

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2004-11

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON FISHER STREET  
(NORTH BAY HYDRO DISTRIBUTION LTD.-1350 FISHER STREET)

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. 2004-10 to rezone the subject lands to a "District Commercial Special Zone No. 65 (C4Sp. 65)" zone in order to permit commercial uses within the existing vacant North Bay Hydro Building.

AND WHEREAS Council passed a resolution on January 12, 2004 to approve this rezoning.

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 Lots 51, 52, 53, 57, 58, Lots 54, 55, 56, Plan M-93, Part Lots 1, 2 and 3, Plan M-189, Part 3, NR-1920, Parts 105, 7 & 8, NR-1921 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 Items 1, 2, and 3 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - i) that the main building be provided and maintained as set out as Item No. 1;
  - ii) that ingress and egress be provided and maintained as set out as Item No. 2; and
  - iii) that parking be provided as set out as Item No. 3.
- 3) If, at such a time, the garage portion of the building is converted to a use other than a garage type use, a hydrology study will be required. This study will be completed to the satisfaction of and at no expense to, the City of North Bay and the North Bay-Mattawa Conservation Authority.

- 4) As a condition of approval, the owner is required to obtain all appropriate approvals from the Ministry of Transportation for access purposes.
- 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 provisions, to the satisfaction of and at no expense to the City 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;
  - g) adequate water supply for fire fighting purposes.
- 6)
  - 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 \$500.00 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.
- 7)
  - 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.

8) This By-law comes into forces and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 12TH DAY OF JANUARY

2004

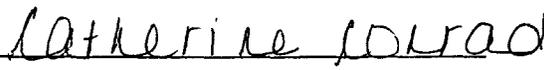
READ A SECOND TIME IN OPEN COUNCIL THE 12TH DAY OF JANUARY

2004

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 12TH DAY OF JANUARY

2004

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

This is Schedule "A"

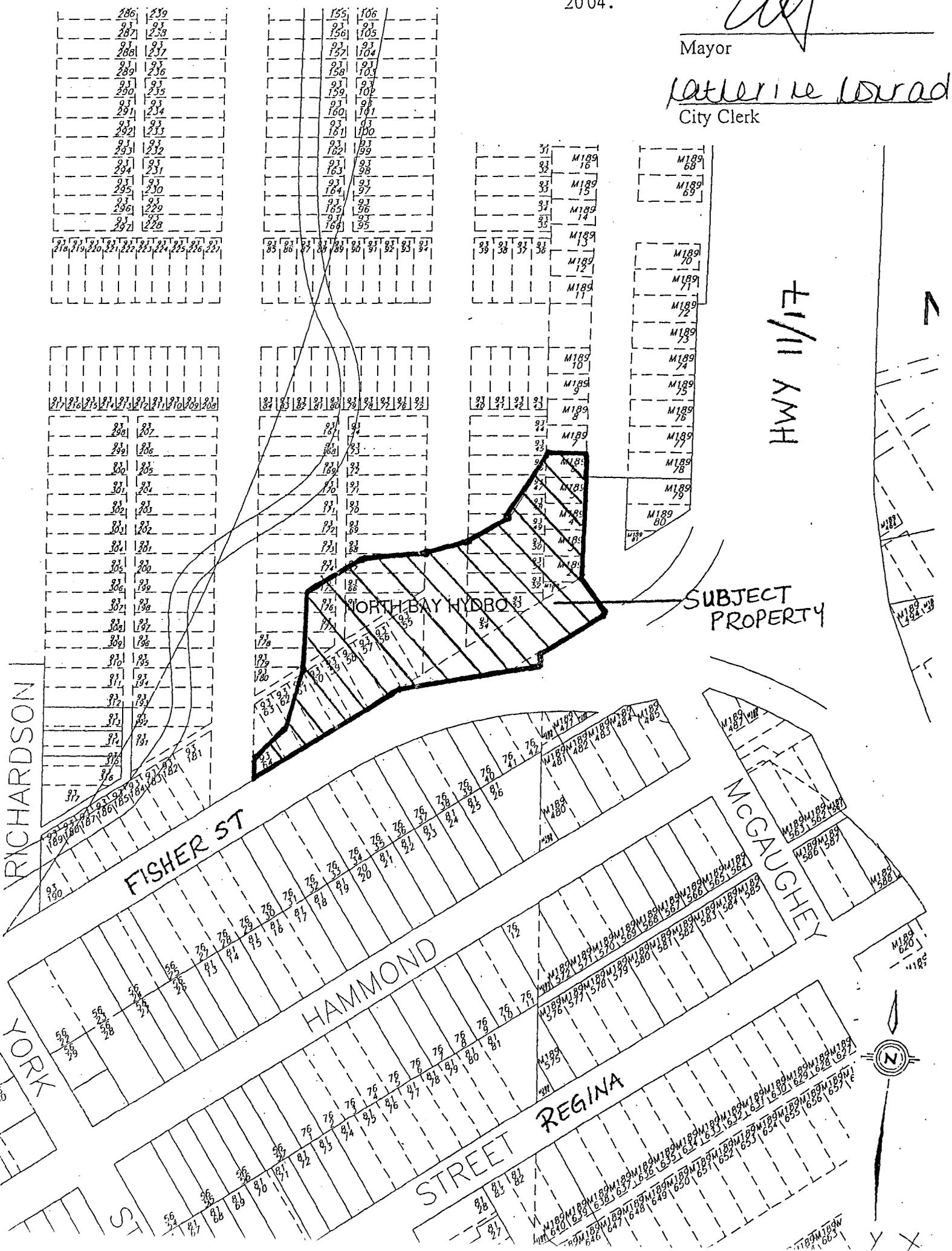
To By-Law No. 2004-11

Passed the 12th day of January

2004.

Mayor

Catherine Lourad  
City Clerk



This is Schedule "B"

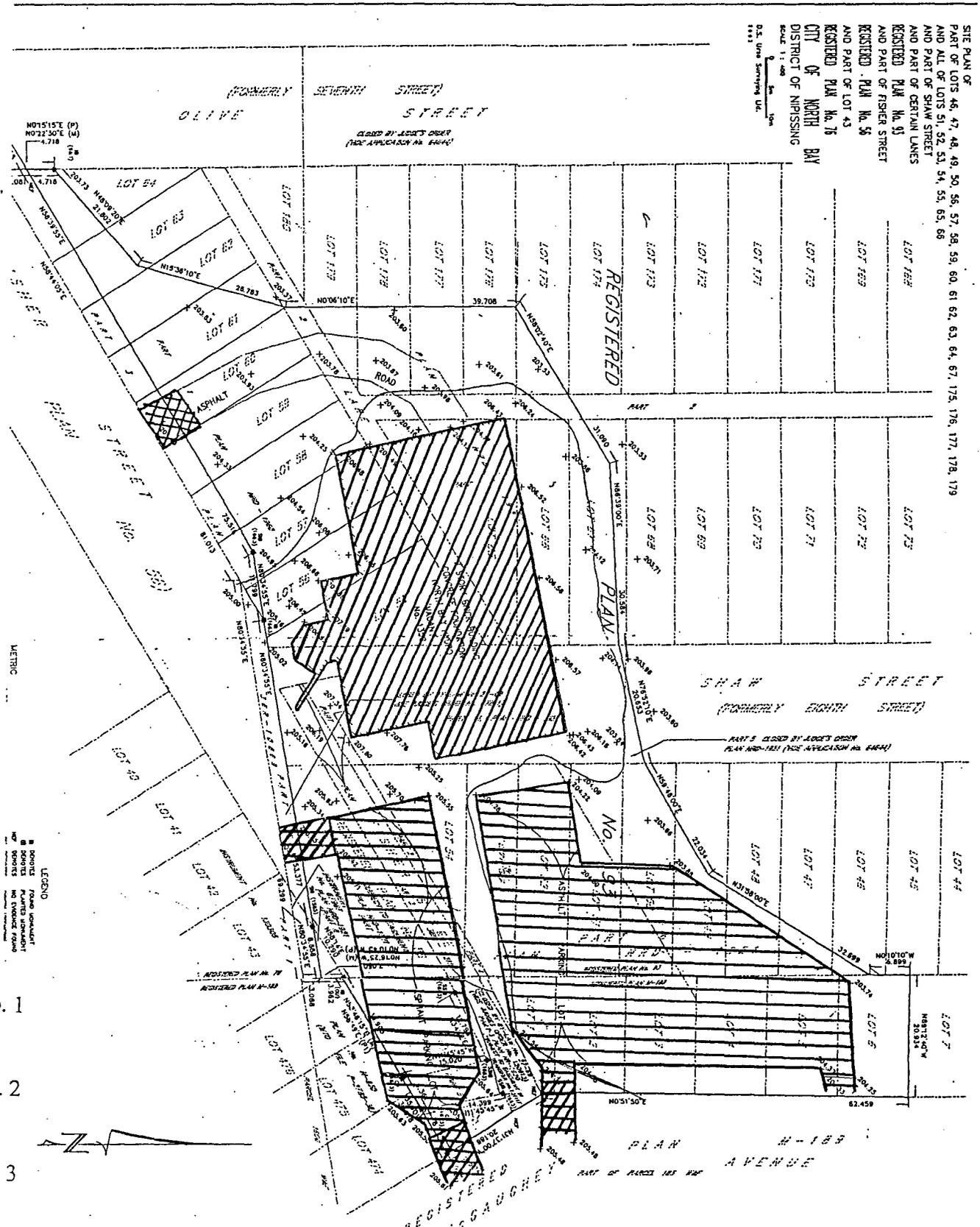
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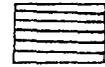
Passed the 12th day of January

2004.

Mayor

*Lorraine Leonard*  
City Clerk



-  Item No. 1
-  Item No. 2
-  Item No. 3