



**Council**

**Agenda**

**Regular Meeting of Council**

**July 2, 2013**

**at 7:00 p.m.**

# MEETINGS

FOR THE WEEK OF  
JULY 2<sup>ND</sup>, 2013

Tuesday, July 2, 2013

5:00 p.m.

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

6:00 p.m.

Committee Meeting of Council  
Council Chambers, 2<sup>nd</sup> Floor

7:00 p.m.

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

**THE CORPORATION OF THE CITY OF NORTH BAY  
REGULAR MEETING OF COUNCIL HELD  
TUESDAY, JULY 2<sup>ND</sup>, 2013**

**PUBLIC PRESENTATIONS:**

Henry Belanger	re	Ball Fields
Andrew Lane	re	North Bay Relay for Life

**PUBLIC MEETING MINUTES:**

Monday, June 17, 2013

**COMMITTEE REPORTS:**

Community Services Committee Report No. 2013-15  
Community Services Committee Report No. 2013-16

**CORRESPONDENCE:**

1. Elected Official Invoice Register (F14/2013/EOIR/GENERAL).
2. Letter from the North Bay Regional Health Centre dated May 28, 2013 and report from Ron Melnyk dated June 21, 2013 re Smoking By-Law – “Inspector” Definition Amendment (C00/2013/BYLAW/SMOKING).
3. Letter from Cecil’s Eatery and Beer Society dated May 29, 2013 and report from John Severino dated June 20, 2013 re Request for Exemption to Noise By-Law (E05/2013/NOISE/GENERAL).
4. Report from Ron Melnyk dated June 21, 2013 re Appointing Contract Commissionaires as By-Law Enforcement Officers (C00/2013/BYLAW/CCOC).
5. Report from Erin Vaughan dated June 17, 2013 re 2013 Summer in the Park Festival (M02/2013/SPECI/SUMPARK).
6. Report from Margaret Karpenko dated May 31, 2013 re 2012 Consolidated Financial Statements (F10/2013/FINST/GENERAL).
7. Report from Peter Carello dated June 21, 2013 re Deeming By-Law application by Mitchell Architects on behalf of Blanchfield Roofing Company Limited – 1235 Brookes Street (C00/2013/DEEM/BRCL).

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

By-Law No. 2013-158 to confirm proceedings of the Meeting of Council on June 17, 2013.

By-Law No. 2013-159 to authorize the Asphalt Resurfacing Program.

By-Law No. 2013-166 to appoint Contract Commissionaires as By-Law Enforcement Officers.

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

By-Law No. 2013-141 to rezone certain lands in the Highland Woods Subdivision (899430 Ontario Inc. & 2142727 Ontario Inc. – Highland Woods).

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

By-Law No. 2013-114 to rezone certain lands on 528 Front Street (Richard & Laura Gushulak – 528 Front Street).

By-Law No. 2013-161 to authorize the execution of an agreement with K.J. Allen Investments Inc. for Construction Management Services relating to the Memorial Gardens Project.

By-Law No. 2013-162 to authorize the execution of an agreement with M. Sullivan & Son Limited relating to renovations and addition to Memorial Gardens.

By-Law No. 2013-163 to authorize the execution of an agreement with SNC-Lavalin Inc. for the preparation of an Air Study Update for the Jack Garland Airport.

**Engineering & Works Services – First, second and third readings:**

By-Law No. 2013-160 to authorize connections to a Sewermain and Watermain and impose a Sewer and Water Connection Charge along Surrey Drive in the City of North Bay.

By-Law No. 2013-164 to authorize the execution of an agreement with Battano Construction Ltd. relating to Curb and Sidewalk Replacements.

By-Law No. 2013-167 to authorize the execution of an agreement with Lafarge Canada Inc. relating to the Supply of Ready Mix Concrete.

By-Law No. 2013-168 to authorize the execution of an agreement with Miller Paving North Bay, A Division of Miller Paving Limited relating to Asphalt Concrete Pavement Patching.

**MOTIONS:**

**MOTION TO ADJOURN IN-CAMERA:**

**IN-CAMERA CORRESPONDENCE:**

8. ***Confidential*** report from Peter Leckie dated June 24, 2013 re Property Matter.

**MOTION TO RECONVENE:**

**MOTION FOR RECONSIDERATION:**

**GIVING NOTICE:**

**ADJOURNMENT:**

**MINUTES OF THE COMMITTEE MEETING  
OF CITY COUNCIL  
HELD MONDAY, JUNE 17, 2013**

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

**COMMUNITY SERVICES COMMITTEE:**

The following Items were dealt with:

CS-2013-14      Rezoning Application by Richard and Laura Gushulak – 528 Front Street (D14/2013/GUSHU/Front).

Councillor Mendicino explained the purpose of the Public Meeting.

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 23<sup>rd</sup> day of May, 2013 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Peter Carello explained the purpose of the rezoning application.

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

No Public Presentations Made.

Direction:      Committee Report to be brought forward to Council

CS-2013-17      Report from Peter Carello dated May 16, 2013 re Rezoning, Redline Amendment to Draft Approved Plan of Condominium and Plan of Subdivision 899430 Ontario Inc. and 2142727 Ontario Inc. – Highland Woods (D07/D12/D14/2008/21427/AIRPORTR).

The Deputy City Clerk advised that notice of the meeting was given by prepaid first class mail on the 27<sup>th</sup> day of May, 2013 to all owners of property within 120 metres of the subject property and by the posting of a placard on the subject property.

Peter Carello explained the purpose of the rezoning application.

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

No Public Presentations Made.

Direction:      Committee Report to be brought forward to Council

**ENGINEERING & WORKS COMMITTEE:**

No Items dealt with.

**GENERAL GOVERNMENT COMMITTEE:**

No Items dealt with.

Committee Meeting of Council adjourned at 6:22 p.m.

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MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC

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**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, JUNE 17<sup>TH</sup>, 2013**

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

**PUBLIC PRESENTATIONS:**

Jim Dowel re Highway 17 Planning Study  
Sadie Hughes re Transit Schedules / Fares

**CORRESPONDENCE:**

**REPORTS FROM OFFICERS:**

Carello, P. re Rezoning application by Ron Tambeau on behalf of Greenwood Avenue Baptist Church – 312 Greenwood Avenue (381)  
Carello, P. re Rezoning application by Celia Teale on behalf of 1866409 Ontario Limited – 750 Scollard Street (382)  
Chirico, P. re Contract with K.J. Allen Investments Inc. for Construction Management at North Bay Memorial Gardens (379)  
Cox, A. re 2013 Capital Budget Project No. 6101RDWS – Asphalt Resurfacing (Ongoing) (383)  
Hillier, B. re Residential Rental Housing Licensing By-Law – Annual Update (380)  
Valenti, P. re Tender 2013-02, Asphalt Resurfacing Program (384)  
Valenti, P. re Request for Quotation No. 2013-35, Supply of Concrete Box Culvert (385)

**Res. #2013-376:** Moved by Councillor Campbell, seconded by Councillor Maroosis That minutes for the public meetings held on:

- Monday, June 3, 2013

be adopted and presented.

"CARRIED"

**Res. #2013-377:** Moved by Councillor Mendicino, seconded by Councillor Mayne That Community Services Committee Report No. 2013-13 relating to:

- Municipal Heritage Committee Annual Report

be adopted and presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-13**

June 17, 2013

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

Your Worship and Councillors:

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

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

All of which is respectfully submitted.

<u>ASSENTS</u> MENDICINO MAYNE VAILLANCOURT MAYOR MCDONALD	<u>DISSENTS</u>
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Res. #2013-378: Moved by Councillor Mendicino, seconded by Councillor Mayne That Community Services Committee Report No. 2013-14 relating to:

- Sport Tourism, Meetings and Events

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-14**

June 17, 2013

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

Your Worship and Councillors:

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

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

All of which is respectfully submitted.

<u>ASSENTS</u> MENDICINO MAYNE VAILLANCOURT MAYOR MCDONALD	<u>DISSENTS</u>
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Res. #2013-379: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the Mayor and City Clerk be directed to execute an Agreement  
with K.J. Allen Investments Inc. and The Corporation of the City of  
North Bay re Construction Management Services for the Memorial  
Gardens project.

"CARRIED"

Res. #2013-380: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That a Report to Council CSBU 2013-66 dated May 31, 2013 from  
Beverley Hillier re Residential Housing Licensing By-Law be received  
for information purposes only and that annual reports be prepared  
for Council's Consideration.

Councillor Koziol declared a conflict of interest as she is employed by a property  
management firm.

"CARRIED"

Res. #2013-381: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the recommendation from the Planning Advisory Committee  
regarding the Rezoning application by Ron Tambeau on behalf of  
Greenwood Avenue Baptist Church - 312 Greenwood Avenue be  
referred to the Community Services Committee for a Public  
Meeting.

"CARRIED"

Res. #2013-382: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the recommendation from the Planning Advisory Committee  
regarding the Rezoning application by Celia Teale on behalf of  
1866409 Ontario Limited - 750 Scollard Street be referred to the  
Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2013-383: Moved by Councillor Vrebosch, seconded by Councillor Koziol  
That a Capital Expenditure By-Law be prepared for Council's  
consideration to authorize the Asphalt Resurfacing Program for the  
Engineering, Environmental Services and Works Department, being  
a 2013 Capital Budget Project No. 6101RD, in the amount of  
\$2,300,000.00, and a 2013 Water Sanitary Capital Budget Project  
No. 6101WS, in the amount of \$218,000.00, at a net debenture  
cost of \$2,518,000.00.

"CARRIED"

Res. #2013-384: Moved by Councillor Vrebosch, seconded by Councillor Koziol  
That City Council approve an award of a contract to Pioneer  
Construction Inc. in the amount of \$2,977,272.00 (HST extra), for  
the 2013 Asphalt Resurfacing Program.

"CARRIED"

Res. #2013-385: Moved by Councillor Vrebosch, seconded by Councillor Koziol  
That City Council approve an award of a contract to Con-Cast Pipe  
Inc. in the amount of \$67,863.23 (HST extra), for supply of a  
Concrete Box Culvert.

"CARRIED"

Res. #2013-386: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That the following by-laws be read a first and second time:

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

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

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

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

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

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

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

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

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

"CARRIED"

Res. #2013-387: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That the following by-laws be read a third time and passed:

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

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

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

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

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

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

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

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

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

"CARRIED"

Res. #2013-388: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the following by-laws be read a first and second time:

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

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

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

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

"CARRIED"

Res. #2013-389: Moved by Councillor Mendicino, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

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

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

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

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

"CARRIED"

Res. #2013-390: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That Council adjourn in-camera pursuant to section 239 (2) of the *Municipal Act, 2001*, as amended, at 8:16 p.m. for the following reason: Item 8, being the potential disposition of lands by the municipality.

"CARRIED"

Res. #2013-391: Moved by Councillor Lawlor, seconded by Councillor Anthony  
That Council reconvene at 8:27 p.m.

"CARRIED"

Res. #2013-392: Moved by Councillor Vaillancourt, seconded by Councillor Campbell  
That this Regular Meeting of Council do now adjourn at 8:27 p.m.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-15**

July 2, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-15 and recommends:

1. That the proposed Zoning By-law Amendment application by Richard and Laura Gushulak, 528 Front Street in the City of North Bay to rezone the property legally described as Part of Lot 1, Plan 46, Part 1, Reference Plan No. 36R8713, PIN 49156-0468 (LT) from a "Neighbourhood Commercial (C5)" zone to a "Residential Third Density (R3)" zone be approved.

All of which is respectfully submitted.

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

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2013-16**

July 2, 2013

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2013-16 and recommends:

1. That a) the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. to rezone certain lands legally described as Concession B, Part of Lot 18 W/F, Bain Drive, Airport Road and Golf Club Road in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special Zone (RM2 Sp.)" as shown on Schedule "A" attached hereto, be approved; and  
  
b) the proposed Redline Amendment to the Draft Approved Plan of Condominium (File #48CDM-08102) and Plan of Subdivision (File #48T-08106) by Miller & Urso Surveying Inc. on behalf of 899430 Ontario Inc. and 2142727 Ontario Inc. for Concession B, Part of Lot 18, in the former Township of Widdifield, being Lots 50 to 63, Lots 33 to 38 and Blocks 64 and 75, Freehold Condominium Units 1 to 39 and Vacant Land Condominium Units 1 to 32 and 39 to 51 as shown on the Draft Plan prepared by Rick Miller, OLS, dated May 14, 2013 attached hereto as Schedule "B", and changes to the Conditions of Approval of the Subdivision and Condominium, be approved."

All of which is respectfully submitted.

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

**Subject:** Elected Official Invoice Register

**File No.** F14/2013/EOIR/GENERAL

**Res.** 2013 - \_\_\_\_\_

**Moved by Councillor:** \_\_\_\_\_

**Seconded by Councillor:** \_\_\_\_\_

That accounts totaling \$11,826,417.26 for May 2013, be approved.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Carried  Carried as amended  Lost

Conflict \_\_\_\_\_ Endorsement of Chair \_\_\_\_\_

Record of Vote (*Upon Request of Councillor* \_\_\_\_\_)

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

Signature of Clerk \_\_\_\_\_

City of North Bay  
Report to Council

Report No.: CORP-2013-69

Date: June 21, 2013

Originator: Ron Melnyk, By-Law Enforcement Coordinator

Subject: Smoking By-Law, "Inspector" definition amendment

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## RECOMMENDATIONS

1. That Council pass a Resolution that the Smoking By-Law No. 2012-97 definition of "Inspector" be amended to allow security guards designated by the North Bay Regional Health Centre (NBRHC), and authorized by the City, to act as agents of the City for the purpose of enforcing the Smoking By-Law on NBRHC property as listed in Schedule "B" of that By-Law.
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## BACKGROUND

On April 18<sup>th</sup>, 2011, North Bay City Council passed By-Law No. 2011-106. A copy of that By-Law is attached hereto as Schedule "A". The By-Law changed the definition of "Inspector" and therefore allowed security staff that were designated by the NBRHC to conduct Smoking By-Law enforcement on NBRHC property. All designated security staff were also provided with a basic training by Ron Melnyk, By-Law Enforcement Coordinator in order to be authorized to act as agents of the City for this enforcement.

On March 19<sup>th</sup>, 2012, North Bay City Council passed By-Law No. 2012-97. A copy of that By-Law is attached hereto as Schedule "B" along with it's amending By-Law No. 2012-232. This By-Law repealed all previous by-laws as it was a consolidation of By-Law No. 2003-05 and all of its amendments. Unfortunately, the amendment to the definition of "Inspector" from By-Law 2011-106 was not updated into this consolidated version that is now the only current Smoking ByLaw.

City staff subsequently became aware of this situation and on April 23, 2013 Ron Melnyk contacted the head of security services at NBRHC to advise them that they cannot continue to enforce the Smoking By-law until there is an amendment passed by Council.

On May 27<sup>th</sup>, 2013, Dave Smits, V.P. Corporate and Support Services for the NBRHC submitted a letter to the City Clerk formally requesting that an amendment be made to allow his security staff to once again enforce the Smoking By-Law. A copy of the letter is attached hereto as Schedule "C".

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. Due to the many other duties and by-laws that Ron Melnyk has to enforce, the time spent enforcing the Smoking By-Law on NBRHC property is very minimal. Amending the definition to allow the NBRHC security to enforce this by-law will greatly improve compliance on the NBRHC property. There will be no added cost to the City to allow this enforcement to take place.

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## OPTIONS ANALYSIS

### Option 1:

Amend the by-law which would allow security at the NBRHC to enforce the Smoking By-Law on NBRHC property.

### Option 2:

Take no action. The smoke-free NBRHC properties would only be enforceable by Ron Melnyk, By-Law Enforcement Coordinator.

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## RECOMMENDED OPTIONS

Option 1 is the recommended option.

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Respectfully submitted,



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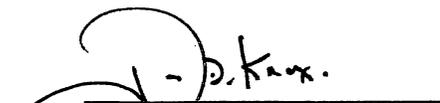
Ron Melnyk  
By-Law Enforcement Coordinator

We concur in this report and recommendation.



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Peter E. G. Leckie  
City Solicitor



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Jerry Knox  
Chief Administrative Officer

Person designated for continuance: Ron Melnyk, By-Law Enforcement Coordinator

### Schedules Attached:

- A. City of North Bay By-Law 2011-106.
- B. City of North Bay By-Law 2012-97 and City of North Bay By-Law 2012-232
- C. Formal request from Dave Smits, NBRHC V.P. Corporate and Support

# SCHEDULE A

## THE CORPORATION OF THE CITY OF NORTH BAY

### BY-LAW NO. 2011-106

#### BEING A BY-LAW TO AMEND BY-LAW 2003-05 (BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES AND WORKPLACES) (NORTH BAY REGIONAL HEALTH CENTRE)

**WHEREAS** section 115 of the *Municipal Act, 2001*, 2001, S.O. 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;

**AND WHEREAS** section 10(2) of the *Municipal Act* authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

**AND WHEREAS** the Council has been asked by the North Bay Parry Sound District Health Unit ("NBPSDHU") and the Medical Officer of Health, as well as the Board of the North Bay Regional Health Centre ("NBRHC") to pass this By-law;

**AND WHEREAS** 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;

**AND WHEREAS** Council passed General Government Committee Report No. 2011-10 at its Regular Meeting on Monday, April 4, 2011, authorizing that a by-law be enacted to allow only patients to smoke on owned and solely leased NBRHC property using the two (2) designated smoking areas until June 30, 2011; as of July 1, 2011, all owned and solely leased NBRHC property will be 100% smoke-free.

#### **NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:**

1. That By-law 2003-05 is hereby amended to insert the following at the end of section 1.4:

", or security staff designated by the North Bay Regional Health Centre and authorized by the City to act as agents of the City for the purpose of enforcing this By-law;"
2. That By-law 2003-05 is hereby amended to add the following:

"1.14 North Bay Regional Health Centre ("NBRHC") means all owned and solely leased properties occupied by the North Bay General Hospital and the Northeast Mental Health Centre, being the lands set out in Schedule "G";"
3. That By-law 2003-05 is hereby amended to add the following:

"3.4 No person may smoke on the NBRHC property, except on the lands designated in Schedule "F" as temporary smoking areas."

3.5 Patients shall only be permitted to smoke in the designated areas at the NBRHC, as identified in Schedule "F" of this By-law, until June 30, 2011.

3.6 Effective July 1, 2011, no person shall be permitted to smoke at the NBRHC."
4. That By-law 2003-05 is hereby amended to add the following:

"10.2 Section 3.5 is effective until 11:59 p.m. on June 30, 2011, whereupon it shall be deemed to be repealed.

10.3 Section 3.6 shall come into force and effect as of July 1, 2011."

5. This By-law comes into force on the day it is enacted by Council.

READ FOR THE FIRST TIME IN OPEN COUNCIL THIS 18<sup>TH</sup> DAY OF APRIL, 2011

READ FOR THE SECOND TIME IN OPEN COUNCIL THIS 18<sup>TH</sup> DAY OF APRIL, 2011

READ A THIRD TIME IN OPEN COUNCIL AND PASSED ON THIS 18<sup>TH</sup> DAY OF  
APRIL, 2011

"original signature on file"  
MAYOR ALLAN MCDONALD

"original signature on file"  
CITY CLERK CATHERINE CONRAD



**SCHEDULE "G" TO THE CORPORATION OF THE CITY OF NORTH BAY  
BY-LAW 2011-106**

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The North Bay Regional Health Centre includes the following properties:

- FIRSTLY:** Parcel 19012 Widdifield & Ferris:  
Part of Lot 23, Concession B, former Township of Widdifield, now City of North Bay, District of Nipissing, Parts 1 to 5 on Plan 36R-10957 & Parts 9 & 10, on Plan 36R-11367;  
Part of Lot 24, Concession B, former Township of Widdifield, now City of North Bay, Parts 6 to 15 on Plan 36R-10957 and Parts 1, 2, 3 & 5 on Plan 36R-11367;  
Save and except parts 1 & 2 on Plan 36R-11522;  
Subject to LT77541 partially released by LT406505;  
Subject to LT405939, City of North Bay, in the District of Nipissing.
- SECONDLY:** Parcel 19063 Widdifield & Ferris;  
Part of Lot 23, Concession B, former Township of Widdifield, now City of North Bay, Parts 11, 12, 13, 14, 15, 16 & 17 on Plan 36R-11367;  
Subject to LT405939, LT77541, North Bay, District of Nipissing
- THIRDLY:** Part of Lot 1, Concession B, of the Township of Commanda, Parts 16 to 25 on Plan 36R-10957;  
Subject to CD118, CD120 and NB162482, City of North Bay, in the District of Nipissing

## THE CORPORATION OF THE CITY OF NORTH BAY

### BY-LAW NO. 2012-97

BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES AND WORKPLACES IN THE CORPORATION OF THE CITY OF NORTH BAY  
(AND TO REPEAL BY-LAW NO. 2003-05)

**WHEREAS** 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;

**AND WHEREAS** section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

**AND WHEREAS** 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;

**AND WHEREAS** Council authorized the enactment of the by-law to regulate smoking in public places and workplaces by Resolution No. 2012-148 passed at its Regular Meeting on Monday, March 5, 2012;

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

#### PART 1 – DEFINITIONS

- 1.1 In this by-law:
- 1.2 "**apartment building**" means a building containing six (6) or more dwelling units;
- 1.3 "**City**" means The Corporation of the City of North Bay;
- 1.4 "**employee**" means a person who performs any work for or supplies any service to an employer, or a person who receives any instruction or training in the activity, business, work, trade, occupation or profession of an employer and includes a volunteer and a person who is self-employed and "employment" has a corresponding meaning;
- 1.5 "**employer**" means any person who, as the owner, proprietor, manager, contractor, superintendent, supervisor or overseer of any activity, business, work, trade, occupation, or profession, has control over or direction of, or is directly or indirectly responsible for the employment of an employee;
- 1.6 "**entranceway**" means the area within a nine metre radius surrounding designated entrances to all municipal buildings and other buildings or properties listed on Schedule "A", but does not include an outdoor patio as defined in the *Smoke-Free Ontario Act*, S.O. 1994, c. 10 or a street, road or highway;
- 1.7 "**inspector**" means 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;
- 1.8 "**municipal building**" means any building or portion thereof owned or leased by the Corporation of the City of North Bay;

- 1.9 "**North Bay Regional Health Centre**" ("NBRHC") means all properties owned or leased solely by the North Bay General Hospital and/or the Northeast Mental Health Centre, being the lands set out in Schedule "B";
- 1.10 "**outdoor patio**" means an outdoor area or partially enclosed outdoor 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;
- 1.11 "**person**" includes a corporation;
- 1.12 "**proprietor**" means the person who ultimately controls, governs or directs the activity carried on within a public place and includes the person actually in charge of the premises at any particular time;
- 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 but does not include an outdoor patio or a street, road or highway;
- 1.14 "**smoke**" or "**smoking**" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment, but does not include smoke or smoking where smoke or smoking is used in a stage production of a theatrical performance;
- 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 but does not include an outdoor patio or a street, road or highway.

## PART 2 – WORKPLACES

- 2.1 No person shall smoke in any workplace within the City whether or not a No Smoking sign is posted.
- 2.2 Every employer shall:
- (i) ensure compliance with this by-law;
  - (ii) give notice to each employee in the workplace that smoking is prohibited in the workplace;
  - (iii) post No Smoking signs in accordance with Part 4 of this by-law in conspicuous locations at every entrance and in every washroom in the workplace indicating that smoking is prohibited in the workplace; and
  - (iv) ensure that no ashtrays or like paraphernalia are placed or permitted to remain in any part of the workplace.
- 2.3 Sections 2.1 and 2.2 do not apply to:
- (i) a part of a workplace that is used as a private residence;
  - (ii) a room in a hotel, motel or other place where rooms are rented for sleeping accommodation, provided the room is used for sleeping accommodation only and the room is designated and specifically set aside as a room in which smoking is permitted; or
  - (iii) a workplace located in a dwelling where the only employees of that workplace are persons who live in the dwelling.

### **PART 3 – PUBLIC PLACES**

- 3.1 No person shall smoke in any public place within the City whether or not a No Smoking sign is posted.
- 3.2 Every proprietor of a public place shall:
- (i) ensure compliance with this by-law;
  - (ii) give notice to each person in the public place that smoking is prohibited in the public place;
  - (iii) post No Smoking signs in accordance with Part 4 of this by-law in conspicuous locations at every entrance and in every washroom in the public place indicating that smoking is prohibited in the public place; and
  - (iv) ensure that no ashtrays or like paraphernalia are placed or permitted to remain in any public place.
- 3.3 Sections 3.1 and 3.2 do not apply to a room in a hotel, motel or other place where rooms are rented for sleeping accommodation, provided the room is used for sleeping accommodation only and the room is designated and specifically set aside as a room in which smoking is permitted.
- 3.4 No person shall smoke on the NBRHC property, as designated in Schedule "B" of this by-law.
- 3.5 No person shall smoke on City property as designated in Schedule "C" of this by-law.

### **PART 4 – ENTRANCEWAY PROHIBITION**

- 4.1 No person shall smoke in:
- (i) an entranceway to a municipal building designated by Official Signs on display;
  - (ii) a designated workplace entranceway as set out in Schedule "A"; or
  - (iii) the entranceway to an apartment building as set out in Schedule "D".
- 4.2 No person shall place or cause to be placed a receptacle for smoking within the 9 metre radius of a designated entranceway.
- 4.3 An entranceway to 4.1(ii) or 4.1(iii) may be designated as a non-smoking entranceway under this by-law, by amendment to Schedule "A" hereof, at the request of the employer or proprietor, respectively. The owner or proprietor of a building may submit a letter to the City Clerk to request a designated entranceway by including the following details:
- (i) the name, mailing address, and phone number of the employer or proprietor requesting the prohibition; and
  - (ii) the address of the property and a description of the location of the entranceway to be designated as non-smoking.

### **PART 5 – SIGNAGE REQUIRED**

- 5.1 Every employer and every proprietor shall post and maintain in conspicuous locations at each entrance to the facility and in every washroom, a sign at least 14 centimetres (5.5 inches) by 14 centimetres (5.5 inches) in size that includes:

- (i) a depiction of the international No Smoking symbol at least 7.5 centimetres (3 inches);
  - (ii) lettering at least 0.8 centimetres (5/16 inch) high and at least 0.2 centimetres (1/16 inch) wide at the narrowest point; and
  - (iii) with the rest of the lettering sized proportionately, which reads "City of North Bay; Maximum Fine (\$5000)".
- 5.2 Where a No Smoking sign is required to be placed or posted under this by-law, the sign shall have the proportions, characteristics and minimum measurements as set out in Section 5.1 as depicted in Schedule "E" and consists of two (2) contrasting colours, or if the lettering and graphic symbol is to be applied directly to surface or to be mounted on a clear panel, the lettering and graphic symbol shall contrast with the background.
- 5.3 Despite the fact that the symbol referred to in Schedule "E" is a cigarette, it may include a lighted cigar, cigarette, pipe or any other lighted smoking instrument.
- 5.4 Deviations from the colour or content of the sign prescribed by this section that do not affect the substance or that are not calculated to mislead do not vitiate the sign.
- 5.6 Any sign prohibiting smoking that refers to a previous version of this by-law or that fails to refer to a by-law number is deemed to be referring to this by-law.
- 5.7 Where an entranceway has been designated as non-smoking under Part 4 of this by-law, the employer or proprietor shall post and maintain in a conspicuous location adjacent to the designated entrance a sign at least 14 centimeters (5.5 inches) by 14 centimeters (5.5 inches) in size that includes:
- (i) a depiction of the international No Smoking symbol at least 7.5 centimeters (3 inches) in height;
  - (ii) lettering at least 0.8 centimetres (5/16 inch) high and at least 0.2 centimetres (1/16 inch) wide at the narrowest point that reads "Smoking is prohibited within 9 metres of this entranceway"; and
  - (iii) with the rest of the lettering sized proportionately, which reads "City of North Bay Bylaw".
- as set out in Schedule "F".

## **PART 6 – INSPECTIONS**

- 6.1 An inspector may, at any reasonable time, enter any public place or workplace for the purposes of determining compliance with this by-law.
- 6.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, any inspector who is exercising a power or performing a duty under this by-law, including carrying out an inspection.

## **PART 7 – OFFENCES AND ENFORCEMENT**

- 7.1 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than Five Thousand Dollars (\$5,000.00).
- 7.2 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter

may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

**PART 8 – CONFLICTS**

8.1 If a provision of this by-law conflicts with an Act or Regulation or another by-law, the provision that is the most restrictive of smoking shall prevail.

**PART 9 – SEVERABILITY**

9.1 If any section or sections of the by-law or parts thereof, are found in any court of law to be illegal or beyond the power of the City to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of the by-law shall be deemed to be separate and independent thereof and have been enacted as such.

**PART 10 – REPEAL**

10.1 That By-Law No. 2003-05, as amended, is hereby repealed.

**PART 11 – EFFECTIVE DATE**

11.0 This by-law shall come into effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THE 19<sup>TH</sup> DAY OF MARCH 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 19<sup>TH</sup> DAY OF MARCH, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19<sup>TH</sup> DAY OF MARCH, 2012.

"original signature on file"

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

"original signature on file"

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

Schedule "A" to the Corporation of the City of North Bay By-Law No. 2012-97.

Designated workplaces with entranceway smoking prohibitions:

Workplace and Address	Entranceway(s)	Date of Designation
Northgate Mall 1500 Fisher Street	Parkdale Entrance	May 1, 2010
Northgate Mall 1500 Fisher Street	Tower Court Entrance	May 1, 2010
Northgate Mall 1500 Fisher Street	Food Court Entrance	May 1, 2010
Northgate Mall 1500 Fisher Street	ONR Entrance	May 1, 2010
Calvary Temple 271 Ski Club Road	All Entrances	May 1, 2010
133 Main Street West	Front Entrance off Main Street Rear Entrance off Oak Street	May 1, 2010
Odd Fellows Temple 1272 Algonquin Avenue	Front Entrance to Algonquin Ave. Rear Side Entrance to Parking lot	May 1, 2010
Momma Poon's 1260 Algonquin Avenue	Front Entrance to Algonquin Ave. Rear Entrance to Highland Road	May 1, 2010
CIBC 1236 Algonquin Avenue	Front Entrance to Algonquin Ave. Rear Entrance to Highland Road	May 1, 2010
North Bay Parry Sound District Health Unit 681 Commercial Street	All Entrances (1 Public and 2 Employee)	May 1, 2010
North Bay Parry Sound District Health Unit 700 Cassells Street	Rear Main Entrance off Parking Lot	May 1, 2010
Northern Honda 1401 Seymour Street	Main Showroom Entrance, Employee Showroom Fire Exit Service Entrance, Parts/Receiving Entrance, Garage Man-Door at Rear Facing South-East	May 1, 2010
Yes! Employment Services 945 Stockdale Road	Main Entrance, 2 Side Entrances and 2 Rear Entrances	July 26, 2010
One Kids Place 400 McKeown Avenue	Main Entrance Under Canopy to be Designated	July 26, 2010
North Bay Mall 300 Lakeshore Drive	Winners Entrance, No Frills Entrance, Sport Check Entrance	July 26, 2010
True North Chevrolet Cadillac 1370 Seymour Street	All Doors and Entrances	October 31, 2011
The North Bay Food Bank 1319 Hammond Street	Main Entrance	October 31, 2011
PT Works 1831 Cassells Street	Employee Entrance facing Shaw Street, Customer Entrance facing Olive Street	October 31, 2011
The Lighthouse 975 McKeown Avenue	Front Entrance	October 31, 2011
Martel & Mitchell Physiotherapy 760 Cassells Street	Front Entrance	October 31, 2011
First Choice Hair Cutters 975 McKeown Avenue	Front Entrance	October 31, 2011

**Schedule "B" to the Corporation of the City of North Bay By-Law No. 2012-97.**

The North Bay Regional Health Centre includes the following properties:

1. Parcel 19012 Widdifield & Ferris:  
Part of Lot 23, Concession B, former Township of Widdifield, now  
City of North Bay, District of Nipissing, Parts 1 to 5 on Plan 36R- 10957 & Parts 9  
& 10, on Plan 36R-11367;  
Part of Lot 24, Concession B, former Township of Widdifield, now  
City of North Bay, Parts 6 to 15 on Plan 36R-10957 and Parts 1, 2, 3 & 5 on Plan  
36R-11367;  
Save and except parts 1 & 2 on Plan 36R-11522;  
Subject to L T77541 partially released by L T 406505;  
Subject to LT405939, City of North Bay, in the District of Nipissing.  
Municipally known as 50 College Drive
2. Parcel 19063 Widdifield & Ferris;  
Part of Lot 23, Concession B, former Township of Widdifield, now  
City of North Bay, Parts 11, 12, 13, 14, 15, 16 & 17 on Plan 36R-11367;  
Subject to L T405939, L T77541, North Bay, District of Nipissing  
Municipally known as 50 College Drive
3. Part of Lot 1, Concession B, of the Township of Commanda, Parts 16 to 25 on  
Plan 36R-10957;  
Subject to CD118, CD120 and NB162482, City of North Bay, in the District of  
Nipissing  
Municipally known as 50 College Drive
4. Parcel 6-2 Section 36M-540  
Part Block 6, Plan 36M-540, West Ferris  
Part 1, Plan 36R-7158  
North Bay, District of Nipissing  
P.I.N. #49177-0026  
Municipally known as 35 Ferris Drive and 43 Ferris Drive
5. Lots 89-92, Lots 121-124, Plan 57 Widdifield  
Part Lots 125 and 88, Plan 57  
Part Lane Plan 57 abutting Lots 121-131 and  
Lots 82-92 as closed by NB53093 as in NB159210  
North Bay, District of Nipissing  
P.I.N. #49155-0398  
Municipally known as 120 King Street West
6. Block A, Plan 116 Widdifield, except MRO  
North Bay, District of Nipissing  
P.I.N. #49161-0003 and  
Block A, Plan 116 Widdifield except SRO  
North Bay, District of Nipissing  
P.I.N. #49161-0004  
Municipally known as 1765 Jane Street

**Schedule "C" to the Corporation of the City of North Bay By-Law No. 2012-97.**

Corporation of the City of North Bay Properties as follows:

1. The Steve Omischl Sports Field Complex  
Located at the south end of Lakeshore Drive  
Lot 12, RCP 5, and Part Lot 36, Concession  
13, former Township of West Ferris  
Parcels 2327 & 8654 Widdifield & Ferris  
Municipally known as 1105 Lakeshore Drive

Schedule "D" to the Corporation of the City of North Bay By-Law No. 2012-97.

Designated apartment buildings containing more than six (6) units with entranceway smoking prohibitions:

Apartment Address	Entranceway(s)	Date of Designation
348 Worthington Street East	Front Entrance facing Worthington Street East	May 1, 2010
190 Lavase Road	Front Entrance facing Lavase Road	May 1, 2010
430 Wickstead Avenue	Entrance at front of Office Building	May 1, 2010
420 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
432 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
444 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
462 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
474 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
486 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
40 Judge Avenue	14 separate 6-plex main entrances	May 1, 2010
134 Lindsay Street	Front Entrance	May 1, 2010
141 Lindsay Street	Front Entrance	May 1, 2010
387 Main Street West	Front Entrance	May 1, 2010
198 Hughes Road	Front Entrance	May 1, 2010
135 Worthington Street West	Front Entrance off Worthington Street West	May 1, 2010
365 Lakeshore Drive	Front Entrance to Lobby facing West	May 1, 2010
116 Blair Street	Front Entrance	May 1, 2010
480 Fisher Street	Rear Entrance Parking Lot	May 1, 2010
1272 Algonquin Avenue	Rear Side Entrance to Parking Lot	May 1, 2010
Marina Point Retirement Village 130 Elm Street	Main Entrance	July 26, 2010
Bay Manor 648 Main Street West	Front Entrance Facing Main Street	October 31, 2011
Douglas Court 820 Douglas Street	Front Entrance Facing Douglas Street	October 31, 2011
Elizabeth Court 19 Johnston Road	Front Entrance Facing Johnston Road	October 31, 2011
College Heights 730 Rose Avenue	Front Entrance Facing Private Parking Lot	October 31, 2011





THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-232

BEING A BY-LAW TO AMEND BY-LAW NO. 2012-97  
(BEING A BY-LAW TO REGULATE SMOKING IN  
PUBLIC PLACES AND WORKPLACES)

**WHEREAS** 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;

**AND WHEREAS** section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting health, safety, and well-being of persons;

**AND WHEREAS** 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;

**AND WHEREAS** Council passed Resolution No. 2012-638 at its Regular Meeting held Monday, November 12, 2012 to authorize smoking prohibitions for requested workplace and multi-residential apartment buildings.

NOW, THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. That Schedules "A" and "D" to By-Law No. 2012-97 are hereby deleted and the attached Schedules "A" and "D" be inserted in lieu thereof.
2. This By-Law comes into effect upon passing.

READ A FRIST TIME IN OPEN COUNCIL THIS 26<sup>th</sup> DAY OF NOVEMBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 26<sup>th</sup> DAY OF NOVEMBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 26<sup>th</sup> DAY OF NOVEMBER, 2012.

"original signature on file"

"original signature on file"

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**Schedule "A" to The Corporation of the City of North Bay  
By-Law No. 2012-232**

Designated **workplaces** with entranceway smoking prohibitions:

<b>Workplace and Address</b>	<b>Entranceway(s)</b>	<b>Date of Designation</b>
Northgate Mall 1500 Fisher Street	Parkdale Entrance	May 1, 2010
Northgate Mall 1500 Fisher Street	Tower Court Entrance	May 1, 2010
Northgate Mall 1500 Fisher Street	Food Court Entrance	May 1, 2010
Northgate Mall 1500 Fisher Street	ONR Entrance	May 1, 2010
Calvary Temple 271 Ski Club Road	All Entrances	May 1, 2010
133 Main Street West	Front Entrance off Main Street Rear Entrance off Oak Street	May 1, 2010
Odd Fellows Temple 1272 Algonquin Avenue	Front Entrance to Algonquin Ave. Rear Side Entrance to Parking lot	May 1, 2010
Momma Poon's 1260 Algonquin Avenue	Front Entrance to Algonquin Ave. Rear Entrance to Highland Road	May 1, 2010
CIBC 1236 Algonquin Avenue	Front Entrance to Algonquin Ave. Rear Entrance to Highland Road	May 1, 2010
North Bay Parry Sound District Health Unit 681 Commercial Street	All Entrances (1 Public and 2 Employee)	May 1, 2010
North Bay Parry Sound District Health Unit 700 Cassells Street	Rear Main Entrance off Parking Lot	May 1, 2010
Northern Honda 1401 Seymour Street	Main Showroom Entrance, Employee Showroom Fire Exit Service Entrance, Parts/Receiving Entrance, Garage Man-Door at Rear Facing South-East	May 1, 2010
Yes! Employment Services 945 Stockdale Road	Main Entrance, 2 Side Entrances and 2 Rear Entrances	July 26, 2010
One Kids Place 400 McKeown Avenue	Main Entrance Under Canopy to be Designated	July 26, 2010
North Bay Mall 300 Lakeshore Drive	Winners Entrance, No Frills Entrance, Sport Check Entrance	July 26, 2010
True North Chevrolet Cadillac 1370 Seymour Street	All Doors and Entrances	October 31, 2011
The North Bay Food Bank 1319 Hammond Street	Main Entrance	October 31, 2011
PT Works 1831 Cassells Street	Employee Entrance facing Shaw Street, Customer Entrance facing Olive Street	October 31, 2011
The Lighthouse 975 McKeown Avenue	Front Entrance	October 31, 2011
Martel & Mitchell Physiotherapy 760 Cassells Street	Front Entrance	October 31, 2011
First Choice Hair Cutters 975 McKeown Avenue	Front Entrance	October 31, 2011
Pet Valu, Unit 501, 300 Lakeshore Drive	Main Entrance	November 26, 2012
North Bay Machining Centre Inc., 285 Birchs Road	All Entrances	November 26, 2012
The Gathering Place, 392 Algonquin Avenue	Front Entrance	November 26, 2012

**Schedule "D" to The Corporation of the City of North Bay  
By-Law No. 2012-232**

Designated apartment buildings containing more than six (6) units with  
entranceway smoking prohibitions:

<b>Apartment Address</b>	<b>Entranceway(s)</b>	<b>Date of Designation</b>
348 Worthington Street East	Front Entrance facing Worthington Street East	May 1, 2010
190 Lavase Road	Front Entrance facing Lavase Road	May 1, 2010
430 Wickstead Avenue	Entrance at front of Office Building	May 1, 2010
420 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
432 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
444 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
462 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
474 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
486 Wickstead Avenue	Entrance at front of Building facing Wickstead Avenue	May 1, 2010
40 Judge Avenue	14 separate 6-plex main entrances	May 1, 2010
134 Lindsay Street	Front Entrance	May 1, 2010
141 Lindsay Street	Front Entrance	May 1, 2010
387 Main Street West	Front Entrance	May 1, 2010
198 Hughes Road	Front Entrance	May 1, 2010
135 Worthington Street West	Front Entrance off Worthington Street West	May 1, 2010
365 Lakeshore Drive	Front Entrance to Lobby facing West	May 1, 2010
116 Blair Street	Front Entrance	May 1, 2010
480 Fisher Street	Rear Entrance Parking Lot	May 1, 2010
1272 Algonquin Avenue	Rear Side Entrance to Parking Lot	May 1, 2010
Marina Point Retirement Village 130 Elm Street	Main Entrance	July 26, 2010
Bay Manor 648 Main Street West	Front Entrance Facing Main Street	October 31, 2011
Douglas Court 820 Douglas Street	Front Entrance Facing Douglas Street	October 31, 2011
Elizabeth Court 19 Johnston Road	Front Entrance Facing Johnston Road	October 31, 2011
College Heights 730 Rose Avenue	Front Entrance Facing Private Parking Lot	October 31, 2011
The Elegant, 555 Kehoe Street	Front Entrance	November 26, 2012

# SCHEDULE C

**RECEIVED**  
CITY OF NORTH BAY  
JUN 04 2013  
CLERK'S DEPT.

May 27, 2013

Ms. Cathy Conrad  
City Clerk  
City of North Bay  
200 McIntyre St. E. PO Box 360  
North Bay, ON P1B 8H8

Copy to: P. Leckie  
T. Murphy  
R. Melnyk

Subject: Smoking By-Law #2012-97

Dear Ms. Conrad:

The Hospital's Security guards were recently informed that they were no longer able to issue tickets under the above-noted bylaw due to an issue with wording in the original by-law and the definition of an "Inspector". The inability to issue tickets is greatly affecting our enforcement efforts. We certainly understand that the City's By-Law Enforcement officers are spread thin with numerous responsibilities and believe that real time enforcement is the most effective.

Please accept this letter as my formal request to consider the required changes to the by-law in order that our guards may issue tickets as required.

Any assistance you can provide in resolving this issue would be greatly appreciated.

Respectfully,



Dave Smits  
V.P. Corporate and Support Services  
North Bay Regional Health Centre

MM565



The applicant has agreed to comply with the restrictions detailed in Schedule 4 of the Noise By-law 1976-142.

The applicant's request for exemption has been granted the last six (6) years. The applicant has complied with the conditions of the exemption the last six (6) years.

The applicant has provided all the necessary information requested to file for the exemption including a detailed list of equipment and site plan.

---

### **ANALYSIS/OPTIONS**

**Option 1:** Council approve application as requested.

Council authorize an exemption to Noise By-Law 142-76 as received, pursuant to the terms and conditions outlined by Section 5, Schedule 4 of the by-law.

**Option 2:** Council can deny the application as requested.

Cecil's event would have to proceed without the amplification of sound if the owner chose to proceed with the event.

---

### **RECOMMENDED OPTION**

That 1) Cecil's Eatery & Beer Society, 300 Wyld Street, be granted an exemption to Noise By-Law 142-76 pursuant to the terms and conditions outlined by Section 5 of the By-Law, as requested for the following dates:

Friday August 02, 2013	9 pm until 2 am of the following day
Saturday August 03, 2013	9 pm until 2 am of the following day
Sunday August 04, 2013	9 pm until 12 am midnight;

- 2) the exemption be conditional to monitoring and recording of sound levels in compliance with the by-law;
  - 3) a copy of the monitoring information be forwarded to the City Clerk within 10 (ten) days of the event; and
  - 4) a copy of Report EESW 2013-046 be forwarded to the North Bay Police Services for information.
-

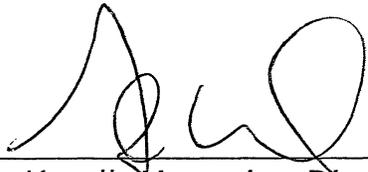
Respectfully submitted,



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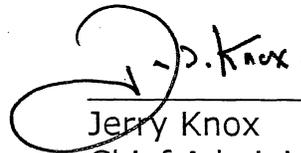
John Severino  
Manager, Environmental Services

We concur in this report and recommendation.



---

Alan Korell, Managing Director  
Engineering, Environmental Services  
& Works



---

Jerry Knox  
Chief Administrative Officer

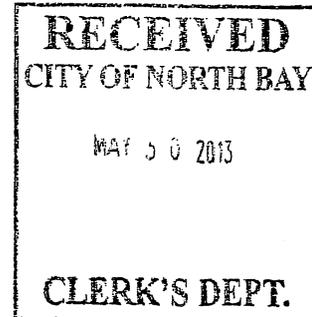
Personnel designated for continuance:

Attachments: (2)  
Site Map & Event Timetable

Copy for:      Ron Melnyk, By-Law Enforcement Officer  
                    Chief Paul Cook, North Bay Police Services  
                    Erin Vaughan, Parks, Recreation and Leisure Services

May 29, 2013

City of North Bay  
200 McIntyre St. East  
P.O. Box 360  
North Bay, ON  
P1B 8H8



Attention: City Clerk's Office  
Re: Noise By-law Application

Please find attached our application and required information for the Application from Noise Control By-law No.1976-142 for August 2, 3, 4 2013.

A Decibels Meter will be used no further than 7.6m from the sound source at the required time intervals shown in section 4 of the application. The sound will also be turned off at the times in which are specified in the foresaid section.

As well you find a cheque for \$790.00 to cover the application and advertising fees. ✓

If you should require any additional information please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "John Lechlitner". The signature is written over a horizontal line that extends to the right.

John Lechlitner  
Cecil's Eatery and Beer Society



**THE CITY OF NORTH BAY**

**Application for Exemption from Noise Control By-law No. 1976-142**

(Please complete all the sections in this Application)

<i>Applicant</i>	Name (in full): 2231217 Ont. Ltd o/a Cecil's Eatery/The Zoo Niteclub
	Business Address: 300 Wyld Street North Bay
	Postal Code: P1B 9S9
	Telephone: 705 472-7510      Fax Number: 705 474-1693
<i>Description of the source of sound or vibration in respect to the exemption is sought.</i>	Amplification: DJ Music with MC Other: see detailed attachment
<i>A statement of the particular provision or provisions of the by-law from which exemption is sought.</i>	see attached letter
<i>The period of time, of duration not in excess of six months, for which the exemption is sought.</i>	Date(s): August 2,3,4, 2013 Time(s): Friday & Saturday 6pm - 2am, Sunday 6pm to 12am
<i>A plan showing the location of the event/premises, the location of amplification equipment and speakers and methods employed to prevent sound from unnecessarily escaping from the event/premises, the location from which the sound levels will be measured, if applicable.</i>	Date plan received by City:  <b>Note:</b> this application will not be processed without the receipt of all required information, the application fee and the advertisement fee. Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought.
<i>Application Fee (\$230.00)</i>	Date application received by City:  <b>Note:</b> this application will not be processed without the receipt of all required information, the application fee and the advertisement fee. Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought.
<i>Advertisement Fee (\$560.00)</i>	Date advertisement fee received by City:  <b>Note:</b> this application will not be processed without the receipt of all required information, the application fee and the advertisement fee. Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought.

The applicant acknowledges and confirms that an acoustical calibrator shall be used and that windscreen shall be used on all outdoor measurements.

No exemption will be authorized without a Resolution of the City Council.

Successful applicants will be required to complete the required survey form. The form must be provided to the Police/Enforcement Officer upon request and must be filed with the City Clerk within 10 days of the event.

Dated May 29, 2013.

\_\_\_\_\_  
Applicant

**Note: A separate application will be required for each event.**

If you require additional information, please contact the City Clerk's Office at 474-0626, ext 2510.

The information on this form is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act* and will be used only for the purpose of considering the application for an exemption from the City of North Bay's Noise Control By-law No. 1976-142.

# August 2, 3, 4 2013

★ Capacity - 2000

★ Entertainment - Friday, Sat., Sun - DJ With Mc

★ Hours - Friday Aug. 2/12 6 pm-2am

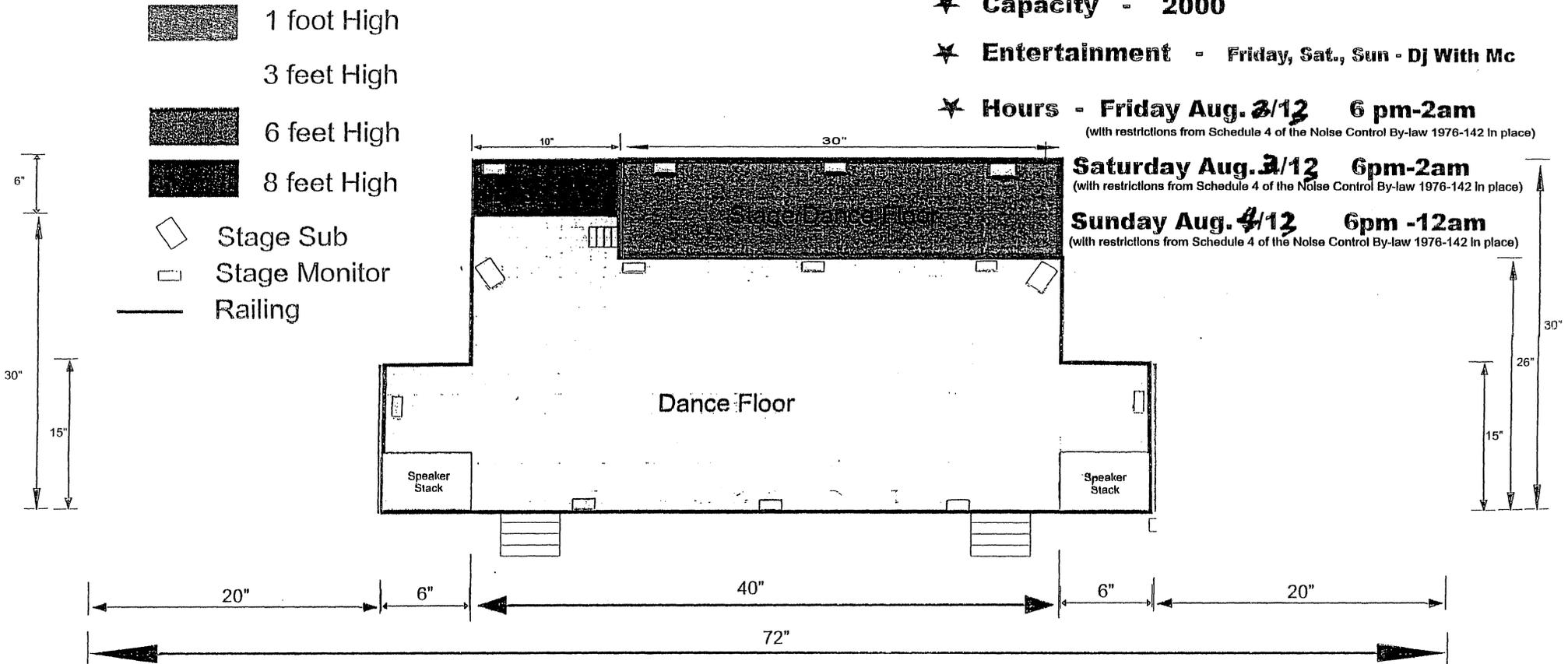
(with restrictions from Schedule 4 of the Noise Control By-law 1976-142 in place)

Saturday Aug. 3/12 6pm-2am

(with restrictions from Schedule 4 of the Noise Control By-law 1976-142 in place)

Sunday Aug. 4/12 6pm -12am

(with restrictions from Schedule 4 of the Noise Control By-law 1976-142 in place)



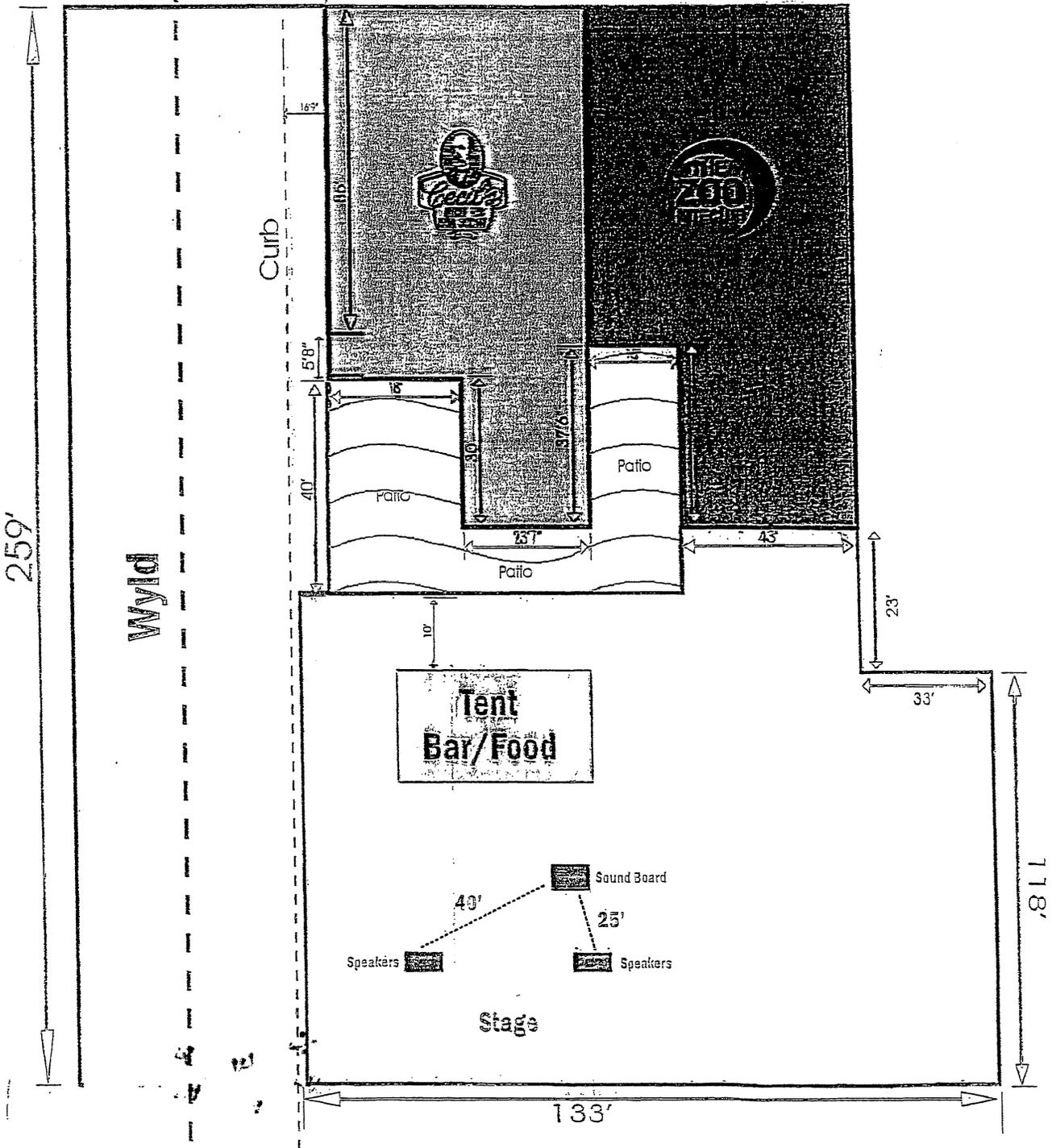
## Equipment

Lighting - 24 Par 64  
 - 8 Intelligent Lighting  
 - 4- 750 watt strobe lights  
 - Capability to use custom gobos

Sound - 1 cordless Mic  
 - 6 double 18 cabs (4 for front of house and 2 for dancefloor.)  
 - 6 double 15 cabs for mid and high. (4 for front of house and 2 for dancefloor)  
 - 12 monitors for dancefloors and dj booth.

Other - Railing around dance floor  
 - 200' of Crowd/divider fencing  
 - 2 massive foggers  
 - 2 foam machines

Main



McIntyre

City of North Bay  
Report to Council

Report No.: CORP-2013-71

Date: June 21, 2013

Originator: Ron Melnyk, By-Law Enforcement Coordinator

Subject: Appointing contract Commissionaires as by-law enforcement officers

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## RECOMMENDATIONS

### That Council:

1. Pass a Resolution appointing all contract Commissionaires-Ottawa parking enforcement officers as by-law enforcement officers for the purpose of enforcing all City bylaws.
  2. That all three readings of the By-Law 2013-166 be given at the regular meeting of Council on July 2<sup>nd</sup>, 2013.
- 

## BACKGROUND

The Commissionaires-Ottawa parking enforcement officers (known as Commissionaires) have always done some by-law enforcement for various City by-laws. In their contract, the Supervisor (or acting supervisor/mobile patrol) has general by-law enforcement listed as part of their duties. There are currently three full-time Commissionaires and one officer on a seasonal basis. The summer portion of the seasonal officer's duties includes patrolling City parks and beaches to deal with by-law issues as this patrol is conducted evenings and weekends. Commissionaires have been trained to issue Part I tickets and also have a minimum education requirement of Police Foundations in order to work for the City as an enforcement officer. They currently assist the By-Law Enforcement Coordinator with patrols and conducting basic investigations with by-law issues such as in the Parks By-Law, Anti-Litter by-Law, Sign By-Law, Water Conservation By-Law and Dogs By-Law. Many of the by-laws that we enforce have been passed many years ago and as a result, many have very narrow and limiting definitions as to who can enforce them (many of the positions listed do not exist any longer). In order to remedy this situation, a separate by-law that would authorize the contract Commissionaires to enforce all City by-laws would be needed.

The By-Law Enforcement Coordinator, Ron Melnyk has authority to enforce all City by-laws, but many of the basic enforcement issues can be appropriately dealt with by the Commissionaires such as dealing with dogs on the beaches, dogs off leash, smoking at the Steve Omischl complex, smoking at mall entrances, littering, removing posters from utility poles and other basic investigations.

There would be no added cost to implementing this By-law as the contract with the Commissionaires-Ottawa currently lists duties to include by-law enforcement. The patrols that are currently being conducted will not need to increase or decrease, but this enforcement capability will complement the Commissionaires ability to deal with the situations that they are currently coming across. This will allow the By-Law Enforcement Coordinator to concentrate on more in-depth investigations that require an experienced officer and thereby allowing delegation of some of the more basic investigations to the Commissionaires, under the direction of the By-Law Enforcement Coordinator.

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**OPTIONS ANALYSIS**

Option 1:

Pass a Resolution appointing all contract Commissionaires-Ottawa enforcement officers as by-law enforcement officers with the authority to enforce all City by-laws as directed by the By-Law Enforcement Coordinator, and that all 3 readings of By-Law 2013-166 be given at the regular meeting of Council on July 2<sup>nd</sup>, 2013.

Option 2:

Take no action.

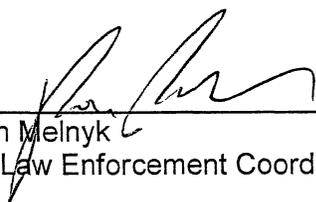
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**RECOMMENDED OPTIONS**

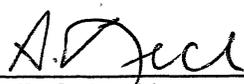
Option 1 is the recommended option.

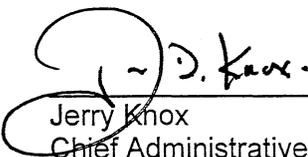
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Respectfully submitted,

  
\_\_\_\_\_  
Ron Melnyk  
By-Law Enforcement Coordinator

We concur in this report and recommendation.

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

  
\_\_\_\_\_  
Jerry Knox  
Chief Administrative Officer

Person designated for continuance: Ron Melnyk, By-Law Enforcement Coordinator

## City of North Bay

### Report to Council

**Report No:** CSBU 2013 - 71

**Date:** June 17, 2013

**Originator:** Erin Vaughan, Community Event Facilitator

**Subject:** 2013 Summer in the Park Festival

- Noise By-Law Exemption
- Exclusivity of Use of Parkland and Other Lands
- Street, Pathway and Municipal Paid Parking Lot Closures
- Exemption from Municipal Alcohol Policy, Section D, Reg. 3B

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### RECOMMENDATIONS

1. That, in order to facilitate the undertaking of the 2013 Summer in the Park Festival the following requests be approved:
  - (a) The Summer in the Park Festival Committee be granted exclusivity from Monday July 29, 2013 until Tuesday, August 6, 2013 both inclusive, in, on and over the City owned or controlled lands within the area defined as extending from, and inclusive of both sides of Memorial Drive from the Uniroc Site to Judge Avenue including Lee Park; Veterans Soccer and Ball Fields; ONR Soccer Field; and Amelia Park; CP Rail lands, Lakeshore Drive roadway and the associated sidewalks extending from the north boundary of Lee Park (Overpass) to 100 metres south of the Judge Avenue/Lakeshore Drive intersection, and Judge Avenue roadway and the associated sidewalks from Leask Avenue to Lee Avenue and the Community Waterfront Park, Pedestrian Underpass, City Square and the Transit Terminal including Wyld Street section south of Oak Street. (Attachment 1)
  - (b) The Kate Pace Way is closed from Lee Park to Lee Avenue along the ONR Soccer Field 8:00 a.m. on Monday July 29, 2013 until 4:00 pm on Tuesday, August 6, 2013 subject to the erection of appropriate signage and barricades by the North Bay Summer in the Park Festival Committee. (Attachment 2)
  - (c) The following streets be closed temporarily from 8:00 a.m. on Thursday, August 1, 2013, until 9:00 a.m. on Tuesday, August 6, 2013 (Attachment 2):
    - i Memorial Drive between Monk Street and Judge Avenue;
    - ii Monk Street between Stanley Street and Memorial Drive;
    - iii Stanley Street between Memorial Drive and Regina Street,
    - iv Beth Street at Memorial Drive
    - v Colgan Street at Memorial Drive

- (d) The following streets be closed temporarily from 8:00 a.m. on Friday August 2, 2013 until midnight on Sunday August 4, 2013.

i. Wyld Street (Transit Terminal side) at Oak Street

Subject to the provision of access passes and information to businesses and residents in the affected area, and the erection of appropriate signage, barricades and control gates by the City of North Bay. (Attachment 2)

- (e) Street parking be prohibited from 9:00 a.m. on Friday, August 2, 2013, until 11:00 p.m. on Sunday, August 4, 2013 on the odd numbered sides of Amelia Street, Beth Street, Bunyan Avenue, Colgan Avenue, George Street, Gladstone Avenue (100 block only), James Avenue, Judge Avenue, Leask Avenue, Lee Avenue (100 block only), Pollard Avenue, Shore Acres, Whitney Avenue, Campbell Avenue, Fodor Avenue, Nelson Avenue, Queen Street, and Rowe Avenue, subject to the installation of appropriate signage by the Summer in the Park Festival Committee. (Attachment 2)
- (f) Municipal monthly rental parking lot #10 be closed from 8:00 a.m. on Wednesday, July 31st until 5:00 p.m. on Tuesday, August 6<sup>th</sup> to accommodate the concert stage and backstage requirements. Permit holders for this lot to be provided alternate parking in municipal daily parking lot # 2. They will also be provided with a bus pass valid from July 31 through August 6, 2013. This is to encourage them to leave their vehicle at home for this time period if they wish. The bus pass will also be valid during Summer in the Park activities. They will be notified by letter of these provisions. (Attachment 3)
- (g) Municipal monthly rental parking lot #13 be closed from 8:00 a.m. on Friday, August 2, 2013 until 12:00 a.m. Sunday August 4<sup>th</sup> to accommodate required parking related to the set up and coordination of the concert venue including technicians, entertainment, volunteers, staff, security and to reduce public access/traffic into the concert area.

Permit holders for this lot to be provided alternate parking in municipal lots # 3, 7, and 11, as well they will be permitted to use street metered parking in the downtown area except for along Main Street between Fraser and Wyld Street. These spaces will be available for customers of the downtown. They will also be provided with a bus pass valid for Friday August 2, 2013. This is to encourage them to leave their vehicle at home for this time period if they wish. They will be notified by letter of these provisions. (Attachment 4)

- (h) That the Summer in the Park Committee be granted permission to utilize municipal parking lot #2 as a paid parking lot. Paid parking would be implemented between the hours of 5:00 p.m. and 12 midnight on Friday August 2, and Saturday, August 3, 2013.

- (i) A temporary exemption to Regulation 5B of the Municipal Alcohol Policy (Attachment 4) be approved, allowing the establishment of licensed areas to serve alcohol on August 2, and August 3, 2013 between the hours of 4:00 p.m. to 12:00 am at locations to be identified within the concert area as defined in Attachment 5.

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## **BACKGROUND**

Summer in the Park is well underway for the 2013 event. August 2, 3, 4<sup>th</sup> the traditional 'free' event will take place in Lee Park, including The Country Open Singing Contest, Inflatables, World's Finest Shows Midway, Petting Zoo, Community Groups, Bingo in the Park, Food & Product Vendors & Exotic Pet Shows.

On April, 2013 the Summer in the Park was successful in obtaining \$75,000 in funding from the Ontario government through the Celebrate Ontario program. This funding will allow the event to expand its programming to attract more out-of-town visitors.

The funding has allowed the expanded event to include;

- The return of the Million Dollar Hole-in-One competition
- First ever Car & Bike Show
- A Free Night of Musical Entertainment on the Sunday Night
- 40<sup>th</sup> Anniversary of the Festival Event Celebrations
  - Commemorate this landmark with new sporting activities, the creation of a mascot and more educational and science programming

The organizing committee has confirmed Carly Rae Jepsen (Saturday) and Metric (Friday) as the headliners. Other opening bands include Hey Ocean, Dragonette & Night Box which will play prior to the headliners. A beer tent will be set up in the concert area as well as other food vendors for the convenience of concert goers.

### **Exemption from the Noise By-law**

The activities of the event are scheduled to end by 11:00 pm. Summer in the Park Festival wishes to plan for events beyond its control such as inclement weather or equipment breakdown. Exemption from the noise By-law will allow for re-scheduling of activities to a later time if required.

If City Council grants permission to the Summer in the Park Festival committee to hold the 2013 Summer in the Park Festival, the event is automatically exempt from the noise control provisions contained in the City's Noise By-law (By-law 142-76), pursuant to section 6 and Schedule 3 thereof. (Attachment 6)

### **Exclusivity**

The set-up for the 2013 event (involving tents, fencing, cables, electricity, etc.) require that the set-up procedures at the concert site begin several days prior to the concert date. Site exclusivity provides a clear and safe access for the work crews and other contractors to set up the equipment required for the event.

Site exclusivity also enables Summer in the Park Festival to control patron admission and participant access to the event (in the latter case enabling the issuance of vendor permits and the monitoring of products sold on site).

### **Street, Pathway and Parking Lot Closures**

General traffic congestion, in addition to the movement of larger vehicles and work crews along roads and in parklands, makes set-up difficult and potentially hazardous.

Road closures enable the control of vehicular traffic in areas that are subject to heavy vehicular and pedestrian traffic and allow for controlled access to work and other areas. During the event it allows for safe movement of event attendees to, from and around the event site.

For the closure of feeder streets appropriate signage, barricades and control gates will be erected as required. Access passes and information will be circulated to appropriate businesses, residents and tenants in the affected area in advance of the closures.

The Kate Pace Way runs through the event site area. Closure allows for use of the area for the event structures and activities. Closure also prevents potential injury possible to pathway users and attendees at the event should it remain open. Appropriate signage and barricades will be erected as notification to Pace Way users. No recommended alternate route will be available.

### **Downtown Parking Lots**

Parking within event areas must be controlled to ensure the safety of event organizers, as well as attendees. Access to the parking lots will be controlled over the time of set-up; during the concert and related activities and event take down.

The Summer in the Park Festival Committee met with the Municipal Parking Department in order to develop a downtown parking plan to accommodate those who were displaced due to parking lot closures. This resulted in the parking accommodation plan detailed in this report's recommendations.

Those impacted by the closure of parking lots 10 and 13 will be advised by letter of other designated parking lots that they may utilize under their parking permit on the days that their permitted lot is not available. In addition to this, City Transit will be providing bus passes to those affected as an alternative to bringing their vehicle into the downtown area.

The proposed parking prohibitions provide a similar safety and facilitation function as the road closures – ensuring the free flow of pedestrian, vehicular (and, if necessary, emergency) traffic through nearby business areas, not only for the benefit of the event, but also for residents and their visitors during this high traffic period.

The Parking Authority and the North Bay Police Force are advised of these restrictions and they work with the organizing committee to enforce them for the duration of the event. (Attachment 2 - Map of closures, restricted parking and parking lot closures)

### **Paid Parking**

The Committee has once again partnered with the local Rotaract Club of North Bay to coordinate paid parking in parking lot #2. The suggested fee for one evening of parking is \$5.00 per car. Staff will work with the group to assist with the set-up of the lot for this purpose and to ensure safe environment for the volunteers and users of the lot. This will provide a revenue source for both the Rotaract Club and the Summer in the Park Committee.

### **Exemption from Municipal Alcohol Policy**

The temporary exclusion from the Municipal Alcohol Policy will facilitate designated licensed beverage sections within the concert area. A large crowd is anticipated for the 2013 event based on the headliners secured. The planned attendance for the 2013 event is 10,000. The licensed areas are planned to include a licensed area for the concert attendees with the approximate capacity of 2,500; a back stage area to fulfill rider requirements for entertainers and smaller licensed areas to accommodate specific beverage sponsors of the events.

These sections will be in contained areas in accordance with the Municipal Alcohol Policy guidelines. The care and control of these beverage areas will be strictly regulated to ensure that the requirements of the Alcohol and Gaming Commission are met as well as those of the City of North Bay Municipal Alcohol Policy. Adequate security personnel and local police support through paid off duty police officers will be provided to ensure that public safety is monitored and maintained.

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### **ANALYSIS / OPTIONS**

There are three options for City Council in this matter.

#### Option 1 - Approve the requests as presented

If Council is satisfied with the requests as presented, Council should grant them, by approving Recommendation 1.

#### Option 2 - Grant the requests in an amended form

If Council is not satisfied with the requests as presented, but wants the event to proceed, Council could grant the request for permission to hold the event by approving Recommendation 1. Depending upon the amendments made, Summer in the Park Festival may need to review its methodology for the undertaking of the event.

Option 3 - Refuse to grant the requests as presented

If Council is not satisfied with the requests as presented, Council could refuse to grant them. A refusal to grant the requests would result in the event not taking place.

---

**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 1 - Approve the requests as presented

There are no financial implications related to these requests.

Submitted by,



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Erin Vaughan  
Community Event Facilitator

EV/dlb

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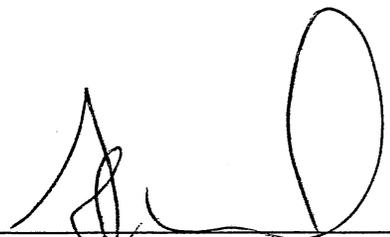
attach(s).

We concur with this report and recommendations.



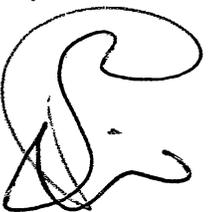
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Ian G. Kilgour  
Director, Parks, Recreation & Leisure  
Services



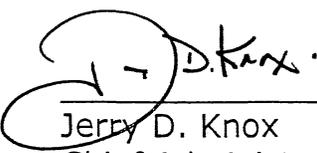
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Alan Koren, R.P.P., M.C.E.P.  
Managing Director, Engineering,  
Environmental Services & Works



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Peter Chirico  
Managing Director, Community Services



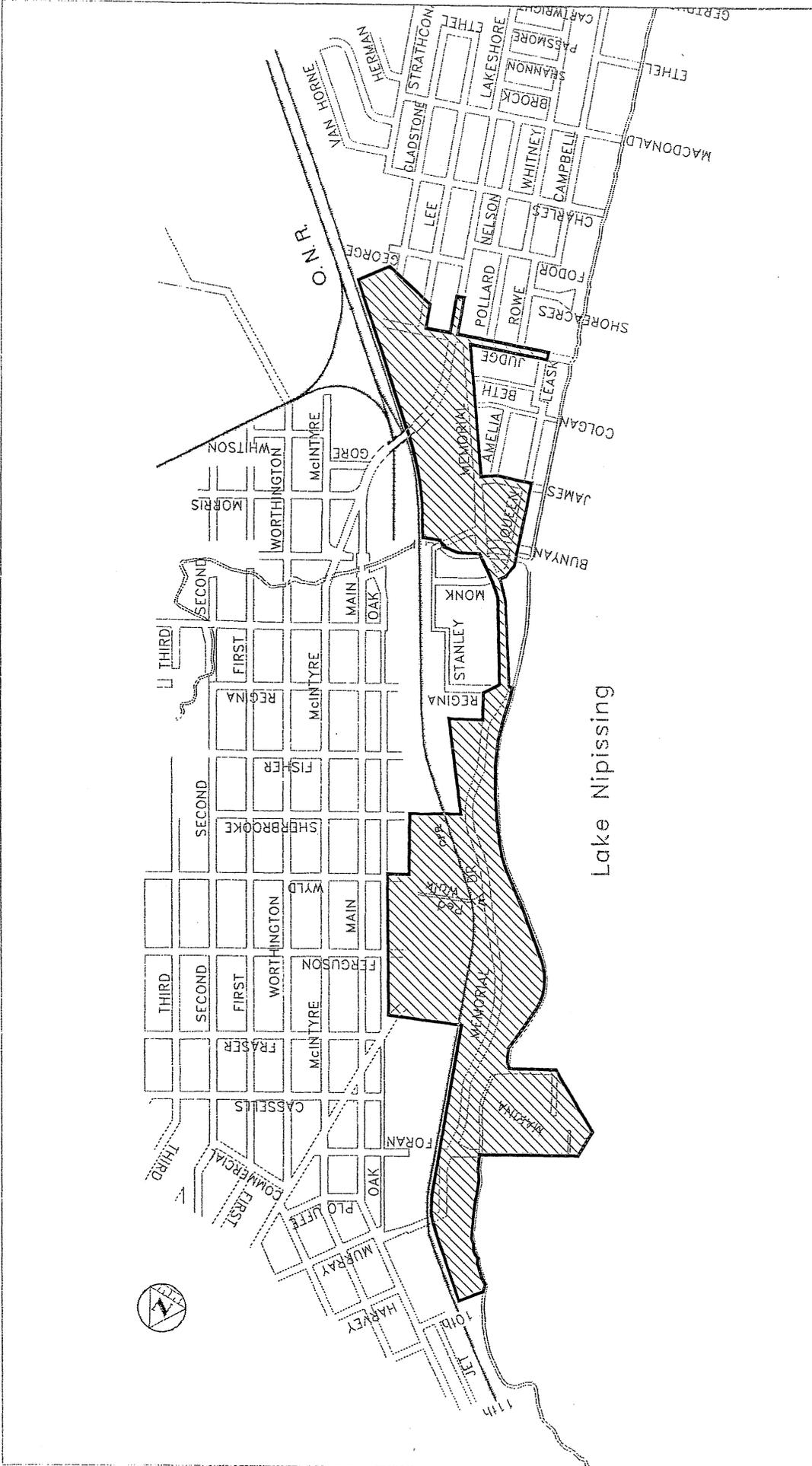
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Jerry D. Knox  
Chief Administrative Officer

Person designated for continuance: Manager Recreation and Leisure Services

1. Proposed area of exclusivity
2. Proposed Kate Pace Way, street and parking lot closures
3. Copy of Parking Lot #10 Closure Letter
4. Copy of Parking Lot #13 Closure Letter
5. Municipal Alcohol Policy Regulation 5B
6. Extracts from Noise By-law (By-law 142-76), as amended

Copy for: Chief Administrative Officer  
Managing Director, Community Services  
Managing Director, Corporate Services  
Managing Director, Engineering, Environmental Services and Works  
City Clerk  
Supervisor, Roads and Traffic  
Fire Chief  
Manager, Recreation and Leisure Services  
Manager, Transit  
Police Chief

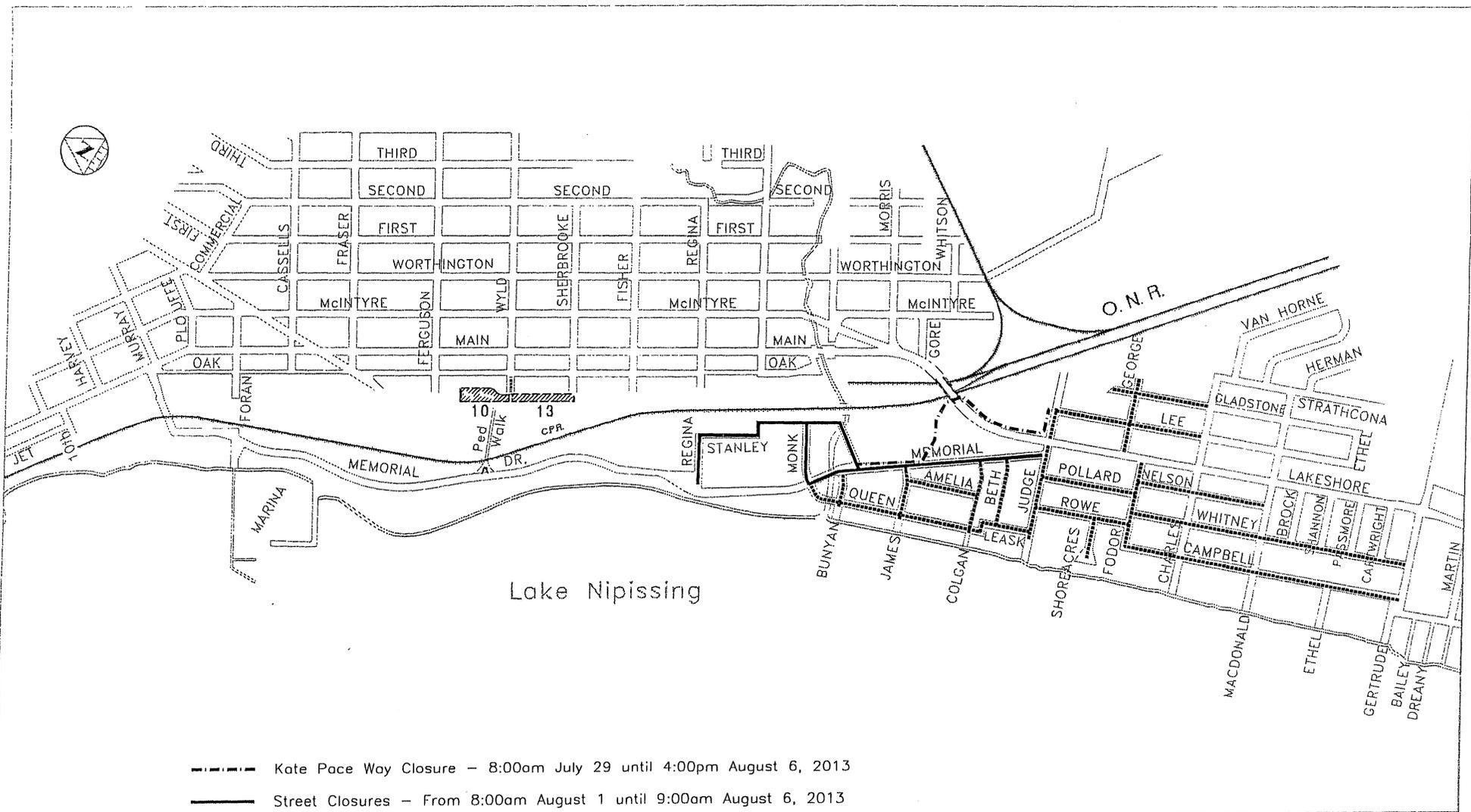


<p><b>THE CORPORATION OF THE CITY OF NORTH BAY</b> Engineering And Environmental Services</p>	
<p>Summer in the Park Festival 2013 Area of Exclusivity</p>	
Drawn By: J.J.K.	Scale: N.T.S.
City: E.Y.	Date: March 12, 2013
	Drawing No.: Attachment 2

Area of Exclusivity



Attachment 2



- Kate Pace Way Closure - 8:00am July 29 until 4:00pm August 6, 2013
- Street Closures - From 8:00am August 1 until 9:00am August 6, 2013
- Street Closure - All Day from August 2 to August 4, 2013
- Parking Prohibited - From 9:00am August 2 until 11:00pm August 4, 2013  
Odd Numbered Sides of Marked Streets
- //// //// Parking Prohibited - All Day from August 2 to August 6, 2013, Lot#10  
- All Day August 2 to August 4, 2013, Lot#13

**THE CORPORATION OF  
THE CITY OF NORTH BAY**  
Engineering And Environmental Services

Summer in the Park Festival 2013  
Road Closures - Parking Prohibited

Drawn By: S.W.S.	Scale: N.T.S.	Drawing No.:
CK'd. By: E.V.	Date: June 25, 2013	Attachment 3



May 30, 2013

**Notice of Service Disruption, Parking Lot 10**

**Re: Summer in the Park 2013**

Summer in the Park concerts will be held at the City's Waterfront Park amphitheater on August 2-3, 2013. Set-up for the concert will begin on July 31. As a result, Parking Lot 10 will be closed from Wednesday, July 31 through and inclusive of Tuesday, August 6. Alternate parking arrangements will be provided for clients of Lot 10 in neighbouring Parking Lot 2 on Oak Street West (see attached drawing). Lot 2 can be accessed via the kiosk off Oak Street West or at the corner of Oak and Ferguson Streets. Please obtain a ticket upon entrance to the lot to raise the gates. Return the ticket to the attendant at the kiosk upon exit. There will be no charge to park on these dates in Lot 2 during regular business hours when a valid Lot 10 rental tag is displayed.

The City appreciates your cooperation throughout the festival period and apologizes for any inconvenience.

Should you have any questions or concerns, please contact the Parking Office at 705-474-0400.

Thank you

# Attachment 4



May 30, 2013

## Notice of Service Disruption, Parking Lot 13

### Re: Summer in the Park

Summer in the Park concerts will be held at the City's Waterfront Park amphitheater on August 2-3, 2013. Set-up for the concert will begin on July 31. As a result, Parking Lot 13 will be closed on Friday, August 2. Alternate parking is available for clients of Lot 13 in neighbouring Parking Lots 3, 7, and 11 (see attached drawing). If no parking is available in these lots, parking will be permitted at metered on-street locations with the exception of the 100 blocks of Main Street East & West. There will be no charge to park in these identified lots or on-street areas during regular business hours on August 2 when a valid Lot 13 rental tag is displayed.

Enclosed is a complimentary North Bay Transit Pass valid for use on August 2 if you choose to ride the bus to avoid parking disruptions.

The City appreciates your cooperation throughout the festival period and apologizes for any inconvenience.

Should you have any questions or concerns, please contact the Parking Office at 705-474-0400.

Thank you

City of North Bay

**Extracts from Municipal Alcohol Policy:**

**REGULATION NO. 2: FACILITIES ELIGIBLE FOR SPECIAL OCCASION PERMITS**

The following lists facilities that are considered eligible for licensing under a Special Occasion Permit. Granting permission for an SOP function is at the discretion of the Facility Manager depending on the nature of the function, other activities occurring in the facility and a demonstration that the sponsoring organization can manage the function effectively.

**REGULATION NO. 3: MUNICIPAL FACILITIES ELIGIBLE FOR LICENSING**

**SECTION A: WEST FERRIS CENTENNIAL COMMUNITY CENTRE (WFCCC)**

- A. That the hall of the West Ferris Community centre (WFCCC) be designated as a suitable facility for licensed functions.
- B. That the arena floor surface of the WFCCC is designated as a suitable facility for licensed functions when the ice surface is covered or removed.
- C. That the boardroom of the West Ferris Arena is designated as a suitable area for licensed functions.

**SECTION B: PETE PALANGIO ARENA**

- A. That the lounge of the Pete Palangio arena be designated as a suitable area for licensed functions only when both ice surfaces have been rented by adult groups.
- B. That the boardroom of the Pete Palangio arena is designated as a suitable area for licensed functions.

**SECTION C: MEMORIAL GARDENS**

Memorial Gardens holds a permanent liquor license. As a result, the following areas may be licensed under a Special Occasion Permit; however, this requires notification to the Alcohol and Gaming Commission of Ontario and a request to temporarily suspend the permanent license. This is at the discretion of the Facility Manager.

- A. That the Hall of Fame room be designated as a suitable area for SOP licensed functions.
- B. That the Super Suite be designated as a suitable area for SOP licensed functions.
- C. That the West lobby area be designated as a suitable area for SOP licensed functions.
- D. That the arena floor area be designated as a suitable area for SOP licensed functions.

**SECTION D: THOMSON PARK AND LEE PARK**

- A. That the picnic shelter area of Thomson Park and Lee Park are designated as areas suitable for outdoor licensed functions.

**REGULATION NO. 5: FACILITIES AND PARKS NOT SUITABLE FOR LICENSED EVENTS**

**SECTION B: OTHER FACILITIES NOT MENTIONED**

That all other parks, ball fields, play areas and facilities, beaches and green spaces owned and operated by the City of North Bay be designated as areas not suitable for alcohol consumption and licensed events.

# Attachment 6

## Extracts from Noise By-law (By-law 142-76) as amended

6. **Exemption of Traditional, Festive or Religious Activities**  
Notwithstanding any other provision of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the traditional, festive, religious and other activities listed in Schedule 3.
7. **Severability**  
If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
8. **Penalty**  
Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not less than \$50.00 nor more than \$1,000.00 for a first offence and not less than \$100.00 and not more than \$1,000.00 for a second or subsequent offence, exclusive of costs and every such fine is recoverable under The Summary Convictions Act.

### **SCHEDULE 3**

#### **Activities to Which the By-law Does Not Apply**

1. The use in a reasonable manner of an apparatus or mechanism for the amplification of the human voice or of music in a public park or recreational area under the control and management of the City of North Bay in connection with any public election meeting, public celebration or other lawful gathering, provided that written permission of Council to hold such meeting, celebration or gathering has been first obtained under any applicable by-law of the Corporation of the City of North Bay.
2. Any band or parade, provided that written permission of Council to operate such band or hold such parade has been first obtained under any applicable by-law of the Corporation of the City of North Bay.

JUN 26 2013

CLERK'S DEPT.

May 31, 2013

**CITY OF NORTH BAY  
REPORT TO COUNCIL**

Report No: CORP 2013-070  
Originator: Margaret Karpenko  
Subject: 2012 Consolidated Financial Statements

**RECOMMENDATIONS:**

- 1) That the 2012 Consolidated Financial Statements be received.
- 2) That the Mayor and Chief Financial Officer of the City of North Bay be authorized to approve the 2012 Consolidated Financial Statements.

**BACKGROUND:**

Section 296 of the Municipal Act requires that all municipalities undertake an annual audit of their accounts and that the auditors express an opinion on the financial statements based on the audit. The City's auditor is the firm of KPMG LLP and their report is attached hereto. The Consolidated Financial Statements of the Corporation of the City of North Bay are prepared by management in accordance with Canadian Generally Accepted Accounting Practices for local governments as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants. These consolidated financial statements reflect the assets, liabilities, sources of funding, and expenses of the City of North Bay which includes the activities of all committees of Council and its boards, municipal enterprises and utilities for which the Council of the City of North Bay owned or controlled. These boards and entities include:

- Consolidated Entities:
  - North Bay Public Library Board
  - North Bay Police Services Board
  - Board of Management for the Downtown Improvement Area
  - North Bay Hydro Holding Limited ('Holdco')
  - North Bay Jack Garland Airport Corporation
  - GENCO
- Municipal Enterprises:
  - North Bay Hydro Distribution Limited
  - North Bay Hydro Services Inc.

The required Financial Information Return has been submitted on May 31, 2013 as required by the Municipal Act and Performance Measures Report will be filed

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with the Province in the month of July, 2013. The combined Financial Statements and Financial Information Return as well as the Performance Measures (MPMPs) will be posted on the City's web site in July.

Canadian Generally Accepted Auditing Standards state that financial statements are the responsibility of the City's management and KPMG has requested that the Mayor and the Chief Financial Officer approve these statements.

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## **HIGHLIGHTS**

Key financial highlights of the 2012 Consolidated Financial Statements include the following:

- Cash and cash equivalents have decreased by 10 million while investments increased by 11 million when compared to 2011. Although the City has recognized a shift in the composition of cash and investments there is approximately a million dollar increase to \$40.7 million in 2012. The shift between cash and investments demonstrates that the City is prudently maximizing the rate of return rather than maintaining high cash balances. Total cash and investments also include \$26.3 million earmarked as reserves. The Statement of Cash Flows details the various other activities that contributed to this overall increase.
- Tangible Capital Assets are amortized over their expected life; therefore, the annual investment is offset by the annual deterioration of the assets. The City's net investment is 10 million for 2012. This amount represents the City's investment of 31.8 million in acquisitions less 21.8 million in amortization. Amortization increased 2.4 million from 2011 to 2012. With respect to Asset Management Planning, the City continues to support a 10-year capital plan and is in the process of completing a full Asset Management Plan. The net book value of the City's Tangible Capital Assets as at December 31, 2012 is \$502 million versus 2011 at \$492 million.
- The City's accounts receivables have decreased by \$4.7 million compared to prior years. This is primarily a result of a reduction in grants receivable due to the completion of many capital projects by the end of 2012. This trend is also seen in the decrease of 4.6 million in Government Transfers and Grants on the Statement of Operations.
- The City's taxes receivable have decreased by \$572,693 from 2011 to 2012. The decrease can be attributed partly to the City tax department's continued work with rate payers to develop payment plans in a positive and effective manner. Overall, the collection strategy has proven successful.

- 
- The Notes Receivable balance has increased by 2.6 million from 2011 to 2012. This increase relates to the note receivable from the North Bay Hydro Merrick Landfill Methane project.
  - The City's total liabilities decreased by \$610,032. The increase in long-term liabilities of \$2 million is in line with the City's long-term capital funding policy plan and is a result of increased debenture principal. Short-term liabilities decreased by a total of \$2.6 million primarily as a result of decreases in holdbacks payable and accrued liabilities.
  - User fee revenues increased by 1.3 million as compared to 2011. This is partly due to annual and one-time increases in City user fees, annual increase in water/sewer rates and increases in consolidated local board revenues.
  - The City's debt-to-revenue ratio has increased slightly from 42.6% to 43.5%.
  - The debt servicing costs (including both principal and interest) to revenue has increased from 6.8% to 7.1% as of December 31, 2012. The City's ratio remains at a reasonable level that supports the city's high level of fiscal flexibility.
  - Taxation revenue as a percentage of total revenue has increased from 51.4% in 2011 to 52.6% in 2012. This is as a result of our increased assessment base and growth.
- 

## **ANALYSIS / OPTIONS:**

### **Option #1:**

- 1) Receive the 2012 Consolidated Financial Statements.
- 2) The Mayor and Chief Financial Officer, as representatives of management, approve the 2012 Consolidated Financial Statements. Upon receipt of signed statements KPMG is ready to issue a clean auditors report for the year ending December 31, 2012.

### **Option #2:**

- 1) Receive the 2012 Consolidated Financial Statements.
  - 2) The Mayor and Chief Financial Officer do not sign the 2012 Consolidated Financial Statements. This action will delay the issuance of the 2012 auditors report and is not recommended.
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**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

Option #1 is recommended as follows:

- 1) Receive the 2012 Consolidated Financial Statements.
- 2) The Mayor and Chief Financial Officer, as representatives of management, approve the 2012 Consolidated Financial Statements. Upon receipt of signed statements KPMG is ready to issue a clean auditors report for the year ending December 31, 2012.

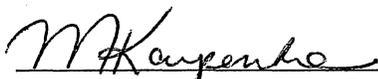
KPMG has expressed satisfaction that these financial statements present fairly, in all material respects, the financial position of the Corporation of the City of North Bay as at December 31, 2012.

As these Consolidated Financial Statements are the responsibility of City management, KPMG has requested that they should be signed by the Mayor and the Chief Financial Officer as evidence that City management approve these statements.

Upon management approval, KPMG is ready to issue the Corporation of the City of North Bay a clean auditors report for the year ending December 31, 2012.

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Respectfully submitted,



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Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer

I concur in this report and recommendation.



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Jerry Knox  
Chief Administrative Officer

Personnel designated for continuance: Chief Financial Officer

Attachments: 2012 Financial Statements

Consolidated Financial Statements

**CORPORATION OF THE  
CITY OF NORTH BAY**

Year ended December 31, 2012

# CORPORATION OF THE CITY OF NORTH BAY

Index to Consolidated Financial Statements

Year ended December 31, 2012

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	<b>Page</b>
Independent Auditors' Report	
Consolidated Statement of Financial Position	1
Consolidated Statement of Operations	2
Consolidated Statement of Changes in Net Financial Assets	3
Consolidated Statement of Cash Flows	4
Notes to Consolidated Financial Statements	5 - 22



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Internet www.kpmg.ca

## INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of  
the Corporation of the City of North Bay

We have audited the accompanying consolidated financial statements of The Corporation of the City of North Bay which comprise the consolidated statement of financial position as at December 31, 2012, the consolidated statements of operations, changes in net financial assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

### *Management's Responsibility for the Consolidated Financial Statements*

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditors' Responsibility*

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### *Opinion*

In our opinion, these consolidated financial statements present fairly, in all material respects, the financial position of The Corporation of the City of North Bay as at December 31, 2012 and its results of operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Chartered Accountants, Licensed Public Accountants

DATE

North Bay, Canada

# CORPORATION OF THE CITY OF NORTH BAY

## Consolidated Statement of Financial Position

December 31, 2012, with comparative figures for 2011

	2012	2011
<b>FINANCIAL ASSETS:</b>		
Cash and cash equivalents	\$ 17,501,288	27,568,111
Investments (note 2)	23,287,127	12,250,259
Taxes receivable	3,572,349	4,145,042
Accounts receivable (note 3(a)(vii))	8,369,153	13,123,347
Other assets	260,279	293,666
Notes receivable from government business enterprises (note 3(a)(v))	24,821,676	22,150,596
Investment in government business enterprises (note 3(b))	30,652,772	28,854,823
	<u>108,464,644</u>	<u>108,385,844</u>
<b>LIABILITIES:</b>		
Accounts payable and accrued liabilities	14,037,996	16,820,558
Deferred revenue - general	1,200,873	1,058,405
Deferred revenue - obligatory reserve funds (note 4)	3,394,592	3,787,920
Post employment benefits payable (note 5)	13,233,153	12,868,755
Solid waste landfill closure and post-closure care liability (note 6)	2,166,417	2,144,527
Net long-term liabilities (note 7)	61,941,801	59,904,699
	<u>95,974,832</u>	<u>96,584,864</u>
<b>NET FINANCIAL ASSETS</b>	<b>12,489,812</b>	<b>11,800,980</b>
<b>NON-FINANCIAL ASSETS:</b>		
Tangible capital assets (note 18)	502,351,397	492,324,772
Other assets	2,824,755	2,573,236
Commitments (note 11)		
Contingent liabilities (note 12)		
Environmental indemnities (note 13)		
<b>Accumulated surplus (note 9)</b>	<b>\$ 517,665,964</b>	<b>506,698,988</b>

The accompanying notes are an integral part of these consolidated financial statements.

On behalf of Council:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Financial Officer

# CORPORATION OF THE CITY OF NORTH BAY

## Consolidated Statement of Operations

Year ended December 31, 2012, with comparative figures for 2011

	2012 Budget (note 16) (Unaudited)	2012 Total	2011 Total
<b>Revenues:</b>			
Property taxation	\$ 70,824,370	70,834,493	68,294,856
Taxation from other governments	3,556,704	3,945,532	3,998,226
User charges	28,585,722	31,091,327	29,762,436
Government transfers and grants	9,877,450	20,782,615	25,372,809
Licenses, permit fees and rents	2,746,913	2,087,579	2,045,692
Investment income	2,066,000	2,448,557	1,813,045
Provincial Offences Act (note 15)	1,780,000	1,714,495	1,608,181
Other	23,562,575	6,923,674	4,161,009
Equity earnings of government business enterprises (note 3)	-	2,416,623	3,518,947
	<u>142,999,734</u>	<u>142,244,895</u>	<u>140,575,201</u>
<b>Expenses:</b>			
General government	5,518,038	6,376,909	5,704,988
Protection services	33,161,566	35,218,666	33,442,056
Transportation services	20,084,833	33,592,860	36,276,319
Engineering and environmental services	16,885,360	24,513,424	25,085,746
Community services	15,234,003	15,865,419	15,544,710
Recreation and cultural services	10,400,528	13,436,729	13,008,735
Planning and development	1,773,899	2,273,912	2,348,931
	<u>103,058,227</u>	<u>131,277,919</u>	<u>131,411,485</u>
Annual surplus	39,941,507	10,966,976	9,163,716
Accumulated surplus, beginning of year	506,698,988	506,698,988	497,535,272
Accumulated surplus, end of year (note 9)	\$ 546,640,495	517,665,964	506,698,988

The accompanying notes are an integral part of these consolidated financial statements.

# CORPORATION OF THE CITY OF NORTH BAY

## Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2012, with comparative figures for 2011

	2012 Budget (note 16) (Unaudited)	2012 Total	2011 Total
Annual surplus	\$ 39,941,507	10,966,976	9,163,716
Acquisition of tangible capital assets	(35,071,647)	(31,833,646)	(29,385,180)
Amortization of tangible capital assets	-	21,199,166	20,768,697
Disposal of tangible capital assets		607,855	3,565,756
	(35,071,647)	(10,026,625)	(5,050,727)
Increase in other assets	-	(251,519)	(232,344)
Change in net financial assets	4,869,860	688,832	3,880,645
Net financial assets, beginning of year	11,800,980	11,800,980	7,920,335
Net financial assets, end of year	\$ 16,670,840	12,489,812	11,800,980

The accompanying notes are an integral part of these consolidated financial statements.

# CORPORATION OF THE CITY OF NORTH BAY

## Consolidated Statement of Cash Flows

Year ended December 31, 2012, with comparative figures for 2011

	2012	2011
Operating transactions:		
Annual surplus	\$ 10,966,976	9,163,716
Items not involving cash:		
Amortization of tangible capital assets	21,199,166	20,768,697
Equity earnings of government business enterprises	(2,416,623)	(3,518,947)
Increase in post employment benefits payable and other liabilities	364,398	107,755
Increase in solid waste landfill closure and post-closure care liability	21,890	122,428
	<u>30,135,807</u>	<u>26,643,649</u>
Changes in non-cash operating balances (note 20)	2,075,333	2,493,449
	<u>32,211,140</u>	<u>29,137,098</u>
Capital transactions:		
Disposal of tangible capital assets	607,855	3,565,756
Acquisition of tangible capital assets	(31,833,646)	(29,385,180)
	<u>(31,225,791)</u>	<u>(25,819,424)</u>
Investing transactions:		
Change in portfolio investments	(11,036,868)	(1,418,434)
Loan receivable advanced	(2,671,080)	(1,306,045)
Cash dividend received from government business enterprises	618,674	691,131
	<u>(13,089,274)</u>	<u>(2,033,348)</u>
Financing transactions:		
Proceeds from debt issues	9,800,000	11,000,000
Debt repayments	(7,762,898)	(7,285,632)
	<u>2,037,102</u>	<u>3,714,368</u>
Net change in cash and cash equivalents	(10,066,823)	4,998,694
Cash and cash equivalents, beginning of year	27,568,111	22,569,417
Cash and cash equivalents, end of year	<u>\$ 17,501,288</u>	<u>27,568,111</u>

The accompanying notes are an integral part of these consolidated financial statements.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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The City of North Bay is a municipality in the Province of Ontario, Canada. It conducts its operations guided by the provisions of provincial statutes such as the Municipal Act 2001, Provincial Offences Act and other related legislation.

## 1. Significant accounting policies:

The consolidated financial statements of the Corporation of the City of North Bay (the "City") are the responsibility of management. They have been prepared in accordance with Canadian generally accepted accounting principles established by the Public Sector Accounting Board ("PSAB") of the Canadian Institute of Chartered Accountants. Significant aspects of the accounting policies adopted by the City are as follows:

### a) Reporting entity:

#### i) Consolidated entities:

These consolidated financial statements reflect the assets, liabilities, revenues, and expenses of the reporting entity. The reporting entity is comprised of all organizations, committees and local boards accountable for the administration of their financial affairs and resources to the City and which are owned or controlled by the City. These boards and entities include:

- North Bay Public Library Board
- North Bay Police Services Board
- Board of Management For The Downtown Improvement Area ("DIA")
- North Bay Hydro Holdings Limited ("Holdco")
- North Bay Jack Garland Airport Corporation ("Airport")

All interfund assets and liabilities and sources of financing and expenses have been eliminated.

#### ii) Investment in Government Business Enterprises:

Government business enterprises are accounted for by the modified equity method. Under this method the business enterprises' accounting principles are not adjusted to conform with those of the City and inter-organizational transactions and balances are not eliminated. The government business enterprises included during the year and summarized in note 3 are:

- North Bay Hydro Distribution Limited
- North Bay Hydro Services Inc.

#### iii) Related entities:

The following joint local boards are not consolidated:

- East Nipissing District Home For The Aged ("Cassellholme")
- North Bay Parry Sound District Health Unit
- District of Nipissing Social Services Administration Board ("DNSSAB")

#### iv) Accounting for school board transactions:

The taxation, other revenues, expenses, assets and liabilities of Near North District School Board, Nipissing-Parry Sound Catholic District School Board, Conseil Scolaire du District du Nord-Est de L'Ontario, and Conseil Scolaire Catholique Franco-Nord are not reflected in these consolidated financial statements.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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## 1. Significant accounting policies (continued):

### b) Basis of accounting:

Sources of financing and expenses are reported on the accrual basis of accounting. This method recognizes revenues as they become available and measurable; expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

### c) Cash and cash equivalents:

Cash consists of balances held at financial institutions and all cash equivalents consist of highly liquid financial instruments with maturity of three months or less at acquisition.

### d) Investments:

Investments are recorded at cost. Temporary declines in the market value of the long-term investments are not adjusted.

### e) Inventories:

Inventories of goods and supplies are priced at average cost on the same basis as the preceding year.

### f) Tangible capital assets:

Tangible capital assets are recorded at cost less accumulated amortization. Cost includes all costs attributable to acquisition or construction, development or betterment of the tangible capital asset including but not limited to transportation costs, installation costs, design and engineering fees, legal fees and site preparation costs. Contributed capital assets are recorded at fair value at the time of the donation, with a corresponding amount recorded as revenue, when fair value can be reasonably estimated. Amortization is recorded on a straight-line basis over the estimated life of the tangible capital asset commencing in the year the asset is available for productive use as follows:

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Land improvements	7 to 40	Years
Buildings	10 to 100	Years
Vehicles	2 to 30	Years
Machinery and equipment	3 to 40	Years
Computer hardware and software	4	Years
Roads	20 to 40	Years
Water and sewer	75	Years
Bridges and structures	75	Years
Work-In-Process	No Amortization	Prior to Project Completion

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# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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## 1. Significant accounting policies (continued):

### g) Non-pension post retirement benefits and post employment sick leave benefits:

The City accrues its obligations under employee benefit plans as the employees render the services necessary to earn employee future benefits. The City has adopted the following valuation methods and assumptions:

#### i) Actuarial cost method:

Accrued benefit obligations are computed using the projected benefit method pro rated on service, as defined in PSAB 3250 and PSAB 3255. The objective under this method is to expense each member's benefit under the plan taking into consideration projections of benefit costs to and during retirement. Under this method an equal portion of total estimated future benefit is attributed to each year of service.

#### ii) Funding policy:

The non-pension post retirement and post employment benefits are funded on a pay-as-you-go basis. The City funds on a cash basis as benefits are paid. No assets have been formally segregated and restricted to provide the non-pension retirement and post employment benefits.

#### iii) Accounting policies:

Actuarial gains and losses are amortized on a linear basis over the expected average remaining service life ("EARSLS") of members expected to receive benefits under the plan, with amortization commencing in the period following the determination of the gain or loss. Obligations are attributed to the period beginning on the member's date of hire and ending on the expected date of termination, death or retirement, depending on the benefit value. The City's fiscal year-end is December 31 and the measurement date of the City's obligation is such.

### h) Taxation and related revenues:

Property tax billings are prepared by the City based on assessment rolls issued by the Municipal Property Assessment Corporation ("MPAC"). Tax rates are established by City Council, incorporating amounts to be raised for local services and amounts the City is required to collect on behalf of the Province of Ontario in respect of education taxes. The legislation limits assessment related increases in property tax bills to a minimum of 5 per cent annually for commercial, industrial and multi-residential classes of property until the affected properties are taxed at a level equivalent to the tax otherwise calculated based on their current value assessment. A normal part of the assessment process is the issue of supplementary rolls which provide updated information with respect to changes in property assessment. Once a supplementary assessment roll is received, the City determines the taxes applicable and renders supplementary tax billings. Taxation revenues are recorded at the time tax billings are issued. Assessments and the related property taxes are subject to appeal. Tax adjustments as a result of appeals are recorded when the result of the appeal process is known. The City is entitled to collect interest and penalties on overdue taxes. These revenues are recorded in the period the interest and penalties are levied.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 1. Significant accounting policies (continued):

### i) Government grants:

Conditional grant revenue is recognized to the extent the conditions imposed on it have been fulfilled. Unconditional grant revenue is recognized when monies are receivable. Grants for the acquisition of tangible capital assets are recognized in the period in which eligible expenditures are made.

### j) Transfer payments:

Transfer payments, which include legislative grants, are recognized in the consolidated financial statements in the period in which the events giving rise to the transfer occurs, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amount can be determined.

### k) Investment income:

Investment income earned on surplus funds is reported as revenue in the period earned. Investment income earned on obligatory funds such as development charges and parkland allowances is added to the associated funds and forms part of respective deferred revenue balances.

### l) User fees and other revenues:

User fees and other revenues are reported on an accrual basis.

### m) Use of estimates:

The preparation of consolidated financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the consolidated financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future. Significant items subject to such estimates and assumptions include: solid waste landfill closure and post closure liabilities, employee future benefits, Provincial Offenses Act receivables, allowances for doubtful accounts and other accrued liabilities and/or obligations. These estimates are reviewed periodically, and as adjustments become necessary, they are reported in earnings in the year in which they become

## 2. Investments:

	2012	2011
Investment in financial institutions - bonds	\$ 23,286,927	\$ 12,250,059
Other	200	200
<b>Total investments, end of year</b>	<b>\$ 23,287,127</b>	<b>\$ 12,250,259</b>

The City's investment in financial institutions totaling \$23,286,927 are reported at cost and mature between 2013 to 2018, with yields ranging from 1.25% to 3.45%. The current short-term portion equals \$10,536,247.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

### 3. Government business enterprises:

#### a) North Bay Hydro:

The City holds 100% of the shares of North Bay Hydro Holding Limited ("Holdco"). Holdco holds 100% of the shares of North Bay Hydro Distribution Limited ("Distribution") and North Bay Hydro Services Inc. ("Services"). The following provides condensed combined financial information for Distribution and Services.

	2012	2011
Statement of Financial Position		
Total Assets	\$ 83,739,458	\$ 80,369,158
Total Liabilities	\$ 53,086,686	\$ 51,514,335
Net Assets	30,652,772	28,854,823
Total Liabilities and Net Assets	\$ 83,739,458	\$ 80,369,158
Statement of Operations		
Total Revenues	\$ 13,932,139	\$ 13,438,190
Total Expenses	11,515,516	9,919,243
Net income	\$ 2,416,623	\$ 3,518,947

Related party transactions between Hydro and the City are summarized as follows:

- i) The City purchased electricity and services from Distribution including electrical energy in the amount of \$2,510,679 (2011 - \$1,918,511), street light energy in the amount of \$856,557 (2011 - \$764,610), construction activity in the amount of \$12,330 (2011 - \$62,344) and street light maintenance in the amount of \$506,064 (2011 - \$158,299).
- ii) The City received municipal taxes from Distribution in the amount of \$57,183 (2011 - \$58,586)
- iii) Distribution purchased goods and services from the City totalling \$371,589 (2011 - \$234,970)
- iv) The City received CDM incentives from Distribution totalling \$4,425 (2011 - \$400).
- v) The City holds two promissory notes (a) \$19,511,601 payable from Distribution and (b) \$1,332,950 payable from Services, totalling \$20,844,551 (2011 - \$20,844,551). Note (a) is unsecured, due upon twelve months written notice and bears interest of 5% per annum. Note (b) bears interest at 5% per annum and has no definite terms of repayment.

The City also holds a loan receivable from Distribution related to the Merrick Landfill project. The loan bears interest at 4.90% and is receivable in monthly principal and interest instalments over 20 years. The balance at December 31, 2012 is \$3,977,125 (2011 - \$1,306,045) of which \$133,336 is receivable within one year.

- vi) The City received interest in the amount of \$975,580 (2011 - \$975,580) from promissory note (a) and \$66,648 (2011 - \$66,648) from promissory note (b).
- vii) At December 31, 2012 the City balances include accounts receivable of \$173,780 (2011 - \$155,942) and accounts payable and accrued liabilities of \$588,240 (2011 - \$335,125) due to/from Distribution.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

### 3. Government business enterprises (continued):

#### b) Investment in government business enterprises:

	2012	2011
Investment in government business enterprises, beginning of year	\$ 28,854,823	\$ 26,027,007
Equity in earnings	2,416,623	3,518,947
Cash dividend received	(618,674)	(691,131)
Investment in government business enterprises, end of year	\$ 30,652,772	\$ 28,854,823

### 4. Deferred revenue - obligatory reserve funds:

	2012	2011
Balance, beginning of the year	\$ 3,787,920	\$ 3,748,460
Federal gas tax contributions	3,310,814	3,310,814
Provincial gas tax contributions	1,029,733	1,034,193
Development contributions	722,665	352,253
Investment income	88,055	67,745
Utilization of funds	(5,544,595)	(4,725,545)
Deferred revenue - obligatory reserve funds, end of year	\$ 3,394,592	\$ 3,787,920
Analyzed as follows:		
Development charges	\$ 1,874,085	\$ 1,739,189
Federal gas tax contributions	194,995	289,619
Provincial gas tax contributions	134,229	526,652
Sub-divider contributions	-	-
Cash in lieu of parkland	582,619	572,493
Building Code Act	608,664	659,967
Deferred revenue - obligatory reserve funds, end of year	\$ 3,394,592	\$ 3,787,920

Included in cash and cash equivalents is restricted amounts of \$3,394,592 (2011 - \$3,787,920) with respect to the above obligatory reserve funds.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 5. Post employment benefits payable:

	2012	2011
Sick leave benefits	\$ 6,720,309	\$ 6,370,466
Supplementary health benefits	6,512,844	6,498,289
<b>Total post employment benefits payable</b>	<b>\$ 13,233,153</b>	<b>\$ 12,868,755</b>

The City maintains a sick leave plan covering all Fire Association employees hired before December 31, 1997, Police Services Board and Police Association employees hired before September 1, 1977, all Library employees hired prior to August 31, 1987, and all other employees with at least five years of service hired prior to September 30, 1980. The above sick leave benefit liability estimates the use of accumulated sick leave prior to retirement as well as any lump-sum payments upon retirement.

In addition, the City has a defined supplementary health benefit plan covering City union employees, Fire Association employees, Police Association employees and management and non-union employees who retire from current employment. The above supplementary health benefit liability estimates the expense of each member's benefit under the plan taking into consideration projections of benefit costs to and during retirement up to the age of 65.

Information about the City's defined supplementary health benefit care and sick leave plan is as follows:

	2012	2011
Sick leave benefits:		
Accrued benefit, beginning of year	\$ 6,370,466	\$ 6,264,000
Amortization of unamortized actuarial gains/losses and other	152,073	49,000
Service cost for the year	887,863	832,617
Interest expense for the year	335,678	266,872
Benefits paid during the year	(1,025,771)	(1,042,023)
<b>Accrued benefit liability and projected obligation, end of year</b>	<b>\$ 6,720,309</b>	<b>\$ 6,370,466</b>
Supplementary health benefits:		
Accrued benefit, beginning of year	\$ 6,498,289	\$ 6,497,000
Amortization of unamortized actuarial gains/losses and other	24,447	59,000
Service cost for the year	274,111	256,746
Interest expense for the year	291,423	292,202
Benefits paid during the year	(575,426)	(606,659)
<b>Accrued benefit liability and projected obligation, end of year</b>	<b>\$ 6,512,844</b>	<b>\$ 6,498,289</b>

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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## 5. Post employment benefits payable (continued):

A comprehensive actuarial valuation was completed as at December 31, 2011 by an actuarial firm. The next valuation date will be for 2014, as at December 31. The main actuarial assumptions employed for the valuations are as follows:

- i) The discount rate was assumed at 4.25% per annum for Accrued Benefit Obligation ("ABO") (2011 - 4.25%) and 4.25% per annum for the 2012 expense (2011 - 4.25%).
- ii) Future general salary and wage levels were assumed to increase 3% per annum.
- iii) Health Costs were assumed at 6.3333% per annum from 2011 through 2013, reducing by 0.3333% annually to 4% in 2020 (2011 hospital - 6.3333%, 2011 prescription drugs - 6.3333%, 2011 other medical and travel costs - 6.3333%).
- iv) Dental costs were assumed to increase at 4% per annum.
- v) The expected average remaining service life is 12 years for non-pension post retirement benefits and 11 years for post employment benefits.

## 6. Solid waste landfill closure and post-closure care liability:

The City owns two solid waste landfill sites. The Merrick Landfill site ('Merrick') has been accepting waste since 1994. The Marsh Drive Landfill site ("Marsh") has been closed since the opening of Merrick. Environmental approvals for the operation of landfill sites require that the City accept responsibility for certain obligations regarding closure and post-closure care of each site.

Closure activities include all activities related to closing the landfill site. Through a proactive closure plan, many closure costs are incurred on an on-going basis and are included in the yearly fiscal operating budget. Taking this into consideration, it is assumed that this will result in minimal closure costs at the actual closure date with expenses being absorbed in the annual operating budget.

Post-closure activities include all activities related to monitoring the site once it can no longer accept waste. These costs are expected to last for an indeterminate time period, but at a minimum, would exceed 20 years.

There are currently no reserves set aside for either closure or post-closure activities. The Merrick site has remaining capacity of 1,369,000 cubic metres of waste and is estimated to have a remaining landfill life of approximately 20.7 years. The City recognizes a future liability for closure and post-closure care costs. Based on historical post closure costs for Marsh and an estimated annual inflation rate of 2%, an amount is estimated at December 31, 2012 for the current year post-closure liability of both sites in the amount of \$2,166,417 (2011 - \$2,144,527) and has been accrued in the consolidated financial statements. Based on a 35 year liability assumption, the total estimated future expenditures for post-closure of both Merrick and Marsh landfill is \$5,667,068 (2011 - \$5,584,640) of which \$3,500,651 (2011 - \$3,414,218) represents the amount of Merrick site future post-closure liability yet to be accrued.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 7. Net long-term liabilities:

- a) The balance of net long-term liabilities reported on the Consolidated Statement of Financial Position is made up of the following:

	2012	2011
Debentures (i)	\$ 40,146,817	\$ 36,192,450
Term loans (ii)	12,500,000	14,000,000
Hospital commitment (iii)	9,294,984	9,712,249
<b>Total net long-term liabilities (iv)</b>	<b>\$ 61,941,801</b>	<b>\$ 59,904,699</b>

- (i) The debentures bear interest at rates of 1.7% to 6.35%, repayable in annual principal payments of \$4,255,000 (2011 - \$4,608,000) and semi-annual principal payments of \$435,650 (2011 - \$435,650) and monthly principal payments of \$81,667 (2011 - \$Nil) plus interest, maturing in October 2013 to December 2027.
- (ii) The term loans bear interest at rates of 2.85% to 4.61%, repayable in semi-annual principal payments of \$200,000 (2011 - \$200,000) and quarterly principal payments of \$275,000 (2011 - \$275,000) plus interest, maturing in December 2018 to December 2019.
- (iii) During 2003, the City passed a resolution committing to pay \$1,000,000 per year for 20 years to the North Bay Regional Health Centre capital project. As at December 31, 2006, a formal agreement was executed which became effective when the construction tender for the new hospital was awarded. In 2007, the City made the first of 20 annual payments. Based on municipal borrowing rates of 6% for a 20 year debenture, the present value of the remaining 14 payments of \$1,000,000 is \$9,294,984.
- (iv) Total 2012 principal payments for long-term liabilities totalled \$7,762,898 (2011 - \$7,285,632).

- b) The aggregate maturities of the net long-term liabilities are as follows:

	2012	2011
2013	\$ 8,048,601	\$ 7,599,565
2014	7,766,139	7,068,601
2015	7,343,519	6,786,139
2016	6,737,788	6,363,519
2017	6,237,395	5,757,788
2018 thereafter	25,808,359	26,329,087
<b>Total net long-term liabilities</b>	<b>\$ 61,941,801</b>	<b>\$ 59,904,699</b>

The repayments are summarized as follows:

From municipal revenues	\$ 47,889,451	\$ 46,413,399
From user fees	14,052,350	13,491,300
<b>Total net long-term liabilities</b>	<b>\$ 61,941,801</b>	<b>\$ 59,904,699</b>

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 7. Net long-term liabilities (continued):

The repayments to be funded by municipal revenues include \$9,294,984 for the discounted hospital commitment noted in part 7a). The requirement to be funded through user fees include a current \$7,350,000 debenture for the water filtration plant that will be recovered from a water filtration plant surcharge over the next 16 years. The water filtration surcharge will equal up to a maximum of principal debenture plus interest.

- c) The long-term liabilities reported in 7a), issued in the name of the City, have been approved by municipal by-law. The annual principal and interest payments required to service these liabilities are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing.

## 8. Interest on long-term liabilities:

Total interest charges for the year on long-term liabilities reported on the Consolidated Statement of Operations are as follows:

	2012	2011
General government	\$ 13,160	\$ 20,622
Protection services	57,904	19,726
Transportation services	842,419	823,340
Engineering and environmental services	518,229	477,698
Community services	582,735	596,354
Recreation and cultural services	279,117	271,406
Planning and development	52,543	137,066
<b>Total interest payments</b>	<b>\$ 2,346,107</b>	<b>\$ 2,346,212</b>

Interest includes accruals on long-term liabilities outstanding in the amount of \$153,945 (2011 - \$213,492).

## 9. Accumulated surplus:

	2012	2011
Investment in tangible capital assets	\$ 502,351,397	\$ 492,324,772
General surplus	18,212,987	18,969,258
Reserve funds	22,945,628	20,743,862
Equity in government business enterprises	51,497,323	49,699,374
Amounts to be recovered:		
Post employment benefits and other liabilities	(13,233,153)	(12,989,052)
Landfill closure and post-closure liabilities	(2,166,417)	(2,144,527)
Hospital commitment	(9,294,984)	(9,712,249)
Debt for tangible capital assets	(52,646,817)	(50,192,450)
<b>Accumulated surplus, end of year</b>	<b>\$ 517,665,964</b>	<b>\$ 506,698,988</b>

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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## 10. Pension agreements:

The City makes contributions to the Ontario Municipal Employees Retirement Fund ("OMERS"), which is a multi-employer pension plan, on behalf of all permanent, full-time and qualifying part-time members of its staff. The plan is a defined benefit plan, which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. The Administration Corporation Board of Directors, representing plan members and employers, is responsible for overseeing the management of the pension plan, including investment of the assets and administration of the benefits. OMERS provides pension services to more than 429,000 active and retired members and approximately 947 employers.

Each year an independent actuary determines the funding status of OMERS Primary Pension Plan ("the Plan") by comparing the actuarial value of invested assets to the estimated present value of all pension benefits that members have earned to date. On December 31, 2012, the estimated accrued pension obligation for all members of the Plan was \$69,122 million (2011 - \$64,548 million). The Plan had an actuarial value of net assets at that date of \$59,368 million (2011 - \$57,352 million) indicating an actuarial deficit of \$9,924 million (2011 - \$7,290 million). Because OMERS is a multi-employer plan, any pension plan surpluses or deficits are a joint responsibility of Ontario municipal organizations and their employees. As a result, the City does not recognize any share of the OMERS pension surplus or deficit. Contributions made by the City to OMERS for 2012 were \$4,070,685 (2011 - \$3,590,864).

## 11. Commitments:

- a) In June 2010, the City entered into a new 10 year agreement in principle (including two five year optional extensions by mutual consent) with Miller Waste to operate the waste collection and recycling collection/processing programs. The agreement includes residential, ICI curb side and multi-residential services. The agreement also contains a performance bond for 100% of the annual value of the work should Miller be unable to fulfill the requirements of the contract.

In 2012 costs totaled \$989,542 (2011 - \$929,297) for waste collection and \$759,861 (2011 - \$717,848) for recycling.

- b) In September 2008, the City entered into a 10 year contract for the lease of property and building located at 112 Patton Street. Operating from this location is a recycling center processing recyclables collected from a provincially mandated blue box program.

In 2012, lease costs totaled \$93,874 (2011 - \$91,584).

- c) In the fall of 2010, the City tendered the operation of the City's Landfill operation. The City entered into a 5 year contract that included a 1 year option to extend the contract with Bruman Construction & Leasing on January 24, 2011.

In 2012 the contract costs to operate the landfill totaled \$949,318 (2011 - \$843,557).

- d) In 1990, the City entered into an agreement with the Physically Handicapped Adults Rehabilitation Association ("PHARA") to provide drivers for Para bus services. The agreement renews on a yearly basis unless one of the parties notifies the other of its intention not to renew the contract.

In 2012, contract costs totaled \$502,339 (2011 - \$480,281).

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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## 12. Contingent liabilities:

The City has been named in litigation matters, the outcome of which is not determinable and accordingly, no provision has been made for them in these financial statements. Should any loss result from these claims, that is not covered by insurance, such loss would be charged to operations in the year of resolution.

## 13. Environmental indemnities:

- a) During 2002, the City acquired 26 acres of former rail yards from the Canadian Pacific Railway ("Railway") on an "as is" basis, whereby both the City and the Railway will be responsible for any claims arising from the condition of the soils, until such time as the City leases or transfers the lands to a third party.

Five of these acres were transferred to a third party on February 17, 2006 and the City has given an indemnity for any soils claims arising therefrom. Payment in the amount of \$1,060,000 was received and a Certificate of Property Status and Record of Site Condition was filed with the Ministry of the Environment by the City's agent.

As for the balance of these lands, the City has remedied the lands according to the Risk Management Plan approved by the Ministry of Environment using Site Specific Risk Assessment criteria.

The Risk Management Plan includes a monitoring program to ensure that the site develops in compliance with clean up and/or proposed barriers from soil exposure risks and to determine how groundwater contamination may be evolving and migrating across the site over time. The clean up of diesel contaminated soils also has associated short-term monitoring requirements. Monitoring is also carried out on down gradient lands owned by the City including sediment sampling in Lake Nipissing.

The City may also have environmental liability related to a former industrial parcel on Memorial Drive known as the Kenroc site.

Monitoring costs in 2012 were \$18,062 (2011 - \$54,659) and data is summarized in annual reports provided to the Ministry of Environment.

- b) In 2003, the City sold land (Part of Parcel 2133 Widdifield and Ferris, Part of the Southern Half of Lot 18, Concession D, Being Part 12, Plan 36R City of North Bay) for use as a paved parking area and agreed to indemnify the purchaser from any claim or demand resulting from the presence of existing hydrocarbon materials identified by WESA dated October 2003 on the associated land. The agreement also commits the City to future costs of removing contaminants (if still present) due to sale of the land. The lands are below hydrocarbon levels specified by the Ministry of Environment's Table B Guidelines for Industrial/Commercial Lands on a stratified basis, understanding the intended use of the land as being paved parking. An environment liability could result if there is a change in land use.

An estimate of contingent liability is undeterminable and accordingly provisions have not been made for liabilities, if any, in these consolidated financial statements.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 14. Public liability insurance:

For the period of 2004 to 2007, the City was insured with the Ontario Municipal Insurance Exchange ("OMEX"), an insurance reciprocal whose members pool their insurance coverage. As a member of a reciprocal, the City agreed to assume a certain percentage of the entire group's liabilities and losses for the period of time that the City was a member. In the event that an annual premium funding becomes insufficient to cover claims and claim reserves, the reciprocal has the ability to re-assess each member to appropriately fund the difference. As the claims for the above-noted period are settled, the City may either incur new liabilities or receive refunds. In 2009, the City was assessed the sum of \$996,859 (2008 - \$273,297) to cover claims and claim reserves requested by OMEX. This liability is scheduled to be paid in January 2013. There is no additional liability or refund acknowledged for 2012.

## 15. Provincial offences act:

The Ministry of the Attorney General requires all municipal partners administering Provincial Offences Act to disclose in the year-end audited consolidated financial statements a note on the gross and net provincial offences revenues earned. The following table provides condensed financial information (on a cash basis) required by the terms in the Memorandum of Understanding (MOU) for its 2012 fiscal year with comparative 2011 figures:

	2012	2011
Revenues (net of refunds)	\$ 1,668,940	\$ 1,595,024
Year end accrual	45,555	13,157
	\$ 1,714,495	\$ 1,608,181
Expenses: Provincial charges	\$ 176,690	\$ 149,298
City operating	1,028,787	949,929
	\$ 1,205,477	\$ 1,099,227
Net revenue	\$ 509,018	\$ 508,954
Participating partners share	\$ 202,610	\$ 219,236
City of North Bay share	\$ 306,408	\$ 289,718

As per regulations, the City's consolidated statement of operations includes an accrual for POA receivables as at December 31, 2012 in the amount of \$307,129 (2011 - \$261,575). The calculation for collectible accounts receivables was estimated based on a five-year trend.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 16. Budget:

The Budget By-law adopted by Council for the 2012 year was not prepared on a basis consistent with that used to report actual results (Public Sector Accounting Standards). The budget was prepared on a modified accrual basis while Public Sector Accounting Standards now require a full accrual basis. The budget figures anticipated use surpluses accumulated in previous years to reduce current year expenses in excess of current year revenues to \$Nil. In addition, the budget expensed all tangible capital expenditures rather than including amortization expense. As a result, the budget figures presented in the consolidated statements of operations and change in net financial assets represent the financial plan adopted by council with adjustments as follows:

	2012	2011
Budget By-law for the year	\$ -	\$ -
Add: Debt principal repayments	6,916,288	6,820,946
Investment in tangible capital assets	35,071,647	28,777,814
Less: Net transfer to/(from) reserves	(2,046,428)	(1,660,825)
Budget surplus per statement of operations	\$ 39,941,507	\$ 33,937,935

## 17. Credit facility agreement:

The City has a credit facility agreement with a Canadian Financial Institution bearing interest at the bank's prime rate less 0.50%. The maximum draw under the terms of the operating line are \$12 million. At year-end the City has not utilized any amount under this credit facility.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 18. Tangible capital assets:

	Land & Land Improvements	Buildings	Vehicles	Machinery & Equipment	Computer Hardware & Software	Roads	Water & Sewer	Bridges & Structures	Leasehold Improvements	Work in Process	2012 Total
Cost, beginning of year	\$ 100,336,169	96,941,699	29,730,145	70,053,849	5,169,643	228,234,298	184,800,574	35,169,939	1,851,578	33,364,796	785,652,690
Additions during the year	1,113,536	9,350,905	3,283,634	2,113,988	551,421	4,526,006	2,108,688	-	-	8,785,468	31,833,646
Disposals during the year	-	-	(2,104,323)	(259,330)	(110,959)	(1,798,364)	(8,671)	-	-	-	(4,281,647)
Cost, end of year	101,449,705	106,292,604	30,909,456	71,908,507	5,610,105	230,961,940	186,900,591	35,169,939	1,851,578	42,150,264	813,204,689
Accumulated amortization, beginning of year	39,473,169	27,291,209	17,363,612	31,512,512	4,373,427	100,978,120	62,030,965	10,258,615	46,289	-	293,327,918
Amortization expense	3,386,310	2,350,124	2,111,416	3,477,120	485,497	6,802,822	2,539,587	-	46,289	-	21,199,165
Disposals during the year	-	-	(1,961,750)	(258,982)	(110,959)	(1,336,515)	(5,586)	-	-	-	(3,673,792)
Accumulated amortization, end of year	42,859,479	29,641,333	17,513,278	34,730,650	4,747,965	106,444,427	64,564,966	10,258,615	92,578	-	310,853,292
Net book value, beginning of year	60,863,000	69,650,490	12,366,533	38,541,337	796,216	127,256,178	122,769,609	24,911,324	1,805,289	33,364,796	492,324,772
Net book value, end of year	\$ 58,590,226	76,651,271	13,396,178	37,177,857	862,140	124,517,513	122,335,625	24,911,324	1,759,000	42,150,264	502,351,397

	Land & Land Improvements	Buildings	Vehicles	Machinery & Equipment	Computer Hardware & Software	Roads	Water & Sewer	Bridges & Structures	Leasehold Improvements	Work in Process	2011 Total
Cost, beginning of year	\$ 89,591,685	92,474,067	29,663,002	66,564,375	4,727,386	211,461,391	172,510,021	35,169,939	-	61,647,402	763,809,268
Additions during the year	11,170,484	4,472,225	1,372,017	3,724,679	553,027	20,448,256	14,075,520	-	1,851,578	(28,282,606)	29,385,180
Disposals during the year	(426,000)	(4,593)	(1,304,874)	(235,205)	(110,770)	(3,675,349)	(1,784,967)	-	-	-	(7,541,758)
Cost, end of year	100,336,169	96,941,699	29,730,145	70,053,849	5,169,643	228,234,298	184,800,574	35,169,939	1,851,578	33,364,796	785,652,690
Accumulated amortization, beginning of year	36,261,039	25,124,271	16,380,510	28,308,804	4,027,305	96,352,653	60,285,446	9,795,195	-	-	276,535,223
Amortization expense	3,318,630	2,169,150	2,062,888	3,371,822	456,892	6,368,019	2,511,587	463,420	46,289	-	20,768,697
Disposals during the year	(106,500)	(2,212)	(1,079,786)	(168,114)	(110,770)	(1,742,552)	(766,068)	-	-	-	(3,976,002)
Accumulated amortization, end of year	39,473,169	27,291,209	17,363,612	31,512,512	4,373,427	100,978,120	62,030,965	10,258,615	46,289	-	293,327,918
Net book value, beginning of year	53,330,646	67,349,796	13,282,492	38,255,571	700,081	115,108,738	112,224,575	25,374,744	-	61,647,402	487,274,045
Net book value, end of year	\$ 60,863,000	69,650,490	12,366,533	38,541,337	796,216	127,256,178	122,769,609	24,911,324	1,805,289	33,364,796	492,324,772

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Financial Statements

Year ended December 31, 2012

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## 19. Segmented information:

The City and associated local Agencies, Boards and Commissions provide a wide range of services to the citizens of the City. These services can be segmented as follows:

### a) General Government:

General Government consists of Office of the Mayor, Council, administrative services (including Clerks, elections, communications, legal and information technology services), Human Resources and financial departments. Areas within the General Government respond to the needs of external and internal clients by providing high quality, supportive and responsive services. This area supports the operating departments in implementing priorities of Council and provides strategic leadership on issues, relating to governance, strategic planning and service delivery.

### b) Protection Services:

Protection services is comprised mostly of fire and police services. Police services provides adequate and effective policing that meet the needs of the community in areas of: crime prevention, law enforcement, assistance to victims of crime, public order and emergency response. Fire Protection includes fire suppression, fire prevention, fire safety education, rescue and emergency services and the training of persons involved in the provision of these activities.

### c) Transportation Services:

Transportation services consists mainly of roadway systems, public transit and the parking authority. Roadways includes the maintenance and repair of the City's roads, sidewalks, drainage systems, traffic flow, street lights, as well as winter control (sanding, salting, snow plowing and removal). Public transit is responsible for the operation of a public transportation system including the maintenance and repairs of a fleet of transit buses. The parking department provides and manages public parking both on and off street and ensures that available parking spaces are shared between both long and short-term parkers to allow the greatest possible access for visitors to the central business district.

### d) Engineering and Environmental Services:

Environmental services consists of providing and maintaining: sanitary sewer systems, storm sewer systems, water systems, waste collection, waste disposal and recycling. This division ensures the supply and quality of the City's drinking water, processes and cleans sewage to meet all provincial standards and provides waste disposal and recycling services.

### e) Community Services:

Public health services works to improve the overall health of the population by providing various services to individuals and the community. Social and family services provides services that are meant to help the less fortunate in society. Social housing is provided to help shelter families and elderly in need. Childcare funding is provided to subsidize daycares and to provide early learning programs. The ambulance service transports the injured to the hospital and provides emergency medical care to those in need.

### f) Recreation and Cultural Services:

Recreation and culture services support and maintain (but are not limited to) community parks, recreational programs and the public library. Recreational and cultural programs include: festivals, beach facilities and various community events.

### g) Planning and Development:

Planning and development includes: planning, economic development and building departments. The planning department is responsible for the planning and review of property development plans and the City's future direction. Economic development generates opportunities in the community to strengthen the economic base of the City. The building department provides a number of services including enforcement of building and construction codes.

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

## 19. Segmented information:

	General Government	Protection	Transportation	Engineering & Environmental	Community Services	Recreation & Cultural	Planning & Development	2012 Total
<b>Revenues:</b>								
Taxation	\$ -	-	-	-	-	-	-	70,834,493
Other taxation	-	-	-	-	-	-	-	3,945,532
Fees and user charges	305,615	610,833	6,336,959	22,145,169	-	1,564,004	128,747	31,091,327
Grants and transfers	13,009	1,362,898	7,356,336	2,675,815	8,609,200	350,857	414,500	20,782,615
License, permits and rents	1,245,255	-	-	-	-	842,324	-	2,087,579
Investment income	2,436,608	-	-	-	-	11,949	-	2,448,557
Provincial offences	-	1,714,495	-	-	-	-	-	1,714,495
Other	2,720,577	334,851	1,291,349	1,735,133	-	569,338	272,426	6,923,674
Equity in Government Business Enterprise	-	-	-	-	-	-	-	2,416,623
	6,721,064	4,023,077	14,984,644	26,556,117	8,609,200	3,338,472	815,673	142,244,895
<b>Expenses:</b>								
Salary and benefits	2,829,860	29,435,536	10,959,890	7,898,124	-	6,810,389	1,254,533	59,188,332
Materials	441,277	2,741,221	8,080,524	5,783,553	-	3,194,887	732,482	20,973,944
Contracted services	1,174,702	1,617,045	1,955,883	4,293,777	-	916,034	219,754	10,177,195
Rents and financial	22,243	67,502	260,098	207,200	-	73,470	11,533	642,046
External transfers	-	512,808	-	-	15,282,684	324,334	1	16,119,827
Interest	13,160	57,904	842,418	518,229	582,735	279,118	52,543	2,346,107
Amortization	1,895,667	786,650	11,494,047	5,812,541	-	1,838,497	3,066	21,830,468
	6,376,909	35,218,666	33,592,860	24,513,424	15,865,419	13,436,729	2,273,912	131,277,919
<b>Net balance</b>	<b>\$ 344,155</b>	<b>(31,195,589)</b>	<b>(18,608,216)</b>	<b>2,042,693</b>	<b>(7,256,219)</b>	<b>(10,098,257)</b>	<b>(1,458,239)</b>	<b>10,966,976</b>

	General Government	Protection	Transportation	Engineering & Environmental	Community Services	Recreation & Cultural	Planning & Development	2011 Total
<b>Revenue:</b>								
Taxation	\$ -	-	-	-	-	-	-	68,294,856
Other taxation	-	-	-	-	-	-	-	3,998,226
Fees and user charges	329,374	395,514	4,303,038	21,026,574	-	1,411,871	140,635	27,607,006
Grants and transfers	28,864	1,461,660	7,970,197	3,740,530	8,568,700	3,213,902	388,956	25,372,809
License, permits and rents	1,302,017	-	-	-	-	743,675	-	2,045,692
Investment income	1,801,819	-	-	-	-	11,226	-	1,813,045
Provincial offences	-	1,608,181	-	-	-	-	-	1,608,181
Other taxation	1,724,492	141,994	2,811,930	940,553	-	592,336	105,134	6,316,439
Equity in Government Business Enterprise	-	-	-	-	-	-	-	3,518,947
	5,186,566	3,607,348	15,085,165	25,707,657	8,568,700	5,973,011	634,725	140,575,201
<b>Expenses:</b>								
Salary and benefits	2,582,925	27,767,812	10,591,074	7,203,774	-	6,461,930	1,229,345	55,836,860
Materials	280,570	2,906,353	11,038,861	6,304,862	-	3,384,736	698,797	24,614,179
Contracted services	943,285	1,404,186	2,178,122	5,800,354	-	772,777	260,619	11,359,343
Rents and financial	23,478	68,851	255,912	237,719	-	108,833	11,739	706,532
External transfers	-	522,363	-	-	14,948,357	308,945	-	15,779,665
Interest	20,622	19,726	823,340	477,698	596,354	271,406	137,066	2,346,212
Amortization	1,854,108	752,764	11,389,013	5,061,337	-	1,700,108	11,364	20,768,694
	5,704,986	33,442,054	36,276,323	25,085,744	15,544,711	13,008,735	2,348,931	131,411,485
<b>Net balance</b>	<b>\$ (518,420)</b>	<b>\$ (29,834,706)</b>	<b>\$ (21,191,158)</b>	<b>\$ 621,913</b>	<b>\$ (6,976,011)</b>	<b>\$ (7,035,724)</b>	<b>\$ (1,714,206)</b>	<b>9,163,716</b>

# CORPORATION OF THE CITY OF NORTH BAY

Notes to Consolidated Financial Statements

Year ended December 31, 2012

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## 20. Change in non-cash working capital:

	2012	2011
Taxes receivable	\$ 572,693	\$ (298,085)
Accounts receivable	4,754,194	2,320,712
Other financial assets	33,387	(70,595)
Accounts payable and accrued liabilities	(2,782,562)	807,299
Deferred revenue	142,468	(65,958)
Obligatory reserve fund	(393,328)	39,460
Other non-financial assets	(251,519)	(239,384)
	<u>\$ 2,075,333</u>	<u>\$ 2,493,449</u>

## 21. Comparative information:

The 2011 consolidated financial statements have been reclassified, where applicable, to conform to the presentation used in the current year. The changes do not affect prior annual surplus.

## City of North Bay

## Report to Council

**Report No:** CSBU 2013 - 55**Date:** June 21, 2013**Originator:** Peter Carello, Senior Planner, Current Operations**Subject:** Deeming By-Law Application by Mitchell Architects on behalf of Blanchfield Roofing Company Limited (1235 Brookes Street)**File No:** C00/2013/BY-LA/DEEMING/0001

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**RECOMMENDATION**

That Council adopts a Deeming By-law to deem Lots 47, 48, 49 & 50 of Registered Plan No. 75, not to be separate lots on a Registered Plan of Subdivision.

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**BACKGROUND**

An application has been received by Mitchell Architects on behalf of Blanchfield Roofing Company Limited to deem certain lots not to be separate lots on a Registered Plan of Subdivision. The Applicants are requesting the properties located at 1235 Brookes Street (see Schedule "A" attached hereto) be deemed to be a single property. Lots 47, 48, 49 & 50 on Plan 75 are occupied by a single detached dwelling, an industrial building and parking for both. The Applicants own all the subject properties and while the residential and industrial uses are not accessory to each other, they encroach over the existing property lines.

The Applicant is proposing to expand the industrial building located on Lots 49 & 50. This application was approved by the Committee of Adjustment in March 2013. The purpose of deeming the properties is to legalize the encroachment of the single detached dwelling over the property line between Lots 47 and 48. This encroachment is a long-standing situation.

Should the property owner wish to sell the uses separately in the future, they would be required to undergo an application for Consent to Sever from the Committee of Adjustment. The property lines could then be reestablished in a manner that reflects the best use of the properties at that time.

Section 50(4) of the Planning Act allows City Council to pass a by-law to designate or "deem" any Plan of Subdivision or part thereof that has been registered for eight years or more not to be a Plan of Subdivision. One of the purposes of a Deeming By-law is to allow a municipality to reconcile the arrangement, size and configuration of lots on a registered Plan of Subdivision with area zoning standards or other area registered Plans of Subdivision.

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The reconciliation of lot configuration can provide for proper and orderly development that will respect and reinforce the character of existing development in an area and that is consistent with the zoning standards applicable to the area and provides another measure to control development and the subdivision of land where circumstances have changed over time.

The subject request has been circulated for comment to all internal departments and external agencies that may have an opinion on this matter. No comments or concerns were received.

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### **OPTIONS / ANALYSIS**

#### Option 1:

To adopt a Deeming By-law in order to consolidate the properties into a single property unit.

#### Option 2:

Not to pass the Deeming By-law.

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### **RECOMMENDED OPTION**

That Council adopt a Deeming By-Law to deem Lots 47, 48, 49 & 50 of Registered Plan 75, not to be separate, transferrable lots on a Registered Plan of Subdivision.

The subject properties are now in common ownership, and the request to have the properties assembled to function as one entity, is reasonable.

The adoption of a Deeming By-Law in this instance will permit the Applicants to expand the industrial use of the subject property and legalize the encroachment of the single detached dwelling on the consolidated property that will meet all of the requirements of the City of North Bay's Zoning By-law and will be in character with other properties in the immediate area.

Respectfully submitted,



Peter Carello  
Senior Planner, Current Operations



Beverley Hillier, MCIP, RPP  
Manager, Planning Services

PC/dlb

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attach.

We concur in this report and recommendation.



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Peter Chirico  
Managing Director, Community Services



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Peter E.G. Leckie  
City Solicitor



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Jerry D. Knox  
Chief Administrative Officer



**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-158**

**BEING A BY-LAW TO CONFIRM PROCEEDINGS  
OF THE MEETING OF COUNCIL ON  
JUNE 17, 2013**

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

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

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

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on June 17, 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 2<sup>ND</sup> DAY OF JULY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

cc READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-159**

**A BY-LAW TO AUTHORIZE THE  
ASPHALT RESURFACING PROGRAM**

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

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

**AND WHEREAS** the Council passed Resolution 2013-383 at its meeting held Monday, June 17, 2013, authorizing the for the Engineering, Environmental & Works Department, being 2013 Capital Project No. 6101RD Asphalt Resurfacing Program, in the amount of \$2,300,000.00 and a 2013 Water and Sanitary Sewer Capital Budget Project No.6101WS in the amount of \$218,000.00, with a net debenture cost of \$2,518,000.00;

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

1. That the expenditure of \$2,518,000.00 for the Asphalt Resurfacing Program for the following be hereby authorized:

Construction Contract Roads	\$2,190,746.00
Construction contract Sewer and Water	207,619.00
Financing Costs	94,455.00
Administration and Overhead Costs	<u>25,180.00</u>
Net Amount to be Debentured	\$2,518,000.00

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 \$2,518,000.00 limited in this by-law.
3. Any promissory note(s) issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works in the amount of \$218,000.00 be funded first from the water and sanitary sewer rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work.
5. That the debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within ten (10) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as the principal and interest payments are not recovered from the water and sanitary sewer rates.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

cc READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO.2013-166**

**BEING A BY-LAW TO APPOINT ALL  
CONTRACT COMMISSIONAIRES AS  
BY-LAW ENFORCEMENT OFFICERS**

**WHEREAS** the Council passed Resolution 2013-\_\_\_\_\_ at its Meeting held Tuesday July 2<sup>nd</sup>, 2013 authorizing the appointing of all contract Commissionaires-Ottawa parking enforcement officers as by-law enforcement officers for the purpose of enforcing all City by-laws;

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

1. That all contract Commissionaires-Ottawa parking enforcement officers are appointed as by-law enforcement officers for the purpose of enforcing all City of North Bay by-laws, as directed by the By-Law Enforcement Coordinator.
2. This by-law shall come into force and effect upon being passed.

READ A FRIST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

PL

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-141**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE  
CERTAIN LANDS IN THE HIGHLAND WOODS SUBDIVISION FROM A  
"RESIDENTIAL THIRD DENSITY (R3)" ZONE TO A "RESIDENTIAL MULTIPLE  
SECOND DENSITY SPECIAL NO. 132 (RM2 SP.132)" ZONE**

**(899430 Ontario Inc. & 2142727 Ontario Inc. – Highland Woods)**

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

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

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

**AND WHEREAS** Council passed a resolution on July 2, 2013 to approve this rezoning.

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

- 1) Schedule "B-34" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is legally described as Parcel 8435 WF, Part Lot 18 Concession B Widdifield, Part 2 on Plan NR776, Except Part 1 on Plan 36R6773, Part 1 on Plan NR897, PIN No. 49133-0552 (LT), North Bay, District of Nipissing), along Airport Road and Golf Club Road in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)" zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.132:  
  
"11.2.132 "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)"

11.2.132.1 The property description of this "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)" is Parcel 8435 Widdifield, Part Lot 18 Concession B Widdifield, Part 2 on Plan NR776, except Part 1 on Plan 36R6773 and Part 1 on Plan NR897, PIN No. 49133-0552 (LT), along Airport Road and Golf Club Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-34".

11.2.132.2 The regulations for this "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)" are as follows:

i) ~~Minimum front yard setback shall be 4.5 metres~~

11.2.132.3 The use of land or building in this "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple Second Density Special No. 132 (RM2 Sp.132)" as shown on Schedule "B" to this By-law.
- 5)
  - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
  - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
  - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

**READ A FIRST TIME IN OPEN COUNCIL THE 2<sup>ND</sup> DAY OF JULY 2013.**

**READ A SECOND TIME IN OPEN COUNCIL THE 2<sup>ND</sup> DAY OF JULY 2013.**

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

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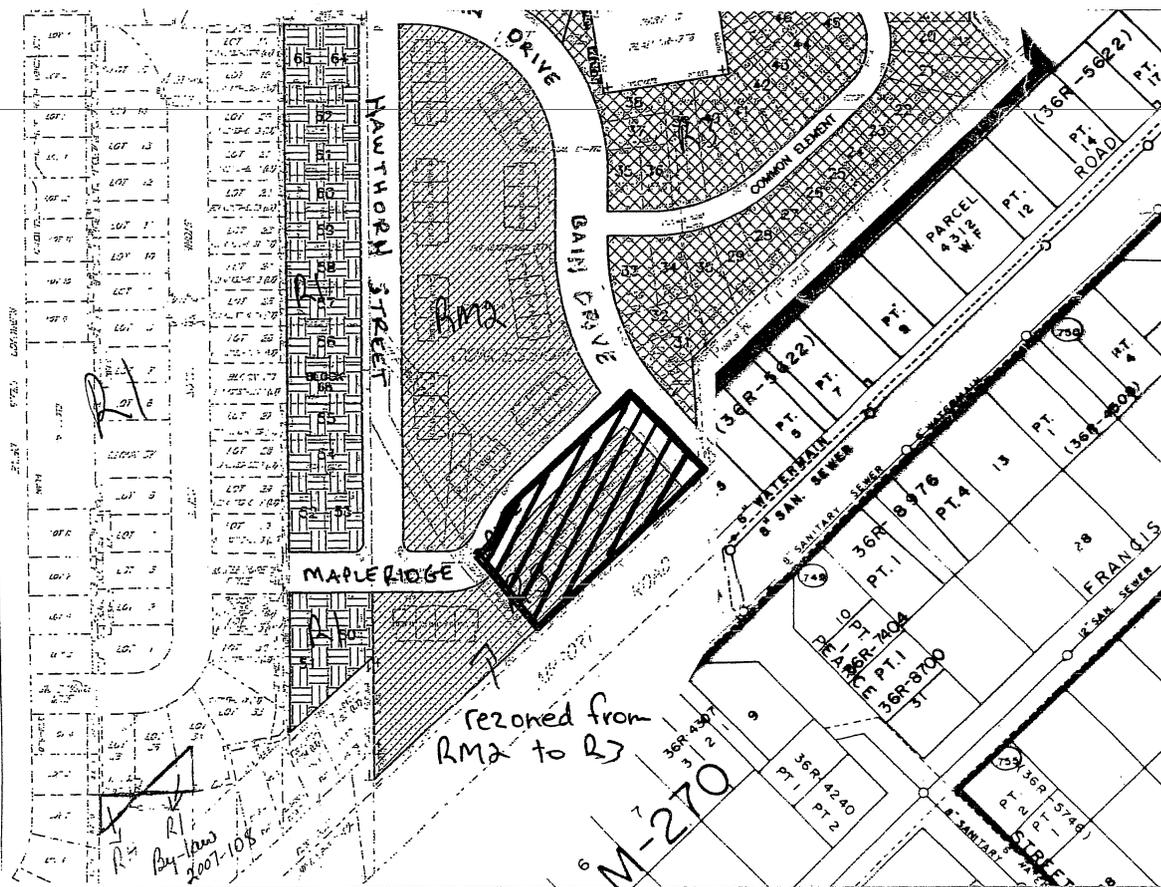
Mayor, Allan McDonald

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City Clerk, Catherine Conrad

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment  
From: "Residential Third Density (R3)"  
To: "Residential Multiple Second Density Special  
No.132 (RM2 Sp. 132)"

This is Schedule "B"  
To By-law No. 2013-141

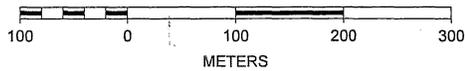
Passed the \_\_\_ day of \_\_\_\_\_ 2013

\_\_\_\_\_  
Mayor Allan McDonald

\_\_\_\_\_  
City Clerk Catherine Conrad



SCALE 1 : 5,344

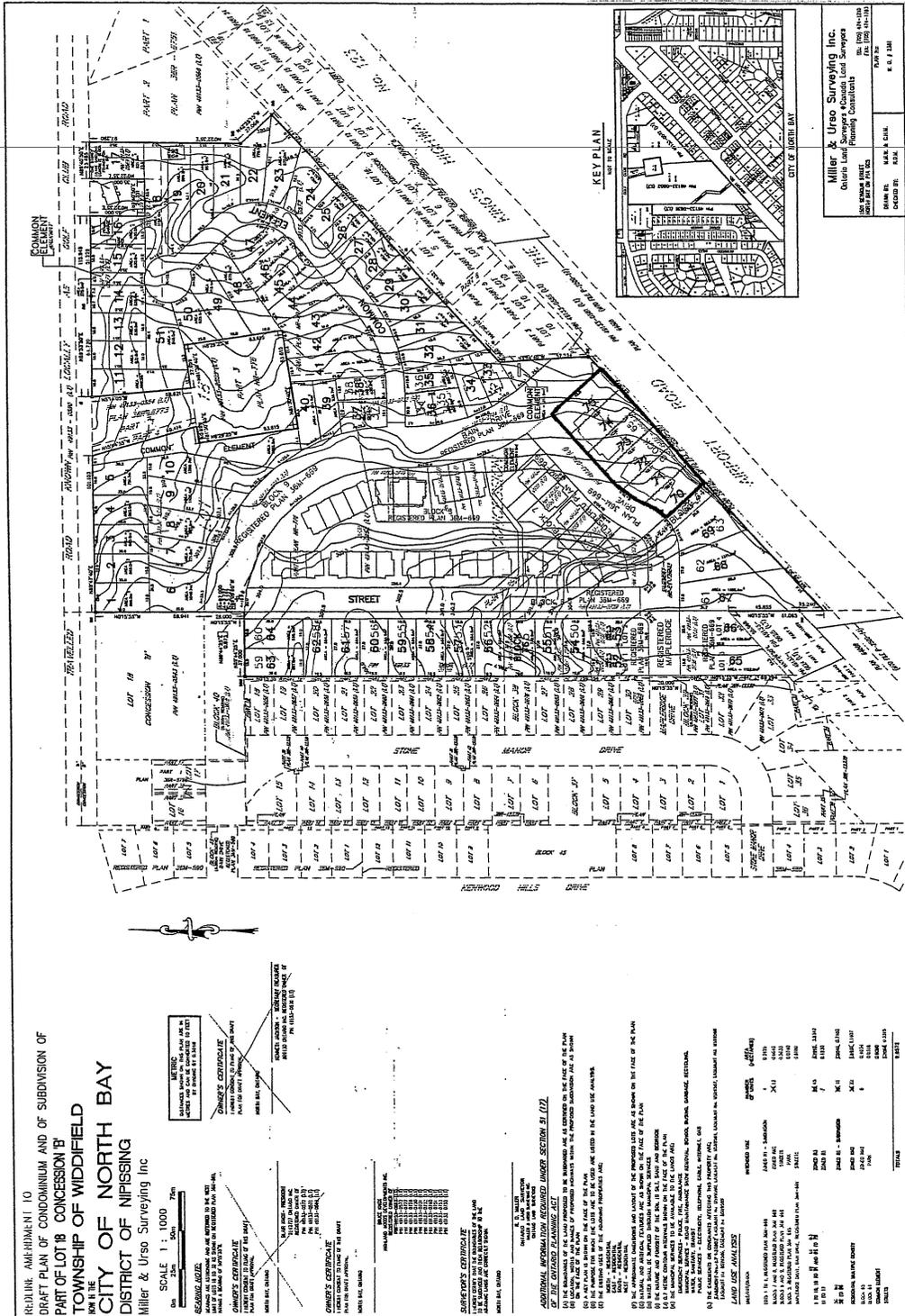


 Zoning By-law Amendment  
From: "Residential Third Density (R3)"  
To: "Residential Multiple Second Density Special  
No.132 (RM2 Sp. 132)"

Passed the \_\_\_ day of \_\_\_\_\_ 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



Zoning By-law Amendment  
 From: "Residential Third Density (R3)"  
 To: "Residential Multiple Second Density Special No.132 (RM2 Sp. 132)"

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-114**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE  
CERTAIN LANDS ON 528 FRONT STREET FROM A "NEIGHBOURHOOD  
COMMERCIAL (C5)" ZONE TO A "RESIDENTIAL THIRD DENSITY (R3)"  
ZONE**

**(Richard & Laura Gushulak – 528 Front Street)**

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

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

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

**AND WHEREAS** Council passed a resolution on July 2, 2013 to approve this rezoning.

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

- 1) Schedule "B-42" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Part of Lot 1, Plan 46, Being Part 1 on Plan 36R8713, PIN 49156-0468 (LT), City of North Bay, District of Nipissing) along Front Street in the City of North Bay from a "Neighbourhood Commercial (C5)" zone to a "Residential Third Density (R3)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Third Density (R3)" zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.
- 3)
  - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of Reg. 254/06, as amended.
  - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.

- c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

**READ A FIRST TIME IN OPEN COUNCIL THE 2<sup>ND</sup> DAY OF JULY 2013.**

**READ A SECOND TIME IN OPEN COUNCIL THE 2<sup>ND</sup> DAY OF 2013.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 2<sup>ND</sup> DAY OF JULY 2013.**

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Mayor, Allan McDonald

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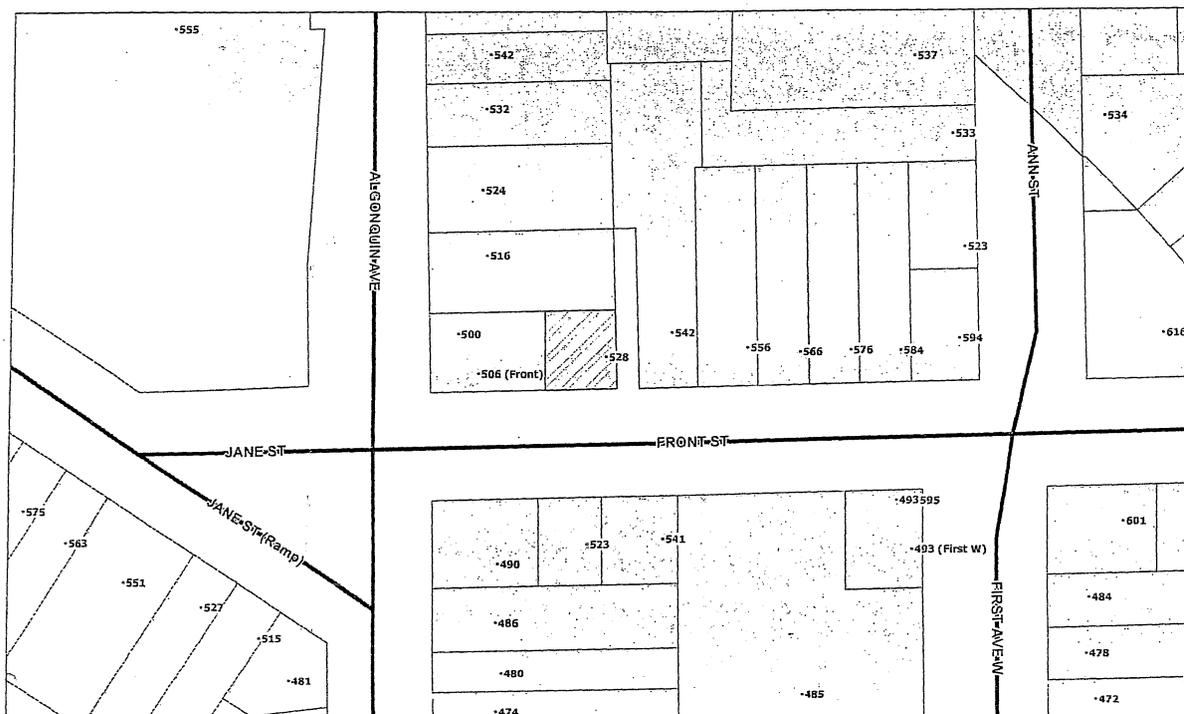
City Clerk, Catherine Conrad



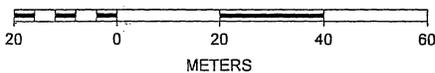
Passed the 2ND day of JULY 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,119



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 Zoning By-law Amendment  
From: "Neighbourhood Commercial (C5)"  
To: "Residential Third Density (R3)"

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-162**

**BEING A BY-LAW TO AUTHORIZE THE  
EXECUTION OF AN AGREEMENT WITH M.  
SULLIVAN & SON LIMITED RELATING TO  
RENOVATIONS AND ADDITION TO  
MEMORIAL GARDENS**

**WHEREAS** the Agreement with M. Sullivan & Son Limited for Renovations and Addition to Memorial Gardens was approved by Resolution No. 2013-152 passed by Council on the 4<sup>th</sup> day of March, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 30<sup>th</sup> day of April, 2013 with M. Sullivan & Son Limited relating to Renovations and Addition to Memorial Gardens.
2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and M. Sullivan & Son Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

cc  
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-163**

**BEING A BY-LAW TO AUTHORIZE THE  
EXECUTION OF AN AGREEMENT WITH SNC-  
LAVALIN INC. FOR THE PREPARATION OF  
AN AIR STUDY UPDATE FOR THE JACK  
GARLAND AIRPORT**

**WHEREAS** the Agreement with SNC-Lavalin Inc. for the preparation of an Air Study Update for the Jack Garland Airport was approved by Resolution No. 2013-338 passed by Council on the 21<sup>st</sup> day of May, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 29<sup>th</sup> day of May, 2013 with SNC-Lavalin Inc. for the preparation of an Air Study Update for the Jack Garland Airport.
  
2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and SNC-Lavalin Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-160

**BEING A BY-LAW TO AUTHORIZE CONNECTIONS TO A SEWERMAIN AND WATERMAIN AND IMPOSE A SEWER AND WATER CONNECTION CHARGE ALONG SURREY DRIVE IN THE CITY OF NORTH BAY (AND TO REPEAL BY-LAW 2013-124)**

**WHEREAS** Council deems its desirable to impose a water and sewer connection charge, pursuant to Section 391(2) of the *Municipal Act*, S.O. 2001, c.25, as amended, for the deferred benefit upon the owners of the lands on the north side of Surrey Drive described as Plan M312, Lot 81, Plan 312, Lot 82 and Plan M312, Lot 91 who connect to the sewermain and watermain installed on Surrey Drive at the expense of Laurentian Heights Limited, being the owner of the lands on the balance of the Surrey Drive, Phase 1 Subdivision.

**AND WHEREAS** the proposed sewer and water connection charge represents a per developed lot charge for the cost of the works as Certified by the City Engineer;

**AND WHEREAS** any funds collected hereunder have been agreed to be repaid to the builder of the subdivision, Laurentian Heights Limited, pursuant to Schedule "E" Section 3, of the Surrey Drive, Phase 1 Subdivision Agreement;

**AND WHEREAS** the owner of Plan M312, Lot 82 has paid the connection charge and therefore is no longer bound by the terms of this by-law.

**AND WHEREAS** by Resolution No. 2013-314 passed on May 13<sup>th</sup>, 2013, Council authorized a by-law to impose the sewer and water connection charge;

**AND WHEREAS** notice of the intention to impose the sewer and water connection charge has been mailed to the registered owners of Plan M312, Lot 81 and Plan M312, Lot 91;

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

1 In this By-Law:

- (a) "Capital costs" means the construction costs of constructing a sewermain and watermain on Surrey Drive inclusive of all items of costs chargeable to the capital account, together with appurtenances and connections and excluding any charge for engineering design, field inspection or project management.
- (b) "Sewermain" means the new sewermain built in phases from 2009 to 2013 within the Surrey Drive road allowance, together with all appurtenances connections laterals to the owner's side of the property line between each parcel and the road allowance.
- (c) "Watermain" means the new watermain built in phases from 2009 to 2013 within the Surrey Drive road allowance, together with all appurtenances connections laterals to the owner's side of the property line between each parcel and the road allowance.

2 (a) A sewer and water connection charge of \$40,157.76 is hereby levied and imposed on Plan M312, Lot 81 and a sewer and water connection charge of \$48,389.35 is hereby levied and imposed on Plan M312, Lot 91, as of and when the owner of the subject lands agrees in writing to connect to the watermain and sewermain on Surrey Drive, which sum is to be payable on or before such connection.

- (b) The connection cost shall be adjusted for inflation based upon the City's bank prime lending rate plus 1%, compounded annually, commencing January 1, 2010 for Plan M312, Lot 81 and January 1, 2014 for Plan M312, Lot 91.
  - (c) Any owner who elects in writing to pay the said sewer and water connection charge over a period of time shall pay the cost over a term not to exceed ten (10) years at an interest rate of the City's bank prime lending rate plus 1%, compounding annually.
- 3 The City Engineer of the City shall acquire and make available such plans, profiles and specifications and furnish such information as may be necessary for the making of the connection to the sewermain and watermain.
- 4 The works shall be carried out and executed in a good and workmanlike manner according to the directions and orders of the City Engineer.
- 5 Owners of Plan M312, Lot 81 and Plan M312, Lot 91 may connect to the sewermain and watermain for a payment in cash of the sewer and water connection charge imposed under Sections 2(a), and 2(b).
- 6
  - (a) The Chief Financial Officer shall take all such steps as are necessary to impose the charges set out herein, to determine the applicable charges for each property, to create a Special Sewer and Water Works Connection Charge Collectors Roll therefor, and the decision of the Chief Financial Officer shall be final and binding.
  - (b) The Chief Financial Officer shall act in good faith and may make such adjustments as may be required having regard to what is just and equitable.
  - (c) The Manager of Revenues and Taxation shall bill and collect such charges according to the installment schedule of the levy for interim and final municipal taxes for payment of the sewer and water connection charge if a property owner elects to defer payment in the manner referred to in Section 2(c).
  - (d) The Clerk, shall upon notice from the City Treasurer of the amount due and the person by whom it is due and of the lands upon which the sewer and water connection charge applies, enter any such unpaid amounts as referred to in Section 2(c) upon the Collector's Roll and collect them in the same manner as taxes.
  - (e) All sewer and water connection charges referred to in Section 2(c) shall be subject to a percentage charge payable by the property owner as a penalty for non-payment of any part thereof of one and one-quarter percent (1.25%) on the first day of the calendar month immediately following the due date and on the first day of each calendar month thereafter in which default continues.
- 7
  - (a) Any funds received hereunder with the exception of penalty charges referred to in Section 6 (e) shall be forwarded within sixty (60) days to Laurentian Heights Limited after payment through a service contract as part of the building permit process.
  - (b) If an owner elects to defer payment as referred to in Section 2(c) then the Chief Financial Officer shall forward the principal amount of such deferred payment to Laurentian Heights Limited after payment through a service contract as part of the building permit process.
- 8 This by-law shall be in force and effect for 75 years from the day of being passed.

9 That By-Law 2013-124 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>nd</sup> DAY OF JULY, 2013

READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>nd</sup> DAY OF JULY, 2013

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup>  
DAY OF JULY, 2013.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-164**

**BEING A BY-LAW TO AUTHORIZE THE  
EXECUTION OF AN AGREEMENT WITH  
BATTANO CONSTRUCTION LTD. RELATING  
TO CURB AND SIDEWALK REPLACEMENTS**

**WHEREAS** the Agreement with Battano Construction Ltd. for Curb and Sidewalk Replacements as requested until October 31, 2013 was approved by Resolution No. 2013-366 passed by Council on the 3<sup>rd</sup> day of June, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 12<sup>th</sup> day of June, 2013 with Battano Construction Ltd. relating to Curb and Sidewalk Replacements as requested until October 31, 2013.
2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Battano Construction Ltd. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

*ce*

READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-167**

**BEING A BY-LAW TO AUTHORIZE THE  
EXECUTION OF AN AGREEMENT WITH  
LAFARGE CANADA INC. RELATING TO THE  
SUPPLY OF READY MIX CONCRETE**

**WHEREAS** the Agreement with Lafarge Canada Inc. for the supply of Ready Mix Concrete was approved by Resolution No. 2013-278 passed by Council on the 29<sup>th</sup> day of April, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 30<sup>th</sup> day of April, 2013 with Lafarge Canada Inc. relating to the supply of Ready Mix Concrete.
2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Lafarge Canada Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

*cc* READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2013-168**

**BEING A BY-LAW TO AUTHORIZE THE  
EXECUTION OF AN AGREEMENT WITH  
MILLER PAVING NORTH BAY A DIVISION  
OF MILLER PAVING LIMITED RELATING TO  
ASPHALT CONCRETE PAVEMENT PATCHING**

**WHEREAS** the Agreement with Miller Paving North Bay a Division of Miller Paving Limited for Asphalt Concrete Pavement Patching was approved by Resolution No. 2013-279 passed by Council on the 29<sup>th</sup> day of April, 2013;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 10<sup>th</sup> day of April, 2013 with Miller Paving North Bay a Division of Miller Paving Limited for Asphalt Concrete Pavement Patching.
2. The Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Miller Paving North Bay a Division of Miller Paving Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 2<sup>ND</sup> DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 2<sup>ND</sup> DAY OF JULY, 2013.

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MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD