

**Minutes of The Regular Meeting
of City Council
Held Monday, February 4, 2013**

Present:

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

Public Presentations:

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| Cathy Wilcox | re Laurentian Ski Hill & Snowboarding Club |
| Sadie Resko | re Re-routing Water/Spring from Johnson Creek |

Correspondence:

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|---|---|
| 899430 Ontario Inc. and 2142727 Ontario Inc. | re Rezoning Application & Subdivision Redline Amendment - Highland Woods Subdivision, Airport Rd./Mapleridge Dr./Bain Dr. & Golf Club Road (55) |
| Nu-North Development Inc. & Marcel Deschamps | re Rezoning Application - Lakeshore Drive & Birch's Road (56) |
| Tim Falconi / Carlo Guido | re Rezoning Application - 715 High Street (57) |
| William John & Helen Norman | re Rezoning Application - Carmichael Drive (58) |
| Tony Cerasia | re Resignation from the Property Standards Committee (59) |

Reports From Officers:

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| Bellehumeur, R. | re North Bay Farmers' Market Lease of Parking Lot Wyld 10 (66) |
| Boissonneault, L. | re 2013 Water and Sanitary Sewer Rates – Supplemental #5 (68) |
| Carvell, D. | re Canadore College Student Pass Program Renewal (62) |
| Chirico, P. | re Termination of Agreement with Nipissing University (Varsity), North Bay Jr. A Trappers (Trappers) and 2196079 Ontario Inc. (63) |
| Chirico, P. | re Memorial Gardens and OHL Franchise Relocation (67) |
| Fralic, K. | re 1812 Commemoration Fund Grant Application (65) |
| Fralic, K. | re Memorial Gardens Funding Confirmation for NOHFC and FedNor Grant Applications (64) |
| Lang, A. | re 2013 Temporary Borrowing By- Law (60) |
| Lang, A. | re 2012 Treasurer's Statement on Development Charges (61) |

Res. #2013-48: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meetings held on:

- Monday, January 21, 2013; and
- Monday, January 28, 2013

be adopted as presented.

“Carried”

Res. #2013-49: Moved by Councillor Lawlor, seconded by Councillor Anthony
That General Government Committee Report No. 2013-10 relating to:

- General Capital Budget (save and except Projects related to
- Cedar Heights Road)

be adopted as presented.

“Carried”

General Government Committee Report No. 2013-10

February 4, 2013

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-10 and recommends:

- That
- 1 a) City Council adopt the 2013 General Capital Budget as presented in Schedule “A”, attached to Report to Council CORP 2013-12 dated January 30, 2013, being a Supplemental Report to 2013-08 dated January 24, 2013, for General Capital Projects to be funded from Debentures, Capital Levy, Development Charges, Federal and Provincial Government Grant Programs, Reserves and other contributions totaling, a net capital budget of \$22,343,660;
 - b) City Council authorize the Chief Financial Officer to review and sign each Report to Council that requests approval of a Capital Project to ensure the approvals do not exceed the General Capital Proposed Capital Funding Policy Expenditure Limit of \$22,461,744;
 - c) City Council adopt the Capital Forecast (2014-2022) for Capital Projects as presented in Schedule “A”, save and except for: Project 3900RD (Cedar Heights Road - City Share of Cost);
 - d) City Council adopt the 2013 Sewer and Water Capital Budget as presented in Schedule “B”, attached to Report to Council CORP 2013-12 dated January 30, 2013, being a Supplemental Report to 2013-08 dated January 24, 2013, for Sewer and Water Capital Projects to be funded from Sanitary Sewer and Water Rates, Debentures, Development Charges, Federal and Provincial Government Grant Programs, Reserves and other contributions totaling, a net capital budget of \$11,026,000, save and except for: Project 2803WS (Cedar Heights: Phase 1 - BPS & Main);
 - e) City Council authorize the Chief Financial Officer to review and sign each Report to Council that requests approval of a Capital Project to ensure the approvals do not exceed the Sewer and Water Proposed Capital Funding Policy Expenditure Limit of \$11,111,158;

- f) City Council adopt the Sewer and Water Capital Forecast (2014-2022) for Capital Projects as presented in Schedule "B", save and except for: Project 2803WS – Cedar Heights: Phase 1 - BPS and Main; Project 3607WS Cedar Heights: Phase 2 – Larocque Standpipe and Main Extension; Project 3904WS - Cedar Heights: Phase 3 – Larocque BPS;
- g) City Council authorize the required transfers to and from the various funds in accordance with the 2013 Adopted Capital Budget; and
- h) City Council authorize the Chief Financial Officer to process the budget transfers during the year, which do not change the overall approved Net Capital Budget; and
- i) Capital Project 6115RF Memorial Gardens Rehabilitation program representing the total project to renovate Memorial Gardens in preparation for the Battalions totals \$12,000,000 over the ten (10) year period 2013-2022. Council approves the work to be completed in 2013 and that the funding in the amount of \$3,600,000 represents a pre-commitment to future years capital budgets and will therefore be provided for over the ten (10) year capital plan.

All of which is respectfully submitted.

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| <u>Assents</u> | <u>Dissents</u> |
| Lawlor | |
| Anthony | |
| Bain | |
| Maroosis | |
| Mayor McDonald | |

Res. #2013-50: Moved by Councillor Anthony, seconded by Councillor Bain
That General Government Committee Report No. 2013-11 relating to:

- General Capital Budget for Projects related to Cedar Heights Road be adopted as presented.

Mayor McDonald declared a conflict of interest as he owns property in the area.

"Carried"

General Government Committee Report No. 2013-11

February 4, 2013

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-11 and recommends:

That 1 a) City Council adopt the General Capital Forecast (2014-2022) for Project 3900RD being the Cedar Heights Road - City Share of Cost project as contained in Schedule "A", attached to Report to Council CORP 2013-12 dated January 30, 2013, being a Supplemental Report to 2013-08 dated January 24, 2013, to the General Capital Budget;

- b) City Council adopt the 2013 Sewer and Water Capital Budget for Project 2803WS being the Cedar Heights: Phase 1 - BPS & Main project in the amount of \$4,100,000 as contained in Schedule "B", attached to Report to Council CORP 2013-12 dated January 30, 2013, being a Supplemental Report to 2013-08 dated January 24, 2013, to the Sewer and Water Capital Budget;
- c) City Council adopt the Sewer and Water Capital Forecast (2014-2022) for Project 2803WS – Cedar Heights: Phase 1 - BPS and Main project as contained in Schedule "B" to the Sewer and Water Capital Budget;
- d) City Council adopt the Sewer and Water Capital Forecast (2014-2022) for Project 3607WS – Cedar Heights: Phase 2 – Larocque Standpipe and Main Extension project as contained in Schedule "B" to the Sewer and Water Capital Budget; and
- e) City Council adopt the Sewer and Water Capital Forecast (2014-2022) for Project 3904WS - Cedar Heights: Phase 3 – Larocque BPS project as contained in Schedule "B" to the Sewer and Water Capital Budget.

All of which is respectfully submitted.

Assents
 Lawlor
 Anthony
 Bain
 Maroosis

Dissents

Res. #2013-51: Moved by Councillor Mendicino, seconded by Councillor Mayne
 That Community Services Committee Report No. 2013-02 relating to:

- Multi-Use Recreation Facility Study

be adopted as presented.

"Carried"

Community Services Committee Report No. 2013-02

February 4, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-02 and recommends:

1. That staff be directed to prepare a report for Council's consideration based on the options presented in the Multi-Use Recreation Facility Study.

All of which is respectfully submitted.

Assents
 Mendicino
 Mayne
 Vaillancourt
 Mayor McDonald

Dissents

Res. #2013-52: Moved by Councillor Mendicino, seconded by Councillor Mayne
That Community Services Committee Report No. 2013-03 relating to:

- Rezoning Application and Draft Plan of Condominium by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. – Ski Club Road

be adopted as presented.

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

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

Nays: Nil

“Carried”

Community Services Committee Report No. 2013-03

February 4, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-03 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)” 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. #2013-53: Moved by Councillor Mendicino, seconded by Councillor Mayne
That Community Services Committee Report No. 2013-04 relating to:

- North Bay Fire & Emergency Services User Fees

be adopted as presented.

Councillor Koziol declared a conflict of interest as the user fees to be charged by North Bay Fire and Emergency Services may affect materially the multi-residential business she works for.

“Carried”

Community Services Committee Report No. 2013-04

February 4, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-04 and recommends:

1. That Council authorize the City Clerk to amend By-Law No. 2011-129, to amend the user fees to be charged by North Bay Fire & Emergency Services effective January 1, 2013, as outlined in Report to Council No. CSBU 2012-85 dated November 28, 2012.

All of which is respectfully submitted.

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

Res. #2013-54: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That Engineering & Works Committee Report No. 2013-01 relating to:

- Waste Management User Fees

be adopted as presented.

“Carried”

Engineering & Works Committee Report No. 2013-01

February 4, 2013

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2013-01 and recommends:

1. That 1) City Council approve the increase in tipping fees for solid waste from the industrial, commercial and institutional sources to \$81.00 per metric tonne effective April 1, 2013 and \$84.00 per metric tonne effective January 1, 2014;

- 2) other Waste Management user fees remain the same and are stated for the public record; and
- 3) the City Clerk prepare the necessary Waste Management User Fee By-Law for these changes to take effect as planned.

All of which is respectfully submitted.

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|----------------|-----------------|
| <u>Assents</u> | <u>Dissents</u> |
| Vrebosch | |
| Koziol | |
| Campbell | |
| Mayor McDonald | |

Res. #2013-55: Moved by Councillor Mendicino, seconded by Councillor Mayne That the Rezoning Application and Subdivision Redline Amendment by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. & 2142727 Ontario Inc. – Highland Woods Subdivision – Airport Road, Mapleridge Drive, Bain Drive & Golf Club Road be received.

“Carried”

Res. #2013-56: Moved by Councillor Mendicino, seconded by Councillor Mayne That the Rezoning Application by Miller & Urso Surveying Inc. on behalf of Nu-North Development Inc. and Marcel Deschamps, Concession 15, Part of Lot 19 – Lakeshore Drive and Birch’s Road be received.

“Carried”

Res. #2013-57: Moved by Councillor Mendicino, seconded by Councillor Mayne That the Rezoning Application by Goodridge Planning & Surveying Limited on behalf of Tim Falconi and Carlo Guido – 715 High Street be received.

“Carried”

Res. #2013-58: Moved by Councillor Mendicino, seconded by Councillor Mayne That the Rezoning Application by Goodridge Planning & Surveying Limited on behalf of William John & Helen Norman – Carmichael Drive be received.

“Carried”

Res. #2013-59: Moved by Councillor Lawlor, seconded by Councillor Anthony That the resignation of Tony Cerasia from the Property Standards Committee effective January 25, 2013 be received and he be thanked for his involvement on the Committee.

“Carried”

Res. #2013-60: Moved by Councillor Lawlor, seconded by Councillor Anthony That 1) City Council authorize temporary borrowing from time to time of the amounts that the municipality considers necessary to meet expenses of the municipality for the fiscal year 2013, and;

- 2) the by-law be presented for three (3) readings on February 19, 2013.

“Carried”

Res. #2013-61: Moved by Councillor Lawlor, seconded by Councillor Anthony That Report to Council CORP 2013-09 dated January 29, 2013 from Al Lang regarding the 2012 Treasurer's Statement be received by Council and that a copy be submitted to the Minister of Municipal Affairs and Housing.

"Carried"

Res. #2013-62: Moved by Councillor Mendicino, seconded by Councillor Mayne That 1) City Council endorses the renewal of the Transit Service Agreement with Canadore College, being a three (3) year agreement for all full time students for each school term, September to April for the 2013 to 2016 school years, including the Aviation students' Early Start/Late Finish passes; and
2) the Mayor and City Clerk be authorized to execute the Transit Service Agreement.

"Carried"

Res. #2013-63: Moved by Councillor Mendicino, seconded by Councillor Mayne That staff issue Notices of Termination to Nipissing University (Varsity), North Bay Jr. A Trappers (Trappers), and 2196079 Ontario Inc. with respect to the Lease Agreements at Memorial Gardens.

"Carried"

Res. #2013-64: Moved by Councillor Mendicino, seconded by Councillor Mayne That 1) City Council confirm the City of North Bay's intention to contribute \$3,900,000 from the Capital Budget and \$1,100,000 from the Capital Reserve to the renovations and upgrades to the Memorial Gardens facility; and
2) Council confirm the City of North Bay's responsibility for the cost overruns at Memorial Gardens.

"Carried"

Res. #2013-65: Moved by Councillor Mendicino, seconded by Councillor Mayne That City Council authorize staff to prepare and submit an application to the Canadian Heritage 1812 Commemoration Fund.

"Carried"

Res. #2013-66: Moved by Councillor Mendicino, seconded by Councillor Mayne That the North Bay Farmers' Market be granted permission to use Parking Lot Wyld 10 without charge between the hours of 7:00 a.m. to 3:00 p.m., each Saturday beginning the long weekend of May and ending the Thanksgiving weekend of October, through the years 2013 to 2019, subject to the receipt of a Certificate of Insurance satisfactory to the City Solicitor.

"Carried"

Res. #2013-67: Moved by Councillor Mendicino, seconded by Councillor Mayne That 1) City Council receive an update on project status for information purposes only;

- 2) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation and OHL Franchise being 2013 Community Services Capital Budget Project No. 6115RF, at a net debenture cost of \$3,900.000; and
- 3) Council receive an update on Architectural Services and Construction Management.

“Carried”

- Res. #2013-68: Moved by Councillor Bain, seconded by Councillor Maroosis
That
- 1) City Council continues to adopt a policy of full cost recovery for Water and Sanitary Sewer Systems operating, capital, and financing costs from the user rates;
 - 2) the 2013 Water and Sanitary Sewer rate increase be 3.08% or 3.78% annualized effective March 1, 2013;
 - 3) the Water Filtration Plant Capital Surcharge be reduced from 8% to 6.86% of water charges or 6.77% annualized effective March 1, 2013;
 - 4) the Sanitary Sewer Surcharge be reduced from 86% to 71.01% of water charges or 70% annualized effective March 1, 2013;
 - 5) one time reduction in the Pay-As-You-Go Capital Levy be approved in the amount of (\$581,576).

Mayor McDonald declared a conflict of interest as he owns property identified in the report.

“Carried”

- Res. #2013-69: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a first and second time:
- By-Law No. 2013-010, being a by-law to confirm proceedings of the Meeting of Council on January 21, 2013.
- By-Law No. 2013-011, being a by-law to authorize the executive of an agreement with Reliable Window Cleaners (Sudbury) Limited relating to Contract Cleaning Services.

“Carried”

- Res. #2013-70: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:
- By-Law No. 2013-010, being a by-law to confirm proceedings of the Meeting of Council on January 21, 2013.
- By-Law No. 2013-011, being a by-law to authorize the executive of an agreement with Reliable Window Cleaners (Sudbury) Limited relating to Contract Cleaning Services.

“Carried”

Res. #2013-71: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2013-012, being a by-law to amend By-Law No. 35-96
(being a by-law to regulate the use of public parks within the City of
North Bay).

“Carried”

Res. #2013-72: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2013-012, being a by-law to amend By-Law No. 35-96
(being a by-law to regulate the use of public parks within the City of
North Bay).

“Carried”

Res. #2013-73: Moved by Councillor Anthony, seconded by Councillor Mayne
WHEREAS the Municipality of West Nipissing has requested support
from its neighbouring municipalities with respect to the Provincial
Policy Statement Five Year Review, and in particular with respect to
concerns related to Aggregate Resource Policies and to the
establishment and protection of pit quarries;

AND WHEREAS the Municipality of West Nipissing has expressed their
concerns with regard to Crown Land issues and in particular,
Aggregate Permit Applications proceeding with very little municipal
consultation;

AND WHEREAS the Council for the Municipality of West Nipissing on
December 4, 2012, adopted a resolution urging the Minister of
Municipal Affairs and Housing to have regard for the concerns of the
Municipality of West Nipissing as it relates to Aggregate Resources
Policies and that these concerns be addressed when making changes
to the Provincial Policy Statement in its Five Year Review process;

AND WHEREAS the following issues remain unresolved:

- 1) Policies relating to Aggregate Resource Lands place very little
control within the hands of individual municipalities as to where
mineral extractive and quarrying activities will be permitted to
establish, particularly when those lands are owned by the Crown,
but located within municipal boundaries;
- 2) The application process for new quarries does not provide advance
notice to the affected municipality or to its Planning authority; and
- 3) Municipalities are not made privy to the status of on-going
applications carried on within their boundaries;

AND WHEREAS municipalities should be entitled to a more inclusive
and timely role with regard to Quarry applications and decisions taken
by the Ministry of Natural Resources;

BE IT RESOLVED THAT the Council for The Corporation of the City of
North Bay supports the Municipality of West Nipissing’s request and
urges the Honourable Michael Gravelle, Minister of Natural Resources,
the Honourable Rick Bartolucci, Minister of Northern Development and
Mines, and the Honourable Peter Kent, Minister of the Environment, to
consider amending the regulations governing Aggregate extractive
applications to allow a more inclusive role of individual municipalities
with regard to decisions and decisions involving the granting of
Aggregate Permits within their municipal boundaries;

BE IT ALSO RESOLVED THAT a copy of this resolution be forwarded to the Municipality of West Nipissing, Premier Elect Kathleen Wynne, Vic Fedeli, MPP for Nipissing, the Provincial Leaders of the Opposition, the Association of Municipalities of Ontario and to the Federation of Northern Ontario Municipalities.

"Carried"

Res. #2013-74: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That this Regular Meeting of Council do now adjourn at 7:54 p.m.

"Carried"

Mayor Allan McDonald

City Clerk Catherine Conrad