

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-171

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON JOHNSTON ROAD
(2190372 Ontario Inc. and 1340791 Ontario Ltd. – Johnston 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. 2013-170 to rezone the subject lands to a "Neighbourhood Commercial Special No. 31A (C5 Sp.31A)" zone in order to permit the development of a commercial building.

AND WHEREAS Council passed a resolution on July 15, 2013 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 Concession C, Registered Plan No. M-85, Part of Lots 19-32 and Part of Lindsay Street 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 on Schedule "B" attached hereto.
- 3) As a condition of 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.
- 4) As a condition of approval the owner agrees to provide adequate water for firefighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 5) As a condition of approval the owner agrees to 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.

- 6) 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.
7.
 - 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 to be determined at the time of construction 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.

- 8) 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 446 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.
- 9) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 15TH DAY OF JULY, 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 15TH DAY OF JULY, 2013.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15th DAY OF JULY, 2013.

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Mayor, Allan McDonald

City Clerk, Catherine Conrad

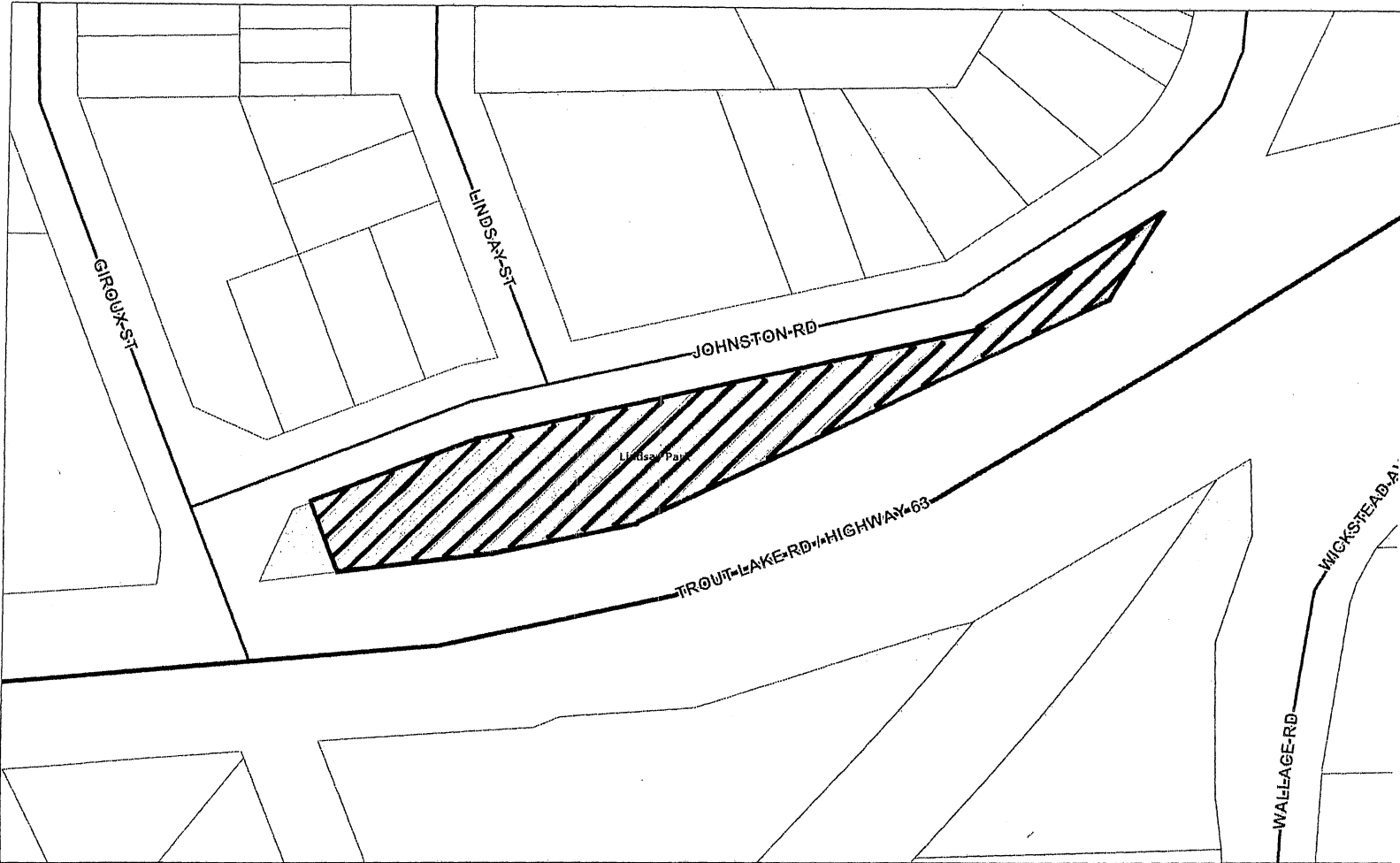
This is Schedule "A"

To By-law No. 2013-171

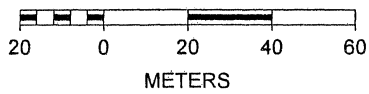
Passed the 15TH day of JULY 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,806



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 Zoning By-law Amendment
From: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"
To: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"

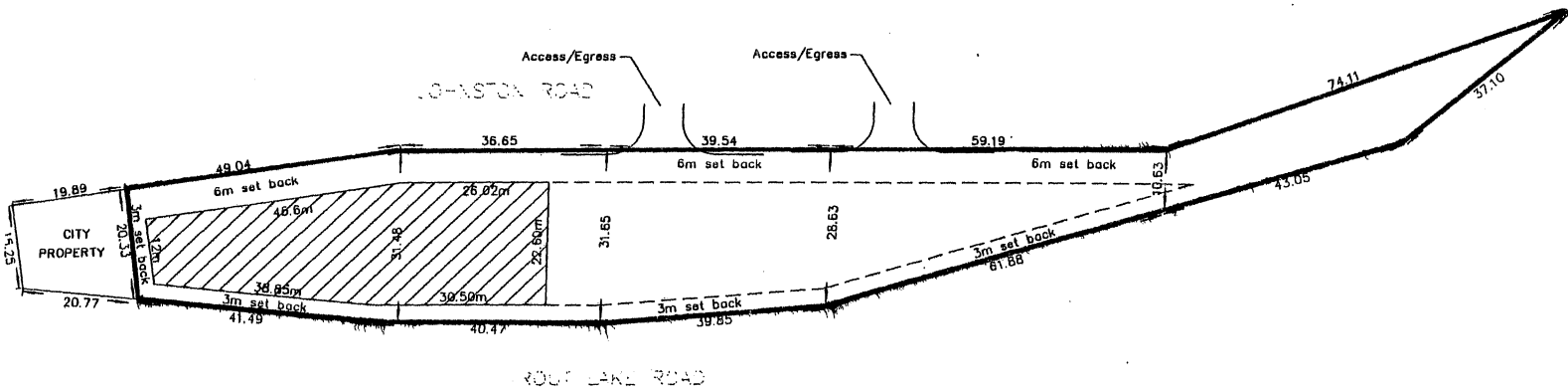
Passed the 15TH day of JULY 2013

Mayor Allan McDonald

City Clerk Catherine Conrad



SKETCH FOR PROPOSED LOTS
PART OF LOTS 19-32 AND PART OF LINDSAY STREET
REGISTERED PLAN M-85
CITY OF NORTH BAY



COMMERCIAL BLOCK

Site Total Area = 5,420 sq.m
25% (of 5,420 sq.m) = 1,355 sq.m
Site Building Area (inside setbacks) = 2,500 sq.m
West Building Hatch = 1,355 sq.m

REVISED: JAN.
exp - REA

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