

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JULY 22ND, 2002**

PRESENT: Mayor Burrows, Councillors Bennett, Kidd, Chirico, Campbell, Aspin, Anthony, Church, Boldt, Maroosis, Handley

CORRESPONDENCE:

D.A. Williamson & Associates Inc.	re Bell Canada easement - Hughes Road	(432)
Downtown Improvement Area	re Liquor License extension	(444)
Girard, John	re King Street West drainage	(442)
McDonald, Clancy	re Ditch on Glen Rouge Drive	(443)
Orlando, Sandro	re Rezoning application - Wayne Lowe and Mike Gibb, 266, 270 and vacant lot Lakeshore Drive	(440)
Richards, Tammy	re Charlton Crescent unfenced walkway	(441)
Stereo Plus Electronics	re Noise By-Law exemption	(446)
Vested Interest Trading	re Sign By-Law exemption	(449)

REPORTS FROM OFFICERS:

Baker, B.R.	re Charlton Crescent unfenced walkway	(441)
Baker, B.R.	re King Street West drainage	(442)
Baker, B.R.	re Ditch on Glen Rouge Drive	(443)
Burke, M.B.	re Assumption of one-foot reserve - Turner Drive	(429)
Burke, M.B.	re Banner cable installation - Main Street W.	(430)
Burke, M.B.	re Bell Canada easement - Hughes Road	(432)
Burke, M.B.	re Dowdal Cabinets' lot consolidation	(435)
Burke, M.B.	re Procedural By-Law process	(436)
Burke, M.B.	re Aggregate development/Fudge Associates	(447)
Celentano, J.J.	re New <i>Municipal Act</i> - Finance, Taxation and other items - Sections 285-474	(431)
Celentano, J.J.	re <i>Ontarians With Disabilities Act</i> , 2001	(434)
Elliott, G.	re Expression of interest - Highway Grade Separation Study, Chippewa St. extension	(439)
Kilgour, I.G.	re A&J Ferreira Homes Ltd. - Condominium Lakeshore Drive	(433)
Kilgour, I.G.	re Final Approval - Ski Ridge Estates (Vermont Crescent)	(437)
Kilgour, I.G.	re Final Approval - Gagnon Court	(451)
Knox, J.	re Arbitration - North Bay Professional Fire Fighters' Association	(448)
Linkie, D.G.	re Sign By-Law variance	(449)
Ringler, T.G.	re Joe Legare, Select Auto Sales	(445)
Simmonds, J.C.	re Scuba Diving in Delaney Bay	(438)
Watters, B.	re Gagnon Court - 996500 Ontario Inc.	(450)

Res. #2002-418: Moved by Councillor Bennett, seconded by Councillor Kidd That General Government Committee Report No. 2002-11 be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2002-11

July 22, 2002

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2002-11 and recommends:

- 1. That a) Council approve the new Subdivision Agreement as recommended by the Residential Land Development Task Force; and
- b) staff be directed to use the new Subdivision Agreement as the basis for future agreements of Final Plans of Subdivision.

All of which is respectfully submitted.

ASSENTS
 BENNETT
 KIDD
 CHIRICO

DISSENTS

Res. #2002-419: Moved by Councillor Church, seconded by Councillor Anthony That Community Services Committee Report No. 2002-13 be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2002-13

July 22, 2002

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2002-13 and recommends:

- 1. That the motion by Councillor Anthony dated December 3, 2001 relating to limiting the number of pets per household be removed from the Community Services Committee.

All of which is respectfully submitted.

ASSENTS
 CHURCH
 ANTHONY
 BOLDT

DISSENTS

Res. #2002-420: Moved by Councillor Bennett, seconded by Councillor Kidd That the following by-law be read a first time:

By-Law No. 2002-89 to stop up, close and convey a portion of the Kenwood Hills Drive road allowance and to repeal By-Law No. 2002-63.

“CARRIED”

Res. #2002-421: Moved by Councillor Bennett, seconded by Councillor Kidd That the following by-laws be read a first and second time:

By-Law No. 2002-83 to amend By-Law No. 2001-71 to authorize changes to user fee schedules for various departments at City Hall (Recreation and Leisure Services).

By-Law No. 2002-84 to authorize repairs to the Capitol Centre.

By-Law No. 2002-85 to authorize the expenditure of \$128,500 to complete fund for the back-up generator for Cassellholme.

By-Law No. 2002-86 to authorize renovations and computer upgrades to the North Bay Public Library.

By-Law No. 2002-87 to authorize the expenditure for the upgrading of the North Bay Police Service radio system.

By-Law No. 2002-88 to authorize the expenditure of funds for the construction of the Interpretive Centre and Lookout Tower by the North Bay - Mattawa Conservation Authority.

By-Law No. 2002-90 to set 2002 tax ratios and tax rates and to levy taxes for the Year 2002.

By-Law No. 2002-91 to provide for the levy and collection of special charges in respect of certain business improvement areas.

“CARRIED”

Res. #2002-421a: Moved by Councillor Maroosis, seconded by Councillor Church That By-Law No. 2002-88 regarding the Interpretive Centre Lookout Tower by the North Bay - Mattawa Conservation Authority be held.

“LOST”

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

Yeas: Councillors Maroosis, Church, Anthony, Chirico

Nays: Councillors Handley, Boldt, Aspin, Campbell, Kidd, Bennett, Mayor Burrows

Res. #2002-422: Moved by Councillor Bennett, seconded by Councillor Kidd By-Law No. 2002-83 to amend By-Law No. 2001-71 to authorize changes to user fee schedules for various departments at City Hall (Recreation and Leisure Services).

By-Law No. 2002-84 to authorize repairs to the Capitol Centre.

By-Law No. 2002-85 to authorize the expenditure of \$128,500 to complete fund for the back-up generator for Cassellholme.

By-Law No. 2002-86 to authorize renovations and computer upgrades to the North Bay Public Library.

By-Law No. 2002-87 to authorize the expenditure for the upgrading of the North Bay Police Service radio system.

By-Law No. 2002-88 to authorize the expenditure of funds for the construction of the Interpretive Centre and Lookout Tower by the North Bay - Mattawa Conservation Authority.

By-Law No. 2002-90 to set 2002 tax ratios and tax rates and to levy taxes for the Year 2002.

By-Law No. 2002-91 to provide for the levy and collection of special charges in respect of certain business improvement areas.

“CARRIED”

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Res. #2002-423: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2002-82 to execute an Agreement with Ottawa Valley Railway, operated by RaiLink Canada Ltd., relating to the Pedestrian Crossing Agreement for the 2002 Heritage Festival and Air Show.

By-Law No. 2002-93 to execute a Subdivision Agreement with Gap Construction Co. Ltd. and 941904 Ontario Ltd. relating to Ski Ridge Estates - Phase II (Vermont Crescent).

By-Law No. 2002-95 to execute a Subdivision Agreement with Consolidated Homes relating to Valleyside Village Subdivision (Bain Drive) and to repeal By-Law No. 2002-76.

“CARRIED”

Councillor Chirico declared a conflict of interest on By-Law No. 2002-93 as he is related to the developer.

Res. #2002-424: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2002-82 to execute an Agreement with Ottawa Valley Railway, operated by RaiLink Canada Ltd., relating to the Pedestrian Crossing Agreement for the 2002 Heritage Festival and Air Show.

By-Law No. 2002-93 to execute a Subdivision Agreement with Gap Construction Co. Ltd. and 941904 Ontario Ltd. relating to Ski Ridge Estates - Phase II (Vermont Crescent).

By-Law No. 2002-95 to execute a Subdivision Agreement with Consolidated Homes relating to Valleyside Village Subdivision (Bain Drive) and to repeal By-Law No. 2002-76.

“CARRIED”

Councillor Chirico declared a conflict of interest on By-Law No. 2002-93 as he is related to the developer.

Res. #2002-425: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a second time:

By-Law No. 2002-78 to rezone certain lands on McKeown Avenue (René and Eila Ross - 1906 McKeown Avenue).

By-Law No. 2002-79 to designate a Site Plan Control area on certain lands on McKeown Avenue (René and Eila Ross - 1906 McKeown Avenue).

“CARRIED”

Res. #2002-426: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2002-78 to rezone certain lands on McKeown Avenue (René

and Eila Ross - 1906 McKeown Avenue).

By-Law No. 2002-79 to designate a Site Plan Control area on certain lands on McKeown Avenue (Réné and Eila Ross - 1906 McKeown Avenue).

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“CARRIED”
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Res. #2002-427: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a first and second time:

By-Law No. 2002-92 to execute an agreement with MSO Construction Limited relating to the supply and placement of cold plant recycled asphalt pavement.

By-Law No. 2002-94 to execute an agreement with Gap Construction Co. Ltd. relating to the reconstruction of King Street from Ferguson Street to Wyld Street.

“CARRIED”

Res. #2002-428: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a third time and passed:

By-Law No. 2002-92 to execute an agreement with MSO Construction Limited relating to the supply and placement of cold plant recycled asphalt pavement.

By-Law No. 2002-94 to execute an agreement with Gap Construction Co. Ltd. relating to the reconstruction of King Street from Ferguson Street to Wyld Street.

“CARRIED”

Res. #2002-429: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council consider a by-law to adopt the one-foot reserve on Turner Drive, being Block 39 and 40, Plan M-565 as part of the publicly assumed road.

“CARRIED”

Res. #2002-430: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council approve the installation of a banner across the Main Street West block for Downtown Improvement Area purposes.

“CARRIED”

Res. #2002-431: Moved by Councillor Bennett, seconded by Councillor Kidd
That the memo from J.J. Celentano dated July 10, 2002 re *New Municipal Act* - Finance, Taxation and other items - Sections 285-474 be referred to the General Government Committee.

“CARRIED”

Res. #2002-432: Moved by Councillor Bennett, seconded by Councillor Kidd
That

- 1) Council agree to provide an easement to Bell Canada in return for the appraised value of \$7,132.00 for the City land at Hughes Road for the purpose of installing a walk-in cabinet; and
- 2) Council declare the lands at Hughes Road required for the Bell Canada easement to be surplus.

“CARRIED”

Res. #2002-433: Moved by Councillor Church, seconded by Councillor Anthony
That the application by R.D. Miller, OLS on behalf of A. & J. Ferreira
Homes Limited requesting an exemption fro Section 51 of the *Planning
Act* to grant draft Approval of a Plan of Condominium for a 15 unit

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residential condominium for the Remainder of Parcels 13593, 2437 &
1507 W&F be approved.

“CARRIED”

Res. #2002-434: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Report CAO 2002-28, regarding the *Ontarians With
Disabilities Act* 2001, be received;

- 2) the proposed Terms of Reference for a Municipal
Accessibility Advisory Committee, as outlined in Appendix
“A” to this report, be accepted;
- 3) the Clerk be authorized to place an advertisement seeking
candidates for this advisory committee as soon as possible;
and
- 4) Council appoint a Municipal Accessibility Advisory
Committee before September 30, 2002.

“CARRIED”

Res. #2002-435: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council authorize the City Solicitor to consent to the consolidation
of two (2) lots into one (1) lot, by the owners, Dowdal Cabinets, by way
of an Application to delete and expunge from the parcel register the
severance approval previously granted for the property, all as requested
by Dowdal Cabinets Limited.

“CARRIED”

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

Res. #2002-436: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) the Procedural By-Law be amended as to the Agenda so as
to move the consideration of by-laws after correspondence,
and to identify Proclamations as a matter for the beginning
of the meeting; and

- 2) the Procedural By-Law be amended to authorize the Mayor
and Clerk to execute Subdivision and Pre-Servicing
Agreements which have been approved by Resolution of
Council, and which are in the form recently approved by
Council, where subdivision services are provided to the
satisfaction of the CAO on the recommendation of City
Engineer, the Managing Director of Community Services
and the City Solicitor.

“CARRIED”

Res. #2002-437: Moved by Councillor Church, seconded by Councillor Anthony

- That 1) Ski Ridge Estates - Phase 2 (Vermont Crescent) be given Final Approval; and
- 2) the Mayor and Clerk be authorized to sign the Final Plan of Subdivision subject to all easement and subdivision agreement requirements.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as he is related to the developer.

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- Res. #2002-438: Moved by Councillor Handley, seconded by Councillor Maroosis
- That 1) a by-law be prepared for Council approved to ban commercial, pleasure or instructional scuba diving activities in Delaney Bay on Trout Lake except by special City approval; and
- 2) a copy of report EES 2002-128 from the City Engineer be forwarded to Mr. R. Miron, President of North Bay Scuba Club and to Mr. G. Lavigne, owner of Water Sports North Bay.

“CARRIED AS AMENDED”

- Res. #2002-438a: Moved by Councillor Boldt, seconded by Councillor Church
- That the item relating to scuba diving in Delaney Bay, Trout Lake be referred to the Engineering & Works Committee.

“CARRIED”

- Res. #2002-439: Moved by Councillor Handley, seconded by Councillor Maroosis
- That the memo from G. Elliott dated July 17, 2002 re Chippewa Street extension be referred to the Engineering & Works Committee.

“CARRIED”

- Res. #2002-440: Moved by Councillor Church, seconded by Councillor Anthony
- That the rezoning application by Sandro Orlando on behalf of Wayne Lowe and Mike Gibb for 266, 270 and vacant lot on Lakeshore Drive be received.

“CARRIED”

- Res. #2002-441: Moved by Councillor Handley, seconded by Councillor Maroosis
- That 1) the request from Tammy Richards to install fencing along the public walkway between 39 and 41 Charlton Crescent be referred as an enhancement to the 2003 Current Operating Budget; and
- 2) a report on public walkways should be undertaken to determine the extent of similar improvement work that may be required.

“CARRIED”

- Res. #2002-442: Moved by Councillor Handley, seconded by Councillor Maroosis
- That the matter regarding drainage in the 500 block of King Street West be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2002-443: Moved by Councillor Handley, seconded by Councillor Maroosis
That spot improvements to the drainage ditches along sections of Glen
Rouge Drive be undertaken prior to 30 September 2002.

“CARRIED”

Res. #2002-444: Moved by Councillor Bennett, seconded by Councillor Kidd
That the City of North Bay offers no objection to the temporary extension
of the liquor license for the Mooses Loose Change Lodge from August
1st to August 4th, 2002 inclusive, between the hours of 11:00 a.m. and

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11:00 p.m., provided that the operation continues to comply with the
municipal by-laws, including the Noise By-Law.

“CARRIED”

Res. #2002-445: Moved by Councillor Bennett, seconded by Councillor Kidd
That an 8' wide portion of the boulevard be identified for pedestrian
traffic on the south side of Banner Avenue extending from Lakeshore
Drive to the property limit of Select Auto Sales.

“CARRIED AS AMENDED”

Res. #2002-445a: Moved by Councillor Maroosis, seconded by Councillor Boldt
That the information from T.G. Ringler re Select Auto Sales be received
and sent to the General Government Committee.

“CARRIED”

Res. #2002-446: Moved by Councillor Handley, seconded by Councillor Maroosis
That the request from Stereo Plus Electronics dated July 17, 2002 for an
exemption from the Noise By-Law on Saturday, August 24, 2002 for a
car audio sound off be approved.

“CARRIED”

Res. #2002-447: Moved by Councillor Bennett, seconded by Councillor Kidd
That

- 1) Council agree to a Royalty Access Agreement with Fudge Associates for the purpose of access to the mining claims at S1231447 and S1231451, off of Roy Drive for the Crown rate of \$0.25 per tonne; and
- 2) an agreement be presented to Council for consideration of by-law approval once an agreement has been finalized.

“CARRIED”

Res. #2002-448: Moved by Councillor Bennett, seconded by Councillor Kidd
That

- 1) Michael Burke, City Solicitor, represent The Corporation of the City of North Bay at a grievance arbitration under the Collective Agreement with the North Bay Professional Firefighters' Association; and
- 2) Michael Burke, City Solicitor and Jerry Knox, Director of Human Resources be authorized to select an Arbitrator as specified under the terms of the existing Collective Agreement.

“CARRIED”

Res. #2002-449: Moved by Councillor Church, seconded by Councillor Anthony
That the request from Jennifer McNutt Bywater on behalf of Vested
Interest Trading Co. to vary Sign By-Law No. 25-97 in order to permit the
erection of a sign having a maximum projection of 1.4 metres at 123
McIntyre Street West be approved.

“CARRIED”

Res. #2002-450: Moved by Councillor Church, seconded by Councillor Anthony
That the Mayor and Clerk be authorized to sign the Subdivision
Agreement for the creation of six (6) lots on Gagnon Court by 996500
Ontario Inc.

“CARRIED”

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Res. #2002-451: Moved by Councillor Church, seconded by Councillor Anthony
That 1) Gagnon Court Subdivision be given Final Approval; and
2) the Mayor and Clerk be authorized to sign the Final Plan of
Subdivision subject to receipt of all easements and
subdivision agreement requirements.

“CARRIED”

Res. #2002-452: Moved by Councillor Church, seconded by Councillor Boldt
That 1) the Slow Pitch League be moved to another available field
of a suitable size; and
2) the field rental fee be waived for the month of August.

“CARRIED”

Res. #2002-453: Moved by Councillor Aspin, seconded by Councillor Handley
WHEREAS the Provincial Government has decided to impose a sharp
hike in residential fees charged to seniors living in long-term care
facilities;

AND WHEREAS this sharp fee increase amounts to an increase of 15%
per annum (\$7.02 per diem) effective August 1, 2002;

AND WHEREAS the increase of the government's own contribution
amounts to less than \$2.00 per resident per day;

AND WHEREAS this fee increase amounts to an increase to these
seniors (the majority are living on fixed incomes) of in excess \$2500 per
year;

AND WHEREAS this increase is 11.1% greater than the rent increase
guidelines the government establishes for tenants across the province;

AND WHEREAS the increase was announced, not in the legislature or
news release but in the form of a letter to nursing home residents sent
just before the Canada Day long weekend when the legislature
adjourned;

BE IT THEREFORE RESOLVED that The Corporation of the City of
North Bay formally requests that Premier Eves and the Hon. Dan
Newman, Minister for Long-Term Care rollback their exorbitant fee
increase to a level which is fair and consistent for these residents who
are among the most vulnerable in our province;

AND that a copy of this resolution be forwarded to FONOM, AMO and NOMA.

“CARRIED”

Res. #2002-454: Moved by Councillor Bennett, seconded by Councillor Kidd
That staff meet with residents in the neighbourhood surrounding Tim Hortons to consider the issues raised.

“CARRIED”

Res. #2002-455: Moved by Councillor Aspin, seconded by Councillor Campbell
That the matter of approving Phase I of Laurentian Heights Subdivision be reconsidered.

“LOST”

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Record of Vote (*Procedural By-Law*)

Yeas: Councillors Aspin, Campbell

Nays: Councillors Handley, Maroosis, Boldt, Church, Anthony, Chirico, Kidd, Bennett, Mayor Burrows

Res. #2002-456: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2002-81 to execute a Subdivision Agreement with Laurentian Heights Limited relating to Mapleview Place - Phase I.

“CARRIED”

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

Yeas: Councillors Handley, Maroosis, Boldt, Church, Anthony, Chirico, Kidd, Bennett, Mayor Burrows

Nays: Councillors Aspin, Campbell

Res. #2002-456: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2002-81 to execute a Subdivision Agreement with Laurentian Heights Limited relating to Mapleview Place - Phase I.

“CARRIED”

Res. #2002-458: Moved by Councillor Anthony, seconded by Councillor Handley
That this meeting do now adjourn.

“CARRIED”

MAYOR

DEPUTY CITY CLERK

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