

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2005-60

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON MAIN STREET WEST
(IAN MALCOLM/POWER SPORTS & MARINE – MAIN STREET WEST)**

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. 2005-59 to rezone the subject lands to a "Industrial Commercial (MC)" to permit the sale and service of recreational vehicles in combination with the existing sale and service of boats, motors, A.T.V.'s and snowmobiles.

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-36, Lots 125 to 130 (inclusive), Part Rear Street, Plan 35R-3691, Part 11 & 16, NR 928, Parts 1 & 2, Parcel 12668 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 No. 1, 2, 3 and 4 on Schedules "B" and "C" attached hereto, and which Schedules "B" and "C" are 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 Schedules "B" and "C";
 - b) vehicular parking shall be maintained by the owner as set out as Item No. 2 on Schedules "B" and "C";
 - c) ingress and egress shall be provided and maintained by the owner as set out as Item No. 3 on Schedules "B" and "C";
 - d) fencing will be provided and maintained as set out as Item No. 4 on Schedules "B" and "C".
- 3) 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.

- 4) 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.
- 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 City of 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.
- 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 \$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.
- 7)
 - 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.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 11TH DAY OF APRIL 2005.

READ A SECOND TIME IN OPEN COUNCIL THE 11TH DAY OF APRIL 2005.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 11TH DAY OF APRIL 2005.




DEPUTY MAYOR

Catherine Conrad
CITY CLERK

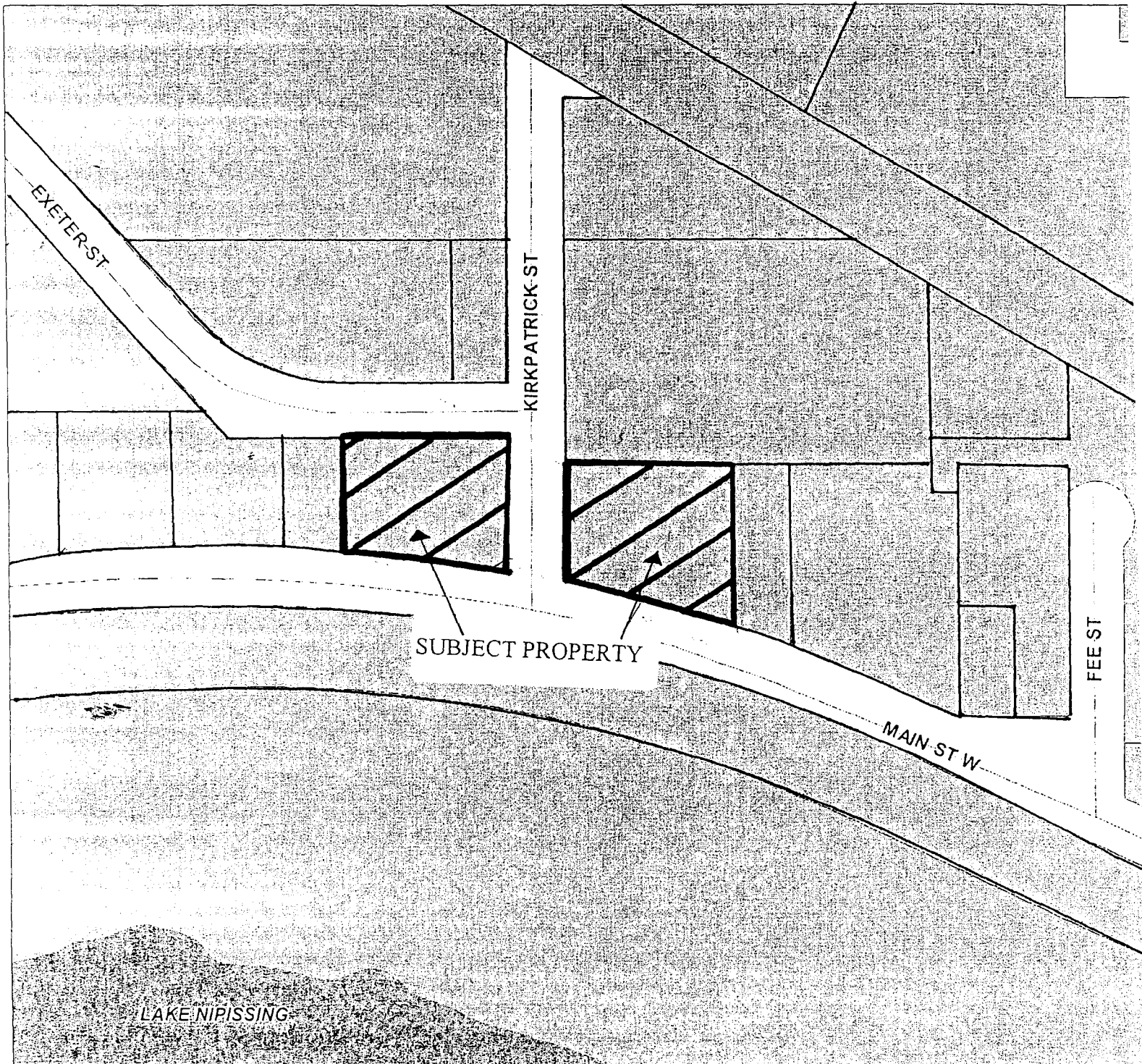
This is Schedule "A"

To By-law No. 2005-60

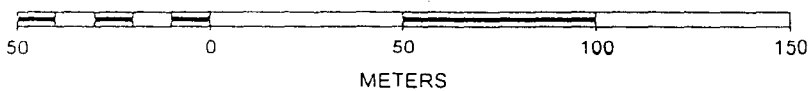
Passed the 11 day of April 2005.


Deputy Mayor

Catherine Conrad
City Clerk

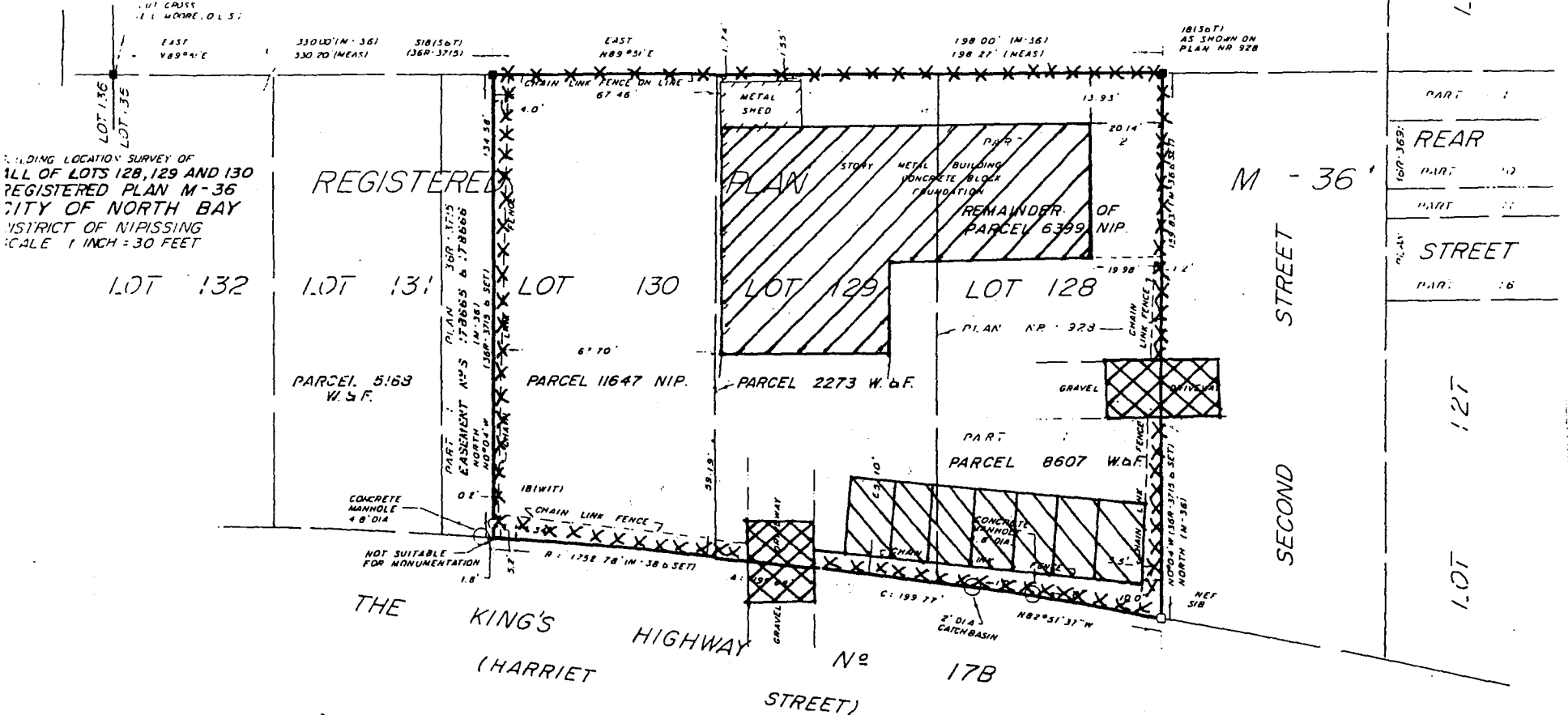


SCALE 1 : 2,000



REGISTERED PLAN M-672
 LOT 74 LOT 73





REGISTERED PLAN M-167
 REAR STREET



BUILDING LOCATION SURVEY OF
 ALL OF LOTS 128, 129 AND 130
 REGISTERED PLAN M-36
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING
 SCALE 1 INCH = 30 FEET

PART 1
 REAR
 PART 2
 PART 3
 STREET
 PART 4

121
 101

-  ITEM NO. 1
-  ITEM NO. 2
-  ITEM NO. 3
-  ITEM NO. 4

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF

This is Schedule "B"
 To By-law No. 2005-60
 Passed the 11th day of April 20 05.
 Deputy Mayor
 City Clerk

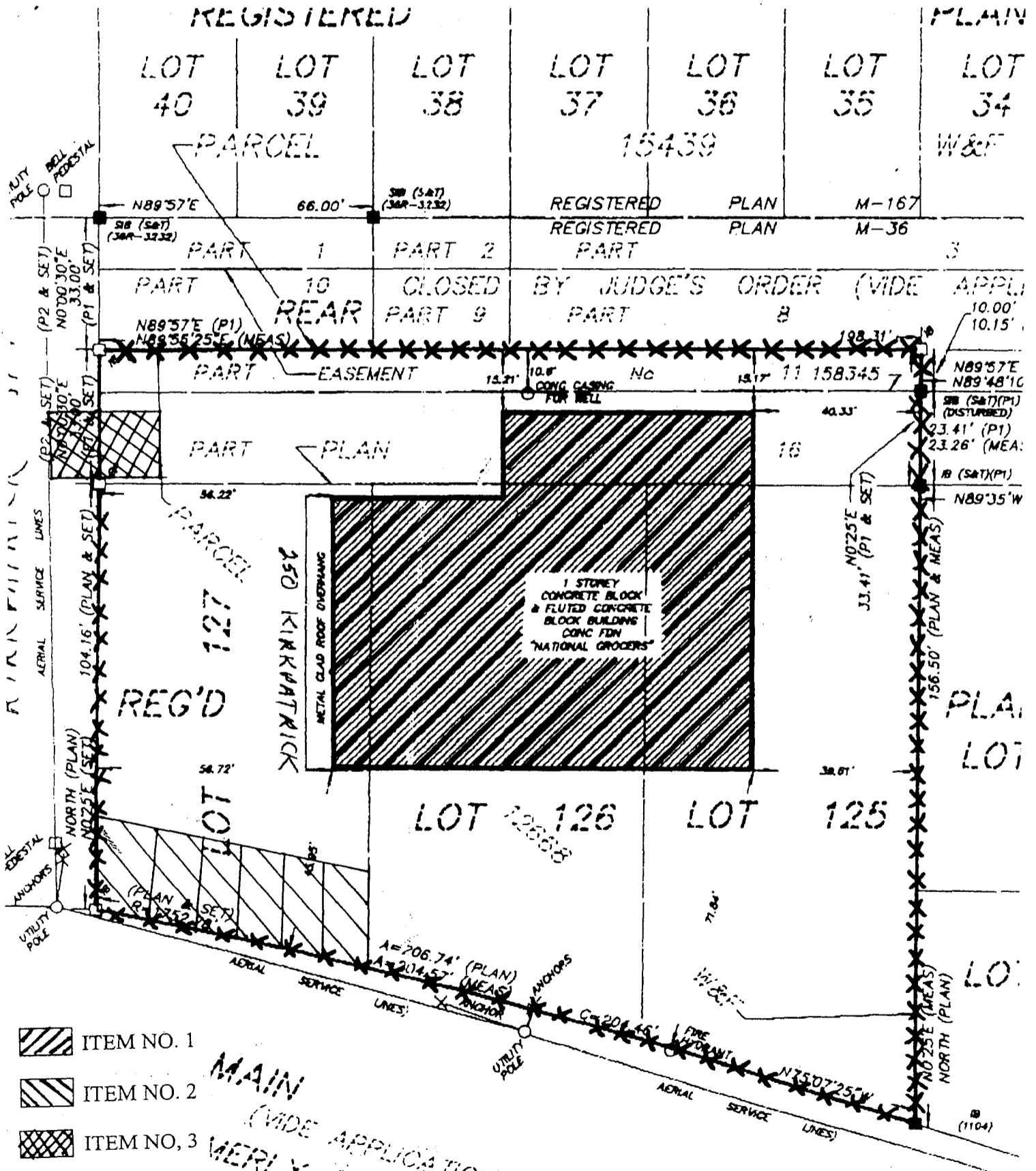
This is Schedule "C"





To By-law No. 2005-60

Passed the 11 day of April 2005.

Deputy Mayor

Catherine Conrad
City Clerk



-  ITEM NO. 1
-  ITEM NO. 2
-  ITEM NO. 3
-  ITEM NO. 4

MAIN STREET
 (VIDE APPLICATION No. 212833)
 MERLY STREET
 RT OF REMAINDER OF PARCEL
 HARRIET STREET