

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 45-98

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON HIGHWAY 11 NORTH
(D. AND T. HOTTE/TY-CROP - HIGHWAY 11 NORTH)**

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 Clerk the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS Council intends to pass By-law No. 44-98 to rezone the subject lands to a "Restricted Industrial Special Zone No. 45 (M5 Sp.45)" to permit the construction of a building for the purpose of light manufacturing, sales and service of industrial trailers.

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 Lot 20, Concession 3, Parcel 4119 W&F and part of Parcel 4555 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 set out as Items 1, 2, 3, and 4 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) a light industrial building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) ingress and egress shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - c) a vegetative buffer of mature trees and shrubs being not less than 9.0 metres in width shall be provided and maintained for the purposes of providing visual screening as set out as Item No. 3 on Schedule "B";
 - d) sodded landscaped areas, containing a variety of trees and shrubs shall be provided and maintained as set out as Item No. 4 on Schedule "B" to the on-going satisfaction of and at no expense to the municipality.

- 3) As a condition of approval the owner agrees to undertake a scoped site impact assessment, if required. Said scoped site impact assessment shall be required if the owner proposes to erect, construct or place any structure on, or alter the land that forms part of the Provincially Significant Chippewa Creek Wetland or associated adjacent land. Said scoped site impact assessment shall be undertaken and any recommendation forthcoming shall be implemented to the satisfaction of and at no expense to the City and the North Bay-Mattawa Conservation Authority.
- 4) As a condition of approval the owner agrees to provide an on-site water supply designed and constructed to hold a minimum of 5,000 gallons of water the purposes of fighting a local fire. Said water supply shall be provided and maintained to the ongoing satisfaction of the North Bay Fire Department.
- 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 Municipality 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.
- 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

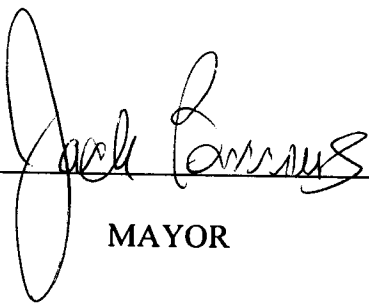
the facilities mentioned in this By-law, and to impose a fee of \$250.00 upon the owner for preparation and registration of the agreement.

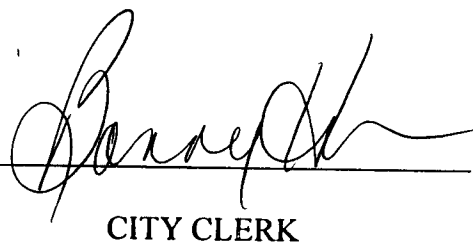
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act and The Land Titles Act against any and all subsequent owners of the land.
- 7) a) The said Agreement shall be binding on the owner, its successors and assigns.
b) The owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the owner of a condition of this agreement.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 4th DAY OF May
1998.

READ A SECOND TIME IN OPEN COUNCIL THE 19th DAY OF May
1998.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 19th DAY
OF May 1998.


MAYOR


CITY CLERK

This is Schedule " A "

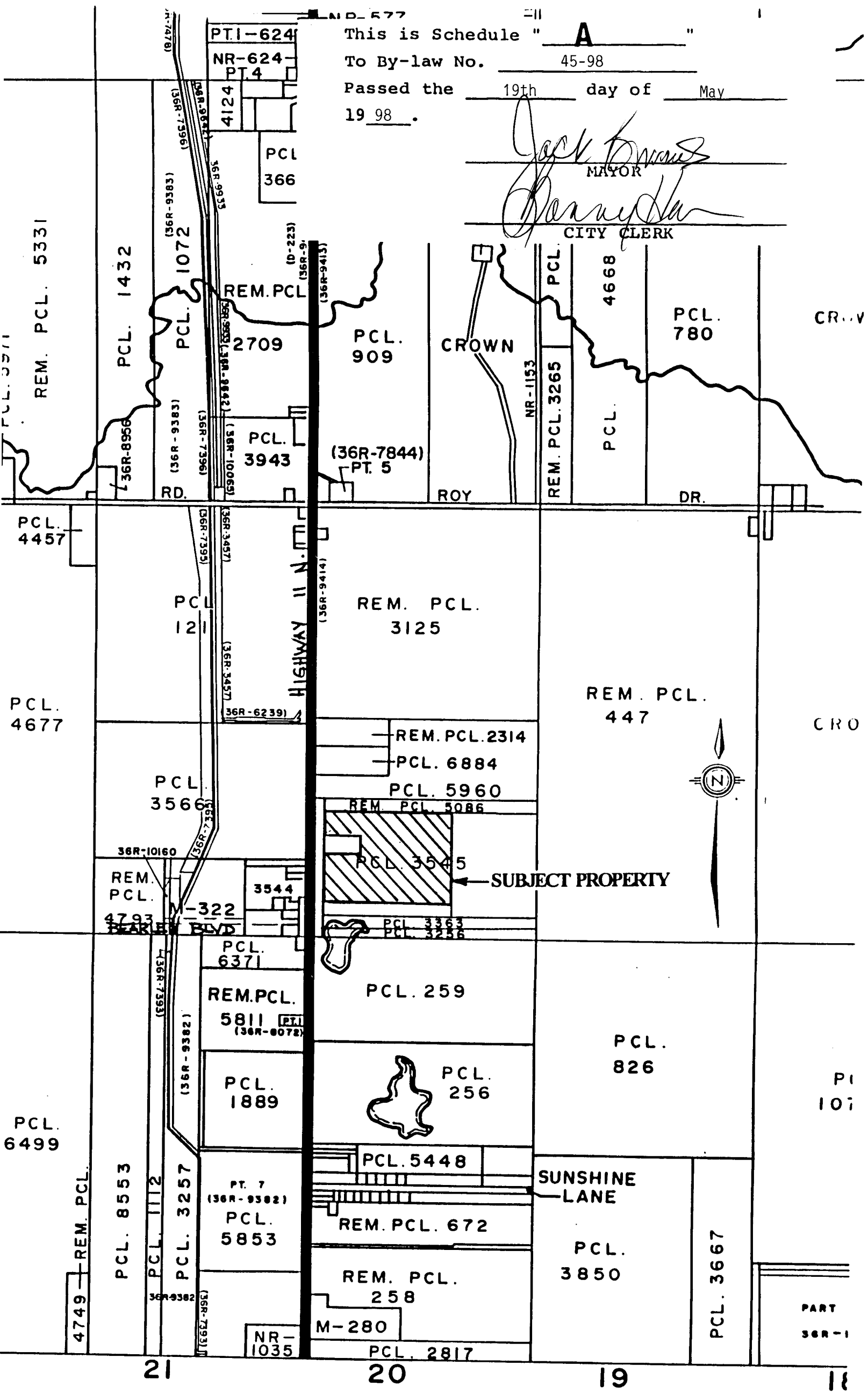
To By-law No. 45-98

Passed the 19th day of May

1998.

Jack Thomas
MAYOR

Dorothy
CITY CLERK



C.R.V

C.R.O

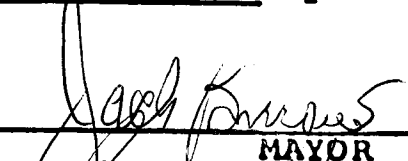
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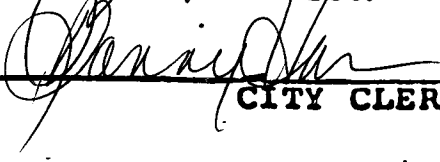
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36R-1

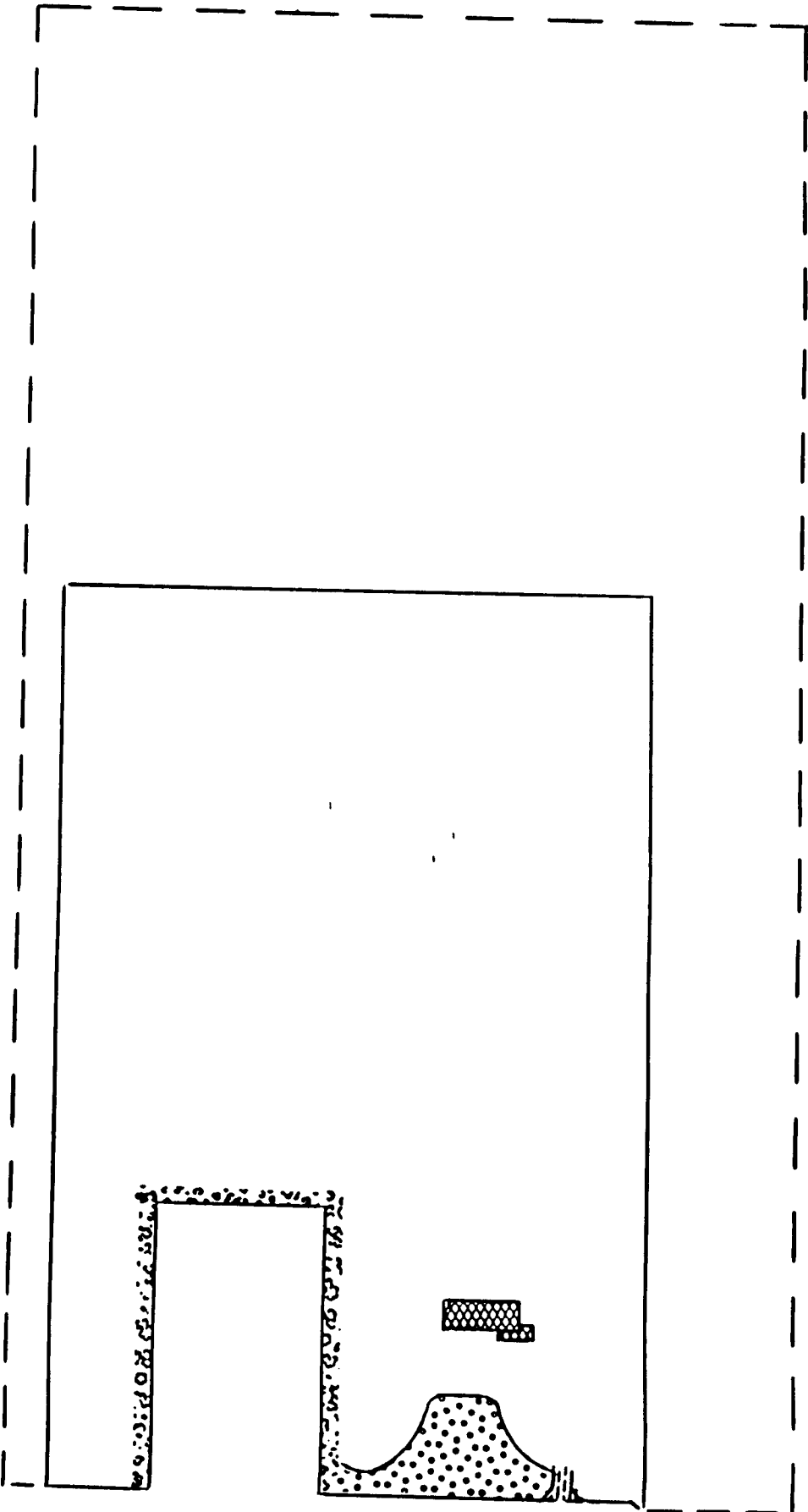
This is Schedule " B "





To By-law No. 45-98

Passed the 18th day of May
1998.


MAYOR


CITY CLERK



-  Item No. 1
-  Item No. 2
-  Item No. 3
-  Item No. 4

0 300
Feet

HIGHWAY 11 NORTH