



Council

Agenda

Regular Meeting of Council

April 18, 2011

at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
APRIL 18TH, 2011**

Monday, April 18, 2011

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, APRIL 18TH, 2011**

PUBLIC PRESENTATIONS:

Leah Walker	re	Poverty Reduction Working Group
Fiona Page	re	Bus shelters

PUBLIC MEETING MINUTES:

Monday, April 4, 2011

CLOSED MEETING MINUTES (available for Council viewing in the Clerk's Office):

Monday, April 4, 2011

COMMITTEE REPORTS:

Community Services Committee Report No. 2011-08
Engineering & Works Committee Report No. 2011-02

CORRESPONDENCE:

1. Letter from Grannittis Ristorante dated April 7, 2011 re Temporary Liquor License Extension (P09/2011/LICEN/LIQUOR).
2. Report from M.B. Burke dated April 7, 2011 re Smoking By-Law Amendment (9 metre smoking ban at entrances) (C00/2009/BYLAW/SMOKING).
3. Report from C.M. Conrad dated April 7, 2011 re City Hall Building Rehabilitation Program (F05/2011/CITYH/6034GG).
4. Report from J. Manning / L. Boissonneault dated March 31, 2011 re Tender 2011-05, Street sweeping services (F18/2011/TENDE/GENERAL).
5. Report from S. Kitlar dated April 5, 2011 re 2011 World's Finest Shows Spring Event (M02/2011/SPECI/WFSSE).
6. Report from E. Acs dated April 12, 2011 re Lake Nipissing Access Point Review (L07/2011/LANSL/LAKEACC).
7. Report from R. Bellehumeur dated March 7, 2011 re Downtown Farmers' Market (T02/2011/DIA/FARMERS).
8. Report from M.B. Burke dated April 13, 2011 re Water Street road allowance (L07/2009/LANSL/WATERST).

9. Report from D. Euler dated April 14, 2011 re Operation of the Water and Waste Water Treatment Facilities (L04/2011/OCWA/WTP).

BY-LAWS FOR CONSIDERATION:

General Government - First and second readings:

By-Law No. 2011-101 to stop up, close and convey a portion of the laneway in a block bounded by Montrose Avenue, Carruthers Street, Robarts Avenue and Harrison Street.

General Government - First, second and third readings:

By-Law No. 2011-106 to amend By-Law No. 2003-05 (to regulate smoking in public places and workplaces - North Bay Regional Health Centre).

By-Law No. 2011-107 to authorize the 2011 North Bay-Mattawa Conservation Authority Capital Budget Allocation.

By-Law No. 2011-108 to amend Traffic & Parking By-Law No. 2002-001 (to allow the use of Segways on City sidewalks).

Community Services - First, second and third reading:

By-Law No. 2011-105 to designate a Site Plan Control Area on certain lands on Francis Street (914542 Ontario Inc. - Francis Street).

Community Services - Third reading:

By-Law No. 2010-10 to rezone certain lands on Gormanville Road (1633091 Ontario Limited & 1633057 Ontario Limited).

By-Law No. 2011-17 to rezone certain lands on John Street and Third Avenue East (The Corporation of the City of North Bay).

By-Law No. 2011-102 to rezone certain lands on Francis Avenue (Carlo Guido & Tim Falconi - 228 & 232 Francis Avenue).

By-Law No. 2011-103 to rezone certain lands on Lakeshore Drive (2221864 Ontario Inc. - 482 Lakeshore Drive).

MOTIONS:

Councillor Bain re Heads and Beds Funding

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

10. ***Confidential*** report from M.B. Burke dated April 5, 2011 re Property matter.
11. ***Confidential*** report from M.B. Burke dated April 13, 2011 re Litigation matter.
12. ***Confidential*** report from M.B. Burke dated April 12, 2011 re Property matter.
13. ***Confidential*** report from M.B. Burke dated April 12, 2011 re Personnel matter.
14. ***Confidential*** report from M.B. Burke dated April 12, 2011 re Property matter.
15. ***Confidential*** report from M.B. Burke dated April 14, 2011 re Property matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 4TH, 2011**

PRESENT: Mayor McDonald, Councillors Koziol, Anthony, Maroosis, Bain, Mayne, Vrebosch-Merry, Vaillancourt, Mendicino, Lawlor

PUBLIC PRESENTATION:

Team 1305	re Chairman's Award
Dave Saad	re Steve Omischl Sports Complex
Gerry St. Denis	re Rezoning of John Street and Third Avenue East
Nelson Reynolds	re No Smoking By-Law (NBRHC)
Adrien Foisy	re Tax Dollars & Industry
Gilbert Gagnon	re No Smoking By-Law (NBRHC)
Darlene South	re No Smoking By-Law (NBRHC)
Caron Ranney	re No Smoking By-Law (NBRHC)
Sue McIntyre	re No Smoking By-Law (NBRHC)
Julie-Ann Smrke	re No Smoking By-Law (NBRHC)/NEMHC Patient Care
Bob Stevens	re No Smoking By-Law (NBRHC)

CORRESPONDENCE:

873342 Ontario Inc.	re Plan of Subdivision Application - Trillium Woods, Phase II (70 Lots) - Booth Road	(252)
Nipissing-Parry Sound Catholic District School Board	re Rezoning Application – 1140 Front Street	(253)

REPORTS FROM OFFICERS:

Burke, M.	re Provincial Offences Collection & Write-Off Policy	(266)
Carello, P.	re Airport Community Improvement Plan Application	(267)
Conrad, C.	re User Fees – City Departments & N.B. Fire & Emergency Services	(258)
Karpenko, M.	re Callander Landfill Agreement	(254)
Korell, A.	re Operations of Water & Wastewater Facilities operated by OCWA	(256)
Korell, A.	re Merrick Landfill Tipping Fee Increase	(257)
Lang, A.	re North Bay-Mattawa Conservation Authority Capital Budget Allocation	(255)
Love, G.	re N.B. Radio Communication System Upgrades Project	(264)
Manning, J.	re Tender 2011-07, Supply of Aggregate Materials	(259)
Manning, J.	re Tender 2011-08, Supply of Asphalt Concrete Pavement Patching	(260)
Manning, J.	re Tender 2011-09, Pavement Markings	(261)
Manning, J.	re Tender 2011-06, Ready Mix Concrete	(262)
Manning, J.	re Tender 2011-18, Supply of Ice Resurfacer	(263)
Mimee, R.	re 2010 Year-End Variance Report	(265)

Res. #2011-247: Moved by Councillor Mendicino, seconded by Councillor Bain
That minutes for the public meetings held on:

- Monday, March 21, 2011; and
- Monday, March 28, 2011

be adopted as presented.

"CARRIED"

Res. #2011-248: Moved by Councillor Koziol, seconded by Councillor Mendicino
That minutes for the closed meeting held on:

- Monday, March 21, 2011

be adopted as presented.

“CARRIED”

Res. #2011-249: Moved by Councillor Koziol, seconded by Councillor Maroosis
That General Government Committee Report No. 2011-10 relating to:

- No Smoking By-Law – North Bay Regional Health Centre

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-10

April 4, 2011

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-10 and recommends:

1. That
 - a) the City of North Bay enact a by-law to only allow patients to smoke on owned and solely leased Hospital properties using the two (2) designated smoking areas until July 1, 2011;
 - b) as of July 1, 2011, all owned and solely leased properties of the North Bay Regional Health Centre will be 100% smoke-free;
 - c) the enforcement of this by-law shall be carried out jointly between the North Bay Parry Sound District Health Unit's Tobacco Enforcement Officers as designated by the Medical Officer of Health and the City of North Bay's By-Law Enforcement Officer(s) and any other Peace Officer(s); and
 - d) legal authority shall be given to the North Bay Regional Health Centre's security staff as designated by the North Bay Regional Health Centre, upon completion of required training, to issue Provincial Offences tickets so that they contribute to the enforcement of the proposed by-law.

All of which is respectfully submitted.

ASSENTS
KOZIOL
MAROOSIS
McDONALD

DISSENTS

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

Yeas: Councillors Koziol, Bain, Maroosis, Vaillancourt, Mendicino, Mayor McDonald

Nays: Councillors Anthony, Lawlor, Mayne, Vrebosch-Merry

Res. #2011-250: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-06 relating to:

- Rezoning application by Carlo Guido & Tim Falconi, 228 & 232 Francis Street

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-06

April 4, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-06 and recommends:

1. That the proposed Zoning By-Law Amendment from a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone by Goodridge Planning & Surveying on behalf of Carlo Guido & Tim Falconi for the property legally described as Registered Plan M-285, Lot 55, PIN #49133-0068 (LT) - 228 & 232 Francis Street in the City of North Bay be approved.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-251: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-07 relating to:

- Rezoning application by 2221864 Ontario Inc., 482 Lakeshore Drive

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-07

April 4, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-07 and recommends:

1. That the proposed Zoning By-Law Amendment from a "Residential Second Density (R2)" zone and a "Residential Third Density (R3)" zone to a "Residential Third Density Special Zone No. 125 (R3 Sp.125)" by Miller & Urso Surveying Inc. on behalf of 2221864 Ontario Inc. for Concession 16, Lot 40, Reference Plan 36R-4704, Part 2, PIN 49174-0060 (LT) and 49174-0040 (LT) in the former Township of West Ferris, be approved.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-252: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Plan of Subdivision application by Miller & Urso Surveying Inc.
on behalf of 873342 Ontario Inc. – Booth Road be received.

“CARRIED”

Res. #2011-253: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Rezoning application by Miller & Urso Surveying Inc. on behalf of
Nipissing-Parry Sound Catholic District School Board – 1140 Front Street
be received.

“CARRIED”

Res. #2011-254: Moved by Councillor Koziol, seconded by Councillor Anthony
That City Council approve the Agreement attached to Report to Council
CORP 2011-55 dated March 22, 2011 respecting the Municipality of
Callander, the City of North Bay and the Merrick Landfill Site dated
January 1st, 2011 to December 31st, 2020, for the continuation of use of
the Merrick Landfill Site.

“CARRIED”

Res. #2011-255: Moved by Councillor Koziol, seconded by Councillor Anthony
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the 2011 North Bay-Mattawa Conservation
Authority Capital Projects, being Capital Budget Project, Line 107, Capital
Project No. 6037CA, at a net debenture cost of \$730,000.

“CARRIED”

Res. #2011-256: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That Report to Council EESW 2011-55 dated March 29, 2011 from Alan
Korell re Operations of the Water and Wastewater Facilities currently
operated by OCWA be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2011-257: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That Report to Council EESW 2011-56 dated March 29, 2011 from Alan
Korell re Merrick Landfill Tipping Fee Increase be referred to the
Engineering & Works Committee for a Public Meeting.

“CARRIED”

Res. #2011-258: Moved by Councillor Koziol, seconded by Councillor Anthony
That Report CORP 2011-54 dated March 28, 2011 from Catherine Conrad
re User Fees – City Departments and North Bay Fire & Emergency
Services be referred to the General Government Committee for a Public
Meeting.

“CARRIED”

Res. #2011-259: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve a contract be awarded to 2212880 Ontario Ltd.
in the estimated amount of \$357,400.00 (HST extra), for the supply of
Aggregate Materials on an as and when requested basis from the date of
contract to October 30, 2011.

“CARRIED”

Res. #2011-260: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve the issue of a contract to Miller Paving North Bay, a Division of Miller Paving Limited, in the amount of \$1,516,500.00 (HST extra), to supply Asphalt Concrete Pavement Patching material from the time of award to December 1, 2011.

"CARRIED"

Res. #2011-261: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve a contract be awarded to Metro Pavement Markings Ltd. in the estimated amount of \$45,277.50 (HST extra), to provide pavement marking services on an as and when requested basis until June 30, 2011, with the provision of a one year option if mutually agreeable to both parties.

"CARRIED"

Res. #2011-262: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve a contract be awarded to Lafarge Canada Inc. in the estimated amount of \$90,202.10 (HST extra), for the supply of Ready Mix Concrete on an as and when requested basis from the date of contract to October 1, 2011.

"CARRIED"

Res. #2011-263: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve the award of a contract to Zamboni Company Ltd. in the amount of \$79,500.25 (HST included), for the supply of one new Ice Resurfacers. This price includes an allowance for a trade-in of a surplus machine.

"CARRIED"

Res. #2011-264: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Report to Council CSBU 2011-49 from Grant Love relating to the upgrades to the North Bay Radio Communication System be referred to the Community Services Committee.

"CARRIED"

Res. #2011-265: Moved by Councillor Koziol, seconded by Councillor Anthony
That 1) the City of North Bay's 2010 Year End Variance Report be received and filed; and

2) the Chief Financial Officer be authorized to process the following year-end transfers to and from reserve funds as at December 31, 2010:

- ◆ Transfer 2010 operating budget year end surplus of \$18,452 to Tax Rate Stabilization Reserve Fund;
- ◆ Transfer 2010 Police Services 2010 operating deficit of (\$47,517) from the Police Purposes Reserve Fund; and
- ◆ Transfer 2010 Water and Sanitary Sewer operating deficit of (\$102,015) from the Water and Sanitary Sewer Capital Reserve Fund.

"CARRIED"

Res. #2011-266: Moved by Councillor Koziol, seconded by Councillor Anthony
That Council adopt the Provincial Offences Collection and Write-Off Policy as set out in the attached Report to Council CORP 2011-40 dated March 28, 2011 from Mike Burke.

"CARRIED"

Res. #2011-267: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve the Airport Community Improvement Plan
application by Mine Hoists International Limited.

"CARRIED"

Res. #2011-268: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2011-83 to authorize the Reconstruction of Main Street
Project (Sherbrooke Street to the Overpass).

By-Law No. 2011-84 to authorize the Asset Management Program.

By-Law No. 2011-85 to authorize the Sanitary Sewer Rehabilitation
Program.

By-Law No. 2011-86 to authorize the Sanitary Sewer - Premier Road
Pumping Station Program.

By-Law No. 2011-87 to authorize the Watermain - Cathodic Protection
Program.

By-Law No. 2011-88 to authorize the Asphalt Resurfacing Program.

By-Law No. 2011-89 to authorize the Ski Club Road Reconstruction
Program (Lakeside Drive to Johnston Road).

By-Law No. 2011-90 to authorize the Ferguson Street Reconstruction
Program (McIntyre Street to Chippewa Street).

By-Law No. 2011-91 to authorize the Public Works Administration Building
Roof Repairs Program.

By-Law No. 2011-92 to authorize the McKeown Avenue Resurfacing
Program (Gormanville Road to the Fire Station).

By-Law No. 2011-93 to authorize the Relocation of Organic Collection
Program - Recycle Centre.

By-Law No. 2011-94 to authorize the Trout Lake Road Reconstruction
Project (Connaught Avenue to Giroux Street).

By-Law No. 2011-95 to authorize the Street Lighting Upgrades Program.

By-Law No. 2011-97 to authorize the Traffic Signals Intersection of Pearce
and Francis Street Program.

By-Law No. 2011-98 to authorize the Sanitary Sewer - Inflow/Infiltration
Reduction/Flow Monitoring Program.

By-Law No. 2011-99 to authorize the Landfill Site (Merrick) Leachate
Treatment Program.

By-Law No. 2011-100 to authorize the Addition to the Public Works Garage.

By-Law No. 2011-104 to execute an agreement with 520710 Ontario Limited
relating to the use of the Landfill Access Road.

"CARRIED"

Res. #2011-269: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2011-83 to authorize the Reconstruction of Main Street
Project (Sherbrooke Street to the Overpass).

By-Law No. 2011-84 to authorize the Asset Management Program.

By-Law No. 2011-85 to authorize the Sanitary Sewer Rehabilitation Program.

By-Law No. 2011-86 to authorize the Sanitary Sewer - Premier Road Pumping Station Program.

By-Law No. 2011-87 to authorize the Watermain - Cathodic Protection Program.

By-Law No. 2011-88 to authorize the Asphalt Resurfacing Program.

By-Law No. 2011-89 to authorize the Ski Club Road Reconstruction Program (Lakeside Drive to Johnston Road).

By-Law No. 2011-90 to authorize the Ferguson Street Reconstruction Program (McIntyre Street to Chippewa Street).

By-Law No. 2011-91 to authorize the Public Works Administration Building Roof Repairs Program.

By-Law No. 2011-92 to authorize the McKeown Avenue Resurfacing Program (Gormanville Road to the Fire Station).

By-Law No. 2011-93 to authorize the Relocation of Organic Collection Program - Recycle Centre.

By-Law No. 2011-94 to authorize the Trout Lake Road Reconstruction Project (Connaught Avenue to Giroux Street).

By-Law No. 2011-95 to authorize the Street Lighting Upgrades Program.

By-Law No. 2011-97 to authorize the Traffic Signals Intersection of Pearce and Francis Street Program.

By-Law No. 2011-98 to authorize the Sanitary Sewer - Inflow/Infiltration Reduction/Flow Monitoring Program.

By-Law No. 2011-99 to authorize the Landfill Site (Merrick) Leachate Treatment Program.

By-Law No. 2011-100 to authorize the Addition to the Public Works Garage.

By-Law No. 2011-104 to execute an agreement with 520710 Ontario Limited relating to the use of the Landfill Access Road.

"CARRIED"

Res. #2011-270: Moved by Councillor Koziol, seconded by Councillor Anthony That the following by-law be read a first and second time:

By-Law No. 2011-96 to authorize the Cedar Heights Standpipe Project.

Mayor McDonald declared a conflict of interest as he owns property in the area.

"CARRIED"

Res. #2011-271: Moved by Councillor Koziol, seconded by Councillor Anthony That the following by-law be read a third time and passed:

By-Law No. 2011-96 to authorize the Cedar Heights Standpipe Project.

Mayor McDonald declared a conflict of interest as he owns property in the area.

"CARRIED"

Res. #2011-272: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2011-47 to stop up, close and convey a portion of the laneway in a block bounded by Laurier Avenue, Regina Street, Ellis Street and Franklin Street.

"CARRIED"

Res. #2011-273: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2011-102 to rezone certain lands on Francis Avenue (Carlo Guido & Tim Falconi – 228 & 232 Francis Avenue).

By-Law No. 2011-103 to rezone certain lands on Lakeshore Drive (2221864 Ontario Inc. – 482 Lakeshore Drive).

"CARRIED"

Res. #2011-274: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-17 to rezone certain lands on John Street and Third Avenue East (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member works for the proponent.

"CARRIED"

Res. #2011-275: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-18 to designate a Site Plan Control on certain lands on Third Avenue East and John Street (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member works for the proponent.

"CARRIED"

Res. #2011-276: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-18 to designate a Site Plan Control on certain lands on Third Avenue East and John Street (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member is employed by the applicant.

"CARRIED"

Res. 2011-277: Moved by Council Bain, seconded by Councillor Lawlor
WHEREAS the proposed changes to the Ontario Building Code will expand the role of wood in mid-rise construction, providing significant social, economic and environmental benefits to the province and its people without compromising safety;

AND WHEREAS the proposed changes include fire safety measures which help ensure that six storey wood frame buildings will perform at least as well or better than buildings permitted under the current version of the code;

AND WHEREAS the proposed code changes will permit increased design flexibility and help reduce the current impediments to the construction of mid-rise buildings;

AND WHEREAS mid-rise wood framed buildings are safe, cost-effective, and will help municipalities achieve densification while preserving the richness of mixed-use community neighbourhoods;

AND WHEREAS creating demand for Ontario's wood products also supports the forest industry, a key economic sector of Northern Ontario and the province as a whole. By increasing opportunities to build with wood from Ontario's sustainable managed forests, the proposed code changes support forest industry jobs and forest dependent communities;

THEREFORE BE IT RESOLVED THAT the City of North Bay express to the Government of Ontario its full support of the proposed changes to the Ontario Building Code regarding the use of wood in mid-rise construction and urge that the proposed changes be included in the 2012 edition of the Ontario Building Code;

AND FURTHER THAT a copy of this resolution be forwarded to the Hon. Rick Bartolucci, Minister of Municipal Affairs and Housing; Hon. Monique Smith, Minister of Intergovernmental Affairs; Leaders of the Federal and Provincial oppositions; to the Federation of Northern Ontario Municipalities and to Wood Works!.

"CARRIED"

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

Yeas: Councillors Bain, Vrebosch-Merry, Anthony, Mayne, Maroosis, Vaillancourt, Mendicino, Lawlor, Koziol, Mayor McDonald

Nays : Nil

Res. #2011-278: Moved by Councillor Koziol, seconded by Councillor Anthony That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 9:25 p.m. for the following reasons: Item #17, being a proposed purchase of lands by the Municipality; Item #18, being a pending disposition of lands by the Municipality; and Item#19, labour negotiations.

"CARRIED"

Councillor Anthony left the meeting. He did not attend the Closed Meeting.

Res. #2011-279: Moved by Councillor Koziol, seconded by Councillor Maroosis That Council reconvene at 10:04 p.m.

"CARRIED"

Res. #2011-280: Moved by Councillor Vaillancourt, seconded by Councillor Bain That this Regular Meeting of Council do now adjourn at 10:04 p.m.

"CARRIED"

CLOSED MEETING CONFLICT OF INTEREST

Regular Agenda Item #18 - Mayor McDonald declared a conflict as he has an interest in the operation of the business and left the meeting for the discussion of this item.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-08

April 18, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-08 and recommends:

1. That Council authorizes the City Clerk to prepare a Capital Expenditure By-Law for approval to fund the upgrades to the City of North Bay Radio Communication System from the 2011 Capital Budget Project Line No. 76, Project No. 3113GG, at a net debenture cost of \$648,150 and that \$96,850 be funded from the Water & Sanitary Sewer.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
LAWLOR (CHAIRMAN)	_____	_____
MENDICINO	_____	_____
VAILLANCOURT	_____	_____
MAYOR McDONALD	_____	_____

ENGINEERING & WORKS COMMITTEE REPORT NO. 2011-02

April 18, 2011

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2011-02 and recommends:

1. That the presentations from the Ontario Clean Water Agency and City staff relating to the operation of the Water and Wastewater Facilities be received for information purposes.

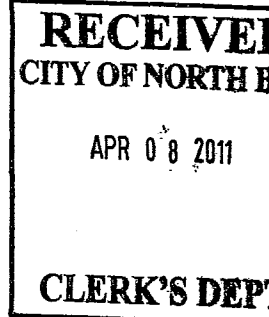
All of which is respectfully submitted.

	ASSENTS	DISSENTS
VREBOSCH-MERRY (CHAIRMAN)	_____	_____
MAYNE	_____	_____
BAIN	_____	_____
MAYOR McDONALD	_____	_____

#1



April 07, 2011



ATTN: ~~Municipal Clerk~~
North Bay Police Services
North Bay Building Department
North Bay Fire Department
North Bay Health Services Board

To whom it may concern;

We at Grannittis Ristorante, have recently applied for a temporary extension of our liquor license for 540 Lakeshore Drive. This extension would be for the side exterior portion of our location (please see attached sketch) on the 28th of May 2011 from 11:00am to 2:00am the following day.

The purpose of this application is to accommodate participants in the Papa Joe Memorial Ride for Cancer, an event held annually for the past several years to raise money for cancer research in memory of Joe Lafevre. We anticipate that approximately 400-600 people will participate in this event over the course of the day. Riders will depart from our location in the morning, travelling to Mattawa and back. The public is invited to participate in this worthy cause.

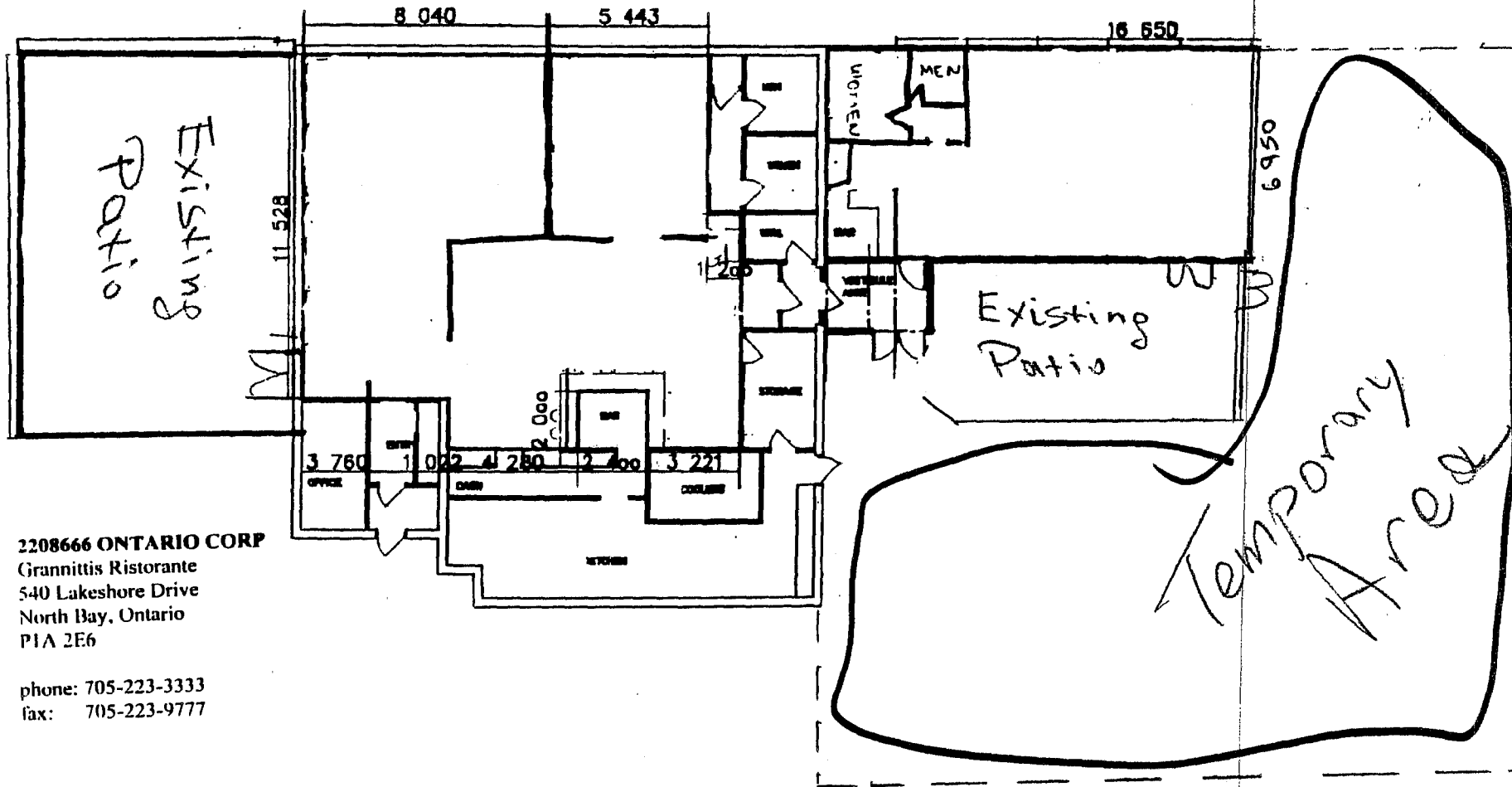
The Alcohol and Gaming Commission of Ontario requires that we inform you of this scheduled event and we look forward to receiving your support and endeavour. If you have any questions or concerns related to this event, please feel free to contact me.

Please note that Grannittis Ristorante has an outdoor liquor licence.

Sincerely,


Dimitrios Kolios

LAKESHORE DRIVE



2208666 ONTARIO CORP
Grannittis Ristorante
540 Lakeshore Drive
North Bay, Ontario
P1A 2E6

phone: 705-223-3333
fax: 705-223-9777

REPORT TO COUNCIL

Report No: CORP 2011-61

Date: April 7, 2011

Originator: MICHAEL B. BURKE

Subject: 9 METRE SMOKING BAN AT ENTRANCES

RECOMMENDATION

That Schedules "B" and "C" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces) be amended to include those workplaces and apartment buildings identified in Report to Council No. CORP 2011-61 dated April 7, 2011.

BACKGROUND

The City's By-Law Enforcement Officer, Ron Melnyk, has received the following additional requests to prohibit smoking within nine metres of entrances of workplaces and apartments:

Workplaces:

First Choice Hair Cutters, 975 McKeown Avenue, front entrance

Martel & Mitchell Physiotherapy, 130 King Street West, front entrance

The Lighthouse, 975 McKeown Avenue, front entrance

True North Chevrolet Cadillac, 1370 Seymour St, all doors and entrances

Shopper's Home Health Care, 1833 Cassells Street, shipping door facing Shaw Street, customer entrance facing Olive Street

PT Works, 1831 Cassells, customer door facing Olive Street

OPTIONS ANALYSIS

Option # 1: To add all applicant properties to the schedule for the nine metre ban at entrances.

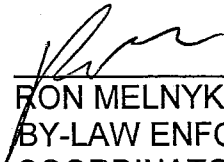
Option # 2: Not to amend the by-law.

RECOMMENDED OPTION

That Schedules "B" and "C" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces) be amended to include those workplaces and apartment buildings identified in Report to Council No. CORP 2011-61 dated April 7, 2011.



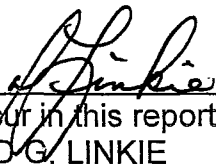
Respectfully submitted,
MICHAEL B. BURKE
CITY SOLICITOR



RON MELNYK
BY-LAW ENFORCEMENT
COORDINATOR

MBB/lc

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I concur in this report and recommendation.
DAVID G. LINKIE
CHIEF ADMINISTRATIVE OFFICER

Personnel designated for continuance: Michael B. Burke

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CITY OF NORTH BAY

REPORT TO COUNCIL

Report No. CORP 2011-62

Date: April 7, 2011

Originator: Catherine Conrad

Subject: Capital Budget Project No. 6034GG (Line #104)
City Hall Building Rehabilitation (ongoing)

RECOMMENDATION

That a Capital Expenditure By-law be presented to Council to authorize the City Hall Building Rehabilitation Program (On-going), being 2011 Capital Budget Project No. 6034GG (Line #104), at a net debenture cost of \$82,000.00.

BACKGROUND

The 2011 – 2020 Ten Year Capital Budget Forecast includes an amount of \$82,000 in the year 2011 for the City Hall Building Rehabilitation Program, being 2011 Capital Budget Project No. 6034 GG (Line #104).

The following projects were scheduled for 2011: window replacements and upgrades to meet accessibility standards.

A Schedule to the proposed by-law is submitted for consideration of Council:

City Hall Building Rehabilitation Cost	\$ 77,900.00
Financing Costs	<u>4,100.00</u>
Net Debenture Cost	\$ 82,000.00

OPTIONS ANALYSIS

Option # 1: That a Capital Expenditure By-law be presented to Council to authorize the City Hall Building Rehabilitation Program, being 2011 Capital Budget Project No. 6034GG (Line #104), at a net debenture cost of \$82,000.00.

Under this option the Council would authorize the 2011 window replacements and upgrades to meet accessibility standards.

Option # 2: Cancel the City Hall Building Rehabilitation Program for this year.

This option is not recommended as it would compromise the safe use of the building and increase the deterioration of the building's infrastructure.

RECOMMENDED OPTION

Option # 1: That a Capital Expenditure By-law be presented to Council to authorize the City Hall Building Rehabilitation Program, being 2011 Capital Budget Project No. 6034GG (Line #104), at a net debenture cost of \$82,000.00.


Respectfully submitted,

C. Conrad

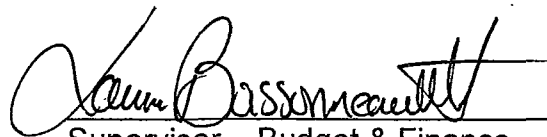
Catherine Conrad
City Clerk

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We concur in this report and recommendation.



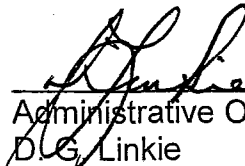
Managing Director of Corporate
Services – M. B. Burke



Supervisor – Budget & Finance -
Laura Boissonneault



Chief Financial Officer -
Margaret Karpenko



Administrative Officer –
D.G. Linkie

Personnel designated for continuance: Catherine Conrad, City Clerk



CITY OF NORTH BAY CAPITAL PROJECT INFORMATION SHEET

LINE #:

TITLE:

PROJECT #:

AMOUNT:

USEFUL LIFE:

EST. COMPLETION DATE:

DESCRIPTION:

TYPE: Operating New TCA TCA Replacement TCA Betterment Future Operating Impact

CATEGORY: Roads Sewer Parks Parking Waste Disposal General Government
 Water Storm Recreational Facilities Transit Waste Collection Other

DIVISION: Land Land Improvements Infrastructure Buildings Equipment Vehicles

	FUNDING										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021+
Grants											
Contributions											
Reserves											
Debentures											
Levy	\$82,000	\$84,000	\$87,000	\$90,000	\$93,000	\$96,000	\$99,000	\$102,000	\$105,000	\$108,000	3% Inc.Per Year
Other											
Total	\$82,000	\$84,000	\$87,000	\$90,000	\$93,000	\$96,000	\$99,000	\$102,000	\$105,000	\$108,000	\$0

	COSTS										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021+
Operating	\$77,900	\$79,800	\$82,650	\$85,500	\$88,350	\$91,200	\$94,050	\$96,900	\$99,750	\$102,600	
Construction											
Land											
Consultants											
Labour											
Vehicles											
Equipment											
Contingency											
Financing	\$4,100	\$4,200	\$4,350	\$4,500	\$4,650	\$4,800	\$4,950	\$5,100	\$5,250	\$5,400	
Total	\$82,000	\$84,000	\$87,000	\$90,000	\$93,000	\$96,000	\$99,000	\$102,000	\$105,000	\$108,000	\$0

COMMENTS:

DEPARTMENT:

PROJECT LEAD:

CITY OF NORTH BAY REPORT TO COUNCIL

Report No: CORP 2011-58

March 31, 2011

Originator: Jim Manning / Laura Boissonneault

Subject: Tender 2011-05 - Street Sweeping Services

RECOMMENDATION:

That North Bay City Council approve the award of a contract to A & G The Road Cleaners Ltd. to supply Street Sweeping Services for a two (2) year period with the provision of a one year option if mutually agreeable to both parties. The estimated amount of the first year of the contract shall be \$112,500.00 (HST extra). Subsequent year pricing shall not exceed the change in the "Consumer Price Index".

BACKGROUND:

The tender was advertised publicly as per the City of North Bay Purchasing Policy. The Purchasing Manager issued ten (10) tender packages. Tenders closed on March 16, 2011. Four (4) tenders were received and evaluated by the Purchasing Manager and the Manager of Roads & Traffic. Prices were based on an estimated amount of hours for the Street Sweeping Service. The results are as follows:

A & G The Road Cleaners	\$112,500.00
Bruell Contracting Limited	\$112,835.00
The Ground Guys	\$130,000.00
DeAngelo Brothers	\$150,800.00

The cost is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. That the award be made to the low bidder whose machines meet the specification.
 2. Do not award a contract for street sweeping which would result in dust and sand on the streets after winter operations.
-

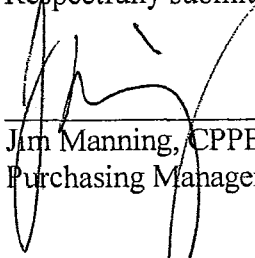
RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

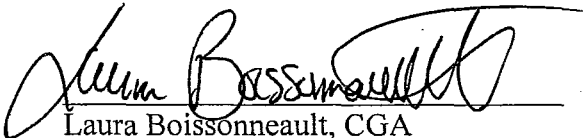
That North Bay City Council approve the award of a contract to A & G The Road Cleaners Ltd. to supply Street Sweeping Services for a two (2) year period with the provision of a one year option if mutually agreeable to both parties. The estimated amount of the first year of the contract shall be \$112,500.00 (HST extra). Subsequent year pricing shall not exceed the change in the "Consumer Price Index".

An amount of \$125,000.00 has been included in the 2011 Public Works and Services Operating Budget for the above referenced tender. The quantities to be ordered will be adjusted to work within the Budget allocations. Payment will be made only for the amount of services requested and delivered.

Respectfully submitted,

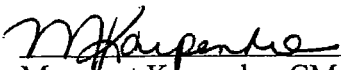


Jim Manning, CPPB
Purchasing Manager



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting

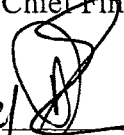
We concur in this report and recommendation.



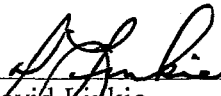
Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Michael Burke
Managing Director of Corporate Services



Alan Korell, P. Eng, MCIP
Managing Director of Engineering,
Environmental Services & Works



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads and Traffic

Attachment: Tenders

City of North Bay

Report to Council

Report No: CSBU #2011 - 50

Date: April 5, 2011

Originator: Sharon Kitlar
Manager Recreation and Leisure Services

Subject: 2011 World's Finest Show Spring Event -
Exclusivity of use of parkland and other lands

RECOMMENDATION

That the World's Finest Shows be granted exclusivity within the following defined city parkland, roadways and sidewalks for their spring show which is scheduled to take place in Lee Park on May 18 to 22, 2011 with setup taking place May 15 – 17, 2011. The exclusive area is defined as Lee Park inclusive; Memorial Drive roadway and associated sidewalks along the borders of Lee Park from Stanley Street to Judge Avenue; Judge Avenue and associated sidewalks from Leask Street to Lee Avenue; Lakeshore Drive roadway and the associated sidewalks beginning at the north border of Lee Park extending to 100 meters south past the intersection at Judge Avenue. (See map attached)

BACKGROUND

For the past several years the World's Finest Shows has offered a spring midway including rides, games and food services. In association with this show they have had an agreement to donate a percentage of the receipts from the event to Summer in the Park. Last year this amounted to \$16,448.

The World's Finest Shows event takes place within the boundaries of Lee Park. In the past there have been vendors who have set up in close proximity to the event along the associated roadways and sidewalks and as a result have competed directly with the event by offering similar products/services.

By granting the event exclusivity of the areas described above on these days, the activities in and about the area of their show are controlled. This prevents other vendors or attractions from setting up in areas in the vicinity of the show and, in turn, supports the sponsorship of the Summer in the Park community event.

ANALYSIS / OPTIONS

Option One - Approve the request as presented

If Council is satisfied with the recommendation as presented, Council should approve the request.

Option Two - Grant the request in an amended form

If Council is not satisfied with the recommendation as stated they may wish to amend it to suit its concerns.

Option Three - Refuse to approve the request.

This would allow competing interests to set up in close proximity to the event and would impact the sponsorship of Summer in the Park by World's Finest Shows.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option One - Approve the request as presented



This would ensure that competing interests are not allowed to set up in close proximity to the event which could in turn impact the sponsorship of the Summer in the Park event by World's Finest Shows.

Submitted by,



Sharon Kitlar
Manager Recreation and Leisure Services

I concur in this report and recommendation.



Ian Kilgour
Director Parks, Recreation
And Leisure Services

Jerry Knox
Managing Director Community Services

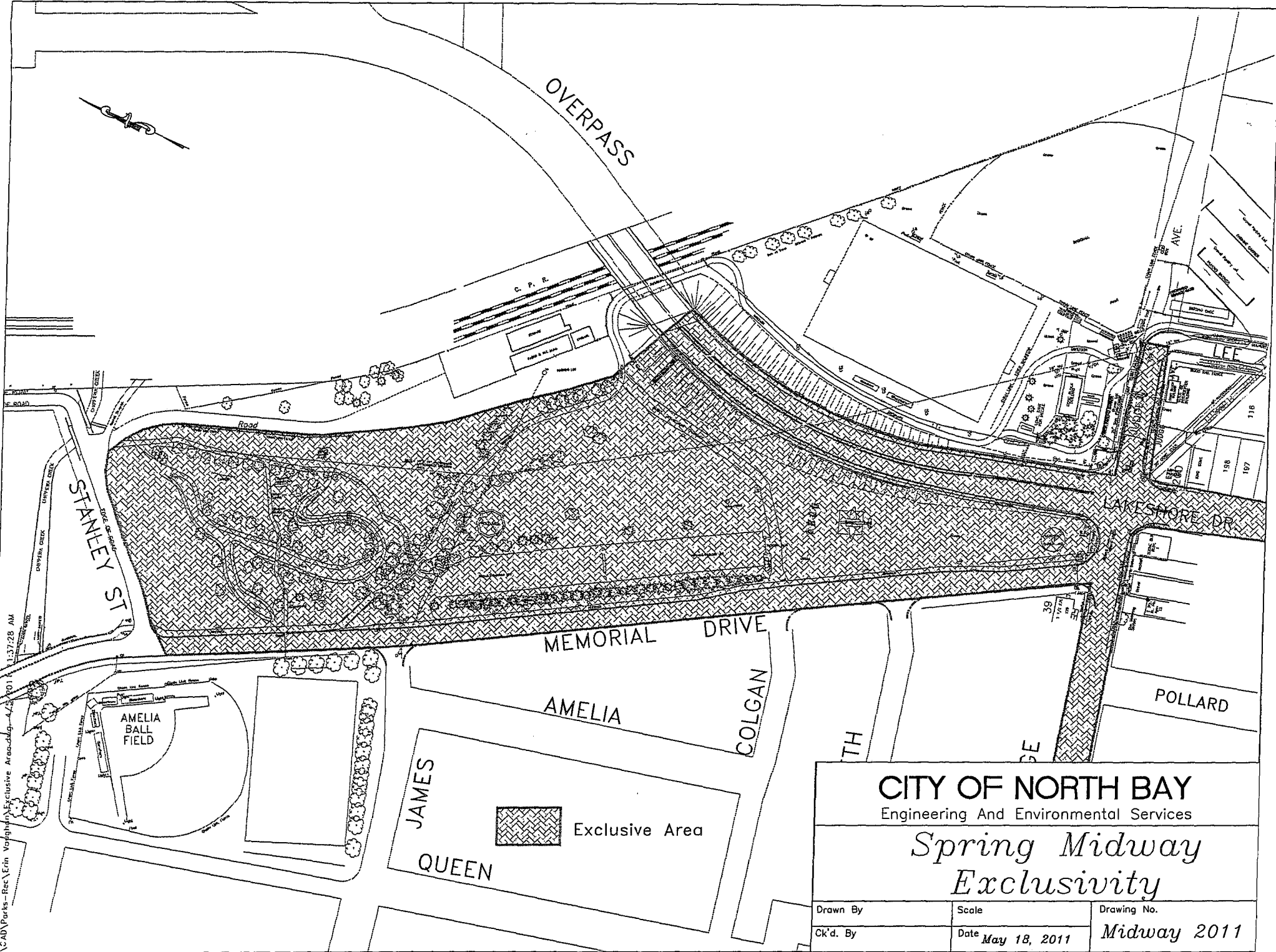


Dave Linkie
Chief Administrative Officer

Person designated for continuance: Community Event Facilitator

Attachments: Map of exclusive area

Copy for: Director of Parks, Recreation and Leisure Services
Manager of Corporate Services



1:37:28 AM
 10/11
 C:\ADVParks-Rec\Erin_Vogel\N-Exclusive_Area.dwg-42

CITY OF NORTH BAY Engineering And Environmental Services		
<i>Spring Midway Exclusivity</i>		
Drawn By	Scale	Drawing No.
Ck'd. By	Date <i>May 18, 2011</i>	<i>Midway 2011</i>

Report No.: CSBU 2011 - 52

Date: April 12, 2011

Originator: Erik Acs, Development Planner / Gap Co-Ordinator

Subject: City of North Bay – Lake Nipissing Access Point Review

RECOMMENDATION

That CSBU 2011-52 be received for information purposes only.

BACKGROUND

On January 26, 2011, Council passed a Resolution #2011-68 requesting Staff to complete a comprehensive review of City owned Lake Nipissing access points. This report will outline the methodology for the comprehensive review, and will recommend the desired time frame for completion.

In November of 2006, Planning Services Staff catalogued the existing City owned Lake Nipissing access points (excluding Municipal parks and beaches). The results of this study identified forty-four points of public access to Lake Nipissing. It also indicated which of these access point contained buried infrastructure, as well as indicating patterns of use. The 2006 study exists solely as a reference for these access points, and does not include recommendations or suggested future actions.

Based on the 2006 study, and the recent Resolution from Council, Planning Services has begun the preliminary work required to complete an updated review. This review will again look at all access points (excluding parks and beaches) and will provide recommendations to address the most appropriate use of these lands.

The first component of the review will include:

- A review of the 2006 access points, contrasting them with Engineering Services and City mapping / GIS to confirm locations, City ownership, and to establish if any access points from the 2006 study have been disposed of, or if any new or previously unrecognized access points have been established.
- With the current list of City owned Lake Nipissing access points, each access point will be reviewed in conjunction with Engineering Services to determine if any buried infrastructure (watermains, sanitary sewers, etc) exist at these points.
- Planning Services Staff will undertake site visits to each access point to photograph and document the current conditions and uses. To help understand the full spectrum of uses, Staff is suggesting both a winter visit and a summer visit to identify seasonal access usage. Staff completed a winter inspection of the access points on February 22, 2011. This was after the family day long weekend to determine the use of access points for winter activity.
- An analysis will be completed of the current maintenance cost associated with each of these access points. This will include costs associated with seasonal upkeep, snow removal, improvements and road maintenance (where applicable).

At the completion of the analysis described above, Staff will be holding a series of public meetings with the adjacent land owners, users, and other community stakeholders.

These meetings will be held in stages, with a small section of access points being dealt with at one meeting. These meetings will be used to provide information on the various access points and the observations that the City has made. It is anticipated these meetings will be held in the fall of 2011 through 2012.

At the completion of the public meetings, Staff will report back to Council with recommendations on the various access points. This report will outline, on an access by access basis, the suggested course of action. Actions may include, but are not limited to, increased maintenance requirements, improvements or disposal of lands. The final study with recommendations will be completed by Fall 2012.

RECOMMENDED OPTION

That CSBU 2011-52 be received for information purposes only.

Respectfully submitted,



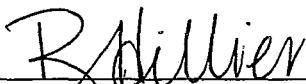
Erik Acs
Development Planner

EA/dlb

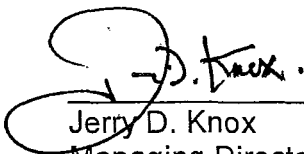
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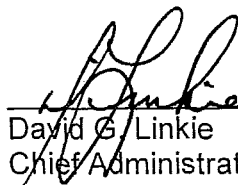
We concur with this report and recommendations.



Beverley Hillier, MCIP, RPP
Manager, Planning Services

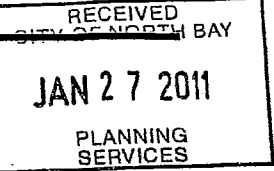


Jerry D. Knox
Managing Director, Community Services



David G. Linkie
Chief Administrative Officer

INTER OFFICE



Council Secretariat

MEMO

To: Jerry Knox
From: Karen McIsaac
Subject: City Owned Lake Nipissing Accesses
Date: 26 January 2011

This is Resolution No. 2011-68 which was passed by Council at its Regular Meeting held Monday, January 24, 2011

Resolution No. 2011-68:

"That Council instruct Staff to complete a comprehensive review of our City owned Lake Nipissing accesses and provide a report back to Council with recommendations to address the most appropriate use of these lands, inclusive of road allowances, parks, private ownership, general lake accesses, etc."

A handwritten signature in black ink that reads "KMcIsaac".

Karen McIsaac,
Deputy City Clerk.

KM/cjc

Copy to: I.G. Kilgour
B. Hillier

City of North Bay

Report to Council

Report No: Corp 2011-41

Date: March 7, 2011

Originator: Rhéaume Bellehumeur
Facilities & Parking Supervisor

Subject: Downtown Farmers' Market

RECOMMENDATION

That the Downtown Farmers' Market Board of Directors be granted permission to use Lot #11, the McIntyre Street East parking lot opposite City Hall, each Saturday from May, 2011 to October 2011, between the hours of 8:00 am to 3:00 pm without charge, subject to the prior receipt of an insurance certificate satisfactory to the City Solicitor.

BACKGROUND

The Farmers' Market group has been using Lot #11 opposite City Hall for the past four years as a temporary location for their market. They are generally pleased with this location. For the 2011 season, they are requesting permission to use this parking and the adjacent paved boulevard between the sidewalk and Lot #11. This lot provides an accessible location with parking in North Bay's downtown. It is common practice for cities to promote downtown farmers' markets. It is my understanding that they would like to return to one of the Oak Street lots once the reconstruction work has been completed.

We have not received any complaints from the adjoining property owners nor have we had any issues with the group itself over the past four years. In the past they have provided an insurance certificate to cover the City in case of any claims.

ANALYSIS / OPTIONS

Option 1 - That the Downtown Farmers' Market Board of Directors be granted permission to use Lot #11, the McIntyre Street East parking lot opposite City Hall, each Saturday from May, 2011 to October 2011, between the hours of 8:00 am to 3:00 pm without charge, subject to the prior receipt of an insurance certificate satisfactory to the City Solicitor.

Under this option, The Downtown Farmers' Market will proceed with the use of Lot #11 without charge for the 2011 season.

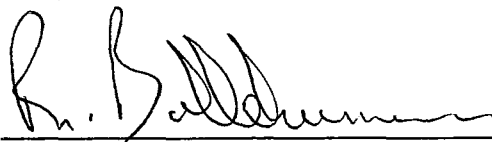
Option 2 - That the Downtown Farmers' Market Board of Directors not be granted permission to use Lot #11 on McIntyre Street East.

Under this option, the Farmers' Market organization will be required to search for another location to continue their operation.

RECOMMENDED OPTION

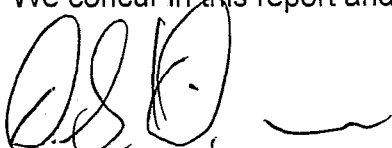
Option 1 - That the Downtown Farmers' Market Board of Directors be granted permission to use Lot #11, the McIntyre Street East parking lot opposite City Hall, each Saturday from May, 2011 to October 2011, between the hours of 8:00 am to 3:00 pm without charge, subject to the prior receipt of an insurance certificate satisfactory to the City Solicitor.

Respectfully submitted,



Rhéaumé Bellehumeur
Facilities & Parking Supervisor

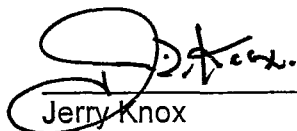
We concur in this report and recommendation.



Ian Kilgour
Director of Parks, Recreation & Leisure Services



Alan Korell
Managing Director, Engineering,
Environment, & Public Works



Jerry Knox
Managing Director, Community Services



Dave Linkie
Chief Administrative Officer

Persons designated for continuance:

Facilities & Parking Supervisor
Director of Corporate Services/City Solicitor

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2011-67

Date: April 13, 2011

Originator: MICHAEL B. BURKE

Subject: Water Street Road Allowance

RECOMMENDATION

That Council approve the sale of Part 1, Plan 36R-13001 to Cassellholme for the appraised value of \$10,900.00.

BACKGROUND


The subject property is an unopened street allowance. After considerable discussion with the Land Registrar and the MTO, all have agreed that it is owned by the City. It comprises 5,465 square feet. Cassellholme would like to acquire the property. It has no frontage or access from an assumed road nor access to sewer or water, so its uses are quite restricted. The appraised value is based on \$2.00 per square foot.

OPTIONS ANALYSIS

- Option # 1: To transfer the land to Cassellholme for the appraised value. This would maintain the City's practice of recognizing that all land has value.
- Option # 2: To transfer the land to Cassellholme for \$1.00. Since the City pays about 80% of the Cassellholme budget, it will eventually largely come back to the City.
- Option #3: Not to transfer the land.
-

RECOMMENDED OPTION

That Council approves the sale of Part 1, Plan 36R-13001 to Cassellholme for the appraised value of \$10,900.00.



Respectfully submitted,
MICHAEL B. BURKE
City Solicitor



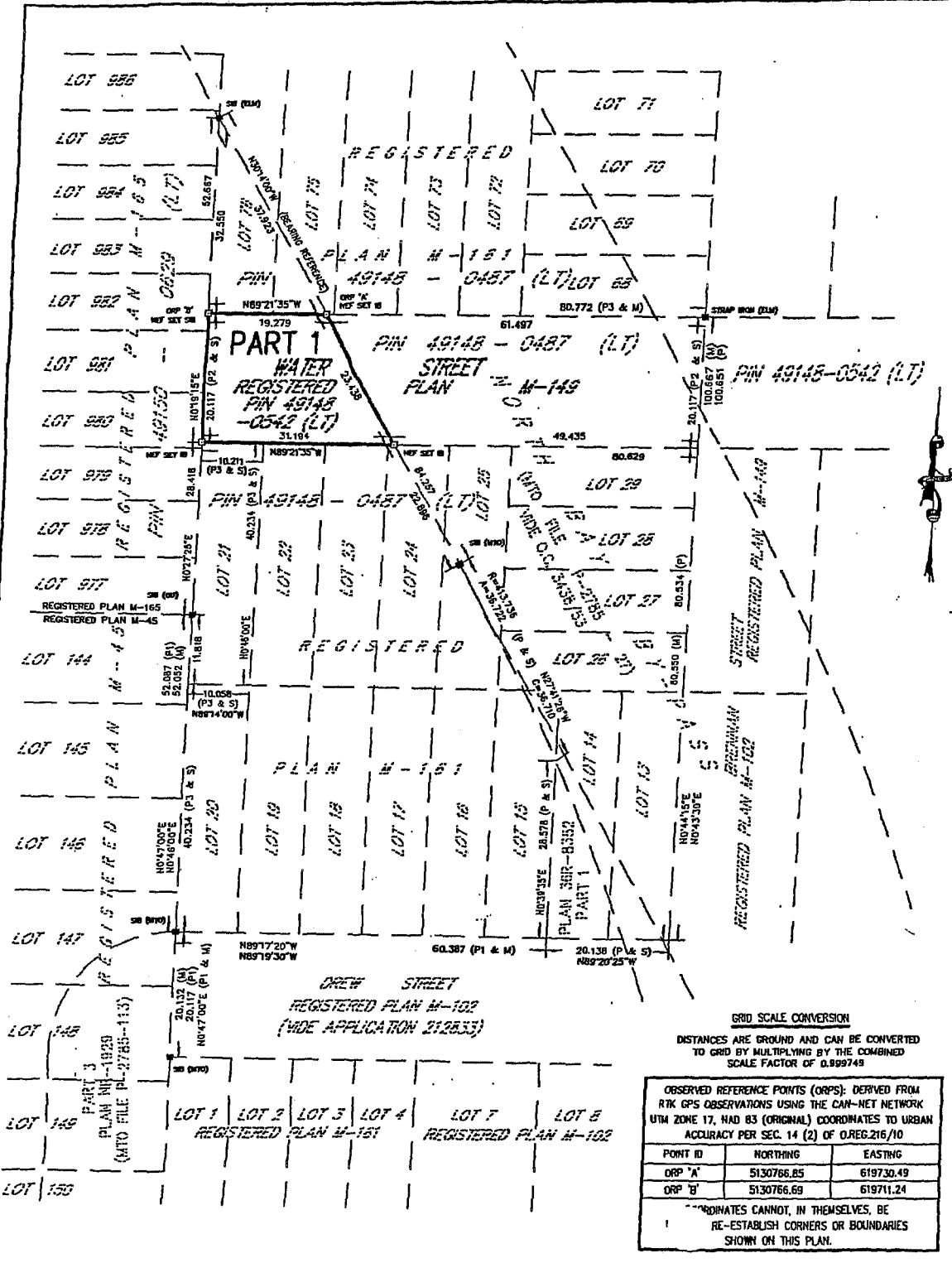
I concur in this report and recommendation.
DAVID G. LINKIE
Chief Administrative Officer

Personnel designated for continuance: Michael B. Burke, City Solicitor

Attachments: Sketch

MBB/lc

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I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

RECEIVED AND DEPOSITED AS
PLAN 36R-13001

JANUARY 11, 2011
DATE

D.M.
R. D. MILLER
ONTARIO LAND SURVEYOR

Gisel & Barbe
DEPUTY LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF NIPISSING (36)

SCHEDULE			
PART	LOCATION	PIN	AREA
1	PART OF WATER STREET REGISTERED PLAN M-149	PART OF PIN 49148-0542 (L1)	507.7m ²

PLAN OF SURVEY OF
PART OF WATER STREET
REGISTERED PLAN M-149
CITY OF NORTH BAY
DISTRICT OF NIPISSING

0 10 20
SCALE 1 : 500

Miller & Urso Surveying Inc.

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWESTERLY LIMIT OF THE NORTH BAY BY-PASS, AS SHOWN ON DEPOSITED PLAN 36R-8352, HAVING A BEARING OF N50°14'00"W.

- LEGEND**
- - DENOTES FOUND MONUMENT
 - - DENOTES PLANNED MONUMENT
 - SB - DENOTES STANDARD IRON BAR
 - IB - DENOTES IRON BAR
 - SSB - DENOTES SHORT STANDARD IRON BAR
 - OU - DENOTES ORIGIN UNKNOWN
 - NET - DENOTES NO EVIDENCE FOUND
 - MTD - DENOTES MINISTRY OF TRANSPORTATION ONTARIO
 - ELM - DENOTES E. L. MOORE, O.L.S.
 - P - DENOTES DEPOSITED PLAN 36R-8352
 - P1 - DENOTES DEPOSITED PLAN NR-1929
 - P2 - DENOTES REGISTERED PLAN M-149
 - P3 - DENOTES REGISTERED PLAN M-161
 - - DENOTES NOT TO SCALE

METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'S ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM,
2. THE SURVEY WAS COMPLETED ON THE 4th DAY OF JANUARY, 2011.

JANUARY 11, 2011
DATE

D.M.
R. D. MILLER
ONTARIO LAND SURVEYOR
FOR MILLER & URSO SURVEYING INC.
ONTARIO LAND SURVEYORS.

Miller & Urso Surveying Inc.
Ontario Land Surveyors + Canada Land Surveyors
Planning Consultants

1501 SEYMOUR STREET
NORTH BAY ON P1B B64

TEL: (705) 474-1214
FAX: (705) 474-1717

DRAWN BY: C.A.L. FIELD: M.B., S.D., D.B. W.O. No. 3554
CHECKED BY: R.D.M.

GRID SCALE CONVERSION
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999749

POINT ID	NORTHING	EASTING
DRP 'A'	5130766.85	619730.49
DRP 'B'	5130766.69	619711.24

COORDINATES CANNOT, IN THEMSELVES, BE RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: EESW-2011-057

Date: April 14, 2011

Originator: David Euler, P.Eng.
Director of Engineering

Subject: Operation of Water and Waste Water Treatment Facilities

RECOMMENDATION

That the City of North Bay assume direct operation of its water and wastewater treatment facilities beginning July 1, 2011 in order to direct the long term sustainability of the facilities, and;

That City Council direct staff to make all necessary preparations to ensure the transition and City operations begin on July 1, 2011.

BACKGROUND

As a result of concerns over the long term management of infrastructure, City staff recommended that Council give 1 years notice to terminate the Ontario Clean Water Agency (OCWA) agreement on May 5th, 2010.

On Monday, January 24, 2011 Council passed Resolution No. 2011-55, directing staff to prepare a business plan detailing the costs and other considerations associated with taking the operation of the Water and Wastewater Treatment Facilities in-house. The in-house plan was to be compared to the unsolicited proposal received from the Ontario Clean Water Agency (OCWA).

ANALYSIS/OPTIONS

A broad committee of staff as well as an external consultant completed the detailed self-perform plan. The objectives of the in-house plan include the continued emphasis on the core operations of producing clean, safe drinking water and the effective treatment of the City's wastewater. An equally important objective was to ensure and improve the long term sustainability of facilities through better regular maintenance.

Personnel

By utilizing the existing senior management structure, the self perform model would increase unionized staff by 12 new positions including 4 Operators, 3 Mechanics, 1 SCADA Tech and 3 Labourers and a clerk. Two of the 12 new positions (a mechanic and labourer) will report through Public Works to assist existing crews to maintain the sewage lift stations. The balance of the new employees will be dedicated to the facilities (water treatment plant; wastewater treatment plant, pumping stations, reservoirs, etc.) and are regarded as the appropriate requirements for staff dedicated

to this infrastructure.

The City's complement of proposed staff is very similar to what OCWA uses with the exception of a staff electrician. Rather than have a staff electrician, the self-perform model adds an additional SCADA Tech. This position could be filled by an electrician with SCADA and programming experience, but staff believes that more coverage is needed on the SCADA systems. The self perform model includes the costs of contracting the day to day needs of an electrician as well as utilizing the 2 existing electricians that are currently part of Public Works.

This new structure of dedicated City employees will enable more emphasis to be placed on the repairs and maintenance of our facilities. Directly managing City assets and having direct control over regular maintenance is regarded as necessary to ensure the long term sustainability of these critical City facilities. Due to the highly regulated nature of these operations, considerable costs are allocated to employee training. All new employees are to be cross trained to ensure maximum flexibility. Investment in City employees is viewed as an advantage over contracting this work to 3rd parties. A thorough analysis of existing staff and recruiting potential new employees indicates that the self-perform model could be put in place by July 1, 2011. Personnel Costs including payroll and benefit costs are \$1,177,380 (36% of the total costs).

Utilities

Utility costs make up the largest component of the cost model at 41% of total costs. OCWA's original proposal had several options on ways to address the unpredictable costing for utilities, but all options involved the City taking the bulk of the risk. OCWA's first bid pegged the utility cost at \$951,475 but when staff reviewed the actual costs for 2010 we realized that this pegged amount was totally unrealistic. The actual cost for Hydro in 2010 was more than \$1,350,000. To ensure that both plans were being compared fairly we requested that OCWA peg utilities at \$1,350,000.

OCWA has revised their proposal suggesting that they would now be prepared to peg the hydro usage (kWh) at an annual level, but they have not provided any details. Without knowing the specifics it is difficult to evaluate the financial impact, but we do not believe that this offer would have any material effect on the financial analysis or on the recommendation of this report.

OCWA has stated that energy saving initiatives would be shared on a 50% basis after their capital costs have been repaid. We believe this would be very difficult to account for as exact savings are rather difficult to determine if time-of-use Hydro billing is in place. OCWA has not provided any details as to how they would manage such a situation. We believe that the City should pay for utilities directly and our staff should be directly responsible for initiating and implementing energy saving projects. The City should benefit 100% from these initiatives and not have to share these savings.

Other Costs

Other annual costs make up approximately 26% of the total costs. Other costs include: chemicals & other consumables, security, safety training, regulatory reporting, cleaning, garbage removal, grounds & snow removal, digester sludge hauling and tipping fees, annual inspections of boilers, cranes, flow meters; in-house and external lab supplies; vehicles and equipment rentals; computers, communications, & software; cell phones, pagers, internet, radio links; insurance - property, environmental; postage, courier & other incidentals.

Transitioning Costs

Various one-time transitioning costs are expected in the first year. These costs include personnel recruitment, legal fees, specialized tool purchases, and office furniture for the WWTP. An allowance of \$135,000 for one-time transition costs will be funding from the 1st year operational savings.

Other Annual Savings:

Several years ago the City recognized that OCWA needed to employ local SCADA tech to maintain and expand North Bay's automated systems. Staff agreed to partially fund that salary from the minor capital operating account in the amount of \$30,000 per year. This expense will no longer be required in the self-perform model as these functions will be performed by new City employees.

Each year the City allocates approximately \$750,000 in capital projects that OCWA manages. This capital project funding is utilized to address major equipment refurbishing and repairs. OCWA charges 10% to manage these projects. In the proposed self-perform model, these projects would be managed by in-house staff. This would save the 10% management fee and recognizes that City staff are already significantly involved in Capital projects.

Cost Comparison

	City Annual Cost 2012	OCWA Proposal FOR 2012
Personnel, admin, sludge, etc	\$ 1,656,274	\$ 1,668,224
Utilities	\$ 1,350,000	\$ 1,350,000
Chemicals	\$ 377,673	\$ 395,000
Base Bid Totals	\$ 3,383,948	\$ 3,413,224
Other Annual Savings		
Annual SCADA Tech charge	\$ 30,000	
Mark up of 10% on OCWA Major Capital of \$750,000/yr	\$ 75,000	
Adjusted Base Bid	\$ 3,278,948	
Net Annual Savings by Self Performing	\$ 134,276	

The calculated net present value of cumulative annual savings over the 10 year contract is \$1,144,047. Costs to operate the water and wastewater facilities are increasing. In the self-perform model costs in 2012 will increase 12% over the 2011 budget. If these operations are contracted to OCWA costs will increase 17%. Moving to the self-perform model will achieve cost avoidance.

Insurance and Indemnity

The issue of civil liability is addressed by insurance coverage which is included in the model costing. On the issue of regulatory liability, the City has all the required operational documentation and experience necessary to demonstrate due diligence. The City already has a demonstrated, clean track record of compliance with regulatory requirements concerning sophisticated operational systems.

With both OCWA and the City involved in the sewer and water systems, as is now the case, there can be difficulties which are not fully addressed by insurance or which could still require the City to be involved in litigation or regulatory issues.

Other Communities That Self-Perform

A small sample of other communities that self-perform include: Sault Ste. Marie, Greater Sudbury, Pembroke, Thunder Bay, Timmins, Mattawa, Elliot Lake, West Nipissing, Barrie, Newmarket (York Region), Halton Hills, Milton, Welland, Cornwall, District of Muskoka which includes the communities of Bracebridge, Gravenhurst, Huntsville, Bala, Port Carling, MacTier, Port Severn and Baysville. It is not unusual for a city the size of North Bay to self-perform the operations of the water and wastewater facilities.

Consultant's Review Of Facilities And Proposals

Douglas Miller, Director of Consulting Services for CH2M HILL, has advised that the facilities should be maintained to a higher standard than has been the case. They have reviewed OCWA's proposal and the City's self-perform model are satisfied that the City's financial model will meet the desired objectives that include a higher standard of maintenance required for the long term sustainability of the City facilities. See attached Memorandum 02 dated April 14, 2011 and Mr. Miller's Resume.

OPTIONS

- 1) That the City of North Bay assume direct operation of its water and wastewater treatment facilities beginning July 1, 2011 in order to direct the long term sustainability of the facilities, and;
That City Council direct staff to make all necessary preparations to ensure the transition and City operations begin on July 1, 2011. This option is recommended.
- 2) Direct staff to negotiate a new contract with the Ontario Clean Water Agency for Council's consideration. This option is not recommended.

RECOMMENDED OPTION

That the City of North Bay assume direct operation of its water and wastewater treatment facilities beginning July 1, 2011 in order to direct the long term sustainability of the facilities, and;

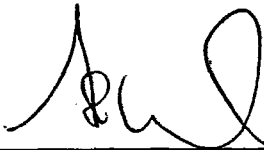
That City Council direct staff to make all necessary preparations to ensure the transition and City operations begin on July 1, 2011.

Respectfully submitted,



David Euler, P.Eng, PMP
Director of Engineering

We concur in this report and recommendation.



Alan Korell, P.Eng.
Managing Director of Engineering,
Environmental Services and Works

for:



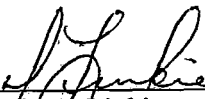
Margaret Karpenko
Chief Financial Officer



Lea Janisse, MHRM, CHRP
Director, Human Resources.



Michael B. Burke
City Solicitor



David G. Linkie
Chief Administrative Officer

Person designated for continuance: David Euler, P.Eng.

Copy for: Nick Schiavone
Karin Morin-Strom

North Bay O&M Support

Memorandum 02

TO: David Euler

COPIES: Wally MacKinnon

FROM: Douglas Miller, P.E., BCEE,
Director of Consulting Services

DATE: April 14, 2011

PROJECT NUMBER: 418904

Further to your request, I am providing this memo as a follow-up of my site visit to your various facilities during the week of March 28th, 2011. Many thanks to Karin and Mitch for their time and scheduling of the tour which included ALL the facilities (WTP, WWTP, Ellendale, Airport pumping station, Canadore pumping station and all 21 lift stations). Prior to my visit I was able to briefly review the draft condition assessments for both Ellendale and the WWTP. I also had the opportunity to review your budget model and organizational approach. This information coupled with gaining physical access to the facilities certainly provided me with the kind of detail needed to critically review your self-perform model.

As I indicated to your review committee during our meeting on March 29th, I can understand your concern about the general condition of the older facilities. In my opinion, I agree that these facilities have not been well cared for and an improvement in the day to day maintenance will be required as you move to improve the long term sustainability of your facilities. You certainly do not want your new facilities (Water Treatment Plant and Airport Standpipe/Booster Pumping Station) to be maintained in a similar fashion. These are all very valuable assets that need improved maintenance and care.

I have reviewed your self-perform financial model and I believe it is conservative and very viable. The labour complement you have included will add sufficient personnel resources to address the day to day issues related to repairs and maintenance. The labour rates for your licensed operators are very competitive and with an appropriate recruitment process you should have no problems filling the positions required. I have been involved in these types of transitions in the past and often the current operators simply move over to the new organization. As I have confirmed to you earlier, you always have the option to hire contracted operators for a short term transition period.

I have the utmost confidence in you and the staff to see this through and manage your assets appropriately. If we can be of further assistance, please don't hesitate to contact me.

Sincerely, Doug

EDUCATION

M.S., Civil Engineering,
University of Connecticut,
Storrs, Connecticut

B.S., Plant Science,
University of Connecticut,
Storrs, Connecticut

Numerous continuing
education classes on
water- and wastewater-
related subjects

OMI University I and II
Management Training

OMI University
Mastery Training

OMI University,
Labor Relations Training

CERTIFICATIONS

Professional Engineer,
New York and Maine

Diplomate of the American
Academy of Environmental
Engineers

New York Grade 1 A
Wastewater Operator

Maine Grade IV B
Wastewater Operator

New England Grade IV
Collection System Operator

HAZWOPER

Certified Environmental
Trainer—Wastewater,
National Environment, Safety,
and Health Training
Association

**PROFESSIONAL
AFFILIATIONS**

Maine Wastewater Control
Association (MWWCA)
President, 1991

Profile

Mr. Miller has more than 35 years of experience in the water and wastewater industry, including engineering, environmental planning, operations management, and research and development. He is active in local and national professional associations, has published a number of articles about wastewater treatment related subjects, and has received several awards for his work. Mr. Miller has an M.S. degree in Civil Engineering, is a professional engineer licensed in New York and Maine, and is a board certified environmental engineer (BCEE) by the American Academy of Environmental Engineers. He is certified as a New York Grade I A and Maine Grade IV B wastewater treatment operator, and is a certified New England Grade IV Wastewater Collections System Operator. He is trained in hazardous materials handling [hazardous waste operations and emergency response (HAZWOPER)] and is a Certified Environmental Trainer with the National Environmental, Safety, and Health Training Association.

Experience**Director of Consulting Services, Northeast Region**

*CH2M HILL OMI
Portland, Maine*

Mr. Miller provides startup/commissioning service, develops staff/client training, and troubleshoots water and wastewater treatment systems for CH2M HILL OMI and CH2M HILL clients as well as other outside clients. He directs a team that performs condition assessments for asset management and capital improvement programs, optimization of treatment unit processes, and system modeling. His group also provides OM&M support at municipal and industrial water and wastewater treatment systems.

Mr. Miller has been involved in numerous treatment plant support and startup activities (domestic and international). He has supported process and compliance audits throughout the Northeast Region and continues to perform systems support for CH2M HILL OMI full contract O&M projects as needed. Specific projects include:

- **Metro Vancouver, Canada.** Mr. Miller prepared a report of the practices of the effluent disinfection systems at these large regional wastewater treatment plants. Metro Vancouver's practices were compared to state-of-the-art practices of other municipalities.
- **New York City Department of Environmental Conservation-Bureau of Water Supply.** Mr. Miller is on the team preparing for the transition of the 2 bgd Cat/Del UV facility from construction to

Douglas L. Miller, P.E., BCEE

Director of Consulting Services

operation. This effort includes planning, training, troubleshooting, optimizing and certifying the operation of this new water treatment plant.

- **Halifax, Nova Scotia, Canada.** Mr. Miller participated in a forensic review of Halifax Water's wastewater treatment plant failure and developed the phased approach to the restart of this facility.
- **Multiple Locations, British Columbia, Canada.** Mr. Miller led a team of O&M specialists in assessing the operational capacity of eighteen First Nation community water systems as part of the British Columbia Safe Water Operations Program. Indian and Northern Affairs Canada considered these systems to be at risk. The team developed and delivered a system of support to reduce the risk to these community water systems.
- **American Electric Power, West Virginia.** Mr. Miller is coordinating O&M manual, commissioning, and training program development for American Electric Power's flue gas desulphurization efforts at two power plants in West Virginia.
- **Stamford, Connecticut.** Mr. Miller supported a plant upgrade at the 24-mgd enhanced nutrient removal (ENR) water pollution control plant in Stamford. He led commissioning of the gravity belt thickeners and dewatering building.

Regional Business Manager of Technical Services Group-Team Leader-Optimization Specialists

CH2M HILL OMI
Portland, Maine

Mr. Miller led the Optimization Specialists' Team in developing companywide benchmarking and optimization systems. These systems improve performance and increase cost efficiencies at CH2M HILL OMI projects. He served as an internal operations consultant to implement processes to enhance unit process performance. This team develops validated models of unit processes and routinely adjusts them to reflect best operating practices.

Mr. Miller provided CH2M HILL and CH2M HILL OMI with assistance in treatment plant startup/commissioning activities, operator training, and technical assistance. He was a Quality Coach supporting the CH2M HILL OMI *Obsessed With Quality* process. Mr. Miller supported international projects on an as-needed basis. His work was focused in the Middle East and Europe Regions.

PROFESSIONAL AFFILIATIONS (cont.)

New England Water
Environment Association
(NEWEA), President 2005
(WEF Director, Maine Director
and PWOP Representative)

Water Environment
Federation (WEF) (Board of
Directors, 2000-03, Operations
Challenge Chairman,
1993-95)

American Water
Works Association

National Environmental
Training Association, Certified
Environmental Trainer

AWARDS

NEWEA Clair N. Sawyer
Award for distinguished
service, 2007

NEWEA Past President
Award, 2007

Arthur Sidney Bedell Award,
WEF, 1997

Service Award,
WEF, 1995

E. Sherman Chase Award,
NEWEA, 1994

John Chester Brigham Award,
New York Water Pollution
Control Association, 1986

New York Select Society of
Sanitary Sludge Shovelers,
1984, Operator-in-Chief,
1985 and 1986

New England Select
Society of Sanitary Sludge
Shovelers, 1991

MWWCA, Past Presidents
Award, 1992

Douglas L. Miller, P.E., BCEE

Director of Consulting Services

PUBLICATIONS AND PRESENTATIONS

"DBO Contract in Ra'anana, Israel Bears Fruit," *Water and Wastewater International*, Publication Pending

Operations Challenge:
An Opportunity to Demonstrate Your Skills, *Operations Forum*, Vol. 12, No. 12, December 1994

"Specifying and Maintaining Pumps and Flow Meters at Landfills," *New York State Association of Solid Waste Managers and New York State Department of Environmental Conservation, Division of Solid Waste*, 1994

"Wastewater Sampling for Process and Quality Control," Author on Task Force for *Manual of Practice, MOP OMI-1*, 1996

"Safety in Wastewater Treatment Facilities," Technical Reviewer for *Manual of Practice, OM-1*, 1994

"High Strength Dairy Waste Treatment: A Case History," with Reeves, T.S. and Duda, R.F., *Proceedings of the 1990 Food Industry Environmental Conference*, Georgia Tech Research Institute, Atlanta, Georgia, 1990

Regional Manager International-Europe and Middle East

CH2M HILL OMI

Ra'anana, Israel

Mr. Miller assumed the lead role on international projects, projects involving CH2M HILL requiring domestic and expatriate CH2M HILL OMI employees, project development evaluations, and full contract O&M services. He evaluated facilities operations and management and suggested improvements to operations personnel and/or design engineers. Mr. Miller oversaw the commissioning and operation of a 10-mgd activated sludge sequencing batch reactor wastewater treatment plant for the Municipality of Ra'anana through a design/build/operate framework.

Mr. Miller also assisted with commissioning and startup, development of operational guides, and training and performance evaluations for new facilities. He implemented operator and operations management training programs as well as analyzing process control procedures, recommending changes where needed. He introduced CH2M HILL OMI's *Obsessed With Quality* process to our international projects in Europe and the Middle East.

Senior Operations Specialist

CH2M HILL OMI

Portland, Maine

As a Senior Operations Specialist, Mr. Miller worked in several areas in the U.S. and Europe. Several major assignments included work in Hungary; Seattle, Washington; and Louisville, Kentucky. Mr. Miller supervised CH2M HILL OMI's first Hungarian wastewater treatment effort in concert with CH2M HILL at Coca-Cola's Dunaharaszti treatment plant. He hired and trained Hungarian staff and participated in the startup of this new state of the art facility. This design/build/operate project was completed ahead of schedule and meets stringent discharge standards required by Coca-Cola and Hungarian authorities.

Mr. Miller also participated in the startup at the Seattle Metro wastewater treatment plant for the new, pure oxygen activated sludge process at the West Point plant. He prepared uniform process control procedures for the oxygenation system, trained the staff on site, and lead the startup procedure. He also was involved in training the Louisville Morris Forman staff in process control for solids thickening and heat treatment for their Zimpro system. Mr. Miller led several quality training sessions with the Louisville staff to improve their levels

Douglas L. Miller, P.E., BCEE

Director of Consulting Services

of teamwork. During several months, he was an interim project manager at a CH2M HILL OMI projects until a permanent employee was able to lead that project. He continued to serve as a CH2M HILL OMI Quality Coach during this period.

Regional Manager Northeast District

CH2M HILL OMI

Portland, Maine

Mr. Miller applied his expertise in project administration, training, and operations as Northeast Regional Manager. He oversaw all CH2M HILL OMI's projects in the Northeast Region, and assisted project managers with staffing and administration, implementation of management programs, laboratory services, solids disposal, and community relations. Mr. Miller also assisted with plant evaluations, facility startups, personnel training, and marketing activities. In addition, Mr. Miller served as a CH2M HILL OMI Quality Coach, and conducted quality training for CH2M HILL OMI associates throughout the northeastern U.S.

Director of Research and Development

Dufresne-Henry, Inc.

South Portland, Maine

Before joining the CH2M HILL OMI team, Mr. Miller worked for 3 years as a technical-resource for his firm's environmental needs. He submitted and conducted research in environmental engineering; was involved in the design and startup of water and wastewater facilities including training, safety, O&M manuals, and computer use; and was Senior Project Manager for various environmental engineering projects.

Superintendent

Portland Water District

Portland, Maine

Mr. Miller ran the District's Wastewater Operations Division, including major pumping stations, combined sewer overflow, interceptors and wastewater treatment facilities. His duties included personnel management and development, budget preparation and management, and long-range planning implementation. He also was involved in facility design, construction, and startup.

Operations Manager

Onondaga County Department of Drainage and Sanitation

Syracuse, New York

PUBLICATIONS AND PRESENTATIONS (cont.)

"Operation of Municipal Wastewater Treatment Plants," MOP 11, Water Pollution Control Federation, 1990.

Authored the chapter on wastewater disinfection and technical reviewer for sludge thickening chapter

"Combined Sewer Management in Maine: Water Quality Issues for the 1990's," Journal of the New England Water Pollution Control Association, May 1990.

"Pump Maintenance Judge Sees Teams Get Pumped Up!" Operations Forum, Vol. 6, No. 5, May 1989

"Prime Movers, Technical Reviewer for MOP OM-5," Water Pollution Control Federation, 1987

"Respiration Rate," Operations Forum, Vol. 2, No. 3, March 1985

"Respiration Rate as a Process Control Parameter," Clearwaters, Vol. 13, No. 2, Summer 1983

"Rural Wastewater Disposal," with Van Arnam, D.G., Clearwaters, Vol. 9, No. 1, March 1979

"Population Projections: A Critical Step in Facilities Planning," with Stacey, J.E., Jr. Clearwaters, Vol. 8, No. 3, September 1978

Douglas L. Miller, P.E., BCEE

Director of Consulting Services

As Operations Manager, Mr. Miller oversaw the O&M of 16 wastewater treatment plants with a total capacity of 120 mgd, 200 employees, and an annual operating budget of \$10 million. His duties included negotiating major industrial contracts, coordinating regulatory affairs, managing consultant contracts, and preparing the annual budget. Mr. Miller was hired by the Department initially as a sanitary engineer, responsible for developing sewage treatment plant O&M programs, assisting in facility startups, and preparing specifications for materials and chemicals.

Water Quality Engineer

*Central New York Regional Planning and Development Board's
Area-wide Water Quality Management Program
Syracuse, New York*

As a Water Quality Engineer, Mr. Miller coordinated and developed all of the program's engineering components. He also wrote reports, made public presentations, and supervised the engineering staff.

Environmental Planner

*Central Virginia Planning District Commission
Lynchburg, Virginia*

Mr. Miller began his career as an Environmental Planner, responsible for developing Lynchburg's Metro/Regional Water Quality Management Plan and the Regional Water/Sewer Plan. He directed solid-waste planning and air-quality programs, and coordinated the environmental impact statements and land-use planning assistance programs.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-101

**A BY-LAW TO STOP UP, CLOSE AND CONVEY A PORTION OF
THE LANEWAY IN A BLOCK BOUNDED BY MONTROSE AVENUE, CARRUTHERS
STREET, ROBERTS AVENUE AND HARRISON STREET,
IN THE CITY OF NORTH BAY**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the laneway abutting Lots 2184, 2185, 2186, 2187 and 2191, and Part of a Lane on Plan M-177 be closed, stopped up and sold to the abutting owners;

AND WHEREAS by Resolution No. 2010-581 passed on the 7th day of September, 2010, Council approved the closure of the laneway;

AND WHEREAS the laneway abutting Lots 2184, 2185, 2186, 2187 and 2191, and Part of a Lane on Plan M-177 are hereby declared to be surplus;

AND WHEREAS notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

AND WHEREAS no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That certain part of the laneway in a block bounded by Montrose Avenue, Carruthers Street, Roberts Avenue and Harrison Street, abutting Lots 2184, 2185, 2186, 2187 and 2191, and Part of a Lane on Plan M-177 designated as Part 1, on Reference Plan 36R-12976 is hereby closed, stopped up and conveyed.
2. The City shall transfer Part 1, on Reference Plan 36R-12976 to the owners of the lands abutting thereon, their successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner.
- 3.(a) Subject to paragraph (b), in the event that an abutting owner to the said laneway does not consent to the disposition of the laneway within 60 days of the date of the passing of this by-law, then the clerk shall, upon request of an abutting owner of the opposite side of the laneway, give 30 days notice by prepaid registered mail to the abutting owner of the laneway to the effect that if the abutting owner does not agree to purchase one-half of the abutting laneway at a pro-rata share of the survey, legal, advertising costs and purchase price incurred in the laneway closing, then the said one-half of the laneway may be transferred to the opposite owner for the same cost.

(b) Upon receipt of an Irrevocable Consent of the disposition of the laneway from the adjacent owner then that portion of the laneway may be transferred upon registration of the by-law.
4. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Titles Office for the District of Nipissing.

READ A FIRST TIME IN OPEN COUNCIL THE 18TH DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 18TH DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 2ND DAY OF MAY, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-106

BEING A BY-LAW TO AMEND BY-LAW 2003-05
(BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES
AND WORKPLACES)
(NORTH BAY REGIONAL HEALTH CENTRE)

WHEREAS section 115 of the *Municipal Act, 2001*, 2001, S.O. c.25, as amended, authorizes the Council of a local municipality to pass a by-law to prohibit or regulate the smoking of tobacco in public places and workplaces within the municipality;

AND WHEREAS section 10(2) of the *Municipal Act* authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

AND WHEREAS the Council has been asked by the North Bay District Health Unit ("NBDHU") and the Medical Officer of Health, as well as the Board of the North Bay Regional Health Center ("NBRHC") to pass this By-law;

AND WHEREAS section 12 of the *Smoke-Free Ontario Act*, S.O. 1994, c. 10, as amended, permits municipalities to enact smoking by-laws that are more restrictive than section 9 and 10 of the Act;

AND WHEREAS Council passed General Government Committee Report No. 2011-10 at its Regular Meeting on Monday, April 4, 2011, authorizing that a by-law be enacted to allow only patients to smoke on owned and solely leased NBRHC property using the two (2) designated smoking areas until July 1, 2011; as of July 1, 2011, all owned and solely leased NBRHC property will be 100% smoke-free.

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. That By-law 2003-05 is hereby amended to insert the following at the end of section 1.4:

" , or security staff designated by the North Bay Regional Health Centre and authorized by the City to act as agents of the City for the purpose of enforcing this By-law;"

2. That By-law 2003-05 is hereby amended to add the following:

"1.14 North Bay Regional Health Center" ("NBRHC") means all owned and solely leased properties occupied by the North Bay General Hospital and the Northeast Mental Health Center, being the lands set out in Schedule "G";"

3. That By-law 2003-05 is hereby amended to add the following:

"3.4 No person may smoke on the NBRHC property, except on the lands designated in Schedule "F" as temporary smoking areas."

3.5 Patients shall only be permitted to smoke in the designated areas at the NBRHC, as identified in Schedule "F" of this By-law, until June 30, 2011.

3.6 Effective July 1, 2011, no person shall be permitted to smoke at the NBRHC."

4. That By-law 2003-05 is hereby amended to add the following:

"10.2 Section 3.5 is effective until 11:59 p.m. on June 30, 2011, whereupon it shall be deemed to be repealed.



10.3 Section 3.6 shall come into force and effect as of July 1, 2011.”

5. This By-law comes into force on the day it is enacted by Council.

READ FOR THE FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF APRIL, 2011

READ FOR THE SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF APRIL, 2011

READ A THIRD TIME IN OPEN COUNCIL AND PASSED ON THIS 18TH DAY OF
APRIL, 2011

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

**SCHEDULE "G" TO THE CORPORATION OF THE CITY OF NORTH BAY
BY-LAW 2011-106**

The North Bay Regional Health Center includes the following properties:

- FIRSTLY: Parcel 19012 Widdifield & Ferris:
Part of Lot 23, Concession B, former Township of Widdifield, now City of North Bay, District of Nipissing, Parts 1 to 5 on Plan 36R-10957 & Parts 9 & 10, on Plan 36R-11367;
Part of Lot 24, Concession B, former Township of Widdifield, now City of North Bay, Parts 6 to 15 on Plan 36R-10957 and Parts 1, 2, 3 & 5 on Plan 36R-11367;
Save and except parts 1 & 2 on Plan 36R-11522;
Subject to LT77541 partially released by LT406505;
Subject to LT405939, City of North Bay, in the District of Nipissing.
- SECONDLY: Parcel 19063 Widdifield & Ferris;
Part of Lot 23, Concession B, former Township of Widdifield, now City of North Bay, Parts 11, 12, 13, 14, 15, 16 & 17 on Plan 36R-11367;
Subject to LT405939, LT77541, North Bay, District of Nipissing
- THIRDLY: Part of Lot 1, Concession B, of the Township of Commanda, Parts 16 to 25 on Plan 36R-10957;
Subject to CD118, CD120 and NB162482, City of North Bay, in the District of Nipissing

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-107

**A BY-LAW TO AUTHORIZE THE
2011 NORTH BAY-MATTAWA CONSERVATION AUTHORITY
CAPITAL BUDGET ALLOCATION**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

AND WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 401 authorizes the Council to pass a by-law for the purposes herein stated;

AND WHEREAS the Council passed Resolution 2011-255 at its Meeting held Monday, April 4, 2011, authorizing the 2011 North Bay-Mattawa Conservation Authority Capital Budget Allocation, being 2011 Local Agencies, Boards and Commissions Capital Budget Line No. 107 (Project No. 6037CA), with a net debenture cost of \$730,000.00;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That the expenditure of \$730,000.00 for the 2011 North Bay-Mattawa Conservation Authority Capital Budget Allocation, the following be hereby authorized:

Capital Works in Conservation Area and Trails and DIA Regulation/Watershed Planning Technical Work	\$243,877.00
General Capital Levy	\$449,623.00
Temporary Financing and Contingency	<u>\$ 36,500.00</u>
Net Amount to be Debentured	\$730,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note or notes temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$730,000.00 limited in this by-law.
3. Any promissory note or notes issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18th DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 18th DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18th DAY OF APRIL, 2011.

MAYOR ALLAN McDONALD

CLERK CITY CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-108

**A BY-LAW TO AMEND TRAFFIC & PARKING
BY-LAW NO. 2002-001
(TO ALLOW THE USE OF SEGWAYS ON
CITY SIDEWALKS)**

WHEREAS the *Municipal Act, 2001*, (S.O. 2001, c.25) authorizes the Council to pass By-Laws regulating or prohibiting certain traffic on highways and regulating or prohibiting parking on highways;

AND WHEREAS the *Highway Traffic Act*, R.S.O. 1990, Chapter H-8, as amended, authorizes the Council to pass By-laws regulating traffic on highways;

AND WHEREAS the Council passed Resolution 2011-200 at its meeting held Monday, March 21, 2011, authorizing that the Traffic & Parking By-law No. 2002-001 be amended to allow the use of Segways on sidewalks in the City in compliance with Ontario Regulation 488/06 – Pilot Project Segways.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That Part 1 – General – Definitions of By-Law 2002-001 is hereby amended by adding the following:
 - “(jj) “Segway” means a device known as the Segway Personal Transporter or the Segway Human Transporter that is manufactured by Segway Inc.”
2. That Part 2 – Traffic Regulations of By-Law 2002-001 is hereby amended by adding the following:
 - “42. Segways:
 - (1) Every person operating a Segway on a sidewalk:
 - (i) shall give way to pedestrians or bicycles by slowing or stopping if there is insufficient space to pass;
 - (ii) shall not operate at a speed that is markedly greater than the speed of pedestrians who are proximate to the Segway; and
 - (iii) shall not operate it in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.
 - (2) The operation of a Segway will only be allowed on a Municipal sidewalk from the period commencing May 1st to October 14th of each year.
 - (3) No person shall operate a Segway unless,:
 - (i) they are 14 years old or older;
 - (ii) his or her ability is limited by one or more disabilities, conditions or functional impairments; and
 - (iii) they possess and produce a medical certificate from a doctor to certify that his or her mobility is limited.
 - (4) No person shall operate a Segway unless it is equipped with a bell or horn.
 - (5) Every person operating a Segway shall sound its horn whenever it is reasonably necessary to notify pedestrians or others of its approach.
 - (6) Every person operating a Segway at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less:

- (i) shall carry a lighted lamp displaying a white or amber light at the front of the Segway and a lighted lamp displaying a red light at the rear of the Segway; and
 - (ii) the lamps shall be attached to the Segway or shall be carried or worn by the operator on his or her person.
- (7) No person under 18 years of age shall ride on or operate a Segway while on a Municipal sidewalk unless the person is wearing a helmet that complies with the regulations under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and the chin strap of the helmet is securely fastened under the chin.
- (8) No parent or guardian of a person under 16 years of age shall authorize or knowingly permit that person to ride on or operate a Segway on a Municipal sidewalk unless the person is wearing a helmet that complies with the regulations under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and the chin strap of the helmet is securely fastened under the chin.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF APRIL, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-105

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON FRANCIS STREET**

(914542 ONTARIO INC. - FRANCIS STREET)

WHEREAS the Council of The Corporation of the City of North Bay, hereinafter referred to as the "City", deems it desirable to designate a Site Plan Control Area in the City of North Bay pursuant to Section 41 of the Planning Act R.S.O. 1990 as amended;

AND WHEREAS the Council deems it desirable to delegate to the Chief Administrative Officer the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS Council passed By-law No. 2010-197 on the 23rd of August, 2010 to grant final approval to the Francis Street 12 Lot Plan of Subdivision (File #48T-06101) on the subject lands;

AND WHEREAS a condition of approval to the Francis Street 12 Lot Plan of Subdivision (File #48T-06101) on the subject lands requires the passing of a Site Plan Control Area By-law to regulate fencing and the placement of fill on Lots 1, 4 to 10, and a retaining wall on Lot 1;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

- 1) That certain parcel of land on Francis Street, known locally as Concession B, Part of Lot 19, Parcel 3243 in the former Township of Widdifield, representing lands included in the Francis Street Subdivision (File #48T-06101), which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition of approval, the Owner shall:
 - a) Provide fencing along the rear lot line of Lots 1, 4, 5, 6, 7, 8, 9, 10 and 11; and along the westerly side yard of Lots 4 and 5;
 - b) Provide a lot grading plan to the satisfaction of the City Engineer to establish the location and placement of fill on Lots 1, 4, 5, 6, 7, 8, 9 and 10; and
 - c) Provide a retaining wall along the easterly side yard of Lot 1.
- 3)
 - a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$1,100 upon the owner for preparation.
 - b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.

- 4) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 446 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 5) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 18TH DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 18TH DAY OF APRIL, 2011.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF APRIL,
2011.**

MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

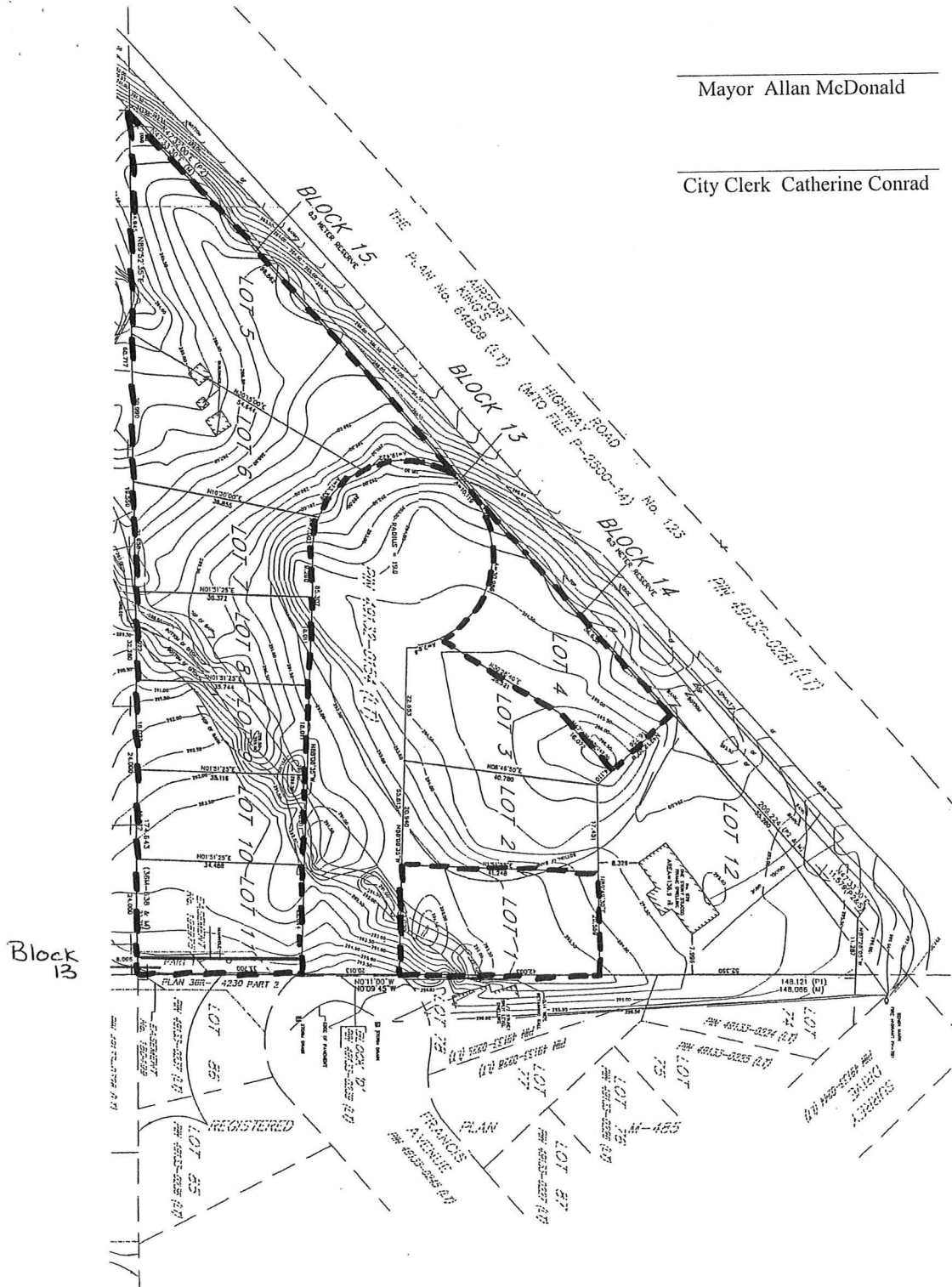
This is Schedule "A"

To By-law No. 2011-105

Passed the 18th day of April 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



Block 13

 - LOTS SUBJECT TO SITE PLAN CONTROL



THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2010-010

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON GORMANVILLE ROAD
FROM AN "INDUSTRIAL RAILWAY (MR)" ZONE
TO A "LIGHT INDUSTRIAL THREE (M3)" ZONE**

(1633091 ONTARIO LIMITED & 1633057 ONTARIO LIMITED – GORMANVILLE ROAD)

WHEREAS the owner of the subject property has initiated an amendment to the Zoning By-law;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and has held at least one public meeting after due notice for the purpose of informing the public of this By-law;

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedules "B-40" and "B-41" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on February 8th, 2010 to approve this rezoning.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY
HEREBY ENACTS AS FOLLOWS:**

- 1) Schedules "B-40" and "B-41" of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Registered Plan No. M-36, Lots 95 to 97 & 110 to 115, Reference Plan 36R-11393, PIN's 49128-0296, 49128-0298, 49128-0240 - Gormanville Road in the City of North Bay), shown as hatched on Schedule "B" attached hereto from an "Industrial Railway (MR)" zone to a "Light Industrial Three (M3)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Light Industrial Three (M3)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "A" attached hereto are hereby designated as a Site Plan Control Area.
- 4)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 8TH DAY OF FEBRUARY, 2010.

READ A SECOND TIME IN OPEN COUNCIL THE 8TH DAY OF FEBRUARY, 2010.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF APRIL, 2011.

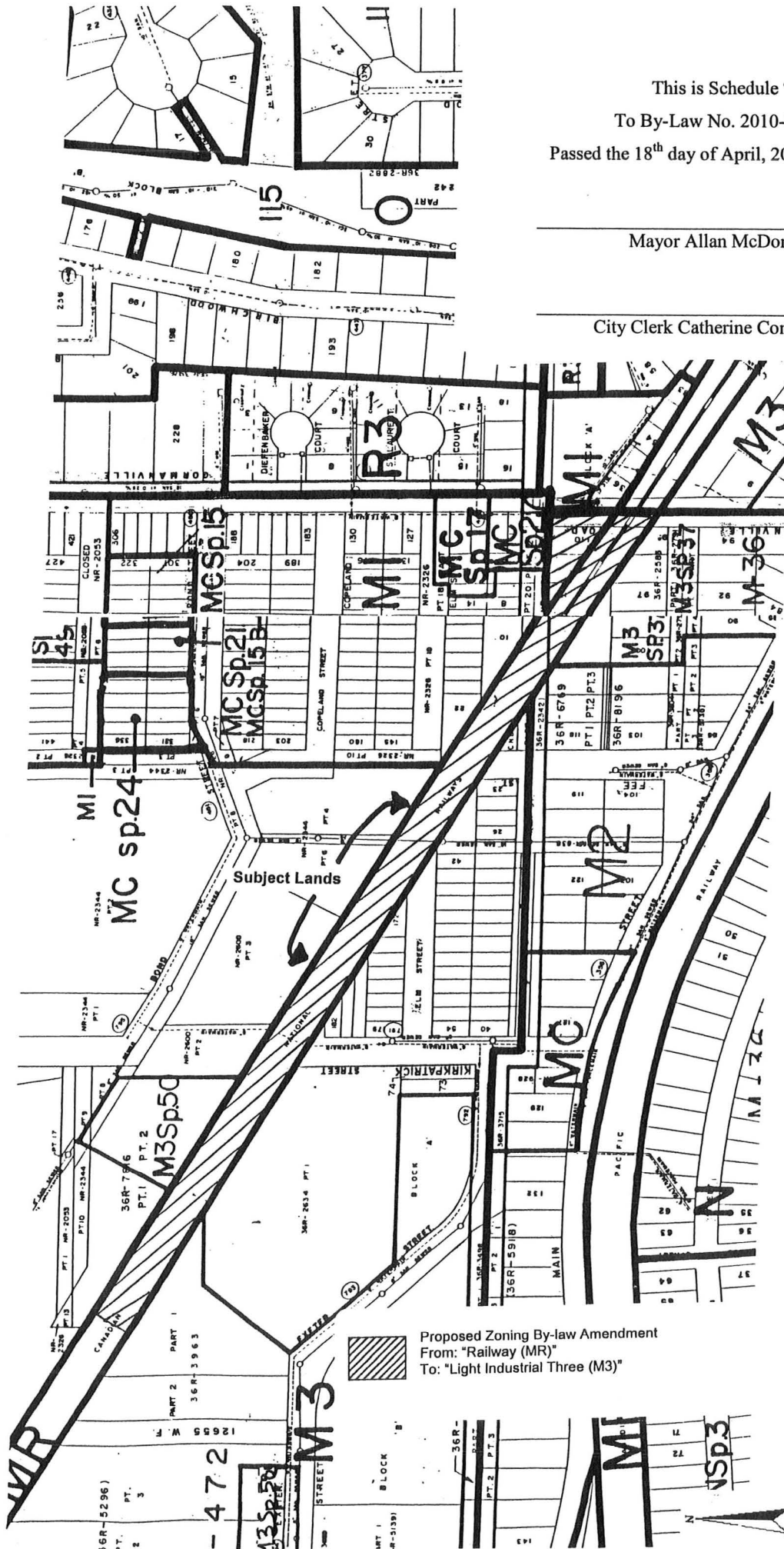
MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

This is Schedule "A"
To By-Law No. 2010-010
Passed the 18th day of April, 2011.

Mayor Allan McDonald

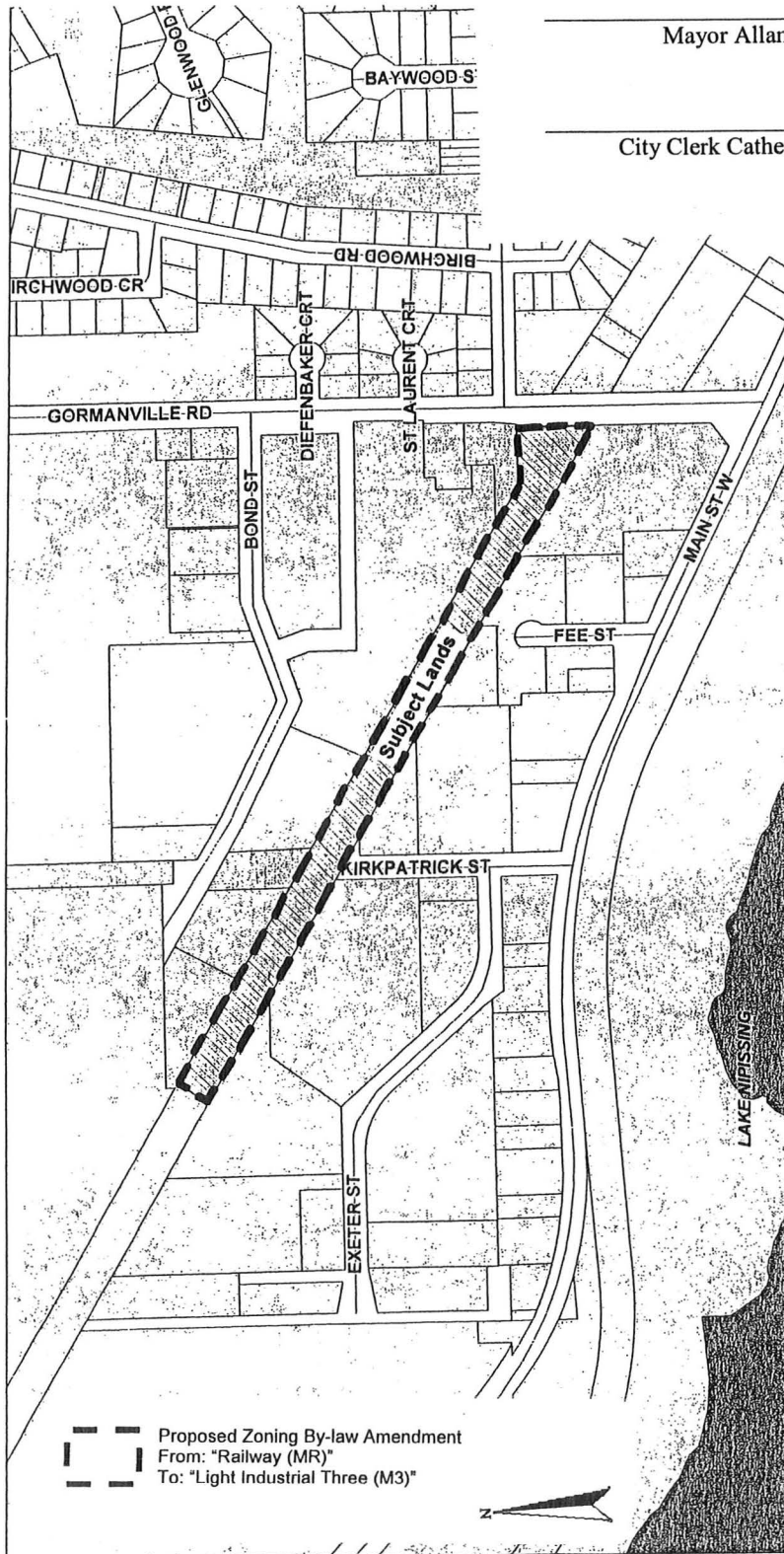
City Clerk Catherine Conrad



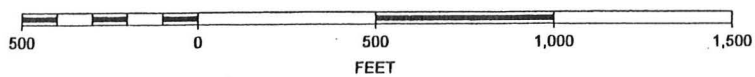
This is Schedule "B"
To By-Law No. 2010-010
Passed the 18th day of April, 2011.

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 5,052



THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-17

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS
ON JOHN STREET AND THIRD AVENUE EAST
FROM A "RESIDENTIAL SECOND DENSITY (R2)" ZONE
AND A "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 38 (C5 SP.38)"
TO A "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 124 (RM3 SP. 124)"**

**(THE COPORATION OF THE CITY OF NORTH BAY
FORMER CN RAIL LANDS ON JOHN STREET & THIRD AVENUE EAST)**

WHEREAS the owner of the subject property has initiated an amendment to the Zoning By-law;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and has held at least one public meeting after due notice for the purpose of informing the public of this By-law;

AND WHEREAS it is deemed desirable to amend the zoning designation shown on Schedule "B-51" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on February 22, 2011 to approve this rezoning.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

- 1) Schedule "B-51" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Concession 13, Registered Plan 20, Lots 14 to 19, representing a portion of the former CN Rail Lands in the City of North Bay) from a "Residential Second Density (R2)" zone and a "Neighbourhood Commercial Special Zone No. 38 (C5 Sp.38)" to a "Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.124:
 - 11.2.124 Residential Multiple Third Density Special Zone No.124 (RM3 Sp.124)
 - 11.2.124.1 The property description of this "Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)" is Concession 13, Registered Plan 20, Lots 14 to 19 along John Street and Third Avenue East in the City of North Bay as shown on the attached Schedules and on Schedule "B-51".
 - 11.2.124.2 The permitted land uses in this "Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)" are as follows:
 - i) Apartment Dwellings;
 - ii) Group Home Type 2;
 - iii) Parks, Playgrounds and Associated Non-Profit Uses;

- iv) Licensed Day Nurseries, Churches, Public Schools (Other Than Trade Schools); and
- v) Accessory Home Based Businesses.

11.2.124.3 The regulations for this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” are as follows:

- i) Increase the number of permitted patients for a Group Home Type 2 from eight (8) to twelve (12);
- ii) Increase the front yard setback to 45.0 meters from the required 7.6 meters; and
- iii) Increase the rear yard setback to 20.0 meters from the required 7.6 meters.
- iv) Limit the building footprint, as shown on Schedule ‘C’ attached hereto, to a total not to exceed 615 sq. m. (6,600 sq. ft.), representing total lot coverage to a maximum of 15%.

11.2.124.4 The use of land or building in this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 3) Section 11 of By-law No. 28-80 is further amended by inserting “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” as shown on Schedule "B" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule “A” attached hereto are hereby designated a Site Plan Control Area.
- 5)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.

- c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 4TH DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF APRIL, 2011.

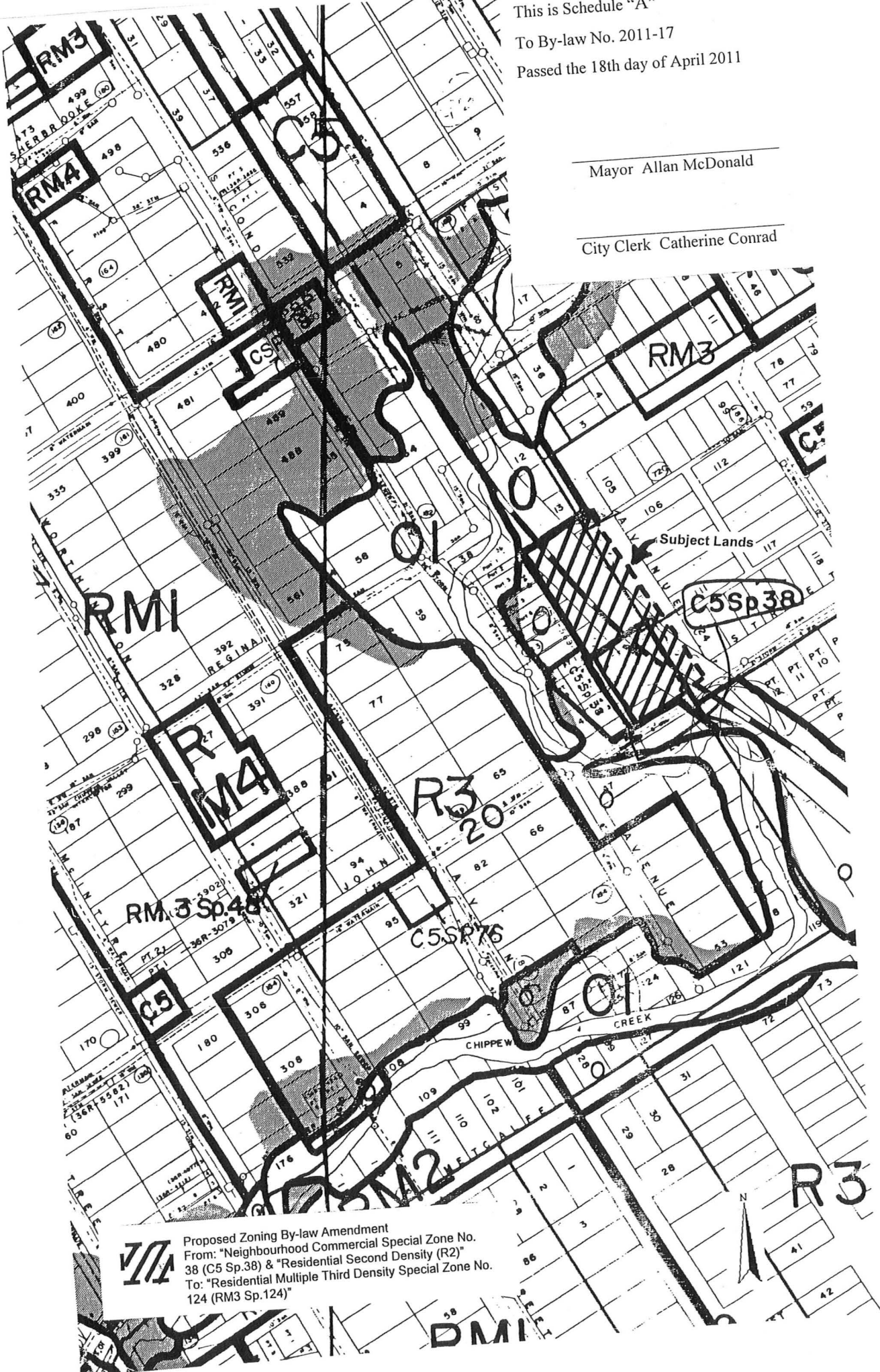
MAYOR, ALLAN MCDONALD


CITY CLERK, CATHERINE CONRAD

This is Schedule "A"
To By-law No. 2011-17
Passed the 18th day of April 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



 Proposed Zoning By-law Amendment
From: "Neighbourhood Commercial Special Zone No. 38 (C5 Sp.38) & "Residential Second Density (R2)"
To: "Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)"



Proposed Zoning By-law Amendment
 From: "Neighbourhood Commercial Special Zone No.
 38 (C5 Sp.38) & "Residential Second Density (R2)"
 To: "Residential Multiple Third Density Special Zone No.
 124 (RM3 Sp.124)"

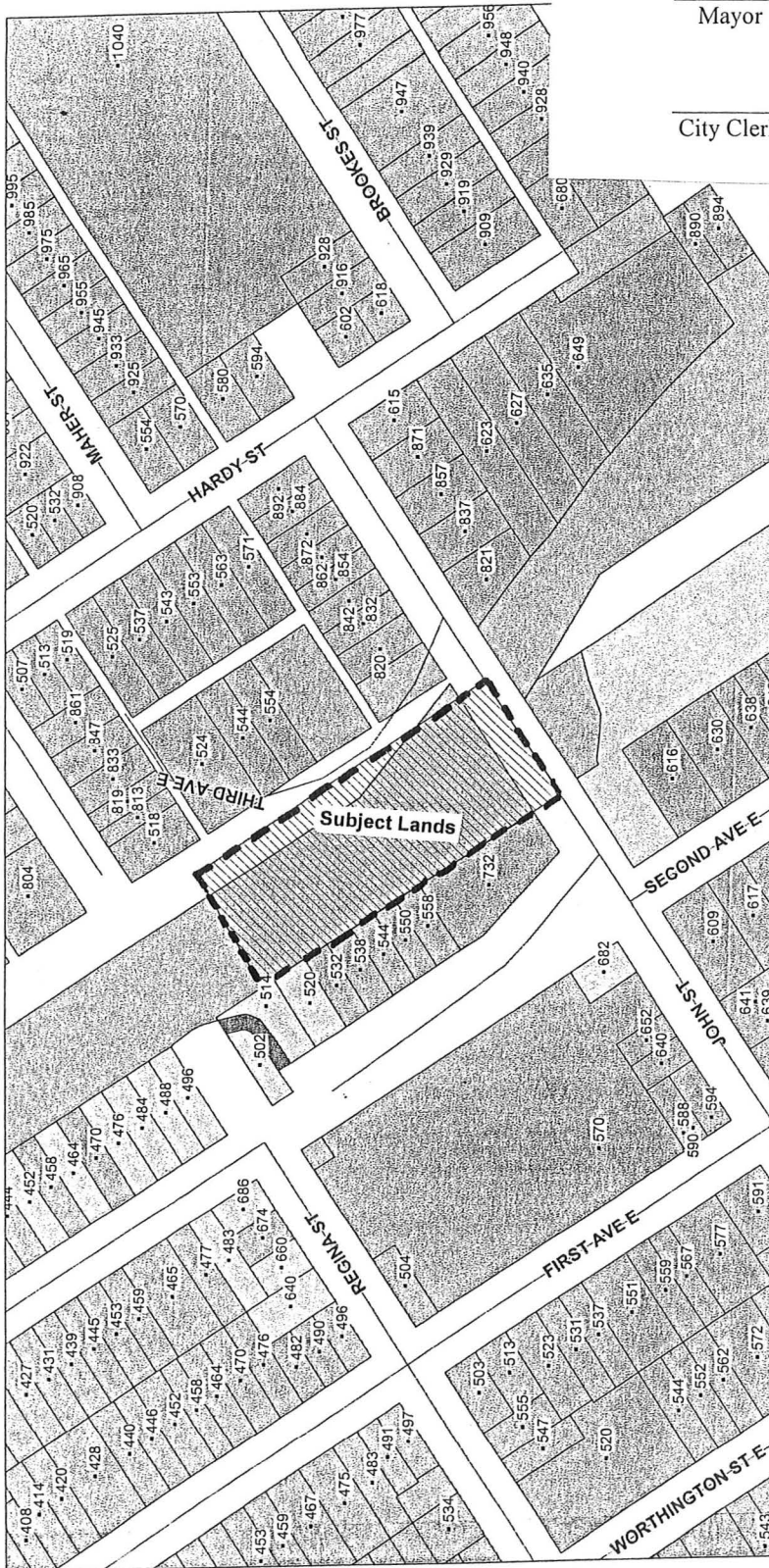
This is Schedule "B"

To By-law No. 2011-17

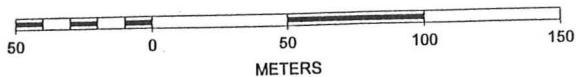
Passed the 18th day of April 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,156



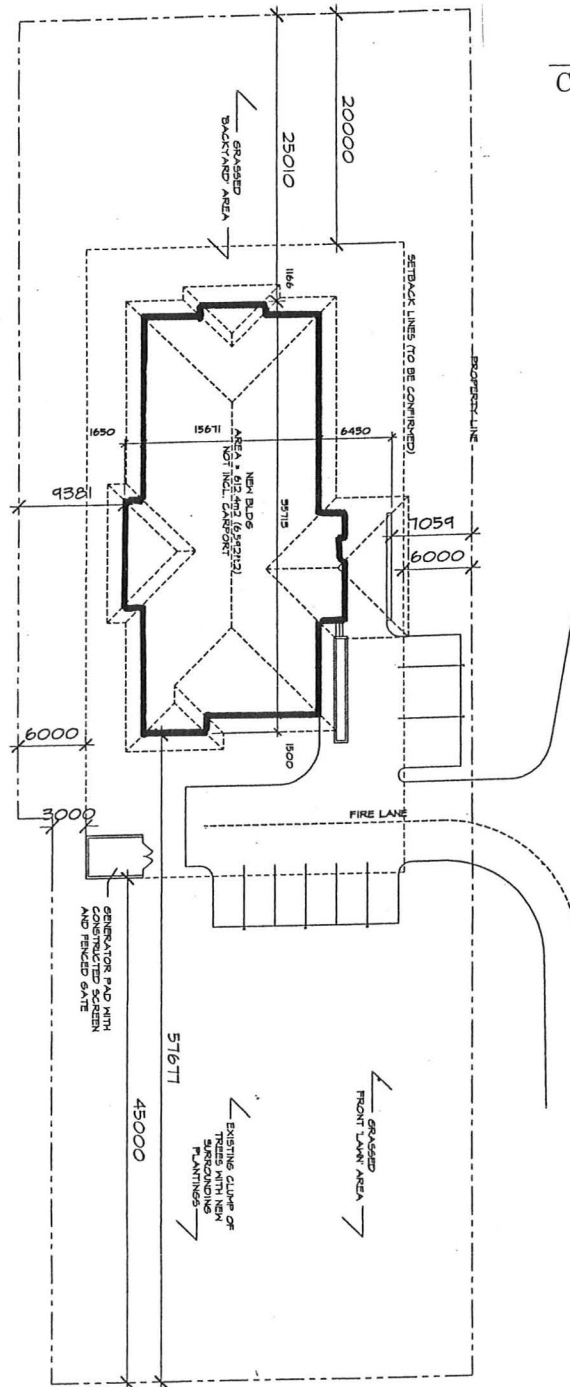
This is Schedule "C"

To By-law No. 2011-17

Passed the 18th day of April 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



- BUILDING FOOTPRINT TO A MAXIMUM OF 615 m² (6,600 sq. ft.)

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-102

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON FRANCIS STREET
FROM A "RESIDENTIAL FIRST DENSITY (R1)" ZONE
TO A "RESIDENTIAL THIRD DENSITY (R3)" ZONE

(CARLO GUIDO & TIM FALCONI -228 & 232 FRANCIS STREET)

WHEREAS the owner of the subject property has initiated an amendment to the Zoning By-law;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and has held at least one public meeting after due notice for the purpose of informing the public of this By-law;

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule "B-34" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 4th, 2011 to approve this rezoning.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

- 1) Schedule "B-34" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is particularly known as Registered Plan M-285, Lot 55 in the former Township of Widdifield) along Francis Street in the City of North Bay from a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Third Density (R3)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of Reg. 254/06, as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.



READ A FIRST TIME IN OPEN COUNCIL THE 4th DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF APRIL, 2011.

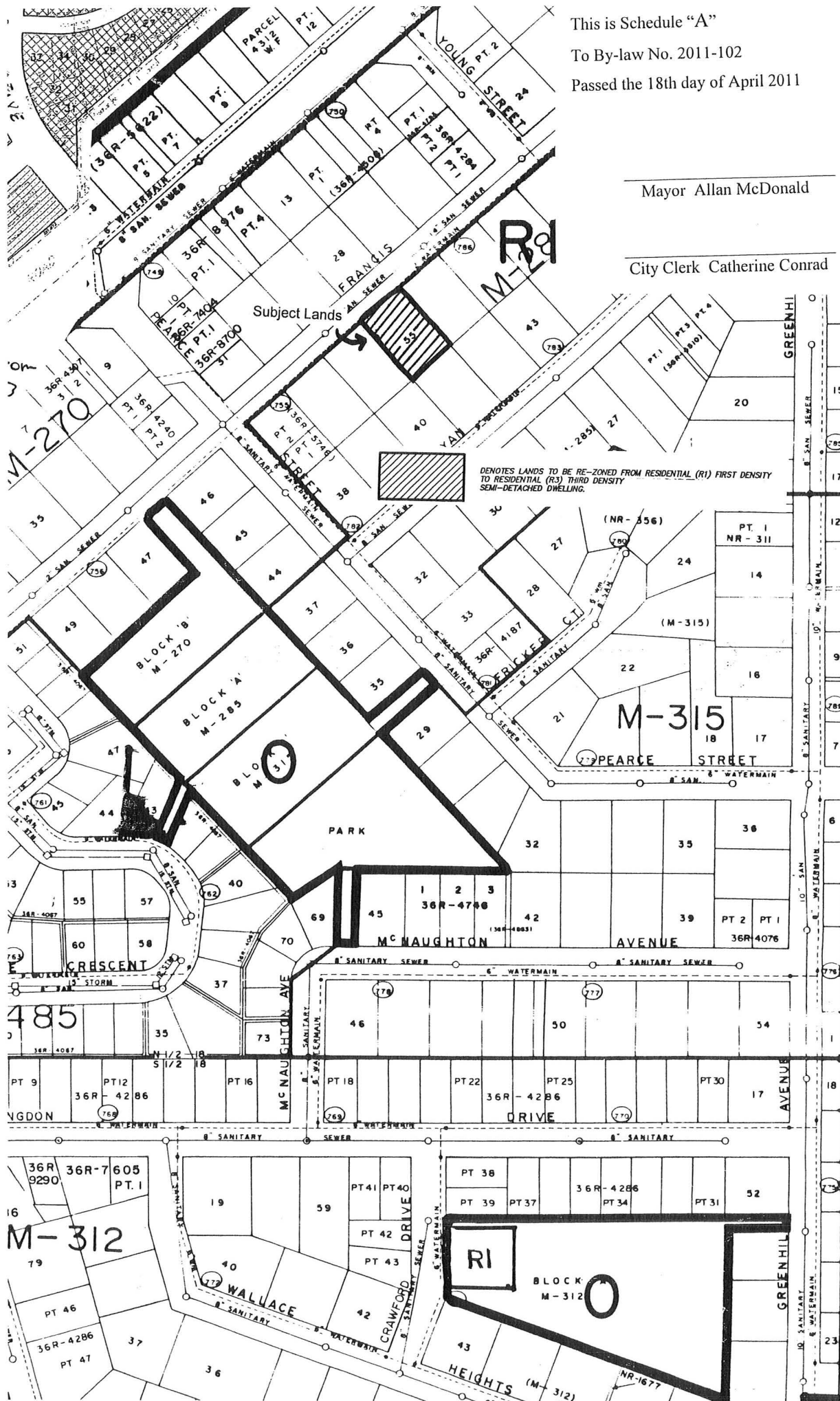
MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

This is Schedule "A"
 To By-law No. 2011-102
 Passed the 18th day of April 2011

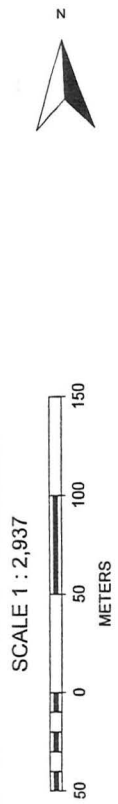
Mayor Allan McDonald

City Clerk Catherine Conrad



This is Schedule "B"
To By-law No. 2011-102
Passed the 18th day of April 2011

Mayor Allan McDonald
City Clerk Catherine Conrad



DIAGONAL HATCHING DENOTES LANDS TO BE RE-ZONED FROM RESIDENTIAL (R1) FIRST DENSITY TO RESIDENTIAL (R3) THIRD DENSITY SEMI-DETACHED DWELLING.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-103

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON LAKESHORE DRIVE
FROM A "RESIDENTIAL THIRD DENSITY (R3)" ZONE TO A "RESIDENTIAL
THIRD DENSITY SPECIAL ZONE NO. 125 (R3 SP. 125)"**

(2221864 ONTARIO INC. – 482 LAKESHORE DRIVE)

WHEREAS the owner of the subject property has initiated an amendment to the Zoning By-law;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and has held at least one public meeting after due notice for the purpose of informing the public of this By-law;

AND WHEREAS it is deemed desirable to amend the zoning designation shown on Schedules "B-70" and "B-71" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 4th, 2011 to approve this rezoning.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

- 1) Schedules "B-70" and "B-71" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto, which property is more particularly described as Concession 16, Part of Lot 20, Parcel 1357 WF, PIN #49174-0060(LT) along Lakeshore Drive in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Third Density Special Zone No. 125 (R3 Sp. 125)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following "Section 11.2.125:

11.2.125 Residential Third Density Special No. 125 (R3 Sp. 125)

11.2.125.1 The property description of this "Residential Third Density Special Zone No. 125 (R3 Sp. 125)" is Concession 16, Part of Lot 20, Parcel 1357 WF, PIN #49174-0060(LT) along Lakeshore Drive in the City of North Bay as shown on the attached Schedules and on Schedules "B-70" and "B-71".

11.2.125.2 The regulations for this "Residential Third Density Special Zone No. 125 (R3 Sp. 125)" are as follows:

i) The minimum lot frontage shall be 13.3 meters.

11.2.125.3 The use of land or building in this "Residential Third Density Special Zone No. 125 (R3 Sp. 125)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Third Density Special Zone No. 125 (R3 Sp. 125)" as shown on Schedule "B" to this By-law.
- 4)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 4TH DAY OF APRIL, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF APRIL, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF APRIL, 2011.

MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

Mayor Allan McDonald

City Clerk Catherine Conrad



Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Third Density Special
Zone No. 125 (R3 Sp. 125)"

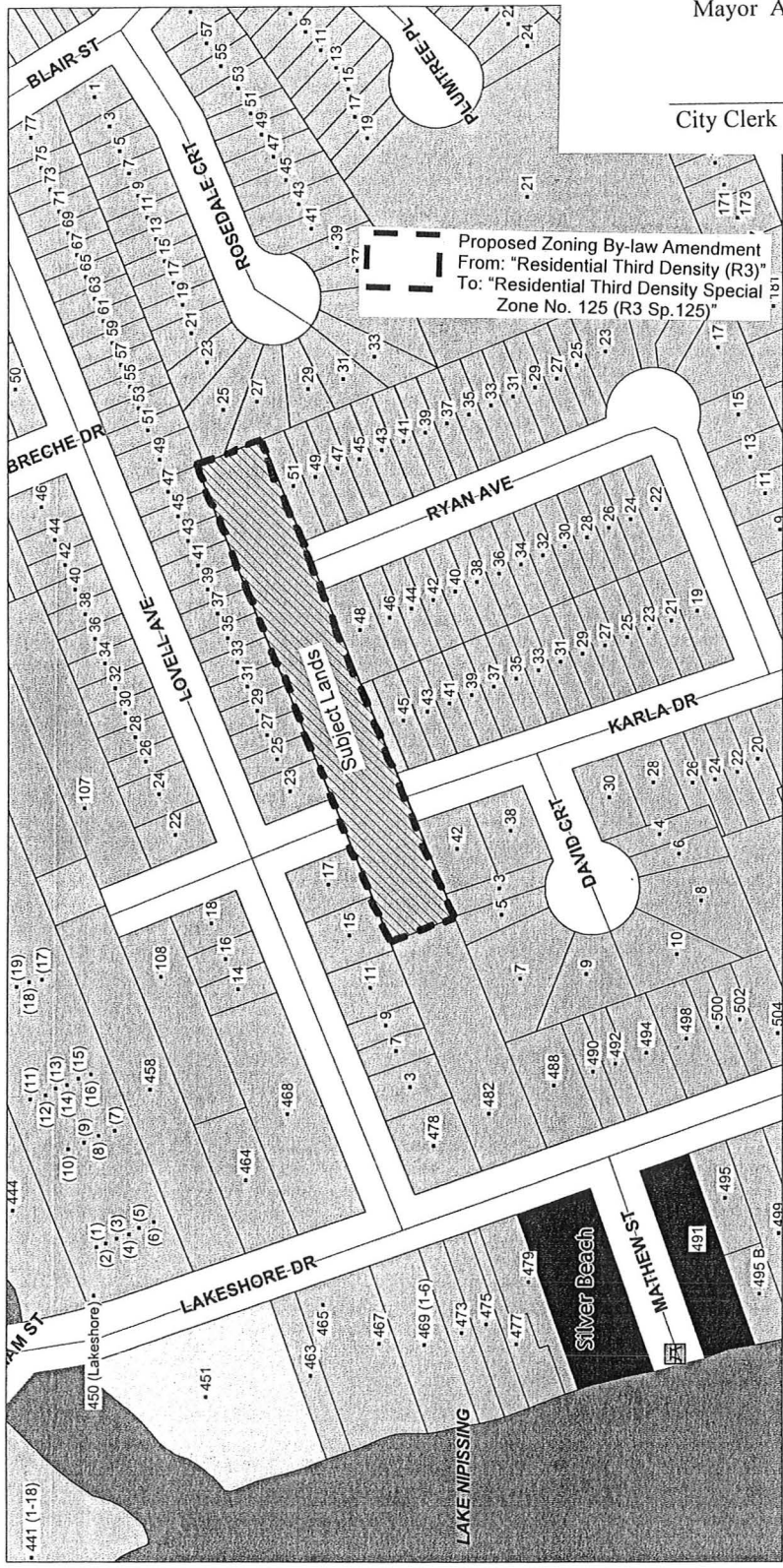
This is Schedule "B"

To By-law No. 2011-103

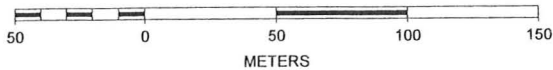
Passed the 18th day of April 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,221



Mayor Allan McDonald

City Clerk Catherine Conrad

DRAFT PLAN OF SUBDIVISION OF PART OF BROKEN LOT 40, CONCESSION 16, TOWNSHIP OF WEST FERRIS, NOW IN THE CITY OF NORTH BAY, DISTRICT OF NIPISSING

SCALE 1 : 500
Miller & Urso Surveying Inc.

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 3.048.

LEGEND
M - METERS
S - SQUARE METERS
SA - STANDED METERS
MS - METERS SQUARE
DU - DECIMAL UNITS
DUK - DECIMAL UNITS K
DUK2 - DECIMAL UNITS K2
DUK3 - DECIMAL UNITS K3
DUK4 - DECIMAL UNITS K4
DUK5 - DECIMAL UNITS K5
DUK6 - DECIMAL UNITS K6
DUK7 - DECIMAL UNITS K7
DUK8 - DECIMAL UNITS K8
DUK9 - DECIMAL UNITS K9
DUK10 - DECIMAL UNITS K10

BEARING NOTE
BEARINGS ARE MEASURED AND GIVEN FROM THE NORTHWEST
LIMIT OF REGISTRATION PLAN M-501 HAVING AN ASTRONOMIC
COURSE OF NORTHWEST.

OWNER'S CERTIFICATE
I HEREBY CERTIFY TO THE FACTS OF THIS DRAFT PLAN OF CONVEYANCE FOR THIS PROPERTY.

NORTH BAY, ONTARIO
222884 ONTARIO INC.
REGISTERED OWNER OF PLAN 48174-0000 (L7)
I HAVE THE AUTHORITY TO SIGN THIS CORPORATION

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

NORTH BAY, ONTARIO
R.D. WALLER
REGISTERED SURVEYOR
MILLER & URSO SURVEYING INC.

LAND USE ANALYSIS TABLE with columns: LOT OR BLOCK, INTENDED USE, % OF LOTS, AREA.

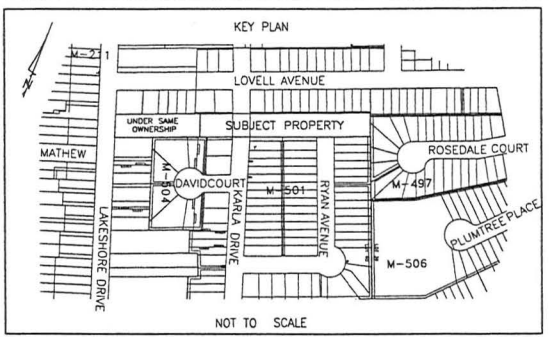
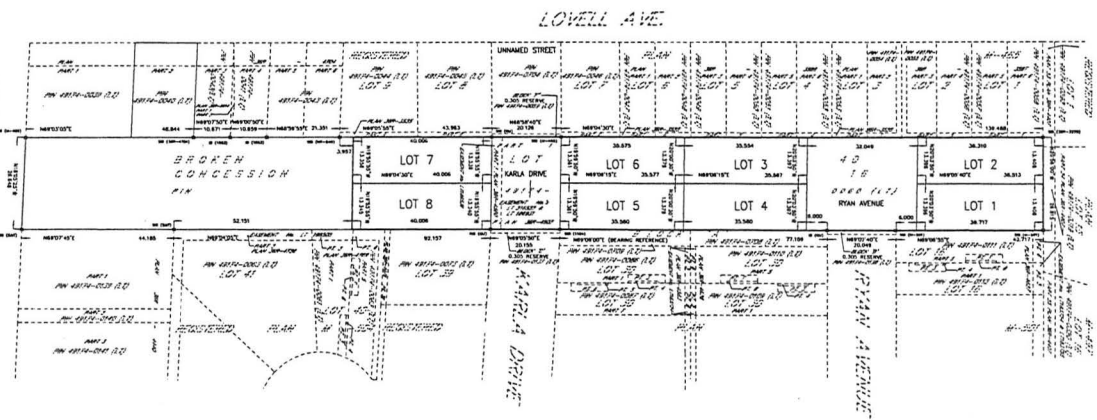
ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (1.7) OF THE ONTARIO PLANNING ACT

- (4) THE BOUNDARIES OF THE LAND PROPOSED TO BE SUBDIVIDED ARE AS CERTIFIED ON THE FACE OF THE PLAN
(5) LOCATIONS, WIDTHS AND ANGLES OF THE PROPOSED HIGHWAYS WITHIN THE SUBDIVISION ARE AS SHOWN ON THE FACE OF THE PLAN
(6) A KEY PLAN AS SHOWN ON THE FACE OF THE PLAN
(7) THE PLANNING FOR WHICH THE LOTS ARE TO BE USED ARE:
LOTS 1 TO 8 ARE FOR SINGLE FAMILY RESIDENTIAL.
(8) THE EXISTING USES OF THE ADJACENT PROPERTIES OR RESIDENTIAL
(9) THE APPROXIMATE DIMENSIONS AND LAYOUT OF THE PROPOSED LOTS ARE AS SHOWN ON THE FACE OF THE PLAN
(10) NATURAL AND ARTIFICIAL FEATURES ARE AS SHOWN ON THE FACE OF THE PLAN
(11) SHADING WATER IS PROPOSED TO BE MAINTAINED WATER SERVICES
(12) THE NATURE AND POSIBILITY OF THE SOIL, IS BAY AND SAND
(13) TOPOGRAPHY OF LAND IS PLAIN. ELEVATIONS DO NOT EXCEED THE PROPERTY.
(14) THE MAINTENANCE SERVICES TO BE AVAILABLE TO THE LANDS ARE:
ESSENTIAL SERVICES - POLICE, FIRE, SANITATION
RECREATIONAL SERVICES - GOLF COURSE, TENNIS COURTS, BEACHES, BOATING, SWIMMING, BIKING, BASKETBALL COLLECTION
PUBLIC SERVICES - ELECTRICITY, TELEPHONE, CABLE, INTERNET & GAS
(15) ELEVATIONS OF CONDITIONS AFFECTING THE PROPERTY:
L1 - 100.00 M AS FINDER OF BELL CORNER FOR UTILITY LINES
L2 - 100.00 M AS FINDER OF THE CITY OF NORTH BAY FOR WATERWORKS
L3 - 100.00 M AS FINDER OF THE CITY OF NORTH BAY FOR WASTEWATER, SANITARY AND SEWER SERVICES.

Miller & Urso Surveying Inc.
Ontario Land Surveyors' Control Surveyors
Planning Consultants
100 WINDSOR STREET, SUITE 101, WINDSOR, ONTARIO N9A 6K9
PHONE: (519) 253-1111 FAX: (519) 253-1112
CHECKED BY: R.D.M. D.B. P.L. & J.M. P.L. & J.M. R.D. 3384



THE ANNO'S HIGHWAY NO. 115
LOCATED WITHIN THE ESTABLISHED CORNER
OF THE BROKEN LOT 40 CONCESSION 16



MOTION

North Bay, Ontario April 18, 2011

Subject: Increase to Heads and Beds

File No. F22/2011/TAXR/GENERAL

Res. No. 2011-_____

Moved by Councillor: Bain _____

Seconded by Councillor: _____

WHEREAS Ontario municipalities with post-secondary institutions and hospitals receive transfer payments from the Provincial Government in lieu of property taxes;

AND WHEREAS the payments are transferred to the municipalities based on the number of heads (students) on post-secondary institution campuses and the number of beds in their local hospitals (also known as the Heads and Beds payment in lieu of taxes);

AND WHEREAS the current amount of \$75 per head/bed has not been increased since 1987 when it was adjusted from \$50;

AND WHEREAS it is our position that the current Heads and Beds rate does not reflect a fair compensation for providing the local resources necessary to support these provincial services;

AND WHEREAS this rate, if indexed to inflation, would be approximately \$135 per head/bed;

BE IT THEREFORE RESOLVED THAT the City of North Bay request that the Provincial Government of Ontario increase the Heads and Beds Levy to at least the current rate of inflation and build in an automatic annual adjustment for inflation for future years;

AND FURTHER THAT a copy of this resolution be forwarded to Hon. Dwight Duncan, Minister of Finance; Hon. Monique Smith, MPP Nipissing and to the City of Kingston.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Signature of Clerk _____