

BY-LAW NO. 151-90

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON FOUR MILE LAKE ROAD
(B. SMITH).

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 40 of The Planning Act;

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

AND WHEREAS Council intends to pass By-Law No. 150-90 to rezone the subject lands to a "Rural Residential Estate (RRE)" Zone to permit the construction of Single-Family Detached Dwellings.

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 Parcel 1347 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. (a) As a condition of approval the owner agrees to retain the services of a recognized noise and vibration consultant. Any suggestions forthcoming from the study shall be incorporated into the building design. The afore-mentioned study and any resulting alterations to the structure or subject property shall occur to the satisfaction of and at no expense to the Municipality.

(b) As a condition of approval the Owner agrees that all Offers of Purchase and Sale for the subject lands shall contain a clause advising prospective purchasers that an airport noise problem exists for these lands. The afore-mentioned notification shall occur to the satisfaction of and at no expense to the Municipality.
3. As a condition of the approval no building or structure shall be erected, constructed or placed on the said Site Plan Control Area until the owner of the Site Plan Control Area

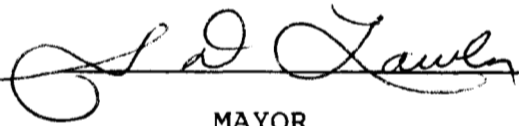
has entered into an Agreement with the Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the Municipality of the following matters:

- (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.
4. (a) The Mayor and Clerk are hereby authorized upon the recommendation of the Chief Administrative Officer to enter into, under Corporated 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.
- (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 and The Land Titles Act against any and all subsequent owners of the land.
5. (a) The said Agreement shall be binding on the Owner, its successors and assigns.

(b) The Owner shall authorize the City to exercise the provision of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the Owner of a condition of this Agreement.

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

READ A FIRST TIME IN OPEN COUNCIL THE 7th DAY OF August 19 90.
READ A SECOND TIME IN OPEN COUNCIL THE 27TH DAY OF AUGUST 19 90.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 27TH DAY
OF AUGUST 1990 .



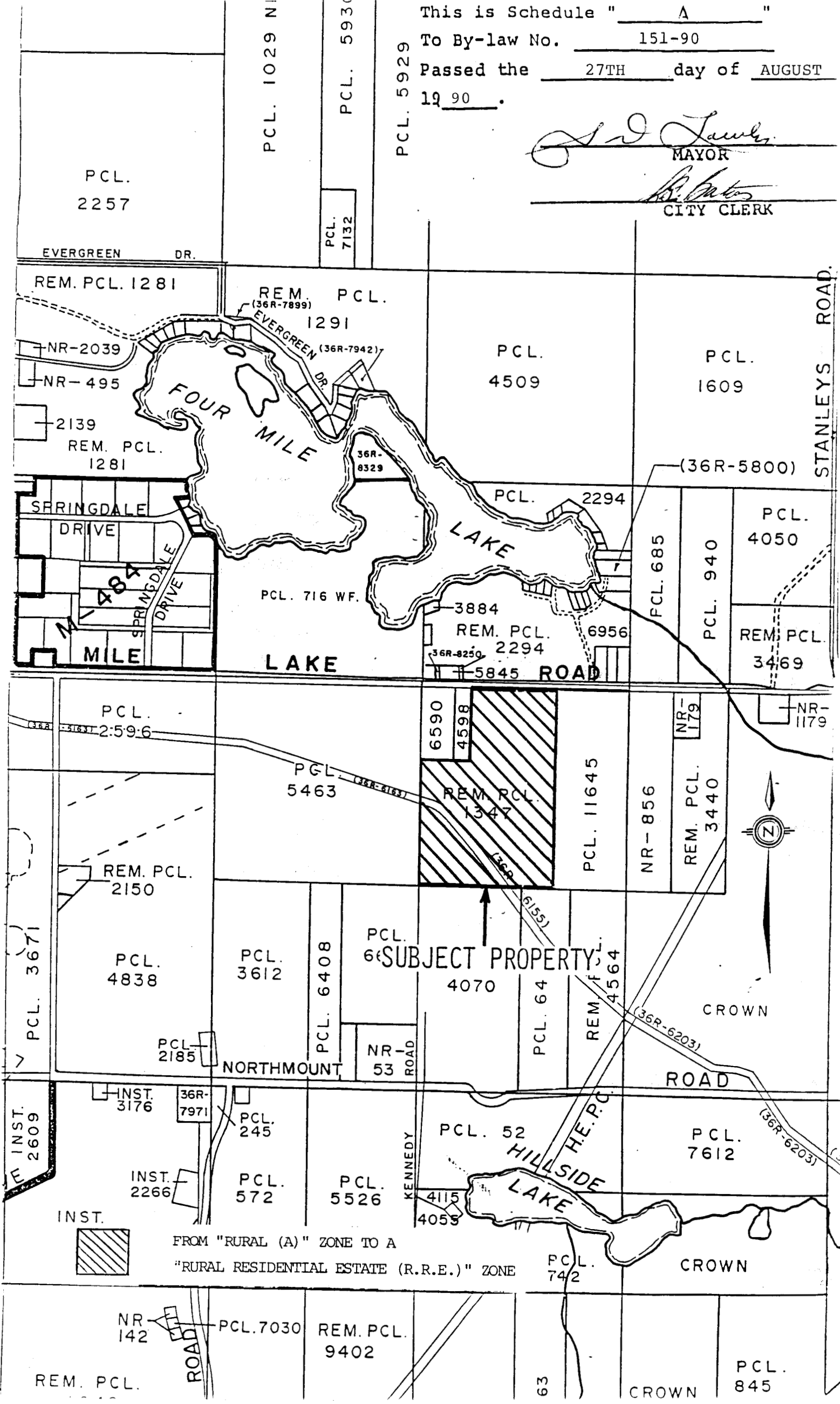
MAYOR



CITY CLERK

This is Schedule " A "
 To By-law No. 151-90
 Passed the 27TH day of AUGUST
 19 90.

S. J. Lawley
 MAYOR
B. Bates
 CITY CLERK



FROM "RURAL (A)" ZONE TO A
 "RURAL RESIDENTIAL ESTATE (R.R.E.)" ZONE

6 SUBJECT PROPERTY



This is Schedule " B "
 To By-law No. 151-90
 passed the 27TH day of AUGUST
 19 90 .

[Signature]
 MAYOR
[Signature]
 CITY CLERK

