

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-174

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON SUNSET BOULEVARD
(1794504 Ontario Inc. - 2 Sunset Boulevard)**

WHEREAS the Council of The Corporation of the City of North Bay, hereinafter referred to as the "City", deems it desirable to designate a Site Plan Control Area in the City of North Bay pursuant to Section 41 of the Planning Act R.S.O. 1990 as amended;

AND WHEREAS the Council deems it desirable to delegate to the Chief Administrative Officer the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS Council intends to pass By-law No. 2013-173 to rezone the subject lands to a "Residential Multiple Third Density (RM3)" zone in order to permit the construction of 3, 6-unit residential buildings.

AND WHEREAS Council passed a resolution on July 15, 2013 to approve this rezoning.

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

- 1) That certain parcel of land composed of Registered Plan No. M-203, Lots 88-94 & 101-107, PINs #49175-0308 (LT), 49175-0307 (LT) and 49175-0306 (LT) in the City of North Bay, (which lands are more particularly described on Schedule "A" attached hereto), is hereby designated as a Site Plan Control Area.
- 2) No building or structure shall be erected, constructed or placed on the said Site Plan Control Area except in accordance with the location, massing and conceptual design of the buildings and structures set out as on Schedule "B" attached hereto.
- 3) As a condition of approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 4) As a condition of approval the owner agrees to provide a lot grading plan, prepared by an Ontario Land Surveyor, which shall contain post and preconstruction geodetic elevations. Depending on the outcome of the survey a revetment may be required to protect the property and buildings from flooding and erosion from Lake Nipissing.

- 5) As a condition of approval the property owner(s) obtain a Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (DIA) Permit from the North Bay-Mattawa Conservation Authority prior to undertaking any site alteration activities and/or any construction or renovation work on the subject property. Site alteration activities would include: the placement or removal of fill material of any kind, and/or the alteration of existing grades on the subject property; as well as alterations to the shoreline of Lake Nipissing.
- 6) As a condition of approval the owner agrees to provide adequate water for firefighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 7) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
 - a) Parking facilities, both covered and uncovered, and access driveways and the surfacing of such areas and driveways;
 - b) walkways and the surfacing thereof;
 - c) facilities for lighting, including floodlighting;
 - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
 - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
 - g) adequate water supply for fire fighting purposes.

- 8) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose the applicable fee upon the owner for preparation.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 9) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 446 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 10) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 15 DAY OF JULY 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 15 DAY OF JULY 2013.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15th DAY OF
2013.**

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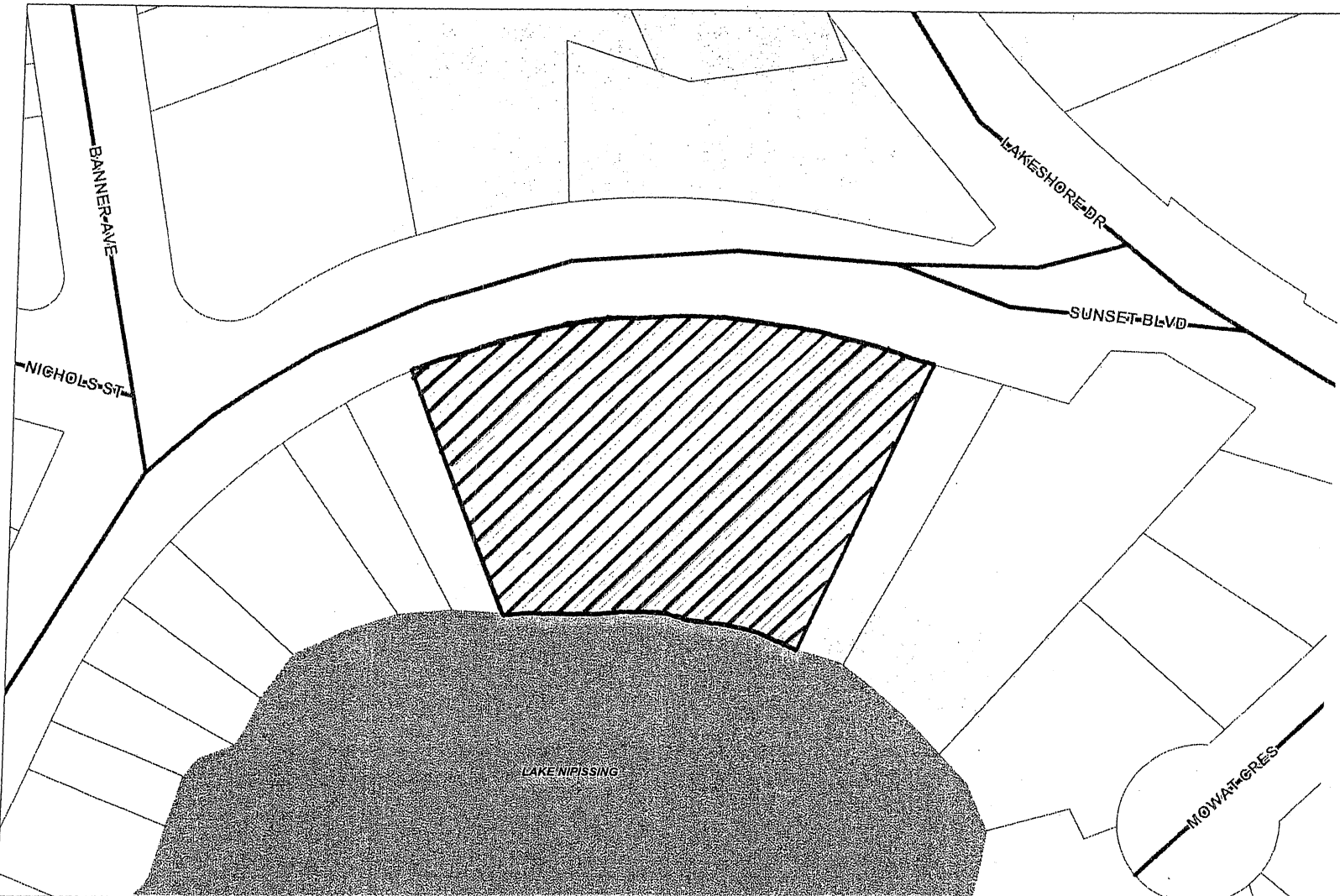
Mayor, Allan McDonald

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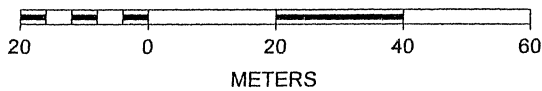
City Clerk, Catherine Conrad


Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,194



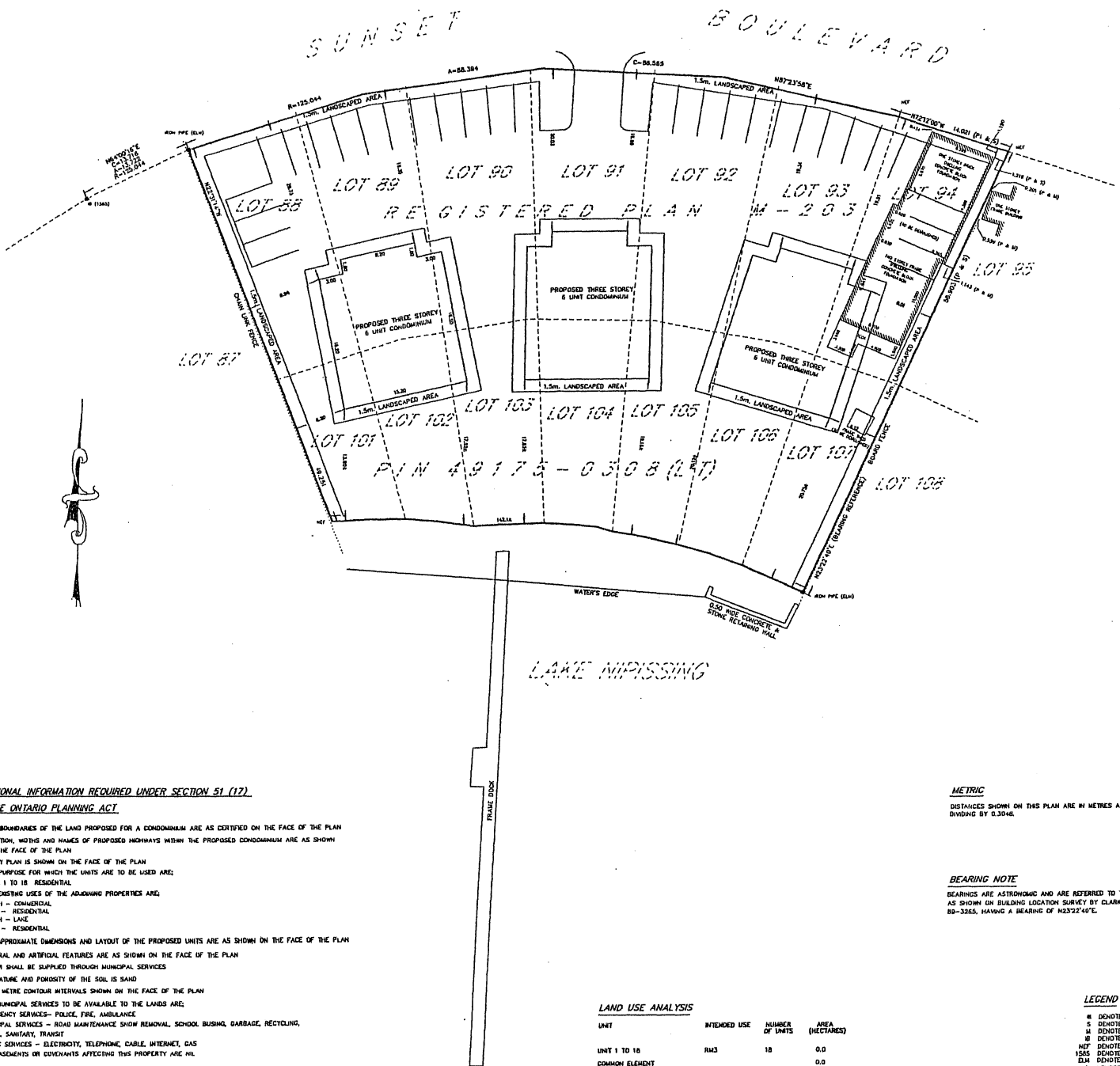
 Zoning By-law Amendment
From: "Tourist Commercial (C7)"
To: "Residential Multiple Third Density (RM3)"

This is Schedule "B"
 To By-law No. 2013-174

Passed the 15TH day of JULY 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE ONTARIO PLANNING ACT.

- THE BOUNDARIES OF THE LAND PROPOSED FOR A CONDOMINIUM ARE AS CERTIFIED ON THE FACE OF THE PLAN
- THE LOCATION, WIDTHS AND NAMES OF PROPOSED HIGHWAYS WITHIN THE PROPOSED CONDOMINIUM ARE AS SHOWN ON THE FACE OF THE PLAN
- A KEY PLAN IS SHOWN ON THE FACE OF THE PLAN
- THE PURPOSE FOR WHICH THE UNITS ARE TO BE USED ARE: UNITS 1 TO 18 RESIDENTIAL
- THE EXISTING USES OF THE ADJACENT PROPERTIES ARE: NORTH - COMMERCIAL EAST - RESIDENTIAL SOUTH - LAKE WEST - RESIDENTIAL
- THE APPROXIMATE DIMENSIONS AND LAYOUT OF THE PROPOSED UNITS ARE AS SHOWN ON THE FACE OF THE PLAN
- NATURAL AND ARTIFICIAL FEATURES ARE AS SHOWN ON THE FACE OF THE PLAN
- WATER SHALL BE SUPPLIED THROUGH MUNICIPAL SERVICES
- THE NATURE AND FERTILITY OF THE SOIL IS SAND
- 3.048 METRE CONTOUR INTERVALS SHOWN ON THE FACE OF THE PLAN
- THE MUNICIPAL SERVICES TO BE AVAILABLE TO THE LANDS ARE: EMERGENCY SERVICES - POLICE, FIRE, AMBULANCE MUNICIPAL SERVICES - ROAD MAINTENANCE, SNOW REMOVAL, SCHOOL BUSING, GARBAGE, RECYCLING, WATER, SANITARY, TRANSIT PUBLIC SERVICES - ELECTRICITY, TELEPHONE, CABLE, INTERNET, GAS THE EASEMENTS OR COVENANTS AFFECTING THIS PROPERTY ARE NIL