

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 16-97

**A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS
ON RIVERBEND ROAD
(A.E. ABERCROMBIE - RIVERBEND 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. 15-97 to rezone the subject lands to a "Rural Residential Lakefront Special Zone No. 6 (RRL Sp.6)", a "Rural Residential Lakefront Special Zone No. 7 (RRL Sp.7)" and a "Floodway Special Zone No. 2 (0.1 Sp.2)" to permit the redevelopment of the subject lands via a Registered Plan of Subdivision for four single 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 Lots 1 to 4 as shown on J.E. Walker Ltd., O.L.S. Drawing, File No. 5893 as amended January 15, 1997 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)
 - i) 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, and 3 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) Existing structures shall be preserved and maintained as set out as Item No. 1 on Schedule "B";
 - b) a fifteen (15) metre wide undisturbed, vegetative buffer shall be provided and maintained as set out as Item No. 2 on Schedule "B", and
 - c) building envelopes to accommodate main structures, accessory buildings and septic systems shall be provided and maintained as set out as Item No. 3 on Schedule "B".
 - ii) In this By-law, "Building envelope" shall mean that area of land which is within

the Zoning By-law setbacks established as follows:

Front Yard: minimum front yard shall be the greater of thirty (30) metres from the front property line or fifteen (15) metres from the twenty-five year floodline (the 25-year floodline being established as 196.5 MASL);

Side Yard: the minimum side yard shall be six (6) metres;

Rear Yard: the minimum rear yard shall be twelve (12) metres.

- 3) As a condition of approval the owner shall register on title of the subject lands a clause advising all prospective purchasers that municipal water is not available and that a private water supply must be developed, and that a treatment system may be required to treat hardness, odour and/or turbidity of the drinking water supply. The aforementioned notification and any remedial work required to improve water aesthetic quality shall occur to the satisfaction of and at no expense to the Municipality.
- 4) 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.

- g) that any offsite improvements to Riverbend Road required to accommodate each lot of the proposed development shall occur to the satisfaction of and at no expense to the Municipality;
- h) that the owner agrees to provide, to the satisfaction of and at no expense to the Municipality, individual on-site water storage facilities having adequate capacity to fight a local fire.

5) 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.

6) 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.

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

READ A FIRST TIME IN OPEN COUNCIL THE DAY OF MARCH 3RD,

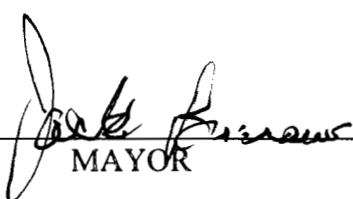
199 7

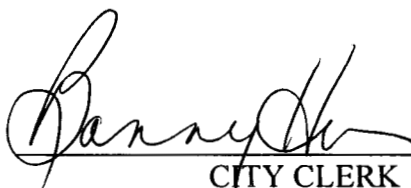
READ A SECOND TIME IN OPEN COUNCIL THE 3RD DAY OF MARCH

199 7

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY

OF MARCH 199 7


MAYOR


CITY CLERK

This is Schedule " A "

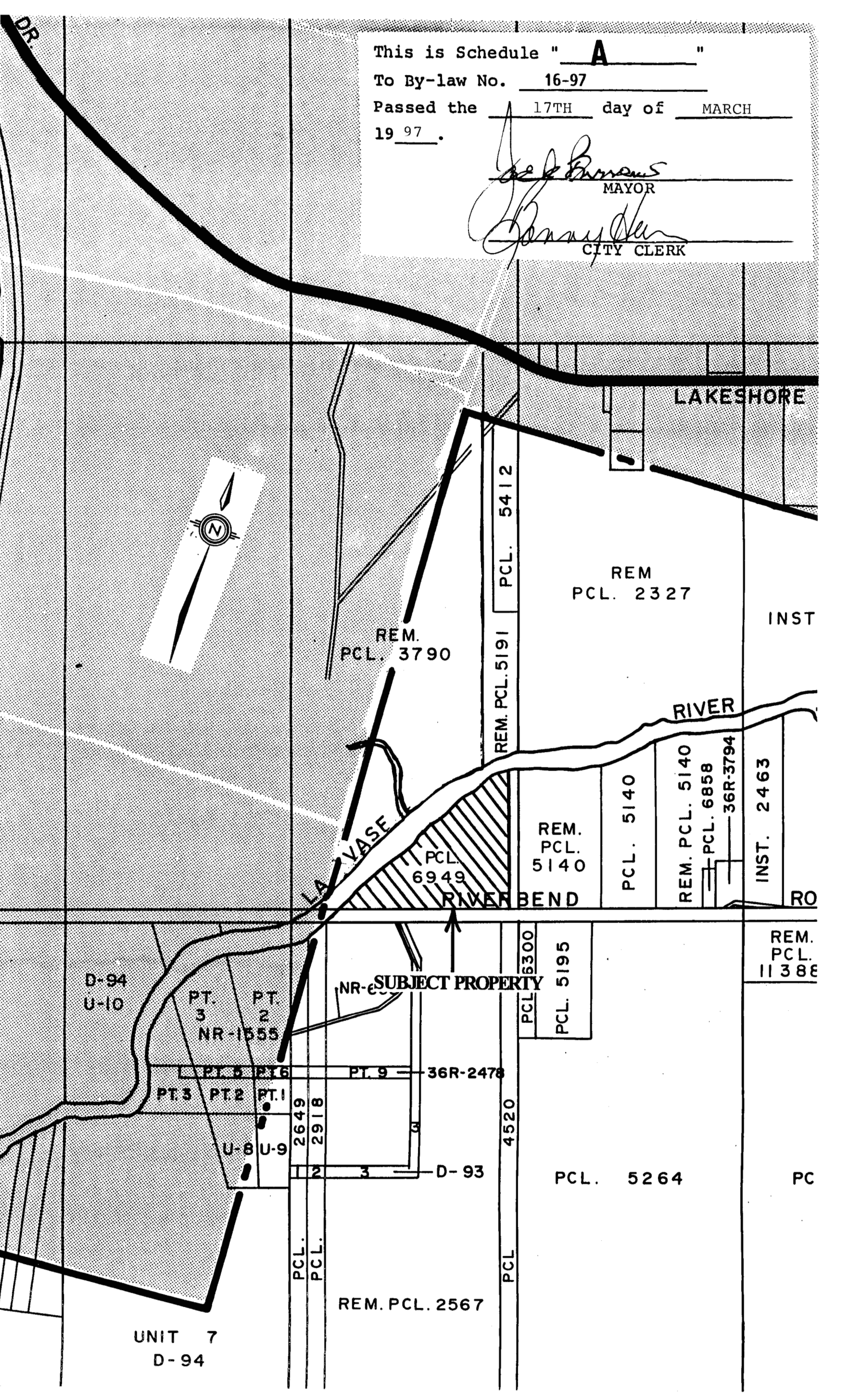
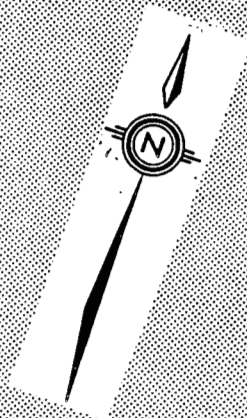
To By-law No. 16-97

Passed the 17TH day of MARCH

19 97 .

Joe Brown
MAYOR

Bonny Van
CITY CLERK



LAKESHORE

REM
PCL. 2327

INST

REM.
PCL. 3790

PCL. 5412
REM. PCL. 5191

RIVER

REM.
PCL. 5140

PCL. 5140

REM. PCL. 5140

PCL. 6858

36R-3794

INST. 2463

RO

LA VASE

PCL. 6949

RIVER BEND

REM.
PCL. 11388

D-94
U-10

PT. 3
PT. 2
NR-1555

NR-635 SUBJECT PROPERTY

PCL. 6300

PCL. 5195

PT. 5 PT. 6

PT. 9 - 36R-2478

PT. 3 PT. 2 PT. 1

U-8 U-9

2649

2918

4520

D-93

PCL. 5264

PC

REM. PCL. 2567

UNIT 7
D-94

This is Schedule " B "

To By-law No. 16-97

Passed the 17TH day of MARCH

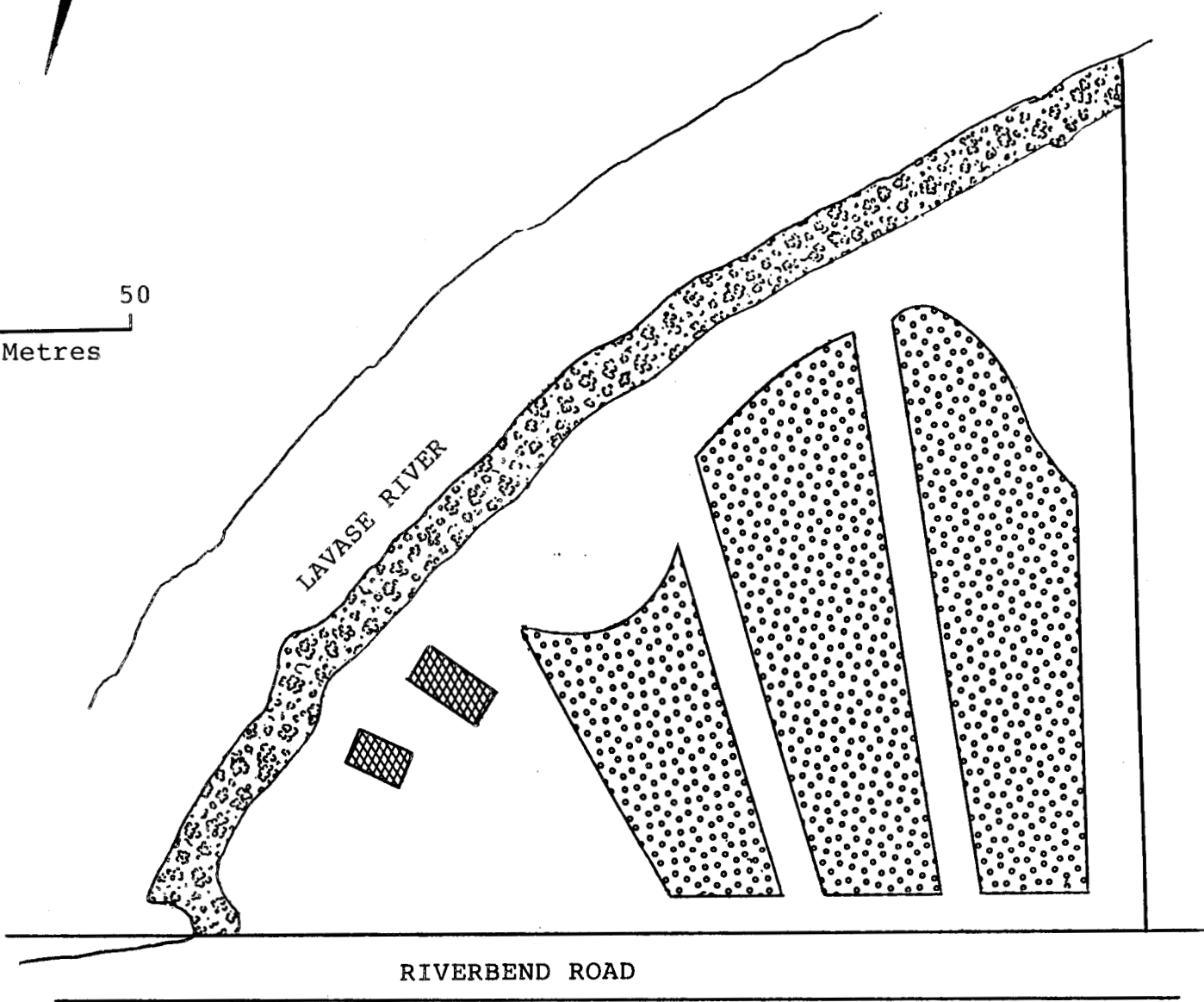
1997.




[Signature]
MAYOR

[Signature]
CITY CLERK



0 50
Metres



-  ITEM NO. 1
-  ITEM NO. 2
-  ITEM NO. 3