

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, APRIL 30<sup>TH</sup>, 2007**

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

**CORRESPONDENCE:**

Near North District School Board                      re Sale of Trout Mills Public School                      (289)

**REPORTS FROM OFFICERS:**

|               |   |       |
|---------------|---|-------|
| Burke, M.B.   | re Sale of Trout Mills Public School                                | (289) |
| Burke, M.B.   | re Fisher Street road widenings                                     | (292) |
| Burke, M.B.   | re Walkway between Cartier Street and Nancy Drive                   | (316) |
| Burke, M.B.   | re Fisher Street road widening                                      | (317) |
| Carello, P.   | re Waterfront-Downtown Linkage Project                              | (299) |
| Carello, P.   | re Application to Northern Communities Investment Readiness Program | (300) |
| Elliott, G.   | re Lakeshore Drive overpass   | (294) |
| Houston, J.   | re Parks Trail System Maintenance and Replacement Program           | (290) |
| Houston, J.   | re Parks Waterfront Improvements Program                            | (291) |
| Korell, A.    | re Water Treatment Plant and Facilities Maintenance Program         | (293) |
| Manning, J.   | re Tender 2007-47, Tandem dump truck                                | (297) |
| Manning, J.   | re RFP 2007-05, Implementation of Infrastructure Asset Management   | (298) |
| Manning, J.   | re Tender 2007-32, Backhoe loader                                   | (301) |
| Manning, J.   | re Tender 2007-33, Oak Street reconstruction                        | (302) |
| Manning, J.   | re Tender 2007-10, Sale of land - 921 Copeland Street               | (315) |
| Ringler, T.G. | re Parking Space Replacement Program                                | (295) |
| Rogers, B.A.  | re 2007 Capitol Centre Agreement                                    | (296) |

**Res. #2007-282:** Moved by Councillor Chirico, seconded by Councillor Graham  
That minutes for the meetings held on:

- Monday, March 19, 2007;
- Monday, April 2, 2007; and
- Monday, April 23, 2007

be adopted as presented.

"CARRIED"

**Res. #2007-283:** Moved by Councillor Chirico, seconded by Councillor Mayne  
That General Government Committee Report No. 2007-05 relating to:

- 2007 Operating Budget Amendments

be adopted as presented.

"CARRIED"

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-05**

April 30, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-05 and recommends:

- 1. That a) the 2007 Operating Budget adopted March 19, 2007 be amended to reflect a reduction in the funding from the Ontario Municipal Partnership Fund of \$1,630,867.00; and
- b) By-Law No. 2007-84 to set 2007 tax rates and to levy taxes for 2007 be presented to Council for three (3) readings on April 30, 2007.

All of which is respectfully submitted.

ASSENTS  
 CHIRICO  
 MAYNE  
 VAILLANCOURT  
 FEDELI

DISSENTS

Res. #2007-284: Moved by Councillor Chirico, seconded by Councillor Graham  
 That minutes for the Closed Meeting held on:

- Monday, April 16, 2007

be adopted as presented.

“CARRIED”

Res. #2007-285: Moved by Councillor Anthony, seconded by Councillor Bain  
 That Community Services Committee Report No. 2007-08 relating to:

- amendments to Zoning By-Law re “Through Lot Provision”

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-08**

April 30, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-08 and recommends:

- 1. That Section 2 of Zoning By-Law 28-80 be amended as follows:

- a) That the definition of "Lot, Through" be amended to read "means a lot, not a corner lot, which connects two more or less parallel streets"; and
- b) "Lot Line, Front" be amended to include the following new subsection:
  - iii) in the case of a Through Lot, the shorter lot line that abuts the street shall be deemed to be the front lot line.

All of which is respectfully submitted.

ASSENTS  
 ANTHONY  
 BAIN  
 FEDELI

DISSENTS

Res. #2007-286: Moved by Councillor Anthony, seconded by Councillor Bain  
 That Community Services Committee Report No. 2007-09 relating to:

- Official Plan and Zoning By-Law amendments - FDM4 International, 1297 Airport Road

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-09**

April 30, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-09 and recommends:

1. That
  - a) the Official Plan Amendment by FDM4 International to change the Official Plan designation for Part of Parcel 3637 WF (1297 Airport Road) from "Restricted Residential" to "General Industry" be approved;
  - b) the Zoning By-Law Amendment by FDM4 International to rezone Part of Parcel 3637 WF (1297 Airport Road) from a "Light Industrial One (M1)" zone, an "Industrial Holding (MH)" zone and a "Residential Multiple Second Density (RM2)" zone to an "Industrial Business Park (MBP)" zone be approved;
  - c) 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 parking, lighting, garbage facilities, fencing, lot grading, water supply, stormwater management and vegetative buffers; and
  - d) the Official Plan Amendment and Zoning By-Law be given three (3) readings at the April 30, 2007 Regular Meeting of Council.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
BAIN  
FEDELI

DISSENTS

Res. #2007-287: Moved by Councillor Anthony, seconded by Councillor Bain  
That Community Services Committee Report No. 2007-10 relating to:

- Zoning By-Law amendment - Kevin Stephens on behalf of Karen McCluskey and Brent Wood, 593 John Street

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-10**

April 30, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-10 and recommends:

1. That
  - a) the proposed Zoning By-Law Amendment by Kevin Stephens on behalf of Karen McCluskey & Brent Wood to rezone Registered Plan 20, Part Lot 95 (593 John Street) from a “Residential Third Density (R3)” zone to a “Neighbourhood Commercial Special (C5 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 parking, lighting, garbage facilities, fencing, lot grading and drainage.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
BAIN  
FEDELI

DISSENTS

Res. #2007-288: Moved by Councillor Anthony, seconded by Councillor Bain  
That Community Services Committee Report No. 2007-11 relating to:

- *Aggregate Resources Act* implementation

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-11**

April 30, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-11 and recommends:

- 1. That
  - a) Council receive Report No. CSBU 2006-116 dated December 5, 2006 on *Aggregate Resources Act* implementation;
  - b) Council direct the allocation of any license fees received to be placed in the General Government Revenues Fund; and
  - c) Council request the Minister of Natural Resources to allocate the additional 1.5 cents/tonne for upper-tier municipalities to the City of North Bay for licenses taken within City limits under the *Aggregate Resources Act*.

All of which is respectfully submitted.

ASSENTS  
 ANTHONY  
 BAIN  
 FEDELI

DISSENTS

Res. #2007-289: Moved by Councillor Chirico, seconded by Councillor Mayne  
 That Council waive any interest in the purchase of the former Trout Mills  
 Public School at 111 Lavase Road.

“CARRIED”

Res. #2007-290: Moved by Councillor Anthony, seconded by Councillor Bain  
 That a Capital Expenditure By-Law be prepared for the consideration of  
 City Council to authorize the Parks Trail System Maintenance and  
 Replacement Program for the City’s twenty-four kilometers of recreational  
 trails, being Capital Budget Project No. 77, at a net debenture cost of  
 \$50,000.00.

“CARRIED”

Res. #2007-291: Moved by Councillor Anthony, seconded by Councillor Bain  
 That a Capital Expenditure By-Law be prepared for the consideration of  
 City Council to authorize the Parks Waterfront Improvement Program,  
 being Capital Budget Project No. 76, at a net debenture cost of  
 \$50,000.00.

“CARRIED”

Res. #2007-292: Moved by Councillor Koziol, seconded by Councillor Mendicino  
 That Council consider a by-law to adopt all of the road widening parts  
 along Fisher Street as part of the Fisher Street road allowance, so as to  
 protect the rights and privileges of those who own abutting land to access  
 Fisher Street as an assumed road.

“CARRIED”

Res. #2007-293: Moved by Councillor Koziol, seconded by Councillor Mendicino  
 That the City Clerk prepare a by-law for approval to fund the Water  
 Treatment Plant and Facilities Maintenance Program identified as Project  
 W43 in the approved Water and Sanitary Sewer Rates, Debentures and  
 Reserves Budget for 2007, in the amount of \$230,000.00.

“CARRIED”

- Res. #2007-294: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That
- 1) the Alternative 1 maintenance strategy of immediate minor rehabilitation and future deck replacement for the Lakeshore Drive overpass, as set out in Report to Council EES 2007-20, in 2015 with a 5 lane cross section be approved;
  - 2) the current contracted services by Earth Tech Canada be extended in the amount of \$28,440.00 for design and contract administration of the initial minor rehabilitation project proposed for 2007;
  - 3) the additional Earth Tech services of \$28,440.00 be funded from Project 2506RD;
  - 4) minor rehabilitation works estimated at \$250,000.00 be undertaken in 2007 and funded from the 2008 capital budget; and
  - 5) the City Clerk prepare a capital funding by-law in the amount of \$250,000.00 from the 2008 capital budget for the immediate rehabilitation works.

“CARRIED”

- Res. #2007-295: Moved by Councillor Chirico, seconded by Councillor Mayne  
That
- 1) Council approve Capital Budget Line Item #80, replacement of parking spaces in the amount of \$100,000.00; and
  - 2) the City Clerk prepare for the consideration of City Council, a Capital Budget Expenditure By-Law in the total amount of \$100,000.00.

“CARRIED”

- Res. #2007-296: Moved by Councillor Chirico, seconded by Councillor Mayne  
That the base budget amount referred to in Clause 1(e) of the Capitol Centre Operating Agreement be increased from \$185,900.00 to \$220,900.00 as requested by the Capitol Centre in their letter dated March 29, 2007.

“CARRIED”

- Res. #2007-297: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That North Bay City Council approve a contract be issued to Canadian Fleet Services in the amount of \$145,361.40 (taxes included), for the supply of one new tandem dump truck, conditional upon delivery within the specified period of 90 days after receipt of order.

“CARRIED”

- Res. #2007-298: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That North Bay City Council approve a contract be issued to Stantec Consulting Ltd., in the amount of \$534,000.00 (GST extra), to provide the implementation of Infrastructure Asset Management.

“CARRIED”

Res. #2007-299: Moved by Councillor Chirico, seconded by Councillor Mayne  
That 1) Council authorize City staff to submit applications to the Northern Ontario Heritage Fund and FedNor for capital works related to the development of a physical linkage between the Waterfront and the Downtown; and

2) in the event the funding applications are approved, Council will proceed with the City's required contribution of \$1,500,000.00 from its existing Capital Budget.

"CARRIED"

Res. #2007-300: Moved by Councillor Chirico, seconded by Councillor Mayne  
That Council authorize City staff to submit an application to the Government of Ontario's Northern Communities Investment Readiness Program.

"CARRIED"

Res. #2007-301: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That North Bay City Council approve a contract be issued to OnTrac Equipment Services Inc., in the amount of \$80,370.00 to supply one new backhoe loader with extendable dipperstick. The price includes taxes and acceptable trade-in value for one rubber tire excavator.

"CARRIED"

Res. #2007-302: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That 1) North Bay City Council approve the award of a contract to Gap Construction Co. Ltd. in the amount of \$2,136,781.81 (taxes included), for the reconstruction of Oak Street from Foran Street to Fraser Street. The contract shall be conditional upon an Agreement of Terms with Marina Point on provisional items totalling \$70,048.00; and

2) Capital Expenditure By-Laws be prepared for the consideration of City Council to authorize improvements to Oak Street at Marina Point, being 2007 Capital Budget Project No. 13, at a net debenture cost of \$103,952.00, and Water and Sanitary Sewer Capital Project No. W13, at a net debenture cost of \$650,000.00.

"CARRIED"

Councillor Chirico declared a conflict of interest on the above matter as Gap Construction Co. Ltd. is a client of his employer, the Royal Bank of Canada.

Res. #2007-303: Moved by Councillor Chirico, seconded by Councillor Mayne  
That the following by-laws be read a first and second time:

By-Law No. 2007-34 to provide for the levy and collection of special charges in respect of certain Business Improvement Areas.

By-Law No. 2007-84 to set 2007 tax rates and to levy taxes for the year 2007.

By-Law No. 2007-87 to set 2007 tax ratios for prescribed property classes.

By-Law No. 2007-88 to set tax rate reductions for prescribed property subclasses

By-Law No. 2007-89 to regulate on and off street parking for disabled persons.

By-Law No. 2007-90 to regulate parking in Municipal Parking Lots.

By-Law No. 2007-91 being a by-law with respect to Fire Routes.

By-Law No. 2007-94 to authorize the 2007 Capital Allocation for Information Systems.

By-Law No. 2007-96 to execute an Encroachment Agreement with 2039348 Ontario Inc. relating to 420-422 Main Street East.

“CARRIED”

Res. #2007-304:

Moved by Councillor Chirico, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

By-Law No. 2007-34 to provide for the levy and collection of special charges in respect of certain Business Improvement Areas.

By-Law No. 2007-84 to set 2007 tax rates and to levy taxes for the year 2007.

By-Law No. 2007-87 to set 2007 tax ratios for prescribed property classes.

By-Law No. 2007-88 to set tax rate reductions for prescribed property subclasses.

By-Law No. 2007-89 to regulate on and off street parking for disabled persons.

By-Law No. 2007-90 to regulate parking in Municipal Parking Lots.

By-Law No. 2007-91 being a by-law with respect to Fire Routes.

By-Law No. 2007-94 to authorize the 2007 Capital Allocation for Information Systems.

By-Law No. 2007-96 to execute an Encroachment Agreement with 2039348 Ontario Inc. relating to 420-422 Main Street East.

“CARRIED”

Res. #2007-305:

Moved by Councillor Chirico, seconded by Councillor Mayne  
That the following by-laws be read a first and second time:

By-Law No. 2007-85 to adopt optional tools for the purposes of administering limits for eligible properties (commercial, industrial and multi-residential property classes).

By-Law No. 2007-86 to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential property classes.

“CARRIED”



Res. #2007-306: Moved by Councillor Chirico, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

By-Law No. 2007-85 to adopt optional tools for the purposes of administering limits for eligible properties (commercial, industrial and multi-residential property classes).

By-Law No. 2007-86 to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential property classes.

“CARRIED”

Res. #2007-307: Moved by Councillor Chirico, seconded by Councillor Mayne  
That the following by-law be read a third time and passed:

By-Law No. 2007-54 to stop up, close and convey a portion of the laneway bounded by O'Brien Street, Lansdowne Avenue, McLeod Street and Hutcheson Avenue.

“CARRIED”

Res. #2007-308: Moved by Councillor Anthony, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2007-73 to rezone certain lands on John Street (Karen McCluskey and Brent Wood - 593 John Street).

By-Law No. 2007-97 amend By-Law No. 28-80 to implement changes to the Policies and Regulations (General review and update).

“CARRIED”

Res. #2007-309: Moved by Councillor Anthony, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2007-70 to adopt Official Plan Amendment No. 109 (FDM4 International Inc. - 1297 Airport Road).

By-Law No. 2007-71 to rezone certain lands on Airport Road (FDM4 International Inc. - 1297 Airport Road).

By-Law No. 2007-72 to designate a Site Plan Control Area on certain lands on Airport Road (FDM4 International Inc. - 1297 Airport Road).

By-Law No. 2007-74 to designate a Site Plan Control Area on certain lands on John Street (Karen McCluskey and Brent Wood - 593 John Street).

“CARRIED”

Res. #2007-310: Moved by Councillor Anthony, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2007-70 to adopt Official Plan Amendment No. 109 (FDM4 International Inc. - 1297 Airport Road).

By-Law No. 2007-71 to rezone certain lands on Airport Road (FDM4 International Inc. - 1297 Airport Road).

By-Law No. 2007-72 to designate a Site Plan Control Area on certain lands on Airport Road (FDM4 International Inc. - 1297 Airport Road).

By-Law No. 2007-74 to designate a Site Plan Control Area on certain lands on John Street (Karen McCluskey and Brent Wood - 593 John Street).

“CARRIED”

Res. #2007-311: Moved by Councillor Anthony, seconded by Councillor Bain  
That the following by-law be read a third time and passed:

By-Law No. 2007-51 to adopt Official Plan Amendment No. 108 (Nipissing University - 165 Monastery Road).

By-Law No. 2007-52 to rezone certain lands on Monastery Road (Nipissing University - 165 Monastery Road).

“CARRIED”

Res. #2007-312: Moved by Councillor Anthony, seconded by Councillor Bain  
WHEREAS Canada has yet to properly honour, in a suitable location that is always accessible to the public, the names of all of our Fallen in wars and peacekeeping;

AND WHEREAS over 115,000 Fallen have their graves in seventy-three countries and hundreds of cemeteries;

AND WHEREAS their remains, by law, cannot be repatriated to Canada;

AND WHEREAS we must create a suitable national shrine to our Fallen;

AND WHEREAS proper recognition will show our gratitude and respect for their sacrifice;

THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay request that the Government of Canada enact Private Member's Bill C-417, the *Canadian Soldiers' and Peacekeepers' Memorial Act*.

“CARRIED”

Res. #2007-313: Moved by Councillor Chirico, seconded by Councillor Mayne  
That Council adjourn at 7:46 p.m. to discuss proposed or pending acquisition or disposal of land by the municipality or local board.

“CARRIED”

Councillor Chirico left the meeting.

Res. #2007-314: Moved by Councillor Mayne, seconded by Councillor Vaillancourt  
That Council reconvene at 8:20 p.m.

“CARRIED”

Res. #2007-315: Moved by Councillor Mayne, seconded by Councillor Vaillancourt  
That North Bay City Council acknowledge that:

1. the high bid from Eric and Debra Hillborn, in the amount of \$50,400.00 (GST extra), plus servicing costs has been withdrawn;

2. the tender deposit of \$1,000.00 not be returned to Eric and Debra Hillborn; and
3. the second high bid from Jean Paul Tache, in the amount of \$42,500.00 (GST extra), plus servicing costs be accepted for the sale of vacant city owned land described as Lot 175, Plan 13. The municipal address being 931 Copeland Street.

“CARRIED”

Res. #2007-316: Moved by Councillor Mayne, seconded by Councillor Vaillancourt  
That Council declare surplus the pedestrian walkway, being Block 108, Plan M-517 between Cartier Street and Nancy Drive and transfer one half of the lands to each abutting owner for the appraised value, plus the cost of the appraisal and subject to a storm sewer easement.

“CARRIED”

Res. #2007-317: Moved by Councillor Mayne, seconded by Councillor Vaillancourt  
That Council authorize an exchange of lands at 735 Fisher Street and that a mortgage for \$10,700.00 be registered against the subject lands to secure payment for the lands to be conveyed by the City.

“CARRIED”

Res. #2007-318: Moved by Councillor Vaillancourt, seconded by Councillor Graham  
That this Meeting do now adjourn.

“CARRIED”

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD