



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

**BY-LAW NO. 106-93**

**BEING A BY-LAW TO AUTHORIZE THE PURCHASE  
OF LANDS FOR THE DISPOSAL OF GARBAGE.**

**WHEREAS** council is authorized to pass by-laws to acquire land for the disposal of garbage pursuant to section 210 (90) of the Municipal Act, R.S.O. 1990, c. M-45 in territory without municipal organization subject to a public hearing and approval by the Ontario Municipal Board;

**AND WHEREAS** the council has agreed to pay the appraised value of the lands to the Ministry of Government Services and to comply with conditions established in consultation with the Ministry of Natural Resources;

**AND WHEREAS** the Environmental Assessment for use of the lands as a landfill has been accepted, with conditions, by the Minister of the Environment and council agrees to comply with such conditions.

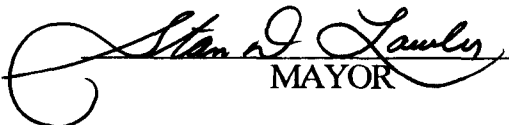
**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. The Corporation of the City of North Bay is hereby authorized to acquire certain lands in the unorganized Township of Merrick in the District of Nipissing as set out on a Plan by P.A. Blackburn, O.L.S., dated April 27, 1993 according to the conditions set out on the offer dated June 25, 1993 attached as Schedule "A" hereto and to pay the sum of \$40,500 .00 therefore.
2. The Mayor and Clerk are hereby authorized to execute an agreement according to the terms of the Offer dated June 25, 1993 and such further and other documents as may be reasonably required to complete the transaction.
3. This by-law is subject to the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THE 3rd DAY OF AUGUST, 1993.

READ A SECOND TIME IN OPEN COUNCIL THE 3rd DAY OF AUGUST, 1993

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 3rd DAY OF AUGUST, 1993.

  
MAYOR

  
CITY CLERK



# The Corporation of the City of North Bay

200 MCINTYRE STREET EAST, P.O. BOX 360, NORTH BAY, ONTARIO P1B 8H8 (705) 474-0400

Please quote our file no. #

June 25, 1993

Ministry of Natural Resources  
P.O. Box 3070  
NORTH BAY ON P1B 8K7

Attention: Sheila MacFeeters

Dear Sheila MacFeeters:

Re: Purchase of Lands  
And Re: Part of Annulled Lots 10, 11 and 12  
Concessions IV and V  
Part of Annulled Lots 10 and 11, Concession VI  
Unorganized Township of Merrick

Further to our request of December 13, 1989 to acquire the above lands now described on a Reference Plan by Arden Blackburn, O.L.S., I am writing, subject to the approval of council, to offer to purchase the above lands for the sum of \$40,000.00, with completion within 30 days of receipt of all of the following approvals:

1. Approval of an undertaking for use of the land as a landfill pursuant to the Environmental Assessment Act.
2. Approval for the acquisition of land in unorganized territory by the Ontario Municipal Board, pursuant to the Municipal Act, section 210, (90) (b)

It is agreed that the following conditions will apply:

1. The City shall allow the proposed landfill to include those areas served by the Ontario MNR waste disposal facilities at the Merrick Township Landfill (Sand Dam Road) (Certificate of Approval A-7268702) and Lyman Township Landfill (Tilden Lake) (Certificate of Approval A-7091401) in accordance with a schedule to be agreed upon between the proponent, the MOEE and the MNR. Materials accepted from these areas will include only non-hazardous municipal solid waste and recyclable materials.

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2. The City shall not remove or harvest trees within the tree planting area without the prior written consent of the MNR. The MNR may remove, harvest, test and carry out such investigations as and when the MNR deems fit within the tree planting area.
3. The City shall register the Certificate of Approval for use of the lands as a landfill site under the Environmental Protection Act upon issuance against the above lands.
4. The City shall indemnify and save harmless the Crown, Her officers, servants and agents from and against any and all claims, demands, suits, actions, damages, loss, cost or expenses arising out of any injury to persons, including death, or loss or damage to property of other which may be, or be alleged to be, caused by or suffered as a result of or in any manner associated with the operation or use by the City, its employees, agents, contractors or permittees of a waste disposal site on the lands described in Schedule A before and after the date this Agreement comes into effect.
5. The City assumes all responsibility for the operation of the waste disposal site on the lands described in Schedule A and any expansion of such waste disposal site after the date of this Agreement comes into effect and will be solely responsible for obtaining all necessary governmental approvals or permits required for the lawful operation of a waste disposal site on the said lands.

A copy of the Notice of Acceptance of the City's Environmental Assessment by the Minister of the Environment is enclosed, together with a copy of the draft recommended Conditions of Approval under the Environmental Protection Act.

Yours truly,

MBB/cstl  
Encls.

Michael B. Burke  
CITY SOLICITOR

copy to: M. L. Daiter  
D. C. Robinson  
R. F. Barton