

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, SEPTEMBER 19<sup>TH</sup>, 2005**

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

**CORRESPONDENCE:**

Desjardins, Marilyn & Gene	re Driveway complaint - 709 Tackaberry Drive	(655)
Perut Construction Limited	re Plan of Subdivision - Connaught Avenue	(653)
Salvation Army, The re	Christmas Kettle Campaign	(654)

**REPORTS FROM OFFICERS:**

Bullock, P.	re Organic debris in Parks Creek flowing to Lake Nipissing	(652)
Burke, M.B.	re McIntyre Street parking garage walkway	(657)
Burke, M.B.	re North Bay & District Humane Society Enforcement	(658)
Kilgour, I.G.	re Unopened portion of Queen Street road allowance	(674)
Korell, A.	re Ski Club Road watermain repairs	(660)
Manning, J.	re Tender 2005-90, Window replacement at City Hall	(659)
Manning, J.	re RFP 2005-107, Architectural services for new Transit Terminal	(661)
Mathieu, E.	re Driveway complaint - 709 Tackaberry Drive	(655)
Mathieu, E.	re Sign variance - 101 Champlain Street	(656)
Simmonds, J.C.	re COMRIF Funding Application Authorization Offsite Municipal Servicing for Regional Hospital	(651)

**Res. #2005-648:** Moved by Councillor Mendicino, seconded by Councillor Chirico  
That minutes for the meeting held:

- Tuesday, September 6, 2005; and
- Monday, September 12, 2005

be adopted as presented.

"CARRIED"

**Res. #2005-649:** Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Community Services Committee Report No. 2005-32 relating to:

- Rezoning application by Stephan & Dominique Gravelle, 559 King Street West

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-32**

September 19, 2005

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-32 and recommends:

- 1. That the proposed Zoning By-Law Amendment by Stephan and Dominique Gravelle to rezone Plan M-165, Lots 83 & 85 (559 King Street West) from a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special Zone (RM1 Sp.)" be approved.

All of which is respectfully submitted.

ASSENTS  
 MENDICINO  
 KOZIOL  
 MAROOSIS  
 FEDELI

DISSENTS

Res. #2005-650: Moved by Councillor Mendicino, seconded by Councillor Koziol  
 That Community Services Committee Report No. 2005-33 relating to:

- Rezoning application by Robert, Georgina and Anthony Ricci, 696 Ann Street

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-33**

September 19, 2005

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-33 and recommends:

- 1. That
  - a) the proposed Zoning By-Law Amendment by Robert, Georgina and Anthony Ricci to rezone Plan M-32, Lot 125 (696 Ann Street) from a "Neighbourhood Commercial (C5)" zone to a "Residential Multiple First Density Special Zone No. 103 (RM1 Sp.103)" be approved;
  - b) the subject 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 parking lot layout, paving, installation of curbs and separate drainage, lighting, access, fencing, etc.; and
  - c) the application be processed as a "Fast Track" application pursuant to Council Resolution No. 2001-709 and therefore, the by-law be read three times and passed at the next Regular Council Meeting.

All of which is respectfully submitted.

ASSENTS  
 MENDICINO  
 KOZIOL  
 MAROOSIS  
 FEDELI

DISSENTS

- Res. #2005-651a: Moved by Councillor Mason, seconded by Councillor Boldt  
That
- 1) the City of North Bay support the Offsite Municipal Servicing Project for the North Bay Regional Health Centre as the City's highest priority project; and
  - 2) an application be made to the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) (Intake Two) for funding for this project.

"CARRIED AS AMENDED"

- Res. #2005-651b: Moved by Councillor Chirico, seconded by Councillor Bain  
That the resolution regarding the COMRIF Funding Application be amended to include the following:
- 3) the item also be referred to the General Government Committee to discuss options available.

"CARRIED"

- Res. #2005-652a: Moved by Councillor Mason, seconded by Councillor Boldt  
That
- 1) a Notice be delivered to all residences that back onto Parks Creek or the Parks Creek Parkway (in West Ferris) informing them of their responsibilities with respect to indiscriminant dumping, and maintenance requirements in the vicinity of Parks Creek;
  - 2) a proposed Anti Litter By-Law be considered to apply to the indiscriminant dumping of grass and leaves;
  - 3) the Parks, Recreation and Leisure Department encourage a buffer zone of natural vegetation to grow up along the edges of Parks Creek on City properties;
  - 4) the North Bay-Mattawa Conservation Authority be required to consider alternatives, if possible, when removing ice so as not to disturb a buffer zone along the creek; and
  - 5) Report EES 2005-053 be sent to Myron and Karen Taylor of the Williams Street Condominiums.

"CARRIED AS AMENDED"

- Res. #2005-652b: Moved by Councillor Chirico, seconded by Councillor Mendicino  
That the report from Peter Bullock dated August 26, 2005 relating to organic debris in Parks Creek be referred to the Engineering & Works Committee.

"CARRIED"

- Res. #2005-653: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the Plan of Subdivision by Rick Miller on behalf of Perut Construction Ltd. - Connaught Avenue, south of Tiffany Court be received and referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

- Res. #2005-654: Moved by Councillor Chirico, seconded by Councillor Bain

That Council consent to The Salvation Army Christmas Kettle Campaign commencing on Saturday, November 19<sup>th</sup>, 2005 and run daily to December 24<sup>th</sup>, 2005 (excluding Sundays).

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“CARRIED”  
**September 19, 2005**

Res. #2005-655: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Council direct the Zoning Administrator to enforce Section 5.1.5.1 of Zoning By-Law No. 28-80 for the non-complying driveway located at 709 Tackaberry Drive.

“CARRIED”

Res. #2005-656: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Council approve the request from Jackie & Ken Vezeau, 101 Champlain Street for a variance to Sign By-Law No. 25-97, Facia Signs Section 8.4.2(e) from the required 2.5m (8.2ft) from the grade to any part of the sign, to 0.8m (2.5ft) for a six foot fence section and to 1.4m (4.6ft) for an eight foot fence section, with the understanding that the Applicants are responsible to obtain the appropriate sign permits, and to enforce Section 8.4.2 Facia Signs of Sign By-Law No. 25-97.

“CARRIED”

Res. #2005-657a: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council authorize:

- 1) an application for approval to expropriate an interest in the nature of an easement for a walkway from Main Street West to the parking garage; and
- 2) the payment of compensation for the consent of the abutting owners who also have right of way across all or part of such walkway.

“CARRIED”

Res. #2005-657b: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from Mike Burke dated September 13, 2005 relating to the McIntyre Street parking garage walkway be referred to the General Government Committee.

“LOST”

Res. #2005-658: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council agree to amend the Humane Society Operating Agreement to include reference to enforcement of the *Dog Owners' Liability Act*.

“CARRIED”

Res. #2005-659: Moved by Councillor Chirico, seconded by Councillor Bain  
That North Bay City Council approve the award of a contract to Northland Glass and Metal Limited, in the amount of \$67,062.00 (taxes extra), to replace designated windows at North Bay City Hall.

“CARRIED”

Res. #2005-660: Moved by Councillor Mason, seconded by Councillor Boldt  
That 1) City Council authorize the repairs to the 20 inch watermain on Ski Club Road and that the funds totalling \$125,000 be allocated from the Sewer and Water Reconstruction Project W3 in the amount of \$75,000 and from the Watermain Looping Project W13 in the amount of \$50,000; and

- 2) the quotation from DeFaveri Construction of Hamilton, using Hydro-Stop as a Subcontractor (an American Company), be accepted to complete the required work.

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“CARRIED”  
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Res. #2005-661: Moved by Councillor Chirico, seconded by Councillor Bain  
That North Bay City Council approve a contract be issued to Larocque Elder Architects Inc. in the amount of \$97,840.00 (GST extra), to provide architectural and contract supervision for the construction of a Transit Terminal.

“CARRIED”

Res. #2005-662: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2005-211 to authorize the sale of lands to FDM4 International Inc. (Airport Road).

By-Law No. 2005-216 to authorize the purchase of ten foot road widenings along Fisher Street from the North Bay-Mattawa Conservation Authority for the Fisher Street Reconstruction Project.

“CARRIED”

Res. #2005-663: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2005-211 to authorize the sale of lands to FDM4 International Inc. (Airport Road).

By-Law No. 2005-216 to authorize the purchase of ten foot road widenings along Fisher Street from the North Bay-Mattawa Conservation Authority for the Fisher Street Reconstruction Project.

“CARRIED”

Res. #2005-664: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-law be read a third time and passed:

By-Law No. 2005-197 to stop up and close a portion of the unopened Lindsay Street road allowance.

“CARRIED”

Res. #2005-665: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-laws be read a first and second time:

By-Law No. 2005-195 to rezone certain lands on Ann Street (Robert, Georgina & Anthony Ricci - 696 Ann Street).

By-Law No. 2005-196 to designate a Site Plan Control Area on certain lands on Ann Street (Robert, Georgina & Anthony Ricci - 696 Ann Street).

By-Law No. 2005-213 to designate a Site Plan Control Area on certain lands on King Street (Stephan & Dominique Gravelle - 559 King Street West).

“CARRIED”

Res. #2005-666: Moved by Councillor Mendicino, seconded by Councillor Koziol

That the following by-laws be read a third time and passed:

By-Law No. 2005-195 to rezone certain lands on Ann Street (Robert, Georgina & Anthony Ricci - 696 Ann Street).

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By-Law No. 2005-196 to designate a Site Plan Control Area on certain lands on Ann Street (Robert, Georgina & Anthony Ricci - 696 Ann Street).

By-Law No. 2005-213 to designate a Site Plan Control Area on certain lands on King Street (Stephan & Dominique Gravelle - 559 King Street West).

“CARRIED”

Res. #2005-667: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-law be read a first and second time:

By-Law No. 2005-212 to rezone certain lands on King Street (Stephan & Dominique Gravelle - 559 King Street West).

“CARRIED”

Res. #2005-668: Moved by Councillor Mason, seconded by Councillor Boldt  
That the following by-law be read a first and second time:

By-Law No. 2005-217 to execute an Agreement with the Minister of the Environment relating to the Emission Reductions/Removals from Landfill Gas Capture and Combustion Project.

“CARRIED”

Res. #2005-669: Moved by Councillor Mason, seconded by Councillor Boldt  
That the following by-law be read a third time and passed:

By-Law No. 2005-217 to execute an Agreement with the Minister of the Environment relating to the Emission Reductions/Removals from Landfill Gas Capture and Combustion Project.

“CARRIED”

Res. #2005-670: Moved by Councillor Mason, seconded by Councillor Boldt  
That the City of North Bay send letters to Premier Dalton McGuinty; Minister of Transportation, Harinder Takhar; and Monique Smith, MPP for Nipissing thanking them for further confirming the plan and schedule for the construction of the remaining sections of Highway 11 four laning as contained within the recently announced Northern Highways Strategy.

“CARRIED”

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

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

Res. #2005-671: Moved by Councillor Vaillancourt, seconded by Councillor Chirico  
WHEREAS the City of North Bay provides goods and services to many surrounding communities;

AND WHEREAS the proximity of the Town of Témiscaming, Quebec to North Bay is beneficial to our local businesses;

AND WHEREAS the community of Témiscaming represents an influx close to \$50,000,000.00 per year to the local economy;

AND WHEREAS Tembec, a world leading forest industry business, requires many products and services offered by our community;

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AND WHEREAS the cross-border regulations are not conducive to enabling a large corporation like Tembec to access many of our products and services;

AND WHEREAS this problem exists throughout many provincial bordering communities;

NOW THEREFORE BE IT RESOLVED THAT the Ontario, Quebec and Federal Governments show leadership and innovation in finding a timely solution to cross-border harmonization that will enhance and fortify seamless trade between border communities;

AND FURTHER BE IT RESOLVED THAT a copy of this resolution be sent to Mr. Frank Dottori, President of Tembec; Mayor and Council of Témiscaming, Quebec; Daniel Bernard, MNA for Rouyn-Noranda - Témiscamingue; Marc Lemay, MP for Abitibi-Témiscamingue; Monique Smith, MPP for Nipissing; Anthony Rota, MP for Nipissing and the Federation of Northern Ontario Municipalities.

“CARRIED”

Res. #2005-672a: Moved by Councillor Boldt, seconded by Councillor Mason  
That the Council of the City of North Bay encourages the Province of Ontario to ensure that the new North Bay Regional Health Centre is not built under the P3 model and that other methods of financing be explored.

“CARRIED AS AMENDED”

Res. #2005-672b: Moved by Councillor Bain, seconded by Councillor Koziol  
That the motion by Councillor Boldt relating to the North Bay Regional Health Centre financing be referred to the General Government Committee.

“CARRIED”

Res. #2005-673: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council adjourn in-camera to discuss litigation matter #12 and property matters #13, #14 and #15.

“CARRIED”

Res. #2005-674: Moved by Councillor Chirico, seconded by Councillor Bain  
That

- 1) the closure and sale of the unopened portion of the Queen Street Road Allowance abutting Lots 142 to 147, Plan M-80 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 Queen Street abutting Lots 142 to 147, Plan M-80 be offered to the abutting owners at its appraised value, plus all related legal, survey and advertising fees;
- 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;

- 5) the subject property as shown on Schedule B to Report to Council No. CSBU 2005-85 be assumed as City Road Allowance; and

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- 6) all driveway entrances shall be located and designed to the satisfaction of the City Engineer. All works associated with the extension of the driveways shall be paid by the respective residential property owner.

“CARRIED”

Res. #2005-675

Moved by Councillor Mendicino, seconded by Councillor Chirico  
That this meeting do now adjourn.

“CARRIED”

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD