

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

**BY-LAW NO. 1999-100**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON GORMANVILLE ROAD  
(EASTVIEW DEVELOPMENT LTD. / 667589 ONTARIO  
LTD. - 600, 612 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. 1999-99 to rezone the subject lands to a "Light Industrial One Special Zone No. 48 (M1 Sp.48)" and an "Industrial Commercial Special Zone No. 49 (MC Sp.49)" in order to permit a recreation/gymnastics club within the existing building as well as permitting the development of the vacant portion of the subject property for industrial commercial purposes.

**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 421-456, 542-613, Lot 475 to 492, Lot 698 to 704, Lot 713 to 755, Plan M-167, Parts 4, 5, 6, and 7, Plan NR-2053, Part 2, Plan NR-2326 and part of the former First Street and Parr Street road allowances 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 Item 1 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - a) an industrial building shall be provided and maintained by the owner as set out as Item No. 1 on Schedule "B";
  - b) vehicular parking consisting of not less than 44 parking spaces shall be provided and maintained by the owner as set out as Item No. 2 on Schedule "B";
  - c) ingress and egress shall be provided and maintained as set out as Item No. 3 on Schedule "B";

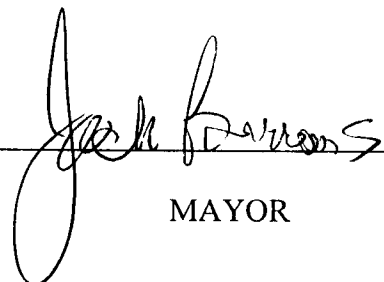
- d) a landscaped strip being not less than 6.0 metres in width shall be provided and maintained by the owner as set out as Item No. 4 on Schedule "B".
- 3) As a condition of approval the owner shall retain a professional engineer with demonstrated expertise in storm water management to prepare a storm water management plan for the subject lands which will address both quantity and quality issues. Said storm water management plan and any resulting alterations to the subject property shall occur to the ongoing satisfaction of and at no expense to the City Engineer or The Corporation of the City of North Bay.
- 4) As a condition of approval the owner shall enter into an agreement with The Corporation of the City of North Bay to address, to the satisfaction of The Corporation of the City of North Bay, to deal not only with road widenings and easements to accommodate drainage ditch and hydro easements, but also to deal with other similar and related things as specified by the City Engineer.
- 5) 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, 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;

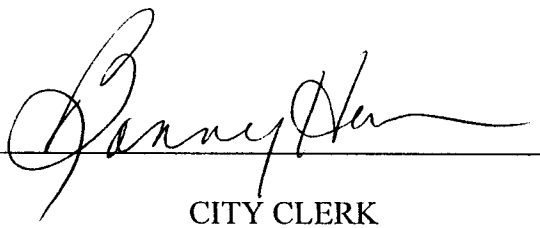
- f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 6) a) The Chief Administrative Officer is hereby authorized under Corporate Seal to enter into one or more agreements 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 \$500.00 upon the owner for preparation and registration of each 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.
- 7) 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 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.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 12th DAY OF July  
1999.

READ A SECOND TIME IN OPEN COUNCIL THE 26th DAY OF July  
1999.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 26th DAY  
OF July 1999.

  
MAYOR

  
CITY CLERK

PT. 5	
RT 7	36R-5570
	1027
	1009
RT 8	(36R-5570)
875	993
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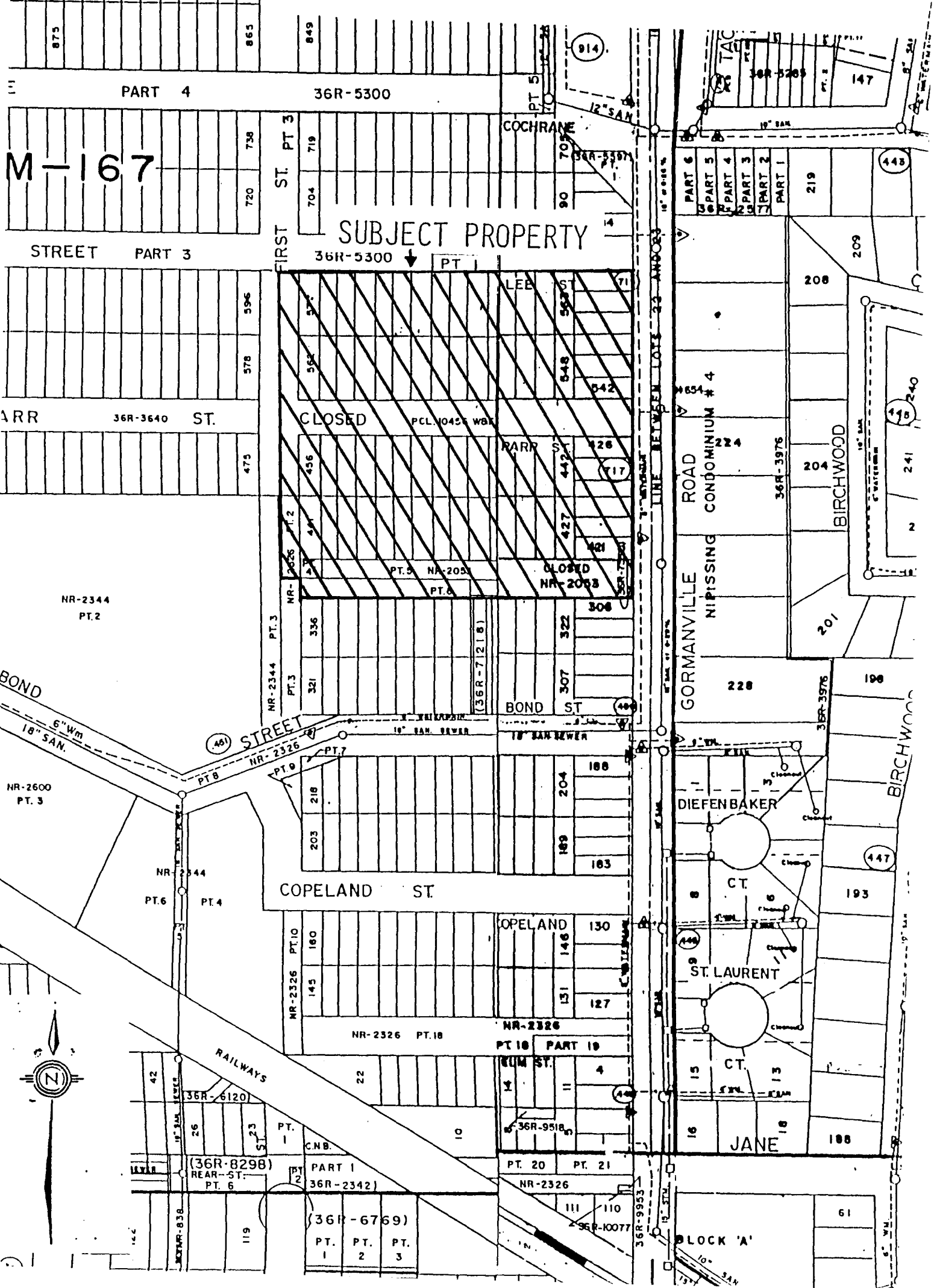
This is Schedule " A "

To By-law No. 1999-100

Passed the 26th day of July 1999.

*[Signature]*  
 MAYOR

*[Signature]*  
 CITY CLERK



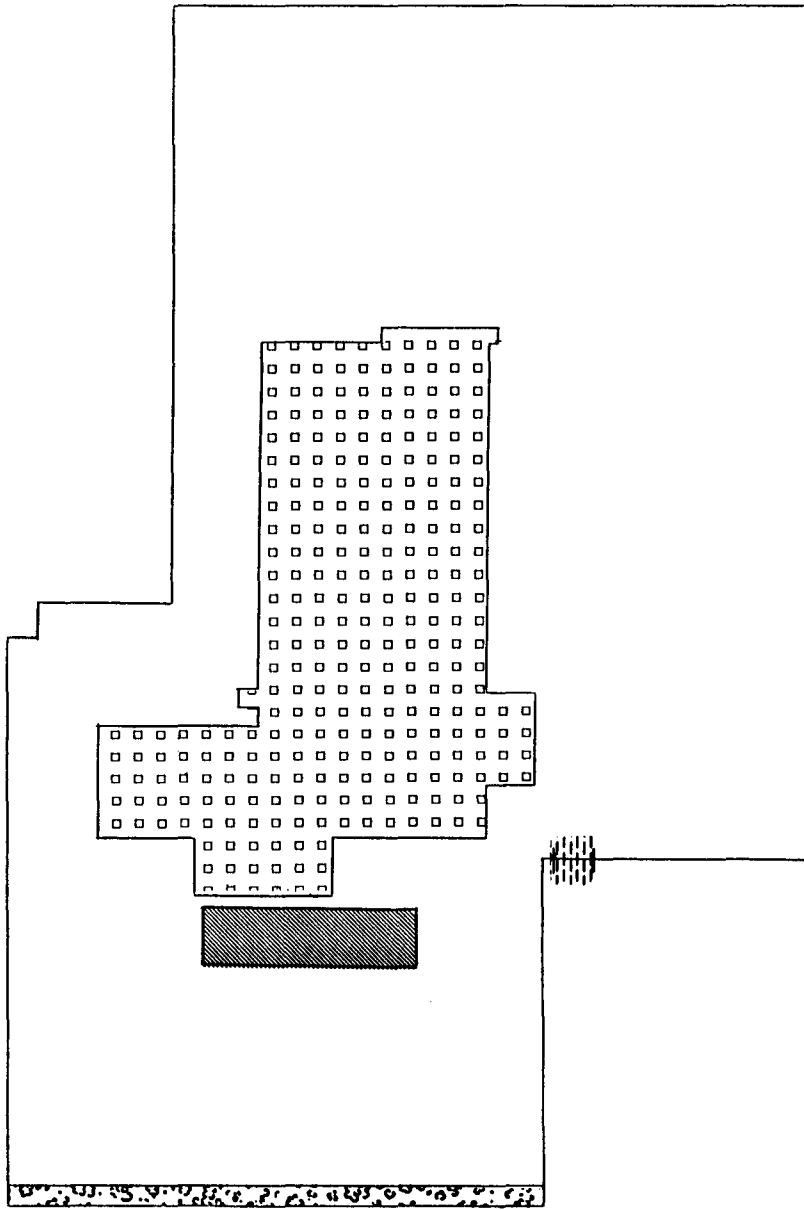
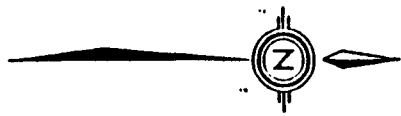
This is Schedule "     **B**    " "





To By-law No.     1999-100    

Passed the     26th     day of     July      
19    99    .

*John Evans*  
MAYOR

*Jenny Hill*  
CITY CLERK



-  Item No. 1
-  Item No. 2
-  Item No. 3
-  Item No. 4

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Feet

GORMANVILLE ROAD