



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

**Meetings For The Week of  
Tuesday, May 07, 2019**

Tuesday, May 7, 2019

5:30 p.m.

Council Education Session - Asset  
Management  
5th Floor Boardroom

7:30 p.m.

Regular Meeting of Council

# **Regular Meeting of Council held**

## **Tuesday, May 07, 2019**

### **Declaration of Pecuniary Interest and the General Nature Thereof:**

#### **Public Presentations:**

Hariett Madigan/Peter Chirico/Katie Bevan	re North Bay Clean-Green-Beautiful Initiative
Dr. Jim Chirico/Stephanie Lachapelle	re Smoke Free Ontario <i>Act</i>

#### **Public Meeting Minutes:**

Thursday, April 18, 2019  
Tuesday, April 23, 2019

#### **Committee Reports:**

General Government Committee Report No. 2019-08

#### **Correspondence:**

1. Report from Ron Melnyk dated April 15, 2019 re On-Street Parking By-Law No. 2014-37, Updates to Various Schedules (SIRE/C01/2019/BYLAW/ONSTREETPARKING).
2. Report from Bryan Kimber dated April 24, 2019 re 2019 Armed Forces Appreciation Day (SIRE/M02/2019/SPECI/ARMEDFORCES).
3. Report from Peter Carello dated April 30, 2019 re Final Approval of a Draft Plan of Condominium and Condominium Agreement (File No. 48CDM-10101) - 2146552 Ontario Inc. - Wallace Road (SIRE/D07/2017/2146552/WALLACE).
4. Report from Mary-Ann Kotylak dated April 30, 2019 re Purchasing By-Law No. 2013-200 (SIRE/C01/2019/BYLAW/PURCHASING).
5. Report from Mary-Ann Kotylak and Karin Pratte dated April 30, 2019 re Request for Quotation 2019-35, Landfill Chipping and Grinding Services (SIRE/F18/2019/TENDER/GENERAL).
6. Report from Mary-Ann Kotylak and Reid Porter dated April 30, 2019 re Tender 2019-46, Asphalt Resurfacing (SIRE/F18/2019/TENDER/GENERAL).
7. Report from David Euler dated May 2, 2019 re Community Energy Park (SIRE/F05/2019/NBHS/CEP).

## **By-Laws for Consideration:**

First, second and third readings:

By-Law No. 2019-38 to rezone certain lands on Beattie Street (Rick Christianson - 890 Beattie Street).

By-Law No. 2019-41 to authorize the execution of a Condominium Agreement with 2146552 Ontario Inc. - Wallace Road.

## **Motions:**

Councillor Tignanelli  
Councillor Tignanelli

re Smoking By-Law Amendment  
re Amendments to Business  
Licensing By-Law  
re Casual Wear Months

## **Motion to Adjourn In-Camera:**

## **In-Camera Correspondence:**

8. ***Confidential*** report from Karen McIsaac dated April 8, 2019 re Personnel Matter.
9. ***Confidential*** report from Peter Leckie dated April 29, 2019 re Proposed disposition of land by the Municipality.
10. ***Confidential*** report from Lea Janisse dated April 26, 2019 re Personnel Matter.

## **Closed Minutes:**

Tuesday, April 23, 2019

## **Motion to Reconvene:**

## **Motion for Reconsideration:**

## **Giving Notice:**

## **Confirmatory By-Law:**

First, second and third readings:

By-Law No. 2019-37 to confirm proceedings of the Regular Meeting of Council held on May 7, 2019.

**Adjournment:**

**Minutes of the Education Session  
of City Council  
Held Thursday, April 18, 2019**

**Present:**

Mayor McDonald (10:17 a.m. to 11:16 a.m.), Councillors T. Vrebosch, B. Vrebosch, Bain, Tignanelli (9:00 a.m. to 9:51 a.m.), Mayne (9:00 a.m. to 10:45 a.m.), Mendicino, Robertson, Brousseau.

**Staff Present:**

D. Euler, L. Janisse, M. Karpenko, I. Kilgour, P. Leckie, K. McIsaac, J. Severino, J. Whiteley, G. Young.

**Guest:**

Guy Giorno, City of North Bay's Integrity Commissioner – via Skype

Deputy Mayor Tanya Vrebosch called the Education Session of Council to order at 9:00 a.m.

**Item Discussed:** Members' Responsibilities: Code of Conduct and Municipal Conflict of Interest Act – copy of Presentation provided.

Res #2019-155: Moved by Councillor Bain, Seconded by Councillor Mendicino  
That this Education Session of Council do now adjourn at  
11:16 a.m.

"Carried"

---

Mayor Allan McDonald

---

City Clerk Karen McIsaac

**Minutes of the Regular Meeting  
of City Council  
Held Tuesday, April 23, 2019**

**Present:**

Mayor McDonald, Councillors T. Vrebosch, B. Vrebosch, King, Bain, Tignanelli, Anthony, Mayne, Mendicino, Robertson, Brousseau

**Public Presentations:**

Jordan Mino	re Accessibility Issues and Needs for Arenas
Daniel Selin	re Ice Pads/Senior Citizens Needs for Recreation
Dave Saad	re Community Centre
Mike Finner	re Community Centre
Heather Chambers	re Community Centre
Miles Peters	re Community Centre

**Correspondence:**

Miller & Urso Surveying Inc. on behalf of BBC Holdings Inc.	re Rezoning application – Larocque Road	(168)
---	---	-------

**Reports from Officers:**

Curran, A.	re Review and Update – City of North Bay Zoning By-Law No. 2015-30	(162)
Franks, S.	re Request for Quote 2019-25, Haulage Services	(163)
Gauthier, M.	re 2019 Assessment Analysis and Tax Policy Review	(160)
Hillier, B.	re Staff Appointments under Building By-Law No. 2018-53	(159)
Jackowski, D.	re Request for Quote 2019-05, Renovations to Pete Palangio Arena Building Envelope	(165)
Kotylak, MA.	re Request for Quote 2019-25, Haulage Services	(163)
Kotylak, MA.	re Request for Quote 2019-06, Towing Services	(164)
Kotylak, MA.	re Request for Quote 2019-05, Renovations to Pete Palangio Arena Building Envelope	(165)
Kotylak, MA.	re Contract for the Supply of Water Treatment Corrosion Control Additive	(166)
Leckie, P.	re City of North Bay – Insurance Policy Renewal	(167)
Ouellette, J.	re Request for Quote 2019-06, Towing Services	(164)
Pratte, K.	re 2018 North Bay Drinking Water System Annual, Summary Report and Drinking Water Quality Management Standard (DWQMS) Management Review	(161)
Pratte, K.	re Contract for the Supply of Water Treatment Corrosion Control Additive	(166)
Severino, J.	re Funding – North Bay Jack Garland Airport Runway Rehabilitation	(169)

Res. #2019-156 Moved by Councillor Bain, seconded by Councillor King  
That minutes for the public meetings held on:

- Tuesday, April 9, 2019; and
- Tuesday, April 16, 2019

be adopted as presented.

"Carried"

Res. #2019-157: Moved by Councillor Brousseau, seconded by Councillor Robertson  
That Community Services Committee Report No. 2019-05 relating to:

- Municipal Accessibility Advisory Committee

be adopted as presented.

"Carried"

**Community Services Committee Report No. 2019-05**

April 23, 2019

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2019-05 and recommends:

1. That 1) the 2018 Municipal Accessibility Advisory Committee Annual Report be noted and filed; and
- 2) the Municipal Accessibility Advisory Committee be thanked for their work.

All of which is respectfully submitted.

Assents  
Brousseau  
Robertson  
Mendicino  
Mayor McDonald

Dissents

Res. #2019-158(a): Moved by Councillor Brousseau, seconded by Councillor Robertson  
That Community Services Committee Report No. 2019-06 relating to:

- 2019 Multi-Use Recreational Feasibility Study (MURF)

be adopted as presented.

"Carried as Amended"

**Community Services Committee Report No. 2019-06**

April 23, 2019

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The Community Services Committee presents Report No. 2019-06 and recommends:

- "That 1) staff be directed to initiate a Request for Proposal (RFP) process to select the architectural and engineering firm(s) to assist in:
- (a) completing a detailed cost analysis of environmental, geotechnical, parking and traffic impacts of locating a new double ice pad Community Centre at Memorial Gardens/Thompson Park versus 1105 Lakeshore Drive, adjacent to the Omischl Sports complex; and
  - (b) to prepare for the preferred site, the design, tendering and inspection during construction and commissioning of a new double ice pad Community Centre;
- 2) staff be directed to seek Council approval of a preferred site prior to initiating the final design;
- 3) staff be directed to seek Council approval of the final design prior to the tendering and construction phases of the project; and
- 4) staff be directed to identify to Council the estimated future financial impacts of operations of a new Community Centre."

All of which is respectfully submitted.

Assents  
Brousseau  
Robertson  
Mendicino  
Mayor McDonald

Dissents

Res. #2019-158(b): Moved by Councillor B. Vrebosch, seconded by Councillor T. Vrebosch That Community Services Committee Report No. 2019-06 be amended as follows:

Paragraph 1 (a) and (b) be deleted and the following be inserted in lieu thereof:

- "That 1) Council identify Omischl Sports Complex as the preferred site for the new double pad Community Centre and staff be directed to initiate a Request for Proposal process to select the architectural and engineering firms to assist in:
- (a) completing a detailed cost analysis of environmental, geotechnical, parking and traffic impacts of locating a new double ice pad adjacent to the Omischl Sports complex; and
  - (b) Staff be directed to prepare for the preferred site, the design, tendering and inspection during construction and commissioning of a new double ice pad Community Centre;
- 2) Paragraph 2 be deleted."



Record of Vote (*Upon request from Councillor Brousseau*)

Yeas: Councillors Anthony, B. Vrebosch, King, Robertson, Mayne, T. Vrebosch

Nays: Councillors Brousseau, Mendicino, Bain, Tignanelli, Mayor McDonald

"Carried"

Res. #2019-159: Moved by Councillor Brousseau, seconded by Councillor Robertson That Schedule E of By-Law No. 2018-53, as contained in Appendix "A" attached to Report to Council CSBU 2019-10 dated April 10, 2019 from Beverley Hillier, be amended to confirm the appointment of Brittany Marsden as Building Inspector and Property Standards Officer for the City of North Bay.

"Carried"

Res. #2019-160: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That the 2019 Assessment Analysis and Tax Policy Review, Report to Council CORP 2019-56 dated April 16, 2019 from Marc Gauthier be referred to the General Government Committee.

"Carried"

Res. #2019-161: Moved by Councillor Mayne, seconded by Councillor Anthony That Report to Council EESW 2019-05 dated April 15, 2019 from Karin Pratte relating to the 2018 North Bay Drinking Water System Annual, Summary Report and Drinking Water Quality Management Standard (DWQMS) Management Review for the North Bay Drinking Water System be received for information purposes.

Record of Vote (*Upon request from Councillor Bain*)

Yeas: Councillors Bain, Tignanelli, Robertson, Anthony, Mendicino, Brousseau, T. Vrebosch, King, B. Vrebosch, Mayne, Mayor McDonald

Nays: Nil

"Carried"

Res. #2019-162: Moved by Councillor Brousseau, seconded by Councillor Robertson That Report to Council CSBU 2019-12 dated April 11, 2019 from Adam Curran re Review and Update – City of North Bay Zoning By-Law No. 2015-30 be referred to the Community Services Committee for a Public Meeting under the *Planning Act*.

"Carried"

Res. #2019-163: Moved by Councillor Mayne, seconded by Councillor Anthony That City Council approve the award of a contract to 1686250 Ontario Inc., 1938409 Ontario Ltd., Anderson Trucking, Bruman Construction Inc., and Kinetic Construction for summer and winter haulage services based on the unit rates specified in their bids for Request for Quote 2019-25, for a term of one (1) year.

"Carried"

Res. #2019-164: Moved by Councillor Mayne, seconded by Councillor Anthony  
That City Council approve the award of a contract to 1450384 Ontario Inc. operating as A&S Towing, based on the unit rates specified in their bid for Request for Quote 2019-06 for the provision of Towing Services, for a term of two (2) years, and an option in favour of the City to extend the agreement for one (1) additional year.

“Carried”

Res. #2019-165: Moved by Councillor Mayne, seconded by Councillor Anthony  
That City Council approve the award of a contract to Venasse Building Group Inc. in the amount of \$160,000.00 (plus HST), for renovations to the Pete Palangio Arena Building Envelope.

“Carried”

Res. #2019-166: Moved by Councillor Mayne, seconded by Councillor Anthony  
That City Council approve the award of a contract to Environor Inc. based on the unit rates negotiated for the provision of ENV CORTROL MAX for a term of three (3) years, with an option in favour of the City to extend the agreement for two (2) additional terms of one (1) year each.

Record of Vote (*Upon request from Councillor Bain*)

Yeas: Councillors Bain, Anthony, Robertson, Mendicino, T. Vrebosch, Mayne, Brousseau, King, B. Vrebosch, Tignanelli, Mayor McDonald

Nays: Nil

“Carried”

Res. #2019-167: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch  
That Council approve the renewal of the insurance program with Frank Cowan Company Limited, in partnership with Kennedy Insurance Brokers Inc., for comprehensive general insurance with a renewal premium of \$967,203.00 (plus HST), for the term May 1, 2019 to May 1, 2020 and approve the addition of cyber liability and security breach coverage for an additional premium amount of \$34,270.00 (plus HST) through Beazley Canada (Lloyds).

“Carried”

Res. #2019-168: Moved by Councillor Brousseau, seconded by Councillor Robertson  
That the rezoning application by Miller & Urso Surveying Inc. on behalf of BBC Holdings Corp. – Larocque Road be received and referred to the Community Services Committee for a Public Meeting.

Mayor McDonald declared a conflict of interest as he owns property on Larocque Road.

“Carried”

Res. #2019-169: Moved by Councillor Mayne, seconded by Councillor Anthony  
That Council approve an increase to Capital Project 6451AT – North Bay Jack Garland Airport (NBJGA) 2019 On-going by \$1,200,000.00 to allow for the rehabilitation of North Bay Jack Garland Airport’s crosswind runway 18-36 and be funded as outlined in Report to Council EESW 2019-07 dated April 17, 2019 from John Severino.

“Carried”

Res. #2019-170: Moved by Councillor Brousseau, seconded by Councillor Robertson  
That the following by-laws be read a first and second time:

By-Law No. 2019-13 to provide for the levy and collection of special charges in respect of certain Business Improvement Areas.

By-Law No. 2019-34, being a by-law to amend By-Law No. 2018-53 (a by-law to regulate the administration of Building Permits).

“Carried”

Res. #2019-171: Moved by Councillor Brousseau, seconded by Councillor Robertson  
That the following by-laws be read a third time and passed:

By-Law No. 2019-13 to provide for the levy and collection of special charges in respect of certain Business Improvement Areas.

By-Law No. 2019-34, being a by-law to amend By-Law No. 2018-53 (a by-law to regulate the administration of Building Permits).

“Carried”

Res. #2019-172: Moved by Councillor Mayne, seconded by Councillor Anthony  
Whereas Jack Burrows, the former Mayor of North Bay, played a leadership role in the creation of the North Bay Community Waterfront Park on the former rail lands;

And Whereas that facilitated the successful completion of the North Bay Community Waterfront Park, the restoration of the former CP Rail Station and the creation of a public plaza in front of the former train station.

Therefore Be It Resolved in appreciation of those efforts the Council of The City of North Bay requests staff prepare a Report to Council towards naming the plaza in front of the train station as “Jack Burrows Civic Plaza.

Record of Vote (*Upon request from Councillor Mayne*)

Yeas: Councillors Mayne, Mendicino, B. Vrebosch, T. Vrebosch, Tignanelli, Brousseau, Bain, Anthony, Robertson, King, Mayor McDonald

Nays: Nil

“Carried”

Res. #2019-173: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch  
Whereas public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Ontario;

And Whereas these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees from provincial and municipal governments and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens;

And Whereas it is in the public interest for the citizens, civic leaders and children in Canada to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities;

And Whereas the year 2018 marks the 58<sup>th</sup> annual National Public Works Week sponsored by the American Public Works Association and Canadian Public Works Association.

Therefore Be It Resolved that the Mayor and the Council of City of North Bay do hereby designate the week May 19–25, 2019 as National Public Works Week and urge all people to join with representatives of the Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting national health, safety, and quality of life.

“Carried”

Res. #2019-174: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act*, 2001, as amended, at 8:34 p.m. for the following reasons:

Item #12, being a personal matter about an identifiable individual; and  
Item #13, being litigation affecting the Municipality.

“Carried”

Res. #2019-175: Moved by Councillor T. Vrebosch seconded by Councillor B. Vrebosch That Council reconvene at 9:06 p.m.

“Carried”

Res. #2019-176: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That the following by-law be read a first and second time:

By-Law No. 2019-33 to confirm proceedings of the Regular Meeting of Council held on April 23, 2019.

“Carried”

Res. #2019-177: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That the following by-law be read a third time and passed:

By-Law No. 2019-33 to confirm proceedings of the Regular Meeting of Council held on April 23, 2019.

“Carried”

Res. #2019-178: Moved by Councillor Bain, seconded by Councillor Tignanelli That this Regular Meeting of Council do now adjourn at 9:07 p.m.

“Carried”

**General Government Committee Report No. 2019-08**

May 7, 2019

To The Council  
Of The Corporation  
Of The City Of North Bay

Your Worship and Councillors:

The General Government Committee presents Report No. 2019-08 and recommends:

**Recommendations summarized:**

**1) Tax Ratios**

That Council adopts the 2019 Tax Policy recommendations as follows:

That the 2019 tax ratios remain at the 2018 levels with the required adjustment to Multi-Residential as follows:

New Multi-Residential	- 1.0000	Pipeline	- 1.1656
Multi-Residential	- 2.0000	Farmland	- 0.1500
Commercial	- 1.882200	Managed Forest	- 0.2500
Industrial	- 1.4000		

**2) Tax Reductions for Mandated Subclasses of Vacant Land/Units - (Commercial/Industrial)**

That the 2019 Vacant Commercial and Industrial Subclass Reduction By-Laws be prepared with the uniform rate of 30% and that a review of the Vacancy rebate program be undertaken.

All of which is respectfully submitted.

	Assents	Dissents
T. Vrebosch	_____	_____
B. Vrebosch	_____	_____
King	_____	_____
Bain	_____	_____
Mayor McDonald	_____	_____

North Bay, ON May 7, 2019

**Subject:** Report from Ron Melnyk dated April 15, 2019 re On-Street Parking By-Law No. 2014-37, Updates to Schedules 1, 2, 4, 5, 6, and 7

**File No.** SIRE/C01/2019/BYLAWS/ONSTREETPARKING **Res.** 2019 - \_\_\_\_\_

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

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

That Council authorize amendments to the On-Street Parking By-Law No. 2014-37, as set out in Report to Council CORP 2019-61 from Ron Melnyk dated April 15, 2019.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict\_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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



# City of North Bay Report to Council

Report No: CORP 2019-61

Date: April 15, 2019

Originator: Ron Melnyk

Business Unit:  
Corporate Services

Department:  
Legal Department

Subject: By-law 2014-37, updates to Schedules 1, 2, 4, 5, 6 and 7

Closed Session: yes ☐ no ☒

---

## Recommendation

That a resolution be passed to change the On-Street Parking By-law 2014-37 by updating Schedules 1(School Bus Loading Zones), 2>Loading Zones), 4(No Parking-Any Time), 5(No Parking-Any Time-Winter Months), 6(Maximum Parking Times) and 7(Restricted Parking Times).

---

## Background

The On-Street Parking By-law regulates all parking on City streets. The last general update was passed in July of 2017 and since then there have been a number of changes required, most of which have been in place as authorized temporary zones, which now will be moved into scheduled zones, and are as follows:

1. The Schedule 1 School Bus Loading Zone located on Second Avenue West has been removed at the request of Mother St. Bride School as it is no longer used for school bus loading. All School bus loading now takes place on private property at this location.
2. Schedule 2 Loading Zones changes are as follows:
  - a) the Fraser Street loading zone was removed after the street re-construction,

- b) a new loading zone was placed on Worthington Street East alongside the main entrance to the City Centre building due to the numerous deliveries to that location,
- c) a loading zone was relocated from Main Street near the Cedar Tree to a location near 151 Club and YES Employment to better serve businesses in that area.

3. Schedule 4 No Parking Areas – Any Time changes are as follows:

- a) the reference to Aubrey Street, south side has been removed as the prohibited zone is already scheduled and in place on the north side,
- b) Oakwood Avenue requires a prohibited zone on the north side between Clarence and Burns due to new ditching in the area,
- c) a small prohibited zone was placed at 261 Leonard Avenue to allow for access to a water control device,
- d) a small prohibited zone was added to Algonquin Avenue at the entrance to the Algonquin Lofts parking entrance,
- e) the prohibited zone on Olive Street from Cassells to High Street should read North side instead of South side,
- f) there is a prohibited zone on the north side of McKeown Avenue between Milani and Stockdale that has been in place since the road re-construction,
- g) at the request of the Jack Garland Airport, prohibited zone on the south side of Aviation Avenue from Aviation Lane westerly for 65m,
- h) at the request of the Jack Garland Airport, prohibited zone on the north side of Aviation Lane from Airport Way to Aviation Avenue,
- i) at the request of the Jack Garland Airport, prohibited zone on the south side of Aviation Lane from Airport Way westerly for 70m,
- j) at the request of the Jack Garland Airport, prohibited zone on both sides of Airport Way from Airport Road to Aviation Lane

4. Schedule 5 – No Parking – Any Time – Winter Months changes are as follows:

- a) Ashdale Crescent a prohibited zone on the north and west sides to provide space for buses during the winter. This zone has been in place for a number of winters.
- b) the north side of Scollard Street from Algonquin to Browning to aid in safe snow removal operations
- c) the north side of Lavery Street from Algonquin to Browning to aid in safe snow removal operations
- d) the north side of Vimy Street from Algonquin to Browning to aid in safe snow removal operations

5. Schedule 6 – Maximum Parking Times changes are as follows:

- a) at 117 Chippewa Street West, the drop-off lane has been changed to a 15 minute parking zone at the request of the owners
- b) the school bus loading zone on Second Avenue West has been changed to a 15 minute parking zone at the request of Mother St. Bride School

6. Schedule 7 – Restricted Parking Times, on the north side of Dane Avenue from



Carruthers to Chapais, the area is signed as prohibited from 8am to 5pm to aid in student safety at E.T. Carmichael School.

---

### **Financial/Legal Implications**

Most of the signage is currently in place as authorized temporary zones. Some new signs are required on the streets at Jack Garland Airport and on Oakwood Avenue.

---

### **Corporate Strategic Plan**

- |   |   |
|---|---|
| <input type="checkbox"/> Natural North and Near                           | <input type="checkbox"/> Economic Prosperity                |
| <input type="checkbox"/> Affordable Balanced Growth                       | <input checked="" type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government |   |

### **Specific Objectives**

The On-Street Parking changes are in place to improve traffic flow, safety for motorists and pedestrians, provide for efficient and effective snow removal operations, and to allow for the maximum amount of free parking being available while not impeding traffic or safety.

---

### **Options Analysis**

Option 1:

That a resolution be passed to accept the amendments to the On-Street Parking By-law No. 2014-37.

Option 2:

Take no action and uphold the current On-Street Parking By-law 2014-37.

---

### **Recommended Option**

Option 1 is the recommended option. Most of the zones currently exist as authorized temporary zones. Properly scheduling these zones aids the City in compliance, enforcement and efficiently monitoring/upkeep of signage.

---

Respectfully submitted,

---

Name: Ron Melnyk

Title: By-law Enforcement Coordinator

**I concur with this report and recommendation.**

---

Name: John Severino, P.Eng, MBA  
Title: City Engineer – Infrastructure and Operations

---

Name: Tina Murphy  
Title: Assistant City Solicitor/City Prosecutor

---

Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.  
Title: City Solicitor

---

Name: David Euler, P.Eng  
Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Ron Melnyk

Title: By-law Enforcement Coordinator

North Bay, ON May 7, 2019

**Subject:** Report from Bryan Kimber dated April 24, 2019 re 2019 Armed Forces Appreciation Day

**File No.** SIRE/M02/2019/SPECI/ARMEDFORCES

**Res.** 2019 - \_\_\_\_\_

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

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

That exclusive use be granted to the City-owned or controlled lands (except the North Bay Wastewater Treatment Plant Facility lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2019 Armed Forces Appreciation Day being held June 12, 2019.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict\_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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



# City of North Bay Report to Council

Report No: CSBU 2019-13

Date: April 24, 2019

Originator: Bryan Kimber

Business Unit:

Community Services

Department:

Leisure Services Department

Subject: 2019 Armed Forces Appreciation Day

Closed Session: yes ☐ no ☒

---

## Recommendation

That exclusivity be granted of the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2019 Armed Forces Appreciation Day being held June 12, 2019. (See map attached)

---

## Background

CFB North Bay and the City of North Bay have joined in partnership to provide activities and entertainment on June 12th, 2019 for the Armed Forces Appreciation Day. Daytime activities include the CF – 18 Demo Team, Snowbirds, performances from the 22 Wing Band, static displays and more. Evening activities will include CF – 18 Demo Team and Local Musical performances.

All activities and entertainment will be free to the public. The celebration will start at 10:30am and continue to 3:00pm for the school age children

and 6:00pm to 9:30pm for the community. Students from all four local school boards have been invited to attend the event. Over 5,000 school children are expected to be in attendance. Memorial Drive will be closed to the public from 8:00 am – 3:00 pm Wednesday June 12th, 2019.

## Exclusivity

Last year, waterfront exclusivity was granted for the Armed Forces Appreciation Day to manage the event more efficiently. This includes working with vendors from our community who wish to participate in the activities as well as programming the event's activities. By granting the event exclusivity of the area described above, the Committee is able to control the location of vendors and type of food or product sold.

Interested vendors will have to be approved to participate in the Armed Forces Appreciation Day. Vendors who have been allocated a seasonal space at the waterfront, have been given first right of refusal to participate, while other vendors are made aware of the event and have the opportunity to apply to become involved.

## Financial/Legal Implications

### Armed Forces Day June 12th - 2019

			<b>Proposed Revenue</b>	
City of North Bay			\$10,000.00	
Vendor Fees			\$300.00	
<b>Total</b>			<b>\$10,300.00</b>	
			<b>Proposed Expenses</b>	
Port-A-Johns			\$1,500.00	
Parks Staff & Equipment			\$0.00	
MG Event Security			\$250.00	
Insurance			\$8,250.00	
St John Donation			\$150.00	
<b>Total</b>			<b>\$10,150.00</b>	
<b>Variance</b>			\$150.00	

## Corporate Strategic Plan

- |  |   |
|--|---|
| <input type="checkbox"/> Natural North and Near                | <input type="checkbox"/> Economic Prosperity                |
| <input type="checkbox"/> Affordable Balanced Growth            | <input checked="" type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government |   |

### Specific Objectives

Support and promote community and special events and support Canada's Armed Forces.

---

### Options Analysis

There are three options for Council's consideration.

#### Option 1

That exclusivity be granted of the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2019 Armed Forces Appreciation Day being held June 12, 2019. (See map attached)

#### Option 2 – Grant requests in amended form.

If Council is not satisfied with the requests as presented, Council could amend the areas of exclusivity recommended and the Armed Forces Appreciation Day Committee will have to work inside those boundaries.

#### Option 3 – Refuse to grant request.

That exclusivity not be granted of the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2019 Armed Forces Appreciation Day being held June 12th, 2019. (See map attached)

---

## **Recommended Option**

### Option 1

That exclusivity be granted of the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2019 Armed Forces Appreciation Day being held June 12, 2019. (See map attached)

---

Respectfully submitted,

---

Name: Bryan Kimber

Title: Community Development Facilitator

**I concur with this report and recommendation.**

---

Name: Paula McCloskey  
Title: Manager, Arts, Culture, Recreation & Leisure Services

---

Name: Ian Kilgour  
Title: Director of Community Development and Growth

---

Name: David Euler, P.Eng  
Title: Interim Chief Administrative Officer

---

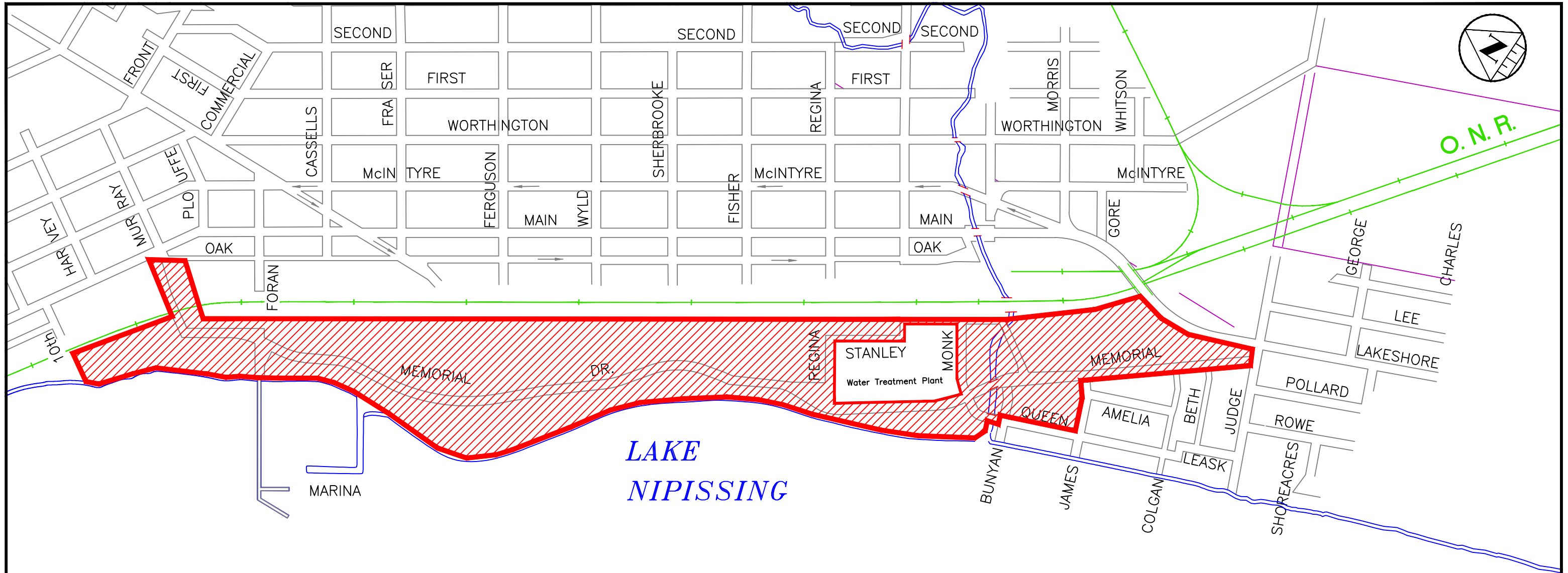
Name: Karin Pratte  
Title: Senior Environment & Facilities Engineer

Personnel designated for continuance:

Name: Bryan Kimber

Title: Community Development Facilitator





"CF Appreciation Day Event"  
June 12th, 2019  
AREA OF EXCLUSIVITY



AREA OF EXCLUSIVITY

THE CORPORATION OF THE CITY OF NORTH BAY		
Engineering And Environmental Services		
AREA OF EXCLUSIVITY CF Appreciation Day Event 2019		
Drawn By: r.j.o.	Scale: N.T.S.	Drawing No.: CF Appreciation Day 2019
Ck'd. By: B.K.	Date: 4/18/2019	

North Bay, ON May 7, 2019

**Subject:** Report from Peter Carello dated April 30, 2019 re Final Approval of a Draft Plan of Condominium and Condominium Agreement (File No. 48CDM-10101) – Wallace Road (unaddressed) – 2146552 Ontario Inc.

**File No.** SIRE/D07/2017/2146552/WALLACE

**Res.** 2019 - \_\_\_\_\_

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

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

- That 1) Council grant final approval to the Draft Approved Plan of Condominium along Wallace Road (9 units) by 2146552 Ontario Inc. (City File No. 48CDM-10101); and
- 2) the Mayor and City Clerk be authorized to sign the Condominium Agreement with 2146552 Ontario Inc. for a property located along Wallace Road, consisting of nine (9) townhouse units, upon receipt of all security, easements and all other Condominium Agreement requirements.

Carried ☐

Carried as amended ☐

Lost ☐

Conflict \_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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



# City of North Bay

## Report to Council

Report No: CSBU No 2019-14

Date: April 30, 2019

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Final Approval of a Draft Plan of Condominium and Condominium Agreement – Condominium File No. 48CDM-10101 – Wallace Road (Unaddressed) - 2146552 Ontario Inc.

Closed Session: yes ☐ no ☒

---

### Recommendation

1. That Council grant final approval to the Draft Approved Plan of Condominium along Wallace Road (9 Units) by 2146552 Ontario Inc. – City File No. 48CDM-10101; and
2. That the Mayor and City Clerk be authorized to sign the Condominium Agreement with 2146552 Ontario Inc. for a property located along Wallace Drive, consisting of nine (9) townhouse units, upon receipt of all security, easements and all other Condominium Agreement requirements.

---

### Background

The subject property is located along Wallace Road, at the intersection of Wallace Road and Commerce Crescent, as shown on Schedule “A” attached hereto. It is developed with nine townhouse units. The property is currently zoned “Residential Sixth Density (R6)” under Zoning By-law No. 2015-30 with “Floodplain and Erosion (O2)” Constraint Area.

The property was rezoned to allow for the development of townhouses on the subject property in 2010. The Draft Approved Plan of Condominium was approved concurrently by City Council on July 12, 2010. The owner began construction of the townhouses thereafter.

The initial Draft Approved Plan of Condominium approval was scheduled to expire on July 12, 2015. Three extensions were granted to the date of expiration of the Draft Approved Plan of Condominium as the owner addressed development constraints in the area. Specifically, there were concerns about the presence of Species At Risk in the area. The owner has now received approval from the Provincial Government that permits the finalization of the Plan of Condominium development. As a result, the City is now in a position to grant final approval of the Draft Plan of Condominium.

Miller and Urso Surveying Ltd. on behalf of the owner, 2146552 Ontario Inc., have requested Final Approval of Draft Approved Plan of Condominium be granted and that the City of North Bay enter into a Condominium Agreement with the owner.

---

## Financial/Legal Implications

N/A

---

## Corporate Strategic Plan

- |  |   |
|--|---|
| <input type="checkbox"/> Natural North and Near                | <input type="checkbox"/> Economic Prosperity                |
| <input type="checkbox"/> Affordable Balanced Growth            | <input checked="" type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government |   |

## Specific Objectives

- Facilitate the development of housing options to service the entire community, with consideration to socio-economic characteristics of the community
- Facilitate the development of housing options to service the needs of the community

---

## Options Analysis

Prior to Staff recommending to City Council that the City give Final Approval to the Plan of Condominium and that the City enter into a Condominium Agreement with the Property Owner, Staff required the developer to satisfy the conditions of Draft Approval. The developer has satisfied the Conditions of Draft Approval for the requested Plan of Condominium as follows:

- 1) The Condominium Agreement has been prepared, reviewed and deemed to be acceptable by the City's Planning Department, Engineering Department and by the City Solicitor.
- 2) The Final Plan (Registered 36M Plan) has been prepared for registration upon Council approval. It has been reviewed and found to conform with the original Draft Approval; and
- 3) The conditions imposed when Draft Approval was given have been satisfied.

Option 1:

Deny the request to enter into the Condominium Agreement and grant Final Approval.

Option 2:

1. That Council grant final approval to the Draft Approved Plan of Condominium along Wallace Road (9 Units) by 2146552 Ontario Inc. – City File No. 48CDM-10101; and
2. That the Mayor and City Clerk be authorized to sign the Condominium Agreement with 2146552 Ontario Inc. for a property located along Wallace Drive, consisting of nine (9) townhouse units, upon receipt of all security, easements and all other Condominium Agreement requirements.

---

**Recommended Option**

Option 2 is the recommended option.

---

Respectfully submitted,

---

Name: Peter Carello, MCIP RPP

Title: Senior Planner – Current Operations

**I concur with this report and recommendation.**

---

Name: Beverley Hillier, MCIP RPP

Title: Manager, Planning & Building Services

---

Name: Ian Kilgour, RPP

Title: Director of Community Development and Growth

---

Name: David Euler, P.Eng

Title: Interim Chief Administrative Officer

Sire\C00\ RTC CSBU #2019-14 – CDM File No. 48CDM-10101 – Wallace Road (unaddressed) – 2146552 Ontario Inc.

Personnel designated for continuance:

Name: Peter Carello

Title: Senior Planner – Current Operations

## Schedule A



North Bay, ON May 7, 2019

**Subject:** Report from Mary-Ann Kotylak dated April 30, 2019 re Purchasing By-Law No. 2013-200

**File No.** SIRE/C01/2019/BYLAWS/PURCHASING

**Res.** 2019 - \_\_\_\_\_

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

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

That City Council approve the amendment to the Purchasing By-Law No. 2013-200 with the changes, as outlined in Report to Council CORP 2019-52 dated April 30, 2019 from Mary-Ann Kotylak.

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

Carried ☐

Carried as amended ☐

Lost ☐

Conflict\_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays\_\_\_\_\_

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

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

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

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

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

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



# City of North Bay Report to Council

Report No: CORP 2019-52

Date: April 30, 2019

Originator: Mary-Ann Kotylak

Business Unit:  
Corporate Services

Department:  
Financial Services Department

Subject: Purchasing By-Law No. 2013-200

Closed Session: yes ☐ no ☒

---

## Recommendation

That City Council approves the amendment of the Purchasing By-Law No. 2013-200 with the changes as attached to CORP 2019-52.

---

## Background

The current purchasing by-law was passed in 2013. Recent changes to the city's organizational structure, new trade legislation and plans to move forward with e-procurement are not addressed in our current purchasing by-law. The changes being recommended will update approvals to match up with the City's new organization chart and job titles, identify updated trade treaty legislation, and add language for future electronic bidding. A red-lined update of the by-law has been attached as Appendix A. A full purchasing By-Law review and update are scheduled for fall 2019.

---

## Financial/Legal Implications

There are no financial implications associated with these amendments.



---

## Corporate Strategic Plan

- |   |  |
|---|--|
| <input type="checkbox"/> Natural North and Near                           | <input type="checkbox"/> Economic Prosperity     |
| <input type="checkbox"/> Affordable Balanced Growth                       | <input type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government |  |

## Specific Objectives

Ensure continuous improvement of governance and administration.

---

## Options Analysis

1. That City Council approves the amendment of the Purchasing By-Law No. 2013-200 with the changes as attached to CORP 2019-52.
  2. Do not award a contract. This option is not recommended because the By-Law is no longer current.
- 

## Recommended Option

That City Council approves the amendment of the Purchasing By-Law No. 2013-200 with the changes as attached to CORP 2019-52.

---

Respectfully submitted,

---

Mary-Ann Kotylak  
Purchasing Manager

We concur in this report and recommendation.

---

Margaret Karpenko, CPA, CMA  
Chief Financial Officer/Treasurer

---

David Euler, P.Eng., PMP  
Interim Chief Administrative Officer

Personnel designated for continuance:  
Name: Mary-Ann Kotylak  
Title: Purchasing Manager

Attachment: Appendix A-Redlined update to Purchasing By-Law No. 2013-200

# THE CORPORATION OF THE CITY OF NORTH BAY

## PURCHASING BY-LAW NO. 2013-200

(and to repeal By-law No. 2004-196, as amended)

**WHEREAS** section 270 of the *Municipal Act, R.S.O. 2001*, as amended, requires all municipalities and local boards to establish and maintain a policy with respect to its procurement of Goods and Services;

**AND WHEREAS** this By-law establishes the authority and sets out the methods by which Goods and Services will be purchased and disposed of for the City;

**AND WHEREAS** the City will acquire Goods and Services in a manner that complies with this By-law and appropriate purchasing principles for the public sector, reflects a high standard of business ethics, does not favour or discriminate, is cost effective and results in Best Value for the City;

**AND WHEREAS** Council has passed General Government Committee Report No. 2013-21 on 30<sup>th</sup> day of September, 2013 authorizing the Purchasing By-law.

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

### 1. GENERAL PROVISIONS

1.1 The purpose of this By-law is to:

- a) ensure the City conducts fair, objective, transparent and consistent purchasing practices;
- b) maintain the integrity of the procurement process by ensuring that, whenever possible, competitive methods of procurement will be utilized to obtain Best Value for the City;
- c) clearly define the circumstances which allow for non-competitive procurement;
- d) ensure that the procurement process is conducted in a manner that enables departments of the City to operate efficiently and effectively;
- e) protect the interests of the City, public and persons participating in the procurement process by providing a clear statement of how Goods and Services will be acquired;
- f) clearly define the roles and responsibilities of those involved in the procurement process; and
- g) outline the process for disposing of Surplus Goods.

### 2. DEFINITIONS OF THIS BY-LAW

2.1 In this By-law:

- a) **"Agreement to Bond"** means an insurance agreement by which a third party (a surety) guarantees that if a Contract is awarded to the Bidder, the Bidder is capable of furnishing Bonds as required;
- b) **"Best Value"** means the optimal value balance of cost and performance of Goods or Services having consideration for quality, timing, efficiency and lifecycle costs;
- c) **"Bid"** means an offer or submission from a Bidder or Proponent in response to a Bid Request;
- d) **"Bid Bond"** means an insurance agreement, accompanied by a monetary commitment, by which a third party (a surety) accepts

liability and guarantees the Bidder will not withdraw the Bid. The Bidder will furnish Bonds as required, and if the Contract is awarded to the Bidder, the Bidder will accept the Contract as Bid, or else the surety will pay a specific amount;

- e) **"Bid Irregularity"** means a deviation from the requirements of a Bid Request, as set out in Schedule "B" of this By-law;
- f) **"Bid Request"** means a solicitation by the City in a form as specified in section 6 of this By-law;
- g) **"Bidder"** means a person or entity that submits a Bid in response to a Bid Request;
- h) **"Bond"** means a form of financial protection against damages; a binding agreement executed by a Contractor and a third party (a surety) to guarantee the performance of certain obligations or duties to the City;
- i) **"CAO"** means the Chief Administrative Officer of the City or his or her Designate;
- j) **"City"** means The Corporation of the City of North Bay;
- k) **"City Solicitor"** means the Solicitor of the City;
- l) **"Contract"** means any agreement, regardless of form or title, for the purchase of Goods or Services in return for money or other consideration;
- m) **"Contractor"** means the selected Bidder or Proponent to whom the Contract for the purchase of Goods or Services is awarded and executed under the terms and conditions of the Contract;
- n) **"Council"** means the elected Mayor and Council for the City, or the board of the local agencies, boards, or commissions;
- o) **"Designate"** means a person authorized by the CAO or respective Managing Director to act on his or her behalf, for the purpose of this By-law;
- p) **"Extraordinary Circumstance (Emergency)"** means an event or circumstance where the immediate purchase for Goods or Services is essential or necessary in preventing a risk as specified in section 8.1 of this By-law;
- q) **"Goods"** means goods of all kinds, including both tangible and intangible goods, and shall include supplies, materials, equipment, structures and fixtures to be delivered, installed and/or constructed, and licences;
- r) **"Irrevocable Bid"** means a Bid or Proposal, whereby the Bidder and the City are bound by a contractual obligation under both expressed terms of the Bid Request and implied terms based on the laws of competitive procurement. The inclusion of Bid deposit or Bid Bond in a Bid Request is the means or normal method by which the City obtains an Irrevocable Bid.
- s) **"In House Bid"** means a Bid by a City department, authorized by the CAO, submitted in response to a Bid Request, where the provision of Goods or Services will be undertaken by City staff;
- t) **"Low Value Purchase"** means a purchase of Goods or Services not covered under an existing Contract and having a purchase value up to the limit as stated in Schedule "C" of this By-law;
- u) **"Manager of Purchasing"** means the Manager of Purchasing or designate who is responsible for the City's procurement functions and is authorized to act in such matters pertaining thereto;
- v) **"Management Staff"** means the Director, Manager, Supervisor, Coordinator, Advisor or Designate authorized by a Managing Director or the CAO, who has responsibility for a specific department of the City;
- w) **"Managing Director"** means a Managing Director, City Clerk, City Solicitor, City Engineer, Chief Human Resources and Information Officer, Fire Chief, Chief Financial Officer Treasurer or respective Designate authorized by the CAO, who has responsibility for a specific ~~business unit or~~ department of the

- City;
- x) **"Proponent"** means a person or entity who submits a response to an RFP;
  - y) **"Proposal"** means the submission received or response to an RFP;
  - z) **"Purchasing Card"** means a payment method whereby authorized City staff are empowered to purchase directly from a Supplier or Contractor using a credit card provided by the City, as issued by a bank or major credit card provider, in accordance the City's Purchasing Card Policy;
  - aa) **"Purchasing Department"** means the department of the City responsible for the purchase of Goods and Services;
  - bb) **"Purchasing Review Committee"** means the committee consisting of the Manager of Purchasing and respective Managing Director(s) and other such persons as designated by the CAO or respective Managing Director that would be assembled to collectively review Bid Irregularities or other matters pertaining to a procurement process with the objective of recommending a solution or otherwise resolving an issue;
  - cc) **"Purchase Order"** means the City's written document to a Supplier or Contractor formalizing all the terms and conditions of a Contract;
  - dd) **"Real Property"** means land and its permanently affixed buildings or structures;
  - ee) **"Request for Expression of Interest" ("RFEOI")** means a request which will be used to determine the interest of the market place to provide Goods or Services;
  - ff) **"Request for Information" ("RFI")** means a request which will be used to determine what Goods or Services are available that may meet business or operational requirements along with identifying acquisition strategies;
  - gg) **"Request for Prequalification" ("RFPQ")** means a request which will be used to determine qualified Bidders or Proponents that may Bid on a subsequent procurement process for Goods or Services;
  - hh) **"Request for Proposal" ("RFP")** means a request for Proposals from Proponents where the requirement cannot be expressly stated or defined and/or where a solution is requested and selection of a successful Proponent is based on criteria other than price alone;
  - ii) **"Request for Quotation" ("RFQ")** means a request for quotations from Bidders for Goods or Services, where the City has defined the requirements and a clear solution exists;
  - jj) **"Request for Tender" ("RFT")** means a request for tenders from Bidders to obtain irrevocable Bids for Goods or Services where the City has defined the requirements and a clear solution exists.
  - kk) **"Services"** means services of all kinds, including, but not limited to, labour, construction, maintenance and professional and consulting services;
  - ll) **"Selection Committee"** means a committee established as part of the RFP process and made up of City staff and such others as selected by the City, with a purpose to establish RFP evaluation criteria and review and evaluate Proposals;
  - mm) **"Single Source"** means a procurement decision whereby purchases for Goods or Services are directed to one source, but where other sources may be available;
  - nn) **"Sole Source"** means a procurement decision whereby purchases for Goods or Services are directed to the only source, as this is the only source available that meets the requirements of the City;
  - oo) **"Supplier"** means the selected Bidder or Proponent to whom the

- Contract for the purchase of Goods or Services is awarded and executed under the terms and conditions of the Contract;
- pp) **"Surplus Goods"** means any items no longer having any use to the City or in excess of the needs of the City that have become available for transfer, sale, or disposal including, but not limited to, obsolete supplies, scrap materials, and vehicles but excluding real property; and
- qq) **"Unsolicited Bid or Proposal"** means Bid or Proposal submitted by a Supplier or Contractor in the absence of a Bid Request from the City, which may be submitted in response to a perceived need but not in response to a Bid Request.

### 3. APPLICATION

- 3.1 This By-law shall apply to staff in all departments of the City and may be adopted in principle, at their discretion, by affiliate agencies, boards and commissions of the City.
- 3.2 The acquisition of Goods or Services or disposal of Surplus Goods shall be authorized only when in compliance with this By-law.

### 4. RESPONSIBILITIES

- 4.1 **MANAGER OF PURCHASING** shall have the authority and be responsible for:
- a) overseeing all procurement activities of the City;
  - b) providing advice, guidance and related services that may be required by departments for the purposes of fulfilling their procurement needs;
  - c) developing, maintaining and continuously improving detailed processes, systems, templates, and practices to be used in the procurement process;
  - d) providing training for department staff responsible for acquiring Goods and Services;
  - e) determining the appropriate method for acquiring Goods or Services;
  - f) managing formal Bid Requests including notification, receipt, opening, and compliance with stated terms and conditions;
  - g) establishing project specific terms and conditions for Bid Requests and Contracts in consultation with department staff and City Solicitor;
  - h) standardizing Goods and Services in collaboration with departments, when and where appropriate;
  - i) disposal of Surplus Goods;
  - j) reporting to Council, as required;
  - k) ensuring City staff complies with this By-law and any non-compliance is reported, in writing, to the respective Management Staff, Managing Director, or the CAO; and
  - l) ensuring no procurement activity or decision is contrary to this By-law.
- 4.2 **MANAGING DIRECTORS AND MANAGEMENT STAFF** shall be responsible for:
- a) all department procurement activity and authorization within the limits as stated in Schedule "C" of this By-law;
  - b) ensuring staff involved in procurement activity receive appropriate training;
  - c) ensuring sufficient funding has been authorized by Council;

- d) preparing specifications, quantity requirements and scope of work to be used in the procurement of Goods and Services;
- e) consulting with the City's Information Technology department if the procurement or part of, is comprised of computer hardware or software, an internet application, or licensing or maintenance, or will have implications for the City's existing information technology infrastructure;
- f) monitoring Contract expenditures;
- g) receipt, acceptance and authorizing payment of Goods or Services;
- h) managing Contracts and documenting performance evaluation;
- i) ensuring departmental staff comply with this By-law and any non-compliance is reported, in writing, to the Manager of Purchasing and the respective Management Staff, Managing Director or the CAO; and
- j) ensuring no procurement activity or decision is contrary to this By-law.

4.3 **CHIEF ADMINISTRATIVE OFFICER ("CAO")** shall be responsible for:

- a) all procurement activity and authorization within the limits as stated in Schedule "C" of this By-law;
- b) ensuring Managing Directors and Management Staff comply with this By-law and any non-compliance is reported, in writing, to the Manager of Purchasing; and
- c) providing additional restrictions concerning procurement activities where such actions are considered necessary and in the best interest of the City.

## **5. RESTRICTIONS AND EXCEPTIONS**

- 5.1 The open and competitive procurement procedures set out in this By-law shall not apply to the purchase of those items listed in Schedule "A", or as otherwise listed in this By-law.
- 5.2 No Contract for Goods or Services may be divided into two or more parts to avoid the application of the provisions of this By-law.
- 5.3 No Contract shall be awarded to any person, company or corporation who or which has a claim, demand, action or other a legal proceeding against the City or against who the City has a claim, demand, action or other legal proceeding with respect to any previous or existing Contract, except in such circumstances as deemed necessary by the CAO.

## **6. STANDARD PROCUREMENT METHODS**

- 6.1 The method of purchasing Goods and Services shall be in accordance with the standard procurement methods described in this section as recommended by the Manager of Purchasing and shall be advertised, reported, approved and the Contract executed in accordance with Schedule "C" of this By-law.

### **a) REQUEST FOR EXPRESSION OF INTEREST ("RFEOI")**

- i) A RFEOI may be used to determine the interest of the market place to provide Goods or Services which the City is contemplating purchasing. The submission of an Expression of Interest may be made a specific pre-condition of any other procurement procedure utilized by the City. A submission in

response to a RFEOI does not create any contractual obligation between the City and the interested respondent.

**b) REQUEST FOR INFORMATION ("RFI")**

- i) A RFI may be used as a general market research tool to determine what Goods and Services are available that may meet business or operational requirements along with identifying acquisition strategies. The RFI may request publicly available pricing details for the purpose of budget planning or developing a future Bid Request. A submission in response to an RFI does not create any contractual obligation between the City and the respondent.

**c) REQUEST FOR PREQUALIFICATION ("RFPQ")**

- i) A RFPQ may be used to determine qualified Bidders or Proponents that may Bid on a subsequent Bid Request for Goods or Services undertaken by the City under any of the following circumstances:
  - a. the work is considered high risk with respect to regulations governed under the Occupational Health and Safety Act;
  - b. the value and complexity of the work is such that substantial additional costs and/or potential loss to the City are significant if the work is not performed as specified;
  - c. the Goods or Services to be provided shall meet fundamental mandatory standards or regulation of the federal, or provincial governments, or recognized City standards;
  - d. the work requires a stipulated performance and experience level;
  - e. the work requires elements of confidentiality and/or security; or
  - f. the Manager of Purchasing deems prequalification to be appropriate.
- ii) A submission in response to a RFPQ does not create any contractual obligation between the City and the respondent.
- iii) The RFPQ process will be administered by the Purchasing Department.

**d) LOW VALUE PURCHASE ("LVP")**

- i) A LVP may be used for the procurement of Goods or Services not covered under an existing Contract and having a purchase value up to the limit as stated in Schedule "C" of this By-law.
- ii) The respective Managing Director shall authorize specific individuals to make LVP and assign a limit of spending authority.
- iii) These purchases may be made utilizing a Purchase Order, petty cash, Supplier account or City Purchasing Card.
- iv) These purchases are within the discretion of the respective Management Staff or Managing Director who shall also determine the need for competitive quotes and/or that purchases demonstrate good value for the City.

- v) LVP may be facilitated by Purchasing Department at the request of the department.

**e) REQUEST FOR QUOTATION ("RFQ")**

- i) A RFQ is used for the procurement of Goods or Services where the City has defined the requirements, a clear solution exists, and the estimated purchase value is within the limits as stated in Schedule "C" of this By-law.
- ii) The intention is to award to the lowest compliant Bidder, although the lowest or any Bid may not necessarily be accepted.
- iii) Departments may directly request quotations for Goods or Services with a purchase value up to the limit as stated in Schedule "C" of this By-law. Purchases in excess of this limit must be administered by the Purchasing Department.
- iv) Public advertising is discretionary up to the limit as stated in Schedule "C" of this By-law.

**f) REQUEST FOR TENDER ("RFT")**

- i) A RFT is used to obtain Irrevocable Bids for the procurement of Goods or Services and where the City has defined the requirements, a clear solution exists, and estimated value is within the limits as stated in Schedule "C" of this By-law.
- ii) The intention is to award to the lowest compliant Bidder without negotiation (subject to section 7 of this By-law), although the lowest or any Bid may not necessarily be accepted.
- iii) A RFT shall be undertaken and administered by the Purchasing Department.
- iv) Notice of a RFT shall be by public advertising ~~including the local newspaper and in~~ a nationally recognized electronic tendering service.
- v) Bids in response to a RFT shall be received by the Purchasing Department. ~~At a time specified within the Bid Request on the closing date, the Bid envelope shall be opened publicly by the Manager of Purchasing, and p~~Prior to internal review, each Bidder's name and unofficial Bid total amount shall be posted publicly ~~read~~.

**g) REQUEST FOR PROPOSAL ("RFP")**

- i) A RFP is used for obtaining competitive Proposals in situations where the requirement cannot be expressly stated or defined and/or where a solution is requested and dependent on:
  - a. the effectiveness of the proposed solution based on several stated criteria as opposed to the price alone;
  - b. a possibility existing where negotiation with one or more Proponents may be required with respect to any aspect of the Contract; or
  - c. the precise scope of Goods or Services not known, or not



definable, and it is expected that the Proponent will further define them.

- ii) A Proposal Selection Committee shall determine the most qualified Proponent offering Best Value for the City using the evaluation criteria stated in the RFP.

## **7. NEGOTIATION**

7.1 Negotiation may be used for the procurement of Goods or Services:

- a) where no Bids were received in a proper, publicly issued Bid Request;
- b) where only one Bid is received; it exceeds the amount budgeted for the purchase; and the Bidder is willing and prepared to enter into negotiations with the City;
- c) where instructions within a Bid Request expressly allow for negotiations to occur with the low Bidder;
- d) with the highest evaluated Proponent upon completion of the evaluation, and as a condition of award. If a negotiated settlement cannot be reached, the City may proceed to negotiate with the next highest evaluated Proponent;
- e) where an Extraordinary Circumstance (Emergency) exists;
- f) where a Sole Source or Single Source purchase is conducted; or
- g) where authorized by Council to do so.

## **8. EXTRAORDINARY CIRCUMSTANCE (EMERGENCY) PURCHASES**

8.1 Notwithstanding the provisions of this By-law, an Extraordinary Circumstance (Emergency) purchase may be conducted when an event or circumstance occurs that is determined by the respective Management Staff, Managing Director, or the CAO to be a risk to:

- a) public health;
- b) essential services of the City;
- c) the welfare of persons or of public property; or
- d) the security of the City's interests and the occurrence requires the immediate delivery of Goods or Services and time does not permit for a competitive Bid Request.

8.2 An Extraordinary Circumstance (Emergency) purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.

8.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Extraordinary Circumstance (Emergency) purchases. Where impractical, a follow-up purchase requisition shall be submitted to the Purchasing Department.

8.4 Where an Extraordinary Circumstance (Emergency) purchase exceeds the limits of the CAO and requires authorization of Council, the CAO shall have authority to approve such purchase and a follow-up information report to council shall be completed.

## **9. SOLE SOURCE PURCHASES**

9.1 A Sole Source purchase may be conducted for Goods or Services without a competitive Bid Request:

- a) where the required Goods or Services are covered by an exclusive right such as a patent, copyright, exclusive licence or distributorship; or

b) where a statutory or market based monopoly exists.

9.2 A Sole Source purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.

9.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Sole Source purchases.

## **10. SINGLE SOURCE PURCHASES**

10.1 A Single Source purchase may be conducted for Goods or Services without a competitive Bid Request where:

- a) the Goods or Services required are in short supply due to market conditions;
- b) it is necessary to ensure compatibility with previously acquired Goods and Services; and there are no reasonable alternatives, substitutes or accommodations;
- c) it is important to avoid violating warranties and guarantees of existing Goods and Services;
- d) standardization of Goods or Services is beneficial to the City with respect to operation, functionality, and service capacity; and such purchases have previously been acquired through a competitive Bid Request; and a defined timeline has been established to review such standardization;
- e) the amendment to an existing Contract would be more cost effective and beneficial to the City;
- f) where, for reasons of security or confidentiality, it is in the best interest of the City to do so;
- g) no Bidders have responded to a proper, publicly issued Bid Request;
- h) Goods are purchased for testing or trial use and there is a clearly established deadline for the testing or trial period that does not exceed 12 months;
- i) the City has a rental Contract with a purchase or rental extension option and such purchase or rental extension is beneficial to the City; or
- j) an Extraordinary Circumstance (Emergency) purchase.

10.2 A Single Source purchase shall be authorized within the limits as stated in Schedule "C" of this By-law.

10.3 With the exception of a Low Value Purchase, the Manager of Purchasing shall approve and facilitate all Single Source purchases.

## **11. UNSOLICITED BIDS**

11.1 An Unsolicited Bid or Proposal received by the City shall be reviewed the Manager of Purchasing. Any procurement activity resulting from the receipt of an unsolicited Bid or Proposal shall comply with the provisions of the Single Source or Sole Source requirements of this By-law.

## **12. IN-HOUSE BIDS**

12.1 An In-house Bid or Proposal may be obtained for the purchase of Goods or Services in circumstances, where the CAO considers it beneficial and appropriate to do so.

## **13. PURCHASING CARDS**

- 13.1 Purchasing Cards are issued to staff, where appropriate and at the discretion of Management Staff, to allow for an efficient method of acquiring Low Value Purchases.
- 13.2 The Purchasing Card is not to be used for expenditures of a personal nature.
- 13.3 Purchases made by Purchasing Card are subject to the requirements of this By-law and the Purchasing Card Policy and Procedures, as amended from time to time.

#### **14. BID IRREGULARITIES**

- 14.1 Any Bid Irregularities shall be addressed in accordance with Schedule "B" of this By-law.
- 14.2 If a formal competitive Bid contains a Bid Irregularity, the Manager of Purchasing may, at his or her discretion, refer the issue to the Purchasing Review Committee to determine acceptance or rejection of the Bid.

#### **15. IDENTICAL BIDS**

- 15.1 If the lowest Bid from two or more Bidders is identical in total cost or unit price, the Manager of Purchasing, in the presence of the respective Managing Director and another staff member as selected by the Manager of Purchasing, shall determine the recommended Bidder by way of a coin toss or by way of draw of a name where more than two identical Bids exist.

#### **16. CONTRACT EXECUTION**

- 16.1 A Contract shall be required for the purchase of Goods or Services and executed by a written agreement or Purchase Order in accordance with limits as stated in Schedule "C" of this By-law or in situations where circumstances warrant such.

#### **17. CONTINGENCY MANAGEMENT**

- 17.1 Where the expenditure limit of a Contract that required Council approval is expected to exceed the awarded amount:
- a) the respective Managing Director may approve the overage so long as the amount of the cumulative overages for the Contract is less than ten percent (10%) of the value of the Contract, and the project remains within the approved project budget;
  - b) the CAO may approve the overage so long as the amount of the cumulative overages for the Contract is less than fifteen percent (15%) of the value of the Contract, and the project remains within the approved project budget.
- 17.2 Where the expenditure limit of a Contract that required Council approval is expected to exceed the awarded amount by fifteen percent (15%) or greater, the matter will be referred to Council for consideration.

#### **18. SUPPLIER/CONTRACTOR PERFORMANCE AND ABILITY**

- 18.1 The respective Management Staff shall be responsible for monitoring Supplier and Contractor performance and documenting evidence of such performance in accordance with the City's Vendor Performance

Policy, as amended from time to time.

18.2 The Purchasing Review Committee may authorize the Manager of Purchasing to reject a Bid if it is determined that:

- a) the Bidder has not complied with and/or satisfactorily performed the requirements of a previous Contract; or
- b) the Bidder does not have sufficient ability, experience, capital or plant to execute the Contract and to do so within the time stated.

## **19. COUNCIL APPROVAL**

19.1 Notwithstanding any other provisions of this By-law, the award of a Contract requires approval of Council:

- a) in accordance with the limits as stated in Schedule "C" of this By-law; or
- b) where this By-law is being waived.

## **20. ACCESS TO INFORMATION**

20.1 The disclosure of information received relevant to the issuance of a Bid Request or the award of Contracts shall be made available in accordance with the provisions of the City's policy under the *Municipal Freedom of Information and Protection of Privacy Act, (R.S.O. 1990, Chapter M.56)*, as amended from time to time.

## **21. DISPOSAL OF SURPLUS GOODS**

21.1 A Management Staff may advise the Manager of Purchasing that items including, but not limited to, furnishings, equipment, vehicles, supplies, and other goods and materials, and excluding Real Property, have become obsolete, worn out or unusable or are surplus to the needs of their department.

21.2 The Manager of Purchasing will first offer the surplus items to other departments. Items not required by other departments and surplus to the City's needs, will be declared as Surplus Goods by the Manager of Purchasing.

21.3 The Manager of Purchasing, in conjunction with the respective Management Staff, will determine a reasonable sale value, which may include a third party appraisal. Surplus Goods having a residual value will be disposed of, as determined by the Manager of Purchasing, by way of:

- a) public auction;
- b) request for bids;
- c) trade-in at fair market value as part of the acquisition of similar items required by the City; or
- d) charitable donation to a recognized, registered organization;

21.4 Where Surplus Goods have little or no value, the Manager of Purchasing may dispose of the items directly through a recycling process or applicable waste stream.

21.5 No staff member, Councillor or local board member of the City shall personally obtain any Surplus Goods unless it is obtained through a public process.

## **22. INFLUENCE AND INTEGRITY**

22.1 No person, company, corporation, organization or representative of the City shall attempt in any way, either in private or public, to influence the outcome of Bid Request.

22.2 The Bid or Proposal of any person, company, corporation or organization that attempts to influence the outcome of a Bid Request may be disqualified and the person, company, corporation, or organization may be subjected to suspension or exclusion in accordance with the Vendor Performance Policy.

## **23. LEGISLATIVE TRADE AGREEMENTS AND LOCAL PREFERENCE**

23.1 All procurement activities shall be in compliance with all legislated national and international trade agreements (e.g. ~~Agreement on Internal Trade and the Ontario-Quebec Trade and Cooperation Agreement~~Canada Free Trade Agreement CFTA and Canada-European Union Comprehensive Economic and Trade Agreement CETA).

23.2 The *Discriminatory Business Practices Act* (R.S.O 1990, Chapter D.12), as amended and the *Agreement on Internal Trade* prohibit local preference in acquiring Goods and Services.

## **24. SHORT TITLE**

24.1 The short title of this By-law shall be the "Purchasing By-law".

## **25. SCHEDULES**

25.1 That Schedules "A", "B", and "C" to this By-law form an integral part of this By-law.

## **26. REVIEW**

26.1 This By-law shall be reviewed by Council every five years and at such time major revisions are made.

26.2 This By-law comes into effect upon being passed.

26.3 By-law No. 2004-196, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 15<sup>TH</sup> DAY OF OCTOBER, 2013.

READ A SECOND TIME IN OPEN COUNCIL THIS 15<sup>TH</sup> DAY OF OCTOBER, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15<sup>TH</sup> DAY OF OCTOBER, 2013.

---

MAYOR ALLAN McDONALD

---

DEPUTY CITY CLERK KAREN McISAAC

**THIS IS SCHEDULE "A"**  
**TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO.**  
**2013-200**

---

**EXEMPT PURCHASES**

The methods of procurement described in this By-law do not apply to the following items:

1. Training and Education
  - a. Conferences
  - b. Magazines, books and periodicals
  - c. Memberships and Professional Insurance
2. Refundable Employees Expenses
  - a. Advances
  - b. Meal allowances
  - c. Travel & Accommodations
3. Employer's General Expenses
  - a. Payroll deductions remittances
  - b. Medical
  - c. Licenses (vehicles, firearms, elevators, etc.)
  - d. Debenture payments
  - e. Grants to agencies
  - f. Damage claims
  - g. Petty cash replenishment
  - h. Tax remittances
4. Professional and Special Services
  - a. Committee fees
  - b. Legal fees and other professional services related to litigation or legal matters
  - c. Appraisal fees
  - d. Honorariums
5. Utilities
  - a. Water and Sewer
  - b. Hydro
  - c. Natural Gas
  - d. Telephone (excluding cellular)
  - e. Cable Television
6. Lease, sale or purchase of Real Property
7. Advertising
8. Entertainers for special events

**THIS IS SCHEDULE "B"**  
**TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO.**  
**2013-200**

**BID IRREGULARITIES**  
**Applicable to Hard Copy and Electronic Bidding**

	IRREGULARITY	RESPONSE
<b>GENERAL</b>		
1	Late submission.	Rejection. Returned unopened. Opened and returned only when the submitter's name is not clearly identified on the package. <u>Electronic Bidding system shall not accept late Bid Submissions</u>
2	Unsealed Envelope/Package.	Rejection.
3	Submitter has not been previously qualified under a prequalification process.	Rejection.
4	Failure to have a representative in attendance and registered at a mandatory site meeting.	Rejection.
5	Failure to include the applicable form of Tender, Quotation, Proposal, or Prequalification with submission, <u>including a bid not submitted through Electronic Bidding system when called for.</u>	Rejection.
6	Incomplete or partial price details where all items are mandatory to be bid.	Rejection.
7	Forms that compose the submission documents are not completed in their entirety.	Rejection unless in the opinion of the Manager of Purchasing, the missing information is minor in nature. <u>Electronic Bidding shall not accept submissions where mandatory information is not completed.</u>
8	Conditional Bids (Bids qualified, based on a Bidder's condition or restricted by an appended statement).	Rejection unless in the opinion of the Manager of Purchasing, the missing information is minor in nature.
9	More than one submission from the same submitter and not identified as an alternative or optional submission, and no withdrawal notice has been received.	The submission package bearing the most recent date/time stamp will be considered with the later submission considered to be withdrawn, and returned to the submitter.
10	Bids containing minor, obvious clerical errors that do not result in any ambiguity with respect to the overall submission.	Two business days to correct and initial.
11	Un-initialled changes to the submission.	Two business days to correct and initial. The City reserves the right to waive this requirement and accept as is.
12	Authority to bind the Corporation or signature missing.	Rejection.
13	Failure to include supplementary copies of the original at time of submission.	Two business days to submit.
14	Other minor irregularities.	The Manager of Purchasing shall have authority to waive irregularities where it considers it to be in the best interest of the City.
15	Any irregularity	Despite the provisions contained herein, Council may waive any irregularity where it considers it to be in the best interest of the City.

<b>PRICING</b>		
16	Failure to include the schedule of items and prices, price forms or price details, as may be applicable, for inclusion with submission	Rejection.
17	Unit price has been changed but not initialled and, the price extension is consistent with the unit price as amended.	Two business days to correct and initial. The City reserves the right to waive this requirement and accept as is.
18	Unit price has been changed but not initialled and, the price extension is not consistent with the unit price as amended.	Rejection.
19	Unit price extension which is not consistent with the unit prices.	The City will update the extended price based on the stated unit price.
20	Where an error has been made transferring an amount from one part of the submission to another.	The City will update with the amount shown before transfer and ensuing totals corrected accordingly.
21	Pricing appears to be unbalanced to the extent that it would have a significant adverse affect to the City if awarded.	Rejection.
<b>BID DEPOSIT</b>		
22	Bid Deposit or Bid Bond not submitted with bid	Rejection.
23	Bid Deposit or Bid Bond not in acceptable form.	Rejection.
24	Bid Deposit or Bid Bond amount is insufficient.	Rejection.
25	Surety provider and/or Bidder's authorized signature missing from Bid Bond.	Rejection.
26	Effective period of Bid Bond is less than the irrevocable period stipulated in the bid document.	Rejection.
<b>AGREEMENT TO BOND</b>		
27	Agreement to Bond not submitted with Bid	Rejection.
28	Agreement to Bond not provided in acceptable form.	Rejection
29	Agreement to Bond amount is insufficient.	Rejection.
30	Surety provider and/or Bidder's authorized signature missing from Agreement to Bond	Rejection.
<b>STATUTORY DECLARATION</b>		
31	Statutory Declaration not submitted with Bid	Two business days to submit.
32	Statutory Declaration not in the form specified.	Two business days to submit.
33	Commissioner/Notary Public and/or Bidder's authorized signature missing from Statutory Declaration.	Two business days to submit.
<b>POST AWARD NOTIFICATION</b>		
34	Failure to execute required bonding or security within the prescribed timeline.	Rejection and Bid Deposit forfeiture.
35	Failure to execute a Contract within the prescribed period.	Rejection and Bid Deposit forfeiture.
36	Failure to provide supporting document, as specified within the Bid Request and with the prescribed period.	Rejection and Bid Deposit forfeiture.



**THIS IS SCHEDULE "C"**  
**TO THE CORPORATION OF THE CITY OF NORTH BAY'S BY-LAW NO.**  
**2013-200**

**PROCUREMENT THRESHOLDS**

STANDARD PURCHASE				
PURCHASE THRESHOLD (excludes HST)	PURCHASE METHOD	METHOD/ADVERTISING	APPROVAL	PURCHASE CONTRACT
Up to \$5,000	<ul style="list-style-type: none"><li>Low Value Purchase (LVP)</li></ul>	<ul style="list-style-type: none"><li>Competitive quotes at the discretion of department Management Staff</li><li>Must demonstrate good value for the City</li><li>Public advertising not required</li></ul>	<ul style="list-style-type: none"><li>Manager</li><li>Supervisor</li><li>Coordinator</li><li>Advisor</li></ul>	<ul style="list-style-type: none"><li>Petty cash</li><li>Purchase Order (verbal or hard copy)</li><li>Purchasing Card</li><li>Supplier account</li></ul>
Over \$5,000 up to \$25,000	<ul style="list-style-type: none"><li>Request for Quotation (RFQ)</li><li>Request for Proposal (RFP)</li></ul>	<ul style="list-style-type: none"><li>Minimum of three <del>written</del><u>obtained requested</u> quotes</li><li>Departments may directly request quotations</li><li>Public advertising is discretionary</li></ul>	Up to \$15,000 <ul style="list-style-type: none"><li>Director</li><li>City Clerk</li></ul>	<ul style="list-style-type: none"><li>Purchase Order</li><li>Agreement</li></ul>
			Up to \$25,000 <ul style="list-style-type: none"><li>Managing Director</li><li>City Solicitor</li><li>Fire Chief</li><li>Treasurer</li></ul>	
Over \$25,000 up to \$50,000	<ul style="list-style-type: none"><li>Request for Quotation (RFQ)</li><li>Request for Proposal (RFP)</li><li>Request for Tender (RFT)</li></ul>	<ul style="list-style-type: none"><li>Minimum of three <del>written</del><u>obtained requested</u> quotes</li><li>Bid Request administered by the Purchasing Department</li><li>Public advertising at discretion of Manager of Purchasing</li></ul>	<ul style="list-style-type: none"><li>CAO</li></ul>	<ul style="list-style-type: none"><li>Purchase Order for Goods</li><li>Agreement for Services</li></ul>
Over \$50,000	<ul style="list-style-type: none"><li>Request for Quotation (RFQ)</li><li>Request for Proposal (RFP)</li><li>Request for Tender (RFT)</li></ul>	<ul style="list-style-type: none"><li>Formal Bid Request administered by the Purchasing Department</li><li>Public advertising is required</li></ul>	Up to \$75,000 <ul style="list-style-type: none"><li>CAO</li></ul>	<ul style="list-style-type: none"><li>Purchase Order for Goods</li><li>Agreement for Services</li></ul>
			Over \$75,000 <ul style="list-style-type: none"><li>Council</li></ul>	
EXTRAORDINARY CIRCUMSTANCE (EMERGENCY) PURCHASE				
<ul style="list-style-type: none"><li>Requires approval in accordance with the limits stated above</li><li>Purchase exceeding \$75,000 shall be approved by the CAO followed by an information report to Council</li><li>Purchase exceeding \$5,000 shall be administered by the Purchasing Department. Where impractical, a follow-up purchase requisition shall be submitted to the Purchasing Department</li></ul>				
SINGLE SOURCE / SOLE SOURCE PURCHASE				
<ul style="list-style-type: none"><li>Requires approval in accordance with the value limits stated above</li><li>Purchase exceeding \$75,000 shall be approved by Council</li><li>Purchase exceeding \$5,000 shall be administered by the Purchasing Department</li></ul>				

North Bay, ON May 7, 2019

**Subject:** Report from Mary-Ann Kotylak and Karin Pratte dated April 30, 2019 re  
Request for Quotation 2019-35, Landfill Chipping and Grinding Services

**File No.** SIRE/F18/2019/TENDER/GENERAL

**Res.** 2019 - \_\_\_\_\_

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

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

That City Council approve the award of a contract to Sittler Grinding Inc., based on the unit rates specified in their bid for Request for Quotation 2019-35 for the provision of chipping and grinding services at the City of North Bay Landfill, for a term of three (3) years with an option in favour of the City to extend the contract on the same terms and conditions for two (2) additional terms of up to one (1) year each.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict\_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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



# City of North Bay Report to Council

Report No: CORP 2019-45

Date: April 30, 2019

Originator: Mary-Ann Kotylak / Karin Pratte

Business Unit:  
Corporate Services

Department:  
Financial Services Department

Subject: Request for Quotation 2019-35 Landfill Chipping and Grinding Services

Closed Session: yes ☐ no ☒

---

## Recommendation

That City Council approves the award of a contract to Sittler Grinding Inc., based on the unit rates specified in their bid for RFQ 2019-35 for the provision of chipping and grinding services at the City of North Bay Merrick Landfill, for a term of 3 years with an option in favour of the City to extend the contract on the same terms and conditions for 2 additional terms of up to 1 year each.

---

## Background

The City of North Bay has separate disposal areas for wood waste and leaves at the Merrick Township Landfill Site located 25km north of North Bay. The size and type of material deposited at these areas range from end cuts, dressed lumber, wooden furniture, particle board, panels, wooden pallets, hedges, trimmings, small to large tree limbs, stumps, and leaves. A chipper/grinder is required to process all wood waste and organic material on an as and when requested basis. It is estimated that there is

approximately 1,000 tonnes of construction wood waste and miscellaneous wood debris as well as approximately 1,500 tonnes of brush and organics annually. This quantity is subject to change depending on the date that the work is carried out. Loads of chipped brush and chipped wood waste will be weighed and counted by the City's landfill staff to determine the final weight of the products.

---

## Financial/Legal Implications

A formal bid request, which closed March 28, 2019, was administered by the Purchasing Department and was publically advertised in accordance with the City's Purchasing By-Law 2013-200. Three quotes were evaluated by the Purchasing Manager and the Environmental Service Landfill Operations Coordinator. The evaluation considered suitability of equipment and price.

The results are as follows:

Ranking	Company	Bid Price
1	Sittler Grinding Inc.	\$177,675.00
2	Sino-can Agri-products & Clean Energy Limited	\$203,145.00
3	Summers Logging & Tree Service Ltd.	\$224,250.00

The bid price of \$177,675.00 (plus HST) from Sittler Grinding Inc. represents a total cost over the initial 3 year term based on the estimated quantities of wood waste and organics specified in the RFQ. Under the terms of the contract, the City will pay the unit rate specified for each item bid and is not bound to any specific quantities. The actual quantity and value of the work requested will vary based on operational requirements and budget availability.

The bid from Sittler Grinding Inc., which was the lowest bid, provides the best overall value to the City. Their bid is considered fair and reasonable.

Funding for landfill chipping and grinding services under this contract is managed within the operating budget of the Environmental Services Department.

---

## Corporate Strategic Plan

- |   |  |
|---|--|
| <input type="checkbox"/> Natural North and Near                           | <input type="checkbox"/> Economic Prosperity     |
| <input checked="" type="checkbox"/> Affordable Balanced Growth            | <input type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government |  |

## **Specific Objectives**

Maintain infrastructure across the city in a good state of repair.

Ensure the efficient and effective operations of the city, with particular consideration to the impact of decisions on the property tax rate.

---

## **Options Analysis**

1. That City Council approves the award of a contract to Sittler Grinding Inc., based on the unit rates specified in their bid for RFQ 2019-35 for the provision of chipping and grinding services at the City of North Bay Merrick Landfill, for a term of 3 years with an option in favour of the City to extend the contract on the same terms and conditions for 2 additional terms of up to 1 year each.
  2. Do not award a contract. This option is not recommended because all separated wood and brush materials must be chipped in order to preserve valuable landfill space.
- 

## **Recommended Option**

That City Council approves the award of a contract to Sittler Grinding Inc., based on the unit rates specified in their bid for RFQ 2019-35 for the provision of chipping and grinding services at the City of North Bay Merrick Landfill, for a term of 3 years with an option in favour of the City to extend the contract on the same terms and conditions for 2 additional terms of up to 1 year each.

---

Respectfully submitted,

---

Mary-Ann Kotylak,  
Purchasing Manager

---

Karin Pratte P.Eng  
Senior Facilities and Environment  
Engineer

We concur in this report and recommendation.

---

John Severino, P.Eng., MBA  
City Engineer – Infrastructure & Operations

---

Margaret Karpenko, CPA, CMA  
Chief Financial Officer/Treasurer

---

David Euler, P.Eng., PMP  
Interim Chief Administrative Officer

Personnel designated for continuance:

Name: Karin Pratte  
Title: Senior Facilities and Environment Engineer

North Bay, ON May 7, 2019

**Subject:** Report from Mary-Ann Kotylak and Reid Porter dated April 30, 2019 re  
Tender 2019-46, Asphalt Resurfacing

**File No.** SIRE/F18/2019/TENDER/GENERAL

**Res.** 2019 - \_\_\_\_\_

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

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

That 1) City Council approve the award of a contract to Pioneer Construction Inc. in the amount of \$4,013,110.25 (plus HST), for the 2019 Asphalt Resurfacing Program; and

2) Council authorize the transfer of funds to the project, as outlined in Report to Council CORP 2019-54 dated April 30, 2019 from Mary-Ann Kotylak and Reid Porter.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict \_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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



# City of North Bay Report to Council

Report No: CORP 2019-54

Date: April 30, 2019

Originator: Mary-Ann Kotylak / Reid Porter

Business Unit:  
Corporate Services

Department:  
Financial Services Department

Subject: Tender 2019-46 Asphalt Resurfacing

Closed Session: yes ☐ no ☒

---

## Recommendation

That City Council approves the award of a contract to Pioneer Construction Inc. in the amount of \$4,013,110.25 (plus HST) for the 2019 Asphalt Resurfacing Program; and that City Council authorizes the transfer of funds to the project as outlined in Report to Council No. CORP 2019-54.

---

## Background

Annually, the City tenders for asphalt resurfacing of various roads within the City of North Bay. The reconstruction and rehabilitation work includes pulverizing, milling, paving, granular shouldering and gutter replacement. The requirements for all asphalt resurfacing were included in this tender to allow the City to leverage its purchasing power for this work. The tender for 2019 included road rehabilitation, rural roads and provisional pricing for the Pete Palangio Parking Lot. The Pete Palangio Parking Lot rehabilitation project is currently being reviewed by staff. A separate Report to Council to award the Pete Palangio Parking Lot work to Pioneer Construction Inc. will be brought forward at a future Council meeting for approval should staff decide to proceed with recommending the project to Council.



---

## Financial/Legal Implications

A formal bid request, which closed April 18, 2019 was administered by the Purchasing Department and was publically advertised in accordance with the City's Purchasing By-Law 2013-200. Two bids were evaluated by the Purchasing Manager, and the Infrastructure Engineer. The evaluation considered experience and price.

Ranking	Company	Bid Price
1	Pioneer Construction Inc.	\$4,463,673.25
2	Miller Paving Limited	\$4,682,703.50

The total value of the contract has been reduced to \$4,013,110.25 (plus HST) to reflect the scope of work required at this time.

Funding for this contract is available in the following Capital projects (budget amounts include non-rebated portion of HST and other estimated costs including contract administration and testing):

- 6425RD – Asphalt Resurfacing 2019 On-going - \$3,600,000
- 6430RD – Rural Road Rehab 2019 On-going – up to \$561,000
- 6449PR – Trails and Supporting Hard Surfaces Rehab 2019 On-going – \$113,000. These funds will be transfer to 6425RD – Asphalt Resurfacing 2019 On-going from 6449PR. The amalgamation of available funding into one project will improve staff's ability to monitor the overall financial status of the project and will streamline the payment certificate process.

---

## Corporate Strategic Plan

- |  |  |
|--|--|
| <input type="checkbox"/> Natural North and Near                | <input type="checkbox"/> Economic Prosperity     |
| <input checked="" type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government |  |

## Specific Objectives

Maintain infrastructure across the city in a good state of repair.

---

## Options Analysis

1. That City Council approves the award of a contract to Pioneer Construction Inc. in the amount of \$4,013,110.25 (plus HST) for the 2019 Asphalt Resurfacing Program; and that City Council authorizes the transfer of funds to the project as outlined in

Report to Council No. CORP 2019-54.

2. Do not award a contract. This option is not recommended. This will result in continued deterioration of the identified roads. Additional ongoing asphalt patching will be necessary to maintain safe roadways.

---

## **Recommended Option**

That City Council approves the award of a contract to Pioneer Construction Inc. in the amount of \$4,013,110.25 (plus HST) for the 2019 Asphalt Resurfacing Program; and that City Council authorizes the transfer of funds to the project as outlined in Report to Council No. CORP 2019-54.

---

Respectfully submitted,

---

Mary-Ann Kotylak  
Purchasing Manager

---

Reid Porter  
Infrastructure Engineer

We concur in this report and recommendation.

---

John Severino, P.Eng., MBA  
City Engineer – Infrastructure & Operations

---

Margaret Karpenko, CPA, CMA  
Chief Financial Officer/Treasurer

---

David Euler, P.Eng., PMP  
Interim Chief Administrative Officer

Personnel designated for continuance:  
Name: Reid Porter  
Title: Infrastructure Engineer

North Bay, ON May 7, 2019**Subject:** Report from David Euler dated May 2, 2019 re Community Energy Park**File No.** SIRE/F05/2019/NBHS/CEP**Res.** 2019 - \_\_\_\_\_**Moved by Councillor:** \_\_\_\_\_**Seconded by Councillor:** \_\_\_\_\_

That 1) City Council authorize the transfer of \$261,000.00 from Completed General Capital Projects Reserve #99537R to North Bay Hydro Services Inc. as the City's Capital contribution to the \$4.5 million Community Energy Park as previously approved by North Bay Hydro Holdings Limited; and

2) the Mayor and City Clerk be authorized to execute the Power Purchase Agreement between The Corporation of the City of North Bay and North Bay Hydro Services Inc., once the agreement has been finalized to the satisfaction of the Interim Chief Administrative Officer, the Chief Financial Officer and the City Solicitor.

Carried ☐Carried as amended ☐Lost ☐

Conflict\_\_\_\_\_

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

 Yeas \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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



# City of North Bay Report to Council

Report No: 2019-03

Date: May 2, 2019

Originator: David Euler

Business Unit:  
Corporate Services

Department:  
Office of the CAO

Subject: Community Energy Park

Closed Session: yes ☐ no ☒

---

## Recommendation

1. That City Council authorizes the transfer of \$261,000.00 from Completed General Capital Projects Reserve # 99537R to North Bay Hydro Services Inc. as the City's Capital contribution to the \$4.5 million Community Energy Park as previously approved by North Bay Hydro Holdings Limited.
2. That the Mayor and Clerk be authorized to execute the Power Purchase Agreement between the Corporation of the City of North Bay and North Bay Hydro Services Inc., once the agreement has been finalized to satisfaction of the Interim Chief Administrative Officer, Chief Financial Officer and City Solicitor.

---

## Background

The Community Energy Park (CEP) is a microgrid that will supply electricity to Memorial Gardens, the YMCA, the Aquatic Centre, and Thomson Park through the use of two natural gas generators, a 250kW, 250kWh Battery, and 10kW of solar panels while also providing hot water as a byproduct of electricity generation to Memorial Gardens, the YMCA and the Aquatic Centre. It will also feature three level 3 charging receptacles for e-vehicles.

The main benefit of the CEP is resiliency. It will provide new resiliency to the above

mentioned community facilities that previously had no redundancy or backup capabilities through the decentralization of power generation on site with the ability to switch to grid power when required. The CEP will also be a showcase for the City of North Bay, as it is the first true microgrid in Canada.

North Bay Hydro Services has built the CEP in a way to allow for demonstration and education to be a main part its operation and we look forward to the opportunity to showcase the park. There currently are small savings forecasted over the 20 year project horizon for the City, with the ability for significant savings should the provincial costs for electricity continue to rise drastically as evidenced over the past ten years. Conversely, the savings may deteriorate if the price of natural gas rises drastically.

---

## **Financial/Legal Implications**

The City's contribution of \$261,000.00 from Completed General Capital Reserve #99537R is a one-time capital grant. Such one-time investment is consistent with the purpose and intent of reserves.

---

## **Corporate Strategic Plan**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Natural North and Near     | <input type="checkbox"/> Economic Prosperity     |
| <input checked="" type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government |  |

## **Specific Objectives**

- Invest in technology and work practices to reduce the city's energy consumption
- Explore opportunities to reduce the costs of government service delivery, including shared services and new technologies

---

## **Options Analysis**

North Bay Hydro Holdings Limited endorsed the CEP by way of Resolution 2017-06. The CEP has now been commissioned and is ready to be brought on-line. The Power Purchase Agreement is needed to formally govern the operations of the facility including energy pricing and the sharing of responsibilities between the parties.

---

## **Recommended Option**

1. That City Council authorizes the transfer of \$261,000.00 from Completed General Capital Projects Reserve # 99537R to North Bay Hydro Services Inc. as the City's Capital contribution to the \$4.5 million Community Energy Park as

previously approved by North Bay Hydro Holdings Limited.

2. That the Mayor and Clerk be authorized to sign the Power Purchase Agreement between the Corporation of the City of North Bay and North Bay Hydro Services Inc., once the agreement has been finalized to satisfaction of the Interim Chief Administrative Officer, Chief Financial Officer and City Solicitor.

Respectfully submitted,

---

Name: David Euler, P.Eng

Title: Interim CAO

**I concur with this report and recommendation.**

---

Name: Margaret Karpenko, CPA, CMA  
Title: Chief Financial Officer

---

Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.  
Title: City Solicitor

Personnel designated for continuance:

Name: Margaret Karpenko, CPA, CMA  
Title: Chief Financial Officer

Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.  
Title: City Solicitor

# **The Corporation of the City of North Bay**

## **By-Law No. 2019-38**

### **A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Beattie Street from a “General Institutional (N)” Zone to a “Residential Third Density (R3)” Zone and a “Residential Fifth Density (R5)” Zone**

#### **Rick Christianson – 890 Beattie Street**

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

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

**And Whereas** it is deemed desirable to amend the zone designation shown on Schedule “B-43” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

**And Whereas** Council passed Committee Report \_\_\_\_\_ adopted by Council on January 15, 2019 by resolution number 2019- \_\_\_\_\_ to approve this rezoning;

**Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:**

- 1) Schedule “B-43” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49159-0566 (LT) All of Lots 279, 280, 281, 282, 283, 284, 285 and 286; Part of Lot 278; Part of Certain Lanes, Plan 78 Being Part 1, Plan 36R13196; North Bay, District of Nipissing), shown as hatched on Schedule A attached hereto from a “General Institutional (N)” zone to a “Residential Third Density (R3)” zone and a “Residential Fifth Density (R5)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Third Density (R3)” zone and “Residential Fifth Density (R5)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.

- 4) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out the objection to the By-law and the reasons in support of the objection, and shall be accompanied by the fee prescribed under the *Local Planning Appeal Tribunal*, S.O. 2017, c.23, Sched. 1.
- 5) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 4 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 6) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 4 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 7th Day of May 2019.**

**Read a Second Time in Open Council the 7th Day of May 2019.**

**Read a Third Time in Open Council and Passed this 7th Day of May 2019.**

---

**Mayor, Allan McDonald**

---

**City Clerk Karen McIsaac**



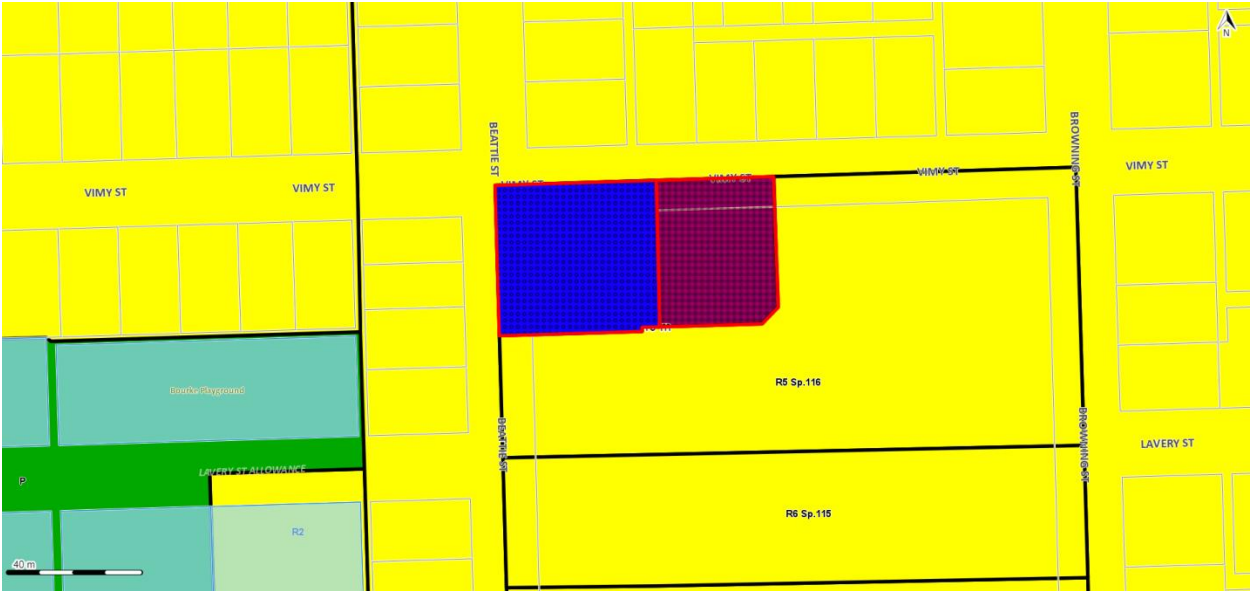
# Schedule A

This is Schedule “A”  
To By-law No. 2019-38

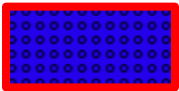
Passed the 7th Day of May 2019

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

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



## Legend



- From an “Institutional (N)” zone to a “Residential Third Density (R3)” zone



- From an “Institutional (N)” zone to a “Residential Fifth Density (R5)” zone

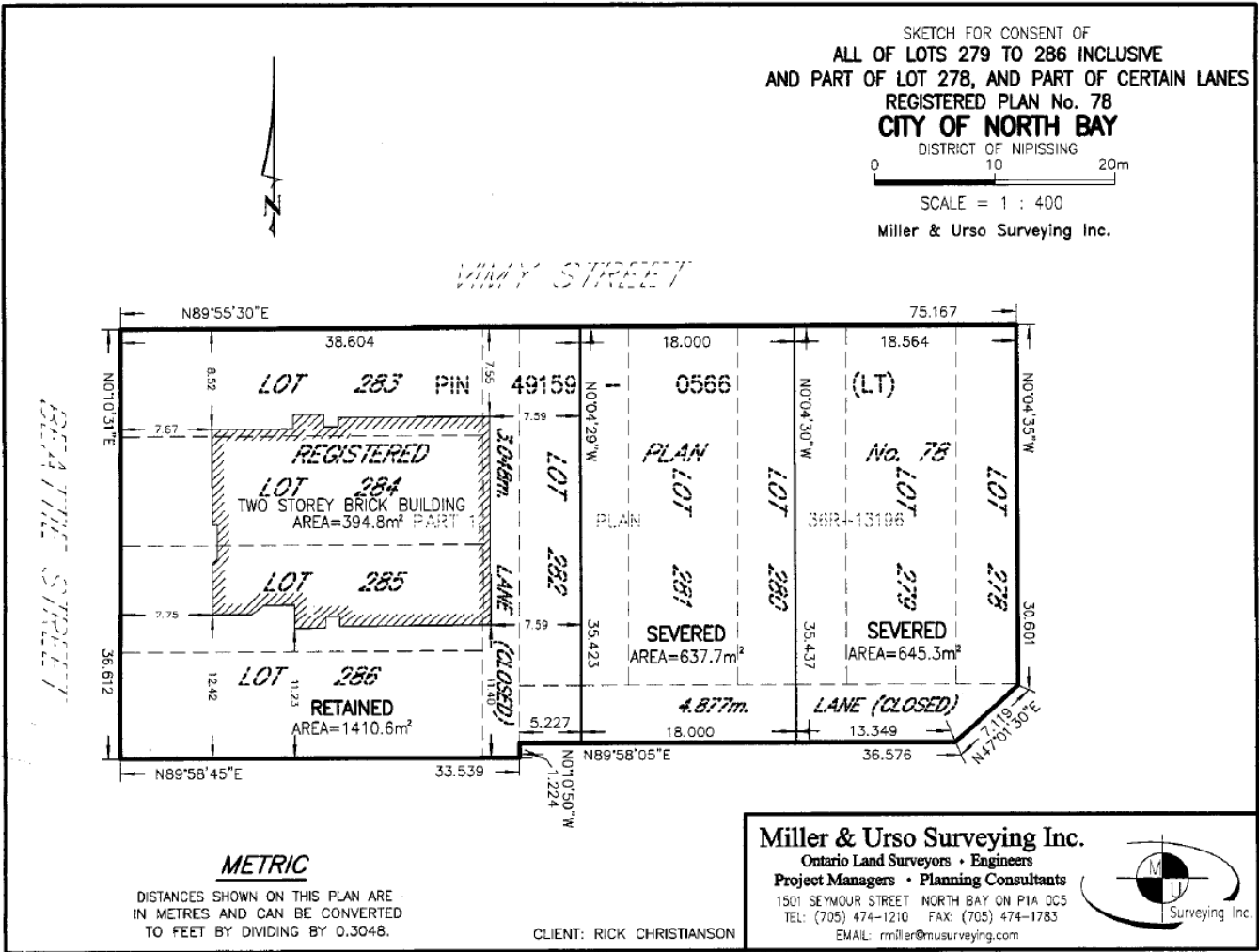
Schedule B

This is Schedule "B"  
To By-law No. 2019-38

Passed the 7th Day of May 2019

Mayor Allan McDonald

City Clerk Karen McIsaac



**The Corporation of The City of North Bay**

**By-Law No. 2019-41**

**Being a By-Law to Authorize the  
Execution of a Condominium Agreement  
with 2146552 Ontario Inc. – Wallace Road**

Whereas the Condominium Agreement with 2146552 Ontario Inc. was approved by Resolution No. 2019-\_\_\_\_\_passed by Council on Tuesday, May 7, 2019.

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 a Condominium Agreement with 2146552 Ontario Inc.
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 2146552 Ontario Inc. and to affix thereto the Corporate Seal.

Read a First Time in Open Council on the 7th day of May, 2019.

Read a Second Time in Open Council on the 7th day of May, 2019.

Read a Third Time in Open Council and Enacted and Passed on the 7th day of May, 2019.

---

Mayor Allan McDonald

---

City Clerk Karen McIsaac

MOTION



North Bay, ON

May 7, 2019

**Subject:** "Smoking By-Law Amendment"

**File No.**

**Res.** 2019 - \_\_\_\_\_

**Moved by Councillor:** Tignanelli

**Seconded by Councillor:** Robertson

Whereas other municipalities have prohibited all smoking within their City parks;

And Whereas the North Bay Parry Sound District Health Unit has recommended that the City prohibit smoking and vaping of all substances in all municipal parks including green spaces, trails, and beaches;

And Whereas the *Smoke-Free Ontario Act, 2017*, SO 2017, c. 26, Sched. 3 (1) prohibits smoking cannabis and using electronic cigarettes (commonly known as "vaping"), in all areas where smoking is prohibited; (2) smoking and vaping is not permitted on children's playgrounds or in public spaces within 20 metres of the perimeter of a playground; (3) smoking and vaping is not permitted at publically-owned outdoor sporting areas, spectator areas next to sporting areas and public areas within 20 metres of any point of the edge of the sporting or spectator areas;

And Whereas the *Municipal Act, 2001*, SO 2001, c. 25 allows for a municipality to (1) define a public place; (2) control smoking in that public place; (3) require owners, occupiers, and operators to place signage in relation to smoking restrictions on their properties; and (4) establish criteria for smoking areas on those properties;

And Whereas the City currently has By-Law 2012-97 to regulate smoking in public places and workplaces;

And Whereas the By-Law Enforcement Coordinator has received requests from some agencies in the City to include their workplaces in the list of designated "Smoke-free" workplaces in the Smoking By-Law 2012-97, in addition to those already designated as "Smoke-free";

Therefore be it resolved that:

- i) staff be directed to amend the Smoking By-Law 2012-97 to prohibit the smoking and vaping of any substance, including the use of water pipes, in all places where smoking is prohibited;
- ii) staff be directed to amend the Smoking By-Law 2012-97 to prohibit all smoking and vaping in all City parks;
- iii) staff be directed to amend the Smoking By-Law 2012-97 to prohibit all smoking and vaping on all City property and to allow for designated smoking areas on a limited number of identified properties;
- iv) staff be directed to amend the smoking By-Law 2012-97 to define designated smoking areas.

Carried



Carried as amended



Lost



Conflict \_\_\_\_\_

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

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

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

MOTION



North Bay, ON

May 7, 2019

**Subject:** Amendments to Business Licensing By-Law

**File No.**

**Res.** 2019-

**Moved by Councillor:** Tignanelli

**Seconded by Councillor:** Robertson

Whereas section 10(2) of the *Municipal Act*, authorizes a municipality to pass By-Laws respecting business licensing;

And Whereas the Council of the City of North Bay passed Business Licensing By-Law 2012-225 on 26<sup>th</sup> day of November, 2012;

And Whereas the City's Business Licensing By-Law requires every person who is engaged in a business that includes the sale of tobacco and or tobacco products to obtain a business license;

And Whereas Council wishes to include in the City's Business Licensing By-Law the necessity of requiring a license to sell the following products:

- (i) Electronic cigarettes;
- (ii) E-substances;
- (iii) Vapour products.

Therefore Be It Resolved that the Council of the City of North Bay authorize an amendment to Business Licensing By-Law 2012-225 to include the selling of electronic cigarettes, e-substances and vapour products.

And Further that staff review the cost of licensing for a Tobacco Sales Licence to increase from \$50.00 to \$100.00.

And Further that the cost of an Electronic Cigarettes Licence be the same as a Tobacco Sales Licence.

Carried ☐

Carried as amended ☐

Lost ☐

Conflict\_\_\_\_\_

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

Yeas \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nays \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

# MOTION



North Bay, ON

May 7, 2019

**Subject:** "Casual Wear Months"

**File No.** C00/2018/CNB/COUNCIL

**Res.** 2019 -

**Moved by Councillor:** Mendicino

**Seconded by Councillor:** Tignanelli

That "Casual Wear Months" be in effect from Tuesday, May 21, 2019 until Tuesday, September 3, 2019.

Carried

☐

Carried as amended

☐

Lost

☐

Conflict\_\_\_\_\_

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

Yeas \_\_\_\_\_

Nays\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

# **The Corporation of The City of North Bay**

## **By-Law No. 2019-37**

### **Being a By-Law to Confirm Proceedings of the Regular Meeting of Council Held on May 7, 2019**

**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 May 7, 2019 in respect of each motion, resolution and other action passed and taken by the Council at is said Meeting is, except where the prior approval of the Local Planning Appeal Tribunal 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 7<sup>th</sup> day of May, 2019.

Read a Second Time in Open Council this 7<sup>th</sup> day of May, 2019.

Read a Third Time in Open Council and Passed this 7<sup>th</sup> day of May, 2019.

---

Mayor Allan McDonald

---

City Clerk Karen McIsaac