

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 1999-34

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON LAKESHORE DRIVE
(J. LAPORTE - 1054 LAKESHORE DRIVE)**

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. 1999-33 to rezone the subject lands to a "Light Industrial Three Special Zone No. 46 (M3 Sp.46)" to permit the operation of a garden centre and nursery on the subject property.

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 37, Concession 14, Parcel 5643 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, and 3 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) an industrial commercial building shall be provided and maintained by the owner as set out as Item No. 1 on Schedule "B";
 - b) vehicular parking consisting of not less than nine (9) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - c) ingress and egress shall be provided and maintained as set out as Item No. 3 on Schedule "B".
- 3) 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 property shall occur to the satisfaction of the City Engineer and the North Bay-Mattawa Conservation Authority and at no expense to the Municipality or North Bay-Mattawa Conservation Authority.

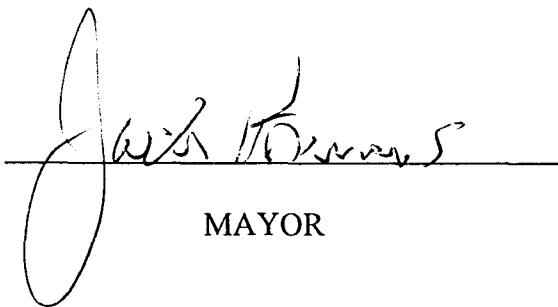
- 4) As a condition of approval the owner agrees to prepare a lot grading plan. Said lot grading plan and any resulting alterations to the subject property shall occur to the satisfaction of the City Engineer at no expense to the Municipality.
- 5) As a condition of approval of buildings and structures 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 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 \$5000 0 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.

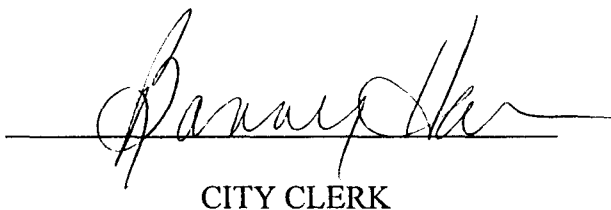
- 7) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
 - b) The owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the owner of a condition of this agreement.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 22nd DAY OF March
199 9.

READ A SECOND TIME IN OPEN COUNCIL THE 22nd DAY OF March
199 9.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 22nd DAY
OF March 199 9.


MAYOR


CITY CLERK

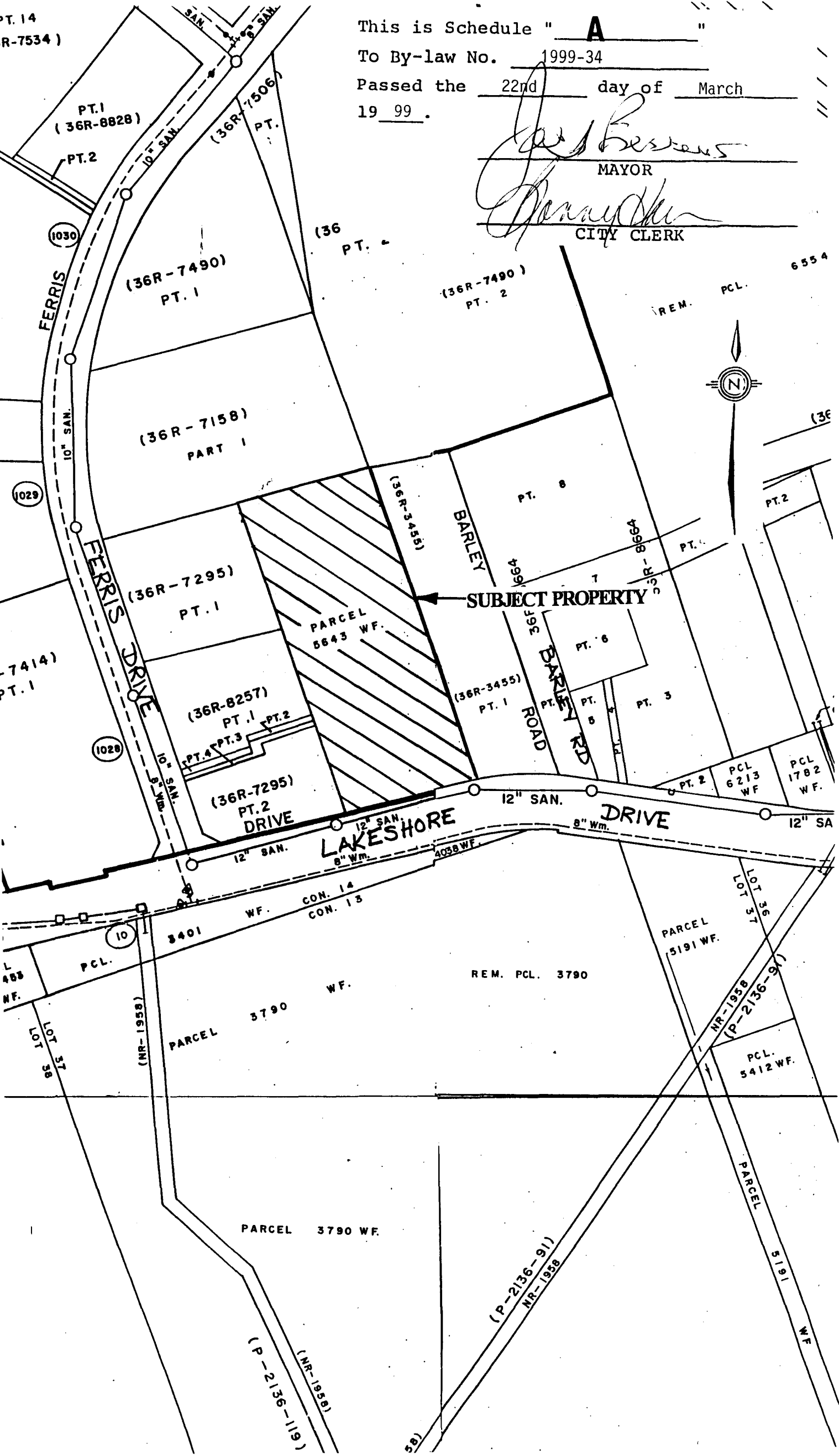
PT. 14
R-7534)

This is Schedule " A "

To By-law No. 1999-34

Passed the 22nd day of March
19 99 .

James Bestans
MAYOR
Donna...
CITY CLERK



SUBJECT PROPERTY

LAKESHORE DRIVE

BARLEY ROAD

FERRIS DRIVE

(36R-7490)
PT. 1

(36R-7158)
PART 1

(36R-7295)
PT. 1

(36R-8257)
PT. 1

(36R-7295)
PT. 2
DRIVE

(36R-7490)
PT. 2

(36R-3455)

(36R-3455)
PT. 1

REM. PCL. 6554

PT. 2

PT. 6

PT. 6

PT. 5

PT. 3

PCL. 6213
WF.

PCL. 1782
WF.

3401

WF. CON. 14
CON. 13

REM. PCL. 3790

PARCEL 3790

PARCEL 5191 WF.

PCL. 5412 WF.

PARCEL 3790 WF.

LOT 35
LOT 36

NR-1958
(P-2136-91)

(P-2136-91)
NR-1958

PARCEL 5191

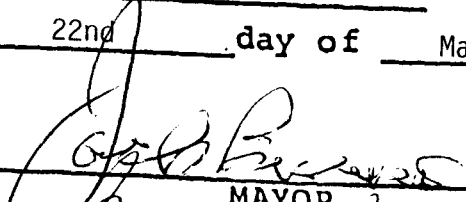
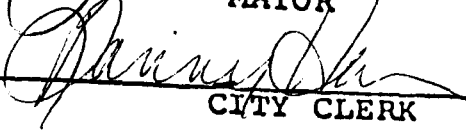
WF.

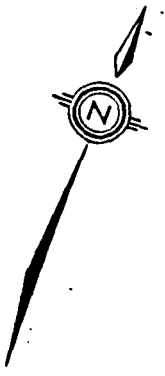
(P-2136-119)
(NR-1958)

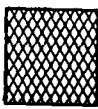
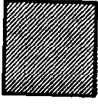

This is Schedule " B "

To By-law No. 1999-34

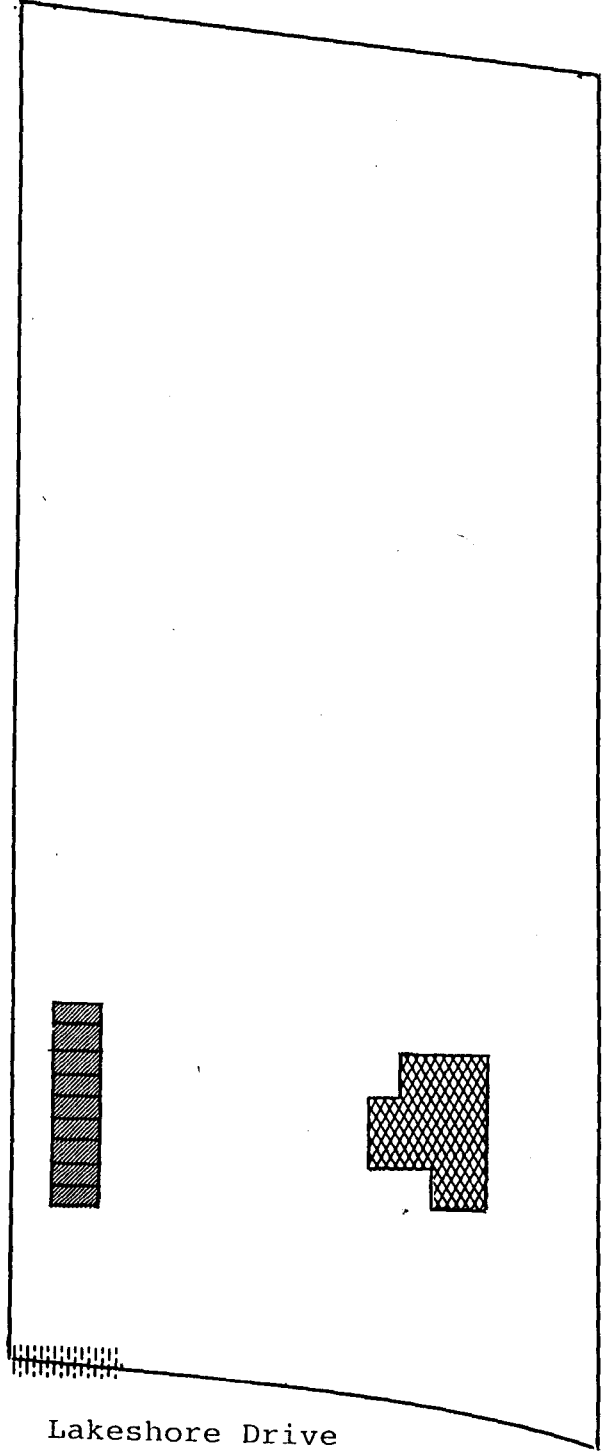
Passed the 22nd day of March
19 99.


MAYOR

CITY CLERK



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

0 30
Metres



Lakeshore Drive