

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 125-70BEING A BY-LAW TO AUTHORIZE CONSTRUCTION
OF A SANITARY SEWER SYSTEM IN THE SEYMOUR
STREET AREA - NORTH OF THE NORTH BAY BY-PASS

WHEREAS pursuant to the provisions of The Municipal Act, being Revised Statutes of Ontario, 1960, Chapter 249, and more particularly Section 379 (1) (52) 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 380 of The Municipal Act being Revised Statutes of Ontario, 1960.

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, connections to the lot lines, and other appurtenances be constructed in the Seymour Street area, north of the North Bay By-Pass and bounded by the Ontario Northland Railway Right-of-Way, the proposed By-Pass, D.H.O. Plan P-2785-42 and a line 450 feet south of Seymour Street which area is more particularly described in Schedule "A" annexed hereto.
2. THAT the total cost of the said work is estimated at \$54,897.38 including connection charges. The abutting owners' share based on acreage is estimated at \$46,943.63 excluding connection charges. The total Corporation's share of the cost is estimated at \$3,801.03 which shall be recovered by the imposition of a sewer rate levied against all the ratepayers in the City of North Bay.
3. THAT the estimated annual rate per acre is \$134.92 for a period of fifteen (15) years at 9% interest and shall be charged and imposed upon all the rateable property 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. THE estimated cost for each connection is \$159.72 and the estimated annual cost for fifteen (15) years at 9% interest is \$19.81.
6. THAT the estimated life of the work is sixteen (16) years.
7. 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 herein-after referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this By-law.
8. 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.

9. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
10. 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.
11. 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 2ND DAY OF NOVEMBER, 1970.

READ A SECOND TIME IN OPEN COUNCIL THIS 2ND DAY OF NOVEMBER, 1970.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED

THIS 22ND DAY OF MARCH , 1971.

.....
MAYOR

...*E.E. Dumbstrong*.....
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 125-70 OF THE CORPORATION OF THE
CITY OF NORTH BAY

.....

DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN SEYMOUR
STREET AREA - NORTH OF BY-PASS

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Parcel 4745	NR-451	.084 acre
Parcel 4719	NR-451	.062 "
Parcel 5872	NR-67	1.875 "
Parcel 2379	NR-451	.059 "
Part 3	NR-451	.023 "
Parcel 5094	NR-451	.091 "
Part 1	NR-231	.124 "
Parcel 1129	NR-451	.041 "
Part 4	NR-451	.108 "
Parcel 5712	NR-451	.092 "
Parcel 5993	NR-451	.092 "
Part 5	NR-451	.092 "
Part 6	NR-451	.094 "
Part 7	NR-451	.092 "
Parcel 6722	NR-451	.101 "
Part 8	NR-451	.138 "
Part 9	NR-451	.097 "
Part 10	NR-451	.097 "
Part 11	NR-451	.099 "
Part 12	NR-451	2.851 "
Part 13	NR-451	.139 "
Part 14	NR-451	.139 "
Part 15	NR-451	.139 "
Part 1	NR-451	2.363 "
Part 9	NR-1073	.090 "
Parcel 1522	NR-1073	.056 "
Part 8	NR-1073	.058 "
Part 19	NR-1073	.041 "
Part 7	NR-1073	.072 "
Part 18	NR-1073	.006 "
Part 10	NR-1073	.018 "
Part 17	NR-1073	.028 "
Part 11	NR-1073	.035 "
Part 16	NR-1073	.061 "
Part 15	NR-1073	.120 "
Part 14	NR-1073	.280 "
Part 13	NR-1073	.126 "
Part 12	NR-1073	.087 "
Parcel 3676	NR-1073	.138 "
Parcel 3127	NR-1073	.138 "
Part 23	NR-1073	.005 "
Parcel 4733	NR-1073	.079 "
Part 6	NR-1073	.070 "
Part 29	NR-1073	.086 "
Part 28	NR-1073	.025 "
Part 27	NR-1073	.027 "
Part 26	NR-1073	.208 "
Part 1	NR-122	.087 "
Part 5	NR-1073	.102 "
Part 4	NR-1073	.105 "
Parcel 5865	NR-1073	.102 "
Part 3	NR-1073	.101 "
Part 32	NR-1073	.212 "
Part 31	NR-1073	.038 "
Part 30	NR-1073	.789 "
Part 2	NR-1073	.123 "

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Part 1	NR-1073	.092 acre
Part 36	NR-1073	.132 "
Part 35	NR-1073	.049 "
Part 34	NR-1073	.022 "
Part 33	NR-1073	.061 "
Parcel 4010	NR-1073	.344 "
Part 1	NR-515	3.181 "
Part 2	NR-515	.139 "
Part 3	NR-515	.139 "
Part 4	NR-515	.139 "
Part 5	NR-515	.139 "
Part 6	NR-515	.139 "
Part 7	NR-515	.139 "
Part 8	NR-515	.179 "
Part 9	NR-515	.092 "
Part 10	NR-515	.153 "
Part 11	NR-515	.138 "
(includes 29)		
Part 12	NR-515	.246 "
(includes 30)		
Part 13	NR-515	.156 "
Part 14	NR-515	.138 "
Part 15	NR-515	.138 "
Part 16	NR-515	.138 "
Part 17	NR-515	.138 "
Part 18	NR-515	2.088 "
Part 19	NR-515	2.326 "
Part 21	NR-515	2.044 "
Part 23	NR-515	.099 "
Part 24	NR-515	.011 "
Part 25	NR-515	.129 "
Part 26	NR-515	.059 "
Part 32	NR-515	.215 "
Part 1	NR-1646	.129 "
Part 2	NR-1646	.064 "
Part 3	NR-1646	.002 "
Part 4	NR-1646	.346 "
Parcel 238	NR-1646	5.017 "
Part 1	NR-473	1.449 "
(Parcel 6249)		
Part 2	NR-473	2.893 "
(Parcel 6249)		
Parcel 4102	NR-1646	<u>7.457 "</u>

TOTAL.....43.164 acres



ONTARIO

ONTARIO MUNICIPAL BOARD

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<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Part 27	NR-1073	.027 acre
Part 26	NR-1073	.208 "
Part 1	NR-122	.087 "
Part 5	NR-1073	.102 "
Part 4	NR-1073	.105 "
Parcel 5865	NR-1073	.102 "
Part 3	NR-1073	.101 "
Part 32	NR-1073	.212 "
Part 31	NR-1073	.038 "
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Part 6	NR-515	.139 "
Part 7	NR-515	.139 "
Part 8	NR-515	.179 "
Part 9	NR-515	.092 "
Part 10	NR-515	.153 "
Part 11	NR-515	.138 "
[includes 29]		
Part 12	NR-515	.246 "
[includes 30]		
Part 13	NR-515	.156 "
Part 14	NR-515	.138 "
Part 15	NR-515	.138 "
Part 16	NR-515	.138 "
Part 17	NR-515	.138 "
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Part 3	NR-1646	.002 "
Part 4	NR-1646	.346 "
Parcel 238	NR-1646	5.017 "
Part 1	NR-473	1.449 "
[Parcel 6249]		
Part 2	NR-473	2.893 "
[Parcel 6249]		
Parcel 4102	NR-1646	7.457 "



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ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of The Ontario Municipal Board
made on the 3rd day of February, 1971

AREA ON WHICH SEWER RATE IS TO BE IMPOSED:

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Parcel 4745	NR-451	.084 acre
Parcel 4719	NR-451	.062 "
Parcel 5872	NR-67	1.875 "
Parcel 2379	NR-451	.059 "
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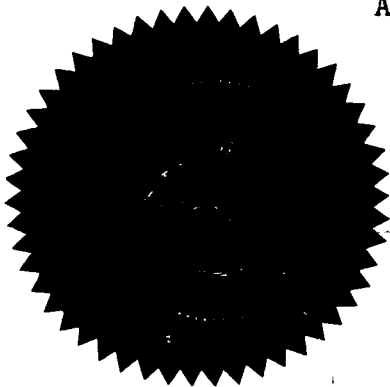
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imposing upon owners or occupants of lands who derive or will or may derive a benefit from the proposed works an annual sewer rate for a period of fifteen years, to pay part of the cost of the said works, an annual rate per acre of \$134.92 upon the lands within the area defined in Schedule "A" attached hereto, be and the same is hereby approved.

W. Fraser

ACTING SECRETARY



ENTERED	
O. B. No.	<i>H5</i>
Folio No.	<i>312</i>
MAR 9 1971	
<i>R. Scott</i>	
Secretary, Ontario Municipal Board	



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sewer rate to pay part of the cost of the construction of the said works, and it appearing that all notices as required by the Board have been given and that no objection or sufficient petition of objection as required by statute or by the Board has been received as appears from evidence duly filed, and upon reading the material filed;

THE BOARD ORDERS, under and in pursuance of the legislation hereinbefore referred to, and of any and all other powers vested in the Board, that this application be and the same is hereby granted, and that the corporation may now proceed with the said undertaking at a total cost not to exceed \$54,897.38, 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 exceeding \$54,897.38 repayable over a term of not more than fifteen years, and may borrow money to the extent sufficient to provide an amount not exceeding \$54,897.38 therefor, provided:

1. 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
2. that the corporation may borrow the whole or any part of the said sum of \$54,897.38 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, 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



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IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R.S.O. 1960, c. 274), and

Sections 379(1)52 and 380 of
The Municipal Act, (R.S.O. 1960,
c. 249)

- and -

IN THE MATTER OF an application
by The Corporation of the City
of North Bay for approval of the
construction of a sanitary sewer
system with the necessary mains
and connections to the lot lines
in the Seymour Street area, north
of the North Bay By-Pass and
bounded by the Ontario Northland
Railway Right-of-Way, the By-Pass,
D.H.O. Plan P-2785-42 and a line
450 feet south of Seymour Street,
and of the borrowing of the sum
of \$54,897.38, being the esti-
mated cost thereof

- and -

IN THE MATTER OF the said cor-
poration's application for ap-
proval of the imposing of a sewer
rate

B E F O R E:

J. A. KENNEDY, Q.C.)
Chairman)
)
- and -)
)
H. E. ROBERTS)
Vice-Chairman)

WEDNESDAY, the 3rd day of
FEBRUARY, 1971

UPON THE APPLICATION of The Corporation of the City
of North Bay for approval of the construction of a sanitary
sewer system with the necessary mains and connections to the
lot lines in the Seymour Street area, north of the North Bay
By-Pass and bounded by the Ontario Northland Railway Right-
of-Way, the By-Pass, D.H.O. Plan P-2785-42 and a line 450 feet
south of Seymour Street and of the borrowing of the sum of
\$54,897.38, being the estimated cost thereof, and for approval
of the passing of a by-law providing for the imposing of a