

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, APRIL 22ND, 2003**

PRESENT: Mayor Burrows, Councillors Bennett, Kidd, Chirico, Campbell, Aspin, Anthony, Church, Boldt, Maroosis, Handley

CORRESPONDENCE:

N.B.& District Health Unit	re Waiving Tipping Fees	(216)
McTavish, I.	re Dragon Boat Festival – Beer Tent	(225)
Rogerson, J.	re Waiving Fees for Mayor’s Gala - Memorial Gardens	(219)

REPORTS FROM OFFICERS:

Bullock, P.	re Waiving Tipping Fees – N.B.D.H.U.	(216)
Burke, M.	re Tree Replacement in Laneway – (Vimy/ Reynolds Street)	(223)
Burke, M.	re Laurentian Heights Sewer Connection By-Law	(231)
Burke, M.	re Amendment to Licensing By-Law	(233)
Dekker, T.	re Tax Extension Agreement – Andrezej & Krystyne Blonski, 842 John Street	(226)
Dekker, T.	re Tax Extension Agreement – Glenn Stanley/Merle Guay, 4827 Hwy #11 N	(227)
Houston, J.	re Trail System Extension Program	(228)
Houston, J.	re Parks & Facilities Rehabilitation Program	(229)
Houston, J.	re Main Street/Parks Tree Planting Program	(230)
Kilgour, I.	re Rezoning application – Metz Furniture - Gormanville & Eloy Road	(221)
Kilgour, I.	re E.K. Saunders Ltd. – Plan of Subdivision Heron Park Subdivision – Stage 2	(232)
Linkie, D.	re Waiving Fees for Mayor’s Gala – Memorial Gardens	(219)
Linkie, D.	re Ontario Senior Games – Winterfest 2005	(220)
Linkie, D.	re Dragon Boat Festival – Beer Tent	(225)
Manning, J.	re Tender 2003-37, Tent Rentals	(222)
Manning, J.	re RFP 2003-15, Community Marketing Project	(224)
Sheffield, T.	re North Bay Heritage Festival & Air Show	(218)
Steuart, S.	re Reduction, Cancellation or Refund of Taxes – <i>Municipal Act</i> , Section 442	(217)

Res. #2003-212: Moved by Councillor Handley, seconded by Councillor Boldt
That minutes for the meetings held:

- Monday, January 20, 2003
- Monday, January 27, 2003
- Monday, February 10, 2003; and
- Monday, April 14, 2003

be adopted as presented.

“CARRIED”

Res. #2003-213: Moved by Councillor Church, seconded by Councillor Anthony
That Community Services Committee Report No. 2003-07 relating to:

- rezoning application by Renzo Silveri on behalf of Susan Tedesco, Premier Road

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2003-07

April 22, 2003

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2003-07 and recommends:

1. That a) the application by Renzo Silveri on behalf of Susan Tedesco to rezone Concession “13”, Part Lots 38 & 39, Condominium File 48CDM-02102 from a “Residential Second Density (R2)” zone and a “Residential Holding (RH)” zone to a “Residential First Density (R1)” zone be approved; and,
 - b) the Vacant Land Condominium application, Condominium File 48CDM-02102 (Premier Road) by Renzo Silveri on behalf of Susan Tedesco to create thirty-two (32) Vacant Land Condominium units on Concession “13”, Part Lots 38 & 39, be given Draft Approval subject to the conditions contained in Appendix “A” to the Technical Report dated March 3, 2003.

All of which is respectfully submitted.

ASSENTS
CHURCH
ANTHONY
BOLDT

DISSENTS

Res. #2003-214: Moved by Councillor Church, seconded by Councillor Anthony
That Community Services Committee Report No. 2003-08 relating to:

- rezoning application by the City of North Bay – City Public Works Yards (Seymour Street)

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2003-08

April 22, 2003

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2003-08 and recommends:

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1. That
 - a) the zoning by-law amendment application to rezone that part of the City Public Works Yards shown on the Schedule "C" attached to the Technical Report dated March 7, 2003 from a "Light Industrial Three (M3)" zone to an "Industrial Commercial (MC)" zone be approved;
 - b) the proposed Plan of Subdivision with City File 48T-03101 prepared by Goodridge Walker Limited and represented on Schedule "B" attached to the Technical Report dated March 7, 2003 from I.G. Kilgour be given Draft Approval subject to the conditions contained in Appendix "A" of the Technical Report dated March 7, 2003; 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.

All of which is respectfully submitted.

ASSENTS
CHURCH
ANTHONY
BOLDT

DISSENTS

Res. #2003-215: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totalling \$5,942,797.36 for March 2003 to approved.

"CARRIED"

Res. #2003-216: Moved by Councillor Handley, seconded by Councillor Maroosis
That the landfill tipping fees be waived for 5 tonnes of unsafe products collected from the North Bay & District Health Unit.

"CARRIED"

Res. #2003-217: Moved by Councillor Bennett, seconded by Councillor Kidd
That the tax appeals, named in Report to Council No. CORP 2003-38, under Section 442 of the *Municipal Act* be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded.

"CARRIED"

Res. #2003-218: Moved by Councillor Bennett, seconded by Councillor Kidd
That

- 1) the Management Committee of the North Bay Heritage Festival and Air Show be granted permission to hold the 2003 North Bay Heritage Festival and Air Show in and about Lee Park and Waterfront Park from Friday, August 1, 2003, until Monday, August 4, 2003, both inclusive, with subsidiary activities occurring from Wednesday, July 30, 2003, until Monday, August 4, 2003, both inclusive;

2) in order to facilitate the undertaking of the 2003 North Bay Heritage Festival and Air Show:

- a) the North Bay Heritage Festival and Air Show Management Committee be granted exclusivity from Friday, July 25, 2003, until Thursday, August 7, 2003, both inclusive, in, on and over the City owned and 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); both sides of Memorial Drive from the Uniroc Site to and including Lee Park; Veterans Soccer and Ball Fields; ONR Soccer Field; and Amelia Park;

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- b) the Kate Pace Way be closed:
- i) from Lee Avenue at the ONR Soccer Field, through Lee Park, and along Memorial Drive to Monk Street from 8:00 a.m. on Friday, July 25, 2003, until 4:00 p.m. on Wednesday, August 6, 2003; and,
 - ii) from Monk Street along Memorial Drive to the Uniroc Site from 8:00 a.m. on Thursday, July 31, 2003, until 4:00 p.m. on Wednesday, August 6, 2003;

subject to the erection of appropriate signage and barricades by the North Bay Heritage Festival and Air Show Management Committee.

- c) the following streets be closed temporarily from 8:00 p.m. on Thursday, July 31, 2003, until 4:00 p.m. on Tuesday, August 5, 2003:
- i) Memorial Drive between Oak Street West and Judge Avenue,
 - ii) Monk Street between Stanley Street and Memorial Drive,
 - iii) Regina Street between Stanley Street and Memorial Drive; and,
 - iv) Stanley Street between Memorial Drive and Regina Street,

subject to the provision of access passes and information to businesses and residents in the affected area, and the erection of appropriate signage, barricades and control gates by the North Bay Heritage Festival and Air Show Management Committee;

- d) Oak Street East between John Street and Main Street East be closed temporarily from 5:30 p.m. on Friday, August 1, 2003, until 11:00 p.m. on Monday, August 4, 2003, subject to the erection of appropriate signage and barricades by the North Bay Heritage Festival and Air Show Management Committee;
- e) the Marina Parking Lot be closed from 8:00 a.m. on Tuesday, July 29, 2003, to 4:00 p.m. on Tuesday, August 5, 2003, subject to the provision of an alternate parking location for marina tenants by the North Bay Heritage Festival and Air Show Management Committee;
- f) parking be prohibited from 9:00 a.m. on Friday, August 1, 2003, until 11:00 p.m. on Monday, August 4, 2003, on the odd numbered sides of Amelia Street, Beth Street, Bunyan Avenue, Colgan Avenue, George Street, Gladstone Avenue (100 block only), James Avenue, Judge Avenue, Leask Avenue, Lee Avenue (100 block only), Pollard Avenue, Queen Street and Rowe Avenue, subject to the installation of appropriate signage by the North Bay Heritage Festival and

- g) as the Management Committee of the North Bay Heritage Festival and Air Show has hereby been granted permission by City Council to hold the public celebration or gathering known as the 2003 North Bay Heritage Festival and Air Show, that event is therefore confirmed to be exempt from the noise control provisions contained in By-Law 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof.

“CARRIED”

Res. #2003-219: Moved by Councillor Church, seconded by Councillor Anthony
That the request from the North Bay Rotary Club to waive rental fees for Memorial Gardens on June 7, 2003 in order to hold the Mayor’s Gala II in support of the North Bay Regional Health Centre Building Fund be denied.

“CARRIED”

Res. #2003-220: Moved by Councillor Church, seconded by Councillor Anthony
That

- 1) the City of North Bay not submit a bid for the 2005 Ontario Senior Games;
- 2) the City of North Bay send a letter to the Ontario Senior Games Association (OSGA) withdrawing the City’s Letter of Intent; and,
- 3) City staff be directed to develop an “Event Support Policy” for Council’s consideration on or before September 30, 2003.

“CARRIED”

Res. #2003-221: Moved by Councillor Church, seconded by Councillor Anthony
That the rezoning application by Rick Miller on behalf of Metz Furniture, Gormanville and Elroy Road be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2003-222: Moved by Councillor Church, seconded by Councillor Anthony
That CAO approve that a contract be issued to All Shelter Sales & Rentals in the estimated amount of \$42,225.00 (taxes extra) to supply tents for the 2003 Heritage Festival and Air Show with the provision for a one year option if mutually agreeable to both parties.

“CARRIED”

Res. #2003-223: Moved by Councillor Bennett, seconded by Councillor Kidd
That the report from Mike Burke dated April 11, 2003 re tree replacement in laneway (Vimy/Reynolds Street) be referred to the General Government Committee.

“CARRIED”

Res. #2003-224: Moved by Councillor Bennett, seconded by Councillor Kidd
That North Bay City Council approve a contract be awarded to Penney & Company/LAC Media to undertake the Investment Attraction – Community Marketing Project for the City of North Bay (North Bay Economic

Development Commission). Total cost not to exceed \$102,000.00.

“CARRIED”

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- Res. #2003-225: Moved by Councillor Church, seconded by Councillor Anthony
That
- 1) Council approve a temporary exclusion to Regulation 3B of the Municipal Alcohol Policy in order to permit the establishment of a licensed area to serve alcohol on July 18th and 19th, 2003 in support of the Dragon Boat Festival;
 - 2) a location for the licensed area be established to the satisfaction of the Director of Parks, Recreation and Leisure Services and the event partners; and,
 - 3) all other relevant sections of the Municipal Alcohol Policy be satisfied.

“CARRIED”

- Res. #2003-226: Moved by Councillor Bennett, seconded by Councillor Kidd
That the Corporation of the City of North Bay enter into a Tax Extension Agreement with Andrezej & Krystyne Blonski for payment of all outstanding taxes, penalties, interest and costs on the property known as Part of Lot 121, Plan 72, Part of Lot 122, Plan 72, being 842 John Street, North Bay, Ontario and roll number 030.047.11300.0000.
- 1) The proposal is, an initial payment on April 21, 2003, in the amount of \$1,000.00 and thirty-six monthly payments of \$430.00 to commence May 15, 2003 up to and including May 15, 2006 or until the account is current. Post-dated cheques will be required.
 - 2) Extension of cancellation date on a month-to-month basis provided that the agreed upon payments are made by way of 36 post dated cheques for the stipulated dates.

“CARRIED”

- Res. #2003-227: Moved by Councillor Bennett, seconded by Councillor Kidd
That the Corporation of the City of North Bay enter into a Tax Extension Agreement with Glenn Stanley and Merle Guay for payment of all outstanding taxes, penalties, interest and costs on the property known as Remainder of Parcel 1616, W&F, Part Lot 21, Concession 3, 4827 Highway 11 North, North Bay, Ontario and roll number 050.066.26600.0000.
- 1) Monthly payments commencing May 1, 2003 and the first day of each following month in the amount of \$300.00 until May 1, 2008, or until the account is current. Post-dated cheques will be required.
 - 2) Extension of cancellation date on a month-to-month basis provided that the agreed upon payments are made by way of 60 post dated cheques for the stipulated dates.

“CARRIED”

- Res. #2003-228: Moved by Councillor Church, seconded by Councillor Anthony
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Trail System Extension Program for the Department of Parks, Recreation and Leisure Services in partnership with the Discovery Routes Trails Association, being 2003 Capital Budget Project No. 26, at a net debentured cost of \$75,000.00.

“CARRIED”

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Res. #2003-229: Moved by Councillor Church, seconded by Councillor Anthony
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize a replacement and rehabilitation program for Parks and Facilities infrastructure, being 2003 Capital Budget Project No. 23, at a net debentured cost of \$150,000.00

“CARRIED”

Res. #2003-230: Moved by Councillor Church, seconded by Councillor Anthony
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Main Street Tree Planting Program (Stage 1), being 2003 Capital Budget Project No. 25, at a net debentured cost of \$50,000.00.

“CARRIED”

Res. #2003-231: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council authorize an amendment to the Sewer Connection By-Law 2002-119 to allow the opposite, abutting owners to spread the cost of connecting to the sewer over a period of ten years at an interest rate of 6%, with the connection cost of \$16,095.00 to be adjusted for inflation for connections after the 2003 construction season.

“CARRIED”

Res. #2003-232: Moved by Councillor Church, seconded by Councillor Anthony
That the request from D.S. Urso Surveying Limited on behalf of E.K. Saunders Ltd. to revise the Draft Approval Plan of Subdivision and conditions for Heron Park Subdivision, Stage 2 (File No. 48T-87107) as indicated in Report CSBU 2003-18 be approved.

“CARRIED”

Res. #2003-233: Moved by Councillor Bennett, seconded by Councillor Kidd
That the Licensing By-Law be amended to revise outdoor café licenses to be outdoor table licenses in the Downtown area and to revise the license fee from \$25.00 per table to \$10.00 per license.

“CARRIED”

Res. #2003-234: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a first and second time:

By-Law No. 2003-37 to authorize the expenditure of funds for the purpose of safety upgrades at Pete Palangio and West Ferris Arenas.

By-Law No. 2003-38 to amend By-Law No. 29-91 to regulate on and off-street parking for disabled persons on McIntyre Street West (Empire Living Centre).

By-Law No. 2003-40 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Safety and Security and North Bay Police Services Board relating to Community Policing Partnership Program.

“CARRIED”

Res. #2003-235: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a third time and passed:

By-Law No. 2003-37 to authorize the expenditure of funds for the purpose of safety upgrades at Pete Palangio and West Ferris Arenas.

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By-Law No. 2003-38 to amend By-Law No. 29-91 to regulate on and off-street parking for disabled persons on McIntyre Street West (Empire Living Centre).

By-Law No. 2003-40 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Safety and Security and North Bay Police Services Board relating to Community Policing Partnership Program.

“CARRIED”

Res. #2003-236: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a first time:

By-Law No. 2003-39 to rezone certain lands on Seymour Street (City of North Bay – Public Works Yards).

By-Law No. 2003-44 to rezone certain lands on Premier Road (Tedesco/Silveri – Premier Road).

“CARRIED”

Res. #2003-237: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2003-41 to designate a Site Plan Control area on certain lands on Ferguson Street (Carole LeClair – 1150 Ferguson Street).

By-Law No. 2003-42 to designate a Site Plan Control area on certain lands on Fifth Avenue (Indian Friendship Centre – 339 Fifth Avenue West).

By-Law No. 2003-43 to designate a Site Plan Control area on certain lands on Lakeshore Drive (W.Lowe/M. Gibb – 260 to 270 Lakeshore Drive).

“CARRIED”

Res. #2003-238: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2003-41 to designate a Site Plan Control area on certain lands on Ferguson Street (Carole LeClair – 1150 Ferguson Street).

By-Law No. 2003-42 to designate a Site Plan Control area on certain lands on Fifth Avenue (Indian Friendship Centre – 339 Fifth Avenue West).

By-Law No. 2003-43 to designate a Site Plan Control area on certain lands on Lakeshore Drive (W.Lowe/M. Gibb – 260 to 270 Lakeshore Drive).

“CARRIED”

Res. #2003-239: Moved by Councillor Chirico, seconded by Councillor Kidd

WHEREAS the Provincial Government has set out objectives regarding the service improvement strategy for the Ontario Northland Railway to include:

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- Providing access to quality telecommunications
- Supporting and enhancing economic development
- Protecting current employment and fostering growth of new jobs
- Ensuring competitive pricing for customers, and
- Maintaining or enhancing service levels

AND WHEREAS the economic prosperity of many vendor companies based in North Bay and throughout the North depend on the valuable business from the ONTC and,

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay demand that Premier Ernie Eves and the Provincial Government,

- i) Honour their objectives in any future negotiations regarding the future of ONTC;
- ii) Ensure that there is long term sustainability for ONTC transportation and telecommunication jobs and business in North Bay and indeed throughout the North;
- iii) Adhere to the promise made that no job losses will occur or be transferred as a result of the sale of the ONTC;
- iv) Release the original ISG and CN plans for public review and evaluation; and,
- v) A copy of this resolution be forwarded to the Honourable Ernie Eves, the Honourable Jim Wilson, Al McDonald, M.P.P. Nipissing, Ontario Northland Transportation Commission, NEOMAG, NEOMA, FONOM, AMO, Chambers of Commerce in the region and the Economic Development Commissions in the region.

“CARRIED”

Councillor Campbell declared a conflict of interest on the above matter as her spouse is employed with Ontario Northland.

Councillor Aspin declared a conflict of interest on the above matter as he has legal affairs with Ontario Northland.

Res. #2003-240: Moved by Councillor Handley, seconded by Councillor Maroosis
That 1) the presentation regarding pesticides be referred to the Engineering & Works Committee; and,
2) staff prepare a report on the presentation by not later than May 30, 2003.

“CARRIED”

Res. #2003-241: Moved by Councillor Handley, seconded by Councillor Maroosis
That the letter dated April 17, 2003 from N. & V. Bielby regarding the 4” watermain and sewer system on the lake side of Premier Road be referred to staff for a report and to the Engineering & Works Committee.

“CARRIED”

Res. #2003-242: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council adjourn to an *in-camera* meeting to discuss a litigation
matter.

“CARRIED”

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Res. #2003-243: Moved by Councillor Boldt, seconded by Councillor Handley
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK