

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, APRIL 28<sup>TH</sup>, 2008**

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

**CORRESPONDENCE:**

688452 Ontario Ltd. re 2967 Highway 11 North (306)

**REPORTS FROM OFFICERS:**

Burke, M.B.	re Johnston Road ONR Pedestrian Crossing Agreement and Anti-Whistling By-Law	(325)
Burke, M.B.	re Gormanville Road widening - Cyclops Video and Convenience Store	(339)
Conrad, C.M.	re AMO Board of Director nomination	(309)
Elliott, G.	re Gormanville Road reconstruction - Hospital Offsite Servicing Agreement	(316)
Kilgour, I.G.	re Planning application costs analysis and fee review	(321)
Kilgour, I.G.	re Radiocommunication and Broadcasting Antenna Systems	(322)
Kilgour, I.G.	re Affordable Housing Project - Second Avenue West (Ron Girard)	(324)
Killins, S.	re 2007 Building Permit Fees Annual Report	(314)
Killins, S.	re Proposed Building Permit Fees	(319)
Kitlar, S.	re 2008 O'Canada Day event	(318)
Kitlar, S.	re 2008 Worlds Finest Show - Spring Event	(320)
Korell, A.	re Francis Avenue Subdivision	(304)
Manning, J.	re Tender 2008-29, Backhoe loader	(305)
Manning, J.	re Tender 2008-323, Pumper/rescue fire apparatus	(323)
Manning, J.	re Tender 2008-04, Gormanville Road reconstruction	(326)
Mimee, R.	re 2007 Reserve Fund Annual Report	(315)
McArthur, S.	re Condominium exemption - Stephano Marmina, Lansdowne Avenue	(312)
Nordbeck, C.	re Temiskaming International Plowing Match	(307)
Rocheffort, L.	re Affordable Housing Project - Second Avenue West (Ron Girard)	(324)
Rogers, B.A.	re 2007 Reserve Fund Annual Report	(315)
Schroeder, D.	re Pete Palangio/West Ferris Arenas Improvement Plan	(313)
Seguin, C.	re Blue Sky Sailing Club	(317)
Tomek, A.	re Hazardous/Special Waste Program	(308)

**Res. #2008-301:** Moved by Councillor Bain, seconded by Councillor Vaillancourt That minutes for the public meetings held on:

- Monday, April 14, 2008; and
- Monday, April 21, 2008

be adopted as presented.

"CARRIED"

Res. #2008-302: Moved by Councillor Bain, seconded by Councillor Vaillancourt  
That minutes for the closed meetings held on:

- Monday, April 14, 2008; and
- Monday, April 21, 2008

be adopted as presented.

“CARRIED”

Res. #2008-303: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2008-15 relating to:

- Walk of Fame

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-15**

April 28, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-15 and recommends:

1. That
  - a) Council approve the request from the Kiwanis Club of North Bay to establish a “Walk of Fame” located within the Downtown Improvement Area; and
  - b) the City enter into a “Walk of Fame Operational Memorandum of Understanding” with the Kiwanis Club of North Bay.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
MENDICINO  
GRAHAM  
FEDELI

DISSENTS

Res. #2008-304: Moved by Councillor Bain, seconded by Councillor Mayne  
That

- 1) the City enter into a Pre-Servicing Agreement with 914542 Ontario Inc., in a form satisfactory to the City Solicitor, for the installation of underground services for the Francis Avenue Subdivision, subject to the conditions outlined in Report No. EEW 2008-07 from the Managing Director of Engineering, Environmental Services & Works;
- 2) funding in the amount of \$100,000 plus GST be made available from the City Share of New Development Costs, being Capital Budget Project Line #39, to pay for the City’s share of the storm sewer oversizing on Francis Avenue; and

- 3) the City Clerk be authorized to prepare a by-law for approval to fund the City Share of New Development Costs, being Capital Budget Project Line #39, at a net debenture cost of \$100,000.

“CARRIED”

Res. #2008-305: Moved by Councillor Bain, seconded by Councillor Mayne  
That North Bay City Council approve a contract be issued to Ontrac Equipment Services Inc. in the amount of \$134,470.00, to supply one new backhoe loader. The price includes taxes and acceptable trade-in-value for an older surplus loader.

“CARRIED”

Res. #2008-306: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by Lukmann Waja on behalf of 688452 Ontario Ltd. - 2967 Highway 11 North, be received.

“CARRIED”

Res. #2008-307: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council accepts the invitation from the Temiskaming International Plowing Match (IPM) 2009 to become part of the IPM “District Display Committee”.

“CARRIED”

Res. #2008-308: Moved by Councillor Bain, seconded by Councillor Mayne  
That the City of North Bay enter into a contract with Stewardship Ontario under the Municipal Hazardous or Special Waste Program Plan subject to a review of the Agreement by the City’s Legal Department.

“CARRIED”

Res. #2008-309: Moved by Councillor Chirico, seconded by Councillor Campbell  
That The Corporation of the City of North Bay nominate Councillor Mac Bain for election to the 2008-2009 Board of Directors for the Association of Municipalities of Ontario, Northern Caucus.

“CARRIED”

Res. #2008-310: Moved by Councillor Chirico, seconded by Councillor Campbell  
That accounts totaling \$6,236,391.70 for March 2008 be approved.

“CARRIED”

Res. #2008-311: Moved by Councillor Campbell, seconded by Councillor Vaillancourt  
That accounts for Royal Bank totaling \$1,453.90 for March 2008 be approved.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as he is employed by the Royal Bank.

Res. #2008-312: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) the Condominium Application by Stephano Marmina on the property described as Plan M-177, Lots 742 to 746, Plan 36R-

9240, Parts 1 and 2 requesting an exemption from Section 51 of the *Planning Act* to grant Draft Approval of a Plan of Condominium, as represented on Schedule "B" and subject to the conditions contained in Appendix "A" to the Report to Council No. CSBU 2008-56 be approved; and

- 2) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act* R.S.O., 1990, as amended to regulate lighting, parking, lot grading, storm water management, landscaping, building location and fencing.

"CARRIED"

Res. #2008-313: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That City Council authorize the use of the remaining funds from the 2006 Pete Palangio and West Ferris Arenas Improvement Program, being Capital Budget Project No. 2670 to complete Phase 2 of the replacement of the existing dehumidifiers at the Pete Palangio Arenas, at a cost of \$50,000.00.

"CARRIED"

Res. #2008-314: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council receives the 2007 Annual Report on Building Permit Fees for information purposes and refers the report to the Community Services committee for a Public Meeting.

"CARRIED"

Res. #2008-315: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the 2007 Reserve Fund Annual Report be received.

"CARRIED"

Res. #2008-316: Moved by Councillor Bain, seconded by Councillor Mayne  
That the Mayor and City Clerk be authorized to enter into an Agreement with the Ministry of Transportation for the reconstruction of the Gormanville Road intersection with Highway 17.

"CARRIED"

Res. #2008-317: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That City Council receive Report to Council CSBU 2008-50 dated April 22, 2008 for their information and awareness of the newly formed Blue Sky Sailing Club.

"CARRIED"

Res. #2008-318: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) the O'Canada Day Committee be granted permission to hold the 2008 Canada Day Celebrations in and about the Waterfront Park on July 1, 2008 pursuant to By-Law No. 142-76 (Noise By-Law);

- 2) the requests by the O'Canada Day Committee regarding exemption from the Noise By-Law, and exclusivity over the event and grounds, be approved as per the following:

- a) having approved Recommendation #1, granting permission to hold the public celebration known as the 2008 O'Canada Day Event, the event becomes exempt

from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof; and

- b) exclusivity be granted on July 1, 2008 on and over the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc Site up to and including Lee Park.

“CARRIED”

Res. #2008-319: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the proposed Building Permit Fees be referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2008-320: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the Worlds Finest Shows be granted exclusivity within the following defined City parkland roadways and sidewalks, for their spring show which is scheduled to take place on May 7<sup>th</sup> to 11<sup>th</sup>, 2008 in Lee Park. The exclusive area is defined as Lee park inclusive: Memorial Drive roadway and associated sidewalks along the borders of Lee Park from Stanley Street to Judge Avenue; Judge Avenue and associated sidewalks from Leask Street to Lee Avenue; Lakeshore Drive roadway and the associated sidewalks beginning at the north border of Lee Park extending 100 meters south past the intersection at Judge Avenue.

“CARRIED”

Res. #2008-321: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Report to Council CSBU 2008-39 relating to Planning Application Cost Analysis and Fee Review be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-322: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That

- 1) proponents or radiocommunication and broadcasting Antenna Systems be required to submit an application and be required to follow the same planning approval process as a rezoning, including notice with accompanying mapping in “The Nugget” to ensure public consultation while recognizing that final approval rests with Industry Canada;
- 2) the new Official Plan contain policy to address antenna structures and that the Zoning By-Law be amended to recognize the new process as recommended in Recommendation 1 to CSBU 2008-50 report;
- 3) radiocommunication proponents be consulted regarding the City of North Bay’s new review process; and
- 4) the User Fee By-Law be amended to include a fee for radiocommunication and broadcast antenna systems for the same amount as a Zoning By-Law Amendment.

“CARRIED”

- Res. #2008-323: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) North Bay City Council approve a contract be issued to Dependable Emergency Vehicles in the amount of \$751,074.00 (taxes exempt) for the supply of two (2) new pumper/rescue fire apparatus; and
- 2) the City Clerk present a Capital Expenditure By-Law for the Fire Vehicle Replacement Program, being Capital Project No. 75, with a net debenture cost of \$850,000.00 to be funded in the amount of \$100,000.00 in 2008 and \$750,000.00 in 2009.

“CARRIED”

- Res. #2008-324: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That upon receipt of a resolution from The District of Nipissing Social Services Administrative Board (DNSSAB) confirming all conditions contained within the conditional letter of commitment under the Northern Remote Program for the Ron Girard Second Avenue 18 unit affordable housing project, have been satisfied with the exception of the Municipal Housing Facilities By-Law, and DNSSAB’s approval and support of the project, the Council of The Corporation of the City of North Bay authorizes the municipality to enter into a Municipal Housing Facilities Agreement and the implementation of a Municipal Housing Facilities By-Law which will include the following financial incentive:

1. a portion of the assessed value for the property shall be exempt from taxation each year for a twenty (20) year term, so that the total of the property taxes payable for the property will be equal to the total taxes which would be payable if the property were assessed in the residential class as implemented by the Municipal Housing Facilities By-Law specific to the Ron Girard Second Avenue Project.

“CARRIED”

- Res. #2008-325: Moved by Councillor Bain, seconded by Councillor Mayne  
That 1) Council adopt an Anti-Whistling By-Law as it relates to the ONTC Railway line in the area of the Pedestrian Crossing at Johnston Road and Trout Lake Road; and
- 2) the Pedestrian Crossing Agreement be amended as noted in Report to Council CORP 2008-76.

“CARRIED”

- Res. #2008-326: Moved by Councillor Bain, seconded by Councillor Mayne  
That 1) North Bay City Council approve a contract be awarded to Clearway Construction Inc. in the amount of \$12,074,689.56 (GST included) for the reconstruction of Gormanville Road;
- 2) the Chief Financial Officer and Managing Director of Engineering, Environmental and Works prepare a separate report for the next Regular Meeting of City Council to address amendments to Capital Expenditure By-Law No. 2006-132; and
- 3) the Chief Financial Officer also prepare a report on ways to assist the hospitals with making further appeals to the Province for financial assistance with the infrastructure cost increases.

“CARRIED”

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

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

Nays: Councillors Anthony, Mayne

Res. #2008-327: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a first and second time:

By-Law No. 2008-119 to stop up, close and convey a portion of the Copeland Street road allowance in a block bounded by First Street, Bond Street, Gormanville Road and Elm Street.

By-Law No. 2008-120 to stop up, close and convey a portion of a laneway in a block bounded by King Street, Cassells Street, McPhail Street and High Street.

“CARRIED”

Res. #2008-328: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a first and second time:

By-Law No. 2008-72 to provide for the levy and collection of special charges in respect of certain business improvement areas.

“CARRIED”

Res. #2008-329: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a third time and passed:

By-Law No. 2008-72 to provide for the levy and collection of special charges in respect of certain business improvement areas.

“CARRIED”

Res. #2008-330: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:

By-Law No. 2008-115 to stop up, close and convey a portion of the Olive Street road allowance abutting Lots 823 and 954, Plan M-165.

By-Law No. 2008-116 to stop up, close and convey a portion of the laneway in a block bounded by Duke Street West, Cassells Street, Princess Street West and Fraser Street.

“CARRIED”

Res. #2008-331: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2008-128 to execute an Agreement with D.J. Venasse Construction Ltd. relating to the interior stair reconstruction at Pete Palangio Arena.

By-Law No. 2008-130 to remove the Holding Zone Symbol from lands zoned by By-Law No. 2006-66 (Carmichael Drive).

“CARRIED”

Res. #2008-332: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2008-128 to execute an Agreement with D.J. Venasse Construction Ltd. relating to the interior stair reconstruction at Pete Palangio Arena.

By-Law No. 2008-130 to remove the Holding Zone Symbol from lands zoned by By-Law No. 2006-66 (Carmichael Drive).

“CARRIED”

Res. #2008-333: Moved by Councillor Bain, seconded by Councillor Mayne  
That the following by-laws be read a first and second time:

By-Law No. 2008-124 to execute a Pre-Servicing Agreement with 914542 Ontario Inc. relating to the Francis Avenue Subdivision.

By-Law No. 2008-125 to execute an Agreement with Edgar Poulin Construction & Rental Ltd. relating to the supply of aggregate materials.

By-Law No. 2008-126 to execute an Agreement with Bruell Contracting Ltd. relating to street sweeping services.

By-Law No. 2008-127 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphalt concrete pavement patching.

By-Law No. 2008-129 to execute an Agreement with Northland Engineering (1987) Ltd. relating to the Waterfront Park pedestrian and mini-train underpass.

“CARRIED”

Res. #2008-334: Moved by Councillor Bain, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

By-Law No. 2008-124 to execute a Pre-Servicing Agreement with 914542 Ontario Inc. relating to the Francis Avenue Subdivision.

By-Law No. 2008-125 to execute an Agreement with Edgar Poulin Construction & Rental Ltd. relating to the supply of aggregate materials.

By-Law No. 2008-126 to execute an Agreement with Bruell Contracting Ltd. relating to street sweeping services.

By-Law No. 2008-127 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphalt concrete pavement patching.

By-Law No. 2008-129 to execute an Agreement with Northland Engineering (1987) Ltd. relating to the Waterfront Park pedestrian and mini-train underpass.

“CARRIED”

Res. #2008-335: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:



By-Law No. 2008-10 to rezone certain lands on Highway 11 North (Wood's Welding Ltd. - 3628 Highway 11 North).

"CARRIED"

Res. #2008-336:

Moved by Councillor Chirico, seconded by Councillor Mendicino  
WHEREAS several Northern First Nation communities are once again facing evacuations as a result of severe spring time flooding along the coast of James Bay;

AND WHEREAS the lives of hundreds of flood threatened First Nations residents are routinely disrupted during spring flood events for extended periods of time;

AND WHEREAS those displaced residents are often required to return home to flood damaged dwellings;

AND WHEREAS the Federal Department of Indian Affairs and Northern Development and Provincial Emergency Measures Ontario look to other Ontario municipalities to act as host communities for evacuees;

AND WHEREAS many of the communities approached to act as host communities do not have the facilities or proper human resources to adequately address accommodating large groups of people for extended stays;

THEREFORE THE COUNCIL OF THE CITY OF NORTH BAY petitions both the Federal and Provincial governments to work closely and in a time sensitive manner with affected Aboriginal communities to provide acceptable permanent housing solutions for those flood prone communities;

AND THAT a copy of this resolution be sent to the Honourable Chuck Strahl, Minister of Indian Affairs and Northern Development; the Honourable Michael Bryant, Minister Of Aboriginal Affairs; the Honourable Donna Cansfield, Minister of Natural Resource; the Honourable Rick Bartolucci, Minister of Community Safety and Correctional Services; Mr. Maurice Switzer, Union of Ontario Indians.

"CARRIED"

Res. #2008-337:

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 8:14 p.m. for the following reason(s): Items 24 and 25, being proposed or pending acquisitions or disposals of land by the municipality.

"CARRIED"

Res. #2008-338:

Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council reconvene at 8:49 p.m.

"CARRIED"

Res. #2008-339:

Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council approve a replacement parking lot and new entrance, in addition to the appraised value of \$34,000.00 for the road widening required from the convenience store owned by 176714 Ontario Inc. at 504 Gormanville Road.

"CARRIED"

Res. #2008-340: Moved by Councillor Bain, seconded by Councillor Vaillancourt  
That this Regular Meeting of Council do now adjourn.

“CARRIED”

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD