

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

**BY-LAW NO. 2009-140**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA  
ON CERTAIN LANDS ON EXETER STREET**

**(1489549 ONTARIO LIMITED – EXETER 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. 2009-139 to rezone the subject property to a "Light Industrial Three Special Zone No. 58 (M3 Sp.58)" to permit an Automobile Sales, Service & Leasing Establishment;

**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-472, Part of Block C, Reference Plan 36R-5296, Parts 2 & 3 along Exeter Street 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) 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 of North Bay.
- 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 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;
  - 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) 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;
  - f) adequate water supply for fire fighting purposes.
- 4) 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 \$850.00 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.
  
- 5)
  - 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.
  
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 13<sup>TH</sup> DAY OF JULY 2009.

READ A SECOND TIME IN OPEN COUNCIL THE 13<sup>TH</sup> DAY OF JULY 2009.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 13<sup>TH</sup> DAY OF JULY 2009.

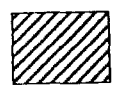
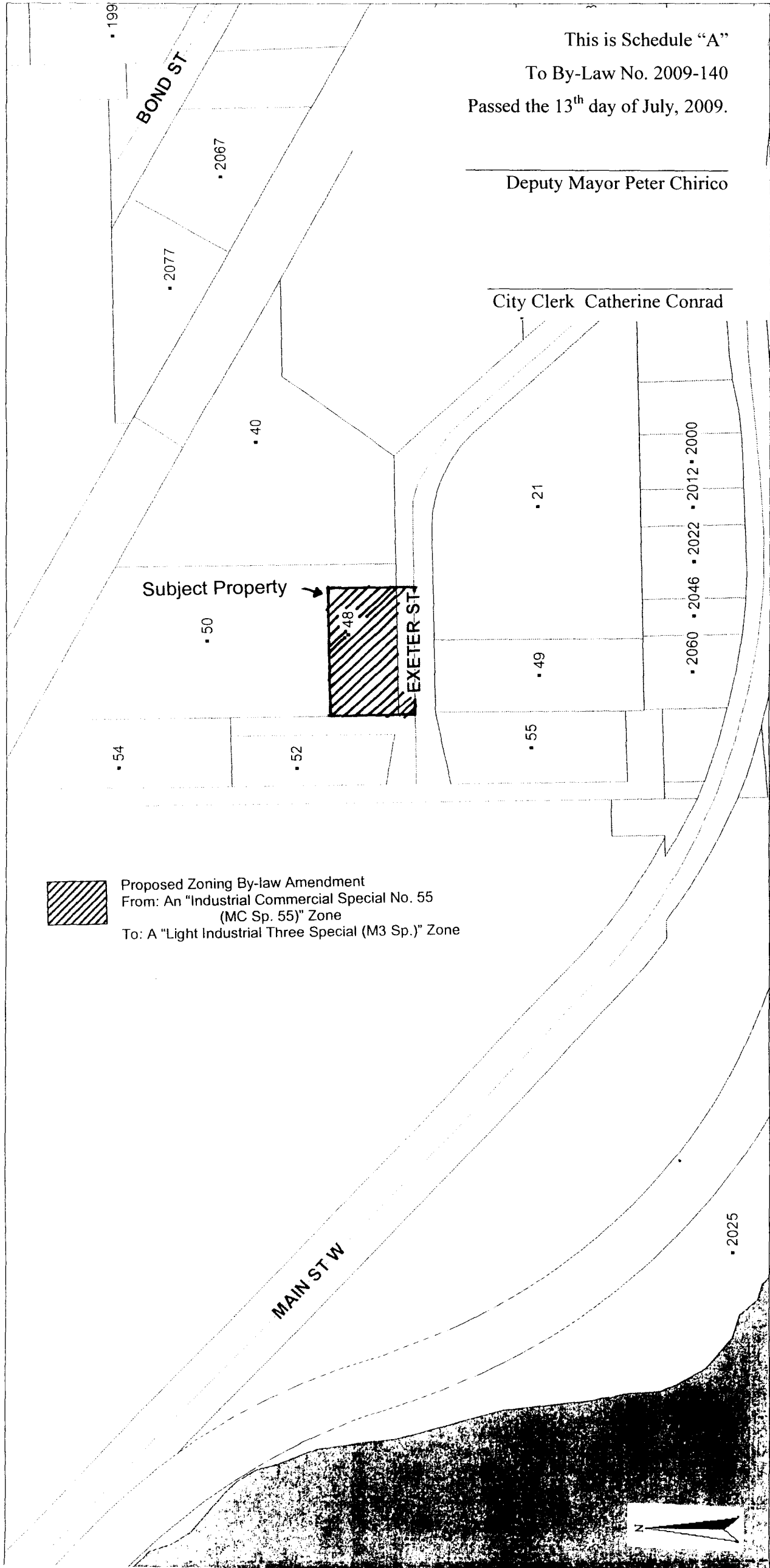
"original signature on file"  
DEPUTY MAYOR PETER CHIRICO

"original signature on file"  
CITY CLERK CATHERINE CONRAD

This is Schedule "A"  
To By-Law No. 2009-140  
Passed the 13<sup>th</sup> day of July, 2009.

Deputy Mayor Peter Chirico

City Clerk Catherine Conrad



Proposed Zoning By-law Amendment  
From: An "Industrial Commercial Special No. 55  
(MC Sp. 55)" Zone  
To: A "Light Industrial Three Special (M3 Sp.)" Zone

SURVEYOR'S REAL PROPERTY REPORT  
PART 1, PLAN OF SURVEY OF  
PART OF BLOCK 'C'

REGISTERED PLAN M-472

**CITY OF NORTH BAY**

DISTRICT OF NIPISSING

SCALE 1 : 400

0 5m 10m

Miller & Urso Surveying Inc.

**METRIC**

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**LEGEND**

- DENOTES PLANTED MONUMENT
- DENOTES FOUND MONUMENT
- M DENOTES MEASURED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P DENOTES DEPOSITED PLAN 36R-11907
- MU DENOTES MILLER & URSO SURVEYING INC.

CLIENT: JIM NAPIER

**PART 2**

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED DECEMBER 6th, 2007.

**ASSOCIATION OF ONTARIO LAND SURVEYORS**  
PLAN SUBMISSION FORM

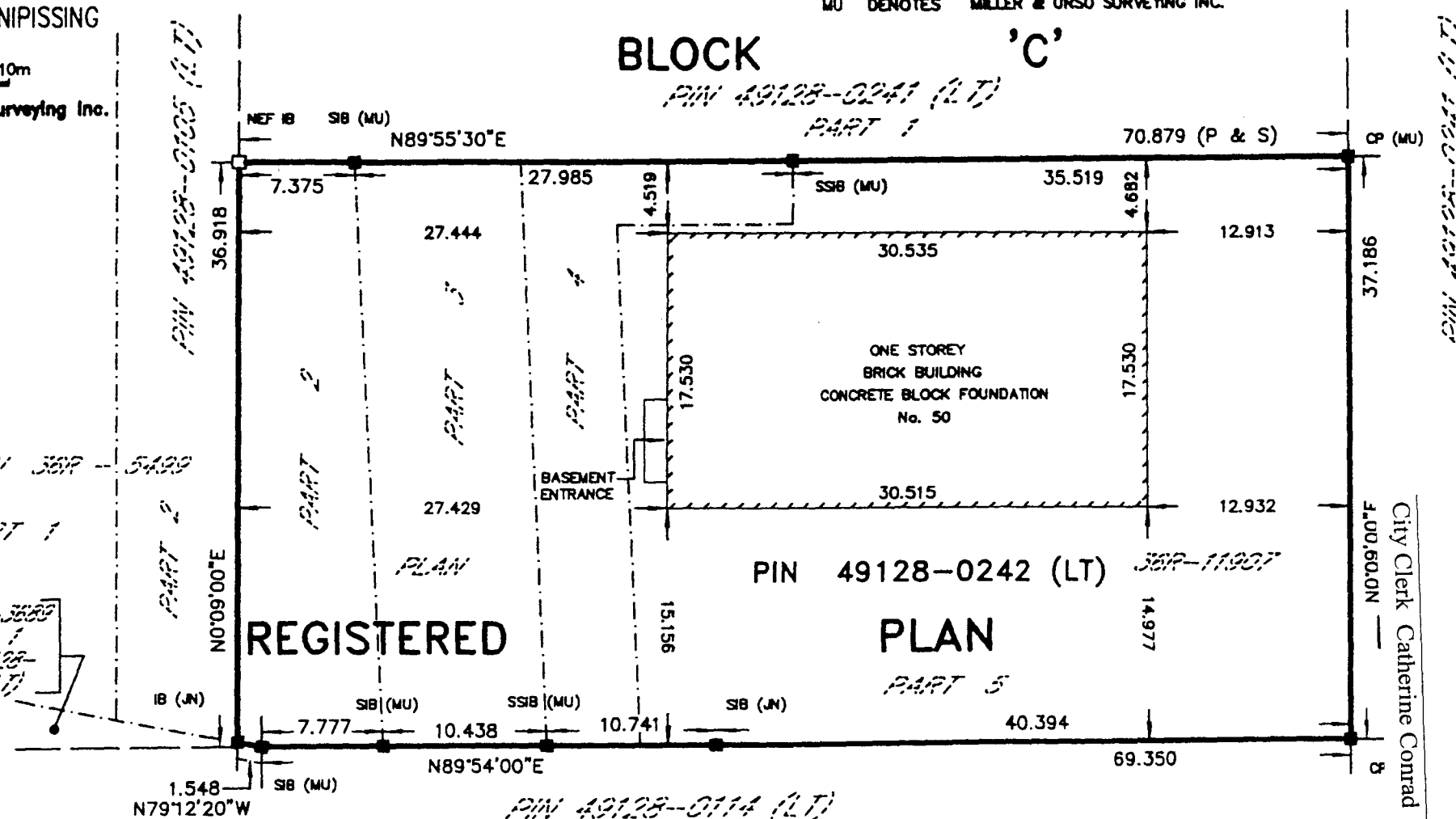
1680610



THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).

**BLOCK 'C'**

*PIN 49128-0241 (LT) PART 1*



**REGISTERED**

**PLAN**

PIN 49128-0242 (LT)

*36R-11907*

*PART 5*

*PIN 49128-0114 (LT)*

*COPELAND STREET*

*REGISTERED PLAN M-161*

*(LOCALLY KNOWN AS EXETER STREET)*

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 23rd DAY OF NOVEMBER 2007.

DECEMBER 6th, 2007

DATE

R.O. MILLER  
ONTARIO LAND SURVEYOR

**BEARING NOTE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF COPELAND STREET, AS SHOWN ON DEPOSITED PLAN 36R-11907, HAVING A BEARING OF N89°54'00"E.

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**Miller & Urso Surveying Inc.**  
Ontario Land Surveyors ♦ Canada Land Surveyors  
Planning Consultants

1501 SEYMOUR STREET,  
NORTH BAY ONT, P1B 6G4

TEL: (705) 474-1210  
FAX: (705) 474-1783

DRAWN BY: M.M.W.

FIELD:

PLAN No:

Deputy Mayor Peter Chirico

City Clerk Catherine Conrad

Passed the 13<sup>th</sup> day of July, 2009.

To By-Law No. 2009-138

This is Schedule "B"