1979

c 133 The City of North Bay Act, 1979

Ontario

© Queen's Printer for Ontario, 1979

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation
The City of North Bay Act, 1979, SO 1979, c 133

Repository Citation
Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1979/iss1/135

This Statutes is brought to you for free and open access by the Statutes at Osgoode Digital Commons. It has been accepted for inclusion in Ontario: Annual Statutes by an authorized administrator of Osgoode Digital Commons.
CHAPTER 133

An Act respecting the City of North Bay

Assented to December 20th, 1979

WHEREAS The Corporation of the City of North Bay, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used in that part of the City of North Bay described in the Schedule hereto providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

(2) Every agreement referred to in subsection 1 shall,

(a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof;

(b) require the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and the payment shall be based on 50 per cent of the cost of developing each offsite parking space as calculated from time to time by The Parking Authority of the City of North Bay; and

(c) where the agreement provides for payment by instalments, be executed by all prior mortgagees and other prior encumbrancers postponing their encumbrance in favour of the agreement.
(3) All moneys paid or to be paid pursuant to an agreement made pursuant to subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under The Trustee Act, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account shall be expended for the same purposes and in the same manner as a reserve fund provided for in paragraph 72 of section 352 of The Municipal Act.

(4) An agreement made pursuant to subsection 1 may be registered against the title of the land affected thereby in the proper land registry office and when so registered, the amounts payable under the agreement, until paid, shall be a lien or charge upon the lands described therein and in the event of a default of payment for a period of one year from the date any payment is due, such sum may be collected in the same manner and with the same remedies as provided by The Municipal Affairs Act for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or upon termination of the agreement, the clerk of the Corporation shall, at the request of the owner of the land or other person entitled under the agreement, provide a certificate in a form registrable in the proper land registry office, stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

(5) The Corporation auditor, in his annual report, shall report on the activities and position of any special account established under this section.

2. This Act comes into force on the day it receives Royal Assent.

3. The short title of this Act is The City of North Bay Act, 1979.

SCHEDULE

That parcel of land situate in the City of North Bay in the District of Nipissing described as follows:

BEGINNING at the intersection of the centre line of Sherbrooke Street and the centre line of Worthington Street;

THENCE northeasterly along the centre line of Worthington Street to the centre line of Cassells Street;

THENCE southwesterly along the centre line of Cassells Street and along the extension of such line to the shoreline of Lake Nipissing;

THENCE southeasterly along the shoreline of Lake Nipissing to the extension of the centre line of Sherbrooke Street;

THENCE along the extension of the centre line of Sherbrooke Street and along the centre line of Sherbrooke Street to the point of beginning.