

NORTH BAY[®]

O N T A R I O • C A N A D A

Just North Enough to be PERFECT

Council

Agenda

Regular Meeting of Council

April 29, 2013

at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
APRIL 29TH, 2013**

Monday, April 29, 2013

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, APRIL 29TH, 2013**

PUBLIC PRESENTATIONS:

Case L'Ami	re Lakeshore Drive Bridge/Road Reconstruction
Dave Saad/Pat Cliche	re North Bay and Area Drug and Alcohol Committee

PUBLIC MEETING MINUTES:

Monday, April 22, 2013

COMMITTEE REPORTS:

General Government Committee Report No. 2013-17
General Government Committee Report No. 2013-18
Community Services Committee Report No. 2013-07
Community Services Committee Report No. 2013-08
Community Services Committee Report No. 2013-09

CORRESPONDENCE:

1. Elected Official Invoice Register (F14/2013/EOIR/GENERAL).
2. Rezoning application by Tamron Construction Ltd., Dennis Mong & Owen Hong – 312 Greenwood Avenue (D14/2013/GABC/312GREEN).
3. Report from Peter Carello dated April 12, 2013 re Request to Remove a Holding Zone Symbol – Carmichael Drive (D14/2013/NORMA/CARMICHA).
4. Report from Erin Vaughan dated April 17, 2013 re 2013 Armed Forces Appreciation Day – Exclusivity of Use of Parkland and Other Lands (M02/2013/CFBNB/GENERAL).
5. Report from Peter Carello dated April 23, 2013 re 2012 Municipal Heritage Committee (MHC) Annual Report (R01/2013/NBMHC/GENERAL).
6. Report from Ian Kilgour dated April 22, 2013 re New Memorial Gardens Parking, Aquatic Centre, YMCA Parking, Leo Troy Field, Fraser Street Road Allowance (T02/2013/MEMGA/GENERAL).
7. Report from Peter Chirico dated April 24, 2013 re Request for Quotation No. 2013-12, Tractor with Front-End Loader and Backhoe Attachment – Single Source (F05/2012/PARKS/6077PR).

8. Report from Angela Cox dated April 2, 2013 re 2013 Capital Budget Project No. 6102RD – Asphalt Sheeting Program (On-going) (F05/2013/ROADS/6102RD).
9. Report from Lorraine Rochefort dated April 23, 2013 re By-Law to establish Decrease Limits for certain Property Classes of 2013 (F22/2013/TAXR/GENERAL).
10. Report from Paul Valenti dated April 23, 2013 re Tender No. 2013-16, Aggregate Materials (F18/2013/TENDE/GENERAL).
11. Report from Paul Valenti dated April 23, 2013 re Tender No. 2013-17, Ready Mix Concrete (F18/2013/TENDE/GENERAL).
12. Report from Paul Valenti dated April 23, 2013 re Tender No. 2013-23, Asphalt Concrete Pavement Patching (F18/2013/TENDE/GENERAL).
13. Report from Paul Valenti dated April 23, 2013 re Tender No. 2013-24, Landscaping Services (F18/2013/TENDE/GENERAL).
14. Report from Margaret Karpenko dated April 24, 2013 re 2010 Ontario Municipal Partnership Fund (OMPF) Reconciliation (F11/2013/OMPF/GENERAL).

General Government - First, second and third readings:

By-Law No. 2013-105 to authorize the Watermain Replacement, Reaming or Relining Program.

By-Law No. 2013-106 to authorize the Residential Street Rehabilitation Program.

By-Law No. 2013-107 to authorize the Watermain Looping Program.

By-Law No. 2013-108 to authorize the Flush Watermain Project.

By-Law No. 2013-109 to authorize the Fire Department Vehicle and Equipment Replacement Program.

By-Law No. 2013-110 to confirm proceedings of the Meeting of Council on April 15, 2013.

By-Law No. 2013-111 to authorize the Ski Club Road Storm Sewer.

By-Law No. 2013-113 to authorize the execution of an Agreement of Purchase and Sale with 1890107 Ontario Inc. relating to a portion of Block 4, VooDoo Crescent (Airport Industrial Park).

By-Law No. 2013-117 to establish decrease limits for certain property classes for 2013 (and to repeal By-Law No. 2013-93).

Community Services – First and second readings:

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).

Community Services – First, second and third readings:

By-Law No. 2013-41 to rezone certain lands on 152 Greenwood Avenue (Conseil Scolaire Catholique Franco – Nord Beno – 152 Greenwood Avenue).

By-Law No. 2013-42 to designate a Site Plan Control Area on certain lands on 152 Greenwood Avenue (Conseil Scolaire Catholique Franco – Nord Beno – 152 Greenwood Avenue).

By-Law No. 2013-98 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Daniel Bryer & George Franko – 2677 Trout Lake Road).

By-Law No. 2013-100 to designate a Site Plan Control Area on certain lands on Trout Lake Road (Trout Lake Mall Inc. – 2653 Trout Lake Road).

Community Services – Third reading:

By-Law No. 2013-94 to rezone certain lands on High Street (Tim Falconi & Carlo Guido – 715 High Street).

By-Law No. 2013-96 to rezone certain lands on Carmichael Drive (Paul William Turcotte – 295 Carmichael Drive).

MOTIONS:

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

15. ***Confidential*** report from Catherine Conrad dated April 11, 2013 re Personnel Matter.
16. ***Confidential*** report from Peter Leckie dated April 24, 2013 re Property Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *PLANNING ACT*
HELD MONDAY, APRIL 22nd, 2013**

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

1. Conseil Scolaire de District Catholique Franco-Nord Beno
152 Greenwood Avenue

Councillor Mendicino explained the purpose of the meeting.

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 26th day of March, 2013 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Peter Carello explained the purpose of the rezoning application.

Councillor Mendicino asked for public presentations in support of or objecting to the rezoning.

Councillor Anthony declared a conflict of interest as his employer is currently discussing a project with the School Board involved.

No Public Presentations were made.

cc.

MAYOR ALLAN McDONALD

DEPUTY CLERK KAREN McISAAC

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2013-17

April 29, 2013

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-17 and recommends:

1. That the Chief Financial Officer be authorized to increase Development Charges rates for 2013 by 1.6%, as outlined in Report to Council CORP 2013-28 dated February 25, 2013 from Al Lang & Margaret Karpenko.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
LAWLOR (CHAIR)	_____	_____
ANTHONY	_____	_____
BAIN	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2013-18

April 29, 2013

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-18 and recommends:

1. That Council direct the City Clerk to advertise for a Public Meeting to be held in the fall of 2013, to invite input from the public regarding the prohibiting of smoking on, and within a 9 metre radius of restaurant and bar patios whether enclosed or not.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
LAWLOR (CHAIR)	_____	_____
ANTHONY	_____	_____
BAIN	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-07

April 29, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-07 and recommends:

1. That 1) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Conseil Scolaire de District Catholique Franco-Nord Beno, 152 Greenwood Avenue in the City of North Bay to rezone the property legally described as Registered Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, Part 1, PIN 49159-0030 (LT), from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone be approved; and

2) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
MENDICINO (CHAIR)	_____	_____
MAYNE	_____	_____
VAILLANCOURT	_____	_____
MAYOR McDONALD	_____	_____

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-08

April 29, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-08 and recommends:

1. That 1) the Parks By-Law No. 35-96 and Smoking By-Law No. 2012-97 be amended to prohibit smoking in Municipal parks (playgrounds, parks, sport fields, beaches and trails), and that special events hosted in Municipal parks also be designated as smoke free; and
2) these amendments come into effect beginning June 1st, 2013.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
MENDICINO (CHAIR)	_____	_____
MAYNE	_____	_____
VAILLANCOURT	_____	_____
MAYOR McDONALD	_____	_____

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-09

April 29, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-09 and recommends:

1. That the 2012 Update – Municipal Accessibility Plan and Municipal Accessibility Advisory Committee Annual Report be noted and filed.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
MENDICINO (CHAIR)	_____	_____
MAYNE	_____	_____
VAILLANCOURT	_____	_____
MAYOR McDONALD	_____	_____

Subject: Elected Official Invoice Register

File No. F14/2013/EOIR/GENERAL

Res. 2013 - _____

Moved by Councillor: _____

Seconded by Councillor: _____

That accounts totaling \$10,747,373.62 for March 2013 be approved.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Yeas _____	_____	Nays _____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signature of Clerk _____



The Corporation of the City of North Bay
200 McIntyre St. East
P.O. Box 360
North Bay, Ontario
Canada P1B 8H8
Tel: 705 474-0400

Planning Services 5th Floor, City Hall
Direct: (705) 474-0626, Ext. 2409
Fax: (705) 474-5928
Watts: 1-800-465-1882
Email: peter.carello@cityofnorthbay.ca
Web: www.cityofnorthbay.ca

April 12, 2013

Tamron Construction
145 Main Street, West
North Bay, On P1B 2T6

Century 21 Blue Sky Region Realty Corp.
199 Main Street, East
North Bay, On P1B 1A9

Atten: Ron Tambeau

Atten: Dennis Mong / Owen Hong

Dear Mr. Tambeau;

Re: Proposed Zoning By-law Amendment by Tamron Constructions Ltd., Dennis Mong & Owen Hong on behalf of Greenwood Avenue Baptist Church, Lots 263 to 269 Lane, Reg. Plan No. 86, Ref. Plan 36R12051, Part 1, PIN 49159-0053(LT) in the Former Township of Widdifield, (312 Greenwood Avenue)

Please accept this letter as our acknowledgement of receipt of the above-noted application to amend Zoning By-law No. 28-80.

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

We will commence processing of the application immediately. Should you require any additional information, please feel free to contact me at (705) 474-0400 (ext. 2409).

Sincerely,

Peter Carello
Senior Planner, Current Operations

PC/dlb

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Copy: Catherine Conrad, City Clerk

City of North Bay**Report to Council****Report No:** CSBU 2013-51**Date:** April 12, 2013**Originator:** Peter Carello, Senior Planner, Current Operations**Subject:** Request to Remove a Holding Zone Symbol – Carmichael Drive**File No:** D14/2013/NORMN/CARMICHA/#838

RECOMMENDATIONS

1. That City Council pass a By-law to remove the Holding (H) Zone Symbol from the lands zoned "Residential First Density Holding Zone (R1H)" through By-law 1995-152 for the property described as Concession A, Part Lot 17, Reference Plan NR-825, Part 4, PIN 49127-0386 (LT) as shown on "Schedule A" attached hereto; and
2. That the By-law be brought forward on May 21, 2013 for three (3) readings.

BACKGROUND

City Council passed By-law 1995-152 on January 8th, 1996, which rezoned the subject property to "Residential First Density (R1)", "Residential First Density Holding (R1H)", "Residential Second Density Holding (R2H)", "Residential Third Density Holding (R3H)", "Residential Multiple Second Density Holding (RM2H)" and "District Commercial Holding (C4H)" zones. The portion of the property subject to this Zoning By-law Amendment is a "Residential First Density Holding (R1H)" zone and is presently vacant and undeveloped.

At the time of the passing of By-law 1995-152, the lack of municipal infrastructure prevented the full development of the property. At the time a Holding Zone Symbol was put in place to ensure municipal services were provided to the property. The Planning Act allows for the removal of the Holding Zoning by amendment to the By-law once the conditions for removal are met.

The City's requirements for the removal of the holding zone symbol have been fulfilled with the extension of municipal services. Subject to the necessary approvals from the Committee of Adjustment, the removal of the

holding zone symbol will permit the development of three low density residential lots.

In order to remove the "H" symbol, City Council is not required to hold a Public Meeting but is required to provide notice which sets out the effect of removing the holding symbol, the location of the property and the date which Council proposes to meet to pass the amending By-law as prescribed under the Planning Act (O.Reg 545/06).

Regulation 545/06, Section 8 (3) indicates notice to remove the holding zone symbol shall be given by "*personal service or ordinary mail to every owner of land in the area where the subject land is located...*".

The City's Engineering Department offered the following comments regarding the removal of the Holding Zone: "Engineering does not have any concerns with the addition of 3 lots on Carmichael Drive. The only comment I have is that the owner of each lot will be required to enter into a servicing contract. This will include a fee from our Public Works Department for their involvement as well as a security for all the required works and restoration."

ANALYSIS / OPTIONS

Option 1:

To pass a By-law to remove the Holding Zone Symbol.

The proposed request to remove the Holding Zone Symbol has been reviewed by all municipal departments and external agencies that comment on Zoning By-law Amendments. There were no concerns raised during this consultation.

The City's requirements for the removal of the Holding Zone Symbol have been fulfilled with the extension of municipal services. The property owners will be required to enter a service agreement to the satisfaction of the City Engineer. The removal of the Holding Zone Symbol will permit the residential development of the subject property.

Option 2:

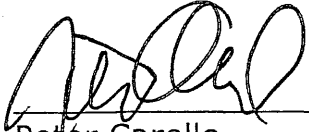
To not pass the Holding Zone removal By-law.

This option is not recommended, as the Applicant has satisfied the conditions to remove the Holding Symbol as set out in By-Law 1995-152.

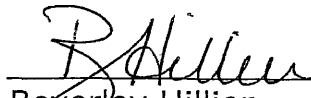
RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 is recommended. The Applicant has fulfilled the conditions to remove the Holding Symbol as set out in By-law 1995-152 and is therefore appropriate to remove the Holding Zone.

Respectfully submitted,



Peter Carello
Senior Planner, Current Operations

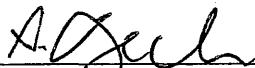


Beverley Hillier
Manager, Planning Services

PC/dlb

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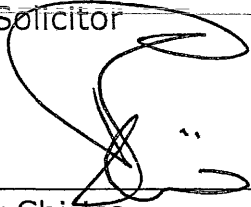
We concur with this report and recommendations.



Peter Leckie
City Solicitor



Alan Korell, R.P.P., M.C.I.P.
Managing Director,
Engineering, Environmental
Services & Public Works



Peter Chirico
Managing Director, Community Services

Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Peter Carello, Senior Planner

SCHEDULE A

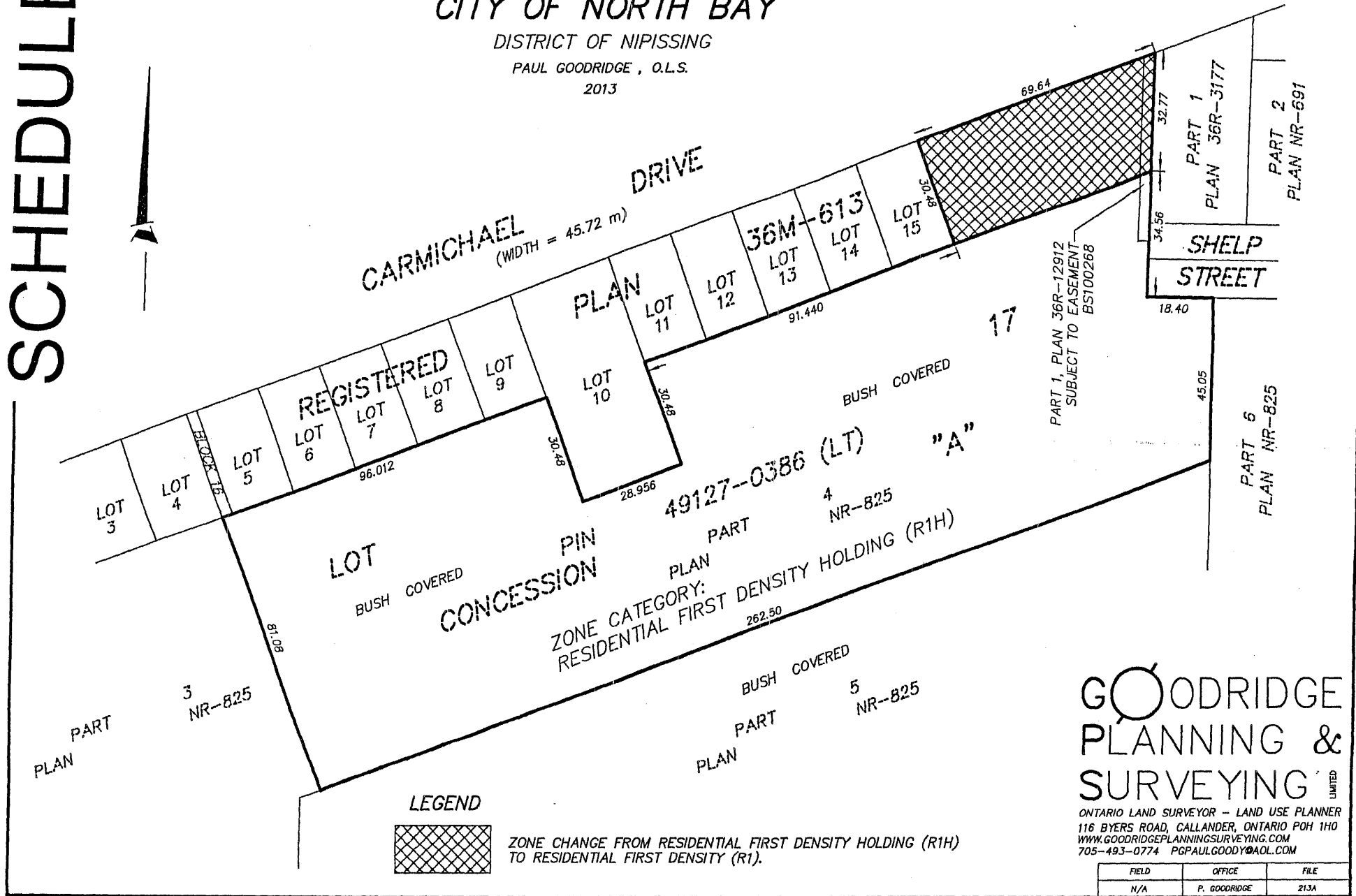
SKETCH TO ACCOMPANY

ZONING BY-LAW AMENDMENT APPLICATION PART OF LOT 17, CONCESSION A, GEOGRAPHIC TOWNSHIP OF WIDDIFIELD CITY OF NORTH BAY

DISTRICT OF NIPISSING

PAUL GOODRIDGE, O.L.S.

2013



#4

APR 23 2013

CLERK'S DEPT.

City of North Bay

Report to Council

Date: April 17, 2013

Report No: CSBU 2013-54

Originator: Erin Vaughan
Community Event Facilitator

Subject: 2013 Armed Forces Appreciation Day - Exclusivity of Use of Parkland and Other Lands

RECOMMENDATION

That exclusivity be granted of 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 for the 2013 Armed Forces Appreciation Day being held June 5, 2013. (See map attached)

BACKGROUND

CFB North Bay and the City of North Bay have joined in partnership to provide activities and entertainment on June 5th, 2013 for the Armed Forces Appreciation Day. Activities include a Snowbirds Air Show, performances from the 22 Wing Band, static displays and more. All activities and entertainment will be free to the public.

Students from all four local school boards have been invited to attend the event. Over 5,000 school children are expected to be in attendance.

Memorial Drive will be closed to the public from 8:00 am – 3:00 pm Wednesday June 5th, 2013.

Exclusivity

Last year, waterfront exclusivity was granted for the Armed Forces Appreciation Day 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. By granting the event exclusivity of the area described above, the Committee is able to control the location of vendors and type of food or product sold. Interested vendors will have to be approved to participate in the Armed Forces Appreciation Day event. 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 request as presented.

That exclusivity be granted of 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 for the 2013 Armed Forces Appreciation Day being held June 5, 2013. (See map attached)

Option 2 – Grant the requests in an amended form.

If Council is not satisfied with the requests as presented, Council could amend the areas of exclusivity recommended and the Armed Forces Appreciation Day Committee will have to work inside those boundaries.

Option 3 – Refuse to grant request.

That exclusivity not be granted of 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 for the 2013 Armed Forces Appreciation Day being held June 5, 2013. (See map attached)

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 – Approve the requests as presented.

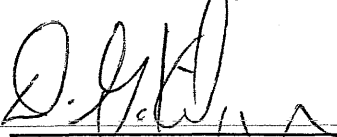
There are no financial implications to the City

Submitted by,



Erin Vaughan
Community Event Facilitator

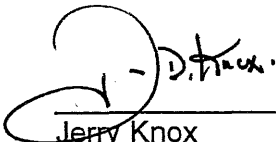
I concur in this report and recommendation.



Ian Kilgour
Director, Parks, Recreation &
Leisure Services



Peter Chirico
Managing Director, Community Services

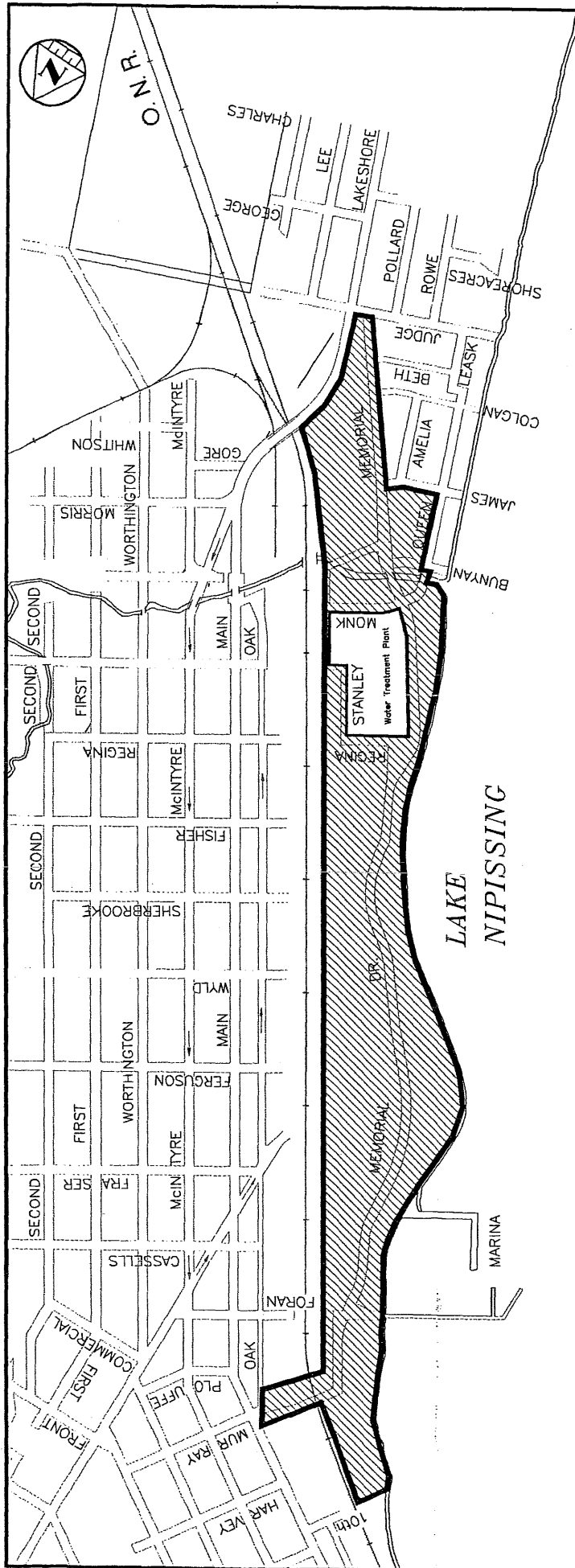


Jerry Knox
Chief Administrative Officer

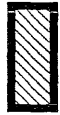
Position designated for continuance: Community Event Facilitator

Attachments: Exclusivity Map

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



CF Appreciation Day EventTM
 June 5th, 2013
 AREA OF EXCLUSION



AREA OF EXCLUSION

THE CORPORATION OF THE CITY OF NORTH BAY Engineering And Environmental Services	
AREA OF EXCLUSION CF Appreciation Day Event	
Drawn By: G.W.G.	Scale: N.T.S.
Checked By: E.V.	Date: April 2013
Drawing No.: CF Appreciation Day, 2013	

City of North Bay**Report to Council****REPORT:** CSBU 2013 – 57**Date:** April 23, 2013**ORIGINATOR:** Peter Carello, Secretary, Treasurer
Municipal Heritage Committee**SUBJECT:** 2012 Municipal Heritage Committee (MHC) Annual Report

RECOMMENDATION

That the 2012 Municipal Heritage Committee Annual Report be received and referred to Committee.

BACKGROUND

Attached is the Annual Report of the Municipal Heritage Committee (MHC). The Annual Report was adopted by the Municipal Heritage Committee at their regular meeting held on December 18th, 2012 and describes the activities of the Committee over the past year.

The Committee's primary accomplishments in 2012 were the completion of a Site Evaluation, community promotional work and, in partnership with the Parks, Recreation and Leisure Services Department, the placement of four Heritage Site Plaques.

A full listing of Committee activities and a workplan for 2013 is contained in the attached report.

Respectfully submitted,



Peter Carello, Secretary-Treasurer
Municipal Heritage Committee

PC/dlb

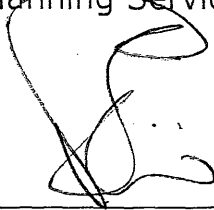
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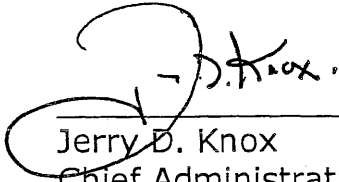
We concur with this report and recommendations.



Beverley Hillier
for Manager, Planning Services



Peter Chirico
Managing Director, Community Services

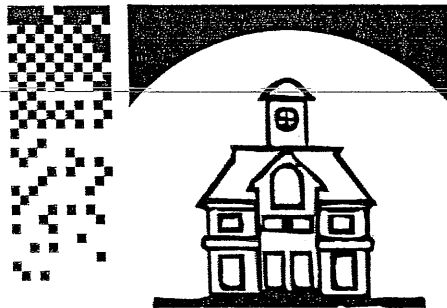


Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Secretary-Treasurer, Municipal Heritage Committee

**THE CITY OF NORTH BAY
MUNICIPAL HERITAGE COMMITTEE (MHC)**

2012 ANNUAL REPORT



**CITY OF NORTH BAY
MUNICIPAL HERITAGE COMMITTEE (MHC)**

2012 ANNUAL REPORT

a) **INTRODUCTION**

This report to City Council is submitted pursuant to Clause 6(g) of By-law No. 38-96, as amended, of The Corporation of the City of North Bay (the MHC By-law).

b) **BACKGROUND**

This report reflects activities undertaken by the North Bay MHC during 2012 and plans for 2013.

c) **SUMMARY OF ACTIVITIES – YEAR 2012**

a) **Committee Membership – 2012**

Peter Handley, Chair (Community Representative)
Jennifer Buell, Vice Chair (Community Representative)
Andrew Bruce-Payne (North Bay Society of Architects)
Naomi Rupke (North Bay Museum)
Councillor Judy Koziol (City Council Representative)
Dr. Robin Gendron (Community Representative)
Amber McCarthy (Community Representative)
Aaron Northrup (Community Representative)
Margaret Surtees (Community Representative)
Ex-officio: Paul Walker (North Bay and Area Public Library)
Ex-officio: Caroline Loiseau (Ministry of Citizenship and Culture)
Staff: Peter Carello, Secretary-Treasurer (Senior Planner)

Lindsey Voisin was the representative from the North Bay Museum at the beginning of 2012. She left the museum to explore other professional opportunities. Naomi Rupke became the representative from the North Bay Museum (Discovery North Bay).

Amy Bennett also resigned from the Committee as a result of professional opportunities. Her position with the Municipal Heritage Committee was advertised and filled by Amber McCarthy.

Summer student Ayla Morland returned to the Committee for the second year during the summer months.

b) **Meetings of the Committee**

A total of eleven (11) meetings of the Committee were held during 2012. Most meetings occurred at City Hall. Three (3) meetings were held at the Discovery North Bay Museum.

c) **Property Evaluations**



The Committee continued its examination of properties with potential heritage significance in 2012. These evaluations make up the mandated core of the MHC's activities.

The report for the Empire Living Centre (former Empire Hotel) was prepared primarily by citizen representative Jennifer Buell and edited by Margaret Surtees. The Committee approved the report in March. This was the most comprehensive and thorough evaluation completed in the history of the MHC. The Empire Living Centre was pleased with the report. The Empire Living Centre made a donation of \$2,500 to the MHC to support the Committee in its activities. The Committee is grateful for the Empire Living Centre's contribution and has held the entire donation in reserve until it finds a suitable project to take on with this money.

The Committee completed a site visit to St. Vincent de Paul Church. The report has been drafted with major input from Committee Member Jennifer Buell. The report is the hands of the Committee for final approval. This is expected to be completed sometime in early 2013.

d) Heritage Site Plaque Program

In 2008, the Committee began to examine the possibility and feasibility of developing a "Heritage Site Recognition Program". This program would be consistent with Section 6 D) of By-Law No. 38-96, which states that the MHC is "to implement programs and activities to increase public awareness and knowledge of heritage conservation issues". The proposed program would not only highlight sites of historic interest in the City, it would also fit in with any planned historic walking tours of the City. A total of eight (8) plaques were installed in 2010 and 2011.

In 2012, the Committee prepared an additional four (4) plaques. The chosen sites were the Cormack Block, Memorial Park, Nipissing University at Cassellholme and Queen Victoria School. The Nipissing University at Cassellholme plaque was prepared in cooperation and with funding from Nipissing University. The plaques were installed in late September 2012.

A media event was held on October 18 to unveil the site plaque for Memorial Park. The event included participation by the Royal Canadian Legion Branch 23, who provided a Colour Guard, and Project Flanders. The event was attended by members of the local media and received positive coverage.

Nipissing University held an unveiling event at Cassellholme on November 29th as part of the 20th anniversary celebrations. This event was attended by the University Chancellor and the President. MHC Chair helped with the unveiling.

The old Nipissing Brewery and early arenas are being researched in 2012 for plaque installations in 2013. Preliminary information regarding the content of these two plaques is attached.

e) Public Awareness Initiatives

The Committee undertook a number of other initiatives to increase public awareness of MHC activities and local heritage.



On February 20th, the committee held a press event in cooperation with the Heritage North Bay museum to recognize the commencement of the provincially decreed Heritage Awareness Week. The Museum set up a special display and the Committee unveiled one of the Heritage Site Plaques from 2011 that had not been installed.

With the assistance of Evan Moore and Lori Liscombe from the City's Information Systems Department, the interactive heritage walking tour was updated and improved. The interactive map (www.cityofnorthbay.ca/heritagetour) was first established in 2011. Residents can use this site to navigate from site to site and have the information and historical information that has been prepared and written by the MHC appears.

Hardcopies of maps were distributed through the Museum, Chamber of Commerce and the hotel association. Also, the maps have been made available online for download from the City of North Bay's website.

The Committee purchased a pop-up banner ad for use at public events. The banner features current and historic photos from North Bay's history.

2012 marked the second year of the MHC's participation at Summer in the Park. A presentation scrolling through the various properties with heritage characteristics was prepared by Summer Student Ayla Morland for the event. The newly procured pop-up banner, promotional materials and information on some current projects that we are working on were also on display. For example, hardcopies of the walking tour were distributed, which included a link to the interactive walking tour.

The MHC participated in the 7th Annual North Bay Heritage Fair, hosted by Nipissing University. For the first time, the MHC sponsored an award, which was given to a display that educated others regarding local history. The 2012 winner was Matthew McParland from St. Alexander School and his project titled "North Bay Heritage Carousel".

Finally, citizen representative Margaret Surtees with assistance from Vice Chair Buell prepared a Spring/Summer newsletter in 2012. The newsletter publicized some of the Committee's works and is proving to be a key element of our educational process.

f) Operating Budget

The 2012 operating budget was \$2,600. The Committee will finish the year under budget.

g) Memberships

The North Bay MHC is a member of Community Heritage Ontario, a province-wide organization which provides information and advice to heritage groups. CHO's mission is to *"be an advocate for heritage in Ontario, to encourage the development of municipally-appointed heritage advisory committees and to further the identification, preservation, interpretation and wise use of community heritage locally, provincially and nationally."*



The MHC is also a member of two area museums, Discovery North Bay and the Dionne Quints museum. This supports the operations of our two museums, while offering the Committee access to their facilities, their records and their inventory.

The MHC is a member of the Ontario Historical Society. The MHC receives a regular newsletter (5 times annually), which offers the Committee insights regarding trends in heritage and history throughout the province.

h) 2012 Summary of Activities

1. Developed and designed four (4) heritage site plaques commemorating former buildings and sites with local heritage significance.
2. Began work on the script for the placement of two (2) heritage site plaques in 2013.
3. Worked with the Information Systems Department to improve the interactive walking tour.
4. Completed the evaluation of the Empire Living Centre and held a press conference unveiling the plaque.
5. Asked to tour the NEMHC site on the North Highway prior to its potential demolition.
6. Toured the Civic and St. Joseph's hospital sites to determine if any heritage items could be preserved.
7. Evaluated St. Vincent de Paul Church.
8. Designed and printed a pop-up banner.
9. Operated a booth at Summer in the Park 2012.
10. Participated at the North Bay Heritage Fair, establishing a new award.
11. Produced and distributed a Spring/Summer 2012 newsletter.
12. Completed the current edition of the printed MHC Illustrative Guide which will be disseminated as an historical document.
13. Reviewed applications made under the Planning Act.

i) 2013 Work Program

The Committee and staff are preparing a formal work program for 2013. This program may include, but not be limited to, the following:

1. The identification of additional buildings, sites and structures that should be for evaluated or re-evaluated for their heritage characteristics.



2. Continue work with Parks, Recreation & Leisure Services staff to prepare Heritage Site Plaques commemorating properties with identified heritage significance.
3. Replace two damaged glass plaques.
4. Participate in Heritage Awareness Week.
5. Produce a Committee newsletter in the spring, with distribution to be completed both electronically and hard copy.
6. Continue to receive appropriate heritage training, when available and applicable.
7. Participate in applicable heritage recognition programs.
8. Review of the available Provincial and Federal financial assistance programs in conjunction with the GAP Officer/Development Planner.
9. Review of planning applications from a heritage perspective.
10. Work with Parks, Recreation & Leisure Services Department, Discovery North Bay (North Bay Museum) and the Downtown Improvement Area to expand the heritage walking tour in the downtown core.

Respectfully submitted,

Peter Handley
Chair, Municipal Heritage Committee



Appendix

The following is intended to summarize the theme and general content for the 2013 Heritage Site Plaques.

The Bomarc Missile

In 2009, the United States Air Force removed the old Bomarc missile from its pedestal in Lee Park in North Bay. This missile had been situated in Lee Park since 1979 as a testament to one of the most important and controversial developments in North Bay's history in the late 20th century.

From the early 1960s (1961) to 1972, 28 Bomarc missiles were located at a site just north of the city off Highway 11. Nuclear armed and American-built and supplied, these missiles were a key component of North America's air defence system against a potential missile or air attack by the Soviet Union and a vital part of continental defences during this period of the Cold War.

Their presence in North Bay connected the city to the major developments of the Cold War and major world events – the Cuban Missile Crisis, détente, the SALT talks – like nothing else in the city's history.

Yet the Bomarc missiles were also connected to major Canadian debates and controversies as well, including the reluctance of the Canadian government to accept their nuclear warheads in the early 1960s and the growing military (and political and economic) dependence of Canada upon the United States in the 1950s and 1960s.

The Bomarc missile and its attendants helped bring economic prosperity to North Bay yet forced the city's residents to live with the knowledge that they were directly in the crosshairs in the event of the outbreak of the hostilities between the US and the Soviet Union. Symbol of continental cooperation and amity – hundreds of American military personnel were stationed at CFB North Bay during the era of the Bomarc – the missiles also symbolised Canada's vulnerability to international forces beyond its control in the late 20th century.

Almost uniquely, the Bomarc missile encapsulates the important developments in North Bay's (and Canada's) history from the late 1950s to the early 1970s. With the removal of the Bomarc in 2009, the city lost its most visible connection to this important, yet controversial, aspect of its history. A commemorative plaque from the Municipal Heritage Committee would help honour and preserve the myriad ways in which North Bay was affected by the Bomarc missile.

Former Hospital Sites

With the decommissioning of North Bay's two former hospital sites, the Municipal Heritage Committee will be preparing a plaque commemorating these two former institutions. The plaque would discuss the history of the buildings, including their construction dates, additions and concluding with the transition to the new hospital. The plaque would also discuss notable events that had occurred over the years.

City of North Bay

Report to Council

Report No: CSBU 2013-34

Date: April 22, 2013

Originator: Ian G. Kilgour, Director, Parks, Recreation & Leisure Services

Subject: New Memorial Gardens Parking/Aquatic Centre/YMCA Parking, Leo Troy Field, Fraser Street Road Allowance

RECOMMENDATION

1. That Council approve the plan to decommission Troy Field and enlarge the abutting parking lot serving Memorial Gardens and the YMCA/Aquatic Centre on the lands shown on Schedule A to Report to Council CSBU 2013-34; and
2. That the Fraser Street Road Allowance and a portion of Thomson Park east of Chippewa Creek be prepared and used for parking on the lands shown on Schedule A to Report to Council CSBU 2013-34; and
3. That Leo Troy is honoured in an equal manner as determined by Council.

BACKGROUND

With the announcement of the Battalion relocating to North Bay, parking at Memorial Gardens has been reviewed. The subject parking lot was reduced in size by approximately fifty (50) spaces due to the construction of the Aquatic Centre and YMCA daycare grounds approximately nine (9) years ago.

The use of the subject parking lot has also seen an increase of use over the last nine (9) years by YMCA/Aquatic Centre members throughout the day and evening. With the success of the Battalion season ticket drive and anticipated "walk-up" patrons, it is anticipated that parking at Memorial Gardens will be at a premium.

In November 2012, the City announced the arrival of the North Bay Battalion for a minimum of fifteen (15) years starting in 2013. The renovations to Memorial Gardens will include the addition of approximately 700 additional seats.

ANALYSIS / OPTIONS

With the construction of three (3) new ball fields at the Steve Omischl Sports Complex, there is sufficient capacity in ball field availability to decommission Troy Field. The *City of North Bay Outdoor Sport Field Feasibility Study-2005* contemplates the decommissioning of fields upon the construction of a sports complex. Further, the study recommends the construction of one (1) ball field. The Steve Omischl Complex was constructed with three (3) ball fields based on further user group consultation in 2010.

With the decommissioning of Bowness Field (2011) and Troy Field (2013) the City will have one (1) additional ball field as was recommended in the study. Current user demand confirms the study recommendation that one (1) additional ball field adequately serves North Bay's user group demographics. The ball user groups that play at Troy Field have been consulted with regard to the possibility of Troy Field's decommissioning. Ladies Slo-pitch has been accommodated at another City Field (Johnson in Thomson Park) and Senior Mens Fastball moved their play to CFB North Bay last year and did not request play at Troy Field this year.

Ladies Slo-pitch accounts for three (3) evenings play for a total of fifteen (15) hours a week.

The location of the Aquatic Centre and the Troy ball field has resulted in the Aquatic Centre getting hit by foul balls from Troy Field. The Pool windows and solar panels have been hit and precautions have been implemented however, the elimination of this occurrence will be beneficial.

The Executive Director of the YMCA has been consulted of the proposed decommissioning and has no objection. City staff will keep the YMCA informed of construction schedules and any foreseen impacts on YMCA patron parking.

The ball field is named after Leo Troy. Continuing efforts are being made to locate members of the Troy family to discuss possible alternatives to honour Leo Troy.

Lands to the east of Chippewa Creek including the Fraser Street Road Allowance and a portion of lands within Thomson Park will also be developed into parking where feasible as shown on Schedule A. The relocation of the Olive Street Bridge and the Kinsmen Trail through this area will be considered in the design of new parking in this area.

On street parking in the vicinity of Memorial Gardens is also being reviewed and will be addressed in a future Report to Council.

Funding for the decommissioning and construction of additional parking will be addressed in a following Report to Council for the approval of a Capital Spending By-law.

In addition to the new parking being used for the Battalion, the additional parking will be useful for conferences, concerts, and other events hosted by Memorial Gardens. The additional parking to the east of Chippewa Creek will also serve park users at the east end of the park. Currently the parking in this area is not well organized and safety concerns have been raised.

Option 1:

It is recommended that Council approve a plan to decommission Troy Field and enlarge the abutting parking lot serving the YMCA/Aquatic Centre and Memorial Gardens on the lands shown on Schedule A and that the Fraser Street Road Allowance and a portion of Thomson Park east of Chippewa Creek be prepared for parking on the lands shown on Schedule A and that Leo Troy be honoured in an equal manner as determined by Council.

This option responds in a reasonable manner to an increase in parking demand that can be anticipated as a result of the Battalion relocating to North Bay and new events (i.e. concerts and conferences) being attracted by the newly renovated Memorial Gardens.

Option 2:

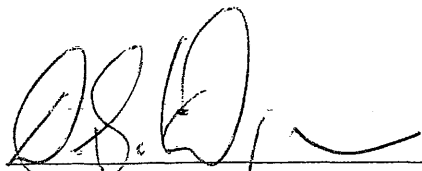
Do not decommission Troy Field or approve additional parking to the east of Chippewa Creek. This will result in status quo parking availability which does not adequately anticipate future parking demand for Memorial Gardens. This will result in increased on-street winter parking by Memorial Gardens patrons.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1:

It is recommended that Council approve a plan to decommission Troy Field and enlarge the abutting parking lot serving the YMCA/Aquatic Centre and Memorial Gardens on the lands shown on Schedule A and that the Fraser Street Road Allowance and a portion of Thomson Park east of Chippewa Creek be prepared for parking on the lands shown on Schedule A and that Leo Troy be honoured in an equal manner as determined by Council.

Respectfully submitted,



Ian G. Kilgour
Director, Parks, Recreation & Leisure Services

IGK/dlb

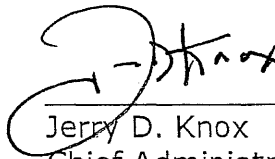
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attach.

We concur in this report and recommendation,



Peter Chirico
Managing Director, Community Services

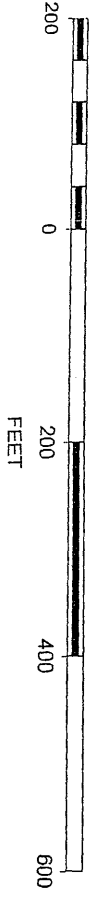
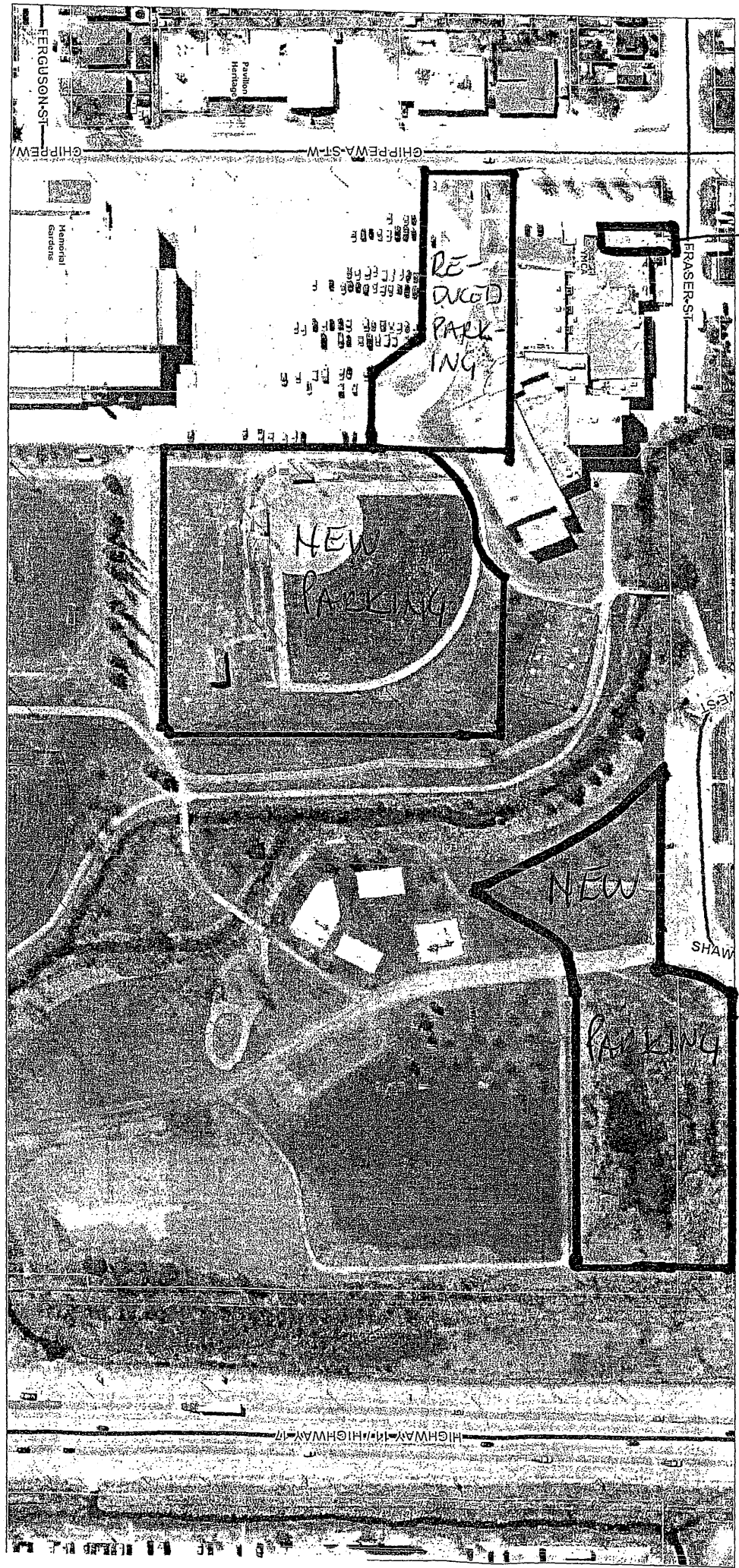


Jerry D. Knox
Chief Administrative Officer

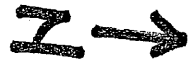
Person designated for continuance: Ian G. Kilgour

SCHD.
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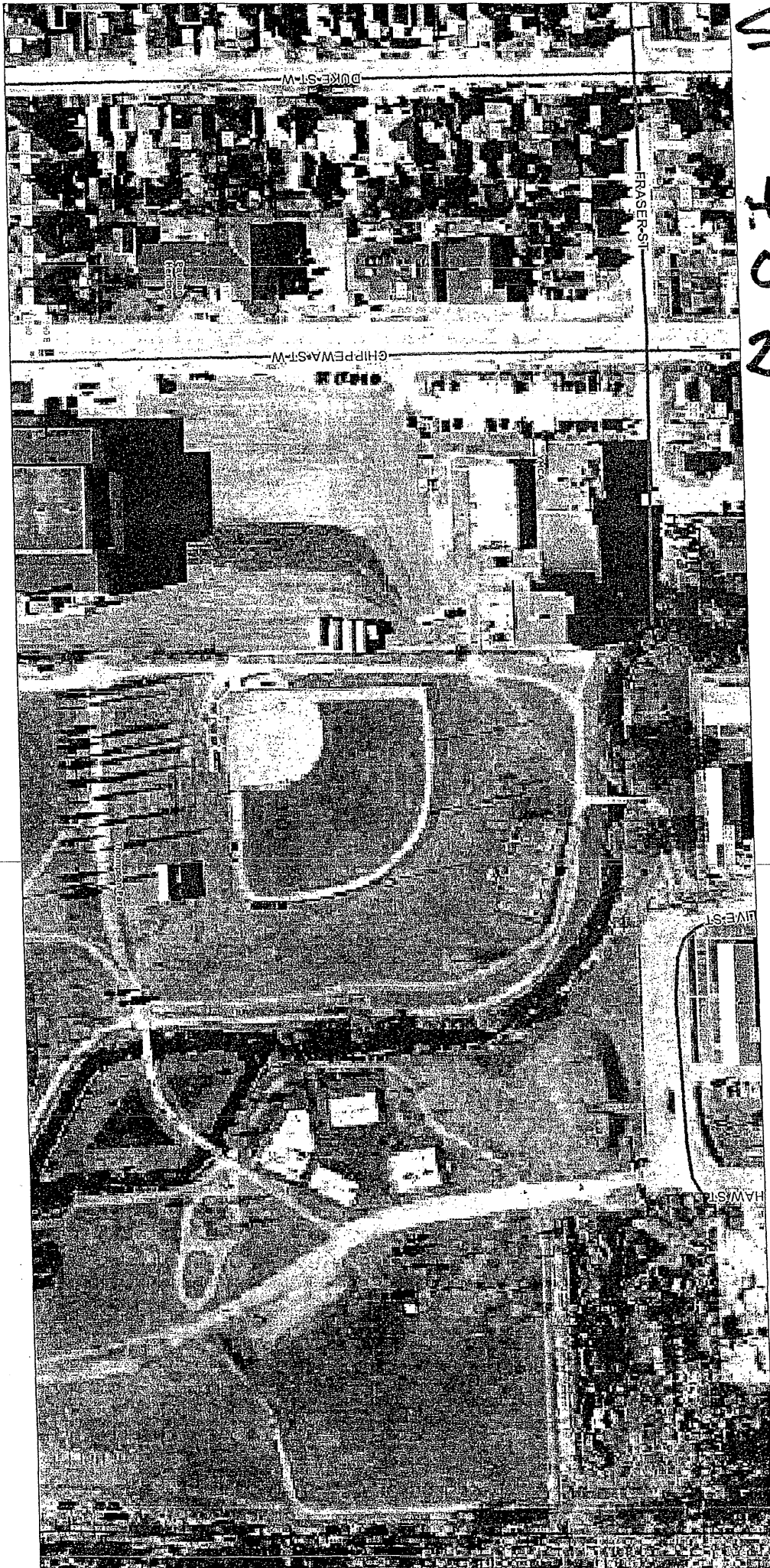
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PARKING



SCALE 1 : 2,147



AIR PHOTO
2011



SCHEDULE
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to
CSBU
2013-34

AIR
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City of North Bay
Report to Council

Report No: CSBU 2013- 56

Date: April 24, 2013

Originator: Peter Chirico

Subject: Request for Quotation 2013-12 Tractor with Front-End Loader and Backhoe Attachment-Single Source

RECOMMENDATIONS

- 1) Council approves the award of a contract to Arnstein Lawn and Garden Company Inc. in the amount of \$35,775.00 (plus HST) for the supply of one four wheel drive, diesel compact utility tractor with fully enclosed cab and quick attach front end loader.
- 2) Council approves the award of a single source contract to Arnstein Lawn and Garden Company Inc. in the amount of \$19,400.00 (plus HST) for the supply and installation of a backhoe attachment for new tractor.

BACKGROUND

The Parks Department requires a new tractor to replace the existing Parks tractor # 897. This tractor was originally purchased in 2008 and has been assigned to the Central City zone.

Terrace Lawn Cemetery is operated by a Not For Profit board known as North Bay Cemetery Service. ~~The Cemetery is maintained by this group as well as Forest lawn Cemetery.~~ Over the past decade the cemetery has struggled primarily due to financial issues. All plots have been sold and no further revenue has been available for on-going expenditures from the sale of same. The maintenance of the Cemetery has relied mainly on the interest being collected from the Perpetual Care Trust Fund and with diminished returns over the past decade, limited funds have been available.

In 2011, North Bay Cemetery Service informed the City that their existing backhoe was in need of replacement and given the financial status of the Cemetery, our assistance was requested. As dictated by the Funeral, Burial and Cremations Act, 2002, section 101.1 (1)-(4), "the local municipality within whose geographical boundaries the cemetery is located or the Crown, of there is no such local municipality, shall be responsible for the maintenance of the cemetery". Given the fact that this not for profit group maintains the cemetery, it is in our best interests to assist.

Parks and Leisure Services went out for tender on two different occasions soliciting proposals for the supply of a used backhoe for this purpose. Limited response was received through these requests and value for the requested used equipment was considered too expensive for the quality that would have been received. Parks tractor #897 was approaching replacement and was in good mechanical shape and therefore the rationale for the purchase of the new backhoe.

A request for Quotation was sent directly to three local vendors, able to provide the specified tractor. The RFQ closed on March 21, 2013. Three responses were received and evaluated for compliance by the Manager of Parks and the Manager of Purchasing. The results are as follows:

Vendor	Estimated Price (excluding HST)
Arnstein Lawn and Garden Company Inc.	\$35,775.00
Tracks and Wheels Equipment Brokers	\$44,438.00
Groulx Equipment Astorville Inc.	\$28,778.00*

*the tractor bid by Groulx Equipment did not meet the mandatory specifications stated in the RFQ which are necessary to meet the City's performance requirements. The bid was therefore deemed to be non-compliant.

Parks tractor 897 has a loader attachment but does not have a backhoe attachment which is required for the cemetery operations. It is being recommended by the Manager of Purchasing that the required backhoe attachment be acquired as a single source purchase through Arnstein Lawn and Garden Company Inc., the local distributor for John Deere, based on the compatibility with the existing tractor.

The supply and installation includes the backhoe attachment, a snow blade and a rear snow blower.

ANALYSIS / OPTIONS

Option 1:

- 1) Council approves the award of a contract to Arnstein Lawn and Garden Company Inc. in the amount of \$35,775.00 (plus HST) for the supply of one four wheel drive, diesel compact utility tractor with fully enclosed cab and quick attach front end loader.
- 2) Council approves the award of a single source contract to Arnstein Lawn and Garden Company Inc. in the amount of \$19,400.00 (plus HST) for the supply and installation of a backhoe attachment for new tractor.

Option 2:

Do not award contract or purchase from single source, as recommended. Tractor #897 planned for transfer, will not be able to perform all of the required tasks at the cemetery and or cemetery maintenance could revert to City of North Bay.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

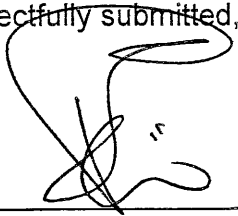
Option # 1 is recommended as follows:

- 1) Council approves the award of a contract to Arnstein Lawn and Garden Company Inc. in the amount of \$35,775.00 (plus HST) for the supply of one four wheel drive, diesel compact utility tractor with fully enclosed cab and quick attach front end loader.

-
- 2) Council approves the award of a single source contract to Arnstein Lawn and Garden Company Inc. in the amount of \$19,400.00 (plus HST) for the supply and installation of a backhoe attachment for new tractor.

Funding has been allocated and is available in the 2012 Community Services Capital Budget, Parks Vehicle and Equipment Replacement Program, Project No. 6077PR authorized with By-law No. 2012-26 date February 6, 2012.

Respectfully submitted,




Peter Chirico
Managing Director, Community Services
PC/dlb

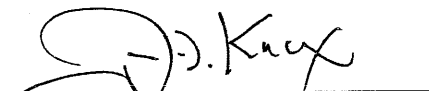
We concur with this report and recommendations.



Paul Valenti
Manager Purchasing



Margaret Karpenko
Chief Financial Officer



Jerry D. Knox
Chief Administrative Officer

CITY OF NORTH BAY

REPORT TO COUNCIL

REPORT NO: EESW-2013-40

DATE: April 2, 2013

ORIGINATOR: Angela Cox
Manager, Finance and Administration

SUBJECT: 2013 Capital Budget Project -6102RD Asphalt Sheeting Program (On-going)

RECOMMENDATION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Asphalt Sheeting Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget project #6102RD, in the amount of \$109,000.

BACKGROUND:

The sheeting program is an ongoing program designed to address localized serious deficiencies in asphalt paving that have to be addressed quickly due to safety concerns.

The sections of roads to be done are chosen by roads personnel where they are encountering significant maintenance costs and safety concerns. This year Sage Road and O'Brien are scheduled for repairs.

The ongoing project is funded over ten years 2013-2022. In the current 2013 Capital Budget project #6102RD has \$109,000 as a net debenture.

A Schedule to the proposed By-Law is submitted for Council's consideration.

Construction Contract	\$103,810
Financing	\$4,100
Administration & Overhead	<u>\$1,090</u>
Net Debenture Cost	\$109,000

The capital project is estimated to be completed December 31, 2013 and will be immediately initiated. Project is expected to be substantially completed by November 30, 2013.

This implementation period is considered fair and reasonable if all assumptions are realized. As the capital project moves forward any major variances to this

schedule will be communicated to Council via the semiannual Capital Status Reports or if required a Report to Council.

ANALYSIS/OPTIONS

Option 1: Proceed with the Authorizing By-law

That Council proceeds with the authorizing by-law to approve the Asphalt Sheeting Program in the amount of \$109,000. The roads chosen are in relatively poor condition and warrant these repairs providing these repairs improve the riding surface of these roads until reconstruction can occur. This option is recommended.

Option 2: Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This action would increase the number of backlogs of deteriorating roadways, which has the potential to create higher maintenance costs, serious inconvenience to the public and may pose safety concerns to the traveling public.

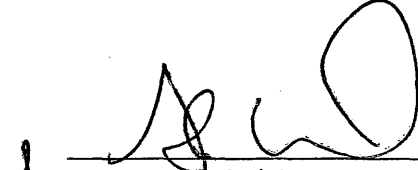
RECOMMENDED OPTION

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Asphalt Sheeting Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget project #6102RD, in the amount of \$109,000.

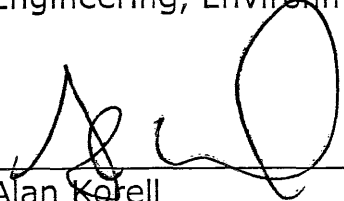
Respectfully Submitted,



Angela Cox
Manager, Finance & Administration
Engineering, Environmental Services & Works



Domenic Schiavone
Director, Public Works

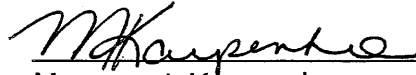


Alan Korell
Managing Director
Engineering, Environmental Services & Works

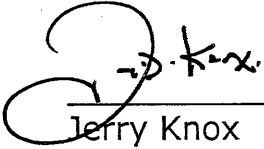
We concur in this report and recommendation.



Laura Boissonneault
Supervisor of Budgets and
Financial Reporting



Margaret Karpenko
Chief Financial
Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Joe Germano

Attachments: Capital Project Status Sheet

Project Summary

Project Number:	6102RD	Active:	Yes
Title:	ASPHALT SHEETING 2013 ON-GO		
Asset Type:	OPERATING/MAINTENANCE - Roads		
Division:	Capital - Engineering, Environmental & Works		
Budget Year:	2013		
Scenario Name:	Main		
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description				Project Comments			
The Sheeting Program is an ongoing program to address localized serious deficiencies in asphalt paving that have to be addressed quickly due to safety concerns which affect our citizens.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	109,000	109,000	0	Expense			
2014	112,000	112,000	0	3425	CONSTRUCTION CONTRACT		103,810
2015	115,000	115,000	0	4005	INTERNAL INTEREST CHARGES		4,100
2016	118,000	118,000	0	7010	ADMINISTRATON & OVERHEAD		1,090
2017	122,000	122,000	0			Total Expense:	109,000
2018	126,000	126,000	0	Revenue			
2019	130,000	130,000	0	0283	Fed Gas Tax		109,000
2020	134,000	134,000	0			Total Revenue:	109,000
2021	138,000	138,000	0				
2022	142,000	142,000	0				
	1,246,000	1,246,000	0				
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013		5-10 YEARS	ALAN KORELL			Dec 31, 2013	

City of North Bay
Report to Council

Report No.: CORP 2013-55

Date: April 23, 2013

Originator: Lorraine Rochefort

Subject: By-Law to establish decrease limits for certain property classes
for 2013

RECOMMENDATIONS:

That

1. By-Law 2013-93, being a by-law to establish decrease limits for certain property classes for 2013 be repealed; and
 2. By-Law 2013-117 be presented for 3 readings at the Regular Meeting of Council on April 29, 2013.
-

BACKGROUND:

By-Law 2013-93 was passed by Council on April 15th, 2013. The purpose of the by-law was to set decrease or "claw-back" limits to the multi-residential, commercial and industrial tax classes pursuant to the 2013 Tax Capping Program adopted by Council.

Percentage Decrease Clawback means the portion of a tax decrease that is withheld to fund the taxes that are capped at the limits set out in the Program.

The decrease percentages are calculated through the Ontario Property Tax Analysis Program (OPTA) administered by the Ministry of Finance and the Ministry of Municipal Affairs and Housing. A cut off date for data changes was set at March 23rd however, when confirming the final calculations for the 2013 final tax billing it was noted that changes were made to the values of some properties resulting in a change to the decrease limits. It has been confirmed that the changes are valid and necessary to ensure the accuracy of the 2013 tax billing for the commercial tax class.

The decrease limits were:

Property Class	Percent Decrease Retained	Percent Decrease Claw back
The multi-residential property class	100%	0
The commercial property class	91.8343%	8.1657%
The industrial property class	100%	0

The decrease limits will be changed to:

Property Class	Percent Decrease Retained	Percent Decrease Claw back
The multi-residential property class	100%	0
The commercial property class	91.3801%	8.6199%
The industrial property class	100%	0

The amendment by-law will be brought forward to Council for three readings on Monday, April 29th, 2013.

OPTIONS/ANALYSIS:

Option #1 – to repeal By-Law 2013-93 and bring forward a revised by-law to confirm the correct decrease limits. This would ensure that the 2013 tax billing for the commercial property tax class was correct. This is the recommended option.

Option #2 – to maintain decrease limits in By-Law 2013-93. This would result in incorrect tax billing to the commercial property tax class for 2013.

RECOMMENDED OPTION:

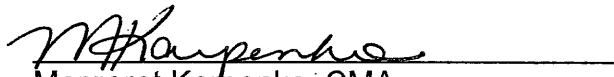
That By-Law 2013-117 be approved by Council and be given three readings at the Regular Meeting of Council on April 29th, 2013.

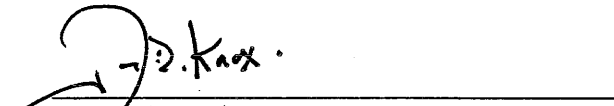
Respectfully submitted,


Lorraine Rochefort, AMCT
Manager of Revenues & Taxation

Attachment: By-Law 2013-117

We concur with this report and recommendation.


Margaret Karpenko, CMA
Chief Financial Officer/Treasurer


Jerry Knox,
Chief Administrative Officer

Personnel designated for continuance: Manager of Revenues & Taxation

pl.

CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-117

BEING A BY-LAW TO ESTABLISH DECREASE LIMITS FOR CERTAIN PROPERTY CLASSES FOR 2013 (AND TO REPEAL BY-LAW NO. 2013-93)

WHEREAS The Corporation of the City of North Bay may limit tax decreases for a taxation year pursuant to s.330. of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended (hereinafter referred to as the "Act") in order to provide for the recovery of foregone revenue resulting from the application of s. 329 of the Act as modified by s.329.1 of the Act;

AND WHEREAS this by-law shall only apply to properties in a property class to which Part IX of the Act applies;

AND WHEREAS for the purposes of this by-law the commercial classes shall be considered a single property class and the industrial classes shall be deemed to be a single property class;

AND WHEREAS limits to tax decreases for any class may only be established in order to recover all or part of the foregone revenue in respect of the same property class;

AND WHEREAS Council authorized the by-law to establish decrease limits for certain property classes by Resolution No. 2013-___ passed on the 29th day of April 2013;

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

1. That pursuant to Section 330 of the *Municipal Act*, for the taxation year 2013, tax decreases for property in the following classes shall be subject to the following limitations:

Property Class	Percent Decrease Retained	Percent Decrease Claw back
The multi-residential property class	100%	0
The commercial property class	91.3801%	8.6199%
The industrial property class	100%	0

Where:

- a) *Percent Decreased Retained* means the proportion of an anticipated assessment related tax decrease that is passed through in accordance with Part IX of the Act, and
- b) Where *Percent Decrease Clawback* means the proportion of an anticipated assessment related tax decrease that is withheld in accordance with Part IX of the Act.

2. That this by-law shall come into force and take effect upon being passed.

3. That By-Law 2013-93 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 29th DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29th DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29th DAY OF APRIL, 2013.

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

CITY OF NORTH BAY REPORT TO COUNCIL

Report No: CORP 2013-52

April 23, 2013

Originator: Paul Valenti

Subject: Tender No. 2013-16 Aggregate Materials

RECOMMENDATION:

That City Council approves the award of a contract to Edgar Poulin Construction & Rentals Ltd. in the estimated amount of \$398,620.00 (HST extra) for the supply of Aggregate Materials on an as and when requested basis from the date of contract to October 30, 2013.

BACKGROUND:

The City annually issues a tender for Aggregate Materials required by the Public Works and Parks Departments. The tender is based on estimated quantities required, with the City paying only for the amounts requested and delivered.

A tender was publicly advertised in accordance with the Purchasing By-law. The tender closed on April 10, 2013. Four tenders were received and evaluated for compliance by the Manager of Purchasing and the Director of Public Works.

The results are as follows:

Contractor	Pricing (excluding HST)
Edgar Poulin Construction & Rentals Ltd.	\$398,620.00
Bruman Construction Inc.	\$410,030.00
Pioneer Construction Inc.	\$410,818.00
Miller Paving North Bay Division of Miller Paving Limited	\$466,970.00

The tender provided by Edgar Poulin Construction & Rentals in the amount of \$398,620.00 (HST extra) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award a contract to Edgar Poulin Construction & Rentals Ltd.
2. Do not award a contract. This option is not recommended. Ongoing maintenance and project work requiring aggregate material will need to be cancelled.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to Edgar Poulin Construction & Rentals Ltd. in the estimated amount of \$398,620.00 (HST extra) for the supply of Aggregate Materials on an as and when requested basis from the date of contract to October 30, 2013.


Sufficient funding has been allocated and is available in the 2013 Engineering, Environmental Services and Works Operating Budget. The quantity of material ordered will be on an as required, as requested basis and will not exceed the allocated budget.

Respectfully submitted,




Paul Valenti
Manager of Purchasing

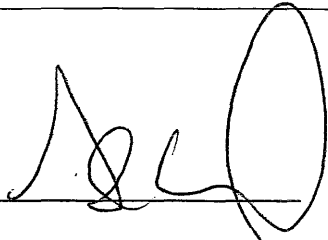
We concur in this report and recommendation.



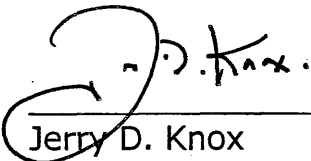
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads

Attachments: Tenders

CITY OF NORTH BAY REPORT TO COUNCIL

Report No: CORP 2013-53

April 23, 2013

Originator: Paul Valenti

Subject: Tender No. 2013-17 Ready Mix Concrete

RECOMMENDATION:

That City Council approves the award of a contract to Lafarge Canada Inc. in the estimated amount of \$91,695.96 (HST extra) for the supply of Ready Mix Concrete on an as and when requested basis from the date of contract to December 1, 2013.

BACKGROUND:

The City annually issues a tender for Ready Mix Concrete required by the Public Works Department. The tender is based on estimated quantities required, with the City paying only for the amounts requested and delivered.

A tender was publicly advertised in accordance with the Purchasing By-law. The tender closed on April 10, 2013. Two tenders were received and evaluated for compliance by the Manager of Purchasing and the Director of Public Works.

The results are as follows:

Contractor	Pricing (excluding HST)
Lafarge Canada Inc.	\$91,695.96
Bruman Construction Inc.	\$148,245.00

The tender provided by Lafarge Canada Inc. in the amount of \$91,695.96 (HST extra) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award a contract to Lafarge Canada Inc.

-
2. Do not award a contract. This option is not recommended. Ongoing maintenance and project work requiring Ready Mix Concrete will need to be cancelled.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to Lafarge Canada Inc. in the estimated amount of \$91,695.96 (HST extra) for the supply of Ready Mix Concrete on an as and when requested basis from the date of contract to December 1, 2013.

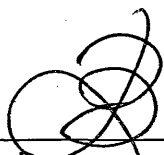
Sufficient funding has been allocated and is available in the 2013 Engineering, Environmental Services and Works Operating Budget. The quantity of material ordered will be on an as required, as requested basis and will not exceed the allocated budget.

Respectfully submitted,



Paul Valenti
Manager of Purchasing

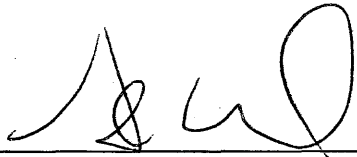
We concur in this report and recommendation.



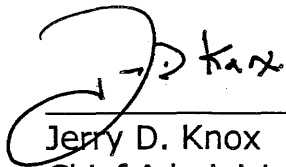
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads

Attachments: Tenders

CITY OF NORTH BAY REPORT TO COUNCIL

Report No: CORP 2013-56

April 23, 2013

Originator: Paul Valenti

Subject: Tender No. 2013-23 Asphalt Concrete Pavement Patching

RECOMMENDATION:

That City Council approves the award of a contract to Miller Paving North Bay a Division of Miller Paving Limited in the estimated amount of \$1,450,182.50 (HST extra) for Asphalt Concrete Pavement Patching on various city roads on an as and when requested basis from the date of contract to November 30, 2013.

BACKGROUND:

The City annually issues a tender for Asphalt Concrete Pavement Patching on various city roads. The tender is based on an estimate of upcoming work required, with the City paying only for the work requested and completed.

A tender was publicly advertised in accordance with the Purchasing By-law. The tender closed on April 10, 2013. Two tenders were received and evaluated for compliance by the Manager of Purchasing and the Director of Public Works.

The results are as follows:

Contractor	Pricing (excluding HST)
Miller Paving North Bay a Division of Miller Paving Limited	\$1,450,182.50
Pioneer Construction Inc.	\$1,514,150.00

The tender provided by Miller Paving North Bay a Division of Miller Paving Limited in the amount of \$1,450,182.50 (HST extra) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award a contract to Miller Paving North Bay a Division of Miller Paving Limited.

-
2. Do not award a contract. This option is not recommended. The work is required as part of the City's ongoing road maintenance and project work.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to Miller Paving North Bay a Division of Miller Paving Limited in the estimated amount of \$1,450,182.50 (HST extra) for Asphalt Concrete Pavement Patching on various city roads on an as and when requested basis from the date of contract to November 30, 2013.

Sufficient funds have been allocated in the 2013 Engineering, Environmental Services and Works Operating, Capital, and Water and Sanitary Sewer Capital Budgets. The costs will be split as follows:

- Operating - \$931,582.00
- Project No. 6102RD Asphalt Sheeting - \$109,000; waiting to be authorized
- Other 2013 Capital Construction Projects as required

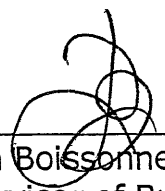
The work will be on an as required, as requested basis and will not exceed the allocated budget.

Respectfully submitted,

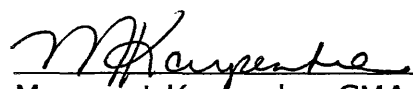


Paul Valenti
Manager of Purchasing

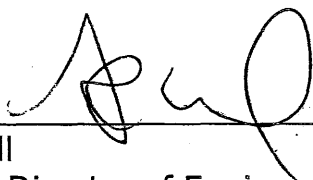
We concur in this report and recommendation.



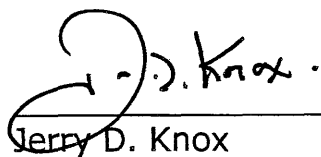
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads

Attachments: Tenders

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2013-54

April 23, 2013

Originator: Paul Valenti

Subject: Tender No. 2013-24 Landscaping Services

RECOMMENDATION:

That City Council approves the award of a contract to 2071624 Ontario Inc. o/a Blacktop in the estimated amount of \$86,300.00 (HST extra) for Landscaping Services on an as and when requested basis from the date of contract to October 31, 2013.

BACKGROUND:

The City annually issues a tender for Landscaping Services required by the Public Works Department. The work involves the supply and placement of sod, application of hydro-seeding and the replacement existing paving stones. The tender is based on estimated work required, with the City paying only for the work requested and completed.

A tender was publicly advertised in accordance with the Purchasing By-law. The tender closed on April 10, 2013. Four tenders were received and evaluated for compliance by the Manager of Purchasing and the Director of Public Works.

The results are as follows:

Contractor	Pricing (excluding HST)
2071624 Ontario Inc. o/a Blacktop	\$86,300.00
Bruman Construction Inc.	\$114,565.00
Ardel Construction & Aggregates Ltd.	\$121,400.00
2212880 Ontario Limited o/a Canor	\$127,830.00

The tender provided by 2071624 Ontario Inc. o/a Blacktop in the amount of \$86,300.00 (HST extra) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award a contract to 2071624 Ontario Inc. o/a Blacktop.
2. Do not award a contract. This option is not recommended. This service is necessary to return areas of work back to safe and previously existing conditions.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to 2071624 Ontario Inc. o/a Blacktop in the estimated amount of \$86,300.00 (HST extra) for Landscaping Services on an as and when requested basis from the date of contract to October 31, 2013.

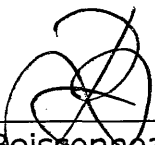
Sufficient funding has been allocated and is available in the 2013 Engineering, Environmental Services and Works Operating Budget. The work will be on an as required, as requested basis and will not exceed the allocated budget.

Respectfully submitted,

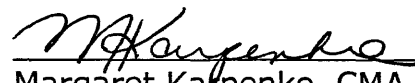


Paul Valenti
Manager of Purchasing

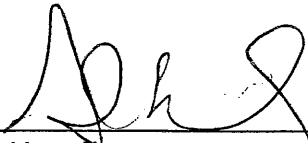
We concur in this report and recommendation.



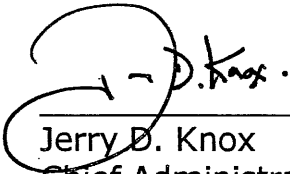
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads

Attachments: Tenders

CITY OF NORTH BAY**Report to Council**

Report No: 2013-058

Date: April 24, 2013

Originator: Margaret Karpenko

Subject: 2010 OMPF Reconciliation

RECOMMENDATION:

That the \$467,600 received from the Provincial Ministry of Finance, representing the 2010 Ontario Municipal Partnership Fund (OMPF) reconciliation of actual results versus estimated, be transferred to the Tax Rate Stabilization Reserve Fund (99529R).

That the Mayor, Deputy Mayor and Council seize every opportunity to petition the Ministry of Finance to retain the OMPF reconciliation payment and to seek resolution for the inequity to North Bay.

BACKGROUND:

In 2005, the Provincial government introduced the Ontario Municipal Partnership Fund (OMPF), a critical provincial funding program that assists municipalities with social program costs, equalization, policing costs, and assists northern and rural communities in providing services to its citizens.

As well, since the inception of the OMPF, the Provincial government has provided reconciliation funding which responds to actual municipal costs for social services and policing versus estimates used in determining OMPF annual allocations. This responsiveness has been a key feature of the Fund.

The 2012 budget announced plans to scale back the total funding envelope to \$500 million by 2016. The Ministry held some consultations with municipalities in June of 2012 in hopes of announcing changes to the OMPF in the fall of 2012. This did happen with the introduction of a new funding calculation that is based on a

basket of municipal indicators. Since the budget in November of 2012, a great deal of uncertainty surrounds future OMPF allocations and the operating budget support it provides to qualifying municipalities.

Four issues are at play:

1. The end of reconciliation means that from fiscal year 2011 onwards any variances in municipal costs for social assistance or policing will not be offset by the OMPF. It means that under the OMPF guidelines, 2011 and 2012 the City will not be paid for actual program costs. Municipalities will have to absorb these expenses.
2. OMPF allocations in 2013 (under the new OMPF 'transition' formula) have been determined as a percentage of 2012 OMPF allocations exacerbating the Fund's non-responsiveness to changing municipal costs.
3. A further \$25 million cut to the OMPF is scheduled for 2014 which will be an added negative impact for municipalities. The OMPF exists to help those municipalities which don't have the assessment base or household incomes to pay higher property taxes. It is estimated this will reduce the City's OMPF allocation in 2014 by \$369,000.
4. Expected increases to 2014 OPP policing costs due to the implementation of the 4th year of the OPP collective agreement and what might happen to OPP billing in the future. (This item does not apply to North Bay because the City does not qualify for the urban / rural proportions of the policing grant.)

On April 12th, 2013 the Ministry of Finance re-affirmed its intentions to discontinue the reconciliations payments.

ANALYSIS / OPTIONS:

OPTION 1:

That the \$467,600 received from the Provincial Ministry of Finance representing the 2010 Ontario Municipal Partnership Fund reconciliation of actual results versus estimated used be transferred to the Tax Rate Stabilization Reserve Fund.

Given the known changes being implemented in future allocations of the OMPF, the transfer to the Tax Rate Stabilization Reserve Fund is deemed prudent.

The Tax Rate Stabilization Reserve Fund has a current balance of \$1,325,752, well below the stated goal of the City of North Bay's

approved Reserve Fund Policy. The Policy states that this reserve should be maintained at 3% to 5% of the municipal tax levy. Given this for the year of 2013, this reserve should be maintained at between \$2,252,474 and \$3,754,578. The reserve policy also states that one time non sustainable revenue is to be directed to a reserve.

In 2009 the City's OMPF funding had a significant reduction of \$1.9 million in OMPF. In order to mitigate the impact on the budget, Council approved the use of the tax rate stabilization reserve to phase in the impact over 3 years. Therefore in 2009, \$850,000 was used from the reserve. In 2010 a further plan was approved to phase in \$680,000 reserve contribution over 4 years. Over the last 5 years the tax rate stabilization reserve has been depleted by \$2.2 million as a result of the OMPF reductions and to mitigate any one time large impact to the tax payer. It is therefore, prudent accounting to place the reconciliation funds into the reserve.

This is the recommended option.

OPTION 2:

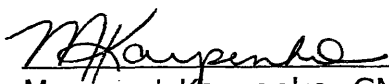
Not transferring the \$467,600 to the Tax Rate Stabilization Reserve Fund may impact the City's ability to manage tax rate changes due to one time expenses.

RECOMMENDATION:

That the \$467,600 received from the Provincial Ministry of Finance, representing the 2010 Ontario Municipal Partnership Fund reconciliation of actual results versus estimated, be transferred to the Tax Rate Stabilization Reserve Fund.

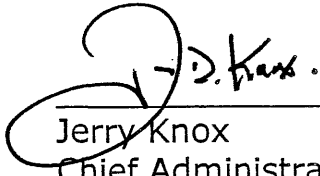
That the Mayor, Deputy Mayor and Council seize every opportunity to petition the Ministry of Finance to retain the OMPF reconciliation payment and to seek resolution for the inequity to North Bay.

Respectfully submitted,



Margaret Karpenko, CMA
Chief Financial Officer

We concur in this report and recommendation



Jerry Knox

Jerry Knox
Chief Administrative Officer

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-105

**A BY-LAW TO AUTHORIZE THE
WATERMAIN REPLACEMENT, REAMING
OR RELINING 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 2013-234 at its meeting held Monday, April 15, 2013, authorizing the Watermain Replacement, Reaming or Relining Program for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.6145WS, 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 Watermain Replacement, Reaming or Relining Program for the following be hereby authorized:

Construction Contracts	\$157,143.00
Financing Costs	\$6,207.00
Administration & Overhead Costs	<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 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 29TH DAY OF APRIL, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-106

**A BY-LAW TO AUTHORIZE THE
RESIDENTIAL STREET REHABILITATION
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 2013-235 at its meeting held Monday, April 15, 2013, authorizing the residential Street Rehabilitation Program being a 2013 Engineering, Environmental & Works Department Budget Project No. 6103RD, with a net debenture cost of \$274,000.00, and being a 2013 Water and Sanitary Sewer Capital Budget Project No. 6103WS, with a net debenture cost of \$274,000.00;

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

1. That the expenditure of \$548,000.00 for the Residential Street Rehabilitation Program for the following be hereby authorized:

Water and Sanitary Sewer Contract Costs	\$260,952.00
Road and Storm Sewer Contract Costs	260,952.00
Financing Costs	20,616.00
Administration & Overhead Costs	<u>5,480.00</u>

Net Amount to be Debentured \$548,000.00

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 \$548,000.00 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 in the amount of \$274,000.00 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 29TH DAY OF APRIL, 2013.

cc
READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-107

**A BY-LAW TO AUTHORIZE THE
WATERMAIN LOOPING
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 2013-236 at its meeting held Monday, April 15, 2013, authorizing the Watermain Looping Program being a 2013 Engineering, Environmental & Works Department, being a 2013 Water and Sanitary Sewer Capital Budget Project No. 6146WS, with a net debenture cost of \$109,000.00;

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

1. That the expenditure of \$109,000.00 for the Watermain Looping Program for the following be hereby authorized:

Construction Contract	\$103,810.00
Financing Costs	4,100.00
Administration & Overhead Costs	<u>1,090.00</u>
Net Amount to be Debentured	\$109,000.00

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 \$109,000.00 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 29TH DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-108

**A BY-LAW TO AUTHORIZE THE
FLUSH WATERMAIN 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 2013-237 at its meeting held Monday, April 15, 2013, authorizing the Flush Watermain Project being a 2013 Engineering, Environmental & Works Department, being a 2013 Water and Sanitary Sewer Capital Budget Project No. 6143WS, with a net debenture cost of \$218,000.00;

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

1. That the expenditure of \$218,000.00 for the Flush Watermain Project for the following be hereby authorized:

Construction Contract	\$207,619.00
Financing Costs	8,201.00
Administration & Overhead Costs	<u>2,180.00</u>
Net Amount to be Debentured	\$218,000.00

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 \$218,000.00 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 29TH DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

cc
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-109

**A BY-LAW TO AUTHORIZE THE
FIRE DEPARTMENT VEHICLE AND
EQUIPMENT REPLACEMENT 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 2013-239 at its Meeting held Monday, April 15, 2013, authorizing the Fire Department Vehicle and Equipment Replacement Program, being 2013 Community Services Capital Budget Project No. 6113FD, with a net debenture cost of \$404,976.00;

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

1. That the expenditure of \$404,976.00 for the Fire Department Vehicle and Equipment Replacement Program for the following be hereby authorized:

Vehicle and Equipment Replacement	\$490,476.00
Financing Costs	19,374.00
Administration and Overhead	5,150.00
2012 Pre-Approval By-Law 2012-216	<u>(110,024.00)</u>
Net Amount to be Debentured	\$ 404,976.00

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 \$404,976.00 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 29TH DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

cc
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-110

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
APRIL 15, 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 April 15, 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 29TH DAY OF APRIL, 2013.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-111

**A BY-LAW TO AUTHORIZE THE
SKI CLUB ROAD STORM SEWER**

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 2013-38 at its meeting held Monday, April 15, 2013, authorizing the Ski Club Road Storm Sewer for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.3110ST, 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 Ski Club Road Storm Sewer for the following be hereby authorized:

Purchase of Easement (as Per By-Law 2013-81)	\$165,940.00
Engineering, Construction & Project Management	310,250.00
Financing	<u>23,810.00</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 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 29TH DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

cc
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-113

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT OF PURCHASE AND SALE WITH 1890107 ONTARIO INC. RELATING TO A PORTION OF BLOCK 4, VODOO CRESCENT (AIRPORT INDUSTRIAL PARK)

WHEREAS the Agreement of Purchase and Sale with 1890107 Ontario Inc. for a portion of Block 4, Voodoo Crescent, (Airport Industrial Park) was approved by Resolution No. 2013-260 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 of Purchase and Sale dated the 28th day of March, 2013 with 1890107 Ontario Inc., relating to a portion of Block 4, Voodoo Crescent, (Airport Industrial Park).

2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement of Purchase and Sale between The Corporation of the City of North Bay and 1890107 Ontario Inc., and to affix thereto the Corporate seal.

3. That the Mayor, Clerk and City Solicitor of The Corporation of the City of North Bay are hereby authorized to execute such documents as may be reasonably required to complete the transfer. The City Solicitor has the authority to electronically sign for completeness and release any documents require to be registered on title.

READ A FIRST TIME IN OPEN COUNCIL THIS 29th DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF APRIL, 2013.

cc

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF APRIL, 2013.

MAYOR ALLAN McDONALD
W:\SOLICIT\RMS\107\2013\LANS\1890107\EXECUTION BY-LAW.DOC

CITY CLERK CATHERINE CONRAD

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CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-117

BEING A BY-LAW TO ESTABLISH DECREASE LIMITS FOR CERTAIN PROPERTY CLASSES FOR 2013 (AND TO REPEAL BY-LAW NO. 2013-93)

WHEREAS The Corporation of the City of North Bay may limit tax decreases for a taxation year pursuant to s.330. of the *Municipal Act, 2001*, S.O. 2001 c.25, as amended (hereinafter referred to as the "Act") in order to provide for the recovery of foregone revenue resulting from the application of s. 329 of the Act as modified by s.329.1 of the Act;

AND WHEREAS this by-law shall only apply to properties in a property class to which Part IX of the Act applies;

AND WHEREAS for the purposes of this by-law the commercial classes shall be considered a single property class and the industrial classes shall be deemed to be a single property class;

AND WHEREAS limits to tax decreases for any class may only be established in order to recover all or part of the foregone revenue in respect of the same property class;

AND WHEREAS Council authorized the by-law to establish decrease limits for certain property classes by Resolution No. 2013-___ passed on the 29th day of April 2013;

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

1. That pursuant to Section 330 of the *Municipal Act*, for the taxation year 2013, tax decreases for property in the following classes shall be subject to the following limitations:

Property Class	Percent Decrease Retained	Percent Decrease Claw back
The multi-residential property class	100%	0
The commercial property class	91.3801%	8.6199%
The industrial property class	100%	0

Where:

- a) *Percent Decreased Retained* means the proportion of an anticipated assessment related tax decrease that is passed through in accordance with Part IX of the Act, and
- b) Where *Percent Decrease Clawback* means the proportion of an anticipated assessment related tax decrease that is withheld in accordance with Part IX of the Act.

2. That this by-law shall come into force and take effect upon being passed.
3. That By-Law 2013-93 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 29th DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 29th DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29th DAY OF APRIL, 2013.

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-97

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON TROUT LAKE ROAD FROM A "DISTRICT
COMMERCIAL (C4)" ZONE TO "RESIDENTIAL MULTIPLE THIRD DENSITY
SPECIAL NO.129 (RM3 SP.129)" ZONE**

(Daniel Bryer and George Franko – 2677 Trout Lake 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 zoning 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 resolution on April 15, 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 Schedule "A" attached hereto (which property is more particularly described as Concession C, Part Lot 17, PINs #49146-0205 and 49146-0206) along Trout Lake Road in the City of North Bay from a "District Commercial (C4)" zone to a "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone.
- 2) All buildings or structures erected or altered and the use of land in such Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.129:

"11.2.129 "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone.

11.2.129.1 The property description of this Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone is Concession C, Part Lot 17, PINs #49146-0205 and 49146-0206 along Trout Lake Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-45".

11.2.131.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" except for the following uses:

- apartment dwellings;
- boarding, lodging and rooming house;
- Group Home Type 2;
- parks, playgrounds and associated non-profit uses;
- licenced day nurseries, churches, public schools other than trade schools;
- institutional uses;
- accessory home based business;
- accessory non-residential use under subsection 5.3.5; and
- all other uses permitted in a standard "residential multiple third Density (RM3)" zone.

11.2.131.2(b) The regulations for this "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" are as follows:

- i) The easterly side yard setback shall not be less than 3.0 metres

11.2.131.3 The use of land or building in this "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" as shown on Schedule "B" to this By-law.
- 5) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was

passed.

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

READ A FIRST TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

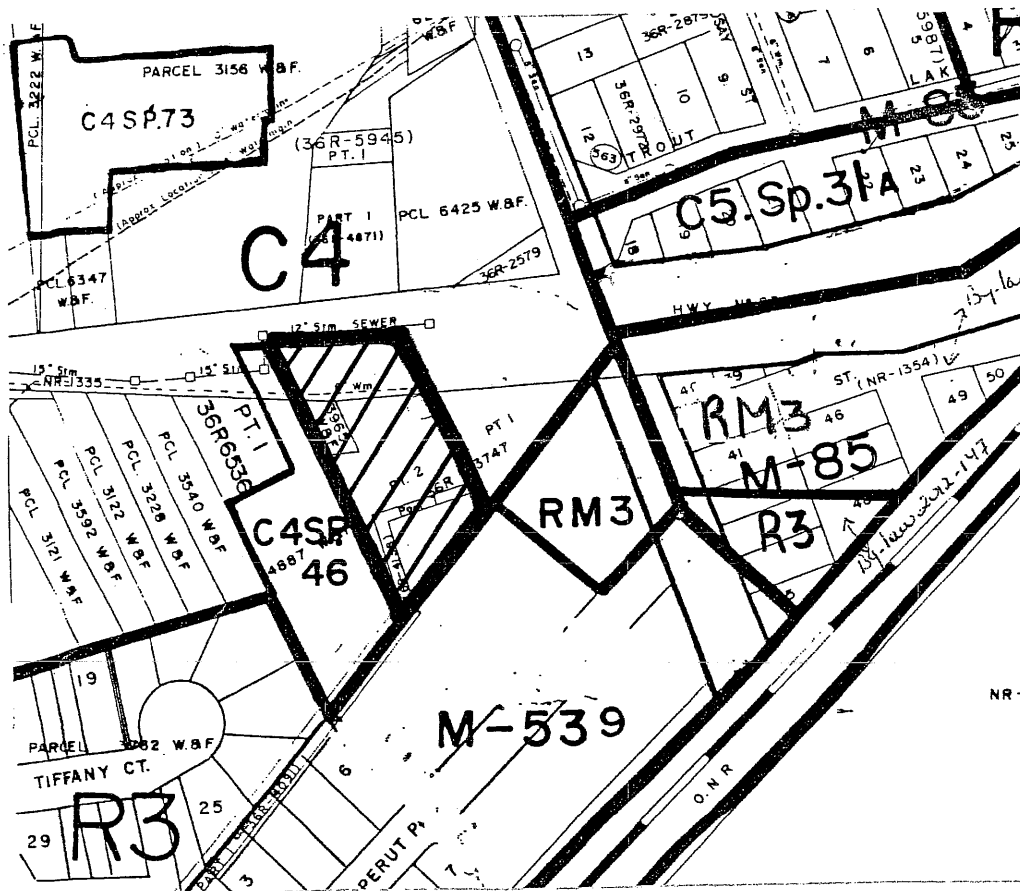
**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS DAY OF
2013.**


Mayor, Allan McDonald

City Clerk, Catherine Conrad

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment
From: "District Commercial (C4)"
To: "Residential Multiple Third Density Special No 129
(RM3 Sp. 129)"

This is Schedule "B"

To By-law No. 2013-97

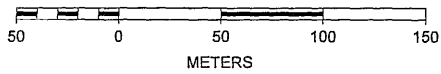
Passed the ___ day of _____ 2013

Mayor Allan McDonald

City Clerk Catherine Conrad




SCALE 1 : 2,852



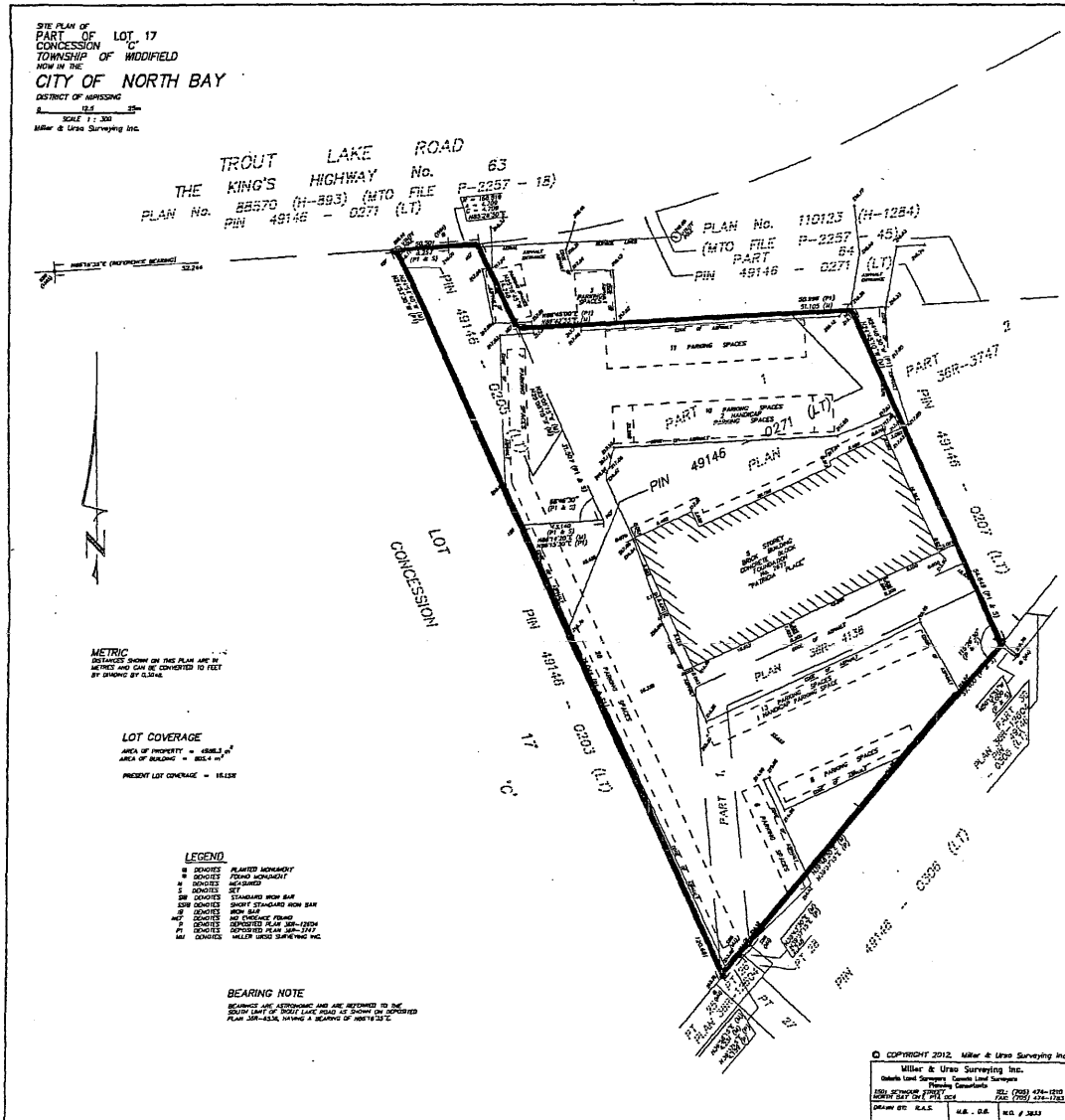
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 Zoning By-law Amendment
From: "District Commercial (C4)"
To: "Residential Multiple Third Density Special No 129
(RM3 Sp. 129)"

Mayor Allan McDonald

City Clerk Catherine Conrad



Zoning By-law Amendment
 From: "District Commercial (C4)"
 To: "Residential Multiple Third Density Special No 129 (RM3 Sp. 129)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-99

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON 2653 TROUT LAKE ROAD FROM A "DISTRICT COMMERCIAL (C4)" ZONE TO A "RESIDENTIAL MULTIPLE THIRD DENSITY (RM3)" ZONE

(TROUT LAKE MALL INC. - 2653 TROUT LAKE 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 resolution on Monday, April 15, 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 Schedule "A" attached hereto (which property is more particularly described as:

Firstly: Part Lot 17, Concession C Widdifield, North Bay in the District of Nipissing, PIN 49146-0201 (LT);

Secondly: Part Lot 17, Concession C Widdifield North Bay in the District of Nipissing, PIN 49146-0202 (LT);

Thirdly: Part Lot 17, Concession C Widdifield North Bay in the District of Nipissing, PIN 49164-0200 (LT)), shown as hatched on Schedule A attached hereto from a "District Commercial (C4)" zone to a "Residential Multiple Third Density (RM3)" zone.

2) All buildings or structures erected or altered and the use of land in such "Residential Multiple Third Density (RM3)" 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 notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS DAY OF
, 2013.**

Mayor, Allan McDonald

City Clerk, Catherine Conrad

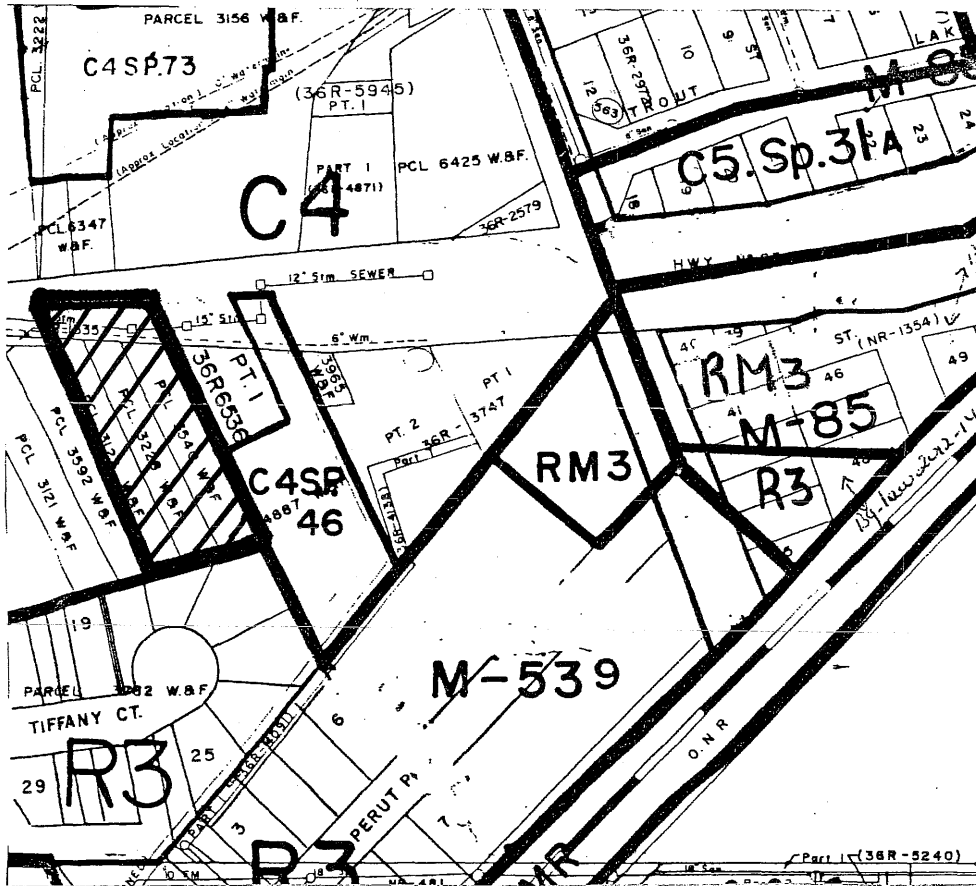
This is Schedule "A"


To By-law No. 2013-99

Passed the ___ day of _____ 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



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

This is Schedule "B"
To By-law No. 2013-99

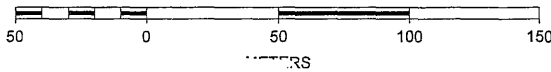
Passed the ___ day of _____ 2013


Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,228



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

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-101

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON LAKESHORE DRIVE FROM A "RESIDENTIAL HOLDING (RH)" ZONE, A "RESIDENTIAL SECOND DENSITY (R2)" ZONE AND A "TOURIST COMMERCIAL (C7)" ZONE TO "RESIDENTIAL THIRD DENSITY (R3)" ZONE AND A "RESIDENTIAL THIRD DENSITY HOLDING (R3H)" ZONE

Nu-North Developments Ltd. and Marcel Deschamps – Lakeshore Drive

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

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

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule "B-80" and "B-81" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 15, 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-80" and "B-81" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as:

Firstly: Part Lot 39, Concession 15, West Ferris, Parts 5, 6, 7 & 8, Plan 36R3950 North Bay, in the District of Nipissing, PIN 49175-0096 (LT);

Secondly: Part Lot 39, Concession 15, West Ferris, North Bay, in the District of Nipissing, PIN 49175-0101 (LT);

Thirdly: Part Lot 39, Concession 15, West Ferris, North Bay, in the District of Nipissing, PIN 49175-0103 (LT);

Fourthly: Part Lot 39, Concession 15, West Ferris, North Bay, in the District of Nipissing, PIN 49175-0104 (LT);

Fifthly: Part Lot 39, Concession 15, West Ferris, Parts 2, 3 & 4, Plan 36R4722, North Bay, in the District of Nipissing, PIN 49175-0106 (LT);

Sixthly: Part Lot 39, Concession 15, West Ferris, Parts 9, 10 & 11, Plan 36R3950, North Bay, in the District of Nipissing, PIN 49175-0108 (LT);

Seventhly: Lot 327, Plan M203, West Ferris, Lot 328, Plan M203, West Ferris, Part Lot 39, Concession 15, West Ferris, Parts 1 and 2, Plan NR40, North Bay, in the District of Nipissing, PIN 49175-0111 (LT);

Eighthly: Part Lot 328, Plan M203, West Ferris, Part Lot 329, Plan M203, West Ferris Part Lot 330, Plan M203, West Ferris, Part Lot 39, Concession 15, West Ferris, Parts 1 and 2, Plan NR40, North Bay, in the District of Nipissing, PIN 49175-0113 (LT);

Ninthly: Lot 331, Plan M203, West Ferris, Part Lot 39, Concession 15, West Ferris North Bay, in the District of Nipissing, PIN 49175-0114 (LT);

Tenthly: Part Lot 39, Concession 15, West Ferris, Part 12, Plan 36R3950, North Bay, in the District of Nipissing, PIN 49175-0115 (LT),

shown as hatched on Schedule A attached hereto from a "Residential Holding (RH)", "Residential Second Density (R2)" and "Tourist Commercial (C7)" zones to a "Residential Third Density (R3)" zone and a "Residential Third Density Holding (R3H)" zone.

- 2) All buildings or structures erected or altered and the use of land in such "Residential Third Density (R3)" zone and a "Residential Third Density Holding (R3H)" 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 notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 29TH DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29TH DAY OF APRIL 2013.

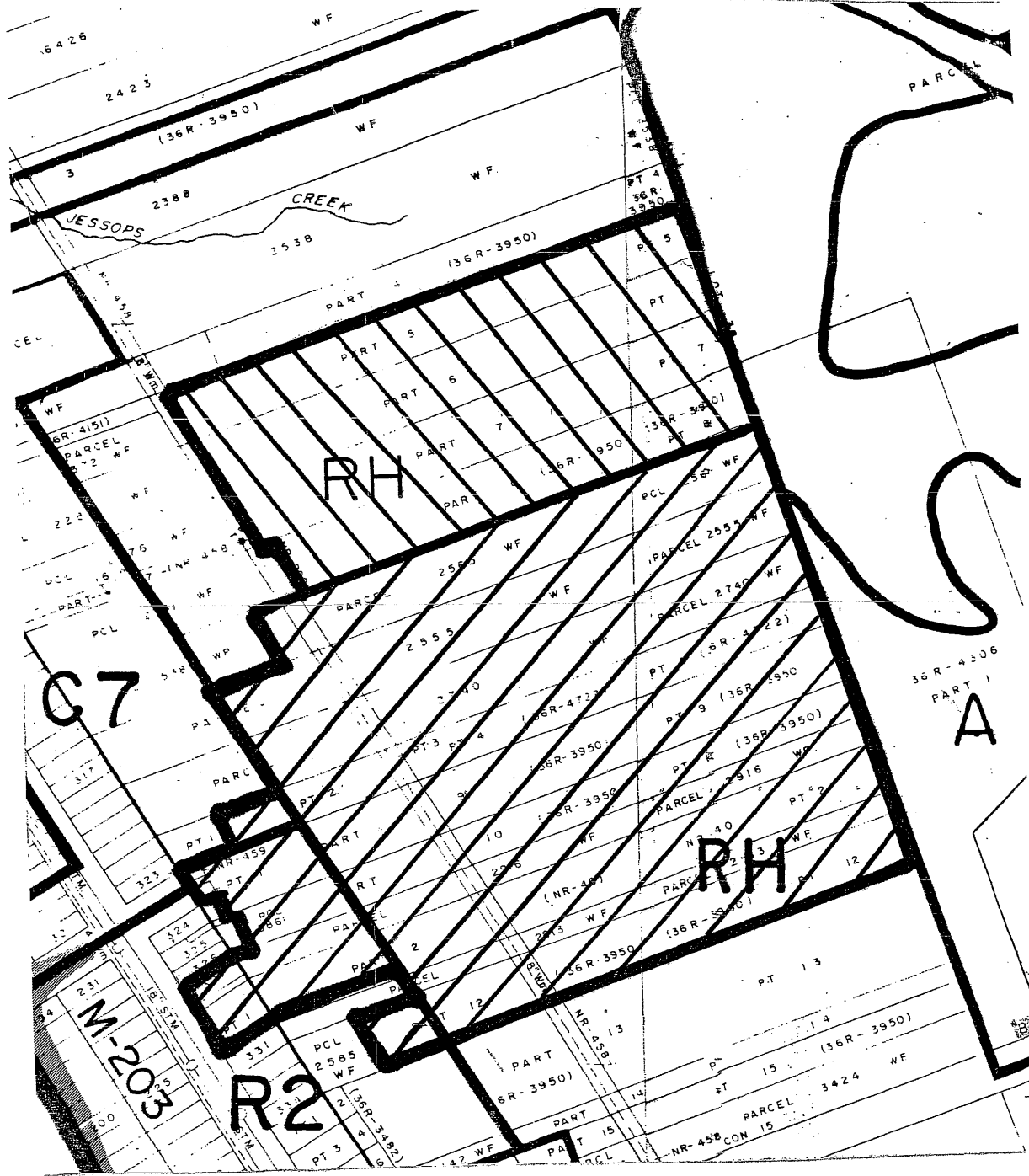
**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS DAY OF
2013.**


MAYOR, ALLAN MCDONALD


CITY CLERK, CATHERINE CONRAD

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment
 From: "Residential Holding (RH)", "Residential Second Density (R2)" & "Tourist Commercial (C7)"
 To: "Residential Third Density (R3)"

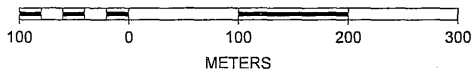
 Zoning By-law Amendment
 From: "Residential Holding (RH)"
 To: "Residential Third Density Holding (R3H)"


Mayor Allan McDonald


City Clerk Catherine Conrad



SCALE 1 : 5,279



 Zoning By-law Amendment
From: "Residential Holding (RH)", "Residential Second
Density (R2)" & "Tourist Commercial (C7)"
To: "Residential Third Density (R3)"

 Zoning By-law Amendment
From: "Residential Holding (RH)"
To: "Residential Third Density Holding (R3H)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-115

OFFICIAL PLAN AMENDMENT NO. 3

(DANIEL BRYER AND GEORGE FRANKO – 2677 TROUT LAKE ROAD)

WHEREAS the owner of the subject property has requested an amendment to the Official Plan of the North Bay Planning Area;

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 land use designation shown on Schedule "1" to the Official Plan of the North Bay Planning Area pursuant to Section 17 of the Planning Act R.S.O. 1990, as amended.

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

- 1) The attached Schedules and explanatory text constituting Amendment No.3 to the Official Plan of the City of North Bay Planning Area are hereby adopted.
- 2) The appendices constitute revisions to the appendices only of the Official Plan and shall not constitute part of this Amendment.
- 3)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 543/06 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 after the last day for filing an appeal.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day after the last day all appeals have been finally disposed of.

READ A FIRST TIME IN OPEN COUNCIL ON THE 29th DAY OF APRIL, 2013.

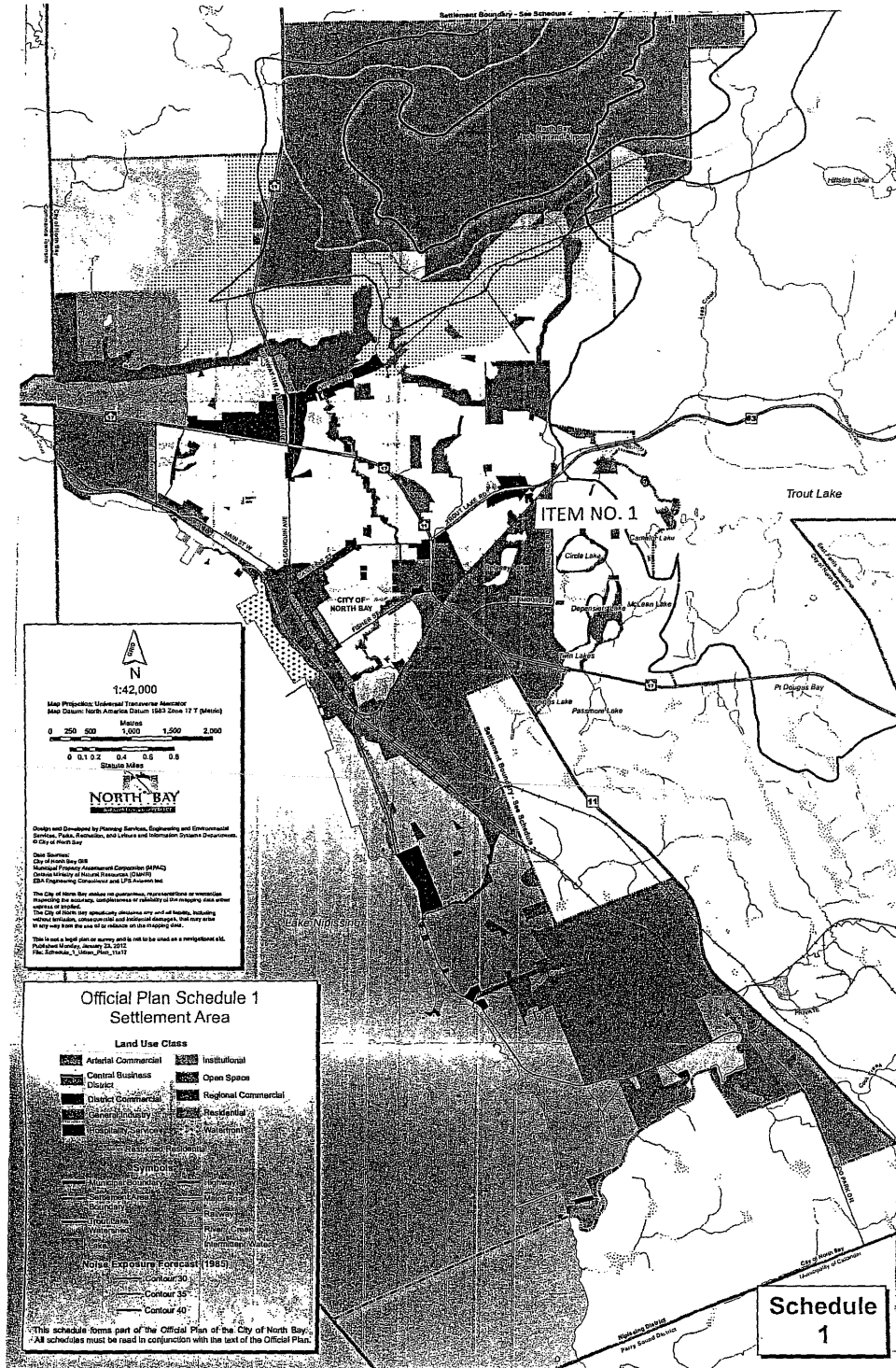
READ A SECOND TIME IN OPEN COUNCIL ON THE 29th DAY OF APRIL, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED ON THE _____ DAY OF _____, 2013.

Mayor Allan McDonald

City Clerk Catherine Conrad

SCHEDULE 3-A



**THE CORPORATION OF THE CITY OF NORTH BAY
BY-LAW NO. 2013-116
OFFICIAL PLAN AMENDMENT NO. 4
(TROUT LAKE MALL INC - 2653 TROUT LAKE ROAD)**

WHEREAS the owner of the subject property has requested an amendment to the Official Plan of the North Bay Planning Area;

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 land use designation shown on Schedule "1" to the Official Plan of the North Bay Planning Area pursuant to Section 17 of the Planning Act R.S.O. 1990.

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

- 1) The attached Schedules and explanatory text constituting Amendment No.4 to the Official Plan of the City of North Bay Planning Area are hereby adopted.
- 2) The appendices constitute revisions to the appendices only of the Official Plan and shall not constitute part of this Amendment.
- 3) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 543/06 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 after the last day for filing an appeal
- c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day after the last day all appeals have been finally disposed of.

READ A FIRST TIME IN OPEN COUNCIL ON THE 29th DAY OF APRIL, 2013.

READ A SECOND TIME IN OPEN COUNCIL ON THE 29th DAY OF APRIL, 2013.

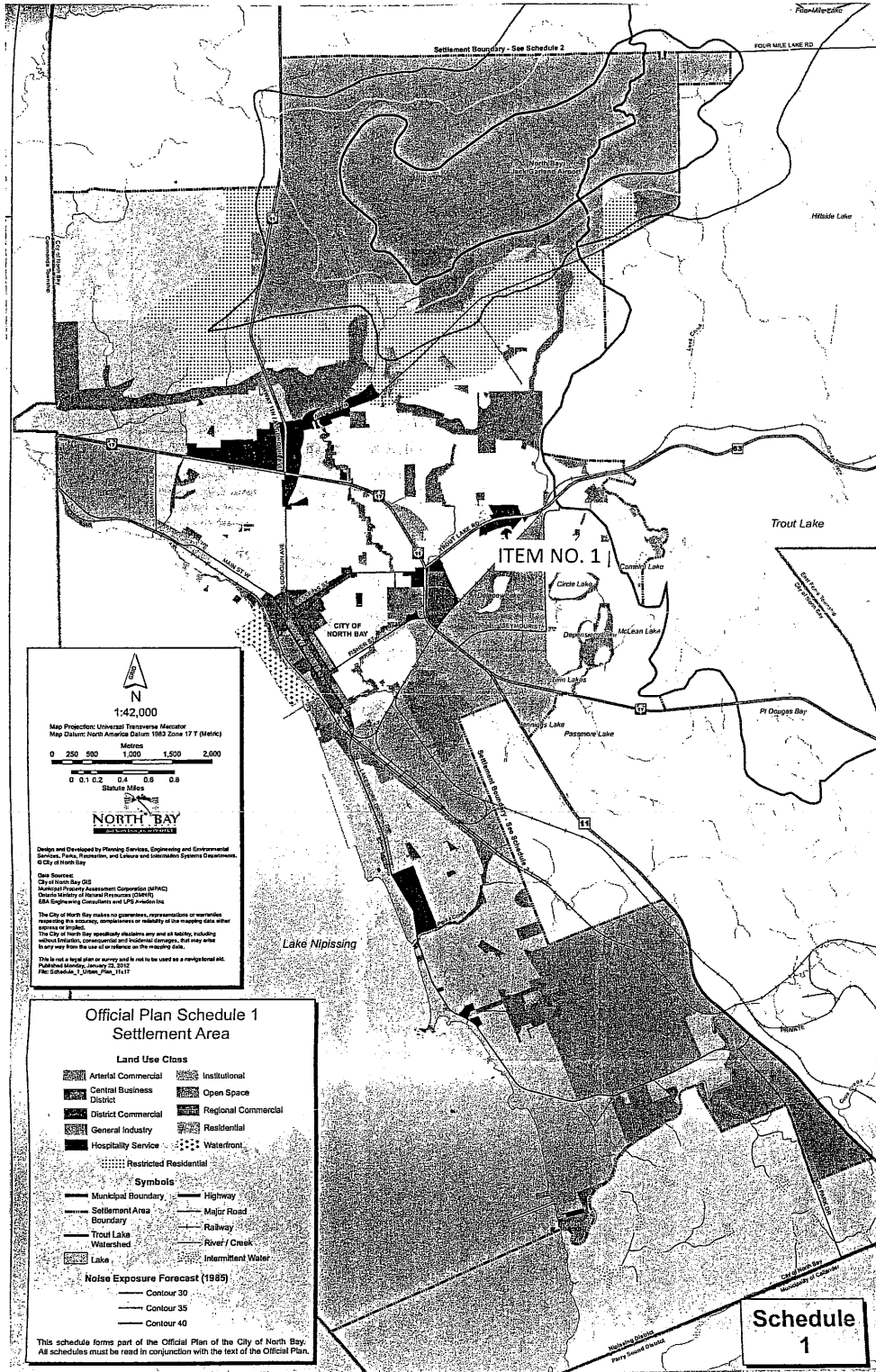
READ A THIRD TIME IN OPEN COUNCIL AND PASSED ON THE _____ DAY OF

_____, **2013.**

Mayor Allan McDonald

City Clerk Catherine Conrad

SCHEDULE 4-A



PL
THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-41

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON 152 GREENWOOD AVENUE FROM A "RESIDENTIAL THIRD DENSITY (R3)" ZONE TO A "RESIDENTIAL FIFTH DENSITY SPECIAL NO. 131 (R5 Sp.131)" ZONE

(Conseil Scolaire Catholique Franco-Nord – 152 Greenwood Avenue)

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

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

AND WHEREAS it is deemed desirable to amend the zoning designation shown on Schedule "B-42" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 29, 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-42" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Lots 288-291, Lots 318-321, and part of Laneway abutting Lots 288-291 and 318-321, Registered Plan No. 86, PIN 49159-0030 (LT) in the City of North Bay in the District of Nipissing, along 152 Greenwood Avenue in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.131:

"11.2.131 "Residential Fifth Density Special No. 131 (R5 Sp.131)"

11.2.131.1 The property description of this Residential Fifth Density Special No. 131 (R5 Sp.131) zone is Registered Plan Number 86, Lots 288-291 and Lots 318-321, PIN 49159-0030 (LT) in the former Township of Widdifield in the City of North Bay along 152 Greenwood Avenue in the City of North Bay as shown on the attached Schedule and on Schedule "B-42".

11.2.131.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Fifth Density Special No. 131 (R5 Sp.131)" except for the following uses:

- single detached dwelling;
- semi-detached dwelling;
- Group Home Type 1;
- accessory home based businesses;
- parks, playgrounds & non-profit uses; and
- institutional uses.

11.2.131.2(b) The regulations for this "Residential Fifth Density Special No. 131 (R5 Sp.131)" are as follows:

- i) Maximum Lot Coverage shall be 40%.

11.2.131.3 The use of land or building in this "Residential Fifth Density Special No. 131 (R5 Sp.131)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Fifth Density Special No. 131 (R5 Sp.131)" as shown on Schedule "B" to this By-law.
- 5) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.

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

READ A FIRST TIME IN OPEN COUNCIL THE 29TH DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29TH DAY OF APRIL 2013.

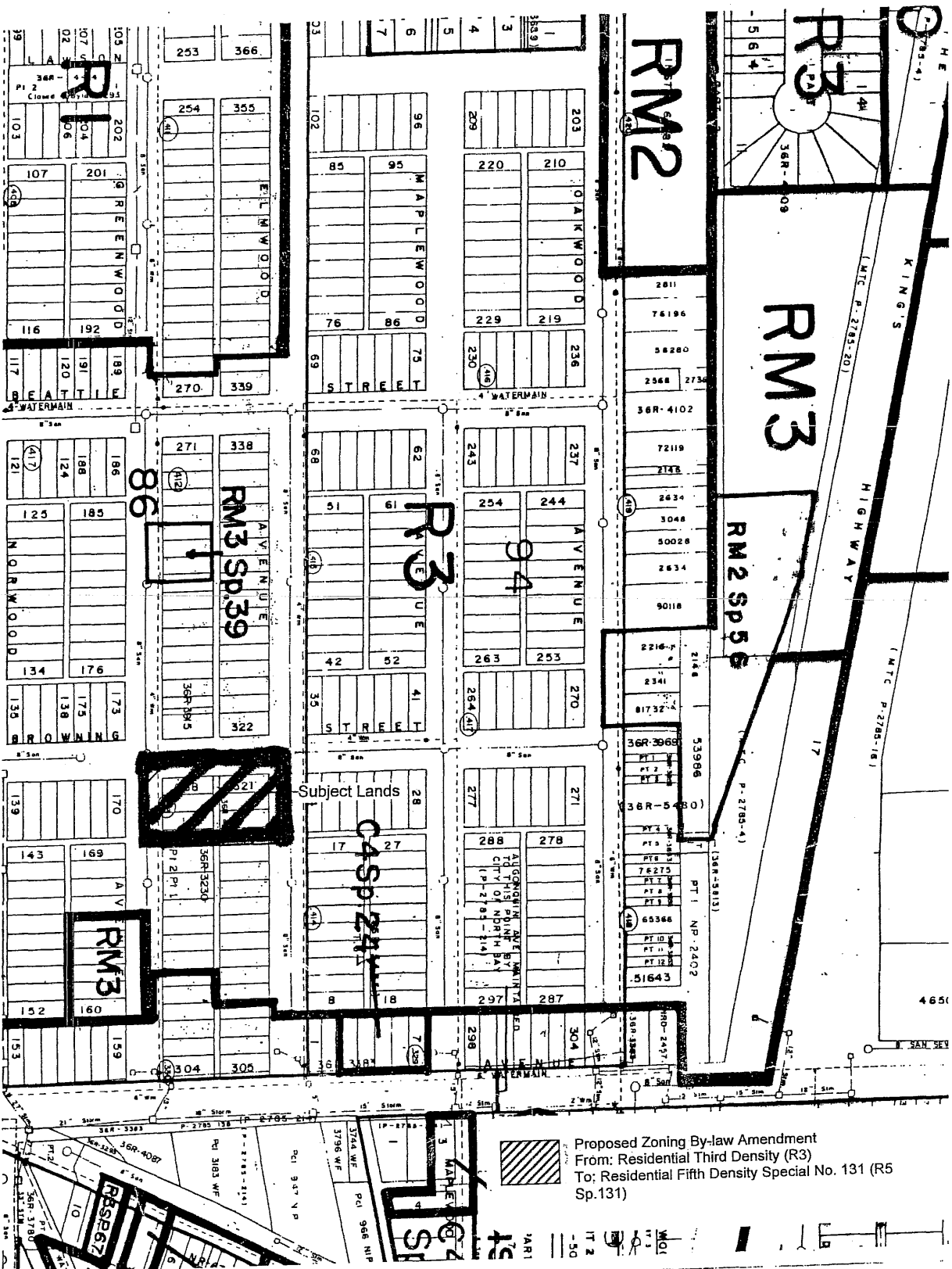
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29th DAY OF APRIL 2013.


Mayor, Allan McDonald

City Clerk, Catherine Conrad

Mayor, Allan McDonald

City Clerk, Catherine Conrad




 Proposed Zoning By-law Amendment
 From: Residential Third Density (R3)
 To: Residential Fifth Density Special No. 131 (R5 Sp.131)

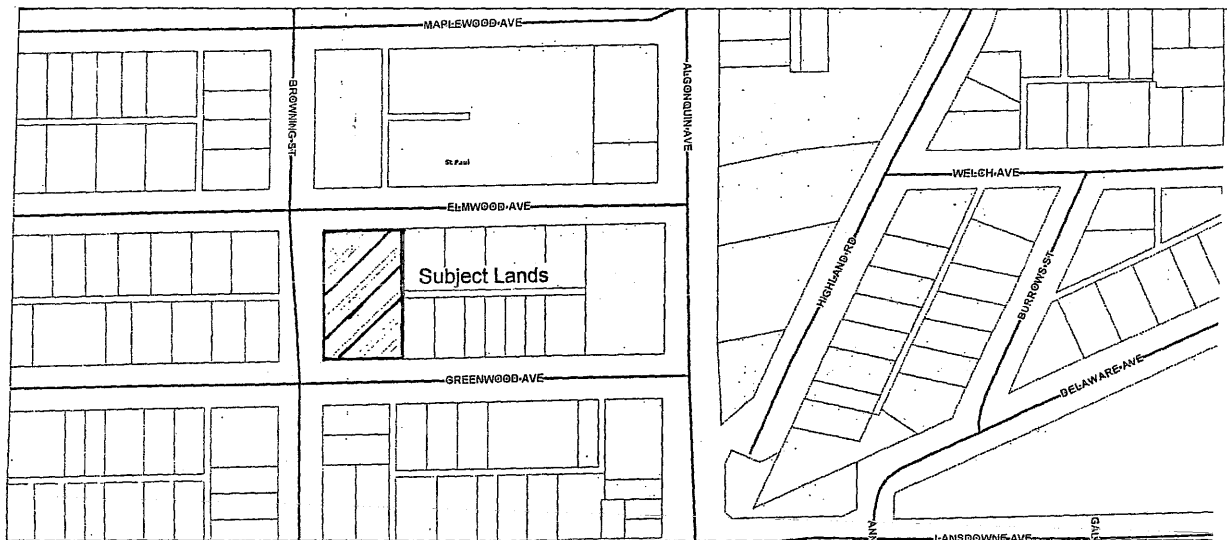
This is Schedule "B"

To By-law No. 2013-041

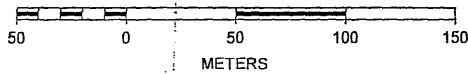
Passed the 29th day of APRIL 2013


Mayor, Allan McDonald

City Clerk, Catherine Conrad



SCALE 1 : 2,644



 Proposed Zoning By-law Amendment
From: Residential Third Density (R3)
To: Residential Fifth Density Special No. 131 (R5 Sp.131)

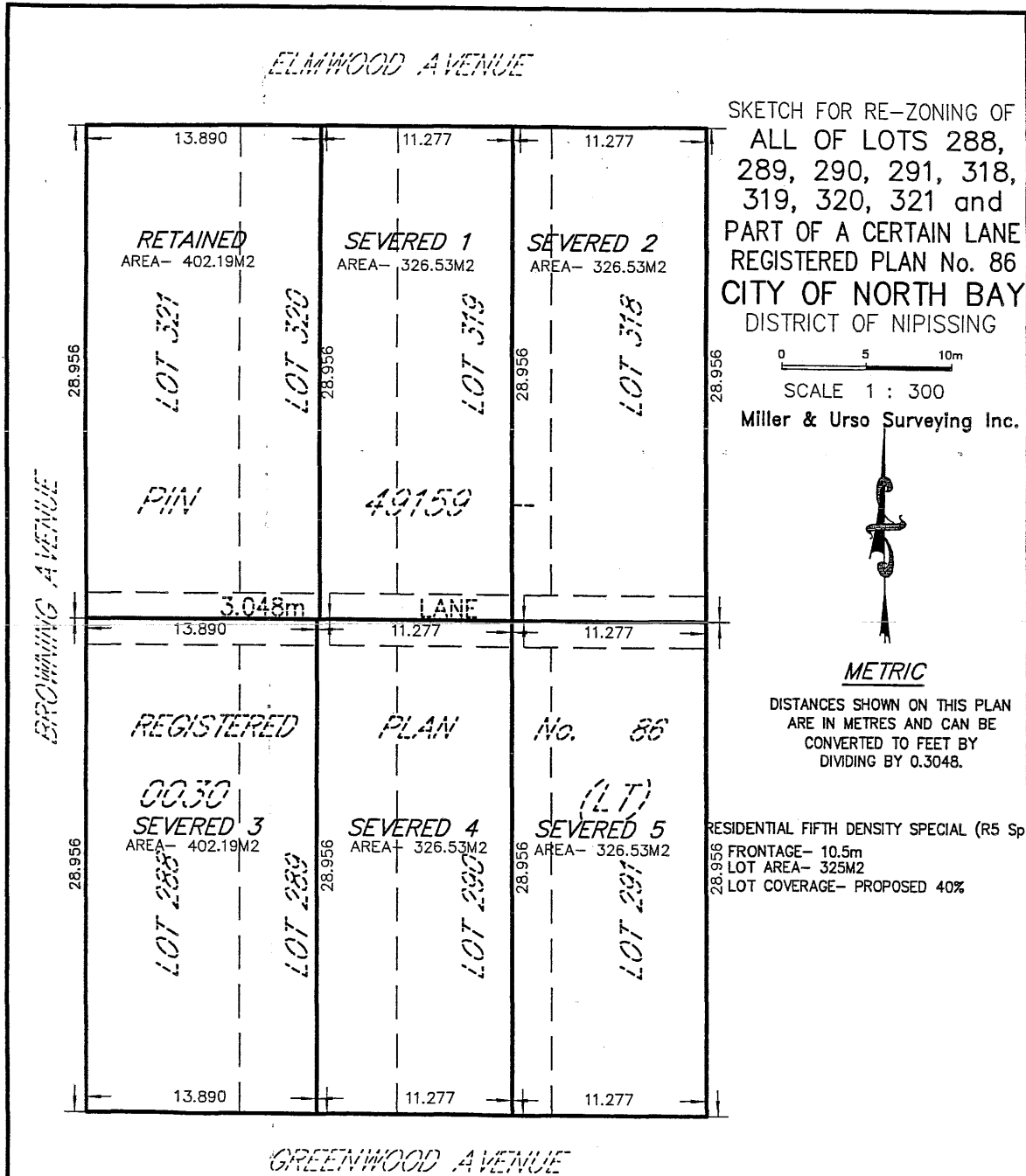
This is Schedule "C"

To By-law No. 2013-041

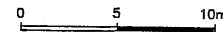
Passed the 29th day of APRIL 2013

Mayor, Allan McDonald

City Clerk, Catherine Conrad



SKETCH FOR RE-ZONING OF
ALL OF LOTS 288,
289, 290, 291, 318,
319, 320, 321 and
PART OF A CERTAIN LANE
REGISTERED PLAN No. 86
CITY OF NORTH BAY
DISTRICT OF NIPISSING



SCALE 1 : 300

Miller & Urso Surveying Inc.

METRIC

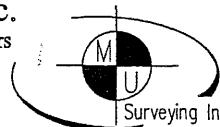
DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET BY
DIVIDING BY 0.3048.

RESIDENTIAL FIFTH DENSITY SPECIAL (R5 Sp
FRONTAGE- 10.5m
LOT AREA- 325M²
LOT COVERAGE- PROPOSED 40%

Miller & Urso Surveying Inc.

Ontario Land Surveyors • Canada Land Surveyors
Project Managers • Planning Consultants

1501 SEYMOUR STREET NORTH BAY ON P1A 0C5
TEL: (705) 474-1210 FAX: (705) 474-1783



Surveying Inc.

r ✓

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-42

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON 152 GREENWOOD AVENUE**

(Conseil Scolaire Catholique Franco-Nord – 152 Greenwood Avenue)

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

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

AND WHEREAS Council intends to pass By-law No. 2013-41 to rezone the subject lands to a "Residential Fifth Density Special No. 131 (R5 Sp.131)" zone to permit Residential Development.

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

- 1) That certain parcel of land composed of Lots 288-291, Lots 318-321, and part of Laneway abutting Lots 288-291 and 318-321, Registered Plan No. 86, PIN 49159-0030 (LT) in the City of North Bay in the District of Nipissing, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval the owner agrees to provide a storm water management plan which shall include a lot grading plan for the subject property. Said storm water management plan and any resulting alteration to the subject lands shall occur to the satisfaction of the City Engineer and at no expense to the City of North Bay.
- 4) As a condition of approval the owner agrees to provide adequate water for fire fighting purposes to the satisfaction of, and at no expense to, the City of North Bay.

- 5) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
- a) Parking facilities and access driveways and the surfacing of such areas and driveways;
 - b) walkways and the surfacing thereof;
 - c) facilities for lighting, including floodlighting;
 - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
 - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
 - g) adequate water supply for fire fighting purposes; and
 - h) play space development, location and equipment installation.
- 6) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more Agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$1,300 upon the owner for preparation of the Agreement.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 7) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.

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

READ A FIRST TIME IN OPEN COUNCIL THE 29TH DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29TH DAY OF APRIL 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29TH DAY OF APRIL 2013.

Mayor, Allan McDonald

City Clerk, Catherine Conrad

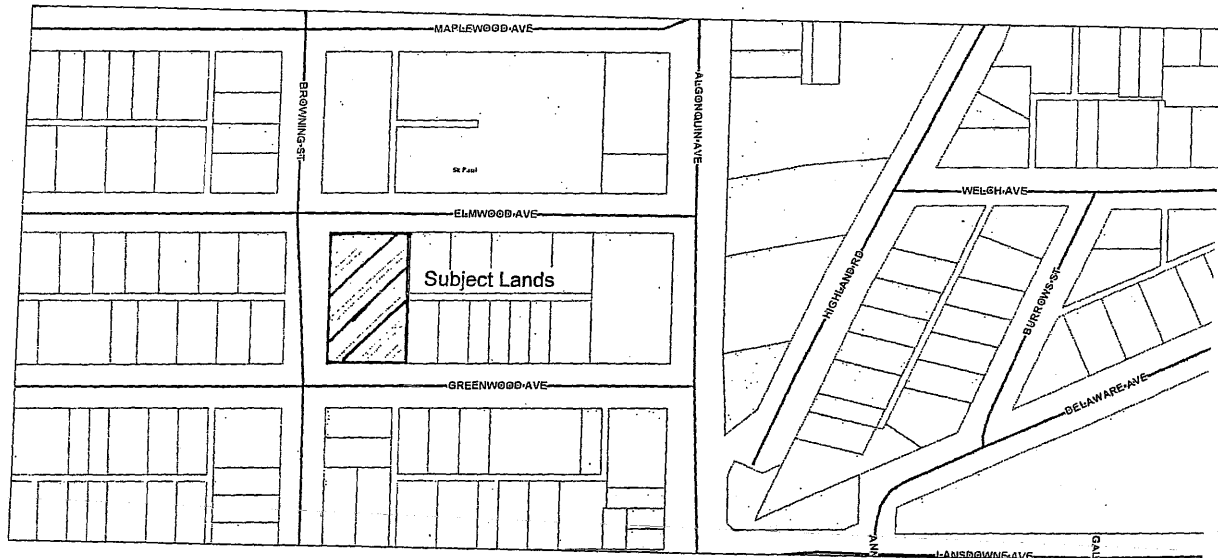
This is Schedule "A"

To By-law No. 2013-042

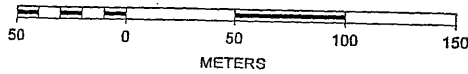
Passed the 29TH day of APRIL 2013

Mayor, Allan McDonald

City Clerk, Catherine Conrad



SCALE 1 : 2,644



Proposed Zoning By-law Amendment
From: Residential Third Density (R3)
To: Residential Fifth Density Special No. 131 (R5 Sp.131)

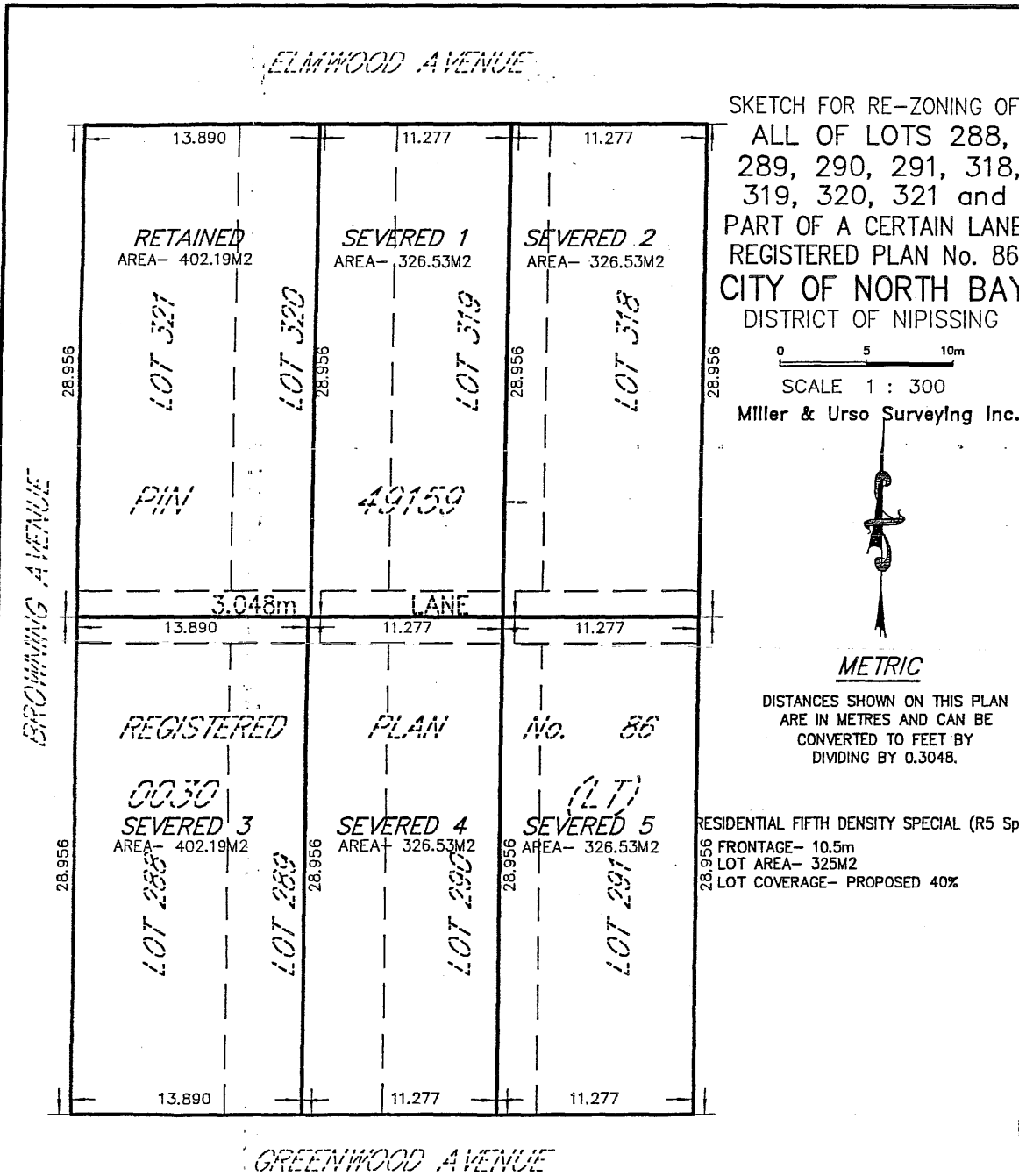
This is Schedule "B"

To By-law No. 2013-042

Passed the 29TH day of APRIL 2013

Mayor, Allan McDonald

City Clerk, Catherine Conrad



SKETCH FOR RE-ZONING OF
 ALL OF LOTS 288,
 289, 290, 291, 318,
 319, 320, 321 and
 PART OF A CERTAIN LANE
 REGISTERED PLAN No. 86
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING

0 5 10m

SCALE 1 : 300

Miller & Urso Surveying Inc.



METRIC

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

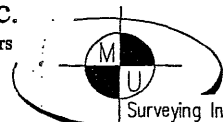
RESIDENTIAL FIFTH DENSITY SPECIAL (R5 Sp
 28.956 FRONTAGE- 10.5m
 28.956 LOT AREA- 325M2
 28.956 LOT COVERAGE- PROPOSED 40%

Miller & Urso Surveying Inc.

Ontario Land Surveyors • Canada Land Surveyors
 Project Managers • Planning Consultants

1501 SEYMOUR STREET NORTH BAY ON P1A 0C5

TEL: (705) 474-1210 FAX: (705) 474-1783



Surveying Inc.

THE CORPORATION OF THE CITY OF NORTH BAY**BY-LAW NO. 2013-98****A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON TROUT LAKE ROAD
(Daniel Bryer and George Franko – 2677 Trout Lake Road)**

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

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

AND WHEREAS Council intends to pass By-law No. 2013-97 to rezone the subject lands to a "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone to permit commercial development on the ground floor of an existing apartment dwelling unit.

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

- 1) That certain parcel of land composed of Concession C, Part Lot 17, PINs #49146-0205 and 49146-0206 in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval the owner agrees to provide adequate water for fire fighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 4) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into a Site Plan Control Agreement (hereafter referred to as the "Agreement") with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
 - a) parking facilities and access driveways and the surfacing of such areas and driveways;
 - b) walkways and the surfacing thereof;

- c) facilities for lighting, including floodlighting;
 - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
 - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
 - g) adequate water supply for fire fighting purposes; and
 - h) play space development, location and equipment installation.
- 6) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$1,800 upon the owner for preparation.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 7) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 446 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this Agreement.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29th DAY OF
APRIL 2013.**

Mayor, Allan McDonald

City Clerk, Catherine Conrad

This is Schedule "A"

To By-law No. 2013-98

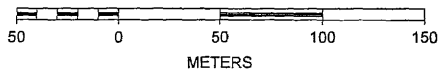
Passed the 29th day of APRIL 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,852



Zoning By-law Amendment
From: "District Commercial (C4)"
To: "Residential Multiple Third Density Special No 129
(RM3 Sp. 129)"

BY-LAW NO. 2013-100

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON 2653 TROUT LAKE ROAD
(TROUT LAKE MALL INC.)**

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

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

AND WHEREAS Council intends to pass By-law No. **2013-99** to rezone the subject lands to a "Residential Multiple Third Density (RM3)" to permit the construction of an Apartment Building.

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

- 1) That certain parcel of land composed of:
 - Firstly: Part Lot 17, Concession C Widdifield, North Bay in the District of Nipissing, PIN 49146-0201 (LT);
 - Secondly: Part Lot 17, Concession C Widdifield North Bay in the District of Nipissing, PIN 49146-0202 (LT);
 - Thirdly: Part Lot 17, Concession C Widdifield North Bay in the District of Nipissing, PIN 49164-0200 (LT).
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval the owner agrees to provide a storm water management plan which shall include a lot grading plan for the subject property. Said storm water management plan and any resulting alteration to the subject lands shall occur to the satisfaction of the City Engineer and at no expense to the City of North Bay.
- 4) As a condition of approval the owner agrees to provide adequate water for fire fighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 5) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on said

Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement (hereafter referred to as the "Agreement") with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:

- a) parking facilities and access driveways and the surfacing of such areas and driveways;
 - b) walkways and the surfacing thereof;
 - c) facilities for lighting, including floodlighting;
 - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
 - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
 - g) adequate water supply for fire fighting purposes; and
 - h) play space development, location and equipment installation.
- 6) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$1800 upon the owner for preparation.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 7) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 446 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this Agreement.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29th DAY OF
APRIL 2013.**

Mayor, Allan McDonald

City Clerk, Catherine Conrad

This is Schedule "A"
To By-law No. 2013-100

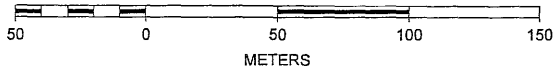
Passed the 29TH day of APRIL 2013


Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,228



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

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-94

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON HIGH STREET FROM A "RESIDENTIAL THIRD DENSITY (R3)" ZONE TO "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL NO. 130 (RM3 Sp. 130)" ZONE**(Tim Falconi & Carlo Guido – 715 High Street)**

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

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

AND WHEREAS it is deemed desirable to amend the zoning designation shown on Schedule "B-42" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 15, 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-42" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Registered Plan No. M-28, Part of Lot 29, PIN 49156-0605(LT) in the City of North Bay), shown as hatched on Schedule A attached hereto from a "Residential Third Density (R3)" zone to a "Residential Multiple Third Density Special Zone No. 130 (RM3 Sp.130)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Multiple Third Density Special Zone No. 130 (RM3 Sp.130)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.130:
 - "11.2.130 "Residential Multiple Third Density Special No. 130 (RM3 Sp. 130) zone"
 - 11.2.130.1 The property description of this "Residential Multiple Third Density Special No. 130 (RM3 Sp.130)" zone is Registered Plan No. M-28, Part of Lot 29, PIN 49156-0605(LT) along High Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-42".
 - 11.2.130.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Third Density Special Zone No. 130 (RM3 Sp.130)" zone except as may be permitted in a standard "Residential Multiple Third Density (RM3)" zone.
 - 11.2.130.2(b) The regulations for this "Residential Multiple Third Density Special Zone No. 130 (RM3 Sp.130)" are as follows:
 - i) Minimum Lot Frontage shall be 19 metres;

- ii) Maximum Gross Floor Area as a Percentage of Lot Coverage shall be 86%;
- iii) Minimum Parking requirements shall be one (1) space per unit;
- iv) Minimum Front Yard Setback shall be 4.7 metres;
- v) Minimum Rear Yard Setback shall be 7.5 metres;
- vi) Minimum Exterior Side Yard Setback shall be 4.9 metres;
- vii) Minimum Interior Yard Setback shall be 1.6 metres;
- ix) Minimum Separation between Playspace and Main Building shall be 3.5 metres; and
- ix) Minimum Landscaping Width for Side & Rear Lot Lines and Building Wall shall be 0 metres.

11.2.130.3 The use of land or building in this "Residential Multiple Third Density Special Zone No. 130 (RM3 Sp.130)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple Third Density Special Zone No. 130 (RM3 Sp.130)" zone as shown on Schedule "B" to this By-law.
- 5)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 15th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 15th DAY OF APRIL 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29TH DAY OF APRIL 2013.

Mayor, Allan McDonald

City Clerk, Catherine Conrad

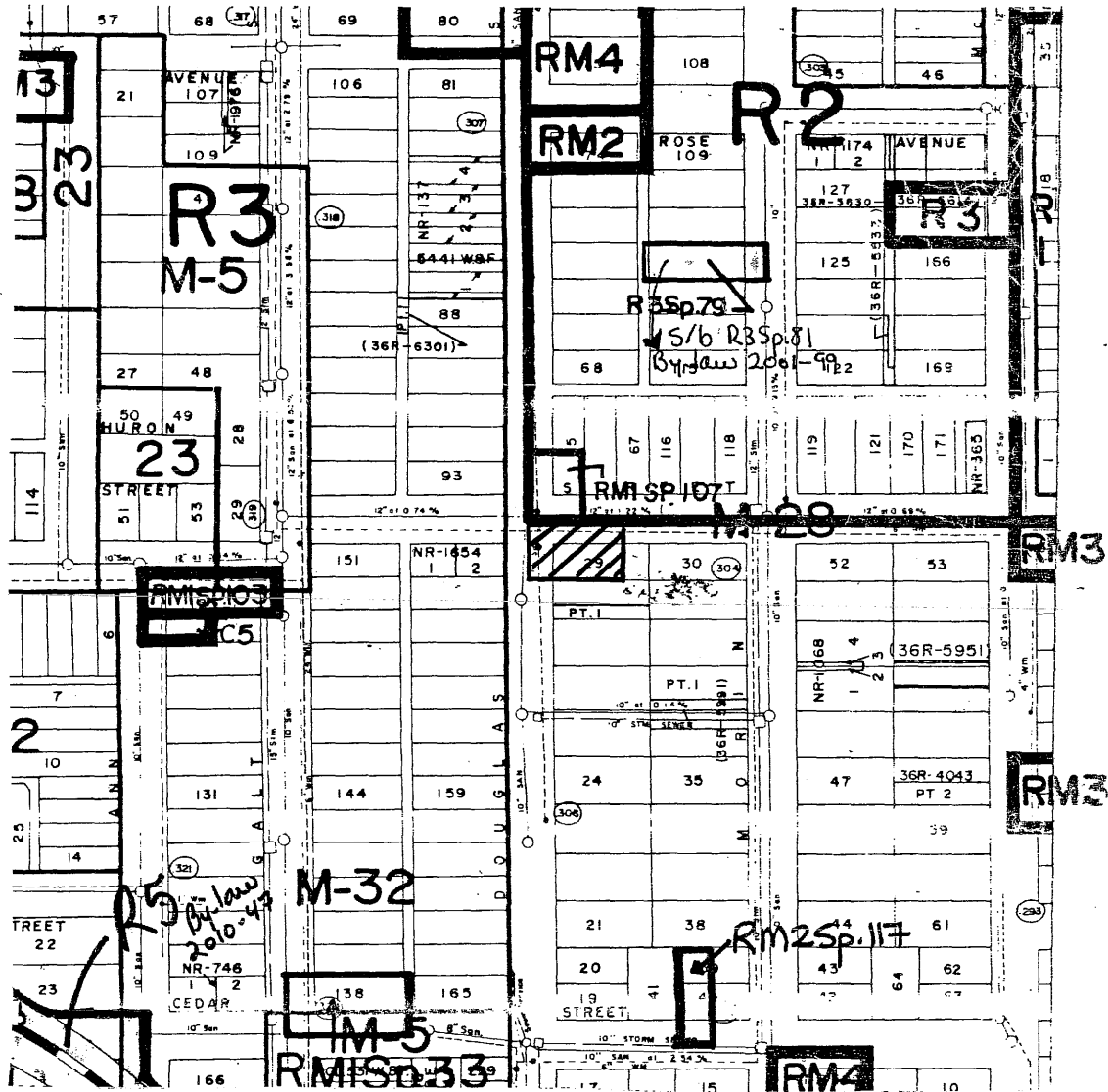
This is Schedule "A"


To By-law No. 2013-94

Passed the 29 day of APRIL 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple Third Density Special No.130
(RM3 Sp. 130)"

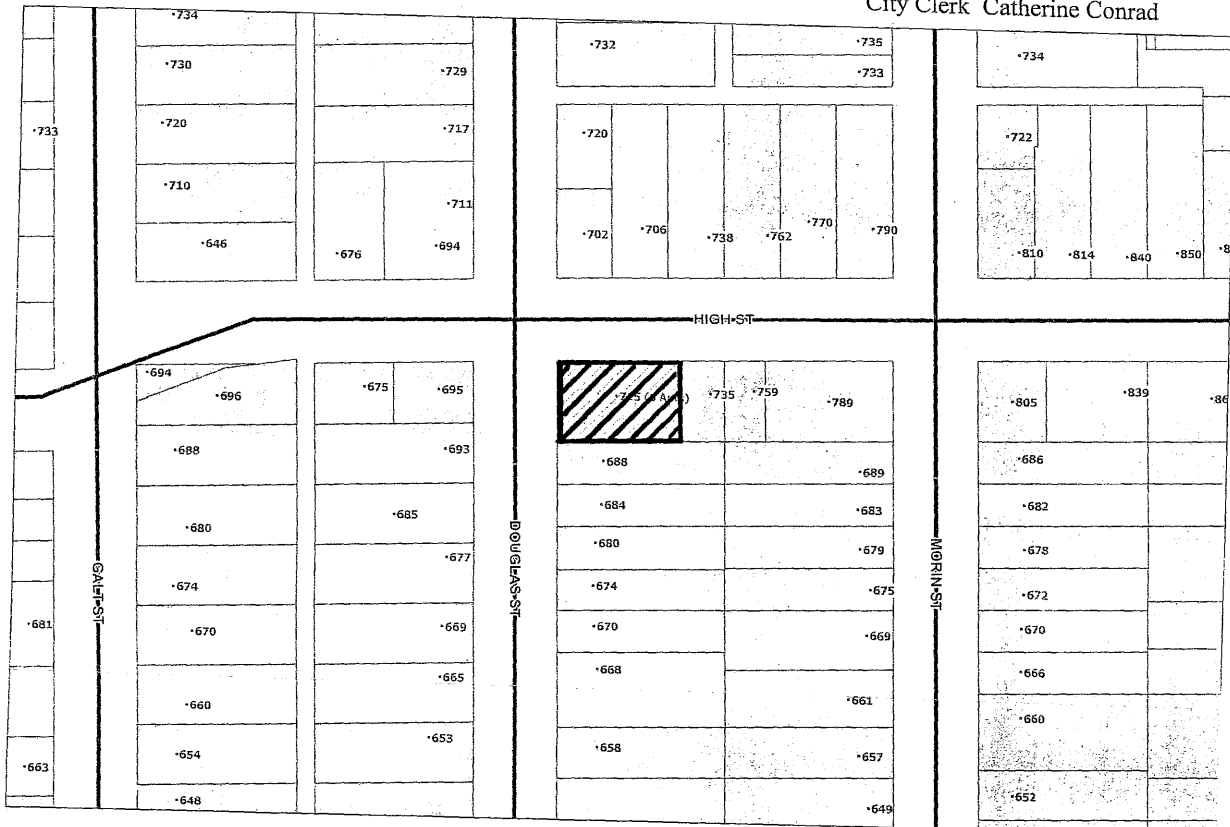
This is Schedule "B"

To By-law No. 2013-94

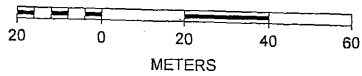
Passed the 29 day of APRIL 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



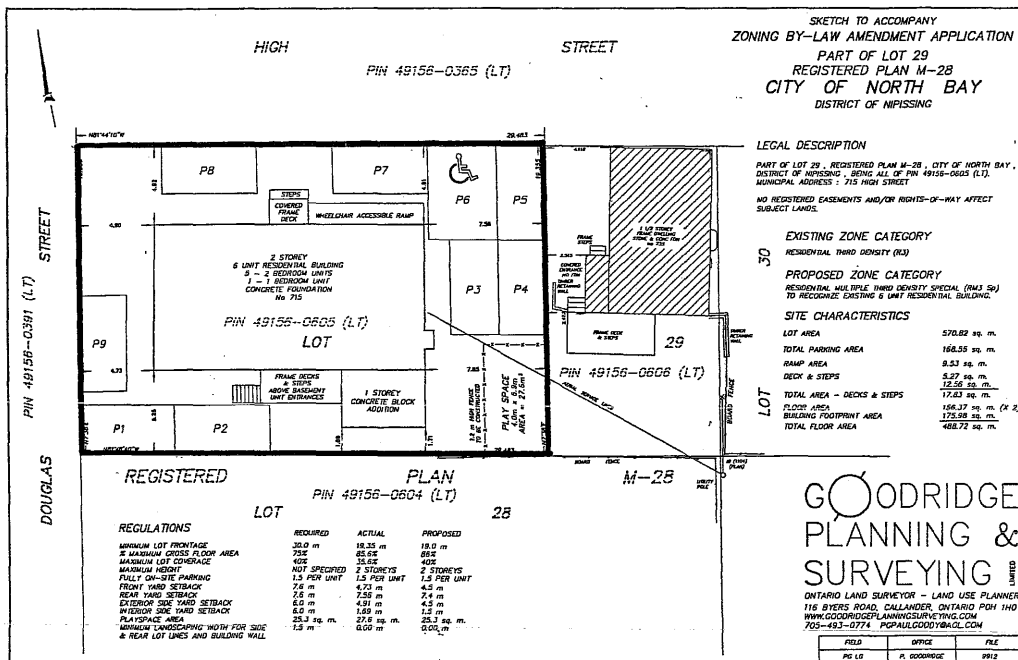
SCALE 1 : 1,397



Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple Third Density Special No.130
(RM3 Sp. 130)"

Mayor Allan McDonald

City Clerk Catherine Conrad



Zoning By-law Amendment
 From: "Residential Third Density (R3)"
 To: "Residential Multiple Third Density Special No.130 (RM3 Sp. 130)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-96

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE
CERTAIN LANDS ON CARMICHAEL DRIVE FROM A "RURAL (A)" ZONE
TO A "RESIDENTIAL FIRST DENSITY (R1)" ZONE

(Paul William Turcotte – 295 Carmichael Drive)

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

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

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule "C-6" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 15, 2013 to approve this rezoning.

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

- 1) Schedule "C-6" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Concession A, Part of Lot 16, Remainder of Parcel 4418 WF, PIN #49127-0466 in the City of North Bay), shown as hatched on Schedule A attached hereto from a "Rural (A)" zone to a "Residential First Density (R1)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential First Density (R1)" 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 notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 15th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 15th DAY OF APRIL 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29TH DAY OF
APRIL 2013.

Mayor, Allan McDonald

City Clerk, Catherine Conrad

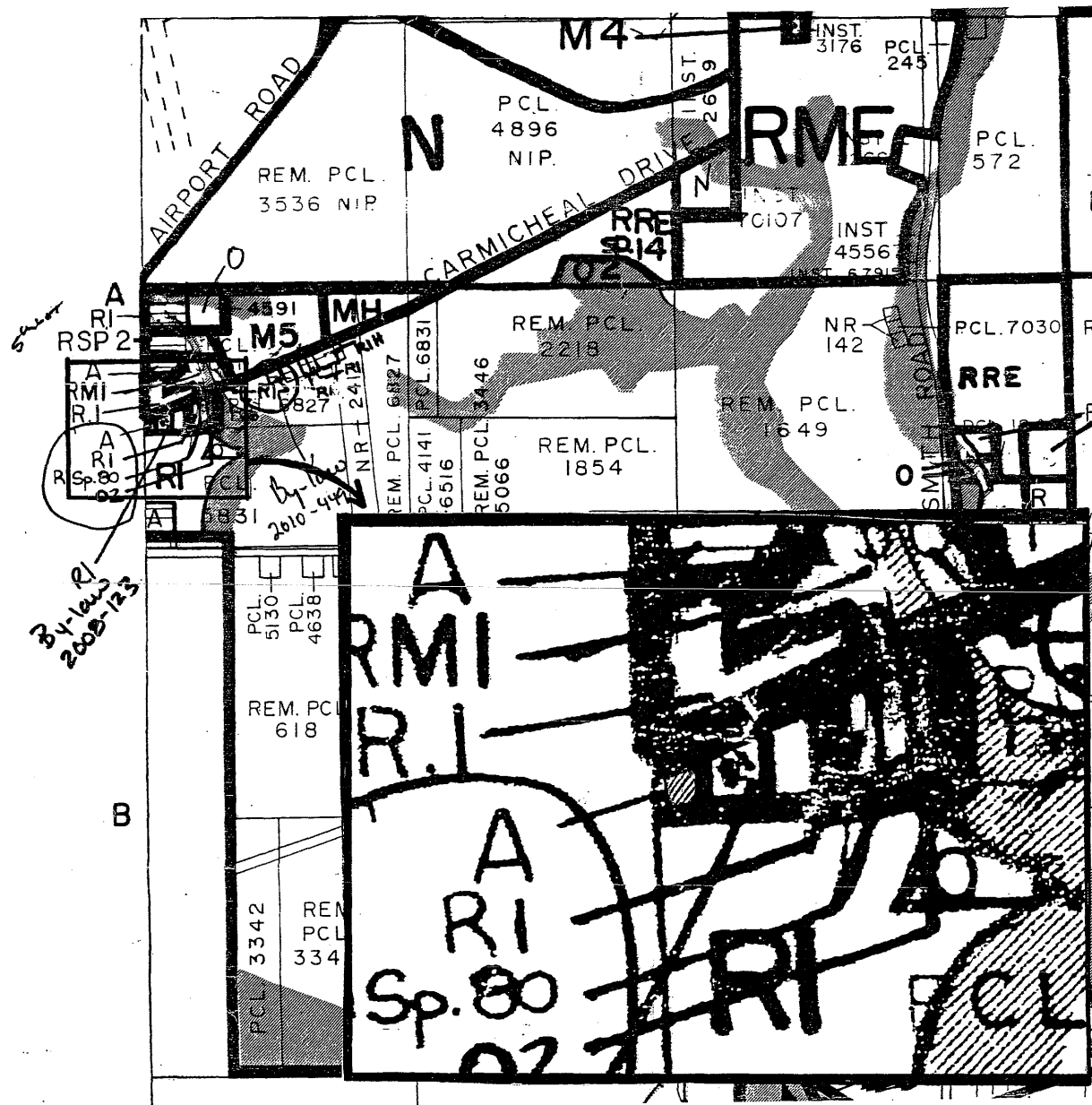
This is Schedule "A"


To By-law No. 2013-96

Passed the 29TH day of APRIL 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment
 From: "Rural (A)"
 To: "Residential First Density (R1)"

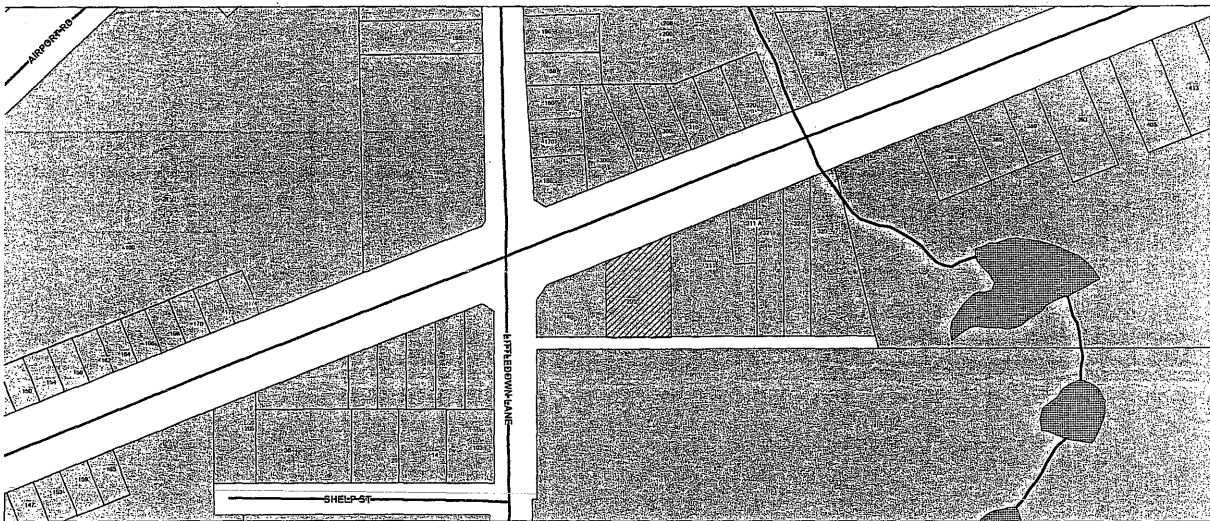
This is Schedule "B"

To By-law No. 2013-96

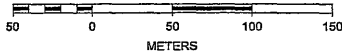
Passed the 29th day of APRIL 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,817



Zoning By-law Amendment
From: "Rural (A)"
To: "Residential First Density (R1)"

ADDENDUM

TO THE MEETING OF
APRIL 29, 2013

MOTIONS:

Councillor Vaillancourt

re Smoking – Commercial Establishment Patios

MOTION

North Bay, ON April 29, 2013

Subject: Smoking – Commercial Establishment Patios

File No.

Res. No. 2013 - _____

Moved by Councillor: VAILLANCOURT

Seconded by Councillor: MENDICINO

WHEREAS through Resolution No. 2011-556, North Bay City Council directed staff to undertake a review of smoking at commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding findings;

AND WHEREAS staff from both the City and Health Unit reported to Council on Monday, April 22, 2013;

AND WHEREAS not all commercial establishments with patios were afforded the opportunity to be involved in the consultation process;

AND WHEREAS the North Bay and District Chamber of Commerce’s membership includes many of these commercial establishments with patios;

AND WHEREAS the North Bay and District Parry Sound Health Unit has the background and expertise to assist City Council in deciding if smoking should be prohibited or otherwise restricted on these outdoor patios; and

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of North Bay request the North Bay and District Chamber of Commerce and the North Bay Parry Sound Health Unit work together to consult with the commercial establishments and the public and come before City Council with recommendations with respect to smoking on commercial patios; in undertaking this consultation process the parties are encouraged to look at other Ontario municipalities as to their patio smoking by-laws or best practices.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Yeas	_____	_____	Nays	_____	_____
	_____	_____		_____	_____
	_____	_____		_____	_____
	_____	_____		_____	_____

Signature of Clerk _____