

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 151-95

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON GRAHAM DRIVE
(ONTARIO HYDRO - 590 GRAHAM DRIVE)**

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;

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. 150-95 to rezone the subject lands to an "Industrial Business Park (MBP)" zone to permit administrative and business offices associated with a general insurance brokerage and trust financial services provider.

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 1006-1012, and part Lots 936, 937, 996-1005, and 1013-1016, Plan M-165 and part of the closed Whelan Street and Haviland Street road allowances along Graham Drive, 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 Items 1, 2, 3, 4, 5, 6 and 7 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) a building for industrial business park uses shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) vehicular parking consisting of not less than fifty-six (56) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - c) additional vehicular parking shall be provided at such time as the use of the building exceeds 1,580 square metres (17,000 square feet) of floor space. Said parking shall be provided at a ratio of ten (10) additional parking spaces for each additional two hundred & seventy-eight (278) square metres (3,000 square feet) of floor space or part thereof utilized. Said additional parking shall be provided and maintained within the area set out as Item No. 3 on Schedule "B";

- d) access shall be provided and maintained as set out as Item No. 4 on Schedule "B";
 - e) secondary access shall be provided and maintained as set out as Item No. 5 on Schedule "B" at such time as additional parking referred to as Item No. 3 herein is developed;
 - f) a sodded or seeded landscaped area shall be provided and maintained as set out as Item No. 6 on Schedule "B";
 - g) the existing vegetative buffer of mature coniferous trees shall be maintained as set out as Item No. 7 on Schedule "B".
- 3) 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.
- 4) 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 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.
- 5) 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.
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 14TH DAY OF NOVEMBER
1995.

READ A SECOND TIME IN OPEN COUNCIL THE 11TH DAY OF DECEMBER
1995.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 11TH DAY
OF DECEMBER 1995.

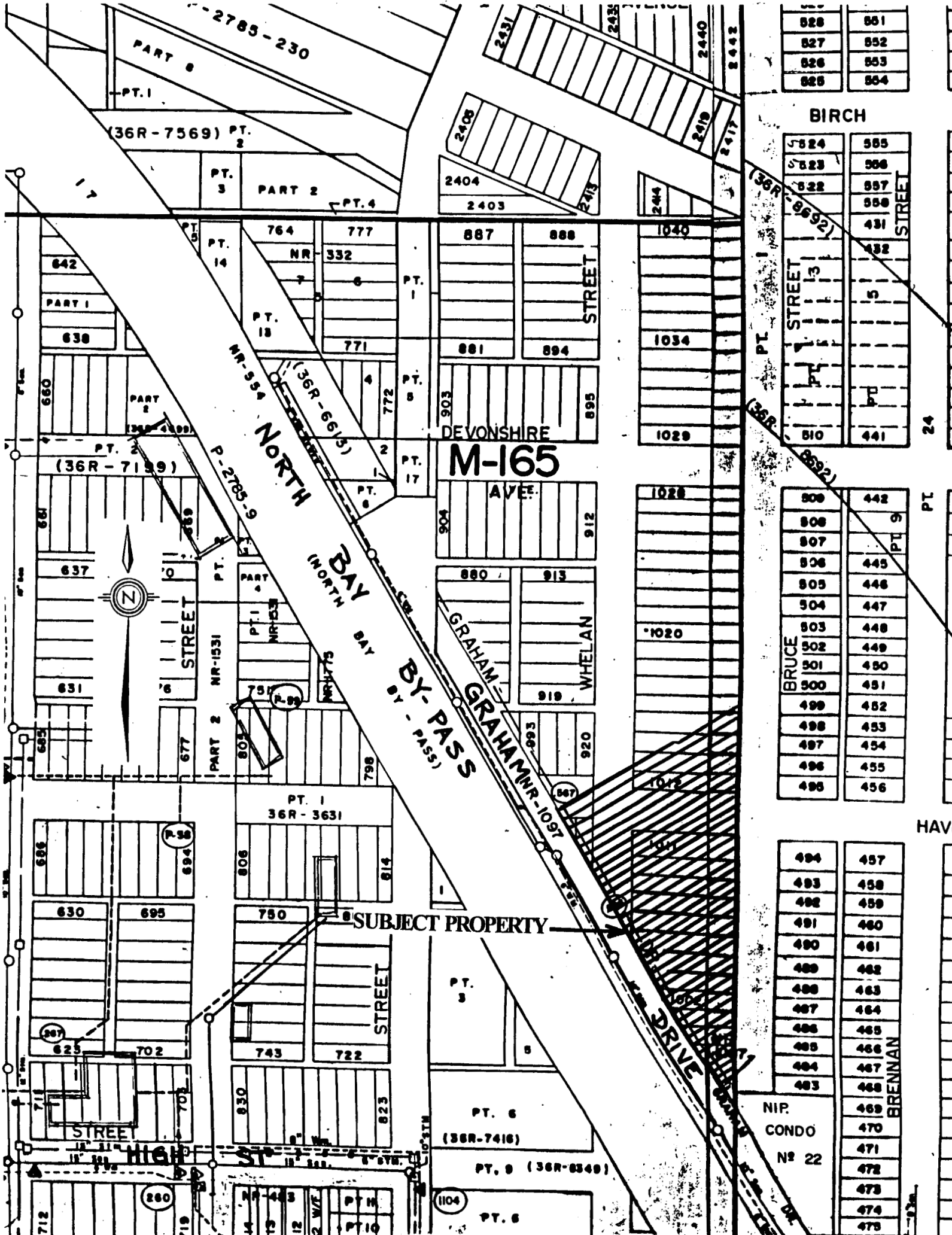

MAYOR


DEPUTY CITY CLERK

This is Schedule " A "
 To By-law No. 151-95
 Passed the 11TH day of DECEMBER
 19 95.

Jack Burrows
 MAYOR

A. P. [Signature]
 DEPUTY CITY CLERK



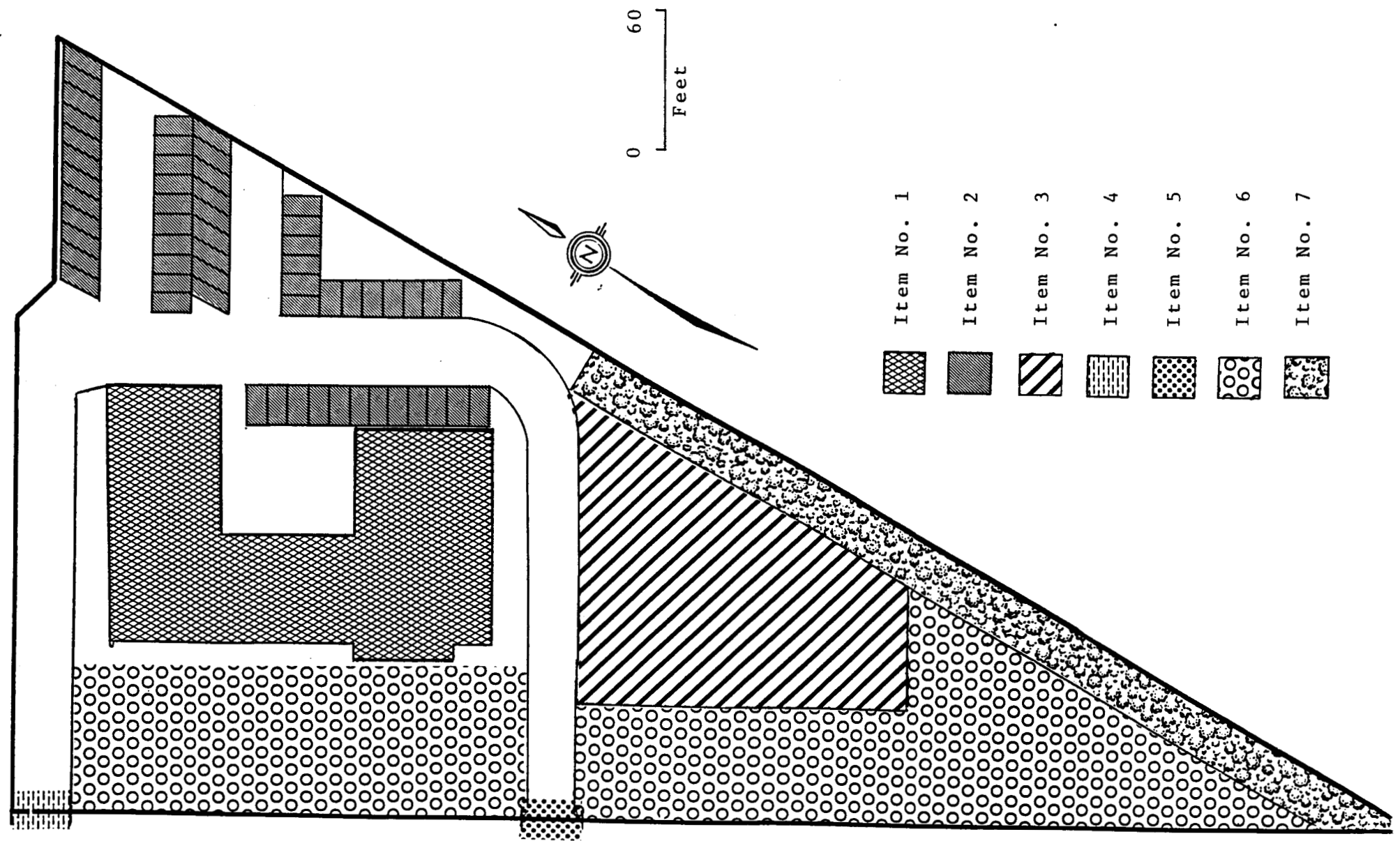
This is Schedule " **B** " _____

To By-law No. 151-95

Passed the _____ day of DECEMBER
19 95.

Jack Brown
MAYOR

[Signature]
DEPUTY CITY CLERK



- Item No. 1 [Cross-hatch pattern]
- Item No. 2 [Solid dark gray]
- Item No. 3 [Diagonal lines /]
- Item No. 4 [Horizontal lines]
- Item No. 5 [Dotted pattern]
- Item No. 6 [Large circles]
- Item No. 7 [Small circles]

GRAHAM DRIVE