

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, MAY 17<sup>TH</sup>, 2004**

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

**CORRESPONDENCE:**

Courvoisier, Leonard	re Public roadway maintenance - Third Ave.	(341)
Downtown Improvement Area	re Temporary road closures	(335)
Grenon, Raymonne	re Public roadway maintenance - Third Ave.	(341)
Orlando, Sandro	re Public roadway maintenance - Rheaume St.	(342)
Rotary Club of Nipissing	re Beer Tent - Drag Races	(350)

**REPORTS FROM OFFICERS:**

Baker, B.R.	re Temporary road closures - D.I.A.	(335)
Baker, B.R.	re Temporary water hook-ups during Winter	(339)
Baker, B.R.	re Minimum Maintenance Standards for Municipal Highways - Update Report	(340)
Baker, B.R.	re Public roadway maintenance - Third Ave.	(341)
Baker, B.R.	re Public roadway maintenance - Rheaume St.	(342)
Baker, B.R.	re Change of policy for cost of relocating water and sewer services	(343)
Baker, B.R.	re Restriction of public use of the City's Snow Dump	(346)
Baker, B.R.	re Works Centre Site Improvements	(347)
Bradford, S.	re Corporate Information Systems Technology	(338)
Burke, M.B.	re City sale - McKeown Avenue surplus lands	(367)
Fry, M.	re Arts, Culture & Heritage Policy Framework	(336)
Fry, M.	re Beer Tent - Drag Races	(350)
Hall, B.	re Rezoning application - Taki's Investments Inc., 125 Giroux Street	(337)
Houston, J.	re Champlain Park Beach Replacement	(349)
Kilgour, I.G.	re Application by Pier 63 Inc. to close unopened portion of Trout Lake Road	(352)
Kilgour, I.G.	re Final Approval - Hillview Park Subdivision - Stage III, Phases II and IV, Millford Development Ltd./254623 Investments Ltd.	(353)
Kilgour I.G.	re Zoning By-Law Amendment and exemption from the <i>Planning Act</i> Condominium Approval Process - Descon Development Corp., 533 Lakeshore Drive	(354)
Manning, J.	re Tender 2004-24, Cleaning and cement mortar lining of watermains	(351)
Simmonds, J.C.	re Hillview Park Subdivision - Stage III, Phases II and IV	(348)

**Res. #2004-328:** Moved by Councillor Chirico, seconded by Councillor Boldt  
That minutes for the meetings held:

- Monday, May 3, 2004; and
- Monday, May 10, 2004

be adopted as presented.

"CARRIED"

Res. #2004-329: Moved by Councillor Chirico, seconded by Councillor Anthony  
That General Government Committee Report No. 2004-08 relating to:

- Core Services

be adopted as presented.

“CARRIED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-08**

May 17, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-08 and recommends:

1. That
  - a) City staff be directed to provide an inventory of all principle services provided;
  - b) staff provide Council with a recommended list of services by June 30, 2004 that would be the subject of operational review; and
  - c) at such time as Council confirms the priority list, staff be directed to conduct operational reviews of the first priority service areas.

All of which is respectfully submitted.

ASSENTS  
CHIRICO  
ANTHONY  
BAIN

DISSENTS

Res. #2004-330: Moved by Councillor Chirico, seconded by Councillor Anthony  
That General Government Committee Report No. 2004-09 relating to:

- the Capital Projects Status Report - December 2003 to March 2004

be adopted as presented.

“CARRIED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-09**

May 17, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-09 and recommends:

1. That
  - a) the Capital Projects Status Report - December 2003/March 2004, Report No. CORP 2004-62 be received;
  - b) the eleven (11) projects listed on Appendix “A” attached to Report No. CORP 2004-62 be closed to the Completed Capital Works Reserve Fund; and

- c) the unspent \$375,875.00 balance in Capital Project #9716WS be transferred to a CFB Pumping Station Reserve Fund.

All of which is respectfully submitted.

ASSENTS  
 CHIRICO  
 ANTHONY  
 BAIN  
 FEDELI

DISSENTS

Res. #2004-331: Moved by Councillor Chirico, seconded by Councillor Anthony  
 That General Government Committee Report No. 2004-10 relating to:

- lane closure for Victoria Street

be adopted as presented.

“CARRIED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-10**

May 17, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-10 and recommends:

1. That By-Law No. 2004-70 to stop up, close and convey a portion of a laneway bounded by Victoria Street, Wyld Street, Ferguson Street and Princess Street be presented to Council for third reading on May 17, 2004.

All of which is respectfully submitted.

ASSENTS  
 CHIRICO  
 ANTHONY  
 BAIN  
 FEDELI

DISSENTS

Res. #2004-332: Moved by Councillor Mendicino, seconded by Councillor Koziol  
 That Community Services Committee Report No. 2004-14 relating to:

- rezoning by the City of North Bay, Hughes Road

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-14**

May 17, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-14 and recommends:

1. That
  - a) the proposed Zoning By-Law Amendment by the City of North Bay to rezone Concession "C", Part of Lot 16, Part of Remainder of Parcel 9388 W&F (Hughes Road) from an "Open Space (O)" zone to a "Residential First Density Special Zone (R1 Sp.) be approved; and
  - b) the subject property be removed from Parks By-Law No. 35-96.

All of which is respectfully submitted.

ASSENTS  
 MENDICINO  
 KOZIOL  
 FEDELI

DISSENTS

Res. #2004-333: Moved by Councillor Chirico, seconded by Councillor Mendicino That Striking Committee Report No. 2004-04 relating to:

- Appointment to the North Bay-Mattawa Conservation Authority
- be adopted as presented.

"CARRIED"

**STRIKING COMMITTEE REPORT NO. 2004-04**

May 17, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-04 and recommends as follows:

1. That Marc Charron be appointed to complete the unexpired term of John Lechlitner on the North Bay-Mattawa Conservation Authority.

All of which is respectfully submitted.

Res. #2004-334: Moved by Councillor Chirico, seconded by Councillor Mendicino That Striking Committee Report No. 2004-05 relating to:

- Appointment to the Marathon Beach Steering Committee; and
- Appointments to the Wind Study Steering Committee

be adopted as presented.

**STRIKING COMMITTEE REPORT NO. 2004-05**

May 17, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-05 and recommends as follows:

1. That Councillor Campbell be appointed to the Marathon Beach Steering Committee.

2. That Councillors Campbell and Boldt be appointed to the Wind Study Steering Committee.

All of which is respectfully submitted.

Res. #2004-335: Moved by Councillor Mason, seconded by Councillor Boldt  
That the five temporary road closures for 2004, as requested by the Downtown Improvement Area be approved, as set out in the Managing Director of Public Works & Services report dated 29 April 2004.

“CARRIED”

Res. #2004-336 Moved by Councillor Mendicino, seconded by Councillor Koziol  
That 1) Report CSBU 2004-39 dated April 29, 2004 and the attached Arts, Culture & Heritage Policy Framework be received by City Council and referred to Community Services Committee for review; and  
2) the Coordinating Body for Arts, Heritage and Culture (CBACH) develop a business plan to support the Policy Framework and Terms of Reference.

“CARRIED”

Res. #2004-337: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the recommendation from the Planning Advisory Committee regarding the rezoning application by Paul Goodridge on behalf of Taki’s Investments Inc., 125 Giroux Street be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-338: Moved by Councillor Chirico, seconded by Councillor Anthony  
That 1) the 2004 capital allocation for Information Systems detailed in Report CORP 2004-66 be approved; and  
2) the City Clerk prepare a Capital By-Law in the amount of \$517,449.00 for Information Technology purposes for consideration by City Council.

“CARRIED”

Res. #2004-339: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from B.R. Baker dated May 6, 2004 re Practice of providing temporary water hook-ups during the Winter Season be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-340: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from B.R. Baker dated May 6, 2004 re Minimum Maintenance Standards for Municipal Highways - Update Report be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-341: Moved by Councillor Mason, seconded by Councillor Boldt  
That the letter from Raymonne Grenon and Leonard Courvoisier dated February 9, 2004 and report from B.R. Baker dated May 7, 2004 re Assumption of Third Avenue (West of Highway 11) for public roadway maintenance be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-342: Moved by Councillor Mason, seconded by Councillor Boldt  
That the letter from Sandro Orlando, of Lucenti, Orlando & Ellies dated February 12, 2004 and report from B.R. Baker dated May 5, 2004 re Assumption of Rheaume Street Road Allowance for public roadway maintenance be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-343: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from B.R. Baker dated May 6, 2004 re Change in policy for cost of relocating water and sewer services be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-344: Moved by Councillor Chirico, seconded by Councillor Anthony  
That accounts totaling \$7,270,651.91 for April 2004 be approved for payment.

“CARRIED”

Res. #2004-345: Moved by Councillor Chirico, seconded by Councillor Anthony  
That accounts totaling \$2,672.28 for Ontario Northland for April 2004 be approved.

“CARRIED”

Councillor Campbell declared a conflict of interest on the above matter as her spouse is employed by Ontario Northland.

Res. #2004-346: Moved by Councillor Mason, seconded by Councillor Boldt  
That 1) the 2004-2005 winter season, it is recommended that the City's Franklin Street Snow Dump be restricted to use by the City's Public Works & Services Division and any other City of North Bay departments or agencies who are agreeable to sharing in the cost of the maintenance of the Snow Dump; and  
2) the decision of City Council on this matter be communicated to the public and local contractors by public advertising and individual letters.

“CARRIED”

Res. #2004-347: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from B.R. Baker dated May 4, 2004 re 2004 Capital Budget Project - Works Centre Site Improvements be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-348: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That 1) the City enter into a Subdivision Agreement with Millford Development Limited/254623 Investments Limited in a form satisfactory to the City Solicitor for the installation of underground and above ground municipal services for the Hillview Park Subdivision, Stage III, Phases II and IV development subject to the conditions outlined in Report EES 2004-021 from the City Engineer;  
2) funding in the amount of \$309,649.00 be made available from the City Development Charges Reserve Fund to cover the cost of oversizing the watermain (from 250 dia. to 500

dia.) and roadway on Connaught Avenue and Norman Avenue;  
and

- 3) funding in the amount of \$3,840.00 be made available from the City's Completed Capital Works Fund to cover the cost of oversizing the watermain from 200 dia. to 250 dia. on Connaught Avenue and Norman Avenue.

"CARRIED"

Councillor Boldt declared a conflict of interest on the above matter as she is an agent in legal action against the applicant.

Res. #2004-349: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Champlain Park Beach Replacement Project, being 2004 Capital Budget Project No. 49, at a net debentured cost of \$150,000.00.

"CARRIED"

Res. #2004-350: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That

- 1) Council approve a temporary exclusion to Regulation 3B of the Municipal Alcohol Policy in order to permit the establishment of a licensed area to serve alcohol on June 25, 26 and 27, 2004 in support of the Drag Races;
- 2) a location for the licensed area be established to the satisfaction of the Director of Parks, Recreation and Leisure Services and the event partners; and
- 3) all other relevant sections of the Municipal Alcohol Policy be satisfied.

"CARRIED"

Res. #2004-351: Moved by Councillor Mason, seconded by Councillor Boldt  
That

- 1) North Bay City Council approve a contract be awarded to Trisan Construction in the amount of \$296,057.17 for cleaning and cement mortar lining of cast and ductile iron watermains;
- 2) a Capital Expenditure By-Law be prepared for consideration of City Council to authorize the capital project in the amount of \$400,000.00;
- 3) Capital Expenditure By-Law No.'s 2003-124 and 2003-125 be repealed; and
- 4) the project be extended to ream and reline Sparks Street totalling 188 meters, if sufficient budget room exists to complete this project within the limits of the Capital Expenditure By-Law.

"CARRIED"

Res. #2004-352: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That

- 1) the application by Rick Miller on behalf of Pier 63 Inc. to close the unopened portion of Highway 63 along Trout Lake Road, Concession "C", Lot 15, abutting Parcel 3254 W/F be approved;
- 2) the closure of the road allowance be subject to the granting of any required easements;

- 3) those lands described as the unopened portion of Highway 63 along Trout Lake Road, Concession C, Lot 15, abutting Parcel 3254 W/F be offered to the abutting owners at its appraised value, plus all related legal, survey and advertising fees; and
- 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject road allowance and sale of the subject surplus lands.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the applicant is a client.

- Res. #2004-353: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That
- 1) the Hillview Park Draft Approval Plan of Subdivision be amended to reflect changes as described in Report to Council No. CSBU 2004-47;
  - 2) the Hillview Park Subdivision as shown on Schedule “A” in Report to Council No. CSBU 2004-47 be given Final Approval; and
  - 3) the Mayor and Clerk be authorized to sign the Final Plan of Subdivision subject to the receipt of all financial security, easements and subdivision agreement requirements.

“CARRIED”

Councillor Boldt declared a conflict of interest on the above matter as she is an agent in legal action against the applicant.

- Res. #2004-354: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That
- 1) Council waive the requirement for a Public Meeting prior to third reading of the subject by-law to consider a request by the Applicant to change the permitted uses listing in Zoning by-Law No. 2003-82 from a five (5) storey, forty-five (45) unit building to a six (6) storey, forty-seven (47) unit building including a “Guest Suite” by way of Section 34(17) of the *Planning Act*, R.S.O. 1990; and
  - 2) the Condominium Application by Descon Development Corporation on the property described as Plan M-211, Lots 69 to 75 (inclusive) and Lots 104 to 110 (inclusive), Parcels 1620 and 1634 W/F (533 Lakeshore Drive) to create a Plan of Condominium as represented on Draft Plan of Condominium prepared by Paul Goodridge, OLS, dated April 16, 2004 and as shown on Schedule “B” to Report to Council No. CSBU 2004-48, be exempted from Section 51 of the *Planning Act* as provided for by Section 9(7) of the *Condominium Act*, and be given Draft Approval subject to the conditions contained in Appendix “A” to the Report to Council No. CSBU 2004-48 dated May 12, 2004.

“CARRIED”

- Res. #2004-355: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-laws be read a first and second time:

By-Law No. 2004-39 to amend By-Law No. 1977-144, to designate an improvement area to be known as the Downtown Improvement Area and to establish a Board of Management (to revise the maximum charge).



By-Law No. 2004-40 to provide for the levy and collection of special charges in respect of certain business improvement areas.

By-Law No. 2004-88 to authorize the Rural Road Culvert Replacement Program for 2004.

By-Law No. 2004-89 to authorize the program of updating traffic control signals for 2004.

By-Law No. 2004-90 to authorize the Rural Roadway Reconstruction Program for 2004.

By-Law No. 2004-91 to authorize vehicle and equipment purchases for 2004.

By-Law No. 2004-92 to authorize the Hydrant Rehabilitation Program for the Public Works & Services Division.

By-Law No. 2004-93 to appoint a Chief Financial Officer.

By-Law No. 2004-94 to amend By-Law No. 2001-71 to authorize changes to user fee schedules for the various departments at City Hall (interest charges on overdue accounts).

By-Law No. 2004-97 to establish a highway being the extension of Seymour Street South (Home Depot).

“CARRIED”

Res. #2004-356:

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

By-Law No. 2004-39 to amend By-Law No. 1977-144, to designate an improvement area to be known as the Downtown Improvement Area and to establish a Board of Management (to revise the maximum charge).

By-Law No. 2004-40 to provide for the levy and collection of special charges in respect of certain business improvement areas.

By-Law No. 2004-88 to authorize the Rural Road Culvert Replacement Program for 2004.

By-Law No. 2004-89 to authorize the program of updating traffic control signals for 2004.

By-Law No. 2004-90 to authorize the Rural Roadway Reconstruction Program for 2004.

By-Law No. 2004-91 to authorize vehicle and equipment purchases for 2004.

By-Law No. 2004-92 to authorize the Hydrant Rehabilitation Program for the Public Works & Services Division.

By-Law No. 2004-93 to appoint a Chief Financial Officer.

By-Law No. 2004-94 to amend By-Law No. 2001-71 to authorize changes to user fee schedules for the various departments at City Hall (interest charges on overdue accounts).

By-Law No. 2004-97 to establish a highway being the extension of Seymour Street South (Home Depot).

“CARRIED”

Res. #2004-357: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-law be read a third time and passed:

By-Law No. 2004-70 to stop up, close and convey a portion of the laneway bounded by Victoria Street, Wyld Street, Ferguson Street and Princess Street.

“CARRIED”

Res. #2004-358: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-law be read a first and second time:

By-Law No. 2004-100 to rezone certain lands on Hughes Road (City of North Bay).

“CARRIED”

Res. #2004-359: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-laws be read a first and second time:

By-Law No. 2004-98 to adopt Official Plan Amendment No. 94 (Descon Development Corporation - 533 Lakeshore Drive).

By-Law No. 2004-99 to execute a Subdivision Agreement with Millford Development Limited and 254623 Investments Limited relating to Hillview Park Subdivision - Stage III, Phases II and IV.

“CARRIED”

Councillor Boldt declared a conflict of interest on By-Law No. 2004-99 as she is an agent in legal action against the applicant.

Res. #2004-360: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-laws be read a third time and passed:

By-Law No. 2004-98 to adopt Official Plan Amendment No. 94 (Descon Development Corporation - 533 Lakeshore Drive).

By-Law No. 2004-99 to execute a Subdivision Agreement with Millford Development Limited and 254623 Investments Limited relating to Hillview Park Subdivision - Stage III, Phases II and IV.

“CARRIED”

Councillor Boldt declared a conflict of interest on By-Law No. 2004-99 as she is an agent in legal action against the applicant.

Res. #2004-361: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That having been changed after first reading, the following by-law be read a second time:

By-Law No. 2003-82 to rezone certain lands on Lakeshore Drive (Descon Development Corporation - 533 Lakeshore Drive).

“CARRIED”

Res. #2004-362: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-law be read a third time and passed:

By-Law No. 2003-82 to rezone certain lands on Lakeshore Drive (Descon Development Corporation - 533 Lakeshore Drive).

“CARRIED”

Res. #2004-363: Moved by Councillor Mason, seconded by Councillor Boldt  
That the following by-law be read a first and second time:

By-Law No. 2004-96 to execute an Agreement with Northern Ontario Heritage Fund Corporation relating to the water treatment plant expansion.

“CARRIED”

Res. #2004-364: Moved by Councillor Mason, seconded by Councillor Boldt  
That the following by-law be read a third time and passed:

By-Law No. 2004-96 to execute an Agreement with Northern Ontario Heritage Fund Corporation relating to the water treatment plant expansion.

“CARRIED”

Res. #2004-365: Moved by Councillor Mendicino, seconded by Councillor Boldt  
That “Casual Wear Months” be in effect from Tuesday, May 25, 2004 until Tuesday, September 7, 2004 inclusive.

“CARRIED”

Res. #2004-366: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Council adjourn in-camera to discuss a property matter.

“CARRIED”

Res. #2004-367: Moved by Councillor Chirico, seconded by Councillor Anthony  
That

- 1) Council declare Parts 1 and 3, Plan 36R-9675 as surplus subject to the retention of underground utility easements; and
- 2) Council consider the Offer to Purchase of \$10,000.00 from Thos. Farquhar and Sons Limited for Parts 1 and 3 on Plan 36R-9675.

“CARRIED”

Res. #2004-368: Moved by Councillor Chirico, seconded by Councillor Anthony  
That this meeting to now adjourn.

“CARRIED”

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MAYOR

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DEPUTY CITY CLERK