

**Minutes of The Regular Meeting
of City Council
Held Monday, May 13, 2013**

Present:

Mayor McDonald, Councillors Lawlor, Anthony, Bain, Maroosis, Vaillancourt, Mayne, Mendicino, Campbell, Koziol, Vrebosch

Public Presentations:

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| Wayne Montgomery | re Licensing Gun Shows |
| Todd Wilcox | re Hydro Conservation |
| K'Sah Woodley | re Professions North – Employer's Breakfast |

Correspondence:

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| Gushulak, Richard & Laura | re Rezoning application – 528 Front Street | (301) |
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Reports From Officers:

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| Bellehumeur, R. | re 2013 Capital Budget Project No. 6119RF - Recreation Facilities Rehabilitation & Development Program | (308) |
| Carello, P. | re Rezoning application by 2190372 Ontario Inc. & 1340791 Ontario Ltd. – Johnston Road | (303) |
| Carello, P. | re Condominium Final Approval/Agreement - 2034 Drew Street | (310) |
| Carello, P. | re Request from Exemption from Plan of Condominium – 383 Aubrey Street | (311) |
| Cox, A. | re 2013 Capital Budget Project No. 3322SL - Street Light Upgrades | (305) |
| Cox, A. | re 2013 Capital Budget Project No. 6107SL - Traffic Control Signal Upgrade (On-going) | (306) |
| Cox, A. | re 2013 Capital Budget Project No. 6100WS - Vehicle & Equipment Replacement Program - Sewer and Water Division (On-going) | (307) |
| Cox, A. | re 2013 Capital Budget Project No. 3209RD - Traffic Count Data/Traffic Needs Study | (312) |
| Fralic, K. | re Airport Community Improvement Plan Application by 1890107 Ontario Inc. | (304) |
| Janisse, L. | re Student Wages | (313) |
| Kilgour, I. | re Sport Tourism, Meetings and Events | (309) |
| Korell, A. | re By-Law to authorize Connections to a Sewermain and Watermain and Impose a Sewer and Water Connection Rate to Lots 81, 82 & 91, Plan M-312 – Surrey Drive | (314) |
| Murphy, C. | re Amendment to Residential Rental Housing Licensing By-Law No. 2012-055 | (302) |

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| Richmond, E. | re Sport Tourism, Meetings and Events | (309) |
| Rochefort, L. | re Reduction, Cancellation or Refund of Taxes, Section 357, the <i>Municipal Act</i> , S.O. 2001, c.25 | (315) |

Res. #2013-298: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meetings held on:

- Monday, April 15, 2013;
- Monday, April 29, 2013; and
- Monday May 6, 2013

be adopted as presented.

“Carried”

Res. #2013-299: Moved by Councillor Mendicino, seconded by Councillor Mayne
That Community Services Committee Report No. 2013-10 relating to:

- Rezoning/Plan of Condominium applications by Golden Estates Limited – Ski Club Road

be adopted as presented.

“Carried”

Community Services Committee Report No. 2013-10

May 13, 2013

To The Council
Of The Corporation
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-10 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession “C”, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay from a “Residential Third Density (R3)”, “Open Space (O)”, and a “Residential First Density (R1)” zone to a “Residential Multiple Second Density (RM2)” zone, as shown on Schedule “A” attached to Planning Advisory Committee recommendation dated September 11, 2012, be approved:
 - b) the proposed Draft Plan of Condominium (File #48CDM-09102) by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession “C”, Part of Lot 16, Parcel 599, PIN #49144-0001 (LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay, as shown on Schedule “B” attached to Planning Advisory Committee recommendation dated September 11, 2012, be granted Draft Approval;
 - c) the 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 lighting, ingress and egress, building massing and location, parking, landscaping, lot grading, lot drainage and storm water management; and

- d) the Owner of the subject lands agrees to transfer, by way of Reference Plan, the ownership of the remainder of the subject lands, identified as Part 2 on Schedule "A", to the North Bay-Mattawa Conservation Authority.

All of which is respectfully submitted.

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| <u>Assents</u> | <u>Dissents</u> |
| Mendicino | |
| Mayne | |
| Vaillancourt | |
| Mayor McDonald | |

Res. # 2013-300: Moved by Councillor Mendicino seconded by Councillor Mayne That Community Services Committee Report No. 2013-11 relating to:

- Transit service on Douglas Street
- be adopted as presented.

Record of Vote (*Upon request of Deputy Mayor Lawlor*)

Yeas: Deputy Mayor Lawlor, Councillors Bain, Anthony, Vrebosch, Mendicino, Mayne, Campbell, Koziol, Maroosis, Mayor McDonald

Nays: Councillor Vaillancourt

"Carried"

Community Services Committee Report No. 2013-11

May 13, 2013

To The Council
Of The Corporation
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-11 and recommends:

1. That transit service be maintained on Douglas Street.

All of which is respectfully submitted.

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| <u>Assents</u> | <u>Dissents</u> |
| Mendicino | |
| Mayne | |
| Vaillancourt | |
| Mayor McDonald | |

Res. #2013-301: Moved by Councillor Mendicino, seconded by Councillor Mayne That the rezoning application by Richard & Laura Gushulak – 528 Front Street be received and referred to the Community Services Committee for a Public Meeting.

"Carried"

Res. #2013-302: Moved by Councillor Lawlor, seconded by Councillor Anthony That Schedule "A" of the Residential Rental Housing By-Law No. 2012-055 be amended as follows: Delete "Licence Fee for a licence for each Rental Property - \$300.00" and Insert in lieu thereof: "Licence Fee for a licence for each Rental Unit - \$300.00".

Councillor Koziol declared a conflict of interest as her employer is a multi-residential firm.

"Carried"

Res. #2013-303: Moved by Councillor Mendicino, seconded by Councillor Mayne That the recommendation from the Planning Advisory Committee regarding the rezoning application by 2190372 Ontario Inc. & 1340791 Ontario Ltd. – Johnston Road be referred to the Community Services Committee for a Public Meeting.

"Carried"

Res. #2013-304: Moved by Councillor Mendicino, seconded by Councillor Mayne That North Bay City Council approve the Airport Community Improvement Plan application by 1890107 Ontario Inc.

"Carried"

Res. #2013-305: Moved by Councillor Vrebosch, seconded by Councillor Koziol That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Street Lighting Project for the Engineering, Environmental Services and Works Division, being a 2013 Capital Budget Project No. 3322SL, at a net debenture cost of \$500,000.00.

"Carried"

Res. #2013-306: Moved by Councillor Vrebosch, seconded by Councillor Koziol That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Traffic Control Signal Upgrade Program for the Engineering, Environmental Services and Works Division, being a 2013 Capital Budget Project No. 6107SL, at a net debenture cost of \$165,000.00.

"Carried"

Res. #2013-307: Moved by Councillor Vrebosch, seconded by Councillor Koziol That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the purchase of new vehicles and replacement equipment for the Water & Sanitary Sewer maintenance activities for the Engineering, Environmental Services and Works Division, being a 2013 Capital Budget Project No. 6100WS, at a net debenture cost of \$800,000.00.

"Carried"

Res. #2013-308: Moved by Councillor Mendicino, seconded by Councillor Mayne That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Recreation Facilities Rehabilitation and Development Program, being 2013 Community Services Capital Budget Project No. 6119RF, at a net debenture cost of \$160,000.00.

"Carried"

Res. #2013-309: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the report from Ian Kilgour and Erin Richmond dated May 1, 2013 re Sport Tourism, Meetings and Events be received and referred to the Community Services Committee.

"Carried"

Res. #2013-310: Moved by Councillor Mendicino, seconded by Councillor Mayne
That 1) the Mayor and City Clerk be authorized to sign the Condominium Agreement with Burghard Hans Koch, Dagmar Butler, Barbel Reichmann and Ingeborg Koch-Kattenstroth for the approval of a four (4) unit Condominium on Drew Street in the City of North Bay – City File No. 48CDM-12103; and

2) the Mayor, City Clerk and Manager of Planning Services be authorized to sign the Final Plans of Condominium subject to the applicants entering into a Site Plan Control Agreement with the City of North Bay.

"Carried"

Res. #2013-311: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the Request for Exemption from the Condominium Approval process by Miller & Urso Surveying Inc. on behalf of 2259031 Ontario Inc. for the property legally described as Registered Plan No. M-186, Lots 211 and 212, PIN's 49150-0371(LT) & 49150-0372(LT) – 383 Aubrey Street in the City of North Bay as presented on Schedules "A" & "B", attached to Report to Council CSBU 2013-60 be approved.

"Carried"

Res. #2013-312: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Traffic Count Data/Traffic Needs Study Project, being 2013 Engineering, Environmental Services and Works Division, Capital Budget Project No. 3209RD, at a net debenture cost of \$100,000.00.

"Carried"

Res. #2013-313: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council confirm student increases will not follow the non-union salary increases by rescinding Section 2(e) of General Government Committee Report No. 2003-03 which states "any subsequent increases to wage level rates will follow the non-union salary increases."

Councillor Maroosis declared a conflict of interest as his two stepchildren are currently employed as summer student workers.

Councillor Bain declared a conflict of interest as his daughter is a summer student with the City.

"Carried"

Res. #2013-314: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That 1) By-Law No. 2009-15, being a by-law to authorize a special sewer charge (Lots 81 & 82, Plan M-312 – Surrey Drive) be repealed; and

- 2) By-Law No. 2013-124, being a by-law to authorize connections to a sewermain and watermain and impose a water and sewer connection rate to Lots 81, 82 & 91, Plan M-312, Surrey Drive, be brought forward for Council's consideration at the Regular Meeting of Council June 3rd, 2013.

"Carried"

Res. #2013-315: Moved by Councillor Lawlor, seconded by Councillor Anthony That the tax appeal applications attached to Report to Council CORP 2013-51 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 of the *Municipal Act*, S.O. 2001, c.25.

"Carried"

Res. #2013-316: Moved by Councillor Lawlor, seconded by Councillor Anthony That the following by-laws be read a first and second time:

By-Law No. 2013-118 to authorize the Asphalt Sheeting Program.

By-Law No. 2013-120 to confirm proceedings of the Meeting of Council on April 29, 2013.

By-Law No. 2013-121 to amend Development Charges By-Law No. 2009-252 (Schedules "B" and "C").

"Carried"

Res. #2013-317: Moved by Councillor Lawlor, seconded by Councillor Anthony That the following by-laws be read a third time and passed:

By-Law No. 2013-118 to authorize the Asphalt Sheeting Program.

By-Law No. 2013-120 to confirm proceedings of the Meeting of Council on April 29, 2013.

By-Law No. 2013-121 to amend Development Charges By-Law No. 2009-252 (Schedules "B" and "C").

"Carried"

Res. #2013-318: Moved by Councillor Lawlor, seconded by Councillor Anthony That the following by-laws be read a third time and passed:

By-Law No. 2013-85 to stop up, close and convey a portion of the Surrey Drive Road Allowance.

By-Law No. 2013-86 to stop up, close and convey a portion of the laneway, located in a block bounded by Fisher Street, Duke Street East and Princess Street East.

"Carried"

Res. #2013-319: Moved by Councillor Mendicino, seconded by Councillor Mayne That the following by-law be read a first and second time:

By-Law No. 2013-68 to rezone certain lands on Ski Club Road (Golden Estates Limited – Ski Club Road).

"Carried"

Res. #2013-320: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2013-69 to designate a Site Plan Control Area on certain lands on Ski Club Road (Golden Estates Limited – Ski Club Road).

“Carried”

Res. #2013-321: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2013-69 to designate a Site Plan Control Area on certain lands on Ski Club Road (Golden Estates Limited – Ski Club Road).

“Carried”

Res. #2013-322: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2013-97 to rezone certain lands on Trout Lake Road (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-99 to rezone certain lands on Trout Lake Road (Trout Lake Mall Inc. – 2653 Trout Lake Road).

By-Law No. 2013-101 to rezone certain lands on Lakeshore Drive (Nu-North Development Ltd. & Marcel Deschamps – Lakeshore Drive).

By-Law No. 2013-115 to adopt Official Plan Amendment No. 3 (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-116 to adopt Official Plan Amendment No. 4 (Trout Lake Mall Inc. – 2653 Trout Lake Road).

“Carried”

Res. #2013-323: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2013-119 to authorize the execution of an agreement with Bruell Contracting Limited relating to Single Surface Treatment on Various City Roads.

By-Law No. 2013-122 to authorize the execution of an agreement with Trudel Construction relating to Wet Well Access Hatch Modification – Wastewater Treatment Plant.

By-Law No. 2013-123 to authorize the execution of an agreement with Tetra Tech WEI Inc. relating to Grit Removal Project – Wastewater Treatment Plant.

“Carried”

Res. #2013-324: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2013-119 to authorize the execution of an agreement with Bruell Contracting Limited relating to Single Surface Treatment on Various City Roads.

By-Law No. 2013-122 to authorize the execution of an agreement with Trudel Construction relating to Wet Well Access Hatch Modification – Wastewater Treatment Plant.

By-Law No. 2013-123 to authorize the execution of an agreement with Tetra Tech WEI Inc. relating to Grit Removal Project – Wastewater Treatment Plant.

“Carried”

Res. #2013-325: Moved by Councillor Anthony, seconded by Councillor Bain WHEREAS the provincial arbitration system has often had negative financial impact on communities;

AND WHEREAS arbitration decisions have not often included consideration of a municipality's "ability to pay", putting further burden on the tax base;

AND WHEREAS the current Provincial Government has indicated in its 2013 Throne Speech that it would "sit down with its partners across all sectors to build a sustainable model for wage negotiation";

THEREFORE BE IT RESOLVED THAT North Bay City Council urge all parties to support and consider, at the legislative level, a community's ability to pay in regards to the arbitration system;

AND FURTHER THAT a copy of this resolution be forwarded to the Honourable Premier Kathleen Wynne; the Honourable Yasir Naqvi, Minister of Labour; Victor Fedeli, MPP for Nipissing; Andrea Horwath, Leader of the Provincial New Democratic Party; Tim Hudak, Leader of the Provincial Progressive Conservation Party; the Association of Municipalities of Ontario; and to the Federation of Northern Ontario Municipalities.

Record of Vote (*Upon request of Councillor Bain*)

Yeas: Councillors Bain, Maroosis, Lawlor, Mendicino, Koziol, Anthony, Vaillancourt, Vrebosch, Campbell, Mayne, Mayor McDonald

Nays: Nil

“Carried”

Res. #2013-326: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino That “Casual Wear Months” be in effect from Tuesday May 21, 2013 until Monday September 2, 2013 inclusive.

“Carried”

Res. #2013-327: Moved by Councillor Vaillancourt, seconded by Councillor Bain WHEREAS a presentation was delivered by the Nipissing Rifle/Revolver Club at Council on May 13, 2013;

AND WHEREAS the current Business Licensing By-Law (Trade Shows) negatively effects the Annual North Bay Gunshow, by charging a fee and asking for names and addresses of the vendors;

THEREFORE BE IT RESOLVED THAT the Nipissing Rifle/Revolver Club’s Annual Gunshow be exempt from the current Business Licensing – Trade Show Licence;

AND FURTHER be it resolved that the Nipissing Rifle/Revolver Club be charged an annual fee of \$300.00.

“Carried”

Res. #2013-328: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council adjourn in-camera pursuant to section 239(2) of the
Municipal Act, 2001, as amended, at 8:40 p.m. for the following
reasons: Item #17, being a matter that is subject to solicitor-client
privilege; and Item #18, being the potential disposition of lands by the
Municipality.

"Carried"

Councillor Anthony declared a conflict of interest with respect to Item #17, as he has an
indirect pecuniary interest in this matter as the group is a client of his employer.

Councillor Anthony left for the discussion of this Item at 8:58 p.m. and did not return to
the meeting when Council reconvened.

Res. #2013-329: Moved by Councillor Lawlor, seconded by Councillor Bain
That Council reconvene at 9:19 p.m.

"Carried"

Res. #2013-330: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That this Regular Meeting of Council do now adjourn at 9:20 p.m.

"Carried"

Mayor Allan McDonald

City Clerk Catherine Conrad