

# **The Corporation of the City of North Bay**

## **By Law No. 2017-39**

### **A By-law to Designate a Site Plan Control Area on Certain Lands on Olive Street**

#### **Timothy Appleton – 319 Olive 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 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. 2017-38 to rezone the subject lands to a “Neighbourhood Commercial Special No. 71 (C5 Sp. 71)” zone to permit the establishment of an office.

Now Therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) That certain parcel of land composed PIN 49150-0511 (LT) PCL 6848 SEC WF; LT 227 PL M186 WIDDIFIELD; PT LT 226 PL M186 WIDDIFIELD AS IN LT81877; NORTH BAY; DISTRICT OF NIPISSING and PIN 49150-0513 (LT) PCL 17231 SEC WF; PT LANE PL M45 WIDDIFIELD PT 3, 36R7354; S/T LT270887; NORTH BAY; DISTRICT OF NIPISSING, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition approval, all buildings or structures and parking facilities shall be provided and maintained in a location that is satisfactory to the City.
- 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.
- 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 City 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; and
  - g) adequate water supply for fire fighting purposes.
- 5) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of the City with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose the standard fee for a Site Plan Control Agreement 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.
- 6) 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 446 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.
- 7) This By-law comes into force and effect upon being finally passed.

**Read a First Time in Open Council the 2nd Day of May 2017.**

**Read a Second Time in Open Council the 2nd Day of May 2017.**

**Read a Third Time in Open Council and Passed this 2nd Day of May 2017.**

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**Mayor, Allan McDonald**

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**City Clerk Karen McIsaac**

Sire/C01/ By-law No. 2017-39 – ZBLA File #895 – 319 Olive Street – Timothy Appleton – SPCA By-law

# Schedule A

This is Schedule "A"  
To By-law No. 2017-39

Passed the 2nd Day of May 2017

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Mayor Allan McDonald

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City Clerk Karen Mclsaac

