

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

**BY-LAW NO. 101-98**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA  
ON CERTAIN LANDS ALONG THE LAVASE RIVER  
(CITY OF NORTH BAY - REVISED FLOODPLAIN MAPPING)**

**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 in accordance with the policies and regulations contained within Subsection 3.38 of Zoning By-law No. 28-80;

**AND WHEREAS** the Council deems it desirable to delegate to the Chief Administrative Officer the authority to enter into an agreement respecting the matters referred to herein;

**AND WHEREAS** Council intends to pass By-law No. 100-98 to rezone the subject lands to a "Rural (A)" zone, a "Floodplain and Erosion (02)" zone, an "Open Space (0)" zone, a "Residential Holding (RH)" zone, and a "Rural Mobile Home Special Zone No. 4 (RMH Sp.4)";

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

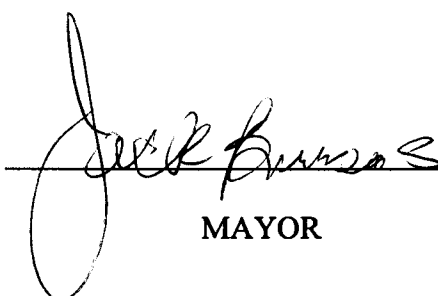
- 1) : That certain parcel of land, composed of part of Lots 35, 36, 37, and 38, Concession 13, part of Lots 36, 37, 38, and 39, Concession 12 along the Lavase River in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition of approval, 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;

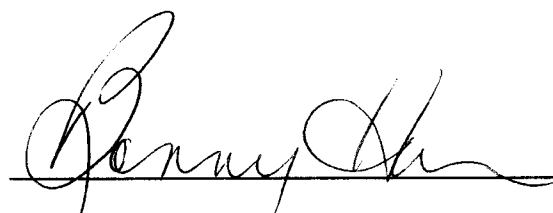
- f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 3) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements 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 \$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.
- 4) 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.
- 5) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 10th DAY OF August  
199 8.

READ A SECOND TIME IN OPEN COUNCIL THE 14th DAY OF September  
199 8.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 14th DAY  
OF September 199 8.

  
MAYOR

  
CITY CLERK

