

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, JULY 26, 2010**

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

**PUBLIC PRESENTATION:**

Manfred May re Rezoning - 681 Commercial Street

**CORRESPONDENCE:**

Kennelly, Grant & Lara re Fence variance - 926 Leask Avenue (498)

**REPORTS FROM OFFICERS:**

Burke, M.B. re Design Agreement - POA Courtroom (500)  
Burke, M.B. re Part Lot Control - North Bay-Mattawa (501)  
Conservation Authority, Fisher Street  
Killins, S. re Fence variance - 926 Leask Avenue (498)  
Kitlar, S. re Summer in the Park - Municipal Alcohol (499)  
Policy exemption  
Manning, J. re RFP 2010-80 - Design, preparation of (502)  
tender documents & contract administration  
of energy upgrades at YMCA  
Manning, J. re Tender No. 2010-86, Supply of tandem (505)  
dump truck  
Planning Advisory Committee re Official Plan Amendment, Rezoning & (504)  
Plan of Subdivision applications by Jack  
& Helen Norman - Four Mile Lake Road  
Tomek, A. re Municipal Hazardous or Special Waste (503)  
Program

**Res. #2010-494:** Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That minutes for the public meetings held on:

- Monday, July 12, 2010

be adopted as presented.

"CARRIED"

**Res. #2010-495:** Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That minutes for the closed meetings held on:

- Monday, July 12, 2010

be adopted as presented.

"CARRIED"

**Res. #2010-496:** Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2010-14 relating to:

- Rezoning application by 893624 Ontario Limited & Murray Howe,  
Fisher Street and York Street

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-14**

July 26, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-14 and recommends:

1. That
  - a) the proposed Zoning By-Law Amendment by Claudio Balbinot on behalf of 893624 Ontario Limited & Murray Howe for the property legally described as Registered Plan No. 56, Lots 22, 23, 28, 29 and Part of Lot 24 (1205 & 1229 Fisher Street and 432 & 444 York Street) from a "Light Industrial Two (M2)" zone to an "Industrial Commercial Special (MC Sp.)" zone be approved; and
  - b) 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 building massing, parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing, as required.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
MENDICINO  
GRAHAM  
FEDELI

DISSENTS

Res. #2010-497: Moved by Councillor Anthony, seconded by Councillor Mendicino That Community Services Committee Report No. 2010-15 relating to:

- Rezoning application by Nicholas & Michael Rizzo, and Victoria Johnston, 681 Commercial Street

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-15**

July 26, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-15 and recommends:

1. That
  - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Nicholas Rizzo, Michael Rizzo & Victoria Johnston for the property legally described as Lots 638 to 644, Registered Plan No. 21, PIN 49164-0077 (LT), in the former Township of Widdifield (681 Commercial Street), from a "Residential Multiple First Density (RM1)" zone to a "General Commercial Outer Core Special (C2 Sp.)" zone be approved; and

- b) 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 building massing, parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing, as required.

All of which is respectfully submitted.

ASSENTS  
 ANTHONY  
 MENDICINO  
 GRAHAM  
 FEDELI

DISSENTS

Res. #2010-498: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That Council approve the request for a variance to Fence By-Law No. 2002-105 to permit a fence located in the exterior side yard to increase in height from the permitted 4'-0" to 6' -0" and to void of at least 25% openings for passage of air and light. The proposed fence is located at 926 Leask Avenue, North Bay.

"CARRIED"

Res. #2010-499: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That 1) Summer in the Park be granted an exemption from the Municipal Alcohol Policy, Regulation No. 12, Event Controls A, Sections 29 and 30, as it pertains to an outdoor beer garden in Lee Park to take place on Saturday, July 31, 2010 and Sunday, August 1, 2010; and  
 2) in the event of an unforeseen delay in evening programming, this exemption would allow the extension of the hours of operation of the beer garden past 11:00 p.m. to a maximum time of 12:00 a.m. (midnight).

"CARRIED"

Res. #2010-500: Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
 That Council approve Mitchell Architects be retained for \$16,380.00 plus tax and Anrep Krieg Desilets Gravelle Ltd. for \$13,500.00 plus tax, for renovations required for the Provincial Offences Court.

"CARRIED"

Res. #2010-501: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That 1) Council authorize a Part Lot Control Exemption By-Law to deem Part of Lots 7, 8, 9 and 10, Plan 96, designated as Parts 6, 7, 9, 10, 11 and 12, Plan 36R-12078, Fisher Street, as not being subject to part lot control pursuant to section 50(7) of the *Planning Act*, and  
 2) By-Law No. 2010-186 be presented for three (3) readings at the Regular Meeting of Council on July 26, 2010.

"CARRIED"

Res. #2010-502: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That North Bay City Council approve the award of a contract to Piotrowski Consultants Ltd. in the amount of \$57,725.00 (HST extra), for the design of energy upgrades, preparation of tender documents and contract administration at the North Bay YMCA.

"CARRIED"

Res. #2010-503: Moved by Councillor Koziol, seconded by Councillor Bain  
That the City of North Bay enter into a 2 ½ year 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. #2010-504: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the recommendation from the Planning Advisory Committee relating to the Official Plan Amendment, Rezoning & Plan of Subdivision applications by Goodridge Planning Solutions on behalf of Jack & Helen Norman - Four Mile Lake Road, be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2010-505: Moved by Councillor Koziol, seconded by Councillor Bain  
That North Bay City Council approve a contract be issued to Canadian Fleet Services in the amount of \$326,250.03 (HST included), for the supply of one (1) tandem dump truck, complete with dump body, snow plow and hydraulic system.

"CARRIED"

Councillor Chirico declared a conflict of interest on the above matter as Canadian Fleet Services is a client of his employer.

Res. #2010-506: Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
That the following by-law be read a first and second time:

By-Law No. 2010-174 to stop up, close and convey a portion of the laneway located in a block bounded by Scollard Street, Algonquin Avenue, Lavery Street and Browning Street.

"CARRIED"

Res. #2010-507: Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
That the following by-laws be read a first and second time:

By-Law No. 2010-175 to amend By-Law No. 1962-2066 (to authorize participation in the Ontario Municipal Employees Retirement System).

By-Law No. 2010-176 to appoint a Municipal Election Compliance Audit Committee under the *Municipal Elections Act*.

By-Law No. 2010-178 to authorize the Drinking Water Quality Management Maintenance System.

By-Law No. 2010-179 to confirm the appointment of Deputy City Clerk.

By-Law No. 2010-185 to amend By-Law No. 2003-05 (to regulate smoking in public places and workplaces).

"CARRIED"

Res. #2010-508: Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
That the following by-laws be read a third time and passed:

By-Law No. 2010-175 to amend By-Law No. 1962-2066 (to authorize participation in the Ontario Municipal Employees Retirement System).

By-Law No. 2010-176 to appoint a Municipal Election Compliance Audit Committee under the *Municipal Elections Act*.

By-Law No. 2010-178 to authorize the Drinking Water Quality Management Maintenance System.

By-Law No. 2010-179 to confirm the appointment of Deputy City Clerk.

By-Law No. 2010-185 to amend By-Law No. 2003-05 (to regulate smoking in public places and workplaces).

“CARRIED”

Res. #2010-509: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a first and second time:

By-Law No. 2010-177 to confirm the number of Break Open Ticket locations in the City of North Bay.

“CARRIED”

Councillor Vaillancourt declared a conflict of interest on the above matter as his employer may benefit from sales of the tickets.

Councillor Graham declared a conflict of interest on the above matter as he operates a Break Open Ticket location.

Res. #2010-510: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a third time and passed:

By-Law No. 2010-177 to confirm the number of Break Open Ticket locations in the City of North Bay.

“CARRIED”

Councillor Vaillancourt declared a conflict of interest on the above matter as his employer may benefit from sales of the tickets.

Councillor Graham declared a conflict of interest on the above matter as he operates a Break Open Ticket location.

Res. #2010-511: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2010-159 to rezone certain lands on Fisher Street and York Street (893624 Ontario Ltd. and Murray Howe - 1205 & 1229 Fisher Street and 432 & 444 York Street).

By-Law No. 2010-161 to rezone certain lands on Commercial Street (Nicholas and Michael Rizzo and Victoria Johnston - 681 Commercial Street).

“CARRIED”

Res. #2010-512: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2010-160 to designate a Site Plan Control Area on certain lands on Fisher Street and York Street (893624 Ontario Ltd. and Murray Howe - 1205 & 1229 Fisher Street and 432 & 444 York Street).

By-Law No. 2010-162 to designate a Site Plan Control Area on certain lands on Commercial Street (Nicholas and Michael Rizzo and Victoria Johnston - 681 Commercial Street).

By-Law No. 2010-180 to designate a Site Plan Control Area on certain lands on Wallace Road (Consolidated Homes Limited).

By-Law No. 2010-182 to execute an Agreement with Crozier Enterprises Ltd. relating to the supply and installation of playground equipment.

By-Law No. 2010-186 to deem Part Lots 7, 8, 9 and 10, Plan 96 designated as Parts 9, 10, 11 and 12, Plan 36R-12078, as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*.

By-Law No. 2010-187 to execute an Agreement with Evans Bertrand Hill Wheeler Architecture Inc. to provide professional services for various projects for the 2010 Budget Year.

“CARRIED”

Res. #2010-513: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2010-160 to designate a Site Plan Control Area on certain lands on Fisher Street and York Street (893624 Ontario Ltd. and Murray Howe - 1205 & 1229 Fisher Street and 432 & 444 York Street).

By-Law No. 2010-162 to designate a Site Plan Control Area on certain lands on Commercial Street (Nicholas and Michael Rizzo and Victoria Johnston - 681 Commercial Street).

By-Law No. 2010-180 to designate a Site Plan Control Area on certain lands on Wallace Road (Consolidated Homes Limited).

By-Law No. 2010-182 to execute an Agreement with Crozier Enterprises Ltd. relating to the supply and installation of playground equipment.

By-Law No. 2010-186 to deem Part Lots 7, 8, 9 and 10, Plan 96 designated as Parts 9, 10, 11 and 12, Plan 36R-12078, as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*.

By-Law No. 2010-187 to execute an Agreement with Evans Bertrand Hill Wheeler Architecture Inc. to provide professional services for various projects for the 2010 Budget Year.

“CARRIED”

Res. #2010-514: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2010-134 to rezone certain lands on High Street (Patricia Gail Therriault - 1770 High Street).

“CARRIED”

Res. #2010-515: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2010-181 to execute an Agreement with 2212880 Ontario Ltd. operating as Canor Construction relating to Memorial Drive pedestrian crossing.

By-Law No. 2010-183 to execute an Agreement with Trow Associates Inc. relating to design, contract preparation and tendering services for the construction of the Kate Pace Way extension.

By-Law No. 2010-184 to execute an Agreement with Trow Associates Inc. relating to design, contract preparation and tendering services for watermain upgrades of various streets.

“CARRIED”

Res. #2010-516: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2010-181 to execute an Agreement with 2212880 Ontario Ltd. operating as Canor Construction relating to Memorial Drive pedestrian crossing.

By-Law No. 2010-183 to execute an Agreement with Trow Associates Inc. relating to design, contract preparation and tendering services for the construction of the Kate Pace Way extension.

By-Law No. 2010-184 to execute an Agreement with Trow Associates Inc. relating to design, contract preparation and tendering services for watermain upgrades of various streets.

“CARRIED”

Res. 2010-517: Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:28 p.m. for the following reasons: Item 9, being the potential purchase of lands by the municipality; Item 10, being the potential sale of municipal lands; and Item 11, being the pending sale of municipal lands.

“CARRIED”

Res. #2010-518: Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
That Council reconvene at 8:37 p.m.

“CARRIED”

Res. #2010-519: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That this Regular Meeting of Council do now adjourn at 8:37 p.m.

“CARRIED”

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD