

NORTH BAY[®]

O N T A R I O • C A N A D A

Just North Enough to be PERFECT

Council

Agenda

Regular Meeting of Council

June 17, 2013

at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
JUNE 17TH, 2013**

Monday, June 17, 2013

6:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, JUNE 17TH, 2013**

PUBLIC PRESENTATIONS:

Jim Dowel

re Highway 17 Planning Study

PUBLIC MEETING MINUTES:

Monday, June 3, 2013

COMMITTEE REPORTS:

Community Services Committee Report No. 2013-13

Community Services Committee Report No. 2013-14

CORRESPONDENCE:

1. Report from Peter Chirico dated June 10, 2013 re Contract with K.J. Allen Investments Inc. for Construction Management at North Bay Memorial Gardens (L04/2012/LEASE/BBHC).
2. Report from Beverley Hillier dated May 31, 2013 re Residential Rental Housing Licensing By-Law – Annual Update (C00/2013/BYLAW/RENTHOUS).
3. Report from Peter Carello dated June 5, 2013 re Rezoning application by Ron Tambeau on behalf of Greenwood Avenue Baptist Church – 312 Greenwood Avenue (D14/2013/GABC/312GREEN).
4. Report from Peter Carello dated June 6, 2013 re Rezoning application by Celia Teale on behalf of 1866409 Ontario Limited – 750 Scollard Street (D14/2013/18664/750SCOLL).
5. Report from Angela Cox dated April 2, 2013 re 2013 Capital Budget Project No. 6101RDWS - Asphalt Resurfacing (On-going) (F05/2013/ROADS/6101RDWS).
6. Report from Paul Valenti dated June 10, 2013 re Tender 2013-02, Asphalt Resurfacing Program (F05/2013/ROADS/6101RDWS).
7. Report from Paul Valenti dated Request for Quotation No. 2013-35, Supply of Concrete Box Culvert (F05/2013/ROADS/6105RD).

General Government - First, second and third readings:

By-Law No. 2013-139 to confirm proceedings of the Meeting of Council on June 3, 2013.

By-Law No. 2013-146 to authorize the Downtown Roads and Sidewalk Maintenance Program.

By-Law No. 2013-147 to authorize the City Share of New Development Costs Program.

By-Law No. 2013-148 to authorize Phase II Ferguson Street Project (Worthington to Chippewa).

By-Law No. 2013-149 to authorize Airport Road Resurfacing Program.

By-Law No. 2013-150 to authorize the Marsh Drive Leachate Pumping Station Project.

By-Law No. 2013-151 to authorize the Ellendale Upgrades.

By-Law No. 2013-152 to authorize Design Work for Next Year's Projects.

By-Law No. 2013-153 to authorize the Water Treatment Plant Maintenance Program.

Community Services – First, second and third readings:

By-Law No. 2013-140, being a by-law to amend By-Law No. 2006-143, as amended, to Restrict and Regulate Signs and other advertising devices within the City of North Bay.

By-Law No. 2013-145 to authorize the execution of an Agreement with North Bay Area Museum Society relating to Heritage North Bay Park Maintenance Services.

By-Law No. 2013-156 to authorize the execution of an Agreement with New World Park Solutions Inc. for the supply and installation of Playground Structures.

By-Law No. 2013-157 to authorize the execution of an Agreement with Calvin Johnson operating as Johnson Construction relating to the installation of Pedestrian Bridges at Thomson Park.

MOTIONS:

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

8. ***Confidential*** report from Peter Chirico dated June 10, 2013 re Property Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE COMMITTEE MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 3RD, 2013**

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

COMMUNITY SERVICES COMMITTEE:

The following Items were dealt with:

CS-2013-13 Report from Peter Carello dated April 23, 2013 re 2012 Municipal Heritage Committee (MHC) Annual Report (R01/2013/NBMHC/GENERAL).

Direction: Committee Report to be brought forward to Council on June 17, 2013

CS-2013-16 Report from Ian Kilgour and Erin Richmond dated May 1, 2013 re Sports Tourism, Meetings and Events (D06/2013/EDD/STATS).

Direction: Committee Report to be brought forward to Council on June 17, 2013

ENGINEERING & WORKS COMMITTEE:

No Items dealt with.

GENERAL GOVERNMENT COMMITTEE:

No Items dealt with.

Committee Meeting of Council adjourned at 6:48 p.m.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN MCISAAC

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 3RD, 2013**

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

PUBLIC PRESENTATIONS:

Fran Labramboise/Shirley Fahlgren re Age-Friendly Community North Bay

CORRESPONDENCE:

REPORTS FROM OFFICERS:

Chirico, P.	re Contract for Park Maintenance – North Bay Area Museum Society (o/a Heritage North Bay)	(365)
Cox, A.	re 2013 Capital Budget Project No. 6110RD- - Downtown Roads and Sidewalk Maintenance	(358)
Cox, A.	re 2013 Capital Budget Project No. 6099RDWS – City Share of New Development Costs Program	(359)
Cox, A.	re 2013 Capital Budget Project No. 3104RD – Ferguson Street (Worthington to Chippewa)	(360)
Cox, A.	re 2013 Capital Budget Project No. 3402RD - Airport Road Resurfacing Program	(361)
Cox, A.	re 2013 Capital Budget Project No. 3306GD – Marsh Drive Leachate Pumping Station	(362)
Cox, A.	re 2013 Capital Budget Project No. 3319WS – Ellendale Upgrades	(363)
Cox, A.	re 2013 Capital Budget Project No. 6147WS – Design Work – Next Year's Projects	(364)
Cox, A.	re 2013 Capital Budget Project No. 6144WS – Water Plant Maintenance Program	(370)
Valenti, P.	re Tender No. 2013-18, Curb and Sidewalk Replacement	(366)
Valenti, P.	re Tender No. 2013-21, Thomson Park Pedestrian Bridges	(367)
Valenti, P.	re Request for Quotation No. 2013-32, Supply of Waterworks, Manhole & Sewer Supplies	(368)
Valenti, P.	re Tender No. 2013-13, Lakeshore Drive /Pinewood Park Drive Sanitary Sewer Extension – Phase 2	(369)

Res. #2013-355: Moved by Councillor Maroosis, seconded by Councillor Mendicino WHEREAS the World Health Organization (WHO) provides a guide of community assessments to support planning, policies and program decisions to ensure age friendly features.

THEREFORE BE IT RESOLVED THAT North Bay City Council supports the Age Friendly Community North Bay Committee and their goal to obtain designation for North Bay to be an Age Friendly City.

THAT the presentation regarding the Age Friendly Community be sent to the Community Service Committee for further review and follow up report.

"CARRIED"

Res. #2013-356: Moved by Councillor Maroosis, seconded by Councillor Campbell That minutes for the public meetings held on:

- Tuesday, May 21, 2013

be adopted and presented.

"CARRIED"

Res. #2013-357: Moved by Councillor Mendicino, seconded by Councillor Mayne That Community Services Committee Report No. 2013-12 relating to:

- Sign By-Law Amendment

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-12

June 3, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-12 and recommends:

1. That the proposed amendments to the City's Sign By-Law No. 2006-143, as set out in Report to Council CSBU 2013-47 from Elizabeth Courville dated March 26, 2013, be approved.

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAYNE
VAILLANCOURT
MAYOR McDONALD

DISSENTS

Res. #2013-358: Moved by Councillor Vrebosch, seconded by Councillor Koziol That 1) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Downtown Roads Maintenance Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 6110RD, at a net debenture cost of \$81,000.00; and

- 2) individual reports may be provided to City Council with respect to the various components of this project.

"CARRIED"

Res. #2013-359: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the City Share of New Development Costs Ongoing Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 6099RD, in the amount of \$215,000.00 and 2013 Water and Sanitary Capital Budget Project No. 6099WS, in the amount of \$160,000.00, at a net debenture cost of \$375,000.00.

"CARRIED"

Res. #2013-360: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Phase II Ferguson Street Project for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 3104RD, at a net debenture of \$3,400,000.00.

"CARRIED"

Res. #2013-361: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Airport Road Resurfacing Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 3402RD, at a net debenture cost of \$573,809.00.

"CARRIED"

Res. #2013-362: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Marsh Drive Leachate Pumping Station Project, for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 3306GD, at a net debenture cost of \$85,000.00.

"CARRIED"

Res. #2013-363: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Ellendale Upgrades as outlined in the Condition Assessment Report for the Engineering, Environmental Services and Works Department, being a 2013 Water and Sanitary Sewer Capital Budget Project No. 3319WS, at a net debenture cost of \$150,000.00.

"CARRIED"

Res. #2013-364: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Design Work for Next Year's Capital Works Projects for the Engineering, Environmental Services and Works Department, being a 2013 Sewer and Water Capital Budget Project No. 6147WS, at a net debenture cost of \$109,000.00.

"CARRIED"

Res. #2013-365: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the Mayor and Clerk be authorized to execute an agreement between Heritage North Bay and The Corporation of the City of North Bay for Seasonal Maintenance Services for the North Bay Area Museum and Community Waterfront Park.

"CARRIED"

Res. #2013-366: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to Battano Construction Ltd., in the amount of \$103,500.00 (HST extra), for Curb and Sidewalk Replacement Program, as requested until October 31, 2013.

"CARRIED"

Res. #2013-367: Moved by Councillor Mendicino, seconded by Councillor Mayne
That City Council approve the award of a contract to Johnson Construction, in the amount of \$156,189.00 (HST extra), for the supply and installation of two pedestrian bridges at Thomson Park.

"CARRIED"

Res. #2013-368: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That 1) City Council approve the award of a contract to Wamco Waterworks Northern Inc., (Parts A, B, D, E, F and G of Request for Quotation) in the amount of \$86,581.97 (HST extra), to supply Waterworks, Manhole and Sewer Supplies on an as and when requested basis from the date of contract until June 30, 2014; and
2) City Council approve the award of a contract to Corix Water Products LP, (Part C of Request for Quotation) in the amount of \$20,537.60 (HST extra), on an as and when requested basis from the date of contract until June 30, 2014.

"CARRIED"

Res. #2013-369: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That City Council approve the award of a contract to MX Constructors Inc., in the amount of \$1,419,124.50 (HST extra), for Phase 2 of the Lakeshore Drive/Pinewood Park Drive Sanitary Sewer Extension.

"CARRIED"

Res. #2013-370: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Water Treatment Plant Maintenance Program for the Engineering, Environmental Services and Works Department, being a 2013 Capital Budget Project No. 6144WS, at a net debenture cost of \$274,000.00.

"CARRIED"

Res. #2013-371: Moved by Councillor Lawlor, seconded by Councillor Maroosis
That the following by-law be read a first and second time:

By-Law No. 2013-138 to confirm proceedings of the Meeting of Council on May 21, 2013.

"CARRIED"

Res. #2013-372: Moved by Councillor Lawlor, seconded by Councillor Maroosis
That the following by-law be read a third time and passed:

By-Law No. 2013-138 to confirm proceedings of the Meeting of
Council on May 21, 2013.

"CARRIED"

Res. #2013-373: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2013-124 to authorize connections to a sewermain and
watermain and impose a sewer and water connection charge along
Surrey Drive in the City of North Bay.

By-Law No. 2013-143 to authorize the execution of an Agreement
with Edgar Poulin Construction & Rentals Ltd., relating to the
Supply of Aggregate Materials.

By-Law No. 2013-144 to authorize the execution of an Agreement
with J.L. Richards & Associates Limited, relating to the Wastewater
Treatment Plant Boiler Replacements.

"CARRIED"

Res. #2013-374: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2013-124 to authorize connections to a sewermain and
watermain and impose a sewer and water connection charge along
Surrey Drive in the City of North Bay.

By-Law No. 2013-143 to authorize the execution of an Agreement
with Edgar Poulin Construction & Rentals Ltd., relating to the
Supply of Aggregate Materials.

By-Law No. 2013-144 to authorize the execution of an Agreement
with J.L. Richards & Associates Limited, relating to the Wastewater
Treatment Plant Boiler Replacements.

"CARRIED"

Res. #2013-375: Moved by Councillor Campbell, seconded by Councillor Maroosis
That this Regular Meeting of Council do now adjourn at 7:40 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN MCISAAC

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-13

June 17, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-13 and recommends:

1. That a) the Municipal Heritage Committee be thanked for their work; and
b) the 2012 Municipal Heritage Committee Annual Report be noted and filed.

All of which is respectfully submitted.

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

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-14

June 17, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-14 and recommends:

1. That Council recognizes the importance of economic development and the critical role tourism has in this regard, and Council further recognizes that Sport Tourism is the fastest growing tourism sector in Canada, accounting for \$3.6 billion in spending annually; therefore, Council directs staff to prepare a Sport Tourism Strategy to ensure the City capitalizes on the sport tourism sector with a planned, focused and measurable approach, resulting in the attraction of sporting events to North Bay's Sport Facilities.

All of which is respectfully submitted.

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

Report to Council

Report No: CSBU 2013- 70

Date: June 10, 2013

Originator: Peter Chirico
Managing Director, Community Services

Subject: Contract with K.J. Allen Investments Inc. for Construction Management at North Bay Memorial Gardens and the City of North Bay

RECOMMENDATION

That the Mayor and Clerk be directed to execute an agreement between K.J. Allen Investments Inc. and The Corporation of the City of North Bay for construction management services at the Memorial Gardens project.

BACKGROUND

As outlined in a prior Report to Council dated January 28, 2013, we have engaged Mr. Ken Allen as our construction manager for the renovation project at the North Bay Memorial Gardens.

Mr. Allen brings with him a wealth of experience in industrial/commercial development and will act as the City's eyes and ears on the ground. The engagement of Mr. Allen has assisted in the day to day management of the project together with the tendering process for the General Contractor and the use of associated sub trades. Based on a construction schedule of approximately 10 months (Feb-Nov) the cost associated would be approximately \$102,100.00 or .85%, which we consider fair and reasonable.

The agreement is now finalized and the contract is being presented for execution.

ANALYSIS / OPTIONS

Option 1:

Execute agreement with K.J. Allen Investments Inc. and The Corporation of the City of North Bay for the provision of construction management services.

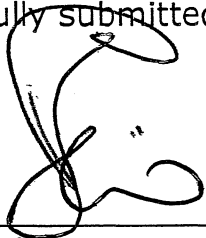
Option 2:

Do not execute agreement and cancel contract.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Execute agreement with K.J. Allen Investments Inc. and The Corporation of the City of North Bay for the provision of construction management services.

Respectfully submitted,

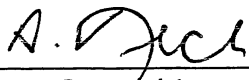


Peter Chirico
Managing Director, Community Services

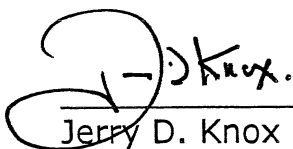
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We concur with this report and recommendations.



Peter E.G. Leckie
City Solicitor



Jerry D. Knox
Chief Administrative Officer

City of North Bay

Report to Council

Report No.: CSBU 2013-66

Date: May 31, 2013

Originator: Beverley Hillier – Manager, Planning Services

Subject: Residential Rental Housing Licensing By-law – Annual Update

RECOMMENDATION

That this report be received for information purposes and that annual reports be prepared for Councils information continuing the next report in the fall of 2014.

BACKGROUND

North Bay City Council passed By-law 2011-184 on August 29, 2011 to regulate rental housing within the Community which came into effect on January 1, 2012. The By-law was repealed and replaced with By-law 2012-55 which came into effect on March 5, 2012. The first licenses for the By-law were issued starting May 1, 2012. At the time Council asked for a report back one year after implementation to review the status and effectiveness of the By-law.

In addition to an update on the By-law this report will also touch on the report and recommendations from the Ontario Human Rights Commission (OHRC) based on their inquiry into the City's By-law. The Report was released by the OHRC on May 9, 2013.

ANALYSIS / OPTIONSResidential Rental Housing Licensing (RRHL) By-law

The RRHL By-law is coming into effect in Phases throughout the Community. In January 2012, the By-law came into effect for portions of the Pinewood and Cedar Heights (Thibeault Terrace). In January 2013, the By-law came into effect in Phase 2 which included the remainder of Pinewood as well as West Ferris. The remainder of the City will be covered by the By-law by January 2016.

In the table below there is some basic information regarding the implementation of the RRHL By-law as of May 31, 2013.

<u>Number of Applications Received</u>	<u>Number of Licenses Issued</u>	<u>Number of Inspections Completed</u>
137	88	Approx. 130

Throughout the consultation period on the creation of the RRHL By-law, it was estimated by staff that there were approximately 250 - 300 dwelling units that would be captured by the RRHL By-law in Phase One. As shown by the data above, there have been significantly less applications submitted. As part of an education campaign to inform citizens of the By-law information was provided door to door in 2012 and through direct mail out to all property owners in 2013 (copies attached). In addition, staff has been proactively enforcing the By-law with 185 notices sent to property owners in the Phase One area that may be operating a rental unit that requires license under the By-law. One charge and conviction has been achieved under the By-law in 2012.

As part of the process of issuing licenses City staff undertook an inspection of each rental property to ensure it meets the basic requirements of the City's Zoning By-law, Ontario Building Code and Ontario Fire Code for a single detached dwelling. A summary of the result of these inspections is below.

NO DEFICIENCIES FOUND	22	NO SELF-CLOSER ON GARAGE TO DWELLING DOOR	8
BEDROOM WINDOW TOO SMALL	24	IMPROPER PLUMBING	6
BEDROOM WITH NO WINDOW	1	ILLEGAL APARTMENT	10
HANDRAIL MISSING/BROKEN/UNSAFE	30	OVER USE OF POWER BARS AND CHEATER BLOCKS	7
GUARD SYSTEM MISSING/BROKEN/UNSAFE	16	UNMAINTAINED AIR HANDLING UNIT	11
SMOKE ALARM MISSING/EXPIRED	19	UNMAINTAINED PROPERTY (EXTERIOR)	8
CARBON MONOXIDE DETECTOR MISSING/EXPIRED	18	UNSAFE STAIRS/DECK	6
BEDROOM ACCESSED THROUGH SERVICE SPACE	9	INADEQUATE WEATHER STRIPPING AT DOORS/WINDOWS	4
NO PROPER EXHAUST IN BATHROOM	4	IMPROPER DRYER EXHAUST DUCT	13
ESA DEFICIENCIES	*7	STRUCTURAL DAMAGE	1
BEDROOM TOO SMALL	1	MORE THAN 5 ROOMS USED AS BEDROOMS	1
INSUFFICIENT HEADROOM	2	UNCERTIFIED/UNMAINTAINED FIREPLACE	7

*data incomplete as ESA has not conducted inspections on all properties that have been inspected by City of North Bay staff

As the main purpose of the RRHL By-law is to ensure that individuals living in rental accommodations have safe and healthy living environments the inspections have resulted in the correction of numerous items that would otherwise have not been identified.

OHRC Inquiry

The OHRC comments on the City's exemption process, based on 2 or fewer paying renters and indicates that it will in some cases be discriminatory. It asks that we remove any distinctions based on the number of people contributing to the rent, and also asks that the city not favor properties that are rented by "traditional families" in its exemption process.

The purpose of this section of the By-law is not intended to "favour properties that are rented by 'traditional families'". The purpose is to provide an opportunity for property owners within the City to rent up to two (2) bedrooms without the requirement of a license. This was seen as favourable through the consultation phases as it provided flexibility, income support and affordable rental accommodations. The issue is amplified when the above scenario does not include a property owner renting bedrooms within their permanent place of residence. However, staffs explanation of

this exemption has been that where two or less people pay rent to occupy the rental unit, a license is not required.

The implications of removing this exemption include a complete loss of flexibility in implementing the By-law for those property owners who choose to rent to one or two renters, income support opportunities for home owners and likely a loss of available rental accommodations.

The OHRC heard concerns from tenants and landlords and other individuals about (i) meetings about the by-law; (ii) the bedroom cap; (iii) gross floor areas requirements; (iv) by-law related costs; and (v) exemptions from the by-law. As to meetings, the OHRC recommends that ground rules be set at the outset of meetings where people are informed about the purpose of the meeting and that discriminatory comments will not be tolerated. With the exception of its comments with respect to the exemption process and number of people paying rent noted above, the OHRC concluded in the other areas (bedroom cap, gross floor area and by-law related costs) that the inquiry did not produce information to establish that people have been disadvantaged because of their association with a Code ground.

The report also includes recommendations including the removal of the exemption based on the number of people paying rent as noted above; monitoring and evaluation of the by-law; enforcement as it relates to allowing tenants a reasonable amount of time to find alternate housing in circumstances where we must close a rental unit (except in cases of serious life safety issues) and lastly ongoing education of staff, landlords and the public.

With respect to the OHRC's recommendations it is recommended that:

1. The removal of the exemption based on the number of people paying rent not be removed from the By-law for the reasons discussed above.
2. That an annual report be prepared for Council information in Quarter Four of each year starting in 2014 (this report serves as an update for January 2012 to May 2013, the next report will cover June 2013 to Fall 2014, and annually thereafter)
3. The City has excellent relationships with community organizations should a situation arise where tenants of a rental establishment are required to be removed from a premises due to immediate life safety issues. Staff have been fair and reasonable, respecting requirements under the Residential Tenancies Act, when enforcing not only this By-law, but the Zoning By-law, Building and Fire Codes.
4. Education programs have been undertaken in 2012 and 2013 providing mailouts and information regarding the RRHL By-law. In addition, materials have been handed out to applicants and added to the City's website with respect to the By-law and the OHRC. This will continue throughout the implementation of the By-law.

Counsel for the OHRC noted that their guide, "Room for everyone: Human rights in rental housing licensing" includes general principles with respect to licensing and refers to promising practices including the following elements of our rental housing licensing regime: (i) the granting of variances in certain cases of purpose built homes; (ii) the absence of per-person floor requirements; (iii) the commitment to conduct ongoing monitoring and evaluation; and (iv) instituting a licensing fee that does not achieve 100% cost recovery in an attempt to mitigate its impact. In Counsel's words "We commend the City for those promising practices."

Option 1:

That this report be received for information purposes and that annual reports be prepared for Councils information continuing the next report in the fall of 2014.

Option 2:

That this report not be received.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 is the recommended option. There are no additional final implications as a result of this update report.

Respectfully submitted,



Beverley Hillier, MCIP, RPP
Manager, Planning Services

BH/db

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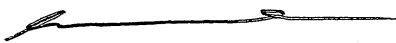
We concur with this report and recommendation.



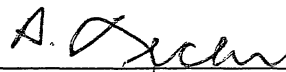
Karen McIsaac
Deputy City Clerk




Shawn Killins
Chief Building Official



Grant Love
Fire Chief



Peter E.G. Leckie
City Solicitor



Peter Chirico
Managing Director, Community Services



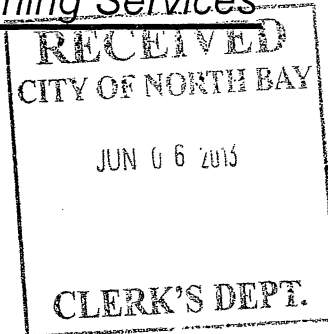
Jerry D. Knox
Chief Administrative Officer

Personal designated for continuance: Manager, Planning Services
Chief Building Official
Deputy City Clerk
Fire Chief

INTER OFFICE

MEMO

City of North Bay
Planning Services



To: Cathy Conrad, City Clerk
From: Peter Carello - Senior Planner, Current Operations
Subject: Resolution No. 15 - Planning Advisory Committee
Date: June 5, 2013

Quoted below is Resolution No. 5 passed at the regular meeting of the Planning Advisory Committee held on Wednesday May 29, 2013:

Resolution No. 5

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

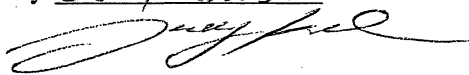
- 1) That the proposed Zoning By-law Amendment application by Ron Tambeau on behalf of the Greenwood Avenue Baptist Church, 312 Greenwood Avenue in the City of North Bay to rezone the property legally described as Lots 263-269, Plan No. 86, PIN No. 49159-0053 (LT) from "Residential First Density (R1)" and "Residential Third Density (R3)" zones to a "Neighbourhood Commercial Special (C5 Sp.)" zone, be APPROVED; and
- 2) That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.."


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

North Bay Planning Advisory Committee

Resolution No. 5

Date: May 29, 2013

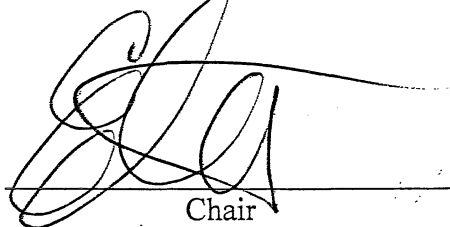
Moved By: Judy Kozlowski


Seconded By: Paul Walker


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

- 1) That the proposed Zoning By-law Amendment application by Ron Tambeau on behalf of the Greenwood Avenue Baptist Church, 312 Greenwood Avenue in the City of North Bay to rezone the property legally described as Lots 263-269, Plan No. 86, PIN No. 49159-0053 (LT) from “Residential First Density (R1)” and “Residential Third Density (R3)” zones to a “Neighbourhood Commercial Special (C5 Sp.)” zone, be APPROVED; and
- 2) That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required..”

“CARRIED”


Chair

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 Ron Tambeau on behalf of the Greenwood Avenue Baptist Church, 312 Greenwood Avenue in the City of North Bay
Date: May 16, 2013

Recommendations

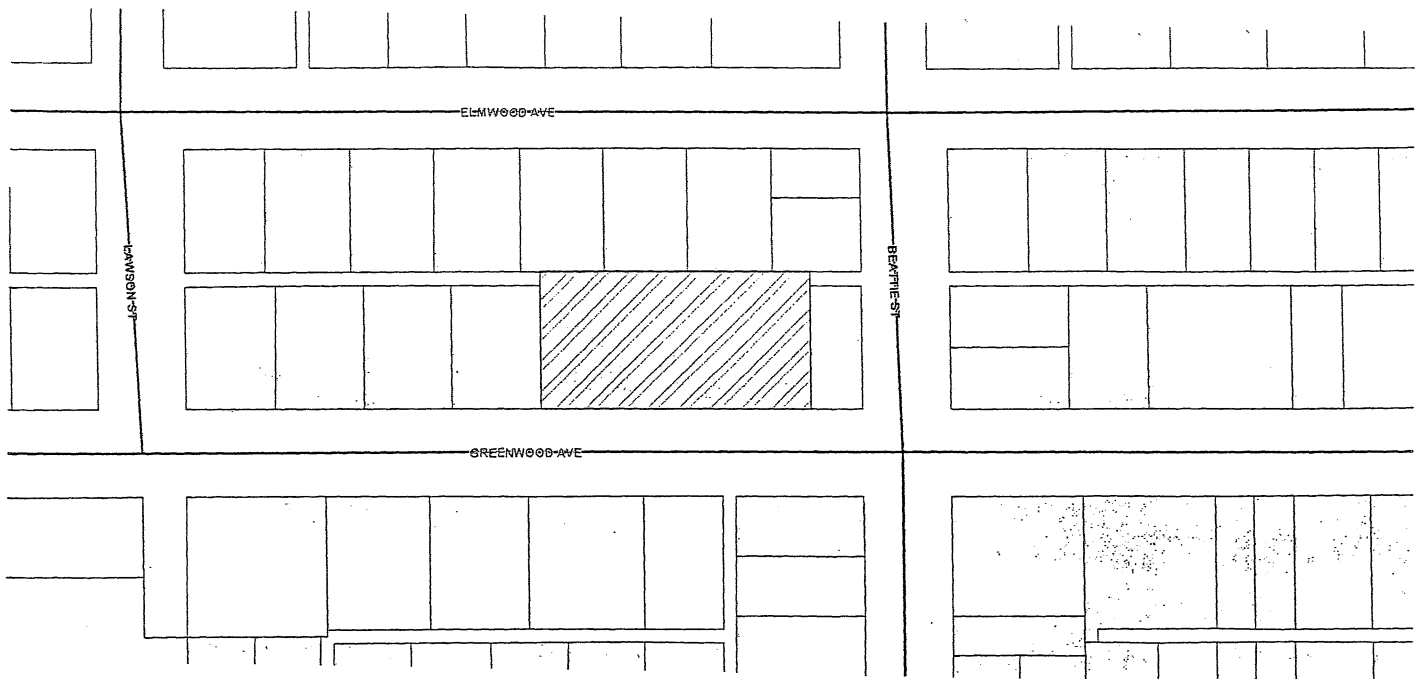
1. That the proposed Zoning By-law Amendment application by Ron Tambeau on behalf of the Greenwood Avenue Baptist Church, 312 Greenwood Avenue in the City of North Bay to rezone the property legally described as Lots 263-269, Plan No. 86, PIN No. 49159-0053 (LT) from “Residential First Density (R1)” and “Residential Third Density (R3)” zones to a “Neighbourhood Commercial Special (C5 Sp.)” zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

Site**Site Information**

Legal Description: Lots 263-269, Plan No. 86, PIN No. 49159-0053 (LT) in the City of North Bay, District of Nipissing.

Site Description: The subject property is an existing lot of record located on Greenwood Avenue. It is zoned “Residential First Density (R1)” and “Residential Third Density (R3)” under Zoning By-law 28-80 and is designated “Residential” under the Official Plan.

The property has an existing lot area of 1951 square metres and lot frontage of 64 metres. It is developed with an institutional use (Greenwood Avenue Baptist Church), as shown on the attached Schedule A.



The surrounding neighbourhood is developed with low-density residential units.

Proposal

Ron Tambeau, on behalf of Greenwood Avenue Baptist Church, has submitted a Zoning By-law Amendment Application to rezone the property from “Residential First Density (R1)” and “Residential Third Density (R3)” zones to a “Neighbourhood Commercial Special (C5 Sp.)” zone in order to permit the conversion of the existing church into a daycare facility.

The special component of the proposed amendment will recognize the existing following deficiencies:

- **Minimum Front Yard Setback:** The existing front yard setback is 7.47 metres, whereas the Zoning By-law requires a minimum front yard setback of 9 metre minimum.
- **Minimum Number of Parking Spaces:** The Applicant is proposing to develop the property as a daycare with 25 parking spaces, whereas the Zoning By-law requires 30 parking spaces for a commercial building of this size.

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.

Section 1.3.1 of the PPS 2005 (Employment Areas) states that:

“Planning authorities shall promote economic development and competitiveness by providing an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs.”

The Applicants are requesting the proposed Zoning By-law Amendment in order to open a new day care facility. The proposed business is expected to create approximately 16 full-time and 10 part-time employment opportunities.

The proposed Zoning By-law Amendment would create a “Neighbourhood Commercial (C5)” zone in a residential area. The intent of the C5 zone is to allow limited commercial activity that is compatible with the larger residential area, supporting small business and entrepreneurship that help service the day-to-day needs of the neighbourhood. Although there is commercial development along Algonquin Avenue, this type of commercial activity serves a broader group of residents.

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 there are no matters relevant to the GPNO 2011 in this application.

Official Plan

The property is designated “Residential” in the City of North Bay’s Official Plan. The property is located in a heavily residential area and is developed with an existing institutional building.

Section 2.2.1.6 of the Official Plan discusses Neighbourhood Commercial development and states that:

“Retail and personal service uses to serve the convenience needs of the local population in residential areas such as ‘corner’ stores, variety stores, personal services, dry cleaning pick-up stores may be permitted in a residentially designated area by an amendment to the Comprehensive Zoning By-law, which shall be approved by the municipality only when it has been demonstrated that:

- a) the proposed store (or stores) is warranted in the particular location on the basis of the location and type of other retail and personal service establishments in the vicinity of the proposed store;*
- b) the proposed location would minimize any adverse effects upon adjacent residential areas by way of landscaping, fencing and appropriate lighting;*
- c) wherever possible, such uses should be located on the corner of two streets;*
- d) the proposed commercial site is not greater than four tenths (0.4) of a hectare; and*
- e) adequate parking can be provided.*

The proposed daycare facility would be an appropriate Neighbourhood Commercial development for the community. The City’s Official Plan does not specify a minimum or maximum distance between “Neighbourhood Commercial (C5)” zones. The intent of the Official Plan is to provide commercial opportunities in residential neighbourhoods that serve the residents day-to-day needs.

The subject property is located more than 400 metres from the nearest “Neighbourhood Commercial (C5)” zoned property. The nearest “Neighbourhood Commercial” houses a professional office. A second C5 zone is developed with a convenience store, a local retail store and a laundromat. The nearest daycare is located more than one kilometre from the subject property. In my opinion, the location of this C5 Neighbourhood Commercial use is appropriate and suitable for this property and neighbourhood.

Should the proposed Zoning By-law Amendment be approved, the Applicants will be required to enter into a Site Plan Control Agreement with the City of North Bay. The Site Plan Control Agreement will regulate landscaping and other features of the site. In addition, as a licensed daycare facility, the property will be

required to meet regulations set by the Ministry of Education for the facility and grounds. The development standards that will be necessitated by Site Plan Control and the Ministry of Education will minimize the adverse effects upon neighbouring properties.

The subject property is not located at the intersection of two streets, as stated by Section 2.2.1.6 c) of the Official Plan. However, the subject property was previously operated institutionally as a church, rather than as a residential dwelling. As a result, the subject property is known to be able to accommodate higher volumes of traffic, similar to a corner lot.

The property is below the 0.4 hectare maximum lot area for Neighbourhood Commercial properties in a residentially designated area.

The proposed Zoning By-law Amendment includes a Special component to permit a reduced level of parking from what is required by the City of North Bay's Zoning By-law 28-80. Based on the floor area, 30 parking spaces are required. The Applicants are requesting a reduction to 25 parking spaces.

Planning Staff are of the opinion the parking available on the property will be sufficient for the day to day use of the daycare. Based on the timing of the workers' shifts, the Applicant stated at the Planning Advisory Committee meeting that no more than 14 spots will be occupied by staff at any given point during the day. This leaves at least 11 spots for guardians picking up and dropping off children. Daycares generally have peak hours in the morning and afternoon for drop offs and pickups however the arrival of guardians during these times are usually staggered based on individual customers' schedules. It is Planning Staff's opinion the parking available on site should be sufficient for the use of the property.

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 "Residential First Density (R1)" which permits the following uses:

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

A small portion of the North-Eastern corner of the property is also zoned "Residential Third Density (R3)". An R3 zone permits the following uses:

- single detached dwelling (minimum frontage 13.7 m);
- duplex dwelling;
- semi-detached dwelling;
- Group Home Type 1;
- accessory home based businesses;
- parks, playgrounds & non-profit uses; and
- institutional uses.

The Applicant is proposing to rezone the subject lands to a "Neighbourhood Commercial Special (C5 Sp.)" zone which permits the following uses:

- convenience stores;
- day nursery
- dry cleaning depots;
- local retail stores;

- personal service establishments;
- professional offices & business offices; and
- restaurants.

The Special component of the proposed “Neighbourhood Commercial Special (C5 Sp.)” zoning will acknowledge that the existing property does not meet the requirements of Zoning By-law 28-80 as follows:

	Neighbourhood Commercial (C5)	Existing	Difference
Minimum Front Yard Setback	9 metres	7.47 metres	1.53 metres
Minimum Parking Required	30 parking spaces (One parking space for each 18.6 square metres of commercial floor space of the building)	25 parking spaces	5 parking spaces

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, the Engineering Department, Economic Development Department, Chief Fire Prevention Officer, Secretary-Treasurer of the North Bay Municipal Heritage Committee and the North Bay-Mattawa Conservation Authority have indicated they have no concerns or objections to this proposal. The Building Department does not have any concerns regarding the proposal but will require additional information from the Applicant prior to issuing a Building Permit.

Three letters objecting to the proposed rezoning were received from circulated property owners. Several individuals also attended the meeting held at the Planning Advisory Committee to express objection to the proposed Zoning By-law Amendment. Concerns expressed by community members were primarily in regards to the impact of the proposed daycare on traffic, property values, infrastructure and safety. Property owners also expressed concern about the range of permitted uses in a “Neighbourhood Commercial (C5)” zone. The following is intended to summarize the neighbourhood’s concerns.

Property Value

Planning Staff have researched the impact of daycare facilities on residential property values and have found no evidence to suggest the proposed redevelopment will have a negative effect on neighbouring properties. As a result, Planning Staff is of the opinion the proposed rezoning will not have a negative effect on property values for surrounding residences.

Traffic and Parking

The Engineering Department was consulted regarding concerns about increased traffic and parking. Based on the area and experience with other daycare facilities in the City, Engineering does not anticipate any significant increase in traffic as a result of the proposed rezoning. In their experience, a daycare facility experiences moderate peaks in traffic, centering on the start and end of business hours during weekdays.

The Engineering Department is of the opinion the existing road infrastructure is adequate to accommodate the proposed development, particularly when considering the property's previous use as a church.

Engineering concurs with Planning Services' opinion that the existing parking on site should be adequate to accommodate pickup and drop off use for the proposed daycare. Should on-street parking as a result of the daycare become an issue, Engineering will investigate restricting it to one side of Greenwood Avenue.

Safety

Concerns were brought forward about the safety of the subject property as a site for a daycare centre. The Applicants stated as part of the licensing process, the proposed daycare will be required to meet standards set out by the Ministry of Education in regards to safety. These standards include regulations regarding play equipment, fencing and other features of the lot and facility. Inspections of the premises have been and will continue to be conducted by the Ministry of Education to ensure the daycare facility continues to meet standards for safety.

Character of Neighbourhood and Permitted Uses

Several residents expressed concerns the proposed Commercial zone is not consistent with the residential character neighbourhood.

The City's Official Plan and the Zoning By-law both encourage the development of limited Commercial Zones via the C5 zone within residential neighbourhoods. The purpose of these zones is to serve the day-to-day needs of the local residents and limit the number of vehicular trips residents must make, thereby creating live/work/play neighbourhoods. The list of permitted uses within a C5 zone is more restrictive than any other commercial zone. C5 zones operate successfully throughout the community without disrupting the residential character of neighbourhoods with the same range of permitted uses proposed by the Applicant.

The proposed Zoning By-law Amendment requests the standard list of uses that are permitted within the C5 zone. Planning Staff is of the opinion this list is appropriate for the subject property and does not feel the proposed Zoning By-law Amendment would alter the character of the neighbourhood, particularly when the property's previous non-residential (church) use is considered.

No further correspondence was received with regard to this proposal.

Summary

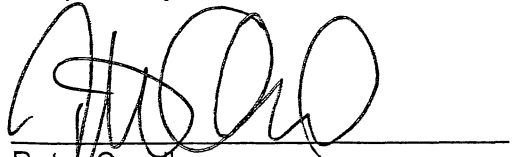
The subject property is an existing lot of record. It is currently zoned "Residential First Density (R1)" and "Residential Third Density (R3)" and is developed with the existing Greenwood Avenue Baptist Church. The Applicant is proposing to rezone the property to a "Neighbourhood Commercial Special (C5 Sp.)" zone in order to convert the existing building into a daycare. The daycare will introduce employment and local services to the area.

Given the size of the building and its previous use as a church, Planning Services is of the opinion that the proposed C5 Special Zone is more appropriate than a residential use.

The special zone requests will recognize the existing property does not meet the minimum requirements for front yard setback and parking set out in Zoning By-law 28-80. Planning Staff are of the opinion these deficiencies are minor and will not impact the overall use of the site.

It is my professional opinion 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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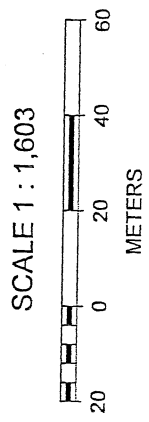
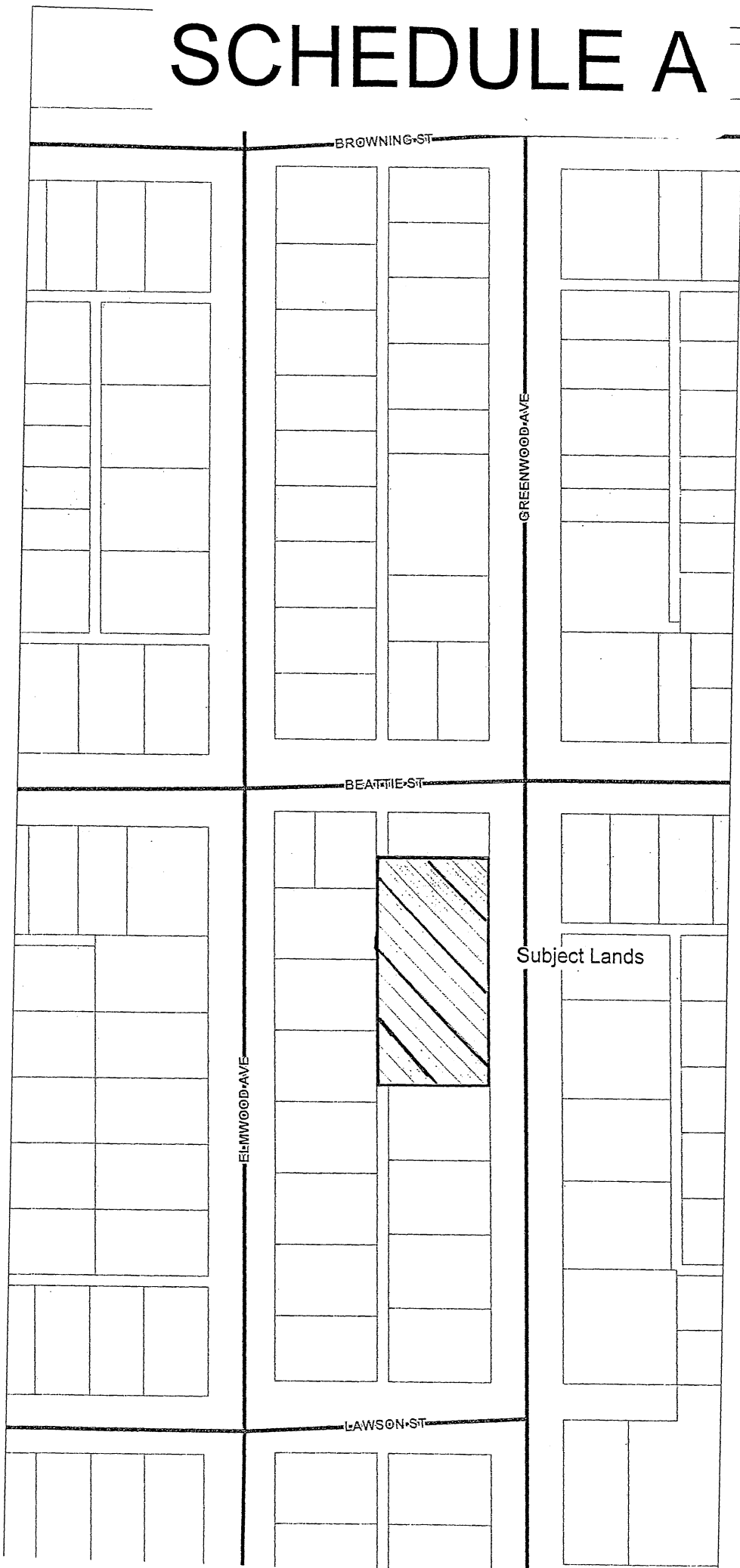
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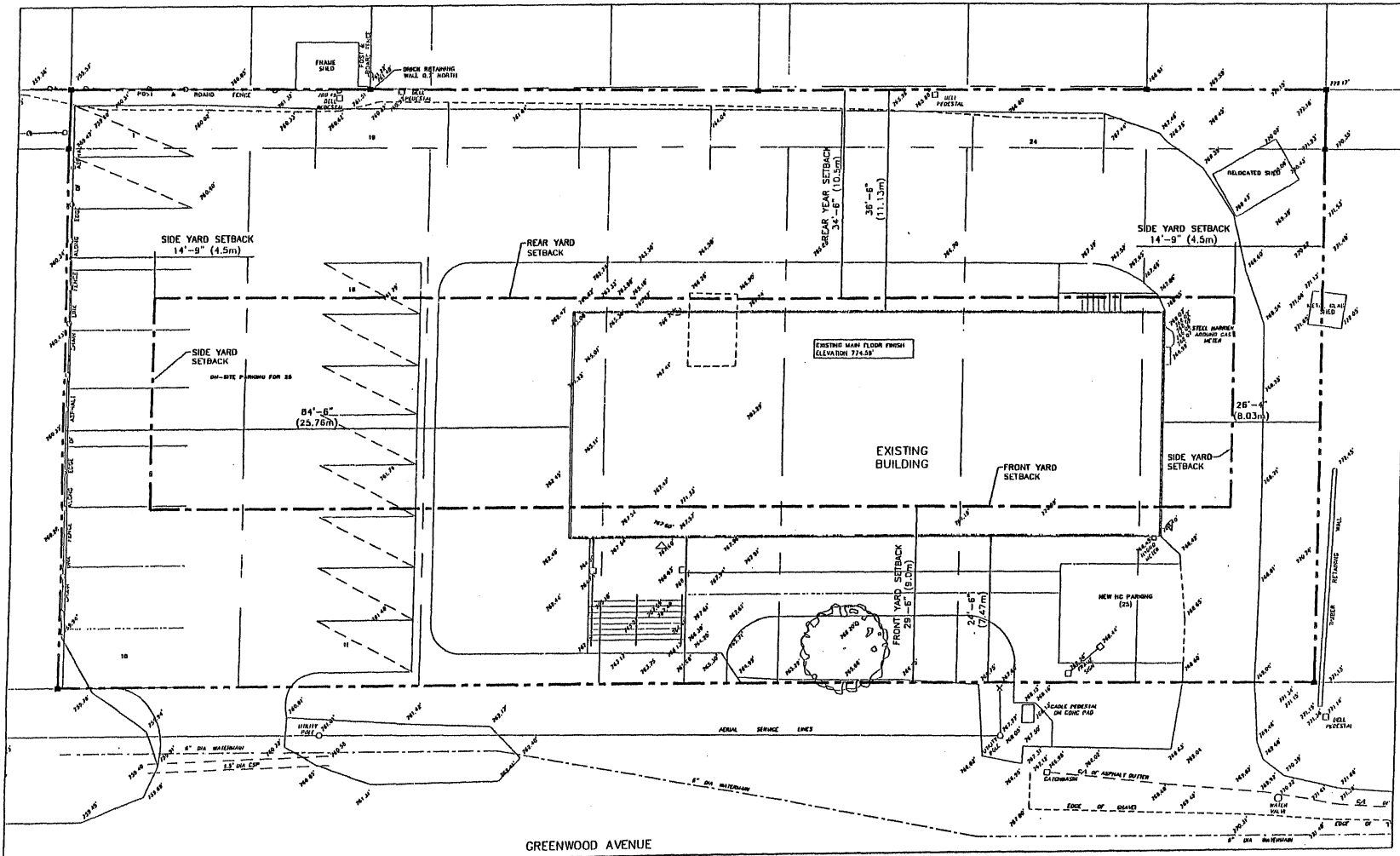
I concur with the recommendations contained in this report.



Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A





EXISTING SITE PLAN
SCALE N.T.S.

Sketch to Accompany
ZONING BY-LAW AMENDMENT APPLICATION
Greenwood Baptist Church
Greenwood Avenue
City of North Bay

Legal Description
All of Lots 263 to 269, Both Inclusive
And
Part of Lane Bounded on the North by
Lots 339 to 355, Both Inclusive
and on the South by Lots 254 to 270,
Both Inclusive
and on the West by Lawson Street and
on the East by Beattie Street
Registered Plan No. 86
CITY OF NORTH BAY
District of Nipissing

Existing Zone Category - Residential (R3)
Proposed Zone Category - Neighbourhood
Commercial (C5) Day Nursery

SITE CHARACTERISTICS
Lot Area - 1951 sq. metres (21,000 sq. feet)
Total Parking and Driveways - 945 sq. metres
(10,167 sq. feet)
Decks & Steps - 29 sq. metres (314 sq. feet)
Building Footprints
Main Church - 349.50 sq. metres (3,762 sq. feet)
2 stories
Shed - 8.9 sq. metres (96 sq. feet)
Total Footprint 358.4 sq. metres (3858 sq. feet)

ZONING BYLAW REQUIRES
Lot Coverage - 25% / Existing & Proposed - 19.8%
Front Yard Setback - 9 metres / Existing &
Proposed - 7.32 metres
Side Yard Setback - 4.5 metres / Existing &
Proposed - West 25.76 metres, East 8.03 metres
Rear Yard Setback - 10.5 metres / Existing &
Proposed - 11.13 metres
Parking - 1 parking spaces per 18.6 sq. feet of 80%
of the total building area or 30 spaces. One of the
30 spaces is required to be accessible parking /
Existing & Proposed presently 25 parking existing of
which one is accessible parking.

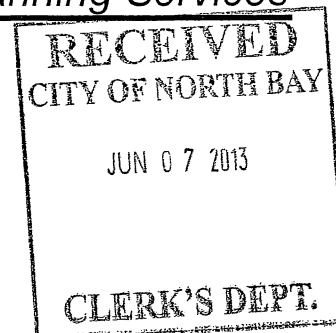
SCHEDULE B

INTER OFFICE

MEMO

City of North Bay
Planning Services

To: Cathy Conrad, City Clerk
From: Peter Carello - Senior Planner, Current Operations
Subject: Resolution No. 4 - Planning Advisory Committee
Date: June 6, 2013



Quoted below is Resolution No. 4 passed at the regular meeting of the Planning Advisory Committee held on Wednesday May 29, 2013:

Resolution No. 4

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

- 1) That the proposed Zoning By-law Amendment Application by Celia Teale on behalf of 1866409 Ontario Limited, 750 Scollard Street in the City of North Bay to rezone the property legally described as Registered Plan No. 78, Lots 256-277, Lots 287-289, Lots 456 to 489, Part of Lot 278, Part of Lavery Street and Part of certain lanes in the City of North Bay, District of Nipissing, from an "Institutional (N)" zone to a "Residential Third Density (R3)" zone, "Residential Fifth Density (R5)" zone and "Residential Multiple Second Density (RM2)" zone be APPROVED;
- 2) That the proposed Plan of Subdivision (19 Lots, Subdivision File No. 48T-13101) by Celia Teale on behalf of 1866409 Ontario Limited for the above described lands, shown as Lots 1 to 19 on Schedule "B" attached hereto, be given Draft Approval subject to the conditions in Appendix "A" to the Planning Report prepared by Peter Carello dated May 29, 2013; and
- 3) That the proposed Draft Plan of Condominium (17 Units, Standard Condominium, Condominium File No. 48CDM-13102) by Celia Teale on behalf of 1866409 Ontario Limited for the above described lands as shown on Schedule "B" attached hereto, be given Draft Approval subject to the conditions in Appendix "B" to the Planning Report prepared by Peter Carello dated May 29, 2013;
- 4) That the proposed Draft Plan of Condominium (12 Units, Vacant Land Condominium, Condominium File No. 48CDM-13102) by Celia Teale on behalf of 1866409 Ontario Limited for the above described lands as shown on Schedule "B" attached hereto, be given Draft Approval subject to the conditions in Appendix "C" to the Planning Report prepared by Peter Carello dated May 29, 2013; and

- 5) That the Owner(s) enter into a Subdivision Agreement and a Condominium Agreement with the City of North Bay prior to site development to address lot grading, buffer areas, sediment/erosion control, general drainage considerations, and parkland dedication.”

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

A handwritten signature in black ink, appearing to read 'Peter Carello', written in a cursive style.

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

North Bay Planning Advisory Committee


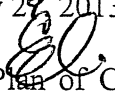
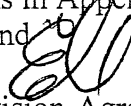
Resolution No. 4


Date: May 29, 2013

Moved By: 

Seconded By: 
Paul Walker.

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

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Chair

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 Celia Teale on behalf of the 1866409 Ontario Limited, 750 Scollard Street in the City of North Bay

Date: May 29, 2013

Recommendation

1. That the proposed Zoning By-law Amendment Application by Celia Teale on behalf of 1866409 Ontario Limited, 750 Scollard Street in the City of North Bay to rezone the property legally described as Registered Plan No. 78, Lots 256-277, Lots 287-289, Lots 456 to 489, Part of Lot 278, Part of Lavery Street and Part of certain lanes in the City of North Bay, District of Nipissing, from an "Institutional (N)" zone to a "Residential Third Density (R3)" zone, "Residential Fifth Density (R5)" zone and "Residential Multiple Second Density (RM2)" zone BE APPROVED;
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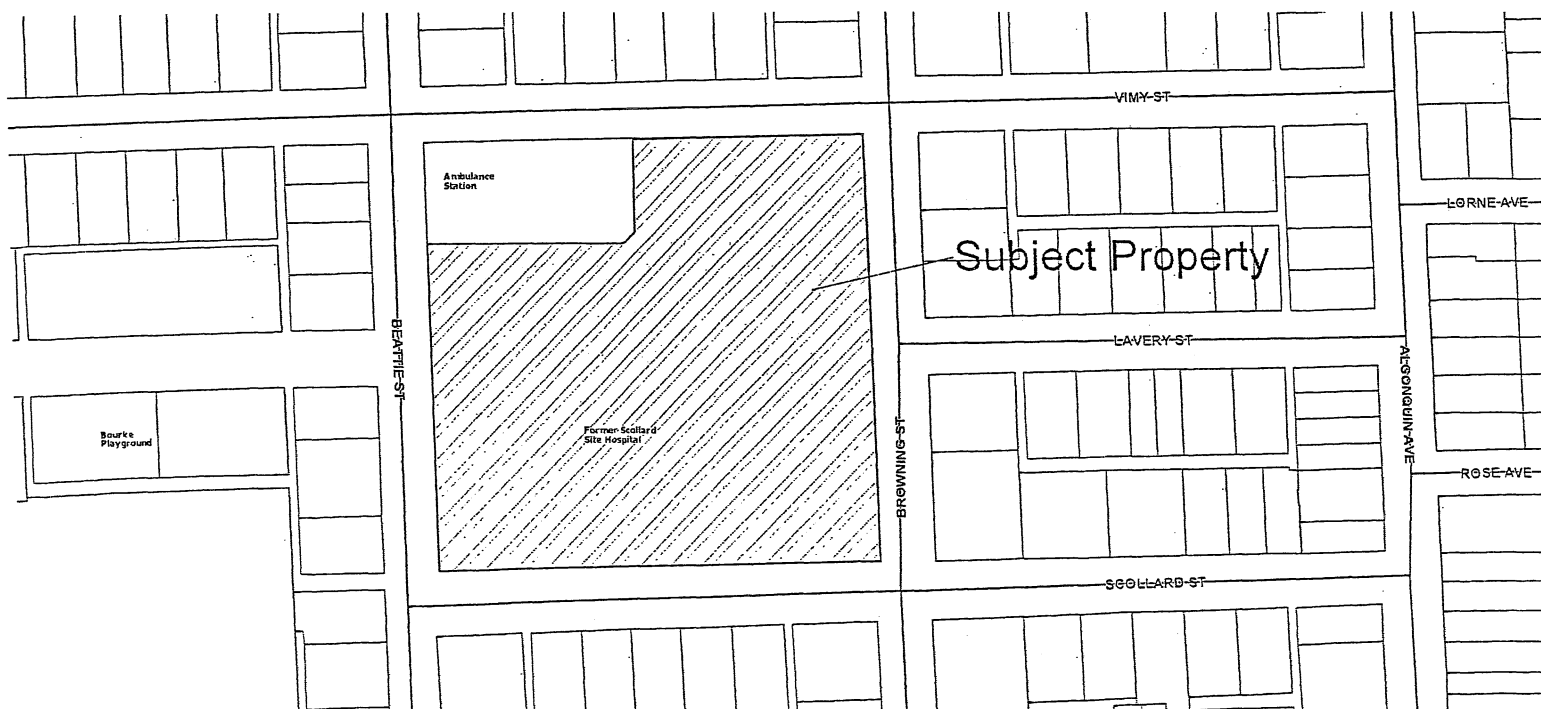
Site Information

Legal Description: Registered Plan No. 78, Lots 256-277, Lots 287-289, Lots 456 to 489, Part of Lot 278, Part of Lavery Street and Part of certain lanes in the City of North Bay, District of Nipissing.

Site Description: The subject property is an existing lot of record. Up until January 30, 2011 (when the new hospital on Highway 17 West was opened), the property was the site of the former Civic Hospital. Since that time, the former hospital has been decommissioned and razed. There are presently no structures on the subject property. At the time of this report, there are some remnants from the demolition of the former building, such as piles of crushed stone. These are expected to be removed at some point in the near future.

The subject property is approximately 2.1424 hectares. It has road access on four roads, Vimy Street, Browning Street, Scollard Street and Beattie Street. The property's frontage is considered to be 83.3 metres on Vimy Street. Apart from a 0.27 hectare area of land in the north-west corner that remains occupied by the North Bay Regional Hospital's ambulance station, the subject property comprises of an entire city block.

It is presently zoned "Institutional (N)" under Zoning By-law 28-80 and is designated "Residential" under the Official Plan.



Neighbouring properties are mostly low density residential units. The municipally owned and maintained Bourke Playground is immediately to the west of the subject property. There are several commercial office uses within relatively close proximity to the subject property (approximately one block, along Algonquin Avenue and Bloem Street). St. Alexander School is also approximately a block from the subject lands.

Proposal

Celia Teale, on behalf of the 1866409 Ontario Limited, has submitted a Zoning By-law amendment application to rezone the property from an “Institutional (N)” zone to a “Residential Third Density (R3)” zone, “Residential Fifth Density (R5)” zone and “Residential Multiple Second Density (RM2)” zone in order to permit the redevelopment of the property for residential use.

The applicants are proposing four different types of housing. For the block at the southern portion of the property, the applicants are proposing to develop single detached dwelling units. Nine of the eleven single detached dwellings are being proposed on lots with 13.8 metres of frontage on Scollard Street. The two remaining lots are corner lots, which would have 17 metres frontage. These single detached dwellings are all being proposed in freehold ownership. This portion of land is being proposed to be rezoned “Residential Third Density (R3)”.

Directly to the north of the proposed single detached dwellings would be a row of seventeen townhouse units. The townhouse units would be condominium units and are proposed to have 8.5 metres of frontage. Road access would be provided by a common element road located to the north of the townhouse units. This road is to be 13 metres wide and would line up with the adjacent Lavery Street. The portion of land to contain the cluster of townhouses is being proposed to be rezoned “Residential Multiple Second Density (RM2)”.

To the north of the proposed townhouse units would be another row of single detached dwelling units. These particular units, however, would be developed as a vacant land condominium. Ten of the twelve units in this row are proposed to be developed on lots with 12.9 metres of frontage. Road access is proposed to be achieved by a common element road to the north of the vacant land condominium units. This second private road would measure between 9.4 metres at the east end of the property and 10.7 metres at the west end of the property. The portion of land to contain the single detached dwellings in the vacant land condominium is being proposed to be rezoned “Residential Fifth Density (R5)”.

To the north of the vacant land condominium units, the applicant is proposing to construct eight semi-detached dwelling units with frontage on Vimy Street. As the ambulance station continues to occupy the north-west portion of the property, this is the sole row of housing that does not extend the entire block from Browning Street to Beattie Street. These units will each have between 10m and 12m of frontage on Vimy Street. These units are proposed to be developed in freehold ownership. The portion of land to contain the semi-detached dwelling units is being proposed to be rezoned “Residential Fifth Density (R5)”.

As part of this application, the property owner is requesting concurrent approvals for a Plan of Subdivision and a Plan of Condominium, as described above.

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.

Section 1.1.3 of the PPS 2005 provides policy for Settlement Areas. This section of the PPS 2005 states:

"1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

- 1. efficiently use land and resources;*
- 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and*
- 3. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and*

b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.

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

One of the Provincial Policy Statement's overarching goals is to encourage infill and increased levels of density within Settlement Areas where there are adequate public services in place to accommodate potential residents. Both Sections 1.1.3.1 and 1.1.3.3 of the PPS 2005 specifically outlines this goal.

The subject property is an existing lot of record within the Settlement Area, as identified by Schedules 1 and 2 of the City of North Bay's Official Plan. The property was previously used as a hospital. However, all medical services were relocated to the new regional hospital in early 2011. It is now appropriate to consider the regeneration of the subject lands.

The proposed subdivision/condominium development is appropriate for the infrastructure and public service facilities in the area, consistent with Section 1.1.3.2.a). Municipal sewer and water are available in the area. No capacity increases to existing infrastructure are required in order to service the proposed Plan of Subdivision/Condominium.

The PPS 2005 encourages municipalities to support the development of a range of housing types and densities where an appropriate level of public services are available. Section 1.4.3 of the PPS 2005 states that *"Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:...*

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;"

The former hospital was able to successfully operate on the existing services for many years. It is anticipated proposed redevelopment of the property would have a lesser demand on most services, such as sewer, water and road access and is therefore appropriate for the level of available infrastructure.

Consistent with the above noted policy's directive to provide a range of housing types, the proposed development includes three different types of forms of low density housing (single detached dwellings, townhouses and semi-detached dwellings). The Applicants are also proposing both condominium and freehold ownership options.

In my professional opinion, the proposed Zoning By-law Amendment and Plans of Subdivision and Condominium are 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.

One of the underlying principles of the GPNO 2011 is to focus growth and development in central areas. Section 3.4.3 of the GPNO 2011 states that *"Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land use, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores."*

The subject property is an existing parcel of record located in a central area of the community. It is in relatively close proximity to local businesses, employment areas and open spaces.

The proposed Zoning By-law amendment conforms to the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

Official Plan

The subject property is designated "Residential" under the Official Plan.

Section 1.4.2 of the Official Plan (Guiding Principles) encourages residential intensification to occur within the Settlement area, particularly in areas of the community that have access to amenities. An excerpt from this section of the Official Plan states:

"North Bay endorses the principles of "smart growth" by concentrating growth within the Settlement Area in a manner that new development has easy access to employment lands, commercial lands, residential lands, parks, trails and public transit. North Bay continue the practice of concentrating growth within the Settlement Area in a manner that allows new development to have easy and efficient access to employment, residential, commercial and park areas."

Section 2.1.1 of the Official Plan (Settlement Area Policies) further states that *“Infill and intensification development will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate, and where adequate municipal services, facilities and transit routes exist.”*

The subject property is located within the “Pinewood” Planning District, as identified by Schedule 4 of the Official Plan. The “Pinewood” Planning District is directly adjacent to the Central Business District, as stated by Section 2.1.1.

The subject property is located in a well-established neighbourhood that has easy access to a broad range of municipal services. Some examples:

- Municipal water supply and sanitary sewer services are available to the subject property.
- A transit stop is located directly adjacent to the subject property, with multiple other routes that travel on Algonquin Avenue located a block away.
- Bourke Playground is located immediately adjacent to the subject lands, which would provide a decent sized public park to the subdivision. The Park has been recently upgraded and now has play equipment. Future capital investments are planned, including increased green space and an outdoor hockey rink.
- St. Alexander School is located less than a block from the subject property. Two other schools (King George and Ecole Secondaire Algonquin) are located less than 500 metres from the subject property.

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 an “Institutional (N)” zone, which permits the following uses:

- boarding, lodging or rooming house;
- cemeteries;
- colleges, universities and private schools;
- day nurseries;
- elementary and secondary schools;
- government lands and buildings;
- Group Home Type 1;
- Group Home Type 2;
- Group Home Type 3;
- homes for the aged;
- hospitals or health care and treatment facility;
- museums;
- nursing home;
- place of worship;
- prison;
- recreational facilities owned and operated by a public authority
- solar farm;

- welfare institutions; and
- buildings or structures accessory to the foregoing.

The Applicant is proposing to rezone the subject lands “Residential Third Density (R3)”, “Residential Fifth Density (R5)” and “Residential Multiple Second Density (RM2)” zones as shown on the attached Schedule B.

The “Residential Third Density (R3)” zone permits the following uses:

- single detached dwelling (min frontage 13.7 m);
- duplex dwelling;
- semi-detached dwelling;
- Group Home Type 1;
- accessory home based businesses;
- parks, playgrounds & non-profit uses; and
- institutional uses.

The “Residential Fifth Density (R5)” zone permits the following uses:

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

The “Residential Multiple Second Density (RM2)” zone permits the following uses:

- duplex dwelling;
- semi-detached dwelling;
- triplex;
- double duplex;
- maisonette dwellings;
- townhouses;
- multiple dwellings
- Group Home Type 1;
- Group Home Type 2;
- accessory home based businesses;
- parks, playgrounds & non-profit uses;
- day nurseries; and
- institutional uses;

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

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

Correspondence

This proposal was circulated to municipal departments and agencies that may have an interest in the subject application. In terms of correspondence received from these departments and agencies, the Planning Department received the following comments:

- Engineering and Environmental Services: advised municipal water and sanitary sewer is not available along Scollard Street. Existing residential lots on Scollard Street are serviced via municipal infrastructure located in the laneway at the rear of the properties. To accommodate the proposed development, municipal services would need to be relocated onto Scollard Street prior to the development of the proposed single detached dwellings on this roadway.

The Engineering Department further advised more detailed plans, such as a Lot Grading Plan and Profile Drawings, would be required as part of the Plan of Subdivision, but that a full stormwater management plan is not needed for this development.

A professional engineer is required to confirm the water distribution and the sanitary sewer systems in the area are adequate for what is being proposed.

- Building Department: No objections
- Fire Department: No objections.
- Parks, Recreation and Leisure Services: advised they would require cash in lieu of parklands as part of the subdivision agreement. No additional parkland is required due to the investments in the adjacent Bourke Street Park.
- Economic Development: No concerns.

Many neighbourhood residents responded to the notice of the proposed rezoning. The Planning Advisory Committee meeting held on April 2nd, 2013 was well attended and a number of residents made presentations expressing opposition to the proposed rezoning. A petition with 106 names in opposition to the proposed development was submitted to the Planning Advisory Committee meeting.

The following is intended to summarize the concerns expressed by the neighbourhood:

- Density: Many individuals expressed concerns the density of the proposed subdivision and condominium is greater than the existing neighbourhood. Several individual stated that they were of the opinion that the existing built form of large lots should be maintained on the subject property.

The City's Official Plan directs the City to have varying levels of density throughout the community. Section 2.1.11 (Housing Policies) of the Official Plan states that *"It is the general intent of this Plan to encourage the development and maintenance of an efficient and pleasant environment for all lifestyles.*

In providing for these demands, the objective is an appropriate mixture of densities and an

arrangement that will minimize conflicts between different forms of housing.”

In this instance, the highest density of proposed housing would be found in the proposed RM2 zone, which is proposed to be developed with townhouses. This RM2 zone is proposed to be located in the centre of the subdivision, shielded to the south by a row of new single detached dwellings and to the north by a row of single detached dwellings and an additional partial row of semi-detached dwellings.

Planning Services is of the opinion the density of the proposed development is appropriate. Each of the three zones requested (R3, R5 and RM2) are all considered low density zones by the Official Plan and Zoning By-law 28-80. The proposed development would meet the minimum size requirements of the Zoning By-law without requiring variances or reductions from the standard zones (frontage, lot area per dwelling unit, setbacks, coverage, etc.). Planning Services is also of the opinion the design of the proposed subdivision and the manner the different forms of housing have been staggered would minimize the opportunity for any conflict between the different forms of housing, as directed by Section 2.1.11 of the Official Plan.

- Type of Housing: Most individuals expressed their opinion the subject property should be developed exclusively with single detached dwellings or as a retirement community. Many individuals expressed some level of concern regarding the potential for the construction of townhouses, stating that would be incongruent with the neighbourhood.

Townhouses are a form of housing that is found in many neighbourhoods throughout the community. While clusters of townhouses have a higher density than single detached dwellings, they are considered low density residential. Experience from other areas with townhouses offers no indications this form of development has a negative effect on neighbourhoods or is inconsistent with areas made up of single detached dwellings.

- Negative Effect on Property Values: Several individuals expressed concerns the proposed development would have a negative effect on their property value as a result of the development.

The Applicants have stated they anticipate the newly constructed dwelling units to be listed for sale between \$250,000-\$400,000. These price points are similar to what other new homes are listed at throughout the community.

Planning Staff conducted an internet research to attempt to find a study that supports the notion the proposed development would have a negative effect on property values. The majority of the literature found during this research considered affordable housing and its effect on surrounding neighbourhoods. While this application is not for affordable housing, the research was still relevant, as it considered the effect of new housing on existing neighbourhoods.

The general conclusion of most studies is the housing market is a complex and dynamic industry. There are many factors that influence housing prices. However, new residential development has no statistically discernible effect on housing prices.

- Traffic/Parking: Several neighbours expressed concerns regarding the impact the proposed development might have on traffic and parking.

With regards to parking, the Applicant would be subject to meeting the minimum standards of the Zoning By-law as part of any Building Permit. Section 3.26. of the Zoning By-law provides minimum parking requirements, which requires 1.5 to 2 parking spaces per dwelling unit.

Regarding traffic, it should be noted the subject property was previously developed as a six storey hospital. With hundreds of employees and beds located within this facility, the traffic impact of the proposed subdivision and condominium is expected to be significantly lower than this previous use.

- Communication of the proposal: The notice for the Planning Advisory Committee meeting contained an error, stating that 29 townhouses were to be constructed (whereas only 17 townhouses are to be constructed). Planning Staff acknowledge this was incorrect. A new notice regarding the proposal was not recirculated. The error was noted at the outset of the Public Meeting at the Planning Advisory Committee meeting and was identified to members of the public who contacted Planning staff. The notice of the statutory Public Meeting at City Council will be corrected.

Several individuals stated they did not receive notice of the meeting at the Planning Advisory Committee. Staff reviewed the distribution list and confirmed the individuals in question did not receive notice. However, each of these individuals' properties are located further than 120 metres from the subject property. The Planning Act states municipalities must only notify property owners within 120 metres. The City of North Bay strictly adheres to this stipulation. All property owners who have participated in the public process will be added to the circulation list so they are made aware of all future public meetings and decisions made by City Council

Summary

The Applicants are proposing to rezone the subject property from an "Institutional (N)" zone to "Residential Third Density (R3)", "Residential Fifth Density (R5)" and "Residential Multiple Second Density (RM2)" zones. This Zoning By-law Amendment would enable the redevelopment of a decommissioned hospital site to a residential subdivision and condominium development. The proposed Zoning By-law Amendment would permit the construction of 11 single detached dwelling units in freehold ownership, 8 semi-detached dwelling units in freehold ownership, 17 townhouse dwelling units as a standard condominium and 12 single detached dwelling units as a vacant land condominium, for a total of 48 dwelling units.

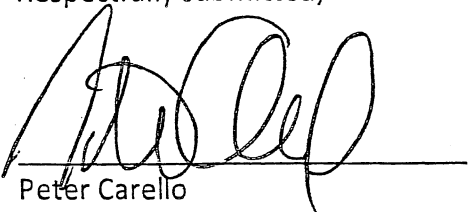
The property's current zoning is "Institutional (N)". This zone permits a wide variety of uses that are far more intense than the proposed development. The previous use as a hospital is a good indication of how intrusive the current zoning could be, with 24-hour per day operations, the continuous arrival and departure of staff, patients and visitors. Planning staff is of the opinion that the requested Zoning By-law Amendment is a significant improvement of the current situation, representing a better use of the subject property and a development that is far more compatible with the existing neighbourhood. While simply being an improvement of a situation is not enough reason to approve a Zoning By-law Amendment, the proposed redevelopment of the subject lands is supported by both Provincial and Municipal policy documents, as outlined in this report.

The proposed development would redevelop an existing parcel of land within the Settlement Area. The property is on full municipal services. The proposed Zoning By-law Amendment would be considered infill development by Planning Services. This type of intensification and infill is supported by Provincial Policy.

The property is designated "Residential" under the City's Official Plan. The Official Plan includes policies that encourage varying densities in residential areas. The Official Plan also includes policies that support infill development, such as what is proposed within this application.

It is my professional opinion 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

City of North Bay
File No. 48T-13101

APPENDIX "A" - PLAN OF SUBDIVISION – LOTS 1 to 19

The City of North Bay's Conditions to Final Approval for registration of the Subdivision File No. 48T-13101, are as follows:

- | <u>No.</u> | <u>Conditions</u> |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) | That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the <i>Planning Act</i> , the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the <i>Planning Act</i> . |
| 2) | That this approval applies to the Draft Subdivision Plan prepared by R. D. Miller, OLS, dated dated March 13, 2013 including nineteen (19) residential lots identified as Lots 1 to 19 on the attached Schedule "B". |
| 3) | That prior to signing the Final Plan by the Municipality, the proposed subdivision conform with the Zoning By-law in effect for the Municipality. |
| 4) | That no removal of trees be undertaken prior to final approval except: within the proposed road allowance for survey purposes around the boundary of the Draft Approved Lands, for exploratory soils investigations for the purpose of estimating servicing costs and for the construction of model homes. |
| 5) | That such easements as may be required for utilities, water, sanitary and drainage purposes shall be granted to the appropriate authority. |
| 6) | That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage prior to final approval. |
| 7) | That the Subdivision Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
a) The Owner agrees that a lot grading plan shall be undertaken by the Owner; and
b) The Owner agrees to pay a Stormwater Management fee of \$2,200 per lot as recommended in the Watson Report. |
| 8) | That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay. |
| 9) | That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes, as shown on the Draft Subdivision Plan prepared by R. D. Miller, OLS, dated dated March 13, 2013. |

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

NOTES:

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

City of North Bay
File No. 48CDM-13102

APPENDIX "B" – FREEHOLD CONDOMINIUM UNITS 1 TO 17

The City of North Bay's Conditions to Final Approval for registration of the Condominium File No. 48CDM-13102 are as follows:

- | <u>No.</u> | <u>Conditions</u> |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1) | That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the <i>Planning Act</i> , the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board (OMB) issued in respect of the appeal or from the date of a notice issued by the OMB under section 52(51) of the <i>Planning Act</i> . |
| 2) | That this approval applies to the Draft Condominium Plan prepared by R. D. Miller, OLS, dated March 13, 2013 including seventeen (17) condominium units identified as Units 1 to 17 & parts marked "Common Element" (former Lavery Street) on Schedule "B" attached hereto. |
| 3) | That prior to the signing of the Final Plan by the Municipality, the proposed Condominium conform with the Zoning By-law in effect for the Municipality. |
| 4) | That no removal of trees be undertaken prior to final approval except: within the proposed road allowance; for survey purposes around the boundary of the Draft Approved Lands, for exploratory soils investigations for the purpose of estimating servicing costs, and for the construction of model homes. |
| 5) | That all streets in the Plan of Condominium be named to the satisfaction of the City of North Bay. |
| 6) | That such easements as may be required for utilities, water, sanitary and drainage purposes shall be granted to the appropriate authority. |
| 7) | That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage. |
| 8) | That the Condominium Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
a) The Owner agrees that a lot grading plan shall be undertaken by the Owner; and
b) The Owner agrees to pay a Stormwater Management fee of \$2,200 per lot as recommended in the Watson Report. |
| 9) | That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay. |

- 10) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 11) That the Owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.
- 12) That the Condominium Agreement between the Owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 13) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 14) The Condominium agreement for the subject Condominium application shall include a statement informing the first purchaser of a unit within the Condominium that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges.
- 15) All roads and right-of-ways shall be transferred to the City of North Bay in compliance with the respective Subdivision or Condominium for each phase of the development.

NOTES:

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

City of North Bay
File No. 48CDM-13102

APPENDIX "C" – VACANT LAND CONDOMINIUM – UNITS/LOTS 1 TO 12

The City of North Bay's Conditions to Final Approval for registration of the Condominium File No. 48CDM-13102, are as follows:

No. Conditions

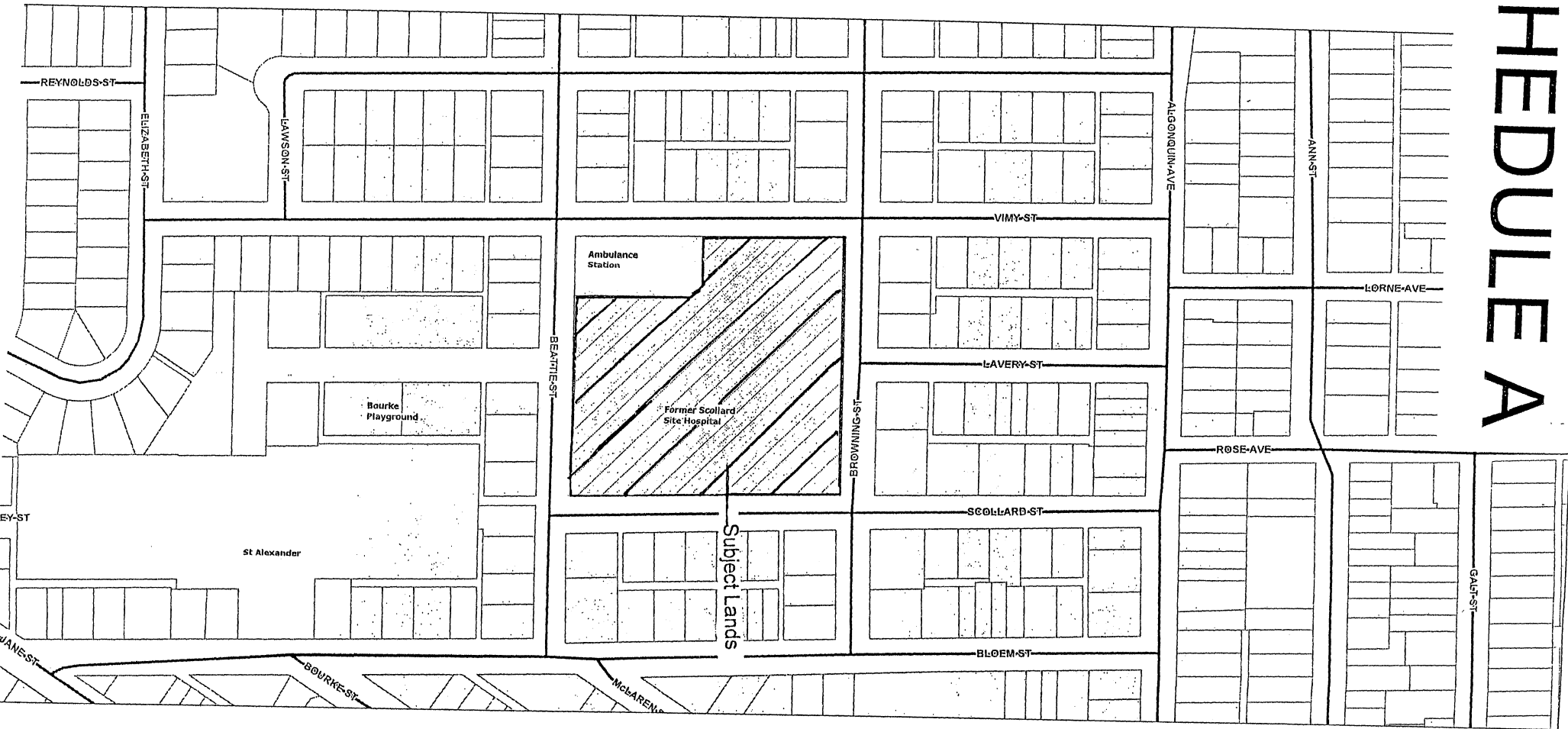
- 1) That this approval expires five (5) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the *Planning Act*, the five (5) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 2) That this approval applies to the Draft Plan of Condominium prepared by R.D. Miller, OLS dated March 13, 2013 including twelve (12) residential condominium units, as shown on the attached Schedule "B".
- 3) That all streets on the Plan of Condominium be named to the satisfaction of the City of North Bay.
- 4) That no removal of trees be undertaken prior to final approval except; within the proposed road allowance and for survey purposes around the boundary of the Draft Approved Lands and for exploratory soils investigations for the purpose of estimating servicing costs as prescribed by Section 51(57) of the *Planning Act*.
- 5) That prior to signing the Final Plan by the Municipality, the proposed Condominium conform with the Zoning By-law in effect for the Municipality.
- 6) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage.
- 7) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 8) That the Condominium Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
 - a) The Owner agrees that a lot grading plan shall be undertaken by the Owner; and
 - b) The Owner agrees to pay a Stormwater Management fee of \$2,200 per lot as recommended in the Watson Report.
- 9) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu or combination thereof to the Municipality for park or other public recreational purposes.

- 10) That the owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.
- 11) That the Condominium Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 12) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 13) The condominium agreement for the subject condominium shall include a statement informing the first purchaser of a unit/lot within the subject Plan of Condominium that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges.
- 14) That the Vacant Land Condominium Agreement require that the total financial security necessary to complete all sewer, water, road and stormwater services be deposited with the City of North Bay prior to Final Approval of any phase.

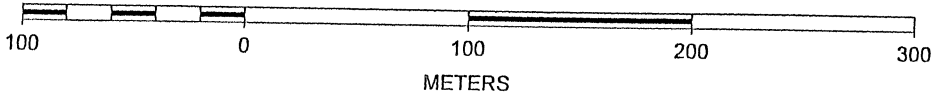
NOTES

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

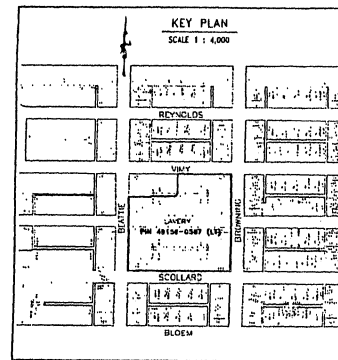
SCHEDULE A



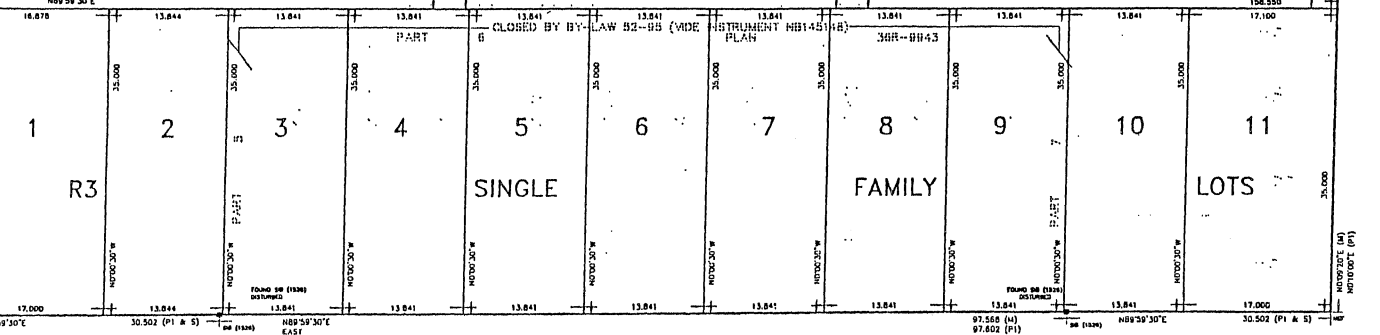
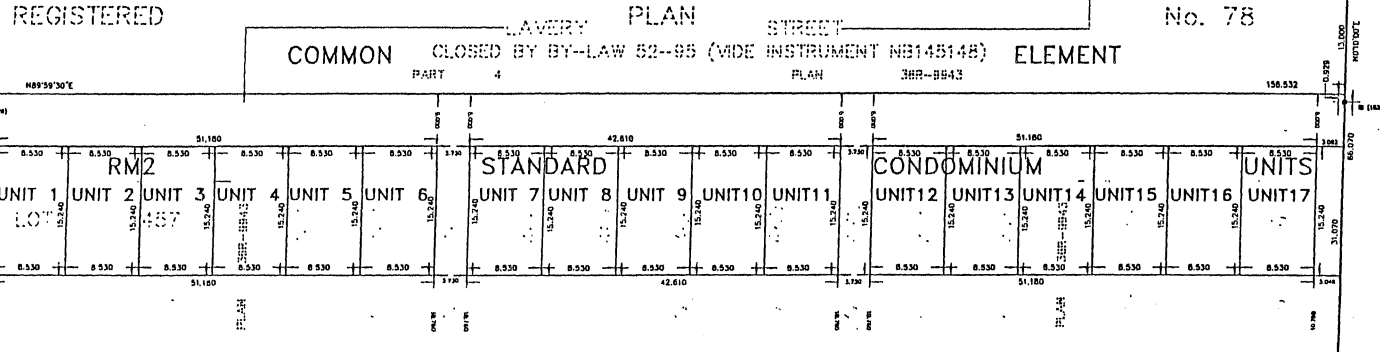
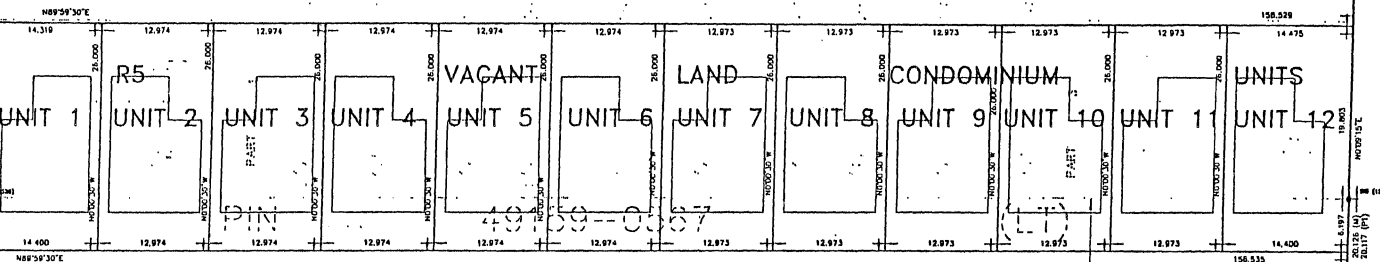
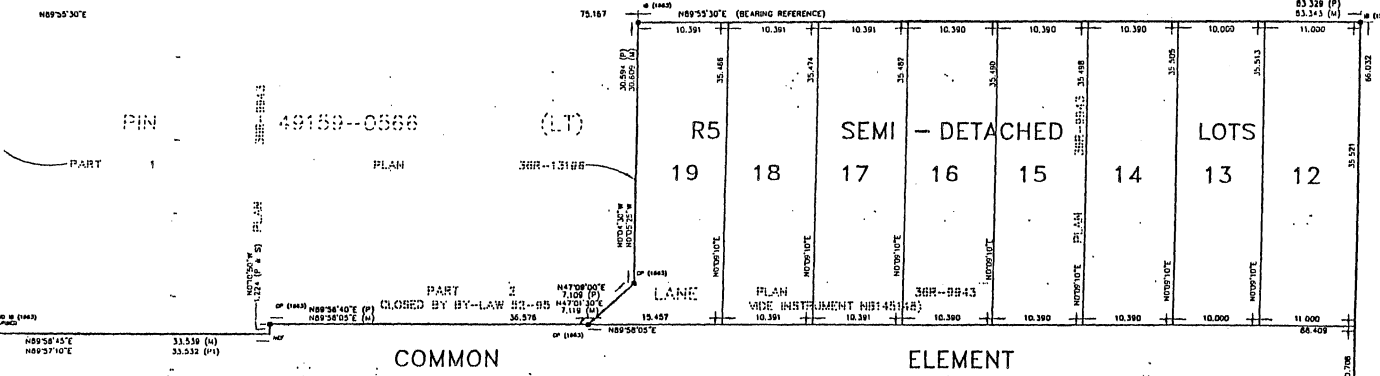
SCALE 1 : 3,423



VIMY STREET PIN 49159-0540 (LT) REGISTERED PLAN No. 78



DRAFTPLAN OF SUBDIVISION AND C
 ALL OF LOTS 256 TO 277 INCLUS
 ALL OF LOTS 287 TO 289 INCLU
 ALL OF LOTS 456 TO 489 INCLUS
 PART OF LOT 278,
 PART OF LAVERY STREET
 AND PART OF CERTAIN LANES
 REGISTERED PLAN No.
 CITY OF NORTH
 DISTRICT OF NIPISSING
 MILLER & URSO SURVEYING INC.
 SCALE 1 : 300



SCOLLARD STREET PIN 49159-0541 (LT) REGISTERED PLAN No. 78

BROWNING STREET
 REGISTERED PLAN No. 65
 PIN 49159-0212 (LT)

LAND USE ANALYSIS

LOT/BLOCK/UNIT	INTENDED USE	No. OF
LOTS 1 TO 11	ZONED R3 - SINGLE FAMILY DWELLING LOTS	11
LOTS 12 TO 19	ZONED RS - SEMI-DETACHED DWELLING LOTS	8
UNITS 1 TO 17	ZONED RM2 - STANDARD CONDOMINIUM UNITS	17
UNITS 1 TO 12	ZONED RS - VACANT LAND CONDOMINIUM UNITS	12
COMMON ELEMENT		1
TOTAL		47

- ADDITIONAL INFORMATION REQUIRED UNDER SECTION 5 OF THE ONTARIO PLANNING ACT**
- (A) AS CERTIFIED ON THE FACE OF THE PLAN
 - (B) AS SHOWN ON THE FACE OF THE PLAN
 - (C) AS SHOWN ON THE FACE OF THE PLAN
 - (D) THE PURPOSE FOR WHICH THE LOTS ARE TO BE USED ARE LISTED IN THE LAND USE ANALYSIS.
 - (E) THE EXISTING USES OF THE ADJACENT:
 - NORTH - RESIDENTIAL R1
 - EAST - RESIDENTIAL R1
 - SOUTH - RESIDENTIAL R1
 - WEST - RESIDENTIAL R1
 - (F) AS SHOWN ON THE FACE OF THE PLAN
 - (G) AS SHOWN ON THE FACE OF THE PLAN
 - (H) MUNICIPALLY OWNED AND OPERA
 - (I) THE NATURE AND POROSITY OF I
 - (J) NOT APPLICABLE
 - (K) THE MUNICIPAL SERVICES TO BE EMERGENCY SERVICES - POLICE, MUNICIPAL SERVICES - PWED + RECYCLING, ROAD MAINTENANCE PUBLIC SERVICES - GAS, ELECT
 - (L) THERE IS NO DRAINAGE EASEMEN

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUND, RELATIONSHIP TO THE ADJACENT LAM

NORTH BAY, ONTARIO
 MARCH 13th, 2015

OWNER'S CERTIFICATE
 I HEREBY CONSENT TO THE FILING C

NORTH BAY, ONTARIO
 March 17, 2015

BEARING NOTE
 BEARINGS ARE ASTROMERIC AND IN UNIT OF VIMY STREET, AS SHOWN I

LEGEND

- P - DENOTES DEPOSITED PLAN 368-13196
- P1 - DENOTES DEPOSITED PLAN 368-8943
- NEF - DENOTES NO EVIDENCE FOUND
- 1028 - DENOTES SHIPSON & OSBORNE SURVEYING LTD.
- 1663 - DENOTES GOODRIDGE WALKER LIMITED

Miller & U
 Ontario Land Survey
 Project Manager
 1501 SENECA ST
 ELLIOTT STATION
 ONTARIO
 DEIGNED BY: ASTEPHEN

SCHEDULE B

City of North Bay**Report to Council****Report No.:** EESW-2013-028**Date:** April 2, 2013**Originator:** Angela Cox,
Manager, Finance & Administration**Subject:** 2013 Capital Budget Project – 6101RD/WS Asphalt Resurfacing
(on-going)

RECOMMENDATION

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Asphalt Resurfacing Program for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6101RD, in the amount of \$2,300,000 and Water and Sanitary Budget Project #6101WS, in the amount of \$218,000.

BACKGROUND

This project is an ongoing annual program to maintain and restore the riding surface of the urban city streets. It utilizes a variety of techniques for maintenance of the roadway and protection of the asset. Works may involve asphalt grinding, pulverization, recycling, crack sealing, base stabilization, and drainage improvements, curb restoration, boulevard restoration in addition to cold-in-place or hot mix asphalt paving. A list of Road Projects for 2013 is attached.

The ongoing project is funded over ten years 2013-2022. In the current 2013 Capital Budget project #6101RD has \$2,300,000 as a net debenture and project #6101WS has \$218,000 as a net debenture.

A schedule to the proposed by-law is submitted for Council's consideration.

Construction Contract Roads	\$2,190,746
Construction Contract Sewer and Water	\$207,619
Financing costs	\$94,455
Administrative and Overhead Costs	<u>\$25,180</u>
Net Debentured Costs	\$2,518,000

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

This implementation period is considered fair and reasonable if all assumptions are realized. As the capital project moves forward any major variances to this schedule will be communicated to Council via the semiannual Capital Status Reports or if required a Report to Council.

OPTION/ANALYSIS

Option 1 – Proceed with the Authorizing By-law

That Council proceeds with the authorizing by-law to approve the Asphalt Resurfacing Program budget of \$2,518,000 in order to maintain and restore the riding surface of urban city streets. This option is recommended.

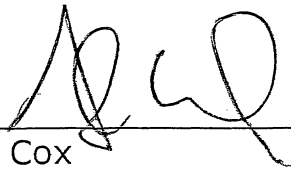
Option 2 – Cancel outright or reduce expenditure

That Council cancels outright or reduces the expenditure for this project. This would postpone the development of any proposed projects and may increase costs in the future. This option is not recommended.

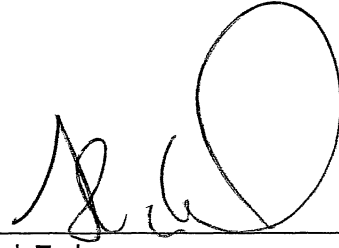
RECOMMENDED OPTION

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Asphalt Resurfacing Program for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6101RD, in the amount of \$2,300,000 and Water and Sanitary Budget Project #6101WS, in the amount of \$218,000.

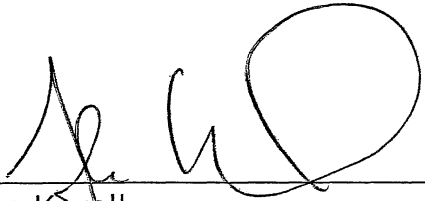
Respectfully submitted,



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

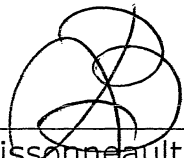


David Euler
Director, Engineering



Alan Korell
Managing Director
Engineering, Environmental Services and Works

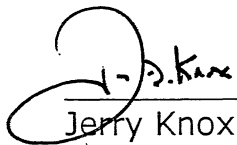
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and
Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: David Euler

Attachments: 2013 Road Projects
Capital Budget Status Sheets

2013 Resurfacing tender

Road Reconstruction

Road	From	To	Area (m2)	Treatment
Richard	Donald	Rita	2400	90mm asph
Reginald	Donald	Rita	2400	90mm asph

4800

Road Rehabilitation

Road	From	To	Area	Treatment (\$22.09)
Crawford	Wallace Heights	Willington	1100	Pulverize & Overlay (50mm)
McKeown	O'Brien	start of curb	1500	Pulverize & Overlay (50mm)
Parkwood	Glenwood	Cedargrove	650	Pulverize & Overlay (50mm)
Cedargrove	Parkwood	Oakwood	1300	Pulverize & Overlay (50mm)
Elizabeth	Burns	Vimy	3000	Pulverize & Overlay (50mm)
Charles/Strathcona	Van Horne	Gladstone	1100	Pulverize & Overlay (50mm)
MacDonald	Lakeshore	Lee	700	Pulverize & Overlay (50mm)
Justin	Champlain	end	1600	Pulverize & Overlay (50mm)
Browning	Reynolds	Vimy	700	Pulverize & Overlay (50mm)
Angus	O'Brien	Vanier	1300	Pulverize & Overlay (50mm)
Cedar	Douglas	Morin	950	Pulverize & Overlay (50mm)
Vimy	Elizabeth	Browning	3100	Pulverize & Overlay (50mm)
Athlone	Philip	Clarence	650	Pulverize & Overlay (50mm)
Greenhill	Pearce	Wallace Heights	3700	Pulverize & Overlay (50mm)
Surrey	Mapleview	end of curb	1200	Pulverize & Overlay (50mm)
O'Brien	Lansdowne	Dudley	2300	Pulverize & Overlay (50mm)
Beattie	Bloem	House 925	2900	Pulverize & Overlay (50mm)
Lee	Charles	George	2500	Pulverize & Overlay (50mm)
Philip	Athlone	Reynolds	900	Pulverize & Overlay (50mm)
Carlo	Gordon	dead end	2500	Pulverize & Overlay (50mm)
Fraser	Olive	Shaw	1100	Pulverize & Overlay (50mm)
		Total	34750	\$767,627.50
Jane	Durril	House 1087	3400	Pulverize & Overlay (80mm)
Chapais	Gagnon	McKeown	800	Pulverize & Overlay (80mm)
Sand Dam Road	hwy 11	towards gate	6600	Pulverize & Overlay (80mm)
Greenhill	Pearce	Tower Drive	5600	Pulverize & Overlay (80mm)
		Total	16400	\$536,116.00
Surrey	Francis	end of curb	1300	Mill & 50mm Overlay
McIntyre	Fisher	Sherbrooke	1750	Mill & 50mm Overlay
McIntyre	Sherbrooke	Wyld	1750	Mill & 50mm Overlay
McIntyre	Wyld	Ferguson	2400	Mill & 50mm Overlay
McIntyre	FERUSON	FRASER	2650	Mill & 50mm Overlay
Ivanhoe	Sage	Guinevere	2300	Mill & 50mm Overlay
Lancelot	Shallot	Ivanhoe	1800	Mill & 50mm Overlay
Morin	Cedar	High	2300	Mill & 50mm Overlay
		Total	16250	\$355,550.00

Janice	McKeown	Ski Club Road	1500	50mm Overlay
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1500

Asphalt Paths & Sidewalks

Thompson Park	to new Ped Bridges		225 x 4	50mm new paths
Greenhill	Tower Drive	Wallace Heights	1000 x 2	50mm paved shoulder
KPW	various locations		1550	40mm overlay

Project Summary

Project Number:	6101RD	Active:	Yes
Title:	ASPHALT RESURFACING 2013 ON-GO		
Asset Type:	INFRASTRUCTURE - Roads		
Division:	Capital - Engineering, Environmental & Works		
Budget Year:	2013		
Scenario Name:	Main		
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description	Project Comments
The project is an ongoing annual program to maintain and / or restore the riding surface of the urban City streets. This project utilizes a variety of techniques for maintenance of the roadway and protection of the asset. Works may involve asphalt grinding, pulverization, recycling, crack sealing, base stabilization, drainage improvements, curb restoration, boulevard restoration in addition to cold-in-place or hot-mix asphalt paving.	

Scenario Description	Scenario Comments

Project Forecast				Project Detailed 2013		
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount
2013	2,300,000	2,300,000	0	Expense		
2014	2,900,000	2,900,000	0	3425	CONSTRUCTION CONTRACT	2,190,746
2015	3,200,000	3,200,000	0	4005	INTERNAL INTEREST CHARGES	86,254
2016	4,000,000	4,000,000	0	7010	ADMINISTRATON & OVERHEAD	23,000
2017	4,100,000	4,100,000	0		Total Expense:	2,300,000
2018	4,400,000	4,400,000	0			
2019	4,400,000	4,400,000	0	Revenue		
2020	4,700,000	4,700,000	0	0283	Fed Gas Tax	2,300,000
2021	5,000,000	5,000,000	0		Total Revenue:	2,300,000
2022	5,300,000	5,300,000	0			
	<u>40,300,000</u>	<u>40,300,000</u>	<u>0</u>			

Related Projects	Operating Budget Impact

Year Identified	Start Date	Useful Life	Manager	Completion Date
2013		5-20 YEARS	ALAN KORELL	Dec 31, 2013

Project Summary

Project Number:	6101WS	Active:	Yes
Title:	ASPHALT RESURFACING 2013 ON-GO		
Asset Type:	INFRASTRUCTURE - Water		
Division:	Capital - Water		
Budget Year:	2013		
Scenario Name:	Main		
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description				Project Comments			
The project is an on-going annual program to maintain and / or restore the riding surface of the urban city streets. This project utilizes a variety of techniques for maintenance of the roadway and protection of the asset. Works may involve asphalt grinding, pulverization, recycling, crack sealing, base stabilization, drainage improvements, curb restoration, boulevard restoration in addition to cold-in-place or hot-mix asphalt paving.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	218,000	218,000	0	Expense			
2014	225,000	225,000	0	3425	CONSTRUCTION CONTRACT		207,619
2015	232,000	232,000	0	4005	INTERNAL INTEREST CHARGES		8,201
2016	239,000	239,000	0	7010	ADMINISTRATON & OVERHEAD		2,180
2017	246,000	246,000	0			Total Expense:	218,000
2018	253,000	253,000	0	Revenue			
2019	261,000	261,000	0	0300	Pay As You Go Water		218,000
2020	269,000	269,000	0			Total Revenue:	218,000
2021	277,000	277,000	0				
2022	285,000	285,000	0				
	<u>2,505,000</u>	<u>2,505,000</u>	<u>0</u>				
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013		10-20 YEARS	ALAN KORELL			Dec 31, 2013	

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2013-63

June 10, 2013

Originator: Paul Valenti

Subject: Tender 2013-02 Asphalt Resurfacing Program

RECOMMENDATION:

That City Council approves an award of a contract to Pioneer Construction Inc. in the amount of \$2,977,272.00 (HST extra) for the 2013 Asphalt Resurfacing Program.

BACKGROUND:

The City annually tenders for asphalt resurfacing of various roads within the City of North Bay. The tender calls for quantities of work based on unit price estimates with work to be performed on a priority basis and to not exceed the allocated budget.

A tender was publicly advertised in accordance with the City Purchasing By-law. The tenders closed on May 22, 2013. Two tenders were received and evaluated by the Capital Works Engineer, the Supervisor of Construction Services and the Purchasing Manager. The results are as follows:

Bidder	Pricing (excluding HST)
Pioneer Construction Inc.	\$3,869,117.01
Miller Paving North Bay a Division of Miller Paving Limited	\$3,908,365.50

The low bid provided by Pioneer Construction Inc. exceeds the available budget. The tender includes quantities with detailed unit pricing. The City reserves the right to reduce these quantities based on priority of work in order to meet the allocated budget.

Engineering undertook a review of the project quantities in order to establish a contract within budget. Based on the tendered unit prices and the reduced quantity of work, a contract value in the amount \$2,997,272.00 (HST extra)

is being recommended. Pioneer Construction Inc. has confirmed their acceptance of the recommended contract.

ANALYSIS / OPTIONS:

1. Award a contract to the low bidder, Pioneer Construction Inc.
 2. Do not award a contract. This option is not recommended. The work is part of the City's ongoing road resurfacing program. This would lead to further deterioration of the identified roads and a potential impact to public safety.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves an award of a contract to Pioneer Construction Inc. in the amount of \$2,977,272.00 (HST extra) for the 2013 Asphalt Resurfacing Program.

Sufficient funding for this contract, including additional finance and administration charges, is available in the following Capital Budget Projects.

- \$2,076,665 from 2013 Engineering and Environmental Services, Asphalt Resurfacing, Project No. 6101RD; as requested for authorization in Report No. EESW-2013-28.
- \$218,000 from 2013 Water and Sewer, Asphalt Resurfacing, Project No. 6101WS; as requested for authorization in Report No. EESW-2013-28.
- \$109,000 from 2013 Engineering and Environmental Services, Pedestrian Safety, Project No. 6104RD; authorized with By-law No. 2013-70 dated April 2, 2013.
- \$20,000 from 2013 Community Services, Parks Trails and Hard Surfaces, Project No. 6126PR; authorized with By-law No. 2013-23 dated March 4, 2013.
- \$200,000 from 2013 Engineering and Environmental Services, Project No. 6106RD; authorized with By-law No. 2012-75 dated April 2, 2013.

-
- \$573,809 from 2013 Engineering and Environmental Services, Airport Resurfacing, Project No. 3402RD; authorized with By-law No. 2013-149 dated June 17, 2013.
-

Respectfully submitted,

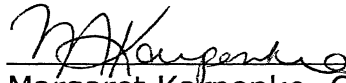


Paul Valenti
Manager of Purchasing

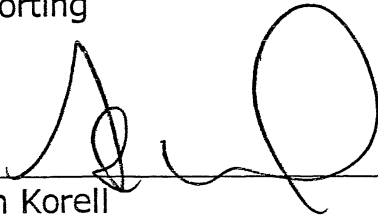
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



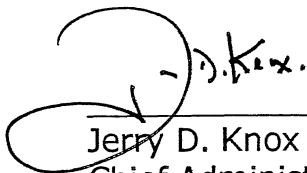
Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



Peter Chirico
Managing Director, Community
Services



Jerry D. Knox
Chief Administrative Officer

Attachments: Tenders

Personnel designated for continuance: Capital Works Engineer

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CORP 2013-68

June 11, 2013

Originator: Paul Valenti

Subject: Request for Quotation No. 2013-35 Supply of Concrete Box Culvert

RECOMMENDATION:

That City Council approves the award of a contract to Con-Cast Pipe Inc. in the amount of \$67,863.23 (HST extra) for supply of a Concrete Box Culvert.

BACKGROUND:

A new box culvert is required to replace the existing corrugated steel pipe culvert that is in poor condition and at risk for collapse. The width of the existing road is narrowing and washing away due to the existing culvert condition.

A Request for Quotation (RFQ) was publicly advertised in accordance with the Purchasing By-law. The RFQ closed on June 5, 2013. Two bids were received and evaluated for compliance by the Manager of Purchasing, the Supervisor of Engineering and the Supervisor of Roads and Traffic.

The results are as follows:

Bidder	Pricing (excluding HST)
Con-Cast Pipe Inc.	\$67,863.23
Sierra Construction (Woodstock) Ltd.	\$69,300.00

The tender provided by Con-Cast Pipe Inc. in the amount of \$67,863.23 (HST extra) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award a contract to Con-Cast Pipe Inc.
2. Do not award a contract. This option is not recommended. If the culvert is not replaced it will eventually collapse resulting in the road washing away.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That City Council approves the award of a contract to Con-Cast Pipe Inc. in the amount of \$67,863.23 (HST extra) for supply of a Concrete Box Culvert.

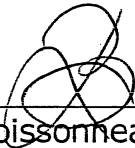
Sufficient funding for this contract is available in the 2013 Engineering, Environmental Services and Works Capital Budget, Project No. 6105RD, Road Culvert Replacement; authorized with By-law No. 2013-74 dated April 2, 2013.

Respectfully submitted,

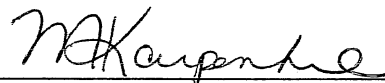


Paul Valenti
Manager of Purchasing

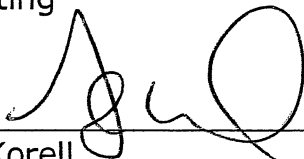
We concur in this report and recommendation.



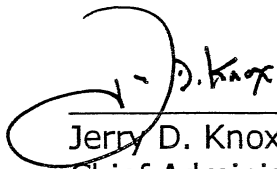
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering,
Environmental Services and Works



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Supervisor of Roads and Traffic

Attachments: Tenders

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-139

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
JUNE 3, 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 June 3, 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 17TH DAY OF JUNE, 2013.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-146

**A BY-LAW TO AUTHORIZE THE
DOWNTOWN ROADS AND
SIDEWALK MAINTENANCE PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-358 at its Meeting held Monday, June 3, 2013, authorizing the Downtown Roads and Sidewalk Maintenance Program, for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project No. 6110RD, with a net debenture cost of \$81,000.00;

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

1. That the expenditure of \$81,000.00 for the Downtown Roads and Sidewalk Maintenance Program for the following be hereby authorized:

Construction Contract	\$77,143.00
Financing Costs	3,047.00
Administration and Overhead	<u>810.00</u>
Net Amount to be Debentured	\$81,000.00

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 \$81,000.00 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 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-147

**A BY-LAW TO AUTHORIZE
THE CITY SHARE OF NEW
DEVELOPMENT COSTS PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-359 at its meeting held Monday, June 3, 2013, authorizing the City Share of New Development Costs Program for the Engineering, Environmental & Works Department, being 2013 Capital Budget Project No. 6099RD in the amount of \$215,000.00 and the 2013 Water and Sanitary Sewer Capital Budget Project No.6099WS, with a net debenture cost of \$160,000.00, with a net debenture cost of \$375,000.00;

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

1. That the expenditure of \$375,000.00 for the City Share of New Development Costs Program for the following be hereby authorized:

Construction Contract Roads	\$204,762.00
Construction Contract Sewer and Water	152,381.00
Financing Costs	14,107.00
Administrative and Overhead Costs	<u>3,750.00</u>
Net Debenture Costs	\$375,000.00

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 \$375,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works in the amount of \$160,000.00 be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-148

**A BY-LAW TO AUTHORIZE PHASE II
FERGUSON STREET PROJECT
(WORTHINGTON TO CHIPPEWA)**

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 2013-360 at its Meeting held Monday, June 3, 2013, authorizing Phase II of the Ferguson Street Project (Worthington to Chippewa), for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project No. 3104RD, with a net debenture cost of \$3,400,000.00;

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

1. That the expenditure of \$3,400,000.00 for Phase II of the Ferguson Street Project (Worthington to Chippewa) for the following be hereby authorized:

Road and Storm Sewer Contract Costs	\$3,051,629.00
Financing	150,476.00
Miscellaneous Contracts	157,895.00
Administration and Overhead	<u>40,000.00</u>

Net Amount to be Debentured \$3,400,000.00

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 \$3,400,000.00 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 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-149

**A BY-LAW TO AUTHORIZE
AIRPORT ROAD RESURFACING
PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-361 at its meeting held Monday, June 3, 2013, authorizing the Airport Road Resurfacing Program for the Engineering, Environmental & Works Department, being a 2013 Budget Project No. 3402RD, with a net debenture cost of \$573,809.00;

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

1. That the expenditure of \$573,809.00 for the Airport Road Resurfacing Program for the following be hereby authorized:

Engineering Costs	\$546,267.00
Financing Costs	22,952.00
Administrative and Overhead Costs	<u>4,590.00</u>
Net Debenture Costs	\$573,809.00

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 \$573,809.00 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 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

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READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-150

**A BY-LAW TO AUTHORIZE the
MARSH DRIVE LEACHATE
PUMPING STATION PROJECT**

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

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

AND WHEREAS the Council passed Resolution 2013-362 at its Meeting held Monday, June 3, 2013, authorizing the Marsh Drive Leachate Pumping Station Project, for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project No. 3306GD, with a net debenture cost of \$85,000.00;

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

1. That the expenditure of \$85,000.00 for the Marsh Drive Leachate Pumping Station Project for the following be hereby authorized:

Construction Contract	\$80,952.00
Financing	3,198.00
Administration and Overhead	<u>850.00</u>
Net Amount to be Debentured	\$85,000.00

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 \$85,000.00 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 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-151

**A BY-LAW TO AUTHORIZE
THE ELLENDALE UPGRADES**

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 2013-363 at its meeting held Monday, June 3, 2013, authorizing the Ellendale Upgrades as outlined in the Condition Assessment Report for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3319WS, with a net debenture cost of \$150,000.00;

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

1. That the expenditure of \$150,000.00 for the Ellendale Upgrades as outlined in the Condition Assessment Report for the following be hereby authorized:

Construction Contract	\$142,857.00
Financing Costs	5,643.00
Administrative and Overhead Costs	<u>1,500.00</u>
Net Debenture Costs	\$150,000.00

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 \$150,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-152

**A BY-LAW TO AUTHORIZE
DESIGN WORK FOR NEXT
YEAR'S PROJECTS**

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 2013-364 at its meeting held Monday, June 3, 2013, authorizing the Design Work for Next Year's Projects for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.6147WS, with a net debenture cost of \$109,000.00;

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

1. That the expenditure of \$109,000.00 for the Design Work for Next Year's Projects for the following be hereby authorized:

Engineering Costs	\$103,810.00
Financing Costs	4,100.00
Administrative and Overhead Costs	<u>1,090.00</u>
Net Debenture Costs	\$109,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/ or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$109,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-153

**A BY-LAW TO AUTHORIZE
THE WATER TREATMENT PLANT
MAINTENANCE PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-370 at its meeting held Monday, June 3, 2013, authorizing the Water Treatment Plant Maintenance Program for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.6144WS, with a net debenture cost of \$274,000.00;

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

1. That the expenditure of \$274,000.00 for the Water Treatment Plant Maintenance Program for the following be hereby authorized:

Construction Contract	\$260,952.00
Financing Costs	10,308.00
Administrative and Overhead Costs	<u>2,740.00</u>
Net Debenture Costs	\$274,000.00

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 \$274,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-140

BEING A BY-LAW TO AMEND BY-LAW 2006-143, AS AMENDED TO RESTRICT AND REGULATE SIGNS AND OTHER ADVERTISING DEVICES WITHIN THE CITY OF NORTH BAY.

WHEREAS Section 99 of the Municipal Act, 2001, Subsections 1 to 5, authorizes the Council to pass By-laws regulating signs and other advertising devices;

AND WHEREAS to further this objective Council passed By-law 2006-143 being a By-law to regulate signs and other devices;

AND WHEREAS Council deems it desirable to amend By-law 2006-143 to amend existing sign regulations for the purpose of avoiding unnecessary hardship for businesses and community groups;

AND WHEREAS Notice of the Public Meeting in the matter of the amendments to the Sign By-law was given by way of advertisement in the North Bay Nugget on April 20th and April 27th, 2013;

AND WHEREAS a Public Meeting under the *Municipal Act* in the matter of the amendments to the Sign By-law was held on May 21st, 2013;

AND WHEREAS Council approved the amendment to the Sign By-law pursuant to Community Services Committee Report No. 2013-12 passed on the 3rd day of June, 2013.

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

1. Section 1.0 is amended by removing numbering of the definitions.
2. Section 1.0 is amended by adding the following definition:

"Decorative Banner" means a banner placed on a utility pole or similar structure designed to support such banner by:

- (a) The Downtown Improvement Area, Heritage North Bay, the City of North Bay, the Capitol Centre or any community organization to decorate or promote an area or a major special event or holiday;
- (b) A major tourist attractor to decorate the boulevard areas adjacent to the attraction and along the approaches to, and within, the attraction within ½ kilometer of the attraction;
- (c) A public institution or non-profit organization to temporarily promote a special celebration or anniversary;
- (d) No commercial advertising shall be permitted on the decorative banner except for where corporate sponsorship is recognized which shall be permitted on only 30% of the banner area on every banner, or one banner for every four decorative banner erected, except along Memorial Drive where the sponsorship component, in relation to Heritage North Bay, may occupy up to 50% of the total banner signage along Memorial Drive; and

- (e) In no case shall the decorative banner be used as exclusive advertising of a corporation, services, individual or political affiliation.

General Provisions:

1. Section 2(b) is amended by adding the following sentence: "This does not pertain to decorative banners".
2. Section 2(e) is amended by adding the following at the end of the sentence "unless otherwise specified in this by-law".

Signs Permitted in Commercial and Industrial Zones:

1. Section 8.4(c) be amended to state "as set out with the designated signs in 8.4.1 to 8.4.10"
2. Section 8.4.1 "Awnings/Canopies" is amended by adding item (e) as follows:
 - (e) In the case where the canopy does not encroach over public roads, sidewalks or City-owned lands, a minimum height above grade is not required.
3. Section 8.4.2 "Fascia Signs", be amended by increasing the maximum number of building faces permitted to have signage from 2 to 3.
4. Item (a) be amended by removing the words "of the front".
5. Item (b) is hereby deleted and the following inserted in lieu thereof "in the case of an interior lot located within the C1 zone (Inner Core of City), only 2 fascia signs shall be permitted and the maximum area of the fascia signs is 25% of the front of the building's first storey face and a maximum area of 3sq.m on the interior side face or rear face of the building".
6. Item (c) is hereby deleted.
7. Section 8.4.3 "Freestanding Signs" item (a) be amended by adding the wording "per side" at the end of the sentence.
8. Section 8.4.3 is amended by adding item (g) "in the case of a building consisting of more than five businesses where one additional freestanding sign is not an option as stated in item (e), the maximum area of the sign may be increased to 20sq.m./side.
9. Municipal Address Numbers shall not be calculated towards the total sign face area or height of the freestanding sign.
10. That a new Section be added after Section 8.4.9 as follows:

"Section 8.4.10 Ground Signs

Ground signs are permitted as outlined in Section 8.2.1 however for ground signs located in Commercial or Industrial Zones the following regulations may apply:

- (a) The ground sign shall have a maximum height of 2.4m;
- (b) The ground sign face area shall not exceed 3.3sq.m in size;
- (c) Municipal Address numbers shall not be calculated toward the total sign face area or the height of the ground sign; and
- (d) Illumination shall be permitted for ground signs."

11. That a new Section be added after Section 8.4.10 as follows:

"Section 8.4.11 Decorative Banners

- (a) Decorative banners may be permitted by permit only issued by the Zoning Administrator;
- (b) Decorative banners shall be permitted in the Downtown Improvement Area, as indicated on Schedule 'C' of By-law No. 2006-143, the Community Waterfront Area, and along arterial roads such as Fisher Street, Cassells Street, Algonquin Avenue, Oak Street, Lakeshore Drive, McIntyre Street, Main Street and Memorial Drive subject to Item (f);
- (c) Written permission must be obtained from the owner or lessee of the utility pole or similar structure to which the decorative banner will be attached;
- (d) The applicant abides by specific fastening conditions stipulated by the owner or lessee of the utility pole or similar structure to which the decorative banner will be attached;
- (e) Where deemed necessary by the Managing Director of Community Services Business Unit, the decorative banner will be erected by the City at the applicant's cost;
- (f) Decorative banners will only be permitted where approved by the Managing Director of Community Services Business Unit and the Managing Director or Engineering, Environmental and Public Works;
- (g) All decorative banners must be issued a Sign Permit but will be exempt from this fee other than said fee identified in item (e) of this Section, and;
- (h) The applicants shall be required to enter into an agreement with the City to indemnify and save harmless the City and the owner or lessee of the utility pole or similar structure from all claims of liability that may occur as a result of the presence of the decorative banners."

3. This by-law comes into effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THE 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

Mayor Allan McDonald

Deputy Clerk Karen McIsaac

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-145

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH THE
NORTH BAY AREA MUSEUM SOCIETY
RELATING TO HERITAGE NORTH BAY PARK
MAINTENANCE SERVICES**

WHEREAS the Agreement with The North Bay Area Museum Society (operating as Heritage North Bay) for Heritage North Bay Park Maintenance Services was approved by Resolution No. 2013-365 passed by Council on the 3rd day of June, 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 1st day of November, 2012, with The North Bay Area Museum Society (operating as Heritage North Bay) relating to Heritage North Bay Park Maintenance Services.
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 The North Bay Area Museum Society (operating as Heritage North Bay) and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-156

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH NEW
WORLD PARK SOLUTIONS INC. FOR THE
SUPPLY AND INSTALLATION OF
PLAYGROUND STRUCTURES**

WHEREAS the Agreement with New World Park Solutions Inc. for the supply and installation of playground structures was approved by Resolution No. 2013-232 passed by Council on the 15th day of April, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 25th day of April, 2013 with New World Park Solutions Inc. for the supply and installation of playground structures.
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 New World Park Solutions Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-157

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH
CALVIN JOHNSON OPERATING AS JOHNSON
CONSTRUCTION RELATING TO THE
INSTALLATION OF PEDESTRIAN BRIDGES
AT THOMSON PARK**

WHEREAS the Agreement with Calvin Johnson operating as Johnson Construction for the installation of pedestrian bridges at Thomson Park was approved by Resolution No. 2013-367 passed by Council on the 3rd day of June, 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 13th day of June, 2013 with Calvin Johnson operating as Johnson Construction relating to the installation of pedestrian bridges at Thomson Park.
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 Calvin Johnson operating as Johnson Construction and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF JUNE, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 17TH DAY OF JUNE, 2013.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC