

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, JUNE 9<sup>TH</sup>, 2008**

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

**CORRESPONDENCE:**

Etches, J.C. re Exclusive trapping rights (421)  
Stuart, S. re Fence variance - 951 Copeland Street (420)

**REPORTS FROM OFFICERS:**

Burke, M.B. re Exclusive trapping rights (421)  
Burke, M.B. re Part Lot Control By-Law - Third Avenue (431)  
Burke, M.B. re Camelot Lake property (448)  
Carvell, D. re Joint procurement of Transit buses (427)  
Houston, J. re Skyhawks Hockey Club Agreement - 08/09 (447)  
Killins, S. re Fence variance - 951 Copeland Street (420)  
Killins, S. re Building By-Law amendment (428)  
Love, G. re Level 2 Chemical, Biological, Radiological, Nuclear Response Team Agreement (430)  
  
Manning, J. re Tender 2008-45, Landscaping services (422)  
McArthur, S. re Rezoning application - The Sisters of St. Joseph of the Diocese of Sault Ste. Marie, McLaren Street (423)  
  
McArthur, S. re Rezoning application - Millford Development Limited, Connaught Avenue (424)  
  
McArthur, S. re Zoning By-Law amendment - Storage uses (425)  
McArthur, S. re Site Plan Control Agreement - Eastview Development Limited, Northshore Road (429)  
  
McArthur, S. re Closure of road allowance in block bounded by Acme Road, Highway 11 and Highway 17 East (446)  
  
McGrath, R. re Reference to arbitration (426)

**Res. #2008-416:** Moved by Councillor Graham, seconded by Councillor Mendicino  
That minutes for the public meetings held on:

- Monday, May 26, 2008
- Monday, June 2, 2008

be adopted as presented.

"CARRIED"

**Res. #2008-417:** Moved by Councillor Mendicino, seconded by Councillor Graham  
That minutes for the public meetings held on:

- Monday, May 26, 2008
- Monday, June 2, 2008

be adopted as presented.

"CARRIED"

**Res. #2008-418:** Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2008-19 relating to:

- 2007 Annual Report on Building Permit Fees

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-19**

June 9, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-19 and recommends:

- 1. That the 2007 Annual Report on Building Permit Fees be noted and filed.

All of which is respectfully submitted.

ASSENTS  
 ANTHONY  
 MENDICINO  
 GRAHAM

DISSENTS

Res. #2008-419: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Service Committee Report No. 2008-20 relating to:

- Building Department User Fees

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-20**

June 9, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-20 and recommends:

- 1. That a) the user fees to be charged under the *Ontario Building Code* as outlined in Report No. CORP 2008-18 be approved; and
- b) a by-law to authorize user fees under the *Ontario Building Code* be presented to Council for three (3) readings.

All of which is respectfully submitted.

ASSENTS  
 ANTHONY  
 MENDICINO  
 GRAHAM

DISSENTS

Res. #2008-420: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council approve the request for two variances for Fence By-Law 2002-105 to permit a fence located in the front yard to increase in height from the permitted 4 feet to 6 feet and to be constructed as to not permit at least 25% openings for passage of air and light at 951 Copeland Street.

“CARRIED”

Res. #2008-421: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That Council renew the permission for J.C. Etches to have exclusive trapping rights for the area known as the south side of the Lavase River, for a three year period commencing June 1, 2008, subject to the receipt of proof of insurance satisfactory to the City Solicitor.

“CARRIED”

Res. #2008-422: Moved by Councillor Koziol, seconded by Councillor Bain  
That North Bay City Council approve the award of a contract to Excel Landscaping for an estimated amount of \$132,410.00 (GST extra), for landscaping services. The service shall be performed on an as and when requested basis to October 31, 2009, with the provision of a one year option if mutually agreeable to both parties.

“CARRIED”

Res. #2008-423: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the recommendation from the Planning Advisory Committee regarding the rezoning application by Miller & Urso Surveying Inc. on behalf of The Sisters of St. Joseph of the Diocese of Sault Ste. Marie - McLaren Street be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-424: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the recommendation from the Planning Advisory Committee regarding the rezoning application by Miller & Urso Surveying Inc. on behalf of Millford Development Limited - Connaught Avenue be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-425: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the proposed amendments to Zoning By-Law No. 28-80, as described in Report to Council No. CSBU 2008-35 dated May 29, 2008 be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-426: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That Robert Young be appointed to represent the City as a nominee at rights arbitrations in the matters of Grievance No. 07-07.

“CARRIED”

Res. #2008-427: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) Council enter into a Governance Agreement for the Joint Procurement of four (4) Transit Buses (2-2009 & 2-2010), with the Province of Ontario represented by the Minister of Transportation for the Province of Ontario; and

- 2) the City Clerk be authorized to prepare and present a by-law to authorize the execution of the Governance Agreement.

“CARRIED”

Res. #2008-428: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council directs the City Clerk to prepare an amendment to By-Law No. 2007-07 requiring that a deposit or letter of credit be submitted by the owner/applicant in instances where a conditional/staged building permit is requested.

“CARRIED”

Res. #2008-429: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council approve the specific form of Site Plan Control Agreement and accompanying checklist containing the listed requirements for the Eastview Development Limited Plan of Subdivision at the end of Northshore Road as described in Appendix “A” to Report to Council CSBU 2008-68 dated May 28, 2008.

“CARRIED”

Res. #2008-430: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council authorizes entering into an Agreement with the Office of the Fire Marshal and Emergency Management Ontario for the renewal of the existing Memorandum of Understanding to establish and operate a “Level 2” CBRNR (Chemical, Biological, Radiological, Nuclear Response) Team out of North Bay Fire & Emergency Services for a five (5) year term ending March 31, 2013.

“CARRIED”

Res. #2008-431: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Council authorize a Part Lot Control Exemption By-Law to deem Lots 4 to 7, Plan 79, Lots 608 to 613, Plan 21, being Parts 1 to 35 (Third Avenue) as shown on a draft plan attached to Report CORP 2008-97 as not being subject to part lot control pursuant to section 50(7) of the *Planning Act*.

“CARRIED”

Res. #2008-432: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That the following by-laws be read a first and second time:

By-Law No. 2008-144 to provide for Municipal Housing Facilities.

By-Law No. 2008-147 to amend By-Law No. 2007-228 to adopt the Delegation of Powers and Duties Policy.

By-Law No. 2008-152 to authorize an Environmental Assessment to improve water services to Nipissing University and the Cedar Heights Planning Area.

By-Law No. 2008-153 to amend By-Law No. 2007-89 being a by-law to regulate on and off street parking for disabled persons.

By-Law No. 2008-154 to amend By-Law No. 2004-191 being a by-law for licensing, regulating and governing business in the City of North Bay.

By-Law No. 2008-156 to establish decrease limits for certain property classes.

By-Law No. 2008-157 to authorize the reconstruction of Oak Street.

“CARRIED”

Councillor Koziol declared a conflict of interest on By-Law No. 2008-156 as she is a multi-residential property owner.

Res. #2008-433: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry That the following by-laws be read a third time and passed:

By-Law No. 2008-144 to provide for Municipal Housing Facilities.

By-Law No. 2008-147 to amend By-Law No. 2007-228 to adopt the Delegation of Powers and Duties Policy.

By-Law No. 2008-152 to authorize an Environmental Assessment to improve water services to Nipissing University and the Cedar Heights Planning Area.

By-Law No. 2008-153 to amend By-Law No. 2007-89 being a by-law to regulate on and off street parking for disabled persons.

By-Law No. 2008-154 to amend By-Law No. 2004-191 being a by-law for licensing, regulating and governing business in the City of North Bay.

By-Law No. 2008-156 to establish decrease limits for certain property classes.

By-Law No. 2008-157 to authorize the reconstruction of Oak Street.

“CARRIED”

Councillor Koziol declared a conflict of interest on By-Law No. 2008-156 as she is a multi-residential property owner.

Res. #2008-434: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry That the following by-law be read a first and second time:

By-Law No. 2008-162 to execute an Agreement of Purchase and Sale with 788678 Ontario Inc. relating to the purchase of lands on Third Avenue.

“CARRIED”

Res. #2008-435: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry That the following by-law be read a third time and passed:

By-Law No. 2008-162 to execute an Agreement of Purchase and Sale with 788678 Ontario Inc. relating to the purchase of lands on Third Avenue.

“CARRIED”

Res. #2008-436: Moved by Councillor Anthony, seconded by Councillor Mendicino That the following by-laws be read a first and second time:

By-Law No. 2008-143 to execute an Agreement with the District of Nipissing Social Services Administration Board and 1732946 Ontario Inc. relating to the provision of a Municipal Housing Facility.

By-Law No. 2008-159 to execute an Agreement with Canadore College of Applied Arts and Technology relating to Transit Services.

“CARRIED”

Res. #2008-437: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2008-143 to execute an Agreement with the District of Nipissing Social Services Administration Board and 1732946 Ontario Inc. relating to the provision of a Municipal Housing Facility.

By-Law No. 2008-159 to execute an Agreement with Canadore College of Applied Arts and Technology relating to Transit Services.

“CARRIED”

Res. #2008-438: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2008-142 to amend By-Law No 28-80 to implement changes to the policies and regulations.

“CARRIED”

Res. #2008-439: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a first and second time:

By-Law No. 2008-161 to deem Lots 4, 5, 6 & 7, Plan 79 and Lots 608, 609, 610, 611, 612 and 613, Plan 21 as not being subject to Part Lot Control pursuant to section 50(7) of the *Planning Act* (Third Avenue).

“CARRIED”

Res. #2008-440: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2008-161 to deem Lots 4, 5, 6 & 7, Plan 79 and Lots 608, 609, 610, 611, 612 and 613, Plan 21 as not being subject to Part Lot Control pursuant to section 50(7) of the *Planning Act* (Third Avenue).

“CARRIED”

Res. #2008-441: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-law be read a first and second time:

By-Law No. 2008-163 to execute an Agreement with Green Municipal Corporation relating to landfill gas at the Merrick Landfill Site.

“CARRIED”

Res. #2008-442: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-law be read a third time and passed:

By-Law No. 2008-163 to execute an Agreement with Green Municipal Corporation relating to landfill gas at the Merrick Landfill Site.

“CARRIED”

Res. #2008-443: Moved by Councillor Anthony, seconded by Councillor Mendicino  
WHEREAS tourism faces challenges such as rising fuel costs, a strong Canadian dollar and a weakening US economy;

BE IT THEREFORE RESOLVED THAT the City of North Bay endorses the notion of requesting that the Provincial Government investigate and consider cutting or reducing retail sales tax (RST) on hotels for the remainder of the year;

AND FURTHER THAT a copy of this motion be forwarded to the Hon. Peter Fonseca, Minister of Tourism; Monique Smith, MPP Nipissing, the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities and the Leaders of the Opposition.

“CARRIED”

Res. #2008-444: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:15 p.m. to discuss Items # 12 and 14, being matters related to the property of the municipality; Items # 13, 15 and 17, 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. #2008-445: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That Council reconvene at 7:40 p.m.

“CARRIED”

Res. #2008-446: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That

- 1) the application by Miller & Urso Surveying Inc. on behalf of Able Welding and Machine Company Limited to close an unopened portion of road allowance in the block bounded by Acme Road, Highway #11 and Highway #17 East, legally described as Concession 18, between Lots 34 & 35 W/F, PIN 49181-0021 and 49181-0022, be approved;
- 2) Council declare that section of the road allowance in the block bounded by Acme Road, Highway #11 and Highway #17 East as surplus;
- 3) the closure of the laneway be subject to the granting of any required easements;
- 4) the original by-law include wording described in Appendix “A” attached to Report CSBU 2008-66 and that the by-law be forwarded to the Ministry of Transportation in order to obtain Ministerial approval as described in Section 24(3) of the *Public Transportation and Highway Improvement Act*;
- 5) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject roadway; and
- 6) the subject road allowance be sold to the abutting property owners at the appraised value.

“CARRIED”

Res. #2008-447: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That City Council endorses the one (1) year Skyhawks Hockey Club  
Agreement with the City for the 2008/2009 season, as outlined in Report to  
Council CSBU 2008-64 dated May 22, 2008.

“CARRIED”

Res. #2008-448: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry  
That Council proceed with the draft plan of property additions for Camelot  
Lake properties as outlined in Report to Council CORP 2008-96 dated June  
4, 2008.

“CARRIED”

Res. #2008-449: Moved by Councillor Mendicino, seconded by Councillor Graham  
That this Regular Meeting of Council do now adjourn.

“CARRIED”

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DEPUTY MAYOR PETER CHIRICO

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CITY CLERK CATHERINE CONRAD