



Council

Agenda

**Regular Meeting of Council**  
**February 6, 2012**  
**at 7:00 p.m.**

# MEETINGS

**FOR THE WEEK OF  
FEBRUARY 6, 2012**

Monday, February 6, 2012

5:00 p.m.

Closed Meeting of Council  
Council will adjourn in-camera for  
training and educational purposes  
5<sup>th</sup> Floor Boardroom

7:00 p.m.

Regular Meeting of Council  
Council Chambers, 2<sup>nd</sup> floor

**THE CORPORATION OF THE CITY OF NORTH BAY  
REGULAR MEETING OF COUNCIL HELD  
MONDAY, FEBRUARY 6, 2012**

**PUBLIC PRESENTATIONS:**

**PUBLIC MEETING MINUTES:**

Monday, January 23, 2012  
Monday, January 30, 2012

**CLOSED MEETING MINUTES (available for Council viewing in the Clerk's Office):**

Nil

**COMMITTEE REPORTS:**

Community Services Committee Report No. 2012-03

**CORRESPONDENCE:**

1. Applications for Removal of a Holding Zone and Plan of Subdivision by Goodridge Planning & Surveying on behalf of Jimmy & Tracey Kolios - Carmichael Drive (D14/D12/KOLIOS/CARMICHA).
2. Report from S. Bradford dated January 25, 2012 re 2012 Information Systems Technology Capital Project (F05/2012/IS/6084GGWS).
3. Report from R. Bellehumeur dated January 3, 2012 re King's Landing and Marina Rehabilitation Program (F05/2012/PARKS/6067MR).
4. Report from I.G. Kilgour dated January 16, 2012 re 2011 Wharf Inspection, King's Landing Report (F05/2012/PARKS/6067MR).
5. Report from M. Tremblay dated January 19, 2012 re Immigration Portal Marketing Contract (L04/2012/MOCIT/IPMI).
6. Report from B. Hillier dated February 1, 2012 re Residential Rental Housing Licensing By-Law - Housekeeping update (C00/2011/BYLAW/RENTHOUS).
7. Report from I.G. Kilgour dated February 1, 2012 re Ike Bowness Field (R05/2010/BALLF/TWEENSMUIR).
8. Report from M. Karpenko dated January 31, 2012 re 2012 Court Security Prisoner Transportation Program (L04/2012/MCSCS/CSPT).
9. Report from P. Valenti dated January 31, 2012 re RFP No. 2011-88, Corporate Radio Communications System (F05/2011/FIRE/3113GG).

10. Report from A. Cox dated February 3, 2012 re Rural Roadway Reconstruction Program - On-going (F05/2012/ROADS/6056RD).
11. Report from A. Cox dated February 3, 2012 re Water and Sanitary Sewer Building Roof Repairs Program (F05/2012/ROADS/3211WSSS).
12. Report from A. Cox dated February 3, 2012 re Sewage Plant and Pumping Station Program (F05/2012/ROADS/6090SS).
13. Report from A. Cox dated February 3, 2012 re Water Treatment Plant Facilities and Repairs Project (F05/2012/ROADS/6094WS).
14. Report from A. Cox dated February 3, 2012 re Vehicle & Equipment Replacement Program, Roads and Traffic Division - Ongoing (F05/2012/ROADS/6050FL).
15. Report from A. Cox dated February 3, 2012 re Hydrant and Water Valve Rehabilitation Program (F05/2012/ROADS/6091WS).
16. Report from A. Cox dated February 3, 2012 re Vehicle & Equipment Replacement Program, Sewer & Water Division - Ongoing (F05/2012/ROADS/6050SSWS).
17. Report from A. Cox dated February 3, 2012 re Design Work - Next Years Projects - Ongoing (F05/2012/ROADS.6097RDWS).
18. Report from A. Cox dated February 3, 2012 re Road Culvert Replacement and Rehabilitation Program (F05/2012/ROADS/6055RD).
19. Report from L. Rochefort / M. Karpenko dated January 30, 2012 re 2012 Assessment Analysis & Tax Policy Review (F22/2012/TAXR/GENERAL).
20. Report from A. Cox dated February 3, 2012 re Digester & Grit Removal Program - Ongoing (F05/2012/ROADS/6089SS).
21. Report from A. Cox dated February 3, 2012 re Unidirectional Flushing of City Watermains Program (F05/0212/ROADS/6093WS).
22. Report from A. Lang dated February 1, 2012 re 2012 North Bay Police Services Capital Budget allocation (F05/2012/NBPS/6087PD).
23. Report from S. McArthur dated February 2, 2012 re Rezoning application by Southshore Investments Inc. - 1704 to 1730 Main Street West (D14/2012/SSINV/MAINSTW).
24. Report from P. Valenti dated February 2, 2012 re Tender No. 2011-106, Merrick Landfill Gas Collection System (E07/2012/MERRI/GASCOLL).

**BY-LAWS FOR CONSIDERATION:**

**General Government - First, second and third readings:**

By-Law No. 2012-07 to authorize the purchase of lands from the Estate of Edward Labreche for the purpose of protecting a municipal drainage course (Anita Avenue).

By-Law No. 2012-08 to execute a Lease Agreement with Miller Technology Incorporated relating to a portion of the Second Street road allowance.

By-Law No. 2012-10 to confirm proceedings of the Meeting of Council on January 23, 2012.

By-Law No. 2012-17 to authorize the sale of lands no longer required for municipal purposes (Shannon Avenue).

By-Law No. 2012-18 to authorize the Vehicle and Equipment Replacement Program - Fire Department.

By-Law No. 2012-19 to authorize the City Hall Building Rehabilitation Program.

By-Law No. 2012-20 to authorize the Facilities - Parks Building Rehabilitation Program.

By-Law No. 2012-21 to authorize the Facilities - Pete Palangio / West Ferris Rehabilitation Program.

By-Law No. 2012-22 to authorize the Memorial Gardens Rehabilitation Program.

By-Law No. 2012-23 to authorize the Recreation Facilities Rehabilitation and Development Program.

By-Law No. 2012- 24 to authorize the Parking Lot Maintenance and Improvement Program.

By-Law No. 2012-25 to authorize the Aquatic Centre Rehabilitation Program.

By-Law No. 2012-26 to authorize the Park Vehicle and Equipment Replacement Program.

By-Law No. 2012-27 to authorize the Trail & Supporting Hard Surfaces Rehabilitation Program.

By-Law No. 2012-28 to authorize the City Hall Grounds Rehabilitation Program.

By-Law No. 2012-29 to authorize the Downtown Sidewalk Rehabilitation Program.

By-Law No. 2012-30 to authorize the Waterfront Rehabilitation Program.

By-Law No. 2012-31 to authorize the Park and Playground Rehabilitation Program.

By-Law No. 2012-33 to execute a transfer from the North Bay Regional Health Centre relating to the Bourke Street playground.

**Community Services - First and second readings:**

By-Law No. 2012-11 to rezone certain lands on Worthington Street East (Orlando Rosales & Mabel Hernandez - 403 Worthington Street East).

By-Law No. 2012-13 to rezone certain lands on Percy Street (2046304 Ontario Ltd. - 342 Percy Street).

By-Law No. 2012-15 to rezone certain lands on Bloem Street (North Bay General Hospital - 685 Bloem Street).

**Community Services - First, second and third readings:**

By-Law No. 2012-12 to designate a Site Plan Control area on certain lands on Worthington Street East (Orlando Rosales & Mabel Hernandez - 403 Worthington Street East).

By-Law No. 2012-14 to designate a Site Plan Control area on certain lands on Percy Street (2046304 Ontario Ltd. - 342 Percy Street).

By-Law No. 2012-16 to designate a Site Plan Control area on certain lands on Bloem Street (North Bay General Hospital - 685 Bloem Street).

**Engineering & Works - First, second and third readings:**

By-Law No. 2012-32 to execute an Agreement with Stantec Consulting Ltd. relating to the Infrastructure Asset Management Data Update.

**MOTIONS:**

**MOTION TO ADJOURN IN-CAMERA:**

**IN-CAMERA CORRESPONDENCE:**

25. ***Confidential*** report from P. Leckie dated February 2, 2012 re Property matter.

26. ***Confidential*** report from P. Leckie dated February 1, 2012 re Property matter.

27. ***Confidential*** report from M.B. Burke dated February 3, 2011 re Solicitor-client privilege.

**MOTION TO RECONVENE:**

**MOTION FOR RECONSIDERATION:**

**GIVING NOTICE:**

**ADJOURNMENT:**

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, JANUARY 23<sup>RD</sup>, 2012**

**PRESENT:** Councillors Chirico, Koziol, Anthony, Maroosis, Bain, Mayne, Vrebosch, Vaillancourt, Mendicino, Lawlor

**PUBLIC PRESENTATIONS:**

Dr. Rod Johnston / Harriet Madigan re Community Waterfront Friends

**CORRESPONDENCE:**

Nil

**REPORTS FROM OFFICERS:**

Bellehumeur, R.	re Parks Building Rehabilitation Program	(37)
Bellehumeur, R.	re Pete Palangio / West Ferris Rehabilitation Program	(38)
Bellehumeur, R.	re Memorial Gardens Rehabilitation Program	(39)
Bellehumeur, R.	re Recreation Facilities Rehabilitation & Development Program	(40)
Bellehumeur, R.	re Parking Lot Maintenance & Improvement Program	(41)
Bellehumeur, R.	re Aquatic Centre Rehabilitation Program	(42)
Bellehumeur, R.	re Park Vehicle & Equipment Replacement Program	(43)
Bellehumeur, R.	re Trail & Supporting Hard Surfaces Rehabilitation Program	(44)
Bellehumeur, R.	re City Hall Grounds Rehabilitation Program	(45)
Bellehumeur, R.	re Downtown Sidewalk Rehabilitation Program	(46)
Bellehumeur, R.	re Waterfront Rehabilitation Program	(47)
Bellehumeur, R.	re Park & Playground Rehabilitation Program	(48)
Conrad, C.	re City Hall Building Rehabilitation Program	(35)
Evans, R.	re Deposition of Property on Ferris Drive & Legault Street	(66)
Hillier, B.	re New Official Plan Approval	(36)
Leckie, P.	re Anita Avenue Drainage – Estate of Edward J. Labreche	(63)
Leckie, P.	re Miller Technology Incorporation Agreement re Second Street	(64)
Leckie, P.	re North Bay General Hospital – Bourke Street Playground / Parking Area	(65)
Love, G.	re Vehicle & Equipment Replacement Program	(34)
McArthur, S.	re Condominium Final Approval – Shore Haven Terrace Condominiums – 40 Judge Avenue	(49)
Valenti, P.	re Tender No. 2011-110, Sanitary Trunk Sewer Extension – Morgan Ave. to Birch's Road	(50)
Valenti, P.	re Final Survey Work – Plan of Subdivision - Airport Property	(51)
Valenti, P.	re RFP 2011-102, Multi-Use Recreational Facility Feasibility Study	(52)

**Res. #2012-32:** Moved by Councillor Vaillancourt, seconded by Councillor Koziol That minutes for the public meetings held on:

- Friday, January 6, 2012; and
- Monday, January 9, 2012

be adopted as presented.

"CARRIED"

Res. #2012-33: Moved by Councillor Vaillancourt, seconded by Councillor Koziol  
That minutes for the closed meetings held on:

- Friday, January 6, 2012; and
- Monday, January 9, 2012

be adopted as presented.

"CARRIED"

Res. #2012-34: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That Council directs the City Clerk to prepare a by-law for approval to fund the Fire Department Vehicle and Equipment Replacement Program, in the 2012 Capital Budget Fire Department, Project No. 6063FD, at a net debenture cost of \$570,000.00.

"CARRIED"

Res. #2012-35: Moved by Councillor Koziol, seconded by Councillor Anthony  
That a Capital Expenditure By-Law be presented to Council to authorize the City Hall Building Rehabilitation (On-going), being 2012 Capital Budget Project No. 6083GG, at a net debenture cost of \$145,476.00.

"CARRIED"

Res. #2012-36: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That Report to Council CSBU 2012-25 dated January 11, 2012 from Beverley Hillier regarding the New Official Plan Approval be received for information purposes and referred to the Community Services Committee.

"CARRIED"

Res. #2012-37: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Parks Building Rehabilitation Program, being 2012 Community Services Capital Budget, Project No. 6068PR, at a net debenture cost of \$1,300,000.00.

"CARRIED"

Res. #2012-38: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Pete Palangio / West Ferris Rehabilitation Program, being 2012 Community Services Capital Budget, Project No. 6066RF, at a net debenture cost of \$400,000.00.

"CARRIED"

Res. #2012-39: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation Program, being 2012 Community Services Capital Budget, Project No. 6065RF, at a net debenture cost of \$300,000.00.

"CARRIED"

Res. #2012-40: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Recreational Facilities Rehabilitation and Development Program, being 2012 Community Services Capital Budget, Project No. 6069RF, at a net debenture cost of \$300,000.00.

"CARRIED"



Res. #2012-41: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Parking Lot Maintenance &  
Improvement Program, being 2012 Community Services Capital  
Budget, Project No. 6079PK, at a net debenture cost of \$800,000.00.

"CARRIED"

Res. #2012-42: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Aquatic Centre Rehabilitation Program,  
being 2012 Community Services Capital Budget, Project No. 6078PR,  
at a net debenture cost of \$60,000.00.

"CARRIED"

Res. #2012-43: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Park Vehicle & Equipment  
Replacement Program, being 2012 Community Services Capital  
Budget, Project No. 6077PR, at a net debenture cost of \$284,000.00.

"CARRIED"

Res. #2012-44: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Trail & Supporting Hard Surfaces  
Rehabilitation Program, being 2012 Community Services Capital  
Budget, Project No. 6076PR, at a net debenture cost of \$170,000.00.

"CARRIED"

Res. #2012-45: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the City Hall Grounds Rehabilitation  
Program, being 2012 Community Services Capital Budget, Project No.  
6074PR, at a net debenture cost of \$91,000.00.

"CARRIED"

Res. #2012-46: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Downtown Sidewalk Rehabilitation  
Program, being 2012 Community Services Capital Budget, Project No.  
6073PR, at a net debenture cost of \$95,000.00.

"CARRIED"

Res. #2012-47: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Waterfront Rehabilitation Program,  
being 2012 Community Services Capital Budget, Project No. 6072PR,  
at a net debenture cost of \$96,000.00.

"CARRIED"

Res. #2012-48: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration  
of City Council to authorize the Park & Playground Rehabilitation  
Program, being 2012 Community Services Capital Budget, Project No.  
6071PR, at a net debenture cost of \$217,000.00.

"CARRIED"

- Res. #2012-49: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That 1) the Mayor and City Clerk be authorized to sign the Shore Haven Terrace Condominium Agreement by 40 Judge Development Corp. for the approval of a forty-four (44) unit condominium on Judge Avenue in the City of North Bay – City File No. 48CDM-09101; and
- 2) the Mayor, City Clerk and Manager of Planning Services be authorized to sign the Final Plans of Condominium subject to receipt of all fees, easements and condominium agreement requirements.

Deputy Mayor Chirico declared a conflict of interest as the proponent is a client of his employer, The Royal Bank of Canada.

“CARRIED”

- Res. #2012-50: Moved by Councillor Vrebosch, seconded by Councillor Mayne  
That City Council approve the award of a contract to MX Constructors Inc., in the amount of \$709,202.24 (including HST), for the construction of a sanitary trunk sewer extension from Morgan Avenue to Birch’s Road.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed by Kenalex Construction Company Limited.

“CARRIED”

- Res. #2012-51: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That 1) City Council approve the award of a contract to Miller & Urso Surveying Inc., in the amount of \$56,240.00 (excluding HST), for final survey work for the Plan of Subdivision for the Airport Property; and
- 2) all costs associated with this survey work be funded through the Land Sale Reserve, 99535R Property Development Fund.

“CARRIED”

- Res. #2012-52: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That City Council approve the award of a contract to Monteith Brown Planning Consultants Ltd., in the amount of \$111,877.50 (excluding HST), to conduct a study that will assess the need and feasibility of the City to renovate, replace or construct arena facilities as well as the need and feasibility to construct an indoor multi-use recreational facility.

“CARRIED”

- Res. #2012-53: Moved by Councillor Koziol, seconded by Councillor Anthony  
That the following by-laws be read a first and second time:
- By-Law No. 2012-01 to authorize the sale of lands no longer required for municipal purposes (Second Avenue West).
- By-Law No. 2012-02 to levy certain interim rates, taxes and charges.
- By-Law No. 2012-03 to adjust interim taxes for 2012.
- By-Law No. 2012-05 to confirm proceedings of the Meeting of Council on January 9, 2012.

By-Law No. 2012-06 to authorize the purchase of lands from Gold Fleet Investments Ltd., for the purpose of a storm water pond for the Airport Industrial Park (Airport Road and Carmichael Drive).

"CARRIED"

Res. #2012-54: Moved by Councillor Koziol, seconded by Councillor Anthony  
That the following by-laws be read a third time and passed:

By-Law No. 2012-01 to authorize the sale of lands no longer required for municipal purposes (Second Avenue West).

By-Law No. 2012-02 to levy certain interim rates, taxes and charges.

By-Law No. 2012-03 to adjust interim taxes for 2012.

By-Law No. 2012-05 to confirm proceedings of the Meeting of Council on January 9, 2012.

By-Law No. 2012-06 to authorize the purchase of lands from Gold Fleet Investments Ltd., for the purpose of a storm water pond for the Airport Industrial Park (Airport Road and Carmichael Drive).

"CARRIED"

Res. #2012-55: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2011-239 to adopt Official Plan Amendment No. 118 (Belisle Investments Ltd. – 1781 Cassells Street).

By-Law No. 2011-240 to rezone certain lands on Cassells Street (Belisle Investment Ltd. – 1781 Cassells Street).

Deputy Mayor Chirico declared a conflict of interest as the proponent is a client of his employer, The Royal Bank of Canada.

"CARRIED"

Res. #2012-56: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2011-253 re rezone certain lands on McIntyre Street West (2277111 Ontario Inc. – 489 McIntyre Street West).

"CARRIED"

Res. #2012-57: Moved by Councillor Vrebosch, seconded by Councillor Mayne  
That the following by-law be read a first and second time:

By-Law No. 2012-09 to execute an Agreement with Pioneer Construction Inc., relating to the supply of emulsified asphalt patching material.

"CARRIED"

Res. #2012-58: Moved by Councillor Vrebosch, seconded by Councillor Mayne  
That the following by-law be read a third time and passed:

By-Law No. 2012-09 to execute an Agreement with Pioneer Construction Inc., relating to the supply of emulsified asphalt patching material.

"CARRIED"

Res. #2012-59: Moved by Councillor Vaillancourt, seconded by Councillor Koziol  
WHEREAS the City of North Bay and North Bay District Chamber of  
Commerce have an agreement which includes the operation of the  
Dionne Home;

AND WHEREAS the City's 2012 Capital Budget includes funds for the  
repair of the Dionne Home;

AND WHEREAS ongoing investment will be required to maintain the  
home;

NOW BE IT THEREFORE RESOLVED THAT City Staff prepare a  
report for Council's consideration, outlining options for the Dionne  
Home as well as a longer range plan;

AND FURTHER THAT in preparation of such report, Staff work in  
consultation with the North Bay District Chamber of Commerce.

"CARRIED"

Res. #2012-60: Moved by Councillor Mendicino, seconded by Councillor Vrebosch  
WHEREAS the North Bay-Mattawa Conservation Authority, as the  
principal authority in the Ontario Building Code for Part 8, has advised  
The Corporation of the City of North Bay of a recommended change to the  
Building Code that will require denitrification, phosphorus removal and  
tertiary treatment for on-site septic systems within vulnerable areas as  
described in Drinking Water Source Protection Assessment reports where  
septic systems are deemed to be significant threats;

AND WHEREAS the North Bay-Mattawa Conservation Authority has  
indicated to the Ministry of Municipal Affairs and Housing, in its comments  
as part of the public comment process, that it does not support the  
proposed changes to the Ontario Building Code for tertiary treatment  
systems as a blanket approach to reducing the significance of such  
threats, particularly in light of the new Building Code requirement for  
mandatory maintenance inspections for these same systems;

AND WHEREAS the septic systems proposed through the amendment to  
the Ontario Building Code are significantly more costly than a  
conventional septic system - an additional cost that will have to be borne  
by each property owner in a vulnerable area;

THEREFORE BE IT RESOLVED THAT the Council for The Corporation  
of the City of North Bay requests that the proposed change to Part 8 of  
the Ontario Building Code, recommended by the Ministry of Municipal  
Affairs and Housing, requiring the installation of tertiary treatment systems  
for new or replacement septic systems within vulnerable areas as  
described in Drinking Water Source protection assessment reports, where  
septic systems are deemed to be a significant threat, not be approved;

AND FURTHER THAT a copy of this resolution be forwarded to the  
Minister of Municipal Affairs and Housing; the Minister of the Environment;  
the Minister of Natural Resources; Victor Fedeli, MPP Nipissing; the  
Premier of Ontario; Tim Hudak, Leader of the Progressive Conservative  
Party of Ontario; Andrea Horwath, Leader of the New Democratic Party of  
Ontario; the North Bay-Mattawa Conservation Authority; the Federation of  
Northern Ontario Municipalities and to all municipalities falling under the  
North Bay-Mattawa Conservation Authority's jurisdiction.

"CARRIED"

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

Yeas: Councillors Mendicino, Bain, Lawlor, Vaillancourt, Koziol, Vrebosch, Marosis  
Anthony, Deputy Mayor Chirico

Nays: Councillor Mayne

"CARRIED"

Res. #2012-61: Moved by Councillor Koziol, seconded by Councillor Anthony That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended at 7:59 p.m. for the following reasons: Items 20 and 22, being the potential purchase of lands by the Municipality; Item 21, being the potential lease of Municipal property; and Item 23, being the potential disposition of lands by the Municipality; and Item 24, being advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

"CARRIED"

Res. #2012-62: Moved by Councillor Koziol, seconded by Councillor Anthony That Council reconvene at 8:21 p.m.

"CARRIED"

Res. #2012-63: Moved by Councillor Koziol, seconded by Councillor Anthony That

- 1) the City enter into an Agreement of Purchase and Sale for the purchase of Lot 29, Plan 36M-215 (Anita Avenue) for consideration of \$12,000.00 net of taxes;
- 2) the purchase price of \$12,000.00 shall be paid out of Land Sales Reserve (99535); and
- 3) the Mayor and City Clerk execute all documents necessary to effect the purchase and sale of the subject lands.

"CARRIED"

Res. #2012-64: Moved by Councillor Koziol, seconded by Councillor Anthony That

- 1) the City enter into a Lease Agreement with Miller Technology Incorporated to lease a portion of Second Street abutting their property on Eloy Road; and
- 2) the Mayor and City Clerk execute the said lease.

"CARRIED"

Res. #2012-65: Moved by Councillor Koziol, seconded by Councillor Anthony That the City ratify the registration of the Transfer of Lots 434-438, Plan 78, Widdifield, North Bay, District of Nipissing (Bourke Street Playground) from the North Bay Regional Health Centre to The Corporation of the City of North Bay.

"CARRIED"

Res. #2012-66: Moved by Councillor Koziol, seconded by Councillor Anthony That

- 1) The Corporation of the City of North Bay waives its right of first refusal on Parcel 1-6, Section 36M-540, Part Block 1, Plan 36M-540, being Parts 1 and 2, Plan 36R-8828, City of North Bay, District of Nipissing (Ferris Drive and Legault Street); and
- 2) The Corporation of the City of North Bay's Economic Development Department be instructed to include the site on its property database to assist in marketing the land."

"CARRIED"

Res. #2012-67: Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That this Regular Meeting of Council do now adjourn at 8:23 p.m.

"CARRIED"

DEPUTY MAYOR PETER CHIRICO

DEPUTY CITY CLERK KAREN McISAAC

**MINUTES OF THE PUBLIC MEETING OF  
CITY COUNCIL HELD UNDER THE *PLANNING ACT*  
HELD MONDAY, JANUARY 30, 2012**

**PRESENT:** Mayor McDonald, Councillors Chirico, Koziol, Anthony, Maroosis, Mayne, Vrebosch, Vaillancourt, Mendicino

1. North Bay General Hospital - 685 Bloem Street

Councillor Mendicino explained the purpose of the meeting.

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 10<sup>th</sup> day of January, 2012 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Steve McArthur explained the purpose of the rezoning application.

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

No presentations were made.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
DEPUTY CITY CLERK KAREN McISAAC

**MINUTES OF THE PUBLIC MEETING OF  
CITY COUNCIL HELD UNDER THE *PLANNING ACT*  
HELD MONDAY, JANUARY 30, 2012**

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

1. Orlando Rosales and Mabel Hernandez - 403 Worthington Street East

Councillor Mendicino explained the purpose of the meeting.

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 10<sup>th</sup> day of January, 2012 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Steve McArthur explained the purpose of the rezoning application.

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

No presentations were made.

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MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC



**MINUTES OF THE PUBLIC MEETING OF  
CITY COUNCIL HELD UNDER THE *PLANNING ACT*  
HELD MONDAY, JANUARY 30, 2012**

**PRESENT:** Mayor McDonald, Councillors Chirico, Koziol, Anthony, Maroosis, Mayne, Vrebosch, Vaillancourt, Mendicino

1. 2046304 Ontario Ltd. - 342 Percy Street

Councillor Mendicino explained the purpose of the meeting.

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 10<sup>th</sup> day of January, 2012 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Steve McArthur explained the purpose of the rezoning application.

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

1. Michael Buffet – 350 Percy Street, North Bay

- his property is on the north side of the proposal
- he is worried about privacy because of the number of windows on the north side of the building looking into his property
- he also believes that parking will be a big issue especially for visitors at the apartment building
- he is concerned about his property value and the amount of garbage the apartment building will produce

2. Keith Harriman – Planning Consultant

- he is the planning consultant for the applicant
- the applicant has not finalized the plans for the apartment building but are looking to design the property with privacy of the neighbours in mind
- the applicant cannot close off the windows all together they will lose units if they remove windows
- the applicant will keep the snow cleared in order to help with any potential parking issues

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MAYOR ALLAN McDONALD

---

DEPUTY CITY CLERK KAREN McISAAC

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-03**

February 6, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-03 and recommends:

1. That a) the proposed Zoning By-Law Amendment from a "Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)" to a "Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)" by Orlando Rosales & Mabel Hernandez for the property legally described as Registered Plan No. 10, Part of Lot 291, known locally as 403 Worthington Street East in the City of North Bay, be approved; and
  - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, in order to regulate parking, lighting, landscaping, stormwater, drainage, ingress, egress and fencing as required.
  
2. That a) the proposed Zoning By-Law Amendment from a "Residential First Density (R1)" zone and an "Institutional (N)" zone to a "Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81)" by Goodridge Planning & Surveying on behalf of the North Bay General Hospital for the property legally described as Concession C, Part of Lot 21, Registered Plan No. 91, Lots 9 to 15 and Registered Plan No. 99, Lots 12, 13, 19, 20 and 21, PIN #49162-0563 (LT), in the former Township of Widdifield, known locally as 685 Bloem Street in the City of North Bay, be approved; and
  - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, in order to regulate parking, lighting, landscaping, stormwater, drainage, ingress, egress and fencing as required."
  
3. That a) the proposed Zoning By-Law Amendment from a "Residential Third Density (R3)" zone to a "Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)" by Harriman and Associates on behalf of 2046304 Ontario Ltd. for the property legally described as Plan 48, Lots 170 and 171, Part Lots 172, 181 and 182, known locally as 342 Percy Street in the City of North Bay, be approved; and
  - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, in order to regulate parking, lighting, landscaping, stormwater, drainage, ingress, egress and fencing as required.
  
4. That Report to Council CSBU 2012-25 relating to the approval of the new Official Plan be noted and filed.

All of which is respectfully submitted.

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



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

Planning Services: 5<sup>th</sup> Floor, City Hall  
Direct Line: (705) 474-0626, Ext. 2409  
Facsimile: (705) 474-5928  
Watts: 1-800-465-1882  
Email: [steve.mcarthur@cityofnorthbay.ca](mailto:steve.mcarthur@cityofnorthbay.ca)  
Website: [www.cityofnorthbay.ca](http://www.cityofnorthbay.ca)

January 13, 2012

Mr. Paul Goodridge  
116 Byers Road  
Callander, On. POH IHO

Jimmy Kolios  
169 Campbell Avenue  
North Bay, On. P1A 2E7

Dear Mr. Goodridge:

Re: Proposed Removal of a Holding Zone and Draft Approval of a Plan of Subdivision by Goodridge  
Planning & Surveying on behalf of Jimmy & Tracey Kolios - Carmichael Dr. City of North Bay

Please accept this letter as our acknowledgement of receipt of the above-noted applications to Remove a Holding Zone and to grant Draft Approval to a Plan of Subdivision application to create seven (7) lots fronting on Carmichael Drive that would permit the construction of seven (7) single detached dwellings.

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

Should you require any additional information, please feel free to contact the undersigned at 705-474-0626 ext. 2409.

Sincerely,

Steve McArthur, MCIP, RPP  
Senior Planner, Current Operations

SM/dlb

**CITY OF NORTH BAY  
REPORT TO COUNCIL**

Report No: CORP 2012- 15

Date: JANUARY 25, 2012

Originator: SCOTT BRADFORD

Subject: 2012 INFORMATION SYSTEMS TECHNOLOGY CAPITAL PROJECT

---

**RECOMMENDATION**

**That a capital expenditure by-law be prepared for the consideration of City Council to authorize the 2012 information systems technology capital program, project number 6084GG, in the amount of \$503,000 and the 2012 water and sanitary sewer information systems technology program, project number 6084WS, in the amount of \$96,000**

---

**BACKGROUND**

The 2012 Capital Budget was passed by City Council Resolution No. 2012-04 at its regular meeting held on January 9, 2012.

Included in the 2012 budget was the amount of \$503,000 for the 2012 Information Systems Technology program. The 2012 Water and Sanitary Sewer budget also includes \$96,000 for an Information Systems Technology program.

The 2012 program can be summarized as follows:

Corporate Priorities	\$537,000
Departmental Priorities	\$ 21,000
Financing and Contingency	\$ 25,000
Previously allocated Capital	<u>- \$ 80,000</u>
Net Debenture Cost	\$503,000
Water and Sanitary Sewer Priorities	<u>\$96,000</u>
Combined Net Debenture Cost	<u>\$599,000</u>

The detailed program for 2011 is as follows:

Server Replacements	\$ 60,000
Workstations	\$ 93,000
Information Systems- Infrastructure / Network	\$ 90,000
Telephony & Communications	\$ 8,000
Printer Replacement	\$ 45,000
Security/Access	\$ 32,000
Sungard Public Sector Enhancements	\$ 20,000
Software Licensing	\$ 25,000
SAN/Replication	\$ 89,000
GIS Priorities	\$ 75,000
Corporate Priorities	\$ 21,000
Water and Sanitary Sewer Priorities	\$ 96,000
Financing and Contingencies	<u>\$ 25,000</u>
Total Expenditures	<u>\$679,000</u>

---

#### OPTIONS ANALYSIS

Option 1: To authorize the expenditure by-law for the 2012 Information Systems technology capital program and the 2012 Water and Sewer Information Systems technology program as approved in the respective 2012 capital budgets.

Option # 2: Not to approve part or all of the program.

The servers and workstations are at the end of their useful life and will impact operating efficiency if not replaced.


The remaining items, other than financing, represent identified corporate and business unit requirements and represent some improvement of efficiencies in the proper deployment of the system.


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#### RECOMMENDED OPTION

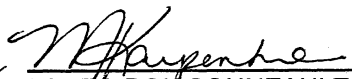
**That a capital expenditure by-law be prepared for the consideration of City Council to authorize the 2012 information systems technology capital program, project number 6084GG, in the amount of \$503,000 and the 2012 water and sanitary sewer information systems technology program, project number 6084WS, in the amount of \$96,000**

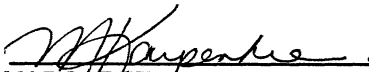
Respectfully submitted,


  
SCOTT BRADFORD  
DIRECTOR OF INFORMATION SYSTEMS

  
LEA JANISSE  
MANAGING DIRECTOR OF  
CORPORATE SERVICES

We concur in this report and recommendation.

*for*   
LAURA BOISSONNEAULT  
SUPERVISOR OF BUDGETS AND  
FINANCIAL REPORTING

  
MARGARET KARPENKO, CMA  
CHIEF FINANCIAL OFFICER/TREASURER

  
DAVE LINKIE  
CHIEF ADMINISTRATIVE OFFICER

Personnel designated for continuance: Scott Bradford

**Project Summary**

Project Number:	6084WS	Active:	Yes
Title:	SYSTEMS TECHNOLOGY PROGRAM ON-GO		
Asset Type:	MACHINERY & EQUIPMENT - Water		
Division:	Water		
Budget Year:	2012		
Scenario Name:	Main		
Budget Status:	Staff Input		
Regions:			
Project Type:	WATER		

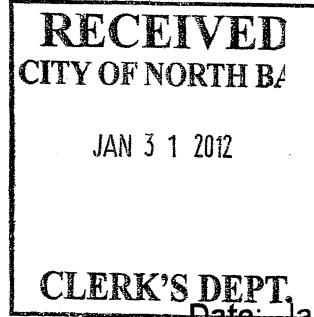
<b>Project Description</b>				<b>Project Comments</b>			
This project is to provide the Information and Communications technology for the Corporations Business Units. This includes computer hardware and software, telephony hardware and software, network infrastructure and connectivity.				See 6035WS for 2011 budget. Also see project #6084GG for 2012 general system technology needs.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2012	96,000	96,000	0	Expense			
2013	99,000	99,000	0	5030	COMPUTER H/WARE & S/WARE		96,000
2014	102,000	102,000	0			Total Expense:	96,000
2015	105,000	105,000	0	Revenue			
2016	108,000	108,000	0	0300	Pay As You Go Water		96,000
2017	111,000	111,000	0			Total Revenue:	96,000
2018	114,000	114,000	0				
2019	117,000	117,000	0				
2020	121,000	121,000	0				
2021	125,000	125,000	0				
	1,098,000	1,098,000	0				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
Year Identified	Start Date	Project Partner	Manager	Est. Completion Date			
2012							

## Project Summary

<b>Project Number:</b>	6084GG		
<b>Title:</b>	SYSTEMS TECHNOLOGY PROGRAM ON-GO		
<b>Asset Type:</b>	MACHINERY & EQUIPMENT - General Government		
<b>Division:</b>	Corporate Services		
<b>Budget Year:</b>	2012	<b>Active:</b>	Yes
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	GENERAL GOVERNMENT		

<b>Project Description</b>				<b>Project Comments</b>			
This project is to provide the Information and Communications technology for the Corporations Business Units. This includes computer hardware and software, telephone hardware and software, network infrastructure and connectivity.				See 6035GG for the 2011 budget Also see project # 6084WS & 6084SS for water and sanitary system technology related needs			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	503,000	503,000	0	<b>Expense</b>			503,000
2013	602,000	602,000	0	5030	COMPUTER H/WARE & S/WARE	<b>Total Expense:</b>	<b>503,000</b>
2014	620,000	620,000	0				
2015	639,000	639,000	0	<b>Revenue</b>			503,000
2016	658,000	658,000	0	0286	Pay As you Go	<b>Total Revenue:</b>	<b>503,000</b>
2017	678,000	678,000	0				
2018	698,000	698,000	0				
2019	719,000	719,000	0				
2020	741,000	741,000	0				
2021	764,000	764,000	0				
	6,622,000	6,622,000	0				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>		<b>Manager</b>		<b>Est. Completion Date</b>	
2012				SCOTT BRADFORD			





#3

City of North Bay

JAN 3 1 2012

Report to Council

CLERK'S DEPT.

Date: January 3, 2012

Report No: CSBU 2012-21

Originator: Rhéaume Bellehumeur  
Facilities & Parking Supervisor

Subject: 2012 Community Services Capital Budget, Project No. 6067MR  
Parks – King's Landing and Marina Rehabilitation Program

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## RECOMMENDATION

That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the King's Landing and Marina Rehabilitation Program being 2012 Community Services Capital Budget, Project No. 6067MR at a net debenture cost of \$250,000.

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## BACKGROUND

The 2012 Capital Budget included an amount of \$250,000 for the King's Landing and Marina Rehabilitation Program being Community Services Capital Budget, Project No. 6067MR. This program will address the following:

### Marina Dock Replacement

The City wishes to continue with the third year of a six year ongoing replacement and repair of the docks at the Marina. The work is completed by City staff during winter months. The work becomes necessary as these docks and their floats reach their life expectancy.

### King's Landing Review and Repair

A 2011 Report from Engineered Management Systems recommends necessary repairs to maintain the government dock in a safe and sustainable condition. These recommended repairs extend over a five year period. The minimal recommended repairs for 2012 will allow operations on the dock to continue while all options for the wharf are explored. Refer to CSBU 2012-12 2011 Wharf Inspection, King's Landing Report.

### Marina Office Renovations

This small project will provide office space for the Marina Supervisor who will work from this location for five months of the year and free up more leasable area within the building.

### Security System

Security at the Marina has become an important focus. Increased activity at the Waterfront is reflected in an increased number of security issues. Security cameras are to be installed around the Marina to monitor the area.

### Dredging of the Marina

Dredging of the Marina is a cyclical necessity as sand is constantly being deposited in docking areas and travel ways. Long term solutions to this problem can be addressed pending Council direction on CSBU 2012-12 2011 Wharf Inspection, King's Landing Report.

---

Utility Pedestals with Electricity Meters

This program will allow for the replacement of the current aging electricity pedestals. The addition of a pedestal that provides metering capabilities will be an asset for future applications.

A Schedule to the proposed By-law is submitted for consideration of Council:

Marina Rehabilitation Costs	\$147,500
King's Landing Rehabilitation Costs	\$ 90,000
Financing Costs	<u>\$ 12,500</u>
NET DEBENTURE COST	<b>\$250,000</b>

---

**ANALYSIS / OPTIONS**

Option 1 – That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the repairs and replacement programs to King's Landing and Marina being 2012 Community Services Capital Budget, Project No. 6067MR at a net debenture cost of \$250,000.

Under this option, City Council would authorize the necessary repairs and improvements to King's Landing and the Marina to ensure the continued safe and efficient operation and programming.

Option 2 – Cancel any or all of the scheduled repairs and replacements.

This option could compromise the safe and efficient operation of King's Landing and the Marina.

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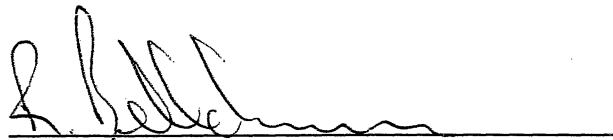
**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 1 – That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the repairs and replacement programs to King's Landing and Marina being 2012 Community Services Capital Budget, Project No. 6067MR at a net debenture cost of \$250,000.

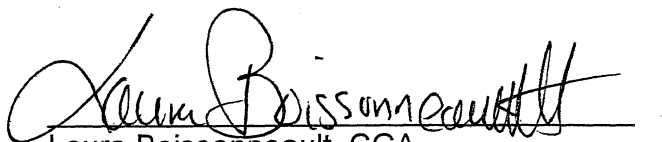
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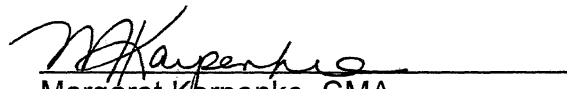
Respectfully submitted,



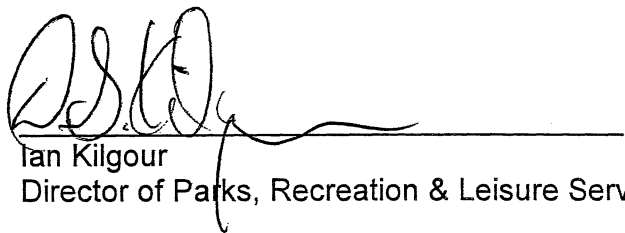
Rhéaume Bellehumeur  
Facilities & Parking Supervisor  
We concur in this report and recommendation.



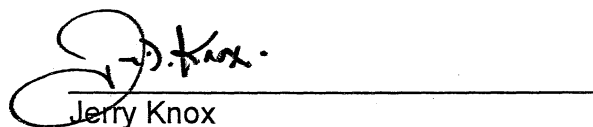
Laura Boissonneault, CGA  
Supervisor of Budgets & Financial Reporting



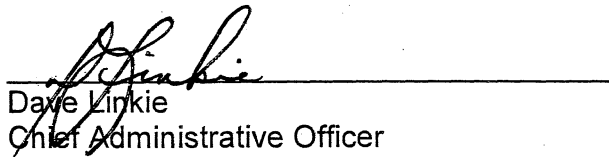
Margaret Karpenko, CMA  
Chief Financial Officer / Treasurer



Ian Kilgour  
Director of Parks, Recreation & Leisure Services



Jerry Knox  
Managing Director, Community Services



Daxie Linkie  
Chief Administrative Officer

Persons designated for continuance:

Facilities & Parking Supervisor  
Arenas & Facilities Manager

## Project Summary

<b>Project Number:</b>	6067MR		
<b>Title:</b>	KINGS LANDING & MARINA REHAB PROGRAM ON-GO		
<b>Asset Type:</b>	LAND IMPROVEMENTS - Parks		
<b>Division:</b>	Community Services		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main	<b>Active:</b>	Yes
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	MARINA		

<b>Project Description</b>				<b>Project Comments</b>			
This program provides for the rehabilitation of King's Landing and the Marina's buildings and docks as presented in the 2005 Building Condition Report.				See 6018MR for 2011 budget. Pending study results.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	250,000	250,000	0	<b>Expense</b>			
2013	100,000	100,000	0	3425	CONSTRUCTION CONTRACT		250,000
2014	200,000	200,000	0			<b>Total Expense:</b>	250,000
2015	125,000	125,000	0	<b>Revenue</b>			
2016	200,000	200,000	0	0286	Pay As you Go		250,000
2017	150,000	150,000	0			<b>Total Revenue:</b>	250,000
2018	150,000	150,000	0				
2019	80,000	80,000	0				
2020	80,000	80,000	0				
2021	80,000	80,000	0				
	<u>1,415,000</u>	<u>1,415,000</u>	<u>0</u>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012			JERRY KNOX				

## Report to Council

Report No: CSBU 2012-12

Date: January 16, 2012

Originator: Ian Kilgour  
Director of Parks, Recreation & Leisure Services

Subject: 2011 Wharf Inspection, King's Landing Report

**RECOMMENDATION**

That City Council approves the completion of the temporary 2012 remedial works for King's Landing as presented by Engineered Management Systems at an estimated cost of \$25,000 and undertakes a cost analysis to explore alternative options to the existing King's Landing Wharf.

**BACKGROUND**

In the summer of 2011, the City hired the firm of Engineered Management Systems (EMS) to complete a comprehensive inspection of the City wharf, King's Landing. The review included both above and below water inspections. A report was submitted in the fall of 2011. The body of this report is attached as Schedule B. The full report is available in the Parks, Recreation and Leisure Department. It included recommendations for immediate closure of one portion of the wharf, identified a 10 year capital investment plan to rehabilitate the wharf to safe conditions, and an annual maintenance plan. It also recommended the removal of the City owned boat house at the wharf due to its deteriorating condition.

A concrete section of the wharf has since been closed to operations as recommended by the report because of the potential for collapse (Area 6, Schedule A). This area does not directly impact the operations of the Chief Commanda. Also, the furthest sections of the wooden structure of the wharf will be restricted from vehicular traffic (Area 1 & 2, Schedule A).

Summary of the recommended remedial works over the next ten years:

Year	Estimated Cost
2012	\$ 90,000
2013	\$ 50,000
2014	\$325,000
2015	\$425,000
2016	\$375,000
2017	\$375,000
2018	\$375,000
2019	\$100,000 or \$325,000
2020	\$100,000
2021	<u>\$100,000</u>
<b>10 Year Total</b>	<b>\$2,500,000</b>

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The attached Schedule B provides further description of the proposed remedial works. These estimates are based on 2011 rates. While the report breaks down the repairs by year, Council could consider completing all or some of these recommended yearly works together as one contract.

The 2012 Community Services Capital Budget, Project No. 6067MR includes the amount of \$90,000 for costs associated with the 2012 recommendations of the EMS report. These repairs will allow the continued use of the wharf and access to the Chief Commanda throughout 2012. These repairs are listed on page 15 of Schedule B.

With expected remedial works totaling \$2,500,000 over a ten year period, it would be prudent for the City to investigate possible alternatives and solutions. One such possibility would be constructing a new pier in a different location, possibly closer to the Chief Commanda 1. The existing wharf might then be converted to a proper break wall for the Marina to help avoid silt deposits. Costs to complete a report on this topic will vary depending on the scope of work. Funds for this study would be made available through the 2011 King's Landing Capital Project 6018MR and the King's Landing Reserve Fund upon Council's approval.

Should Council choose to investigate possible alternatives, EMS have stated that the 2012 remedial work can be revised to provide temporary repairs for 2012 at a reduced cost estimated to be under \$25,000. This will allow the continued operations of King's Landing. The balance of the \$90,000 of funds budgeted for this project in the 2012 Community Services Capital Budget, Project No. 6067MR could then be directed towards the investigation of other possible alternatives and therefore reduce monies that would have been required from the King's Landing Reserve Fund.

---

## ANALYSIS / OPTIONS

Option 1 – That City Council approves the completion of the temporary 2012 remedial works for King's Landing as presented by Engineered Management Systems at an estimated cost of \$25,000 and undertakes a cost analysis to explore alternative options to the existing King's Landing Wharf.

Under this option, City Council would authorize the Parks, Recreation and Leisure Services Department to maintain the City wharf in a safe working condition while the City explores alternative solutions for review by Council.

Option 2 – That City Council approves the completion of the recommended remedial works identified in the 2011 King's Landing Condition Report for the period of 2012-2021.

Under this option, City Council would authorize the Parks, Recreation and Leisure Services Department to maintain the City wharf in a safe working condition for the period of 2012-2021. Alternative options to the existing King's Landing Wharf will not be explored.

Option 3 - That City Council does not move forward with the recommended repairs for King's Landing or investigates alternative solutions.

Under this option, the Parks, Recreation and Leisure Services Department would not rehabilitate King's Landing as recommended in the 2011 EMS report. This option may result

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in increased risk for King's Landing users. Programming for the Chief Commanda could be reduced or restricted. Alternative options to the existing King's Landing Wharf will not be explored.

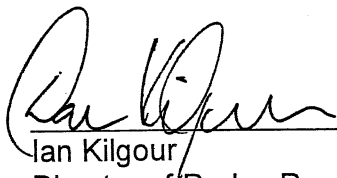
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**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 1 – That City Council completes the temporary 2012 remedial works for King's Landing as presented by Engineered Management Systems at an estimated cost of \$25,000 and undertakes a cost analysis to explore alternative options to the existing King's Landing Wharf.

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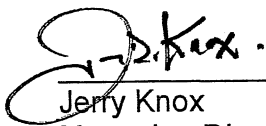
Respectfully submitted,



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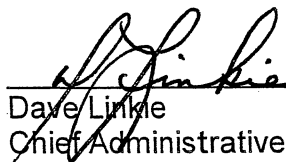
Ian Kilgour  
Director of Parks, Recreation & Leisure Services

We concur in this report and recommendation,



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Jerry Knox  
Managing Director, Community Services



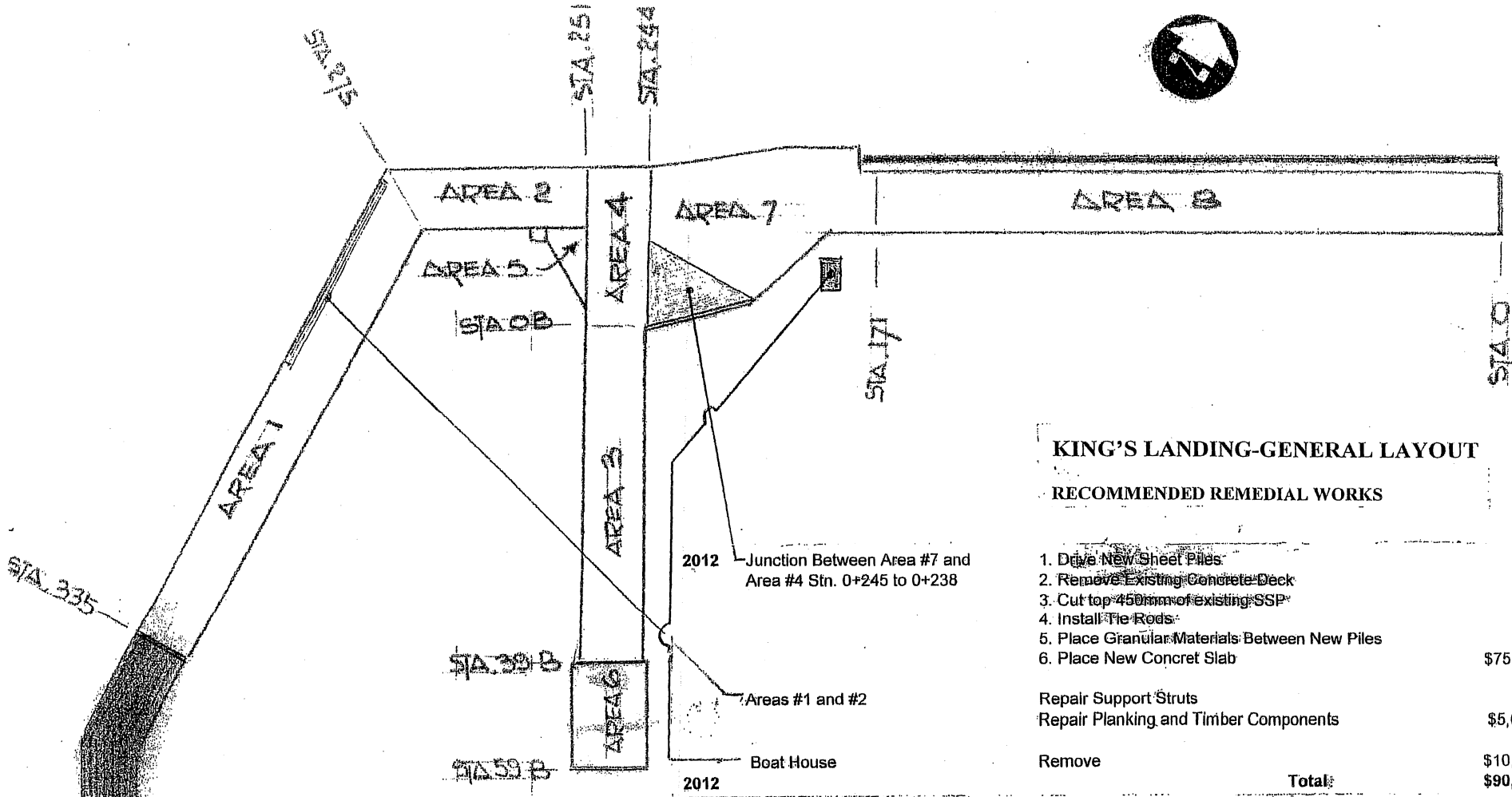
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Dave Linkie  
Chief Administrative Officer

Persons designated for continuance:

Facilities & Parking Supervisor  
Arenas & Facilities Manager

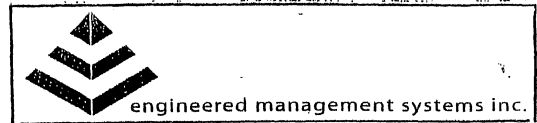
Attachments: 1) King's Landing Layout of Inspection Areas  
2) 10 Year Capital Expenditure Recommendations from 2011 EMS Report



**KING'S LANDING-GENERAL LAYOUT**

**RECOMMENDED REMEDIAL WORKS**

1. Drive New Sheet Piles	
2. Remove Existing Concrete Deck	
3. Cut top 450mm of existing SSP	
4. Install Tie Rods	
5. Place Granular Materials Between New Piles	
6. Place New Concrete Slab	\$75,000
Repair Support Struts	
Repair Planking and Timber Components	\$5,000
Remove	\$10,000
<b>Total:</b>	<b>\$90,000</b>





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## **1.0 INTRODUCTION**

Engineered Management Systems Inc. (EMSi) was retained by the City of North Bay, to conduct due diligence assessment inspections of the rock filled timber crib structure known as King's Landing. The Terms of Reference set out in the Proposal Call called for an inspection of the structure above the waterline and a thorough inspection, assessment and evaluation of the structure below the waterline. In addition a thorough inspection, assessment and evaluation of Boat House B both above and below the waterline were to be carried out.

The wharf is supported on timber piles driven into the sandy lake bottom including two portions encapsulated in steel sheet piles and concrete deck. A full inspection of the existing deck was carried out in order to assess and evaluate its general condition which included opening the deck in several locations to assess the interior of the structure.

Both the above and below the waterline assessments of the wharf and Boat House B were carried out during the period August 23 to August 26, 2011 by Soderholm Maritime Services Inc. under the direction of senior staff of Engineered Management Systems Inc.

## **2.0 HISTORY AND PURPOSE**

Previous inspections of the wharf were carried out in 2004 and most recently in 2007.

A general inspection of the wharf, then known as the Government Dock was carried out in 2004. At that time the structure was found to be generally in good condition and that the structure could accommodate a gross vehicle weight of 12 Tonnes.

The 2007 inspection and assessment were to have included both above and below the waterline inspections but because of municipal budget restrictions at the time only the above the waterline inspections were carried out. An underwater inspection was not performed, but it did include inspections of sheet piles in several locations that were severely eroded. Anticipated costs over a 5 year time-span were determined and it was recommended that \$25,000.00 be budgeted for repairs in 2008 and approximately \$6,000.00 in 2009. Apparently little if any of the recommended works were carried out.

The purpose of this assignment was to revisit the site and to carry out both an above the waterline and below the waterline inspection of the structure and Boat House B, to evaluate general conditions and to identify recommended rehabilitation measures.

## **3.0 SCOPE OF WORK**

The investigation process included the following:

1. Meeting with the City personnel to discuss parameters of the assessment, obtain any relevant data, and to introduce representatives of our firm.
2. Review previous assessment reports, where available.
3. Visual, above surface inspections of the existing deck in order to assess and evaluate its general condition.
4. A thorough below the waterline inspection, assessment and evaluation of the wharf.
5. A thorough above and below the waterline inspection of Boat House B.

6. Identifying and making recommended changes or repairs.
7. Providing a 10 year capital forecast summary complete with cost estimates and timelines for the remedial work.
8. Produce a photographic record of the wharf.
9. Supply drawings, tender documents, inspection and contract administration for the repairs to the wharf and the boat house.

## **4.0 METHODOLOGY**

### **4.1 Review of Existing Information and Drawings**

A sketch map which was provided by the City in 2007 was once again used as a basis to reference the inspection activities. The previous reports completed for the City by EMSi in 2004 and 2007 were reviewed for pertinent and background information. The 2004 report stated that the wharf was generally in good condition at that time and that vehicles over 12 tonnes should be prohibited from accessing the structure. The 2007 report was only based on above the waterline inspections because of budget restrictions. Remedial works recommended in the 2007 report were not totally carried out.

### **4.2 Preparation of Drawings**

The site plan was produced based on the drawing previously supplied by the City back in 2004 and information from the 2007 report. The plan has been redrawn to a metric scale of 1:50 to provide a general overview of the location of each area of the deck.

Three plans have been prepared for reference purposes:

Plan #1 highlights the findings of both the above and below the waterline inspections in the individual areas of the wharf carried out during the period August 23 to August 26, 2011.

Plan #2 is a photo documentation of the major deficiencies at various locations on the wharf.

Plan #3 depicts the 10 year capital forecast summary of recommended works and timelines complete with cost estimates.

All three drawings have been attached in appendix C.

### **4.3 Site Inspections**

The wharf was visited during daylight hours on August 23, August 24, August 25 and August 26. Inspections, assessments and evaluations of the deck both above and below the waterline were carried out during this period. Measurements were taken of various components, defects were mapped out, and photographs were taken of the overall condition and some of the more predominant defects. The more serious conditions are further described and documented in Section 5.0 and shown on Plans #1 and #2. A photo log, including a CD of all pertinent pictures, is attached in Appendix A.

### **4.4 Costing**

Cost estimates exclude HST, and are preliminary cost estimates based on the visual inspections and a special site visit by 2 Professional structural Engineers and prices obtained from local contractors and Steel Sheet piles suppliers.

Cost estimates were developed by EMSi with help from our structural sub consultant, Inc. using our experience with similar projects, particularly the work at Bathurst Quay for the City of Toronto. We have used our best judgment to estimate the cost of this work.

Anticipated costs over a 10 year time-span are reported in Section 7.1.

## **5.0 INSPECTION HIGHLIGHTS**

### **5.1 METHOD**

The inspection was carried out by a three man team consisting of a Diving Supervisor, diver and tender. A technologist from Bridge management was present for the inspection. Separate notes and photos were taken by both the technologist and SMSI personnel.

The inspection began at the tip of the inner or eastern end of the approach pier and ended at the outer or western end of the structure. Items inspected were:

- the structural integrity of the wooden cribbing,
- the condition of the deck beams,
- the condition of the deck planking,
- the condition of the bollard fasteners,
- the condition of visible electrical wiring and conduits,
- the condition of the ice fence stanchions, braces and planking,
- the lamp post fasteners where visible,
- the condition of the sheet pile,
- the coverage of the ice protection.

Visual inspection was done both from below the deck looking into the cribbing and up underneath the planking, and by lifting the deck planks and looking down. The wood was probed with a metal point measuring 4 mm wide and 1 mm thick to assess soundness. Much of the inspection was carried out by standing or wading in the water in dry suits.

For the purposes of this report:

The bollards and lamp posts are numbered, starting at the tip of the outer finger with No.1, and ending at the shore end.

Location measurements are in meters and start on shore at zero and progress to the end of the outer finger.

The Environment Canada Instrument Station foundation was also inspected.

## **5.2 ABOVE WATER OBSERVATIONS**

### **5.2.1 AREA #1**

**0+335** The lower longitudinal timber is proud of the upper portion of the cribbing by .52 m to the east, the timber begins to protrude at 0+325 and runs to the

end of the finger pier at 0+336.5.

End of wooden pier (outer finger):

Deck planks are 190 mm wide by 90 mm high pressure treated lumber.

**Deck planks are quite deteriorated but there is limited pedestrian traffic in this area.**

Deck beams are 90 mm wide by 250 mm high, pressure treated.

Top 4 courses of crib timbers are 250 mm by 250 mm pressure treated.

Lower courses appear to be 250 mm by 250 mm creosoted timbers.

Wooden pile ice protection on east side, blast rock ice protection on west side.

**0+334** Deck planks are weathered, but still in fair condition.  
Below deck there is some exposed electrical wiring.  
Rock fill in crib is 300 mm to as much as 1.4 m from the underside of deck beams.

**Bollard #1** All bollards are intact. Anchor nuts appear tight.

**0+327** Ice protection ends.

**0+326** 100 mm by 200 mm wooden fender, bottom lag bolt pulled through  
This condition is typical for the next 24 meters

**Bollard #2** Anchor nuts appear tight

**0+315** From here on only the top 2 courses of crib timbers are pressure treated  
The remainder of the cribbing appears sound.

**0+309** From this point all the cribbing is creosoted.  
From this point the decking and deck planks are pressure treated and appear newer.

**Bollard #3** Anchor nuts appear tight.

**0+308.5** Rock fill in cribbing is 450 mm below deck beams.

**Bollard #4** Anchor nuts appear tight.

**Bollard #5** Anchor nuts appear tight.

**Note:** All of the fence stanchions are clad with steel sleeves. All connectors and bracing appear intact and tight.

**0+274** North West corner of pier and ice fence:

Up to this point, the decking appears sound.  
The spikes securing the decking to the deck beams appear loose in the deck beams due to the deterioration of the deck beams.

**All the deck beams throughout the area from 0+336 to 0+245 were probed to determine soundness, the average amount of penetration ranged from 40 mm to as much as 250 mm throughout the entire area. The wood appears intact but is not sound.**

Wheel guards appeared intact.

## 5.2.2 AREA #2

**0+274 to  
0+251**

First leg of outer finger (from the corner to the inner finger):

Cribbing timbers are creosoted and sound, typical of last area.  
Deck beams are 90 mm by 250 mm creosoted timbers.  
Deck planks are considerably but evenly weathered.

**Many deck plank spikes appear to be loose due to the deterioration of the deck beams.**

All fencing stanchions have been clad with steel; all connectors appeared to be tight.

**0+259**

Through-the-deck inspection area:

**The decking from 0+254 to 0+259 has been replaced due to a failure as reported by Mr. Rheaume Bellehumeur of the City of North Bay.**

The deck beams were replaced as a result of this repair and appear intact and solid.

The repaired area measured 4.95 m east/west and 4 m north/south. The area begins 1.95 m south of the north wall of the pier.

The surrounding deck planks are weathered but intact.

The deck planks were probed and averaged 3 mm to 12 mm of penetration.

**The spikes securing the deck planks to the deck beams are loose in the deck beams due to the deterioration of the deck beams which were probed and an average depth into the beams ranged from 45 mm to as much as 250 mm.**

**0+255**

Environment Canada Instrument Station:

**Galvanized culvert footing is rotted completely through at the waterline.**

**The rotted area measured 600 mm high at the highest and is continuous all around the structure.**

**The foam insulation inside the culvert is exposed to the elements and ice damage.**

**The lower metal strapping securing the culvert footing to the timber crib appeared to be loose.**

The upper metal strapping as well as the upper galvanized wire strap securing the structure to the timber crib appeared to be tight.

The metal straps and wire appeared to be intact. The lower strap securing the structure to the side of the wooden crib appears loose.

### **5.2.3 AREA #3**

#### **0+000 B to**

**0+039 B** Wooden portion of inner finger:

Cribbing timbers are creosoted and appeared sound, typical of last area.

Deck beams are 180 mm by 250 mm creosoted timbers.

Deck planks are considerably but evenly weathered.

The deck planks were probed and averaged 2 mm to as much as 12 mm into the wood for the entire wood deck area.

**The majority of deck planks are loose due to the deteriorated condition of the deck beams which were probed and averaged 20 mm to as much as 250 mm penetration into the wood for the entire area.**

**Rock fill is 300 mm to as much as 1.1 m below the deck beams.**

The timber in the center that supports the deck beams is deteriorating but considerably less than the outer timbers.

**0+009 B** Through-the-deck inspection area:

**180 mm by 250 mm deck beams appear to be deteriorating.**

**Rock fill was 250 mm to as much as 1.4 m below the underside of the deck.**

**Bollard #6** Anchor nuts appear tight.

**Bollard #7** Anchor nuts appear tight.

**Bollard #8** Anchor nuts appear tight.

**Bollard #9** Anchor nuts appear loose.

Beneath the decking the lower clamping plate appears to be loose.

**Bollard #1** Anchor nuts appear tight.

**Bollard #13** Anchor nuts appear tight.

#### **5.2.4 AREA #4**

**0+251 to**

**0+244** Area from ice fence to inner finger, and from west side of inner finger to east side:

Cribbing and deck beam construction same as inner finger.

Conditions typical of inner finger.

Deck beams are 180 mm by 250 mm creosoted timbers.

Deck planks are considerably but evenly weathered.

**The majority of the deck planks are loose due to the deterioration of the deck beams which were probed and penetration ranged from 20 mm to as much as 250 mm throughout the entire area.**

The deck planks were probed and penetration ranged from 1 mm to as much as 12 mm throughout the entire area.

**0+246** Through-the-deck inspection area:

**Deck beams appear to be deteriorating.**

**0+248 to**

**0+250**

Ice fence:

Timbers appear to be intact.

Timbers measured 60 mm wide, 180 mm high and 1.65 m long.

**0+246** Interface between concrete deck and wooden deck is intact and sound.

#### **5.2.5 AREA #5**



**0+255 to  
0+251**

Triangle portion of pier between instrument station and inner finger:

Deck planks in typical condition, considerably but evenly weathered  
Wheel guards appear to be intact

Through-the-deck inspection area:

**Deck beams were probed with penetration ranging from 40 mm to 250 mm throughout entire area.**

### **5.2.6 AREA #6**

**0+039 B to**

**0+059 B** Concrete portion of inner finger:

**Concrete deck has sagged in an area 4 m from the east edge of the dock.**

The depression was measured at the following intervals

0+040 depressed or sagged 105 mm

0+045 depressed or sagged 70 mm

0+050 depressed or sagged 80 mm

0+055 depressed or sagged 95 mm

Concrete is depressed around both bollards.

Concrete has settled or sagged 33 mm at the west side of the west bollard and 102 mm at the east side of the west bollard.

Concrete has settled or sags 50 mm at the west side of the east bollard and 25 mm at the east side of the east bollard.

**The steel sheet pile is perforated around the entire length and width of the outer end. The perforations measure from 10 mm round to as much as .86 m high and 275 mm wide. The largest areas appeared to be at the north end of the sheet pile walls where the corners are located.**

**The west and south faces of the structure have pushed in areas at waterline due to ice movement, these range from as little as 25 mm to as much as 42 mm in depth and average 350 mm high.**

**The north ends of the steel sheet walls on both the east and west sides of the structure are opened to the lake where the steel sheet piling (SSP) meets the existing timber cribbing.**

The openings measured 150 mm wide and 1.1 m high, to the native bottom.

The fill material under the concrete decking was measured through the deck using a steel rod and measured .7 m below the underside of the deck on the west side at 0+055 and 0.5 m below the deck at 0+057 on the west side of the dock.

There was no evidence of fill materials at the north end of the SSP on both the east and west sides of the dock where the openings in the SSP to timber crib exist.

The safety ladders on the south and east side of the outer dock area appeared to be intact, but there are no safety ladders present on the west side of the dock.

All tie-back rods appeared to be tight and in place.

**NOTE: An interim report was submitted to the City on August 29, 2011, recommending that a temporary barricade be erected immediately at the entrance to area #6 to safeguard the public from potential injury. See Appendix B**

#### **5.2.7 AREA #7**

**0+244 to  
0+174**

Concrete portion of main pier:

Wheel guards measured 180 mm by 180 mm wood timbers.

All wheel guards appeared intact.

Concrete fence on north side appears intact.

Steel sheet pile on south side appears intact with no evidence of split interlocks or breaks.

All the tie back nuts and bolts on south side appear tight.

The two safety ladders are intact; rungs are .4 m above waterline.

SSP on north side appears intact with no evidence of split interlocks or breaks.

All the tie back nuts and bolts on north side appear tight.

**0+245 to  
0+238**

**The concrete deck appears to have settled.**

The settling was measured at the southeast corner of the SSP wall and was 105 mm below the top of the SSP.

**The end of the SSP to timber crib interface is not sealed allowing wave action to penetrate the dock structure. There is**

**a void under the concrete slab which runs north from the SSP wall a distance of 1.9 m, to the east for a distance of approximately 7 - 9 m, and was 1.2 m deep.**

On the outside of the SSP wall there is a small mound of material which measured approximately 650 mm high, 1.1 m wide and 1.5 m long, this material appears to be the fill material from within the SSP wall.

**8.5 m south of the north wall there is a crack in the decking which measured 16.5 m long total, 6 mm wide at it's widest and 90 mm deep at it's deepest.**

**The crack runs west to east from the edge of the concrete for a distance of 9 m and then turns south to the outer edge of the deck at the SSP wall for a distance of 7.5 m.**

**0+174** East side of SSP under deck, and concrete filled round steel piles under fire break : No defects noted.

**0+172** Fire break

Under concrete deck  
Electrical junction box, with an ineffective weather proof box connector.

#### **5.2.8 AREA #8**

**0+000 to  
0+171**

Approach causeway:

**Exposed timbers on the outside of the crib are deteriorating  
Crib timbers inside the crib appear to be deteriorating to a lesser degree than the outer timbers.**

Deck beams are 100 mm wide by 250 mm tall.

**60 % - 70 % of deck beams are split on the ends where they are spiked into the crib and are deteriorating where moisture has gotten in the splits.**

The remainder of the deck beams appears sound, including over the center crib beam. Deck planks are considerably but evenly weathered.

**There are several newly replaced deck planks, these are slightly thicker than the original deck planks and pose a small tripping hazard.**

Wheel guards appear newer, and are sound.

**0+150 to  
0+130**

No defects were noted on the concrete walkway, concrete headers, or round concrete filled steel piles supporting the walkway.

**Concrete blocks have been poured in place to supplement deteriorated weight bearing sections of the crib timbers many of these have become dislodged.**

Some of the split deck beams have been braced with 76 mm X 200 mm pressure treated lumber 600 mm long, bolted through and sandwiching the deteriorated deck beam ends.  
This repair was completed on the north side only.

**0+171** Timber cribbing at end of causeway:

**Timber ends are rotten, spikes are visible  
Weight bearing portions of the crib are deteriorating.**

Live electrical cable for lamp posts hanging in the water, cable appears to have damage on outer sheathing.

**0+153** **Worst spot in cribbing is on the north side. Throughout the area there are several timbers which appear to be deteriorating approximately 20 % to as much as 35 % of the original size.**

**Several of the longitudinal timbers have sections missing, these measured an average of 1.5 m long by 100 mm wide and 60 - 70 mm high, and these are in the direct surf zone.**

**0+121** **There is an undermined area measuring 1.5 m deep, 1 m long and 1.6 m high.**

**0+116** **There is an undermined area measuring 2 m deep, 1.9 m long and 1.8 m high.**

**0+098** There is a low spot in the blast rock ice protection on the north side of the causeway.

The light posts were inspected along the length of the approach causeway. All of the bolts securing the post to the deck appeared intact. The post themselves appeared intact.

### 5.2.9 CITY BOAT HOUSE

The boat house was inspected in the same manner as the remainder of the pier. Video was not possible.

**The timber cribbing is deteriorating. The longitudinal timbers were able to be probed in an average of 10 to 12 mm. The ends of all timbers were able to be probed in an average of 13 to as much as 150 mm. The ends appear to be deteriorating greatly. The stone fill in the cribs appears to be spilling out from the cribs and is a distance of 300 to 500 mm from the underside of the top of the crib.**

**There appears to be fire damage on the cribbing timbers predominantly in the north-east corner cribbing.**

**The crib on the east side is failing to the point that it no longer touches the supports of the boat house itself.**

The upper structure of the boat house appears to be sound and intact. The structure appears to be relatively new in relation to the rest of the pier.

### 5.3 UNDERWATER SURVEY

#### OBSERVATIONS

The underwater portion of the survey begins at 0+000 on section B and continued around the end of the finger pier to the west side of the finger dock encompassing areas "A3" and "A6".

The crib timbers were probed using the same method as the above water portion of the survey.

There is a row of vertical piles located adjacent to the cribbing; the tops appear to be deteriorated to a large degree. This is present along the length of the timber crib areas only.

**At the south end of the timber crib and SSP interface there is a gap between the crib and the SSP. The gap measured .9 m wide at 3.07 m above native bottom. There is evidence of the fill from behind the SSP wall spilling out onto the native bottom. This condition is present on both the west and east side of the finger dock.**

**There are perforations as well as large holes in the SSP around the entire finger dock "B".**

The perforations measure 10 mm round to as large as 40 mm round.

These perforations are .7 m to .8 m above native bottom.

**The large holes at the north end of the SSP wall on both the west and east sides of the dock measured as large as 140 mm wide and 1.45 m high. There is evidence of rock fill on the native bottom from behind the SSP.**

On the west side of the dock there are electrical cables hanging in the water.

There was rock fill on the native bottom at the openings from the SSP to crib interface, it measured .75 m high, 1 m long and 1 m wide. This was present at all interface areas.

There was an undermined area at 0+020 m on the east side of the dock, .5 m deep, .5 m high and .2 m wide.

On the north side of the dock the SSP appeared intact with no evidence of split interlocks or undermining.

The armor stone along the north side appeared to be stable for the entire length of the dock.

Problems or deficiencies identified in the above areas have been shown **in Bold Type**. Photographs of the problems and location in each area are shown diagrammatically on sketch Plan #2.

#### **5.4 GENERAL CONCLUSIONS BASED ON INSPECTIONS**

1. In general the dock is in poor structural condition.
2. The deck beams throughout the facility look sound but are in various stages of deterioration. Deck beams were probed and an average depth into the beams ranges from 25mm to as much as 250mm.
3. Deck planks in most areas are loose due to the deteriorated condition of the deck beams.
4. Structural sheet piling, especially in area #6 is perforated which is leading to unsafe failure conditions. Fill has been eroded causing settlement of the concrete deck surface.

#### **6.0 COSTS**

Cost estimates exclude HST. Cost estimates were developed by EMSi and Planmac using our experience with similar projects, particularly the work by EMSi at Bathurst Quay for the City of Toronto and are preliminary cost estimates based on the visual inspections and a site visit by 2 Professional structural Engineers and

prices obtained from local contractors and Steel Sheet piles suppliers. We have jointly used our best judgment to estimate the cost of this work. Anticipated costs over a 10 year time-span are reported and described in Section 7.1. **Approximately \$90,000.00 should be budgeted for critical work in 2012.**

## **7.0 RECOMMENDATIONS**

### **7.1 10 YEAR CAPITAL FORECAST OF REMEDIAL WORKS**

The 10 year forecast of remedial works recognizes that no major works will be required in Areas #1, #2 and #6 during the next seven or eight years. Area #6 has already been closed off to the general public due to unsafe structural conditions. Areas #1 and #2 must be closed to vehicular traffic and as such will not require major structural repairs in the near future. This section of the dock can still be used by pedestrians. Areas #1 and #2 in its present condition will still perform an important environmental function offering protection to the inner fingers of the dock against wave action and damage from ice build up. The recommended remedial works for the ten year period 2012 to 2021 are described in the following sections and as summarized on Figure 1 in Appendix B.

#### **7.1.1 Year 2012**

##### Junction between Area #7 and Area #4 Stn 0+245 to 0+238

1. Driving new steel sheet piles.
2. Removal of the existing concrete deck.
3. Cut the top 450mm of the existing Steel Sheet Piles.
4. Tie rods to the installed to the new Steel Sheet Piles.
5. Filling with granular material between the new piles.
6. Placing of a new concrete slab.

**Estimated Cost \$75,000.00 (Recommended)**

##### Areas #1 & #2

1. Repairs to support struts
2. Repairs to planking and timber components

**Estimated Cost \$5,000.00 (Recommended)**

##### Removal of Boat House -

**Estimated Cost \$10, 000.00 (Recommended)**

### 7.1.2 Year 2013

#### Area #8

1. Remove damaged wooden deck and reconstruction and placing of new wooden deck (approximately 50% of deck Area #8).

**Estimated Cost \$50,000.00)**

### 7.1.3 Year 2014

#### Area #3

1. Driving new steel sheet piles around Area #3.
2. Cut the top 450mm of existing Steel Sheet piles.
3. Tie rods to be installed to the new sheet piles.
4. Placing of new concrete slab.

**Estimated cost \$325,000.00**

### 7.1.4 Year 2015

#### Area #4

1. Removal of damaged wooden deck.
2. Driving of new steel sheet piles around Area #4.
3. Cut the top 450mm of existing Steel Sheet piles.
4. Tie rods to be installed to the new sheet piles.
5. Placing of new concrete slab.

**Estimated Cost \$425,000.00**

**Note: The implementation of the repairs noted above for the period 2012 to 2015 at an estimated cost of \$890,000.00 will result in a workable and safe facility.**

### 7.1.5 Year 2016

#### Area #8 Station 0+174 to 0+125

1. Driving steel sheet piles between station 0+174 to 0+125.
2. Tie rods to be installed to the new sheet piles.
3. Placing of new concrete slab.

**Estimated Cost \$375,000.00**



### 7.1.6 Year 2017

#### Area #8 Station 0+125 to 0+075

1. Driving steel sheet piles between station 0+125 to 0+075
2. Tie rods to be installed to the new sheet piles.
3. Placing of new concrete slab.

**Estimated Cost \$375,000.00**

### 7.1.7 Year 2018

#### Area #8 Station 0+075 to 0+000

1. Driving steel sheet piles between station 0+075 to 0+000.
2. Tie rods to be installed to the new sheet piles.
3. Placing of new concrete slab.

**Estimated Cost \$375,000.00**

### 7.1.8 Year 2019

Area #6 In the year 2019 a final decision should be made whether to remove or repair this section of the dock.

Removal Option: Costs would include the removal and disposal of concrete deck and steel sheet piles at an estimated cost of **\$100,000.00**

Repair Option: Construction of new concrete slab consisting of:

1. Driving new steel sheet piles.
2. Removal of the existing concrete deck.
3. Cut the top 450mm of the existing Steel Sheet Piles.
4. Tie rods to be installed to the new Steel Sheet Piles.
5. Filling with granular material under the existing concrete deck in Area #6.
6. Placing of a new concrete slab.

**Estimated Cost \$ 325,000.00**

### 7.1.9 Year 2020

#### Areas #1 & #2

1. General repairs such as planking and timber replacement
2. Repairs to wave and ice protection barrier

**Estimated Cost \$100,000.00**

### **7.1.10 Year 2021**

General repairs to all areas.

**Estimated Cost \$100,000.00**

## **7.2 ANNUAL MAINTENANCE PROGRAM**

Regular inspections are an important part of an effective maintenance program. These ensure that the information in the database is up to date and that any immediate maintenance needs are identified.

The recommendations below assume normal conditions. Additional inspections may be required due to an unforeseen event such as a collision or severe weather.

### **7.2.1 Safety Equipment**

Determine the appropriate locations for fences, escape ladders and lifesaving equipment. Install new components where required and implement a maintenance and inspection program to ensure that this equipment is maintained in good condition.

Due to the importance for public safety, susceptibility to damage or vandalism and the ease of inspection, as a minimum, weekly inspection of all safety equipment is recommended. Serious consideration should be given to daily inspections, particularly in high risk areas.

### **7.2.2 Dockwalls Greater Than 1.5m Overall Height**

Important elements of these structures are located below the water surface, making periodic below water surface inspections necessary. Failure of a dockwall could be catastrophic and would pose a risk to the public. A more comprehensive inspection of these walls is warranted. Sonar is a very effective and economical method to perform these inspections. It can quickly identify areas where detailed diving inspections or repairs are necessary. Bi-annual inspections of these items are recommended. The exception is any dockwall that has a remaining service life of less than 5 years. These should be inspected annually.

A strategy adopted for many bridge inventories, where biannual inspections are a legal requirement, is to inspect half the inventory each year. This allows consistent budgeting and an inspector is mobilized for those items requiring annual inspection. It is recommended that an inspection of the below water surface of the elements of the King's Landing structure be carried out in 2013.

### 7.2.3 Dockwalls Less Than 1.5m Overall Height

These walls can be visually inspected. Failure of these walls would pose a low risk to the public. Inspection of these walls could be performed in conjunction with the inspection of the above the waterline components of the structure.

Adequate budget should be obtained to cover the anticipated repairs and replacements. Overall maintenance costs are generally lower when repairs are pro-active and items are not allowed to pass their service lives.

## **8.0 LIMITATIONS AND ASSUMPTIONS**

Safety equipment was not inspected and catalogued. It was beyond the scope of this audit to perform a risk assessment to determine the appropriate equipment and locations to minimize the risk to the City and the public.

This was both an above and below the waterline audit.

The costs provided are preliminary estimates only. Appropriate physical testing, design, and specification preparation must be performed to provide more accurate costing. The costs provided include only the cost of repairing certain components of the wharf itself and does not include other improvements that may be made to the wharf at the time of repairs.

The drawings prepared by EMSi were based on information provided by the City. The drawings are diagrammatic only, and are not to be used for specifications for repair. They are intended as an aid in showing the locations of the wharf components inspected.

EMSi has provided an opinion of the condition of the wharf based on observation at the time of our visits. Conditions can change rapidly due to factors such as severe weather or vandalism.

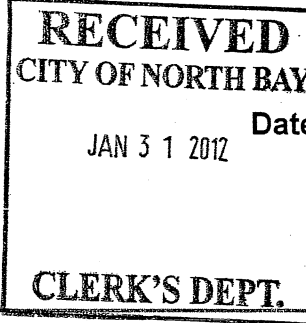
## **9.0 CLOSURE**

This report complies with the Terms of Reference and outlines the present condition of King's Landing and provides a 10 Year Capital Program for on going maintenance and major rehabilitation works. Over this period it is evident that the city of North Bay will have to expend well over \$2,000,000 to keep the facility

in a safe operating condition. This expenditure could become a major drain on the municipality's tax base unless other means of financing can be found.

Perhaps it is time for the City to undertake a complete re-evaluation and assessment as to whether King's Landing in its present form is warranted from every perspective, i.e. socially, environmentally and financially considering the concerns of all parties, stakeholders and the general public.

A smaller new facility meeting all of the above needs may be the proper course of action in the immediate future to be investigated by the City of North Bay.



Report No: CSBU 2012 - 29

Originator: Marla Tremblay

Subject: Immigration Portal Marketing Contract

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## RECOMMENDATION

That Council authorizes Staff to enter into an agreement with the Ministry of Citizenship and Immigration for the development and implementation of an immigration marketing initiative. As part of this program, an application for funding in the amount of \$20,000 was submitted to the Ministry of Citizenship and Immigration for the development of an immigrant marketing initiative. No municipal financial contribution was required to leverage this program.

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## BACKGROUND

The City of North Bay has actively sought to attract immigrants to the community in an effort to improve the City's demographic base. Attracting immigrants to the community will help address gaps in the regional labour market, as well as provide additional investment opportunities.

The primary objective of the project is to develop a marketing campaign targeting underemployed skilled professionals in the GTA for relocation to the region. Capitalizing on past success and existing media relationships, the program will include the development and implementation of an ad campaign and use of various marketing vehicles.

To date, the Ministry of Citizenship and Immigration has provided over \$600,000 to the City of North Bay in direct funding for various immigration attraction and retention related projects. They have also provided over \$200,000 to Ontario's North Economic Development Corporation (ONEDC) partners for various immigration partnership projects in which North Bay was a key player.

The majority of the work will be tendered and completed by third-party consultants.

The City received notice on January 16th, 2012 this request for funding was approved. As part of the approval process, the Ministry requires a Resolution from Council authorizing City Staff to enter into agreement with the Province.

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## ANALYSIS / OPTIONS

### Option #1

To authorize Staff to enter into an agreement with the Ministry of Citizenship and Immigration for the development of an immigration marketing program.

### Option #2

Not authorize Staff to enter into an agreement with the Ministry of Citizenship and Immigration and to decline the funding.

---

This option is not recommended, as this funding will enable the City to continue to build on the momentum it has created with respect to immigration attraction and retention programming.

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**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option #1

That Council authorizes Staff to enter into an agreement with the Ministry of Citizenship and Immigration for the development of an immigration portal marketing program.

Respectfully submitted,



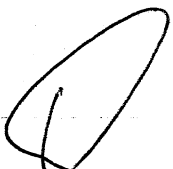
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Marla Tremblay  
Economic Development Officer

MT/dlb

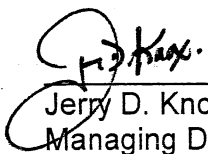
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We concur in this report and recommendation.



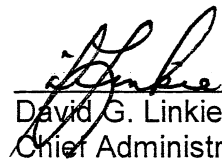
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Rick Evans  
Manager, Mayor's Office of Economic



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Jerry D. Knox  
Managing Director, Community Services



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David G. Linkie  
Chief Administrative Officer

Personnel designated for continuance: Marla Tremblay, Economic Development Officer

Ministry of Citizenship and Immigration

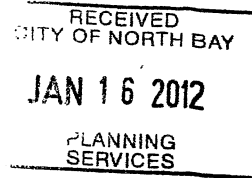
Minister

6<sup>th</sup> Floor  
400 University Avenue  
Toronto ON M7A 2R9  
Tel.: (416) 325-6200  
Fax: (416) 325-6195

Ministère des Affaires civiles et de l'Immigration

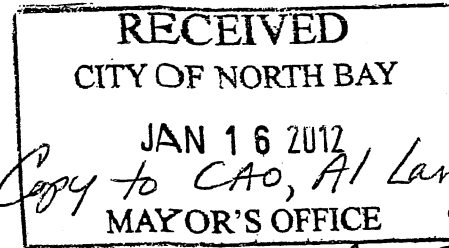
Ministre

6<sup>e</sup> étage  
400, avenue University  
Toronto ON M7A 2R9  
Tél. : (416) 325-6200  
Télééc. : (416) 325-6195



January 4, 2012

His Worship Allan McDonald  
Mayor  
The City of North Bay  
200 McIntyre Street East  
PO Box 360  
North Bay, ON P1B 8H8



Dear Mayor McDonald:

Re: File Number: 2011IPB0018

Municipal Immigration Information Online Program - Marketing Initiative 2011-12

I am delighted to confirm the award of a grant, in the total amount of \$20,000 to the City of North Bay as part of the Municipal Immigration Information Online (MIIO) program's targeted marketing initiative. The City of North Bay is recognized for its commitment to attracting and welcoming newcomers to its community through its immigration portal project.

Through the OntarioImmigration.ca site and your own immigration portal initiative, you have the opportunity to promote the City of North Bay to newcomers and help immigrants integrate into our growing economy and contribute to our future prosperity.

Your first payment of this grant will be \$18,000. The final payment will be released after the final report is submitted and approved, provided you are meeting the terms and conditions of the program. The Ministry's staff will follow up with you on the project description, budget breakdown and additional terms and conditions. This funding does not constitute a commitment of future funding.

I am pleased to have the City of North Bay's continued participation in the OntarioImmigration.ca project. The Ontario government is committed to attracting the best and the brightest from around the world and helping to integrate them both economically and socially.

Congratulations and best wishes for continued success.

Sincerely,

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

Charles Sousa  
Minister

c: Victor Fedeli, MPP  
Nipissing



Report to Council

Report No.: CSBU 2012 - 30

Date: February 1, 2012

Originator: Beverley Hillier – Manager, Planning Services

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

---

**RECOMMENDATION**

That By-law 2011-184 be repealed and replaced to reflect the administrative and housekeeping amendments as outlined in Report to Council CSBU 2012 – 30.

---

**BACKGROUND**

North Bay City Council passed By-law 2011-184 on August 29, 2011 to regulate rental housing within the Community. The By-law came into effect on January 1, 2012. No licenses have been issued to date.

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**ANALYSIS / OPTIONS**

Since the adoption of the By-law in 2011, Staff has developed the application form, application process and inspection checklist. Through the development of these documents, subsequent mock application processes and questions that have been raised by property owners, it has been identified that minor housekeeping updates are required to the By-law. The updates are regarding the processing of applications and inspections.

Currently, the By-law requires an inspection of the rental premises be conducted by Staff prior to the submission of the application. It has become apparent through implementation this inspection is better served once the application has been received. This will allow the appropriate Staff to review the application to ensure all other requirements of the By-law are met prior to Staff going to conduct the inspection on site.

In addition, it is proposed the reference to the Fire Protection Act be removed. This has a very specific meaning when applied during enforcement matters. An inspection will still be completed by the Fire Prevention Office to ensure the property has undergone a general fire safety inspection. Staff believes this is appropriate and will better serve the property owners and tenants.

With respect to the inspection required by the Electrical Safety Authority, the By-law currently requires the inspection report be received with the application. It is recommended the By-law be amended to allow for this inspection report to be received prior to the issuance of the license. This will allow Staff to begin to process applications and schedule City inspections and reduce the potential for delay.

Option 1:

That By-law 2011-184 be repealed and replaced to reflect the administrative and housekeeping amendments as outlined in Report to Council CSBU 2012 - 30. This option is recommended. This will allow for a more streamlined process and reduce the potential for delays.

Option 2:

That By-law 2011-184 not be repealed and replaced. This option is not recommended. The proposed changes to the By-law are housekeeping in nature and will assist in the implementation of the By-law.

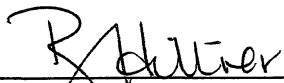
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**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 1 is the recommended option. There are no additional final implications as a result of the proposed changes.

That By-law 2011-184 be repealed and replaced to reflect the administrative and housekeeping amendments as outlines in Report to Council CSBU 2012 - 30.

Respectfully submitted,

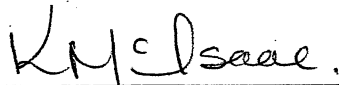


\_\_\_\_\_  
Beverley Hillier, MCIP, RPP  
Manager, Planning Services

BH/dlb

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We concur with this report and recommendation.



\_\_\_\_\_  
Karen McIsaac  
Deputy City Clerk



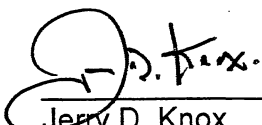
\_\_\_\_\_  
Shawn Killins  
Chief Building Official



\_\_\_\_\_  
Grant Love  
Fire Chief



\_\_\_\_\_  
Peter E.G. Leckie  
City Solicitor



\_\_\_\_\_  
Jerry D. Knox  
Managing Director, Community Services



\_\_\_\_\_  
Daxie Linkie  
Chief Administrative Officer

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

**City of North Bay****Report to Council****Report No:** CSBU 2012-31**Date:** February 1, 2012**Originator:** I. Kilgour**Subject:** Ike Bowness Field

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**RECOMMENDATION**

That Council approve the name Ike Bowness Field remain at the Sam Jacks Recreation Complex.

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**BACKGROUND**

Ike Bowness Field at the Sam Jacks Recreation Complex (including West Ferris Arena, two (2) fields, tennis courts, skatepark) has been used as a ball field for many years. With the construction of the Steve Omischl Sports Field Complex including three (3) new ball fields, the Ike Bowness ball field was decommissioned. As a result of the decommissioning the option of transferring the Bowness name to a ball field at the Sports Complex was offered to the Bowness Family. The Bowness Family met over the holidays and advised staff that it is their wish that the Bowness name remain in place at the field at the Sam Jacks Recreation Complex.

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**ANALYSIS / OPTIONS**Option 1

That Council approve the name Ike Bowness Field remain at the Sam Jacks Recreation Complex. This option is recommended as it is the wish of the family which the field is named after.

Option 2

That Council not approve the name Ike Bowness Field remain at the Sam Jacks Recreational Complex, and it be moved to a ball field at Steve Omischl Sport Complex. This option is not recommended as it is not the family's wish.

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**RECOMMENDED OPTION**Option 1

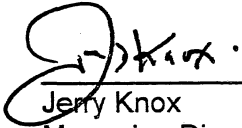
That Council approve the name Ike Bowness Field remain at the Sam Jacks Recreation Complex.

Respectfully submitted,




Ian Kilgour  
Director, Parks, Recreation & Leisure Services

I concur in this report and recommendation.



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Jerry Knox  
Managing Director, Community Services



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Dave Linkie  
Chief Financial Officer

**CITY OF NORTH BAY****REPORT TO COUNCIL**

Report No: CORP 2012-16

January 31, 2012

Originator: Margaret Karpenko

Subject: 2012 Court Security Prisoner Transportation Program

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**RECOMMENDATION:**

That North Bay City Council approves the signing of the attached Agreement, between Her Majesty the Queen in Right of Ontario and City of North Bay, Court Security Prisoner Transportation Program.

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**BACKGROUND:**

In October 2008, the Ontario government announced the upload of court security and prisoner transportation costs from municipalities, beginning in 2012 and phased in by an equal amount over seven years, to a maximum of \$125 million at maturity in 2018.

Under the Court Security Prisoner Transportation (CSPT) Program, the Ministry of Community Safety and Correctional Services allocated funding based on each municipality's relative share of the total court security and prisoner transportation costs, as confirmed in the 2010 Court Security Information Survey.

Subject to the attached Agreement being finalized, the City of North Bay's allocation for each of the first three years under the Court Security Prisoner Transportation (CSPT) Program is as follows:

<b>Calendar Year</b>	<b>Allocation</b>
2012	\$140,542.40
2013	\$281,084.79
2014	\$421,627.19
<b>Total</b>	<b>\$843,254.38</b>

In 2012, 25 percent of the annual amount will be disbursed in January and the remaining 75 percent will be paid in April. The remaining years are addressed in the Payment and Reporting Schedule as outlined in Schedule A of the Agreement.

Prior to the expiry of the first three-year Agreement, the ministry will revisit the funding mechanism by working with affected stakeholders to gather additional data and analyze the accuracy and currency of relative funding needs.

The 2012 Budget allocates the \$140,542.40 funding within the Police Services Board as revenue to offset court security costs.

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**ANALYSIS / OPTIONS:**

1. That North Bay City Council approves the signing of the attached Agreement, between Her Majesty the Queen in Right of Ontario and City of North Bay, Court Security Prisoner Transportation Program.
2. Do not approve the signing of the attached Agreement, between Her Majesty the Queen in Right of Ontario and City of North Bay, Court Security Prisoner Transportation Program. This option is not recommended as not signing the attached Agreement could result in the loss of allocated funding.

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**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

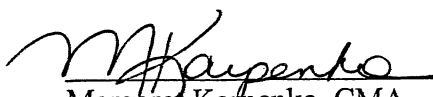
Option 1 is recommended as follows:

That North Bay City Council approves the signing of the attached Agreement, between Her Majesty the Queen in Right of Ontario and City of North Bay, Court Security Prisoner Transportation Program.


Signing of the Agreement will result in Ministry of Community Safety and Correctional Services allocated funding to the City of North Bay. The resulting allocation of funding will provide a maximum of \$125 million, at maturity in 2018, for the City of North Bay's Court Security Prisoner Transportation.

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Respectfully submitted,

  
\_\_\_\_\_  
Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer

I concur in this report and recommendation.

  
\_\_\_\_\_  
David Linkie,  
Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer

Attachments: Agreement between Her Majesty the Queen in Right of Ontario and  
City of North Bay

THE AGREEMENT effective as of the 1<sup>st</sup> day of January, 2012.

**B E T W E E N:**

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as  
represented by the Minister of Community Safety and  
Correctional Services**

**(the "Ministry")**

**- and -**

**City of North Bay  
(the "Recipient")**

**WHEREAS:**

- A.** The Ministry has established the Court Security Prisoner Transportation (CSPT) Program (the "Program") to assist municipalities in offsetting their costs of providing CSPT services in their jurisdictions;

**AND WHEREAS:**

- B.** The Recipient is a municipality which provides security for court premises during hours of court operations and security of persons attending court; and transports prisoners and custodial minors (i.e., persons between twelve and seventeen years of age) between correctional institutions, custodial facilities and court locations for the purposes of court attendance;
- C.** Funding will be provided based on the municipality's relative share of the total provincial court security-related costs, as confirmed in the 2010 Court Security Information Survey.

**NOW THEREFORE** in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

**ARTICLE 1 -- INTERPRETATION AND DEFINITIONS**

**1.1 Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;

- (b) words in one gender include all genders;
- (c) the background and the headings do not form part of the Agreement; they are for reference only and shall not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency shall be to Canadian dollars and currency; and
- (e) "include", "includes" and "including" shall not denote an exhaustive list.

1.2 **Definitions.** In the Agreement, the following terms shall have the following meanings:

**"Agreement"** means this agreement entered into between the Ministry and the Recipient and includes all of the schedules listed in section 28.1 and any amending agreement entered into pursuant to section 34.2.

**"BPSAA"** means the *Broader Public Sector Accountability Act, 2010* (Ontario), including any directives issued pursuant to that Act.

**"Court Security and Prisoner Transportation Services"** means the services and activities eligible for funding, as set out in Schedule "B".

**"Expiry Date"** means December 31, 2014.

**"Effective Date"** means the date set out at the top of the Agreement.

**"Event of Default"** has the meaning ascribed to it in section 14.1.

**"Force Majeure"** has the meaning ascribed to it in Article 26.

**"Funding Period"** means: the period commencing on the Effective Date and ending on the Expiry Date.

**"Funding Year"** means any of Funding Years 1, 2 or 3.

**"Funding Year 1"** means January 1, 2012 through December 31, 2012.

**"Funding Year 2"** means January 1, 2013 through December 31, 2013.

**"Funding Year 3"** means January 1, 2014 through December 31, 2014.



“**Funds**” means the money the Ministry provides to the Recipient pursuant to the Agreement.

“**Indemnified Parties**” means her Majesty the Queen in right of Ontario, her ministers, agents, appointees and employees.

“**Maximum Funds**” means \$140,542.40 for Funding Year 1, \$281,084.79 for Funding Year 2 and \$421,627.19 for Funding Year 3.

“**Notice**” means any communication given or required to be given pursuant to the Agreement.

“**Notice Period**” means the period of time within which the Recipient is required to remedy an Event of Default, and includes any such period or periods of time by which the Ministry considers it reasonable to extend that time.

“**Parties**” means the Ministry and the Recipient and “**Party**” means either one of them.

“**Project**” means the undertaking described in Schedule “A”.

“**Project Completion Date**” means the date for completion of the Project, as set out in section 3.1.

“**Report**” means the report described in Schedule “C”.

“**Timelines**” means the dates and times set out in Schedule “A”.

## ARTICLE 2 -- REPRESENTATIONS, WARRANTIES AND COVENANTS

2.1 **General.** The Recipient represents, warrants and covenants that:

- (a) it is a validly existing legal entity with full power to fulfill its obligations under the Agreement;
- (b) it has the experience and expertise necessary to carry out the Project; and
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Ministry in support of its request for funds was true and complete at the time the Recipient provided it.

- 2.2 **Execution of Agreement.** The Recipient represents and warrants that:
- (a) it has the full power and authority to enter into the Agreement; and
  - (b) it has taken all necessary actions to authorize the execution of the Agreement.
- 2.3 **Governance.** The Recipient represents, warrants and covenants that upon execution and for the period during which the Agreement is in effect, it:
- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
  - (b) procedures to ensure the ongoing effective functioning of the Recipient;
  - (c) decision-making mechanisms;
  - (d) procedures to provide for the prudent and effective management of the Funds;
  - (e) procedures to enable the successful completion of the Project;
  - (f) procedures to enable the timely identification of risks to the completion of the Project and strategies to address the identified risks;
  - (g) procedures to enable the preparation and delivery of all Reports required pursuant to Article 7; and
  - (h) procedures to deal with such other matters as the Recipient considers necessary to ensure that the Recipient carries out its obligations under the Agreement.
- 2.4 **Supporting Documentation.** Upon request, the Recipient shall provide the Ministry with proof of the matters referred to in this Article 2.

### ARTICLE 3 -- TERM OF THE AGREEMENT

- 3.1 **Term.** The term of the Agreement shall commence on the Effective Date and shall expire on the Expiry Date of December 31 2014, unless terminated earlier pursuant to Articles 12, 13 or 14.

## ARTICLE 4 -- FUNDS AND CARRYING OUT THE PROJECT

4.1 *Funds Provided.* The Ministry shall:

- (a) provide the Recipient Funds up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds directly to the Recipient through transfer payments in accordance with the payment schedule attached to the Agreement as Schedule "A"; and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
  - (i) resides at a Canadian financial institution; and
  - (ii) is in the name of the Recipient.

4.2 *Limitation on Payment of Funds.* Despite section 4.1:

- (a) the Ministry is not obligated to provide any Funds to the Recipient until the Recipient provides the insurance certificate or other proof as provided for in section 11.2;
- (b) the Ministry is not obligated to provide Funds until it is satisfied with the Financial Reports;
- (c) the Ministry may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Ministry's assessment of the information provided by the Recipient pursuant to section 7.1; and
- (d) if the Recipient identifies that the Funds for the Funding Year are not expected to be used for the funding purposes, the Ministry may reallocate the Funds to other municipalities; and
- (e) if, pursuant to the provisions of the Financial Administration Act (Ontario), the Ministry does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Ministry is not obligated to make any such payment, and, as a consequence, the Ministry may:
  - (i) reduce the amount of the Funds and, in consultation with the Recipient, change the Project; or

(ii) terminate the Agreement pursuant to section 13.1.

4.3 **Use of Funds and Project.** The Recipient shall:

(a) carry out the Project:

(i) in accordance with the terms and conditions of the Agreement;  
and

(ii) in compliance with all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules and by-laws related to any aspect of the Project;

(b) use the Funds only for the purpose of carrying out the Project.

4.4 **No Changes.** The Recipient shall not make any changes to the Project, the Timelines and/or the Funds without the prior written consent of the Ministry.

4.5 **Interest Bearing Account.** If the Ministry provides Funds to the Recipient prior to the Recipient's immediate need for the Funds, the Recipient shall place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

4.6 **Interest.** If the Recipient earns any interest on the Funds:

(a) the Ministry may deduct an amount equal to the interest from any further instalments of Funds; or

(b) the Recipient shall pay an amount equal to the interest to the Ministry as directed by the Ministry.

4.7 **Maximum Funds.** The Recipient acknowledges that the Funds available to it pursuant to the Agreement shall not exceed the Maximum Funds.

4.8 **Rebates, Credits and Refunds.** The Recipient acknowledges that the amount of Funds available to it pursuant to the Agreement is based on the actual costs to the Recipient, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit or refund.

## ARTICLE 5 -- ACQUISITION OF GOODS AND SERVICES

- 5.1 **Acquisition.** Subject to section 31.1, if the Recipient acquires supplies, equipment or services with the Funds, it shall do so through a process that promotes the best value for money.

## ARTICLE 6 -- CONFLICT OF INTEREST

- 6.1 **No Conflict of Interest.** The Recipient shall carry out the Project and use the Funds without an actual, potential or perceived conflict of interest.
- 6.2 **Conflict of Interest Includes.** For the purposes of this Article, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased and impartial judgment relating to the Project and the use of the Funds.

- 6.3 **Disclosure to Ministry.** The Recipient shall:
- (a) disclose to the Ministry, without delay, any situation that a reasonable person would interpret as either an actual, potential or perceived conflict of interest; and
  - (b) comply with any terms and conditions that the Ministry may prescribe as a result of the disclosure.

## ARTICLE 7 -- REPORTING, ACCOUNTING AND REVIEW

- 7.1 **Preparation and Submission.** The Recipient shall:
- (a) submit to the Ministry at the address provided in section 18.1, Reports, as set out in Schedule C, in accordance with the Timelines and requirements set out in Schedule A.
  - (b) submit to the Ministry at the address provided in section 18.1, any other reports as may be requested by the Ministry in accordance with the Timelines and content requirements specified by the Ministry;

- (c) ensure that all Reports and other reports are completed to the satisfaction of the Ministry; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by an authorized signing officer.

7.2 **Record Maintenance.** The Recipient shall keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

7.3 **Inspection.** The Ministry, its authorized representatives or an independent auditor identified by the Ministry may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to review the progress of the Project and the Recipient's expenditure of the Funds and, for these purposes, the Ministry, its authorized representatives or an independent auditor identified by the Ministry may:

- (a) inspect and copy the records and documents referred to in section 7.2; and
- (b) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds and/or the Project.

7.4 **Disclosure.** To assist in respect of the rights set out in section 7.3, the Recipient shall disclose any information requested by the Ministry, its authorized representatives or an independent auditor identified by the Ministry, and shall do so in a form requested by the Ministry, its authorized representatives or an independent auditor identified by the Ministry, as the case may be.

7.5 **No Control of Records.** No provision of the Agreement shall be construed so as to give the Ministry any control whatsoever over the Recipient's records.

7.6 **Auditor General.** For greater certainty, the Ministry's rights under this Article are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

## ARTICLE 8 – CREDIT AND PUBLICITY

- 8.1 **Acknowledge Support.** Unless otherwise directed by the Ministry, the Recipient shall, in a form approved by the Ministry, acknowledge the support of the Ministry in any publication of any kind, written or oral, relating to the Project, including for greater certainty, press releases, published reports, radio and television programs and public meetings, using the following standard:

*“This Project has been made possible by a grant from the  
Ministry of Community Safety and Correctional Services.”*

- 8.2 **Prior Written Approval.** The Recipient agrees to obtain prior written approval from the Ministry before using any Government of Ontario or Ministry logo or symbol in any communications including press releases, published reports, television programs, public or private meetings, or in any other type of promotional material, relating to the Project or this Agreement.
- 8.3 **Publication.** The Recipient shall indicate, in any of its publications, of any kind, relating to the Project, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Ministry.

## ARTICLE 9 – FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

- 9.1 **FIPPA.** The Recipient acknowledges that the Ministry is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Ministry in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

## ARTICLE 10 – INDEMNITY

- 10.1 **Indemnification.** The Recipient hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, by whomever made, sustained, incurred, brought or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Ministry.

## ARTICLE 11 -- INSURANCE

- 11.1 **Recipient's Insurance.** The Recipient represents and warrants that it has, and shall maintain for the term of the Agreement, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than five million dollars (\$5,000,000) per occurrence. The policy shall include the following:
- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
  - (b) a cross-liability clause;
  - (c) contractual liability coverage; and
  - (d) a 30 day written notice of cancellation, termination or material change.
- 11.2 **Proof of Insurance.** The Recipient shall provide the Ministry with certificates of insurance, or other proof as may be requested by the Ministry, that confirms the insurance coverage as provided for in section 11.1. Upon the request of the Ministry, the Recipient shall make available to the Ministry a copy of each insurance policy.

## ARTICLE 12 -- TERMINATION ON NOTICE

- 12.1 **Termination on Notice.** The Ministry may terminate the Agreement at any time upon giving at least sixty (60) days Notice to the Recipient.
- 12.2 **Consequences of Termination on Notice by the Ministry.** If the Ministry terminates the Agreement pursuant to section 12.1, the Ministry may:
- (a) cancel all further instalments of Funds;
  - (b) demand the repayment of any Funds remaining in the possession or under the control of the Recipient; and/or



- (c) determine the reasonable costs for the Recipient to wind down the Project, and:
  - (i) permit the Recipient to offset the costs determined pursuant to section 12.2(c), against the amount owing pursuant to section 12.2(b); and/or
  - (ii) subject to section 4.7, provide Funds to the Recipient to cover the costs determined pursuant to section 12.2(c).

### ARTICLE 13 -- TERMINATION WHERE NO APPROPRIATION

- 13.1 **Termination Where No Appropriation.** If, as provided for in section 4.2(d), the Ministry does not receive the necessary appropriation from the Ontario Legislature for any payment the Ministry is to make pursuant to the Agreement, the Ministry may terminate the Agreement immediately by giving Notice to the Recipient.
- 13.2 **Consequences of Termination Where No Appropriation.** If the Ministry terminates the Agreement pursuant to section 13.1, the Ministry may:
  - (a) cancel all further instalments of Funds;
  - (b) demand the repayment of any Funds remaining in the possession or under the control of the Recipient; and/or
  - (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section 13.2(b).
- 13.3 **No Additional Funds.** For purposes of clarity, if the costs determined pursuant to section 13.2(c) exceed the Funds remaining in the possession or under the control of the Recipient, the Ministry shall not provide additional Funds to the Recipient.

### ARTICLE 14 -- EVENT OF DEFAULT, CORRECTIVE ACTION AND TERMINATION FOR DEFAULT

- 14.1 **Events of Default.** Each of the following events shall constitute an Event of Default:

- (a) in the opinion of the Ministry, the Recipient breaches any representation, warranty, covenant or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
  - (i) carry out the Project;
  - (ii) use or spend Funds; and/or
  - (iii) provide, in accordance with section 7.1, Reports or such other reports as may have been requested pursuant to section 7.1(b);
- (b) the Recipient's operations, or its organizational structure, changes such that it no longer meets one or more of the applicable eligibility requirements of the program under which the Ministry provides the Funds;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or is petitioned into bankruptcy, or files for the appointment of a receiver;
- (d) the Recipient ceases to operate; and
- (e) an event of Force Majeure that continues for a period of 60 days or more.

14.2 ***Consequences of Events of Default and Corrective Action.*** If an Event of Default occurs, the Ministry may, at any time, take one or more of the following actions:

- (a) initiate any action the Ministry considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Ministry determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel all further installments of Funds;

- (f) demand the repayment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand the repayment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand the repayment of an amount equal to any Funds the Ministry provided to the Recipient; and/or
- (i) terminate the Agreement at any time, including immediately, upon giving Notice to the Recipient.

14.3 ***Opportunity to Remedy.*** If, in accordance with section 14.2(b), the Ministry provides the Recipient with an opportunity to remedy the Event of Default, the Ministry shall provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

14.4 ***Recipient not Remediating.*** If the Ministry has provided the Recipient with an opportunity to remedy the Event of Default pursuant to section 14.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Ministry that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Ministry,

the Ministry may extend the Notice Period, or initiate any one or more of the actions provided for in sections 14.2(a), (c), (d), (e), (f), (g), (h) and (i).

14.5 ***When Termination Effective.*** Termination under this Article shall take effect as set out in the Notice.

## ARTICLE 15 -- FUNDS AT THE END OF A FUNDING YEAR

15.1 ***Funds at the End of a Funding Year.*** Without limiting any rights of the Ministry under Article 14, if the Recipient has not spent all of the Funds allocated for the Funding Year, the Ministry may:

- (a) demand the return of the unspent Funds; or
- (b) adjust the amount of any further instalments of Funds accordingly.

#### ARTICLE 16 -- FUNDS UPON EXPIRY

16.1 **Funds upon Expiry.** The Recipient shall, upon expiry of the Agreement, return to the Ministry any Funds remaining in its possession or under its control.

#### ARTICLE 17 -- REPAYMENT

17.1 **Debt Due.** If:

- (a) the Ministry demands the payment of any Funds or any other money from the Recipient; or
- (b) the Recipient owes any Funds or any other money to the Ministry, whether or not their return or repayment has been demanded by the Ministry,

such Funds or other money shall be deemed to be a debt due and owing to the Ministry by the Recipient, and the Recipient shall pay or return the amount to the Ministry immediately, unless the Ministry directs otherwise.

17.2 **Interest Rate.** The Ministry may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

17.3 **Payment of Money to Ministry.** The Recipient shall pay any money owing to the Ministry by cheque payable to the "Ontario Minister of Finance" and mailed to the Ministry at the address provided in section 18.1.

**ARTICLE 18 -- NOTICE**

18.1 **Notice in Writing.** Notices and communications shall be in writing and shall be delivered by email, postage-prepaid mail, personal delivery or fax, and shall be addressed to the Ministry Contact and the Recipient, respectively, as set out below, or as either Party later designates to the other by Notice:

<p><b>To the Ministry:</b></p> <p>External Relations Branch Public Safety Division Ministry of Community Safety and Correctional Services 12th Floor, 25 Grosvenor Street Toronto ON M7A 2H3</p> <p><b>Attention:</b> Mr. Oscar Mosquera Manager, Program Development Section</p> <p><b>Fax:</b> 416-314-3092 <b>E-mail:</b> Oscar.Mosquera@ontario.ca</p>	<p><b>To the Recipient:</b></p> <p>City of North Bay 200 McIntyre Street East PO Box 360 North Bay ON P1B 8H8</p> <p><b>Attention:</b> Mr. David G. Linkie Chief Administrative Officer</p> <p><b>Fax:</b> 705-495-4353 <b>Email:</b> david.linkie@cityofnorthbay.ca</p>
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18.2 **Notice Given.** Notice shall be deemed to have been received:

- (a) in the case of postage-prepaid mail, seven days after a Party mails the Notice; or
- (b) in the case of email, personal delivery or fax, at the time the other Party receives the Notice.

18.3 **Postal Disruption.** Despite section 18.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail shall not be deemed to be received; and
- (b) the Party giving Notice shall provide Notice by email, personal delivery or by fax.

## ARTICLE 19 -- CONSENT BY MINISTRY

- 19.1 *Consent.* The Ministry may impose any terms and/or conditions on any consent the Ministry may grant pursuant to the Agreement.

## ARTICLE 20 -- SEVERABILITY OF PROVISIONS

- 20.1 *Invalidity or Unenforceability of Any Provision.* The invalidity or unenforceability of any provision of the Agreement shall not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision shall be deemed to be severed.

## ARTICLE 21 -- WAIVER

- 21.1 *Waivers in Writing.* If a Party fails to comply with any term of the Agreement, that Party may only rely on a waiver of the other Party if the other Party has provided a written waiver in accordance with the Notice provisions in Article 18. Any waiver must refer to a specific failure to comply and shall not have the effect of waiving any subsequent failures to comply.

## ARTICLE 22 -- INDEPENDENT PARTIES

- 22.1 *Parties Independent.* The Recipient acknowledges that it is not an agent, joint venturer, partner or employee of the Ministry, and the Recipient shall not take any actions that could establish or imply such a relationship.

## ARTICLE 23 -- ASSIGNMENT OF AGREEMENT OR FUNDS

- 23.1 *No Assignment.* The Recipient shall not assign any part of the Agreement or the Funds without the prior written consent of the Ministry.
- 23.2 *Agreement to Extend.* All rights and obligations contained in the Agreement shall extend to and be binding on the Parties' respective heirs, executors, administrators, successors and permitted assigns.

## ARTICLE 24 -- GOVERNING LAW

- 24.1 *Governing Law.* The Agreement and the rights, obligations and relations of the Parties shall be governed by and construed in accordance with the laws of the Ministry of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement shall be conducted in Ontario.

- 24.2 **BPSAA.** For the purposes of clarity, if the Recipient is subject to the BPSAA and there is a conflict between any of the requirements of the Agreement and the requirements of the BPSAA, the BPSAA shall prevail.

#### **ARTICLE 25 -- FURTHER ASSURANCES**

- 25.1 **Agreement into Effect.** The Recipient shall do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

#### **ARTICLE 26 -- CIRCUMSTANCES BEYOND THE CONTROL OF EITHER PARTY**

- 26.1 **Force Majeure.** Subject to section 26.3, Force Majeure means an event that:

- (a) is beyond the reasonable control of a Party; and
- (b) makes a Party's performance of its obligations under the Agreement impossible, or so impracticable as reasonably to be considered impossible in the circumstances.

- 26.2 **Force Majeure Includes.** Force Majeure includes:

- (a) infectious diseases, war, riots and civil disorder;
- (b) storm, flood, earthquake and other severely adverse weather conditions;
- (c) lawful act by a public authority; and
- (d) strikes, lockouts and other labour actions,

if such events meet the test set out in section 26.1.

- 26.3 **Force Majeure Shall Not Include.** Force Majeure shall not include:

- (a) any event that is caused by the negligence or intentional action of a Party or such Party's agents or employees; or
- (b) any event that a diligent Party could reasonably have been expected to:
  - (i) take into account at the time of the execution of the Agreement; and

- (ii) avoid or overcome in the carrying out of its obligations under the Agreement.

26.4 **Failure to Fulfil Obligations.** Subject to section 14.1(e), the failure of either Party to fulfil any of its obligations under the Agreement shall not be considered to be a breach of, or Event of Default under, the Agreement to the extent that such failure to fulfill the obligation arose from an event of Force Majeure, if the Party affected by such an event has taken all reasonable precautions, due care and reasonable alternative measures, all with the objective of carrying out the terms and conditions of the Agreement.

#### ARTICLE 27 -- SURVIVAL

27.1 **Survival.** The provisions in Article 1, any other applicable definitions, sections 4.6(b), 7.1 (to the extent that the Recipient has not provided the Reports, respecting the Reports required after the Funding Period in accordance with the Due Dates set out in Schedule A, or other reports as may be requested by the Ministry to the satisfaction of the Ministry), 7.2, 7.3, 7.4, 7.5, 7.6, Articles 8 and 10, sections 12.2, 13.2, 13.3, 14.1, 14.2(d), (e), (f), (g) and (h), Articles 16, 17, 18, 20, 24, 27, 28, 29, 30, 31 and 32, 33 and 34, 35 Schedule A, and all applicable cross-referenced provisions and schedules shall continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement.

#### ARTICLE 28 -- SCHEDULES

28.1 **Schedules.** The Agreement includes the following schedules:

- (a) Schedule "A" - Terms of Reference;
- (b) Schedule "B" - Court Security and Prisoner Transportation Services and Activities Eligible for Funding
- (c) Schedule "C" - Annual Financial Report;

#### ARTICLE 29 -- FURTHER FUNDS

29.1 **Further Funds.** It is agreed and understood that the provision of the Funds in no way commits or obligates the Ministry to provide other or additional payments now or in the future.



## ARTICLE 30 -- INSPECTION

- 30.1 *Inspection.* The Ministry reserves the right to inspect any aspect of the Project at any time.

## ARTICLE 31 -- MANAGEMENT BOARD/TREASURY BOARD APPROVAL

- 31.1 *Management Board Approval.* This Agreement may be subject to approval by the Management Board/Treasury Board Secretariat of the Government of Ontario.

## ARTICLE 32 -- JOINT AND SEVERAL LIABILITY

- 32.1 *Joint and Several Liability.* Where the Recipient is comprised of more than one entity, all such entities shall be jointly and severally liable to the Ministry for the fulfillment of the obligations of the Recipient under the Agreement.

## ARTICLE 33 -- RIGHTS AND REMEDIES CUMULATIVE

- 33.1 *Rights and Remedies Cumulative.* The rights and remedies of the Ministry under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

## ARTICLE 34 -- ENTIRE AGREEMENT

- 34.1 *Entire Agreement.* The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.
- 34.2 *Modification of Agreement.* The Agreement may only be amended by a written agreement duly executed by the Parties.

## Article 35 -- FAILURE TO COMPLY WITH OTHER AGREEMENTS

- 35.1 *Other Agreements.* If the Recipient:
- (a) has failed to comply (a "Failure") with any term, condition or obligation under any other agreement with Her Majesty the Queen in right of Ontario or a Crown agency;

- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Ministry may suspend the payment of Funds for such period as the Ministry determines appropriate.

THE PARTIES HAVE EXECUTED THE AGREEMENT ON THE DATES SET OUT BELOW.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as represented by the Minister of Community Safety and Correctional Services

per:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signatory for the Ministry  
Name:  
Position:

City of North Bay  
per:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signatory for the Recipient  
Name:  
Position:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Witness Name

## SCHEDULE "A"

### TERMS OF REFERENCE

#### 1) PROJECT DESCRIPTION

The Ministry has established the Program to provide Funds to assist municipalities in offsetting their costs of providing CSPT services in their jurisdictions.

Funding will be provided based on each municipality's relative share of the total provincial court security-related costs, as confirmed in the 2010 Court Security Information Survey.

The Recipient will provide security of persons taking part in or attending court proceedings, and provide security of the premises during the hours that judges and members of the public are normally present. Further, the Recipient will transport prisoners and custodial minors (i.e., 12-17 years old) between correctional institutions and/or custodial facilities and court locations for the purposes of attending trial;

#### 2) PAYMENT AND REPORTING SCHEDULE

##### **Funding Year 1 – January 1, 2012 to December 31, 2012:**

- A. First instalment: \$35,135.60 will be paid on receipt of the executed Agreement.
- B. Second instalment: \$105,406.80 will be paid to the Recipient in April, by the end of the month.

##### **Funding Year 2 – January 1, 2013 to December 31, 2013:**

- A. First instalment: \$70,271.20 will be paid to the Recipient in January, by the end of the month.
- B. Second instalment: \$210,813.59 will be paid to the Recipient following the Ministry's approval of Schedule C for Funding Year 1 – which must be received by the Ministry by April 15, 2013.

**Funding Year 3 – January 1, 2014 to December 31, 2014:**

- A. First instalment: \$105,406.80 will be paid to the Recipient in January, by the end of the month.
- B. Second instalment: \$316,220.39 will be paid to the Recipient following the Ministry's approval of Schedule C for Funding Year 2 – which must be received by the Ministry by April 15, 2014.
- C. The Recipient must submit Schedule C for Funding Year 3 to the Ministry by April 15, 2015.

## SCHEDULE "B"

### CSPT SERVICES AND ACTIVITIES ELIGIBLE FOR FUNDING

#### A. COURT SECURITY includes:

1. Facility Perimeter Security  
Costs associated with external and/or internal police presence during regular or non-regular hours to secure the perimeter of the facility, to respond to a specific threat or for high-profile matters.
2. Courtroom Security  
Costs associated with the presence of police staff in the courtroom to ensure the safety and security of the proceedings and attendees.
3. General Courthouse Security Presence  
Costs associated with the use of screening stations staffed by police services to screen all public visitors to the courthouse, including the use of magnetometers and x-ray machines, and police staff assigned to perform roving patrols of the court facility.
4. Prisoner Movement in Courthouse  
Costs associated with monitoring the movement of prisoners between holding cells and other areas within the courthouse.
5. Prisoner Guarding in Holding Cells  
Costs associated with guarding and monitoring of prisoners brought to court for trial and held in courthouse holding cells (where applicable).
6. Prisoner Feeding  
Costs associated with the provision of meals to prisoners required while in the custody of local police services for the purpose of attending court.

#### B. PRISONER TRANSPORTATION includes:

1. Prisoner Transport  
Costs associated with the movement of prisoners between correctional institutions and court locations for the purposes of attending trial.
2. Prisoner Transport - Youth  
Costs associated with the movement of custodial minors (i.e. 12-17 years old) between correctional and/or custodial facilities and court locations for the purposes of attending trial.

\*PRISONER includes: Persons being held in custody as a result of provincial or federal offence proceedings, including persons under immigration detention.

**C. TRAINING, EQUIPMENT AND RECRUITING includes:**

1. Training that is relevant to court security and prisoner transportation only.
2. Equipment that is unique to the member's deployment within court security and prisoner transportation and does not include equipment that would be utilized if the member was deployed in any other capacity within the police service.
3. Recruiting that is relevant to the staffing of court security and prisoner transportation only. Costs may include advertising for applicants, physical fitness and/or psychological testing, applicant screening, interviews or any other related human resources expense.

**COURT SECURITY AND PRISONER TRANSPORTATION do NOT include:**

1. Court Administration

Costs associated with performing court administrative duties including the scheduling of staff for daily deployment, the service of legal documents, the preparation/maintenance of Crown Brief materials, the entry of data into court information systems, preparing or swearing/affirming legal documentation, scheduling of court appearances or other duties of a related nature.

**SCHEDULE "C"**

**ANNUAL FINANCIAL REPORT**

<b>REPORTING MUNICIPALITY:</b>			
<b>CONTACT INFORMATION:</b>			
Salutation:	First Name:	Last Name:	Title:
Tel:	Ext:	Fax:	Email:
Address:			
City:		Postal Code:	
<b>LOCAL POLICE SERVICE:</b>			
Name of Municipal or Regional Police Service or OPP Detachment:			
<b>ANNUAL EXPENDITURE SUMMARY:</b>			
<i>PLEASE REVIEW THE ATTACHED GUIDELINES BEFORE COMPLETING THE FOLLOWING SECTION. THE GUIDELINES WILL PROVIDE DETAILS ON SERVICES AND ACTIVITIES ELIGIBLE FOR FUNDING.</i>			
Funding Year _ Allocation (January 1, 201_ to December 31, 201_):			
<b>COURT SECURITY COSTS</b>			
a) Total gross annual court security costs:			
b) Total annual payments provided to other municipalities for court security:			
c) Total annual payments received from other municipalities for court security:			
d) Total annual payments received from other funding sources for court security:			
e) <i>Total net annual court security costs (a + b - c - d):</i>			
<b>PRISONER TRANSPORTATION COSTS</b>			
f) Total gross annual prisoner transportation costs:			
g) Total annual payments provided to other municipalities for prisoner transportation:			
h) Total annual payments received from other municipalities for prisoner transportation:			
i) Total annual payments received from other funding sources for prisoner transportation:			
j) <i>Total net annual prisoner transportation costs (f + g - h - i):</i>			
<b>Total Net Annual Court Security and Prisoner Transportation Costs (e + j):</b>			
Variance (Allocation - Total Net Annual Costs):			
<b>SIGNATURE OF AUTHORIZED OFFICIAL:</b>			
<i>I, hereby certify that the information provided in the Annual Financial Report is true and correct and is in agreement with the books and records of the municipality and its consolidated entities.</i>			
Title:	Print Name:		
Signature:			Date:



**CITY OF NORTH BAY****REPORT TO COUNCIL**

Report No: CORP 2012-17

January 31, 2012

Originator: Paul Valenti

Subject: Request for Proposal No. 2011-88 Corporate Radio Communications System,  
Capital Project No. 3113GG

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**RECOMMENDATION:**

That North Bay City Council approves the award of a contract to Spectrum Telecom Group Ltd. in the amount of \$709,760.62 (excluding HST) for the provision of a Corporate Radio Communications System for the City.

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**BACKGROUND:**

The City currently has a number of departments that utilize six separate radio communication systems. These different systems have had periodic upgrades and improvements since 1967.

Most of the radio communication systems currently in use by City departments are either at, or very close to their end of life. Existing components are expensive to repair and when deemed non-repairable, are replaced with a different model and technology. Newer models of mobile and portable radios are not compatible with our current accessories, i.e. batteries, chargers, analyzers, conditioners, microphones.

In 2010, a review and a radio path study was completed on the current City radio communication systems to identify the best overall solution for all departments. The frequency path study shows the current system has a number of dead spots within the municipality, due in large part to the shadow of the escarpment, high-rise buildings and current age of the radio system. It was identified that by going to a system designed to operate as a single city-wide system there are significant advantages. Most important is the ability to utilize the system in a disaster situation.

With a new city-wide system that is both digital and analog, the City will significantly improve communication capabilities within buildings. Digital radio offers enhanced voice communications over a greater range and can incorporate background noise suppression at the transmitter, so that background crowd or traffic noise is never transmitted or heard. A combined digital/analog system will ensure the entire City system is reliable during prolonged emergencies.

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The equipment included in the new city-wide system is also integral in meeting the requirements of a new provincial regulation requiring all Public Works and Parks vehicles to be "Hands Free" by the end of 2012.

In March of 2011, a Report to Council outlined the need, as well as the advantages and features of the proposed new radio communications system. The Fire Chief and current service provider presented a City Communications Current Conditions Report to Council along with an overview of a new radio system network infrastructure design that would meet the requirements of all City departments.

A Request for Proposal for a new Corporate Radio Communications System was issued on September 24, 2011 and publicly advertised in accordance with the City's purchasing policy. Ten (10) RFP packages were distributed. Six (6) different vendors attended a mandatory site meeting. The RFP closed on November 30, 2011 with one (1) proposal being received. The proposal was evaluated by the selection committee consisting of the Fire Chief, Deputy Fire Chief, Fraser Popovski & Associates Consultants, Manager of Purchasing, Manager of Roads, and representation from Transit, Public Works and the Occupational Health and Safety Committee.

Spectrum Telecom Group provided the one and only proposal at a cost of \$709,760.62 (excluding HST). The selection committee evaluated the proposal based on criteria set out in the RFP and scored the proponent 93 out of a possible 100 points. A review was undertaken to understand the reason for only one vendor providing a response to the RFP. Other vendors have noted the difficulty in providing a competitive level of service to that of Spectrum Telecom Group, as they are a locally based company. Also, there are several other municipalities currently undertaking the same project and vendors are making more strategic decisions on which ones to respond to.

It was necessary for the City to validate that the system proposed meets the requirements for the City and is being offered as a fair and reasonable price, particularly with only one vendor responding. Fraser, Popovski & Associates, an independent consulting firm with extensive knowledge and experience related to radio communications systems played a significant role in evaluating the proposal provided by Spectrum Telecom Group. They believe the system being offered is of good value, meets the operational needs of the City and is being sourced from a reputable manufacturer through a local, well respected service provider.

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**ANALYSIS / OPTIONS:**

1. That North Bay City Council approves the award of a contract to Spectrum Telecom Group Ltd. in the amount of \$709,760.62 (excluding HST) for the provision of a Corporate Radio Communications System for the City.
2. That North Bay City Council does not approve the award of a contract for a Corporate Radio Communications System. Equipment will continue being replaced as required which will result in incompatible equipment and accessories. The savings related to a one-time complete system purchase will not be realized. The existing system has shortfalls in frequency coverage which could impact the City's response to a disaster.

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**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contract to Spectrum Telecom Group Ltd. in the amount of \$709,760.62 (excluding HST) for the provision of a Corporate Radio Communications System for the City.

The net cost to the City which factors in HST less the HST rebate amounts to \$722,253.82

An amount of \$745,000 has been allocated in the 2011 Community Services Capital Budget, Line No. 76, Project No. 3113GG, authorized by By-law 2011-117 dated May 31, 2011.

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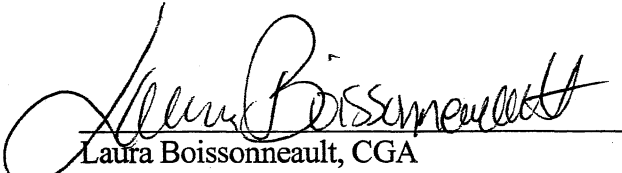
Respectfully submitted,



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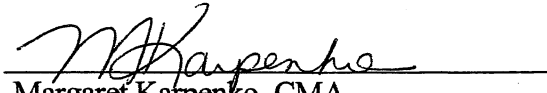
Paul Valenti,  
Manager of Purchasing

We concur in this report and recommendation.



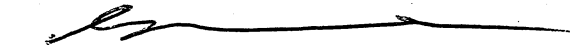
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Laura Boissonneault, CGA  
Supervisor of Budgets & Financial  
Reporting



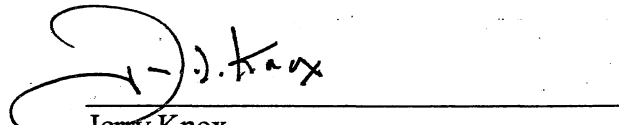
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Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer



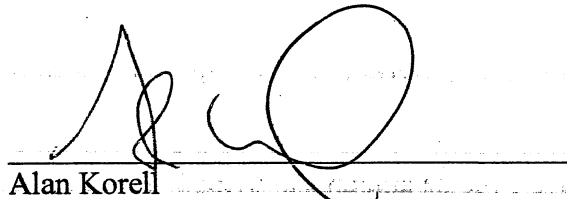
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Grant Love  
Fire Chief



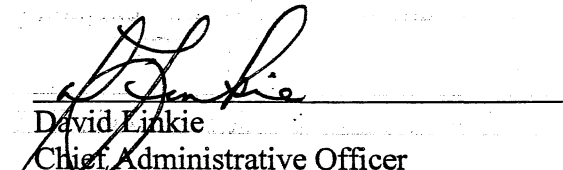
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Jerry Knox  
Managing Director, Community Services



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Alan Korell  
Managing Director, Engineering,  
Environmental Services & Works



---

David Linkie  
Chief Administrative Officer

Personnel designated for continuance: Grant Love, Fire Chief

**CITY OF NORTH BAY****REPORT TO COUNCIL****REPORT NO:** EESW 2012-017**DATE:** February 3, 2012**ORIGINATOR:** Angela Cox  
Manager, Finance and Administration**SUBJECT:** 2012 Capital Budget Project – 6056RD Rural Roadway Reconstruction  
(On-going)

---

**RECOMMENDATION:**

That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Rural Roadway Reconstruction Program for 2012, being a Capital Budget project #6056RD, at a net debentured cost of \$715,000.

---

**BACKGROUND:**

The approved 2012 Capital Budget included an amount of \$715,000 for the reconstruction of rural roadways for both a single surface treatment and a cold recycled asphalt pavement treatment process.

Over the past 10 years we have implemented an effective program whereby the City's large stockpile of old asphalt pavement was crushed and mixed with an asphalt emulsion and rejuvenating agent and then placed on the roadway through a conventional asphalt pavers, but in a cold rather than hot state. The finished asphalt and its thickness are in the order of 75 mm after compaction. As part of this work, drainage improvements are undertaken as well as granular base and road widening as may be required. In addition, rock removal and sightline obstructions may also be undertaken as part of the reconstruction projects. Previously we utilized a double surface treatment process. If City Council approves this project the single surface treatment will focus on Northshore, Peninsula and Carmichael roads and the cold mix recycled asphalt pavement process will focus on Wild Cherry Land and Stanley Road.

Based upon our rural roadway length of 135 kilometers, we should be undertaking a program of approximately 10 kilometers per year in order to properly maintain these roadways. City Council has seen fit to maintain this level of funding and the overall improvement in the condition of the rural roadways is quite evident.

A Schedule to the proposed By-Law is submitted for consideration of City Council.

Construction Contract	\$679,250
Financing	\$35,750
Net Debenture cost	\$715,000

---

## ANALYSIS/OPTIONS

Option 1: Proceed with the 6056RD Rural Roadway Construction Program

The rural roadways recommended for reconstruction are in relatively poor condition and warrant reconstruction. The funding provided this year will definitely make a significant improvement to approximately 7% of the rural roadways, which is a very reasonable target level.

Option 2: Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would have the effect of creating a further backlog of deteriorating rural roadways, which has the potential for higher maintenance costs and serious inconvenience to the public.

---

## RECOMMENDED OPTION

It is recommended that City Council approve of the drafting of the necessary By-Law, which will authorize the capital budget for the 2012 Rural Roadway Construction Program.

Respectfully Submitted,



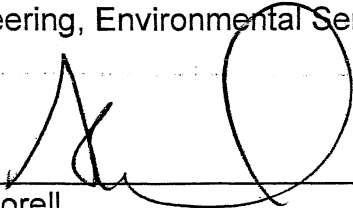
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Angela Cox  
Manager, Finance & Administration  
Engineering, Environmental Services & Works



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Domenic Schiavone  
Director, Public Works



---

Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

We concur in this report and recommendation.



Laura Boissonneault

Supervisor of Budgets and Financial Reporting



Margaret Karpenko

Chief Financial Officer/Treasurer



David Linkie

Chief Administrative Officer

Person designated for continuance: Joe Germano

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

### Project Summary

<b>Project Number:</b>	6056RD	<b>Active:</b>	Yes
<b>Title:</b>	RURAL ROADWAYS REHAB ON-GO		
<b>Asset Type:</b>	INFRASTRUCTURE - Roads		
<b>Division:</b>	Engineering, Environmental & Works		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	ROADS		

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for an ongoing program of rural roadway reconstruction.				See 6008RD for 2011 related work.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	715,000	715,000	0	<b>Expense</b>			
2013	600,000	600,000	0	3425	CONSTRUCTION CONTRACT		715,000
2014	562,000	562,000	0			<b>Total Expense:</b>	<b>715,000</b>
2015	579,000	579,000	0	<b>Revenue</b>			
2016	596,000	596,000	0	0286	Pay As you Go		715,000
2017	614,000	614,000	0			<b>Total Revenue:</b>	<b>715,000</b>
2018	632,000	632,000	0				
2019	651,000	651,000	0				
2020	671,000	671,000	0				
2021	691,000	691,000	0				
	6,311,000	6,311,000	0				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							



## CITY OF NORTH BAY

### REPORT TO COUNCIL

**REPORT NO:** EESW-2012-016 **DATE:** February 3, 2012  
**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration  
**SUBJECT:** 2012 Capital Budget Project – 3211WS/SS Water/Sewer Roof Repairs

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#### RECOMMENDATION:

That a capital expenditure by-law be prepared for Council's consideration to authorize the Water and Sanitary Sewer Building Roof Repairs program of the Engineering, Environmental Services and Works Department, being 2012 water and sanitary capital budget project #3211WS/SS, at a net debentured cost of \$100,000.

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#### BACKGROUND:

The program provides a capital allowance for the roof repairs on the City Water and Sanitary Sewer Administration building located at 1399 Franklin Street.

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

Construction Contract	\$95,000
Financing Costs	<u>\$5,000</u>
Net Debenture Costs	\$100,000

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#### OPTIONS/ANALYSIS:

##### Option 1 - Proceed with the Authorizing By-Law

Proceed with the capital allowance for the roof repairs of the Water and Sanitary Sewer Administration building. This option is recommended.

##### Option 2 - Cancel outright or reduce the Program


The Council has the option of canceling this project, or reducing the expenditure limit. This would postpone the repairs required to maintain the building and to prevent water damage. This option is not recommended.

---

**RECOMMENDATION:**

That a capital expenditure by-law be prepared for Council's consideration to authorize the Water and Sanitary Sewer administration building roof repairs project of the Engineering, Environmental Services and Works Department, being 2012 capital budget project #3211WS/SS, at a net debentured cost of \$100,000.

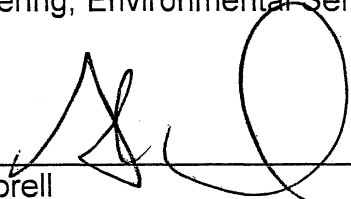
Respectfully Submitted,



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

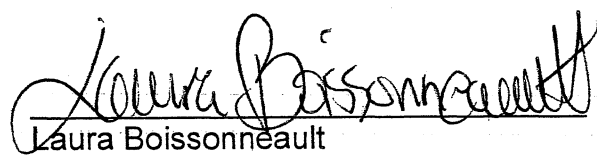


\_\_\_\_\_  
Domenic Schiavone  
Director, Public Works

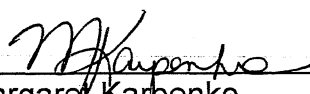


\_\_\_\_\_  
Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

We concur in this report and recommendation.



\_\_\_\_\_  
Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



\_\_\_\_\_  
Margaret Karpenko  
Chief Financial Officer/Treasurer



\_\_\_\_\_  
David Linkie  
Chief Administrative Officer

Person designated for continuance: Shawn Remilard

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

**Project Summary**

<b>Project Number:</b>	3211WS	<b>Active:</b>	Yes
<b>Title:</b>	WATER/SEWER BUILDING ROOF REPAIRS		
<b>Asset Type:</b>	BUILDINGS - Water		
<b>Division:</b>	Water		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	WATER		

<b>Project Description</b>				<b>Project Comments</b>			
To Provide for roof repairs on the City Water and Sanitary Sewer Admin building.							
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	50,000	50,000	0	<b>Expense</b>			
	50,000	50,000	0	3425	CONSTRUCTION CONTRACT	<b>Total Expense:</b>	<b>50,000</b>
				<b>Revenue</b>			
				0300	Pay As You Go Water	<b>Total Revenue:</b>	<b>50,000</b>
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>				<b>Est. Completion Date</b>
2012							

### Project Summary

<b>Project Number:</b>	3211SS	<b>Active:</b>	Yes
<b>Title:</b>	WATER/SEWER BUILDING ROOF REPAIRS		
<b>Asset Type:</b>	BUILDINGS - Sanitary		
<b>Division:</b>	Sewer		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	SANITARY SEWER		

<b>Project Description</b>				<b>Project Comments</b>			
To provide for repairs on the Water/Sanitary Sewer Admin building.							
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	50,000	50,000	0	<b>Expense</b>			
	50,000	50,000	0	3425	CONSTRUCTION CONTRACT		50,000
						<b>Total Expense:</b>	50,000
				<b>Revenue</b>			
				0400	SS - PAY AS YOU GO		50,000
						<b>Total Revenue:</b>	50,000
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

## CITY OF NORTH BAY

### REPORT TO COUNCIL

**REPORT NO:** EESW-2012-013

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – 6090SS Sewage Plant and Pumping Station Improvement Program (On-going)

---

#### **RECOMMENDATION:**

That a Capital Expenditure By-law be prepared for Council's consideration for Sewage Plant and Pumping Station program funded from the 2012 Water and Sanitary Capital Works budget project #6090SS, at a net debentured cost of \$318,000.

---

#### **BACKGROUND:**

The City of North Bay has an ongoing program to repair, rebuild, refurbish and upgrade the Sewage Plant and Pumping Stations throughout the City. This program is necessary to keep the sewage collection and treatment system functioning in a reliable manner and to maximize the life expectancy of existing infrastructure. A list of proposed activities and costs for 2012 are attached. Projects totaling \$318,000 will be completed.

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

Construction Contract	\$302,100
Financing	\$15,900
Net Debentured Cost	\$318,000

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#### **OPTIONS/ANALYSIS:**

As the attached list of work plans are completed, the list will be adjusted so that the total budget is not exceeded. Process repairs will be given priority.

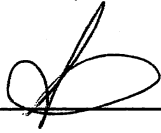
Should Council choose not to approve the 2012 funding allocation at this time, annual upgrade and replacement works will not be completed. Higher maintenance costs will occur in the future as equipment will begin to fail.

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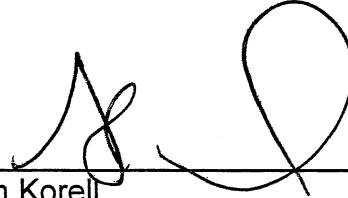
**RECOMMENDED OPTION:**

It is recommended that a Capital Expenditure By-law in the amount of \$318,000 be prepared for Council's consideration for Sewage Plant and Pump Station project 6090SS as allocated in the 2012 Capital Works Budget for Water and Sanitary Sewer.

Respectfully Submitted,

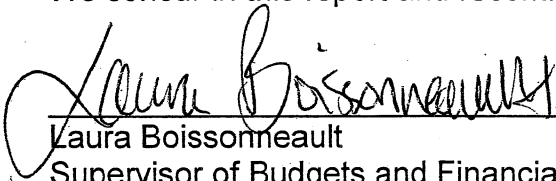


\_\_\_\_\_  
Angela Cox  
Finance & Administration Manager  
Engineering, Environmental Services &  
Works

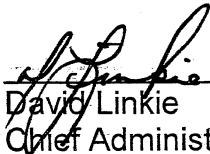


\_\_\_\_\_  
Alan Korell  
Managing Director  
Engineering, Environmental Services &  
Works

We concur in this report and recommendation.



\_\_\_\_\_  
Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



\_\_\_\_\_  
David Linkie  
Chief Administrative Officer



\_\_\_\_\_  
Margaret Karpenko  
Chief Financial Officer/Treasurer

Person designated for continuance: Karin Morin-Strom

Attachments: (1)

Copy for: Cathy Conrad

**Wastewater Treatment Plant**

<b>Description</b>	<b>Budgeted Price</b>	<b>Comments</b>
TSSA Inspection Action items (non SCADA)	\$ 50,000.00	Mechanical and piping requirements
Fall Arrest and Confined Space Requirements	\$ 10,000.00	Need davit arms and fall arrest anchors for clarifiers & wet well
Purchase spare Clarifier parts	\$ 50,000.00	Spare chains and sprockets for clarifiers
Methane annual maintenance	\$ 15,000.00	Methane System requires annual inspection / repairs
Leaking Channel Engineering	\$ 10,000.00	Channel between old and new primary clarifiers leaking, structural repairs
Roof Repairs	\$ 50,000.00	Roof Replace Digester 1&2
Leaking Channel Upgrades (Contractor)	\$ 30,000.00	Channel between old and new primary clarifiers leaking, structural repairs
Aeration System Review & Tech Drawings & Specs	\$ 35,000.00	Undersized blowers, diffuser options (membrane or stone)
Muffin Monster Access Hatch	\$ 30,000.00	Increase size of access hatch to remove muffin monster
<b>Total WWTP</b>	<b>\$ 220,000.00</b>	

**Lift Stations**

<b>Description</b>	<b>Budgeted Price</b>	<b>Comments</b>
Lakeside LS - Commitment to 600V for NBHydro	\$ 20,000.00	Must be completed by 2013
Marshall LS Eng Review	\$ 20,000.00	
Generator Install at Gorman	\$ 30,000.00	
Wallace LS - Upgrade Electrical Panel	\$ 12,000.00	
Certification of Approvals	\$ 10,000.00	
Flow Meter Ferguson LS	\$ 6,000.00	
<b>Total LS</b>	<b>\$ 98,000.00</b>	
<b>Total Budget 2012</b>	<b>\$ 318,000.00</b>	WWTP & LS Capital carry over 2011 (165,622.40) + 2012 Budget (318,000)
<b>Total Estimate WWTP &amp; LS</b>	<b>\$ 318,000.00</b>	
Remaining	\$ -	

### Project Summary

<b>Project Number:</b>	6090SS	<b>Active:</b>	Yes
<b>Title:</b>	SEWAGE PLANT & PUMP ON-GO		
<b>Asset Type:</b>	INFRASTRUCTURE - Sanitary		
<b>Division:</b>	Sewer		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	SANITARY SEWER		

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for an on-going program of sewage plant and pump station improvements allowing for the repair and refurbishment of major equipment and plant related facilities.				See 6041SS for 2011 budget.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	318,000	318,000	0	<b>Expense</b>			
2013	328,000	328,000	0	3425	CONSTRUCTION CONTRACT		318,000
2014	338,000	338,000	0			<b>Total Expense:</b>	318,000
2015	348,000	348,000	0	<b>Revenue</b>			
2016	358,000	358,000	0	0400	SS - PAY AS YOU GO		318,000
2017	369,000	369,000	0			<b>Total Revenue:</b>	318,000
2018	380,000	380,000	0				
2019	391,000	391,000	0				
2020	403,000	403,000	0				
2021	415,000	415,000	0				
	<b>3,648,000</b>	<b>3,648,000</b>	<b>0</b>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							



## CITY OF NORTH BAY

### REPORT TO COUNCIL

**REPORT NO:** EESW-2011-012

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – 6094WS Water Treatment Plant and Facility Maintenance Program (On-going)

---

#### RECOMMENDATION:

That a Capital Expenditure By-law in the amount of \$266,000 be prepared for Council's consideration for the Water Treatment Plant Facilities and Repairs Project being a water and sanitary capital project no. 6094WS funded from the 2012 Water and Sanitary Capital Works budget.

---

#### BACKGROUND:

The City of North Bay has an ongoing program to maintain, repair and upgrade its Water Treatment Plant and Facilities from the capital budget. This program is necessary to keep the current Water Treatment Plant and Facilities functioning in a reliable manner and to maximize the life expectancy of its existing infrastructure. A list of proposed activities and costs are attached. Projects totaling \$266,000 will be required in 2012.

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

Construction Contract with OCWA	\$252,700
Financing	\$13,300
Net Debenture Cost	\$266,000

---

#### OPTIONS/ANALYSIS:

As the attached list of work plans are completed, the list will be adjusted so that the total budget is not exceeded. Process repairs will be given priority.

Should Council choose not to approve the 2012 funding allocation at this time, annual upgrade and replacement works will not be completed. Higher maintenance costs will occur in the future as equipment begins to fail unpredictably.

---

**RECOMMENDED OPTION:**

It is recommended that a Capital Expenditure By-law in the amount of \$266,000 be prepared for Councils consideration for the Water Treatment Plant Facilities and Repairs as allocated in the 2012 Capital Works Budget.

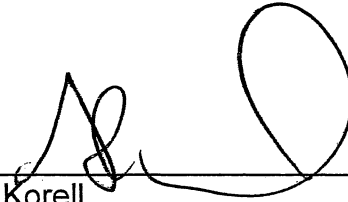
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Respectfully Submitted,



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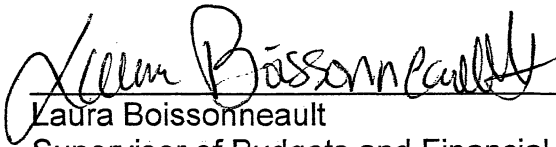
Angela Cox  
Manager, Finance & Administration  
Engineering, Environmental Services &  
Works



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Alan Korell  
Managing Director  
Engineering, Environmental Services &  
Works

We concur in this report and recommendation.



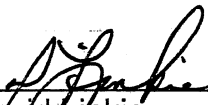
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Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



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Margaret Karpenko  
Chief Financial Officer/Treasurer



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David Linkie  
Chief Administrative Officer

Person designated for continuance: Karin Morin-Strom

Attachments: (1)

Copy for: Cathy Conrad

Date: January 19, 2012

**North Bay Water Plant Capital 2012**

<b><u>Description</u></b>	<b><u>Budgeted Price</u></b>
Reservoir Access Building - Ellendale	\$ 50,000.00
Sluice Gate - Ellendale	\$ 40,000.00
Roof Repairs - Ellendale	\$ 40,000.00
Ellendale Leaking Valves	\$ 15,000.00
New chlorine panel at Birch's Standpipe	\$ 5,000.00
Birch's Standpipe - Epoxy for secondary Containment	\$ 5,000.00
Birch's Standpipe - sandblast and paint pipes	\$ 8,000.00
Pax Mixer Install	\$ 15,000.00
Replace Check Valves at Ellendale	\$ 88,000.00
<hr/>	
<i>Total</i>	<b>\$ 266,000.00</b>
<i>(6094 WS) 2012 Budget</i>	<b>\$ 266,000.00</b>
<i>Remaining</i>	<b>\$ -</b>

### Project Summary

<b>Project Number:</b>	6094WS	<b>Active:</b>	Yes
<b>Title:</b>	WATER PLANT MAINTENANCE ON-GO		
<b>Asset Type:</b>	BUILDINGS - Water		
<b>Division:</b>	Water		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	WATER		

<b>Project Description</b>				<b>Project Comments</b>			
This project is to provide for an annual recurring maintenance program to permit OCWA to keep the Water Treatment Plant operating within established regulations.				See 6045WS for 2011 budget.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	266,000	266,000	0	<b>Expense</b>			
2013	274,000	274,000	0	5005	BUILDINGS		266,000
2014	282,000	282,000	0			<b>Total Expense:</b>	<b>266,000</b>
2015	290,000	290,000	0	<b>Revenue</b>			
2016	299,000	299,000	0	0300	Pay As You Go Water		266,000
2017	308,000	308,000	0			<b>Total Revenue:</b>	<b>266,000</b>
2018	317,000	317,000	0				
2019	327,000	327,000	0				
2020	337,000	337,000	0				
2021	347,000	347,000	0				
	<b>3,047,000</b>	<b>3,047,000</b>	<b>0</b>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>		<b>Manager</b>			<b>Est. Completion Date</b>
2012							

**CITY OF NORTH BAY  
REPORT TO COUNCIL**

**REPORT NO:** EESW-2012-003

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – Vehicle and Equipment Replacement Program  
Roads and Traffic Division (On-going)

---

**RECOMMENDATION**

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the acquisition of various vehicles and equipment for the Roads and Traffic Division of the Engineering, Environmental Services and Works Department, being a 2012 capital budget project #6050FL, at a net debentured cost of \$1,200,000.

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**BACKGROUND:**

The approved capital budget for the Roads and Traffic Division included a budget of \$1,200,000 in 2012. The purchase of new vehicles and replacement equipment would be utilized by the Engineering, Environmental Services and Works Department for roads and traffic maintenance activities.

The tendering of the various vehicles and equipment is now being initiated and will be ongoing over the next 6-9 months. Each vehicle or piece of equipment will only be recommended for purchase if there is sufficient budget allocation remaining. The 2012 equipment replacement priority list includes; One (1) Service Truck, one (1) regular cab two wheel drive 1 ton with an aluminum dump box, one (1) tandem truck with plow/wing and Epoke sander unit, three (3) Supervisor ½ ton 4 x 4 extended cabs, one (1) single axle truck with rock box, plow only with Epoke unit, one (1) snow blade attachment, one (1) v-black trackless, one (1) trackless unit.

A Schedule to the proposed By-Law is submitted for consideration of City Council.

Purchase of new vehicles & equipment for 2012 Roads and Traffic Maintenance activities	\$1,140,000
Financing Costs	\$60,000
Net Debenture Cost	\$1,200,000

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## **ANALYSIS/OPTIONS:**

### Option 1 - Proceed with the Authorizing By-Law

The approved 2012 included a capital budget an amount of \$1,200,000 for the acquisition of vehicles and equipment for the Roads and Traffic Division. The City's extensive fleet of vehicles and equipment requires an annual replacement program. The approval of this expenditure by-law will permit City staff to commence the tendering and acquisition process. The actual cost of each vehicle or piece of equipment will be compared to the budget estimates and adjustments will be made on an ongoing basis to ensure that the total costs are within the project's approved limit.

### Option 2 - Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would have the effect of deferring vehicle and equipment replacements until next year or later. This would have a serious impact on our operations, as it is essential that the existing equipment is functional and ready for duty. With few exceptions, there is little in the way of backup equipment and a prolonged breakdown can have serious implications in terms of performing the many tasks expected by the Department.

The cancellation or reduction of this program will have a serious negative impact on the Department. If this were Council's decision, we would be able to manage but certain works may be delayed or curtailed. Equipment maintenance costs would undoubtedly increase, as the costs of maintaining an older fleet is costly. There are other costs associated with poor or non-performing equipment with staff not always being able to be used to their maximum. There is also a much higher level of frustration with both supervisory and working staff when necessary equipment is not available. In addition, customer service can be diminished if the vehicle and equipment fleet is not functioning to an acceptable level.

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## **RECOMMENDED OPTION:**

It is recommended that Council approve the drafting of the necessary By-Law, which will authorize the Department to continue tendering for the acquisition of various vehicles and equipment as required.

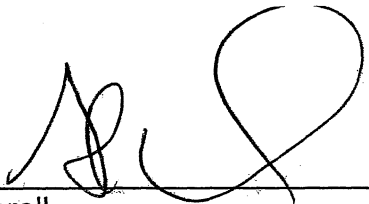
Respectfully Submitted,



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



\_\_\_\_\_  
Domenic Schiavone  
Director, Public Works

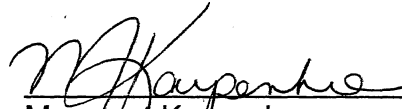


Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

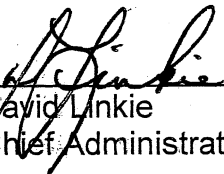
We concur in this report and recommendation.



Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



Margaret Karpenko  
Chief Financial Officer/Treasurer



David Linkie  
Chief Administrative Officer

Person designated for continuance: Joe Germano

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

### Project Summary

<b>Project Number:</b>	6050FL	<b>Active:</b>	Yes
<b>Title:</b>	VEHICLE & EQUIPMENT REPLACEMENT PROGRAM ON-GO		
<b>Asset Type:</b>	MACHINERY & EQUIPMENT - Public Works		
<b>Division:</b>	Engineering, Environmental & Works		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>			

<b>Project Description</b>				<b>Project Comments</b>			
This project is to provide for the acquisition of new and replacement vehicles and equipment and includes the needs of the Roads and Traffic Departments.							
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	1,200,000	1,200,000	0	<b>Expense</b>			
2013	1,200,000	1,200,000	0	5025	VEHICLES		1,200,000
2014	800,000	800,000	0			<b>Total Expense:</b>	<b>1,200,000</b>
2015	824,000	824,000	0	<b>Revenue</b>			
2016	849,000	849,000	0	0286	Pay As you Go		1,200,000
2017	874,000	874,000	0			<b>Total Revenue:</b>	<b>1,200,000</b>
2018	900,000	900,000	0				
2019	927,000	927,000	0				
2020	955,000	955,000	0				
2021	984,000	984,000	0				
	<b>9,513,000</b>	<b>9,513,000</b>	<b>0</b>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>				<b>Est. Completion Date</b>
2012							



**CITY OF NORTH BAY**

**REPORT TO COUNCIL**

**REPORT NO:** EESW-2012-011

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – 6091WS Hydrant and Water Valve  
Rehabilitation Program (On-going)

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**RECOMMENDATION:**

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Hydrant and Water Valve Rehabilitation Program of the Engineering, Environmental Services and Works Department, being 2012 Water and Sanitary Sewer Capital Budget project #6091WS, at a net debentured cost of \$160,000.

---

**BACKGROUND:**

The approved 2012 – 2021 ten year capital budget for Water and Sanitary Sewer included an amount of \$160,000 in the year 2012. The emphasis will be the testing and rehabilitation of fire hydrants and will also be addressing the need for a valve exercising and maintenance program, which is an ongoing annual program.

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

Construction Contract	\$152,000
Contingency	\$8,000
Net Debenture Cost	\$160,000

---

**OPTIONS/ANALYSIS:**

Option 1 - Proceed with the Authorizing By-Law

The approved ten year capital budget for 2012 includes an amount of \$160,000 for the rehabilitation of the City's fire hydrants and exercising and maintaining. The emphasis in 2012 will be the replacement of fire hydrants that are beyond their useful life.

Option 2 - Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would have the effect of deferring the program but would not have major consequences for one year though hydrants eventually have to be maintained to insure fire protection for our residents.

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**RECOMMENDED OPTION:**

It is recommended that City Council approve of the drafting of the necessary By-Law, which will authorize the expenditure of \$160,000 in 2012 capital funds for the rehabilitation of the City's fire hydrants.

Respectfully Submitted,



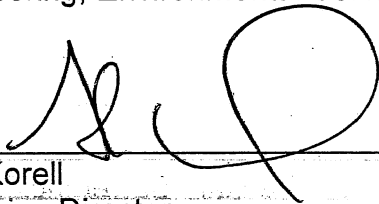
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Angela Cox  
Manager, Finance & Administration  
Engineering, Environmental Services & Works



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Domenic Schiavone  
Director, Public Works



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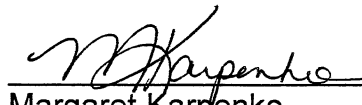
Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

We concur in this report and recommendation.



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Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



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Margaret Karpenko  
Chief Financial Officer/Treasurer



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David Linkie  
Chief Administrative Officer

Person designated for continuance: Shawn Remillard

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

## Project Summary

<b>Project Number:</b>	6091WS				
<b>Title:</b>	HYDRANT & VALVE ON-GO				
<b>Asset Type:</b>	INFRASTRUCTURE - Water				
<b>Division:</b>	Water				
<b>Budget Year:</b>	2012				
<b>Scenario Name:</b>	Main			<b>Active:</b>	Yes
<b>Budget Status:</b>	Staff Input				
<b>Regions:</b>					
<b>Project Type:</b>	WATER				

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for an ongoing program of fire hydrant maintenance and rehabilitation. This project is also addressing the need for a value exercising and maintenance program.				See 6042WS for 2011 budget.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	160,000	160,000	0	<b>Expense</b>			
2013	165,000	165,000	0	3425	CONSTRUCTION CONTRACT		160,000
2014	170,000	170,000	0			<b>Total Expense:</b>	<b>160,000</b>
2015	175,000	175,000	0	<b>Revenue</b>			
2016	180,000	180,000	0	0300	Pay As You Go Water		160,000
2017	185,000	185,000	0			<b>Total Revenue:</b>	<b>160,000</b>
2018	191,000	191,000	0				
2019	197,000	197,000	0				
2020	203,000	203,000	0				
2021	209,000	209,000	0				
	<u>1,835,000</u>	<u>1,835,000</u>	<u>0</u>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

CITY OF NORTH BAY  
REPORT TO COUNCIL

**#16**

**REPORT NO:** EESW-2012-002

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – Vehicle and Equipment Replacement Program  
for the Sewer & Water Division (On-going)

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**RECOMMENDATION:**

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the purchase of new vehicles and replacement equipment for the water and sanitary sewer maintenance activities of the Engineering, Environmental Services and Works Department, being 2012 Water and Sanitary Capital Budget project #6050SS-WS, at a net debentured cost of \$800,000.

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**BACKGROUND:**

The approved 2012– 2021 ten year capital budget for Water and Sanitary Sewer Division included an amount of \$800,000 in the year 2012. The purchase of new vehicles and replacement equipment would be utilized by the Engineering, Environmental Services and Works Department for water and sanitary sewer maintenance activities.

The tendering of the various vehicles and equipment is now being initiated and will be ongoing over the next 6-9 months. Each vehicle or piece of equipment will only be recommended for purchase if there is sufficient budget allocation remaining. The 2012 equipment replacement priority list includes; One (1) Sewer Flusher truck, two (2) crane 2 ton trucks, one (1) backhoe loader and various pumps, compressors, and steel fencing.

A Schedule to the proposed By-Law is submitted for consideration of City Council.

Purchase of new vehicles & equipment for 2012 Water & Sanitary Sewer Maintenance activities	\$760,000
Financing Costs	\$40,000
Net Debenture Cost	\$800,000

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## ANALYSIS/OPTIONS:

### Option 1 - Proceed with the Authorizing By-Law

The approved capital budget for 2012 included an amount of \$800,000 for the acquisition of vehicles and equipment for the use in the maintenance of water and sanitary sewer infrastructure. The City's extensive fleet of vehicles and equipment requires an annual replacement program. The approval of this expenditure by-law will permit City staff to commence the tendering and acquisition process. The actual cost of the proposed equipment will be compared to the budget estimates and adjustments will be made on an ongoing basis to ensure that the total costs are within the project's approved limit.

### Option 2 - Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This will defer any vehicle and equipment replacement until next year or later. This would have a serious impact on our operations, as it is essential that the existing equipment is functional and ready for duty. With few exceptions, there is little in the way of backup equipment and a prolonged breakdown can have serious implications in terms of performing the many tasks required by the department.

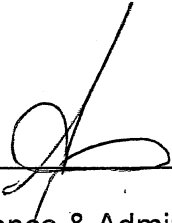
The cancellation or reduction of this program will have a serious negative impact upon the Engineering, Environmental Services and Works Department. If this were Council's decision, we would be able to manage but certain works would be delayed or curtailed. Equipment maintenance costs would also increase, as maintaining an older fleet can be costly. There are other costs associated with poor or non-performing equipment with staff not always being able to be used to their maximum. There is also a much higher level of frustration with both supervisory and field staff when necessary equipment is not available. In addition, customer service can be diminished if the vehicle and equipment fleet is not functioning to an acceptable level.


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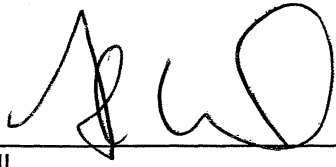
## RECOMMENDED OPTION:

It is recommended that City Council approve of the drafting of the necessary By-Law, which will authorize the expenditure of the funds for the acquisition of the proposed equipment for the water and sanitary sewer maintenance activities of the Engineering, Environmental Services and Works Department.

Respectfully Submitted,

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

  
\_\_\_\_\_  
Domenic Schiavone  
Director, Public Works

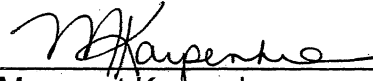


Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

We concur in this report and recommendation.



Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



Margaret Karpenko  
Chief Financial Officer/Treasurer



David Linkie  
Chief Administrative Officer

Person designated for continuance: Shawn Remillard

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

### Project Summary

<b>Project Number:</b>	6050WS	<b>Active:</b>	Yes
<b>Title:</b>	VEHICLE & EQUIPMENT REPLACEMENT PROGRAM ON-GO		
<b>Asset Type:</b>	MACHINERY & EQUIPMENT - Water		
<b>Division:</b>	Water		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>			

<b>Project Description</b>				<b>Project Comments</b>			
This project is to provide for the acquisition of new and replacement vehicles and equipment and includes the needs of the Roads and Traffic Departments.							
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	800,000	800,000	0	<b>Expense</b>			
2013	800,000	800,000	0	5010	MACHINERY & EQUIPMENT		800,000
2014	600,000	600,000	0			<b>Total Expense:</b>	<b>800,000</b>
2015	618,000	618,000	0	<b>Revenue</b>			
2016	637,000	637,000	0	0300	Pay As You Go Water		800,000
2017	656,000	656,000	0			<b>Total Revenue:</b>	<b>800,000</b>
2018	676,000	676,000	0				
2019	696,000	696,000	0				
2020	717,000	717,000	0				
2021	739,000	739,000	0				
	<u>6,939,000</u>	<u>6,939,000</u>	<u>0</u>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

## CITY OF NORTH BAY

### REPORT TO COUNCIL

**REPORT NO:** EESW-2012-009

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – 6097RD/WS Design Work-Next Year's Projects  
(On-going)

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#### RECOMMENDATION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Engineering Design Work Project, being a 2012 Project #6097RD, at a net debentured cost of \$54,000, and a Water and Sanitary Sewer budget Project #6097WS, at a net debenture cost of \$106,000.

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#### BACKGROUND:

The on-going program funding for design works enables the Engineering, Environmental Services and Works Department to conduct preliminary engineering work such as traffic studies, detailed surveys, conceptual designs, geotechnical investigations, camera inspections of underground municipal services, watermain flow testing and conceptual designs. These works lay out the groundwork for next year's construction season.

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

Roads Design Work	\$51,300
Sewer & Water Design Work	\$100,700
Financing	\$8,000
Net Debenture Cost	\$160,000

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#### ANALYSIS/OPTIONS

The approval of this budget item allows City staff to plan and research construction programs in advance. As well, it improves on the estimating and forecasting of additional costs that might be overlooked without the background investigation being completed. Should Council not approve this project, it will affect the efficiency of future project completions, and the confidence in the estimated project completion costs.

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**RECOMMENDED OPTION**

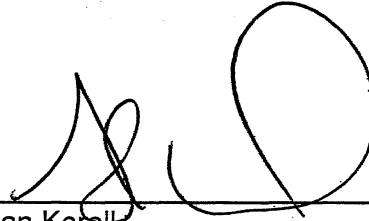
It is recommended that Council approve the drafting of the necessary By-Law, which will authorize the capital budget for the 6097RD/WS Engineering Design Work project.

Respectfully Submitted,



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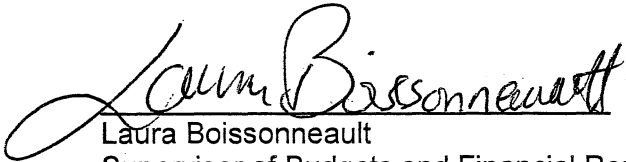
Angela Cox  
Finance & Administration Manager  
Engineering, Environmental Services & Works



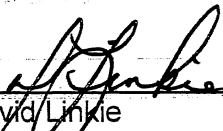
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Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

We concur in this report and recommendation.

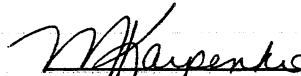


Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



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David Linkie  
Chief Administrative Officer



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Margaret Karpenko  
Chief Financial Officer/Treasurer

Person designated for continuance: David Euler

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

## Project Summary

<b>Project Number:</b>	6097RD		
<b>Title:</b>	DESIGN WORK NEXT YEAR'S PROJECTS ON-GO		
<b>Asset Type:</b>	INFRASTRUCTURE - Roads		
<b>Division:</b>	Engineering, Environmental & Works		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main	<b>Active:</b>	Yes
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	ROADS		

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for preliminary engineering work required to enable design and construction of projects planned for the following year.				See project #6097WS & 6097SS for 2012 water and sanitary related work. Also see project #6000WS & 6000SS for 2011 water and sanitary related work.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	54,000	54,000	0	<b>Expense</b>			
2013	56,000	56,000	0	3425	CONSTRUCTION CONTRACT	<b>Total Expense:</b>	<b>54,000</b>
2014	58,000	58,000	0				
2015	60,000	60,000	0	<b>Revenue</b>			
2016	62,000	62,000	0	0286	Pay As you Go	<b>Total Revenue:</b>	<b>54,000</b>
2017	64,000	64,000	0				
2018	66,000	66,000	0				
2019	68,000	68,000	0				
2020	70,000	70,000	0				
2021	72,000	72,000	0				
	<b>630,000</b>	<b>630,000</b>	<b>0</b>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

### Project Summary

<b>Project Number:</b>	6097WS	<b>Active:</b>	Yes
<b>Title:</b>	DESIGN WORK NEXT YEAR'S PROJECTS ON-GO		
<b>Asset Type:</b>	INFRASTRUCTURE - Water		
<b>Division:</b>	Water		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	WATER		

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for preliminary engineering work required to enable design and construction of projects planned for the following year.				See project #6097RD & 6097ST for 2012 road related work. Also see project #6000RD & 6000ST for 2011 road related work.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	106,000	106,000	0	<b>Expense</b>			
2013	109,000	109,000	0	3130	CONSULTANT FEES		106,000
2014	112,000	112,000	0			<b>Total Expense:</b>	<b>106,000</b>
2015	115,000	115,000	0	<b>Revenue</b>			
2016	118,000	118,000	0	0300	Pay As You Go Water		106,000
2017	122,000	122,000	0			<b>Total Revenue:</b>	<b>106,000</b>
2018	126,000	126,000	0				
2019	130,000	130,000	0				
2020	134,000	134,000	0				
2021	138,000	138,000	0				
	<u>1,210,000</u>	<u>1,210,000</u>	<u>0</u>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

# CITY OF NORTH BAY

# #18

## REPORT TO COUNCIL

**REPORT NO:** EESW-2012-004

**DATE:** February 3, 2012

**ORIGINATOR:** Angela Cox.  
Manager, Finance & Administration

**SUBJECT:** 2012 Capital Budget Project – 6055RD Road Culvert Replacement  
(On-going)

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### RECOMMENDATION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the replacement of various rural road culverts, being a 2012 Capital Budget project #6055RD, at a net debentured cost of \$160,000.

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### BACKGROUND:

The approved 2012-2021 ten year capital budget included an amount of \$160,000 for the replacement/rehabilitation of culverts on the City's rural roads.

We are currently evaluating the condition of some of the mid-size culverts on Four Mile Lake Road that may warrant replacement this year. In addition, there are numerous culverts which need replacement as part of the rural roadway program.

A Schedule to the proposed By-Law is submitted for consideration of City Council.

Construction Costs	\$152,000
Financing	\$8,000
Net Debenture Cost	\$160,000

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### ANALYSIS/OPTIONS

Option 1: Proceed with the Authorizing By-Law

To approve the rural road culvert replacement and rehabilitation program highlighted in the 2011-2010 ten year capital budget which includes an amount of \$160,000. This is option is recommended.

Option 2: Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would have the effect of creating a backlog of failed or failing culverts, which has the potential to create higher costs and serious inconvenience or injury to the public and the environment. In addition, it would result in a significant decrease in the road construction program if the culvert and drainage costs had to be absorbed in the surfacing project.

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**RECOMMENDED OPTION**

It is recommended that Council approve the drafting of the necessary By-Law, which will authorize the capital budget for the replacement of various rural roadway culverts at a net debentured cost of \$160,000.

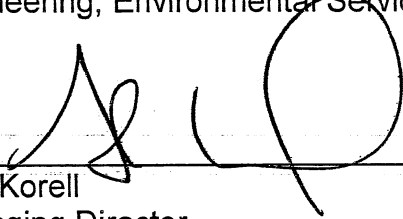
Respectfully Submitted,



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




\_\_\_\_\_  
Domenic Schiavone  
Director, Public Works

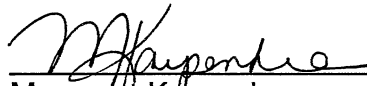


\_\_\_\_\_  
Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

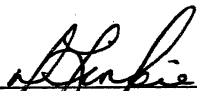
We concur in this report and recommendation.



\_\_\_\_\_  
Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



\_\_\_\_\_  
Margaret Karpenko  
Chief Financial Officer/Treasurer



\_\_\_\_\_  
David Linkie  
Chief Administrative Officer

Person designated for continuance: Joe Germano

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

## Project Summary

<b>Project Number:</b> 6055RD	<b>Active:</b> Yes
<b>Title:</b> ROAD CULVERT REPLACE/REHAB ON-GO	
<b>Asset Type:</b> INFRASTRUCTURE - Roads	
<b>Division:</b> Engineering, Environmental & Works	
<b>Budget Year:</b> 2012	
<b>Scenario Name:</b> Main	
<b>Budget Status:</b> Staff Input	
<b>Regions:</b>	
<b>Project Type:</b>	

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for an ongoing program of rural road culvert replacement and rehabilitation.				See 6007RD for 2011 related work.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	160,000	160,000	0	<b>Expense</b>			
2013	165,000	165,000	0	3425	CONSTRUCTION CONTRACT		160,000
2014	170,000	170,000	0			<b>Total Expense:</b>	<b>160,000</b>
2015	175,000	175,000	0	<b>Revenue</b>			
2016	180,000	180,000	0	0286	Pay As you Go		160,000
2017	185,000	185,000	0			<b>Total Revenue:</b>	<b>160,000</b>
2018	191,000	191,000	0				
2019	197,000	197,000	0				
2020	203,000	203,000	0				
2021	209,000	209,000	0				
	<b>1,835,000</b>	<b>1,835,000</b>	<b>0</b>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

Report to Council

Report No.: CORP 2012-08

Date: January 30, 2012

Originator: Lorraine Rochefort and Margaret Karpenko

Subject: 2012 Assessment Analysis & Tax Policy Review

---

**RECOMMENDATIONS:**

That Council adopt the 2012 Tax Policy recommendations as follows:

- i) That the 2012 tax ratios remain at the 2011 levels as follows: ii

Multi-Residential - 2.2054	Pipeline	- 1.1656
Commercial - 1.8822	Farmland	- 0.1500
Industrial - 1.4000	Managed Forest	- 0.2500
  
  - ii) That the excess supplementary municipal taxes in the Commercial and Multi-Residential tax classes be transferred to the Tax Policy Development Reserve Fund (#99541). Excess amount to be based on the year-end report from the Chief Financial Officer and;
  
  - iii) That the 2012 Capping Program recommendations be brought forward under a separate report.
- 

**BACKGROUND:**

It is proposed that the 2012 Operating Budget will be approved by Council at its March 19<sup>th</sup> Council Meeting. The 2012 municipal property tax levy required is estimated at \$73,760,898, an increase of approximately \$2,468,493 from the 2011 levy.

Prior to the adoption of tax rates, municipalities are required on an annual basis to make a host of decisions in respect of tax policy that will affect the apportionment of the tax burden within and between tax classes.

While no general reassessment will occur for 2012, it is important to remember that in addition to the continued impact of the four-year assessment phase-in program, the updated assessment roll will also reflect changes related to growth, loss and various equity changes that have been made to property values.

As such, municipalities must continue every effort to understand the ongoing and annual implication of changes to the assessment base and assessment roll in order to make informed decisions with respect to local tax policies.

In order to ensure that appropriate and locally sensitive tax policy choices can be made in a timely manner, a careful examination of the following relationships and circumstances must be undertaken:

1. Real assessment and revenue growth and/or loss that has occurred over the past year, which is the starting point, or revenue limit, for budgetary and rate setting purposes;
2. Assessment phase-in program tax impacts and changes to the assessment roll;
3. Property tax shifts and tax dollar impacts from 2012 phase-in assessments;
4. Tax ratio analysis. The effect of status quo and optional tax ratio scenarios on the distribution of the tax burden between tax classes, and
5. The impact of the mandatory "tax capping" protection program on both the capped and uncapped classes, including the effects of any optional capping tools that may be adopted by the municipality. Tax capping recommendations will be brought forward to Council in a separate report.

**1. Real Assessment Growth:**

Real assessment growth is generated by supplementary assessments resulting from new buildings, additions, new subdivisions, severances, etc. and reduced by reductions in assessment resulting from assessment appeals.

The following table outlines the growth experience from 2005 – 2012:

**Year over Year Real Assessment Growth:**

<b>Taxation Year(s)</b>	<b>Real Assessment Growth %</b>	<b>Additional Tax Revenue</b>
2008-2009	1.30%	\$ 798,000
2009-2010	0.89%	\$ 587,000
2010-2011	1.47%	\$ 1,065,228
2011-2012	.61%	\$ 414,463

**2010-2011 Real Assessment Growth by Tax Class:**

<b>Tax Class</b>	<b>Growth %</b>	<b>Impact on Tax Levy</b>
Residential	1.3%	\$ 566,242
Multi-Residential	-4.8%	(\$ 306,047)
Commercial	1.1%	\$ 157,858
Industrial	-6.7%	(\$ 3,818)
Managed Forest	3.1%	\$ 228
Farmland	0%	\$ 00
<b>Total</b>		<b>\$ 414,463</b>

The multi-residential real assessment growth reduction is primarily as a result of properties converting to condominiums. When converted, the tax class changes from multi-residential to residential.



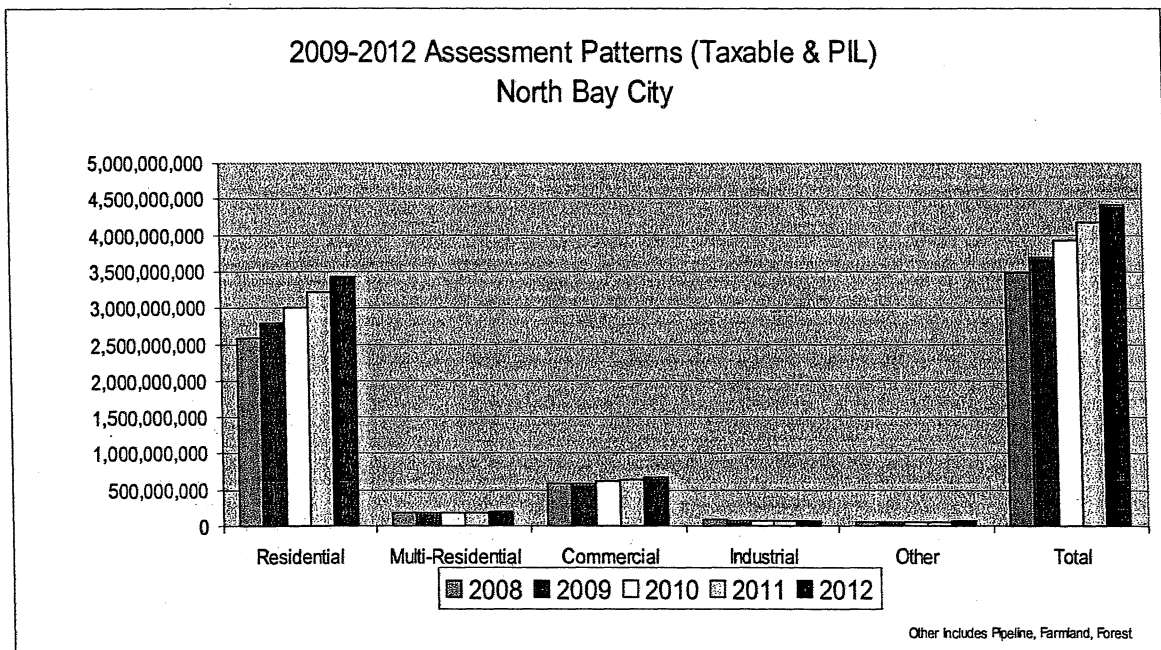
MPAC advises that an increase in the residential assessment after conversion is generally the norm. Multi-residential properties are assessed based on the income approach. If the property is not a big revenue producer the multi-residential assessment would be low. When the new condominium units are revalued, based on condo sales which is generally a higher market, the residential assessment usually increases. In most cases a loss in municipal tax revenue is experienced due to the fact that the tax ratio for the multi-residential tax class is 2.2% of the residential rate. A property's assessment would have to more than double after conversion in order to result in a revenue neutral tax change.

The industrial tax class has also experienced a reduction in real assessment growth. Although the percentage may seem high at 6.7%, the overall impact on the levy is only \$3,800.00 because the overall total assessment in the class is low in comparison to the other classes. The industrial class accounts for 2% of the total assessment distribution.

## **2. Assessment Phase-In Program:**

In addition to growth related changes to the assessment roll, the progression and impact of the four-year phase-in program is also of central interest to the City.

The following chart outlines the 2009-2012 assessment patterns experienced by the City as a result of the reassessment.



### **2012 Phase-In Broad Class Reassessment Results:**

2012 marks the fourth and final year of the four year assessment phase-in program. The next reassessment will take place in 2013 and will be phased in over 2014, 2015 and 2016 taxation years. The base date is January 1, 2012 for the four year term.

The following table shows the City's 2012 phased CVA value increases from 2011. The results are consistent with the original projections where the residential tax class continues to absorb the higher share of the tax burden.

Tax Class	2011 Market Value (Equity)	2012 Market Value (Equity)
Residential	7.1%	6.6%
Multi-Residential	1.0%	0.9%
Commercial	4.6%	4.1%
Industrial	0.7%	1.1%
Pipeline	3.8%	3.6%
Farmland	3.5%	3.4%
Managed Forest	11.4%	10.1%

**3. Property Tax Shifts and Tax Dollar Impacts from 2012 Phase-in Assessments:**

Translating broad class assessment changes to tax dollar impacts is demonstrated below, applying the 2011 tax policy tools (tax rates, tax ratios, tax capping) .

Tax Class	Tax Class Shift (based on 2011 Tax Ratios)	Tax Levy Shift
Residential	1.3%	\$564,528
Multi-Residential	(4.3%)	(\$249,058)
Commercial	(1.1%)	(\$149,136)
Industrial	(4.6%)	(\$59,749)

Although the residential tax class is absorbing 1.3% of the total tax shift, 82% of the 14,520 increasing properties will see an average annual increase in municipal taxes of \$60.00; 18% of the 3,450 decreasing properties will see decreases of \$56.00. This analysis is based on assessment impacts, not municipal tax rate impacts.

**Current Value Assessment Change Analysis and Tax Dollar Impacts (Residential):**

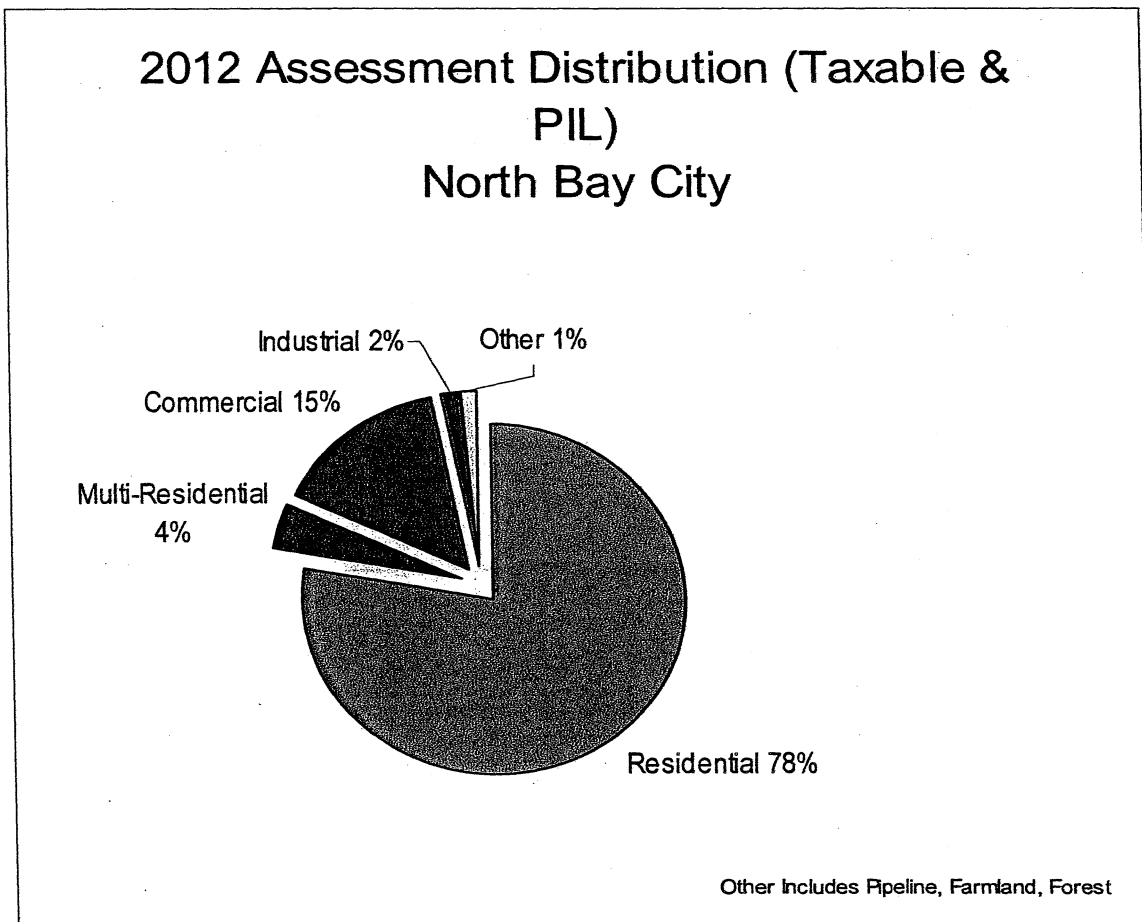
	Scenario 1 0% increase in CVA	Scenario 2 5% increase in CVA	Scenario 3 6.6% increase in CVA
2011 CVA	247,000	247,000	247,000
2012 CVA	247,000	259,350	263,302
Dollar Change	0	12,350	16,302
Percentage Change	0	5%	6.6%
2011 Taxation	\$4,130	\$4,130	\$4,130
2012 Taxation	\$3,925	\$4,131	\$4,184
Dollar change	(\$205)	0	\$ 54
Percentage Change	(-5%)	0%	1.3%

Scenario 1: if a property's assessment remained constant year over year, the taxes would decrease by 5%, which is consistent with the increase in the overall assessment base for all classes for 2012 which is 5.9%.

Scenario 2: if a property's assessment increased by the 5% overall average, the taxes would not increase.

Scenario 3: if a property's assessment increased by 6.6%, which is the average increase in CVA for the residential tax class, the property would see an increase in taxes of 1.3% which equals the tax class shift for the residential tax class for 2012.

2012 Assessment Distribution by Class:



**4. Tax Ratios:**

For 2012, the Municipal Act continues to provide municipalities with a range of tax policy tools that may be used to alter the distribution of the tax burden both within and between tax classes. Tax ratios may be adjusted to affect the level of taxation on different tax classes.

Municipalities are required to establish tax ratios for the multi-residential, commercial, industrial and pipeline classes prior to finalizing tax rates for this year's tax cycle.

Established ratios ultimately govern the relationship between the rate of taxation for each affected class and the tax rate for the residential property class.

The tax ratio for the residential class is legislated at 1.0, while the farm and managed forest classes have a prescribed tax ratio of 0.25. Municipalities do have the flexibility to set a tax ratio for the farm class that is below 0.25. Council reduced the farm class ratio to 0.15 in 2003. (See Appendix B for tax ratio comparisons)

In setting tax ratios for all other property classes, municipalities must do so within the guidelines prescribed by the Province. Council may choose to adopt:

- either the current tax ratio for any class (2011 adopted);
- establish a new tax ratio for the year that is closer to or within the Range of Fairness. This option gives the City the flexibility to reduce tax ratios as per the Long Term Tax Policy;
- restated revenue neutral transition ratios to mitigate phase-in related tax shifts between classes.

An analysis has been undertaken to show the effects of the following tax ratio scenarios for the affected classes using the municipal levy only.

1. Status quo 2011 ratios
2. Reduced ratios as per Long Term Tax Policy
3. Revenue neutral ratios (maximum)

Tax Ratio Comparison:

Property Class	1. 2011 Tax Ratios Status Quo	2. 2012 Tax Ratios Long Term Tax Policy	3. 2012 Revenue Neutral Tax Ratios	Tax Policy Target
Residential	1.000000	1.000000	1.000000	<b>1.000000</b>
Multi-Res.	2.205400	2.167200	2.331182	<b>1.400000</b>
Commercial	1.882200	1.859600	1.930160	<b>1.400000</b>
Industrial	1.400000	1.400000	1.479901	<b>1.400000</b>
Farmlands	.150000	.150000	.150000	<b>.150000</b>
Managed Forest	.250000	.250000	.250000	<b>.250000</b>
Pipelines	1.165600	1.165600	1.199240	<b>1.165600</b>

Tax Shift Impact Summary – 2012 Reassessment Tax Shifts using alternate tax ratios:

Scenario 1			Scenario 2		Scenario 3	
Tax Class	Class Shift 2011 Tax Ratios Increase/ (decrease)	Tax Levy Shift	Class Shift using Tax Policy reductions	Tax Levy Shift	Class Shift Max. Rev. Neutral Tax Ratios	Tax Levy Shift
Residential	1.3%	\$564,528	1.8%	\$821,378	.0%	\$15,970
Multi-Res.	(4.2%)	(\$249,058)	(5.3%)	(\$315,524)	.0%	(\$ 17)
Comm.	(1.1%)	(\$149,136)	(2.4%)	(\$243,818)	3.0	\$44,335
Industrial	(4.6%)	(\$59,749)	(7.8%)	(\$145,145)	(0.3%)	(\$ 1,237)

*(Comparison of residential and protected classes only. Offsetting balance to the residential shift includes all tax classes)*

Scenario 1 - represents the tax class shift as a result of the 2012 phased-in assessment. As noted, the residential tax class is absorbing an additional 1.3% of the tax burden and all other tax classes are seeing a reduction.

Scenario 2 - represents the tax class shifts if tax ratios reduced in the commercial and multi-residential tax classes as per the Long Term Tax Policy. This results in the shift moving back to the residential tax class and a reduction in all other classes.

Scenario 3 - represents the tax class shifts if the "revenue neutral" tax ratios were imposed to offset 100% of the tax burden shift from the residential tax class.

### **Tax Reductions for Mandated Subclasses of Vacant Land/Units:**

Municipalities must pass by-laws to reduce the tax burden on vacant and industrial land. The by-law identifies the reduction as a percentage discount of the occupied tax rate.

Section 313 of The Municipal Act provides two options as follows:

Vacant Commercial and Industrial:

- 1) Use legal default reductions of 30% and 35% for the commercial and industrial classes respectively, or
- 2) Set a uniform discount rate for both classes anywhere between 30% and 35%.

The City has chosen to set a uniform rate of 30% for both classes and passes a by-law annually to adopt the discount rates.

Administration continues to recommend this policy and a By-law will be brought forward on March 19, 2012.

### **Long Term Tax Policy**

Council adopted a Long Term Tax Policy in 2005 which introduced the following goals and implementation plans:

To reduce tax ratios for the multi-residential and commercial classes to 1.400 over a twenty-five year period *only if the tax burden shifts can be offset by real assessment growth.*

- To consider annually a transfer of excess supplementary taxes in the multi-residential and commercial classes to a Tax Policy Reserve Fund.
- To accelerate the movement toward full Current Value Assessment for all properties in the capped classes utilizing the capping options available.
- To fund the cost of the mandatory capping program within each class.
- To consider annually the options to fund a portion of the cost of the mandatory capping program from the Tax Policy Development Reserve Fund.

Administration continues to recommend this policy and a recommendation will be brought forward on March 19, 2012.

### **Tax Policy Reserve Fund**

To facilitate implementation of the Tax Policy, Council established a Tax Policy Development Reserve Fund in 2004 as follows:

- To transfer excess supplementary municipal taxes in the commercial and multi-residential classes to a Tax Policy Development Reserve.
- Excess amount to be based on year-end report from Chief Financial Officer.
- The total balance as at December 31, 2011 is \$340,479.51.

Administration continues to recommend this policy and a recommendation will be brought forward on March 19, 2012.

### **2012 Tax Policy Options:**

#### **Mandatory Capping Options:**

We are unable to accurately analyze the capping options in OPTA at this time. However, we do not anticipate significant budget requirements for funding the program. The commercial capping program is the largest, which historically has been funded within the class and the multi-residential and industrial programs have been funded through the Tax Policy Reserve.

Once the information is available we will bring a Report to Council outlining our findings and seek your approval of our final recommendation on the Program.

#### **Tax/Transition Ratios Options:**

1. To reduce the multi-residential and commercial tax ratios using real assessment growth as follows:
    - Multi-residential tax ratio by .0382 from 2.2054 to 2.1672
    - Commercial tax ratio by .0226 from 1.8822 to 1.8596
  2. To increase tax ratios to the maximum revenue neutral transition ratios to avoid shifts that occurred between property classes as a result of the 2012 phase-in reassessment.
  3. To maintain the 2011 tax ratios for the 2012 year as follows:

Multi-residential	- 2.2054	Pipeline	- 1.1656
Commercial	- 1.8822	Farmland	- 0.1500
Industrial	- 1.4000	Managed Forest	- 0.2500
-

**OPTIONS / ANALYSIS:**

**Option 1:**

To reduce the 2012 tax ratios as per the Long Term Tax Policy as follows:

- Multi-residential tax ratio by .0382      from 2.2054 to 2.1672
- Commercial tax ratio by .0226      from 1.8822 to 1.8596

The Long Term Tax Policy requires that the reductions be funded by real assessment growth. The cost to fund the multi-residential reduction is \$66,466.00; however, the class did not realize growth, but a large decrease in the amount of \$306,047.00. Therefore, the multi-residential reduction is not an option.

The cost to fund the commercial reduction is \$94,682.00. The commercial tax class realized growth in the amount of \$157,858.00 therefore growth could fund the reduction. By doing so, the residential tax class would see an additional shift of 1.6% when the class is already absorbing a 1.3% shift from the reassessment results. This Option is not recommended.

**Option 2:**

To increase the tax ratios to the maximum revenue neutral transition ratios to avoid the tax shift to the residential tax class. The analysis shows that if the maximum revenue neutral ratios were used, the residential class and multi-residential tax classes would not see a tax shift at all. The Commercial would increase by 3% and industrial would decrease by .3%.

Although the residential, multi-residential and industrial tax classes would benefit by not experiencing a tax burden shift, the commercial, pipeline and managed forest would see increases. If adopted, the new tax ratios would be far above the current tax ratios, which is not in keeping with the Long Term Tax Policy.

Under the maximum revenue neutral tax ratio scheme, the industrial tax ratio would increase from the 1.40 to 1.50. The 1.40 tax ratio is the destination tax ratio for the commercial, multi-residential and commercial tax classes; therefore, this type of shift would definitely be a step backward in Council's long term vision as it relates to tax ratios.

**Option 3:**

1) To maintain the 2011 tax ratios for the 2012 year as follows:

- Multi-Residential      - 2.2054      Pipeline      - 1.1656
- Commercial      - 1.8822      Farmland      - 0.1500
- Industrial      - 1.4000      Managed Forest      - 0.2500

Tax ratios have been reduced from the 1998 transition ratios from 2001-2008 in an effort to redistribute the relative tax burden in the non-residential tax classes. (See Appendix B)

In 2011 Council opted to maintain the 2010 tax ratios because:

- a) adopting revenue neutral ratios to mitigate the shift to the residential tax payer was contrary to the goals of the Long Term Tax Policy. Revenue neutral tax ratios increase the tax ratios in the business classes.
- b) the reduction of commercial and multi-residential tax ratio, as per the Long Term Tax Policy, would pose an additional burden to the residential tax class which had already absorbed large shifts from the reassessment; and there was not sufficient growth in the two classes to pay for the cost of the tax ratio reductions.

For 2012 the residential tax class will continue to absorb a larger shift than the other tax classes, therefore, the 2011 rationale continues to apply for the 2012 taxation year.

2) To adopt the 2012 Tax Capping program

We are unable to accurately analyze the capping options in OPTA at this time. Once the information is available we will bring a Report to Council outlining our findings and seek your approval of our final recommendation on the Program.

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**RECOMMENDED OPTION:**

Option 3 is the recommended option.

That Council adopts the 2012 Tax Policy recommendations as follows:

- i) That the 2012 tax ratios remain at the 2011 levels as follows:

Multi-Residential	- 2.2054	Pipeline	- 1.1656
Commercial	- 1.8822	Farmland	- 0.1500
Industrial	- 1.4000	Managed Forest	- 0.2500
- ii) That the excess supplementary municipal taxes in the Commercial and Multi-Residential tax classes be transferred to the Tax Policy Development Reserve Fund. (#99541) Excess amount to be based on the year-end report from the Chief Financial Officer and;
- iii) That the 2012 Capping Program recommendations be brought forward under a separate report.

Following Council approval of the 2012 Tax Policy, by-laws will be brought forward to the March 19<sup>th</sup> Council Meeting adopting the 2012 Tax Rates, Tax Ratios and Tax Rate Reductions for property subclasses.

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Respectfully submitted,



\_\_\_\_\_  
Lorraine Rochefort, AMCT  
Manager of Revenues & Taxation



\_\_\_\_\_  
Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer

I/We concur in this report and recommendations.



\_\_\_\_\_  
David Linkie  
Chief Administrative Officer

Personnel designated for continuance: Manager of Revenues & Taxation  
Chief Financial Officer/Treasurer

Attachments: Appendix A: Background – Assessment/Taxation Legislation  
Appendix B: Tax Ratio/Tax Rate Comparisons  
Appendix C: Long Term Tax Policy

## APPENDIX A

### BACKGROUND – Assessment and Taxation Legislation

Assessment and taxation legislation were significantly changed as a result of the 2007 and 2008 Provincial budgets. The budgets introduced a number of measures to enhance the fairness and predictability of the current property tax system, including:

- 1) Business Education Tax Cuts
- 2) Four-year Reassessment Cycle & Phase-In
- 3) Assessment Appeal Process Changes
- 4) Assessment Notices
- 5) New Tax Capping Option

#### 1) Business Education (BET) Property Tax Cuts:

In the 2007 Budget the Government announced a plan to cut business education taxes by \$540 million over seven years, lowering the high BET rates to a target maximum rate of 1.60%. Under the plan, annual ceiling rates for commercial and industrial properties would be reduced each year until they reach the target maximum BET rate of 1.60%.

As a result of the 2009 reassessment, the target minimum BET rate and the annual ceiling rates for 2009 were reset to offset reassessment impacts. For example, the 2008 maximum BET rate of 1.60% was lowered to 1.52% for 2009.

Business Education Tax Rates for new construction were immediately subject to the 1.60% rate for 2008 and the 1.52% rate for 2009, 2010 and onward. The government has created new construction property classes to facilitate the lower education tax rate for new construction.

These new property classes are for education tax purposes only and reflect existing definitions for commercial and industrial property classes. Eligibility is determined in part by new construction initiated after March 22, 2007 and an increase in the current value assessment by 50% or more.

All properties in the Commercial and Industrial tax classes in the City of North Bay were set at 1.43% for 2010 to offset the 2<sup>nd</sup> year of the phase-in assessment impacts. 2011 rates may be further reduced to offset the 3<sup>rd</sup> year phase-in reassessment results.

#### **Business Education Tax (BET) Rates – City of North Bay**

<b>Property Tax Class</b>	<b>2009 BET Rate</b>	<b>2010 BET Rate</b>	<b>2011 BET Rate</b>
Commercial	2.000000%	1.430000%	1.330000%
Industrial	1.859127%	1.430000%	1.330000%
Pipeline	1.239394%	1.192848%	1.149635%
New Construction – Commercial	1.520000%	1.430000%	1.330000%
New Construction – Industrial	1.520000%	1.430000%	1.330000%

**CITY OF NORTH BAY BET CUTS - 2008-2011**

<b>Year</b>	<b>Max. Rate</b>	<b>North Bay Commercial Rate</b>	<b>Overall % Reduction</b>
2008	2.35	2.237236	
2009	2.00	2.000000	
2010	1.52	1.430000	
2011	1.52	1.330000	-40.90%
<b>Year</b>	<b>Max. Rate</b>	<b>North Bay Industrial Rate</b>	<b>% Reduction</b>
2008	2.75	1.859127	
2009	2.25	1.853944	
2010	1.52	1.430000	
2011	1.52	1.330000	-35.70%

**2) Changes to the Assessment System:**

Three changes to the assessment system were introduced commencing 2009:

- a four year reassessment cycle
- a mandatory phase-in of assessment increases for all tax classes
- Enhancement to the fairness and effectiveness of the assessment appeal system

Four Year Reassessment Cycle:

2009 was a reassessment year and assessments were based on property values as of January 1, 2008. The January 1, 2008 valuation date will apply for 2009, 2010, 2011 and 2012. The cycle will continue accordingly every four years. Another reassessment will occur in 2013 with a valuation date January 1<sup>st</sup>, 2012 for 2013, 2014, 2015 and 2016.

Phase-in of Assessment Increases:

Commencing with the 2009 reassessment year, all assessment increases will be phased-in over four years for all tax classes. For example, a 20% assessment increase would be phased in gradually in increments of 5% per year over four years – 2009, 2010, 2011 and 2012. The phase-in applies to assessment increases only, assessment decreases were realized immediately in 2009. 2012 marks the fourth and final year of the four (4) year phased-in reassessment cycle.

Current Value Assessment Revised from 1998 to Current:

The following chart outlines the reassessment years and changes to base dates since the implementation of the Ontario Fair Assessment System in 1998.

<b>Taxation Year</b>	<b>*Base Date for Assessment of Current Value</b>
1998, 1999 and 2000	June 30, 1996
2001 and 2002	June 30, 1999
2003	June 30, 2001

2004 and 2005	June 30, 2003
2006/2007/2008	January 1, 2005
2009 - 2012	January 1, 2008
2013-2016	January 1, 2012 and so forth

### **3) Assessment Appeal System:**

Prior to changes in legislation in 2008, ratepayers were able to file a Request for Reconsideration RfR to the Municipal Property Assessment Corporation (MPAC) or file a formal appeal with the Assessment Review Board (ARB).

The deadline for RfR was Dec. 31st and ARB March 31st. (9 months earlier than the RfR deadline). MPAC was not obligated to respond to the requests prior to the ARB's appeal deadline resulting in people filing protective appeals with the ARB that are held in abeyance pending a response from MPAC. The process often leads to confusion, duplication of effort and inefficient use of resources.

For 2009 and onward, the assessment appeal system has been changed as follows:

- Deadline to challenge CVA is March 31st
- Right to appeal remains annual
- If a property or portion of it, is classified as residential, farm or managed forest, a request for reconsideration (RfR) is now a mandatory first step
- MPAC must respond by September 30th of the year, or within 180 days for supplementary and omitted assessment
- An appeal may be filed to the ARB within 90 days of MPAC's decision being mailed as a second option for recourse
- ~~For supplementary and omitted assessments, the deadline to file an RfR is 90 days after the mailing of the assessment notice~~

#### Business Classes

- Deadline to challenge CVA is March 31st
- Right to appeal remains annual
- A Request for Reconsideration (RfR) of CVA is an optional first step
- Business taxpayer may forego the reconsideration process and appeal directly to the ARB

#### Onus of Proof in the Hearing

- Previous to the legislative changes, the onus rested with the complainant to demonstrate to the Assessment Review Board that the assessed value on their property was incorrect. MPAC was only responsible to explain the assessment. The onus is now on MPAC to prove the accuracy of the assessed values at an ARB hearing.

### **4) Assessment Notices:**

In addition to the standard Notice of Assessment that was issued to all ratepayers in November of 2008 reflecting the 2009-2012 assessment information, MPAC has developed new in-year Notices. Specifically:

- Post Roll Amended Property Assessment Notice – Issued for factual errors on the Assessment Roll at any time during the taxation year. For example, plans of subdivision that did not get added to the Assessment Roll.
- Property Assessment Change Notice – this was previously known as the Supplementary or Omitted Property Assessment Notice.
- Statement of Revised Assessment – accompanies the Property Assessment Change Notice. Provides the revised total assessment, including improvements. Includes the revised phased-in assessments for the next four taxation years.
- Advisory Notice of Adjustment – MPAC is required to notify property taxpayers about changes to their phased-in assessment amounts whenever the current value assessment for a property changed. For example, if the Assessment Review Board mails a Notice of Decision to a property owner indicating a reduction in assessment, MPAC will mail an Advisory Notice of Adjustment to the owner explaining how the reduction will affect their phased-in assessment amounts.

### **5) New Tax Capping Option:**

In 2009 municipalities had the option to permanently exclude properties from the capping program once they reach their CVA tax destination. Under this new feature, a property that reaches CVA tax in one year can be excluded from the capping program the next year. The option may be put into place for any or all of the capped classes.

A goal of the Long Term Tax Policy is to accelerate the movement toward full Current Value Assessment for all properties in the capped classes by utilizing the capping options available. The 2009 Tax Capping Policy adopted the new option which permanently excluded properties that had reached CVA tax from the capping/claw back program.

This is an annual Tax Policy decision which means a decision to cap properties previously excluded can be made in subsequent years.

## APPENDIX B

### TAX RATIO INTRODUCTION:

Tax Ratios/Transition Ratios – The province regulated “transition ratios” which were the tax ratios as at January 1, 1998. They reflect the relative tax burden of each property class prior to tax reform (i.e. in 1997). Transition ratios were calculated by the province utilizing the 1998 current value assessments and the 1997 tax levies for each class to ensure that they can be utilized to maintain the “status quo” tax burden for each class.

Prior to 1998 there were three tax classes: Residential/Farm, Commercial and Business. After current value assessment implementation, there were seven: Residential, Multi-Residential, Commercial, Commercial Vacant, Industrial, Industrial Vacant, Managed Forest/Farmland and Pipeline. In order to ensure that property owners would continue to assume the same tax burden as prior to reform, tax ratios were introduced.

Tax ratios express the relationship that each property class bears to the tax rate for the residential class. They determine the relative tax burden to be borne by each property class or their share of the pie. The residential property class is the benchmark class and its value in the ratio structure is therefore set at 1.0000.

Provincial Range of Fairness: The province established a target range for each property class. Tax ratios can be equal to the transition ratios but cannot be moved further away from the fairness range. Once a tax ratio is moved closer to the range of fairness, it cannot be moved back further away.

Tax Ratios/Threshold Ratios: Commencing in 2001, the Province introduced “threshold ratios” for the three capped classes. Any municipal levy increase can not be passed on to the classes that have tax ratios above the threshold ratio, therefore, it is very important to ensure ratios are not above thresholds so the levy increase can be passed on to the ratepayer. The threshold ratios for 2001 were set by regulation and equaled the provincial average.

Tax Ratio Flexibility: In 2009, the government provided municipalities with the tax ratio flexibility that has been provided in previous reassessment years. This allowed municipalities to avoid tax shifts that may occur between property tax classes as a result of reassessment by adoption of new transition ratios, referred to as “Revenue Neutral Tax Ratios”. This allows municipalities to move the ratios away from the Range of Fairness to avoid reassessment tax shifts. The Minister will be making decisions on tax ratio flexibility on an annual basis.

Tax Ratio Reductions: The City of North Bay has taken the initiative to reduce tax ratios since 2001, whereby reducing the tax burden to the applicable tax classes. The Long Term Tax Policy goal is to reduce the multi-residential and commercial tax ratios equal to the industrial tax ratio of 1.40 over a twenty-five year period. Any reductions of tax ratios for one class will shift tax burden to other classes unless it is funded by a budget allocation, reserves or real assessment growth. The Policy requires that real assessment growth be used to fund tax ratio changes.

**TAX RATIO COMPARISON – 1998 TO CURRENT 2011**

Property Class	Provincial Fairness Range	City Transition Ratios in 1998	Provincial Threshold Ratios	City's Current 2011 Tax Ratios	2011 BMA Study average for 43 municipalities
Residential	1.0000	1.0000	1.0000	<b>1.0000</b>	1.0000
Multi-Residential	1.0000-1.0000	2.3556	2.7400	<b>2.2054</b>	2.0102
Commercial	1.6000-1.1000	2.0326	1.9800	<b>1.8822</b>	1.6867
Industrial	0.6000-1.1000	3.2920	2.6300	<b>1.4000</b>	2.2229
Farmlands	.25	.25	n/a	<b>.15</b>	n/a
Managed Forest	.25	.25	n/a	<b>.25</b>	n/a
Pipelines	0.6000-0.7000	1.1656	n/a	<b>1.1656</b>	n/a

**TAX RATIO REDUCTIONS FROM 2001-2011**

YEAR	Multi-Residential	Commercial	Industrial	Farmland
1998	2.3556	2.0326	3.2920	.2500
2001	2.3556	1.9700	2.4200	.2500
2002	2.3556	1.9650	1.8300	.2500
2003	2.3556	1.9650	1.40	.1500
2004	2.3556	1.9650	1.40	.1500
2005	2.3200	1.9500	1.40	.1500
2006	2.2818	1.9274	1.40	.1500
2007	2.2436	1.9048	1.40	.1500
2008	2.2054	1.8822	1.40	.1500
2009/2010/2011	2.2054	1.8822	1.40	.1500

**2010 TAX RATIO COMPARISON – NORTHERN MUNICIPALITIES**

Municipality	Multi-Residential	Commercial	Industrial
North Bay	2.2054	1.8822	1.4000
Greater Sudbury	2.2667	2.1302	3.0255
Thunder Bay	2.7400	1.9527	2.4300
Timmins	1.6816	1.7501	2.1783

APPENDIX C

The Corporation of The City of North Bay

<b>FINANCIAL POLICY AND PROCEDURES</b>	<b>SECTION: FINANCIAL PLAN</b>
	<b>APPROVED: OCTOBER 2010</b>
	<b>SUBJECT: Long-Term Tax Policy  POLICY 2010-00</b>

**PURPOSE:**

The purpose of the Long-Term Tax Policy is to establish a framework for tax ratio, tax capping and Tax Policy Development Reserve Fund goals over a twenty-five year period.

**LEGISLATIVE AUTHORITY:**

Tax Policy considerations and programs are mandatory and legislated by *The Municipal Act, 2001, S.O. 2001, c.25* and associated tax policy/capping related regulations.

The Tax Policy Development Reserve Fund is not a legislative requirement.

**GOALS AND OBJECTIVES:**

The goals and objectives of the Long-Term Tax Policy include,

1. To reduce the tax ratios for the Multi-Residential and Commercial Classes to 1.400 over a twenty-five year period
2. To reduce tax ratios only if the tax burden shift can be offset by *real assessment growth*
3. To consider each year to transfer "excess" supplementary taxes in the Multi-Residential and Commercial classes to a Tax Policy Development Reserve Fund
4. To accelerate the movement toward full Current Value Assessment for all properties in the capped classes utilizing the capping options available



5. To fund the cost of mandatory capping program within each class by limiting assessment related tax reductions that would otherwise benefit other properties (claw-backs)
6. To consider annually the options to fund a portion of the cost of the mandatory capping program from the Tax Policy Development Reserve Fund

### **ROLES AND RESPONSIBILITIES:**

City Council is responsible to:

1. Review the Long-Term Tax Policy annually
2. Authorize by by-law the tax policy program as it relates to tax ratios and the mandatory tax capping program
3. Consider and authorize the transfer of excess supplementary revenue to the Tax Policy Development Reserve Fund
4. Authorize the use of the Tax Policy Reserve Fund to fund a portion of the cost of the mandatory capping program.

Chief Administrative Officer is responsible to:

1. Sign all Tax Policy related reports to Council

Chief Financial Officer is responsible to:

1. Ensure goals and objectives of the Policy are being met and adhered to.
2. Confirm Real Growth calculations based on the definition adopted in the 2010 Tax Policy Program
3. Ensure that all authorizations required for the tax policy program and use of the reserve fund are received.
4. Sign all Tax Policy related reports to Council

### **IMPLEMENTATION:**

The implementation of the Long Term Tax Policy includes,

1. Enactment of by-laws as follows:
  - i. Adoption of tax ratios
  - ii. Adoption of Optional Tools for the Capping Program
  - iii. Establishment decrease limits for claw back properties
  - iv. Adoption of New Construction Thresholds

2. Resolutions for:

- i. Transfer from the Tax Policy Development Reserve Fund for costs related to funding the legislated caps if required
- ii. Transfer to reserve of excess supplementary revenue if required

The implementation of this Policy shall be considered a long-term goal over a period of up to twenty-five years.

The implementation of this Policy shall be considered as a key component of the City of North Bay's Long-Term Financial Plan.

**DEFINITIONS:**

**CURRENT VALUE ASSESSMENT:**

In general terms "Current Value Assessment" (CVA) is the amount of money a property would realize if sold at arm's length by a willing seller to a willing buyer.

**TAX RATIO:**

A "tax ratio" determines the relative tax burden to be borne by each property class and expresses the relationship that each property class bears to the tax rate for the residential class.

**TAX POLICY DEVELOPMENT RESERVE FUND:**

The Tax Policy Development Reserve Fund is funded from the excess supplementary revenue from the Multi-Residential and Commercial tax classes and is established in a specific resolution that also outlines its operational elements.

**TAX CAPPING PROGRAM:**

Tax capping limits increases in taxes in the Multi-Residential, Commercial and Industrial tax classes resulting from reassessment or class changes to a level adopted annually by Council, but to a minimum of 5% from the previous year's adjusted taxes.

**CLAWBACK:**

Clawback's are tax decreases in the Multi-Residential, Commercial and Industrial tax classes that may be utilized to fund the tax capping program.

**OPTIONAL TOOLS:**

Optional tools are tools provided by the provincial government which gives municipalities the opportunity to bring all classes of properties to Current Value Assessment more quickly.

**MUNICIPAL PROPERTY ASSESSMENT CORPORATION (MPAC):**

MPAC administers a uniform, province-wide property assessment system based on current value assessment in accordance with the provisions of the *Assessment Act*. It provides municipalities with a range of services, including the preparation of annual assessment rolls used by municipalities to calculate property taxes and municipal enumerations in order to prepare the Preliminary List of Electors during an election year.

**NEW CONSTRUCTION THRESHOLDS:**

Is the average tax level new construction properties pay in relation to comparable properties compiled by Municipal Property Assessment Corporation (MPAC) and as adopted by Council by by-law annually.

**SUPPLEMENTARY ASSESSMENT:**

Supplementary assessment is new assessment compiled by MPAC resulting from an increase in value of properties for new buildings or structures, alterations/additions to buildings or structures or new lots created by subdivision/condo plans and splits.

**SUPPLEMENTARY TAXES:**

Are taxes generated from the supplementary assessment roll.

**REAL ASSESSMENT GROWTH:**

Real Assessment Growth means new assessment which is generated by supplementary assessments and netted by assessment reductions resulting from assessment appeals.

**CITY OF NORTH BAY****REPORT TO COUNCIL****REPORT NO:** EESW-2012-020**DATE:** February 3, 2012**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration**SUBJECT:** 2012 Capital Budget Project – 6089SS Digester Cleaning and Grit Removal Program (On-going)**RECOMMENDATION:**

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Digester Cleaning and Grit Removal program of the Engineering, Environmental Services and Works Department, being 2012 Water and Sanitary Sewer Capital Budget project #6089SS, at a net debentured cost of \$79,000.

**BACKGROUND:**

The approved 2012 capital budget for Water and Sanitary Sewer included an amount of \$79,000. This program provides an ongoing annual cleaning of Digesters and Grit removal at the Waste Water Treatment Plant.

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

Construction Contract	\$75,050
Financing costs	\$ 3,950
<b>NET DEBENTURED COST</b>	<b>\$79,000</b>

**ANALYSIS/OPTIONS:**Option 1 - Proceed with the Authorizing By-Law

The approved the Ten Year Capital Budget for 2012 which includes an amount of \$79,000 for an annual program of cleaning digesters and removing grit at the Waste Water Treatment Plant. This option is recommended.

Option 2 - Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would have the effect of creating a further backlog which has a potential for higher maintenance costs.

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**RECOMMENDED OPTION:**

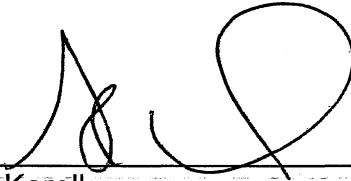
It is recommended that City Council approve of the drafting of the necessary By-Law, which will authorize the expenditure of \$79,000 in 2012 capital funds for the 6089SS Digester Cleaning and Grit Removal program to be carried out by the Engineering, Environmental Services and Works Department.

Respectfully Submitted,



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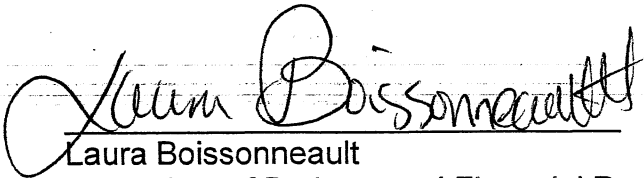
Angela Cox  
Manager, Finance & Administration  
Engineering, Environmental Services  
& Works



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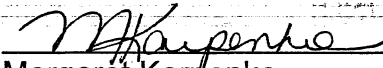
Alan Korell  
Managing Director  
Engineering, Environmental Services  
& Works

We concur in this report and recommendation.



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Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



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Margaret Karpenko  
Chief Financial Officer/Treasurer



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David Linkie  
Chief Administrative Officer

Person designated for continuance: Karin Morin-Strom

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad

### Project Summary

<b>Project Number:</b>	6089SS	<b>Active:</b>	Yes
<b>Title:</b>	DIGESTER & GRIT REMOVAL ON-GO		
<b>Asset Type:</b>	INFRASTRUCTURE - Sanitary		
<b>Division:</b>	Sewer		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	SANITARY SEWER		

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for the necessary periodic scheduled maintenance on the digesters and primary clarifiers at the waste treatment plant to ensure this equipment is operating in the most optimal fashion.				See 6040SS for 2011 budget.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	79,000	79,000	0	<b>Expense</b>			
2013	81,000	81,000	0	3425	CONSTRUCTION CONTRACT		79,000
2014	83,000	83,000	0			<b>Total Expense:</b>	<b>79,000</b>
2015	85,000	85,000	0	<b>Revenue</b>			
2016	88,000	88,000	0	0400	SS - PAY AS YOU GO		79,000
2017	91,000	91,000	0			<b>Total Revenue:</b>	<b>79,000</b>
2018	94,000	94,000	0				
2019	97,000	97,000	0				
2020	100,000	100,000	0				
2021	103,000	103,000	0				
	<u>901,000</u>	<u>901,000</u>	<u>0</u>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

**CITY OF NORTH BAY****REPORT TO COUNCIL****REPORT NO:** EESW-2012-019**DATE:** February 3, 2012**ORIGINATOR:** Angela Cox  
Manager, Finance & Administration**SUBJECT:** 2012 Capital Budget Project – 6093WS Unidirectional Flushing of City Watermains**RECOMMENDATION:**

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the 6093WS Unidirectional Flushing of City watermains program for the Engineering, Environmental Services and Works Department, being 2012 Water and Sanitary Sewer Capital Budget Project, at a net debentured cost of \$212,000.

**BACKGROUND:**

The approved 2012 Capital Budget for Water and Sanitary Sewer included an amount of \$212,000 in the year 2012. This program provides for the ongoing annual flushing of the City's watermains in a special pattern to control the discharge of debris with minimal disruption of potable water supply to the users. Flushing of watermains is a key maintenance activity to ensure the provision of safe drinking water. It is a requirement of the provincial regulations for water systems.

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

Construction Contract	\$201,400
Financing costs	\$10,600
<b>NET DEBENTURED COST</b>	<b>\$212,000</b>

**ANALYSIS/OPTIONS:**Option 1 - Proceed with the Authorizing By-Law

The approved Five Year Capital Budget for 2012 included an amount of \$212,000 for an annual program of unidirectional flushing of City watermains. This is a requirement of the provincial regulations for water systems.

Option 2 - Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would result in a violation of the provincial regulation for water systems and increase liability to the City.

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**RECOMMENDED OPTION:**

It is recommended that City Council approve of the drafting of the necessary By-Law, which will authorize the expenditure of \$212,000 in 2012 capital funds for the unidirectional flushing of City watermains program to be carried out by the Engineering, Environmental Services and Works Department.

Respectfully Submitted,



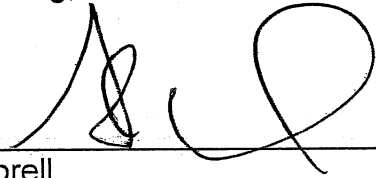
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Angela Cox  
Manager, Finance & Administration  
Engineering, Environmental Services & Works



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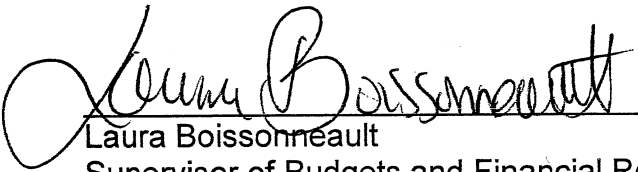
Domenic Schiavone  
Director, Public Works



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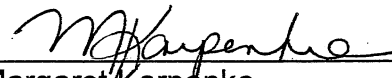
Alan Korell  
Managing Director  
Engineering, Environmental Services & Works

We concur in this report and recommendation.



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Laura Boissonneault  
Supervisor of Budgets and Financial Reporting



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Margaret Karpenko  
Chief Financial Officer/Treasurer



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David Linkie  
Chief Administrative Officer

Person designated for continuance: Shawn Remillard

Attachments: Capital Project Status Sheet

Copy for: Cathy Conrad



### Project Summary

<b>Project Number:</b>	6093WS	<b>Active:</b>	Yes
<b>Title:</b>	FLUSH WATERMAINS ON-GO		
<b>Asset Type:</b>	INFRASTRUCTURE - Water		
<b>Division:</b>	Water		
<b>Budget Year:</b>	2012		
<b>Scenario Name:</b>	Main		
<b>Budget Status:</b>	Staff Input		
<b>Regions:</b>			
<b>Project Type:</b>	WATER		

<b>Project Description</b>				<b>Project Comments</b>			
The program provides for the ongoing annual flushing of the City's watermains in a special pattern to control the discharge of debris with minimal disruption of potable water supply to users				See 6044WS for 2011 budget.			
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
<b>Budget Year</b>	<b>Total Expense</b>	<b>Total Revenue</b>	<b>Difference</b>	<b>GL Account</b>	<b>Description</b>	<b>Total Amount</b>	
2012	212,000	212,000	0	<b>Expense</b>			
2013	218,000	218,000	0	3425	CONSTRUCTION CONTRACT		212,000
2014	225,000	225,000	0			<b>Total Expense:</b>	<b>212,000</b>
2015	232,000	232,000	0	<b>Revenue</b>			
2016	239,000	239,000	0	0300	Pay As You Go Water		212,000
2017	246,000	246,000	0			<b>Total Revenue:</b>	<b>212,000</b>
2018	253,000	253,000	0				
2019	261,000	261,000	0				
2020	269,000	269,000	0				
2021	277,000	277,000	0				
	<b>2,432,000</b>	<b>2,432,000</b>	<b>0</b>				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
<b>Year Identified</b>	<b>Start Date</b>	<b>Project Partner</b>	<b>Manager</b>			<b>Est. Completion Date</b>	
2012							

**City of North Bay****Report to Council**

Report No: CORP 2012 - 18

Date: February 1, 2012

Originator: Al Lang

Subject: 2012 North Bay Police Services Capital Budget Allocation

**RECOMMENDATION:**

That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2012 North Bay Police Services Capital Projects, being Capital Project No. 6087PD at a net debenture cost of \$417,438.

**BACKGROUND:**

The 2012 Capital Budget was passed by Council Resolution No. 2012-04 at its regular meeting held on January 9, 2012. Included in the 2012 budget was \$417,438 for the North Bay Police Services Board. Details of the Capital Budget request are itemized below.

Vehicle Replacements	\$250,000
LiveScan (electronic fingerprint submission)	\$ 58,548
Network Switches Upgrade	\$ 30,000
Telephone PBX & 911 System Upgrade	<u>\$ 73,890</u>
	\$412,438
Temporary financing and contingency	<u>\$ 5,000</u>
Net Debenture Cost	<u>\$417,438</u>

**ANALYSIS / OPTIONS:****Option # 1:**

Not to approve the preparation of a Capital By-Law. This would delay the implementation of the Police Services Capital Projects and negatively impact the services that they provide to the community.

**Option # 2:**

To approve the \$417,438 allocation as adopted in the Capital Budget and that the City Clerk prepare a Capital Expenditure By-Law for the 2012 Capital allocation.

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**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS:**

**Option # 2** is recommended.

That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2012 North Bay Police Services Capital Projects, being Capital Project No. 6087PD at a net debenture cost of \$417,438.

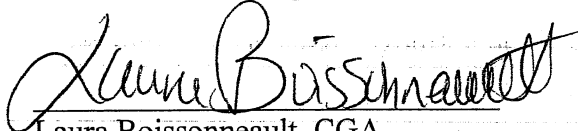
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Respectfully submitted,

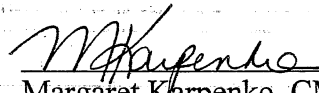


Al Lang, CGA  
Director of Financial Services

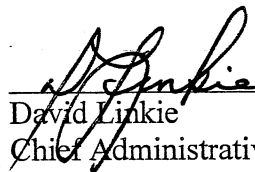
We concur in this report and recommendation.



Laura Boissonneault, CGA  
Supervisor of Budgets & Financial Reporting



Margaret Karpenko, CMA  
Chief Financial Officer / Treasurer



David Linkie  
Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer

Attachments – Capital Project Information Sheet

## Project Summary

Project Number:	6087PD		
Title:	NORTH BAY POLICE SERVICES ON-GO		
Asset Type:	VEHICLES - Police		
Division:	Local Boards & Commissions		
Budget Year:	2012		
Scenario Name:	Main	Active:	Yes
Budget Status:	Staff Input		
Regions:			
Project Type:	POLICE		

<b>Project Description</b>				<b>Project Comments</b>			
This project provides for an ongoing program of vehicle replacement and other capital programs.							
<b>Scenario Description</b>				<b>Scenario Comments</b>			
<b>Project Forecast</b>				<b>Project Detailed 2012</b>			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2012	417,438	417,438	0	Expense			
2013	324,540	324,540	0	5025	VEHICLES		
2014	332,000	332,000	0			Total Expense:	417,438
2015	457,000	457,000	0	Revenue			
2016	425,000	425,000	0	0286	Pay As you Go		
2017	280,000	280,000	0			Total Revenue:	417,438
2018	280,000	280,000	0				
2019	280,000	280,000	0				
2020	280,000	280,000	0				
2021	280,000	280,000	0				
	3,355,978	3,355,978	0				
<b>Related Projects</b>				<b>Operating Budget Impact</b>			
Year Identified	Start Date	Project Partner	Manager			Est. Completion Date	
2012			PAUL COOK				

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INTER OFFICE

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*City of North Bay  
Planning Services*

MEMO

**To:** Cathy Conrad, City Clerk  
**From:** Steve McArthur - Senior Planner, Current Operations  
**Subject:** Resolution No. 4 - Planning Advisory Committee  
**Date:** February 2, 2012

Quoted below is Resolution No. 4 passed at the regular meeting of the Planning Advisory Committee held on Wednesday, February 1<sup>st</sup>, 2012:

Resolution No. 4

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

1. That the proposed Zoning By-law Amendment to expand the list of permitted uses in a 'Light Industrial Three Special Zone No. 37 (M3 Sp.37)' by Southshore Investments Inc. for the property legally described as Plan No. M-36, Lots 83 to 85, 90 to 93, 98 to 100, Part Lots 81, 82, 94 to 97, 112 to 115, Reference Plan No. 36R-2791, Parts 2 & 4, and Reference Plan No. 36R-2583, Parts 1 & 5, known locally as 1704 to 1730 Main Street West in the City of North Bay, be APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required."



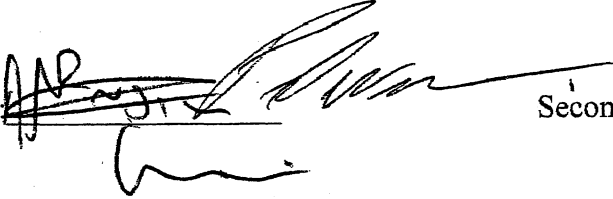
Steve McArthur, MCIP, RPP  
Senior Planner, Current Operations

North Bay Planning Advisory Committee

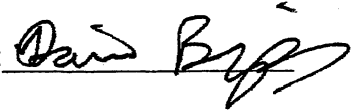
Resolution No. 4

Date: February 1, 2012

Moved By:



Seconded By:



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

1. That the proposed Zoning By-law Amendment to expand the list of permitted uses in a ‘Light Industrial Three Special Zone No. 37 (M3 Sp.37)’ by Southshore Investments Inc. for the property legally described as Plan No. M-36, Lots 83 to 85, 90 to 93, 98 to 100, Part Lots 81, 82, 94 to 97, 112 to 115, Reference Plan No. 36R-2791, Parts 2 & 4, and Reference Plan No. 36R-2583, Parts 1 & 5, known locally as 1704 to 1730 Main Street West in the City of North Bay, be APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.”

Amendments:

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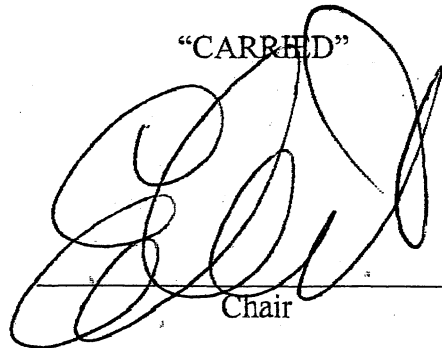
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“CARRIED”



Chair

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INTER OFFICE

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

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MEMO

**To:** Chair and Members, Planning Advisory Committee

**From:** Steve McArthur - Senior Planner, Current Operations

**Subject:** Proposed Zoning By-Law Amendment by Southshore Investments Inc.  
(1704 to 1730 Main Street West)

**Date:** January 27, 2012

**Recommendation**

1. That the proposed Zoning By-law Amendment to expand the list of permitted uses in a 'Light Industrial Three Special Zone No. 37 (M3 Sp.37)' by Southshore Investments Inc. for the property legally described as Plan No. M-36, Lots 83 to 85, 90 to 93, 98 to 100, Part Lots 81, 82, 94 to 97, 112 to 115, Reference Plan No. 36R-2791, Parts 2 & 4, and Reference Plan No. 36R-2583, Parts 1 & 5, known locally as 1704 to 1730 Main Street West in the City of North Bay, be APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act, R.S.O., 1990 as amended* in order to regulate parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

**Site**

The subject property is located on the north side of Main Street West, at the intersection of Gormanville Road, as shown on Schedules "A" and "B" attached hereto. The subject lands have a frontage of approximately 93.6m (307 feet) along Main Street West and a total land area of approximately 1.47ha (3.62 acres). The property is designated "General Industry" in the City of North Bay's Official Plan and is zoned "Light Industrial Three Special Zone No. 37 (M3 Sp.37)" by Zoning By-law No. 28-80.

The subject lands are currently developed with three (3) light industrial buildings with a total footprint of approximately 2,095 sq.m (22,550 sq.ft.), as shown on Schedules 'B' & 'C' attached hereto. The site is surrounded by similar light industrial uses, including a food distribution warehouse, a telecommunications company, a consulting firm, metal fabrication operations, a chrome plating business and a legal non-conforming single detached dwelling.

**Proposal**

Southshore Investments Inc. has submitted a Zoning By-law Amendment application to expand the list of permitted land uses in the current "Light Industrial Three Special Zone No. 37 (M3 Sp.37)". The special component of the proposed amendment is to restrict the permitted uses and to recognize existing legal non-complying setbacks on the subject lands.

**Provincial Policy**

This proposal has been reviewed in the context of the Growth Plan for Northern Ontario (GPNO 2011) and the Provincial Policy Statement (PPS 2005). These policies provide direction on matters of Provincial interest related to land use planning and development.

The Growth Plan for Northern Ontario was introduced on March 3rd, 2011, and all Planning applications must now be evaluated to consider this plan. The GPNO 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 an economic development tool that encourages growth in Northern Ontario. Specific planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Provincial government or incorporated into the Official Plan.

This application has been reviewed in accordance with the Growth Plan for Northern Ontario (2011) and has been found to be in conformity with its policies.

This application has been reviewed in the context of the Provincial Policy Statement (PPS 2005). Section 1.0 of the PPS 2005, Building Strong Communities, provides for a wide variety of policies relating to wisely managing change and promoting efficient land use and development patterns.

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

The subject property features existing buildings on full municipal services, resulting in redevelopment, reinvestment and intensification without the requirement for the extension of municipal services. The proposed Zoning By-law Amendment will see an increase in the land uses permitted on the subject lands in an attempt to attract new tenants and investment. This is encouraged by Section 1.3 'Employment Areas', which states:

*"Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) planning for, protecting and preserving employment areas for current and future uses; and*
- d) ensuring the necessary infrastructure is provided to support current and projected needs."*

In reviewing the proposed Zoning By-law Amendment, it is my professional opinion that all pertinent Provincial policies have been applied in their entirety and that the end use is consistent with Provincial Policy as set out in the Provincial Policy Statement (PPS 2005) and in the Growth Plan for Northern Ontario (GPNO 2011).

### **Official Plan**

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

Section 2.7.3 states that: *"The Zoning By-law implementing this Plan may in turn divide the General Industrial area into industrial zones, so that industrial activities likely to give rise to noise and other nuisances are located where they may least affect the amenity of the City. The major uses of land in General Industrial areas shall be all forms of fabricating, processing of goods and materials, warehousing storage, builders' yards, transportation and communications facilities and public utilities"*

The subject lands are currently developed with three (3) light industrial buildings with a total footprint of approximately 2,095 sq.m. (22,550 sq.ft.). The existing tenants including a small custom furniture manufacturing operation and a powder coating business. The site is surrounded by other industrial uses, including a food distribution warehouse, a telecommunications company, a consulting firm, metal fabrication operations and chrome plating business.



The Applicants' proposal to increase the number of permitted uses on the subject lands in an attempt to attract new tenants, which in turn would allow for leasehold improvements to the existing buildings and property, is in conformity with the general intent of the Official Plan policies regarding Industrial Uses.

**Zoning By-law No. 28-80**

The subject property is currently zoned "Light Industrial Three Special Zone No. 37 (M3 Sp.37)" by the City of North Bay's Zoning By-law No. 28-80. The currently permitted uses and proposed expanded uses are included in the following table:

Current List of Permitted Land Uses	Proposed Expanded List of Permitted Land Uses
<p><b>Permitted Uses -</b></p> <p>Those <i>uses</i> permitted in a Light Industrial Two (M2) <i>zone</i>.</p> <p>The <i>use</i> of land, <i>building</i> or <i>structure</i> designed for the purpose of manufacturing, assembling, processing, preparing, inspecting or ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substances or things, and the storage of <i>building</i> and construction equipment and materials where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This does not include forest product industries, metal fabricating, refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, <i>pit</i>, <i>quarry</i> or oil wells, but includes:</p> <ul style="list-style-type: none"> <li>• <b>Bulk sales establishments</b></li> <li>• Heavy Equipment Sales and Service</li> <li>• Heavy Equipment Storage</li> <li>• <b>Transportation &amp; Communications, Utility Yards, Terminals</b></li> <li>• <b>Warehouse and Storage Uses</b></li> </ul> <p>Administrative <i>offices</i> associated with and integral with the main <i>use</i>.</p> <p>One (1) apartment unit within the <i>main building</i> for an essential workman or caretaker.</p>	<p><b>Permitted Uses Proposed -</b></p> <p>Those <i>uses</i> permitted in a Light Industrial Two (M2) <i>zone</i>.</p> <p>The <i>use</i> of land, <i>building</i> or <i>structure</i> designed for the purpose of manufacturing, assembling, processing, preparing, inspecting or ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substances or things, and the storage of <i>building</i> and construction equipment and materials where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This does not include forest product industries, refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, <i>pit</i>, <i>quarry</i> or oil wells, but includes:</p> <ul style="list-style-type: none"> <li>• Auto Dealerships and Service Establishments</li> <li>• <b>Body shop</b></li> <li>• <b>Bulk sales establishments</b></li> <li>• <b>Data processing firm</b></li> <li>• <b>Garden centre</b></li> <li>• Heavy Equipment Sales and Service</li> <li>• Heavy Equipment Storage</li> <li>• Recreational Vehicle and Equipment Sales and Service</li> <li>• <b>Repair garage</b></li> <li>• <b>Self Storage Uses</b></li> <li>• <b>Transportation &amp; Communications, Utility Yards, Terminals</b></li> <li>• <b>Warehouse and Storage Uses</b></li> </ul> <p>Administrative <i>offices</i> or <i>day nursery</i> or both associated with and integral with the main <i>use</i>.</p> <p>One (1) apartment unit within the <i>main building</i> for an essential worker, owner/operator or caretaker.</p> <p>Outdoor storage is permitted, subject to the provisions of Section 7.4.2.5 of the City of North Bay's Zoning By-law.</p>

The special component of the proposed Zoning By-law Amendment is as follows:

- Reduce the front yard setback from 13.5 metres to the existing 11.0 metres; and
- Reduce the exterior (easterly) side yard setback from 7.0 metres to the existing 3.0 metres.

These reductions are as a result of lands acquired by the City as part of the Gormanville Road widening and reconstruction project completed in 2011.

## Correspondence

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

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

One (1) letter of objections was received from an abutting property owner as a result of the circulation process. This neighbour also appeared at the public meeting of the Planning Advisory Committee which was held on January 11, 2012. The Applicant, through negotiation and mediation in partnership with Planning Services staff, met with the neighbour and they resolved their issues by simply removing a number of proposed land uses that were objectionable. In total, five (5) proposed uses were withdrawn: Builder Supply Yard; Construction Contractor Yard, Group Home Type 3, Metal Fabrication and Recycling Centre & Waste Transfer Station.

The other concerns from the abutting neighbour had more to do with property standards than Zoning issues, but the Owner nonetheless committed to cleaning up and maintaining the subject property. He stated that his hope was that the increase the number of permitted uses on the subject lands would help to attract new tenants, which in turn would allow for leasehold improvements to the existing buildings and property. The property will also be subject to Site Plan Control, which will allow the City to implement conditions in order to regulate parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

No objections to the proposed Zoning By-law Amendment were received from any of the other circulated property owners.

## Summary

Since the rezoning of the subject lands in 1996 to a "Light Industrial Three Special Zone No. 37 (M3 Sp.37)", a number of permitted uses have been added to the straight "Light Industrial Three (M3)" zone through various updates and general amendments to Zoning By-law No. 28-80. These added uses however are not retroactively added to a special zone. Therefore, the proposed uses are in keeping with those currently permitted in a "Light Industrial Three (M3)" zone in other areas of the City, and in particular, on some of the surrounding properties.

The removal of proposed land uses that were objectionable to a circulated property owner was done through negotiation and mediation. In total, five (5) proposed uses were withdrawn: Builder Supply Yard; Construction Contractor Yard, Group Home Type 3, Metal Fabrication and Recycling Centre & Waste Transfer Station. The property will be subject to Site Plan Control, which will allow the City to implement conditions in order to regulate parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required

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

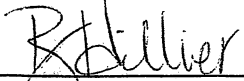


Steve McArthur, MCIP, RPP  
Senior Planner, Current Operations

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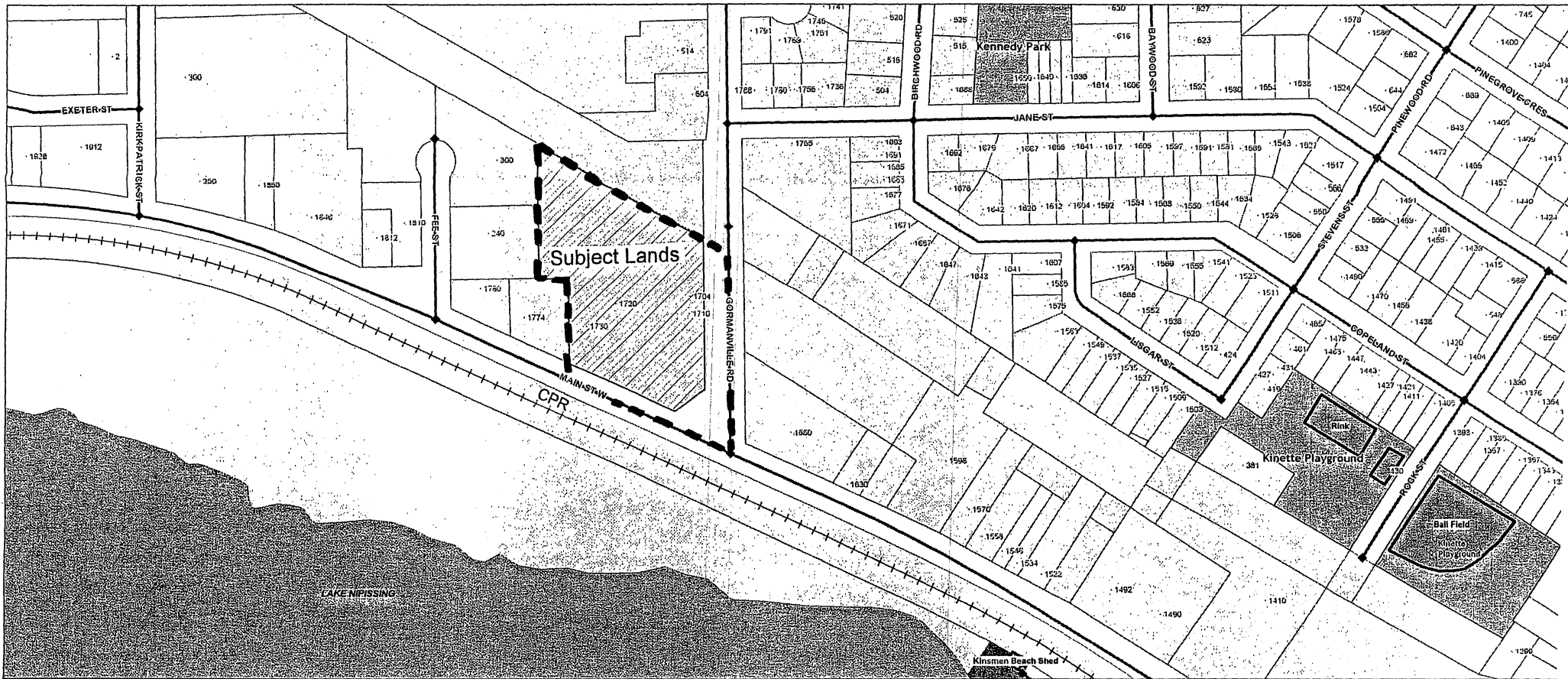
I concur with the recommendations contained in this report.



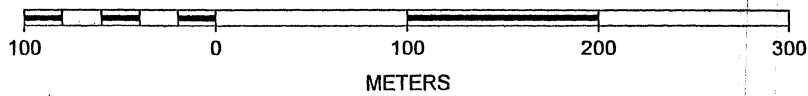
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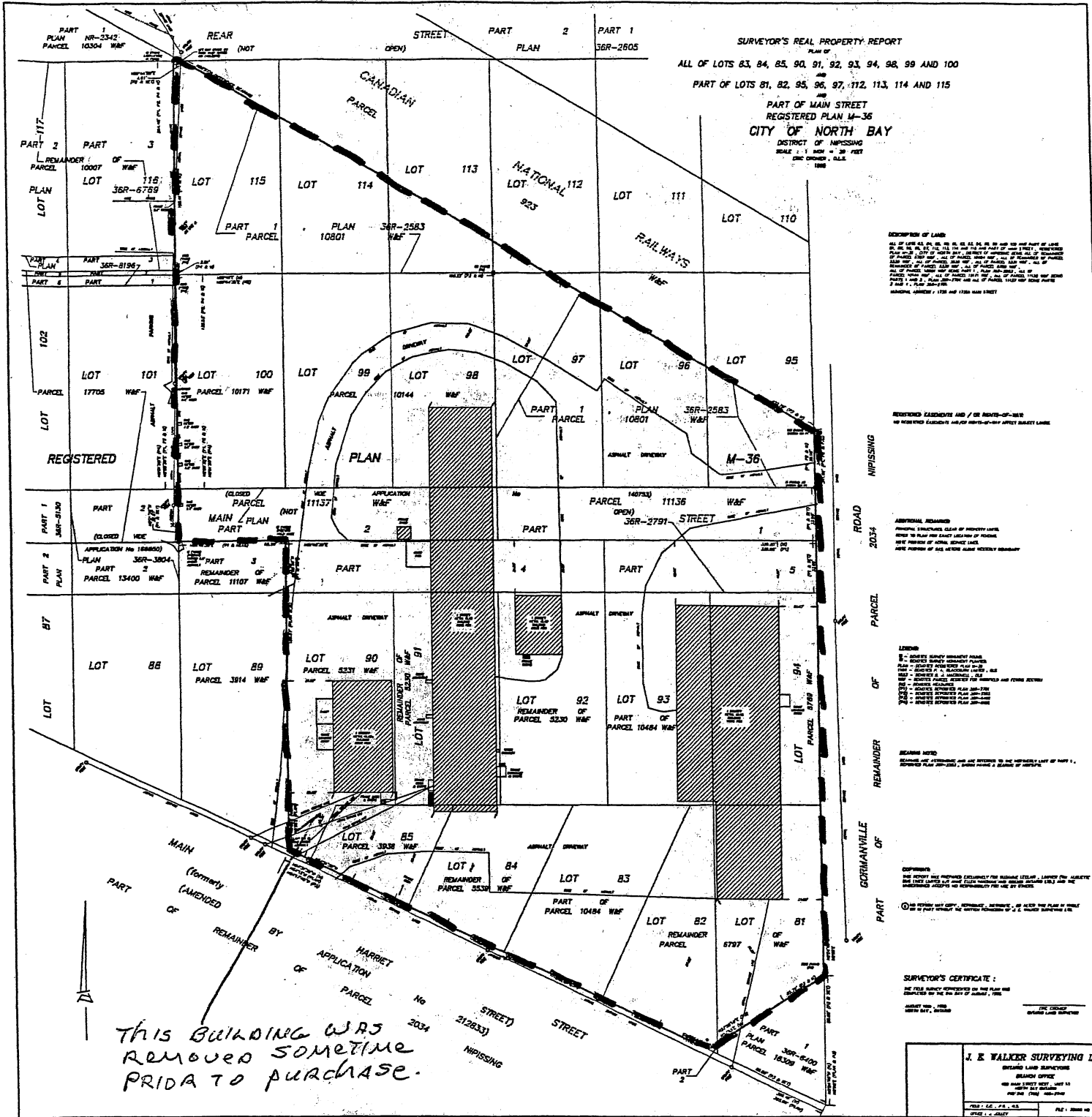
Beverley Hillier, MCIP, RPP  
Manager, Planning Services

# SCHEDULE A



SCALE 1 : 3,973



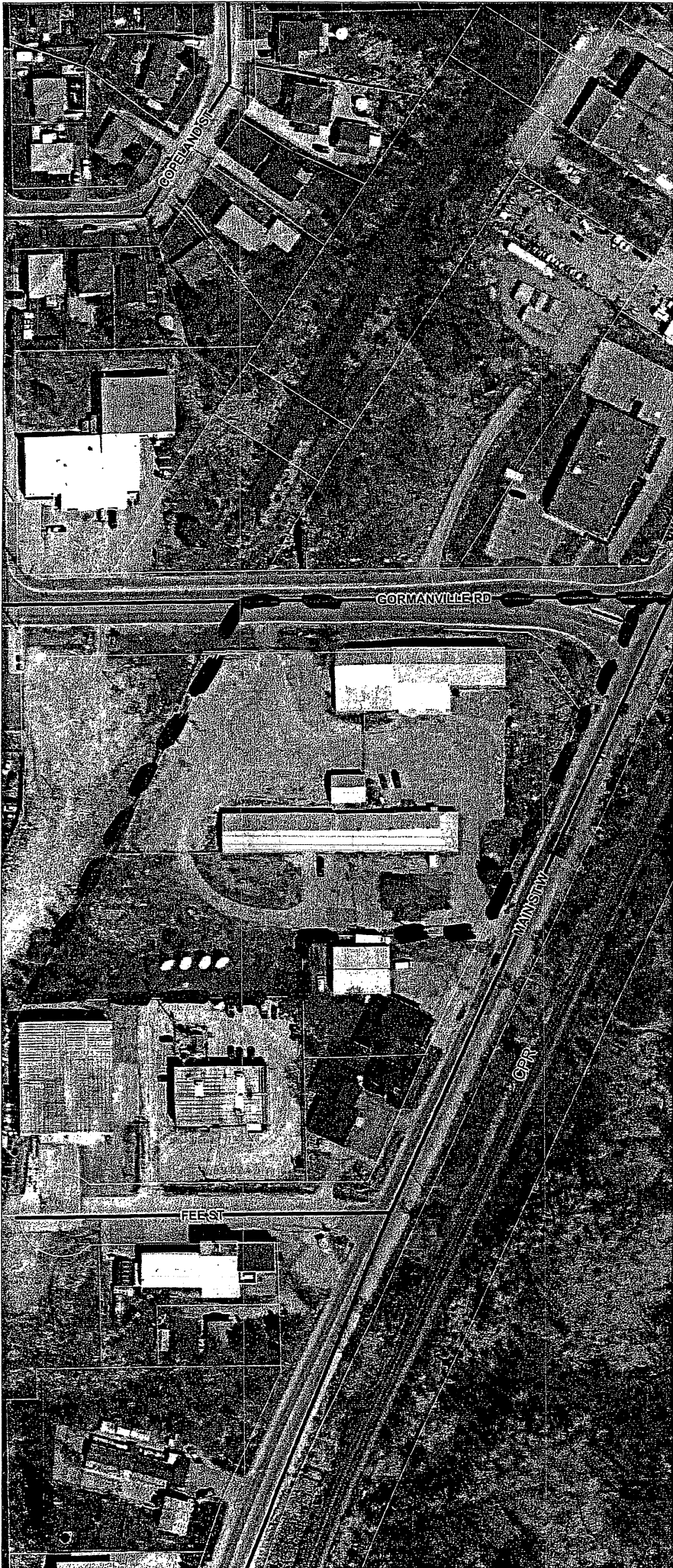


CERTIFIED TRUE COPY OF SURVEY

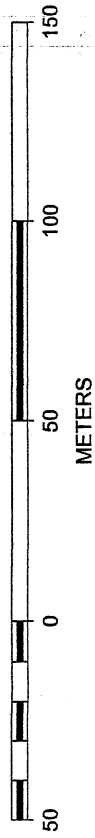
*[Handwritten Signature]*  
 J. E. WALKER, OLS.

# SCHEDULE B

# SCHEDULE C



SCALE 1 : 1,907



**CITY OF NORTH BAY****REPORT TO COUNCIL**

Report No: CORP 2012-23

February 2, 2012

Originator: Paul Valenti

Subject: Tender No. 2011-106 Merrick Landfill Gas Collection System

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**RECOMMENDATION:**

That North Bay City Council approves the award of a contract to Bruman Construction Inc. in the amount of \$432,856.80 (excluding HST) for the works related to expansion of the landfill gas collection system at Merrick Landfill.

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**BACKGROUND:**

The project is critical to maintain compliance with Merrick Landfill's Certificate of Approval under the Environmental Protection Act to permit the site to remain active and to have sufficient space ready for uninterrupted landfill use. In addition, the collection of methane is critical to fuel the Landfill Gas Utilization by Electricity Project being developed at the Merrick Landfill Site by North Bay Hydro. The landfill is being developed in phases to meet needs. The next required phase involves adding methane collection infrastructure. This phase is required before the end of June 2012. Once the project is completed the City can complete capping of Cell 5 to approved contours.

The Works to be performed under the contract consists of an expansion of the landfill gas collection system in order to increase the collection of landfill gas produced at the Site from Cell 5 and augmentation of the existing landfill gas collection system in cells 1 through 4, and the extension of the landfill gas collection header to cell 5 and future cell 6. The project will involve site preparation, excavation, purchase and installation of gas collection assemblies and site restoration.

The tender was publicly advertised in accordance with the City of North Bay Purchasing Policy. Fifteen (15) tender packages were distributed directly to contractors. Tenders closed on January 25, 2012. Seven (7) responses were received and evaluated by Conestoga-Rovers & Associates consulting engineers, Environmental Services, and the Purchasing Manager.

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The results are as follows:

Firm	Tender Price (excluding HST)
Bruman Construction Inc.	\$ 432,856.80
Avertex Utility Solutions Inc.	\$ 567,860.00
Lacroix Construction Co.	\$ 723,045.00
Kenalex Construction Company Limited	\$ 795,495.00
R.M. Belanger Ltd.	\$ 811,690.00
Ran Don Crane and Leasing Ltd.	\$ 905,685.00
Gap Construction	\$ 1,153,054.90

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

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**ANALYSIS / OPTIONS:**

1. That North Bay City Council approves the award of a contract to Bruman Construction Inc. in the amount of \$432,856.80 (excluding HST) for the works related to expansion of the landfill gas collection system at Merrick Landfill.
  2. Do not award a contract. Risk of not completing the project will leave North Bay without usable landfill space to allow for uninterrupted landfill use and North Bay Hydro without methane fuel feedstock to operate the Landfill Gas Utilization by Electricity Project.
- 

**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contract to Bruman Construction Inc. in the amount of \$432,856.80 (excluding HST) for the works related to expansion of the landfill gas collection system at Merrick Landfill.

The net cost of the project to the City amounts to \$438,718 (includes HST less the HST rebate).

An amount of \$1,500,000 has been allocated, of which sufficient funds remain, in the 2010 Engineering, Environmental Services & Public Works Capital Budget, Project No. 2916GD; authorized with By-law No. 2010-112 dated May 3, 2010.

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Respectfully submitted,



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Paul Valenti,  
Manager of Purchasing

We concur in this report and recommendation.



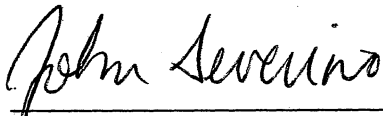
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Laura Boissonneault, CGA  
Supervisor of Budgets & Financial  
Reporting



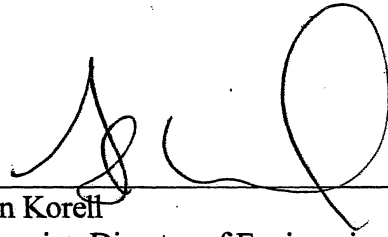
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Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer



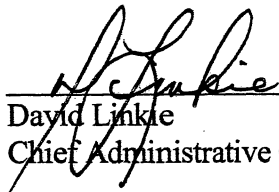
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John Severino, P. Eng., MBA  
Manager, Environmental Services



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Alan Korell  
Managing Director of Engineering,  
Environmental Services and Works



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David Linkie  
Chief Administrative Officer

Personnel designated for continuance: Manager, Environmental Services

12

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-07**

A BY-LAW TO AUTHORIZE THE PURCHASE OF  
LANDS FROM ESTATE OF EDWARD LABRECHE  
FOR THE PURPOSE OF PROTECTING A MUNICIPAL  
DRAINAGE COURSE  
(Parcel 29-1, Section 36M-215, Lot 29, Plan M-215 City  
of North Bay, District of Nipissing)

WHEREAS the Municipality is authorized by Section 10.(2) of the Municipal Act, S.O. 2001, Chapter c.25, to acquire lands for public purposes;

AND WHEREAS by Resolution No. 2012-63 passed by Council at its Regular Meeting held on Monday, January 23<sup>rd</sup>, 2012 authorized the Mayor and City Clerk to enter into an Agreement to Purchase with the Estate of Edward Labreche;

AND WHEREAS the Estate of Edward Labreche owns Parcel 29-1, Section 36M-215, Lot 29, Plan M-215, in the City of North Bay, District of Nipissing.

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 is hereby authorized to purchase Part of Parcel 29-1, Section 36M-215, Lot 29, Plan M-215, in the City of North Bay, District of Nipissing from the Estate of Edward Labareche and to pay the sum of \$12,000.00 net of taxes.
2. That the Mayor and City Clerk are hereby authorized and directed to execute an Agreement of Purchase and Sale between The Corporation of the City of North Bay and Estate of Edward J. Labreche. The Mayor, City Clerk and City Solicitor are hereby authorized to execute such documents as may be reasonably required to complete the transfer of the said lands. The City Solicitor has the authority to electronically sign for completeness and release any document required to be registered on title.
3. This by-law shall come into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6TH DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN MCDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

AZ,

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-08**

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF NORTH BAY AND MILLER TECHNOLOGY INCORPORATED (RELATING TO THE USE OF A PORTION OF SECOND STREET AND ELOY ROAD)

**WHEREAS** the Agreement with Miller Technology Incorporated was approved by Resolution No. 2012-64 passed on the 23<sup>rd</sup> day of January, 2012;

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

1. That The Corporation of the City of North Bay enter into an Agreement with Miller Technology Incorporated, dated the 9th day January, 2012, relating to a lease of a portion of Second Street and Eloy Road.
  
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Miller Technology Incorporated and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6TH DAY OF JANUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN MCDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-10**

**BEING A BY-LAW TO CONFIRM PROCEEDINGS  
OF THE MEETING OF COUNCIL ON  
JANUARY 23, 2012**

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

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

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

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on January 23, 2012 in respect of each motion, resolution and other action passed and taken by the Council at its said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

RM

AS

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-17**

A BY-LAW TO AUTHORIZE THE SALE OF LANDS NO LONGER REQUIRED FOR MUNICIPAL PURPOSES (Part of Lot 83, Plan 100, being designated as Parts 1 & 2 on Plan 36R-13000)

WHEREAS the Municipality is authorized by Procedural By-Law No. 2011-186, to dispose of lands no longer required for municipal purposes;

AND WHEREAS Council declared the lands surplus and authorized the sale of lands by Resolution No. 2011-447 at its Regular Meeting held on Monday, June 6<sup>th</sup>, 2011;

AND WHEREAS the notice of sale of City-owned land was advertised in the North Bay Nugget on June 18<sup>th</sup>, 2011 and June 25<sup>th</sup>, 2011;

AND WHEREAS Council deems it desirable to convey Part of Lot 83, Plan 100, being designated as Parts 1 & 2 on Plan 36R-13000, City of North Bay, District of Nipissing.

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 is hereby authorized and directed to transfer Part of Lot 83, Plan 100, being designated as Part 1 on Plan 36R-13000, City of North Bay, District of Nipissing, to Heather Cote, upon payment of the sum of \$1.00.
2. The Corporation of the City of North Bay is hereby authorized and directed to transfer Part of Lot 83, Plan 100, being designated as Part 2 on Plan 36R-13000, City of North Bay, District of Nipissing, to Kenneth Wood and Patricia Wood, upon payment of the sum of \$1.00.
3. That the Mayor, City Clerk and City Solicitor are hereby authorized and directed to execute the said transfer and such further and other documents as may be reasonably required to complete the transfer of the said lands. The City Solicitor has the authority to electronically sign for completeness and release any document required to be registered on title.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6TH DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN MCDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

AS.

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-18**

**A BY-LAW TO AUTHORIZE THE  
VEHICLE AND EQUIPMENT REPLACEMENT PROGRAM  
FIRE DEPARTMENT**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-34 at its Meeting held Monday, January 23, 2012, authorizing the Vehicle and Equipment Replacement Program – Fire Department, being 2012 Fire Department Capital Budget (Project No. 6063FD), with a net debenture cost of \$570,000.00;

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

1. That the expenditure of \$570,000.00 for the Vehicle and Equipment Replacement Program for the Fire Department, the following be hereby authorized:

Vehicle and Equipment	\$543,000.00
Temporary Financing Costs	<u>27,000.00</u>
Net Amount to be Debentured	\$570,000.00

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 or notes 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 \$570,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-19**

**A BY-LAW TO AUTHORIZE THE  
CITY HALL BUILDING REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-35 at its Meeting held Monday, January 23, 2012, authorizing the City Hall Building Rehabilitation Program, being 2012 General Government Capital Budget (Project No. 6083GG), with a net debenture cost of \$145,476.00;

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

- 1. That the expenditure of \$145,476.00 for the City Hall Rehabilitation Program be hereby authorized:

City Hall Rehabilitation Cost	\$138,292.00
Financing Costs	<u>7,184.00</u>
Net Amount to be Debentured	\$145,476.00

- 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 or notes 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 \$145,476.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-20**

**A BY-LAW TO AUTHORIZE THE FACILITIES -  
PARKS BUILDING REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-37 at its Meeting held Monday, January 23, 2012, authorizing the Facilities - Parks Building Rehabilitation Program, being 2012 Community Services' Capital Budget (Project No. 6068PR), with a net debenture cost of \$1,300,000.00;

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

1. That the expenditure of \$1,300,000.00 for the Facilities - Parks Building Rehabilitation Program for the following be hereby authorized:

Park Building Rehabilitation Costs	\$1,235,000.00
Financing Costs	<u>\$ 65,000.00</u>
Net Amount to be Debentured	\$1,300,000.00

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 or notes temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$1,300,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD



**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-21**

**A BY-LAW TO AUTHORIZE THE FACILITIES -  
PETE PALANGIO/WEST FERRIS REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-38 at its Meeting held Monday, January 23, 2012, authorizing the Facilities – Pete Palangio/West Ferris Rehabilitation Program, being 2012 Community Services' Capital Budget (Project No. 6066RF), with a net debenture cost of \$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 \$400,000.00 for the Facilities – Pete Palangio/West Ferris Rehabilitation Program for the following be hereby authorized:

West Ferris Arena Roof Design & Rehabilitation	\$237,500.00
Pete Palangio Dressing Room Rehabilitation Costs	142,500.00
Financing Costs	<u>20,000.00</u>
Net Amount to be Debentured	\$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 or notes 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 \$400,000.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-22**

**A BY-LAW TO AUTHORIZE THE  
MEMORIAL GARDENS REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-39 at its Meeting held Monday, January 23, 2012, authorizing the Memorial Gardens Rehabilitation Program, being 2012 Community Services' Capital Budget (Project No. 6065RF), with a net debenture cost of \$300,000.00;

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

- 1. That the expenditure of \$300,000.00 for the Memorial Gardens Rehabilitation Program be hereby authorized:

Electrical Panel Replacement	\$ 95,000.00
Gondola Repairs, Phase 2	28,500.00
Lobby, Box Office & Hall of Fame Room Renovations	161,500.00
Financing Costs	<u>15,000.00</u>
Net Amount to be Debentured	\$300,000.00

- 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 or notes 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 \$300,000.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

PA

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-23**

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

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-40 at its Meeting held Monday, January 23, 2012, authorizing the Recreation Facilities Rehabilitation and Development Program, being 2012 Community Services' Capital Budget (Project No. 6069RF), with a net debenture cost of \$300,000.00;

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

1. That the expenditure of \$300,000.00 for the Recreation Facilities Rehabilitation and Development Program be hereby authorized:

Sports Field Rehabilitation Costs	\$285,000.00
Financing Costs	<u>15,000.00</u>
Net Amount to be Debentured	\$300,000.00

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 or notes 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 \$300,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

DK

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-24**

**A BY-LAW TO AUTHORIZE THE  
PARKING LOT MAINTENANCE AND  
IMPROVEMENT PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-41 at its Meeting held Monday, February 6, 2012, authorizing the Parking Lot Maintenance and Improvement Program, being 2012 Community Services' Capital Budget (Project No. 6079PK), with a net debenture cost of \$800,000.00;

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

1. That the expenditure of \$800,000.00 for the Parking Lot Maintenance and Improvement Program be hereby authorized:

Parking Garage Structural Repairs	\$760,000.00
Financing Costs	<u>40,000.00</u>
Net Amount to be Debentured	\$800,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note or notes temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$800,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-25**

**A BY-LAW TO AUTHORIZE THE AQUATIC CENTRE  
REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-42 at its Meeting held Monday, January 23, 2012, authorizing the Aquatic Centre Rehabilitation Program, being 2012 Community Services' Capital Budget (Project No. 6078PR), with a net debenture cost of \$60,000.00;

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

- 1. That the expenditure of \$60,000.00 for the Aquatic Centre Rehabilitation Program for the following be hereby authorized:

Aquatic Centre Rehabilitation Costs	\$57,000.00
Financing Costs	<u>3,000.00</u>
Net Amount to be Debentured	\$60,000.00

- 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 or notes 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 \$60,000.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-26**

**A BY-LAW TO AUTHORIZE THE PARK  
VEHICLE AND EQUIPMENT REPLACEMENT PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-43 at its Meeting held Monday, January 23, 2012, authorizing the Park Vehicle and Equipment Replacement Program, being 2012 Community Services' Capital Budget (Project No. 6077PR), with a net debenture cost of \$284,000.00;

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

- 1. That the expenditure of \$284,000.00 for the Park Vehicle and Equipment Replacement Program be hereby authorized:

Vehicle and Replacement Cost	\$269,800.00
Financing Costs	<u>14,200.00</u>
Net Amount to be Debentured	\$284,000.00

- 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 or notes 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 \$284,000.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-27**

**A BY-LAW TO AUTHORIZE THE  
TRAIL & SUPPORTING  
HARD SURFACES REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-44 at its Meeting held Monday, January 23, 2012, authorizing the Parks – Trail and Supporting Hard Surfaces Rehabilitation Program, being 2012 Community Services Capital Budget (Project No. 6076PR), with a net debenture cost of \$170,000.00;

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

- 1. That the expenditure of \$170,000.00 for the Parks – Trail and Supporting Hard Surfaces Rehabilitation Program, the following be hereby authorized:

Rehabilitation Costs	\$161,500.00
Financing Costs	<u>8,500.00</u>
Net Amount to be Debentured	\$170,000.00

- 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 or notes 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 \$170,000.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CLERK CITY CATHERINE CONRAD

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**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-28**

**A BY-LAW TO AUTHORIZE THE  
CITY HALL GROUNDS  
REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-45 at its Meeting held Monday, January 23, 2012, authorizing the Parks – City Hall Grounds Rehabilitation Program, being 2012 Community Services Capital Budget (Project No. 6074PR), with a net debenture cost of \$91,000.00;

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

1. That the expenditure of \$91,000.00 for the Parks – City Hall Grounds Rehabilitation Program, the following be hereby authorized:

City Hall Rehabilitation Costs	\$86,450.00
Financing Costs	<u>4,550.00</u>
Net Amount to be Debentured	\$91,000.00

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 or notes 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 \$91,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

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MAYOR ALLAN McDONALD

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CLERK CITY CATHERINE CONRAD



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**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-29**

**A BY-LAW TO AUTHORIZE THE  
DOWNTOWN SIDEWALK REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-46 at its Meeting held Monday, January 23, 2012, authorizing the Downtown Sidewalk Rehabilitation Program, being 2012 Community Services' Capital Budget (Project No. 6073PR), with a net debenture cost of \$95,000.00;

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

- 1. That the expenditure of \$95,000.00 for the Downtown Sidewalk Rehabilitation Program be hereby authorized:

Downtown Sidewalk Costs	\$90,250.00
Financing Costs	<u>4,750.00</u>
Net Amount to be Debentured	\$95,000.00

- 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 or notes 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 \$95,000.00 limited in this by-law.
- 3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

AK

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-30**

**A BY-LAW TO AUTHORIZE THE  
WATERFRONT REHABILITATION  
PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-47 at its Meeting held Monday, January 23, 2012, authorizing the Parks – Waterfront Rehabilitation Program, being 2012 Community Services Capital Budget (Project No. 6072PR), with a net debenture cost of \$96,000.00;

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

1. That the expenditure of \$96,000.00 for the Parks – Waterfront Rehabilitation Program, the following be hereby authorized:

Waterfront Rehabilitation Costs	\$91,200.00
Financing Costs	<u>4,800.00</u>
Net Amount to be Debentured	\$96,000.00

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 or notes 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 \$96,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CLERK CITY CATHERINE CONRAD

AK

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-31**

**A BY-LAW TO AUTHORIZE THE  
PARK AND PLAYGROUND  
REHABILITATION PROGRAM**

**WHEREAS** the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

**AND WHEREAS** the Council passed Resolution 2012-48 at its Meeting held Monday, January 23, 2012, authorizing the Parks – Parks and Playground Rehabilitation Program, being 2012 Community Services Capital Budget (Project No. 6071PR), with a net debenture cost of \$217,000.00;

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

1. That the expenditure of \$217,000.00 for the Parks – Parks and Playground Rehabilitation Program, the following be hereby authorized:

Park and Playground Rehabilitation Costs	\$206,150.00
Financing Costs	<u>10,850.00</u>
Net Amount to be Debentured	\$217,000.00

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 or notes 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 \$217,000.00 limited in this by-law.
3. Any promissory note or notes 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 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CLERK CITY CATHERINE CONRAD

K

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-33**

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A TRANSFER FROM THE NORTH BAY REGIONAL HEALTH CENTRE TO THE CORPORATION OF THE CITY OF NORTH BAY OF LOTS 434 – 438, PLAN 78, IN THE CITY OF NORTH BAY, IN THE DISTRICT OF NIPISSING (RELATING TO BOURKE STREET PLAYGROUND).

**WHEREAS** the Municipality is authorized by Section 10.(2) of the *Municipal Act*, S.O. 2001, Chapter c.25, to acquire lands for public purposes;

**WHEREAS** the Transfer from North Bay Regional Health Centre to The Corporation of the City of North Bay was approved by Resolution No. 2012-65 passed on the 23rd day of January, 2012;

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

1. That The Corporation of the City of North Bay accept a transfer of Lots 434 – 438 on Plan 78, City of North Bay, District of Nipissing from the North Bay Regional Health Centre, relating to Bourke Street playground.
  
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute the transfer between North Bay Regional Health Centre and The Corporation of the City of North Bay and to affix thereto the corporate seal. The City Solicitor has the authority to electronically sign for completeness and release any documents required to be registered on title.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6TH DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN MCDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-11**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80  
TO REZONE CERTAIN LANDS ON WORTHINGTON STREET EAST  
FROM A "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO.60"  
TO A "RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL ZONE NO. 126 (RM1 SP.126)"**

**(ORLANDO ROSALES & MABEL HERNANDEZ – 403 WORTHINGTON ST. E.)**

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

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

**AND WHEREAS** it is deemed desirable to amend the zoning designation shown on Schedule "B-51" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

**AND WHEREAS** Council passed a resolution on February 6th, 2012 to approve this rezoning.

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

1) Schedule "B-51" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Registered Plan No. 10, Part of Lot 291, known locally as 403 Worthington Street East in the City of North Bay) from a "Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)" to a "Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)".

2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.126:

11.2.126 Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)

11.2.126.1 The property description of this "Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)" is Registered Plan No. 10, Part of Lot 291, known locally as 403 Worthington Street East in the City of North Bay, as shown on the attached Schedules and on Schedule "B-51".

11.2.126.2 The permitted land uses in this "Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)" are as follows:

- Duplex Dwelling
- Semi-Detached dwelling

- Triplex
- Double Duplex
- Boarding or rooming house or Group home type 1
- Multiple Dwellings (Up to 4 apartment units)
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

11.2.126.3 The regulations for this “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” are as follows:

- i) Decrease the Minimum Lot Area per dwelling unit from the required 232.2 sq.m. to the existing 101.2 sq.m.;
- ii) Decrease the exterior side yard setback from the required 3.0 metres to the existing 2.2 metres;
- iii) Decrease the lot frontage from the required 30.0 metres to the existing 16.7 metres;
- iv) Remove the requirement to provide outdoor Play Space;
- v) Provide and maintain not less than four (4) parking spaces on the subject lands; and
- vi) Decrease the required Visitor Parking from 20% to Nil.

11.2.126.4 The use of land or building in this “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 3) Section 11 of By-law No. 28-80 is further amended by inserting “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” as shown on Schedule "B" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule “A” attached hereto are hereby designated a Site Plan Control Area.

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

**READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.**

**READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF  
FEBRUARY, 2012.**

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**MAYOR, ALLAN MCDONALD**

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**CITY CLERK, CATHERINE CONRAD**

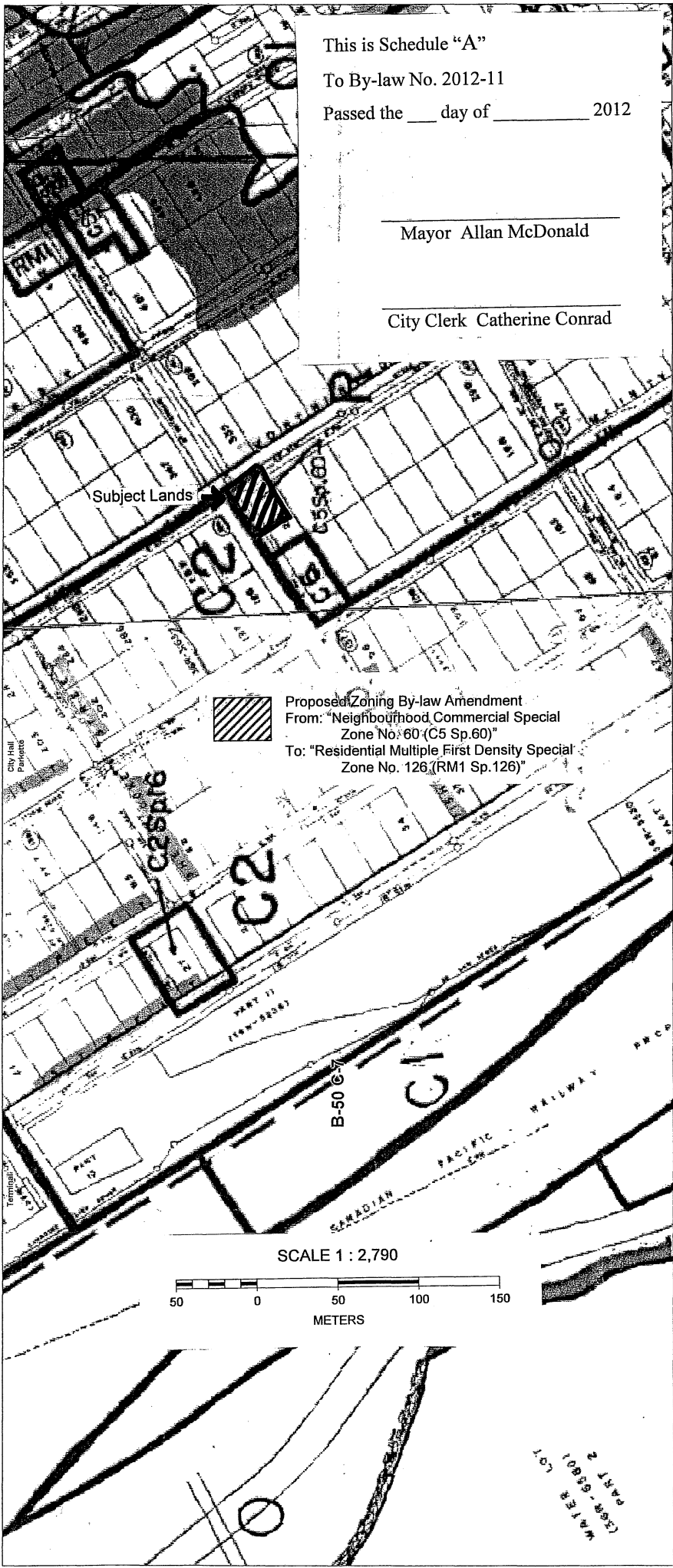
This is Schedule "A"

To By-law No. 2012-11

Passed the \_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Mayor Allan McDonald

\_\_\_\_\_  
City Clerk Catherine Conrad

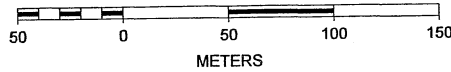


Subject Lands



Proposed Zoning By-law Amendment  
From: "Neighbourhood Commercial Special  
Zone No. 60 (C5 Sp.60)"  
To: "Residential Multiple First Density Special  
Zone No. 126 (RM1 Sp.126)"

SCALE 1 : 2,790



WATER LOT  
SER - 65801  
PART 2  
LOT



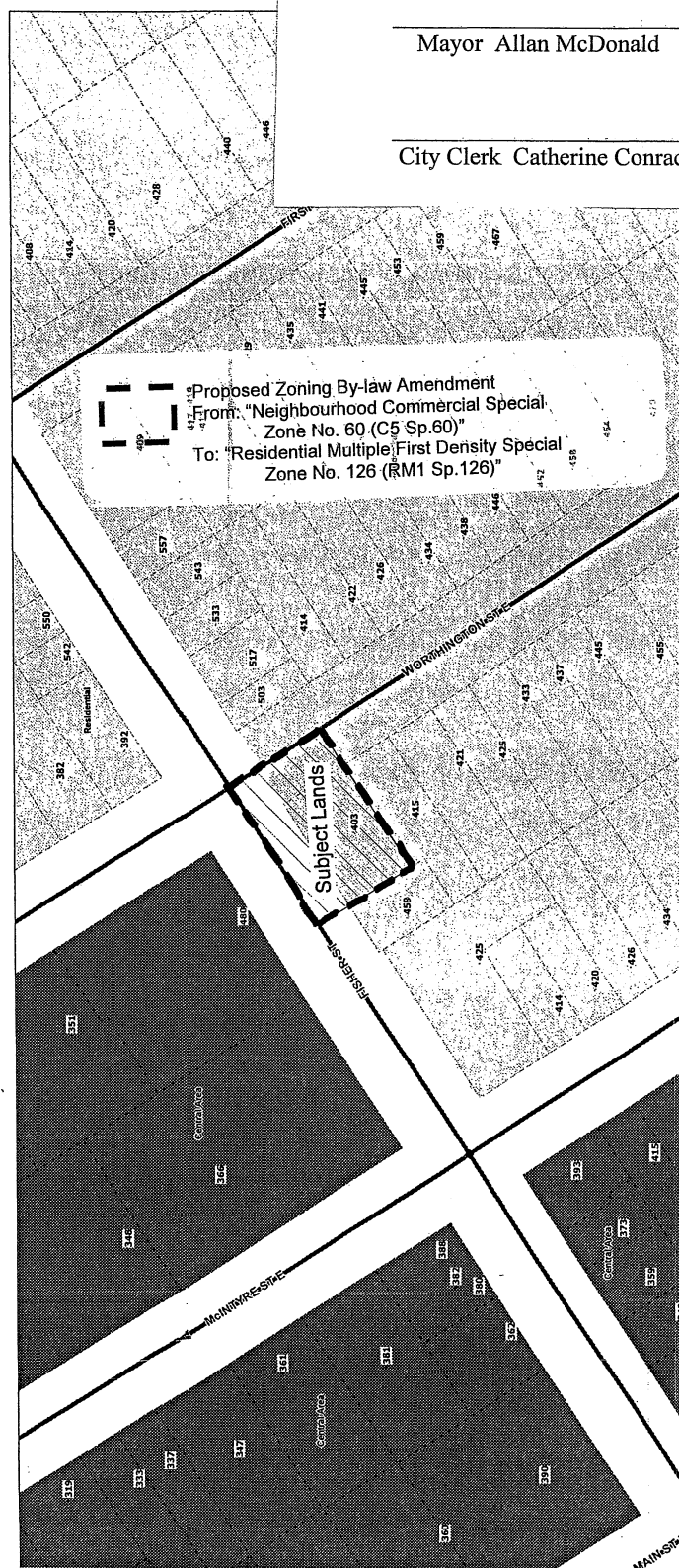
This is Schedule "B"

To By-law No. 2012-11

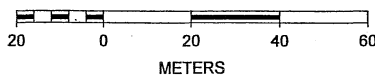
Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,324





**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-13**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80  
TO REZONE CERTAIN LANDS ON PERCY STREET  
FROM A "RESIDENTIAL THIRD DENSITY (R3)" ZONE  
TO A "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 127 (RM3 SP.127)"**

**(2046304 ONTARIO LTD. – 342 PERCY STREET)**

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

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

**AND WHEREAS** it is deemed desirable to amend the zoning designation shown on Schedule "B-50" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

**AND WHEREAS** Council passed a resolution on February 6th, 2012 to approve this rezoning.

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

- 1) Schedule "B-50" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Plan 48 Lots 170 and 171, Part Lots 172 181 And 182, 342 Percy Street in the City of North Bay) from a "Residential Third Density (R3)" zone to a "Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.127:
  - 11.2.127 Residential Multiple Third Density Special Zone No.127 (RM3 Sp.127)
  - 11.2.127.1 The property description of this "Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)" is Plan 48 Lots 170 and 171, Part Lots 172 181 And 182, 342 Percy Street in the City of North Bay, as shown on the attached Schedules and on Schedule "B-50".
  - 11.2.127.2 The permitted land uses in this "Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)" are as follows:
    - apartment dwellings;
    - parks, playgrounds and associated non-profit uses;
    - licenced day nurseries, churches, public schools other than trade schools;

- institutional uses;
- accessory home based business; and
- accessory non-residential use under Subsection 5.3.5.

11.2.127.3 The regulations for this “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)” are as follows:

- i) Increase the Maximum Gross Floor Area as a percentage of Lot Area from the 75% to the requested 95%;
- ii) Decrease the front yard setback from the required 7.6 metres to the existing 0.0 metres;
- iii) Decrease the northerly interior side yard setback from the required 6.0 metres to the existing 0.12 metres;
- iv) Decrease the southerly interior side yard setback from the required 6.0 metres to the existing 3.47 metres;
- v) Decrease the rear yard setback from the required 7.6 metres to the existing 4.50 metres;
- vi) Reduce landscaping buffers from the required 1.5 metres to Nil along the side and rear property lines;
- vii) Provide and maintain not less than eight (8) parking spaces on the subject lands; and
- viii) Decrease the required Visitor Parking from 20% to Nil.

11.2.127.4 The use of land or building in this “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)” shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 3) Section 11 of By-law No. 28-80 is further amended by inserting “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)” as shown on Schedule "B" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule “A” attached hereto are hereby designated a Site Plan Control Area.

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

**READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.**

**READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF  
FEBRUARY, 2012.**

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**MAYOR, ALLAN MCDONALD**

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**CITY CLERK, CATHERINE CONRAD**

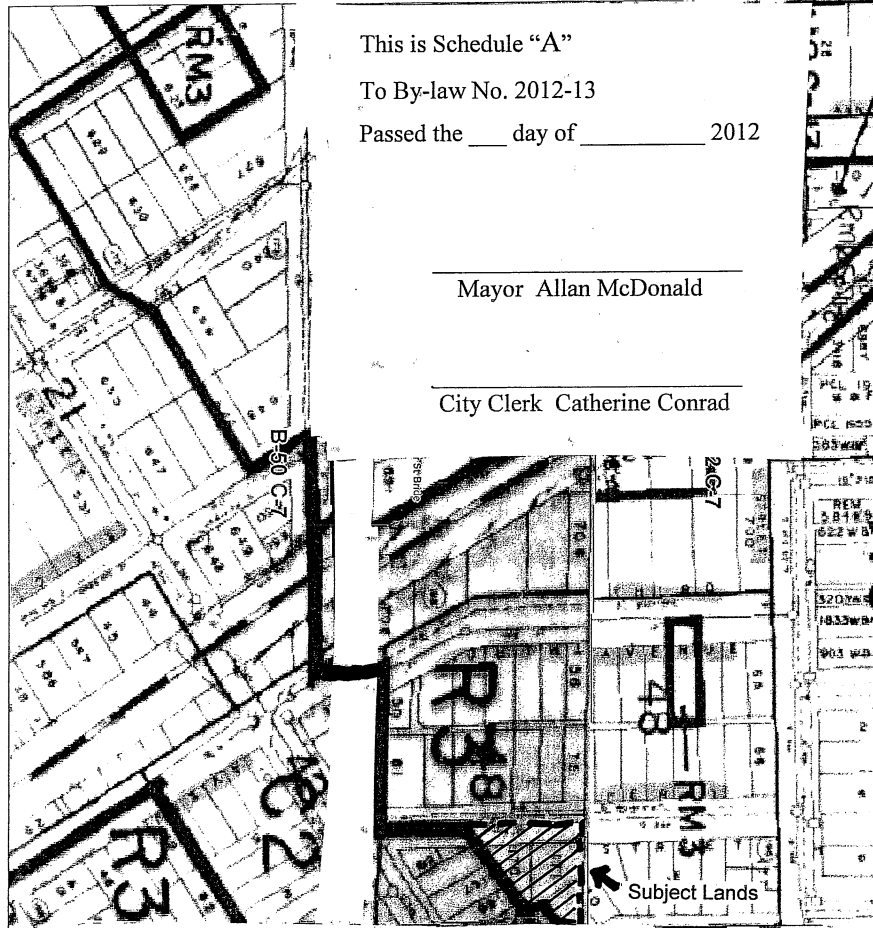
This is Schedule "A"

To By-law No. 2012-13

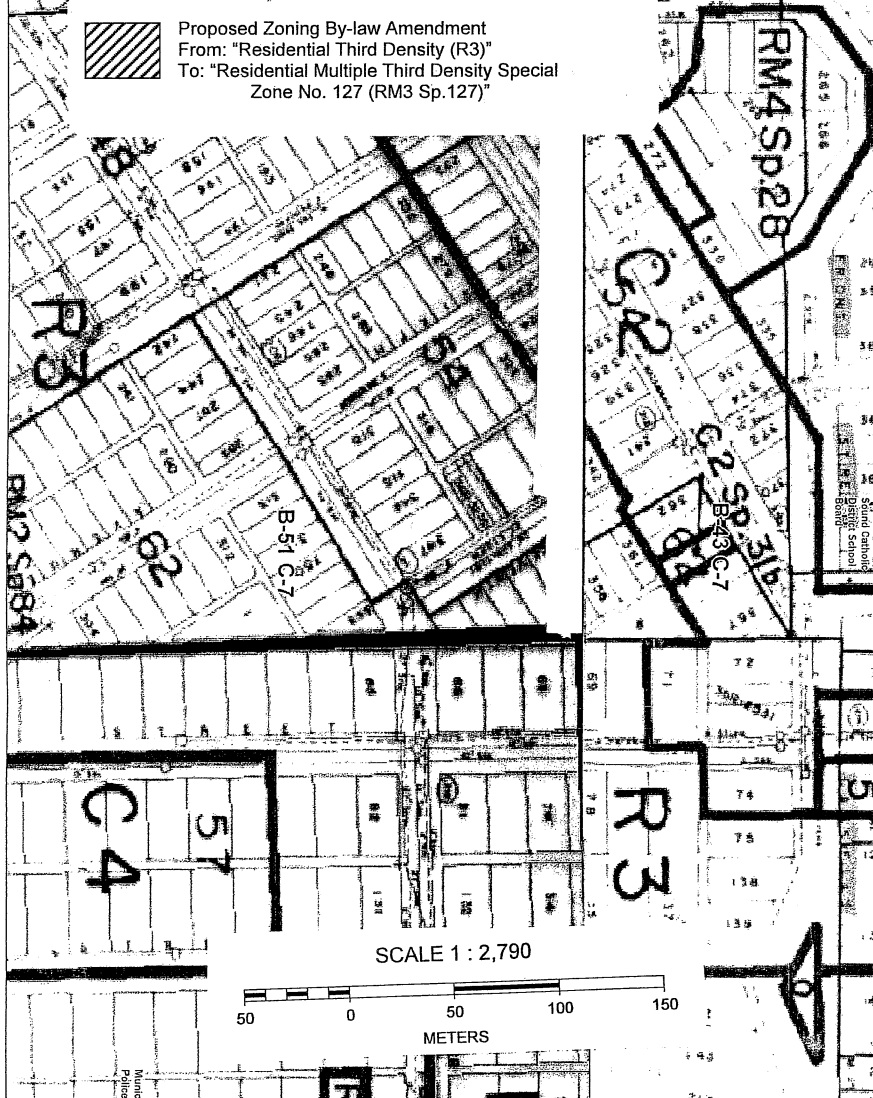
Passed the \_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Mayor Allan McDonald

\_\_\_\_\_  
City Clerk Catherine Conrad



Proposed Zoning By-law Amendment  
From: "Residential Third Density (R3)"  
To: "Residential Multiple Third Density Special  
Zone No. 127 (RM3 Sp.127)"



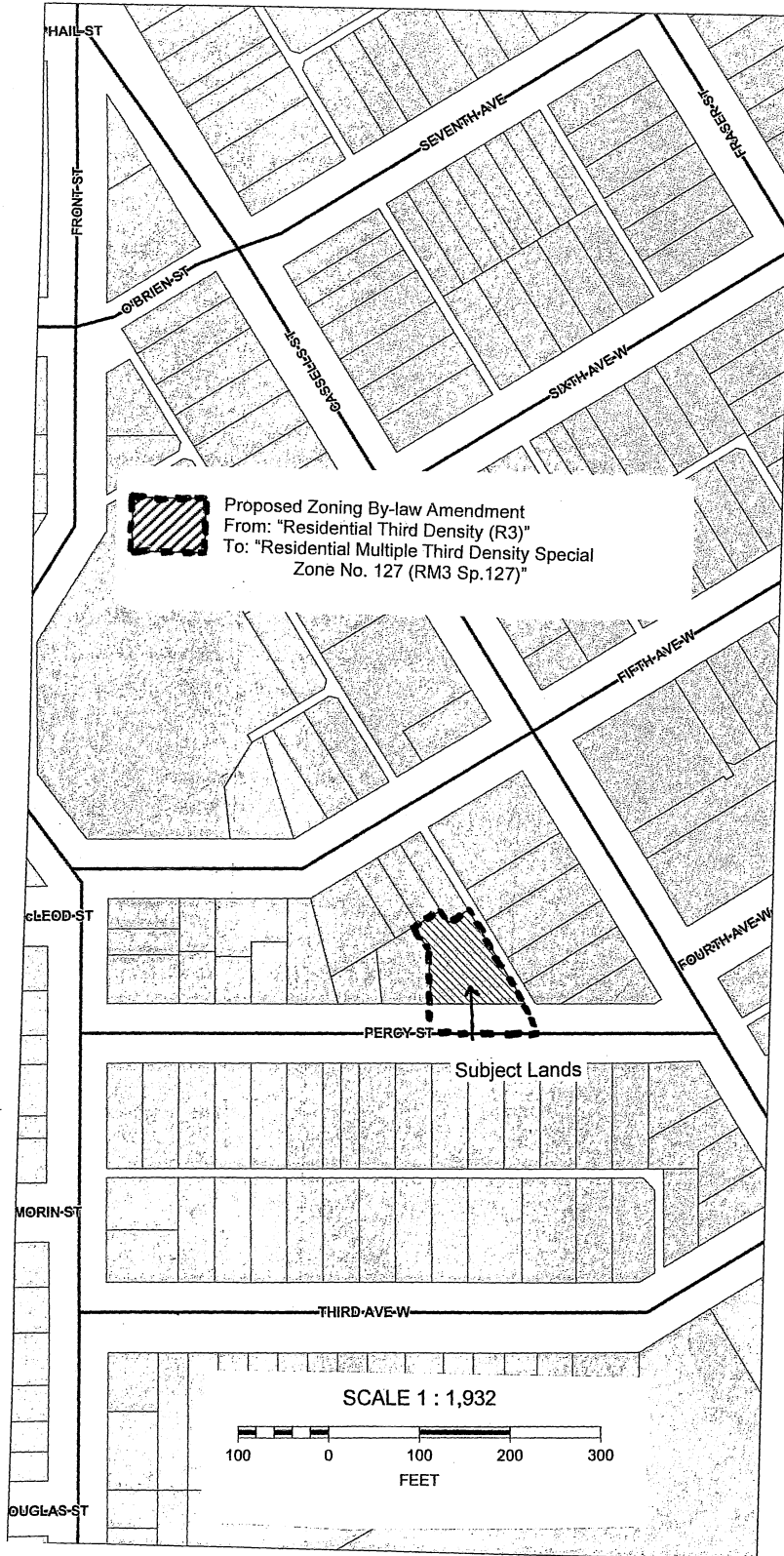
This is Schedule "B"

To By-law No. 2012-13

Passed the \_\_\_ day of \_\_\_\_\_ 2012

\_\_\_\_\_  
Mayor Allan McDonald

\_\_\_\_\_  
City Clerk Catherine Conrad







THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-15

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON BLOEM STREET FROM A "RESIDENTIAL FIRST DENSITY (R1)" ZONE AND AN "INSTITUTIONAL (N)" TO A "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 81 (C5 SP.81)"

(NORTH BAY GENERAL HOSPITAL – 685 BLOEM STREET)

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

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

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule "B-42" of By-law Number 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on February 6<sup>th</sup>, 2012 to approve this rezoning.

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

1) Schedule "B-42" of By-law Number 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (more particularly known as Concession C, Part of Lot 21, Registered Plan No. 91, Lots 9 to 15, and Registered Plan No. 99, Lots 12, 13, 19, 20 and 21, PIN #49162-0563(LT), in the former Township of Widdifield, known locally as the former site of the North Bay General Hospital - Nipissing Building in the City of North Bay) from a "Residential First Density (R1)" zone and an "Institutional (N)" zone to a "Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81)".

2) Section 11 of the By-law Number 28-80 is amended by inserting at the end thereof the following Section 11.3.81:

"11.3.81 Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81)

11.3.81.1 The property description of this Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81) is Concession C, Part of Lot 21, Registered Plan No. 91, Lots 9 to 15, and Registered Plan No. 99, Lots 12, 13, 19, 20 and 21, PIN #49162-0563(LT), in the former Township of Widdifield, known locally as the former site of the North Bay General Hospital - Nipissing Building in the City of North Bay, as shown on the attached Schedule "A" and on Schedule "B-42".

11.3.81.2 The regulations for this Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81) are as follows:

The permitted uses shall be limited to the following:

- day nursery;
- personal service establishments;

- professional offices & business offices; and
- dwelling units connected to and forming an integral part of the commercial building provided that they do not exceed the floor area of the commercial portion of the use and access to the dwelling units is separate from the access to the commercial portion of the building, and the dwelling units are located above or at the rear of the premises.

11.3.81.3 The special component of the Zoning By-law Amendment would reduce the front yard setback from the required 9 metres to the existing 7.356 metres and the minimum rear yard setback from the required 10.5 metres to the existing of 8.48 metres.

11.3.81.4 The use of land or building in this Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81) shall conform to all other regulations of this By-law except as hereby expressly varied.”

- 3) Section 11 of By-law Number 28-80 is further amended by inserting “Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81)” as shown on Schedule “B” to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O, 1990 as amended, those lands shown on Schedule “B” attached hereto are hereby designated a Site Plan Control Area.
- 5)
  - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of Reg. 254/06, as amended.
  - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
  - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF FEBRUARY 2012.

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MAYOR ALLAN MCDONALD

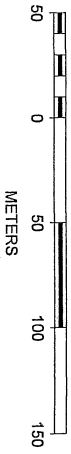
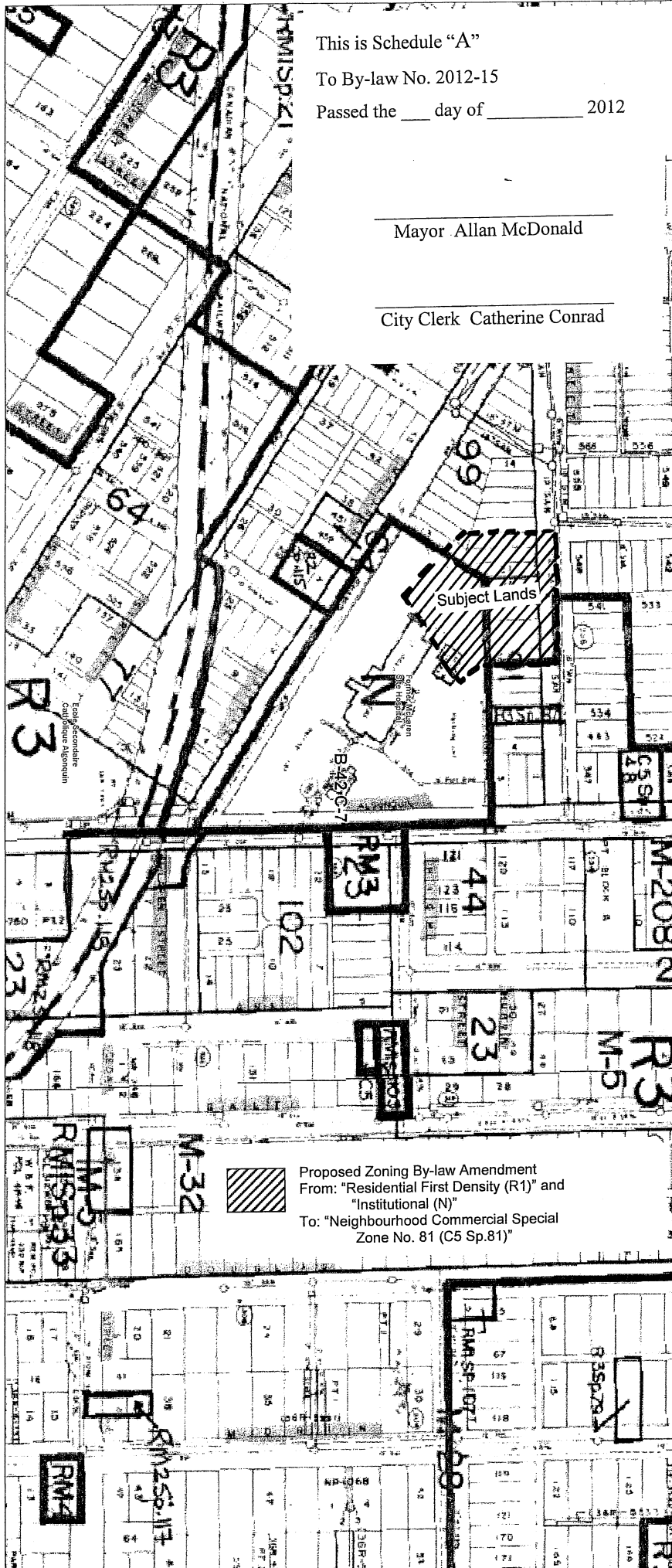
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CITY CLERK CATHERINE CONRAD

This is Schedule "A"  
To By-law No. 2012-15  
Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,790



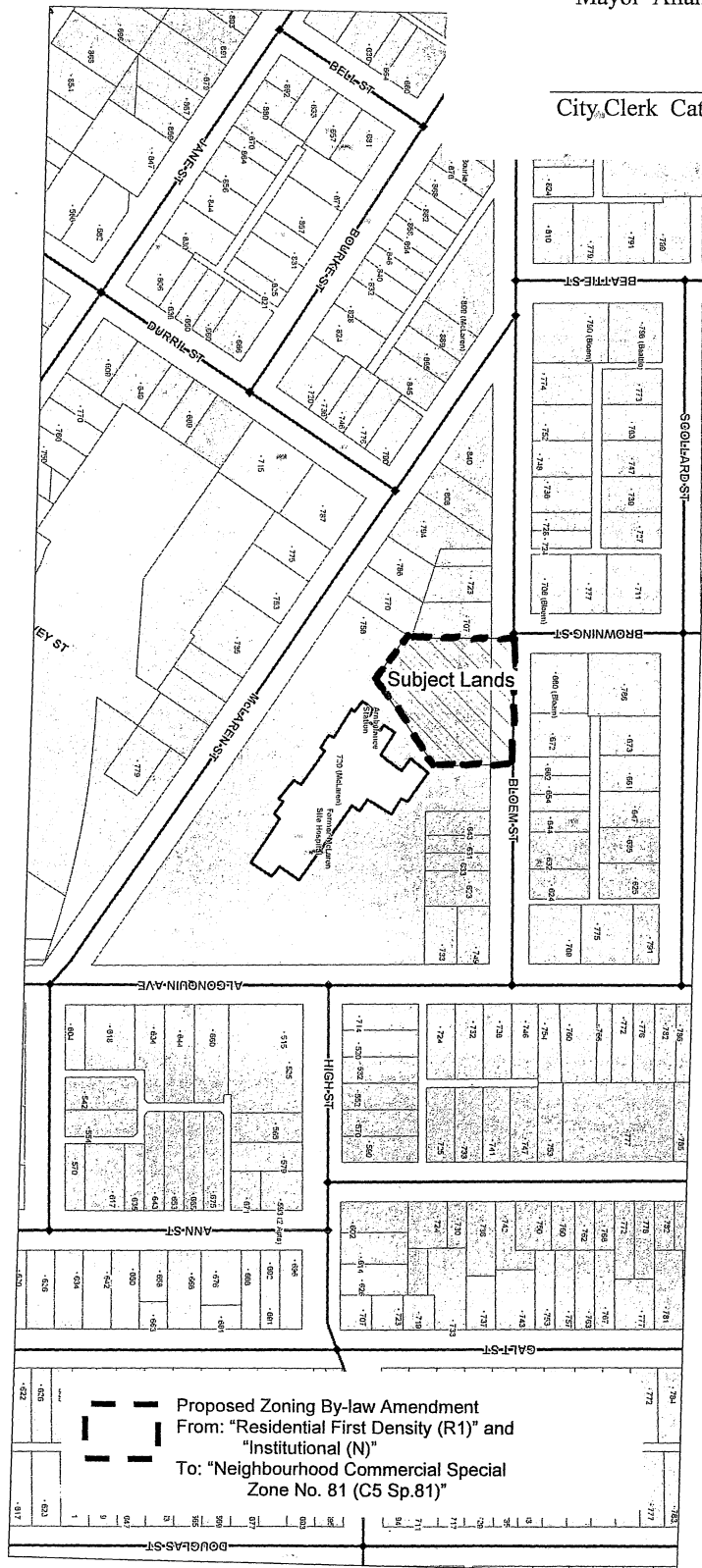
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To By-law No. 2012-15

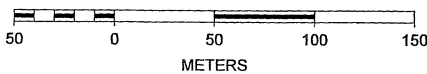
Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,920





**THE CORPORATION OF THE CITY OF NORTH BAY****BY-LAW NO. 2012-12****BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON WORTHINGTON STREET EAST****(ORLANDO ROSALES & MABEL HERNANDEZ – 403 WORTHINGTON STREET EAST)**

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

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

**AND WHEREAS** Council intends to pass By-law No. 2012-11 to rezone the subject property to a 'Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)' to permit the conversion of the existing building into a four (4) unit apartment building.

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

- 1) That certain parcel of land composed of Registered Plan No. 10, Part of Lot 291, known locally as 403 Worthington Street East in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval of buildings and structures referred to in Section 2 hereof, no buildings or structures shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
  - a) Parking facilities and access driveways and the surfacing of such areas and driveways;
  - b) Walkways and the surfacing thereof;
  - c) Facilities for lighting, including floodlighting;
  - d) Walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
  - e) Collection areas and other facilities and enclosures for the storage of garbage and other waste material;
  - f) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
  - and
  - g) Adequate water supply for firefighting purposes.

- 4) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$600 upon the Owner for preparation.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 5) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 427 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6TH DAY OF FEBRUARY 2012.

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MAYOR ALLAN MCDONALD

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CITY CLERK CATHERINE CONRAD



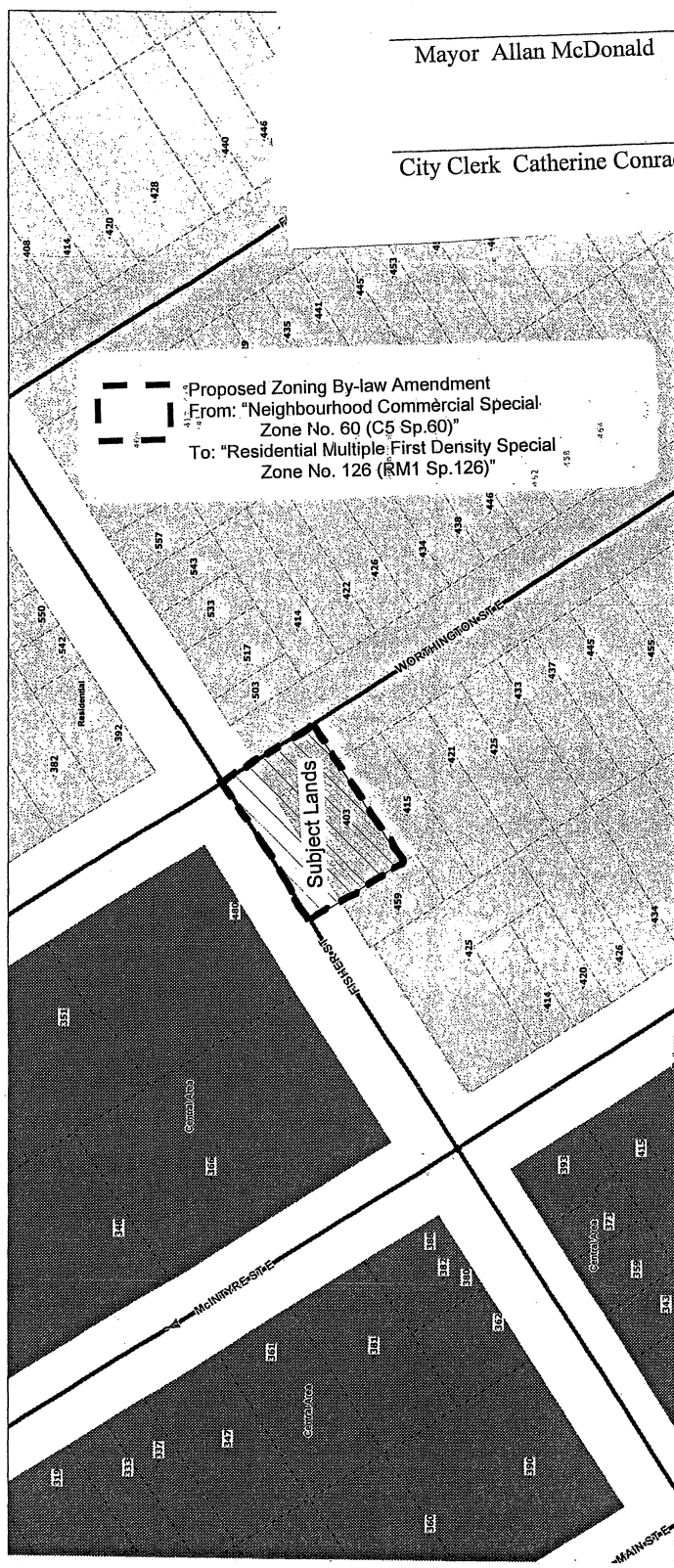
This is Schedule "A"

To By-law No. 2012-12

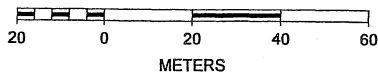
Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,324





**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-14**

**BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON PERCY STREET**

**(2046304 ONTARIO LTD. – 342 PERCY STREET)**

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

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

**AND WHEREAS** Council intends to pass By-law No. 2012-13 to rezone the subject property to a 'Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)' to permit the conversion of the existing building (former Service Master Building) into an eight (8) unit apartment building.

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

- 1) That certain parcel of land composed of Plan 48 Lots 170 and 171, Part Lots 172 181 And 182, 342 Percy Street in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval of buildings and structures referred to in Section 2 hereof, no buildings or structures shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
  - a) Parking facilities and access driveways and the surfacing of such areas and driveways;
  - b) Walkways and the surfacing thereof;
  - c) Facilities for lighting, including floodlighting;
  - d) Walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
  - e) Collection areas and other facilities and enclosures for the storage of garbage and other waste material;
  - f) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
  - and
  - g) Adequate water supply for firefighting purposes.

- 4) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$1,200 upon the owner for preparation.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 5) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 427 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6TH DAY OF FEBRUARY 2012.

---

MAYOR ALLAN MCDONALD

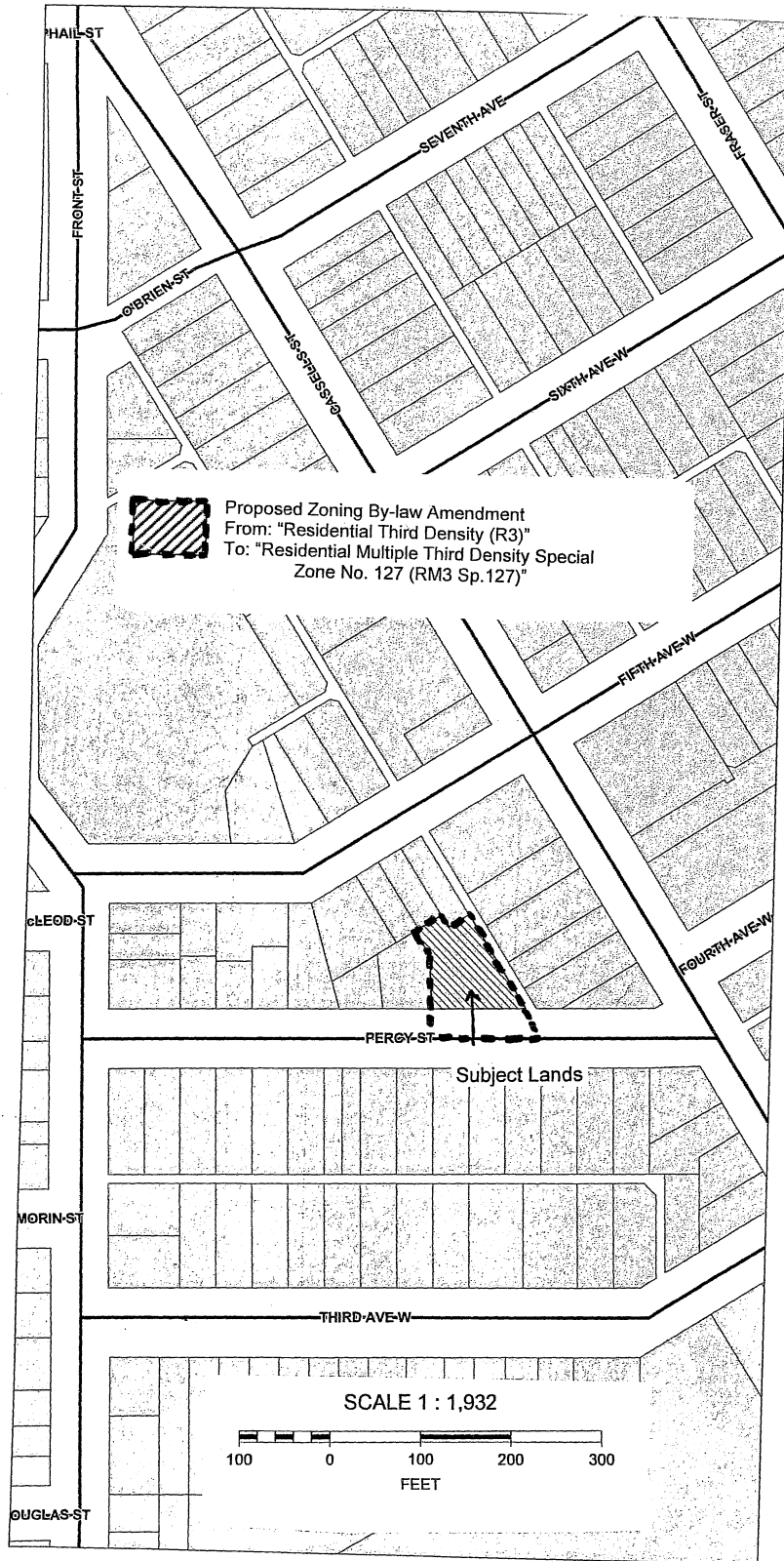
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CITY CLERK CATHERINE CONRAD

This is Schedule "A"  
To By-law No. 2012-14  
Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

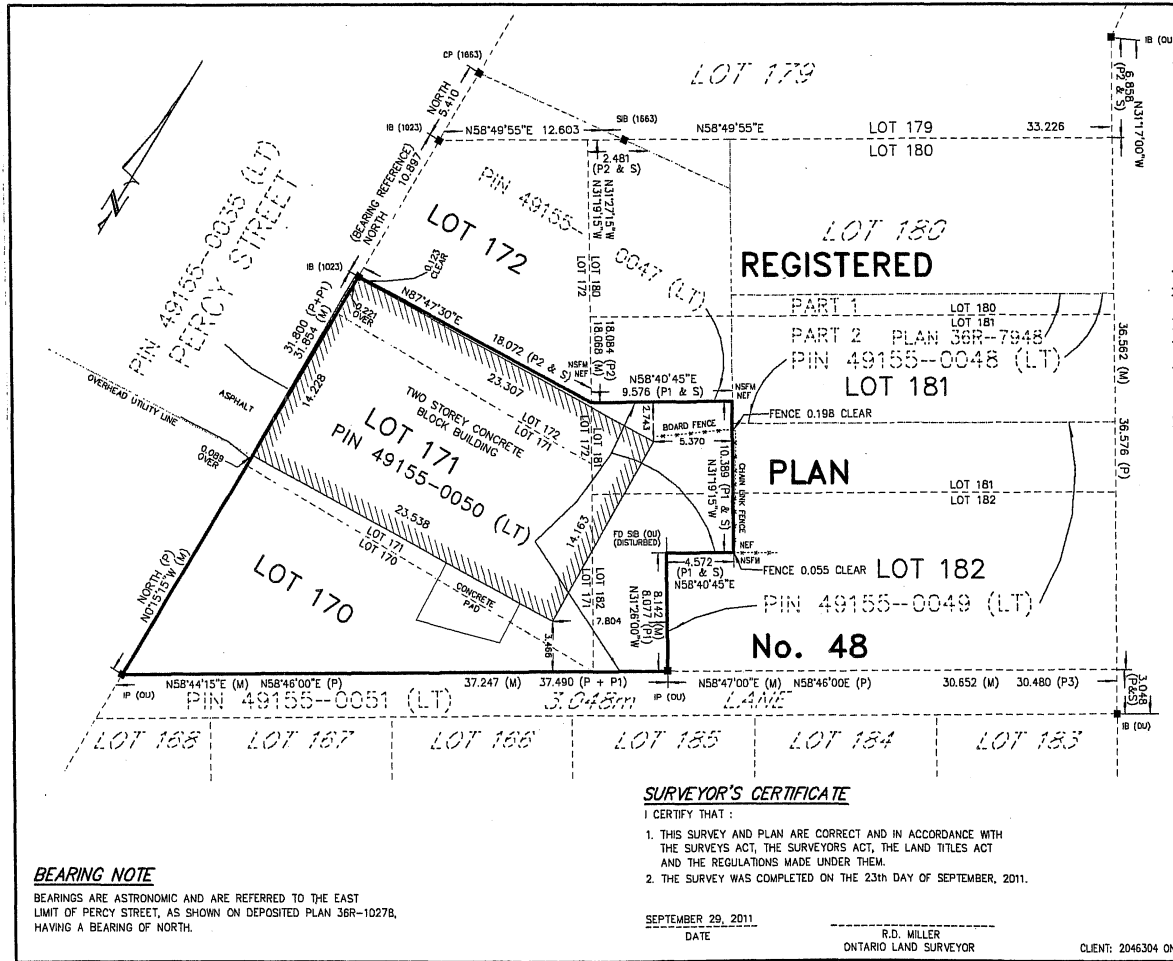
City Clerk Catherine Conrad



This is Schedule "B"  
 To By-law No. 2012-14  
 Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



**PART 2**  
 THIS PLAN MUST BE READ IN CONJUNCTION WITH  
 SURVEY REPORT DATED SEPTEMBER 28, 2011.

SURVEYOR'S REAL PROPERTY REPORT  
 PART 1, PLAN OF SURVEY OF  
 ALL OF LOTS 170 AND 171  
 AND PART OF LOTS 172,  
 181 AND 182  
 REGISTERED PLAN No. 48  
**CITY OF NORTH BAY**  
 DISTRICT OF NIPISSING

0 5 10m  
 SCALE 1 : 250

Miller & Urso Surveying Inc.

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

**LEGEND**

■	DENOTES	FOUND MONUMENT
M	DENOTES	MEASURED
IB	DENOTES	IRON BAR
IP	DENOTES	IRON PIPE
SB	DENOTES	STANDARD IRON BAR
CP	DENOTES	CONCRETE PIN
QU	DENOTES	ORIGIN UNKNOWN
NEF	DENOTES	NO EVIDENCE FOUND
NSFM	DENOTES	NOT SUITABLE FOR MONUMENTATION
1023	DENOTES	D. J. MACDONELL, O.L.S.
1653	DENOTES	PAUL GOODRIDGE, O.L.S.
P	DENOTES	REGISTERED PLAN No. 48
P1	DENOTES	TRANSFER No. 103112
P2	DENOTES	DEPOSITED PLAN 368-10278
P3	DENOTES	TRANSFER No. 97180

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

1501 ST. WOUR STREET,  
 NORTH BAY ON P18 8K4  
 TEL: (705) 474-1210  
 FAX: (705) 474-1263

DRAWN BY: C.A.L.  
 CHECKED BY: R.D.M.  
 FIELD: K.M., S.M., C.B. | WO No: 3659

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-16

BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON BLOEM STREET

(NORTH BAY GENERAL HOSPITAL – 685 BLOEM STREET)

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

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

AND WHEREAS Council intends to pass By-law No. 2012-15 to rezone the subject property to a 'Neighbourhood Commercial Special Zone No. 81 (C5 Sp.81)' to permit the conversion of the existing building (former Nipissing Building) into a commercial building providing professional office space.

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

- 1) That certain parcel of land composed of Concession C, Part of Lot 21, Registered Plan No. 91, Lots 9 to 15, and Registered Plan No. 99, Lots 12, 13, 19, 20 and 21, PIN #49162-0563(LT), in the former Township of Widdifield, known locally as the former site of the North Bay General Hospital - Nipissing Building in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval of buildings and structures referred to in Section 2 hereof, no buildings or structures shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
  - a) Parking facilities and access driveways and the surfacing of such areas and driveways;
  - b) Walkways and the surfacing thereof;
  - c) Facilities for lighting, including floodlighting;
  - d) Walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
  - e) Collection areas and other facilities and enclosures for the storage of garbage and other waste material;
  - f) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon; and
  - g) Adequate water supply for fire fighting purposes;

- 4) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$1,200 upon the owner for preparation.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 5) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 427 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6TH DAY OF FEBRUARY 2012.

---

MAYOR ALLAN MCDONALD

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CITY CLERK CATHERINE CONRAD



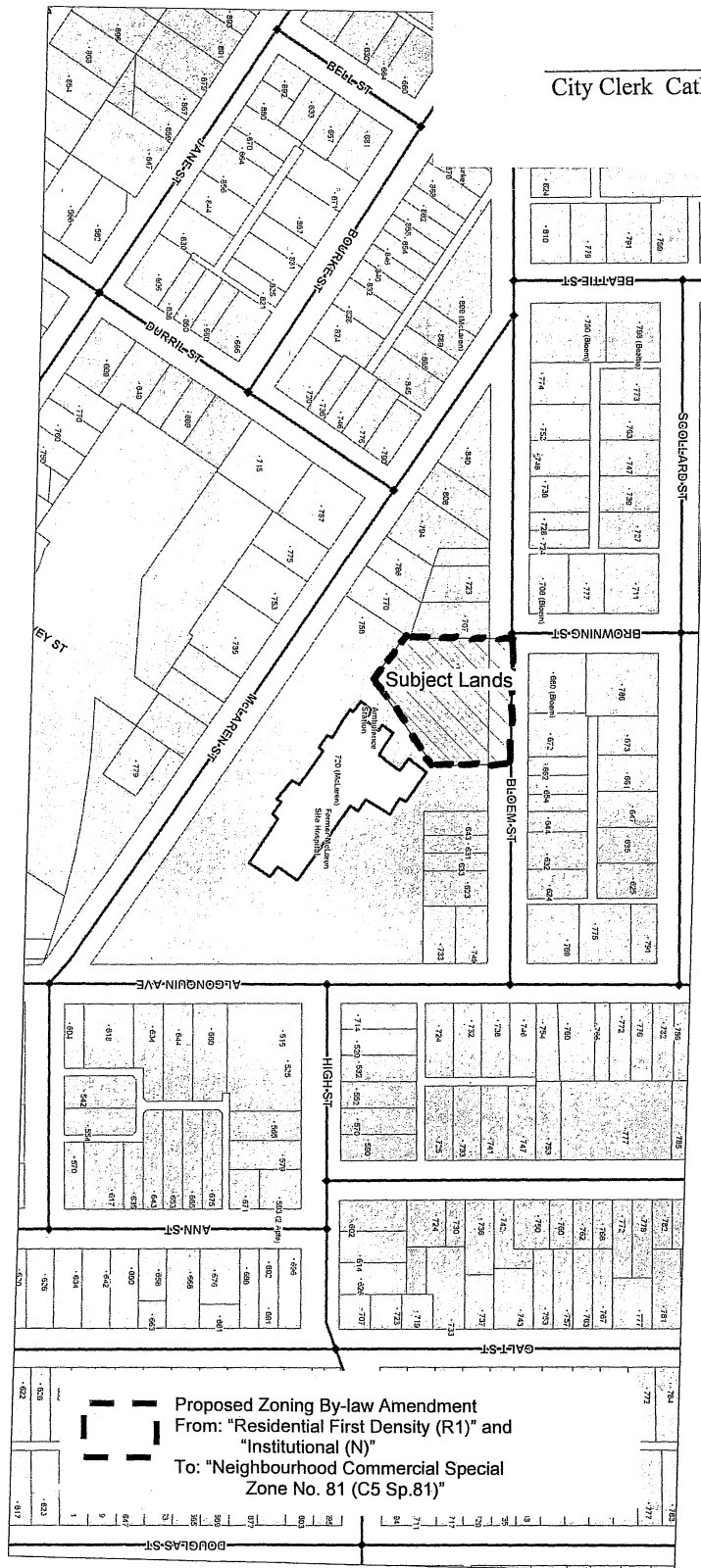
This is Schedule "A"

To By-law No. 2012-16

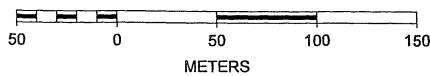
Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,920




This is Schedule "B"

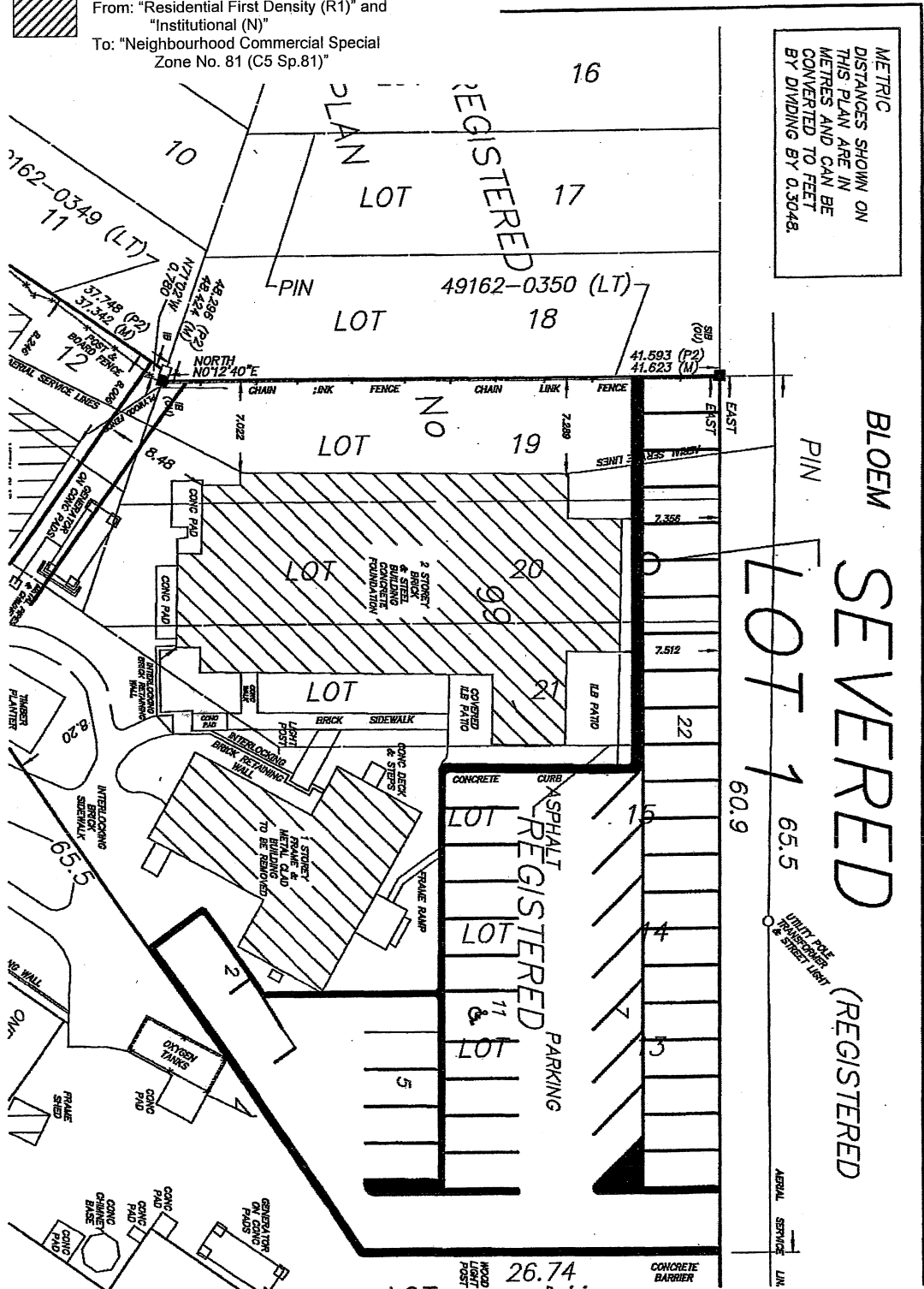
To By-law No. 2012-16

Passed the \_\_\_ day of \_\_\_\_\_ 2012

Mayor Allan McDonald

City Clerk Catherine Conrad

 Proposed Zoning By-law Amendment  
From: "Residential First Density (R1)" and  
"Institutional (N)"  
To: "Neighbourhood Commercial Special  
Zone No. 81 (C5 Sp.81)"



**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-32**

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION  
OF AN AGREEMENT WITH STANTEC CONSULTING  
LTD. RELATING TO THE INFRASTRUCTURE ASSET  
MANAGEMENT DATA UPDATE**

**WHEREAS** the Agreement with Stantec Consulting Ltd. for an update of the Infrastructure Asset Management Data was approved by Resolution No. 2011-496 passed by Council on the 4<sup>th</sup> day of July, 2011;

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

1. That The Corporation of the City of North Bay enter into an Agreement dated the 15<sup>th</sup> day of December, 2011 with Stantec Consulting Ltd. relating to an update of the Infrastructure Asset Management Data.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Stantec Consulting Ltd. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012. RM

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2012.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD