

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JANUARY 12TH, 2004**

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

CORRESPONDENCE:

Cedar Heights Road residents	re Extension of water and sewer services	(16)
Tignanelli, Tony	re Rezoning - 256 Hutcheson Avenue	(14)
Wellspring Christian Fellowship	re Waiving of tipping fees	(10)

REPORTS FROM OFFICERS:

Conrad, C.M.	re Citizen appointments to the Nipissing District Housing Corporation Board	(20)
Cormier, D.	re 2004 Heritage Festival & Air Show Management Committee appointments	(12)
Elliott, G.	re Parking restriction - Oak Street East	(07)
Elliott, G.	re Parking restriction - Tackaberry Drive	(08)
Elliott, G.	re Parking restriction - Premier Road	(09)
Elliott, G.	re Parking restriction - William Street	(11)
Kilgour, I.G.	re Planning services to the Municipality of Callander	(17)
Rogers, B.A.	re 2004 Community Reinvestment Fund Terms and Conditions	(18)
Rogers, B.A.	re North Bay & District Health Unit Levy	(19)
Simmonds, J.C.	re Waiving of tipping fees	(10)
Simmonds, J.C.	re Extension of water and sewer services on Cedar Heights Road	(16)
Svensson, K.	re North Bay-Mattawa Conservation Authority - OMERS	(13)

Res. #2004-01: Moved by Councillor Vaillancourt, seconded by Councillor Boldt
That minutes for the meetings held:

- Monday, December 15, 2003; and
- Monday, January 5, 2004

be adopted as presented.

"CARRIED"

Res. #2004-02: Moved by Councillor Chirico, seconded by Councillor Anthony
That General Government Committee Report No. 2004-01 relating to:

- vicious dogs

be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-01

January 12, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-01 and recommends:

1. That the memorandum dated September 19, 2002 from Saskia de Moree, City Prosecutor, attached to Report to Council CAO 2002-38 on the subject of vicious dogs, be received.

All of which is respectfully submitted.

ASSENTS
CHIRICO
BAIN
VAILLANCOURT

DISSENTS

Res. #2004-03: Moved by Councillor Chirico, seconded by Councillor Anthony
That General Government Committee Report No. 2004-02 relating to:

- 2003 Heritage Festival & Air Show Final Financial Report

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-02

January 12, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-02 and recommends:

1. That Report No. CSBU 2003-81, being the 2003 Heritage Festival & Air Show Final Financial Report be noted and filed.

All of which is respectfully submitted.

ASSENTS
CHIRICO
BAIN

DISSENTS

Res. #2004-04: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-01 relating to:

- an Official Plan Amendment and Rezoning application by North Bay Hydro Distribution Ltd., 1350 Fisher Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-01

January 12, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-01 and recommends:

1. That
 - a) the application by Rick Miller on behalf of North Bay Hydro Distribution Ltd. to amend the Official Plan to redesignate Part Lots 51, 52, 53, 57, 58, Lots 54, 55, 56, Plan M-93, Part Lots 1, 2 and 3, Plan M-189, Part 3, NR-1920, Parts 1 - 5, 7 and 8, NR-1921 (Fisher Street) from "Flood and Erosion One Zone" to "District Commercial" be approved;
 - b) the application by Rick Miller on behalf of North Bay Hydro Distribution Ltd. to amend the Zoning By-Law to rezone Part Lots 51, 52, 53, 57, 58, Lots 54, 55, 56, Plan M-93, Part Lots 1, 2 and 3, Plan M-189, Part 3, NR-1920, Parts 1 - 5, 7 and 8, NR-1921 (Fisher Street) from an "Open Space (O)" zone to a "District Commercial Special Zone (C4 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 in order to regulate parking, servicing, lighting, fencing, landscaping, access, grade, Ministry of Transportation development permits, future development and development constraints.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
FEDELI

DISSENTS

Res. #2004-05: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-02 relating to:

- a Rezoning application by Pier 63 Inc., 3501 Trout Lake Road

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-02

January 12, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-02 and recommends:

1. That
 - a) the Zoning By-Law Amendment by Rick Miller on behalf of Pier 63 Inc. to rezone certain lands located along Trout Lake Road, more particularly described as Concession "C", Part Lot 15, 36R-7896, Part 2 and Part of Parts 1 and 3, Part of Remainder of Parcel 3254 W/F from "Residential

Multiple Fourth Density Special Zone No. 22 (RM4 Sp.22)” to a “Residential Multiple Second Density Special Zone (RM2 Sp.)” be approved;

- b) the Zoning By-Law Amendment by Rick Miller on behalf of Pier 63 Inc. to rezone certain lands located along Trout Lake Road, more particularly described as Concession “C”, Part Lot 15, 36R-7896, Part of Parts 1 and 3, Part of Remainder of Parcel 3254 W/F from “Residential Multiple Fourth Density Special Zone No. 22 (RM4 Sp.22)” to a “Rural Marine Commercial (RMC)” zone 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 to address lighting, parking, access, stormwater management, traffic, servicing, garbage facilities, erosion protection, building location, approvals from the North Bay-Mattawa Conservation Authority or appropriate provincial ministry, landscaping and vegetative buffer development.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
FEDELI

DISSENTS

Res. #2004-06: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-01 relating to:

- Pesticides use in the Trout Lake watershed

be adopted as presented.

“CARRIED AS AMENDED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-01

January 12, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-01 and recommends:

1. That
 - a) a by-law to control pesticide use in the Trout Lake watershed be approved as referenced in Report EES 2003-66;
 - b) staff promote awareness of the by-law and alternatives to pesticide use through existing education programs;
 - c) a Report to Council be prepared to evaluate the effectiveness of the by-law as well as the education and awareness initiatives, and the status of the drinking water source after 12 months of the by-law coming into force; and
 - d) the Ad Hoc Committee be reconstituted to meet on an as needed basis for a one year period.

All of which is respectfully submitted.

ASSENTS

DISSENTS

MASON
BOLDT
CAMPBELL

Res. #2004-06a: Moved by Councillor Maroosis, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-01 be withdrawn
and referred back to the Engineering & Works Committee.

“CARRIED”

Councillor Koziol declared a conflict of interest on Resolution No. 2003-735 passed at the
Regular Meeting of Council on December 15, 2003 as her spouse is on the Board of Directors
for North Bay Hydro.

Res. #2004-07: Moved by Councillor Mason, seconded by Councillor Boldt
That 1) Traffic & Parking By-Law No. 2002-01, Schedules 12, 18 and
20 be amended to control parking on the north side of Oak
Street, between Fisher Street and Sherbrooke Street as
detailed in Report EES 2003-064; and
2) a copy of Report EES 2003-064 be forwarded to Bonnie Zufelt,
owner of Partners Billiards & Bowling, and Mario Canarino,
owner of Mario’s Auto Body for information.

“CARRIED”

Res. #2004-08: Moved by Councillor Mason, seconded by Councillor Boldt
That 1) Traffic & Parking By-Law No. 2002-01 be amended to restrict
parking on Tackaberry Drive by revising Schedule 18 as
follows:

SECTION “T”

Insert:

<u>Road</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Tackaberry Dr.	East/South	152m North of Birchwood	A point 65m North & East

2) a copy of Report No. EES 2002-061 be forwarded to Ms.
Susan Giroux for information.

“CARRIED”

Res. #2004-09: Moved by Councillor Mason, seconded by Councillor Boldt
That the report from G. Elliott dated December 10, 2003 re Parking
restrictions on Premier Road be referred to the Engineering & Works
Committee.

“CARRIED”

Res. #2004-10: Moved by Councillor Mason, seconded by Councillor Campbell
That the Wellspring Christian Fellowship be informed that their request to
waive tipping fees is denied.

“CARRIED”

Councillor Boldt declared a conflict of interest on the above matter as the Wellspring Christian
Fellowship are clients of hers.

Res. #2004-11: Moved by Councillor Mason, seconded by Councillor Boldt
That 1) Traffic & Parking By-Law No. 2002-01, Schedule 18 and 19, be amended as detailed in Report EES 2003-063 to control parking on William Street; and
2) a copy of Report 2003-063 be forwarded to Sherry Kelleher, Administrative Supervisor of Leisureworld, David Goodfellow, 365 Wigston Drive and Bernie Hopkins, Property Chair of Emmanuel United Church for their information.

“CARRIED”

Res. #2004-12: Moved by Councillor Mendicino, seconded by Councillor Koziol
That City Council approve the appointments of the Management Committee members as outlined in Report No. CSBU 2003-88, as defined for the purpose of planning and implementing the Heritage Festival & Air Show Event.

“CARRIED”

Res. #2004-13: Moved by Councillor Chirico, seconded by Councillor Anthony
That City Council authorize a by-law to exclude the North Bay-Mattawa Conservation Authority as a participating employer in The Corporation of the City of North Bay's Ontario Municipal Employees Retirement System (OMERS) group thus allowing the Authority to become a separate employer group participating in OMERS effective January 1, 2004.

“CARRIED”

Res. #2004-14: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Tony Tignanelli, 256 Hutcheson Avenue be received.

“CARRIED”

Res. #2004-15: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totalling \$5,762,426.55 for November 2003 be approved for payment.

“CARRIED”

Res. #2004-16: Moved by Councillor Mason, seconded by Councillor Boldt
That 1) no action be taken on the residents desire for the City to fund sewer and water services to Cedar Heights Road unless it is through the normal development process or by way of Local Improvement Charges; and
2) Report No. 2003-71 be received for information and forwarded to the residents of Cedar Heights Road area for information.

“CARRIED”

Res. #2004-17: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Planning Services proceed with negotiating an Agreement with the Municipality of Callander to provide planning services for the purpose of provided Plan Review for planning applications on a fee for service basis.

“CARRIED”

- Res. #2004-18: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) the Community Reinvestment Fund allocations from the Province of Ontario totaling \$16,611,000 for 2004, or any adjusted amount of subsequent confirmed, be received for the benefit of local taxpayers;
- 2) the City of North Bay accepts these allocations in accordance with the terms and conditions set by the Province as outlined in the letter dated December 22, 2003 from the Ministry of Finance and the Ministry of Municipal Affairs;
- 3) the Ministry of Finance be asked to supply sufficient background information so that the Director of Financial Services can verify amounts included in the calculations; and
- 4) the Minister of Finance be asked to amend the Community Reinvestment Program to include an inflation factor for all Local Service Realignment costs not subject to year-end adjustments.

“CARRIED”

- Res. #2004-19: Moved by Councillor Chirico, seconded by Councillor Anthony
That Report No. CORP 2004-02 from the Director of Financial Services dated January 6, 2004 concerning the North Bay & District Health Unit levy be received and that Council endorse the motion of the Health Unit to request that the Minister of Health pay 100% of all Mandatory Health Programs and Services Guidelines and that the Minister of Health be so advised and that copies be sent to all participating municipalities.

“CARRIED AS AMENDED”

- Res. #2004-19a: Moved by Councillor Boldt, seconded by Councillor Maroosis
That the report from B.A. Rogers dated January 6, 2004 relating to the North Bay & District Health Unit levy be referred to the General Government Committee.

“CARRIED”

- Res. #2004-20: Moved by Councillor Chirico, seconded by Councillor Anthony
That the Striking Committee of Council appoint two citizens to the Board of the Nipissing District Housing Corporation, for a three year term to expire November 30, 2006.

“CARRIED”

- Res. #2004-21: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:
- By-Law No. 2004-05 to exclude a participating employer (North Bay-Mattawa Conservation Authority) from The Corporation of the City of North Bay's Ontario Municipal Employees Retirement System Employer Group.
- By-Law No. 2004-06 to authorize the execution of an agreement with the Ontario Municipal Insurance Exchange.
- By-Law No. 2004-07 to authorize short-term borrowing for the City of North Bay.

By-Law No. 2004-08 to authorize the assumption of lands from North Bay General Hospital for the purpose of road access on Part 2, Plan 36R-11522 and to repeal By-Law No. 2003-93.

“CARRIED”

Res. #2004-22: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2004-05 to exclude a participating employer (North Bay-Mattawa Conservation Authority) from The Corporation of the City of North Bay’s Ontario Municipal Employees Retirement System Employer Group.

By-Law No. 2004-06 to authorize the execution of an agreement with the Ontario Municipal Insurance Exchange.

By-Law No. 2004-07 to authorize short-term borrowing for the City of North Bay.

By-Law No. 2004-08 to authorize the assumption of lands from North Bay General Hospital for the purpose of road access on Part 2, Plan 36R-11522 and to repeal By-Law No. 2003-93.

“CARRIED”

Res. #2004-23: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2003-173 to stop up, close and convey a portion of a laneway between Victoria Street and Princess Street.

“CARRIED”

Res. #2004-24: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2004-09 to adopt Official Plan Amendment No. 97 (North Bay Hydro Distribution Limited - 1350 Fisher Street).

By-Law No. 2004-10 to rezone certain lands on Fisher Street (North Bay Hydro Distribution Limited - 1350 Fisher Street).

By-Law No. 2004-12 to rezone certain lands on Trout Lake Road (Pier 63 Inc. - 3501 Trout Lake Road).

“CARRIED”

Res. #2004-25: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2004-11 to designate a Site Plan Control Area on certain lands on Fisher Street (North Bay Hydro Distribution Limited- 1350 Fisher Street).

By-Law No. 2004-13 to designated a Site Plan Control Area on certain lands on Trout Lake Road (Pier 63 Inc. - 3501 Trout Lake Road).

“CARRIED”

Res. #2004-26: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2004-11 to designate a Site Plan Control Area on certain lands on Fisher Street (North Bay Hydro Distribution Limited- 1350 Fisher Street).

By-Law No. 2004-13 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Pier 63 Inc. - 3501 Trout Lake Road).

“CARRIED”

Res. #2004-27: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a second time:

By-Law No. 2003-169 to adopt Official Plan Amendment No. 95 (Grand Sierra Investments Ltd., Main Street West).

By-Law No. 2003-171 to designate a Site Plan Control Area on certain lands on Main Street West (Grand Sierra Investments Ltd.).

By-Law No. 2003-178 to designate a Site Plan Control Area on certain lands on Eva Street (Daryl Duguay).

By-Law No. 2003-180 to designate a Site Plan Control Area on certain lands on McPhail Street (Daryl Duguay).

“CARRIED”

Res. #2004-28: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2003-169 to adopt Official Plan Amendment No. 95 (Grand Sierra Investments Ltd., Main Street West).

By-Law No. 2003-171 to designate a Site Plan Control Area on certain lands on Main Street West (Grand Sierra Investments Ltd.).

By-Law No. 2003-178 to designate a Site Plan Control Area on certain lands on Eva Street (Daryl Duguay).

By-Law No. 2003-180 to designate a Site Plan Control Area on certain lands on McPhail Street (Daryl Duguay).

“CARRIED”

Res. #2004-29: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2004-01 to amend Traffic & Parking By-Law No. 2002-01 (Schedule 12 - Loading Zonings and Schedule 18 - No Parking Areas At Any Time).

By-Law No. 2004-03 to amend Traffic & Parking By-Law No. 2002-01 (Schedule 10 - Speed Limits and Schedule 15 - Load Limits of Bridges).

“CARRIED”

Res. #2004-30: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2004-01 to amend Traffic & Parking By-Law No. 2002-01 (Schedule 12 - Loading Zonings and Schedule 18 - No Parking Areas At Any Time).

By-Law No. 2004-03 to amend Traffic & Parking By-Law No. 2002-01 (Schedule 10 - Speed Limits and Schedule 15 - Load Limits of Bridges).

“CARRIED”

Res. #2004-31: Moved by Councillor Boldt, seconded by Councillor Mason
That the presentation made by Guy Gallardi relating to tiered taxes be referred to the Chief Administrative Officer for a report.

“CARRIED”

Res. #2004-32: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn in-camera to discuss a property matter.

“CARRIED”

Res. #2004-33: Moved by Councillor Vaillancourt, seconded by Councillor Boldt
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK