at the Exhibition Centre.

Should Council authorize the use of the playfield surface by way of a grant, an agreement between the City of Greater Sudbury and the Sudbury Regional Soccer Association outlines the terms and conditions under which the Association is to be granted use of the artificial playfield surface. The Sudbury Regional Soccer Association will be required to maintain the playfield surface in good repair and to carry appropriate insurance coverages.

Request for Decision City Council




Type of Decision									
Meeting Date	July 13 th , 2004				Report Date	July 7 th , 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting		Open		Closed

Report Title
Traffic Control - Algonquin II Subdivision

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<ul style="list-style-type: none"> - That traffic at the intersection of Trailview Drive and Mist Hollow Drive be controlled with a "Stop" sign facing eastbound traffic on Trailview Drive at Mist Hollow Drive. - That a By-Law be passed to amend the City of Greater Sudbury's Traffic and Parking By-Law 2001-1 to implement the recommended change.
Recommendation Continued

Recommended by the General Manager
 Don Belisle General Manager of Public Works

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: July 7th, 2004

Report Prepared By



Nathalie Mihelchic, P. Eng.
Manager of Transportation Engineering Services

Division Review



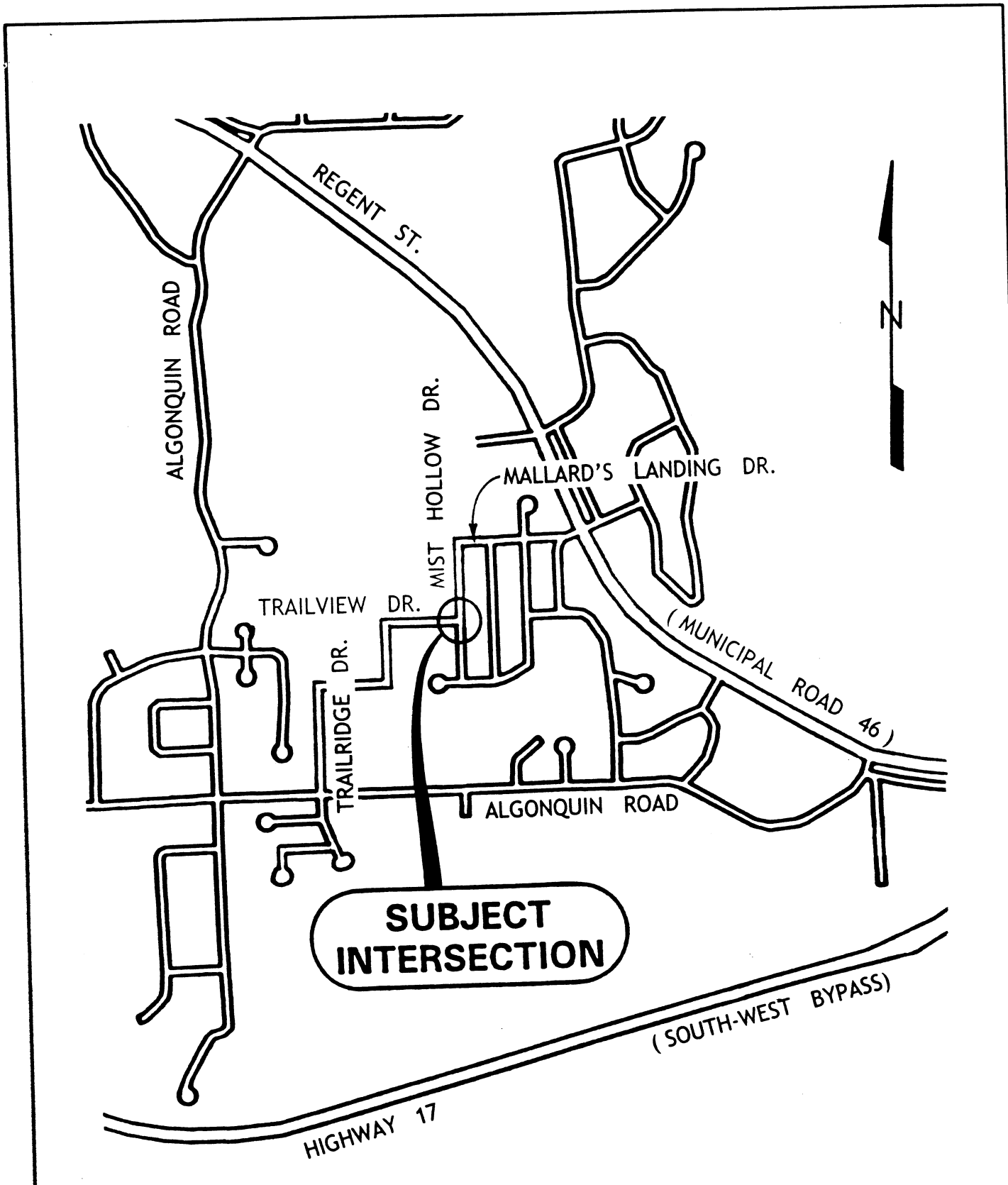
R.G. (Greg) Clausen, P. Eng.
Director of Engineering Services


Background:

Phase II of the Algonquin II Subdivision is currently being developed (see Exhibit 'A'). The City of Greater Sudbury has recently assumed Trailview Drive as a public road.

Trailview Drive intersects Mist Hollow Drive, forming a "T" intersection. It is recommended that traffic on Trailview Drive be controlled with a stop sign facing eastbound traffic on Trailview Drive at Mist Hollow Drive. This is a standard form of traffic control at a "T" intersection.

It is recommended that a By-Law be passed to amend the City of Greater Sudbury's Traffic and Parking By-Law 2001-1 to implement the recommended change.



	TRAFFIC CONTROL	
	TRAILVIEW DRIVE	
	2004/06/22	N.T.S.

Date: July 7th, 2004

The City of Greater Sudbury

Schedule "N" to By-Law 2001-1

Stops at Intersection

(1) Road	(2) Direction of Travel
ADD: Trailview Drive - Mist Hollow Drive	East on Trailview Drive



Request for Decision City Council

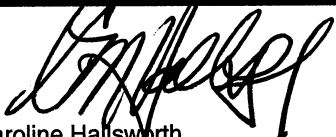


Type of Decision									
Meeting Date	July 13, 2004				Report Date	July 7, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
Arts and Culture Grants for 2004

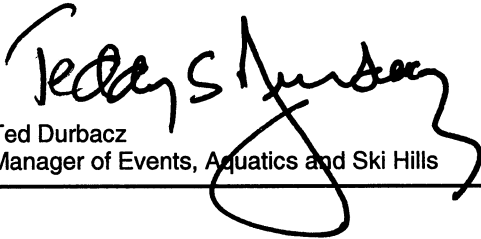
Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
Background Attached	

Recommendation
<p>That a By-Law be passed authorizing the provision of Arts and Culture Grants as recommended by the Arts and Culture Advisory Panel and as described in the attached report, with the Arts and Culture Grants being allocated in 2004 in the amount of \$224,800.</p>
Recommendation Continued

Recommended by the General Manager
 Caroline Hallsworth General Manager, Citizen and Leisure Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Report Prepared By



Ted Durbacz
Manager of Events, Aquatics and Ski Hills

Division Review



Réal Carré
Director, Leisure, Community and Volunteer Services

Background

As part of the 2004 budget deliberations, Council approved funding in the amount of \$224,800 for the Arts and Culture grant allocations. Council has tasked the Civic Arts and Culture Advisory Panel with reviewing and analyzing requests from the community and recommending for Council's consideration grant allocations which reflect the diversity and needs of the many arts and cultural groups within our great city. Art and culture know no boundaries and many of our groups are accessed by and include citizens from all areas of our city. The Civic Arts and Culture Advisory Panel took great care to ensure that the applications received and funded reflect the many dynamics of our city and that each grant awarded had good value for the local community. In 2004, four new groups were added to the Arts and Culture granting program.

Chaired by Mona Sims, the Civic Arts and Culture Advisory Panel consists of Councillor Lynne Reynolds, Mary Jane Christakos, Joan Pella, Louise Lane, Jamie Ruddy, and Guylaine Tousignant. Ted Durbacz provides staff support to the group.

The Arts and Culture Grants were advertised extensively across the community, both in traditional formal media such as the Sudbury Star and in the communication tools used by the target audience such as the SACS FACS electronic newsletter. In total forty-one applications for funding were received from across the community.

The Civic Arts and Culture Advisory Panel spent considerable time in reviewing the forty-one grant applications received. Each member of the panel reviewed applications in detail and where necessary, contacted the groups for additional information. The group meet over the course of three evenings to review and discuss each application, spending approximately ten hours in reviewing the grant allocations for 2004.

The Civic Arts and Culture Advisory Panel considered evidence of fiscal responsibility, evidence of value to the community and its lifestyle and demonstrated financial need that could not be funded from another source as criteria in reviewing grants. The panel looked for active involvement in the raising of artistic standards and a formal governance structure. The panel looked for evidence of the group's commitment to Arts and Culture which was defined as the many forms of human and social expression, such as language, art, ceremony and tradition that contribute to the life of our community and support the multi-cultural face of the city in terms of ethnicity and heritage. The Arts and Culture Granting Program is designed to support non-profit groups and funding is not made available to individual ventures, commercial operations and fund raising initiatives that are not directly supportive of either arts or culture.

In total, twenty-nine community groups are being recommended for funding from the 2004 Arts and Culture Grants program. There were thirteen applications that either did not meet the criteria of the grant program, or did not provide sufficient information to allow for the evaluation of their applications or were handed in after the deadline for applications.

The requests for financial assistance far exceed the funding currently available for the Arts and Culture Grant program. In total the groups requested \$423,025 in funding from the Arts and Culture Grants program which has a total allocation of \$224,800.

Art Gallery of Sudbury

**Request: \$60,000
Grant: \$57,500**

The Art Gallery is a unique and special asset in our community and the Board has taken a proactive approach to Sudbury cultural life. The Art Gallery organizes a number of community based events and provides continuous support to schools in the support of the arts. They differ from every other arts grant applicant in that they do not charge admission to the gallery and that the services they provide in support of education and research (particularly to the schools) are provided free of charge. The grant is to assist with operating and programming expenses.

Blue Saints Drum and Bugle Corps

**Request: \$5,000
Grant: \$500**

The Blue Saints Drum and Bugle Corps' aims and objectives are to provide affordable instruction in music and dance to youth ages 10 to 21. The groups goal is to provide a medium to use and develop the youths' artistic talents. The Corps has a long history of providing this opportunity to our citizens and have performed in countless parades and community events over the years. The group presently consists of 40 active members with 10 volunteers overseeing the training and event participation.

Centre franco-ontarien de folklore

**Request: \$5,000
Grant: \$3,000**

The primary objective of the Centre franco-ontarien de folklore is to research, preserve and present folklore and heritage in the oral franco-ontarien tradition.

**(CHANO) Chinese Heritage Association
of Northern Ontario**

**Request: \$500
Grant: \$500**

The Chinese Heritage Association of Northern Ontario actively promotes the Chinese culture through social activities and education. This association has approximately 150 member/ volunteers, many of whom are actively involved in the Dragon Boat Festival, which the association helped start. Funding will help offset the expenses of the school which is key to keeping the Chinese language and culture alive within the community.

Cinéfest

Request: \$35,000
Grant: \$10,000

Since its inception in 1989, Cinéfest has organized and promoted an annual festival of highly acclaimed Canadian and world films, and encouraged film culture, education and production in Northern Ontario. It extensively markets the festival to visitors from outside the Sudbury community. Cinefest has 500 members and uses 200 volunteers during its event. It anticipated audience for 2004 is approximately 26,500 people. The grant will support the annual film festival and ancillary activities.

Contact interculturel francophone de Sudbury

Request: \$19,475
Grant: \$2,500

This incorporated organization has the express purpose of welcoming new Francophone arrivals to Sudbury and helping with their integration in the community.

Éditions Prise de parole

Request: \$20,000
Grant: \$15,000

Éditions Prise de parole is the primary publisher of franco-ontarien works and is active in encouraging both young and local authors and in promoting literary diversity. Éditions Prise de parole partners actively with a variety of community groups and organizes community events.

Fiddleworks of Rayside Balfour

Request: \$5,000
Grant: \$2,000

The Fiddleworks group provides step dance lessons in Chelmsford and Lively keeping active the traditional Canadian Art of fiddle music and step dancing. The group hosts monthly dances and a competition which attracts a good size audience anticipated at 2,500. Fiddleworks continues to explore partnership and relationship opportunities with other fiddle and step dancing competitions. Funding will support the annual Fiddle & Stepdance Festival.

India Canada Association of Sudbury

Request: \$2,000
Grant: \$500

The India Canada association of Sudbury has a membership of 110 families. Its mandate is the promotion of East Indian culture and heritage including music, dance and concerts. This year's grant request is to help offset cost for a youth festival and Mahatma Gandhi 135 Birth anniversary celebrations.

La Galerie du nouvel-ontario

Request: \$16,000
Grant: \$8,000

La Galerie du nouvel-ontario is an artist run and artist focussed gallery which is one of the few venues for the display of contemporary art. The artists who volunteer to run this gallery are hardworking and dedicated to the promotion of artists in the community.

La Gang la Popa

Request: \$5,000
Grant: \$2,000

This is an amateur theatrical troupe consisting of six actors and fifty volunteers who present plays written locally in french and also present cabaret style evenings. Their plans for 2004 include plays which will involve Valley East residents, including one with children in supporting roles and including music and songs composed by local residents. Their grant is to be used to help fund the purchase of a wireless microphone system.

Myths and Mirrors Community Arts

Request: \$4,000
Grant: \$4,000

Myths and Mirrors Community Arts was formed to facilitate the exploration and reflection of issues that affect the community, to collectively create public works of art and performances. Since inception, the works of the group have been recognized both locally and nationally. Projects include the Wind Walkers Stilt Troupe, the Respect Mural, the Revive Youth Art Festival, and the Northern Dreams Quilt Project. Funding will allow the group to maintain and develop and engage residents of greater Sudbury in ongoing programs and community arts projects.

No Strings Attached Community Band

Request: \$1,600
Grant: \$1,500

This community ensemble of 37 members is dedicated to providing competent musicians with an opportunity to play and perform concert band music, to establishing a mentorship program in support of newer musicians, and to promoting peer learning within the ensemble. Members of the ensemble are amateur musicians who range in ages from 16 to 55. Their grant request is to assist with insurance costs.

Northern Initiative for Social Action

Request: \$10,000
Grant: \$1,000

The Northern Initiative for Social Action is a registered non profit organization. One of the organization's goals is to educate the public about mental health issues and provide the opportunity of clients to exercise and develop artistic skills through the creative arts and to enhance their social and economic status through the sale of their artwork. The grant is to be used for this artistic purpose.

Northern Lights Festival Boréal

Request: \$20,000
Grant: \$12,500

The Northern Lights Festival Boréal strives to bring in the finest artists and musicians from across the country to Sudbury and to foster the development of the artistic culture within our community. The festival has 80 active members and users a volunteer core of 300 people. In 2004 they are anticipating a total attendance of 19,500 people. The festival is a very popular summer arts event and has accessed a variety of other funding opportunities.

Penage Community Centre

**Request: \$5,700
Grant: \$2,000**

The Penage community centre supports the development of local artists. The community centre holds art classes, quilting workshops, and drawing classes throughout the year and hosts an annual sale of local artists' work called Rendezvous. The community group has a membership of 120 people.

**Rayside-Balfour Whitewater Brush and
Palette Art Club**

**Request: \$500
Grant: \$500**

The Rayside-Balfour Art Club strives to promote art in all of its forms through community involvement and interaction between members. The group plans a art exhibit in 2004 and provides a location at which members can work. The grant is to be used to help offset cost for facility rental and advertizing for the group's annual art exhibit.

Sudbury Arts Council

**Request: \$13,000
Grant: \$8,050**

The Sudbury Arts Council is committed to promoting the arts and articulating the relevance of the arts to the community. They offer seed funding, partnership and venue support and assistance with program and event development to community arts groups. SAC provides communication between arts groups and the community through a variety of means including their monthly newsletter, an e-mail list and a website. In 2004 the grant will help offset the cost of the Directions publication, artist support and staffing.

Sudbury Basin Potters

**Request: \$1,000
Grant: \$500**

The Sudbury Basin Potters offer classes to adult and children participants to learn the art of pottery after which the participants are welcomed to the join the club to develop their skills. The club presently consists of 30 members who present a workshop yearly with renowned potters from outside the community. The club also has annual sales at local events which are supported by the community, with only a portion of the sales going back to club. The grant is to be used to help with expenses for the Soup Bowl Celebration 2004.

Sudbury Blueberry Festival

**Request: \$2,500
Grant: \$2,000**

The objective of the Sudbury Blueberry Festival is to promote awareness of the important role the blueberry has played in the heritage and culture of the Sudbury area and how the blueberry is an integral part of the North and serves as a cultural commonality for the community. The 2004 festival is the event's 18th and is expanding to a two week format for this year

Sudbury Chamber Singers

**Request: \$2,000
Grant: \$1,000**

For the past 29 years, the mandate of the Sudbury Chamber Singers has been to perform chamber style repertoire from the renaissance to the contemporary in both secular and sacred traditions. In 2004/2005 the Chamber singers will be celebrating their 30th anniversary. Choir membership is determined by

audition and is currently at 17 members with an age range from high school to retirement. The group has a long history of promoting local musicians and hosting choral workshops. The Chamber's yearly fund raiser cabaret continues to be a highlight of the musical scene. Funding will assist with costs relating to public performances. The choir recently partnered with other choirs and this collaboration provided exposure to new pieces and audiences.

Sudbury Finnish Male Choir

Request: \$500
Grant: \$500

The Sudbury Finnish Male Choir promotes and celebrates musically the culture, language and traditions of the Finnish Community and has held a number of community performances in the past year. The grant will help off set the cost of facility rental for weekly rehearsals.

Sudbury MultiCultural Folk Arts Association

Request: \$10,000
Grant: \$6,500

The Sudbury MultiCultural Folk Arts Association has requested funding to assist in hosting the Canada Day celebrations in 2004 and the promotion of international cultures, at the Sudbury Community arena. This funding is in addition to inkind assistance from the CGS for Canada Day Celebration.

Sudbury SummerFest Foundation

Request: \$10,000
Grant: \$1,500

The Sudbury SummerFest Foundation provides an annual affordable three day family festival featuring 4 stages of entertainment, a children's activity park and roving entertainment and a waterski show. The organization is committed to showcasing local and Northern Ontario performers and to raising funds in support of Muscular Dystrophy. The grant is to be used for helping offset costs of local performers. Funding is in addition to in kind assistance from the City of Greater Sudbury in Bell Park for the event.

Sudbury Symphony Orchestra

Request: \$30,000
Grant: \$21,000

The Sudbury Symphony Orchestra has for many years enriched our community with its varied repertoire and talented performances. This is the Orchestra's 29th year of operation. For the past three years every concert was sold out with the entire audience being subscriber based.

Sudbury Theatre Centre

Request: \$49,000
Grant: \$40,000

The Sudbury Theatre Centre is the primary venue for theatre in the community, maintains an excellent presence in the community and plays a important part in the City's heritage. The Sudbury Theater Centre receives funding through a number of government grant programs. The Theatre Centre can leverage this funding against other grant opportunities.

Theatre Cambrian

Request: \$15,000
Grant: \$1,500

Theatre Cambrian produces live theatre, promoting local talent and providing opportunities for amateurs and aspiring professional actors. Past productions include the Who's Tommy, and Irving Berlins' Annie Get your Gun. All performances are well attended and the group is strongly supported by the business community. New this year will be an expanded theatre season. Funding will help offset operating costs.

Theatre du Nouvel-Ontario

Request: \$35,000
Grant: \$17,000

The Theatre du Nouvel Ontario produces theatrical, dance and musical performances in the French language. Theatre du Nouvel Ontario's 2004-2005 season has been expanded to include extra theatrical performances, as well as a festival entitled, "Parole <on Parole> la dualité linguistique en liberté débridée".

Ukrainian Senior Citizen's Club

Request: \$5,000
Grant: \$2,250

The mission of this club is to meet the needs of older adults, to promote their well-being and to ensure their involvement in social, cultural, recreational and charitable programs. The Ukrainian Senior Citizen's Club actively promotes the Ukrainian heritage and culture in our community and will use this grant to support the Garlic Festival, a family day of fun, food and local entertainment celebrating garlic. The event attracts a anticipated audience of 2,500 people.

Request for Decision City Council



Type of Decision

Meeting Date	July 13 th , 2004			Report Date	July 7 th , 2004				
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority		High		Low
	Direction Only				Type of		Open		Closed

Report Title

Development Liaison Advisory Committee Status Report to City Council

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

n/a

Background Attached

Recommendation

FOR INFORMATION ONLY

Recommendation Continued

Recommended by the General Manager

D. Nadorozny, General Manager of Economic Development and Planning Services

Recommended by the C.A.O.

M. Mieto
Chief Administrative Officer

Report Prepared By



G. A. Mazza
Chief Building Official

Division Review



W. E. Lautenbach
Director of Planning Services

Council has requested that the Development Liaison Advisory Committee (DLAC) prepare a regular report to Council on progress being made toward meeting building permit benchmarks.

The attached benchmarks reflect the Building Services Division's continuing effort to successfully achieve the turnaround times desired by the City's development community in issuing building permits. As requested by DLAC, new single residential dwellings and new commercial, institutional, and industrial buildings should be issued in ten (10) days and minor permits in both categories should be issued in five (5) days.

Results enclosed indicate that while we have not fully met these targets, the Department continues to make progress toward achieving these objectives. Of 368 permits benchmarked and issued since January 1st, 2004, 326 were issued within targeted timeframes and 36 were issued past the desired benchmarks. However, averages and time spreads for permits issued outside the benchmarks continued to improve significantly in relation to last year's results indicating positive progress toward achieving desired turnaround times.

Eye-catching facts include:

- issuance times for new residential construction decreased by 3.1 days
- issuance times for minor residential construction decreased by 1.9 days
- issuance times for new commercial, industrial and institutional construction decreased by 15.9 days
- issuance times for minor commercial, industrial and institutional permits increased by 1.3 days
- average number of days to issue: 6.9 compared to 12 days in 2003

It should be noted that Building Services' staff continue to act as ombudsmen for our clients. As a result, benchmarks are well ahead of the upcoming benchmarking requirements being imposed by the Province under Bill 124 (BRAGG). This has occurred at the same time that permit volumes are increasing which speaks well of the initiatives put in place by staff and the development community. As well, registered builders who regularly deal within the system have turnaround times below the averages achieved by one time builders due to their familiarity with requirements under the Code.

The Development Liaison Advisory Committee at its meeting of June 24th, 2004, passed the following resolution related to this matter:

Moved By: Celia Teale
Seconded By: Denise Lafond

"THAT DLAC has reviewed Building Services' benchmark information for January 1st, 2004, through April 30, 2004, and is satisfied and supportive of the progress made in this area, and

FURTHER THAT DLAC's approval of these findings should be communicated to City Council as per Council's request for regular updates."

Attach.

May 13, 2004

MEMO TO: Guido Mazza
FROM: Gisèle Martin
SUBJECT: Statistical Report for Turnaround Time
Permit Issuance and Commenting Authorities
January 1 - April 30, 2004

Statistical Summary

Quite noteworthy is the substantial decrease in turnaround time for the new and miscellaneous residential sector and the new ICI sector even though the amount of permits issued during this time period far outnumbers last year's results.

The YTD net total for permits issued numbers at 404 in comparison with last year's figure of 266. The overall no. of permits benchmarked tallies at 368 compared to 211 in 2003 for the same time period.

Eye-catching Facts.....

- Average no. of days to issue: 6.9 compared to 12 days in 2003
- Average turnaround time for commenting authorities: 6.7 days
- No. of permits issued for new residential units: 83 compared to 66 in 2003
- No. of permits issued within 5 AND 10 day targets: 326
- No. of permits issued over the benchmark: 36

CHART 1 illustrates turnaround times for permit issuance and commenting agencies.

CHART 2 compares the length of time taken to issue permits this year with last year's results during the same time period.

2003-2004 Turnaround Time Comparison

Turn around times have significantly decreased across three of the four major permit categories.

The results illustrated on Chart 1 for 2004 and 2003 indicate that:

- issuance times for new residential construction decreased by 3.1 days
- issuance times for minor residential construction decreased by 1.9 days
- issuance times for new commercial, industrial and institutional construction decreased by 15.9 days
- issuance times for minor commercial, industrial and institutional permits increased by 1.3 days

gym
Attachs.
c.c. Bill Lautenbach
Doug Nadorozny

Gisèle Martin

¹Source: Building Permit Tracking System

CHART 2 COMPARABILITY CHART January 1 to April 30, 2003 - January 1 to April 30, 2004

PERMITS BENCHMARKED AND AVERAGE NO. OF DAYS TAKEN TO ISSUE					
PERMIT TYPE	January 1, 200 - April 30, 2003		January 1, 2004 - April 30, 2004		
	No. of Permits	Average No. of Days to Issue	No. of Permits	Average No. of Days to Issue	
NEW RESIDENTIAL	48 ^①	9.8	80 ^①	6.7	
MISC RESIDENTIAL	122 ^②	6.1	211 ^②	4.2	
NEW ICI	3 ^③	21.7	6 ^③	5.8	
MISC ICI	38 ^④	9.8	71 ^④	11.1	
THE FIGURES BELOW REFLECT THE NUMBER OF PERMITS AFFECTED OR DELAYED BY ADDITIONAL DEVELOPMENT APPROVALS, COMMENTING AGENCIES OR APPLICANTS.					
2003	14 ^①	14 ^②	1 ^③	26 ^④	
2004			8 ^①	15 ^②	2 ^③
					11 ^④

¹Source: Building Permit Tracking System
FOR OFFICE USE ONLY - ADDITIONAL BACKGROUND INFORMATION

CHART 1 TURN AROUND TIMES FOR PERMIT ISSUANCE AND COMMENTING AGENCIES

2004		JANUARY 1 - APRIL 30																				
PERMIT CLASSIFICATIONS		TURNAROUND TIMES FOR EXTERNAL AND INTERNAL COMMENTING AGENCIES																				
SUMMARY OF PERMIT STATISTICS		NO. OF APPROVAL REQUIREMENTS RECEIVED OVER ESTABLISHED BENCHMARKS																				
		INTERNAL CITY DEPARTMENTS						EXTERNAL AGENCIES														
		ED/PS		PW		OTHERS		PROVINCIAL MINISTRIES		OTHERS												
		DEVELOPMENT SERVICES		R & D		S & W		CEMETERIES/ MAUSOLEUMS		FIRE MARSHALL		HEALTH		M T O		HYDRO		NDCA		SD H U		
		PS	BS	COA	ZONING CHANGE	SPCA																
		PERMITS ISSUED	PERMITS ISSUED +BM	PERMITS EXCLUDED	PERMITS BENCHMARKED	AVE DAYS TO ISSUE	FS															
NEW RESIDENTIAL	80	14	8	72	6.7		-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	10
MISC RESIDENTIAL	211	5	15	196	4.2		4	11	2	-	4	2	-	-	-	-	-	-	-	-	7	-
NEW ICI	6	2	2	4	5.8		1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
MISC ICI	71	11	11	60	11.1		11	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OVERALL TOTALS	368	32	36	332	6.9		16	29	3	-	4	2	-	-	-	-	-	-	-	-	7	12

*Permits are excluded if subjected to additional development requirements and other factors beyond the control of staff, per DLAC

GLOSSARY OF ABBREVIATIONS

INTERNAL CITY DEPARTMENTS				EXTERNAL AGENCIES AND OTHERS					
EMS	Emergency Measures Services	ED/PS	Economic Development and Planning Services	MTO	Ministry of Transportation	NDC A	Nickel District Conservation Authority	SDH U	Sudbury and District Health Unit
FS	Fire Services	BS	Building Services	RDS & DR	Roads and Drainage				
		COA	Committee of Adjustment	S & W	Sewer and Water				
		SPCA	Site Plan Control Agreement						

Building Permit Statement

PERMIT CLASSIFICATIONS	Last Year		2003		Current Year		2004	
	Month of: April	Year to Date	Month of: April	Year to Date	Month of: April	Year to Date	Month of: April	Year to Date
	NO UNITS	VALUE	NO UNITS	VALUE	NO UNITS	VALUE	NO UNITS	VALUE
NEW RESIDENTIAL CANCELLED PERMITS	40	5,659,185	66	8,994,670 112,000	47	6,618,177	83	10,998,390
MISC. RESIDENTIAL CANCELLED PERMITS	67	985,025 53,140	146	2,364,450 74,345	121	1,619,070 143,024	221	3,246,596 187,820
NEW COMMERCIAL CANCELLED PERMITS	2		7		2		5	
MISC. COMMERCIAL CANCELLED PERMITS	11	409,502	40	3,012,054 20,000	16	180,109	46	1,789,697 9,000
NEW INDUSTRIAL CANCELLED PERMITS	1	708,600	3	2,435,610 4,800	1	1,200,000	5	2,667,849
MISC. INDUSTRIAL CANCELLED PERMITS	1	20,000	3	53,200	1	8,000	8	1,652,696
NEW INSTITUTIONAL CANCELLED PERMITS	1	950,000	1	950,000	1	3,485,000	1	3,485,000
MISC. INSTITUTIONAL CANCELLED PERMITS	7	318,015	20	5,852,522	7	550,752	21	1,737,658
Vacant Land CANCELLED PERMITS			1	3,360	1	12,000	1	12,000
Change of Use CANCELLED PERMITS								
Ancillary Uses CANCELLED PERMITS								
OLD PERMIT CANCELLED PERMITS								
DEMOLITIONS CANCELLED PERMITS	8	5,000	15	23,400	11	84,000	18	121,000
TOTALS ISSUED PERMITS	136	9,050,327	296	24,415,866	206	13,673,108	405	25,858,456
TOTALS CANCELLED PERMITS	2	53,140	10	211,145	2	143,024	6	196,820
NET TOTALS ALL PERMITS	134	8,997,187	286	24,204,721	204	13,530,084	399	25,661,636

CHART 3 YEAR TO YEAR VARIABILITY BAR CHARTS - JAN 1 - APRIL 30 - 2003-2004

Figure 1 APPLICATIONS PROCESSED

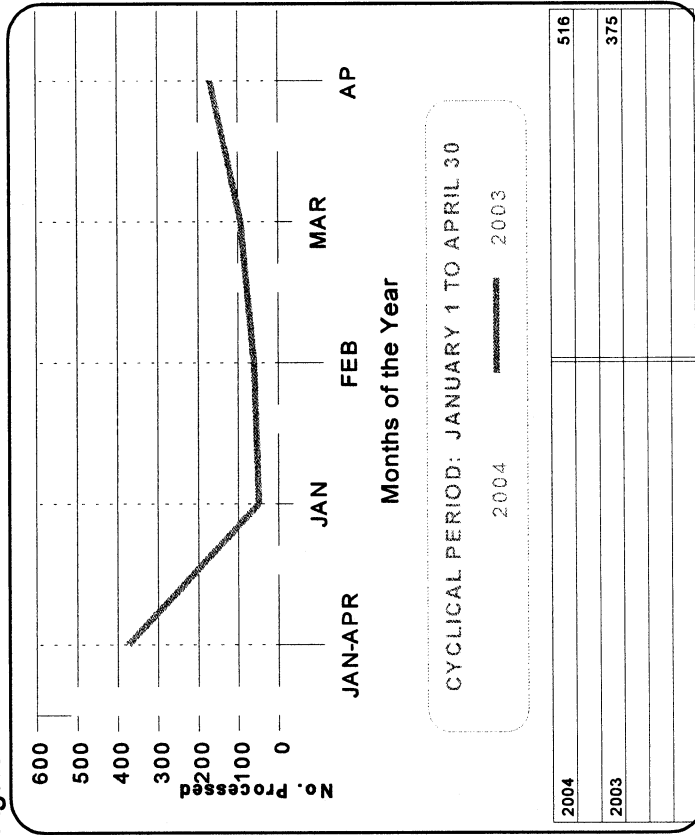
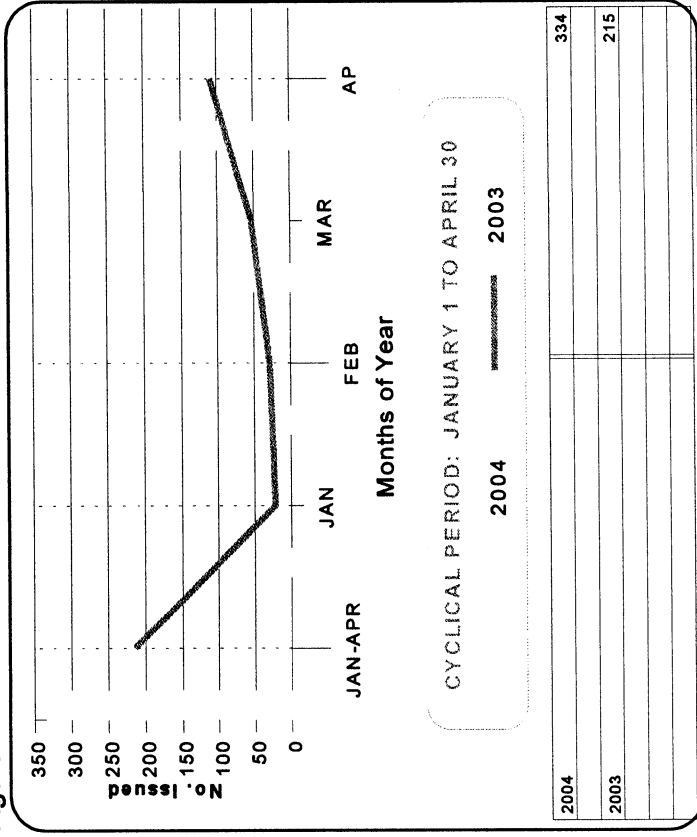


Figure 2 PERMITS ISSUED



Source: BPTS - Building Permit Report

J:\S_Building Services\JAN-APR BM RPT.frm

Request for Decision City Council




Type of Decision									
Meeting Date	July 13, 2004				Report Date	July 06, 2004			
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Sidewalks - Highway 144, Dowling

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
FOR INFORMATION ONLY	
<input type="checkbox"/>	Recommendation Continued

Recommended by the General Manager

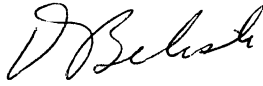

 Don Bélisle
 General Manager of Public Works

Recommended by the C.A.O.


 Mark Mioto
 Chief Administrative Officer

Date: July 13, 2004

Report Prepared By



Don Bélisle
General Manager of Public Works

Division Review

Background:

As directed by Council, City staff contacted the MTO in an effort to have sidewalks (paved shoulders) incorporated into the Ministry's proposed resurfacing of Highway 144 in Dowling. Their response is enclosed.

We will prepare a cost estimate to construct sidewalks that are separated from the highway and determine how they would rate in terms of priority when compared to other new required sidewalks. In any event, since the MTO will not permit paved shoulders as sidewalks, if and when sidewalks are installed, they would be located some distance from the travelled road. Consequently, the MTO's proposed resurfacing can proceed independently of any sidewalk construction.

Ministry of Transportation
159 Cedar St., Suite 503
Sudbury, ON P3E 6A5
Tel: (705) 564-7705
Fax: (705) 564-3144

Ministère des Transports
159, chemin Cedar, bureau 503
Sudbury (Ontario) P3E 6A5
Tél : (705) 564-7705
Télé : (705) 564-3144



June 24, 2004

City of Greater Sudbury
P.O. Box 5000
Station "A"
Sudbury, Ontario
P3A 5P3

Attention: R. G. Clausen, Director of Eng. Services

Dear Mr. Clausen:

Re: Highway Construction along Highway 144 in Dowling – Paved Shoulders

In my letter of June 8, 2004, and further to your letter of May 28, 2004, I advised the Municipality of the cost for paved shoulders within the Dowling flats, along Highway 144, should the Ministry approve it.

I have received recommendations from our Traffic Section

The AADT and commercial traffic counts are high along this corridor. Therefore, for safety reasons, introducing the presence of pedestrian traffic is not an option.

The Ministry's preference is sidewalks (at the expense of the municipality), separated from the through lanes by a ditch and preferably closer to the right-of-way limit. Concrete vs. asphalt sidewalks is irrelevant from our perspective, but the overall width must be the same as a concrete sidewalk (1.2m to 1.5 m).

I trust the Ministry's decision and recommendations are acceptable to the Municipality.

Should you have any further questions please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard David", written over a horizontal line.

Richard David
Technical Services Supervisor

RD:lg

- c.c. Mayor David Courtemarch
- Members of City of Greater Sudbury Councillors
- M. Mieto, CAO
- D. Belisle ✓
- T. Mowry, City Clerk
- R. Falcioni, Roads & Drainage Eng.
- N. Mihelchic, Co-ordinator of Traffic and Transp.

RECEIVED
JUL 02 2004

CITY OF GREATER SUDBURY ENGINEERING

Request for Decision City Council



Type of Decision										
Meeting Date	July 13, 2004				Report Date	July 9, 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low	
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed	

Report Title

STORE HOUR BY-LAWS

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

Recommendation

That Council review the decision process set out in this report and provide direction to staff on presentation of By-laws relating to this topic.

Recommendation Continued

Recommended by the General Manager

Doug Wuksinic
General Manager of Corporate Services

Recommended by the C.A.O.

Mark Mjeto
Chief Administrative Officer

Date: July 9, 2004

Report Prepared By



Ron Swiddle
Director of Legal Services/City Solicitor

Division Review



Ron Swiddle
Director of Legal Services/City Solicitor

At its meeting of June 24th Council took no action on the topic of Store Closing By-laws, but established a Committee to prepare a possible new uniform Store Hours By-law to be returned to Council at its meeting of July 13th.

The Committee met, and discussed three possible By-laws for Council's consideration.

By-law 2004-195 repeals the existing Store Hours By-laws and does not replace them. This is the By-law that Council should pass if it wishes to remove the restrictions entirely.

By-law 2004-204 repeals the existing Store Hours By-laws and replaces them with a new set of rules. As drafted by the Committee stores would be required to close from 9:00 p.m. to 5:00 a.m. Monday to Friday, 6:00 p.m. to 5:00 a.m. Saturday and Sunday, (11:00 p.m. to 5:00 a.m. Friday and Saturday in December before Christmas). A copy of this By-law is attached. It includes a list of sixteen exempted classes.

By-law 2004-205 requires stores to be closed on Civic Holidays proclaimed by the Mayor. The same list of exempted classes is included. This By-law can be passed by Council independently of the above By-laws.

The Committee also recommended that Council consider requesting the Mayor to make such a Proclamation every July for the upcoming August holiday, and every November for the upcoming Boxing Day. A report to this effect is included in the Agenda.

Council should first consider whether it wishes to have a new uniform By-law. If not, By-law 2004-195 should be passed and Council can then consider 2004-205.

If Council does wish to have a new uniform By-law, it can consider the version recommended by the Committee, make any changes it sees fit, and pass By-law 2004-204. Council can then consider By-law 2004-205.

BY-LAW 2004-195

**A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REPEAL THE STORE CLOSING BY-LAWS OF
THE FORMER MUNICIPALITIES**

WHEREAS the Council of The City of Greater Sudbury deems it desirable to
repeal certain by-laws;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. The following By-laws are hereby repealed:
 - a. By-law 11-1972 of the former Town of Coniston;
 - b. By-laws 78-14 and 84-17 of the former Town of Capreol;
 - c. By-law 98-25 of the former Town of Rayside-Balfour;
 - d. By-law 98-75 of the former City of Valley East;
 - e. By-laws 84-61, 84-98, 86-113, 88-16, 96-177, 98-161, and 99-170 of the former City of Sudbury, being chapter 436 of the Municipal Code;
 - f. By-law 2001-131 of the City of Greater Sudbury.
2. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME AS AMENDED IN OPEN COUNCIL this
13th day of July, 2004.

_____ Mayor

_____ Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN

COUNCIL this 13th day of July, 2004.

_____ Mayor

_____ Clerk

BY-LAW 2004-204
A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REQUIRE THE CLOSING OF CERTAIN RETAIL
BUSINESS ESTABLISHMENTS

WHEREAS Section 148 of the *Municipal Act, 2001*, S.O. 2001, c.25 allows a local municipality to require that retail business establishments shall be closed to the public on all or any days of the week;

AND WHEREAS the Council of the City of Greater Sudbury wishes to pass such a By-law;

NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:

1. Definitions

In this By-law:

"Automobile Service Station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

"Bait Shop" means a shop, the principal trade of which is the sale of live bait or artificial bait or both;

"Drug Store" means a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, R.S.O. 1990, c. H.4, where

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet;

"Motor Vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine;

"Neighbourhood Convenience Store" means a shop:

- i) the principal trade of which is the sale of food and household supplies;
- ii) in which the total area used for serving the public or for selling or displaying to the public is less than 2,400 square feet; and
- iii) in which there are a maximum of three employees for the entire day including the owner or manager;

"Public Garage" includes an automobile service station, a parking station or a parking lot, or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and

a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles; and

"Retail Business Establishment" means a premises where goods or services are sold or offered for sale by retail.

2. General Closing Hours

No person employed by or acting on behalf of a person carrying a retail business in a retail business establishment shall,

(a) sell or offer for sale any goods or services therein by retail; or

(b) admit members of the public thereto,

during any of the periods set out below:

- i) On Mondays through Thursdays from 9:00 p.m. of any day until 5:00 a.m. of the following day;
- ii) On Fridays from 9:00 p.m. until 5:00 a.m. of the following day from December 26th in any year until November 30th of the following year;
- iii) On Fridays from 11:00 p.m. until 5:00 a.m. of the following day from December 1st until December 24th in any year;
- iv) On Saturdays from 6:00 p.m. until 5:00 a.m. of the following day from December 26th in any year until November 30th of the following year;
- v) On Saturdays from 11:00 p.m. until 5:00 a.m. of the following day from December 1st until December 24th in any year; and

vi) On Sundays from 6:00 p.m. until 5:00 a.m. of the following day.

3. Exemption

- (1) This By-law does not apply to the sale or offering for sale by retail of:
- a) goods, or services in the form of, or in connection with prepared meals or living accommodation; or
 - b) liquor under the authority of a licence or permit issued under the Liquor Licence Act, R.S.O. 1990, c. L.19.
- (2) This By-law shall not apply to any of the following retail business establishments:
- i) Art Galleries,
 - ii) Automobile Service Stations,
 - iii) Bait Shops,
 - iv) Book Stores
 - v) Drug Stores,
 - vi) Florists,
 - vii) Fresh Fruit and Vegetable Shops,
 - viii) Marine Supply Shops,
 - ix) Magazine and Periodical Stores,
 - x) Neighbourhood Convenience Stores,
 - xi) Newspaper Stands,
 - xii) Public Garage,
 - xiii) Souvenir Shops,
 - xiv) Tobacco Shops,

- xv) Video Game Shops, or
- xvi) Video Rental Stores.

(3) This By-law shall not apply in respect of admission to the public to premises for educational, recreational, or amusement purposes in respect of the sale or offering for sale of goods or services incidental thereto.

4. Daylight Saving Time Provision

So long as the time commonly observed in the City is one hour in advance of Standard Time, the times mentioned in this By-law shall be reckoned in accordance with the time so commonly observed and not Standard Time.

5. Enforcement

Every person who contravenes the provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, such fine not to exceed the greater of

- a) \$50,000; and
- b) the gross sales of the retail business establishment in the period the establishment was open in contravention of this By-law.

6. This By-law shall come into force and take effect immediately upon the final passing thereof.

7. The following By-laws are hereby repealed:

- (i) By-law 11-1972 of the former Town of Coniston;
- (ii) By-laws 78-14 and 84-17 of the former Town of Capreol;
- (iii) By-law 98-25 of the former Town of Rayside-Balfour;
- (iv) By-law 98-75 of the former City of Valley East;

(v) By-laws 84-61, 84-98, 86-113, 88-16, 96-177, 98-161, and 99-170 of the former City of Sudbury, being chapter 436 of the Municipal Code; and

(vi) By-law 2001-131 of the City of Greater Sudbury.

READ A FIRST AND SECOND TIME AS AMENDED IN OPEN COUNCIL

this 13th day of July, 2004.

_____ Mayor

_____ Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN

COUNCIL this 13th day of July, 2004.

_____ Mayor

_____ Clerk

BY-LAW 2004-205
A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REQUIRE CERTAIN RETAIL BUSINESS
ESTABLISHMENTS TO BE CLOSED ON CIVIC
HOLIDAYS PROCLAIMED BY THE MAYOR

WHEREAS Subsection 148(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 allows a local municipality to require retail business establishments to be closed on days proclaimed by the Head of Council as a Civic Holiday;

AND WHEREAS the Council of the City of Greater Sudbury wishes to pass such a By-law;

NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:

1. Definitions

In this By-law:

"Automobile Service Station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

"Bait Shop" means a shop, the principal trade of which is the sale of live bait or artificial bait or both;

"Drug Store" means a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, R.S.O. 1990, c. H.4, where

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet;

"Motor Vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine;

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- i) the principal trade of which is the sale of food and household supplies;
- ii) in which the total area used for serving the public or for selling or displaying to the public is less than 2,400 square feet; and
- iii) in which there are a maximum of three employees for the entire day including the owner or manager;

"Public Garage" includes an automobile service station, a parking station or a parking lot, or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and

a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles; and

"Retail Business Establishment" means a premises where goods or services are sold or offered for sale by retail.

2. General Closing

No person employed by or acting on behalf of a person carrying a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
 - (b) admit members of the public thereto,
- on any day proclaimed by the Mayor as a Civic Holiday.

3. Exemptions

(1) This By-law does not apply to the sale or offering for sale by retail of:

- a) goods or services in the form of or in connection with prepared meals or living accommodation; or
- b) liquor under the authority of a licence or permit issued under the Liquor Licence Act, R.S.O. 1990, c. L.19.

(2) This By-law shall not apply to any of the following retail business establishments:

- i) Art Galleries,
- ii) Automobile Service Stations,
- iii) Bait Shops,
- iv) Book Stores
- v) Drug Stores,

- vi) Florists,
- vii) Fresh Fruit and Vegetable Shops,
- viii) Marine Supply Shops,
- ix) Magazine and Periodical Stores,
- x) Neighbourhood Convenience Stores,
- xi) Newspaper Stands,
- xii) Public Garage,
- xiii) Souvenir Shops,
- xiv) Tobacco Shops,
- xv) Video Game Shops, or
- xvi) Video Rental Stores.

(3) This By-law shall not apply in respect of admission to the public to premises for educational, recreational, or amusement purposes in respect of the sale or offering for sale of goods or services incidental thereto.

4. Enforcement

Every person who contravenes the provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, such fine not to exceed the greater of

- a) \$50,000; and
- b) the gross sales of the retail business establishment in the period the establishment was open in contravention of this By-law.

5. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME AS AMENDED IN OPEN COUNCIL

this 13th day of July, 2004.

_____ Mayor

_____ Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN

COUNCIL this 13th day of July, 2004.

_____ Mayor

_____ Clerk

Request for Decision City Council



Type of Decision										
Meeting Date	Tuesday, July 13, 2004				Report Date	Friday, July 2, 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed	

Report Title

MAYOR'S PROCLAMATION - AUGUST CIVIC HOLIDAY

Policy Implication + Budget Impact

N/A This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

POLICY:

The Municipal Act, 2001 provides that a local municipality may, by By-law, require retail business establishments to be closed for any period of time proclaimed by the head of Council as a civic holiday.

BUDGET IMPACT:

There is no budget impact associated with this Request for Decision.

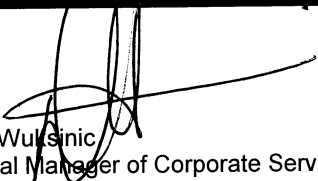
Background Attached

Recommendation

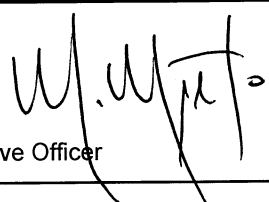
THAT the Mayor of the City of Greater Sudbury be requested to proclaim August 2, 2004, a Civic Holiday.

Recommendation Continued

Recommended by the General Manager


 Doug Wulsinic
 General Manager of Corporate Services

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Date: Tuesday, July 2, 2004

Report Prepared By

Thom Mowry
City Clerk

Division Review



Ron Swiddle
City Solicitor/Director of Legal Services

BACKGROUND:

At its meeting of 2004-06-30, the Ad-Hoc Committee dealing with Store Hours made two recommendations dealing with Civic Holidays, such as Boxing Day and the first Monday in August.

First, the Committee recommended that By-Law 2004-205 be passed, requiring retail business establishments to be closed on days proclaimed by the Mayor as Civic Holidays.

Second, the Committee recommended that a report be brought to Council twice a year, in July (and in November) so that Council could, if Council saw fit to do so, request the Mayor to proclaim the upcoming first Monday in August, (and the upcoming Boxing Day) to be Civic Holidays, and thus requiring retail business establishments to be closed.

Of course, under the *Municipal Act, 2001*, the final decision to proclaim or not would be the Mayor's alone, but Mayor Courtemanche has indicated that he will follow the request of a majority of Councillors.

Council may wish to make this request whether or not By-law 2004-205 has been passed or not. If the By-law is passed, a proclamation would apply to the whole City of Greater Sudbury; if the old By-laws remain in place, it would only apply to the former City of Sudbury and the former Town of Capreol areas.

Civic Holiday (known as Simcoe Day in Toronto, Colonel By Day in Ottawa, and by other names around the Province) and Boxing Day are not holidays under the *Retail Business Holidays Act*, and stores are only required to be closed by local option. Eight other days (New Year's Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving, and Christmas Day) are governed by the *Act*, and stores must be closed without municipal involvement.

Request for Decision City Council



Type of Decision									
Meeting Date	July 13, 2004				Report Date	July 9, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title

Emergency Medical Services Division Ambulance Fleet Standardization

Policy Implication + Budget Impact

X	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
Funding source identified - no impact on current budget	
Background Attached	

Recommendation

WHEREAS the City of Greater Sudbury EMS Division has identified the requirement to standardize the ambulance fleet, and

THAT the City of Greater Sudbury EMS Division has identified the requirement to order Ambulance Units each year to ensure adequate coverage of service; and

THAT Council authorize the EMS Division to standardize the ambulance fleet purchases with Demers Ambulances of Beloeil, Quebec, and

THAT Council authorize the purchase of three (3) ambulances and that funding in the approximate amount of \$285,715 plus applicable taxes be approved from the Emergency Services Ambulance Reserve Fund.

Recommendation Continued

Recommended by the General Manager

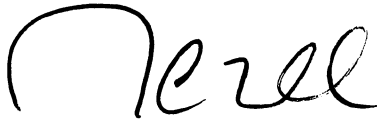
Alan Stephen
General Manager Emergency Services

Recommended by the C.A.O.

Mark Mieto
Chief Administrative Officer

Date: July 9, 2004

Report Prepared By



Joe Nicholls
A/Director Emergency Medical Services

Division Review

Executive Summary:

That Council authorize Emergency Medical Services to standardize the ambulance fleet to take full advantage of the benefits that will be realized. These benefits include: standard vehicle lay-out, reduced need for parts inventory, streamlined vehicle and parts procurement, and fleet mechanic familiarization. Mechanics have received specific training on Demers Ambulances, thus improving maintenance while decreasing down time.

The EMS Division has, in concert with Public Works, determined that all ambulance units be manufactured on a Ford E-450 chassis. This decision was made in early 2003 and is intended to reduce mechanical issues associated with the E-350 chassis. The costing of the E-450 chassis in relation to the E-350 chassis is inconsequential.

The Ontario Ministry of Health and Long Term Care Emergency Health Services Branch continues to certify ambulances as part of their mandate. The MOHLTC in their Vehicle Standards Report (attached) dated June 7, 2004 indicates that only Demers Ambulances of Beloeil, Quebec are certified to produce ambulances for use in Ontario utilizing the Ford E-450 chassis.

The EMS Division as part of our annual vehicle replacement program, has the requirement for new ambulances each year. New vehicles will replace those vehicles that have reached or exceeded their service life of 54 months.

Background:

The Ontario Ministry of Health and Long Term Care has advised all municipalities that they will no longer act as the purchasing agent in the area of ambulance acquisitions. The Ministry is currently arranging for the two Ontario certified manufacturers (Demers and Crestline) to be designated as "vendors of record". Vehicles may be purchased from these two manufacturers under standing agreement numbers. This may result in a guaranteed price for municipalities when purchasing ambulances, however this process remains unresolved. Despite any agreement with the manufacturers of ambulance units, municipalities will be required to place orders directly with the manufacturer and accept delivery directly from the manufacturer.

The EMS Division manages an annual call volume of over 36,000 calls; utilizing Emergency Response Units (single paramedic unit) and two styles of ambulance units, to respond to community calls for service. The two styles of ambulance units within the fleet are the smaller, Type II (van-style, single stretcher) and the larger, Type III (Modular, dual stretcher) style.

Within the Province's EMS industry, the Type II ambulance units are not the preferred style of vehicle for the provision of patient care. These smaller, van-style ambulances have limited storage and work space with only single stretcher capacity.

Title: Standardization and Purchase of Ambulances**Date: July 9, 2004**

The unit's smaller and more confined patient compartment makes the provision of advanced patient care very difficult. As a result of its size limitations, these vehicles are not normally assigned to Advanced Care Paramedic crews and possess little trade-in value within the Ontario EMS marketplace.

The city's EMS Divisions currently has a fleet of nineteen ambulances. Sixteen of these units are Demers fabrications. The three units manufactured by Crestline Coach Ltd. are scheduled for replacement over the next two years. Since assumption of land ambulance services in 2000, the Division has purchased Demers products exclusively. The EMS Division's experience with Demers Ambulances has been very positive with few concerns related to the vehicle.

A consensus has been reached following discussion between Frobisher Depot, Supplies and Services, and EMS Division to recommend the EMS Division standardize its use of ambulances to the following:

1. Demers Ambulances manufacturer.
2. Type three modular units, with ambulance upgrade
3. 158" wheel base
4. Ford E-450 chassis
5. Double stretcher configuration
6. Strobe lighting upgrade
7. Additional augmentation as required.

The following are the key advantages and benefits for standardizing to Demers Ambulances:

1. Demers Ambulances is the only manufacturer certified by the MOHLTC to supply ambulances on the Ford E-450 chassis in Ontario.
2. Standardized ambulance fleet.
3. Standard equipment layout resulting in greater ease of use by paramedics.
4. Standardized fleet maintenance program at Frobisher Depot.
5. Reduced need for parts purchase and storage.
6. One set of special tools and manuals for diagnostics as well as adjustments and repairs.
7. Less training required for mechanics and operators (less lost time).
8. Faster and more efficient repairs due to product familiarization.
9. The 2004 production year ambulance costing has been obtained from both vendors, with a variance of approximately \$250.00 per unit in favour of Demers Ambulances.

The city's Purchasing Agent will periodically test the market place through quotations to ensure the price difference remains comparable. Also, if there is a special requirement for a non-standard ambulance or where provincial certification standards change, a public tender may be issued.

The EMS Division has identified the requirement to immediately purchase three (3) new certified ambulance units for the EMS Division to replace three (3) older ambulance units. The EMS Division's capital envelope for 2004 included the costs associated with these units and was approved by council.

AMBULANCE CONTRACTOR CERTIFICATION LISTING

Ontario has a sound history of having high quality land ambulances. This has been achieved by setting standards for the construction and conversion of land ambulance vehicles that meet the need for patient care, delivery and safety. To ensure that these standards are well known and understood by all, the Ministry of Health and Long-Term Care developed and implemented the 'Ontario Provincial Land Ambulance & Emergency Response Vehicle Standard.' The current version of the Standard describes the minimum requirements for new and remounted ambulances to be used in the province. Ambulances operated by service providers must comply with this Standard. Compliance requirements for the Standard are accomplished through a series of 22 performance tests. The test results are submitted to the Director, Emergency Health Services Branch for certification approval. This testing process is normally the responsibility of the ambulance conversion vendor. Certification is necessary to show compliance with the Standard for any ambulance intended for use in Ontario. The Certificate is initially valid for a period of up to three (3) years for all like ambulances produced by the same contractor provided that:

- ◆ The design, material, dimensions and equipment are the same as the ambulances tested and presented for review;
- ◆ The ambulance is manufactured in the same manner as the ambulance tested and presented for review;
- ◆ The chassis is the same, make, model, engine and specifications as the ambulance presented for review (differences in model years accepted).

Annex 'A' of the Standard details the minimum acceptable requirements for emergency response vehicles (ERVs) for use in ambulance services in the province. The compliance certification requirements for the remounting of a patient compartment module on a new chassis are described at Annex 'B' of the Standard. Transport Canada must also approve the vendor undertaking the remounting to complete this process.

Ambulances and ERVs purchased by the Emergency Health Services Branch or the then municipality of Metropolitan Toronto on or before December 31, 1997 and licensed as such on December 31, 1997 are also deemed to be certified under the Standard. Likewise ambulances and ERVs certified under previous versions of the Standard shall continue to be certified under current version until sold, remounted, or modified contrary to the Standard.

The following tables list the current conversion contractors and their models that are certified for use in Ontario.

**AMBULANCE CONVERSION/REMOUNT CONTRACTORS
CERTIFIED TO THE
ONTARIO PROVINCIAL LAND AMBULANCE &
EMERGENCY RESPONSE VEHICLE STANDARD**

VERSION 3.0 – March 20, 2004

June 7, 2004

NEW AMBULANCES

CONTRACTOR	CERT. #	MAKE/MODEL	EXPIRY DATE
Crestline Coach Ltd. Saskatoon, Saskatchewan	04-301	Ford E350 158" wheelbase RV Cutaway Chassis Type 3 'FleetMax' (single or dual main cot configurations)	March 31, 2007
Paul Demers & Fils Inc. Beloeil QC	04-302	2004 Ford 158" wheelbase RV Cutaway Chassis Type 3 'MX160A' (single or dual main cot configurations)	January 10, 2007
City of Toronto (EMS) Toronto, Ontario	04-303S	2001 Ford E350 RV Cutaway Crestline Coach "Special Purpose Ambulance' TEMS CCTU #827	Valid until remounted, sold or modified contrary to the Standard

Request for Decision City Council



Type of Decision									
Meeting Date	July 13 th , 2004			Report Date	July 9 th , 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
City of Greater Sudbury Fire Services 2004 Capital Procurement Purchase Plan

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>This certifies that this future commitment is within the Annual Repayment Limit for the City of Greater Sudbury as recalculated.</p> <p><i>S. Jonasson</i> S. Jonasson City Treasurer/Director of Finance</p>	
<input type="checkbox"/>	Background Attached

Recommendation																	
<p>That the 2004 Fire Capital Program initially approved by Finance Committee Resolution 2004-45 be replaced with the following capital program:</p> <table border="0"> <tr> <td>Four Hundred (400) sets of Bunker Gear</td> <td style="text-align: right;">\$ 650,000</td> </tr> <tr> <td>Three (3) 75-foot Aerial/Squirt Vehicles</td> <td style="text-align: right;">2,100,000</td> </tr> <tr> <td>Three (3) Bush/Off Road Fire Fighting Vehicles</td> <td style="text-align: right;">330,000</td> </tr> <tr> <td>Two (2) Water Rescue Boats with Trailers</td> <td style="text-align: right;">80,000</td> </tr> <tr> <td>One (1) High Capacity Water Tanker</td> <td style="text-align: right;">65,000</td> </tr> <tr> <td>Miscellaneous equipment</td> <td style="text-align: right;">126,820</td> </tr> <tr> <td>AlerTech funding commitment</td> <td style="text-align: right;"><u>53,000</u></td> </tr> <tr> <td>TOTAL CAPITAL PROGRAM</td> <td style="text-align: right;"><u>\$ 3,404,820</u></td> </tr> </table>		Four Hundred (400) sets of Bunker Gear	\$ 650,000	Three (3) 75-foot Aerial/Squirt Vehicles	2,100,000	Three (3) Bush/Off Road Fire Fighting Vehicles	330,000	Two (2) Water Rescue Boats with Trailers	80,000	One (1) High Capacity Water Tanker	65,000	Miscellaneous equipment	126,820	AlerTech funding commitment	<u>53,000</u>	TOTAL CAPITAL PROGRAM	<u>\$ 3,404,820</u>
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<input checked="" type="checkbox"/>	Recommendation Continued																

Recommended by the General Manager
<p><i>A. F. Stephen</i> A. F. Stephen, GM Emergency Services</p>

Recommended by the C.A.O.
<p><i>Mark Mieto</i> Mark Mieto, CAO</p>

Date: July 9th, 2004

Report Prepared By

D. Donaldson /rw

Donald Donaldson, Fire Chief

Division Review

[Signature]

AF Stephen GM Emergency Services

with up-front funding provided as follows:

Reallocation of 2002 Unexpended Capital	\$ 138,067
Reallocation of 2003 Unexpended Capital	723,167
Fire Capital Financing Reserve Fund (at the end of 2003)	113,300
Equipment Replacement Reserve Fund (at the end of 2003)	520,760
2004 Capital Envelope	<u>179,820</u>
Total Up-Front Funding	\$ <u>1,675,114</u>

That the balance of the program, \$1,729,706, be financed through an advance from the Capital Fund, amortized over a five-year period at a rate of 5%, all of which is in compliance with the City's Investment Policy; and

That a portion of future contributions to the equipment replacement reserve fund be committed towards lease repayments, which includes interest of \$ 267,890, as follows:

2004 Equipment Replacement Reserve Fund contribution	\$ 199,760
2005 Equipment Replacement Reserve Fund contribution	399,519
2006 Equipment Replacement Reserve Fund contribution	399,519
2007 Equipment Replacement Reserve Fund contribution	399,519
2008 Equipment Replacement Reserve Fund contribution	399,519
2009 Equipment Replacement Reserve Fund contribution	<u>199,760</u>
Total Reserve Fund Contributions	\$ <u>1,997,596</u>

TOTAL FUNDING \$ 3,672,710

Background

The City of Greater Sudbury has a Composite Fire Service combining the strengths of career, part-time and volunteer firefighters. Within the Fire Services Division, we provide three basic services to the citizens of this city including: Public Safety Education and Prevention; Fire Safety Standards and Enforcement and Emergency Response and Suppression.

The principle objective of our Fire Service is fire avoidance and increased fire prevention effectiveness. That being said, the Fire Service must continue to provide timely response in the event of an emergency to mitigate effects of incidents. On the emergency response side, the Division has been responding to a number of calls for our assistance. During 2003, there were approximately 4500 emergency responses. They are handled by staff from our 25 fire stations, located across the city.

Date: July 9th, 2004

In September of this year, we will be briefing you on our recommendations for the City of Greater Sudbury's Master Fire Plan in order to receive your direction to establish our vision, mission and goals for the period 2005 to 2015. We believe that you will be directing us to enhance and, where required, expand our current capabilities to include the following: fire prevention and education, fire standards enforcement, fire rescue, fire suppression including structure, open field, and aircraft, vehicular extrication, HAZMAT ranging from Level 1 to 3, on-water/over-ice/rough terrain/high angle and confined space rescue. This Plan will include equipment needs, for which no funding is available. Council has committed to implementing a Capital Levy in 2005, and has directed that this Levy be utilized for Roads capital projects in 2005 and 2006. It is hoped that the 2007 Capital Levy will be directed to the funding shortfall for equipment, not only in Fire Services but in Public Works and Transit as well.

2004 Equipment Requirements

During the 2004 budget process, we presented a 2004 Capital Equipment Acquisition requirements list based on fire service needs. This included a variety of fire vehicles/apparatus, fire rescue equipment, personal protective equipment and construction requirements. The 2004 funding allocated to Fire Services fell far short of meeting these needs, and only a limited capital program could be undertaken. However, Fire Services has an immediate need to procure the following additional apparatus and protective equipment to enable us to meet our current mandated fire suppression and rescue mandate/mission:

- a. 400 sets of bunker gear;
- b. Three (3) 75 ft aerial/squirt vehicles;
- c. Three (3) bush/off road fire fighting vehicles;
- d. Two (2) water rescue boats with trailers; and
- e. One (1) high capacity water tanker.

The cost to procure the equipment listed above was initially forecast to be \$3,375,000. The Fire Service immediately began to research alternative ways to meet our requirements within the budget allocated. This included amending specifications to minimum levels and utilizing a rebuilt vehicle replacement criteria. Through this re-assessment, the Fire Service reduced the overall financial requirements to \$3,225,000. With the miscellaneous equipment amount of \$126,820 (which is a redirection of previously authorized capital funding for minor equipment needs) and the funding commitment to AlerTech (which remains unchanged at \$53,000 as initially approved) the revised financial requirements amount to \$3,404,820.

The Fire Service also determined that there was funding available from current and previous fiscal years as follows:

2002 Unexpended Capital - firefighting equipment & misc	\$ 138,067	
2003 Unexpended Capital - pumper/rescue vehicle	723,167	
2004 Capital Envelope	179,820	
Capital Financing Reserve Fund - Fire	113,300	(this is the full balance of the reserve fund at the end of 2003)
Equipment Replacement Reserve Fund - Fire	<u>520,760</u>	(this is the full balance of the reserve fund at the end of 2003)
Total Up-Front Funding	<u>\$ 1,675,114</u>	

Even with this up-front funding there was a shortfall of \$1,729,706. We then approached our Finance Division for assistance. We determined that if we were to purchase this equipment over a 5-year "lease to purchase" period, the cost would be approximately \$399,519 per year for the five year period. The Finance Division recommended financing the vehicles/apparatus and equipment through the Capital Fund and committing a portion of future contributions to the equipment replacement reserve fund to the repayment schedule. Under the terms of the City's Investment Policy, this loan could be repaid to the Capital Fund at a rate of 5% whereas a commercial rate would range from 7% to 9%.

Date: July 9th, 2004

By not committing future years' capital envelopes, Fire Services will still have an annual allotment to fund essential minor equipment purchases or replacements for needs such as hoses, pumps, generators, SCBAs, etc. However, the necessity to commit the bulk of future reserve fund contributions to equipment replacement will leave Fire Services with very little contingency funding for any capital procurement requirements that Council may wish to authorize in the Master Fire Plan implementation for the period 2005 to 2015. It cannot be emphasized enough that there is an urgent need to commit the 2007 Capital Levy to meet the funding shortfall for all equipment needs.

The equipment requirements listed above will meet our current fire rescue and suppression needs. Should Council not authorize the expenditures outlined above, this will severely hamper our operational capability.

For example, our Volunteer Bunker Gear is in desperate need of replacement. Without immediate replacement, we might have to limit the rescue capability of the volunteer service to outside fire suppression only. Without this new bunker gear, the volunteers increase their exposure to danger when entering a high risk fire area. As well, the City could face a Ministry of Labour order to replace the Volunteer Bunker Gear.

Three aerial squirts are required to replace an aging aerial and pumper fleet. We are having an extremely difficult time maintaining and keeping these vehicles in service. Currently, we are re-allocating fire apparatus to meet vehicle non-serviceability and, at times, there are areas within CGS that we are having difficulty covering within the prescribed time-frames with appropriate equipment.

We are currently unable to provide the immediate response to all areas (3600 sq km) of the CGS with respect to fighting bush fires and to initiate initial rough terrain fire rescue for incidents such as air crashes and isolated structural fires. The purchase of bush/off road fire fighting vehicles will enable us to respond to these types of calls.

Currently, the Fire Service has withdrawn all non-authorized "fishing type boats" given the threat they represent to our fire-fighters. At this time, our Fire Service can only conduct shore based rescue. Without proper rescue boats, we are unable to respond to an on-water emergency.

Although we are currently taking receipt of three water-tankers, we do not have a full complement of tankers. Our capacity to meet our water haulage capability to rural areas continues to be a challenge. We currently have a "Bronto" vehicle which we can convert to a high capacity water tanker for 10% of the cost of a new tanker.

Request for Decision City Council



Type of Decision

Meeting Date	July 13, 2004				Report Date	July 7, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Status Report - David Street Water Treatment Plant Expansion

Policy Implication + Budget Impact


<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input checked="" type="checkbox"/>	Background Attached

Recommendation

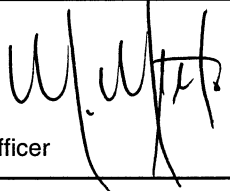
THAT the projected unbudgeted costs of the David Street Water Treatment Plant Expansion estimated to be \$1,164,800. be funded from the Capital Financing Reserve Fund - Water.

Recommendation Continued

Recommended by the General Manager

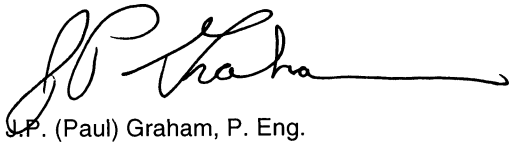

Don Bélisle
General Manager of Public Works

Recommended by the C.A.O.


Mark Mieto
Chief Administrative Officer

Date: July 7, 2004

Report Prepared By



J.P. (Paul) Graham, P. Eng.
Manager of Environmental Innovation & Energy Initiatives

Division Review

Don Bélisle
General Manager of Public Works

Background:

The expansion/upgrades of the David Street Water Treatment Plant commenced in 2001 with an anticipated overall budget of \$20,000,000. In that year, two contracts were awarded to relocate watermains, sanitary sewers and an electrical sub-station on site to prepare for a future General Contract.

In May of 2002, the General Contract for the Expansion of the David Street Plant was awarded to North America Construction at an estimated amount of \$16,229,054, excluding G.S.T. We attach a copy of the Report to Council for the award of the General Contract.

At the time of the award of the contract, it was anticipated that construction would be completed by November 30, 2003. We attach a copy of a letter from CH2M Hill, our Consulting Engineers on this Project, which documents the progress and challenges which have been faced during the construction of the General Contract by North America Construction.

In brief, because of numerous reasons, we currently estimate that the overall project will cost approximately \$21,164,800, including G.S.T. The Contractor is currently cleaning up final deficiencies and commissioning work. We anticipate that the Plant will be producing potable water by the end of August of this year.

The current cost can be broken down as follows:

Total Construction Cost:	\$17,136,940
Engineering Services Contract:	\$ 3,589,000
3% G.S.T. (Prior to Feb. 1, 2004)	\$ 438,860
Total Cost:	\$21,164,800

Examination of cost overruns indicates that the increase in cost is approximately 40% construction cost and 60% engineering services.

It is significant that the contingency allowance in the main General Contract was set at \$300,000 which is significantly less than the contingency allowance that would normally be set for a project for this magnitude and complexity. The \$300,000 contingency allowance was selected to meet the overall original budget, being hopeful that the Project would proceed within this low allowance target. Normally a project of this size would have a contingency allowance of at least five percent, more in the order of \$800,000.

This Project has been financially supported by the senior levels of government and they have indicated that the grants are capped at the original value and that there is no assistance for any overruns in costs.

Therefore we recommend that this increase in cost currently estimated at \$1,164,800 be financed from the Capital Financing Reserve Fund – Water. This Reserve Fund has a current balance of approximately \$6,500,000 and has been set up to fund unexpected expenditures such as this cost overrun at the David Street project.

Report To: CITY COUNCIL

Report Date: May 3, 2001

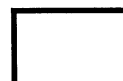
Meeting Date: May 16, 2001

**Subject: Award of Contract 2002-34
David Street Water Treatment Plant Expansion**

Division Review:	Department Review:	C.A.O. Review:
<p>J. P.(Paul) Graham, P. Eng. Plants Engineer</p>	<p>D. Bélisle General Manager of Public Works</p>	<p>J. L. (Jim) Rule Chief Administrative Officer</p>
<p>Report Prepared by: J. Paul Graham, P. Eng.</p>		

Recommendation:

That Contract 2002-34, David Street Water Treatment Plant Expansion be awarded to North America Construction (1993) Ltd. in the amount of \$17,365,088.00, as determined by the unit prices and quantities involved, this being the lowest tender meeting all the requirements of the contract documents.



Background:

Tenders for Contract 2002-34, David Street Water Treatment Plant Expansion were opened at a Tender Opening Committee meeting on May 1, 2002. The results of the tenders are as follows:

BIDDER	AMOUNT
North America Construction (1993) Ltd.	Alternative A: \$17,365,088.00 Alternative B: \$17,343,688.00
Tesc Contracting Company Ltd.	Alternative A: \$17,736,320.00 Alternative B: \$17,704,220.00
Kenaidan Contracting Ltd.	Alternative A: \$17,929,990.00 Alternative B: \$17,897,890.00
R.M. Belanger Limited	Alternative A: \$18,542,779.00 Alternative B: \$18,328,779.00
Nor Eng Construction & Engineering Inc.	Alternative A: \$19,238,600.00 Alternative B: \$19,153,000.00

The tenders have been reviewed and all are found to be in order.

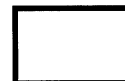
The tenders included Alternatives A and B. Alternative A anticipated that the construction activity be confined to the property currently owned by the City of Greater Sudbury. Alternative B provided a provision whereby the City would attempt to obtain working easements on the north side of the site.

We recommend the award of Alternative A of this contract to North America Construction (1993) Ltd. in the value of \$17,365,088.00, being the lowest tender meeting all of the requirements of the contract documents.

The Engineer's Estimate for the work was \$17,400,000.00.

Funding for this work is provided from the \$20,000,000.00 allocation (one-third each from City of Greater Sudbury, Provincial Government, Federal Government) for the David Street Water Treatment Plant Expansion. The final estimated cost for the project based upon tendered prices is as outlined below:

Contract 2002-50, David Street Watermain and Sewer Easement	\$ 470,000
Transformer Vault	61,000
Greater Sudbury Utilities Inc. - Transformer	40,000
Contract 2002-34, David Street Water Treatment Plant Expansion	16,229,054
Engineering Services	<u>2,450,000</u>
Sub-Total	\$19,250,054
7% GST	<u>1,347,504</u>
Grand Total	\$20,597,558
less GST rebate	<u>769,964</u>
Final Estimated Cost	<u>\$19,827,594</u>





CH2MHILL

Responsible Solutions for a Sustainable Future

July 7, 2004

120004.03.CS

Mr. Paul Graham, P. Eng.
Plants Engineer
The City of Greater Sudbury
P.O. Box 5000,
Station A
Sudbury, Ontario P3A 5P3

Subject: City of Greater Sudbury
David Street Water Treatment Plant Upgrade
Project Budget & Schedule Update and Briefing Report

Dear Mr. Graham:

We are writing to provide the City with a status report on the progress of the David Street Water Treatment Plant Upgrade project as well as to indicate the current status of the budget compared to plan. At this time in our opinion the construction of the upgrade to the David Street Water Treatment Plant is approximately 95% complete.

We continue to request regular updates to the contractor's schedule, however these updates generally have been somewhat informal. We have forecasted a completion date for the work given the performance of the contractor to date, his forces currently committed to the project, and an assessment of the outstanding work. At the June 3rd, 2004 site meeting, the Contractor was directed to provide an updated schedule for completion. At the time of preparation of this letter we have not yet received an updated schedule. However, we believe that, through the application of adequate forces, the Contractor should be able to achieve substantial performance of the water treatment plant by August 31, 2004.

Additional time has been needed to implement the required upgrades due to unforeseen circumstances during construction and related delays. The project timeline for upgrades at the plant is as follows:

- October 2001 : Application for Certificate of Approval submitted
- May 2002 : Contract Awarded
- June 2002 to present : Construction Period
- February 2004 : Installation of Membrane Filtration Units completed
- August 31, 2004 : Complete Commissioning and Start-up (revised date)

This project involved extensive construction work and site coordination to demolish existing water piping systems and buildings while maintaining continuous service to the community. The preservation and required modifications to the existing pump station and chemical building annex built in c. 1895 required special procedures that extended the construction schedule well beyond that normally required for a "green grass" facility.

CH2M HILL
255 Consumers Road
Toronto, ON M2J 5B6
Canada
Tel: 416.499.9000
Fax: 416.499.4687
www.ch2mhillcanada.com

Mr. Paul Graham, P.Eng.

Page 2

July 7, 2004

120004.03.CS

The construction of a new pump station and membrane filtration treatment building was a major undertaking that had complications with the unique site characteristics. The local climatic conditions for the construction season in northern Ontario and the last two years' unseasonably cold temperatures limited site work and extended the project schedule.

In addition, contractor progress has been slower than planned due to unforeseen site circumstances, construction activities that require additional efforts, and contractor rework in certain areas causing delays in commissioning.

MOE Certificate of Approval Application

Throughout the first nine months of 2003 we were assured by North America Construction (NAC) that the overall delivery schedule of the new treatment and pumping facilities was consistent with the City's schedule with the Ministry of the Environment for completion by December 31, 2003. As the time advanced, it became apparent that the schedule would not be met. Based upon this we prepared an application to the MOE for an extension to September 30, 2004. The City submitted that application.

Project Summary

The David Street WTP project was tendered in three contracts to accommodate scheduling and coordination of operations with off site works during construction of the Water Treatment Plant. This segregation of the contracts also allowed for some preliminary alterations to watermains, sewers and power supply to take place pending final reconciliation of the funding for the Water Treatment Plant.

A contract to install and replace watermains and sewers in the community was let in the spring of 2002. Through this advance work the continued operation of the facility was accommodated through the transition phase as well as providing for watermain looping and overall systems security enhancement. (Final Contract Value = \$447,955 + GST)

A second contract was let in the spring of 2002 to relocate the pumping station and water treatment plant transformer substation to service the new and existing facilities. The existing transformer and power supply were located such that they would interfere with the new facilities, thus the need to complete the works in advance of the main water treatment plant contract. (Final Contract Value = \$78,975 + GST)

In the spring of 2002 the main contract was tendered and awarded to North America Construction (NAC). Work was initiated in June 2002 with an anticipated commissioning date of fall 2003. As noted above there has been some movement in this date and commissioning is anticipated by end of August 2004. The MOE have been advised and a request has been submitted requesting an extension until September 30th, 2004.

This work involves the construction of the new water treatment plant, new raw and treated water pumping station, modifications to the existing David Street facility and modifications and rehabilitation of the existing micro-strainer building.

Miscellaneous yard piping and electrical interfaces with existing systems are also included in Water Treatment Plant contract.

Table 1 - Construction Contract Summary

Contract Number	Contract Description	Status	Contract Amount Not Including GST (incl. Contingency)	Current Contract Amount Not Including GST (Contingency removed, approved CO's added)
1	Watermain and Sewer Relocation	Complete	\$ 409,279	\$ 447,955 (final)
2	Electrical Substation Relocation	Complete	\$ 57,009	\$ 78,975 (final)
3	Water Treatment Plant and Pumping Station	Underway as of Jun. 30, 2004	\$ 16,229,054	\$ 16,500,000 (estimate)
4	Miscellaneous (Standby power, communication, etc)	Ongoing	\$ 110,000	\$ 110,000
	Total		\$ 16,805,342	\$ 17,136,930

Project Engineering and Site Services

The David Street Water Treatment Plant project was launched in the fall of 2000 as a result of an investigation and analyses into the potential solution to the aesthetic and perceived degradation of the water at the David Street Water Treatment Plant. Alternatives that were examined were do nothing, upgrade other supply facilities within the City, advance the development of the Lake Wahnapiatae proposed long term water supply and upgrade the David Street facility from a water supply plant to a water treatment plant. The upgrade alternative at David Street was determined to be the preferred alternative for financial, community and environmental reasons, as well as being more energy efficient.

In the development of a treatment strategy for David Street our process team met with the City's operations and plant management teams to examine the optimum treatment process and configuration. The selected process is a two stage membrane facility enhanced with pre-treatment strainers, UV disinfection and chemical addition. The two stage membrane system will deliver a greater than 99% recovery of the raw water drawn from Ramsey Lake with minimal impact on the City's sewerage system for waste disposal. The application of a siphon design in the water treatment plant reduces the number of stages of pumping and minimizes the physical footprint of the water treatment plant on the site. The development of a cost effective design of these unique features required a greater process engineering investment up front than normal; however, the return on the investment is in the lower

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operating costs, more efficient site utilization and reduced, yet complementary impact on the aesthetics of the community.

Based upon the selected alternative the project team was asked to advance with a pre-design/design/tender program in order to prepare for a project startup pending receipt of funding. A funding proposal was developed by the project team and tabled with the three levels of government.

Two public meetings were held with the community to earn support and understanding for the project. These meetings were well attended and the support for the project considerable. In addition to the public meetings, fliers have been regularly distributed throughout the community advising the neighbours of the progress of the work and advising of any activities that may give cause for concern. One of the outcomes of the public consultation process was a proposal to convert the existing micro-strainer building to a Gazebo style public washroom. Included in the washroom proposal is extensive landscaping in natural and man made features such as paving stones.

The project was tendered in three contracts to provide for minimal disturbance to the water supply during the major project to construct the new WTP and Pump House. This, together with a program of pre-selection/pre-purchase for the filter membrane system, ultraviolet disinfection system, and raw and treated vertical turbine water pumps, increased the engineering effort, albeit to the overall long term advantage to the project and ongoing operations at the David Street facility.

In March of 2002, the Water Treatment Plant project was tendered and the low bidder, North America Construction (NAC) was ultimately issued a start work order that allowed them to proceed in June 2002. NAC are known for their experience with water and wastewater treatment facilities across Canada and particularly in Ontario.

NAC are also known for bringing innovative approaches to projects for review in order to optimize their operations and reduce their costs. NAC did not disappoint our project team in this regard and introduced a number of proposals for significant structural changes to the design at an early date. These changes were reviewed and responded to in due course and as expeditiously as reasonable. Some were accommodated and some were rejected as they would have compromised the operating philosophy of the facility. Each of these proposals involved a considerable time investment in engineering but the reviews were undertaken as there was a potential to reduce costs and improve on the schedule.

In addition to the significant structural changes proposed, our project team have been overwhelmed with numerous (almost 300 to date) requests for information (RFI's), requests for change orders (RCO's) (over 200 to date) and other paperwork such as shop drawing re-submittals several times over, which while not in all cases delaying the progress of the work on site, is contributing significantly to the amount of additional engineering services required above the average.

In addition to the review of RFI's, etc, we have been continually challenged with proposals for alternative equipment suppliers, building systems, excavation shoring systems and

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overall site coordination matters. Our field staff are stressed to observe the work as well as manage the paperwork generated by NAC and their proposed and/or undeclared excursions from the requirements of the contract. As a result we have had to increase the level of contract administration at an office level to support our field staff.

There was one significant incident during construction that has contributed to a delay in the works at the pumping station. This incident relates to a failure of the excavation shoring system for the pumping station and the resultant collapse of the east foundation wall of the existing facility. The resolution of this problem required extensive review of alternative strategies for repair, constant monitoring of the reinforced sheeting system, and contractor interaction with and direction from the Ministry of Labour. While the project critical path has not suffered directly, there were considerable delays to non-critical path tasks. The project engineering team consulted with Golder Associates, and our senior structural engineering staff to review the contractor's remedial plans.

Discussion

There has been some creep in the engineering costs as the project matures. Some of this creep in costs is due to out of scope work, some has occurred due to extended timelines during grant confirmation and some has occurred due to a substantially greater effort working with NAC to respond to RFI's, requests for change and coordination efforts tied into the east wall failure. Finally we would observe that the cost of extended engineering effort past the contracted completion time in itself has had and continues to have a significant impact on our overall engineering costs.

Out of Scope Work and Work Expansion

- **Expansion of the project from one contract to three – additional engineering design, specification and drawing preparation, tender review and award, contract administration and field observations including coordination.**
- **Expansion of site parameters to encompass distribution system integrity and redundancy.**
- **Rehabilitation and reuse of existing David Street Infrastructure.**
- **Development and design of alternative use strategies for the existing micro-strainer facility and integrated landscape plan.**
- **Extended Time Lines During Grant Confirmation**

From development of the original concept to the initial grant application approximately 12 months passed. During this year negotiations with the two senior levels of government took place with the objective of establishing a fund from which to finance the works. The September 2001 agreement in principal set the foundation for the development of a final funding agreement that did not, we understand, become final until mid 2002. The result of these protracted discussions was lost efficiency as the target date slipped.

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Contract Administration Scope Expansion

We have noted some of the factors related to added investment at the Site Observation and Contract Administration Phase. These factors on their own are normally anticipated in a project of this magnitude. However collectively they have had an extreme impact on our day to day costs. We note a few for the record:

- **WTP Siting** - NAC proposed to move the siting of the new WTP up to 3 meters to reduce rock excavation costs to NAC. The review of this request involved discussion with the architect, geotechnical consultant, building code specialists, structural designers and process and mechanical designers. In the end the building was relocated 1 meter to the south and modifications were required to accommodate building separation changes and code compliance. Additional efforts will be required to adjust the as-built drawings as well.
- **Alternate Pumping Station Design** - NAC proposed an alternate pumping station foundation design. The pumping station design in itself was a high intensity effort in the design phase as a result of concerns that the geotechnical firm had for the stability of the soils adjacent to the existing structures. After some very lengthy discussions we had selected what was believed to be the most economical design of the alternatives posed by the geotech. The NAC proposal had some relatively positive benefits from their perspective, however it posed a higher risk to the site based upon the soils report and compromised flexibility with future plant operations and maintenance protocols. The request was declined repeatedly and NAC proceeded with the contract work.
- **Surge Chamber Alternative** - NAC proposed a reinforced concrete surge chamber in lieu of the concrete pressure pipe as indicated in the contract. The rationale was related to impact on schedule of the delivery of the pressure pipe. We agreed with the request in the interest of the schedule and redesigned the structure to incorporate the NAC request.
- **Pumping Station Shoring System Failure** - NAC undertook to install a sheeting system for the pumping station in the absence of a pre-construction inspection, design and field review by a Professional Engineer as required in the Contract. In October 2002, the excavation shoring system failed on the west side of the excavation with some movement of the sheet pile wall towards the east. This horizontal displacement resulted in vertical subsidence of the foundation under the existing east stone footing wall, leaving the above grade masonry wall spanning from south to north on its own. The events that have transpired since have contributed significantly to our increased construction administration costs.
- **Pumping Station Inlet Chamber** - During the excavation of the chamber on the existing intake, provided as a juncture between the intake and the new raw water pumping station, it was discovered that the previous constructor of the chamber had cast the chamber against the uneven face of the bedrock. This in itself would not normally be a challenge, however the design was predicated on using this face to attach an isolation slide gate. With the irregular surface, the decision was taken to mount the gate on the

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inside wall of the chamber. This change required some design changes, coordination and documentation.

- **Proposals for Alternate Equipment/Material Suppliers** - NAC have consistently sought out suppliers of alternate equipment for many of the major items in the contract. Some of these are variable frequency drives, in-line pre-treatment strainers, permanganate system (NAC did not propose equivalent to specified), chemical storage tanks (Prefab tanks were basis of design, Contractor supplied fabricated in place), pipe supports (stainless steel were specified), chemical resistant coatings (NAC proposed alternate manufacturer), handrail and stairs (NAC proposed alternate materials than specified), HVAC equipment model (NAC has still not conformed to requirements), etc. To date their approach is to make the change without discussion prior to submission of shop drawings, to question the need to resubmit drawings based upon incorrect or incomplete information and to ignore the contracted process for change notices and substitutions.
- **Potassium Permanganate System** – The potassium permanganate dosing system design was based upon a powdered system that is operator intensive. Since tendering, advancements in chemical systems have produced available liquid systems requiring lower operator effort and safer working conditions. The powdered system has been deleted and replaced with the alternate liquid system specified. A credit change notice was forwarded to the contractor. Due to differences in opinion as to the amount of the credit, the contractor has been directed to proceed with the liquid system under dispute.
- **Defects in Welding Performance and Finishing Practices** – In August 2003, NAC began to cover the stainless steel piping with insulation although they had not yet completed repairs and pickling/passivating procedures for welds in many areas of the plant. Significant efforts were required to resolve these issues and gain contractor co-operation to ensure that this work was completed.
- **Defects in East Stairwell Handrail** – Several meetings have taken place on site since Fall 2003 with additional correspondence and resubmission of proposals and shop drawings from the contractor to rectify significant deficiencies in the handrail. To date this issue has not yet been resolved, although we are verbally advised, as of July 1st, 2004 that NAC has terminated the contract with their original stair fabricator. They have now arranged for a Sudbury area based fabricator to supply railings to replace the rejected systems.
- **Defects in Chemical Resistant Coating in Primary Membrane Tanks** – The primary membrane tanks were found to have several defects in the coating application prior to

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the installation of the membranes in February of 2004. These coating repairs took place from November 2003 to January 2004.

- **Leaks in Water Retaining Components of the Concrete Structure** – The surge tank and reject tank have been challenged with achieving satisfactory leakage and waterproofing compliance. The surge tank will operate under a significant head and as a result of this and the quality of the concrete a number of leaks have appeared in the blower room floor slab as well as in the area of the slab adjacent to the east staircase.

In addition to the leakage issues, in March 2004, the capillary waterproofing system applied to the inside of the surge and reject tanks failed to remain adhered to the concrete giving cause for concern that this foreign substance might find its way onto the membranes. The manufacturer recommended that the loose material be water blasted off, the cracks prepared for repair, the patch installed and the tank retested.

NAC undertook the required works, and the surge tank was back in service as of June 23, 2004, though some leaks still require repairs. The time to determine the problems with the capillary water proofing as well as to carry out the repairs and testing has resulted in a further delay to completion of over 3 months.

The list above summarizes the impacts of a number of the major events that have increased our costs. In addition our field staff and your City staff have spent an unreasonable amount of energy pursuing the Contractor to encourage site cleanliness and security.

Project Schedule

As we have noted above we have continually requested formal schedule updates from the Contractor and have received some throughout the contract albeit not at the frequency specified. We have asked for another submission to accompany this progress report to the City, but at the time of preparing this report have only verbal discussions upon which to base a schedule. Based upon these discussions and actual schedules received from the major equipment supplier, Zenon, the 14 day performance test is currently anticipated to be completed by August 31, 2004. Additional work is still required to bypass and decommission the microstrainer building following commissioning of the new treatment plant which NAC believes may also be completed by September 30, 2004.

In alignment with the schedule we have forecasted the project costs to final completion as well. It is apparent that the project costs will exceed the original budget, and in fact the projections that we provided to the City just under a year ago. Some of the impact of the increased costs has been softened through the federal government's removal of GST charged to municipalities as of February of this year.

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Table 2 – Engineering Services Contract Summary

Project Phase	Cost to Date as of Jun. 30, 2004	Estimated Cost Remaining	Current Projected Cost
Design & Tendering Services			
- Water Main & Transformer Vault	\$55,000	\$0	\$55,000
- Zenon Engineering Services Advance	\$60,000	\$0	\$60,000
- Water Treatment Plant/Pump Station	\$1,693,000	\$0	\$1,693,000
Construction Services			
- Contract Administration	\$637,000	\$60,000	\$697,000
- Field Services & Site Visits	\$769,000	\$80,000	\$849,000
- Commissioning & Operating Manuals	\$50,000	\$50,000	\$100,000
- As-Built Drawings	\$0	\$75,000	\$75,000
- One Year Warranty Period	\$0	\$60,000	\$60,000
Total	\$3,264,000	\$325,000	\$3,589,000

GST is not included in the above amounts.


In examination of the overall project costs, including the contingency allowance drawdown, the total increased costs, approximately 5%, are what is often experienced at the high end of the contingency drawdown on projects of a "green grass" nature. This project is not a "green grass" project due to the significant interaction between the expanded and upgraded facility and the existing Heritage structure. We would normally anticipate a higher drawdown of the contingency allowance in such projects.

Summary

We submit the above detailed summary of the project and budget increase per your request.

Sincerely,

CH2M HILL Canada Limited


 Norm Huggins, P. Eng.
 Project Manager

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c: Ray Spangler, P. Eng., NEL
 Toby Brodkorb, P. Eng., CH2M HILL
 Kevin Shaw, City of Greater Sudbury

Request for Decision City Council




Type of Decision										
Meeting Date	July 13 th , 2004				Report Date	July 7 th , 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of Meeting		Open		Closed	

Report Title
On-Street Bicycle Lanes Howey Drive / Bellevue Avenue / Bancroft Drive Corridor

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
<p>The Transportation Engineering Section recommends that on-street bicycle lanes should only be provided where they have been identified on an overall Bicycle Route System and where sufficient room exists to accommodate both bicycles and vehicles without compromising existing standards with regards to geometric design, capacity, lane widths and safety.</p> <p>Consideration should be given to either widening the existing Howey Drive / Bellevue Avenue / Bancroft Drive road corridor and the section of Bancroft Drive from Bellevue Avenue to Lonsdale Avenue to accommodate on-street bicycle lanes, building an independent bicycle path adjacent to the</p>	
<input checked="" type="checkbox"/>	Recommendation Continued

Recommended by the General Manager
 Don Belisle General Manager of Public Works

Recommended by the C.A.O.
 Mark Miets Chief Administrative Officer

Report Prepared By



Nathalie Mihelchic, P. Eng.
Manager of Transportation Engineering Services

Division Review



R.G. (Greg) Clausen, P. Eng.
Director of Engineering Services

Recommendation Continued:

sidewalk or building a bicycle path system which would be physically separated from the road network.

It is recommended that the existing three-lane roadway complete with centre two-way left turn lane along the Howey Drive / Bellevue Avenue / Bancroft Drive Corridor, remain as is.

It is also recommended that a continuous centre two-way left turn lane be installed on the newly constructed Bancroft Drive from Kingsway to the entrance to Waterview Apartments and that the City's Traffic and Parking By-Law 2001-1 be amended to reflect this change.

Background:

At its meeting of May 13, 2004, Council requested a staff report addressing the issue of on-street bicycle lanes along the Howey Drive / Bellevue Avenue / Bancroft Drive road corridor (Corridor) as shown on Exhibit 'A'.

The most recent request for bike lanes originated from the Minnow Lake Community Action Network (CAN) group at a meeting held with City staff on October 16, 2003. This issue, which has been raised in the past, previously resulted in the determination that there was insufficient roadway width to allow the addition of bicycle lanes along the Corridor.

The Corridor has been identified as part of the Lake Ramsey Bicycle Route System, which received the former City of Sudbury Council endorsement in 1997. As a result of the October 16th, 2003 meeting, the two Ward Councillors have requested the alteration of the existing roadway line markings from a three-lane road cross-section to two-lanes with 1.5 metre wide bicycle lanes on both sides. This change would see the removal of the centre two way left turn lane (TWLTL) from Van Horne Street to Levesque Street. The cost of deleting the existing pavement markings through sandblasting, as well as delineating the bike route with signs and pavement markings, would be approximately Forty Five Thousand Dollars (\$45,000.).

This report represents the findings of the traffic analysis carried out along the Corridor to determine the impact of replacing the TWLTL with bicycle lanes.

Existing Conditions

The entire Corridor is classified as a Secondary Arterial road. It is constructed to urban standard and is presently painted as a three-lane cross-section with a TWLTL from Van Horne Street to Levesque Street, a distance of approximately six kilometres. The average asphalt surface width of the roadway is 11 metres. Presently, there is a short 200 metre section on Howey Drive where the current three-lane road is 13 metres wide including one metre wide bike lanes painted on both sides.

Bancroft Drive from Levesque Street easterly to Moonlight Avenue, a distance of approximately 800 metres, is a two-lane roadway with gravel shoulders. This section has an asphalt surface width of 7.3 metres and insufficient space to accommodate on-street bicycle lanes.

The reconstruction of the Corridor has been phased over the years with the intention of rebuilding the road with a width sufficient to accommodate three lanes of traffic. Attached as Exhibit "B" is a report prepared in 1992 for the former Regional Public Works Committee which addresses the pavement marking installation for a TWLTL on Bellevue Avenue and Bancroft Drive. TWLTLs provide many advantages to a road system. In addition to removing left turns from the travel lanes, the TWLTL reduces delays and certain types of collisions and increases the capacity of the travel lanes.

Traffic Volumes

Our latest traffic volume counts show an Average Annual Daily Traffic (AADT) on the Corridor as follows on Table I:

Table I - Annual Average Daily Traffic Counts

Section	AADT
Howey Drive - East of Wessex Street	9,000
Bellevue Avenue	8,500
Bancroft Drive - West of Shappert Avenue	8,200
Bancroft Drive - East of Second Avenue	9,000
Bancroft Drive - East of Fourth Avenue	7,000

Analysis

The vehicle capacity of a roadway is defined as the maximum number of vehicles that can pass a given point during a specified time period under ideal conditions. Analysis of the existing three-lane Corridor indicates that one directional lane on Bancroft Drive would see the capacity of the laneway reduced from 850 vehicles in the peak hour to 700 vehicles, with the removal of the TWLTL, thus reducing the efficiency of the lane by 18 percent.

Delay analysis shows that motorists may experience as much as a 30 percent travel time delay as a result of deleting the TWLTL along the Corridor. Increased delays increase driver frustration and situations such as passing on the right side of the lane will increase. This will potentially affect the safety of cyclists. Increased delays could also result in motorists choosing an alternate route such as Municipal Road 55 (Kingsway) to reach their destination which will further increase traffic congestion on this already very busy arterial roadway.

Collision Information

Rear-end and head-on (approaching) collisions are the most common types of accidents preventable with the installation of TWLTLs. Table II below compares the collision rates at each of seven existing locations within the City of Greater Sudbury between 2000 and 2002 on roads with AADT volumes ranging from 6,000 to 10,000 vehicles:

Table II - Collision Rates

Collision Type	Collisions /km two lane road without TWLTL	Collisions /km two lane road with TWLTL	Collision decrease with TWLTL (%)
Approaching	1.8	1.1	39
Rear End	3.7	1.8	51
Right Angle	4.1	4.1	0
Sideswipe	1.8	1.2	33
Turning Movement	2.6	2.0	23
Other	2.2	2.0	9
TOTAL	16.1	12.1	24

The results indicate up to 51 percent reduction in the number of collisions with centre two-way left turn lanes.

Other Issues

Some members of the Minnow Lake CAN group believe that TWLTLs promote aggressive driving and that drivers will use this extra lane to pass other vehicles. This likely will happen just as it happens on two-lane roadways throughout a community. This disadvantage must be put into proper perspective when taking into account the safety advantages that the three-lane roadway provides to the hundreds of vehicles turning left onto or off the roadway every day.

Also, the Greater Sudbury Police Services have raised a concern with having bike lanes on such a high traffic roadway and recommend that a rigorous public education campaign be launched if bike lanes are to be installed along the Corridor.

Speeding concerns have also been raised by the Minnow Lake CAN group. The perception is that three-lane roadways promote speeding. Speeding is a problem on many residential and collector streets in this community, regardless of the number of lanes. The most effective way to deal with speeding is through police enforcement.

The City of Greater Sudbury supports the use of bicycles as an alternate means of transportation and as an excellent recreational past-time. However, they are best suited to roadways which have less traffic or to areas which can accommodate exclusive dedicated bicycle paths. Statistics Canada's 2001 Census indicates that bicycle use as a mode of transportation for the labour force in Greater Sudbury represents one half of one percent (0.5%) of vehicular traffic. This data does not take into account the recreational use of bicycles. Given the above statistics and the seasonal use of bicycles, it is not technically practical to consider replacing vehicle lanes with bicycle lanes along the Corridor.

Bancroft Drive - Bellevue Avenue to Kingsway

The Minnow Lake CAN group has also requested that bicycle lanes be painted along Bancroft Drive from Bellevue Avenue to Lonsdale Avenue (See Exhibit "C")

This section of Bancroft Drive is constructed to an urban standard with an asphalt surface width of 11 metres. The Annual Average Daily Traffic Volume is 6,500. There is currently a southbound left turn lane painted for the entrance to the Waterview Apartments. The road is marked as a two-lane road from the Waterview Apartments to Bellevue Avenue.

The section of Bancroft Drive from Bellevue Avenue to Lonsdale Avenue has also been identified as part of the ultimate Sudbury Bicycle Route System. The Minnow Lake Recreation Area, the Carmichael Arena and the Minnow Lake Place Community Centre all support the need for a bicycle route.

Due to the lower traffic volumes and to the limited development, on-street bicycle lanes would be more feasible along this section of roadway. However, conflicts will occur where left turn lanes are provided at Bellevue Avenue, Waterview Apartments and Lonsdale Avenue. At these locations, the bicycle lanes will need to terminate. Terminating bicycle lanes and then starting them again will be confusing to both vehicles and cyclists and hence unsafe for both. In addition, the on-street bicycle lane along the east section of Bancroft Drive would terminate at Lonsdale Avenue, forcing cyclists to cross Bancroft Drive at Lonsdale Avenue, again creating safety concerns. Due to these constraints, the most desirable solution would be to consider off-street bicycle paths on Bancroft Drive from Bellevue Avenue to Lonsdale Avenue.

Bicycle lanes are not recommended between Lonsdale Avenue and the Kingsway due to the higher number of sideroads and private driveways. Bicycle lanes in this area will also encourage cyclists to and from the Kingsway which is undesirable.

Recommendations

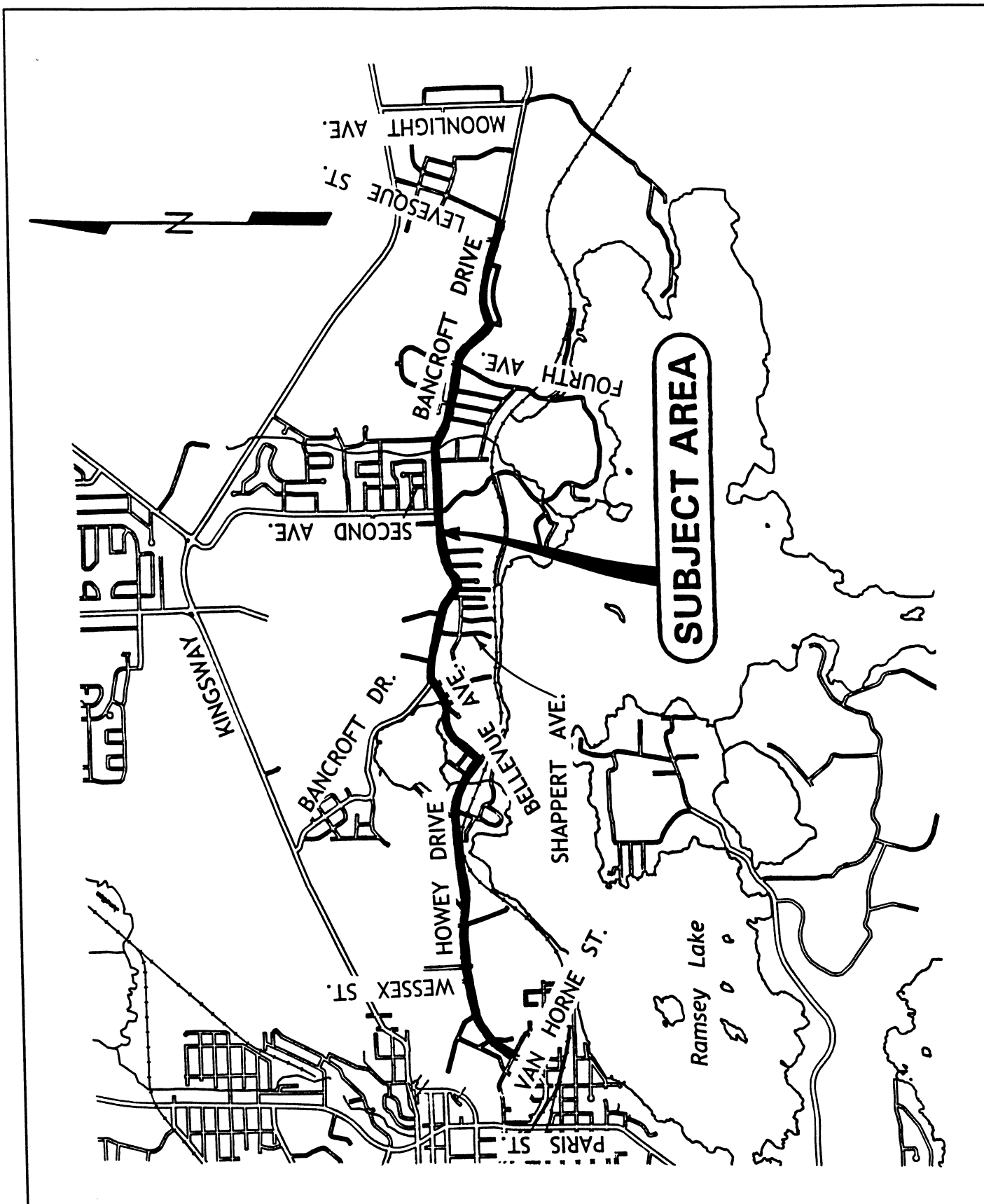
The Transportation Engineering Section recommends that on-street bicycle lanes should only be provided where they have been identified on an overall Bicycle Route System and where sufficient room exists to accommodate both bicycles and vehicles without compromising existing standards with regards to geometric design, capacity, lane widths and safety.


Consideration should be given to either widening the existing Howey Drive / Bellevue Avenue / Bancroft Drive road corridor and the section of Bancroft Drive from Bellevue Avenue to Lonsdale Avenue to accommodate on-street bicycle lanes, building an independent bicycle path adjacent to the sidewalk or building a bicycle path system which would be physically separated from the road network.

It is recommended that the existing three-lane roadway complete with centre two-way left turn lane along the Howey Drive / Bellevue Avenue / Bancroft Drive Corridor, remain as is.

It is also recommended that a continuous centre two-way left turn lane be installed on the newly constructed Bancroft Drive from Kingsway to the entrance to Waterview Apartments and that the City's Traffic and Parking By-Law 2001-1 be amended to reflect this change.

EXHIBIT: A



 Sudbury	HOWEY DR./ BELLEVUE AVE./ BANCROFT DR. ROAD CORRIDOR	
	ON-STREET BICYCLE LANES	
	2004/06/28	N.T.S.



Regional Municipality of Sudbury

EXHIBIT: B

From P.J. Morrow, P. Eng., Regional Engineer

Date 1992-06-18

- | | |
|---|---|
| <input type="checkbox"/> For Action | <input type="checkbox"/> For Information |
| <input type="checkbox"/> Planning Committee | <input type="checkbox"/> Sudbury Regional Development Corporation |
| <input type="checkbox"/> Engineering Committee | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> Health and Social Services Committee | <input type="checkbox"/> Council |
| <input type="checkbox"/> Committee of the Whole | <input type="checkbox"/> Other |

SUBJECT

Centre Turn Lane -
Bellevue Avenue and Bancroft Drive

RECOMMENDATION

THAT staff be directed to install the appropriate pavement markings and signs to provide a centre two-way continuous left turn lane on Bellevue Avenue and on Bancroft Drive between the intersections of Bellevue Avenue and Second Avenue and further

THAT the Regional Solicitor be authorized to prepare the appropriate by-law to amend Schedule "T" of Regional Traffic and Parking By-law 91-1 as set out in Figure "2" of the report dated 1992-06-18, in order to legally implement these changes.

RECOMMENDED FOR APPROVAL
W.E. Lanteloh
for W.E. Lanteloh
CHIEF ADMINISTRATIVE OFFICER

P.J. Morrow
P.J. Morrow, P. Eng.
Regional Engineer

APPENDIX

BACKGROUND

The Howey/Bellevue/Bancroft Corridor has been the subject of reconstruction over the last five or six years. Based on projected traffic volumes, the design selected was that which would accommodate two through traffic lanes with a centre median turn lane.

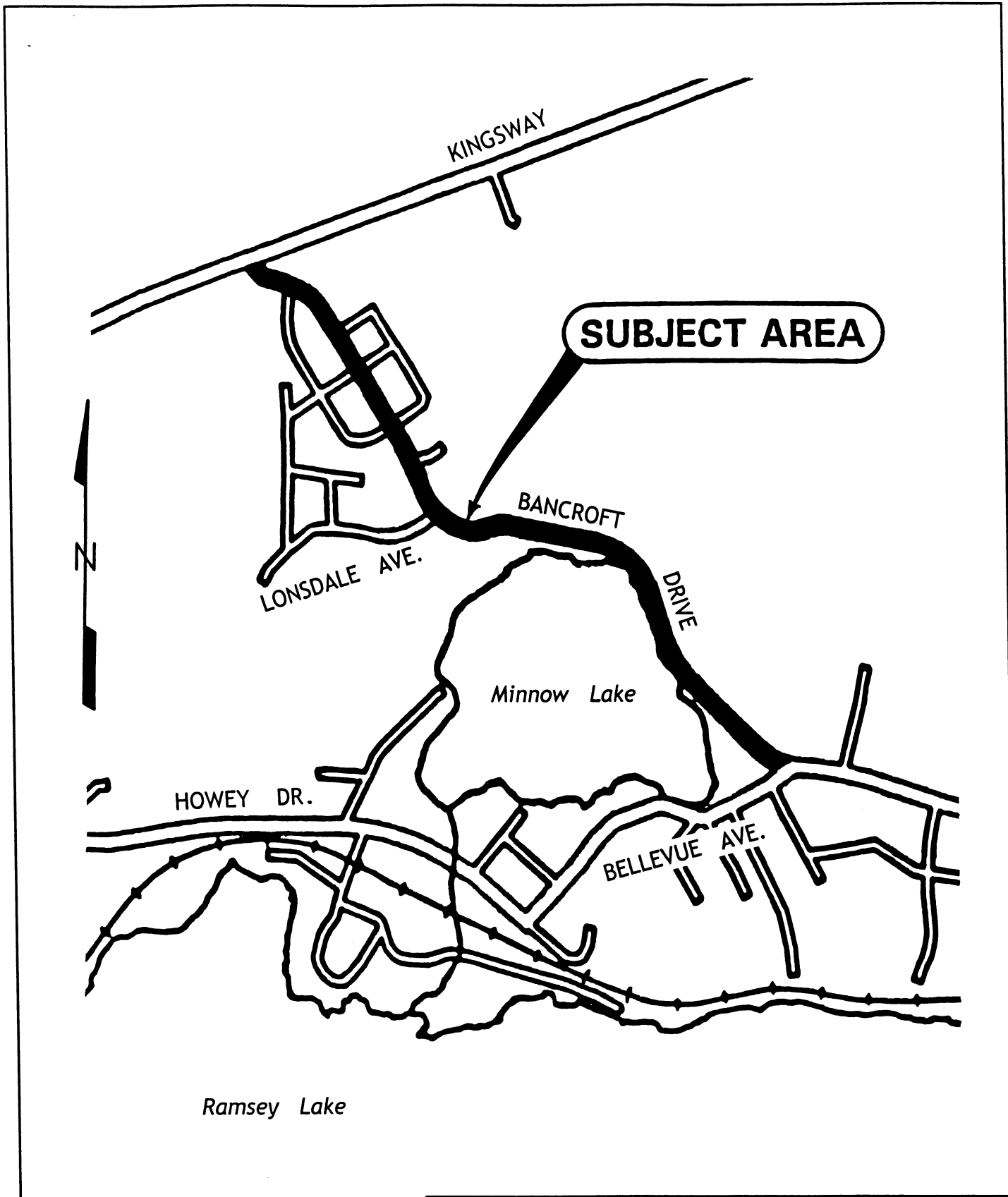
The work was completed in stages as is illustrated on Figure "1". In recognition of the traffic volumes at the time, phases 1 and 2 were marked using a single centre line. Phase 3, which was completed in 1991, however, was marked as a three lane cross section.


Recent traffic counts indicate that as the Corridor has been improved, more and more traffic is being attracted to the facility. New development, which is now under way or which has recently been approved, will immediately and/or in the immediate future, further add to these demands.

In order to fully utilize the service volume which has been built into the roadway, it is appropriate that we alter the current markings in order to fully realize the benefit of our expenditures. This position is supported by recommendation number 6 in the recently completed Sudbury Regional Transportation Study, which states: "Add turning lanes and other improvements to maximize the capacity of Howey Drive within the existing right-of-way."

ATTACHMENT

EXHIBIT: C



	BANCROFT DRIVE KINGSWAY TO BELLEVUE AVE.	
	ON-STREET BICYCLE LANES	
	2004/07/06	N.T.S.

Request for Decision City Council



Type of Decision									
Meeting Date	Tuesday, July 13, 2004				Report Date	Friday, July 2, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open		Closed


Report Title

APPOINTMENT OF BOARD MEMBER, SUDBURY & DISTRICT HEALTH UNIT

Policy Implication + Budget Impact	
N/A	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
POLICY:	
<p>Council will first accept the resignation of Councillor Gainer as a Member of the Board of Directors, Sudbury and District Health Unit. Council will then have the option of either making a Citizen appointment or having an election to appoint a Member of Council to fill the vacancy for the remainder of the term of Council. Both procedures would be made in accordance with Council's Procedure By-law 2002-202, as amended.</p>	
BUDGET IMPACT:	
There is no budget impact associated with this Request for Decision.	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
Option #1- Council Appointee:	
<p>THAT Council accepts the resignation of Councillor Gainer as a Member of the Board of Directors of the Sudbury and District Health Unit effective June 24, 2004;</p>	
<p>A N D T H A T C o u n c i l l o r _____ be appointed to the Board of Directors of the Sudbury and District Health Unit for the term ending November 30, 2006, or until such time as his/her successor is appointed.</p>	
<input checked="" type="checkbox"/>	Recommendation Continued

Recommended by the General Manager



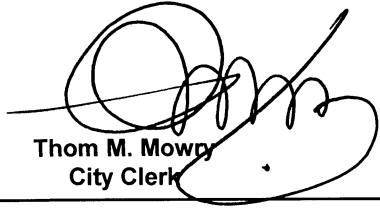
Doug Walsinick
General Manager of Corporate Services

Recommended by the C.A.O.



Mark Mieto
Chief Administrative Officer

Report Prepared By



Thom M. Mowry
City Clerk

Division Review



Ron Swiddle
Director of Legal Services and City Solicitor

Recommendation continued:

Option #2 - Citizen Appointee:

THAT Council accepts the resignation of Councillor Gainer as a Member of the Board of Directors of the Sudbury and District Health Unit effective June 24, 2004;

AND THAT the vacancy on the Board be filled by a Citizen Appointment made in accordance with Procedure By-law 2002-202.

Executive Summary:

Councillor Gainer resigned as a Member of the Board of Directors of the Sudbury and District Health Unit effective June 24, 2004.

Council has the option of filling the vacancy either by appointing a Member of Council or directing that the vacancy be filled by way of a Citizen Appointment made in accordance with Council's Procedure By-law.

This Report provides some background on the make-up of the current Board of the Health Unit and sets out the procedure for the election by Council of a Member of Council or Citizen Appointment.

The new member of the Board would serve for the remaining term, that is until November 30, 2006 or until his/her successor is appointed.

Appointments to the Board need only to be confirmed by resolution.

Background:

Section 7 of the *City of Greater Sudbury Act, 1999* provides that the City of Greater Sudbury is to be represented on the Sudbury and District Health Unit by Seven (7) Members of Council to be appointed by Council. The Council of the day, by resolution, expressed the opinion that the Board would benefit from Citizen participation and lobbied the Government of Ontario to amend the make up of the Board. In response the Government passed Ontario Regulation 462/01 which, while maintaining the City's representation on the Board at 7, required at least 1 of the 7 to be a Member of Council and at least 1 of the 7 to be a "person other than a member of Council".

The previous Council by Resolution 2002-81 set the City's representation on the Board at 6 Members of Council and 1 Citizen appointed by the Council.

Option #1 - Council Appointee:

Council at its meeting held on 2003-12-11 appointed the following six (6) Members of Council to the Board of the Sudbury and District Health Unit:

Councillor Berthiaume
Councillor Caldarelli
Councillor Dupuis
Councillor Gainer
Councillor Gasparini
Councillor Rivest.

Selection:

The following Members of Council are eligible to be appointed to fill the vacancy created by the resignation of Councillor Gainer:

Councillor Bradley
Councillor Callaghan
Councillor Craig
Councillor Kett
Councillor Reynolds
Councillor Thompson; and,
Mayor Courtemanche.

The selection of the Council appointee will be conducted in accordance with Section 36 of the Procedure By-law. In the event of an equality of votes, then the successful candidate is to be determined by lot conducted by the Clerk.

Council's procedure requires that in the event more than one (1) candidate is nominated for the position, then a roll call vote of Members of Council shall be held.

Ballots have been prepared in anticipation of an election for the convenience of Members of Council.

Where all Members of Council are in attendance, **seven (7) votes are required to fill each vacancy.**

It is always in order for a Member of Council to nominate themselves and to vote for themselves.

Under Robert's Rules of Order a nomination does not need a second.

A copy of Article 36 is attached to this report for the convenience of Members of Council.

Once the successful candidate has been selected, then a resolution will be introduced appointing the successful candidate. A by-law is not required to confirm the appointment.

Option #2 - Citizen Appointee:

In the event that Council selects *Option #2-Citizen Appointee* then the City Clerk's Office would be responsible for advertising and collecting Applications for the Citizen appointment to the Board of the Sudbury and District Health Unit (SDHU). However, in accordance with past practice, the Board of the SDHU would review the applications and recommend to Council the name of the Citizen to be appointed.

In accordance with Council's previous direction, photocopies of all Applications received would also be provided to all Members of Council.

As required by Council's Procedure By-law, these positions would be advertised in both official languages of the City of Greater Sudbury and in both community publications and the usual large circulation newspapers.

SUMMARY:

- 1. Where the number of Member(s) of Council required to fill the appointment is nominated, then, a motion to appoint the nominee shall be presented and voted upon;**
- 2. If more than the number required to fill the appointment is nominated, then Council shall hold an election, in accordance with Article 36 of the Procedure By-law.**
- 3. Once the position on the Board has been selected by Council, then the appointment will be confirmed by resolution of Council.**
- 4. Where all Members of Council are in attendance, seven (7) votes are required to fill the vacancy.**

SUMMARY continued:

5. It is always in order for a Member of Council to nominate themselves and to vote for themselves.

Under Robert's Rules of Order a nomination does not need a second.

6. Where no applicant receives the majority required for appointment and where two or more applicants are tied with the **least number of votes**, a special roll call vote shall be taken to decide which of the tied applicants with the least number of votes **shall be dropped from the list of names to be voted on in the next vote.**
7. In the event a Member of Council request a vote by paper ballot a supply of ballots will be available.



VOTING CHART

Majority Vote

(7 Members of Council are required for quorum)

Number of Members Present and Voting	Majority Vote
13	7
12	7
11	6
10	6
9	5
8	5
7	4

*

ARTICLE 36

NOMINATION COMMITTEE - CITIZEN APPOINTMENTS

36.1 **Made by Committee of the Whole- Procedure**

Appointments to the various local boards, Advisory Panels and corporations of the Corporation shall be recommended by the Committee of the Whole at a meeting called for that purpose. In making such appointments, the procedure set out in this article shall apply unless otherwise provided in a shareholders declaration.

36.2 **Advertising - position - requirements - to local citizens**

At least 30 days prior to the Committee meeting at which a Citizen appointment is scheduled to be considered the Clerk shall place an advertisement in a local newspaper to run on at least two occasions and place an advertisement on radio or television or both, as the Clerk deems advisable, on at least one occasion outlining the position to be filled and inviting applications from interested citizens. A copy of each advertisement shall be provided to each Member of Council.

36.3 **Applications - in writing - time limitation**

All Citizen applications for appointment must be in writing and received by the Clerk at least four clear days prior to the meeting of Council concerned.

36.4 **Applications - qualifying - included - Committee of the Whole Agenda**

Copies of all applications received for each position from qualifying applicants shall be included with the agenda material for the Committee of the Whole meeting concerned.

36.5 **Applicants - qualified - exact number - motion**

Where there are only the exact number of qualified applicants as required for any position or positions, a motion to appoint the applicants to the position or positions concerned shall be presented and voted upon.

36.6 **Applicants - qualified - more than required - selection**

If there are more qualified applicants than positions available, then the Committee of the Whole shall recommend from the qualified applicants the ones to fill the position or positions concerned.

36.7 Roll call vote - Council - taken - regarding applicants

A roll call vote of the Committee of the Whole shall be taken with respect to the qualified applicants for each position available.

36.8 Appointment - determined - by vote - exception

If upon the first roll call vote no applicant receives the votes of the majority of Members present, the name of the applicant receiving the least number of votes shall be dropped and the Members shall proceed to vote anew and so continue until either an applicant receives the votes of the majority of Members present, at which time such applicant shall be declared to be the recommended candidate; or, it becomes apparent by reason of an equality of votes that no applicant can be recommended by the voting process.

36.9 Voting - unsuccessful - position selected - by lot

Where by reason of an equality of votes, it becomes apparent that no applicant can be selected by the voting process, then the recommended applicant shall be the applicant selected by lot by the Clerk.

36.10 Special vote - applicants tied - least number of votes

In the case where no applicant receives the majority required for appointment on a roll call vote, and where two or more applicants are tied with the least number of votes, a special roll call vote shall be taken to decide which of the tied applicants with the least number of votes shall be dropped from the list of names to be voted on in the next roll call vote.

36.11 Staff Member - appointment - conditions

Except where prohibited by law, Committee of the Whole may recommend the appointment a Member of staff to a local board or outside agency in the place of a Member of Council when no Member of Council wishes to be appointed.

36.12 Further votes

If no person receives more than half the votes, the Clerk shall take another vote, excluding the person who received the fewest votes in the previous vote; if two or more persons received the fewest votes, the Clerk shall choose the person to be excluded by lot.

36.13 Term of Appointment - Citizens

Citizens appointed by Council to Advisory Panels, local boards and committees shall be appointed for the term of office coinciding with the term of Council, or the terms set out in such appointments, and until their successors are appointed unless otherwise provided by Council or by law.

36.14 Council Appointments - ballots

At the first regular meeting of a new Council, or as soon thereafter as is reasonable, Council shall appoint Members to Committees by way of simultaneous, written, signed ballots which will be read aloud by the Clerk and recorded in the minutes.

36.15 Council Appointments - destruction of ballots

These ballots, as well as ballots used for simultaneous roll-call votes generally, may be destroyed by the Clerk and need not be retained following the confirmation of the minutes.



EXAMPLES OF TIE VOTES
(All Members of Council Present - Four Nominees)

Candidate	Votes Received
A	6
B	4
C	3
D	0

Result: Candidate D is dropped from the next vote.

Candidate	Votes Received
A	5
B	4
C	3
D	1

Result: Candidate D is dropped from the next vote.

EXAMPLES OF VOTES
(All Members of Council Present)
(Three Nominees Remaining)

Candidate	Votes Received
A	6
B	4
C	3

Result: Candidate C is dropped from the next vote.

Candidate	Votes Received
A	5
B	3
C	3
D	1

Result:

1. Candidate D is dropped.
2. A special roll call vote is taken to decide which of the tied Candidates B or C shall be dropped from the list of names to be voted on in the next roll call vote.
3. Then a roll call vote shall be taken of the remaining two Candidates: A and one of B or C.

THE CONSEQUENCES OF SAMPLE TIE VOTES
(All Members of Council Present -Five Nominees)

Candidate	Votes Received
A	3
B	4
C	2
D	2
E	2

Result:

- 1. A special roll call vote is taken to decide which of the tied Candidates (C, D, or E) shall be dropped from the list of nominees to be voted on in the next roll call vote.**
- 2. Then a roll call vote shall be taken of the remaining four Candidates: A, B and two of C, D or E.**

**THE CONSEQUENCES OF SAMPLE ZERO VOTES
(All Members of Council Present -Six Nominees)**

Candidate	Votes Received
A	4
B	4
C	2
D	3
E	0
F	0

Result:

- 1. Candidates E and F are dropped from the next vote.**
- 2. Then a roll call vote shall be taken of the remaining four
Candidates: A, B, C and D.**



Minutes

City Council	2004-06-24
Ad-Hoc Committee - Council Auditor	2004-06-24
Sudbury & District Board of Health	2004-06-17
Tender Opening Committee	2004-06-22
Tender Opening Committee	2004-06-23
Tender Opening Committee	2004-06-29
Tender Opening Committee	2004-07-06
Greater Sudbury Police Services Board	2004-05-25
Nickel District Conservation Authority	2004-06-16
Greater Sudbury Public Library Board	2004-05-20
Ad-Hoc Committee - Proposed Uniform Store Closing By-law	2004-06-30

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

**C-11
Tom Davies Square**

**Thursday, June 24, 2004
Commencement: 6:24 p.m.**

DEPUTY MAYOR DUPUIS, IN THE CHAIR

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Gainer; Kett; Reynolds; Rivest; Thompson; Mayor Courtemanche

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Matheson, General Manager of Health & Social Services; D. Nadorozny, General Manager of Economic Development & Planning Services; A. Stephen, General Manager of Emergency Services; D. Wuksinic, General Manager of Corporate Services; R. Swiddle, City Solicitor/Director of Legal Services; T. Mowry, City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2004-320 Thompson-Berthiaume: That we move "In Camera" to deal with Property and Labour Matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess At 7:02 p.m., Council recessed.

Reconvene At 7:10 p.m., Council moved to the Council Chamber to continue the regular meeting.

Chair **HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR**

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Dupuis; Gainer; Kett; Reynolds; Rivest; Thompson

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Matheson, General Manager of Health & Social Services; D. Wuksinic, General Manager of Corporate Services; A. Stephen, General Manager of Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; P. Demers, Community Relations and Policy Advisor; M. Leduc, Deputy Fire Chief; B. Lautenbach, Director of Planning Services; G. Mazza, Director-Building Services/Chief Building Official;

C.C. 2004-06-24 (14TH) (1)

M 1

City Officials
(continued)

J. McKechnie, Executive Assistant to the Mayor; R. Hotta, Director of Pioneer Manor; K. Pelkman, Occupational Therapist - NODAC; T. Mowry, City Clerk; K. Bowschar-Lische, Planning Committee Secretary; CJ Caporale, Council Secretary

C.U.P.E.

D. Burke, CUPE National Representative; W. MacKinnon, President, CUPE Local 4705, F. Posadowski, Recording Secretary, CUPE Local 4705; G. Prieur, Vice President, CUPE Local 4705

News Media

Sudbury Star; MCTV; CIGM; Channel 10 News; Le Voyageur, Northern Life

Declarations of Pecuniary Interest

None declared.

Resignation - Member Board of Directors Sudbury & District Health Unit

Councillor Gainer expressed his appreciation to the Board of Directors of the Sudbury & District Health Unit for his time served as a Member. He then announced that he was submitting his resignation as a Member of the Board of Directors of the Sudbury & District Health Unit effective immediately.

PRESENTATIONS/DELEGATIONS

Item 2 Seniors Campus

Report dated 2004-06-17, with attachments, from the General Manager of Health & Social Services regarding Seniors Campus was received.

A report from KPMG Entitled "*Establishment of a Seniors Campus City of Greater Sudbury*" was received under separate cover.

Councillor Callaghan, Chair, Mayor and Council's Roundtable on Seniors' Issues and Seniors' Campus, introduced to Council the following:

- Mr. Randy Hotta, Director of Pioneer Manor
- Ms. Kim Pelkman, Occupational Therapist - NODAC
- Ms. Patricia Montpetit, Executive Director, Alzheimer Society of Sudbury-Manitoulin

An electronic presentation regarding Seniors' Campus - A Centre for Geriatric Excellence was presented to Council outlining the following:

- ▶ the vision for Northern Ontario
- ▶ members of Mayor and Council's Roundtable on Seniors' Issues and Seniors' Campus
- ▶ points of services (long-term care; research; semi-independent living/accommodation; children's day care centre; geriatric wellness centre; Alzheimer day centre and services)

Item 2
Seniors Campus
(continued)

- ▶ current status, evaluation & future of the Northeastern Ontario Dementia Assessment & Consultation Service
- ▶ new Alzheimer Centre located at Pioneer Manor
- ▶ overnight respite availability

The following resolution was presented:

2004-321 Berthiaume-Thompson: WHEREAS the City of Greater Sudbury has embarked upon the development and implementation of a seniors campus on the grounds of Pioneer Manor;

AND WHEREAS the proposed seniors campus will incorporate the highest standards of long term care, the northern Ontario Dementia Assessment and Consultation Services for northeastern Ontario, specialized research including best practices in long term care, the Alzheimer Society, and semi-independent living accommodation and a children's day care centre;

THEREFORE BE IT RESOLVED THAT the KPMG report entitled Establishment of a Seniors Campus for the City of Greater Sudbury be received;

AND THAT the additional 30,000 square feet of space at Pioneer Manor be sought for occupancy in keeping with the original concept of the Seniors Campus and the Pioneer Manor Strategic Plan;

AND THAT a request for proposal be issued to identify potential semi-independent living accommodation operators for the 14,000 square feet of space available within the facility, and for the 2500 - 3600 square feet available for the children's day care centre;

AND THAT the remaining 12,000 square feet of space at Pioneer Manor be distributed as up to 10,000 square feet for the Sudbury Manitoulin Alzheimer Society and 2,000 square feet for the development of a geriatric wellness centre;

AND THAT the terms of reference for the Mayor and Council's Committee on Seniors Issues be amended to enable this committee to provide advice on the evolution of the campus and to advise Council on the same;

AND THAT the consulting contract with C.J. Stewart Consulting Services be extended for a final 6 months ending December 31, 2004 under the existing terms and conditions for the purpose of setting the action and implementation plan for the Mayor and Council's Committee on Seniors Issues and to research and seek alternative funding sources for a geriatric wellness centre within the seniors campus.

CARRIED

Item 3
Bill 124 Building Code
Statute Law
Amendment Act

Report dated 2004-06-14, with attachments, from the General Manager of Economic Development & Planning Services regarding Bill 124 Building Code Statute Law Amendment Act - Impact on Administration & Enforcement of the Ontario Building Code by the City of Greater Sudbury - Progress Update was received.

A letter dated 2004-05-05 from Association of Municipalities of Ontario (AMO) regarding *Bill 124, the Building Code Statute Law Amendment Act, 2002* was tabled at the meeting.

Mr. Guido Mazza, Director-Building Services/Chief Building Official, gave an electronic presentation regarding the following:

- ▶ historical background regarding Bill 124
- ▶ implementation timeline
- ▶ public safety
- ▶ streamlining
- ▶ accountability
- ▶ Building Services' role

The following resolution was presented:

2004-322 Thompson-Berthiaume: THAT Council receive this report for information purposes and that the Chief Building Official be instructed to work with our development industry partners on DLAC to strike committees to provide Council Recommendations on:

- Building Permit Fees - Fee for Services
- Use of Registered Code Agencies
- New Mandated Inspection Regime & Personnel Resources Requirements

as mandated under the New Ontario Building Code Act.

CARRIED

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

Deputy Mayor Dupuis, as Chair of the Committee of the Whole, reported Council met to deal with Property and Labour Matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f) and no resolutions emanated therefrom.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Kett, Chair of the Priorities Committee, reported that the Priorities Committee met on 2004-06-23 and there were no items requiring Council approval.

C.C. 2004-06-24 (14TH)

(4)

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2004-06-15 and there were no items requiring Council approval.

MATTERS ARISING FROM THE FINANCE COMMITTEE

Rise and Report Councillor Gainer, Chair of the Finance Committee, reported that the Finance Committee met on 2004-06-23 and one matter remained outstanding and would be dealt with on 2004-07-13.

PART I CONSENT AGENDA

Consent Agenda The following resolution was presented to adopt the items contained in Part I, Consent Agenda:

2004-323 Thompson-Berthiaume: THAT Items C-1 to C-12 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report No. 13
City Council
2004-06-10 2004-324 Berthiaume-Thompson: THAT Report No. 13, City Council Minutes of 2004-06-10 be adopted.

CARRIED

Item C-2
Report No. 12
Planning Committee
2004-06-15 2004-325 Thompson-Berthiaume: THAT Report No. 12, Planning Committee Minutes of 2004-06-15 be adopted.

CARRIED

Council Concurrence
Store Closing Hours With the concurrence of Council, the Chair requested that the matter regarding the regulation of Store Closing Hours be brought forward for Council's consideration at the Council meeting of 2004-07-13.

Item C-3
Report No. 11
Priorities Committee
2004-06-23 2004-326 Berthiaume-Thompson: THAT Report No. 11, Priorities Committee Minutes of 2004-06-23 be adopted.

CARRIED

Item C-4
Report No. 14
Finance Committee
2004-06-23 2004-327 Berthiaume-Thompson: THAT Report No. 14, Finance Committee Minutes of 2004-06-23 be adopted.

CARRIED

C.C. 2004-06-24 (14TH) (5)

Item C-5
Public Hearing
Committee
2004-06-21

2004-328 Berthiaume-Thompson: THAT the Report of the Public Hearing Committee Minutes of 2004-06-21, be adopted.

CARRIED

Item C-6
Court of Revision
2004-06-23

2004-329 Berthiaume-Thompson: THAT the Report of the Court of Revision Minutes of 2004-06-23 be adopted.

CARRIED

Item C-7
Report No. 4
Sudbury Metro Centre
2004-05-10

2004-330 Thompson-Berthiaume: THAT Report No. 4, Sudbury Metro Centre Board of Directors Minutes of 2004-05-10 be received.

CARRIED

Item C-8
T.O.C.
2004-06-08

2004-331 Berthiaume-Thompson: THAT the Report of the Tender Opening Committee Minutes of 2004-06-08 be received.

CARRIED

Item C-9
T.O.C.
2004-06-15

2004-332 Gainer-Thompson: THAT the Report of the Tender Opening Committee Minutes of 2004-06-15 be received.

CARRIED

TENDERS

Item C-10
RFP - Advertising
Services - Transit &
Arenas

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding a Request for Proposal for Advertising Services - Contract CPS04-05 Section A - Greater Sudbury Transit and Section B - Greater Sudbury Arenas (excluding Sudbury Community Arena) was received.

The following resolution was presented:

2004-333 Gainer-Thompson: THAT the contract for the delivery of advertising services for Greater Sudbury Transit and for Community Arenas, be awarded to BK Corporate Marketing Services, these being the only proposals to meet the criteria outlined in the Request for Proposal.

The licence fee for advertising services for Greater Sudbury Transit is:

January 1, 2005 to December 31, 2005 - \$110,000
January 1, 2006 to December 31, 2006 - \$115,000
January 1, 2007 to December 31, 2007 - \$115,000
January 1, 2008 to December 31, 2008 - \$117,000
January 1, 2009 to December 31, 2009 - \$120,000

Item C-10
RFP - Advertising
Services - Transit &
Arenas
(continued)

FURTHER, BK Corporate Marketing will pay the City 35% of gross billings less direct sales expenses, or the licence fee described above, whichever amount is greater, with respect to advertising rights for Greater Sudbury Transit.

The licence fee for advertising services for Municipal Arenas, excluding the Sudbury Community Arena is:

August 1, 2004 to July 31, 2005 - \$21,500 + 5% of gross billings
August 1, 2005 to July 31, 2006 - \$22,000 + 5% of gross billings
August 1, 2006 to July 31, 2007 - \$23,000 + 5% of gross billings
August 1, 2007 to July 31, 2008 - \$24,000 + 5% of gross billings
August 1, 2008 to July 31, 2009 - \$25,000 + 5% of gross billings

FURTHER, BK Corporate Marketing will pay the City 35% of gross billings less direct sales expenses, or the licence fee described above, whichever amount is greater, with respect to all advertising rights granted to the fourteen (14) arenas, excluding the Sudbury Community Arena.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-11
Genevra House -
Cost Sharing,
WM Improvements

Report dated 2004-06-16 from the General Manager of Public Works regarding Genevra House, St. Raphael Street, Sudbury - Cost Sharing, Watermain Improvements was received.

The following resolution was presented:

2004-334 Berthiaume-Gainer: THAT an allocation of \$40,000 from the Capital Reserve Fund for Water be paid to Genevra House, St. Raphael Street, as the City's contribution for watermain improvements.

CARRIED

Item C-12
Consulting
Engineering Services
Paris Street

Report dated 2004-06-16 from the General Manager of Public Works regarding Consulting Engineering Services, Paris Street Rehabilitation Project, Final Design Engineering and Construction Inspection was received.

The following resolution was presented:

2004-335 Berthiaume-Gainer: THAT the firm of Dennis Consultants, a division of R.V. Anderson Associates Limited, be appointed to complete the detailed engineering design and construction supervision for the Paris Street overpass bridge.

CARRIED

C.C. 2004-06-24 (14TH)

(7)

BY-LAWS

THE FOLLOWING BY-LAW APPEARS FOR A THIRD AND FINAL READING:

2004-113 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE MAJCHER-PERRAS MUNICIPAL DRAINAGE WORKS IN THE CITY OF GREATER SUDBURY

Court of Revision - 2004-06-23

(This By-law now appears for third reading following the meeting of the Court of Revision and all appeals have been resolved.)

THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:

2004-176A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF JUNE 24, 2004

2004-177F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO LEVY AND COLLECT OMITTED AND SUPPLEMENTARY REALTY TAXES FOR THE YEAR 2004

Report dated 2004-06-18 from the General Manager of Corporate Services regarding 2004 Omitted and Supplementary Tax Billing

(This report deals with the 2004 omitted and supplementary tax billing.)

2004-178T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Report dated 2004-06-16, with attachments, from the General Manager of Public Works regarding Traffic Control - Covington Avenue, Garson.

(It was requested by the Councillor of Ward 4 to have the Yield sign changed to a Stop sign at the intersection of Covington Avenue and Parkview Drive, Garson, due to reduced visibility.)

Priorities Recommendation 2004-45

(This By-law also lowers the speed limit on Notre Dame Avenue fronting École Foyer Jeunesse in Valley East.)

C.C. 2004-06-24 (14TH) (8)

BY-LAWS (continued)

2004-179 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-209 TO ADOPT A MUNICIPAL ALCOHOL RISK MANAGEMENT POLICY

Council Resolution 2004-285

(This By-law updates the Municipal Alcohol policy as directed by Council at its meeting of 2004-06-10.)

2004-180F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT BY WAY OF LEASE AGREEMENT TO THE ONAPING FALLS LIONS CLUB FOR 31 STURGEON STREET, DOWLING

Planning Committee meeting of 2004-06-15

2004-181 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-52 TO AUTHORIZE THE SALE OF LAND ON LOCKERBY MINE ACCESS ROAD, FAIRBANKS TOWNSHIP, TO ERIC BRETON

Planning Committee meeting of 2004-06-15

(This By-law changes the land to be transferred and the sale price to reflect the reduction in land found as a result of a survey.)

2004-182 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PARCEL 23501"A" S.E.S., LOCKERBY MINE ACCESS ROAD, FAIRBANKS TOWNSHIP TO YVETTE LEROUX

Planning Committee meeting of 2004-06-15

2004-183A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH BELL CANADA TO SUPPLY LOCAL AND LONG DISTANCE PHONE SERVICES

Council Resolution 2004-299

BY-LAWS (continued)

2004-184F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH 1141466 ONTARIO LIMITED FOR ROLL #010.018.011.00.0000

Report dated 2004-06-18 from the General Manager of Corporate Services regarding Tax Extension Agreement between the CGS and 1141466 Ontario Limited.

(This report sets out the particulars of a proposed Tax Extension Agreement between the CGS and the above-named regarding taxes owing for 0 Kingsway, Sudbury.)

2004-185G 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-331G DEALING WITH THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE WITHIN THE CITY OF GREATER SUDBURY

Council Resolution 2004-301

(This updates the Waste Collection By-law in accordance with the recommendations of the Technical Steering Committee as adopted by Council.)

2004-186 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE VARIOUS CONDITIONAL GRANTS TO RAINBOW ROUTES ASSOCIATION FOR THE DESIGN AND CONSTRUCTION OF NON-MOTORIZED RECREATIONAL TRAILS WITHIN THE CITY OF GREATER SUDBURY

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding Agreement with Rainbow Routes for Trails Development.

(The City of Greater Sudbury has been working together with Rainbow Routes to develop trails over the past three years.)

BY-LAWS (continued)

2004-187A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH RAINBOW ROUTES ASSOCIATION TO ADDRESS CONSTRUCTION OF A NON-MOTORIZED RECREATIONAL TRAILS ON LANDS OWNED BY THE MINISTRY OF TRANSPORTATION ONCE LICENCED TO THE CITY OF GREATER SUDBURY

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding Agreement with Rainbow Routes for Trails Development.

(The City of Greater Sudbury has been working together with Rainbow Routes to develop trails over the past three years.)

2004-188A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH RAINBOW ROUTES ASSOCIATION TO ADDRESS CONSTRUCTION OF A NON-MOTORIZED RECREATIONAL TRAILS ON LANDS OWNED BY THE CITY OF GREATER SUDBURY

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding Agreement with Rainbow Routes for Trails Development.

(The City of Greater Sudbury has been working together with Rainbow Routes to develop trails over the past three years.)

2004-189P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT OFFICIAL PLAN AMENDMENT NUMBER 225 FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2003-122

(This amendment is a site specific Official Plan amendment to establish rural land use policies, wherein additional uses being the storage, maintenance and sale of mobile homes, trailers, cargo containers and storage garages would be permitted. Valley View Mobile Homes Village Inc., Gravel Drive, Hanmer.)

BY-LAWS (continued)

2004-190A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A MEMORANDUM OF UNDERSTANDING WITH THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR THE STRONG COMMUNITIES RENT SUPPLEMENT PROGRAM

Priorities Committee meeting of 2004-06-23

2004-191F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES

Report dated 2004-06-18, with attachments, from the General Manager of Corporate Services regarding Tax Adjustments Under Section 357 and 358 of the Municipal Act.

(This report provides the quarterly tax adjustments under Sections 357 and 358 of the Municipal Act.)

THE FOLLOWING BY-LAWS APPEAR FOR FIRST AND SECOND READING ONLY:

2004-192 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE THE REMAINDER OF THE LANE SOUTH OF VAN HORNE STREET ABUTTING LOTS 112 TO 117, PLAN 2-S, SUDBURY

Planning Committee meeting of 2004-06-15

2004-193 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE FREDERICK STREET (UNOPENED) SOUTH OF VAN HORNE STREET ABUTTING LOTS 111 AND 112, PLAN 2-S, SUDBURY AND TO TRANSFER IT TO THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE DIOCESE OF SAULT STE. MARIE

Planning Committee meeting of 2004-06-15

2004-194 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE THE NICKEL LAKE SHORE ALLOWANCE

Planning Committee Recommendation 2004-147

BY-LAWS (continued)

1ST & 2ND Reading

2004-336 Berthiaume-Gainer: THAT By-law 2004-176A to and including By-law 2004-194 be read a first and second time.

CARRIED

3RD Reading

2004-337 Berthiaume-Gainer: THAT By-law 2004-113, By-law 2004-176A to and including By-law 2004-191F be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-13
ROMA Reciprocal
Insurance Program
Retro-Assessment

Report dated 2004-06-18, with attachments, from the General Manager of Corporate Services regarding ROMA Reciprocal Insurance Program Retro-assessment was received for information only.

Item C-14
Azilda WWTP
Status Update

Report dated 2004-06-16 from the General Manager of Public Works regarding Status Update, Azilda Wastewater Treatment Plant was received for information only.

Item C-15
Working Hours - Road
Construction Projects

Report dated 2004-06-16 from the General Manager of Public Works regarding Working Hours - Road Construction Projects - Contract 2004-17, Paris Street Widening and Resurfacing was received for information only.

Report - Policy Review
Road Construction

Councillor Callaghan stated that Council was funding a major road construction program during its term and that this has a potential of disrupting residents and businesses along these routes. He recommended that the General Manager of Public Works be directed to undertake a policy review on how the City can manage the concerns of businesses and residents affected by the road construction. The concurrence of Council for such a policy review was received.

PART II
REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

Item R-1
Amendment - Open
Air Burning Report dated 2004-06-18, with attachments, from the General Manager of Corporate Services regarding Amendment to By-law 2004-160 Regulate Open Air Burning was received for information only.

**2004-160 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REGULATE OPEN AIR BURNING**

(At the Council meeting of 2004-06-10, Council deferred By-law 2004-160 in order for staff to make amendments.)

Amendment to By-law 2004-160 Councillor Rivest requested that By-law 2004-160 be amended as follows:

Rivest-Reynolds: THAT burning for slaughtering purposes in agriculturally designated areas be exempt from total fire bans.

Motion to Withdraw With the consent of the majority of Members present, Council agreed to withdraw the foregoing amendment.

By-Law 2004-160 3RD Reading 2004-338 Berthiaume-Gainer: THAT By-law 2004-160 be read a third time and passed.

CARRIED

MANAGERS' REPORTS

Item R-2
2004 Tourism
Development Plan Report dated 2004-06-16, with attachments, from the General Manager of Economic Development & Planning Services regarding Economic Development Capital Envelope - 2004 Tourism Development Plan was received.

The following resolution was presented:

2004-339 Berthiaume-Gainer: WHEREAS tourism development is one of five engines of growth identified in Coming of Age in the 21st Century - An Economic Development Strategic Plan for Greater Sudbury 2015;

AND WHEREAS the Greater Sudbury Development Corporation has approved support for the 2004 Tourism Development Plan;

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury support the plan with a contribution of \$147,000 from the 2004 Economic Development Capital Envelope.

CARRIED

ADDENDUM

Addendum Resolution

The following resolution was presented:

2004-340 Berthiaume-Gainer: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

Councillor Rivest declared a conflict of interest regarding By-law 2004-199Z (OCL Custom Crushing & Quarrying Ltd.) as his family is involved in the sand and gravel business.

Item AD-1 Sudbury Bluesfest

Report dated 2004-06-22, with attachments, from the General Manager of Corporate Services regarding Special Occasion Permit & Noise By-law Exemption - Sudbury Bluesfest was received.

The following resolution was presented:

2004-341 Berthiaume-Gainer: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) and the issuance of a Special Occasion Permit to Sudbury Bluesfest which will be held at the Laurentian University, 936 Ramsey Lake Road, Sudbury, Ontario for their 1st Annual Sudbury Bluesfest on July 23-25, 2004. The hours of operation are 11:30 a.m. to 11:30 p.m. with an anticipated attendance of 8000 people over the weekend.

AND FURTHER THAT this approval be subject to the conditions as attached in Schedule 'A'.

CARRIED

Item AD-2 Les Scouts du Canada

Report dated 2004-06-22, with attachments, from the General Manager of Corporate Services regarding Special Occasion Permit - Les Scouts du Canada was received.

The following resolution was presented:

2004-342 Berthiaume-Gainer: THAT this Council has no objection to the issuance of a Special Occasion Permit to Marc Forget on behalf of Les Scouts du Canada which will be held at the Chelmsford Golf Course at 99 Golf Course Road, Chelmsford, Ontario for the Annual Flour Mill Golf Tournament on July 10-11, 2004. The hours of operation are 11:00 a.m. to 8:00 p.m. with an anticipated attendance of 200 people each day.

AND FURTHER THAT this approval be subject to the conditions as attached in Schedule 'A'.

CARRIED

C.C. 2004-06-24 (14TH)

(15)

BY-LAWS

2004-196A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A LICENCE AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTRY OF TRANSPORTATION FOR ONTARIO

(Refers to report on page 48 of Council Agenda dated 2004-06-24.)

2004-197 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This By-law updates the list of enforcement officers.)

2004-198Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-303, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF WALDEN

Planning Committee Recommendation 2004-59.

(This by-law rezones the property to "R1.D18", Single Residential to permit the creation of four single residential lots. These lands are the subject of concurrent Consent Applications B0027/2004 to B0030/2004 inclusive. - Dalron Construction, Niemi Road, Lively)

2004-199Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER CITY OF VALLEY EAST AND TOWN OF ONAPING FALLS

Planning Committee Recommendation 2004-108

(This By-law rezones the subject property to "M5-5" to permit a pit, provided that no part of the excavation shall be located closer than 150 metres from the nearest residential dwelling. - in Lots 9 & 10 Concession 4, Township of Capreol - OCL Custom Crushing and Quarrying Limited.)

BY-LAWS (continued)

By-Law 2004-196A to
By-Law 2004-198Z
1ST & 2ND Reading

2004-343 Gainer-Berthiaume: THAT By-law 2004-196A to and including By-law 2004-198Z be read a first and second time.

CARRIED

By-Law 2004-196A to
By-Law 2004-198Z
3RD Reading

2004-344 Gainer-Berthiaume: THAT By-law 2004-196A to and including By-law 2004-198Z be read a third time and passed.

CARRIED

By-Law 2004-199Z
1ST & 2ND Reading

2004-345 Berthiaume-Bradley: THAT By-law 2004-199Z be read a first and second time.

CARRIED

By-Law 2004-199Z
3RD Reading

2004-346 Berthiaume-Bradley: THAT By-law 2004-199Z be read a third time and passed.

CARRIED

Declaration of
Pecuniary Interest

Councillor Rivest, having declared a conflict of interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

CIVIC PETITIONS

Councillor Kett

Councillor Kett submitted a petition to the City Clerk, signed by approximately seventy (70) members of a fitness group in Walden. The petition requests that the City of Greater Sudbury reinstate their fitness instructor, an employee of the City of Greater Sudbury, who was recently given Notice of Termination, due to age.

Councillor Reynolds

Councillor Reynolds submitted a petition to the City Clerk, signed by approximately sixty-four (64) residents of Ward 6. The petition requests that traffic lights be installed at Moonlight Avenue and Highway 17 East, and that Bancroft Drive from Levesque Street to and including Moonlight Avenue and Ridgemount Avenue be repaired.

QUESTION PERIOD

Highway 144
Sidewalks

Councillor Bradley asked the General Manager of Public Works what the status was concerning the negotiations with the Ministry of Transportation regarding the construction of sidewalks on Highway 144. Mr. Belisle advised that MTO will construct the sidewalks if the City paid for the work.

C.C. 2004-06-24 (14TH)

(17)

Street Lights at
Lasalle Blvd and
MR 35

Councillor Bradley asked the General Manager of Public Works if street lights could be installed at the intersection of Lasalle Boulevard and MR 35. Mr. Belisle advised Council that staff will take light level readings and if street lights are warranted then they will be installed.

Topsoil Stripping

Councillor Bradley, in his opinion, stated that if the City were to wait for the new Official Plan to be approved the topsoil in Ward 3 would be stripped. The City Solicitor advised Council that because existing mapping can be used, they could proceed with the By-law without having to wait for the approval of the new Official Plan.

Street Lights at
MR 35 and
Whitewater Lake Road

Councillor Bradley asked the General Manager of Public Works if a light level reading could be taken at the intersection of MR 35 and Whitewater Lake Road to determine if street lights are required. Mr. Belisle informed Council that this could be done in conjunction with MR 35 and Lasalle Boulevard intersection.

Building Permits for
Group Homes

Councillor Kett stated that there is a second group home being built on Clemow Street, in the Gatchell area, and the residents are inquiring why they did not receive notice. The General Manager of Economic Development & Planning Services advised Council that notices are only sent if there is a rezoning application and stated that these group homes only require residential zoning. Mr. Nadorozny also advised that these group homes are mandated by the Provincial government and that the City has no jurisdiction.

Councillor Kett requested that the Building Services Department send an informal notice to the Ward Councillors affected. Mr. Nadorozny will communicate this to staff to verify our legal rights.

Legal Ramifications -
Item C-12 (Paris St.
Rehabilitation)

Councillor Rivest asked the City Solicitor that once an agreement has been entered with a contractor, without a tender, is it possible to re-tender. The City Solicitor advised that in such a circumstance, the City is legally bound to honour the agreement.

Adjournment

2004-347 Gainer-Berthiaume: THAT this meeting does now adjourn.
Time: 9:59 p.m.

CARRIED

Mayor

City Clerk

**THE FIRST MEETING OF THE AD-HOC COMMITTEE
- COUNCIL AUDITOR OF THE CITY OF GREATER SUDBURY**

Tom Davies Square
Committee Room C-11

Thursday, June 24, 2004
Commencement: 3:06 p.m.
Adjournment: 4:27 p.m.

ANGIE HACHÉ PRESIDING

<u>Present</u>	Councillors Berthiaume; Caldarelli; Kett (A: 3:10 p.m.); Reynolds; Rivest
<u>Staff</u>	M. Mieto, Chief Administrative Office; D. Wuksinic, General Manager of Corporate Services; D. Bergeron, Co-ordinator of Internal Audit and Performance Management; A. Haché, Deputy City Clerk, K. Bowschar-Lische, Planning Committee Secretary
<u>Declarations of Pecuniary Interest</u>	None declared.
<u>Appointment of Chair</u>	2004-01 Reynolds-Caldarelli: That Councillor Claude Berthiaume be appointment Chair of the Ad-Hoc Committee - Council Auditor.

CARRIED

COUNCILLOR CLAUDE BERTHIAUME, PRESIDING

<u>Establishment of Ad-Hoc Committee</u>	<p>The Finance Committee at their March 22nd, 2004 meeting passed the following Resolution which establishes the Ad-Hoc Committee::</p> <p>“WHEREAS Members of Council, management and employees of the City of Greater Sudbury are all responsible to the taxpayer for the use of public resources;</p> <p>AND WHEREAS local government auditors can contribute to identifying improvements in service delivery, cost savings and improved accountability;</p> <p>AND WHEREAS citizens are requesting continued services with taxes being increased no more than is absolutely necessary;</p> <p>AND WHEREAS cost savings and additional revenue generated through the auditing process are value added benefits that cannot be ignored;</p> <p>AND WHEREAS economy and efficiency audits and performance audits of local government can enhance municipal government accountability by independently reviewing and reporting on programs, functions, activities and organizations;</p> <p>AND WHEREAS by conducting independent audits, auditors provide the public, elected officials and management with a fair, objective and reliable assessment of local government performance;</p>
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Establishment of
Ad-Hoc Committee
(cont'd)

NOW THEREFORE BE IT RESOLVED THAT the Council of the City Greater Sudbury retain the services of an independent auditor who shall be responsible only to Council, for a one year trial period;

AND FURTHER THAT this Council appoint the following Members of Council to an Ad Hoc Committee which will report back to Council by May 30th, 2004 with the recommended terms and conditions of such appointment:

Councillor Caldarelli
Councillor Kett
Councillor Reynolds
Councillor Callaghan
Councillor Berthiaume
Councillor Rivest

AND FURTHER THAT this Committee set out a time line to have the Council Auditor appointed and "in-place" prior to the start of the 2005 Budget process."

CORRESPONDENCE FOR INFORMATION ONLY

Item 1 - Council
Auditor

Report dated June 14th, 2004 was received for information from the General Manager of Corporate Services and the Director of Legal Services/City Solicitor regarding Council Auditor.

Item 2 - Council
Auditor

Report dated June 11th, 2004, was received for information from the General Manager, Corporate Services and Co-ordinator of Internal Audit and Performance Measurement regarding Council Auditor.

Item 3 - Information
Publication - National
Association of Local
Government Auditors

Report dated June 17th, 2004, was received for information from the General Manager, Corporate Services attaching a photocopy of "So... You Think You Might Be Interested In Hiring a Performance Auditor, A Few Things to Consider". National Association of Local Government Auditors (U.S.A.)

The Committee agreed that this item be placed on the next Ad-Hoc Committee - Council Auditor Agenda.

"In Camera"

Recommendation #2004-02:

Reynolds-Caldarelli: That we move "In Camera" to deal with personnel matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

The Committee moved In-Camera at 3:20 p.m. At 4:25 p.m., Councillor Berthiaume, reported the Committee met in closed session to deal with personnel matters and no resolutions emanated therefrom.

Adjournment

2004-03 Reynolds-Caldarelli: THAT we do now adjourn.
TIME: 4:27 p.m.

CARRIED

PLANNING COMMITTEE SECRETARY

COUNCILLOR CLAUDE BERTHIAUME, CHAIR

**MINUTES – SIXTH MEETING
SUDBURY & DISTRICT BOARD OF HEALTH
BOARDROOM, SECOND FLOOR, SUDBURY & DISTRICT HEALTH UNIT
THURSDAY, JUNE 17, 2004 AT 1:30 P.M.**

BOARD MEMBERS PRESENT

C. Berthiaume
M. Dennis
L. Gamble
K. Noland

F. Bidal
R. Dupuis
J. Gasparini
R. Pilon

F. Calderelli
I. Edwards
P. Kinoshameg

BOARD MEMBERS REGRETS

A. Rivest

BOARD MEMBERS ABSENT

E. Gainer

STAFF MEMBERS PRESENT

P. Buchanan
Dr. P. Sutcliffe

B. Fortin
M. Tessier (Secretary)

S. Siren

J. GASPARINI PRESIDING

1.0 CALL TO ORDER

The meeting was called to order at 1:30 p.m.

2.0 ROLL CALL

3.0 DECLARATION OF CONFLICT OF INTEREST

None.

4.0 DELEGATION / PRESENTATION

- i) Student Placement Program**
- Aisha Alladin, Officer, Education Services

Aisha Alladin, Officer, Education Services from the Resources, Research, Evaluation and Development (RRED) Division was introduced and welcomed. Board members were provided with an overview of the Student Placement Program outlining the purpose of the program and its benefits. Divisional Educational Liaisons, F. Brunet-Fechner, E. Wierzbicki and J. Critchley-Pineo were presented and commended for their work and contribution towards the success of the program.

Questions and comments were entertained, and A. Alladin was thanked for her presentation.

5.0 MINUTES OF PREVIOUS MEETING

i) Fifth Meeting – May 20, 2004

61-04 APPROVAL OF MINUTES

Notation was made that K. Noland was present during the May 20, 2004 meeting.

Moved by Edwards – Dupuis: THAT the minutes of the Board of Health meeting of May 20, 2004 be approved as amended.

CARRIED

6.0 BUSINESS ARISING FROM MINUTES

None.

7.0 REPORT OF MEDICAL OFFICER OF HEALTH / CHIEF EXECUTIVE OFFICER

i) June 2004 – Medical Officer of Health / Chief Executive Officer Report

Dr. Sutcliffe provided highlights of her recent meetings with Dr. Sheela Basrur, Chief Medical Officer of Health and (1) northern medical officers of health to discuss public health system issues specific to the north, and (2) members of the Public Health Research, Education and Development (PHRED) Operations Committee to discuss the implications of the Walker Panel recommendations for the PHRED program.

Dr. Sutcliffe and several Board members recently attended the 2004 Annual alPHa Conference. Dr. Basrur and Minister Smitherman both spoke of the importance of accountability within boards of health and health unit programming. It was proposed that an "in house" orientation and lunch be held prior to the September Board of Health meeting to orient Board members more fully to the *Mandatory Health Programs and Services Guidelines* and the *Mandatory Program Indicator Questionnaire*.

Recruitment efforts are continuing for the Associate Medical Officer of Health position.

Comments and questions were entertained following the divisional highlights.

62-04 ACCEPTANCE OF REPORT

Moved by Pilon – Edwards: THAT the Report of the Medical Officer of Health for the month of June 2004 be accepted as distributed.

CARRIED

RON DUPUIS PRESIDING

8.0 NEW BUSINESS

i) Items for Discussion

a) Sudbury & District Health Unit Strategic Plan

Dr. Sutcliffe gave an overview of the briefing note distributed with today's agenda package regarding the extension of our current strategic plan.

Comments and questions were entertained.

Dr. Sutcliffe clarified that an interim report will be brought forward at a subsequent Board of Health meeting in the fall of 2004.

63-04 SUDBURY & DISTRICT HEALTH UNIT STRATEGIC PLAN EXTENSION

Moved by Gamble – Noland: WHEREAS Board of Health motion # 24-02 endorsed the 2002-2004 Sudbury & District Board of Health Strategic Plan; and

WHEREAS the current strategic plan was to be implemented by December 31, 2004; and

WHEREAS the evaluation of the current plan is underway and will be completed by Fall 2004; and

WHEREAS the current strategic plan is unprecedented in that it is based on extensive staff consultations and is designed to be a living and interactive tool; and

WHEREAS extending the timelines of the current strategic plan will permit the inclusion of staff feedback in the development of our next strategic plan and be in keeping with our inclusive approach;

THEREFORE BE IT RESOLVED THAT the Sudbury & District Board of Health endorse the extension of the 2002-2004 Sudbury & District Board of Health Strategic Plan to December 31, 2005.

CARRIED

JANET GASPARINI PRESIDING

b) Universal Child Dental Program

The Ontario Health Insurance Plan does not currently include basic child dental coverage. The benefits of including a universal child dental program in its plan were expressed.

64-04 ADVOCACY FOR UNIVERSAL CHILD DENTAL PROGRAM

Moved by Noland – Dennis: WHEREAS oral health is an important

component of general health and impacts directly on a child's speech and language development, ability to thrive and readiness to learn; and

WHEREAS there is currently no universal access to dental care in Canada and for people and their families who are socially and economically disadvantaged, regular access to basic primary dental-health services is often unaffordable; and

WHEREAS children living in poverty are more likely to experience inadequate diets that have a detrimental effect on physical health including increased rates of dental decay;

THEREFORE BE IT RESOLVED THAT the Sudbury & District Board of Health support the Board of Health for Hastings and Prince Edward Counties and advocate to the Premier of Ontario for the need to develop public policies to eliminate child poverty and related health effects by creating a universal child dental program.

CARRIED

c) City of Greater Sudbury Food Charter

Board members were reminded regarding a motion that was passed in September 2002 in support of the development of a food charter for the Sudbury & District Health Unit catchment area to provide a comprehensive framework for community food security. Highlights of the briefing note distributed with today's agenda package were provided.

Enquiry was made regarding the Nutritious Food Basket Report for 2003. Dr. Sutcliffe will further investigate and report at a subsequent meeting.

Dr. Sutcliffe made reference to the Northern Ontario Perinatal Child Health Survey Consortium reports, without which we would not have such informative local data on this and other child health issues. Members were encouraged to take a copy.

65-04 SUPPORT FOR CITY OF GREATER SUDBURY FOOD CHARTER

Moved by Dennis – Dupuis: WHEREAS Board of Health motion #64-02 supported the development of a Food Charter for the Sudbury & District Health Unit catchment area; and

WHEREAS the Sudbury & District Board of Health plays an essential role in fostering healthy communities and has adopted a strategic priority to focus on the broader determinants of health, that includes the promotion of community food security; and

WHEREAS access to safe, affordable, nutritious and personally acceptable food is a basic human right of individuals and communities; and

WHEREAS the City of Greater Sudbury Food Charter provides a comprehensive implementation framework to engage the community in finding community food security solutions; and

WHEREAS recent local public health research indicates a high level of food insecurity; and

WHEREAS a food-secure community is critical to population health, and both results from and contributes to community social justice, economic development, and environmental sustainability;

THEREFORE BE IT RESOLVED THAT the Sudbury & District Board of Health endorse the City of Greater Sudbury Food Charter; and

FURTHER THAT the City of Greater Sudbury Food Charter be forwarded to all municipalities within Sudbury and Manitoulin Districts for local adaptation and adoption; and

FURTHER THAT all municipalities be encouraged to partner with the Food Security Network.

CARRIED

d) Sudbury & District Board of Health Policy & Procedure Manual

Dr. Sutcliffe explained that the Board of Health Policy & Procedure Manual has been reviewed and revised. Noteworthy changes were highlighted. Board members were asked to replace the content of their manual with the package distributed with today's agenda.

66-04 BOARD OF HEALTH MANUAL

Moved by Dupuis → Dennis: THAT the Board of Health, having reviewed the Board of Health Policy & Procedure Manual, approves the contents therein.

CARRIED

e) Summer Hiatus

67-04 SUMMER HIATUS

Moved by Edwards – Dupuis: THAT this Board of Health cancels meetings for the months of July and August 2004. This Board of Health also directs the Executive Committee of the Board to assume governance of the Board of Health during this period, as required.

CARRIED

ii) Correspondence

a) Sudbury & District Board of Health Motion #20-04 Re: Equitable Public Health Programs and Services in Ontario

No discussion.

- b) **Sudbury & District Board of Health Motion #27-04 Re: Advocacy Against Privatization of the LCBO**

No discussion.

- c) **Sudbury & District Board of Health Motion #71-03 Re: Federal Funding for Conjugate Meningococcal Vaccine Against Serogroup C**

No discussion.

68-04 ACCEPTANCE OF NEW BUSINESS ITEMS

Moved by Pilon- Kinoshameg: THAT this Board of Health receives New Business items 8 i) to ii).

CARRIED

9.0 ITEMS OF INFORMATION

- i) IAPA 2004 Volunteer Award Winners May 2004
- ii) Sudbury & District Health Unit Media Releases May/June 2004
- iii) Government of Ontario News Release June 10, 2004
- iv) Sudbury & District Health Unit Annual Report 2003

Tabled for information.

Special notation was made to F. Brunet-Fechner during the Student Placement Program presentation for receiving the 2004 Mid North Near North Divisional Volunteer Award from the Industrial Accident Prevention Association (IAPA).

10.0 ADDENDUM

69-04 ADDENDUM

Moved by Noland - Gamble: THAT this Board of Health deals with the items on the Addendum.

CARRIED

- i) **Public Appointment Renewals**

70-04 PUBLIC APPOINTMENT RENEWALS

Moved by Gamble – Noland: WHEREAS pursuant to subsections 49(3) and 51(1) of the Health Protection and Promotion Act, R.S.O. 1990, Chapter H.7, Phyllis Kinoshameg and Ivan Edwards were appointed to the Sudbury & District Board of Health by the Lieutenant Governor in Council; and

WHEREAS these appointments were for a period of three years, commencing on November 21, 2001 to and including November 20, 2004; and

WHEREAS the appointees are valuable members of the Sudbury & District Board of Health and are agreeable to a renewal of their term;

THEREFORE BE IT RESOLVED THAT this Board of Health requests a 3-year term renewal for the Lieutenant Governor in Council appointees to the Sudbury & District Board of Health.

ii) Health Statistics

Dr. Sutcliffe provided highlights from the Canadian Community Health Survey excerpts recently released by Statistics Canada.

11.0 ANNOUNCEMENTS/ENQUIRIES

Board members who attended the 2004 Annual alPHa Conference provided further information acquired during the conference.

Board members thanked P. Buchanan, Acting Director, Corporate Services for her work and dedication while on contract with the Sudbury & District Health Unit.

Dr. Sutcliffe pointed out the information packages provided today regarding boat and sun safety. Board members were encouraged to review the information and wished a healthy, safe and relaxing summer.

12.0 ADJOURNMENT

71-04 ADJOURNMENT

Moved by Dennis - Dupuis: THAT we do now adjourn. Time: 2:45 p.m.

CARRIED

(Chair)

(Secretary)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2004-06-22

Commencement: 2:30 p.m.
Adjournment: 2:40 p.m.

R. DELAIRE, SUPPLIES & SERVICES CO-ORDINATOR, IN THE CHAIR

Present

M. Hauta, Accountant; K. Lessard, Law Clerk; R. Martin, Manager of Fleet; R. Mensour, Manager of the Sudbury Community Arena; S. Cundari, Clerk-Receptionist

Contract PWD04-22, Tender - Rental of Tandem Trucks

Tenders for Contract PWD04-22, Rental of Six (6) Operated Tandem Trucks with Plow Wing and Spreader {estimated at a total cost of \$100,000.00 per unit, per year} were received from the following bidders:

BIDDERS	HOURLY RATE	# OF TRUCKS
D. Lafond Contracting	\$ 97.00	2
Pioneer Construction Inc.	\$120.00	4
Tate's	\$124.00	2
Yveroy Enterprises	\$112.00	1

A bid deposit in the amount of \$500.00, *for each truck bid*, in the form of a certified cheque, money order or irrevocable letter of credit accompanied each tender.

The foregoing tenders were turned over to the Manager of Fleet for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Public Works for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Contract CPS04-09, RFP - Automated Teller Machines

Proposals for Contract CPS04-09, Automated Teller Machines at the Sudbury Community Arena and Pioneer Manor were received from the following bidders:

BIDDERS

LGR Management Services Ltd.
EFunds/Accesscash

A bid deposit in the amount of \$1,000.00, *for each ATM bid*, in the form of a certified cheque, money order or irrevocable letter of credit accompanied each proposal.

T.O.C. 2004-06-22 (1)

Contract CPS04-09
(Continued)

The foregoing tenders were turned over to the Manager of Fleet for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Public Works for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:40 p.m.

Chairman

Secretary

T.O.C. 2004-06-22 (2)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-11
Tom Davies Square
2004-06-23
Commencement: 3:30 p.m.
Adjournment: 3:55 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES, IN THE CHAIR

Present: T. Derro, Chief Tax Collector; R. Swiddle, City Solicitor; M. Hauta, Accountant; A. Roy, Law Clerk; D. Braney, Property Administration Officer; M.L. Gauvreau, Manager of Current Accounts; L. Valle, Senior Accountant; S. Cundari, Clerk/Receptionist; L. Lesar, Secretary to the Manager of Supplies & Services

Tax Sale - Various Properties

The Chairman noted an incorrect PIN number had been recorded on File 02-144 and advised the correct PIN number was 73560-0275.

The Chairman advised the City Treasurer had withdrawn the following properties from consideration:

File # 01-85 - 7 Second Avenue South, Levack, ON
File # 00-03 - 742 Lonsdale Avenue, Sudbury, ON
File # C-2, 11 Frank Street, Capreol, ON
File # 02-33 - Tilton Lake Road, Sudbury
File # 02-79 - 11 Goldie Street, Chelmsford.
File #02-110 - 0 Marcel Street, Parcel 25781
File #02-111 - 0 Marcel Street, Lot 10, Parcel 13341
File #02-112 - 0 Marcel Street, Lot 11, Parcel 13341
File #02-113 - 0 Marcel Street, Lot 12, Parcel 13341

Tenders received for the properties noted above would be returned unopened to every tenderer who had submitted a bid.

Tender for Tax Sale for the following properties were received from the following bidders:

File #02-01

0 Fourth Avenue, Sudbury ON
Neelon Twp, Con 3 Lot 11 Pcl 38027
RP SR2622 Part 4 PIN 73577-0245
10790.00 SF 50.00 FR
Minimum Tender Amount: \$7,246.92

NO BIDS RECEIVED

Tax Sale - Continued

File #02-02

0 Fourth Avenue, Sudbury ON
Neelon Twp, Con 3 Lot 11 RP SR2622
Part 5 Pcl 10264 PIN 73577-0537
11255.00 SF 50 FR

Minimum Tender Amount: \$7,267.04

NO BIDS RECEIVED

File #02-17

35 Brodie Avenue, Sudbury ON
McKim Twp, Con 3 Lot 7 Plan 29S
N. 36' of Lots 35 & 36 INST 73560
2819.00 SF 36.00 FR 78.33 D

Minimum Tender Amount: \$11,520.85

NO BIDS RECEIVED

File #02-21

31 Dean Avenue, Sudbury ON
McKim Twp, Con 2 Lot 9
Plan M133 Lot 176 to Lot 179 PIN 73587-0378 IR
31345.00 SF 132.00 FR

Minimum Tender Amount: \$93,799.45

NO BIDS RECEIVED

File #02-23

42 St. Brendan Street, Sudbury ON
McKim Twp, Con 3 Lot 5 Plan 23S
PT Lot 276 INST 64705
3967.00 SF 52.80 FR 75.00 D

Minimum Tender Amount: \$14,835.53

Bidder	Amount	Bid Deposit
Michael & Susan Faw	\$25,001.00	\$5,500.00
Denis Levert	\$21,121.00	\$4,225.00
John Salo & Cindy Armstrong	\$52,301.00	\$10,500.00
Intrepidity Commercial Conceptions Corp.	\$16,575.00	\$3,315.00
Kirk Petroski/E.R.E. Services Inc.	\$29,967.77	\$5,993.55
Don Jongsma	\$36,700.00	\$7,400.00
Gary Dingman	\$52,550.00	\$10,510.00
Raimondo Cuda	\$55,000.00	\$11,000.00
Steven J. Paxy	\$22,600.00	\$4,520.00
Chris Perry	\$20,000.00	\$4,000.00
Brian Lawlor	\$55,555.00	\$11,111.00

Tax Sale - Continued

File #02-27

102 Beech Street, Sudbury ON
 McKim Twp, Con 4 Lot 6
 Plan 3-S Block A West 40' of Lot 198
 PIN 02138-0102 IRREG
 9900.00 SF 100.00 FR 120.00 D
Minimum Tender Amount: \$16,982.41

Bidder	Amount	Bid Deposit
A.V. Gancher Inc.	\$20,000.00	\$4,000.00

File #02-36

1100 Silver Lake Road, Sudbury ON
 Broder Twp, Con 5 Lot 7 Pcl 23050 S.E.S.
 Summer Resort Location A.E. 808
 PIN 73475-0773 1.94 Acres 226.90 FR
Minimum Tender Amount: \$9,730.55

Bidder	Amount	Bid Deposit
Denis Levert	\$10,121.00	\$2,025.00
Bill Tait	\$15,000.00	\$3,000.00
Gary Dingman	\$22,550.00	\$4,510.00
Dankrist Builders	\$10,000.00	\$2,000.00

File #02-37

363 Ester Street, Sudbury ON
 Broder Twp, Con 6 Lot 6 Pcl 51351
 RP 53R15069 Pts 1 & 2 Plan M-204 Pt Lot 19
 PIN 73475-0061 6102.00 SF 50.00 F
Minimum Tender Amount: \$7,911.12

Bidder	Amount	Bid Deposit
Lucia Stargrott	\$15,525.00	\$3,105.00
Jane Folino	\$10,000.00	\$2,000.00
Dankrist	\$ 8,000.00	\$1,600.00

File #02-48

21 Hillcrest Drive, Lively ON
 Waters Twp, Con 4 Lot 5 Pcl 10373
 Pcl 16949 S.W.S. RP 53R6077 Pts 25 & 28
 5662.00 SF 40.00 FR
Minimum Tender Amount: \$5,938.48

NO BIDS RECEIVED

T.O.C. 2004-06-23 (3)

Tax Sale - Continued

File #02-49

825 Spanish River Road
Drury Twp, Con 1 Lot 8 Pcl 25243
RP 53R5898 Pts 1 & 2 S.W.S.
15.76 Acres

Minimum Tender Amount: \$4,924.18

Bidder	Amount	Bid Deposit
H.M. Dignam	\$ 9,266.00	\$1,854.00
Gary Dingman	\$ 5,365.00	\$1,073.00
Alvin Lindhorst	\$11,000.89	\$2,201.00

File #02-50

Drury Twp, Con 3 N.E. ¼ of Lot 6
Pcl 31114 S.W.S.
80.00 Acres

Minimum Tender Amount: \$4,141.96

Bidder	Amount	Bid Deposit
Brenda Clark	\$ 4,505.00	\$ 901.00

File #02-56

Louise Twp, Con 3 Lot 4 Pcl 24093
RP SR643 Part 5
87120.00 SF

Minimum Tender Amount: \$4,040.10

NO BIDS RECEIVED

File #02-65

0 Larchmont Drive, Dowling ON
Dowling Twp, Con 1 Lot 7 Plan M538
Lot 25 Pcl 17009 S.W.S.
17690.00 SF 75.00 FR IRREG.

Minimum Tender Amount: \$3,289.44

Bidder	Amount	Bid Deposit
Susan Hermans	\$3,300.00	\$1,060.00

Tax Sale - Continued

File #02-83

Balfour Con 5 E 1/2 of Lot 1 Pcl 5717 S.W.S.
Landlocked
154.50 Acres

Minimum Tender Amount: \$5,026.95

Bidder	Amount	Bid Deposit
Brenda Clark	\$6,200.00	\$1,240.00
Guy Buckley	\$6,333.00	\$1,300.00

NO BIDS RECEIVED

File #02-107

0 Granby Drive, Hanmer ON
Hanmer Twp, Con 4 Lot 1 Plan M477
Lot 14 Pcl 39552
15040.00 SF 111.00 FR 135.50 D

Minimum Tender Amount: \$3,568.04

NO BIDS RECEIVED

File #02-117

Capreol Twp, Con 5 Lot 8 Pcl 4688
Includes Pt 1 SR 719 PIN 73510-0096
1.67 Acres 270.00 FR 270.00 D

Minimum Tender Amount: \$6,938.75

NO BIDS RECEIVED

File #02-126

5 Front Street, Capreol ON
Capreol Twp, Con 6 Lot 11 Plan M65
Lot 87 Pcl 18782 PIN 73507-1119
2400.00 SF 24.00 FR 100.00 D

Minimum Tender Amount: \$6,294.45

NO BIDS RECEIVED

File #02-127

7 Front Street, Capreol ON
Capreol Twp, Con 6 Lot 11 Plan M65
Lot 88 Pcl 3626 PIN 73507-0974
2500.00 SF 25.00 FR 100.00 D

Minimum Tender Amount: \$6,294.45

NO BIDS RECEIVED

Tax Sale - Continued

File #02-141

Falconbridge Twp, Con 1 N.E. ¼ of Lot 4
Pcl 9636 PIN 73490-0447
87.00 Acres
Minimum Tender Amount: **\$5,389.86**

Bidder	Amount	Bid Deposit
Brenda Clark	\$5,505.00	\$1,101.00

File #02-144

4 Thomas Street, Coniston ON
Neelon Twp, Con 3 Pt N.E. ¼ of Lot 4
Pcl 7372 PIN 73585-0277
4000.00 SF 40.00 FR 100.00 D
Minimum Tender Amount: **\$11,007.66**

Bidder	Amount	Bid Deposit
119037 Ontario Ltd.	\$12,008.00	\$2,416.00
Wanda Lepack	\$11,050.02	\$2,300.00
Gary Dingman	\$15,365.00	\$3,073.00

File #02-149

Dryden Twp, Con 3 S.W. ¼ of Lot 5
Pcl 10988 PIN 73481-0458
78.25 Acres
Minimum Tender Amount: **\$4,838.27**

Bidder	Amount	Bid Deposit
Brenda Clark	\$5,020.00	\$1,004.00
Guy Buckley	\$5,333.00	\$1,100.00

File #02-151

0 Mill Road
Dryden Twp, Con 4 Lot 7 & 8
Pcl 50155 PIN 73482-0028
21.27 Acres
Minimum Tender Amount: **\$5,765.53**

Bidder	Amount	Bid Deposit
Brenda Clark	\$7,505.00	\$1,501.00

The foregoing tenders would be turned over to the Law Clerk for review and preparation of Legal Documents to the highest bidder for the sale of these properties.

The meeting adjourned at 4:06 p.m.

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2004-06-29

Commencement: 2:30 p.m.
Adjournment: 2:35 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES, IN THE CHAIR

Present

M. Hauta, Accountant; K. Lessard, Law Clerk; A. Sweetman, Sewer & Water Technician; N. Benkovich, Plant Manager; L. Valle, Engineering Technician; R. Halverson, CADD Technician; S. Cundari, Clerk-Receptionist

Contract 2004-7,
Tender for Bruyere/
Whittaker Watermain

Tenders for Contract 2004-7, Bruyere/Whittaker Watermain {estimated at a total cost of \$200,000.00} were received from the following bidders:

BIDDERS	TOTAL CONTRACT PRICE
Pioneer Construction Inc.	\$372,076.45
Hollaway Equipment Rental Ltd.	\$339,879.08
Garson Pipe Contractors	\$359,460.09
RM Bélanger Limited	\$311,619.31

A bid deposit in the form of a certified cheque, irrevocable letter of credit or a bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Engineering Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Public Works for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Contract 2004-56,
Tender for Analysis
and Reporting

A tender for Contract 2004-56, Plants Section Sample Analysis and Reporting {estimated at a total cost of \$350,000.00} was received from the following bidder:

BIDDER	TOTAL CONTRACT PRICE
Testmark Labs	\$267,485.02

A bid deposit in the form of a certified cheque, irrevocable letter of credit or a bid bond with an agreement to bond accompanied each tender.

T.O.C. 2004-06-29 (1)

Contract 2004-56
(Continued)

The foregoing tenders were turned over to the Engineering Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Public Works for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:35 p.m.

Chairman

Secretary

T.O.C. 2004-06-29 (2)

MINUTES OF THE TENDER OPENING COMMITTEE MEETING

Committee Room C-14
Tom Davies Square
2004-07-06

Commencement: 2:30 p.m.
Adjournment: 2:35 p.m.

DARRYL MATHÉ, MANAGER OF SUPPLIES & SERVICES, IN THE CHAIR

Present

J. Van de Rydt, Co-Ordinator of Capital Budgets and Risk Management; K. Lessard, Law Clerk; L. Rinaldi, Executive Assistant to the General Manager of Health & Social Services; L. Lesar, Secretary to the Manager of Supplies & Services

Contract HSS04-05
R F P - Window
Coverings &
Bedspreads @ Pioneer
Manor

Contract HSS04-05, Request for Proposals for Window Coverings and Bedspreads at Pioneer Manor {estimated at approximately \$125,000.00 to \$150,000.00} were received from the following proponents:

PROPONENT

Waterloo Bedding
Sudbury Window Tinting

A bid deposit in the form of a certified cheque, letter of credit or money order in the amount of \$12,000.00 accompanied each proposal.

The foregoing tenders were turned over to the Director of Long Term Care & Seniors Services for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Health and Social Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:35 p.m.

Chairman

Secretary

T.O.C. 2004-07-06

**GREATER SUDBURY POLICE SERVICES BOARD MEETING
TUESDAY, MAY 25, 2004 - 4:00 P.M.
Police Headquarters, 5th Floor Boardroom, Tom Davies Square**

PRESENT:

Andy HUMBER, Chair
Joanne FIELDING, Vice Chair
Councillor Eldon GAINER
Councillor Ron BRADLEY
David PETRYNA
Rollande Mousseau, Secretary

Ian DAVIDSON, Chief
James CUNNINGHAM, Deputy Chief
Inspector Al Lekun
Inspector Gene Toffoli

P U B L I C

News Media

Gord Nicholls MCTV News
Pat Laframboise, MCTV News
Rob O'Flanagan, Sudbury Star

Declarations of Conflicts of Interest

None

Adoption of Minutes

(2004- 43) Fielding-Bradley: THAT the Greater Sudbury Police Services Board Minutes of April 19, 2004, be adopted as circulated and read.

CARRIED

Matters Arising

None

Matters Arising from IN CAMERA Discussions

Vice-Chair Joanne Fielding reported that personnel and legal issues were discussed IN CAMERA with one motion being approved.

Website

Letter from Chief Davidson dated May 14, 2004, advising that the Board will have an opportunity to view the new service Website which has been redesigned to provide

Greater Sudbury Police Services Board
May 25, 2005

greater levels of interaction and improved communication with the public. Due to lack of time, it was suggested that board members view the site at their leisure.

Delayed Priority One Calls

Letter from Chief Davidson dated May 17, 2004, advising that there were no delayed priority one calls for the month of April 2004. For the information of the board.

Statistics Year to Date 2004

Letter from Chief Davidson dated May 14, 2004, attaching a report which summarizes criminal offences for March 2004 and year to date statistical activities. Deputy Chief Cunningham reviewed the statistics with board members.

Donation - Kinsmen

Letter from Chief Davidson dated May 14, 2004, attaching a report respecting the Kinsmen donation to the K-9 Unit.

(2004- 44) Bradley-Fielding: THAT the Board accepts a donation from the Kinsmen Club in the amount of \$10,000 with monies to be utilized to offset vehicle expenditures.

CARRIED

Request for Return of Found Property

Letter from Chief Davidson dated May 17, 2004, attaching a request for the return of found property.

(2004-45) Fielding-Bradley: THAT the Board approves the request for the return of found property as follows:

William Astley, blue Triumph Ravine female adult 12 speed mountain bicycle, serial # RD6606987.

CARRIED

Memorandum of Understanding for Bear Management

Letter from Chief Davidson dated May 14, 2004, attaching a report respecting a Memorandum of Understanding with the Ministry of Natural Resources in relation to bear management. The Understanding sets out the various responsibilities and obligations of the Crown and Police Service. In addition, specific bear management procedures have been developed which serve to guide the handling of incidents respecting bears.

(2004-46) Gainer-J. Fielding: THAT the Board enters into a Memorandum of Understanding with the Ministry of Natural Resources for bear management.

CARRIED

**Greater Sudbury Police Services Board
May 25, 2004**

Professional Standards - 1st Quarter Complaints 2004

Letter from Chief Davidson dated May 17, 2004, attaching a report dated April 23, 2004, prepared by Sergeant R. MacTaggart relative 1st Quarter Public Complaints 2004 and Professional Standards Investigations. For the information of the board.

Ontario Crime Control Commission

Letter from Chief Davidson dated May 14, 2004, attaching a copy of nomination forms for Ms. Nancy Cada and Constable Grant Dokis who have been nominated for awards under the Ontario Crime Control Commission Award of Excellence for Fighting Crime.

The Chief provided background information on both Ms. Cada and Constable Dokis who are actively involved in the Aboriginal Youth Referral Program.

(2004-47) Gainer-Petryna: THAT the Board approves the nomination of Ms. Nancy Cada and Constable Grant Dokis for awards under the Ontario Crime Control Commission Award of Excellence for Fighting Crime.

CARRIED

Victims' Justice Fund

Letter from Chief Davidson dated May 14, 2004, attaching correspondence dated April 19, 2004, from the Ministry of the Attorney General, Ontario Victim Services Secretariat, with respect to a grant application under the Victims' Justice Fund. The application referred to a project entitled 'United Response Against Victimization of Older Adults' which would have worked towards the development of community strategies and responses that address and prevent the victimization of older adults.

The Ministry advised that decisions related to the allocation of the 2003/04 grants have been deferred until further notice.

Police Auction

Letter from Chief Davidson dated May 17, 2004, advising that this year's annual auction will take place on Saturday, June 5, 2004, at the Frobisher Dome off of Falconbridge Road commencing at 9:30 a.m.

Lions Eye in the Sky - Advisory Committee

Letter from Chief Davidson dated May 14, 2004, attaching the minutes of the Lions Eye in the Sky Advisory Committee for March 5, 2004. For the information of the board.

**Greater Sudbury Police Services Board
May 25, 2004**

Trust Fund Application - Sudbury Rainbow Crime Stoppers

Letter from R. Mousseau dated May 18, 2004, attaching a request from the Sudbury Rainbow Crime Stoppers for financial assistance in hosting the 2005 Ontario Association of Crime Stoppers Annual Workshop to be held in Sudbury on May 28 - June 1, 2005.

This item was deferred to the June board meeting.

Notes of Appreciation

Letter from Chief Davidson dated May 17, 2004, reporting that in addition to the Letters of Appreciation noted in the *In Camera* portion of this meeting, four additional letters of appreciation were received by his office. Two of the letters were attached for the information and review of the board.

Next Meeting

The next Greater Sudbury Police Services Board Meeting will be held on **MONDAY, JUNE 21, 2004, AT 4:00 P.M.** - Police Headquarters, 5th Floor Boardroom, Tom Davies Square.

RETURN TO IN CAMERA

(2004-48) Fielding-Bradley: THAT this Board resumes IN CAMERA discussions.
Time: 4:45 p.m.

RETURN TO PUBLIC - 5:30 p.m.

Matters Arising from IN CAMERA Discussions

Vice Chair Joanne Fielding reported that personnel and legal issues were discussed with four motions being approved.

Adjournment

(2004-54) Gainer-Petryna: THAT this meeting be adjourned. Time: 5:30 p.m.

CARRIED

NICKEL DISTRICT CONSERVATION AUTHORITY

Minutes of General Board Meeting

Wednesday, June 16, 2004

Room C-11
Tom Davies Square

Commenced: 7:00 p.m.
Adjourned: 8:11 p.m.

PRESENT: Ron Bradley, Chairman
Aaron Beaudry
Gerard Dalcourt
Ron Dupuis
Bob Rogers, Vice-Chairman
Russ Thompson

ALSO PRESENT: A. Bonnis
P. Sajatovic
Todd Gerling (Citizen)
Caroline Ruest (Citizen)
Media

1. Chair Bradley opened the meeting.
2. No declarations of conflict were declared.
3. Adoption of Minutes

a) May 19, 2004

Resolution 2004-36

Rogers - Beaudry

That the minutes of the May 19, 2004 General Board meeting, as duplicated and circulated, be approved.

Carried.

4. Delegations

a) Todd Gerling, 158 St. Onge Street, Chelmsford

This matter was carried forward from the May, 2004 Board meeting as additional information had been requested by members. The new information package was circulated to members and was thoroughly reviewed. A number of issues were still unresolved and before the Board members could make any decisions, staff was directed to follow up further. Mr. Gerling will be advised when the Board next plans to consider this matter.

b) Caroline Ruest, 1027 Arthur Street, Sudbury

Ms. Ruest appeared before the General Board related to her property adjacent to Junction Creek. A detailed information package had been provided to members. Many issues were discussed and A. Bonnis provided important historical perspective on the development of this specific subdivision. It was clearly pointed out that the N.D.C.A. does not have funding for erosion control capital works. However, as in other similar instances, members agreed to retain the services of a Consulting Engineer who will prepare an information report to be given to the property owner. The report will be prepared as soon as possible. A resolution was then presented.

Resolution 2004-37

Dalcourt - Thompson

That the N.D.C.A. retain a Consultant Engineer to investigate the erosion problem on Junction Creek adjacent to the property located at 1027 Arthur Street, AND FURTHER that the engineer's report be provided to the property owner for their information, AND FURTHER that the N.D.C.A. commit a maximum of \$2,500 to the preparation of this report.

Carried.

5. General Business

a) Forest 2020 Initiative

An information package on this initiative was distributed to members. P. Sajatovic provided further information. Members felt that the N.D.C.A. should take a lead role in this watershed stewardship initiative for the 2005 planting season. After a number of questions were answered, the following resolution was passed.

Resolution 2004-38

Rogers - Beaudry

That the N.D.C.A. serve as the Lead Partner, within the watershed area, for the Forest 2020 initiative, subject to a Delivery Agent being selected, who is acceptable to both the N.D.C.A. and Trees Ontario Foundation, to undertake the detailed implementation work, AND FURTHER it is understood that this would be for the 2005 planting season only, and that future involvement would be subject to additional funding being provided and the approval of the N.D.C.A. General Board.

Carried.

b) Funding Request to Nickel District Conservation Foundation

Resolution 2004-39

Rogers - Beaudry

That the Nickel District Conservation Foundation is hereby requested to provide \$17,000.00 to the N.D.C.A. in support of the Lake Laurentian Environmental-Education Program.

Carried.

c) Development of N.D.C.A. Website

A staff report, outlining a recommended process to complete this project, was distributed to members. Members concurred with the recommendation, and staff has committed to have a DRAFT website for presentation at the September, 2004 General Board meeting.

Resolution 2004-40

Dalcourt - Rogers

That the staff report dated June 8, 2004, related to the development of an N.D.C.A. website be accepted,
AND FURTHER that staff is hereby authorized to proceed with the workplan within the timeframe specified.

Carried.

d) United Way Leadership Development Program

United Way Sudbury has launched a new initiative to match young leaders with not-for-profit Boards, in order to expand their knowledge and experience. Members felt it would be very beneficial to apply to this program, and after a few questions were answered, the following resolution was passed.

Resolution 2004-41

Dupuis - Beaudry

That the N.D.C.A. submit an application to the United Way through the Leadership Development Program - Young Leaders on Board initiative.

Carried.

e) Meeting Cancellation - July and August, 2004

Resolution 2004-42

Rogers - Beaudry

That the July and August, 2004 General Board meetings be cancelled, subject to the Chairman calling a meeting, if necessary.

AND FURTHER that the next regularly scheduled General Board meeting is to be held on September 22, 2004.

Carried.

6. New Business

a) Next Meeting

The next General Board meeting is scheduled for Wednesday, September 22, 2004, at 7:00 p.m., in Room C-11, Tom Davies Square.

b) No other business was transacted.

7. Adjournment

Resolution 2004-43

Beaudry - Rogers

That we do now adjourn.

Carried.

**MINUTES OF THE FOURTH MEETING OF THE
CITY OF GREATER SUDBURY PUBLIC LIBRARY BOARD**

May 20, 2004
Main Branch

Commencement: 3:10 p.m.
Adjournment: 3:20 p.m.

PRESENT Councillor T. Callaghan; F. Cormier (a. 3:30 p.m.); M. Holouka; V. Gutsch; S. Roy; V. Gilhula

REGRETS Councillor L. Reynolds; J. Rodrigues

CITY STAFF R. Henderson, Director of Libraries & Citizen Services; D. Kennedy, Administrative Assistant-Director of Libraries & Citizen Services; C. Zuliani, Manager Library and Heritage Resources; R. Clouthier, Manager-North Citizen Service Centres and Neighbourhood Libraries

**DECLARATIONS OF
PECUNIARY INTEREST** None

MARTE HOLOUKA IN THE CHAIR

The Chair welcomed everyone to the meeting.

MINUTES The following motion was presented:

Gilhula/Roy 2004-9
That the minutes of the Third Meeting of the Greater Sudbury Public Library Board held on April 22, 2004, be adopted.

CARRIED

REPORTS
2004 Summer Reading Club Report dated May 11, 2004, from the General Manager of Citizen and Leisure Services regarding Greater Sudbury Library 2004 Summer Reading Club.

The Director reported to the Board members that the library would be participating with many other Ontario libraries in the TD Summer Reading Club with additional activities and special events planned throughout the entire thirteen branch system to promote literacy, the enjoyment derived from reading and the use of the library. He advised that the TD Summer Reading Club was sponsored by the TD Financial Group and was a fully developed program that could be adapted to any size of public library with a theme chosen by a small group of Children's Libraries from across the province. This year's theme would be entitled "Fire Up Your Imagination: Dragons, Books and Quests". Developed by librarians, the TD Summer Reading Club offers an on-line kit that includes a variety of tools to assist libraries in delivering the program.

The Board members were advised that in attempt to offset some of the estimated \$7,000 cost for the special programmed events for this year's Summer Reading Program, the library had approached the various branches of the TD Canada Trust Bank to provide some financial assistance in support of the program.

CORRESPONDENCE

none

NEW BUSINESS

The Director advised that an itinerary will be forwarded to Board members confirming the arrangements for the June 17th bus tour of libraries and museums.

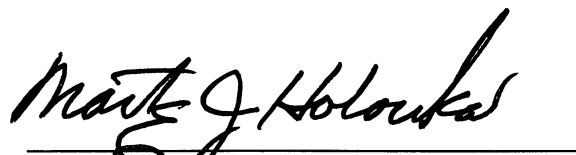
ADJOURNMENT

Roy/Gutsch Resolution #2004-10
That this meeting does now adjourn. Time 3:20 p.m.

CARRIED



Secretary



Chair

**THE FIRST MEETING OF THE AD-HOC COMMITTEE
ON THE PROPOSED UNIFORM STORE CLOSING BY-LAW**

Tom Davies Square
Committee Room C-11

**Wednesday, June 30, 2004
Commencement: 10:05 a.m.
Adjournment:11:30 a.m.**

RON SWIDDLE PRESIDING

Present Councillors Berthiaume; Dupuis; Rivest; Thompson

Staff D. Nadorozny, General Manager, Economic Development and Planning Services; R. Swiddle, Director of Legal Services/City Solicitor; B. Gutjahr, By-law Enforcement Officer; K. Bowschar-Lische, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

Appointment of Chair 2004-01 Rivest-Berthiaume: That Councillor Andre Rivest be appointment Chair of the Ad-Hoc Committee on the Proposed Uniform Store Closing By-law.

CARRIED

COUNCILLOR ANDRE RIVEST PRESIDING

Establishment of Ad-Hoc Committee The Priorities Committee at their meeting of June 23rd, 2004 passed the following Recommendation which establishes the Ad-Hoc Committee:

“THAT a Committee of Council consisting of four Councillors (two who are in favour of retaining the current by-law regulating store hours and two who are in favour of deregulation) be established to prepare a draft Uniform Store Closing By-law to be submitted to City Council at their August meeting;

AND THAT Councillor Berthiaume, Councillor Dupuis, Councillor Rivest and Councillor Thompson be appointed to this Committee.”

DISCUSSION AND REVIEW OF PROPOSED UNIFORM STORE CLOSING BY-LAW

Proposed Uniform Store Closing By-law Mr. Swiddle, Director of Legal Services/City Solicitor, distributed draft By-laws 2004-195, 2004-204 and 2004-205 to the Committee Members.

Draft By-law 2004-195 The Director of Legal Services/City Solicitor explained that Draft By-law 2004-195 repeals all store closing by-laws of the former municipalities.

Draft By-law 2004-205 The Director of Legal Services/City Solicitor explained that Draft By-law 2004-205 requires certain retail business establishments to be closed on civic holidays proclaimed by the Mayor.

DISCUSSION AND REVIEW OF PROPOSED UNIFORM STORE CLOSING BY-LAW (cont'd)

Draft By-law 2004-204

The Director of Legal Services/City Solicitor explained that Draft By-law 2004-204 requires the closing of certain retail business establishments and repeals all previous By-laws.

Both By-laws 2004-204 and 2004-205 contain sections on definitions, penalties and daylight savings time. Sections 2 and 3 contain the main points in the By-laws. Section 2 entitled "General Closing Hours" defines when and what hours retail businesses shall be opened. Section 3 entitled "Exemptions" defines which business are exempt from these by-laws.

The theory behind the store closing by-laws is to make them clear to the public and to retailers. The by-laws are drafted to set out hours for Mondays to Saturdays as a unit and then Sundays separately along with a list of exemptions, with the exception of the month of December.

UNIFORM STORE CLOSING BY-LAW 2004-204

Options

The Committee voted and unanimously agreed that they only submit one option to City Council.

The Committee voted and unanimously agreed that a uniform store closing by-law be established.

Discussions ensued and the Committee voted in favour of store closing at 9:00 p.m. instead of 10:00 p.m. as set out by the draft By-law.

The following two options were presented with respect to retail business hours. These options were dealt with as follows:

Option 1

The Committee by a show of hands ***agreed*** that store hours be established as follows:

Mondays - Fridays from 5:00 a.m. - 9:00 p.m. and
Saturdays from 5:00 a.m. - 6:00 p.m.

Option 2

The Committee by a show of hands ***defeated*** Option 2 that store hours be established as follows:

Mondays - Saturdays from 5:00 a.m. - 9:00 p.m.

Sundays

The Committee by a show of hands ***agreed*** to Sundays having the same store hours as Saturdays.

December

The following three options were presented with respect to December. These options were dealt with as follows:

Option 1

The Committee by a show of hands **defeated** complete deregulation in December.

Option 2

The Committee by a show of hands **agreed** to the month of December being treated the same as any other month.

Option 3

The Committee by a show of hands **defeated** store hours being from 5:00 a.m. to 12:00 midnight during the month of December.

The Committee also **agreed** that on Fridays and Saturdays in December (until Christmas) stores could remain open until 11:00 p.m., with the other days of the week to remain unchanged.

BY-LAW 2004-205, CIVIC HOLIDAYS PROCLAIMED BY THE MAYOR

Civic Holidays

The Director of Legal Services/City Solicitor explained that there are 8 retail business holidays defined in Provincial Legislation those being New Year's Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day and Christmas Day. On those 8 days, the Province regulates that stores be closed.

Boxing Day, Remembrance Day and the Civic Holiday in August are not defined. Municipalities can require retail business establishments to be closed on days proclaimed as a Civic Holiday by the Head of Council. There will be a report going to Council in July regarding the proclamation of the August Civic Holiday by the Mayor.

The Committee **agreed** that the Mayor be requested every July and November to proclaim the Civic Holiday and Boxing Day as Public Holidays.

Section 2 - Draft By-law 2004-205

The Committee agreed unanimously that Section 2 of Draft By-law 2004-205 which reads as follows be **accepted**:

"General Closing Hours

No person employed by or acting on behalf of a person carrying on a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto,

on any day proclaimed by the Mayor as a Civic Holiday."

CORRESPONDENCE FROM THE 2004-06-23 PRIORITIES COMMITTEE FOR INFORMATION ONLY

Item 1 - Store Closing By-laws

Report dated June 3rd, 2004 was received for information from the General Manager of Corporate Services and the Director of Legal Services/City Solicitor regarding Store Closing By-laws.

Item 2 - Presentation

Presentation by Director of Legal Services/City Solicitor and General Manager of Economic Development and Planning Services was received for information regarding Store Closing By-laws.

Adjournment

2004-02 Berthiaume-Rivest: THAT this meeting does now adjourn.
TIME: 11:30 a.m.

CARRIED

PLANNING COMMITTEE SECRETARY

COUNCILLOR ANDRE RIVEST, CHAIR

BY-LAW 2004-195

**A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REPEAL THE STORE CLOSING BY-LAWS OF
THE FORMER MUNICIPALITIES**

WHEREAS the Council of The City of Greater Sudbury deems it desirable to
repeal certain by-laws;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. The following By-laws are hereby repealed:
 - a. By-law 11-1972 of the former Town of Coniston;
 - b. By-laws 78-14 and 84-17 of the former Town of Capreol;
 - c. By-law 98-25 of the former Town of Rayside-Balfour;
 - d. By-law 98-75 of the former City of Valley East;
 - e. By-laws 84-61, 84-98, 86-113, 88-16, 96-177, 98-161, and 99-170 of the former City of Sudbury, being chapter 436 of the Municipal Code;
 - f. By-law 2001-131 of the City of Greater Sudbury.
2. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ THREE TIMES AND PASSED IN OPEN COUNCIL this 24th day of June,
2004.

_____ Mayor

_____ Clerk

2004-195

BY-LAW 2004-204
A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REQUIRE THE CLOSING OF CERTAIN RETAIL
BUSINESS ESTABLISHMENTS

WHEREAS Section 148 of the *Municipal Act, 2001*, S.O. 2001, c.25 allows a local municipality to require that retail business establishments shall be closed to the public on all or any days of the week;

AND WHEREAS the Council of the City of Greater Sudbury wishes to pass such a By-law;

NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:

1. Definitions

In this By-law:

"Automobile Service Station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

"Bait Shop" means a shop, the principal trade of which is the sale of live bait or artificial bait or both;

"Drug Store" means a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, R.S.O. 1990, c. H.4, where

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet;

"Motor Vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine;

"Neighbourhood Convenience Store" means a shop:

- i) the principal trade of which is the sale of food and household supplies;
- ii) in which the total area used for serving the public or for selling or displaying to the public is less than 2,400 square feet; and
- iii) in which there are a maximum of three employees for the entire day including the owner or manager;

"Public Garage" includes an automobile service station, a parking station or a parking lot, or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and

a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles; and

"Retail Business Establishment" means a premises where goods or services are sold or offered for sale by retail.

2. General Closing Hours

No person employed by or acting on behalf of a person carrying a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto,

during any of the periods set out below:

- i) On Mondays through Thursdays from 9:00 p.m. of any day until 5:00 a.m. of the following day;
- ii) On Fridays from 9:00 p.m. until 5:00 a.m. of the following day from December 26th in any year until November 30th of the following year;
- iii) On Fridays from 11:00 p.m. until 5:00 a.m. of the following day from December 1st until December 24th in any year;
- iv) On Saturdays from 6:00 p.m. until 5:00 a.m. of the following day from December 26th in any year until November 30th of the following year;
- v) On Saturdays from 11:00 p.m. until 5:00 a.m. of the following day from December 1st until December 24th in any year; and

vi) On Sundays from 6:00 p.m. until 5:00 a.m. of the following day.

3. Exemption

(1) This By-law does not apply to the sale or offering for sale by retail of:

a) goods, or services in the form of, or in connection with prepared meals or living accommodation; or

b) liquor under the authority of a licence or permit issued under the Liquor Licence Act, R.S.O. 1990, c. L.19.

(2) This By-law shall not apply to any of the following retail business establishments:

i) Art Galleries,

ii) Automobile Service Stations,

iii) Bait Shops,

iv) Book Stores

v) Drug Stores,

vi) Florists,

vii) Fresh Fruit and Vegetable Shops,

viii) Marine Supply Shops,

ix) Magazine and Periodical Stores,

x) Neighbourhood Convenience Stores,

xi) Newspaper Stands,

xii) Public Garage,

xiii) Souvenir Shops,

xiv) Tobacco Shops,

- xv) Video Game Shops, or
- xvi) Video Rental Stores.

(3) This By-law shall not apply in respect of admission to the public to premises for educational, recreational, or amusement purposes in respect of the sale or offering for sale of goods or services incidental thereto.

4. Daylight Saving Time Provision

So long as the time commonly observed in the City is one hour in advance of Standard Time, the times mentioned in this By-law shall be reckoned in accordance with the time so commonly observed and not Standard Time.

5. Enforcement

Every person who contravenes the provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, such fine not to exceed the greater of

- a) \$50,000; and
- b) the gross sales of the retail business establishment in the period the establishment was open in contravention of this By-law.

6. This By-law shall come into force and take effect immediately upon the final passing thereof.

7. The following By-laws are hereby repealed:

- (i) By-law 11-1972 of the former Town of Coniston;
- (ii) By-laws 78-14 and 84-17 of the former Town of Capreol;
- (iii) By-law 98-25 of the former Town of Rayside-Balfour;
- (iv) By-law 98-75 of the former City of Valley East;

- (v) By-laws 84-61, 84-98, 86-113, 88-16, 96-177, 98-161, and 99-170 of the former City of Sudbury, being chapter 436 of the Municipal Code; and
- (vi) By-law 2001-131 of the City of Greater Sudbury.

READ A FIRST AND SECOND TIME AS AMENDED IN OPEN COUNCIL

this 13th day of July, 2004.

_____ Mayor

_____ Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN

COUNCIL this 13th day of July, 2004.

_____ Mayor

_____ Clerk

BY-LAW 2004-205
A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REQUIRE CERTAIN RETAIL BUSINESS
ESTABLISHMENTS TO BE CLOSED ON CIVIC
HOLIDAYS PROCLAIMED BY THE MAYOR

WHEREAS Subsection 148(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 allows a local municipality to require retail business establishments to be closed on days proclaimed by the Head of Council as a Civic Holiday;

AND WHEREAS the Council of the City of Greater Sudbury wishes to pass such a By-law;

NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:

1. Definitions

In this By-law:

"Automobile Service Station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

"Bait Shop" means a shop, the principal trade of which is the sale of live bait or artificial bait or both;

"Drug Store" means a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, R.S.O. 1990, c. H.4, where

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet;

"Motor Vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine;

"Neighbourhood Convenience Store" means a shop:

- i) the principal trade of which is the sale of food and household supplies;
- ii) in which the total area used for serving the public or for selling or displaying to the public is less than 2,400 square feet; and
- iii) in which there are a maximum of three employees for the entire day including the owner or manager;

"Public Garage" includes an automobile service station, a parking station or a parking lot, or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and

a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles; and

"Retail Business Establishment" means a premises where goods or services are sold or offered for sale by retail.

2. General Closing

No person employed by or acting on behalf of a person carrying a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
 - (b) admit members of the public thereto,
- on any day proclaimed by the Mayor as a Civic Holiday.

3. Exemptions

- (1) This By-law does not apply to the sale or offering for sale by retail of:
 - a) goods or services in the form of or in connection with prepared meals or living accommodation; or
 - b) liquor under the authority of a licence or permit issued under the Liquor Licence Act, R.S.O. 1990, c. L.19.
- (2) This By-law shall not apply to any of the following retail business establishments:
 - i) Art Galleries,
 - ii) Automobile Service Stations,
 - iii) Bait Shops,
 - iv) Book Stores
 - v) Drug Stores,

- vi) Florists,
- vii) Fresh Fruit and Vegetable Shops,
- viii) Marine Supply Shops,
- ix) Magazine and Periodical Stores,
- x) Neighbourhood Convenience Stores,
- xi) Newspaper Stands,
- xii) Public Garage,
- xiii) Souvenir Shops,
- xiv) Tobacco Shops,
- xv) Video Game Shops, or
- xvi) Video Rental Stores.

(3) This By-law shall not apply in respect of admission to the public to premises for educational, recreational, or amusement purposes in respect of the sale or offering for sale of goods or services incidental thereto.

4. Enforcement

Every person who contravenes the provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, such fine not to exceed the greater of

- a) \$50,000; and
- b) the gross sales of the retail business establishment in the period the establishment was open in contravention of this By-law.

5. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME AS AMENDED IN OPEN COUNCIL

this 13th day of July, 2004.

_____ Mayor

_____ Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN

COUNCIL this 13th day of July, 2004.

_____ Mayor

_____ Clerk