

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

**BY-LAW NO. 2010-011**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA  
ON CERTAIN LANDS ON GORMANVILLE ROAD**

**(1633091 ONTARIO LIMITED & 1633057 ONTARIO LIMITED – GORMANVILLE ROAD)**

**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. 2010-010 to rezone the subject property to a "Light Industrial Three (M3)" zone to permit the construction of a small light industrial building fronting on Gormanville Road, and to permit lot additions to existing industrial operations fronting on Kirkpatrick and Bond Streets in the adjacent Industrial Park;

**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 Registered Plan No. M-36, Lots 95 to 97 & 110 to 115, Reference Plan 36R-11393, PIN's 49128-0296, 49128-0298, 49128-0240 - Gormanville Road 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 of 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 \$1,000.00 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 8<sup>TH</sup> DAY OF FEBRUARY 2010.

READ A SECOND TIME IN OPEN COUNCIL THE 8<sup>TH</sup> DAY OF FEBRUARY 2010.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 8<sup>TH</sup> DAY OF FEBRUARY 2010.

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD

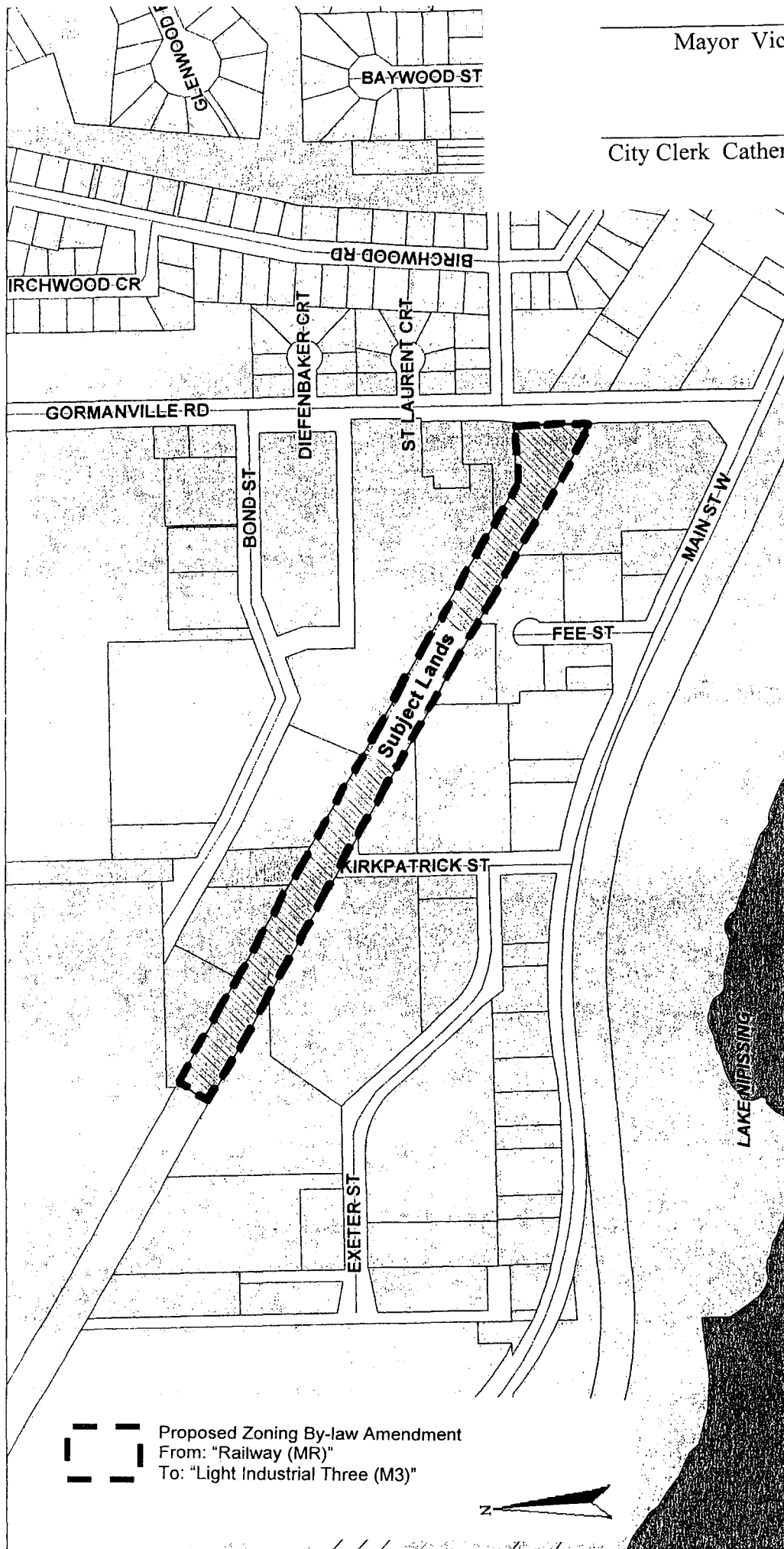
This is Schedule "A"

To By-law No. 2010-011

Passed the 8th day of February 2010

\_\_\_\_\_  
Mayor Vic Fedeli

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City Clerk Catherine Conrad



This is Schedule "B"  
 To By-law No. 2010-011  
 Passed the 8th day of February 2010

Mayor Vic Fedeli

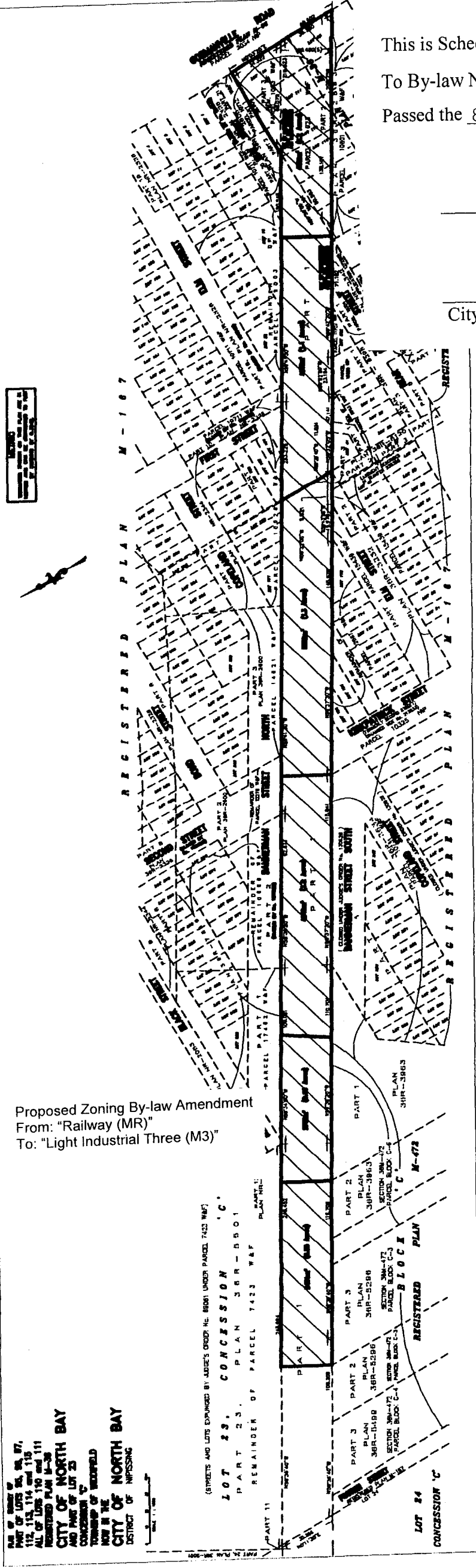
City Clerk Catherine Conrad

**NOTES**  
 1. THE ZONING AMENDMENT IS SUBJECT TO THE APPROVAL OF THE CITY COUNCIL.  
 2. THE ZONING AMENDMENT IS SUBJECT TO THE APPROVAL OF THE DISTRICT COUNCIL.

Proposed Zoning By-law Amendment  
 From: "Railway (MR)"  
 To: "Light Industrial Three (M3)"

**PART OF** LOT 23, 24, 25, 26, 27,  
 112, 113, 114 and 115  
 ALL OF LOTS 110 and 111  
 REGISTERED PLAN M-38  
**CITY OF NORTH BAY**  
 AND PART OF LOT 23  
 CONCESSION 'C'  
**TOWNSHIP OF WEDFIELD**  
 NOW IN THE  
**CITY OF NORTH BAY**  
 DISTRICT OF NIPSSING

(STREETS AND LOTS EMPANGED BY JUDGE'S ORDER NO. 80061 UNDER PARCEL 7423 WAF)  
**LOT 23, CONCESSION 'C'**  
 PART 23, PLAN 38R-8501  
 REMAINDER OF PARCEL 7423 WAF  
 PLAN M-11



**LOT 24**  
 CONCESSION 'C'

**BLOCK**  
 M-472

**PART 1**  
 PLAN 38R-3863

**PART 2**  
 PLAN 38R-5288

**PART 3**  
 PLAN 38R-15188

**PART 4**  
 PLAN 38R-15188

**PART 5**  
 PLAN 38R-15188

**PART 6**  
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**PART 7**  
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**PART 100**  
 PLAN 38R-15188