

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 40-94**

**A BY-LAW TO AMEND A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON GORMANVILLE  
ROAD (P. & G. AUTO SALES LIMITED)**

**WHEREAS** the Council of The Corporation of the City of North Bay, hereinafter referred to as the "City", has passed By-law No. 114-89, being a by-law which designated a Site Plan Control Area in the City of North Bay;

**AND WHEREAS** the Council deems it desirable to amend the aforementioned Site Plan Control Area in the City of North Bay pursuant to Section 41 of the Planning Act R.S.O. 1990;

**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. 39-94 to amend the property description, permitted uses, and regulations contained within "Industrial Commercial Special Zone No. 17 (MC Sp.17)" in order to permit outside storage associated with the main Industrial Commercial use;

**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 Lots 3, 4, 11, 12 and 13, Plan M-167, Part 19, Plan NR-2326 and Part 1, Plan 36R-9518 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, 4 and 5 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - a) An industrial building of not more than four hundred and fifty-two (452) square metres gross floor space shall be provided and maintained as set out as Item No. 1 on Schedule "B";
  - b) automobile parking for employees and customers consisting of not less than eleven (11) 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 3 on Schedule "B";

- d) privacy fencing shall be provided and maintained as set out as Item 4 on Schedule "B";
  - e) outside storage shall be provided and maintained as set out as Item 5 on Schedule "B".
- 3) 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.
- 4) 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.


- 5) 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.
  
- 6) By-law No. 114-89 is hereby repealed.
  
- 7) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 25<sup>TH</sup> DAY OF  
APRIL, 199 4

READ A SECOND TIME IN OPEN COUNCIL THE 9<sup>TH</sup> DAY OF  
MAY, 199 4.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 9<sup>TH</sup> DAY OF  
MAY, 199 4.

  
MAYOR

  
CITY CLERK

REALIST

This is Schedule " A "

To By-law No. 40-94

Passed the 9TH day of MAY  
19 94.

*Stan D. Lawlor*  
MAYOR

*B. Carter*  
CITY CLERK

875	993
865	883
849	864

RT 15 PART 16

**M-167**

720	738
704	719

STREET

475	596
578	596

PARR 36R-3640 ST.

456	456
562	577

NR-2344 PT.2

NR-2600 PT.3

NR-2344 PT.3

NR-2326 PT.2

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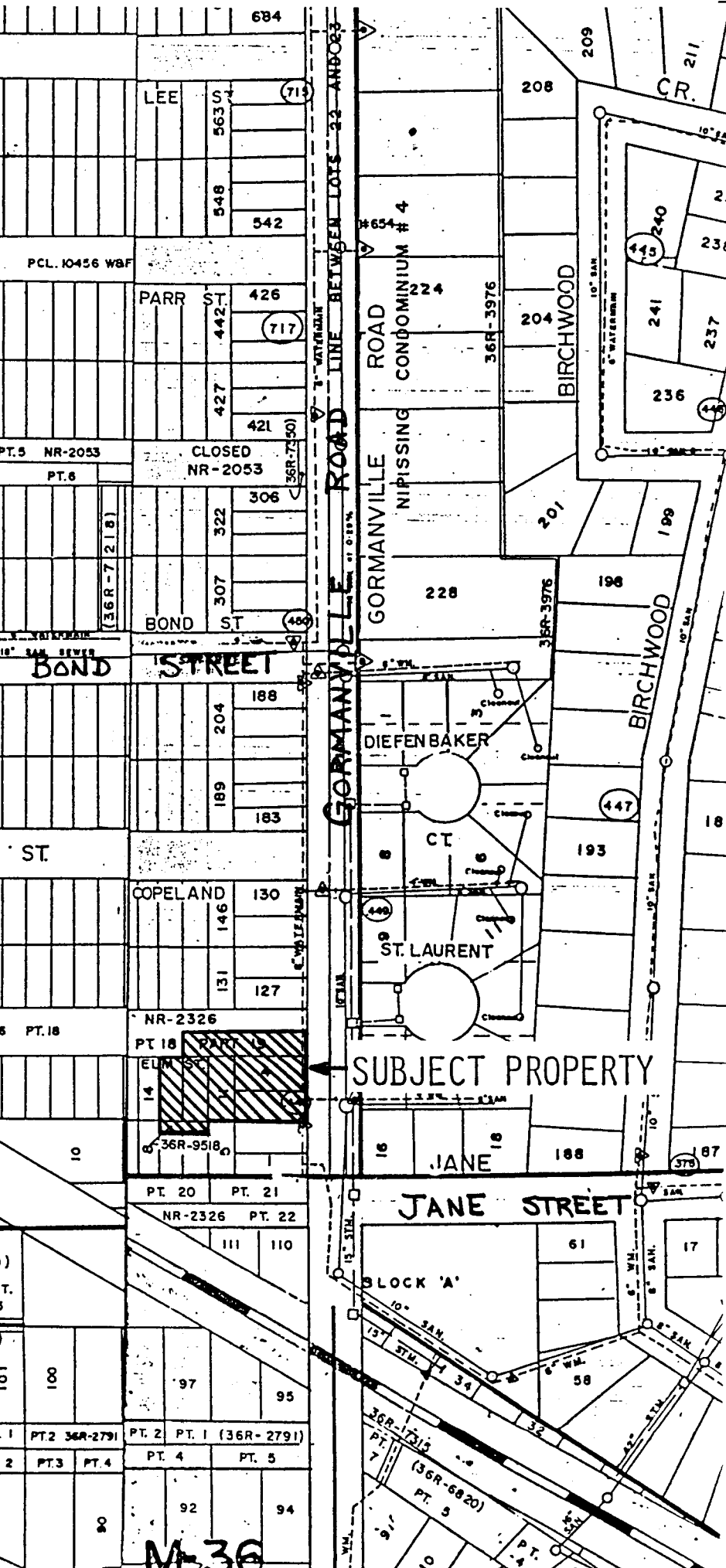
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




To By-law No. 40-94

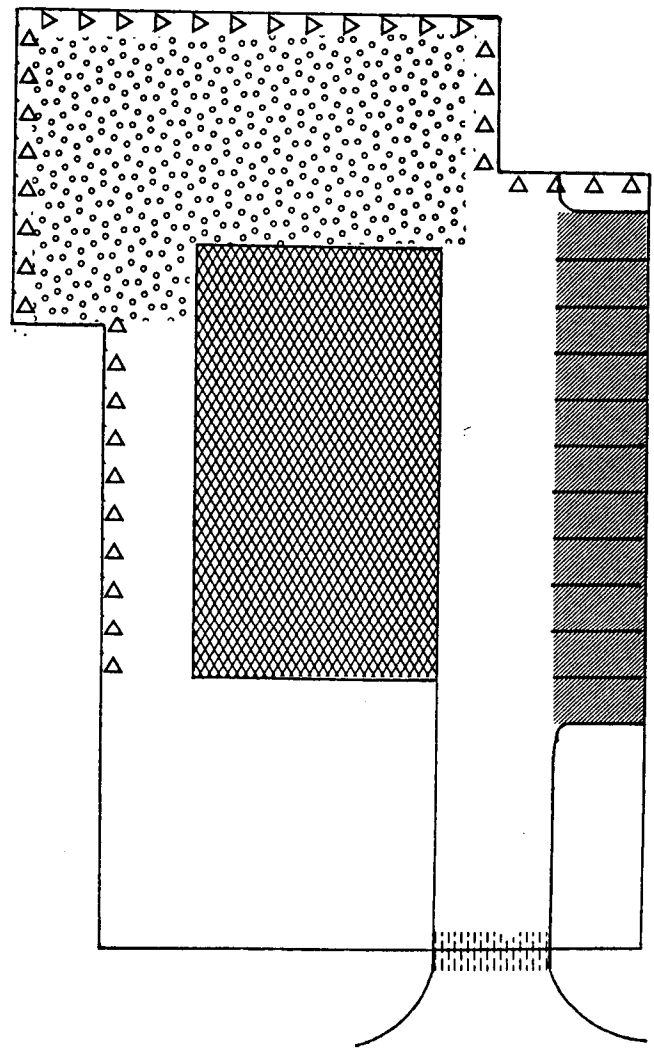
Passed the 9TH day of MAY

19 94 .

*Stan D. Lawler*  
MAYOR

*B. Butler*  
CITY CLERK

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-  ITEM NO. 5



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GORMANVILLE ROAD