



COUNCIL

AGENDA

**Regular Meeting of Council
May 21, 2013
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
MAY 21ST, 2013**

Tuesday, May 21, 2013

5:00 p.m.

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

6:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor

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
TUESDAY, MAY 21ST, 2013**

PUBLIC PRESENTATIONS:

Mary Lou Tomlinson re Estate of Kathleen Armstrong

PUBLIC MEETING MINUTES:

Monday, May 13, 2013

COMMITTEE REPORTS:

CORRESPONDENCE:

1. Elected Official Invoice Register (F14/2013/EOIR/GENERAL).
2. Report from Paul Valenti dated May 10, 2013 re Purchasing By-Law (C00/2013/BYLAW/PURCHASE).
3. Report from Erin Vaughan dated April 18, 2013 re 2013 O'Canada Day Event (M02/2013/SPECI/CANADA).
4. Report from Kathleen Fralic dated May 14, 2013 re Airport Community Improvement Plan Application by Barrie Hard Chrome Plating Co. Ltd. (D18/2013/ACIP/BARRIEHA).
5. Report from Paul Valenti dated May 15, 2013 re Request for Proposal No. 2013-30, North Bay Jack Garland Airport Air Service Study Update (D02/2013/NBJGA/AIRSTUDY).
6. Report from Beverley Hillier dated May 15, 2013 re Laurentian Heights Limited Plan of Subdivision, Final Approval – Surrey Drive, Phase 3 (D12/2013/LAURE/SURREY5).
7. Report from Peter Carello dated May 16, 2013 re Rezoning, Redline Amendment to the Draft Approved Plan of Condominium and Plan of Subdivision by Miller & Urso Surveying Inc. on behalf of 889430 Ontario Inc. & 2142727 Ontario Inc. – Highland Woods (D07/D12/D14/2008/21427/AIRPORTR).

General Government - First, second and third readings:

By-Law No. 2013-43 to provide for the levy and collection of special charges in respect of Certain Business Improvement Areas.

By-Law No. 2013-125 to confirm proceedings of the Meeting of Council on May 13, 2013.

By-Law No. 2013-126 to authorize the Street Lighting Upgrading Project.

By-Law No. 2013-127 to authorize the Traffic Control Signal Project.

By-Law No. 2013-128 to authorize the Vehicle & Equipment Replacement Program (Sewer & Water Division).

By-Law No. 2013-129 to authorize the Recreation Facilities Rehabilitation and Development Program.

By-Law No. 2013-130 to authorize the Traffic Count Data/Traffic Needs Study Project.

By-Law No. 2013-133, being a by-law to amend By-Law No. 2012-97, a by-law to Regulate Smoking in Public Places and Workplaces.

By-Law No. 2013-134, being a by-law to amend By-Law No. 2012-55, a by-law to provide for the Licensing and Regulation of the Rental Units in the City of North Bay.

Community Services – First, second and third readings:

By-Law No. 2013-131 to authorize the execution of a Condominium Agreement with Burghard Han Koch, Dagmar Butler, Barbel Reichmann and Ingeborg Koch-Kattenstroth relating to 2034 Drew Street.

By-Law No. 2013-135 to authorize the execution of a Subdivision Agreement with Laurentian Heights Limited relating to Surrey Drive Subdivision – Phase 3.

By-Law No. 2013-136, being a by-law to amend By-Law No. 35-96, a by-law to Regulate the Use of Public Parks within the City of North Bay, as amended.

By-Law No. 2013-137 to remove the Holding Zone Symbol from lands zoned by By-Law No. 1995-152 (Jack & Helen Norman – Carmichael Drive).

Community Services – Third reading:

By-Law No. 2013-68 to rezone certain lands on Ski Club Road – (Golden Estates Limited – Ski Club Road).

Engineering & Works – First, second and third readings:

By-Law No. 2013-132 to authorize the execution of an Agreement with 873342 Ontario Inc. relating to a Pre-Servicing Agreement for Trillium Woods Subdivision – Phase II.

MOTIONS:

Councillor Bain
Councillor Vrebosch

re Apprenticeship Training Tax Credit Program
re L.E.D. Lighting on Provincial Highways

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 13TH, 2013**

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

PUBLIC PRESENTATIONS:

| | | |
|------------------|---|--|
| Wayne Montgomery | re Licensing Gun Shows | |
| Todd Wilcox | re Hydro Conservation | |
| K'Sah Woodley | re Professions North – Employer's Breakfast | |

CORRESPONDENCE:

| | | |
|---------------------------|--|-------|
| Gushulak, Richard & Laura | re Rezoning application – 528 Front Street | (301) |
|---------------------------|--|-------|

REPORTS FROM OFFICERS:

| | | |
|-----------------|--|-------|
| Bellehumeur, R. | re 2013 Capital Budget Project No. 6119RF - Recreation Facilities Rehabilitation & Development Program | (308) |
| Carello, P. | re Rezoning application by 2190372 Ontario Inc. & 1340791 Ontario Ltd. – Johnston Road | (303) |
| Carello, P. | re Condominium Final Approval/Agreement - 2034 Drew Street | (310) |
| Carello, P. | re Request from Exemption from Plan of Condominium – 383 Aubrey Street | (311) |
| Cox, A. | re 2013 Capital Budget Project No. 3322SL - Street Light Upgrades | (305) |
| Cox, A. | re 2013 Capital Budget Project No. 6107SL - Traffic Control Signal Upgrade (On-going) | (306) |
| Cox, A. | re 2013 Capital Budget Project No. 6100WS - Vehicle & Equipment Replacement Program - Sewer and Water Division (On-going) | (307) |
| Cox, A. | re 2013 Capital Budget Project No. 3209RD - Traffic Count Data/Traffic Needs Study | (312) |
| Fralic, K. | re Airport Community Improvement Plan Application by 1890107 Ontario Inc. | (304) |
| Janisse, L. | re Student Wages | (313) |
| Kilgour, I. | re Sport Tourism, Meetings and Events | (309) |
| Korell, A. | re By-Law to authorize Connections to a Sewermain and Watermain and Impose a Sewer and Water Connection Rate to Lots 81, 82 & 91, Plan M-312 – Surrey Drive | (314) |
| Murphy, C. | re Amendment to Residential Rental Housing Licensing By-Law No. 2012-055 | (302) |
| Richmond, E. | re Sport Tourism, Meetings and Events | (309) |
| Rochefort, L. | re Reduction, Cancellation or Refund of Taxes, Section 357, the <i>Municipal Act</i> , S.O. 2001, c.25 | (315) |

Res. #2013-298: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meetings held on:

- Monday, April 15, 2013;
- Monday, April 29, 2013; and
- Monday May 6, 2013

be adopted as presented.

"CARRIED"

Res. #2013-299: Moved by Councillor Mendicino, seconded by Councillor Mayne
That Community Services Committee Report No. 2013-10 relating to:

- Rezoning/Plan of Condominium applications by Golden Estates Limited – Ski Club Road

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-10

May 13, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-10 and recommends:

1. That a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession "C", Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay from a "Residential Third Density (R3)", "Open Space (O)", and a "Residential First Density (R1)" zone to a "Residential Multiple Second Density (RM2)" zone, as shown on Schedule "A" attached to Planning Advisory Committee recommendation dated September 11, 2012, be approved:
 - b) the proposed Draft Plan of Condominium (File #48CDM-09102) by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession "C", Part of Lot 16, Parcel 599, PIN #49144-0001 (LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay, as shown on Schedule "B" attached to Planning Advisory Committee recommendation dated September 11, 2012, be granted Draft Approval;
 - c) the 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 lighting, ingress and egress, building massing and location, parking, landscaping, lot grading, lot drainage and storm water management; and
 - d) the Owner of the subject lands agrees to transfer, by way of Reference Plan, the ownership of the remainder of the subject lands, identified as Part 2 on Schedule "A", to the North Bay-Mattawa Conservation Authority.

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAYNE
VAILLANCOURT
MAYOR McDONALD

DISSENTS

Res. # 2013-300: Moved by Councillor Mendicino seconded by Councillor Mayne
That Community Services Committee Report No. 2013-11 relating to:

- Transit service on Douglas Street
- be adopted as presented.

Record of Vote (*Upon request of Deputy Mayor Lawlor*)

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

Nays: Councillor Vaillancourt

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-11

May 13, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-11 and recommends:

1. That transit service be maintained on Douglas Street.

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAYNE
MAYOR McDONALD

DISSENTS
VAILLANCOURT

Res. #2013-301: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the rezoning application by Richard & Laura Gushulak – 528 Front Street be received and referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2013-302: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Schedule "A" of the Residential Rental Housing By-Law No. 2012-055 be amended as follows: Delete "Licence Fee for a licence for each Rental Property - \$300.00" and Insert in lieu thereof: "Licence Fee for a licence for each Rental Unit - \$300.00".

Councillor Koziol declared a conflict of interest as her employer is a multi-residential firm.

"CARRIED"

Res. #2013-303: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the recommendation from the Planning Advisory Committee regarding the rezoning application by 2190372 Ontario Inc. & 1340791 Ontario Ltd. – Johnston Road be referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2013-304: Moved by Councillor Mendicino, seconded by Councillor Mayne
That North Bay City Council approve the Airport Community Improvement Plan application by 1890107 Ontario Inc.

"CARRIED"

Res. #2013-305: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Street Lighting Project for the Engineering, Environmental Services and Works Division, being a 2013 Capital Budget Project No. 3322SL, at a net debenture cost of \$500,000.00.

"CARRIED"

Res. #2013-306: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Traffic Control Signal Upgrade Program for the Engineering, Environmental Services and Works Division, being a 2013 Capital Budget Project No. 6107SL, at a net debenture cost of \$165,000.00.

"CARRIED"

Res. #2013-307: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the purchase of new vehicles and replacement equipment for the Water & Sanitary Sewer maintenance activities for the Engineering, Environmental Services and Works Division, being a 2013 Capital Budget Project No. 6100WS, at a net debenture cost of \$800,000.00.

"CARRIED"

Res. #2013-308: Moved by Councillor Mendicino, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Recreation Facilities Rehabilitation and Development Program, being 2013 Community Services Capital Budget Project No. 6119RF, at a net debenture cost of \$160,000.00.

"CARRIED"

Res. #2013-309: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the report from Ian Kilgour and Erin Richmond dated May 1, 2013 re Sport Tourism, Meetings and Events be received and referred to the Community Services Committee.

"CARRIED"

- Res. #2013-310: Moved by Councillor Mendicino, seconded by Councillor Mayne
- That 1) the Mayor and City Clerk be authorized to sign the Condominium Agreement with Burghard Hans Koch, Dagmar Butler, Barbel Reichmann and Ingeborg Koch-Kattenstroth for the approval of a four (4) unit Condominium on Drew Street in the City of North Bay – City File No. 48CDM-12103; and
 - 2) the Mayor, City Clerk and Manager of Planning Services be authorized to sign the Final Plans of Condominium subject to the applicants entering into a Site Plan Control Agreement with the City of North Bay.

"CARRIED"

- Res. #2013-311: Moved by Councillor Mendicino, seconded by Councillor Mayne
- That the Request for Exemption from the Condominium Approval process by Miller & Urso Surveying Inc. on behalf of 2259031 Ontario Inc. for the property legally described as Registered Plan No. M-186, Lots 211 and 212, PIN's 49150-0371(LT) & 49150-0372(LT) – 383 Aubrey Street in the City of North Bay as presented on Schedules "A" & "B", attached to Report to Council CSBU 2013-60 be approved.

"CARRIED"

- Res. #2013-312: Moved by Councillor Vrebosch, seconded by Councillor Koziol
- That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Traffic Count Data/Traffic Needs Study Project, being 2013 Engineering, Environmental Services and Works Division, Capital Budget Project No. 3209RD, at a net debenture cost of \$100,000.00.

"CARRIED"

- Res. #2013-313: Moved by Councillor Lawlor, seconded by Councillor Anthony
- That Council confirm student increases will not follow the non-union salary increases by rescinding Section 2(e) of General Government Committee Report No. 2003-03 which states "any subsequent increases to wage level rates will follow the non-union salary increases."

Councillor Maroosis declared a conflict of interest as his two stepchildren are currently employed as summer student workers.

Councillor Bain declared a conflict of interest as his daughter is a summer student with the City.

"CARRIED"

- Res. #2013-314: Moved by Councillor Vrebosch, seconded by Councillor Koziol
- That 1) By-Law No. 2009-15, being a by-law to authorize a special sewer charge (Lots 81 & 82, Plan M-312 – Surrey Drive) be repealed; and
 - 2) By-Law No. 2013-124, being a by-law to authorize connections to a sewermain and watermain and impose a water and sewer connection rate to Lots 81, 82 & 91, Plan M-312, Surrey Drive, be brought forward for Council's consideration at the Regular Meeting of Council June 3rd, 2013.

"CARRIED"

Res. #2013-315: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the tax appeal applications attached to Report to Council CORP 2013-51 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.

"CARRIED"

Res. #2013-316: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2013-118 to authorize the Asphalt Sheeting Program.

By-Law No. 2013-120 to confirm proceedings of the Meeting of Council on April 29, 2013.

By-Law No. 2013-121 to amend Development Charges By-Law No. 2009-252 (Schedules "B" and "C").

"CARRIED"

Res. #2013-317: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2013-118 to authorize the Asphalt Sheeting Program.

By-Law No. 2013-120 to confirm proceedings of the Meeting of Council on April 29, 2013.

By-Law No. 2013-121 to amend Development Charges By-Law No. 2009-252 (Schedules "B" and "C").

"CARRIED"

Res. #2013-318: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2013-85 to stop up, close and convey a portion of the Surrey Drive Road Allowance.

By-Law No. 2013-86 to stop up, close and convey a portion of the laneway, located in a block bounded by Fisher Street, Duke Street East and Princess Street East.

"CARRIED"

Res. #2013-319: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2013-68 to rezone certain lands on Ski Club Road (Golden Estates Limited – Ski Club Road).

"CARRIED"

Res. #2013-320: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2013-69 to designate a Site Plan Control Area on certain lands on Ski Club Road (Golden Estates Limited – Ski Club Road).

"CARRIED"

Res. #2013-321: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2013-69 to designate a Site Plan Control Area on certain lands on Ski Club Road (Golden Estates Limited – Ski Club Road).

"CARRIED"

Res. #2013-322: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

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

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

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

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

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

"CARRIED"

Res. #2013-323: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2013-119 to authorize the execution of an agreement with Bruell Contracting Limited relating to Single Surface Treatment on Various City Roads.

By-Law No. 2013-122 to authorize the execution of an agreement with Trudel Construction relating to Wet Well Access Hatch Modification – Wastewater Treatment Plant.

By-Law No. 2013-123 to authorize the execution of an agreement with Tetra Tech WEI Inc. relating to Grit Removal Project – Wastewater Treatment Plant.

"CARRIED"

Res. #2013-324: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2013-119 to authorize the execution of an agreement with Bruell Contracting Limited relating to Single Surface Treatment on Various City Roads.

By-Law No. 2013-122 to authorize the execution of an agreement with Trudel Construction relating to Wet Well Access Hatch Modification – Wastewater Treatment Plant.

By-Law No. 2013-123 to authorize the execution of an agreement with Tetra Tech WEI Inc. relating to Grit Removal Project – Wastewater Treatment Plant.

"CARRIED"

Res. #2013-325: Moved by Councillor Anthony, seconded by Councillor Bain
WHEREAS the provincial arbitration system has often had negative financial impact on communities;

AND WHEREAS arbitration decisions have not often included consideration of a municipality's "ability to pay", putting further burden on the tax base;

AND WHEREAS the current Provincial Government has indicated in its 2013 Throne Speech that it would "sit down with its partners across all sectors to build a sustainable model for wage negotiation";

THEREFORE BE IT RESOLVED THAT North Bay City Council urge all parties to support and consider, at the legislative level, a community's ability to pay in regards to the arbitration system;

AND FURTHER THAT a copy of this resolution be forwarded to the Honourable Premier Kathleen Wynne; the Honourable Yasir Naqvi, Minister of Labour; Victor Fedeli, MPP for Nipissing; Andrea Horwath, Leader of the Provincial New Democratic Party; Tim Hudak, Leader of the Provincial Progressive Conservation Party; the Association of Municipalities of Ontario; and to the Federation of Northern Ontario Municipalities.

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

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

"CARRIED"

Res. #2013-326: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That "Casual Wear Months" be in effect from Tuesday May 21st, 2013 until Monday September 2, 2013 inclusive.

"CARRIED"

Res. #2013-327: Moved by Councillor Vaillancourt, seconded by Councillor Bain
WHEREAS a presentation was delivered by the Nipissing Rifle/Revolver Club at Council on May 13, 2013;

AND WHEREAS the current Business Licensing By-Law (Trade Shows) negatively effects the Annual North Bay Gunshow, by charging a fee and asking for names and addresses of the vendors;

THEREFORE BE IT RESOLVED THAT the Nipissing Rifle/Revolver Club's Annual Gunshow be exempt from the current Business Licensing - Trade Show Licence;

AND FURTHER be it resolved that the Nipissing Riple/Revolver Club be charged an annual fee of \$300.00.

"CARRIED"

Res. #2013-328: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council adjourn in-camera pursuant to section 239(2) of the *Municipal Act, 2001*, as amended, at 8:40 p.m. for the following reasons: Item #17, being a matter that is subject to solicitor-client privilege; and Item #18, being the potential disposition of lands by the Municipality.

"CARRIED"

Councillor Anthony declared a conflict of interest with respect to Item #17, as he has an indirect pecuniary interest in this matter as the group is a client of his employer. Councillor Anthony left for the discussion of this Item at 8:58 p.m. and did not return to the meeting when Council reconvened.

Res. #2013-329: Moved by Councillor Lawlor, seconded by Councillor Bain
That Council reconvene at 9:19 p.m.

"CARRIED"

Res. #2013-330: Moved by Councillor Vaillancourt, seconded by Councillor Marosis
That this Regular Meeting of Council do now adjourn at 9:20 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

North Bay, ON

May 21, 2013

Subject: Elected Official Invoice Register

File No. F14/2013/EOIR/GENERAL

Res. 2013 - _____

Moved by Councillor: _____

Seconded by Councillor: _____

That accounts totaling \$8,130,898.47 for April 2013 be approved.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

| | | | |
|------------|-------|------------|-------|
| Yeas _____ | _____ | Nays _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

Signature of Clerk _____

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2013-61

May 10, 2013

Originator: Paul Valenti

Subject: Purchasing By-law

RECOMMENDATION:

That Report to Council 2013-61 dated May 7, 2013 Re: Purchasing By-law be received and referred to the General Government Committee.

BACKGROUND:

The *Municipal Act* requires all municipalities to establish and maintain a policy with respect to its procurement of goods and services. Purchasing By-law 2004-196, as amended, establishes the authority and sets out the methods by which goods and services will be purchased and disposed of by the City of North Bay. Section 22 of this By-law requires a review by Council every five years or at such time major revisions are made.

Lead by the Manager of Purchasing, an internal review was undertaken with consideration for:

- Practical issues, concerns and challenges that have been identified since establishing the original By-law
- Ensuring our processes promote fairness, objectivity, and transparency
- Best practices in the municipal sector
- Comparative municipalities
- Timeliness of contract awards
- Clearly defining, both internally and to the general public, how goods and services will be acquired

Based on this review, it is recommended that By-law 2004-196, as amended, be repealed and replaced with a new Purchasing By-law. Although the general scope and application of the new By-law remains much the same in principal, changes to format and wording, along with additional sections and schedules are being proposed in an effort to improve the interpretation and clarity of the guidelines.

The following highlights the key changes and additions of the newly proposed Purchasing By-law:

- a) Section 2 Definitions include an increase in the number of terms defined.
- b) Section 4 Responsibilities provides more detail with respect to the responsibilities of staff. It is critical that staff have a clear understanding of their role, and together with training and education is able to follow a consistent set of practices in the procurement process.
- c) Section 5 Restrictions and Exceptions refers to a new Schedule "A". This schedule outlines additional items and services that are exempt from open and competitive procedures.
- d) Section 6 Standard Procurement Methods details the methods to be used in acquiring goods and services. This section refers to Schedule "C" that provides the limits at which specific procurement methods are used, the requirement for competitive quotes, when public advertising is required, and authority to approve. The new By-law proposes the following changes:
 - Increase the limit of a "Low Value Purchase" from \$2,000 to \$5,000. This is consistent with comparative municipalities and the public sector. It provides for greater flexibility and efficiency in dealing with these types of purchases. Although the requirement for competitive quotes is not necessary up to this limit, the By-law is specific in the requirement to demonstrate that "fair value" is received.
 - The Purchase approval limit for the Managing Directors has been increased from \$20,000 to \$25,000.
 - A Purchased approval limit for Directors and the City Clerk be established at the level up to \$15,000.
 - The Purchase approval limit for the CAO increases from \$50,000 to \$75,000. The required approval limit for Council will increase accordingly.

The proposed changes are consistent with other comparative municipalities. The changes offer the opportunity to improve the timeliness in acquiring goods or services within these ranges. The checks and balances, important to the integrity of our process, must be practical and efficient in our ability to award and commence a contract.

- e) Section 7 Negotiation is new and outlines the circumstances where negotiation with a supplier or contractor can take place. Public

procurement has seen a trend where negotiation is far more prevalent. However, there are legal rights and responsibilities of each party in the tendering process which must be adhered to. The section clearly describes the circumstances when negotiation is allowed.

- f) Section 8 Extraordinary Circumstance (Emergency) Purchases adds detail on what constitutes this type of purchase. Provides for a clearer definition of emergency.
- g) Section 9 Sole Source Purchases and Section 10 Single Source Purchases have replaced the Non-Competitive Purchases section of the current By-law. The sections have purposely been split to identify the difference between the two. A sole source purchase is a situation whereby only one source is available that meets the requirements. A single source purchase occurs when more than one source is available, but the purchase is directed only to one. It is important that the rules around the later are clearly defined. Also under these sections, the By-law speaks specifically to when single sourcing of goods or services for reasons of standardization can occur, and the requirement to define a timeline for further review. Lastly, the new By-law has removed "At the discretion of the Purchasing Manager" as justification to proceed with a sole or single source purchase. Such discretion will fall under Section 19 Council Approval, part b)"Where this By-law is being waved".
- h) Section 14 Bid Irregularities refers to a new Schedule "B" which lists 36 potential bid irregularities and the method in which the City will deal with such. The schedule of responses is consistent within public procurement and other municipalities and is critical in alleviating any potential legal claims or disputes.
- i) Section 15 Identical Bids has been added. Although unlikely, a method to handle such a situation should be included in the By-law.
- j) Section 16 Contract Execution is new and refers to Schedule "C" that outlines the method of contract and requirement for a purchase order vs. a formal agreement.
- k) Section 18 Supplier/Contractor Performance and Ability indicates the authority and process to reject a bid on the basis of past poor performance or inability to execute the contract. The current By-law provides this authority to Council. The new By-law proposes that this authority rest with the CAO, upon recommendation of the Purchasing Review Committee.

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- l) Section 19 Council Approval provides Council the discretion and authority to waive the By-law in the award of Contract. It should be noted that there are legislated trade agreements including the *Agreement on Internal Trade* and the *Ontario-Quebec Trade and Cooperation Agreement* that should be contemplated when using this discretion.

This recommendation provides Council an opportunity to review our practices and understand the roles, responsibilities, and appropriate authorities of staff. In 2002, the Toronto Computer Leasing Inquiry and more recently the Quebec Charbonneau Commission highlight the importance of a procurement By-law with fair, objective, and transparent procedures. The newly proposed By-law provides detail and clarity with respect to the purchase of goods and services for the City. It is the basis for training and educating staff on acceptable practices and procedures while offering the public a clear statement on how the City manages procurement.

ANALYSIS / OPTIONS:

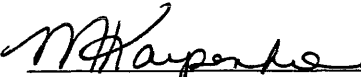
1. That By-law 2004-196, as amended, be repealed and replaced with a new Purchasing By-law.
2. Do not repeal By-law 2004-196. This option is not recommended. The *Municipal Act* requires all municipalities to establish and "maintain" a policy with respect to its procurement of goods and services. Our current By-law states the requirement for review, at a minimum, every five years.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

That Report to Council 2013-61 dated May 10, 2013 Re: Purchasing By-law be received and referred to the General Government Committee.

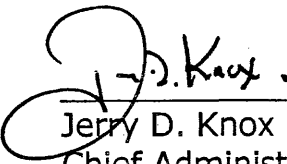
There are no financial impacts.

Respectfully submitted,

for 
Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.


Margaret Karpenko, CMA
Chief Financial Officer/Treasurer


Jerry D. Knox
Chief Administrative Officer

Attachments: Proposed Purchasing By-law 2013-XX
Current Purchasing By-law 2004-196, as amended

THE CORPORATION OF THE CITY OF NORTH BAY

PURCHASING BY-LAW 2013-XX
(and to Repeal By-law No. 2004-196, as amended)

WHEREAS section 270 of the *Municipal Act, R.S.O. 2001*, as amended, requires all municipalities and local boards to establish and maintain a policy with respect to its procurement of Goods and Services;

AND WHEREAS this By-law establishes the authority and sets out the methods by which Goods and Services will be purchased and disposed of for the City;

AND WHEREAS the City will acquire Goods and Services in a manner that complies with this By-law and appropriate purchasing principles for the public sector, reflects a high standard of business ethics, does not favour or discriminate, is cost effective and results in Best Value for the City;

AND WHEREAS Council has passed General Government Committee Report No. 2013-XX on _____, _____, 2013 authorizing the Purchasing By-law.

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

1. GENERAL PROVISIONS

1.1 The purpose of this By-law is to:

- a) ensure the City conducts fair, objective, transparent and consistent purchasing practices;
- b) maintain the integrity of the procurement process by ensuring that, whenever possible, competitive methods of procurement will be utilized to obtain Best Value for the City;
- c) clearly define the circumstances which allow for non-competitive procurement;
- d) ensure that the procurement process is conducted in a manner that enables departments of the City to operate efficiently and effectively;
- e) protect the interests of the City, public and persons participating in the procurement process by providing a clear statement of how Goods and Services will be acquired;
- f) clearly define the roles and responsibilities of those involved in the procurement process; and
- g) outline the process for disposing of Surplus Goods.

2. DEFINITIONS OF THIS BY-LAW

2.1 In this By-law:

- a) "Agreement to Bond" means an insurance agreement by which a third party (a surety) guarantees that if a Contract is awarded to the Bidder, the Bidder is capable of furnishing Bonds as required;
- b) "Best Value" means the optimal value balance of cost and performance of Goods or Services having consideration for quality, timing, efficiency and lifecycle costs;
- c) "Bid" means an offer or submission from a Bidder or Proponent in response to a Bid Request;
- d) "Bid Bond" means an insurance agreement, accompanied by a monetary commitment, by which a third party (a surety) accepts liability and guarantees the Bidder will not withdraw the Bid. The Bidder will furnish Bonds as required, and if the Contract is awarded to the Bidder, the Bidder will accept the Contract as Bid, or else the surety will pay a specific amount;
- e) "Bid Irregularity" means a deviation from the requirements of a Bid Request, as set out in Schedule "B" of this By-law;
- f) "Bid Request" means a solicitation by the City in a form as specified in section 6 of this By-law;
- g) "Bidder" means a person or entity that submits a Bid in response to a Bid Request;
- h) "Bond" means a form of financial protection against damages; a binding agreement

executed by a Contractor and a third party (a surety) to guarantee the performance of certain obligations or duties to the City;

- i) **“CAO”** means the Chief Administrative Officer of the City or his or her Designate;
- j) **“City”** means The Corporation of the City of North Bay;
- k) **“City Solicitor”** means the Solicitor of the City;
- l) **“Contract”** means any agreement, regardless of form or title, for the purchase of Goods or Services in return for money or other consideration;
- m) **“Contractor”** means the selected Bidder or Proponent to whom the Contract for the purchase of Goods or Services is awarded and executed under the terms and conditions of the Contract;
- n) **“Council”** means the elected Mayor and Council for the City, or the board of the local agencies, boards, or commissions;
- o) **“Designate”** means a person authorized by the CAO or respective Managing Director to act on his or her behalf, for the purpose of this By-law;
- p) **“Extraordinary Circumstance (Emergency)”** means an event or circumstance where the immediate purchase for Goods or Services is essential or necessary in preventing a risk as specified in section 8.1 of this By-law;
- q) **“Goods”** means goods of all kinds, including both tangible and intangible goods, and shall include supplies, materials, equipment, structures and fixtures to be delivered, installed and/or constructed, and licences;
- r) **“Irrevocable Bid”** means a Bid or Proposal, whereby the Bidder and the City are bound by a contractual obligation under both expressed terms of the Bid Request and implied terms based on the laws of competitive procurement. The inclusion of Bid deposit or Bid Bond in a Bid Request is the means or normal method by which the City obtains an Irrevocable Bid.
- s) **“In House Bid”** means a Bid by a City department, authorized by the CAO, submitted in response to a Bid Request, where the provision of Goods or Services will be undertaken by City staff;
- t) **“Low Value Purchase”** means a purchase of Goods or Services not covered under an existing Contract and having a purchase value up to the limit as stated in Schedule “C” of this By-law;
- u) **“Manager of Purchasing”** means the Manager of Purchasing or designate who is responsible for the City’s procurement functions and is authorized to act in such matters pertaining thereto;
- v) **“Management Staff”** means the Director, Manager, Supervisor, Coordinator, Advisor or Designate authorized by a Managing Director or the CAO, who has responsibility for a specific department of the City;
- w) **“Managing Director”** means a Managing Director, City Clerk, City Solicitor, Fire Chief, Treasurer or respective Designate authorized by the CAO, who has responsibility for a specific business unit or department of the City;
- x) **“Proponent”** means a person or entity who submits a response to an RFP;
- y) **“Proposal”** means the submission received or response to an RFP;
- z) **“Purchasing Card”** means a payment method whereby authorized City staff are empowered to purchase directly from a Supplier or Contractor using a credit card provided by the City, as issued by a bank or major credit card provider, in accordance the City’s Purchasing Card Policy;
- aa) **“Purchasing Department”** means the department of the City responsible for the purchase of Goods and Services;
- bb) **“Purchasing Review Committee”** means the committee consisting of the Manager of Purchasing and respective Managing Director(s) and other such persons as designated by the CAO or respective Managing Director that would be assembled to collectively review Bid Irregularities or other matters pertaining to a procurement process with the objective of recommending a solution or otherwise resolving an issue;
- cc) **“Purchase Order”** means the City’s written document to a Supplier or Contractor formalizing all the terms and conditions of a Contract;
- dd) **“Real Property”** means land and its permanently affixed buildings or structures;

- ee) **“Request for Expression of Interest” (“RFEOI”)** means a request which will be used to determine the interest of the market place to provide Goods or Services;
- ff) **“Request for Information” (“RFI”)** means a request which will be used to determine what Goods or Services are available that may meet business or operational requirements along with identifying acquisition strategies;
- gg) **“Request for Prequalification” (“RFPO”)** means a request which will be used to determine qualified Bidders or Proponents that may Bid on a subsequent procurement process for Goods or Services;
- hh) **“Request for Proposal” (“RFP”)** means a request for Proposals from Proponents where the requirement cannot be expressly stated or defined and/or where a solution is requested and selection of a successful Proponent is based on criteria other than price alone;
- ii) **“Request for Quotation” (“RFQ”)** means a request for quotations from Bidders for Goods or Services, where the City has defined the requirements and a clear solution exists;
- jj) **“Request for Tender” (“RFT”)** means a request for tenders from Bidders to obtain irrevocable Bids for Goods or Services where the City has defined the requirements and a clear solution exists.
- kk) **“Services”** means services of all kinds, including, but not limited to, labour, construction, maintenance and professional and consulting services;
- ll) **“Selection Committee”** means a committee established as part of the RFP process and made up of City staff and such others as selected by the City, with a purpose to establish RFP evaluation criteria and review and evaluate Proposals;
- mm) **“Single Source”** means a procurement decision whereby purchases for Goods or Services are directed to one source, but where other sources may be available;
- nn) **“Sole Source”** means a procurement decision whereby purchases for Goods or Services are directed to the only source, as this is the only source available that meets the requirements of the City;
- oo) **“Supplier”** means the selected Bidder or Proponent to whom the Contract for the purchase of Goods or Services is awarded and executed under the terms and conditions of the Contract;
- pp) **“Surplus Goods”** means any items no longer having any use to the City or in excess of the needs of the City that have become available for transfer, sale, or disposal including, but not limited to, obsolete supplies, scrap materials, and vehicles but excluding real property; and
- qq) **“Unsolicited Bid or Proposal”** means Bid or Proposal submitted by a Supplier or Contractor in the absence of a Bid Request from the City; which may be submitted in response to a perceived need but not in response to a Bid Request.

3. APPLICATION

- 3.1 This By-law shall apply to staff in all departments of the City and may be adopted in principle, at their discretion, by affiliate agencies, boards and commissions of the City.
- 3.2 The acquisition of Goods or Services or disposal of Surplus Goods shall be authorized only when in compliance with this By-law.

4. RESPONSIBILITIES

- 4.1 **MANAGER OF PURCHASING** shall have the authority and be responsible for:
 - a) overseeing all procurement activities of the City;
 - b) providing advice, guidance and related services that may be required by departments for the purposes of fulfilling their procurement needs;
 - c) developing, maintaining and continuously improving detailed processes, systems, templates, and practices to be used in the procurement process;
 - d) providing training for department staff responsible for acquiring Goods and Services;
 - e) determining the appropriate method for acquiring Goods or Services;
 - f) managing formal Bid Requests including notification, receipt, opening, and compliance with stated terms and conditions;

- g) establishing project specific terms and conditions for Bid Requests and Contracts in consultation with department staff and City Solicitor;
- h) standardizing Goods and Services in collaboration with departments, when and where appropriate;
- i) disposal of Surplus Goods;
- j) reporting to Council, as required;
- k) ensuring City staff complies with this By-law and any non-compliance is reported, in writing, to the respective Management Staff, Managing Director, or the CAO; and
- l) ensuring no procurement activity or decision is contrary to this By-law.

4.2 MANAGING DIRECTORS AND MANAGEMENT STAFF shall be responsible for:

- a) all department procurement activity and authorization within the limits as stated in Schedule "C" of this By-law;
- b) ensuring staff involved in procurement activity receive appropriate training;
- c) ensuring sufficient funding has been authorized by Council;
- d) preparing specifications, quantity requirements and scope of work to be used in the procurement of Goods and Services;
- e) consulting with the City's Information Technology department if the procurement or part of, is comprised of computer hardware or software, an internet application, or licensing or maintenance, or will have implications for the City's existing information technology infrastructure;
- f) monitoring Contract expenditures;
- g) receipt, acceptance and authorizing payment of Goods or Services;
- h) managing Contracts and documenting performance evaluation;
- i) ensuring departmental staff comply with this By-law and any non-compliance is reported, in writing, to the Manager of Purchasing and the respective Management Staff, Managing Director or the CAO; and
- j) ensuring no procurement activity or decision is contrary to this By-law.

4.3 CHIEF ADMINISTRATIVE OFFICER ("CAO") shall be responsible for:

- a) all procurement activity and authorization within the limits as stated in Schedule "C" of this By-law;
- b) ensuring Managing Directors and Management Staff comply with this By-law and any non-compliance is reported, in writing, to the Manager of Purchasing; and
- c) providing additional restrictions concerning procurement activities where such actions are considered necessary and in the best interest of the City.

5. RESTRICTIONS AND EXCEPTIONS

- 5.1 The open and competitive procurement procedures set out in this By-law shall not apply to the purchase of those items listed in Schedule "A", or as otherwise listed in this By-law.
- 5.2 No Contract for Goods or Services may be divided into two or more parts to avoid the application of the provisions of this By-law.
- 5.3 No Contract shall be awarded to any person, company or corporation who or which has a claim, demand, action or other a legal proceeding against the City or against who the City has a claim, demand, action or other legal proceeding with respect to any previous or existing Contract, except in such circumstances as deemed necessary by the CAO.

6. STANDARD PROCUREMENT METHODS

- 6.1 The method of purchasing Goods and Services shall be in accordance with the standard procurement methods described in this section as recommended by the Manager of Purchasing and shall be advertised, reported, approved and the Contract executed in accordance with Schedule "C" of this By-law.

a) REQUEST FOR EXPRESSION OF INTEREST ("RFEOI")

- i) A RFEOI may be used to determine the interest of the market place to provide Goods or Services which the City is contemplating purchasing. The submission of an Expression of Interest may be made a specific pre-condition of any other

procurement procedure utilized by the City. A submission in response to a RFEOI does not create any contractual obligation between the City and the interested respondent.

b) REQUEST FOR INFORMATION (“RFI”)

- i) A RFI may be used as a general market research tool to determine what Goods and Services are available that may meet business or operational requirements along with identifying acquisition strategies. The RFI may request publicly available pricing details for the purpose of budget planning or developing a future Bid Request. A submission in response to an RFI does not create any contractual obligation between the City and the respondent.

c) REQUEST FOR PREQUALIFICATION (“RFPQ”)

- i) A RFPQ may be used to determine qualified Bidders or Proponents that may Bid on a subsequent Bid Request for Goods or Services undertaken by the City under any of the following circumstances:
 - a. The work is considered high risk with respect to regulations governed under the Occupational Health and Safety Act;
 - b. The value and complexity of the work is such that substantial additional costs and/or potential loss to the City are significant if the work is not performed as specified;
 - c. The Goods or Services to be provided shall meet fundamental mandatory standards or regulation of the federal, or provincial governments, or recognized City standards;
 - d. The work requires a stipulated performance and experience level;
 - e. The work requires elements of confidentiality and/or security; or
 - f. The Manager of Purchasing deems prequalification to be appropriate.
- ii) A submission in response to a RFPQ does not create any contractual obligation between the City and the respondent.
- iii) The RFPQ process will be administered by the Purchasing Department.

d) LOW VALUE PURCHASE (“LVP”)

- i) A LVP may be used for the procurement of Goods or Services not covered under an existing Contract and having a purchase value up to the limit as stated in Schedule “C” of this By-law.
- ii) The respective Managing Director shall authorize specific individuals to make LVP and assign a limit of spending authority.
- iii) These purchases may be made utilizing a Purchase Order, petty cash, Supplier account or City Purchasing Card.
- iv) These purchases are within the discretion of the respective Management Staff or Managing Director who shall also determine the need for competitive quotes and/or that purchases demonstrate good value for the City.
- v) LVP may be facilitated by Purchasing Department at the request of the department.

e) REQUEST FOR QUOTATION (“RFQ”)

- i) A RFQ is used for the procurement of Goods or Services where the City has defined the requirements, a clear solution exists, and the estimated purchase value is within the limits as stated in Schedule “C” of this By-law.
- ii) The intention is to award to the lowest compliant Bidder, although the lowest or any Bid may not necessarily be accepted.
- iii) Departments may directly request quotations for Goods or Services with a purchase

value up to the limit as stated in Schedule "C" of this By-law. Purchases in excess of this limit must be administered by the Purchasing Department.

iv) Public advertising is discretionary up to the limit as stated in Schedule "C" of this By-law.

f) REQUEST FOR TENDER ("RFT")

i) A RFT is used to obtain Irrevocable Bids for the procurement of Goods or Services and where the City has defined the requirements, a clear solution exists, and estimated value is within the limits as stated in Schedule "C" of this By-law.

ii) The intention is to award to the lowest compliant Bidder without negotiation (subject to section 7 of this By-law), although the lowest or any Bid may not necessarily be accepted.

iii) A RFT shall be undertaken and administered by the Purchasing Department.

iv) Notice of a RFT shall be by public advertising including the local newspaper and a nationally recognized electronic tendering service.

v) Bids in response to a RFT shall be received by the Purchasing Department. At a time specified within the Bid Request on the closing date, the Bid envelope shall be opened publicly by the Manager of Purchasing, and prior to internal review, each Bidder's name and unofficial Bid total amount shall be publicly read.

g) REQUEST FOR PROPOSAL ("RFP")

i) A RFP is used for obtaining competitive Proposals in situations where the requirement cannot be expressly stated or defined and/or where a solution is requested and dependent on:

- a. the effectiveness of the proposed solution based on several stated criteria as opposed to the price alone;
- b. a possibility existing where negotiation with one or more Proponents may be required with respect to any aspect of the Contract; or
- c. the precise scope of Goods or Services not known, or not definable, and it is expected that the Proponent will further define them.

ii) A Proposal Selection Committee shall determine the most qualified Proponent offering Best Value for the City using the evaluation criteria stated in the RFP.

7. NEGOTIATION

7.1 Negotiation may be used for the procurement of Goods or Services:

- a) where no Bids were received in a proper, publicly issued Bid Request;
- b) where only one Bid is received; it exceeds the amount budgeted for the purchase; and the Bidder is willing and prepared to enter into negotiations with the City;
- c) where instructions within a Bid Request expressly allow for negotiations to occur with the low Bidder;
- d) with the highest evaluated Proponent upon completion of the evaluation, and as a condition of award. If a negotiated settlement cannot be reached, the City may proceed to negotiate with the next highest evaluated Proponent;
- e) where an Extraordinary Circumstance (Emergency) exists;
- f) where a Sole Source or Single Source purchase is conducted; or
- g) where authorized by Council to do so.

8. EXTRAORDINARY CIRCUMSTANCE (EMERGENCY) PURCHASES

8.1 Notwithstanding the provisions of this By-law, an Extraordinary Circumstance (Emergency) purchase may be conducted when an event or circumstance occurs that is determined by the respective Management Staff, Managing Director, or the CAO to be a risk to:

- a) public health;
- b) essential services of the City;
- c) the welfare of persons or of public property; or
- d) the security of the City's interests and the occurrence requires the immediate delivery of Goods or Services and time does not permit for a competitive Bid Request.

8.2 An Extraordinary Circumstance (Emergency) purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.

8.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Extraordinary Circumstance (Emergency) purchases. Where impractical, a follow-up purchase requisition shall be submitted to the Purchasing Department.

8.4 Where an Extraordinary Circumstance (Emergency) purchase exceeds the limits of the CAO and requires authorization of Council, the CAO shall have authority to approve such purchase and a follow-up information report to council shall be completed.

9. SOLE SOURCE PURCHASES

9.1 A Sole Source purchase may be conducted for Goods or Services without a competitive Bid Request:

- a) where the required Goods or Services are covered by an exclusive right such as a patent, copyright, exclusive licence or distributorship; or
- b) where a statutory or market based monopoly exists.

9.2 A Sole Source purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.

9.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Sole Source purchases.

10. SINGLE SOURCE PURCHASES

10.1 A Single Source purchase may be conducted for Goods or Services without a competitive Bid Request where:

- a) the Goods or Services required are in short supply due to market conditions;
- b) it is necessary to ensure compatibility with previously acquired Goods and Services; and there are no reasonable alternatives, substitutes or accommodations;
- c) it is important to avoid violating warranties and guarantees of existing Goods and Services;
- d) standardization of Goods or Services is beneficial to the City with respect to operation, functionality, and service capacity; and such purchases have previously been acquired through a competitive Bid Request; and a defined timeline has been established to review such standardization;
- e) the amendment to an existing Contract would be more cost effective and beneficial to the City;
- f) where, for reasons of security or confidentiality, it is in the best interest of the City to do so;
- g) no Bidders have responded to a proper, publicly issued Bid Request;
- h) Goods are purchased for testing or trial use and there is a clearly established deadline for the testing or trial period that does not exceed 12 months;
- i) the City has a rental Contract with a purchase or rental extension option and such purchase or rental extension is beneficial to the City; or
- j) an Extraordinary Circumstance (Emergency) purchase.

10.2 A Single Source purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.

10.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Single Source purchases.

11. UNSOLICITED BIDS

- 11.1 An Unsolicited Bid or Proposal received by the City shall be reviewed the Manager of Purchasing. Any procurement activity resulting from the receipt of an unsolicited Bid or Proposal shall comply with the provisions of the Single Source or Sole Source requirements of this By-law.

12. IN-HOUSE BIDS

- 12.1 An In-house Bid or Proposal may be obtained for the purchase of Goods or Services in circumstances, where the CAO considers it beneficial and appropriate to do so.

13. PURCHASING CARDS

- 13.1 Purchasing Cards are issued to staff, where appropriate and at the discretion of Management Staff, to allow for an efficient method of acquiring Low Value Purchases.
- 13.2 The Purchasing Card is not to be used for expenditures of a personal nature.
- 13.3 Purchases made by Purchasing Card are subject to the requirements of this By-law and the Purchasing Card Policy and Procedures, as amended from time to time.

14. BID IRREGULARITIES

- 14.1 Any Bid Irregularities shall be addressed in accordance with Schedule "B" of this By-law.
- 14.2 If a formal competitive Bid contains a Bid Irregularity, the Manager of Purchasing may, at his or her discretion, refer the issue to the Purchasing Review Committee to determine acceptance or rejection of the Bid.

15. IDENTICAL BIDS

- 15.1 If the lowest Bid from two or more Bidders is identical in total cost or unit price, the Manager of Purchasing, in the presence of the respective Managing Director and another staff member as selected by the Manager of Purchasing, shall determine the recommended Bidder by way of a coin toss or by way of draw of a name where more than two identical Bids exist.

16. CONTRACT EXECUTION

- 16.1 A Contract shall be required for the purchase of Goods or Services and executed by a written agreement or Purchase Order in accordance with limits as stated in Schedule "C" of this By-law or in situations where circumstances warrant such.

17. CONTINGENCY MANAGEMENT

- 17.1 Where the expenditure limit of a Contract that required Council approval is expected to exceed the awarded amount:
- a) the respective Managing Director may approve the overage so long as the amount of the cumulative overages for the Contract is less than ten percent (10%) of the value of the Contract, and the project remains within the approved project budget;
 - b) the CAO may approve the overage so long as the amount of the cumulative overages for the Contract is less than fifteen percent (15%) of the value of the Contract, and the project remains within the approved project budget.
- 17.2 Where the expenditure limit of a Contract that required Council approval is expected to exceed the awarded amount by fifteen percent (15%) or greater, the matter will be referred to Council for consideration.

18. SUPPLIER/CONTRACTOR PERFORMANCE AND ABILITY

- 18.1 The respective Management Staff shall be responsible for monitoring Supplier and Contractor performance and documenting evidence of such performance in accordance with

the City's Vendor Performance Evaluation policy, as amended from time to time.

18.2 The Purchasing Review Committee may authorize the Manager of Purchasing to reject a Bid if it is determined that:

- a) the Bidder has not complied with and/or satisfactorily performed the requirements of a previous Contract; or
- b) the Bidder does not have sufficient ability, experience, capital or plant to execute the Contract and to do so within the time stated.

19. COUNCIL APPROVAL

19.1 Notwithstanding any other provisions of this By-law, the award of a Contract requires approval of Council:

- a) In accordance with the limits as stated in Schedule "C" of this By-law;
- b) Where this By-law is being waived.

20. ACCESS TO INFORMATION

20.1 The disclosure of information received relevant to the issuance of a Bid Request or the award of Contracts shall be made available in accordance with the provisions of the City's policy under the *Municipal Freedom of Information and Protection of Privacy Act, (R.S.O. 1990, Chapter M.56)*, as amended from time to time.

21. DISPOSAL OF SURPLUS GOODS

21.1 A Management Staff may advise the Manager of Purchasing that items including, but not limited to, furnishings, equipment, vehicles, supplies, and other goods and materials, and excluding Real Property, have become obsolete, worn out or unusable or are surplus to the needs of their department.

21.2 The Manager of Purchasing will first offer the surplus items to other departments. Items not required by other departments and surplus to the City's needs, will be declared as Surplus Goods by the Manager of Purchasing.

21.3 The Manager of Purchasing, in conjunction with the respective Management Staff, will determine a reasonable sale value, which may include a third party appraisal. Surplus Goods having a residual value will be disposed of, as determined by the Manager of Purchasing, by way of:

- a) public auction;
- b) request for bids;
- c) trade-in at fair market value as part of the acquisition of similar items required by the City; or
- d) charitable donation to a recognized, registered organization;

21.4 Where Surplus Goods have little or no value, the Manager of Purchasing may dispose of the items directly through a recycling process or applicable waste stream.

21.5 No staff member, Councillor or local board member of the City shall personally obtain any Surplus Goods unless it is obtained through a public process.

22. LEGISLATIVE TRADE AGREEMENTS AND LOCAL PREFERENCE

22.1 All procurement activities shall be in compliance with all legislated national and international trade agreements (e.g. *Agreement on Internal Trade* and the *Ontario-Quebec Trade and Cooperation Agreement*).

22.2 The *Discriminatory Business Practices Act (R.S.O 1990, Chapter D.12)*, as amended and the *Agreement on Internal Trade* prohibit local preference in acquiring Goods and Services.

23. SHORT TITLE

23.1 The short title of this By-law shall be the "Purchasing By-law".

24. SCHEDULES

24.1 That Schedules "A", "B", and "C" to this By-law form an integral part of this By-law.

25. REVIEW

25.1 This By-law shall be reviewed by Council every five years and at such time major revisions are made.

25.2 This By-law comes into effect upon being passed.

25.3 By-law No. 2004-196, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS

READ A SECOND TIME IN OPEN COUNCIL THIS

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS

MAYOR

CITY CLERK

**THIS IS
SCHEDULE "A"
TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO. 2013-XX**

EXEMPT PURCHASES

The methods of procurement described in this By-law do not apply to the following items:

1. Training and Education
 - a. Conferences
 - b. Magazines, books and periodicals
 - c. Memberships and Professional Insurance

2. Refundable Employees Expenses
 - a. Advances
 - b. Meal allowances
 - c. Travel & Accommodations

3. Employer's General Expenses
 - a. Payroll deductions remittances
 - b. Medical
 - c. Licenses (vehicles, firearms, elevators, etc.)
 - d. Debenture payments
 - e. Grants to agencies
 - f. Damage claims
 - g. Petty cash replenishment
 - h. Tax remittances

4. Professional and Special Services
 - a. Committee fees
 - b. Legal fees and other professional services related to litigation or legal matters
 - c. Appraisal fees
 - d. Honorariums

5. Utilities
 - a. Water and Sewer
 - b. Hydro
 - c. Natural Gas
 - d. Telephone (excluding cellular)
 - e. Cable Television

6. Lease, sale or purchase of Real Property

7. Advertising

8. Entertainers for special events

**THIS IS
SCHEDULE "B"
TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO. 2013-XX**

BID IRREGULARITIES

| | IRREGULARITY | RESPONSE |
|--------------------|---|--|
| GENERAL | | |
| 1 | Late submission. | Rejection. Returned unopened. Opened and returned only when the submitter's name is not clearly identified on the package. |
| 2 | Unsealed Envelope/Package. | Rejection. |
| 3 | Submitter has not been previously qualified under a pre-qualification process. | Rejection. |
| 4 | Failure to have a representative in attendance and registered at a mandatory site meeting. | Rejection. |
| 5 | Failure to include the applicable form of Tender, Quotation, Proposal, or Prequalification with submission. | Rejection. |
| 6 | Incomplete or partial price details where all items are mandatory to be bid. | Rejection. |
| 7 | Forms that compose the submission documents are not completed in their entirety. | Rejection unless in the opinion of the Manager of Purchasing, the missing information is minor in nature. |
| 8 | Conditional Bids (Bids qualified, based on a Bidder's condition or restricted by an appended statement). | Rejection unless in the opinion of the Manager of Purchasing, the missing information is minor in nature. |
| 9 | More than one submission from the same submitter and not identified as an alternative or optional submission, and no withdrawal notice has been received. | The submission package bearing the most recent date/time stamp will be considered with the later submission considered to be withdrawn, and returned to the submitter. |
| 10 | Bids containing minor, obvious clerical errors that do not result in any ambiguity with respect to the overall submission. | Two business days to correct and initial. |
| 11 | Un-initialled changes to the submission. | Two business days to correct and initial. The City reserves the right to waive this requirement and accept as is. |
| 12 | Authority to bind the Corporation or signature missing. | Rejection. |
| 13 | Failure to include supplementary copies of the original at time of submission. | Two business days to submit. |
| 14 | Other minor irregularities. | The Manager of Purchasing shall have authority to waive irregularities where it considers it to be in the best interest of the City. |
| 15 | Any irregularity | Despite the provisions contained herein, Council may waive any irregularity where it considers it to be in the best interest of the City. |
| PRICING | | |
| 16 | Failure to include the schedule of items and prices, price forms or price details, as may be applicable, for inclusion with submission | Rejection. |
| 17 | Unit price has been changed but not initialled and, the price extension is consistent with the unit price as amended. | Two business days to correct and initial. The City reserves the right to waive this requirement and accept as is. |
| 18 | Unit price has been changed but not initialled and, the price extension is not consistent with the unit price as amended. | Rejection. |
| 19 | Unit price extension which is not consistent with the unit prices. | The City will update the extended price based on the stated unit price. |
| 20 | Where an error has been made transferring an amount from one part of the submission to another. | The City will update with the amount shown before transfer and ensuing totals corrected accordingly. |
| 21 | Pricing appears to be unbalanced to the extent that it would have a significant adverse affect to the City if awarded. | Rejection. |
| BID DEPOSIT | | |
| 22 | Bid Deposit or Bid Bond not submitted with bid | Rejection. |
| 23 | Bid Deposit or Bid Bond not in acceptable | Rejection. |

| | | |
|--------------------------------|---|---------------------------------------|
| | form. | |
| 24 | Bid Deposit or Bid Bond amount is insufficient. | Rejection. |
| 25 | Surety provider and/or Bidder's authorized signature missing from Bid Bond. | Rejection. |
| 26 | Effective period of Bid Bond is less than the irrevocable period stipulated in the bid document. | Rejection. |
| AGREEMENT TO BOND | | |
| 27 | Agreement to Bond not submitted with Bid | Rejection. |
| 28 | Agreement to Bond not provided in acceptable form. | Rejection |
| 29 | Agreement to Bond amount is insufficient. | Rejection. |
| 30 | Surety provider and/or Bidder's authorized signature missing from Agreement to Bond | Rejection. |
| STATUTORY DECLARATION | | |
| 31 | Statutory Declaration not submitted with Bid | Two business days to submit. |
| 32 | Statutory Declaration not in the form specified. | Two business days to submit. |
| 33 | Commissioner/Notary Public and/or Bidder's authorized signature missing from Statutory Declaration. | Two business days to submit. |
| POST AWARD NOTIFICATION | | |
| 34 | Failure to execute required bonding or security within the prescribed timeline. | Rejection and Bid Deposit forfeiture. |
| 35 | Failure to execute a Contract within the prescribed period. | Rejection and Bid Deposit forfeiture. |
| 36 | Failure to provide supporting document, as specified within the Bid Request and with the prescribed period. | Rejection and Bid Deposit forfeiture. |

**THIS IS
SCHEDULE "C"
TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO. 2013-XX**

PROCUREMENT THRESHOLDS

| STANDARD PURCHASE | | | | |
|---|---|--|--|---|
| PURCHASE THRESHOLD (excludes HST) | PURCHASE METHOD | METHOD/ADVERTISING | APPROVAL | PURCHASE CONTRACT |
| Up to \$5,000 | <ul style="list-style-type: none"> ▪ Low Value Purchase (LVP) | <ul style="list-style-type: none"> ▪ Competitive quotes at the discretion of department Management Staff ▪ Must demonstrate good value for the City ▪ Public advertising not required | <ul style="list-style-type: none"> ▪ Manager ▪ Supervisor ▪ Coordinator ▪ Advisor | <ul style="list-style-type: none"> ▪ Petty cash ▪ Purchase Order (verbal or hard copy) ▪ Purchasing Card ▪ Supplier account |
| Over \$5,000 up to \$25,000 | <ul style="list-style-type: none"> ▪ Request for Quotation (RFQ) ▪ Request for Proposal (RFP) | <ul style="list-style-type: none"> ▪ Minimum of three written quotes obtained ▪ Departments may directly request quotations ▪ Public advertising is discretionary | <ul style="list-style-type: none"> ▪ Up to \$15,000 ▪ Director ▪ City Clerk | <ul style="list-style-type: none"> ▪ Purchase Order ▪ Agreement |
| | | | <ul style="list-style-type: none"> ▪ Up to \$25,000 ▪ Managing Director ▪ City Solicitor ▪ Fire Chief ▪ Treasurer | |
| Over \$25,000 up to \$50,000 | <ul style="list-style-type: none"> ▪ Request for Quotation (RFQ) ▪ Request for Proposal (RFP) ▪ Request for Tender (RFT) | <ul style="list-style-type: none"> ▪ Minimum of three written quotes obtained ▪ Bid Request administered by the Purchasing Department ▪ Public advertising at discretion of Manager of Purchasing | <ul style="list-style-type: none"> ▪ CAO | <ul style="list-style-type: none"> ▪ Purchase Order for Goods ▪ Agreement for Services |
| Over \$50,000 | <ul style="list-style-type: none"> ▪ Request for Quotation (RFQ) ▪ Request for Proposal (RFP) ▪ Request for Tender (RFT) | <ul style="list-style-type: none"> ▪ Formal Bid Request administered by the Purchasing Department ▪ Public advertising is required | <ul style="list-style-type: none"> ▪ Up to \$75,000 ▪ CAO | <ul style="list-style-type: none"> ▪ Purchase Order for Goods ▪ Agreement for Services |
| | | | <ul style="list-style-type: none"> ▪ Over \$75,000 ▪ Council | |
| EXTRAORDINARY CIRCUMSTANCE (EMERGENCY) PURCHASE | | | | |
| <ul style="list-style-type: none"> ▪ Requires approval in accordance with the limits stated above ▪ Purchase exceeding \$75,000 shall be approved by the CAO followed by an information report to Council ▪ Purchase exceeding \$5,000 shall be administered by the Purchasing Department. Where impractical, a follow-up purchase requisition shall be submitted to the Purchasing Department | | | | |
| SINGLE SOURCE / SOLE SOURCE PURCHASE | | | | |
| <ul style="list-style-type: none"> ▪ Requires approval in accordance with the value limits stated above ▪ Purchase exceeding \$75,000 shall be approved by Council ▪ Purchase exceeding \$5,000 shall be administered by the Purchasing Department | | | | |

THE CORPORATION OF THE CITY OF NORTH BAY

PURCHASING BY-LAW 2004-196

Whereas section 271 of the Municipal Act of 2001 requires the municipality to update Purchasing By-law 2000-16 and its purchasing procedures according to the best practices and policies available to ensure the competitive, efficient and transparent acquisition of goods and service;

- (a) the types of procurement processes that shall be used;
- (b) the goals to be achieved by using each type of procurement;
- (c) the circumstances under which each type of procurement process shall be used;
- (d) the circumstances under which a tendering process is not required;
- (e) the circumstances under which in-house bids will be encouraged;
- (f) how the integrity of each procurement process will be maintained;
- (g) how the interests of the municipality or local board, as the case may be, the public and persons participating in a procurement process will be protected;
- (h) how and when the procurement processes will be reviewed to evaluate their effectiveness; and,
- (i) any other prescribed matter.

And whereas the City will acquire goods and services only in a manner that complies with this By-law and its Purchasing Policy and appropriate purchasing principles for the public sector, reflects a high standard of business ethics and does not favour or discriminate, and is cost effective and results in the best value for the City.

And whereas Council has passed a resolution dated November 2004, to authorize the presentation of this By-Law.

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

Part 1 DEFINITIONS

In this By-law,

- 1.1 "Authorized delegate" means a person authorized by the Chief Administrative Officer to act in another capacity for a specific period of time or for a specific purpose or both;
- 1.2 "Business unit" includes the Office of the Chief Administrative Officer.
- 1.3 "City" means The Corporation of the City of North Bay.
- 1.4 "Designate" means a employee authorized by the Managing Director to act on his behalf for the purposes of this By-Law.
- 1.5 "Manager of Purchasing" means the Manager of Purchasing of the City of North Bay with the authority to contractually bind the City of North Bay according to the terms of this by-law.
- 1.6 "Managing Director" includes the City Engineer, and, where appropriate, the Chief Administrative Officer;
- 1.7 "Purchase Order" means a contract between the City of North Bay and a supplier to supply a specific quantity of goods or services defined by such things as time period, destination and price.

- 1.8 "Purchasing Policy" means the policy adopted by resolution of council on August 30, 1999, as amended from time to time by Council resolution.

Part 2 PURCHASING STANDARDS

- 2.1 The City will acquire goods and services only in a manner that complies with this Policy and appropriate purchasing principles for the public sector, reflects a high standard of business ethics and does not favour or discriminate, and is cost effective and results in the best value for the City.
- 2.2 Codes of ethics endorsed by the National Institute of Governmental Purchasing, the Purchasing Management Association of Canada and the City of North Bay may be used to provide guidance.
- 2.3 Goods and services acquired by the City will comply with the City's requirements and with all standards, codes and regulations prescribed by law, to ensure maximum benefit to and to protect the health and safety of the City, its employees and the public.
- 2.4 Purchasing needs assessments and purchasing planning will consider alternatives, timing and supply strategies, and the effective and economical management of goods and services throughout their useful life.
- 2.5 In calling for tenders, proposals or quotations, the City shall incur no obligation to accept any bid, tender, proposal or quotation.
- 2.6 The City will consider relevant Provincial and Federal initiatives in the procurement plans of City purchases.

Part 3 RESPONSIBILITIES - PURCHASING DIVISION

- 3.1 The Purchasing Division will administer, in compliance with this by-law and the Purchasing Policy, through the Manager of Purchasing, a centralized procurement function for the benefit of all City business units and of those other entities on behalf of which the City is responsible by contract or otherwise for acquiring goods and services.

Part 4 RESPONSIBILITIES - MANAGING DIRECTORS

- 4.1 The Managing Directors will acquire goods and services for the purposes of their business units, and for the purposes of those other entities on behalf of which the City is responsible by contract or otherwise for acquiring goods and services, through the centralized procurement function of the Purchasing Division and in compliance with this by-law.
- 4.2 In acquiring goods and services, the Managing Directors shall:
- (1) ensure that approved budgetary allowances are not exceeded without the approval, obtained in advance wherever possible, of the Chief Administrative Officer or the City Council;
 - (2) provide written details with regard to vendor performance;
 - (3) monitor contract expiration dates and the progress of projects and acquisitions to ensure satisfactory completion.
 - (4) review the estimated quantities used by Purchasing in solicitations on a yearly basis.

Part 5 PURCHASES TO \$2,000

- 5.1 The Managing Directors are hereby authorized to purchase goods or services having a value to and including \$2,000 and may delegate that authority as required within their business units.
- 5.2 Such purchases may be made by means of a Rapid Purchase Order, Field Purchase Order, Blanket Order, Corporate Purchasing credit or debit card (or such other means as may be authorized from time to time by the Manager of Purchasing issued directly to a vendor).

Part 6 PURCHASES - \$2,001 TO \$ 5,000

- 6.1 The Managing Directors are hereby authorized to purchase goods or services having a value from \$2,001 to and including \$5,000, but may not delegate that authority except to an individual authorized delegate.
- 6.2 Such purchases will be made by means of a Purchase Requisition issued by a business unit, approved by the business unit's Managing Director or his authorized delegate, and forwarded to the Purchasing Division for transaction completion.
- 6.3 The method of solicitation will normally be by verbal quotes or written, by fax or a request for quotation document sent to at least three potential vendors, although the Purchasing Manager may in his discretion use another method, or fewer vendors, if circumstances warrant and to do so is not contrary to the best interests of the City.
- 6.4 Responses to the solicitation will be evaluated by the Manager of Purchasing, in consultation with the business unit, subject to oversight by the Chief Administrative Officer, and the Purchasing Division will issue the Purchase Order to the selected vendor.

Part 7 PURCHASES - \$5,001 TO \$20,000

- 7.1 The Managing Directors are hereby authorized to purchase goods or services through the Purchasing Department having a value from \$5,001 to and including \$20,000, but may not delegate that authority except to an individual authorized delegate.
- 7.2 The method of solicitation will normally be by request for quotation sent to at least three potential vendors, although the Manager of Purchasing may in his discretion use another method, or fewer vendors, if circumstances warrant and to do so is not contrary to the best interests of the City.
- 7.3 Responses to the solicitation will be evaluated by the Manager of Purchasing, in consultation with the business unit, subject to oversight by the Chief Administrative Officer, and the Purchasing Division will issue the Purchase Order to the selected vendor.

Part 8 PURCHASES - \$20,001 TO \$50,000

- 8.1 The Chief Administrative Officer is hereby authorized to purchase goods or services through the Purchasing Department having a value up to and including \$50,000 but may not delegate that authority except to an individual authorized delegate.
- 8.2 The method of solicitation will normally be by request for quotation sent to at least three potential vendors, although the Manager of Purchasing may in his discretion use another method, or fewer vendors, if circumstances warrant and to do so is not contrary to the best interests of the City.
- 8.3 Responses to the solicitation will be evaluated by the Manager of Purchasing, in consultation with the business unit, subject to oversight by the Chief Administrative Officer, and the Purchasing Division will issue the Purchase Order to the selected vendor.

Part 9 PURCHASES OVER \$50,000

- 9.1 Purchases over \$50,000 will be subject to the specific approval by resolution and by-law, as required, of City Council.
- 9.2 Such purchases will be made by means of a Purchase Requisition issued by a business unit, approved by the business unit's Managing Director or his authorized delegate, and forwarded to the Purchasing Division for processing.
- 9.3 The method of solicitation will normally be by public tender, although the Manager of Purchasing may in his discretion use another method, or restricted tendering, if

circumstances warrant and to do so is not contrary to the best interests of the City, in the opinion of the Chief Administrative Officer.

- 9.4 Responses to the solicitation will be evaluated by the Manager of Purchasing, in consultation with the business unit, and reported to the Chief Administrative Officer, who will recommend a vendor to the City Council, and the Purchasing Division will issue the Purchase Order to the vendor approved by City Council resolution or by-law, as required by the solicitation.

Part 10 PROCUREMENT PROCESS

PURCHASING BY TENDER

- 10.1 Goal – The City shall implement an effective, objective, fair, open, transparent, accountable and efficient process for obtaining competitive bids based on precisely defined requirements for which a clear or single solution exists.
- 10.2 The tender closing date and time will be set by the Manager of Purchasing. Any extension of the closing date or time will be at the discretion of the Manager of Purchasing, subject to the Purchasing Policy. No extension will be issued on the day of the most recently set closing date, or on the business day immediately preceding that day. Notice of every extension will be given by mail, courier, telephone, e-mail or facsimile to each vendor listed as receiving tender material.
- 10.3 The opening of responses to tenders will be held in public, in the presence of at least two City representatives, including a member of City Council or senior management where possible. When all the responses have been opened announced, and the information recorded, the tender summary sheet will be closed off and the City representatives present will sign the sheet. The contents of responses to tenders shall not otherwise be published prior to the award of a contract by City Council.
- 10.4 Responses to tenders will be evaluated by the Manager of Purchasing, in consultation with the business unit, and reported to the Chief Administrative Officer, who will recommend a vendor to the City Council, and the Purchasing Division will issue the Purchase Order to the vendor approved by City Council.
- 10.5 The report and recommendation will contain the tender results, budget information, additional project costs over and above the tendered price, the project manager and the recommended vendor.
- 10.6 The report and recommendation will be signed by the Manager of Purchasing (as to compliance with the City's Purchasing Policy), the Director of Financial Services (as to compliance with the approved budget) and the Managing Director or delegated project manager (as to compliance with needs).

PURCHASING BY PROPOSAL

- 10.7 Goal – The City shall implement an effective, objective, fair, open, transparent, accountable and efficient process for obtaining unique proposals designed to meet broad outcomes to a complex problem or need for which there is no clear or single solution resulting in best value to the City.
- 10.8 From time to time, a requirement may exist where, in the opinion of the Manager of Purchasing, solicitation by request for proposals is appropriate, especially where the goods or services cannot easily be defined or where negotiations could result and responses to requests for proposals will be evaluated according to the Purchasing Policy. Responses to requests for proposals will be evaluated by a senior management group with the assistance of the Manager of Purchasing, or by the Manager of Purchasing in consultation with the business unit, in each case subject to oversight by the Chief Administrative Officer.
- 10.9 The evaluation will be based on a set of detailed criteria designed by the Manager of

Purchasing and the business unit, subject to oversight by the Chief Administrative Officer, that would offer best value to the City. Such criteria may include demonstrated competence, experience, professional qualifications, and the technical merits of the proposal at a fair and reasonable compensation.

- 10.10 Where the value of the goods or services exceeds \$50,000, or where City Council approval is otherwise necessary or appropriate, the result of the evaluation will be reported to the Chief Administrative Officer, who will recommend a vendor to the City Council, and the Purchasing Division will issue the Purchase Order to the vendor approved by City Council.
- 10.11 The report and recommendation will be signed by the Manager of Purchasing (as to compliance with the City's Purchasing Policy), the Director of Financial Services (as to compliance with the approved budget) and the Managing Director or delegated project manager (as to compliance with needs).
- 10.12 Where the value of the goods or services is equal to or less than \$50,000, and City Council approval is not otherwise necessary or appropriate, the result of the evaluation will be reported to the Chief Administrative Officer, and the Purchasing Division will issue the Purchase Order

PURCHASING BY REQUEST FOR QUOTATION

- 10.13 Goal - The City shall obtain competitive pricing for a one-time procurement in an expeditious and cost effective manner through phone, fax, e-mail, other similar communication method, vendor advertisements or vendor catalogues.
- 10.14 The Manager of Purchasing will prepare the solicitation document and send it to at least three potential vendors, although the Manager of Purchasing may in his discretion use another method, or fewer vendors, if circumstances warrant and to do so is not contrary to the best interests of the City.
- 10.15 Responses to the solicitation will be evaluated by the Manager of Purchasing, in consultation with the business unit, subject to oversight by the Chief Administrative Officer, and the Purchasing Division will issue the Purchase Order to the selected vendor.

INFORMAL LOW VALUE PROCUREMENT

- 10.16 Goal - The City shall obtain competitive pricing for a one-time procurement in an expeditious and cost effective manner through corporate purchasing credit cards, phone, fax, e-mail, other similar communication method, vendor advertisements or vendor catalogues.
- 10.17 When a commodity is required on a one time (non-repetitive basis). The end user of the commodity has identified a clear or single solution and precisely defines technical requirements for evaluating bids or proposals. Informal bids are sought from known suppliers. When evaluating bids from qualified bidders, price is the primary factor and is not negotiated. The award is normally a purchase order if other than corporate credit card.

Part 11 NON COMPETITIVE PROCUREMENT

Although competition is the cornerstone of the purchasing process and all purchases are to be competitive where feasible, there are circumstances where this is not possible or in the best interest of the City. In certain situations goods/services are required to be purchased without a competitive bidding process. Non competitive procurement is permitted under this By-law in the following circumstances:

- 11.1 When an unforeseeable condition of urgency exists, for emergency, protection and security concerns and the goods or services cannot be obtained in time through a competitive process.
- 11.2 When the required item is covered by an exclusive right such as a patent, copyright or exclusive licence.

- 11.3 When the purchase is already covered by a lease-purchase agreement where payments are partially or totally credited to the purchase.
- 11.4 When it is necessary to ensure compatibility with existing products or to avoid violating warranty/guarantee requirements when service is required.
- 11.5 When no bids were received in a competitive process.
- 11.6 When the required item is in short supply due to market conditions.
- 11.7 When competitive sourcing for low value procurement would be uneconomical or would not attract bids.
- 11.8 When competitive procurement may be found to be impractical for such items as meal expenses, incidental travel expenses (e.g. taxi service, phone calls), and training and education expenses.
- 11.9 When individual performer contracts are being considered for public performances, where facility rental only is not a viable option, where a business case is recommended and where Council consultation has occurred.
- 11.10 At the discretion of the Manager of Purchasing.

Part 12 IN-HOUSE BIDS

At the discretion of the Manager of Purchasing and with the approval of the Chief Administrative Officer the City may consider In-House Bids.

Regardless of the solicitation method shall be specified to all bidders that In-House Bids may be considered.

Regarding the disposal of assets, City of North Bay employees may bid on surplus items only if the items are being offered for public sale.

Part 13 DEPOSITS AND SECURITIES

- 13.1 (1) In order to enable the City to enforce execution of a contract by a bidder, either;
 - (i) a tender deposit as detailed below may be required;

| Bid Value | Deposit Required |
|---------------------------|-------------------------------|
| 50,000 or less | \$0.00 |
| \$50,000 to \$100,000. | \$1,000. |
| \$100,000 to \$250,000. | \$5,000. |
| \$250,000. to \$500,000. | \$10,000. |
| \$500,000 to \$1,000,000. | \$20,000. |
| \$1,000,000 and above | Bid Bond in the amount of 15% |

- (ii) a bid bond issued by a licensed bonding or surety company (in a form provided or approved by the City) equal to 15% of the total tendered price (or such other amount as may be required in the tender document) may be provided in place of a tender deposit.

- (iii) A vendor may be permitted to substitute an alternate form of security subject to the approval of any two of the Chief Administrative Officer, the City Solicitor and the Manager of Purchasing.

- (2) Every tender deposit, except those of the recommended vendor and of the second low responsive vendor or vendors, will be returned or retained according to the Purchasing Policy.

- 13.2 In order to enable the City to enforce completion of a contract by a vendor or the payment of labour and material suppliers, contract security will be required to be provided by the vendor within ten days of the acceptance of any contract, as follows, if requested in the solicitation

document:

- (1) a performance bond issued by a licensed bonding or surety company (in a form provided or approved by the City) equal to 100% of the total tendered price (or such other amount as may be required in the tender document) where the estimated value of the goods or services exceeds \$500,000, or;
- (2) a labour and materials bond issued by a licensed bonding or surety company (in a form provided or approved by the City) equal to 100% of the total tendered price (or such other amount as may be required in the tender document) where the estimated value of the goods or services exceeds \$500,000, or;
- (3) any combination of performance bond and labour and materials bond required by the tender.

13.3 A vendor may substitute an alternate form of security subject to the approval of any two of the Chief Administrative Officer, the City Solicitor and the Director of Financial Services.

Part 14 EMERGENCY PURCHASES

14.1 Where an emergency purchase has been placed by a business unit directly with a vendor without following the procedures provided in this By-law or the Purchasing Policy, as soon as possible after the event, but in no case more than two business days later, the Managing Director or his authorized delegate shall,

- (1) report the purchase with full particulars to the Chief Administrative Officer, where the purchase exceeded \$10,000 and to the Manager of Purchasing;
- (2) forward a Requisition, to the Purchasing Division for transaction completion.

Part 15 PURCHASE OF UTILITIES AND GOVERNMENT SERVICES

15.1 The supply or relocation of utilities, including gas, electricity, telephone, telecommunications and government fees associated with those services or other government services, may be purchased by a business unit without a Purchase Order.

Part 16 VENDOR PERFORMANCE

16.1 Managing Directors shall complete a performance report on the performance of all vendors who complete any contract over \$20,000, and on other selected contracts, which report will be evaluated by the Manager of Purchasing, in consultation with the business unit, subject to oversight by the Chief Administrative Officer.

16.2 Any vendor whose evaluated performance is found to be lacking in any material respect may, at the discretion of City Council, be subject to the provisions of the Vendor Performance Policy.

Part 17 PAYMENT

17.1 Financial Services will pay for all goods and services for which a Purchase Order has been issued and which have been acknowledged as received by an appropriate authority.

17.2 Financial Services will pay for goods and services supplied under a contract upon receipt of a progress certificate according to the Purchasing Policy.

Part 18 CONTINGENCY MANAGEMENT

18.1 Where the expenditure limit of a contract is expected to exceed the approved amount, but the project remains within its approved budget, including contingency,

- (1) the Managing Director responsible for the project or his authorized delegate may approve the overage so long as the amount of the cumulative overages for the contract is equal to or less than 10% of the value of the contract; and
- (2) the Chief Administrative Officer or his authorized delegate may approve the overage so long as the amount of the cumulative overages for the contract is equal to or less than

15% of the value of the contract.

- 18.2 If the amount of the cumulative overages approved for a contract is expected to exceed 15% of the value of the contract, the matter will be referred to City Council for consideration.

Part 19 DISPOSAL OF ASSETS

- 19.1 Where any goods are surplus, unusable, unrepairable or obsolete, the Managing Director of the business unit to which they belong will advise the Purchasing Division which will seek a user for them in another business unit or declare them as surplus and dispose of them according to the Purchasing Policy.
- 19.2 Where the goods cannot be used by any business unit, they will be declared "surplus assets", and disposed of according to the Purchasing Policy.
- 19.3 All asset disposal and proceeds distribution will be reported to the Chief Administrative Officer and or City Council.

Part 20 INTEGRITY AND INFLUENCE

- 20.1 No person, company, corporation or organization shall attempt in any way, either in private or in public, to influence the outcome of any City purchasing or disposal process.
- 20.2 The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subjected to exclusion or suspension under the Vendor Performance Policy.
- 20.3 This Part does not apply to employees of the City whose duties include evaluating or making recommendations respecting City purchases or dispositions, while they are carrying out those duties, or those of whom they must inquire in the course of a previously authorized inquiry.

Part 21 PREFERENCE FOR LOCAL SUPPLIERS

- 21.1 The Ontario Discriminatory Business Practices Act (R.S.O. 1990) shall be applied to prevent discrimination in Ontario on the ground of race, creed, colour, nationality, ancestry, place of origin, sex, or geographical location of persons employed or engaging in business.

Part 22 REVIEW

- 22.1 This BY-Law shall be reviewed by City Council every five (5) years or at such time major revisions are made.
23. This by-law comes into effect as of January 1, 2005.
24. By-law No. 2000-16, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS

READ A SECOND TIME IN OPEN COUNCIL THIS

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS

MAYOR

CITY CLERK

City of North Bay**Report to Council**

Report No: CSBU 2013-38

Date: April 18, 2013

Originator: Erin Vaughan
Community Event Facilitator

Subject: 2013 O' Canada Day Event

- Permission to Hold the Event
 - Noise By-Law Exemption
 - Exclusivity of Use of Parkland and Other Lands
-

RECOMMENDATIONS

1. That the O'Canada Day Committee be granted permission to hold the 2013 Canada Day Celebrations in and about the Waterfront Park on July 1, 2013 pursuant to By-Law No. 142-76 (Noise By-Law).
 2. That the requests by the O'Canada Day Committee regarding exemption from the Noise By-Law, and exclusivity over the event and grounds be approved as per the following:
 - a) Having approved Recommendation No. 1 granting permission to hold the public celebration known as the 2013 O'Canada Day Event, the event becomes exempt from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof, as defined in Attachment 1.
 - b) Exclusivity be granted on July 1, 2013, on and over the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park. (See Exclusivity Map attached)
-

BACKGROUND**Permission to Hold Event**

The O'Canada Day Committee must ask Council for permission to hold the event pursuant to Noise By-Law No. 142-76 (see Attachment 1).

Noise By-law

Under the condition that Council grants the Committee permission to hold the O'Canada Day Event, the event would be eligible to be exempt from the Noise By-Law. This exemption has been granted over the past several years with no complaints regarding the event.

The O'Canada Day Committee has planned a variety of entertainment and activities to take place at the North Bay Waterfront on July 1, 2013. These activities are to include entertainment, a multicultural showcase, carousel and train rides, Canada Day KidZone, children's entertainment, museum exhibit, vendors, evening musical entertainment, a fireworks cruise and a fireworks display. The events will begin at approximately 12:00 p.m. and conclude at approximately 11:00 p.m. In past years, similar Canada Day activities have drawn large crowds with no adverse reactions from the neighbourhood pertaining to noise.

Normally, the O'Canada Day Event is finished prior to 11:00 p.m. The request for exemption from Noise By-Law No. 142-76 is a precautionary measure in the event that the entertainment or fireworks run late.

Exclusivity

In the past, waterfront exclusivity has allowed the O'Canada Day Committee to manage the event more efficiently. This includes working with vendors from our community who wish to participate in the activities as well as programming the event's activities. With exclusivity, the Committee is able to control the location of vendors, type of food or product sold as well as to secure revenue toward the operation of the event. In the past, vendors have applied to participate in the Canada Day Celebrations. Vendors, who have been allocated a seasonal space at the waterfront, have been given first right of refusal to participate, while other vendors are made aware of the event and have the opportunity to apply to become involved.

ANALYSIS / OPTIONS

There are three options for Council's consideration.

Option 1 – Approve the requests as presented.

If Council is satisfied with the requests as presented, Council should approve both Recommendations 1 and 2 as outlined above.

Council is being asked for specific permission to allow the O'Canada Day Committee to hold the celebration, as pursuant to By-Law No. 142-76, the celebration is indeed a *City* event. In addition, this provides a basis for the requests that follow in Recommendation 2.

The request for exemption from the Noise By-Law is a precautionary measure in the event that the entertainment or fireworks run late.

By not granting approval for exclusivity, there will be no control regarding the number and type of vendors, health and safety regulations, and overall general control.

Traditionally, exclusivity of the event generates approximately \$400.00 of revenue to the event. Failure to grant exclusivity will eliminate this revenue.

Option 2 – Grant the requests in an amended form.

If Council is not satisfied with the requests as presented but wants the event to proceed, Council could grant the request for permission to hold the event (by approving Recommendation 1) and amend the other requests to suit its concerns (by approving Recommendation No. 2 in an amended form). Depending upon the amendments made, the O'Canada Day Committee may need to review its methodology for the undertaking of the event.

Option 3 – Refuse to grant all requests.

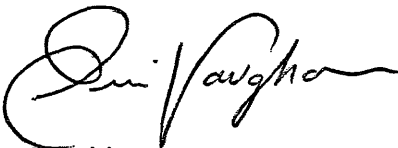
The O'Canada Day Event would not take place this year.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 – Approve the requests as presented.

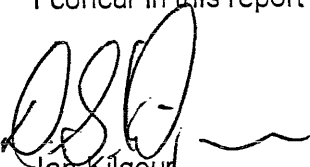
There are no financial implications to the City

Submitted by,



Erin Vaughan
Community Event Facilitator

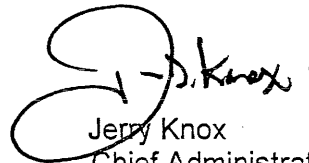
I concur in this report and recommendation



Ian Kilgour
Director
Parks, Recreation
& Leisure Services



Peter Chirico
Managing Director
Community Services



Jerry Knox
Chief Administrative Officer

Position designated for continuance: Community Event Facilitator

Attachments:

1. Extracts from the Noise By-Law (By-Law 142-76), as amended
2. Exclusivity Map

Copy for: Managing Director, Community Services
Police Chief
Director of Parks, Recreation and Leisure Services
Manager of Corporate Services

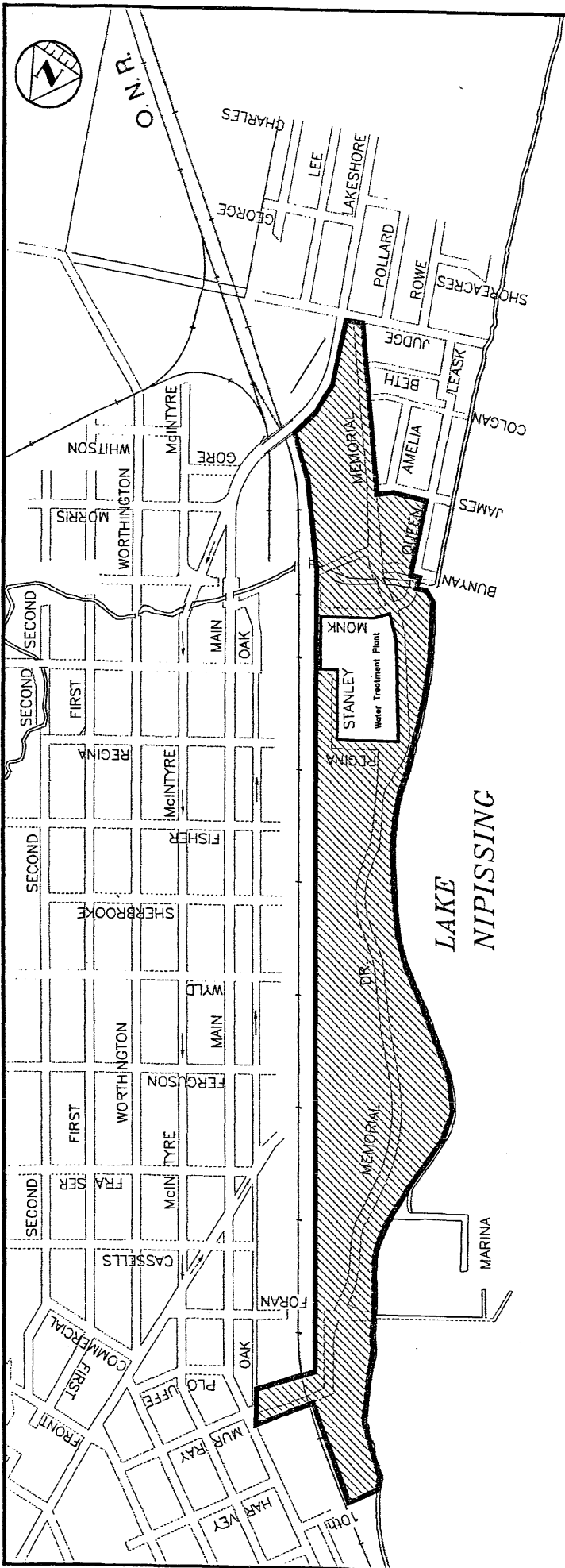
**Extracts from Noise By-law
(By-law 142-76) as amended**

6. **Exemption of Traditional, Festive or Religious Activities**
Notwithstanding any other provision of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the traditional, festive, religious and other activities listed in Schedule 3.
7. **Severability**
If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
8. **Penalty**
Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not less than \$50.00 nor more than \$1,000.00 for a first offence and not less than \$100.00 and not more than \$1,000.00 for a second or subsequent offence, exclusive of costs and every such fine is recoverable under The Summary Convictions Act.

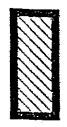
SCHEDULE 3

Activities to Which the By-law Does Not Apply

1. The use in a reasonable manner of an apparatus or mechanism for the amplification of the human voice or of music in a public park or recreational area under the control and management of the City of North Bay in connection with any public election meeting, public celebration or other lawful gathering, provided that written permission of Council to hold such meeting, celebration or gathering has been first obtained under any applicable by-law of the Corporation of the City of North Bay.
2. Any band or parade, provided that written permission of Council to operate such band or hold such parade has been first obtained under any applicable by-law of the Corporation of the City of North Bay.



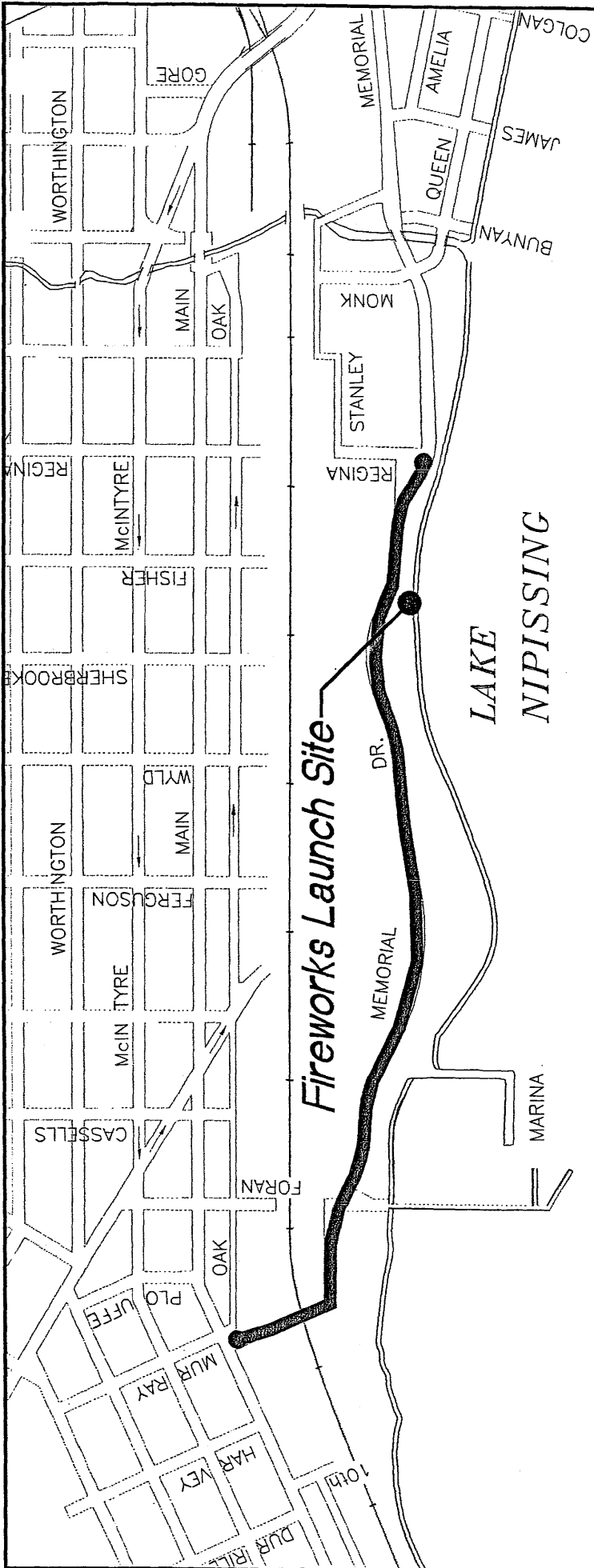
CANADA DAY 2013
 AREA OF EXCLUSIVITY



AREA OF EXCLUSIVITY

THE CORPORATION OF
 THE CITY OF NORTH BAY
 Engineering And Environmental Services
 AREA OF EXCLUSIVITY
 CANADA DAY - 2013

| | | |
|--------------------|------------------|-------------------------------|
| Drawn By: G.W.C. | Scale: N.T.S. | Drawing No: CANADA DAY - 2013 |
| Checked By: D.P.N. | Date: March 2013 | |



Fireworks Launch Site

**LAKE
NIPISSING**

CANADA DAY 2013 - ROAD CLOSURES



ROAD CLOSURE



THE CORPORATION OF
THE CITY OF NORTH BAY
Engineering And Environmental Services

ROAD CLOSURES - CANADA DAY
MONDAY JULY 1, 2013 - 8pm to 11pm

| | | | | | |
|------------|--------|--------|------------|--------------|------------------------------|
| Drawn By: | G.W.C. | Scale: | N.T.S. | Drawing No.: | |
| Chk'd. By: | D.P.N. | Date: | March 2013 | | CANADA DAY ROAD CLOSURE 2013 |

City of North Bay**Report to Council****Report No.:** CSBU 2013 - 59**Date:** May 14, 2013**Originator:** Kathleen Fralic, Development Planner**Subject:** Airport Community Improvement Plan Application

RECOMMENDATION

That North Bay City Council approves the Airport Community Improvement Plan application by Barrie Hard Chrome Plating Co. Ltd.

BACKGROUND

City Council established the Airport Community Improvement Plan (ACIP) in 2010. The intent of the program is to facilitate the development of an Airport Industrial Business Park at Jack Garland Airport. ACIP has three components:

- Municipal Fee Rebate Program
- Landfill Tipping Fee Reduction Program
- Tax Assistance Program (applied over a three year period)

City Council is responsible for the adjudication of individual applications. Staff has established an internal ACIP Review Committee to provide Council with recommendations on applications.

An ACIP application was recently submitted by Barrie Hard Chrome Plating Co. Ltd. in support of the construction of a new roof for their existing manufacturing facility garage on a 1.18 hectare (2.92 acre) parcel of land located in the Jack Garland Airport Industrial Business Park. Council approved an ACIP application for \$17,334.62 by Barrie Hard Chrome Plating in June, 2012 for the construction of an additional manufacturing facility on the property.

Barrie Hard Chrome Plating Co. Ltd. is requesting a rebate of approximately \$765 in fees related to municipal permits. The requested incentive is based on the best data currently available. Should Council approve this application, the actual amount of incentive that would be provided by the City would be somewhat different from the current projection, based on final design and actual construction costs.

The ACIP Review Committee comprised of municipal staff members has assessed the application and has recommended Council approve the request by Barrie Hard Chrome Plating Co. Ltd.

ANALYSIS/OPTIONS

Option #1:

That North Bay City Council approve the Airport Community Improvement Plan application by Barrie Hard Chrome Plating Co. Ltd. This option would result in the applicant completing construction of their facility on a portion of the Jack Garland Airport property.

The City previously provided Barrie Hard Chrome Plating with \$17,334.62 through the ACIP Program for the construction of a second manufacturing facility on the property.

The amount of the rebate (estimated to be \$765) would be removed from a reserve fund established to finance the operation of municipal Community Improvement Plans and transferred to the applicant upon completion of the project.

The above noted amount of financial incentive is an estimate based on the best data currently available. Should Council approve the above request, the actual amount of benefit provided to Barrie Hard Chrome Plating Co. Ltd. would likely vary somewhat, based on final design and actual construction costs.

Option #2:

Decline the Airport Community Improvement Plan application by Barrie Hard Chrome Plating Co. Ltd. This option is not recommended.

RECOMMENDED OPTION/FINANCIAL IMPLICATION

That North Bay City Council approves the Airport Community Improvement Plan application by Barrie Hard Chrome Plating Co. Ltd.

Upon approval of this application, and the applicant completing the project, a balance of \$50,561.79 would remain in the ACIP/DCIP reserve account.

Respectfully submitted,

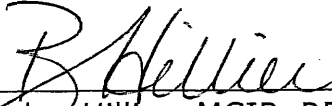


Kathleen Fralic
Development Planner

KF/dlb

W:\PLAN\RMS\C00\2013\CSBU\RTC\0059-ACIPApp-BarrieHardChrome.doc

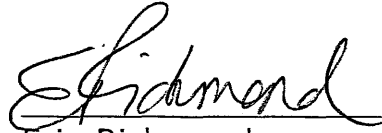
We concur with this report and recommendations.



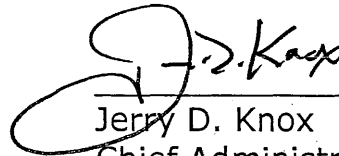
Beverley Hillier, MCIP, RPP
Manager, Planning Services



Peter Chirico
Managing Director, Community Services



Erin Richmond
Manager, Economic Development



Jerry D. Knox
Chief Administrative Officer

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2013-62

May 15, 2013

Originator: Paul Valenti

Subject: RFP# 2013-30 North Bay Jack Garland Airport Air Service
Study Update

RECOMMENDATION:

That City Council approves the award of a contract to SNC-Lavalin Inc. in the amount of \$22,400 (HST extra) to prepare an air service study update for the North Bay Jack Garland Airport.

That City Council approves the transfer of \$12,795 from Airport Reserve (99567R) to fund the air service study.

BACKGROUND:

In 2010, The City of North Bay in partnership with North Bay Jack Garland Airport engaged Jacob's Consultancy to undertake a Passenger Air Service Demand Study to support the community's efforts to attract an additional air carrier. Much has changed in Northeastern Ontario's transportation landscape since that time and as such the City and the Airport require an updated study in order to accurately and clearly communicate our market potential.

The scope of services includes research and preparation of an air service strategy for North Bay Jack Garland Airport. This includes a detailed business case for the expansion of passenger air service from North Bay to Toronto which provides hub capacity to connect to other domestic and international markets

A Request for Proposal was publicly advertised in accordance with the Purchasing By-law. The RFP closed on May 1, 2013 with four proposals being received. The proposals were evaluated by a selection committee consisting of the Manager of Purchasing, the Airport Manager, and the Manager of Economic Development.

The results are as follows:

| Firm | Rank | Total Score | Pricing (HST extra) |
|----------------------------|-------------|--------------------|----------------------------|
| SNC-Lavalin Inc. | 1 | 82 | \$22,400.00 |
| Genivar Inc. | 2 | 68 | \$24,915.00 |
| LPS Aviation Inc. | 3 | 66 | \$49,910.00 |
| Intervista Consulting Inc. | 4 | 58 | \$72,569.00 |

The proposal provided by SNC-Lavalin Inc. in the amount of \$22,400.00 (HST extra) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award a contract to SNC-Lavalin Inc.
2. Do not award a contract. This option is not recommended. The updated study is required to accurately and clearly communicate our market potential.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to SNC-Lavalin Inc. in the amount of \$22,400.00 (HST extra) to prepare an air service strategy for the North Bay Jack Garland Airport.

Sufficient Funding has been allocated and is available in the 2013 operating budget as follows:


- \$10,000 will be funded from Region Projects within Economic Development budget
 - \$12,795 will be funded from the Airport reserve fund (99567R). Note this amount includes the HST costs that are not recoverable.
-

Respectfully submitted,

for M. Karpenko

Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting

M. Karpenko

Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Peter Chirico
Managing Director Community Services

J. D. Knox

Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Economic Development

Attachments: Proposals

City of North Bay**Report to Council****REPORT NO:** CSBU 2013-63**DATE:** May 15, 2013**ORIGINATOR:** Beverley Hillier, Manager, Planning Services**SUBJECT:** Laurentian Heights Plan of Subdivision, Final Approval
Surrey Drive - Phase 3 (File No. 48T-93101)**File No:** D12/2004/SUBDI/LAURENT

RECOMMENDATION

1. That the Mayor and City Clerk be authorized to sign the Subdivision Agreement with Laurentian Heights Limited for Surrey Drive - Phase 3 to support the creation of five (5) lots; and
2. That the Mayor and City Clerk be authorized to sign the Final Plan of Subdivision subject to receipt of all security, easements and all other Subdivision Agreement requirements.

BACKGROUND

Exp. Services Inc. on behalf of Laurentian Heights Ltd. is seeking Final Approval of the Surrey Drive (Phase 3) Plan of Subdivision in order to create five (5) single detached dwelling lots on the south side of Surrey Drive in the City of North Bay.

Council has previously authorized the Final Approval of sixty-eight (68) lots. The approval of this phase of the subdivision will bring that total Final Approved Registered Lots in the Laurentian Heights Plan of Subdivision to seventy-three (73) lots. The requested approval is for Phase 3 of Surrey Drive for five (5) lots approximately 410m east of Maplevue Drive to approximately 580m east of Maplevue Drive, as shown on Schedule A.

The final approval being requested is within the boundary of the lands that have been given Draft Approval. The Laurentian Heights Plan of Subdivision was given Draft Approval by Council on October 20th, 1997.

All municipal services have been installed to the satisfaction of the City Engineering in 2011 / 2012.

ANALYSIS / OPTIONS

It should be noted the applicant appealed to the Ontario Municipal Board, Condition #9 of the original Draft Approval with respect to Parkland Dedication. A decision with respect to this appeal was issued by the OMB on June 28, 2012.

As a result of that decision, the City negotiated and entered into a Memorandum of Understanding with Laurentian Heights Limited that will see the parkland dedicated to the City on a phased basis. Council approved the MOU through Report to Council CSBU 2012-73.

As outlined in that MOU, Laurentian Heights Limited will be transferring to the City a portion of parkland at the time of registration of the Phase 3 Subdivision Agreement, as shown on Schedule B.

Prior to Staff recommending the City enter into a Subdivision Agreement and giving Final Approval, Staff required the developer satisfy the conditions of Draft Approval. The developer has satisfied the Conditions of Draft Approval for the requested five (5) lot phase on Surrey Drive as follows:

- 1) The Subdivision Agreement has been prepared and is recommended for approval by the Managing Director, Engineering, Environmental Services & Public Works;
- 2) The Final Plan (Registered 36M Plan) has been prepared for registration upon Council approval. It has been reviewed and found to conform with the original Draft Approval; and
- 3) The conditions imposed when Draft Approval was given have been satisfied for Surrey Drive, Phase 3 (5 lots).

RECOMMENDED OPTION/FINANCIAL IMPLICATIONS

The Developer, in conjunction with his consultants, has prepared a Subdivision Agreement to the satisfaction of City Staff. The owner has satisfied the conditions of Draft Approval for the requested phase, and it is now appropriate to give Final Approval to Surrey Drive, Phase 3 (5 lots).

Therefore, it is recommended that Surrey Drive, Phase 3 (5 lots) be given Final Approval, and the Mayor and City Clerk be authorized to sign the Final Plan of Subdivision subject to receipt of all security, easements, acknowledgements and subdivision agreements.

Option 1:

Deny the request to enter into the Subdivision Agreement and grant Final Approval.

Option 2:

Approve the request to enter into the Subdivision Agreement and grant Final Approval.

Option 2 is recommended for the above noted reasons.

Respectfully submitted,



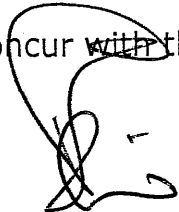
Beverley Hillier, MCIP, RPP
Manager, Planning Services

BH/dlb

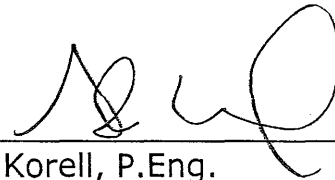
W:\PLAN\RMS\C00\2013\CSBU\RTC\0063-LaurentianHeights-PlanSubdi-FnlAppvl-SurreyDr-Phase3.docx

attach(s).

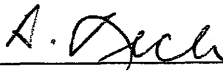
We concur with this report and recommendation:



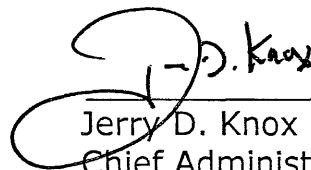
Peter Chirico
Managing Director, Community Services



Alan Korell, P.Eng.
Managing Director, Public Works &
Engineering



Peter E.G. Leckie
City Solicitor



Jerry D. Knox
Chief Administrative Officer

Personal Designated for Continuance: Manager, Planning Services

PLAN 36M-

CERTIFICATE OF REGISTRATION
 I CERTIFY THAT THIS PLAN
 IS REGISTERED IN THE LAND REGISTRY
 OFFICE FOR THE LAND TITLES
 DIVISION OF NIPISSING AT _____ O'Clock
 ON THE _____ DAY OF _____ 2013,
 AND ENTERED IN THE REGISTER FOR PART OF
 PIN 49133-0757 (L1).

AND REQUIRED COPIES AND ATTACHMENTS
 ARE REGISTERED AS PLAN DOCUMENT NO. _____

REPRESENTATIVE FOR LAND REGISTRAR

APPROVED under section 51 of the PLANNING ACT
 This _____ day of _____ 2013.

ALAN MACDONALD
 MAYOR

CATHERINE EDWARDS
 CLERK

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

THIS PLAN COMPRISES PART OF
 PIN 49133-0757 (L1).

PLAN OF SUBDIVISION OF
 PART OF THE SOUTH HALF OF LOT 18, CONCESSION 'B'
 TOWNSHIP OF WIDDIFIELD
 NOW IN THE
CITY OF NORTH BAY
 DISTRICT OF NIPISSING

SCALE 1 : 500

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

Miller & Urso Surveying Inc.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

- LOTS 1 TO 5 ALL INCLUSIVE AND THE STREET NAMELY SURREY DRIVE, HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
- SURREY DRIVE IS HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF NORTH BAY AS A PUBLIC HIGHWAY.

LAURENTIAN HEIGHTS LIMITED
 REGISTERED OWNER OF PIN 49133-0757 (L1)

NORTH BAY, ONTARIO
 JOHN WALLACE (PRESIDENT)
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 25TH DAY OF MARCH 2013.

MAY 29th, 2013
 DATE

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

LEGEND

- M DENOTES FOUND MONUMENT
- D DENOTES PLANTED MONUMENT
- S DENOTES SET
- M DENOTES MEASURED
- MU DENOTES MILLER & URSO SURVEYING INC.
- P DENOTES DEPOSITED PLAN 36M-13405
- NET DENOTES NO EVIDENCE FOUND
- SAT DENOTES SIMPSON & TAYLOR LIMITED, O.L.S.
- P1 DENOTES REGISTERED PLAN 36M-174
- P2 DENOTES REGISTERED PLAN M-312

BEARING NOTE

BEARINGS SHOWN HEREON ARE GRID AND ARE REFERRED TO THE WEST LIMIT OF PART 14, AS SHOWN ON DEPOSITED PLAN 36M-13405, HAVING A BEARING OF N10°58'52" W.

Miller & Urso Surveying Inc.
 Ontario Land Surveyors • Canada Land Surveyors
 Project Managers • Planning Consultants

1501 SEAVOUR STREET NORTH BAY ON P1A 0C5
 TEL: (705) 494-1210 FAX: (705) 494-1783
 EMAIL: remiller@millerurso.com

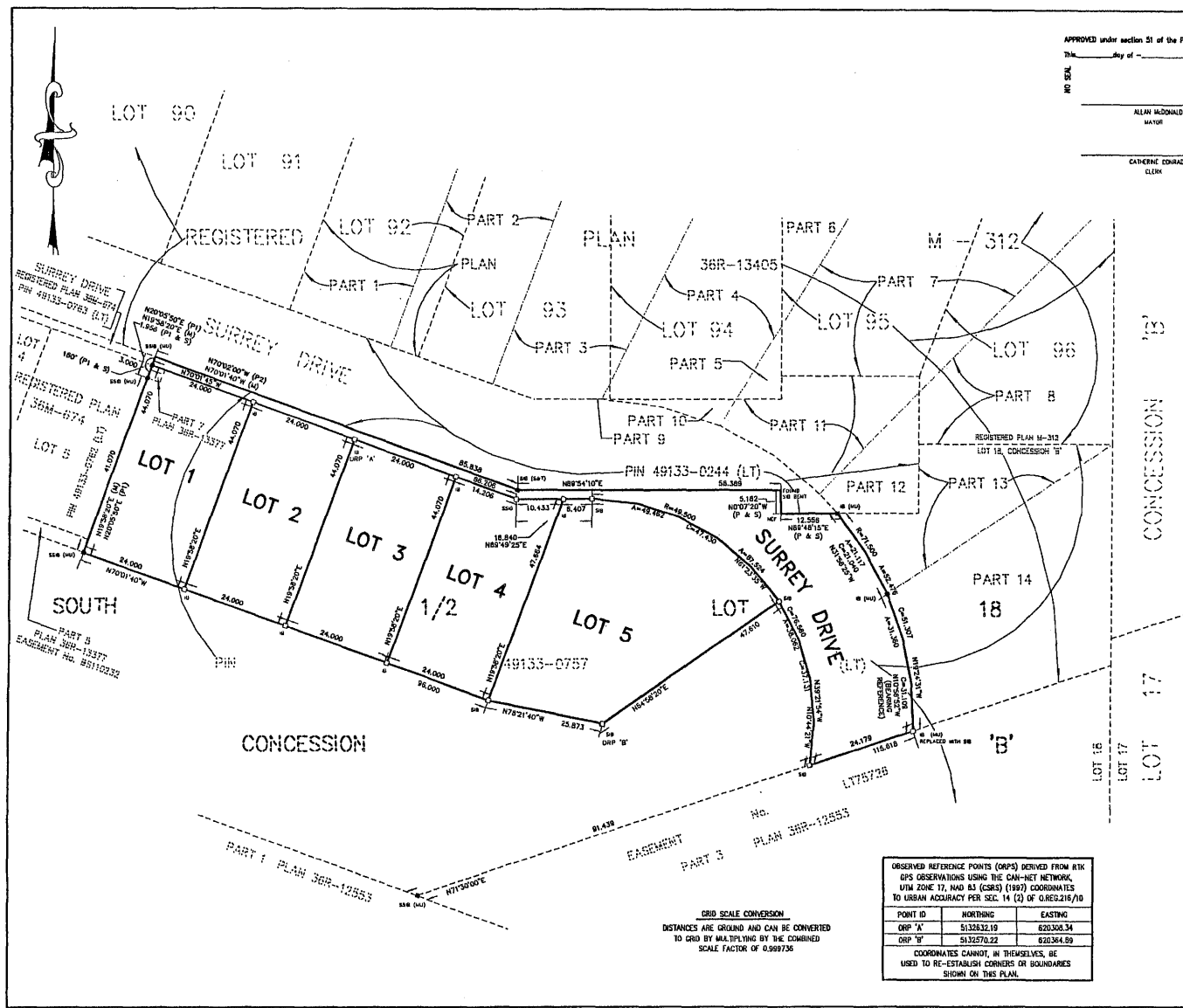
Checked by: R. MILLER DRAWN BY: M. WIDDIFIELD FIELD: K.M.S.D. PLOT NO.: 04

OBSERVED REFERENCE POINTS (ORPS) DERIVED FROM RTK GPS OBSERVATIONS USING THE CAN-NET NETWORK, UTM ZONE 17, NAD 83 (CGRS) (1997) COORDINATES TO USUAN ACCURACY PER SEC. 14 (2) OF OREGON/D/D

| POINT ID | NORTHING | EASTING |
|----------|------------|-----------|
| ORP 'A' | 5132532.19 | 820350.34 |
| ORP 'B' | 5132570.22 | 820354.89 |

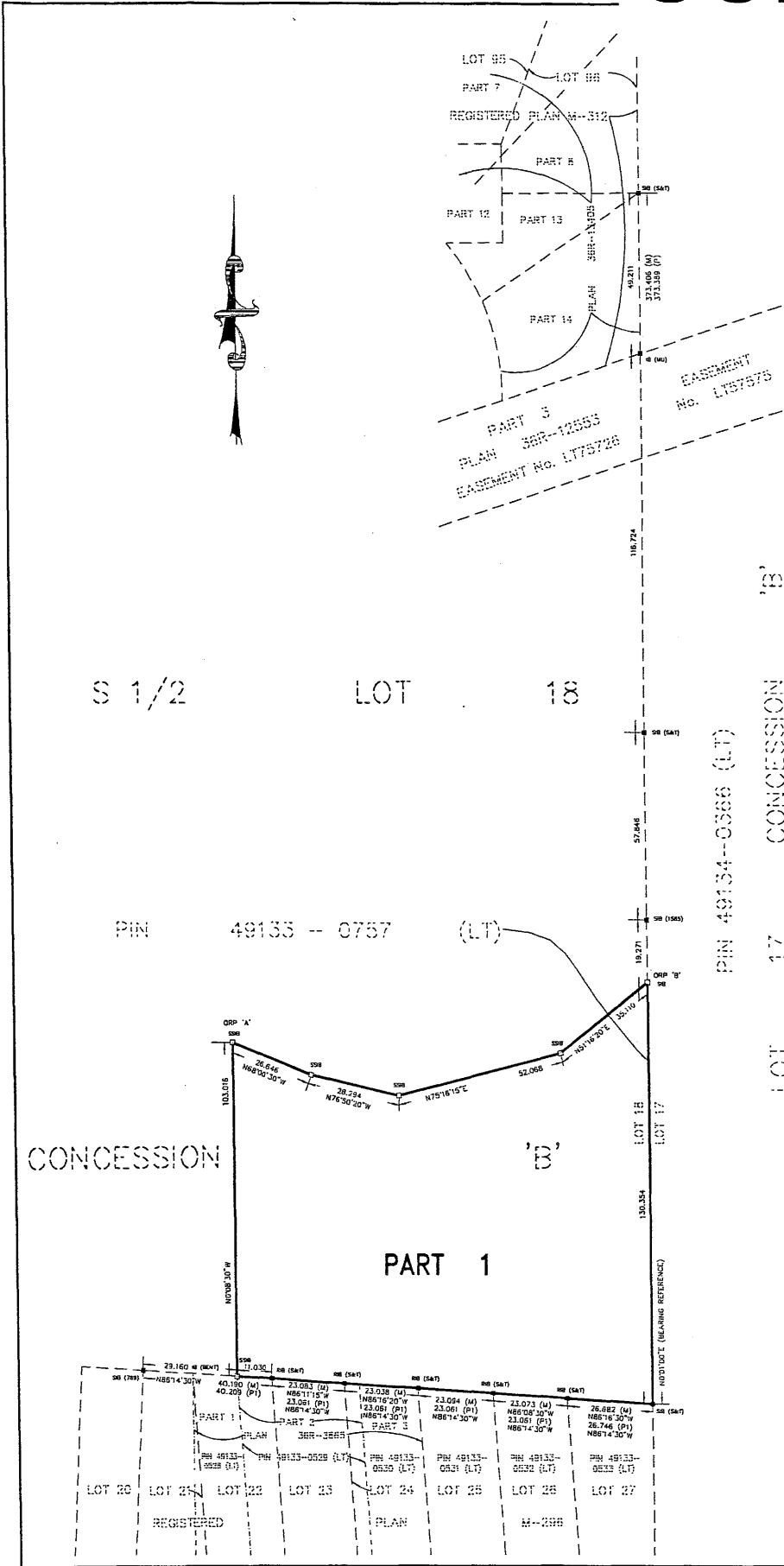
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

GRID SCALE CONVERSION
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999736



SCHEDULE A

SCHEDULE B



DATE _____

REPRESENTATIVE FOR LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF
NIPISSING (No. 38)

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

DATE: MAY 9TH, 2013

R.D. MILLER
ONTARIO LAND SURVEYOR

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

| SCHEDULE | | | | |
|----------|----------------------------|------------|--------------------------------|------------|
| PART | LOT | CONCESSION | PIN | AREA |
| 1 | PART OF S 1/2 OF LOT 18 | 'B' | PART OF PIN 49133-0757 (LT) | 1.3166 Ha. |

PLAN OF SURVEY OF
PART OF S 1/2 OF LOT 18
CONCESSION 'B'
TOWNSHIP OF WIDDIFIELD
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPISSING
SCALE 1 : 750
0 10m 20m 30m
Miller & Urso Surveying Inc.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT :

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 1st DAY OF APRIL 2013.

MAY 9TH, 2013
DATE

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

LEGEND

- # DENOTES FOUND MONUMENT
- DENOTES PLANTED MONUMENT
- M DENOTES MEASURED
- S DENOTES SET
- IB DENOTES IRON BAR
- SBIB DENOTES SHORT STANDARD IRON BAR
- SB DENOTES STANDARD IRON BAR
- RIB DENOTES ROUND IRON BAR
- S&T DENOTES SIMPSON & TAYLOR LIMITED, O.L.S.
- 789 DENOTES CLARKE & DORLAND LIMITED, O.L.S.
- MU DENOTES MILLER & URSO SURVEYING INC.
- P DENOTES REGISTERED PLAN M-312
- PI DENOTES REGISTERED PLAN M-296

BEARING NOTE
BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE LINE
BETWEEN LOTS 17 AND 18, CONCESSION 'B', AS SHOWN ON REGISTERED
PLAN M-312, HAVING A BEARING OF N01°00'00".

GRID SCALE CONVERSION
DISTANCES ARE GROUND AND CAN BE CONVERTED
TO GRID BY MULTIPLYING BY THE COMBINED
SCALE FACTOR OF 0.999735

OBSERVED REFERENCE POINTS (ORPS): DERIVED FROM
RTK GPS OBSERVATIONS USING THE CAN-NET NETWORK,
UTM ZONE 17, NAD 83 (CSRS) (1997) COORDINATES TO
URBAN ACCURACY PER SEC. 14 (2) OF O.REG.216/10

| POINT ID | NORTHING | EASTING |
|----------|------------|-----------|
| ORP 'A' | 5132370.47 | 620351.06 |
| ORP 'B' | 5132391.67 | 620480.06 |

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

Miller & Urso Surveying Inc.
Ontario Land Surveyors • Canada Land Surveyors
Project Managers • Planning Consultants

1501 SEYMOUR STREET NORTH BAY ON P1A 0G5
TEL: (705) 474-1210 FAX: (705) 474-1743
EMAIL: mml@mlurso.com

Checked By: R.D.M. Drawn By: M.U.R. Field: K.J.L.S.D. Plan No: R.D. / 450

© - G:\mml\N001\1350-PLAN.mwg - Thu, 3 May 2013 - 10:14

INTER OFFICE

*City of North Bay
Planning Services*

MEMO

To: Cathy Conrad, City Clerk
From: Peter Carello - Senior Planner, Current Operations
Subject: Resolution No. 1 - Planning Advisory Committee
Date: May 16, 2013

Quoted below is Resolution No. 1 passed at the regular meeting of the Planning Advisory Committee held on Wednesday May 15, 2013:

Resolution No. 1

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

- 1) That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. to rezone certain lands legally described as Concession B, Part of Lot 18 W/F, Bain Drive, Airport Road and Golf Club Road in the City of North Bay from a “Residential Third Density (R3)” zone to a “Residential Multiple Second Density Special Zone (RM2 Sp.)” as shown on Schedule “A” attached hereto, be approved; and
- 2) That the proposed Redline Amendment to the Draft Approved Plan of Condominium (File #48CDM-08102) and Plan of Subdivision (File #48T-08106) by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. for Concession B, Part of Lot 18, in the former Township of Widdifield, being Lots 50 to 63, Lots 33 to 38 and Blocks 64 and 75, Freehold Condominium Units 1 to 39 and Vacant Land Condominium Units 1 to 32 and 39 to 51 as shown on the Draft Plan prepared by Rick Miller, OLS, dated May 14, 2013 attached hereto as Schedule “B”, and changes to the Conditions of Approval of the Subdivision and Condominium, be approved.”




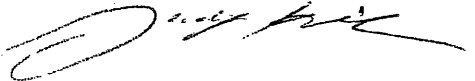
Peter Carello
Senior Planner, Current Operations
Secretary-Treasurer, Planning Advisory Committee

North Bay Planning Advisory Committee

Resolution No. 1

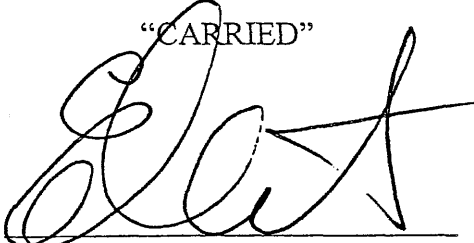
Date: May 15, 2013

Moved By: Paul Walker


Seconded By: Bruce Kozlowski


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

- 1) That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. to rezone certain lands legally described as Concession B, Part of Lot 18 W/F, Bain Drive, Airport Road and Golf Club Road in the City of North Bay from a “Residential Third Density (R3)” zone to a “Residential Multiple Second Density Special Zone (RM2 Sp.)” as shown on Schedule “A” attached hereto, be approved; and
- 2) That the proposed Redline Amendment to the Draft Approved Plan of Condominium (File #48CDM-08102) and Plan of Subdivision (File #48T-08106) by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. for Concession B, Part of Lot 18, in the former Township of Widdifield, being Lots 50 to 63, Lots 33 to 38 and Blocks 64 and 75, Freehold Condominium Units 1 to 39 and Vacant Land Condominium Units 1 to 32 and 39 to 51 as shown on the Draft Plan prepared by Rick Miller, OLS, dated May 14, 2013 attached hereto as Schedule “B”, and changes to the Conditions of Approval of the Subdivision and Condominium, be approved.”

“CARRIED”

Chair

INTER OFFICE

MEMO**City of North Bay**

To: Chair and Members, Planning Advisory Committee

From: Peter Carello - Senior Planner, Current Operations

Subject: Proposed Zoning By-Law Amendment and Redline Amendment to the Draft Approved Plan of Condominium (File #48CDM-08102) by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. & 2142727 Ontario Inc. – Highland Woods in the City of North Bay

Date: May 14, 2013

Recommendation

- 1) That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. to rezone certain lands legally described as Concession B, Part of Lot 18 W/F, Bain Drive, Airport Road and Golf Club Road in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special Zone (RM2 Sp.)" as shown on Schedule "A" attached hereto, BE APPROVED; and
- 2) That the proposed Redline Amendment to the Draft Approved Plan of Condominium (File #48CDM-08102) and Plan of Subdivision (File #48T-08106) by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. for Concession B, Part of Lot 18, in the former Township of Widdifield, being Lots 50 to 63, Lots 33 to 38 and Blocks 64 and 75, Freehold Condominium Units 1 to 39 and Vacant Land Condominium Units 1 to 32 and 39 to 51 as shown on the Draft Plan prepared by Rick Miller, OLS, dated May 14, 2013 attached hereto as Schedule "B", and changes to the Conditions of Approval of the Subdivision and Condominium, be approved.

Site

The subject property is located along Airport Road and Golf Club Road (see Schedule "A" attached). The site has a frontage of 221.87 meters (727.92 feet) and an area of 9.79 hectares (24.22 acres). The property is surrounded by residential properties on the south, east and west sides. To the north of the subject lands is the North Bay Golf & Country Club and at the intersection of Airport Road and Golf Club Road there is a church and a small neighbourhood commercial establishment.

Proposal

City Council approved the original zoning by-law amendment on the subject lands on December 1st, 2008 (Resolution #2008-227). The Plan of Condominium and Plan of Subdivision were given Draft Approval by City Council on February 2nd, 2009. A redline amendment to the draft approved Plan of Condominium and Plan of Subdivision was finalized in 2010. A second redline amendment to the draft approved Plan of Condominium is now being sought as part of this application, in addition to the proposed zoning by-law amendment.

The purpose of the proposed Zoning By-law Amendment and proposed Redline Amendment to the Draft Approved Plan of Condominium comes as a result of requested changes by the owner to the Draft Approved Plans as follows:

- 1) A change to the zoning on a portion of the subject lands in the south east corner from the existing "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special Zone (RM2 Sp.)", as shown on Schedule 'A' attached hereto;
- 2) A redline amendment to the Draft Approved Plan of Condominium to change the land use in this same area from Single Detached Dwellings to Townhouses, being new Condominium Units that will be located in Block 65, as shown on Schedule 'B' attached hereto;
- 3) A redline amendment to the Draft Approved Plan of Condominium to change the number of proposed Townhouse Units from 33 to 39, as shown on Schedule 'B' attached hereto;
- 4) A redline amendment to the Draft Approved Plan of Condominium to change the number of proposed vacant land condominiums units from 60 to 45, as shown on Schedule 'B' attached hereto.
- 5) A redline amendment to the Draft Approved Plan of Subdivision to change the number of dwelling units in freehold ownership from 11 to 20; and
- 6) A redline amendment to the Conditions of Draft Approval for the Draft Approved Plan of Condominium recommended by staff to address these amendments to the Draft Plan.

The net result of these proposed changes to the Draft Approved Plan of Condominium is demonstrated as follows:

| | Current Approval | Redline Amendment | Difference |
|-------------------------------|------------------|-------------------|------------|
| Condominium Townhouse Units | 33 | 39 | +6 |
| Vacant Land Condominium units | 60 | 45 | -15 |
| Subdivision Dwellings Lots | 11 | 20 | +9 |
| Total Lots / Units | 108 | 108 | Nil |

The Highland Woods Development has been under construction since 2010. Nine (9) previously approved townhouse-style condominium units have been built and sold since 2011 and the applicants wish to capitalize on the popularity of this form of housing by changing the type of housing unit currently proposed on Blocks 65 being single detached dwellings to these townhouse-style condominium units and the single detached dwellings vacant land condominiums proposed on Lots 33 to 38 to 2 unit townhouse style condominium units (i.e. semi-detached dwellings).

The special component of the proposed rezoning would reduce the required front yard setback from 6m to 4.5m to allow for an increased buffer to Airport Road.

Provincial Policy

The Growth Plan for Northern Ontario (GPNO 2011) was introduced on March 3rd, 2011. All Planning Applications must consider this Plan as part of the evaluation process.

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario. Specific Planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Province or incorporated into the Official Plan.

The Plan has been reviewed in its entirety and, in my professional opinion, the proposed Zoning By-law amendment and concurrent redline amendment to the Draft Approved Plan of Condominium is consistent with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

The proposed Zoning By-law Amendment and Redline Amendment to the Draft Approved Plan of Condominium has been reviewed in the context of the Provincial Policy Statement 2005 (PPS).

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Section 1.0 of the PPS, Building Strong Communities, provides for a wide variety of policies relating to wisely managing change and promoting efficient land use and development patterns.

The subject property has access to existing municipal services as encouraged by Sections 1.6.2 and 1.6.4.2 of the PPS. The property is surrounded by various forms of low density residential development. As such the proposed rezoning, redline amendment and subsequent development will maintain the existing character of the neighbourhood.

The majority of the subject lands are located within the 30 Noise Exposure Forecast (NEF) contour of the North Bay Jack Garland Airport. Section 1.6.7.2 of the PPS 2005 states that:

“Airports shall be protected from incompatible land uses and development by:

- a) prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP, as set out on maps (as revised from time to time) that have been reviewed by Transport Canada;*
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the airport; and*
- c) discouraging land uses which may cause a potential aviation.”*

The proposal is consistent with the PPS as it results in the development of an existing property (infill opportunity). The property is located in the urban area and the scale and form of development was previously approved by Council. In my professional opinion, the change from single detached

dwellings to townhouse condominiums will not affect the long-term operation of the airport. The Conditions of Draft Approval for both the Draft Approved Plan of Condominium and Plan of Subdivision include a condition regarding potential airport noise and the owner will be required to implement acoustic measures into the design of any proposed single detached dwelling or townhouse unit.

In reviewing the proposed Zoning By-law amendment and Redline Amendment to the Draft Approved Plan of Condominium, I am of the professional opinion that the end use is consistent with Provincial Policy as outlined in the Provincial Policy Statement (PPS 2005).

Official Plan

The subject property is designated "Restricted Residential" in the City of North Bay's Official Plan.

Section 4.11.2 of the Official Plan states that: *"In addition to conforming with all other requirements of this Plan, the developer of any residential unit within the Restricted Residential designation shall be made aware of the airport noise problem. The developer shall inform, in writing, all purchasers and subsequent owners of residential unit that the property in question is in an area where possible airport noise problems may exist, or develop. In addition, the construction of any residence, school, library, church, theatre, auditorium, hospital, nursing home, recreational building, camping or picnic area, shall conform to the Acoustic Design Criteria set out in the Provincial Policy entitled "Land Use Policy near Airports" Federal Guideline entitled "Aviation: Land Use in the Vicinity of Airports".*

The Conditions of Draft Approval for both the Draft Approved Plan of Condominium and Plan of Subdivision include a condition regarding potential airport noise and acoustic design criteria. With this condition in place, it is my professional opinion that the general intent of the Official Plan is being maintained and that the proposed amendment is in conformity with the Plan.

Zoning By-law No. 28-80

The subject lands are currently zoned "Residential Third Density (R3)", which permits the following uses:

- Single Detached Dwelling (minimum frontage 13.7 m)
- Duplex Dwelling
- Semi-Detached dwelling
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

The Applicant is proposing to rezone the subject lands to a "Residential Multiple Second Density Special Zone (RM2 Sp.)" zone which would permit the following uses:

- Duplex Dwelling
- Semi-Detached dwelling
- Triplex
- Double Duplex
- Maisonette Dwelling
- Townhouses

- Boarding or rooming house or Group home type 1
- Multiple Dwellings
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

The proposed Special component of the Zoning By-law Amendment would reduce the required front yard setback from 6m to 4.5m to increase the buffer to Airport Road.

The proposed Zoning By-law Amendment and Redline Amendment to the Draft Approved Plan of Condominium comes as a result of requested changes by the Owner to the phasing and type of construction proposed.

Correspondence

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to several municipal departments and other agencies that may have an interest in this matter.

In terms of the correspondence received, the Ministry of Transportation, North Bay-Mattawa Conservation Authority, Chief Fire Prevention Officer, Secretary-Treasurer of the Municipal Heritage Committee, the Economic Development Department, Chief Building Official and the Director of Parks, Recreation, and Leisure Services offered no objections to the proposal.

The Engineering Department offered the following: *“Engineering Services has reviewed the proposed zoning by-law amendment and redline amendment and would advise that we have no objections and no issues from Engineering other than we will require a revised grading plan for these locations.”*

As a result of the circulation, one (1) letter was received and one (1) area resident attended the public meeting of the Planning Advisory Committee (PAC) which was held on August 30th, 2012. Both property owners were requesting clarification regarding the development, traffic on the unfinished roads, the drainage course on Block 76, and the timing and phasing of development.

The concerns were addressed by Planning Services staff with both property owners. Staff had a discussion with each regarding the purpose of the drainage easement (storm water management), and the timing to have the roads paved and the development to proceed. Both property owners have indicated that they are satisfied and that their concerns have been adequately addressed by staff and by the developer.

No other correspondence was received with regard to this application.

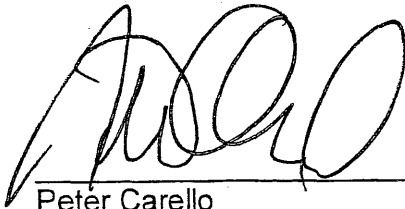
Summary

In summary, the property is designated “Restricted Residential” in the City’s Official Plan and the proposed zoning by-law amendment is compatible and in character with the existing residential uses in the surrounding area. Most of the property is located within the 30 Noise Exposure Forecast (NEF) contour of the North Bay Jack Garland Airport, however, these infill residential uses are located within the urban settlement area and within the built-up urban area. This development should have no impact on the long-term function of the airport. A notice will be placed on-title advising that the subject lands are within proximity to the airport and the owner will be required to implement acoustic

measures into the design of any proposed single detached dwelling or townhouse unit.

The request to create a "Residential Multiple Second Density Special Zone (RM2 Sp.)" would result in six townhouse units having a front yard setback of 4.5 metres. This would shift the units further from Airport Road and closer to Mapleridge Drive. Given the volume of traffic on Airport Road, Planning Staff believe it is appropriate to maximize this buffer.

In reviewing the proposal it is my professional opinion that the general intent of the Official Plan and Zoning By-law are being maintained and that the end use is consistent with Provincial Policy.

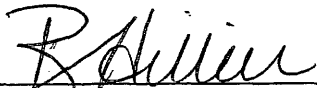


Peter Carello
Senior Planner, Current Operations

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attach.

I concur with the recommendations contained in this report.



Beverley Hillier, MCIP, RPP
Manager, Planning Services

City of North Bay
File No. 48T-08106

APPENDIX "A" - PLAN OF SUBDIVISION – LOTS 33 TO 38 AND 50 TO 63

The City of North Bay's Conditions to Final Approval for registration of the Subdivision File No. 48T-08106, are as follows:

- | <u>No.</u> | <u>Conditions</u> |
|------------|--|
| 1) | That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the <i>Planning Act</i> , the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the <i>Planning Act</i> . |
| 2) | That this approval applies to the Draft Subdivision Plan prepared by R. D. Miller, OLS, dated May 14, 2013 including twenty (20) residential lots and one (1) block for parkland purposes identified as Lots 50 to 63 and Lots 33 to 38 and on the attached Schedule "B". |
| 3) | That prior to signing the Final Plan by the Municipality, the proposed subdivision conform with the Zoning By-law in effect for the Municipality. |
| 4) | That no removal of trees be undertaken prior to final approval except: within the proposed road allowance for survey purposes around the boundary of the Draft Approved Lands, for exploratory soils investigations for the purpose of estimating servicing costs and for the construction of model homes. |
| 5) | That the road allowance included in this Draft Plan shall be dedicated as public highways. |
| 6) | That all streets on the Plan of Subdivision be named to the satisfaction of the City of North Bay. |
| 7) | That such easements as may be required for utilities, water, sanitary and drainage purposes shall be granted to the appropriate authority. |
| 8) | That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage prior to final approval. |
| 9) | That the Subdivision Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that: a) The Owner agrees that a Stormwater Management Plan shall be undertaken by the Owner, and the Owner shall hire a professional engineer with respect to the |

- Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction;
- b) The Stormwater Management report shall also address any slope stability or any hydrological issues associated with this development; and
 - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
 - d) The Owner agrees to pay a Stormwater Management fee of \$2,200 per lot as recommended in the Watson Report.
- 10) That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay.
- 11) That the owner agrees that the installation of traffic signals at the intersection of Airport Road and the Bain Street extension to Pearce Street will be required with the first phase of development. The subdivision agreement shall contain wording which requires the owner to pay their contribution towards the traffic signal installation for each phase of development, prior to final approval.
- 12) Prior to Final Approval of Phase 2, 3 or 4, as shown on Schedule 'C' attached to this Report, the development a 26 metre wide road allowance (Bain Drive extension) adjacent to the parcel described as Concession B, Lot 18, PIN 49133-0543(LT), shall be constructed and conveyed to the City of North Bay at the required Municipal standards.
- 13) That the owner shall construct, at the owners expense, a sidewalk, to municipal standards, along the front of Lots 59 & 60 on Bain Drive and along the north east side of Lot 75 in a location approved by the City Engineer.
- 14) That the Subdivision Agreement between the owner and the Municipality contained a Special Provision with wording acceptable to the City of North Bay to ensure that:
- a) All residential building lots located above the 28 NEF contour for the City of North Bay Airport shall conform to the appropriate Acoustic Design criteria;
 - b) The owner must undertake to inform, in writing, all prospective tenants or purchasers of the residential units that the property in question is in an area where possible noise problems may exist or develop
 - c) The owner shall be required to provide a detailed specifications for noise attenuation related to the development
- 15) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes, including Block 75 as shown on the Draft Subdivision Plan prepared by R. D. Miller, OLS, dated May 14, 2013.

- 16) That the Owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.
- 17) That the Subdivision Agreement between the Owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
- 18) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 19) The subdivision agreement for the subject subdivision application shall include a statement informing the first purchaser of a lot within the subject Plan of Subdivision that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges.
- 20) All roads and right-of-ways shall be transferred to the City of North Bay in compliance with the respective Subdivision or Condominium for each phase of the development.

NOTES:

1. We suggest you make yourself aware of the following:
 - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
2. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication and telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
3. The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with North Bay Hydro Distribution Ltd that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension

of the existing electrical distribution infrastructure, in accordance with North Bay Hydro policies and the Ontario Distribution System Code.

4. The property is regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulations 97/04 and 177/06. These regulations are pursuant to Section 28 of the Conservation Authorities Act of Ontario. A Development, Interference with Wetlands & Alteration to Shorelines & Watercourses (DIA) Permit is required from this office prior to undertaking any site alteration activities and/or any construction or renovation work on the subject property. Site alteration activities would include: the placement or removal of fill material of any kind, and/or the alteration of existing grades on the subject property.

City of North Bay
File No. 48CDM-08102

APPENDIX "B" - FREEHOLD CONDOMINIUM UNITS 1 TO 39

The City of North Bay's Conditions to Final Approval for registration of the Condominium File No. 48CDM-08102 are as follows:

- | <u>No.</u> | <u>Conditions</u> |
|------------|--|
| 1) | That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the <i>Planning Act</i> , the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board (OMB) issued in respect of the appeal or from the date of a notice issued by the OMB under section 52(51) of the <i>Planning Act</i> . |
| 2) | That this approval applies to the Draft Condominium Plan prepared by R. D. Miller, OLS, dated May 14, 2013, identified as Units 1 to 39 & parts marked "Common Element" on Schedule "B" attached hereto. |
| 3) | That prior to the signing of the Final Plan by the Municipality, the proposed Condominium conform with the Zoning By-law in effect for the Municipality. |
| 4) | That no removal of trees be undertaken prior to final approval except: within the proposed road allowance; for survey purposes around the boundary of the Draft Approved Lands, for exploratory soils investigations for the purpose of estimating servicing costs, and for the construction of model homes. |
| 5) | That the road allowances included in this Draft Plan shall be dedicated as public highways. |
| 6) | That all streets in the Plan of Condominium and abutting Municipal roads, where Units front on them, be named to the satisfaction of the City of North Bay. |
| 7) | That such easements as may be required for utilities, water, sanitary and drainage purposes shall be granted to the appropriate authority. |
| 8) | That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage. |
| 9) | That the Condominium Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that: a) The Owner agrees that a Stormwater Management Plan shall be undertaken by the Owner, and the Owner shall hire a professional engineer with respect to the |

- Condominium describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction;
- b) The Stormwater Management report shall also address any slope stability or any hydrological issues associated with this development; and
 - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Condominium site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
 - d) The Owner agrees to pay a Stormwater Management fee of \$2,200 per unit as recommended in the Watson Report.
- 10) That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay.
- 11) That the owner agrees that the installation of traffic signals at the intersection of Airport Road and the Bain Street extension to Pearce Street will be required with the first phase of development. The Condominium agreement shall contain wording which requires the owner to pay their contribution towards the traffic signal installation for each phase of the development, prior to final approval.
- 12) Prior to Final Approval of Phase 2, 3 or 4, as shown on Schedule 'C' attached to this Report, the development of a 26 metre wide road allowance (Bain Drive extension) adjacent to the parcel described as Concession B, Lot 18, PIN 49133-0543(LT), shall be constructed and conveyed to the City of North Bay at the required Municipal standards.
- 13) That the owner shall construct, at the owners expense, a sidewalk, to municipal standards, along the frontage of all units on Bain Drive in a location approved by the City Engineer.
- 14) That the Condominium Agreement between the owner and the Municipality contained a Special Provision with wording acceptable to the City of North Bay to ensure that:
- a) All residential buildings located above the 28 NEF contour for the City of North Bay Airport shall conform to the appropriate Acoustic Design criteria;
 - b) The owner must undertake to inform, in writing, all prospective tenants or purchasers of the residential units that the property in question is in an area where possible noise problems may exist or develop;
 - c) The owner shall be required to provide a detailed specifications for noise attenuation related to the development.
- 15) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 16) That the Owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.

- 17) That the Condominium Agreement between the Owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 18) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 19) The Condominium agreement for the subject Condominium application shall include a statement informing the first purchaser of a unit within the Condominium that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges.
- 20) All roads and right-of-ways shall be transferred to the City of North Bay in compliance with the respective Subdivision or Condominium for each phase of the development.

NOTES:

1. We suggest you make yourself aware of the following:
 - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
2. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication and telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
3. The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with North Bay Hydro Distribution Ltd that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension of the existing electrical distribution infrastructure, in accordance with North Bay Hydro policies and the Ontario Distribution System Code.
4. The property is regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulations 97/04 and 177/06. These regulations are pursuant to Section 28 of the Conservation Authorities Act of Ontario. A Development, Interference with Wetlands & Alteration to Shorelines & Watercourses (DIA) Permit is required from this

office prior to undertaking any site alteration activities and/or any construction or renovation work on the subject property. Site alteration activities would include: the placement or removal of fill material of any kind, and/or the alteration of existing grades on the subject property.

City of North Bay
File No. 48CDM-08102

APPENDIX "C" - VACANT LAND CONDOMINIUM - UNITS 1 TO 32 AND 39 TO 51

The City of North Bay's Conditions to Final Approval for registration of the Condominium File No. 48CDM-08102, are as follows:

- | <u>No.</u> | <u>Conditions</u> |
|------------|--|
| 1) | That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the <i>Planning Act</i> , the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the <i>Planning Act</i> . |
| 2) | That this approval applies to the Draft Plan of Condominium prepared by R.D. Miller, OLS dated May 14, 2013 including forty-five (45) residential vacant land condominium units. |
| 3) | That all streets in the Plan of Condominium, and abutting Municipal roads with units fronting on them, be named to the satisfaction of the City of North Bay. |
| 4) | That no removal of trees be undertaken prior to final approval except; within the proposed road allowance and for survey purposes around the boundary of the Draft Approved Lands, for exploratory soils investigations for the purpose of estimating servicing costs, and for the construction of model homes. |
| 5) | That prior to signing the Final Plan by the Municipality, the proposed Condominium conform with the Zoning By-law in effect for the Municipality. |
| 6) | That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage. |
| 7) | That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority. |
| 8) | That the Condominium Agreement between the Owner and the Municipality contain wording acceptable to the City Engineer to ensure that: <ol style="list-style-type: none">the owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Condominium describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction; |

-
- b. The Stormwater Management report shall also address any slope stability or any hydrological issues associated with this development; and
 - c. Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Condominium site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
 - d. The Owner agrees to pay a Stormwater Management fee per lot/unit as recommended in the Watson Report if stormwater management is not done on site.
 - 9) That the Condominium Agreement between the owner and the Municipality contained a Special Provision with wording acceptable to the City of North Bay to ensure that:
 - a. All residential building lots located above the 28 NEF contour for the City of North Bay Airport shall conform to the appropriate Acoustic Design criteria;
 - b. The owner must undertake to inform, in writing, all prospective tenants or purchasers of the residential units that the property in question is in an area where possible noise problems may exist or develop
 - c. The owner shall be required to provide a detailed specifications for noise attenuation related to the development
 - 10) That the owner agrees that the installation of traffic signals at the intersection of Airport Road and the Bain Street Extension to Pearce Street will be required with the first phase of development. The Condominium agreement shall contain wording which requires the owner to pay their contribution towards the traffic signal installation for each phase of development, prior to final approval.
 - 11) Prior to Final Approval of Phase 2, 3 or 4, as shown on Schedule 'C' attached to this Report, the development a 26 metre wide road allowance (Bain Drive extension) adjacent to the parcel described as Concession B, Lot 18, PIN 49133-0543(LT), shall be constructed and conveyed to the City of North Bay at the required Municipal standards.
 - 12) That the owner agrees to construct at the Owner's expense, a new driveway for the existing privately owned residence at 802 Airport Road.
 - 13) That the owner (developer) agrees to construct, at the developer's expense, both water and sewer connections to each dwelling located at 815 and 823 Golf Club Road prior to any final approval.
 - 14) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu or combination thereof to the Municipality for park or other public recreational purposes.
 - 15) That the owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.

- 16) That the Condominium Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 17) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 18) The condominium agreement for the subject condominium shall include a statement informing the first purchaser of a unit/lot within the subject Plan of Condominium that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges.
- 19) That the Vacant Land Condominium Agreement require that the total financial security necessary to complete all sewer, water, road and stormwater services be deposited with the City of North Bay prior to Final Approval of any phase pursuant to Council Resolution 2008-516.

NOTES

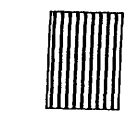
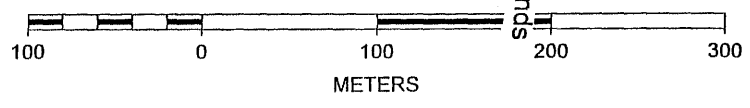
- 1) We suggest you make yourself aware of the following:
 - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
- 2) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication and telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
- 3) The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with North Bay Hydro Distribution Ltd that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension of the existing electrical distribution infrastructure, in accordance with North Bay Hydro policies and the Ontario Distribution System Code.

- 4) The property is regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulations 97/04 and 177/06. These regulations are pursuant to Section 28 of the Conservation Authorities Act of Ontario. A Development, Interference with Wetlands & Alteration to Shorelines & Watercourses (DIA) Permit is required from this office prior to undertaking any site alteration activities and/or any construction or renovation work on the subject property. Site alteration activities would include: the placement or removal of fill material of any kind, and/or the alteration of existing grades on the subject property; as well as alterations to the shoreline within the limits of the property.

SCHEDULE A



SCALE 1 : 4,372



Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple Second Density Special Zor
(RM2 Sp.)"

REDLINE AMENDMENT TO
 DRAFT PLAN OF CONDOMINIUM AND OF SUBDIVISION OF
 PART OF LOT 18 CONCESSION 'B'
 TOWNSHIP OF WIDDIFIELD

NOW IN THE
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING

Miller & Urso Surveying Inc

SCALE 1 : 1000
 0m 25m 50m 75m

BEARING NOTE:

BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE WEST
 LIMIT OF LOTS 18 TO 31 AS SHOWN ON REGISTERED PLAN 584-341
 HAVING A BEARING OF N 63° 00' 00" W

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE DRAFT PLAN FOR SAID APPROVAL.

NORTH BAY, ONTARIO

BLAIR SHOOK, PRESIDENT
 214222 DENISON AVE.
 REGISTERED OWNER OF
 PLAN 49133-2073 (1, 2)
 PLAN 49133-2074 (1, 2)
 PLAN 49133-2080 (1, 2)
 PLAN 49133-2081 (1, 2)

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE DRAFT PLAN FOR SAID APPROVAL.

NORTH BAY, ONTARIO

BRUCE SHAW
 MIDLAND HOUSING DEVELOPMENTS INC.
 REGISTERED OWNER OF
 PLAN 49133-2075 (1, 2)
 PLAN 49133-2076 (1, 2)
 PLAN 49133-2077 (1, 2)
 PLAN 49133-2078 (1, 2)
 PLAN 49133-2079 (1, 2)
 PLAN 49133-2082 (1, 2)
 PLAN 49133-2083 (1, 2)
 PLAN 49133-2084 (1, 2)
 PLAN 49133-2085 (1, 2)
 PLAN 49133-2086 (1, 2)
 PLAN 49133-2087 (1, 2)
 PLAN 49133-2088 (1, 2)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND
 TO BE SUBDIVIDED AND THE RELATIONSHIP TO THE
 SURROUNDING LANDS ARE CORRECTLY SHOWN.

NORTH BAY, ONTARIO

A. D. MILLER
 ONTARIO LAND SURVEYOR
 MILLER & URSO SURVEYING INC.
 214222 DENISON AVE.
 NORTH BAY, ONTARIO

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17)
 OF THE ONTARIO PLANNING ACT

- (A) THE BOUNDARIES OF THE LAND PROPOSED TO BE SUBDIVIDED ARE AS CERTIFIED ON THE FACE OF THE PLAN
- (B) THE LOCATION, WIDTHS AND NAMES OF PROPOSED HIGHWAYS WITHIN THE PROPOSED SUBDIVISION ARE AS SHOWN ON THE FACE OF THE PLAN
- (C) A KEY PLAN IS SHOWN ON THE FACE OF THE PLAN
- (D) THE PURPOSE FOR WHICH THE LOTS ARE TO BE USED ARE LISTED IN THE LAND USE ANALYSIS.
- (E) THE EXISTING USES OF THE ADJOINING PROPERTIES ARE:
 - NORTH - RESIDENTIAL
 - EAST - RESIDENTIAL
 - SOUTH - RESIDENTIAL
 - WEST - RESIDENTIAL
- (F) THE APPROXIMATE DIMENSIONS AND LAYOUT OF THE PROPOSED LOTS ARE AS SHOWN ON THE FACE OF THE PLAN
- (G) NATURAL AND ARTIFICIAL FEATURES ARE AS SHOWN ON THE FACE OF THE PLAN
- (H) WATER SHALL BE SUPPLIED THROUGH MUNICIPAL SERVICES
- (I) THE NATURE AND FORECAST OF THE SOIL IS SAND AND BEDROCK
- (J) 0.7 METRE CONTOUR INTERVALS SHOWN ON THE FACE OF THE PLAN
- (K) THE MUNICIPAL SERVICES TO BE AVAILABLE TO THE LANDS ARE:
 - EMERGENCY SERVICES - POLICE, FIRE, AMBULANCE
 - MUNICIPAL SERVICES - ROAD MAINTENANCE, SNOW REMOVAL, SCHOOL, BUSSTOP, GARBAGE, RECYCLING,
 - WATER, SANITARY, SEWERS
 - PUBLIC SERVICES - ELECTRICITY, TELEPHONE, CABLE, INTERNET, GAS
- (L) THE EASEMENTS OR COVENANTS AFFECTING THIS PROPERTY ARE:
 - EASEMENT AND RIGHT OF WAY TO THE EAST
 - EASEMENT AND RIGHT OF WAY TO THE WEST
 - EASEMENT AND RIGHT OF WAY TO THE SOUTH
 - EASEMENT AND RIGHT OF WAY TO THE NORTH

LAND USE ANALYSIS

| UNITS/LOT | INTENDED USE | NUMBER OF UNITS | AREA (SQUARE METRES) |
|---------------------------------------|------------------------|-----------------|----------------------|
| LOTS 1 TO 4, REGISTERED PLAN 491-558 | ZONED R1 - 4 UNITS/LOT | 4 | 2,207.8 |
| LOTS 1 AND 2, REGISTERED PLAN 584-341 | ZONED R2 | 12.5 | 6,494.1 |
| LOTS 3 AND 4, REGISTERED PLAN 584-341 | OTHER | 1,512.1 | 1,512.1 |
| LOT 5, REGISTERED PLAN 584-341 | PUB | 1,512.1 | 1,512.1 |
| UNREGISTERED LOTS 18 TO 31 | ZONED R2 | 23,612 | 23,612 |
| 1 TO 18, 19 TO 21 AND 24 TO 27 | ZONED R3 | 36.52 | 20,812.1 |
| 19 TO 23 | ZONED R1 | 7 | 4,430.0 |
| 24 TO 26 | ZONED R1 - SUBDIVISION | 28.11 | 3,204.6 |
| RESIDENTIAL MULTIPLE DENSITY | ZONED R42 | 35.72 | 7,860.7 |
| RFC-45 | ZONED R41 | 6 | 4,454.4 |
| RFC-44 | PUB | 6,228 | 6,228 |
| COMMON ELEMENT | | 0.000 | 0.000 |
| STREETS | STREET (R2) | 1,224 | 1,224 |
| TOTALS | | 6,857.2 | |

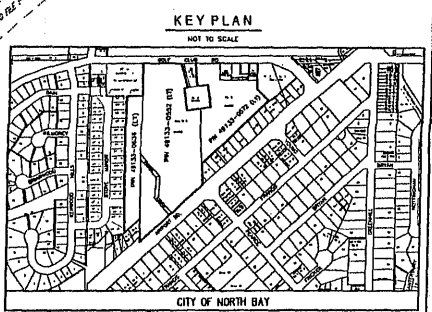
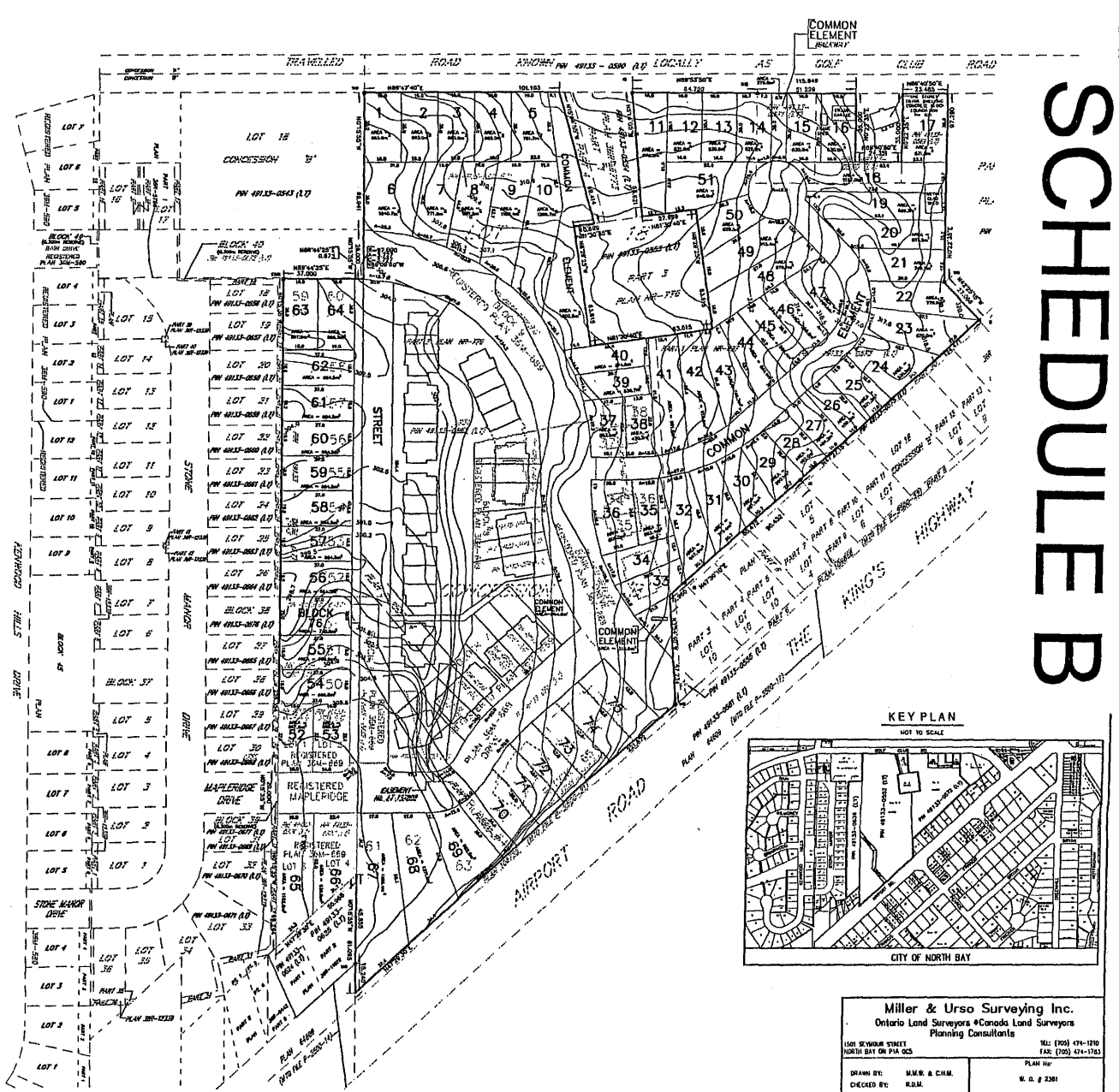
METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE DRAFT PLAN FOR SAID APPROVAL.

NORTH BAY, ONTARIO

HEATHER JACKSON - SECRETARY TREASURER
 8800 DENISON AVE. REGISTERED OWNER OF
 PLAN 49133-2638 (1, 2)



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

101 STURM STREET
 NORTH BAY ON P4A 0G5

NO. (705) 674-1710
 FAX (705) 674-1762

PLAN NO. 584-341

DRAWN BY: M.M.R. & C.M.M.
 CHECKED BY: R.B.M.

N. O. # 2381

SCHEDULE B

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-43

A BY-LAW TO PROVIDE FOR THE LEVY AND COLLECTION OF SPECIAL CHARGES IN RESPECT OF CERTAIN BUSINESS IMPROVEMENT AREAS

WHEREAS subsection 208.(2) of the *Municipal Act, 2001* (S.O. 2001, c.25), provides that the council of a municipality shall in each year levy a special charge upon rateable property in a business improvement area which has been designated under subsection 204.(1); that is in a prescribed business property class sufficient to provide a sum equal to the sum of money provided for the purposes of the board of management for that area, together with interest on the sum at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum;

AND WHEREAS by Resolution No. 2013-154 passed by Council at its Regular Meeting held on the 4th day of March, 2013 the Council approved the 2013 budget for the Board of Management for the Downtown Improvement Area in the amount of \$132,972.00 with a resultant tax levy of \$112,162.00, and that the 2012 surplus of \$14,778 be transferred to the Downtown Improvement Area Reserve Fund, and authorized the necessary by-law to provide for the levy and collection of special charges in respect to certain business improvement areas be prepared;

AND WHEREAS notice of the passing of this by-law was sent by pre-paid mail to the Board of Management of the Downtown Improvement Area and to every person who, on the last returned roll, is assessed for rateable property that is in a prescribed business class which is located in the improvement area;

AND WHEREAS no letters of objection were received from any person who, on the last returned roll, were assessed for rateable property that is in a prescribed business class which is located in the improvement area;

AND WHEREAS no letter of objections were received, the municipality may pass By-law No. 2013-43 pursuant to subsection 210.(4) of the *Municipal Act, 2001* (S.O. 2001, c.25).

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

1. There shall be levied and collected for the purposes of the Board of Management of the Downtown Improvement Area for the year 2013, amounts calculated for each prescribed business property class and subclass set out in Column II, on the assessment of real property in a prescribed business property class rateable for such purposes as set out in Column III, the special charge rate set out on Column IV which shall produce the total special charge for the business improvement area set out in Column V:

| Column I (Business Improvement Area) | Column II (Prescribed Business Class/Subclass) | Column III (Rateable Assessment in Prescribed Business Class/Subclass) | Column IV (Special Charge Rate) | Column V (Total Special Charge) |
|--|--|---|---------------------------------------|---------------------------------------|
| Downtown Improvement Area | Commercial - Full | 28,792,295 | 0.5017% | \$ 111,381 |
| | Commercial - Vacant Unit | NIL | 0.3513% | NIL |
| | Commercial - Vacant Land | 222,250 | 0.3513% | 781 |
| | Industrial - full | NIL | 0.4666% | NIL |
| | | | | <u>\$112,162</u> |

2. Notwithstanding Section 1 hereof and pursuant to By-Law No. 2011-74, being a By-law to amend By-law No. 1977-144:
 - (i) no person with a business assessment address on Main Street shall pay a special charge levied by the Board of Management of more than \$2,665.00 in one calendar year;
 - (ii) no person with a business assessment address which is not on Main Street shall pay a special charge levied by the Board of Management of more than \$1,600.00 in one calendar year.
3. The special charge rated and imposed pursuant to the provisions of the By-Law shall become due and payable in one instalment, namely on the 28th day of June, 2013.
4. The Tax Collector and the Treasurer of The Corporation of the City of North Bay are hereby authorized to collect the said special charges in the same manner and with the same remedies as provided in the *Municipal Act* for the collection of taxes upon business assessment.
5. This by-law comes into force and effect as of and from the 21st day of May, 2013.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

OC. READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-125

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
MAY 13, 2013**

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 May 13, 2013 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 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-126

**A BY-LAW TO AUTHORIZE THE
STREET LIGHTING UPGRADING PROJECT**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 10 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-305 at its Meeting held Monday, May 13, 2013, authorizing the Street Lighting Upgrading Project, being 2013 Engineering, Environmental Services and Works Capital Budget Project No. 3322SL, with a net debenture cost of \$500,000.00;

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

1. That the expenditure of \$500,000.00 for the Street Lighting Upgrading Project for the following be hereby authorized:

| | |
|-----------------------------|-----------------|
| Construction Contract | \$476,190.00 |
| Temporary Financing Costs | 18,810.00 |
| Administration & Overhead | <u>5,000.00</u> |
| Net Amount to be Debentured | \$500,000.00 |

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$500,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD
W:\CLERK\RMS\F05\2013\ROADS\3322SL\0002.doc

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-127

**A BY-LAW TO AUTHORIZE THE
TRAFFIC CONTROL SIGNAL PROJECT**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 10 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-306 at its Meeting held Monday, May 13, 2013, authorizing the Traffic Control Signal Project, being 2013 Engineering, Environmental Services and Works Capital Budget Project No. 6107SL, with a net debenture cost of \$165,000.00;

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

1. That the expenditure of \$165,000.00 for the Traffic Control Signal Project for the following be hereby authorized:

| | |
|-----------------------------|-----------------|
| Construction Contract | \$157,143.00 |
| Financing Costs | 6,207.00 |
| Administration & Overhead | <u>1,650.00</u> |
| Net Amount to be Debentured | \$165,000.00 |

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$165,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD
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CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-128

**A BY-LAW TO AUTHORIZE
VEHICLE & EQUIPMENT REPLACEMENT
PROGRAM (SEWER & WATER DIVISION)**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 10 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-307 at its meeting held Monday, May 13th, 2013, authorizing the Vehicle and Equipment Replacement Program (Sewer and Water Division) for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.6100WS, with a net debenture cost of \$800,000.00;

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

1. That the expenditure of \$800,000.00 for the Vehicle and Equipment Replacement Program for the following be hereby authorized:

| | |
|---|-----------------|
| Purchase of New Vehicles & Equipment (2013) | |
| Water & Sanitary Sewer Maintenance Activities | \$761,905.00 |
| Financing Costs | 30,095.00 |
| Administration and Overhead | <u>8,000.00</u> |
| Net Amount to be Debentured | \$800,000.00 |

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$800,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-129

**A BY-LAW TO AUTHORIZE THE
RECREATION FACILITIES REHABILITATION
AND DEVELOPMENT PROGRAM**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 10 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-308 at its Meeting held Monday, May 13, 2013, authorizing the Recreation Facilities Rehabilitation and Development Program, being 2013 Community Services Capital Budget Project No. 6119RF, with a net debenture cost of \$160,000.00;

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

1. That the expenditure of \$160,000.00 for the Traffic Control Signal Project for the following be hereby authorized:

| | |
|-----------------------------------|-----------------|
| Sports Field Rehabilitation costs | \$152,381.00 |
| Financing Costs | <u>7,619.00</u> |
| Net Amount to be Debentured | \$160,000.00 |

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$160,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD
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CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-130

**A BY-LAW TO AUTHORIZE THE
TRAFFIC COUNT DATA/TRAFFIC NEEDS
STUDY PROJECT**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 10 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-312 at its Meeting held Monday, May 13, 2013, authorizing the Traffic Count Data/Traffic Needs Study Project, being 2013 Engineering, Environmental Services and Works Capital Budget Project No. 3209RD, with a net debenture cost of \$100,000.00;

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

1. That the expenditure of \$100,000.00 for the Traffic Count Data/Traffic Needs Study Project for the following be hereby authorized:

| | |
|-----------------------------|-----------------|
| Construction Contract | \$95,238.00 |
| Financing Costs | 3,762.00 |
| Administration & Overhead | <u>1,000.00</u> |
| Net Amount to be Debentured | \$100,000.00 |

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$100,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-133

BEING A BY-LAW TO AMEND BY-LAW NO. 2012-97
(BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC
PLACES AND WORKPLACES)

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

AND WHEREAS section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

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

AND WHEREAS section 11(3).5 of the *Municipal Act, 2001*, SO 2001, c. 25, as amended, authorizes the Council of a municipality to pass by-laws respecting culture, parks, recreation and heritage;

AND WHEREAS Clause No. 1 of Community Services Committee Report No. 2013-08 was passed by Council at its Regular Meeting held Monday, April 29, 2013 to prohibit smoking in municipal parks, and to allow Council to authorize designated smoking areas at special events in municipal parks, upon application by event organizers;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. That Part I of By-Law No. 2012-97 is amended by inserting the following section:

- 1.16 "Parks By-Law" means the City of North Bay By-Law No. 35-96, Being a By-Law to Regulate the Use of Public Parks Within the City of North Bay, as amended, and any successors thereto;
- 1.17 "parks" means "parks" as defined by the Parks By-Law, and "park" shall have a like meaning in the singular form;
- 1.18 "special event" means a "special event" as defined by the Parks By-Law;
- 1.19 "Council" means the municipal Council of the Corporation of the City of North Bay.

2. That section 3.5 of By-Law No. 2012-97 is amended by deleting the current wording and inserting in lieu thereof the following wording:

"No person shall smoke in a park."

3. That By-Law No. 2012-97 is amended by deleting Schedule "C".

4. That Part 3 of By-Law No. 2012-97 is amended by inserting the following sections:

- 3.6 Notwithstanding section 3.5 of this by-law, where exclusive use of a park has been authorized for a special event pursuant to the Parks By-Law, the organizer(s) of the special event may apply to Council to have a designated smoking area during the event. Such application shall be submitted through the Parks, Recreation and Leisure Services Department.

3.7 If Council issues a permit for a designated smoking area pursuant to section 3.6 of this by-law, smoking is permitted:

- (i) in the designated area;
- (ii) on the date(s) and during the time period(s) provided in the permit; and
- (iii) subject to all other conditions and terms of the permit.”

5. This amending by-law shall come into force and effect on June 1, 2013.

READ A FIRST TIME IN OPEN COUNCIL THIS 21st DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21st DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21st DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-134

**A BY-LAW TO AMEND BY-LAW 2012-55
(BEING A BY-LAW TO PROVIDE FOR THE LICENSING
AND REGULATION OF THE RENTAL UNITS
IN THE CITY OF NORTH BAY)**

WHEREAS Council passed Resolution No. 2013-302 at its Regular Meeting held Monday, May 13, 2013, authorizing that By-Law 2102-55 be amended with respect to Schedule "A".

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

1. That Schedule "A" (Fees) to the Residential Rental Housing Licensing By-Law 2012-55 is hereby deleted and the attached Schedule "A" be inserted in lieu thereof.
2. That this by-law comes into effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THIS IS SCHEDULE "A" TO BY-LAW 2013-134 OF THE CORPORATION OF THE
CITY OF NORTH BAY

FEES

| | |
|--|----------|
| Licence Fee for a Licence for each Rental Unit | \$300.00 |
| Licence Renewal Fee for each Licence renewed under this By-Law | \$300.00 |
| Late Payment Fee | \$ 25.00 |
| Appeal Fee | \$ 50.00 |
| Variance Application Fee | \$300.00 |

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-131

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF A CONDOMINIUM
AGREEMENT BETWEEN THE CORPORATION
OF THE CITY OF NORTH BAY AND BURGHARD
HANS KOCH, DAGMAR BUTLER, BARBEL
REICHMANN AND INGEBORG KOCH-
KATTENSTROTH
(RELATING TO 2034 DREW STREET)**

WHEREAS the Condominium Agreement with Burghard Hans Koch, Dagmar Butler, Barbel Reichmann and Ingeborg Koch-Kattenstroth for the 2034 Drew Street Condominiums was approved by Resolution No. 2013-310 passed by Council on the 13th day of May, 2013;

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 Condominium Agreement dated February, 2013 with Burghard Hans Koch, Dagmar Butler, Barbel Reichmann and Ingeborg Koch-Kattenstroth relating to the Premier Road Condominiums.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Condominium Agreement between The Corporation of the City of North Bay and Burghard Hans Koch, Dagmar Butler, Barbel Reichmann and Ingeborg Koch-Kattenstroth and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-135

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF A SUBDIVISION AGREEMENT BETWEEN THE
CORPORATION OF THE CITY OF NORTH BAY AND
LAURENTIAN HEIGHTS LIMITED RELATING TO
SURREY DRIVE SUBDIVISION - PHASE 3**

WHEREAS the Subdivision Agreement with Laurentian Heights Limited for the Surrey Drive Subdivision, Phase 3 was approved by Resolution No. 2013-____ passed by Council on the 21st day of May, 2013;

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 Subdivision Agreement dated the 21st day of May, 2013 with Laurentian Heights Limited relating to the Surrey Drive Subdivision, Phase 3.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Subdivision Agreement between The Corporation of the City of North Bay and Laurentian Heights Limited and to affix thereto the Corporate seal.
3. The roads laid out on the registered plan herein shall be deemed to be dedicated by the Owner to the City upon registration of the M Plan and accepted by the City for the purpose of maintenance and repair only upon issuance of the Final Certificate of the City Engineer pursuant to section 12.14 of the Subdivision Agreement referred to herein.

READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

cc. READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-136

BEING A BY-LAW TO AMEND BY-LAW NO. 35-96 (BEING
A BY-LAW TO REGULATE THE USE OF PUBLIC PARKS
WITHIN THE CITY OF NORTH BAY, AS AMENDED

WHEREAS section 11(3).5 of the Municipal Act, 2001, SO 2001, c.25, as amended, authorizes the Council of a municipality to pass by-laws respecting culture, parks, recreation and heritage;

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

AND WHEREAS section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

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

AND WHEREAS Clause No. 1 of Community Services Committee Report No. 2013-08 was passed by Council at its Regular Meeting held Monday, April 29, 2013 to prohibit smoking in municipal parks, and to allow Council to authorize designated smoking areas at special events in municipal parks upon application by event organizers;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. That Part II of By-Law No. 35-96 is amended by inserting the following section:

"9.1 SMOKING PROHIBITION - No person shall smoke in a park."

2. That Part IX of By-law No. 35-96 is amended by inserting the following sections:

"45.1 Notwithstanding section 9.1 of this by-law, the organizer(s) of a Special Event in a park, where exclusive use has been granted pursuant to Section 45 of this by-law, may apply to Council to have a designated smoking area during the Special Event. Such application shall be submitted through the Parks, Recreation and Leisure Services Department.

45.2 If Council issues a permit for a designated smoking area pursuant to Section 45.1 of this by-law, smoking is permitted:

- (i) in the designated area;
- (ii) on the date(s) and during the time period(s) provided in the permit; and
- (iii) subject to all other conditions and terms of the permit."

3. This amending by-law shall come into force and effect on June 1, 2013.

READ A FIRST TIME IN OPEN COUNCIL THIS 21st DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21st DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21st DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

PL

THE CORPORATION OF THE CITY OF NORTH BAY
BY-LAW NO. 2013-137

**A BY-LAW TO REMOVE THE HOLDING ZONE SYMBOL
FROM LANDS ZONED BY BY-LAW NO. 1995-152**

(JACK & HELEN NORMAN – CARMICHAEL DRIVE)

WHEREAS the Official Plan for the City of North Bay contains policies relating to the use of holding zone provisions pursuant to Section 36 of the Planning Act, R.S.O. 1990.

AND WHEREAS the lands affected by this By-law are presently subject to holding zone provisions pursuant to By-law No. 1995-152;

AND WHEREAS the requirements for the removal of the holding zone have been satisfied and the lands may now fully adopt the "Residential First Density (R1)" zone symbol;

AND WHEREAS Resolution No. 2013-152 passed by Council at its Regular Meeting held on Monday, April 29, 2013 authorized the removal of the "Holding (H)" zone symbol;

NOW THEREFORE the Council of The Corporation of the City of North Bay hereby enacts as follows:

1. Schedule "C" to By-law No. 1995-152, as amended, is hereby further amended by removing the "(H)" holding zone symbol from certain lands in accordance with the attached Schedule "A", which forms part of this By-law.
2. All other applicable provisions of By-law No. 1995-152, as amended, shall continue to apply to the lands affected by this By-law.

READ A FIRST TIME IN OPEN COUNCIL THE 21st DAY OF MAY 2013.

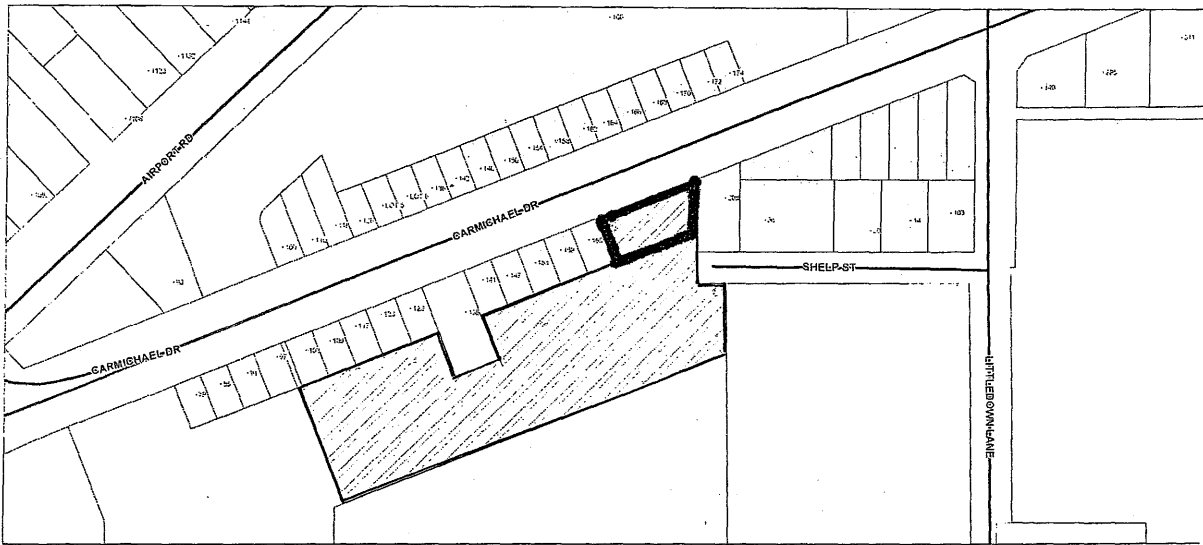
READ A SECOND TIME IN OPEN COUNCIL THE 21st DAY OF MAY 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21st DAY OF MAY 2013.

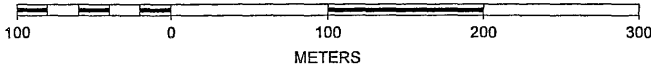
MAYOR, ALLAN MC DONALD


CITY CLERK, CATHERINE CONRAD


SCHEDULE A



SCALE 1 : 3,736



 Subject Property

 Proposed Zoning By-law Amendment
From: "Residential First Density Holding (R1H)"
To: "Residential First Density"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-68

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON SKI CLUB ROAD FROM A "RESIDENTIAL FIRST DENSITY (R1)" ZONE, "RESIDENTIAL THIRD DENSITY (R3)" ZONE AND AN "OPEN SPACE (O)" ZONE TO A "RESIDENTIAL MULTIPLE SECOND DENSITY (RM2)" ZONE

(Golden Estates Limited – Ski Club Road)

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

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

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule "B-45" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a Community Services Committee Report No. 2013-10 on the 13th day of May, 2013 to approve this rezoning.

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

- 1) Schedule "B-45" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedules "A" attached hereto (which property is more particularly described as PIN # 49144-001, Parcel 12924 Nipissing, Part of Lot 16, Concession C, Widdifield, Except Part 1 on Plan NR286, Part 1, on Plan NR360, Part 1 on Plan 36R-2736 North Bay, District of Nipissing), shown as hatched on Schedule "B" attached hereto from a "Residential First Density (R1)" zone, "Residential Third Density (R3)" zone and an "Open Space (O)" zone to a "Residential Multiple Second Density (RM2)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Multiple Second Density (RM2)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.

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

READ A FIRST TIME IN OPEN COUNCIL THE 13th DAY OF MAY 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 13th DAY OF MAY 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY

OF MAY 2013.

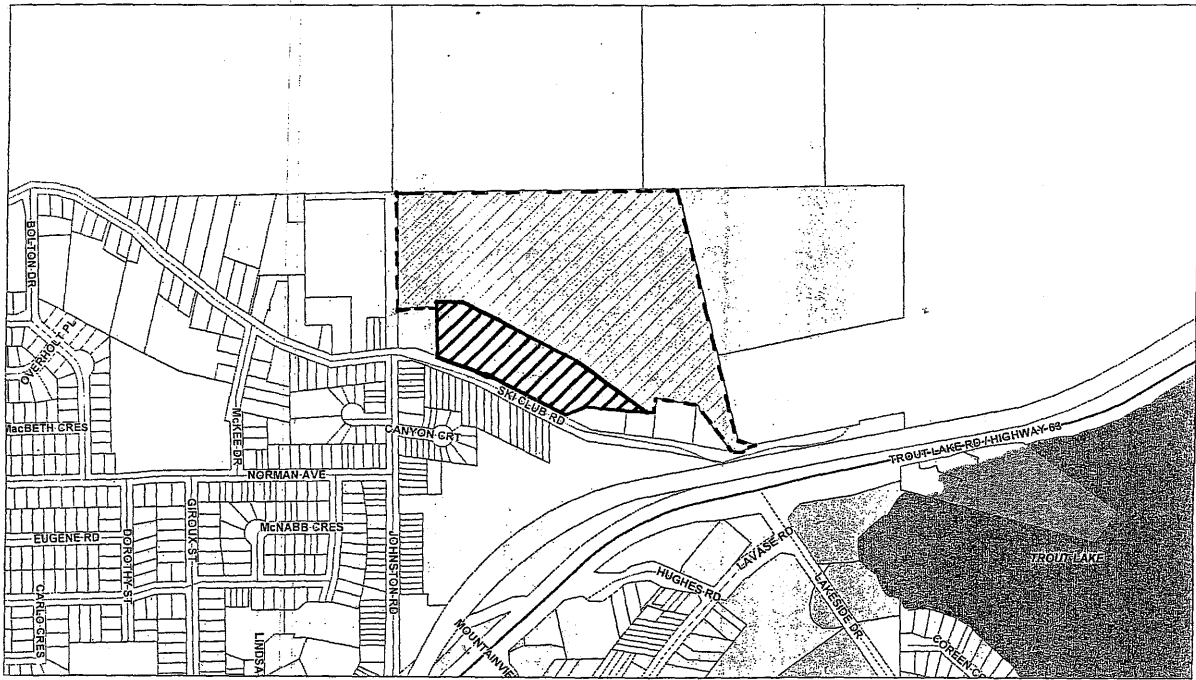
MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

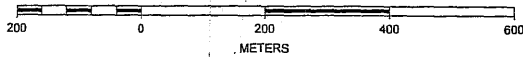
Passed the 21st day of MAY 2013


Mayor Allan McDonald


City Clerk Catherine Conrad



SCALE 1 : 7,067



 Subject Lands

 Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)", "Residential First Density (R1)" & "Open Space (O)"
To: "Residential Multiple Second Density (RM2)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-132

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH
873342 ONTARIO INC. RELATING TO A PRE-
SERVICING AGREEMENT FOR TRILLIUM
WOODS SUBDIVISION PHASE II**

WHEREAS the Agreement with 873342 Ontario Inc. for a Pre-Servicing Agreement for Trillium Woods Subdivision Phase II was approved by Resolution No. 2013-230 passed by Council on the 15th day of April, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 15th day of April, 2013 with 873342 Ontario Inc. relating to a Pre-Servicing Agreement for Trillium Woods Subdivision Phase II.
2. 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 873342 Ontario Inc. and to affix thereto the Corporate seal.

cc. READ A FIRST TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF MAY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 21ST DAY OF MAY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

MOTION

North Bay, Ontario May 21, 2013

Subject: Apprenticeship Training Tax Credit Program

File No. C02/2013/GENER/MOTION

Res. No. 2013 -

Moved by Councillor: BAIN

Seconded by Councillor: KOZIOL

WHEREAS the Apprenticeship Training Tax Credit (ATTC) Program, was introduced in 2004, with the main purpose of this tax credit program being to "encourage businesses to hire and train apprentices in the skilled trades" and "support the availability of skilled workers in key sectors of the economy."

AND WHEREAS industry has embraced the program and the benefits of the ATTC are actively promoted as an investment attraction and business retention tool by our community;

AND WHEREAS the proposed changes to the Apprenticeship Training Tax Credit for Contact Centres as outlined on page 262 of the Provincial Budget will have serious implications for our firms and their estimated 8,000 employees across Northern Ontario;

AND WHEREAS we are disappointed to learn that the Information Technology – Contact Centre apprenticeships for Technical Support Agent (634a); Inside Sales Agent (634d); and Customer Care Agent (634e) will be eliminated completely. Which means that in North Bay two of our contact management centre firms, representing 600 existing employees and 100 planned new jobs, will be impacted by the proposed changes to the ATTC program for Contact Centres as both of these firms actively use the ATTC Program to support the training and development of their workforce, 59% of which is 30 years of age or younger.

THEREFORE BE IT RESOLVED that the City of North Bay urge Premier Kathleen Wynne and the Provincial Government to reconsider this Budget cut for skilled trades training in Contact Centres not only for the employers who are providing the skills, but also for the existing workers of these skilled trade jobs, and provide us with the assistance to continue to support the availability of skilled workers in this sector.

AND FURTHER BE IT RESOLVED that a copy of this resolution be sent to the Honourable Premier Kathleen Wynne; the Honourable Charles Sousa, Minister of Finance; the Honourable Brad Duguid, Minister of Training, Colleges and Universities; Andrea Horwath, Leader of the Provincial NDP; Tim Hudak, Leader of the Provincial Progressive Conservative Party; Vic Fedeli, MPP for Nipissing; the Association of Municipalities of Ontario; and to the Federation of Northern Ontario Municipalities.

Carried

Carried as amended

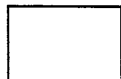
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Conflict _____ Endorsement of Chair _____

Record of Vote (Upon Request of Councillor _____)

Signature of Clerk _____

MOTION



North Bay, ON

May 21, 2013

Subject: L.E.D. Lighting on Provincial Highways through North Bay

File No. C02/2013/GENER/MOTION

Res. 2013 - _____

Moved by Councillor: VREBOSCH

Seconded by Councillor: KOZIOL

WHEREAS the City of North Bay has retrofitted its existing street lights to L.E.D., the first City to do so in Ontario;

AND WHEREAS Provincial Highways 11 & 17 go through the City of North Bay, and the Ministry of Transportation has a Highway Lighting System along those highways that are owned by the Ministry of Transportation;

AND WHEREAS the Ministry of Transportation's existing system is High Pressure Sodium;

AND WHEREAS the Ministry of Transportation could save over 50% in energy costs and provide better lighting to the travelling public by changing to an L.E.D. lighting system;

BE IT THEREFORE RESOLVED THAT the Council of the City of North Bay petition the Hon. Glen Murray, Minister of Transportation, to approve a pilot project to retrofit the Highway Lighting System to L.E.D. technology on Highways 11 & 17 through the City of North Bay. This would allow them to gather the appropriate data to expand L.E.D. lighting into the rest of the Provincial Highway System;

AND FURTHER THAT a copy of this resolution be sent to Eric Doidge, Regional Director M.T.O.; Victor Fedeli, MPP Nipissing; and the Association of Municipalities of Ontario.

Carried

Carried as amended

Lost

Conflict _____

Endorsement of Chair _____

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

Signature of Clerk _____