

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 17-98

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON GIROUX STREET
(PERUT CONSTRUCTION LIMITED - GIROUX 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 Clerk the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS Council intends to pass By-law No. 18-98 to rezone the subject lands to a "District Commercial (C4)" zone to permit the construction of a one-storey commercial building.

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 Plan M-85, Part Lots 38-40, 43-45, 48-50 and Lots 41, 42, 46, and 47 and parts of the George Street and Lindsay Street road allowances 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 commercial 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) vehicular parking consisting of not less than 117 parking spaces shall be provided and maintained as set out as Item No. 3 on Schedule "B";
 - d) security fencing being not less than 1.8 metres in height shall be provided and maintained as set out as Item No. 4 on Schedule "B".
- 3) As a condition of approval the owner agrees that any off-site improvements to the intersection of Trout Lake Road and Giroux Street including, but not limited to, the realignment and signalization of said intersection required to accommodate the owner's

proposal, shall occur to the satisfaction of the Engineering Department and at no expense to the municipality.

- 4) As a condition of approval the owner agrees to prepare a stormwater management plan for the subject lands. Said stormwater management plan and any resulting alterations to the subject lands shall occur to the satisfaction of and at no expense to the Municipality.
- 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 Mayor and Clerk are hereby authorized upon the recommendation of the Chief Administrative Officer 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

- 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 9th DAY OF FEBRUARY
199 8.

READ A SECOND TIME IN OPEN COUNCIL THE 20th DAY OF APRIL
199 8.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 20th DAY
OF APRIL 199 8.

MAYOR

CITY CLERK

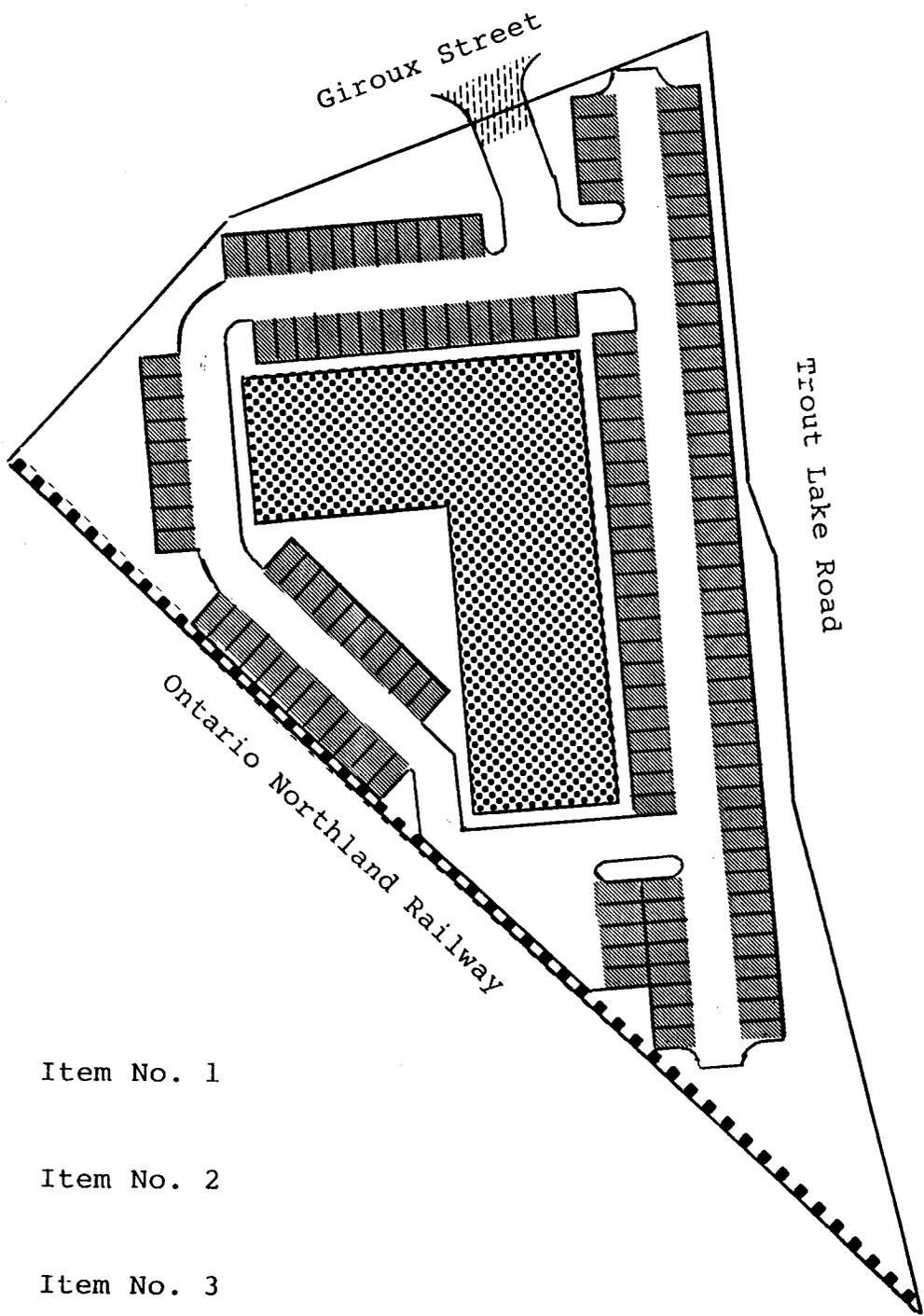
This is Schedule " B "

To By-law No. 17-98

Passed the 20th day of April
1998.

John B. Owens
MAYOR

Benny Hill
CITY CLERK



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Metres



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