

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD TUESDAY, FEBRUARY 17<sup>TH</sup>, 2009**

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

**CORRESPONDENCE:**

Downtown Farmers' Market re Renewal of Lease for Lot #11 (86)

**REPORTS FROM OFFICERS:**

Burke, M.B. re Easement purchase from Redeemer Lutheran Church - Third Avenue (83)

Burke, M.B. re Amendment to User Fee By-Law (84)

Burke, M.B. re Purchase of Block 46, Plan M-595 - Janey Avenue (115)

Burke, M.B. re Transfer of Cedar Heights Road school property to Kinsmen Club (116)

Burke, M.B. re Recycling Centre Lease (118)

Carello, P. re 2008 Municipal Accessibility Advisory Committee Annual Report (89)

Carello, P. re 2008 Municipal Heritage Committee Annual Report (90)

Conrad, C.M. re Police Officers Recruitment Fund (97)

Conrad, C.M. re Appointments to Cassellholme-East Nipissing Home for the Aged (98)

Cox, A. re Water Treatment Plant and Facility Maintenance Program (91)

Cox, A. re Watermain Looping-Automatic Flow Program (92)

Cox, A. re Residential Street Rehabilitation Program (93)

Cox, A. re Traffic Control Signal Upgrade Project (94)

Cox, A. re Sewer & Water Reconstruction Program (95)

Cox, A. re Sewage Plant and Pumping Station Improvement Program (96)

Elliott, G. re Reconstruction of the Gormanville Road and Highway 17 intersection (78)

Love, G. re North Bay Fire & Emergency Services 2008 Annual Report (81)

Love, G. re Fire Department Training & Equipment Reserve Accounts (82)

Manning, J. re Supply and installation of a farebox receiver and vault (87)

Manning, J. re Tender 2008-113, Supply of bunker gear (88)

Manning, J. re Tender 2008-115, North Bay Recycling Centre building renovations (101)

Richmond, E. re Former CNR lands between Algonquin Avenue and Front Street (80)

Richmond, E. re Former CN lands - Third Avenue at Fisher Street (117)

Ringler, T.G. re Renewal of Lease for Lot #11 with Downtown Farmers' Market (86)

Rochefort, L. re Tax rebates to eligible charities (85)

Tomek, A. re Renovations to the Recycling Centre (79)

**Res. #2009-74:** Moved by Councillor Vaillancourt, seconded by Councillor Graham That minutes for the public meetings held on:

- Monday, February 2, 2009; and
- Monday, February 9, 2009

be adopted as presented.

“CARRIED”

Res. #2009-75: Moved by Councillor Vaillancourt, seconded by Councillor Graham  
That minutes for the closed meeting held on:

- Monday, February 2, 2009

be adopted as presented.

“CARRIED”

Res. #2009-76: Moved by Councillor Chirico, seconded by Councillor Campbell  
That General Government Committee Report No. 2009-01 relating to:

- *Investing in Ontario Act 2008*

be adopted as presented.

“CARRIED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2009-01**

February 17, 2009

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2009-01 and recommends:

1. That
  - a) City Council accepts the criteria for funding received under the *Investing in Ontario Act, 2008*;
  - b) the \$5,134,772.00 allocated to the City of North Bay by the Province be used for the following eligible “capital expenditures”:
 

Street Reconstruction – McKeown Avenue – up to \$2,800,000	
Street Reconstruction – Pinewood Area	\$500,000
Francis Street Storm Outlet	\$250,000
Road Culvert Replacement	\$150,000
Rural Roadways	\$500,000
City Hall Building Rehabilitation	\$750,000
Fire Vehicle Replacement Program	\$750,000;
  - c) should additional Federal infrastructure funding be received for the projects listed within the \$5,134,772 Investing in Ontario Program that staff be authorized to allocate the funds to other priority capital expenditures; and
  - d) the Province be thanked for this significant infrastructure investment in the City of North Bay.

All of which is respectfully submitted.

ASSENTS  
CHIRICO  
CAMPBELL  
VAILLANCOURT  
VREBOSCH-MERRY  
FEDELI

DISSENTS

Res. #2009-77: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2009-05 relating to:

- Official Plan Amendment and Rezoning applications by 793567 Ontario Inc. - 891 Jet Avenue

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2009-05**

February 17, 2009

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2009-05 and recommends:

1. That
  - a) the Official Plan Amendment application by 793567 Ontario Inc. to amend Plan 38, Lots 17 & 18, Reference Plan 36R-8027, Parts 1 & 2 and the West Sections of Parts 11 & 13 corresponding to Plan 38, Lots 17 & 18 (891 Jet Avenue), from “General Industry” to “Residential” be approved;
  - b) the Zoning By-Law Amendment by 793567 Ontario Inc. to rezone Plan 38, Lots 17 & 18, Reference Plan 36R-8027, Parts 1 & 2 and the West Sections of Parts 11 & 13 (891 Jet Avenue) from an “Industrial Special Zone No. 10a (MSp.10a)” to a “Residential Multiple Third Density Special Zone (RM3 Sp.)”, be approved; and
  - 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 and fencing.

All of which is respectfully submitted.

ASSENTS

ANTHONY  
MENDICINO  
GRAHAM  
FEDELI

DISSENTS

Res. #2009-78: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) the proposed agreement for construction works on MTO lands at the intersection of Gormanville Road and Highway 17 be approved and executed; and

- 2) a copy of Report EESW 2008-047 dated December 29, 2008 by George Elliott, Senior Municipal Engineer, be forwarded to Jeff Cole for information.

“CARRIED”

Res. #2009-79: Moved by Councillor Koziol, seconded by Councillor Bain  
That the resolution from the Waste Resources Liaison Committee regarding the renovations to the Recycling Centre be received, noted and filed.

“CARRIED”

Res. #2009-80:

Moved by Councillor Chirico, seconded by Councillor Campbell

- That
- 1) Council direct staff to initiate the rezoning process for the City owned lands (formerly CNR Railway corridor) between Algonquin Avenue and Front Street (Parts 1, 2, 3 & 4, Plan 36R-11392, Part of Cedar Street, Concession D, Lot 21, Widdifield Township, and Part 5 to 11 and 13, Plan 36R-11392, Concession D, Lot 21, Widdifield Township) (as shown on Schedule "A" to Report CSBU 2009-10), from "Residential Third Density (R3)" to "Residential Multiple Second Density Special (RM2Spc)" zone to accommodate several townhouse developments;
  - 2) Council direct staff to initiate negotiations for a land exchange for a portion of the lands between Ann Street and Galt and Front Street fronting on Ann Street, for the purposes of a lot addition to 537 Ann Street (as shown as Schedule "B" to Report CSBU 2009-10);
  - 3) Council direct staff to prepare a Request for Proposal for the City owned lands between Algonquin Avenue and Front Street upon completion of the rezoning (as shown as Schedule "A" to Report CSBU 2009-10), that would result in approximately eighteen (18) new townhouse units by way of freehold or condominium ownership for the purpose of creating entry level homeownership opportunity;
  - 4) Council direct staff to prepare for the sale of the subject property with the primary objective of providing opportunity for entry level homeownership while receiving a fair market price for the property;
  - 5) Council direct staff to prepare a Road Opening By-Law for the connection of Ann Street between Front and Cedar Streets; and
  - 6) a Record of Site Condition be filed with the Ministry of the Environment.

"CARRIED"

Res. #2009-81:

Moved by Councillor Anthony, seconded by Councillor Mendicino

That Council receive the 2008 Annual Report of the North Bay Fire & Emergency Services.

"CARRIED"

Res. #2009-82:

Moved by Councillor Anthony, seconded by Councillor Mendicino

That Fire Chief Grant Love be approved to purchase specialized training and replacement equipment from the Fire Department Training and Equipment Reserve account as indicated in Report to Council CSBU 2009-15.

"CARRIED"

Res. #2009-83:

Moved by Councillor Chirico, seconded by Councillor Campbell

That Council approve the purchase of an easement for above ground drainage from the Redeemer Lutheran Church (Third Avenue), for the sum of \$2,250.00.

"CARRIED"

Res. #2009-84: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council authorize an amendment to delete the reference to Site  
Plan Control Agreements contained in Schedule "B" of the City of  
North Bay User Fee By-Law No. 2007-115.

"CARRIED"

Res. #2009-85: Moved by Councillor Chirico, seconded by Councillor Campbell  
That By-Law No. 2005-10, being a by-law to establish a Tax Rebate  
Program for eligible charities, be amended to include a definition for  
places of worship and increase the rebate from 40% to 100% for those  
specific properties.

"CARRIED"

Res. #2009-86: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the Downtown Farmers' Market Board of Directors be granted  
permission to use the McIntyre Street East Lot #11 opposite City Hall  
each Saturday from May to October, between the hours of 8:00 am to  
3:00 pm without charge, subject to the prior receipt of an insurance  
certificate satisfactory to the City Solicitor.

"CARRIED"

Res. #2009-87: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That North Bay City Council approve the award of a contract to Garival  
Inc., in the amount of \$63,500.00 (taxes extra), for the supply and  
installation of a farebox receiver and vault.

"CARRIED"

Res. #2009-88: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) North Bay City Council approve a contract be issued to  
PPE Solutions Inc. in the amount of \$188,043.30 (taxes  
inc.), for the supply of 90 sets of bunker gear to be  
supplied over a three (3) year period; and  
2) a Capital Expenditure By-Law be prepared and presented  
to City Council to authorize the Fire Bunker Gear  
Replacement Program totaling \$198,000, as included in  
the 2009/2010/2011 Capital Budget Line #88.

"CARRIED"

Res. #2009-89: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the 2008 Update - Municipal Accessibility Plan be received and  
referred to the Community Services Committee.

"CARRIED"

Res. #2009-90: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the 2008 Municipal Heritage Committee Annual Report be  
received and referred to the Community Services Committee.

"CARRIED"

Res. #2009-91: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law in the amount of \$250,000 be  
prepared for Council's consideration for the Water Treatment Plant  
Facilities and Repairs funded from the 2009 Water and Sanitary  
Capital Works Budget Project Line Item #W48.

"CARRIED"

Res. #2009-92: Moved by Councillor Koziol, seconded by Councillor Bain  
That the City Clerk prepare a by-law for approval to fund the Watermain Looping-Automatic Flow Program identified as Project Line Item #W49 in the approved Water and Sanitary Sewer Rates, Debentures and Reserves Budget, in the amount of \$100,000 for 2009.

“CARRIED”

Res. #2009-93: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the Residential Street Rehabilitation Program, being a 2009 Capital Budget Line Item #51 and W#41, at a net debenture cost of \$400,000.

“CARRIED”

Res. #2009-94: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Traffic Control Signal Upgrade Project, being a 2009 Project Line Item #55, at a net debenture cost of \$150,000; and

2) individual reports may be provided to City Council with respect to the various components of this project.

“CARRIED”

Res. #2009-95: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the Sewer and Water Reconstruction Program of the Engineering, Environmental Services and Works Department, being 2009 Water and Sanitary Sewer Capital Budget Project Line Item #W46, at a net debenture cost of \$100,000.

“CARRIED”

Res. #2009-96: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council’s consideration for Sewage Plant and Pumping Station repairs funded from the 2009 Water and Sanitary Sewer Capital Works Budget Project Line #W47, at a net debenture cost of \$600,000.

“CARRIED”

Res. #2009-97: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council authorize the Mayor and City Clerk to execute an Agreement with the Minister of Community Safety and Correctional Services and the North Bay Police Services Board regarding the Police Officers Recruitment Fund.

“CARRIED”

Res. #2009-98: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Councillors Peter Chirico, Dave Mendicino and Tom Graham be reappointed to the Cassellholme-East Nipissing Home for the Aged for the remaining term of office to expire November 30, 2010.

“CARRIED”

Res. #2009-99: Moved by Councillor Chirico, seconded by Councillor Campbell  
That accounts totaling \$11,352,700.74 for January 2009 be approved.

“CARRIED”

Res. #2009-100: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That accounts for Royal Bank totaling \$1,720.70 for January 2009 be approved.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as he is employed by the Royal Bank.

Res. #2009-101: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) North Bay City Council approve a contract be awarded to D.J. Venasse Construction Limited in the amount of \$547,050 (GST included), for renovations to the North Bay Recycling Centre at 112 Patton Road. The contract would be conditional upon an agreement of terms by both parties in a new long-term lease; and  
2) a Capital Expenditure By-Law be prepared and presented to City Council to authorize the Recycling Centre Leasehold Improvement Project totaling \$800,000 as included in the Capital Budget Line #42.

“CARRIED”

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

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

Nays: Councillor Mayne

Res. #2009-102: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a first and second time:

By-Law No. 2009-19 to stop up, close and convey portions of the Main Street West and Robert Street road allowance.

“CARRIED”

Res. #2009-103: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a first and second time:

By-Law No. 2009-20 to authorize the sale of lands no longer required for municipal purposes - Part of Lot 162, Plan 134, and Part of Lot 91, Plan 15 (McIntyre Street West).

By-Law No. 2009-24 to authorize the Park Building Rehabilitation Program.

By-Law No. 2009-25 to authorize the Traffic Signalized Pedestrian Crossing Program - Memorial Drive and Oak Street.

“CARRIED”

Res. #2009-104: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:

By-Law No. 2009-20 to authorize the sale of lands no longer required for municipal purposes - Part of Lot 162, Plan 134, and Part of Lot 91, Plan 15 (McIntyre Street West).

By-Law No. 2009-24 to authorize the Park Building Rehabilitation Program.

By-Law No. 2009-25 to authorize the Traffic Signalized Pedestrian Crossing Program - Memorial Drive and Oak Street.

“CARRIED”

Res. #2009-105: Moved by Councillor Campbell, seconded by Councillor Vaillancourt  
That the following by-laws be read a first and second time:

By-Law No. 2009-26 to execute an Amending Agreement with Vrancor Development Corporation to revise the schedule for completion of the First Milestone (former Kenroc Industrial Site).

By-Law No. 2009-27 to execute an Amending Agreement with North Bay 1355 Seymour Street Inc. to extend the closing date (second hotel site on Seymour Street).

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the purchasers are clients of the Royal Bank.

Res. #2009-106: Moved by Councillor Campbell, seconded by Councillor Vaillancourt  
That the following by-laws be read a third time and passed:

By-Law No. 2009-26 to execute an Amending Agreement with Vrancor Development Corporation to revise the schedule for completion of the First Milestone (former Kenroc Industrial Site).

By-Law No. 2009-27 to execute an Amending Agreement with North Bay 1355 Seymour Street Inc. to extend the closing date (second hotel site on Seymour Street).

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the purchasers are clients of the Royal Bank.

Res. #2009-107: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a third time and passed:

By-Law No. 2009-13 to stop up, close and convey a portion of a laneway in a block bounded by Eva Street, O'Brien Street and Kehoe Street.

“CARRIED”

Res. #2009-108: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2009-09 to adopt Official Plan Amendment No. 112 (793567 Ontario Inc. - 891 Jet Avenue).

By-Law No. 2009-17 to rezone certain lands on Jet Avenue (793567 Ontario Inc. - 891 Jet Avenue).

“CARRIED”

Res. #2009-109: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a first and second time:



By-Law No. 2009-18 to designate a Site Plan Control Area on certain lands on Jet Avenue (793567 Ontario Inc. - 891 Jet Avenue).

“CARRIED”

Res. #2009-110: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2009-18 to designate a Site Plan Control Area on certain lands on Jet Avenue (793567 Ontario Inc. - 891 Jet Avenue).

“CARRIED”

Res. #2009-111: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third and passed:

By-Law No. 2009-07 to rezone certain lands on Pearce Street (676585 Ontario Inc. and 655099 Ontario Ltd. - Pearce Street).

“CARRIED”

Res. #2009-112: Moved by Councillor Anthony, seconded by Councillor Mendicino  
WHEREAS municipalities can and should do their part to encourage a healthier environment;

BE IT THEREFORE RESOLVED THAT the City of North Bay take part in Earth Hour on Saturday, March 28th 2009 and encourage all citizens to consider taking part as well by turning out the lights for one hour;

AND BE IT FURTHER RESOLVED THAT the City of North Bay declare the hour from 8:30 p.m. to 9:30 p.m. on Saturday, March 28<sup>th</sup> as “EARTH HOUR” in the municipality of North Bay;

AND BE IT FURTHER RESOLVED THAT the City of North Bay register its efforts with the Association of Municipalities of Ontario which is spearheading the provincial effort.

“CARRIED”

Res. #2009-113: 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 7:55 p.m. to discuss Items 25, 26, 27, and 28, 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. #2009-114: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council reconvene at 8:24 p.m.

“CARRIED”

Res. #2009-115: Moved by Councillor Campbell, seconded by Councillor Vaillancourt  
That Council agree to acquire Block 46, Plan M-595 (Janey Avenue) for outstanding taxes in the amount of \$3,600.00 plus legal fees if necessary.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the land owner is a client of the Royal Bank.

Res. #2009-116: Moved by Councillor Chirico, seconded by Councillor Campbell  
That, as required by the 1985 Agreement with Kinsmen Club, the Cedar Heights Road School, excluding the tower property, be transferred to the Kinsmen Club of North Bay for \$1.00.

“CARRIED”

Res. #2009-117: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) Council declare the lands in the development block on Third Avenue between Fisher and Hammond Streets (Lots 5-8, Plan 20, Concession D, Lot 19, Widdifield Twp.)(as shown on Schedule “A” and “B” attached to Report CSBU 2009-11) as surplus to City needs;

2) Council direct staff to prepare a Request for Proposal for the City owned lands along Third Avenue at Fisher Street (as shown on Schedules “A” and “B” attached to Report CSBU 2009-11), that would result in approximately five (5) new single or semi-detached dwellings; and

3) a Record of Site Condition be prepared by the City and filed with the Ministry of the Environment.

“CARRIED”

Res. #2009-118: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council approve a ten (10) year lease extension with 890242 Ontario Inc. for the Recycling Centre at 112 Patton Street, North Bay at an initial rent of \$90,000.00 per year, to commence March 1, 2009 in conjunction with Tender No. 2008-115 to rehabilitate the building.

“CARRIED”

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

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

Nays: Councillor Mayne

Res. #2009-119: Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That this Regular Meeting of Council do now adjourn at 8:29 p.m.

“CARRIED”