

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 193-92

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON INDUSTRIAL AVENUE  
(M. PICHE - INDUSTRIAL AVENUE)

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 40 of the Planning Act;

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. 192-92 to rezone the subject lands to a "Restricted Industrial Special Zone No. 29 (M5 Sp.29)" to permit the addition of foundry and smelter operations to those uses normally found in a "Restricted Industrial (M5)" zone.

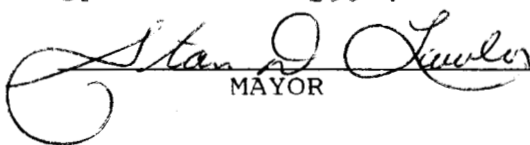
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

- 1) That certain parcel of land, composed of Part 1, Plan NR-2182, Part 1, Plan 36R-3165, Part 2, Plan 36R-6921, Parts 1 and 2, Plan 36R-7037 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 and 3 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - a) opaque privacy screening being not less than 1.8 metres in height shall be provided and maintained to supplement the existing standing vegetative screening as required. Said fencing shall be provided and maintained as set out as Item No. 1 on Schedule "B";
  
  - b) a 3-metre wide standing vegetative buffer of trees being not less than 3 metres in height shall be provided and maintained to the satisfaction of and at no expense to the Municipality as set out as Item No. 2 on Schedule "B";

- c) access shall be provided and maintained as set out as Item No. 3 on Schedule "B";
  - d) a one-metre high sodded or seeded earth berm being not less than two metres in width shall be provided and maintained as required to protect the adjacent wetland. Said berm shall be constructed to the satisfaction of and at no expense to the municipality and shall be set out as Item No. 4 on Schedule "B".
- 3) As a condition of approval the owner shall provide an on-site water supply for the purpose of fighting a local fire to the satisfaction of the Fire Department and at no expense to the Municipality.
- 4) 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 provision, 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.
  
- 5) 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 City may enforce the provisions of the Registry Act and The Land Titles Act against any and all subsequent owners of the land.
  
- 6) 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.
  
- 7) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 21ST DAY OF SEPTEMBER 1992.  
READ A SECOND TIME IN OPEN COUNCIL THE 5TH DAY OF OCTOBER 1992.  
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 5TH DAY  
OF OCTOBER 1992.

  
MAYOR

  
DEPUTY CITY CLERK

This is Schedule " A "

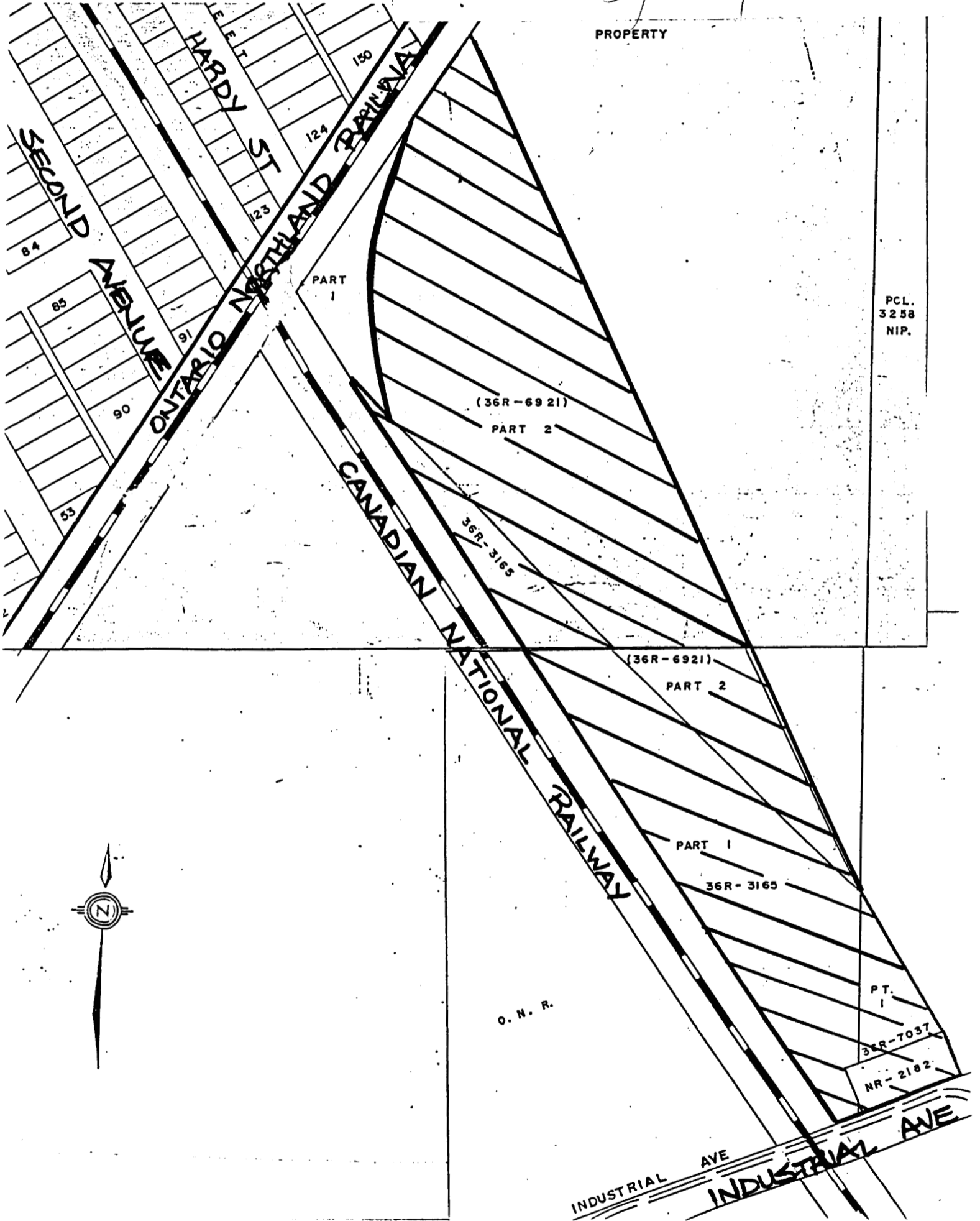
By-law No. 193-92

Passed the 5TH day of OCTOBER

19 92 .

*Stan D. Lawler*  
MAYOR

*[Signature]*  
DEPUTY CITY CLERK



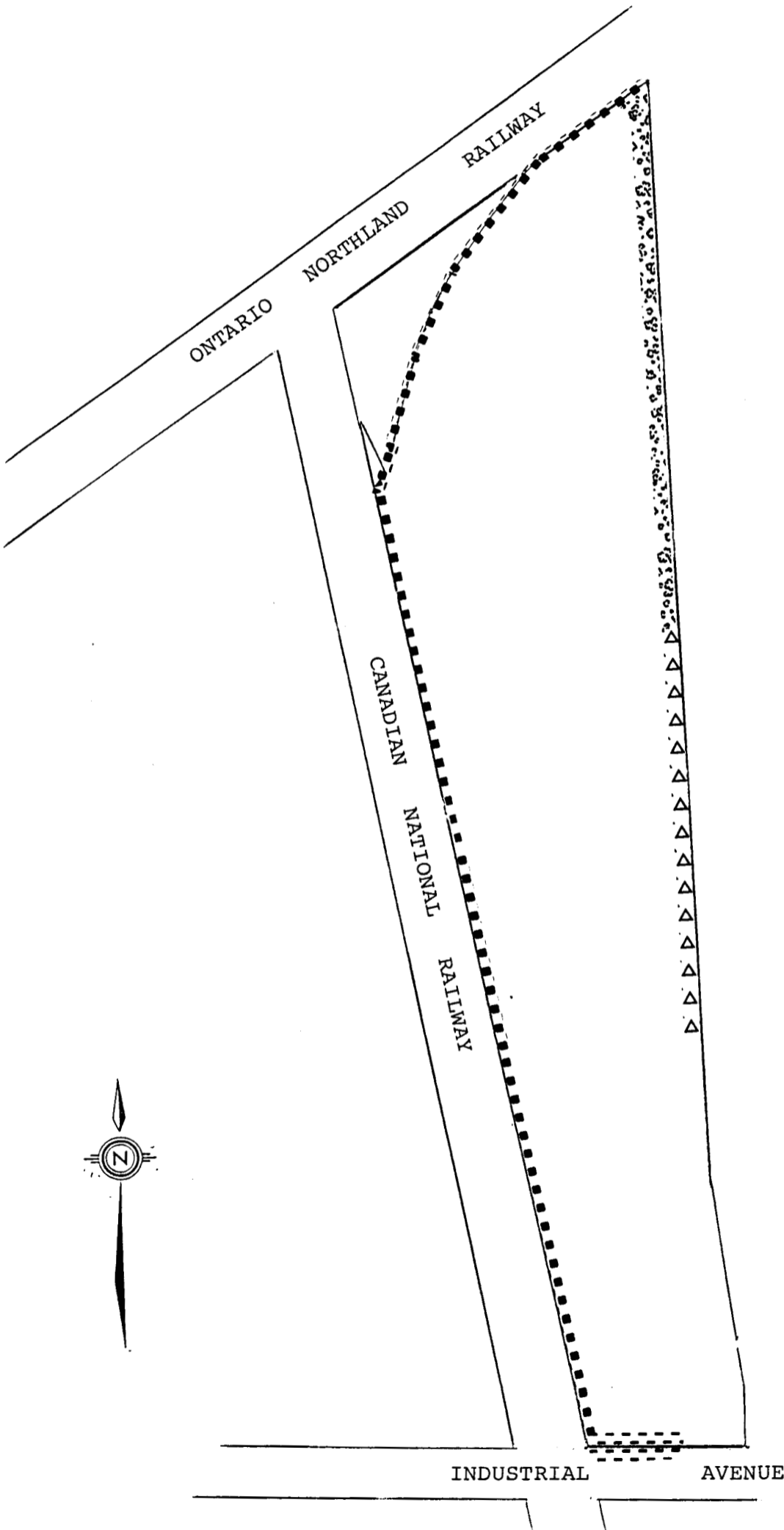
This is Schedule " B "



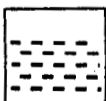

To By-law No. 193-92

Passed the 5TH day of OCTOBER  
19 92 .

*Stan D. Lawler*  
MAYOR

*Deputy City Clerk*  
DEPUTY CITY CLERK



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