

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, MAY 12<sup>TH</sup>, 2008**

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

**CORRESPONDENCE:**

Dahlke, Karen	re Restricted parking request	(358)
Millford Development Ltd.	re Rezoning application - Connaught Avenue	(349)
Robinson, William	re Rezoning, Official Plan Amendment and Subdivision applications - 201 Widdifield Station Road	(348)
Sisters of St. Joseph of the Diocese of Sault Ste. Marie	re Rezoning application - McLaren Street	(354)
St. Rita Parish	re St. Anthony's Festival	(351)

**REPORTS FROM OFFICERS:**

Bullock, P.	re Emission Reduction Credits	(359)
Burke, M.B.	re Morin Street sewer and water servicing	(353)
Burke, M.B.	re JCJ Contracting	(374)
Conrad, C.M.	re Municipal Heritage Committee	(373)
Cox, A.	re Residential Street Rehabilitation Program	(355)
Elliott, G.	re Restricted parking request	(358)
Killins, S.	re Property Standards By-Law amendment	(350)
Manning, J.	re Tender 2008-32, Plant cold recycled asphalt	(356)
Manning, J.	re RFP 2008-11, Purchase and development of City owned land for affordable home ownership development - Third Avenue	(375)
Manning, J.	re RFP 2008-03, Purchase and development of City owned land - Kenroc Site/Memorial Drive	(376)
McArthur, S.	re Condominium approval exemption request by Lancelot Inn Inc., 295 Lakeshore Drive	(357)
McArthur, S.	re Closure of a road allowance in a block bounded by Lees Road, a portion of Helen Street road allowance and the Ontario Northland Railway	(377)
Rocheftort, L.	re Reduction, cancellation or refund of taxes	(352)
Tomek, A.	re Alternative approach to Ontario's Blue Box Funding Model	(347)

**Res. #2008-343:** Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That minutes for the public meetings held on:

- Monday, April 28, 2008; and
- Monday, May 5, 2008

be adopted as presented.

"CARRIED"

**Res. #2008-344:** Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That minutes for the closed meetings held on:

- Monday, April 28, 2008; and
- Monday, May 5, 2008

be adopted as presented.

“CARRIED”

Res. #2008-345: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2008-16 relating to:

- Rezoning application by Romeo & Shirley Roy, 311 Carmichael Drive

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-16**

May 12, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-16 and recommends:

1. That the proposed Zoning By-Law Amendment by Harriman & Associates on behalf of Romeo and Shirley Roy to rezone Concession “A”, Part Lot 16, Parcel 6914 W/F (311 Carmichael Drive) from a “Rural (A)” zone to a “Residential First Density (R1)” zone be approved.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
MENDICINO  
GRAHAM  
FEDELI

DISSENTS

Res. #2008-346: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2008-17 relating to:

- Rezoning application by David & Debra Goodfellow, 465-467 Lakeshore Drive

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-17**

May 12, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-17 and recommends:

1. That
  - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of David & Debra Goodfellow, to rezone Plan M-211, Lots 38 to 40 and Lots 139 to 141, PINS 49173-0028 (LT), 49173-0029 (LT) and 49174-0030 (LT) (Glenwood Motel, 465 to 467 Lakeshore Drive) from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special (RM2 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.

All of which is respectfully submitted.

ASSENTS  
 ANTHONY  
 MENDICINO  
 GRAHAM  
 FEDELI

DISSENTS

Res. #2008-347: Moved by Councillor Koziol, seconded by Councillor Bain  
 That 1) the City of North Bay support the draft Association of Municipalities of Ontario/Association of Municipal Recycling Coordinators Discussion Paper for an alternative approach to Ontario's Blue Box Funding Model which would create a fully funded Industry Stewardship Program for the Blue Box Program; and

2) a copy of the resolution in support of the Discussion Paper be sent to the Association of Municipalities of Ontario.

"CARRIED"

Res. #2008-348: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That the Rezoning, Official Plan Amendment and Subdivision applications by Harriman & Associates on behalf of William Robinson - 201 Widdifield Station Road, be received.

"CARRIED"

Res. #2008-349: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That the Rezoning application by Miller & Urso Surveying Inc. on behalf of Millford Development Limited - Connaught Avenue, be received.

"CARRIED"

Res. #2008-350: Moved by Councillor Anthony, seconded by Councillor Mendicino  
 That Council directs the City Clerk to prepare an amendment to By-Law No. 1999-06 providing for a \$100.00 fee to be charged against the property owner/landlord in instances where an Order to Remedy is issued, in an effort to rectify a property standards violation.

"CARRIED"

Res. #2008-351: Moved by Councillor Chirico, seconded by Councillor Campbell  
 That Council declare the St. Anthony's Festival on Sunday, June 8, 2008 as a Community Event.

"CARRIED"

Res. #2008-352: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the tax appeal applications attached to CORP Report No. 2008-78 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation, be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 & 358 of the *Municipal Act, S.O. 2001, c.25.*

“CARRIED”

Res. #2008-353: Moved by Councillor Koziol, seconded by Councillor Bain  
That the City accept a registered easement across Parts 1 and 2, Plan 36R-11359 (805 Morin Street and Lot 107) in order to recognize water and sanitary sewer lateral services outside the road allowance to 833 Morin Street, North Bay.

“CARRIED”

Res. #2008-354: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 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 received.

“CARRIED”

Res. #2008-355: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the rehabilitation of residential City Street, being 2008 Capital Budget Line No. 45 and W40, at a net debenture cost of \$500,000.00.

“CARRIED”

Res. #2008-356: Moved by Councillor Koziol, seconded by Councillor Bain  
That North Bay City Council approve a contract be awarded to Miller Paving Ltd., in the estimated amount of \$346,500.00 (GST extra), for the supply and placement of plant cold recycled asphalt pavement on various City roads.

“CARRIED”

Res. #2008-357: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) the Condominium Application by Miller & Urso Surveying Inc. on behalf of Lancelot Inn Inc., on the property described as Concession 17, Part Lot 40, Parcel 1720 W/F, including Plan M-195, Lots 1 to 4 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” attached to Report to Council CSBU 2008-58, 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.

“CARRIED”

Res. #2008-358: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) Traffic & Parking By-Law No. 2002-01 be amended to include parking restrictions on Main Street West as outlined in Report to Council EEW 2007-32;

- 2) Traffic & Parking By-Law No. 2002-01 be amended to revise winter parking restrictions on Main Street West as outlined in Report to Council EEW 2007-32; and
- 3) a copy of Report EEW 2007-32 dated May 6, 2008 by George Elliott, Senior Municipal Engineering, be forwarded to Karen Dahlke, Kathie Chapman and Meredith Park for information.

“CARRIED”

Res. #2008-359:

Moved by Councillor Koziol, seconded by Councillor Bain

- That
- 1) the Chief Administrative Officer be authorized to finalize the terms of a long term contract with the Green Municipal Corporation (FCM) to sell offset credits from the destruction of landfill gas at the Merrick Landfill Site under the terms and at the price identified in the draft Agreement to be brought before Council for final approval;
  - 2) an application be made to the Northern Ontario Heritage Fund under the Renewable Energy Capital Assistance Program for financial assistance to upgrade Hydro Lines between the Merrick Landfill and Cedar Heights Road;
  - 3) the City of North Bay register an objection with the Ontario Government to any change in regulations that would affect the eligibility of the Merrick Landfill Site to produce marketable carbon offset credits from the destruction of landfill gas in response to proposed changes to the *Environmental Protection Act* – Regulation 347; and
  - 4) a business plan for Green Power Generation at the Merrick Landfill be prepared for Council’s consideration by North Bay Hydro Distribution and Generation Companies.

“CARRIED”

Res. #2008-360:

Moved by Councillor Chirico, seconded by Councillor Campbell

That the following by-laws be read a first and second time:

By-Law No. 2008-131 to authorize the sale of lands no longer required for municipal purposes to Carry All Builders and Northern Honda Auto (Seymour Street).

By-Law No. 2008-132 to authorize the City’s share of new development costs.

By-Law No. 2008-134 to authorize the Fire Vehicle Replacement Program.

“CARRIED”

Res. #2008-361:

Moved by Councillor Chirico, seconded by Councillor Campbell

That the following by-laws be read a third time and passed:

By-Law No. 2008-131 to authorize the sale of lands no longer required for municipal purposes to Carry All Builders and Northern Honda Auto (Seymour Street).

By-Law No. 2008-132 to authorize the City’s share of new development costs.

By-Law No. 2008-134 to authorize the Fire Vehicle Replacement Program.

“CARRIED”

Res. #2008-362: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:

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. #2008-363: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2008-121 to rezone certain lands on Lakeshore Drive (David & Debra Goodfellow - 465 - 467 Lakeshore Drive).

By-Law No. 2008-123 to rezone certain lands on Carmichael Drive (Romeo & Shirley Roy - 311 Carmichael Drive).

“CARRIED”

Res. 2008-364: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2008-122 to designate a Site Plan Control Area on certain lands on Lakeshore Drive (David & Debra Goodfellow - 465 - 467 Lakeshore Drive).

By-Law No. 2008-133 to amend Sign By-Law No. 2006-143.

“CARRIED”

Res. 2008-365: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2008-122 to designate a Site Plan Control Area on certain lands on Lakeshore Drive (David & Debra Goodfellow - 465 - 467 Lakeshore Drive).

By-Law No. 2008-133 to amend Sign By-Law No. 2006-143.

“CARRIED”

Res. #2008-366: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2008-135 to amend By-Law No. 1990-221 being a by-law to prohibit the use of the O.N.R. train whistles at level crossings.

By-Law No. 2008-136 to execute an Agreement with Gap Construction Co. Ltd. relating to the demolition and removal of the building at 180 Ferguson Street.

By-Law No. 2008-137 to execute an Agreement with Battano Construction Ltd. relating to the Sidewalk Replacement Program.

By-Law No. 2008-138 to execute an Agreement with Clearway Construction Inc. relating to the Community Waterfront Park Pedestrian and Mini-Train Underpasses.

“CARRIED”

Res. #2008-367: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2008-135 to amend By-Law No. 1990-221 being a by-law to prohibit the use of the O.N.R. train whistles at level crossings.

By-Law No. 2008-136 to execute an Agreement with Gap Construction Co. Ltd. relating to the demolition and removal of the building at 180 Ferguson Street.

By-Law No. 2008-137 to execute an Agreement with Battano Construction Ltd. relating to the Sidewalk Replacement Program.

By-Law No. 2008-138 to execute an Agreement with Clearway Construction Inc. relating to the Community Waterfront Park Pedestrian and Mini-Train Underpasses.

“CARRIED”

Res. 2008-368: Moved by Councillor Graham, seconded by Councillor Mayne  
That “Casual Wear Months” be in effect from Tuesday, May 20, 2008 until Monday, September 1, 2008 inclusive.

“CARRIED”

Res. #2008-369: Moved by Councillor Mendicino, seconded by Councillor Chirico  
**WHEREAS** the Municipality of West Nipissing has requested the City of North Bay’s support of its resolution with respect to the repatriation of seniors to their home communities;

**AND WHEREAS** the Community Care Access Centre (“CCAC”) has the sole responsibility for placing seniors in Homes for the Aged;

**AND WHEREAS** in cases where seniors are placed in homes identified as their second or third choice, they are often placed in communities other than where they reside and have the support of family and friends;

**BE IT THEREFORE RESOLVED THAT** The City of North Bay supports in principle the resolution passed by the Municipality of West Nipissing and asks that the Ministry of Long Term Care addresses or amends the legislation accordingly in order to facilitate the expeditious repatriation of seniors to their home communities;

**AND BE IT ALSO RESOLVED THAT** this resolution be forwarded to the Honourable George Smitherman, Minister of Health and Long Term Care; to Monique Smith, M.P.P.; to the Leaders of the Opposition; to the Association of Municipalities of Ontario; to the Federation of Northern Ontario Municipalities for their support; and to the Municipality of West Nipissing.

“CARRIED”

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

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

Res. #2008-370: Moved by Councillor Bain, seconded by Councillor Koziol  
That Council ask staff to prepare a report in regards to the presentation made by Rick Vezina about the licensing of out-of-town service providers.

“CARRIED”

Res. #2008-371: 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 7:38 p.m. for the following reasons: Item 14, being a personal matter about an identifiable individual; Item 15, being a litigation matter affecting the municipality; Items 16, 17, 18 and 19, being proposed or pending acquisitions or disposal of land by the municipality and advice that is subject to solicitor-client privilege, including communications necessary for the purpose.

“CARRIED”

Res. #2008-372: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council reconvene at 8:22 p.m.

“CARRIED”

Res. #2008-373: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council direct the City Clerk to bring forward a Striking Committee Report for a citizen appointment to the Municipal Heritage Committee.

“CARRIED”

Res. #2008-374: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council acknowledge the acceptance by JCJ Contracting of the City's Offer to Settle for \$200,000.00 so as to terminate the JCJ lawsuit.

“CARRIED”

Res. #2008-375: Moved by Councillor Chirico, seconded by Councillor Campbell  
That

- 1) the proposal submitted by Kenalex builders be accepted by North Bay City Council, subject to a restrictive covenant for occupancy by a bona fide purchaser, for at least one year, for a base price of the homes which shall not exceed \$192,895.00;
- 2) the City accept the cash offer of \$491,232.00 for the 17 lots on Third Avenue East; and
- 3) the Chief Administrative Officer be authorized to complete an Agreement of Purchase and Sale for by-law approval.

“CARRIED”

Res. #2008-376: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the proposal submitted by the Vrancor Group of Companies for a 135 room full resort hotel and a 600 - 1100 seat conference centre be accepted by North Bay City Council, subject to an Agreement of Terms



with the City of North Bay being completed within 90 days for the purchase and development of the Kenroc Site/Memorial Drive.

“CARRIED”

Res. #2008-377:

Moved by Councillor Chirico, seconded by Councillor Campbell

- That
- 1) the application by Derek & Kimberley Sinai to close an unopened portion of road allowance in a block bounded by Lees Road, an unopened portion of Helen Street road allowance and the Ontario Northland Railway, be approved;
  - 2) Council declare that section of road allowance in the block bounded by Lees Road, an unopened portion of Helen Street road allowance and the Ontario Northland Railway a surplus;
  - 3) the closure of the road allowance be subject to the granting of any required easements; and
  - 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject roadway.

“CARRIED”

Res. #2008-378:

Moved by Councillor Vaillancourt, seconded by Councillor Bain

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