

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 233-92

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON COLLINS DRIVE
(J. OUELLETTE AND L. LAMARCHE)

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 40 of the Planning Act;

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. 232-92 to rezone the subject lands to an "Industrial Holding (MH)" zone to permit the construction of a single detached dwelling.

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 4404 W&F, Part Lot 21, Concession "A" 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 Item 1 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) A seven and six-tenths (7.6) metre standing vegetative buffer of mature coniferous and deciduous trees being not less than three (3) metres in height shall be provided and maintained as set out as Item 1 on Schedule "B".
- 3) a) As a condition of approval the owner agrees to retain the services of a recognized noise and vibration consultant. Any suggestions forthcoming from the study shall be incorporated into the building design. The aforementioned study and any resulting alterations to the structure or subject property shall occur to the satisfaction of and at no expense to the Municipality.

- b) As a condition of approval the Owner agrees that all Offers of Purchase and Sale for any portion of the subject lands located at or above the 28 noise exposure forecast contour shall contain a clause advising prospective purchasers that an airport noise problem exists for these lands. The aforementioned notification shall occur to the satisfaction of and at no expense to the Municipality.
- 4) As a condition of approval the owner shall provide an on site water supply for the purpose of fighting a local fire to the satisfaction of the Fire Department and at no expense to the Municipality.
- 5) 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 provision, 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.

- 6) 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.
- 7) 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.
- 8) This By-law comes into force and effect upon being finally passed.


READ A FIRST TIME IN OPEN COUNCIL THE 14TH DAY OF DECEMBER 1992.

READ A SECOND TIME IN OPEN COUNCIL THE DAY OF 199 .

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS DAY

OF 199 .


MAYOR


CITY CLERK

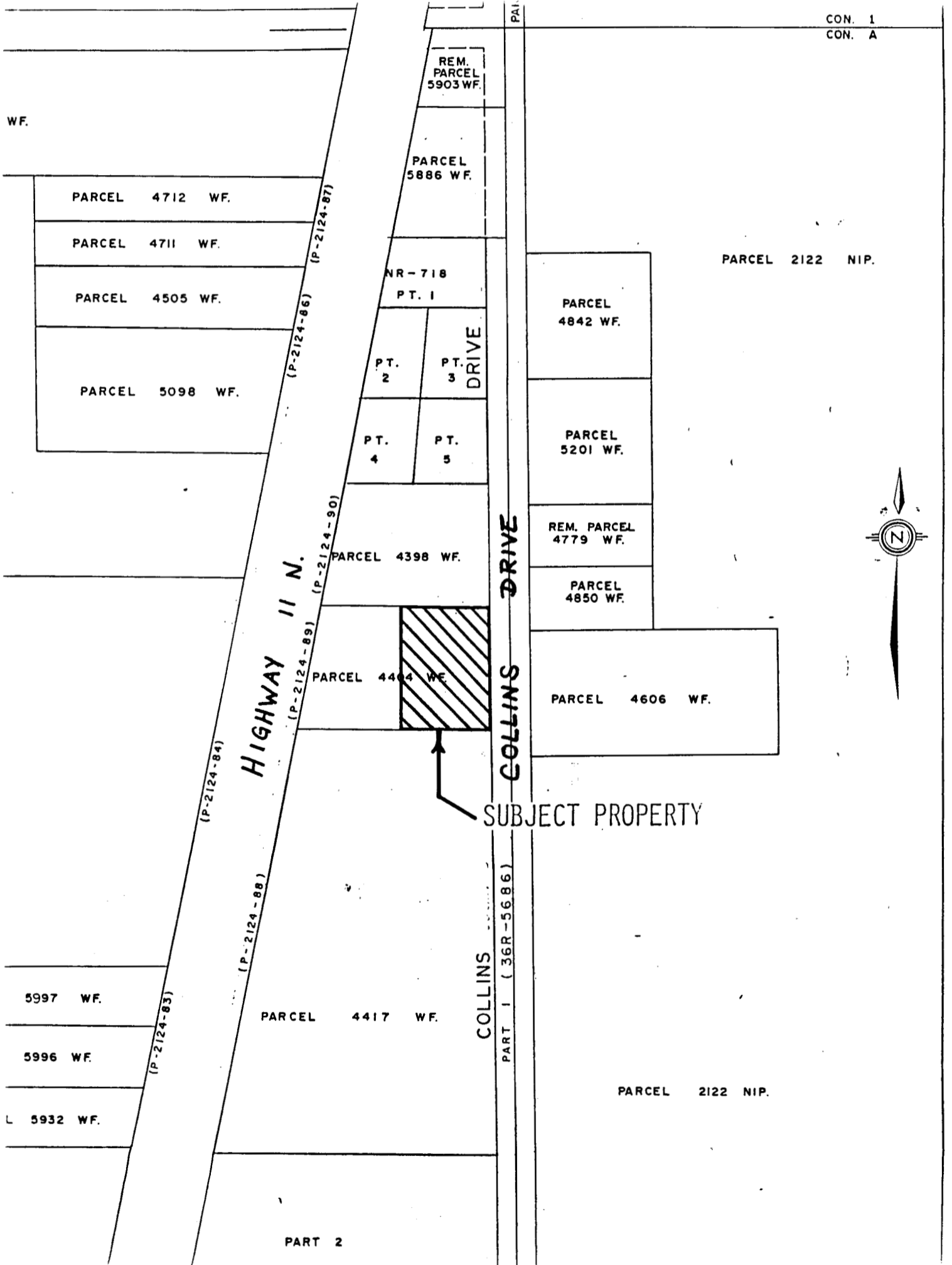
This is Schedule " A "

To By-law No. 233-92

Passed the _____ day of _____
19____.

S. D. Lawler
MAYOR

B. Butler
CITY CLERK



CON. 1
CON. A

PARCEL 2122 NIP.

PARCEL 4842 WF.

PARCEL 5201 WF.

REM. PARCEL 4779 WF.

PARCEL 4850 WF.

PARCEL 4606 WF.

SUBJECT PROPERTY

PARCEL 2122 NIP.



PART 2

COLLINS

PART 1 (36R-5686)

COLLINS DRIVE

HIGHWAY 11 N.

WF.

PARCEL 4712 WF.

PARCEL 4711 WF.

PARCEL 4505 WF.

PARCEL 5098 WF.

REM. PARCEL 5903 WF.

PARCEL 5886 WF.

NR-718
PT. 1

PT. 2

PT. 3

DRIVE

PT. 4

PT. 5

PARCEL 4398 WF.

PARCEL 4404 WF.

PARCEL 4417 WF.

This is Schedule " B "

To By-law No. 233-92

Passed the _____ day of _____
19____.

Stan D. Lawlor
MAYOR

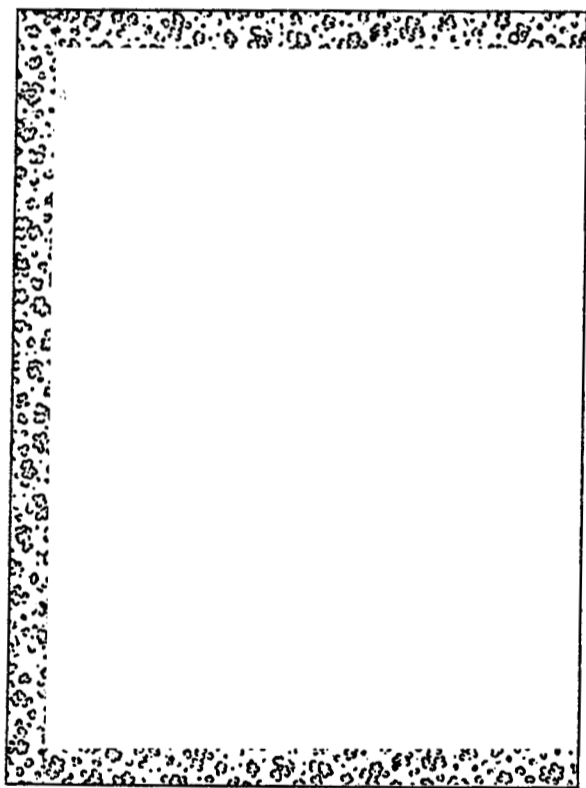
B. [unclear]
CITY CLERK



ITEM NO. 1



0 50
Feet



Collins Drive