

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 1999-40**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON LEES ROAD  
(P. & J. AXFORD - 30 LEES 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 Clerk the authority to enter into an agreement respecting the matters referred to herein;

**AND WHEREAS** Council intends to pass By-law No. 1999-39 to rezone the subject lands to a "Rural Institutional (RN)" zone to permit a place of worship within the existing building.

**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 Plan NR-1768, Parts 1, 3, and 5 and part of the remainder of Parcel 2256 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 Items 1, 2, 3, and 4 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - a) a rural institutional building shall be provided by the owner and maintained by the owner as set out as Item No. 1 on Schedule "B";
  - b) vehicular parking comprised of not less than fifteen (15) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";
  - c) ingress and egress shall be provided and maintained as set out as Item No. 3 on Schedule "B";
  - d) a minimum 7.6 metre wide landscaping strip shall be provided and maintained as set out as Item No. 4 on Schedule "B";
- 3) As a condition of approval the owner agrees to prepare a stormwater management plan for the subject lands. Said stormwater management plan and any resulting alterations to the subject property shall occur to the satisfaction of the City Engineer and at no expense to the City Engineer and City.

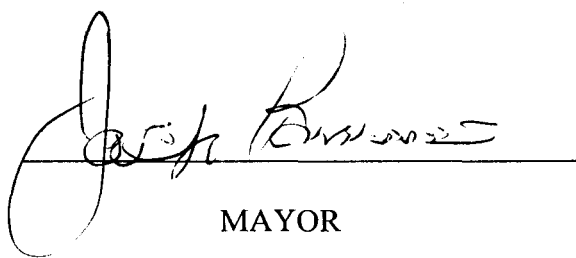
- 4) As a condition of approval the owner agrees to provide an on-site water supply designed and constructed to hold a minimum of 10,000 gallons of water for the purposes of fighting a local fire. Said water supply shall be provided and maintained to the ongoing satisfaction of the North Bay Fire Department and at no expense to the City.
- 5) As a condition of approval the owner shall register on title of the subject lands, a clause advising prospective purchasers that noise and vibration problems associated with the operations of a railway main line on abutting land may occur.
- 6) 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 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.
- 7) 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 and registration of each agreement.

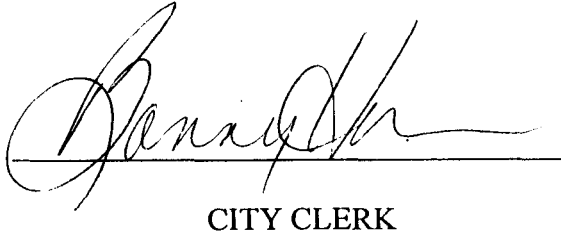
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act and The Land Titles Act against any and all subsequent owners of the land.
  
- 8) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.  
b) The owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
  
- 9) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 22nd DAY OF March  
199 9.

READ A SECOND TIME IN OPEN COUNCIL THE 22nd DAY OF March  
199 9.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 22nd DAY  
OF March 199 9.

  
MAYOR

  
CITY CLERK







This is Schedule "   **B**   "

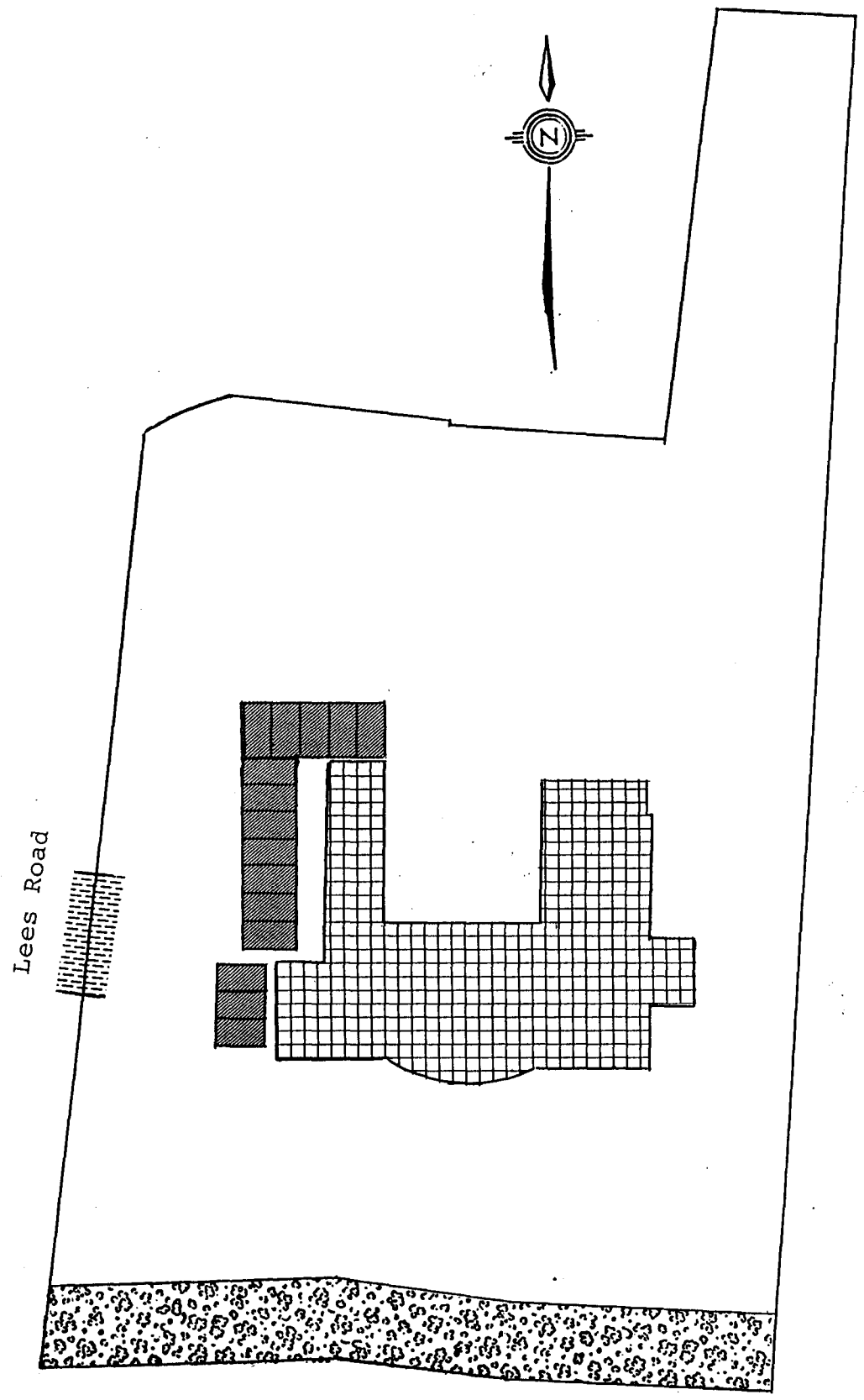
To By-law No.   1999-40  

Passed the   22nd   day of   March    
19  99  .

*Jack Burrows*  
MAYOR

*Bonnie*  
CITY CLERK

-  Item No. 1
-  Item No. 2
-  Item No. 3
-  Item No. 4



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Feet

Trout Lake Road