

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2007 - 151

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS OFF SEYMOUR STREET**

(CHAMBERLAIN ARCHITECTS LTD. – SEYMOUR 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. 2007-150 rezone the subject lands to a “Industrial Commercial Special Zone No. 57 (MC Sp.57)” to permit the construction of a hotel.

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 Concession C, Lot 18 and Part of Parcel 2133 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 the owner shall provide a storm water management plan which shall include a lot grading plan for the subject property. Said storm water 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 or City Engineer.
- 4) As a condition of approval, the owner agrees to provide a new parking facility to the North Bay & District Chamber of Commerce, which shall include the provision of a new septic pump out station and new playground facility, to be negotiated with the City of North Bay prior to the issuance of a building permit.
- 5) As a condition of approval the owner acknowledges that the subject property lies within the area of jurisdiction for the Ministry of Transportation and agrees to obtain all necessary permits prior to construction or site alteration.
- 6) As a condition of approval the owner shall provide adequate water for fire fighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 7) 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

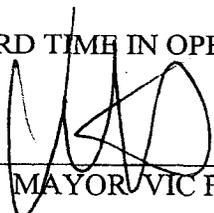
following matters:

- 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;
 - g) adequate water supply for fire fighting purposes.
- 8) 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.
- 9) 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.
- 10) This By-law comes into force and effect upon being finally passed.

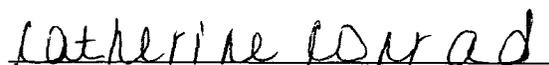
READ A FIRST TIME IN OPEN COUNCIL THE 25th DAY OF JUNE 2007.

READ A SECOND TIME IN OPEN COUNCIL THE 25th DAY OF JUNE 2007.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 25th DAY OF JUNE 2007.



MAYOR VIC FEDELI



CITY CLERK CATHERINE CONRAD

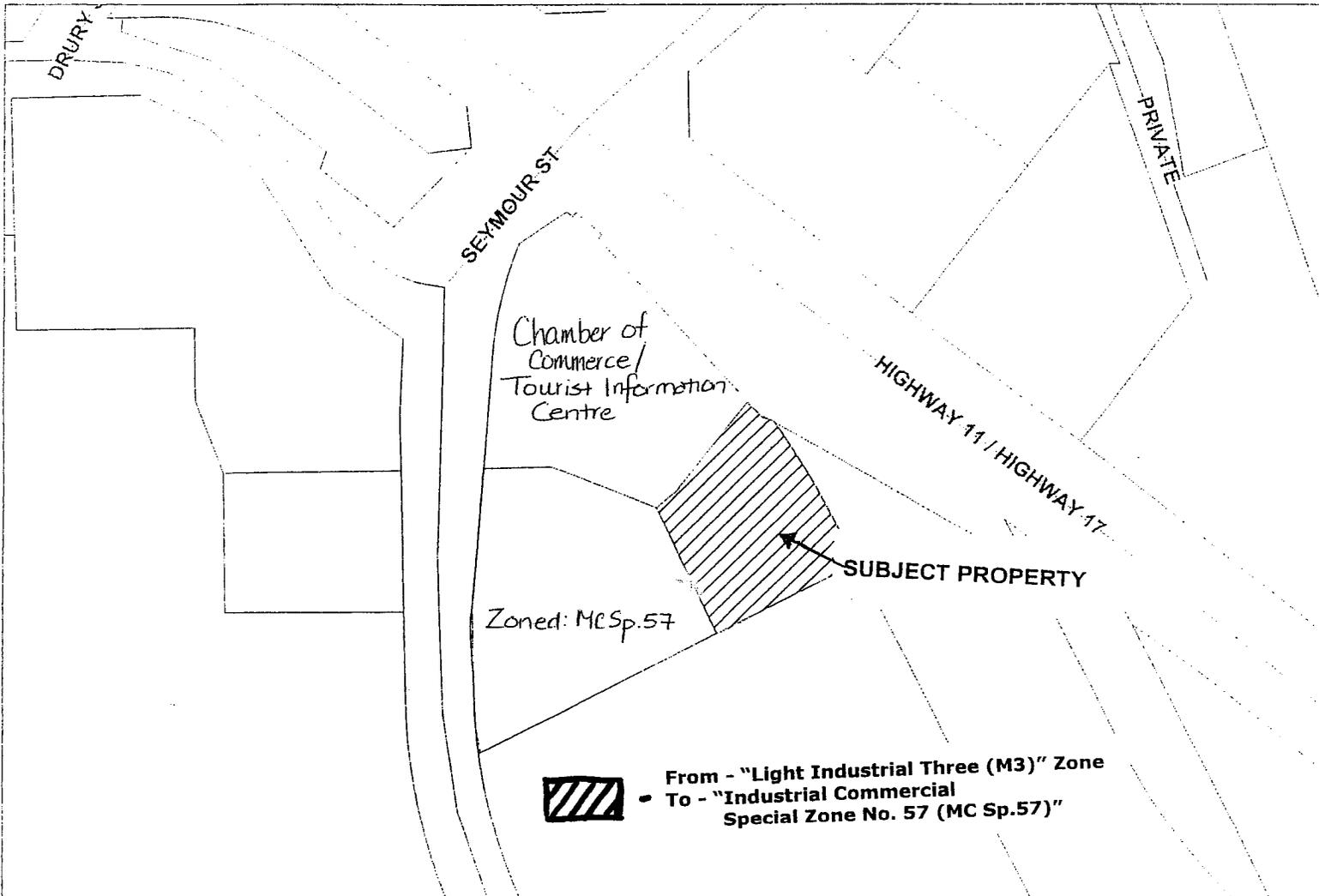
This is Schedule "A"

To By-law No. 2007-151

Passed the 25th day of June 2007

Mayor Vid Fedeli

City Clerk Catherine Conrad



SCALE 1 : 2,500



This is Schedule "B"

To By-law No. 2007-151

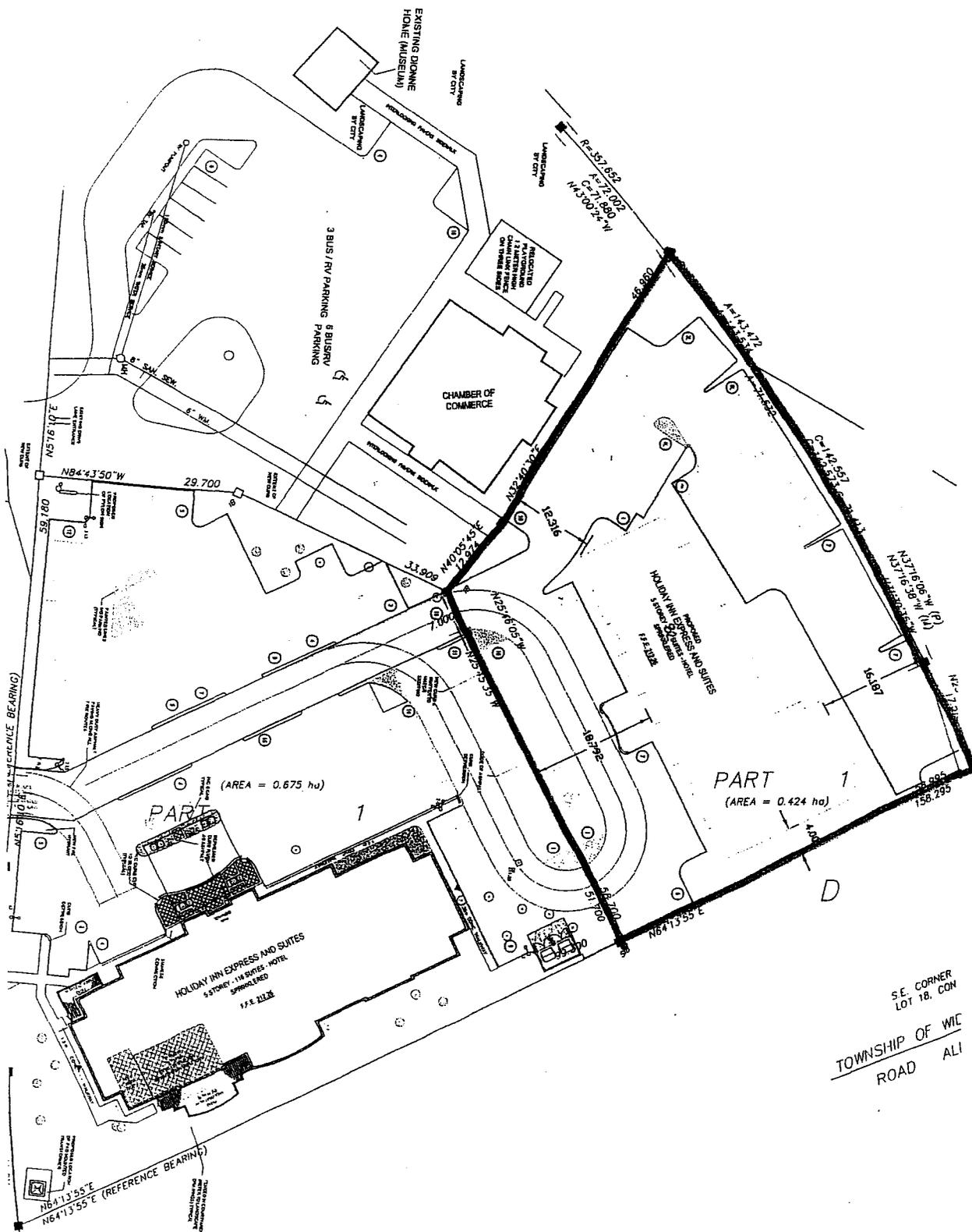
Passed the 25th day of June 2007

Mayor Vic Fedeli

Catherine Conrad
City Clerk Catherine Conrad

PLAN OF SURVEY OF
MUNICIPALITY OF THE
PART OF SOUTH HALF OF LOT 18, CONCESSION D
GEOGRAPHIC TOWNSHIP OF WIDDIFIELD

CITY OF NORTH BAY
SOUTH HALF OF LOT 18



COMBINED NORTH BAY SITES PHASE ONE AND TWO

198 PARKING SPACES REQUIRED

184 PARKING SPACES PROVIDED

REZONING REQUIRES 7.5% REDUCTION IN PARKING REQUIREMENT

60 % LARGE 40% SMALLER PARKING STALL SIZE PROVIDED

