



Council

Agenda

**Regular Meeting of Council
October 15, 2013
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
OCTOBER 15TH, 2013**

Tuesday, October 15, 2013

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
TUESDAY, OCTOBER 15TH, 2013**

BUDGET PRESENTATIONS:

PUBLIC PRESENTATIONS:

PUBLIC MEETING MINUTES:

Monday, September 30, 2013

Monday, October 7, 2013

COMMITTEE REPORTS:

Community Services Committee Report No. 2013-23

CORRESPONDENCE:

1. Elected Official Invoice Register (F14/2013/EOIR/GENERAL).
2. Rezoning application by Stantec Consulting Ltd. on behalf of Robert & Mona Norman – 80 Tower Drive (D14/2013/NORMR/80TOWER).
3. Report from Peter Carello dated October 8, 2013 re Rezoning application by Stantec Consulting Ltd. on behalf of Theresa Hutter – 5409 Highway 11 North (D14/2013/HUTTE/HWY#11N).
4. Report from Elizabeth Courville dated September 26, 2013 re Appeal to the Property Standards Committee decision regarding a variance application to Sign By-Law No. 2006-143, LED Billboard (D13/2013/SIGNS/2213TLR)
5. Report from Paul Valenti dated October 7, 2013 re Request for Quotation No. 2012-61, Supply of Emulsified Asphalt (F18/2013/TENDE/GENERAL).
6. Report from Alan Korell dated October 7, 2013 re Engineering related User Fees – Administration Fees for Street Work Permits and Municipal Consent Reviews (C00/2014/BYLAW/USERFEES).
7. Report from Domenic Schiavone dated September 26, 2013 re Bulk Water and Septage Receiving Station User Fees (C00/2014/BYLAW/USERFEES).

8. Report from Angela Cox dated September 26, 2013 re Water on/off and Sewer Rodding User Fees (C00/2014/BYLAW/USERFEES).
9. Report from Peter Carello dated October 7, 2013 re Highland Woods Subdivision, Final Approval – Bain Drive (D12/2008/21427/AIRPORTR).
10. Report from Beverley Hillier dated October 1, 2013 re Radio Antenna Communication Tower Policy and User Fees (C00/2014/BYLAW/USERFEES).
11. Report from Paul Valenti dated October 4, 2013 re Request for Proposal No. 2013-52, Gasoline and Diesel Fuel (F18/2013/TENDE/GENERAL).
12. Report from Al Lang dated October 1, 2013 re Infrastructure Ontario Loan Application Submission (F08/2013/DEBEN/GENERAL).
13. Report from Al Lang dated October 8, 2013 re Amendment to By-Law No. 2013-111, being a By-Law to authorize the Ski Club Road Storm Sewer (F05/2013/ROADS/3110ST).
14. Report from Laura Boissonneault dated October 1, 2013 re 2014 General Capital Budget and 2014 Water and Sanitary Sewer Capital Budget, with the 2014 Ten-Year Capital Plan (F05/2014/OPEBU/GENERAL).
15. Report from Nadeem Zahoor dated October 8, 2013 re Perut Place Subdivision – Phase II – Pre-Servicing Agreement (D12/2013/PERUT/GIROUXST).

General Government – First, second and third readings:

By-Law No. 2013-203 to confirm proceedings of the Meeting of Council on September 30, 2013.

By-Law No. 2013-200, Purchasing By-Law, being a by-law to repeal By-Law No. 2004-196, as amended.

Community Services – First and second readings:

By-Law No. 2013-195 to rezone certain lands on Hughes Road (Neil and Wendy Luxton – 165 Hughes Road).

Community Services – First, second and third readings:

By-Law No. 2013-209 to authorize the execution of a Subdivision Agreement with Highland Woods Developments Inc. relating to the Highland Woods Subdivision, Phase 1B.

Community Services – Third reading:

By-Law No. 2013-186 to rezone certain lands on Maplewood Avenue (Ronald Fortier – 230 Maplewood Avenue).

By-Law No. 2013-188 to rezone certain lands on Maplewood Avenue (Ronald Fortier, Guy Blanchard, Matthieu Blanchard and Kelly Fortier – 232 Maplewood Avenue).

Engineering & Works – First, second and third readings:

By-Law No. 2013-206 to authorize the execution of an agreement with AMEC Environmental & Infrastructure, A Division of AMEC Americas Limited relating to Engineering Design Services for the Wastewater Treatment Plant Grit Removal Project.

By-Law No. 2013-207 to authorize Leachate Treatment Project at the Merrick Landfill Site.

By-Law No. 2013-208 to authorize the execution of an agreement with Road Maintenance Equipment & Services Inc. for the installation of a Salt Brine Storage System.

By-Law No. 2013-211 to authorize the execution of a Pre-Servicing Agreement with Steve Crea Homes Limited relating to Perut Place Subdivision – Phase II.

MOTIONS:

Councillor Anthony	re	Live Streaming Council Meetings
Councillor Bain	re	Small, Rural & Northern Municipal Infrastructure Fund

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

16. ***Confidential*** report from Catherine Conrad dated September 27, 2013 re Personnel Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, SEPTEMBER 30th, 2013**

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

PUBLIC PRESENTATIONS:

Miles Peters
(North Bay Taxpayers Association) re Purchasing By-Law

CORRESPONDENCE:

2226563 Ontario Inc. re Rezoning application - Douglas Street and Cedar Street (537)
1142691 Ontario Inc. re Rezoning application - 686 Commercial Street (538)
Amanda Adams re Resignation from the North Bay Public Library Board (540)

REPORTS FROM OFFICERS:

Boissonneault, L. re 2014 Water & Sewer Administrative Recommended Operating Budget (547)
Boissonneault, L. re 2014 Water & Sanitary Sewer Rates (548)
Chirico, P. re Appeal to the Ontario Municipal Board for the Zoning By-law Amendment by Ron Tambeau on behalf of Greenwood Avenue Baptist Church (539)
Courville, E. re Amendment to Sign By-Law No. 2006-143 (541)
Janisse, L. re Benefits Renewal (545)
Karpenko, M. re 2014 Water & Sewer Administrative Recommended Operating Budget (547)
Leckie, P. re Appeal to the Ontario Municipal Board for the proposed Consent to Sever application by Erik Byers - 54 Collins Drive (549)
Leckie, P. re Appeal to the Ontario Municipal Board for the Proposed Zoning By-Law Amendment, Plan of Subdivision and Plan of Condominium by Celia Teale on behalf of 1866409 Ontario Limited - 750 Scollard Street (559)
Leckie, P. re Lease of Hydro One Corridor - Josephine Street and McKeown Avenue - Sub Lease of Hydro One Corridor to 2155328 Ontario Limited - Josephine Street and McKeown Avenue (560)
Rochefort, L. re 2014 Water & Sanitary Sewer Rates (548)
Severino, J. re 2013 Capital Budget Project No. 3108GD - Merrick Landfill Site - Leachate Treatment (546)
Valenti, P. re Request for Quotation No. 2013-44, Three (3) Epoke Spreaders (542)
Valenti, P. re Request for Proposal No. 2013-45, Loader (543)

Valenti, P.

re Request for Proposal No. 2013-58,
Three (3) Diesel Tandem Dump Trucks
complete with Dump Body, Plow and
Hydraulic System (544)

Res. #2013-534: Moved by Councillor Vaillancourt, seconded by Councillor Campbell
That minutes for the public meetings held on:

- Monday, September 16, 2013; and
- Monday, September 23, 2013

be adopted as presented.

"CARRIED"

Res. #2013-535: Moved by Councillor Lawlor, seconded by Councillor Bain
That General Government Committee Report No. 2013-21
relating to:

- Purchasing By-Law

be adopted as presented.

Councillor Anthony declared a conflict of interest as his employer is occasionally
invited to bid on projects.

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

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

Nays: Nil

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2013-21

September 30, 2013

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-21 and
recommends:

1. That Council approve the revised Purchasing By-Law.

All of which is respectfully submitted.

<u>ASSENTS</u>	<u>DISSENTS</u>
LAWLOR	
BAIN	
MAROOSIS	
MAYOR McDONALD	

Res. #2013-536: Moved by Councillor Mendicino, seconded by Councillor Mayne
That Community Services Committee Report No. 2013-22
relating to:

- Zoning By-Law Amendment application by Miller & Urso Surveying Inc. on behalf of Ronald Fortier, Guy Blanchard, Matthieu Blanchard & Kelly Fortier – 232 Maplewood Avenue; and
- Zoning By-Law Amendment application by Miller & Urso Surveying Inc. on behalf of Ronald Fortier – 230 Maplewood Avenue

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-22

September 30, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-22 and recommends:

1. That a) the proposed Zoning By-Law Amendment application by Miller & Urso Surveying Inc. on behalf of Ronald Fortier, Guy Blanchard, Matthieu Blanchard and Kelly Fortier, 232 Maplewood Avenue in the City of North Bay to rezone the property legally described as Lots 258 and 259, Part of Lots 250 and 260, Part of Lane Plan 94, PIN No. 49158-0358 (LT), from a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special (RM1 Sp.)" zone, as shown on Schedules "A" & "B" attached to Planning Advisory Committee recommendation dated August 7, 2013, be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O., 1990, as amended.
2. That a) the proposed Zoning By-Law Amendment application by Miller & Urso Surveying Inc. on behalf of Ronald Fortier, 230 Maplewood Avenue in the City of North Bay to rezone the property legally described as Lots 261, 262 and 263, Part of Lots 250, 251, 252, 253 and 260 and Part of Lane Plan 94, PIN No. 49158-0360 (LT), from "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special (RM1 Sp.)" zone, as shown on Schedules "A" & "B" attached to Planning Advisory Committee recommendation dated August 7, 2013, be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O., 1990, as amended.

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAYNE
VAILLANCOURT
MAYOR McDONALD

DISSENTS

Res. #2013-537: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the rezoning application by Goodridge Planning & Surveying
Limited on behalf of 2226563 Ontario Inc. – Douglas Street and
Cedar Street be received.

"CARRIED"

Res. #2013-538: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the rezoning application by 1142691 Ontario Inc. – 686
Commercial Street be received.

"CARRIED"

Res. #2013-539: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council direct City staff to attend the Ontario Municipal
Board Hearing to support Zoning By-Law No. 2013-154 (Ron
Tambeau – Greenwood Avenue Baptist Church).

"CARRIED"

Res. #2013-540: Moved by Councillor Anthony, seconded by Councillor Bain
That the resignation from Amanda Adams from the North Bay
Public Library Board be received and Ms. Adams be thanked for
her involvement on the Board.

"CARRIED"

Res. #2013-541: Moved by Councillor Mendicino, seconded by Councillor Mayne
That Report to Council No. CSBU 2013-94 from Elizabeth
Courville dated September 10, 2013 re Proposed Amendment to
Sign By-Law No. 2006-143, be referred to the Community
Services Committee for a Public Meeting.

"CARRIED"

Res. #2013-542: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to Joe Johnson
Equipment Inc. in the amount of \$291,840.00 (HST extra), for
the purchase of three (3) Epoke 4900 Spreaders.

"CARRIED"

Res. #2013-543: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to Nortrax
Canada Inc. in the amount of \$120,230.00 (HST extra), for the
purchase of a Loader.

"CARRIED"

Res. #2013-544: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to 930098
Ontario Ltd. o/a Freightliner North Bay in the amount of
\$657,243.31 (HST extra), for the purchase of three (3) Diesel
Tandem Dump Trucks c/w Dump Body, Plow and Hydraulic
System.

"CARRIED"

- Res. #2013-545: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council approve:
- 1) the renewal of the Employee Group Benefit Programs with Medavie Blue Cross and Manulife Financial effective October 1, 2013 with an overall annual decrease of 0.7% or \$21,924.00; and
 - 2) the 2013 ASO Refund in the amount of \$253,202.00 be transferred and held in the Tax Rate Stabilization Reserve Account No. #99529.

"CARRIED"

- Res. #2013-546: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Merrick Landfill Site - Leachate Treatment Project for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 3108GD, at a net debenture cost of \$3,000,000.00.

"CARRIED"

- Res. #2013-547: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the 2014 Administrative Recommended Water and Sewer Operating Budget be received and referred to the Engineering, Environmental Services & Works Committee.

"CARRIED"

- Res. #2013-548: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the 2014 Water & Sanitary Sewer Rates be referred to the General Government Committee for a Public Meeting to be held on Monday, November 4, 2013.

"CARRIED"

- Res. #2013-549: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council confirms the direction of City staff to attend the Ontario Municipal Board Hearing to appeal the decision of the Committee of Adjustment to the Ontario Municipal Board for the Consent to Sever application by Erik Byers - 54 Collins Drive.

"CARRIED"

- Res. #2013-550: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2013-197 to confirm proceedings of the Meeting of Council on September 16, 2013.

"CARRIED"

- Res. #2013-551: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2013-197 to confirm proceedings of the Meeting of Council on September 16, 2013.

"CARRIED"

- Res. #2013-552: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2013-186 to rezone certain lands on Maplewood Avenue (Ronald Fortier - 230 Maplewood Avenue).

By-Law No. 2013-188 to rezone certain lands on Maplewood Avenue (Ronald Fortier, Guy Blanchard, Matthieu Blanchard and Kelly Fortier – 232 Maplewood Avenue).

"CARRIED"

Res. #2013-553: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2013-165 to designate lots on certain Plan of Subdivision that has been registered for eight years or more deemed not to be lots on a registered Plan of Subdivision.

By-Law No. 2013-187 to designate a Site Plan Control area on certain lands on Maplewood Avenue (Ronald Fortier – 230 Maplewood Avenue).

By-Law No. 2013-189 to designate a Site Plan Control area on certain lands on Maplewood Avenue (Ronald Fortier, Guy Blanchard, Matthieu Blanchard and Kelly Fortier – 232 Maplewood Avenue).

By-Law No. 2013-199 to designate lots on a certain Plan of Subdivision that has been registered for eight years or more as deemed not to be lots on a registered Plan of Subdivision.

"CARRIED"

Res. #2013-554: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That the following by-laws be read a third time and passed:

By-Law No. 2013-165 to designate lots on a certain Plan of Subdivision that has been registered for eight years or more as deemed not to be lots on a registered Plan of Subdivision.

By-Law No. 2013-187 to designate a Site Plan Control area on certain lands on Maplewood Avenue (Ronald Fortier – 230 Maplewood Avenue).

By-Law No. 2013-189 to designate a Site Plan Control area on certain lands on Maplewood Avenue (Ronald Fortier, Guy Blanchard, Matthieu Blanchard and Kelly Fortier – 232 Maplewood Avenue).

By-Law No. 2013-199 to designate lots on a certain Plan of Subdivision that has been registered for eight years or more as deemed not to be lots on a registered Plan of Subdivision.

"CARRIED"

Res. #2013-555: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2013-198 to authorize the execution of an Agreement with 2212880 Ontario Limited relating to the supply, treatment and stockpiling of screened sand.

"CARRIED"

Res. #2013-556: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2013-198 to authorize the execution of an Agreement with 2212880 Ontario Limited relating to the supply, treatment and stockpiling of screened sand.

"CARRIED"

Res. #2013-557: Moved by Councillor Lawlor, seconded by Councillor Anthony That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:02 p.m. for the following reasons: Item 14, being a litigation matter affecting the Municipality; and Items 15 and 16, being the potential disposition of lands by the Municipality.

"CARRIED"

Res. #2013-558: Moved by Councillor Lawlor, seconded by Councillor Anthony That Council reconvene at 8:22 p.m.

"CARRIED"

Res. #2013-559: Moved by Councillor Lawlor, seconded by Councillor Anthony That Council direct City staff to attend the Ontario Municipal Board Hearing to support Zoning By-Law No. 2013-155, Plan of Subdivision (City File 48T-13101) and Plan of Condominium (City File 48CDM-13102) by Celia Teale on behalf of 1866409 Ontario Limited - 750 Scollard Street.

Councillor Koziol declared a conflict of interest as her mother-in-law lives at the corner of Beattie & Vimy.

"CARRIED"

Res. #2013-560: Moved by Councillor Lawlor, seconded by Councillor Anthony That

- 1) Council approve a Licence with Her Majesty the Queen in Right of Ontario as represented by the Minister of Infrastructure, for use of 2.46 acres of Hydro One lands at Josephine Street and McKeown Avenue at a rate of \$61,346.00 per year, plus applicable taxes, for a term of 5 years commencing October 1, 2013;
- 2) Council approve a Sub-Licence of 2.46 acres of the subject lands at Josephine Street and McKeown Avenue with 2155328 Ontario Limited for a 5 year term commencing October 1, 2013 at a rate of \$61,346.00 per year plus applicable taxes to the abutting owner 2155328 Ontario Limited on the basis that 2155328 Ontario Limited pays all costs inherent in the licence plus an annual administrative realty fee of 15% to the City;
- 3) the Mayor and Clerk be authorized to execute the Licence and Sub-Licence; and
- 4) the Execution By-Laws be brought forward for three (3) readings on September 30, 2013.

"CARRIED"

Res. #2013-561: Moved by Councillor Lawlor, seconded by Councillor Anthony That the following by-laws be read a first and second time:

By-Law No. 2013-201 to authorize the execution of a Licence of Land Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Infrastructure relating to the use of lands abutting Josephine Street.

By-Law No. 2013-202 to authorize the execution of a Licence of Land Agreement with 2155328 Ontario Limited relating to the use of lands abutting Josephine Street.

"CARRIED"

Res. #2013-562: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2013-201 to authorize the execution of a Licence of Land Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Infrastructure relating to the use of lands abutting Josephine Street.

By-Law No. 2013-202 to authorize the execution of a Licence of Land Agreement with 2155328 Ontario Limited relating to the use of lands abutting Josephine Street.

"CARRIED"

Res. #2013-563: Moved by Councillor Vaillancourt, seconded by Councillor Campbell
That this Regular Meeting of Council do now adjourn at 8:27 p.m.

"CARRIED"

CLOSED MEETING CONFLICT OF INTEREST

Regular Agenda Item #14 – Councillor Koziol declared a conflict of interest as her mother-in-law lives at the corner of Beattie & Vimy.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE COMMITTEE MEETING
OF CITY COUNCIL
HELD MONDAY, OCTOBER 7TH, 2013**

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

COMMUNITY SERVICES COMMITTEE:

The following Items were dealt with:

CS-2013-24 Public Meeting held under the *Planning Act*.

Report from Peter Carello dated August 29, 2013 re: Rezoning Application by Neil and Wendy Luxton – 165 Hughes Road, North Bay

Councillor Mendicino explained the purpose of the Public Meeting.

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 17th day of September, 2013 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Peter Carello explained the purpose of the rezoning application.

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

No Public Presentations were made.

Direction: Committee Report be brought forward to Council on October 15th, 2013.

ENGINEERING & WORKS COMMITTEE:

No Items Dealt With.

GENERAL GOVERNMENT COMMITTEE:

No Items Dealt With.

Committee Meeting of Council adjourned at 7:12 p.m.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-23

October 15, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-23 and recommends:

- That 1) the proposed Zoning By-law Amendment by Neil and Wendy Luxton to rezone the property legally described as Part of the North Half of Lot 16, Concession C, Parts 1 and 3, 36R-11960, subject to Easement in Gross Over Part 1, 36R-11960 as in BS33155, PIN No. 49144-0253 (LT) known locally as 165 Hughes Road in the City of North Bay from a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone, be approved.

All of which is respectfully submitted.

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

Subject: Elected Official Invoice Register

File No. F14/2013/EIOR/GENERAL

Res. 2013 - _____

Moved by Councillor: _____

Seconded by Councillor: _____

That accounts totaling \$10,137,470.97 for August 2013 be approved:

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

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

Signature of Clerk _____



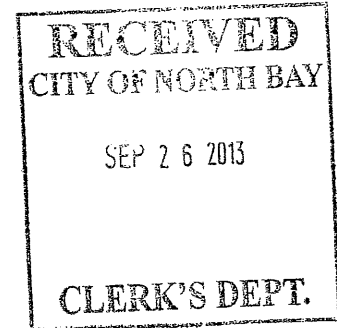
The Corporation of the
City of North Bay
200 McIntyre St. East
P.O. Box 360
North Bay, Ontario
Canada P1B 8H8
Tel: 705 474-0400

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

September 26th, 2013

Stantec Consulting Ltd.
147 McIntyre Street West Suite 200
North Bay, ON P1B 2Y5

Atten: Paul Goodridge



Dear Mr. Goodridge,

Re: Proposed Zoning By-law Amendment by Stantec Consulting Ltd. o/b Robert and Mona Norman for Parcel 9262 Widdifield & Ferris, Part of the South 1/2 of Lot 17, Concession A, Part 1 on Plan NR825, Subject to Lot 77792, PIN No. 49127-0382 (LT) – 80 Tower Drive, City of North Bay

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

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

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

Sincerely,

for Peter Carello
Senior Planner, Current Operations

PC/KF/dlb

REC CITY OF	#3
OCT 09 2013	
CLERK'S DEPT.	

INTER OFFICE

MEMO

*City of North Bay
Planning Services*

To: Cathy Conrad, City Clerk

From: Peter Carello - Senior Planner, Current Operations

Subject: Resolution No. 2 - Planning Advisory Committee

Date: October 8, 2013

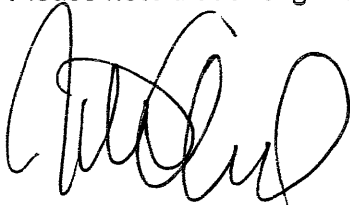
Quoted below is Resolution No. 2 passed at the regular meeting of the Planning Advisory Committee held on Wednesday October 8, 2013:

Resolution No. 2

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

1. That the proposed Zoning By-law Amendment by Stantec Consulting Ltd. on behalf of Theresa Hutter, 5409 Highway 11N in the City of North Bay to rezone the property legally described as Parcel 8226 Widdifield & Ferris, Part of the East Half of Lot 21, Concession 5, Designated as Part 2 on Plan NR624, PIN 49126-0054(LT), City of North Bay, District of Nipissing from a "Rural Commercial (RC)" zone to a "Rural Special No.17 (A Sp.17)" zone be APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended."

Please note that a length of notice period of 20 will be required for this application.




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

North Bay Planning Advisory Committee

Resolution No. 2

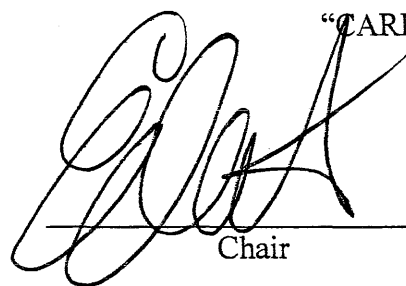
Date: October 7, 2013

Moved By: 

Seconded By: 

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

1. That the proposed Zoning By-law Amendment by Stantec Consulting Ltd. on behalf of Theresa Hutter, 5409 Highway 11N in the City of North Bay to rezone the property legally described as Parcel 8226 Widdifield & Ferris, Part of the East Half of Lot 21, Concession 5, Designated as Part 2 on Plan NR624, PIN 49126-0054(LT), City of North Bay, District of Nipissing from a “Rural Commercial (RC)” zone to a “Rural Special No.17 (A Sp.17)” zone be APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.”


Chair

“CARRIED”

INTER OFFICE

City of North Bay
PLANNING SERVICES

MEMO

To: Chair and Members, Planning Advisory Committee

From: Peter Carello – Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment by Stantec Consulting Ltd. on behalf of Theresa Hutter, 5409 Highway 11N in the City of North Bay

Date: September 27th, 2013

Recommendations

1. That the proposed Zoning By-law Amendment by Stantec Consulting Ltd. on behalf of Theresa Hutter, 5409 Highway 11N in the City of North Bay to rezone the property legally described as Parcel 8226 Widdifield & Ferris, Part of the East Half of Lot 21, Concession 5, Designated as Part 2 on Plan NR624, PIN 49126-0054(LT), City of North Bay, District of Nipissing from a "Rural Commercial (RC)" zone to a "Rural Special No.17 (A Sp.17)" zone BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, building location and landscaping, as required.

Site Information

Legal Description: Parcel 8226 Widdifield & Ferris, Part of the East Half of Lot 21, Concession 5, Designated as Part 2 on Plan NR624, PIN 49126-0054(LT), City of North Bay, District of Nipissing.

Site Description: The subject property is an existing lot of record located at 5409 Highway 11N. It is located outside the Settlement Area in the City of North Bay, as shown on Schedules 1 and 2 of the City's Official Plan. It is designated "Rural" by the Official Plan and is zoned "Rural Commercial (RC)" under the City's Zoning By-law No. 28-80.

The property has an existing lot area of 0.52 hectares (1.3 acres) and lot frontage of 98.2 metres on Highway 11N. It is developed with a single detached dwelling, as shown on attached Schedule A.

The property was previously utilized for rural commercial purposes, with an accessory dwelling unit. This is permitted within a "Rural Commercial (RC)" zone. According to the applicant, the business closed a number of years ago. However, the dwelling continued to exist. As a single detached dwelling is not a permitted use (except as an accessory use to a rural commercial operation), the property presently does not conform with the Zoning By-law.

Several accessory structures are located on the property. One of these enjoys legal non-complying status in its present location 0.5m from the rear lot line.

Surrounding Land Uses: The area is mixed use. There are several aggregate pits in close proximity to the subject lands. On the opposite side of the highway is a transportation terminal. The property immediately to the north is zoned for a motel. A site inspection by staff indicated that the property may be being used as a form of multi-residential.

Proposal

Stantec Consulting Ltd. on behalf of Theresa Hutter has submitted a Zoning By-law amendment application to rezone the property locally known as 5409 Highway 11N from a "Rural Commercial (RC)" zone to a "Rural Special No.17 (A Sp.17)" zone in order to legalize the existing single detached dwelling.

The special component of the proposed amendment would recognize the existing building's front yard setback of 10.9 metres which does not meet the minimum 15 metres required by Zoning By-law 28-80.

An accessory structure is located on the property which does not comply with the requirements of Zoning By-law 28-80. This shed is located 0.5 metres from the rear lot line of the subject property. The applicant has requested that the legal non-complying accessory structure be recognized in this location through this Zoning By-law Amendment.

Provincial Policy Statement (PPS 2005)

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

Whereas Settlement Areas of a community are identified by the PPS 2005 as being "the focus of growth", the general intent of Rural Area policy is to limit development in these parts of the community. Section 1.1.4.1 states:

"In rural areas located in municipalities:

- a) permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;*
- b) development shall be appropriate to the infrastructure which is planned, and avoid the need for unjustified and/or uneconomical expansion of this infrastructure. [...]"*

The subject property was formerly a rural commercial establishment with an accessory residential dwelling unit. Following the closure of the commercial establishment, the residence became the primary use of the property. The proposed Zoning By-law Amendment would remove the property's ability to be utilized for commercial purposes. It is Planning staff's opinion that this represents a less intense use of the property, as encouraged by the PPS. As no additional development is contemplated as part of this application, the proposed rezoning will have no impact on the subject property's infrastructure requirements.

In my professional opinion, the proposed Zoning By-law amendment is consistent with the policies contained in the Provincial Policy Statement (PPS 2005).

Growth Plan for Northern Ontario (GPNO 2011)

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

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This Plan is primarily an

economic development tool that encourages growth in Northern Ontario.

It is my professional opinion that there are no matters relevant to the GPNO 2011 in this application.

Official Plan

The property is designated "Rural" by the City of North Bay's Official Plan. Generally speaking, it is the Official Plan's intent to limit development in the Rural Area. "Part 3: Rural Area" in the Official Plan outlines the intent for the development of lands located outside of the City's urban settlement boundary. It states:

"The Rural Area is beyond the area required for urban development and therefore the intent of this Plan will be to protect the rural nature of these lands, by directing new development to the Settlement Area, leaving the rural area largely undeveloped. Uses in the Rural Area will be those uses that are location dependent and do not require urban services, such as but not limited to: aggregate and mineral extraction, limited restricted industrial, highway commercial, waterfront commercial, rural institutional and limited residential development."

The subject property is developed with a former highway commercial establishment with an accessory residential dwelling unit. As the commercial business has ceased operations, the building now functions as a single detached dwelling. The proposed rezoning to recognize the exclusively residential use of the property and will not result in any new development on the property. It is Planning Services' opinion that this represents a less intense use of the property, as encouraged by the Official Plan.

It is my professional opinion this Zoning By-law Amendment request maintains the general purpose and intent of the City of North Bay's Official Plan.

Zoning By-Law No. 28-80

The subject property is presently zoned "Rural Commercial (RC)", which permits the following uses:

- Adult Entertainment Parlour
- Driving ranges
- Hotel, Motel and Tourist cabins, or other
- Kennel
- Tourist Commercial Establishment
- Public and Private Recreational Facilities
- Race Track
- Restaurants
- Retail Commercial outlet
- Solar Farm
- Taverns
- Transportation terminals
- Service station
- Veterinary establishment
- Accessory uses to the above including a single detached dwelling unit for the resident-owner, either as part of the main building or detached

The Applicant is proposing to rezone the subject property to a "Rural Special No.17 (A Sp.17)" zone which permits the following uses:

- Agricultural and Forestry Uses
- Cemeteries
- Commercial Agricultural Uses
- Conservation Areas
- Hobby farm
- Public and Private Recreational Uses
- Existing single detached dwellings and new single detached dwellings on a lot created pursuant to Section 50 or 53 of the Planning Act, R.S.O. 1990 as amended
- Accessory uses to the above
- Accessory home based businesses in accordance with Section 3.35

The Applicant is proposing to rezone the subject lands to in order to legalize the property's existing non-conforming use. The special component is required to recognize the existing building's front yard setback of 10.9 metres which does not meet the minimum 15 metres required by Zoning By-law 28-80.

An accessory structure located in the rear yard of the subject property does not meet the Zoning By-law's setback requirements for accessory structures. Although this accessory structure enjoys a legal non-complying status, the applicant has requested to have this shed legalized in its current location.

It is Planning staff's recommendation that this setback not be legalized through this Zoning By-law Amendment. At the present time, this structure will be permitted to exist. Should the structure be reconstructed in the future, it would be required to meet the Zoning By-law requirements of 3m for an accessory structure in the rural area.

The subject property is able to meet all other regulations of the Zoning By-law.

It is my professional opinion that this application meets the requirements of the Zoning By-law.

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 agencies that may have an interest in the application. In terms of correspondence received from these departments and agencies, the Planning Department received the following comments:

- Engineering and Public Works: *"No objections"*
- Building Department: *"No concerns"*
- Municipal Heritage Committee: *"No objections"*
- Ministry of Transportation:

"If the Applicant is proposing any alterations to the front yard of the property in the future they will be required to approach the Ministry of Transportation to obtain an Encroachment Permit or Building and Land Use Permit as work may impact the MTO's right of way. No objection to the current proposal."

- North Bay Mattawa Conservation Authority:

"For your information, a portion of this property is regulated by the Conservation Authority. A tributary of Duchesnay Creek traverses the property at the south end. It is our understanding that development on this property is existing, however, prior to undertaking and site alteration activities and/or any construction or renovation work in the vicinity of the tributary, the property owner(s) is required to obtain a Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (DIA) Permit from this office. Site alteration activities would include: the placement or removal of fill material of any kind, as well as alterations to the tributary.

A search of our records did not find a record of a sewage disposal system permit for this property.

The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS; therefore we have no objection."

No further correspondence was received with regard to this proposal.

Summary

The subject property is currently zoned "Rural Commercial (RC)" by Zoning By-law 28-80. It is developed with a former rural commercial establishment which featured an accessory residential dwelling unit. The commercial establishment has ceased operations and the building has been used solely as a residential dwelling. While accessory residential dwellings are a permitted use in the "Rural Commercial (RC)" zone, sole use of the property as a single detached dwelling is not.

As a result, the Applicant is requesting to rezone the property to a "Rural Special No.17 (A Sp.17)" in order to legalize the non-conforming use of the property as a single detached dwelling. Special zoning is required to acknowledge that the existing building does not meet the minimum front yard setback required by Zoning By-law 28-80. As noted, Planning staff is not supportive of legalizing the existing legal non-complying setback for the accessory structure.

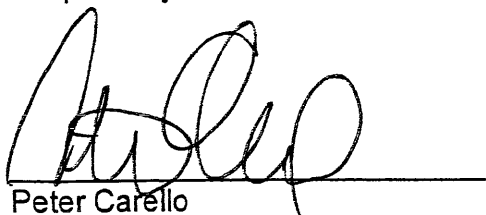
Both the Provincial Policy Statement and the City of North Bay's Official Plan encourage limited development in the Rural Area that does not increase infrastructure and services requirements for the area. The PPS 2005 and the Official Plan both permit limited residential development in the Rural Area. The dwelling located on the subject property is has existed in its present state for a number of years. No additional development is proposed as part of this Zoning By-law Amendment, nor is any additional infrastructure is required to accommodate the continued residential use of the property.

The applicant has requested that the existing shed, located 0.58m from the rear property line, be legalized in this location (instead of the 3m setback identified by the Zoning By-law). Based on the size of the property and the availability of other suitable locations for accessory structures elsewhere on the property, Planning Services does not agree that the accessory structure should be legalized in this location.

The accessory structure presently enjoys legal non-complying status. The accessory structure would be able to continue to exist in its present location until such a time that it must be reconstructed. Over the long-term, it is Planning Services' opinion that the accessory structure should be removed or relocated to a location that is more reflective of the intent of the Zoning By-law over the long-term.

It is my professional opinion that the proposed Zoning By-law amendment is in conformity with the Official Plan and the end use is consistent with Provincial Policy, as set out by the Growth Plan for Northern Ontario (GPNO 2011) and the Provincial Policy Statement (PPS 2005).

Respectfully submitted,




Peter Carello
Senior Planner – Current Operations

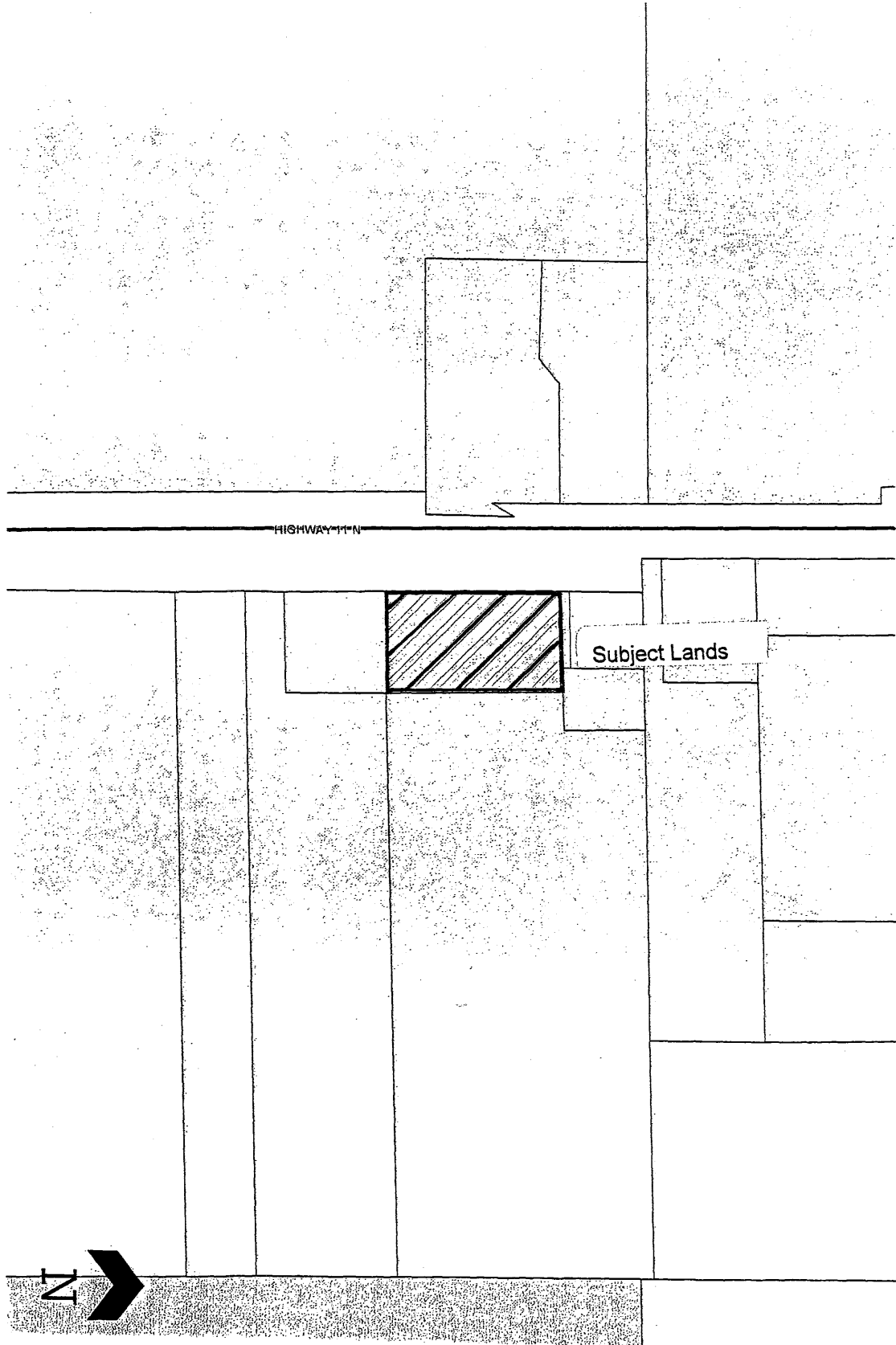
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attach.

I concur with the recommendations contained in this report.


Beverley Hillier, MCIP, RPP
Manager, Planning Services

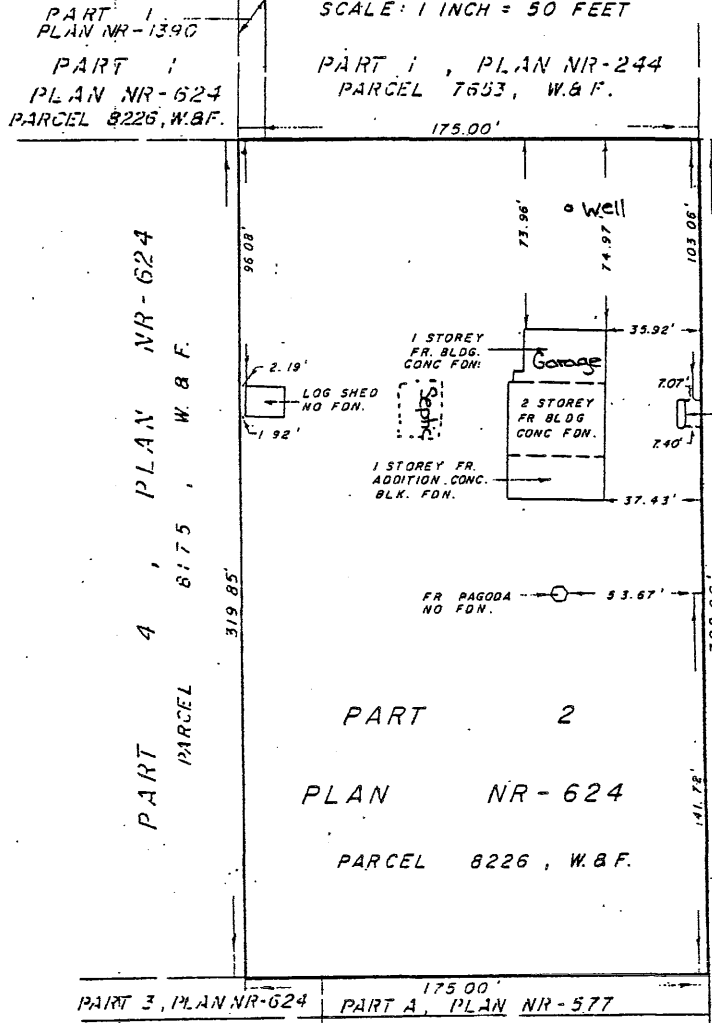
SCHEDULE A



SCHEDULE B

SURVEYOR'S CERTIFICATE ON
PART OF LOT 21, CONCESSION 5
TOWNSHIP OF WIDDIFIELD
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPISSING

SCALE: 1 INCH = 50 FEET



I HEREBY CERTIFY THAT I HAVE EXAMINED
PART OF LOT 21, CONCESSION 5, TOWNSHIP OF WIDDIFIELD
NOW IN THE CITY OF NORTH BAY AS ILLUSTRATED
ABOVE AND HAVE FOUND THE BUILDINGS TO BE
LOCATED THEREON AS SHOWN HEREON.

NORTH BAY, ONTARIO
JUNE 20th, 1980.

P. A. Blackburn
P. A. BLACKBURN
ONTARIO LAND SURVEYOR
for: P. A. BLACKBURN LIMITED
ONTARIO LAND SURVEYORS

OCT 09 2013

CLERK'S DEPT.

City of North Bay

Report to Council

Report No: CSBU 2013 - 98**Date:** September 26, 2013**Originator:** Elizabeth Courville, Zoning Administrator

Subject:

- 1) Appeal to the Property Standards' Committee Decision regarding a variance application to Sign By-law 2006-143
- 2) Direction Required by Council whether to permit LED Billboard Signage within the City of North Bay limits

File No: D13/2013/SGNVR/2213TLR/0003/SBLV#2013-03

RECOMMENDATION

1. That Council deny Image Master's Sign By-law Variance submitted to the Property Standards Committee to permit a 5' x 10' LED Sign to be mounted on the building face at 2213 Trout Lake Road; and
2. That Council recommend Staff to keep status quo on current Sign By-law 2006-143 regulations by prohibiting LED billboard signs within the City of North Bay.

BACKGROUND

In 2009, a comprehensive study was conducted regarding regulating billboard signs within the City of North Bay. A Public Hearing was held and subsequently Council approved an amendment to Sign By-law 2006-143 to (a) regulate billboards and fascia signs within the City of North Bay, (b) to authorize Sign By-Law Variances and (c) to delegate the authority to authorize variances to the Sign By-law to the Property Standards Committee by enactment of By-law 2010-43 (Schedule A).

On September 16th, 2013, a Property Standards Committee Public Hearing was held in the matter of Image Master requesting a variance to Sign By-law 2006-143 to permit the mounting of a 5' x 10' LED sign to the building face at 2213 Trout Lake Road.

Chris Ricci, Agent on behalf of Image Master, had pre-consulted with Staff on numerous occasions to determine if a specific site would permit an LED sign which would advertise businesses other than those businesses conducted on site where the sign is located. Through the City's Sign By-law the only type of signage that permits the advertisement of businesses or services not conducted on site is billboard signs. Mr. Ricci was informed that a permit could not be issued for the signage proposed. Mr. Ricci then submitted an application to the Property Standards Committee to vary the Sign By-law. The report from Planning Staff recommended the variance request be denied (Schedule B).

The type of signage proposed by the Applicant is considered a billboard sign through the Sign By-law. Billboard signs do not permit animation (eg. LED display), only illumination.

In the application submitted, the Applicant proposed to keep each sign message static for 3 minutes with a change-over of 1 second. As the sign is in an area of Ministry of Transportations jurisdiction, they reviewed the proposal and were agreeable to the design, location & timing of messages. If approved, these conditions would have formed part of the Decision however Staff are concerned with the ability to monitor and enforce this condition. Further, the subject property where the proposed sign will be located is within a low density residential zone. The current use of the property is considered legal non-conforming under the City's Zoning By-law. As per the Staff Report prepared for the Property Standards Committee's review, the application was not supported for the following reasons:

- 1) Signage is not permitted in low density residential zones.
- 2) Billboards are prohibited from being mounted on building faces.
- 3) Replacement/relocation of legal non-conforming signs must meet regulations of the current Sign By-law.

At the Property Standards Committee's Public Hearing into the matter, Committee members felt they did not have the expertise to approve the Sign Variance submitted by Image Master. A similar sign was permitted through the variance process at McQueen's Furniture in 2012. The sign is smaller in size and is aimed at the slow moving traffic at the Tim Horton's Drive Thru. The Committee sited issues with this particular variance request, such as the traffic on Trout Lake Road, the Staff Report stated the proposed sign did not maintain the intent of the current Sign By-law, the Capitol Centre's new LED sign and the same type of signage at the Heritage Museum, the Property Standards Committee was unsure of Council's intent to permit this type of signage for random commercial advertisement and therefore, did not feel it had the expertise to deny or permit this type of application. As a result, the Committee passed a recommendation to defer the application "*pending a recommendation from North Bay City Council regarding the future vision and use of electronic LED signs in the City of North Bay*".

Mr. Ricci has appealed the Committee's Decision to defer the application siting timing is urgent and does not have the luxury to wait for a study and possible amendment to the Sign By-law through the Public Process (Schedule C).

ANALYSIS/OPTIONS

There are two issues presented for Council's consideration:

- 1) Mr. Ricci's objection to the Property Standards Committee's Decision to defer the application;

Council has the authority to either approve or deny Image Master's request to vary the Sign By-law to permit an LED Sign to be mounted on the building face located at 2213 Trout Lake Road or, uphold the Committee's Decision and defer the application. Council's decision shall be final and binding with no further hearing on the matter.

- 2) Council direction for Staff to undertake a study with respect to permitting this type of signage, or maintain status quo.

Prior to conducting a study into other municipalities' by-laws regarding these types of signs, Staff requests Council's direction in terms of its vision by prohibiting, or permitting and regulating this type of signage within the City of North Bay limits.

Option 1:

That Council denies Image Master's Sign By-law Variance to permit a 5' x 10' LED Sign to be mounted on the building face at 2213 Trout Lake Road and further, Council recommends Staff to keep status quo on current Sign By-law 2006-143 regulations by prohibiting LED billboard signs within the City of North Bay at this time.

Option 2:

That Council uphold the Property Standards Committee's Decision to defer the application to vary the Sign By-law submitted by Image Master and further, directs Staff to proceed with a study of LED billboard signs within the City of North Bay.

Option 3:

That Council approves the appeal submitted by Image Master to permit a 5' x 10' LED Sign at 2213 Trout Lake Road and further, directs Staff to proceed with a study on the feasibility of permitting LED billboard Signage within the City of North Bay limits

Option 4:

That Council approves the appeal submitted by Image Master to permit a 5' x 10' LED Sign at 2213 Trout Lake Road however, directs Staff to keep status quo on current Sign By-law 2006-143 regulations by only reviewing the requests on a case by case basis through the Sign By-law variance process as outlined in Section 15 of Sign By-law 2006-143.

RECOMMENDED OPTION

Option 1 is the recommended option. Staff conducted a lengthy study regarding billboard signs and subsequent amendments to the Sign By-law were implemented with specific regulations regarding the distance and number of billboards throughout the City. It was determined at that time it was appropriate to not permit LED billboard signs, except through a variance to the Sign By-law. Amending the by-law to permit LED billboard signs as of right would allow any billboard to convert to LED technology. Staff did not consider this to be appropriate given the current location of billboard signs through the community and felt it was appropriate that they be reviewed on a case to case basis.

Through enforcement, billboard signs posted on building faces were required to be removed save and except those that were granted variances in the past.

Image Master's request is clearly defined as a billboard sign which will be mounted on the building face, it will be located within a low density residential zone, and will be directed at a high traffic arterial road.

For these reasons, it is Planning Staff's opinion the variance requested does not maintain the intent of the Sign By-law.

Respectfully submitted,



Elizabeth Courville, ACST
Zoning Administrator

EC/dlb

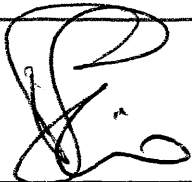
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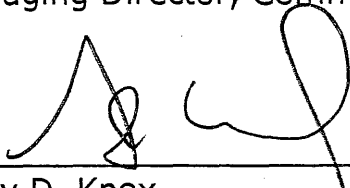
We concur with this report and recommendations.




Beverley Hillier, MCIP, RPP
Manager, Planning Services



Peter Chirico
Managing Director, Community Services





Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Elizabeth Courville, Zoning Administrator

SCHEDULE A

- iii. Advertising signs v
backstops;
- iv. The sign shall be located in a manner approved by the
Director of Parks, Recreation and Leisure Services; and
- v. Signs shall only be permitted when advertising is being
conducted through an agreement with the City and a
local sporting group.

PUBLIC USES PERMITTED

- 12.0 The provisions of this By-law shall not apply to any signs constructed or altered,
or cause to be constructed by the City and any of its Boards and Commissions,
and/or any department of the Government of Canada or the Province of Ontario
and/or Crown Corporation provided that all setbacks are complied with.
- 12.1 Applications for private signs on any other City-owned property or buildings will
be considered by specific request to City Council.

ENFORCEMENT

- 13.0 Any police officer, provincial offences officer or employee of the City, whose
duties include the enforcement of this by-law, is authorized
- a) to request any person believed by such officer or employee to be
contravening or who has contravened any provision of this by-law to
desist from the activity constituting or contributing to such contravention;
and
 - b) to enforce this by-law pursuant to the provisions hereof and of the
Provincial Offences Act, R.S.O. 1990, c.P.33, as amended, or any
successor thereof, and of the *Municipal Act, 2001*, S.O. 2001, c.25, as
amended or any successor thereof.

PENALTY

- 14.0 Any person who:
- a) contravenes or fails to comply with any provisions of this By-law or any
permit issued hereunder; and/or
 - b) erects or places a sign in contravention of this by-law; and/or
 - c) obstructs or hinders any person in the performance of his/her duties under
this by-law; and/or
 - d) fails to comply with any order of the Director
- is guilty of an offence and on conviction is liable to a fine, penalty or order as
provided for in the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended, or
any successor thereof, or in the *Municipal Act, 2001*, S.O. 2001, c.25, as amended
or any successor thereof.

VARIANCE

- 15.0 The City of North Bay may authorize variances from this By-law if in the opinion
of the City the general intent and purpose of this By-law are maintained.
- 15.1 Applications for variances shall be submitted to the Zoning Administrator and
shall be made by completing and submitting:

- a) The application form as shown on Schedule E to this By-law
 - b) The applicable drawings, plans or specifications for the proposed sign(s)
 - c) The full application fees as set out on Schedule A, and
- 15.2 Where an application under Section 15.1 is incomplete, the Zoning Administrator may refuse to accept the application. For the purpose of this section, an application is incomplete where:
- a) It is not in the form set out on Schedule E
 - b) It is not accompanied by
 - i. The full application fees for a variance
 - ii. A completed Sign Permit application including such information as the applicant is required to provide under Section 3.2
- 15.3 Council delegates authority to authorize variances from the provisions of this By-law to the Property Standards Committee.
- 15.4 Where Council has delegated authorization to vary the Sign By-law the applicant or any person who made oral or written submissions to the Property Standards Committee may appeal the decision of the Property Standards Committee, through a letter to the Zoning Administrator. The Zoning Administrator will forward the letter of appeal and any information considered by the Property Standards Committee to City Council for their consideration. Council may uphold or vary the decision of the Property Standards Committee or do any act or make any decision that it might have done had it conducted the hearing itself and the application shall not be entitled to a further hearing on the matter before Council and the decision of Council shall be final.
- 15.5 In considering the application for variance, the City shall have regard for:
- a) special circumstances or conditions applying to the land, building or use referred to in the variance application;
 - b) whether strict application of the provisions of this By-law in the context of special circumstances applying to the land, building or use would result in practical difficulties or unnecessary and unusual hardship for the applicant that is inconsistent with the general intent and purpose of this By-law;
 - c) whether such special circumstance or conditions are pre-existing and not created by the Sign Owner or applicant; and
 - d) whether the sign that is subject of the variance application will negatively alter the character of the general area in which the sign will be located
- 16.0 Section 15 of the Sign By-law, Variances, shall come into force and effect on December 1, 2010.
- 17.0 By-law No. 25-97 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 5th DAY OF SEPTEMBER 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 5th DAY OF SEPTEMBER 2006.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 5TH DAY OF SEPTEMBER 2006.

SCHEDULE B

INTER OFFICE

***City of North Bay
Planning Services***

MEMO

To: Property Standard Committee

From: Elizabeth Courville, Zoning Administrator

Subject: Sign Variance #2013-03 to Sign By-law 2006-143
t: Image Master Marketing & Printing Products Inc.

Date: September 3, 2013

Site

The subject property is located at 2213 Trout Lake Road in North Bay, legally described as Plan M-86, Lots 5 and 6. Currently there are three businesses operating on the subject property at two different addresses: Triple "A" Trophy Co. and Image Master Marketing & Printing Products Inc. located at 2213 Trout Lake Road, and Guido & Arlene's Family Restaurant located at 2195 Trout Lake Road.

The subject property is currently zoned "District Commercial (C4)" and "Residential Second Density (R2)" in the City of North Bay's Zoning By-law 28-80. Guido & Arlene's Family Restaurant is located within the C4 zone while the Applicant's business is located in the R2 zone portion of the property. The applicants' portion of the property is considered 'Legal Non-Conforming' under the City's Zoning By-law. The area has a mix of residential and commercial uses.

Proposal

Sign By-law 2006-143 permits fascia signs in commercial and industrial zones only and the fascia sign must advertise the business or service conducted on the property where the sign is located. The Applicant is requesting to vary this section to permit the advertisement of businesses not located on site.

The Applicant has investigated various options that would permit the installation of an LED Sign on the property that would advertise other businesses/services on behalf of their clients. The various proposals put forward by the applicant were reviewed and it was identified that the options did not meet the regulations of the city's Sign By-law, specifically with respect to billboard signs and to erect a sign to advertise businesses/services not conducted on the property where the sign was proposed.

Mr. Ricci, on behalf of Image Master Marketing & Printing Products Inc. has now presented a new proposal through a variance to the Sign By-law. This proposal includes the installation of a LED sign located on the side wall of the building approximately 10 feet wide by 5 feet tall. The applicants are requesting permission for this sign to advertise businesses/services not located on site. In the opinion of staff, based on the Sign By-law, this type of signage represents a Billboard Sign rather than a fascia sign. Prior to processing this application, Mr. Ricci was informed of staff concerns regarding the proposed sign.

The building where the proposed sign is to be erected is situated in the "Residential Second Density (R2)" portion of the property. However the property enjoys a legal non-conforming use as a business office(s) and may continue to operate as a business office provided said use continues without interruption.

Legal non-conforming signs however may lose this designation if the sign is relocated or replaced. It is the intent of the Sign By-law any signs replacing a legal non-conforming sign must meet the regulations of the current Sign By-law.

The Notice of the Hearing has been circulated to property owners within 400' of the subject property and various City Departments and Agencies who may have an interest in the proposal. In terms of the correspondence received, Mr. Ricci provided a copy of an e-mail submitted by the Ministry of Transportation who did not offer any objections to the proposal provided the sign was installed in accordance with his proposal being:

1. The message displayed on the sign must be non-moving and non-animated;
2. A minimum dwell time of 3 minutes;
3. A maximum transitional time of 1 second; and
4. The sign shall be skewed on a 15 degree angle so the image will appear distorted from the By-pass

The proposed sign is in an area that would generate high visibility for the Applicant's clients. Despite MTO offering no objection, the City of North Bay is of the opinion that promoting businesses/services not provided on site where the sign is located is defined as a billboard sign.

It is of Planning Staff's opinion the type of signage the Applicants are proposing is not maintaining the intent of the Sign By-law for three reasons:

- (a) the current zone on the property does not permit this type of signage;
- (b) a billboard is not permitted to be erected on the wall of a building; and
- (c) any replacement of legal non-conforming signs must meet the current regulations of the Sign By-law.

Respectfully submitted,

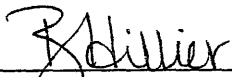


Elizabeth Courville, ACST
Zoning Administrator

EC/dlb

W:\PLAN\RMS\D13\2013\SGNVR\2213TLR\0003-PSCMmbrRpt-SBLV#2013-03.docx

I concur with the recommendations in this report.



Beverley Hillier, MCIP, RPP
Manager, Planning Services



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

Planning Services – 5th Floor
Direct Line (705) 474-0626, Ext. 2401
Fax: (705) 474-5928
Wats: 1-800-465-1882
e.mail: elizabeth.courville@cityofnorthbay.ca
Internet URL: <http://www.cityofnorthbay.ca>

NOTICE OF APPLICATION TO AMEND THE CITY OF NORTH BAY'S SIGN BY-LAW 2009-143, as amended

The City of North Bay has received an application to amend Sign By-law 2006-143, Section 8.4.2 item (g) to permit a 5'x10' fascia sign located at 2213 Trout Lake Road, which will advertise businesses and/or services **not** conducted on the property where the sign is located.

Subject Lands

2213 Trout Lake Road
Image Master Marketing & Printing Products Inc.

Proposal

The applicants are proposing to erect a 5'x10' fascia sign on the existing building and provide a service for their clientele to advertise products and/or services not conducted on the property.

Description of Application

A variance to Sign By-law 2006-143, as amended, has been submitted to permit advertising or products and/or services not conducted on the property where the proposed sign will be located. Currently Section 8.4.3(g) restricts sign advertising to those businesses or services conducted on the property. Image Master offers a wide range of products and services to promote awareness for their clients. The Applicants have therefore requested relief from Section 8.4.3(g) to permit advertising of services and/or products not provided on site on behalf of their clients.

Public Meeting Date, Time and Location

A Public Hearing giving the public an opportunity to comment on the proposal will be held before the Property Standards Committee as per below:

Monday, September 16th, 2013
3:30 PM on the 7th Floor in the Executive Boardroom
North Bay City Hall, 200 McIntyre Street East

How to Comment

Please mail, email or fax your comments to Elizabeth Courville, Zoning Administrator before 4:30pm on Thursday, September 12th, 2013. Comments received will be read into the record at the Public Hearing. If you so choose, you may also provide comments in person at the Public Hearing.

About the Process

The Property Standards Committee is comprised of members of the community appointed by Council on a volunteer basis. The Property Standards Committee hears and decides appeals from Property Standards Orders issued by the City as well as hears and decides variances to the Sign By-law. The applicant/agent **must** be present for the Hearing.

Any person who makes an oral or written submission to the Property Standards Committee may appeal the decision of the Property Standards Committee, through a letter to the Zoning Administrator. The Zoning Administrator will forward the letter of appeal and any information considered by the Property Standards Committee to City Council for their consideration.

Council may uphold or vary the decision of the Property Standards Committee or do any act or make any decision that it might have done had it conducted the hearing itself and the application shall not be entitled to a further hearing on the matter before Council and the Decision of Council shall be final.

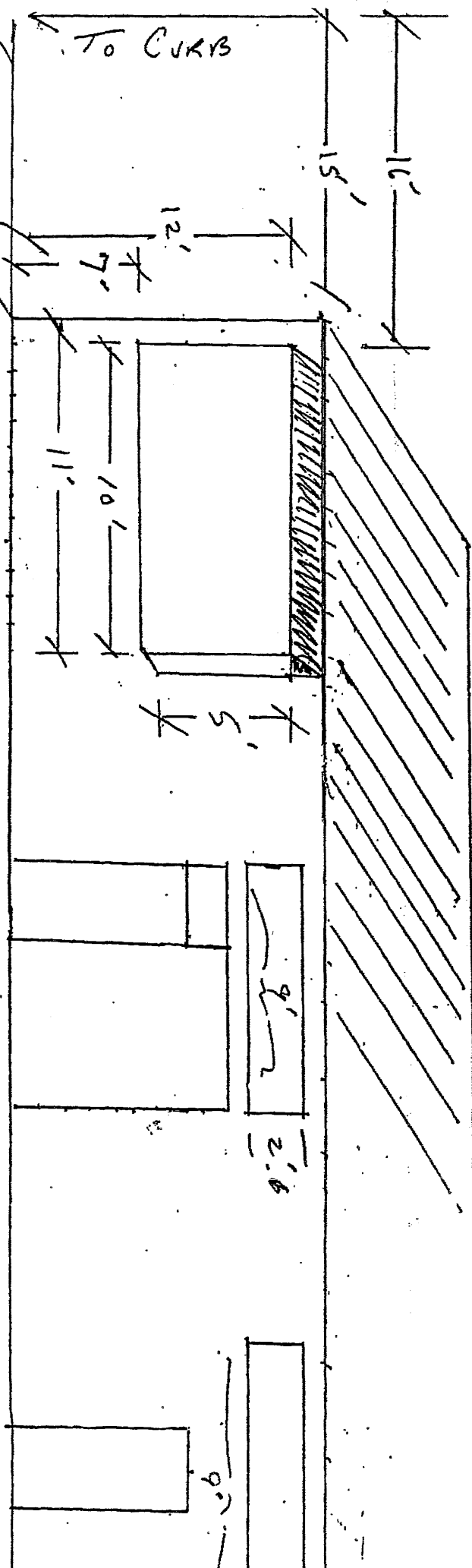
For More Information Please Contact

Elizabeth Courville, ACST
Zoning Administrator
P.O. Box 360, 200 McIntyre Street East
North Bay, ON P1B 8H8
Phone (705) 474-0400, ext. 2401
Email elizabeth.courville@cityofnorthbay.ca

1100T LAKE ROAD

To CURB

SIDE Walk



RECEIVED
CITY OF NORTH BAY
JUL 17 2013
PLANNING
SERVICES

Schedule E to By-law 2006-143

APPLICATION FOR SIGN BY-LAW VARIANCE

RECEIVED
CITY OF NORTH BAY
AUG 02 2013
PLANNING
SERVICES

Property Owner:

Name: Ernesto Khey Mailing Address: 3505 Loyalist Crt.
City: London, Ontario Postal Code: N6P 0A5
Phone: 519-652-6298 Fax: Email:

Applicant:

Name: Chris Ricci / Image Master Marketing & Printing Products Inc. Mailing Address: 2213 Trout Lake Road
City: North Bay, Ontario Postal Code: P1B 7S3
Phone: 705-476-5220 Fax: 705-476-5726 Email: imagemaster@bellnet.ca

Property Address: 2213 Trout Lake Road, North Bay, Ontario P1B 7S3

Explain in detail your reasons why it is not possible to comply with the provisions of the Sign By-law (please attach further information if required):

Please see attached files

What type of Sign is being proposed: LED - Wall Mount

What is the Zoning of the subject property: C4

Has the owner previously applied for variances in respect of the subject land?
YES NO

If Yes, describe briefly:

Extension or Enlargement of a Legal Non-Conforming Sign:

If you are requesting consideration of an enlargement or extension of an existing sign that is not in conformity with the By-law, but, was legally established prior to the By-law, answer the following:

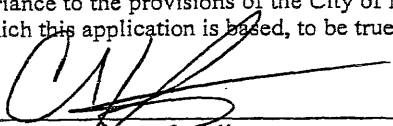
What type of Sign is it:

How long has the sign been in existence:

What is the reason for the extension or enlargement:

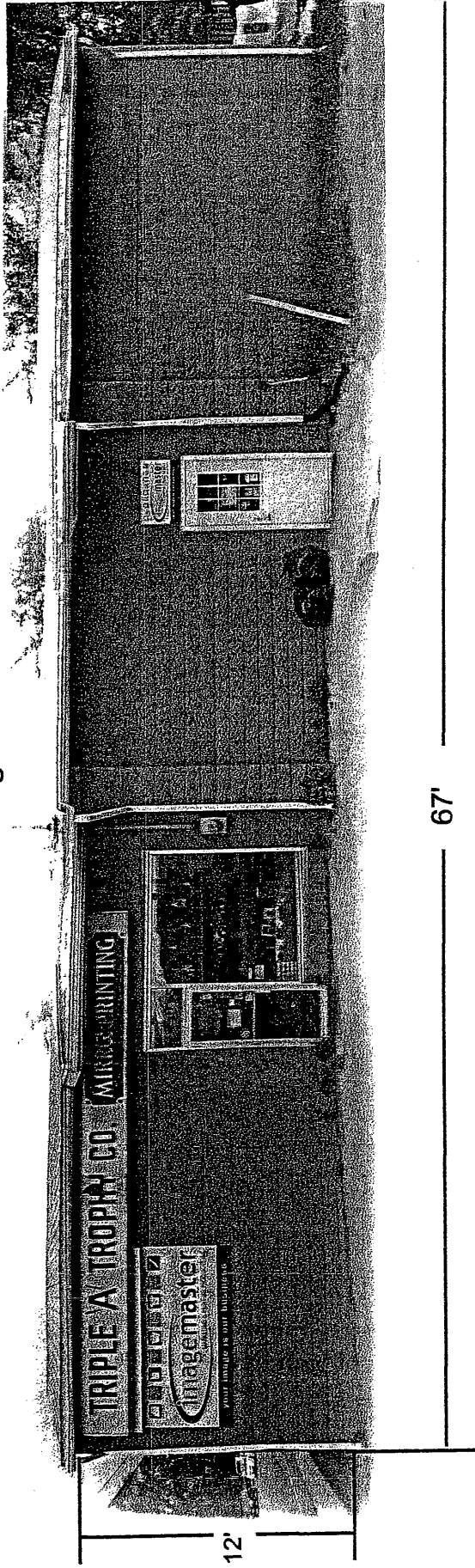
Describe how the proposed extension or enlargement has had regard to existing by-law regulations:

The undersigned hereby requests the City of North Bay to consider this application for a variance to the provisions of the City of North Bay Sign By-law. I certify the information, on which this application is based, to be true and the owner is aware of this exemption request.

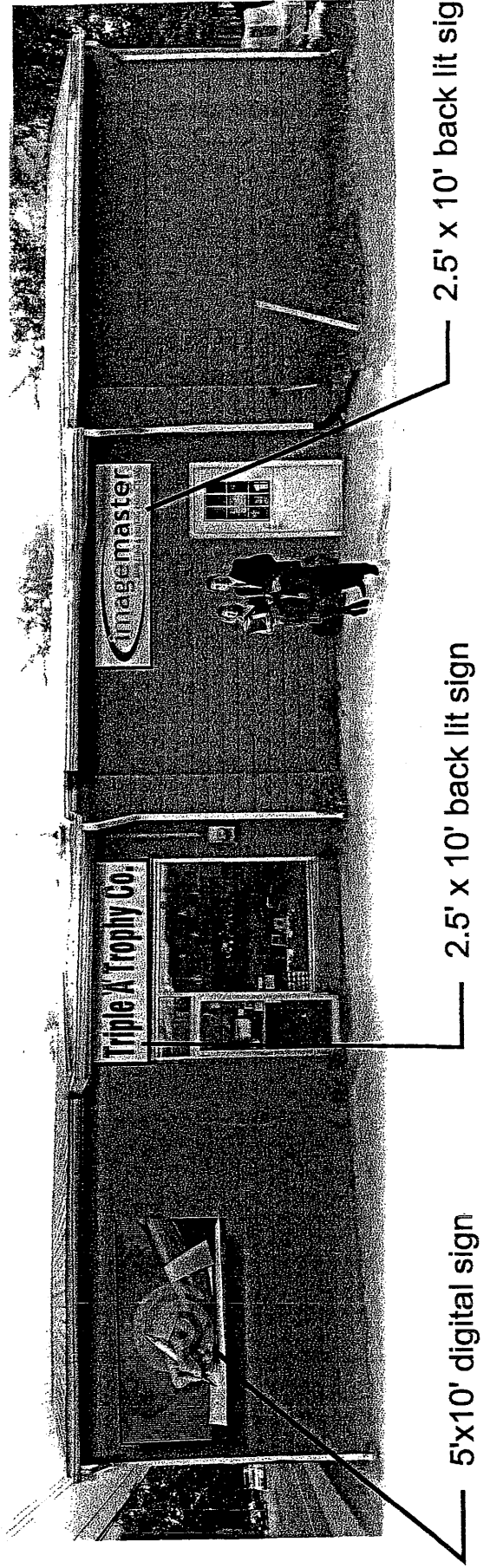

Signature of applicant or agent

Aug 21/13
Date

Existing



Proposed Signage



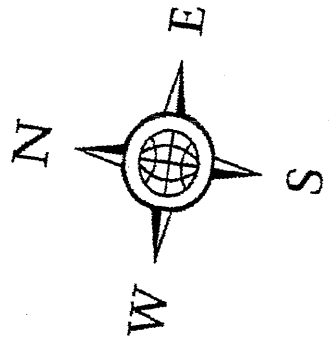
BANK STREET

TROUT LAKE ROAD

TRIPLE
A TROPHY IMAGE
MASTER

GUIDO
& ARLENE

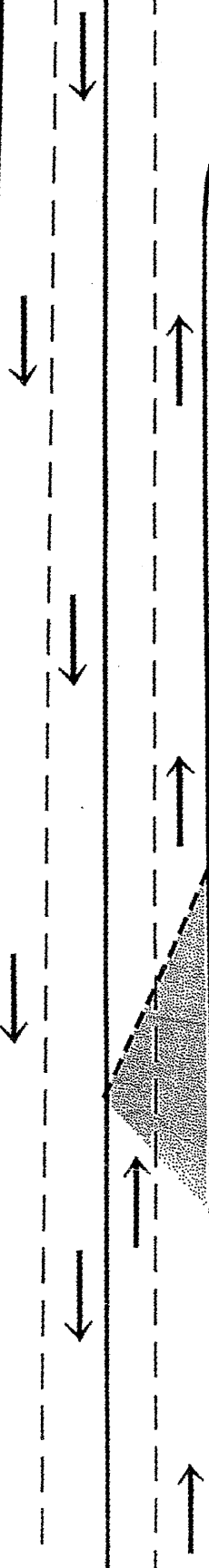
TROUT LAKE PAINT
& WALLPAPER



15°

100 FEET OPTIMAL VIEWING

150 FEET



JUL 17 2013

PLANNING
SERVICES

Company Profile

Incorporated in 2003 by Chris Ricci and Madeleine Belanger, Image Master Marketing & Printing Products Inc. has dedicated it's many years to assist companies in finding traditional and unique methods of raising awareness to our clients products and services. Image Master does this by offering a wide range of products and services such as high end offset and digital printing as well as relief printing technology. Image Master also provides distribution of almost every available promotion product, and is recognized by two important associations, PPC (Canada) and ASI (United States). Our company offers a state of the art, in house graphics design department to create impeccable design layouts, corporate logos and web page design and management.

Image Master depends on a diverse mix of small, medium and large businesses in equally diverse industries, for example: retail, health, aviation, mining, education and many more.

Job Retention and New Employment

Image Master employs three full time positions as well as part time employment. Like all businesses we have experienced declines in some sources of revenue as methods of communicating become more and more technology based. We believe that this new sign technology would allow us to retrain those of our staff that are currently working in areas of our company in which revenues are declining, as well as offering new employment that would be needed with this relatively new technology.

In the long term, we are looking to spread this source of media to a few other locations within the city, but also in other towns and cities in both outdoor and indoor locations. All administrative and creative services can be run remotely and up loaded where ever we place a sign, this could mean much needed employment to our great city.

Reason for Variance

The reason that we are applying for a variance is because the LED sign that we are proposing to erect would not only advertise the goods and services for the two company's (Triple A Trophy and Image Master Marketing & Printing Products Inc.) that share the building of 2213 Trout Lake Road, but would be used as a source of revenue for Image Master, as our intention would be to sell advertising space to our clients. Even though this sign is only half the size of a bill board, because our intention would be to sell advertizing spots, it would be considered a bill board. Furthermore, because the Bill Board bylaw would consider our proposed sign a "bill board" we would not be able to mount it to our wall because it would then be considered a fascia sign. For these reasons we would need to apply for three variance's to the by law that would allow for our sign to be, firstly, less than 50 meters from a resident, secondly to allow our proposed sign to be hung from the wall of our place of business on Trout Lake Road, with the intent of advertising to other organizations that are not located in said building, and thirdly to allow our sign to be erected less than 3 meters from the set back of the property line.

Precedence

Image Master has been looking to erect a LED Sign and to sell advertizing spots for some time now. Our first proposal was made back in 2009. Since then we have looked at other locations, but have had limited success because we have based our proposed site locations on the letter of the municipal and provincial sign bylaws prior to 2010 and to present. Unfortunately, 80% of our proposed sites were non conforming. Because the site location for a LED sign is very specific to size, angle, quality, and pixel dimension, finding a site is a costly and exact proposition and has led us to request this variance on this location.

Even though the Billboard bylaw clearly outlines specifics as to acceptable locations, there has been exception, such as a fascia 5' x 10' LED sign that flashes both static and moving graphics (video) that is attach to the McQueen's furniture store on the corner of Franklin and 111 Drury Lane, and Recently there was a structure with 4 LED clock faces and four LED signs erected on the very edge and corner or 100 Ferguson and Oak Street, adjacent to the "Pergola", flashing full bright colour's in full video in all traffic directions and again right on a lit intersection. This site is also in close proximity to apartment dwellings as well as businesses. The advertising that is being displayed is not just services for the North Bay museum, but also companies that do not have offices on that location, which is also a stipulation under the City's Bill Board act. I contacted the Discovery North Bay Museum to inquire about their advertising opportunities for business and I was told that they are partnering with "Macromedia" [(which is a company that sells add spots to business and other organizations] who will take over their sales and marketing of advertising for the organizations LED sign for the purpose to sell ad spots. This of course, is what Image Master is proposing to do.

It is obvious to us that because "Macromedia" has made a claim that it has an office in both the furniture store as well as in the museum and is advertizing goods and services that are sold at those locations, their LED signs are not billboards, therefore not having to conform to the bill board bylaw.

This then nullifies the reasons in which Image Master is having to request a variance, because it would then be considered a "Fascia Sign"

Image Master has been selling marketing products to local businesses for nearly 10 years, the selling of advertising spots on Led signs has cut into our revenue. We are simply looking for a fair playing field so that we regain our lost revenue and grow our business.

It should be noted that Image Master takes very serious the rules governing advertising on road ways. We have carefully planned our sign location to not be a distraction to drivers, or to flash graphics to draw attention from motorist's further away than the 150 feet optimal viewing area. The advertising spots have a set font size of 10 inches for specific informational text and skewing the sign 15 degrees so it cannot be easily read from the lit inter section of highways 17 and 63. Only static advertisements with a minimum dwell time of 3 min and a maximum transition time of 1 second, "NO VIDEO" OR "FLASH ANIMATION" .The sign proposed is also fitted with a sensor that automatically adjusts its brightness

from dusk until dawn. Our investment would be most considerable, our proposed sign will be the highest resolution and the most advanced of any sign erected to date. It is always Image Master's mission to supply our clients with best quality and the best price. Also, because of our large investment and we are an established and a reputable business, we are looking for a trouble free investment, by adhering to all bylaws, and variances, set out by either the provincial or municipal governments.

Ministry of Transportation

Over the past year we have worked with the provincial government (Ministry of Transportation) through their Bill Board bylaws, and have received "no objections" to our proposal (Supplied along with this application) as long as we do not deviate from the requirements set out in our letter of intent. (Also supplied with this application)

Proposed Location

Our proposed location is on the west wall of the building on 2213 Trout Lake Road, North Bay Ontario, it would be more than 500 feet of a lit intersection and skewed 15 degrees for optimal viewing 100 to 150 feet away from the sign. The dwell time would be 3 minutes and the transitional time would be 1 second. There would not be any moving graphics, only static images. The Proposed sign would not exceed the buildings fascia, as outlined by the sign bylaw.

In closing, I would like to thank you in advance for your consideration in this matter. We have tried to offer as much information as possible to come to an educated and quick decision, however if there is anything that you may need, please contact me anytime at any of the supplied contact numbers. Also if you wish to meet to discuss any or the entire request, I remain at your disposal.

Thank You,

Chris

SCHEDULE "C"



2213 Trout Lake Rd.,
North Bay, ON P1B 7S3
Tel: (705) 476-5220
Fax: (705) 476-5726

PLANNING
SERVICES

Dear Elizabeth,

I would like to formally appeal the decision from the Property Standards Committee to defer the variance (file SV# 2013-03) to council, for a proposed site of a LED sign ("Message Board"), which would be attached to our place of business on 2213 Trout Lake Road, for the purpose of reselling ad space to its clientele, for the following reasons.

First and foremost, Image Master feels it has done its due diligence in meeting the zoning committee's needs to make an informed decision to approve its request for a variance. Also, we find ourselves in a frustrating position because we know of not just one, but two variances that were awarded to a competitor. First, it's a fascia sign that is presently on the wall of a business that is selling ad spots to other businesses that are not at that location (McQueen's Furniture) on 111 Drury, which has their "Message Board" pointed towards both the entrance of a Tim Horton's drive thru and the traffic coming from the south entrance of Franklin Street. The Second location is on Oak and Ferguson Street right on a lit intersection. From what I understand, the applicants of this site were able to circumvent the "Property Standards Committee" and were simply given a Permit to set up 4 LED "Message Boards" with full moving graphics on a pedestal so that they may raise revenue for the City of North Bay Museum. We feel that this is a major conflict of interest, especially because the municipal site was not offered to other businesses in the Marketing Industry for tender, as it would be done if it was any other business using public property to raise revenue for itself, such as a Chip Stand. This raises another question. Would The City of North Bay consider setting up its own Chip Stand across from another Chip Stand to raise revenue to relieve the tax burden from us, the tax payers?

Regardless of the need to raise operational funds so as not to burden the tax payers of North Bay, the fact that the benefiter (both the "North Bay Museum" and the operator "Macromedia") now have an unfair advantage. Image Master has been looking for a suitable site for a "Message Board" for Seven years, and has made several proposals directly to land and business owners, only having to abandon them when running into a bylaw which would have made the erection unlawful. We were under the understanding that the revisions that were made to the sign bylaw in 2006 were binding, so we were surprised to see that a competitor was awarded a variance in situations where we could not.

Image Master has been working on the Trout Lake Road site for a year; we have invested a considerable amount of time and money in satisfying all safety concerns that has been raised by both the provincial or municipal governments. We feel that if the decision of the Property Standards Committee is up held, Image Master would have to wait more than a year before it would get a decision on its request for a variance. Also, if Image Master were to get a favourable decision, the "Message Board" that would be used, would take another 3 months to build. We believe that we deserve both a speedy and favorable decision, because of the obvious advantage of our competitor (Macromedia) now has.

The Property Standards Committee also mentioned at the meeting that they were interested in reviewing the effects of this new technology in other communities. However, I think that at the very least they could draw that information from all of the Message Boards that are currently in operation in North Bay, that would include "Message Boards" that are operated privately as well as the two that are operated commercially. There are also "Message Boards that are in other northern communities such as Sturgeon Falls as well as Sudbury (Science North and Four Corners Mall) that are on busy streets, intersections and highways.

As I have mentioned to the committee Monday, Image Master understands that this type of marketing product is new to this region. However, since we have researched the message board technology for almost a decade, we would be more than happy to share the vast amount of knowledge to the "Property Standards Committee" to create a formula to regulate an industry that we see will have major growth in the next 10 years.

Our newest proposal not only has "no objection" from the provincial government, but we believe it would be less of a distraction to motorists than either of the two existing sites of "Message Boards" that have been granted a variance.

Along with this appeal, I am sending a copy of our interpretation of a "Message Board" and why the zoning bylaw should not define it as a bill board.

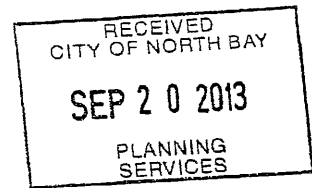
For 10 years Image Master (Marketing & Printing Products Inc.) has manufactured and distributed marketing products such as Business Stationary, Brochures, Flyers, Indoor & Outdoor Signs, Banners, Flags, Labels, Decals, Ball Caps, Jackets, T-Shirts we also offer Graphic Design services, Web Page Design and Management. Our clients are made up from a diverse mix of small and large businesses.

Thank For your consideration in this matter,

Chris Ricci
President
Image Master Marketing & Printing Products Inc.



2213 Trout Lake Rd.,
North Bay, ON P1B 7S3
Tel: (705) 476-5220
Fax: (705) 476-5726



"Message Board" versus "Bill Board"

Image Master understands why it was important for the City of North Bay to revise the sign bylaw in 2006. At this time we had a large media company that was using loop holes in the existing sign bylaw to set bill boards within the city limits in great numbers, to the point of affecting the esthetics of the city.

Bill boards are an effective method of advertising, with their size at 10' x 20', it is meant for optimal viewing from 10' to 1000' when traveling at 80 to 100km per hour. When the signs are moved into prime locations within the city limits, with no changes to their size and overall format, they quickly become unattractive and when the inevitable deterioration of advertisements in transition (paper separation from board), it becomes unattractive.

It is of our opinion that electronic LED signs are not correctly defined either by the provincial or municipal governments. Following are 5 reasons we consider this sign a "Message Board" not a "bill Board"

- 1) The image that is seen on a "Message Board" is not printed, it is not adhered to any substrate, it is electronically generated, it can move and it can stay static, unlike the bill board where the advertisement is only static.
- 2) Because the "Message Board" is electronic, hundreds of messages and advertisements can be shown throughout the day, as opposed to a standard bill board where one message can be shown for a period of time (usually 1 to 6 months)
- 3) Unlike the standard bill board, which standard size is approximately 10' x 20', the electronic "Message Board" size and graphic density is critiqued to the optimal viewing area, this is important when in urban areas.
- 4) When the advertising spots are not filled, the "Message Board" simply increase's self promotion, personal interest and non for profit spots, where as a bill board can stand for months with weathered ad sheets allowed to deteriorate, ripping and falling off the back board.
- 5) For any reason, when a site is no longer considered a prime site, the "Message Board" is immediately removed along with anchors or pedestal and relocated to a more favorable site. This is because the value of this technology is great. This cannot be said about the traditional bill board. There are many cases, even locally where the wood panels, iron posts, along with footings are left in a dilapidated condition while the property is changing hands. This is simply because the structure for a bill board is only worth its weight in scrap metal and very costly to remove, so in many cases it is simply left.

With the continued interest in this technology, I think, the City of North Bay should be proactive in setting up some policy's that are specific to this industry, unlike the bylaw governing bill boards, (which is very restrictive and too broad). It is discriminatory to those seeking permits for prime locations after bylaw revisions after 2006.

As a solution, companies that wish to set up a "Message Board" for the purpose of creating revenue could be forced to meet a set of guidelines based on the company's own optimal viewing area. For example: Optimal viewing area 200 feet, then the LED cluster would have to be no larger than 10mm. This small formula alone would force would be advertisers to invest a much larger sum of money into their proposed sign. This would mean fewer digital signs and well thought out sign placements. Most important, it would raise the value of the properties that traditional bill boards are located on, since the revenue raised is of much greater for the "Message Board" then the value of revenue that is raised from a traditional bill board. I believe that there would be a steady decline in the amount of the traditional billboards within the city limits.

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2013-110

October 7, 2013

Originator: Paul Valenti

Subject: Request for Quotation 2012-61, Supply of Emulsified Asphalt

RECOMMENDATION:

That City Council approves the award of a contract to Pioneer Construction Inc. in the estimated amount of \$78,000.00 (plus HST) for the supply of Emulsified Asphalt.

BACKGROUND:

Emulsified Asphalt is used by Public Works for patching roads throughout the winter season. A Request for Quotation was publicly advertised in accordance with the Purchasing By-law. The RFQ specified an estimated quantity of 600 tonnes, based on past usage, unit costs and projected requirements for the upcoming winter season. The RFQ closed on September 19, 2013. Two (2) bids were received and evaluated by the Manager of Roads and Traffic and the Manager of Purchasing.

The results are as follows:

Firm	Unit Bid Price	Total Bid (based on 600 tonnes)
Pioneer Construction Inc.	\$130.00 per tonne	\$78,000.00
Miller Paving North Bay a division of Miller Paving Limited	\$136.00 per tonne	\$81,600.00

The low bid price provided by Pioneer Construction Inc. was obtained competitively and is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Approve the award of a contract to Pioneer Construction Inc.
2. Do not award a contract. This option is not recommended as the material is to patch roads throughout the winter season.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to Pioneer Construction Inc. in the estimated amount of \$78,000.00 (plus HST) for the supply of Emulsified Asphalt.

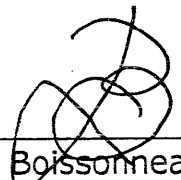
Sufficient funding has been allocated and is available in the 2013 Engineering, Environmental Services and Works Operating Budget under Roads Department.

Respectfully submitted,

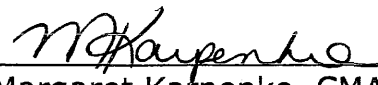


Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.



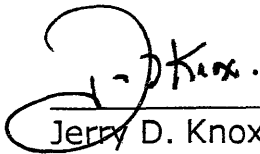
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



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



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads and Traffic

Attachments: Bids

City of North Bay**Report to Council**

Report No: EESW 2013-063

Date: October 7, 2013

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

Subject: Engineering related User Fees - Administration Fees for Street
Work Permits and Municipal Consent Reviews

RECOMMENDATION

- That (1) Schedule D of User Fee By-Law No. 2011-123, as amended, be further amended to reflect the actual cost activity of the department to administer when other utilities use and install services on our right-of-ways. The fee for a Street Work Permit be \$25.00 and Municipal Consents be \$100.00; and
- (2) Report to Council EESW-2013-063 be referred to the Engineering & Works Committee for a Public Meeting.
-

BACKGROUND

Contractors and Utilities place their poles on our road allowances within the City. We have a process that approves where on the road allowance they are allowed to go which is through a Municipal Consent. They then construct their projects either themselves or by using a Contractor. They are then required to obtain a Street Work Permit.

The proposed fees are to recover a portion of our costs to provide the review and to coordinate work on our road allowances. We are proposing that a Street Work Permit would cost \$25.00 and that the Administration Fee for a Municipal Consent be \$100.00 per application.

OPTION/ANALYSIS

Option 1 – Proceed with amending the User Fee By-Law to add an Administration Fee for Street Work Permits of \$25.00 and Municipal Consents of \$100.00.

This option is recommended.

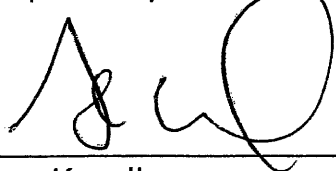
Option 2 – Do not authorize the addition of Administration Fees for Street Work Permits and Municipal Consents.

This option is not recommended.

RECOMMENDED OPTION

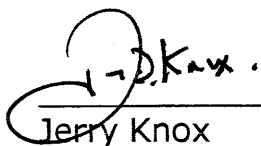
- That (1) Schedule D of User Fee By-Law No. 2011-123, as amended, be further amended to reflect the actual cost activity of the department to administer when other utilities use and install services on our right-of-ways. The fee for a Street Work Permit be \$25.00 and Municipal Consents be \$100.00; and
- (2) Report to Council EESW-2013-063 be referred to the Engineering & Works Committee for a Public Meeting.

Respectfully submitted,



Alan Korell,
Managing Director Engineering, Environmental
Services and Works

I concur with this report and recommendation.



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Dominic Schiavone / David Euler

Attachments: Schedule D - By-Law No. 2011-123, as amended

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-180

**BEING A BY-LAW TO AMEND BY-LAW NO. 2011-123
(A BY-LAW TO AUTHORIZE USER FEES
FOR CITY DEPARTMENTS)
(ENGINEERING, ENVIRONMENTAL SERVICES & WORKS'
DEPARTMENT - SCHEDULE "D")**

WHEREAS Council passed Engineering & Works Committee Report No. 2012-03 at its Regular Meeting held on Monday, July 16, 2012 to amend Schedule "D" to User Fee By-law No. 2011-123 for water rates payable for the supply of water from the dispensing facility on Patton Road and sewage rates payable for the dumping of sewage loads at the facility on Patton Road.

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

1. Schedule "D" to By-law No. 2011-123 is hereby deleted and the attached Schedule "D" is hereby inserted in lieu thereof.
2. This By-law comes into effect on August 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH DAY OF JULY, 2012.

"original signature on file"

MAYOR ALLAN McDONALD

"original signature on file"

CITY CLERK CATHERINE CONRAD

THIS IS SCHEDULE "D" TO BY-LAW NO. 2012-180 OF THE CORPORATION OF THE CITY OF NORTH BAY.

The user fees charged by the Engineering, Environment Services & Works' Department shall be as follows:

	2011 June 1- Dec 31	2012	2013	2014
Property Status Inquiry	\$60	\$65	\$70	\$75
* Photocopies (per page)	\$0.60	\$0.60	\$0.60	\$0.60
Engineering Review and Approvals Fee (Subdivision Agreement)	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater
Engineering Review and Processing of Service Contracts	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)
* Concrete Curb & Gutter (Includes removal of existing if required. Restoration extra.)	\$195 per lineal metre Min. charge \$465	\$200 per lineal metre Min. charge \$470	\$205 per lineal metre Min. charge \$475	\$210 per lineal metre Min. charge \$480
* Concrete Sidewalk (Includes removal of existing if required. Restoration extra.)	\$140 per lineal metre Min. charge \$465	\$145 per lineal metre Min. charge \$470	\$150 per lineal metre Min. charge \$475	\$155 per lineal metre Min. charge \$480
* Interlocking Concrete Pavers	\$100 per sq. m.	\$105 per sq. m.	\$110 per sq. m.	\$115 per sq. m.
* Hot Mix Asphalt (per tonne) (Includes cutting and removal as necessary).	Contract cost plus \$45 to nearest \$5	Contract cost plus \$50 to nearest \$5	Contract cost plus \$55 to nearest \$5	Contract cost plus \$60 to nearest \$5
* Rock Excavation	Blasting Contract Plus \$225 per cubic metre	Blasting Contract Plus \$230 per cubic metre	Blasting Contract Plus \$235 per cubic metre	Blasting Contract Plus \$240 per cubic metre
* Fire Hydrant Maintenance (All private hydrants will be required to have City do work.)	\$125 each, Summer \$300 each, Winter	\$130 each, Summer \$310 each, Winter	\$135 each, Summer \$320 each, Winter	\$140 each, Summer \$330 each, Winter
* Water Off or Water On (Only one charge if both turns completed within 30 minutes of first turn.)	\$70 reg. hours \$105 after reg. hours	\$75 reg. hours \$110 after reg. hours	\$80 reg. hours \$115 after reg. hours	\$85 reg. hours \$120 after reg. hours
* Sewer Rodding (Blockage within entire service length responsibility of owner.)	\$75 reg. hours \$105 after reg. hours	\$80 reg. hours \$110 after reg. hours	\$85 reg. hours \$115 after reg. hours	\$90 reg. hours \$120 after reg. hours
* Power Sewer Rodding	\$175 reg. hours \$215 after reg. hours	\$180 reg. hours \$220 after reg. hours	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours

User fees charged by the Engineering, Environment Services & Works'
Department continued:

	2011 June 1- Dec 31	2012	2013	2014
* Camera Inspection of Service	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours	\$195 reg. hours \$235 after reg. hours	\$200 reg. hours \$240 after reg. hours
* Thawing of Water Service (Flat fee for max. of 3 hrs - successful or not)	\$350 reg. hours \$585 after reg. hours	\$355 reg. hours \$595 after reg. hours	\$360 reg. hours \$605 after reg. hours	\$365 reg. hours \$615 after reg. hours
	2011 June 1- Dec 31	Effective August 1, 2012	2013	2014
Sale of Water	\$75 for 0 to 2000 gallons \$1050 for seasonal lump Sum Prior to meter initiation	\$3.60/ 1,000 gallons	\$3.60/ 1,000 gallons	\$3.60/ 1,000 gallons
	2011 June 1- Dec 31	Effective August 1, 2012	2013	2014
Septage Waste Receiving	Metered	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons

* HST to be added to fee

City of North Bay**Report to Council****Report No.:** EESW-2013-061**Date:** September 26, 2013**Originator:** Domenic Schiavone
Director, Public Works**Subject:** Bulk Water and Septage Receiving Station User Rates**RECOMMENDATION**

That (1) Schedule D of User Fee By-Law No. 2011-123, as amended, be further amended with regard to the sale of bulk water and septage as follows:

- (a) Increase bulk water rates from \$0.95 per 1000 L to \$1.24 per 1000 L effective January 1, 2014;
- (b) Increase septage rates from \$2.64 per 1000 L to \$10 per 1000 L effective January 1, 2014, to \$15.00 per 1000 L effective January 1, 2015, and \$20.00 per 1000 L effective January 1, 2016; and

- (2) Report to Council EESW-2013-061 be referred to the Engineering & Works Committee for a Public Meeting.

BACKGROUND

In 2011 the City of North Bay constructed a new facility to handle the dispensing of bulk water and receiving of septage on Patton Rd. In 2012 rates were set at \$0.95 per 1000 L for bulk water and \$2.64 per 1000 L for septage. It was recommended that the rates be reviewed again in 2013.

Rates set out for bulk water are below that currently charged for metered water accounts in multi-residential dwellings and in the ICI sector which are set at \$1.24 per 1000 L. It is recommended that these rates increase to \$1.24 per 1000 L on January 1, 2014 which will make the rate consistent with those paid by other metered account holders.

Prior to the construction of the septage receiving station, Septage Haulers utilized a manhole abutting the CPR tracks off of Memorial Drive. The Septage Haulers were on an honor system and were to report all loads annually and pay a flat fee per load. In 2012 rates were set at \$2.64 per 1000 L in part to minimize the impact to Septage Hauler who were now going to be metered and to stay in line with fees paid under the previous honor system. The current fee is well below that of neighboring municipalities such as; Sudbury \$32 per 1000 L, Orillia \$25.25 per 1000 L, and Bay of Quinte \$22 per 1000 L.

The supplier of the water dispensing unit and septage receiving unit has provided budgetary replacement costs and lifetime expectancy totaling \$72,000 over the next five (5) to ten (10) years. Direct operating costs for the site from January 1, 2013 until September 13, 2013 are; \$646 for electricity, \$800 for telemetry (currently \$1200 per year), and \$11,245.61 for repair costs. These costs are well below the revenue received during the same period; water revenue \$5012 and sewage revenue \$10,504.

Not accounted in the direct costs are maintenance costs for plowing, grading, and flushing lines at the site, treatment costs for water dispensed and sewage collected, increased costs for the Fisher Street lift station which receives the sewage collected at Patton Street, long term replacement costs of watermains and sewer mains which will be effected by additional flows, and roadway rehabilitation due to wear.

It is recommended that rates be increased over a three (3) year period to recover costs and make them more competitive with neighboring municipalities while still allowing Septage Haulers the opportunity to factor increased costs of dumping into their fee structures.

It is recommended that the rates increase to \$10 per 1000 L on January 1, 2014, \$15 per 1000 L on January 1, 2015, and \$20 per 1000 L effective January 1, 2016.

The rate structure increase has been identified in the proposed 2014 Sewer and Water Budget.

OPTION/ANALYSIS

Option 1 – Proceed with referring the proposed rate changes to the Engineering and Works Committee for public meeting.

- (1) That water rates payable for the supply of bulk water increase from \$0.95 per 1000 L to \$1.24 per 1000 L effective January 1, 2014.
- (2) That the sewage rates payable for the dumping of sewage be increased from \$2.64 per 1000 L to \$10 per 1000 L effective January 1, 2014, to \$15 per 1000 L effective January 1, 2015, and \$20 per 1000 L effective January 1, 2016.

Option 2 – Maintain the current rate structure.

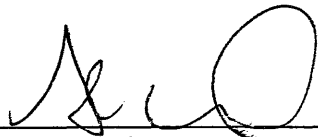
This option is not recommended as the City will continue to absorb the added costs of providing the current service.


RECOMMENDED OPTION

That (1) Schedule D of User Fee By-Law No. 2011-123, as amended, be further amended with regard to the sale of bulk water and septage as follows:

- (a) Increase bulk water rates from \$0.95 per 1000 L to \$1.24 per 1000 L effective January 1, 2014 as per fees in "Schedule A section 3 (a) of bylaw 2011-123;
 - (b) Increase septage rates from \$2.64 per 1000 L to \$10 per 1000 L effective January 1, 2014, to \$15 per 1000 L effective January 1, 2015, and \$20 per 1000 L effective January 1, 2016; and
- (2) Report to Council EESW-2013-061 be referred to the Engineering & Works Committee for a Public Meeting.

Respectfully submitted,



 Domenic Schiavone
Director, Public Works

We concur in this report and recommendation.



Alan Korell,
Managing Director Engineering, Environmental
Services and Works



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Angela Cox

Attachments: Schedule D - By-Law No. 2011-123, as amended

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-180

**BEING A BY-LAW TO AMEND BY-LAW NO. 2011-123
(A BY-LAW TO AUTHORIZE USER FEES
FOR CITY DEPARTMENTS)
(ENGINEERING, ENVIRONMENTAL SERVICES & WORKS'
DEPARTMENT - SCHEDULE "D")**

WHEREAS Council passed Engineering & Works Committee Report No. 2012-03 at its Regular Meeting held on Monday, July 16, 2012 to amend Schedule "D" to User Fee By-law No. 2011-123 for water rates payable for the supply of water from the dispensing facility on Patton Road and sewage rates payable for the dumping of sewage loads at the facility on Patton Road.

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

1. Schedule "D" to By-law No. 2011-123 is hereby deleted and the attached Schedule "D" is hereby inserted in lieu thereof.
2. This By-law comes into effect on August 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH DAY OF JULY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

THIS IS SCHEDULE "D" TO BY-LAW NO. 2012-180 OF THE CORPORATION OF THE CITY OF NORTH BAY.

The user fees charged by the Engineering, Environment Services & Works' Department shall be as follows:

	2011 June 1- Dec 31	2012	2013	2014
Property Status Inquiry	\$60	\$65	\$70	\$75
* Photocopies (per page)	\$0.60	\$0.60	\$0.60	\$0.60
Engineering Review and Approvals Fee (Subdivision Agreement)	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater
Engineering Review and Processing of Service Contracts	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)
* Concrete Curb & Gutter (Includes removal of existing if required. Restoration extra.)	\$195 per lineal metre Min. charge \$465	\$200 per lineal metre Min. charge \$470	\$205 per lineal metre Min. charge \$475	\$210 per lineal metre Min. charge \$480
* Concrete Sidewalk (Includes removal of existing if required. Restoration extra.)	\$140 per lineal metre Min. charge \$465	\$145 per lineal metre Min. charge \$470	\$150 per lineal metre Min. charge \$475	\$155 per lineal metre Min. charge \$480
* Interlocking Concrete Pavers	\$100 per sq. m.	\$105 per sq. m.	\$110 per sq. m.	\$115 per sq. m.
* Hot Mix Asphalt (per tonne) (Includes cutting and removal as necessary).	Contract cost plus \$45 to nearest \$5	Contract cost plus \$50 to nearest \$5	Contract cost plus \$55 to nearest \$5	Contract cost plus \$60 to nearest \$5
* Rock Excavation	Blasting Contract Plus \$225 per cubic metre	Blasting Contract Plus \$230 per cubic metre	Blasting Contract Plus \$235 per cubic metre	Blasting Contract Plus \$240 per cubic metre
* Fire Hydrant Maintenance (All private hydrants will be required to have City do work.)	\$125 each, Summer \$300 each, Winter	\$130 each, Summer \$310 each, Winter	\$135 each, Summer \$320 each, Winter	\$140 each, Summer \$330 each, Winter
* Water Off or Water On (Only one charge if both turns completed within 30 minutes of first turn.)	\$70 reg. hours \$105 after reg. hours	\$75 reg. hours \$110 after reg. hours	\$80 reg. hours \$115 after reg. hours	\$85 reg. hours \$120 after reg. hours
* Sewer Rodding (Blockage within entire service length responsibility of owner.)	\$75 reg. hours \$105 after reg. hours	\$80 reg. hours \$110 after reg. hours	\$85 reg. hours \$115 after reg. hours	\$90 reg. hours \$120 after reg. hours
* Power Sewer Rodding	\$175 reg. hours \$215 after reg. hours	\$180 reg. hours \$220 after reg. hours	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours

User fees charged by the Engineering, Environment Services & Works' Department continued:

	2011 June 1- Dec 31	2012	2013	2014
* Camera Inspection of Service	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours	\$195 reg. hours \$235 after reg. hours	\$200 reg. hours \$240 after reg. hours
* Thawing of Water Service (Flat fee for max. of 3 hrs - successful or not)	\$350 reg. hours \$585 after reg. hours	\$355 reg. hours \$595 after reg. hours	\$360 reg. hours \$605 after reg. hours	\$365 reg. hours \$615 after reg. hours
	2011 June 1- Dec 31	Effective August 1, 2012	2013	2014
Sale of Water	\$75 for 0 to 2000 gallons \$1050 for seasonal lump Sum Prior to meter initiation	\$3.60/ 1,000 gallons	\$3.60/ 1,000 gallons	\$3.60/ 1,000 gallons
	2011 June 1- Dec 31	Effective August 1, 2012	2013	2014
Septage Waste Receiving	Metered	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons

* HST to be added to fee

City of North Bay**Report to Council****Report No.:** EESW-2013-062**Date:** September 26, 2013**Originator:** Angela Cox
Manager, Finance and Administration**Subject:** Water on/off and Sewer Rodding User Fees

RECOMMENDATION

That the User Fee By-Law No. 2011-123, as amended, be further amended to reflect the actual cost activity of the department and increase the water on/off rates to \$110 from \$80, for a regular callout and to \$160 from \$115 for an afterhours callout effective January 1, 2014 and to increase sewer rodding rates to \$215 from \$85, for a regular callout and to \$320 from \$115 for an afterhours callout effective January 1, 2014.

That this report be referred to the Engineering & Works Committee for a public meeting.

BACKGROUND

The Public Works department has been providing water on/off and sewer rodding services over the years. The current user fee by-law identifies water on/off rates as \$80 for a regular callout and charges a surcharge of \$115 for an afterhours callout. A review of the current water on/off services indicates that the cost for a regular call out averages \$105 and \$155 for an afterhours callout.

The current user fee by-law identifies the sewer rodding rates as \$85 for a regular callout and charges a surcharge of \$115 for an afterhours callout. A review of the current sewer rodding service indicates that the cost for a sewer rodding job averages \$210 and \$310 for an afterhours callout.

The rate structure increase has been identified in the proposed 2014 Sewer and Water Budget.

OPTION/ANALYSIS

Option 1 – Proceed with Authorizing the By-Law to increase the water on/off and sewer rodding rates.

(1) That water on/off rate increase from \$80 per callout to \$110 for a regular callout and from \$115 for an afterhours callout to \$160 as outlined in "Schedule D" of bylaw 2011-123 effective January 1, 2014.

(2) That the sewer rodding rates increase from \$85 per callout to \$215 for an afterhours callout and from \$115 for an afterhours callout to \$320 as outlined in "Schedule D" of bylaw 2011-123 effective January 1, 2014.

Option 2 – Do not authorize the rate change in the User By-law

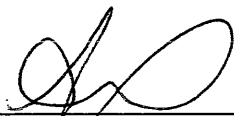
This option is not recommended as the City will continue to absorb the added costs of providing the current service.

RECOMMENDED OPTION

That the User Fee By-Law No. 2011-123, as amended, be further amended to reflect the actual cost activity of the department and increase the water on/off rates to \$110 from \$80, for a regular callout and to \$160 from \$115 for an afterhours callout effective January 1, 2014 and to increase sewer rodding rates to \$215 from \$85, for a regular callout and to \$320 from \$115 for an afterhours callout effective January 1, 2014.

That this report be referred to the Engineering & Works Committee for a public meeting.

Respectfully submitted,

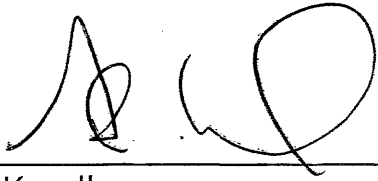


Angela Cox
Manager, Finance and Administration

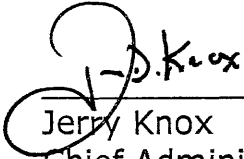


Domenic Schiavone
Director, Public Works

We concur in this report and recommendation.



Alan Korell,
Managing Director Engineering,
Environmental Services and Works



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Domenic Schiavone

Attachments: By-Law No. 2011-123

Copy for: Cathy Conrad

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-180

**BEING A BY-LAW TO AMEND BY-LAW NO. 2011-123
(A BY-LAW TO AUTHORIZE USER FEES
FOR CITY DEPARTMENTS)
(ENGINEERING, ENVIRONMENTAL SERVICES & WORKS'
DEPARTMENT - SCHEDULE "D")**

WHEREAS Council passed Engineering & Works Committee Report No. 2012-03 at its Regular Meeting held on Monday, July 16, 2012 to amend Schedule "D" to User Fee By-law No. 2011-123 for water rates payable for the supply of water from the dispensing facility on Patton Road and sewage rates payable for the dumping of sewage loads at the facility on Patton Road.

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1. Schedule "D" to By-law No. 2011-123 is hereby deleted and the attached Schedule "D" is hereby inserted in lieu thereof.
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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

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The user fees charged by the Engineering, Environment Services & Works' Department shall be as follows:

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Engineering Review and Processing of Service Contracts	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)	3% of the estimated cost of the works (Min. \$50 - Max \$250)
* Concrete Curb & Gutter (Includes removal of existing if required. Restoration extra.)	\$195 per lineal metre Min. charge \$465	\$200 per lineal metre Min. charge \$470	\$205 per lineal metre Min. charge \$475	\$210 per lineal metre Min. charge \$480
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User fees charged by the Engineering, Environment Services & Works' Department continued:

	2011 June 1- Dec 31	2012	2013	2014
* Camera Inspection of Service	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours	\$195 reg. hours \$235 after reg. hours	\$200 reg. hours \$240 after reg. hours
* Thawing of Water Service (Flat fee for max. of 3 hrs - successful or not)	\$350 reg. hours \$585 after reg. hours	\$355 reg. hours \$595 after reg. hours	\$360 reg. hours \$605 after reg. hours	\$365 reg. hours \$615 after reg. hours
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Septage Waste Receiving	Metered	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons

* HST to be added to fee

City of North Bay**Report to Council**

REPORT NO: CSBU 2013 - 97 **DATE:** October 7, 2013
ORIGINATOR: Peter Carello, Senior Planner, Current Operations
SUBJECT: Highland Woods Subdivision, Final Approval
Bain Drive (File No. 48T-08106)
FILE NO: D12/2012/SUBDI/HIGHLAND

RECOMMENDATION

1. That the Mayor and City Clerk be authorized to sign the Subdivision Agreement with Highland Woods Developments Inc. for a property located along Airport Road, Bain Drive, Golf Club Road and Mapleridge Drive in order to permit the creation of a seven lot (7) subdivision, and a six (6) unit townhouse upon receipt of all security, easements and all other Subdivision Agreement requirements; and
 2. That Council grant final approval to Phase 1B of the Draft Approved Plan of Subdivision by Highland Woods Developments Inc., Highland Woods Subdivision (7 lots) – City File No. 48T-08106.
-

BACKGROUND

The subject property, legally described as Concession B, Part of Lot 18 W/F, Bain Drive, Airport Road and Golf Club Road, was given Draft Approval by City Council on February 2, 2009. In 2012, City Council approved the first phase of the Subdivision Agreement, which was registered on February 29, 2012.

Since the original Draft Approval, the plan has been modified by way of Zoning By-law and Redline Amendments in 2010 and 2013. The most recent Zoning By-law and Redline Amendments has changed the number and types of units to be constructed within Phase I of the Subdivision. As such, the Subdivision Agreement must be modified in order to be reflective of the amended Draft Plan of Subdivision.

Miller and Urso Surveying Inc. on behalf of Highland Woods Inc. has prepared a revised Subdivision Agreement that would permit the creation of seven (7) lots and six (6) townhouse units within Phase I of the Highland Woods Subdivision, located on Airport Road, Bain Drive, Golf Club Road and Mapleridge Drive in the City of North Bay. Note the Redline Amendment approved in 2013 approved these townhouse units to be developed as part of the Plan of Subdivision (not as a condominium). This results in a property owner owning the townhouse unit and the land in front and rear of the unit.

ANALYSIS / OPTIONS

The proposed development fronts onto Airport Road, Bain Drive, Golf Club Road and Mapleridge Drive. There is no requirement for new road construction for this part of this Plan of Subdivision.

The Subdivision Agreement specifies the remaining works to be completed and includes the required financial security to ensure the works are done to the satisfaction of the City Engineer.

The Final Plan conforms to the Draft Approved Plan and regulations set out in Zoning By-law No. 28-80, as amended by By-laws No. 2008-227, 2010-007 and 2013-141. The necessary plans have been prepared by R.D. Miller, OLS. The Plans accurately reflect the plan and lot configuration. All conditions of Draft Approval have been satisfied.

It is now appropriate to grant Final Approval to the Draft Approved Plan of Subdivision.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

The Developer, in conjunction with their consultants, has prepared a Subdivision Agreement to the satisfaction of City Staff. The owner has satisfied the conditions of Draft Approval for the subdivision, and it is now appropriate to give Final Approval to Phase IB of the Draft Approved Plan of Subdivision by Highland Woods Developments Inc., Highland Woods Subdivision (7 lots and 6 units).

Therefore, it is recommended the Highland Woods Subdivision (7 lots and 6 units) be given Final Approval, and the Mayor and City Clerk be authorized to sign the Final Plan of Subdivision subject to receipt of all security, easements, acknowledgements and subdivision agreements.

Option 1:

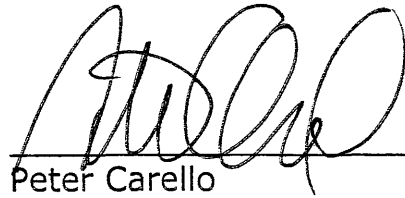
Deny the request to enter into the Subdivision Agreement and grant Final Approval.

Option 2:

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

Option 2 is recommended for the above noted reasons.

Respectfully submitted,

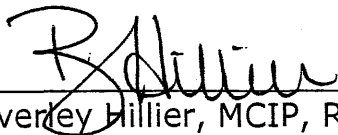


Peter Carello
Senior Planner, Current Operations

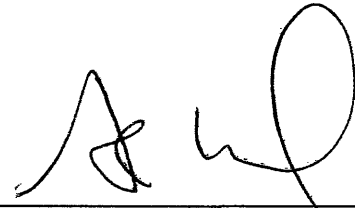
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We concur with this report and recommendation.



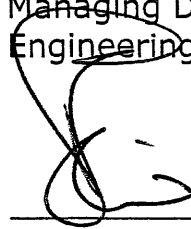
Beverley Hillier, MCIP, RPP
Manager, Planning Services



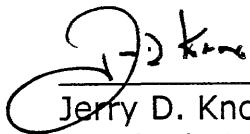
Alan Korell, P.Eng., MCIP, RPP
Managing Director, Public Works &
Engineering



Peter E.G. Leckie
City Solicitor



Peter Chirico
Managing Director, Community
Services



Jerry D. Knox
Chief Administrative Officer

Personal Designated for Continuance: Senior Planner – Current Operations

City of North Bay**Report to Council****Report No:** CSBU 2013 - 96**Date:** October 1, 2013**Originator:** Beverley Hillier, Manager, Planning Services**Subject:** Radio Antenna Communication Tower Policy

RECOMMENDATIONS

1. That Council approve the revised Radio Antenna Telecommunication Policy attached as Appendix A to Report to Council CSBU 2013-96; and
2. That the User Fee By-law be amended to include a new user fee for the review of Radio Antenna Telecommunication Towers in the City of North Bay at a 2013 rate of \$1,300 and a 2014 rate of \$1,340.

BACKGROUND

The City of North Bay established a Radio Antenna Communication Tower Policy in April 2008, which was amended in September 2008 through Report to Council CSBU 2008-95. This policy essentially requires proponents of Radio Antenna Communication Towers to circulate to property owners with 120 metres of the property; hold a public meeting; and advertise in the local paper. Once completed, Staff prepares a Report to Council for consideration. The material is then submitted to Industry Canada for approval.

ANALYSIS / OPTIONS

The Federation of Canadian Municipalities (FCM) has recently developed a standard policy for municipalities to consider when processing this type of request. Given the length of time since our initial policy has been developed, Staff undertook an update to this policy to be reflective of current practices throughout the province and information obtained through FCM.

The revised policy is still reflective of our current practice regarding consultation, however, it details out the specific information that Staff require to process this type of application. The major changes to the policy include:

- Exemptions from public consultation where the proposed tower is less than 75 metres in height, located in an Industrial Zones and is more than 120 metres away from a the edge of the Industrial Park, Residential Zone, elementary & secondary schools or existing dwellings.
- Exemptions from public consultation where the proposed tower is less than 100 metres in height, located in a Rural Zones and is more than 120 metres

away from a Residential Zone, elementary & secondary schools or existing dwellings.

- The circulation distance has been modified from 120m of the property boundary to all property owners with a radius from the tower which extends 120 meters from the structure. This amendment reflects the Industry Canada requirements for circulation.

Currently, the City does not charge a fee to proponents for the time and effort involved in processing these request including reviewing the Industry Canada package of materials, site plans, preparing circulation lists and the Reports to Council. Amongst a survey of Ontario municipalities the fees associated with type of application vary, as shown below:

<u>City</u>	<u>Fees When Public Consultation is required</u>	<u>Fees Without Public Consultation</u>
City of Mississauga	\$5,000.00	\$4,000.00
City of Ottawa	\$2,669.00 (one set fee)	
City of Guelph	\$ 600.00	\$ 300.00
Town of Lakeshore	\$ 847.00	\$ 529.00
Town of Markham	Same as "Site Plan Control Agreement" – one set fee \$ 8,791.40	
City of Hamilton	Same as "Minor Site Plan" – one set fee \$1,060.00	
City of Sudbury	\$600 (one set fee)	
City of Sault Ste. Marie	No fee	
City of North Bay	(proposed – one set fee) \$1,300.00	

It is recommended the User Fee By-law be amended to include a fee for the processing of Radio Antenna Communication Towers that is equal to the City's Site Plan Control Agreement Application for buildings under 10,000 square feet. In 2013 this fee is \$1,300 and in 2014 this fee would be \$1,340. This fee would be reflective of Staff time and resources required to process such requests.

Option 1:

Approve the revised Radio Antenna Telecommunication Policy attached to Report to Council CSBU 2013-96 and implement associated User Fees.

Option 2:

Do not approve the revised policy and maintain the status quo.

RECOMMENDED OPTION

Option 1 is the recommended option. It is appropriate to revise this policy given the time that has passed since its original adoption. It is also appropriate to consider User Fees associated with this request to cover Staff time and City resources.

Respectfully submitted,



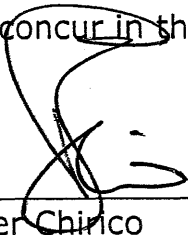
Beverley Hillier, MCIP, RPP
Manager, Planning Services

BH/dlb

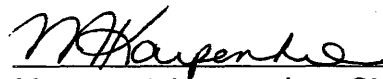
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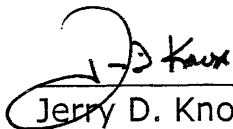
We concur in this report and recommendation.



Peter Chirico
Managing Director, Community Services



Margaret Karpenko, CMA
Chief Financial Officer / Treasurer



Jerry D. Knox
Chief Administrative Officer

Development and/or Redevelopment of Telecommunications Towers/Antenna Facilities	
Effective Date:	Revision Date:
Approved By Council Resolution No.	

Section 1: Jurisdiction and Roles

1.1 **Industry Canada:** Under the Radiocommunication Act, the Minister of Industry has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of Antenna Systems is made only by Industry Canada. In June 2007, Industry Canada issued an update to its Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) which outlines the process that must be followed by Proponents seeking to install or modify Antenna Systems, effective January 1, 2008.

Industry Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with the Municipality (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. Industry Canada also published a Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols in January 2008, stating it "considers that the Municipality's and local residents' questions, comments and concerns are important elements to be considered by a Proponent seeking to install, or make modifications to, an antenna system." The CPC also establishes a dispute resolution process to be used where the Proponent and Municipality have reached an impasse.

1.2 **Role of the Municipality:** The ultimate role of the Municipality is to issue a statement of concurrence or non-concurrence to the Proponent and to Industry Canada. The statement considers the land use compatibility of the Antenna System, the responses of the affected residents and the Proponent's adherence to this Protocol. The Municipality also guides and facilitates the siting process by:

- Communicating to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- Developing the design guidelines for Antenna Systems contained in Section 4 of this Protocol; and
- Establishing a community consultation process.

By working with Proponents throughout the siting process, beginning with preliminary notification and the site investigation meeting, the Municipality seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

1.3 **Role of the Proponent:** Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements in response to public demand. Throughout the siting process, Proponents must adhere to the antenna siting guidelines in the CPC, including:

Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements);

- Contacting the Municipality to determine local requirements regarding Antenna Systems; and
- Undertaking public consultation process and addressing relevant concerns as is required and appropriate.

1.4 **Other Federal Legislation:** Proponents additionally must comply with the following federal legislation and/or regulations, where warranted:

- Health Canada's Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ - Safety Code 6 (2009);
- The Canadian Environmental Assessment Act; and
- NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety.

Section 2: Purpose

- 2.1 The purpose of this policy is to provide a process for Proponents of new telecommunication towers to use to consult with the City of North Bay and its residents and achieve municipal approvals. It is anticipated that the telecommunications industry will continue to pursue innovative technology that will reduce the visual impact on communities.
- 2.2 Industry Canada, which is the approval authority for telecommunication facilities, encourages the establishment of local policies for consultation, where required, given that local land use authorities are best positioned to contribute details of the host municipality, helping identify appropriate locations for new and expanded telecommunications.
- 2.3 This policy document will outline the local land use consultation process and guidelines to be followed in evaluating telecommunication facility proposals.

Section 3: Location

- 3.1 In determining an appropriate site for a new tower or antenna, the Proponent shall adhere to the following principles:
- 3.1.1 Sites should be selected to minimize the total number of telecommunication tower sites required. Locations on existing structures or buildings or co-locations on existing tower sites are strongly encouraged. Opportunities to incorporate an antenna into the design of a new building or structure should be explored by the Proponent. The construction of a new telecommunication tower is discouraged, and will be accepted only when all other options to accommodate the telecommunication antenna are not viable.
- 3.1.2 New telecommunication towers are strongly discouraged within 120 metres of any Residential Zone or elementary or secondary school, unless required for reasons of engineering or network objectives.

If a new tower is proposed to be located within 120 metres of a Residential Zone or a school, a detailed rationale for the necessity of this location must be provided in the Site Selection/Justification Report.

- 3.1.3 The preferred location of new towers is in the industrial, commercial and rural areas (excluding the North Bay Escarpment), whenever possible, where technically feasible.
- 3.2 When selecting sites for telecommunication towers, the following shall be considered:
 - 3.2.1 Maximizing distance from residential uses, schools, and active park space;
 - 3.2.2 Maximizing distance from environmental constraint areas, natural heritage features and the North Bay Escarpment as defined by the City's Official Plans (completion of an Environmental Impact Statement may be required should the telecommunication tower be located on lands adjacent to a natural heritage feature);
 - 3.2.3 Avoiding sites that would obscure public views and vistas; and,
 - 3.2.4 Compatibility with adjacent uses.
- 3.3 Proponents shall be encouraged to locate telecommunication towers with a minimum setback to all property lines and to all existing buildings of a distance equivalent to the height of the tower (measured from grade), whenever possible.
- 3.4 New telecommunication facilities should comply with all Zoning By-law regulations.

Section 4: Design and Landscaping

- 4.1 The use of design features, colour, and landscaping can be used to screen telecommunication facilities from view and should be encouraged, whenever possible. The following design guidelines should be taken into consideration when designing a new tower or antenna:
 - 4.1.1 New telecommunication towers which are located greater than 120 metres from a Residential Zone or elementary or secondary school shall be designed with co-location capacity.
 - 4.1.2 A new telecommunication tower, which must be located within 120 metres of a Residential Zone or elementary or secondary school for reasons of engineering or network objectives, is not required to be designed for future co-location capacity. In this situation, a monopole design or other stealth design technique, as described in 4.1.3 below, may be considered.

4.1.3 Where appropriate, stealth design techniques, including, but not limited to, camouflaging towers within church steeples, clock towers, or flagpoles, should be used in the design of a new telecommunication tower.

If stealth design techniques are employed in the design of a new tower, co-location capacity will not be required in accordance with Section 4.1.2 above.

4.1.4 The design of the tower or antenna should be sympathetic to the surrounding architecture and built form.

4.1.5 Towers and base stations should be of a neutral colour that blends with the surrounding area (though it is recognized that new towers must comply with the requirements of Transport Canada and NAV Canada). To reduce the scale and visual impact of towers, mitigation measures should include consideration of design features, structure type, colour, materials, landscaping, screening, and decorative fencing. Where equipment shelters are located on the ground, the visual impact of the built form shall be mitigated through the use of colour, decorative fencing, screening, and/or landscaping.

4.1.6 Where appropriate, the planting of trees and shrubs at the tower site to enhance the character of the surroundings is highly recommended.

4.1.7 Towers shall accommodate only telecommunication facilities and no signs or other material not directly related to this equipment shall be permitted on the tower, with the exception of signage directly related to the equipment or required by Industry Canada. A small plaque must be placed at the base of the structure identifying the owner/operator and contact information. No third party advertising or promotion shall be permitted. All signage shall comply with the City of North Bay's Sign By-law.

4.1.8 Lighting of telecommunication antenna and towers is prohibited unless required by Transport Canada. Proof of this requirement should be provided by the Proponent to the City of North Bay with the application.

4.2 Redundant Antenna System

Municipalities can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request, and will provide any available information on the future status or planned decommissioning of the Antenna System. Where the network operators concur that an Antenna System is redundant, the network operator and Municipality will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Antenna System was deemed redundant.

Section 5: Consultation Requirements

5.1 For proposed towers or alterations to existing towers that do not meet the exemption criteria outlined in Section 6, the Proponent shall give notice, by regular mail, to the City of North Bay Planning Services Department and to all owners within a radius of 120 metres, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater.

5.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and include:

- (1) Information on the location, height, type, design and colour of the proposed Antenna System; including a 21 cm x 28 cm (8½" x 11") size copy of the site plan submitted with the application
- (2) The rationale, including height and location requirements, of the proposed Antenna System;
- (3) The name and contact information of a contact person for the Proponent;
- (4) The name and contact information of the Designated Municipal Officer;
- (5) An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices;
- (6) The date, time and location of the public information session where required; and
- (7) A deadline date for receipt by the Proponent of public responses to the proposal.
 - a. Where a public information session is required, the deadline date must be no more than five days before the date of the session.
 - b. Where a public information session is not required, the deadline date must be at least 30 days after the notices are mailed.

The notification shall be sent out in an envelope addressed to the "Occupant" and shall clearly show in bold type on the face of the envelope the statement:

"NOTICE FOR RESIDENTS WITHIN 120 METRES OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED."

5.3 The City will provide the mailing list to the Proponent.

5.4 The City shall also require that the notice be published in the local newspaper to inform residents of the proposal if it is the opinion of staff that the visual impacts of the installation would be of a significant nature to local residents and property owners.

5.5 Written Consultation Process

Following the delivery of the notification, the Proponent will allow the public to submit written comments or concerns about the proposal.

The Proponent will:

- (1) Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
- (2) Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt);
- (3) Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
- (4) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.
- (5) Provide a copy of all written correspondence to the Municipality and the regional Industry Canada office.

5.6 Public Information Session

The municipality may request the Proponent chair a public information session in cases where there is significant public interest in the proposed Antenna System. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- An appropriate date, time and location for the public information session will be determined in consultation with the Designated Municipal Officer.
- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.
- The Proponent will provide the Municipality with a package summarizing the results of the public information session containing at a minimum, the following:
 - (1) List of attendees, including names, addresses and phone numbers (where provided voluntarily);

- (2) Summary of comments received at the aforementioned public information session;
 - (3) Copies of all letters and other written communications received; and
 - (4) Provide a follow-up letter to the municipality to indicate their formal response to the concerns raised during the open house.
- Should any modifications of the proposed structure be agreed to then further details will be provided as soon as possible to the City.

Section 6: Exemptions from Public Consultation

6.1 Notification and Municipal Review of Exempt Antenna Systems

Notwithstanding Industry Canada's exemption criteria for certain Antenna Systems, Municipalities should be informed of all new Antenna System installations within their boundaries so they can:

- Be prepared to respond to public inquiries once construction/installation has begun;
- Be aware of site co-location within the Municipality;
- Maintain records to refer to in the event of future modifications and additions; and
- Engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure prior to the Proponent investing in full design.

Therefore, Proponents are required to undertake the steps in Section 6.2 to 6.4, if applicable, for all exempt Antenna System installations before commencing construction.

6.2 Building/Structure-Mounted Antenna System:

The Proponent will in all cases provide the following information to the municipality for all new Antenna Systems or modifications to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard:

- (1) The location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);
- (2) Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 4;
- (3) The height of the Antenna System;
- (4) The height of any modifications to existing systems;
- (5) Description of tower's ability to co-locate additional infrastructure in the future.

The Municipality may notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 4 and the parties will work towards a mutually agreeable solution.

6.3 Freestanding Antenna Systems and additions to Freestanding Antenna Systems:

The Proponent will confirm to the Municipality that the Freestanding Antenna System to be erected or an addition to an existing Freestanding Antenna System meets the exclusion criteria in Section 6 by providing the following:

- (1) The proposed location, including its address and location on the lot or structure;
- (2) A short summary of the proposed Antenna System including a preliminary set of drawings or visual rendering of the proposed system; and
- (3) A description of how the proposal meets one of the Section 6 exclusion criteria.

The Municipality will review the documentation and will contact the Proponent where there is a site-specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 4 of this Protocol. In such cases, the Municipality and the Proponent will work toward a mutually agreeable solution, which may include the Municipality requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Section 5 of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

6.4 Municipal Exemptions:

- 6.4.1 Proposed telecommunication towers and antennas which are exempted from the requirement to consult with the City of North Bay under the provision of Industry Canada's CPC-2-0-03 ("Radiocommunication and Broadcasting Antenna Systems", June 2007) will be exempt from the public consultation requirements:

The exemptions are listed as follows:

- 6.4.1.1 Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- 6.4.1.2 Addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
- 6.4.1.3 Maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;

6.4.1.4 Installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and

6.4.1.5 New antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

6.4.2 In addition to the above exemptions mandated by Industry Canada, the City of North Bay will also exempt the following installations from the public consultation requirements:

6.4.2.1 Any new telecommunication tower or antenna, which is less than 50 metres in height, proposed within an Industrial Zone, provided that the following criteria are met:

6.4.2.1.1 The proposed tower is located a minimum of 120 metres away from a road that forms the boundary to an Industrial Area or an Industrial Business Park, as defined by the City of North Bay's Official Plan, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater;

6.4.2.1.2 The proposed tower is not located within the Airport Industrial Business Park as defined in the City of North Bay's Official Plan; and,

6.4.2.1.3 The proposed tower is located a minimum of 120 metres away from a Residential Zone, elementary or secondary school, or existing dwelling, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater.

6.4.2.1.4 The proposed tower is not located within or adjacent to an environmental constraint area or natural heritage feature as defined in the City of North Bay's Official Plans.

6.4.2.2 Any new telecommunication tower or antenna, which is less than 100 metres in height, proposed within a Rural Zone, provided that the following criteria are met:

6.4.2.2.1 The proposed tower is located a minimum of 120 metres away from a Residential Zone, elementary or secondary school, or existing dwelling, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater; and,

6.4.2.2.2 The proposed tower is not located within or adjacent to an environmental constraint area or natural heritage feature as defined in the City of North Bay's Official Plans.

6.4.3 Individual circumstances vary with each Antenna System installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances.

Consequently, it may be prudent for the Proponents to consult the Municipality and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, Proponents should consider such things as:

6.4.3.1 The Antenna System's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;

6.4.3.2 The location of the proposed Antenna System on the property and its proximity to neighbouring residents;

6.4.3.3 The likelihood of an area being a Community-Sensitive Location; and

6.4.3.4 Transport Canada marking and lighting requirements for the proposed structure.

Section 7: Submission Requirements

7.1 All proposals for new telecommunication tower/antenna facilities and modifications to existing towers that are not exempt, as outline in Section 6 above, requires the submission of a package which shall include the following information:

7.1.1 Site Selection / Justification Report from the Proponent (carrier) outlining the steps taken by the Proponent to investigate all non-tower and co-location options and/or why a tower option is the preferred alternative. The report shall identify the location of all existing telecommunication towers within the Proponent's search area, and identify the reasons why these towers are not suitable for co-location. The location of these towers shall be illustrated on a map to be included in the report. In addition, the report shall also identify any alternate sites for the location of the new tower that were investigated by the Proponent, and the rationale for eliminating these sites as the preferred alternative. The report shall confirm the need for a new tower at the proposed location, and will also confirm the need for the proposed height of the tower. Future sharing possibilities with other providers shall also be reviewed. Finally, the report shall outline the design elements proposed in order to minimize the visual impact of the proposed structure, and address any lighting requirements that may be required by Transport Canada;

7.1.2 A full site plan drawn to a metric scale showing the subject property (or leased area if the Proponent is not the property owner), site grading, the location of existing property lines, existing or proposed new buildings, fences, buffering, existing and proposed landscaping, access, parking and the type and height of the proposed tower structure;

7.1.3 Visual rendering(s) of the proposed Antenna System superimposed to scale;

7.1.4 A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;

- 7.1.5 For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;
- 7.1.6 Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
- 7.1.7 An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices;
- 7.1.8 Application for building permits in accordance with the Ontario Building Code;
- 7.1.9 A cheque payable to the City of North Bay to cover administrative and processing costs set out in the User Fee By-law.

Section 8: Concluding Consultation

8.1 Post Consultation Review

The Municipality and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the Municipality's request) to discuss the results and next steps in the process.

8.2 Concurrence and Concurrence with Conditions

The Municipality will provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the Municipality, the requirements as set out within this Protocol and the Municipality's technical requirements, and will include conditions of concurrence, if required.

The Municipality will issue the letter of concurrence within the timeframe established in Section 8.7.

8.3 Non-concurrence

The Municipality will provide a letter of non-concurrence to Industry Canada (copying the Proponent) if the proposal does not conform to Municipality requirements as set out within this Protocol. The Municipality will also forward to Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

The Municipality will issue the letter of non-concurrence within the timeframe established in Section 8.7.

8.4 Rescinding a Concurrence

The Municipality may rescind its concurrence if following the issuance of a concurrence, it is determined by the Municipality that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue.

In such cases, the Municipality will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

8.5 Duration of Concurrence

A concurrence remains in effect for a maximum period of three years from the date it was issued by the Municipality. If construction has not commenced within this time period the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the Municipality requests that the Proponent send a written notification of an intent to construct to the Designated Municipal Officer, the Elected Municipal Official and any Designated Community Association once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

8.6 Transfer of Concurrence

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further consultation provided that:

- (1) All information gathered by the original Proponent in support of obtaining the concurrence from the Municipality is transferred to the current Proponent;
- (2) The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- (3) Construction of the structure is commenced within the Duration of Concurrence period.

8.7 Timing of Consultation

Consultation with the Municipality is to be completed within 60 days of the proposal being accepted as complete by the Municipality.

Where public consultation is required, consultation with the Municipality and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the Municipality.

The Municipality or Proponent may request an extension to the consultation process timeline. This extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the Municipality or reinitiating the consultation process to the extent requested by the Municipality.

Appendix A: Definitions

Adjacent Lands - those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives. (PPS, 2005)

Antenna - an exterior transmitting device used in telecommunications designed for various uses such as telephonic, radio, or television communications by sending and/or receiving radio signals.

Co-location - the installation of multiple telecommunication antenna systems on a building or tower structure by two or more Proponents.

Industry Canada - the Federal Department which is responsible for radio frequency spectrum management. Information detailing federal procedures relating to the siting of radiocommunication and broadcasting antenna systems is available at:
www.ic.gc.ca/antenna

Proponent - shall include the following: AM, FM, TV Broadcast Undertakings; Cable Television Distribution Undertakings; Radiocommunication Service Providers; and Radiocommunication Users (business or government use only).

Radiocommunication Carrier - a person who operates an interconnected radio-based transmission facility used by that person or another person to provide Radiocommunication services for compensation. (Radiocommunication Regulations, 1996)

Radiocommunication Service Provider - a person, including a Radiocommunication Carrier, who operates radio apparatus used by that person or another person to provide radiocommunication services for compensation. (Radiocommunication Regulations, 1996)

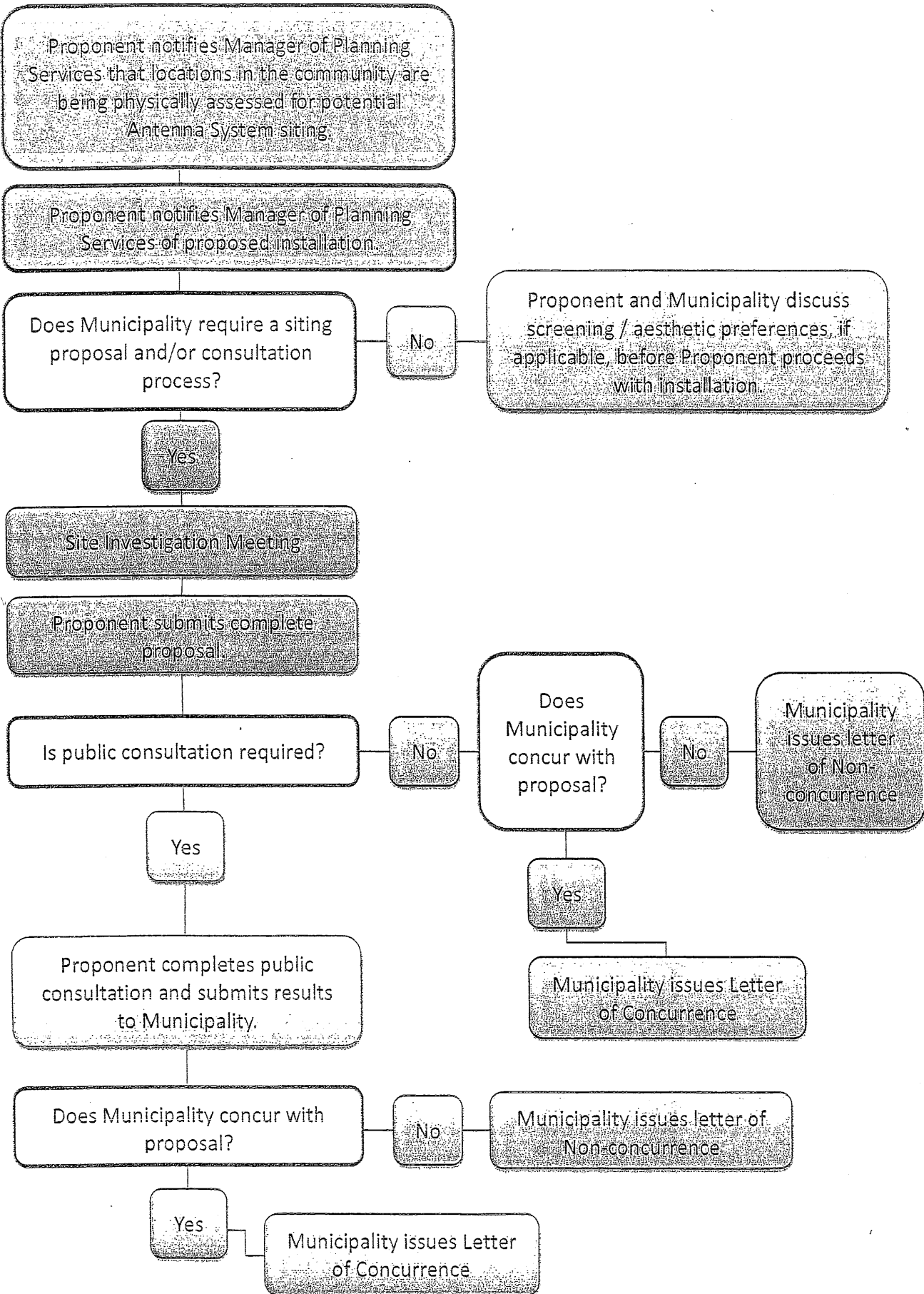
Radiocommunication User - a person who operates radio apparatus for government use or for a business other than the business of a Radio Communication Service Provider.
(Radiocommunication Regulations, 1996)

Significant - in regard to cultural heritage and archaeology, means cultural heritage resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. (PPS, 2005)

Telecommunication Facility - the components required for the operation of a wireless communication network, which includes cell sites, transmitters, receivers (antennae), and an unoccupied equipment shelter.

Telecommunication Tower - a structure used to support one or more antenna systems for the purpose of radio telecommunications, and which may include, but is not limited to, a guyed tower, a self-support tower or monopole tower, and which may be located at ground level or on the roof of a building.

Appendix B: Process Flowchart



CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2013-109

October 4, 2013

Originator: Paul Valenti

Subject: Request for Proposal No. 2013-52 Gasoline and Diesel Fuel

RECOMMENDATION:

That City Council approves the award of a contract to McDougall Energy Inc. for the supply of Gasoline and Diesel Fuel, as required, for a five (5) year term.

BACKGROUND:

On an annual basis, the City uses approximately of 1,360,000 litres of fuel. Most of this fuel is inventoried in tanks located at Public Works and dispensed, as required, for use in City vehicles and other equipment. The current contract for fuel supply has expired.

A Request for Proposal was distributed directly to the five local fuel suppliers. The RFP closed on September 4, 2013, with all five suppliers responding. The proposals were evaluated by a selection committee consisting of the Manager of Purchasing, the Supervisor of Fleet, and the Stores Buyer. The evaluation primarily considered price but also looked at the supplier's ability to manage the fuel requirements of the City. Pricing was provided as a mark-up on the fuel supplier's daily Toronto rack rate. Differences in the supplier's daily rack rate were factored into the pricing analysis.

The results are as follows:

Rank	Proponent	Total Score
1	McDougall Energy Inc.	97.0
2	Bluewave Energy	76.7
3	Suncor Energy products Partnership	75.2
4	J.K. (Jim) Moore Ltd.	74.4
5	CST Canada	60.0

The proposal by McDougall Energy Inc. ranked the highest. It offers the lowest price per litre and along with their proposed fuel management plan provides the best overall value to the City.

McDougall pricing is based on the Esso daily Toronto rack rate. The mark-up for fuel purchased for the tanks at Public Works is \$0.022 per litre above the rack rate. Approximately 90% of the City's fuel requirements are dispensed from the Public Works location. The mark-up for fuel distributed to smaller tanks in other areas of the City is \$0.045 per litre above the rack rate. This includes locations where onsite fuel is required for efficiency of operations.

ANALYSIS / OPTIONS:

1. Award a contract to McDougall Energy Inc.
2. Do not award a contract. This option is not recommended. Fuel is required in order to maintain operations and the proposed pricing is significantly less than the City will pay without being under contract.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to McDougall Energy Inc. for the supply of Gasoline and Diesel Fuel, as required, for a five (5) year term.

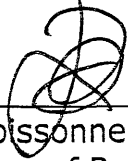
Sufficient funding has been allocated in the current and 2014 proposed Operating Budgets.

Respectfully submitted,

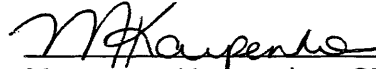


Paul Valenti
Manager of Purchasing

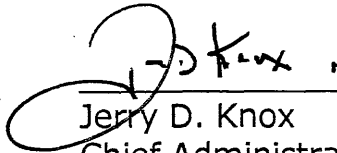
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry D. Knox
Chief Administrative Officer

Attachments: Tenders

CITY OF NORTH BAY

Report to Council

Report No: CORP 2013-107

Date: October 1, 2013

Originator: Al Lang

Subject: Infrastructure Ontario Loan Application Submission

RECOMMENDATION:

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 October 28, 2013.
-

BACKGROUND:

On August 26, 2013 City Council passed Resolution No 2013-496 which stated:

"That City Council authorize the issuance of up to \$14,200,000 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,

with maturity dates over ten (10) years subject to terms and conditions acceptable to the Chief Financial Officer and the fiscal agent or the lending institution."

To ensure that the City of North Bay obtains the best possible borrowing rate and pay the least amount of interest, we issued a RFQ for an interest rate quote on September 20, 2013. The quotes were based on a 10 year term for an amount of approximately \$11,800,000.

We received quotes from three banking institutions, one from the capital markets and one from Infrastructure Ontario (OILC). We selected the institution that provided the lowest rate as at the date of closing of the RFQ, being September 30, recognizing that the rates could be different at date of settlement.

OILC quoted the lowest rate at 3.16%. In order to proceed with this option, we require a by-law that authorizes the submission of an application to OILC and authorizes temporary borrowing and the issuance of debentures through OILC for capital works identified.

The list of capital projects totalling \$13,468,225 to be funded from debentures is attached to this report and will be included in the by-law as Schedule "A".

When selecting projects to be debentured a comprehensive analysis of project authority limits, actual expenses incurred to date as well as anticipated completion dates are all evaluated against set criteria for pay as you go funding versus debenture.

Report to Council CSBU 2013-06 dated January 28, 2013 requested the authorization of a capital expenditure by-law related to the rehabilitation of Memorial Gardens at a net debenture cost of \$3,900,000. The author also indicated in this report that no funds would be debentured for this project. Upon analyzing and evaluating options for the 2013 funding envelope, it is Administration's recommendation that, rather than borrow from reserve funds and reduce the City's liquidity it would be a good management decision to include \$3,600,000 for Memorial Gardens. The future capital dollars will remain as a pre commitment within the long term capital plan as the debenture dollars being applied include the carry forward amounts, not future authorities.

Once the by-law as recommended in this report is passed on October 28, the debenture process with OILC will take approximately four more weeks. Sufficient time is required to prepare the documents and have them reviewed by our legal counsel, Borden Ladner Gervais, for presentation to Council with the debenture by-law. We anticipate that the debenture by-law will be presented at the November 25 Council meeting with settlement on Monday December 16. OILC disburses debentures and loans only on the 1st and 15th of the month.

OPTIONS / ANALYSIS:

Option # 1

Council not authorize the submission to OILC.

Option # 2

Council authorize the submission of the application to OILC, to authorize temporary borrowing and to authorize the long term borrowing of \$13,468,225 through the issuance of debentures. The 2013 approved Capital Budget included financing of \$12,000,000 for general and water and sewer projects. In addition the City policy allows for a carry forward of unused financing for two years. The carry forward to 2013 was \$2,200,000. As at December 31, 2013 the carry forward of unused financing will be \$731,775.

RECOMMENDED OPTION:

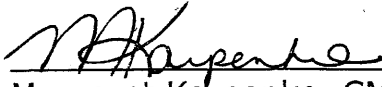
1. That Council authorize the City of North Bay to submit an application to the Ontario Infrastructure and Lands Corporation (OILC) for financing capital works of the corporation, to authorize temporary borrowing from OILC to meet expenditures in connection with such works and to authorize long term borrowing for such works through the issue of debentures to OILC; and
2. That a by-law be presented for three readings on October 28, 2013.

Respectfully submitted,

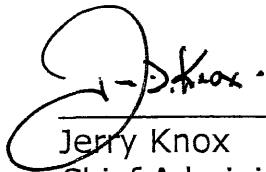


Al Lang, CGA
Manager, Policy, Investments and Grants

We concur with the above noted recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer

**The Corporation of the City of North Bay
Schedule "A" to By-Law No. 2013 -**

(1)	(2)	(3)	(4)	(5)	(6)	(7)
By-Law Number	Capital Work Description	Estimated Expenditure	Approved Principal Amount to be Financed Through the Issue of Debentures	Principal Amount of Debentures Previously Issued	Principal Amount of Debentures to be Issued Hereunder	Term of Years of Debentures
2010-85 2010-209 2011-89 2012-175	3063WS and 3060WS - Street Reconstruction - Ski Club Road (Lakeside Drive to Johnston Road)	\$4,300,000	\$4,300,000	\$1,750,000	\$1,468,225	10
2011-99 2012-84 2013-207	3108GD - Leachate Treatment Project at the Merrick Landfill Site	\$5,000,000	\$5,000,000	\$989,900	\$415,203	10
2011-90 2012-62 2012-224 2013-148	3104RD and 3104WS - Ferguson Street Reconstruction (McIntyre Street to Chippewa Street)	\$8,600,000	\$8,600,000	\$0	\$4,600,000	10
2010-80 2012-67 2012-217	3001RD - Bridge Reconstruction - Lakeshore Drive Bridge over the Lavase River; Study, Repairs and Replacement	\$2,600,000	\$2,266,667	\$0	\$1,936,667	10
2013-194	6132TR - Transit Coach Replacement Program	\$930,348	\$448,130	\$0	\$448,130	10
2013-15	6115RF - Memorial Gardens Rehabilitation Project and OHL Franchise	\$12,000,000	\$3,900,000	\$0	\$3,600,000	10
2010-115 2011-95 2013-126	3013SL and 3322SL - Street Lighting Upgrading Project	\$2,900,000	\$2,900,000	\$2,169,000	\$500,000	10
2013-210 (Amendment to By-Law 2013-111)	3110ST - Ski Club Road Storm Sewer	\$500,000	\$500,000	\$0	\$500,000	10
		\$36,830,348	\$27,914,797	\$4,908,900	\$13,468,225	

City of North Bay**Report to Council**

Report No: CORP 2013 - 111

Date: October 8, 2013

Originator: Al Lang

Subject: Amendment to By-Law No. 2013-111 being a By-Law to
Authorize the Ski Club Road Storm Sewer

RECOMMENDATION:

1. That By-Law No. 2013-111, being a By-Law to authorize the Ski Club Road Storm Sewer be amended; and
 2. That amending By-Law No. 2013-210 be presented for three readings on October 28, 2013.
-

BACKGROUND:

Council Resolution No. 2013-238 respecting the Ski Club Road Storm Sewer, Project No. 3110ST, was passed on April 15, 2013. By-Law No. 2013-111 authorizing the Ski Club Road Storm Sewer received three readings and was passed on April 29, 2013.

The by-law incorrectly referenced this project as being approved in the 2013 Water and Sanitary Sewer Capital Budget and that costs of the works would be funded from the water and sanitary sewer rates. This project is in fact one that is part of the General Capital Budget and cannot be funded from water and sanitary sewer rates.

Work on the project has begun and an amendment to By-Law No. 2013-111 is necessary to reflect the correct wording as this project is a General Capital Budget project. There is no change in the amounts as presented in By-Law No. 2013-111 and the net debentured amount remains at \$500,000.

OPTIONS / ANALYSIS:Option # 1

Council not authorize the amendment to the by-law. This option is not recommended.

Option # 2

Council authorize the amendment to By-Law No. 2013-111 and present By-Law No. 2013-210 for three readings on October 28, 2013. There are no changes to project costs and the net amount to be debentured as presented in the original by-law. This amended by-law will allow for the appropriate allocation of costs against the General Capital Budget where they belong rather than in the Water and Sanitary Sewer Capital Budget.

RECOMMENDED OPTION:

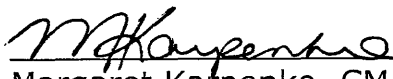
1. That By-Law No. 2013-111, being a By-Law to authorize the Ski Club Road Storm Sewer be amended; and
 2. That amending By-Law No. 2013-210 be presented for three readings on October 28, 2013.
-

Respectfully submitted,




Al Lang, CGA
Manager of Policy, Investments and Grants

We concur in this report and recommendation.



Margaret Karpenko, CMA
Chief Financial Officer / Treasurer



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Policy, Investments and Grants

CITY OF NORTH BAY

Report to Council

Report No: CORP 2013-108

Date: October 1, 2013

Originator: Laura Boissonneault

Subject: 2014 General Capital Budget and 2014 Water and Sanitary Sewer Capital Budget, with the 2014 Ten-Year Capital Plan

RECOMMENDATIONS:

That City Council receives the proposed 2014 General Capital Budget and 2014 Water and Sanitary Sewer Capital Budget as presented in Schedules A and B, and refers the documents to the General Government Committee.

BACKGROUND:

The attached proposed 2014 General Capital Budget and 2014 Water and Sanitary Sewer Capital Budget, along with the 2014 Ten-Year Capital Plan, were developed through meetings with the Chief Administrative Officer, Chief Financial Officer, Managing Directors, Fire Chief and support staff. The attached budgets are recommended for adoption by City Council.

The annual Capital Budget review meeting is scheduled to take place at the Committee Meeting on October 21, 2013. The proposed agenda is as follows:

- Presentation of Capital Project Highlights by each of the Managing Directors
- Presentation by the Chief Financial Officer on the overall capital policies.

Pre-Committed Capital Projects

Throughout 2013, Council has received and approved reports to council requesting pre-commitment of future capital funds. These projects were deemed as having high priority or requiring scheduled advancements. The following is a summary of the pre-committed and by-lawed dollars:

- By-law 2013-15 – February 19, 2013 – Memorial Gardens Renovations – Project #6115RF - \$3,600,000 (2014-2023 dollars).

-
- By-law 2013-175 - July 29, 2013 - Airport Terminal Expansion - Project #3112AT - \$500,000 (2014 dollars).
-

ANALYSIS:

Proposed 2014 Capital Spending

The following summary outlines funding for the 2014 **General Capital Projects** (Schedule A):

Capital Budget	\$26,385,895
Less Other Funding Sources	<u>(\$3,606,200)</u>
Net Construction / Acquisition Total	\$22,779,695
Target Funding Policy	<u>\$22,855,596</u>
Estimated Required / (Available) Funding	(\$75,901)

The following summary outlines funding for the 2014 **Water and Sanitary Sewer Capital Projects** (Schedule B):

Water & Sanitary Sewer Capital Budget	\$11,258,000
Less Other Funding Sources	<u>(\$0)</u>
Net Construction / Acquisition Total	\$11,258,000
Target Funding Policy	<u>\$11,180,723</u>
Estimated Required / (Available) Funding	\$77,277

Concerns and Issues

City Council adopted the Stantec State of the Infrastructure Report 2012 by Resolution #2012-567 on October 1, 2012, which estimated the 'annual' funding shortfall of approximately 14.1 Million (based on 2012 figures) for the City's water and sewer distribution, water and sewer plants and roadway 'linear' infrastructure. Sustainability means having sufficient funding available to ensure that assets are replaced and maintained prior to the requirement of an emergency replacement or repair. The estimate provided by Stantec does not include any capital investment gap for buildings, facilities, parks, parking lots, trails, vehicles, and equipment. The tabled 2014 Capital Budget has a combined gross investment of \$37.6 million of which 63% or \$23 million can be identified as infrastructure / sustainability initiatives.

Since then, Council resolved to complete an Asset Management Plan demonstrating Council's commitment to reducing the infrastructure gap and fulfilling the Provincial requirements for future funding. Council recognized by not making a commitment there would be a requirement to dramatically increase future operating budgets in order to react to more frequent emergency repairs and/or increased regular maintenance on fully depreciated infrastructure.

CAPITAL RESERVES:

The current Reserve balances consist of monies set aside for Capital, Operating, Tax Stabilization, Contingencies and Obligatory funds. The Reserve Policy states that the Capital Reserves target is equal to 40% of the yearly Capital Expenditure Limit outlined in the 'General Capital' and 'Water and Sanitary Sewer Capital' Budgets.

Reserve Policy - Capital Reserve Target Level for 2014:

General Capital Expenditure Limit	\$22,855,596
Water and Sanitary Sewer Capital Limit	<u>\$11,180,723</u>
	\$34,036,319
	<u>X 40%</u>
Reserve Policy - Capital Reserve Target	\$13,614,527

Estimated Capital Reserve balance as at September 20, 2013:

Capital Completed Project Reserves (#99537R)	\$2,159,104
Water Completed Project Reserves (#99522R)	\$1,388,984
Sanitary Sewer Completed Project Reserves (#99575R)	<u>\$ 333,124</u>
	\$3,881,212
Other Capital Reserves	<u>\$6,244,854</u>
Total Capital Reserves	\$10,126,066

Reserve Policy - Capital Reserve Target Deficit **\$ 3,488,461**

The analysis demonstrates that the current Reserve levels are below the Reserve Policy targeted level for Capital Reserves and balances may not be sufficient should a major emergency require Reserve funding.

OPTIONS:

1. That City Council receives the proposed 2014 General Capital Budget and 2014 Water and Sanitary Sewer Capital Budget as presented in Schedules A and B, and refers the documents to the General Government Committee.

-
2. Do not receive the proposed 2014 General Capital and 2014 Water and Sanitary Sewer Capital Budgets as presented in Schedules A and B. This option is not recommended and may affect the capital work schedule for the 2014 construction season and/or increase projected costs.
-

RECOMMENDED OPTION:

That City Council receives the proposed 2014 General Capital Budget and 2014 Water and Sanitary Sewer Capital Budget as presented in Schedules A and B, and refers the documents to the General Government Committee.

If the proposed Budgets are recommended for adoption at the Committee Meeting on October 21, 2013, Council will be scheduled to approve the budgets on October 28, 2013 with the expenditure by-law to be approved November 12, 2013. This authority will allow for project preparation, tendering, and awarding of contracts. Earlier tendering should allow for better competitive bidding and scheduling for the 2014 construction season.

Respectfully submitted,

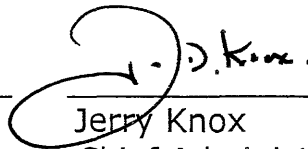


Laura Boissonneault, CGA
Supervisor of Budgets &
Financial Reporting

I 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

Attached: Capital Budgets (Schedules A and B)

2014 General Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Community Services										
3112AT - AIRPORT IMPROVEMENTS	500,000	0	0	0	0	0	0	0	0	0
3405PK - PARKING PROPERTY ACQUISITION PROGRAM	0	200,000	200,000	0	0	200,000	200,000	0	0	0
3418PZ - TROUT LAKE WATER SHED STUDY	20,000	20,000	0	0	0	0	0	0	0	0
3424TR -TRANSIT PRE-BOARD AUTO ANNOUNCE - AODA LEGISLATIONS (F)	262,500	0	0	0	0	0	0	0	0	0
3508PR - PARKS & PLAYGROUNDS - NEW NEIGHBORHOOD PARKS	0	200,000	0	0	0	200,000	0	0	0	200,000
3509PZ - OFFICIAL PLAN, COMMERCIAL STUDY & DEVELOPMENT CHARGES UPDATES	0	0	150,000	0	0	0	150,000	0	0	0
3518PR - KING'S LANDING COMMERCIALIZATION OF WATERFRONT (F)	0	1,500,000	1,500,000	0	0	0	0	0	0	0
3702PR - WATERFRONT BUILDING REHAB & DEVELOPMENT	0	0	0	0	0	0	0	1,000,000	1,000,000	0
6115RF - MEMORIAL GARDENS REHAB - 2013 EXPANSION COMMITMENT	250,000	250,000	250,000	250,000	400,000	400,000	1,100,000	400,000	300,000	300,000
6163PK - PARKING VEHICLE & EQUIPMENT PROGRAM 2014 ON-GO	50,000	50,000	150,000	50,000	0	100,000	0	0	100,000	0
6164RF - PALANGIO/WEST FERRIS REHAB PROGRAM 2014 ON-GO	0	250,000	300,000	1,100,000	200,000	250,000	200,000	650,000	300,000	900,000
6165MR - KING'S LANDING & MARINA REHAB PROGRAM 2014 ON-GO	150,000	125,000	200,000	150,000	150,000	80,000	80,000	80,000	150,000	200,000
6166PR - PARKS BUILDING REHAB 2014 ON-GO (F)	300,000	310,000	300,000	350,000	400,000	315,000	325,000	350,000	500,000	100,000
6167RF - RECREATION FACILITIES REHAB & DEVELOPMENT 2014 ON-GO	375,000	415,000	475,000	500,000	550,000	600,000	650,000	700,000	750,000	800,000
6168PR - SPORTSFIELD COMPLEX DEVELOPMENT & REHAB 2014 ON-GO	100,000	50,000	50,000	50,000	50,000	50,000	700,000	700,000	50,000	50,000
6169PR - PARKS & PLAYGROUND REHAB PROGRAM 2014 ON-GO	231,000	238,000	245,000	252,000	260,000	268,000	276,000	284,000	293,000	302,000
6170PR - WATERFRONT REHAB PROGRAM 2014 ON-GO	102,000	105,000	108,000	111,000	114,000	117,000	121,000	125,000	129,000	133,000
6171PR - CENTRAL CITY REHAB PROGRAM 2014 ON-GO	96,000	68,000	70,000	72,000	74,000	76,000	78,000	80,000	82,000	84,000
6172PR - CITY HALL GROUNDS REHAB PROGRAM 2014 ON-GO	66,000	68,000	70,000	72,000	74,000	76,000	78,000	80,000	82,000	84,000
6173PR - TRAIL SYSTEM DEVELOPMENT PROGRAM 2014 ON-GO	0	0	0	425,000	425,000	0	0	0	0	0
6174PR - TRAIL & SUPPORTING HARD SURFACES REHAB 2014 ON-GO	200,000	205,000	211,000	217,000	223,000	229,000	235,000	242,000	249,000	256,000
6175PR - PARKS VEHICLE & EQUIPMENT REPLACEMENT PROGRAM 2014 ON-GO	270,000	278,000	286,000	295,000	304,000	313,000	322,000	332,000	342,000	352,000
6176PR - AQUATIC CENTRE REHAB PROGRAM 2014 ON-GO	70,000	75,000	80,000	200,000	90,000	95,000	100,000	150,000	105,000	110,000
6177PK - PARKING LOT MAINTENANCE & IMPROVEMENT PROGRAM 2014 ON-GO	330,000	100,000	0	100,000	0	100,000	0	4,500,000	0	100,000
6178AT - NORTH BAY JACK GARLAND AIRPORT 2014	226,000	246,100	267,500	418,000	375,725	241,000	241,000	346,500	346,500	346,500
6179TR - TRANSIT BUILDING CAPITAL PROGRAM 2014 ON-GO (F)	100,000	500,000	26,250	26,250	26,250	120,750	26,250	26,250	26,250	26,250

2014 General Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
6180TR - TRANSIT COACH REPLACEMENT PROGRAM 2014 ON-GO (F)	165,500	120,750	1,281,000	1,350,000	1,350,000	1,550,000	1,550,000	1,762,845	1,762,845	1,762,845
6196PR - TOURIST INFORMATION CENTRE & DIONNE HOME REHAB 2014 ON-GO	100,000	75,000	0	0	50,000	0	0	50,000	0	0
6197RF - MEMORIAL GARDENS REHAB 2014 ON-GO	200,000	125,000	80,000	150,000	400,000	0	50,000	50,000	300,000	100,000
Total Community Services Budget	4,164,000	5,573,850	6,299,750	6,138,250	5,515,975	5,380,750	6,482,250	11,908,595	6,867,595	6,206,595
Corporate Services										
3205GG - INTEGRATED SOFTWARE SOLUTION	50,000	900,000	1,000,000	0	0	0	0	0	0	0
3414GG - SECOND FLOOR PUBLIC WASHROOM UPGRADE	0	150,000	0	0	0	0	0	0	0	0
3706GG - CITY HALL - ROOF REPLACEMENT	0	0	0	250,000	0	0	0	0	0	0
6181GG - CITY HALL BUILDING REHAB 2014 ON-GO	90,000	93,000	96,000	99,000	102,000	105,000	108,000	111,000	114,000	117,000
6182GG - SYSTEM TECHNOLOGY PROGRAM 2014 ON-GO	298,800	515,740	349,890	339,190	649,490	307,090	307,090	456,890	339,190	349,370
Total Corporate Services Budget	438,800	1,658,740	1,445,890	688,190	751,490	412,090	415,090	567,890	453,190	466,370
Engineering, Environmental & Works										
2803RD - CEDAR HEIGHTS PHASE I - BPS, WATER & SANITARY ON COLLEGE DR.	1,650,000	0	0	0	0	0	0	0	0	0
2919RD - PEARCE ST - FRANCIS TO GREENHILL - PHASE II	0	0	1,600,000	0	0	0	0	0	0	0
2934ST - CHIPPEWA CREEK/AIRPORT HEIGHTS STORMWATER RETENTION (F)	500,000	0	0	0	0	0	0	0	0	0
3002RD - HAMMOND & STANLEY ST. BRIDGES - EA AND REMOVAL	0	100,000	150,000	0	0	0	0	0	0	0
3102RD - FACILITIES MANAGEMENT - ROADS	50,000	50,000	0	0	0	0	0	0	0	0
3104RD - FERGUSON ST- MCINTYRE TO CHIPPEWA	1,200,000	0	0	0	0	0	0	0	0	0
3210ST - TRUNK SEWER REHAB - EASTVIEW TRIBUTARY SYSTEM	0	0	0	0	0	200,000	0	1,000,000	0	0
3300RD - JOHN ST - (JOHN ST BRIDGE)	1,700,000	0	0	0	0	0	0	0	0	0
3302ST - TRUNK SEWER REHAB - PINWOOD FINGERS CREEK	0	0	0	300,000	1,500,000	0	0	0	0	1,500,000
3305RD - MAIN ST PAVING STONE REPLACEMENT	0	50,000	750,000	50,000	750,000	50,000	750,000	50,000	0	0
3400RD - LAKESHORE DR. (ONR OVERPASS)	50,000	3,500,000	2,100,000	1,000,000	1,400,000	0	0	0	0	3,000,000
3401RD - LAMORIE BRIDGE NEEDS STUDY & REHAB	50,000	0	2,200,000	500,000	500,000	300,000	0	0	0	0
3403RD - FOUR MILE LAKE ROAD EXTENSION TO HWY 11 (F)	25,000	3,000,000	0	0	0	0	0	0	0	0
3407GD - LEACHATE MANAGEMENT-FUTURE CELLS-NEW METHANE (F)	200,000	1,800,000	0	0	250,000	2,000,000	0	0	2,200,000	0
3409RD -LAKESHORE DR RESURFACING - SUNSET TO BOOTH RD	0	0	0	0	0	0	2,730,000	0	0	0
3415RD - TROUT LAKE ROAD (ONR OVERPASS)	50,000	0	150,000	1,800,000	0	0	0	0	0	0

2014 General Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
3416GD - MERRICK LANDFILL GAS (LFG) COLLECTION INFRASTRUCTURE (F)	75,000	200,000	0	400,000	75,000	0	225,000	0	500,000	90,000
3417GD - MERRICK FLARE STATION - TSSA REQUIREMENTS (F)	250,000	500,000	0	0	0	0	0	0	0	0
3423RD - INTERSECTION OF HWY 11/17 & SEYMOUR (F)	5,000,000	0	0	0	0	0	0	0	0	0
3500RD - LAKESHORE DR - JUDGE TO GERTRUDE - WATERMAIN & ROAD	0	0	500,000	600,000	0	2,100,000	0	0	0	0
3501RD - ROADSIDE GUARDRAILS & RETAINING WALLS - INSPECTION & UPGRADE	100,000	100,000	0	0	100,000	0	0	0	0	0
3502RD - SEYMOUR EXTENSION PHASE II - SOUTH BLOCK (F)	0	385,000	0	0	0	0	0	0	0	0
3503RD - JANE ST - MURRAY TO TIMMINS - RECON	0	0	0	0	1,250,000	1,250,000	0	0	0	0
3505ST - GORMAN ST - STORMWATER OUTFALL REHAB	200,000	0	0	0	0	0	0	0	0	0
3506ST - STORMWATER MANAGEMENT - OVERLAND FLOW CONTROL STUDY	100,000	100,000	0	0	0	0	0	0	0	0
3507ST - STORMWATER OUTFALL MAINTENANCE	200,000	0	0	0	200,000	0	0	200,000	1,000,000	0
3601RD -DOWNTOWN 4" WATERMAIN REPLACEMENT	0	0	0	200,000	900,000	900,000	0	0	0	0
3606RD - O'BRIEN STREET RECONSTRUCTION - AIRPORT TO HIGH	0	0	0	0	500,000	500,000	500,000	500,000	500,000	500,000
3607RD - CEDAR HEIGHTS - PHASE II - LAROCQUE BPS, STANDPIPE, WATER & SEWER	0	0	0	0	0	0	1,000,000	0	0	0
3700RD - SEYMOUR - STATION TO WALLACE- WIDENING & SIGNALS	0	0	0	0	0	0	0	4,400,000	0	0
3701RD - NORMAN / CHAPAIS CONNECTION WATERMAIN	0	0	0	0	0	0	2,000,000	0	0	1,500,000
3800RD - CASSELLS - KING ST. TO HWY 11/17	0	0	0	0	1,500,000	2,000,000	1,500,000	0	0	0
3801RD - MCKEOWN AVE. - GORMANVILLE RD. TO FIRE STATION - MAJOR RESURFACING	200,000	0	0	0	3,000,000	3,500,000	4,000,000	0	0	0
3802RD - LAKESHORE DR - GERTRUDE TO MARSHALL - WATERMAIN & 1 LANE	0	0	0	0	0	0	0	1,200,000	0	0
3900RD - CEDAR HEIGHTS RD - HWY 11 TO LAROCQUE URBAN UPGRADE & WATERMAIN - CITY SHARE	0	0	0	0	0	0	0	2,000,000	2,500,000	0
3901RD - CLARENCE STREET	0	0	0	0	0	0	0	0	1,000,000	0
3903RD - MARSHALL AVE - EXTENTION BIRCHS TO HWY 11	0	0	0	0	0	0	0	0	5,000,000	5,000,000
4200RD - LAKESHORE DR - MARSHALL TO SUNSET - WATERMAIN & 1 LANE	0	0	0	0	0	0	0	0	1,620,000	0
6150RD - CITY SHARE OF NEW DEVELOPMENT COSTS 2014 ON-GO	225,000	240,000	255,000	270,000	285,000	300,000	309,000	318,000	328,000	338,000
6151FL - VEHICLE & EQUIPMENT REPLACEMENT PRORAM 2014 ON-GO	1,000,000	824,000	849,000	874,000	900,000	927,000	955,000	984,000	1,014,000	1,044,420
6152RD - ASPHALT RESURFACING 2014 ON-GO	4,200,000	3,200,000	3,200,000	4,500,000	2,600,000	3,600,000	3,700,000	3,800,000	5,300,000	6,600,000
6153RD - ASPHALT SHEETING 2014 ON-GO	112,000	115,000	118,000	122,000	126,000	130,000	134,000	138,000	142,000	146,000
6154RD - RESIDENTIAL STREET REHAB 2014 ON-GO	282,000	290,000	299,000	308,000	317,000	327,000	337,000	347,000	357,000	368,000

2014 General Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
6155RD - PEDESTRIAN SAFETY PROGRAM 2014 ON-GO	225,000	225,000	118,000	122,000	126,000	130,000	134,000	138,000	142,000	146,000
6156RD - ROAD CULVERT REPLACE/REHAB 2014 ON-GO	170,000	175,000	180,000	185,000	191,000	197,000	203,000	209,000	215,000	221,000
6157RD - RURAL ROAD REHAB 2014 ON-GO	700,000	579,000	596,000	614,000	632,000	651,000	671,000	691,000	712,000	733,000
6158SL - TRAFFIC CONTROL SIGNAL UPGRADE 2014 ON-GO	170,000	175,000	180,000	185,000	191,000	197,000	203,000	209,000	215,000	221,000
6159RD - SIDEWALK REPLACEMENT PROGRAM 2014 ON-GO	170,000	175,000	180,000	185,000	191,000	197,000	203,000	209,000	215,000	221,000
6160RD - BRIDGE REHAB 2014 ON-GO	112,000	115,000	118,000	122,000	126,000	130,000	134,000	138,000	142,000	146,000
6161RD - DOWNTOWN ROADS MAINTENANCE 2014 ON-GO	83,000	85,000	88,000	91,000	94,000	97,000	100,000	103,000	106,000	109,000
6195RD - DESIGN WORK NEXT YEAR'S PROJECTS 2014 ON-GO	58,000	60,000	62,000	64,000	66,000	68,000	70,000	72,000	74,000	76,000
Total Engineering, Environmental & Works Budget	19,107,000	16,043,000	13,693,000	12,492,000	17,770,000	19,751,000	19,858,000	16,706,000	23,282,000	21,959,420
Fire Department										
3425FD - FIRE MASTER PLAN	50,000	0	0	0	0	0	0	0	0	0
3603FD - FIRE DEPARTMENT FACILITIES ON-GO (F)	0	0	400,000	4,000,000	0	0	0	0	0	0
3803FD - SCBA FIRE HEALTH SAFETY EQUIPMENT	105,000	0	0	0	531,000	0	0	0	0	0
6061FD - FIRE BUNKER GEAR REPLACEMENT PROGRAM ON-GO	0	110,000	110,000	110,000	0	0	0	0	0	0
6162FD - FIRE VEHICLE & EQUIPMENT REPLACEMENT 2014 ON-GO	300,000	1,100,000	1,695,000	0	300,000	680,000	80,000	0	0	0
6198FD - FIRE FACILITIES MANAGEMENT PROGRAM 2014 ON-GO	60,000	65,000	70,000	75,000	75,000	75,000	80,000	80,000	80,000	80,000
Total Fire Department Budget	515,000	1,275,000	2,275,000	4,185,000	906,000	755,000	160,000	80,000	80,000	80,000
General Government										
3216GG - CAPITAL FINANCING (2% of Total Capital Funding Policy Limit)	757,112	769,973	487,690	504,601	522,361	541,298	565,295	589,767	617,136	639,870
4101GG - ACCESSIBILITY BUILDING REHABILITATIONS	0	0	0	0	0	0	0	0	0	1,000,000
Total General Government Budget	757,112	769,973	487,690	504,601	522,361	541,298	565,295	589,767	617,136	1,639,870
Local Boards & Commissions										
6183OC - CAPITOL CENTRE 2014 ON-GO	187,950	187,950	187,950	187,950	210,000	210,000	210,000	210,000	210,000	210,000
6184CA - NORTH BAY MATTAWA CONSERVATION AUTHORITY 2014	555,912	561,330	578,686	591,570	599,970	605,010	615,406	625,486	645,162	664,440
6185PD - NORTH BAY POLICE SERVICES 2014 ON-GO	460,121	462,000	446,250	577,500	630,000	294,000	294,000	294,000	294,000	294,000
6186LB - NORTH BAY PUBLIC LIBRARY 2014 ON-GO	200,000	200,000	500,000	500,000	200,000	200,000	200,000	200,000	200,000	200,000
Total Local Boards & Commissions	1,403,983	1,411,280	1,712,886	1,857,020	1,639,970	1,309,010	1,319,406	1,329,486	1,349,162	1,368,440
Total General Capital Budget	26,385,895	26,731,843	25,914,216	25,865,061	27,105,796	28,149,148	28,800,041	31,181,738	32,649,083	31,720,695

2014 General Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Grants & Other Funding Sources										
2934ST - CHIPPEWA CREEK/AIRPORT HEIGHTS STORMWATER RETENTION - Storm Water Reserves	(250,000)	0	0	0	0	0	0	0	0	0
3403RD - FOUR MILE LAKE ROAD EXTENSION TO HWY 11	0	(1,000,000)	0	0	0	0	0	0	0	0
3407GD - LEACHATE MANAGEMENT-FUTURE CELLS-NEW METHANE	(200,000)	0	0	0	0	0	0	0	0	0
3416GD - MERRICK LANDFILL GAS (LFG) COLLECTION INFRASTRUCTURE	(75,000)	(200,000)	0	(400,000)	(75,000)	0	(225,000)	0	(500,000)	(90,000)
3417GD - MERRICK FLARE STATION-TSSA REQUIREMENTS	(250,000)	(500,000)	0	0	0	0	0	0	0	0
3423RD - INTERSECTION OF HWY 11/17 & SEYMOUR - MTO	(2,500,000)	0	0	0	0	0	0	0	0	0
3424TR -TRANSIT PRE-BOARD AUTO ANNOUNCE - AODA LEGISLATIONS	(105,000)	0	0	0	0	0	0	0	0	0
3502RD - SEYMOUR EXTENSION PHASE II-SOUTH BLOCK - MTO	0	(385,000)	0	0	0	0	0	0	0	0
3518PR - KING'S LANDING COMERCIALIZATION OF WATERFRONT - Grants	0	(1,000,000)	(1,000,000)	0	0	0	0	0	0	0
3603FD - FIRE DEPARTMENT FACILITIES - Land Sales	0	0	0	(800,000)	0	0	0	0	0	0
6166PR - PARKS BUILDING REHAB 2014 - Donation	(120,000)	0	0	0	0	0	0	0	0	0
6179TR - TRANSIT BUILDING CAPITAL PROGRAM 2014, estimated at 40% of expenditure	(40,000)	(200,000)	0	0	0	0	0	0	0	0
6180TR - TRANSIT COACH REPLACEMENT PROGRAM 2014, estimated at 40% of expenditure	(66,200)	(48,300)	(512,400)	(540,000)	(540,000)	(620,000)	(620,000)	(705,138)	(705,138)	(705,138)
Total Grants & Other Funding Sources	(3,606,200)	(3,333,300)	(1,512,400)	(1,740,000)	(615,000)	(620,000)	(845,000)	(705,138)	(1,205,138)	(795,138)
Net Capital Budget Total	22,779,695	23,398,543	24,401,816	24,125,061	26,490,796	27,529,148	27,955,041	30,476,600	31,443,945	30,925,557
Capital Funding Policy Limit										
Capital Levy in Operating Budget	(9,844,782)	(10,487,821)	(11,373,663)	(12,219,219)	(13,107,213)	(14,054,093)	(15,253,918)	(16,477,521)	(17,845,976)	(18,982,684)
Debenture/Long-Term Debt	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)	(9,000,000)
Development Charges	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)
Federal Gas Tax	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)	(3,310,814)
Target Policy for Net Expenditures	(22,855,596)	(23,498,635)	(24,384,477)	(25,230,033)	(26,118,027)	(27,064,907)	(28,264,732)	(29,488,335)	(30,856,790)	(31,993,498)
(\$Available) \$Funding Needed	(75,901)	(100,092)	17,339	(1,104,972)	372,769	464,241	(309,691)	988,265	587,155	(1,067,941)

* (F) included in the project description indicates that third party funding is available.

2014 Sewer & Water Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Sewer										
2803SS - CEDAR HEIGHTS PHASE I BPS, WATER & SEWER ON COLLEGE DR	425,000	0	0	0	0	0	0	0	0	0
3061SS - MAIN ST - GORMANVILLE TO MEMORIAL DR	0	0	0	2,500,000	2,500,000	0	0	0	0	0
3206SS - ELIMINATE METCALFE AVE PUMPING STATION	0	0	600,000	0	0	0	0	0	0	0
3212SS - FRANCIS ST SEWER UPSIZING	0	750,000	0	0	0	0	0	0	0	0
3307SS - WWTP - RETURN SLUDGE PUMPS AND CONTROLS - REPLACEMENT	0	50,000	0	0	0	0	0	0	0	0
3308SS - WWTP - ELECTRICAL UPGRADES	175,000	200,000	200,000	175,000	0	0	0	0	0	0
3309SS - WWTP - RAW SEWAGE PUMPING STATION	25,000	300,000	500,000	200,000	0	0	0	0	0	0
3310SS - WWTP - UPGRADE AERATION SYSTEM	50,000	150,000	150,000	0	0	0	0	0	0	0
3311SS - WWTP - METHANE GAS SYSTEM UPGRADES	75,000	0	0	0	0	0	0	0	0	0
3312SS - WWTP - REDUNDANT TRANSFORMER SWITCH GEAR AND FEEDS	0	200,000	0	0	0	0	0	0	0	0
3313SS - WWTP - MAJOR VALVE REPLACEMENT PROGRAM	30,000	40,000	40,000	30,000	0	0	0	0	0	0
3314SS - WWTP - STRUCTURAL REPAIRS	50,000	500,000	250,000	0	0	0	0	100,000	300,000	0
3315SS - WWTP - ASTHETICS, FENCING, BRICK VANEER	10,000	10,000	0	0	0	0	0	0	0	0
3316SS - WWTP - BOILER ROOM UPGRADES	200,000	150,000	0	0	0	0	0	0	0	0
3317SS - WWTP - BACKUP GENERATION (F)	0	1,250,000	0	0	0	0	0	0	0	0
3406SS - GERTRUDE - GLADSTONE TO LSD - SANITARY FORCEMAIN	100,000	500,000	0	0	0	0	0	0	0	0
3411SS - INFILTRATION REDUCTION/ FLOW MONITORING PROGRAM 2014 - PHASE II	100,000	100,000	0	0	0	0	0	0	200,000	0
3502SS - SEYMOUR EXTENTION PHASE II - SOUTH BLOCK	0	75,000	0	0	0	0	0	0	0	0
3503SS - JANE ST - MURRAY TO TIMMINS - RECON	0	0	0	0	400,000	0	0	0	0	0
3510SS - SANITARY SEWER SKI HILL TRUNK SEWER EXTENSION (F)	0	1,150,000	1,150,000	0	0	0	0	0	0	0
3513SS - WWTP - GRIT REMOVAL AT FRONT END	3,000,000	400,000	0	0	0	0	0	0	0	0
3514SS - HILLVIEW TRUNK REHAB	0	0	0	0	500,000	3,500,000	0	0	0	0
3604SS - WWTP FACILITY CONDITION ASSESSMENT & EXPANSION (F)	0	0	2,500,000	1,000,000	1,000,000	2,500,000	0	2,500,000	2,500,000	5,000,000
3607SS - CEDAR HEIGHTS - PHASE II - LAROCQUE BPS, STANDPIPE, WATER & SEWER	0	0	450,000	0	0	0	0	0	0	0
4001SS - SEWAGE TREATMENT PLANT REHAB	200,000	200,000	200,000	0	0	0	0	0	0	0
4300SS - NORTH HWY 11 SERVICING & AIRPORT INDUSTRIAL PARK EXPANSION	0	0	0	0	0	0	0	0	0	5,000,000
6187SS - DIGESTER & GRIT REMOVAL 2014 ON-GO	83,000	85,000	88,000	91,000	0	0	100,000	0	0	109,000

2014 Sewer & Water Capital Budget Summary

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
6150WS - CITY SHARE OF NEW DEVELOPMENT COSTS 2014 ON-GO	180,000	200,000	220,000	240,000	260,000	280,000	300,000	320,000	340,000	360,000
6151WS - VEHICLE & EQUIPMENT REPLACEMENT PROGRAM 2014 ON-GO	600,000	618,000	637,000	656,000	676,000	696,000	717,000	739,000	761,000	784,000
6152WS - ASPHALT RESURFACING 2014 ON-GO	225,000	232,000	239,000	246,000	253,000	261,000	269,000	277,000	285,000	293,000
6154WS - RESIDENTIAL STREET REHAB 2014 ON-GO	282,000	290,000	299,000	308,000	317,000	327,000	337,000	347,000	357,000	368,000
6182WS - SYSTEM TECHNOLOGY PROGRAM 2014 ON-GO	102,000	105,000	108,000	111,000	114,000	117,000	121,000	125,000	129,000	133,000
6189WS - HYDRANT & VALVE REHAB 2014 ON-GO	170,000	175,000	180,000	185,000	191,000	197,000	203,000	209,000	215,000	221,000
6190WS - WATER & SEWER REHAB 2014 ON-GO	56,000	57,500	59,000	61,000	63,000	65,000	67,000	69,000	71,000	73,000
6191WS - FLUSH WATERMAINS 2014 ON-GO	225,000	232,000	239,000	246,000	253,000	261,000	269,000	277,000	285,000	294,000
6192WS - WATER PLANT MAINTENANCE 2014 ON-GO	282,000	290,000	299,000	308,000	317,000	327,000	337,000	347,000	357,000	368,000
6193WS - WATERMAIN REPLACE/REAM/RELIN 2014 ON-GO	170,000	175,000	180,000	185,000	191,000	197,000	203,000	209,000	215,000	221,000
6194WS - WATERMAIN LOOPING 2014 ON-GO	112,000	115,000	118,000	122,000	126,000	130,000	134,000	138,000	142,000	146,000
6195WS - DESIGN WORK NEXT YEAR'S PROJECTS 2014 ON-GO	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000
6199WS - MEMBRANE MODULE REPLACEMENT	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000	270,000
Total Water Budget	6,529,000	5,929,500	5,853,000	8,013,000	8,106,000	7,953,000	13,652,000	10,702,000	13,172,000	8,656,000
Total Sewer & Water Capital Budget	11,258,000	12,247,000	12,190,000	12,420,000	12,919,000	14,343,000	14,119,000	13,671,000	16,543,000	19,138,000
Grants & Other Funding Sources										
3317SS - WWTP-BACKUP GENERATION	0	(300,000)	0	0	0	0	0	0	0	0
3510SS - SANITARY SEWER SKI HILL TRUNK SEWER EXTENSION	0	(575,000)	(575,000)	0	0	0	0	0	0	0
3604SS - WWTP FACILITY CONDITION ASSESSMENT & EXPANSION	0	0	0	(600,000)	(600,000)	(1,670,000)	0	0	0	(5,000,000)
Total Grants & Other Funding Sources	0	(875,000)	(575,000)	(600,000)	(600,000)	(1,670,000)	0	0	0	(5,000,000)
Net Capital Budget Total	11,258,000	11,372,000	11,615,000	11,820,000	12,319,000	12,673,000	14,119,000	13,671,000	16,543,000	14,138,000
Capital Funding Policy Limit										
Capital Levy in Operating Budget	(7,768,723)	(7,985,513)	(8,235,937)	(8,521,311)	(8,841,565)	(9,396,250)	(9,979,280)	(10,331,904)	(10,997,043)	(11,573,191)
Debenture/Long-Term Debt	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)
Development Charges	(412,000)	(412,000)	(412,000)	(412,000)	(412,000)	(412,000)	(412,000)	(412,000)	(412,000)	(412,000)
Target Policy for Net Expenditures	(11,180,723)	(11,397,513)	(11,647,937)	(11,933,311)	(12,253,565)	(12,808,250)	(13,391,280)	(13,743,904)	(14,409,043)	(14,985,191)
(\$Available) \$Funding Needed	77,277	(25,513)	(32,937)	(113,311)	65,435	(135,250)	727,720	(72,904)	2,133,957	(847,191)

* (F) included in the project description indicates that third party funding is available.

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: EESW 2013-080

Date: October 08, 2013

Originator: Nadeem Zahoor, P.Eng.
Development Engineer

Subject: Perut Place Phase II Pre-Servicing Agreement

File No.: D12 – Perut Place Subdivision Phase II

RECOMMENDATION

That the City enter into a Pre-Servicing Agreement with Steve Crea Homes limited, in a form satisfactory to the City Solicitor for the installation of underground services for the Perut Place Subdivision Phase II.

BACKGROUND

Perut Place Subdivision Phase II consists of 12 single family detached residential lots, extending existing Perut Place, which ends in a cul-de-sac. Perut Place is 161.87m long.

FINANCIAL

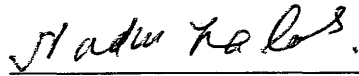
The developer will be required to pay stormwater management fee of \$2,200. per single family detached dwelling. A copy of the draft subdivision agreement is attached.

RECOMMENDED OPTION

Engineering Services, Planning Services and Corporate Services have reviewed the plans and Pre-Servicing Agreement and have found that all conditions which would allow the Pre-Servicing Agreement to proceed have been met. It is

recommended that the Perut Place Subdivision Phase II Pre-Servicing Agreement be approved by City Council and that the Subdivision Agreement (attached as Schedule "A") to the Pre-Servicing Agreement, be used as the basis for final acceptance once the underground servicing is complete.

Respectfully submitted,



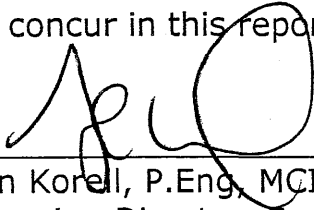
Nadeem Zahoor, P.Eng.
Development Engineer



Beverley Hillier, MCIP, RPP
Manager of Planning Services

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We concur in this report and recommendation.



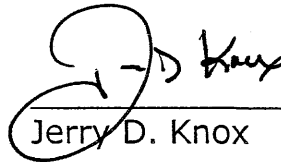
Alan Korell, P.Eng, MCIP
Managing Director, Engineering
Environmental Services & Works



Peter Chirico
Managing Director, Community
Services



Peter E.G. Leckie
City Solicitor



Jerry D. Knox

Personnel designated for continuance: Nadeem Zahoor, P. Eng.
Development Engineer

Attachments: Draft Pre-Servicing Agreement
Draft Subdivision Agreement

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-203

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
SEPTEMBER 30, 2013**

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

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

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

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on September 30, 2013 in respect of each motion, resolution and other action passed and taken by the Council at its said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

cc
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY**PURCHASING BY-LAW NO. 2013-200**

(and to repeal By-law No. 2004-196, as amended)

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

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

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

AND WHEREAS Council has passed General Government Committee Report No. 2013-21 on 30th day of September, 2013 authorizing the Purchasing By-law.

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

1. GENERAL PROVISIONS

1.1 The purpose of this By-law is to:

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

2. DEFINITIONS OF THIS BY-LAW

2.1 In this By-law:

- a) **"Agreement to Bond"** means an insurance agreement by which a third party (a surety) guarantees that if a Contract is awarded to the Bidder, the Bidder is capable of furnishing Bonds as required;
- b) **"Best Value"** means the optimal value balance of cost and performance of Goods or Services having consideration for quality, timing, efficiency and lifecycle costs;
- c) **"Bid"** means an offer or submission from a Bidder or Proponent in response to a Bid Request;
- d) **"Bid Bond"** means an insurance agreement, accompanied by a monetary commitment, by which a third party (a surety) accepts liability and guarantees the Bidder will not withdraw the Bid. The Bidder will furnish Bonds as required, and if the Contract is awarded to the Bidder, the Bidder will accept the Contract as Bid, or else the surety will pay a specific amount;

- e) **"Bid Irregularity"** means a deviation from the requirements of a Bid Request, as set out in Schedule "B" of this By-law;
- f) **"Bid Request"** means a solicitation by the City in a form as specified in section 6 of this By-law;
- g) **"Bidder"** means a person or entity that submits a Bid in response to a Bid Request;
- h) **"Bond"** means a form of financial protection against damages; a binding agreement executed by a Contractor and a third party (a surety) to guarantee the performance of certain obligations or duties to the City;
- i) **"CAO"** means the Chief Administrative Officer of the City or his or her Designate;
- j) **"City"** means The Corporation of the City of North Bay;
- k) **"City Solicitor"** means the Solicitor of the City;
- l) **"Contract"** means any agreement, regardless of form or title, for the purchase of Goods or Services in return for money or other consideration;
- m) **"Contractor"** means the selected Bidder or Proponent to whom the Contract for the purchase of Goods or Services is awarded and executed under the terms and conditions of the Contract;
- n) **"Council"** means the elected Mayor and Council for the City, or the board of the local agencies, boards, or commissions;
- o) **"Designate"** means a person authorized by the CAO or respective Managing Director to act on his or her behalf, for the purpose of this By-law;
- p) **"Extraordinary Circumstance (Emergency)"** means an event or circumstance where the immediate purchase for Goods or Services is essential or necessary in preventing a risk as specified in section 8.1 of this By-law;
- q) **"Goods"** means goods of all kinds, including both tangible and intangible goods, and shall include supplies, materials, equipment, structures and fixtures to be delivered, installed and/or constructed, and licences;
- r) **"Irrevocable Bid"** means a Bid or Proposal, whereby the Bidder and the City are bound by a contractual obligation under both expressed terms of the Bid Request and implied terms based on the laws of competitive procurement. The inclusion of Bid deposit or Bid Bond in a Bid Request is the means or normal method by which the City obtains an Irrevocable Bid.
- s) **"In House Bid"** means a Bid by a City department, authorized by the CAO, submitted in response to a Bid Request, where the provision of Goods or Services will be undertaken by City staff;
- t) **"Low Value Purchase"** means a purchase of Goods or Services not covered under an existing Contract and having a purchase value up to the limit as stated in Schedule "C" of this By-law;
- u) **"Manager of Purchasing"** means the Manager of Purchasing or designate who is responsible for the City's procurement functions and is authorized to act in such matters pertaining thereto;
- v) **"Management Staff"** means the Director, Manager, Supervisor, Coordinator, Advisor or Designate authorized by a Managing Director or the CAO, who has responsibility for a specific department of the City;
- w) **"Managing Director"** means a Managing Director, City Clerk, City Solicitor, Fire Chief, Treasurer or respective Designate authorized by the CAO, who has responsibility for a specific business unit or department of the City;

- x) **"Proponent"** means a person or entity who submits a response to an RFP;
- y) **"Proposal"** means the submission received or response to an RFP;
- z) **"Purchasing Card"** means a payment method whereby authorized City staff are empowered to purchase directly from a Supplier or Contractor using a credit card provided by the City, as issued by a bank or major credit card provider, in accordance the City's Purchasing Card Policy;
- aa) **"Purchasing Department"** means the department of the City responsible for the purchase of Goods and Services;
- bb) **"Purchasing Review Committee"** means the committee consisting of the Manager of Purchasing and respective Managing Director(s) and other such persons as designated by the CAO or respective Managing Director that would be assembled to collectively review Bid Irregularities or other matters pertaining to a procurement process with the objective of recommending a solution or otherwise resolving an issue;
- cc) **"Purchase Order"** means the City's written document to a Supplier or Contractor formalizing all the terms and conditions of a Contract;
- dd) **"Real Property"** means land and its permanently affixed buildings or structures;
- ee) **"Request for Expression of Interest" ("RFEOI")** means a request which will be used to determine the interest of the market place to provide Goods or Services;
- ff) **"Request for Information" ("RFI")** means a request which will be used to determine what Goods or Services are available that may meet business or operational requirements along with identifying acquisition strategies;
- gg) **"Request for Prequalification" ("RFPQ")** means a request which will be used to determine qualified Bidders or Proponents that may Bid on a subsequent procurement process for Goods or Services;
- hh) **"Request for Proposal" ("RFP")** means a request for Proposals from Proponents where the requirement cannot be expressly stated or defined and/or where a solution is requested and selection of a successful Proponent is based on criteria other than price alone;
- ii) **"Request for Quotation" ("RFQ")** means a request for quotations from Bidders for Goods or Services, where the City has defined the requirements and a clear solution exists;
- jj) **"Request for Tender" ("RFT")** means a request for tenders from Bidders to obtain Irrevocable Bids for Goods or Services where the City has defined the requirements and a clear solution exists.
- kk) **"Services"** means services of all kinds, including, but not limited to, labour, construction, maintenance and professional and consulting services;
- ll) **"Selection Committee"** means a committee established as part of the RFP process and made up of City staff and such others as selected by the City, with a purpose to establish RFP evaluation criteria and review and evaluate Proposals;
- mm) **"Single Source"** means a procurement decision whereby purchases for Goods or Services are directed to one source, but where other sources may be available;
- nn) **"Sole Source"** means a procurement decision whereby purchases for Goods or Services are directed to the only source, as this is the only source available that meets the requirements of the City;
- oo) **"Supplier"** means the selected Bidder or Proponent to whom the Contract for the purchase of Goods or Services is awarded and executed under the terms and conditions of the Contract;

- pp) **"Surplus Goods"** means any items no longer having any use to the City or in excess of the needs of the City that have become available for transfer, sale, or disposal including, but not limited to, obsolete supplies, scrap materials, and vehicles but excluding real property; and
- qq) **"Unsolicited Bid or Proposal"** means Bid or Proposal submitted by a Supplier or Contractor in the absence of a Bid Request from the City, which may be submitted in response to a perceived need but not in response to a Bid Request.

3. APPLICATION

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

4. RESPONSIBILITIES

- 4.1 **MANAGER OF PURCHASING** shall have the authority and be responsible for:
 - a) overseeing all procurement activities of the City;
 - b) providing advice, guidance and related services that may be required by departments for the purposes of fulfilling their procurement needs;
 - c) developing, maintaining and continuously improving detailed processes, systems, templates, and practices to be used in the procurement process;
 - d) providing training for department staff responsible for acquiring Goods and Services;
 - e) determining the appropriate method for acquiring Goods or Services;
 - f) managing formal Bid Requests including notification, receipt, opening, and compliance with stated terms and conditions;
 - g) establishing project specific terms and conditions for Bid Requests and Contracts in consultation with department staff and City Solicitor;
 - h) standardizing Goods and Services in collaboration with departments, when and where appropriate;
 - i) disposal of Surplus Goods;
 - j) reporting to Council, as required;
 - k) ensuring City staff complies with this By-law and any non-compliance is reported, in writing, to the respective Management Staff, Managing Director, or the CAO; and
 - l) ensuring no procurement activity or decision is contrary to this By-law.
- 4.2 **MANAGING DIRECTORS AND MANAGEMENT STAFF** shall be responsible for:
 - a) all department procurement activity and authorization within the limits as stated in Schedule "C" of this By-law;
 - b) ensuring staff involved in procurement activity receive appropriate training;
 - c) ensuring sufficient funding has been authorized by Council;
 - d) preparing specifications, quantity requirements and scope of work to be used in the procurement of Goods and Services;
 - e) consulting with the City's Information Technology department if the procurement or part of, is comprised of computer hardware or software, an internet application, or licensing or maintenance, or will

have implications for the City's existing information technology infrastructure;

- f) monitoring Contract expenditures;
- g) receipt, acceptance and authorizing payment of Goods or Services;
- h) managing Contracts and documenting performance evaluation;
- i) ensuring departmental staff comply with this By-law and any non-compliance is reported, in writing, to the Manager of Purchasing and the respective Management Staff, Managing Director or the CAO; and
- j) ensuring no procurement activity or decision is contrary to this By-law.

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

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

5. RESTRICTIONS AND EXCEPTIONS

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

6. STANDARD PROCUREMENT METHODS

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

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

- i) A RFEOI may be used to determine the interest of the market place to provide Goods or Services which the City is contemplating purchasing. The submission of an Expression of Interest may be made a specific pre-condition of any other procurement procedure utilized by the City. A submission in response to a RFEOI does not create any contractual obligation between the City and the interested respondent.

b) REQUEST FOR INFORMATION ("RFI")

- i) A RFI may be used as a general market research tool to determine what Goods and Services are available that may meet business or operational requirements along with identifying acquisition strategies. The RFI may request publicly available pricing details for the purpose of budget planning or developing a

future Bid Request. A submission in response to an RFI does not create any contractual obligation between the City and the respondent.

c) REQUEST FOR PREQUALIFICATION ("RFPQ")

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

d) LOW VALUE PURCHASE ("LVP")

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

e) REQUEST FOR QUOTATION ("RFQ")

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

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

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

f) REQUEST FOR TENDER ("RFT")

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

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

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

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

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

g) REQUEST FOR PROPOSAL ("RFP")

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

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

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

7. NEGOTIATION

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

- a) where no Bids were received in a proper, publicly issued Bid Request;
- b) where only one Bid is received; it exceeds the amount budgeted for the purchase; and the Bidder is willing and prepared to enter into negotiations with the City;
- c) where instructions within a Bid Request expressly allow for negotiations to occur with the low Bidder;
- d) with the highest evaluated Proponent upon completion of the evaluation, and as a condition of award. If a negotiated settlement cannot be reached, the City may proceed to negotiate with the next

- highest evaluated Proponent;
- e) where an Extraordinary Circumstance (Emergency) exists;
- f) where a Sole Source or Single Source purchase is conducted; or
- g) where authorized by Council to do so.

8. EXTRAORDINARY CIRCUMSTANCE (EMERGENCY) PURCHASES

- 8.1 Notwithstanding the provisions of this By-law, an Extraordinary Circumstance (Emergency) purchase may be conducted when an event or circumstance occurs that is determined by the respective Management Staff, Managing Director, or the CAO to be a risk to:
- a) public health;
 - b) essential services of the City;
 - c) the welfare of persons or of public property; or
 - d) the security of the City's interests and the occurrence requires the immediate delivery of Goods or Services and time does not permit for a competitive Bid Request.
- 8.2 An Extraordinary Circumstance (Emergency) purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.
- 8.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Extraordinary Circumstance (Emergency) purchases. Where impractical, a follow-up purchase requisition shall be submitted to the Purchasing Department.
- 8.4 Where an Extraordinary Circumstance (Emergency) purchase exceeds the limits of the CAO and requires authorization of Council, the CAO shall have authority to approve such purchase and a follow-up information report to council shall be completed.

9. SOLE SOURCE PURCHASES

- 9.1 A Sole Source purchase may be conducted for Goods or Services without a competitive Bid Request:
- a) where the required Goods or Services are covered by an exclusive right such as a patent, copyright, exclusive licence or distributorship; or
 - b) where a statutory or market based monopoly exists.
- 9.2 A Sole Source purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.
- 9.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Sole Source purchases.

10. SINGLE SOURCE PURCHASES

- 10.1 A Single Source purchase may be conducted for Goods or Services without a competitive Bid Request where:
- a) the Goods or Services required are in short supply due to market conditions;
 - b) it is necessary to ensure compatibility with previously acquired Goods and Services; and there are no reasonable alternatives, substitutes or accommodations;
 - c) it is important to avoid violating warranties and guarantees of existing Goods and Services;
 - d) standardization of Goods or Services is beneficial to the City with respect to operation, functionality, and service capacity; and such purchases have previously been acquired through a competitive Bid

- Request; and a defined timeline has been established to review such standardization;
- e) the amendment to an existing Contract would be more cost effective and beneficial to the City;
 - f) where, for reasons of security or confidentiality, it is in the best interest of the City to do so;
 - g) no Bidders have responded to a proper, publicly issued Bid Request;
 - h) Goods are purchased for testing or trial use and there is a clearly established deadline for the testing or trial period that does not exceed 12 months;
 - i) the City has a rental Contract with a purchase or rental extension option and such purchase or rental extension is beneficial to the City;
or
 - j) an Extraordinary Circumstance (Emergency) purchase.

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

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

11. UNSOLICITED BIDS

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

12. IN-HOUSE BIDS

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

13. PURCHASING CARDS

13.1 Purchasing Cards are issued to staff, where appropriate and at the discretion of Management Staff, to allow for an efficient method of acquiring Low Value Purchases.

13.2 The Purchasing Card is not to be used for expenditures of a personal nature.

13.3 Purchases made by Purchasing Card are subject to the requirements of this By-law and the Purchasing Card Policy and Procedures, as amended from time to time.

14. BID IRREGULARITIES

14.1 Any Bid Irregularities shall be addressed in accordance with Schedule "B" of this By-law.

14.2 If a formal competitive Bid contains a Bid Irregularity, the Manager of Purchasing may, at his or her discretion, refer the issue to the Purchasing Review Committee to determine acceptance or rejection of the Bid.

15. IDENTICAL BIDS

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

toss or by way of draw of a name where more than two identical Bids exist.

16. CONTRACT EXECUTION

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

17. CONTINGENCY MANAGEMENT

17.1 Where the expenditure limit of a Contract that required Council approval is expected to exceed the awarded amount:

- a) the respective Managing Director may approve the overage so long as the amount of the cumulative overages for the Contract is less than ten percent (10%) of the value of the Contract, and the project remains within the approved project budget;
- b) the CAO may approve the overage so long as the amount of the cumulative overages for the Contract is less than fifteen percent (15%) of the value of the Contract, and the project remains within the approved project budget.

17.2 Where the expenditure limit of a Contract that required Council approval is expected to exceed the awarded amount by fifteen percent (15%) or greater, the matter will be referred to Council for consideration.

18. SUPPLIER/CONTRACTOR PERFORMANCE AND ABILITY

18.1 The respective Management Staff shall be responsible for monitoring Supplier and Contractor performance and documenting evidence of such performance in accordance with the City's Vendor Performance Policy, as amended from time to time.

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

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

19. COUNCIL APPROVAL

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

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

20. ACCESS TO INFORMATION

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

21. DISPOSAL OF SURPLUS GOODS

21.1 A Management Staff may advise the Manager of Purchasing that items

including, but not limited to, furnishings, equipment, vehicles, supplies, and other goods and materials, and excluding Real Property, have become obsolete, worn out or unusable or are surplus to the needs of their department.

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

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

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

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

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

22. INFLUENCE AND INTEGRITY

22.1 No person, company, corporation, organization or representative of the City shall attempt in any way, either in private or public, to influence the outcome of Bid Request.

22.2 The Bid or Proposal of any person, company, corporation or organization that attempts to influence the outcome of a Bid Request may be disqualified and the person, company, corporation, or organization may be subjected to suspension or exclusion in accordance with the Vendor Performance Policy.

23. LEGISLATIVE TRADE AGREEMENTS AND LOCAL PREFERENCE

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

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

24. SHORT TITLE

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

25. SCHEDULES

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

26. REVIEW

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

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

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

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

W:\CLERK\RMS\C00\2013\PURC\GENERAL\0001 (BY-LAW NO. 2013-200).doc

THIS IS SCHEDULE "A"
TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO.
2013-200

EXEMPT PURCHASES

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

1. Training and Education
 - a. Conferences
 - b. Magazines, books and periodicals
 - c. Memberships and Professional Insurance
2. Refundable Employees Expenses
 - a. Advances
 - b. Meal allowances
 - c. Travel & Accommodations
3. Employer's General Expenses
 - a. Payroll deductions remittances
 - b. Medical
 - c. Licenses (vehicles, firearms, elevators, etc.)
 - d. Debenture payments
 - e. Grants to agencies
 - f. Damage claims
 - g. Petty cash replenishment
 - h. Tax remittances
4. Professional and Special Services
 - a. Committee fees
 - b. Legal fees and other professional services related to litigation or legal matters
 - c. Appraisal fees
 - d. Honorariums
5. Utilities
 - a. Water and Sewer
 - b. Hydro
 - c. Natural Gas
 - d. Telephone (excluding cellular)
 - e. Cable Television
6. Lease, sale or purchase of Real Property
7. Advertising
8. Entertainers for special events

THIS IS SCHEDULE "B"
TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO.
2013-200

BID IRREGULARITIES

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

18	Unit price has been changed but not initialled and, the price extension is not consistent with the unit price as amended.	Rejection.
19	Unit price extension which is not consistent with the unit prices.	The City will update the extended price based on the stated unit price.
20	Where an error has been made transferring an amount from one part of the submission to another.	The City will update with the amount shown before transfer and ensuing totals corrected accordingly.
21	Pricing appears to be unbalanced to the extent that it would have a significant adverse affect to the City if awarded.	Rejection.
BID DEPOSIT		
22	Bid Deposit or Bid Bond not submitted with bid	Rejection.
23	Bid Deposit or Bid Bond not in acceptable form.	Rejection.
24	Bid Deposit or Bid Bond amount is insufficient.	Rejection.
25	Surety provider and/or Bidder's authorized signature missing from Bid Bond.	Rejection.
26	Effective period of Bid Bond is less than the irrevocable period stipulated in the bid document.	Rejection.
AGREEMENT TO BOND		
27	Agreement to Bond not submitted with Bid	Rejection.
28	Agreement to Bond not provided in acceptable form.	Rejection
29	Agreement to Bond amount is insufficient.	Rejection.
30	Surety provider and/or Bidder's authorized signature missing from Agreement to Bond	Rejection.
STATUTORY DECLARATION		
31	Statutory Declaration not submitted with Bid	Two business days to submit.
32	Statutory Declaration not in the form specified.	Two business days to submit.
33	Commissioner/Notary Public and/or Bidder's authorized signature missing from Statutory Declaration.	Two business days to submit.
POST AWARD NOTIFICATION		
34	Failure to execute required bonding or security within the prescribed timeline.	Rejection and Bid Deposit forfeiture.
35	Failure to execute a Contract within the prescribed period.	Rejection and Bid Deposit forfeiture.
36	Failure to provide supporting document, as specified within the Bid Request and with the prescribed period.	Rejection and Bid Deposit forfeiture.

**THIS IS SCHEDULE "C"
TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO.
2013-200**

PROCUREMENT THRESHOLDS

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

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-195

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE
CERTAIN LANDS ON HUGHES ROAD FROM A "RESIDENTIAL FIRST DENSITY
(R1)" ZONE TO A "RESIDENTIAL THIRD DENSITY (R3)" ZONE

(Neil & Wendy Luxton – Hughes Road)

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

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

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

AND WHEREAS Council passed a resolution on _____ to approve this rezoning.

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

- 1) Schedule "B-45" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Part of the North ½ of Lot 16, Concession C, Widdifield Parts 1 and 3 on Plan 36R-11960 s/t Easement over Part 1 on Plan 36R-11960 as in BS33155, North Bay, District of Nipissing, PIN No. 49144-0253), shown as hatched on Schedule A attached hereto from a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Third Density (R3)" zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.
- 3)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the

objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 15TH DAY OF OCTOBER 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 15TH DAY OF OCTOBER 2013.

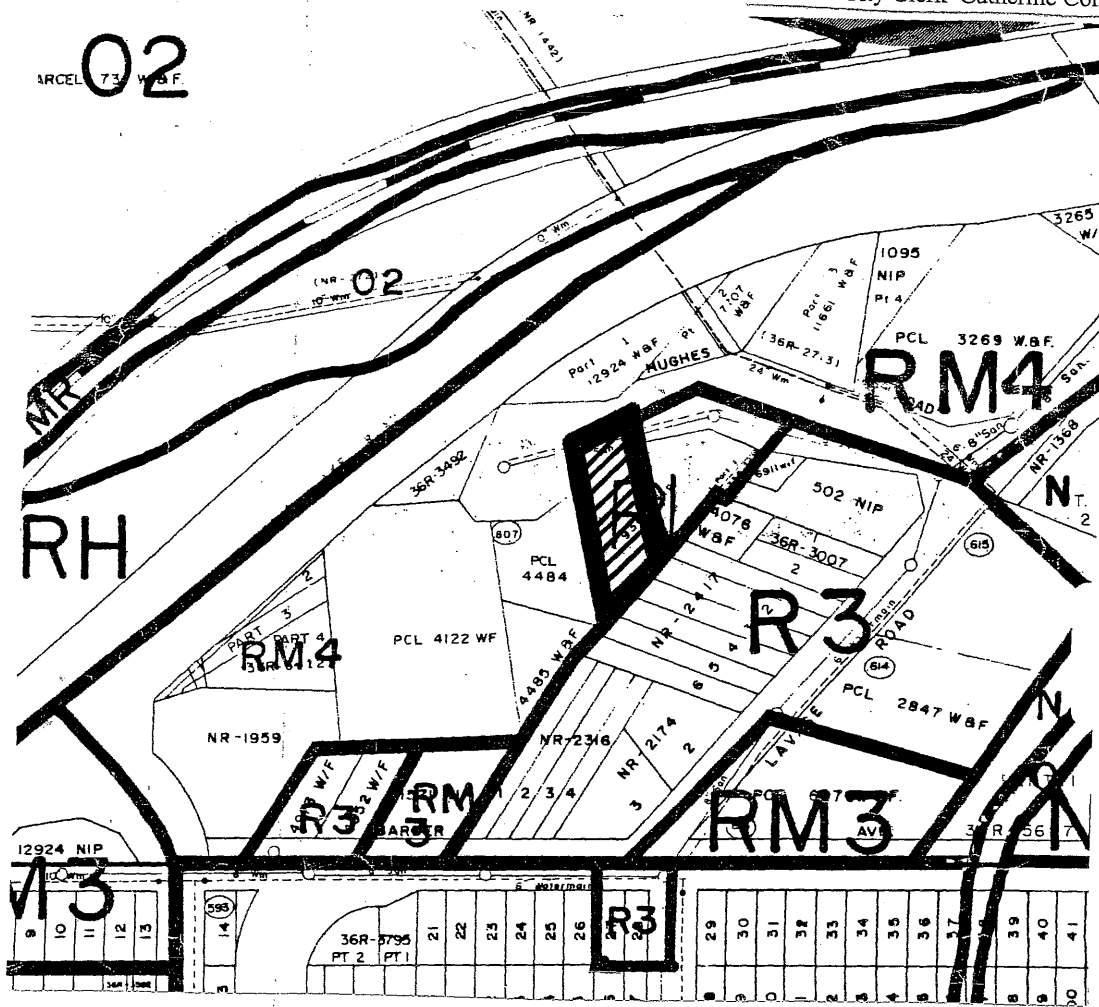
**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS DAY OF
2013.**


MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

Mayor Allan McDonald

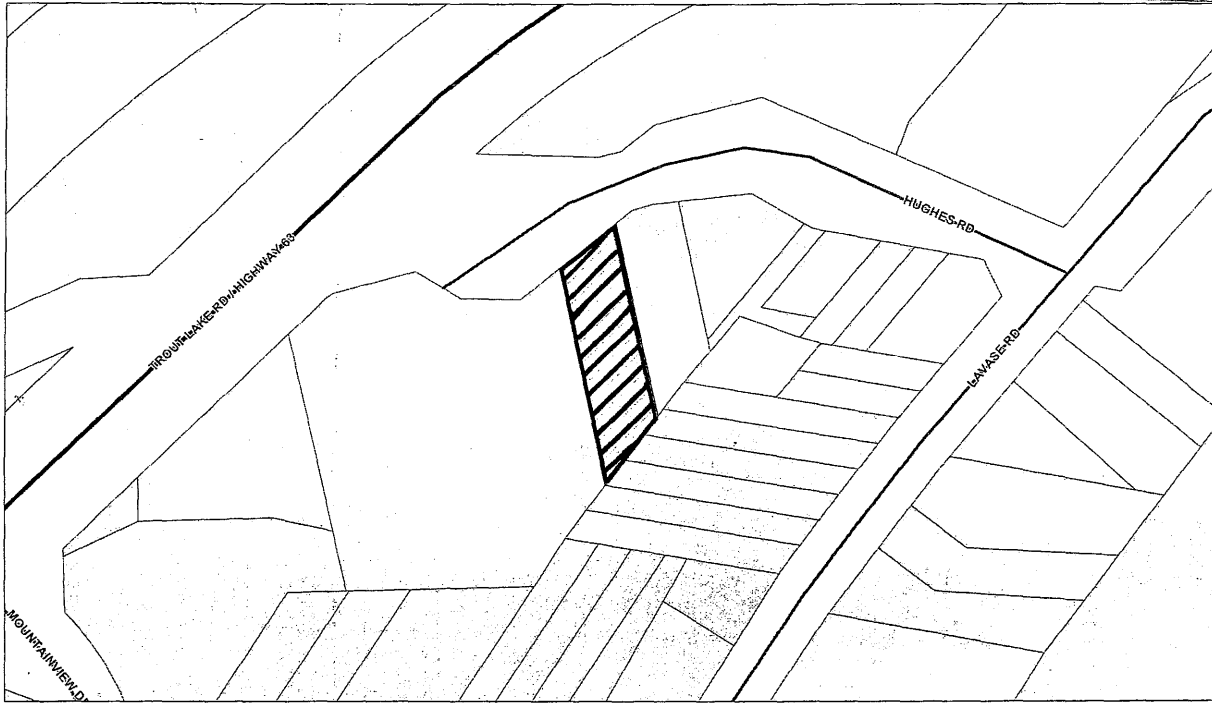
City Clerk Catherine Conrad



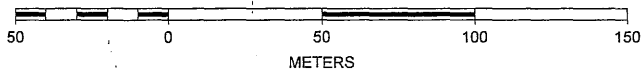
 Zoning By-law Amendment
 From: "Residential First Density (R1)"
 To: "Residential Third Density (R3)"


Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,912



 Zoning By-law Amendment
From: "Residential First Density (R1)"
To: "Residential Third Density (R3)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-209

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF A SUBDIVISION AGREEMENT BETWEEN THE
CORPORATION OF THE CITY OF NORTH BAY AND
HIGHLAND WOODS DEVELOPMENTS INC.
RELATING TO THE HIGHLAND WOODS
SUBDIVISION PHASE 1-B**

WHEREAS the Subdivision Agreement with Highland Woods Developments Inc. for the Highland Woods Subdivision Phase 1-B was approved by Resolution No. 2013-____ passed by Council on the 15th day of October, 2013;

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

1. That The Corporation of the City of North Bay enter into a Subdivision Agreement dated the 15th day of October, 2013 with Highland Woods Developments Inc. relating to the Highland Woods Subdivision Phase 1-B.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Subdivision Agreement between The Corporation of the City of North Bay and Highland Woods Developments Inc. and to affix thereto the Corporate seal.
3. The roads laid out on the registered plan herein shall be deemed to be dedicated by the Owner to the City upon registration of the M Plan and accepted by the City for the purpose of maintenance and repair only upon issuance of the Final Certificate of the City Engineer pursuant to section 12.14 of the Subdivision Agreement referred to herein.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-186

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON MAPLEWOOD AVENUE FROM A "RESIDENTIAL THIRD
DENSITY (R3)" ZONE TO A "RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL NO.
133 (RM1 SP.133) ZONE
(Ronald Fortier – 230 Maplewood Avenue)

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

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

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

AND WHEREAS Council passed a resolution on September 30, 2013 to approve this rezoning.

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

- 1) Schedule "B-42" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Lots 261, 262 and 263, Part of Lots 250, 251, 252, 253 and 260 and Part of Lane Plan 94, PIN No. 49158-0360 (LT)) along Maplewood Avenue in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.133:
 - "11.2.133 "Residential Multiple First Density Special No. 133 (RM1 Sp.133)"
 - 11.2.133.1 The property description of this "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" is Lots 261, 262 and 263, Part of Lots 250, 251, 252, 253 and 260 and Part of Lane Plan 94, PIN No. 49158-0360 (LT) along Maplewood Avenue in the City of North Bay as shown on the attached Schedule and on Schedule "B-42".
 - 11.2.133.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" except for the following uses:
 - duplex dwelling;
 - semi-detached dwelling;
 - triplex;
 - double duplex;
 - multiple dwellings;
 - Group Home Type 1;

- Group Home Type 2;
- accessory home based businesses;
- parks, playgrounds & non-profit uses;
- day nurseries;
- institutional uses; and
- additional dwelling unit within a semi-detached dwelling.

11.2.133.2(b) The regulations for this "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" are as follows:

- i) Minimum Rear Yard Setback shall be 0 metres

11.2.133.3 The use of land or building in this "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple First Density Special No. 133 (RM1 Sp.133)" as shown on Schedule "B" to this By-law.
- 5)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 30TH DAY OF SEPTEMBER 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF SEPTEMBER 2013.

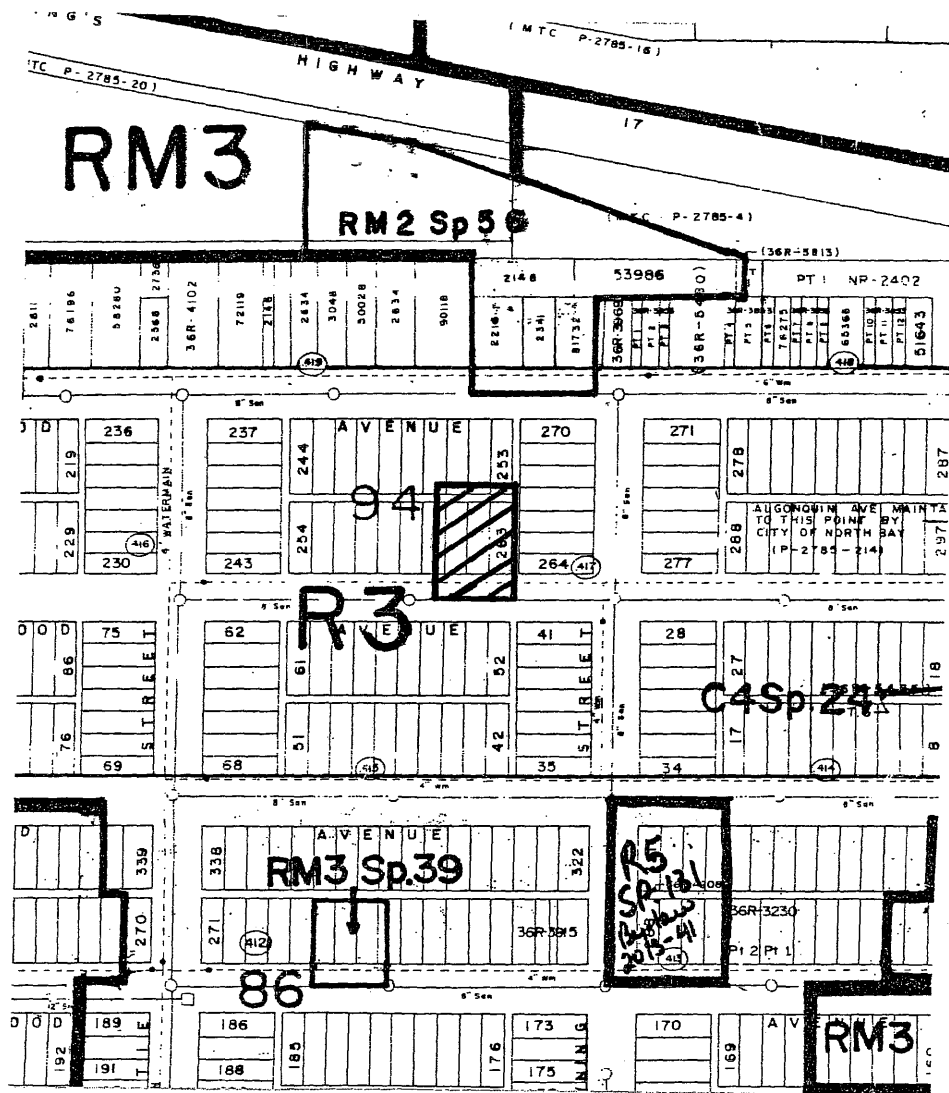
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15TH DAY OF OCTOBER 2013.

MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

Mayor Allan McDonald

City Clerk Catherine Conrad



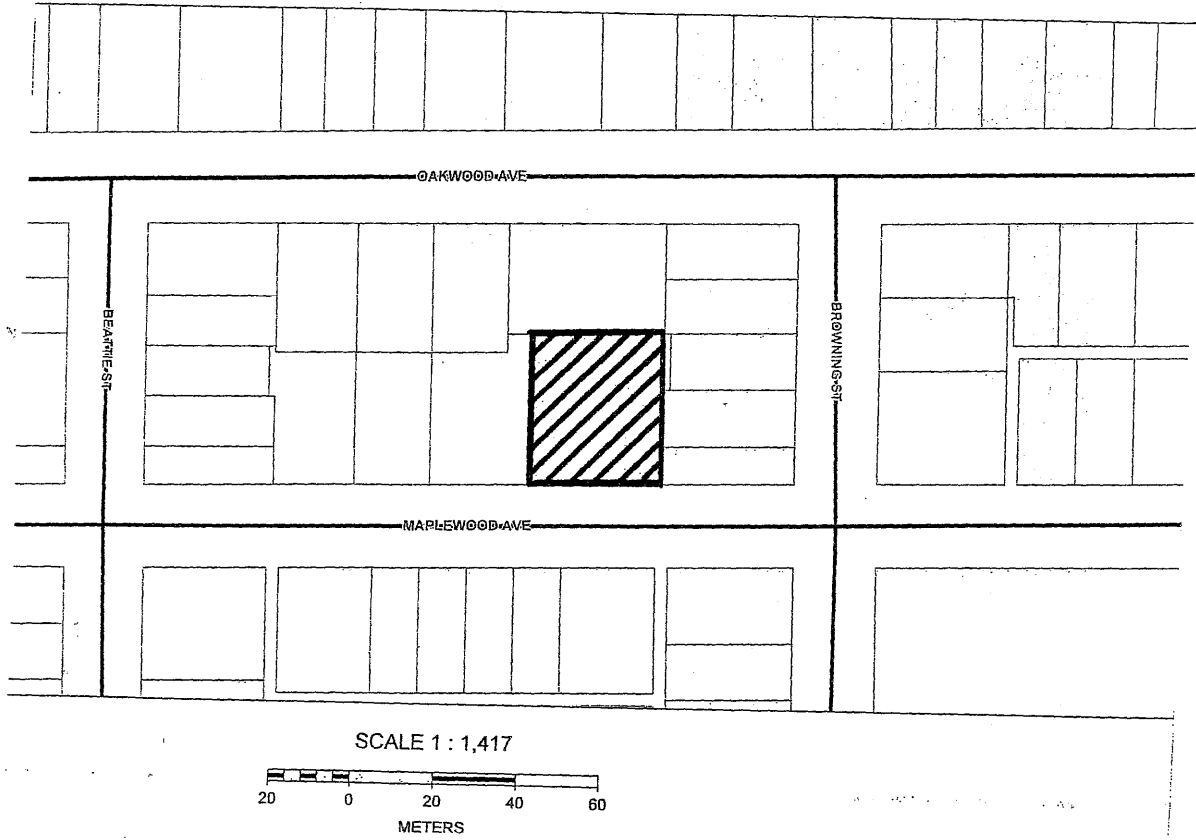
Zoning By-law Amendment
 From: "Residential Third Density (R3)"
 To: "Residential Multiple First Density Special 133 (RM1 Sp. 133)"


This is Schedule L
To By-law No. 2013-186

Passed the 15TH day of OCTOBER 2013

Mayor Allan McDonald

City Clerk Catherine Conrad

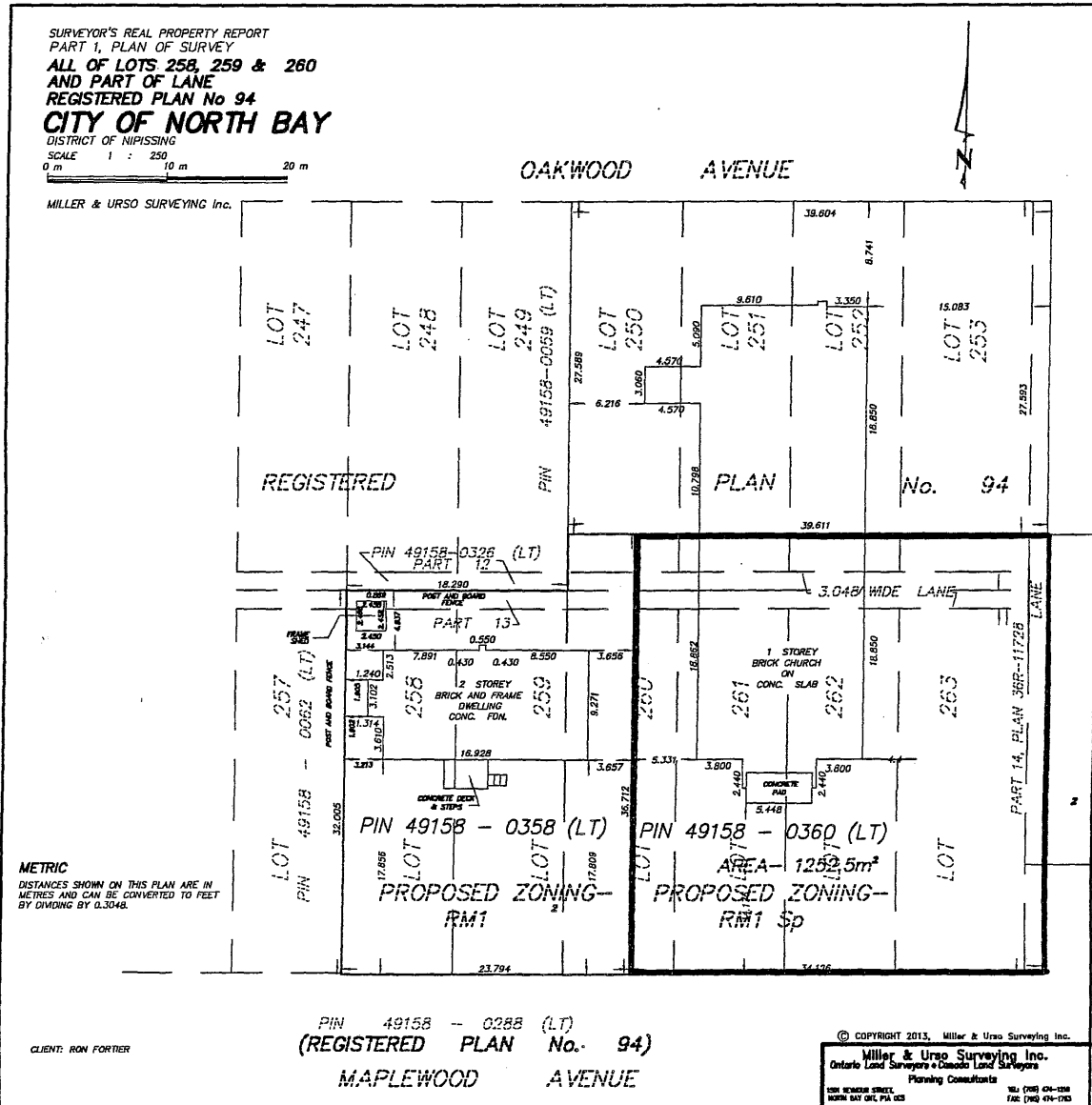


 Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple First Density Special 133 (RM1 Sp. 133)"

Passed the 15TH day of OCTOBER 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



Zoning By-law Amendment
 From: "Residential Third Density (R3)"
 To: "Residential Multiple First Density Special 133 (RM1 Sp. 133)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-188

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON MAPLEWOOD AVENUE FROM A "RESIDENTIAL THIRD
DENSITY (R3)" ZONE TO A "RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL
NO.132 (RM1 SP.132)" ZONE
(Ronald Fortier, Guy Blanchard, Matthieu Blanchard and Kelly Fortier-232 Maplewood Avenue)**

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

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

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

AND WHEREAS Council passed a resolution on September 30, 2013 to approve this rezoning.

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

1) Schedule "B-42" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Lots 258 and 259, Part of Lots 250 and 260, Part of Lane Plan 94, PIN No. 49158-0358 (LT)) along Maplewood Avenue in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special No.132 (RM1 Sp.132)" zone.

2) All buildings or structures erected or altered and the use of land in such "Residential Multiple First Density Special No.132 (RM1 Sp.132)" zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.

3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.132:

"11.2.132 "Residential Multiple First Density Special No.132 (RM1 Sp.132)"

11.2.132.1 The property description of this "Residential Multiple First Density Special No.132 (RM1 Sp.132)" is Lots 258 and 259, Part of Lots 250 and 260, Part of Lane Plan 94, PIN No. 49158-0358 (LT) along Maplewood Avenue in the City of North Bay as shown on the attached Schedule and on Schedule "B-42".

11.2.132.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple First Density Special No.132 (RM1 Sp.132)" except for the following uses:

- duplex dwelling;
- semi-detached dwelling;
- triplex;
- double duplex;
- multiple dwellings;
- Group Home Type 1;
- Group Home Type 2;

- accessory home based businesses;
- parks, playgrounds & non-profit uses;
- day nurseries; and
- institutional uses.

11.2.132.2(b) The regulations for this "Residential Multiple First Density Special No.132 (RM1 Sp.132)" are as follows:

i) The minimum rear yard setback shall be 4.9 metres.

11.2.132.3 The use of land or building in this "Residential Multiple First Density Special No.132 (RM1 Sp.132)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple First Density Special No.132 (RM1 Sp.132)" as shown on Schedule "B" to this By-law.
- 5) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
- c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 30TH DAY OF SEPTEMBER 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF SEPTEMBER 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15TH DAY OF OCTOBER 2013.

MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

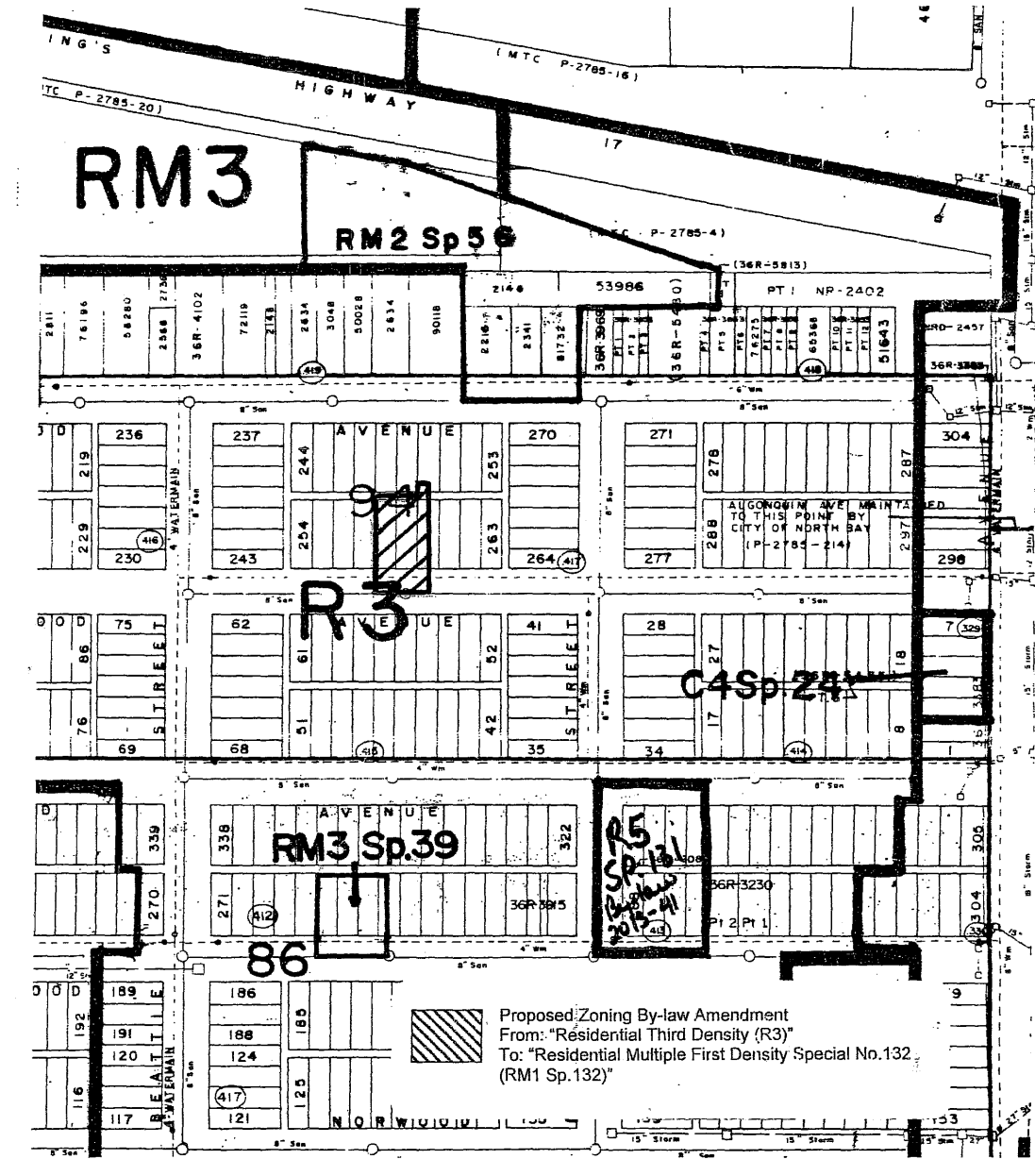
This is Schedule "A"

To By-law No. 2013-188

Passed the 15TH day of OCTOBER 2013

Mayor, Allan McDonald

City Clerk, Catherine Conrad



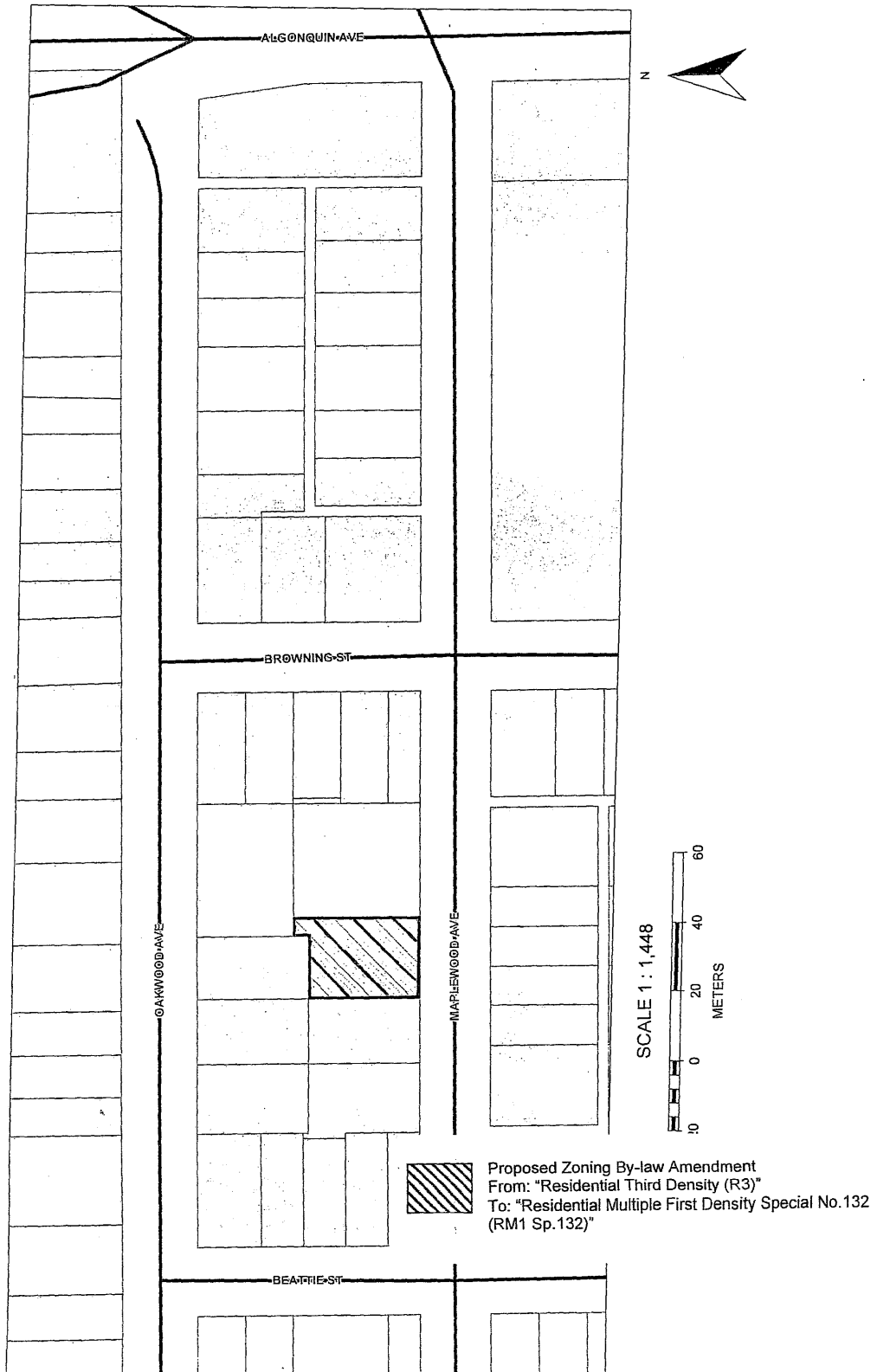
This is Schedule "B"

To By-law No. 2013-188

Passed the 5TH day of OCTOBER 2013

Mayor, Allan McDonald

City Clerk, Catherine Conrad



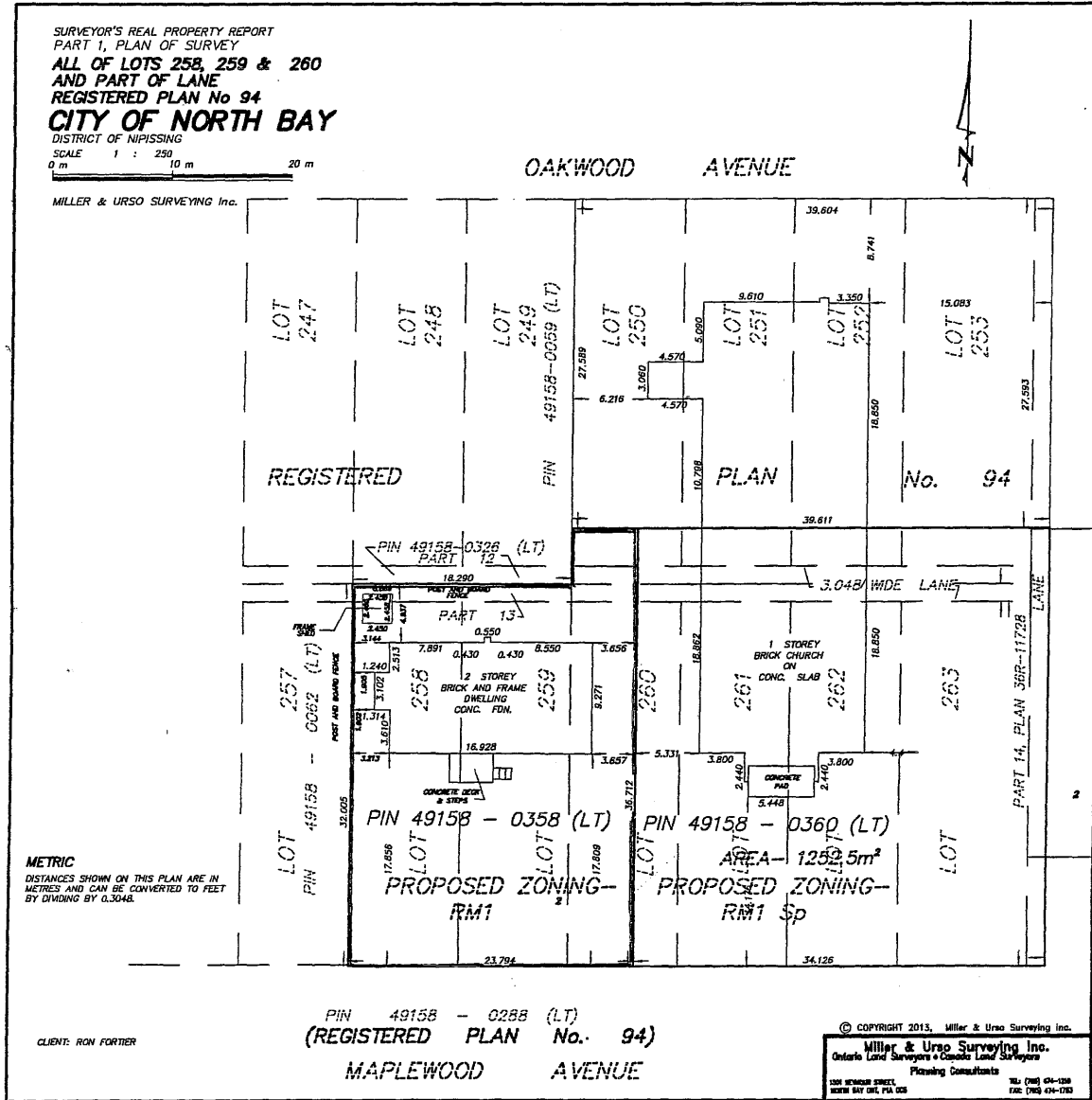
This is Schedule "C"

To By-law No. 2013-188

Passed the 15TH day of OCTOBER 2013

Mayor, Allan McDonald

City Clerk, Catherine Conrad



Proposed Zoning By-law Amendment
 From: "Residential Third Density (R3)"
 To: "Residential Multiple First Density Special No.132 (RM1 Sp.132)"

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-206

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH AMEC
ENVIRONMENTAL & INFRASTRUCTURE A
DIVISION OF AMEC AMERICAS LIMITED
RELATING TO ENGINEERING DESIGN
SERVICES FOR THE WASTEWATER
TREATMENT PLANT GRIT REMOVAL
PROJECT**

WHEREAS the Agreement with AMEC Environmental & Infrastructure a division of AMEC Americas Limited relating to Engineering Design Services for the Wastewater Treatment Plant Grit Removal Project was approved by Resolution No. 2013-525 passed by Council on the 16th day of September, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 17th day of September, 2013 with AMEC Environmental & Infrastructure a division of AMEC Americas Limited relating to Engineering Design Services for the Wastewater Treatment Plant Grit Removal Project.
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 AMEC Environmental & Infrastructure a division of AMEC Americas Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

cc

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-207

**A BY-LAW TO AUTHORIZE
LEACHATE TREATMENT PROJECT
AT THE MERRICK LANDFILL SITE**

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

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

AND WHEREAS the Council passed Resolution 2013-546 at its Meeting held Monday, September 30, 2013, authorizing the Leachate Treatment Project at the Merrick Landfill Site being 2013 Engineering, Environmental Services and Works Department Capital Budget Project No. 3108GD, with a net debenture cost of \$3,000,000.00;

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

1. That the expenditure of \$3,000,000.00 for the Leachate Treatment Project at the Merrick Landfill Site for the following be hereby authorized:

Construction Contract	\$2,857,143.00
Financing Costs	112,857.00
Administration and Overhead	<u>30,000.00</u>
Net Amount to be Debentured	\$3,000,000.00

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 \$3,000,000.00 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 debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

KM

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-208

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH ROAD
MAINTENANCE EQUIPMENT & SERVICES
INC. FOR THE INSTALLATION OF A SALT
BRINE STORAGE SYSTEM.**

WHEREAS the Agreement with Road Maintenance Equipment & Services Inc. for the installation of a Salt Brine Storage System was approved by Resolution No. 2013-494 passed by Council on the 26th day of August, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 27th day of August, 2013 with Road Maintenance Equipment & Services Inc. for the installation of a Salt Brine Storage System.
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 Road Maintenance Equipment & Services Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

cc

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-211

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF A PRE-SERVICING
AGREEMENT WITH STEVE CREA HOMES
LIMITED RELATING TO THE PERUT PLACE
SUBDIVISION (PHASE II)**

WHEREAS the Pre-Servicing Agreement with Steve Crea Homes Limited relating to the Perut Place Subdivision (Phase II) was approved by Resolution No. 2013- _____ passed by Council on the 15th day of October, 2013;

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

1. That The Corporation of the City of North Bay enter into an Agreement dated the 15th day of October, 2013 with Steve Crea Homes Limited relating to the Perut Place Subdivision (Phase II).
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Steve Crea Homes Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

MOTION

North Bay, Ontario October 15, 2013

Subject: Live Streaming Council Meetings

File No.

Res. No. 2013-_____

Moved by Councillor: ANTHONY

Seconded by Councillor: MAROOSIS

That the Chief Administrative Officer be directed to explore the option of implementing live-streaming of Council meetings on the internet, so that Council could consider the benefits or challenges, as well as cost implications.

Carried

Carried as amended

Lost

Conflict _____

Endorsement of Chair _____

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

Yeas _____

Nays _____

Signature of Clerk _____

MOTION

North Bay, Ontario October 15, 2013

Subject: Small, Rural & Northern Municipal Infrastructure Fund

File No. _____

Res. No. 2013 -

Moved by Councillor: Bain

Seconded by Councillor: Campbell

WHEREAS in the Province of Ontario's 2013 Budget announced the creation of a Small, Rural & Northern Municipal Infrastructure Fund (SRNMIF), with a budget of \$100 million dollars;

AND WHEREAS this fund was to be available October 1, 2013;

AND WHEREAS this one-year fund could become permanent as part of the 2014 Ontario Budget;

AND WHEREAS the Ministry of Infrastructure facilitated consultation sessions across the Province to gather input from Municipalities on their needs and the methods of disbursing the fund;

AND WHEREAS the City of North Bay attended the consultation session with the Ministry of Infrastructure, where it was clearly communicated by the majority of stakeholders that a per capita formula for sustainable funding was preferred over a competitive or application approach;

AND WHEREAS the Federation of Northern Ontario supported by resolution that an eligible municipality be defined as; a population of under 100,000 or a municipality in Northern Ontario and that each eligible municipality receive \$25,000 dollars in base funding plus a funding allocation according to their population;

AND WHEREAS the Premier announced on October 4th, the \$100 million dollars fund for 2013 will be allocated as follows:

1. \$25 million dollars for 21 projects which passed the pre-screening process for the Municipal Infrastructure Investment Initiative in 2012 but were not funded because the program was fully allocated;
2. \$71 million dollars for applications for new projects, including applications re-submitted from the 2012 Municipal Infrastructure Investment Initiative; and
3. \$4 million dollars for municipalities with a population of under 5,000 to complete asset management plans.

THEREFORE BE IT RESOLVED that the City of North Bay ask Premier Kathleen Wynne and Minister of Infrastructure Glen Murray, to reconsider their approach to the allocation of year 2 and 3 of the Small, Rural and Northern Municipal Infrastructure Fund, in favour of the option supported by the Federation of Northern Ontario Municipalities; and

FURTHER BE IT RESOLVED that a copy of this resolution be forwarded to the Federation of Northern Ontario Municipalities, Association of Municipalities of Ontario, Ontario Good Roads Association and the Leaders of the Provincial Opposition.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

Record of Vote (Upon Request of Councillor _____)

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

Signature of Clerk _____