



Regular Meeting of City Council
Minutes

June 15, 2021, 6:30 p.m.
Electronic Participation via Zoom

Members Present: Mayor Al McDonald, Councillor Tanya Vrebosch,
Councillor Brousseau, Councillor Mayne, Councillor Bill
Vrebosch, Councillor King, Councillor Robertson,
Councillor Mendicino, Councillor Tignanelli, Councillor
Maroosis

Members Absent: Councillor Bain

**1. Declaration of Pecuniary Interest and the General Nature
Thereof**

- 1.1 Mayor Al McDonald - Motorized Snow Vehicle By-Law Update, "as
I have an interest in the gas station on Seymour Street."

2. Public Presentations

- 2.1 Katie Vint - Zoning By-Law Amendment and Draft Plan of
Subdivision by Antech Design and Engineering on behalf of New
Era Homes Limited and Millford Development Limited - Ski Club
Road

3. Public Meeting Minutes

- 3.1 Tuesday, May 18, 2021

Res. # 2021-239

Moved by Councillor Mendicino

Seconded by Councillor Tignanelli

That the minutes for the public meetings held on:

- Tuesday, May 18, 2021

be adopted as presented.

Carried

4. Motion for Reconsideration

5. Committee Reports

- 5.1 Community Services Committee Report No. 2021-07

Res. # 2021-240(a)

Moved by Councillor Brousseau

Seconded by Councillor Robertson

That Community Services Committee Report No. 2021-07 relating to:

- Zoning By-Law Amendment by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited – Ski Club Road (Angela Court)

be adopted as presented.

Community Services Committee Report No. 2021-07

June 15, 2021

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2021-07 and recommends:

“That :

1. the proposed Zoning By-law Amendment by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited – Ski Club Rd. to rezone portions of two properties legally described in Appendix A to Report to Council Number CSBU 2021-26 dated May 4, 2021 by Peter Carello from a “Residential First Density (R1)” zone and a “Residential Holding (RH)” zone to a “Residential Third Density (R3)” zone be approved; and
2. the proposed Plan of Subdivision (13 Lots, Subdivision File No. 48T-20101) by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited in the City of North Bay for lands described in Appendix “A” to Report to Council Number CSBU 2021-26, as shown on Schedule “B” attached to Report to Council 2021-26, be given Draft Approval subject to the conditions in Appendix “B” to Report to Council CSBU 2021-26 dated May 4, 2021 by Peter Carello.”

All of which is respectfully submitted.

Carried

Res. # 2021-240(b)

Moved by Councillor T. Vrebosch
Seconded by Councillor Maroosis

That Community Services Committee Report No. 2021-07 be recommitted to the Community Services Committee.

Lost

6. Correspondence

- 6.1 Amendment to Procedural By-Law No. 2019-80, as amended, to Allow for Electronic Participation by Members of City Council

Res. # 2021-241

Moved by Councillor T. Vrebosch

Seconded by Councillor B. Vrebosch

That Council:

1. authorize the City Clerk to amend the City of North Bay's Procedural By-Law to allow Members of Council and Members of Local Boards or Committees to participate electronically in meetings until December 31, 2021; and
2. suspend the Notice Provisions, as set out in Section 33 of the City of North Bay's Procedural By-Law.

Carried

- 6.2 North Bay Jack Garland Airport Corporation Board Appointments

Res. # 2021-242

Moved by Councillor T. Vrebosch

Seconded by Councillor B. Vrebosch

That Council confirm the appointments of Mr. Grant Bailey, Ms. Tracy McPhee, Mr. Thomas Waqué, and Ms. Candice Henderson to the Board of Directors for the North Bay Jack Garland Airport Corporation effective June 1st, 2021 for a term to expire November 14, 2022.

Carried

- 6.3 Request for Proposal 2021-18, Loader

Res. # 2021-243

Moved by Councillor Mayne

Seconded by Councillor King

That City Council approve the award of a contract to Brandt Tractor Ltd. in the amount of \$328,860.72 (plus HST), for the provision of a loader with an extended warranty.

Carried

- 6.4 Request for Quote 2021-47, Engineered Fabric Covered Structure for Storage at Merrick Landfill

Res. # 2021-244

Moved by Councillor Mayne

Seconded by Councillor King

That City Council approve the award of a contract to Equipements TNO (2005) Inc. in the amount of \$100,900.00

(plus HST), to provide and construct an engineered fabric covered structure for storage at the Merrick Landfill.

Carried

6.5 Request for Quote 2021-45, Purchase of Three (3) 3/4 Ton Pick Up Trucks

Res. # 2021-245

Moved by Councillor Mayne

Seconded by Councillor King

That City Council approve the award of a contract to Finch Chevrolet Cadillac Buick GMC Ltd. in the amount of \$167,373.00 (plus HST), for the provision of three (3) 3/4 ton pick up trucks.

Carried

6.6 Request for Quote 2021-39, Memorial Gardens Roofing Replacement and Chimney Repair

Res. # 2021-246

Moved by Councillor Mayne

Seconded by Councillor King

That City Council approve the award of a contract to Blanchfield Roofing Company Limited in the amount of \$182,820.00 (plus HST), for roofing replacement and chimney repairs at Memorial Gardens.

Carried

6.7 Proposed Laneway Closure by Miller & Urso Surveying Inc. on behalf of 2808138 Ontario Inc. - 327 Dudley Avenue

Res. # 2021-247

Moved by Councillor Brousseau

Seconded by Councillor Robertson

That:

1. the application by Miller & Urso Surveying Inc. on behalf of 2808138 Ontario Inc. to close the laneway, as shown on Schedule "A" attached to Report to Council CSBU 2021-31 dated June 2, 2021 from Peter Carello, be approved:
2. the closure of the laneway be subject to the granting of any required easements; and
3. the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

Carried

6.8 Motorized Snow Vehicle By-Law Update

Mayor Al McDonald declared a conflict on this item "as I have an interest in the gas station on Seymour Street."

Res. # 2021-248

Moved by Councillor B. Vrebosch

Seconded by Councillor Brousseau

That Council:

1. approve the proposed by-law to regulate, govern and prohibit the operation of motorized snow vehicles, as outlined in Appendix "A" attached to Report to Council CSBU 2021-28 dated May 31, 2021 from Ian Kilgour and Tina Robertson; and
2. authorize the application for set fines for the proposed motorized snow vehicle by-law, as set out in Appendix "B" attached to Report to Council CSBU 2021-28.

Carried

6.9 Final Approval - Legault Street Industrial Subdivision

Res. # 2021-249

Moved by Councillor Brousseau

Seconded by Councillor Robertson

That:

1. Council grant final approval to Phase I of the Draft Approved Plan of Subdivision along Legault Street by 2688642 Ontario Inc. – City File No. 48T-19101; and
2. the Mayor and City Clerk be authorized to sign a Subdivision Agreement with 2688642 Ontario Inc. for a property located along Legault Street, consisting of two (2) lots and three (3) blocks, upon receipt of all security, easements and all other Subdivision Agreement requirements.

Carried

7. By-Laws for Consideration

Res. # 2021-250

Moved by Councillor Brousseau

Seconded by Councillor Robertson

That the following by-laws be read a first and second time:

By-Law No. 2021-36 to rezone certain lands on Ski Club Road (New Era Homes Limited and Millford Development Limited - Ski Club Road).

By-Law No. 2021-54 to amend the City of North Bay On-Street Parking By-Law No. 2014-37.

Res. # 2021-251

Moved by Councillor Brousseau

Seconded by Councillor Robertson

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

By-Law No. 2021-36 to rezone certain lands on Ski Club Road (New Era Homes Limited and Millford Development Limited - Ski Club Road).

By-Law No. 2021-54 to amend the City of North Bay On-Street Parking
By-Law No. 2014-37.

Carried

- 7.1 By-Law No. 2021-63 to authorize the execution of a Subdivision Agreement between The Corporation of the City of North Bay and 2688642 Ontario Inc. (Legault Street Industrial Subdivision).

Res. # 2021-252

Moved by Councillor Brousseau

Seconded by Councillor Robertson

That the following by-law be read a first and second time:

By-Law No. 2021-63 to authorize the execution of a Subdivision Agreement with The Corporation of the City of North Bay and 2688642 Ontario Inc. (Legault Street Industrial Subdivision).

Carried

Res. # 2021-253

Moved by Councillor Brousseau

Seconded by Councillor Robertson

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

By-Law No. 2021-63 to authorize the execution of a Subdivision Agreement with The Corporation of the City of North Bay and 2688642 Ontario Inc. (Legault Street Industrial Subdivision).

Carried

8. Motions

- 8.1 Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA)

Res. # 2021-254

Moved by Councillor Tignanelli

Seconded by Councillor T. Vrebosch

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the City of North Bay, practice and continue to promote open and transparent

government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

Carried

9. In-Camera Correspondence

Res. # 2021-255

Moved by Councillor T. Vrebosch

Seconded by Councillor B. Vrebosch

That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended at 7:50 p.m. for the following reasons:

Item 9.2, being a personal matter about an identifiable individual; and

Item 9.3, being litigation including matters before administrative tribunals, affecting the municipality or local board.

Carried

Res. # 2021-256

Moved by Councillor T. Vrebosch

Seconded by Councillor B. Vrebosch

That Council reconvene at 8:04 p.m.

Carried

- 9.2 Confidential report from Karen McIsaac dated May 26, 2021 re Personal matters about an identifiable individual.

Res. # 2021-257

Moved by Councillor T. Vrebosch
Seconded by Councillor B. Vrebosch

That Council appoint Stu Campaigne to the Municipal Heritage Committee for a term to expire November 14, 2022.

Carried

- 9.3 Confidential report from Peter Leckie dated May 26, 2021 re Litigation or potential litigation, including matters before administrative tribunals, effect the municipality or local board.

Res. # 2021-258

Moved by Councillor Brousseau
Seconded by Councillor Robertson

That Council direct City staff not to attend the Local Planning Appeal Tribunal for Committee of Adjustment Application B-03-21 by Shortt Acquisitions Inc. on behalf of 2453454 Ontario Limited – 111 Cartier Street.

Carried

10. Giving Notice (Notice of Motion)

11. Confirmatory By-Law

Res. # 2021-259

Moved by Councillor T. Vrebosch
Seconded by Councillor B. Vrebosch

That the following by-law be read and first and second time:

By-Law No. 2021-52 to confirm proceedings of the Regular Meeting of Council held on June 15, 2021.

Carried

Res. # 2021-260

Moved by Councillor T. Vrebosch
Seconded by Councillor B. Vrebosch

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

By-Law No. 2021-52 to confirm proceedings of the Regular Meeting of Council held on June 15, 2021.

Carried

12. Adjournment

Res. # 2021-261

Moved by Councillor Tignanelli

Seconded by Councillor Mendicino

That this Regular Meeting of Council do now adjourn at 8:08 p.m.

Carried

Mayor Allan McDonald

City Clerk Karen McIsaac