

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 125-88

BEING A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON THE WEST SIDE OF HIGHWAY 11 AT CEDAR HEIGHTS ROAD (MR. GAS PROPERTIES INC.)

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 the Clerk the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS the Council intends to pass Official Plan Amendment No. 47 to redesignate the subject lands;

AND WHEREAS the Council intends to pass By-Law No. 124-88 to rezone subject lands to a "Highway Commercial (C6)" Zone to permit the operation of a Gas Bar and a Convenience Store;

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 Parcels 3176, 4357 and 4358 W&F 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 Items 1,2,3, and 4 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - (A) The construction of the Convenience Store and the Gas Island shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (B) Vehicular ingress and egress for the subject property shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (C) A four and five-tenths metres (4.5m) vegetative planting strip along the westerly property boundary shall be provided and maintained as set out as Item No. 3 on Schedule "B"
 - (D) Parking for employees and customers consisting of not less than four (4) spaces be provided and maintained as set out as Item No. 4 on Schedule "B".

3. As a condition of the approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed or placed on the said Site Plan Control Area has entered into an Agreement with The Corporation of The City of North Bay respecting the provision, to the satisfaction of and at no expense to the Municipality of the following matter:

- (A) Parking facilities, both covered and uncovered, and access driveways and the surfacing of such areas and driveway
- (B) Walkways and the surfacing thereof;
- (C) Facilities for lighting, including flood lighting;
- (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.

4.A The Mayor and Clerk are hereby authorized upon the recommendation of the Director of Planning and Development 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.

.A The said Agreement shall be binding on the Owner, its successors and assigns.

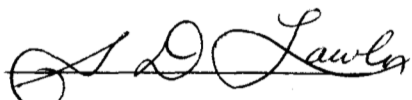
B The Owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the Owner of a condition of this Agreement.


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

READ A FIRST TIME IN OPEN COUNCIL THE 29TH DAY OF AUGUST 1988 .

READ A SECOND TIME IN OPEN COUNCIL THE 3RD DAY OF OCTOBER 1988 .

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 3RD DAY OF OCTOBER 1988 .


MAYOR

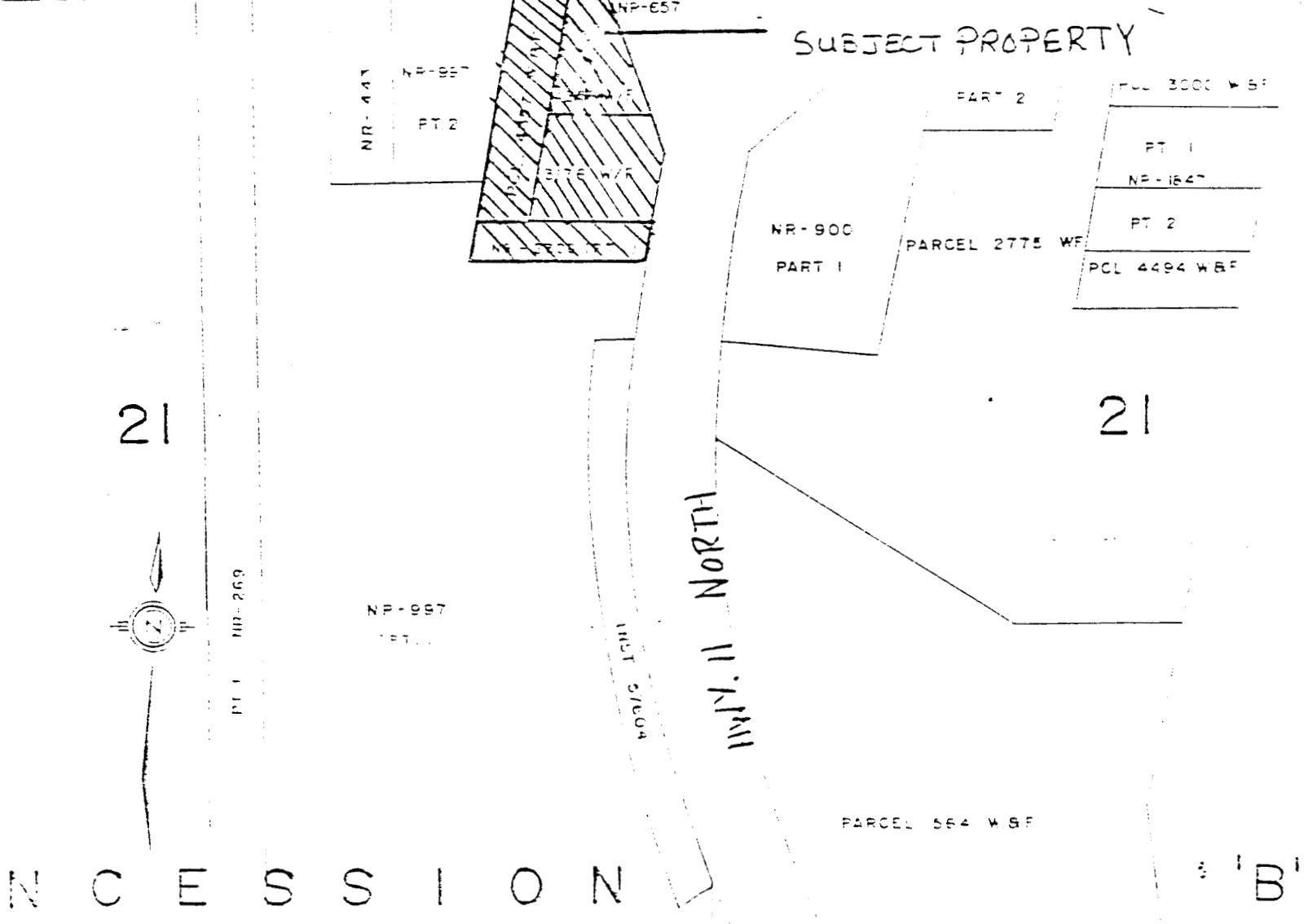
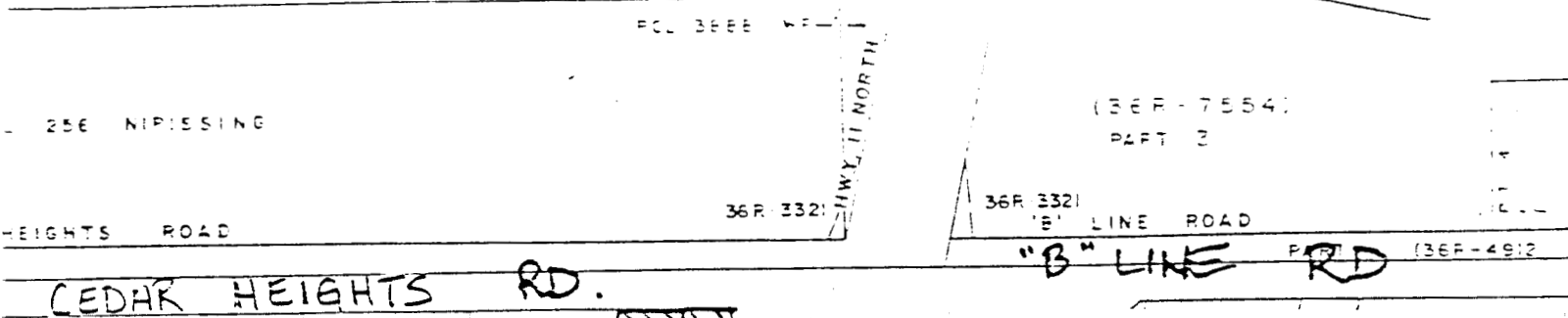
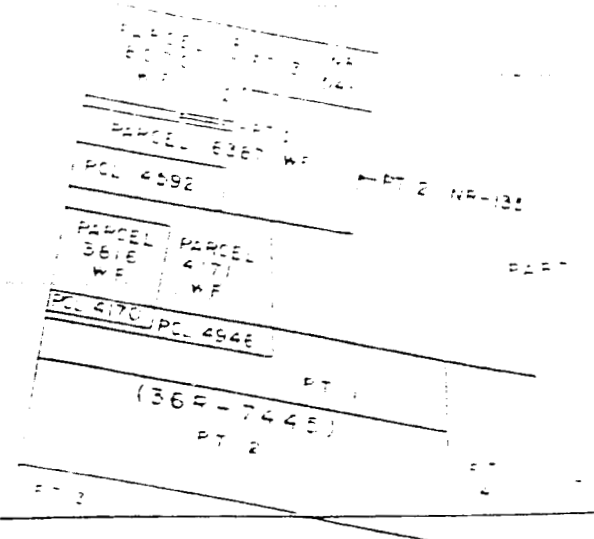

CITY CLERK

By-law No. 125-88

passed the 3RD day of OCTOBER

1988.

S. J. Lawlor
MAYOR
R. B. Carter
CITY CLERK



N C E S S I O N 'B'

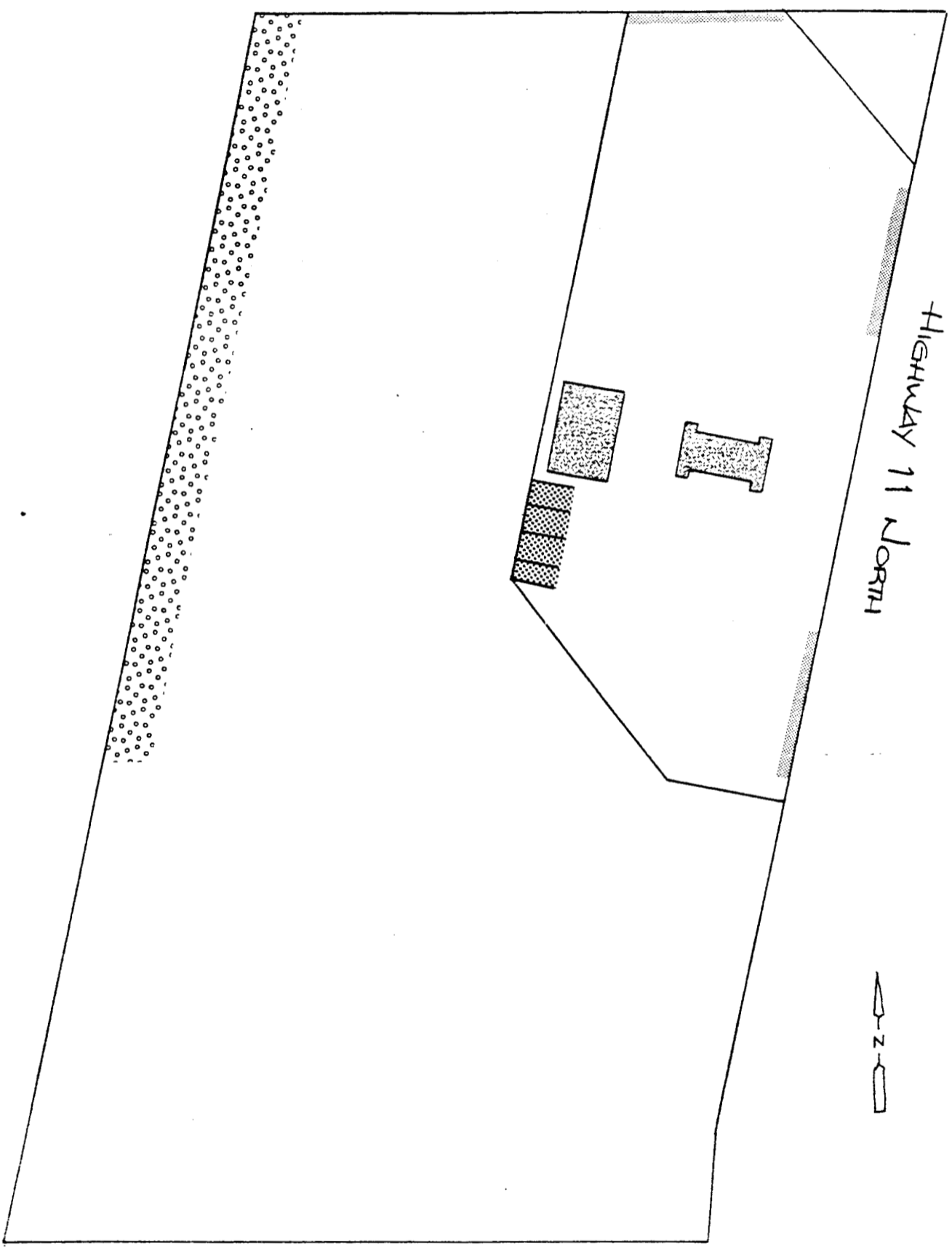
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passed the 3RD day of OCTOBER
1988.


S. D. Lawler
MAYOR

B. Butler
CITY CLERK

CEDAR HEIGHTS ROAD



ITEM NO. 1 
ITEM NO. 2 

ITEM NO. 3 
ITEM NO. 4 