

BY-LAW NUMBER... 2320.....

of

THE CORPORATION OF THE... CITY.....OF. NORTH BAY

A By-law to Authorize the Execution of a Proposal and Estimate of Costs and its Submission to the Minister of Highways for the Province of Ontario Pursuant to an Agreement with Her Majesty the Queen in Right of Ontario as Represented by the said Minister Entered into under Section 22 of The Highway Improvement Act.

"WHEREAS a proposal and estimate of cost dated the 28th day of September 1966, for the construction of asphaltic concrete pavement to a width of 44 feet, complete with curbs, gutters and storm sewer on Trout Lake Road from the North Bay By-Pass to the City Limit. being part of a highway designated as a connecting link has been prepared for submission to the Minister of Highways for the Province of Ontario pursuant to an agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the said Minister."

BE IT THEREFORE ENACTED by the Council of The Corporation of the City of North Bay:

- 1. That the hereinbefore recited proposal and estimate of costs be submitted to the Minister of Highways for the Province of Ontario.
- 2. That the Mayor, Reeve and Clerk be and they are hereby authorized and directed to sign the hereinbefore recited proposal and estimate of costs and to affix thereto the seal of the Corporation.

Passed by the Council of the Corporation of the City of North Bay, this 3rd day of October 19 66.

*[Signature]*  
Mayor                      Reeve

(SEAL)

*[Signature]*  
Clerk

DATE September 28, 1966

PROPOSAL AND ESTIMATE OF COST FOR THE CONSTRUCTION OF A CONNECTING LINK OR EXTENSION OF THE KING'S HIGHWAY (OR SECONDARY HIGHWAY) NO. 63 IN THE CITY OF NORTH BAY IN THE ~~COUNTY~~ (OR DISTRICT) OF NIPISSING

Designated Route: Highway No. 63 Trout Lake Road

Pursuant to an agreement dated the 17th day of February 1960 hereinafter called the agreement made between the Minister and the Corporation of the City of North Bay and subject to the terms and conditions thereof, and subject also to any necessary approval of the Board, under Section 64 of The Ontario Municipal Board Act, R.S.O. 1960, Chapter 274 and amendments thereto the Corporation (Minister or Corporation) proposes that the following portions of highway, heretofore designated as a connecting link, be constructed by the Corporation during three fiscal (Corporation or the Department) year(s) commencing the 1st day of April, 1966 namely (describe portion(s) of street(s) to be constructed): Trout Lake Road from the North Bay By-Pass to the City Limits.

and illustrated on the plan or sketch attached thereto; provided construction to be in accordance with plans and specifications approved by the Minister and the Corporation in the manner and at a cost estimated and divided substantially as follows:

- (a) Type of construction Reconstruction, widening with curb and gutter
- (b) Length 2,500 lin. ft.
- (c) Width (not less than 22 feet) 44 ft.
- (d) Commencing at By-Pass
- (e) Terminating at City Limits
- (f) Total estimated cost of construction \$ 188,000.00
- (g) Deduct: Items not chargeable under agreement:-  
(see Form CE 9)
  - (I) Items to be paid by the Corporation  
(Paragraph 4 of agreement) \$ 14,630.00
  - (II) Charged to others  
(Paragraph 12 (3) of agreement)
    - North Bay Hydro Commission \$ 1,000.00
    - Northern Ontario Natural Gas Co. \$ 150.00
    - Bell Telephone \$ 150.00
    - Ontario Department of Highways \$ 2,370.00
  - (III) Charged under Part X of  
The Highway Improvement Act: \$ 2,000.00  
Total Deductions \$ 20,300.00
- (h) Estimated Cost of Construction to be shared 75/25 \$ 167,700.00
- (j) Minister's share (75%) \$ 125,775.00

(k) Estimated annual expenditure of Minister's share:  
For fiscal year(s):

April 1, 1966	to Mar. 31, 1967	\$ <u>40,000.00</u>
April 1, 1967	to Mar. 31, 1968	\$ <u>72,775.00</u>
April 1, 1968	to Mar. 31, 1969	\$ <u>13,000.00</u>
April 1, 19	to Mar. 31, 19	\$ _____ \$ <u>125,775.00</u>

It is understood that the estimated cost is based on the best information available at the time of submission and that no substantial increase in such cost will be undertaken or incurred without the prior written approval of the Minister, subject, where necessary, to the approval of the Board.

THIS PROPOSAL is hereby submitted this 3rd day of October  
19 66 by or on behalf of the Corporation of the City of North Bay  
(Corporation or Minister)

(SEAL)

[Signature]  
Mayor  
[Signature]  
City Clerk

and is hereby accepted by or on behalf of the

Minister

~~(Corporation or Minister)~~

[Signature]

(Deputy Minister)

(SEAL)

(Note: Attach a plan or sketch showing roadway lengths, widths and returns, also a statement of the total estimated cost in detail and a breakdown thereof showing how the Minister's share was computed.)

APRIL 1964

CONNECTING LINK in the city of NORTH BAY being TROUT LAKE

ROAD

~~Street~~ from BY-PASS (#17) to CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C.L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
1. Earth Excavation (Grading Including Sub-Excavation) 7000 CY @ 1.50	10,500.00	10,500.00				
2. Rock Excavation 10 CY @ 15.00	150.00	150.00				
3. Compaction Equipment Rental (Pneumatic Tired Wobbly-Wheel Roller & Tractor) 20 Hrs. @ 745.00	149.00	149.00				
4. Application of Water 400 MGalls @ 5.00	2,000.00	2,000.00				
5. Grader Rental (100 H.P. Tandem Drive) 20 Hrs. @ 11.00	220.00	220.00				
6. Selected Granular Base Course Class "A" 9700 Tons @ 2.05	19,885.00	19,885.00				
7a. Selected Backfill & Bedding for Sewers & Structures 850 CY @ 3.00	2,550.00	2,550.00				
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

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APRIL 1964

CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKEROAD  
~~XXXX~~ Street from BY-PASS (#17) to CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C. L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
7b. Selected Backfill & Bedding for Watermains & Structures 400 CY @ 3.00	1,200.00	600.00		600.00		
8. Supply, Mix & Place HL4 3400 Tons @ 11.00	37,400.00	37,400.00				
9. Supply, Mix & Place Sand As- phalt Course 490 Tons @ 4.90	5,390.00	5,390.00				
10a. Supply, Mix and Place Hot Mix S03 Cold Laid Patching Material for Sewers 35 Tons @ 14.00	490.00	490.00				
10b. Supply, Mix and Place Hot Mix SC3 Cold Laid Patching Material for Watermains 15 @ 14.00	210.00	105.00		105.00		
11. Removal of Bituminous Pave- ment 8430 sq. yd. @ 0.17	1,433.10	1,433.10				
12. Removal of Old Culvert Pipe (All sizes) 464 L.F. @ 1.50	696.00	696.00				
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ROAD ~~EXXX~~ from BY-PASS (#17) to CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C. L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
13. Supply, Excavate & Place C. I.P. Sewers 8" Dia. (P.G. 16 Ga.) Incl. Coupling Bands 620 L.F. @ 5.00	3,100.00	3,100.00				
14. Supply, Excavate & Place Reinforced Concrete Pipe Sewers 12" Dia. CL III with Rubber Gaskets 655 L.F. @ 6.00	3,930.00	3,930.00				
15. Supply, Excavate & Place Reinforced Concrete Pipe Sewers 15" Dia. CL III with Rubber Gaskets 1042 L.F. @ 7.00	7,294.00	6,418.72			875.28	Items 15, 16 and 17 C.L. Resp. 88% D.H.O. Direct Resp. 12%.
16. Supply, Excavate & Place Reinforced Concrete Sewers 18" Dia. CL III with Rubber Gaskets 260 L.F. @ 8.00	2,080.00	1,830.40			249.60	
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

APRIL 1964

CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ROAD ~~Street~~ from BY-PASS (#17) to CITY LI

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C. L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
17. Supply, Excavate & Place Reinforced Concrete Pipe Sewers 21" Dia. CL III with Rubber Gaskets 753 L.F. @ 9.00	6,777.00	5,963.76			813.24	
18. Removing Existing Manholes & Catchbasins 5 ea. @ 40.00	200.00	200.00				
19. Removal of Old Concrete in Catchbasins & Manholes 10 CY @ 20.00	200.00	100.00		100.00		C.L. Resp. 50%
20. Adjust Manholes & Catchbasins 11 ea. @ 50.00	550.00	275.00		275.00		C.L. Resp. 50%
21. Supply Manhole Frames & Covers 11 ea. @ 45.00	495.00	495.00				
22. Construct New Manholes 75 V.F. @ 40.00	3,000.00	3,000.00				
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

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CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ROAD ~~SIXX~~ from BY-PASS (#17) to CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C.L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
23. Supply Catchbasin Frames & Grates 25 ea. @ 40.00	1,000.00	1,000.00				
24. Supply, Excavate & Place Pre-Cast Concrete Catchbasins 25 ea. @ 125.00	3,125.00	3,125.00				
25a. Rock Excavation for Sewer Trenches, Manholes & Catchbasins 14 CY @ 20.00	280.00	280.00				
25b. Rock Excavation for Water-main Trenches 6 CY @ 20.00	120.00	60.00		60.00		C.L. Resp. 50%
26. Concrete Curb & Gutter (Straight & Circular) 4766 L.F. @ 2.50	11,915.00	11,915.00				
27. Concrete Sidewalk (DD-503) 3225 S.F. @ 1.00	3,225.00	3,225.00				Widening and Grade Change From Bank to Laurentian Ave.
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:



CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ~~XXXX~~ ROAD XXXX from BY-PASS (#17) CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C.L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
val of Old Sidewalk S.Y. @ 1.00	350.00	350.00				
ir Private Concrete s & Driveways S.F. @ 2.00	1,000.00	1,000.00				
ir Asphalt Driveways luding 4" Granular Base) S.Y. @ 1.80	1,440.00	1,440.00				
ing (Nursery Unstaked) S.Y. @ 0.60	2,700.00	2,700.00				
ly & Place Top Soil orted) S.Y. @ 3.25	1,625.00	1,625.00				
Laid Rip-Rap S.Y. @ 6.00	120.00	120.00				
ly, Excavate & Install Dia. Cast Iron Watermain L.F. @ 10.00	15,000.00	7,500.00		7,500.00		<u>Items 34 to 38</u> <u>Inclusive</u> <u>C.L. Resp. 50%</u>
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

APRIL 1964

CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ROAD ~~XXXX~~ from BY-PASS (#17) CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C.L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
35. Install 10" Dia. Gate Valves & Valve Boxes 3 Ea @ 75.00	225.00	112.50		112.50		
36. Supply C.I. Fittings, Excavate & Install Connections to Existing Watermains 8 ea. @ 500.00	4,000.00	2,000.00		2,000.00		
37. Supply, Excavate & Install 5/8" Service Connections to Main (Incl. New 5/8" Main-Stop & Re-Connect to Existing 5/8" Service Pipes) 30 ea. @ 10.00	300.00	150.00		150.00		
38. Supply, Excavate & Install 5/8" Copper Pipe 1000 L.F. @ 4.00	4,000.00	2,000.00		2,000.00		
<b>SUB- TOTALS ITEMS (1) to (38)</b>	<b>160,324.10</b>	<b>145,483.48</b>		<b>12,902.50</b>	<b>1,938.12</b>	
TOTAL						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

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CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ROAD ~~XXXX~~ from BY-PASS (#17) to CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C.L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
<u>Work to be performed by City Forces</u>						
39. Supply and Application of Calcium Chloride. 10 Tons @ 60.00	600.00	600.00				
40. Relocate Traffic Signs and Street Signs Lump Sum	500.00	500.00				
<b>SUM - TOTAL ITEMS (39) &amp; (40)</b>	<b>1,100.00</b>	<b>1,100.00</b>				
<u>Work to be Performed by Others</u>						
41. Relocate N.B. Hydro Poles 10 ea. @ 200.00	2,000.00	1,000.00			1,000.00	Items 41, 42, & 43 C.L. 50% of Labour Public Service Works on Highways Act.
42. Relocate Gas Mains	300.00	150.00			150.00	
43. Relocate Bell Telephone Cables	300.00	150.00			150.00	
<b>TOTAL</b>						

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

APRIL 1964

CONNECTING LINK in the CITY of NORTH BAY being TROUT LAKE ~~Street~~ <sup>ROAD</sup> ~~from~~ <sup>XXIX</sup> BY-PASS (#17) to CITY LIMITS

DETAILS OF CONSTRUCTION	ESTIMATED GROSS COST	SHAREABLE UNDER C. L. AGMNT.	CHARGEABLE UNDER PART X OF THE ACT	CHARGEABLE TO CORPORATION	CHARGEABLE TO OTHERS *	EXPLANATION
SUB-TOTAL ITEMS (41) (42) & (43)	2,600.00	1,300.00			1,300.00	
44. Contingencies	4,920.90	4,436.52		387.00	97.38	
45. Engineering	17,055.00			1,340.60	334.50	Engineering at 10
46. Property Acquisition	2,000.00		2,000.00			
TOTAL	188,000.00	167,700.00	2,000.00	14,630.00	3,670.00	

\* Chargeable to others: e.g. Local Improvement Act; Railway Grade Crossing Fund; Public Service Works on Highway Act, etc:

THIS AGREEMENT made (in duplicate) this sixth day of September 1966

B E T W E E N:

THE CORPORATION OF THE CITY OF NORTH BAY

- hereinafter called the "Corporation"

of the FIRST PART

- and -

THE BELL TELEPHONE COMPANY OF CANADA

- hereinafter called the "Company"

of the SECOND PART

WHEREAS Paragraph 104 of Sub-section (1) of Section 379 of The Municipal Act R.S.O. 1960 Chapter 249 provides that by-laws may be passed by the councils of local municipalities for authorizing the erection of public telephone booths upon the highways or lands of the municipality upon such terms and conditions as may be agreed upon; and

WHEREAS the Company has applied to the Corporation for permission to erect public telephone booths upon parts of certain highways and upon certain lands of the Corporation hereinafter mentioned; and

WHEREAS the Corporation deems it expedient to grant the said permission and the Council of the Corporation has passed by-law number                    authorizing the erection of such public telephone booths and authorizing the execution of this agreement for that purpose:

THIS AGREEMENT WITNESSES that in consideration of the premises and of the mutual covenants and agreements hereinafter contained, the parties hereto mutually covenant and agree, each with the other, and with their respective successors and assigns, as follows:

1. The Corporation hereby authorizes the Company to construct, erect and maintain public telephone booths on parts of the highways and other lands of the Corporation at the following locations:

- 1) City Hall - Ferguson and McIntyre
- 2) Guaranty Trust - Main and Ferguson
- 3) Kresges - Fraser and Main
- 4) Chicago Restaurant - 167 Main West

2. The Corporation hereby further authorizes the Company to construct, erect and maintain additional public telephone booths upon parts of the highways or upon the lands of the Corporation at such other locations as may from time to time be approved by resolution of the Council of the Corporation, and all the terms and conditions of this agreement shall apply to such additional public telephone booths.

3. Except as provided in paragraph 5 hereof, no rent, licence fees, taxes or other charges of any kind shall be paid by the Company to the Corporation in respect of the said public telephone booths or in respect of the land occupied thereby.

4. The Company or its agents shall maintain the said public telephone booths in a good state of repair and well painted.

5. In consideration of the authority hereby granted by the Corporation to the Company, the Company agrees to pay the Corporation fourteen percent (14%) of the total receipts collected from public telephones installed in the said public telephone booths.

6. Upon thirty (30) days' written notice from the Corporation, the Company will cease and discontinue the use for public telephone booths of the said parts of the highways or the lands of the Corporation and will, within the said thirty (30) days, remove therefrom all such public telephone booths and their contents, erected or maintained pursuant to the terms of this agreement.

7. The Company will not at any time assert ownership of the said parts of the highways or lands of the Corporation and will not at any time plead, set up or take advantage of any statute of limitation or prescriptive right as a bar to the right of the Corporation to the said highways or lands. The Company hereby releases to the Corporation all rights and claims which might accrue to it by any statute of limitation now or hereafter passed and any prescriptive right that may hereafter arise in, to or out of the said parts of the said highways or lands occupied by the said public telephone booths erected and maintained under the terms of this agreement.

8. Nothing in this agreement limits, diminishes, abrogates or in any way affects any right conferred upon or vested in the Company by its Special Act of Incorporation, 43 Vict. (Canada) c. 67, as amended, to construct, erect and maintain its line or lines of telephone along the sides of and across or under any public highways, streets, bridges, watercourses or other such places or across or under any navigable waters, either wholly in Canada or dividing Canada from any other country.

9. The Company will at all times indemnify and save harmless the Corporation, its successors and assigns, from all loss, costs and damages that the Corporation may suffer:

- (a) by reason of anything done by the Company pursuant to this agreement; or
- (b) by reason of the Company constructing, erecting, maintaining or using any public telephone booth, or by reason of any one or more of these acts, upon or over any part of the highways or lands of the Corporation;

to the extent that such loss, costs or damages arise from the negligence of the Company, its servants, officers or agents.

IN WITNESS WHEREOF the parties hereto have executed this agreement

SIGNED, SEALED and DELIVERED )	THE CORPORATION OF THE CITY OF
) )	NORTH BAY
) )	_____
) )	Mayor
) )	_____
) )	Clerk
) )	THE BELL TELEPHONE COMPANY OF CANADA
) )	_____
) )	_____