

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-205

BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON KING STREET WEST AND CASSELLS STREET

(PERUT CONSTRUCTION LTD., ANDREW & GRACE WOOD AND W.M. HOLDUM INC. - 309 & 333 KING STREET WEST, 1180 & 1188 CASSELLS STREET, CITY OF NORTH BAY)

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. 2012-204 to rezone the subject property to a 'General Commercial Outer Core (C2)' zone in order to permit the operation of a privately owned parking area at 333 and 309 King Street West that would serve an adjoining office complex. Two (2) adjacent properties at the northwest corner of King Street West and Cassells Street would also be rezoned for future commercial use.

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 Registered Plan M-45, Part Lots 37 to 40, Plan M-165, Lots 1 to 3, Parcels 2024, 2814, 1128 and 2630 W/F, Reference Plan No. 36R-12425, Parts 1 & 2, and Part of Lane, known locally as 309 & 333 King St. W., 1180 & 1188 Cassells St., and a vacant lot on the southwest corner of Cassells St. & King St. W. 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 approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City of North Bay.
- 3) As a condition of approval of buildings and structures referred to in Section 2 hereof, no buildings or structures 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;
- 4) 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 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.
- 5) 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.
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 12TH DAY OF NOVEMBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 12TH DAY OF NOVEMBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 12TH DAY OF NOVEMBER, 2012.

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MAYOR ALLAN MCDONALD


CITY CLERK CATHERINE CONRAD

This is Schedule "A"

To By-law No. 2012-205

Passed the 12th day of NOVEMBER 2012

 Proposed Official Plan Amendment
From: "Residential"
To: "Central Business District"

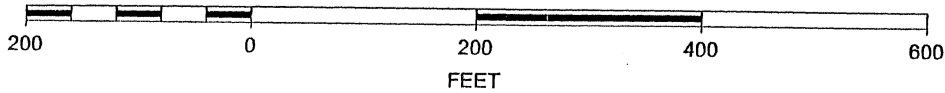
 Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "General Commercial Outer Core (C2)"

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Mayor Allan McDonald

"original signature on file"
City Clerk Catherine Conrad

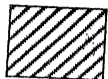


SCALE 1 : 2,056





Proposed Official Plan Amendment
From: "Residential"
To: "Central Business District"



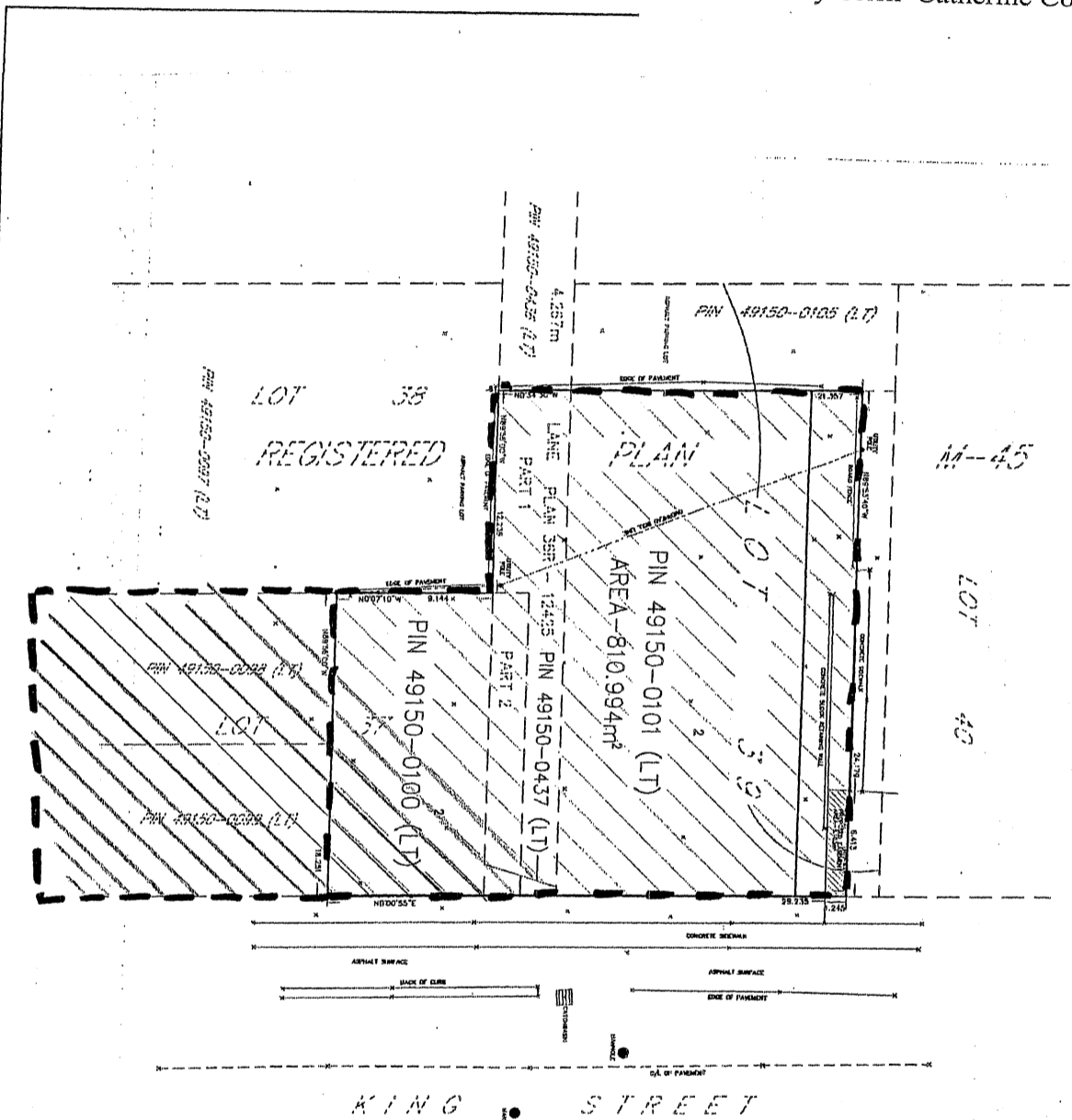
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Mayor Allan McDonald

"original signature on file"

City Clerk Catherine Conrad



SKETCH FOR CONSENT
PART OF LOT 39
AND PART OF CERTAIN LANE
REGISTERED PLAN M-45
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPISSING

SCALE 1 : 150

MILLER & URSO SURVEYING INC.

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVISION BY 3.2808

REZONING FROM AN R3
ZONE TO A C2 ZONING

PROPOSED EASEMENT FOR
ADJUTING PROPERTY

Miller & Urso Surveying Inc.
Ontario Land Surveyors & Canada Land Surveyors
Planning Consultants

1501 STENOIR STREET
NORTH BAY ONT N0B 2X0
DORIS BR. CALL
DORIS BR. FAX

FIELD D.R. S.M.
DORIS BR. S.M.

FILE (2012) 074-1210
FILE (2012) 074-1210
WORK ORDER NO. 2347

9 - 0106/07/08/09/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100