

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

**BY-LAW NO. 2007-053**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA  
ON CERTAIN LANDS ON MONASTERY 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 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.2007-052 to rezone the subject lands to a “Floodplain and Erosion (O2)” zone and an “Institutional (N)” zone in order to permit institutional uses in the existing building and future development on the site.

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

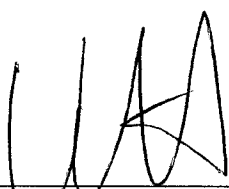
- 1) That certain parcel of land composed of Part of Lot 23, Concession B in the Township of Widdifield, which lands are more particularly described on Schedules “A” and “B” attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition of approval, all building or structure and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) Prior to the redevelopment of the subject property, the owner agrees to provide a Stormwater Management Plan which shall include a lot grading plan for the subject property. Said Stormwater Management Plan and any resulting alteration to the subject lands shall occur to the satisfaction of the City Engineer, and at no expense to, the City of North Bay.
- 4) That no removal of trees be undertaken below the elevation of 256.03 metres without the written consent of the Director of Parks, Recreation & Leisure Services or his delegate.
- 5) As a condition of approval the owner agrees to upgrade Monastery Road to municipal standards. This shall include the transfer to the City of North Bay, and at no expense to the City of North Bay, the road allowance for Monastery Road.
- 6) Prior to the redevelopment of the subject property the owner shall submit to the City of North Bay, for review and approval, architectural design guidelines including height limitation to ensure the natural viewscape of the North Bay Escarpment is maintained.
- 7) The Owner acknowledges and agrees that a minimum setback of 20.0 metres be maintained from the centre line of the existing natural gas pipeline and the existing Monastery facility or any future buildings intended for institutional uses.
- 8) As a condition of approval the owner agrees to provide adequate water for domestic and fire fighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 9) 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 City of the following matters:
  - a) Parking facilities and access driveways and the surfacing of such areas and driveways;

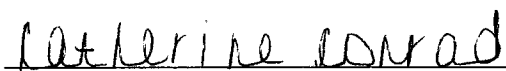
- b) walkways and the surfacing thereof;
  - c) facilities for lighting, including floodlighting;
  - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
  - e) collection areas and other facilities and enclosures for the storage of garbage 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; and
  - g) adequate water supply for fire fighting purposes.
- 10) 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 \$670.00 upon the owner for preparation.
- 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 or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 11) 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 427 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 12) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 16<sup>th</sup> DAY OF APRIL 2007.

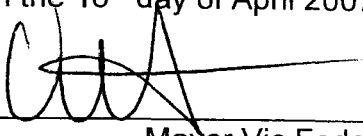
READ A SECOND TIME IN OPEN COUNCIL THE 16<sup>th</sup> DAY OF APRIL 2007.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16<sup>th</sup> DAY OF APRIL 2007.

  
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MAYOR VIC FEDELI

  
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CITY CLERK CATHERINE CONRAD

This is Schedule "A"  
To By-Law No. 2007-53  
Passed on the 16<sup>th</sup> day of April 2007.

  
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Mayor Vic Fedeli

Catherine Conrad  
City Clerk Catherine Conrad



SCALE 1 : 6,500

