

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO.208-79

BEING A BY-LAW TO DESIGNATE SITE PLAN CONTROL AREAS ALONG THE SHORES OF TROUT LAKE IN THE CITY OF NORTH BAY.

WHEREAS the City of North Bay has been advised by the Ministry of the Environment that as a result of a Study of the water quality of Trout Lake, additional development on Trout Lake should be evaluated very carefully.

AND WHEREAS the Official Plan of the City of North Bay provides for special policies to control development on the shores of Trout Lake;

AND WHEREAS the Council of The Corporation of the City of North Bay deems it desirable to provide special policies pursuant to the Official Plan and Section 35a of the Planning Act to maintain a high order of water quality of Trout Lake;

AND WHEREAS the Council of The Corporation of the City of North Bay deems it desirable to designate a site plan control area along a 46 metres perimeter of the shore of Trout Lake to restrict:

- (a) the clearing of land,
- (b) the placement of facilities for the storage of waste materials,
- (c) the grading or alteration in elevation or contour of the land, and
- (d) the provision for disposal of storm, surface and waste water from the land and from any buildings or structures thereon.

AND WHEREAS notice of the passing of this by-law has been given once a week for four successive weeks and the Council has heard in person any person or his representative who claims to be prejudicially affected by the passing of this by-law;

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

1. In this by-law,

- (a) "City" means The Corporation of the City of North Bay
- (b) "Council" means the municipal Council of the City;
- (c) "Development" means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or useability thereof, or the laying out and establishment of a commercial parking lot;

(d) "Site Plan Control Area" means the area designated by Section 2 of this By-law;

(e) "Zoning Administrator" means the person appointed by the Council from time to time as the Zoning Administrator.

2. That certain area of land within 150 feet of the shore of Trout Lake in the City of North Bay which is not on full piped Urban Services and which is more particularly described on Schedule "A" hereto, is hereby designated as a site plan control area.

3. (1) No person shall undertake any development within the site plan control area unless such person has first executed an agreement (hereinafter referred to as a Site Plan Control Agreement) satisfactory to the Council dealing with:

- (a) walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of the lands or the protection of adjoining lands;
- (b) vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
- (c) 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.

(2) The Site Plan Control Agreement shall provide for plans and drawings satisfactory to the Council.

(3) (a) The Zoning Administrator is hereby appointed as the delegate of Council to execute the Site Plan Control Agreement and to approve the said Plans and Drawings on behalf of the Council.


(b) If the Zoning Administrator does not execute a Site Plan Control Agreement within ten days of its submission to him, the Site Plan Control Agreement may be referred to the Council at its next regular meeting.


4. This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 10th DAY OF December , 1979

READ A SECOND TIME IN OPEN COUNCIL THIS 19th DAY OF February , 1980

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 19th DAY OF February , 1980


MAYOR


CITY CLERK

SCHEDULE "A"

ALL AND SINGULAR THAT CERTAIN PARCEL OR TRACT OF LAND AND PREMISES, SITUATE, LYING AND BEING IN THE CITY OF NORTH BAY IN THE DISTRICT OF NIPISSING AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FIRSTLY: Beginning at the intersection of the line between Lots 14 and 15, Concession C, with the shore of Trout Lake in the City of North Bay;

Thence northerly along the line between Lots 14 and 15, Concession C, a distance of 46 metres;

Thence easterly along a line parallel to and 46 metres from the shore of Trout Lake to a point on the line between Lot 1, Concession C in the City of North Bay, being the easterly limit of the City of North Bay, and Phelps Township;

Thence southerly 46 metres along the line between the easterly limit of the City of North Bay and Phelps Township to the shore of Trout Lake;

Thence westerly along the shore of Trout Lake to the point of beginning.

SECONDLY: Beginning at the intersection of the shore of Trout Lake with the line between Lot 25, Concession 17 in the City of North Bay and the northwesterly limit of the Township of East Ferris;

Thence southeasterly along the line between Lot 25, Concession 17 in the City of North Bay and the Township of East Ferris, a distance of 46 metres;

Thence westerly along a line parallel to and distant 46 metres from the shore of Trout Lake to the line between Parcel 7338 W & F and Parcel 4990 W & F in the City of North Bay;

Thence northeasterly 46 metres along the line between Parcel 7338 W & F and Parcel 4990 W & F to the shore of Trout Lake;

Thence easterly along the shore of Trout Lake to the point of beginning.