

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 1999-148

**A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS
ON COMMERCE CRESCENT
(994386 ONTARIO INC.)**

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. 1999-147 to rezone the subject lands to a "Light Industrial Three (M3)" zone in order to develop the property for industrial use.

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 Block P, Plan M-455, Part of the Remainder of Parcel 11384 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) As a condition of approval 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;

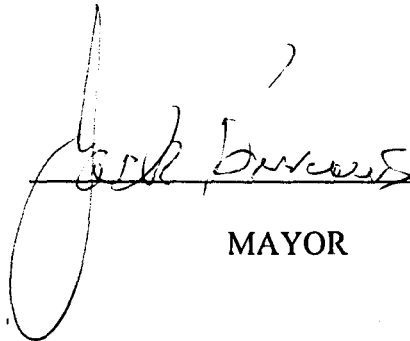
- f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 3) a) Prior to issuance of a building permit, the owner covenants and agrees to retain a professional engineer with demonstrated expertise in storm water management to prepare a storm water management plan for the subject lands which will address both quantity and quality issues. Said storm water management plan and any resulting alterations to the subject lands shall occur to the ongoing satisfaction of and at no expense to the City Engineer or the City of North Bay.
 - b) 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. Such information to be provided on the required Site Servicing Plan and in the form of a Storm Water Management Report prepared by a Professional Engineer. The Storm Water Management Report shall be submitted to the City Engineer prior to the issuance of a Building Permit.
- 4) 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 and registration of each 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.
- 5) 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 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.

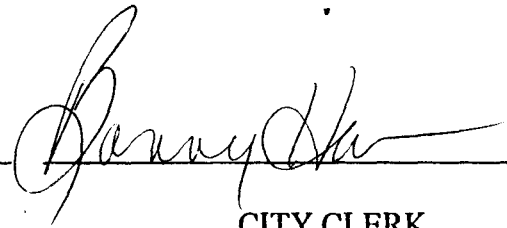
6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 22ND DAY OF NOVEMBER
199 9.

READ A SECOND TIME IN OPEN COUNCIL THE 10TH DAY OF JANUARY
~~1999~~ 2000.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 10TH DAY
OF JANUARY ~~1999~~ 2000.


MAYOR


CITY CLERK

This is Schedule "A"

PART 2 To By-Law No. 1999-148

Passed the 10TH day of JANUARY

1999. 2000.

Mayor

City Clerk

