

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 69-85

BEING A BY-LAW TO ESTABLISH A SEWER RATE STRUCTURE AND WATER RATE STRUCTURE FOR ACCESS TO THE BIRCH'S ROAD INDUSTRIAL PARK SERVICES

WHEREAS The Corporation of the City of North Bay has entered into agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Northern Affairs for the provision of services for the Birch's Road Industrial Park under the Regional Economic Expansion Program.

AND WHEREAS owners or occupants of lands in the vicinity of the Birch's Road Industrial Park will receive a benefit from the use of sewage works and waterworks upon connection to the works;

AND WHEREAS section 218 of the Municipal Act authorizes the Council to impose a sewer rate structure and a waterworks rate structure upon a basis that is equitable and just;

AND WHEREAS the Council has decided that the rates shall not be collected until the owners of the land connect to the services or undertake development upon the lands.

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

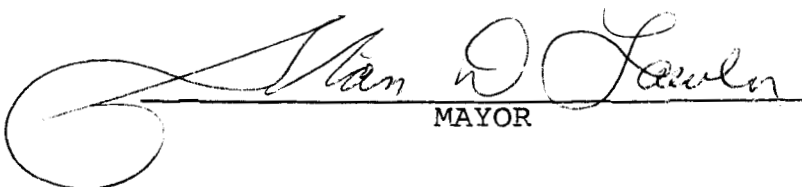
1. In this By-law:
 - (a) "capital cost" means the cost of constructing sewage works or waterworks, inclusive of all items of cost usually and properly chargeable to capital account;
 - (b) "sewage works" means any public works for the collection, transmission, treatment or disposal of sewage, or any part of any such works constructed under the Agreement between The Corporation of the City of North Bay and Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Northern Affairs dated the 12th day of February, 1979, as amended;
 - (c) "sewer rate" means the rate per acre charges for the capital cost of the sewage works as set out in Schedule "A" (Table I) hereto;
 - (d) "waterworks" means any works for the collection, production, treatment, storage, supply or distribution of water, or any part of any such works constructed under the Agreement between The Corporation of the City of North Bay and Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Northern Affairs dated the 12th day of February, 1979, as amended;
 - (e) "waterworks rate" means the rate per acre charges for the capital cost of waterworks as set out in Schedule "B" (Table II) hereto.
2. An annual sewer rate identified in Column 6 of Schedule "A" to this by-law is hereby imposed for a period of fifteen years upon the lands identified in Column 1, System, of Schedule "A" of this by-law (as more particularly defined by Schedules "C" and "D" of this by-law) upon connection from the sewage works to sewers on the subject lands.

3. The waterworks rate identified in Column 5 of Schedule "B" to this by-law is hereby imposed for a period of fifteen years upon the lands identified under Column 1, System, of Schedule "B" of this by-law (as more particularly defined by Schedules "E" and "F" of this by-law) upon connection from the waterworks to waterlines on the subject lands.
4. (a) Upon connection of the subject lands to the sewage works or to the waterworks, the owner of the subject lands
 - (i) may commute the area rate imposed based on the area as designated by Reference Plan or an existing legal description Plan in the Land Registry Office, or
 - (ii) the owner pay the rates imposed in equal instalments based on the area, as designated by Reference Plan or an existing legal description in the Land Registry Office, such instalments to be paid semi-annually on the 1st day of January and the 1st day of July of each year over 15 years and the instalments shall be discounted at the rate of 6% per annum from the date of connection to the works.
- (b) In the event the rates are paid on an area of land designated by a Reference Plan which does not include all the lands within an existing legal description, an agreement shall be registered against the title of the subject lands to give notice of the area of land for which rates may become payable.
- (c) The calculation of the sewer rate or the waterworks rate shall include all lands to be serviced by the connections thereto, including roads, but not including lands zoned by Zoning By-law 28-80, as amended from time to time as Open Space or Hazard Lands where development is prohibited.
5. The rate imposed by sections 2 and 3 of this by-law, as identified in Schedules "A" and "B" of this by-law shall not be due and payable unless and until a connection is made to the sewage works or to the waterworks for the benefit of an area of developed land established by either a Reference Plan or an existing legal description.
6. (a) This by-law shall not come into force until the date of approval by the Ontario Municipal Board.
 - (b) This by-law shall not be submitted to the Ontario Municipal Board without the consent of the Minister of Northern Affairs of the Province of Ontario.

READ A FIRST TIME IN OPEN COUNCIL THE 27TH DAY OF MAY, 1985.

READ A SECOND TIME IN OPEN COUNCIL THE 27TH DAY OF MAY, 1985.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 1985.


MAYOR


CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 69-85 OF THE CORPORATION OF THE CITY OF NORTH BAY

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TABLE I

SANITARY SEWER SYSTEM SERVICE CHARGES

SYSTEM (1)	DESCRIPTION (2)	COSTS (3)	AREA (ACRE) (4)	COST PER ACRE TO COMMUTE (5)	15 YEAR ANNUAL RATE PER ACRE (6)
Chippewa- Parks Trunk Sewer	Total Estimate	\$1,458,000.00			
	Oversizing	729,000.00			
	Municipal Benefit	182,250.00			
	Direct Benefit	158,040.00	120	1,317.00	135.60
	Deferred Benefit	388,926.00	1,146	263.50	27.13
Lakeshore Drive Sewage System	Total Estimate	654,493.00			
	Oversizing Costs	221,024.00			
	Direct Benefit	55,260.00	18	3,070.00	316.10
	Deferred Benefit	165,780.00	270	614.00	63.22
Industrial Park Local System (Birch's Road Area)	Total Estimate	135,000.00			
	Industrial Park	103,235.00	39	2,647.00	272.54
	Direct Benefit Birch's Road Properties	31,765.00	12	2,647.00	272.54

THIS IS SCHEDULE "B" TO BY-LAW NO. 69-85 OF THE CORPORATION OF THE CITY OF NORTH BAY

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TABLE II

WATER DISTRIBUTION SYSTEM SERVICE CHARGES

DESCRIPTION (1)	AREA ACRES (2)	COSTS (3)	COST PER ACRE TO COMMUTE (4)	15 YEAR ANNUAL RATE PER ACRE (5)
Total Estimated Cost	N/A	2,530,000.00	N/A	
Municipal Benefits Areas	N/A	1,265,000.00	N/A	
Direct Benefit Areas	266	535,500.00	1,700.00	175.04
Deferred Benefit Area	2,200	729,300.00	340.00	35.01

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LAND RECEIVING A SANITARY SEWER BENEFIT FROM THE BIRCH'S ROAD INDUSTRIAL PARK SERVICE

1. DIRECT BENEFIT AREA - CHIPPEWA-PARKS TRUNK SEWER

Beginning at a point on the southerly limit of Marshall Avenue on the line between Lots 37 and 38 being the point of commencement.

THENCE southerly along the line between Lots 37 and 38, a distance of 4500 feet more or less to a point on that same line.

THENCE easterly along an imaginary line, a distance of 400 feet more or less to a point being the northeast corner of Parcel 6653 W & F.

THENCE southerly along the easterly limit of Parcel 6653 W & F a distance of 1100 feet more or less to a point on that same line.

THENCE easterly along an imaginary line a distance of 300 feet more or less to a point on the westerly limit of Chippewa Street.

THENCE southerly along the westerly limit of Chippewa Street a distance of 100 feet more or less to a point on that same line.

THENCE easterly along an imaginary line a distance of 950 feet more or less to a point distant 300 feet from the westerly limit of Part 8, Plan 36R-5644.

THENCE southerly along an imaginary line parallel to and 300 feet perpendicular to the west limit of Part 8, Plan 36R-5644 a distance of 730 feet more or less to a point on the north limit of Parcel 5650 W & F.

THENCE easterly along the north limit of Parcel 5650 W & F a distance of 40 feet more or less to a point being the northeast corner of Parcel 5650 W & F.

THENCE southerly along the easterly boundary of Parcel 5650 W & F a distance of 200 feet more or less to a point on the northerly limit of Birch's Road.

THENCE southerly along the line between Lots 37 and 38, a distance of 4500 feet more or less to a point on that same line.

THENCE easterly along an imaginary line, a distance of 400 feet more or less to a point being the northeast corner of Parcel 6653 W & F.

THENCE easterly along the northerly limit of Birch's Road to the southeast corner of Part 2, Plan 36R-4390.

THENCE northerly along the line between Lots 35 and 36 a distance of 300 feet more or less to a point being the northeast corner of Part 1, Plan 36R-4390.

THENCE easterly along the northerly limit of Birch's Road to the southeast corner of Part 2, Plan 36R-4390.

THENCE northerly along the line between Lots 35 and 36 a distance of 300 feet more or less to a point being the northeast corner of Part 1, Plan 36R-4390.

SCHEDULE "C" (cont'd....)

THENCE westerly along the northerly limit of Part 1, Plan 36R-4390 a distance of 200 feet more or less to a point 300 feet more or less distant from Part 12, Plan 36R-5644.

THENCE northerly along an imaginary line parallel to and 300 feet distant from Part 12, Plan 36R-5644 a distance of 1350 feet more or less.

THENCE westerly along an imaginary line parallel to and 300 feet perpendicular to Parts 13 and 14, Plan 36R-5644 a distance of 1500 feet more or less to a point 300 feet distant from the easterly limit of Chippewa Street.

THENCE northerly along an imaginary line parallel to and 300 feet perpendicular to the easterly limit of Chippewa Street a distance of 5000 feet more or less to a point on the southerly limit of Marshall Avenue.

THENCE westerly along the southerly limit of Marshall Avenue a distance of 650 feet more or less to a point on that same line being the point of commencement.

2. DIRECT BENEFIT AREA - INDUSTRIAL PARK LOCAL SYSTEM

Beginning at the southeast corner of Parcel 5650 W & F at its intersection with Birch's Road.

THENCE westerly along the northerly limit of Birch's Road a distance of 1800 feet more or less to a point on the line between Lots 37 and 38, Concession 14.

THENCE southerly along the line between Lots 37 and 38, a distance of 3170 feet more or less to a point on the northerly limit of Lakeshore Drive and the southeast corner of Parcel 2420 W & F.

THENCE easterly along the north limit of Lakeshore Drive 600 feet more or less to a point being the southwest corner of Parcel 5643 W & F.

THENCE northerly along the westerly limit of Parcel 5643 W & F a distance of 600 feet more or less to a point being the northwest corner of Parcel 5643 W & F.

THENCE easterly along the northerly limit of Parcel 5643 W & F Part 1, Plan 36R-3455 and Parcel 5270 W & F to a point being the northeast corner of Parcel 5270 W & F and the line between Lots 36 and 37.

THENCE northerly along the line between Lots 36 and 37, a distance of 1000 feet more or less to a point on the line between Lots 36 and 37 intersecting the southerly limit of Ferris Drive.

THENCE easterly along the northerly limit of the Remainder of Parcel 6554 W & F a distance of 1320 feet more or less to a point on the line between Lots 35 and 36, Concession 14.

THENCE northerly along the line between Lots 35 and 36, Concession 14 a distance of 1600 feet more or less to a point on the northerly limit of Birch's Road.

THENCE westerly along the limit of Birch's Road to the point of commencement.

3. DIRECT BENEFIT - INDUSTRIAL PARK LOCAL SYSTEM

Beginning at a point on the line between Lots 37 and 38 Concession 15 and a point on the northerly limit of Birch's Road being the point of commencement.

THENCE easterly along the northerly limit of Birch's Road a distance of 1800 feet more or less to a point on the same line being the southwest corner of Parcel 5650 W & F.

THENCE northerly along the easterly limit of Parcel 5650 W & F a distance of 200 feet more or less to a point being the northeast corner of Parcel 5650 W & F.

THENCE westerly along the northerly limit of Parcel 5650 W & F a distance of 200 feet more or less to a point being the northwest corner of Parcel 5650 W & F.

THENCE northerly along an imaginary line a distance of 100 feet more or less to a point within Parcel 9310 Nipissing distant 300 feet from Birch's Road.

THENCE westerly along an imaginary line parallel to and 300 feet perpendicular to Birch's Road a distance of 1600 feet more or less to a point on the line between Lots 37 and 38, Concession 15.

THENCE southerly along the line between Lots 37 and 38 a distance of 300 feet more or less to a point being the point of commencement.

4. DIRECT BENEFIT AREA - LAKESHORE DRIVE COLLECTOR SYSTEM

Beginning at a point being the southwest corner of Parcel 5643 W & F and the north limit of Lakeshore Drive being the point of commencement.

THENCE westerly along the northerly limit of Lakeshore Drive a distance of 400 feet more or less to a point on Lakeshore Drive northerly limit.

THENCE southerly along an imaginary line a distance of 166 feet more or less to a point within Parcel 3790 W & F being 100 feet in perpendicular distance from the southerly limit of Lakeshore Drive.

THENCE easterly along an imaginary line parallel to and 100 feet perpendicular from the southerly limit of Lakeshore Drive a distance of 2200 feet more or less to a point within Parcel 2327 W & F.

THENCE northerly along an imaginary line a distance of 400 feet more or less to a point being the northeast corner of Part 1, Plan 36R-5955.

THENCE westerly along the line between Concessions 14 and 14 a distance of 900 feet more or less to a point being the southeast corner of Parcel 5270 W & F.

THENCE northerly to a point on the easterly limit of the remainder of Parcel 5270 W & F which is 100 feet in perpendicular distance from the northerly limit of Lakeshore Drive.

THENCE westerly along the line 100 feet in perpendicular distance from the northerly limit of Lakeshore Drive to the westerly limit of Parcel 5643 W & F.

THENCE southerly along the westerly boundary of Parcel 5643 W & F a distance of 600 feet more or less to a point being the southwest corner of Parcel 5643 W & F and on the north limit of Lakeshore Drive being the point of commencement.

5. DEFERRED BENEFIT AREA - CHIPPEWA PARKS TRUNK SEWER

Beginning at a point on the southerly limit of Marshall Avenue being the northwest corner of Parcel 5258 W & F being the point of commencement.

THENCE southerly and parallel to and 300 feet perpendicular to the easterly boundary of Chippewa Street a distance of 5000 feet more or less to a point within Parcel (Remainder) 537 W & F.

THENCE easterly along an imaginary line a distance of 1500 feet more or less to a point within Parcel 9310 Nipissing.

THENCE southerly along an imaginary line parallel to and 300 feet perpendicular to the easterly limit of Part 12, Plan 36R-5644 a distance of 1350 feet more or less to a point being the northwest corner of Part 1, Plan 36R-4390.

THENCE easterly along the northerly limit of Part 1, Plan 36R-4390 a distance of 150 feet more or less to a point being the northeast corner of Part 1, Plan 36R-4390.

THENCE southerly along the easterly limit of Part 1, Plan 36R-4390 a distance of 1400 feet more or less to a point on the line between Lots 35 and 36, Concession 14 within Parcel 3886 Nipissing.

THENCE easterly along an imaginary line a distance of 3000 feet more or less to a point on the Canadian Pacific Railway.

THENCE southerly along C.P.R. Right-of-Way a distance of 1200 feet more or less to a point on the westerly limit of Highway #11.

THENCE northerly along the westerly limit of Highway 11 a distance of 4200 feet more or less to a point being the point of commencement.

6. DEFERRED BENEFIT AREA - LAKESHORE DRIVE SEWAGE SYSTEM

Beginning at a point on the line between Lots 38 and 39, being the northwest corner of Lot 38, Concession 13, being the point of commencement.

THENCE southerly along the line between Lots 38 and 39 a distance of 4300 feet more or less to a point being the southeast corner of Parcel 10630 W & F.

THENCE westerly along the southerly limit of Parcel 10630 W & F a distance of 500 feet more or less to a point being the northwest corner of Unit 6, Plan D-64 and the northeast corner of Champlain Park.

THENCE southerly along the easterly limit of Champlain Park 1000 feet more or less to a point on the high water mark of LaVase River.

THENCE easterly along the north side of LaVase River high water mark a distance of 4800 feet more or less to a point on the line between Lots 36 and 37, Concession 13.

THENCE northerly along the line between Lots 36 and 37 a distance of 2000 feet more or less to a point on that same line 100 feet distant from the south limit of Lakeshore Drive.

THENCE westerly along an imaginary line parallel to and 100 feet perpendicular to the south boundary of Lakeshore Drive a distance of 1500 feet more or less to a point on the line between Lots 37 and 38 and the line between Concessions 13 and 14.

THENCE westerly along the line between Concessions 13 and 14 a distance of 1000 feet more or less to a point being the southwest corner of Part 1, Plan NR-484.

THENCE northerly along the westerly boundary of Part 1, Plan NR-484 a distance of 350 feet more or less to a point being the northeast corner of Parcel 4515 W & F.

THENCE westerly along the north limit of Parcel 4515 W & F a distance of 250 feet more or less to a point being the northwest corner of Parcel 4515 W & F being the line between Lots 38 and 39.

THENCE southerly along the line between Lots 38 and 39 a distance of 400 feet more or less to the point of commencement.

7. DEFERRED BENEFIT AREA - CHIPPEWA PARKS TRUNK SEWER

Beginning at a point on the line between Lots 36 and 37 where it intersects the southerly limit of Ferris Drive in the 14th Concession, being the point of commencement.

THENCE southerly along the line between Lots 36 and 37 a distance of approximately 900 feet to the northeast corner of Parcel 5270 W & F.

THENCE westerly along the northerly limit of Parcel 5270 W & F and Part 1, Plan 36R-3455 and Parcel 5643 W & F, a distance of 700 feet more or less to a point being the northwest corner of Parcel 5643.

THENCE southerly along the westerly limit of Parcel 5643 to a point 100 feet distant from Lakeshore Drive.

THENCE easterly along a line 100 feet in perpendicular distance from the northerly limit of Lakeshore Drive to a point on the easterly limit of Parcel 5270 W & F.

THENCE southerly along the easterly limit of Parcel 5270 W & F to the intersection of the line between Lots 36 and 37, Concession 14 with the northerly limit of Parcel 6213 W & F.

THENCE easterly along the line between Concessions 13 and 14 a distance of 900 feet more or less to a point being the northeast corner of Part 1, Plan 36R-5955.

THENCE southerly along the easterly limit of Part 1, Plan 36R-5955 a distance of 400 feet more or less to a point within Parcel 2327 W & F being 100 feet distant from the southerly limit of Lakeshore Drive.

THENCE westerly and parallel to the southerly limit of Lakeshore Drive 100 feet perpendicular from Lakeshore Drive a distance of 900 feet more or less to a point on the line between Lots 36 and 37.

THENCE southerly along the line between Lots 36 and 37 a distance of 2000 feet more or less to a point on the north bank of LaVase River.

THENCE easterly along the north bank of LaVase River a distance of 9700 feet more or less to a point being the Canadian Pacific Railway Right-of-Way.

THENCE northerly along the southerly limit of the C.P.R. Right-of-Way a distance of 1300 feet more or less to a point on that same line.

THENCE westerly along an imaginary line a distance of 3000 feet more or less to a point on the line between Lots 35 and 36, Concession 14.

THENCE southerly along the line between Lots 35 and 36 a distance of 550 feet more or less to a point on that same line.

THENCE westerly along an imaginary line a distance of 1320 feet more or less to a point on the southerly limit of Ferris Drive being the point of commencement.

8. DEFERRED BENEFIT AREA - CHIPPEWA PARKS TRUNK SEWER

Beginning at a point being the northwest corner of Parcel 6537 W & F being on the line between Lots 37 and 38, Concession 15 being the point of commencement.

THENCE southerly along the line between Lots 37 and 38 and the westerly limit of Parcel 6537 W & F a distance of 1850 feet more or less to a point on that same line, being 300 feet distant from the north limit of Birch's Road.

THENCE easterly along an imaginary line parallel to and 300 feet perpendicular to the north limit of Birch's Road a distance of 1600 feet more or less to a point within Parcel 9310 Nipissing.

THENCE southerly along an imaginary line a distance of 100 feet more or less to a point on the northerly boundary of Parcel 5650 W & F.

THENCE easterly along the northerly limit of Parcel 5650 W & F a distance of 150 feet more or less to a point on that same line being 300 feet more or less distant from the westerly limit of Part 6, Plan 36R-5644.

THENCE northerly along an imaginary line parallel to and 300 feet perpendicular from the westerly limit of Parts 6 and 8, Plan 36R-5644 a distance of 700 feet more or less to a point within Parcel 9310 Nipissing, being 300 feet distant from the southerly limit of Parts 8 and 9, Plan 36R-5644.

THENCE westerly along an imaginary line parallel to and 300 feet perpendicular from Parts 8 and 9, Plan 36R-5644 a distance of 950 feet more or less to a point on the westerly limit of Chippewa Street.

THENCE northerly along the westerly limit of Chippewa Street a distance of 100 feet more or less to a point on that same line.

THENCE westerly along an imaginary line through Parcel 537 W & F (remainder) a distance of 300 feet more or less to a point on the line, being the easterly limit of Parcel 6653 W & F.

THENCE northerly along the easterly limit of Parcel 537 a distance of 1050 feet more or less to a point being the north-east corner of Parcel 537 W & F.

THENCE westerly along the northerly limit of Parcel 537 and Parcel 6537 W & F a distance of 400 feet more or less to a point on the line between Lots 37 and 38, Concession 15, being the point of commencement.

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LANDS RECEIVING A WATER BENEFIT FROM THE BIRCH'S ROAD INDUSTRIAL PARK

1. DIRECT BENEFIT AREA

Commencing at a point on the southerly limit of Marshall Avenue where it intersects with the line between Lots 37 and 38, Concession 16.

THENCE southerly along the line between Lots 37 and 38 a distance of 4500- feet to a point in Concession 15.

THENCE easterly and perpendicular to the line between Lots 37 and 38 a distance of 400- feet to a point being the northeast corner of Parcel 6653 W & F.

THENCE southerly along the easterly limit of Parcel 6653 W & F to a point distant 1,100- feet.

THENCE southerly on an arc parallel to and 300 feet distant from the west limit of Chippewa Street to a point 300 feet distant from the northerly limit of Birch's Road.

THENCE westerly and parallel to the northerly limit of Birch's Road to a point on the line between Lots 37 and 38 Concession 15.

THENCE southerly along the line between Lots 37 and 38 a distance 3500- feet to a point being the northerly limit of Lakeshore Drive Concession 14.

THENCE easterly along the northerly limit of Lakeshore Drive a distance of 650- feet to a point of the southwesterly corner of Parcel 5643 W & F.

THENCE northerly along the westerly limit of Parcel 5643 W & F a distance of 600- to a point being the northwesterly corner of Parcel 5643 W & F.

THENCE easterly along the northerly limit of Parcel 5643 and Part 1, Plan 36R-3455 and Parcel 5270 W & F to a distance of 700- feet to a point being the northeast corner of Parcel 5270 W & F being the line between Lots 36 and 37 Concession 14.

THENCE northerly along the line between Lots 36 and 37 a distance of 750- feet to a point intersecting a line running parallel to and 300 feet perpendicular from the westerly limit of Booth Road.

THENCE southerly on an arc along the line 300+ feet perpendicular from and parallel to the westerly limit of Booth Road a distance of 1500- feet to a point on the line between Concessions 13 and 14.

THENCE easterly along the line between Concessions 13 and 14 a distance of 700- to a point being the northeast corner of Parcel 4608 W & F.

THENCE northerly parallel to the easterly limit of Booth Road 300 feet perpendicular to a distance of 1900- to a point along the line being the southerly limit of Part 1, Plan 36R-5507.

THENCE easterly along the southerly limit of Part 1, Plan 36R-5507 800- feet to a point being the southeast corner of Part 1, Plan 36R-5507 intersecting with the line between Lots 35 and 36, Concession 14.

SCHEDULE "E" (cont'd...)

DIRECT BENEFIT AREA

THENCE northerly along the line between Lots 35 and 36 a distance of 1300 feet more or less to a point 300 feet south of the south limit of Birch's Road.

THENCE easterly along a line parallel to and 300 feet distant from the south limit of Birch's Road a distance of approximately feet to the center line of Lamorie Drive.

THENCE northerly a distance of 666 feet to a point distant 300 feet from the north limit of Birch's Road.

THENCE westerly parallel to and 300 feet distance from the north limit of Birch's Road, a distance of 4250 feet to a point on an imaginary line being the extension of the easterly limit of Parcel 5650 W & F. 100 feet distant from the northeast corner of said Parcel.

THENCE southerly a distance of 100⁺ feet to the northeast corner of Parcel 5650 W & F.

THENCE westerly along the northerly limit of Parcel 5650 W & F a distance of 200⁺ feet to a point being the northwest corner of Parcel 5650 W & F.

THENCE northerly on an imaginary line being the extension of the westerly limit of Parcel 5650 W & F to a point 300 feet distant from Birch's Road.

THENCE westerly and parallel to and 300 feet perpendicular from the northerly limit of Birch's Road 250⁺ feet to a point on the line between Lots 36 and 37 Concession 15.

THENCE northerly on an arc parallel to and 300 feet perpendicular from the easterly limit of Chippewa Street a distance of 6400⁺ feet to a point on the south limit of Marshall Avenue.

THENCE westerly along the southerly limit of Marshall Avenue a distance of 700⁺ feet to the point of commencement.