

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2004-162

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON LAROCQUE ROAD
(PARKINSON – 30 LAROCQUE ROAD)**

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. 2004-161 to rezone the subject lands to a “Neighbourhood Commercial Special Zone No. 69 (C5 Sp. 69)” to permit the establishment of a professional office.

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 Concession A, Part Lot 22, Plan NR-1202, Part 1, Parcel 9659 W/F, Plan 36R-3046, Part 1, Parcel 11349, Plan 36R-5304, Part 1, Parcel 14985 W/F 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 not to exceed 371 square metres (4000 square feet), and 2.5 stories in height set out as Items No. 1, 2, and 3 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) the main building shall be maintained by the owner as set out as Item No. 1 on Schedule "B";
 - b) vehicular parking, consisting of not less than six (6) parking spaces shall be maintained by the owner as set out as Item No. 2 on Schedule "B"; and
 - c) landscaping will be provided and maintained as set out as Item No. 3 on Schedule "B".
- 3) The existing ingress/egress shall be maintained for access of Larocque Road
- 4) The owner agrees to provide a lot grading plan for the subject property.
- 5) The owner agrees to provide for the disposal of storm and surface water on and from the subject lands to the continuing satisfaction of the City Engineer.
- 6) As a condition of approval the owner agrees to 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 for 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 \$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.
- 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.

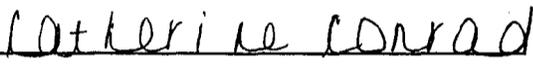
READ A FIRST TIME IN OPEN COUNCIL THE 20TH DAY OF SEPTEMBER 2004.

READ A SECOND TIME IN OPEN COUNCIL THE 20TH DAY OF SEPTEMBER 2004.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 20TH DAY OF
SEPTEMBER 2004.



MAYOR



CITY CLERK

