



Council

Agenda

Regular Meeting of Council
March 18, 2013
at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
MARCH 18TH, 2013**

Monday, March 18, 2013

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, MARCH 18TH, 2013**

PUBLIC PRESENTATIONS:

PUBLIC MEETING MINUTES:

Monday, March 4, 2013

COMMITTEE REPORTS:

General Government Committee Report No. 2013-13
Community Services Committee Report No. 2013-05

CORRESPONDENCE:

1. Accounts for November 2012 (F14/2012/EOIR/GENERAL).
2. Accounts for December 2012 (F14/2012/EOIR/GENERAL).
3. Accounts for January 2013 (F14/2013/EOIR/GENERAL).
4. Letter from Grannittis Ristorante dated February 28, 2013 requesting an Extension to Liquor License – 540 Lakeshore Drive (P09/2013/LICEN/LIQUOR).
5. Report from Grant Love dated February 27, 2013 re Ministry of Natural Resources re Forest Fire Management Agreement Renewal (L04/2013/MNR/FORFIRE).
6. Report from Peter Carello dated March 5, 2013 re Rezoning application by Conseil Scolaire Catholique Franco Nord – 152 Greenwood Avenue (D14/2013/CSDCF/152GREENWOOD).
7. Report from Peter Carello dated March 7, 2013 re Rezoning application by Goodridge Planning & Surveying Limited on behalf of Tim Falconi & Carlo Guido – 715 High Street (D14/2013/FALGU/715HIGHS).
8. Report from Peter Carello dated March 7, 2013 re Rezoning application by Miller & Urso Surveying Inc. on behalf of Nu-North Development Ltd. and Marcel Deschamps – Lakeshore Drive (D14/2013/NUNOR/LSD).

9. Report from Angela Cox dated March 7, 2013 re 2013 Capital Budget Project No.'s 6108RD – Sidewalk Replacement Program & 6104RD – Pedestrian Safety Program including New Sidewalks (F05/2013/ROADS/610804RD).
10. Report from Angela Cox dated February 7, 2013 re 2013 Capital Budget Project No. 3312SS – WWTP – Redundant Transformer Switch Gear and Feeds (F05/2013/WWTP/3312SS).
11. Report from Angela Cox dated February 11, 2013 re 2013 Capital Budget Project No. 6141WS – Hydrant and Water Valve Rehabilitation Program (F05/2013/ROADS/6141WS).
12. Report from Peter Carello dated March 11, 2013 re Exemption from the Plan of Condominium by Miller & Urso Surveying Inc. – 383 Aubrey Street (D07/2013/CONDO/383AUBRE).
13. Report from Grant Love dated March 12, 2013 re 2013 Capital Budget Project No. 6062FD - Fire Facilities Management Program (F05/2013/FIRE/6062FD).
14. Report from Christina Murphy dated March 8, 2013 re Smoking By-Law, Restaurant and Bar Patio Amendment (C00/2013/BYLAWS/SMOKING).
15. Report from Sharon Kitlar dated March 13, 2013 re Smoke Free By-Law Amendment – Municipal Parks (C00/2013/BYLAWS/SMOKING).
16. Report from Angela Cox dated March 7, 2013 re 2013 Capital Budget Project No. 6105RD – Road Culvert Replacement & Rehabilitation Program (F05/2013/ROADS/6105RD).
17. Report from Angela Cox dated March 7, 2013 re 2013 Capital Budget Project No. 6106RD – Rural Road Rehabilitation Program (F05/2013/ROADS/6106RD).
18. Report from Angela Cox dated March 7, 2013 re 2013 Capital Budget Project No. 6109RD – Bridge Rehabilitation Program (F05/2013/ROADS/6109RD).
19. Report from Angela Cox dated March 7, 2013 re 2013 Capital Budget Project No. 6147RD Design Work – Next Year's Projects (F05/2013/ROADS/6147RD).
20. Report from Lorraine Rochefort dated March 6, 2013 re 2013 Tax Capping Policy (F22/2013/TAXR/GENERAL).

21. Report from Jennifer McDonald / Laura Boissonneault dated March 13, 2013 re Capital Projects Status Report – December 31, 2012 (F05/2012/CPSR/GENERAL).
22. Report from Jerry Knox dated March 12, 2013 re Request from Canadore College – New Student Residence (L04/2013/CANA/DEVCHRG).
23. Report from Peter Chirico dated March 14, 2013 re Memorial Gardens and OHL Franchise Relocation (L04/2012/LEASE/BBHC).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2013-17 to confirm proceedings of the Meeting of Council on March 4, 2013.

By-Law No. 2013-44 to authorize the Integrated Software Solution Project.

By-Law No. 2013-45 to authorize the 2013 Capitol Centre Budget Allocation.

By-Law No. 2013-46 to authorize the 2013 North Bay-Mattawa Conservation Authority Capital Budget Allocation.

By-Law No. 2013-47 to authorize the 2013 North Bay Police Services Capital Budget Allocation.

By-Law No. 2013-48 to authorize the 2013 North Bay Public Library Capital Budget Allocation.

By-Law No. 2013-49 to authorize the Replacement of the Return Sludge Pumps and Controls at the Sanitary Sewer Plant.

By-Law No. 2013-50 to authorize the Waste Water Treatment Plant Electrical Upgrades.

By-Law No. 2013-51 to authorize the Repair and Replacement of the Raw Sewage Pumping Station at the Sanitary Sewer Plant.

By-Law No. 2013-52 to authorize the Upgrade of the Aeration System at the Sanitary Sewer Plant.

By-Law No. 2013-53 to authorize the Upgrade of the Methane Gas System at the Sanitary Sewer Plant.

By-Law No. 2013-54 to authorize the Major Valve Replacement Program at the Sanitary Sewer Plant.

By-Law No. 2013-55 to authorize the Structural Repairs at the Sanitary Sewer Plant.

By-Law No. 2013-56 to authorize the Repair and Replacement of Fencing, Brick Veneer, Landscaping Upgrades at the Sanitary Sewer Plant.

By-Law No. 2013-57 to authorize the Vehicle and Equipment Replacement Program (Roads and Traffic Division).

By-Law No. 2013-58 to authorize the Boiler Room Upgrades at the Sanitary Sewer Plant.

By-Law No. 2013-59 to authorize the Installation of a Backup Generator at the Sanitary Sewer Plant.

By-Law No. 2013-60 to authorize the Sanitary Sewer Upsize (Gertrude and Whitney Streets).

By-Law No. 2013-61 to authorize the Sanitary Sewer Plant Rehabilitation Program.

By-Law No. 2013-62 to authorize the Digester and Grit Removal Ongoing Program.

By-Law No. 2013-63 to authorize the Ongoing Improvements at the Sanitary Sewer Plant and Pump Station.

By-Law No. 2013-64 to authorize the Water and Sewer Rehabilitation Program.

By-Law No. 2013-65 to authorize the Central City Rehabilitation Program.

By-Law No. 2013-66 to authorize the North Bay Jack Garland Airport Regular Repairs and Maintenance Program.

Community Services – First, second and third readings:

By-Law No. 2013-67 to appoint a Municipal Weed Inspector for 2013.

MOTIONS:

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

24. ***Confidential*** report from Jerry Knox dated March 6, 2013 re Property Matter.

25. ***Confidential*** report from Peter Chirico dated March 12, 2013 re Property Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MARCH 4TH, 2013**

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

PUBLIC PRESENTATIONS:

Nil

CORRESPONDENCE:

2190372 Ontario Inc. re Rezoning application – Johnston Road (122)
& 1340791 Ontario Ltd.

1794504 Ontario Inc. re Rezoning application – 2 Sunset Boulevard (123)

REPORTS FROM OFFICERS:

Bellehumeur, R.	re 2013 Community Services Capital Budget Project No. 6123PR, Central City Rehabilitation Program	(146)
Carello, P.	re Official Plan Amendment & Rezoning Application - Daniel Bryer & George Franko – 2677 Trout Lake Road	(119)
Carello, P.	re Official Plan Amendment & Rezoning Application - Trout Lake Mall Inc. – 2653 Trout Lake Road	(120)
Carello, P.	re Rezoning application - Paul William Turcotte – 295 Carmichael Drive	(121)
Chirico, P.	re 2013 Capital Budget Project – 6130AT – North Bay Jack Garland Airport – 2013 Regular Repairs/Maintenance	(147)
Cox, A.	re 2013 Capital Budget Project 3307SS- WWTP – Return Sludge Pumps and Controls - Replacement	(130)
Cox. A.	re 2013 Capital Budget Project 3308SS - WWTP – Electrical Upgrades	(131)
Cox. A.	re 2013 Capital Budget Project 3309SS - WWTP – Raw Sewage Pumping Station	(132)
Cox. A.	re 2013 Capital Budget Project 3310SS - WWTP – Upgrade Aeration System	(133)
Cox. A.	re 2013 Capital Budget Project 3311SS - WWTP – Methane Gas System Upgrades	(134)
Cox. A.	re 2013 Capital Budget Project 3313SS - WWTP – Major Valve Replacement Program	(135)
Cox. A.	re 2013 Capital Budget Project 3314SS - WWTP – Structural Repairs	(136)
Cox. A.	re 2013 Capital Budget Project 3315SS - WWTP – Aesthetics, Fencing and Brick Veneer	(137)
Cox. A.	re 2013 Capital Budget Project 6100FL - Vehicle & Equipment Replacement Program, Roads & Traffic Division (On-going)	(138)
Cox. A.	re 2013 Capital Budget Project 3316SS - WWTP – Boiler Room Upgrades	(139)
Cox. A.	re 2013 Capital Budget Project 3317SS - WWTP – Backup Generation	(140)

Cox. A.	re 2013 Capital Budget Project 3406SS - Sanitary Sewer Upsize – Gertrude & Whitney Streets	(141)
Cox. A.	re 2013 Capital Budget Project 4001SS - WWTP Rehabilitation Program	(142)
Cox. A.	re 2013 Capital Budget Project 6139SS - Digester & Grit Removal Ongoing Program	(143)
Cox. A.	re 2013 Capital Budget Project 6140SS - Sanitary Sewage Plant & Pump Station Ongoing	(144)
Cox. A.	re 2013 Capital Budget Project 6142WS/SS - Water & Sewer Rehabilitation Ongoing Program	(145)
Hillier, B.	re Request to Close an Unopened Portion of Road Allowance – Surrey Drive	(124)
Karpenko, M.	re Integrated Software Solution 2013 Capital Budget Allocation	(125)
Karpenko, M.	re 2013 Assessment Analysis & Tax Policy Review	(149)
Karpenko, M.	re 2013 Development Charges	(150)
Kilgour, I.	re Appointment of Municipal Weed Inspector 2013	(148)
Lang, A.	re Capitol Centre 2013 Capital Budget Allocation	(126)
Lang, A.	re North Bay Mattawa Conservation Authority 2013 Capital Budget Allocation	(127)
Lang, A.	re North Bay Police Services 2013 Capital Budget Allocation	(128)
Lang, A.	re North Bay Public Library 2013 Capital Budget Allocation	(129)
McDonald, J.	re 2013 Board of Management for the Downtown Improvement Area – 2013 Budget	(154)
Valenti, P.	re Electronic Records & Document Management System	(151)
Valenti, P.	re Request for Proposal 2013-04, Memorial Gardens Addition & Renovation	(152)
Valenti, P.	re Request for Proposal 2012-91, North Bay Waterfront Commercial Attraction Feasibility Study	(153)

Res. #2013-118: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That minutes for the public meeting held on:

- Tuesday, February 19, 2013

be adopted as presented.

"CARRIED"

Res. #2013-119: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the recommendation from the Planning Advisory Committee
regarding the Official Plan Amendment and Rezoning application by
Miller & Urso Surveying Inc., on behalf of Daniel Bryer and George
Franko – 2677 Trout Lake Road be referred to the Community Services
Committee for a Public Meeting.

"CARRIED"

Res. #2013-120: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the recommendation from the Planning Advisory Committee regarding the Official Plan Amendment and Rezoning application by Miller & Urso Surveying Inc., on behalf of Trout Lake Mall Inc. -2653 Trout Lake Road be referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2013-121: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the recommendation from the Planning Advisory Committee regarding the Rezoning application by Miller & Urso Surveying Inc., on behalf of Paul William Turcotte - 295 Carmichael Drive be referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2013-122: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the Rezoning application by Tunnock Consulting Ltd. on behalf of 2190372 Ontario Inc. & 1340791 Ontario Ltd. - Johnston Road be received.

"CARRIED"

Res. #2013-123: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the Rezoning application by Miller & Urso Surveying Inc. on behalf of 1794504 Ontario Inc. - 2 Sunset Boulevard be received.

"CARRIED"

Res. #2013-124: Moved by Councillor Lawlor, seconded by Councillor Anthony
That 1) the application by the Miller and Urso Surveying Inc. to close an Unopened Portion of Road Allowance (Surrey Drive) as shown on Schedule 'A' attached to Report to Council CSBU 2013-30 dated February 25, 2013 be approved;

- 2) Council declare that section of Surrey Drive Road Allowance as shown on Schedule 'A' attached to Report to Council CSBU 2013-30 as surplus;
- 3) the closure of the road allowance be subject to the granting of any required easements;
- 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject road allowance; and
- 5) the closure of the road allowance not be finalized until the Surrey Drive Phase 3 Plan of Subdivision be granted Final Approval from City Council.

"CARRIED"

Res. #2013-125: Moved by Councillor Lawlor, seconded by Councillor Anthony
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the 2013 Integrated Software Solution Capital Project, being Capital Project No. 3205GG, at a net debenture cost of \$50,000.00.

"CARRIED"

Res. #2013-126: Moved by Councillor Lawlor, seconded by Councillor Anthony
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the 2013 Capitol Centre Capital Projects,
being Capital Project No. 6135OC, at a net debenture cost of
\$179,000.00.

"CARRIED"

Res. #2013-127: Moved by Councillor Lawlor, seconded by Councillor Anthony
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the 2013 North Bay Mattawa Conservation
Authority Capital Projects, being Capital Project No. 6136CA, at a net
debenture cost of \$552,880.00.

"CARRIED"

Res. #2013-128: Moved by Councillor Lawlor, seconded by Councillor Anthony
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the 2013 North Bay Police Services Capital
Projects, being Capital Project No. 6137PD, at a net debenture cost of
\$347,795.00.

"CARRIED"

Res. #2013-129: Moved by Councillor Lawlor, seconded by Councillor Anthony
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the 2013 North Bay Public Library Capital
Projects, being Capital Project No. 6138LB, at a net debenture cost of
\$260,400.00.

"CARRIED"

Res. #2013-130: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the replacement of the return sludge pumps
and controls at the Sanitary Sewer Plant for the Engineering,
Environmental Services and Works Department, being 2013 Water and
Sanitary Sewer Capital Budget Project No. 3307SS, at a net debenture
cost of \$75,000.00.

"CARRIED"

Res. #2013-131: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the Waste Water Treatment Plant electrical
upgrades for the Engineering, Environmental Services and Works
Department, being 2013 Water and Sanitary Sewer Capital Budget
Project No. 3308SS, at a net debenture cost of \$175,000.00.

"CARRIED"

Res. #2013-132: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of
City Council to authorize the repair and replacement of the raw
sewage pumping station at the Sanitary Sewer Plant for the
Engineering, Environmental Services and Works Department, being
2013 Water and Sanitary Sewer Capital Budget Project No. 3309SS, at
a net debenture cost of \$225,000.00.

"CARRIED"

Res. #2013-133: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the upgrade of the aeration system including blowers, HVAC and diffusers at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3310SS, at a net debenture cost of \$100,000.00.

"CARRIED"

Res. #2013-134: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the upgrade of the methane gas system at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3311SS, at a net debenture cost of \$75,000.00.

"CARRIED"

Res. #2013-135: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the replacement of various valves at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3313SS, at a net debenture cost of \$30,000.00.

"CARRIED"

Res. #2013-136: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize structural repairs at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3314SS, at a net debenture cost of \$50,000.00.

"CARRIED"

Res. #2013-137: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the repair and replacement of fencing, brick veneer and to perform landscaping upgrades at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3315SS, at a net debenture cost of \$15,000.00.

"CARRIED"

Res. #2013-138: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the acquisition of various vehicles and equipment for the Roads and Traffic Division of the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project No. 6100FL, at a net debenture cost of \$1,000,000.00.

"CARRIED"

Res. #2013-139: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the repair and replacement of a duel boiler, air compressor and ventilation at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3316SS, at a net debenture cost of \$100,000.00.

"CARRIED"

Res. #2013-140: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the installation of a new larger generator at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3317SS, at a net debenture cost of \$550,000.00.

"CARRIED"

Res. #2013-141: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the upsizing of the trunk sanitary sewers along Gertrude and Whitney Streets for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3406SS, at a net debenture cost of \$75,000.00.

"CARRIED"

Res. #2013-142: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Sanitary Sewage Plant Rehabilitation Program of the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 4001SS, at a net debenture cost of \$200,000.00.

"CARRIED"

Res. #2013-143: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Digester and Grit Removal Program for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 6139SS, at a net debenture cost of \$81,000.00.

"CARRIED"

Res. #2013-144: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the ongoing improvements at the Sanitary Sewage Plant and the Pump Station for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 6140SS, at a net debenture cost of \$75,000.00.

"CARRIED"

Res. #2013-145: Moved by Councillor Koziol, seconded by Councillor Campbell
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the ongoing improvements in the Water and Sanitary Sewer Departments for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 6142WS/SS, at a net debenture cost of \$109,000.00.

"CARRIED"

Res. #2013-146: Moved by Councillor Mendicino, seconded by Councillor Mayne
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Central City Rehabilitation Program, being 2013 Community Services Capital Budget Project No. 6123PR, at a net debenture cost of \$64,000.00.

"CARRIED"

Res. #2013-147: Moved by Councillor Mendicino, seconded by Councillor Mayne
That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the improvements to the North Bay Jack Garland Airport, being Community Services 2013 Capital Budget Project No. 6130AT, at a net debenture cost of \$326,500.00.

"CARRIED"

Res. #2013-148: Moved by Councillor Mendicino, seconded by Councillor Mayne
That City Council appoint the City's Parks and Facilities Manager as Municipal Weed Inspector for 2013, and that the City Clerk be authorized to prepare the appropriate by-law to appoint the City's Parks and Facilities Manager as the Municipality's Weed Inspector for 2013 and submit the name of the Municipal Weed Inspector to the Provincial Chief Inspector before April 1st of this year.

"CARRIED"

Res. #2013-149: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Report to Council CORP 2013-07 dated February 26, 2013 from Lorraine Rochefort & Margaret Karpenko relating to the 2013 Assessment Analysis & Tax Policy Review be referred to the General Government Committee.

"CARRIED"

Res. #2013-150: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Report to Council CORP 2013-28 dated February 25, 2013 from Al Lang & Margaret Karpenko be referred to the General Government Committee for a Public Meeting.

"CARRIED"

Res. #2013-151: Moved by Councillor Lawlor, seconded by Councillor Anthony
That City Council approve the award of a contract to SIRE Technologies Inc. in the amount of \$238,901.00 (HST extra), for acquisition and implementation of a new Electronic Records and Document Management System (ERDMS).

"CARRIED"

Res. #2013-152: Moved by Councillor Mendicino, seconded by Councillor Mayne
That City Council approve the award of a contract to M. Sullivan & Son Limited to act as the Construction Manager for the Memorial Gardens Addition and Renovation with total construction costs estimated in the amount of \$10,000,000.00 and their fee being 3.97% of the total construction costs.

"CARRIED"

Res. #2013-153: Moved by Councillor Mendicino, seconded by Councillor Mayne
That City Council approve the award of a contract to Mitchell Architects Inc. in the amount of \$148,250.00 (HST extra), to conduct a Waterfront Commercial Attraction Feasibility Study to identify compatible commercial uses for the Waterfront that will generate additional tourist and citizen activity resulting in job creation.

Councillor Lawlor declared a conflict of interest as his father is included in one of the proposals as a sub consultant.

Councillor Vaillancourt declared a conflict of interest as he owns a seasonal business at the Waterfront.

"CARRIED"

Res. #2013-154: Moved by Councillor Lawlor, seconded by Councillor Anthony
That 1) the Board of Management for the Downtown Improvement Area 2013 budget in the amount of \$132,972.00 with a resultant tax levy of \$112,162.00 be approved by City Council; and
2) the necessary by-law to provide for the levy and collection of special charges in respect to certain business improvement areas be prepared for the approval of City Council.

"CARRIED"

Res. #2013-155: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2013-20 to authorize the Park and Playground Rehabilitation Program.

By-Law No. 2013-21 to authorize the Waterfront Rehabilitation Program.

By-Law No. 2013-22 to authorize the City Hall Grounds Rehabilitation Program.

By-Law No. 2013-23 to authorize the Trail and Supporting Hard Surfaces Rehabilitation Program.

By-Law No. 2013-24 to authorize the Aquatic Centre Rehabilitation Program.

By-Law No. 2013-25 to authorize the Parking Lot Maintenance and Improvement Program.

By-Law No. 2013-27 to authorize the Parks' Vehicle and Equipment Replacement Program.

By-Law No. 2013-28 to authorize the Steve Omischl Sports Field Complex Development and Rehabilitation Program.

By-Law No. 2013-29 to authorize the Parking Vehicle and Equipment Program.

By-Law No. 2013-30 to authorize the Tourist Information Centre Rehabilitation Program.

By-Law No. 2013-31, being a by-law to repeal By-Law No. 2012-69, being a by-law to authorize the extension of Sanitary Sewers to Pinewood Park Drive area.

By-Law No. 2013-32 to authorize the extension of Sanitary Sewers to Pinewood Park Drive area.

By-Law No. 2013-33 to authorize the Marshall Sewage Lift Station Project.

By-Law No. 2013-34 to authorize the construction of a new Septage Receiving and Grit Removal Facility.

By-Law No. 2013-35 to authorize the SAN Storage Mirror Technology Project.

By-Law No. 2013-36 to authorize the 2013 Information Systems Technology Capital Projects.

By-Law No. 2013-37 to authorize the 2013 Corporate Document Management System Program.

By-Law No. 2013-39 to confirm proceedings of the Special Meeting of Council on February 19, 2013.

By-Law No. 2013-40 to confirm proceedings of the Meeting of Council on February 19, 2013.

"CARRIED"

Res. #2013-156: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read third time and passed:

By-Law No. 2013-20 to authorize the Park and Playground Rehabilitation Program.

By-Law No. 2013-21 to authorize the Waterfront Rehabilitation Program.

By-Law No. 2013-22 to authorize the City Hall Grounds Rehabilitation Program.

By-Law No. 2013-23 to authorize the Trail and Supporting Hard Surfaces Rehabilitation Program.

By-Law No. 2013-24 to authorize the Aquatic Centre Rehabilitation Program.

By-Law No. 2013-25 to authorize the Parking Lot Maintenance and Improvement Program.

By-Law No. 2013-27 to authorize the Parks' Vehicle and Equipment Replacement Program.

By-Law No. 2013-28 to authorize the Steve Omischl Sports Field Complex Development and Rehabilitation Program.

By-Law No. 2013-29 to authorize the Parking Vehicle and Equipment Program.

By-Law No. 2013-30 to authorize the Tourist Information Centre Rehabilitation Program.

By-Law No. 2013-31, being a by-law to repeal By-Law No. 2012-69, being a by-law to authorize the extension of Sanitary Sewers to Pinewood Park Drive area.

By-Law No. 2013-32 to authorize the extension of Sanitary Sewers to Pinewood Park Drive area.

By-Law No. 2013-33 to authorize the Marshall Sewage Lift Station Project.

By-Law No. 2013-34 to authorize the construction of a new Septage Receiving and Grit Removal Facility.

By-Law No. 2013-35 to authorize the SAN Storage Mirror Technology Project.

By-Law No. 2013-36 to authorize the 2013 Information Systems Technology Capital Projects.

By-Law No. 2013-37 to authorize the 2013 Corporate Document Management System Program.

By-Law No. 2013-39 to confirm proceedings of the Special Meeting of Council on February 19, 2013.

By-Law No. 2013-40 to confirm proceedings of the Meeting of Council on February 19, 2013.

"CARRIED"

Res. #2013-157: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2013-26 to authorize the King's Landing and Marina Rehabilitation Program.

Councillor Vaillancourt declared a conflict of interest as he owns a seasonal business at the Waterfront.

"CARRIED"

Res. #2013-158: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2013-26 to authorize the King's Landing and Marina
Rehabilitation Program.

Councillor Vaillancourt declared a conflict of interest as he owns a seasonal business at
the Waterfront.

"CARRIED"

Res. #2013-159: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2013-38 to authorize the execution of an Agreement
with Canadore College of Applied Arts and Technology, The
Canadore Students Representative Council Incorporated relating to
Canadore College Student Pass Program.

"CARRIED"

Res. #2013-160: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2013-38 to authorize the execution of an Agreement
with Canadore College of Applied Arts and Technology, The
Canadore Students Representative Council Incorporated relating to
Canadore College Student Pass Program.

"CARRIED"

Res. #2013-161: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council adjourn in-camera pursuant to section 239 (2) of the
Municipal Act, 2001, as amended, at 7:36 p.m. for the following
reason: Item #37, being a personal matter about an identifiable
individual.

"CARRIED"

Res. #2013-162: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council reconvene at 7:53 p.m.

"CARRIED"

Res. #2013-163: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 7:53 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2013-13

March 18, 2013

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2013-13 and recommends:

1. That Council adopts the 2013 Assessment Analysis & Tax Policy recommendations as follows:

- i) That the 2013 tax ratios remain at the 2012 levels as follows:

Multi-Residential	- 2.2054	Pipeline	- 1.1656
Commercial	- 1.8822	Farmland	- 0.1500
Industrial	- 1.4000	Managed Forest	- 0.2500.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
LAWLOR (CHAIRMAN)	_____	_____
ANTHONY	_____	_____
BAIN	_____	_____
MAROOSIS	_____	_____
MAYOR McDONALD	_____	_____

COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-05

March 18, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-05 and recommends:

1. That Council approve the following Transit Fare increases:
 - i) Effective April 1, 2013 – cash fare of \$.25, Monthly Pass of \$2.00 and 10 Trip card of \$2.25; and
 - ii) Effective April 1, 2014 – cash fare of \$.25, Monthly Pass of \$2.00 and 10 Trip card of \$2.25.

All of which is respectfully submitted.

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

North Bay, ON

March 18, 2013**Subject:** Elected Official Invoice Register**File No.** F14/2012/EOIR/GENERAL**Res.** 2013 - _____**Moved by Councillor:** _____**Seconded by Councillor:** _____

That accounts totaling \$16,794,223.54 for November 2012 be approved.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict _____ Endorsement of Chair _____

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

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

Signature of Clerk _____

North Bay, ON

March 18, 2013**Subject:** Elected Official Invoice Register**File No.** F14/2012/EOIR/GENERAL**Res.** 2013 - _____**Moved by Councillor:** _____**Seconded by Councillor:** _____

That accounts totaling \$13,149,927.43 for December 2012 be approved.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict _____ Endorsement of Chair _____

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

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

Signature of Clerk _____

North Bay, ON

March 18, 2013**Subject:** Elected Official Invoice Register**File No.** F14/2013/EOIR/GENERAL**Res.** 2013 - _____**Moved by Councillor:** _____**Seconded by Councillor:** _____

That accounts totaling \$11,094,581.24 for January 2013 be approved.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict _____ Endorsement of Chair _____

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

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

Signature of Clerk _____



February 28, 2013

**ATTN: Municipal Clerk
 North Bay Police Services
 North Bay Building Department
 North Bay Fire Department
 North Bay Health Services Board**

To whom it may concern;

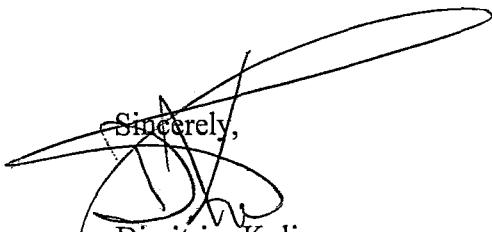
We at Grannittis Ristorante, have recently applied for a temporary extension of our liquor license for 540 Lakeshore Drive. This extension would be for the side exterior portion of our location (please see attached sketch) on the 25th of May 2013 from 11:00am to 2:00am the following day.

The purpose of this application is to accommodate participants in the Papa Joe Memorial Ride for Cancer, an event held annually for the past several years to raise money for cancer research in memory of Joe Lafévre. We anticipate that approximately 400-600 people will participate in this event over the course of the day. Riders will depart from our location in the morning, travelling to Mattawa and back. The public is invited to participate in this worthy cause.

The Alcohol and Gaming Commission of Ontario requires that we inform you of this scheduled event and we look forward to receiving your support and endeavour. If you have any questions or concerns related to this event, please feel free to contact me 705-499-8880.

Please note that Grannittis Ristorante has an outdoor liquor licence.

Sincerely,


Dimitrios Kolios



Alcohol and Gaming
Commission of Ontario
Licensing & Registration
90 Sheppard Avenue East
Suite 200
Toronto ON M2N 0A4
Tel/Téléphone : 416 326-8700
1 800 522-2876 toll free in Ontario/sans frais en Ontario
Website/site Web : www.agco.on.ca

Commission des alcools
et des jeux de l'Ontario
Inscription et délivrance des permis
90, avenue Sheppard Est
Bureau 200
Toronto ON M2N 0A4
Fax/Téléc : 416 326-5555

Temporary Extension Application (Liquor Sales Licence) Demande d'agrandissement temporaire des locaux pourvus d'un permis d'alcool

Est. # / N° établ.

App. # / N° dem.

SECTION 1 — APPLICATION INFORMATION / RENSEIGNEMENTS SUR L'ÉTABLISSEMENT

1.1 Preferred Language / Langue de préférence <input checked="" type="checkbox"/> English / Anglais <input type="checkbox"/> French / Français		1.2 Liquor Licence Number / Numéro du permis 20346
1.3 Name of Establishment / Nom de l'établissement GRANNITTIS RISTORANTE		
1.4 Establishment Address / Emplacement de l'établissement 540 LAKESHORE DRIVE		City, Town, Village / Ville ou village NORTH BAY
Postal Code / Code postal P 1 A 2 E 6	1.5 Telephone Number / N° de téléphone (705) 2233333	1.6 Fax No. / N° de télécopieur (705) 2239777

SECTION 2 — CONTACT INFORMATION (for the purpose of processing the application) / RENSEIGNEMENTS SUR LA PERSONNE-RESSOURCE (aux fins du traitement de la demande)

2.1 Name of Contact / Nom de la personne-ressource DIMITRIOS KOLIOS	2.2 Telephone No. of Contact / N° de téléphone de la personne-ressource (705) 4998888	2.3 Fax No. of Contact / N° de télécopieur de la personne-ressource (705) 4953099
2.4 What is the Contact Person's Relationship to the Licensed Establishment ? / Quel lien la personne-ressource a-t-elle avec l'établissement pourvu d'un permis? OWNER		

SECTION 3 — EVENT INFORMATION / RENSEIGNEMENTS SUR L'ÉVÉNEMENT

3.1 Name/Type of event: (i.e. Oktoberfest/Fundraiser - Cancer Society/A Taste of The Danforth Festival, etc.) / Nom de l'événement et genre (p. ex., Oktoberfest, collecte de fonds pour la Société pour la lutte contre le cancer, Festival Taste of the Danforth)					
ANNUAL PAPA JOE - RUN FOR CANCER					
CEASE SALE & SERVICE OF LIQUOR / ARRÊT DE VENTE ET SERVICE D'ALCOOL			CEASE SALE & SERVICE OF LIQUOR / ARRÊT DE VENTE ET SERVICE D'ALCOOL		
Sale and service of liquor / Vente et service d'alcool			Sale and service of liquor / Vente et service d'alcool		
List Dates / Date (e.g. Sunday, August 20, 2003) (p. ex., dimanche 20 août 2003)	Start time/Heure début (each day / chaque jour)	END TIME / HEURE FIN (EACH DAY / CHAQUE JOUR)	List Dates / Date (e.g. Sunday, August 20, 2003) (p. ex., dimanche 20 août 2003)	Start time/Heure début (each day / chaque jour)	END TIME / HEURE FIN (EACH DAY / CHAQUE JOUR)
1) Saturday, May 25th 2013	11:00 AM	02:00 AM	8)		
2)			9)		
3)			10)		
4)			11)		
5)			12)		
6)			13)		
7)			14)		

SECTION 4 — EXTENSION INFORMATION / RENSEIGNEMENTS SUR L'AGRANDISSEMENT

4.1 Location of Proposed Licensed Extension / Emplacement de la zone proposée pour l'agrandissement :

☒ Outdoors / Extérieure ☐ Indoors / Intérieure

4.2 Location of Proposed Extension in relation to currently licensed area / Emplacement de la zone proposée pour l'agrandissement par rapport aux locaux pourvus d'un permis :

JOINING

4.3 Maximum Capacity of Extension (Length x Width based on 1.11 square metres per person) / Capacité maximale de la zone proposée pour l'agrandissement (longueur X largeur en fonction de 1,11 mètre carré par personne) :

531

4.4 ☒ Licensee **owns** the land of the proposed extended area / La ou le titulaire du permis **possède** le terrain de la zone proposée pour l'agrandissement

☐ Licensee **rents/leases** the land of the proposed extended area / La ou le titulaire du permis **loue** le terrain de la zone proposée pour l'agrandissement

☐ Municipality **owns** the land of the proposed extended area / La municipalité **possède** le terrain de la zone proposée pour l'agrandissement

4.5 Is there tiered seating in the proposed extension? Note: A temporary tiered seating approval is required/ Y a-t-il des gradins dans la section proposée pour l'agrandissement? Remarque : Il est nécessaire d'obtenir une autorisation pour des gradins temporaires.

☐ Yes /
Oui

☒ No /
Non

SECTION 5 — APPLICANT(S) SIGNATURE(S) / SIGNATURE DE L'AUTEURE OU AUTEUR OU DES AUTEURS DE LA DEMANDE

Please follow the instructions below: / Veuillez suivre les instructions ci-dessous:

If the applicant is a sole proprietor, **he/she** must sign below.

If the applicant is a corporation, **a person with authority to bind the corporation** must sign below.

If the applicant is a partnership, **ALL partners** must sign below.

La demande doit être signée ci-dessous par **la ou le propriétaire** de l'entreprise lorsqu'il s'agit d'une entreprise personnelle.



La demande doit être signée ci-dessous par une **personne habilitée à engager l'entreprise** lorsqu'il s'agit d'une personne morale.

La demande doit être signée ci-dessous par **tous les associés** lorsqu'il s'agit d'une société en nom collectif.

By signing this form I/we solemnly declare that all information provided in this application is true and correct. /

En signant cette formule, je déclare (nous déclarons) solennellement que les renseignements fournis sont fidèles et exacts.

(Please print and sign name clearly) / (Veuillez écrire lisiblement.)

5.1 Print name / Nom en lettres moulées DIMITRIOS KOLIOS	Signature 	Date signed / Date YY / AA 13	MM 2	DD / JJ 28
5.2 Print name / Nom en lettres moulées	Signature 	Date signed / Date YY / AA	MM	DD / JJ
5.3 Print name / Nom en lettres moulées	Signature	Date signed / Date YY / AA	MM	DD / JJ

Notification / Avis

Clear Form Entries/Effacer des entrées de la Formule

The above information is collected pursuant to the Liquor Licence Act, R.S.O. 1990, chapter L.19. The principal purpose of the collection is to determine eligibility for the issuance of a temporary extension of a liquor licence. The information may also be disclosed pursuant to the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, chapter F.31. For questions about the collection of this information, please contact the Manager, Liquor Eligibility, Alcohol and Gaming Commission of Ontario, 90 Sheppard Ave. E., Suite 200, Toronto ON M2N 0A4, telephone: 416 326-8700, toll free in Ontario 1 800 522-2876. Email address: licensing@agco.on.ca /

Les renseignements fournis dans la présente formule sont recueillis aux termes de la *Loi sur les permis d'alcool*, L.R.O. 1990, chap. L.19, dans le but premier de déterminer l'admissibilité à l'agrandissement temporaire des locaux pourvus d'un permis. Ces renseignements peuvent également être divulgués aux termes de la *Loi sur l'accès à l'information et la protection de la vie privée*, L.R.O. 1990, chap. F.31. Les questions relatives à la collecte de renseignements doivent être adressées à la ou au chef de l'admissibilité pour les permis d'alcool, Commission des alcools et des jeux de l'Ontario, 90, av. Sheppard Est., bureau 200, Toronto ON M2N 0A4. Tél. : 416 326-8700 ou 1 800 522-2876 (interurbains sans frais en Ontario). Courriel : licensing@agco.on.ca

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CSBU 2013 - 35**Date:** February 27, 2013**Originator:** Fire Chief, Grant Love**Subject:** City of North Bay/Ministry of Natural Resources (CNB/MNR)
Forest Fire Management Agreement Renewal

RECOMMENDATION

That Council authorizes entering into an agreement with MNR for the **renewal** of the existing MNR agreement as per Bylaw #2005-18 for a City of North Bay/Ministry of Natural Resources Forest Fire Management Agreement Renewal to take effect April 1st, 2013.

BACKGROUND

The City of North Bay/Ministry of Natural Resources Forest Fire Management Agreement, as per By-law #2005-18, defines a protocol and appropriate fee schedule for firefighting (bush, grass and forest) on Municipal and Crown Protection Areas within the City of North Bay. In the City of North Bay, there are 25,017 hectares of Municipal Protection Area (MPA) and 8,653 hectares of Crown Protection Area (CPA). When City of North Bay fire crews respond to CPA, at the request of Ministry of Natural Resources, the City of North Bay will be compensated as per Appendix 'C'. When MNR respond to the MPA, at the request of the City of North Bay, Ministry of Natural Resources will be paid as per the same schedule.

The new agreement no longer has an expiry date. There is a mandatory review period that must occur based on a cycle for review established by the local Fire Management Headquarters.

Without the agreement, the rate charged by Ministry of Natural Resources is in excess of the schedule contained in the agreement.

Historically there has been a good working relationship between MNR Fire and North Bay Fire & Emergency Services. We currently have an agreement whereas the end result is a wash for Crown Protected Area vs Municipal Protected Area. In 2011 and 2012 there was a significant increase in the area in which we required assistance from MNR Fire to prevent major property loss. This type of scenario will be more common as the public increases the use of forested areas that are harder to reach by road, as well as increasing warming conditions.

A number of options were considered during the 2013 budget discussion.

They included an increase the contract budget line to \$10,000 to offset possible costs from the MNR; use the budget line to pay for the service and invoice the costs back to the land owner; use the 2012 money received from the MNR for services we provided them to start a reserve account.

In 2011 we paid the MNR around \$1,000 for assistance with forest fires; in 2012 the MNR paid us \$4,600 (mainly due to one incident). There have been a number of municipalities in Northern Ontario that have to ask the MNR for assistance and received invoices for tens of thousands of dollars.

We will have to continue to training of our Firefighting Staff with the MNR's SP103 and air attack safety programs (MNR has provided us with the training kits); evaluate the MNR FireSmart forest fire prevention plan and provide public education.

OPTIONS/ANALYSIS

Option 1:

Do not renew the agreement with the Ministry of Natural Resources. This option is not recommended as not entering into an agreement, would have the City of North Bay paying a higher rate when requesting Ministry of Natural Resources intervention in MPA.


Option 2:

That Council authorizes entering into an agreement with MNR for the **renewal** of the existing MNR agreement as per Bylaw #2005-18 for a City of North Bay/Ministry of Natural Resources Forest Fire Management Agreement Renewal to take effect April 1st, 2013

RECOMMENDED OPTION

That Council authorizes entering into an agreement with MNR for the **renewal** of the existing MNR agreement as per Bylaw #2005-18 for a City of North Bay/Ministry of Natural Resources Forest Fire Management Agreement Renewal to take effect April 1st, 2013.

Respectfully submitted,



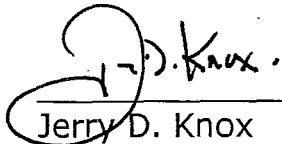
Grant Love
Fire Chief

GL/dlb

W:\PLAN\RMS\C00\2013\CSBU\RTC\0035-MNR-2013ForestFireAgmtRenewal.doc

attach.

I concur in this report and recommendation.

A handwritten signature in black ink, appearing to read "Jerry D. Knox", is written over a horizontal line.

Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Fire Chief



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

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

March 5, 2013

Miller & Urso Surveying Inc.
1501 Seymour Street
North Bay, On P1A 0L5

Atten: Rick Miller

Dear Mr. Miller;

Re: Proposed Zoning By-law Amendment by Conseil Scolaire Catholique Franco
- Nord
152 Greenwood Avenue

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,

Peter Carello
Senior Planner, Current Operations

PC/dlb

INTER OFFICE

City of North Bay

MEMO

To: Cathy Conrad

From: Peter Carello, Senior Planner – Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment by Conseil Scolaire Catholique Franco Nord – 152 Greenwood Avenue

Date: March 5, 2013

Please find attached hereto a copy of a rezoning application seeking to rezone a portion of the property located at 152 Greenwood Avenue, more particularly described as Registered Plan No. 86, Lots 288-291 and Lots 318-321, Reference Plan No. 36R-4208, PIN No. 49159-0030(LT) in the former Township of Widdifield.

This application has deemed to satisfy the requirements of a "complete" application for processing purposes.

The application is being processed pursuant to City Council Resolution No. 2001- 706 is a "Fast Track" rezoning.

The applicant is proposing to rezone the subject property from a "Residential Third Density (R3)" zone to a "Residential Fifth Density Special No. 131 (R5 Sp.131)". The special component of the rezoning would increase the maximum lot coverage from 35% to 40%.

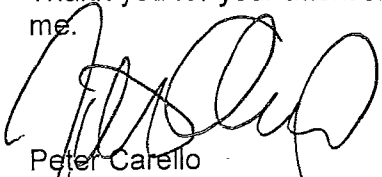
This application, if approved, will permit the residential development of the subject property.

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

Would you kindly schedule a Public Meeting of Council, in order that this matter can be considered.

Please find attached, hereto, a draft copy of the proposed Zoning By-law amendment and By-law to designate the property a Site Plan Control Area, required in order to schedule the public meeting of City Council.

Thank you for your attention to this matter. Should you require additional information, please contact me.



Peter Carello
Senior Planner, Current Operations

INTER OFFICE

MEMO

*City of North Bay
Planning Services*

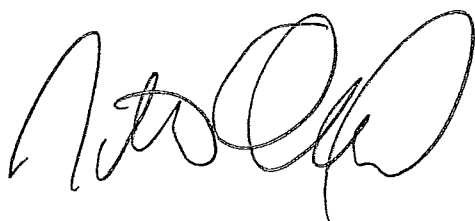
To: Cathy Conrad, City Clerk
From: Peter Carello - Senior Planner, Current Operations
Subject: Resolution No. 6 - Planning Advisory Committee
Date: March 7, 2013

Quoted below is Resolution No. 6 passed at the regular meeting of the Planning Advisory Committee held on Wednesday March 6, 2013:

Resolution No. 6

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

1. That the proposed Zoning By-law Amendment by Goodridge Planning & Surveying on behalf of Tim Falconi and Carlo Guido to rezone lands at 715 High Street from a 'Residential Third Density (R3)' zone to a 'Residential Multiple Third Density Special (RM3 Sp.130)' zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required."



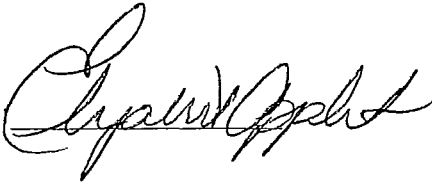
Peter Carello
Senior Planner, Current Operations
Secretary-Treasurer, Planning Advisory Committee

North Bay Planning Advisory Committee

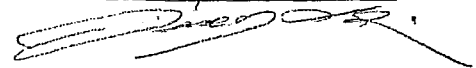
Resolution No. 6

Date: March 6, 2013

Moved By



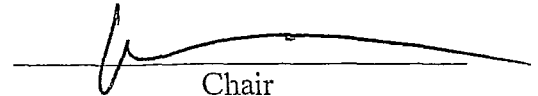
Seconded By:

Andy Kozlowski


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

1. That the proposed Zoning By-law Amendment by Goodridge Planning & Surveying on behalf of Tim Falconi and Carlo Guido to rezone lands at 715 High Street from a 'Residential Third Density (R3)' zone to a 'Residential Multiple Third Density Special (RM3 Sp.130)' zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required."

"CARRIED"


Chair

INTER OFFICE

City of North Bay
PLANNING SERVICES

MEMO

To: Chair and Members, Planning Advisory Committee

From: Peter Carello – Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment by Goodridge Planning & Surveying Limited on behalf of Tim Falconi & Carlo Guido
- 715 High Street in the City of North Bay

Date: February 27, 2013

Recommendations

1. That the proposed Zoning By-law Amendment by Goodridge Planning & Surveying Limited on behalf of Tim Falconi & Carlo Guido, 715 High Street in the City of North Bay to rezone the property legally described as Registered Plan No. M-28, Part of Lot 29, PIN 49156-0605(LT) from a 'Residential Third Density (R3)' zone to a 'Residential Multiple Third Density Special (RM3 Sp.130)' zone BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.

Site Information

Legal Description: Registered Plan No. M-28, Part of Lot 29, PIN 49156-0605(LT) in the City of North Bay, District of Nipissing.

Site Description: The subject property is an existing lot of record located at 715 High Street within the Settlement Area in the City of North Bay. It is zoned "Residential Third Density (R3)" under Zoning By-law 28-80 and is designated "Residential" by the Official Plan.

City records identify the property as a legal non-conforming five-unit apartment building. The property also enjoys legal non-complying status for lot coverage, front yard setback, rear yard setback.

The property has an existing lot area of 507.8 square metres and lot frontage of 19.4 metres on Douglas Street. It is developed with six-unit apartment, as shown on the attached Schedule A. The Applicants is proposing to rezone the property in order to legalize the sixth unit.

Surrounding Land Uses: The majority of neighbouring properties in the immediate area are developed with single detached dwelling units. However, there are several properties that are developed with multi-residential units. Most notably, Wanner Towers, a seven storey apartment building, is located in close proximity. St. Joseph Scollard Hall is also located near the subject property.

Proposal

Goodridge Planning & Surveying Limited on behalf of Tim Falconi & Carlo Guido has submitted a Zoning By-law Amendment application to rezone the property locally known as 715 High Street from a 'Residential Third Density (R3)' zone to a 'Residential Multiple Third Density Special (RM3 Sp.130)' zone in order to legalize an existing sixth dwelling unit with the legal non-conforming five-unit apartment building.

The special component of the proposed amendment will recognize existing deficiencies. Specifically, the Applicants are requesting the following special zone provisions:

Regulation	Zoning By-law Requirement	Actual	Requested
Minimum Lot Frontage	30m	19.35m	19m
Maximum Gross Floor Area as a % of Lot Area	75%	85.6%	86%
Minimum Parking Spaces	9 (1.5 parking spaces/unit)	6	6
Minimum Front Yard Setback	7.6m	4.73m	4.7m
Minimum Rear Yard Setback	7.6m	7.56m	7.5m
Minimum Exterior Side Yard Setback	6m	4.91m	4.9m
Minimum Interior Side Yard Setback	6m	1.69m	1.6
Playspace Area	25.3 m ²	0m	25.3 m ²
Minimum Separation Between Playspace and Main Building	4.5m	N/A	3.5m
Minimum Landscaping Width for Side & Rear Lot Lines and Building Wall	1.5m	0m	0m

Provincial Policy Statement (PPS 2005)

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

Section 1.1.3 of the PPS 2005 discusses land use within the Settlement Area.

Section 1.1.3.1 states that *"Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted"*.

Section 1.1.3.2 further states that *"Land use patterns within settlement areas shall be based on:*

a) densities and a mix of land uses which:

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

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

Finally, 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 general intent and purposes of the above noted sections are to encourage development and intensification within the Settlement Area when there are no mitigating factors, such as lack of infrastructure or negative environmental impacts.

The proposed application would legalize an existing sixth unit within a legal non-conforming five-unit apartment building. Municipal services already service the subject property, including the sixth unit. There are no negative environmental impacts as a result of this application.

In my professional opinion, the end use is consistent with the policies contained in the Provincial Policy Statement (PPS 2005).

Growth Plan for Northern Ontario (GPNO 2011)

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

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

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

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

In my opinion, the end use conforms to the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

Official Plan

The property is designated "Residential" by the City of North Bay's Official Plan. It is located within the "Old City" Planning District and is not within in a Development Constraint Area, as identified by Schedules 3A and 4.

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

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

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

The subject property has many of the attributes listed by the Official Plan for increased intensification. The "Old City" Planning District is directly adjacent to the Central Business District, as stated by Section 2.1.1. The subject property is located one a well-established neighbourhood that has easy access to a broad range of municipal services. The property receives municipal water and sanitary sewer services. A transit stop is located directly in front of the subject property, with multiple other routes that travel on Algonquin Avenue located within walking distance. Six schools are located less than 600m from the subject property.

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

Zoning By-Law No. 28-80

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

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

The Applicants are proposing to rezone the subject lands to permit the existing legal non-conforming use and to recognize deficiencies arising from the property's smaller lot area. The Applicants are requesting the following reductions:

Regulation	Zoning By-law Requirement	Actual	Requested
Minimum Lot Frontage	30m	19.35m	19m
Maximum Gross Floor Area as a % of Lot Area	75%	85.6%	86%
Minimum Parking Spaces	9 (1.5 parking spaces/unit)	6	6
Minimum Front Yard Setback	7.6m	4.73m	4.7m
Minimum Rear Yard Setback	7.6m	7.56m	7.5m
Minimum Exterior Side Yard Setback	6m	4.91m	4.9m
Minimum Interior Side Yard Setback	6m	1.69m	1.6
Playspace Area	25.3 m ²	0m	25.3 m ²
Minimum Separation Between Playspace and Main Building	4.5m	N/A	3.5m
Minimum Landscaping Width for Side & Rear Lot Lines and Building Wall	1.5m	0m	0m

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

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

Correspondence

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

In terms of correspondence received, the Chief Building Official, Chief Fire Prevention Officer, Secretary-Treasurer of the North Bay Municipal Heritage Committee, North Bay-Mattawa Conservation Authority and the Ministry of Transportation have indicated they have no concerns or objections to this proposal.

The initial proposed site plan showed some parking spaces that would have encroached onto City property and onto an adjacent sidewalk. Both the Zoning Administrator and Infrastructure Engineer expressed concerns regarding this layout. The Applicants have submitted a revised site plan eliminating the encroachment as a result of these comments.

In addition, while the applicants' site plan shows nine parking spaces, three of these spaces are stacked with other spaces. Section 3.26.1 of the City's Zoning By-law requires parking spaces to have access to a street or laneway that is unobstructed by other parking spaces. As a result, Planning staff has amended the application to reduce the parking requirements to one space per unit.

No correspondence was received from any circulated property owners.

Summary

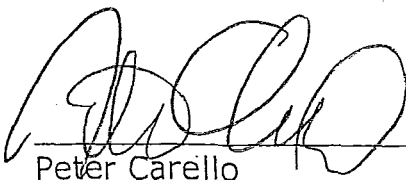
The subject property is an existing six-unit apartment building. City records indicate the property is a legal non-conforming five-unit apartment building. There are no records as to when the sixth unit was constructed. This application would legalize apartment building use and the sixth unit.

The special zone requests recognize the property's inability to meet all regulations of Zoning By-law No. 28-80, based on existing lot configuration and the size of the structure. Though the property is considerably smaller than a typical Residential Multiple Third Density (RM3) zone, Planning Staff is of the opinion these deficiencies are acceptable given the structure has existed for many years without conflict and considering the built form of the neighbourhood.

The subject property has access to a broad variety of public services, such as sanitary sewer, water, transit and schools. This application is supported by Provincial land use documents (PPS 2005 and GPNO 2011) and the City's Official Plan policies encouraging infill development.

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

Respectfully submitted,

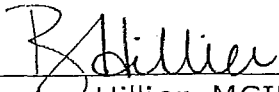


Peter Carello

Senior Planner – Current Operations

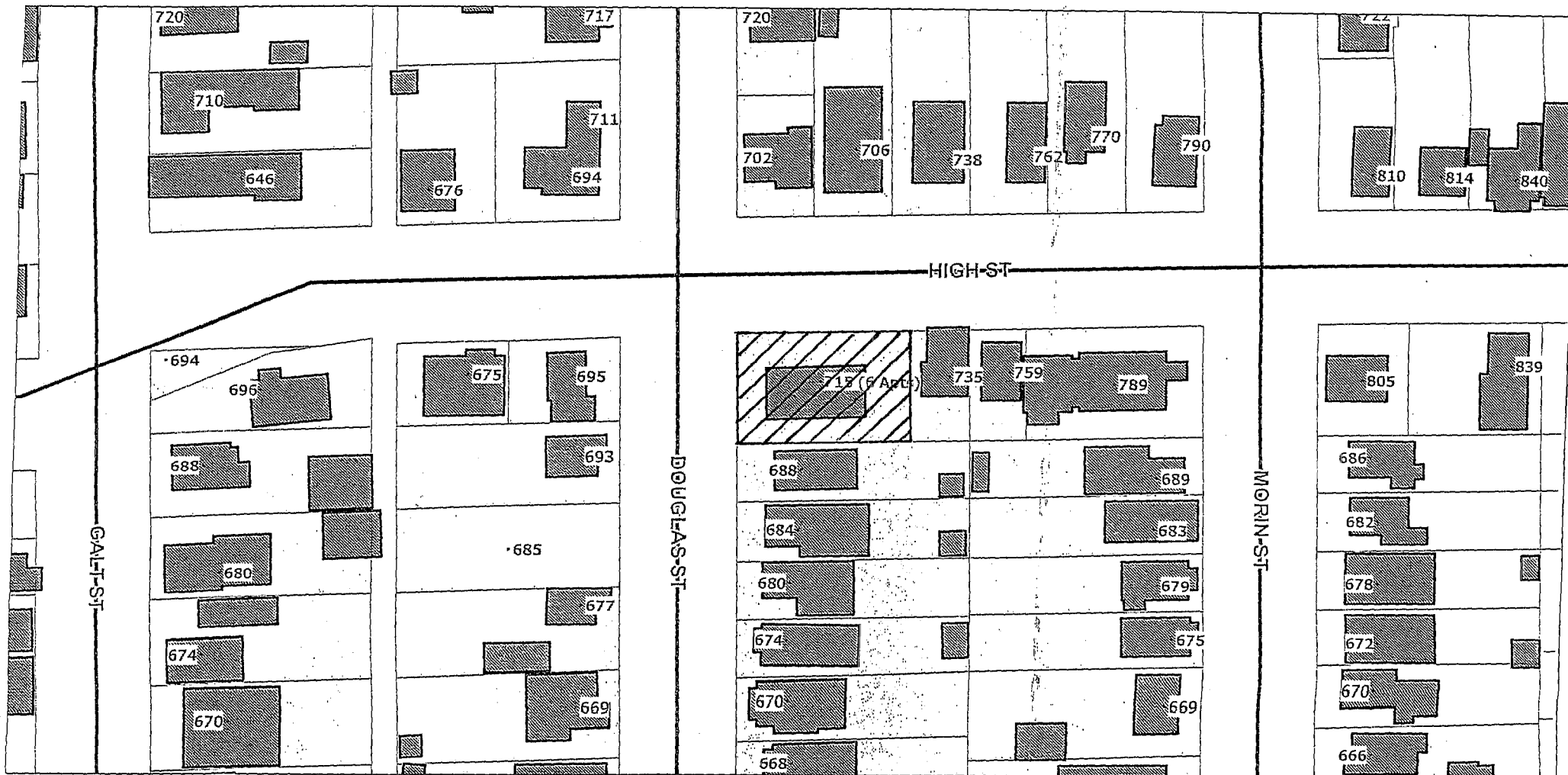
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I concur with the recommendations contained in this report.

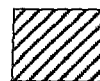
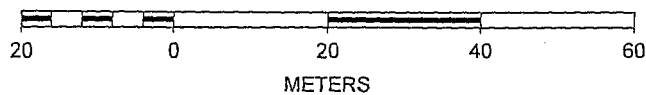


Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A



SCALE 1 : 996



Proposed Zoning By-law Amendment
 From: "Residential Third Density (R3)"
 To: "Residential Multiple Second Density Special (RM2 Sp)"



SCHEDULE B

SKETCH TO ACCOMPANY
ZONING BY-LAW AMENDMENT APPLICATION
PART OF LOT 29
REGISTERED PLAN M-28
CITY OF NORTH BAY
DISTRICT OF NIPISSING

LEGAL DESCRIPTION

PART OF LOT 29, REGISTERED PLAN M-28, CITY OF NORTH BAY,
DISTRICT OF NIPISSING, BEING ALL OF PIN 49156-0605 (LT).
MUNICIPAL ADDRESS: 715 HIGH STREET

NO REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY AFFECT
SUBJECT LANDS.

EXISTING ZONE CATEGORY

RESIDENTIAL THIRD DENSITY (R3)

PROPOSED ZONE CATEGORY

RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL (RM3 Sp)
TO RECOGNIZE EXISTING 6 UNIT RESIDENTIAL BUILDING.

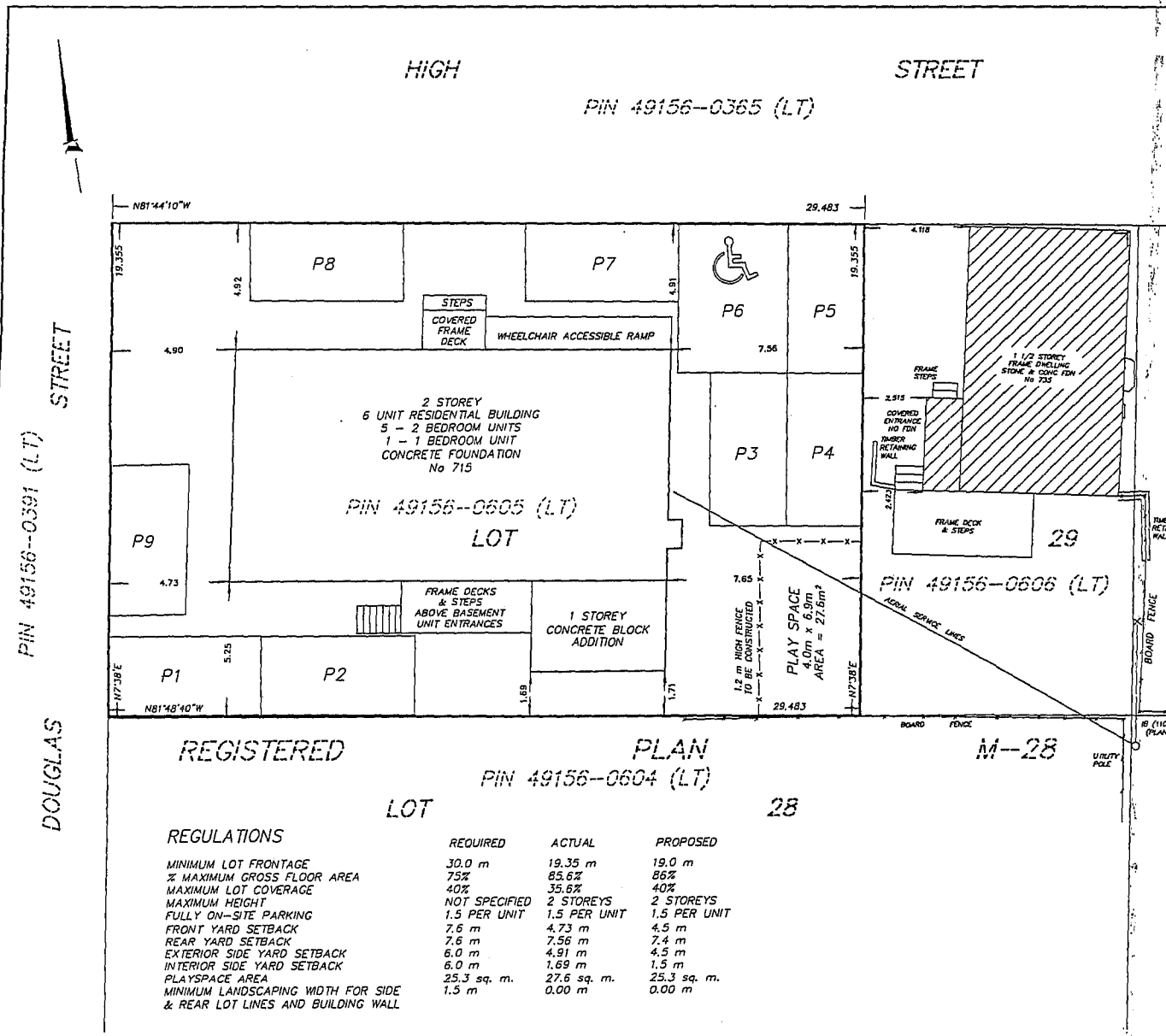
SITE CHARACTERISTICS

LOT AREA	570.82 sq. m.
TOTAL PARKING AREA	168.55 sq. m.
RAMP AREA	9.53 sq. m.
DECK & STEPS	5.27 sq. m.
	<u>12.56 sq. m.</u>
TOTAL AREA - DECKS & STEPS	17.83 sq. m.
FLOOR AREA	156.37 sq. m.
BUILDING FOOTPRINT AREA	175.98 sq. m. (X 2)
TOTAL FLOOR AREA	488.72 sq. m.

GOODRIDGE
PLANNING &
SURVEYING LIMITED

ONTARIO LAND SURVEYOR - LAND USE PLANNER
116 BYERS ROAD, CALLANDER, ONTARIO P0H 1H0
WWW.GOODRIDGEPLANNINGSURVEYING.COM
705-493-0774 PGPAULGOODY@AOL.COM

FIELD	OFFICE	FILE
PG LG	P. GOODRIDGE	9912



INTER OFFICE

MEMO

*City of North Bay
Planning Services*

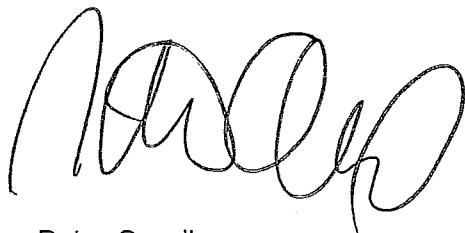
To: Cathy Conrad, City Clerk
From: Peter Carello - Senior Planner, Current Operations
Subject: Resolution No. 5 - Planning Advisory Committee
Date: March 7, 2013

Quoted below is Resolution No. 5 passed at the regular meeting of the Planning Advisory Committee held on Wednesday March 6, 2013:

Resolution No. 5

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

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Nu-North Developments Ltd. to rezone lands on Lakeshore Drive from 'Residential Second Density (R2)', 'Residential Holding (RH)' and 'Tourist Commercial (C7)' zones to a 'Residential Third Density (R3)' and a 'Residential Third Density Holding (R3H)' zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended."

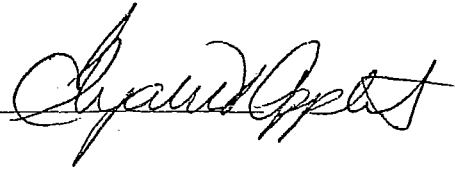


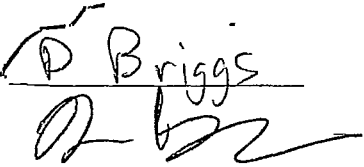
Peter Carello
Senior Planner, Current Operations
Secretary-Treasurer, Planning Advisory Committee

North Bay Planning Advisory Committee

Resolution No. 5

Date: March 6, 2013

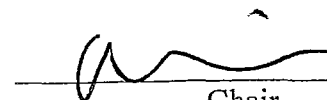
Moved By: 

Seconded By: 

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

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Nu-North Developments Ltd. to rezone lands on Lakeshore Drive from 'Residential Second Density (R2)', 'Residential Holding (RH)' and 'Tourist Commercial (C7)' zones to a 'Residential Third Density (R3)' and a 'Residential Third Density Holding (R3H)' zone, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended."

"CARRIED"


Chair

INTER OFFICE

City of North Bay PLANNING SERVICES

MEMO

To: Chair and Members, Planning Advisory Committee

From: Peter Carello – Senior Planner, Current Operations

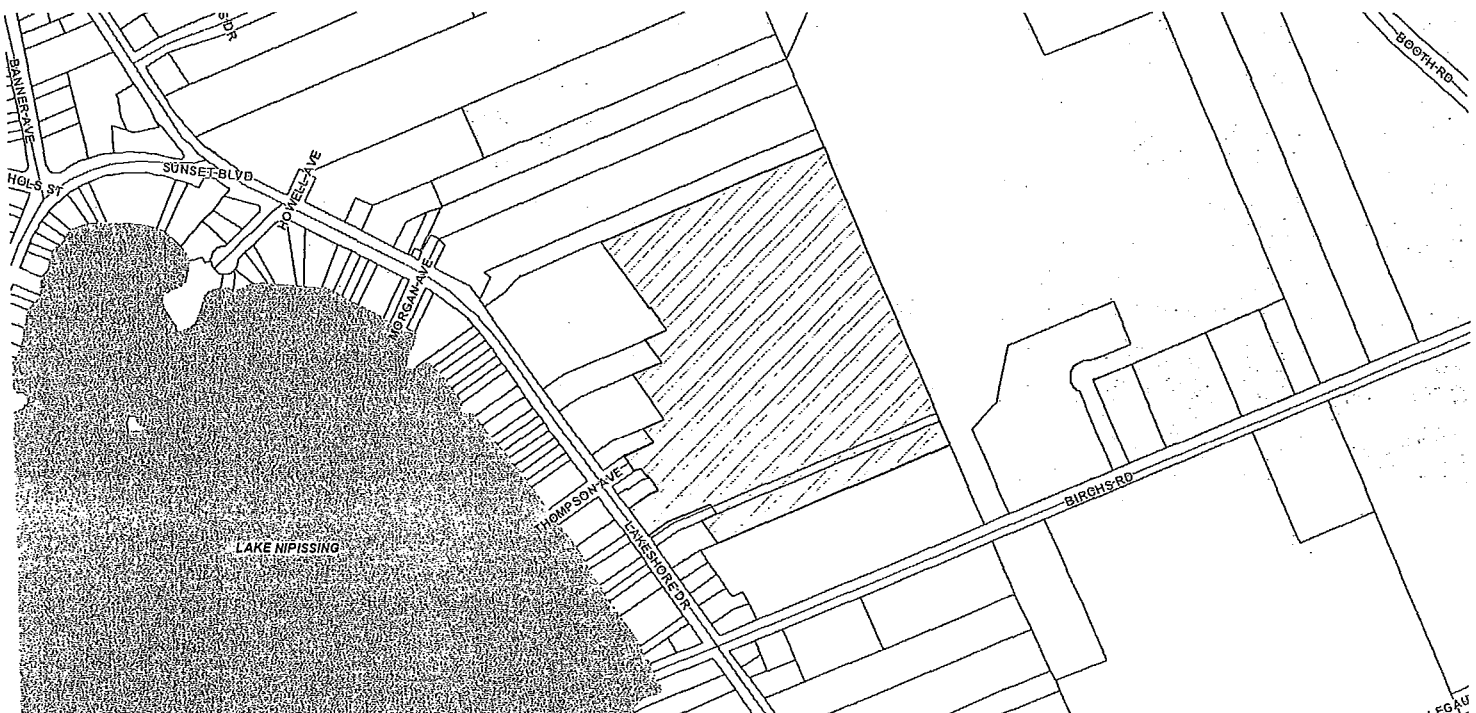
Subject: Proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of the Nu-North Developments Ltd. and Marcel Deschamps, Lakeshore Drive in the City of North Bay

Date: March 4, 2013

Recommendations

That the proposed Zoning By-law Amendment Application by Miller & Urso Surveying Inc. on behalf of the Nu-North Developments Ltd. and Marcel Deschamps, Lakeshore Drive in the City of North Bay to rezone the property legally described as Registered Plan No. M-203, Concession 15, Part of Lot 19, PINs #49175-0115 (LT), 49175-0113(LT), 49175-0111 (LT), 49175-0108 (LT), 49175-0106 (LT), 49175-0104 (LT), 49175-0103 (LT), 49175-0101 (LT) and 49175-0096 (LT), Part of PIN #49175-0114 (LT), in the former Township of West Ferris in the City of North Bay from "Residential Holding (RH)", "Residential Second Density (R2)" and "Tourist Commercial (C7)" zones to a "Residential Third Density (R3)" zone and a "Residential Third Density Holding (R3H)" zone, BE APPROVED.

Site



Site Information

Legal Description

Registered Plan No. M-203, Concession 15, Part of Lot 19, PINs #49175-0115 (LT), 49175-0113(LT), 49175-0111 (LT), 49175-0108 (LT), 49175-0106 (LT), 49175-0104 (LT), 49175-0103 (LT), 49175-0101 (LT) and 49175-0096 (LT), Part of PIN #49175-0114 (LT), in the former Township of West Ferris in the City of North Bay, in the District of Nipissing.

Site Description

The subject property is an existing lot of record located on Lakeshore Drive. It is zoned "Residential Second Density (R2)", "Residential Holding (RH)" and "Tourist Commercial (C7)" under Zoning By-law 28-80 and is designated "Residential" under the Official Plan.

The property has an existing lot area of approximately 17.5 acres and lot frontage of 34.1 metres on Lakeshore Drive. There is also secondary road access via Thompson Avenue. It is currently developed with a single detached dwelling, however the Applicant has indicated it will be removed as part of the redevelopment of the property. The property owner has received conditional approval for severances to create three lots on Lakeshore Drive, should Council approve this Zoning By-law Amendment. The three proposed new residential lots on Lakeshore Drive would be developed with semi-detached and single detached residential dwellings. The property owner will be applying for a Plan of Subdivision in the near future for the remainder of the property.

Surrounding Land Uses

Properties surrounding the subject lands on Lakeshore Drive are largely single and semi-detached dwellings. Commercial uses in the area include several hotel operations, as well as a restaurant and an auto repair business. There are also several large vacant parcels nearby.

Proposal

Miller & Urso Surveying Inc. on behalf of the Nu-North Developments Ltd. and Marcel Deschamps, has submitted a Zoning By-law Amendment Application to rezone the property from "Residential Second Density (R2)", "Residential Holding (RH)" and "Tourist Commercial (C7)" zones to a "Residential Third Density (R3)" zone. This Zoning By-law Amendment is a required condition of a recently approved Consent Application to create three new lots fronting on Lakeshore Drive. The rezoning has been submitted in order to permit the development of these new properties with single and semi-detached residential dwellings. The rezoning will also allow for the development of the remainder of the property as a residential subdivision in the future.

As discussed further in this report, Staff are also recommending a portion of the property be placed under a "Holding (H)" zone as a result of further detailed work required around Jessups Creek.

Provincial Policy Statement (PPS 2005)

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

Section 1.1.3.2 of the PPS 2005 states:

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

a) densities and a mix of land uses which:

- 1. efficiently use land and resources;*
- 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;"*

The property is located within the Settlement Area with access to a full range of municipal services. Planning Services is of the opinion the proposed Zoning By-law Amendment would allow infill development, which is an efficient use of land as per the above noted section of the PPS 2005.

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

Growth Plan for Northern Ontario (GPNO 2011)

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

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario. It does not offer significant consideration to residential development matters. In my professional opinion, the proposed Zoning By-law Amendment conforms to the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

Official Plan

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

Section 2.1.1 of the Official Plan states:

"Infill and intensification will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate, and where adequate municipal services, facilities, and transit routes exist. Infilling and intensification will also be promoted in other areas of the City where there is appropriate infrastructure and new development or redevelopment is compatible with surrounding land uses."

Municipal sewer and water are available on Lakeshore Drive. Other public services, such as transit, parks and schools are also available. The surrounding area is also largely characterized by single and semi-detached residential dwelling units with some commercial uses, so the proposed residential development will be consistent with the existing neighbourhood.

Section 2.1.11.3 of the Official Plan states:

"Sufficient land is to be assembled for residential developments to eliminate isolated parcels that would be difficult to redevelop at a later date."

Currently, the Nu-North Developments Ltd. property is an irregular shape and a portion of their property is land locked. Should the concurrent Consent Application be granted three new lots will be created, eliminating the property's frontage on Lakeshore Drive. However, the portion of the property retained by the Applicant will be united and will still be accessible from Thompson Avenue. The Applicants' agent has also indicated the future subdivision will incorporate North/South road accesses (subject to final negotiations with adjacent property owners). Should the Rezoning Application be successful, the Applicant will have options for development of this property as a residential subdivision in the future.

Section 5.1.3 of the Official Plan states:

"There are instances where the intended use and zoning is known for lands, but development should not take place until specific facilities are in place or conditions are met. The lands may require the extension of municipal services, construction of a road, transportation study, soil remediation or floodproofing before development can occur."

City Council may pass a 'Holding' Zoning By-law that places an 'H' symbol over the zoning and sets out the conditions that must be met before the 'H' symbol is removed and the lands can be developed."

A large portion of the property is currently a Holding Zone, however, the extension of municipal services to the subject property means the conditions have been met to allow for the property to be developed.

The subject property is located within "Stage 2" of the City's staging plan for municipal infrastructure. The property is surrounded by "Stage 1" lands, which are largely developed. A 2012 engineering capital project, which extended a new trunk sanitary sewer through an easement on this property has provided the necessary capacity for development in this area.

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

Zoning By-Law No. 28-80

The subject property is presently zoned "Residential Second Density (R2)" and "Residential Holding (RH)". Holding Zones may not be developed until the Holding status is removed. A small portion of the property is also zoned "Tourist Commercial (C7)".

R2 Zoning permits the following uses:

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

The Applicant is proposing to rezone the subject lands to "Residential Third Density (R3)" to allow for the development of single and semi-detached residential dwellings on the proposed properties fronting on Lakeshore Drive and to facilitate the future development of a residential subdivision.

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

As noted, Staff are recommending a portion of the property be placed under a "Holding (H)" zone to ensure the comments by the NBMCA are appropriately addressed.

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

Correspondence

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

In terms of correspondence received, the Engineering Department, Chief Fire

Prevention Officer and the Secretary-Treasurer of the North Bay Municipal Heritage Committee have indicated they have no concerns or objections to this proposal.

The Parks, Recreation and Leisure Department offered the following comments:

"5% parkland dedication will be required as part of the Subdivision Application"

Negotiations regarding the location of the parkland dedication will occur through pre-consultation in the Plan of Subdivision Application. The Applicants are aware of this requirement.

North Bay Hydro offered the following comments:

"North Bay Hydro has several issues with this location:

- 1. There are currently two services to this property (744 Lakeshore Drive) one to the home that fronts on Lakeshore Drive and a second to the home that fronts on Thompson road allowance. This issue will resolve itself when the severance is approved.*
- 2. NBH also has poles and anchor (P7210 & P7211) and secondary service line that trespass across 732 Lakeshore Drive to service the second home on 744 Lakeshore property that fronts on Thompson. This home will need to be re-serviced from the city road allowance if the home is to remain.*
- 3. The existing service to the home that fronts on Lakeshore Drive, Severed 1, will trespass across Severed 2 therefore Severed 1 will need to be re-serviced.*
- 4. NBH has an anchor on pole 7208 in front of Severed 2 that may be located on property line; this will need to be verified and may require easement protection."*

North Bay Hydro's comments were also included with the Applicant's concurrent Severance Application. The Applicant has been made aware of the comments and North Bay Hydro has no other objection to this application. Further discussions with North Bay Hydro regarding servicing requirements will occur through the future Plan of Subdivision application.

The North Bay-Mattawa Conservation Authority offered the following comments:

"It is recommended that the lands within the current Jessups Creek floodplain (Case 3), as described in the Jessups Creek Subwatershed and Stormwater Management Plan, Aquafor Beech Limited, September 2000, remain in a holding zone until such time that proper studies are undertaken that would remove those lands from the floodplain of Jessups Creek.

A DIA permit is required for work in this area due to the floodplain concerns and organic soils.

Pre-consultation with the Conservation Authority is highly recommended at the planning stages for the proposed subdivision."

The comments from the NBMCA have been discussed with the Applicants' agent. The "Case 3" mapping is attached for your information. It is recommended the lands within the "Case 3" be placed in a "Residential Third Density Holding (R3H)" zone until the appropriate investigations is completed on the Jessups Creek floodplain. The holding zone would result in a condition being placed on the property that would need to be satisfied before the holding zone could be removed.

The future removal of the holding zone would not require a public meeting. However, notice would be given to the public to inform them of the date Council intended to remove the holding zone.

It is anticipated a Plan of Subdivision Application for the property is forthcoming. The design of the subdivision will need to take the Jessups Creek floodplain boundary into consideration. Future conditions on the subdivision may also be put in place to address this issue.

No correspondence was received from any circulated property owners.

No further correspondence was received with regard to this proposal.

Summary

The Applicant has requested the proposed rezoning in order to allow for the creation of three new residential lots fronting on Lakeshore Drive and a future residential subdivision. The proposed development will result in intensification in this area that is complementary to the existing character of the surrounding neighbourhood. With the recent extension of municipal infrastructure, it is appropriate to consider this development at this time.

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

Respectfully submitted,



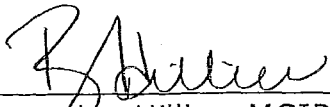
Peter Carello
Senior Planner – Current Operations

PC/dlb

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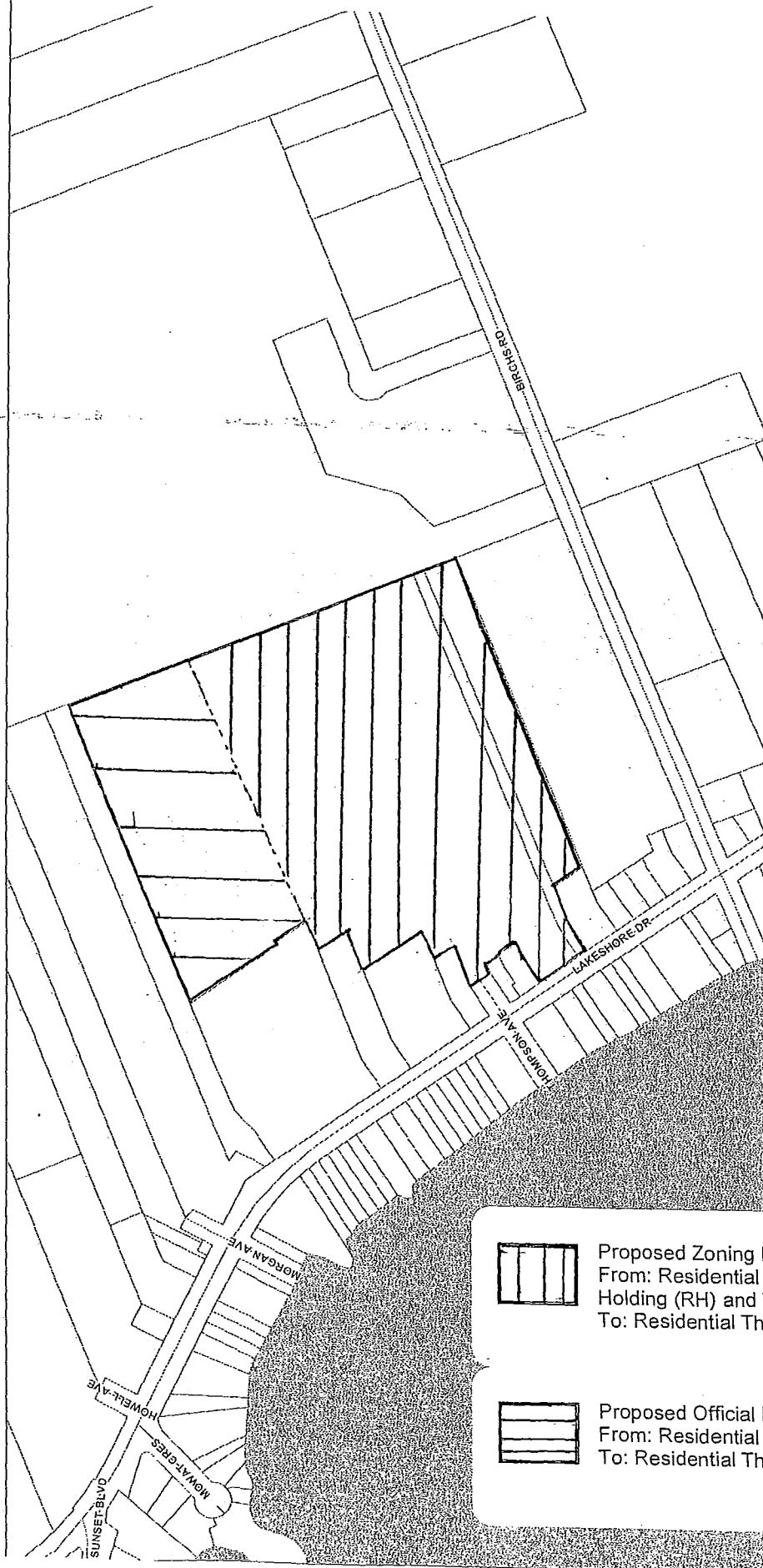
attach.

I concur with the recommendations contained in this report.

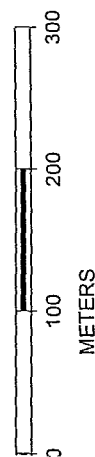
A handwritten signature in black ink, appearing to read "B. Hillier", is written over a horizontal line.

Beverley Hillier, MCIP, RPP
Manager, Planning Services

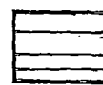
SCHEDULE A



SCALE 1 : 5,348



Proposed Zoning By-law Amendment
From: Residential Second Density (R2), Residential Holding (RH) and Tourist Commercial (C7) zones
To: Residential Third Density (R3) zone






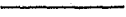


Proposed Official Plan Amendment
From: Residential Holding (RH) zone
To: Residential Third Density Holding (R3H) zone

Appendix – Excerpt from Jessups Creek Subwatershed and Stormwater Management Plan

Figure 3.1 – Existing Environmental Conditions – Water Resources



Legend

-  Water Quality Sampling Location
-  Watershed Boundary
-  Case 1
-  Case 2
-  Case 3
-  Case 4

0 100 200 300 500



Figure 3.1
Existing Environmental Conditions
Water Resources

**CITY OF NORTH BAY
REPORT TO COUNCIL**

REPORT NO: EESW-2013-034

DATE: March 7, 2013

ORIGINATOR: Angela Cox
Manager, Finance and Administration

SUBJECT: 2013 Capital Budget Project – 6108RD Sidewalk Replacement Program and 6104RD Pedestrian Safety Program including New Sidewalks (On-going)

RECOMMENDATION:

- That 1) a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Sidewalk Replacement Program for the Engineering, Environmental Services and Works Department, being 2013 Project #6108RD, in the amount of \$165,000 and the Pedestrian Safety Program including New Sidewalks being 2013 Project #6104RD in the amount of \$109,000; and
- 2) individual reports may be provided to City Council with respect to the various components of this project.

BACKGROUND:

These projects provide for an ongoing capital program for replacing deteriorated sidewalks and adding new sidewalks as outlined in the Sidewalk Evaluation Program.

The ongoing project is funded over ten years, 2013-2022. In the current 2013 Capital Budget, Project #6108RD has \$165,000 as a net debenture cost and Project #6104RD has \$109,000 as a net debenture cost. For 2013, we will be repairing and replacing sidewalks in the areas of: Jane Street between Durril Street and Phillip Street, Gorman Street between Nipissing Street and Mattawa Street, John Street between McIntyre Street and Worthington Street, Lakeshore Drive from Charles Street to MacDonald Avenue and Passmore Avenue to Cartwright Avenue, and various other locations on Lakeshore Drive.

The Sidewalk Replacement Program and Pedestrian Safety Program including New Sidewalks will be funded from a combination of capital programs as follows:

Sidewalk Replacement Program	\$157,143
Pedestrian Safety Program	\$103,810
Financing Charge	\$10,307
Administration and Overhead	<u>\$2,740</u>
Net Debenture Cost	\$274,000

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

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

ANALYSIS/OPTIONS:

Option 1: Proceed with the Authorizing By-Law

That Council proceeds with the authorizing by-law to approve the Sidewalk Replacement Program budget of \$165,000 and the Pedestrian Safety Program including New Sidewalks budget of \$109,000 for the 2013 operating year. This option is recommended.

Option 2: Cancel outright or reduce

That Council has the option of canceling these projects, or reducing the expenditure limit. This will result in unsafe sections of sidewalks and increase the City's liability and level of risk.

RECOMMENDED OPTION:

That 1) a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Sidewalk Replacement Program for the Engineering, Environmental Services and Works Department, being 2013 Project #6108RD, in the amount of \$165,000 and the Pedestrian Safety Program including New Sidewalks being 2013 Project #6104RD in the amount of \$109,000; and

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

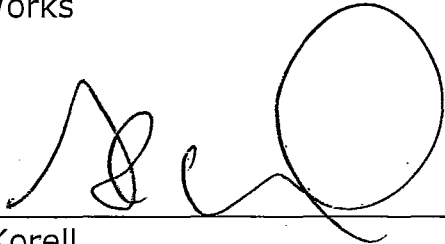
Respectfully Submitted,



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

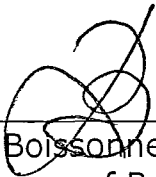


Domenic Schiavone
Director
Public Works



Alan Korell
Managing Director
Engineering, Environmental Services
and Works

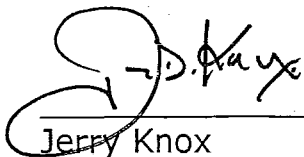
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and
Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Joe Germano
Attachments: Capital Budget Status Sheets

Project Summary

Project Number:	6108RD
Title:	SIDEWALK REPLACEMENT PROGRAM 2013 ON-GO
Asset Type:	INFRASTRUCTURE - Roads
Division:	Capital - Engineering, Environmental & Works
Budget Year:	2013
Scenario Name:	Main
Budget Status:	Finance Funding
Regions:	
Project Type:	
Active:	Yes

Project Description				Project Comments		
This project provides for an on-going capital program for the replacement of deteriorated sidewalks and results from the Sidewalk Evaluation Project which took place in 2003 and 2004. A list of the highest priority sidewalks scheduled for replacement will be provided to Council for consideration.				Sidewalk priorities are based on the annual sidewalk inspection program.		
Scenario Description				Scenario Comments		
Project Forecast				Project Detailed 2013		
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount
2013	165,000	165,000	0	Expense		
2014	170,000	170,000	0	3425	CONSTRUCTION CONTRACT	157,143
2015	175,000	175,000	0	4005	INTERNAL INTEREST CHARGES	6,207
2016	180,000	180,000	0	7010	ADMINISTRATON & OVERHEAD	1,650
2017	185,000	185,000	0		Total Expense:	165,000
2018	191,000	191,000	0	Revenue		
2019	197,000	197,000	0	0461	TSF FRM REV FUND-PAYGO	165,000
2020	203,000	203,000	0		Total Revenue:	165,000
2021	209,000	209,000	0			
2022	215,000	215,000	0			
	1,890,000	1,890,000	0			
Related Projects				Operating Budget Impact		
Year Identified	Start Date	Useful Life		Manager	Completion Date	
2013		25 YEARS		ALAN KORELL	Dec 31, 2013	

Project Summary

Project Number:	6104RD	Active:	Yes
Title:	PEDESTRIAN SAFETY PROGRAM 2013 ON-GO		
Asset Type:	INFRASTRUCTURE - Roads		
Division:	Capital - Engineering, Environmental & Works		
Budget Year:	2013		
Scenario Name:	Main		
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description				Project Comments			
This project provides for an ongoing capital program for the replacement of deteriorated sidewalks and the addition of new sidewalks and other safety facilities, such as pedestrian actuated signals.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	109,000	109,000	0	Expense			
2014	112,000	112,000	0	3425	CONSTRUCTION CONTRACT	103,810	
2015	115,000	115,000	0	4005	INTERNAL INTEREST CHARGES	4,100	
2016	118,000	118,000	0	7010	ADMINISTRATON & OVERHEAD	1,090	
2017	122,000	122,000	0			Total Expense:	109,000
2018	126,000	126,000	0	Revenue			
2019	130,000	130,000	0	0461	TSF FRM REV FUND-PAYGO	109,000	
2020	134,000	134,000	0			Total Revenue:	109,000
2021	138,000	138,000	0				
2022	142,000	142,000	0				
	1,246,000	1,246,000	0				
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013		25-30 YEARS	ALAN KORELL			Dec 31, 2013	

City of North Bay

Report to Council

REPORT NO.: EESW-2013-010

DATE: February 7, 2013

ORIGINATOR: Angela Cox
Manager, Finance and Administration
Engineering, Environmental Services and Works

SUBJECT: 2013 Capital Budget Project – 3312SS WWTP – Redundant Transformer
Switch Gear and Feeds

RECOMMENDATION

That a capital expenditure by-law be prepared for Council's consideration to authorize the design and installation of redundant feeds from the substation to the on-site transformers at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget, project #3312SS, in the amount of \$50,000.

BACKGROUND

This project provides for the design and installation of redundant feeds from the substation to the on-site transformers at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department. This project will ensure the continuation of the operation in the event of a transformer failure.

The project is funded over two years from 2013-2014. In this current 2013 Capital Budget project #3312SS has \$50,000 as a net debenture cost. The total project cost is \$250,000.

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

Construction Contract	\$47,619
Financing costs	\$1,881
Administration & Overhead	\$500
Net Debentured Costs	\$50,000

The capital project is estimated to be completed December 31, 2014 and will be immediately initiated. Project is expected to be substantially completed by October 31, 2014.

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

OPTION/ANALYSIS**Option 1 – Proceed with the Authorizing By-law**

That Council proceeds with the authorizing by-law to approve the expenditure in the amount of \$50,000 for the upgrade of the methane gas system at the Sanitary Sewer Plant. This option is recommended.

Option 2 – Cancel outright or reduce expenditure

That Council cancels outright or reduces the expenditure for this project. If Council were to reduce or cancel this project, it could potentially cause an interruption in the operations. This option is not recommended.

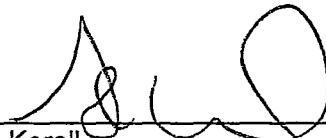
RECOMMENDATION

That a capital expenditure by-law is prepared for Council's consideration to authorize the design and installation of redundant feeds from the substation to the on-site transformers at the Sanitary Sewer Plant for the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget, project #3312SS, in the amount of \$50,000.

Respectfully submitted,

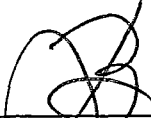


Angela Cox
Manager, Finance & Administration
Engineering, Environmental Services and works



Alan Korell
Managing Director Engineering,
Environmental Services & Works

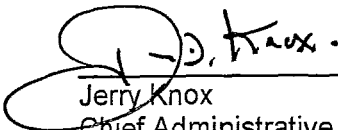
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Karin Pratt

Attachments: Capital Budget Status Sheets

Copy for: Cathy Conrad

Project Summary

Project Number:	3312SS
Title:	WWTP - REDUNDANT TRANSFORMER SWITCH GEAR AND FEEDS
Asset Type:	BUILDINGS - Sanitary
Division:	Capital - Sewer
Budget Year:	2013
Scenario Name:	Main
Budget Status:	Finance Funding
Regions:	
Project Type:	
Active:	Yes

Project Description				Project Comments			
This project is to provide the design and installation of redundant feeds from the substation to the on-site transformers at the WWTP. This project will ensure operation in the event of a tranformer failure.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	50,000	50,000	0	Expense			
2014	200,000	200,000	0	3425	CONSTRUCTION CONTRACT	47,619	
	250,000	250,000	0	4005	INTERNAL INTEREST CHARGES	1,881	
				7010	ADMINISTRATON & OVERHEAD	500	
					Total Expense:	50,000	
				Revenue			
				402	SS - DEBENTURE	50,000	
					Total Revenue:	50,000	
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013	Jan 1, 2013	15 YEARS	ALAN KORELL			Dec 31, 2014	

REPORT TO COUNCIL

REPORT NO: EESW-2013-031

DATE: February 11, 2013

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

SUBJECT: 2013 Capital Budget Project – 6141WS Hydrant and Water Valve
Rehabilitation Program (On-going)

RECOMMENDATION:

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Hydrant and Water Valve Rehabilitation Program of the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget project #6141WS, in the amount of \$165,000.

BACKGROUND:

This project is funded over ten years 2013 – 2022. In the current 2013 Capital Budget, Project #6141WS has an amount of \$165,000 as a net debenture cost. The emphasis will be the testing and rehabilitation of fire hydrants and will also be addressing the need for a valve exercising and maintenance program, which is an ongoing annual program. The total project cost is \$1,890,000.

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

Construction Contract	\$157,143
internal Interest Charges	\$6,207
Administration and Overhead	<u>\$1,650</u>
Net Debenture Cost	\$165,000

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

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

OPTIONS/ANALYSIS:

Option 1 - Proceed with the Authorizing By-Law

That Council proceeds with the authorizing by-law to approve the expenditure in the amount of \$165,000 for the rehabilitation of the City's fire hydrants and exercising and maintaining. The emphasis in 2013 will be the replacement of fire hydrants that are beyond their useful life. This option is recommended.

Option 2 - Cancel outright or reduce

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

RECOMMENDED OPTION:

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Hydrant and Water Valve Rehabilitation Program of the Engineering, Environmental Services and Works Department, being 2013 Water and Sanitary Sewer Capital Budget project #6141WS, in the amount of \$165,000.

Respectfully Submitted,



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



Domenic Schiavone
Director, Public Works

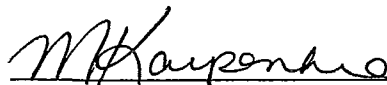


For/ Alan Korell
Managing Director
Engineering, Environmental Services & Works

We concur in this report and recommendation.



for/ Laura Boissonneault, CGA
Supervisor of Budgets and Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Shawn Remillard

Attachments: Capital Project Status Sheet

Project Summary

Project Number:	6141WS		
Title:	HYDRANT & VALVE REHAB 2013 ON-GO		
Asset Type:	INFRASTRUCTURE - Water		
Division:	Capital - Water		
Budget Year:	2013		
Scenario Name:	Main	Active:	Yes
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description				Project Comments			
This project provides for an on-going program of fire hydrant maintenance and rehabilitation. This project is also addressing the need for a value exercising and maintenance program.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	165,000	165,000	0	Expense			
2014	170,000	170,000	0	3425	CONSTRUCTION CONTRACT	157,143	
2015	175,000	175,000	0	4005	INTERNAL INTEREST CHARGES	6,207	
2016	180,000	180,000	0	7010	ADMINISTRATON & OVERHEAD	1,650	
2017	185,000	185,000	0	Total Expense:		165,000	
2018	191,000	191,000	0	Revenue			
2019	197,000	197,000	0	0300	Pay As You Go Water	165,000	
2020	203,000	203,000	0	Total Revenue:		165,000	
2021	209,000	209,000	0				
2022	215,000	215,000	0				
	1,890,000	1,890,000	0				
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013		5-15 YEARS	ALAN KORELL			Dec 31, 2013	



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

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

March 11, 2013

Miller & Urso Surveying Inc.
1501 Seymour Street
North Bay, ON P1A 0C5

Atten: Rick Miller

Dear Mr. Miller,

Re: Exemption from Plan of Condominium request by Miller & Urso Surveying Inc. o/b 225903\Ontario Inc for Registered Plan No. M-186, Lots 211 and 212, Parcel Identification Numbers 49150-0371(LT) and 49150-0372(LT) - 383 Aubrey Street 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).

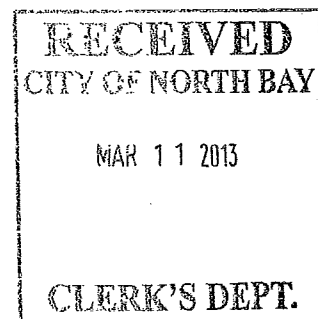
Sincerely,

Peter Carello
Senior Planner, Current Operations

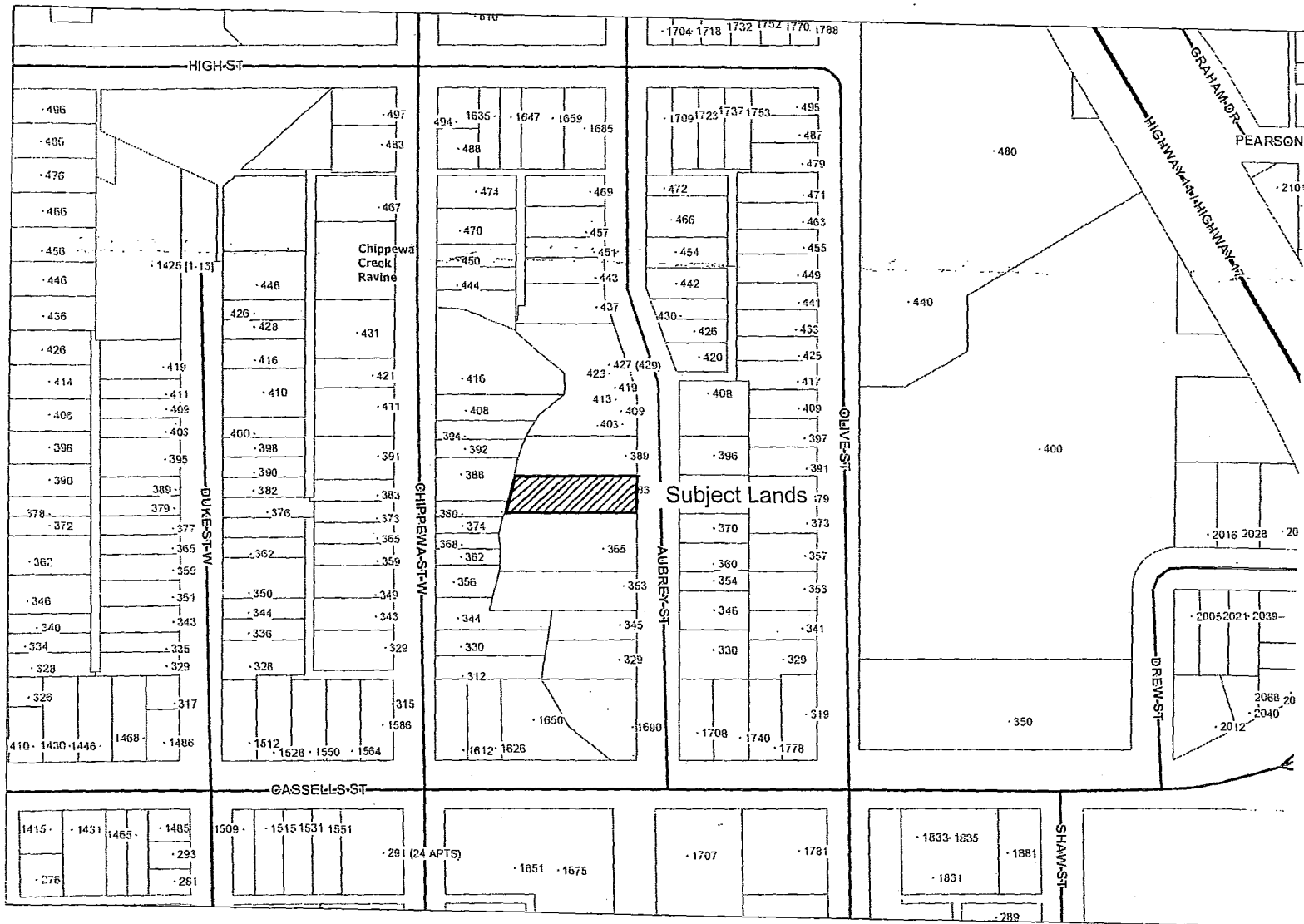
PC/dlb

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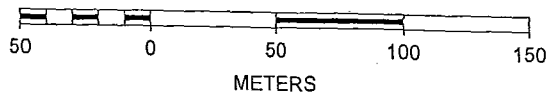
encl.



SCHEDULE A



SCALE 1 : 2,970



REPORT TO COUNCIL

Report No: CSBU 2013 - 40**Date:** March 12, 2013**Originator:** Fire Chief, Grant Love**Subject:** 2013 Capital Budget Project - 6062FD Fire Facilities Management Program

RECOMMENDATION

That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the 2013 Fire Facilities Management Program, being Capital Project No. 6062FD at a net debenture cost of \$55,000.

BACKGROUND

The 2013 Capital Budget was passed by Council Resolution No. 2013-49 at it's regular meeting held on February 4, 2013. Included in the 2013 Budget was \$55,000 for the Fire Facilities Management Program for maintenance to all four (4) Fire Stations and include energy conservation and wear and tear repairs.

TIMELINES

This capital project is comprised of a series of different works, is estimated to be completed during 2013, and will be initiated immediately. The project is expected to be substantially complete by December 31, 2013.

The implementation period is considered fair and reasonable if all assumptions are realized. As the Capital Project progresses any major variances will be communicated to Council via the semi-annual Capital Status Reports or if required by a Report to Council.

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

Building / Plant / Exterior Repairs

Fire Facility Maintenance	\$52,381
Financing	\$2,069
Administration	<u>\$550</u>
Net Debenture Cost	\$55,000

OPTIONS/ANALYSIS

Option 1:

Approve the drafting of the necessary By-law for 2013 Capital Budget, Project No. 6062FD, which will authorize the building / plant / exterior repairs as required at a net debenture cost of \$55,000.

Under this option, City Council would authorize the required ongoing maintenance to Fire Facilities.

Option 2:

Cancel the ongoing maintenance repairs.

This option would have the potential to affect the normal operations of Fire Facilities and require more extensive spending in future years.

RECOMMENDED OPTION

Option 1:

Approve the drafting of the necessary By-Law for 2013 Capital Budget, Project No. 6062FD, which will authorize the building / plant / exterior repairs as required at a net debenture cost of \$55,000.

Respectfully submitted,



Grant Love
Fire Chief

GL/cm

attach. Capital Project Status Sheet

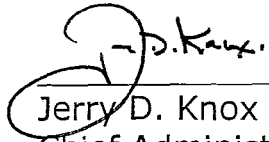
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets
and Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer / Treasurer


Jerry D. Knox

Chief Administrative Officer

Personnel designated for continuance: Deputy Chief Mike Bechard

Copy for: Cathy Conrad

Project Summary

Project Number:	6062FD
Title:	FIRE FACILITIES MANAGEMENT PROGRAM 2013 ON-GO
Asset Type:	BUILDINGS - Fire
Division:	Capital - Fire Department
Budget Year:	2012
Scenario Name:	Main
Budget Status:	Council Approved
Regions:	
Project Type:	FIRE DEPARTMENT
Active:	Yes

Project Description				Project Comments	
This program provides funds for the maintenance and repairs on the 4 fire stations in the City.				Funds needed for on-going building maintenance.	
Scenario Description				Scenario Comments	
Project Forecast				Project Detailed 2012	
Budget Year	Total Expense	Total Revenue	Difference		
2013	100,000	100,000	0		
2015	120,000	120,000	0		
2017	120,000	120,000	0		
2019	130,000	130,000	0		
2021	130,000	130,000	0		
	600,000	600,000	0		
Related Projects				Operating Budget Impact	
Year Identified	Start Date	Project Partner	Manager		Est. Completion Date
2012					Dec 31, 2013

City of North Bay Report to Council

Report No.: CORP-2013-005

Date: March 8, 2013

Originator: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Subject: Smoking By-Law, Restaurant and Bar Patio Amendment

RECOMMENDATIONS

1. That Smoking By-Law No. 2012-97 be amended to prohibit smoking on, and within a nine-metre radius of, restaurant and bar patios, whether enclosed or not.
 2. That Smoking By-Law No. 2012-97 be amended to clarify that "highway" includes streets, roads, and sidewalks.
 3. That Council pass a Resolution appointing all contract Commissionaires as "inspectors" for the purpose of enforcing the Smoking By-Law.
 4. That Council pass a Resolution appointing security staff designated by the North Bay Regional Health Centre as inspectors for the purpose of enforcing the Smoking By-Law on NBRHC property.
-

BACKGROUND

On August 2, 2011, North Bay City Council passed Resolution No. 2011-556. A copy of that Resolution is attached hereto as Schedule "A". The Resolution directed staff to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit (NBPSDHU) and report to Council regarding findings.

This Report addresses the second issue, smoking at commercial establishment patios.

The issue of smoking at City facilities is being handled by Parks, Recreation & Leisure Services. That review is the subject of Report to Council Number CSBU-2012-36, prepared by Sharon Kitlar, Manager Recreation and Leisure Services. Both Reports are being submitted to Council concurrently.

1. Provincial and Municipal Legislation

Since 2003, the City of North Bay has regulated smoking in public places and workplaces, by by-law, and has generally endeavored to conform to provincial legislation in its various forms.

Currently, the relevant provincial legislation is the *Smoke-Free Ontario Act*, SO 1994, c. 10. Since July 15, 2009, the *Smoke-Free Ontario Act* has prohibited smoking on restaurant and bar patios that are covered or partially covered by a physical barrier of any size. This is a broad prohibition that extends even to outdoor patios with umbrella coverage only.

On this issue, the City's by-law has remained less restrictive, and smoking continues to be permitted by the by-law on outdoor patios, even those that are partially enclosed.

Notwithstanding this, by virtue of section 115(10) of the *Municipal Act, 2001*, SO 2001, c. 25, the provision that is more restrictive of the smoking of tobacco prevails. Therefore, despite the

permissiveness of the City's by-law, the *Smoke-Free Ontario Act* provisions apply in the City of North Bay, and *smoking is, in fact, prohibited on covered and partially covered restaurant and bar patios by virtue of the provincial legislation.*

Not surprisingly, this inconsistency causes public confusion, discourages compliance with the provincial legislation, and restricts enforcement of smoke-free patios, as the provincial legislation may only be enforced by the Health Unit and not municipal by-law enforcement officers. Amendment of the Smoking By-Law to be consistent with the provincial legislation would solve these difficulties.

In choosing to implement such an amendment to the by-law, the City of North Bay would be joining a number of other cities across Ontario and Canada which have implemented 100% smoke-free patio by-laws, including Thunder Bay, Woodstock, Kingston, Ottawa, Whistler, Vancouver, and Victoria.

2. Effects of Second-Hand Smoke Outdoors

There is significant scientific evidence indicating that smoking outdoors does not reduce the level of exposure to second-hand smoke, nor the amount of harm caused by the second-hand smoke.

Attached as Schedule "B" to this Report to Council is a 2013 "Report on Smoke-Free Patios", submitted by Dr. Jim Chirico, Medical Officer of Health for the NBPSDHU. In his report, Dr. Chirico collates numerous scientific studies conducted between 2005 and 2011, which have reached this conclusion.¹ He also reports that medical and health authorities around the world agree that there is no safe level of exposure to second-hand smoke.²

Both hospitality workers and patrons of restaurants and bars are affected by second-hand smoke on outdoor patios. Hospitality workers, in particular, are at high risk of exposure. Dr. Chirico points to research which has found that "blood nicotine levels of bar employees were 50% higher in those who worked in bars with outdoor smoking areas compared to those who worked in bars with zero smoking".³

Research has also shown that cigarette smoke has considerable negative impact on air quality in outdoor patios and does not dissipate as quickly as many people think.⁴

Therefore, to provide the greatest protection for hospitality workers, patrons, and vulnerable members of our population, including children, a 100% ban on smoking on restaurant and bar patios is recommended, whether covered, partially covered, or uncovered.

In addition, a nine-metre no smoking buffer zone is recommended. This would provide workers and patrons with protection from second-hand smoke wafting into the area from patrons standing outside the patio or restaurant in order to smoke. It would also be consistent with the nine-metre no smoking perimeter around entranceways to municipal buildings and designated workplaces and apartment buildings that is currently provided by the City's Smoking By-Law.

Some participants in both the online survey and owner interviews suggested time-of-day and time-of-year restrictions on smoking. However, smoking curfews of this nature are not recommended, as they lend themselves to public uncertainty, thereby potentially decreasing compliance, and they provide only intermittent protection of hospitality workers and patrons. Therefore, this form of time-specific

1 "Report on Smoke-Free Patios", Schedule "B", at page 3.

2 *Ibid.*

3 *Ibid.*

4 *Ibid.*

amendment is not recommended. Rather, a simple ban on smoking on and around outdoor commercial patios is recommended for optimal protection of the public and for ease of compliance and enforcement.

3. Community Consultation

In order to assess community sentiment concerning the feasibility of smoke-free patios, the City and the Health Unit conducted community consultation to seek the public's input on the proposed amendments. This involved (a) a community-wide online survey, and (b) interviews with local restaurant and bar owners.

(a) Online Survey:

A total of 563 individuals participated in the online survey conducted in August and September of 2012. The survey results, entitled "North Bay Smoke Free Community Survey", are attached to this Report as Schedule "C".

57% of respondents were in favour of smoke-free patios and, in addition, 58% were in favour of banning smoking within a nine-metre radius of patios.

Participants were also invited to submit their comments in the survey, and there were a total of 231 comments submitted. Not surprisingly, there were some common themes that arose in the submissions.

Many of those who were in favour of smoke-free patios cited the negative health effects of second-hand smoke, and their concerns for the health of their families, themselves, and our community as a whole. A number of respondents were empathetic to the personal choice made by smokers, but indicated that smokers should not impose their personal choice on others by smoking in public places. Many respondents indicated that they did not enjoy eating their food with cigarette smoke wafting by, and that it ruined their enjoyment of their dinner and/or ruined their appetite entirely. And numerous participants expressed their concern that smoking should never be allowed where children might be present, primarily because of the negative health effects, but also because it is important to set an example of a healthy non-smoking lifestyle for our children.

Among the comments submitted by opponents of smoke-free patios, there were also some repeated themes. Many respondents indicated their belief that outdoor restaurant patios were built to accommodate smokers in the first place when no-smoking laws were first introduced, so they were intended more for the benefit of smokers than non-smokers. It was frequently pointed out that non-smoking diners could make a choice to leave. Some individuals expressed their desire to quit smoking but that it is a difficult addiction to break, and they need some places to smoke. A number of respondents expressed their opinion that smoke-free patios would hurt local businesses economically. And many believed that, because restaurants and bars are private property, individual owners should have the right to make their own decisions about their establishments.

(b) Interviews with Restaurant / Bar Owners:

Ten local restaurant and bar owners agreed to participate in the interviews conducted by the Health Unit and City staff. This comprises the vast majority of those who would be affected by the proposed amendments. The results of these interviews are reported in Dr. Chirico's "Report on Smoke-Free

Patios"⁵.

Results were evenly split, with 50% of the interviewees opposed to any change to the existing by-law, and 50% in favour of smoke-free patios. Of those in favour, the majority were also in favour of establishing a nine-metre buffer zone.

Of the owners who opposed the amendments, many indicated that there should be freedom of choice for both patrons and business owners, and there should be less intervention by government.⁶

Conversely, the majority of owners who were in favour of smoke-free patios believed that government intervention was necessary. Many of these owners explained that, although they were in favour of providing smoke-free patios, they were not voluntarily doing so because they might lose a competitive edge with those businesses that continue to allow smoking. These owners support the by-law amendment as a way for them to move to a healthier smoke-free environment, while maintaining a level playing field for all local establishments.⁷

Some owners expressed concern about the proposed nine-metre smoke-free buffer zone where a patio is less than nine metres from a roadway. There was a belief that smoking customers would have to stand on the roadway in order to comply with the by-law. This is a common misconception that was also expressed by some of the participants in the online survey.

In fact, the concern is unfounded. By virtue of section 115(3) of the *Municipal Act, 2001*, a municipal by-law regulating smoking does not apply to a highway. "Highway", as defined by the *Municipal Act, 2001* and interpreted by case law, includes city streets, roads, and sidewalks. Therefore, any ban on smoking created by our Smoking By-Law would end at the road allowance. City and Health Unit staff educated these owners on the laws of jurisdiction and explained that a no-smoking ban would not apply to sidewalks.⁸ However, to end any public confusion on this issue, it is recommended that the Smoking By-Law be amended to clearly define the term "highway" in accordance with the foregoing, and to clearly indicate that it includes sidewalks as well.

A common refrain from both sides of the debate was the need to respond to customer preferences. Owners both for and against the proposed amendments indicated that their position in supporting or opposing the amendments was based on customer demand.⁹

Despite basing their position on how their customers feel, however, the majority of owners did not believe that the proposed by-law amendments would affect their business either positively or negatively.¹⁰

4. Economic Impact of Smoke-Free Patios on Businesses

As reported by Dr. Chirico, this is in fact substantiated by research: "Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in bars and restaurants; in some cases these policies have had a positive impact."¹¹

⁵ Schedule "B", at pages 4 – 7.

⁶ "Report on Smoke-Free Patios", Schedule "B", at page 6.

⁷ *Ibid.*

⁸ *Ibid.* at page 7.

⁹ *Ibid.* at page 5.

¹⁰ *Ibid.* at page 7.

¹¹ *Ibid.* at page 4.

Attached to this Report to Council, as Schedule "D", is a Ministry of Health fact sheet entitled "Smoke-Free Ontario Act as of May 31, 2006: Fact Sheet – Economic Impact of Smoke Free Policies". This is the document cited by Dr. Chirico, and it provides a critique of the relevant studies. Of particular interest is a study conducted by the Ontario Tobacco Research Unit on the economic impact of Ottawa's 100% ban on smoking in public places and workplaces, which came into effect in 2001. As noted by the Ministry of Health, "After accounting for trends, seasonal variations, and general economic conditions, the Ontario Tobacco Research Unit found no evidence that the smoke-free by-law adversely affected restaurant and bar sales."

5. Enforcement

(a) Enforcement of Smoke-Free Provisions:

Currently in North Bay, the Health Unit enforces the smoke-free patio provisions of the *Smoke-Free Ontario Act* reactively, when it receives a complaint about smoking on a patio or when an enforcement officer observes an infraction. However, the provincial legislation is subject to enforcement only by the Health Unit, and *not by municipal by-law enforcement officers*. As a result, when municipal by-law enforcement officers receive a complaint about smoking on a patio, they are powerless to act, and can only refer the complainant to the Health Unit for follow up.

As might be expected, the inconsistency between the provincial legislation and the City's by-law has caused public confusion as to where smoking is permitted in relation to patios, and which provisions apply.

Therefore, it is recommended that the City amend its Smoking By-law to be consistent with the provincial legislation in prohibiting smoking on outdoor restaurant and bar patios. Not only will this reduce public confusion and encourage compliance, but it will also assist in enforcement efforts. Municipal by-law enforcement officers would have authority to enforce the by-law, as would the Health Unit if it chose to do so. In addition, the Health Unit would continue to have authority to enforce the provincial legislation that is currently in place.

(b) Number of Municipal By-Law Enforcement Officers Who Can Enforce the Smoking By-Law:

The Smoking By-Law provides that an "inspector" may conduct inspections of any public place or workplace for the purposes of determining compliance with the by-law. "Inspector" is defined as "any employee or class of employee of the North Bay Parry Sound District Health Unit authorized by the Medical Officer of Health to carry out an inspection under and to enforce the provisions of this by-law, or a person or class of person appointed by Council of the City as a by-law enforcement officer to enforce this by-law". Accordingly, this by-law requires specific appointment by Council before an officer has authority to enforce it.

The only by-law enforcement officer who currently has authority to enforce the Smoking By-Law is the By-Law Enforcement Coordinator, Ron Melnyk, who has authority to enforce all City by-laws.

The City also retains contract workers employed by Commissionaires-Ottawa as by-law enforcement officers (known as "Commissionaires"). There are currently three full-time Commissionaires and one retained on a seasonal part-time basis. These officers currently enforce parking and other by-laws in the City, such as the Parks and Dog By-Laws. Officer Melnyk advises that it would be helpful if these officers were also appointed to enforce the Smoking By-Law. He advises that he could adjust officer assignments to include hours for enforcement of the Smoking By-Law, without increasing hours or costs.

Therefore, in order to augment enforcement of the Smoking By-Law, it is recommended that Council pass a Resolution appointing all Commissionaires who are contracted to the City by Commissionaires-Ottawa as by-law enforcement officers for the purpose of enforcing the Smoking By-Law.

In addition, it should be noted that the previous version of the Smoking By-Law had been amended to provide that security staff at the North Bay Regional Health Centre (NBRHC) had authority to enforce the by-law on NBRHC property. When the current Smoking By-Law 2012-97 was drafted, this amendment was overlooked. Accordingly, it is recommended that Council pass a Resolution appointing security staff designated by the North Bay Regional Health Centre as agents of the City for the purpose of enforcing the Smoking By-Law on NBRHC property.

OPTIONS ANALYSIS

1. Smoke-Free Patios

Option 1:

Amend the by-law to prohibit smoking on all outdoor restaurant and bar patios, regardless of whether they are covered, partially covered, or uncovered, as well as within a nine-metre radius of such patios.

Option 2:

Amend the by-law to prohibit smoking on all outdoor restaurant and bar patios, regardless of whether they are covered, partially covered, or uncovered.

Option 3:

Take no action and uphold the current by-law. Smoking on outdoor restaurant and bar patios would continue to be prohibited by virtue of the provincial legislation, but will continue to be enforced only by the Health Unit, and will not be enforceable by municipal by-law enforcement officers.

2. Clarification of "Highway"

Option 1:

Amend the by-law to define highway so that it is clear that a highway includes a street, road or sidewalk.

Option 2:

Take no action and uphold the current by-law.

3. Enforcement

Option 1:

Pass a Resolution appointing Commissionaires who are contracted to the City by Commissionaires-Ottawa as by-law enforcement officers for the purpose of enforcing the Smoking By-Law.

Option 2:

Pass a Resolution appointing security staff designated by the North Bay Regional Health Centre as inspectors for the purpose of enforcing the Smoking By-Law on NBRHC property.

Option 3:

Take no action.

RECOMMENDED OPTIONS

1. Smoke-Free Patios

Option 1 is the recommended option.

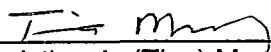
2. Clarification of "Highway"

Option 1 is the recommended option.

3. Enforcement

Options 1 and 2 are the recommended options.

Respectfully submitted,



Christina A. (Tina) Murphy
Assistant City Solicitor / City Prosecutor

We concur in this report and recommendation.



Peter E. G. Leckie
City Solicitor



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Tina Murphy, Assistant City Solicitor / City Prosecutor

Schedules Attached:

- A. North Bay City Council Resolution 2011-556.
- B. Report on Smoke-Free Patios, by Dr. J. Chirico, Medical Officer of Health, North Bay Parry Sound District Health Unit.
- C. North Bay Smoke Free Community Survey (2012), Online Survey Results.
- D. Ontario Ministry of Health Promotion, "Smoke-Free Ontario Act as of May 31, 2006: Fact Sheet – Economic Impact of Smoke-Free Policies". Available online at:
http://www.mhp.gov.on.ca/en/smoke-free/factsheets/Economic_Impact-041505.pdf.

INTER OFFICE

RECEIVED

AUG 05 2011

Council Secretariats

MEMO

To: Ian Kilgour
From: Cathy Conrad
Subject: Smoking Prohibition at Steve Omischl Sports Complex
Date: 4 August 2011

This is Resolution No. 2011-556, as amended, which was passed by Council at its Regular Meeting held Tuesday, August 2, 2011.

Resolution No. 2011-556:

- "That 1) smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex, including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries;
- 2) Parks By-Law No. 35-96 be amended accordingly; and
- 3) staff be directed to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding their findings."

C. Conrad

Cathy Conrad,
City Clerk.

CMC/cjc

Copy to: J.D. Knox

Report on Smoke-Free Patios

To: Tina Murphy, Assistant City Solicitor and Sharon Kitlar, Manager Recreation and Leisure Services

From: Dr. J. Chirico, Medical Officer of Health

Resource Staff: Brenda Marshall, Manager – Healthy Living and Reed Morrison, Community Health Promoter – Healthy Living

Subject: Amendment to smoking by-law 2012 – 97 re: smoke-free patios

Executive summary

The City of North Bay has consistently demonstrated their leadership among Canadian municipalities in protecting their residents from the harms of environmental tobacco smoke (ETS). Since 2011, the North Bay Regional Health Centre (NBRHC) has been protected by a 100% smoke-free property by-law. Likewise, businesses and multi-unit dwellings have the opportunity to apply for smoke-free entranceways under the same by-law. Building on recommendations from the City of North Bay Council and the North Bay Parry Sound District Health Unit (NBPSDHU) Board of Health (BOH), this report summarizes the policy options, rationale, and feasibility of amending by-law 2012 – 97 to include a smoking ban on all patios where food and drinks are consumed. The City of North Bay once again has the opportunity to demonstrate their leadership and commitment to the health of their residents by prohibiting smoking on all commercial establishment patios.

Recommendation

THAT city council amend by-law 2012 – 97, being a by-law to regulate smoking in public places and workplaces, as follows:

1. That Part 1 "Definitions" section 1.10 "outdoor patio" be deleted and replaced with the following
 - 1.10 "outdoor patio" means any outdoor area, whether enclosed or not, as well as a 9 metre zone from the perimeter of that area, that is adjacent to an establishment where food or beverages are sold and where food or beverages, or both, are consumed by the public;
2. That Part 1 "Definitions" section 1.13 "public place" be deleted and replaced with the following
 - 1.13 "public place" means any building, structure, vessel, vehicle or conveyance, or part thereof, whether covered by a roof or not, to which the public has access as of right or by invitation, expressed or implied, whether or not a fee is charged for entry, which

includes outdoor patios as defined above, but does not include a street, road or highway;

3. That Part 1 "Definitions" section 1.15 "workplace" be deleted and replaced with the following

1.15 "**workplace**" means a building, structure, vessel, vehicle or conveyance or part thereof in which one or more employees work, including any other area utilized by employees, which includes outdoor patios as defined above, but does not include a street, road or highway.

Introduction

At the August 2, 2011 regular meeting, the City of North Bay Council directed municipal staff to work with the NBPSDHU to undertake a review of smoking at all commercial establishment patios and to report to council regarding their findings. Similarly, at the September 28, 2011 regular meeting, the NBPSDHU Board of Health (BOH) passed a resolution which recommends that all municipalities within the NBPSDHU area develop and adopt a by-law that bans smoking:

- 1) In all municipally-owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- 2) At entrances and exits of all municipally owned or operated buildings or for the entire property;
- 3) On, and within a 9 metre buffer zone of, all patios where food or drinks are sold.

This report will provide policy options as well as the rationale, reasoning, and feasibility for by-law 2012 – 97 to be amended as per the recommendations above.

Discussion

Issue

In order to protect patrons and staff from the detrimental effects of environmental tobacco smoke (ETS), the Smoke-Free Ontario Act (SFOA) was amended in July 2009 to clarify a smoking prohibition on outdoor patios if any portion is covered or partially covered (please refer to appendix A for more information). Despite this protection, smoking continues to occur on uncovered restaurant or bar patios, either from original design or from owner renovations to avoid this legislation. Due to this loophole in legislation, hospitality staff and patrons of bars and restaurants continue to be exposed to ETS. A 100% smoke-free patio by-law, which prohibits smoking on all commercial patios, provides the best possible protection for children, customers, and hospitality staff. Additionally, smoke-free policies, such as prohibiting smoking on patios, do more than protect people from ETS. Smoke-free policies also encourage people to quit smoking^{1,2}, make it easier for those who have already quit to remain smoke-free³, and protect kids from starting to smoke^{4,5}. The evidence is clear that smoke-free patios will help make North Bay a healthier community.

Public Health Considerations and Rationale

- Second-hand smoke is as dangerous outdoors as it is indoors
 - Although some people believe that second-hand smoke is less hazardous outdoors, this is NOT supported by scientific evidence. Medical and health authorities around the world, such as the World Health Organization ⁶, the Centres for Disease Control ⁷, and the NBPSDHU agree that there is no safe level of exposure to second-hand smoke. Several studies have shown that second-hand smoke exposure is similar in both outdoor and indoor smoking areas and that second-hand smoke is as toxic outdoors as indoors ⁸⁻¹⁹. In other words, **smoking outdoors does not reduce the level of exposure or the amount of harm caused by second-hand smoke.**
- Outdoor smoking areas are an unfair threat to workers' health
 - Hospitality workers are at a particularly high risk of exposure to second-hand smoke on patios. Repeated brief and intermittent exposure, such as that experienced by hospitality workers, is dangerous. Research has shown that, "in many cases, the effects of even brief (minutes to hours) passive smoking are nearly as large as those from chronic active smoking" ²⁰. For example, researchers have found that blood nicotine levels of bar employees were 50% higher in those who worked in bars with outdoor smoking areas compared to those who worked in bars with zero smoking ²¹. Until the first smoke-free indoor laws were passed, hospitality workers were exposed to incredibly high levels of chemicals from tobacco smoke. These chemicals, such as 4-aminobephenol, are so dangerous that NO level of exposure was permitted for any other category of worker. As long as smoking is permitted on patios, people who work in these environments will continue to be unfairly exposed. **100% smoke-free indoor and outdoor workplaces provide the best protection for hospitality workers and patrons.**
- Outdoor smoking areas are a threat to public health
 - Smoke from outdoor smoking areas drifts its way indoors, thereby exposing patrons and workers and placing them at risk ^{22,23}. Even for workers and patrons who remain indoors, adequate protection is best provided by a 100% smoke-free indoor and outdoor workplace.
- Smoking on patios creates poor air quality
 - While a common argument is that cigarette smoke can easily dissipate in open air and therefore has little effect on air quality, research has shown otherwise. Scientists in Waterloo, ON, conducted experiments on the effect of as few as eight cigarettes on a typical restaurant patio that had no roof, walls, awnings, or umbrellas. Experiments were repeated 46 times in different wind conditions. They found in each test that when cigarettes are smoked, the quality of the air in the patio area falls considerably. Measurements of air pollutants, including those that cause cancer and heart disease, quadrupled in some cases ²⁴.

- Smoke-free patios will not result in decreased revenue
 - Fears of negative economic impact have been coupled with the introduction of each successive smoking restriction in bars and restaurants. However, these fears and arguments are unfounded as, "Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in bars and restaurants; in some cases, these policies have had a positive impact."²⁵ In accordance with the SFOA, any patio that is covered or partially covered by a roof or awning in North Bay is already smoke-free; 100% smoke-free patios will simply level the playing field. Additionally, over 75% of North Bay residents do NOT smoke. Smoke-free patio policies will increase customer satisfaction for the vast majority of patrons.
- Reducing smoking among hospitality workers is good for business
 - Restaurant and bar owners will appreciate the increase in productivity that follows from having a smoke-free workplace. Dozens of studies have shown that smoke-free workplaces increase the number of smokers who try to quit, increase the number who successfully quit, and decrease the number of cigarettes smoked by those who do not quit ²⁶⁻²⁸. Additionally, helping staff to quit smoking improves their health and productivity while reducing sick days ²⁹. In fact, Canadian studies have shown that the total annual cost to employers for an employee who smokes is well over \$3,000 – due largely to higher absenteeism, decreased productivity, and higher insurance premiums³⁰.
- While North Bay will be a leader in North East Ontario, there is significant precedence for smoke-free patios in Canada Large city centres such as Vancouver, Ottawa, and Victoria have implemented 100% smoke-free patio by-laws. Furthermore, cities with demographics similar to North Bay, such as Thunder Bay, Woodstock, Kingston, and Whistler, also have 100% smoke-free patios.

Public support and community consultation

The NBPSDHU and the City of North Bay undertook extensive community consultations. This process included a community wide online survey as well key informant interviews with restaurant and bar owners.

- Online survey
 - A survey created by the City of North Bay and the NBPSDHU was distributed on August 17 2012 and sought to gain the opinion of the community at large. There were 563 respondents in total
 - 57% of respondents were in favour of smoke-free patios
 - 58% of respondents were in favour of smoke-free patios with 9m buffer zones
- Key informant interviews
 - Two staff members, one from the City of North Bay and one from the NBPSDHU, conducted interviews with restaurant and bar owners in order to record their opinions

and insights. Owners were provided a background of the topic and assurance that their comments would remain anonymous. In total, ten owners agreed to be interviewed.

- 50% were against any changes to the existing by-law
- 50% were in favour of amending the by-law to ensure outdoor eating and drinking areas would be smoke-free. A strong majority of those (80%) also agreed with the creation of a 9m smoke-free buffer zone.
- After analyzing comments, several themes were brought forward by restaurant and bar owners;
 - Health concerns: There was near unanimous recognition of the negative health effects of smoking and environmental tobacco smoke. Owners who disagree with a smoke-free patio by-law largely suggested that individuals were responsible for their own health and have the option to avoid smoke if they so wish. Quite the opposite, most owners who were in favour of a by-law suggested that the harm to patrons and staff caused by tobacco smoke provides ample reason to remove smoking from a patio.
 - Customer complaints: owners in favour of smoke-free patios were more likely to have received complaints from customers regarding smoking. Predictably, owners who were not in favour were far less likely to have received complaints. Several owners, both for and against, stated that many customers would not lodge a complaint even if they were unhappy with smoking occurring beside their table on a patio. Two owners discussed that tourists not accustomed with Canadian laws complained of our restrictive approach to smoking while another owner stated that they predict an increased number of complaints from their smoking clientele should their patio become smoke-free. In contrast, another owner claimed that the by-law will surely reduce the amount of complaints received from non-smoking customers.
 - Responsive to clientele: Nearly every owner, both for and against, claimed that their stance was in response to demand by their clientele. Many owners stated that the majority of their clientele was non-smoking, and therefore a smoke-free patio would cater to their preferences. Similarly, owners who estimated that a large percentage of their clientele smoke were less supportive of smoke-free patios. One owner brought forward that it is the right of a business owner to be responsive to their clientele and a by-law that restricts smoking would be an affront to this right and to the concept of a 'free-market'. In contrast, a different owner suggested that restaurants are "in the business of taking care of customers. If you do not care about the wellbeing of your customers, then you are in the wrong business."
 - Employee rights: While not discussed by the majority of owners, one did state that it is the responsibility of the business owner to protect the rights and health of their staff. This owner did not feel that it is fair for the hospitality industry to force non-smokers to work in a smoking environment. Along this line, another owner commented that staff members who smoke were assigned duties involving cigarettes, such as clean-up or serving smoking tables.
 - Property damage and garbage: While the majority of owners claimed that property damage due to cigarettes was minimal, two did mention that it posed a serious problem for their business. One restaurant in particular has been forced to call the fire

department several times because of fires caused by cigarette butts. Nearly every owner, both for and against, did mention that cigarette butts represented a major source of litter on their patios and property. One owner proposed that the City might find that the number of cigarette butts on downtown sidewalks would increase if customers were no longer able to smoke on patios. Most owners in favour were hopeful that more cigarette receptacles would concentrate cigarette litter in one area.

- Freedom of choice: This topic was brought forward most often by owners who were not in favour of smoke-free patios. This was framed in two ways; the first being that customers should be allowed to smoke as the product in question is not illegal and it is a personal choice. Similarly, most added that non-smokers have the right to move or to not choose a restaurant that allows smoking if they are concerned for their health. Owners not in favour of smoke-free patios also framed the issue in such a way that business owners should have the right to choose how they operate their business.
- The role of government: With respect to government decisions affecting all owners, those in favour and those not in favour of smoke-free patios had vastly different opinions. Some owners not in favour suggested that less intervention by government with respect to smoking is better. Additionally, two owners claimed that government intervention was tantamount to discrimination. Conversely, most owners in favour of smoke-free patios concluded that government intervention was necessary. Many owners in favour discussed how they would not make their patio smoke-free without a by-law requiring the same of all North Bay patios. Most often, this was framed as 'creating a level playing field' and as the only way to fairly introduce smoke-free patios without hurting individual businesses.
- Respect for children / families: Many owners, both for and against, highlighted the need to keep environmental tobacco smoke away from young children. Many owners claimed that it was difficult to see smoking occurring beside their young customers.
- Existing policies that are more restrictive than current legislation: Several owners based restaurant-level policies on the need to protect non-smoking clientele and children. Many owners have either considered or already implemented policies on their patios such as no-smoking during peak meal times, having a smoking as well as a non-smoking patio, or creating a small smoking area on a patio that is further away from families. All restaurant owners mentioned that they had created policies requiring staff who smoke to do so away customers and eating areas.
- Alternative policies: Some owners who were not in favour of smoke-free patios suggested that alternative policies were better suited to their business and our northern climate. The first alternative policy was to allow smoking after a certain time of the day (in most cases this would be following their dinner rush). They claimed that this would allow most customers to enjoy their meals on a smoke-free patio without affecting their after dinner crowd. Several other owners stated that their patio served as a smoking area during the winter months, with little to no food or drink being consumed during that time. They suggested that a smoking ban during the summer months might be more relevant. However, this was countered by another owner who claimed that an

outdoor smoking area, even where food and drink are not consumed, would not eliminate the amount of smoke wafting indoors.

- o Business outcomes: While the majority of owners did not believe that a smoke-free patio by-law would affect their business either positively or negatively, a small number of owners fell on either side of this opinion. Some of the opposing owners pointed to research that indicate smokers spend more on hospitality than non-smokers as well as suggesting that tourists who smoke will be less likely to visit and dine in North Bay. Some owners in support of a by-law anticipated increased business as customers who previously did not visit their restaurants would be more likely to do so if the patios were smoke-free.
- o Some difficulties of 9 m buffer zones: Several questions were raised with regards to a 9 metre smoke-free buffer zone surrounding patios. The most commonly raised concern was that, in many cases, 9 m would place a customer who is smoking in the middle of the road or would overlap with another restaurant's 9 m buffer zone. City and Health Unit staff educated owners on laws of jurisdiction and reminded them that a no-smoking ban would effectively end at a road allowance. In other cases, some restaurant owners were concerned that this might increase the amount of customers leaving the premises without paying, however most of these concerns subsided when it was discussed that this does not happen during the winter months when customers who smoke must also do so outside.

Policy Options

- 1) Continue with no changes to by-law
 - a. Continuing with status quo fails to adequately protect patrons and hospitality workers from environmental tobacco smoke
- 2) Prohibit smoking on all outdoor eating and drinking areas at certain times of the day or year
 - a. This option would allow for smoking on outdoor patios at certain times of the day (for example, after 10:00 pm) or year (for example, between the months of October and March).
 - b. This option is exceedingly difficult for owners and hospitality staff to enforce as it creates large 'grey zones' where both patrons and staff may be unsure if the by-law applies
 - c. This option also does not provide adequate protection from environmental tobacco smoke as it does not address smoke wafting indoors and staff may still be required to serve in smoking areas.
 - d. These options were proposed by a small minority (two) of bar / restaurant owners.
- 3) Prohibit smoking on ALL outdoor eating and drinking areas at all times of the day and year
 - a. This option greatly enhances protection for children, patrons, and hospitality workers by prohibiting smoking within all defined outdoor eating and drinking areas.
 - b. Easiest to enforce for hospitality staff, employers, and enforcement staff

- c. The possibility for smoking directly beside the outdoor eating and drinking area, resulting in many of the same issues highlighted above.
- 4) Smoke-free patios and a 9 m buffer around patios
 - a. This option provides the highest level of protection for children, patrons, and hospitality workers by prohibiting smoking within the defined outdoor eating and drinking area, as well as a buffer zone surrounding it, to reduce the amount of drifting smoke and the possibility of smoking occurring directly beside the outdoor eating area.
 - b. As this option provides the greatest protection from the harms caused by second-hand smoke and it is preferred by half of restaurant / bar owners, it is the recommendation of the NBPSDHU that the City of North Bay adopt this as by-law.

Legal implication

The recommendations made within this report require review by The City of North Bay Legal Services Department. There do not appear to be, however, any legal impediments to the implementation of these recommendations. Pursuant to Section 115(1) of the *Municipal Act, 2001*, the City of North Bay has the statutory discretion to adopt a by-law that prohibits or regulates the smoking of tobacco in workplaces and public places. Furthermore, Subsection 115 (10) of the *Municipal Act, 2001* provides that a municipal by-law that is more restrictive of smoking prevails over any conflicting provisions of the provincial *Smoke-Free Ontario Act, 2006*. Independent of this specific authority to regulate the smoking of tobacco, the City of North Bay also has the broad authority to enact by-laws in respect of the health, safety, and well-being of persons pursuant of paragraph 6 of Subsection 10(2) of the *Municipal Act, 2001*. The one exclusion under Subsection 115 (3) is that a by-law shall not apply to a highway, except that it may apply to public transportation vehicles and taxicabs on a highway. This exclusion limits the restriction on smoking within a 9m buffer zone of patios when the smoking takes place in a space that can be defined as a highway.

Financial implications

There are no anticipated significant costs associated with the implementation of these recommendations by the City of North Bay. Recent experiences with the implementation of 100% smoke-free patio by-laws elsewhere in Ontario, as well as experience with current smoke-free patio legislation, indicate that this type of by-law is generally self-enforcing, and thus actual enforcement activity and costs should be minimal. The costs of educating the public and business owners, producing new signage and primary enforcement of the by-law will be minimal.

Other considerations

The adoption of a 100% smoke-free patio by-law is part of a comprehensive approach to tobacco control which includes initiatives in tobacco use prevention, cessation, and protection. This approach to eliminate commercial tobacco use requires commitment from a variety of stakeholders, including municipal and provincial governments, law enforcement agencies, social service organizations, and health organizations such as the NBPSDHU. The NBPSDHU is committed to this comprehensive

approach to tobacco control and supports it with strategic initiatives in tobacco use cessation, prevention, and protection.

Initiatives by the City of North Bay to help control tobacco are well supported not only by the NBPSDHU, but by all other stakeholders involved in tobacco control. The NBPSDHU encourages City Council to view the adoption of this by-law not as an isolated action with a small benefit, but as part of a larger approach that will eliminate commercial tobacco from our society.

Conclusion

The combination of public concern, business support, and a myriad of health research supporting 100% smoke-free patios provides an excellent rationale for the Council of the City of North Bay to adopt the recommendations made in this report. It is also worth noting the important role that smoke-free patios play in the larger movement towards smoke-free outdoor spaces. It is critical that the City of North Bay deliver consistent messaging and rules for all outdoor spaces in order to create a tobacco-free culture. Supporting a 100% smoke-free patio by-law, along with other by-laws which prohibit smoking in outdoor spaces, will further cement the City of North Bay as a municipality that is wholeheartedly invested in the health and wellbeing of its residents.

References

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North Bay Smoke Free Community Survey





1. Do you feel the following municipally owned or operated recreation facilities should be designated as smoke free: Please check your response.

	Yes	No	RatingCount
Playgrounds	87.2% (489)	12.8% (72)	561
Parks	64.3% (359)	35.7% (199)	558
Sport Fields (e.g. ball, soccer, football, frisbee)	76.1% (427)	23.9% (134)	561
Beaches	63.3% (353)	36.7% (205)	558
Trails (e.g. Kate Pace Way)	60.4% (336)	39.6% (220)	556
AnsweredQuestion			563
SkippedQuestion			0



2. Do you feel municipal special events and festivals should be designated as smoke-free?

	ResponsePercent	ResponseCount
Yes	59.2%	330
No	40.8%	227
AnsweredQuestion		557
SkippedQuestion		6

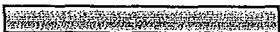

3. The City of North Bay passed a municipal bylaw to prohibit smoking within 9 metres of all municipally owned or operated buildings entrances. Do you feel the municipality should pass a bylaw prohibiting smoking within 9 metres of an entrance to all workplaces and businesses?

	ResponsePercent	ResponseCount
Yes 	66.5%	373
No 	33.5%	188
AnsweredQuestion		561
SkippedQuestion		2

4. The City of North Bay is subject to the Smoke Free Ontario Act which prohibits smoking on all covered or partially covered patios, but does not address smoking on public and private uncovered patios. Do you feel the municipality should prohibit smoking on all public and private outdoor patios where food or drinks are sold?

	ResponsePercent	ResponseCount
yes 	57.2%	322
No 	42.8%	241
AnsweredQuestion		563
SkippedQuestion		0

5. Do you feel the municipality should prohibit smoking within 9 metres of all patios where food or drinks are sold?

	ResponsePercent	ResponseCount
Yes 	57.7%	323
No 	42.3%	237
AnsweredQuestion		560
SkippedQuestion		3

6. Further Comments:**ResponseCount**

231

AnsweredQuestion

231

SkippedQuestion

332

Schedule "C" (continued)

Q6. Further Comments:

- | | | |
|----|---|-----------------------|
| 1 | The municipality should stop restricting the freedoms of smokers in the community. The Government should not be controlling where we can stand outside to have a smoke. That would be the same as smokers saying "okay we have to smoke outside if your not smoking stay inside." Whats next you cant stand up wind from any establishment while smoking as your smoke may travel to the door? LEAVE OUR FREEDOMS ALONE! | Oct 31, 2012 10:43 AM |
| 2 | Very difficult to enjoy all the city has to offer when there is so much smoke around! We are new here and find the per capita smokers is far more than anywhere we have lived! Also, this would mean going to the park with our kids won't mean having to leave when the smoking parents arrive! | Oct 30, 2012 7:18 AM |
| 3 | There is an other serious problem of breathing health in the city. The wood stoves people seem to like because "It's NATURAL" and we are living in the north, pollutes our air. Some days in winter, it is impossible to walk outside because of the wood smoke residue. | Oct 29, 2012 8:18 AM |
| 4 | Buisness in towns and cities. Put these patios for smokers. A place for them to sit and have a smoke. There not allowed to smoke inside. But prohibiting smoking on these patios yous are going to hurt buisnesses. As people just wont go. The not smoking in side resturants bars ect hurt the ownes sales. The patios did bring sales back. So why kill the owners buisness altogether as this is what it will do. No smokers and the health department got there way with no smoking in the buildings why take away all smokers right. I dont smoke but but I feel smokers have rights and they should have some place to go and have there smoke. Guess North Bays not the fair city I thought it was. | Oct 3, 2012 4:54 PM |
| 5 | If we could ban smoking in all but private residences that would be ideal !! We all cannot afford to keep paying for smoking related issues. | Sep 25, 2012 10:25 AM |
| 6 | enough is enoughlets just leave it as it isleave this issue alone ..don't you people have other issues that are more important...??? | Sep 18, 2012 5:48 AM |
| 7 | I wish I would never have to smell a cigarette again.. I would love my children to never have to even know what the horrid smell even is. | Sep 17, 2012 3:18 PM |
| 8 | A smoker is already so limited and has had so many rights taken away. They freeze outside in the winter because they can't smoke inside anymore. If the non smokers don't like the smoke they can simply stay away from the areas that people can smoke. I think it will hurt businesses by driving away a large number of the population that smokes. Give the smokers some rights too, however limited they may be. | Sep 15, 2012 8:21 AM |
| 9 | I think that when people drink and go out to socialize smoking should be allowed. Example Pubs, bars, outside at the restaurant, night clubs. It should not be allowed at family events. | Sep 13, 2012 2:06 PM |
| 10 | Leave the business man alone! He or She has enough problems trying to run a business, without more bylaws weighing him or her down. | Sep 12, 2012 9:38 AM |
| 11 | The people of the municipality are probably a bunch of NON- SMOKERS, and maybe they need a few of their casual things taken away. | Sep 12, 2012 8:50 AM |

Q6. Further Comments:

12	id rather have a few smokers than increased taxes and no smokers. they're keeping the economy going.	Sep 12, 2012 8:31 AM
13	I think the city should take into consideration that it was our Government that advertised smoking on tv, billboards, race cars, etc to entice people to smoke so they could make more money off the smokers in taxes. Now all of a sudden because so many people have quit smoking, all the ex smokers are trying to ban smoking so they don't have to fear that fact that they may start smoking again. Yes smoking is harmful, but smokers have rights too. The Government started the addiction, so the Government should give smokers a little respect due to the fact that the addiction of smoking is the hardest addiction to break. Non smokers can stay in the building if they don't want the smoke around them, so let the smokers go outside and enjoy the one thing that is legal. This is Canada people, not Russia.	Sep 11, 2012 10:36 PM
14	I understand prohibiting smoking at youth events, but to single out people that smoke at bars, restaurants or any other venue where people go to entertain themselves, is wrong. Everybody understands that smoking is bad, but being in a designated smoking area is fair, it keeps businesses clean inside, maybe what should be enforced is the manner in which you get rid of your cigarette butts.	Sep 11, 2012 9:31 PM
15	I am a non-smoker. However, when the laws changed, the bars/pool halls, etc. had to build patios to accommodate the smokers. Now you want to tell them the money they put out for these patios are for naught. It doesn't seem fair to me. I'm sure they've already lost enough revenue.	Sep 11, 2012 5:29 PM
16	Just stop the relentless harassment of smokers, I am a none smoker and have never smoked in my life. You and all levels of government sell the product and get large amounts of money in the process. You have gone far enough. Now stop before you bankrupt more legit companies in our city.	Sep 11, 2012 4:04 PM
17	I think the community of North Bay should enforce first of all stopping the sales of illegal tobacco on the reserve. I was charged for possession of contraband cigarettes after purchasing them on the reserve. Cigarettes with "Canada Duty Paid" stamped on them. The Reserves need to be only selling their products to Status Natives, with a Status Card. I had no idea what I was doing was illegal, but they had NO problem selling them to me, taking my money & not advising me that what I was doing was illegal. It's amazing how our Government can get away with Advertising that they are killing Canadians with cigarettes & profiting from it! It's disgusting, as our Government is!	Sep 11, 2012 3:52 PM
18	Banning things never solves the core issue of the problems we face. It's all about personal decisions and too much government intervention just dumbs people down. I choose not to smoke near children. If I spark up on a patio, I make sure to do so where the wind will blow it away from anyone else and I distance myself from others who are not smokers. I do not exhale when there's a passer-by on the sidewalk and I hold my cigarette away. Hopefully I'll eventually quite all together but till then it just takes a bit of respect towards other people. Maybe a campaign on that?	Sep 11, 2012 3:17 PM
19	I am a non smoker, but that doesn't mean that smokers should not have their spaces to. Inside restaurants is great as a "designated" non smoking area. Smokers should have their spaces too.	Sep 11, 2012 2:54 PM

Schedule "C" (continued)

Q6. Further Comments:

20	I agree with the No Smoking rules for indoors, however, when it comes to outside, feel free to smoke or pass gas!!!!!!!!!!!!!!!!!!!!	Sep 11, 2012 1:45 PM
21	Without painting everyone with the same brush, wherever you permit smoking you invite and get excessive littering with cigarette butts everywhere on the ground. With respect to public spaces...our tax dollars pay to clean it up and we shouldn't have to. At a private restaurant, the owner of the restaurant is responsible for cleaning up the butts on their property. If it migrates to municipal property they should be made to clean it up. On a final note...smoking in general causes incredible financial strain on our health care system and on that basis alone, I sort of support a complete banning of smoking altogether.	Sep 11, 2012 12:49 PM
22	I do not smoke...this is a free canada...len	Sep 11, 2012 12:31 PM
23	I am not a smoker, but I feel when you are outside there is a lot of open air so the smoke should not bother you that much. Also, I feel that the Government allows the sale the cigarettes, so why are we penalizing the people that chose to smoke them. It is an addiction and I know a lot of people that smoke and do try to quit but have a really hard time. I feel that by allowing them to smoke outside on a patio (which smokers have accepted) is good enough. Why do we have to push them further away. By banning them, it will be like at the hospital where everyone goes to their car for a smoke. They do not walk to the end of the hospital grounds. The only complaint that I have is that I wish they would not butt their cigarettes on the ground. it is a form of littering. I wish they would use ashtrays or cans.	Sep 11, 2012 12:19 PM
24	I am an ex smoker, however, I feel the right for people to choose to visit a place where smoking may or may not be, should be left up to the individual. Freedom of Choice! Where will it stop if this allowed to occur.	Sep 11, 2012 12:09 PM
25	Smoking... Its been around for hundreds of years. People want to smoke let them. Same as drinking or is that next on the table. Oh I get it...make it a a bylaw and then the city can make morre money. Then the tourerest will drive by and and visit the next town.... Sudbury... North Bay will then be a ghost town....Thats my 2 cents	Sep 11, 2012 11:57 AM
26	I am a non-smoker. All of my friends are non-smokers. Even I think the bylaws are becoming out of control. I agreed with the indoor ban, but any kind of outdoor ban is just going too far. Do a little research into prohibition in the 1920's to see where you are heading.	Sep 11, 2012 11:11 AM
27	If it is not illegal and is not a drug that can cause you too lose your inhibitions, then how can you tell people that they can not smoke anywhere? if you want to make smoking illegal then go ahead and ban it everywhere...until then leave smokers a lone.	Sep 11, 2012 10:54 AM
28	I am a non smoker.	Sep 11, 2012 10:51 AM
29	Second-hand smoke kills wherever it exists. Smoking should be prohibited anywhere other people may be exposed.	Sep 11, 2012 10:46 AM
30	I am a non smoker and I know I have rights but we all have rights. Nobody should be allowed to take those rights away, whether you are a smoker or non	Sep 11, 2012 10:44 AM

Schedule "C" (continued)

Q6. Further Comments:

smoker.

- | | | |
|----|---|-----------------------|
| 31 | It would seem you are trying to make it so that the only place where someone who smokes can smoke is in their own residence. That is unfair in my opinion, and I am a non smoker. | Sep 11, 2012 10:28 AM |
| 32 | It is completely unfair to people who do not smoke to have to endure the second hand effect of those that do smoke. I hear constantly that if I don't like it, I should move. Why should that be? Should I be allowed to spray pepper spray as I walk and that anyone near me should move if they don't like it? My health is effected in a negative way by those that smoke, and I should have the right to demand that they smoke no where near me. | Sep 11, 2012 9:58 AM |
| 33 | I am a smoker and will not be DICTATED too...Smokers have rights | Sep 11, 2012 9:56 AM |
| 34 | Enough has been done already! Any more is ridiculous. There is now enough places for non smokers to go, any more and you are infringing on the business rights and the personal rights of the people. I am a non smoker and all of this sounds ridiculous to me!! | Sep 11, 2012 9:31 AM |
| 35 | The bylaws are only as good when one is implementing them. The city transit station is full of cigarette butts on the ground, and there is clearly a sign that says no smoking - even the bus drivers are smoking by the busses. Some do go further away but most of people (drivers and riders) are standing right by the bus and seats and there is sign saying no smoking on property- It is just feeling more like intentions are good but no enforcements. In public places, when one is sitting near a smoker and the wind brings the air and smoke to others around them , this is uncomfortable for the non smokers, as well as people with respiratory conditions sitting nearby. It is not always easy to change spots. | Sep 10, 2012 10:39 AM |
| 36 | If people who smoke showed respect to others that don't smoke, it would not be a be issue. The health unit is fighting to take all rights away from smokers and I don't feel that is right. Of course that is just my opinion. If I'm not happy about someone smoking near me, I have a choice to move away! | Sep 9, 2012 12:02 PM |
| 37 | Restaurant owners already paid a price for non-smoking inside, do not restrict outdoor smoking patios. But divide the patio into a smoking and nonsmoking area. This would be fair to everyone. | Sep 8, 2012 11:05 AM |
| 38 | smoking is a habit like drinking, eating junk food, etc. - smokers are/should be given the right to smoke somewhere and to be polite about their smoking - like not smoke around someone eating, children, etc if it is in a small area. | Sep 7, 2012 2:33 PM |
| 39 | Smoking should be prohibited where people are eating/drinking as non-smokers and possibly some smokers would find that the smoke would interfere with their enjoyment of their meals/drinks, especially as the smoke would cause the taste of their food and drinks to be negatively impacted. In open spaces, people should be able to smoke. Unless smoking is completely made illegal, people should be able to smoke in an open environment. When outside, we are all subject to various particulate pollution from such sources as exhaust from vehicles and smoke from barbeques and open fires, many of which are at outside events, and beaches. All people should be respectful to other individuals where their actions can impact the enjoyment of others whether it be smoking, | Sep 7, 2012 1:20 PM |

Schedule "C" (continued)

Q6. Further Comments:

	swearing, playing loud music etc.	
40	Nova Scotia has already implemented this by-law! It is time we also get on board!!	Sep 7, 2012 1:13 PM
41	This whole subject just makes me sick. I am tired of the 2 face idiot that make up these lame excuses and laws. For heaven sakes don't smoke a cigarette, instead light up a joint. Better yet, let's make marajuana leagal. What idiots can't see that at least cigarettes do not make people crazy. At times I do wish all smokers would just quit cold turkey, put the cig. companies right out of business and the government loose millions in taxes. Then lets see what people would do.	Sep 7, 2012 12:45 PM
42	Smoking and second hand smoke kills. Period. 9 meters is a false boundary that leads innocent victims to believe their interests are being considered.	Sep 7, 2012 10:06 AM
43	I am a new tenant and do not smoke and since moving in I have been naseous (sic) daily 7 days now and have had a headache for the whole time. I can smell smoke constantly from tenants downstairs. Prior to renting landlord said I would not be able to smell it. What can he do re: smoking tenants or what are my options? I am in dire need of information. Sincerely, Kim Wagg 1229 Regina St. #2 North Bay 705-478-7019	Sep 7, 2012 1:34 AM
44	I think this will make our parks and beaches more enjoyable for all, and it is just a matter of time before this happens province wide.	Sep 6, 2012 12:41 PM
45	Most of the cities and towns south of North Bay have already implemented the non-smoking bi-laws in their parks, beaches, etc. and once these have been put into place there has not been much uproar or problems with the non-smoking issue. A lot of these cities have had this in place for years already and we find that in North Bay there is much to many people smoking in areas where it shouldn't be allowed. This is a real problem for people with health issues where the smell of smoke can cause further triggers. Plus, smoking is known to cause a lot of health problems and buy cutting back on smoking in some areas this may also help people cut back a little and maybe make them think about their future and health before its too late for them to do anything about it. Former smokers that learned the hard way. Thank you	Sep 6, 2012 12:37 PM
46	Non smokers wanted smokers outside, they got it...now enough is enough	Sep 6, 2012 11:42 AM
47	n/a	Sep 5, 2012 10:25 PM
48	The City of North Bay is known to have a lot of bylaws they don't enforce. Why do you bother taking the time to advocate and work on creating laws that ARE Not ENFORCED? Bragging rights I guess. Looks great in black and white on paper. The City have few enforcement people to enforce it, and the ones they do have are underpaid, and not qualified to do enforcement. Would you do it for a few buck above min. wage? We all want smoke free places but you need more qualified, good paying people to enforce it. People that are paid well enough to put up with the BS that goes with enforcing laws. Good Luck with this, but the City won't hire qualified people to do it. This is just a lot of hype!!!!	Sep 5, 2012 9:16 PM
49	If it becomes smoke free who will be responsible to implement? Example NB transit is smoke free but transit employers say it is the health unit. With programs	Sep 5, 2012 2:21 PM

Q6. Further Comments:

being slashed disease control is more important than monitoring smoke free zones. As a result everyone still smokes all over main transit terminal- client as well as workers. Until follow up is secure I feel it is a waste of time to address the issue if it should be smoke free or not

- | | | |
|----|--|----------------------|
| 50 | Considering our climate, the municipality wants to ban smoking from patios that serve Food or drinks that are generally, weather permitted, used approximately 2 months out of 12 months for that purpose. The other 10 months they are only used by smokers. It is hard enough to make a living in this town without any more restrictions on our customers! The patio on the restaurants that are for this by-law are not as totally out in the open as other patios, so that may be why they get the odd complaint. Please do not consider passing a bylaw that will put more pressure on the small business owner like myself. Jo-Ann Rick Canadian Legends Eatery | Sep 5, 2012 12:59 PM |
| 51 | Enough government already! Apparently too much time on someone's hands! We are still a free country from what I understand... | Sep 5, 2012 12:50 PM |
| 52 | Patti Carr should quit smoking | Sep 5, 2012 12:27 PM |
| 53 | I am not a smoker but I do feel that we have gone a little overboard in demonizing smokers. It is nice not to have smoking inside public places but think we can all tolerate a little dirty air now and then. | Sep 5, 2012 12:24 PM |
| 54 | trails, parks, playgrounds, sports fields etc. are all there for people(especially children) to enjoy the fresh air and keep active, families should not have to be subjected to second hand smoke when they are trying to live a healthy lifestyle. Festivals are so crowded, there is nothing worse then trying to walk through the grounds with your children and having to dodge people carrying cigarettes. | Sep 5, 2012 12:18 PM |
| 55 | City of North Bay should also address the gas emission in the parking garage at Northgate Square. People are not allowed to smoke in there yet the transits can iddle. | Sep 5, 2012 12:00 PM |
| 56 | Smoking is the leading cause of preventable deaths. When used as intended, it kills half of those using it prematurely. Legislation deters smoking, helps those who have quit or wish to quit, protects service workers and the public including children, and denormalizes smoking culturally so kids aren't as likely to start smoking. | Sep 5, 2012 11:30 AM |
| 57 | I would also go so far as to see the government ban smoking in vehicles with children under the age of 18. It should also be noted that although there are smoking bans in place, they are not always enforced. There will need to be more resources and/or training available for this. I would also like to see officials work closely with school officials as it is not uncommon to see under aged students smoking in front of schools waiting for busses etc. | Sep 5, 2012 11:16 AM |
| 58 | My children play many outdoor sports through the summer months and I am astounded at the amount of people who smoke in the bleachers. On one occasion, I was parked in my vehicle and a woman was smoking away from the field except she threw her cigarette butt on the ground near my vehicle's back tire without putting it out. The smoke was coming into my vehicle and so I asked her politely to put it out with her foot. | Sep 5, 2012 11:12 AM |

Schedule "C" (continued)

Q6. Further Comments:

59	Smoking is poison. Why should the non-smokers suffer in ANY way from someone else's bad habit?	Sep 4, 2012 3:24 PM
60	I think we should work towards enforcing the 9 meter bylaw, as many do not comply. If people comply with the bylaw, there would be less complaints. If there is a fine in place - follow through with fining those who are not following the bylaw; you need to start somewhere and I think this is a good start to set a precedence.	Sep 4, 2012 8:26 AM
61	go smoke free everywhere!!!!!!!!!!!!	Sep 3, 2012 3:37 PM
62	Thank you for having this survey I hope it gets implemented	Sep 3, 2012 1:06 PM
63	Most smokers are respectful of being careful where to smoke. When we are in outdoor situations like parks and beaches, there is lots of airflow and places to get away from people. To ban smoking in parks and beaches would be a huge inconvenience for those of us who are still cursed with the evil addiction. I feel the laws in place now are enough for the comfort of the majority of people.	Sep 3, 2012 8:51 AM
64	Dont forget smokers are tax payers too! All our rights shouldnt be taken away from us!	Sep 2, 2012 9:53 PM
65	I especially don't like the one where smoking should be banned at special events or festivals.....because I think if you are going to do that....dog should be banned other than working dogs. I am more afraid of dogs than I am of someone smoking. I guess you don't give a darn about the smokers who pay taxes in this city. And I don't know how you can ban those smokers from smoking outside...I thought no one could own the air. I think we have more pressing problem in this city other than where citizens can or can't smoke. I feel this is discrimination against smokers....what are you doing about the drinkers and druggies in this town....???????	Sep 2, 2012 6:57 PM
66	I am a smoker and wish I wasn't. Make it difficult for me and all smokers to smoke. We will smoke less then eventually we will have better success of quitting smoking. We know now that this is bad for our healths not like our parents did not know all the facts that we do. Been trying to quit and I am close to my success, down to 10 cigarettes a day to the one pack a day. Like flying a airplane you must wait a very long time to have one to have to step out of the airport and go thru the security check, most time you don't have enough time so I chew Nicolette gum for those moment and I think at all areas of the survey you mention if I really need the nicotine I will chew the gum and won't bother the non smokers. Thank you	Sep 2, 2012 6:31 PM
67	In my mind, there is no question that this is a step in the right direction. I am tired of having to breath second-hand smoke at events or even on the street. Smoking and second-hand smoke is unhealthy, and I have a right to breath clean air! I don't hesitate to show my displeasure at having to smell someone's second-hand smoke. I consider it rude and a lack of consideration when someone lights up in public areas, especially when there are kids nearby! Every smoker should feel that she/he owes to herself/himself and everyone else that they need to cut this bad habit. It's ugly, unclean, and, again, unhealthy.	Sep 2, 2012 3:59 PM
68	IT IS DISGUSTING TO SEE ALL THE CIGARETTE BUTTS EVERYWHERE.	Sep 2, 2012 10:01 AM

Q6. Further Comments:

STURGEON FALLS TIM HORTONS IS A PRIME EXAMPLE BEFORE ENTERING, YOU HAVE TO PASS BY HALF A DOZEN OR SO SMOKERS BEFORE ENTERING THE BUILDING. THEY ARE RIGHT OUTSIDE THE DOOR. I WALK THROUGH A HAZE OF SMOKE, AND A BUTT COVERED ENTRANCE, BEFORE I CAN GET INSIDE. I SURE DO NOT FEEL LIKE EATING OR EVEN HAVING MY COFFEE AFTER THIS.

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| 69 | I feel designated smoking places are fine, as long as they are well away from places where non smokers can be affected. If much more rules were put in place, I feel that smokers might legitimately not know where they could or could not smoke. Make some clearly designated areas. | Sep 2, 2012 9:13 AM |
| 70 | I don't attend any major events hosted in North Bay because I'm sick of dodging cigarettes waved around and tossed by careless smokers. Ban it everywhere!! | Sep 1, 2012 8:34 PM |
| 71 | Anywhere where kids might be, should have a smoking ban. My husband and I are very sensitive to cigarette and other types of smoke(cigars, pipes etc.) and even passing by near these things causes us distress and breathing difficulties. I find that there needs to be more enforcement of the already present smoking bans. Perhaps the smoking public needs a reminder of how far nine meters is. | Sep 1, 2012 1:56 PM |
| 72 | Nobody should be subjected to the negative impacts of smoking on their health when they are just trying to enjoy public spaces. We do not CHOOSE to smoke and should therefore not be forced to endure it! | Sep 1, 2012 8:38 AM |
| 73 | Getting rid of smoking in public places is critical to the health of most of the population who prefers not to smoke either first hand or second hand smoke - especially near children. Children can be found in all the locations mentioned in your survey. | Sep 1, 2012 7:56 AM |
| 74 | City of North Bay council is voted in to run our city not to intrude in our personal lives this motion goes to far we do not live in a communist country as yet try not to make it one | Aug 31, 2012 6:46 PM |
| 75 | The real disappointment is that the 9 m bylaw doesn't stop people from smoking there & when you call to complain, it's unenforcible. Very dissappointing when it's in front of a healthcare building. | Aug 31, 2012 5:55 PM |
| 76 | Live and let live. A little tolerance of others is called for here. | Aug 31, 2012 5:46 PM |
| 77 | Everything should be done to help stop our youths from starting smoking and possibly even help those who need more reasons to quit. | Aug 31, 2012 4:46 PM |
| 78 | People are now accustomed to the fact that they must go outside to smoke and away from doorways. Why should they smoke at tables where people are eating. I certainly don't want to eat there if someone is blowing smoke into my food. We are paying enough to eat out as it is. If necessary they should have a smoking area at side or back of building away from the Patio where people can go and smoke if they must. Younger generation under fifteen have no problem with the no smoking as they have grown up with it so why shouldn't we continue to protect them for years to come. To those growing up now it only makes common sense and hopefully fewer will start smoking in the first place. | Aug 31, 2012 4:12 PM |

Schedule "C" (continued)

Q6. Further Comments:

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| 79 | If this passes there should be better reinforcement because even with the 9 meter rule there's still people smoking 2 feet from entrances | Aug 31, 2012 2:48 PM |
| 80 | On several occasions family members who come to watch children's sporting events have had to leave due to inconsiderate people lighting up in the general area and causing medical distress. As well the poor children who suffer from second hand smoke at these events and require asthma medications just so they can participate in festivals/events/sports activities or worse have to leave to obtain medical attention. The cigarette butts at these family area is gross and when I must remove butts from beach sand so my kids can build butt free sand castles at the beach it becomes very annoying. | Aug 31, 2012 12:55 PM |
| 81 | it's time to give the smokers a brake you have them outside in 30 below it's time to back off | Aug 31, 2012 11:45 AM |
| 82 | Cigarettes are still legal. This is really starting to go a little to far to infringe on peoples freedom of choice. I am a non smoker my concern is what will you try to make law for next. Why not go after other big polluters that are actually causing more harm to the air and environment. I can not believe that my tax money is going towards this. Why not use it on something more worth while, like more education. I think it is now time to focus on something else. Smokers know it is bad for their health and so do non smokers if you don't like to be down wind from the smoke change were you are. And were do you get off taking away the choice of a business person, if they want to be bias to smokers they should set there own standers of if and were there customers can smoke. From a non smoker who is concerned about my other rights and freedom. Remember this is Canada not a dictator country. | Aug 31, 2012 11:42 AM |
| 83 | Non smokers are very annoyed by all the smoke. | Aug 31, 2012 11:34 AM |
| 84 | I am an asthmatic and I have had to move from the place I was sitting or standing because of other people smoking around me.
It makes the outing not enjoyable and unhealth for me as I have to end up using medicine to get relieve and able to breathe properly again | Aug 31, 2012 10:40 AM |
| 85 | While I don't agree that smoking should be prohibited within 9 m of all workplaces and businesses (it really does leave almost no where except home for a smoker to smoke), there should be stricter punishment for littering and butt-dropping. All smokers should be respectful of their environment and people around them too - and the wind conditions of the area they smoke in. Part of the issue with littering seems to be the facilities available - and this goes for all litter. I'm amazed that a city the size of north bay does not provide more receptacles, especially along busy pedestrian and transit routes. I highlight the stretch of McKeown ave between No Frills and College Drive - every bus waiting area is littered with junk that people couldn't hold on to - and there just isn't a spot to dispose of garbage that is efficient. You can generate income by allowing advertising similar to city of toronto. Though I guess that's hard because the city can't even generate enough advertising interest to fill up the buses.. | Aug 31, 2012 10:15 AM |
| 86 | you don't see cars been turned off at drive trues,you smell the exaust inside the building. | Aug 31, 2012 10:02 AM |
| 87 | Leave smokers alone. | Aug 31, 2012 9:58 AM |

Q6. Further Comments:

88	Smoking areas need to be designated and enforced. I hate walking up to a building and having to walk through a haze of smoke and through the old butts and packaging. I also hate walking down the street trapped behind some smokers. Smokers can do what they want in the privacy of their own homes. I don't want to be subjected to their second hand smoke anywhere in public, or to their discarded butts and packaging.	Aug 31, 2012 9:55 AM
89	If my tax dollars pay for public and municipal areas, then I as a smoker should be allowed to smoke there. I am very mindful when I do smoke not to smoke around my children, in my car, pick up my cigarette butts, etc. I think it is totally unfair that the public health unit focuses all their attention on smokers. I have great difficulty with people drinking alcohol in public including patios due to past difficulties with alcohol myself. Should that not be allowed as well? What about air pollution from cars and industries. Why is that not being regulated and fined as strongly? It is time to focus your energies to other areas rather than on the smokers. If you would have treatment centres that deal with the addiction of smoking as an inpatient practice as for other additions, then maybe you have something to talk about.	Aug 31, 2012 9:51 AM
90	Second hand smoke is dangerous and cancerous. There is nothing more annoying than trying to enjoy our beautiful outdoors and being exposed to such toxic chemicals. A good example of this was at this year's concerts for the August long weekend. We were trying to enjoy the music and festivities however everyone around us were smoking and with the way the wind was blowing it was right in our direction. I think people should be allowed to enjoy the outdoors without the worry of what chemicals and toxins they are breathing in.	Aug 31, 2012 9:50 AM
91	I am a smoker and consider myself a considerate smoker. Banning smoking from something like Summer In The Park would take a few years to solidly establish and would create alot of anger. I don't believe it is the proper venue for smoking, but it is an outdoor public event. My concern is that the government continues to legally allow smoking because of the tax revenue, but at the same time spends money on laws, bylaws, enforcement, signage, etc. (oh! And surveys too:)) Is one paying for the other?	Aug 31, 2012 9:48 AM
92	I think these are all great suggestions and I would love to see them in place, however, unfortunately the fact remains that there is little to no enforcement of the existing smoking bylaws and until that happens it seems kind of pointless.	Aug 31, 2012 9:10 AM
93	Cold beer and a smoke go hand in hand. But, as a smoker I agree with no smoking at parks and sports fields.	Aug 31, 2012 9:03 AM
94	Smoking is a legal right. Banning a legal right is unconstitutional.	Aug 31, 2012 9:02 AM
95	It is ridiculous. You want North Bay to lose residents. Half of North Bay residents smoke. It is a free country, if you want to smoke, just don't leave your butts laying around	Aug 31, 2012 9:01 AM
96	I took my kids to the Summer in the Park concert as they like Marianas Trench. One has asthma and found it difficult to breathe as someone nearby was breathing. The security guard and a police officer said there was absolutely nothing that could be done. I was shocked. Kids and others with breathing difficulties should be able to breathe comfortably at events that take place on city	Aug 31, 2012 8:46 AM

Q6. Further Comments:

property like Music In the Park. I hope next year smoking is banned at this event, our kids' lungs shouldn't have to support the habit of a few.

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| 97 | Thanks for asking for our input! Great way to get some citizen involvement. | Aug 31, 2012 8:45 AM |
| 98 | As a member of this community, and someone who uses the public playgrounds and beaches with my family, I am so frustrated with having to leave these places due to the amount of smokers and cigarette butts on the ground. I cannot have my child running around and crawling through these toxins. I realize that we have it pretty good in Canada, and some would say a few cigarette butts in a publicly funded playground or beach is a luxury compared to the conditions some kids have in other places. However, I contribute to paying for these places with my taxes that are WAY TOO HIGH in this city, so I think I can say that the conditions of these public places that I pay for is deplorable. | Aug 31, 2012 8:43 AM |
| 99 | For each new area designated smoke-free the municipality must provide properly equipped areas for people to smoke, i.e. ash trays, covered areas. The smoking designated areas must be encouraging and still respectful, these are citizens too. | Aug 31, 2012 8:39 AM |
| 100 | I think this would be a great initiative to increase the areas that are smoke free. As I do not want to inhale smoke and have potential harmful health effects imposed on me, and I believe it is my right to live smoke free, I would appreciate additional areas, such as beaches and parks, and entrances to public buildings such as stores and restaurants, to be smoke free as well. I take as many measures as I can to lead a healthy life, and believe that as a member of this community I have the right to enjoy the wonderful public spaces North Bay has to offer smoke free. I am new to the North Bay community and am amazed by the wonderful parks and beaches the city has, however am always put off and astonished by the amount of cigarette butts that can be found. I hope that this is a successful venture and look forward to watching its progress. | Aug 31, 2012 8:35 AM |
| 101 | Having people smoke around you is a fast way to ruin a great experience or downtime. Whether it's lying on the beach and having smoke blow in your face, or enjoying a meal on a patio restaurant. If people are outdoors it is not to have the fresh air filled with filth, or having their appetite ruined. This is 2012, we know the health consequences of smoking. Those who choose not to smoke, should not have to reap the affects of others' habits, nor should they be expected to leave a public area to ensure their own health or enjoyment. If you are choosing to smoke, you should be held responsible for removing yourself from public, especially family settings. | Aug 31, 2012 8:11 AM |
| 102 | If North Bay passes this by-law then all restaurants etc will lose my business as well as that of my friends and family...this is a FREE country and this city is starting to be run like a dictatorship by the health unit. | Aug 31, 2012 8:04 AM |
| 103 | Smoking is bad for your health. While I respect a persons' right to smoke, they should not subject others to the second hand smoke. | Aug 31, 2012 8:01 AM |
| 104 | I am tired of municipalities and government using there comminnst approaches to forcing people to do what they want .. there is enough smoke banning ... try do the freakn job you were voted in to do instead of banning everything and raising the taxed everytime someone farts . try taking care of | Aug 31, 2012 7:21 AM |

Q6. Further Comments:

the things that are imrtant to this city obviuosly you have tooooooooo much time on your hands.

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| 105 | This is a good way too kill lots of businesses in North bay. Mainly restaurants and bars who 13 or so years ago felt the affect of not smokeing inside to now a new low blood alcohol law. This would just hurt them to the point of closure. This takes our freedom away and ability for choice. Out doors is out doors! and P.S I don't smoke!! | Aug 30, 2012 10:43 PM |
| 106 | Give us a break. The monkey on our back is enof. | Aug 30, 2012 8:52 PM |
| 107 | Nothing is good about smoking and for those that are truly addicted to this killer habit, the community and city as a whole need to do it's part in helping break the habit. Also I work at city building and we have smokers at the back door of the station (I mean with in 2 feet) lighting up all day long. We inhale second hand smoke everytime we need to come or leave.Would love to see the laws we have strictly enforced !! | Aug 30, 2012 8:02 PM |
| 108 | I believe that smokers will still frequent restaurants and public spaces even when smoking is not allowed. They will retreat to their vehicles to smoke, saving the rest of us from their smell and their trash. Prohibiting smoking in all areas where children play -- beaches, parks and playgrounds -- is especially important. Cigarette butts all over the ground in these public areas of North Bay are unsightly and dangerous to children. | Aug 30, 2012 7:38 PM |
| 109 | This is passed-due. Please go smoke free! | Aug 30, 2012 6:41 PM |
| 110 | These questions seem to be worded so that there is no room for discussion. With regard to 'smoking' on patios where food or drinks are sold, that should be up to the individual owner, should he or she decide that they wish to go entirely smoke free. Same with prohibiting smoking within 9 metres of an entrance to workplaces and business the choice should be that of the individual owner. Special events and festivals usually include families and therefore walking around with a cigarette in hand is not a good idea, but having a designated 'smoking area' for those who wish to smoke would be good. Where do we draw the line telling people what they can and cannot do? To smoke is the choice of an individual and should it be 'prohibited' everywhere, there will be those who will do what they can to 'break the law'. As well, who is going to 'police' all of these places where smoking may be banned. How many 'by-law' officers does this city have? Is one 'by-law' officer going to feel comfortable wading into a large group of people smoking in a public area, or will the police be required to assist said 'by-law' officer? Many folks have strong feelings re smoking and personally we feel that there are many, many more important issues that city council should be taking the time to address. Believe it or not, most people that smoke realize that it is bad for their health and that second hand smoke is bad as well, but banning smoking in public places is not the way to go. We don't have the answer, we don't think that anyone does, but we feel that smokers have just as many rights as non-smokers and we are non-smokers! Thanks for the opportunity to send you our comments. | Aug 30, 2012 6:36 PM |
| 111 | I quit smoking 3 yrs ago - after indulging for approx 40 yrs. The ban on smoking in public buildings, restaurants, etc is a good thing. But, to go as far as this proposal goes is a bit out of line. As for the smoking bans in place at our new | Aug 30, 2012 6:25 PM |

Q6. Further Comments:

	hospital, my family & I feel that there should be a designated area for people to smoke (not out on the highway). How difficult would it be for a patient who has smoked for many years to have to march out to the area around the highway to have a smoke. Let's be fair.....especially to some of the older people. This is like everything else in the world today....some ideas for change were good & some went from one extreme to the other. Give it a break!!	
112	From a person with allergies...I sit here in my own home as my neighbours sit outside and smoke and I have to get up and close my own windows on a very hot day as my allergies can't take it. In my opinion smoking should be banned everywhere!!! Why let everyone else around them suffer!! And especially in places where families, children and athletes are. It's just common sense as far as I am concerned! Enough is enough already! It is a serious health hazzard to everyone! What does it take to get this through to people!	Aug 30, 2012 6:05 PM
113	What if a bylaw were introduced, yet modified, in a way at food/drink locations in which smoking was prohibited prior to "bar hours", like, prior to 8pm? As a smoker, and a frequent bar-goer, I have to admit that I would most definitely not go out as much if I weren't allowed to sit on the patio and enjoy a cigarette while having a drink. Bars are meant for a little debauchery and some smoke in the air. I'd hate to lose that little taste of anarchy for a no-tolerance policy. If this passes, before long you'll have to go beyond city limits to have a cigarette.	Aug 30, 2012 6:00 PM
114	Smoking should be banned in public and private buildings, business and any commercial centre. Smoking causes cancer not only to smokers themselves, but to others (second-hand) Treatment of diseases cause by smoking causes millions of dollars. The fund that could be used in education, or other beneficial services or programs. I will be very happy if the proposed By-law is successful.	Aug 30, 2012 5:58 PM
115	As a non-smoker, I feel it is my right not to have to be subjected to any second hand smoke. I should not have to take a detour to get into stores and facilities to avoid smoke.	Aug 30, 2012 4:22 PM
116	get ready to lose money if these laws are passed. Who will foot the bill of course the taxpayers. It's your federal govt who should show examples and not to let cigarettes be sold. Of course they won't they make good money with taxes.	Aug 30, 2012 1:47 PM
117	There has to be a limit where the government should back off and let business owners and fully grown adults make up their own minds about some things at least. If anti-smoking sentiment is that high, go through the prope channels and make tobacco illegal, period. Other than that, if it's legal, there has to be some latitude given to the people.	Aug 30, 2012 1:37 PM
118	inhaling smoke while eating, running or enjoying the outdoors is disgusting. I don't appreciate not being to enjoy the patio in summer because smokers take it over. go to your own backyard to smoke. let people decide for themselves if they want to inhale toxic fumes, don't force it upon them	Aug 30, 2012 12:52 PM
119	2012 - it is time that non-smokers are not subjected to the health hazzards of second hand smoke when watching kids in parks, beaches, playgrounds and sports fields.	Aug 30, 2012 12:33 PM
120	If this smoking ban is approved, the city and the health unit will have to find a	Aug 30, 2012 12:28 PM

Q6. Further Comments:

non-smoker to replace me, as my 20 years of volunteering in this city will come to a end, also the city and the health unit can pay my taxes of \$5600. each year as I will not be allowed to go anywhere in this city, why should I pay taxes if I am banned from public places, and also have you forgotten about the veterans that fought for this country and not allowed to have a smoke outside the legion, how soon we forget. I have my rights also.

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| 121 | Sport fields should be smoke free only when the players are 15 years old and younger. | Aug 30, 2012 12:26 PM |
| 122 | <p>I am really at my wits end with all these anti-smoking laws. I don't think it's possible to ever satisfy anyone. We gave them "clean air" in every possible public place and workplace imaginable, we've trampled the rights and freedoms of smokers and private business owners, we've hidden all tobacco to "protect the children", we've increased tobacco taxes to absurd levels. Now they are demanding that smokers be BANNED from smoking outside!!!! Telling us how great it would be to hand out tickets for smoking, the same gov that doesn't enforce environmental rules on Industry, they poison us with pollution. While these people are at it, perhaps they can also ban the cars that are driving down the streets. After all they are emitting toxins. Please show me the research that has been published anywhere that says second hand smoke outside is any more harmful than car exhaust NOW HOW ABOUT putting all that effort into doing something more worthwhile. LIKE stopping these big industries from polluting. Now that would be a more worthy cause, and far more pollution comes from these companies than the folks that are standing out on the sidewalk having a cigarette. Plus will we need to hire more staff to enforce??? Maybe should sell my house and move to a city that doesn't spend all of the money I pay to own a home here on such ridiculousness, you say you want to keep good employees up north, I could easily be making more money for my position elsewhere!! I can see the point of no smoking in parks/playgrounds and sports fields BUT DO NOT agree with the ban for everywhere public!!! People can make informed decisions of where and what patios and bars they would like to go to. In the perfect situation, smoking policy would be set by bar or restaurant owners, and customers would patronize the establishments with the policy they prefer. Customers would decide-without the government's help-if they want to avoid smoking on OPEN patios or not.</p> | Aug 30, 2012 12:16 PM |
| 123 | <p>I think they should ban smoking period. It is proven to cause many diseases and even DEATH. Smoking should be outlawed the same way may illegal drugs are. People should also be given the power to arrest or assist in an arrest of anyone breaking this law. I constantly see people who smoke standing right beside the signs prohibiting this act and nothing is done about it. Our police seem to ignore many of these laws as they see fit and that is a great tragedy as they are in power to uphold these laws and do not.</p> | Aug 30, 2012 12:08 PM |
| 124 | <p>I am a non-smoker and my husband is a smoker. This means we will never go out to eat, shop, attend Summer in the Park, play sports, etc. again. Really? For the most part, smokers are respectful to others that are non-smokers. If you are outside and it bothers you so much, stay home. We are having a hard enough time getting people to our festivals and restaurants in the city - now we want only non-smokers to show up. Good luck with that!</p> | Aug 30, 2012 11:58 AM |
| 125 | Please add to this ban smoking within townhouse and apartment building | Aug 30, 2012 11:33 AM |

Schedule "C" (continued)

Q6. Further Comments:

perimeters. Smoke gets in even more through an open window than a door which is closed part of the time.

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| 126 | Any suggested loss in business overall will be more than offset by clients that don't smoke, new people that move here because it's smoke free and the immense improvement in future generations who learn by example to avoid this and other addictive health hazards. Best wishes, the sooner the better. | Aug 30, 2012 11:26 AM |
| 127 | City of North Bay has enough financial obligations to consider - adding another layer of bureaucracy & expense to City budget is UNACCEPTABLE at this time. [Non-Smoker] | Aug 30, 2012 10:19 AM |
| 128 | I understand the reasoning behind this and support. I was a smoker for 20+ years and I no longer want to be near it or come out smelling like smoke. My opinion though is how are you going to enforce this by-law when you can barely enforce any other by-law within the city. You must be able to enforce ALL legislation that you put forward. In addition, you will also have to consult with your stakeholders; specifically the courts. Can you handle the capacity?? | Aug 30, 2012 9:53 AM |
| 129 | There's nothing worse than trying to enjoy a meal on a restaurant patio and having disgusting smoke surrounding you. I'm trying to enjoy a meal, why should I have to be subjected to your disgusting unhealthy second hand smoke?! | Aug 30, 2012 9:15 AM |
| 130 | There is nothing worse than walking into any work place and having to walk through a cloud of smoke to get there. It looks very unprofessional. Also when I go out to a restaurant and sit on the patio I do not want to smell the smoke to the table next to me or even a few over. Children also should not be exposed to smoke of parents or others in a park or playground. We need to do our part now as adults to make smoking inaccessible in public in order to deter our children's generation from wanting to smoke. | Aug 30, 2012 8:35 AM |
| 131 | #1 and #2 - only because the butts are everywhere. | Aug 30, 2012 8:33 AM |
| 132 | It's becoming more and more ridiculous. It's a bit much don't you think. If the smoker is outside then he or she should have the right to smoke. When I see someone around me that smoke outside and I am near, I remove myself. Plain and simple. Come on now. I have a question for you. I agree that smoking is not good for anyone (second hand smoke and all). However, we don't see as much restrictions on people that drink or do drugs now do we. Making spectacles of themself. Is it harmful to others around. You bet it is. Yet, it seems that nothing is being done. We still have commercials on T.V. about alcohol. True, we don't see them drinking it but it sure is inviting. Isn't it. You still have drunk drivers killing innocent people, because they feel they're o.k. to drive. It's not good for anyone's health now is it. Does it cause second hand illness? Paralysis or DEATH. Now how do we stop that? | Aug 30, 2012 8:19 AM |
| 133 | Nobody should have the right to smoke in public places. This other night and it is disrespectful to bring more people to not show up at some places because of it. | Aug 30, 2012 8:14 AM |
| 134 | 1. As a softball player, I choose to not smoke during games. That is my choice. However, I know a lot of players that do smoke during games. As long as the cigarette is not on the field or in the dugout, I don't see a problem. Playgrounds and parks, I can see a smoking ban because there is children there. Beaches | Aug 30, 2012 7:54 AM |

Q6. Further Comments:

would benefit from a smoking area. Trails, like the Kate Pace Way, should be smoke free because they are promoting healthy activities. Plus, trying to have a smoke while on a bike is ridiculous anyways. 2. Community events should have butt cans around so that the lit butts do not lie on the ground for someone to burn themselves on. (Children should be wearing shoes at these events anyways.) 3. I agree with keeping smokers 9 meters away from entrances, but only public ones. I have a back door at work that I smoke right outside of. However, this bylaw should not apply to someone who is walking down the street. Yes, they would be less than 9 meters from the public entrance to a business, but they are simply passing by. If this exception isn't made, there will be a lot of smokers walking down the center line of Main St, even if they're just doing it to prove a point. 4. & 5. I think that we should take a note from our pre Smoke Free Ontario Act days and impose a smoking and non-smoking section on patios where food or drinks are served. When the Smoke Free Ontario Act was created, a lot of local bars and restaurants had to do some renovations to create a patio so their patrons could have somewhere to smoke (A lot of these places now have fenced patios so they could be licensed). Most of the patrons of these businesses know that if they are going to go out on the patio to enjoy their meal or their drink, chances are someone is going to be smoking. Most of the time, when someone is smoking, others don't even notice if they're on a patio. The smoke and smell dissipates so quickly. All in all, I consider myself neutral because I agree with parts of the proposed ban and disagree with other parts. I sincerely hope that the counsel of North Bay takes into consideration all of the opinions people express and not just the ones they want to hear. (I don't blame them, it's human nature to only hear what you want sometimes)

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| 135 | I think this is a great move for the city, banning smoking is one of the best things we can do because of the very large health risks not only to the smoker, but everyone around them. | Aug 30, 2012 7:52 AM |
| 136 | Not only do I find cigarette smoke repulsive, I am allergic to it. I can't enter stores without having to walk through it and inhale it. Then my hair and clothes smell like it until I get home and wash it all. They should have the right to choose to impair their health, but they should NOT have the right to impair mine! | Aug 30, 2012 7:50 AM |
| 137 | You are infringing on the rights of people who choose to smoke. If people do not want to inhale second hand smoke they can go inside where the air is clean. We smokers were banished to the outside because people were bothered and patios were originally put in place for us. Enough is enough already. | Aug 30, 2012 7:48 AM |
| 138 | Thank you for taking on this initiative! I work in tobacco cessation and strongly believe that the only way we can reduce smoking prevalence is by - increasing cessation supports to individuals - stopping the flood of contraband tobacco in our community - strengthening tobacco bans in our public areas. Smoking bans do work to reduce smoking rates, and support the overall movement to denormalize tobacco use. I really hope this survey will give the usually silent majority (those who would support smoking bans) a voice. The City of North Bay is doing the right thing to implement these changes. On another note, could I suggest that any policy adopted include wording that addresses ALL forms of tobacco (snus, chew, or any other product out now or in the future) as well as e-cigarettes. Regards, Shari Cole | Aug 30, 2012 7:46 AM |
| 139 | The laws are fine as is! | Aug 30, 2012 7:30 AM |

Schedule "C" (continued)

Q6. Further Comments:

140	I do wish to see the city improve and become a healthier community and believe that we can improve on the enforcement of the 9 meter from entrances. I beleive that we should also try to find/present information on the cost of cleaning up after smoker's, littering, and damage done with tar stains from cigarette butts	Aug 30, 2012 7:27 AM
141	The Feds are too weak-kneed to make a deadly product prohibited. It KILLS 50,000 Canadians a year in smoke related illnesses. BS with those saying it's a legal product or its my choice. Too many challenged people making stupid / dangerous decisions. Thanks.	Aug 30, 2012 7:22 AM
142	Even on private porperty, smokers should not prevent neighbors to enjoy their own outdoor patio due to smell and smoke	Aug 30, 2012 7:01 AM
143	leave it as is now...havn't we heard enough from the Health Unit about smokers...this should be an individual's choice..after allmost smokers are adults now days so just leave it alone and move onto the obseity issues or something else to complain about..	Aug 30, 2012 6:53 AM
144	We should not condemn smokers anymore. I think the laws are strict enough. Most smokers try not to smoke around others who don't smoke when out in public. Perhaps we should start doing the same for alcohol consumption. It also causes a lot of health damage to the person who drinks and often the person's family and friends suffer emotional and/or physical abuse.	Aug 30, 2012 6:53 AM
145	right to smoke...pay for your own health costs related to smoking...cough remedies, oxygen bottle requirements...scooters for when the lungs give out..pay pay pay..	Aug 30, 2012 6:27 AM
146	Just leave the smokers alone. There is worse things going on then smoking outside. The people that are discontent on the smoker are most likely puffing something else. I agree indoors in a restaurant, I respect the people that are eating but outside is a joke.	Aug 30, 2012 6:05 AM
147	This is ridiculous. Smoking isn't good, by any standard, but its a choice. A choice an individual is allowed to make. Its a selfish habit, but trying to push smokers into solitude won't help them quit. It'll just make a lot of irritable people upset with an already failing government. I agree with no smoking in playgrounds. Smoking around children is just wrong. But on the beaches and parks? Good luck enforcing that. Lets go ahead and waste more money on something not important, shall we? So glad I left North Bay. What a joke this is turning into.	Aug 30, 2012 3:21 AM
148	I mention this thread within The Nugget's main Facebook page in relation to their newspaper article on this subjects, as follows: "Guess North Bay will be the poster boy for totalitarianism. Well, I've found the most rude and obnoxious people to be non-smokers. Some are kind and respectful people. Some smokers are also rude and dirty, don't pick up after themselves or are unconscious of people walking by. For me, I see this argument as nothing more than stupid rhetorical garbage. Nothing more than another way to control the masses to the way a few people want it to be, and great money in fines from those who mean to disobey. Fuck that, I mean to disobey." This step towards forcing people to fit the paradigm of a few elect people is not going to go the way they want. Canada is not a third world country, and we are not ignorant of the steps the government is taking towards totalitarianism. In trying to force people to think, act, speak, use	Aug 30, 2012 2:31 AM

Q6. Further Comments:

	their body, marry, date or even protest the larger part of Canada is getting truly pissed off. Fucking idiots.	
149	Re question 3: I would like to see smoking prohibited within nine metres of the MAIN entrance(s) used at businesses and workplaces. I don't think smoking needs to be banned within nine metres of side/back doors.	Aug 30, 2012 12:07 AM
150	These restrictions are great, however, as the existing bylaw is rarely enforced it won't do much to improve the air for those of us non-smokers. More enforcement must accompany the changes to the bylaw. The worst of these locations is the various entrances to the Northgate Square, namely Wal-Mart and Parking Garage entrances. Sure the signs are there, but nearly every time I go to the mall I am greeted with a puff of smoke in my face. As the father to a newborn, this is especially concerning. The fines would more than pay for several enforcement officers salaries.	Aug 29, 2012 9:18 PM
151	I think smoking should be allowed on Private Property and the city shouldn't limit smokers from frequenting them. I think the city should better enforce the 9 meter rule and other more important bylaws instead of making more bylaws that end up being ignored.	Aug 29, 2012 9:06 PM
152	I moved from Ottawa 2.5 yrs ago (which has a smoking ban in place) and was/am discusted by the smoking in this city. We have to hold our breath going in/out of businesses or even at times while walking on the street. It is awful. The uproar in Ottawa at first was overwhelming, but eventually it calmed down. I love returning to Ottawa to visit and not have to SMELL that awful smell and not have to hold my breath or tell my children to do the same. Please do the right thing for the Health of all North Bay residents and visitors!!!	Aug 29, 2012 8:41 PM
153	Enforce the By-Laws you have now, we do not need new ones that you will not enforce!	Aug 29, 2012 8:32 PM
154	I am a none smoker but feel this is going to far. Outside should not be just for some. The businesses and sporting areas have already designated appropriate areas and both smoking and non-smoking public have adjusted. As mentioned in the Nugget column, we will alienate the tourists just when we need them most.	Aug 29, 2012 7:31 PM
155	Enough already!! People will smoke, even if you try to prohibit them from doing so. If they aren't smoking on patios then they will spill out onto the sidewalks/streets, which is a safety issue. People are randomly getting attacked in the downtown core, 4 men have gone missing in the past 5 yrs, and this is what the city wants to spend their valuable time on! There is a bigger issue at hand here! Please get a life and focus on things that really matter like public safety.	Aug 29, 2012 7:28 PM
156	There are too many businesses where you cannot get 9 metres away to smoke unless you stand in the middle of the street. Private businesses should have the right to decide if they want to prohibit smoking on their property. For public venues, there should be a designated area for non-smokers and for smokers. Half of the laws regarding smoking in vehicles, just like cell phones and texting are not policed properly as it is. I feel like my neighbours would be able to complain that I am sitting on my deck smoking. If the right to smoke is removed from all parks etc, then parents who do smoke will never take their children out	Aug 29, 2012 7:20 PM

Q6. Further Comments:

for any activities because they will have to stay home. We know that smoking is bad, but it is an addiction and they (Council) have to remember that as well. We don't take alcohol away because there are alcoholics, we provide safe areas for intravenous drug users, but we won't allow areas for smokers??

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| 157 | At it again, are we? Enough already. Smokers are not doing anything illegal because if they were, smoking would be illegal and it is not. Leave them alone for goodness sake. Second-hand smoke can only affect non-smokers if they are near them. It's not a smoker's fault if a non-smoker chooses to come near them. It's the non-smoker's fault. What's next? Any and all public places? And then what's next? People's homes? As smoking is repulsive to some, the following issues are repulsive to others. Why not concentrate on swearing, purple hair, tattoos, and spitting? | Aug 29, 2012 7:00 PM |
| 158 | The Health Unit needs to get off it's high horse. They should be working on something more pressing, like how to reduce the amount of drug users in the city. People are afraid to walk outside at night now, for fear of getting jumped by a crackhead. Although I suppose it'll give the police something to do rather than actually WORK to catch the real criminals in the city. They can just use this cash cow to meet quota, and not need to worry about the numerous random physical assaults by thugs. Just remember...for every person that went to the hospital after and filed a report, many didn't because of the hassle. MUCH more happens in this city than the news seems to let on, I see it outside every day. North Bay is a city I advise people to stay away from, and not to move to. I'm working and saving every penny I can to get away from this hell hole, so my children can have a place where they won't need to see drunks and oxyheads stumbling around | Aug 29, 2012 5:31 PM |
| 159 | I think there are already enough rules about where people can smoke! I agree with banning it at sporting events and of course, playgrounds but please leave the outdoor patios alone! Better yet, make them SMOKING so that non smokers wont be bothered by the issue. | Aug 29, 2012 5:24 PM |
| 160 | I applaud the efforts of the Health Unit in protecting the well-being of the community. Thank you! | Aug 29, 2012 4:40 PM |
| 161 | While smoking is still legal, I don't believe such "by-laws" should be imposed. The municipality would not mis-treat any other minority in this fashion. If the government believes smoking is that bad for one's health, why don't they have the courage to abide by their convictions and just ban them. Oh yeah, they make too much money off them in taxes | Aug 29, 2012 3:28 PM |
| 162 | Enough already | Aug 29, 2012 3:27 PM |
| 163 | I feel badly about encroaching on smokers rights to relieve their addictions in public but twice recently I was eating on a patio in a restaurant when someone lit a cigarette. Aside from the proven health risk which they ignore and feel comfortable subjecting me to, it detracted from the dinner experience I paid for. | Aug 29, 2012 2:59 PM |
| 164 | Me and my family should not have to deal with second hand smoke in any public place, period. | Aug 29, 2012 2:53 PM |
| 165 | The city should also designate all rental properties and rental property common | Aug 29, 2012 2:46 PM |

Schedule "C" (continued)

Q6. Further Comments:

areas non-smoking. All school buildings and bus stops should also be designated non smoking.

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| 166 | The Government is going way to far with this SMOKING ..where are the rights of smokers? we had all our rights taken away by non smokers who cry about second hand smoke..W had to obey the smoking laws years ago with smoking outside on patios and outside the bars... so the non smokers could breath better..Now they want us to smoke 30 miles away from all doors.. You know thats crap..If they don't like the smoking outside on patios and bars eat inside ..or quit the Bitching!!.... " GO SMOKERS ! GO! | Aug 29, 2012 2:00 PM |
| 167 | If the city continuously removes the rights and freedoms of the people of the city, then sooner or later a protest will occur. I'm all for banning smoking to places like parks and playground where there are children, who really shouldn't be exposed to it in the first place, but to take it away from places like patio's or restaurants is complete ridiculous. Where are the smokers supposed to go? If it's really that much of an issue, get a divided patio where half is smoking the other half non smoking, and give people the choice. We live in a democracy, and to take away the rights of a specific group of people is nothing better than living in a communist country. | Aug 29, 2012 1:40 PM |
| 168 | I think people in the city need to compromise if you are a smoker try and stand away from non smokers or children that may be around non smokers need to avoid standing directly beside a smoker if they don't like the smell or are allergic to it. Its kind of like the classic arguement of the toilet seat some men went it left up women want it put down we need a happy compromise to completely ban smoking in our city aside from outside our residential homes is impending on our rights as a human and citizen If your a non smoker don't complain about a person cigarette if you chose to stand next to them Its all about common self and compromise. | Aug 29, 2012 1:09 PM |
| 169 | While I am in favour of restricting smoking in public areas, I do not think the City should impose additional rules on private properties. | Aug 29, 2012 10:16 AM |
| 170 | Recently we were in a restaurant on Manitoulin Island and customers were smoking inside the premises at their table. I thought smoking in restaurants was banned?? | Aug 29, 2012 10:14 AM |
| 171 | I am a non smoker but I think you are taking away smokers right to smoke outside. | Aug 29, 2012 10:06 AM |
| 172 | Smokers often complain that they have rights. Non-smokers should have rights too. I cannot afford puffers or taking time off work because of asthma attacks induced from second-hand smoke. I routinely avoid shopping in places that have smokers outside. I also avoid festivals and events where there is nowhere to escape from the second-hand smoke. | Aug 29, 2012 10:02 AM |
| 173 | Private businesses should have a choice. As for parks, sports fields - maybe a designated area that isn't right at the edge of the sports field. Playgrounds yes because there are children on the equipment (but again, maybe a designated area away from the equipment). Open air is fine - It is the fumes from cars idling near by that is worse. | Aug 29, 2012 9:01 AM |

Q6. Further Comments:

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| 174 | The Smoking laws are being carried too far. Our rights as Canadians have been taken away, starting with seat belts in the 60s. This country is becoming more communist than the foreign countries. Let's do something constructive like stop the government giving away millions in severance pay to people not losing jobs. Instead raise the standard of living for seniors. Those people have good paying jobs and seniors live in poverty, but no one cares we are about dead anyway. | Aug 29, 2012 8:26 AM |
| 175 | If the major problem is the cigarette butts being left behind, I think instead of banning smoking everywhere, they should pass out more fines to smokers seen throwing their butts on the ground. (This happened to a friend of mine in Barrie, and I have seriously thought twice about throwing a butt on the ground ever since.) | Aug 29, 2012 8:24 AM |
| 176 | When the hell did the swastika or the neo-Nazi SS lightning bolts make their way on to the City of North Bay logo? Keep your noses out of private businesses. They're already by-lawed, and governed beyond reproach. Focus on our infrastructure and what the City needs, not where its citizens eat and smoke. It's a choice...leave it up to the individuals. They can choose to NOT go on the patio, or the owner of the establishment can choose to have it smoke free. | Aug 29, 2012 8:24 AM |
| 177 | I feel very strongly about prohibiting smoking in public areas. I am a non-smoker and I am pregnant. I do not wish to be exposed to smoke or have my children/husband exposed either. Most smokers do not have the courtesy to step aside to smoke, so it must be enforced in order to keep everyone less exposed to second-hand smoke. Thank you for looking out for the health of others who wish not to be exposed to smoke. | Aug 29, 2012 8:09 AM |
| 178 | I think it's a great idea, prohibit smoking! I don't smoke and don't enjoy breathing in others' smoke. I find myself not going to outdoor events due to the people smoking. | Aug 29, 2012 8:06 AM |
| 179 | I think that North Bay has enough rules and bylaws in force. I am not a smoker, however people are limited in everything they do. How about letting the people enjoy whatever they want? Life is too short to worry about every little rule. If someone is smoking and you don't want to be around it, then move to another spot. If someone feels sick around the smell of some foods, do they ban eating them from places? How about putting rotten teeth and pimple-covered faces on all the chocolate bar wrappers. There are quite a few overweight people around you know. Let's just say you can only serve healthy foods and water in public places because someone on a diet or who has an allergy may be close by? What's next? It seems I see cars driving up and down back streets and sitting in Tim Horton's parking lots quite often. I think they say Bylaw Enforcement on them. I have yet to see them stop and enforce anything. Maybe North Bay just needs more laws so they (We) can pay for a few more of these people to drive around the city. How about a little freedom guys? | Aug 29, 2012 7:56 AM |
| 180 | Although I am not a smoker, I still feel like the smokers need some freedom, hence the "NO" response to Parks and Trails. Some places that are open and adults are around, I think that's ok. But where it's mainly children, that is where the line should stop. Children don't have the option to just get up and leave, an adult does. | Aug 29, 2012 7:55 AM |

Q6. Further Comments:

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| 181 | As an ex smoker of 10 years I hate the smell of smoke. It actually hurts sometimes to get a big wiff of it. Banning smoking in trails would help a lot with fires as well. | Aug 29, 2012 7:39 AM |
| 182 | This is a tough one...I quit smoking last July (13 months ago)...after smoking for almost 40 years. Your survey is to narrow for answering. Things can't always be yes or no....quite often there is a grey area. I don't have a problem if there were designated smoking areas at festivals. You don't give that as an option. As for quest # 4...do you have the legal right to prohibit smoking on 'private' patios? As much as I am enjoying being a non-smoker, I do remember how frustrating it was trying to find a place where I could smoke....people do have rights Just my 2 cents Regards Dave McPhail | Aug 29, 2012 7:19 AM |
| 183 | I do smoke and the last time I checked we live in a democratic society. Inside public places and school playgrounds I agree no smoking, but as a smoker I also have rights and beaches trails festivals outdoor events if I want to light up I should be able to. Private patios its up to the owner. I think the municipality should concentrate on more prominent issues like crime, there has been such an increase assaults and break ins that's what should be addressed. One last comment if everyone quit smoking where would the municipality recoup the taxes that would no longer be collected from the sale of cigarettes, right out of the public's pocket | Aug 29, 2012 7:15 AM |
| 184 | There were thoughtless smokers at the festival this summer! One woman in particular lit up often and then sat with the smoke blowing over the crowd. We had 2 children and a baby with our group and there were children in the group on the other side of her. In an open field there were lots of spots that she could have gone to when she felt the urge! For sure City sponsored events should be smoke free in consideration of children. Also the laws that are in place should be enforced, like at the doors into the Bingo Hall and grocery store and mall entrances. | Aug 29, 2012 7:06 AM |
| 185 | If it wasn't for smokers paying all those extra taxes, that go towards everything from cancer research to giving it all away to other countries, would the non-smokers be willing to cough up the money??? I highly doubt it.....beside's, I know of a person, who works for the cancer society, and all this money in extra taxes just goes to pay for him and alot of others to fly to Vegas on "Business" while they gamble on our dime and charge everything from food and drinks to the private jet home to the cancer society.....so if I want to smoke, I will, because even though, the country and provinces are all being run by dictators, I still believe it's suppose to be a free country with freedom of choice...and my choice is to smoke, if you don't like it, then stay inside, you forced me outside...so stay where you belong...or start paying me for the smoke your inhaling on my dime..... | Aug 29, 2012 7:03 AM |
| 186 | The Government won't prohibit all of these places due to money loss. Remember it is the Government who gets most of the money from people who buy smokes. This is so hypacritical to even suggest the government prohibit such places, as they are the ones who support smoking so they can make LOTS of money from it! I was surprised when they first prohibited smoking in bars/restaurants. I am sure they took a loss there. | Aug 29, 2012 6:59 AM |
| 187 | this is not a comunist state people have rights | Aug 29, 2012 6:57 AM |

Schedule "C" (continued)

Q6. Further Comments:

188	Smoking is such a bad and filthy habbit. I feel that the harder you make it for people that smoke maybe they will be forced in some way to quit!	Aug 29, 2012 6:49 AM
189	It would be nice to enjoy the fresh air that the North Bay area provides without the smell of smoke. Thanks for your efforts.	Aug 28, 2012 11:24 PM
190	It is important to be setting an example for children and youth and encouraging adults to act as role models for the betterment of the health of all our citizens in both the short and long term. The effects of smoking are well known to everyone; there is no need to allow it in any of these areas.	Aug 28, 2012 8:23 PM
191	Question 2: Special events and festivals should not be designated smoke-free, but there should be designated smoking areas instead of wherever you like. Question 4: This should not only be North Bay, but should be ammended to be part of the Smoke Free Ontario Act.	Aug 28, 2012 5:31 PM
192	Smoking should be prohibitted especially at children's events...like the soccer jamboree for example. It should be common sense not to smoke around children, but unfortunately not all people stop and think before they "light up." The bylaw will hopefully help with this...as long as it is enforced and fines are given if people do not comply with it.	Aug 28, 2012 4:31 PM
193	thanks	Aug 28, 2012 4:01 PM
194	how do you deal with downtown businesses where the 9 metres would include almost the entire area	Aug 28, 2012 3:51 PM
195	I completely understand smoking bans indoors but any further than that and I feel it infringes on the smokers rights..I'm a non smoker but I don't feel we should be banning people from smoking outside!!!! The one place I feel smoking should not be allowed is in a children's play area...other wise I don't feel we should prohibit people from smoking outside.	Aug 28, 2012 3:07 PM
196	I struggle with the outdoor patios, the reality is that business's need to provide a place for smokers to light up. Smoking is not illegal and as long as the smokers have a designated area I believe you are providing services to both smokers and non smokers. I am and have always been a non smoker. What you need to do is convince the Federal Government to prohibit the sale of tobacco and good luck with that as we all know the reason it has not been done is the almighty tax dollar they collect	Aug 28, 2012 3:01 PM
197	The issue with sport fields (Omischl Field) is the fact that the fields are so far from the road and regular smokers cannot get to a non city facility while they are playing. There are areas at the far end of the ball parks where there could be a designated smoking area	Aug 28, 2012 2:59 PM
198	Your habit of smoking should not impact my enjoyment of a long and cancer free life! No matter what any smoker says, they are killing me with their second hand smoke, burning my feet with discarded cigarettes, littering my beaches and my parks with the disgusting ends to their smokes, destroying the environment with their plastic wrappers that are not biodegradable, tainting the air with their cancerous fumes and ruining my enjoyment of being outside. I am sick to death of walking into a business through a cloud of smoke. I am sick of waiting for	Aug 28, 2012 2:45 PM

Q6. Further Comments:

	health care because the system is clogged with "self-induced sick people" because their smoking habit makes them ill. It is disgusting and NOT MY PROBLEM!	
199	I am a non smoker but feel as that the City has no rights determining which building/patio or out door space should be deemed smoke free.	Aug 28, 2012 2:23 PM
200	Smoking still occurs within the 9 metre restrictions. ie, bus stop, Oak St bus terminal, Public buildings. A bylaw is only as effective as adherence or enforcement . Increasing the restricted areas is futile.	Aug 28, 2012 2:17 PM
201	In my opinion, the fewer places where smoking is allowed, the better. If it is less convenient to smoke, hopefully more people will quit, making our entire community healthier.	Aug 28, 2012 2:00 PM
202	My daughter and I have a right to enjoy the outdoors. We choose to be a smoke free family. By doing so we are not exposing others to cancerous agents. The same cannot be said for those who CHOOSE to smoke in public places. They should not be allowed to expose my child to toxins. Thank you for listening. Jennifer Reid	Aug 28, 2012 1:55 PM
203	I am a former smoker and have been completely stopped for over 6 years. I think we have already over-regulated the smoking areas. Enough is Enough... been there and suffered. Let's move on and ignore the anti smoking Fanatics for once!	Aug 28, 2012 1:49 PM
204	I don't believe Government should have the right to ban smoking outside. It's going a little too far. I am not a smoker and I feel this is going overboard. I understand and agree with not smoking inside, it makes sense. But, just because some people who don't smoke think it's gross it shouldn't mean smokers should cater to those few whiny intolerant babies. Suck it up butter cup people have a right to smoke outside... if you don't like it YOU ARE OUTSIDE so just walk away. This is such a close minded survery. As a non-smoker I think people are bringing this up just to shit disturb and control other people. As a non-smoker I believe that smokers have rights too... I think fat people are disgusting so can we ban fat people form restaurants or force them to eat less. It is the exact same thing... everyone has a habit and over-eating is just as unhealthy and can cause jsut as many health problems as smoking, so why don't we just pick on all the soking, igly, fat people and continue to make laws that segregate them. If you're going to pick on smokers pick on everyone with habits.	Aug 28, 2012 1:49 PM
205	you've stood your ground, you've prooved your worth, just north enough to be perfect	Aug 28, 2012 1:49 PM
206	My Wife is 4.5 Months Pregnant and where ever we go we have to put up with second hand smoke. Wheter it's a t a ball diamond in the city, or In a parking lot going to get groceries, it's not something I want her or our unborn child exposed to. The more bylaws like this that are passed, will greatly reduce the amount of second hand smoke non smokers are exposed to. I don't feel like dying of cancer and leaving my children without a father because i had to be exposed to somone else's dirty habit.	Aug 28, 2012 1:49 PM
207	I don't smoke. We are over regulated in every way possible!	Aug 28, 2012 1:45 PM

Schedule "C" (continued)

Q6. Further Comments:

208	I am a non smoker, the City is going to kill small buisnesses and Restaurants if this is passed.	Aug 28, 2012 1:40 PM
209	Adults know enough to avoid someone who is smoking if they are concerned of the related health effects, however children should not be subjected to this whatso ever in public places as they do not know enough to avoid it, and they shouldnt have to.	Aug 28, 2012 1:37 PM
210	I am a former smoker. I don't think we need to take control of people's lives, but need to curb the opportunities to STOP smoking anywhere we find kids. the less they see the less they want.	Aug 28, 2012 1:35 PM
211	I'm not allowed to pee on people's heads after I drink beer so smokers shouldn't expose me to their second hand smoke ANYWHERE!!!	Aug 28, 2012 1:31 PM
212	I feel that the cost to our tourism would be far too great to enforce these regulations on private patios. Likewise I fear events such as the Summer in the Park concerts would not be nearly as popular. If however you were to not specifically make the event smoke free but host it in a smoke free venue, it would have the same effect, without turning away attendees. Were these restrictions put in place federally or provincially I would fully support them.	Aug 28, 2012 1:15 PM
213	I think it is important to prohibit smoking in places where it is difficult for the non-smoker to get away from the smoke and still participate in the activity that is taking place, prohibiting smoking around children is a good thing.	Aug 28, 2012 9:13 AM
214	All government buildings should be a 9 metre distance regardless of what company is taking care of the building. They should not have an option to decide who should or should not have to follow the regulations.	Aug 22, 2012 10:03 AM
215	I also feel that those who smoke in public (or even their vehicles), and throw away their cigarette butts on the sidewalk (or out their car window), should be charged with littering.	Aug 21, 2012 9:44 AM
216	SECOND HAND SMOKE SHOULD NOT BE A PROBLEM FOR AN NON-SMOKER! THANK YOU VERY MUCH!!	Aug 20, 2012 7:26 PM
217	Whenever I am at an event, it seems that the smoke finds me and blows right in my face. If I'm watching an event, and someone's cigarette smoke goes in my face, I have to move. This is very offensive if you are at an outside patio eating a meal at a restaurant. No different outside than in.	Aug 20, 2012 11:50 AM
218	With the current by-laws outdoor patio space has become the defacto smoking areas in many locations which is not fair to the majority of the population that does not smoke.	Aug 20, 2012 10:57 AM
219	You need to make the law clear so people understand where they can and can not smoke. The current bylaw relating to smoke free entrances is ridiculous and hard to enforce. Some entrances are smoke free and some are not. I.e Wal Mart you can smoke at the front door, but you can't smoke at the Food Court Entrance. You can not smoke at Northern Honda's entrance, but you can at Toyota's. How are people suppose to track this or better yet know. Ignorance of the law is an excuse in this case as there's no consistency. This is a legal loop	Aug 20, 2012 10:31 AM

Q6. Further Comments:

hole. One could easily say they did not see the small sticker on the door. No smoking within 9 metres of all entrances (AND EXITS) in the City of North Bay, and smoking on all patios and a "fringe area" of 9 metres of the patio. Be sure it's clear. Also include "Exits" people will prop the door open out the fire escapes/ exit only doors, keep it open with their foot and smoke.

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| 220 | As an asthmatic I am sensitive to smoke even in outdoor places. I would like to have equal and healthy access to recreation and retail places without being endangered by second hand smoke. | Aug 20, 2012 7:15 AM |
| 221 | My health, the health of my family, friends and everyone is important. | Aug 20, 2012 5:41 AM |
| 222 | Just to let you all know us smokers are human and have rights too. we are not criminals and still deserve respect. we are also tax payers and pay taxes to operate all municipally owned or operated outdoor recreation areas. we also spend or hard earned money at business that have public and private outdoor patios where food or drinks are sold. Smokers pay more taxes all round than none smokers | Aug 18, 2012 8:24 PM |
| 223 | The reason I'm against smoking at Parks/beaches is because children should not be subjected to second hand smoke at all and as an adult I also find cigarette butts disgusting. As for events...it's too crowded....I once walked past someone who was holding a cigarette and ended up with a burn hole in my sleeve. Thanks for asking for our opinion! | Aug 18, 2012 3:00 PM |
| 224 | I hope you get enough support for this proposed by-law. This concept is so exciting for a healhier Ontario! | Aug 17, 2012 7:25 PM |
| 225 | Nobody should have to walk through a cloud of smoke, or breath in the carcinogens that linger in the air and on clothing from cigartette smoke. Society needs to shun smokers, as well as the cost associated with health care for cigarette-related illnesses. I also feel that people should be charged for littering when they throw their cigarette butts on the ground. | Aug 17, 2012 2:37 PM |
| 226 | I feel that my life would be greatly enhanced if I never had to smell another cigarette every again. If you look outside the hospitals for example, these by-laws are not being enforced. For patients who are trying to recover after surgery or illness, they are not even able to go outside for fresh air. The covered shelters designed for patients to use are full of smokers (patients and employees). The ground is littered with cigarette butts and it is not a healthy or inviting environment in which to recuperate. It really needs much more enforcement. Likewise, I now refrain from walking downtown during my lunch break. Heaven forbid I have to run errands that bring me there during the lunch hour. A person trying to get some walking in would benefit from wearing a gas mask to prevent the second hand smoke that is outside every business. It is quite disgusting! I also no longer sit on the patio when dining out. I can't imagine it does anything to improve our tourism industry either. I know that smokers have rights too, however when their actions impact my life and heath of others in a negative way, it should be prohibited. | Aug 17, 2012 11:01 AM |
| 227 | I feel that at special events/fesitivals smokers should be designated an area to smoke in rather than banning it all together. | Aug 17, 2012 10:57 AM |

Q6. Further Comments:

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| 228 | Although I completely support a smoke-free environment in public spaces, I think that there needs to be a balance between smoker and non-smokers and not infringe on individual choice. With that said, I'm thinking of targeting those locations where the vulnerable population (children, pregnant women, elderly) are more likely to be and less likely to be able to walk away, and implementing more stringent policies in those areas. For ex. more stringent policies in playgrounds vs. trails. | Aug 17, 2012 10:50 AM |
| 229 | Appreciate the healthy and proactive actions | Aug 17, 2012 10:48 AM |
| 230 | Follow the model already set out in Ottawa | Aug 17, 2012 10:43 AM |
| 231 | This is a terrific initiative - hope to see it happen! | Aug 17, 2012 10:40 AM |

SMOKE FREE ONTARIO ACT as of May 31, 2006: Fact Sheet – Economic Impact of Smoke-Free Policies

Ministry of Health Promotion

Le ministère de la Promotion de la santé

This fact sheet provides basic information only. It must not take the place of medical advice, diagnosis or treatment. Always talk to a health care professional about any concerns you have, and before you make any changes to your diet, lifestyle or treatment.

- Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in restaurants and bars; in some cases these policies have had a positive impact. Initial impacts, if any, may be reversed over time.
 - In 2003, U.S. and Australian researchers conducted an international, comprehensive review of all 97 English-language published and unpublished studies claiming to assess the economic impact of smoke-free policies on sales and employment in the hospitality industry. Almost all of the studies that found a negative economic impact of smoke-free policies had been funded by the tobacco industry. In addition, these studies were more likely to have used a subjective outcome measure (e.g., bar owners' opinions) rather than an objective one (sales data), and the studies were less likely to have been peer-reviewed. All of the best-designed studies that were not funded by the tobacco industry found that smoke-free restaurant and bars laws had no negative impact on revenue or jobs.¹
- Examples from other jurisdictions**
- The City of Ottawa implemented a 100 per cent smoke-free workplace and public places bylaw in 2001, with no designated smoking rooms. After accounting for trends, seasonal variations, and general economic conditions, the Ontario Tobacco Research Unit found no evidence that the smoke-free bylaw adversely affected restaurant and bar sales.²
 - New York City implemented smoke-free legislation in 2003. This law bans smoking in public places and workplaces, including bars and restaurants, and designated smoking rooms are not permitted. A one-year review by the city found that the bar and restaurant industry is thriving. Business tax receipts in restaurants and bars increased by 8.7 per cent compared to the same period the year before and employment increased by 2,800 jobs.³
 - A study in Massachusetts compared the meals tax data collected from restaurants that were in communities with highly restrictive smoking policies with restaurants in communities without such policies. Researchers looked at data from 1992 to 1998. They found that there was no aggregate effect of smoke-free policies on businesses during this period.⁴
 - In July 2004, Massachusetts implemented a state-wide smoke-free workplace law. Designated smoking rooms are not permitted. An evaluation of the impact of this law was recently reported by the Harvard School of Public Health. Researchers found that patronage at restaurants and bars remained the same after the law came into force, as compared to before the law. Inflation-adjusted meals sales tax collections were unchanged with the implementation of the law (comparisons were made on a month-by-month basis with tax collections from the prior five years). Similarly, no changes were observed in alcoholic beverages excise tax collections. Finally, no change was found in the number of workers employed in restaurants and bars.⁵

Schedule "D" (continued)

1. Scollo, M., Lal, A., Hyland, A., & Glantz, S. (2003). Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry. *Tobacco Control*, 12; 13-20.
(Web: http://tc.bmjournals.com/cgi/reprint/12/1/13?maxtoshow=&HITS=10&hits=10&RESULTFORMAT=&authorl=scollo&andorexactfulltext=and&searchid=1113661487642_412&stored_search=&FIRSTINDEX=0&sortspec=relevance&resourcetype=1&journalcode=tobaccocontrol)
2. Ontario Tobacco Research Unit. The economic impact of a smoke-free bylaw on restaurant and bar sales in Ottawa, Canada. *Ontario Tobacco Research Unit Research Update*, June 2003.
(Web: http://www.otru.org/pdf/updates/update_june2003.pdf)
3. New York City Departments of Finance, Health & Mental Hygiene, Small Business Services, and Economic Development Corporation. *The state of smoke-free New York City: A one-year review*, March 2004.
(Web: <http://www.nyc.gov/html/doh/pdf/snoke/sfaa-2004report.pdf>.)
4. Bartosch, W.J. & Pope, G.C. (2002). Economic effect of restaurant smoking restrictions on restaurant business in Massachusetts, 1992 to 1998. *Tobacco Control*, 11(Suppl II), ii38-ii42).
(Web: http://tc.bmjournals.com/cgi/reprint/11/suppl_2/ii38?maxtoshow=&HITS=10&hits=10&RESULTFORMAT=&authorl=bartosch&andorexactfulltext=and&searchid=1113829090862_286&stored_search=&FIRSTINDEX=0&sortspec=relevance&resourcetype=1&journalcode=tobaccocontrol)
5. Connolly, G.N., Carpenter, C., Alpert, H.R., Skeer, M., & Travers, M. *Evaluation of the Massachusetts Smoke-free workplace law: A preliminary report*. April, 2005.

Version française disponible

City of North Bay

Report to Council

Report No: CSBU 2013-36

Date: March 13, 2013

Originator: Sharon Kitlar, Manager Recreation and Leisure Services

Subject: Smoke Free By-Law Amendment – Municipal Parks

RECOMMENDATIONS

1. That the Parks By-Law No. 35-96 and Smoking By-Law 2012-97 be amended to prohibit smoking in Municipal parks (playgrounds, parks, sport fields, beaches and trails) and that special events hosted in Municipal parks also be designated as smoke free.
 2. That these amendments come into effect beginning June 1, 2013.
-

BACKGROUND

On August 2, 2011, Resolution No. 2011-556 was passed by Council. (See Schedule A) In addition to prohibiting smoking at the Steve Omischl Sports Complex, Council directed staff to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit (NBPSDHU) and report to Council regarding the review.

In response to this request by Council, staff has worked with the Health Unit to conduct a review of smoking at: restaurant and bar patios; Municipal parks (parks, playgrounds, sport fields, beaches and trails); and special events. The Parks, Recreation and Leisure Services Department directed the review relating to City parks and the Legal Department directed the review relating to smoking on patios. A report pertaining to patios is simultaneously being presented to Council through Report CORP-2013-005.

Similarly, at the September 28, 2011 regular meeting of the NBPSDHU Board of Health (BOH) passed a resolution which recommends that all municipalities within the NBPSDHU area develop and adopt a by-law that bans smoking:

- 1) In all municipally owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- 2) At entrances and exits of all municipally owned or operated buildings or for the entire property;
- 3) On, and within a 9 metre buffer zone of, all patios where food or drinks are sold.

(See Schedule C, page 2)

Support for Smoke Free Outdoor Spaces

There is much evidence that supports the creation of smoke free outdoor spaces. Play, Live Be Tobacco Free, Appendix C (2011) a collaborative guide for developing tobacco-free sport and recreation policies and by-laws (See Schedule D); identifies six benefits of tobacco free sports and recreation which can be expanded to include outdoor spaces. These include:

1. Preventing youth from starting to smoke
2. Protecting the environment
3. Protecting children from second hand smoke
4. Giving everyone a chance to perform at their best
5. Creating a tobacco free culture
6. Helping smokers quit

As stated in the Health Unit's Report on Smoke Free Patios, (Schedule C), "second hand smoke is as dangerous outdoors as it is indoors". Studies have reflected that the harm and impact to health is the same from second hand smoke whether it is indoors or outdoors.

Parks are places where people of all ages gather to partake in a variety of activities. Exposure to second hand smoke impacts their enjoyment as well as exposing them to the side effects of the smoke. Smoke free parks would protect everyone in parks from the exposure to second hand smoke including vulnerable populations such as children and those with health concerns such as asthma. This is further supported by the NBPSDHU Briefing Notes document. (See Schedule B, pages 3 and 4)

Community Survey Process

In order to assess community sentiment concerning the feasibility of smoke free parks, the City and the Nipissing Parry Sound District Health Unit undertook a community consultation process that included an online questionnaire; survey of sport field user organizations and a survey of event organizers for events that take place in municipal parks. The following is a summary of the results and comments from the surveys. (See Schedule E)

Online Questionnaire

A total of 563 responses were registered with the following percentages in support of smoke free park areas.

Playgrounds	87.2%	Yes
Sport Fields	76.1%	Yes
Parks	64.3%	Yes
Beaches	63.3%	Yes
Trails	60.4%	Yes

The following is an overview of the types of comments included with the survey responses:

Those in support of smoke free parks:

Don't want to smell or breathe in second hand smoke
Second hand smoke kills
People with asthma can't go places where people smoke
I am forced to leave places when people are smoking
Very difficult to enjoy places when there is smoke around
People who do not smoke should not have to endure second hand smoke
Smoking shouldn't be allowed in places where children go
Enforcement is a concern, may need more resources
Litter from cigarettes is disgusting; need to be removed from beach sand so kids can play
Special events should be smoke free

If events are smoke free consider a designated smoking area
Need to set an example of not smoking for children

Those against smoke free parks:

This is infringing on smoker rights
Smoking is a legal right
Stop harassment of smokers
People who don't want to breathe in smoke can just leave
Can't enforce this type of by-law so why implement
Smoking is a hard addiction to break
Banning doesn't cure the core issue. It's about personal decisions.
Designated smoking areas suggested
People should be able to smoke in open spaces

Sport Group Users Survey

A survey was sent to groups who use municipal sport fields on a seasonal or regular basis. The majority of those who responded, indicated support for no smoking in parks (playgrounds, sport fields, beaches, trails and at special events). One suggestion included the designation of a smoking area at sport fields during adult play.

At a meeting with sport field users in 2011, the matter of smoking at sport fields anywhere in the City was raised; there was unanimous support for a City wide ban of smoking in all parks.

Special Event Organizers Survey

A survey was sent to organizers of special events that occur in municipal parks. Those who responded indicated support for no smoking in (playgrounds, sport fields, beaches, trails and at special events). Comments included concern for the litter created by cigarette butts, concerns regarding exposure to second hand smoke and presenting nonsmoking role models for small children.

Municipal events such as Summer in the Park, Canada Day and Families First were also surveyed. The response from representatives was mixed. While most supported smoke free events there were comments that indicated that if park events were to be smoke free then the ability to designate a smoking area should be considered. The committee members from Families First do not support smoke free events in outdoor areas.

Other Municipalities with Smoke Free By-Laws

There are a number of Ontario municipalities that have adopted by-laws pertaining to smoking. These include Barrie, Bonfield, Elliot Lake, Espanola, Huntsville, Ottawa, Kirkland Lake, Orillia, Parry Sound, Peterborough, and Sault Ste. Marie, Thunder Bay and Timmins. Most recently the City of Sudbury declared all parks and related facilities to be smoke free beginning May 1, 2013. Each of these municipalities has adopted by-laws that prohibit smoking in municipal parks. This includes areas such as playgrounds, sport fields, splash pads, outdoor rinks, picnic shelters and beaches. Some of the municipalities have implemented a buffer zone ranging from nine to fifteen metres while others simply ban smoking on municipal parkland similar to the by-law at Steve Omischl Sport Field Complex. At the Complex those who wish to smoke must do so off of the park property along the Lakeshore Drive road allowance. It would seem that an overall ban of smoking in parks provides clearer boundaries. In this

way, there is no confusion about where smoking is allowed which make compliance and enforcement easier.

Exclusions to the by-law in some municipalities permit situations where the smoke or smoking is used in a stage production or theatrical performance or if the holding of lit tobacco is carried out for traditional Aboriginal cultural or spiritual purposes.

Based on the comments received from special event organizers and the community with respect to special events on municipal parkland it was suggested that there be a process put in place whereby if event organizers wish to create a designated smoking area within their event they may apply to the municipality to do so. The municipality would have requirements regarding placement of this area, i.e. distance from activities, age of those who are allowed inside the area, how the area would be signed and monitored, etc. This is not being recommended by either the Health Unit nor this department. It would be difficult to enforce and or make the distinction of what constitutes a "special event". The banning of smoking from all municipal events and facilities would provide a clear and consistent policy that would not be subject to interpretation.

Enforcement

The issue of enforcement of the by-law was expressed throughout the survey responses. According to the Health Unit, research has found that proper education, signage and clear boundaries assist with compliance and enforcement issues are often over stated. (Schedule B, Briefing Notes, page 6). The municipality would be responsible for enforcement with the Health Unit providing consultation support as required.

Awareness and Education

To assist with enforcement and compliance as indicated above, a comprehensive education and awareness program should be implemented. Education and awareness tools could include: signage in park areas, media advertising, use of social media, communication to the groups and organizations that use our parks, and a statement in the terms of rental agreements.

ANALYSIS / OPTIONS

Option 1:

Approve all recommendations. This would mean that effective June 1, 2013, Municipal parks and events would become smoke free. Staff would proceed with the implementation of a thorough education and awareness process utilizing tools mentioned in the report.

Option 2:

Do nothing. This would mean that smoking would be continued to be allowed in municipal parks and at special events.

Option 3:

If Council is not satisfied with the recommendations as stated, Council can choose to amend the

recommendations based on their interests. Depending on the amendments staff would proceed with the detailing of the guidelines and the implementation of a thorough education and awareness process utilizing tools mentioned in the report or any other tasks that may come out of Council's recommended amendments.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 is the recommended option.

1. That the Parks By-Law No. 35-96 and Smoking By-Law 2012-97 be amended to prohibit smoking in municipal parks (playgrounds, parks, sport fields, beaches and trails) and that special events hosted in municipal parks and facilities also be designated as smoke free.
2. That these amendments come into effect effective June 1, 2013.


Costs associated with the approval of the Parks and Smoking By-Law amendments would be taken out of financial resources allocated through the 2013 budget process.

Submitted by,



Sharon Kitlay
Manager Recreation and Leisure Services

I concur with this report and recommendations.



Ian Kilgour
Director
Parks, Recreation and Leisure Services



Peter Chirico
Managing Director Community Services



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Manager Recreation and Leisure Services

Schedules:

- A Resolution 2011-556, Smoking Prohibition at Steve Omischl Sports Complex
- B North Bay Parry Sound District Health Unit Briefing Notes
- C North Bay Parry Sound District Health Unit Report to the City
- D Play, Live Be Tobacco Free, Appendix C (2011)
- E Community Survey Results

INTER OFFICE

RECEIVED

AUG 05 2011

Council Secretariats

MEMO

To: Ian Kilgour
From: Cathy Conrad
Subject: Smoking Prohibition at Steve Omischl Sports Complex
Date: 4 August 2011

This is Resolution No. 2011-556, as amended, which was passed by Council at its Regular Meeting held Tuesday, August 2, 2011.

Resolution No. 2011-556:

- "That 1) smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex, including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries;
- 2) Parks By-Law No. 35-96 be amended accordingly; and
- 3) staff be directed to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding their findings."

C. Conrad

Cathy Conrad,
City Clerk.

CMC/cjc

Copy to: J.D. Knox

BRIEFING NOTE

To: Board of Health, North Bay Parry Sound District Health Unit

Prepared By: Lydia Weiskopf-Tran, Community Health Promoter, Healthy Living Team
Chris Bowes, Research and Policy Analyst, Research, Surveillance and Evaluation Unit

Reviewed By: Brenda Marshall, Program Manager, Healthy Living Team
Monique Lugli, Executive Director, Community Services
Dr. Jim Chirico, Medical Officer of Health/Executive Officer

Subject: Smoke-Free Outdoor Spaces

Date: September 28, 2011

☐

For Information

☐

For Discussion

☒

For a Decision

Issue:

June 6, 2011

Daryl Vaillancourt, as chair of the Board of Health, received a letter from a local restaurant owner expressing interest in amending the City of North Bay's current smoke-free by-law to include patios.

June 22, 2011

The Board of Health discussed correspondence received from a North Bay restaurant requesting the Board of Health consider recommending an amendment to current municipal smoke-free bylaw to include smoke-free patios. Dr. Chirico indicated evidence supports that second-hand smoke does pose a health risk. A briefing note regarding the public health concerns of second-hand smoke on public patios will be prepared for the next Board of Health meeting

August 2, 2011

From The Corporation of the City of North Bay's Regular Meeting of Council:

Report from I.G. Kilgour dated July 27, 2011 regarding smoking prohibition at Steve Omischl Sports Complex (C00/2011/BYLAW/PARKS) recommended that:

- o Smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries and the Parks By-Law No. 35-96 be amended to this effect; and

Briefing Note: Smoke-Free Outdoor Spaces

Date: September 28, 2011

- Staff be directed to undertake a review of smoking at all City facilities in consultation with the **Health Unit** and report to Council regarding their findings.

August 8, 2011

Request from Dr. Chirico, MOH, for a *Briefing Note* on smoke-free outdoor spaces, including patios, beaches, parks, as well as sports and recreation facilities.

Recommended Action:

***Be It Resolved,** That the Board of Health for the North Bay Parry Sound District Health Unit recommends that all municipalities within the North Bay Parry Sound District develop and adopt a by-law banning smoking*

- 1) *in all municipally-owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);*
- 2) *at entrances and exits of all municipally owned or operated building or for the entire property;*
- 3) *on, and within a 9 metre buffer zone of, all patios where food or drinks are sold, and*

***Furthermore Be It Resolved,** That the by-law include a provision for business owners to apply to be included in the smoking prohibition for either a 9 metre set-back or for the entire property, and*

***Furthermore Be It Resolved,** That the by-law allow special events and festivals to be designated as smoke-free, and*

***Furthermore Be It Resolved,** That a copy of this resolution be forwarded to member municipalities within the North Bay Parry Sound District Health Unit service area, the Minister of Health Promotion and Sport, Public Health Ontario (Health Promotion, Chronic Disease and Injury Prevention), Smoke-Free Ontario, the Minister of Health and Long-Term Care, Ontario Boards of Health, Ontario Medical Officers of Health, and the Association of Local Public Health Agencies .*

Current Facts:

➤ **Tobacco & Health:**

For many years now, tobacco use has ranked as the number one preventable cause of morbidity and mortality in Ontario and Canada. According to the Smoke-Free Ontario Scientific Advisory Committee (SFO SAC) (2010), in 2002, 17% percent of deaths in Canada were a result of tobacco use (p. 13). Moreover:

- "tobacco use is responsible for three times as many deaths as the combined total of alcohol, drugs, suicide, homicide, injuries sustained from car crashes, and AIDS" (SFO SAC, 2010, p. 13).
- "tobacco is the only legal product that, when used as intended, kills half of its users prematurely" (Tobacco Strategy Advisory Group, 2010, p. 5).

Briefing Note: Smoke-Free Outdoor Spaces

Date: September 28, 2011

- "tobacco use costs the Ontario economy billions of dollars annually in health care and lost productivity costs. Reduced tobacco use will lead to better health, reduced demand on the health care system from tobacco-attributed diseases and less drain on productivity" (SFO SAC, 2010, p. 1).

In the North Bay Parry Sound District:

- Approximately one quarter (25.8%) of individuals aged 12 years and older reported smoking daily or occasionally compared to 20.2% in Ontario (NBPSDHU, 2010, p. i).
- Approximately forty percent (40.6%) of 35 to 44 year olds reported smoking compared to 24.1% in Ontario for the same group (NBPSDHU, 2010, p. i).
- The age standardized incidence rates of lung cancer for both males and females combined was higher in 2006 (62.5 per 100,000 population) and significantly higher in 2007 (66.1 per 100,000 population) compared to the rest of the province (52.2 per 100,000 population and 50.9 per 100,000 population, respectively; Cancer Care Ontario – SEER*Stat Release 8 – OCRIS May 2010, released February 2011).
- Almost three quarters (71.8%) of current smokers planned on quitting in the next six months (NBPSDHU, 2010, p. ii).

➤ **Second-Hand Smoke (SHS):**

There is no safe level of exposure to second-hand smoke (SHS). There are over 4,000 chemicals in SHS, with at least 50 of them known to cause cancer (The Lung Association, 2008). In addition to various cancers, there are many other diseases that are caused by SHS, such as heart disease, stroke, and non-malignant respiratory disease. In children, these diseases can include "Sudden Infant Death Syndrome, fetal growth impairment (low birth-weight and small for gestational age), bronchitis, pneumonia and other lower respiratory tract infections, asthma exacerbation, middle ear disease, ... adverse impact on cognition and behaviour, decreased lung function, asthma induction, and exacerbation of cystic fibrosis (Physicians for a Smoke-Free Canada, 2001). Furthermore, 25% of the population has a health condition that can be aggravated by being exposed to SHS (The Lung Association, 2008).

➤ **Smoke-Free Outdoor Space:**

The *Smoke-Free Ontario Act* (SFOA) currently protects individuals from second-hand smoke by prohibiting smoking in areas such as enclosed public spaces, workplaces, school properties, restaurant and bar patios (when they are either partially or completely covered by a roof) and in motor vehicles when children under the age of 16 are present. In addition to the SFOA, Section 115 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (as amended), authorizes the Council of a local municipality to pass a by-law to prohibit or regulate the smoking of tobacco in public places and workplaces within the municipality. Furthermore, Section 12 of the *Smoke-Free Ontario Act*, S.O. 1994, c. 10 (as amended) permits municipalities to enact smoking by-laws that are more restrictive than sections 9 and 10 of the Act, subject to subsection 13 (3). Consequently, municipalities can create by-laws for smoke-free outdoor spaces, which may include patios, beaches, parks, and sports and recreation facilities. It is important to note, however, that

Briefing Note: Smoke-Free Outdoor Spaces

Date: September 28, 2011

Section 115 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (as amended) stipulates that the by-law will not apply to a highway which is defined in Section 26 of the same Act.

There are existing misconceptions about the health effects of SHS in outdoor spaces. For example, many believe that the SHS will simply dissipate into the open air; however, this argument is not supported by scientific evidence. Physicians for a Smoke-Free Canada (2010) state that "when there is no wind, cigarette smoke will rise and then fall, and will saturate the local area with second-hand smoke; [and] when there is a breeze, cigarette smoke will spread in various directions, and will expose non-smokers down-wind" (p. 1). Furthermore, studies have concluded that concentrations of SHS can be similar in outdoor and indoor settings [Klepeis NE, Ott WR, & Switzer, 2007; Repace J., 2008; Travers MJ, Higbee C, & Hyland A, 2007]. In addition to reducing exposure to SHS and improving air quality, legislated bans on smoke-free outdoor spaces have been found to have the following long-term outcomes: "reduced visibility of tobacco products and use (less social exposure); ... less modeling, fewer places and cues to smoke; ... substantial and equitable declines in tobacco use among youth and all adults; [and] improved health, reduced inequities due to tobacco, less health care for tobacco-related illness" (SFO-SAC, 2010, p. 203).

The following section provides additional information for smoke-free patios and other outdoor recreation areas, such as beaches, parks, playgrounds, sports and recreation fields.

➤ **Patios:**

Smoke-Free Ontario Act (Current Status):

The *Smoke-Free Ontario Act* (2006) states that smoking on an outdoor patio of a restaurant or bar is prohibited "if any portion of a patio is covered or partially covered by a roof" (Ministry of Health Promotion and Sport, 2011).

Ontario (Current Status):

Ontario municipalities have the authority to pass by-laws that are more restrictive than the *Smoke-Free Ontario Act (SFOA)*. In the Non-Smokers' Rights Association's most recent *Scan of Bylaws, Ordinances and Legislation with Provisions that Exceed the Smoke-Free Ontario Act (Winter 2011 update)*, there were seven Ontario municipalities that prohibited smoking "on all patios regardless of whether they are covered by a roof or not" (p. 8).

Canada (Current Status):

In Canada, four provinces and one territory have legislation that is more restrictive than the *SFOA* with regards to smoking on or around patios. In Nova Scotia, the *Smoke-Free Places Act*, 2006, prohibits smoking on outdoor patios, as well as within 4 metres of these areas. The Yukon Territory's *Smoke-Free Places Act*, 2006, is almost the same, except that smoking is prohibited within 5 metres of outdoor bar and restaurant patios. While less restrictive than the previous examples, Alberta's *Smoke-Free Places (Tobacco Reduction) Act*, 2007 and Newfoundland and Labrador's *Smoke-Free Environment Act*, 2005, prohibit smoking on patios. PEI's *Smoke-Free Places Act*, 2009, is similar; however, the legislation allows smoking during the

Briefing Note: Smoke-Free Outdoor Spaces
Date: September 28, 2011

hours of 10 pm and 3 am. According to the NSRA (2011b), "PEI's new partial prohibition on patios represents a step forward but falls short of current SHS standards. A partial prohibition based on the time of day is open to abuse, potentially confusing for people, and does not adequately protect wait staff from SHS- unless there is no table service after 10 pm" (p. 15).

Creating smoke-free patios with buffer zones not only protects patrons from SHS, but also the health of hospitality workers. A study by Mulcahy M., Evans, D.S., Hammond, S.K., Repace, J.L. & Byrne, M. (2005) that "measured the blood nicotine levels in non-smoking bar workers who were not otherwise exposed to second-hand smoke... found that those who worked in bars with outdoor smoking areas had much higher blood nicotine levels, indicating that they had been exposed to much more second-hand smoke" (Physicians for a Smoke-Free Canada, 2010, p. 1). While some restaurant and bar owners have made an attempt to protect patrons from SHS by creating smoke-free areas on patios that allow smoking or by creating two separate patios; one with and one without smoking, this strategy does not protect workers from SHS.

Air quality on outdoor patios is significantly affected by tobacco smoke. Richard Stanwick, Chief Medical Health Officer of the Vancouver Island Health Authority (2007) states that "with as few as three cigarettes being smoked, the air quality was very similar ... to that which used to be found in indoor premises with no restrictions on smoking" (as cited by Physicians for a Smoke-Free Canada, 2010, p. 2). The Ottawa Council on Smoking and Health (n.d.) did "testing [that] revealed that when tobacco smoke was present on outdoor patios, the levels of fine particulate matter were five to twenty times higher than measured background levels, with occasional peaks even greater than twenty times above background levels" (p. 1). Furthermore, SHS can drift not only to adjacent outdoor spaces, but also indoors via windows, doors and vents.

➤ **Other Smoke-Free Outdoor Spaces (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc):**

As discussed in previous sections, there are many reasons for, and much evidence supporting, the creation of smoke-free outdoor spaces. Play, Live Be... Tobacco-Free (2011) identifies six benefits of tobacco-free sports and recreation, which can be extended to other outdoor spaces. These benefits are: "preventing youth from starting to use tobacco products; protecting the environment; protecting children from second-hand smoke, giving everyone a chance to perform at their best, creating a tobacco-free culture [and] helping smokers quit" (p. 41). Outdoor recreation areas are regularly frequented by children and according to Physicians for a Smoke-Free Canada (2010b) "most smokers and non-smokers agree, smoking and children do not mix – and it makes sense to have policies that can protect children from being exposed to tobacco smoke, cigarette butts and seeing adults smoke" (p. 1).

➤ **Public Opinion:**

In 2009, the level of support among Ontario adults for banning smoking in parks and on beaches is 59%, a significant increase since 2007 when support was 47.8%. (Centre for Addiction and Mental Health Monitor 2011a and Centre for Addiction and Mental Health

Briefing Note: Smoke-Free Outdoor Spaces

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2011b). A recent survey involving eight health units (Durham, Simcoe Muskoka, Halton, Toronto, Kingston, Lambton, Waterloo, and Oxford County) in 2008 found a strong level of support for by-laws establishing smoke-free public places. These results included 85.0% support for making public playgrounds smoke free, 80.4% support for making outdoor sports field smoke free, and over 70% support for making public beaches and patios smoke free (Rapid Risk Factor Surveillance System, 2011).

➤ **Compliance With and Enforcement of Smoke-Free Outdoor Spaces By-Laws:**

The North Bay Parry Sound District Health Unit has three part-time Tobacco Enforcement Officers (TEOs). The primary responsibility of the TEOs is to enforce the Smoke-Free Ontario Act (SFOA); however, they currently support a small number of municipalities with the enforcement of their smoke-free outdoor spaces by-laws. Nevertheless, with 31 municipalities in the North Bay Parry Sound District the TEOs do not have the capacity to increase the number of by-laws that they enforce. In addition, the Program Training and Consultation Centre (2010) found that the anticipated problems with compliance are overestimated and that proper education, signage and clear boundaries can increase compliance (p. 4). They state that "it is unlikely that active enforcement is the main deterrent for smoking in all smoke-free outdoor areas... [but] it has been useful in locations where the other methods such as signage and education have not worked. With this in mind, it is our recommendation that the enforcement falls within the realm of the municipalities and that the Health Unit will provide support and guidance by offering consultations as appropriate.

➤ **Additional Information:**

In 2010, the Smoke-Free Ontario Scientific Advisory Committee prepared the document *Evidence to Guide Action: Comprehensive Tobacco Control in Ontario*, which is intended "to provide scientific advice and submit recommendations to the Ministry of Health Promotion and Sport (MHPS) to inform renewal of the provincial tobacco control strategy for 2010-2015" (p.1). The goal of the recommendations put forward in this report is to "advance a comprehensive tobacco control strategy in Ontario which will lead to prevention and substantial reductions in tobacco use, reduced physical and social exposure to tobacco smoke, reduced tobacco-related health inequities across the province, and ultimately, elimination of tobacco-related illness and death in Ontario" (p.6). Recommendations that were made that are relevant to smoke-free outdoor policies are:

Chapter 5: Prevention of Tobacco Use Among Youth and Young Adults

Policy Enforcement

[5.4] Develop, implement and enforce comprehensive tobacco control policies within and across settings (e.g., schools, colleges, universities and communities).

**Chapter 6: Protection from Tobacco Smoke and Social Exposure to Tobacco Use
Smoke-free Policies**

Briefing Note: Smoke-Free Outdoor Spaces

Date: September 28, 2011

[6.1] Amend the *Smoke-Free Ontario Act* and Regulation to eliminate smoking of tobacco products and combustible water-pipe preparations in priority settings including:

[a] Unenclosed restaurant and bar patios (including nine metres from the perimeter of the patio).

[b] Not-for-profit multi-unit dwellings.

[c] Selected outdoor public places such as doorways to public and commercial buildings (within 9 metres), transit shelters, provincially regulated parks and playgrounds, outdoor sports facilities, beaches, sidewalks and public events such as parades and outdoor entertainment venues.

Media and Social Marketing

[6.2] As part of a comprehensive tobacco control program, implement media and social marketing strategies that increase public awareness and knowledge of the health effects of exposure to second-hand smoke and social exposure to tobacco use, and that influence social norms supportive of tobacco-free living.

Financial Implications:

Support the development and education of the tobacco-free by-laws.

Briefing Note: Smoke-Free Outdoor Spaces

Date: September 28, 2011

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Briefing Note: Smoke-Free Outdoor Spaces

Date: September 28, 2011

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Schedule "B" (continued)

Report on Smoke-Free Patios

To: Tina Murphy, Assistant City Solicitor and Sharon Kitlar, Manager Recreation and Leisure Services

From: Dr. J. Chirico, Medical Officer of Health

Resource Staff: Brenda Marshall, Manager – Healthy Living and Reed Morrison, Community Health Promoter – Healthy Living

Subject: Amendment to smoking by-law 2012 – 97 re: smoke-free patios

Executive summary

The City of North Bay has consistently demonstrated their leadership among Canadian municipalities in protecting their residents from the harms of environmental tobacco smoke (ETS). Since 2011, the North Bay Regional Health Centre (NBRHC) has been protected by a 100% smoke-free property by-law. Likewise, businesses and multi-unit dwellings have the opportunity to apply for smoke-free entranceways under the same by-law. Building on recommendations from the City of North Bay Council and the North Bay Parry Sound District Health Unit (NBPSDHU) Board of Health (BOH), this report summarizes the policy options, rationale, and feasibility of amending by-law 2012 – 97 to include a smoking ban on all patios where food and drinks are consumed. The City of North Bay once again has the opportunity to demonstrate their leadership and commitment to the health of their residents by prohibiting smoking on all commercial establishment patios.

Recommendation

THAT city council amend by-law 2012 – 97, being a by-law to regulate smoking in public places and workplaces, as follows:

1. That Part 1 "Definitions" section 1.10 "outdoor patio" be deleted and replaced with the following

1.10 "outdoor patio" means any outdoor area, whether enclosed or not, as well as a 9 metre zone from the perimeter of that area, that is adjacent to an establishment where food or beverages are sold and where food or beverages, or both, are consumed by the public;

2. That Part 1 "Definitions" section 1.13 "public place" be deleted and replaced with the following

1.13 "public place" means any building, structure, vessel, vehicle or conveyance, or part thereof, whether covered by a roof or not, to which the public has access as of right or by invitation, expressed or implied, whether or not a fee is charged for entry, which

includes outdoor patios as defined above, but does not include a street, road or highway;

3. That Part 1 "Definitions" section 1.15 "workplace" be deleted and replaced with the following

1.15 "**workplace**" means a building, structure, vessel, vehicle or conveyance or part thereof in which one or more employees work, including any other area utilized by employees, which includes outdoor patios as defined above, but does not include a street, road or highway.

Introduction

At the August 2, 2011 regular meeting, the City of North Bay Council directed municipal staff to work with the NBPSDHU to undertake a review of smoking at all commercial establishment patios and to report to council regarding their findings. Similarly, at the September 28, 2011 regular meeting, the NBPSDHU Board of Health (BOH) passed a resolution which recommends that all municipalities within the NBPSDHU area develop and adopt a by-law that bans smoking:

- 1) In all municipally-owned or operated outdoor recreation areas (e.g. parks, beaches, playgrounds, sports fields including spectator areas, etc.);
- 2) At entrances and exits of all municipally owned or operated buildings or for the entire property;
- 3) On, and within a 9 metre buffer zone of, all patios where food or drinks are sold.

This report will provide policy options as well as the rationale, reasoning, and feasibility for by-law 2012 – 97 to be amended as per the recommendations above.

Discussion

Issue

In order to protect patrons and staff from the detrimental effects of environmental tobacco smoke (ETS), the Smoke-Free Ontario Act (SFOA) was amended in July 2009 to clarify a smoking prohibition on outdoor patios if any portion is covered or partially covered (please refer to appendix A for more information). Despite this protection, smoking continues to occur on uncovered restaurant or bar patios, either from original design or from owner renovations to avoid this legislation. Due to this loophole in legislation, hospitality staff and patrons of bars and restaurants continue to be exposed to ETS. A 100% smoke-free patio by-law, which prohibits smoking on all commercial patios, provides the best possible protection for children, customers, and hospitality staff. Additionally, smoke-free policies, such as prohibiting smoking on patios, do more than protect people from ETS. Smoke-free policies also encourage people to quit smoking^{1,2}, make it easier for those who have already quit to remain smoke-free³, and protect kids from starting to smoke^{4,5}. The evidence is clear that smoke-free patios will help make North Bay a healthier community.

Public Health Considerations and Rationale

- Second-hand smoke is as dangerous outdoors as it is indoors
 - Although some people believe that second-hand smoke is less hazardous outdoors, this is NOT supported by scientific evidence. Medical and health authorities around the world, such as the World Health Organization ⁶, the Centres for Disease Control ⁷, and the NBPSDHU agree that there is no safe level of exposure to second-hand smoke. Several studies have shown that second-hand smoke exposure is similar in both outdoor and indoor smoking areas and that second-hand smoke is as toxic outdoors as indoors ⁸⁻¹⁹. In other words, **smoking outdoors does not reduce the level of exposure or the amount of harm caused by second-hand smoke.**
- Outdoor smoking areas are an unfair threat to workers' health
 - Hospitality workers are at a particularly high risk of exposure to second-hand smoke on patios. Repeated brief and intermittent exposure, such as that experienced by hospitality workers, is dangerous. Research has shown that, "in many cases, the effects of even brief (minutes to hours) passive smoking are nearly as large as those from chronic active smoking" ²⁰. For example, researchers have found that blood nicotine levels of bar employees were 50% higher in those who worked in bars with outdoor smoking areas compared to those who worked in bars with zero smoking ²¹. Until the first smoke-free indoor laws were passed, hospitality workers were exposed to incredibly high levels of chemicals from tobacco smoke. These chemicals, such as 4-aminobiphenol, are so dangerous that NO level of exposure was permitted for any other category of worker. As long as smoking is permitted on patios, people who work in these environments will continue to be unfairly exposed. **100% smoke-free indoor and outdoor workplaces provide the best protection for hospitality workers and patrons.**
- Outdoor smoking areas are a threat to public health
 - Smoke from outdoor smoking areas drifts its way indoors, thereby exposing patrons and workers and placing them at risk ^{22,23}. Even for workers and patrons who remain indoors, adequate protection is best provided by a 100% smoke-free indoor and outdoor workplace.
- Smoking on patios creates poor air quality
 - While a common argument is that cigarette smoke can easily dissipate in open air and therefore has little effect on air quality, research has shown otherwise. Scientists in Waterloo, ON, conducted experiments on the effect of as few as eight cigarettes on a typical restaurant patio that had no roof, walls, awnings, or umbrellas. Experiments were repeated 46 times in different wind conditions. They found in each test that when cigarettes are smoked, the quality of the air in the patio area falls considerably. Measurements of air pollutants, including those that cause cancer and heart disease, quadrupled in some cases ²⁴.

- Smoke-free patios will not result in decreased revenue
 - Fears of negative economic impact have been coupled with the introduction of each successive smoking restriction in bars and restaurants. However, these fears and arguments are unfounded as, "Economic studies in Ontario and internationally show that smoke-free policies do not adversely affect aggregate sales or employment in bars and restaurants; in some cases, these policies have had a positive impact."²⁵ In accordance with the SFOA, any patio that is covered or partially covered by a roof or awning in North Bay is already smoke-free; 100% smoke-free patios will simply level the playing field. Additionally, over 75% of North Bay residents do NOT smoke. Smoke-free patio policies will increase customer satisfaction for the vast majority of patrons.
- Reducing smoking among hospitality workers is good for business
 - Restaurant and bar owners will appreciate the increase in productivity that follows from having a smoke-free workplace. Dozens of studies have shown that smoke-free workplaces increase the number of smokers who try to quit, increase the number who successfully quit, and decrease the number of cigarettes smoked by those who do not quit²⁶⁻²⁸. Additionally, helping staff to quit smoking improves their health and productivity while reducing sick days²⁹. In fact, Canadian studies have shown that the total annual cost to employers for an employee who smokes is well over \$3,000 – due largely to higher absenteeism, decreased productivity, and higher insurance premiums³⁰.
- While North Bay will be a leader in North East Ontario, there is significant precedence for smoke-free patios in Canada. Large city centres such as Vancouver, Ottawa, and Victoria have implemented 100% smoke-free patio by-laws. Furthermore, cities with demographics similar to North Bay, such as Thunder Bay, Woodstock, Kingston, and Whistler, also have 100% smoke-free patios.

Public support and community consultation

The NBPSDHU and the City of North Bay undertook extensive community consultations. This process included a community wide online survey as well key informant interviews with restaurant and bar owners.

- Online survey
 - A survey created by the City of North Bay and the NBPSDHU was distributed on August 17 2012 and sought to gain the opinion of the community at large. There were 563 respondents in total
 - 57% of respondents were in favour of smoke-free patios
 - 58% of respondents were in favour of smoke-free patios with 9m buffer zones
- Key informant interviews
 - Two staff members, one from the City of North Bay and one from the NBPSDHU, conducted interviews with restaurant and bar owners in order to record their opinions

and insights. Owners were provided a background of the topic and assurance that their comments would remain anonymous. In total, ten owners agreed to be interviewed.

- 50% were against any changes to the existing by-law
- 50% were in favour of amending the by-law to ensure outdoor eating and drinking areas would be smoke-free. A strong majority of those (80%) also agreed with the creation of a 9m smoke-free buffer zone.
- After analyzing comments, several themes were brought forward by restaurant and bar owners;
 - Health concerns: There was near unanimous recognition of the negative health effects of smoking and environmental tobacco smoke. Owners who disagree with a smoke-free patio by-law largely suggested that individuals were responsible for their own health and have the option to avoid smoke if they so wish. Quite the opposite, most owners who were in favour of a by-law suggested that the harm to patrons and staff caused by tobacco smoke provides ample reason to remove smoking from a patio.
 - Customer complaints: owners in favour of smoke-free patios were more likely to have received complaints from customers regarding smoking. Predictably, owners who were not in favour were far less likely to have received complaints. Several owners, both for and against, stated that many customers would not lodge a complaint even if they were unhappy with smoking occurring beside their table on a patio. Two owners discussed that tourists not accustomed with Canadian laws complained of our restrictive approach to smoking while another owner stated that they predict an increased number of complaints from their smoking clientele should their patio become smoke-free. In contrast, another owner claimed that the by-law will surely reduce the amount of complaints received from non-smoking customers.
 - Responsive to clientele: Nearly every owner, both for and against, claimed that their stance was in response to demand by their clientele. Many owners stated that the majority of their clientele was non-smoking, and therefore a smoke-free patio would cater to their preferences. Similarly, owners who estimated that a large percentage of their clientele smoke were less supportive of smoke-free patios. One owner brought forward that it is the right of a business owner to be responsive to their clientele and a by-law that restricts smoking would be an affront to this right and to the concept of a 'free-market'. In contrast, a different owner suggested that restaurants are "in the business of taking care of customers. If you do not care about the wellbeing of your customers, then you are in the wrong business."
 - Employee rights: While not discussed by the majority of owners, one did state that it is the responsibility of the business owner to protect the rights and health of their staff. This owner did not feel that it is fair for the hospitality industry to force non-smokers to work in a smoking environment. Along this line, another owner commented that staff members who smoke were assigned duties involving cigarettes, such as clean-up or serving smoking tables.
 - Property damage and garbage: While the majority of owners claimed that property damage due to cigarettes was minimal, two did mention that it posed a serious problem for their business. One restaurant in particular has been forced to call the fire

department several times because of fires caused by cigarette butts. Nearly every owner, both for and against, did mention that cigarette butts represented a major source of litter on their patios and property. One owner proposed that the City might find that the number of cigarette butts on downtown sidewalks would increase if customers were no longer able to smoke on patios. Most owners in favour were hopeful that more cigarette receptacles would concentrate cigarette litter in one area.

- Freedom of choice: This topic was brought forward most often by owners who were not in favour of smoke-free patios. This was framed in two ways; the first being that customers should be allowed to smoke as the product in question is not illegal and it is a personal choice. Similarly, most added that non-smokers have the right to move or to not choose a restaurant that allows smoking if they are concerned for their health. Owners not in favour of smoke-free patios also framed the issue in such a way that business owners should have the right to choose how they operate their business.
- The role of government: With respect to government decisions affecting all owners, those in favour and those not in favour of smoke-free patios had vastly different opinions. Some owners not in favour suggested that less intervention by government with respect to smoking is better. Additionally, two owners claimed that government intervention was tantamount to discrimination. Conversely, most owners in favour of smoke-free patios concluded that government intervention was necessary. Many owners in favour discussed how they would not make their patio smoke-free without a by-law requiring the same of all North Bay patios. Most often, this was framed as 'creating a level playing field' and as the only way to fairly introduce smoke-free patios without hurting individual businesses.
- Respect for children / families: Many owners, both for and against, highlighted the need to keep environmental tobacco smoke away from young children. Many owners claimed that it was difficult to see smoking occurring beside their young customers.
- Existing policies that are more restrictive than current legislation: Several owners based restaurant-level policies on the need to protect non-smoking clientele and children. Many owners have either considered or already implemented policies on their patios such as no-smoking during peak meal times, having a smoking as well as a non-smoking patio, or creating a small smoking area on a patio that is further away from families. All restaurant owners mentioned that they had created policies requiring staff who smoke to do so away customers and eating areas.
- Alternative policies: Some owners who were not in favour of smoke-free patios suggested that alternative policies were better suited to their business and our northern climate. The first alternative policy was to allow smoking after a certain time of the day (in most cases this would be following their dinner rush). They claimed that this would allow most customers to enjoy their meals on a smoke-free patio without affecting their after dinner crowd. Several other owners stated that their patio served as a smoking area during the winter months, with little to no food or drink being consumed during that time. They suggested that a smoking ban during the summer months might be more relevant. However, this was countered by another owner who claimed that an

outdoor smoking area, even where food and drink are not consumed, would not eliminate the amount of smoke wafting indoors.

- o Business outcomes: While the majority of owners did not believe that a smoke-free patio by-law would affect their business either positively or negatively, a small number of owners fell on either side of this opinion. Some of the opposing owners pointed to research that indicate smokers spend more on hospitality than non-smokers as well as suggesting that tourists who smoke will be less likely to visit and dine in North Bay. Some owners in support of a by-law anticipated increased business as customers who previously did not visit their restaurants would be more likely to do so if the patios were smoke-free.
- o Some difficulties of 9 m buffer zones: Several questions were raised with regards to a 9 metre smoke-free buffer zone surrounding patios. The most commonly raised concern was that, in many cases, 9 m would place a customer who is smoking in the middle of the road or would overlap with another restaurant's 9 m buffer zone. City and Health Unit staff educated owners on laws of jurisdiction and reminded them that a no-smoking ban would effectively end at a road allowance. In other cases, some restaurant owners were concerned that this might increase the amount of customers leaving the premises without paying, however most of these concerns subsided when it was discussed that this does not happen during the winter months when customers who smoke must also do so outside.

Policy Options

- 1) Continue with no changes to by-law
 - a. Continuing with status quo fails to adequately protect patrons and hospitality workers from environmental tobacco smoke
- 2) Prohibit smoking on all outdoor eating and drinking areas at certain times of the day or year
 - a. This option would allow for smoking on outdoor patios at certain times of the day (for example, after 10:00 pm) or year (for example, between the months of October and March).
 - b. This option is exceedingly difficult for owners and hospitality staff to enforce as it creates large 'grey zones' where both patrons and staff may be unsure if the by-law applies
 - c. This option also does not provide adequate protection from environmental tobacco smoke as it does not address smoke wafting indoors and staff may still be required to serve in smoking areas.
 - d. These options were proposed by a small minority (two) of bar / restaurant owners.
- 3) Prohibit smoking on ALL outdoor eating and drinking areas at all times of the day and year
 - a. This option greatly enhances protection for children, patrons, and hospitality workers by prohibiting smoking within all defined outdoor eating and drinking areas.
 - b. Easiest to enforce for hospitality staff, employers, and enforcement staff

- c. The possibility for smoking directly beside the outdoor eating and drinking area, resulting in many of the same issues highlighted above.
- 4) Smoke-free patios and a 9 m buffer around patios
 - a. This option provides the highest level of protection for children, patrons, and hospitality workers by prohibiting smoking within the defined outdoor eating and drinking area, as well as a buffer zone surrounding it, to reduce the amount of drifting smoke and the possibility of smoking occurring directly beside the outdoor eating area.
 - b. As this option provides the greatest protection from the harms caused by second-hand smoke and it is preferred by half of restaurant / bar owners, it is the recommendation of the NBPSDHU that the City of North Bay adopt this as by-law.

Legal implication

The recommendations made within this report require review by The City of North Bay Legal Services Department. There do not appear to be, however, any legal impediments to the implementation of these recommendations. Pursuant to Section 115(1) of the *Municipal Act, 2001*, the City of North Bay has the statutory discretion to adopt a by-law that prohibits or regulates the smoking of tobacco in workplaces and public places. Furthermore, Subsection 115 (10) of the *Municipal Act, 2001* provides that a municipal by-law that is more restrictive of smoking prevails over any conflicting provisions of the provincial *Smoke-Free Ontario Act, 2006*. Independent of this specific authority to regulate the smoking of tobacco, the City of North Bay also has the broad authority to enact by-laws in respect of the health, safety, and well-being of persons pursuant of paragraph 6 of Subsection 10(2) of the *Municipal Act, 2001*. The one exclusion under Subsection 115 (3) is that a by-law shall not apply to a highway, except that it may apply to public transportation vehicles and taxicabs on a highway. This exclusion limits the restriction on smoking within a 9m buffer zone of patios when the smoking takes place in a space that can be defined as a highway.

Financial implications

There are no anticipated significant costs associated with the implementation of these recommendations by the City of North Bay. Recent experiences with the implementation of 100% smoke-free patio by-laws elsewhere in Ontario, as well as experience with current smoke-free patio legislation, indicate that this type of by-law is generally self-enforcing, and thus actual enforcement activity and costs should be minimal. The costs of educating the public and business owners, producing new signage and primary enforcement of the by-law will be minimal.

Other considerations

The adoption of a 100% smoke-free patio by-law is part of a comprehensive approach to tobacco control which includes initiatives in tobacco use prevention, cessation, and protection. This approach to eliminate commercial tobacco use requires commitment from a variety of stakeholders, including municipal and provincial governments, law enforcement agencies, social service organizations, and health organizations such as the NBPSDHU. The NBPSDHU is committed to this comprehensive

approach to tobacco control and supports it with strategic initiatives in tobacco use cessation, prevention, and protection.

Initiatives by the City of North Bay to help control tobacco are well supported not only by the NBPSDHU, but by all other stakeholders involved in tobacco control. The NBPSDHU encourages City Council to view the adoption of this by-law not as an isolated action with a small benefit, but as part of a larger approach that will eliminate commercial tobacco from our society.

Conclusion

The combination of public concern, business support, and a myriad of health research supporting 100% smoke-free patios provides an excellent rationale for the Council of the City of North Bay to adopt the recommendations made in this report. It is also worth noting the important role that smoke-free patios play in the larger movement towards smoke-free outdoor spaces. It is critical that the City of North Bay deliver consistent messaging and rules for all outdoor spaces in order to create a tobacco-free culture. Supporting a 100% smoke-free patio by-law, along with other by-laws which prohibit smoking in outdoor spaces, will further cement the City of North Bay as a municipality that is wholeheartedly invested in the health and wellbeing of its residents.

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Schedule "C" (continued)

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APPENDIX C: FACT SHEET ON TOBACCO-FREE
SPORT AND RECREATION

Fact Sheet On Tobacco-free Sport And Recreation

WHY IS TOBACCO-FREE SPORT AND RECREATION IMPORTANT?

Sport and recreation organizations play an important role in the health and well-being of people of all ages. The use of tobacco products during sport and recreation events by the participants, volunteers, officials, coaches, leaders and spectators sends a mixed message about tobacco use to youth.

Tobacco-free sport and recreation sends a clear message that sport and recreational activities and tobacco use do not mix.

Tobacco-free Sport and Recreation means that all participants, volunteers, officials, coaches, leaders and spectators, do not smoke, snuff, dip or chew tobacco while participating in a sport or activity.

The benefits of tobacco-free sport and recreation include:

Preventing youth from starting to use tobacco products

- Children and youth model their behaviour after the people they look up to – coaches, leaders, family and peers.

Protecting the environment

- Cigarette butts are a major source of litter in communities and on beaches. Cigarette butts take a long time to biodegrade depending on environmental factors such as temperature, rain, sunlight, etc.

Protecting children from second-hand smoke

- It is well accepted that there is no known safe level of exposure to second-hand smoke indoors. Recent research shows that under certain conditions, levels of tobacco-smoke outdoors (within one or two metres of a lit cigarette) can be as high as indoors, and that by-products of smoking (like second-hand smoke residue in fabrics and cushions) can also be harmful. Smoke-free by-laws provide community-wide protection for this vulnerable population.

Giving everyone a chance to perform at their best

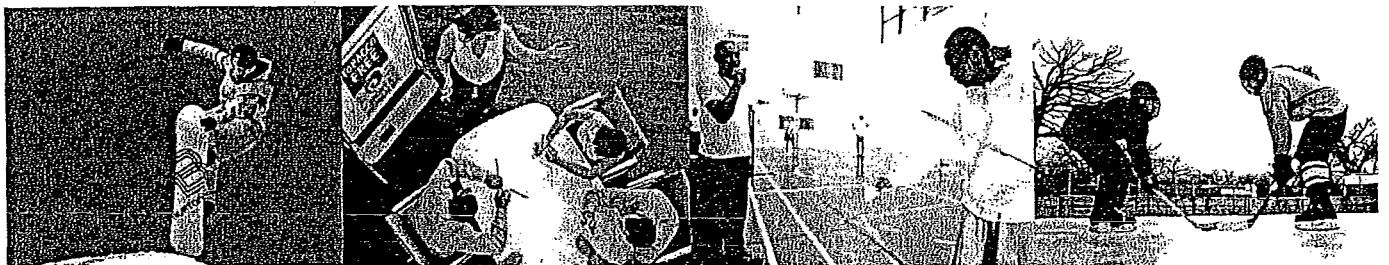
- Tobacco use contradicts the health benefits gained by participating in sport and recreational activities.

Creating a tobacco-free culture

- It is important for youth to receive the same tobacco-free messages at their local sport or recreation activities as they experience at school and in the wider community.

Helping smokers quit

- Smoke-free environments offer fewer opportunities to use tobacco and remove visual cues to help smokers stay quit. *Smokers' Helpline* provides personalized support and a community of quitters at your fingertips. Call 1-877-513-5333 or click www.smokershelpline.ca today for help.



North Bay Smoke Free Community Survey





1. Do you feel the following municipally owned or operated recreation facilities should be designated as smoke free: Please check your response.

	Yes	No	RatingCount
Playgrounds	87.2% (489)	12.8% (72)	561
Parks	64.3% (359)	35.7% (199)	558
Sport Fields (e.g. ball, soccer, football, frisbee)	76.1% (427)	23.9% (134)	561
Beaches	63.3% (353)	36.7% (205)	558
Trails (e.g. Kate Pace Way)	60.4% (336)	39.6% (220)	556
AnsweredQuestion			563
SkippedQuestion			0



2. Do you feel municipal special events and festivals should be designated as smoke-free?

	ResponsePercent	ResponseCount
Yes	59.2%	330
No	40.8%	227
AnsweredQuestion		557
SkippedQuestion		6


3. The City of North Bay passed a municipal bylaw to prohibit smoking within 9 metres of all municipally owned or operated buildings entrances. Do you feel the municipality should pass a bylaw prohibiting smoking within 9 metres of an entrance to all workplaces and businesses?

	ResponsePercent	ResponseCount
Yes 	66.5%	373
No 	33.5%	188
AnsweredQuestion		561
SkippedQuestion		2

4. The City of North Bay is subject to the Smoke Free Ontario Act which prohibits smoking on all covered or partially covered patios, but does not address smoking on public and private uncovered patios. Do you feel the municipality should prohibit smoking on all public and private outdoor patios where food or drinks are sold?

	ResponsePercent	ResponseCount
yes 	57.2%	322
No 	42.8%	241
AnsweredQuestion		563
SkippedQuestion		0

5. Do you feel the municipality should prohibit smoking within 9 metres of all patios where food or drinks are sold?

	ResponsePercent	ResponseCount
Yes 	57.7%	323
No 	42.3%	237
AnsweredQuestion		560
SkippedQuestion		3

6. Further Comments:	
	ResponseCount
	231
AnsweredQuestion	231
SkippedQuestion	332

Schedule "E" (continued)

Q6. Further Comments:

1	The municipality should stop restricting the freedoms of smokers in the community. The Government should not be controlling where we can stand outside to have a smoke. That would be the same as smokers saying "okay we have to smoke outside if your not smoking stay inside." Whats next you cant stand up wind from any establishment while smoking as your smoke may travel to the door? LEAVE OUR FREEDOMS ALONE!	Oct 31, 2012 10:43 AM
2	Very difficult to enjoy all the city has to offer when there is so much smoke around! We are new here and find the per capita smokers is far more than anywhere we have lived! Also, this would mean going to the park with our kids won't mean having to leave when the smoking parents arrive!	Oct 30, 2012 7:18 AM
3	There is an other serious problem of breathing health in the city. The wood stoves people seem to like because "It's NATURAL" and we are living in the north, pollutes our air. Some days in winter, it is impossible to walk outside because of the wood smoke residue.	Oct 29, 2012 8:18 AM
4	Buisness in towns and cities. Put these patios for smokers. A place for them to sit and have a smoke. There not allowed to smoke inside. But prohibiting smoking on these patios yous are going to hurt buisnesses. As people just wont go. The not smoking in side resturants bars ect hurt the ownes sales. The patios did bring sales back. So why kill the owners buisness altogether as this is what it will do. No smokers and the health department got there way with no smoking in the buildings why take away all smokers right. I dont smoke but but I feel smokers have rights and they should have some place to go and have there smoke. Guess North Bays not the fair city I thought it was.	Oct 3, 2012 4:54 PM
5	If we could ban smoking in all but private residences that would be ideal !! We all cannot afford to keep paying for smoking related issues.	Sep 25, 2012 10:25 AM
6	enough is enoughlets just leave it as it is.....leave this issue alone ...don't you people have other issues that are more important....???	Sep 18, 2012 5:48 AM
7	I wish I would never have to smell a cigarette again...I would love my children to never have to even know what the horrid smell even is	Sep 17, 2012 3:18 PM
8	A smoker is already so limited and has had so many rights taken away. They freeze outside in the winter because they can't smoke inside anymore. If the non smokers don't like the smoke they can simply stay away from the areas that people can smoke. I think it will hurt businesses by driving away a large number of the population that smokes. Give the smokers some rights too, however limited they may be.	Sep 15, 2012 8:21 AM
9	I think that when people drink and go out to socialize smoking should be allowed. Example Pubs, bars, outside at the restaurant, night clubs. It should not be allowed at family events.	Sep 13, 2012 2:06 PM
10	Leave the business man alone! He or She has enough problems trying to run a business, without more bylaws weighing him or her down.	Sep 12, 2012 9:38 AM
11	The people of the municipality are probably a bunch of NON- SMOKERS, and maybe they need a few of their casual things taken away.	Sep 12, 2012 8:50 AM

Schedule "E" (continued)

Q6. Further Comments:

12	Id rather have a few smokers than increased taxes and no smokers. they're keeping the economy going.	Sep 12, 2012 8:31 AM
13	I think the city should take into consideration that it was our Government that advertised smoking on tv, billboards, race cars, etc to entice people to smoke so they could make more money off the smokers in taxes. Now all of a sudden because so many people have quit smoking, all the ex smokers are trying to ban smoking so they don't have to fear that fact that they may start smoking again. Yes smoking is harmful, but smokers have rights too. The Government started the addiction,so the Government should give smokers a little respect due to the fact that the addiction of smoking is the hardest addiction to break. Non smokers can stay in the buiding if they don't want the smoke around them, so let the smokers go outside and enjoy the one thing that is legal. This is Canada people, not Russia.	Sep 11, 2012 10:36 PM
14	I understand prohibiting smoking at youth events, but to single out people that smoke at bars, restaurants or any other venue where people go to entertain themselves, is wrong. Everybody understands that smoking is bad, but being in a designated smoking area is fair, it keeps businesses clean inside, maybe what should be enforced is the manner in which you get rid of your cigarette butts.	Sep 11, 2012 9:31 PM
15	I am a non-smoker. However, when the laws changed, the bars/pool halls, etc. had to build patios to accommodate the smokers. Now you want to tell them the money they put out for these patios are for naught. It doesn't seem fair to me. I'm sure they've already lost enough revenue.	Sep 11, 2012 5:29 PM
16	Just stop the relentless harassment of smokers, I am a none smoker and have never smoked in my life. You and all levels of government sell the product and get large amounts of money in the process. You have gone far enough. Now stop before you bankrupt more legit companies in our city.	Sep 11, 2012 4:04 PM
17	I think the community of North Bay should enforce first of all stopping the sales of illegal tobacco on the reserve. I was charged for possession of contraband cigarettes after purchasing them on the reserve. Cigarettes with "Canada Duty Paid" stamped on them. The Reserves need to be only selling their products to Status Natives, with a Status Card. I had no idea what I was doing was illegal, but they had NO problem selling them to me, taking my money & not advising me that what I was doing was illegal. It's amazing how our Government can get away with Advertising that they are killing Canadians with cigarettes & profitting from it! It's disgusting, as our Government is!	Sep 11, 2012 3:52 PM
18	Banning things never solves the core issue of the problems we face. It's all about personal decisions and too much government intervention just dumbs people down. I choose not to smoke near children. If I spark up on a patio, I make sure to do so where the wind will blow it away from anyone else and I distance myself from others who are not smokers. I do not exhale when there's a passer-by on the sidewalk and I hold my cigarette away. Hopefully I'll eventually quite all together but till then it just takes a bit of respect towards other people. Maybe a campaign on that?	Sep 11, 2012 3:17 PM
19	I am a non smoker, but that doesn't mean that smokers should not have their spaces to. Inside restaurants is great as a "designated" non smoking area. Smokers should have their spaces too.	Sep 11, 2012 2:54 PM

Schedule "E" (continued)

Q6. Further Comments:

20	I agree with the No Smoking rules for indoors, however, when it comes to outside, feel free to smoke or pass gas!!!!!!!!!!!!!!!!!!!!	Sep 11, 2012 1:45 PM
21	Without painting everyone with the same brush, wherever you permit smoking you invite and get excessive littering with cigarette butts everywhere on the ground. With respect to public spaces...our tax dollars pay to clean it up and we shouldn't have to. At a private restaurant, the owner of the restaurant is responsible for cleaning up the butts on their property. If it migrates to municipal property they should be made to clean it up. On a final note...smoking in general causes incredible financial strain on our health care system and on that basis alone, I sort of support a complete banning of smoking altogether.	Sep 11, 2012 12:49 PM
22	I do not smoke...this is a free canada...len	Sep 11, 2012 12:31 PM
23	I am not a smoker, but I feel when you are outside there is a lot of open air so the smoke should not bother you that much. Also, I feel that the Government allows the sale the cigarettes, so why are we penalizing the people that chose to smoke them. It is an addiction and I know a lot of people that smoke and do try to quit but have a really hard time. I feel that by allowing them to smoke outside on a patio (which smokers have accepted) is good enough. Why do we have to push them further away. By banning them, it will be like at the hospital where everyone goes to their car for a smoke. They do not walk to the end of the hospital grounds. The only complaint that I have is that I wish they would not butt their cigarettes on the ground. it is a form of littering. I wish they would use ashtrays or cans.	Sep 11, 2012 12:19 PM
24	I am an ex smoker, however, I feel the right for people to choose to visit a place where smoking may or may not be, should be left up to the individual. Freedom of Choice!. Where will it stop if this allowed to occur.	Sep 11, 2012 12:09 PM
25	Smoking... Its been around for hundreds of years. People want to smoke let them. Same as drinking or is that next on the table. Oh I get it... make it a a bylaw and then the city can make morre money. Then the tourerest will drive by and and visit the next town.... Sudbury... North Bay will then be a ghost town... Thats my 2 cents	Sep 11, 2012 11:57 AM
26	I am a non-smoker. All of my friends are non-smokers. Even I think the bylaws are becoming out of control. I agreed with the indoor ban, but any kind of outdoor ban is just going too far. Do a little research into prohibition in the 1920's to see where you are heading.	Sep 11, 2012 11:11 AM
27	If it is not illegal and is not a drug that can cause you too lose your inhibitions, then how can you tell people that they can not smoke anywhere? If you want to make smoking illegal then go ahead and ban it everywhere...until then leave smokers a lone.	Sep 11, 2012 10:54 AM
28	I am a non smoker.	Sep 11, 2012 10:51 AM
29	Second-hand smoke kills wherever it exists. Smoking should be prohibited anywhere other people may be exposed.	Sep 11, 2012 10:46 AM
30	I am a non smoker and I know I have rights but we all have rights. Nobody should be allowed to take those rights away, whether you are a smoker or non	Sep 11, 2012 10:44 AM

Schedule "E" (continued)

Q6. Further Comments:

smoker.

- | | | |
|----|---|-----------------------|
| 31 | It would seem you are trying to make it so that the only place where someone who smokes can smoke is in their own residence. That is unfair in my opinion, and I am a non smoker. | Sep 11, 2012 10:28 AM |
| 32 | It is completely unfair to people who do not smoke to have to endure the second hand effect of those that do smoke. I hear constantly that if I don't like it, I should move. Why should that be? Should I be allowed to spray pepper spray as I walk and that anyone near me should move if they don't like it? My health is effected in a negative way by those that smoke, and I should have the right to demand that they smoke no where near me. | Sep 11, 2012 9:58 AM |
| 33 | I am a smoker and will not be DICTATED too....Smokers have rights | Sep 11, 2012 9:56 AM |
| 34 | Enough has been done already! Any more is ridiculous. There is now enough places for non smokers to go, any more and you are infringing on the business rights and the personal rights of the people. I am a non smoker and all of this sounds ridiculous to me!! | Sep 11, 2012 9:31 AM |
| 35 | The bylaws are only as good when one is implementing them. The city transit station is full of cigarette butts on the ground, and there is clearly a sign that says no smoking - even the bus drivers are smoking by the busses. Some do go further away but most of people (drivers and riders.) are standing right by the bus and seats and there is sign saying no smoking on property- It is just feeling more like intentions are good but no enforcements. In public places, when one is sitting near a smoker and the wind brings the air and smoke to others around them, this is uncomfortable for the non smokers, as well as people with respiratory conditions sitting nearby. It is not always easy to change spots. | Sep 10, 2012 10:39 AM |
| 36 | If people who smoke showed respect to others that don't smoke, it would not be a be issue. The health unit is fighting to take all rights away from smokers and I don't feel that is right. Of course that is just my opinion. If I'm not happy about someone smoking near me, I have a choice to move away! | Sep 9, 2012 12:02 PM |
| 37 | Restaurant owners already paid a price for non-smoking inside, do not restrict outdoor smoking patios. But divide the patio into a smoking and nonsmoking area. This would be fair to everyone. | Sep 8, 2012 11:05 AM |
| 38 | smoking is a habit like drinking, eating junk food, etc. - smokers are/should be given the right to smoke somewhere and to be polite about their smoking - like not smoke around someone eating, children, etc if it is in a small area. | Sep 7, 2012 2:33 PM |
| 39 | Smoking should be prohibited where people are eating/drinking as non-smokers and possibly some smokers would find that the smoke would interfere with their enjoyment of their meals/drinks, especially as the smoke would cause the taste of their food and drinks to be negatively impacted. In open spaces, people should be able to smoke. Unless smoking is completely made illegal, people should be able to smoke in an open environment. When outside, we are all subject to various particulate pollution from such sources as exhaust from vehicles and smoke from barbeques and open fires, many of which are at outside events, and beaches. All people should be respectful to other individuals where their actions can impact the enjoyment of others whether it be smoking, | Sep 7, 2012 1:20 PM |

Q6. Further Comments:

	swearing, playing loud music etc.	
40	Nova Scotia has already implemented this by-law! It is time we also get on board!!	Sep 7, 2012 1:13 PM
41	This whole subject just makes me sick. I am tired of the 2 face idiot that make up these lame excuses and laws. For heaven sakes don't smoke a cigarette, instead light up a joint. Better yet, let's make marajuana leagal. What idiots can't see that at least cigarettes do not make people crazy. At times I do wish all smokers would just quit cold turkey, put the cig. companies right out of business and the government loose millions in taxes. Then lets see what people would do.	Sep 7, 2012 12:45 PM
42	Smoking and second hand smoke kills. Period. 9 meters is a false boundary that leads innocent victims to believe their interests are being considered.	Sep 7, 2012 10:06 AM
43	I am a new tenant and do not smoke and since moving in I have been naseous (sic) daily 7 days now and have had a headache for the whole time. I can smell smoke constantly from tenants downstairs. Prior to renting landlord said I would not be able to smell it. What can he do re: smoking tenants or what are my options? I am in dire need of information. Sincerely, Kim Wagg 1229 Regina St. #2 North Bay 705-478-7019	Sep 7, 2012 1:34 AM
44	I think this will make our parks and beaches more enjoyable for all, and it is just a matter of time before this happens province wide.	Sep 6, 2012 12:41 PM
45	Most of the cities and towns south of North Bay have already implemented the non-smoking bi-laws in their parks, beaches, etc. and once these have been put into place there has not been much uproar or problems with the non-smoking issue. A lot of these cities have had this in place for years already and we find that in North Bay there is much to many people smoking in areas where it shouldn't be allowed. This is a real problem for people with health issues where the smell of smoke can cause further triggers. Plus, smoking is known to cause a lot of health problems and buy cutting back on smoking in some areas this may also help people cut back a little and maybe make them think about their future and health before its too late for them to do anything about it. Former smokers that learned the hard way : Thank you	Sep 6, 2012 12:37 PM
46	Non smokers wanted smokers outside, they got it...now enough is enough	Sep 6, 2012 11:42 AM
47	n/a	Sep 5, 2012 10:25 PM
48	The City of North Bay is known to have a lot of bylaws they don't enforce. Why do you bother taking the time to advocate and work on creating laws that ARE Not ENFORCED? Bragging rights I guess. Looks great in black and white on paper. The City have few enforcement people to enforce it, and the ones they do have are underpaid, and not qualified to do enforcement. Would you do it for a few buck above min. wage? We all want smoke free places but you need more qualified, good paying people to enforce it. People that are paid well enough to put up with the BS that goes with enforcing laws... Good Luck with this, but the City won't hire qualified people to do it. This is just a lot of hype!!!!	Sep 5, 2012 9:16 PM
49	If it becomes smoke free who will be responsible to implement? Example NB transit is smoke free but transit employers say it is the health unit. With programs	Sep 5, 2012 2:21 PM

Q6. Further Comments:

being slashed disease control is more important than monitoring smoke free zones. As a result everyone still smokes all overmain transit terminal- client as well as workers. Until follow up is secure I feel it is a waste of time to address the issue if it should be smoke free or not

- | | | |
|----|--|----------------------|
| 50 | Considering our climate, the municipality wants to ban smoking from patios that serve Food or drinks that are generally, weather permitted, used approximately 2 months out of 12 months for that purpose. The other 10 months they are only used by smokers. It is hard enough to make a living in this town without any more restrictions on our customers! The patio on the restaurants that are for this by-law are not as totally out in the open as other patios, so that may be why they get the odd complaint. Please do not consider passing a bylaw that will put more pressure on the small business owner like myself. Jo-Ann Rick Canadian Legends Eatery | Sep 5, 2012 12:59 PM |
| 51 | Enough government already! Apparently too much time on someone's hands! We are still a free country from what I understand.. | Sep 5, 2012 12:50 PM |
| 52 | Patti Carr should quit smoking | Sep 5, 2012 12:27 PM |
| 53 | I am not a smoker but I do feel that we have gone a little overboard in demonizing smokers. It is nice not to have smoking inside public places but think we can all tolerate a little dirty air now and then. | Sep 5, 2012 12:24 PM |
| 54 | trails, parks, playgrounds, sports fields etc. are all there for people(especially children) to enjoy the fresh air and keep active, families should not have to be subjected to second hand smoke when they are trying to live a healthy lifestyle. Festivals are so crowded, there is nothing worse then trying to walk through the grounds with your children and having to dodge people carrying cigarettes. | Sep 5, 2012 12:18 PM |
| 55 | City of North Bay should also address the gas emission in the parking garage at Northgate Square. People are not allowed to smoke in there yet the transits can iddle. | Sep 5, 2012 12:00 PM |
| 56 | Smoking is the leading cause of preventable deaths. When used as intended, it kills half of those using it prematurely. Legislation deters smoking, helps those who have quit or wish to quit, protects service workers and the public including children, and de-normalizes smoking culturally so kids aren't as likely to start smoking. | Sep 5, 2012 11:30 AM |
| 57 | I would also go so far as to see the government ban smoking in vehicles with children under the age of 18. It should also be noted that although there are smoking bans in place, they are not always enforced. There will need to be more resources and/or training available for this. I would also like to see officials work closely with school officials as it is not uncommon to see under aged students smoking in front of schools waiting for busses etc. | Sep 5, 2012 11:16 AM |
| 58 | My children play many outdoor sports through the summer months and I am astounded at the amount of people who smoke in the bleachers. On one occasion, I was parked in my vehicle and a woman was smoking away from the field except she threw her cigarette butt on the ground near my vehicle's back tire without putting it out. The smoke was coming into my vehicle and so I asked her politely to put it out with her foot. | Sep 5, 2012 11:12 AM |

Schedule "E" (continued)

Q6. Further Comments:

59	Smoking is poison. Why should the non-smokers suffer in ANY way from someone else's bad habit?	Sep 4, 2012 3:24 PM
60	I think we should work towards enforcing the 9 meter bylaw, as many do not comply. If people comply with the bylaw, there would be less complaints. If there is a fine in place - follow through with fining those who are not following the bylaw; you need to start somewhere and I think this is a good start to set a precedence.	Sep 4, 2012 8:26 AM
61	go smoke free everywhere!!!!!!!!!!!!	Sep 3, 2012 3:37 PM
62	Thank you for having this survey I hope it gets implemented	Sep 3, 2012 1:06 PM
63	Most smokers are respectful of being careful where to smoke. When we are in outdoor situations like parks and beaches, there is lots of airflow and places to get away from people. To ban smoking in parks and beaches would be a huge inconvenience for those of us who are still cursed with the evil addiction. I feel the laws in place now are enough for the comfort of the majority of people.	Sep 3, 2012 8:51 AM
64	Dont forget smokers are tax payers too! All our rights shouldnt be taken away from us!	Sep 2, 2012 9:53 PM
65	I especially don't like the one where smoking should be banned at special events or festivals.....because I think if you are going to do that... dog should be banned other than working dogs. I am more afraid of dogs than I am of someone smoking. I guess you don't give a darn about the smokers who pay taxes in this city. And I don't know how you can ban those smokers from smoking outside... I thought no one could own the air. I think we have more pressing problem in this city other than where citizens can or can't smoke. I feel this is discrimination against smokers....what are you doing about the drinkers and druggies in this town.....????????	Sep 2, 2012 6:57 PM
66	I am a smoker and wish I wasn't. Make it difficult for me and all smokers to smoke. We will smoke less then eventually we will have better success of quitting smoking. We know now that this is bad for our healths not like our parents did not know all the facts that we do. Been trying to quit and I am close to my success, down to 10 cigarettes a day to the one pack a day. Like flying a airplane you must wait a very long time to have one to have to step out of the airport and go thru the security check, most time you don't have enough time so I chew Nicolette gum for those moment and I think at all areas of the survey you mention if I really need the nicotine I will chew the gum and won't bother the non smokers. Thank you	Sep 2, 2012 6:31 PM
67	In my mind, there is no question that this is a step in the right direction. I am tired of having to breath second-hand smoke at events or even on the street. Smoking and second-hand smoke is unhealthy, and I have a right to breath clean air! I don't hesitate to show my displeasure at having to smell someone's second-hand smoke. I consider it rude and a lack of consideration when someone lights up in public areas, especially when there are kids nearby! Every smoker should feel that she/he owes to herself/himself and everyone else that they need to cut this bad habit. It's ugly, unclean, and, again, unhealthy.	Sep 2, 2012 3:59 PM
68	IT IS DISGUSTING TO SEE ALL THE CIGARETTE BUTTS EVERYWHERE.	Sep 2, 2012 10:01 AM

Schedule "E" (continued)

Q6. Further Comments:

STURGEON FALLS TIM HORTONS IS A PRIME EXAMPLE. BEFORE ENTERING, YOU HAVE TO PASS BY HALF A DOZEN OR SO SMOKERS BEFORE ENTERING THE BUILDING. THEY ARE RIGHT OUTSIDE THE DOOR. I WALK THROUGH A HAZE OF SMOKE, AND A BUTT COVERED ENTRANCE, BEFORE I CAN GET INSIDE. I SURE DO NOT FEEL LIKE EATING OR EVEN HAVING MY COFFEE AFTER THIS.

- | | | |
|----|---|----------------------|
| 69 | I feel designated smoking places are fine, as long as they are well away from places where non smokers can be affected. If much more rules were put in place, I feel that smokers might legitimately not know where they could or could not smoke. Make some clearly designated areas. | Sep 2, 2012 9:13 AM |
| 70 | I don't attend any major events hosted in North Bay because I'm sick of dodging cigarettes waved around and tossed by careless smokers. Ban it everywhere!! | Sep 1, 2012 8:34 PM |
| 71 | Anywhere where kids might be, should have a smoking ban. My husband and I are very sensitive to cigarette and other types of smoke(cigars, pipes etc.) and even passing by near these things causes us distress and breathing difficulties. I find that there needs to be more enforcement of the already present smoking bans. Perhaps the smoking public needs a reminder of how far nine meters is. | Sep 1, 2012 1:56 PM |
| 72 | Nobody should be subjected to the negative impacts of smoking on their health when they are just trying to enjoy public spaces. We do not CHOOSE to smoke and should therefore not be forced to endure it! | Sep 1, 2012 8:38 AM |
| 73 | Getting rid of smoking in public places is critical to the health of most of the population who prefers not to smoke either first hand or second hand smoke - especially near children. Children can be found in all the locations mentioned in your survey. | Sep 1, 2012 7:56 AM |
| 74 | City of North Bay council is voted in to run our city not to intrude in our personal lives this motion goes to far we do not live in a communist country as yet try not to make it one | Aug 31, 2012 6:46 PM |
| 75 | The real disappointment is that the 9 m bylaw doesn't stop people from smoking there & when you call to complain, it's unenforcible. Very dissappointing when it's in front of a healthcare building. | Aug 31, 2012 5:55 PM |
| 76 | Live and let live. A little tolerance of others is called for here. | Aug 31, 2012 5:46 PM |
| 77 | Everything should be done to help stop our youths from starting smoking and possibly even help those who need more reasons to quit. | Aug 31, 2012 4:46 PM |
| 78 | People are now accustomed to the fact that they must go outside to smoke and away from doorways. Why should they smoke at tables where people are eating. I certainly don't want to eat there if someone is blowing smoke into my food. We are paying enough to eat out as it is. If necessary they should have a smoking area at side or back of building away from the Patio where people can go and smoke if they must. Younger generation under fifteen have no problem with the no smoking as they have grown up with it so why shouldn't we continue to protect them for years to come. To those growing up now it only makes common sense and hopefully fewer will start smoking in the first place. | Aug 31, 2012 4:12 PM |

Schedule "E" (continued)

Q6. Further Comments:

79	If this passes there should be better reinforcement because even with the 9 meter rule there's still people smoking 2 feet from entrances	Aug 31, 2012 2:48 PM
80	On several occasions family members who come to watch children's sporting events have had to leave due to inconsiderate people lighting up in the general area and causing medical distress. As well the poor children who suffer from second hand smoke at these events and require asthma medications just so they can participate in festivals/events/sports activities or worse have to leave to obtain medical attention. The cigarette butts at these family area is gross and when I must remove butts from beach sand so my kids can build butt free sand castles at the beach it becomes very annoying.	Aug 31, 2012 12:55 PM
81	It's time to give the smokers a brake you have them outside in 30 below it's time to back off	Aug 31, 2012 11:45 AM
82	Cigarettes are still legal. This is really starting to go a little to far to infringe on peoples freedom of choice. I am a non smoker my concern is what will you try to make law for next. Why not go after other big polluters that are actually causing more harm to the air and environment. I can not believe that my tax money is going towards this. Why not use it on something more worth while, like more education. I think it is now time to focus on something else. Smokers know it is bad for their health and so do non smokers if you don't like to be down wind from the smoke change were you are. And were do you get off taking away the choice of a business person, if they want to be bias to smokers they should set there own standers of if and were there customers can smoke. From a non smoker who is concerned about my other rights and freedom. Remember this is Canada not a dictator country.	Aug 31, 2012 11:42 AM
83	Non smokers are very annoyed by all the smoke.	Aug 31, 2012 11:34 AM
84	I am an asthmatic and I have had to move from the place I was sitting or standing because of other people smoking around me. It makes the outing not enjoyable and unhealth for me as I have to end up using medicine to get relieve and able to breathe properly again	Aug 31, 2012 10:40 AM
85	While I don't agree that smoking should be prohibited within 9 m of all workplaces and businesses (it really does leave almost no where except home for a smoker to smoke), there should be stricter punishment for littering and butt-dropping. All smokers should be respectful of their environment and people around them too - and the wind conditions of the area they smoke in. Part of the issue with littering seems to be the facilities available - and this goes for all litter. I'm amazed that a city the size of north bay does not provide more receptacles, especially along busy pedestrian and transit routes. I highlight the stretch of McKeown ave between No Frills and College Drive - every bus waiting area is littered with junk that people couldn't hold on to - and there just isn't a spot to dispose of garbage that is efficient. You can generate income by allowing advertising similar to city of toronto. Though i guess that's hard because the city can't even generate enough advertising interest to fill up the buses...	Aug 31, 2012 10:15 AM
86	you don't see cars been turned off at drive trues, you smell the exaust inside the building	Aug 31, 2012 10:02 AM
87	Leave smokers alone.	Aug 31, 2012 9:58 AM

Schedule "E" (continued)

Q6. Further Comments:

88	Smoking areas need to be designated and enforced. I hate walking up to a building and having to walk through a haze of smoke and through the old butts and packaging. I also hate walking down the street trapped behind some smokers. Smokers can do what they want in the privacy of their own homes. I don't want to be subjected to their second hand smoke anywhere in public, or to their discarded butts and packaging.	Aug 31, 2012 9:55 AM
89	If my tax dollars pay for public and municipal areas, then I as a smoker should be allowed to smoke there. I am very mindful when I do smoke not to smoke around my children, in my car, pick up my cigarette butts, etc. I think it is totally unfair that the public health unit focuses all their attention on smokers. I have great difficulty with people drinking alcohol in public including patios due to past difficulties with alcohol myself. Should that not be allowed as well? What about air pollution from cars and industries. Why is that not being regulated and fined as strongly? It is time to focus your energies to other areas rather than on the smokers. If you would have treatment centres that deal with the addiction of smoking as an inpatient practice as for other additions, then maybe you have something to talk about.	Aug 31, 2012 9:51 AM
90	Second hand smoke is dangerous and cancerous. There is nothing more annoying than trying to enjoy our beautiful outdoors and being exposed to such toxic chemicals. A good example of this was at this year's concerts for the August long weekend. We were trying to enjoy the music and festivities however everyone around us were smoking and with the way the wind was blowing it was right in our direction. I think people should be allowed to enjoy the outdoors without the worry of what chemicals and toxins they are breathing in.	Aug 31, 2012 9:50 AM
91	I am a smoker and consider myself a considerate smoker. Banning smoking from something like Summer in The Park would take a few years to solidly establish and would create alot of anger. I don't believe it is the proper venue for smoking, but it is an outdoor public event. My concern is that the government continues to legally allow smoking because of the tax revenue, but at the same time spends money on laws, bylaws, enforcement, signage, etc. (oh! And surveys too:)) Is one paying for the other?	Aug 31, 2012 9:48 AM
92	I think these are all great suggestions and I would love to see them in place, however, unfortunately the fact remains that there is little to no enforcement of the existing smoking bylaws and until that happens it seems kind of pointless.	Aug 31, 2012 9:10 AM
93	Cold beer and a smoke go hand in hand. But, as a smoker I agree with no smoking at parks and sports fields.	Aug 31, 2012 9:03 AM
94	Smoking is a legal right. Banning a legal right is unconstitutional.	Aug 31, 2012 9:02 AM
95	It is ridiculous. You want North Bay to lose residents. Half of North Bay residents smoke. It is a free country, if you want to smoke, just don't leave your butts laying around	Aug 31, 2012 9:01 AM
96	I took my kids to the Summer in the Park concert as they like Marianas Trench. One has asthma and found it difficult to breathe as someone nearby was breathing. The security guard and a police officer said there was absolutely nothing that could be done. I was shocked. Kids and others with breathing difficulties should be able to breathe comfortably at events that take place on city	Aug 31, 2012 8:46 AM

Schedule "E" (continued)

Q6. Further Comments:

property like Music In the Park. I hope next year smoking is banned at this event, our kids' lungs shouldn't have to support the habit of a few.

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| 97 | Thanks for asking for our input! Great way to get some citizen involvement. | Aug 31, 2012 8:45 AM |
| 98 | As a member of this community, and someone who uses the public playgrounds and beaches with my family, I am so frustrated with having to leave these places due to the amount of smokers and cigarette butts on the ground. I cannot have my child running around and crawling through these toxins. I realize that we have it pretty good in Canada, and some would say a few cigarette butts in a publicly funded playground or beach is a luxury compared to the conditions some kids have in other places. However, I contribute to paying for these places with my taxes that are WAY TOO HIGH in this city, so I think I can say that the conditions of these public places that I pay for is deplorable. | Aug 31, 2012 8:43 AM |
| 99 | For each new area designated smoke-free the municipality must provide properly equipped areas for people to smoke, i.e. ash trays, covered areas. The smoking designated areas must be encouraging and still respectful, these are citizens too. | Aug 31, 2012 8:39 AM |
| 100 | I think this would be a great initiative to increase the areas that are smoke free. As I do not want to inhale smoke and have potential harmful health effects imposed on me, and I believe it is my right to live smoke free, I would appreciate additional areas, such as beaches and parks, and entrances to public buildings such as stores and restaurants, to be smoke free as well. I take as many measures as I can to lead a healthy life, and believe that as a member of this community I have the right to enjoy the wonderful public spaces North Bay has to offer smoke free. I am new to the North Bay community and am amazed by the wonderful parks and beaches the city has, however am always put off and astonished by the amount of cigarette butts that can be found. I hope that this is a successful venture and look forward to watching its progress. | Aug 31, 2012 8:35 AM |
| 101 | Having people smoke around you is a fast way to ruin a great experience or downtime. Whether it's lying on the beach and having smoke blow in your face, or enjoying a meal on a patio restaurant. If people are outdoors it is not to have the fresh air filled with filth, or having their appetite ruined. This is 2012, we know the health consequences of smoking. Those who choose not to smoke, should not have to reap the affects of others' habits, nor should they be expected to leave a public area to ensure their own health or enjoyment. If you are choosing to smoke, you should be held responsible for removing yourself from public, especially family settings. | Aug 31, 2012 8:11 AM |
| 102 | If North Bay passes this by-law then all restaurants etc will lose my business as well as that of my friends and family...this is a FREE country and this city is starting to be run like a dictatorship by the health unit. | Aug 31, 2012 8:04 AM |
| 103 | Smoking is bad for your health. While I respect a persons' right to smoke, they should not subject others to the second hand smoke. | Aug 31, 2012 8:01 AM |
| 104 | I am tired of municipalities and government using there comminnst approaches to forcing people to do what they want .. there is enough smoke banning ... try do the freakn job you were voted in to do Instead of banning everything and raising the taxed everytime someone farts . try taking care of | Aug 31, 2012 7:21 AM |

Q6. Further Comments:

the things that are imrtant to this city obviuosly you have tooooooooo much time on your hands .

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| 105 | This is a good way too kill lots of businesses in North bay. Mainly restaurants and bars who 13 or so years ago felt the affect of not smokeing inside to now a new low blood alcohol law. This would just hurt them to the point of closure. This takes our freedom away and ability for choice. Out doors is out doors! and P.S I don't smoke!! | Aug 30, 2012 10:43 PM |
| 106 | Give us a break. The monkey on our back is enof. | Aug 30, 2012 8:52 PM |
| 107 | Nothing is good about smoking and for those that are truly addicted to this killer habit, the community and city as a whole need to do it's part in helping break the habit. Also i work at city building and we have smokers at the back door of the station (i mean with in 2 feet) lighting up all day long. We inhale second hand smoke everytime we need to come or leave. Would love to see the laws we have strictly enforced !! | Aug 30, 2012 8:02 PM |
| 108 | I believe that smokers will still frequent restaurants and public spaces even when smoking is not allowed. They will retreat to their vehicles to smoke, saving the rest of us from their smell and their trash. Prohibiting smoking in all areas where children play -- beaches, parks and playgrounds -- is especially important. Cigarette butts all over the ground in these public areas of North Bay are unsightly and dangerous to children. | Aug 30, 2012 7:38 PM |
| 109 | This is passed-due. Please go smoke free! | Aug 30, 2012 6:41 PM |
| 110 | These questions seem to be worded so that there is no room for discussion. With regard to 'smoking' on patios where food or drinks are sold, that should be up to the individual owner, should he or she decide that they wish to go entirely smoke free. Same with prohibiting smoking within 9 metres of an entrance to workplaces and business the choice should be that of the individual owner. Special events and festivals usually include families and therefore walking around with a cigarette in hand is not a good idea, but having a designated 'smoking area' for those who wish to smoke would be good. Where do we draw the line telling people what they can and cannot do? To smoke is the choice of an individual and should it be 'prohibited' everywhere, there will be those who will do what they can to 'break the law'. As well, who is going to 'police' all of these places where smoking may be banned. How many 'by-law' officers does this city have? Is one 'by-law' officer going to feel comfortable wading into a large group of people smoking in a public area, or will the police be required to assist said 'by-law' officer? Many folks have strong feelings re smoking and personally we feel that there are many, many more important issues that city council should be taking the time to address. Believe it or not, most people that smoke realize that it is bad for their health and that second hand smoke is bad as well, but banning smoking in public places is not the way to go. We don't have the answer, we don't think that anyone does, but we feel that smokers have just as many rights as non-smokers and we are non-smokers! Thanks for the opportunity to send you our comments. | Aug 30, 2012 6:36 PM |
| 111 | I quit smoking 3 yrs ago - after indulging for approx 40 yrs. The ban on smoking in public buildings, restaurants, etc is a good thing. But, to go as far as this proposal goes is a bit out of line. As for the smoking bans in place at our new | Aug 30, 2012 6:25 PM |

Q6. Further Comments:

	hospital, my family & I feel that there should be a designated area for people to smoke (not out on the highway). How difficult would it be for a patient who has smoked for many years to have to march out to the area around the highway to have a smoke. Let's be fair.....especially to some of the older people. This is like everything else in the world today....some ideas for change were good & some went from one extreme to the other. Give it a break!!	
112	From a person with allergies....I sit here in my own home as my neighbours sit outside and smoke and I have to get up and close my own windows on a very hot day as my allergies can't take it. In my opinion smoking should be banned everywhere!!! Why let everyone else around them suffer!! And especially in places where families, children and athletes are. It's just common sense as far as I am concerned! Enough is enough already! It is a serious health hazzard to everyone! What does it take to get this through to people!	Aug 30, 2012 6:05 PM
113	What if a bylaw were introduced, yet modified, in a way at food/drink locations in which smoking was prohibited prior to "bar hours", like, prior to 8pm? As a smoker, and a frequent bar-goer, I have to admit that I would most definitely not go out as much if I weren't allowed to sit on the patio and enjoy a cigarette while having a drink. Bars are meant for a little debauchery and some smoke in the air. I'd hate to lose that little taste of anarchy for a no-tolerance policy. If this passes, before long you'll have to go beyond city limits to have a cigarette.	Aug 30, 2012 6:00 PM
114	Smoking should be banned in public and private buildings, business and any commercial centre. Smoking causes cancer not only to smokers themselves, but to others (second-hand) Treatment of diseases cause by smoking causes millions of dollars. The fund that could be used in education, or other beneficial services or programs. I will be very happy if the proposed By-law is successful.	Aug 30, 2012 5:58 PM
115	As a non-smoker, I feel it is my right not to have to be subjected to any second hand smoke. I should not have to take a detour to get into stores and facilities to avoid smoke.	Aug 30, 2012 4:22 PM
116	get ready to lose money if these laws are passed. Who will foot the bill of course the taxpayers. It's your federal govt who should show examples and not to let cigarettes be sold. Of course they won't they make good money with taxes.	Aug 30, 2012 1:47 PM
117	There has to be a limit where the government should back off and let business owners and fully grown adults make up their own minds about some things at least. If anti-smoking sentiment is that high, go through the prope channels and make tobacco illegal, period. Other than that, if it's legal, there has to be some latitude given to the people.	Aug 30, 2012 1:37 PM
118	Inhaling smoke while eating, running or enjoying the outdoors is disgusting. I don't appreciate not being to enjoy the patio in summer because smokers take it over. go to your own backyard to smoke. let people decide for themselves if they want to inhale toxic fumes, don't force it upon them	Aug 30, 2012 12:52 PM
119	2012 - it is time that non-smokers are not subjected to the health hazzards of second hand smoke when watching kids in parks, beaches, playgrounds and sports fields	Aug 30, 2012 12:33 PM
120	If this smoking ban is approved, the city and the health unit will have to find a	Aug 30, 2012 12:28 PM

Schedule "E" (continued)

Q6. Further Comments:

	non-smoker to replace me, as my 20 years of volunteering in this city will come to a end, also the city and the health unit can pay my taxes of \$5600, each year as I will not be allowed to go anywhere in this city, why should I pay taxes If I am banned from public places, and also have you forgotten about the veterans that fought for this country and not allowed to have a smoke outside the legion, how soon we forget. I have my rights also.	
121	Sport fields should be smoke free only when the players are 15 years old and younger.	Aug 30, 2012 12:26 PM
122	I am really at my wits end with all these anti-smoking laws. I don't think it's possible to ever satisfy anyone. We gave them "clean air" in every possible public place and workplace imaginable, we've trampled the rights and freedoms of smokers and private business owners, we've hidden all tobacco to "protect the children", we've increased tobacco taxes to absurd levels. Now they are demanding that smokers be BANNED from smoking outside?!!! Telling us how great it would be to hand out tickets for smoking, the same gov that doesn't enforce environmental rules on industry, they poison us with pollution. While these people are at it, perhaps they can also ban the cars that are driving down the streets. After all they are emitting toxins. Please show me the research that has been published anywhere that says second hand smoke outside is any more harmful than car exhaust NOW HOW ABOUT putting all that effort into doing something more worthwhile. LIKE stopping these big industries from polluting. Now that would be a more worthy cause, and far more pollution comes from these companies than the folks that are standing out on the sidewalk having a cigarette. Plus will we need to hire more staff to enforce??? Maybe should sell my house and move to a city that doesn't spend all of the money I pay to own a home here on such ridiculousness, you say you want to keep good employees up north, I could easily be making more money for my position elsewhere!! I can see the point of no smoking in parks/playgrounds and sports fields BUT DO NOT agree with the ban for everywhere public!!! People can make informed decisions of where and what patios and bars they would like to go to. In the perfect situation, smoking policy would be set by bar or restaurant owners, and customers would patronize the establishments with the policy they prefer. Customers would decide-without the government's help-if they want to avoid smoking on OPEN patios or not.	Aug 30, 2012 12:16 PM
123	I think they should ban smoking period. It is proven to cause many diseases and even DEATH. Smoking should be outlawed the same way may illegal drugs are. People should also be given the power to arrest or assist in an arrest of anyone breaking this law. I constantly see people who smoke standing right beside the signs prohibiting this act and nothing is done about it. Our police seem to ignore many of these laws as they see fit and that is a great tragedy as they are in power to uphold these laws and do not.	Aug 30, 2012 12:08 PM
124	I am a non-smoker and my husband is a smoker. This means we will never go out to eat, shop, attend Summer in the Park, play sports, etc. again. Really? For the most part, smokers are respectful to others that are non-smokers. If you are outside and it bothers you so much, stay home. We are having a hard enough time getting people to our festivals and restaurants in the city - now we want only non-smokers to show up. Good luck with that!	Aug 30, 2012 11:58 AM
125	Please add to this ban smoking within townhouse and apartment building	Aug 30, 2012 11:33 AM

Q6. Further Comments:

	perimeters. Smoke gets in even more through an open window than a door which is closed part of the time.	
126	Any suggested loss in business overall will be more than offset by clients that don't smoke, new people that move here because it's smoke free and the immense improvement in future generations who learn by example to avoid this and other addictive health hazards. Best wishes, the sooner the better.	Aug 30, 2012 11:26 AM
127	City of North Bay has enough financial obligations to consider - adding another layer of bureaucracy & expense to City budget is UNACCEPTABLE at this time. [Non-Smoker]	Aug 30, 2012 10:19 AM
128	I understand the reasoning behind this and support. I was a smoker for 20+ years and I no longer want to be near it or come out smelling like smoke. My opinion though is how are you going to enforce this by-law when you can barely enforce any other by-law within the city. You must be able to enforce ALL legislation that you put forward. In addition, you will also have to consult with your stakeholders, specifically the courts. Can you handle the capacity??	Aug 30, 2012 9:53 AM
129	There's nothing worse than trying to enjoy a meal on a restaurant patio and having disgusting smoke surrounding you. I'm trying to enjoy a meal, why should I have to be subjected to your disgusting unhealthy second hand smoke?!	Aug 30, 2012 9:15 AM
130	There is nothing worse than walking into any work place and having to walk through a cloud of smoke to get there. It looks very unprofessional. Also when I go out to a restaurant and sit on the patio I do not want to smell the smoke to the table next to me or even a few over. Children also should not be exposed to smoke of parents or others in a park or playground. We need to do our part now as adults to make smoking inaccessible in public in order to deter our children's generation from wanting to smoke.	Aug 30, 2012 8:35 AM
131	#1 and #2 - only because the butts are everywhere.	Aug 30, 2012 8:33 AM
132	It's becoming more and more ridiculous. It's a bit much don't you think. If the smoker is outside then he or she should have the right to smoke. When I see someone around me that smoke outside and I am near, I remove myself. Plain and simple. Come on now. I have a question for you. I agree that smoking is not good for anyone (second hand smoke and all). However, we don't see as much restrictions on people that drink or do drugs now do we. Making spectacles of themself. Is it harmful to others around. You bet it is. Yet, it seems that nothing is being done. We still have commercials on T.V. about alcohol. True, we don't see them drinking it but it sure is inviting isn't it. You still have drunk drivers killing innocent people, because they feel they're o.k. to drive. It's not good for anyone's health now is it. Does it cause second hand illness? Paralysis or DEATH. Now how do we stop that?	Aug 30, 2012 8:19 AM
133	Nobody should have the right to smoke in public places. This other night and it is disrespectful to bring more people to not show up at some places because of it.	Aug 30, 2012 8:14 AM
134	1. As a softball player, I choose to not smoke during games. That is my choice. However, I know a lot of players that do smoke during games. As long as the cigarette is not on the field or in the dugout, I don't see a problem. Playgrounds and parks, I can see a smoking ban because there is children there. Beaches	Aug 30, 2012 7:54 AM

Q6. Further Comments:

	<p>would benefit from a smoking area. Trails, like the Kate Pace Way, should be smoke free because they are promoting healthy activities. Plus, trying to have a smoke while on a bike is ridiculous anyways. 2. Community events should have butt cans around so that the lit butts do not lie on the ground for someone to burn themselves on. (Children should be wearing shoes at these events anyways.) 3. I agree with keeping smokers 9 meters away from entrances, but only public ones. I have a back door at work that I smoke right outside of. However, this bylaw should not apply to someone who is walking down the street. Yes, they would be less than 9 meters from the public entrance to a business, but they are simply passing by. If this exception isn't made, there will be a lot of smokers walking down the center line of Main St, even if they're just doing it to prove a point. 4. & 5. I think that we should take a note from our pre Smoke Free Ontario Act days and impose a smoking and non-smoking section on patios where food or drinks are served. When the Smoke Free Ontario Act was created, a lot of local bars and restaurants had to do some renovations to create a patio so their patrons could have somewhere to smoke (A lot of these places now have fenced patios so they could be licensed). Most of the patrons of these businesses know that if they are going to go out on the patio to enjoy their meal or their drink, chances are someone is going to be smoking. Most of the time, when someone is smoking, others don't even notice if they're on a patio. The smoke and smell dissipates so quickly. All in all, I consider myself neutral because I agree with parts of the proposed ban and disagree with other parts. I sincerely hope that the counsel of North Bay takes into consideration all of the opinions people express and not just the ones they want to hear. (I don't blame them, it's human nature to only hear what you want sometimes)</p>	
135	I think this is a great move for the city, banning smoking is one on the best things we can do because of the very large health risks not only to the smoker, but everyone around them.	Aug 30, 2012 7:52 AM
136	Not only do I find cigarette smoke repulsive, I am allergic to it. I can't enter stores without having to walk through it and inhale it. Then my hair and clothes smell like it until I get home and wash it all. They should have the right to choose to impair their health, but they should NOT have the right to impair mine!	Aug 30, 2012 7:50 AM
137	You are infringing on the rights of people who choose to smoke. If people do not want to inhale second hand smoke they can go inside where the air is clean. We smokers were banished to the outside because people were bothered and patios were originally put in place for us. Enough is enough already	Aug 30, 2012 7:48 AM
138	Thank you for taking on this initiative! I work in tobacco cessation and strongly believe that the only way we can reduce smoking prevalence is by - increasing cessation supports to individuals - stopping the flood of contraband tobacco in our community - strengthening tobacco bans in our public areas. Smoking bans do work to reduce smoking rates, and support the overall movement to denormalize tobacco use. I really hope this survey will give the usually silent majority (those who would support smoking bans) a voice. The City of North Bay is doing the right thing to implement these changes. On another note, could I suggest that any policy adopted include wording that addresses ALL forms of tobacco (snus, chew, or any other product out now or in the future) as well as e-cigarettes. Regards, Shari Cole	Aug 30, 2012 7:46 AM
139	The laws are fine as is!	Aug 30, 2012 7:30 AM

Schedule "E" (continued)

Q6. Further Comments:

140	I do wish to see the city improve and become a healthier community and believe that we can improve on the enforcement of the 9 meter from entrances. I beleive that we should also try to find/present information on the cost of cleaning up after smoker's, littering, and damage done with tar stains from cigarette butts	Aug 30, 2012 7:27 AM
141	The Feds are too weak-kneed to make a deadly product prohibited. It KILLS 50,000 Canadians a year in smoke related illnesses. BS with those saying it's a legal product or its my choice. Too many challenged people making stupid / dangerous decisions. Thanks.	Aug 30, 2012 7:22 AM
142	Even on private porperty, smokers should not prevent neighbors to enjoy their own outdoor patio due to smell and smoke	Aug 30, 2012 7:01 AM
143	leave it as is now....havn't we heard enough from the Health Unit about smokers...this should be an individual's choice..after allmost smokers are adults now days so just leave it alone and move onto the obseity issues or something else to complain about...	Aug 30, 2012 6:53 AM
144	We should not condemn smokers anymore. I think the laws are strict enough. Most smokers try not to smoke around others who don't smoke when out in public. Perhaps we should start doing the same for alcohol consumption. It also causes a lot of health damage to the person who drinks and often the person's family and friends suffer emotional and/or physical abuse.	Aug 30, 2012 6:53 AM
145	right to smoke...pay for your own health costs related to smoking...cough remedies, oxygen bottle requirements...scooters for when the lungs give out..pay pay pay.	Aug 30, 2012 6:27 AM
146	Just leave the smokers alone. There is worse things going on then smoking outside. The people that are discontent on the smoker are most likely puffing something else. I agree indoors in a restaurant, I respect the people that are eating but outside is a joke.	Aug 30, 2012 6:05 AM
147	This is ridiculous. Smoking isn't good, by any standard, but its a choice. A choice an individual is allowed to make. Its a selfish habit, but trying to push smokers into solitude won't help them quit. It'll just make a lot of irritable people upset with an already failing government. I agree with no smoking in playgrounds. Smoking around children is just wrong. But on the beaches and parks? Good luck enforcing that. Lets go ahead and waste more money on something not important, shall we? So glad I left North Bay. What a joke this is turning into.	Aug 30, 2012 3:21 AM
148	I mention this thread within The Nugget's main Facebook page in relation to their newspaper article on this subjects, as follows: "Guess North Bay will be the poster boy for totalitarianism. Well, I've found the most rude and obnoxious people to be non-smokers. Some are kind and respectful people. Some smokers are also rude and dirty, don't pick up after themselves or are unconscious of people walking by. For me, I see this argument as nothing more than stupid rhetorical garbage. Nothing more than another way to control the masses to the way a few people want it to be, and great money in fines from those who mean to disobey. Fuck that, I mean to disobey." This step towards forcing people to fit the paradigm of a few elect people is not going to go the way they want. Canada is not a third world country, and we are not ignorant of the steps the government is taking towards totalitarianism. In trying to force people to think, act, speak, use	Aug 30, 2012 2:31 AM

Q6. Further Comments:

their body, marry, date or even protest the larger part of Canada is getting truly pissed off. Fucking idiots.

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| 149 | Re question 3: I would like to see smoking prohibited within nine metres of the MAIN entrance(s) used at businesses and workplaces. I don't think smoking needs to be banned within nine metres of side/back doors. | Aug 30, 2012 12:07 AM |
| 150 | These restrictions are great, however, as the existing bylaw is rarely enforced it won't do much to improve the air for those of us non-smokers. More enforcement must accompany the changes to the bylaw. The worst of these locations is the various entrances to the Northgate Square, namely Wal-Mart and Parking Garage entrances. Sure the signs are there, but nearly every time I go to the mall I am greeted with a puff of smoke in my face. As the father to a newborn, this is especially concerning. The fines would more than pay for several enforcement officers salaries. | Aug 29, 2012 9:18 PM |
| 151 | I think smoking should be allowed on Private Property and the city shouldn't limit smokers from frequenting them. I think the city should better enforce the 9 meter rule and other more important bylaws instead of making more bylaws that end up being ignored. | Aug 29, 2012 9:06 PM |
| 152 | I moved from Ottawa 2.5 yrs ago (which has a smoking ban in place) and was/am discusted by the smoking in this city. We have to hold our breath going in/out of businesses or even at times while walking on the street. It is awful. The uproar in Ottawa at first was overwhelming, but eventually it calmed down. I love returning to Ottawa to visit and not have to SMELL that awful smell and not have to hold my breath or tell my children to do the same. Please do the right thing for the Health of all North Bay residents and visitors!!! | Aug 29, 2012 8:41 PM |
| 153 | Enforce the By-Laws you have now, we do not need new ones that you will not enforce! | Aug 29, 2012 8:32 PM |
| 154 | I am a none smoker but feel this is going to far. Outside should not be just for some. The businesses and sporting areas have already designated appropriate areas and both smoking and non-smoking public have adjusted. As mentioned in the Nugget column, we will alienate the tourists just when we need them most. | Aug 29, 2012 7:31 PM |
| 155 | Enough already!! People will smoke, even if you try to prohibit them from doing so. If they aren't smoking on patios then they will spill out onto the sidewalks/streets, which is a safety issue. People are randomly getting attacked in the downtown core, 4 men have gone missing in the past 5 yrs, and this is what the city wants to spend their valuable time on! There is a bigger issue at hand here! Please get a life and focus on things that really matter like public safety. | Aug 29, 2012 7:28 PM |
| 156 | There are too many businesses where you cannot get 9 metres away to smoke unless you stand in the middle of the street. Private businesses should have the right to decide if they want to prohibit smoking on their property. For public venues, there should be a designated area for non-smokers and for smokers. Half of the laws regarding smoking in vehicles, just like cell phones and texting are not policed properly as it is. I feel like my neighbours would be able to complain that I am sitting on my deck smoking. If the right to smoke is removed from all parks etc, then parents who do smoke will never take their children out | Aug 29, 2012 7:20 PM |

Schedule "E" (continued)

Q6. Further Comments:

	for any activities because they will have to stay home. We know that smoking is bad, but it is an addiction and they (Council) have to remember that as well. We don't take alcohol away because there are alcoholics, we provide safe areas for intravenous drug users, but we won't allow areas for smokers??	
157	At it again, are we? Enough already. Smokers are not doing anything illegal because if they were, smoking would be illegal and it is not. Leave them alone for goodness sake. Second-hand smoke can only affect non-smokers if they are near them. It's not a smoker's fault if a non-smoker chooses to come near them. It's the non-smoker's fault. What's next? Any and all public places? And then what's next? People's homes? As smoking is repulsive to some, the following issues are repulsive to others. Why not concentrate on swearing, purple hair, tattoos, and spitting?	Aug 29, 2012 7:00 PM
158	The Health Unit needs to get off it's high horse. They should be working on something more pressing, like how to reduce the amount of drug users in the city. People are afraid to walk outside at night now, for fear of getting jumped by a crackhead. Although I suppose it'll give the police something to do rather than actually WORK to catch the real criminals in the city. They can just use this cash cow to meet quota, and not need to worry about the numerous random physical assaults by thugs. Just remember...for every person that went to the hospital after and filed a report, many didn't because of the hassle. MUCH more happens in this city than the news seems to let on, I see it outside every day. North Bay is a city I advise people to stay away from, and not to move to. I'm working and saving every penny I can to get away from this hell hole, so my children can have a place where they won't need to see drunks and oxyheads stumbling around	Aug 29, 2012 5:31 PM
159	I think there are already enough rules about where people can smoke! I agree with banning it at sporting events and of course, playgrounds but please leave the outdoor patios alone! Better yet, make them SMOKING so that non smokers wont be bothered by the issue.	Aug 29, 2012 5:24 PM
160	I applaud the efforts of the Health Unit in protecting the well-being of the community. Thank you!	Aug 29, 2012 4:40 PM
161	While smoking is still legal, I don't believe such "by-laws" should be imposed. The municipality would not mis-treat any other minority in this fashion. If the government believes smoking is that bad for one's health, why don't they have the courage to abide by their convictions and just ban them. Oh yeah, they make too much money off them in taxes	Aug 29, 2012 3:28 PM
162	Enough already	Aug 29, 2012 3:27 PM
163	I feel badly about encroaching on smokers rights to relieve their addictions in public but twice recently I was eating on a patio in a restaurant when someone lit a cigarette. Aside from the proven health risk which they ignore and feel comfortable subjecting me to, it detracted from the dinner experience I paid for.	Aug 29, 2012 2:59 PM
164	Me and my family should not have to deal with second hand smoke in any public place, period.	Aug 29, 2012 2:53 PM
165	The city should also designate all rental properties and rental property common	Aug 29, 2012 2:46 PM

Q6. Further Comments:

	areas non-smoking. All school buildings and bus stops should also be designated non smoking.	
166	The Government is going way to far with this SMOKING ..where are the rights of smokers? we had all our rights taken away by non smokers who cry about second hand smoke..W had to obey the smoking laws years ago with smoking outside on patios and outside the bars.. so the non smokers could breath better..Now they want us to smoke 30 miles away from all doors..You know thats crap..If they don;t like the smoking outside on patios and bars eat inside ..or quit the Bitching!!... " GO SMOKERS ! GO!	Aug 29, 2012 2:00 PM
167	If the city continuously removes the rights and freedoms of the people of the city, then sooner or later a protest will occur. I'm all for banning smoking to places like parks and playground where there are children, who really shouldn't be exposed to it in the first place, but to take it away from places like patio's or restaurants is complete ridiculous. Where are the smokers supposed to go? If it's really that much of an issue, get a divided patio where half is smoking the other half non smoking, and give people the choice. We live in a democracy, and to take away the rights of a specific group of people is nothing better than living in a communist country.	Aug 29, 2012 1:40 PM
168	I think people in the city need to compromise if you are a smoker try and stand away from non smokers or children that may be around non smokers need to avoid standing directly beside a smoker if they don't like the smell or are allergic to it. Its kind of like the classic arguement of the toilet seat some men want it left up women want it put down we need a happy compromise to completely ban smoking in our city aside from outside our residential homes is impending on our rights as a human and citizen if your a non smoker don't complain about a person cigarette if you chose to stand next to them its all about common self and compromise.	Aug 29, 2012 1:09 PM
169	While I am in favour of restricting smoking in public areas, I do not think the City should impose additional rules on private properties.	Aug 29, 2012 10:16 AM
170	Recently we were in a restaurant on Manitoulin Island and customers were smoking inside the premises at their table. I thought smoking in restaurants was banned??	Aug 29, 2012 10:14 AM
171	I am a non smoker but I think you are taking away smokers right to smoke outside.	Aug 29, 2012 10:06 AM
172	Smokers often complain that they have rights. Non-smokers should have rights too. I cannot afford puffers or taking time off work because of asthma attacks induced from second-hand smoke. I routinely avoid shopping in places that have smokers outside. I also avoid festivals and events where there is nowhere to escape from the second-hand smoke.	Aug 29, 2012 10:02 AM
173	Private businesses should have a choice. As for parks, sports fields - maybe a designated area that isn't right at the edge of the sports field. Playgrounds yes because there are children on the equipment (but again, maybe a designated area away from the equipment). Open air is fine - it is the fumes from cars idling near by that is worse.	Aug 29, 2012 9:01 AM

Q6. Further Comments:

174	The Smoking laws are being carried too far. Our rights as Canadians have been taken away, starting with seat belts in the 60s. This country is becoming more communist than the foreign countries. Let's do something constructive like stop the government giving away millions in severance pay to people not losing jobs. Instead raise the standard of living for seniors. Those people have good paying jobs and seniors live in poverty, but no one cares we are about dead anyway.	Aug 29, 2012 8:26 AM
175	If the major problem is the cigarette butts being left behind, I think instead of banning smoking everywhere, they should pass out more fines to smokers seen throwing their butts on the ground. (This happened to a friend of mine in Barrie, and I have seriously thought twice about throwing a butt on the ground ever since.)	Aug 29, 2012 8:24 AM
176	When the hell did the swastika or the neo-Nazi SS lightning bolts make their way on to the City of North Bay logo? Keep your noses out of private businesses. They're already by-lawed, and governed beyond reproach. Focus on our infrastructure and what the City needs, not where it's citizens eat and smoke. It's a choice...leave it up to the individuals. They can choose to NOT go on the patio, or the owner of the establishment can choose to have it smoke free.	Aug 29, 2012 8:24 AM
177	I feel very strongly about prohibiting smoking in public areas. I am a non-smoker and I am pregnant. I do not wish to be exposed to smoke or have my children/husband exposed either. Most smokers do not have the courtesy to step aside to smoke, so it must be enforced in order to keep everyone less exposed to second-hand smoke. Thank you for looking out for the health of others who wish not to be exposed to smoke.	Aug 29, 2012 8:09 AM
178	I think it's a great idea, prohibit smoking! I don't smoke and don't enjoy breathing in others' smoke. I find myself not going to outdoor events due to the people smoking.	Aug 29, 2012 8:06 AM
179	I think that North Bay has enough rules and bylaws in force. I am not a smoker, however people are limited in everything they do. How about letting the people enjoy whatever they want. Life is too short to worry about every little rule. If someone is smoking and you don't want to be around it, then move to another spot. If someone feels sick around the smell of some foods...do they ban eating them from places? How about putting rotten teeth and pimple-covered faces on all the chocolate bar wrappers. There are quite a few overweight people around you know. Let's just say you can only serve healthy foods and water in public places because someone on a diet or who has an allergy may be close by? What's next? It seems I see cars driving up and down back streets and sitting in Tim Horton's parking lots quite often. I think they say Bylaw Enforcement on them. I have yet to see them stop and enforce anything. Maybe North Bay just needs more laws so they (We) can pay for a few more of these people to drive around the city. How about a little freedom guys?	Aug 29, 2012 7:56 AM
180	Although I am not a smoker, I still feel like the smokers need some freedom, hence the "NO" response to Parks and Trails. Some places that are open and adults are around, I think that's ok. But where it's mainly children, that is where the line should stop. Children don't have the option to just get up and leave, an adult does.	Aug 29, 2012 7:55 AM

Schedule "E" (continued)

Q6. Further Comments:

181	As an ex smoker of 10 years I hate the smell of smoke. It actually hurts sometimes to get a big wiff of it. Banning smoking in trails would help a lot with fires as well.	Aug 29, 2012 7:39 AM
182	This is a tough one...I quit smoking last July (13 months ago)...after smoking for almost 40 years. Your survey is to narrow for answering. Things can't always be yes or no....quite often there is a grey area. I don't have a problem if there were designated smoking areas at festivals. You don't give that as an option. As for quest # 4...do you have the legal right to prohibit smoking on 'private' patios? As much as I am enjoying being a non-smoker, I do remember how frustrating it was trying to find a place where I could smoke.....people do have rights Just my 2 cents Regards Dave McPhail	Aug 29, 2012 7:19 AM
183	I do smoke and the last time I checked we live in a democratic society. Inside public places and school playgrounds I agree no smoking, but as a smoker I also have rights and beaches trails festivals outdoor events if I want to light up I should be able to. Private patios its up to the owner. I think the municipality should concentrate on more prominent issues like crime, there has been such an increase assaults and break ins that's what should be addressed. One last comment if everyone quit smoking where would the municipality recoup the taxes that would no longer be collected from the sale of cigarettes, right out of the public's pocket	Aug 29, 2012 7:15 AM
184	There were thoughtless smokers at the festival this summer! One woman in particular lit up often and then sat with the smoke blowing over the crowd. We had 2 children and a baby with our group and there were children in the group on the other side of her. In an open field there were lots of spots that she could have gone to when she felt the urge! For sure City sponsored events should be smoke free In consideration of children. Also the laws that are in place should be enforced, like at the doors into the Bingo Hall and grocery store and mall entrances.	Aug 29, 2012 7:06 AM
185	if it wasn't for smokers paying all those extra taxes, that go towards everything from cancer research to giving it all away to other countries, would the non smokers be willing to cough up the money??? I highly doubt it.....beside's, I know of a person, who works for the cancer society, and all this money in extra taxes just goes to pay for him and alot of others to fly to Vegas on "Business" while they gamble on our dime and charge everything from food and drinks to the private jet home to the cancer society.....so if I want to smoke, I will, because even though, the country and provinces are all being run by dictators, I still believe it's suppose to be a free country with freedom of choice...and my choice is to smoke, if you don't like it, then stay inside, you forced me outside...so stay where you belong....or start paying me for the smoke your inhaling on my dime.....	Aug 29, 2012 7:03 AM
186	The Government won't prohibit all of these places due to money loss. Remember it is the Government who gets most of the money from people who buy smokes. This is so hypocritical to even suggest the government prohibit such places, as they are the ones who support smoking so they can make LOTS of money from it! I was surprised when they first prohibited smoking in bars/restaurants. I am sure they took a loss there.	Aug 29, 2012 6:59 AM
187	this is not a comunist state people have rights	Aug 29, 2012 6:57 AM

Schedule "E" (continued)

Q6. Further Comments:

188	Smoking is such a bad and filthy habbit. I feel that the harder you make it for people that smoke maybe they will be forced in some way to quit!	Aug 29, 2012 6:49 AM
189	It would be nice to enjoy the fresh air that the North Bay area provides without the smell of smoke. Thanks for your efforts	Aug 28, 2012 11:24 PM
190	It is important to be setting an example for children and youth and encouraging adults to act as role models for the betterment of the health of all our citizens in both the short and long term. The effects of smoking are well known to everyone; there is no need to allow it in any of these areas.	Aug 28, 2012 8:23 PM
191	Question 2: Special events and festivals should not be designated smoke-free, but there should be designated smoking areas instead of wherever you like. Question 4: This should not only be North Bay, but should be ammended to be part of the Smoke Free Ontario Act.	Aug 28, 2012 5:31 PM
192	Smoking should be prohibitted especially at children's events...like the soccer jamboree for example - It should be common sense not to smoke around children, but unfortunately not all people stop and think before they "light up." The bylaw will hopefully help with this...as long as it is enforced and fines are given if people do not comply with it.	Aug 28, 2012 4:31 PM
193	thanks	Aug 28, 2012 4:01 PM
194	how do you deal with downtown businesses where the 9 metres would include almost the entire area	Aug 28, 2012 3:51 PM
195	I completely understand smoking bans indoors but any further than that and I feel it infringes on the smokers rights..I'm a non smoker but I don't feel we should be banning people from smoking outside!!!! The one place I feel smoking should not be allowed is in a children's play area...other wise I don't feel we should prohibit people from smoking outside.	Aug 28, 2012 3:07 PM
196	I struggle with the outdoor patios, the reality is that business's need to provide a place for smokers to light up. Smoking is not illegal and as long as the smokers have a designated area I believe you are providing services to both smokers and non smokers. I am and have always been a non smoker. What you need to do is convince the Federal Government to prohibit the sale of tobacco and good luck with that as we all know the reason it has not been done is the almighty tax dollar they collect	Aug 28, 2012 3:01 PM
197	The issue with sport fields (Omischl Field) is the fact that the fields are so far from the road and regular smokers cannot get to a non city facility while they are playing. There are areas at the far end of the ball parks where there could be a designated smoking area	Aug 28, 2012 2:59 PM
198	Your habit of smoking should not impact my enjoyment of a long and cancer free life! No matter what any smoker says, they are killing me with their second hand smoke, burning my feet with discarded cigarettes, littering my beaches and my parks with the disgusting ends to their smokes, destroying the environment with their plastic wrappers that are not biodegradable, tainting the air with their cancerous fumes and ruining my enjoyment of being outside. I am sick to death of walking into a business through a cloud of smoke. I am sick of waiting for	Aug 28, 2012 2:45 PM

Schedule "E" (continued)

Q6. Further Comments:

	health care because the system is clogged with "self-induced sick people" because their smoking habit makes them ill. It is disgusting and NOT MY PROBLEM!	
199	I am a non smoker but feel as that the City has no rights determining which building/patio or out door space should be deemed smoke free.	Aug 28, 2012 2:23 PM
200	Smoking still occurs within the 9 metre restrictions. ie, bus stop, Oak St bus terminal, Public buildings. A bylaw is only as effective as adherence or enforcement . Increasing the restricted areas is futile.	Aug 28, 2012 2:17 PM
201	In my opinion, the fewer places where smoking is allowed, the better. If it is less convenient to smoke, hopefully more people will quit, making our entire community healthier.	Aug 28, 2012 2:00 PM
202	My daughter and I have a right to enjoy the outdoors. We choose to be a smoke free family. By doing so we are not exposing others to cancerous agents. The same cannot be said for those who CHOOSE to smoke in public places. They should not be allowed to expose my child to toxins. Thank you for listening. Jennifer Reid	Aug 28, 2012 1:55 PM
203	I am a former smoker and have been completely stopped for over 6 years. I think we have already over-regulated the smoking areas. Enough is Enough... been there and suffered. Let's move on and ignore the anti smoking Fanatics for once!	Aug 28, 2012 1:49 PM
204	I don't believe Government should have the right to ban smoking outside. It's going a little too far. I am not a smoker and I feel this is going overboard. I understand and agree with not smoking inside, it makes sense. But, just because some people who don't smoke think it's gross it shouldn't mean smokers should cater to those few whiny intolerant babies. Suck it up butter cup people have a right to smoke outside... if you don't like it YOU ARE OUTSIDE so just walk away. This is such a close minded survery. As a non-smoker I think people are bringing this up just to shit disturb and control other people. As a non-smoker I believe that smokers have rights too... I think fat people are disgusting so can we ban fat people form restaurants or force them to eat less. It is the exact same thing... everyone has a habit and over-eating is just as unhealthy and can cause jsut as many health problems as smoking, so why don't we just pick on all the soking, igly, fat people and continue to make laws that segregate them. If you're going to pick on smokers pick on everyone with habits.	Aug 28, 2012 1:49 PM
205	you've stood your ground, you've prooved your worth, just north enough to be perfect	Aug 28, 2012 1:49 PM
206	My Wife is 4.5 Months Pregnant and where ever we go we have to put up with second hand smoke. Wheter it's a t a ball diamond in the city, or in a parking lot going to get groceries, it's not something i want her or our unborn child exposed to. The more bylaws like this that are passed, will greatly reduce the amount of second hand smoke non smokers are exposed to. I don't feel like dying of cancer and leaving my children without a father because i had to be exposed to somone else's dirty habit.	Aug 28, 2012 1:49 PM
207	I don't smoke. We are over regulated in every way possible!	Aug 28, 2012 1:45 PM

Schedule "E" (continued)

Q6. Further Comments:

208	I am a non smoker, the City is going to kill small buisnesses and Restaurants if this is passed.	Aug 28, 2012 1:40 PM
209	Adults know enough to avoid someone who is smoking if they are concerned of the related health effects, however children should not be subjected to this whatso ever in public places as they do not know enough to avoid it, and they shouldnt have to	Aug 28, 2012 1:37 PM
210	I am a former smoker. I don't think we need to take control of people's lives, but need to curb the opportunities to STOP smoking anywhere we find kids. the less they see the less they want.	Aug 28, 2012 1:35 PM
211	I'm not allowed to pee on people's heads after I drink beer so smokers shouldn't expose me to their second hand smoke ANYWHERE!!!	Aug 28, 2012 1:31 PM
212	I feel that the cost to our tourism would be far too great to enforce these regulations on private patios. Likewise I fear events such as the Summer in the Park concerts would not be nearly as popular. If however you were to not specifically make the event smoke free but host it in a smoke free venue, it would have the same effect, without turning away attendees. Were these restrictions put in place federally or provincially I would fully support them.	Aug 28, 2012 1:15 PM
213	I think it is important to prohibit smoking in places where it is difficult for the non-smoker to get away from the smoke and still participate in the activity that is taking place, prohibiting smoking around children is a good thing.	Aug 28, 2012 9:13 AM
214	All government buildings should be a 9 metre distance regardless of what company is taking care of the building. They should not have an option to decide who should or should not have to follow the regulations.	Aug 22, 2012 10:03 AM
215	I also feel that those who smoke in public (or even their vehicles), and throw away their cigarette butts on the sidewalk (or out their car window), should be charged with littering.	Aug 21, 2012 9:44 AM
216	SECOND HAND SMOKE SHOULD NOT BE A PROBLEM FOR AN NON-SMOKER! THANK YOU VERY MUCH!!	Aug 20, 2012 7:26 PM
217	Whenever I am at an event, it seems that the smoke finds me and blows right in my face. If I'm watching an event, and someone's cigarette smoke goes in my face, I have to move. This is very offensive if you are at an outside patio eating a meal at a restaurant. No different outside than in.	Aug 20, 2012 11:50 AM
218	With the current by-laws outdoor patio space has become the defacto smoking areas in many locations which is not fair to the majority of the population that does not smoke.	Aug 20, 2012 10:57 AM
219	You need to make the law clear so people understand where they can and can not smoke. The current bylaw relating to smoke free entrances is ridiculous and hard to enforce. Some entrances are smoke free and some are not. I.e Wal Mart you can smoke at the front door, but you can't smoke at the Food Court Entrance. You can not smoke at Northern Honda's entrance, but you can at Toyota's. How are people suppose to track this or better yet know. Ignorance of the law is an excuse in this case as there's no consistency. This is a legal loop	Aug 20, 2012 10:31 AM

Q6. Further Comments:

	hole. One could easily say they did not see the small sticker on the door. No smoking within 9 metres of all entrances (AND EXITS) in the City of North Bay, and smoking on all patios and a "fringe area" of 9 metres of the patio. Be sure it's clear. Also include "Exits" people will prop the door open out the fire escapes/ exit only doors, keep it open with their foot and smoke	
220	As an asthmatic I am sensitive to smoke even in outdoor places. I would like to have equal and healthy access to recreation and retail places without being endangered by second hand smoke.	Aug 20, 2012 7:15 AM
221	My health, the health of my family, friends and everyone is important.	Aug 20, 2012 5:41 AM
222	Just to let you all know us smokers are human and have rights too. we are not criminals and still deserve respect. we are also tax payers and pay taxes to operate all municipally owned or operated outdoor recreation areas. we also spend our hard earned money at business that have public and private outdoor patios where food or drinks are sold. Smokers pay more taxes all round than none smokers	Aug 18, 2012 8:24 PM
223	The reason I'm against smoking at Parks/beaches is because children should not be subjected to second hand smoke at all and as an adult I also find cigarette butts disgusting. As for events...it's too crowded....I once walked past someone who was holding a cigarette and ended up with a burn hole in my sleeve. Thanks for asking for our opinion!	Aug 18, 2012 3:00 PM
224	I hope you get enough support for this proposed by-law. This concept is so exciting for a healthier Ontario!	Aug 17, 2012 7:25 PM
225	Nobody should have to walk through a cloud of smoke, or breath in the carcinogens that linger in the air and on clothing from cigarette smoke. Society needs to shun smokers, as well as the cost associated with health care for cigarette-related illnesses. I also feel that people should be charged for littering when they throw their cigarette butts on the ground.	Aug 17, 2012 2:37 PM
226	I feel that my life would be greatly enhanced if I never had to smell another cigarette ever again. If you look outside the hospitals for example, these by-laws are not being enforced. For patients who are trying to recover after surgery or illness, they are not even able to go outside for fresh air. The covered shelters designed for patients to use are full of smokers (patients and employees). The ground is littered with cigarette butts and it is not a healthy or inviting environment in which to recuperate. It really needs much more enforcement. Likewise, I now refrain from walking downtown during my lunch break. Heaven forbid I have to run errands that bring me there during the lunch hour. A person trying to get some walking in would benefit from wearing a gas mask to prevent the second hand smoke that is outside every business. It is quite disgusting! I also no longer sit on the patio when dining out. I can't imagine it does anything to improve our tourism industry either. I know that smokers have rights too, however when their actions impact my life and health of others in a negative way, it should be prohibited.	Aug 17, 2012 11:01 AM
227	I feel that at special events/festivals smokers should be designated an area to smoke in rather than banning it all together.	Aug 17, 2012 10:57 AM

Schedule "E" (continued)

Q6. Further Comments:

228	Although I completely support a smoke-free environment in public spaces, I think that there needs to be a balance between smoker and non-smokers and not infringe on individual choice. With that said, I'm thinking of targeting those locations where the vulnerable population (children, pregnant women, elderly) are more likely to be and less likely to be able to walk away, and implementing more stringent policies in those areas. For ex: more stringent policies in playgrounds vs. trails.	Aug 17, 2012 10:50 AM
229	Appreciate the healthy and proactive actions	Aug 17, 2012 10:48 AM
230	Follow the model already set out in Ottawa	Aug 17, 2012 10:43 AM
231	This is a terrific initiative - hope to see it happen!	Aug 17, 2012 10:40 AM

CITY OF NORTH BAY

REPORT TO COUNCIL

REPORT NO: EESW-2013-038

DATE: March 7, 2013

ORIGINATOR: Angela Cox.
Manager, Finance & Administration

SUBJECT: 2013 Capital Budget Project – 6105RD Road Culvert
Replacement and Rehabilitation Program (On-going)

RECOMMENDATION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Road Culvert Replacement and Rehabilitation Program to replace various rural road culverts for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6105RD, in the amount of \$165,000.

BACKGROUND:

This project provides for an on-going program of rural road culvert replacement and rehabilitation.

The Road Culvert Replacement and Rehabilitation Program will be scheduled for Widdifield Station Road along the North River.

This ongoing project is funded over ten years, 2013-2022. In the current 2013 Capital Budget, Project #6105RD has \$165,000 as a net debenture cost.

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

Construction Costs	\$157,143
Financing	\$6,207
Administration and Overhead	<u>\$1,650</u>
Net Debenture Cost	\$165,000

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

This implementation period is considered fair and reasonable if all assumptions are realized. As the capital project moves forward, any major variances to this

schedule will be communicated to Council via the semiannual Capital Status Reports or if required, a Report to Council.

ANALYSIS/OPTIONS:

Option 1: Proceed with the Authorizing By-Law

That Council proceeds with the authorizing by-law to approve the Rural Road Culvert Replacement and Rehabilitation Program in the amount of \$165,000. This option is recommended.


Option 2: Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would have the effect of creating a backlog of failed or failing culverts which has the potential to create higher costs and serious inconvenience or injury to the public and the environment. In addition, it would result in a significant decrease in the Road Construction Program if the culvert and drainage costs had to be absorbed in the Surfacing Project. This option is not recommended.

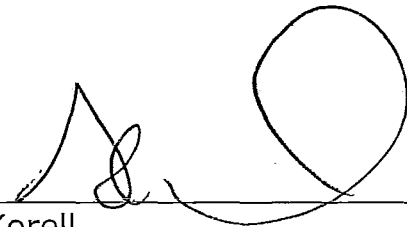
RECOMMENDED OPTION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Road Culvert Replacement and Rehabilitation Program to replace various rural road culverts for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6105RD, in the amount of \$165,000.

Respectfully Submitted,

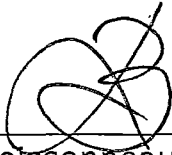


Angela Cox
Manager, Finance & Administration
Engineering, Environmental Services
and Works



Alan Korell
Managing Director
Engineering, Environmental Services
and Works

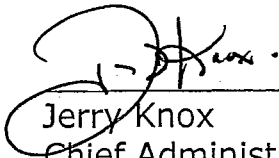
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and
Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Joe Germano
Attachments: Capital Budget Status Sheet

Project Summary

Project Number:	6105RD		
Title:	ROAD CULVERT REPLACE/REHAB 2013 ON-GO		
Asset Type:	INFRASTRUCTURE - Roads		
Division:	Capital - Engineering, Environmental & Works		
Budget Year:	2013		
Scenario Name:	Main	Active:	Yes
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description				Project Comments			
This project provides for an on-going program of rural road culvert replacement and rehabilitation.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	165,000	165,000	0	Expense			
2014	170,000	170,000	0	3425	CONSTRUCTION CONTRACT	157,143	
2015	175,000	175,000	0	4005	INTERNAL INTEREST CHARGES	6,207	
2016	180,000	180,000	0	7010	ADMINISTRATON & OVERHEAD	1,650	
2017	185,000	185,000	0		Total Expense:	165,000	
2018	191,000	191,000	0	Revenue			
2019	197,000	197,000	0	0461	TSF FRM REV FUND-PAYGO	165,000	
2020	203,000	203,000	0		Total Revenue:	165,000	
2021	209,000	209,000	0				
2022	215,000	215,000	0				
	1,890,000	1,890,000	0				
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013		50 YEARS	ALAN KORELL			Dec 31, 2013	

CITY OF NORTH BAY

REPORT TO COUNCIL

REPORT NO: EESW-2013-039

DATE: March 7, 2013

ORIGINATOR: Angela Cox.
Manager, Finance & Administration

SUBJECT: 2013 Capital Budget Project – 6106RD Rural Road Rehabilitation Program (On-going)

RECOMMENDATION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Rural Road Rehabilitation Program for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6106RD, in the amount of \$600,000.

BACKGROUND:

This project provides for an on-going program of rural road rehabilitation which includes the reconstruction of rural roadways for both single surface treatment and cold recycled asphalt pavement treatment processes.

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

Based upon our rural roadway length of 135 kilometers, we should be undertaking a program of approximately 10 kilometers per year in order to properly maintain

these roadways. City Council has seen fit to maintain this level of funding and the overall improvement in the condition of the rural roadways is quite evident.

The ongoing project is funded over ten years, 2013-2022. In this current 2013 Capital Budget, Project #6106RD has \$600,000 as a net debenture cost.

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

Construction Costs	\$571,429
Financing	\$22,571
Administration and Overhead	<u>\$6,000</u>
Net Debenture Cost	\$600,000

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

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

ANALYSIS/OPTIONS:

Option 1: Proceed with the Authorizing By-Law

That Council proceeds with the authorizing by-law to approve the Rural Road Rehabilitation Program in the amount of \$600,000. This is option is recommended.

Option 2: Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This would create a backlog of deteriorating rural roadways, which has the potential to increase maintenance costs.

RECOMMENDED OPTION:

That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Rural Road Rehabilitation Program for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6106RD, in the amount of \$600,000.

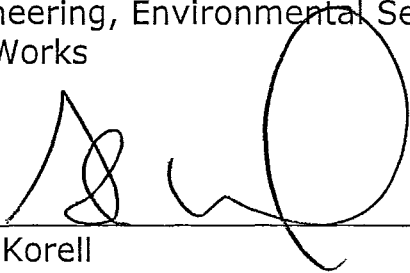
Respectfully Submitted,



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



Domenic Schiavone
Director, Public Works



Alan Korell
Managing Director
Engineering, Environmental Services
and Works

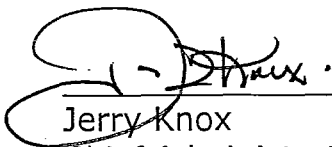
We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and
Financial Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Joe Germano
Attachments: Capital Project Status Sheet

Project Summary

Project Number:	6106RD		
Title:	RURAL ROAD REHAB 2013 ON-GO		
Asset Type:	INFRASTRUCTURE - Roads		
Division:	Capital - Engineering, Environmental & Works		
Budget Year:	2013		
Scenario Name:	Main	Active:	Yes
Budget Status:	Finance Funding		
Regions:			
Project Type:			

Project Description				Project Comments			
This project provides for an ongoing program of rural roadway reconstruction.							
Scenario Description				Scenario Comments			
Project Forecast				Project Detailed 2013			
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount	
2013	600,000	600,000	0	Expense			
2014	562,000	562,000	0	3425	CONSTRUCTION CONTRACT	571,429	
2015	579,000	579,000	0	4005	INTERNAL INTEREST CHARGES	22,571	
2016	596,000	596,000	0	7010	ADMINISTRATON & OVERHEAD	6,000	
2017	614,000	614,000	0			Total Expense:	600,000
2018	632,000	632,000	0	Revenue			
2019	651,000	651,000	0	0283	Fed Gas Tax	600,000	
2020	671,000	671,000	0			Total Revenue:	600,000
2021	691,000	691,000	0				
2022	712,000	712,000	0				
6,308,000				6,308,000			
Related Projects				Operating Budget Impact			
Year Identified	Start Date	Useful Life	Manager			Completion Date	
2013		5-10 YEARS	ALAN KORELL			Dec 31, 2013	

CITY OF NORTH BAY

REPORT TO COUNCIL

REPORT NO: EESW-2013-035

DATE: March 7, 2013

ORIGINATOR: Angela Cox
Manager, Finance and Administration

SUBJECT: 2013 Capital Budget Project – 6109RD Bridge Rehabilitation Project (On-going)

RECOMMENDATION:

- That 1) a Capital Expenditure By-Law be prepared for the Council's consideration to authorize the Bridge Rehabilitation Project for the Engineering, Environmental Services and Works Department, being 2013 project #6109RD, in the amount of \$109,000; and
- 2) individual reports may be provided to Council with respect to the various components of this project.

BACKGROUND:

The City inspects half of all our bridges every year. The Bridge Inspection Analysis includes a list of fairly minor repairs which if done, will extend the useful life of these bridges. Therefore, it is the intent of this project to start addressing these needs so that we can delay future major expenditures on our bridges and maintain service to the public.

For 2013, we will be replacing guiderails on the Lakeshore Drive overpass and minor work on the Stanley Street Bridge to make it a pedestrian only access.

The ongoing project is funded over ten years, 2013-2022. In this current 2013 Capital Budget, Project #6109RD has \$109,000 as a net debenture costs. The total cost for the project is \$1,246,000.

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

Construction Contract	\$103,810
Financing costs	\$4,100
Administration and Overheads	<u>\$1,090</u>
Net Debenture Cost	\$109,000

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

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

ANALYSIS/OPTIONS:

Option 1 - Proceed with the Authorizing By-Law

That Council proceeds with the authorizing by-law to approve the expenditure in the amount of \$109,000 for the Bridge Rehabilitation Program. This option is recommended.


Option 2 - Cancel outright or reduce

The Council has the option of canceling this project, or reducing the expenditure limit. This may have a long term effect of larger capital expenditures being needed on bridges in the future. This option is not recommended.

RECOMMENDED OPTION:

- That 1) a Capital Expenditure By-Law be prepared for the Council's consideration to authorize the Bridge Rehabilitation Project for the Engineering, Environmental Services and Works Department, being 2013 project #6109RD, in the amount of \$109,000; and
- 2) individual reports may be provided to Council with respect to the various components of this project.

Respectfully submitted,




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



Alan Korell
Managing Director
Engineering, Environmental Services
and Works

We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and
Financial Reporting

for Margaret Karpenko, CMA
Chief Financial Officer/Treasurer

Jerry Knox
Chief Administrative Officer

Person designated for continuance: Alan Korell
Attachments: Capital Budget Status Sheet

Project Summary

Project Number:	6109RD
Title:	BRIDGE REHAB 2013 ON-GO
Asset Type:	INFRASTRUCTURE - Roads
Division:	Capital - Engineering, Environmental & Works
Budget Year:	2013
Scenario Name:	Main
Budget Status:	Finance Funding
Regions:	
Project Type:	
Active:	Yes

Project Description				Project Comments		
The bridge rehabilitation program provides annual funding to repair minor deficiencies in the City's bridges, pedestrian bridges and major culverts to capture additional life expectancy and maintain service to the public. There are currently more than 100 structures being maintained through this funding.				Priorities are based on the bi-annual inspection of the bridges and on an as needed basis.		
Scenario Description				Scenario Comments		
Project Forecast				Project Detailed 2013		
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount
2013	109,000	109,000	0	Expense		
2014	112,000	112,000	0	3425	CONSTRUCTION CONTRACT	103,810
2015	115,000	115,000	0	4005	INTERNAL INTEREST CHARGES	4,100
2016	118,000	118,000	0	7010	ADMINISTRATON & OVERHEAD	1,090
2017	122,000	122,000	0		Total Expense:	109,000
2018	126,000	126,000	0	Revenue		
2019	130,000	130,000	0	0461	TSF FRM REV FUND-PAYGO	109,000
2020	134,000	134,000	0		Total Revenue:	109,000
2021	138,000	138,000	0			
2022	142,000	142,000	0			
	1,246,000	1,246,000	0			
Related Projects				Operating Budget Impact		
Year Identified	Start Date	Useful Life	Manager		Completion Date	
2013		5-10 YEARS	ALAN KORELL		Dec 31, 2013	

CITY OF NORTH BAY

REPORT TO COUNCIL

REPORT NO: EESW 2013-037

DATE: March 7, 2013

ORIGINATOR: Angela Cox
Manager, Finance & Administration

SUBJECT: 2013 Capital Budget Project – 6147RD Design Work – Next Year's Projects (On-going)

RECOMMENDATION:

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Design Work for Next Year's Capital Works Projects for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6147RD in the amount of \$56,000.

BACKGROUND:

The on-going program funding for design works enables the Engineering, Environmental Services and Works Department to conduct preliminary engineering work such as traffic studies, detailed surveys and conceptual designs. These works lay out the groundwork for future construction seasons.

The conceptual design for the round-about at Pinewood Park Drive and various traffic studies are what is planned for 2013.

The ongoing project is funded over ten years, 2013-2022. In this current 2013 Capital Budget, Project #6147RD has \$56,000 as a net debenture cost.

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

Engineering costs	\$53,333
Financing costs	\$2,107
Administration and Overhead	\$560
Net Debentured Costs	\$56,000

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

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

ANALYSIS/OPTIONS:

Option 1 – Proceed with the Authorizing By-law

The approval of this budget item allows City staff to plan and research construction programs in advance. As well, it improves on the estimating and forecasting of additional costs that might be overlooked without the background investigation being completed. This option is recommended.

Option 2 – Cancel outright or reduce expenditure

That Council cancels outright or reduces the expenditure for this project. Should Council not approve this project, it will affect the efficiency of future project completions, and the confidence in the estimated project completion costs. This option is not recommended.

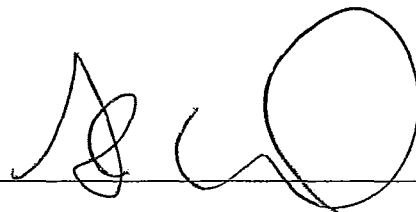
RECOMMENDED OPTION

That a Capital Expenditure By-law be prepared for Council's consideration to authorize the Design Work for Next Year's Capital Works Projects for the Engineering, Environmental Services and Works Department, being 2013 Capital Budget Project #6147RD in the amount of \$56,000.

Respectfully Submitted,





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

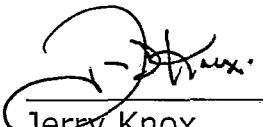


Alan Korell
Managing Director
Engineering, Environmental Services
and Works

We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets and
Financial Reporting

Margaret Karpenko, CMA
Chief Financial Officer/Treasurer

Jerry Knox
Chief Administrative Officer

Person designated for continuance: Alan Korell
Attachments: Capital Budget Status Sheet

Project Summary

Project Number:	6147RD
Title:	DESIGN WORK NEXT YEAR'S PROJECTS 2013 ON-GO
Asset Type:	INFRASTRUCTURE - Roads
Division:	Capital - Engineering, Environmental & Works
Budget Year:	2013
Scenario Name:	Main
Budget Status:	Finance Funding
Regions:	
Project Type:	
Active:	Yes

Project Description				Project Comments		
This project provides for preliminary engineering work required to enable design and construction of projects planned for the following year.						
Scenario Description				Scenario Comments		
Project Forecast				Project Detailed 2013		
Budget Year	Total Expense	Total Revenue	Difference	GL Account	Description	Total Amount
2013	56,000	56,000	0	Expense		
2014	58,000	58,000	0	3115	ENGINEERING FEES	53,333
2015	60,000	60,000	0	4005	INTERNAL INTEREST CHARGES	2,107
2016	62,000	62,000	0	7010	ADMINISTRATON & OVERHEAD	560
2017	64,000	64,000	0		Total Expense:	56,000
2018	66,000	66,000	0	Revenue		
2019	68,000	68,000	0	0461	TSF FRM REV FUND-PAYGO	56,000
2020	70,000	70,000	0		Total Revenue:	56,000
2021	72,000	72,000	0			
2022	74,000	74,000	0			
	650,000	650,000	0			
Related Projects				Operating Budget Impact		
Year Identified	Start Date	Useful Life		Manager	Completion Date	
2013		N/A		ALAN KORELL	Dec 31, 2013	

City of North Bay Report to Council

Report No.: CORP 2013-33

Date: March 6, 2013

Originator: Lorraine Rochefort

Subject: 2013 Tax Capping Policy

RECOMMENDATIONS:

That Council adopts the 2013 Tax Capping Policy recommendations as follows:

That the 2013 capping program incorporate the following options:

- a) the capping percentage be 10% for all capped classes
- b) apply a 5% limit over prior year CVA tax, whichever is greater of a) or b)
- c) apply a minimum increase threshold of \$250.00 to all capped classes
- d) exempt from capping, properties that were subject to CVA tax in 2012
- e) exempt from capping, properties that were capped in 2012 and would otherwise be subject to claw back in 2013
- f) exempt from capping, properties that were subject to claw back in 2012 and would otherwise be subject to capping protection in 2013
- g) adopt a threshold tax level for new construction properties of 100%

That the cost of providing the legislated caps on assessment related increases for individual properties in 2013 be funded as follows:

- a) for the commercial class, the cost be borne from within the class
 - b) for any shortfall in the industrial and multi-residential classes, the cost to be funded 100% from the Tax Policy Development Reserve Fund
-

BACKGROUND:

The recommendations are the options Council has adopted since 2009. The Municipal Act requires that Tax Capping by-laws be passed annually.

The mandatory 5% capping program for Multi-Residential, Commercial & Industrial Classes was introduced by the Provincial Government in 2001. The program limited increases in taxes resulting from reassessment or class changes to 5% from the previous year's adjusted taxes. Municipal tax levy increases were in addition to the 5% limit mandated. This is now an ongoing program unless the Province amends the legislation.

As part of the 2004 Provincial Budget process, the government announced a series of reforms to Ontario's tax regime. Reforms introduced options which would give municipalities the opportunity to bring all classes of properties to Current Value Assessment (CVA) more quickly. This goal was adopted in our tax policy. (Outlined in Option 1)

The 2008 Provincial Budget announced increased flexibility under the tax capping program. Beginning in 2009, municipalities have the option to permanently exclude properties from the capping program once they reach their CVA tax destination. Under this new feature, a property that reaches CVA tax in one year can be excluded from the capping program the next year. (Outlined in Option 2)

A second option available excludes properties that cross CVA taxes. For example, properties that were previously capped in 2012 and would be in a claw-back position in 2013 or vice versa would be excluded from the program.

- For a property to go from capping protection in 2012 to a claw-back in 2013, a decrease in assessment would be required.
- For a property to go from a claw-back in 2012 to capping protection in 2013, an increase in assessment would be required.

The options may be put into place for any or all of the capped classes and can be changed annually.

These options were adopted in 2009, 2010, 2011 and 2012 for all capped classes, therefore, any property subject to CVA tax or cross CVA tax in 2008, 2009, 2010, 2011 and 2012 are no longer subject to either capping or claw-back adjustment. By using the options the capping program has been substantially reduced and we are very close to reaching our goal to bring all property classes to CVA tax as noted below:

TAX CAPPING PROGRAM COMPARISON

TAX CLASS	2006	2007	2008	2009	2010	2011	2012	2013	OVERALL REDUCTION
Comm.	\$636,325	\$392,513	\$263,987	\$149,848	\$60,797	\$40,900	32,761	23,889	-\$636,301
Industrial	\$21,755	\$7,722	\$1,357	\$984	\$536	\$335	\$0	0	-\$21,755
Multi-Res.	\$30,987	\$8,439	\$2,389	\$0	\$0	\$0	\$0	0	-\$30,987

For 2013, the commercial tax class has 11 capped properties totaling \$23,889.00, compared to 155 capped properties and \$636,325.00 in 2006. Industrial has gone from 18 capped properties in 2006 to being at CVA in 2012 and the multi-residential from 17 capped properties in 2006 to all properties being at CVA commencing in 2009.

There are options for funding the cost of providing the reductions for capped properties:

- 1) Cost can all be borne within each class by limiting assessment related tax reductions that would otherwise benefit other properties (claw-backs).
- 2) City can fund a portion of the cost for any class by including an allowance in the tax levy to be borne by all properties.
- 3) City can fund a portion from the Tax Policy Development Reserve Fund. Balance as at December 31, 2012, \$346,502.52.

For 2001 to 2004 Council chose to fund the capping program from within the three classes of properties (Commercial, Multi-Residential and Industrial).

For 2005 to 2012 the Commercial class was funded from within the class. The Multi-Residential and Industrial programs were funded 100% from the Tax Policy Development Reserve Fund.

The purpose of this report is to establish the 2013 Capping Program.

OPTIONS/ANALYSIS:

Option #1 – to adopt options introduced in the 2004 budget as follows:

- increase the capping percentage from 5% to 10% for all capped classes
- apply a 5% limit over prior year annualized tax, whichever is greater of a) or b)
- apply a minimum increase threshold of \$250.00 to all capped classes
- the cost of providing the legislated caps on assessment related increases for individual properties be funded as follows:
 - for the commercial class, the cost be borne from within the class
 - for the industrial and multi-residential classes, the cost to be funded 100% from the Tax Policy Development Reserve Fund

If the 2013 program included the above-noted parameters, the capping program would be as follows:

CAPPED PROPERTIES:

TAX CLASS	CAPPED PROPERTIES	COSTS OF CAPPING	FUNDING OF PROGRAM
Commercial	91	\$ 98,932.00	Within the class
Industrial	30	\$ 26,666.00	Tax Policy Reserve
Multi-Residential	24	\$ 65,873.00	Tax Policy Reserve

CLAW-BACK PROPERTIES:

TAX CLASS	CLAW-BACK PROPERTIES	% RETAINED BY RATEPAYER	% CLAW-BACK KEPT BY CITY
Commercial	416	87.6%	12.4%
Industrial	0	100%	0.0%
Multi-Residential	0	100%	0.0%

The results show that in the commercial tax class, the program would be \$98,932.00 and funded within the class, therefore, no other tax class would be absorbing any cost of the program. Ratepayers would continue to receive capping protection and we would claw-back 12.4% of the reductions to fund the program. Decreasing properties would realize 87.6% of their reduction.

The industrial and multi-residential classes are at CVA. This option would bring a total of 54 properties back into the capping program with a total cost of \$92,539.00 funded through the Tax Policy Development Reserve Fund. The caps cannot be funded through the class because there are no claw back properties to fund from.

Option #2 – To adopt the 10%, 5%, \$250, and to exclude properties from the capping program that were at CVA in 2012 and that cross CVA from 2012 to 2013.

Analysis shows the following:

CAPPED PROPERTIES:

TAX CLASS	CAPPED PROPERTIES	COSTS OF CAPPING	FUNDING OF PROGRAM
Commercial	11	\$ 23,889.00	Within the class
Industrial	0	\$ 0.00	N/A - at CVA
Multi-Residential	0	\$ 0.00	N/A – at CVA

CLAW-BACK PROPERTIES:

TAX CLASS	CLAW-BACK PROPERTIES	% RETAINED BY RATEPAYER	% CLAW-BACK KEPT BY CITY
Commercial	228	91.8	8.2 %
Industrial	0	100%	0.0%
Multi-Residential	0	100%	0.0%

By adopting these options, the commercial tax capping program is reduced by \$8,872.00 from 2012 to 2013 and all but 11 properties would be at CVA. All properties in the multi-residential and industrial tax classes would be at CVA and would receive 100% of their reductions. This is Council's long-term goal.

In the commercial tax class, the program is \$23,889.00 and funded within the class, therefore, no other tax class would be absorbing any cost of the program. Ratepayers would continue to receive capping protection and we would claw-back 8.2% of the reductions to fund the program. Decreasing properties would realize 91.8% of their reduction.

Although this option definitely brings more properties to CVA tax, it comes at a cost to some ratepayers. By adopting the new options, the commercial capping program is reduced which means that taxes on properties that would have been capped will see increases.

Fair and equitable taxation is our ultimate goal and that is achieved when all ratepayers pay CVA tax. Adopting these options brings us closer to our goal; therefore, Option #2 is the recommended option.

RECOMMENDED OPTION:

1) That Council adopts the 2013 Tax Policy recommendations as follows:

That the 2013 capping program incorporate the following options:

- a) increase the capping percentage from 5% to 10% for all capped classes
- b) apply a 5% limit over prior year CVA tax, whichever is greater of a) or b)
- c) apply a minimum increase threshold of \$250.00 to all capped classes
- d) exempt from capping, properties that were subject to CVA tax in 2012
- e) exempt from capping, properties that were capped in 2012 and would otherwise be subject to claw back in 2013
- f) exempt from capping, properties that were subject to claw back in 2012 and would otherwise be subject to capping protection in 2013
- g) adopt a threshold tax level for new construction properties of 100%

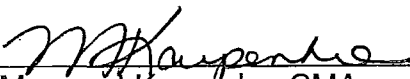
That the cost of providing the legislated caps on assessment related increases for individual properties in 2013 be funded as follows:

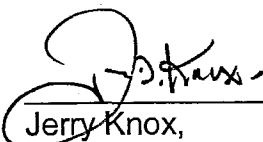
- a) for the commercial class, the cost be borne from within the class
- b) for any shortfall in the industrial and multi-residential classes, the cost to be funded 100% from the Tax Policy Development Reserve Fund

Respectfully submitted,


Lorraine Rochefort, AMCT
Manager of Revenues & Taxation

We concur in this report and recommendations.


Margaret Karpenko, CMA
Chief Financial Officer/Treasurer


Jerry Knox,
Chief Administrative Officer

Personnel designated for continuance: Manager of Revenues & Taxation

City of North Bay Report to Council

Report No: CORP 2013-30

Date: March 13, 2013

Originator: Jennifer McDonald/Laura Boissonneault

Subject: Capital Projects Status Report – December 31, 2012

RECOMMENDATIONS:

- 1) That the Capital Projects Status Report – December 31, 2012 Report No. CORP 2013-30 be received; and,
 - 2) That the 27 projects listed on **Appendix 'A'** attached to Report No. CORP 2013-30 be closed and that the estimated surplus balance of **\$184,906** be transferred as follows: **\$21,298** to the Completed Capital Works Reserve Fund, **\$259,123** to the Completed Water Capital Works Reserve Fund, and **(\$95,515)** from the Sanitary Sewer Reserve Fund as at December 31, 2012; and,
 - 3) That the 4 projects listed on **Appendix 'B'** attached to Report No. CORP 2013-30 be closed and that the estimated net deficit balance of **(\$9,658)** be transferred to/from other open capital projects as noted on Appendix 'B' as at December 31, 2012.
-

BACKGROUND:

On February 24, 2010, City Council passed Resolution No. 2010-121 amending Resolution No. 2001-532, authorizing the Capital Projects Status Reports to be filed on a semi-annual basis as at June 30th and December 31st of each year. Attached is the semi-annual Capital Projects Status Report as at December 31, 2012. Each project has been reviewed in detail with the Site Authority and any comments are reflected at the bottom of each Capital Project Status Sheet.

The Capital Works Reserve Fund balance is estimated to be **\$3,911,844** by the end of this reporting period is allocated as follows:

- Completed General Capital Works Reserve Fund (#99537R), with a balance of **\$2,131,309**
 - Completed Water Capital Reserve Fund (#99522R), with a balance of **\$1,437,332**
 - Completed Sanitary Sewer Capital Reserve Fund (#99575R), with a balance of **\$343,203**
-

ANALYSIS:

The Summary of 'Capital Projects Status Report' to December 31, 2012 is attached. The 96 'open' projects are summarized as follows:

Funding completed - Column 'A'	\$ 68,379,688
Outstanding funding Pre 2012 - Column 'D'	324,000
Outstanding funding 2012 Approvals - Column 'E'	10,894,293
Future funding - Column 'F'	24,282,592
Other outstanding funding sources - Column 'G'	18,104,004
Total projected funding - Column 'H'	<u>\$ 121,984,577</u>
Expenditures incurred - Column 'B'	\$ 52,956,563
Projected future expenditures	<u>69,374,506</u>
Total projected expenditures - Column 'I'	<u>\$ 122,331,069</u>
Projected Surplus / (Deficit) - Column 'J'	<u>(\$ 346,492)</u>

Column 'J' summarizes the projected final surplus or (deficit) for all open projects. Most open projects are expected to be completed on budget or with surplus funds available. The total current projected deficit for open projects is estimated to be **(\$346,492)**. However this deficit is expected to be managed through realized surpluses and/or efficiencies within the active open projects. Upon completion of open projects, a request will be made for the actual surplus or (deficit) to be transferred to or (from) the capital project reserve(s).

Appendix 'A' summarizes 27 projects that are now complete and can be closed as at December 31, 2012. In total, these projects are expected to provide for an estimated surplus of **\$184,906** and the recommendation is to transfer this projected balance as follows:

- **\$21,298** to the Completed Capital Works Reserve Fund
- **\$259,123** to the Completed Water Capital Reserve Fund
- **(\$95,515)** from the Completed Sanitary Sewer Capital Reserve Fund

Appendix 'B' summarizes 4 projects that are recommended to be closed with balances transferred to other open projects as at December 31, 2012. These transfers represent authorizations for the same or similar on-going projects. The net balance accumulated from these projects is estimated to total **(\$9,658)**.

The closure and transfer of the above noted projects is in accordance with the policy established and with Council Resolution #2001-532 and will simplify daily management of the growing number of open projects, for both the site authorities and the Financial Services Department.

OPTIONS:

Option #1

- 1) That the Capital Projects Status Report – December 31, 2012 Report No. CORP 2013-30 be received; and,
- 2) That the 27 projects listed on **Appendix 'A'** attached to Report No. CORP 2013-30 be closed and that the estimated surplus balance of **\$184,906** be transferred as follows: **\$21,298** to the Completed Capital Works Reserve Fund, **\$259,123** to the Completed Water Capital Works Reserve Fund, and **(\$95,515) from** the Sanitary Sewer Reserve Fund as at December 31, 2012; and,
- 3) That the 4 projects listed on **Appendix 'B'** attached to Report No. CORP 2013-30 be closed and that the estimated net deficit balance of **(\$9,658)** be transferred to/from other open capital projects as noted on Appendix 'B' as at December 31, 2012.

Option #2

- 1) That the Capital Projects Status Report – December 31, 2012 Report No. CORP 2013-30 be received; and,
- 2) That the 27 projects listed on **Appendix 'A'** attached to Report No. CORP 2013-30 be closed and that the estimated surplus balance of **\$184,906** be used to fund similar 2012 capital projects at the discretion of the Chief Financial Officer; and,
- 3) That the 4 projects listed on **Appendix 'B'** attached to Report No. CORP 2013-30 be closed and that the estimated net deficit balance of **(\$9,658)** be recovered from similar 2012 capital projects at the discretion of the Chief Financial Officer.

RECOMMENDATIONS / FINANCIAL IMPLICATIONS:

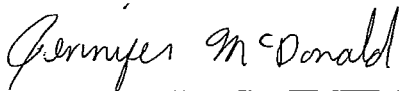
In summary we are recommending that **Option #1** be accepted as follows:

- 1) That the Capital Projects Status Report – December 31, 2012 Report No. CORP 2013-30 be received; and,
- 2) That the 27 projects listed on **Appendix 'A'** attached to Report No. CORP 2013-30 be closed and that the estimated surplus balance of **\$184,906** be transferred as follows: **\$21,298** to the Completed Capital Works Reserve Fund, **\$259,123** to the Completed Water Capital Works Reserve Fund, and **(\$95,515) from** the Sanitary Sewer Reserve Fund as at December 31, 2012; and,
- 3) That the 4 projects listed on **Appendix 'B'** attached to Report No. CORP 2013-30 be closed and that the estimated net deficit balance of **(\$9,658)** be transferred to/from other open capital projects as noted on Appendix 'B' as at December 31, 2012.

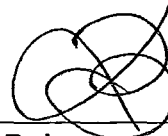
Following the adoption in 2001 of the current capital project reporting requirements and expenditure controls, the majority of capital projects have been completed on or under budget. Subject to possible reallocations, final account adjustments and/or transfers out of the reserves to other capital projects via Council approval, reserve funds balances are projected to total **\$3,911,844** by the end of this reporting period. This total is deemed low but does allow the City some flexibility should additional funds be required for existing or emergency capital projects. Without reserve funds; emergencies, scope changes, additional needs, under-budgeted expenditures, legislated changes, and/or new requirements will need to be either deferred or funded by deferring other planned capital projects.

The goal in the Reserve Fund Policy is to have reserves balances directly related to capital concerns, equal to 40% of the annual Capital Funding Policy Expenditure Limit. As of December 31, 2012, the balance of total reserves dollars directly related to capital concerns is approximately 26% of the 2012 Capital Funding Policy Expenditure Limit.

Respectfully submitted,



Jennifer McDonald, CMA
Financial Reports Coordinator

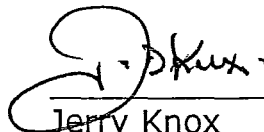


Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting

I concur with this report and recommendations.



Margaret Karpenko, CMA
Chief Financial Officer



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Financial Reports Coordinator

Attachments: Summary of Capital Project Status Reports, Appendix A, Appendix B.

Copy for: Senior Management Team

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CITY OF NORTH BAY - SUMMARY OF CAPITAL PROJECT STATUS REPORTS, As At December 31, 2012

		Current Activity			Future Funding Sources				Projected Overview		
		Completed Funding	Completed Expenditures	Current Balance	Approved Funding Pre-2012	Approved Funding 2012	Future Funding Authority	Other Funding Sources	Projected Total Funding	Projected Total Expenditures	Projected Surplus/ (Deficit)
Pro#	Description										
To Completed Capital Works Reserve Fund - Appendix A:											
1	2802RD TROUT LAKE ROAD (ONR OVERPASS)	\$82,000	(\$62,433)	\$19,567					\$82,000	(\$62,433)	\$19,567
2	2930RD PEDESTRIAN CROSSING MEMORIAL/OAK	\$200,000	(\$192,704)	\$7,296					\$200,000	(\$192,704)	\$7,296
3	2961PK PARKING LOT MAINTENANCE 2009	\$239,864	(\$239,864)	\$0					\$239,864	(\$239,864)	\$0
4	2970RF ARENA IMPROVE WF&PP 2009	\$550,000	(\$550,000)	\$0					\$550,000	(\$547,020)	\$2,980
5	3028PK PARKING EQUIPMENT & VEHICLES 2010 - 2012	\$105,272	(\$117,132)	(\$11,860)					\$105,272	(\$117,132)	(\$11,860)
6	3103RD PUBLIC WORKS ADMIN BUILDING ROOF REPAIRS	\$250,000	(\$257,500)	(\$7,500)					\$250,000	(\$257,500)	(\$7,500)
7	6014FD FIRE FACILITIES MANAGEMENT PROGRAM 2011 ON-GOING	\$90,000	(\$90,216)	\$1,784					\$90,000	(\$90,000)	\$0
8	6016RF MEMORIAL GARDENS REHAB 2011 PROGRAM ON-GOING	\$345,000	(\$345,000)	\$0					\$345,000	(\$334,000)	\$11,000
9	6017RF PALANGIO/WEST FERRIS REHAB 2011 PROGRAM ON-GOING	\$400,000	(\$399,974)	\$26					\$400,000	(\$399,974)	\$26
10	6020RF RECREATION FACILITIES REHAB & DEVELOPMENT 2011 ON-GOING	\$275,000	(\$274,852)	\$148					\$275,000	(\$274,852)	\$148
11	6022PR PARK & PLAYGROUND REHAB 2011 PROGRAM ON-GOING	\$211,000	(\$210,506)	\$494					\$211,000	(\$210,506)	\$494
12	6023PR WATERFRONT REHAB 2011 PROGRAM ON-GOING	\$93,000	(\$93,000)	\$0					\$93,000	(\$93,000)	\$0
13	6028PR PARKS VEHICLE & EQUIPMENT REPLACEMENT 2011 PROGRAM ON-GOING	\$350,000	(\$349,565)	\$435					\$350,000	(\$349,565)	\$435
14	6029PR AQUATIC CENTRE REHAB 2011 PROGRAM ON-GOING	\$319,022	(\$308,337)	\$10,686					\$319,022	(\$308,337)	\$10,686
15	6030PK PARKING LOT MAINTENANCE & IMPROVEMENT 2011 PROGRAM	\$300,000	(\$298,109)	\$1,891					\$300,000	(\$298,109)	\$1,891
16	6031AT NORTH BAY JACK GARLAND AIRPORT 2011	\$284,083	(\$268,554)	\$15,529					\$284,083	(\$284,083)	\$0
17	6048OC CAPITOL CENTRE MATCHED TRILLIUM FUNDING	\$275,000	(\$278,463)	(\$3,463)					\$275,000	(\$278,463)	(\$3,463)
18	6054RD PEDESTRIAN SAFETY PROGRAM ON-GO	\$106,000	(\$106,000)	\$0					\$106,000	(\$106,000)	\$0
19	6055RD ROAD CULVERT REPLACE/REHAB ON-GO	\$160,000	(\$160,000)	\$0					\$160,000	(\$163,735)	(\$3,735)
20	6056RD RURAL ROADWAYS REHAB ON-GO	\$715,000	(\$719,810)	(\$4,810)					\$715,000	(\$719,810)	(\$4,810)
21	6078PR AQUATIC CENTRE REHAB 2012 PROGRAM ON-GOING	\$60,000	(\$58,645)	\$1,355					\$60,000	(\$58,645)	\$1,355
22	6085OC CAPITOL CENTRE 2012 ON-GOING	\$200,000	(\$203,211)	(\$3,211)					\$200,000	(\$203,211)	(\$3,211)
Total Transfer To/(From) Completed Capital Works Reserve Fund (Reserve #99537R):											\$21,298

Pro#	Description	Current Activity			Future Funding Sources				Projected Overview		
		Completed Funding	Completed Expenditures	Current Balance	Approved Funding Pre-2012	Approved Funding 2012	Future Funding Authority	Other Funding Sources	Projected Total Funding	Projected Total Expenditures	Projected Surplus/ (Deficit)

To Water Capital Works Reserve Fund - Appendix A Continue:

23	2702WS	AIRPORT HILL ST AND PIPE & WATERMAIN	\$8,400,000	(\$8,182,640)	\$217,360				\$8,400,000	(\$8,182,640)	\$217,360
24	3119WS	WATERMAIN CATHODIC PROTECTION PROGRAM	\$200,000	(\$200,000)	\$0				\$200,000	(\$148,703)	\$51,297
25	3214WS	WATER/SEWER BUILDING ROOF REPAIRS	\$100,000	(\$104,307)	(\$4,307)				\$100,000	(\$104,307)	(\$4,307)
26	6092WS	WATER & SEWER RECONSTRUCTION 2012	\$106,000	(\$111,227)	(\$5,227)				\$106,000	(\$111,227)	(\$5,227)

Total Transfer To/(From) Water Completed Capital Works Reserve Fund (Reserve #99522R): \$259,123

To Sanitary Sewer Capital Works Reserve Fund - Appendix A Continue:

27	6090SS	SEWAGE PLANT & PUMP STATION 2012	\$597,525	(\$693,041)	(\$95,516)				\$597,525	(\$693,040)	(\$95,515)
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Total Transfer To/(From) Sewer Completed Capital Works Reserve Fund (Reserve #99575R): (\$95,515)

Projects to be Closed and Transferred to Other Open Projects - Appendix B:

1	6018MR	MARINA REHAB 2011	\$250,000	(\$250,000)	\$0				\$250,000	(\$216,778)	\$33,222
2	6019PR	PARKS BUILDING REHAB 2011	\$750,000	(\$750,000)	\$0		\$60		\$750,000	(\$586,625)	\$163,375
3	6051RD	ASPHALT RESURFACING PROGRAM 2012	\$4,112,103	(\$4,335,457)	(\$223,354)				\$4,112,103	(\$4,335,458)	(\$223,355)
4	6051WS	ASPHALT RESURFACING PROGRAM 2013	\$415,587	(\$398,487)	\$17,100				\$415,587	(\$398,487)	\$17,100

Total Transfer To/(From) other Capital Projects: (\$9,658)

Open On-Going Projects - Appendix C:

1	2616RD	McKEOWN AVE. GORMANVILLE TO ALGONQUIN	\$6,314,064	(\$6,146,428)	\$167,636				\$6,314,064	(\$6,314,064)	\$0
2	2699GG	ADMINISTRATIVE & OVERHEAD	\$2,542,451	(\$2,353,319)	\$189,132				\$2,542,451	(\$2,542,451)	\$0
3	2803WS-SS	CEDAR HEIGHTS: PHASE 1 - BPS & MAIN	\$2,100,000	(\$2,213,079)	(\$113,079)		\$4,200,000	\$5,800,000	\$12,100,000	(\$12,100,000)	\$0
4	2814WS	WATER METER STRATEGY IMPLEMENTATION	\$2,537,685	(\$256,472)	\$2,281,213			\$4,604,652	\$7,142,337	(\$7,142,337)	\$0
5	2825RD-ST	PEARCE/AIRPORT TO FRANCIS TRAFFIC SIGNALS	\$900,000	(\$603,293)	\$296,707			\$100,000	\$1,000,000	(\$1,000,000)	\$0
6	2825WS-SS	PEARCE/AIRPORT TO FRANCIS TRAFFIC SIGNALS	\$750,000	(\$425,533)	\$324,467				\$750,000	(\$750,000)	\$0
7	2916GD	LEACHATE MANAGEMENT-CELL 6 & 7-9 NEW METHANE WELLS	\$1,600,000	(\$1,508,475)	\$91,525				\$1,600,000	(\$1,600,000)	\$0
8	2919RD-ST	PEARCE (FRANCIS-GREENHILL) Phase II	\$120,500	(\$257,231)	(\$136,731)		\$1,579,500		\$1,700,000	(\$1,700,000)	\$0
9	2919WS-SS	PEARCE (FRANCIS-GREENHILL)	\$200,000	(\$43,966)	\$156,034		\$1,100,000		\$1,300,000	(\$1,300,000)	\$0
10	2934ST	CHIPPEWA CREEK/AIRPORT HEIGHTS STORMWATER RETENTION	\$100,000	(\$114,670)	(\$14,670)		\$250,000	\$250,000	\$600,000	(\$600,000)	\$0
11	2937WS-SS	ASSET MANAGEMENT 2009	\$750,000	(\$432,184)	\$317,816				\$750,000	(\$750,000)	\$0
12	2960GG	SYSTEM TECH PROGRAM 2009	\$930,532	(\$774,739)	\$155,793				\$930,532	(\$930,532)	\$0
13	3001RD	LAKESHORE BRIDGE-LAVASE RIVER-STUDY & REPAIRS	\$330,000	(\$322,291)	\$7,709	\$1,936,667			\$2,266,667	(\$2,266,667)	\$0
14	3002RD	HAMMOND & STANLEY ST. BRIDGES - EA AND REMOVAL	\$50,000	(\$35,072)	\$14,928		\$200,000		\$250,000	(\$250,000)	\$0
15	3004RD-ST	STREET RECON - MAIN/SEYMOUR AT THE HIGHWAY	\$300,000	(\$363,709)	(\$63,709)			\$136,203	\$436,203	(\$436,203)	\$0

		Description	Current Activity			Future Funding Sources				Projected Overview		
			Completed Funding	Completed Expenditures	Current Balance	Approved Funding Pre-2012	Approved Funding 2012	Future Funding Authority	Other Funding Sources	Projected Total Funding	Projected Total Expenditures	Projected Surplus/ (Deficit)
16	3005RD	STREET RECON - JANE ST	\$180,000	(\$103,458)	\$76,542					\$180,000	(\$180,000)	\$0
17	3005WS SS	STREET RECON - JANE ST	\$180,000	(\$79,821)	\$100,179					\$180,000	(\$180,000)	\$0
18	3008PK- RD-ST	NB HERITAGE PARKLAND DEVELOPMENT & PARKING	\$6,624,013	(\$7,752,961)	(\$1,128,948)				\$775,987	\$7,400,000	(\$7,752,961)	(\$352,961)
19	3013SL	STREET LIGHTING UPGRADES	\$2,421,296	(\$2,322,669)	\$98,627					\$2,421,296	(\$2,421,296)	\$0
20	3014WS SS	DESIGN WORK ON-GOING 2010	\$791,834	(\$512,609)	\$279,225					\$791,834	(\$791,834)	\$0
21	3015WS SS	CITY SHARE DEV COST 2010	\$338,539	(\$284,820)	\$53,719					\$338,539	(\$338,539)	\$0
22	3027GG	SYSTEM TECH PROGRAM 2010	\$371,934	(\$425,192)	(\$53,257)	\$191,000				\$562,934	(\$562,934)	\$0
23	3027WS SS	SYSTEM TECH PROGRAM 2010	\$90,000	(\$900)	\$89,100					\$90,000	(\$90,000)	\$0
24	3061SS	MAIN ST. (GORMANVILLE TO MEMORIAL DR.)	\$100,000	(\$8,227)	\$91,773			\$5,000,000		\$5,100,000	(\$5,100,000)	\$0
25	3063WS SS	SKI CLUB ROAD (LAKESIDE DR. TO JOHNSTON RD.)	\$2,831,775	(\$939,004)	\$1,892,771		\$1,468,225			\$4,300,000	(\$4,300,000)	\$0
26	3064WS	WATERMAIN REPLACEMENT - LAKESHORE DR. (PHASE I)	\$200,000	(\$113,214)	\$86,786					\$200,000	(\$200,000)	\$0
27	3069WS	DRINKING WATER QUALITY (HANSEN)	\$582,854	(\$436,982)	\$145,872					\$582,854	(\$582,854)	\$0
28	3070SS	SS INFILTRATION REDUCTION/ FLOW MONITORING PROGRAM (Phase I)	\$600,000	(\$513,040)	\$86,960					\$600,000	(\$600,000)	\$0
29	3102RD	FACILITIES MANAGEMENT - ROADS	\$120,717	(\$46,172)	\$74,545			\$79,283		\$200,000	(\$200,000)	\$0
30	3104RD- ST	FERGUSON ST. (MCINTYRE TO CHIPPEWA)	\$600,000	(\$477,665)	\$122,335		\$1,200,000	\$5,100,000		\$6,900,000	(\$6,900,000)	\$0
31	3104WS	FERGUSON ST. (MCINTYRE TO CHIPPEWA)	\$900,000	(\$197,637)	\$702,363		\$2,500,000			\$3,400,000	(\$3,400,000)	\$0
32	3105RD- ST	MAIN ST (SHERBROOKE TO OVERPASS)	\$2,700,000	(\$2,702,448)	(\$2,448)					\$2,700,000	(\$2,702,448)	(\$2,448)
33	3105WS SS	MAIN ST (SHERBROOKE TO OVERPASS)	\$2,145,580	(\$1,880,976)	\$264,604					\$2,145,580	(\$2,145,580)	\$0
34	3108GD	LANDFILL SITE (MERRICK) - LEACHATE TREATMENT	\$1,069,817	(\$845,518)	\$224,299		\$930,183	\$3,000,000		\$5,000,000	(\$5,000,000)	\$0
35	3111FD	FIRE DEPARTMENT REPLACEMENT OF EMERGENCY GENERATOR	\$120,000	(\$70,602)	\$49,398					\$120,000	(\$120,000)	\$0
36	3112AT	AIRPORT - HANGAR DEVELOPMENT - NET COST	\$0	(\$15,189)	(\$15,189)				\$1,500,000	\$1,500,000	(\$1,500,000)	\$0
37	3113GG	CITY-WIDE RADIO SYSTEM REPLACEMENT	\$810,225	(\$564,691)	\$245,534					\$810,225	(\$810,225)	\$0
38	3114PR	FACILITIES LONG-TERM NEEDS STUDY	\$109,863	(\$106,391)	\$3,472				\$9,957	\$119,820	(\$119,820)	\$0
39	3116SS	PREMIER PUMPING STATION (SEWER BACK-UP PREVENTION)	\$2,100,000	(\$2,017,732)	\$82,268					\$2,100,000	(\$2,100,000)	\$0
40	3117SS	SANITARY SEWER REHAB PROGRAM 2011	\$600,000	(\$175,654)	\$424,346					\$600,000	(\$600,000)	\$0
41	3201RD- ST	AIRPORT INDUSTRIAL LAND SERVICING	\$2,641,584	(\$2,441,983)	\$199,601				\$158,416	\$2,800,000	(\$2,800,000)	\$0
42	3201WS SS	AIRPORT INDUSTRIAL LAND SERVICING	\$2,985,846	(\$3,096,996)	(\$111,150)		\$168,948		\$45,206	\$3,200,000	(\$3,200,000)	\$0

Pro#	Description	Current Activity			Future Funding Sources				Projected Overview		
		Completed Funding	Completed Expenditures	Current Balance	Approved Funding Pre-2012	Approved Funding 2012	Future Funding Authority	Other Funding Sources	Projected Total Funding	Projected Total Expenditures	Projected Surplus/ (Deficit)
43	3203RD TRAFFIC SIGNALIZED PEDESTRIAN CROSSINGS- VARIOUS LOCATIONS	\$100,000	(\$1,010)	\$98,990			\$100,000		\$200,000	(\$200,000)	\$0
44	3204PR SKATE PARK DEVELOPMENT	\$0	\$0	\$0			\$100,000	\$100,000	\$200,000	(\$200,000)	\$0
45	3208WS WATERMAIN REPLACEMENT LAKESHORE	\$200,000	(\$8,336)	\$191,664					\$200,000	(\$200,000)	\$0
46	3215GG CORPORATE SECURITY STUDY	\$50,000	(\$777)	\$49,223					\$50,000	(\$50,000)	\$0
47	3217SL MCKEOWN STREET LIGHTS	\$40,000	\$0	\$40,000					\$40,000	(\$40,000)	\$0
48	3221RD ASSET MANAGEMENT PROGRAM 2012	\$200,000	(\$127,653)	\$72,347					\$200,000	(\$200,000)	\$0
49	3222PK INFORMATION CENTER PARKING LOT RECONSTRUCT	\$57,000	(\$111,001)	(\$54,001)				\$239,506	\$296,506	(\$296,506)	\$0
50	3300RD JOHN ST - (JOHN ST. BRIDGE)	\$565,000	(\$414,381)	\$150,619			\$3,000,000		\$3,565,000	(\$3,565,000)	\$0
51	3304RD EXTENSION OF SANITARY SEWER TO PINEWOOD PARK DR. AREA	\$0	(\$16,083)	(\$16,083)					\$0	(\$16,083)	(\$16,083)
52	3304SS EXTENSION OF SANITARY SEWER TO PINEWOOD PARK DR. AREA	\$2,158,333	(\$239,090)	\$1,919,243				\$3,841,667	\$6,000,000	(\$6,000,000)	\$0
53	3402RD AIRPORT RD RESURFACING PROGRAM (O'BRIEN TO CARMICHAEL)	\$750,000	(\$938,526)	(\$188,526)		\$176,191	\$573,809		\$1,500,000	(\$1,500,000)	\$0
54	3602RD COLLEGE DR. - PATHWAY FROM HOSPITAL TO UNIVERSITY	\$0	(\$135,352)	(\$135,352)		\$133,333		\$365,657	\$498,990	(\$498,990)	\$0
55	6012RD DOWNTOWN ROADS MAINTENANCE 2011	\$77,000	(\$3,533)	\$73,467					\$77,000	(\$77,000)	\$0
56	6027PR TRAIL & SUPPORTING HARD SURFACES REHAB 2011	\$165,000	(\$55,036)	\$109,964					\$165,000	(\$165,000)	\$0
57	6034GG CITY HALL BUILDING REHAB 2011	\$125,580	(\$33,366)	\$92,214					\$125,580	(\$125,580)	\$0
58	6035GG SYSTEMS TECHNOLOGY PROGRAM 2011	\$480,000	(\$246,559)	\$233,441	\$87,000				\$567,000	(\$567,000)	\$0
59	6035WS SYSTEMS TECHNOLOGY PROGRAM 2011	\$47,000	(\$963)	\$46,037	\$46,000				\$93,000	(\$93,000)	\$0
60	6049RD CITY SHARE OF NEW DEVELOPMENT COSTS 2012	\$171,048	(\$161,967)	\$9,081		\$95,000			\$266,048	(\$266,048)	\$0
61	6049WS CITY SHARE OF NEW DEVELOPMENT COSTS 2012	\$254,554	(\$36,818)	\$217,736					\$254,554	(\$254,554)	\$0
62	6050FL VEHICLE & EQUIPMENT REPLACEMENT 2012	\$604,478	(\$712,235)	(\$107,757)		\$850,000			\$1,454,478	(\$1,454,478)	\$0
63	6050WS-SS VEHICLE & EQUIPMENT REPLACEMENT 2012	\$1,417,338	(\$316,106)	\$1,101,232					\$1,417,338	(\$1,417,338)	\$0
64	6053RD RESIDENTIAL STREET REHAB 2012	\$249,610	(\$177,793)	\$71,817					\$249,610	(\$249,610)	\$0
65	6053WS-SS RESIDENTIAL STREET REHAB 2012	\$266,000	(\$204,436)	\$61,564					\$266,000	(\$266,000)	\$0
66	6057SL TRAFFIC CONTROL SIGNAL UPGRADE 2012	\$432,509	(\$340,163)	\$92,346					\$432,509	(\$432,509)	\$0
67	6058RD SIDEWALK REPLACEMENT PROGRAM 2012	\$160,000	(\$113,769)	\$46,231					\$160,000	(\$160,000)	\$0
68	6059RD BRIDGE REHAB 2012	\$107,183	(\$22,613)	\$84,570		\$53,000			\$160,183	(\$160,183)	\$0
69	6063FD FIRE VEHICLE & EQUIPMENT REPLACEMENT 2012	\$763,886	(\$113,672)	\$650,214					\$763,886	(\$763,886)	\$0
70	6065RF MEMORIAL GARDENS REHAB PROGRAM 2012	\$90,000	(\$86,070)	\$3,930		\$210,000			\$300,000	(\$300,000)	\$0

City of North Bay

Report to Council

Report No: CAO 2013-03

Date: March 12, 2013

Originator: Jerry Knox
Chief Administrative Officer

Subject: Request from Canadore College – New Student Residence

File No: _____

RECOMMENDATIONS

- 1) That the City Council approve the request from Canadore College to exempt the proposed new 280 bed student residence from development charges; and
- 2) That City Council further agree to rebate the municipal portion of property taxes provided the building continues to be used for college or university housing; and
- 3) That the Mayor and City Clerk be authorized to enter into an agreement with Canadore College and their private sector partner to waive the Development Charges and rebate the Municipal portion of the property taxes as contemplated in Report to Council CAO 2013-03.

BACKGROUND

Canadore College is a key stakeholder in providing post secondary educational opportunities in Northern Ontario and a significant contributor to North Bay's economy not only through providing the future skilled work force, but also through connection to local industry.

Like other public sector organizations with limited financial funding, Canadore is exploring various alternatives involving the private sector to assist in constructing new facilities.

In a letter dated March 11, 2013, Attachment A, Shawn Chorney VP Enrolment Management, Student Services and Marketing outlines Canadore's plan to explore the execution of an agreement to lease their existing apartment tower located at 15 College Drive, construct a new 280 bed residence at 19 College Drive and demolish some of their existing residence townhouses located on the main campus. This arrangement will permit Canadore to update and expand their residence capacity as well as facilitate possible future expansion of the College. Attachments B and C outline the proposed plan.

The proposal is to have a private sector partner take over 15 College Drive, as well as construct the new residence on lands owned by Canadore College. At the expiration of a long-term lease agreement, the proposal will have ownership of the buildings revert to the College.

Current policy exempts Canadore from development charges when constructing new buildings if they are solely owned by the College. Similarly these buildings would not draw traditional property taxes if owned and operated exclusively by the College. Taxes for the College continue to be calculated on a "heads and beds" formula which is based on the number of enrolled full-time students.

In Mr. Chorney's letter, Canadore is requested a similar arrangement provided for the recently constructed residence built on College Drive for both the transfer of the existing residence and new 280 facilities. Through Council Resolution # 2011-355, Attachment D, Council agreed to exempt the build from development charges as well as to rebate the municipal portion of property taxes provided the building continues to be used for college or university housing.

ANALYSIS / OPTIONS

Option 1

Not to agree to the request of Canadore College. This option may result in the cancellation or delay of this project and is not recommended.

Option 2

Approve the request as submitted.

Recommended Option / Financial Implications

Option 2 is the recommended option.

The request, as proposed, deals with fees that would not apply should the building be constructed and remain in the ownership of Canadore College.

The proposed new residence will be integrated into the lower residence campus on lands owned by Canadore and will be outwardly no different than residence owned by the college or university.

As for the existing residence owned by Canadore, there are no taxes currently being collected.

Other municipal fees, including but not necessarily limited to building permit and site plan control fees, will be charged as they would normally apply to construction of a residence by the college.

If Canadore were developing and owning the residence, the City would not collect taxes. Under a private operation and without any approved Council rebates, the City would receive approximately \$562,200 in development charges for the new build and \$292,000 in taxes for the new build as well as the facility proposed to be transferred. Council needs to be aware these numbers are rough estimates as the details of the construction and actual property assessments have not been completed.

Should the request be denied, there is a risk the project does not proceed. Should the project go forward without these provisions the risk is that in the year the agreement ceases, the City would receive a substantial reduction in the assessment base and related reduction in revenue. Future budget years would be at risk due to the significant burden on the tax levy in the year the facility becomes tax exempt. Acceptance of the request would be factored into the annual budget process thereby reducing the impact to ratepayers.

There are other financial benefits that are not quantifiable at this time. Increasing the number of student residence units available will enhance student recruitment efforts which in turn may positively influence the "heads and beds" payment in lieu of taxes. The transfer of the existing facility will provide financial capacity for the College to invest in further expansion of academic facilities. Also the proposed demolish of some of the townhouse residences will provide opportunities for future expansion at the main campus.

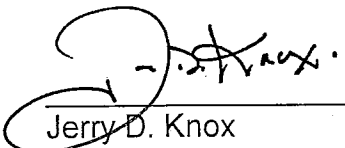
This construction project will also provide opportunities for construction employment and sales to local builder supply businesses.

In summary, this project will enhance the quality of student residences and will assist with mitigating a local housing shortage.

In terms of financial impact, the request for relief from fees is appropriate in my opinion as this is revenue that would not otherwise be realized if the project did not proceed or was owned by Canadore College.

Staff would not be recommending fee forgiveness if this was a private sector for profit project arms length from the college and constructed on privately-owned lands

Respectfully submitted,



Jerry D. Knox

Chief Administrative Officer

Personnel designated for continuance: Cathy Conrad, City Clerk

Copy: M. Karpenko

P. Leckie

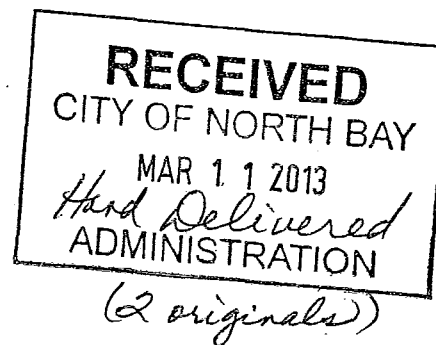
C. Conrad

P. Chirico

(Attachments - 4)

March 11, 2013

City of North Bay
c/o Jerry Knox
200 McIntyre Street East
P.O. Box 360
North Bay, ON P1B 8H8



Dear Mayor McDonald and Council,

Canadore College is proud of the progress that we have been making in evolving our on-campus student housing needs. In September 2012, we opened our new residence apartment complex in partnership with Campus Living Centres (CLC), supported by the City of North Bay.

Under this agreement, the City of North Bay has agreed to treat the property taxes at 17 College Drive as though the facility were owned by Canadore with the stipulation that the facility is used for its intended purposes – student housing.

As indicated at the grand opening, the new facility was phase one of an overall strategy to update Canadore's student housing inventory with the ultimate goal of replacing, decommissioning and razing the original "green" townhouse complex.

Canadore recently completed a request for proposals process that has consequently further defined the next steps in our housing strategy. These include: an expansion of our current public-private partnership with CLC through the construction of a third six-story, 280-bed apartment complex located immediately next to the most recent residence build at 17 College Drive.

We have also secured Canadore College Board of Governors' approval to decommission and raze the original "green" townhouse development with this inventory to be offset by the new construction. Furthermore, we have also received approval to explore the execution of an agreement to lease the original apartment tower at 15 College Drive to CLC for the same purposes as outlined at 17 College Drive - student housing.

We respectfully request that Council endorse the expansion of the model to the new apartment building as outlined, as well as a commitment to continue the treatment of property taxes at 15 College Drive pending execution of the agreement. We are pleased with our progressive model and this proposed plan will continue to position Canadore as an economic development engine in our community while ensuring that we do our part to provide safe, affordable and modern student housing solutions.

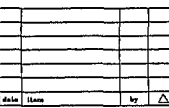
Thank you for your ongoing support during the first phase of this residence redevelopment. An innovative and shared approach benefits us all as we move forward with next steps.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Chorney". The signature is fluid and cursive, with the first name "Shawn" written in a larger, more prominent script than the last name "Chorney".

Shawn Chorney
Vice-President, Enrolment Management, Student Services and Marketing

and related conditions are necessary to achieve the maximum benefits of the program. The program is designed to be a continuous process, and the results of the program will be reported to the Board of Directors on a regular basis.



SITE PLAN APPROVAL:

Architect
MALHOTRA architecture
351 Kintville Drive
London ON N5G 1P1
Tel. 519.859.2037
dash.malhotra@me.com

PROJECT
PROPOSED STUDENT
RESIDENCE - CANADORE
COLLEGE - PHASE 2
COLLEGE DRIVE
NORTH BAY ONTARIO

SHIRT TITLES:

BITE PLAN

DATE: DRAWN:

JAN 7 1950

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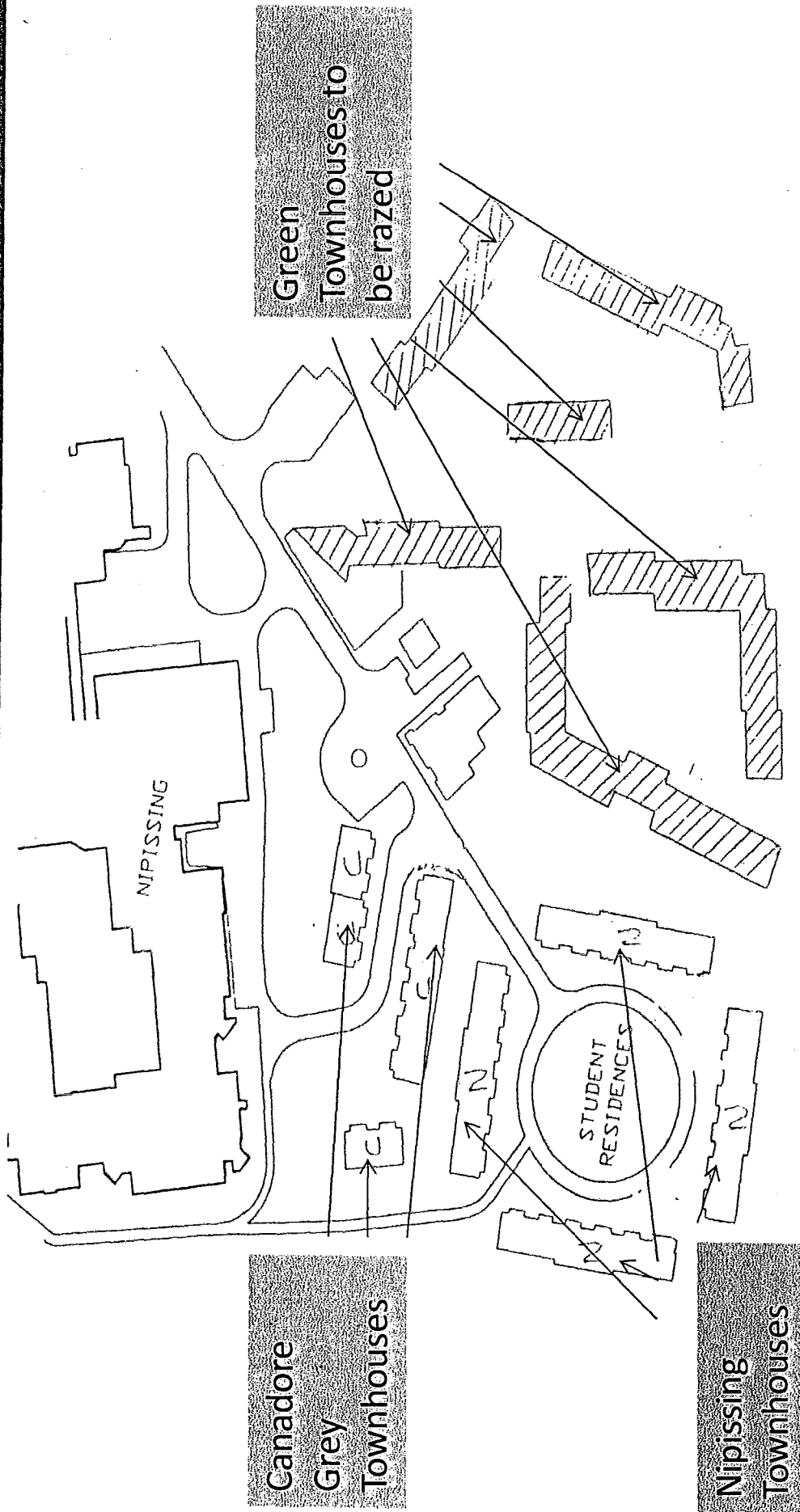
INDEX No.	
SCALE:	COND. REF.

1300	CANADORE 2/SITE
------	-----------------

A44.C.



Aerial View of Townhouse Complex



INTER OFFICE

MEMO

Council Secretariat

To: David Linkie
From: Cathy Conrad
Subject: Waiving of Development Charges and portion of Municipal Taxes for Canadore College New Student Residence
Date: 17 May 2011

This is Resolution No. 2011-355 which was passed by Council at its Regular Meeting held Monday, May 16, 2011.

Resolution No. 2011-355:

- "That 1) City Council approve the request from Canadore College to exempt the proposed new six storey student residence from development charges;
- 2) Council further agree to rebate the municipal portion of the property taxes provided the building continues to be used for college or university housing; and
- 3) the Mayor and City Clerk be authorized to enter into an Agreement with Canadore College and Campus Living Centres to waive the development charges and rebate the municipal portion of the property taxes as contemplated in Report to Council CAO 2011-03."

Please provide me with three (3) copies of the Agreement, signed and sealed by Canadore College and Campus Living Centres, to be presented to Council for execution.

Cathy Conrad,
 City Clerk.

CMC/cjc

Copy to: M. Karpenko
 M.B. Burke
 P. Leckie
 J.D. Knox

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CSBU 2013 - 44

Date: March 14, 2013

Originator: Peter Chirico

Subject: Memorial Gardens and OHL Franchise Relocation

RECOMMENDATION

That:

- 1) Council authorize the Mayor and City Clerk to enter into agreements with Mr. Matthew Delean, Architect, Norr Limited and Allen PMC, a division of K.J. Allen Investments Inc., Mr. Ken Allen, Project Manager for the renovations of Memorial Gardens.

BACKGROUND

Further to our Report to Council on February 4, 2013 and report dated January 28, 2013, we require supplemental approval to authorize the Mayor and City Clerk to enter into agreements with both parties noted above. Prior report outlined terms of agreements and they are now completed with no changes to the previously identified project scope or cost.

OPTIONS

OPTION 1 :

- 1) Council authorize the Mayor and City Clerk to enter into agreements with Norr Architects Limited (Matthew Delean, Architect), and Allen PMC, a division of K.J. Allen Investments Inc., (Mr. Ken Allen, Project Manager).

Option 2:

Do not proceed and cancel project.

RECOMMENDED OPTION

OPTION:

- 1) Council authorize the Mayor and City Clerk to enter into agreements with Norr Architects Limited (Matthew Delean, Architect), and Allen PMC, a division of K.J. Allen Investments Inc., (Mr. Ken Allen, Project Manager).

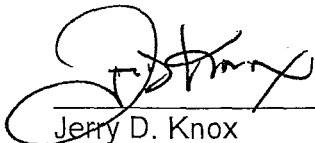


Peter Chirico
Managing Director Community Services

I concur with this report and recommendations.



Peter D. Leckie
City Solicitor



Jerry D. Knox
Chief Administrative Officer

L07 / 2012 / LESE / 5511 0.000

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CSBU 2013 - 06

Date: January 28, 2013

Originator: Peter Chirico

Subject: Memorial Gardens and OHL Franchise Relocation

RECOMMENDATION

That:

- 1) Council receives update on project status for information purposes only.
- 2) That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation and OHL Franchise being 2013 Community Services Capital Budget Project No. 6115RF, at a net debenture cost of \$3,900,000.
- 3) Council receive update on Architectural Services and Construction Management

BACKGROUND

Further to our Report to Council of October 25, 2012, we wish to provide an update on the progress to date and future milestones on project development of Memorial Gardens.

We would confirm that the agreement between the City of North Bay and the Brampton Battalion Hockey Club Limited ("Battalion") has been finalized and executed by both parties. The agreement has been vetted by both parties' solicitors prior to execution and the agreement is complete.

As per our agreement with the Battalion and previously discussed with Council, Mr. Matthew Delean, Principal of Norr Limited, Architects Engineers Planners of Toronto has been engaged in consultation with the Battalion, for architectural and engineering services related to the renovations at Memorial Gardens. The firm was agreed upon by the "Battalion" and in consultation with the City of North Bay, given their expertise, experience and ability to mobilize quickly. Under normal circumstances for a project undertaken by the City, we would follow a competitive procurement process however, given our agreement with the Battalion, the time frame, urgency and specialized architecture/engineering services required to complete this project within a short time frame, this firm as previously discussed, was engaged within our "Non Competitive Procurement" section of our bylaw, section 11.1. The fixed price contract with Norr Architects will be in the amount of \$888,000.00 (excluding HST) and a copy of the agreement is available for council review with the Clerk's Department.

In reviewing the contract with Norr, the Manager of Purchasing was consulted to verify costs for the service. In reviewing other projects of this size and magnitude, the Purchasing Manager has indicated that as a percentage of the project, normal costs would range between 5-12%. Based on the overall project of \$12,000,000.00 this could have a range of \$600,000.00 to \$1,440,000.00. Given the fixed price nature of the contract and as a percentage equating to 7.4%, the price is considered reasonable and well within the parameters of this type of project.

As well, in consultation with the "Battalion" Mr. Ken Allen, of Venasse Construction Limited will act as our project Manager. Mr. Allen brings a wealth of construction experience in industrial/commercial development and will act as the City's eyes and ears on the ground. We expect that the engagement of Mr. Allen will assist in the day to day management of the project together with the tendering process for the General Contractor and the use of associated sub trades, which will be let after construction drawings are completed. These tenders are expected to start in February of 2013. Based on a construction period of approximately 10 months (Feb-Nov) the cost associated would be approximately \$102,100.00 or .85%, which we consider fair and reasonable.

The fee for both of these services will be contained within the budget previously detailed and capped at the \$12,000,000.00 limit as previously detailed. Further reports will be filed to update.

As per agreement with "Battalion", The City has committed up to \$12,000,000.00 in capital for improvement and renovations to the aging Memorial Gardens. It is anticipated that construction will commence in March of 2013 and therefore the necessity to approve the expenditure by-law as outlined below:

Memorial Gardens Rehabilitation Project	\$ 12,000,000.
Fed Nor and NOHFC grants	\$ (2,000,000)
Battalion 15 year loan	\$ (5,000,000.)
Temporary Reserve Financing	\$ (1,100,000.)
Current 2013 debenture cost (Capital Budget)	\$ 300,000.
Future Net debenture costs 2014 – 2022	\$ 3,600,000.
TOTAL DEBENTURE (Capital Budget)	\$ 3,900,000.

As previously discussed with Council, part of the funding formula was to utilize future capital allocation that was planned for over the next ten years. The net impact on the capital budget for this project will be the capital allocation planned in each year and as shown in our ten year capital forecast. There will be no new net dollars expensed and no projects that were previously scheduled cancelled or re-arranged due to this project. The funding of the total project of \$12,000,000.00 outside of the grants and the Battalion loan will be via normal City cash flow and the temporary reserve funds previously identified. Repayment of this \$5,000,000.00 will be from the \$3,900,000.00 scheduled capital expenditures each year together with the sources identified from revenue sharing with Battalion for the \$1,100,000.00.

Although this report indicates a net debenture cost of \$3,900,000.00, this is our standard wording for Capital Expenditure Bylaws and provides the option of debenturing if so required. This is not the case for this project and no funds will be debentured for this project.

OPTIONS

OPTION 1 :

- 1) Council receives update on project status for information purposes only.
- 2) That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation and OHL Franchise being 2013 Community Services Capital Budget Project No. 6115RF, at a net debenture cost of \$3,900,000.
- 3) Council receive update on Architectural Services and Construction Management

Option 2:

Do not proceed and cancel project.

RECOMMENDED OPTION

OPTION:

- 1) Council receives update on project status for information purposes only.
- 2) That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation and OHL Franchise being 2013 Community Services Capital Budget Project No. 6115RF, at a net debenture cost of 3,900,000.
- 3) Council receive update on Architectural Services and Construction Management



Peter Chirico
Managing Director Community Services

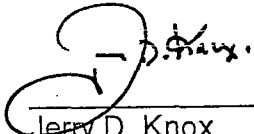
I concur with this report and recommendations.



Paul Valenti
Manager Purchasing



Margaret Karpenko
Chief Financial Officer



Jerry D. Knox
Chief Administrative Officer

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-017

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
MARCH 4, 2013**

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

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

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

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on March 4, 2013 in respect of each motion, resolution and other action passed and taken by the Council at its said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc. READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-44

**A BY-LAW TO AUTHORIZE THE INTEGRATED
SOFTWARE SOLUTION PROJECT**

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

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

AND WHEREAS the Council passed Resolution 2013-125 at its Meeting held Monday, March 4, 2013, authorizing the 2013 Integrated Software Solution Project, being 2013 General Government Capital Budget Project No. 3205GG, with a net debenture cost of \$50,000.00;

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

1. That the expenditure of \$50,000.00 for the Integrated Software Solution Project for the following be hereby authorized:

Contract	\$47,619.00
Temporary Financing and Contingency	<u>2,381.00</u>
Net Amount to be Debentured	\$50,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$50,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-45

**A BY-LAW TO AUTHORIZE THE
2013 CAPITOL CENTRE
BUDGET ALLOCATION**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-126 at its Meeting held Monday, March 4, 2013, authorizing the 2013 Capitol Centre Budget Allocation, being 2013 Local Agencies, Boards and Commissions' Capital Budget Project No. 6135OC, with a net debenture cost of \$179,000.00;

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

1. That the expenditure of \$179,000.00 for the 2013 Capitol Centre Budget Allocation, for the following be hereby authorized:

Capital Upgrades and Building Improvements	\$170,476.00
Temporary Financing and Contingency	<u>8,524.00</u>

Net Amount to be Debentured	\$179,000.00
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2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$179,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CLERK CITY CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-46

**A BY-LAW TO AUTHORIZE THE
2013 NORTH BAY-MATTAWA CONSERVATION
AUTHORITY CAPITAL BUDGET ALLOCATION**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-127 at its Meeting held Monday, March 4, 2013, authorizing the 2013 North Bay-Mattawa Conservation Authority Capital Budget Allocation, being 2013 Local Agencies, Boards and Commissions Capital Project No. 6136CA, with a net debenture cost of \$552,880.00;

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

1. That the expenditure of \$552,880.00 for the 2013 North Bay-Mattawa Conservation Authority Capital Budget Allocation, for the following be hereby authorized:

Capital Works on Conservation Area Lands/Trails	
Water and Erosion Control, Central Services	
Watershed Studies and DIA Regulations	\$526,552.00
Temporary Financing and Contingency	<u>26,328.00</u>

Net Amount to be Debentured	\$552,880.00
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2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$552,880.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

ce READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CLERK CITY CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-47

**A BY-LAW TO AUTHORIZE THE
2013 NORTH BAY POLICE SERVICES
CAPITAL BUDGET ALLOCATION**

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

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

AND WHEREAS the Council passed Resolution 2013-128 at its Meeting held Monday, March 4, 2013, authorizing the 2013 North Bay Police Services Capital Budget Allocation, being 2013 Local Agencies, Boards and Commissions Capital Budget Project No. 6137PD, with a net debenture cost of \$347,795.00;

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

1. That the expenditure of \$347,795.00 for the 2013 North Bay Police Services Capital Budget Allocation, for the following be hereby authorized:

Vehicle Replacements	\$210,000.00
LiveScan (Electronic Fingerprint Submission)	71,233.00
Network Switches	30,000.00
Tsunami Microwave Bridge	20,000.00
Temporary Financing and Contingency	<u>16,562.00</u>

Net Amount to be Debentured	\$347,795.00
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2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$347,795.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-48

**A BY-LAW TO AUTHORIZE THE
2013 NORTH BAY PUBLIC LIBRARY
CAPITAL BUDGET ALLOCATION**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

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

AND WHEREAS the Council passed Resolution 2013-129 at its Meeting held Monday, March 4, 2013, authorizing the 2013 North Bay Public Library Capital Budget Allocation, being 2013 Local Agencies, Boards and Commissions Capital Project No. 6138LB, with a net debenture cost of \$260,400.00;

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

1. That the expenditure of \$260,400.00 for the 2013 North Bay Public Library Capital Budget Allocation, for the following be hereby authorized:

Building Improvements	\$248,000.00
Temporary Financing and Contingency	<u>12,400.00</u>
Net Amount to be Debentured	\$260,400.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$260,400.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-49

**A BY-LAW TO AUTHORIZE THE
REPLACEMENT OF THE RETURN SLUDGE
PUMPS AND CONTROLS AT THE SANITARY
SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-130 at its meeting held Monday, March 4, 2013, authorizing the replacement of the return sludge pumps and controls at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3307SS, with a net debenture cost of \$75,000.00;

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

1. That the expenditure of \$75,000.00 for the replacement of the return sludge pumps and controls at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Costs	\$71,429.00
Financing Costs	2,821.00
Administration and Overhead Costs	<u>750.00</u>
Net Amount to be Debentured	\$75,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/ or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$75,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

cc READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-50

**A BY-LAW TO AUTHORIZE THE WASTE
WATER TREATMENT PLANT
ELECTRICAL UPGRADES**

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

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

AND WHEREAS the Council passed Resolution 2013-131 at its meeting held Monday, March 4, 2013, authorizing the electrical upgrades at the Waste Water Treatment Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3308SS, with a net debenture cost of \$175,000.00;

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

1. That the expenditure of \$175,000.00 for the electrical upgrades at the Waste Water Treatment Plant, for the following be hereby authorized:

Construction Costs	\$166,667.00
Financing Costs	6,583.00
Administration and Overhead Costs	<u>1,750.00</u>
Net Amount to be Debentured	\$175,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/ or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$175,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-51

**A BY-LAW TO AUTHORIZE THE REPAIR
AND REPLACEMENT OF THE RAW
SEWAGE PUMPING STATION AT
THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-132 at its meeting held Monday, March 4, 2013, authorizing the repair and replacement of the raw sewage pumping station at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3309SS, with a net debenture cost of \$225,000.00;

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

1. That the expenditure of \$225,000.00 for the repair and replacement of the raw sewage pumping station at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$214,286.00
Financing Costs	8,464.00
Administration and Overhead Costs	<u>2,250.00</u>
Net Amount to be Debentured	\$225,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/ or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$225,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

cc READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-52

**A BY-LAW TO AUTHORIZE THE
UPGRADE OF THE AERATION SYSTEM
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-133 at its meeting held Monday, March 4, 2013, authorizing the upgrade of the aeration system at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.3310SS, with a net debenture cost of \$100,000.00;

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

1. That the expenditure of \$100,000.00 for the upgrade of the aeration system at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$95,238.00
Financing Costs	3,762.00
Administration and Overhead	<u>1,000.00</u>
Net Amount to be Debentured	\$100,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$100,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-53

**A BY-LAW TO AUTHORIZE THE
UPGRADE OF THE METHANE GAS SYSTEM
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-134 at its meeting held Monday, March 4, 2013, authorizing the upgrade of the methane gas system at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3311SS, with a net debenture cost of \$75,000.00;

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

1. That the expenditure of \$75,000.00 for upgrade of the methane gas system at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$71,429.00
Financing Costs	2,821.00
Administration and Overhead	<u>750.00</u>
Net Amount to be Debentured	\$75,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$75,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-54

**A BY-LAW TO AUTHORIZE THE
MAJOR VALVE REPLACEMENT PROGRAM
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-135 at its meeting held Monday, March 4, 2013, authorizing the replacement of various valves at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3313SS, with a net debenture cost of \$30,000.00;

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

1. That the expenditure of \$30,000.00 for the replacement of various valves at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$28,571.00
Financing Costs	1,129.00
Administration and Overhead	<u>300.00</u>
Net Amount to be Debentured	\$30,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$30,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-55

**A BY-LAW TO AUTHORIZE
STRUCTURAL REPAIRS
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-136 at its meeting held Monday, March 4, 2013, authorizing structural repairs at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3314SS, with a net debenture cost of \$50,000.00;

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

1. That the expenditure of \$50,000.00 for structural repairs at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$47,619.00
Financing Costs	1,881.00
Administration and Overhead	<u>500.00</u>
Net Amount to be Debentured	\$50,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$50,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-56

**A BY-LAW TO AUTHORIZE THE
REPAIR AND REPLACEMENT OF FENCING,
BRICK VENEER, LANDSCAPING UPGRADES
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-137 at its meeting held Monday, March 4, 2013, authorizing the repair and replacement of fencing, brick veneer and landscaping upgrades at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3315SS, with a net debenture cost of \$15,000.00;

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

1. That the expenditure of \$15,000.00 for the repair and replacement of fencing, brick veneer and to perform landscaping upgrades at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$14,286.00
Financing Costs	564.00
Administration and Overhead	<u>150.00</u>
Net Amount to be Debentured	\$15,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$15,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-57

**A BY-LAW TO AUTHORIZE THE VEHICLE
AND EQUIPMENT REPLACEMENT PROGRAM
(ROADS AND TRAFFIC DIVISION)**

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

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

AND WHEREAS the Council passed Resolution 2013-138 at its Meeting held Monday, March 4, 2013, authorizing the Vehicle and Equipment Replacement Program (Roads and Traffic Division), being 2013 Engineering, Environmental Services and Works Department Capital Budget Project No. 6100FL, with a net debenture cost of \$1,000,000.00;

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

1. That the expenditure of \$1,000,000.00 for the vehicle and equipment replacement program (Road and Traffic Division), for the following be hereby authorized:

Roads and Traffic Maintenance Activities	\$ 952,381.00
Financing Costs	37,619.00
Administration and Overhead	<u>10,000.00</u>
Net Amount to be Debentured	\$1,000,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$1,000,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-58

**A BY-LAW TO AUTHORIZE THE
BOILER ROOM UPGRADES
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-139 at its meeting held Monday, March 4, 2013, authorizing the boiler room upgrades at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3316SS, with a net debenture cost of \$100,000.00;

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

1. That the expenditure of \$100,000.00 for boiler room upgrades at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$95,238.00
Financing Costs	3,762.00
Administration and Overhead	<u>1,000.00</u>
Net Amount to be Debentured	\$100,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$100,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD
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CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-59

**A BY-LAW TO AUTHORIZE THE
INSTALLATION OF A BACKUP GENERATOR
AT THE SANITARY SEWER PLANT**

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

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

AND WHEREAS the Council passed Resolution 2013-140 at its meeting held Monday, March 4, 2013, authorizing the installation of a backup generator at the Sanitary Sewer Plant for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 3317SS, with a net debenture cost of \$550,000.00;

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

1. That the expenditure of \$550,000.00 for the installation of a backup generator at the Sanitary Sewer Plant, for the following be hereby authorized:

Construction Contract	\$714,286.00
Financing Costs	28,214.00
Administration and Overhead	7,500.00
Less Other Financing Sources	<u>(\$200,000.00)</u>
Net Amount to be Debentured	\$550,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$550,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-60

**A BY-LAW TO AUTHORIZE THE
SANITARY SEWER UPSIZE
(GERTRUDE AND WHITNEY STREETS)**

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

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

AND WHEREAS the Council passed Resolution 2013-141 at its meeting held Monday, March 4, 2013, authorizing the upsizing of the trunk sanitary sewers along Gertrude and Whitney Streets for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.3406SS, with a net debenture cost of \$75,000.00;

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

1. That the expenditure of \$75,000.00 to authorize the upsizing of the trunk sanitary sewers along Gertrude and Whitney Streets, for the following be hereby authorized:

Construction Contract	\$71,429.00
Financing Costs	2,821.00
Administration and Overhead	<u>750.00</u>
Net Amount to be Debentured	\$75,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/ or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$75,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-61

**A BY-LAW TO AUTHORIZE THE
SANITARY SEWAGE PLANT
REHABILITATION PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-142 at its meeting held Monday, March 4, 2013, authorizing the Sanitary Sewage Plant Rehabilitation Program, the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.4001SS, with a net debenture cost of \$200,000.00;

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

1. That the expenditure of \$200,000.00 to authorize the Sanitary Sewage Plant Rehabilitation Program, for the following be hereby authorized:

Construction Contract	\$190,476.00
Financing Costs	7,524.00
Administration and Overhead	<u>2,000.00</u>
Net Amount to be Debentured	\$200,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/ or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$200,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-62

**A BY-LAW TO AUTHORIZE THE
DIGESTER AND GRIT REMOVAL
ONGOING PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-143 at its meeting held Monday, March 4, 2013, authorizing the Digester and Grit Removal Program, for the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.6139SS, with a net debenture cost of \$81,000.00;

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

1. That the expenditure of \$81,000.00 to authorize the Digester and Grit Removal Program, for the following be hereby authorized:

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

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$81,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-63

**A BY-LAW TO AUTHORIZE THE
ONGOING IMPROVEMENTS AT THE
SANITARY SEWAGE PLANT AND PUMP STATION**

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

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

AND WHEREAS the Council passed Resolution 2013-144 at its meeting held Monday, March 4, 2013, authorizing ongoing improvements at the Sanitary Sewage Plant and Pump Station, the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No. 6140SS, with a net debenture cost of \$75,000.00;

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

1. That the expenditure of \$75,000.00 to authorize the ongoing improvements at the Sanitary Sewage Plant and Pump Station, for the following be hereby authorized:

Construction Contract	\$71,429.00
Financing Costs	2,821.00
Administration and Overhead	<u>750.00</u>
Net Amount to be Debentured	\$75,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$75,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-64

**A BY-LAW TO AUTHORIZE THE
WATER AND SEWER REHABILITATION
PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-145 at its meeting held Monday, March 4, 2013, authorizing the ongoing improvements in the Water and Sanitary Sewer Departments, the Engineering, Environmental & Works Department, being 2013 Water and Sanitary Sewer Capital Budget Project No.6142WS/SS, with a net debenture cost of \$109,000.00;

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

1. That the expenditure of \$109,000.00 to authorize the ongoing improvements in the Water and Sanitary Sewer Departments, for the following be hereby authorized:

Construction Contract (6142WS)	\$ 51,905.00
Construction Contract (6142SS)	51,905.00
Financing Costs	4,100.00
Administration and Overhead	<u>1,090.00</u>
Net Amount to be Debentured	\$109,000.00
2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$109,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works shall be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-65

**A BY-LAW TO AUTHORIZE THE
CENTRAL CITY REHABILITATION PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-146 at its Meeting held Monday, March 4, 2013, authorizing the Central City Rehabilitation Program, being 2013 Community Services Capital Budget Project No. 6123PR, with a net debenture cost of \$64,000.00;

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

1. That the expenditure of \$64,000.00 for the Central City Rehabilitation Program, for the following be hereby authorized:

Central City Rehabilitation Costs	\$60,952.00
Financing Costs	<u>3,048.00</u>
Net Amount to be Debentured	\$64,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$64,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

CC READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-66

**A BY-LAW TO AUTHORIZE THE
NORTH BAY JACK GARLAND AIRPORT
REGULAR REPAIRS AND MAINTENANCE
PROGRAM**

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

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

AND WHEREAS the Council passed Resolution 2013-147 at its Meeting held Monday, March 4, 2013, authorizing the North Bay Jack Garland Regular Repairs and Maintenance Program, being 2013 Community Services Capital Budget Project No. 6130AT, with a net debenture cost of \$326,500.00;

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

1. That the expenditure of \$326,500.00 for the North Bay Jack Garland Airport Regular Repairs and Maintenance Program, for the following be hereby authorized:

*Replacement of Snow Dome Roof and Garage Roof	\$285,000.00
Lighting Upgrades Apron and Taxiway	100,000.00
Replacement of 1 ton Utility Vehicle with box	125,000.00
Emergency Repairs	25,000.00
Financing Costs	15,550.00
Total Expenditures	\$550,550.00
*Less ACAP Funding	(\$224,000.00)

Net Amount to be Debentured \$326,550.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note(s) and/or temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$326,550.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

ce READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-67

**A BY-LAW TO APPOINT A MUNICIPAL
WEED INSPECTOR FOR 2013**

WHEREAS under Section 8(1) of the *Weed Control Act, R.S.O. 1990, Chapter W.5*, municipalities may by by-law appoint one or more persons as municipal weed inspectors;

AND WHEREAS by Resolution No. 2013-148 passed by Council at its Regular Meeting held on the 4th day of March, 2013, Council authorized that the Municipality's Parks and Facilities Manager be appointed as the Municipal Weed Inspector for 2013.

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

1. That the Parks and Facilities Manager for The Corporation of the City of North Bay be appointed as the Municipal Weed Inspector for 2013.
2. This By-law comes into effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF MARCH, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF MARCH, 2013.

MAYOR ALLAN McDONALD
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CITY CLERK CATHERINE CONRAD