

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 137-88

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS AT ELOY ROAD (METZ FURNITURE LTD.)

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 40 of The Planning Act;

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. 136-88 to rezone the subject lands to a "Light Industrial Two (M.2)" Zone to permit the construction of a building for general warehousing uses;

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 684-686, 690-697, 705-712, 836-842, 851-857, 980-986 and 995-1001, Registered Plan M-167 as well as Pts. 4,9 and 17 of Plan 36R-5570 along Eloy 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. 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 building and structures set out as Items 1,2,3 and 4 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that;
 - a) A four thousand and fifty nine (4,059) square meter, industrial building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) Parking for employees and customers consisting of not less than fifty four (54) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";

c) A landscaping strip shall be provided and maintained as set out as Item No. 3 on Schedule "B";

d) Ingress and egress from Eloy Road shall be provided and maintained as set out as Item No. 4 on Schedule "B";

3. 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.

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.

4. a) The said agreement shall be binding on the Owner, its successors and assigns.

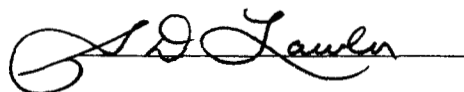
b) The Owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach, by the Owner of a condition of this agreement.

5. This By-Law comes into force and effect upon being finally passed.


READ A FIRST TIME IN OPEN COUNCIL THE 19TH DAY OF SEPTEMBER 1988.

READ A SECOND TIME IN OPEN COUNCIL THE 31ST DAY OF OCTOBER, 1988.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 31ST DAY OF
OCTOBER 1988.



MAYOR



CITY CLERK