

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD TUESDAY, APRIL 14<sup>TH</sup>, 2009**

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

**CORRESPONDENCE:**

2183126 Ontario Ltd. re Official Plan Amendment, Zoning By-Law (253)  
Amendment and Plan of Subdivision,  
Pinewood Park Drive and Fairway Drive

**REPORTS FROM OFFICERS:**

Burke, M.B. re Fire Protection Agreement - Union of (252)  
Ontario Indians  
Killins, S. re Building Services fee increase (254)  
Lang, A. re North Bay-Mattawa Conservation Authority (256)  
Capital Budget allocation  
Manning, J. re Tender 2009-27, Concrete pavement (257)  
patching  
Manning, J. re Land sale - 750 Jane Street (272)  
Rogers, B.A. re Capital Projects Status Report, September (255)  
2008

**Res. #2009-248:** Moved by Councillor Vaillancourt, seconded by Councillor Graham  
That minutes for the public meetings held on:

- Monday, March 30, 2009; and
- Monday, April 6, 2009

be adopted as presented.

"CARRIED"

**Res. #2009-249:** Moved by Councillor Vaillancourt, seconded by Councillor Graham  
That minutes for the closed meetings held on:

- Monday, March 30, 2009; and
- Monday, April 6, 2009

be adopted as presented.

"CARRIED"

**Res. #2009-250:** Moved by Councillor Mendicino, seconded by Councillor Graham  
That Community Services Committee Report No. 2009-12 relating to:

- Rezoning application by the City of North Bay and private land owners
- CN right-of-way lands, Algonquin Avenue to Front Street

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2009-12**

April 14, 2009

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2009-12 and recommends:

1. That
  - a) the proposed Zoning By-Law Amendment by the City of North Bay to rezone portions of the former Canadian National Railway lands and unopened portions of the Cedar Street road allowance, identified as the land bounded by Algonquin Avenue and Front Street, legally described as Registered Plan No. 23, Parts Lots 5 to 7 and 23 to 26, Plan M-32, Part Lots 167 to 172 and Plan M-5, Block 1, from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special (RM2 Sp.)" zone be approved;
  - b) the proposed Zoning By-Law Amendment by multiple private land owners to rezone certain lands bounded by Algonquin Avenue and Front Street, legally described as Registered Plan No. 23, Part 7, Part Lot 22, Part Lots 24 to 26, and Plan M-32, Part Lots 167 to 172, Parcels 5307, 3003, 398, 399 and 2066 W/F, from a "Residential Third Density (R3)" zone and a "Residential Multiple First Density Special No. 42 (RM1 Sp.42)" zone to a "Residential Multiple Second Density Special (RM2 Sp.)" zone be approved; and
  - c) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act, R.S.O., 1990*, as amended, in order to regulate parking, lighting, landscaping, stormwater management, ingress and egress and fencing as required.

All of which is respectfully submitted.

ASSENTS  
 MENDICINO  
 GRAHAM  
 FEDELI

DISSENTS

Res. #2009-251: Moved by Councillor Koziol, seconded by Councillor Bain  
 That Engineering & Works Committee Report No. 2009-02 relating to:

- Waste Management By-Law

be adopted as presented.

"CARRIED"

**ENGINEERING & WORKS COMMITTEE REPORT NO. 2009-02**

April 14, 2009

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2009-02 and recommends:

1. That By-Law No. 2009-56 being the Waste Management By-Law, be presented for three (3) readings on April 14, 2009.

ASSENTS  
 KOZIOL  
 BAIN  
 MAYNE  
 FEDELI

DISSENTS

Res. #2009-252: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council authorize a renewal of the 2004 Fire Protection Service Agreement with the Union of Ontario Indians to provide fire fighting response to the five (5) Union of Ontario Indians buildings at Lot 5, Concession B, on the north side of Highway 17 West, for a further five (5) year period.

“CARRIED”

Res. #2009-253: Moved by Councillor Mendicino, seconded by Councillor Graham  
That the proposed Official Plan Amendment, Zoning By-Law Amendment and Rural Residential Estate Subdivision applications by Goodridge Planning Solutions on behalf of 2183126 Ontario Limited - Pinewood Park Drive and Fairway Drive, be received.

“CARRIED”

Res. #2009-254: Moved by Councillor Mendicino, seconded by Councillor Graham  
That Report to Council No. CSBU 2009-41 relating to the 2009 Building Services fee increase be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2009-255: Moved by Councillor Chirico, seconded by Councillor Campbell  
That

- 1) the Capital Projects Status Report - September 2008 Report No. CORP 2009-66 from the Chief Financial Officer be received;
- 2) the 13 projects listed on Appendix “A” attached to Report No. CORP 2009-66 be closed and that the surplus balance of \$196,835 be transferred as follows: \$208,750 to the Completed Capital Works Reserve Fund and (\$11,915) from the Water and Sanitary Sewer Reserve Fund as of September 2008;
- 3) the 5 projects listed on Appendix “B” attached to Report No. CORP 2009-66 be closed and that the surplus balance of \$344,566 be transferred to other open Capital Projects as noted on Appendix “B” as of September 2008;
- 4) the 13 projects listed on Appendix “C” attached to Report No. CORP 2009-66 be closed and that a deficit of (\$44,363) be funded as follows: (\$40,212) from the Completed Capital Works Reserve Fund and (\$4,152) from the Water and Sanitary Sewer Reserve Fund as of December 2008; and
- 5) the 15 projects listed on Appendix “D” attached to Report No. CORP 2009-66 be closed and that the surplus balance of \$985,971 be transferred to other open Capital Projects as noted on Appendix “D” as of December 2008.

“CARRIED”

Res. #2009-256: Moved by Councillor Chirico, seconded by Councillor Campbell  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2009 North Bay-Mattawa Conservation Authority Capital Project, being Capital Budget Project No. 92 at a net debenture cost of \$320,000.00.

“CARRIED”

Res. #2009-257: Moved by Councillor Koziol, seconded by Councillor Bain  
That North Bay City Council approve the issue of a contract to Miller Paving North Bay, a Division of Miller Paving Limited, in the amount of \$1,661,884.75 (GST extra), to supply asphalt concrete pavement patching material.

“CARRIED”

Res. #2009-258: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a first and second time:

By-Law No. 2009-77 to authorize the Parks' Trail & Supporting Hard Services Rehabilitation Program.

By-Law No. 2009-78 to authorize the Sidewalk Replacement Program and the Pedestrian Safety Program.

By-Law No. 2009-79 to authorize the Sport Field Complex Development Program.

By-Law No. 2009-80 to authorize the Park & Playground Rehabilitation Program.

By-Law No. 2009-81 to authorize the City Hall Grounds Rehabilitation Program.

By-Law No. 2009-82 to authorize the Waterfront Rehabilitation Program.

By-Law No. 2009-83 to authorize the North Bay Police Services' 2009 Capital Projects.

By-Law No. 2009-84 to authorize the Capitol Centre's 2009 Capital Projects.

By-Law No. 2009-85 to authorize the North Bay Public Library's 2009 Capital Projects.

By-Law No. 2009-86 to authorize the 2009 Information Systems Technology Capital Projects and Water & Sanitary Sewer Capital Projects.

By-Law No. 2009-87 to authorize the design costs for the Pearce Street Reconstruction Project (Pearce Street - Francis Street to Greenhill Avenue).

By-Law No. 2009-88 to authorize the design costs for traffic signals and intersection improvements (Pearce Street and Airport Road).

By-Law No. 2009-89 to authorize the design costs for a Stormwater Management Pond (Chippewa Creek/Airport Heights Stormwater Retention Pond).

By-Law No. 2009-90 to authorize design costs for the Pearce Street Reconstruction Project (above ground and below ground services between Francis Street and Greenhill Avenue).

By-Law No. 2009-91 to authorize the Drinking Water Quality Maintenance Management Program.

“CARRIED”

Res. #2009-259: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:

By-Law No. 2009-77 to authorize the Parks' Trail & Supporting Hard Services Rehabilitation Program.

By-Law No. 2009-78 to authorize the Sidewalk Replacement Program and the Pedestrian Safety Program.

By-Law No. 2009-79 to authorize the Sport Field Complex Development Program.

By-Law No. 2009-80 to authorize the Park & Playground Rehabilitation Program.

By-Law No. 2009-81 to authorize the City Hall Grounds Rehabilitation Program.

By-Law No. 2009-82 to authorize the Waterfront Rehabilitation Program.

By-Law No. 2009-83 to authorize the North Bay Police Services' 2009 Capital Projects.

By-Law No. 2009-84 to authorize the Capitol Centre's 2009 Capital Projects.

By-Law No. 2009-85 to authorize the North Bay Public Library's 2009 Capital Projects.

By-Law No. 2009-86 to authorize the 2009 Information Systems Technology Capital Projects and Water & Sanitary Sewer Capital Projects.

By-Law No. 2009-87 to authorize the design costs for the Pearce Street Reconstruction Project (Pearce Street - Francis Street to Greenhill Avenue).

By-Law No. 2009-88 to authorize the design costs for traffic signals and intersection improvements (Pearce Street and Airport Road).

By-Law No. 2009-89 to authorize the design costs for a Stormwater Management Pond (Chippewa Creek/Airport Heights Stormwater Retention Pond).

By-Law No. 2009-90 to authorize design costs for the Pearce Street Reconstruction Project (above ground and below ground services between Francis Street and Greenhill Avenue).

By-Law No. 2009-91 to authorize the Drinking Water Quality Maintenance Management Program.

“CARRIED”

Res. #2009-260:

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

By-Law No. 2009-94 to execute an Agreement with the Deputy Premier and Minister of Energy and Infrastructure, and the Minister of Agriculture, Food and Rural Affairs relating to funding for the installation of water meters.

“CARRIED”

Res. #2009-261:

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

By-Law No. 2009-94 to execute an Agreement with the Deputy Premier and Minister of Energy and Infrastructure, and the Minister of Agriculture, Food and Rural Affairs relating to funding for the installation of water meters.

“CARRIED”

Res. #2009-262: Moved by Councillor Mendicino, seconded by Councillor Graham  
That the following by-law be read a first and second time:

By-Law No. 2009-72 to rezone certain lands between Algonquin Avenue, McLaren Street, Ann Street, Cedar Street, Galt Street and Front Street (City of North Bay - former CN Rail Lands).

“CARRIED”

Res. #2009-263: Moved by Councillor Mendicino, seconded by Councillor Graham  
That the following by-laws be read a first and second time:

By-Law No. 2009-73 to designate a Site Plan Control Area on certain lands between Algonquin Avenue, McLaren Street, Ann Street, Cedar Street, Galt Street and Front Street (City of North Bay - Former CN Rail Lands).

By-Law No. 2009-76 to appoint a Municipal Weed Inspector for 2009.

By-Law No. 2009-93 to execute an Agreement with the Minister of Transportation of Ontario relating to funding for the North Bay Transit Outreach Program.

“CARRIED”

Res. #2009-264: Moved by Councillor Mendicino, seconded by Councillor Graham  
That the following by-laws be read a third time and passed:

By-Law No. 2009-73 to designate a Site Plan Control Area on certain lands between Algonquin Avenue, McLaren Street, Ann Street, Cedar Street, Galt Street and Front Street (City of North Bay - Former CN Rail Lands).

By-Law No. 2009-76 to appoint a Municipal Weed Inspector for 2009.

By-Law No. 2009-93 to execute an Agreement with the Minister of Transportation of Ontario relating to funding for the North Bay Transit Outreach Program.

“CARRIED”

Res. #2009-265: Moved by Councillor Mendicino, seconded by Councillor Graham  
That the following by-law be read a third time and passed:

By-Law No. 2009-67 to rezone certain lands on McKeown Avenue (Atlas Copco Canada Inc. - 640 McKeown Avenue).

“CARRIED”

Res. #2009-266: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-law be read a first and second time:

By-Law No. 2009-56 being the Waste Management By-Law.

“CARRIED”

Res. #2009-267: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-law be read a third time and passed:

By-Law No. 2009-56 being the Waste Management By-Law.

“CARRIED”

Res. #2009-268: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt  
“WHEREAS the City of North Bay is concerned that the removal of local land use planning controls for renewable energy facilities will have a detrimental effect on the Municipality;

AND WHEREAS the passage of Bill 150 will limit the ability of the Municipality to provide meaningful comment and participation in the placement of wind and other renewable energy facilities with the removal of power under the *Planning Act*;

AND WHEREAS without powers under the *Planning Act*, the Municipality will no longer be able to require agreements related to access, landscaping, and securities for renewable energy projects;

AND WHEREAS the Municipality will no longer be able to address the needs of the local area in such an agreement;

THEREFORE BE IT RESOLVED THAT the City of North Bay requests that the Province undertake a comprehensive review of the potential health and land use impacts (including property values) to the general public associated with the placement of all Renewable Energy Facilities; and review the proposal to remove local land use planning controls under the *Planning Act* through Bill 150;

AND FURTHER THAT a copy of this resolution be forwarded to Hon. Dalton McGuinty, Premier; Hon. George Smitherman, Minister of Energy and Infrastructure; Hon. Jim Watson, Minister of Municipal Affairs and Housing; Hon. John Gerretsen, Minister of Environment; Hon. Donna Cansfield, Minister of Natural Resources; the Association of Municipalities of Ontario; Hon. Monique Smith, MPP for Nipissing; the Municipality of Grey Highlands, Leaders of the Opposition, and to the Northern Growth Plan Architects.

“CARRIED”

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

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

Res. #2009-269: Moved by Councillor Mayne, seconded by Councillor Bain  
WHEREAS many northerners are concerned that the loss of local media jobs and the undermining of northern programming, both publicly and privately owned outlets in northern communities, and particularly with the proposed cuts to CBC Radio in Sudbury, that is eroding our “northern identity”;

AND WHEREAS recent and proposed losses of media jobs in northern communities is concerning because of the effect these lost jobs have on the economy as well as in affecting the quality and quantity of local news coverage which is a vital service to many northern communities;

AND WHEREAS the loss of our local media affects how we perceive ourselves and how we are perceived to the world;

NOW THEREFORE BE IT RESOLVED THAT the City of North Bay expresses its deep concern about the erosion of local media outlets throughout Northern Ontario;

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Canadian Radio-Television and Telecommunications Commission; Hon. James Moore, Minister of Canadian Heritage and Official Languages, Hon. Tony Clement MP for Parry Sound-Muskoka and Minister of Industry; Hon. Michael Gravelle, MPP for Thunder Bay-Superior North and Minister of Northern Development and Mines; Anthony Rota, MP for Nipissing-Timiskaming; Hon. Monique Smith, MPP for Nipissing; Hubert Lacroix, President and CEO of CBC Radio Canada; and Susan Marjetti, Director of Radio Services for Ontario.

“CARRIED”

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

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

Res. #2009-270: 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 7:49 p.m. to discuss Item 7, being a proposed disposal of land by the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

“CARRIED”

Res. #2009-271: Moved by Councillor Chirico, seconded by Councillor Campbell That Council reconvene at 7:52 p.m.

“CARRIED”

Res. #2009-272: Moved by Councillor Chirico, seconded by Councillor Campbell That North Bay City Council approve that the bid negotiated after the tender process from Alvin Guilford in the amount of \$32,000.00 (GST extra), plus \$12,000.00 for servicing (GST extra), be accepted for the sale of vacant city owned land described as Plan 64, Lot 543. The municipal address is 750 Jane Street.

“CARRIED”

Res. #2009-273: Moved by Councillor Vaillancourt, seconded by Councillor Graham That this Regular Meeting of Council do now adjourn at 7:53 p.m.

“CARRIED”

---

MAYOR VIC FEDELI

---

CITY CLERK CATHERINE CONRAD