



Council

Agenda

Regular Meeting of Council
September 19, 2011
at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
SEPTEMBER 19TH, 2011**

Saturday, September 17, 2011	8:30 a.m.	Special Closed Meeting of Council Council will adjourn in-camera for training and educational purposes Lunch Room, 7 th Floor
Monday, September 19, 2011	5:00 p.m.	Special Closed Meeting of Council Council will adjourn in-camera for training and educational purposes 5 th Floor Boardroom
	7:00 p.m.	Regular Meeting of Council Council Chambers, 2 nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, SEPTEMBER 19, 2011**

PUBLIC PRESENTATIONS:

Natalia Welniak re Delegation
Derek Shogren re Summer in the Park

PUBLIC MEETING MINUTES:

Tuesday, September 6, 2011
Monday, September 12, 2011

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

Tuesday, September 6, 2011

COMMITTEE REPORTS:

Community Services Committee Report No. 2011-21
Community Services Committee Report No. 2011-22

CORRESPONDENCE:

1. Report from P.E. Leckie dated September 1, 2011 re Request for release of easement - 555 King Street West (D15/2011/EASEM/GRAVELST) (L07/2003/LANSL/KINGST).
2. Report from P. Valenti dated September 14, 2011 re Tender No. 2011-88, Sanitary Sewer Rehabilitation (Judge Avenue to Marshall Park Drive) (F05/2011/ENVIR/3070SS).
3. Report from P. Valenti dated September 14, 2011 re Tender No. 2011-89, Recycling Centre upgrades (F05/2011/ENVIR/3100PC).
4. Report from P. Valenti dated September 14, 2011 re Tender No. 2011-84, Street Light Replacement Program (F05/2011/PUBWO/3013SL).
5. Report from J. Severino dated July 22, 2011 re Leachate Treatment - Permitting and Detailed Design Work (F05/2011/ENVIR/3108GD).
6. Report from E. Vaughan dated September 13, 2011 re Summer in the Park financials (M02/2011/SPECI/SUMPARK).
7. Report from A. Lang dated September 13, 2011 re 2011 Debenture issue (F08/2011/DEBEN/GENERAL).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2011-206 to execute an Agreement with Kenalex Construction Company Limited relating to interior renovations to the Financial Services Department.

By-Law No. 2011-207 to confirm proceedings of the Meeting of Council on September 6, 2011.

By-Law No. 2011-208 to execute a Release and Abandonment of Easement (559 King Street West).

General Government - Third reading:

By-Law No. 2011-204 to authorize the renaming of a portion of Boundary Road between The Corporation of the City of North Bay and the Municipality of Callander.

Community Services - First and second readings:

By-Law No. 2011-205 to amend By-Law No. 28-80 to implement changes to the policies and regulations (General Review and Update).

Engineering & Works - First, second and third readings:

By-Law No. 2011-209 to execute an Agreement with Bruman Construction Inc. relating to the supply, treatment and stockpiling of screened sand.

By-Law No. 2011-210 to execute an Agreement with Gap Construction Co. Ltd. relating to Pearce Street Reconstruction - Phase I (Airport Road to Francis Street).

MOTIONS:

Councillor Anthony re Banning the feeding of black bears
Councillor Mayne re City owned lands in the block bounded by Marshall Avenue,
Parks Creek, Tweedsmuir Drive and Canadian Pacific Railway

MOTION TO ADJOURN IN-CAMERA:

8. ***Confidential*** report from M.B. Burke dated September 6, 2011 re Litigation matter.

IN-CAMERA CORRESPONDENCE:

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, SEPTEMBER 6TH, 2011**

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

PUBLIC PRESENTATION:

Kelly Stevens	re E-bikes	
Sadie Hughes	re Family Program (Transit) – Extending Times	
Julie Smrke	re Dispute with Condominium Corporation	

CORRESPONDENCE:

Nil

REPORTS FROM OFFICERS:

Karpenko, M.	re Long-Range Financial Plan Water and Wastewater Operations	(636)
Linkie, D.	re Power Assisted Bicycles	(637)

Res. #2011-633: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meeting held on:

- Monday, August 29, 2011

be adopted as presented.

"CARRIED"

Res. #2011-634: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the closed meeting held on:

- Monday, August 29, 2011

be adopted as presented.

"CARRIED"

Res. #2011-635: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-20 relating to:

- Paid Parking Lot No. 8 – City Hall Administration Short Term Parking

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-20

September 6, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-20 and recommends:

1. That
 - 1) Parking Lot No. 8, beside City Hall become paid parking for the purpose of improving parking availability to City Hall visitors by charging for a parking space where the visitor is in the building longer than fifteen minutes by way of "Pay and Display" machine, excluding accessible parking spaces which will remain 2 hour free parking; and
 - 2) By-Law No. 2007-90, being by-law to regulate parking in Municipal Parking Lots, be amended accordingly.

All of which is respectfully submitted.

ASSENTS

LAWLOR

MENDICINO

VAILLANCOURT

MAYOR McDONALD

DISSENTS

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

Yeas: Councillors Lawlor, Vaillancourt, Mendicino, Koziol, Mayne, Chirico, Mayor McDonald

Nays : Councillors Vrebosch-Merry, Anthony, Marosis

Res. #2011-636: Moved by Councillor Chirico, seconded by Councillor Koziol
That Report to Council CORP 2011-151 dated August 29, 2011 relating to Long-Range Financial Plan Water and Wastewater Operations be referred the General Government Committee.

"CARRIED"

Res. #2011-637a: Moved by Councillor Chirico, seconded by Councillor Koziol
That

- 1) staff be directed to promote the fact that power-assisted e-bikes are bound by regulations and relevant rules of the road for bicycles under the *Highway Traffic Act*, with two noted exceptions; and
- 2) a link to the Ministry of Transportation website regarding frequently asked questions (FAQ's) for e-bikes be provided on the City of North Bay website for a period of not less than one year.

"CARRIED AS AMENDED"

Res. #2011-637b: Moved by Councillor Koziol, seconded by Councillor Chirico
That Report No. CAO 2011-06 from David Linkie re Power Assisted Bicycles be referred to the General Government Committee.

"CARRIED"

Res. #2011-638: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2011-201 to confirm proceedings of the Meeting of Council on August 29, 2011.

By-Law No. 2011-203 to authorize the Fire Department's Replacement of Emergency Generator Project.

"CARRIED"

Res. #2011-639: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2011-201 to confirm proceedings of the Meeting of Council on August 29, 2011.

By-Law No. 2011-203 to authorize the Fire Department's Replacement of Emergency Generator Project.

"CARRIED"

Res. #2011-640: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-204 to authorize the renaming of a portion of the Boundary Road between The Corporation of the City of North Bay and The Municipality of Callander.

"CARRIED"

Res. #2011-641: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-202, being a by-law to amend Traffic and Parking By-Law No. 2002-001 (Schedule 10 – Speed Limits).

"CARRIED"

Res. #2011-642: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-202, being a by-law to amend Traffic and Parking By-Law No. 2002-001 (Schedule 10 – Speed Limits).

"CARRIED"

Res. #2011-643: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended at 7:35 p.m. for the following reason:
Item #3, being a matter that includes advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

"CARRIED"

Res. #2011-644: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That Council reconvene at 7:44 p.m.

"CARRIED"

Res. #2011-645: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That this Regular Meeting of Council do now adjourn at 7:44 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *PLANNING ACT*
HELD MONDAY, SEPTEMBER 12, 2011**

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

1. 873342 Ontario Inc. - Trillium Drive

Councillor Lawlor explained the purpose of the meeting.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed by the applicant.

The City Clerk advised that notice of the meeting was given by prepaid first class mail on the 19th day of August, 2011 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Beverley Hillier explained the purpose of the Plan of Subdivision

Councillor Lawlor asked for public presentations in support of or objecting to the Plan of Subdivision.

Rick Miller, OLS – 1501 Seymour Street

- agent for the applicant
- provided history of the property
- he was the agent for the former owner – Marshall Park Developments
- numerous studies have been completed including environmental studies (including the wetlands)
- environmental studies completed by Gord Miller and FRI
- wetland boundaries are not firmly defined
- studies identified that the wetlands need to be protected
- wetlands in this area are not significant
- discussed mappings and boundaries
- North Bay-Mattawa Conservation Authority concurred with the previous wetland studies for this property
- the rules regarding wetlands have not changed but the Provincial Policy Statement (PPS) has
- the developer (applicant) will bring property into a developable state
- the developer has invested money in this area for both lot development and servicing
- the change in the PPS is comparable to expropriation without compensation
- Phase 1 of this subdivision allowed for a dedication of lands along Booth Road for the Kate Pace Way
- the Subdivision Plan does have regard for the wetlands
- the PPS hinders development in this area
- the developer purchased the property on the basis that they would be able to develop it and that the issue of the wetlands had been dealt with under the rezoning completed prior to their purchase
- acknowledged that some of the lots could be development and would be consistent with the PPS and the Provincially Significant Wetlands
- area to the north of this development could be developed for townhouses at any time.

Randy Hall – 114 Cloverbrea Crescent

- lives across Booth Road from the development
- "Where does the development end?"
- there has been a change in the natural habitat with the development –
- there are no longer deer in their backyards
- we need to be responsible for the environment

- he does professional sound testing and the noise levels from the construction has been terrible – sound meter has measured 108 to 110 decibels when rock blasting being done; could not leave windows open
- additional noise from excavation trucks
- need temporary berms and screening to reduce noise.

William Caine – 873 Hammond Street

- Fencing or a row of trees could be used to reduce the construction noise – this is done in communities in Southern Ontario and along major highways.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *PLANNING ACT*
HELD MONDAY, SEPTEMBER 12, 2011**

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

1. City of North Bay - General Review & Update

Councillor Lawlor explained the purpose of the meeting.

The City Clerk advised that notice of the meeting was given by prepaid first class mail on the 18th day of August, 2011 to the prescribed persons and agencies as well as an advertisement in the Nugget on the 20th day of August, 2011.

Peter Carello explained the purpose of the amendments.

Councillor Lawlor asked for public presentations in support of or objecting to the amendments.

No presentations were made.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-21

September 19, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-21 and recommends:

1. That the amendments to Zoning By-Law No. 28-80 as described in Report to Council CSBU 2011-66 dated June 16, 2011 be approved.

All of which is respectfully submitted.

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

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-22

September 19, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-22 and recommends:

1. That the proposed Draft Plan of Subdivision - Phase II, Trillium Woods Subdivision (City File #48T-09101) by Miller & Urso Surveying Inc. on behalf of 873342 Ontario Inc. (Kenalex Development Inc.) for the property legally described as Concession 16, Part of Lot 37, in the former Township of West Ferris be approved subject to Council's approval of the Conditions of Draft Approval.

All of which is respectfully submitted.

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

CITY OF NORTH BAY REPORT TO COUNCIL

Report No: CORP 2011-152 Date: September 1, 2011
Originator: PETER E.G. LECKIE
Subject: REQUEST FOR RELEASE OF EASEMENT
559 KING STREET WEST, NORTH BAY

RECOMMENDATION

That:

1. Council agree to release Easement No. LT413938 over Lot 82, Plan M-165 designated as Part 1, Plan 36R-11571; and
 2. the by-law authorizing the Mayor and City Clerk to execute the Release of Easement be presented for 3 readings on September 19th, 2011.
-

BACKGROUND

We have received a request from the property owners, Stephan Gravelle and Dominique Gravelle for a "release" of the existing water main easement to accommodate the construction of a new garage.

The easement was established for future water main looping for King Street from King Street to McPhail Street. This route will require a second easement from an owner on McPhail Street. An alternative water main looping route for King Street from Stones Street was found to be more cost effective.

The request has been reviewed by the Engineering Department and they concur with the release. The full release of the easement should represent an increase in the property value.

OPTIONS ANALYSIS

Option 1: To release the easement.
This is the recommended option

Option 2: To not release the easement.

RECOMMENDED OPTION


That Council agree to release Easement No. LT413938 over Lot 82, Plan M-165 designated as Part 1, Plan 36R-11571; and

That the by-law authorizing the Mayor and City Clerk to execute the Release of Easement be presented for 3 readings on September 19th, 2011.

Respectfully submitted,

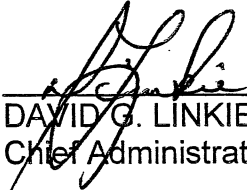


PETER E.G. LECKIE
City Solicitor



ALAN KORELL, P.ENG., R.P.P., M.C.I.P.
Managing Director/City Engineer
Engineering, Environmental Services
& Works

I concur in this report and recommendation.



DAVID G. LINKIE
Chief Administrative Officer

Personnel designated for continuance: Peter E.G. Leckie, City Solicitor

Attachments: Copy of Easement #LT413938
Copy of Plan 36R-11571 setting out Part 1 (Easement)

PEGL/lc
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FOR OFFICE USE ONLY

LT413938

CERTIFICATE OF RECEIPT
CERTIFICAT DE RECEPISSE
NIPISSING 36

*03 OCT 30 PM 1 46

Steven Swidnick
LAND REGISTRAR/REGISTRATEUR

New Property Identifiers

Additional: See Schedule

Executions

Clear

Additional: See Schedule

(1) Registry Land Titles (2) Page 1 of 5 pages *nw*

(3) Property Identifier(s) Block Property Additional: See Schedule

(4) Consideration
FOUR THOUSAND TWO HUNDRED SEVENTY THREE
Dollars \$ 4,273.00

(5) Description This is a: Property Division Property Consolidation

**Remainder of Parcel 2084 Widdifield and Ferris
Lot 82, Plan M-165
Former Township of Widdifield
City of North Bay
District of Nipissing**

RESERVING AN EASEMENT OVER PART 1, ON PLAN 36R-11571

(6) This Document Contains (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred Fee Simple **RESERVING AN EASEMENT**

(8) Transferor(s) The transferor hereby transfers the land to the transferee ~~and the transferee hereby accepts the land on behalf of the transferee~~

Name(s) THE CORPORATION OF THE CITY OF NORTH BAY

Signature(s) *Jack Furrows* Date of Signature Y M D 2003 10 30

Catherine Conrad Date of Signature Y M D 2003 10 30

CITY CLERK - CATHERINE CONRAD

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Name(s) _____ Signature(s) _____ Date of Signature Y M D _____

(10) Transferor(s) Address for Service **P.O. Box 360, North Bay, Ontario P1B 8H8**

(11) Transferee(s)

GRAVELLE, Stephan Date of Birth Y M D 1976 03 15

GRAVELLE, Dominique Date of Birth Y M D 1977 10 02

AS JOINT TENANTS

(12) Transferee(s) Address for Service **559 King Street West, North Bay, Ontario P1B 6A4**

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act.

Date of Signature Y M D _____ Signature _____

Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

Name and Address of Solicitor _____ Signature _____ Date of Signature Y M D _____

(14) Solicitor for Transferee(s) I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50 (22) (c) (ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name and Address of Solicitor _____ Signature _____ Date of Signature Y M D _____

(15) Assessment Roll Number of Property _____ City _____ Mun. _____ Map _____ Sub. _____ Par. _____ **Not Assigned**

(16) Municipal Address of Property **King Street
North Bay, Ontario**

(17) Document Prepared by: **Michael B. Burke
City of North Bay
P.O. Box 360
North Bay, ON
P1B 8H8**

FOR OFFICE USE ONLY

Fees and Tax	
Registration Fee	60
Land Transfer Tax	21.37
Total	

CERTIFICATE OF COMPLIANCE

as per

Section 268 (6) of the *Municipal Act*

The sale of the real property legally described as:

Remainder of Parcel 2084 Widdifield and Ferris
Lot 82, Plan M-165
Former Township of Widdifield
Now City of North Bay
District of Nipissing

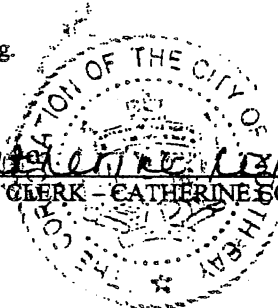
has been lawfully completed with respect to the following:

- (1) By-Law No. 26-95, outlining the notice to be given to the public and the other procedures to be followed with respect to the disposal of real property, was in force in the municipality when the resolution declaring the property surplus was passed;
- (2) the notice provisions required by the above noted by-law have been complied with;
- (3) the required appraisal was obtained.

This will certify that the above transaction has been completed in compliance with the conditions.

DATED this 30th day of October, 2003

at the City of North Bay, in the District of Nipissing.


CITY CLERK - CATHERINE SONRAD

EASEMENT SCHEDULE

1. THE RIGHT AND EASEMENT hereinafter described, to be used and enjoyed as appurtenant to the respective lands of the Transferor known as: Lot 277, Plan 10, City of North Bay, District of Nipissing.

2. The TRANSFEROR reserves a free and unencumbered easement in perpetuity over, along, upon, under and across the Transferee's lands for the purposes of laying down, constructing, operating, repairing, reconstructing, renewing, maintaining and making additions to: **a three (3) metre wide easement for a new watermain,**

and all appurtenances to all the aforementioned and to connect unto the same from time to time at any location or locations.

3. FOR EVERY SUCH PURPOSE the Transferor shall have access to the Transferee's lands at any time by its servants, agents, contractors, employees and workmen together with all necessary vehicles, supplies and equipment for the purpose aforesaid.

4. The TRANSFEREE covenants and agrees with the Transferor that it will not excavate, drill, install, erect or construct in, on, over or through the lands hereinafter described, any pit, well, foundation, pavement, building, structure or installation or do any other thing which might injure or damage the aforesaid works without the prior written consent of the Transferor which consent shall not be unreasonably withheld.

5. (a) The Transferor, upon request, shall consent to the Transferee, at its own expense, erecting fences, constructing new drains and constructing, surfacing or repairing its lanes, roads, driveways, pathways and walks across, on and in the land hereinafter described or any portions thereof.

PROVIDED that before commencing any such work the Transferee:

Shall give to the Transferor not less than five (5) clear days notice in writing, setting forth the work to be done, in order that the Transferor may have a representative present to inspect the site, the work to be done and the performance of such work.

(b) The Transferee, at its own expense, in acting under paragraph (a):

(i) Shall follow the instructions of the aforesaid representative as to the performance of such work in order that no damage will be occasioned to the drains, pipes and watermains and appurtenances to all the aforementioned of the Transferor;

(ii) Shall exercise a high degree of care and skill and shall carry out such work in a good and workmanlike manner;

(iii) Shall perform any such work in such manner as not to endanger or damage the said drains, pipes or watermains and appurtenances to all the aforementioned;

(iv) Shall promptly rectify and repair any damage, which may be occasioned by reason of or resulting from the performance of the said work and restore the lands to their former state, so far as is practical.

6. THE RIGHTS, LIBERTIES, PRIVILEGES AND EASEMENTS herein granted, conveyed and transferred are and shall be of the same force and effect to all intents and purposes as covenants running with the subject lands including all the covenants and conditions herein contained and shall extend to, be binding upon, and enure to the benefit of the parties hereto, their successors and assigns respectively.

7. NOTWITHSTANDING any rule of law or equity and even though any of the Transferor's facilities and appurtenances may become annexed or affixed to the realty, title thereto shall nevertheless remain in the Transferee.
8. In the event that the Transferor carries out any works on the subject lands for the construction maintenance, repair or other work on the watermain, pursuant to the terms of this easement, then the Transferor covenants and agrees to restore forthwith, at the expense of the Transferor, the condition of such lands to their condition prior to such work by the Transferor.
9. In the event that any structure is constructed, placed, maintained or used on the subject lands, without the express prior written permission of The Corporation of the City of North Bay from time to time, such structure may be removed from the subject lands by The Corporation of the City of North Bay at the sole risk and expense of the owner thereof and any replacement of such structure shall not occur without the express prior written permission of The Corporation of the City of North Bay and subject to such terms, conditions and costs as The Corporation of the City of North Bay may deem fit.
10. The Transferor covenants and agrees with the Transferee that the Transferor will indemnify and save harmless the Transferee, their officers, servants, officials or agents, from any claim or demand, loss, costs, charge or expense which the Transferee may incur or be liable for in consequence of the permission hereinbefore granted and/or the exercise by the Transferor of such permission and/or the erection or maintenance of the watermain or anything in any matter related thereto.

Refer to all instructions on reverse side.

Land Transfer Tax Affidavit
Land Transfer Tax Act

IN THE MATTER OF THE CONVEYANCE OF (insert brief description of land) Remainder of Parcel 2084 Widdifield & Ferris

Being Lot 82, Plan M-165

City of North Bay, District of Nipissing

BY (print names of all transferors in full) The Corporation of the City of North Bay

TO (print names of all transferees in full) Stephan Gravelle and Dominique Gravelle

I/We have personal knowledge of the facts herein deposed to and MAKE OATH AND SAY THAT:

1. I am/We are (place a clear mark within the square opposite the following paragraph(s) that describe(s) the capacity of the deponents):

- (a) the transferee(s) named in the above-described conveyance;
- (b) the authorized agent or solicitor acting in this transaction for the transferee(s);
- (c) The President, Vice-President, Secretary, Treasurer, Director or Manager authorized to act for _____ (the transferee(s));
- (d) a transferee and am making this affidavit on my own behalf and on behalf of (insert name of spouse or same-sex partner) _____ who is my spouse or same-sex partner.
- (e) the transferor and I am tendering this document for registration and no tax is payable on registration of this document.

2. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash	\$	<u>4,273.00</u>	} All blanks must be filled in. Insert "Nil" where applicable.
(b) Mortgages (i) Assumed (principal and interest)	\$	<u>Nil</u>	
(b) (ii) Given back to vendor	\$	<u>Nil</u>	
(c) Property transferred in exchange (detail below in para. 5)	\$	<u>Nil</u>	
(d) Other consideration subject to tax (detail below)	\$	<u>Nil</u>	
(e) Fair market value of the lands (see instruction 2)	\$	<u>Nil</u>	} All blanks must be filled in. Insert "Nil" where applicable.
(f) Value of land, building, fixtures and goodwill subject to Land Transfer Tax (Total of (a) to (e))	\$	<u>4,273.00</u>	
(g) Value of all chattels - items of tangible personal property which are taxable under the provisions of the Retail Sales Tax Act	\$	<u>Nil</u>	} All blanks must be filled in. Insert "Nil" where applicable.
(h) Other consideration for transaction not included in (f) or (g) above	\$	<u>Nil</u>	
(i) Total Consideration	\$	<u>4,273.00</u>	

3. To be completed where the value of the consideration for the conveyance exceeds \$400,000.00

I have read and considered the definition of "single family residence" set out in subsection 1(1) of the Act. The land conveyed in the above-described conveyance:

- does not contain a single family residence or contains more than two single family residences.
- contains at least one and not more than two single family residences.
- contains at least one and not more than two single family residences and the lands are used for other than just residential purposes. The transferee has accordingly apportioned the value of consideration on the basis that the consideration for the single family residence is \$ _____ and the remainder of the lands are used for _____ purposes.

Note: Subsection 2(1)(b) imposes an additional tax at the rate of one-half of one percent upon the value of the consideration in excess of \$400,000.00 where the conveyance contains at least one and not more than two single family residences and 2(2) allows an apportionment of the consideration where the lands are used for other than just residential purposes.

4. If consideration is nominal, is the land subject to any encumbrance? Yes No

5. Other remarks and explanations, if necessary.

n/a

Sworn before me at the City of North Bay

in the District of Nipissing

this 28th day of October, 2003

A Commissioner for taking Affidavits, etc. [Signature]

[Signature]
Dominique Gravelle
[Signature]
Stephan Gravelle
Signature(s)

Property Information Record

A. Describe nature of instrument: Transfer/Deed of Land

B. (i) Address of property being conveyed (if available) King Street, North Bay, Ontario

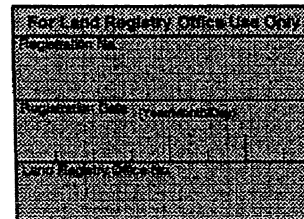
(ii) Assessment Roll No. (if available) Not Assigned

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed 559 King Street West, North Bay, Ontario P1B 6A4

D. (i) Registration number for last conveyance of property being conveyed (if available) _____

(ii) Legal description of property conveyed: Same as in D.(i) above. Yes No Not known

E. Name(s) and address(es) of each transferee's solicitor:
Lucie Lanerriere
325 Ski Club Road, North Bay, Ontario, P1B 7R3 [File 03315]



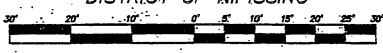
School Support (Voluntary Election) (See reverse for explanation)

- (a) Are all individual transferees Roman Catholic? Yes No
- (b) If Yes, do all individual transferees wish to be Roman Catholic Separate School Supporters? Yes No
- (c) Do all individual transferees have French Language Education Rights? Yes No
- (d) If Yes, do all individual transferees wish to support the French Language School Board (where established)? Yes No

NOTE: As to (c) and (d) the land being transferred will receive French Public School Board Election unless otherwise directed in (a) and (b).

IMPERIAL
 DISTANCES SHOWN ON
 THIS PLAN ARE IN
 FEET AND CAN BE
 CONVERTED TO METRES
 BY MULTIPLYING BY 0.3048.

PLAN OF SURVEY OF
 PART OF LOT 82
 REGISTERED PLAN M-165
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING



SCALE : 1 INCH = 15 FEET
 PAUL GOODRIDGE, OLS
 2003

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

OCTOBER 9th, 2003
 DATE

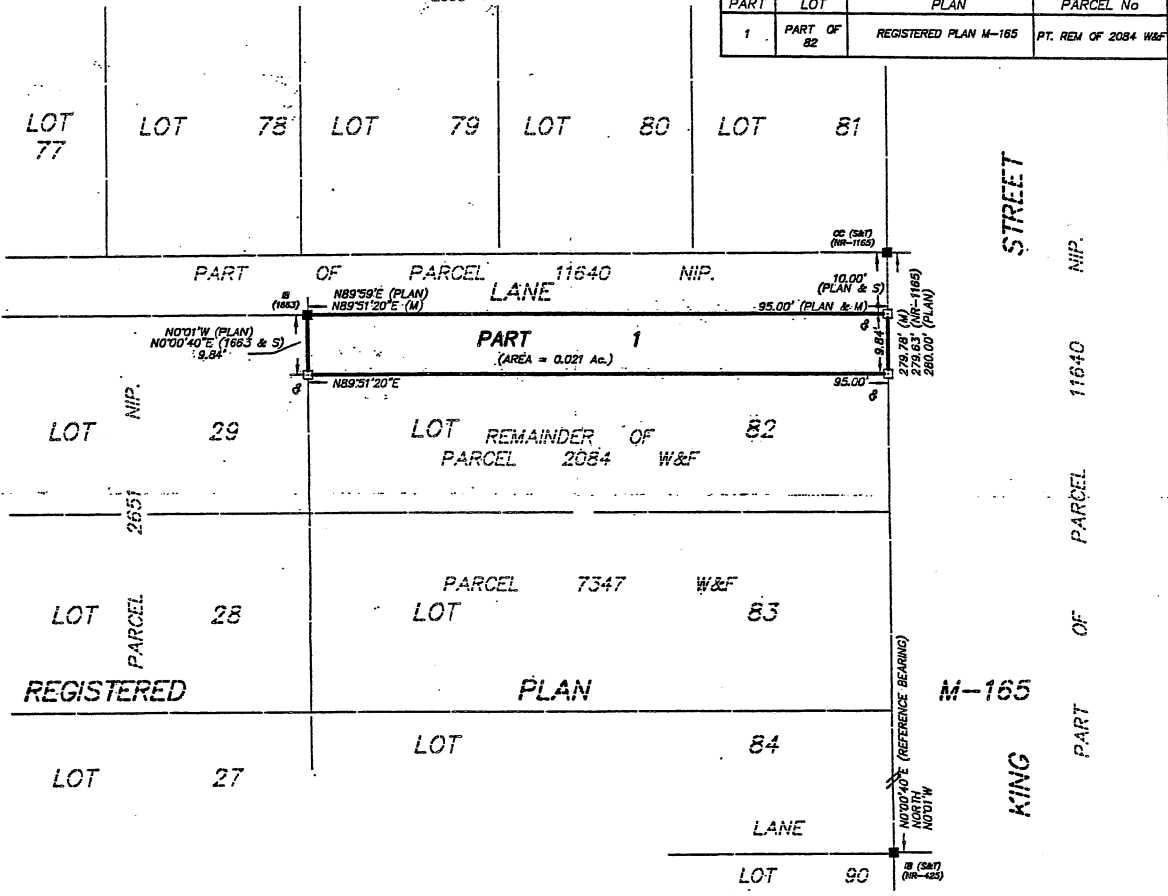
Paul Goodridge
 PAUL GOODRIDGE
 ONTARIO LAND SURVEYOR

PLAN 36R-11571
 RECEIVED AND DEPOSITED

Oct 9/2003
 DATE

Que Ban
 ASST. DEP. LAND REGISTRAR
 FOR THE LAND TITLES
 DIVISION OF NIPISSING.

PART	LOT	PLAN	PARCEL No
1	PART OF 82	REGISTERED PLAN M-165	PT. REM OF 2084 W&F



BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF KING STREET, REGISTERED PLAN M-165 SHOWN ON A PLAN OF SURVEY SIGNED BY PAUL GOODRIDGE, OLS AND DATED JULY 8th, 1999 (FILE 15499) HAVING A BEARING OF N0°00'40"E.

LEGEND

1663 - DENOTES GOODRIDGE WALKER LIMITED, OLS
 S&T - DENOTES SIMPSON & TAYLOR LIMITED, OLS
 PLAN - DENOTES REGISTERED PLAN M-165
 W&F - DENOTES PARCEL REGISTER FOR WOODFIELD AND FERRIS SECTION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYOR'S ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
 2. THE SURVEY WAS COMPLETED ON THE 9th DAY OF OCTOBER, 2003.

NORTH BAY, ONTARIO
 OCTOBER 9th, 2003

Paul Goodridge
 PAUL GOODRIDGE
 ONTARIO LAND SURVEYOR

GOODRIDGE WALKER LIMITED
 ONTARIO LAND SURVEYORS

FIELD	OFFICE	FILE
SL. A.F.	J. JOLLEY	22303

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2011-156

September 14, 2011

Originator: Paul Valenti

Subject: Tender No. 2011-88, Sanitary Sewer Rehabilitation

RECOMMENDATION:

That North Bay City Council approves the award of a contact to Sewer Technologies Inc. in the amount of \$352,972.00 (excluding HST) for rehabilitation of the sanitary sewers between Judge Ave. and Marshall Park Dr.

BACKGROUND:

This project is intended to reduce the number of residential sewer back-ups and pump station By-passing by mitigating the inflow of ground water into the sanitary sewer system. The project includes the area south of Judge Ave. to Marshall Park Dr.

The rehabilitative activities within this contract are meant to seal leaking sewer pipe joints thereby reducing residential back-ups, reducing instances of by-passing, and reducing the levels of clean ground water collected at pumping station and ultimately treated at the City's wastewater treatment plant.

The tender was publicly advertised in accordance with the City of North Bay Purchasing Policy. Ten (10) tender packages were distributed directly to vendors. Tenders closed on August 31, 2011. Three (3) responses were received and evaluated by the Manager of Purchasing, Supervisor of Engineering Services and Infrastructure Engineer. The results are as follows:

Firm	Tender Price (excluding HST)
Sewer Technologies Inc.	\$352,972.00
Veolia ES Canada Industrial Services Inc.	\$433,564.60
D.M. Robichaud Associates Ltd.	\$628,725.56

The price is competitive and considered fair and reasonable.

ANALYSIS / OPTIONS:

1. That North Bay City Council approves the award of a contact to Sewer Technologies Inc. in the amount of \$352,972.00 (excluding HST) for rehabilitation of the sanitary sewers between Judge Ave. and Marshall Park Dr.
2. Do not award a contract. This option is not recommended as it is required for essential sewer maintenance.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contact to Sewer Technologies Inc. in the amount of \$352,972.00 (excluding HST) for rehabilitation of the sanitary sewers between Judge Ave. and Marshall Park Dr.

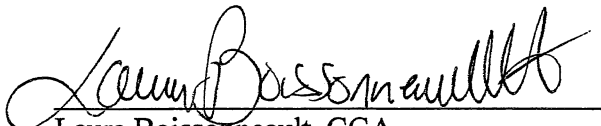
An amount of \$500,000 has been allocated in the 2011 Water and Sewer Capital Budget Line No. W8, Project No. 3070SS; authorized with By-law No. 2011-98.

Respectfully submitted,



Paul Valenti,
Manager of Purchasing

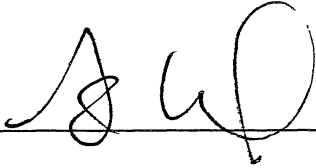
We concur in this report and recommendation.




Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Supervisor, Engineering Services

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CORP 2011-157

September 14, 2011

Originator: Paul Valenti

Subject: Tender No. 2011-89, Recycling Centre Site Upgrade

RECOMMENDATION:

That North Bay City Council approves the award of a contact to Kenalex Construction Company Limited in the amount of \$170,847.00 (excluding HST) for upgrades to the Recycling Centre.

BACKGROUND:

The Recycling Centre Site upgrades will make the centre more efficient and safer for residents to make their deliveries. Currently the hazardous waste depot receives deliveries from approximately 12,000 vehicles a year. The electronics drop-off area receives approximately 6,000 vehicles and the Organic drop-off area approximately 12,000. In many cases, residents are backing up their vehicles with and without trailers to make their deliveries. During the course of making deliveries there has been a number of near accidents. The new upgrades will separate the organic users from the other two activities and provide a drive through route for the hazardous waste site and electronic drop-off site.

For the current organic users the residents must lift their bags of organics over the side of the roll off container and empty the contents. With the improvements residents will not have to lift their containers as high, as the constructed catwalks will be at a level where residents can almost drop their organics into the container. The cat walks will provide a safer footing, as currently the containers are placed in an area where the ground is uneven. The introduction of 40 yard containers will reduce the number of trips to the composting site at the landfill, as currently only 20 yard containers are used.

The tender was publicly advertised in accordance with the City of North Bay Purchasing Policy. Twelve (12) tender packages were distributed directly to vendors. Tenders closed on September 7, 2011. Five (5) responses were received and evaluated by the Manager of Purchasing, Supervisor of Engineering Services and Capital Works Engineer. The results are as follows:

Firm	Tender Price (excluding HST)
Kenalex Construction Company Limited	\$170,847.00
Pedersen Construction Inc.	\$176,500.00
Bruman Construction Inc.	\$188,511.12
Gap Construction Co. Ltd.	\$210,182.50
R.M. Belanger Limited	\$237,566.00

The price is competitive and considered fair and reasonable.

ANALYSIS / OPTIONS:

1. That North Bay City Council approves the award of a contact to Kenalex Construction Company Limited in the amount of \$170,847.00 (excluding HST) for upgrades to the Recycling Centre.
 2. Do not award a contract. This option is not recommended as the improvements will provide for a more efficient and safe disposal area for the public.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contact to Kenalex Construction Company Limited in the amount of \$170,847.00 (excluding HST) for upgrades to the Recycling Centre.


An amount of \$200,000 has been allocated in the 2011 Engineering, Environmental Services & Public Works Capital Budget Line No. 11, Project No. 3100PC; authorized with By-law No. 2011-93.

Respectfully submitted,

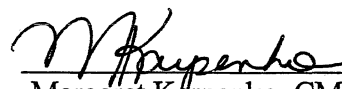


Paul Valenti,
Manager of Purchasing

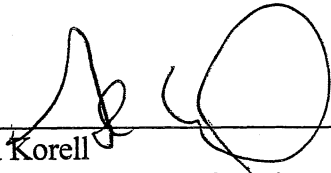
We concur in this report and recommendation.



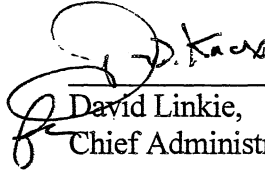
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Supervisor, Engineering Services

CITY OF NORTH BAY**REPORT TO COUNCIL**

Report No: CORP 2011-158

September 14, 2011

Originator: Paul Valenti

Subject: Request for Proposals No. 2011-84, Street Light Replacement Program

RECOMMENDATION:

That North Bay City Council approves the award of a contact to Ainsworth Inc. in the amount of \$395,257.00 (excluding HST) for the installation of 5,567 LED Street Cobra head light fixtures manufactured by Philips Lumec.

BACKGROUND:

The City of North Bay owns the municipal street light system. The system is maintained and operated by North Bay Hydro for the City. Approximately 5,567 street lights have reached the end of their service life. In addition, the City wants the new system to realize a reduction in hydro consumption and maintenance costs over the full life of the project. The City is expecting the capital costs of the installation to be recovered in a reasonable time frame from energy and maintenance savings.

In order to minimize costs to the City, the scope of work included removal of the current HPS street lights and replacement with the new LED Cobra head fixtures meeting minimum specifications and performance criteria. Supply of the LED Cobra head fixtures was completed under a separate RFP.

The work to replace all streetlights on all the urban and rural streets in the City of North Bay is anticipated to take place over the course of 9 to 12 months.

The Request for Proposals was publicly advertised in accordance with the City of North Bay's Purchasing Policy and closed on August 17, 2011. Six (6) RFP packages were distributed. The RFP closed August 24, 2011 with six (6) proposals being received. The Proposals were evaluated by the Managing Director of Engineering Environmental Services and Works, Manager – Environmental Services, Manager of Purchasing, CEO – North Bay Hydro, and the City Traffic department.

A thorough technical and financial analysis was completed. The final ranking of the proposals is as follows:

<u>Firm</u>	<u>Cost</u>	<u>Total Score</u>
1. Ainsworth Inc.	\$ 395,257	890
2. Kenalex Construction Ltd.	\$ 445,460	874
3. Miller Maintenance Limited	\$ 668,040	726
4. Langley Utilities Contracting Ltd	\$ 673,607	743
5. Dundas Power Line Ltd.	\$ 833,102	682
6. Ducon Utilities Ltd.	\$1,692,368	222

Based on 2011 hydro electric rates and assuming no new increases in hydro rates, the installation of new fixtures are expected to save the City \$181,998 per year in energy costs beginning in 2012. Depending on replacement progress, the City will also realize savings in 2011.

In addition, the City of North Bay renewal of its street light population will improve urban lighting, lighting dependability and energy efficiencies.

ANALYSIS / OPTIONS:

1. That North Bay City Council approves the award of a contact to Ainsworth Inc. in the amount of \$395,257.00 (excluding HST) for the installation of 5,567 LED Street Cobra head light fixtures manufactured by Philips Lumec.
2. That North Bay City Council deny the request and replacement of HPS Cobra heads continues as they burn out. Following this option will result in a significant escalating maintenance costs as North Bay Hydro replaces lamps as they burnout throughout the City. The City will have to replace ancillary components (fuses and fuse boxes) as they reach the end of their life. In addition, the City will not realize any electricity consumption reduction in a rising hydro electricity market.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contact to Ainsworth Inc. in the amount of \$395,257.00 (excluding HST) for the installation of 5,567 LED Street Cobra head light fixtures manufactured by Philips Lumec.

An amount of \$2,400,000 has been allocated in the 2011 Engineering, Environmental Services and Works Capital Budget, Line No. 10, Project No. 3013SL, authorized by By-law 2011-95

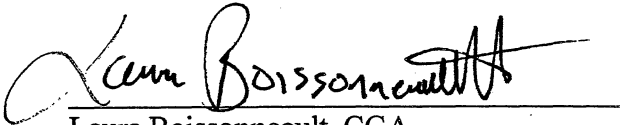
dated April 4, 2011. The contract for the supply of Street Cobra head light fixtures, as part of this project and previously awarded, is in the amount of \$1,877,796 (excluding HST).

Respectfully submitted,

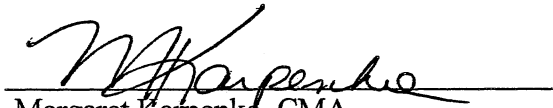


Paul Valenti,
Manager of Purchasing

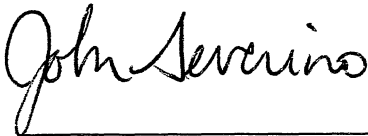
We concur in this report and recommendation.



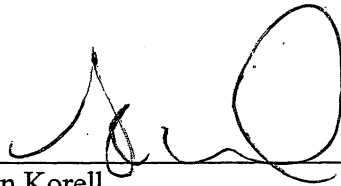
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



John Severino P.Eng., M.B.A.
Manager - Environmental Services



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Manager, Environmental Services

**City of North Bay
Report to Council**

Report No.: EESW-2011-072

Date: July 22, 2011

Originator: John Severino

Subject: Leachate Treatment Permitting and Detailed Design

RECOMMENDATION

That City Council approve a contract be issued to Conestoga Rovers and Associates (CRA) to complete Design and Permitting of a Leachate Treatment Facility at Merrick Landfill Site in the amount of \$344,535 excluding H.S.T.

BACKGROUND

City of North Bay owns and operates the Merrick Landfill Site in compliance with the Province of Ontario's Ministry of Environment Provisional Certificate of Approval A530116. Approximately 45,000 tonnes of refuse is landfilled annually (equivalent of approx. 150 tonnes per day). In 2009, Merrick Landfill accepted 49,312 tonnes of waste.

The City of North Bay (asset owner), in conjunction with Queen's University and CRA since 2009 have been evaluating passive systems for long term leachate treatment. The Landfill Leachate Treatment System Feasibility Study prepared by CRA in October 2010 concluded that the passives systems were not suitable to adequately treat leachate treatment during the colder winter months and combined with the need for mechanical pre-treatment leads the City to establish a stable, proven and long term option for the Site. Two engineered systems were proposed. Based on the estimated costs of their initial capital and long term operating and maintenance costs the Modified Ludzack-Ettinger (MLE) process was selected as the preferred solution for the City of North Bay Merrick Landfill Site.

The design of the system will require detailed information review, Certificate of Approval application, Ministry of Environment consultation of conceptual design and final detailed design. CRA has significant historical experience with Merrick Landfill Site, has been involved with the passive systems evaluation, the engineering of Cells 5 and 6 leachate collection systems, the characterization of leachate to date, and a comprehensive understanding of the hydraulic and hydro-geological site setting at Merrick Landfill Site.

Engineering and Environmental Services is requesting that this service be sole sourced on the basis of a financial and resource perspective. Continuing with CRA will require less resources and time than beginning the process again with a new engineering firm. Retaining CRA will ensure consistency of methodology and minimize duplication of efforts leveraging information and work completed on previous projects. The MLE process is a proven system that has been approved by MoE for Leachate Treatment at three comparable landfill sites in Ontario. Continuity with CRA, their proprietary knowledge with the MLE process and their previous approvals of the system by the Ministry of Environment who must approve the application will minimize the cost of starting from first principles to implement a competing design.

A total project cost estimate in the amount of \$5,000,000 over a three year period has funding allocated as part of the 2011 Capital Budget and Capital Forecast for 2012 to 2020. Funding has been approved in the 2011 Engineering, Environmental and Works Capital Budget, Line 19, Project No. 3108GD in the amount of \$300,000, By-Law 2011-99, dated April 4, 2011. The amount spent in 2011 will not exceed \$300,000.

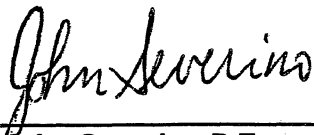
OPTIONS

1. That City Council approve a contract be issued to Conestoga Rovers and Associates (CRA) to complete Design and Permitting of a Leachate Treatment Facility at Merrick Landfill Site in the amount of \$344,535 excluding H.S.T.
 2. That City Council do not approve a contract be issued to Conestoga Rovers and Associates (CRA) to complete Design and Permitting of a Leachate Treatment Facility at Merrick Landfill Site. The cost of duplication of engineering services will significantly increase the cost of the leachate treatment project.
-

RECOMMENDED OPTION

That City Council approve a contract be issued to Conestoga Rovers and Associates (CRA) to complete Design and Permitting of a Leachate Treatment Facility at Merrick Landfill Site in the amount of \$344,535 excluding H.S.T.

Respectfully submitted,



John Severino P.Eng., MBA
Manager - Environmental Services

We concur in this report and recommendation.



Paul Valenti
Manager of Purchasing



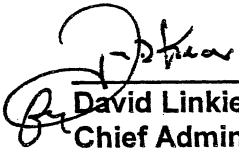
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



**Alan Korell-Managing Director-Engineering,
Environmental Services and Public Works**



**Margaret Karpenko, CMA
Chief Financial Officer/Treasurer**



**David Linkie,
Chief Administrative Officer**

TABLE 2
COST RANGE
PERMITTING AND DETAILED DESIGN
LEACHATE TREATMENT FACILITY
MERRICK LANDFILL SITE, NORTH BAY, ON

Task	Project Total (Maximum Estimate)	Project Total (Minimum Estimate)	Comments
1.0 Project Initiation	\$ 7,853	\$ 7,853	Critical to start with common understanding and avoid unnecessary changes later.
Subtotal	\$ 7,853	\$ 7,853	
2.0 Information Review and Conceptual Design			
2.1 Data Gap Assessment including Geotechnical Investigation	\$ 10,637	\$ 9,000	Includes geotechnical investigation, if one is only. Potential cost reductions related to geotechnical investigation (i.e. number and locations of holes, driller availability, engineering related to slope stability), format and completeness of supporting information, including existing SCADA system. Potential cost reductions based on requirements identified during project initiation meeting (i.e. discharge location and methods, other features including equipment storage shed), iterations, decision making, and communication (i.e. having the right people at the table at the right time including the communication with the MOE).
2.2 Conceptual Design	\$ 92,185	\$ 75,000	
Subtotal	\$ 102,819	\$ 84,000	
3.0 Approvals			MOE reviewer dependent (CRA will ensure that comments received on previous design are incorporated into designs prior to submission to him) back and forth with MOE, however the specifics of system are unique to the site setting and treatment objectives, flow volumes and treated volume/leachate character (i.e. changes over time).
3.1 C of A Application and Supporting Documentation ⁽¹⁾	\$ 5,400	\$ 4,400	
3.2 MOE Application Support (Allowance)	\$ 15,000	\$ 10,000	
Subtotal	\$ 20,400	\$ 15,400	
4.0 Detailed Design			Potential cost reduction based on requirements for discharge data support and decision making, documentation and/or implemented electrical upgrades resulting from utilization facility.
Subtotal	\$ 233,485	\$ 215,000	
Total	\$ 354,697	\$ 322,253	

City of North Bay

Report to Council

Report No: CSBU 2011 - 88

Date: September 13, 2011

Originator: Erin Vaughan
Community Event Facilitator, Parks, Recreation & Leisure Services Department

Subject: Summer in the Park Financials

RECOMMENDATIONS

1. That Council accepts this report for the 2011 Summer in the Park Festival.
2. That Council approve the 2011 surplus be placed in Reserve Account #001-5880-8610-5115.
3. That Council approve an initial budget for the 2012 Summer in the Park at \$437,800 with a City contribution of \$40,000 and the surplus generated in 2011 be allocated to the 2012 event.
4. That during the 2012 Operating Budget process, Council considers a commitment to the 2013 and 2014 Festival.

BACKGROUND

The Summer in the Park Festival was a joint effort between the Chamber of Commerce and City of North Bay. The Chamber provided board members and staff to assist with the coordination and planning of Summer in the Park, the application for grant fund, assistance in the recruitment of volunteers, onsite coordination of the event and the canvassing of Chamber members to support the festival.

This year, the festival was expanded to include the Northern Ontario Open Country Singing Contest and the presentation of musical concerts on a waterfront stage. Entry to the concerts required a paid wristband.

An estimated 42,000 people attended the festival over the course of the weekend including Lee Park and the paid concerts at the waterfront. This resulted in positive feedback from vendors, sponsors and partners of the event. A total of 6040 wrist bands were sold.

With total revenues of \$447,905.01 and expenses of \$425,502.60 the net financial result of the event was a \$22,402.41 surplus.

2011 Program Highlights

Waterfront Concerts

The Committee was able to provide two nights of concerts at the main stage of the waterfront. In addition to main stage entertainment the festival offered a second stage at the waterfront located in the beer garden that boasted numerous local bands.

The total cost of the waterfront concerts was \$291,988.60. Wrist band sales generated revenue of \$131,598. Receiving late approval for the event as well as securing headline entertainment late into May and June, the Committee considers wrist band sales totaling 6,040 a success.

What was interesting is wrist band sales at \$30 were nearly the same as the \$20 sales, online purchasing was very popular and sales at the gate were much lower than expected at 1,405.

Beer Garden

After no response to a Request for Proposal, the Committee negotiated with a local company to run the beer garden at the waterfront concerts. As per our agreement the supplier would cover the cost of all port-a-johns and tenting along with providing refrigeration of products, all necessary service, service staff, ticket sellers, on site management and all necessary signage in licensed area. The Summer in the Park Festival was to provide security personnel for the licensed area, lighting, hydro, picnic tables and fencing. The Committee was disappointed in receiving revenues from this portion of the event totaling \$1551.00 and would seek to increase this amount under a different agreement for future Summer in the Park Festivals.

Lee Park

Lee Park hours of operation were 10am – 11pm Friday, Saturday & Sunday. It boasted numerous entertainers and activities, all free of charge, that included a petting zoo, inflatable land, face painting, Little Ray's Reptile Zoo, Groovin Toons, Mystic Drums, "Fame" the Musical presented by Near North District School Board and Toros, RAW Tennis, Shriners Clowns, community group displays, air force displays, TD Friends of the Environment water bottle giveaway, a secure bike zone, free McDonalds coffee sampling truck, the Cogeco trailer, an outdoor movie in the park featuring "How to Train Your Dragon", Art in the Park, The Northern Ontario Open Country Singing contest, the Near North Student Robotics Team, RV displays and so much more.

Country Open

Representatives of the Country Open Committee and the Summer in the Park Committee were able to partner to host both events together. The Country Open took place on the main stage in Lee Park.

The Country Open had 77 contestants enter the contest this year with registration fees totaling \$2,290.00 Other revenues associated with the Country Open included a golf tournament raising \$720.00 and \$2,000.00 in community sponsorship. Expenses associated with Country Open included stage, sound, judging expenses, prize money and band fees.

The Country Open has approached The Summer in the Park Committee with the hopes of partnering with the festival in 2012.

Financials

Revenues associated to the event totaled \$447,905.01 and \$425,502.60 in expenses for a net revenue of \$22,402.41. A contingency of \$5,000 has been established to cover potential outstanding invoices. In the event this contingency is not required in whole or in part the surplus would increase accordingly. These financial results includes the City's \$40,000 financial contribution as well as the \$40,000 of reserves authorized by Council (2011, Resolution #2011-85).

Revenue Highlights

The following is a summary of the revenues from the event:

Sponsorship (Includes Spring Midway)	\$72,619.27
City Contribution	\$40,000.00
Vendor/Revenue Concessions	\$19,646.79
Midway (SITP Only)	\$46,528.79
Wristband Sales	\$131,598.41
Misc. Revenue	\$4,925.75
Celebrate Ontario	\$40,000.00
Canadian Heritage	\$27,000.00
Beer Garden At Waterfront	\$4,176.00
Reserve Funds	\$40,000.00
Country Open Revenue	\$2,290.00
Summer Student Subsidy	\$1,120.00
NECO	\$3,000.00
TEMPP	\$5,000.00
TD Friends of the Environment	\$10,000.00
TOTAL	<u>\$447,905.01</u>

Grant Funding

The event received a total of \$76,200 in funding from various funding programs:

Celebrate Ontario	\$40,000
Canadian Heritage	\$27,000
NECO	\$3,000
TEMPP	\$5,000
Employment Grants (HRDC)	<u>\$1,120</u>
Total	\$76,120

Each year the committee submits applications to the various funding agencies. There is no guarantee regarding grant funding from year to year.

World's Finest Shows Midway

Summer in the Park & World's Finest Shows entered into a sponsorship agreement for a Spring Midway and August Long Weekend Midway. This agreement was in effect for 2009, 2010 & 2011. World's Finest Show honored the terms of the Heritage Festival agreement when revenue was significantly higher. This was the last year of the agreement and negotiations will take place this fall.

Revenue from World's Finest Shows Midway's – August Long Weekend

2009	\$44,591.10
2010	\$45,846.00

2011 \$46,528.79

Sponsorship

For the second year in a row Cogeco Cable was the title sponsor of the event contributing a total of \$10,000 in cash sponsorship and over \$10,000 of in-kind media. Cogeco has expressed interest in this sponsorship once again in 2012. The community really supported this year's festival with cash sponsorships totaling \$72,619.27 and in-kind donations estimated at \$98,236.00. In-kind donations included hotel rooms, media, catering and transportation for bands, rental equipment and other various items. The community's contribution to Summer in the Park is extremely important to making the event an ongoing success.

Expense Highlights

Administration	\$16,684.79
Admissions	\$4,095.00
Student Salary	\$4,925.30
Marketing	\$15,581.37
Main Stage	\$41,710.90
Evening Musical Entertainment	\$216,762.41
Lee Park Programming	\$37,288.88
Emergency Services & Security	\$34,279.34
Facilities	\$34,961.22
Volunteer Services	\$2,584.79
Beer Garden	\$2,625.00
Water bottle Giveaway	\$9003.54
Contingency	<u>\$5,000.00</u>
Total	\$425,502.60

Event Surplus

Over the course of the past four years the Summer in the Park event has recovered all costs associated with the event. The costs were recovered through sponsorship, midway sponsorship, grant funds, and an annual municipal contribution that has ranged from \$10,000 to \$40,000. For each of the events over the past four years, final event financials have resulted in a net surplus. These surplus funds have been put into an event reserve. With Council's approval to utilize \$40,000 of the reserve in 2011, the reserve balance as at December 31, 2011 is estimated to be \$94,000.

Summer in the Park Festival 2012

In the past Council's approval of the Summer in the Park event generally coincided with the annual operating budget process. As a result the Committee was frequently delayed in making arrangements for entertainment, sponsorship, sale of wristbands and other festival activities.

For 2012, the Summer in the Park Committee would like to start planning early fall 2011. This would facilitate securing entertainment and other attractions for the 2012 event. This includes booking evening entertainment acts now to ensure a wide selection and allow wristbands to go on sale much earlier than in the past.

The Committee is seeking Council's approval to proceed with the planning of the 2012 Summer in the Park with a proposed budget of \$437,800 which is similar to the 2011 budget. At this point the contribution requested of Council is \$40,000 plus utilizing the surplus of approximately \$27,500 from 2011. (2012 proposed Summer in the Park budget attached). In order to properly account for the 2011 surplus it needs to be assigned to the reserve and then council needs to give authority to transfer the funds to the 2012 event. Should there be a requirement to revise this request the Committee would approach Council at the time.

In order to further establish the Summer in the Park as an annual event, the Committee also requests Council discusses establishing a commitment to the event for 2013 and 2014.

OPTIONS

Option 1 – Accept this report for 2011 Summer in the Park and proceed as in the past with the 2012 event.

Given the problems in acquiring quality entertainment, attracting sponsors and the timely promotion of the event, this option is not being recommended.

Option 2 – Accept this report for 2011 Summer in the Park, approve an initial budget for 2012 of \$437,800 and consider a commitment to 2013 and 2014.

This option is recommended in order to get an early start in planning the 2012 event and consider a commitment for 2013 and 2014.

RECOMMENDATION:

On behalf of the Summer in the Park Committee the recommendation for Council's consideration is

Option 2

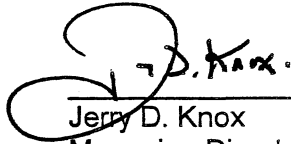
1. That Council accepts this report for the 2011 Summer in the Park Festival.
2. That Council approve the 2011 surplus be placed in Reserve Account #001-5880-8610-5115.
3. That Council approve an initial budget for the 2012 Summer in the Park at \$437,800 with a City contribution of \$40,000 and the surplus generated in 2011 be allocated to the 2012 event.
4. That during the 2012 Operating Budget process, Council considers a commitment to the 2013 and 2014 Festival.

Submitted by,



Erin Vaughan
Community Event Facilitator


I concur with this report and recommendation.



Jerry D. Knox
Managing Director Community Services



Margaret Karpenko, CMA
Chief Financial Officer



Dave Linkie
Chief Administrative Officer

Person designated for continuance: Community Event Facilitator

Attachments: Council Resolution 2010-710
2011 Summer in the Park Financials Final
2012 Summer in the Park Proposed Budget

Copy for: Chief Administrative Officer
Director Parks, Recreation and Leisure Services
Manager Recreation and Leisure Services
Community Event Facilitator
Derek Shogren, Chair, Summer in the Park

INTER OFFICE

City of North Bay

MEMO

To: Jerry Knox
From: Karen McIsaac
Subject: 2011 Summer in the Park Expanded Program
Date: 24 February 2011

This is Clause No. 1 of Community Services Committee Report No. 2011-03 which was passed by Council at its Regular Meeting held on Tuesday, February 22, 2011.

Clause No. 1:

- "That a) the Summer in the Park Committee be granted permission to plan an expanded 2011 Summer in the Park event in and about Lee Park and other areas of the Waterfront from Friday, July 29, 2011 to Sunday, July 31, 2011 inclusive; and
- b) the expanded event include:
- i) A variety of activities and attractions similar to previous Summer in the Park events held in and around Lee Park. The majority of these activities are offered at no charge to the public with some, such as the midway and helicopter rides, charging an admission fee;
 - ii) The addition of the Country Open Singing Competition to free activities being hosted in Lee Park; and
 - iii) The addition of music concerts presented at a waterfront stage location. The purchase of a \$20 wristband will be required to attend the concerts."

Karen McIsaac
Deputy City Clerk

KM/ck

cc: I. Kilgour
S. Kitlar
E. Vaughan
L. Scully

INTER OFFICE

Council Secretariat**MEMO**

To: Jerry Knox
From: Karen Mclsaac
Subject: 2011 Summer in the Park - Expanded Programs
Date: 9 February 2011

This is Resolution No. 2011-85 which was passed by Council at its Regular Meeting held Monday, February 7, 2011

Resolution No. 2011-85:

"That Report CSBU 2011-20 from Jerry Knox dated February 7, 2011 relating to the 2011 Summer in the Park - Expanded Program, be referred to the Community Services Committee."

Karen Mclsaac,
Deputy City Clerk.

KM/cjc

2011 Summer in the Park Festival Final Budget

	Total Projected	Total Actuals
<u>Summary of Revenues</u>		
Sponsorship (Includes Spring Midway)	\$68,000.00	\$72,619.27
City Contribution	\$40,000.00	\$40,000.00
Vendor/Revenue Concessions	\$25,000.00	\$19,646.79
Midway (August Long Weekend Only)	\$55,000.00	\$46,528.79
Wristband Sales	\$200,000.00	\$131,598.41
Miscellaneous Revenue	\$900.00	\$4,925.75
Beer Garden	\$16,400.00	\$4,176.00
Reserve Funds	\$40,000.00	\$40,000.00
Canadian Heritage Grant	\$27,000.00	\$27,000.00
Country Open Registrations & Other	\$3,000.00	\$2,290.00
Celebrate Ontario Grant	\$40,000.00	\$40,000.00
TD Friends of the Environment Grant	\$10,000.00	\$10,000.00
NECO	\$3,000.00	\$3,000.00
TEMPP	\$0.00	\$5,000.00
Summer Student Subsidy	\$0.00	\$1,120.00
TOTAL	\$528,300.00	\$447,905.01
<u>Summary of Expenditures</u>		
Administration	\$20,715.00	\$16,684.79
Admissions	\$10,040.00	\$4,095.00
Student Salary	\$9,005.00	\$4,925.30
Marketing	\$13,500.00	\$15,581.37
Main Stage	\$45,900.00	\$41,710.90
Evening Musical Entertainment	\$215,730.00	\$216,762.41
Lee Park Programming	\$43,650.00	\$37,288.88
Emergency Services & Security	\$46,180.00	\$34,279.34
Facilities	\$53,500.00	\$34,961.22
Volunteer Services	\$7,810.00	\$2,584.79
Beer Garden	\$14,000.00	\$2,625.00
Water bottle Giveaway	\$10,000.00	\$9,003.60
Contingency	\$38,270.00	\$5,000.00
TOTAL	\$528,300.00	\$425,502.60
Surplus/Deficit	\$0.00	\$22,402.41

2012 Summer in the Park - Proposed Budget

Summary of Revenues

Projected

Sponsorship (Includes Spring Midway)	\$75,000.00
City Contribution	\$40,000.00
Vendor/Revenue Concessions	\$25,000.00
Midway (August Long Weekend Only)	\$55,000.00
Wristband Sales	\$200,000.00
Miscellaneous Revenue	\$4,000.00
Waterfront Beer Garden	\$6,300.00
Reserve Funds	\$27,500.00
Country Open Revenue	\$5,000.00
TOTAL	<u><u>\$437,800.00</u></u>

Summary of Expenditures

Administration	\$21,000.00
Admissions	\$10,000.00
Student Salary	\$9,300.00
Marketing	\$14,000.00
Main Stage	\$48,000.00
Evening Musical Entertainment (Waterfront)	\$175,500.00
Lee Park Programming	\$44,000.00
Emergency Services & Security	\$48,000.00
Facilities	\$55,000.00
Volunteer Services	\$8,000.00
Beer Garden at Waterfront	\$5,000.00
TOTAL	<u><u>\$437,800.00</u></u>

Surplus/Deficit **\$0.00**

Report to Council

Report No: CORP 2011 - 147

Date: September 13, 2011

Originator: Al Lang

Subject: 2011 Debenture Issue

RECOMMENDATIONS:

That the City of North Bay agrees to sell up to \$11,000,000 of installment debentures and / or by way of a long-term loan with a banking institution or Infrastructure Ontario, when market conditions are favourable, with maturity dates over ten years beginning one year after the closing date and to be subject to terms and conditions acceptable to the Chief Financial Officer and the fiscal agent, CIBC World Markets Inc., or the lending institution.

BACKGROUND:

City Council passed Resolution # 2011-79(a) on February 7, 2011 that recommended the acceptance of General Government Committee Report No. 2011-03. This report included the 2011 Capital Budget and the Long-Term Capital Funding Policies for City and Water and Sewer projects. The Tax Levy Supported Capital Budget included debenture funding of \$8,500,000 and the Water and Sewer Capital Budget included debenture funding of \$2,500,000. Both of these amounts are in accordance with our current Long-Term Capital Funding Policy.

The amounts to be financed for each capital project will be finalized after Administration has completed a more thorough review of the actual net debenture costs for each project. The projects being considered to be financed at this time are either complete or under construction, and are incurring temporary financing costs. Council will be informed of the projects being funded when the actual debenture by-law report is presented.

The City has used the legal firm of Borden Ladner Gervais LLP in past debenture issues. It is recommended that they will again complete a final review of the capital expenditure by-laws to ensure the documentation is in order.

This report is to seek Councils approval to proceed with a debenture issue when the conditions are favourable. Our fiscal agent, CIBC World Markets Inc., have advised that the markets have been very volatile recently and daily fluctuations of 10 plus basis points are common. The exact timing of the debenture issue will be dependent on the bond demands, the availability of investment supply, interest rate trends, the timing of other government issues and market conditions. The best readily available benchmark of market rates for municipal debenture issues are the 10 year Canada Bond rates. Benchmark bonds and rates in the past year are as follows:

Date	Chartered Bank Prime Rate	10 Year Canada Bond Rate
September 15, 2010	3.0	2.97
October 18, 2010	3.0	2.76
November 19, 2010	3.0	3.15
December 13, 2010	3.0	3.33
January 14, 2011	3.0	3.23
February 14, 2011	3.0	3.48
March 14, 2011	3.0	3.51
April 21, 2011	3.0	3.29
May 18, 2011	3.0	3.10
June 21, 2011	3.0	3.00
July 25, 2011	3.0	2.92
August 24, 2011	3.0	2.40

Based on market conditions on September 14, 2011, the City's average net yield would be 3.085% (3.507% at September 30, 2010) representing a spread of .41% to 1.48% (.415% to 1.37% at September 30, 2010) over Canada Bond yields in the 1 to 10 year term. The average offering yields for the past 5 years are as follows:

<u>Year</u>	<u>Average Net Yield</u>
2006	4.467%
2007	4.844%
2008	5.179%
2009	3.946%
2010	3.507%

The City's credit rating is currently at a stable Aa1 which contributes to lower borrowing rates.

OPTIONS / ANALYSIS:

Option 1 – Debenture Market

The City of North Bay could proceed with a debenture issue through our Fiscal Agents when the market conditions are favourable.

Option 2 – Long-Term Bank Loan

The City of North Bay could secure a long-term loan with a financial institution.

Option 3 – Borrowing from Infrastructure Ontario

The City of North Bay could borrow from Infrastructure Ontario. The indicative lending rate for a 10-year serial debenture as at September 13, 2011 was 2.66%. The application process for these loans typically takes about 6 to 8 weeks for approval and is a more complex procedure than the normal debenture market process. This option is more favourable for very large capital projects.

RECOMMENDED OPTION:

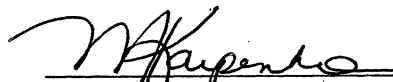
That the City of North Bay agrees to sell up to \$11,000,000 of installment debentures and / or by way of a long-term loan with a banking institution or Infrastructure Ontario, when market conditions are favourable, with maturity dates over ten years beginning one year after the closing date and to be subject to terms and conditions acceptable to the Chief Financial Officer and the fiscal agent, CIBC World Markets Inc., or the lending institution.

Respectfully submitted,

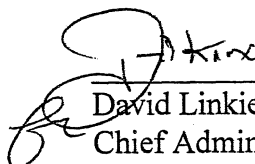


Al Lang, CGA
Director of Financial Services

We concur with the above noted recommendations:



Margaret Karpenko, CMA
Chief Financial Officer / City Treasurer



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-206

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH KENALEX
CONSTRUCTION COMPANY LIMITED RELATING TO
INTERIOR RENOVATIONS TO THE FINANCIAL
SERVICES DEPARTMENT**

WHEREAS the Agreement with Kenalex Construction Company Limited for interior renovations to the Financial Services Department, First Floor, City Hall was approved by Resolution No. 2011-588 passed by Council on the 15th day of August, 2011;

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

1. That The Corporation of the City of North Bay enter into an Agreement dated the 30th day of August, 2011 with Kenalex Construction Company Limited relating to interior renovations to the Financial Services Department, First Floor, City Hall.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Kenalex Construction Company Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

cc

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19TH DAY OF SEPTEMBER, 2011.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-207

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
SEPTEMBER 6, 2011**

WHEREAS the *Municipal Act, R.S.O. 2001*, Chapter 25, (the "Act") Section 5(1), provides that the powers of a municipal corporation shall be exercised by Council;

AND WHEREAS Section 5 (3) of the Act provides a municipal power, including a municipality's capacity, rights, powers and privileges under section 9 of the Act, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise and any of the matters shall be implemented by the exercise of the natural person powers;

AND WHEREAS in many cases action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on September 6, 2011 in respect of each motion, resolution and other action passed and taken by the Council at is said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011..

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 19TH DAY OF SEPTEMBER, 2011.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-208

**A BY-LAW TO AUTHORIZE THE EXECUTION OF A
RELEASE AND ABANDONMENT OF EASEMENT
(559 KING STREET)**

WHEREAS a certain Easement over Part of Lot 82, Plan M-165, designated as Part 1 on Plan 36R-11571 is no longer required for municipal purposes and may be released;

AND WHEREAS by Resolution No. 2011-_____ passed by Council at its Regular Meeting held on September 19th, 2011, Council authorized the release of the subject easement.

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

1. The Corporation of the City of North Bay shall Release and Abandon a portion of an Easement registered as Instrument No. LT413938 with respect to Part of Lot 82, Plan M-165, designated as Part 1 on Plan 36R-11571, in the City of North Bay, in the District of Nipissing, at the expense of the Owner.
2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute a Release and Abandonment of the aforesaid Easement and to affix thereto the corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THE 19TH DAY OF SEPTEMBER, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 19TH DAY OF SEPTEMBER, 2011.

cc READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19TH DAY OF SEPTEMBER, 2011.

MAYOR ALLAN MCDONALD

DEPUTY CLERK KAREN MCISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-204

**BEING A BY-LAW TO AUTHORIZE THE RENAMING
OF A PORTION OF THE BOUNDARY ROAD
BETWEEN THE CORPORATION OF THE CITY OF NORTH BAY
AND THE MUNICIPALITY OF CALLANDER**

WHEREAS the *Municipal Act, R.S.O. 2001*, Chapter 25, (the "Act") Section 5(1), provides that the powers of a municipal corporation shall be exercised by Council;

AND WHEREAS Section 5 (3) of the Act provides a municipal power, including a municipality's capacity, rights, powers and privileges under section 9 of the Act, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise and any of the matters shall be implemented by the exercise of the natural person powers;

AND WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay to rename a portion of the Boundary Road between The Corporation of the City of North Bay and The Municipality of Callander in order to be consistent with the Municipality of Callander;

AND WHEREAS the Council of The Corporation of the City of North Bay passed Resolution No. 2011-608 at its Regular Meeting held on August 29, 2011 approving the renaming of a portion of the Boundary Road between The Corporation of the City of North Bay and The Municipality of Callander;

AND WHEREAS notice of this by-law has been published at least once a week for two successive weeks;

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

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

1. That a portion of the Boundary Road between The Corporation of the City of North Bay and The Municipality of Callander, being that portion of Fairway Drive between Pinewood Park Drive and Cranberry Road as shown on Schedule "A" hereto be renamed to Cranberry Road.
2. This by-law comes into force and effect upon consent of The Municipality of Callander and 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 THIS 6TH DAY OF SEPTEMBER, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 6TH DAY OF SEPTEMBER, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19TH DAY OF SEPTEMBER, 2011.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE MUNICIPALITY OF CALLANDER'S CONSENT TO THE CHANGE OF NAME OF
A PORTION OF THE BOUNDARY ROAD

The Municipality of Callander hereby consents to the renaming of that portion of the Boundary Road between The Corporation of the City of North Bay and The Municipality of Callander, being that portion of Fairway Drive between Pinewood Park Drive and Cranberry Road as shown on Schedule "A" hereto be renamed to Cranberry Road.

Signed in Callander, Ontario this ____ day of _____, 2011.

THE MUNICIPALITY OF CALLANDER

Per:

Mayor Hector Lavigne

Clerk

THIS IS SCHEDULE "A" TO THE CORPORATION OF THE CITY OF NORTH BAY'S
BY-LAW NO. 2011-204



AK

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-205

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO IMPLEMENT CHANGES TO THE
POLICIES AND REGULATIONS
(GENERAL REVIEW & UPDATE)**

WHEREAS a comprehensive review of Zoning By-law No. 28-80 recommended changes to the Text and Schedules of the By-Law;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured 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 the Council has deemed it desirable to amend the text and zone designations of By-law No. 28-80 as indicated herein, pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

AND WHEREAS Council passed a resolution on September 19, 2011 to approve this amendment to Zoning By-law No. 28-80.

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

SCHEDULES

- 1) The Schedules Section of Zoning By-law No. 28-80 are amended, as follows:
 - a. Schedule B-42 of Zoning By-law 28-80 are amended by changing the zoning designation of the lands shown as hatched on Schedule "A" attached hereto from a "Residential Multiple Third Density (RM3)" zone to a "District Commercial (C4)" zone.
 - b. Schedule B-50 of Zoning By-law 28-80 is amended by changing the zoning designation of the lands shown as hatched on Schedule "B" attached hereto from a "Residential Multiple First Density (RM1)" zone to a "Residential Multiple Second Density (RM2)" zone.
 - c. Schedule B-50 of Zoning By-law 28-80 is amended by changing the zoning designation of the lands shown as hatched on Schedule "B" attached hereto from a "Residential Multiple Second Density (RM2)" zone to a "Residential Multiple First Density (RM1)" zone.

DEFINITIONS

- 2) Section 2 of the Zoning By-law 28-80 is amended, as follows:
 - a. The definition of "Boarding, Lodging or Rooming House" in Section 2 of the Zoning By-law No. 28-80 is amended by deleting the words "Supervised Residence,"
 - b. The definition of "Dwelling, Single Detached" in Section 2 of the Zoning By-law No. 28-80 is deleted in its entirety and replaced with the following:

"DWELLING, SINGLE DETACHED means a completely detached dwelling unit in which cooking and sanitary facilities are provided for the exclusive use of the household. A SINGLE DETACHED DWELLING is used as a single housekeeping unit in which no occupant has exclusive use of any part of the unit."
 - c. The definition of "Group Home Type 3" in Section 2 of Zoning By-law No. 28-80 is amended by deleting the words "Supervised Residence".
 - d. The definition of "Institutional Use" in Section 2 of Zoning By-Law No. 28-80 is amended by replacing the words "and Group Home Type 2" with the words ", Group Home Type 2 and Group Home Type 3".
 - e. Section 2 of Zoning By-law 28-80 is amended by adding the following new definition:

“**Pharmacy** means a retail store that dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items. A pharmacy may also sell food products. No more than 30% of the total Commercial Floor Space may be devoted to food products.”

- f. Section 2 of Zoning By-law No. 28-80 is amended by removing “Supervised Residence” and its definition from the By-law.

GENERAL PROVISIONS

- 3) Section 3 of the Zoning By-law 28-80 is amended as follows:
 - a. Section 3.16.5 of Zoning By-law No. 28-80 is amended to add “(excluding stairs)” on the second line in the Structure Section following the word “decks”.
 - b. Section 3.16.6 of Zoning By-law No. 28-80 is amended to add “(excluding stairs)” on the second line in the Structure Section following the word “decks”.
 - c. Section 3.16.7 of Zoning By-law No. 28-80 is amended by deleting the words “and including handicap ramps” from the Structure Section.
 - d. Section 3.16 of the Zoning By-law No. 28-80 is amended to include the following new subsection :

	Structure	Yard In Which Projection Is Permitted	Maximum Project from <i>Main Wall</i> Permitted
3.16.11	Brick Façade / Siding	Any Yard	0.1 metres

- e. Section 3.25.16 of Zoning By-law No. 28-80 is amended to remove “Freight containers are permitted in industrial, commercial, institutional and open space zones, subject to the provisions of this By-law for the particular zone in which said freight container is located.”
- f. Section 3.26.k) of the Zoning By-law No. 28-80 is deleted.
- g. Section 3.26.6 of Zoning By-law No. 28-80 is amended by deleting “5% of the required parking spaces in a public parking area shall be reserved for accessible parking spaces” and replaced with the following:

“Section 3.26.6 A minimum number of accessible parking spaces must be provided, as per the below table:

Minimum number of Required Parking Spaces	Minimum Number of Accessible Parking Spaces
10 – 30	1
31 – 60	2
61 – 90	3

1 additional Accessible Parking Space for each additional 30 parking spaces or part thereof.”

- h. Section 3.26.6.a) is amended by adding the following new subsection:

“Section 3.26.6) a.iii) the minimum width of an accessible parking space may be reduced to 3.5 metres when the parking stall is located adjacent to a hard-surfaced walkway dedicated to pedestrian access that has a minimum width of 1.5 metres.”
- i. Section 3.26.6 a) through Section 3.26.6 f) of Zoning By-law No. 28-80 is renumbered to 3.26.6.1 a) through 3.26.6.1 f).
- j. Section 3 of Zoning By-law 28-80 shall be amended to include the following new subsection:

“3.39.3 Any *Commercial Agricultural Use* shall be prohibited in any “Holding (H)” zone.”

ZONING REQUIREMENTS

- 4) No changes are proposed to Section 4 of Zoning By-law No. 28-80.

RESIDENTIAL ZONES

- 5) Section 5 of the Zoning By-law 28-80 is amended as follows:

- a. Sections 5.1.6, 5.1.6.1, 5.1.6.2 and 5.1.6.3 are deleted in their entirety and replaced with the following new subsection:

“5.1.6.1 No person shall park or store in any Residential Zone any commercial vehicle which:

- i) Has a length greater than 6.0 metres; or
- ii) Has a height greater than 2.0 metres.

A commercial vehicle may include but is not limited to a bus, trailer, cube truck, tow truck, tilt/n/load, dump truck, tractor trailer, semi-trailer, ambulance or hearse.

5.1.6.2 Where a commercial vehicle does not exceed the size regulations established by Section 5.1.6.1, a maximum of one commercial vehicle may be parked within a fully enclosed building, side or rear yard of a residential property, provided that:

5.1.6.2.1 The commercial vehicle is operated by the occupant of the dwelling unit on said lot;

5.1.6.2.2 Said vehicle, if parked in a side or rear yard, is screened by an opaque fence one and eight-tenths (1.8) metres in height; and

5.1.6.2.3 The commercial vehicle does not diminish the residential character of the neighbourhood;

5.1.6.3 This subsection shall not prevent the standing or any such vehicle for the purpose of normal business operations, such as actively loading or unloading merchandise or passengers.”

- b. The Table in Section 5.2.2 is amended by modifying the regulations for the following existing permitted uses:

ZONE	PERMITTED USE	MIN. LOT AREA PER DWELLING UNIT IN SQ.M.	MIN. LOT FRONTAGE IN METRES	MAXIMUM LOT COVERAGE	MAXIMUM HEIGHTS (STORIES)
RM1	Group home type 1	232.2	18	35%	N/A
RM2	Group home type 1	232.2	18	35%	N/A

- c. The Table in Section 5.2.2 is amended by adding regulations for the following Permitted uses:

ZONE	PERMITTED USE	MIN. LOT AREA PER DWELLING UNIT IN SQ.M.	MIN. LOT FRONTAGE IN METRES	MAXIMUM LOT COVERAGE	MAXIMUM HEIGHTS (STORIES)
R1	Group home type 1	557.4	18	36%	2.5
R2	Group home type 1	464.5	15	35%	2.5
R3	Group home type 1	418.0	13.7	35%	2.5
R5	Group home type 1	278.0	9	35%	1
RM1	Group home type 2	464.0	22.8	35%	N/A
RM2	Group home type 2	464.0	22.8	35%	N/A

COMMERCIAL ZONES

- 6) Section 6 of the Zoning By-law 28-80 is amended, as follows:

- a. Section 6.2.1.1 of Zoning By-law No. 28-80 is amended to add “Pharmacy” as a Permitted Use.

- b. Section 6.3.1.1 of Zoning By-law No. 28-80 is amended to add "Pharmacy" as a Permitted Use.
- c. Section 6.4.1.1 of the Zoning By-law No. 28-80 is amended by removing "Drug Store" as a Permitted Use and adding "Pharmacy" as a new Permitted Use.
- d. Section 6.5.1.1 of Zoning By-law No. 28-80 is amended to add "Pharmacy" as a Permitted Use.
- e. Section 6.7.1.1 of Zoning By-law No. 28-80 is amended to add "Pharmacy" as a Permitted Use.

INDUSTRIAL ZONES

7) Section 7 of the Zoning By-law 28-80 is amended, as follows:

- a. Section 7.4.1.1 of Zoning By-law No. 28-80 is amended by removing the words "requiring outside storage".

OPEN SPACE ZONES

8) No amendments are proposed to Section 8 of Zoning By-law 28-80.

INSTITUTIONAL ZONES

9) No amendments are proposed to Section 9 of Zoning By-law 28-80.

RURAL ZONES

10) No amendments are proposed to Section 10 of Zoning By-law 28-80.

OTHER AMENDMENTS

11) By-law No. 2010-163 is amended to add "Part of Part 5," to the legal description following the words "Part 1,"

READ A FIRST TIME IN OPEN COUNCIL THIS 19th DAY OF SEPTEMBER 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 19th DAY OF SEPTEMBER 2011.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 3rd DAY OF OCTOBER 2011.

MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

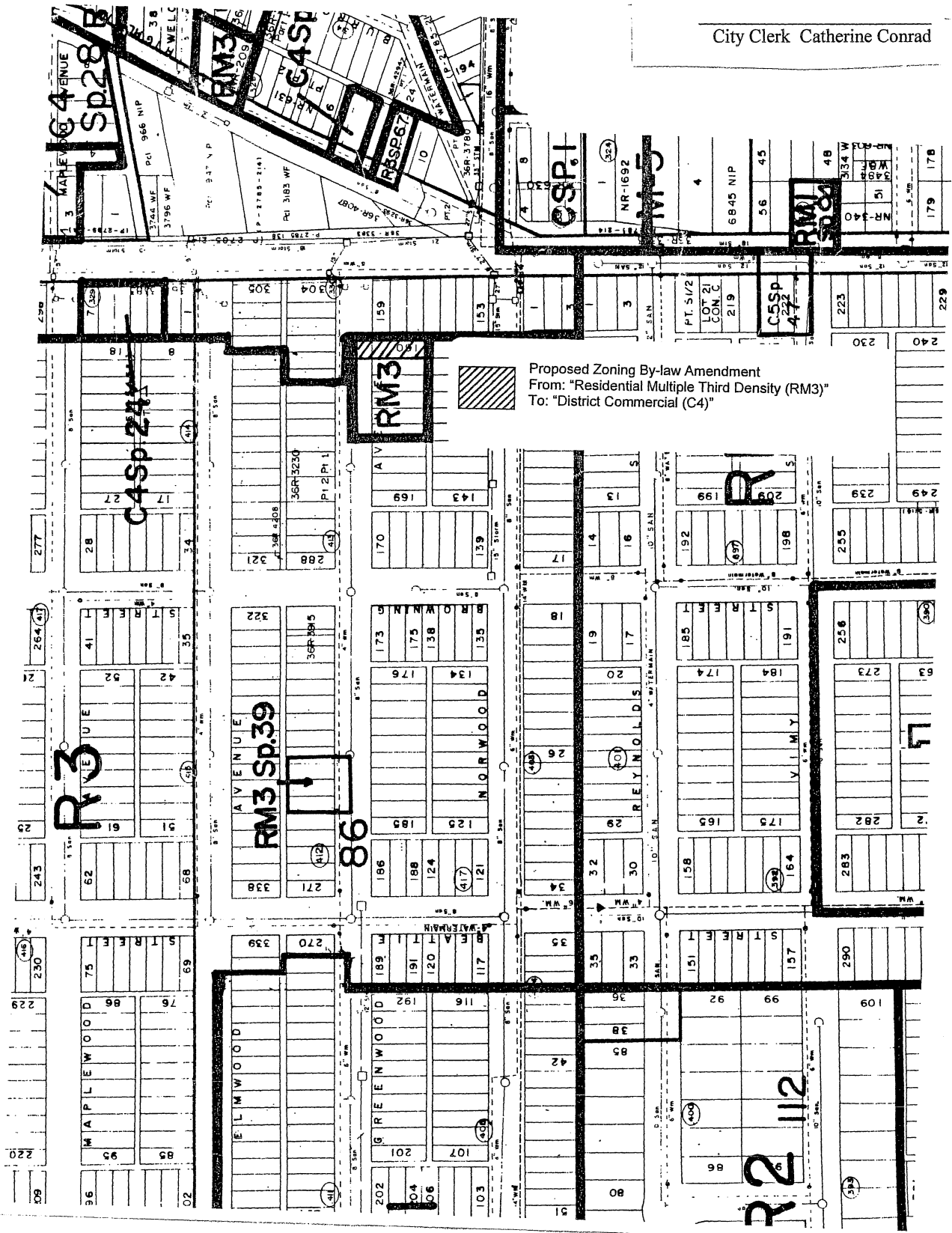
This is Schedule "A"

To By-law No. 2011-205

Passed the 3rd day of October 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



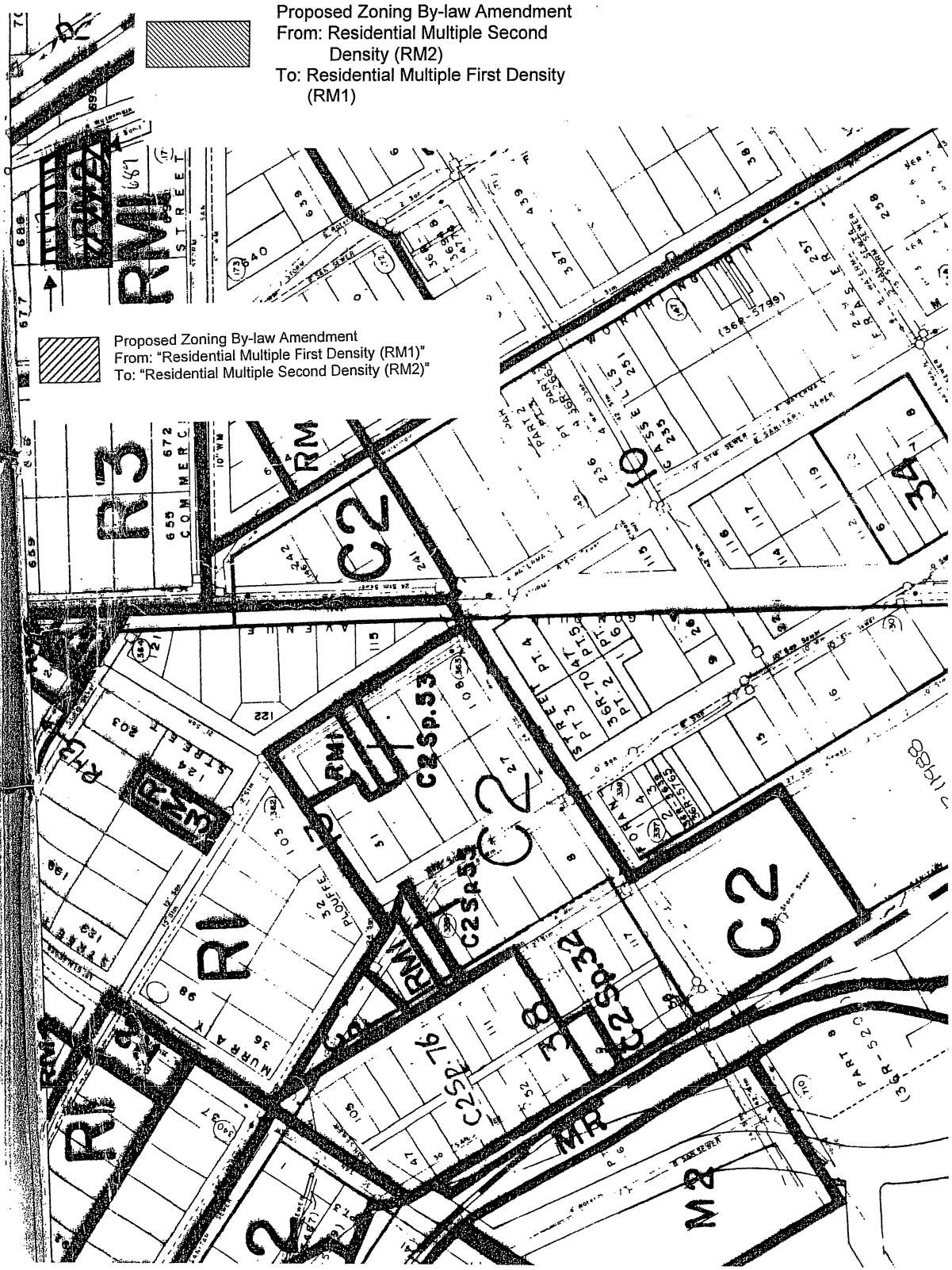
This is Schedule "B"

To By-law No. 2011-205

Passed the 3rd day of October 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



Proposed Zoning By-law Amendment
From: Residential Multiple Second
Density (RM2)
To: Residential Multiple First Density
(RM1)

Proposed Zoning By-law Amendment
From: "Residential Multiple First Density (RM1)"
To: "Residential Multiple Second Density (RM2)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-209

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH BRUMAN
CONSTRUCTION INC. RELATING TO THE SUPPLY,
TREATMENT AND STOCKPILING OF SCREENED
SAND**

WHEREAS the Agreement with Bruman Construction Inc. for the supply, treatment and stockpiling of screened sand was approved by Resolution No. 2011-615 passed by Council on the 29th day of August, 2011;

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

1. That The Corporation of the City of North Bay enter into an Agreement dated the 19th day of September, 2011 with Bruman Construction Inc. relating to the supply, treatment and stockpiling of screened sand.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Bruman Construction Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

u. READ A SECOND TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19TH DAY OF SEPTEMBER, 2011.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-210

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH GAP CONSTRUCTION
CO. LTD. RELATING TO PEARCE STREET
RECONSTRUCTION - PHASE I (AIRPORT ROAD TO
FRANCIS STREET)**

WHEREAS the Agreement with Gap Construction Co. Ltd. for the Pearce Street Reconstruction - Phase I (Airport Road to Francis Street) was approved by Resolution No. 2011-619 passed by Council on the 29th day of August, 2011;

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

1. That The Corporation of the City of North Bay enter into an Agreement dated the 19th day of September, 2011 with Gap Construction Co. Ltd. relating to the Pearce Street Reconstruction - Phase I (Airport Road to Francis Street).
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Gap Construction Co. Ltd. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 19TH DAY OF SEPTEMBER, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19TH DAY OF SEPTEMBER, 2011.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

MOTION

North Bay, Ontario September 19, 2011

Subject: Banning the feeding of black bears

File No. E00/2011/MNR/GENERAL

Res. No. 2011-_____

Moved by Councillor: Anthony _____

Seconded by Councillor: Vrebosch-Merry _____

WHEREAS feeding of black bears, whether intentional or unintentional, results in unsafe conditions where these animals can be in close proximity to people and residential areas;

AND WHEREAS Northern Ontario centres experience problems in this area more than the rest of the province;

AND WHEREAS Ministry of Natural Resources (MNR) staff is unable to take action on the feeding of bears due to lack of legislation;

AND WHEREAS the responsibility to regulate and prohibit the feeding of bears in other areas is being done by Parks Canada, by other Provincial Provinces and is undertaken by some states in the United States;

AND WHEREAS the municipalities do not have the human resources and equipment necessary to safely enforce a ban on feeding black bears;

THEREFORE BE IT RESOLVED THAT the City of North Bay petitions the Ministry of Natural Resources to bring forward Provincial Legislation that would ban the feeding of black bears (excluding for legal hunting purposes) in the Province of Ontario and to take responsibility for the enforcement of the legislation;

AND FURTHER THAT following the October Provincial election of 2011, this resolution be sent to the Premier of Ontario, the Minister of Natural Resources, our local MPP, Federation of Northern Ontario Municipalities (FONOM), the Association of Municipalities of Ontario (AMO) and the leaders of the opposition parties for support and appropriate action.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Signature of Clerk _____

MOTION

North Bay, Ontario September 19, 2011

Subject: City owned lands in the block bounded by Marshall Avenue, Parks Creek, Tweedsmuir Drive and the Canadian Pacific Railway

File No. L07/2001/LANSL/MARSHBOO

Res. No. 2011-_____

Moved by Councillor: Mayne _____

Seconded by Councillor: _____

- That
- 1) Council declare the developable City-owned lands in the block bounded by Marshall Avenue, Parks Creek, Tweedsmuir Drive and the Canadian Pacific Railway, as surplus;
 - 2) the subject lands be assessed, appraised, surveyed and offered for sale to prospective residential developers in order to facilitate the construction of entry-level dwelling units;
 - 3) the sale and transfer of these lands be subject to the granting of any required easements; and
 - 4) the Chief Administrative Officer be authorized by Council to initiate normal procedures for the sale and transfer of the subject lands.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Signature of Clerk _____