

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JULY 26TH, 2004**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Anthony, Bain, Campbell, Boldt, Mason, Koziol, Marosis, Mendicino

CORRESPONDENCE:

Core Homeless Association	re Track Crossing Indemnity Agreement - Festival for the Homeless	(538)
Davedi Club	re Flying of the Italian Flag	(525)
Fraser, The	re Temporary Liquor License Extension	(526)
Girard, Laurent	re Rezoning Application - Colette and Eric Girard, 6150 Highway 63	(531)
Marshall, Lloyd	re Parks Creek Property - Labreche Drive	(547)
Miller, Rick	re Rezoning Application - D.J. Venasse Construction (1988) Limited, 690 McKeown Avenue	(530)
Perry, Township of	re Almaguin Highlands Information Centre	(523)
Pizza Pizza Limited	re Encroachment Agreement - 100 Main Street West	(537)
Swain, Dr. Mark	re Exclusive Use of Kate Pace Way	(524)

REPORTS FROM OFFICERS:

Burke, M.	re Encroachment Agreement - 100 Main Street West	(537)
Burke, M.	re Track Crossing Indemnity Agreement - Festival for the Homeless	(538)
Burke, M.	re Parks Creek Property - Labreche Drive	(547)
Burke, M.	re Dalron Environmental Agreement /Timing Amendments	(548)
Cormier, D.	re Prohibited Parking - Heritage Festival & Air Show	(539)
Evans, R.	re Almaguin Highlands Information Centre	(523)
Houston, J.	re Flying of the Italian Flag	(525)
Kitlar, S.	re Exclusive Use of Kate Pace Way	(524)
Kilgour, I.	re Rezoning Application - Stefano Marmina - 340, 348 and 356 Lansdowne Avenue	(532)
Killins, S.	re Sign Variance - Pizza Pizza Limited, 100 Main Street West	(536)
Knox, J.	re Chief Commanda II	(546)
Planning Advisory Committee	re Rezoning Application - 1081751 Ontario Inc. (Tarmagon Aggregates/Don Fudge) - Highway 17 East	(527)
Planning Advisory Committee	re Rezoning Application - Dr. Lukmaan Waja on behalf of Lawrence and Elizabeth Parkinson - 30 Larocque Road	(528)
Planning Advisory Committee	re Rezoning Application - City of North Bay - Janey Avenue	(529)
Rogers, B.	re RFP 2004-97, Development Charges Background Study	(535)

Res. #2004-520: Moved by Councillor Bain, seconded by Councillor Vaillancourt That minutes for the meetings held:

- Tuesday, June 29, 2004; and
- Monday, July 12, 2004

be adopted as presented.

"CARRIED"

Res. #2004-521: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-17 relating to:

- Rezoning by Renaissance Development Corporation, McIntyre Street West (rail lands)

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-17

July 26, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-17 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Rick Miller on behalf of Renaissance Development Corporation to rezone Plan M-15, Part Lots 76 to 86 (inclusive), Plan 36R-11391, Parts 2, 3 and 4 from a “Railway (MR)” zone to a “Residential Third Density (R3)” zone be approved; and
 - b) the applicant enter into a Subdivision Agreement with the City of North Bay prior to site development to address site servicing, lot grading, stormwater management and ingress/egress.

All of which is respectfully submitted.

ASSENTS

DISSENTS

MENDICINO
KOZIOL
MAROOSIS
FEDELI

Res. #2004-522: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-13 relating to:

- Tipping fee rates for Mak-U-Mats

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-13

July 26, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-13 and recommends:

1. That Mak-U-Mats owned by Peter Taylor of 560 Four Mile Lake Road be granted a tipping fee waiver of up to 5 tonnes of waste at the Merrick Landfill Site during the calendar year 2004.

All of which is respectfully submitted.

ASSENTS

DISSENTS

MASON
BOLDT
CAMPBELL
FEDELI

Res. #2004-523: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) the Mayor and Council not approve the \$1,000.00 funding request of the Almaguin Highlands Information Centre;

- 2) the Manager of the Mayor’s Office of Economic Development meet with the Manager of the Information Centre to discuss concerns by August 31st, 2004; and
- 3) the request be referred to our GAP Officer to investigate possible funding sources.

“CARRIED”

Res. #2004-524: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the proposed triathlon, organized by the North Bay & District Chiropractic Society, be approved for exclusive use of the Kate Pace Way from Lee Park, southerly to Marshall Park Avenue on September 19th, 2004 between the hours of 8:00 a.m. to 9:00 a.m., subject to the following terms and conditions:

- 1) the Kate Pace Way be closed to the public during the first portion (roller blades) of the triathlon;
- 2) a Facility Permit be acquired from the Parks, Recreation and Leisure Services Department; and
- 3) adequate marshalling and signing be provided to the satisfaction of the Director of Parks, Recreation and Leisure Services and the North Bay Police Services.

“CARRIED”

Res. #2004-525: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the request by the Davedi Club, representing the Italian community of North Bay, to fly the Italian Flag at the Lee Park Heritage Flag Site be accepted under the conditions that all costs associated with the supply of the 6 ft. x 3 ft. flags and the \$1,400.00 flag pole be paid for by the Davedi Club.

“CARRIED”

Res. #2004-526: Moved by Councillor Chirico, seconded by Councillor Anthony
That the City of North Bay offers no objection to the temporary extension of the liquor license for The Fraser from 10:00 p.m. to 2:00 a.m. the following day for Friday, July 30, 2004, Saturday, July 31, 2004 and Sunday, August 1, 2004 provided that the operation continues to comply with all municipal by-laws.

“CARRIED”

Res. #2004-527: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee dated July 15, 2004 relating to the rezoning application by 1081751 Ontario Inc. (Tarmagon Aggregates/Don Fudge) for Concession 16, Lot 30 in the former Township of West Ferris be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-528: Moved by Councilor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee dated July 15, 2004 relating to the rezoning application by Dr. Lukmaan Waja on behalf of Lawrence and Elizabeth Parkinson for 30 Larocque Road be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-529: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee dated July 15, 2004 relating to the rezoning application by the City of North Bay for Plan M-595, Block 45 (Janey Avenue) be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-530: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Rick Miller on behalf of D.J. Venasse Construction (1988) Limited, 690 McKeown Avenue be received.

“CARRIED”

Res. #2004-531: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Laurent Girard on behalf of Eric and Colette Girard for 6150 Highway 63 be received.

“CARRIED”

Res. #2004-532: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Stefano Marmina for 340, 348 and 356 Lansdowne Avenue be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-533: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totaling \$13,450,201.68 for May and June 2004 be approved for payment.

“CARRIED”

Res. #2004-534: Moved by Councilor Chirico, seconded by Councillor Anthony
That accounts totaling \$1,940.55 for Ontario Northland for May and June 2004 be approved.

“CARRIED”

Councillor Campbell declares a conflict of interest as her spouse is employed with Ontario Northland.

Res. #2004-535: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) North Bay City Council approve a contract be awarded to C.N. Watson and Associates Limited in the amount of \$25,812.00 (GST extra) to perform a Development Charges Background Study; and

- 2) the Chief Financial Officer be authorized to transfer up to \$40,000.00 from the Development Charges Reserve Fund.

“CARRIED”

Res. #2004-536: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council approve the request for a variance to Sign By-Law No. 25-97 to permit the installation of a projecting hanging sign at 100 Main Street West.

“CARRIED”

Res. #2004-537: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) subject to the approval of a variation of the Sign By-Law, Council authorize an Encroachment Agreement for Pizza Pizza at 100 Main Street West; and

- 2) Council direct the Planning Department to report on a policy for overhanging signs on Main Street prior to the approval of any additional overhanging sign variances.

“CARRIED”

Res. #2004-538: Moved by Councillor Chirico, seconded by Councillor Anthony
That the request for a Track Crossing Indemnity Agreement between the City and RaiLink for the Festival for the Homeless be respectfully denied at this time.

“CARRIED”

Res. #2004-539: Moved by Councilor Mendicino, seconded by Councillor Koziol
That Council extend the previous request for prohibited parking to include:

- i) the first blocks only of Nelson Street, Whitney Street, Campbell Street;
- ii) Fodor Street starting at Lakeshore Drive and ending at Campbell Avenue;
- iii) Oak Street beginning at Oak Street West at Memorial Drive and ending at Oak Street East at John Street; and
- iv) the roadway between Algonquin Avenue and Memorial Drive

for the period from 5:00 p.m. on Friday, July 31, 2004 until 11:00 p.m. on Monday, August 2, 2004 subject to the installation of appropriate signage.

“CARRIED”

Res. #2004-540: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-127 to amend By-Law No. 1992-19 to appoint Fenceviewers for the City of North Bay.

By-Law No. 2004-128 to amend By-Law No. 1983-111 to appoint a Committee of Adjustment for the City of North Bay.

By-Law No. 2004-129 to amend By-Law No. 1983-112 to appoint a Planning Advisory Committee for the City of North Bay.

By-Law No. 2004-130 to authorize the purchase and lease of new vehicles and equipment for the water and sanitary sewer maintenance activities.

By-Law No. 2004-131 to authorize the Pay and Display Equipment Replacement Program.

By-Law No. 2004-132 to authorize upgrades at North Bay Water and Sewage Facilities.

By-Law No. 2004-133 to authorize sanitary sewer system upgrades.

By-Law No. 2004-134 to authorize the water system upgrades.

By-Law No. 2004-135 to authorize the Merrick Landfill Leachate Management Program.

By-Law No. 2004-136 to authorize the sale of lands no longer required for municipal purposes (Ottawa/Hepburn/South Streets).

By-Law No. 2004-139 to assume the widening of that part of Oak Street West adjacent to the Dalron Marina Point Development.

“CARRIED”

Res. #2004-541:

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

By-Law No. 2004-127 to amend By-Law No. 1992-19 to appoint Fenceviewers for the City of North Bay.

By-Law No. 2004-128 to amend By-Law No. 1983-111 to appoint a Committee of Adjustment for the City of North Bay.

By-Law No. 2004-129 to amend By-Law No. 1983-112 to appoint a Planning Advisory Committee for the City of North Bay.

By-Law No. 2004-130 to authorize the purchase and lease of new vehicles and equipment for the water and sanitary sewer maintenance activities.

By-Law No. 2004-131 to authorize the Pay and Display Equipment Replacement Program.

By-Law No. 2004-132 to authorize upgrades at North Bay Water and Sewage Facilities.

By-Law No. 2004-133 to authorize sanitary sewer system upgrades.

By-Law No. 2004-134 to authorize the water system upgrades.

By-Law No. 2004-135 to authorize the Merrick Landfill Leachate Management Program.

By-Law No. 2004-136 to authorize the sale of lands no longer required for municipal purposes (Ottawa/Hepburn/South Streets).

By-Law No. 2004-139 to assume the widening of that part of Oak Street West adjacent to the Dalron Marina Point Development.

“CARRIED”

Res. #2004-542: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2004-137 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to plant cold recycled asphalt pavement.

By-Law No. 2004-138 to execute an Agreement with Ran Don Crane & Leasing Limited relating to Earthworks and Engineered Controls at the Merrick Landfill.

“CARRIED”

Res. #2004-543: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2004-137 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to plant cold recycled asphalt pavement.

By-Law No. 2004-138 to execute an Agreement with Ran Don Crane & Leasing Limited relating to Earthworks and Engineered Controls at the Merrick Landfill.

“CARRIED”

Res. #2004-544: Moved by Councillor Mendicino, seconded Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2004-140 to rezone certain lands on McIntyre Street (Renaissance Development Corporation - McIntyre Street West).

“CARRIED”

Res. #2004-545: Moved by Councillor Chirico, seconded by Councilor Anthony
That Council adjourn *in-camera* to discuss property matters.

“CARRIED”

Res. #2004-546: Moved by Councillor Mendicino, seconded by Councillor Koziol
That City Council accept the terms of the agreement negotiated with Georgian Bay Cruise Company (GBCC) concerning the operation of the Chief Commanda II on Lake Nipissing, the transfer of ownership of the vessel and a twenty (20) year renewable lease of the Callander Dry Dock.

“CARRIED”

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

Yeas: Councillor Bain, Mason, Mendicino, Chirico, Maroosis, Anthony, Campbell, Boldt, Koziol, Mayor Fedeli

Nays: Councillor Vaillancourt

Res. #2004-547: Moved by Councillor Chirico, seconded by Councillor Anthony
That in order to protect the natural state of the Parks Creek floodway, Council deny the request from Lloyd Marshall to purchase property along Parks Creek.

“CARRIED”

Res. #2004-548: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council approve the timing amendments to the Agreement of
Purchase and Sale with Dalron Construction Limited.

“CARRIED”

Res. #2004-549: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK