

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 130-97

**A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS ON
BOOTH ROAD AND MARSHALL AVENUE
(GATEWAY PENTECOSTAL CHURCH)**

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. 129-97 to rezone the subject lands to an “Institutional (N)” zone, a “Floodway (0.1)” zone and a “Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)” to permit the construction of a place of worship.

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 part of Parcel 5258 W&F, Part 5, Plan 36R-8702 and part of Part 1, Plan 36R-7257 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, 4, and 5 on Schedule “B” attached hereto, and which Schedule “B” is hereby approved by the Council provided that:
 - a) a place of worship will be provided and maintained as set out as Item No. 1 on Schedule “B”;
 - b) vehicular parking consisting of not less than forty (40) 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 thirty (30) metre wide undisturbed, natural vegetative buffer, designed to protect fish habitat in the adjacent water course shall be provided and maintained as set out as Item No. 4 on Schedule “B”;
 - e) a variable ten (10) to forty (40) metre wide natural, undisturbed vegetative buffer, designed to protect the adjacent wetland shall be provided and maintained as set out

as Item No. 5 on Schedule "B".

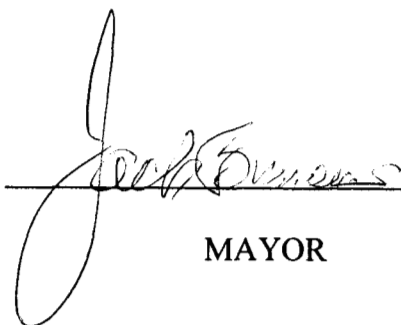
- 3) As a condition of approval the owner agrees to prepare a stormwater management plan for the subject lands. Said stormwater management plan and any resulting alterations to the subject property shall occur to the satisfaction of and at no expense to the Municipality and the North Bay-Mattawa Conservation Authority.
- 4) As a condition of approval the owner agrees to prepare a lot grading plan. Said lot grading plan and any resulting alterations to the subject property shall occur to the satisfaction of and at no expense to the Municipality.
- 5) As a condition of approval the owner agrees to prepare a servicing plan. Said servicing plan will demonstrate, among other things, how municipal sewer and water services will be provided to the subject lands.
- 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 Mayor and Clerk are hereby authorized upon the recommendation of the Chief Administrative Officer 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 \$250.00 upon the owner for preparation and registration of the 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 and assigns.
- 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 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.

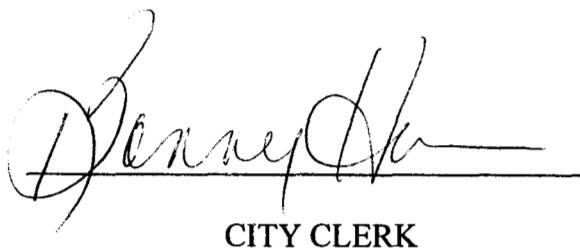
READ A FIRST TIME IN OPEN COUNCIL THE 15th DAY OF December
199 7.

READ A SECOND TIME IN OPEN COUNCIL THE 26th DAY OF January
199 8.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 26th DAY
OF January 199 8.



MAYOR



CITY CLERK

This is Schedule " A "

To By-law No. 130-97

Passed the 26th day of January
19 98.

John Brown
MAYOR

John Brown
CITY CLERK

