

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2008-151

**BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON HIGHWAY 11 NORTH**

(688452 ONTARIO LIMITED – 2967 HIGHWAY 11 NORTH)

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. 2008-150 to rezone the subject property "Restricted Industrial (M5)" zone to permit the construction of a self-storage warehouse facility;

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 Concession A, Part Lot 21, Remainder of Parcel 6952 W/F, PIN 49127-0565(LT) 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 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) 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 \$680.00 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 23rd DAY OF JUNE 2008.

READ A SECOND TIME IN OPEN COUNCIL THE 23rd DAY OF JUNE 2008.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23rd DAY
OF JUNE 2008.

"original signature on file"

MAYOR VIC FEDELI

"original signature on file"

CITY CLERK CATHERINE CONRAD

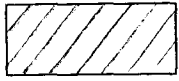
This is Schedule "A"

To By-law No. 2008-151

Passed the ___ day of _____ 2008

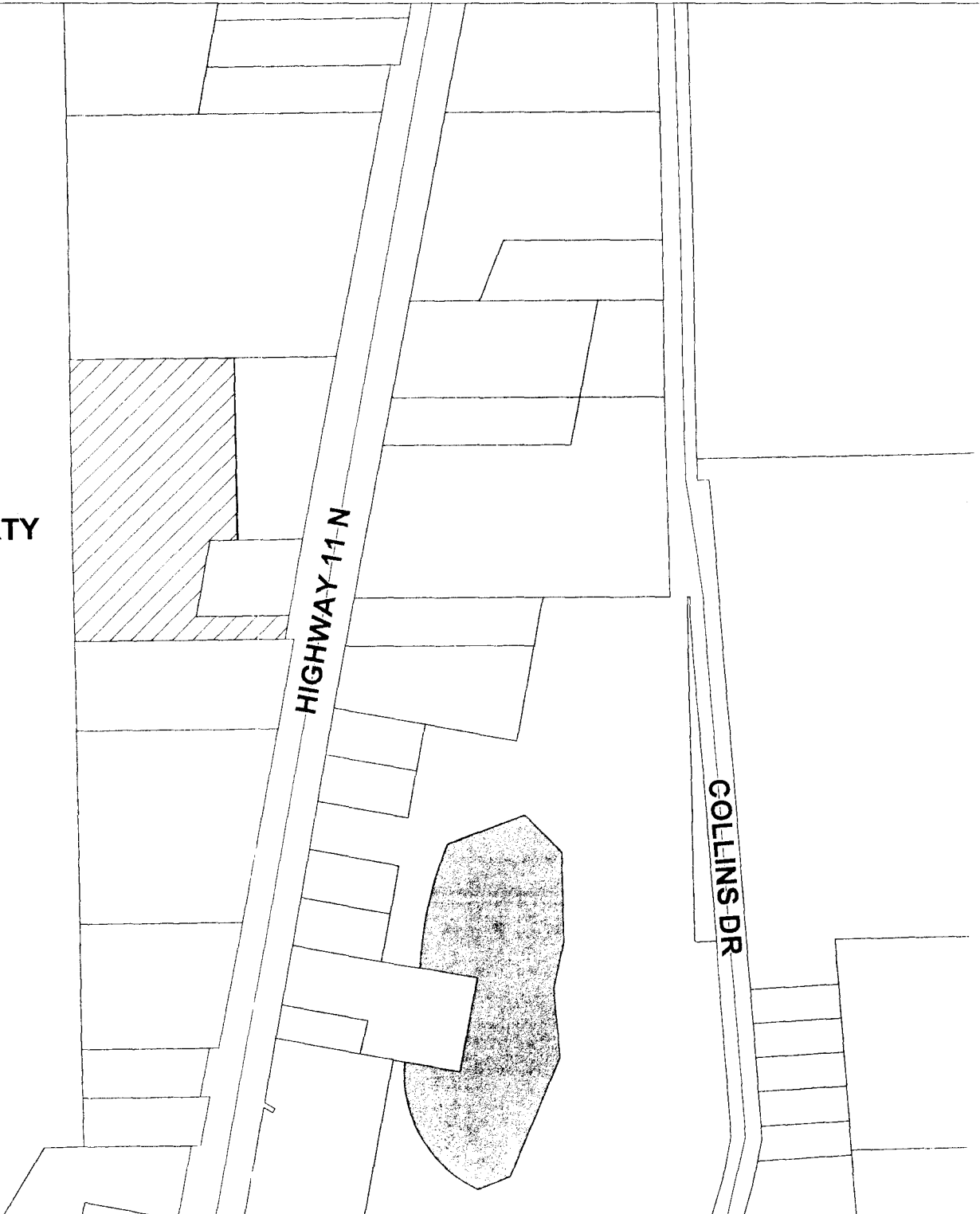
Mayor Vic Fedeli

City Clerk Catherine Conrad

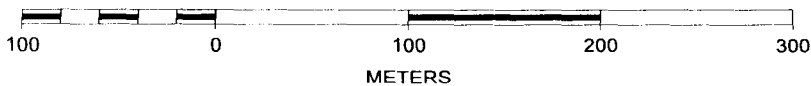


Proposed Zoning By-law Amendment
From: "Highway Commercial (C6)"
To: "Restricted Industrial (M5)"

SUBJECT PROPERTY



SCALE 1 : 3,947



PLAN OF SURVEY OF
PART OF LOT 21, CONCESSION 'A'
TOWNSHIP OF WIDDIFIELD
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPISSING

W 1/2 LOT 21

SCALE 1 : 1500
0 25m 50m

Miller & Urso Surveying Inc.

METRIC

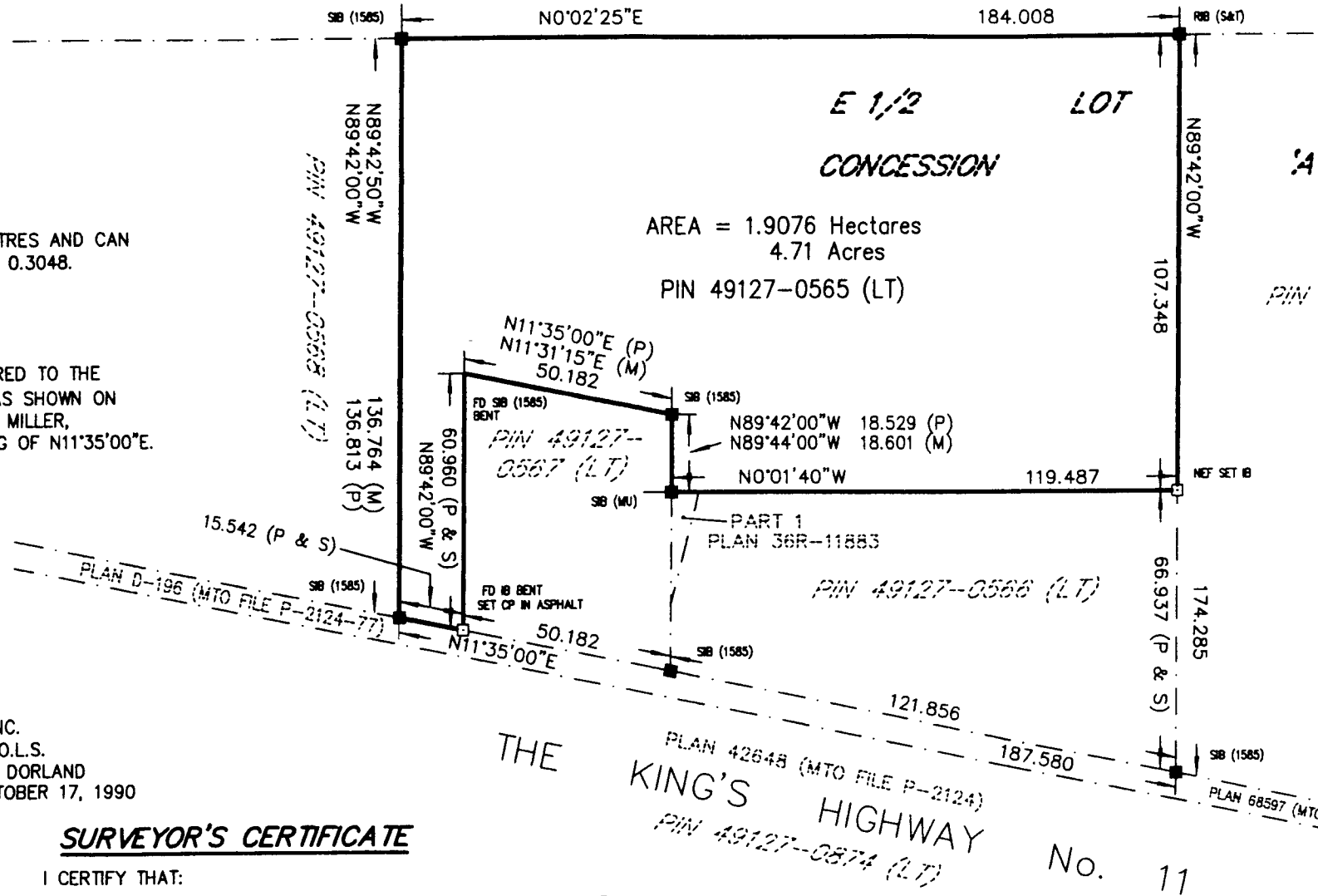
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE
WEST LIMIT OF THE KING'S HIGHWAY No. 11 AS SHOWN ON
A PLAN OF SURVEY BY CLARKE, DORLAND & MILLER,
DATED OCTOBER 17, 1990, HAVING A BEARING OF N11°35'00"E.

LEGEND

- DENOTES FOUND MONUMENT
- DENOTES PLANTED MONUMENT
- S DENOTES SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- RIB DENOTES ROUND IRON BAR
- CP DENOTES CONCRETE PIN
- 1585 DENOTES R. D. MILLER, O.L.S.
- MU DENOTES MILLER & URSO SURVEYING INC.
- S&T DENOTES SIMPSON & TAYLOR LIMITED, O.L.S.
- P DENOTES PLAN OF SURVEY BY CLARKE DORLAND & MILLER LIMITED, DATED OCTOBER 17, 1990



AREA = 1.9076 Hectares
4.71 Acres
PIN 49127-0565 (LT)

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 26th DAY OF FEBRUARY, 2008.

FEBRUARY 27, 2008
DATE

[Signature]
R. D. MILLER
ONTARIO LAND SURVEYOR
MILLER & URSO SURVEYING INC.

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

1501 SEYMOUR STREET, TEL: (705) 474-1210
NORTH BAY ONT, P1B 8G4 FAX: (705) 474-1783

DRAWN BY: C.A.L. FIELD: D.B., M.B., J.S. W.O. No. 2180
CHECK BY: R.D.M.

City Clerk Catherine Conrad

Mayor Vic Fedeli

This is Schedule "B"
To By-law No. 2008-151
Passed the ___ day of ___ 2008