

BY-LAW NO. 2288

BEING a By-law to authorize construction of a Sanitary Sewer System in the Seymour Street Area - South 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.

THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY 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, south of the North Bay By-Pass and bounded by the Ontario Northland Railway Right-of-Way and a line 210 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 \$15,794.90. The abutting owners' share, based on acreage is estimated at \$13,767.92. The total Corporation's share of the cost is estimated at \$2,026.98 which shall be assessed against the general tax rate.
3. THAT the estimated annual rate per acre is \$133.01(2) for a period of fifteen (15) years at 6½% 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 on 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 head of the Council and the Treasurer may, subject to the approval of Council, agree with any Bank or persons for temporary advances of money to meet the cost of the work.
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.
- 11. No person shall be permitted to commute a special frontage rate after the passing of such debenture by-law.

READ A FIRST AND SECOND TIME IN OPEN COUNCIL THIS 30th DAY OF MAY, 1966.

Nice Mollay.....,.....*E. E. Cunningham*.....
 ACTING MAYOR CITY CLERK

READ A THIRD TIME AND FINALLY ENACTED AND PASSED THIS 24TH DAY OF OCT. 1966.

[Signature].....*E. E. Cunningham*.....
 MAYOR CITY CLERK

SCHEDULE "A"
to
BY-LAW NO. 2288

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

	<u>PLAN NO.</u>	<u>AREA ACRES</u>
<u>South Side of Street:</u>		
N. Pt. Part 1, Parcel 7071	NR 29	0.456
N. Pt. Part 2, Parcel 7071	NR 29	0.159
Parcel 3729	NR 1099	0.289
Parcel 3726	NR 1099	0.
Rem. P. 9457	NR 1099	0.291
P 2393	NR 1099	0.143
Parcel 6060	NR 1099	0.406
Parcel 4370	NR 1099	0.221
P 177	NR 1099	0.096
P 482	NR 1099	0.096
P 225	NR 1099	0.096
P 51	NR 1099	0.096
N. Pt. Part 1, Rem. Parcel 2133	NR 1099	0.334
Parcel 5726	NR 1099	1.747
Pt. 2, 784	NR 1082	0.099
City Lot (Formerly D.H.O. Road Allowance)	DHO P-2785-18 INST. 62163	1.156
Parcel 3500	DHO P-2785-18 INST. 62163	0.149

North Side of Street:

Parcel 5134	NR 1082	1.415
Parcel 4743	NR 1082	0.031
Parcel 4744	NR 1082	0.043
Parcel 3848	NR 1082	0.046
Parcel 4265	NR 1082	0.034
N.R. 434 Pt 1 & 2	NR 1082	0.073
Parcel 4266	NR 1082	0.076
Parcel 1243	NR 1082	0.138
P 784, Pt. 7	NR 1082	0.034
P 384, Pt. 6	NR 1082	0.034
Parcel 3594	NR 1082	0.138
P.784, Pt. 5	NR 1082	0.034
P 384, Pt. 4	NR 1082	0.063
P 784, Pt. 3	NR 1082	0.058
City Lot (Formerly D.H.O. Road Allowance)	DHO P-2785-18 INST. 62163	1.829
Parcel 3573		0.171
Rem. P.784		0.046
Parcel 435		0.138
Parcel 4714		0.303

Total Owners Share 10102827
Public Land City of North Bay 1.594

Total Area 12.421



ONTARIO

THE ONTARIO MUNICIPAL BOARD

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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 certain sani-
tary sewer with connections to
the lot lines in the Seymour Street
area, south of the North Bay
By-pass and bounded by the Ontario
Northland Railway Right-of-Way
and a line 210 feet south of
Seymour Street and for approval
of the borrowing of the sum of
\$15,794.90, being the estimated
cost thereof,

- and -

IN THE MATTER OF said Corporation's
proposed By-law 2288 imposing a
sewer rate

B E F O R E :

A. H. ARRELL, Q.C.
Vice-Chairman

- and -

W. GREENWOOD
Member

Thursday, the 13th day
of October, 1966

THIS APPLICATION having come on for public hearing
on the 5th day of October, 1966, at the City of North
Bay, before D. Jamieson, Vice-Chairman of the Board duly
authorized by the Chairman of the Board pursuant to
Section 15 of The Ontario Municipal Board Act, in the
presence of counsel for the applicant Corporation, and
in the presence of a ratepayer in opposition to the
application, and it appearing that notice of the said
hearing had been given in accordance with the directions
of the Board, and the said Vice-Chairman having reported
to the Board and the Board having considered his report;



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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 the said application be and the same is hereby granted, and that the Corporation may now proceed with the undertaking described in Schedule "A" attached hereto 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 \$15,794.90 repayable over a term of not more than fifteen years, and may borrow money to the extent sufficient to provide an amount not exceeding \$15,794.90 therefor, provided:

1. that the said corporation may borrow the whole or any part of the said sum of 15,794.90 as required pending receipt of subsidies and the sale of debentures, or of moneys to be received from any other source, and
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 proposed By-law 2288 imposing a sewer rate for a period of fifteen years upon all the rateable property in the area defined in Schedule "A" to the said by-law sufficient to pay the sum of \$13,767.92 plus interest thereon at the rate of



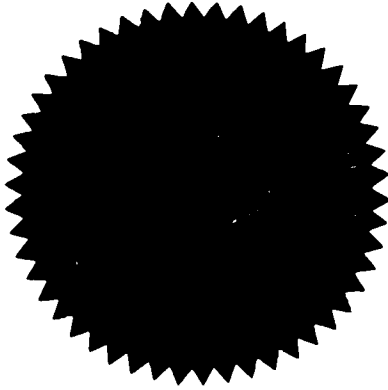
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6 $\frac{1}{2}$ % per annum, consisting of an annual rate per acre of \$133.01(2), be and the same is hereby approved.



R. Scott

ACTING SECRETARY

ENTERED	
O. B. No.	192
Folio No.	198
OCT 19 1966	
<i>R. Scott</i>	
Acting Secretary, Ontario Municipal Board	



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THE ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of The Ontario Municipal Board
made on the 13th day of October, 1966

CONSTRUCTION OF Sanitary Sewers with Connections
to the Lot Lines:

- (1) 105 feet of Sanitary Sewer on easement from the end of an existing sanitary sewer under the Ontario Northland Railway tracks at the end of the production of McGaughey Avenue to a proposed 66 foot wide road allowance through that parcel described by D.H.O. Plan P-2785-18, Instrument #62163.
- (2) 505 feet of Sanitary Sewer on the proposed 66 foot wide road allowance from the Ontario Northland Right-of-Way to Seymour Street.
- (3) 775 feet of Sanitary Sewer from a manhole approximately 100 feet southwesterly of the boundary of the King's Highway #11 to a manhole approximately 30 feet east of the Ontario Northland Right-of-Way.

Total Estimated Cost \$15,794.90