

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2004-13

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA  
ON CERTAIN LANDS ON TROUT LAKE ROAD  
(PIER 63 INC. – TROUT LAKE ROAD)

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. 2004-12 to rezone the subject lands to a "Residential Multiple Second Density Special Zone No. 92 (RM2 Sp.92)" and a "Rural Marine Commercial (RMC)" zone in order to permit the construction of an 8-unit row house condominium.

AND WHEREAS Council passed a resolution on January 12, 2004 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 Concession C, Part Lot 15, 36R-7896, Parts 1, 2 and 3, Pcl. 3254 W/F 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 Item No. 1 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - i) a vegetative buffer will be developed and maintained by the owner as set out as Item No. 1 on Schedule "B";
- 3) As a condition of approval, the owner agrees to maintain the existing ingress and egress on the subject property. If at such a time, the ingress and egress is altered in anyway, the owner shall be required to obtain approval from the Ministry of Transportation and the City of North Bay.
- 4) 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.
- 5) As a condition of approval, the owner shall obtain all appropriate approvals from Provincial Ministries and its delegated authority.

- 6) As a condition of approval, the owner agrees to provide a storm water management plan which shall include a lot grading plan for the subject property. Said storm water management plan and any resulting alterations to the subject lands shall occur to the satisfaction, and at no expense to the City of North Bay and City Engineer.
- 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.
  - h) sanitary service extension and connections.
- 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 a fee of \$500.00 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.

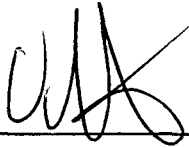
- 9) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
  - b) The owner shall authorize the City to exercise the provisions of Section 427 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the 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 12TH DAY OF JANUARY 2004.

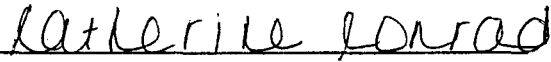
READ A SECOND TIME IN OPEN COUNCIL THE 12TH DAY OF JANUARY 2004.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 12TH DAY

OF JANUARY 2004.



MAYOR



CITY CLERK

This is Schedule "A"

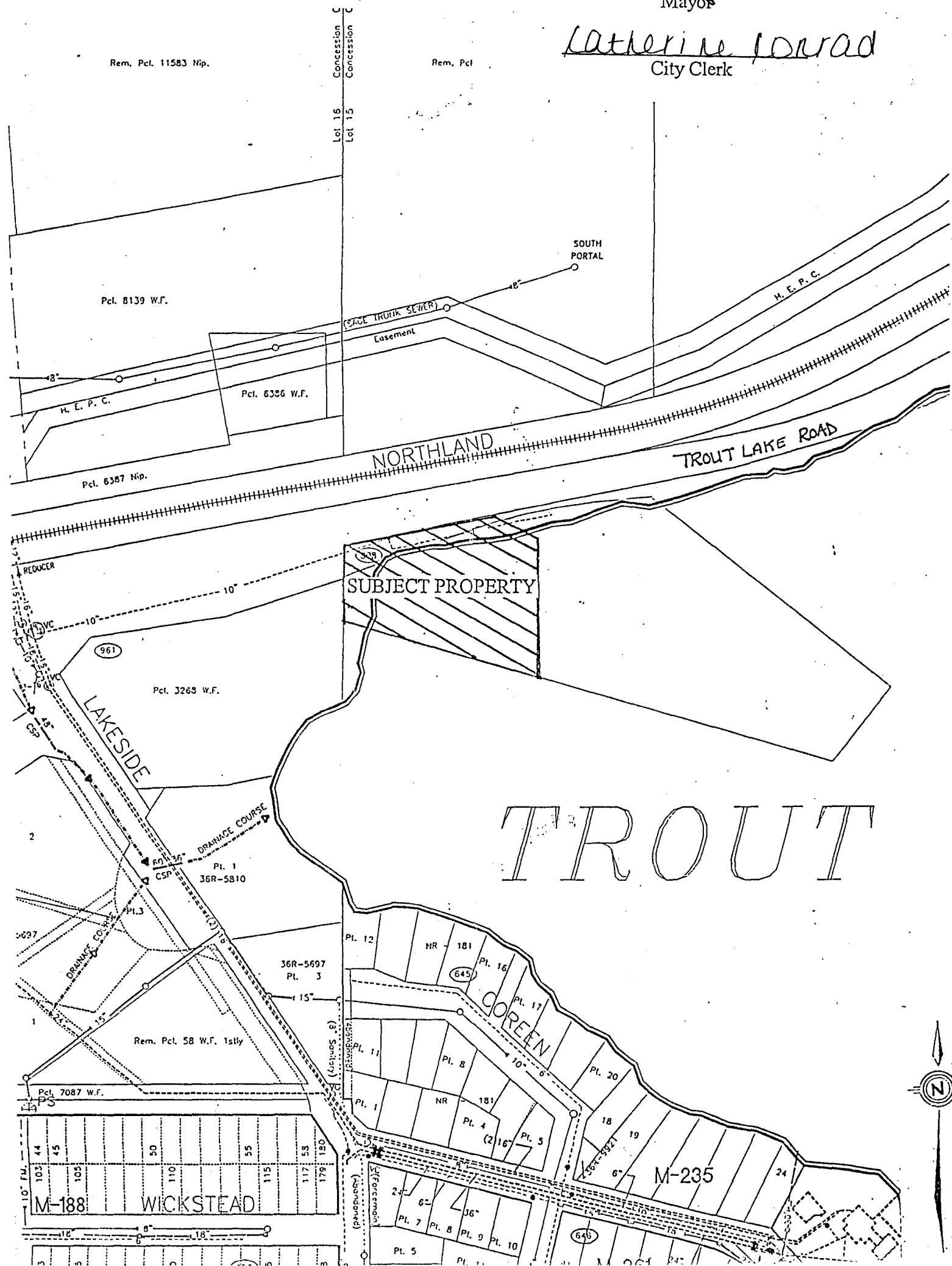
To By-law No. 2004-13

Passed the 12th day of January 2004.



Mayor

Latherine Conrad  
City Clerk



This is Schedule "B"

To By-law No. 2004-13

Passed the 12th day of January 20 04.

*[Signature]*  
Mayor

*Latherine Conrad*  
City Clerk

SKETCH OF  
PART OF LOT 15  
CONCESSION 'C'  
TOWNSHIP OF WOODFIELD  
NOW IN THE  
CITY OF NORTH BAY  
DISTRICT OF NIPISSING

SCALE 1 : 300  
0 5m 10m 15m  
D.S. Uroo Surveying Ltd.  
2003

