

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 85-72

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A SANITARY SEWER SYSTEM FROM A POINT ON SEYMOUR STREET OF ABOUT 600 FEET WEST OF WALLACE ROAD, EASTERLY A DISTANCE OF ABOUT 720 FEET; THENCE NORTHERLY AND EASTERLY ALONG AN EASEMENT A DISTANCE TOTTALLING ABOUT 2500 FEET TO ITS INTERSECTION WITH WALLACE ROAD; THENCE NORTHERLY ALONG WALLACE ROAD TO A POINT 120 FEET SOUTH OF LAKE HEIGHTS ROAD.

WHEREAS pursuant to the provisions of The Municipal Act, being revised Statutes of Ontario, 1970, Chapter 284, and more particularly Section 354 (1) (53) thereof, a Council may pass by-laws authorizing the construction of certain extensions and improvements to sanitary sewers in order to provide the necessary sanitary sewer system;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 362 of The Municipal Act being Revised Statutes of Ontario, 1970.

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

1. THAT a sanitary sewer system with the necessary mains, manholes, pumping station and other appurtenances be constructed from a point on Seymour Street of about 600 feet west of Wallace Road, easterly a distance of about 720 feet; thence northerly and easterly along an easement a distance totalling about 2500 feet to its intersection with Wallace Road; thence northerly along Wallace Road to a point 120 feet south of Lake Heights Road.
2. THAT the total cost of the said work is estimated at \$150,000.00. The abutting owners' share based on acreage is estimated at \$150,000.00.
3. THAT the estimated annual rate per acre is \$146.08 for a period of fifteen (15) years at 8 ½% interest and shall be charged and imposed upon all the lands in a defined area as shown in Schedule "A" hereto, which area shall be and is hereby defined as the property abutting on the said works.
4. THAT the assessment referred to herein or any debentures which may be and are hereby authorized shall be paid in fifteen (15) annual instalments of principal and interest at such rate as Council shall determine.
5. THAT the estimated life of the work is sixteen (16) years.
6. THAT the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of Promissory Note or Notes temporary advances of money to meet the cost of construction as aforesaid pending the completion thereof and pending the issue and sale of debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this by-law.

- 2 -

7. THAT the Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work or for the carrying out of the work by day labour.
8. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
9. THAT the Mayor and Clerk are hereby authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation or make such other arrangement as may be necessary for the carrying out of the work by day labour, subject to the approval of this Council to be declared by resolution.
10. Any person whose lot is specially assessed may, at any time, before the passing of a debenture by-law implementing the provisions hereof, commute for payment the cost of the construction assessed upon such lot without interest, forthwith after the said assessment roll has been certified by the Clerk.

READ A FIRST TIME IN OPEN COUNCIL THIS 8TH DAY OF AUGUST , 1972.

READ A SECOND TIME IN OPEN COUNCIL THIS 8TH DAY OF AUGUST , 1972.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 8TH DAY OF JANUARY , 1973.

.....
MAYOR

.....
CITY CLERK

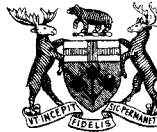
THIS IS SCHEDULE "A" TO BY-LAW NO. 85-72 OF THE CORPORATION OF THE CITY OF NORTH BAY

.....

DESCRIPTION OF LAND

	Parcel	5386	W&F	.34	acres
	"	6983	W&F	.34	"
	"	4660	W&F	.46	"
Part	"	3317	W&F	3.21	"
	"	6661	W&F	1.00	
	"	6214	W&F	1.00	
Part Rem.	"	741	Nip.	1.11	
	Parcel	6435	W&F	.97	
	"	6476	W&F	.93	"
	"	4449	W&F	1.00	"
Part	"	2004	W&F	96.57	"
Part 1	NR	2400		2.87	
Part 2	NR	2400		.72	
Part	Parcel	2975	W&F	8.56	
Part 1	NR	886		4.57	acres

TOTAL ACREAGE 123.65 acres



ONTARIO

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R. S. O. 1970, c. 323),

Sections 354(1)53 and 362 of The
Municipal Act (R.S.O. 1970, c. 284),

- and -

IN THE MATTER OF an application
by The Corporation of the City
of North Bay for approval of the
construction of certain sanitary
sewers and a pumping station
and of the borrowing of the sum of
\$150,000.00, being the estimated
cost thereof

- and -

IN THE MATTER OF the passing of
a by-law imposing a sewer rate

B E F O R E :

A. H. ARRELL, Q. C.,) TUESDAY, the 21st day
Vice-Chairman))
) of NOVEMBER, 1972

THIS APPLICATION having come on for public hearing,
the Board orders, under and in pursuance of the legisla-
tion hereinbefore referred to, and of any and all other
powers vested in the Board, that the said application
be and the same is hereby granted, and that the corporation
may now proceed with the construction of the sanitary sewer
and pumping station described in Schedule "A" attached hereto
at a total cost not to exceed \$150,000.00 and for such purpose
may pass a by-law authorizing the said undertaking and all
other requisite by-laws, including by-laws providing for
the issue of debentures in a principal amount not exceed-
ing \$150,000.00 repayable over a term of not more than fifteen



ONTARIO

ONTARIO MUNICIPAL BOARD

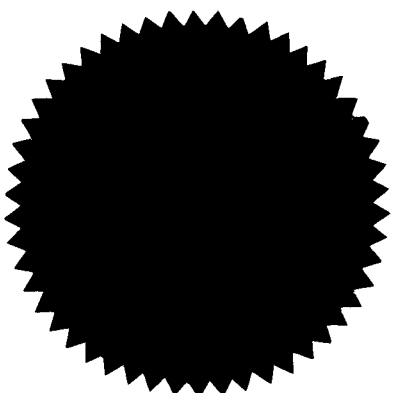
- 2 -

years and may borrow money to the extent sufficient to provide an amount not exceeding \$150,000.00 therefor, provided:

1. that the corporation may borrow the whole or any part of the said sum of \$150,000.00 as required pending receipt of subsidies and the sale of debentures or the receipt of moneys from any other source,
2. that any by-law authorizing the said undertaking is passed by a three-fourths vote of all members of the council of the said corporation,
3. that the corporation in exercising any of its powers approved by this order shall comply with all statutory and other legal requirements related thereto.

AND THE BOARD ORDERS that the passing of a by-law imposing upon owners or occupants of land who derive or will or may derive a benefit from the said sewage works a sewer rate for a period of fifteen years to pay the whole of the cost of such works by an annual rate of not more than \$146.08 per acre with interest thereon at a rate not exceeding 8 1/2% per annum, on the lands in the area described in Schedule "B" hereto, be and the same is hereby approved.

Order signed this 8th day of January, 1973.



K. C. Andrews
K. C. ANDREWS
SECRETARY

File No.	H/18
File No.	338
Date	JAN 10 1973



H 6617

ONTARIO

ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of the Ontario Municipal Board made
on the 21st day of November, 1972

Construction of SANITARY SEWERS on:

1. SEYMOUR STREET about 600 feet west of Wallace Road, easterly a distance of about 720 feet
2. Northerly and Easterly along an Easement, a distance totalling about 2,500 feet to its intersection with Wallace Road
3. Northerly along Wallace Road to a point 120 feet south of Lakeheights Road
4. PUMPING STATION

TOTAL ESTIMATED COST..... \$150,000.00



H 6617

ONTARIO

ONTARIO MUNICIPAL BOARD

SCHEDULE "B"

to the order of the Ontario Municipal Board made
on the 21st day of November, 1972

Area on which Sewer Rate is to be imposed:

	Parcel 5386 W & F	.34 acres
	Parcel 6983 W & F	.34 acres
	Parcel 4660 W & F	.46 acres
Part	Parcel 3317 W & F	3.21 acres
	Parcel 6661 W & F	1.00 acres
	Parcel 6214 W & F	1.00 acres
Part Rem.	Parcel 741 Nip.	1.11 acres
	Parcel 6435 W & F	.97 acres
	Parcel 6476 W & F	.93 acres
	Parcel 4449 W & F	1.00 acres
Part	Parcel 2004 W & F	96.57 acres
Part 1	NR 2400	2.87 acres
Part 2	NR 2400	.72 acres
Part	Parcel 2975 W & F	8.56 acres
Part 1	NR 886	4.57 acres



ONTARIO

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R. S. O. 1970, c. 323),

Sections 354(1)53 and 362 of The
Municipal Act, (R. S. O. 1970, c.
284),

- and -

IN THE MATTER OF an application
by The Corporation of the City
of North Bay for approval of the
construction of certain trunk
watermains and of the borrowing
of the sum of \$149,500.00, being
the estimated cost thereof

- and -

IN THE MATTER OF the passing of
a by-law imposing a water works
rate

B E F O R E :

A. H. ARRELL, Q. C.,)
Vice-Chairman) TUESDAY, the 21st day
)
) of NOVEMBER, 1972

THIS APPLICATION having come on for public hearing,
the Board orders, under and in pursuance of the legisla-
tion hereinbefore referred to, and of any and all other
powers vested in the Board, that the said application
be and the same is hereby granted, and that the corpora-
tion may now proceed with the construction of the trunk
watermains described in Schedule "A" attached hereto at
a total cost not to exceed \$149,500.00 and for such
purpose may pass a by-law authorizing the said undertaking
and all other requisite by-laws, including by-laws provid-
ing for the issue of debentures in a principal amount not



H 6616

ONTARIO

ONTARIO MUNICIPAL BOARD

- 2 -

exceeding \$149,500.00 repayable over a term of not more than twenty years and may borrow money to the extent sufficient to provide an amount not exceeding \$149,500.00 therefor, provided:

1. that the corporation may borrow the whole or any part of the said sum of \$149,500.00 as required pending receipt of subsidies and the sale of debentures or the receipt of moneys from any other source,
2. that any by-law authorizing the said undertaking is passed by a three-fourths vote of all members of the council of the said corporation, and
3. that the corporation in exercising any of its powers approved by this order shall comply with all statutory and other legal requirements related thereto.

AND THE BOARD ORDERS that the passing of a by-law imposing upon owners or occupants of land who derive or will or may derive a benefit from the said water works a water works rate for a period of twenty years to pay the whole of the cost of such works by an annual rate of not more than \$127.76 per acre with interest thereon at a rate not exceeding 8 1/2% per annum, on the lands in the area described in Schedule "B" hereto such area having been enlarged from that originally proposed by the corporation by the addition of the lands owned by Rochefort Construction Limited, be and the same is hereby approved.




H 6616

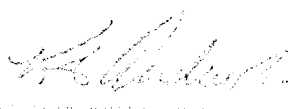
ONTARIO

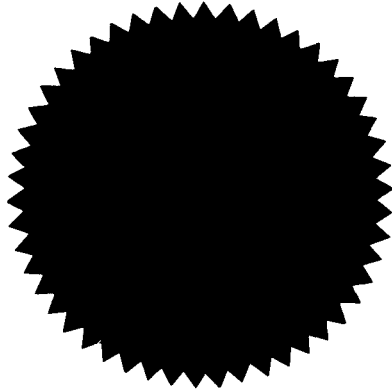
ONTARIO MUNICIPAL BOARD

- 3 -

Order signed the 8th day of January, 1973.


K. C. ANDREWS
SECRETARY

REGISTERED
FILE NO. <i>468</i>
FILED IN <i>100</i>
JAN 1 1973

SECRETARY, CHIEF CLERK, MUNICIPAL BOARD





H 6616

ONTARIO

ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of the Ontario Municipal Board made
on the 21st day of November, 1972

Construction of TRUNK WATERMANS on:

1. SEYMOUR STREET from a point 950 feet
east of Mud Lake Road to 500 feet west
of Wallace Road
2. EASEMENT from Seymour Street to
Wallace Road
3. WALLACE ROAD from 1,300 feet north
of Seymour Street to Lakeheights
Road

TOTAL ESTIMATED COST... \$149,500.00



H 6616

ONTARIO

ONTARIO MUNICIPAL BOARD

SCHEDULE "B"

to the order of the Ontario Municipal Board made
on the 21st day of November, 1972

Area on which Water Works Rate is to be imposed:

	Parcel 5386 W & F	.34 acres
	Parcel 6983 W & F	.34 acres
	Parcel 4660 W & F	.46 acres
Part	Parcel 3317 W & F	3.21 acres
	Parcel 6661 W & F	1.00 acres
	Parcel 6214 W & F	1.00 acres
Part Rem.	Parcel 741 Nip.	1.11 acres
	Parcel 6435 W & F	.97 acres
	Parcel 6476 W & F	.93 acres
	Parcel 4449 W & F	1.00 acres
Part	Parcel 2004 W & F	96.57 acres
Part 1	NR 2400	2.87 acres
Part 2	NR 2400	.72 acres
Part	Parcel 2975 W & F	8.56 acres
Part 1	NR 886	4.57 acres
Parts 1 to 5	NR 752 (Rochefort Construction Limited)	6.59 acres