



Council

Agenda

**Regular Meeting of Council
January 9, 2012
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
JANUARY 9, 2012**

Monday, January 9, 2012

5:00 p.m.

Special Closed Meeting of Council
Council will adjourn in-camera for
training and educational purposes
5th Floor Boardroom

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, JANUARY 9, 2012**

PUBLIC PRESENTATIONS:

PUBLIC MEETING MINUTES:

Monday, November 28, 2011
Monday, December 12, 2011
Monday, December 19, 2011

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

Nil

COMMITTEE REPORTS:

General Government Committee Report No. 2011-19
General Government Committee Report No. 2011-20
Community Services Committee Report No. 2012-01
Community Services Committee Report No. 2012-02

CORRESPONDENCE:

1. Letter from the North Bay Elk's Lodge #25 dated December 12, 2011 re Liquor license extension (P09/2012/LICEN/LIQUOR).
2. Report from E. Acs dated December 7, 2011 re Rezoning application by Harriman & Associates on behalf of 2046304 Ontario Ltd. - 342 Percy Street (D14/2011/20463/342PERCY).
3. Report from E. Acs dated December 7, 2011 re Rezoning application by Goodridge Planning & Surveying on behalf of the North Bay General Hospital - 685 Bloem Street (D14/2011/NBGH/BLOEMST).
4. Report from E. Acs dated December 7, 2011 re Rezoning application by Orlando Rosales & Mabel Hernandez - 403 Worthington Street East (D14/2011/ROHER/403WORTH).
5. Rezoning application by Southshore Investments Inc. - 1704, 1710, 1720 and 1730 Main Street West (D14/2012/SSINV/MAINSTW).
6. Report from D. Carvell dated January 3, 2012 re Purchase of electrical cooling system units (EMP) (F05/2011/TRANS/EMP).
7. Report from L. Rochefort dated January 3, 2012 re 2012 Interim Tax Rates By-Law and 2012 Adjustments to Interim Taxes By-Law (F22/2012/TAXR/GENERAL).

8. Report from S. McArthur dated January 4, 2012 re Lane closure application in a block bounded by McLeod Street, Delaware Avenue, Douglas Street and Hutcheson Avenue (L07/2012/LANEW/MCLEOD).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2012-04 to confirm proceedings of the Meeting of Council on December 19, 2011.

General Government - Third reading:

By-Law No. 2011-242 to stop up, close and convey a portion of the laneway in block bounded by King Street West, High Street and McPhail Street.

Community Services - First and second readings:

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 Investments Ltd. - 1781 Cassells Street).

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

Community Services - First, second and third readings:

By-Law No. 2011-241 to designate a Site Plan Control Area on certain lands on Cassells Street (Belisle Investments Ltd. - 1781 Cassells Street).

By-Law No. 2011-254 to designate a Site Plan Control Area on certain lands on McIntyre Street West (2277111 Ontario Inc. - 489 McIntyre Street West).

MOTIONS:

Councillor Bain re Contraband tobacco

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

9. ***Confidential*** report from C.M. Conrad dated December 23, 2011 re Personnel matter.
10. ***Confidential*** report from S. McArthur dated January 4, 2012 re Property matter.
11. ***Confidential*** report from M.B. Burke dated January 3, 2012 re Litigation matter.

12. **Confidential** report from D.G. Linkie dated December 28, 2011 re Personnel matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, NOVEMBER 28TH, 2011**

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

PUBLIC PRESENTATIONS:

Daphne Mayne re Municipal Parking Lots
Gilbert Gagnon re Sun TV News

CORRESPONDENCE:

North Bay Public Library re NBPL Board Vacancy (765)
1833851 Ontario Inc. re Plan of Subdivision & Rezoning –
Cedarvale Subdivision – Larocque
Road & Leger Street (772)

REPORTS FROM OFFICERS:

Acs, E. re Municipal Accessibility Advisory
Committee Annual Report (770)
Acs, E. re Lake Nipissing Public Access Review (774)
Karpenko, M. re 2012 General Capital Budget / 2012
Water & Sanitary Sewer Capital Budget,
2013-2021 Ten-Year Capital Forecasts
& Long-Term Capital Funding Policies (776)
Kilgour, I. re Sport Field User Fees (775)
Kitlar, S. re Summer in the Park Electrical Panel
Upgrades (773)
McArthur, S. re Rezoning application o/b 2277111
Ontario Inc. – 489 McIntyre Street West (768)
McArthur, S. re Rezoning & OPA applications o/b Belisle
Investments Ltd. – 1781 Cassells Street (769)
McArthur, S. re Redline Amendment & Final Approval –
Phase 1, Highland Wood Subdivision
& Condominium (771)
Mimee, R. re 2012 Recommended Operating Budget (777)
Valenti, P. re Tender 2011-99, Supply of Snow Haul
Tri-axle Dump Trucks (766)
Valenti, P. re RFQ 2011-104, Supply of Emulsified
Asphalt Patching Material (767)

Res. #2011-760: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meetings held on:

- Monday, November 14, 2011
- Monday, November 21, 2011

be adopted as presented.

"CARRIED"

Res. #2011-761: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the closed meeting held on:

- Monday, November 14, 2011

be adopted as presented.

"CARRIED"

Res. #2011-762: Moved by Councillor Chirico, seconded by Councillor Koziol
That General Government Committee Report No. 2011-18 relating to:

- Water and Sanitary Sewer Rates

be adopted as presented.

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

Yeas: Councillors Chirico, Anthony, Bain, Lawlor, Koziol, Mendicino, Maroosis,
Vrebosch-Merry, Mayne, Vaillancourt, Mayor McDonald

Nays: Nil

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-18

November 28, 2011

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-18 and recommends:

1. That
 - a) in accordance with the direction contained in the *Sustainable Water and Sewage Systems Act, 2002*, the current policy of recovering all water and sanitary system operating, capital and financing costs from user rates be maintained;
 - b) the water and sanitary sewer rate increase be 4.2% effective January 1, 2012;
 - c) the 2012 Water Rates By-Law be presented to Council, increasing all water rates by 16% effective January 1, 2012;
 - d) the water filtration capital surcharge be reduced from 10% to 8% of the water charges, effective January 1, 2012; and
 - e) the sanitary sewer surcharge be reduced from 106% to 86% of the water charges, effective January 1, 2012.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 KOZIOL
 ANTHONY
 MAROOSIS
 MAYOR McDONALD

DISSENTS

Res. #2011-763a: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-24 relating to:

- Municipal Parking Lot By-Law

be adopted as presented.

Councillor Mayne declared a conflict of interest as he is a business owner in the downtown core.

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

Yeas: Councillors Lawlor, Mendicino, Chirico, Koziol, Vaillancourt, Mayor McDonald

Nays: Councillors Vrebosch-Merry, Bain, Anthony, Marosis

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-24

November 28, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-24 and recommends:

1. That the proposed by-law to regulate parking in municipal parking lots and to repeal By-Law No. 2007-90, as amended, be presented to Council for three (3) readings.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
MAYOR McDONALD

DISSENTS

Res. #2011-763b: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain That Community Services Committee Report No. 2011-24 be amended as follows:

That the matter regarding parking in municipal parking lots remain on the Community Services Committee.

"LOST"

Res. #2011-764: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That Engineering & Works Committee Report No. 2011-06 relating to:

- Highway 17 Route Planning Study

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2011-06

November 28, 2011

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2011-06 and recommends:

1. That the presentation regarding the Highway 17 Route Planning Study by the Ministry of Transportation and Alan Korell, Managing Director of Engineering, Environmental Services & Works, be received.

All of which is respectfully submitted.

ASSENTS
VREBOSCH-MERRY
MAYNE
BAIN
McDONALD

DISSENTS

Res. #2011-765: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council 1) confirm the vacancy on the North Bay Public Library Board;
2) thank Mr. Cerasia for his involvement on the Board;
and
3) direct the City Clerk to advertise for applications.

"CARRIED"

Res. #2011-766: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the bids for the Supply of Snow Haul Tri-axle Dump Trucks be accepted and that the trucks be called in order of lowest to highest bid for the period December 1, 2011 until March 31, 2012, as set out in Report to Council CORP 2011-179.

"CARRIED"

Res. #2011-767: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve the award of a contract to Pioneer Construction Inc., in the estimated amount of \$89,600.00 (excluding HST), for the supply of Emulsified Asphalt Patching Material.

"CARRIED"

Res. #2011-768: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee regarding the Rezoning application by Miller & Urso Surveying Inc., on behalf of 2277111 Ontario Inc., - 489 McIntyre Street West be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2011-769: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee regarding the Official Plan Amendment and Rezoning applications by Miller & Urso Surveying Inc., on behalf of Belisle Investments Ltd., - 1781 Cassells Street be referred to the Community Services Committee and for a Public Meeting.

Councillor Chirico declared a conflict of interest as the proponent is a client of his employer.

"CARRIED"

Res. #2011-770: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the 2011 Update – Municipal Accessibility Advisory Committee Annual Report be received and referred to the Community Services Committee.

"CARRIED"

Res. #2011-771: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the proposed Redline Amendment to the Draft Approved Plan of Condominium (File #48CDM-08102) and Plan of Subdivision (File #48T-08106) by Miller & Urso Surveying Inc.

on behalf of Highland Woods Development Inc. & 899430 Ontario Inc. – Concession B, Part of Lot 18, in the former Township of Widdifield, being lots 52 to 66, Block 76, Freehold Condominium Units 1 to 33 and Vacant Land Condominium Units 1 to 51 and 67 to 75, as shown on the Draft Plan prepared by Miller & Urso, OLS, dated November 16, 2011, attached hereto as Schedule “B” attached to Report to Council CSBU2011-109, and changes to the Conditions of Approval of the Subdivision and Condominium, be approved;

- 2) Council grant Final Approval to the first phase of the Draft Approved and Redline Amended Plan of Subdivision and Condominium – Highland Woods Subdivision, Bain Drive, Mapleridge Drive, Airport Road and Golf Club Road in the City of North Bay – File No. 48T-08106 and File No. 48CDM-08102, as shown on the M-Plan prepared by Rick Miller, OLS, dated November 16, 2011, attached hereto as Schedule “C” attached to Report to Council CSBU 2011-109;
- 3) the Mayor and City Clerk be authorized to sign the Subdivision and Condominium Agreement with Highland Woods Development Inc. & 899430 Ontario Inc. for the first phase of the Highland Woods Subdivision and Condominium, which will permit the creation of a four (4) lot subdivision on Mapleridge Drive, and a fourteen (14) unit freehold condominium on Mapleridge Drive and Bain Drive in the City of North Bay, upon receipt of all security and any required easements; and
- 4) City Council authorize the issuance of staged building permits of six (6) townhouse units fronting on Mapleridge Drive in the Freehold Condominium area prior to the Registration of the Plan of Subdivision and Condominium, provided that all documents are signed by all owners and all securities have been obtained and all easements have been granted.

“CARRIED”

Res. #2011-772: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the Plan of Subdivision and Rezoning applications by Miller & Urso Surveying Inc., on behalf of 1833851 Ontario Inc., - Cedarvale Subdivision – Larocque Road and Leger Street be received.

Mayor McDonald declared a conflict as he owns property in the area.

“CARRIED”

Res. #2011-773: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the Summer in the Park Committee be granted permission to use approximately \$6,200.00 from the reserve funds to upgrade the electrical panels required to host portions of The Summer in the Park Festival at Lee Park.

“CARRIED”

Res. #2011-774: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Report to Council CBSU 2011-108 dated November 15, 2011 from Erik Acs regarding Lake Nipissing Public Access Review be received for information purposes only.

“CARRIED”

Res. #2011-775: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Report to Council CSBU 2011-111 dated November 22, 2011 from Ian Kilgour regarding Sport Field User Fees be received and referred to the Community Services Committee.

“CARRIED”

Res. #2011-776: Moved by Councillor Chirico, seconded by Councillor Koziol
That Report to Council CORP 2011-183 from Margaret Karpenko /
Laura Boissonneault dated November 23, 2011 regarding the 2012
General Capital Budget, 2012 Water and Sanitary Sewer Capital
Budget, with the 2013 to 2021 Ten-Year Capital Forecasts, and Long-
Term Capital Funding Policies be received and referred to the General
Government Committee.

"CARRIED"

Res. #2011-777: Moved by Councillor Chirico, seconded by Councillor Koziol
That Report to Council CORP 2011-184 from Ron Mimee / Margaret
Karpenko dated November 23, 2011 regarding the 2012 recommended
Operating Budget be received and referred to the General Government
Committee.

"CARRIED"

Res. #2011-778: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2011-230 to confirm proceedings of the Meeting of Council on
November 14, 2011.

"CARRIED"

Res. #2011-779: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-230 to confirm proceedings of the Meeting of Council
on November 14, 2011.

"CARRIED"

Res. #2011-780: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2011-231 to execute an Agreement with The North Bay and
Area Museum Society, operating as Heritage North Bay relating to the
operation and maintenance of the Community Waterfront Park.

By-Law No. 2011-232 to execute an Agreement with Heritage North Bay
and Community Waterfront Friends relating to the ongoing development
of the Community Waterfront Park.

By-Law No. 2011-235 to execute a Subdivision and Condominium
Agreement with Highland Woods Development Inc., 899430 Ontario Inc.,
Bank of Montreal, MIS Municipal Insurance Services Ltd., Highland
Woods Investment Inc., Robertson James Financial Corporation and
Caisse Populaire North Bay Limitee for the Highland Woods Subdivision
and Condominium.

"CARRIED"

Res. #2011-781: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2011-231 to execute an Agreement with The North Bay and
Area Museum Society, operating as Heritage North Bay relating to the
operation and maintenance of the Community Waterfront Park.

By-Law No. 2011-232 to execute an Agreement with Heritage North Bay
and Community Waterfront Friends relating to the ongoing development
of the Community Waterfront Park.

By-Law No. 2011-235 to execute a Subdivision and Condominium Agreement with Highland Woods Development Inc., 899430 Ontario Inc., Bank of Montreal, MIS Municipal Insurance Services Ltd., Highland Woods Investment Inc., Robertson James Financial Corporation and Caisse Populaire North Bay Limitee for the Highland Woods Subdivision and Condominium.

"CARRIED"

Res. #2011-782: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-236 to execute an Agreement with Ainsworth Power Construction Inc., relating to the Street Light Replacement Program.

"CARRIED"

Res. #2011-783: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-236 to execute an Agreement with Ainsworth Power Construction Inc., relating to the Street Light Replacement Program.

"CARRIED"

Res. #2011-784: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended at 7:41 p.m. for the following reasons:
Item #14, being a personal matter about an identifiable individual; and
Item #15, being a matter regarding labour relations.

"CARRIED"

Res. #2011-785: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council reconvene at 8:10 p.m.

"CARRIED"

Res. #2011-786: Moved by Councillor Chirico, seconded by Councillor Koziol
That Councillor Mendicino be appointed to the Summer in the Park Cominttee.

"CARRIED"

Res. #2011-787: Moved by Councillor Maroosis, seconded by Councillor Bain
That this Regular Meeting of Council do now adjourn at 8:10 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 12TH, 2011**

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

PUBLIC PRESENTATIONS:

Tim Salidas re City of North Bay Presentation
Gregory Gray re Practices of the City

CORRESPONDENCE:

Ken Woodward re Laneway closure – 1135 Regina St. (794)

REPORTS FROM OFFICERS:

Carello, P. re 2011 Municipal Heritage Committee Annual Report (792)
Carello, P. re Proposed Radio Antenna Tower – North Bay Hydro – Cedar Heights Rd. (793)
Killins, S. re Amending By-Laws re Administration of Building Permits / Municipal Law Enforcement Officers (799)
Knox, J. re Steve Omischl Sports Complex Summary (797)
Korell, A. re Pre-Servicing Agreement Renewal – Ashgrove Estates – Carmichael Dr. (798)
McArthur, S. re Highway 17 Route Alternative Analysis (795)
McArthur, S. re Condominium Final Approval – Turret Construction & Housing Co. Inc. – Phase 5 – 8, Lake Heights Rd, Glen Rouge Drive & Melina Close (800)
Rocheffort, L. re Reduction, Cancellation or Refund of Taxes (801)
Valenti, P. re Supply of Crew Cab Dump Truck (796)

Res. #2011-790: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That minutes for the public meeting held on:

- Monday, December 7, 2011

be adopted as presented.

"CARRIED"

Res. #2011-791: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That minutes for the closed meetings held on:

- Monday, November 28, 2011; and
- Wednesday, December 7, 2011

be adopted as presented.

"CARRIED"

Res. #2011-792: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the 2011 Annual Report from the North Bay Municipal Heritage Committee be received and referred to the Community Services Committee.

"CARRIED"

Res. #2011-793: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council offer no objection to the proposed tower construction on the property shown on Schedule "A", (North Bay Hydro – Cedar Heights Road) attached to Report to Council CSBU 2011-116 from Peter Carello dated December 8, 2011.

Mayor McDonald declared a conflict of interest as he owns property in the area.

"CARRIED"

Res. #2011-794: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the application by Ken Woodward to close a portion of the laneway in the block bounded by Regina Street, Franklin Street, Laurier Avenue and Ellis Street, legally described as Plan No. 81, abutting Lots 3 to 5 and 7 to 9, and Lots 42 to 44, and 46 to 48, as shown on Schedule "A" attached to Report to Council CSBU 2011-102, be approved:

- 2) the closure of the laneway be subject to the granting of any required easements; and
- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

"CARRIED"

Res. #2011-795: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) City Council support the recommendation from Planning Services, Engineering & Works and Economic Development that Orange Route "O-3" and Starting Point "SP2", as shown on Schedules "A" & "B" attached to Report to Council CSBU 2011-115 dated December 6, 2011 from Steve McArthur, be the preferred route and starting point for the City of North Bay; and

- 2) a copy of this analysis be submitted as part of the Highway 17 Route Planning Study currently being undertaken by Ecoplans Ltd. on behalf of the Ministry of Transportation.

Councillor Koziol declared a conflict of interest as her family owns property along the proposed route.

"CARRIED"

Res. #2011-796: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve a contract be issued to George Stockfish Ford Sales (1987) Ltd., in the amount of \$66,723.00 (excluding HST), for the supply of one (1) Crew Cab (4x4) Truck complete with Dump Box and Plow.

"CARRIED"

Res. #2011-797: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council receive Report to Council 2011-117 dated December 6, 2011 from Jerry Knox and Al Lang regarding the Steve Omischl Sports Complex Summary for information purposes only.

"CARRIED"

Res. #2011-798: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the City of North Bay renew the existing pre-servicing agreement
with Ashgrove Estates – Carmichael Drive Subdivision (2029562 Ontario
Limited) for a period of three (3) years.

“CARRIED”

Res. #2011-799: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) City Council directs the City Clerk to prepare an amendment to
Schedule “E” of By-Law No. 2011-157, to remove Marianne
Speirs and include Richard Mountain as a Building Inspector;
and
2) City Council directs the City Clerk to prepare an amendment to
By-Law No. 2011-158, to remove Marianne Speirs and include
Richard Mountain as a Municipal Law Enforcement Officer.

“CARRIED”

Res. #2011-800a: Moved by Councillor Maroosis, seconded by Councillor Vrebosch-Merry
That Report to Council CSBU 2011-114 from Steve McArthur regarding
Condominium Final Approval for Turret Construction & Housing Co. Inc.
et al be referred to the Community Services Committee.

“LOST”

Res. #2011-800b: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the Mayor and City Clerk be authorized to sign Phase 5 of the
Turret Condominium Agreement by Turret Construction &
Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada
Inc., for the approval of a thirty-two (32) unit condominium on
Lake Heights Road in the City of North Bay – City File No.
48CDM-07101;
2) the Mayor and City Clerk be authorized to sign Phase 6 of the
Turret Condominium Agreement by Turret Construction &
Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada
Inc., for the approval of a twenty-five (25) unit condominium on
Lake Heights Road in the City of North Bay – City File No.
48CDM-07101;
3) the Mayor and City Clerk be authorized to sign Phase 7 of the
Turret Condominium Agreement by Turret Construction &
Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada
Inc., for the approval of a forty-eight (48) unit condominium on
Melina Close and Lake Heights Road in the City of North Bay
– City File No. 48CDM-07101;
4) the Mayor and City Clerk be authorized to sign Phase 8 of the
Turret Condominium Agreement by Turret Construction &
Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada
Inc., for the approval of a fifty (50) unit condominium on Glen
Rouge Drive in the City of North Bay – City File No. 48CDM-
07101; and
5) the Mayor, City Clerk and Manager of Planning Services be
authorized to sign the Final Plans of Condominium subject to
receipt of all easement and condominium agreement
requirements.

“CARRIED”

Res. #2011-801: Moved by Councillor Koziol, seconded by Councillor Anthony
That the tax appeal applications attached to CORP Report 2011-182 that
have been returned with a positive recommendation from the Municipal
Property Assessment Corporation and application 2011-29, be adjusted
for the period set out on each application form and that the applicable
taxes be cancelled, reduced or refunded as authorized by Section 357 of
the *Municipal Act*, S.O. 2001, c.25.

"CARRIED"

Res. #2011-802: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2011-242 to stop up, close and convey a portion of the
laneway located in the block bounded by King Street West, High Street
and McPhail Sreet.

"CARRIED"

Res. #2011-803: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2011-233 to establish rates or charges for the supply of
water and sanitary sewer by the City of North Bay for domestic,
commercial and manufacturing use, and including other related matters.

"CARRIED"

Res. #2011-804: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2011-233 to establish rates or charges for the supply of
water and sanitary sewer by the City of North Bay for domestic,
commercial and manufacturing use, and including other related matters.

"CARRIED"

Res. #2011-805: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2011-237 to amend By-Law No. 2003-05, being a by-law to
regulate smoking in public places and workplaces.

By-Law No. 2011-238 to confirm proceedings of the Meeting of Council
on November 28, 2011.

By-Law No. 2011-243 to authorize the sale of lands no longer required
for municipal purposes to Mine Hoist International Limited (Airport
Industrial Park).

"CARRIED"

Res. #2011-806: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2011-237 to amend By-Law No. 2003-05, being a by-law to
regulate smoking in public places and workplaces.

By-Law No. 2011-238 to confirm proceedings of the Meeting of Council
on November 28, 2011.

By-Law No. 2011-243 to authorize the sale of lands no longer required
for municipal purposes to Mine Hoist International Limited (Airport
Industrial Park).

"CARRIED"

Res. #2011-807: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-234 to regulate parking in municipal parking lots.

Councillor Mayne declared a conflict of interest as he owns a business in the affected area.

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

Yeas: Councillors Lawlor, Mendicino, Koziol, Vaillancourt, Mayor McDonald

Nays: Councillors Bain, Anthony, Vrebosch-Merry, Marosis

"CARRIED"

Res. #2011-808: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-234 to regulate parking in municipal parking lots.

Councillor Mayne declared a conflict of interest as he owns a business in the affected area.

"CARRIED"

Res. #2011-809: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:"

By-Law No. 2011-244 to execute Condominium Agreements with Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret Phase 5, Turret Phase 6, Turret Phase 7 and Turret Phase 8.

"CARRIED"

Res. #2011-810: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-244 to execute Condominium Agreements with Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret Phase 5, Turret Phase 6, Turret Phase 7 and Turret Phase 8.

"CARRIED"

Res. #2011-811: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-245 to execute an Agreement with 331265 Ontario Limited, operating as G&P Welding & Iron Works relating to the rehabilitation of the Memorial Gardens gondola.

Mayor McDonald declared a conflict of interest as he is involved with a local hockey team that leases Memorial Gardens.

"CARRIED"

Res. #2011-812: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-245 to execute an Agreement with 331265 Ontario Limited, operating as G&P Welding & Iron Works relating to the rehabilitation of the Memorial Gardens gondola.

Mayor McDonald declared a conflict of interest as he is involved with a local hockey team that leases Memorial Gardens.

"CARRIED"

Res. #2011-813: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-246 to execute an Agreement with GAP Construction Co. Ltd., relating to the North Bay Aerospace Business Park.

By-Law No. 2011-247 to execute an Agreement with Sewer Technologies Inc., relating to sanitary sewer rehabilitation.

"CARRIED"

Res. #2011-814: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-246 to execute an Agreement with GAP Construction Co. Ltd., relating to the North Bay Aerospace Business Park.

By-Law No. 2011-247 to execute an Agreement with Sewer Technologies Inc., relating to sanitary sewer rehabilitation.

"CARRIED"

Res. #2011-815: Moved by Councillor Mendicino, seconded by Councillor Lawlor
WHEREAS there are 54 Land Registry Offices in the Province of Ontario, only 11 of which are located in Northern Ontario;

AND WHEREAS Land Registry Offices play a key role in effectively and efficiently approving, registering, storing and managing documents such as subdivision plans, condominium plans, reference plans, deeds, and mortgages;

AND WHEREAS Land Registry Offices have historically and promptly serviced the needs of a wide range of user groups including developers, lawyers, surveyors, freelance title searchers and the general public;

AND WHEREAS the Provincial Government has implemented an electronic registration of land-related documents;

AND WHEREAS effective October 3, 2011, it became mandatory that designated Land Registry Offices forward subdivision plans and condominium plans to a Complex Plan Processing Centre located in Milton, Ontario;

AND WHEREAS while the electronic registration may have some benefits, the system has resulted in the downsizing of Land Registry Offices both in terms of size, personnel, service and availability of land related documents resulting in significant negative impacts to customer service;

AND WHEREAS it is expected that in time the Nipissing Land Registry Office will be replaced with a kiosk service;

AND WHEREAS these changes coupled with the loss of a local Land Registrar, the loss of availability of land related documents on site for the purposes of searching and the loss of ability to have reference plans, subdivision plans or condominium plans pre-approved, processed and registered locally in a timely and cost effective manner will further erode service delivery;

AND WHEREAS such changes have and will result in significant delays in development in the North as well as adding further costs;

AND WHEREAS the Government of Ontario has actively promoted the reduction in Red Tape and increased efficiency in public service delivery;

NOW BE IT THEREFORE RESOLVED THAT the City of North Bay requests the Minister of Government Services review and report on the changes being made to Ontario Land Registry Offices and further requests that the changes do not impact negatively on development through time delays or added costs to development in the North;

AND FURTHER that a copy of this resolution be forwarded to the Premier of Ontario; Hon. Harinder Takhar, Minister of Government Services; Hon. Michael Gravelle, Minister of Natural Resources; Hon. Rick Bartolucci, Minister of Northern Development and Mines; Hon. Dipika Damerla, Minister of Infrastructure; Hon. Kathleen Wynne, Minister of Municipal Affairs and Housing; Vic Fedeli, MPP for Nipissing; Leaders of the Provincial Opposition; the Association of Municipalities of Ontario; to the other four large Northern Municipalities; the Federation of Northern Ontario Municipalities; all municipalities within the Nipissing District; the North Bay & District Home Builders' Association; the Association of Ontario Land Surveyors; and the Nipissing Law Association.

Record of Vote (Upon Request of Councillor Mendicino)

Yeas: Councillors Mendicino, Mayne, Anthony, Maroosis, Vrebosch-Merry, Vaillancourt, Bain, Lawlor, Koziol, Mayor McDonald

Nays: Nil

"CARRIED"

Res. #2011-816: Moved by Councillor Bain, seconded by Councillor Anthony WHEREAS the Growth Plan for Northern Ontario has been established under *Ontario's Places to Grow Act* and serves as a strategic policy framework to guide provincial decision-making and investment planning for the next 25 years;

AND WHEREAS the Plan notes that more than half of Northerners live in the cities of North Bay, Greater Sudbury, Sault Ste Marie, Timmins and Thunder Bay, and that these cities are economic hubs that benefit all of Northern Ontario;

AND WHEREAS each of these five communities are regional economic anchors and serve as service centres for all of Northern Ontario;

AND WHEREAS only two northern cities (Thunder Bay and Sudbury), have been provincially designated as Growth Plan Pilot Site Regional Planning Areas and have received provincial funding to develop regional economic plans;

AND WHEREAS the remaining three northern cities: North Bay, Sault Ste. Marie and Timmins, which serve as vital economic and service hubs, have not received this critical consideration and support;

NOW THEREFORE BE IT RESOLVED THAT to be consistent with the Growth Plan's spirit, intent, and strategic policy framework; in recognition of the need to engage and provide a voice for the rural communities in each regional service area; in recognition of the mutual support of Northern Ontario's large urban municipalities; and our mutual interest in the growth and development of Northern Ontario, the Council of the City of North Bay requests the Province, through the Minister of Northern Development and Mines, to immediately designate all five cities in Northern Ontario as anchors and Growth Plan pilot sites for their respective regional economic planning areas, thereby enabling the cities of North Bay, Sault Ste. Marie and Timmins to serve the same Growth Plan role in their respective regions as Thunder Bay and the City of Greater Sudbury will in theirs;

AND FURTHER THAT Council of the City of North Bay requests the Province, through the Minister of Northern Development and Mines, to provide the resources and support necessary to enable the cities of North Bay, Sault Ste. Marie and Timmins, and the surrounding municipalities they support to work together to develop regional economic plans;

AND FURTHER THAT a copy of this resolution be circulated to the large urban Northern Ontario municipalities for their endorsement;

AND FURTHER THAT a copy of this resolution be forwarded to the Leaders of the Opposition Parties; Vic Fedeli, MPP for Nipissing.

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

Yeas: Councillors Bain, Maroosis, Lawlor, Mendicino, Koziol, Anthony, Vaillancourt, Vrebosch-Merry, Mayne, Mayor McDonald

Nays: Nil

"CARRIED"

Res. #2011-817: 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 8:04 p.m. for the following reasons: Item #11, being personal matters about identifiable individuals; Item #12, being a pending litigation matter affecting the municipality, Item #13 and 14, being the potential dispositions of lands by the municipality; Item #15, being the potential acquisition of lands by the municipality; and Item #16 and 17, being employee negotiations affecting the municipality.

"CARRIED"

Res. #2011-818: Moved by Councillor Koziol, seconded by Councillor Anthony That Council reconvene at 9:16 p.m.

"CARRIED"

Res. #2011-819: Moved by Councillor Koziol, seconded by Councillor Anthony That Council appoint Mike Guillemette to the Property Standards Committee for a term to expire November 30, 2014.

"CARRIED"

Res. #2011-820: Moved by Councillor Koziol, seconded by Councillor Anthony That City Council agree to declare Part Lot 17, Concession 2, in the former Township of Widdifield as surplus.

"CARRIED"

Res. #2011-821: Moved by Councillor Koziol, seconded by Councillor Anthony That

- 1) Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11 on Plan 36R-13069 be closed and declared surplus. The property is part of and abutting land to realigned Second Avenue West at the intersection of Front Street;

- 2) the City enter into an Agreement of Purchase and Sale for the transfer of Part 1 on Plan 36R-13069 to Donald Foisy for no consideration. To replace street frontage and access lost due to the realignment of Second Avenue West;

- 3) the City enter into an Agreement of Purchase and Sale for the transfer of Part 2 on Plan 36R-13069 to Domenic Muratore and John Pellanda for no consideration. To replace street frontage and access lost due to the realignment of Second Avenue West;

- 4) the City enter into an Agreement of Purchase and Sale for the transfer of Parts 7 and 9 on Plan 36R-13069 to Grace Wilson, Marie Duval, Anthony Caruso and Angelo Caruso for no consideration. To replace street frontage and access lost due to the realignment of Second Avenue West;

- 5) the City enter into an Agreement of Purchase and Sale for the transfer of Part 11 on Plan 36R-13069 from 1144342 Ontario Inc. (Domenic Muratore), to the City for no consideration. As part of a land exchange for Part 4 as noted following;
- 6) the City enter into an Agreement of Purchase and Sale for the transfer of Part 4 on Plan 36R-13069 from the City to 1144342 Ontario Inc. (Domenic Muratore) for consideration of \$8,000.00. As part of a land exchange for Part 11 as noted above;
- 7) the remaining land being Parts 3, 5, 6, 8, 10 and 11 on Plan 36R-13069 be sold by tender as two residential building sites; and
- 8) the property purchases to be funded from the Surplus Properties Reserve Fund.

"CARRIED"

- Res. #2011-822: Moved by Councillor Koziol, seconded by Councillor Anthony
That
- 1) the subject land (being Part Lot 4, Concession "A") Airport Road and Carmichael Drive, be purchased from Gold Fleet Investments Ltd., for the purpose of a storm water pond for the Airport Industrial Park for the negotiated price of \$50,000.00 and legal fees as recommended by the City Solicitor in Report to Council CORP 2011-186 dated December 1, 2011; and
 - 2) the purchase be paid from the Surplus Properties Reserve Fund; and
 - 3) the Mayor and City Clerk execute all documents necessary to effect the purchase and sale of the subject lands.

"CARRIED"

- Res. #2011-823: Moved by Councillor Koziol, seconded by Councillor Anthony
That
- 1) Council ratify the revised collective agreement between the City and CUPE, Local 122-1 for the term January 1, 2012 to December 31, 2016; and
 - 2) the Mayor and City Clerk be authorized to execute the collective agreement.

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

Yeas: Councillors Bain, Vrebosch-Merry, Vaillancourt, Anthony, Mendicino, Mayne, Koziol, Lawlor, Maroosis, Mayor McDonald

Nays: Nil

"CARRIED"

- Res. #2011-824: Moved by Councillor Koziol, seconded by Councillor Maroosis
That the Non-Union Salary By-Law be amended to reflect an across the board increase of 2.6% effective January 1, 2012.

"CARRIED"

- Res. #2011-825: Moved by Councillor Maroosis, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 9:21 p.m.

"CARRIED"

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *PLANNING ACT*
HELD MONDAY, DECEMBER 19, 2011**

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

1. Belisle Investments Ltd. - 1781 Cassells Street

Councillor Lawlor explained the purpose of the meeting.

The City Clerk advised that notice of the meeting was given by prepaid first class mail on the 29th day of November, 2011 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 Official Plan and Rezoning applications.

Councillor Lawlor asked for public presentations in support of or objecting to the applications.

1. Rick Miller, OLS – 1501 Seymour Street, North Bay

- agent for the applicant
- the building is not appropriate for residential purposes
- the building can be used for offices – this would be the highest and best use of the property; also the least offensive use of the property
- parking issues will be dealt with through the Site Plan Control Agreement
- the parking lot across the street was part of the purchase and will be used for additional parking
- will work with the City for appropriate buffering.

2. Phillip Penna – 1540 Ski Club Road, North Bay

- former Chairperson of the Corpus Christi Parish Pastoral Council
- copy of presentation provided (on file)
- does not agree with the City's interpretation of Canon Law and its effects on these applications
- he and 4 others have appealed the sale of the this property to the Vatican
- the Vatican has not yet rendered its decision on the validity of the sale
- Council must be assured that the sale was proper – Council risks being entangled in a legal matter regarding the property ownership
- recommends a mediator be appointed to resolve the dispute between the three parties (the parish, the Bishop and the applicant) and that this matter be placed on hold – Rome would prefer mediation
- there is no certainty that all is in order
- does not believe that Council is bound to deal with this matter due to the uncertainty of the ownership
- he respectfully disagrees with Peter Leckie's (City Solicitor) legal opinion regarding Canon Law
- he suggests that the City ask the Ministry of Municipal Affairs and Housing or another (higher) authority for their legal opinion regarding Canon Law and the effects of Canon Law on the ownership of the property
- contends that the sale of the property is illicit – does not accept the sale as legal
- hopes that the Vatican will overturn the sale
- the authority in this matter is the Vatican
- by approving these applications it makes it easier to sell the property and this will muddy the matter further
- there have been many challenges to the Vatican regarding the sale of Church properties
- the Vatican will deal with each case on its own merits – on a case by

- case basis
- the Vatican has overturned decisions made by Bishops – Bishops can make mistakes
 - he never said “the Bishop lied to us” – he has the utmost respect for the Bishop and his Office
 - if the property cannot be used as a Church then it should be ceded to another Catholic institution or body
 - the parishioners did not consent to the sale
 - does not know how long the appeal to the Vatican will take but expects that it will likely be within a year
 - acknowledges the right to appeal to the Ontario Municipal Board; acknowledges that Mr. Belisle also has a right to appeal to the Ontario Municipal Board
 - should Mr. Belisle attempt to sell the property, he/they would likely seek an injunction to prevent the sale based on the reasons previously expressed
 - reiterates that the Council is not bound to act on these applications
 - wants the property returned to its proper use – a Church.
3. Joe Tschirky – 220 Mulligan Street, North Bay
- has lived in North Bay for 30 years
 - wants Council to know that the parishioners did not start the problem; the Bishop refused to meet with the parishioners
 - there were 700 practicing Catholics attending the Church.
4. Reg Fournier – 1707 Cassells Street, North Bay
- spoke on behalf of Mr. Belisle (the applicant)
 - Mr. Belisle has done nothing but good for the property
 - Mr. Belisle has provided seven additional parking spaces for the Corpus Christi apartments.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE SPECIAL MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 19, 2011**

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

PUBLIC PRESENTATIONS:

CORRESPONDENCE:

REPORTS FROM OFFICERS:

Lang, A. re Long-Term Bank Loan for Capital Projects (828)

Res. #2011-826: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That minutes for the public meetings held on:

- Monday, December 12, 2011

be adopted as presented.

"CARRIED"

Res. #2011-827: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That the minutes for the closed meeting held on:

- Monday, December 12, 2011

be adopted as presented.

"CARRIED"

Res. #2011-828: Moved by Councillor Koziol, seconded by Councillor Anthony
That 1) Council authorize The Corporation of the City of North Bay to enter into a Letter Agreement (Long-Term Bank Loan Agreement) with the Toronto-Dominion Bank to borrow \$11,000,000.00 at a fixed interest rate amortized over a ten (10) year term to finance various capital projects; and

2) an execution by-law be presented for three (3) readings on December 19, 2011 authorizing the Mayor, City Clerk and Chief Financial Officer to execute the Letter Agreement.

"CARRIED"

Res. #2011-829: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2011-248 to confirm proceedings of the Meeting of Council on December 12, 2011.

By-Law No. 2011-252 to amend By-Law No. 2008-104, being a by-law to establish a schedule of salaries.

By-Law No. 2011-256 to execute a Letter of Agreement with The Toronto-Dominion Bank relating to long-term banking.

"CARRIED"

Res. #2011-830: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2011-248 to confirm proceedings of the Meeting of Council on December 12, 2011.

By-Law No. 2011-252 to amend By-Law No. 2008-104, being a by-law to establish a schedule of salaries.

By-Law No. 2011-256 to execute a Letter of Agreement with The Toronto-Dominion Bank relating to long-term banking.

"CARRIED"

Res. #2011-831: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2011-254 to execute an Agreement with Canadian Union of Public Employees, Local 122-1 relating to the 2012-2016 Collective Agreement.

"CARRIED"

Res. #2011-832: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2011-254 to execute an Agreement with Canadian Union of Public Employees, Local 122-1 relating to the 2012-2016 Collective Agreement.

"CARRIED"

Res. #2011-833: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2011-249 to amend By-Law No. 2007-07, being a by-law to regulate the administration of building permits.

By-Law No. 2011-250 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

"CARRIED"

Res. #2011-834: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2011-249 to amend By-Law No. 2007-07, being a by-law to regulate the administration of building permits.

By-Law No. 2011-250 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

"CARRIED"

Res. #2011-835: Moved by Councillor Vrebosch, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-251 to execute an Agreement with Stewardship Ontario relating to New Municipal Hazardous or Special Waste Services.

"CARRIED"

Res. #2011-836: Moved by Councillor Vrebosch, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-251 to execute an Agreement with Stewardship Ontario relating to New Municipal Hazardous or Special Waste Services.

"CARRIED"

Res. #2011-837: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That this Special Meeting of Council do now adjourn at 6:06 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE PUBLIC MEETING OF
CITY COUNCIL HELD UNDER THE *PLANNING ACT*
HELD MONDAY, DECEMBER 19, 2011**

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

1. 2277111 Ontario Inc. - 489 McIntyre Street West

Councillor Lawlor explained the purpose of the meeting.

The City Clerk advised that notice of the meeting was given by prepaid first class mail on the 29th day of November, 2011 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 Lawlor asked for public presentations in support of or objecting to the application.

1. Rick Miller, OLS – 1501 Seymour Street, North Bay
 - agent for the applicant
 - confirmed that there is parking available on Plouffe Street
 - parking is not an issue as the applicant also owns a large lot at the corner of Plouffe Street and Main Street West that can accommodate 50-60 vehicles.
 - the applicant intends to consolidate the properties at a later date.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

**MINUTES OF THE COMMUNITY SERVICES STANDING
COMMITTEE BUDGET MEETING HELD
MONDAY, DECEMBER 19TH, 2011**

PRESENT: Councillor Lawlor, Chair
Councillor Mendicino
Councillor Vaillancourt
Mayor McDonald

STAFF PRESENT:

D. Linkie (5:00 p.m. to 5:30 p.m. and 5:40 p.m. to 5:58 p.m.), L. Boissonneault,
C. Conrad, M. Karpenko, J. Knox, R. Mimee
Fire Department: Fire Chief G. Love (5:00 p.m. to 5:30 p.m.)
Deputy Fire Chief Brian Hunt (5:00 p.m. to 5:30 p.m.)
Deputy Fire Chief Mike Bechard (5:00 p.m. to 5:30 p.m.)
Transit Department: Dorothy Carvell, Manager (5:30 p.m. to 5:58 p.m.)

Committee Chair, Sean Lawlor, called the meeting to order at 5:00 p.m.

1. Items Discussed – Community Services' Preliminary Operating Budget.
 - Review of proposed departmental budgets and proposed enhancements.

Meeting adjourned at 5:58 p.m.

cc

COUNCILLOR SEAN LAWLOR
CHAIR COMMUNITY SERVICES

CITY CLERK CATHERINE CONRAD

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-19

January 9, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-19 and recommends:

1. That
 - a) City Council adopt the 2012 Capital Budget as presented in Schedule "A" for Capital Projects to be funded from Debentures, Capital Levy, Development Charges, Federal and Provincial Government Grant Programs, Reserves and other contributions totaling \$28,013,620, save and except Project 6065RF (Memorial Gardens Rehabilitation Program);
 - b) City Council authorize the Chief Financial Officer to review and sign each Report to Council that requests approval of a Capital Project to ensure the approvals do not exceed the Proposed Capital Funding Policy Expenditure Limit of \$22,622,814;
 - c) City Council adopt the Capital Forecast (2013-2021) for Capital Projects as presented in Schedule "A", save and except Project 6065RF (Memorial Gardens Rehabilitation Program);
 - d) City Council adopt the 2012 Water and Sewer Capital Budget as presented in Schedule "B" for Water and Sewer Capital Projects to be funded from Water and Sanitary Sewer Rates, Debentures, Development Charges, Federal and Provincial Government Grant Programs, Reserves and other contributions totaling \$16,627,000, save and except Project 2803 W&S (Cedar Heights Standpipe & Sanitary Expansion – Cedar Heights Road);
 - e) City Council authorize the Chief Financial Officer/Treasurer to review and sign each Report to Council that requests approval of a Capital Project to ensure the approvals do not exceed the Proposed Capital Funding Policy Expenditure Limit of \$11,369,000;
 - f) City Council adopt the Water and Sewer Capital Forecast (2013-2021) for Water and Sewer Capital Projects as presented in Schedule "B", save and except Project 2803 W&S (Cedar Heights Standpipe & Sanitary Expansion - Cedar Heights Road);
 - g) City Council approve the required transfers to and from the various funds in accordance with the 2012 Adopted Capital Budget;
 - h) City Council authorize the Chief Financial Officer/Treasurer to process the budget transfers during the fiscal year, which do not change the overall approved Net Budget;
 - i) The 2010 Long Term Capital Funding Policy and the 2011 Water and Sewer Long Term Capital Funding Policy be amended as outlined in Report to Council CORP 2011-183 as follows:
 1. Any unused debt in any given year may be carried forward up to a maximum of two years while still adhering to the annual Net Capital Budget total.
 2. A capital project that is approved in any given year's budget must have by-law approval and begin incurring substantial costs within a two year period; otherwise, the project must be re-submitted for budget approval in a future year. The initial approval is then considered cancelled and will not be allocated to other projects.

3. Addition of a capital project called Capital Financing within the current capital plan that equates to 2% of the funding envelope.
4. That the monitoring of debt servicing costs (principal and interest payments), as a percentage of total tax levy not exceed 15% be calculated as a total of levy, water and sewer rates and that levy, water and sewer debt servicing costs when measured independently not exceed the rate established by the Ministry of Municipal Affairs.
5. Clarification to definitions of inflationary allowances, 1% of levy and 2% of water bill revenues.
 - 5.1. Inflationary Allowances shall be the twelve month percentage change in the total Consumer Price Index (CPI) (Table 1- Core Items CPI) as determined from the most current Statistics Canada report. This percentage is to be applied to the previous year's long term capital funding allowance in the operating budget.
 - 5.2. 1% of the tax levy shall be 1% on the previous year's budgeted tax levy.
 - 5.3. 2% of the water bills revenues shall be 2% of the previous year's total water and sanitary user fee budgeted revenues excluding any capital surcharges.
6. Reallocate by function, the current Water and Sanitary Sewer (99522R) Reserve into four individual reserves as follows:
 - 1) Water Rate Stabilization;
 - 2) Sanitary Sewer Rate Stabilization;
 - 3) Water Capital; and
 - 4) Sanitary Sewer Capital. "

All of which is respectfully submitted.

	ASSENTS	DISSENTS
CHIRICO (CHAIRMAN)	_____	_____
KOZIOL	_____	_____
ANTHONY	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-20

January 9, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-20 and recommends:

1. That
 - a) City Council adopt the 2012 Capital Budget Project 6065RF being the Memorial Gardens Rehabilitation Program in the amount of \$300,000.00 as contained in Schedule "A" to the Capital Budget;
 - b) City Council adopt the Capital Forecast (2013-2021) for Project 6065RF as contained in Schedule "A" to the Capital Budget;
 - c) City Council adopt the Capital Forecast (2013-2021) for Project 2803 W&S being the Cedar Heights Standpipe & Sanitary Expansion - Cedar Heights Road in the amount of \$3,500,000.00 as contained in Schedule "B" to the Capital Budget; and
 - d) City Council adopt the Capital Forecast (2013-2021) for Project 2803 W&S as contained in Schedule "B" to the Capital Budget.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
CHIRICO (CHAIRMAN)	_____	_____
KOZIOL	_____	_____
ANTHONY	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-01

January 9, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-01 and recommends:

1. That a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of 2277111 Ontario Inc. for the property legally described as Plan 13, North Part Lot 104, known locally as 489 McIntyre Street West in the City of North Bay (former PEP Place), 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 management, drainage, ingress, egress, and fencing as required.

All of which is respectfully submitted.

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

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-02

January 9, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-02 and recommends:

1. That
 - a) the proposed Official Plan Amendment by Miller & Urso Surveying Inc. on behalf of Belisle Investments Ltd. to change the designation on the subject lands from "Residential" to "District Commercial" for the property legally described as Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-007.(LT), known locally as the former site of Corpus Christi Church at 1781 Cassells Street in the City of North Bay, be approved;
 - b) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Belisle Investments Ltd. to change the zoning designation from a "Residential Second Density (R2)" zone and a "Residential Multiple Second Density (RM2)" zone to a "District Commercial Special Zone No. 80 (C4 Sp.80)" for the property legally described as Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-007.(LT), known locally as the former site of Corpus Christi Church at 1781 Cassells Street in the City of North Bay, be approved
 - c) 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 building massing, parking, lighting, landscaping, stormwater management, servicing, drainage, ingress, egress and fencing as required.

All of which is respectfully submitted.

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



North Bay Elks Lodge #25
325 Elks Lane, North Bay, ON P1B 7T6

Tel: (705) 474-1491 Fax: (705) 474-4511
 elksnorthbay@sympatico.ca

Dec. 12, 2011

Dear Sir, Madam/Ms:

I am writing this letter on behalf of the North Bay Elks Lodge situated at 325 Elks Lane in the City of North Bay. We have owned the property since 1956 and have been in North Bay for over 75 years. We are a 100% volunteer organization which donates in excess of \$100,000 in our community annually, helping those less fortunate, sponsoring children's sports and supporting community events and projects.

We are proposing to run our 7th annual Outdoor Jug Curling Funspiel behind our building on Saturday February 11th, 2012 from 11:00am until 7:00pm.

We have already fenced off this area and have begun construction of our curling rink through the use of volunteers. We plan on having security at the entrance to the event and there will be no one under the age of 19 years allowed admittance. Our security will also ensure that no alcohol beverages are taken outside the fenced in area, nor any alcohol beverages are brought in. We will only have 48 curlers on the ice at any one time and we are limiting the event to 96 curlers. We are expecting spectators and have fenced off an area for them as well. There is no tiered seating.

Beverages will be available from the inside bar, all of our servers have had the Smart Serve course. Hot food will be available during the event, prepared indoors in our kitchen.

We will be located 50 feet away from our building and our curlers and spectators will have access to our Members Quarters if they need a place to warm up. These quarters also have First Aid Kits, fire extinguishers, washrooms and phones.

We do have liability insurance with \$2 million coverage. We have run events in the past, both on our property and at Memorial Gardens where Special Occasion permits have been issued and we are aware of the legal requirements and conditions of these permits.

The event is a FUN social and if we make any profits, these funds will be turned over to the Lodge so that we can continue to be a community sponsor organization.

Should you have any questions or concerns, please feel free to contact me at my place of business (See More Graphics) at 705-476-7701.

CC North Bay City Clerk
 North Bay Building Dept.
 North Bay Police Dept.
 North Bay Fire Dept.
 North Bay Health Unit

Sincerely

Roland Fowler
 Chairman/Member
 Elks Tournament of Hearts
 Outdoor Jug Curling Funspiel

INTER OFFICE

*City of North Bay
Planning Services*

MEMO

To: Cathy Conrad, City Clerk
From: Erik Acs - Development Planner.
Subject: Resolution No. 5 - Planning Advisory Committee
Date: December 7th, 2011

Quoted below is Resolution No. 5 passed at the regular meeting of the Planning Advisory Committee held on Thursday, December 7th, 2011:

Resolution No. 5

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

1. That 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**
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.”




Erik Acs
Development Planner

North Bay Planning Advisory Committee

Resolution No. 5

Date: December 7, 2011

Moved By: 

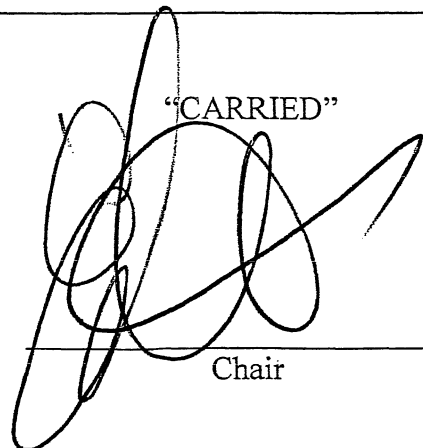
Seconded By: Judy Kozlowski


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

1. That 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
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:

“CARRIED”



Chair

**City of North Bay
Planning Services**

To: Chair and Members, Planning Advisory Committee

From: Erik Acs - Development Planner

Subject: Proposed Zoning By-law Amendment 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, 342 Percy Street in the City of North Bay.

Date: December 1, 2011

Recommendation

- 1) That the proposed Zoning By-law Amendment from a "Residential Third Density (R3)" zone to a "Residential Multiple Third Density Special Zone (RM3 Sp.)" zone 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, 342 Percy Street 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 building massing, parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

Site

The subject property is situated at 342 Percy Street, as shown on Schedules "A" and "B" attached hereto. The property has a frontage of approximately 31.85 metres (104.5 feet) along Percy Street and a total area of approximately 0.07 hectares (0.17 acres).

The property is designated "Residential" in the City of North Bay's Official Plan and is zoned "Residential Third Density (R3)" under the City of North Bay's Zoning By-law No. 28-80. The area is a mixed use neighbourhood including commercial and institutional uses, and low to medium density residential uses.

Proposal

The subject property is developed with a two storey block building. The existing building was previously operated by ServiceMaster, a residential and commercial cleaning business.

The use of the building by ServiceMaster was permitted as a legal non-conforming use under Section 3.5 of Zoning By-law No. 28-80 which reads: "*Where a building or structure was erected prior to the date of passing of this By-Law and is used for a purpose which is not a permitted use in the zone in which it is situated, but is a legal non-conforming use, the said building or structure may be reconstructed, repaired or renovated provided that the repair or renovation does not include any alteration of use and the building or structure continues to be used for the same purpose...*"

Service Master has now relocated to a building on McGaughey Avenue and the land and building have been sold to the Applicant (2046304 Ontario LTD.) who intends to convert the building into an 8 unit apartment building, but requires a change in zoning. The property owners are requesting a Zoning By-law Amendment to change the "Residential Third Density (R3)" zone designation to a "Residential Multiple Third Density (RM3)" zone designation in order to permit the use of the land and building as an apartment building.

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 compliance 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 proposed Zoning By-law Amendment will see the conversion of an existing legal non-conforming commercial building into an apartment building. The subject property has an existing building on full municipal services, resulting in residential intensification without the requirement for the extension of municipal services.

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

Official Plan

The subject property is designated "Residential" in the City of North Bay's Official Plan. However, the abutting lots immediately to the south of this property, are zoned Central Area.

Section 2.2.2.3 of the Official Plan (Residential Area), states: *"In order to supplement the City's stock of rental housing, the City shall encourage the conversion and renovation of older dwellings and other buildings, in areas permitting residential development, into multiple dwelling units for the rental market suited to community standards."*

Section 2.2.3.1 further states: *"In high density residential areas the intent of this Plan is to encourage this type of residential development in locations that are particularly suitable, such as:*

- a) *The Central Area and its immediate vicinity, or*
- b) *In close proximity to major shopping areas, community facilities open space and recreational facilities, or*
- c) *In peripheral locations around residential neighbourhoods with access to major collector or arterial roads,*
or
- d) *When designed as an integral part of a new subdivision."*

Section 2.2.3.5 discusses the impacts of new apartment buildings, suggesting: *“In considering applications for higher density residential uses, it shall be clearly demonstrated to the satisfaction of the City that no undue pressure will result on:*

- a) Arterial or collector roads;
- b) Parks, open space and recreation facilities;
- c) Schools, and
- d) Sewers and water mains.”

The policies also address the siting of buildings to have the least impact possible on surrounding residential uses. The building on the subject property has existed prior to the Zoning By-law coming into effect, and as a result has legal non-complying setbacks and more specifically, no setback abutting the existing single detached dwelling at 350 Percy Street. While this would not be ideal for new construction, the Applicants are proposing to renovate the existing building, and will be required to implement Site Plan Control measures to reduce the potential impacts on surrounding uses.

The intent of this policy is to strategically locate apartment buildings in areas where they will operate efficiently, make a positive contribution to the area and its housing needs, and have a minimum impact on the landscape and required services. This property has previously operated as a commercial establishment in a residential area. The building already exists, and the municipal services in the area are up to par with the requirements for the proposed development. The proximity of the proposed building to the Central Area and arterial roads can be observed in Schedule D. When contrasting the policies of the Official Plan against the proposed 8 unit apartment building, the proposed development is able to meet all of the requirements, and when completed, will increase the City’s stock of rental housing.

Part 10, Implementation of the Official Plan sets out that *“as a general rule, uses that do not conform with the policies of this plan should, in the long run, cease to exist so that the land affected may revert to a use that conforms with the intent of this Plan and the provisions of the implementing Zoning By-Law...”* The Applicants are proposing to re-develop the property for a use that conforms to the City’s Official Plan.

In my professional opinion, the Applicants’ proposal to rezone the subject lands to a “Residential Multiple Third Density Special Zone (RM3 Sp.)” zone is in conformity with the general intent of the Official Plan policies for the Residential Area.

Zoning By-law No. 28-80

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

- single detached dwelling unit;
- duplex dwelling;
- semi-detached dwelling;
- accessory home based businesses;
- parks, playgrounds & non-profit uses; and
- institutional uses.

The Applicant is proposing to rezone the subject lands to a “Residential Multiple Third Density Special Zone (RM3 Sp.)” zone. The permitted uses for the proposed “Residential Multiple Third Density Special Zone (RM3 Sp.)” zone will be limited to the following:

- 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.

The proposed rezoning is to RM3 Sp. The special component is to address the deficiencies associated with the site, including recognizing existing setbacks, to request an increase in gross floor area as a percentage of lot coverage to 95% and to remove the requirement for visitor parking spaces. Residential development and infill development is encouraged by the Official Plan and Provincial Policy. The proposed special zone meets the general intent for developing within the core area of the city.

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 external agencies that may have an interest in this matter.

In terms of the correspondence received, the Chief Fire Prevention Officer, Mayor's Office of Economic Development and the Chief Building Official offered no objections to the proposal.

The Engineering Department also offered the following input: *"From what is being proposed, Engineering will not be requesting and stormwater management. Although the site is being redeveloped, the proposed stormwater runoff coefficient will remain the same as existing, therefore there will not be an increase in runoff. Also, no quality control will be required as the site area is less than 2500 square meters which is the minimum area that would trigger the requirement of an oil/grit separator. However, if there are any changes to the plan upon submission of the SPCA, Engineering would need to perform another review to confirm our above statements."*

A letter and subsequent email was received from a circulated property owner commenting on the proposed rezoning. The property owner indicates he objects to the rezoning based on perceived neighbourhood safety issues related to increased traffic flows, and traffic congestion related to on street parking. The letter also states as an abutting owner, the property owner feels the development of an apartment building will have a negative effect on the area.

The concerns regarding traffic flow and congestion were discussed with Engineering. They have indicated based on the number of units and the previous commercial use, they do not have any concerns with respect to increased traffic volume in this area. The applicants have included one parking space per unit (8) on the site to be accessed by way of an existing laneway. There is existing on street parking permitted along one side of Percy Street. It is likely visitors to the property will utilize this parking along with the existing neighbourhood.

The Applicants are proposing a high level of site design and amenities. This should help bring the property into character with the existing neighbourhood, compared to the existing development. The property will be subject to Site Plan Control to ensure the landscaping amenities proposed are incorporated through the redevelopment of the property.

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

Summary

The existing building has been vacant since ServiceMaster moved to their new location. Prior to ServiceMaster moving, the commercial use of the property existed as a legal non-conforming use. The proposed use is compatible with the mixed use nature of the existing neighbourhood.

At this time, the present "Residential Third Density (R3)" zoning designation would limit the use of the property to low density residential, group home, and institutional uses. This would likely require total redevelopment of the site, including removal of the building.

The Applicant is seeking to rezone the property to a "Residential Multiple Third Density Special Zone (RM3 Sp.)" zone designation in order to convert the existing building into an 8 unit apartment building. If approved, the property will be subject to Site Plan Control in order to regulate parking, lighting, landscaping, storm water management, ingress/egress and fencing as required.

It is my professional opinion the proposed Zoning By-law Amendment maintains the general intent of the City of North Bay's Official Plan and the end use is consistent with Provincial Policy as outlined in the Northern Growth Plan (GPNO) and the Provincial Policy Statement (PPS 2005).



Erik Acs
Development Planner

EA/dlb

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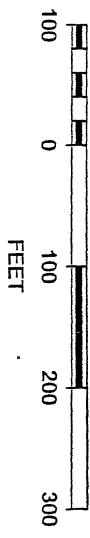
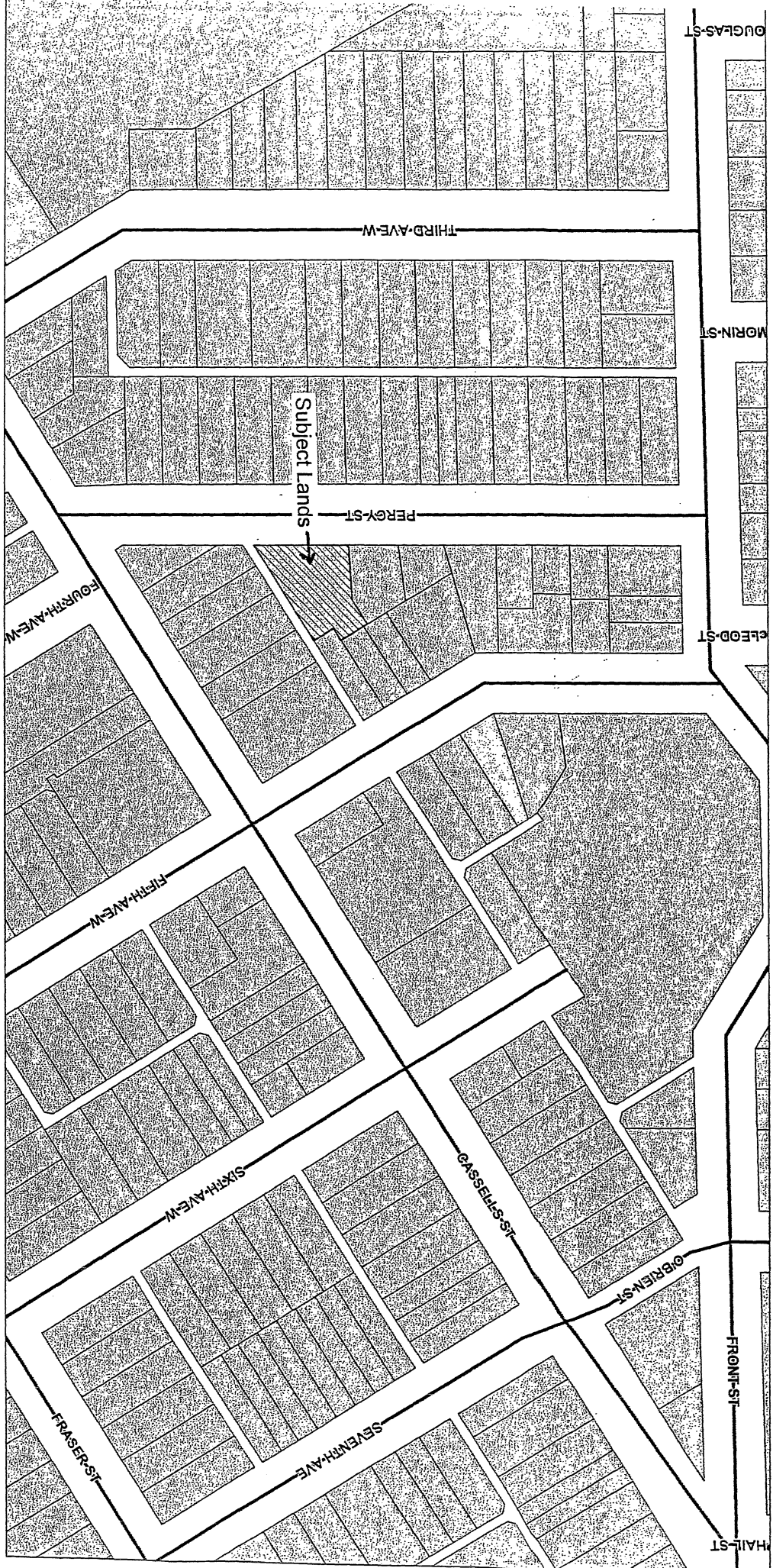
attach.

I concur with the recommendations contained in this report.

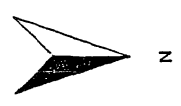


Beverley Hillier, MCIP, RPP
Manager, Planning Services

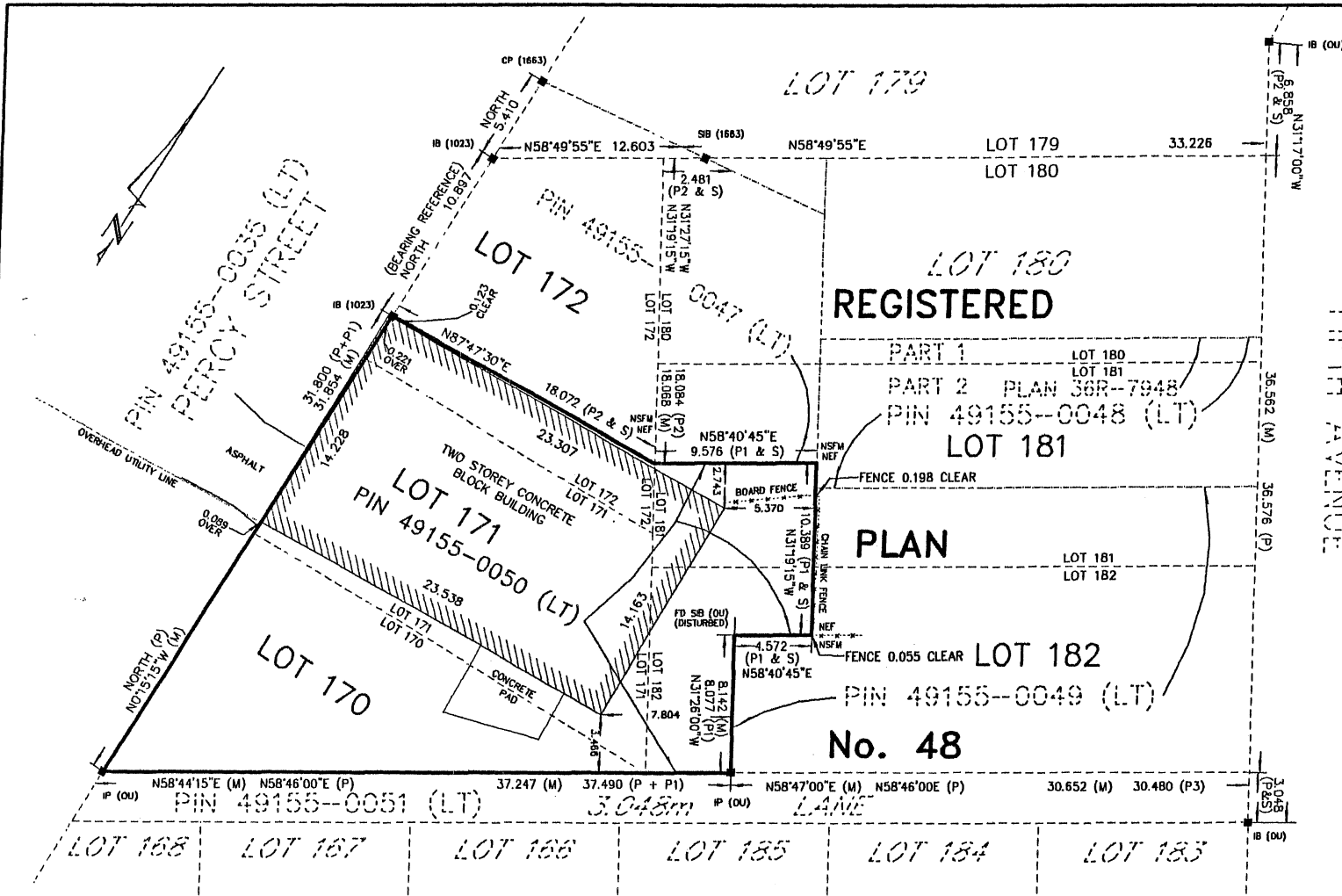
SCHEDULE A



SCALE 1 : 1,932

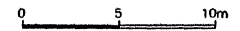


SCHEDULE B



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



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
- SIB DENOTES STANDARD IRON BAR
- CP DENOTES CONCRETE PIN
- OU DENOTES ORIGIN UNKNOWN
- NEF DENOTES NO EVIDENCE FOUND
- NSFM DENOTES NOT SUITABLE FOR MONUMENTATION
- 1023 DENOTES D. J. MACDONELL, O.L.S.
- 1663 DENOTES PAUL GOODRIDGE, O.L.S.
- P DENOTES REGISTERED PLAN No. 48
- P1 DENOTES TRANSFER No. 103112
- P2 DENOTES DEPOSITED PLAN 36R-10278
- P3 DENOTES TRANSFER No. 97160

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 23th DAY OF SEPTEMBER, 2011.

SEPTEMBER 29, 2011

DATE

R.D. MILLER
ONTARIO LAND SURVEYOR

CLIENT: 2046304 ONTARIO LTD.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EAST LIMIT OF PERCY STREET, AS SHOWN ON DEPOSITED PLAN 36R-10278, HAVING A BEARING OF NORTH.

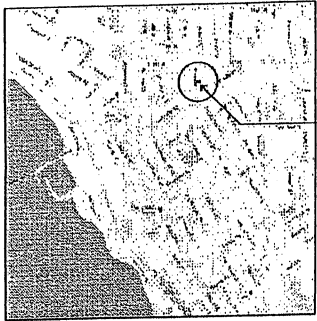
© COPYRIGHT 2011, Miller & Urso Surveying Inc.

Miller & Urso Surveying Inc.
Ontario Land Surveyors • Canada Land Surveyors
Planning Consultants

1501 SEYMOUR STREET, TEL: (705) 474-1210
NORTH BAY ON P16 B64 FAX: (705) 474-1283

DRAWN BY: C.A.L. FIELD: K.M., S.M., C.B. WO No: 3859
CHECKED BY: R.D.M.

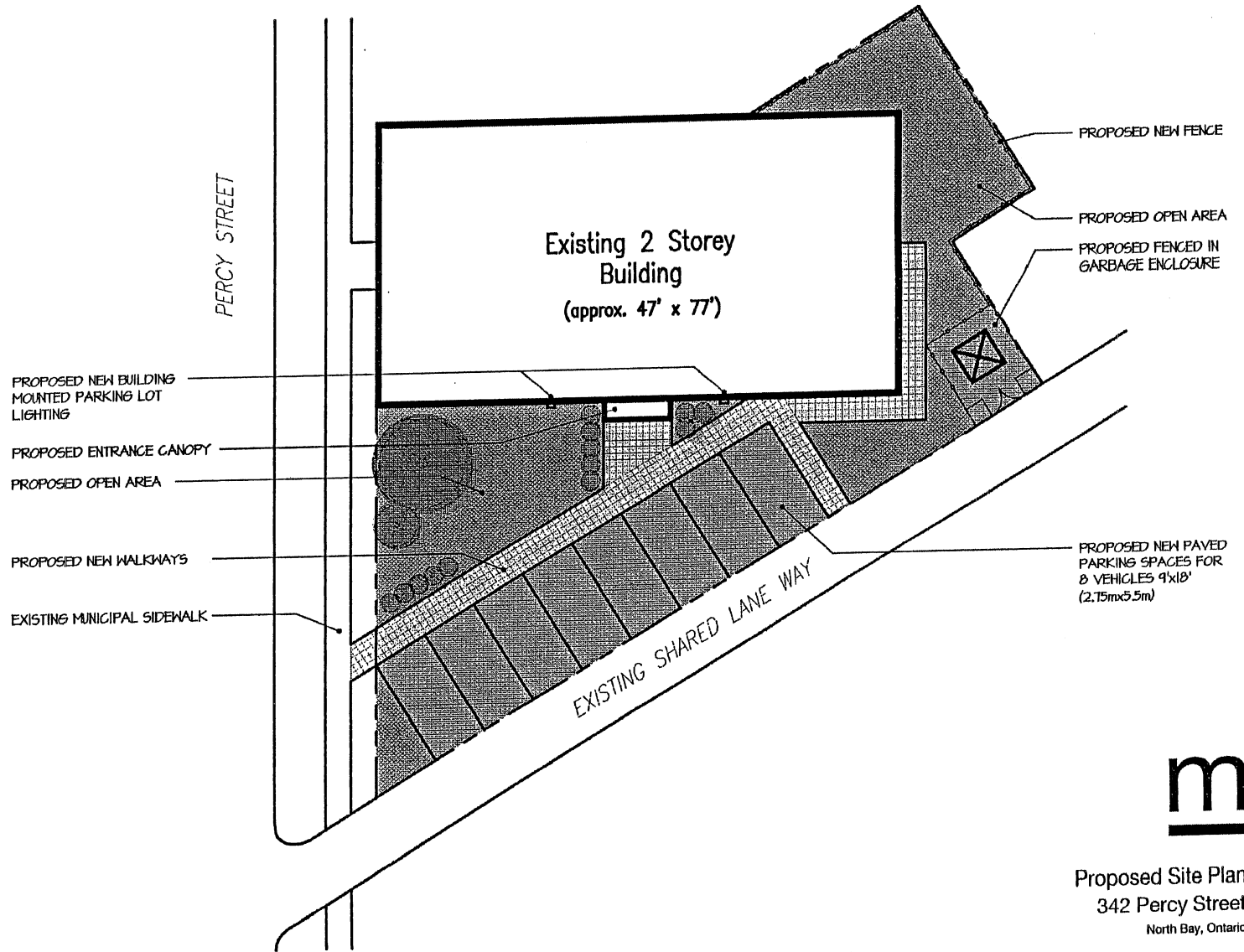
SCHEDULE C



PROJECT LOCATION

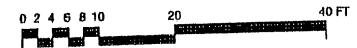
Key Plan

	% Lot Coverage	
	Existing	Proposed
Building	46%	46%
Green Areas	0%	24%
Gravel	54%	0%
Paved Parking & Walkways	0%	30%

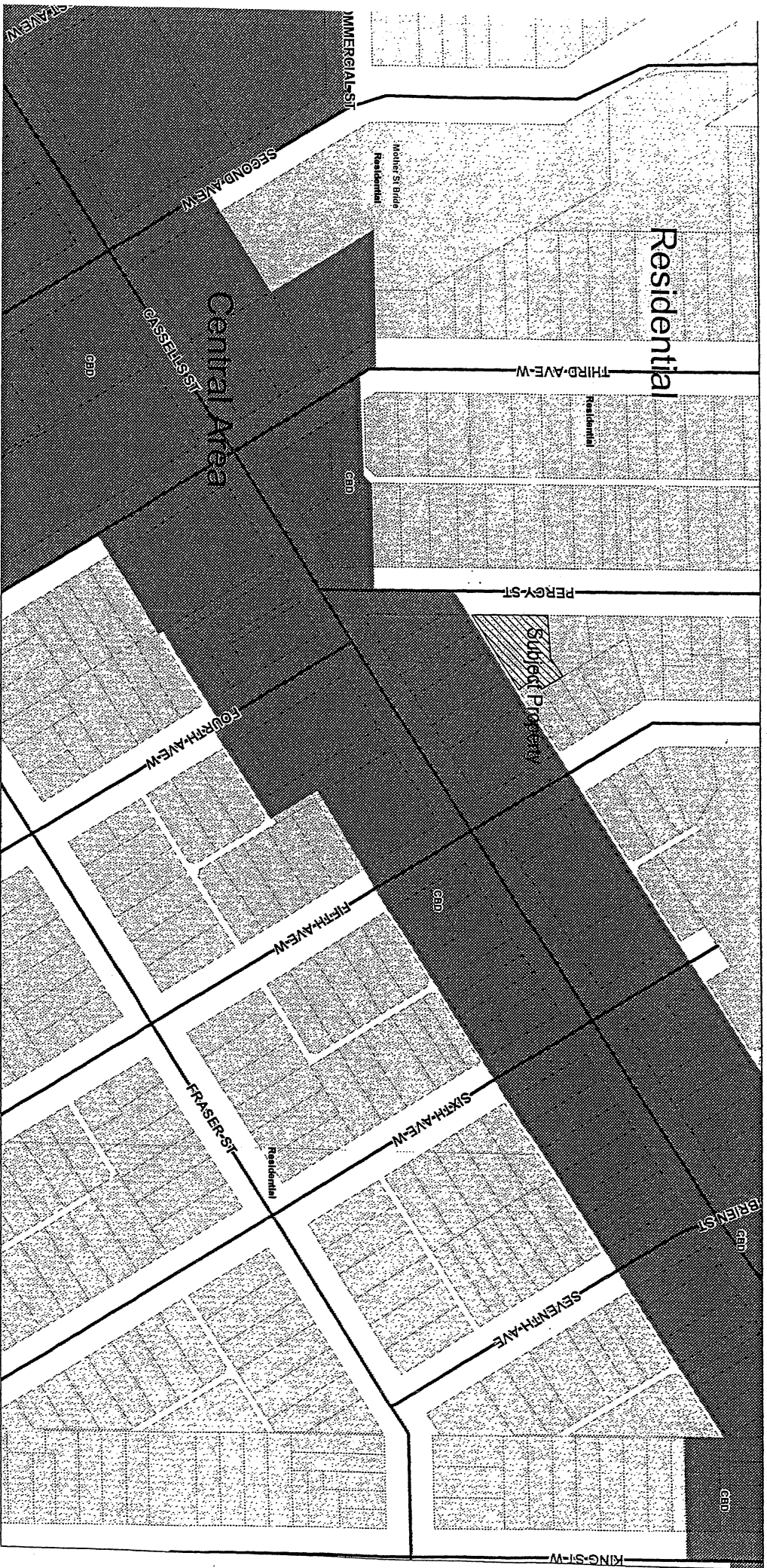


Proposed Site Plan
342 Percy Street
North Bay, Ontario

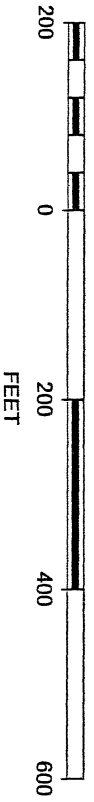
October 2011



SCHEDULE D



SCALE 1 : 2,468



INTER OFFICE

MEMO

City of North Bay
Planning Services

To: Cathy Conrad, City Clerk
From: Erik Acs - Development Planner.
Subject: Resolution No. 4 - Planning Advisory Committee
Date: December 7th, 2011

Quoted below is Resolution No. 4 passed at the regular meeting of the Planning Advisory Committee held on Thursday, December 7th, 2011:

Resolution No. 4

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

1. That 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**
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.”

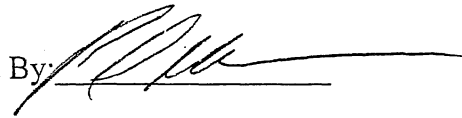


Erik Acs
Development Planner

North Bay Planning Advisory Committee

Resolution No. 4

Date: December 7, 2011

Moved By: 

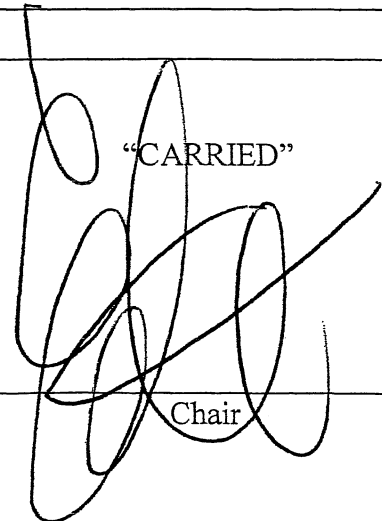
Seconded By: 

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

1. That 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
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:

“CARRIED”


Chair

INTER OFFICE

MEMO

City of North Bay

To: Chair and Members, Planning Advisory Committee
From: Steve McArthur, Senior Planner, Current Operations
Subject: Proposed Zoning By-Law Amendment by Goodridge Planning & Surveying on behalf of the North Bay General Hospital (685 Bloem Street – McLaren Site)
Date: November 30, 2011

Recommendation

- 1) That the proposed Zoning By-law Amendment from 'Residential First Density (R1)' and 'Institutional (N)' to a 'Neighbourhood Commercial Special Zone (C5 Sp.)' 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, 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 ingress, egress, parking, lighting, garbage facilities, landscaping, fencing, lot grading and storm water management.

Site

The subject property is located at 685 Bloem Street. The property is developed with a 2-storey brick building and a smaller accessory structure (portable) which is a one-storey metal clad building. The building was part of the former North Bay General Hospital (McLaren Site) complex and was utilized as supporting administrative offices for the hospital until the opening of the new regional health centre in January 2011. Since that time, the building has remained vacant.

The lands subject to this Zoning By-law amendment were severed from the larger hospital property in 2011. The subject property has frontage of 65.5 metres (215 feet) and a total lot area of 0.294 hectares (0.72 acres), as shown on Schedules 'A' & 'B' attached hereto.

The subject property is designated "Residential" in the City's Official Plan and is zoned "*Institutional (N)*" and "*Residential First Density (R1)*" under Zoning By-law No. 28-80.

At the time of this report, the former hospital building remains in place on the neighbouring property, though it is presently vacant. The long-term function of this building is uncertain. Other adjacent properties in the immediate vicinity are primarily low-density residential homes.

Proposal

The Applicant is proposing to rezone the subject property from an "Institutional (N)" and "Residential First Density (R1)" zone to a "Neighbourhood Commercial Special (C5 Sp.)" zone. The proposed Zoning By-law Amendment would allow the existing building to be utilized as a Professional Office building.

The special components of the proposed "Neighbourhood Commercial Special (C5 Sp.)" would recognize the existing deficient setbacks. The proposed "Neighbourhood Commercial Special (C5 Sp.)" zone would have a minimum front yard setback of 7.356 metres and a minimum rear yard setback of 8.48 metres.

The proposal is to convert the surplus former hospital buildings into a professional office use. An issue arises when institutional uses such as hospitals, schools and places of worship are declared surplus and abandoned. These facilities were allowed to locate in residentially-designated areas under the public use provisions of both the Official Plan and Zoning By-law. Once the institutional use ceases to exist, the City is charged with the responsibility of ensuring that their future occupancy and use is compatible and desirable. City Council has within the recent past dealt with similar applications and in each case Staff and Council have considered the former use, the surrounding neighbourhood and adjacent land uses when recommending or approving a proposed Zoning By-law amendment.

Provincial Policy Statement

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

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

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

The subject property is already developed with a two storey building that was constructed in 1990 to serve as an administrative office building. This building is now vacant. The proposed Zoning By-law amendment would allow the building to be reoccupied as a professional office. No extension of municipal services would be required.

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

Growth Plan for Northern Ontario

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

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario. Specific Planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Provincial government or incorporated into the Official Plan.

In a general context, the proposed development is near an arterial street (Algonquin Avenue). As part of the former hospital complex, the property in question is now vacant. The GPNO 2011 discusses intensification and redevelopment throughout the Plan. It also discusses incorporating sustainable principles in land use planning, such as encouraging infill development. The proposed Zoning By-law Amendment would result in the redevelopment of this vacant land without the need for the extension of municipal services, consistent with the policies of the GPNO 2011.

In my professional opinion, in reviewing the Growth Plan for Northern Ontario, all applicable policies have been considered and the proposed Zoning By-law amendment conforms to the GPNO 2011.

Official Plan

The subject property is designated "Residential" in the City of North Bay's Official Plan.

Section 2.2.5 of the City's Official Plan indicates that *"this Plan may also permit those businesses, professional, institutional and public uses necessary to serve the day-to-day needs of the people in the neighbourhood, provided they do not detract from the surrounding area, and suitable standards are prescribed to minimize the possibility of nuisance to or depreciation of adjacent residences."*

The Plan further states in Section 2.2.5.2 that *"retail and personal service uses to serve the convenience needs of the local population in residential areas such as 'corner' stores, variety stores, dry cleaning pick-up stores may be permitted to a maximum of three by amendment to the Zoning By-law... which shall be approved by the municipality only when it has been demonstrated that:*

- a) *the proposed store (or stores) is warranted in the particular location on the basis of the location and type of other retail and personal service establishments in the vicinity of the proposed store;*
- b) *the proposed location would minimize any adverse effects upon adjacent residential areas;*
- c) *wherever possible, such uses should be located on the corner of two streets;*
- d) *the proposed commercial site is not greater than two-tenths (0.2) of a hectare; and*
- e) *that adequate parking can be provided."*

The proposed Zoning By-law amendment would result in the subject property being occupied by professional offices. It is recognized these offices would likely serve a broader population than just the immediate neighbourhood. It is further recognized the subject property is not located at the intersection of two streets, as outlined by Section 2.2.5.2.c) of the Official Plan.

However, as a result of the property's previous use as administration offices for the hospital, the size, layout and condition of the existing building, it is Planning Staff's opinion the proposed Zoning By-law amendment allowing Professional Offices would be the highest and best use of the subject lands.

The Commercial Strategy Study completed for the new Official Plan identified a need of approximately 27,000 square feet of new "bank/trust/credit union/and other professional office space" by 2011. There have only been a few minor office developments since this study was commissioned. The City's Economic Development Department has indicated there is a need for larger office space for single tenants in the community.

The subject property is unusual in that it was previously functioned as an office as part of a permitted institutional use. If the proposed Zoning By-law amendment were to be approved, the property would operate in a very similar manner to its previous use. Staff is not aware of any instances of neighbourhood conflict as a result of the property's use as a administrative office building. All required parking can be accommodated on-site and the property will be subject to Site Plan Control in order to regulate ingress, egress, parking, lighting, garbage facilities, landscaping, fencing, lot grading and storm water management. For these reasons, it is Planning Staff's professional opinion the proposed Zoning By-law Amendment will not alter the residential character of the neighbourhood.

The property is 0.294 hectares, which is greater than the maximum property size of 0.2 hectares contemplated by Section 2.2.5.2.d) of the Official Plan. Section 11 of the Official Plan (Interpretation) states "*the intent of the Plan shall in all cases be considered flexible and no strict interpretation of any boundary line or any figure is intended. Minor adjustments may be made where such adjustments are deemed necessary for the desirable development of the area, provided that the general intent of the Plan is maintained*". Given the property's history as a major institutional use, it is Staff's opinion the property's size is appropriate.

It is my professional opinion the proposed Zoning By-law amendment maintains the general intent of the Official Plan.

Zoning By-law

The subject property is currently zoned "Institutional (N)" and "Residential First Density (R1)". An "Institutional (N)" zone permits the following uses:

- boarding, lodging or rooming house;
- cemeteries;
- colleges, universities and private schools;
- day nurseries;
- elementary and secondary schools;
- government lands and buildings;
- group home type 1;
- group home type 2;
- group home type 3;
- homes for the aged;
- hospitals or health care and treatment facility;
- museums;

-
- nursing home;
 - place of worship;
 - prison;
 - recreational facilities owned and operated by a public authority;
 - solar farm;
 - welfare institutions; and
 - buildings or structures accessory to the foregoing.

A “Residential First Density (R1)” zone permits the following uses:

- single detached dwelling unit (minimum frontage of 18m);
- group home type 1;
- accessory home based businesses;
- parks, playgrounds & non-profit uses; and
- institutional uses.

The Applicant is proposing to rezone the subject lands to a “Neighbourhood Commercial Special Zone (C5 Sp.)”, which would permit the following uses:

- 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.

The special component of the proposed 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.

Correspondence

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to municipal departments and other agencies that may have an interest in this matter. In terms of the correspondence received the Chief Building Official, Director of Parks, Recreation and Leisure Services, Engineering Design & Approvals, Fire Prevention Officer, Secretary-Treasurer of the Municipal Heritage Committee, Manager of Economic Development, Ministry of Transportation and North Bay-Mattawa Conservation Authority have offered no objections to the proposal.

At the public meeting of the Planning Advisory Committee, which was held Wednesday, November 16, 2011, no comments or objections were received from any of the circulated property owners.

Summary

The property in question previously functioned as administrative support for the North Bay General Hospital’s McLaren Site, an institutional use. When the hospital relocated, it left this building vacant. The property’s present zoning limits the use to institutional and low density residential. This is not an appropriate zoning designation for the existing structure. The proposed Zoning By-law amendment seeks to rezone the property from “Institutional (N)” and


“Residential First Density (R1)” to a “Neighbourhood Commercial Special Zone (C5 Sp.)” in order to permit the continued use of the building as professional office space.

The proposed Zoning By-law amendment is consistent with policies regarding economic development, infill development and intensification found in the Provincial Policy Statement (PPS 2005) and in the Growth Plan for Northern Ontario (GPNO 2010).

The proposal is to convert the surplus former hospital buildings into a professional office use. An issue arises when institutional uses such as hospitals, schools and places of worship are declared surplus and abandoned. These facilities were allowed to locate in residentially-designated areas under the public use provisions of both the Official Plan and Zoning By-law. Once the institutional use ceases to exist, the City is charged with the responsibility of ensuring that their future occupancy and use is compatible and desirable. City Council has within the recent past dealt with similar applications and in each case Staff and Council have considered the former use, the surrounding neighbourhood and adjacent land uses when recommending or approving a proposed Zoning By-law amendment.

It is Planning Staff’s opinion the proposed Zoning By-law Amendment represents the highest and best use of the property. The building was constructed to be an administrative building for the hospital’s use. The building is relatively modern and would require major renovations or demolition in order for the property to be redeployed as a low density residential use. The neighbourhood has long been defined by the presence of the hospital. There have been no notable instances of neighbourhood conflict with this institutional use, or more specifically, with this administrative office building. The proposed “Neighbourhood Commercial Special Zone (C5 Sp.)” will have limited uses, minimizing the potential for neighbourhood conflict. The property will also be placed under Site Plan Control Agreement, which will regulate the manner in which the property functions. This represents a net improvement of the situation of previous years. It is also noteworthy that no residents of the neighbourhood attended the first Public Meeting held at the Planning Advisory Committee on November 16th, 2011.

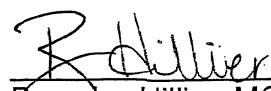
It is my professional opinion the proposed Zoning By-law amendment maintains the general intent of the City of North Bay’s Official Plan and the end use is consistent with the Provincial Policy as outlined in the Provincial Policy Statement (PPS 2005) and in the Growth Plan for Northern Ontario (GPNO 2010).



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

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attach.

I concur with the recommendations contained in this report.

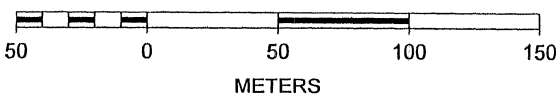


Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A



SCALE 1 : 2,920



Proposed Zoning By-law Amendment
 From: "Residential First Density (R1)" and
 "Institutional (N)"
 To: "Neighbourhood Commercial Special
 Zone No. 81 (C5 Sp.81)"



SCHEDULE B

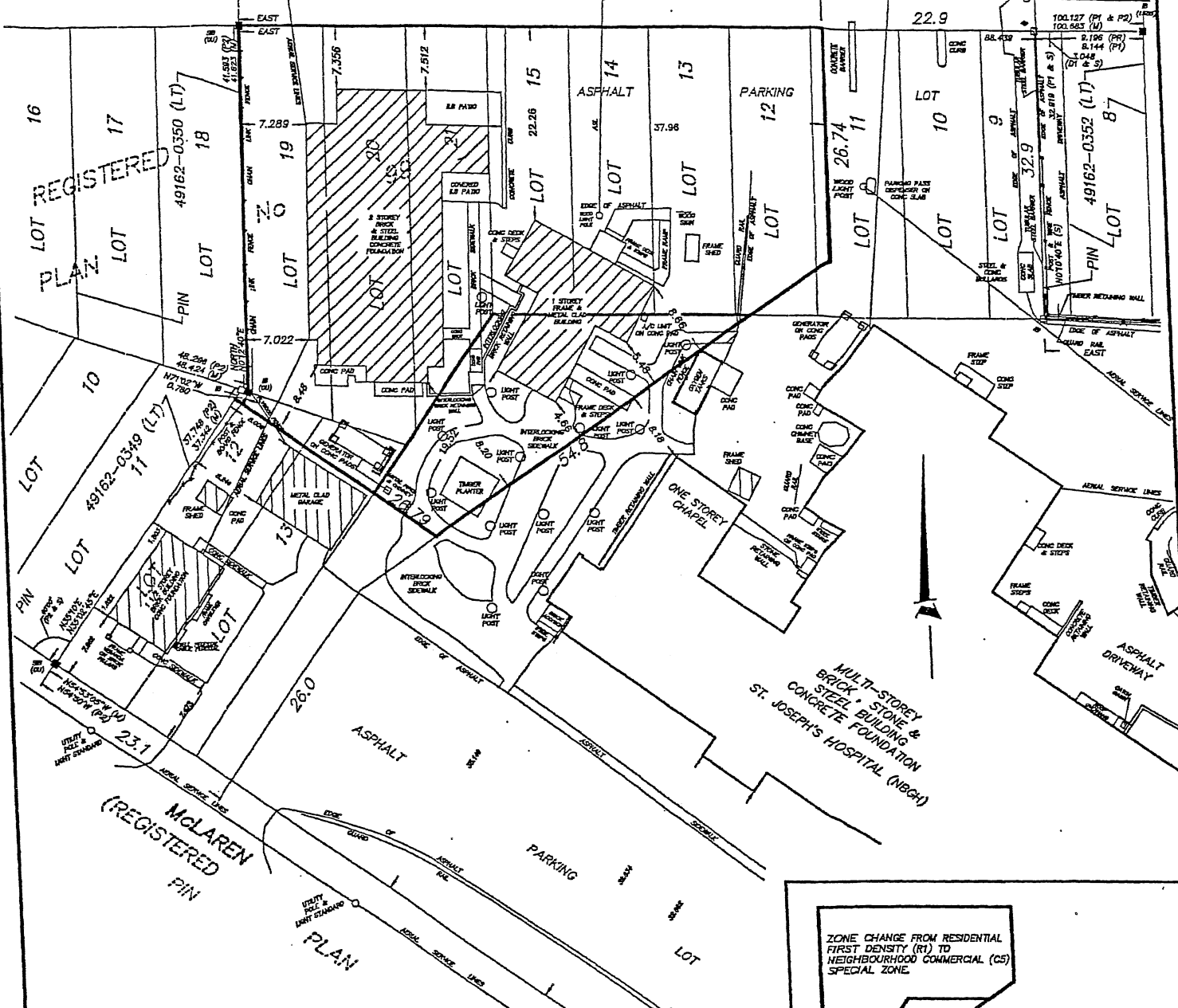
METRIC
DISTANCES SHOWN ON
THIS PLAN ARE IN
METRES AND CAN BE
CONVERTED TO FEET
BY DIVIDING BY 0.3048.

BLOEM
(REGISTERED)

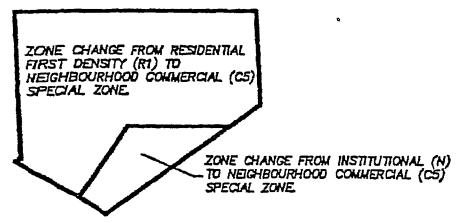
PLAN
65.5

No

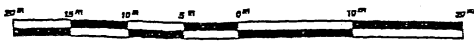
65)



SKETCH TO ACCOMPANY No
ZONING BY-LAW AMENDMENT APPLICATION
PART OF LOTS 11 & 12
ALL OF LOTS 13, 14 & 15
REGISTERED PLAN No 91
AND
PART OF LOTS 12 & 13
ALL OF LOTS 19, 20 AND 21
REGISTERED PLAN No 99
AND
PART OF LOT 21, CONCESSION C
GEOGRAPHIC TOWNSHIP OF WIDDIFIELD
CITY OF NORTH BAY
DISTRICT OF NIPISSING



TOTAL LOT AREA	2,941.5 SQ. M.
BUILDING AREAS	
NIPISSING HOUSE	487.4 SQ. M.
SHED	4.5 SQ. M.
PORTABLE	181.0 SQ. M.
TOTAL	672.9 SQ. M.
% LOT COVERAGE = 22.8%	



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GOODRIDGE PLANNING & SURVEYING
LAND USE PLANNING & DEVELOPMENT CONSULTING
116 BYERS ROAD, CALLANDER, ON POH 1H0
T: 705-493-0774 E: GPS@ONTERA.NET

INTER OFFICE

*City of North Bay
Planning Services*

MEMO

To: Cathy Conrad, City Clerk
From: Erik Acs - Development Planner.
Subject: Resolution No. 3 - Planning Advisory Committee
Date: December 7th, 2011

Quoted below is Resolution No. 3 passed at the regular meeting of the Planning Advisory Committee held on Thursday, December 7th, 2011:

Resolution No. 3

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

1. That 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**
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."



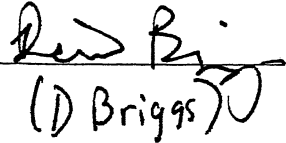
Erik Acs
Development Planner

North Bay Planning Advisory Committee

Resolution No. 3

Date: December 7, 2011

Moved By: 

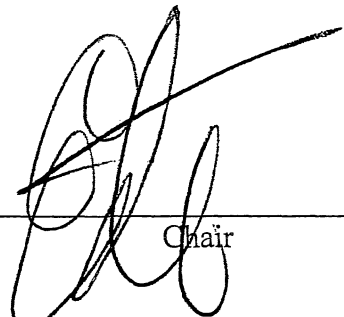
Seconded By: 
(D Briggs)

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

1. That 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
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:

“CARRIED”



Chair

INTER OFFICE

City of North Bay
Planning Services

MEMO

To: Chair and Members, Planning Advisory Committee

From: Steve McArthur - Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment 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.

Date: December 1, 2011

Recommendation

- 1) That 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
- 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 building massing, parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

Site

The subject property is situated at 403 Worthington Street East, as shown on Schedules "A" and "B" attached hereto. This corner lot has frontage of approximately 16.7 metres (54.77 feet) on Worthington Street East and secondary frontage of approximately 28.0 metres (91.84 feet) on Fisher Street. The total lot area is approximately 463.95 square metres (0.11 acres). The property is designated "Residential" in the City of North Bay's Official Plan and is currently zoned "Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)" in the City of North Bay's Zoning By-law No. 28-80. The area is a mixed use neighbourhood, including commercial and institutional uses, and low to high density residential uses.

Proposal

Orlando Rosales & Mabel Hernandez have submitted a Zoning By-law Amendment application to rezone the subject property from a 'Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)' to a 'Residential Multiple First Density Special Zone No.126 (RM1 Sp.126)' in order to convert the existing commercial building into a four-plex (four (4) apartment units). The special component of the proposed amendment is to recognize existing setbacks and lot coverage.

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

The proposed Zoning By-law Amendment will permit a former neighbourhood commercial use in an existing building to convert to a residential four-plex. The subject property has an existing building on full municipal services, resulting in new accommodations without the requirement for the extension of municipal services.

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

Official Plan

The subject property is designated "Residential" in the City of North Bay's Official Plan. The proposed four-plex is considered a low density residential development in the City's Official Plan.

Section 2.2.2.3 of the Official Plan states "*In order to supplement the City's stock of rental housing, the City shall encourage the conversion and renovation of older dwellings and other buildings, in areas permitting residential development, into multiple dwelling units for the rental market suited to community standards*". This policy of the Official Plan is implemented through the 'Residential Conversion Area' regulations of Zoning By-law No.28-80. Although the Official Plan sets an upper density limit of one dwelling unit for each 230 square metres of lot area, the 'Residential Conversion Area' regulations reduce this standard in order to encourage new rental accommodations in the Central Area.

The subject property is located within a designated residential area and is situated in close proximity to several local amenities, including parks, transit, shopping areas and the library. The Owners have plans to renovate the existing building and will be improving the overall amenity and design by removing the front yard parking and relocating said parking to the rear of the four-plex.

For these reasons, it is my professional opinion that the proposed Zoning By-law Amendment meets the general intent of the City of North Bay's Official Plan.

Zoning By-law No. 28-80

The subject property is currently zoned "Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)" by the City of North Bay's Zoning By-law No. 28-80, which permits the following uses:

- Convenience stores;
- Daycare facilities;
- Dry cleaning depots;
- Local retail stores;

- Personal service establishments;
- Restaurants; and
- Dwelling units connected to and forming an integral part of the commercial building, provided that access to the dwelling units is separate from the access to the commercial portion of the building.

The Applicant is proposing to rezone the subject lands to a "Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)". The subject property is located within the Residential Conversion Area. The zoning regulations within the Residential Conversion Area are less restrictive than other areas of the City in order to encourage the conversion of older buildings into multiple dwelling units. Although the Residential Conversion Area requires a lot area per dwelling unit of 186 square metres, the Applicants are only able to provide 169 square metres per dwelling unit. In light of the functionality of the site and the access to rear yard parking, this deficiency is reasonable.

Prior to the subject property's rezoning to C5 Sp.60 in 2001, the subject property had a 'Residential Multiple First Density (RM1)' zoning designation with four (4) residential units. The Applicants are essentially asking to return the property to its former state and the special considerations reflect existing conditions on site. Therefore, the special component of the rezoning will recognize existing deficiencies for the front, side and rear yard setbacks, in addition to lot area per dwelling unit as discussed above. The subject property will meet all other provisions and regulations of Zoning By-law No. 28-80.

Correspondence

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

In terms of the correspondence received the Engineering Department, the Chief Fire Prevention Officer, the North Bay-Mattawa Conservation Authority, the Mayor's Office of Economic Development and the Director of Parks, Recreation and Leisure Services offered no objections to the proposal.

The Chief Building Official advised that: "the Owner's will require a qualified and registered designer to prepare drawings with respect to the required building permit application." This information has been relayed to the Applicants.

Two (2) letters were received from circulated property owners in response to the proposed rezoning. The only concern expressed by these owners was with the front yard parking for the building, as its proximity to the corner of Worthington Street East and Fisher Street results in poor visibility and safety concerns for neighbourhood residents, as demonstrated on Schedule 'C' attached hereto.

In response to these neighbourhood concerns Planning Staff met with the Owners who have since agreed to amend their application and remove this front yard parking by converting it to a patio for the exclusive use of the tenants. The required parking (four (4) parking spaces) can be accommodated at the rear of the building. Details on the removal of the front yard parking will be included as part of the required Site Plan Control Agreement (SPCA). The circulated property owners are satisfied with this resolution.

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

Summary

The building has been occupied for several years by a variety of small businesses including most recently as Nice Touch Hairstyling and Tanning. The previous Owners operated these businesses and rented two (2) apartment units in the upper and lower floors of the building. The new Owners (the Applicants) plan to remove the commercial operations and convert them into additional rental apartment units. The proposed use is compatible with the mixed use nature of the existing neighbourhood.

The proposed Zoning By-law Amendment would rezone the subject property from a 'Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)' to a 'Residential Multiple First Density Special Zone No.126 (RM1 Sp.126)' in order to convert the existing commercial building into a four-plex (four (4) apartment units). The special component of the proposed amendment is required to recognize deficiencies in the existing setbacks and lot area per dwelling unit. If approved, the property will be subject to Site Plan Control in order to regulate parking, lighting, landscaping, storm water management, ingress/egress and fencing as required.

The Owners have agreed to remove the front yard parking, as its proximity to the corner of Worthington Street East and Fisher Street results in poor visibility and safety concerns for neighbourhood residents, and will be converting it to a patio for the exclusive use of the tenants. The required parking (four (4) parking spaces) can be accommodated at the rear of the building. Details on the removal of the front yard parking will be included as part of the required Site Plan Control Agreement (SPCA).

It is my professional opinion the proposed Zoning By-law Amendment maintains the general intent of the City of North Bay's Official Plan and the end use is consistent with Provincial Policy as outlined in the Northern Growth Plan (GPNO) and the Provincial Policy Statement (PPS 2005).

Respectfully submitted,



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SM

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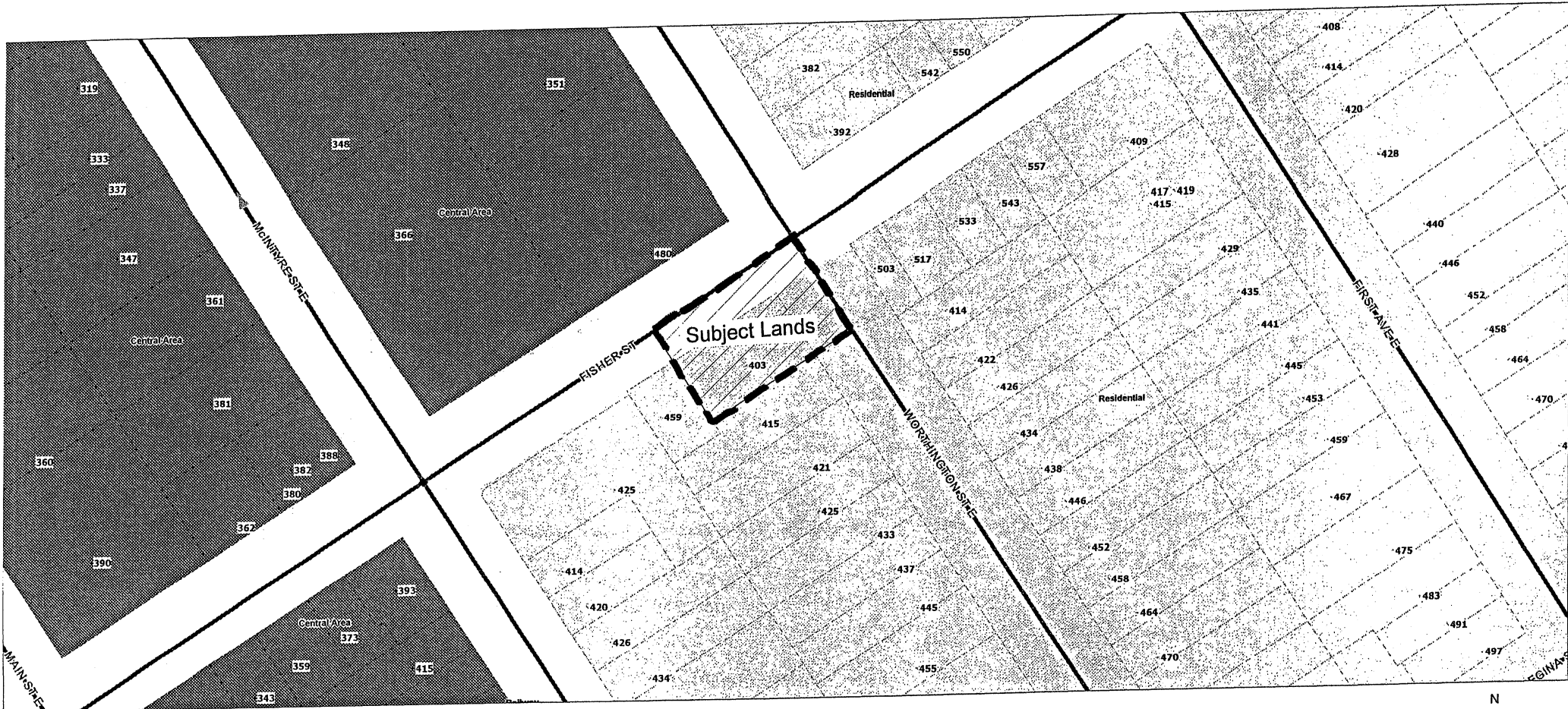
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I concur with the recommendations contained in this report.

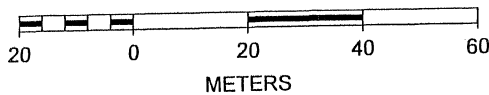


Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A



SCALE 1 : 1,324



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)"



SCHEDULE B

N^o 10
BAY
ING.
SET

WORTHINGTON STREET

264.00' (PLAN 10)
265.07' (MEAS)

N31°19'W
66.00' (PLAN 10) 66.27' (PROP)
N31°19'W (54.51' (REG)) 54.77' (MEAS) REG 6 SET 11.50'

264.00' (PLAN 10)
265.08' (MEAS)
132.84' (PROP)

91.1' (REG)

132.00' (PLAN 10)
N58°55'05"E
91.1' (REG)

41.00' (REG & SET)

N58°41'E
N58°55'05"E

66.00' (PLAN 10 & SET)
N31°21'20"W

132.71' (MEAS)
132.00' (PLAN 10)

McINTYRE STREET

18 (CLARKE LACKSTROM & BRAUN, O.L.S.)

ASPHALT DRIVE
WOOD DECK
1/2 STOREY BRICK DWELLING
STONE FOUNDATION
N^o 403

B

INST. N^o 101066



INST. N^o 56492
PLAN

66.00' (PLAN 10) 66.31' (PROP)
N31°17'30"W
N31°19'W

N^o 93103
91.1' (REG) 91.86' (MEAS)

INST. N^o 5895405"E

41.00' (REG & SET)
N58°54'05"E
N58°41'E

91.87'

132.87' (MEAS)
132.00' (PLAN 10)

POINT COINCIDENT WITH BLOCK WALL

530.51' (MEAS)
528.00' (PLAN 10)

194

A - Front Yard
Parking Area
to be removed

B - Conversion of
existing building
to a four-plex

C - Parking Area

292

N^o 10

195

194

McINTYRE STREET

VAR.
AR.
TON BAR.
ER LIMITED, O.L.S.

SURVEYOR'S CERTIFICATE

© - NO PERI
OR ALTI
WITHOUT
CLARKE

SCHEDULE C





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

#5

Planning Services: 5th Floor, North Bay City Hall
Direct Line: (705) 474-0626, Ext. 2409
Fax: (705) 474-5928
Watts: 1-800-465-1882
E-mail: steve.mcarthur@cityofnorthbay.ca
Web: <http://www.cityofnorthbay.ca>

December 16, 2011

Southshore Investments Inc.
152 Ramona Blvd.
Markham, On L3P 2K8

Atten: John Jamieson

Dear Mr. Jamieson:

Re: Proposed Zoning By-law Amendment by Southshore Investments Inc. for the property legally described as Registered 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, 1710, 1720 & 1730 Main Street West in the City of North Bay

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

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

We will commence processing of the application immediately.

Should you require any additional information, please feel free to contact me at (705) 474-0400 (Ext. 2409).

Sincerely,

Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SM/ dlb

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Copy: C. Conrad, City Clerk

REPORT TO COUNCIL

Report No: CSBU 2012 - 1

Date: January 3, 2012

Originator: Dorothy Carvell, Transit Manager

Subject: Purchase of Electric Cooling System Units (EMP)

Recommendation

That Council authorize the Chief Financial Officer to apply unused 2011 Capital funding in the amount of \$129,539. for the purchase of six EMP units.

Background

On October 11, 2011 in Report to Council CSBU 2011-97, Transit requested funding for the retrofit of twelve (12) New Flyer Conventional Transit buses with the EMP or Electric Cooling system.

By way of Resolution 2011-706, Council approved the purchase of six (6) EMP using the Transit One Time Funding held in Capital Project 2891T and the subsequent six (6) EMP using 2012 Transit Operating funds.

During Community Services Committee Operating Budget meeting held December 7, 2011, the Committee supported the recommendation to utilize unused 2011 Capital to purchase the six (6) EMP units rather than using 2012 operating funds. Under this approach the projected savings of \$107,000. can be immediately applied to the 2012 operating budget rather than wait until 2013.

Analysis / Options

Option 1:

That Council authorize the Chief Financial Officer to apply unused 2011 Capital funding in the amount of \$129,539. for the purchase of six EMP units.

Under this option, savings resulting from the installation of these EMP units can be applied to the 2012 Operating Budget rather than waiting until 2013.

Option 2:

That Council not authorize the use of Capital funds. By way of using the Operating funds for the project will significantly increase Transit Operating Budget for 2012.

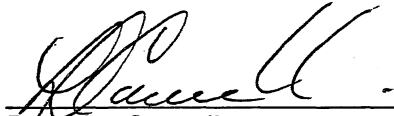
Under this option, savings would not be realized within Transit's operating budget until 2013.

Recommended Option

Option 1:

That Council authorize the Chief Financial Officer to apply unused 2011 Capital funding in the amount of \$129,539 for the purchase of six EMP units.

Respectfully submitted,

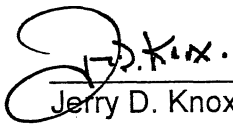


Dorothy Carvell
Transit Manager

DC/dlb

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We concur with this report and recommendations.



Jerry D. Knox
Managing Director, Community Services



Margaret Karpenko, CMA
Chief Financial Officer / Treasurer



David G. Linkie
Chief Administrative Officer

Personnel designated for continuance: Fleet Supervisor and Transit Manager

City of North Bay**Report to Council**

Report No.: CORP 2012-01

Date: January 3, 2012

Originator: Lorraine Rochefort

Subject: 2012 Interim Tax Rate By-Law
2012 Adjustments to Interim Taxes By-Law

RECOMMENDATIONS:

That Council enacts By-Law 2012-02, being a by-law to levy certain interim rates, taxes and charges and that the by-law be given 3 readings on January 23rd, 2012.

That Council enacts By-Law 2012-03, being a by-law to adjust interim taxes on certain properties that would be levied too high or too low in relation to total taxes that will be levied on the property and that the by-law be given 3 readings on January 23rd, 2012.

BACKGROUND:

Section 317 of the Municipal Act, 2001, provides the Council of local municipalities with the authority to pass by-laws to levy amounts or "interim rates" on the assessment of property before the adoption of the annual budget.

Section 317(3) permits an interim tax levy of 50% of the total taxes for municipal and school purposes levied in the previous year.

Section 317(9) provides municipalities with the authority to adjust the interim tax levy if, in the opinion of Council, the taxes levied on a property were too high or too low in relation to its estimate of total taxes that will be levied on the property.

There are numerous accounts that require adjustments to the interim levy resulting from:

1. New roll numbers in 2012 – New properties on the roll for 2012, therefore, there are no assessment values in 2011. If not adjusted, would result in no interim bill being issued and the total levy on the final bill which would pose a financial hardship to the ratepayers.
2. Severed/subdivided/split properties – In 2011 the total assessment/levy was on the original roll number therefore, the 2012 interim bill would apply only to the original roll number. This would result in a bill that would be substantially higher than permitted under the legislation and also potentially higher than the total levy for the year. The new roll numbers created do not have assessment values

associated with them, therefore, no interim bill would be produced, only a final bill.

3. Valuation Reductions – Reductions in assessment from 2011 to 2012. If not adjusted, in some cases we would levy far more than the 50% permitted under the legislation.
-

OPTIONS/ANALYSIS:

1. That an interim by-law not be enacted and Council levy a final tax bill only. The interim billing will generate approximately \$42,330,000 in cash flow all due February 28 which would otherwise be due June 30. The budget impact of this reduction in cash flow would be up to \$500,000 for interest expense and lost investment revenue which translates to approximately a 3/4% increase in the tax levy. It would also make it more difficult for taxpayers who would be expected to pay the full tax bill in one instalment rather than two. The City of North Bay has always issued an interim tax billing representing approximately 50% of the previous year's taxes. This is also the policy of virtually all of the municipalities in Ontario. This option is not recommended.
 2. That Council enacts By-Law 2012-02 being a by-law to levy certain interim rates, taxes and charges. This option could result in significant over billings for several tax accounts. This option is not recommended.
 3. That Council enacts: (i) By-Law 2012-02 being a by-law to levy certain interim rates, taxes and charges; (ii) By-Law 2012-03 being a by-law to adjust interim taxes. This option is recommended as it would result in the appropriate amount levied to ratepayers as authorized by Section 317(3) of the Municipal Act.
-


RECOMMENDED OPTION:

Option number 3 is recommended.

That Council enacts By-Law 2012-02, being a by-law to levy certain interim rates, taxes and charges and that the by-law be given 3 readings on January 23rd, 2012.


That Council enacts By-Law 2012-03, being a by-law to adjust interim taxes on certain properties that would be levied too high or too low in relation to total taxes that will be levied on the property and that the by-law be given 3 readings on January 23rd, 2012.

Respectfully submitted,




Lorraine Rochefort, AMCT
Manager of Revenues & Taxation

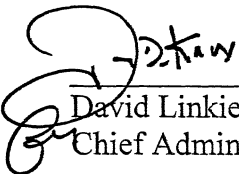
We concur in this report and recommendations:



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Lea Janisse, Managing Director
Corporate Services



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Manager of Revenues & Taxation

City of North Bay
Report to Council

#8

Report No: CSBU 2012 – 3

Date: January 4, 2012

Originator: Steve McArthur, Senior Planner - Current Operations

Subject: Laneway Closure Application by Philippe & Louise Marion to close a portion of the laneway in the block bounded by McLeod Street, Delaware Avenue, Douglas Street and Hutcheson Avenue – 1023 McLeod Street in the City of North Bay

File No: L07/2011/LANEW/MCLEOD/#2011-11

RECOMMENDATIONS

- 1) That the Application by Philippe & Louise Marion to close a portion of the laneway in the block bounded by McLeod Street, Delaware Avenue, Douglas Street and Hutcheson Avenue in the City of North Bay, legally described as Plan No. M-177, abutting Lot 288 and Part of Lot 287, Parcel 3973 in the former Township of Widdifield, as shown on the attached Schedule 'A', BE APPROVED;
- 2) That the closure of the laneway be subject to the granting of any required easements; and
- 3) That the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

BACKGROUND

Section 34(1) of the Municipal Act 2001 (S.O. 2001, c.25) permits municipalities to pass By-laws for "stopping up any highway or part of a highway".

ANALYSIS / OPTIONS

Attached, please find an application to close a portion of the laneway in the block bounded by McLeod Street, Delaware Avenue, Douglas Street and Hutcheson Avenue in the City of North Bay, legally described as Plan No. M-177, abutting Lot 288 and Part of Lot 287, Parcel 3973 in the former Township of Widdifield, as shown on the attached Schedule 'A'.

Notice of this proposed closure was circulated to all parties that may have an interest in this matter with the following comments received:

- 1) City Solicitor – no comment.
- 2) Engineering Department – no objection.
- 3) Director, Parks, Recreation and Leisure Services - no comment.
- 4) Chief Fire Prevention Officer – no objection.
- 5) North Bay-Mattawa Conservation Authority – no objection.
- 6) Bell Canada –

“Upon review of the above noted laneway closure, it has been determined by our local Engineering Department, that Bell Canada requires a transfer of easement over that portion of Laneway, in order to protect our existing facilities. Bell Canada kindly requests that the easement be granted from the City of North Bay prior to the transfer of these lands into private ownership. Please find enclosed the document that should be used for this transaction. We look forward to receipt of the draft documents for our review and approval prior to registration.”

7) Ministry of Transportation – no comment.

8) Union Gas – no comment.

9) North Bay Hydro –

“In response to your request regarding the above-captioned property, North Bay Hydro Distribution Ltd. has reviewed the schedule provided and has determined that it does have facilities in this location. If successfully closed, North Bay Hydro will require easement protection for the existing pole and attachments which currently occupy portions of the laneway subject to the aforementioned application.”

10) Planning Services –

“The subject property is designated ‘Residential’ in the Official Plan and is zoned ‘Residential Third Density (R3)’ under Zoning By-law No. 28-80. Planning Services staff conducted a site visit in December of 2011 and has no objection to the proposed laneway closure.”

Circulated property owners at 271, 275 and 283 Delaware Avenue have not responded to the circulation notice and therefore have expressed no interest in acquiring the portion of laneway abutting their properties. It is therefore recommended that the entire portion of the laneway subject to this closure be granted to the Applicant as shown on Schedule ‘A’ attached hereto.

No further correspondence was received from any circulated internal department or external agency regarding this matter.

Option 1:

Do not close the laneway. This option is not recommended because there is no municipal requirement for the subject laneway.

Option 2:

Close the laneway, subject to the requested easements, and transfer the entire portion of the laneway to the Applicant as shown on Schedule ‘A’ attached hereto.

This option is the recommended option. Each abutting property owner was circulated regarding the proposed closure and a none of them have expressed an interest in acquiring a portion of the laneway.

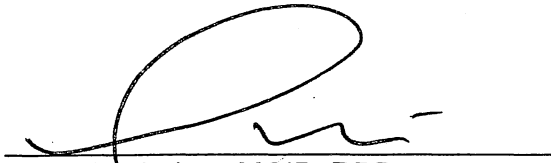
RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 2 is the recommended option.

Closing the portion of the subject laneway as identified in Schedule 'A' attached hereto and transferring ownership of the subject lands to the Applicant with the necessary easements being registered is appropriate.

All costs associated with the proposed closure including, but not limited to, the application fee, advertising, survey and legal work, shall be borne by the Applicants. The requisite advertising, survey and legal work shall occur to the satisfaction of the City.

Respectfully Submitted,



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SM/dlb

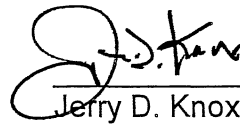
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attach(s): Schedules and Application

We concur with this report and recommendations.



Beverley Hillier, MCIP, RPP
Manager, Planning Services



Jerry D. Knox
Managing Director, Community Services



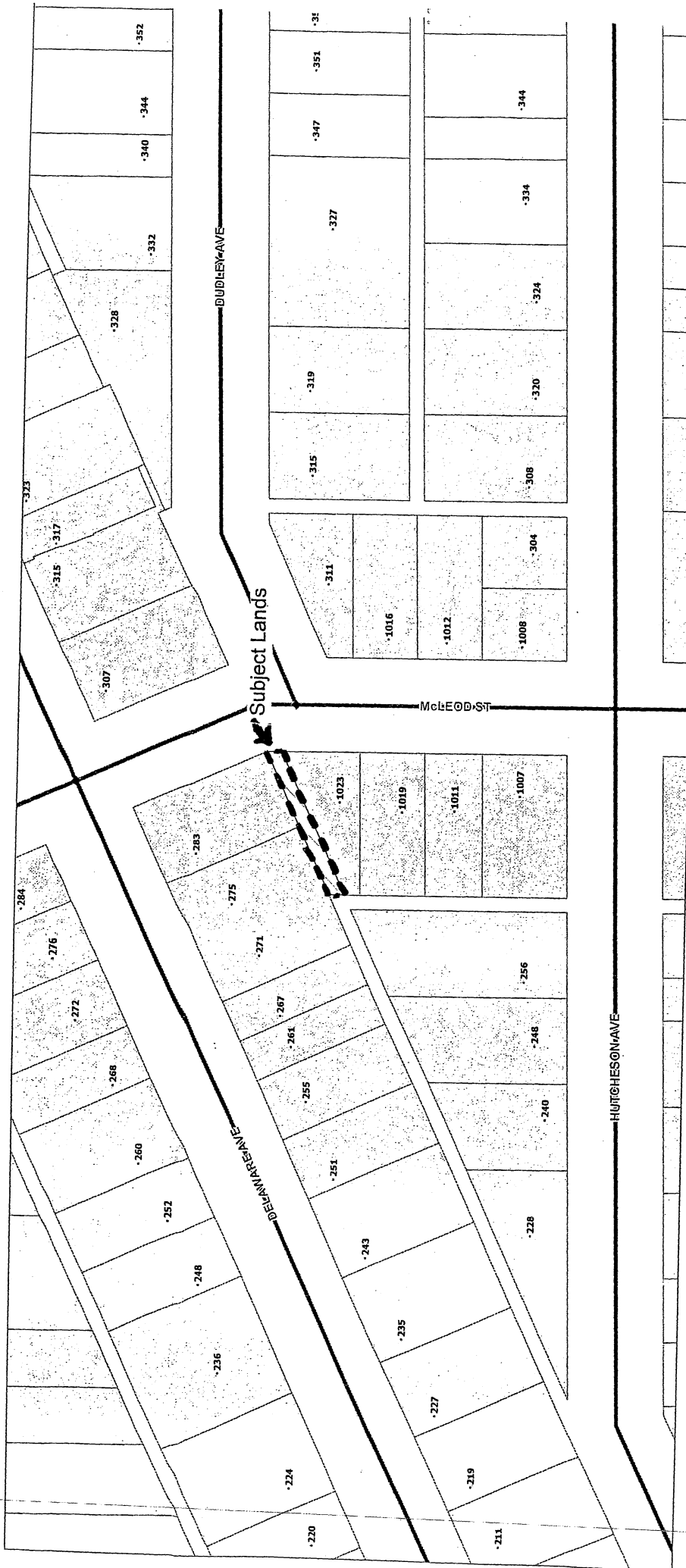
Peter Leckie
City Solicitor



David G. Linkie
Chief Administrative Officer

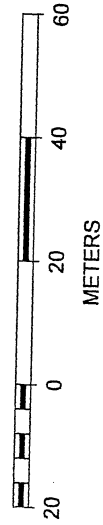
Personnel designated for continuance: Steve McArthur, Senior Planner – Current Operations

SCHEDULE A



Subject Lands

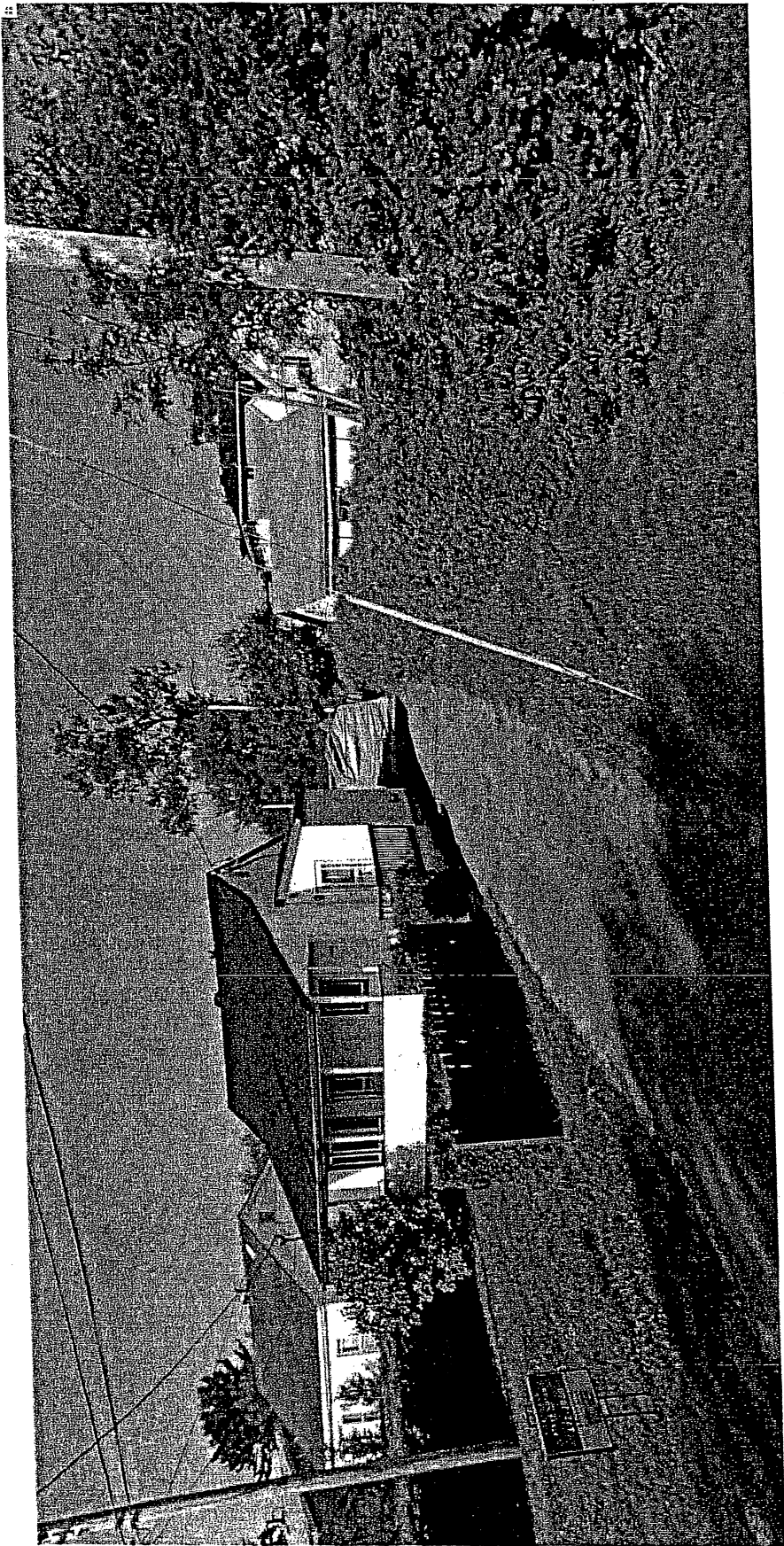
SCALE 1 : 1,224



--- - PORTION OF LANEWAY PROPOSED FOR CLOSURE



SCHEDULE B





The Corporation of the
City of North Bay

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

Planning Services: 5th Floor, City Hall
Direct Line: (705) 474-0626, Ext. 2409
Fax: (705) 474-5928
Wats: 1-800-465-1882
Email: steve.mcarthur@cityofnorthbay.ca
Internet URL: <http://www.cityofnorthbay.ca>

December 7, 2011

Dear Sir or Madam:

Re: Application by Philippe & Louise Marion to close a portion of the laneway in the block bounded by McLeod Street, Delaware Avenue, Douglas Street and Hutcheson Avenue – 1023 McLeod Street in the City of North Bay.

Please be advised the City of North Bay is considering the closure of a portion of laneway in the block bounded by McLeod Street, Delaware Avenue, Douglas Street and Hutcheson Avenue, beside 1023 McLeod Street in the City of North Bay, as shown on Schedule "A" which is attached hereto. The Applicants wish to construct a garage on the subject property and are requesting additional lands for this purpose.

In the event the laneway is successful in being closed, abutting property owners may have the option to purchase that portion of the closed laneway which abuts their property. If you are an abutting owner interested in acquiring a portion of the laneway, you will be expected to pay an equitable share of all costs associated with the closure. The costs are divided proportionally and are based on the percentage of laneway to be allocated to each abutting owner. Laneway closure costs include the application fee, advertising fee and any associated survey costs. The Applicant will pay all fees in advance but must be reimbursed by any participating property owner prior to the transfer of any lands. The City of North Bay will be contacting the willing participants (ie. those who have responded in writing) later on in the laneway closure process regarding payments due.

Any party wishing to express their interest in acquiring a portion of the subject laneway proposed for closure must contact the undersigned in writing prior to 12:30 p.m. on December 31st, 2011.

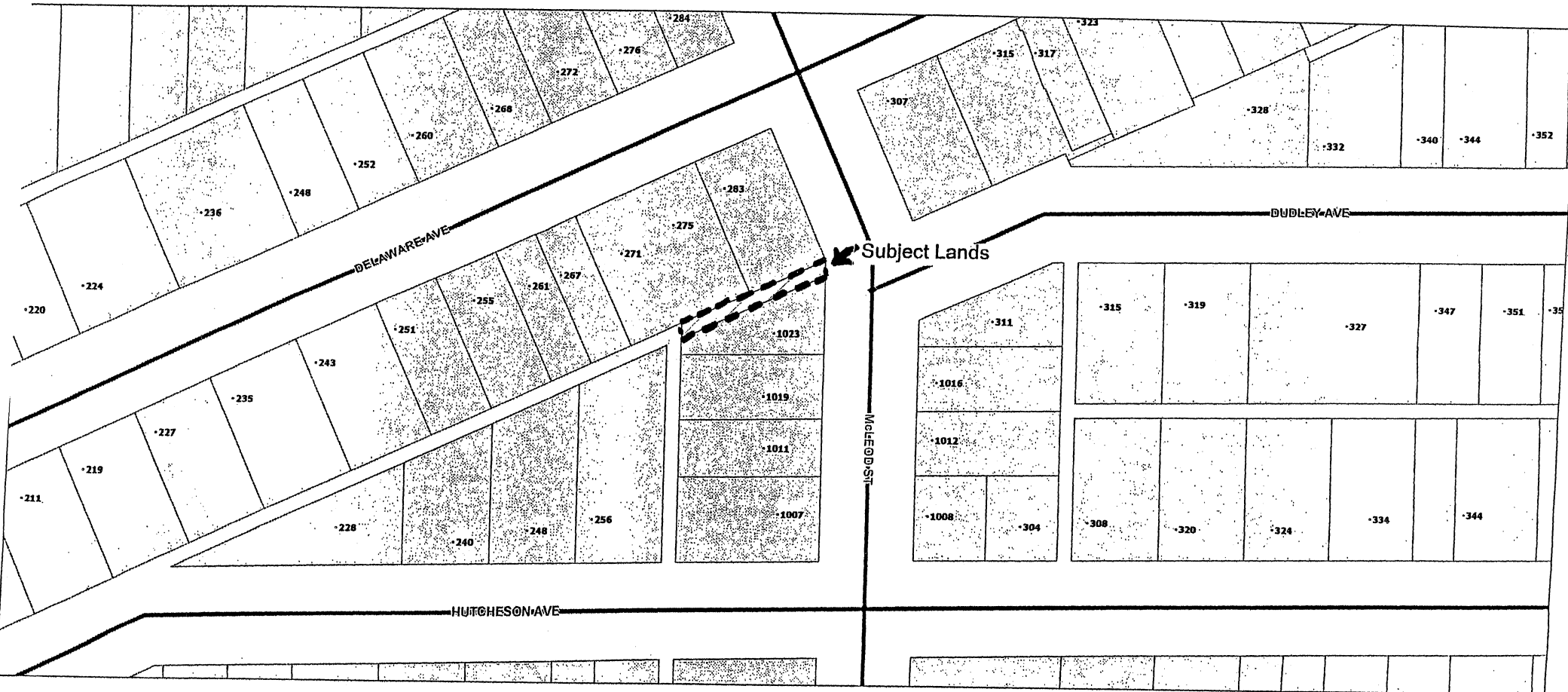
Please review the attached Schedule "A" to determine whether or not your property abuts the portion of the laneway proposed for closure. This notice is being circulated to all property owners affected by the proposed closure, for information purposes. If you have concerns regarding the closure of this laneway you may express those concerns by responding in writing to the undersigned prior to 12:30 p.m. on December 31st, 2011.

Your consideration of this matter is appreciated.

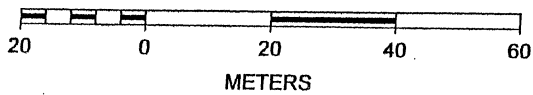
Sincerely,


Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SCHEDULE A



SCALE 1 : 1,224



 - PORTION OF LANEWAY PROPOSED FOR CLOSURE



THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-04

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
DECEMBER 19, 2011**

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 December 19, 2011 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 9TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 9TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 9TH DAY OF JANUARY, 2012.

KL

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-242

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY
A PORTION OF THE LANEWAY LOCATED IN A BLOCK BOUNDED BY KING
STREET WEST, HIGH STREET AND MCPHAIL STREET,
IN THE CITY OF NORTH BAY**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the laneway abutting Lots 79, 80, 81 and Lot 82, Plan M-165, be closed, stopped up and sold to the abutting owners;

AND WHEREAS by Resolution No. 2011-694 passed on the 17th day of October, 2011, Council approved the closure of the laneway;

AND WHEREAS the laneway abutting Lots 79, 80, 81 and Lot 82, Plan M-165 is hereby declared to be surplus;

AND WHEREAS notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

AND WHEREAS no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

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

1. That certain part of the laneway abutting Lots 79, 80, 81 and Lot 82, Plan M-165 designated as Part 1, on Reference Plan 36R-13178 is hereby closed, stopped up and conveyed.
2. The City shall transfer Part 1, Plan 36R-13178 to the owners of the lands abutting thereon, their successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner.
- 3.(a) Subject to paragraph (b), in the event that an abutting owner to the said laneway does not consent to the disposition of the laneway within 60 days of the date of the passing of this by-law, then the clerk shall, upon request of an abutting owner of the opposite side of the laneway, give 30 days notice by prepaid registered mail to the abutting owner of the laneway to the effect that if the abutting owner does not agree to purchase one-half of the abutting laneway at a pro-rata share of the survey, legal, advertising costs and purchase price incurred in the laneway closing, then the said one-half of the laneway may be transferred to the opposite owner for the same cost.

(b) Upon receipt of an Irrevocable Consent of the disposition of the laneway from the adjacent owner then that portion of the laneway may be transferred upon registration of the by-law.
4. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Titles Office for the District of Nipissing.

READ A FIRST TIME IN OPEN COUNCIL THE 12TH DAY OF DECEMBER, 2011.

cc. READ A SECOND TIME IN OPEN COUNCIL THE 12TH DAY OF DECEMBER, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 9TH DAY OF JANUARY, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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AS.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-239

OFFICIAL PLAN AMENDMENT NO. 118

(BELISLE INVESTMENTS LTD. – 1781 CASSELLS STREET)

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

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

AND WHEREAS it is deemed desirable to amend the land use designation shown on Schedule "B" to the Official Plan of the North Bay Planning Area pursuant to Section 17 of the Planning Act R.S.O. 1990, as amended by the Statutes of Ontario, 19101, Chapter 4, Section 9.

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

- 1) The attached Schedules and explanatory text constituting Amendment No.118 to the Official Plan of the City of North Bay Planning Area are hereby adopted.
- 2) The appendices constitute revisions to the appendices only of the Official Plan and shall not constitute part of this Amendment.
- 3)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 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 after the last day for filing an appeal
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day after the last day all appeals have been finally disposed of.

READ A FIRST TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY 2012.

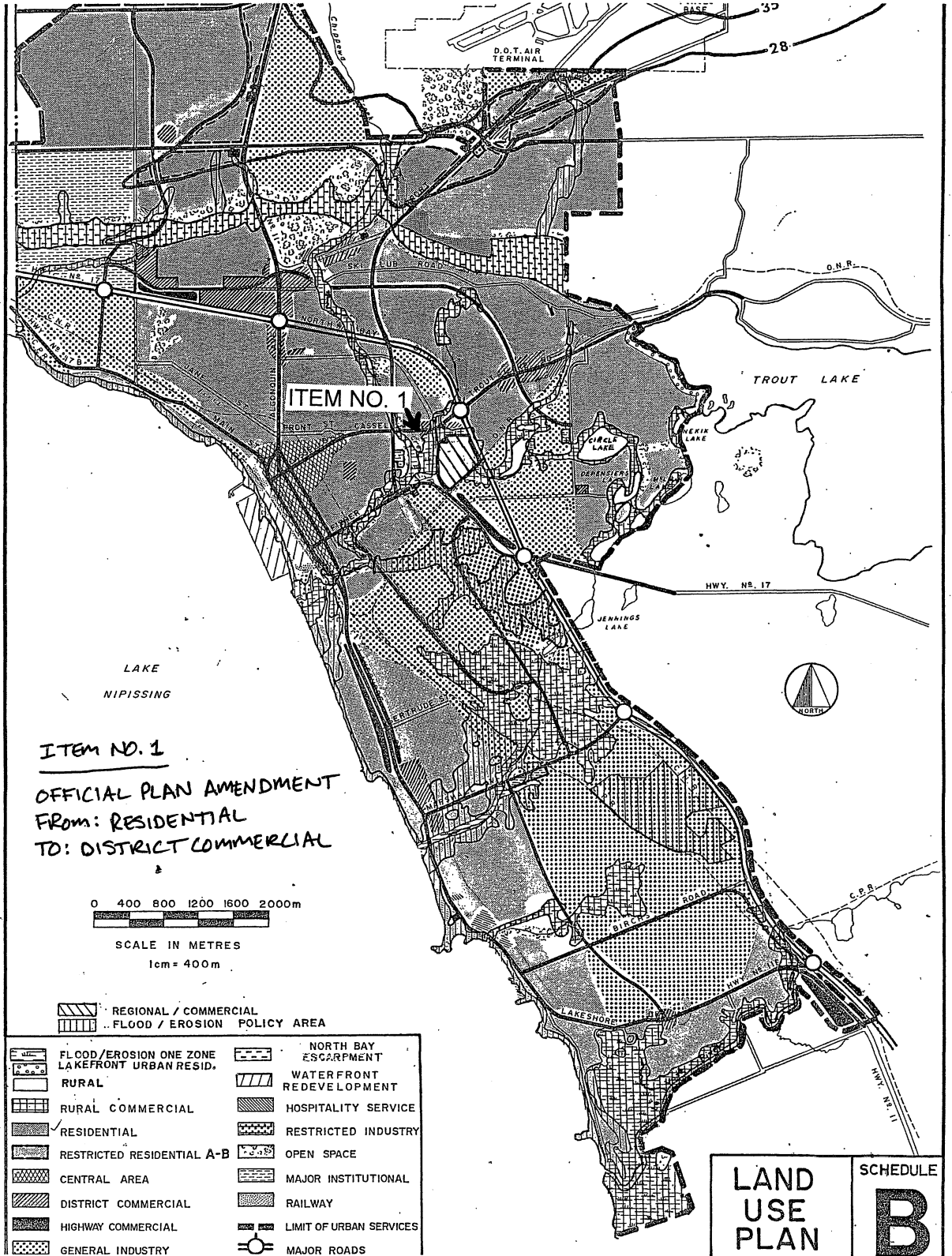
READ A SECOND TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY 2012.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF
JANUARY 2012.**

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

SCHEDULE 118-A



LAND USE PLAN

SCHEDULE **B**

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-240

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON CASSELLS STREET FROM A "RESIDENTIAL SECOND DENSITY (R2)" ZONE AND A "RESIDENTIAL MULTIPLE SECOND DENSITY (RM2)" TO A "DISTRICT COMMERCIAL SPECIAL ZONE NO. 80 (C4 SP.80)"

(BELISLE INVESTMENTS LTD. – 1781 CASSELLS 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-43" 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 January 9th, 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-43" 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 Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-0073(LT), known locally as the former site of Corpus Christi Church at 1781 Cassells Street in the City of North Bay) from a "Residential Second Density (R2)" zone and a "Residential Multiple Second Density (RM2)" zone to a "District Commercial Special Zone No. 80 (C4 Sp.80)".
- 2) Section 11 of the By-law Number 28-80 is amended by inserting at the end thereof the following Section 11.3.80:
 - "11.3.80 District Commercial Special Zone No. 80 (C4 Sp.80)
 - 11.3.80.1 The property description of this District Commercial Special Zone No. 80 (C4 Sp.80) is Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-0073(LT), known locally as 1781 Cassells Street in the City of North Bay, as shown on the attached Schedule "A" and on Schedule "B-43".
 - 11.3.80.2 The regulations for this District Commercial Special Zone No. 80 (C4 Sp.80) are as follows:
 - i) The permitted uses shall be limited to the following:
 - Business Offices
 - Data Processing Firms
 - Places of Worship
 - Public and Private Parking Areas
 - Professional Offices

- Dwelling Units connected to and forming an integral part of the commercial building, provided that access to the dwelling units separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor.

11.3.80.3 The special component of the Zoning By-law amendment would limit the permitted uses to the foregoing and would recognize existing deficiencies in the rear yard setback from the required 10.5m to the existing 1.23m; and in the front yard setback from the required 7.6m to the existing 5.01m.

11.3.80.4 The use of land or building in this District Commercial Special Zone No. 80 (C4 Sp.80) 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 “District Commercial Special Zone No. 80 (C4 Sp.80)” 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 9TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF JANUARY 2012.

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

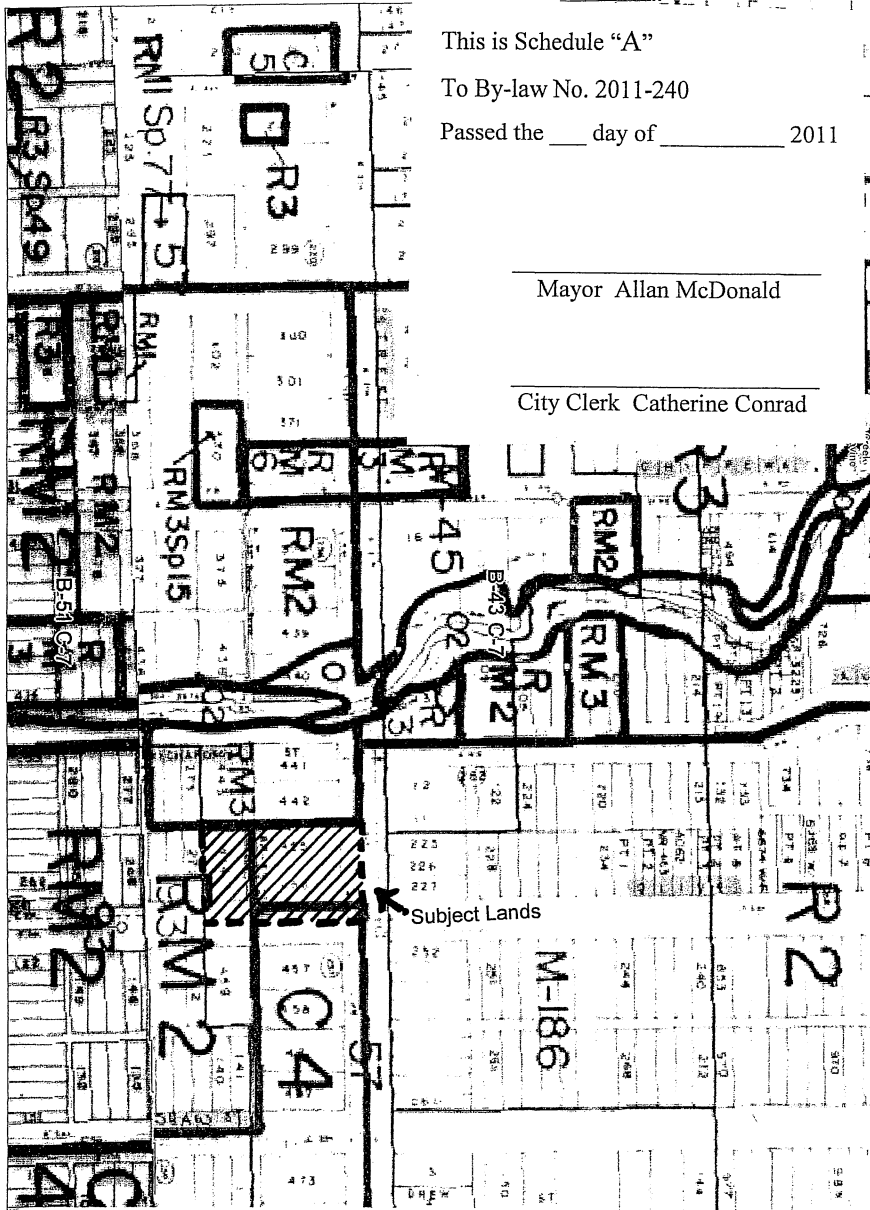
This is Schedule "A"

To By-law No. 2011-240

Passed the ___ day of _____ 2011

Mayor Allan McDonald

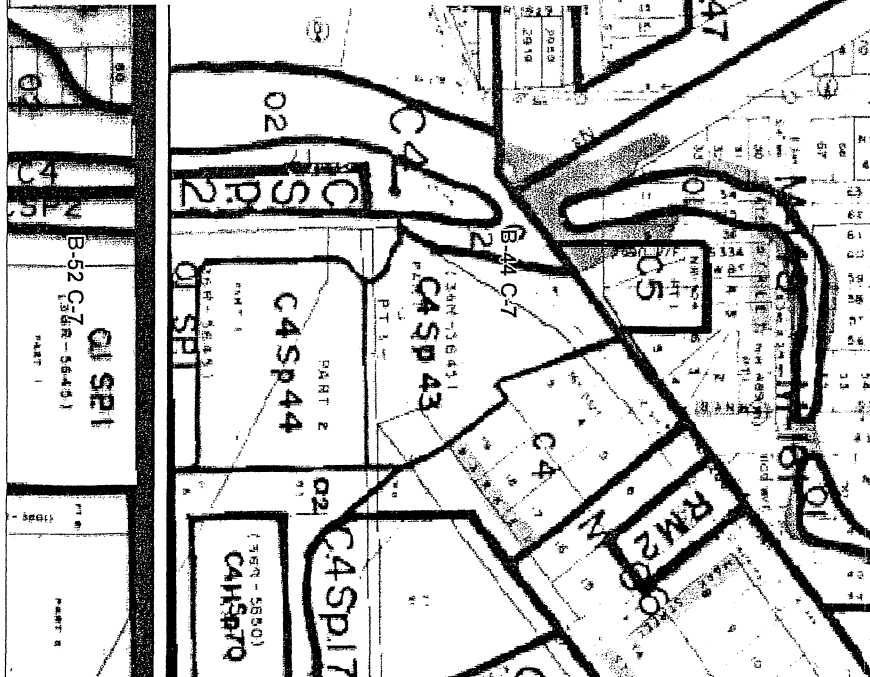
City Clerk Catherine Conrad



SCALE 1 : 2,790



Proposed Zoning By-law Amendment
 From: "Residential Second Density (R2)" and
 "Residential Multiple Second Density (RM2)"
 To: "District Commercial Special
 Zone No. 80 (C4 Sp.80)"



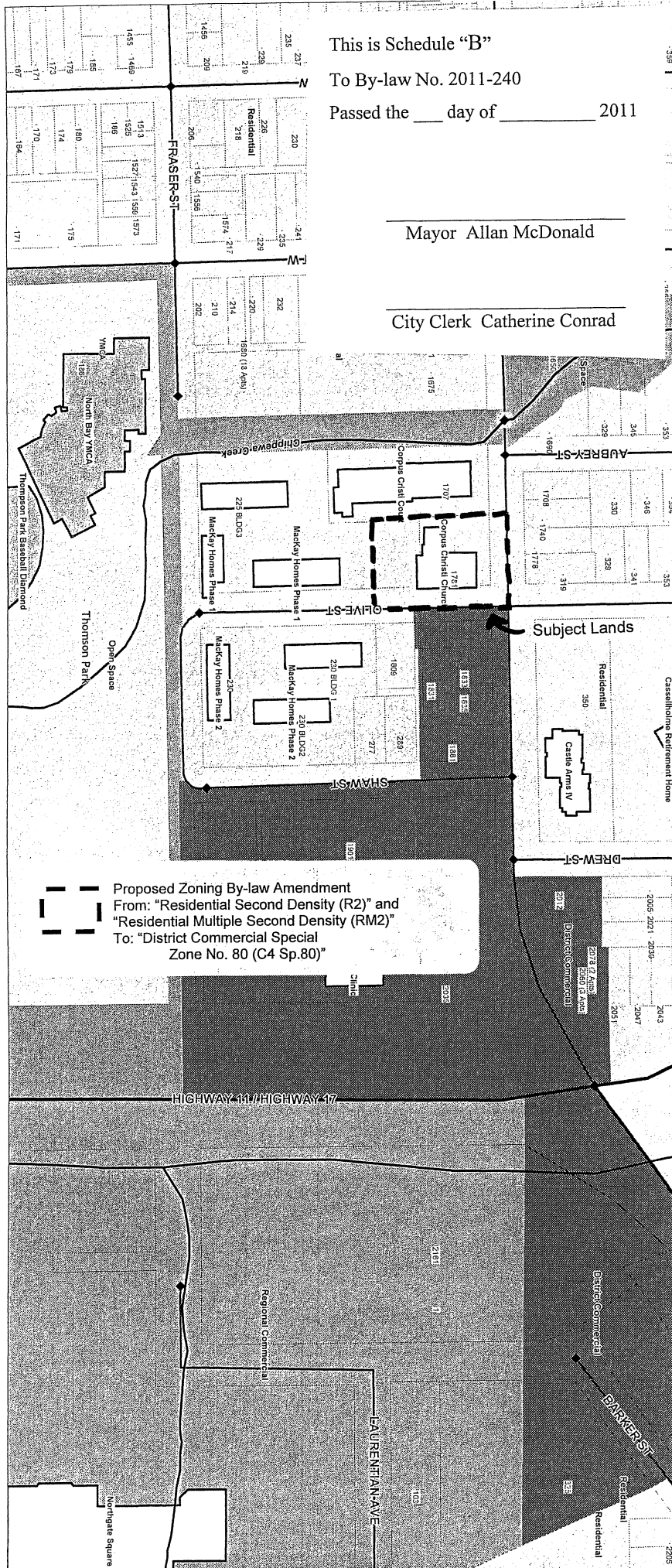
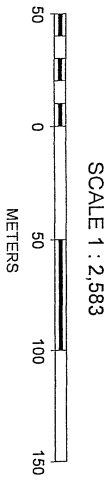
This is Schedule "B"

To By-law No. 2011-240

Passed the ___ day of _____ 2011

Mayor Allan McDonald

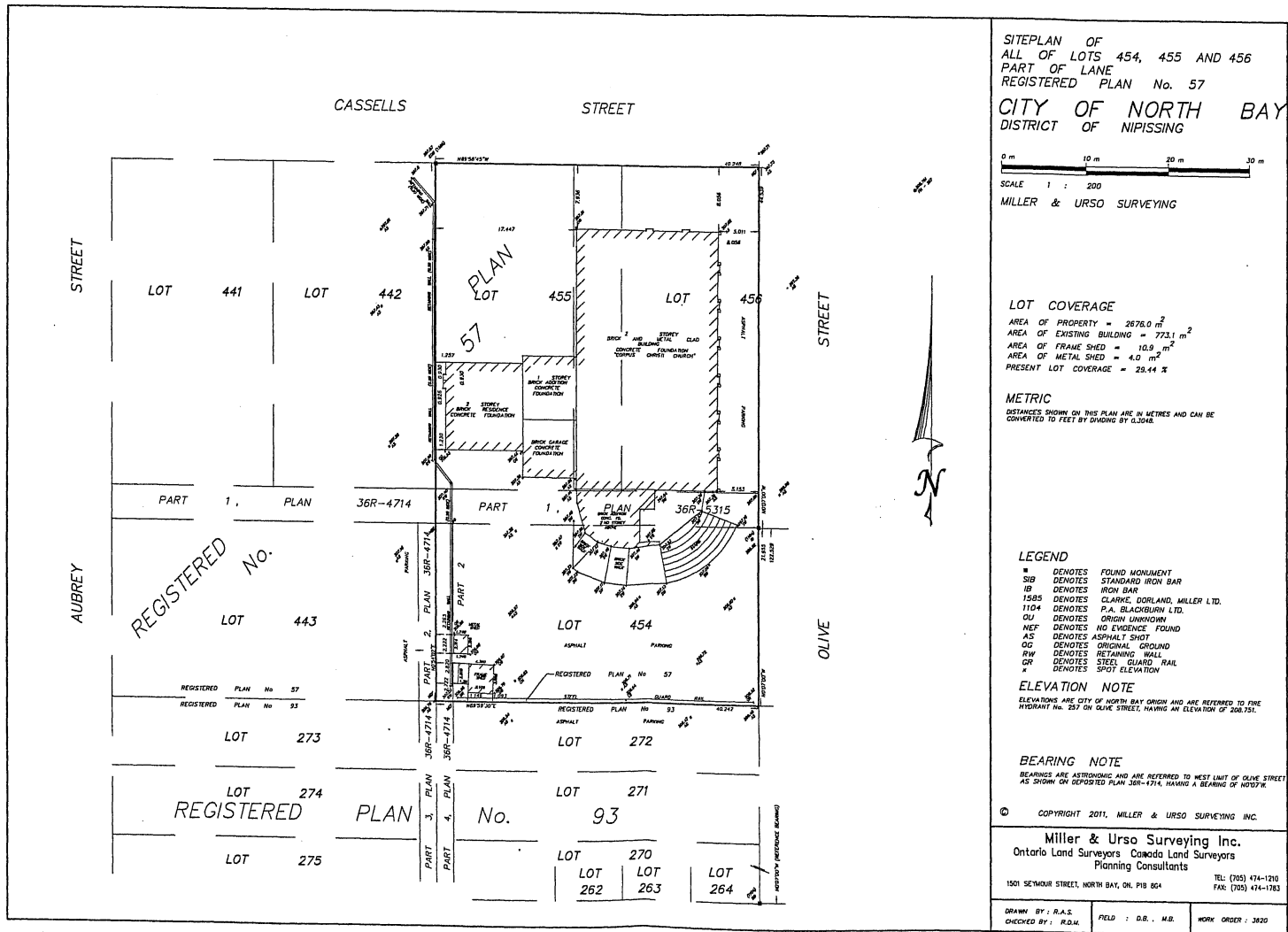
City Clerk Catherine Conrad



This is Schedule "C"
 To By-law No. 2011-240
 Passed the ___ day of _____ 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



THE CORPORATION OF THE CITY OF NORTH BAY**BY-LAW NO. 2011-253****A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON MCINTYRE STREET WEST FROM A "RESIDENTIAL MULTIPLE FIRST DENSITY (RM1)" ZONE TO A "GENERAL COMMERCIAL OUTER CORE (C2)" ZONE****(2277111 ONTARIO INC. – 489 MCINTYRE STREET WEST)**

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-50" 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 January 9th, 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 Number 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (more particularly known as Registered Plan No. 13, N. Pt. Lot 104, PIN #49162-0416(LT), known locally as 489 McIntyre Street West in the City of North Bay) from a "Residential Multiple First Density (RM1)" zone to a "General Commercial Outer Core (C2)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "General Commercial Outer Core (C2)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Pursuant to Section 41 of the Planning Act, R.S.O, 1990 as amended, those lands shown 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 9TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF JANUARY 2012.

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

This is Schedule "A"

To By-law No. 2011-253

Passed the ___ day of _____ 2011

Mayor Allan McDonald

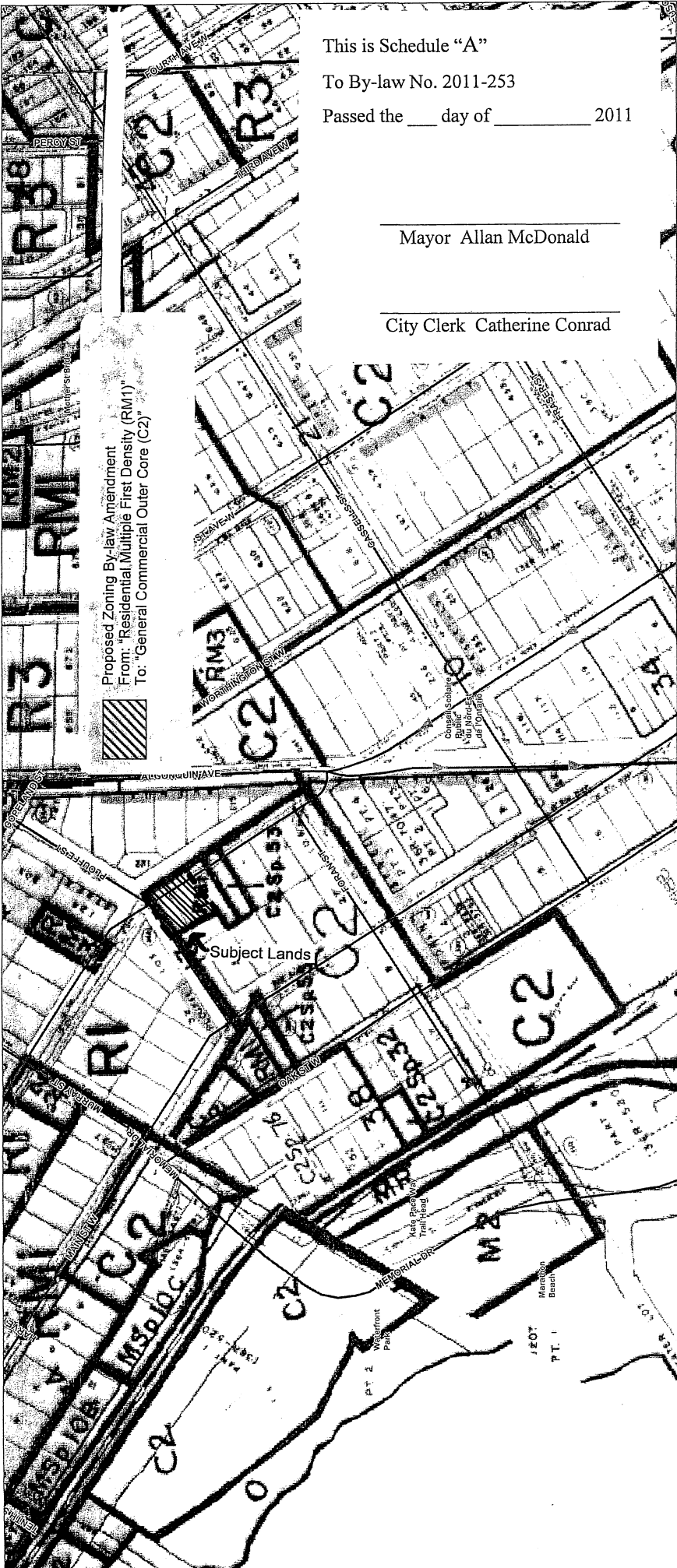
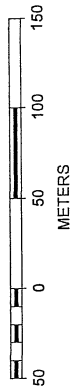
City Clerk Catherine Conrad

Proposed Zoning By-law Amendment
From: "Residential, Multiple First Density (RM1)"
To: "General Commercial Outer Core (C2)"



Subject Lands

SCALE 1 : 3,214



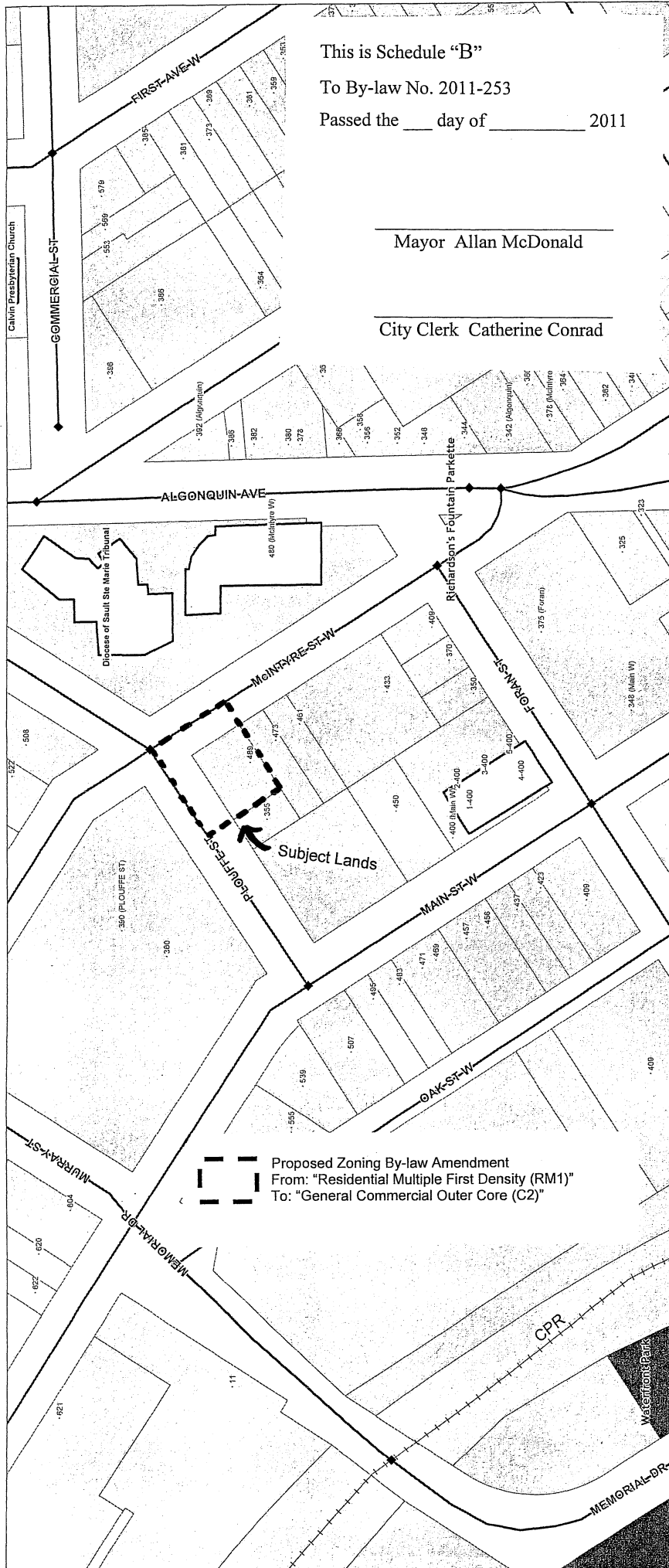
This is Schedule "B"

To By-law No. 2011-253

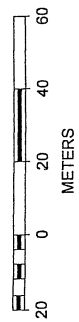
Passed the ___ day of _____ 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,615



PLOUFFE STREET
 PIN 49162 -- 0441 (LT)

PIN 49162
 -- 0416 (LT)

SITE PLAN OF
 PART OF LOT 104
 REGISTERED PLAN No. 13
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING

0 12.5 25m

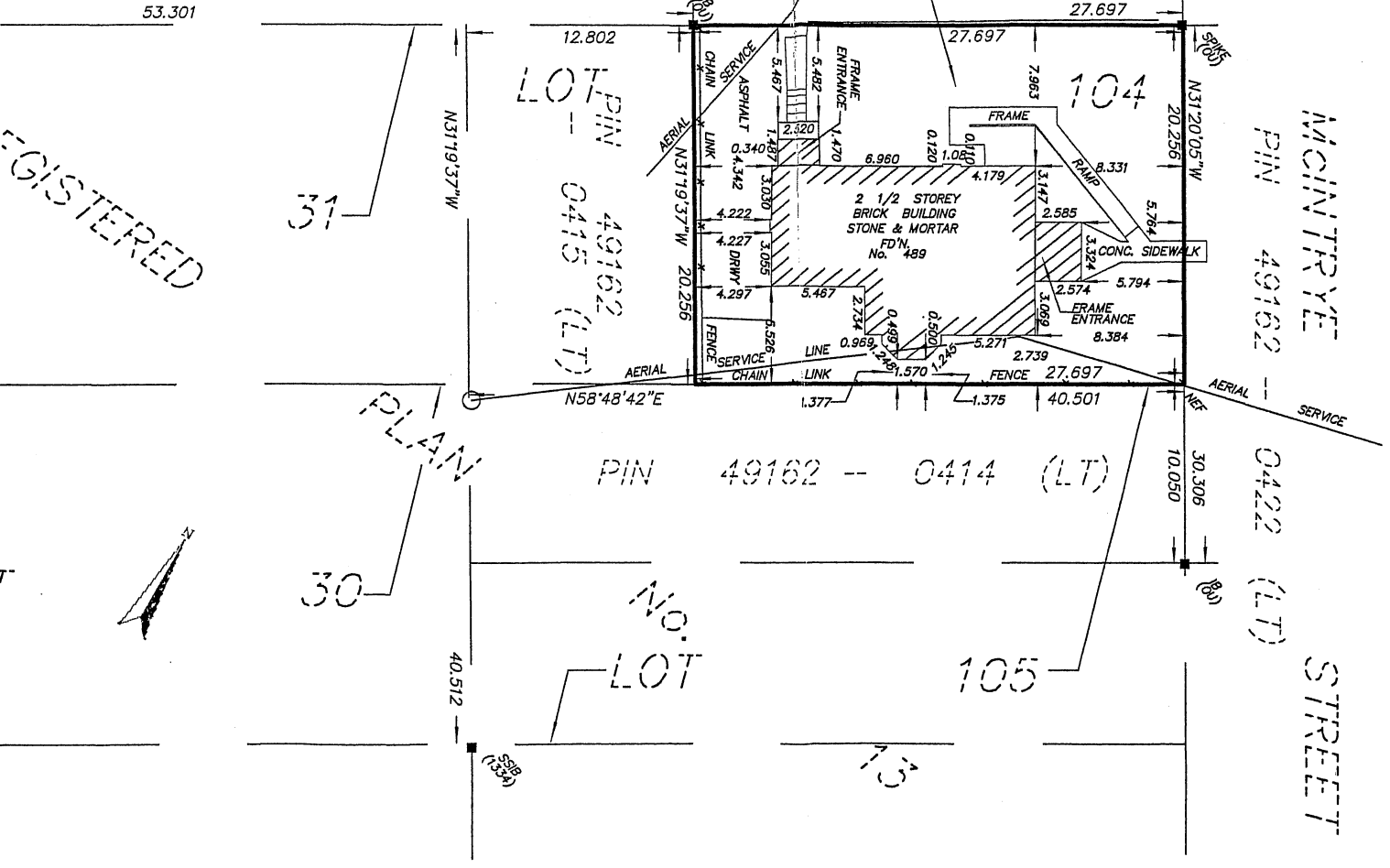
SCALE 1 : 300

Miller & Urso Surveying Inc.

METRIC

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

REGISTERED



PLAN



Mayor Allan McDonald
 City Clerk Catherine Conrad

This is Schedule "C"
 To By-law No. 2011-253
 Passed the ___ day of _____ 2011

AH

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-241

BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON CASSELLS STREET

(BELISLE INVESTMENTS LTD. – 1781 CASSELLS 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. 2011-240 to rezone the subject property to a 'District Commercial Special Zone No. 80 (C4 Sp.80)' to permit the conversion of the existing building (former Corpus Christi Church) 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 Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-0073(LT), known locally as the former site of Corpus Christi Church at 1781 Cassells 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 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 \$1,100 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 9TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF JANUARY, 2012.

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

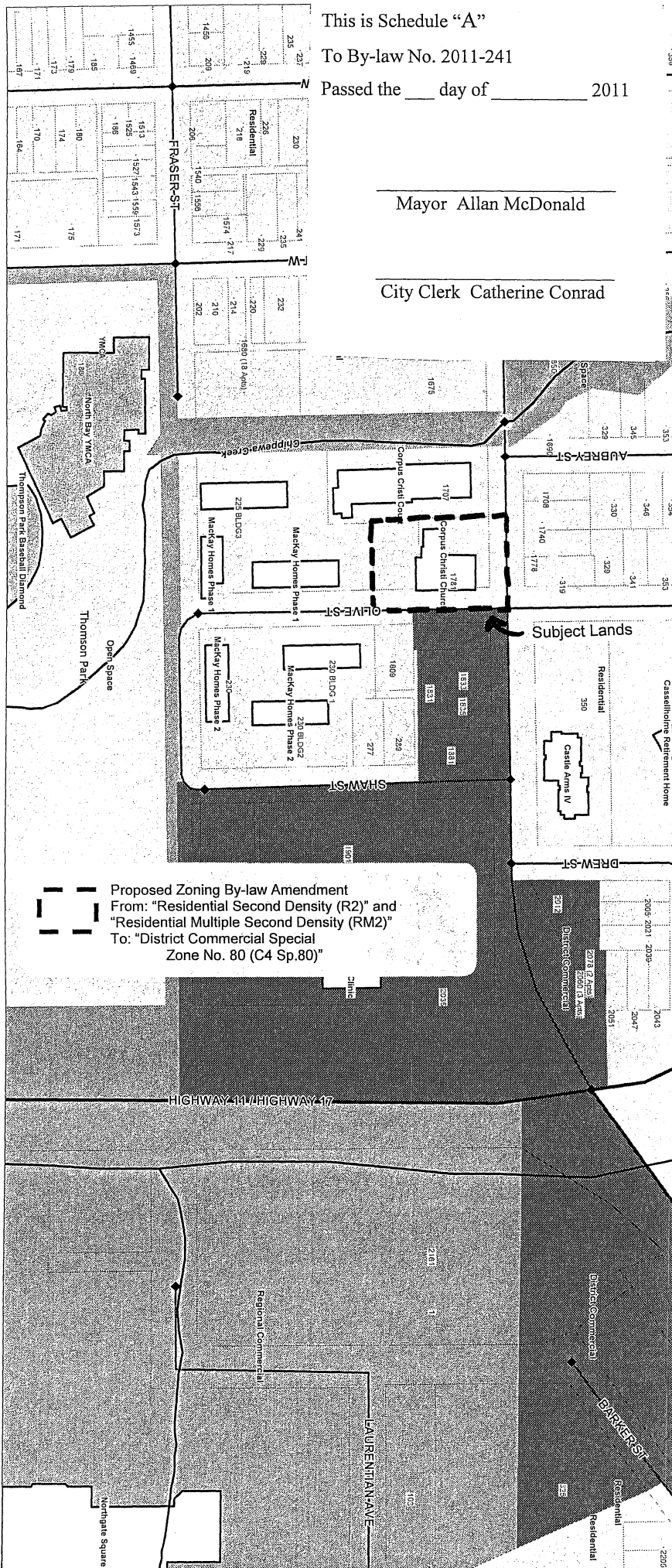
This is Schedule "A"

To By-law No. 2011-241

Passed the ___ day of _____ 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,583



METERS



Proposed Zoning By-law Amendment
 From: "Residential Second Density (R2)" and
 "Residential Multiple Second Density (RM2)"
 To: "District Commercial Special
 Zone No. 80 (C4 Sp.80)"



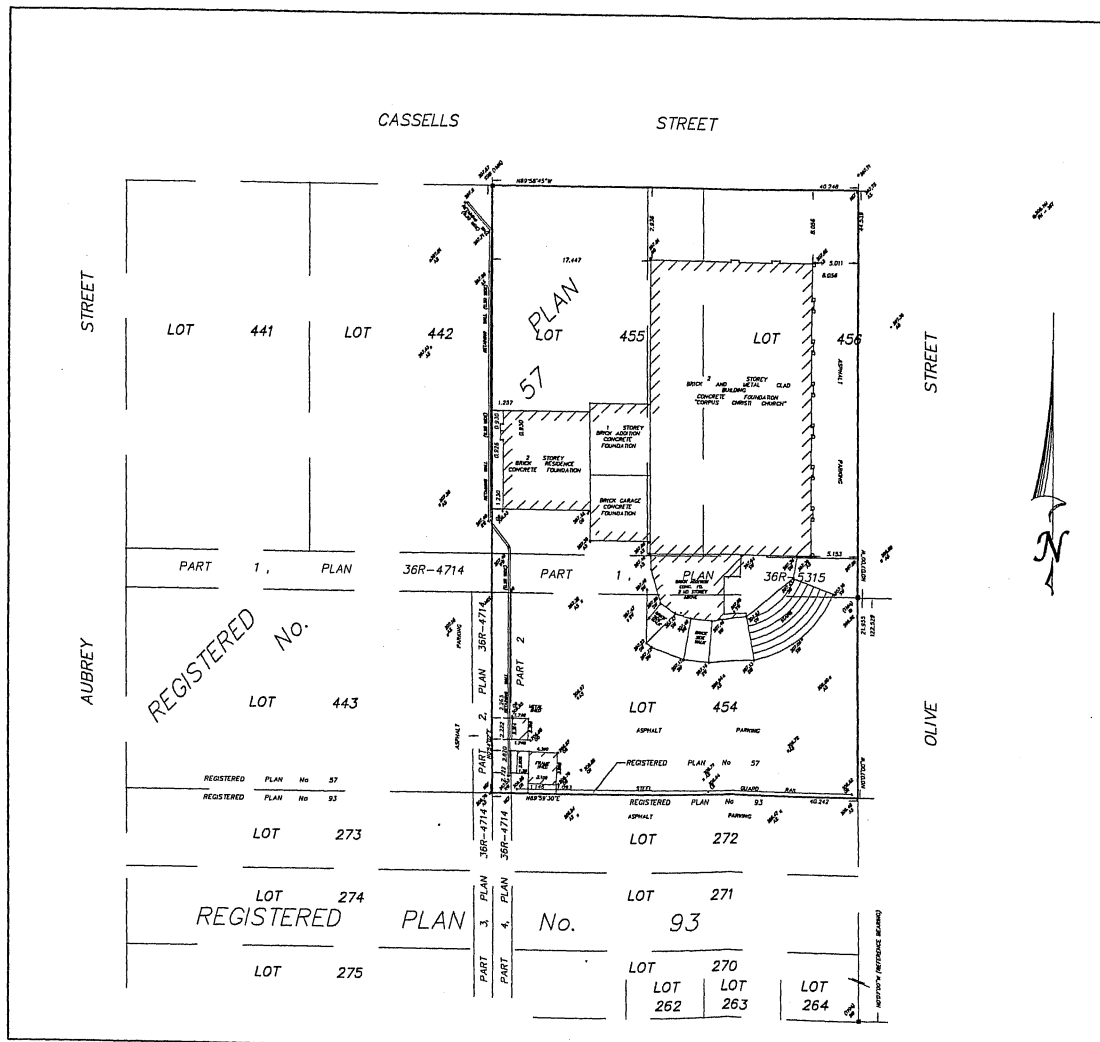
This is Schedule "B"

To By-law No. 2011-241

Passed the ___ day of ___ 2011

Mayor Allan McDonald

City Clerk Catherine Conrad



SITEPLAN OF
ALL OF LOTS 454, 455 AND 456
PART OF LANE
REGISTERED PLAN No. 57
CITY OF NORTH BAY
DISTRICT OF NIPISSING

0 m 10 m 20 m 30 m
SCALE 1 : 200
MILLER & URSO SURVEYING

LOT COVERAGE
AREA OF PROPERTY = 2676.0 m²
AREA OF EXISTING BUILDING = 773.1 m²
AREA OF FRAME SHED = 10.9 m²
AREA OF METAL SHED = 4.0 m²
PRESENT LOT COVERAGE = 28.44 %

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

LEGEND
DENOTES FOUND MONUMENT
SB DENOTES STANDARD IRON BAR
IB DENOTES IRON BAR
1585 DENOTES CLARKE DORLAND, MILLER LTD.
1104 DENOTES P.A. BLACKBURN LTD.
OU DENOTES ORIGIN UNKNOWN
NEF DENOTES NO EVIDENCE FOUND
AS DENOTES ASPHALT SHOT
OG DENOTES ORIGINAL GROUND
RW DENOTES RETAINING WALL
GR DENOTES STEEL GUARD RAIL
DENOTES SPOT ELEVATION

ELEVATION NOTE
ELEVATIONS ARE CITY OF NORTH BAY GRID AND ARE REFERRED TO FIRE
HYDRANT No. 257 ON OLIVE STREET, HAVING AN ELEVATION OF 306.251.

BEARING NOTE
BEARINGS ARE ASTROMONIC AND ARE REFERRED TO WEST LIMIT OF OLIVE STREET
AS SHOWN ON DEPOSITED PLAN 36R-4714, HAVING A BEARING OF N00°0'W.

© COPYRIGHT 2011, MILLER & URSO SURVEYING INC.

Miller & Urso Surveying Inc.
Ontario Land Surveyors Canada Land Surveyors
Planning Consultants
1501 SEYMOUR STREET, NORTH BAY, ON, P1B 8G4 TEL: (705) 474-1210
FAX: (705) 474-1783

DRAWN BY: R.A.S. FIELD: D.B., M.B. WORK ORDER: 3820
CHECKED BY: R.D.M.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-254

BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON MCINTYRE STREET WEST

(2277111 ONTARIO INC. – 489 MCINTYRE STREET WEST)

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. 2011-253 to rezone the subject property to a 'General Commercial Outer Core (C2)' zone in order to permit the conversion of the existing building (former PEP Place 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 Registered Plan No. 13, N. Pt. Lot 104, PIN #49162-0416(LT), known locally as 489 McIntyre Street West 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 \$1,100 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 9TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF JANUARY, 2012.

MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

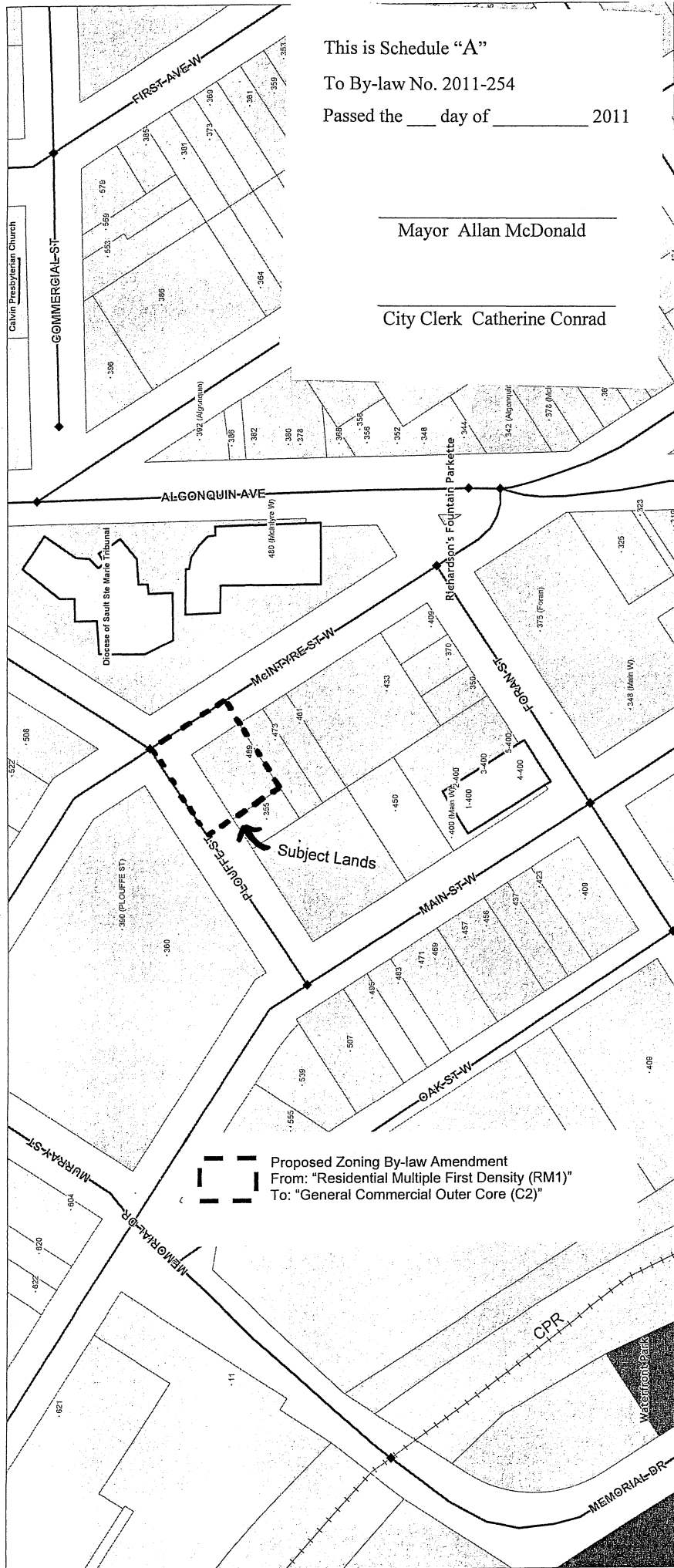
This is Schedule "A"

To By-law No. 2011-254

Passed the ___ day of _____ 2011

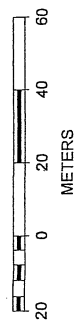
Mayor Allan McDonald

City Clerk Catherine Conrad



Proposed Zoning By-law Amendment
From: "Residential Multiple First Density (RM1)"
To: "General Commercial Outer Core (C2)"

SCALE 1 : 1,615



PLOUFFE STREET

PIN 49162 -- 0441 (LT)

PIN 49162 -- 0416 (LT)

SITE PLAN OF
PART OF LOT 104
REGISTERED PLAN No. 13
CITY OF NORTH BAY
DISTRICT OF NIPISSING

0 12.5 25m

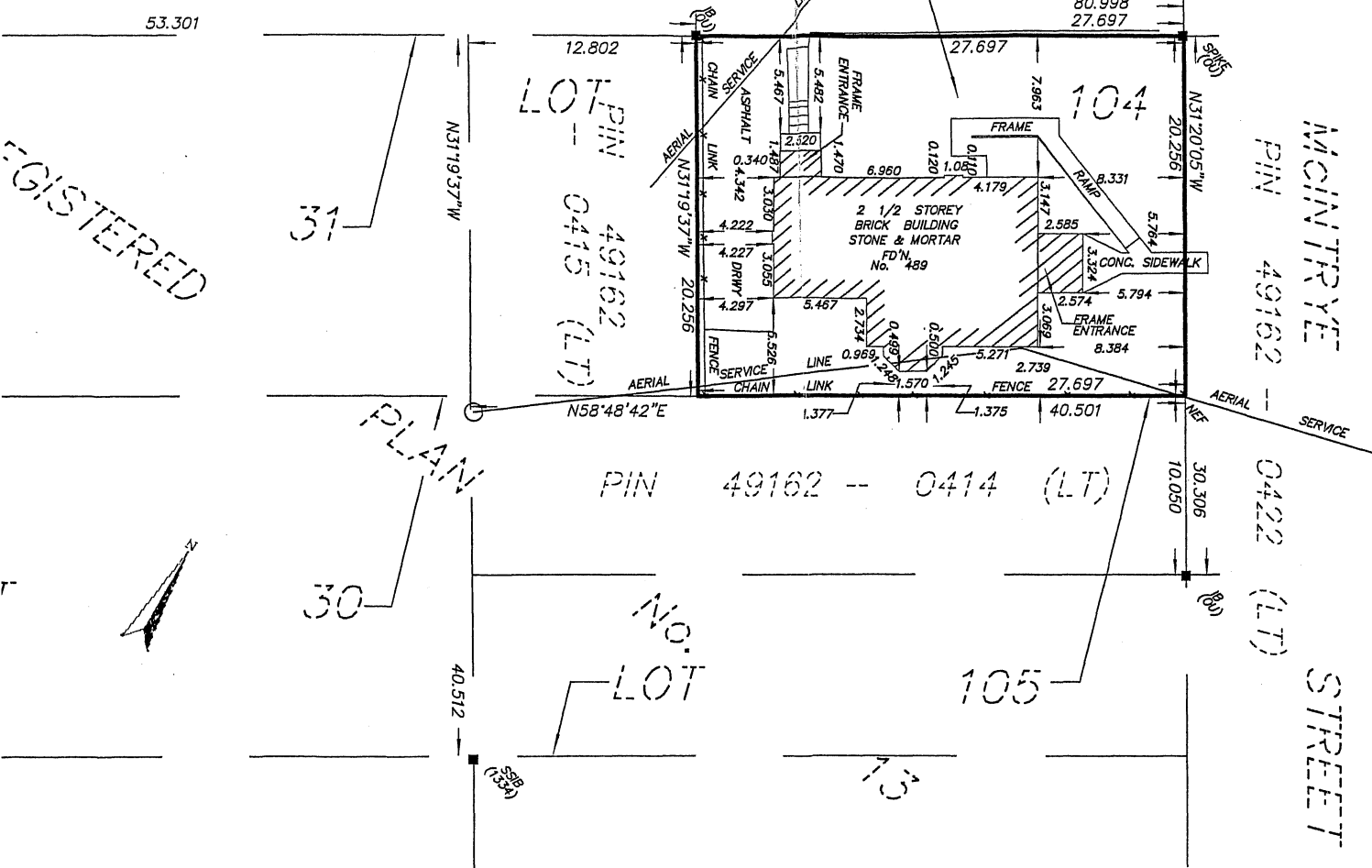
SCALE 1 : 300

Miller & Urso Surveying Inc.

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

This is Schedule "B"
To By-Law No. 2011-254
Passed the ___ day of _____ 2011

Mayor Allan McDonald
City Clerk Catherine Conrad



REGISTERED

LOT PIN 49162 -- 0415 (LT)

PIN 49162 -- 0414 (LT)

MOUNTREE STREET PIN 49162

0422 (LT)

STREET

No. LOT

105

PLAN

53.301

31

30

N31°19'37"W

N58°48'42"E

40.512

12.802

N58°48'42"E

LOT PIN 49162 -- 0415 (LT)

PIN 49162 -- 0414 (LT)

PIN 49162 -- 0416 (LT)

105

AREA 80.998
27.697

27.697

PIN 49162 -- 0414 (LT)

105

AREA 80.998
27.697

27.697

PIN 49162 -- 0414 (LT)

105

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MOTION

North Bay, Ontario January 9, 2012

Subject: Contraband Tobacco

File No. H04/2012/NBDHU/GENERAL

Res. No. 2012 - _____

Moved by Councillor: Bain

Seconded by Councillor: Vaillancourt

WHEREAS contraband tobacco products are easily accessible in our community;

AND WHEREAS consumption of tobacco products increases when tobacco prices are lower;

AND WHEREAS 42.0% of smokers in the North have purchased at least one pack of cigarettes from an outlet not paying full Federal and Provincial taxes in the past six months;

AND WHEREAS 53% of students in Ontario who smoke (grades 7-12) have smoked contraband cigarettes in the past year;

AND WHEREAS the Liberal Party's election platform stated that "we'll build on our contraband strategy to choke off the supply of cheap, illegal tobacco sold to our kids by doubling our enforcement efforts";

NOW THEREFORE BE IT RESOLVED THAT the City of North Bay send a copy of this resolution to The Honourable Deb Matthews, Minister of Health and Long-Term Care, and The Honourable Dwight Duncan, Minister of Finance encouraging these Ministries to maintain a strong focus on tobacco control and to work with local law enforcement agencies in this regard;

AND FURTHER BE IT RESOLVED THAT a copy of this resolution be forwarded to Vic Fedeli, MPP for Nipissing; Jay Aspin, MP for Nipissing-Temiskaming; Tim Hudak, Leader of Progressive Conservative Party of Ontario; Andrea Horwath, Leader of New Democratic Party of Ontario; the Municipalities within the District of Nipissing; and the Federation of Northern Ontario Municipalities.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

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

Signature of Clerk _____