



Council

Agenda

Regular Meeting of Council

May 14, 2012

at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
MAY 14TH, 2012**

Monday, May 14, 2012

5:00 p.m.

Special Closed Meeting of Council
Council will adjourn in-camera
for training and educational
purposes
5th Floor Boardroom, City Hall

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, MAY 14TH, 2012**

PUBLIC PRESENTATIONS:

PUBLIC MEETING MINUTES:

Monday, April 30, 2012

Monday, May 7, 2012

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

Monday, April 30, 2012

COMMITTEE REPORTS:

General Government Committee Report No. 2012-05

General Government Committee Report No. 2012-06

Community Services Committee Report No. 2012-10

Engineering & Works Committee Report No. 2012-02

CORRESPONDENCE:

1. Report from Steve McArthur dated April 27, 2012 re Rezoning application by Miller & Urso Surveying Inc., on behalf of GAP Construction Co. Ltd. – 387 Dree Street (D14/2012/GAP/DREE).
2. Report from Steve McArthur dated April 28, 2012 re Rezoning application by Kenneth & Leona Walker – 860 Northshore Road (D14/2012/WALKE/NORTHS).
3. Report from Lorraine Rochefort dated April 24, 2012 re Reduction, Cancellation or Refund of Taxes (F22/2012/442/GENERAL).
4. Report from Steve McArthur dated April 24, 2012 re Rezoning application by Miller & Urso Surveying Inc., on behalf of Steve Crea Homes Ltd. – Perut Place at Giroux Street (D14/2012/PERUT/GIROUXST).

5. Report from Rhéaume Bellehumeur dated April 30, 2012 re Tourist Information Centre Rehabilitation Program (F0r/2012/PARKS/6098PR).
6. Report from Steve McArthur dated April 24, 2012 re Request for Exemption from the Condominium Approval Process by Nicole Lea Neff – Stevens Street – 419 to 431 Stevens Street (D07/2012/CONDO/STEVENS).
7. Report from Lorraine Rochefort dated May 1, 2012 re Tax Capping Policy (F22/2012/TAXR/GENERAL).
8. Report from Jerry Knox dated May 7, 2012 re Capital Budget Project No. 3112AT, North Bay Jack Garland Airport (F05/2011/NBJGA/3112AT).
9. Report from Beverley Hillier dated May 9, 2012 re Source Water Protection Planning Update (E00/2012/NBMSP/GENERAL).
10. Report from Beverley Hillier dated May 7, 2012 re Laurentian Heights Ltd. – Request for Redline Amendment – Plan of Subdivision (D12/9300699).

BY-LAWS FOR CONSIDERATION:

General Government – First and second readings:

By-Law No. 2012-134 to stop up, close and convey a portion of laneway in block bounded by Beattie Street, Burns Street, Greenwood Avenue and Norwood Avenue.

General Government - First, second and third readings:

By-Law No. 2012-124, being a by-law to repeal duplicate By-Law No. 2012-72.

By-Law No. 2012-130 to confirm proceedings of the Meeting of Council on April 30, 2012.

By-Law No. 2012-131, being a by-law to establish a Schedule of Salaries.

By-Law No. 2012-132 to authorize the execution of a Loan Agreement with North Bay-Mattawa Conservation Authority.

Engineering & Works – First, second and third readings:

By-Law No. 2012-128 to execute an Agreement with Miller Paving North Bay, A Division of Miller Paving Limited relating to the supply of Asphalt Concrete Pavement Patching.

By-Law No. 2012-129 to execute an Agreement with Pioneer Construction Inc. relating to the supply of Aggregate Materials.

By-Law No. 2012-133 to execute an Agreement with 1460973 Ontario Limited o/a C. P. Systems relating to Cathodic Protection of Metallic Watermains.

MOTIONS:

Councillor Vaillancourt	re	Casual Wear Months
Councillor Mendicino	re	Global Adjustment
Councillor Mendicino	re	Electricity Sector Review

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

11. ***Confidential*** report from Steve McArthur dated May 9, 2012 re Property Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 30TH, 2012**

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

PUBLIC PRESENTATIONS:

Todd Wilcox	re North Bay Hydro
Lynn Blunt	re ONTC

REPORTS FROM OFFICERS:

Conrad, C.	re Recommendation to Rescind Resolution No. 2012-60 – Reduction, Cancellation or Refund of Taxes	(286)
McArthur, S.	re OPA & Rezoning applications by Brian McLean – north of Hwy #63 @ Songis Road	(285)
Valenti, P.	re Tender No. 2012-27 – Two (2) 4x4 Emergency Response Vehicles	(287)
Valenti, P.	re Street Light Replacement Program	(288)

Res. #2012-283: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meeting held on:

- Monday, April 16, 2012

be adopted as presented.

"CARRIED"

Res. #2012-284: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the closed meeting held on:

- Monday, April 16, 2012

be adopted as presented.

"CARRIED"

Res. #2012-285: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee
regarding the Official Plan Amendment and Rezoning application by
Brian McLean – north of Highway #63 at Songis Road be referred to
the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2012-286: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council rescind Resolution No. 2012-260 passed at the Regular
Meeting of Council held on April 16, 2012 regarding the Reduction,
Cancellation and Refund of Taxes.

"CARRIED"

Res. #2012-287: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve the award of a contract to George Stockfish Ford Sales (1987) Ltd. in the amount of \$71,684.00 (excluding HST), for the supply of two (2) – 2012 Ford Expedition 4x4 Model SSV (Special Services Vehicle) vehicles.

"CARRIED"

Res. #2012-288: Moved by Councillor Vrebosch, seconded by Councillor Mayne
That City Council approve the issuing of a contract to Kenalex Construction Ltd. in the amount of \$276,807.00 (excluding HST), for the installation only of 3,567 LED Street Cobra head light fixtures.

"CARRIED"

Res. #2012-289: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:
By-Law No. 2012-118 to confirm proceedings of the Meeting of Council on April 16, 2012.

By-Law No. 2012-121, being a by-law to repeal By-Law No. 2012-73.

By-Law No. 2012-122 to stop up and close parts of Second Avenue, Plan 21, abutting Front Street.

By-Law No. 2012-123 to authorize the sale of lands no longer required for municipal purposes (Parts of Second Avenue, Plan 21, abutting Front Street).

"CARRIED"

Res. #2012-290: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:
By-Law No. 2012-118 to confirm proceedings of the Meeting of Council on April 16, 2012.

By-Law No. 2012-121, being a by-law to repeal By-Law No. 2012-73.

By-Law No. 2012-122 to stop up and close parts of Second Avenue, Plan 21, abutting Front Street.

By-Law No. 2012-123 to authorize the sale of lands no longer required for municipal purposes (Parts of Second Avenue, Plan 21, abutting Front Street).

"CARRIED"

Res. #2012-291: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:
By-Law No. 2010-155 to rezone certain lands on Seymour Street (Autogene Industries North Bay Inc. – 1891 Seymour Street).

By-Law No. 2012-100 to rezone certain lands on Airport Road (City of North Bay – Jack Garland Airport).

"CARRIED"

Res. #2012-292a: Moved by Councillor Bain, seconded by Councillor Koziol
That the motion regarding the Ontario Northland Transportation Commission Divestiture be amended to include that a copy of the motion also be forwarded to the members of the Northern Ontario Multimodal Transportation Strategy Working Group.

"CARRIED"

Res. #2012-292b: Moved by Councillor Anthony, seconded by Councillor Maroosis
WHEREAS the Mayors of the Northern Communities Working Group met with the Minister of Northern Development and Mines, Rick Bartolucci in Toronto on April 19, 2012, regarding the Provincial Government's proposed divestiture of the Ontario Northland Transportation Commission (ONTC);

AND WHEREAS the Mayors requested that the divestiture process be stopped until the recently commenced Northern Ontario Multimodal Transportation Strategy was completed;

AND WHEREAS the Mayors requested a meeting with Premier McGuinty, to be held in Northern Ontario, and at which meeting Premier McGuinty would be asked to explain in a clear and transparent manner how the Government would satisfactorily address the concerns of Northern communities, business and residents;

AND WHEREAS Minister Bartolucci confirmed the Government's intent to proceed with divestment in spite of the growing grave concerns of Northerners;

AND WHEREAS there is no apparent Government plan or divestment criteria that addresses the concerns of Northern stakeholders with regard to the current initiative and lost future opportunities.

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay requests that the Government of the Province of Ontario immediately stop the divestment of the ONTC;

AND BE IT FURTHER RESOLVED THAT the Council of the City of North Bay request that Premier McGuinty and Minister Bartolucci meet with Mayors of the Northern Communities Working Group, affected Aboriginal leaders, Business leaders, and affected labour organizations in order to commence negotiations for a "New Deal for the Ontario Northland";

AND BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to the Honourable Premier Dalton McGuinty; the Honourable Rick Bartolucci, Minister of Northern Development and Mines; the Honourable Bob Chiarelli, Minister of Infrastructure and the Minister of Transportation; the Honourable Dwight Duncan, Minister of Finance; the Ontario Northland Transportation Commission - Administration and Union; the Federation of Northern Ontario Municipalities; all municipalities in the ONTC catchment area; all affected First Nation communities in Northeastern Ontario; Victor Fedeli MPP; Jay Aspin MP; Tim Hudak, Leader of the Progressive Conservative Party of Ontario; Andrea Horwath, Leader of the Ontario New Democratic Party; and to the North Bay and District Chamber of Commerce.

Record of Vote (Upon Request of Councillor Anthony)

Yeas: Councillors Anthony, Vaillancout, Lawlor, Mayne, Koziol, Vrebosch, Chirico, Maroosis, Mendicino, Bain, McDonald

Nays: Nil

"CARRIED AS AMENDED"

Res. #2012-293: Moved by Councillor Chirico, seconded by Councillor Koziol That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:45 p.m. for the following reasons: Items #5, 6 and 8, being personal matters about identifiable individuals, including municipal employees; and Item #7, being a matter that is subject to solicitor-client privilege, including communications necessary for that purpose.

"CARRIED"

Res. #2012-294: Moved by Councillor Chirico, seconded by Councillor Koziol That Council reconvene at 9:03 p.m.

"CARRIED"

Res. #2012-295: Moved by Councillor Chirico, seconded by Councillor Koziol That Council appoint Christopher Regele to the North Bay Public Library Board for a term to expire November 30, 2014.

"CARRIED"

Res. #2012-296: Moved by Councillor Chirico, seconded by Councillor Koziol That Council appoint Sharon Moseley-Williams to the Municipal Accessibility Advisory Committee for a term to expire November 30, 2014.

"CARRIED"

Res. #2012-297: Moved by Councillor Chirico, seconded by Councillor Koziol That 1) City Council accept the Loan Agreement attached to Report to Council CORP 2012-61 drafted by the City Solicitor and Chief Financial Officer to ensure the City's financial interests are protected regarding an interest free loan of \$100,000.00 to the North Bay-Mattawa Conservation Authority to be repaid over 10 years, to fund the purchase of a used snow groomer for the Laurentian Ski Hill Snowboarding Club; and

2) City Council authorize the Mayor and City Clerk to enter into the Loan Agreement with North Bay-Mattawa Conservation Authority.

Record of Vote (Upon Request of Councillor Mendicino)

Yeas: Councillors Mendicino, Mayne, Lawlor, Maroosis, Vrebosch, Chirico, Koziol, Anthony, Bain, Vaillancourt, McDonald

Nays: Nil

"CARRIED"

Res. #2012-298: Moved by Councillor Chirico, seconded by Councillor Koziol,
That the schedule under the Non-Union Salary By-Law be amended
to reflect an across the board increase of 2% effective January 1,
2013, 2% effective January 1, 2014, 2% effective January 1, 2015
and 2% effective January 1, 2016.

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

Yeas: Councillors Chirico, Anthony, Lawlor, Bain, Maroosis, Vaillancourt,
Mendicino, Koziol, Mayne, Vrebosch, McDonald

Nays: Nil

"CARRIED"

Res. #2012-299: Moved by Councillor Maroosis, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 9:12 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHY CONRAD

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *MUNICIPAL ACT*
HELD MONDAY MAY 7TH, 2012**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Marosis, Bain, Mayne, Vrebosch, Vaillancourt, Mendicino, Lawlor.

1. User Fees - Waste Management User Fees and Charges

Councillor Vrebosch explained the purpose of the meeting.

The City Clerk advised that notice of the meeting was given by advertisements in the North Bay Nugget on the 7th day of April, 2012 and 14th day of April, 2012.

John Severino explained the purpose of the meeting.

Councillor Vrebosch asked for public presentations.

No public presentations were made.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *DEVELOPMENT CHARGES ACT*
HELD MONDAY MAY 7TH, 2012**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Marosis, Bain, Mayne, Vrebosch, Vaillancourt, Mendicino, Lawlor.

1. Development Charges

Councillor Chirico explained the purpose of the meeting.

The City Clerk advised that notice of the meeting was given by advertisements in the North Bay Nugget on the 7th day of April, 2012 and the 14th day of April, 2012.

Margaret Karpenko explained the purpose of the meeting.

Councillor Chirico asked for public presentations.

1. Rick Miller – 1501 Seymour Street, North Bay
 - Attending on behalf of the North Bay Home Builders Association
 - Expressed appreciation for revisiting the numbers and amending the increase from 3.9% to 1.9%
 - Home starts are tenuous at this time
 - Development charges are difficult to explain to buyers
 - Other communities in the area, with the exception of Callander, are not charging development charges at this time
 - Development charges drive building outside the City.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

W:\CLERK\IRMS\F21\2012\DEVCH\GENERAL\0003.doc

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *ONTARIO BUILDING CODE*
HELD MONDAY MAY 7TH, 2012**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Marosis, Bain, Mayne, Vrebosch, Vaillancourt, Mendicino, Lawlor.

1. 2011 Annual Report on Building Permit Fees.

Councillor Lawlor explained the purpose of the meeting.

The City Clerk advised that notice of the meeting was given by advertisements in the North Bay Nugget on the 7th day of April, 2012 and the 14th day of April, 2012.

Shawn Killins explained the purpose of the meeting.

Councillor Lawlor asked for public presentations.

No public presentations were made.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2012-05

May 14, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2012-05 and recommends:

1. That a) reports from David Linkie dated August 31st and October 26th, 2011 regarding Power Assisted Bicycles (PAB) be noted and filed; and
b) a letter be sent to the Minister of Transportation asking that Provincial Guidelines on regulations be put in place defining "Power Assisted Bicycles/E-Bikes" to address the concerns regarding the popularity of said items and safety concerns of the citizens of the Province.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
CHIRICO (CHAIRMAN)	_____	_____
KOZIOL	_____	_____
ANTHONY	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2012-05

May 14, 2012

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

Your Worship and Councillors:

The General Government Committee Report No. 2012-05 be amended by adding the following:

2. That a) E-bikes/Power Assisted Bikes (PAB's) be allowed on City and North Bay -Mattawa Conservation Authority trails within City limits in pedal mode only; and
- b) appropriate signage be posted along trails advising of this.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
CHIRICO (CHAIRMAN)	_____	_____
KOZIOL	_____	_____
ANTHONY	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2012-06

May 14, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2012-06 and recommends:

1. That a) the Chief Financial Officer be authorized to increase Development Charges rates for 2012 in accordance with indexing adjustments of 1.9%, as outlined in Report to Council CORP 2012-64; and
b) the amended 2010 and 2011 Treasurer's Reports be received.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
CHIRICO (CHAIRMAN)	_____	_____
KOZIOL	_____	_____
ANTHONY	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-10

May 14, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-10 and recommends:

1. That the 2011 Annual Report on Building Permit Fees attached to Report to Council CSBU 2012-40 be noted and filed.

All of which is respectfully submitted.

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

ENGINEERING & WORKS COMMITTEE REPORT NO. 2012-02

May 14, 2012

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2012-02 and recommends:

1. That
 - a) City Council approve the increase in tipping fees for solid waste from the industrial, commercial and institutional sources to \$78.00 per metric tonne effective June 1, 2012; and
 - b) other Waste Management User Fees remain the same and are stated for the public record.

All of which is respectfully submitted.

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

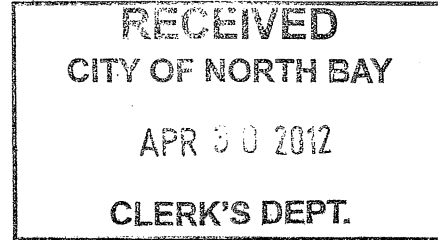


The Corporation of the City of North Bay

200 McIntyre St. East
P.O. Box 360
North Bay, Ontario
Canada P1B 8H8
Tel: (705) 474-0400

Planning Services: 5th Floor, City Hall
Direct Line: (705) 474-0626, Ext. 2409
Facsimile: (705) 474-5928
Watts: 1-800-465-1882
Email: steve.mcarthur@cityofnorthbay.ca
Website: www.cityofnorthbay.ca

April 27, 2012



Mr. Rick Miller
Miller & Urso Surveying Inc.
1501 Seymour Street
North Bay, On P1A 0C5

Dear Mr. Miller:

Re: Proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Gap Construction Co. Ltd. in the City of North Bay (387 Dree Street)

Please accept this letter as our acknowledgement of receipt of the above-noted application to amend the City of North Bay's Zoning By-law No. 28-80 for a portion of the property legally described as Concession 14, Part Lot 34, Parcels 5464 & 6761 W/F, known locally as 387 Dree Street in the City of North Bay.

We have reviewed the applications and have deemed them to satisfy the requirements of a "complete" application as of this date. In the event that further information is required as a result of a circulated agency request, it will be requested at that time.

Should you require any additional information, please feel free to contact the undersigned at 705-474-0626 ext. 2409.

Sincerely,

Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SM/dlb

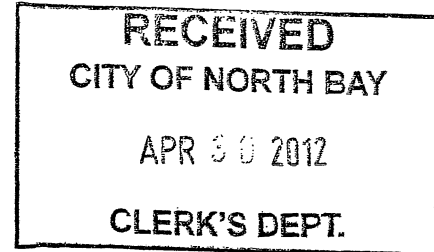


The Corporation of the
City of North Bay

200 McIntyre St. East
P.O. Box 360
North Bay, Ontario
Canada P1B 8H8
Tel: (705) 474-0400

Planning Services: 5th Floor, City Hall
Direct Line: (705) 474-0626, Ext. 2409
Facsimile: (705) 474-5928
Watts: 1-800-465-1882
Email: steve.mcarthur@cityofnorthbay.ca
Website: www.cityofnorthbay.ca

April 28, 2012



Kenneth & Leona Walker
11 Cedarbrook Crescent
Hawkestone, On L0L 1T0

Dear Mr. & Mrs. Walker:

Re: Proposed Zoning By-law Amendment by Kenneth & Leona Walker for property at 860 Northshore Road in the City of North Bay

Please accept this letter as our acknowledgement of receipt of the above-noted application to amend the City of North Bay's Zoning By-law No. 28-80 for the property legally described as Concession B, Part of Lot 6, Reference Plan No. 36R-10792, Part 1, and Reference Plan No. 36R-11769, Part 1, Parcel 18857 W&F, known locally as 860 Northshore Road in the City of North Bay.

We have reviewed the applications and have deemed them to satisfy the requirements of a "complete" application as of this date. In the event that further information is required as a result of a circulated agency request, it will be requested at that time.

Should you require any additional information, please feel free to contact the undersigned at 705-474-0626 ext. 2409.

Sincerely,

Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SM/dlb

City of North Bay**Report to Council**

Report No.: CORP 2012-57

Date: April 24, 2012

Originator: Lorraine Rochefort

Subject: Reduction, Cancellation or Refund of Taxes
Section 357, the Municipal Act, S.O. 2001, c.25

RECOMMENDATION:

That the tax appeal applications attached to CORP Report No. 2012-57 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 of the Municipal Act, S.O. 2001 c.25.

BACKGROUND:

Section 357 of the Municipal Act provides Council with the authority to cancel, reduce or refund taxes under various circumstances as set out in the Act upon application by the ratepayer.

The attached thirteen applications have been reviewed and verified by the Municipal Property Assessment Corporation (MPAC). Twelve have been returned with a positive recommendation and one with a negative recommendation. Application 2012-13a dealt with a tax exemption request. It was determined by MPAC's legal branch that the property did not qualify for exemption.

The subject applications deal specifically with:

- Section 357 (1) (a) - tax class change
- Section 357 (1) (d)(i) - raised by fire/.demolition
- Section 357 (1)(d)(ii) - damaged and substantially unusable

The 2012 budget is \$120,000; the municipal portion write-off of the subject applications is \$24,919.10.

ANALYSIS/OPTIONS:

Option #1 – Council could choose not to accept MPAC’s recommendations and deny all or specific applications. If such was the case, the ratepayer has the opportunity to file a notice of appeal to the Assessment Review Board (ARB). The ARB’s decision is final.

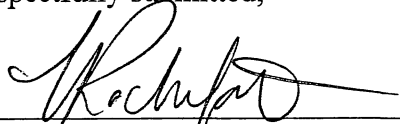
Option #2 – Council accept MPAC’s recommendations and approve the adjustment of the attached tax appeals for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 of the Municipal Act, S.O. 2001, c.25.

RECOMMENDED OPTION:

Option #2 is the recommended option.

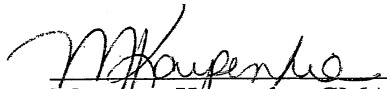
That the tax appeal applications attached to CORP Report No. 2012-57 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 of the Municipal Act, S.O. 2001 c.25.

Respectfully submitted,

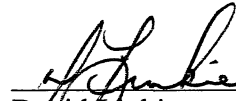


Lorraine Rochefort, AMCT
Manager of Revenues & Taxation

We concur in this report and recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Manager of Revenues & Taxation

Attach. Summary of Section 357 Applications

INTER OFFICE

MEMO

*City of North Bay
Planning Services*

To: Cathy Conrad, City Clerk
From: Steve McArthur - Senior Planner, Current Operations
Subject: Resolution No. 3 - Planning Advisory Committee
Date: April 24, 2012

Quoted below is Resolution No. 3 passed at the regular meeting of the Planning Advisory Committee held on Wednesday, March 28th, 2012:

Resolution No. 3

"That the Planning Advisory Committee recommend the following to City Council:

1. That the proposed Zoning By-law Amendment application by Miller & Urso Surveying Inc. on behalf of Steve Crea Homes Limited to rezone the property legally described as Plan M-85, Part Lot 38, 39 & 40 and Lots 41 to 50, Part of Giroux, George & Lindsay Streets (Closed), Reference Plan NR-1354, Parts 6 & 7, Reference Plan 36R-9979, Parts 1 & 2, Parcels 18727, 18728, and the Remainder of Parcel 539 in the former Township of Widdifield, from a 'District Commercial (C4)' zone to a 'Residential Third Density (R3)' zone and to a 'Residential Multiple Third Density (RM3)' zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required."



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

INTER OFFICE

City of North Bay
PLANNING SERVICES

MEMO

To: Chair and Members, Planning Advisory Committee

From: Steve McArthur – Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Steve Crea Homes Ltd., Perut Place at Giroux St., (Perut Place Phase II) in the City of North Bay

Date: March 22, 2012

Recommendations

1. That the proposed Zoning By-law Amendment application by Miller & Urso Surveying Inc. on behalf of Steve Crea Homes Limited to rezone the property legally described as Plan M-85, Part Lot 38, 39 & 40 and Lots 41 to 50, Part of Giroux, George & Lindsay Streets (Closed), Reference Plan NR-1354, Parts 6 & 7, Reference Plan 36R-9979, Parts 1 & 2, Parcels 18727, 18728, and the Remainder of Parcel 539 in the former Township of Widdifield, from a 'District Commercial (C4)' zone to a 'Residential Third Density (R3)' zone and to a 'Residential Multiple Third Density (RM3)' zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

Site

The subject lands are legally described as Plan M-85, Part Lot 38, 39 & 40 and Lots 41 to 50, Part of Giroux, George & Lindsay Streets (Closed), Reference Plan NR-1354, Parts 6 & 7, Reference Plan 36R-9979, Parts 1 & 2, Parcels 18727, 18728, and the Remainder of Parcel 539 in the former Township of Widdifield and form part of the Draft Approved Perut Place Plan of Subdivision (Phase II).

The surrounding land uses include undeveloped portions of the same Subdivision, other semi-detached dwellings, single family detached dwellings and commercial properties fronting on Trout Lake Road near the intersection with Giroux Street. The subdivision is bounded by the Ontario Northland Railway to the southeast and Trout Lake Road to the north, as shown on Schedules 'A' and 'B' attached hereto.

Proposal

The Applicant is proposing to rezone a portion of the subject property from a 'District Commercial (C4)' zone to a 'Residential Third Density (R3)' zone and to a 'Residential Multiple Third Density (RM3)' zone in order to permit the construction of one (1) additional semi-detached dwelling and one (1) small apartment block on the subject lands, as shown on Schedule 'B' attached hereto.

Official Plan

The property is currently designated 'Residential' on Schedule "1" of the City of North Bay's Official Plan. It is the objective of the Official Plan to concentrate new growth and redevelopment within the Settlement Area and to develop new land for residential, employment area, commercial, park & open space and institutional uses. The Settlement Area is sized to meet current and future land requirements for these uses requiring full municipal services.

Section 2.1, Settlement Areas, states that: *"Infill and intensification developments will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate, and where adequate municipal services, facilities, and transit routes exist. Infilling and intensification will also be promoted in other areas of the City where there is appropriate infrastructure and new development or redevelopment is compatible with surrounding land uses."*

Section 2.1.2 adds: *"Residential developments surrounding commercial nodes shall have a higher density to support increased pedestrian activity and mixed use developments."*

The proposal to rezone a portion of the subject property from a 'District Commercial (C4)' zone to a 'Residential Third Density (R3)' zone and to a 'Residential Multiple Third Density (RM3)' zone in order to permit the construction of one (1) additional semi-detached dwelling and one (1) small apartment block on the subject lands is in conformity with the Official Plan.

Zoning By-Law No. 28-80

The subject property is presently zoned "District Commercial (C4)" which permits the following uses:

Permitted Uses, Commercial

- Automobile service station or Gas bar
- Automobile Sales, Service or Leasing Establishments;
- Banks
- Boarding, Lodging or Rooming House
- Business Offices
- Clubs
- Data Processing Firm
- Day nursery
- Financial Institutions
- Funeral homes
- Food stores
- Group Home Type 2
- Group Home Type 3
- Hotels, Motels
- Instructional Services
- Liquor, Beer or Wine Stores
- Local Retail stores
- Personal Service Establishment
- Pet Daycare Facility
- Pharmacy
- Places of worship
- Public and Private parking areas
- Places of entertainment
- Professional Offices

In terms of correspondence received, the Engineering Department, the Secretary-Treasurer of the North Bay Municipal Heritage Committee, the North Bay-Mattawa Conservation Authority, the Chief Building Official, the Chief Fire Prevention Officer and the Ministry of Transportation have indicated they have no concerns or objections to this proposal.

A number of area residents attended the public meeting before the Planning Advisory Committee on Wednesday, March 7th and four (4) of the attendees submitted written comments regarding the proposal. Their comments and concerns can be summarized as follows:

- The building and engineering departments have received multiple complaints about the subdivision over the last three (3) years mostly related to drainage and water run off issues that were a problem in Phase I of the development;
- Object to any rezoning for an apartment building as it lowers property values;
- Taxes are too high;
- Trucks, dirt and garbage have been a big problem and traffic has already increased and will increase ten-fold with the opening of the intersection;
- Construction materials have not been picked up and end up clogging the culverts;
- Illegal dumping mires what should otherwise be a clean, new neighbourhood;
- The work trailer that has been left on-site is being vandalized and drug use may be occurring;
- Wants the developer to take responsibility for cleaning up the area;
- Tree removal, dust, snow melt and noise affecting his quality of life;
- The heavy equipment and contractor's yards are dangerous for children on the street; and
- Traffic during construction should come from Trout Lake Road.

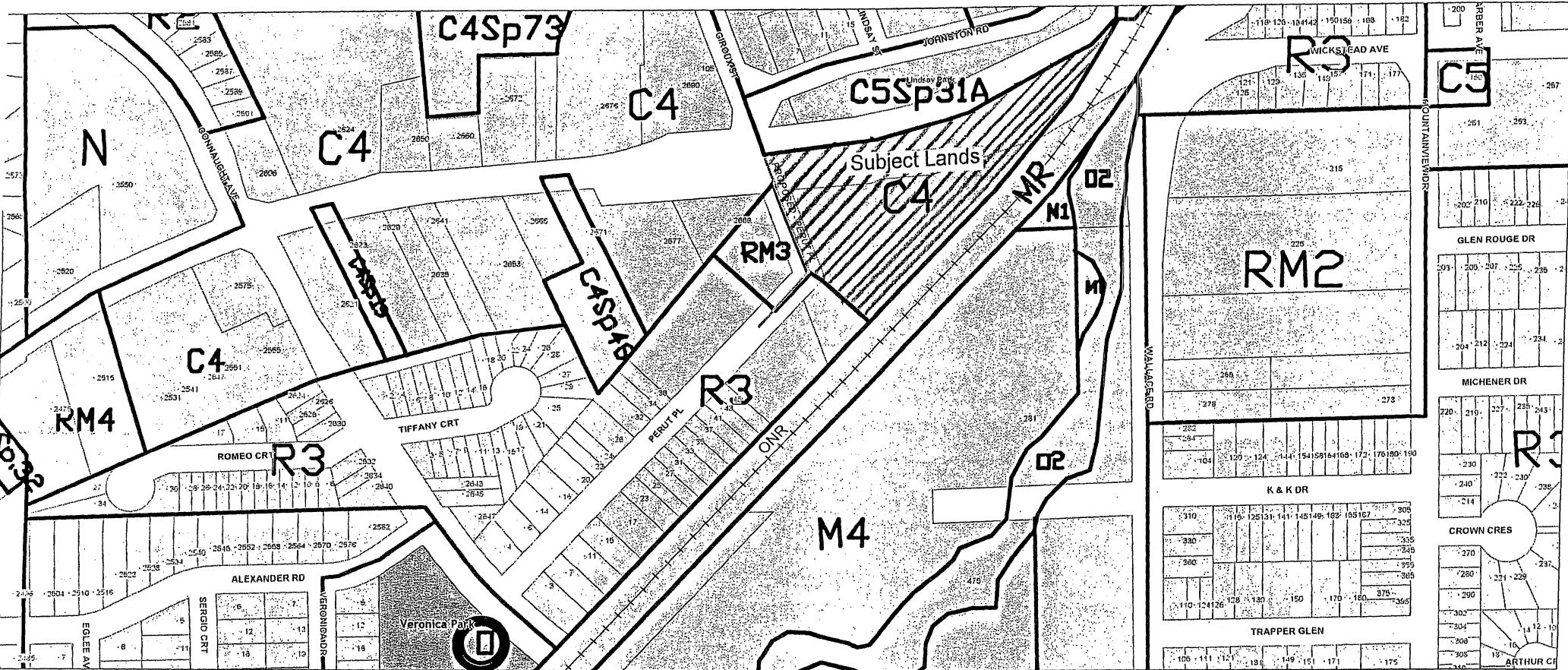
The drainage and storm water problems that were present during Phase I have been addressed. A new oversized culvert was installed under the adjacent ONR tracks in 2009 and rear yard swales were built behind lots sold on the north side of Perut Place. In Phase II, the storm water drainage system will be adequately sized to handle the worst case scenario storm event.

A number of residents expressed concern regarding the construction of an apartment building on the subject lands. As noted previously, the current zoning on the property permits the construction of an apartment building provided that it is associated with a commercial use. The proposed rezoning is considered a "down-zoning". The size of the proposed apartment building will be dictated by the total land area available, setbacks and parking requirements in the RM3 zone. The Applicant has suggested that the apartment building would be a small, walk-up style building (no elevator), two to three stories in height. The proposed apartment building will be subject to Site Plan Control, which will regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

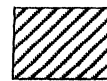
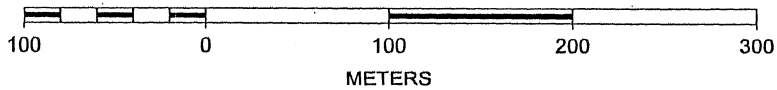
The intersection at Perut Place, Giroux Street and Trout Lake Road is into the design phase with construction, funding dependent, scheduled for this summer. Traffic routing, especially during construction of Phase II, is possible if the intersection goes ahead. A Pre-servicing Agreement and subsequent Subdivision Agreement will be required to be entered into prior to any construction on Phase II and appropriate financial security and conditions will be included in these documents. The remainder of the issues raised generally related to property standards complaints and construction activity during Phase 1. As a result of the comments received the Applicant has taken steps to clean up the property. The 'work trailer' referenced above has been removed and City staff have met with the developer regarding expectations for their work environment during future construction phases.

No further correspondence was received with regard to this proposal.

SCHEDULE A



SCALE 1 : 4,138



Proposed Zoning By-law Amendment
 From: "District Commercial (C4)"
 To: "Residential Multiple Third Density (RM3)"
 and "Residential Third Density (R3)"



City of North Bay**Report to Council****Report No:** CSBU 2012-17**Date:** April 30, 2012**Originator:** Rhéaume Bellehumeur
Facilities & Parking Supervisor**Subject:** 2012 Community Services Capital Budget, Project No. 6098PR
Tourist Information Centre Rehabilitation Program**RECOMMENDATION**

That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Tourist Information Centre Rehabilitation Program being 2012 Community Services Capital Budget, Project No. 6098PR in the amount of \$35,000 for the repair of the siding at the Tourist Information Centre.

BACKGROUND

The 2012 Capital Budget included the amount of \$75,000 for the Tourist Information Centre Rehabilitation Program being 2012 Community Services Capital Budget, Project No. 6098PR which provides for the rehabilitation of the Tourist Information Centre based on the building life cycles and on-going needs. This report requests that \$35,000 of the \$75,000 included in the 2012 Capital Budget for the Tourist Information Centre Rehabilitation Program be approved for expenditure to allow City Staff to begin the replacement of the siding of the Tourist Information Centre.

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

Tourist Information Centre Siding Replacement	\$ 33,250
Financing Costs	\$ <u>1,750</u>
NET DEBENTURE COST	\$ 35,000

ANALYSIS / OPTIONS

Option 1 - That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Tourist Information Centre Rehabilitation Program being 2012 Community Services Capital Budget, Project No. 6098PR in the amount of \$35,000 for the repair of the siding at the Tourist Information Centre.

Under this option, City Council would authorize the Parks, Recreation and Leisure Services Department to provide replacement of the siding at the Tourist Information Centre.

Project Summary

Project Number:	6098PR		
Title:	TOURIST INFORMATION CENTRE & DIONNE HOME REHAB ON-GO		
Asset Type:	BUILDINGS - Parks		
Division:	Community Services		
Budget Year:	2012		
Scenario Name:	Main	Active:	Yes
Budget Status:	Staff Input		
Regions:			
Project Type:	PARKS		

Project Description				Project Comments			
This program provides for the rehabilitation and restoration of the Tourist Information Centre and the Dionne Home Museum based on building life cycles and as presented in the 2005 Building Condition Report.				2012 priorities includes Dionne Home roof replacement, phase 2 of floor repairs and Tourist Information Centre siding replacement.			
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2012			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2012	75,000	75,000	0	Expense			
2013	75,000	75,000	0	3425	CONSTRUCTION CONTRACT		75,000
2014	100,000	100,000	0			Total Expense:	75,000
2015	75,000	75,000	0	Revenue			
2016	75,000	75,000	0	0286	Pay As you Go		75,000
2018	50,000	50,000	0			Total Revenue:	75,000
2020	50,000	50,000	0				
	<u>500,000</u>	<u>500,000</u>	<u>0</u>				
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Project Partner	Manager			Est. Completion Date	
2012			JERRY KNOX				

City of North Bay Report to Council

Report No.: CSBU 2012-24

Date: April 24, 2012

Originator: Steve McArthur, Senior Planner – Current Operations

Subject: Request for Exemption from the Condominium Approval Process by Nicole Lea Neff (Stevens Street Condominium, 419 to 431 Stevens Street, City of North Bay)

File No.: D07/2012/CONDO/STEVEN (48CDM-12102)

RECOMMENDATION

- 1) That the Request for Exemption from the Condominium Approval Process by Nicole Lea Neff for the property legally described as Registered Plan No. 15, Lot 114, known locally as 419 to 431 Stevens Street in the City of North Bay, as represented on Schedules "A" & "B" to Report to Council No. CSBU 2012-24, BE APPROVED.

BACKGROUND

An application has been made by Nicole Lea Neff for an Exemption from Approval of a Plan of Condominium for lands described as Registered Plan No. 15, Lot 114, known locally as 419 to 431 Stevens Street in the City of North Bay.

The subject property is located on Stevens Street and has a frontage of approximately 40.247 metres (132 feet) and a total area of approximately 0.08 hectares (0.20 acres). The building was constructed as a frame and brick apartment building in 1962 and consists of four (4), two (2) storey townhouse style dwelling units.



Figure 1 – Photos of 419 to 431 Stevens Street

The property is zoned "Residential Multiple Second Density (RM2)" and the building has a legal non-complying rear yard setback and undersized lot area. The building backs onto the Kinette (Rock Street) Playground and is bound to the south by an unopened portion of McIntyre Street West road allowance. Surrounding properties feature a mix of low and medium density residential uses, the aforementioned park and playground, and a light industrial building (warehouse) across McIntyre Street at 381 Stevens Street.

the Applicant receives final approval and registers the Condominium Plan. This process is used primarily where no prior approvals have been given under the Planning Act, R.S.O. 1990, c. P. 13.

Option 2

Section 9 of the Condominium Act, 1998, allows a second process where the approval of the Condominium is exempt from Section 51 of the Planning Act. Section 9 of the Condominium Act permits the Municipality to grant an exemption if it deems it appropriate in the circumstance.

The criteria for granting such an exemption relates to the fact that the development is an existing building, no changes are being proposed to the building and that there are no municipal concerns outstanding.

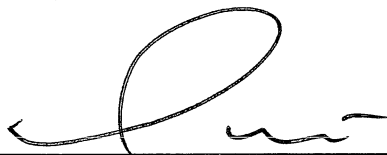
RECOMMENDED OPTION / FINANCIAL IMPLICATION

Option 2 is the recommended option.

In my professional opinion, the exemption process is appropriate for the subject application for the aforementioned reasons. The building and property conforms to the residential policies of the Official Plan. The "Residential Multiple Second Density (RM2)" zoning on the property permits the existing two (2) storey, four (4) unit building. The condominium approval went through the planning process prior to construction in 1962.

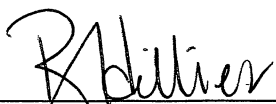
The existing building has been renovated and upgraded over the past two years. Planning Services has conducted an on-site inspection and has reviewed the application and has no issues with the proposal. Building Services has attended the site and have offered no objection or concerns with regards to the proposed conversion.

Respectfully submitted,



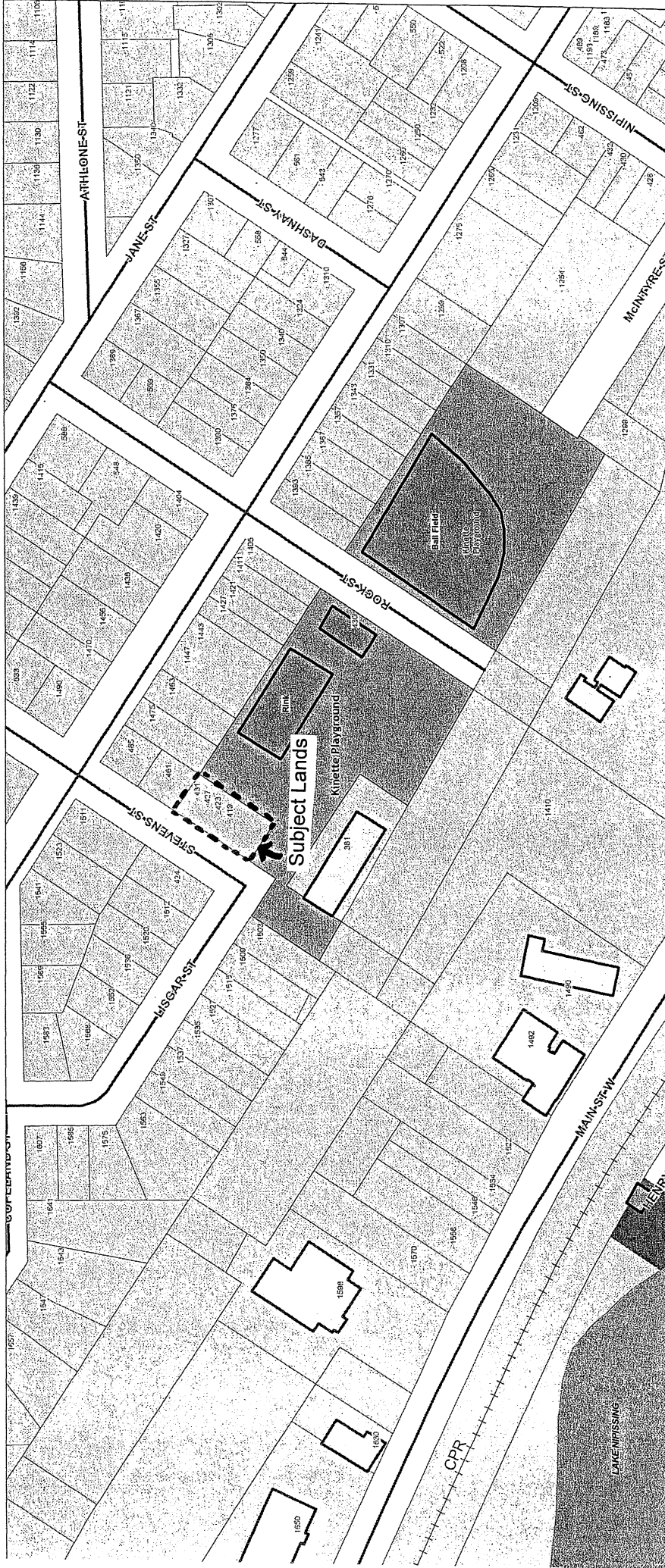
Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

We concur with this report and recommendations.

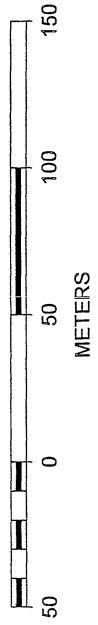


Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A



SCALE 1 : 2,592



**City of North Bay
Report to Council**

Report No.: CORP 2012-65

Date: May 1, 2012

Originator: Lorraine Rochefort

Subject: 2012 Tax Capping Policy

RECOMMENDATIONS:

1) That Council adopts the 2012 Tax Capping Policy recommendations as follows:

That the 2012 capping program incorporate the following options:

- a) increase the capping percentage from 5% to 10% for all capped classes
- b) apply a 5% limit over prior year annualized tax, whichever is greater of a) or b)
- c) apply a minimum increase threshold of \$250.00 to all capped classes
- d) exempt from capping, properties that were subject to CVA tax in 2011
- e) exempt from capping, properties that were capped in 2011 and would otherwise be subject to claw back in 2012
- f) exempt from capping, properties that were subject to claw back in 2011 and would otherwise be subject to capping protection in 2012
- g) adopt a threshold tax level for new construction properties of 100%

That the cost of providing the legislated caps on assessment related increases for individual properties in 2012 be funded as follows:

- a) for the commercial class, the cost be borne from within the class
- b) for any shortfall in the industrial and multi-residential classes, the cost to be funded 100% from the Tax Policy Development Reserve Fund

2) That Council enacts the following by-laws and that they be given three readings on May 22nd, 2012:

By-Law 2012-125 – a by-law to adopt the 2012 tax capping program

By-Law 2012-126 – a by-law to adopt optional tools – New Construction

By-Law 2012-127 – a by-law to establish decreased limits for certain property classes

BACKGROUND:

A mandatory 5% capping program for Multi-Residential, Commercial & Industrial Classes was introduced by the Provincial Government in 2001. The program limited increases in taxes resulting from reassessment or class changes to 5% from the previous year's adjusted taxes. Municipal tax levy increases were in addition to the 5% limit mandated. This is now an ongoing program unless the Province amends the legislation.

There are options for funding the cost of providing the reductions for capped properties:

- 1) Cost can all be borne within each class by limiting assessment related tax reductions that would otherwise benefit other properties (claw-backs).
- 2) City can fund a portion of the cost for any class by including an allowance in the tax levy to be borne by all properties.
- 3) City can fund a portion from the Tax Policy Development Reserve Fund. Balance as at December 31, 2011, \$340,479.51.

For 2001, 2002, 2003 and 2004 council chose to fund the capping program from within the three classes of properties (Commercial, Multi-Residential and Industrial).

In 2005, 2006, 2007, 2008, 2009, 2010 and 2011 the Commercial class was funded from within the class. The Multi-Residential and Industrial programs were funded 100% from the Tax Policy Development Reserve Fund.

The purpose of this report is to establish the 2012 Capping Program.

OPTIONS/ANALYSIS:

Option #1 – to adopt options introduced in the 2004 budget as follows:

- increase the capping percentage from 5% to 10% for all capped classes
- apply a 5% limit over prior year annualized tax, whichever is greater of a) or b)
- apply a minimum increase threshold of \$250.00 to all capped classes
- the cost of providing the legislated caps on assessment related increases for individual properties be funded as follows:
 - for the commercial class, the cost be borne from within the class
 - for the industrial and multi-residential classes, the cost to be funded 100% from the Tax Policy Development Reserve Fund

If the 2012 program included the above-noted parameters, the capping program would be as follows:

CAPPED PROPERTIES:

TAX CLASS	CAPPED PROPERTIES	COSTS OF CAPPING	FUNDING OF PROGRAM
Commercial	21	\$38,882.00	Within the class
Industrial	1	\$ 433.00	Tax Policy Reserve
Multi-Residential	0	\$ 0.00	N/A - at CVA

By adopting these options, the commercial tax capping program is reduced by approximately \$6,000.00 from 2011 to 2012 and all but 14 properties would be at CVA. All properties in the multi-residential and industrial tax classes would be at CVA which is our long-term goal.

All properties in the multi-residential and industrial tax classes would receive 100% of their reductions and in the commercial tax class 31 additional properties would receive the full 100% reduction because they would be brought to CVA.

In the commercial tax class, the program is \$32,761.00 and funded within the class, therefore, no other tax class would be absorbing any cost of the program. Ratepayers would continue to receive capping protection and we would claw-back 8.8% of the reductions to fund the program. Decreasing properties would realize 91.2% of their reduction.

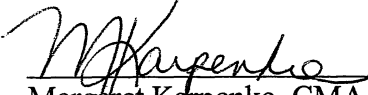
Although this option definitely brings more properties to CVA tax, it comes at a cost to some ratepayers. By adopting the new options, the commercial capping program is reduced which means that taxes on properties that would have been capped will see increases.

The new options benefit the claw-back properties as 31 properties are brought to CVA tax which means they are no longer paying more than their fair share to fund the \$32,761.00 of capped properties.

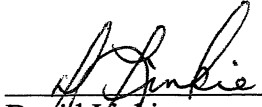
Although some commercial properties will not be capped and will see increases, all properties in the class will have benefited in 2012 as follows:

- Revenue neutral tax ratios were not adopted to offset the tax burden from the residential tax class to the other classes of properties for 2012 which would have increased the tax levy burden to the commercial class.
- Properties that would be brought to CVA tax under the new options would have the same protection as the residential tax payer in that the assessment increases are phased in over four years.
- Fair and equitable taxation is our ultimate goal and that is achieved when all ratepayers pay CVA tax. Adopting these options brings us closer to our goal therefore, Option #2 is the recommended option.

We concur in this report and recommendations.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Manager of Revenues & Taxation

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CSBU 2012 - 42

Date: May 7, 2012

Originator: Jerry D. Knox, Managing Director, Community Services

Subject: Capital Budget Project # 3112AT- North Bay Jack Garland Airport

RECOMMENDATION

That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the expansion to the terminal at the North Bay Jack Garland Airport, being Community Services 2011 Capital Project No. 3112AT, at a net debenture cost of \$500,000.

BACKGROUND

One of the objectives of the North Bay Jack Garland Airport Corporation is to increase passenger traffic at the North Bay Jack Garland Airport. In 2011, Bearskin Airlines established a more visible presence by establishing their own dedicated Customer Service Counter within the terminal. Additionally in 2011, both Sunwing and Air Transat/Can-Jet established winter charter destination services resulting in excess of 6000 enplane/deplane passengers. To accommodate the two charter services, the secured customer services area needed to be expanded. Recently Sunwing has confirmed they will be operating a flight to Cancun Mexico for the 2012/13 season and Transat is expected to confirm their intentions in the near future.

With these recent activities, the Airport's ability to attract or accommodate other carriers is restricted; while it is public knowledge carriers such as West Jet and Porter have expansion plans. To be best positioned to take advantage of carrier expansion and attract new services, the expansion of the Airport Terminal has become a priority.

In 2011, with the pending developing of the Aviation/Industrial Park, \$500,000 was included in the City's Annual Capital Plan to leverage other levels of government funding for the construction of a hangar to assist in the attraction of Aviation related business.


At this point with the servicing of the industrial park being completed in 2012 and with considerable interest in lands within the Park, the more pressing need is to expand the Airport Terminal.

The City's 10 year capital plan identifies \$1.5 million for the expansion of the Airport Terminal in 2014. Given the potential opportunities within the Aviation Industry it is prudent to consider the terminal expansion earlier. The estimated cost of the expansion of the terminal remains at \$1.5 million and it is the intent of staff to leverage funding from other levels of government. Should funding from other levels of government not be successful, Council would need to consider other alternatives.

It is the purpose of this report to gain Council's approval to apply the \$500,000 outlined in the 2011 capital budget, CSBU Project 3112AT, towards the cost of expanding the Airport Terminal rather than the construction of a hangar.

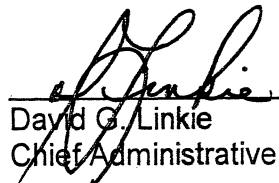


Laura Boissonneault
Supervisor, Budgets & Financial Reporting



Margaret Karpenko
Chief Financial Officer / Treasurer

I concur with this report and recommendations.



David G. Linkie
Chief Administrative Officer

Person designated for continuance: Managing Director, Community Services
Manager, North Bay Jack Garland Airport

Copy: Jack Santerre, Manager, North Bay Jack Garland Airport

City of North Bay**Report to Council****Report No:** CSBU 2012 - 45**Date:** May 9, 2012**Originator:** Beverley Hillier, Manager, Planning Services**Subject:** Source Water Protection Planning Update

Recommendations

1. That Report to Council CSBU 2012 - 45, including appendices, be provided to the North Bay-Mattawa Source Protection Committee as comments on the first draft of the Source Protection Plan; and
2. That the costs of implementation be referred to the 2013 budget process for planning purposes

Background

The *Clean Water Act* (2006) provides the legislative framework for drinking water source protection in Ontario. The Act mandates that each local Source Protection Committee (SPC) develop a Source Protection Plan (SP Plan) to address threats to drinking water sources. The scope of the local project was outlined in the Terms of Reference and the scientific understanding of the vulnerability of the drinking water sources has been summarized in the Assessment Report. The full Assessment Report is available in Planning Services.

The SP Plan for the North Bay-Mattawa Source Protection Area was posted on April 24, 2012 for public comment. The Comment period closes on May 31, 2012. The Plan may be revised, based on comments received, and posted for a final comment period prior to submission to the Ministry of Environment in August 2012. The full SP Plan is available in Planning Services or the Clerk's Department.

Analysis/Options

The North Bay – Mattawa Source Protection Area covers approximately 4000 square kilometers and includes all municipalities that form part of the jurisdiction of the NBMCA in addition to the South River watershed. The objective of the SP Plan is to essentially protect existing and future drinking water sources, and to ensure that for where an activity is or would be a significant threat that the activity never becomes a threat or ceases to be a significant threat.

There are twenty-one activities prescribed in the Ontario Regulation 287/07 of the Clean Water Act that could pose threats to sources of drinking water. The Source Protection Plan must address each. In addition, the Transportation of Hazardous Substances has been added as a Local Threat.

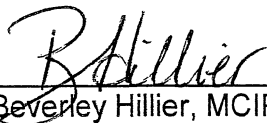
The Policies contained within the SP Plan only apply within the vulnerable areas as identified within the Assessment Report. Each policy within the SP Plan names a specific "Implementing Body" that is responsible in the manner set out in the Plan. There are a variety of policy tools that were available to the SPC including: Land Use Planning; Prescribed Instruments (eg. Certificate of Approvals, Permits to Take Water etc.); Prohibition, Risk Management and Restricted Land Uses; Incentives; Education and Outreach; Specify Action (eg. Enact a By-law); Other Approaches (eg. Research initiatives).

Option 2 – Do not provide comments to the North Bay-Mattawa Source Protection Committee on the draft Source Protection Plan.

Recommended Option

Option 1 is the recommended option. This will provide the Source Protection Committee North Bay's comments on the draft Plan.

Respectfully submitted,



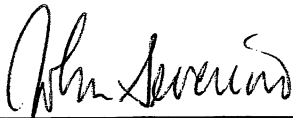
Beverley Hillier, MCIP, RPP
Manager, Planning Services

BH/dlb

W:\PLAN\RMS\C00\2012\CSBU\RTC\0045-SWPPlanUpdate.docx

attach.

We concur with this report and recommendations.



John Severino
Manager, Environmental Services



for Alan Korell, Managing Director / City Engineer
Engineering, Environmental Services & Works



Jerry D. Knox
Managing Director, Community Services



David G. Linkie
Chief Administrative Officer

Personnel designated for continuance: Manager, Planning Services

SCHEDULE B

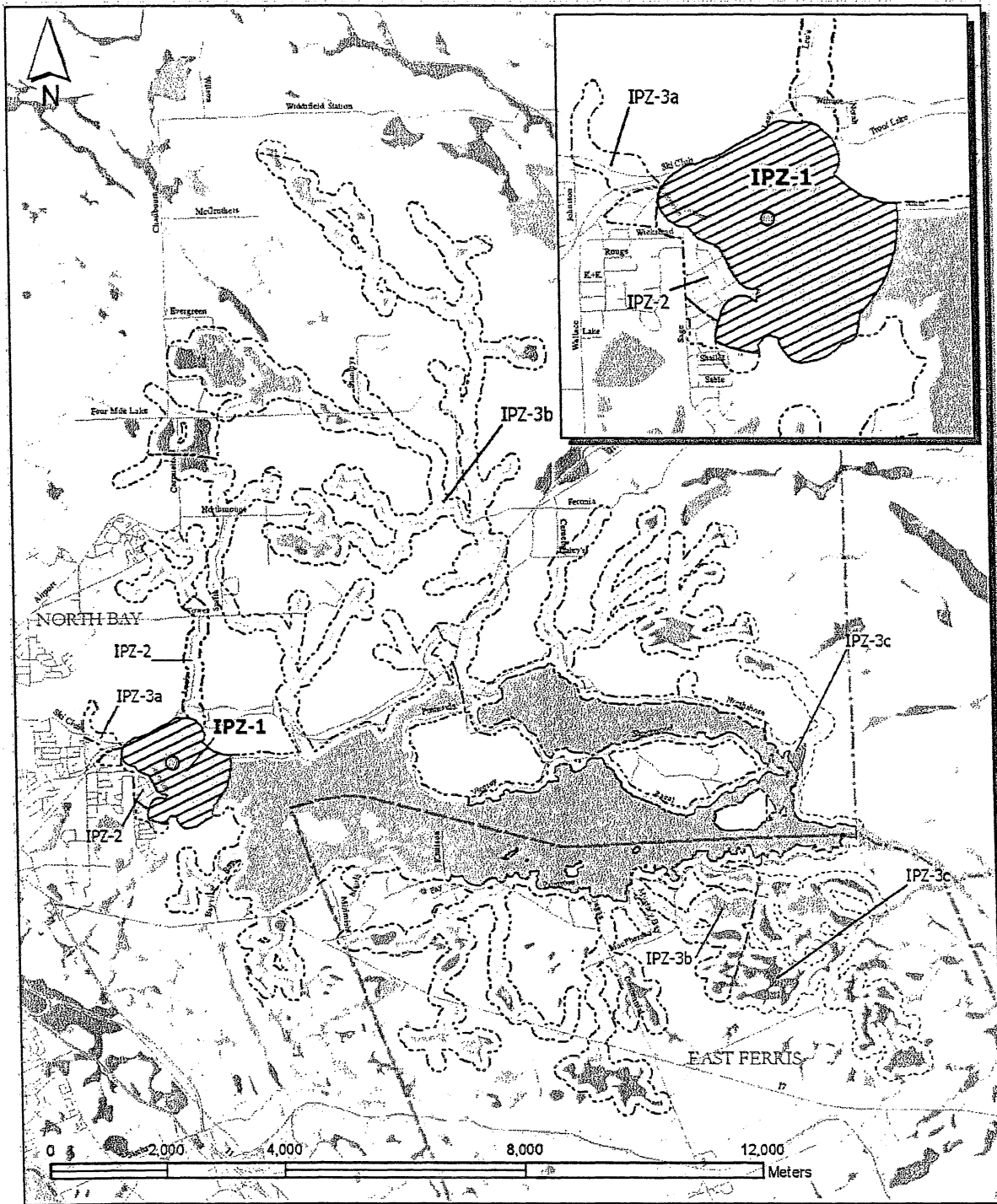
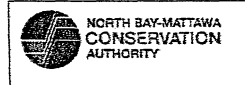


FIGURE 2.4
CITY OF NORTH BAY
INTAKE PROTECTION ZONE

Legend

1.0 No Policy	Municipal Intake	Road
2.4 No Policy	Municipalities	Rail
3.2 No Policy		River/Creek
7.2 No Policy		Waterbody
9 Policy		Wetland



Policy ICA2 – Nutrient Management Act Tools to Implement Phosphorus Best Management in ICA

Implemented by: Ontario Ministry of Agriculture, Food and Rural Affairs

General Purpose: For OMAFRA to require best management practices to be incorporated into required Nutrient Management Plans, Nutrient Management Strategy and/or Non-Agricultural Source Material Plans.

Time Frame for Implementation: All plans and strategies updated within two years.

Implications: None for the City of North Bay. This could affect private property owners in the future, should an agricultural operation establish within the ICA in North Bay.

Comments to Source Protection Committee: None.

Policy ICA3 – Site Plan Control: Vegetative Buffers in ICA

Implemented by: Municipalities, Planning Authority

General Purpose: To require the establishment of vegetative buffers in the ICA.

Time Frame for Implementation: During next 5 year review cycle of the Official Plan.

Implications: This policy will require that the City of North Bay amend the Official Plan to provide for policy requiring Site Plan Control in the ICA and an associated Site Plan Control By-law. Similar to Site Plan Control on Trout Lake, this will require properties at the time they re-develop to enter into an Agreement with the City specifically regarding the establishment of a vegetative buffer. Financial implications include staff time and resources to complete the required amendments (including advertisement of public meetings etc.) and a limited amount of revenue associated with application for Site Plan Control Agreements. The Source Protection Authority will be required to be circulated on the proposed policy.

Comments to Source Protection Committee:

None. Previous comments have been provided to the SPC regarding the timing of Official Plan Amendments and Site Plan Control By-laws. These comments have been included in the draft SP Plan.

Policy SEW2 – Conditions for Sewage Works Approvals

Implemented by: Ministry of Environment

General Purpose: To manage existing and future certain sewage works that are part of the normal functions of communities with the SP Area. These works will be reviewed to ensure they terms of Approval adequately address the threat to source water.

Time Frame for Implementation: To review the terms of approval within three (3) years of the SP Plan coming into effect.

Implications: In the ICA affecting North Bay, this only applies to sanitary sewers and associated pipes (not applicable) and large septic systems and septic system holding tanks. Currently, there are no septic systems of this size in this area. If a request came forward in the future, it would be required to meet certain MOE design criteria. At this time, there are no foreseeable financial implications to the City related to this policy.

Comments to Source Protection Committee: None.

Policy SEW3 – Mandatory Maintenance Inspections of Onsite Sewage Systems

Implemented by: Conservation Authority

General Purpose: To recognize the existing mandatory septic systems under the Ontario Building Code.

Time Frame for Implementation: Existing requirement under Ontario Building Requirement.

Implications: Properties with septic systems within the ICA will be required to undergo mandatory inspections of their septic systems every five years. As the NBMCA has been delegated responsibility for septic approvals by the City, they have begun to establish this process. This is a requirement with or without the SP Plan. Financial implications include the potential of increased levy's from the NBMCA in order to maintain or enhance this inspection process. The NBMCA has implemented a user fee associated to this inspection, therefore, the short-term impact should be relatively minor.

Comments to Source Protection Committee: None.

North Bay Intake Protection Zone

The lands included in the North Bay Intake Protection Zone are shown on Schedule B. The Intake Protection Zone (IPZ) is made up of three distinct areas identified as IPZ-1, IPZ-2, IPZ-3. Eight (8) policies have been developed with respect to the IPZ, including five (5) which the City will be responsible for implementing. The North Bay IPZ also extends in the Township of East Ferris. As a result, the Town of East Ferris will also be responsible for implementing these policies within their jurisdiction.

Policy ERM1 – Risk Management of Activities Existing at the Time the SP Plan Takes Effect

Implemented by: Municipality

General Purpose: To provide for the management of activities that were established prior to the SP Plan coming into effect that will be prohibited in the future through land use planning tools.

Time Frame for Implementation: Within one year of the SP Plan coming into effect.

Implications: This policy will require that the City establish a Risk Management Official whose responsibility would be to negotiate Risk Management Plans with affected property owners. It is important to note that this policy only affects North Bay should an activity be established in Intake Protection Zone 1 that involved the storage of agricultural source material, the handling and storage of non-agricultural source material, or the use of land as livestock grazing or pasturing land, and outdoor confinement area or farm-animal yard. Currently the lands within IPZ-1 are not zoned to permit these uses. As a result, it is unlikely that a one of these activities will be established before the SP Plan comes into effect. Therefore, it is also unlikely that this policy will have a significant impact on the City of North Bay.

Comments to Source Protection Committee: None.

Policy SEW1 – Approvals Prohibited for Certain Sewage Works

Implemented by: Ministry of Environment

General Purpose: To restrict the issuance of Environmental Certificate of Approvals by the Ministry of Environment for certain types of sewage works or manage the threat where it currently exists.

Time Frame for Implementation: To review the terms of approval within three (3) years of the SP Plan coming into effect.

Implications: In addition to those considerations in the ICA, this policy also has implications on North Bay IPZ-1. In review of the activities that would be considered a significant threat in IPZ-1 the current zoning in the area, combined with the existing development, would not see the establishments of these activities. This includes, combined sewer discharge from a stormwater outlet to surface water AND sewage treatment plant bypass discharge to surface water, Industrial effluent discharges,

Policy SMF2 – Land Use Prohibition – Nutrient Handling and Storage and Livestock

Implemented by: Planning Authority

General Purpose: To prevent anyone from establishing a storage facility or livestock grazing area in the vulnerable area (IPZ-1) using land use planning tools.

Time frame for Implementation: During the five year review of the Official Plan.

Implications: In the North Bay IPZ-1 this policy affects lands that are involved the storage of agricultural source material, the handling and storage of non-agricultural source material, or the use of land as livestock grazing or pasturing land, and outdoor confinement area or farm-animal yard. Currently the lands within IPZ-1 are not zoned to permit these uses, and none of these uses currently exist. The City will be required to amend the Official Plan and Zoning By-law to include policy statements that specifically prohibit these land uses from establishing in the future. Financial implications include staff time, resources and costs associated to required public meetings.

Comments to Source Protection Committee: None.

Policy THS2 – Awareness of Vulnerable Areas and Response to Spills of Hazardous Substances

Implemented by: Municipality, Ministry of Transportation and Ministry of Environment

General Purpose: To promote awareness about local source water vulnerability and to inform the road users of the proper emergency response number so that the contaminant is cleaned up as soon as possible after a spill. To include the Source Protection Authority, as experts for source water, in the response to a contaminant spill in vulnerable areas. To alert the Spills Action Centre that a spill in certain vulnerable areas could pose a threat to source water and that responses should be appropriate to the level of risk.

Time Frame for Implementation: Within one year of the SP Plan coming into effect.

Implications: This policy will require the City of North Bay and Ministry of Transportation to install signage along the public right-of-way of a highway to identify the activities and area of THS2.0. The signage should indicate that highway users are entering a source water protection vulnerable area and that if a spill occurs they have a duty to report the spill to the Spills Action Centre, using the toll-free number posted on the sign.

Financial implications for the City include the purchase, installation and ongoing maintenance of signage on various roadways.

In addition, this policy will require the City of North Bay to designate a spill as a as an emergency situation in emergency response planning for the City, which could occur as a result of the activities of THS2.0. Further, the North Bay IPZ-1 shall be included as a schedule to the emergency response plan. When the City emergency response team identifies that a spill has occurred in the vulnerable area, the Source

Policy WDS2 – Land Use Prohibition: Waste Disposal Sites

Implemented by: Planning Authority

General Purpose: To require planning authorities (the City) to amend the Official Plan and Zoning By-law to prohibit waste disposal sites where the threat from the activity would be significant.

Time Frame for Implementation: During next 5 year review cycle of the Official Plan.

Implications: Currently, in the North Bay IPZ-1, the only activity that would be considered a significant threat would be application of hauled sewage to land and the discharge from the storage of tailings from mines. These activities do not currently exist, however the Official Plan and Zoning By-law will require amendment to prohibit them from occurring in the future. Financial implications include staff time and resources (including advertisements etc.) to complete the required amendments.

Comments to Source Protection Committee:

Currently, the Policies contained on Page 42 and 43 of the SP Plan do not list North Bay IPZ-1 in Policy WSD2.2, however, it is named in the policy summary on Page 24. Upon clarification with the SPC, it was identified that North Bay IPZ-1 is affected by these Policies. The SP Plan should be updated to reflect this.

City of North Bay

Report to Council

REPORT NO: CSBU 2012 - 43

DATE: May 7, 2012

ORIGINATOR: Beverley Hillier, Manager, Planning Services

SUBJECT: Laurentian Heights Ltd. – Request for Redline Amendment
File No. 48T-93101 – Plan of Subdivision

File No: D12/2004/SUBDI/LAURENT

RECOMMENDATION

That the request from Exp. Services Inc. on behalf of Laurentian Heights Ltd. to revise the Draft Approved Plan of Subdivision (File No. 48T-93101) as indicated in Report to Council No. CSBU 2012 - 43, be approved.

BACKGROUND

Exp. Services Inc. on behalf of Laurentian Heights Ltd. has requested the Draft Approved Plan of Subdivision for Surrey Drive, Kenreta Drive and Baxter Court. The changes being requested to the Draft Approved Plan of Subdivision are within the boundary of the lands that have been given Draft Approval. The intention of the Redline Amendment is to provide for the accurate location of the easement (Easement No.'s. 75726 and 57575) that crosses the property for Hydro and future sanitary trunk sewer and road widening along Surrey Drive.

As a result of the road allowance widening and the actual location of the easement, the various lots surrounding the easement require reconfiguration including lots along Kenreta Drive, Surrey Drive and Baxter Court.

In addition, the Redline Amendment would change Block 158 by creating Lot 83; reconfigure Blocks 159 and Block 161; and relocate and re-size the pathway to Block 156 from 3m to 11m across from the existing Block 157; and merge two proposed lots into one large lot for future development (Lot 43).

ANALYSIS / OPTIONS

The changes being requested to the Draft Approved Plan of Subdivision are within the boundary of the lands that have been given Draft Approval. The proposed Redline Amendment has been reviewed by the Engineering Department. Engineering has indicated no objections to the proposed amendment.

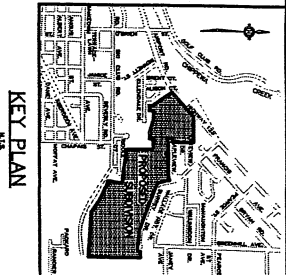
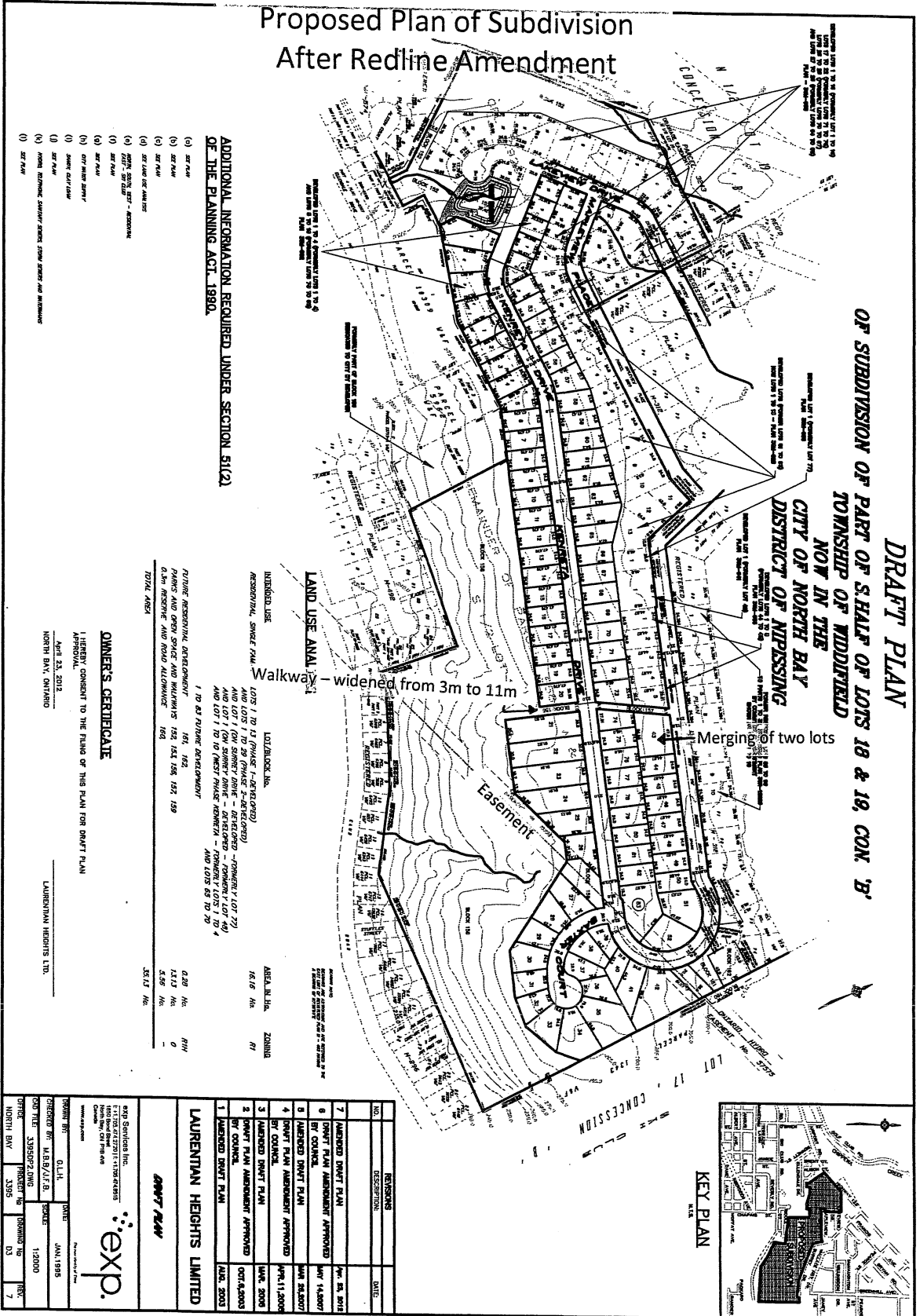
It should be noted the applicant appealed to the Ontario Municipal Board, condition #9 of the original Draft Approval with respect to Parkland Dedication. To date a decision with respect to this appeal has not been received. As a result, Staff will not recommend Final Approval of any future stages of the Plan of Subdivision until this decision has been received from the Ontario Municipal Board. The proposed Redline Amendment does not impact the matter before the OMB.

The developer and future property owners will be required to adhere to all conditions of Draft Approval previously approved by Council.

All lots created will comply with the regulations contained in Zoning By-law 28-80.

Proposed Plan of Subdivision After Redline Amendment

DRAFT PLAN
OF SUBDIVISION OF PART OF S HALF OF LOTS 18 & 19, CON. 'B'
TOWNSHIP OF WIDFIELD
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPissing



**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(2)
OF THE PLANNING ACT, 1990.**

- (a) SET PLAN
- (b) SET PLAN
- (c) SET PLAN
- (d) SET PLAN
- (e) SET PLAN
- (f) SET PLAN
- (g) SET PLAN
- (h) SET PLAN
- (i) SET PLAN
- (j) SET PLAN
- (k) SET PLAN
- (l) SET PLAN
- (m) SET PLAN
- (n) SET PLAN
- (o) SET PLAN
- (p) SET PLAN
- (q) SET PLAN
- (r) SET PLAN
- (s) SET PLAN
- (t) SET PLAN
- (u) SET PLAN
- (v) SET PLAN
- (w) SET PLAN
- (x) SET PLAN
- (y) SET PLAN
- (z) SET PLAN

LAND USE ANALYSIS

LAND USE	LOT/BLK. No.	ZONING	AREA, M ²	AREA, HA.	R/W
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOTS 1 TO 12 (PART OF LOTS 18 & 19)	R1	16,116	3.68	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 13	R1	1,111	0.25	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 14	R1	1,111	0.25	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 15	R1	1,111	0.25	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 16	R1	1,111	0.25	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 17	R1	1,111	0.25	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 18	R1	1,111	0.25	0
RESIDENTIAL, SINGLE-FAMILY (R-1)	LOT 19	R1	1,111	0.25	0
TOTAL AREA			25,511	5.68	0

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE FILING OF THIS PLAN FOR DRAFT PLAN APPROVAL.
APRIL 23, 2012
NORTH BAY, ONTARIO

LAURENTIAN HEIGHTS LTD.

NO.	DESCRIPTION	DATE
1	DRAFT PLAN	JAN. 1995
2	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	MAY 14, 2007
3	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	APR. 11, 2008
4	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	MAY 20, 2008
5	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	OCT. 6, 2008
6	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	MAY 20, 2009
7	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	MAY 20, 2010
8	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	MAY 20, 2011
9	DRAFT PLAN AMENDMENT APPROVED BY COUNCIL	MAY 20, 2012



ENG Services Inc.
1100 West Beaver Creek Road
Unit 10, Richmond Hill, ON L4B 1A6
Tel: (905) 882-1100
Fax: (905) 882-1101
www.exp.ca

PROJECT NO. 33952
DRAWING NO. 03
DATE: JAN. 1995
DATE: MAY 14, 2007
DATE: APR. 11, 2008
DATE: MAY 20, 2008
DATE: OCT. 6, 2008
DATE: MAY 20, 2009
DATE: MAY 20, 2010
DATE: MAY 20, 2011
DATE: MAY 20, 2012

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-134

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY
A PORTION OF THE LANEWAY LOCATED IN A BLOCK BOUNDED BY BEATTIE
STREET, BURNS STREET, GREENWOOD AVENUE AND NORWOOD AVENUE
IN THE CITY OF NORTH BAY**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the laneway abutting Lots 115, 116, 117, 118, 119, 120, 192 and 193, Plan 86 be closed, stopped up and sold to the abutting owners;

AND WHEREAS by Resolution No. 2011-559 passed on the 2nd day of August, 2011, Council approved the closure of the laneway;

AND WHEREAS the laneway abutting Lots 115, 116, 117, 118, 119, 120, 192 and 193, Plan 86 is hereby declared to be surplus;

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

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

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

1. That certain part of the laneway abutting Lots 115, 116, 117, 118, 119, 120, 192 and 193, Plan 86 designated as Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 36R-13257 is hereby closed, stopped up and conveyed.
2. The City shall transfer Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 36R-13257 to the owners of the lands abutting thereon, their successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner.
- 3.(a) Subject to paragraph (b), in the event that an abutting owner to the said laneway does not consent to the disposition of the laneway within 60 days of the date of the passing of this by-law, then the clerk shall, upon request of an abutting owner of the opposite side of the laneway, give 30 days notice by prepaid registered mail to the abutting owner of the laneway to the effect that if the abutting owner does not agree to purchase one-half of the abutting laneway at a pro-rata share of the survey, legal, advertising costs and purchase price incurred in the laneway closing, then the said one-half of the laneway may be transferred to the opposite owner for the same cost.

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

READ A FIRST TIME IN OPEN COUNCIL THE 14TH DAY OF MAY, 2012.

cc. READ A SECOND TIME IN OPEN COUNCIL THE 14TH DAY OF MAY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 4TH DAY OF JUNE, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

W:\CLERK\RMS\07\2011\LANEW\NORWOODA\0004.doc

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-124

BEING A BY-LAW TO REPEAL
DUPLICATE BY-LAW 2012-72
(BEING A BY-LAW TO AUTHORIZE THE
SALE OF PART 2, PLAN 36R-13219
PART OF BOURKE STREET ROAD ALLOWANCE)

WHEREAS Council passed Resolution No. 2012-107 on the 6th day of February, 2012, Council approved the sale of Part 2, Plan 36R-13219 Part of the Bourke Street Road Allowance;

AND WHEREAS By-Law Number 2012-72 was issued in error and created a duplicate By-Law Number.

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

1. That the duplicate By-Law No. 2012-72 of the City of North Bay relating to the sale of Part 2, Plan 36R-13219, being part of the Bourke Street Road Allowance is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 14TH DAY OF MAY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 14TH DAY OF MAY, 2012.

cc. READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-130

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
APRIL 30, 2012**

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 April 30, 2012 in respect of each motion, resolution and other action passed and taken by the Council at its 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 14TH DAY OF MAY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

cc. READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-131

**A BY-LAW TO AMEND BY-LAW NO. 2008-104
(BEING A BY-LAW TO ESTABLISH A SCHEDULE OF SALARIES)**

WHEREAS, pursuant Part VI of the *Municipal Act, 2001*, as amended, the Council of The Corporation of the City of North Bay may pass a by-law for fixing the remuneration of officers and employees of The Corporation;

AND WHEREAS Council passed Resolution No. 2012-298 at its meeting held on Monday, April 30, 2012, authorizing that Salary By-Law No. 2008-104 be amended to reflect the increment levels for 2013, 2014, 2015 and 2016.

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

1. Schedule "A" to By-law No. 2008-104, as amended, is hereby deleted and the following Schedule "A" is inserted in lieu thereof.
2. Schedule "B" to By-law No. 2008-104, is hereby deleted and the following Schedule "B" is inserted in lieu thereof.
3. This By-law shall be effective as of January 1, 2013.

READ A FIRST TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

cc. READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

**THIS IS SCHEDULE "A" TO BY-LAW NO. 2012-131 OF THE
CORPORATION OF THE CITY OF NORTH BAY**

EFFECTIVE JANUARY 1, 2013					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
13	\$153,650	\$163,260	\$172,850	\$182,460	\$192,060
12	\$134,330	\$142,720	\$151,120	\$159,510	\$167,910
11	\$124,460	\$132,230	\$140,000	\$147,780	\$155,550
10	\$113,040	\$120,110	\$127,170	\$134,250	\$141,320
9	\$103,360	\$109,830	\$116,280	\$122,740	\$129,200
8	\$94,590	\$100,510	\$106,420	\$112,340	\$118,240
7	\$83,760	\$88,990	\$94,220	\$99,450	\$104,690
6	\$74,630	\$79,290	\$83,950	\$88,620	\$93,270
5	\$67,390	\$71,590	\$75,810	\$80,010	\$84,230
4	\$60,250	\$64,020	\$67,770	\$71,540	\$75,310
3	\$53,010	\$56,320	\$59,640	\$62,950	\$66,260
2	\$48,580	\$51,620	\$54,650	\$57,690	\$60,720
1	\$43,430	\$46,140	\$48,850	\$51,580	\$54,280

EFFECTIVE JANUARY 1, 2014					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
13	\$156,730	\$166,530	\$176,310	\$186,110	\$195,910
12	\$137,020	\$145,580	\$154,150	\$162,710	\$171,270
11	\$126,950	\$134,880	\$142,800	\$150,740	\$158,670
10	\$115,310	\$122,520	\$129,720	\$136,940	\$144,150
9	\$105,430	\$112,030	\$118,610	\$125,200	\$131,790
8	\$96,490	\$102,530	\$108,550	\$114,590	\$120,610
7	\$85,440	\$90,770	\$96,110	\$101,440	\$106,790
6	\$76,130	\$80,880	\$85,630	\$90,400	\$95,140
5	\$68,740	\$73,030	\$77,330	\$81,620	\$85,920
4	\$61,460	\$65,310	\$69,130	\$72,980	\$76,820
3	\$54,080	\$57,450	\$60,840	\$64,210	\$67,590
2	\$49,560	\$52,660	\$55,750	\$58,850	\$61,940
1	\$44,300	\$47,070	\$49,830	\$52,620	\$55,370

THIS IS SCHEDULE "A" TO BY-LAW NO. 2012-131 OF THE CORPORATION OF THE CITY OF NORTH BAY

EFFECTIVE JANUARY 1, 2015					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
13	\$159,870	\$169,870	\$179,840	\$189,840	\$199,830
12	\$139,770	\$148,500	\$157,240	\$165,970	\$174,700
11	\$129,490	\$137,580	\$145,660	\$153,760	\$161,850
10	\$117,620	\$124,980	\$132,320	\$139,680	\$147,040
9	\$107,540	\$114,280	\$120,990	\$127,710	\$134,430
8	\$98,420	\$104,590	\$110,730	\$116,890	\$123,030
7	\$87,150	\$92,590	\$98,040	\$103,470	\$108,930
6	\$77,660	\$82,500	\$87,350	\$92,210	\$97,050
5	\$70,120	\$74,500	\$78,880	\$83,260	\$87,640
4	\$62,690	\$66,620	\$70,520	\$74,440	\$78,360
3	\$55,170	\$58,600	\$62,060	\$65,500	\$68,950
2	\$50,560	\$53,720	\$56,870	\$60,030	\$63,180
1	\$45,190	\$48,020	\$50,830	\$53,680	\$56,480

EFFECTIVE JANUARY 1, 2016					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
13	\$163,070	\$173,270	\$183,440	\$193,640	\$203,830
12	\$142,570	\$151,470	\$160,390	\$169,290	\$178,200
11	\$132,080	\$140,340	\$148,580	\$156,840	\$165,090
10	\$119,980	\$127,480	\$134,970	\$142,480	\$149,990
9	\$109,700	\$116,570	\$123,410	\$130,270	\$137,120
8	\$100,390	\$106,690	\$112,950	\$119,230	\$125,500
7	\$88,900	\$94,450	\$100,010	\$105,540	\$111,110
6	\$79,220	\$84,150	\$89,100	\$94,060	\$99,000
5	\$71,530	\$75,990	\$80,460	\$84,930	\$89,400
4	\$63,950	\$67,960	\$71,940	\$75,930	\$79,930
3	\$56,280	\$59,780	\$63,310	\$66,810	\$70,330
2	\$51,580	\$54,800	\$58,010	\$61,240	\$64,450
1	\$46,100	\$48,990	\$51,850	\$54,760	\$57,610

**THIS IS SCHEDULE "B" TO BY-LAW NO. 2012-131 OF THE
CORPORATION OF THE CITY OF NORTH BAY**

INFORMATION SERVICES - EFFECTIVE JANUARY 1, 2013					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
5	\$64,220	\$68,230	\$72,250	\$76,260	\$80,280
4	\$64,220	\$68,230	\$72,250	\$76,260	\$80,280
3	\$59,490	\$63,220	\$66,940	\$70,650	\$74,370
2	\$58,250	\$61,890	\$65,530	\$69,170	\$72,810
1	\$53,550	\$56,900	\$60,250	\$63,590	\$66,950

INFORMATION SERVICES - EFFECTIVE JANUARY 1, 2014					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
5	\$65,510	\$69,600	\$73,700	\$77,790	\$81,890
4	\$65,510	\$69,600	\$73,700	\$77,790	\$81,890
3	\$60,680	\$64,490	\$68,280	\$72,070	\$75,860
2	\$59,420	\$63,130	\$66,850	\$70,560	\$74,270
1	\$54,630	\$58,040	\$61,460	\$64,870	\$68,290

INFORMATION SERVICES - EFFECTIVE JANUARY 1, 2015					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
5	\$66,830	\$71,000	\$75,180	\$79,350	\$83,530
4	\$66,830	\$71,000	\$75,180	\$79,350	\$83,530
3	\$61,900	\$65,780	\$69,650	\$73,520	\$77,380
2	\$60,610	\$64,400	\$68,190	\$71,980	\$75,760
1	\$55,730	\$59,210	\$62,690	\$66,170	\$69,660

INFORMATION SERVICES - EFFECTIVE JANUARY 1, 2016					
GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
5	\$68,170	\$72,420	\$76,690	\$80,940	\$85,210
4	\$68,170	\$72,420	\$76,690	\$80,940	\$85,210
3	\$63,140	\$67,100	\$71,050	\$75,000	\$78,930
2	\$61,830	\$65,690	\$69,560	\$73,420	\$77,280
1	\$56,850	\$60,400	\$63,950	\$67,500	\$71,060

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-132

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF LOAN AGREEMENT WITH NORTH BAY-
MATTAWA CONSERVATION AUTHORITY**

WHEREAS the Loan Agreement with North Bay-Mattawa Conservation Authority was approved by Resolution No. 2012-297 passed by Council on Monday, April 30th, 2012.

**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 a Loan Agreement with the North Bay-Mattawa Conservation Authority dated the 1st day of May, 2012.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Loan Agreement between The Corporation of the City of North Bay and North Bay-Mattawa Conservation Authority and to affix thereto the corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-128

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH MILLER PAVING NORTH
BAY, A DIVISION OF MILLER PAVING LIMITED
RELATING TO ASPHALT CONCRETE PAVEMENT
PATCHING**

WHEREAS the Agreement with Miller Paving North Bay, A Division of Miller Paving Limited for asphalt Concrete Pavement Patching was approved by Resolution No. 2012-261 passed by Council on the April 16, 2012;

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 7th day of May, 2012 with Miller Paving North Bay, A Division of Miller Paving Limited relating to the supply of Asphalt Concrete Pavement Patching.
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 Miller Paving North Bay, A Division of Miller Paving Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-129

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF
AN AGREEMENT WITH PIONEER CONSTRUCTION INC.
RELATING TO THE SUPPLY OF AGGREGATE
MATERIALS**

WHEREAS the Agreement with Pioneer Construction Inc. for the supply of aggregate materials was approved by Resolution No. 2012-264 passed by Council on the 16th day of April, 2012;

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 14th day of May, 2012 with Pioneer Construction Inc. relating to the supply of aggregate materials.
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 Pioneer Construction Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-133

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH 1460973 ONTARIO
LIMITED o/a C. P. SYSTEMS RELATING TO THE
CATHODIC PROTECTION OF METALLIC
WATERMAINS**

WHEREAS the Agreement with 1460973 Ontario Limited o/a C. P. Systems for the Cathodic Protection of Metallic Watermains was approved by Resolution No. 2012-115 passed by Council on the February 21, 2012;

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 14th day of May, 2012 with 1460973 Ontario Limited o/a C. P. Systems relating to the Cathodic Protection of Metallic Watermains.
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 1460973 Ontario Limited o/a C. P. Systems and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 2012.

cc
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14TH DAY OF MAY, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

MOTION

North Bay, Ontario May 14, 2012

Subject: "CASUAL WEAR MONTHS"

File No. M02/2012/SPECI/GENERAL

Res. No. 2012-

Moved by Councillor: VAILLANCOURT

Seconded by Councillor: MENDICINO

That "Casual Wear Months" be in effect from Tuesday, May 22, 2012 until Monday, September 3, 2012 inclusive.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Yeas _____ Nays _____

Signature of Clerk _____

MOTION

North Bay, Ontario May 7, 2012

Subject: Global Adjustment

File No.

Res. No. 2012-

Moved by Councillor: Mendicino

Seconded by Councillor: Chirico

WHEREAS electricity pricing in Ontario has been identified as having a negative impact on competitiveness for Ontario Industrial and Commercial sectors; and

AND WHEREAS the ability to be nationally and internationally competitive in Northern Ontario has been recognized by the Province as critical to the success and sustainability of the North's economy; and

AND WHEREAS the Global Adjustment is the difference between the rates paid by Ontario government authorities to regulated and contracted electrical generators and spot market prices for electricity consumed in Ontario; and

AND WHEREAS prior to April 2009, the Fixed Global Adjustment for Distributor Billing had exceeded 1.44 cents per kilowatt hour; and

AND WHEREAS the Global Adjustment has increased to a point where it has become a major component of the total electricity bill for many small and medium sized enterprises (SME's); and

AND WHEREAS in 2012 Global Adjustment costs are trending to be 43% of total cost of electricity for SME's in our local economy; and

AND WHEREAS the Province has introduced more favourable Global Adjustment allocation methodology for customers with electricity demands greater than 5 mega watts.

NOW THEREFORE BE IT RESOLVED THAT the Mayor and Council of the City of North Bay requests that the Province immediately apply the same Global Adjustment allocation methodology to Northern Ontario medium sized customers with electricity demands greater than 1 mega watt; and

BE IT FURTHER RESOLVED that the Province use their April 13, 2012 announced Review of the Electrical Sector, in order to find and implement a solution to this situation which is seriously threatening the survival of business and industry in Northern Ontario; and

FURTHER that a copy of this resolution be sent to the Honourable Premier Dalton McGuinty, the Honourable Chris Bentley, Minister of Energy and Infrastructure, the Honourable Bartolucci, Minister of Northern Development and Mines; Victor Fedeli MPP; Tim Hudon, Leader of the Progressive Conservative Party of Ontario; Andrea Horwath, Leader of the Ontario New Democratic Party; and to the North Bay and District Chamber of Commerce (FONOM); and NOMA.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

Record of Vote (Upon Request of Councillor _____)

Signature of Clerk _____

MOTION

North Bay, Ontario May 14, 2012

Subject: ELECTRICITY SECTOR REVIEW

File No. _____ **Res. No.** 2012 -

Moved by Councillor: MENDICINO

Seconded by Councillor: CHIRICO

WHEREAS ON April 13, 2012 the Provincial Government announced an "Electricity Sector Review" including a Distribution Sector Panel ("the Sector Panel") that is to consider the potential long and short-term financial savings associated with consolidation of Ontario's 76 Distribution Utilities;

AND WHEREAS North Bay Hydro Distribution Limited is an Ontario Business Corporation that has been bench-marked as an efficient business by the Ontario Energy Board;

AND WHEREAS the Province or its agencies account for \$0.82 of every dollar for a typical residential hydro bill in North Bay. For larger industries in North Bay, the Province or its agencies account for \$0.965 cents for every dollar.

AND WHEREAS these costs are not subject to review by the Sector Panel;

AND WHEREAS if the Province is really interested in controlling or reducing electricity costs, then Provincial cost components should be subject to review and not just the delivery of electricity by the Distribution Utilities;

AND WHEREAS North Bay Hydro welcomes opportunities to discuss efficiencies in the sector especially ground costs for the Province's Smart Meter System, how the sector is regulated by the Province, and how Provincial Conservation Programs could be more effectively delivered;

AND WHEREAS the Province has committed more than \$1 billion dollars in Smart Meter costs and \$1.6 billion dollars in conservation costs;

AND WHEREAS these costs are direct burdens on electricity customers and could be more effectively controlled if there is Provincial will;

AND WHEREAS the Minister of Energy has not ruled out the possibility of mandated mergers for Distribution Utilities;

MOTION

AND WHEREAS North Bay Hydro plays a critical service role in the Municipality of North Bay;

AND WHEREAS the Province should have no right or legal basis to force a shareholder to sell or dispose of a private sector business;

BE IT THEREFORE RESOLVED THAT the consolidation of Local Distribution Utilities should be voluntary and beneficial for the shareholders and results in reduced costs for electricity customers;

AND FURTHER that the City of North Bay confirms that North Bay Hydro Distribution System is not for sale;

AND FURTHER that a copy of this resolution be sent to the Honourable Premier Dalton McGuinty; the Honourable Chris Bentley, Minister of Energy and Infrastructure, the Honourable Rick Bartolucci, Minister of Northern Development and Mines; Victor Fedeli MPP; Tim Hudak, Leader of the Progressive Conservative Party of Ontario; Andrea Horwath, Leader of the Ontario New Democratic Party; and to the North Bay and District Chamber of Commerce; FONOM; and NOMA.

Carried

Carried as amended

Lost

Conflict _____

Endorsement of Chair _____

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

Yeas _____ Nays _____

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signature of Clerk _____