



Council

Agenda

**Regular Meeting of Council
September 17, 2012
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
SEPTEMBER 17TH, 2012**

Monday, September 17, 2012

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, SEPTEMBER 17TH, 2012**

PUBLIC PRESENTATIONS:

Jack Lacourse re Summer in the Park

PUBLIC MEETING MINUTES:

Tuesday, September 4, 2012

COMMITTEE REPORTS:

Community Services Committee Report No. 16

CORRESPONDENCE:

1. Report from Steve McArthur dated August 31, 2012 re Official Plan Amendment & Rezoning application by Miller & Urso Surveying Inc., on behalf of Perut Construction Ltd., Andrew & Grace Wood and W.M. Holdum Inc., - 309 - 333 King Street West and 1180 - 1188 Cassells Street (D09/D14/2012/PERUT/KINGSTW).
2. Report from Alan Korell dated August 13, 2012 re Speed Limit In and Around Schools (C00/2012/BYLAW/TRAFFIC).
3. Report from Steve McArthur dated September 11, 2012 re Rezoning application and Draft Plan of Subdivision by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. - Ski Club Road (D07/D14/2009/GEL/SKICLUB).
4. Report from Alan Korell dated September 11, 2012 re Stantec's State of the Infrastructure Report 2012 (F05/2012/AMP/GENERAL).
5. Report from Paul Valenti dated September 11, 2012 re Tender No. 2012-63, Four Wheel Drive Ride-on Mower (F05/2012/PARKS/6077PR).
6. Report from Sharon Kitlar dated September 11, 2012 re Summer in the Park Financials (M02/2012/SPECI/SUMPARK).
7. Report from Paul Valenti dated September 12, 2012 re Wastewater Treatment Plant Emergency Electrical Repairs (F05/2008/ENVIR/PRW1).
8. Report from Paul Valenti dated September 11, 2012 re North Bay & District Humane Society - Negotiate Agreement Renewal (L04/2012/AGMT/NBDHS).

9. Letter/petition from Richard Christianson and report from Ron Melnyk dated September 7, 2012 re Parking Restrictions on Cassells Street (C00/2012/BYLAW/TRAFFIC).
10. Report from Al Lang dated September 12, 2012 re Schedule "A" of By-Law 2012-192 relating to the Ontario Infrastructure and Lands Corporation Application (F08/2012/DEBEN/GENERAL).
11. Report from Al Lang dated September 13, 2012 re \$9,800,000 Debenture Issue (F08/2012/DEBEN/GENERAL).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2012-194 to confirm proceedings of the Meeting of Council on September 4, 2012.

By-Law No. 2012-195 to authorize the Premier Road Pumping Station – Sewer Back-up Prevention.

Community Services – First, second and third readings:

By-Law No. 2012-196 to authorize the execution of an Agreement with Fairbarn Electric Inc. relating to the Supply and Installation of a Back-up Generator – Fire Station No. 3.

By-Law No. 2012-197 to authorize the execution of a Co-Existence Agreement with Nipissing University and the North Bay Jr. A. Trappers.

Community Services – Third reading:

By-Law No. 2008-110 to rezone certain lands on Fisher Street (Dimitrios and Tracey Kolios – 1066 Fisher Street).

By-Law No. 2012-167 to rezone certain lands on Dree Street (GAP Construction Co. Ltd. – 387 Dree Street).

MOTIONS:

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

12. ***Confidential*** report from Paul Valenti dated September 11, 2012 re Property Matter.
13. ***Confidential*** report from Paul Valenti dated September 11, 2012 re Property Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, SEPTEMBER 4TH, 2012**

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

PUBLIC PRESENTATION:

Janet Zimbalatti re North Bay Symphony

CORRESPONDENCE:

The Salvation Army re 2012 Christmas Kettle Campaign (526)

REPORTS FROM OFFICERS:

Cox, A.	re Sanitary Sewer – Premier Road Pumping Station Capital Project	(531)
Karpenko, M.	re 2013 Operating Budget Timelines and Process	(530)
Rocheffort, L.	re Reduction, Cancellation or Refund of Taxes	(527)
Valenti, P.	re RFP No. 2012-73, Supply of GPS/ Radio Based Pre-emption Equipment	(528)
Valenti, P.	re Tender No. 2012-69, Supply and Installation of Playground Equipment Structures	(529)
Valenti, P.	re Tender No. 2012-58, Public Works Maintenance Building Office Renovations	(532)

Res. #2012-523: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis That minutes for the public meetings held on:

- Wednesday, August 22, 2012; and
- Monday, August 27, 2012

be adopted as presented.

"CARRIED"

Res. #2012-524: Moved by Councillor Mendicino, seconded by Councillor Mayne That Community Services Committee Report No. 2012-15 relating to:

- Proposed Draft Plan of Subdivision – Phase II – Trillium Woods

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-15

August 27, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-15 and recommends:

1. That a) the proposed Plan of Subdivision (71 Lots, 2 Blocks, File #48T-09101) by Miller & Urso Surveying Inc. on behalf of 873342 Ontario Inc. for the property legally described as Concession 16, Part of Lot 37, in the former Township of West Ferris, shown as Lots 1 to 71 and Blocks 72 & 73, as shown on Schedule "B" attached to Report to Council CSBU 2012-63, be given draft approval subject to the conditions in Appendix "A"; and
 - b) the Owner(s) enter into a Subdivision Agreement with the City of North Bay prior to site development to address servicing, lot grading, storm water management, buffer areas, sediment/erosion control, general drainage considerations, and parkland dedication.

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAYNE
VAILLANCOURT
McDONALD

DISSENTS

Res. #2012-525: Moved by Councillor Lawlor, seconded by Councillor Anthony
That accounts totaling \$18,248,239.82 for July 2012 be approved.

"CARRIED"

Res. #2012-526: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council consent to The Salvation Army Christmas Kettle Campaign commencing Saturday, November 17th and running daily to Monday, December 24th, 2012 (except Sundays).

"CARRIED"

Res. #2012-527: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the tax appeal applications attached to Report to Council CORP 2012-103 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation and application 2012-2, be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 and Section 358 of the *Municipal Act*, S.O. 2001, c.25.

"CARRIED"

Res. #2012-528: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to Innovative Traffic Solutions Inc., in the amount of \$197,393.00 (plus HST), for the supply of GPS / Radio Based Pre-emption Equipment.

"CARRIED"

Res. #2012-529: Moved by Councillor Mendicino, seconded by Councillor Mayne
That City Council approve the award of a contract to Henderson Recreation Equipment Limited in the amount of \$145,078.00 (plus HST), for the supply and installation of two (2) playground equipment structures and two (2) swing sets.

"CARRIED"

Res. #2012-530: Moved by Councillor Lawlor, seconded by Councillor Anthony
That 1) the Report to Council 2012-119 from Margaret Karpenko dated August 29, 2012 regarding the 2013 Operating Budget Timelines and Process be received and referred to the General Government Committee; and

2) an Operating Budget Public Meeting for Input on the Operating Budget be set for September 24, 2012.

"CARRIED"

Res. #2012-531: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a capital expenditure by-law be prepared for Council's consideration to authorize the Sanitary Sewer - Premier Road Pumping Station of the Engineering, Environmental Services and Works Department, being 2012 Capital Water and Sanitary Budget Project No. 3116SS, at a net debenture cost of \$1,000,000.00.

"CARRIED"

Res. #2012-532: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to Kenalex Construction Company Limited in the amount of \$244,600.00 (plus HST), for work related to renovations of the second floor office space in Public Works Maintenance Building No. 1.

"CARRIED"

Res. #2012-533: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2012-191 to confirm proceedings of the Meeting of Council on August 27, 2012.

By-Law No. 2012-192 to authorize the submission of an application to the Ontario Infrastructure Lands Corporation ("OILC") for financing certain ongoing capital works of The Corporation of the City of North Bay (The "Municipality"); to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing for such works through the issue of debentures to OILC.

"CARRIED"

Res. #2012-534: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2012-191 to confirm proceedings of the Meeting of Council on August 27, 2012.

By-Law No. 2012-192 to authorize the submission of an application to the Ontario Infrastructure Lands Corporation ("OILC") for financing certain ongoing capital works of The Corporation of the City of North Bay (The "Municipality"); to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing for such works through the issue of debentures to OILC.

"CARRIED"

Res. #2012-535: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2012-193 to authorize the Water and Sewer Reconstruction Program.

"CARRIED"

Res. #2012-536: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2012-193 to authorize the Water and Sewer Reconstruction Program.

"CARRIED"

Res. #2012-537: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That this Regular Meeting of Council do now adjourn at 7:18 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-16

September 17, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-16 and recommends:

1. That the City of North Bay agree, in principle, to a new Gaming Facility being located within our community subject to negotiations, confirmation and acceptance with the Ontario Lottery & Gaming Corporation (OLG) and successful proponent regarding the proponent details, revenue share agreement, site location and derived community benefit.

All of which is respectfully submitted.

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

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-194

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
SEPTEMBER 4, 2012**

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

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

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

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on September 4, 2012 in respect of each motion, resolution and other action passed and taken by the Council at its said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY OF SEPTEMBER, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-195

**A BY-LAW TO AUTHORIZE
THE PREMIER ROAD PUMPING STATION
(SEWER BACK-UP PREVENTION)**

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 2012-531 at its meeting held Tuesday, September 4, 2012, authorizing the Premier Road Pumping Station for the Engineering, Environmental & Works Department, being 2012 Water and Sanitary Sewer Capital Budget Project No.3116SS, with a net debenture cost of \$1,000,000.00;

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

1. That the expenditure of \$1,000,000.00 for the Premier Road Pumping Station for the following be hereby authorized:

Construction Contract	\$ 950,000.00
Financing Costs	<u>50,000.00</u>
Net Amount to be Debentured	\$1,000,000.00

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 \$1,000,000.00 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 17th DAY OF SEPTEMBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 17th DAY OF SEPTEMBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17th DAY OF SEPTEMBER, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-196

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH
FAIRBARN ELECTRIC INC. RELATING TO
THE SUPPLY AND INSTALLATION OF A
BACKUP GENERATOR (FIRE STATION NO. 3)**

WHEREAS the Agreement with for Fairbarn Electric Inc. was approved by Resolution No. 2012-504 passed by Council on the August 27, 2012;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 6th day of September, 2012, with Fairbarn Electric Inc. relating to the supply and installation of a backup generator at Fire Station No. 3.

2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Fairbarn Electric Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL 17TH DAY OF SEPTEMBER, 2012.

CC. READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF SEPTEMBER, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-197

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF A CO-EXISTENCE AGREEMENT
WITH NIPISSING UNIVERSITY AND THE NORTH
BAY JR. A TRAPPERS**

WHEREAS the Co-existence Agreement with Nipissing University and the North Bay Jr. A Trappers for the use of Memorial Gardens was approved by Resolution No. 2012-476 passed by Council on the 30th day of July, 2012;

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

1. That The Corporation of the City of North Bay enter into a Co-existence Agreement with Nipissing University and the North Bay Jr. A Trappers dated the 17th day of September, 2012 relating to the use of Memorial Gardens.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Co-existence Agreement between The Corporation of the City of North Bay and Nipissing University and the North Bay Jr. A Trappers and to affix thereto the corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF SEPTEMBER, 2012.

cc

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2008-110

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON FISHER STREET
FROM "RESIDENTIAL THIRD DENSITY (R3)" TO
"NEIGHBOURHOOD COMMERCIAL SPECIAL NO. 75 (C5 Sp.75)"

(DIMITRIOS AND TRACEY KOLIOS – 1066 FISHER 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 Section 11 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 14, 2008 to approve this rezoning.

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

- 1) Schedule "B-51" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedules "A" and "B" attached hereto (which property is more particularly described as Concession D, Plan 57, Part Lot 261, Part Lot 262 and a portion of abutting laneway) on Fisher Street in the City of North Bay from a "Residential Third Density (R3)" zone to a "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Neighbourhood Commercial Special No.75 (C5 Sp.75)" 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 11.3.75:
 - 11.3.75 Neighbourhood Commercial Special No.75 (C5 Sp.75)
 - 11.3.75.1 The property description of this "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone is: Concession D, Plan 57, Part Lot 261, Part Lot 262 and a portion of abutting laneway along Fisher Street in the City of North Bay as shown on the attached Schedules and Schedule "B-51"
 - 11.3.75.2 The regulations for this "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone are as follows:
 - i) The maximum lot coverage shall be 35%;
 - ii) The interior side year setback shall be 3.1 metres;
 - iii) The exterior side yard setback shall be 1.38 metres;

iv) The rear yard setback shall be 0.00 metres;

v) The vegetative buffer for parking shall be 0.00 metres;

11.3.75.3 The use of land or buildings in this "Neighbourhood Commercial Special No.75 (C5 Sp.75)" 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 "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone as Schedule "C" to this By-law.
- 5) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "A" attached hereto are hereby designated as a Site Plan Control Area.
- 6)
 - 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. 254/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 14th DAY OF APRIL 2008.

READ A SECOND TIME IN OPEN COUNCIL THE 14th DAY OF APRIL 2008.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17th DAY OF SEPTEMBER 2012.

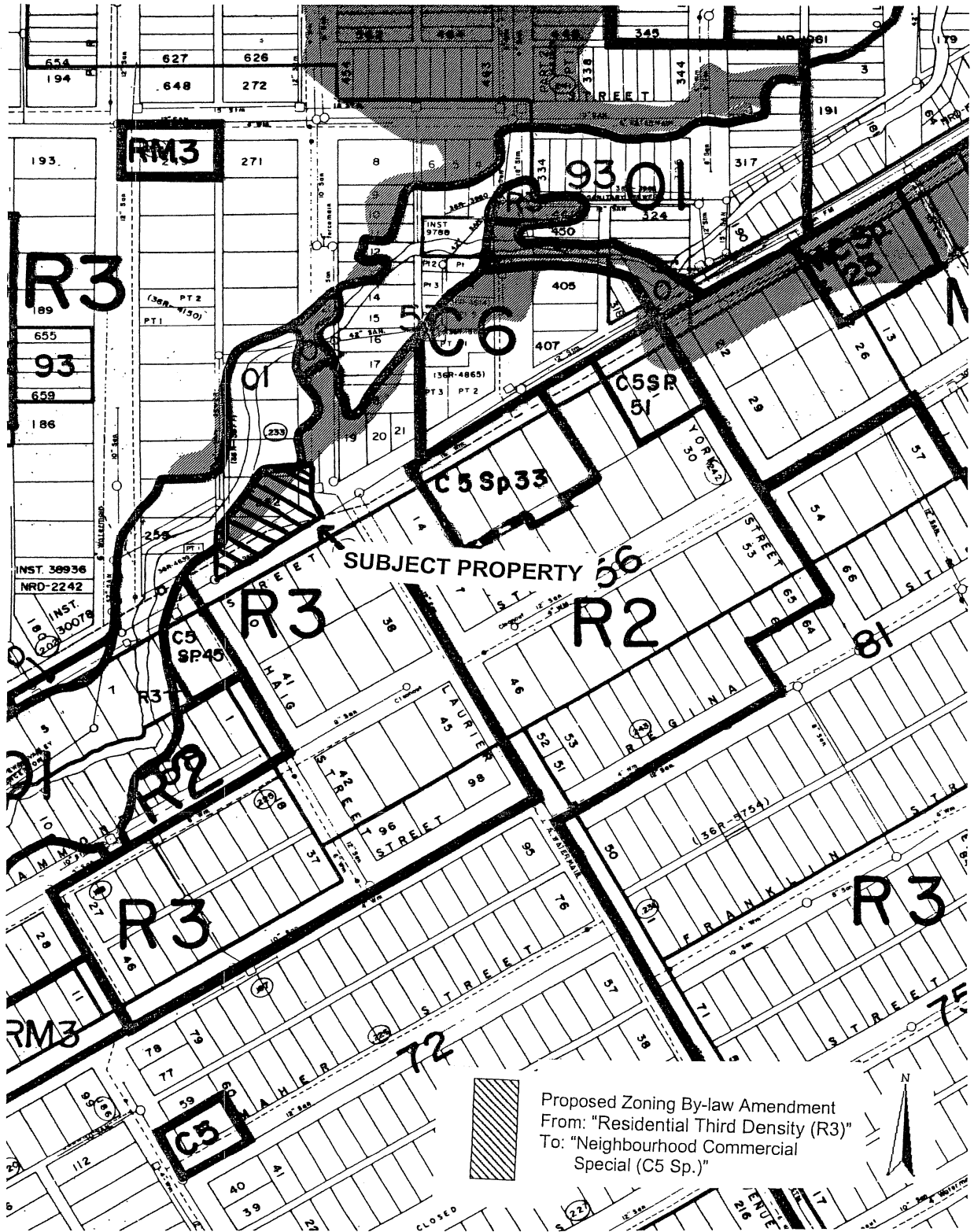
MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

This is Schedule "A"
To By-law No. 2008-110
Passed the 17th day of September 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



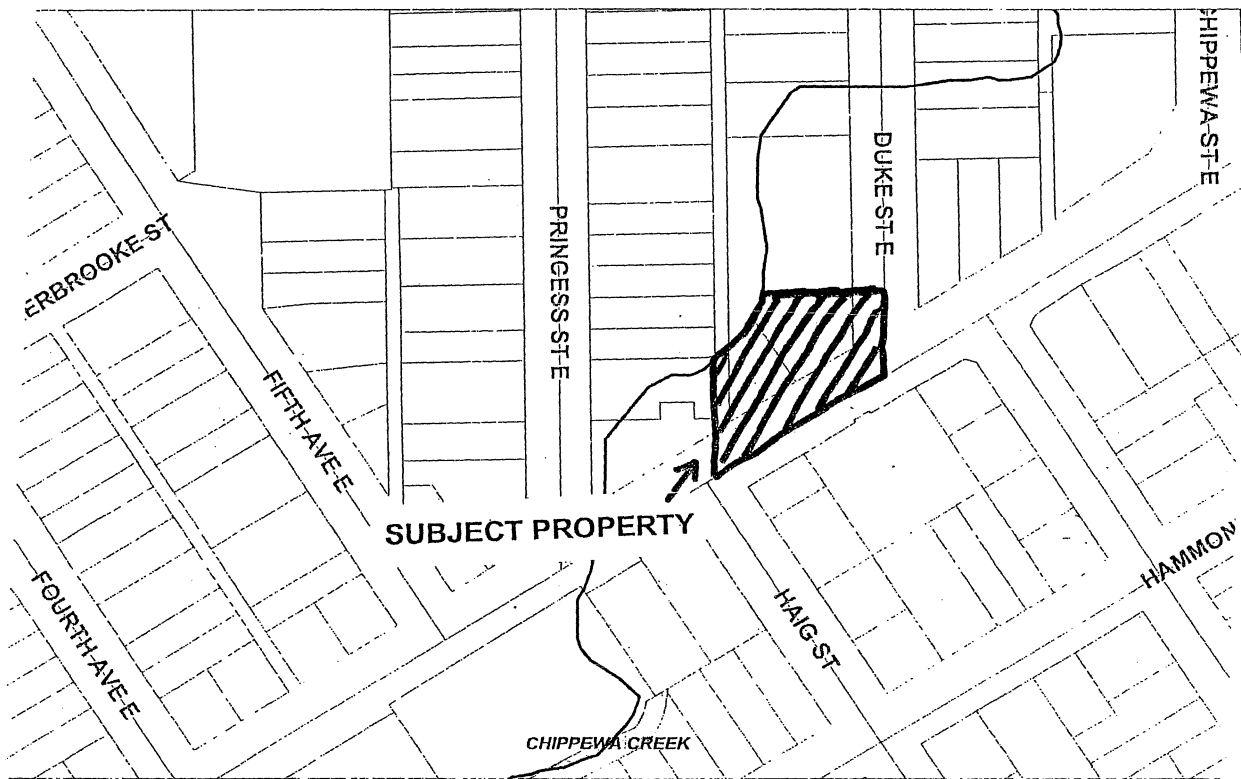
This is Schedule "B"

To By-law No. 2008-110

Passed the 17th day of September 2012

Mayor Allan McDonald

City Clerk Catherine Conrad

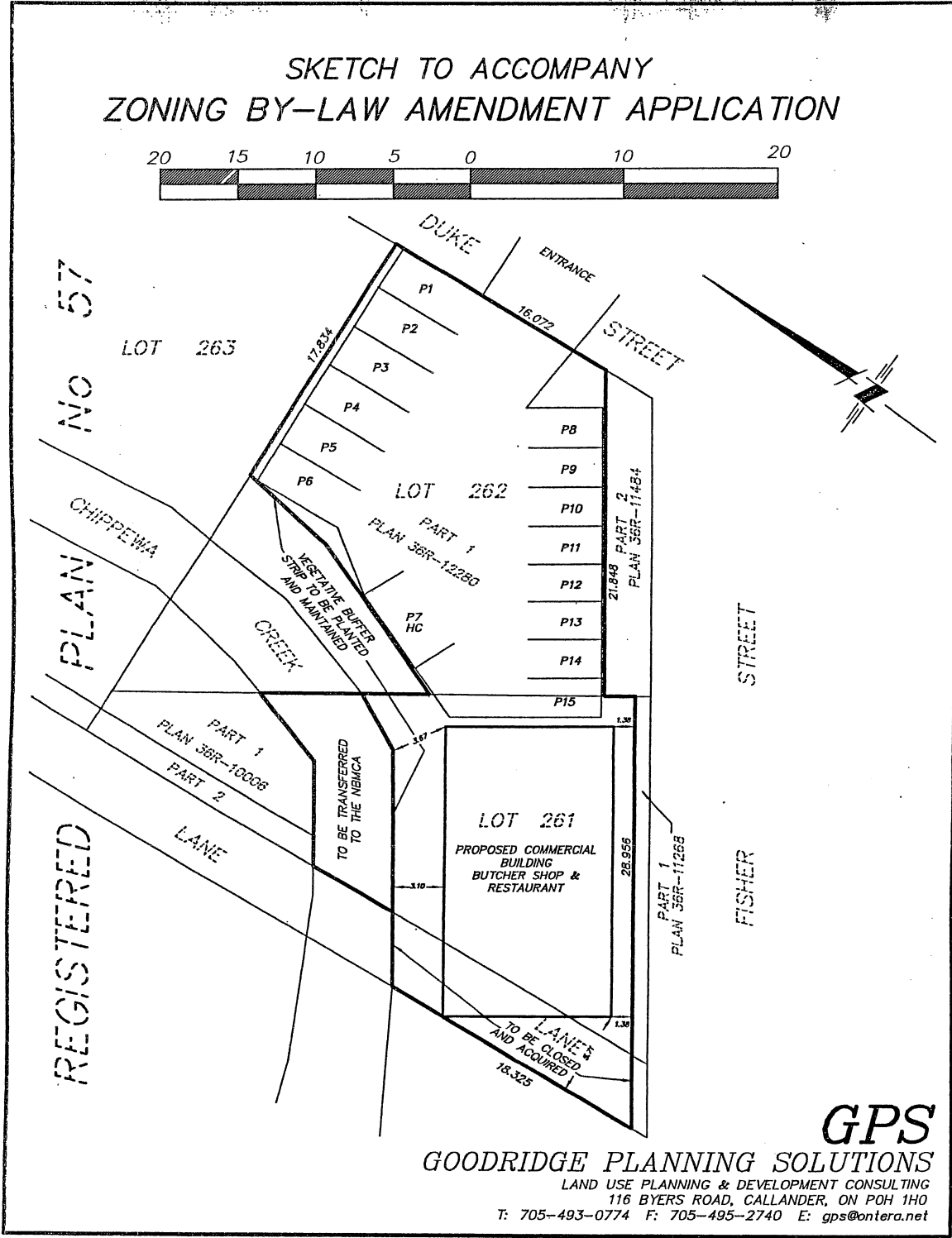
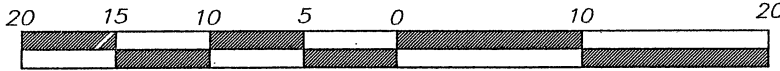


Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Neighbourhood Commercial
Special (C5 Sp.)"

Mayor Allan McDonald

City Clerk Catherine Conrad

SKETCH TO ACCOMPANY ZONING BY-LAW AMENDMENT APPLICATION



GPS
GOODRIDGE PLANNING SOLUTIONS
LAND USE PLANNING & DEVELOPMENT CONSULTING
116 BYERS ROAD, CALLANDER, ON POH 1H0
T: 705-493-0774 F: 705-495-2740 E: gps@ontera.net

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-167

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON DREE STREET
FROM AN "INDUSTRIAL HOLDING (MH)" ZONE TO A
"INDUSTRIAL SPECIAL ZONE NO. 3 (M SP.3)"**

(GAP CONSTRUCTION CO. LTD. - 387 DREE STREET)

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

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

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedules "B-82" and "B-83" 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 August 13th, 2012 to approve this rezoning.

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

- 1) Schedules "B-82" and "B-83" of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedules "A" and "B" attached hereto, which property is more particularly described as Concession 14, Part of Lot 34, Parcels 5464 & 6761 in the former Township of West Ferris, known locally as a specific parcel of vacant land behind 379, 383 & 387 Dree Street in the City of North Bay.
- 2) All buildings or structures erected or altered and the use of land in such "Industrial Special Zone No. 3 (M Sp.3)" shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Pursuant to Section 41 of the Planning Act, R.S.O, 1990 as amended, those lands shown as hatched on Schedule "B" attached hereto are hereby designated a Site Plan Control Area.
- 4) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
- c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 13TH DAY OF AUGUST 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF AUGUST 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY OF SEPTEMBER, 2012.

MAYOR ALLAN MCDONALD

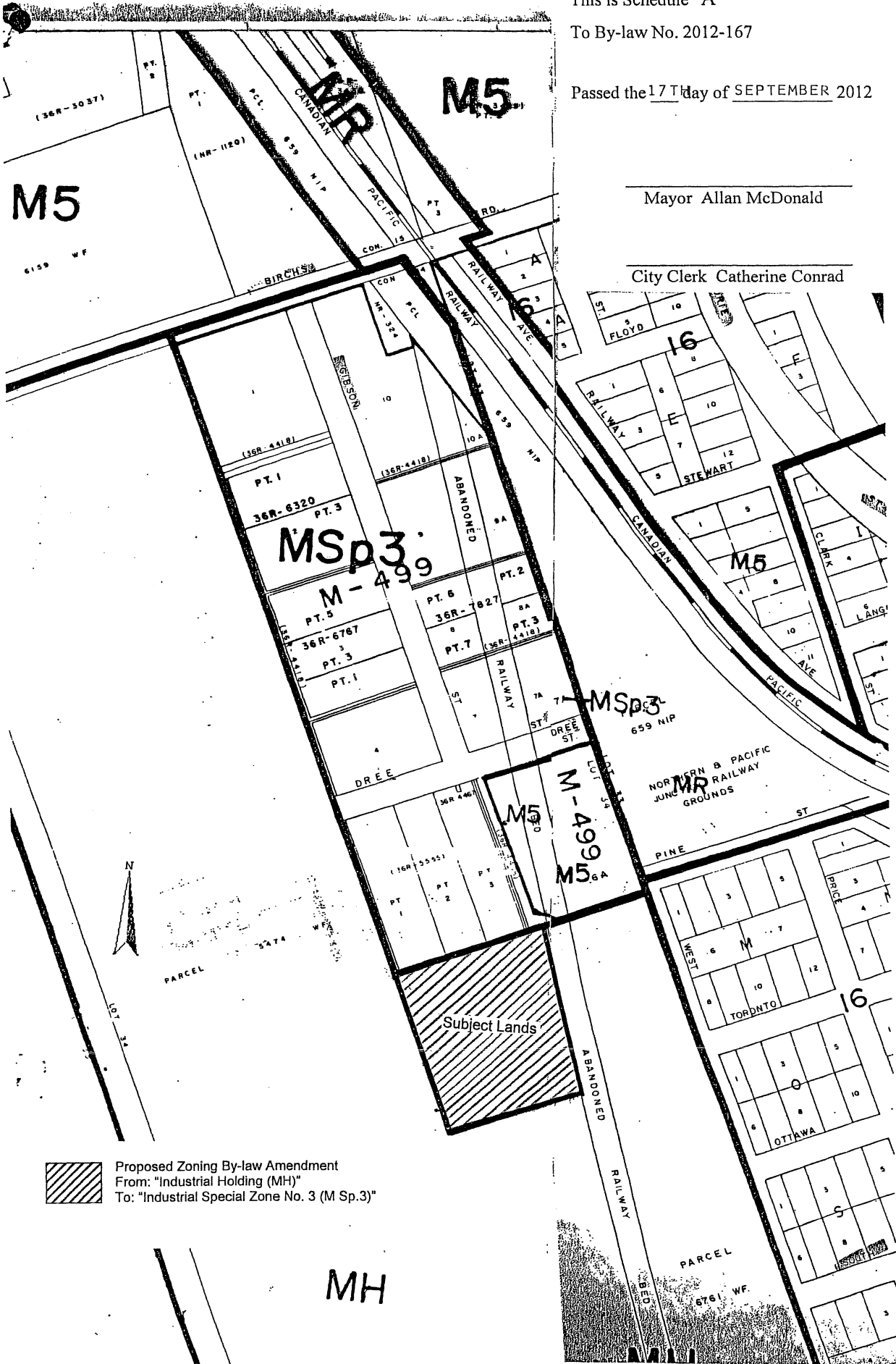
CITY CLERK CATHERINE CONRAD


This is Schedule "A"
To By-law No. 2012-167

Passed the 17th day of SEPTEMBER 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



 Proposed Zoning By-law Amendment
From: "Industrial Holding (MH)"
To: "Industrial Special Zone No. 3 (M Sp.3)"

MH

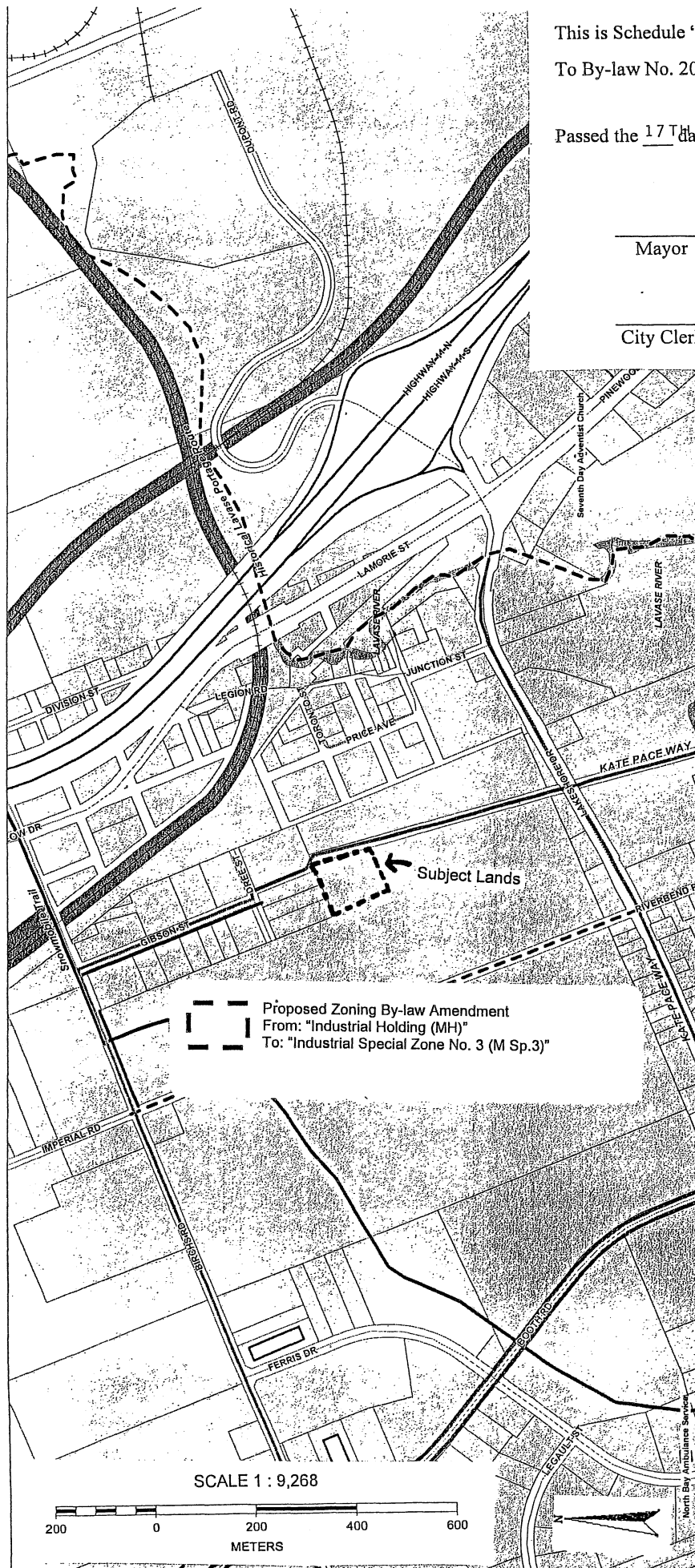
This is Schedule "B"

To By-law No. 2012-167

Passed the 17th day of SEPTEMBER 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



Passed the 17TH day of SEPTEMBER 2012

SKETCH FOR CONSENT REZONING APPLICATION

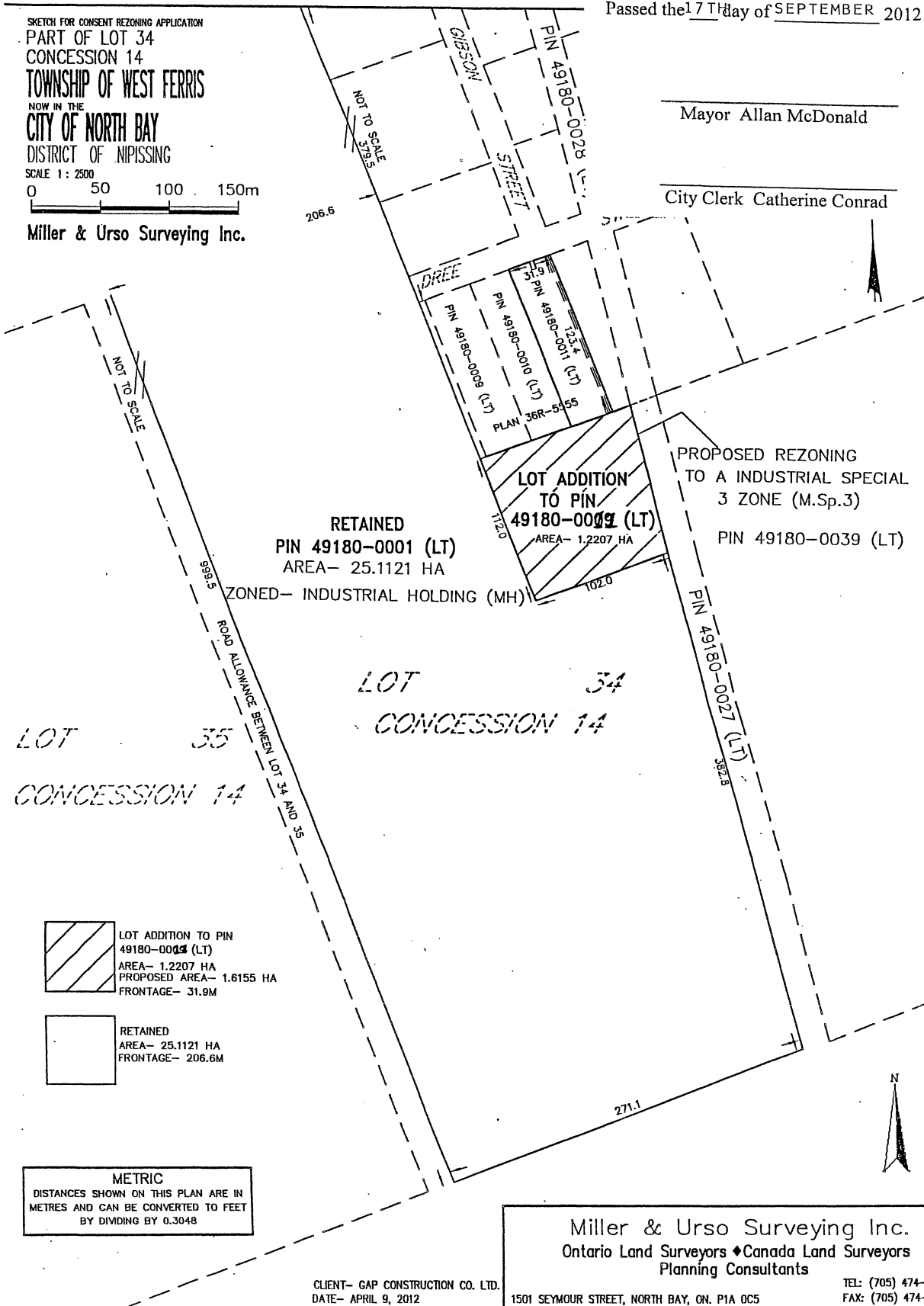
PART OF LOT 34
 CONCESSION 14
 TOWNSHIP OF WEST FERRIS
 NOW IN THE
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING

SCALE 1: 2500
 0 50 100 150m

Miller & Urso Surveying Inc.


Mayor Allan McDonald


City Clerk Catherine Conrad



LOT 35
 CONCESSION 14

LOT 34
 CONCESSION 14

 LOT ADDITION TO PIN
 49180-0001 (LT)
 AREA- 1.2207 HA
 PROPOSED AREA- 1.6155 HA
 FRONTAGE- 31.9M

 RETAINED
 AREA- 25.1121 HA
 FRONTAGE- 206.6M

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

Miller & Urso Surveying Inc.
 Ontario Land Surveyors ♦ Canada Land Surveyors
 Planning Consultants
 1501 SEYMOUR STREET, NORTH BAY, ON. P1A 0C5
 TEL: (705) 474-
 FAX: (705) 474-

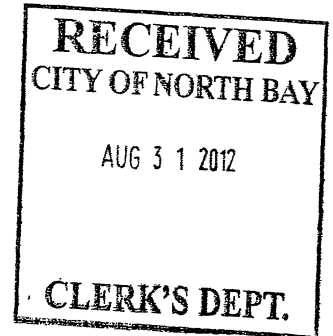
CLIENT- GAP CONSTRUCTION CO. LTD.
 DATE- APRIL 9, 2012

INTER OFFICE

MEMO

City of North Bay
Planning Services

To: Cathy Conrad, City Clerk
From: Steve McArthur - Senior Planner, Current Operations
Subject: Resolution No. 4 - Planning Advisory Committee
Date: August 31, 2012



Quoted below is Resolution No. 4 passed at the regular meeting of the Planning Advisory Committee held on Thursday, August 30th, 2012:

Resolution No. 2

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

1. That the Proposed Official Plan and Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Perut Construction Ltd., Andrew & Grace Wood, and M.W. Holdum Inc. to re-designate the subject lands from 'Residential' to 'Central Business District' and to rezone the subject lands from a 'Residential Third Density (R3)' zone to a 'General Commercial Outer Core (C2)' zone, 309 & 333 King Street West, 1180 & 1188 Cassells Street, and a vacant lot (billboard) on the corner of Cassells Street & King Street West, all in the City of North Bay, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required."

A handwritten signature in black ink, appearing to be "Steve McArthur".


Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

North Bay Planning Advisory Committee

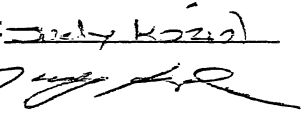
Resolution No. 4

Date: August 30, 2012

Moved By:



Seconded By:



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

1. That the Proposed Official Plan and Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Perut Construction Ltd., Andrew & Grace Wood, and M.W. Holdum Inc. to re-designate the subject lands from ‘Residential’ to ‘Central Business District’ and to rezone the subject lands from a ‘Residential Third Density (R3)’ zone to a ‘General Commercial Outer Core (C2)’ zone, 309 & 333 King Street West, 1180 & 1188 Cassells Street, and a vacant lot (billboard) on the corner of Cassells Street & King Street West, all in the City of North Bay, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.”

“CARRIED”



Chair

INTER OFFICE

City of North Bay
Planning Services

MEMO

To: Chair and Members, Planning Advisory Committee

From: Steve McArthur - Senior Planner, Current Operations

Subject: Proposed Official Plan and Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Perut Construction Ltd., Andrew & Grace Wood and W.M. Holdum Inc., 309 to 333 King Street West and 1180 to 1188 Cassells Street in the City of North Bay.

Date: June 14, 2012

Recommendation

1. That the proposed Official Plan Amendment from 'Residential' to 'Central Business District' by Miller & Urso Surveying Inc. on behalf of Perut Construction Ltd., Andrew & Grace Wood and W.M. Holdum Inc. for the properties legally described as Registered Plan M-45, Part Lots 37 to 40, Plan M-165, Lots 1 to 3, Parcels 2024, 2814, 1128 and 2630 W/F, Reference Plan No. 36R-12425, Parts 1 & 2, and Part of Lane, known locally as 309 & 333 King St. W., 1180 & 1188 Cassells St., and a vacant lot on the southwest corner of Cassells St. & King St. W. in the City of North Bay BE APPROVED;
2. That the proposed Zoning By-law Amendment from 'Residential Third Density (R3)' to 'General Commercial Outer Core (C2)' by Miller & Urso Surveying Inc. on behalf of Perut Construction Ltd., Andrew & Grace Wood and W.M. Holdum Inc. for the same properties, BE APPROVED; and
3. That the subject properties 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, ingress and egress and fencing as required.

Site

The subject properties are situated along the west side of King Street West in the block bounded by Cassells Street, High Street and McPhail Street, as shown on Schedules "A" and "B" attached hereto. The combined properties have a frontage of approximately 60 meters (197 feet) along King Street West, 18 meters (60 feet) on Cassells Street, and a total area of approximately 0.14 hectares (0.35 acres).

The subject properties are currently designated "Residential" in the City of North Bay's Official Plan and are currently zoned "Residential Third Density (R3)" in the City of North Bay's Zoning By-law No. 28-80.

The surrounding area is considered a mixed use neighbourhood. There are a number of businesses fronting on Cassells Street including an existing two (2) storey office complex located on the adjacent property. To the north of the subject lands it is primarily residential, with a mix of low to medium density uses, including the abutting Appletree Suites condominium complex.

Background & Proposal

Perut Construction Limited purchased the property at 333 King Street West in 2007. They own the adjacent commercial building complex located at 1180 Cassells Street. Soon after the purchase, the Applicant demolished the house on the subject lands. The Applicant then started using the vacant lot as a parking area for his abutting commercial building complex.

In September of 2007 the City's Zoning Administrator sent a letter to the Applicant advising that the use as a parking lot was not permitted in a 'Residential Third Density (R3)' zone. In October an application was received from the Applicant requesting to rezone the property to a 'General Commercial Outer Core (C2)' zone, which would permit the use of the property as a private parking area.

In November of 2007 there was a public meeting before the Planning Advisory Committee (PAC). At that meeting, an abutting neighbour (337 King Street West) objected to the application. In early 2008 staff informed the Applicant's agent that a report and recommendation would not be going back to the Planning Advisory Committee until a site plan had been produced that adequately addressed the concerns raised by the abutting property owner.

A number of issues delayed the completion of the site plan, including the health of the Applicant and the discovery through the legal survey process that a neighbour's driveway (337 King Street West) encroaches onto the Applicant's property and if they proceed with the private parking area as planned, the neighbour would have nowhere to park her car. Enforcement was therefore postponed from 2009 until today as staff tried to work through these issues with the Applicant and the neighbour.

In 2011 the Applicant purchased and demolished another house at 309 King Street West. The Applicant was advised that the original application did not include this property and therefore if they intended to use the lot as part of the proposed private parking area an amended application would be required. The amended application was received in August of 2011. As a result of the new circulation, two (2) abutting property owners located on the northwest corner of King Street West and Cassells Street asked to include their properties in the proposal to re-designate the lands from 'Residential' to 'Central Business District' and to rezone these same lands from a 'Residential Third Density (R3)' zone to a 'General Commercial Outer Core (C2)' zone.

If approved, the Applicant is proposing to operate a privately owned parking area at 333 and 309 King Street West, and two (2) adjacent properties at the northwest corner of King Street West and Cassells Street would be re-designated and rezoned for future commercial use.

Provincial Policy

The Growth Plan for Northern Ontario (GPNO 2011) was introduced on March 3rd, 2011. All Planning Applications made after this date must consider this Plan as part of the evaluation process. The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario. Specific Planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Province or incorporated into the Official Plan.

Section 4.4.2 of the GPNO 2011 states that: "*Municipalities that contain strategic core areas are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts that can attract employment uses and clusters, including office and retail; accommodate higher densities and provide a board range of amenities accessible to residents and visitors...*"

The GPNO does not identify 'strategic core areas' specifically within the Plan. However, the subject lands are located at the edge of the Central Business District in a mixed use area. The subject lands will be designated 'Central Business District' if the proposed amendments are approved. In order to attract businesses to the CBD, as encourage in the Plan, areas for on-site parking for employees and visitors is an important component to site planning. The parking area is located towards the rear and side of the building complex away from Cassells Street. This ensures that the streetscape along Cassells Street is maintained.

In my professional opinion, the proposed Official Plan and Zoning By-law amendments are consistent with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

This proposal has been reviewed in the context of the Provincial Policy Statement (PPS 2005). The Provincial Policy Statement (PPS 2005) provides policy direction on matters of provincial interest related to land use planning and development.

Section 1.0 of the PPS 2005, Building Strong Communities, provides for a wide variety of policies relating to wisely managing change and promoting efficient land use and development patterns. Specifically, Section 1.1.3.3 states that: "*Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs*".

Section 1.3.1 adds that: "*Planning authorities shall promote economic development and competitiveness by: (a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs; (b) providing opportunities for a diversified economic base, including maintaining a range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; (c) planning for, protecting and preserving employment areas for currently and future uses; and (d) ensuring the necessary infrastructure is provided to support current and projected needs.*"

The proposed amendments will permit the use of the subject lands as a private parking area for an existing office complex in the Central Business District. The on-site parking will help to attract tenants to the complex, thereby providing an enhanced economic development and employment opportunity.

In reviewing the proposed Official Plan and Zoning By-law amendments, it is my professional opinion that all pertinent policies of the Provincial Policy Statement (PPS 2005) have been reviewed and applied in their entirety and that the proposed end use is consistent with Provincial Policy as set out in the Provincial Policy Statement (PPS 2005).

Official Plan

The subject lands are currently designated "Residential" in the City of North Bay's Official Plan.

The City of North Bay obtained approval from the Ministry of Municipal Affairs and Housing for a new Official Plan on January 6th, 2012. Any application received on or after this date is to be reviewed under the policies of the new Official Plan. This application was received in August of 2011 and therefore shall be reviewed under the previous version of the Official Plan that was in effect at the time of application.

The Applicant is proposing to re-designate the subject lands "Central Area" in the City of North Bay's Official Plan. **Note: the 'Central Area' designation has been renamed "Central Business District" in the City's new Official Plan that was approved in January of 2012.*

Section 2.3.2 of the Official Plan (Central Area Planned Function) outlines the general intent of the Central Area, stating that: "*The Central Area of North Bay includes the existing Central Area, as well as adjacent lands subject to future development in coordination with Central Area uses. North Bay's Central Area has historically acted as the focal point for finance, administration, services, culture and entertainment within the city. The importance of a strong, vibrant and economically viable Central Area to the health of North Bay is recognized and it is a key objective of this Official Plan that the health and economic viability of the Central Area be maintained and enhanced in the context of all new land use decisions within the city. The*

planned function for the Central Area is to act as the city's primary area for government, finance, arts, culture, recreation and entertainment."

The proposed Zoning By-law amendment is in conformity with this section of the Official Plan. Each of the planned functions for the Official Plan identified in Section 2.3.2 is permitted in the "General Commercial Outer Core (C2)" zone that the Applicant has proposed.

Section 2.3.1 further states that one of the Central Area objectives shall be to: *"encourage, wherever possible, new offices to locate within, and existing office users to remain within, the Central Area wherever possible."*

The intent of this policy is to focus office development in larger buildings in the City's Central Area, thereby creating a strong central core. The adjacent property, being the office building complex located at 1180 Cassells Street, has been occupied for a number of years, but recently the owner has had difficulty attracting and retaining tenants because of a lack of available on-site parking. The proposed Official Plan amendment and concurrent Zoning By-law amendment will enable the property owner to legally establish and operate a private parking area for the exclusive use of the complexes tenants and visitors, ensuring that this central area property will continue to operate as a vibrant office building complex.

The proposed parking area is located at the rear and side of the existing building. The street frontage along Cassells Street will remain with the existing office/retail complex, house and billboard. This will help to ensure that the commercial streetscape along Cassells Street will be maintained.

The addition of two (2) adjacent properties to the subject application ensures that the parking area is not re-designated and rezoned in isolation. The incorporation of these lands represents a strategic and well thought-out arrangement for the delineation of the Central Area boundary.

In my professional opinion the proposal to re-designate and rezone the subject lands is in conformity with the general intent of the Official Plan.

Zoning By-law No. 28-80

The subject property is currently zoned "Residential Third Density (R3)" by the City of North Bay's Zoning By-law No. 28-80, which permits the following uses:

- Single Detached Dwelling (minimum frontage of 13.7m)
- Duplex Dwelling
- Semi-Detached Dwelling
- Group Home Type 1
- Accessory Home Based Businesses
- Parks, Playgrounds & Non-Profit Uses
- Institutional Uses

The applicant is proposing to rezone of the subject lands to a "General Commercial Outer Core (C2)" zone. The permitted uses for the proposed "General Commercial Outer Core (C2)" are as follows:

- Animal Hospitals
- Apartment dwellings
- Automobile Sales, Service & Leasing Establishments
- Automobile service stations and Gas bars
- Banks
- Boarding and Rooming House

-
- Broadcast Studios or Newsrooms
 - Business Offices
 - Bus Stations
 - Clubs
 - Converted dwellings
 - Data processing firm
 - Day nursery
 - Double duplex dwellings
 - Duplex dwellings
 - Dwelling groups
 - Farmer's market
 - Financial Institutions
 - Flea market
 - Food stores
 - Funeral homes
 - Group home type 2
 - Homes for the aged
 - Hotels, Motels
 - Liquor, Beer or Wine Store
 - Local Retail stores
 - Maisonette dwellings
 - Multiple dwellings
 - Nursing homes
 - Personal Services Establishments
 - Pet Daycare Facility
 - Pharmacy
 - Places of entertainment
 - Professional Offices
 - Public and Private parks
 - Public and Private parking areas
 - Recreational Vehicle Sales, Service & Leasing
 - Repair garage (Body shop)
 - Retirement homes/residences
 - Restaurants and Taverns
 - Retail stores
 - Townhouse dwellings
 - Semi-detached dwellings
 - Single detached dwellings
 - Service Establishments that are not obnoxious
 - Triplex dwellings
 - Wholesale Uses
 - Institutional uses: Places of Worship, Public Hospitals or Private Hospitals, Private schools

If approved, the Applicant is proposing to operate a privately owned parking area at 333 and 309 King Street West, and two (2) adjacent properties at the northwest corner of King Street West and Cassells Street would be re-designated and rezoned for future commercial use. The existing single detached dwelling and billboard use will continue on the subject lands.

Correspondence

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

In terms of the correspondence received the Manager of Engineering Design and Approvals, the Zoning

Administrator, the North Bay-Mattawa Conservation Authority, the Chief Fire Prevention Officer, the Secretary-Treasurer of the Municipal Heritage Committee, the Ministry of Transportation and the Chief Building Official offered no objection to the proposal.

Circulated representatives from some of the local utilities, namely North Bay Hydro and Bell Canada requested easements. North Bay Hydro also put the Applicant on notice that: *"there are several separate electrical services supplying the subject properties. North Bay Hydro's current policy is to allow only one service to each property. Any changes to the existing electrical service requirements will require re-servicing of the property or properties in compliance with current North Bay Hydro policy. Any costs involved in re-servicing of the property or properties will be the responsibility of the property owner(s)."*

Planning staff has been working with the abutting neighbour at 337 King Street West to resolve the issues, concerns and requests stemming from the objection to the application, which can be summarized as follows:

- Establishment of a privacy fence and on-going maintenance;
- Small fence enclosing the backyard as it exists today;
- Remove the existing fence (if decided/agreed upon by either party) and materials returned to 337 King Street West;
- A buffer of three feet of space between the fence and 337 driveway;
- Buffers (grass facing 337's side of the fence);
- Driveway be repaired;
- Snow removal (winter months);
- Sensor bars on both entrances King Street and Cassells Street;
- An up-dated registered survey;
- Repair the back deck; and
- Completion of the above within 6 months to a year.

As shown on Schedule 'B' attached hereto, the Applicant applied for a Consent to Sever for the purpose of providing an easement to the owner at 337 King Street West. This was approved by the Committee of Adjustment on April 3, 2012. The Applicant is waiting to perfect the Consent until the proposed Official Plan and Zoning By-law amendments are approved and through the appeal period. If it is perfected, the owner of 337 King Street West will have title to an area 1.245 meters by 6.413 meters, ensuring that the existing driveway remains.

If approved, the property will be subject to site plan control. Through this agreement, which is between the Applicant and the City, the fencing and landscaping buffers will be addressed. Staff has worked with the Applicant through their agent to negotiate the following:

- New privacy fencing will be constructed around the easement and will continue along the entire length of the property line. The materials that result from the removal of the existing fence can and will be piled into the neighbours' yard if so requested;
- A proper retaining wall will be constructed;
- The parking lot will be appropriately graded and paved, and during this paving process the Applicant has agreed to pave and repair sections of the neighbours' driveway;
- Section 6.1.1.2 of the Zoning By-law requires a strip of land three (3) meters in width along the north lot line to be adequately landscaped. If agreed to by both parties, this could include cedar hedges to block car lights, etc.;
- Section 6.1.1.3 also requires any parking lot lighting to be directed away from adjacent residences; and
- The terms of the Site Plan Control Agreement require that all of these works be completed within a year of registration of the SPCA. Appropriate security can and will be required to ensure these agreed to items are completed.

As for the requests for snow removal and sensor bars, and the reported damage to the rear deck, these are not agreed to by the Applicant and are civil matters between private property owners and do not form part of this *Planning Act* application. An updated survey has already been provided by the Applicant.

No comments or objections were received from any of the other circulated property owners.

Summary

Perut Construction Limited purchased the property at 333 King Street West in 2007. They own the adjacent commercial building complex located at 1180 Cassells Street. Soon after the purchase, the Applicant tore down the house on the subject lands. The Applicant then started using the vacant lot as a parking area for his abutting commercial building complex. After being informed in writing that this use was not permitted in the R3 zone, the Owner submitted a *Planning Act* application to have the property re-designated and rezoned for the private parking lot use, as is their right.

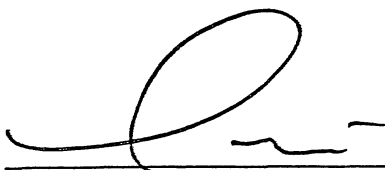
The Planning Services department reviews each *Planning Act* application on its merits, particularly in terms of its conformity (or lack thereof) to the City of North Bay's Official Plan and its consistency with Provincial policy in effect. The surrounding area is considered a mixed use neighbourhood. There are a number of businesses fronting on Cassells Street including an existing two (2) storey office complex located on the adjacent property.

The amended application received in August of 2011 includes two (2) abutting property owners located on the northwest corner of King Street West and Cassells Street. These properties would now be re-designated and rezoned for future commercial use, thereby 'squaring off' the commercial area designation. This will effectively create a clear and precise delineation between the end of the Central Area (Commercial Core) on the west side of King Street West and the start of the Residential Area on the east side. This represents good land use planning and ensures that the parking area is not re-designated and rezoned in isolation.

The abutting neighbour at 337 King Street West has been very patient with the Applicant and has worked tirelessly with staff to protect her own property interests. Planning staff believe that an appropriate balance has been struck. The proposed amendments will permit the use of the subject lands as a private parking area for an existing office complex in the Central Business District. The on-site parking will help to attract tenants to the complex, thereby providing an enhanced economic development and employment opportunity. The affected neighbour will gain legal title to her driveway and through the required SPCA a new retaining wall, fence, paving and appropriate landscaping will be installed.

It is my professional opinion that the proposed Official Plan and Zoning By-law amendments maintain the intent of the City's Official Plan and that the end use is consistent with Provincial policy as outlined in the Growth Plan for Northern Ontario (GPNO-2011-1) and the Provincial Policy Statement (PPS-2005).

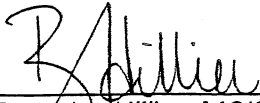
Respectfully submitted,



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

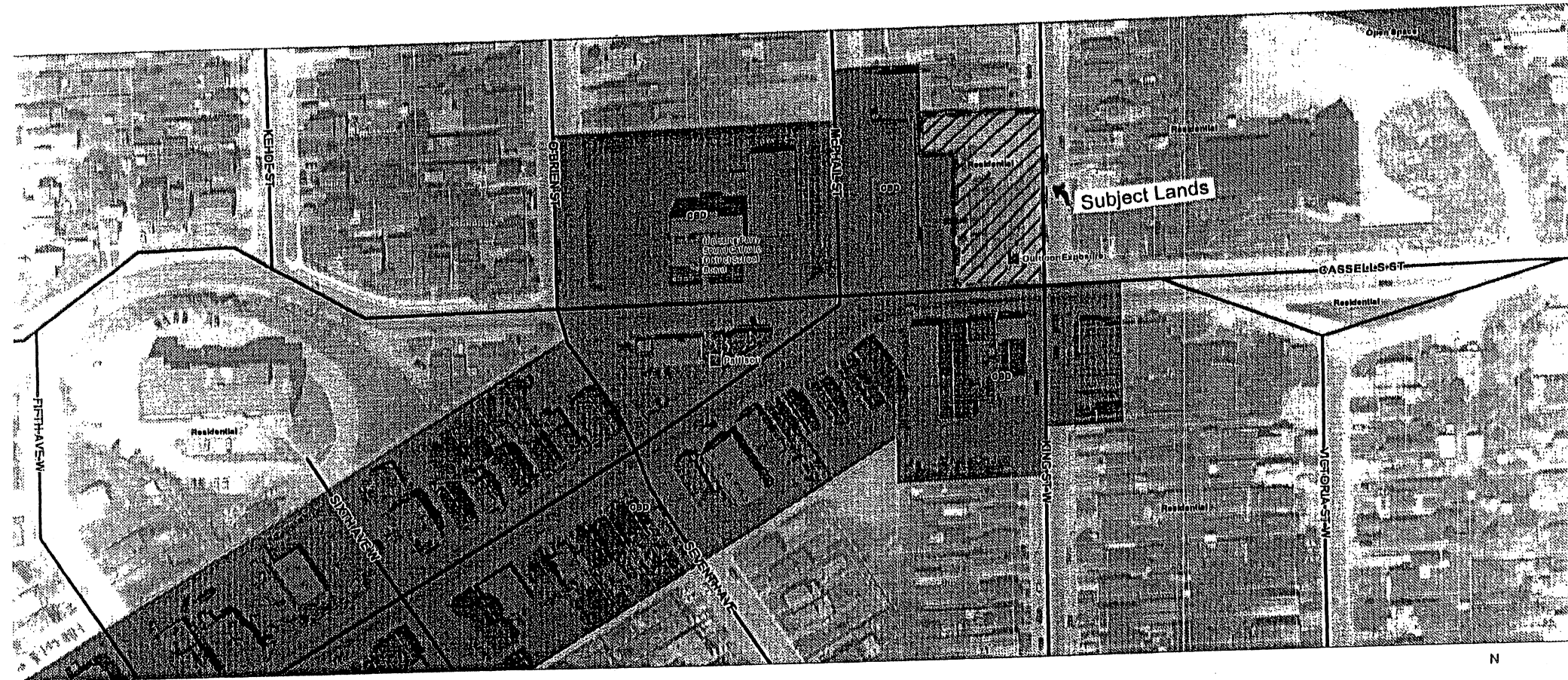
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I concur with the recommendations contained in this report.

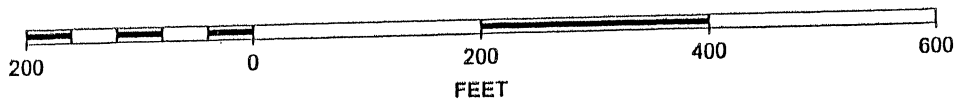


Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A



SCALE 1 : 2,056



--- Proposed Official Plan Amendment
From: "Residential"
To: "Central Business District"

▨ Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "General Commercial Outer Core (C2)"

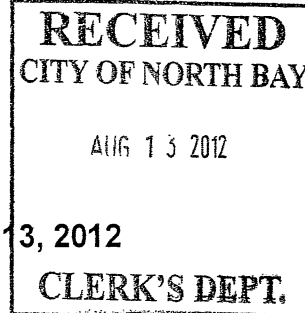


Cool/12/1

#2

'04

City of North Bay
Report to Council



Report No. EEW 2012-043

Date: August 13, 2012

Originator: Alan Korell, P. Eng. M.C.I.P.
Managing Director of Engineering, Environmental Services & Works

Subject: Speed limit in and around schools

RECOMMENDATION

That City Council endorses a reduction of the speed limit from 50 km/hr to 40km/hr around all schools within the city of North Bay. And that these areas be designated Community Safety Zones, which means fines will be doubled. And that the Traffic & Parking By-Law 2002-001 be amended accordingly.

BACKGROUND

The City has received a large number of requests to reduce speed limits in the City near schools. These requests have come from individuals, the schools themselves, police department and from the school bus company.

The Engineering Departments feels that rather than dealing with the requests individually, there is merit in reducing the speed to 40 km/hr around all schools. This will slow traffic around our schools and make it safer for the students.

OPTION ANALYSIS

Option 1

Proceed with the reduction of the speed limit to 40 km/hr near all schools

This option is recommended. The cost will be the cost of the signs. Installation will be done by the City's Traffic Personnel.

Option 2

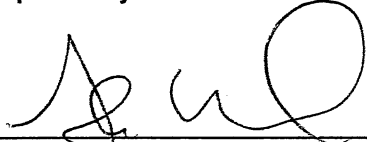
Status Quo of leaving the speed limit at 50 km/hr.

This option is the status quo and is not recommended as it fails to address concerns that have been voiced by many individuals and groups in the community.

RECOMMENDED OPTION

That City Council endorses a reduction of the speed limit from 50 km/hr to 40km/hr around all schools within the city of North Bay. And that these areas be designated Community Safety Zones, which means fines will be doubled. And that the Traffic & Parking By-Law 2002-001 be amended accordingly.

Respectfully submitted



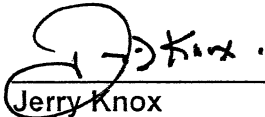
**Alan Korell, P. Eng., M.C.I.P.
Managing Director of Engineering,
Environmental Services & Works**

and



**Peter Chirico
Managing Director, Community Services**

I concur in this report and recommendation.



**Jerry Knox
Chief Administrative Officer**

Personnel designated for continuance:
City Clerk and Manager of Roads

w:~AlanK~EEW2012-043-RTC speed limit schools

C. Conrad, City Clerk

INTER OFFICE

*City of North Bay
Planning Services*

MEMO

To: Cathy Conrad, City Clerk
From: Steve McArthur - Senior Planner, Current Operations
Subject: Resolution No. 6 - Planning Advisory Committee
Date: September 11, 2012

Quoted below is Resolution No. 6 passed at the regular meeting of the Planning Advisory Committee held on Thursday, August 30th, 2012:

Resolution No. 6

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

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession C, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density (RM2)" zone, as shown on Schedule "A" attached hereto, BE APPROVED;
2. That the proposed Draft Plan of Condominium (File #48CDM-09102) by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession C, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay, as shown on Schedule "B" attached hereto, BE GRANTED DRAFT APPROVAL; and
3. That the property be placed under SITE PLAN CONTROL pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended in order to regulate lighting, ingress, egress, building location, parking, landscaping, lot grading, lot drainage and storm water management."



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

North Bay Planning Advisory Committee

Resolution No. 6

Date: August 30, 2012

Moved By: *D. Lube*

Seconded By: *Judy Kozlowski*

[Signature]

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

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession C, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay from a “Residential Third Density (R3)” zone to a “Residential Multiple Second Density (RM2)” zone, as shown on Schedule “A” attached hereto, BE APPROVED;
2. That the proposed Draft Plan of Condominium (File #48CDM-09102) by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession C, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay, as shown on Schedule “B” attached hereto, BE GRANTED DRAFT APPROVAL; and
3. That the property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended in order to regulate lighting, ingress, egress, building location, parking, landscaping, lot grading, lot drainage and storm water management.”

“CARRIED”

[Signature]
Chair

INTER OFFICE

City of North Bay**MEMO**

To: Chair and Members, Planning Advisory Committee

From: Steve McArthur - Senior Planner, Current Operations

Subject: Proposed Zoning By-Law Amendment and Draft Plan of Condominium by Miller & Urso Surveying Inc. o/b Golden Estates Ltd. (Ski Club Road)

Date: August 20, 2012

Recommendation

- 1) That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession C, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density (RM2)" zone, as shown on Schedule "A" attached hereto, BE APPROVED;
- 2) That the proposed Draft Plan of Condominium (File #48CDM-09102) by Miller & Urso Surveying Inc. on behalf of Golden Estates Ltd. for Concession C, Part of Lot 16, Parcel 599, PIN #49144-0001(LT) in the former Township of Widdifield, along Ski Club Road in the City of North Bay, as shown on Schedule "B" attached hereto, BE GRANTED DRAFT APPROVAL; and
- 3) That the property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended in order to regulate lighting, ingress and egress, building massing and location, parking, landscaping, lot grading, lot drainage and storm water management.

Site

The subject lands are currently vacant and front on the north side of Ski Club Road.

The portion of the property subject to the proposed Zoning By-law Amendment and Draft Plan of Condominium is irregularly shaped and has an area of approximately 0.9445 hectares (2.33 acres) with a frontage of 210.9 meters (691.93 feet) on Ski Club Road. The subject lands lie within the limits of urban services and are designated "Residential" on Schedule 'B' of the Official Plan. The northern portion of the property forms part of the North Bay Escarpment and is outside the limits of urban services. The applicant is not proposing to develop these escarpment lands.

Adjacent uses include single detached dwellings, semi-detached dwellings, vacant lands and public utility facilities including a North Bay Hydro substation and a Union Gas transfer station. The eastern terminus of Ski Club Road was once home to the south portal (entrance) to the Canadian Forces Base North Bay underground complex which has been closed for many years. The subject lands are also within 200 meters of the active Ontario Northland Railway and some multi-residential (apartment) buildings fronting on Trout Lake Road.

Proposal

The applicant is proposing to rezone the subject lands from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density (RM2)" zone in order to permit the construction of a fifty (50) unit townhouse development. As part of this development, the applicant has concurrently submitted an application for approval of a Draft Plan of Condominium.

Provincial Policy Statement

This proposal has been reviewed in the context of the Provincial Policy Statement (PPS). The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

Section 1.0 of the PPS, Building Strong Communities, provides for a wide variety of policies relating to wisely managing change and promoting efficient land use and development patterns.

Section 1.1.3.3 states that "Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs".

The subject property has access to existing municipal services as encouraged by Sections 1.6.2 and 1.6.4.2 of the PPS. The property is surrounded by various forms of low and medium density residential development. The proposed development will maintain the existing character of the neighbourhood and will result in an infilling situation which is encouraged by the PPS.

In reviewing the proposed Zoning By-law Amendment and Draft Plan of Condominium, I am of the professional opinion that all pertinent policies of the PPS have been applied in their entirety and the end use is consistent with Provincial Policy as set out in the Provincial Policy Statement (PPS) 2005.

Official Plan

The City of North Bay received approval of our new Official Plan on January 6, 2012. The proposed Zoning By-law amendment and Plan of Condominium applications were received and deemed complete on June 10, 2009. As a result, the applications are being reviewed under the policies that were in place at the time of application.

The subject property is designated "Residential" in the City of North Bay's Official Plan. The proposed Zoning By-law Amendment and Draft Plan of Condominium complies with the residential policies contained within Section 2.2 of the Official Plan.

Section 2.2.2.1 of the Official Plan states that: "*in low density residential areas, the intent of this Plan is to provide for accommodation in relatively small buildings, in dwelling units generally suitable for families with children. In this regard, the dwelling types considered appropriate generally involve low profile buildings having an external access and outdoor privacy area associated with each dwelling unit*".

Section 2.2.2.1 goes on to state that: "*dwelling units considered suitable in such low density areas are:*

- a) *single detached and semi-detached dwellings;*
- b) *duplexes, triplexes;*
- c) *rooming houses, boarding houses;*
- d) *maisonettes, townhouses and low profile apartments;*
- e) *mobile homes, and*
- f) *group homes."*

The Applicant is proposing to construct a townhouse-style condominium development which is considered "low density" in the Official Plan. The proposed development meets the density targets for low density developments of 230 square metres per dwelling unit.

In my professional opinion the proposed Zoning By-law Amendment and Draft Plan of Condominium complies with the residential policies contained in Section 2.2 and the proposed use is in conformity with the Official Plan for the City of North Bay.

Zoning By-law No. 28-80

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

- Single Detached Dwelling;
- Semi-Detached Dwelling;
- Duplex Dwelling;
- Accessory Home based business;
- Parks, Playgrounds and Non-profit uses;
- Institutional uses

The applicant is proposing to rezone the subject property to a "Residential Multiple Second Density Zone (RM2)", which would permit the following uses:

- Duplex Dwelling
- Semi-Detached dwelling
- Triplex
- Double Duplex
- Maisonette Dwelling
- Townhouses
- Boarding or rooming house or Group home type 1
- Multiple Dwellings
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

The applicant is proposing to rezone the subject lands from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density (RM2)" zone in order to permit the construction of a fifty (50) unit townhouse development. As part of this development, the applicant has concurrently submitted an application for approval of a Draft Plan of Condominium. The proposed development would meet all other regulations of the City of North Bay's Zoning By-Law No. 28-80.

Correspondence

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

In terms of the correspondence received, the Secretary-Treasurer of the Municipal Heritage Committee, the Mayor's Office of Economic Development, and the Chief Building Official offered no objections to the proposal.

The Fire Prevention Officer advised that the Fire Department has no objection to the application. The department further advises that the developer will be required to install water mains and fire hydrants as part of this development.

The North Bay-Mattawa Conservation Authority advised that the proposal does fall within the 220-280 escarpment elevation "guidelines" as prepared as part of an escarpment Study in 1997. This review also went on to state that the Escarpment is made of slopes that are 15% or greater. There are flat areas as well as steep slopes. The Conservation Authority requested that the toe of the slope be clearly marked and identified on-site prior to submitting further comments with regard to this proposal. A condition to this effect has been added to the Conditions of Draft Approval attached as Appendix 'A' to this report. No development will be permitted above the identified toe of the escarpment.

The subject property is in an area that is regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulations 97/04 and 177/06. These regulations are pursuant to Section 28 of the Conservation Authorities Act of Ontario. Following a detailed stormwater management study, a Development, Interference with Wetlands & Alteration to Shorelines & Watercourses Permit will be required prior to any excavation work being done or any placement of fill on the subject property.

The Director of Parks, Recreation and Leisure Services stated that in addition to the two (2) Parkland parcels identified as 'Park Land' on the attached Draft Plan of Condominium, totalling approximately one (1) acre in size and located on the extreme east and west ends of the development, the applicant will be required to construct and equip a 'tot lot' as part of this proposed development. The Director further commented that the transfer of the identified parkland to the City of North Bay "*will assist in the future access to the North Bay Escarpment and the future transfer of escarpment lands to the Conservation Authority will help to implement the policies of the 2009 Parks Plan Update.*"

The City's Engineering Department offered the following comments:

- *Watermain is accessible across frontage of property.*
- *Limited access to Sanitary Sewer adjacent to property. Will likely require short extension trunk piping along Ski Club Road.*
- *No Storm Sewer available.*
- *City Capital Budget forecast includes relocation of trunk water services from existing easement to Ski Club Road. Limited Watermain Works may be in area of the Sanitary Sewer extension required for the development. Coordinated Works and Cost Sharing may be possible.*
- *Internal Watermains must remain looped.*
- *Internal islands should be removed or have a proper Round-A-Bout installed.*
- *Full Storm Water Management Report is required.*
- *Overland Storm flows from escarpment will be blocked by townhouse units 6 to 26. Detailed consideration of surface water routing is required. We are concerned that the 3*

meter spacing between units is insufficient for water flow and other uses such as pedestrian or maintenance vehicle access. Concentrated flows from this area will need to be transported in a controlled manner to outlets on Ski Club Road. Upgrading of road side ditches may be required due to upgraded flows.

- *Roadway accesses from Ski Club Road may require roadway upgrading.*
- *It is our understanding that units 35 to 50 front Northward onto Condominium roadway. The rear yards of these units backing onto Ski Club Road will not be permitted access to Ski Club Road. Consideration of rear lot fencing and one foot reserve across these units may be required."*

A number of circulated neighbours expressed objection to the proposed rezoning, either in writing, by phone or by presenting at the Planning Advisory Committee. In addition, a petition with 79 signatures in opposition to this development was submitted.

The neighbourhoods concerns can be summarized as follows:

- Townhouses are not in character with the existing neighbourhood;
- Effect of the development on local traffic;
- Devaluation of all other adjacent properties;
- Impact on the natural drainage of the Escarpment; and
- Increase in Crime in the area.

In response to the neighbourhood's concerns regarding drainage of the escarpment, the City of North Bay's Engineering Department is working with the applicant to establish a stormwater management pond on an adjacent parcel on the south side of Ski Club Road. A full stormwater management plan must be approved by the City of North Bay and the North Bay Mattawa Conservation Authority prior to development and final approval of the Plan of Condominium. The Applicant is working with the City of North Bay and North Bay Mattawa Conservation Authority to identify the toe of the North Bay Escarpment. As part of this application, the applicant will dedicate 0.3897 hectares to the City for parkland and 1.9468 hectares to the Conservation Authority for protection of the Escarpment.

The Engineering Department has noted that some roadway upgrades may be required on Ski Club Road. However, these are not anticipated to be a major issue and the Engineering Department believes that traffic will remain within normal levels.

Planning staff have previously researched the impact of this type of development on neighbouring property values. The results of this research have indicated that development of this type of housing either has no impact, or even a positive impact, on neighbouring properties. In the absence of research demonstrating that townhouse developments have a negative impact, Planning staff does not agree with neighbours concerns regarding property values and a potential increase in crime.

The Engineering Department advises that traffic volumes should remain within normal parameters. Local traffic was once much heavier when the south portal to CFB North Bay was open and military personal were coming and going from this location. The addition of fifty (50) new townhouse units should not have a significant impact on the traffic volumes on this underutilized dead end street.

Summary

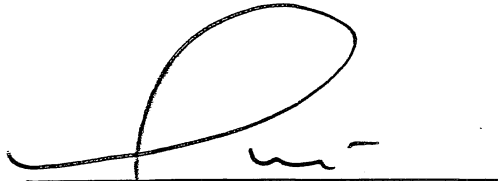
Townhouses are considered a form of low density development, similar to the single detached and semi-detached dwelling units that are currently found in the immediate vicinity of the subject property. The portion of the property that will be developed is designated "Residential" in the City's Official Plan.

The proposed "Residential Multiple Second Density (RM2)" zone and subsequent townhouse development is compatible with the existing uses in the surrounding area, which features variety of low, medium and high density residential uses. Areas to the south of the subject lands are occupied by townhouses and apartment buildings off Johnston and Trout Lake Roads.

The subject property will be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate landscaping, parking, lighting, garbage facilities, fencing, stormwater management, lot grading and drainage.

The proposal is consistent with the PPS as it results in the development of an existing property (infill opportunity). In reviewing the proposed Zoning By-law Amendment and Draft Plan of Condominium Planning Services is of the opinion that the end use is consistent with the Provincial Policy Statement (PPS 2005) and the general intent and purpose of the Official Plan and Zoning By-law are being maintained.

Respectfully submitted,

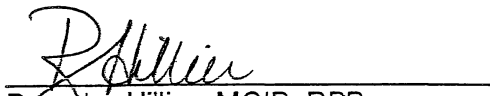


Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

attach.

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I concur with the recommendations contained in this report.



Beverley Hillier, MCIP, RPP
Manager, Planning Services

City of North Bay
File No. 48CDM-09102

APPENDIX "A" – STANDARD CONDOMINIUM - UNITS 1 TO 50

The City of North Bay's Conditions to Final Approval for registration of the Condominium File No. 48CDM-09102, are as follows:

- | <u>No.</u> | <u>Conditions</u> |
|------------|---|
| 1) | That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the <i>Planning Act</i> , the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the <i>Planning Act</i> . |
| 2) | That this approval applies to the Draft Condominium Plan prepared by R. D. Miller, OLS, dated May 12, 2009 including fifty (50) townhouse style units and two parts for trail/parkland purposes identified as Units 1 to 50 and "Park Land" on the attached Schedule "A". |
| 3) | That prior to the signing of the Final Plan by the Municipality, the proposed Condominium conform with the Zoning By-law in effect for the Municipality. |
| 4) | That no removal of trees be undertaken prior to final approval except for survey purposes around the boundary of the Draft Approved Lands and for exploratory soils investigations for the purpose of estimating servicing costs. |
| 5) | That such easements as may be required for utility, water, sanitary and drainage purposes shall be granted to the appropriate authority. |
| 6) | That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision and installation of services and drainage easements. |
| 7) | That the Condominium Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that: <ol style="list-style-type: none">a) The Owner agrees that a Stormwater Management Plan shall be undertaken by the Owner, and the Owner shall hire a professional engineer with respect to the Condominium describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction;b) The Stormwater Management report shall also address any slope stability or any hydrological issues associated with this development; andc) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Condominium site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality. |

- 8) That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay.
- 9) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes, including the area marked as 'Park Land' as shown on the Draft Condominium Plan prepared by R. D. Miller, OLS, dated May 13, 2009, and to construct and equip a 'tot lot' to the satisfaction of the City of North Bay.
- 10) That the Owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.
- 11) That the Condominium Agreement between the Owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 12) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 13) The Condominium agreement for the subject Condominium application shall include a statement informing the first purchaser of a lot within the subject Plan of Condominium that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges.
- 14) That the developer agrees to identify (via a survey prepared by an OLS), to mark the toe of escarpment and to entertain on-site the City of North Bay and the North Bay-Mattawa Conservation Authority in order to arrive at an agreed to limit of construction for the proposed development. No development, site alteration or final approval of the Draft Plan of Condominium will be permitted until this condition is fulfilled.

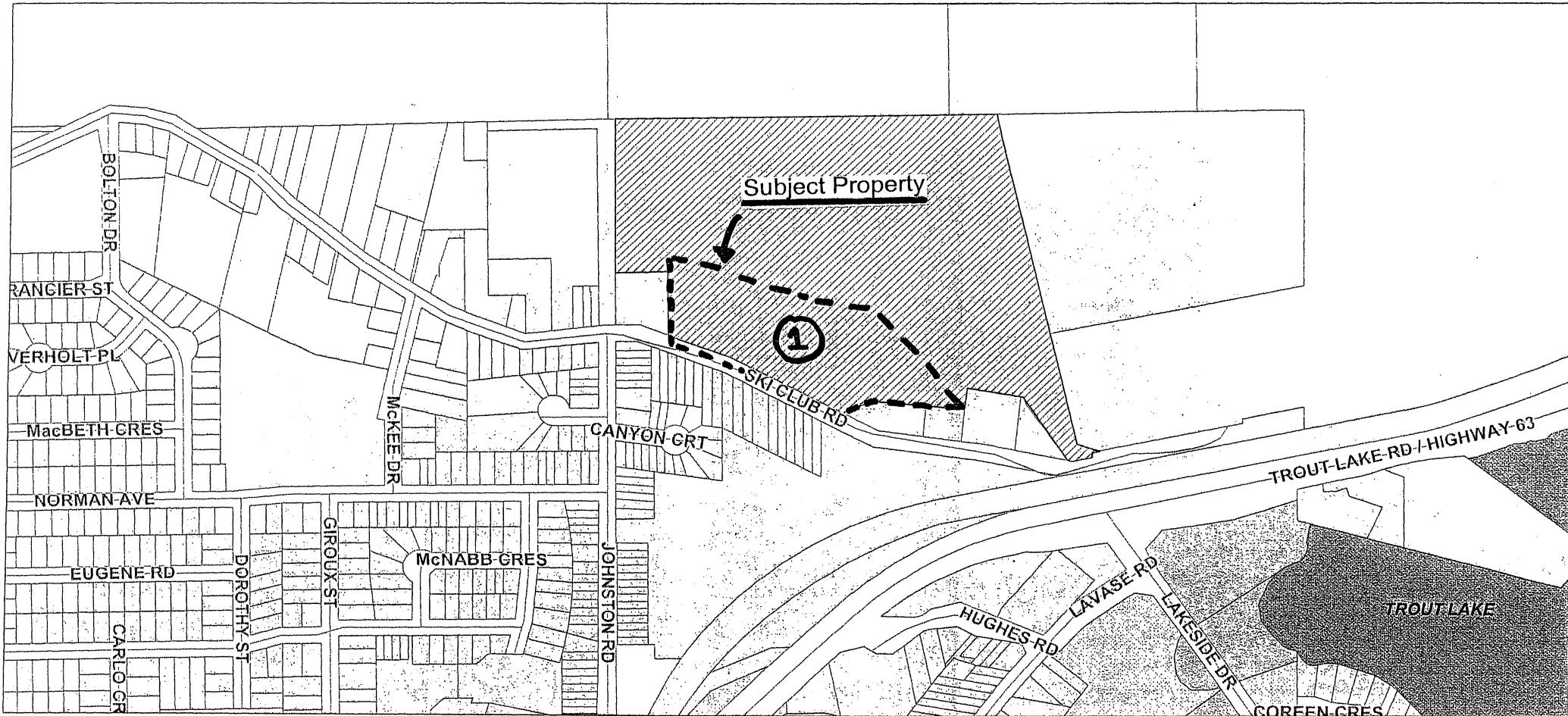
NOTES:

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

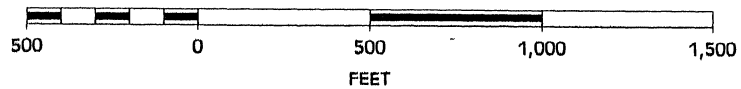
3. The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with North Bay Hydro Distribution Ltd that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension of the existing electrical distribution infrastructure, in accordance with North Bay Hydro policies and the Ontario Distribution System Code.

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

SCHEDULE A

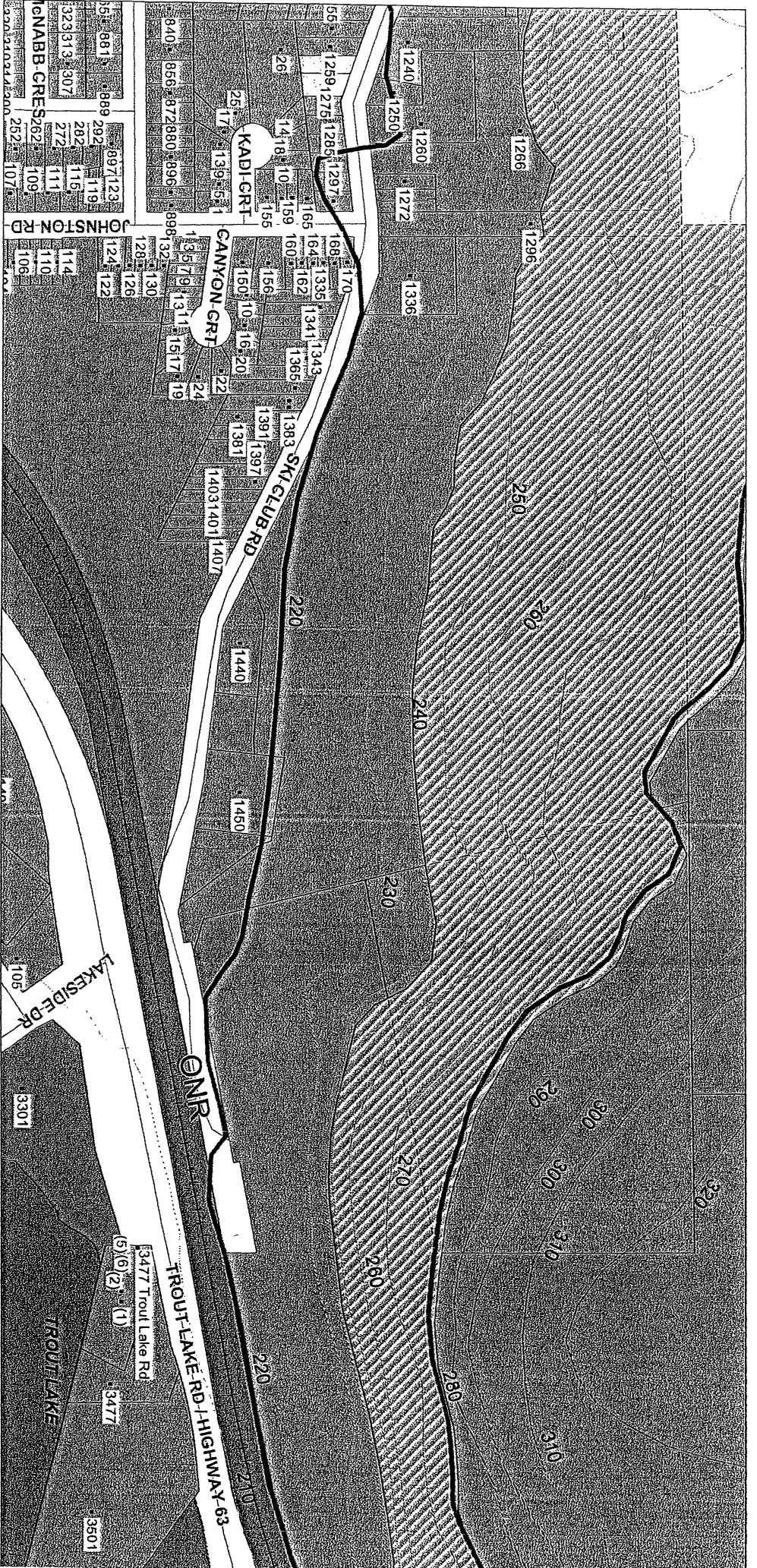


SCALE 1 : 6,807

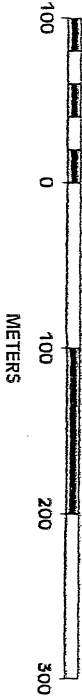


Proposed Zoning By-law Amendment &
Draft Plan of Standard Condominium (50 Units)
From: "Residential Third Density (R3)"
To: "Residential Multiple Second Density (RM2)"

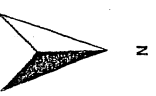




SCALE 1 : 4,631



METERS



CITY OF NORTH BAY REPORT TO COUNCIL

Report No: EEWS 2012-047

Date: September 11, 2012

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

Subject: State of the Infrastructure Report 2012

RECOMMENDATION

That the 2012 update of the State of the Infrastructure Report be referred to the Engineering & Works Committee.

BACKGROUND

We have received the 2012 update of the State of the Infrastructure Report by our consulting engineers, Stantec. A copy of the Executive Summary is attached with the complete report being available through the City Clerk. This report is an update and expansion of the original report done in 2007.

This report is to be referred to the Engineering & Works Committee so that the contents of the report can be presented to City Council by the Consulting Engineer from Stantec, Andy Dalziel. This will allow City Council to ask the originator of the document questions regarding the content.

OPTIONS ANALYSIS

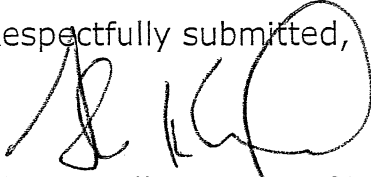
Option # 1: Refer the report to committee to allow for discussion. This option is recommended.

Option # 2: Note and file the report. This option is not recommended as understanding the state of our infrastructure is of critical importance.

RECOMMENDED OPTION

Option # 1: That the 2012 update of the State of the Infrastructure Report be referred to the Engineering & Works Committee.

Respectfully submitted,



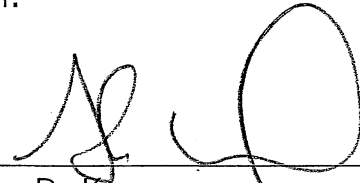
Alan Korell, P.Eng., MCIP
Managing Director, Engineering, Environmental Services & Works

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We concur in this report and recommendation.

for 

Margaret Karpenko
Chief Financial Officer



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Alan Korell

Attachments: Executive Summary of the 2012 State of the Infrastructure Report

**City of North Bay – State of the
Infrastructure Report
Executive Summary**

An Analysis of the Current State of
North Bay's Physical Assets using
Life-Cycle Principles



Stantec

September 7, 2012

Executive Summary

Most Canadian municipalities are struggling to maintain existing infrastructure under current tax and rate levels. They continue to deal with downloaded responsibilities and, at the same time, face growing needs to maintain and renew aged and decaying infrastructure.

The subject of asset management has been gaining increasing public awareness as a result of the introduction of Bill 175, the Sustainable Water and Sewage Systems Act in 2002, and the implementation of “Full Cost Accounting” through PSAB. The emphasis is now being placed on not only knowing the true cost of providing services to your customers today, but also understanding what will be required to maintain the services virtually in perpetuity (or as long as they are required), through the use of life-cycle costing. In other words, we are moving towards Sustainable Asset Management.

Ontario’s Ministry of Infrastructure has also recently released guidelines for the development of Municipal Asset Management Plans which supports the Province’s 10-year infrastructure plan “Building Together” which was released in June 2011. The objective of these guidelines is to provide a basis for the standardization and consistency of asset management practices across Ontario’s municipalities.

The work that the City of North Bay has done that led to the development of the initial State of the Infrastructure Report in 2008 has been acknowledged within these guidelines as one of the essential building blocks on the road to developing detailed asset management plans (http://www.moi.gov.on.ca/en/infrastructure/building_together_mis/local_infrastructure.asp). The State of the Infrastructure report has provided the City with an understanding of the true cost of maintaining the infrastructure that is required to provide the services to the community associated with your roads, water and wastewater infrastructure.

The 2008 State of the Infrastructure Report (SotIR) was developed through a Life-cycle Analysis covering the City’s water distribution system, sanitary sewer system, and road network. This current assignment provides staff with an update to the State of the Infrastructure Report which covers the original asset groups i.e. water, sanitary sewers and roads with the addition of the storm sewer network and the water and wastewater treatment facilities (plants).

As with the previous report is based on a high-level analysis of the replacement, rehabilitation, and maintenance needs of the City’s Public Works Assets. This includes the preparation of a report on the current and assumed future state of these assets. In addition, a Report Card was produced that evaluates the current state of various Public Works assets within the City, and predicts their status in 2027, should the current management approach be maintained. The following assets were included in the study:

Table E.1: Assets Included in Study

Water System	Pipes	Road Network	Roads
	Valves		Sidewalks
	Hydrants		Curbs
	Chambers		Signs and Supports
	Meters		Lighting
	Service Connections		Walkways
	Storage Reservoirs		Retaining Walls
	Booster Stations		Signals
Sanitary System	Pipes		Pavement Markings
	Manholes		Bridges (includes Culverts >1.5m)
	Services		Level Railroad Crossings
	Pumping Station Structures and Equipment		Shoulders
			Guard Rails
Storm System	Manholes		Ditches
	Catchbasins	Driveway Culverts	
	Pumping Station	Treatment Facilities	Water
	Inlets and Outlets		Wastewater
	Services		

It must be noted that the analysis utilized for the SotIR excluded rehabilitation for all assets with the exception of road sections.

Since the original report was developed in 2008 the City has completed condition inspections of the sanitary and storm sewer networks utilizing Zoom Camera technology. This assessment has provided an opportunity to assess the overall condition of both of these networks. Based upon a review of this condition data it would appear that these assets are generally in good condition, therefore, the allowance provided for replacement of “backlogged” assets has been removed from this new analysis. This assessment has also been supplemented by the CCTV inspections of sanitary sewers in conjunction with the City’s sewer grouting and construction projects, which have also shown the sewers that were inspected to be in good condition.

In November 2003, the National Guide for Sustainable Municipal Infrastructure published a Best Practice for Municipal Infrastructure Asset Management. This publication included a listing of seven questions which could be used as a framework for an asset management plan. The SotIR employs this framework:

1. What do you have and where is it? (Inventory)
2. What is it worth? (Costs/replacement Rates)

3. What is its condition and expected remaining service life? (Condition and Capability Analysis)
4. What is the level of service expectation, and what needs to be done? (Capital and Operating Plans)
5. When do you need to do it? (Capital and Operating Plans)
6. How much will it cost and what is the acceptable level of risk(s)? (Short- and Long-term Financial Plan)
7. How do you ensure long-term affordability? (Short- and Long-term Financial Plan)

The City's Public Works assets have a replacement value of \$1.1 billion. The breakdown of those replacement values per serviced property, based on approximately 15,000 serviced properties in the City, are shown in Figure E.1.

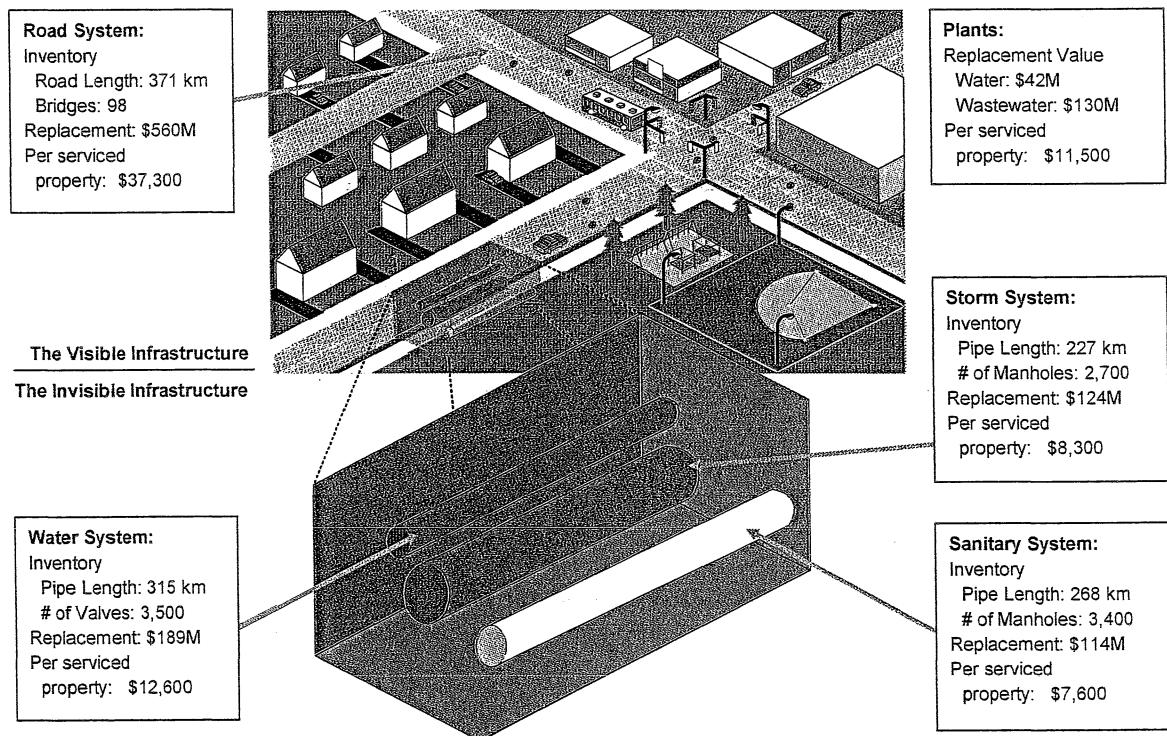


Figure E.1: Asset Replacement Value per Serviced Property

CITY OF NORTH BAY – STATE OF THE INFRASTRUCTURE REPORT

Executive Summary

September 7, 2012

Based on the analysis results, the 2012 operating and capital revenues (as supplied by City Staff) fall short of the sustainable revenue requirements. Table E.2 illustrates the magnitude of this deficit. The analysis projects the finance requirements of each program over a 100-year period, to include the full life-cycle of each asset type. In addition, there is a grey line between certain O&M and Capital activities; the City may be completing activities, which have been identified as Capital within the analysis, using O&M budgets.

Table E.2: Sustainable Revenue (Millions)

Program		2012 Revenue		Sustainable Revenue		Overall Surplus/ (Deficit)
		O & M	Capital	O & M	Capital	
Rate	Water	\$5.2	\$11.7	\$3.1	\$4.9	\$8.9
	Sanitary Sewer	\$3.4	\$7.8	\$3.1	\$3.2	\$4.9
	Plants	\$3.0	\$0.7	\$2.5	\$3.6	(\$2.4)
Levy	Roads	\$4.7 ¹	\$15.7	\$7.7	\$20.4	(\$7.7)
	Storm Sewer	\$0.6	\$0.9	\$2.1	\$2.8	(\$3.4)

¹ Excludes snow removal budget of \$2.2 million

The City's long-term capital funding philosophy is to control debt and try to achieve a healthy mix between debt and pay-as-you-go (PAYGO) funding. This policy was described in more detail in the presentation made to Council on December 5, 2011. <http://www.cityofnorthbay.ca/common/pdf/2012%20Capital%20Budget%20Presentation%20-%20Dec%205,%202011.pdf>). This policy has been developed to increase the funding of capital projects to a sustainable level over time to ensure that the burden on the City's residents is not too great.

It is evident that the City's Public Works and Finance Departments have been working together to identify how funding levels can be increased to the necessary level, while balancing the immediate needs of the community as a whole. As can be seen from Table E.2, there is still work to be done in some areas, however, in general the City has moved closer to the sustainably funding the infrastructure covered by this report.

This SotI Report and related Report Card, as well as the rating system that was used, were developed with input from staff in the Public Works Department. Their expert and knowledgeable comments, input, and concerns are reflected throughout these documents. Preparation of this high-level strategic report, limited to a few of the City's assets, could also be used for other City assets. Furthermore, this approach is the basis for development of a more detailed and tactical analysis in the future.

The SotI Report contains numerous asset-specific recommendations. However, there are ten recurring recommendations that should be addressed in future strategic asset management initiatives:

1. Develop a five-year asset management plan covering the operation, maintenance, and replacement/rehabilitation of the asset portfolios. The asset management plans should address the short-term investment requirements necessary to provide the levels of service required by the community;
2. Develop, through more detailed analysis, a plan for allocating the additional funds to the operating and/or capital budgets, as required (including additional staff), in order to successfully develop, implement, and maintain the required asset management plans;
3. Continue the implementation of the policy to reach sustainable funding for each of the assets covered in this SotI Report;
4. Implement a comprehensive budget structure along service delivery lines, so that service managers can adequately know what the true total cost of their service is (including asset management, operations, capital, and borrowing costs) as well as measure their progress towards sustainable funding;
5. Continue the process of engaging the community in discussing the true cost of services and the assets required to provide those services. Move towards the development and implementation of levels of service that are in line with public expectations and willingness/ability to pay;
6. Review the selection and use of rehabilitation technologies on a least life-cycle cost and return-on-investment (ROI) basis. This SotIR Analysis was generally based only on replacement costs except for the road centreline sections. Within the road centreline section analysis, rehabilitation has been selected for all sections that have not past the point of rehabilitation;
7. Review operating and maintenance practices balancing least life-cycle cost against level of service and risk exposure, on a business-case basis;
8. Develop the necessary operations, maintenance, inspection, and analytical programs to increase the focus on life-cycle management of the asset portfolio;
9. Continue the implementation of the Hansen asset management system to assist in the development of more robust figures for optimum funding of operations and maintenance activities, as a percent of replacement cost.
10. Update the SotI Report Card and Analysis on a 4 – 5-year cycle.

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2012-109

September 11, 2012

Originator: Paul Valenti

Subject: Tender No. 2012-63 Four Wheel Drive Ride-on Mower

RECOMMENDATION:

That North Bay City Council approves the award of a contract to Turf Care Products Canada Limited in the amount of \$74,060.00 (plus HST) for the supply of one (1) Four Wheel Drive Ride-on Mower.

BACKGROUND:

The City is purchasing a new Four Wheel Drive Ride-on Mower as part of the Parks Vehicle and Equipment Replacement Program. The mower is one of the pieces of equipment planned for use at the Steve Omischl Sports Complex.

A tender was publicly advertised in accordance with the City's Purchasing Policy. Six (6) tender packages were distributed. The tender closed August 8, 2012. Two (2) tenders were received and evaluated by the Manager of Purchasing and Manager of Parks. The results are as follows:

Firm	Tender Price (excluding HST)
Turf Care Products Canada Limited	\$74,060.00
Arnstein Lawn and Garden Company Inc.	*

*The tender submitted by Arnstein Lawn and Garden Company Inc. did not meet the minimum specifications or technical requirements and as a result was deemed as non-compliant.

The tender provided by Turf Care Products Canada Limited in the amount of \$74,060.00 (plus HST) is considered fair and reasonable. The price was substantiated with a copy of an invoice to another municipality to ensure the City is receiving best pricing.

ANALYSIS / OPTIONS:

1. That North Bay City Council approves the award of a contract to Turf Care Products Canada Limited in the amount of \$74,060.00 (plus HST) for the supply of one (1) Four Wheel Drive Ride-on Mower.

-
2. Do not award a contract. This option is not recommended. The equipment will provide for operational efficiencies in maintaining the Omischl Sports Complex and is part of the Park's ongoing equipment replacement program.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contract to Turf Care Products Canada Limited in the amount of \$74,060.00 (plus HST) for the supply of one (1) Four Wheel Drive Ride-on Mower.

The net cost to the City for the equipment (including HST less the HST rebate) is \$75,363.61.

Sufficient funding is available as follows:

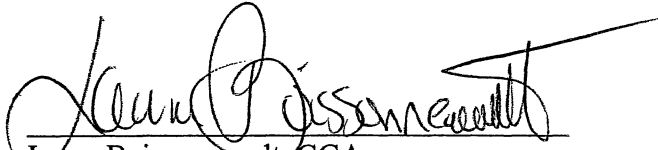
- \$60,519.00 from the 2011 Community Services Capital Budget, Project No. 6028PR, Parks Vehicle & Equipment Replacement Program; authorized with By-law No. 2011-30 dated March 7, 2011.
 - \$14,844.61 from the 2012 Community Services Capital Budget, Project No. 6077PR, Parks Vehicle & Equipment Replacement Program; authorized with By-law No. 2012-26 dated February 6, 2012.
-

Respectfully submitted,



Paul Valenti,
Manager of Purchasing

We concur in this report and recommendation.



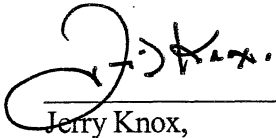
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Peter Chirico
Managing Director,
Community Services



Jerry Knox,
Chief Administrative Officer

Personnel designated for continuance: Manager of Parks

Attachments: Tenders

City of North Bay

Report to Council

Report No: CSBU 2012 - 65

Date: September 11, 2012

Originator: Sharon Kitlar
Manager Recreation and Leisure Services

Subject: Summer in the Park Financials

RECOMMENDATIONS

1. That Council accepts this report for the 2012 Summer in the Park Festival.
2. That Council approves the transfer of the 2012 surplus to the Summer Festival Reserve Account Number 99562R.
3. That Council approves the 2012 surplus to be used toward the 2013 festival budget.
4. That Council approve an initial budget for the 2013 Summer in the Park at \$524,950 with a City contribution of \$40,000 and the surplus generated in 2012 be allocated to the 2013 event.
5. That during the 2013 Operating Budget process, Council considers a commitment to the 2014 and 2015 Festival.
6. That Council approves the makeup of the committee to be three Chamber Representatives and three City Representatives.
7. That Council approves Peter Chirico, Managing Director of Community Services to replace Jerry Knox, CAO, on the committee as a City Representative.

BACKGROUND

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

The festival was the same format as last year with two nights of concerts in which wristbands were required and the Lee Park activities remained free to the public.

Aboriginal programming, a Juried Art Exhibition, paid professional art workshops, cricket orientation and an exhibition game and CanAsian Idol were all new to Lee Park this year. These enhancements to programming were possible due to funding received by the committee.

An estimated 45,000 people attended the festival over the course of the weekend including Lee Park and the paid concerts at the waterfront. This resulted in positive feedback from vendors, sponsors and partners of the event. A total of 8,719 wrist bands were sold.

With total revenues of \$605,991.04 and expenses of \$582,022.47 the net financial result of the event was a \$23,968.57 surplus.

2012 Program Highlights

Community Waterfront Park Concerts

The Committee was able to provide two nights of concerts at the main stage in a new location at the Community Waterfront Park. The new location was very well received by the public. It provided better site lines for spectators, was easier to secure and closer to the Downtown area in the hopes of drawing additional traffic to the downtown. Positive comments were received regarding the stage venue and the new Civic Square.

As a result of the venue location for the concerts, the majority of Memorial Drive was able to remain open allowing waterfront businesses and attractions to operate without interruption.

Wrist band sales generated revenue of \$229,305.11 almost \$100,000 more than last year. A total of 8,719 wristbands were sold this year. This is 2,670 more than the amount sold in 2011.

Due to the demands of our large scale artist, Meat Loaf, we were required to bring in a better stage from Montreal. The stage cost the festival approximately \$30,000 more than budgeted. This stage did, however, weather the extreme thunderstorm on the Saturday night. Due to the severe weather Downchild's performance was cut short and Meat Loaf was unable to perform. Some of the sound equipment on the stage was damaged during the storm and the storm continued into the next day making it impossible to continue the concerts.

The committee implemented the Emergency Response Plan when the storm hit and evacuated the concert grounds quickly and safely. We did not have any reports of injuries.

No refunds were issued for wristbands due to the cancellation of Meat Loaf as this was an outdoor concert and 5 of the 6 scheduled performers did go on stage. Most outdoor festivals do not offer refunds for weather.

Beer Garden

The Summer in the Park Committee entered into a one year agreement with the Davedi Club to operate the beer garden for the Community Waterfront Park concerts.

As per our agreement the beer garden would operate under the Davedi Club's own Alcohol and Gaming Commission of Ontario License. The Davedi Club would order and pick up the appropriate refreshments and service supplies. They would provide refrigeration for the refreshments, provide ticket sellers, service sellers, on-site event management and return any unused product after the conclusion of the beer garden.

The City was responsible for coordinating and providing tenting, fencing, security personnel, port-a-johns, hydro, lighting, tables and chairs.

After all expenses associated with the operation of the beer garden were deducted and paid, the City retained two-thirds of the net revenue and paid the Davedi Club one-third of the net revenue generated

by the operation of the beer garden.

Summer in the Park generated a \$3,074 profit after expenses and after paying the Davedi Club \$1,847.

Hotels

Hotels in North Bay enjoyed a 94.5% occupancy rate with an average room rate of \$123.00 per room on Friday August 3rd and a 97% occupancy rate with an average room rate of \$122.00 on Saturday August 4th, 2012.

Overall the hotels were very happy with the number of out-of-towners the festival brought in. The buzz was back in the city.

Survey

Over 300 people were surveyed in Lee Park during the festival weekend. 39% of those people surveyed were from out-of-town and 25% of them stayed in hotels.

People were traveling from areas such as Thunder Bay, Hamilton, Sault Ste. Marie, Ohio, Mississauga, Bracebridge, Timmins, Toronto, Pembroke, Brampton, Kitchener, Barrie, Sudbury and Parry Sound. The majority of these people heard about the festival through radio. The average age of these visits were between the ages of 16-34.

64% of people surveyed said the Country Open was their favorite event followed by the inflatables and the reptiles.

Some recurring suggestions included evening entertainment in Lee Park and children's performers.

Lee Park

Lee Park hours of operation were 10am – 11pm Friday, Saturday & Sunday. It boasted numerous activities, all free of charge, that included a petting zoo, inflatable land, face painting, Little Ray's Reptile Zoo, Shriners Clowns, community group displays, military displays, TD Friends of the Environment water bottle/tumbler giveaway, a secure bike zone, the Cogeco trailer, Art in the Park, The Northern Ontario Open Country Singing contest, RV displays and so much more.

Country Open

Representatives of the Country Open Committee and the Summer in the Park Committee partnered once again to host both events together. The Country Open took place on the main stage in Lee Park.

The Country Open had 59 contestants enter the contest this year with registration fees totaling \$1,795.00 Other revenues associated with the Country Open included a golf tournament raising \$1121.44.00 and \$2,500.00 in community sponsorship. Expenses associated with Country Open included stage, sound, judging expenses, prize money and band fees.

Art in the Park

This year Art in the Park expanded to include a Juried Art Exhibition and paid Professional Workshops. Both additions were well received by the public.

The Juried Art Exhibition had more than 70 entries. The finalists' works were on display in City Hall during the month of August. Winners of the Art Exhibition received cash prizes. Art in the Park hopes to see more entries and to grow this component of the festival next year.

Two professional water colour artists were hired to teach full day workshops to interested parties. Nine people paid to participate in these workshops. Next year we plan to better promote the paid workshops to increase participation.

Aboriginal Programming

Over the last three years the committee had been working hard to include an Aboriginal programming component to the festival. This year the committee started working on the PowWow planning as soon as we received notice of Celebrate Ontario funds. Two weeks prior to the festival it was determined that the planned programming could not take place. As a result it was replaced by alternate Aboriginal content. The committee will continue to work with the Aboriginal community in an effort to offer programming during next year's event.

Cricket

Summer in the Park partnered with the Multicultural Centre and the North Bay Cricket Team to coordinate a cricket exhibition game between Sudbury and North Bay. We were also able to arrange a cricket orientation for the public and game time.

The North Bay Team won the exhibition game and was very happy with that. There was also a Chamber vs. Council game that took place. The Multicultural Centre and North Bay Cricket Team were very happy with the results. They look forward to working with the festival again next year. The startup costs for this included equipment, banners, uniform, etc. that were paid through our grants. Next year costs will be very minimal to organize this event.

CanAsian Idol

Economic Development and Summer in the Park endeavored to target a "new Canadian market" by hosting a CanAsian Idol Competition. This competition is basically the same idea as Canadian Idol in that singers compete for cash prizes and the title. Regional Tourism Organization 13 (RTO13) funded this competition 100%. The goal was to target the Asian community in the Toronto area. It was advertised as a package that included one night accommodation, breakfast, transportation and a wristband. 168 people purchased this package.

Financials

Revenues associated with the event totaled \$605,991.04 and \$582,022.47 in expenses for a net revenue of \$23,968.57. A contingency of \$10,000 has been established to cover potential outstanding invoices. In the event this contingency is not required in whole or in part the surplus would increase accordingly. These financial results include the City's \$40,000 financial contribution as well as the \$27,897.41 of reserves authorized by Council (Resolution 2011-658). (See 2012 Summer in the Park Financials attached)

Revenue Highlights

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

Sponsorship (Includes Spring Midway)	\$62,401.40
City Contribution	\$40,000.00
Vendor/Revenue Concessions	\$19,013.20
Midway (SITP Only)	\$49,119.95
Wristband Sales	\$229,305.11
Misc. Revenue	\$4,246.25
Celebrate Ontario	\$75,000.00
Canadian Heritage	\$17,000.00
Beer Garden At Waterfront	\$28,811.28
Reserve Funds	\$27,897.41
Country Open Revenue	\$2,916.44
Summer Student Subsidy	\$1,120.00
RTO13	\$29,425.00
TEMPP	\$4,500.00
TD Friends of the Environment	\$10,000.00
Advertising Revenue	\$750.00
Art in the Park Revenue	\$4,485.00
TOTAL	<u>\$605,991.04</u>

Grant Funding

The event received a total of \$127,045 in funding from various funding programs:

Celebrate Ontario	\$ 75,000
Canadian Heritage	\$ 17,000
TEMPP	\$ 4,500
RTO13	\$ 29,425
Employment Grants (HRDC)	<u>\$ 1,120</u>
Total	<u>\$127,045</u>

Each year the committee submits applications to various funding agencies. There is no guarantee regarding grant funding from year to year. This year we received a large amount of money from grants allowing us to expand the programming.

World's Finest Shows Midway

Summer in the Park & World's Finest Shows entered into a sponsorship agreement for a Spring Midway and August Long Weekend Midway. There is an agreement in effect for the 2013 & 2014 August Long Weekend Midway with the same terms honored by the Heritage Festival agreement when revenue was significantly higher.

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

2009	\$44,591.10
2010	\$45,846.00
2011	\$46,528.79
2012	\$49,119.95

Sponsorship

For the third year in a row Cogeco Cable was the title sponsor of the event contributing a total of \$10,000 in cash sponsorship and over \$10,000 of in-kind media. Cogeco has expressed interest in this sponsorship once again for 2013. The community supported this year's festival with cash sponsorships totaling \$62,401.40 and in-kind donations estimated at \$85,574. In-kind donations included hotel rooms, media, catering and transportation for bands, rental equipment and other various items. The community's contribution to Summer in the Park is extremely important to making the event an ongoing success.

Park Parking

This year the committee partnered with a local community group, Rotaract of North Bay Nipissing. Municipal Lot 2 was used for paid parking for the concerts. The group charged \$5 per car per night. A total of \$1,084 profit was made on the Friday night and a total of \$1,104 profit was made on the Saturday night. 50% of these profits (\$1,094) were given to the Rotaract Club; the remaining revenue was included in the revenue for the festival. This is definitely something the committee would like to host again next year.

Expense Highlights

Administration	\$18,004.54
Admissions	\$4,803.35
Student Salary	\$8,957.76
Marketing	\$13,926.41
Main Stage	\$77,055.55
Evening Musical Entertainment	\$251,269.99
Lee Park Programming	\$29,028.15
Emergency Services & Security	\$38,715.68
Expanded Daytime Programming	\$46,824.56
Facilities	\$43,872.02
Volunteer Services	\$3,728.77
Beer Garden	\$23,888.54
Water bottle Giveaway	\$9,005.33
Rotaract Parking Split	\$1,094.00
Davedi Club Beer Garden Split	\$1,847.82
Contingency	<u>\$10,000.00</u>
Total	<u>\$582,022.47</u>

Event Surplus

Over the course of the past five years the Summer in the Park event has recovered all costs associated with the event. The costs were recovered through sponsorship, midway sponsorship, grant funds, and an annual municipal contribution that has ranged from \$10,000 to \$40,000. For each of the events over the past five years, final event financials have resulted in a net surplus. These surplus funds have been put into an event reserve. If Council approves the transfer of the 2012 surplus to the Summer Festival Reserve, the balance in this reserve fund at December 31, 2012 will be between \$92,000 and \$102,000 depending on how much of the \$10,000 contingency is required.

Summer in the Park Festival 2013

The Summer in the Park Committee would like to start planning next year's festival early this fall. This would ensure a wide selection of entertainment acts to choose from and would facilitate securing evening entertainment and other attractions for the 2013 event well in advance. The goal is to have a headliner booked with wristbands to go on sale prior to Christmas 2012.

The Committee is seeking Council's approval to proceed with the planning of the 2013 Summer in the Park with a proposed budget of \$524,950. At this point the contribution requested of Council is \$40,000 plus utilizing the surplus of approximately \$34,000 from 2012. (2013 proposed Summer in the Park budget attached). In order to properly account for the 2012 surplus it needs to be assigned to the reserve and then upon Council's approval the funds would be transferred to the 2013 event. Should there be a requirement to revise this request in the future, the Committee would approach Council at the time.

In order to further establish the Summer in the Park as an annual event, the Committee also requests that Council discuss establishing a commitment to the event for 2014 and 2015 for consideration during the 2012 budget deliberations.

OPTIONS

Option 1 – Approve the requests as presented

If Council is satisfied with the requests as presented, Council should grant them, by approving Recommendations 1 through 6.

Option 2 – Grant the requests in an amended form

If Council is not satisfied with the requests as presented, but wants the event to proceed, Council could grant the requests amending the Recommendations to suit its concerns. Depending upon the amendments made, the Event Committee may need to review its methodology for the undertaking of the event.

Option 3 – Refuse to grant the requests as presented

If Council is not satisfied with the requests as presented, Council could refuse to grant them. A refusal to grant the requests would result in the surplus not being transferred to the reserve and the preparations for next year's event would be delayed until Council's approval was received.

RECOMMENDATION:

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

Option 1

1. That Council accepts this report for the 2012 Summer in the Park Festival.
2. That Council approves the transfer of the 2012 surplus to the Summer Festival Reserve Account Number 99562R.
3. That Council approves the 2012 surplus to be used toward the 2013 festival budget.
4. That Council approve an initial budget for the 2013 Summer in the Park at \$524,950 with a City contribution of \$40,000 and the surplus generated in 2012 be allocated to the 2013 event.
5. That during the 2013 Operating Budget process, Council considers a commitment to the 2014 and 2015 Festival.
6. That Council approves the makeup of the committee to be three Chamber Representatives and three City Representatives.
7. That Council approves Peter Chirico, Managing Director of Community Services to replace Jerry Knox, CAO on the committee as a City Representative.

Submitted by



Sharon Kitlar
Manager Recreation and Leisure Services

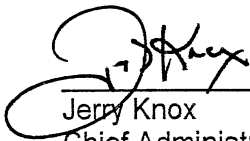
I concur with this report and recommendation.



Peter Chirico
Managing Director Community Services



Margaret Karpenko, CMA
Chief Financial Officer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Community Event Facilitator

Attachments:

2012 Summer in the Park Financials Final
2013 Summer in the Park Proposed Budget

Copy for:

Chief Administrative Officer
Director Parks, Recreation and Leisure Services
Manager Recreation and Leisure Services
Community Event Facilitator
Jake Lacourse, Chair, Summer in the Park

2013 August Long Weekend Festival Projected Budget

	SITP 2013 Projected	SITP 2013 Actuals	2013		2013 Country Open Projected	2013 Country		Total Projected	Total Actuals
			Waterfront Concerts Projected	Waterfront Concerts Actuals		Open	Actuals		
Summary of Revenues									
Sponsorship (Includes Spring Midway)	\$45,000.00	\$0.00	\$27,000.00	\$0.00	\$3,000.00	\$0.00	\$0.00	\$75,000.00	\$0.00
City Contribution	\$20,000.00	\$0.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$0.00
Vendor/Revenue Concessions	\$18,000.00	\$0.00	\$3,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21,000.00	\$0.00
Midway (August Long Weekend Only)	\$42,000.00	\$0.00	\$8,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,000.00	\$0.00
Wristband Sales	\$0.00	\$0.00	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00
Miscellaneous Revenue	\$3,000.00	\$0.00	\$2,500.00	\$0.00	\$700.00	\$0.00	\$0.00	\$6,200.00	\$0.00
Beer Garden Sales	\$0.00	\$0.00	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$0.00
2012 Surplus Carry Forward	\$0.00	\$0.00	\$34,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34,000.00	\$0.00
Canadian Heritage Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Country Open Registrations & Other	\$0.00	\$0.00	\$0.00	\$0.00	\$3,000.00	\$0.00	\$0.00	\$3,000.00	\$0.00
Celebrate Ontario Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TD Friends of the Environment Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TEMP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Summer Student Subsidy	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
RTO13 Funding	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Various Advertising Revenue	\$0.00	\$0.00	\$750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$750.00	\$0.00
Art In The Park Revenue	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$0.00
TOTAL	\$133,000.00	\$0.00	\$385,250.00	\$0.00	\$6,700.00	\$0.00	\$0.00	\$524,950.00	\$0.00
Summary of Expenditures									
Administration	\$4,650.00	\$0.00	\$3,800.00	\$0.00	\$12,250.00	\$0.00	\$0.00	\$20,700.00	\$0.00
Admissions	\$0.00	\$0.00	\$9,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,400.00	\$0.00
Student Salary	\$4,950.00	\$0.00	\$4,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,200.00	\$0.00
Marketing	\$6,900.00	\$0.00	\$8,800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,700.00	\$0.00
Main Stage	\$2,000.00	\$0.00	\$71,100.00	\$0.00	\$15,000.00	\$0.00	\$0.00	\$88,100.00	\$0.00
Evening Musical Entertainment	\$0.00	\$0.00	\$193,700.00	\$0.00	\$6,300.00	\$0.00	\$0.00	\$200,000.00	\$0.00
Lee Park Programming	\$37,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$37,000.00	\$0.00
Expanded Daytime Programming	\$5,800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,800.00	\$0.00
Emergency Services & Security	\$16,650.00	\$0.00	\$30,350.00	\$0.00	\$0.00	\$0.00	\$0.00	\$47,000.00	\$0.00
Facilities	\$24,000.00	\$0.00	\$31,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$55,000.00	\$0.00
Volunteer Services	\$5,000.00	\$0.00	\$2,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,600.00	\$0.00
Beer Garden	\$0.00	\$0.00	\$27,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$27,450.00	\$0.00
Water Bottle Giveaway	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Davedi Club Beer Garden Split	\$0.00	\$0.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$0.00
TOTAL	\$106,950.00	\$0.00	\$384,450.00	\$0.00	\$33,550.00	\$0.00	\$0.00	\$524,950.00	\$0.00
Surplus/Deficit	\$26,050.00	\$0.00	\$800.00	\$0.00	-\$26,850.00	\$0.00	\$0.00	\$0.00	\$0.00

2012 August Long Weekend Festival Budget - Sept 11th, 2012

	2011 Actuals	SITP 2012 Projected	SITP 2012 Actuals	2012 Waterfront Concerts Projected	2012 Waterfront Concerts Actuals	2012 Country Open Projected	2012 Country Open Actuals	Total Projected	Total Actuals
Summary of Revenues									
Sponsorship (Includes Spring Midway)	\$72,619.27	\$49,000.00	\$36,451.40	\$24,000.00	\$23,450.00	\$3,000.00	\$2,500.00	\$76,000.00	\$62,401.40
City Contribution	\$40,000.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00	\$40,000.00	\$40,000.00
Vendor/Revenue Concessions	\$19,646.79	\$22,000.00	\$17,777.20	\$3,000.00	\$1,236.00	\$0.00	\$0.00	\$25,000.00	\$19,013.20
Midway (August Long Weekend Only)	\$46,528.79	\$47,000.00	\$29,119.95	\$8,000.00	\$20,000.00	\$0.00	\$0.00	\$55,000.00	\$49,119.95
Wristband Sales	\$131,598.41	\$0.00	\$0.00	\$200,000.00	\$229,305.11	\$0.00	\$0.00	\$200,000.00	\$229,305.11
Miscellaneous Revenue	\$4,925.75	\$1,000.00	\$353.25	\$4,300.00	\$3,893.00	\$700.00	\$0.00	\$6,000.00	\$4,246.25
Beer Garden Sales	\$4,176.00	\$0.00	\$0.00	\$6,300.00	\$28,811.28	\$0.00	\$0.00	\$6,300.00	\$28,811.28
Reserve Funds	\$40,000.00	\$0.00	\$0.00	\$24,000.00	\$24,000.00	\$3,897.41	\$3,897.41	\$27,897.41	\$27,897.41
Canadian Heritage Grant	\$27,000.00	\$0.00	\$0.00	\$0.00	\$17,000.00	\$0.00	\$0.00	\$0.00	\$17,000.00
Country Open Registrations & Other	\$2,290.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,000.00	\$2,916.44	\$4,000.00	\$2,916.44
Celebrate Ontario Grant	\$40,000.00	\$0.00	\$32,500.00	\$0.00	\$42,500.00	\$0.00	\$0.00	\$0.00	\$75,000.00
TD Friends of the Environment Grant	\$10,000.00	\$0.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
TEMPP	\$5,000.00	\$0.00	\$0.00	\$0.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00
Summer Student Subsidy	\$1,120.00	\$0.00	\$1,120.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,120.00
RTO13 Funding	\$0.00	\$0.00	\$29,425.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$29,425.00
Various Advertising Revenue	\$0.00	\$0.00	\$0.00	\$0.00	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00
Art In The Park Revenue	\$0.00	\$0.00	\$4,485.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,485.00
TOTAL	\$444,905.01	\$129,000.00	\$171,231.80	\$289,600.00	\$415,445.39	\$21,597.41	\$19,313.85	\$440,197.41	\$605,991.04
Summary of Expenditures									
Administration	\$16,684.79	\$6,700.00	\$6,195.22	\$1,800.00	\$405.80	\$12,500.00	\$11,403.52	\$21,000.00	\$18,004.54
Admissions	\$4,095.00	\$0.00	\$0.00	\$10,250.00	\$4,803.35	\$0.00	\$0.00	\$10,250.00	\$4,803.35
Student Salary	\$4,925.30	\$8,000.00	\$8,957.76	\$0.00	\$0.00	\$0.00	\$0.00	\$8,000.00	\$8,957.76
Marketing	\$15,581.37	\$6,500.00	\$4,646.58	\$8,000.00	\$9,279.83	\$0.00	\$0.00	\$14,500.00	\$13,926.41
Main Stage	\$41,710.90	\$2,000.00	\$0.00	\$28,995.00	\$66,762.50	\$15,000.00	\$10,293.05	\$45,995.00	\$77,055.55
Evening Musical Entertainment	\$216,762.41	\$0.00	\$0.00	\$177,050.00	\$247,217.59	\$6,300.00	\$4,052.40	\$183,350.00	\$251,269.99
Lee Park Programming	\$37,288.88	\$38,800.00	\$27,028.15	\$0.00	\$0.00	\$0.00	\$2,000.00	\$38,800.00	\$29,028.15
Expanded Daytime Programming	\$0.00	\$0.00	\$46,824.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$46,824.56
Emergency Services & Security	\$34,279.34	\$17,050.00	\$12,901.33	\$30,950.00	\$25,814.35	\$0.00	\$0.00	\$48,000.00	\$38,715.68
Facilities	\$34,961.22	\$30,000.00	\$26,693.27	\$25,000.00	\$17,178.75	\$0.00	\$0.00	\$55,000.00	\$43,872.02
Volunteer Services	\$2,584.79	\$4,500.00	\$2,586.97	\$3,500.00	\$1,141.80	\$0.00	\$0.00	\$8,000.00	\$3,728.77
Beer Garden	\$2,625.00	\$0.00	\$0.00	\$5,000.00	\$23,888.54	\$0.00	\$0.00	\$5,000.00	\$23,888.54
Water Bottle Giveaway	\$9,003.60	\$0.00	\$9,005.33	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,005.33
Rotaract Parking Split	\$0.00	\$0.00	\$0.00	\$0.00	\$1,094.00	\$0.00	\$0.00	\$0.00	\$1,094.00
Davedi Club Beer Garden Split	\$0.00	\$0.00	\$0.00	\$0.00	\$1,847.82	\$0.00	\$0.00	\$0.00	\$1,847.82
Contingency	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
TOTAL	\$425,502.60	\$113,550.00	\$149,839.17	\$290,545.00	\$404,434.33	\$33,800.00	\$27,748.97	\$437,895.00	\$582,022.47
Surplus/Deficit	\$19,402.41	\$15,450.00	\$21,392.63	-\$945.00	\$11,011.06	-\$12,202.59	-\$8,435.12	\$2,302.41	\$23,968.57

CITY OF NORTH BAY**REPORT TO COUNCIL**

Report No: CORP 2012-125

September 12, 2012

Originator: Paul Valenti

Subject: Wastewater Treatment Plant Emergency Electrical Repairs

RECOMMENDATION:

That City Council approves funding, in the amount of \$275,000 from the Water and Sewer Capital Budget, Project No. 2702WS Airport Hill – Standpipe and Watermain, be used for emergency electrical repair work at the Wastewater Treatment Plant; and

That City Council approves the award of a single source contract to Ontario Electric Construction Company Limited in the estimated amount of \$223,300.00 (plus HST) related to the electrical component of work required for emergency repairs at the Wastewater Treatment Plant.

BACKGROUND:

On August 27, 2012, the 5000 volt line feeders from the main substation to the secondary substation at the Wastewater Treatment Plant failed causing a power outage for several hours to parts of the plant. Temporary power feeders have been put in place but permanent feeders need to be installed as soon as possible. This work is critical to ensure on-going safety of our staff, the public and the treatment process.

An amount of \$223,300 is an estimated cost for the electrical component of the repair work. This price is an estimate and is based on a time and material basis.

Ontario Electric has performed similar work for the City in the past and is well experienced, qualified and resourced to complete this repair in a timely and cost effective manner. Provisions within the Purchasing By-law allow for sole sourcing and non-competitive procurement for situations deemed as emergency or when a condition of unforeseen urgency exists.

The remaining portion of required funding for repairs, in the amount of \$51,700, consists of other trade works and is to be managed by the City Engineering Department.

ANALYSIS / OPTIONS:

1. That City Council approves funding, in the amount of \$275,000 from the Water and Sewer Capital Budget, Project No. 2702WS Airport Hill - Standpipe and Watermain, be used for emergency electrical repair work at the Wastewater Treatment Plant; and

That City Council approves the award of a single source contract to Ontario Electric Construction Company Limited in the estimated amount of \$223,300.00 (plus HST) related to the electrical component of work required for emergency repairs at the Wastewater Treatment Plant.

2. Do not allocate the funding to this project and do not award a contract to Ontario Electric Construction Company Limited. This option is not recommended. The Wastewater Treatment Plant would have to be shut down.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That City Council approves funding, in the amount of \$275,000 from the Water and Sewer Capital Budget, Project No. 2702WS Airport Hill - Standpipe and Watermain, be used for emergency electrical repair work at the Wastewater Treatment Plant; and

That City Council approves the award of a single contract to Ontario Electric Construction Company Limited in the estimated amount of \$223,300.00 (plus HST) related to the electrical component of work required for emergency repairs at the Wastewater Treatment Plant.

Sufficient funding for the project is available in the Water and Sewer Capital Budget, Project No. 2702WS; authorized by By-law No. 2008-194 dated August 18, 2008.

Respectfully submitted,

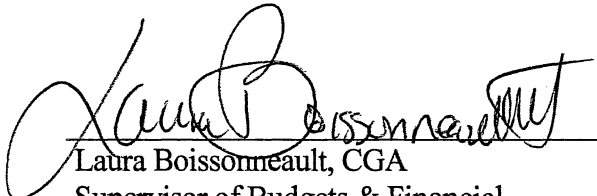


Paul Valenti
Manager of Purchasing


We concur in this report and recommendation.



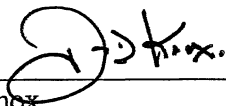
Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Laura Boissommeault, CGA
Supervisor of Budgets & Financial
Reporting



For | Alan Korell
Managing Director, Engineering, Environmental
Services and Works



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Director of Engineering

Attachment: Ontario Electrical Quote

Ontario Electrical Construction
Company Limited
211 Airport Rd, North Bay
P705-474-3040
F705-476-8688
oecnorthbay@bellnet.ca



BUDGET PROPOSAL

David Euler, P. Eng., PMP
Director of Engineering
City of North Bay
P.O. Box 360, 200 McIntyre St
North Bay, ON P1B 8H8
Phone: (705) 474-0626 x2325 (City Hall)

Project: Construction of 5KV duct bank

September 12, 2012

Mr. D. Euler,

Please accept this budget proposal for your review and action related to the construction of a 5KV duct bank at the North Bay Waste Water Treatment Plant.

Our proposal includes:

- Cost for excavation and backfill to construct a new 5KV duct bank
- Cost associated with 10hr of vacuum excavation
- Cost to supply and place 20MPa concrete in duct bank trench
- Cost to supply and install electrical precast manholes necessary for practical cable installation
- Cost to supply and install a new 8 conduit duct bank (to serve existing and future services)
- Cost to supply and install new 3 phase 200A service cables c/w HV terminations and hi-pot testing
- Cost to supply and install two new ground loops consisting of four ground rods at each location
- Cost for engineering fees and ESA fees for HV plan approval and installation

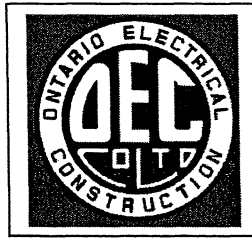
Exceptions:

- No allowance has been made for formwork associated with construction of the duct bank, disposal of excavated material associated with construction of the duct bank, dewatering
- Restoration is to finished grade with native material, no allowance has been made for sod, seed or asphalt patching

Branch Offices

North Bay Toronto Sudbury

Ontario Electrical Construction
Company Limited
211 Airport Rd, North Bay
P705-474-3040
F705-476-8688
oecnorthbay@bellnet.ca



BUDGET PROPOSAL

Budget price: Two Hundred Twenty Three Thousand Three Hundred Dollars

(\$223,300.00) HST Extra

OEC is prepared to mobilize on a T&M basis upon approval from the City of North Bay.

Note: OEC has sourced one supplier with stock HV cable suitable for the project (subject to prior sale). Three alternate suppliers are quoting 8-14 week deliveries with minimum quantity orders that exceed the project requirements.

Please call should you require further detail.

Tim Scott, P. Eng.,
Manager, V.P.

Ontario Electrical Construction
Company Limited

Branch Offices

North Bay Toronto Sudbury

CITY OF NORTH BAY**REPORT TO COUNCIL**

Report No: CORP 2012-124

September 11, 2012

Originator: Paul Valenti

Subject: North Bay & District Humane Society – Negotiate Agreement Renewal

RECOMMENDATIONS:

That North Bay City Council approve City staff to negotiate exclusively with the North Bay & District Humane Society in reaching a multi-year agreement for the provision of Animal Control Services for the City.

BACKGROUND:

The North Bay & District Humane Society have been providing Animal Control Services to the City of North Bay since 1954. The existing service agreement expires on December 31, 2012. Current remuneration for these services in the year 2012 is in the amount of \$331,521.

The North Bay & District Humane Society is a non-profit corporation that strives to ensure humane treatment of animals while providing a valuable and quality service to the City. In doing so, they seek to cover the costs to provide this service. The Humane Society is largely reliant upon City funding in order to operate and provide these services to the community. Their operations within the community are well established with appropriate facilities and trained staff.

Provisions within the Purchasing By-law allow for sole sourcing and non-competitive procurement where there is a short supply of services within the market and at the discretion of the Manager of Purchasing.

Negotiations with the Humane Society will seek to ensure any recent concerns and issues are addressed, and that a quality service is being provided to the City at a fair and reasonable cost.

ANALYSIS / OPTIONS:

1. Approve City staff to negotiate exclusively with the North Bay & District Humane Society in reaching an agreement for the provision of Animal Control Services for the City.
 2. Do not approve City staff to negotiate exclusively with the North Bay & District Humane Society for Animal Control Services. The City would need to issue a formal Request for Proposal to seek other qualified providers. This option is not recommended. The City's current quality and value of service may be adversely affected, as well as significantly impacting the current operations of the Humane Society.
-

RECOMMENDED OPTIONS / FINANCIAL IMPACTS:

Option 1 is recommended as follows:


That North Bay City Council approve City staff to negotiate exclusively with the North Bay & District Humane Society in reaching an agreement for the provision of Animal Control Services for the City.

Respectfully submitted,

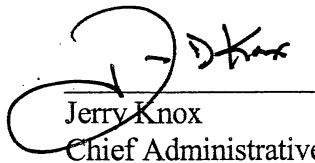


Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer/Treasurer

#9

CITY OF NORTH BAY

SEP 15 2012

CLERK'S DEPT.

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2012-115

Date: September 7th, 2012

Originator: RON MELNYK

Subject: Parking Restrictions on Cassells Street

Correspondence Code No. PL-2012-08

RECOMMENDATION

That Council direct the City Clerk to amend Traffic and Parking By-Law No. 2002-01 to authorize a one hour parking zone on the east side of Cassells Street running from Fourth Avenue to King Street.

BACKGROUND

Numerous complaints have been received from business owners along the east side of Cassells Street with regards to vehicles with trailers being parked in front of their businesses for extended periods of time on a daily basis which decreases the availability of the very limited on-street parking in this area. A petition was received from a business owner in this area that was signed by 17 of the business owners along this section of street. The petition was in favour of a "one hour parking zone" from Fourth Avenue to Seventh Avenue. By-law enforcement has received many complaints about vehicles parking for extended periods including vehicles with large trailers, from Seventh to King Street in addition to the area covered by the petition. Current parking restrictions in this commercial zone are corner restrictions and bus stops.

OPTIONS ANALYSIS


OPTION #1: That Council authorize a "one hour parking zone" on the east side of Cassells Street running from Fourth Avenue to King Street, and to keep the current corner parking restrictions that are in place in that area which include corner restrictions and bus stops.

OPTION #2: Not to authorize the implementation of a "one hour maximum parking zone" on the east side of Cassells Street from Fourth Avenue to King Street.

RECOMMENDED OPTION

That Council authorize a one hour parking zone on the east side of Cassells Street running from Fourth Avenue to King Street, and to keep the current corner parking restrictions that are in place in that area which include corner restrictions and bus stops.

Respectfully submitted,




Ron Melnyk
By-Law Enforcement Coordinator



Peter Chirico
Managing Director.
Community Services




Peter E.G. Leckie
City Solicitor



for **Alan Korell, P. Eng., FEC, RPP, MCIP**
Managing Director/City Engineer
Engineering, Environmental Services
& Works

I concur in this report and recommendation

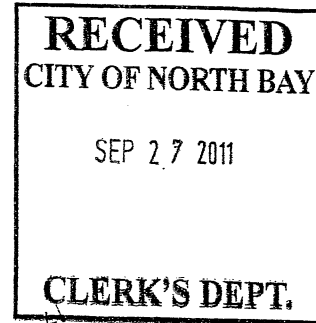


for **Jerry D. Knox**
Chief Administrative Officer

RC Properties Inc.
272 Fourth Avenue West
North Bay, ON
P1B 3M9

September 23, 2011

North Bay City Hall
200 McIntyre Street East
North Bay, ON
P1B 8H8



RE: ONE HOUR PARKING

I would like to submit a proposal to have one hour parking enforced from the corner of Cassells Street and Fourth Avenue to the corner of Cassells Street and Seventh Avenue. The one hour parking is already in affect from Young's Automotive (891 Cassells Street) to Second Avenue.

My name is Richard Christianson and I own a rental corporation (RC Properties Inc.) with three commercial tenants: Sensations, Basket of Wishes and Curbside Fries. Over the years, there has been numerous problems with vehicles that park in front of the Cassells Street businesses for extended periods of time (some more than twenty-four hours for months) which drastically affects customer parking for these businesses and others.

I would also like to submit a list of names and businesses that are affected by this issue.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Christianson".

Richard Christianson
RC Properties Inc.
(705) 840-6550

Proposal for One Hour Parking Cassells Street
 Corner of Fourth Avenue West to Seventh Avenue West

Date	Name	Name of Business	Address	Phone Number	Signature
SEPT. 23/11	NANCY TURCOTTE	SENSATIONS	905 CASSELLS	705-474-5040	Nancy Turcotte
Sept 23, 2011	Mary Ann Giroux	BASKETS OF WISHES	919 Cassells	705-497-1733	M. Giroux
Sept. 23, 2011	KAREN LABORTE	FAST CASH	1007 CASSELLS	705-475-1214	K. Laborte
" "	Paul Forber	WHITMANS JEWELLERS	1055 "	" " 472-2190	P. Forber
Sept 23/11	Shannon Ralph	David Reynolds + Associate	1115 Cassells St.	705 495 4071	S. Ralph
Sept 23/11	MARK GAUTHIER	CHOPPING BLOCK	1159 Cassells St	705-840-5000	M. Gauthier
Sept 23/11	Fawn NEELMAN	CHOPPING BLOCK	1159 Cassells St.	705-840-5000	F. Neelman
Sept 23/11	Andrew Harrison	Bakster's RISTRO	1163 Cassells	705-472-2469	A. Harrison
Sept 23/11	PAUL HARRISON	BASTER'S RISTRO	1163 Cassells	705-472-2469	P. Harrison
Sept 23/11	Heather Hingst	Curbside Fries	929 Cassells	705 840 5825	Heather Hingst
SEPT -23/11	DAVE Kelly	1441's Auto Care	910 Cassells	705-476-7784	D. Kelly
Sept 28/11	Jan Huang	Canton Express	1107 Cassells	705-476-8288	Jan Huang
SEPT 28/11	Gary Cooper	GATEWAY SCREEN PRINTING	1108 CASSELLS	476-2363	Gary Cooper

CITY OF NORTH BAY**Report to Council**

Report No: CORP 2012-126

Date: September 12, 2016

Originator: Al Lang

Subject: Amended Schedule to By-Law No. 2012-192 Related to OILC
Application

RECOMMENDATION:

1. That Schedule "A" to By-Law No. 2012-192 as attached be amended, and;
 2. That Council direct the Clerk to amend By-Law No. 2012-192 to reflect the change to Schedule "A" and present the amended By-Law for three readings on October 1, 2012.
-

BACKGROUND:

City Council passed By-Law No. 2012-192 on September 4, 2012 that authorized the application to Ontario Infrastructure and Lands Corporation for debenture financing. Schedule "A" to the By-Law listed the City By-Law numbers and related capital projects to be financed. One of these projects was the Street Lighting Upgrades Program, authorized by By-Law No. 2010-115. I, however, inadvertently listed it as By-Law No. 2010-112.

An amending By-Law is needed that would correctly reference the appropriate By-Law No. 2010-115 to this project that would permit the debenture process to continue.

OPTIONS / ANALYSIS:Option # 1

Not to amend the By-Law. This is not recommended.

Option # 2

Amend Schedule "A" to By-Law No. 2012-192 and direct the Clerk to present an amending By-Law for three readings on October 1. The debenture process will continue once this amendment is authorized

RECOMMENDED OPTION:

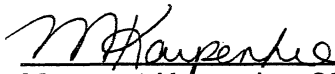
1. That Schedule "A" to By-Law No. 2012-192 as attached be amended, and;
 2. That Council direct the Clerk to amend By-Law No. 2012-192 to reflect the change to Schedule "A" and present the amended By-Law for three readings on October 1, 2012.
-

Respectfully submitted,

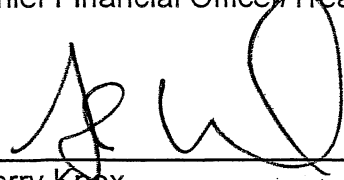


Al Lang, CGA
Director of Financial Services

We concur with the above noted recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



to Jerry Knox
Chief Administrative Officer

Attachment: SCHEDULE A

SCHEDULE A

(1)	(2)	(3)	(4)
By-Law Number	Description of Capital Work	Estimated Expenditure	Loan Amount
2010-85 / 2011-89 / 2012-175	Ski Club Road Reconstruction (Lakeside Drive to Johnston Road)	\$4,000,000	\$1,600,000
2012-84	Landfill Site - Leachate Treatment Project	\$1,700,000	\$989,900
2011-169 / 2011-83	Reconstruction of Main Street (Sherbrooke Street to Overpass)	\$4,700,000	\$1,700,000
2011-227	Aerospace Business Park Servicing	\$6,000,000	\$800,000
2011-172 / 2012-164	2011 and 2012 Transit Coach Replacement Program	\$1,835,178	\$790,100
2012-20	Facilities-Parks Building Rehabilitation Program	\$1,300,000	\$1,300,000
2010-115 / 2011-95	Street Lighting Upgrades Program	\$2,400,000	\$1,075,000
2011-117	Upgrade to a City of North Bay Radio Communication System	\$745,000	\$745,000
2012-24	Parking Lot Maintenance and Improvement Program	\$800,000	\$800,000

CITY OF NORTH BAY

Report to Council

Report No: CORP 2012 - 127

Date: September 13, 2012

Originator: Al Lang

Subject: \$9,800,000 Debenture Issue

RECOMMENDATION:

1. That City Council authorize a by-law for the borrowing upon serial debentures in the principal amount of \$9,800,000, and;
 2. That the By-Law be presented to Council for three readings on October 1, 2012.
-

BACKGROUND:

On July 3, 2012 City Council passed Resolution No. 2012-414 stating:

That the City of North Bay agrees to issue up to \$12,000,000 of debt by way of any one of the following methods or combination thereof:

- Installment debentures through capital markets,
- Infrastructure Ontario debentures,
- Long-term loan with a banking institution

when market conditions are favourable, with maturity dates over ten years beginning one year after the closing date and to be subject to terms and conditions acceptable to the Chief Financial Officer and the fiscal agent or the lending institution.

On August 9 we issued a RFQ for an interest rate quote and cost of borrowing. We received responses from two banks, and obtained rates from Ontario Infrastructure and Lands Corporation (OILC) and through the capital markets. The rate from OILC was the lowest. In order to proceed with Infrastructure Ontario, Council passed Resolution # 2012-508 on August 27 stating:

1. That Council authorize the City of North Bay to submit an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing capital works of the corporation, to authorize temporary borrowing from OILC to meet expenditures in connection with such works and to authorize long term borrowing for such works through the issue of debentures to OILC; and

2. That a by-law be presented for three readings on September 4, 2012.

This by-law, By-Law No. 2012-192 was passed on September 4.

In our analysis of the capital projects requiring financing, we determined that we needed \$9,800,000. A list of the projects to be financed was attached to By-Law No. 2012-192 as Schedule "A".

By-Law 2012-192 authorized us to enter into a financing agreement with OILC that we will receive on September 18. OILC will be sending us an interest rate offer on September 24. The OILC rate on the date the RFQ was due on August 20 was 2.80%. The rate as of September 13 is 2.63%.

We are working with OILC's loan officers and legal team and Borden Ladner Gervais LLP (BLG) who are working on the required legal opinion for this debenture issue.

OPTION / ANALYSIS:

The financial requirements have been met. The legal requirements are in process. OILC disburses funds on the 1st and 15th of the month and to meet the settlement date of October 15 a debenture by-law is required to be passed on October 1. Debenture funds will be transferred to our bank account on October 15 for allocation to the projects listed as Schedule "A" to By-Law No. 2012-192.

RECOMMENDED OPTION:

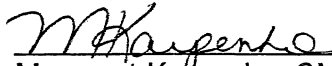
1. That City Council authorize a by-law for the borrowing upon serial debentures in the principal amount of \$9,800,000, and;
2. That the By-Law be presented to Council for three readings on October 1, 2012.

Respectfully submitted,

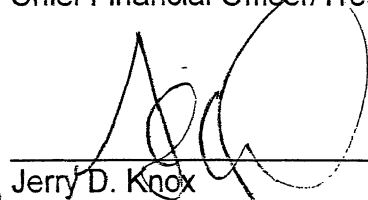


Al Lang, CGA
Director of Financial Services

We concur with the above noted recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry D. Knox
Chief Administrative Officer