

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JULY 21ST, 2008**

PRESENT: Mayor Fedeli, Councillors Chirico, Campbell, Vaillancourt, Vrebosch-Merry, Mayne, Bain, Koziol, Mendicino, Anthony

CORRESPONDENCE:

Descon Development Corporation	re Rezoning application - 6625 Highway 63	(517)
Downtown Improvement Area	re Noise By-Law exemption	(510)
North Bay Golden Age Centre	re Two Hour Free Parking Program	(521)
Northfield Block and Gravel Supply Ltd.	re Rezoning application - 327 Roy Drive	(518)

REPORTS FROM OFFICERS:

Bullock, P.	re Noise By-Law exemption	(510)
Burke, M.B.	re Land sale - Hardy Street	(536)
Burke, M.B.	re Lease of Hydro One Corridor lands	(537)
Burke, M.B.	re Land exchange - Fisher Street road widening	(538)
Cox, A.	re Upgrade of traffic controls	(522)
Kilgour, I.G.	re Vacant Land Condominium Agreement	(516)
Kitlar, S.	re Pedestrian and Vehicle Access Agreement	(515)
Knox, J.D.	re Memorial Gardens' Lease & Varsity Hockey	(539)
Korell, A.	re Extension of Ontario Clean Water Agency Contract for Water Treatment Plant	(523)
McArthur, S.	re Lane closure application - 55 Eglee Avenue	(511)
McArthur, S.	re Lane closure application - 465 O'Brien Street	(512)
McArthur, S.	re Lane closure application - Algonquin Avenue, Maplewood Avenue, Highland Road	(513)
McArthur, S.	re Deeming By-Law - 610 Copeland Street	(514)
Ringler, T.G.	re Pay and Display Equipment Program	(519)
Ringler, T.G.	re Licensing of out-of-town service providers	(520)
Ringler, T.G.	re Two Hour Free Parking Program	(521)

Res. #2008-505: Moved by Councillor Bain, seconded by Councillor Chirico
That minutes for the public meetings held on:

- Monday, July 7, 2008

be adopted as presented.

"CARRIED"

Res. #2008-506: Moved by Councillor Bain, seconded by Councillor Chirico
That minutes for the closed meeting held on:

- Monday, July 7, 2008

be adopted as presented.

"CARRIED"

Res. #2008-507: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2008-24 relating to:

- Plan of Subdivision application by William Robinson, 201 Widdifield Station Road

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-24

July 21, 2008

TO THE COUNCIL
OF THE CORPORATION
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-24 and recommends:

1. That a) the proposed Plan of Subdivision (8 Lots) by Harriman & Associates on behalf of William Robinson for Concession 4, North ½ Lot 14 (Widdifield Station Road), be given Draft Approval subject to the conditions contained in Appendix “A” to the Planning Report dated May 7, 2008; and
 - b) the Owner(s) enter into a Subdivision Agreement with the City of North Bay prior to site development to address lot grading, stormwater management (including a Hydrology Study), buffer areas, sediment/erosion control, driveway culverts, general drainage considerations, Environmental Impact Study recommendations and a ten (10) meter road dedication.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
FEDELI

DISSENTS

Res. #2008-508: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2008-25 relating to:

- Rezoning application by The Sisters of St. Joseph of the Diocese of Sault Ste. Marie, McLaren Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-25

July 21, 2008

TO THE COUNCIL
OF THE CORPORATION
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-25 and recommends:

1. That the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of The Sisters of St. Joseph of the Diocese of Sault Ste. Marie, to rezone Plan 77, Lots A to C, Parts 24 and 25, Plan 36R-11867, being a vacant lot on McLaren Street from a “Residential First Density (R1)” zone to a “Residential Second Density Special Zone (R2 Sp.)” zone be approved.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
FEDELI

DISSENTS

Res. #2008-509: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2008-26 relating to:

- Rezoning application by Millford Development, Connaught Avenue

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-26

July 21, 2008

TO THE COUNCIL
OF THE CORPORATION
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-26 and recommends:

1. That the proposed Zoning By-Law Amendment by Miler & Urso Surveying Inc. on behalf of Millford Development to rezone Plan M-647, Lot 6, being a vacant lot on Connaught Avenue from a “Residential Second Density (R2)” zone to a “Residential Third Density (R3)” zone be approved.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
FEDELI

DISSENTS

Res. #2008-510: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) the Downtown Improvement Area be granted exemptions from
the North Bay Noise By-Law No. 1976-142, pursuant to Section
5, as request by Jeff Serran, for the following dates and times:

<u>DATE</u>	<u>TIME OF EXEMPTION REQUESTED</u>
Friday, August 1, 2008	12 noon until 7:00 p.m.
Saturday, August 2, 2008	12 noon until 7:00 p.m.

Applicable at the following locations:

Site 1 Stage set up at a City Parkette bounded by Main, Oak and Fraser

Site 2 Stage set up at the corner of Main Street and Ferguson Street; and

- 2) a copy of Report to Council EEW 2008-30 be forwarded to the North Bay Police Services for information.

“CARRIED”

- Res. #2008-511: Moved by Councillor Chirico, seconded by Councillor Campbell
That
- 1) the application by Mrs. Julia Wright-McDonald to close a laneway located behind her property at 55 Eglee Avenue, as shown on Schedule "A" attached to Report to Council CSBU 2008-78, be approved;
 - 2) the closure of the laneway be subject to the granting of any required easements; and
 - 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

"CARRIED"

- Res. #2008-512: Moved by Councillor Chirico, seconded by Councillor Campbell
That
- 1) the application by Ronald M. Adams to close a laneway located behind his property at 465 O'Brien Street, as shown on Schedule "A" attached to Report to Council CSBU 2008-70, be approved;
 - 2) the closure of the laneway be subject to the granting of any required easements; and
 - 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

"CARRIED"

- Res. #2008-513: Moved by Councillor Chirico, seconded by Councillor Campbell
That
- 1) the application by Miller & Urso Surveying Inc. on behalf of Henry Ahola Limited to close a portion of the laneway in the block bounded by Algonquin Avenue, Maplewood Avenue and Highland Road, be approved;
 - 2) the closure of the laneway be subject to the granting of any required easements; and
 - 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

"CARRIED"

- Res. #2008-514: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council adopt a Deeming By-Law to deem Lots 211 and 212 of Registered Plan 13, not to be lots on a Registered Plan of Subdivision.

"CARRIED"

- Res. #2008-515: Moved by Councillor Anthony, seconded by Councillor Mendicino
That
- 1) the Mayor and City Clerk be authorized to sign the proposed agreement with Ottawa Valley Railway in order to facilitate pedestrian and vehicle access to the waterfront site for the North Rocks the Bay concerts for the period of August 1, 2008 to August 4, 2008, inclusive; and
 - 2) the By-Law be presented for three (3) readings on July 21, 2008.

"CARRIED"

- Res. #2008-516: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the standard Vacant Land Condominium Agreement be amended to

require financial security be deposited with the City of North Bay for sewer, water, road and drainage services.

“CARRIED”

Res. #2008-517: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the rezoning application by Harriman & Associates on behalf of Descon Development Corporation for 6625 Highway 63, be received.

“CARRIED”

Res. #2008-518: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the rezoning application by Miller & Urso Surveying Inc. on behalf of Northfield Block and Gravel Supply Limited for 327 Roy Drive, be received.

“CARRIED”

Res. #2008-519: Moved by Councillor Chirico, seconded by Councillor Campbell
That City Council approve a contract be issued to Precise ParkLink for the supply of nine (9) Pay and Display Machines, including installation, for the total amount of \$130,545.00 (GST extra), being Corporate Services Capital Project No. 56.

“CARRIED”

Res. #2008-520: Moved by Councillor Chirico, seconded by Councillor Campbell
That the current categories of business licensing contained within By-Law No. 2004-191 be maintained.

“CARRIED”

Res. #2008-521: Moved by Councillor Chirico, seconded by Councillor Campbell
That the request from the North Bay Golden Age Club to extend the current Two Hour Free Parking Program to a Three Hour Free Parking Program be denied.

“CARRIED”

Res. #2008-522: Moved by Councillor Koziol, seconded by Councillor Bain
That City Council authorize entering into a contract with Tacel Limited to supply nine (9) traffic controllers at the locations identified in Report EEWS 2008-26 at a cost of \$97,484.85 (excluding taxes).

“CARRIED”

Res. #2008-523: Moved by Councillor Koziol, seconded by Councillor Bain
That the contract to operate the Water and Wastewater Treatment Facilities on behalf of the City of North Bay by the Ontario Clean Water Agency (OCWA) be extended from July 1, 2008 to December 31, 2010 with modified terms as proposed in the letter dated July 15, 2008 from OCWA.

“CARRIED”

Res. #2008-524: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a first and second time:

By-Law No. 2008-182 to stop up, close and convey a portion of the unopened road allowance in the Perut Place Subdivision.

“CARRIED”

Res. #2008-525: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2008-179 to authorize the Asphalt Resurfacing Program.

By-Law No. 2008-181 to execute a Licence of Land with Ontario Realty Corporation acting as an agent on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal for the Hydro One Corridor along Josephine Street and McKeown Avenue.

By-Law No. 2008-183 to execute an Agreement with Ottawa Valley Railway, operated by RaiLink Canada Ltd. relating to pedestrian access.

“CARRIED”

Res. #2008-526: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2008-179 to authorize the Asphalt Resurfacing Program.

By-Law No. 2008-181 to execute a Licence of Land with Ontario Realty Corporation acting as an agent on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal for the Hydro One Corridor along Josephine Street and McKeown Avenue.

By-Law No. 2008-183 to execute an Agreement with Ottawa Valley Railway, operated by RaiLink Canada Ltd. relating to pedestrian access.

“CARRIED”

Res. #2008-527: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2008-174 to stop up, close and convey a portion of the Helen Street road allowance.

“CARRIED”

Res. #2008-528: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2008-166 to rezone certain lands on Connaught Avenue (Millford Development Limited).

By-Law No. 2008-167 to rezone certain lands on McLaren Street (The Sisters of St. Joseph of the Diocese of Sault Ste. Marie).

“CARRIED”

Res. #2008-529: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2008-178 to authorize User Fees under the *Planning Act*.

“CARRIED”

Res. #2008-530: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2008-178 to authorize User Fees under the *Planning Act*.

“CARRIED”

Res. #2008-531: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2008-52 to rezone certain lands on Highway 63 (497030 Ontario Inc. - 5300 Highway 63).

By-Law No. 2007-92 to rezone certain lands on Second Avenue (Crisis Centre).

By-Law No. 2008-148 to adopt Official Plan Amendment No. 110 (William Robinson - 201 Widdifield Station Road).

By-Law No. 2008-149 to rezone certain lands on Widdifield Station Road (William Robinson - 201 Widdifield Station Road).

“CARRIED”

Res. #2008-532: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry
WHEREAS the lack of affordable housing undermines the economic vitality and well being of many cities especially North Bay and the District of Nipissing and also effects the National economy;

AND WHEREAS the Federation of Canadian Municipalities (FCM) have developed a National Action Plan "Sustaining the Momentum" released in January highlighting the need for continued Federal and Provincial action on housing and homelessness;

AND WHEREAS all major Federal funding programs related to affordable housing and homelessness, including the Homelessness Partnering Strategy, the Affordable Housing Program, the Affordable Housing Trusts and the Residential Rehabilitation Assistance Program are all scheduled to expire on March 31, 2009;

AND WHEREAS these Federal and Provincially cost shared funding programs are critical resource in enabling local municipalities to implement their own affordable housing strategies;

BE IT THEREFORE RESOLVED THAT the City of North Bay express their support for the FCM Action Plan and urge the Provincial Minister of Municipal Affairs and Housing, the Honourable Jim Watson and the Federal Minister of Human Resources and Social Development, The Honourable Monte Solberg, and Minister responsible for CMHC to renew these expiring programs and to work toward a long term predictable Federal-Provincial funding framework that will sustain municipal action in responding to affordable housing needs that arise at the local level;

AND FURTHER BE IT RESOLVED THAT a copy of this resolution be forwarded to the Association of Municipalities of Ontario and to the Federation of Northern Ontario Municipalities for their support.

“CARRIED”

Record of Vote (*Upon Request of Councillor Campbell*)

Yeas: Councillors Campbell, Vrebosch-Merry, Bain, Mayne, Vaillancourt, Koziol, Chirico, Mendicino, Mayor Fedeli

Nays: Councillor Anthony

- Res. #2008-533: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) the request made by Tina Gagnon to hold a fireworks display at Zorba's Grill, 561 Lakeshore Drive on Saturday, July 26th, 2008 be approved; and
- 2) Ms. Gagnon be provided a copy of By-Law No. 2000-73 and be required to comply with all applicable sections of this by-law.

"CARRIED"

- Res. #2008-534: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 8:13 p.m. to discuss Items # 15, 16, 17, 18 and 19, being proposed or pending acquisitions or disposals of land by the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

"CARRIED"

- Res. #2008-535: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 8:31 p.m.

"CARRIED"

- Res. #2008-536: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) Council declare Part of Lot 65, Plan 56, designated as Part 1, Plan 36R-12497 on Hardy Street as surplus; and
- 2) the lands be sold to the abutting owner for the sum of \$5,000.00 plus G.S.T., appraisal and survey costs.

"CARRIED"

- Res. #2008-537: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council approve a Sub-License of 2.46 acres of Hydro One lands at Josephine Street at the rate of \$24,235.74 per acre per year, to the abutting owners 1168154 Ontario Inc. (Kolios and Vranich), on the basis that they pay all costs inherent in the license plus an administrative realty fee of 15%.

"CARRIED"

- Res. #2008-538: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) the City exchange certain surplus City lands for the road widening required of the owner of 719 Fisher Street;
- 2) the vacant lot at 420 Second Avenue East be declared surplus and transferred to the owners of 414 Second Avenue East (same owner as 719 Fisher Street), as a lot addition only, subject to an easement in gross for the existing sanitary sewer, at the appraised value of \$2,850.00 in return for the required road widening, valued at \$1,275.00 for a net payment to the city of \$1,575.00;
- 3) the owners submit an application for a "Neighbourhood Commercial (C5)" rezoning of the lands at 414 and 420 Second Avenue East; and
- 4) a Deeming By-Law be completed.

"CARRIED"

Res. #2008-539: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council endorses the three (3) year Nipissing University Varsity
Hockey Agreement with the City of North Bay for the period August 2009 to
April 30, 2012.

“CARRIED”

Record of Vote (*Upon Request of Councillor Mendicino*)

Yeas: Councillors Mendicino, Vaillancourt, Mayne, Koziol, Vrebosch-Merry, Campbell, Chirico,
Bain, Anthony, Mayor Fedeli

Res. #2008-540: Moved by Councillor Bain, seconded by Councillor Chirico
That this Regular Meeting of Council do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD