

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 220-90

A BY-LAW TO DESIGNATE THE TROUT LAKE
SITE PLAN CONTROL AREA

WHEREAS By-law 208-79 of the City of North Bay designated the area within 46 metres of the shores of Trout Lake as a site plan control area;

AND WHEREAS a 1986 Study of the Water Quality of Trout Lake prepared by the Ministry of the Environment was adopted by the Council on July 4, 1989;

AND WHEREAS a 1989 Study of the Trout Lake Watershed prepared by Conestoga-Rovers Ltd. for the North Bay-Mattawa Conservation Authority, the City of North Bay, and the Township of East Ferris is being implemented by the Council;

AND WHEREAS a 1990 Study entitled "Trout Lake Pollution Control Plan" prepared by Northland Engineering Limited and Beak Consultants Limited for the Ontario Ministry of the Environment, the City of North Bay, and the Township of East Ferris is being implemented by the Council;

AND WHEREAS the Council deems it desirable to provide special policies to maintain a Level One water quality for Trout Lake.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY 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) "Trout Lake Site Plan Control area" means the area designated by Section 2 of this By-law.
 - e) "Director of Planning and Development" means the person appointed by the Council from time to time as the Director of Planning and Development and his authorized designate.

- 2) That certain area of land along the shoreline of Trout Lake in the City of North Bay, that is not on fully piped water distribution and sanitary sewer services, to a depth of one registered lot or parcel or 46 metres, whichever is greater, and all lands with frontage on a watercourse flowing into Trout Lake (which lands are more particularly described as hatched on Schedules "A-1" through "A-8" and further described on Schedules "B-1" through "B-5" attached hereto), are hereby designated as the Trout Lake Site Plan Control Area.

- 3)
 - a) No person shall commence any development on any land within the Trout Lake Site Plan Control Area prior to approval by the Council or the Director of Planning and Development of a Site Plan Control Agreement with the owner of such land.

 - b) No person shall alter or remove any existing ground cover in anticipation of development on lands within the Trout Lake Site Plan Control Area prior to approval by the Council or Director of Planning and Development of a Site Plan Control Agreement with the owner of such land.

 - c) No person shall alter the matters or facilities provided for in an agreement made under this by-law except in strict compliance with such agreement.

- 4)
 - a) As a condition of approval of an agreement under this by-law, the owner of the lands shall provide to the satisfaction of and at no expense to the City, plans and drawings to identify the following matters:
 - i) location of natural flora and fauna, shrubs, trees and other ground cover;

- ii) sanitary sewage facilities;
 - iii) location of all buildings and structures to be erected and showing the location of all facilities and works thereon;
 - iv) facilities to provide access to and from the land, including driveways or parking areas and the surfacing thereof;
 - v) provision for the disposal of waste water, storm water and surface water;
 - vi) any change in elevation or contour of the land;
 - vii) enclosures for the storage of garbage or other waste material;
 - viii) easements to be conveyed to the City for the construction, maintenance or improvement of watercourses, ditches or other land drainage works.
- b) Where land within the Trout Lake Site Plan Control Area does not have a depth to accommodate a setback of 30 metres from the water's edge to the septic system due to natural constraints, then the owner shall file a Site Evaluation Report prepared by a soils analyst or other consultant with demonstrated competence in soils analysis, to identify shoreline protection equivalent to 30 metres depth of existing vegetation.

- 5) Any owner of land, subject to a Trout Lake Site Plan Control Agreement, shall maintain to the satisfaction of the City, at the sole risk and expense of the owner, all of the matters or facilities referred to in such agreement.

- 6)
 - a) The Director of Planning and Development, and in his absence his authorized designate, 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 Director of Planning and Development or his designate does not execute a Site Plan Control Agreement within ten (10) days of its submission to him, the Site Plan Control Agreement may be referred to the Council at its next regular meeting.

- 7)
 - a) Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable:
 - i) on a first conviction to a fine of not more than \$20,000, and

 - ii) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

 - b) Where a corporation is convicted under subsection (1) the maximum penalty that may be imposed is:
 - i) on a first conviction a fine of not more than \$50,000, and

ii) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted and not as provided in subsection (1).

8) a) Any agreement made pursuant to By-law 208-79 shall continue to be of full force and effect.


b) Subject to paragraph (a), By-law 208-79 is hereby repealed.


9) This by-law comes into force upon being passed.

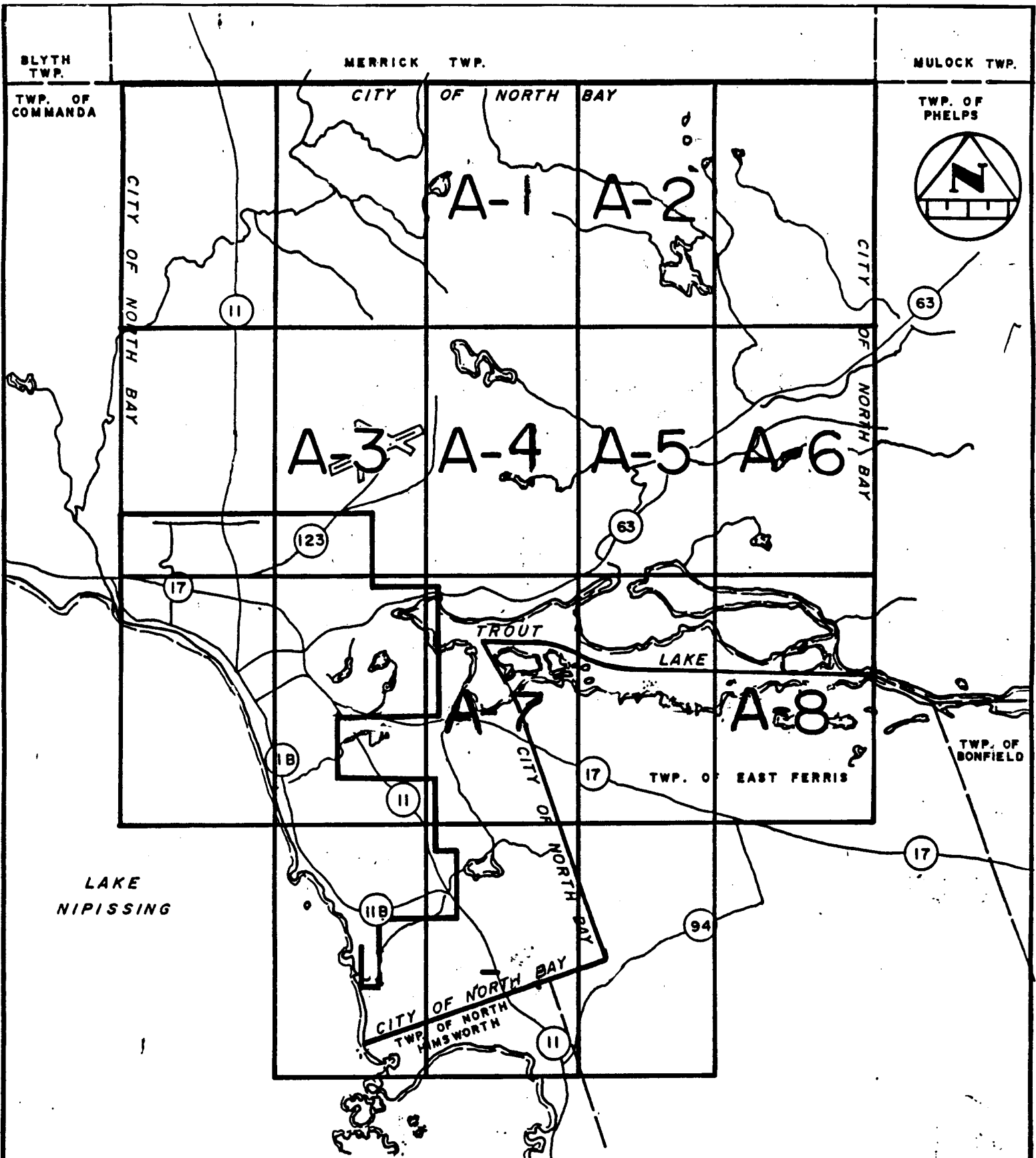
READ A FIRST TIME IN OPEN COUNCIL THE 12TH DAY OF NOVEMBER 1990.

READ A SECOND TIME IN OPEN COUNCIL THE 2ND DAY OF APRIL 1991.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS
2ND DAY OF APRIL 1991.


MAYOR


CITY CLERK

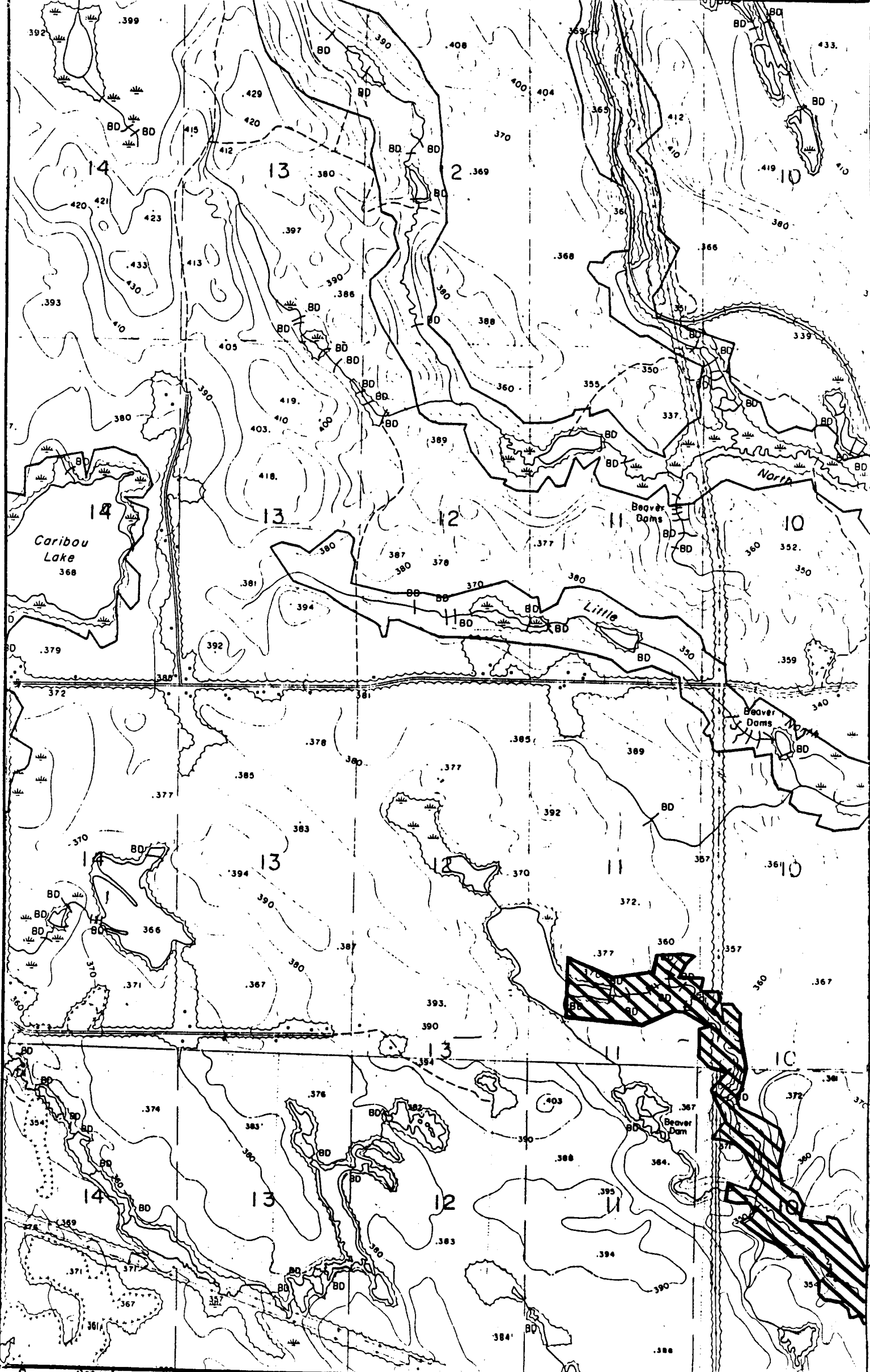


SCHEDULE

A

KEY MAP

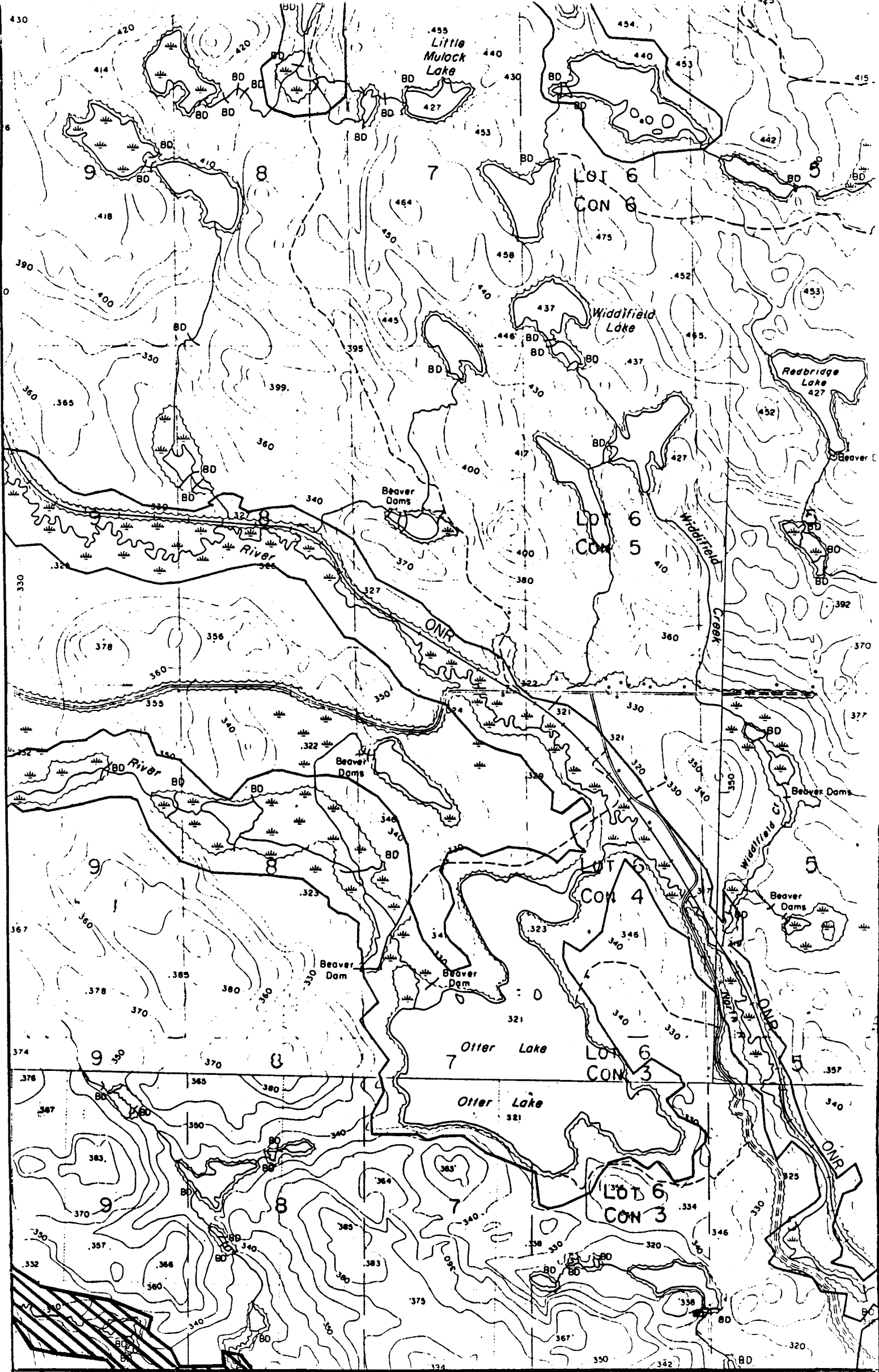
**BY LAW NO. 220-90 TROUT LAKE
SITE PLAN CONTROL AREA**



SCHEDULE
A-1

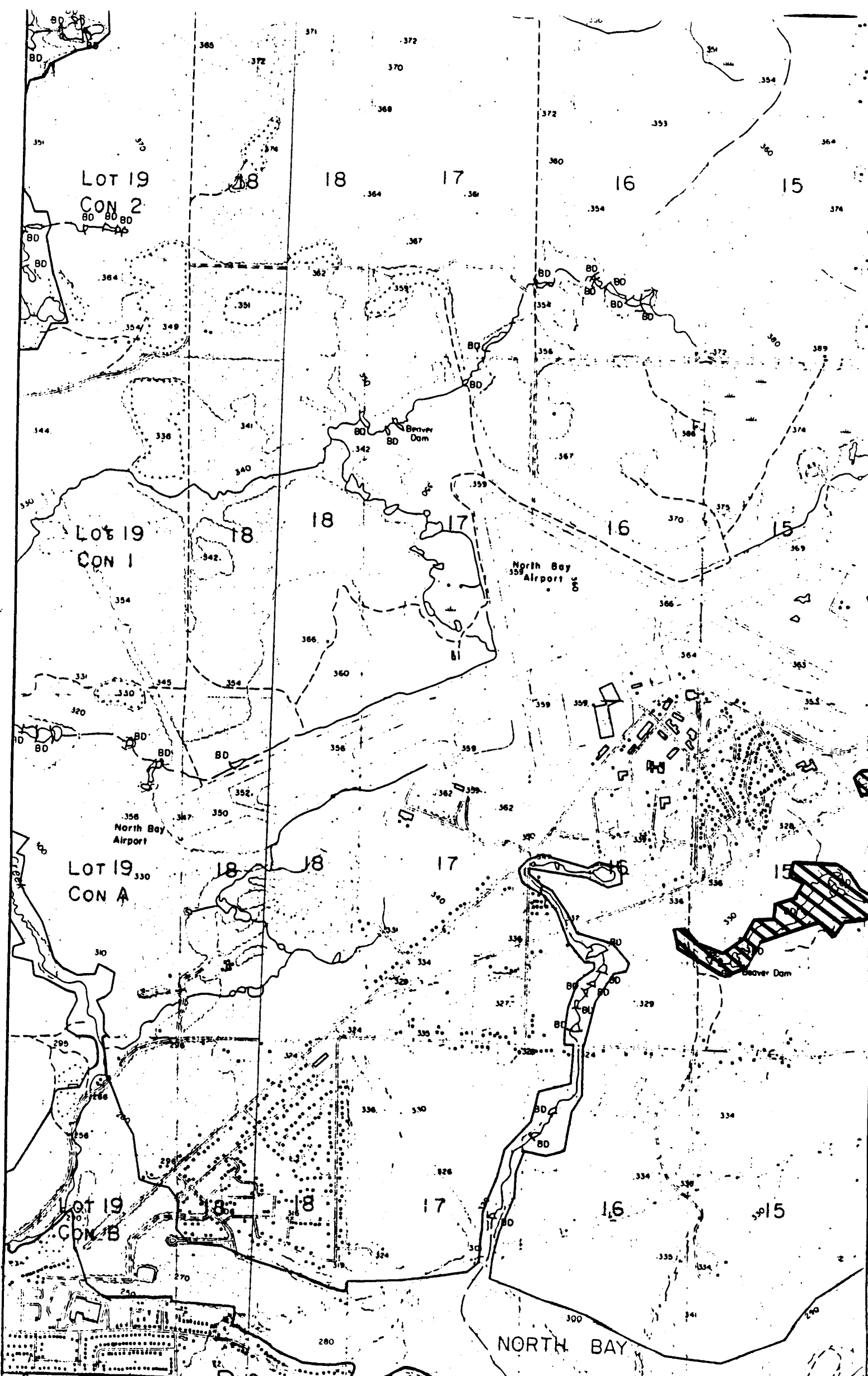
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SITE PLAN CONTROL AREA

0 300 M
METRES 400



SCHEDULE
A-2

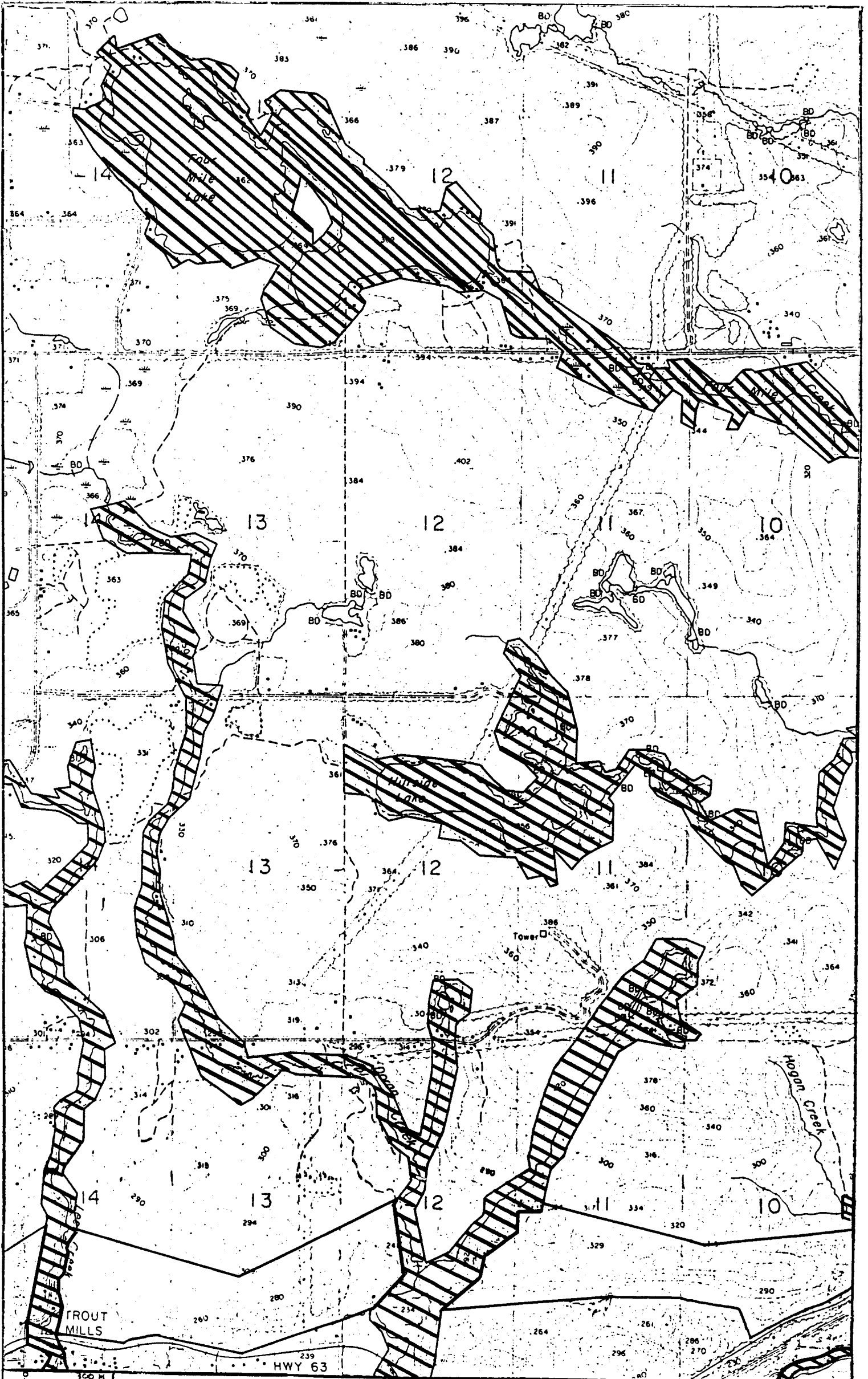
BY LAW NO. 220-90 TROUT LAKE
SITE PLAN CONTROL AREA



SCHEDULE

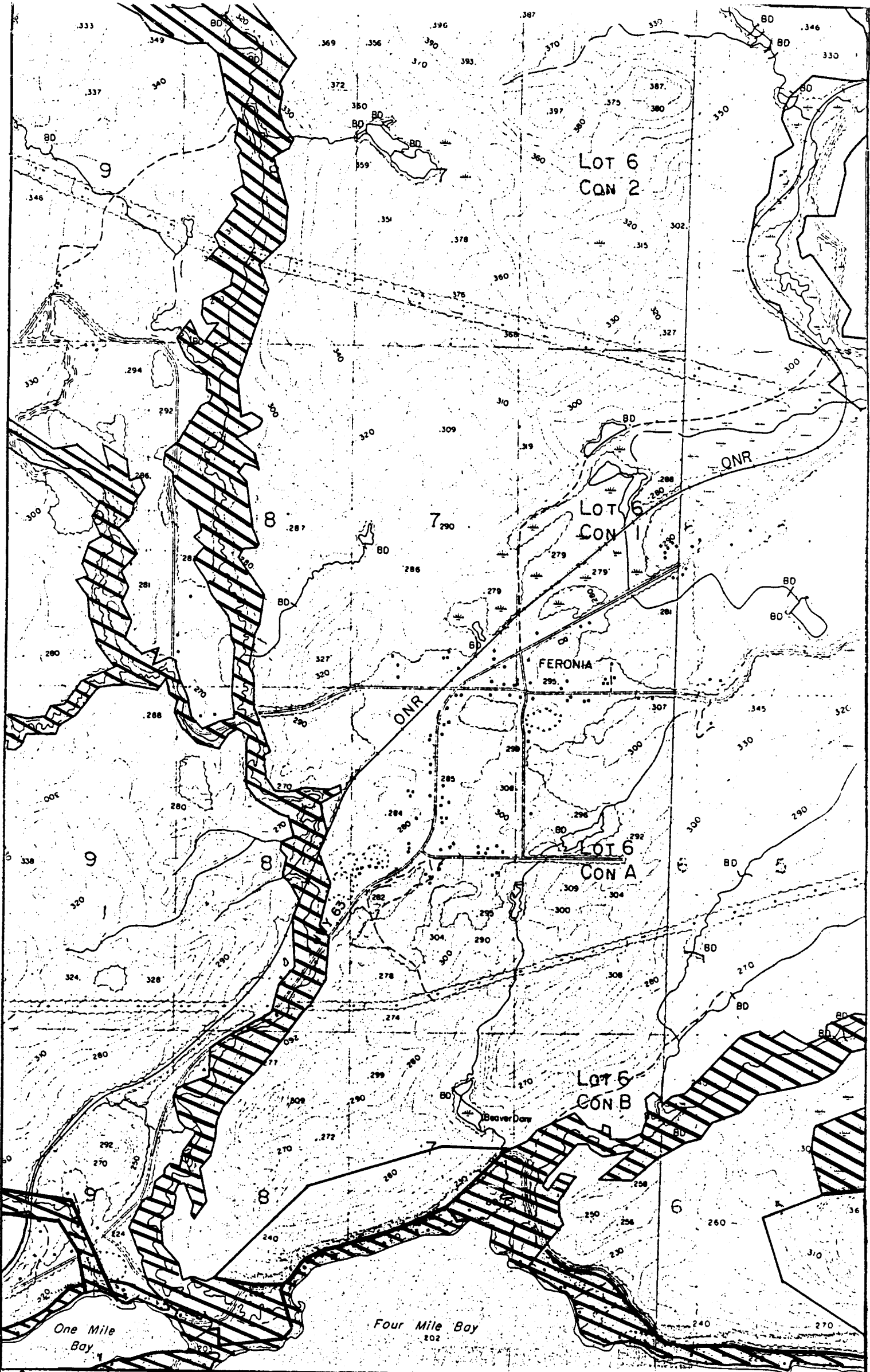
A-3

BY LAW NO. 220-90 TROUT LAKE
 SITE PLAN CONTROL AREA



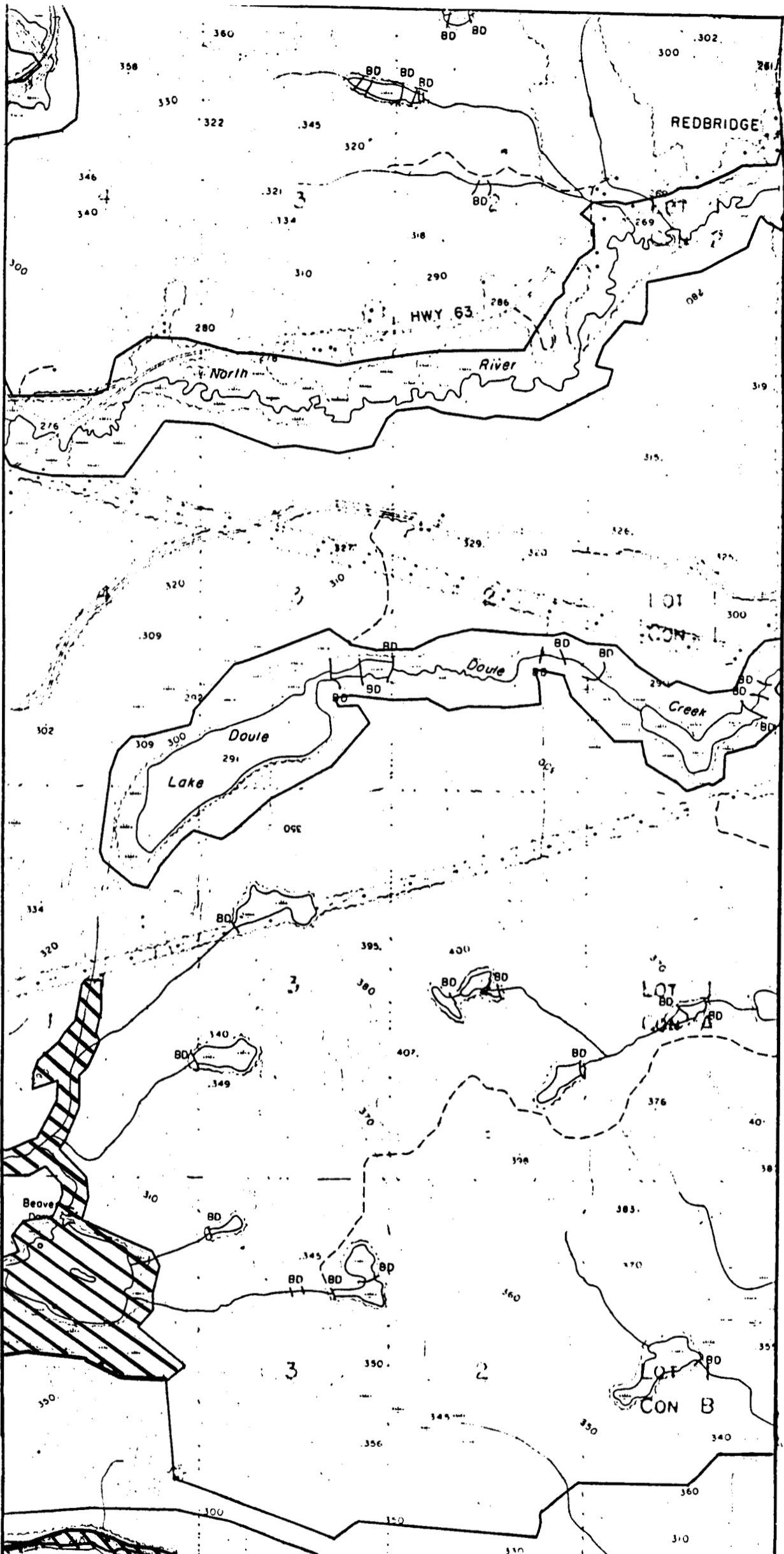
SCHEDULE
A-4

BY LAW NO. 220-90 TROUT LAKE
SITE PLAN CONTROL AREA



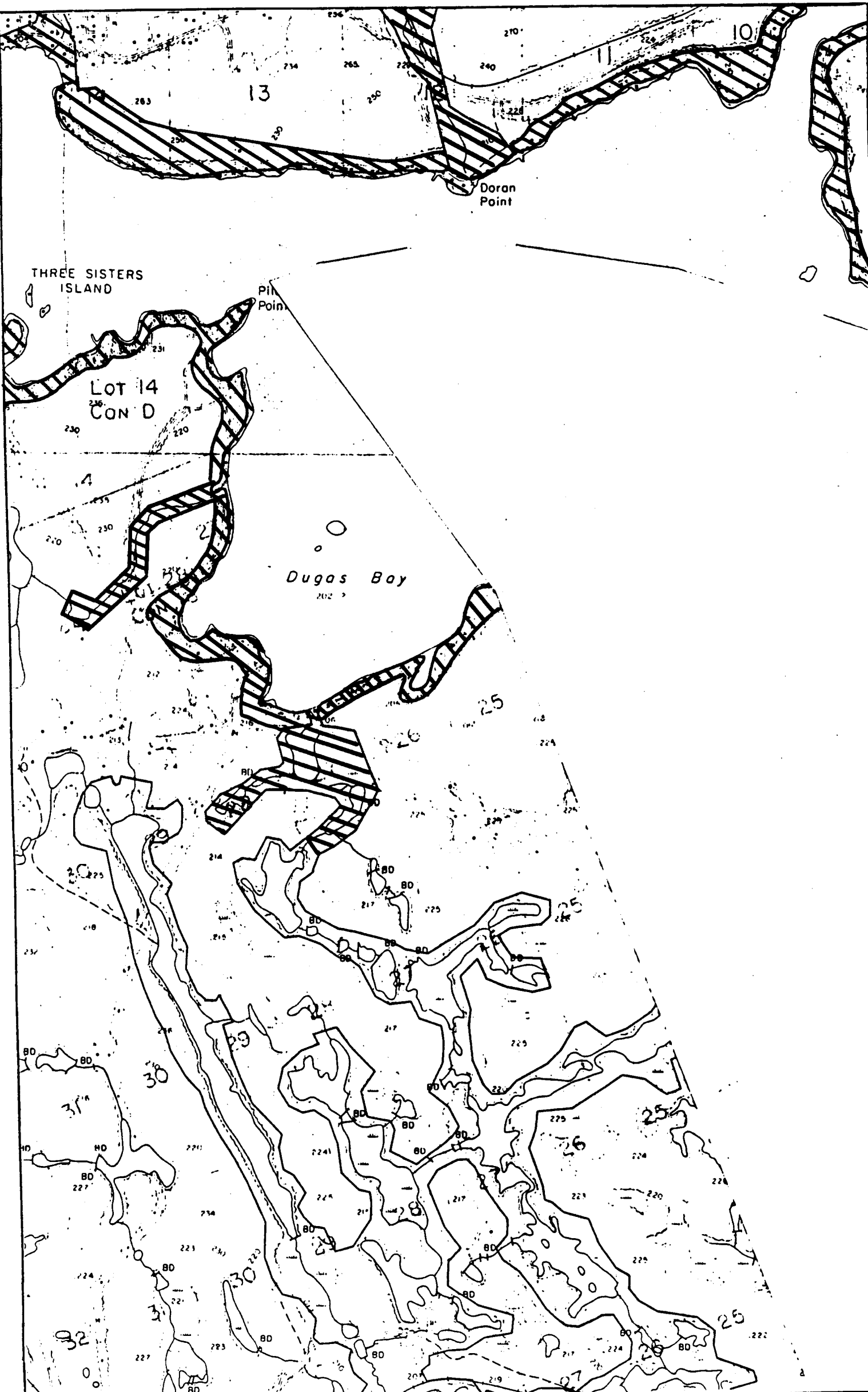
SCHEDULE
A-5

BY LAW NO. 220-90 TROUT LAKE
SITE PLAN CONTROL AREA



0 300 M
 SCHEDULE

BY LAW NO. 220-90 TROUT LAKE
A C SITE PLAN CONTROL AREA



THREE SISTERS ISLAND

Doran Point

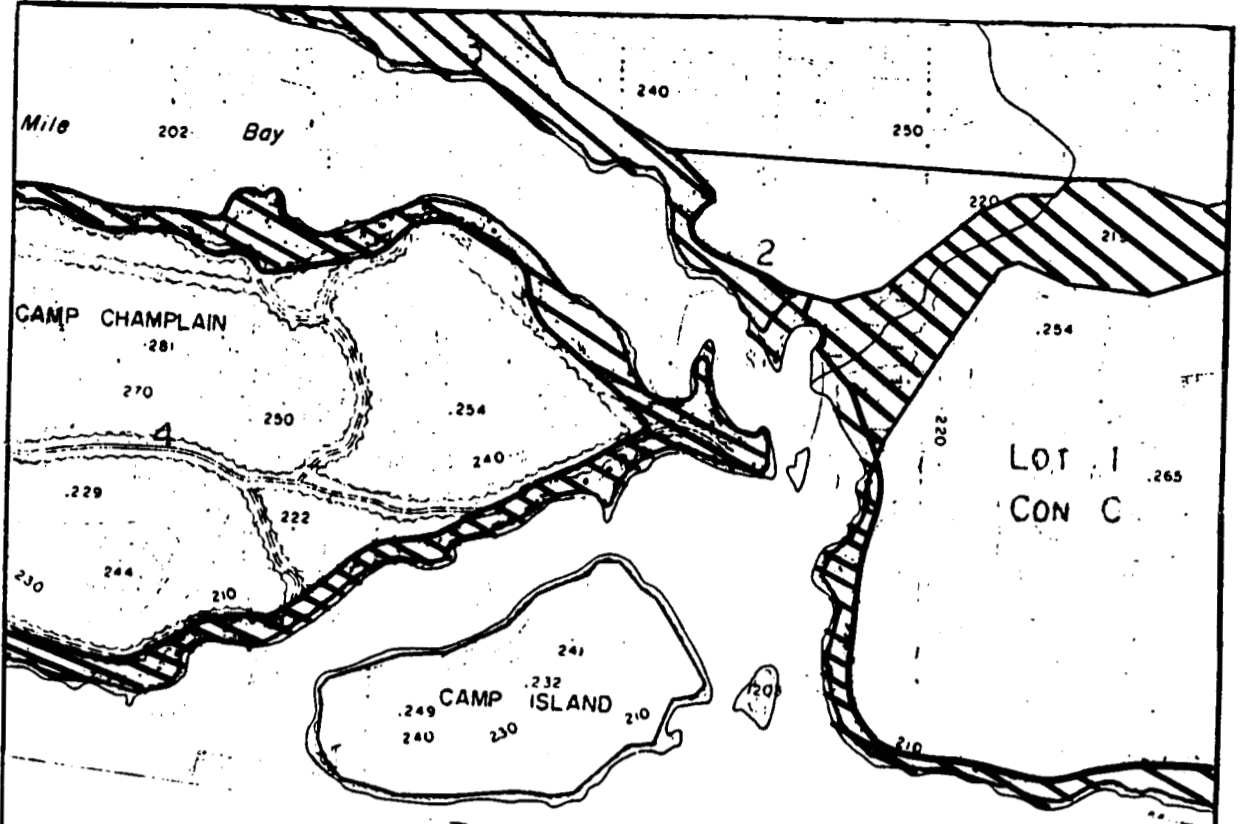
Pin Point

LOT 14
CON D

Dugas Bay

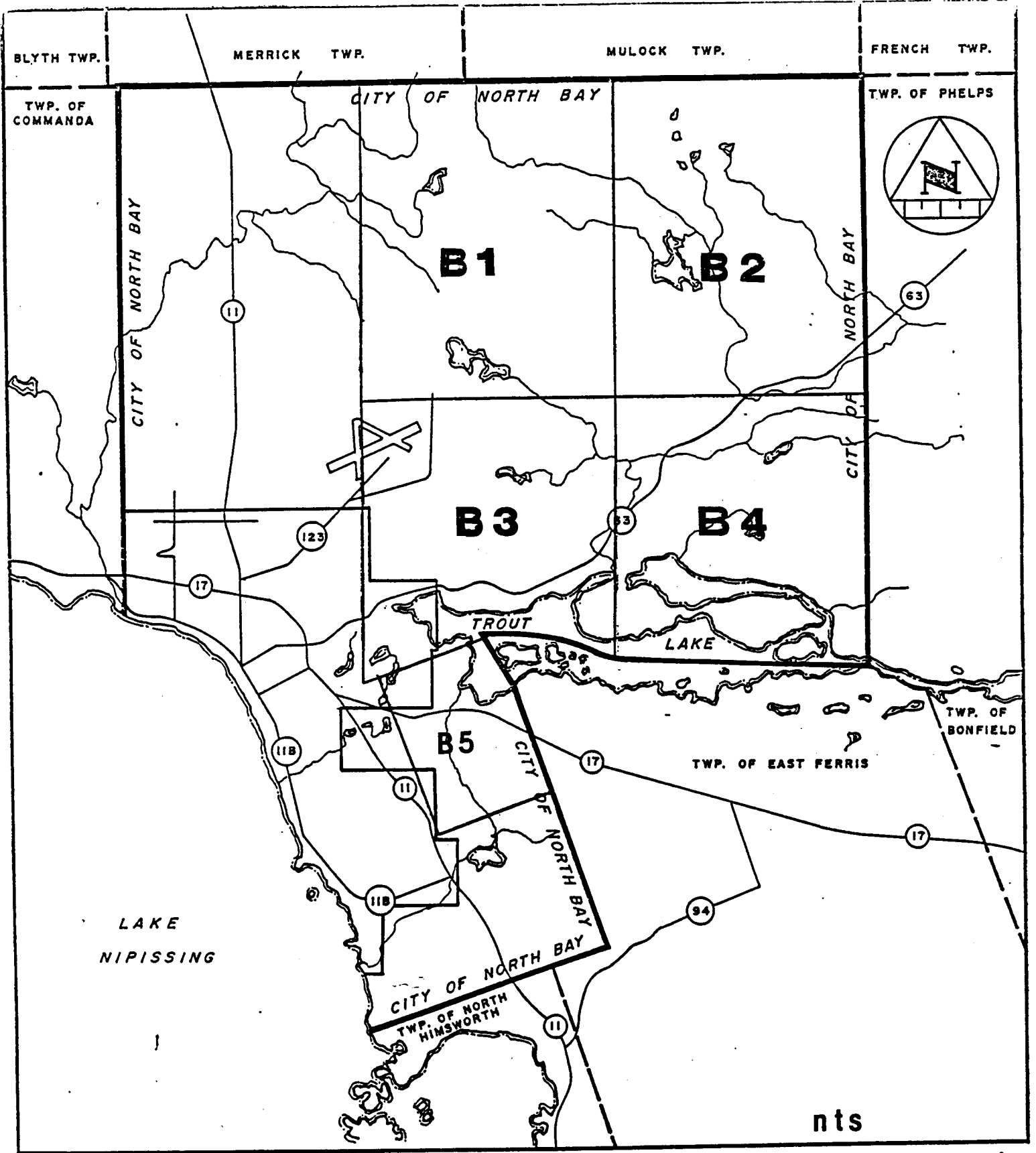
0 300 ft
SCALE

BY LAW NO. 220-90 TROUT LAKE
CONTROL AREA



0 300'
 SCHEDULE
 A-O

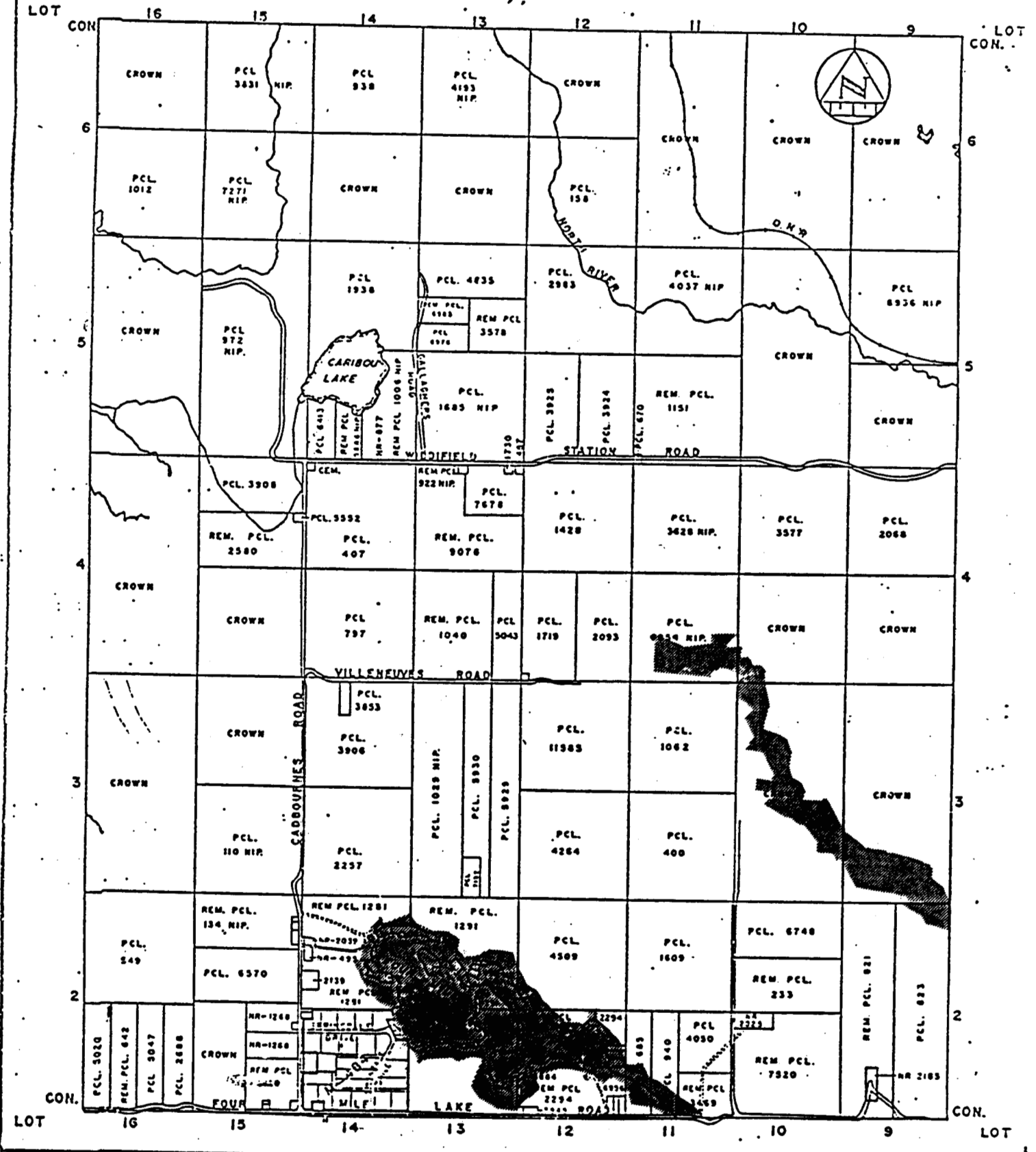
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SITE PLAN CONTROL AREA



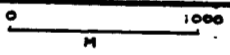
Schedule
"B"
 Key Map

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 SITE PLAN CONTROL AREA**

TOWNSHIP OF MULLOCK

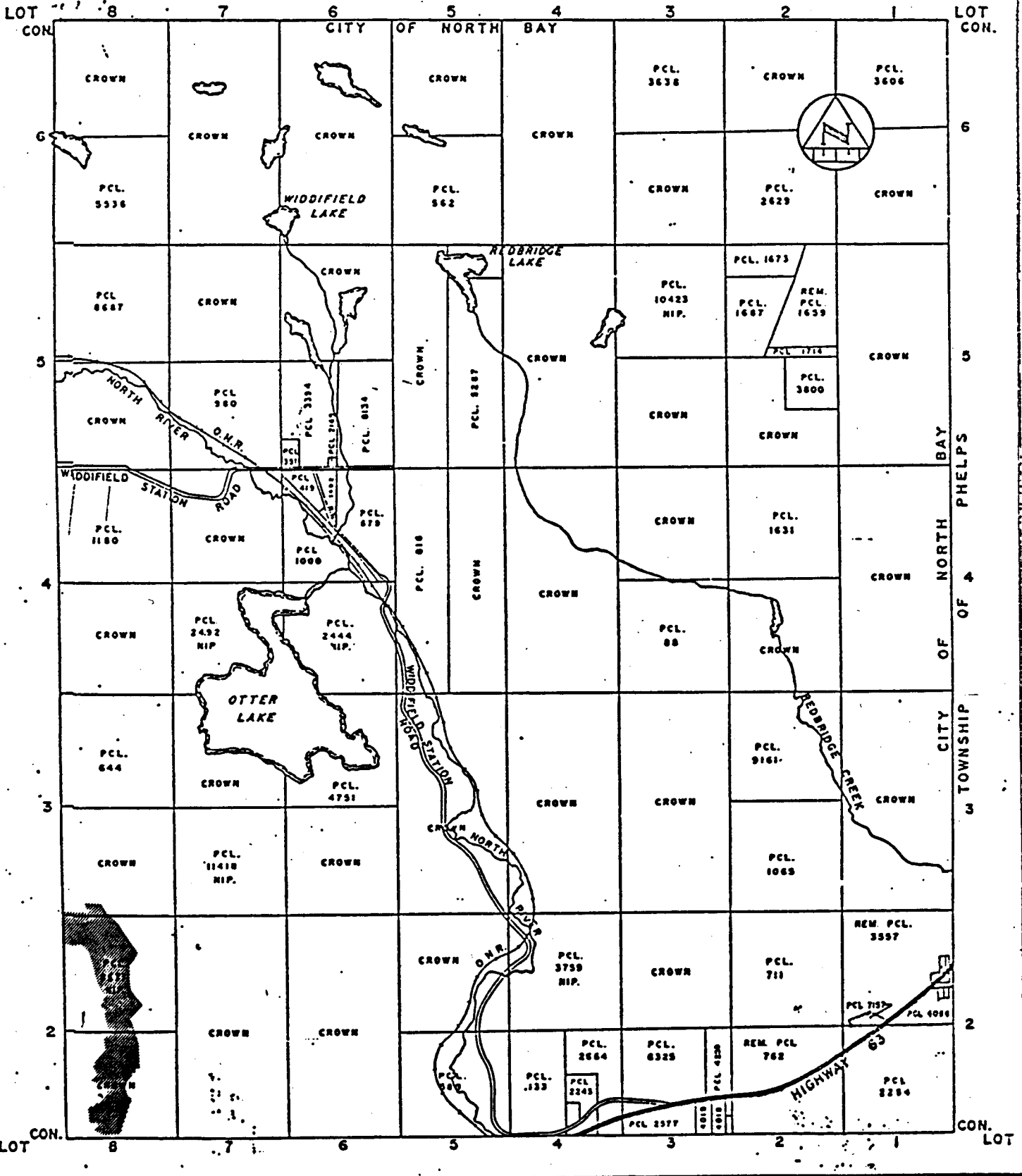


B1



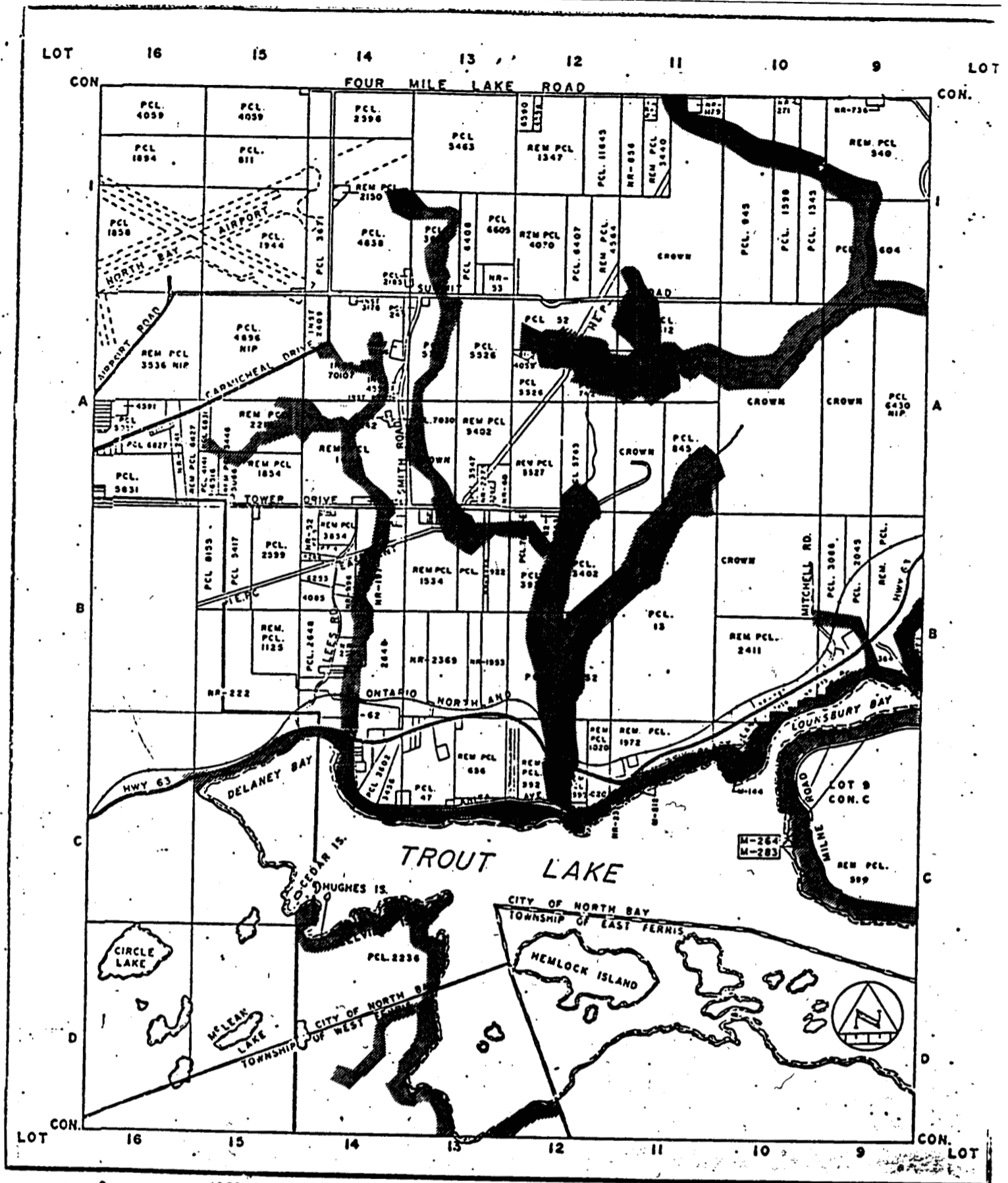
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TOWNSHIP OF MULOCK

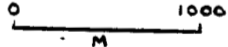


B2

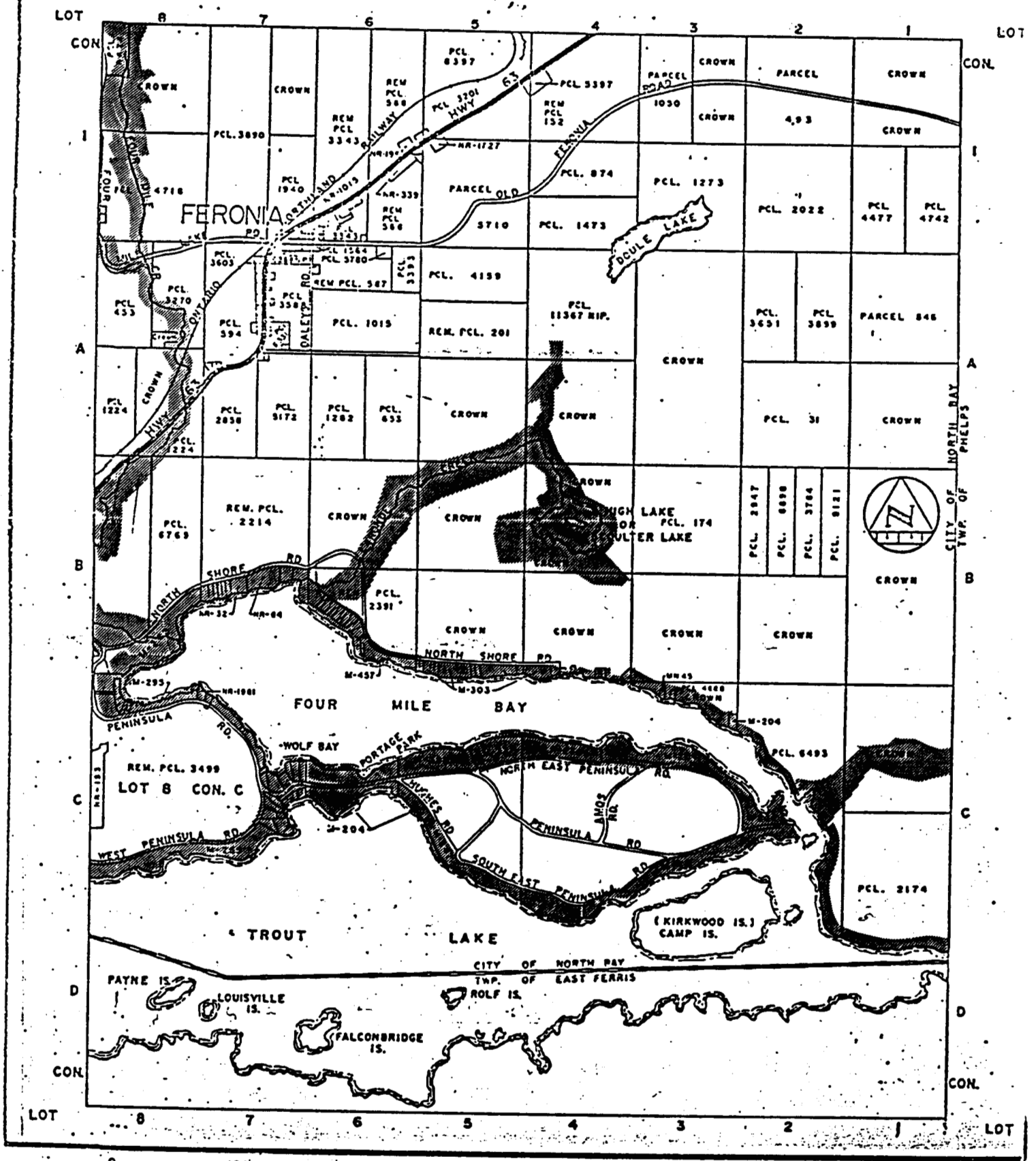
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B.3

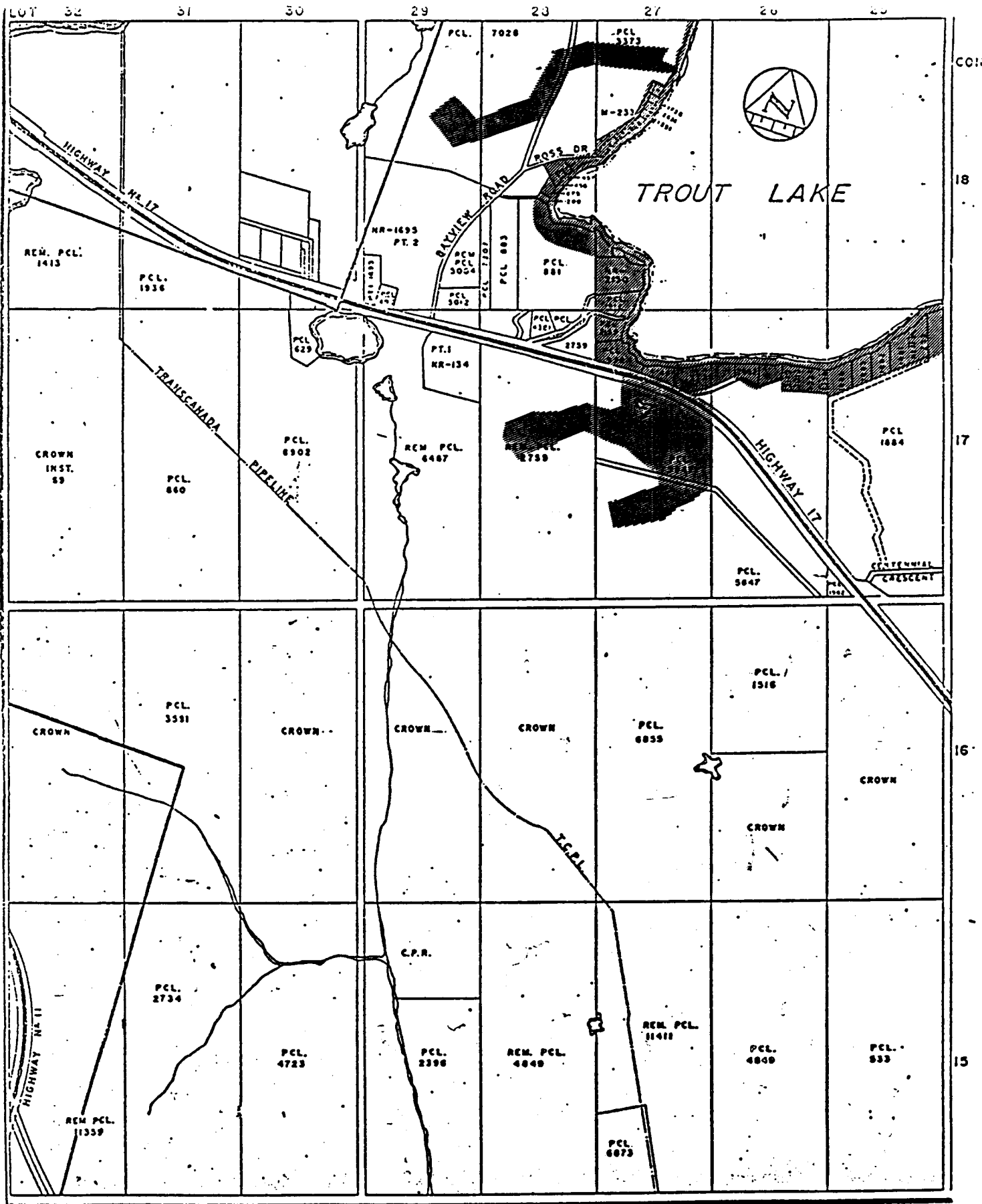


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B 4

**BY LAW NO. 220-90 TROUT LAKE
SITE PLAN CONTROL AREA**



B 5

**BY LAW NO. 220-90 TROUT LAKE
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