

**Minutes of The Regular Meeting  
of City Council  
Held Monday, April 29, 2013**

**Present:**

Mayor McDonald, Councillors Lawlor, Anthony, Bain, Maroosis, Vaillancourt, Mayne, Mendicino, Campbell, Koziol, Vrebosch

**Public Presentations:**

Dave Saad/Pat Cliche	re North Bay and Area Drug and Alcohol Committee
Ruby Trudel	re Bus Service on Douglas Street
Don Rennick	re North Bay Hydro Delivery Charges
Gilbert Gagnon	re DIA – Bursaries for Local Musicians/Smoking in Bars/Lakeshore Bridge
Robert Stevens	re Olive Street Bridge

**Correspondence:**

Tamron Construction Ltd., Dennis Mong & Owen Hong	re Rezoning Application – 312 Greenwood Ave.	(269)
--	--	-------

**Reports From Officers:**

Carello, P.	re Request to Remove a Holding Zone Symbol – Carmichael Drive	(270)
Carello, P.	re 2012 Municipal Heritage Committee (MHC) Annual Report	(272)
Chirico, P.	re Request for Quotation No. 2013-12, Tractor with Front-End Loader and Backhoe Attachment – Single Source	(274)
Conrad, C.	re Appointment to the Property Standards Committee	(294)
Cox, A.	re 2013 Capital Budget Project No. 6102RD – Asphalt Sheeting Program (On-going)	(275)
Karpenko, M.	re 2010 Ontario Municipal Partnership Fund (OMPF) Reconciliation	(281)
Kilgour, I.	re New Memorial Gardens Parking, Aquatic Centre, YMCA Parking, Leo Troy Field, Fraser Street Road Allowance	(273)
Rochefort, L.	re By-Law to establish Decrease Limits for certain Property Classes of 2013	(276)
Valenti, P.	re Tender No. 2013-16, Aggregate Materials	(277)
Valenti, P.	re Tender No. 2013-17, Ready Mix Concrete	(278)
Valenti, P.	re Tender No. 2013-23, Asphalt Concrete Pavement Patching	(279)
Valenti, P.	re Report dated April 23, 2013 re Tender No. 2013-24, Landscaping Services	(280)
Vaughan, E.	re 2013 Armed Forces Appreciation Day – Exclusive Use of Parkland	

Councillor Maroosis declared a Conflict of Interest regarding Item #1, presented to Council at its Regular Meeting held on Monday April 15, 2013 (Res. #2013-230), re a Pre-Servicing Agreement for Trillium Woods – Phase II, as his son-in-law is employed by the Developer, and requested that the Minutes for the April 15, 2013 Regular Meeting of Council reflect his declaration of Conflict of Interest.

Res. #2013-263: Moved by Councillor Bain, seconded by Councillor Maroosis  
That minutes for the public meeting held on:

- Monday, April 22, 2013

be adopted as presented.

“Carried”

Res. #2013-264: Moved by Councillor Anthony, seconded by Councillor Bain  
That General Government Committee Report No. 2013-17 relating to:

- 2013 Development Charges

be adopted as presented.

Record of Vote (*Upon request of Councillor Vrebosch*)

Yeas: Councillors Vrebosch, Vaillancourt, Campbell, Mayne, Koziol, Mendicino, Bain, Maroosis, Anthony, Mayor McDonald

Nays: Councillor Lawlor

“Carried”

**General Government Committee Report No. 2013-17**

April 29, 2013

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-17 and recommends:

1. That the Chief Financial Officer be authorized to increase Development Charges rates for 2013 by 1.6%, as outlined in Report to Council CORP 2013-28 dated February 25, 2013 from Al Lang & Margaret Karpenko.

All of which is respectfully submitted.

Assents

- Lawlor
- Anthony
- Bain
- Maroosis
- Mayor McDonald

Dissents

Res. #2013-265: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That Community Services Committee Report No. 2013-07 relating to:

- Rezoning application by Conseil Scolaire de District Catholique Franco-Nord Beno – 152 Greenwood Avenue

be adopted as presented.

“Carried”

**Community Services Committee Report No. 2013-07**

April 29, 2013

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-07 and recommends:

1. That
  - 1) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Conseil Scolaire de District Catholique Franco-Nord Beno, 152 Greenwood Avenue in the City of North Bay to rezone the property legally described as Registered Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, Part 1, PIN 49159-0030 (LT), from a “Residential Third Density (R3)” zone to a “Residential Fifth Density Special No. 131 (R5 Sp.131)” zone be approved; and
  - 2) 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, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

All of which is respectfully submitted.

<u>Assents</u>	<u>Dissents</u>
Mendicino	
Mayne	
Vaillancourt	
Mayor McDonald	

Res. #2013-266(a): Moved by Councillor Mendicino seconded by Councillor Mayne  
That Community Services Committee Report No. 2013-08 relating to:

- Smoke Free By-Law Amendment – Municipal Parks

be adopted as presented.

Record of Vote (*Upon request of Councillor Mendicino*)

Yeas: Councillors Mendicino, Marosis, Vrebosch, Bain, Lawlor, Koziol, Mayor McDonald

Nays: Councillors Campbell, Mayne, Anthony, Vaillancourt

“Carried As Amended”

**Community Services Committee Report No. 2013-08**

April 29, 2013

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-08 and recommends:

1. That 1) the Parks By-Law No. 35-96 and Smoking By-Law No. 2012-97 be amended to prohibit smoking in Municipal parks (playgrounds, parks, sport fields, beaches and trails), and that special events hosted in Municipal parks also be designated as smoke free; and
- 2) these amendments come into effect beginning June 1<sup>st</sup>, 2013.

All of which is respectfully submitted.

<u>Assents</u>	<u>Dissents</u>
Mendicino	
Mayne	
Vaillancourt	
Mayor McDonald	

Res. #2013-266(b): Moved by Councillor Lawlor, seconded by Councillor Anthony That Community Services Committee Report No. 2013-08 be amended by deleting the words "and that special events hosted in Municipal parks also be designated as smoke free".

Record of Vote (*Upon request of Councillor Lawlor*)

Yeas: Councillors Lawlor, Anthony, Marosis

Nays: Councillors Vaillancourt, Mendicino, Bain, Koziol, Vrebosch, Mayne, Campbell, Mayor McDonald

"Lost"

Res. #2013-266(c): Moved by Councillor Marosis, seconded by Councillor Lawlor That Community Services Committee Report No. 2013-08 be amended to allow organizations to apply to Council to establish a designated smoking area during a special event.

Record of Vote (*Upon request of Councillor Lawlor*)

Yeas: Councillors Lawlor, Vrebosch, Anthony, Mayne, Koziol, Marosis

Nays: Councillors Mendicino, Campbell, Bain, Vaillancourt, Mayor McDonald

"Carried"

Res. #2013-267: Moved by Councillor Mendicino, seconded by Councillor Mayne That Community Services Committee Report No. 2013-09 relating to:

- 2012 Update – Municipal Accessibility Plan and Municipal Accessibility Advisory Committee Annual Report

be adopted as presented.

"Carried"

**Community Services Committee Report No. 2013-09**

April 29, 2013

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-09 and recommends:

1. That the 2012 Update – Municipal Accessibility Plan and Municipal Accessibility Advisory Committee Annual Report be noted and filed.

All of which is respectfully submitted.

<u>Assents</u>	<u>Dissents</u>
Mendicino	
Mayne	
Vaillancourt	
Mayor McDonald	

Res. #2013-268: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That accounts totaling \$10,747,373.62 for March 2013 be approved.

“Carried”

Res. #2013-269: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the rezoning application by Tamron Construction Ltd., Dennis Mong & Owen Hong on behalf of Greenwood Avenue Baptist Church – 312 Greenwood Avenue be received.

“Carried”

Res. #2013-270: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That 1) City Council pass a by-law to remove the Holding (H) Zone Symbol from the lands zoned “Residential First Density Holding Zone (R1H)”, through By-Law 1995-152 for the property described as Concession A, Part Lot 17, Reference Plan NR-825, Part 4, PIN 49127-0386 (LT), as shown as “Schedule A” attached to Report to Council CSBU 2013-51 dated April 12, 2013; and

- 2) the by-law be brought forward on May 21, 2013 for three (3) readings.

“Carried”

Res. #2013-271: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That exclusive use be granted of the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2013 Annual Forces Appreciation Day being held June 5<sup>th</sup>, 2013.

“Carried”

Res. #2013-272: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the 2012 Municipal Heritage Committee Annual Report be received and referred to the Community Services Committee.

"Carried"

Res. #2013-273(a): Moved by Councillor Mendicino, seconded by Councillor Mayne  
That 1) City Council approve the plan to decommission Troy Field and enlarge the abutting parking lot serving Memorial Gardens and the YMCA/Aquatic Centre on the lands shown on Schedule "A" attached to Report to Council CSBU 2013-34 dated April 22, 2013;

2) the Fraser Street Road Allowance and a portion of Thomson Park, east of Chippewa Creek, be prepared and used for parking on the lands shown on Schedule "A"; and

3) Leo Troy is honoured in an equal manner, as determined by City Council.

Record of Vote (*Upon request of Councillor Mendicino*)

Yeas: Councillors Mendicino, Mayne, Lawlor, Vrebosch, Campbell, Koziol, Anthony, Bain, Vaillanocurt, Mayor McDonald

Nays: Councillor Maroosis

"Carried"

Res. #2013-273(b): Moved by Councillor Maroosis, seconded by Councillor Vrebosch  
That Report from Ian Kilgour dated April 22, 2013 re: New Memorial Gardens Parking be referred to the Community Services Committee.

"Lost"

Res. #2013-274: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That 1) City Council approve the award of a contract to Arnstein Lawn and Garden Company Inc. in the amount of \$35,775.00 (plus HST), for the supply of one (1) four-wheel drive, diesel compact utility tractor with fully enclosed cab and quick attach front-end loader; and

2) Council approve the award of a single source contract to Arnstein Lawn and Garden Company Inc. in the amount of \$19,400.00 (plus HST), for the supply and installation of a backhoe attachment for the new tractor.

"Carried"

Res. #2013-275: Moved by Councillor Vrebosch, seconded by Councillor Koziol  
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Asphalt Sheeting Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 6102RD, at a net debenture cost of \$109,000.00.

"Carried"

Res. #2013-276: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That 1) By-Law No. 2013-93, being a by-law to establish decrease limits for certain property classes for 2013 be repealed; and

- 2) By-Law No. 2013-117 be presented for three (3) readings at the Regular Meeting of Council on April 29, 2013.

Councillor Koziol declared a Conflict of Interest as the report refers to property classes and she works for a multi-residential firm.

"Carried"

Res. #2013-277: Moved by Councillor Vrebosch, seconded by Councillor Koziol That City Council approve the award of a contract to Edgar Poulin Construction & Rentals Ltd. in the estimated amount of \$398,620.00 (HST extra), for the supply of Aggregate Materials on an as and when requested basis from the date of contract to October 30, 2013.

"Carried"

Res. #2013-278: Moved by Councillor Vrebosch, seconded by Councillor Koziol That City Council approve the award of a contract to Lafarge Construction Inc. in the estimated amount of \$91,695.96 (HST extra), for the supply of Ready Mix Concrete on an as and when requested basis from the date of contract to December 1, 2013.

"Carried"

Res. #2013-279: Moved by Councillor Vrebosch, seconded by Councillor Koziol That City Council approve the award of a contract to Miller Paving North Bay, a division of Miller Paving Limited in the estimated amount of \$1,450,182.50 (HST extra), for Asphalt Concrete Pavement Patching on various City roads on an as and when requested basis from the date of contract to November 30, 2013.

"Carried"

Res. #2013-280: Moved by Councillor Vrebosch, seconded by Councillor Koziol That City Council approve the award of a contract to 2071624 Ontario Inc. o/a Blacktop in the estimated amount of \$86,300.00 (HST extra), for Landscaping Services on an as and when requested basis from the date of contract to October 31, 2013.

Mayor McDonald declared a Conflict of Interest as his brother owns Blacktop.

"Carried"

Res. #2013-281: Moved by Councillor Lawlor, seconded by Councillor Anthony That 1) the \$467,600.00 received from the Provincial Ministry of Finance, representing the 2010 Ontario Municipal Partnership Fund (OMPF) reconciliation of actual results versus estimated, be transferred to the Tax Rate Stabilization Reserve Fund (99529R); and

2) the Mayor, Deputy Mayor and Council seize every opportunity to petition the Ministry of Finance to retain the OMPF reconciliation payment and to seek resolution for the inequity to North Bay.

"Carried"

Res. #2013-282: Moved by Councillor Lawlor, seconded by Councillor Anthony That the following by-laws be read a first and second time:

By-Law No. 2013-105 to authorize the Watermain Replacement, Reaming or Relining Program.

By-Law No. 2013-106 to authorize the Residential Street Rehabilitation Program.

By-Law No. 2013-107 to authorize the Watermain Looping Program.

By-Law No. 2013-108 to authorize the Flush Watermain Project.

By-Law No. 2013-109 to authorize the Fire Department Vehicle and Equipment Replacement Program.

By-Law No. 2013-110 to confirm proceeding of the Meeting of Council on April 15, 2013.

By-Law No. 2013-111 to authorize the Ski Club Road Storm Sewer.

By-Law No. 2013-113 to authorize the execution of an Agreement of Purchase and Sale with 1890107 Ontario Inc. relating to a portion of Block 4, VooDoo Crescent (Airport Industrial Park).

“Carried”

Res. #2013-283: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That the following by-laws be read a third time and passed:

By-Law No. 2013-105 to authorize the Watermain Replacement, Reaming or Relining Program.

By-Law No. 2013-106 to authorize the Residential Street Rehabilitation Program.

By-Law No. 2013-107 to authorize the Watermain Looping Program.

By-Law No. 2013-108 to authorize the Flush Watermain Project.

By-Law No. 2013-109 to authorize the Fire Department Vehicle and Equipment Replacement Program.

By-Law No. 2013-110 to confirm proceeding of the Meeting of Council on April 15, 2013.

By-Law No. 2013-111 to authorize the Ski Club Road Storm Sewer.

By-Law No. 2013-113 to authorize the execution of an Agreement of Purchase and Sale with 1890107 Ontario Inc. relating to a portion of Block 4, VooDoo Crescent (Airport Industrial Park).

“Carried”

Res. #2013-284: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That the following by-law be read a first and second time:

By-Law No. 2013-117 to establish decrease limits for certain property classes for 2013 (and to repeal By-Law No. 2013-93).

Councillor Koziol declared a Conflict of Interest as it relates to certain property classes and she works for a multi-residential firm.

“Carried”

Res. #2013-285: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That the following by-law be read a third time and passed:



By-Law No. 2013-117 to establish decrease limits for certain property classes for 2013 (and to repeal By-Law No. 2013-93).

Councillor Koziol declared a Conflict of Interest as it relates to certain property classes and she works for a multi-residential firm.

“Carried”

Res. #2013-286: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt That the following by-laws be read a first and second time:

By-Law No. 2013-97 to rezone certain lands on Trout Lake Road (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-99 to rezone certain lands on Trout Lake Road (Trout Lake Mall Inc. – 2653 Trout Lake Road).

By-Law No. 2013-101 to rezone certain lands on Lakeshore Drive (Nu-North Development Ltd. & Marcel Deschamps – Lakeshore Drive).

By-Law No. 2013-115 to adopt Official Plan Amendment No. 3 (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-116 to adopt Official Plan Amendment No. 4 (Trout Lake Mall Inc. – 2653 Trout Lake Road).

“Carried”

Res. #2013-287: Moved by Councillor Mendicino, seconded by Councillor Mayne That the following by-laws be read a first and second time:

By-Law No. 2013-41 to rezone certain lands on 152 Greenwood Avenue (Conseil Scolaire Catholique Franco – Nord Beno – 152 Greenwood Avenue).

By-Law No. 2013-42 to designate a Site Plan Control Area on certain lands on Greenwood Avenue – (Conseil Scolaire Catholique Franco – Nord Beno – 152 Greenwood Avenue).

By-Law No. 2013-98 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-100 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Trout Lake Mall Inc. – 2653 Trout Lake Road).

“Carried”

Res. #2013-288: Moved by Councillor Mendicino, seconded by Councillor Mayne That the following by-laws be read a third time and passed:

By-Law No. 2013-41 to rezone certain lands on 152 Greenwood Avenue (Conseil Scolaire Catholique Franco – Nord Beno – 152 Greenwood Avenue).

By-Law No. 2013-42 to designate a Site Plan Control Area on certain lands on Greenwood Avenue – (Conseil Scolaire Catholique Franco – Nord Beno – 152 Greenwood Avenue).

By-Law No. 2013-98 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-100 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Trout Lake Mall Inc. – 2653 Trout Lake Road).

“Carried”

Res. #2013-289: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

By-Law No. 2013-94 to rezone certain lands on High Street (Tim Falconi & Carlo Guido – 715 High Street).

By-Law No. 2013-96 to rezone certain lands on Carmichael Drive (Paul William Turcotte – 295 Carmichael Drive).

“Carried”

Res. #2013-290: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
WHEREAS through Resolution No. 2011-556, North Bay City Council directed staff to undertake a review of smoking at commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding findings;

AND WHEREAS staff from both the City and Health Unit reported to Council on Monday, April 22, 2013;

AND WHEREAS not all commercial establishments with patios were afforded the opportunity to be involved in the consultation process;

AND WHEREAS the North Bay and District Chamber of Commerce membership includes many of these commercial establishments with patios;

AND WHEREAS the North Bay Parry Sound District Health Unit has the background and expertise to assist City Council in deciding if smoking should be prohibited or otherwise restricted on these outdoor patios;  
and

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the City of North Bay request the North Bay and District Chamber of Commerce and the North Bay Parry Sound District Health Unit work together to consult with the commercial establishments and the public and come before City Council with recommendations with respect to smoking on commercial patios; in undertaking this consultation process the parties are encouraged to look at other Ontario municipalities as to their patio smoking by-laws or best practices.

“Carried”

Res. #2013-291: Moved by Councillor Maroosis, seconded by Councillor Bain  
That the matter regarding the suspension of Bus Service that effects Douglas Street Seniors be referred to the Community Services Committee so that the information given to Council during the Budget Process can be given to the Public.

“Carried”

Res. #2013-292: Moved by Councillor Lawlor, seconded by Councillor Anthony That Council adjourn in-camera pursuant to section 239(2) of the *Municipal Act, 2001*, as amended, at 9:52 p.m. for the following reasons: Item #15, being a personal matter about an identifiable individual; and Item #16, being the potential disposition of lands by the municipality.

"Carried"

Res. #2013-293: Moved by Councillor Lawlor, seconded by Councillor Anthony That Council reconvene at 10:09 p.m.

"Carried"

Res. #2013-294: Moved by Councillor Lawlor, seconded by Councillor Anthony That Council appoint Cheryl Leigh Raney to the Property Standards Committee for a term to expire November 30, 2014.

"Carried"

Res. #2013-295: Moved by Councillor Bain, seconded by Councillor Maroosis That this Regular Meeting of Council do now adjourn at 10:10 p.m.

"Carried"

---

Mayor Allan McDonald

---

City Clerk Catherine Conrad