

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 41-83

BEING A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS AT
ALGONQUIN AVENUE (TOM THUMB)

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, R.S.O. 1980, Chapter 379;

AND WHEREAS the owner of the subject lands has submitted conceptual plans of the proposed buildings and structures for the approval of Council;


AND WHEREAS Council intends to pass By-Law No. 41-83 to rezone the subject lands to a Commercial Special Zone to permit the construction of a gas bar.


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 146-148 and 151-156 inclusive Plan M-176 and Parcels 3113 W & F and 14772 W & F in the City of North Bay, which lands are described by hatching 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, 4, 5, and 6 of Schedule "B" attached hereto and which Schedule "B" is hereby approved by the Council, provided that:
 - (a) A Gas Bar shall be constructed as set out as Item No. 1 on Schedule "B";
 - (b) An existing restaurant shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (c) A building to house the existing photo development service shall be provided as set out as Item No. 3 on Schedule "B";
 - (d) Concrete Curbing shall be provided and maintained as set out as Item No. 4 on Schedule "B";
 - (e) Ingress and Egress shall be provided as set out as Item No. 5 on Schedule "B"; and
 - (f) An asphalt parking area having not less than eighteen (18) parking spaces shall be provided and maintained as

- (f) set out as Item No. 6 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 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 provision, to the satisfaction of and at no expense to the Municipality, 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 ground-cover 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.
4. 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.
5. (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.
6. This By-Law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 5TH DAY OF APRIL 1983.
READ A SECOND TIME IN OPEN COUNCIL THIS 5TH DAY OF APRIL 1983.
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
THIS 18TH DAY OF APRIL 1983.

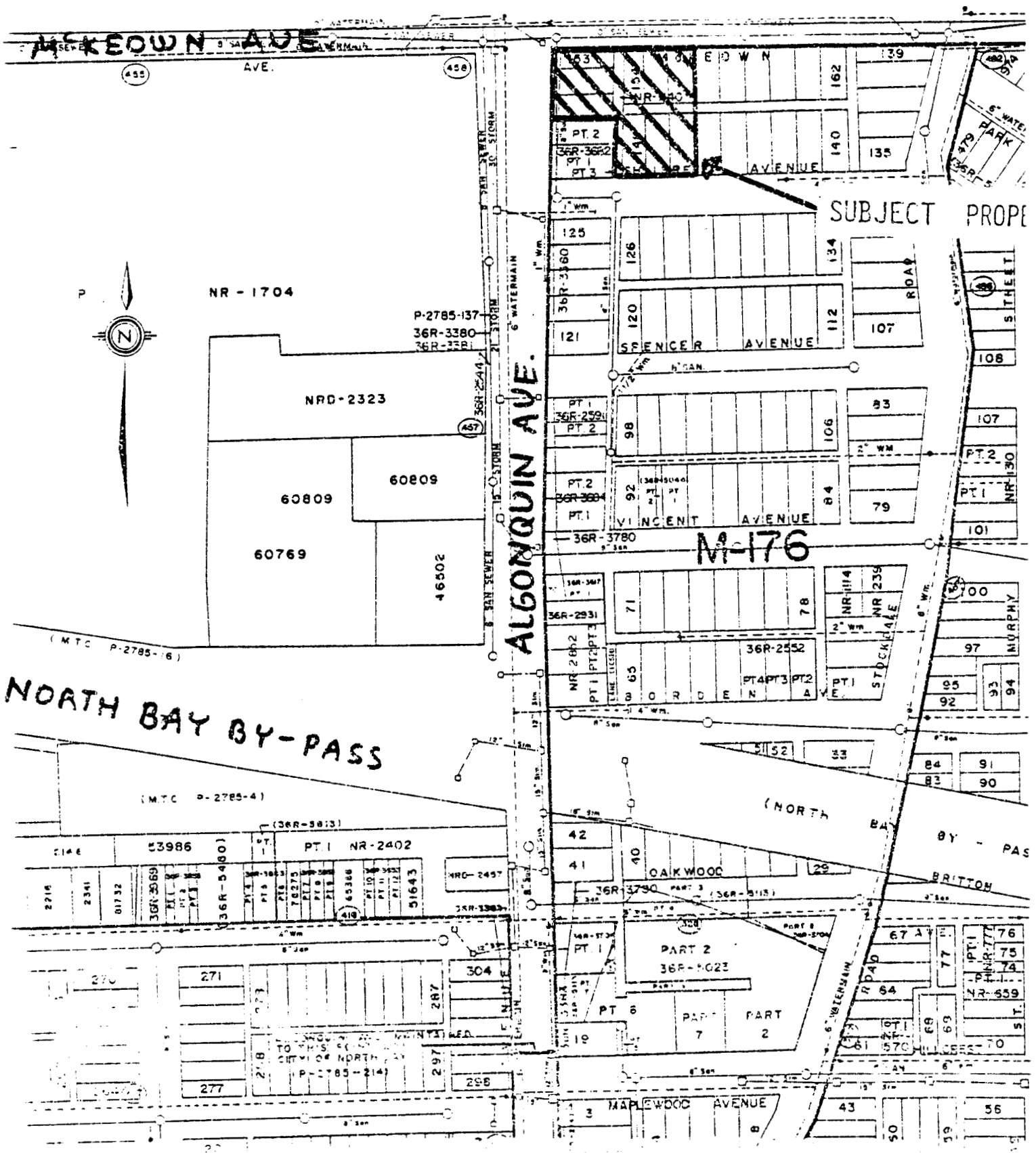

DEPUTY MAYOR


CITY CLERK

This is Schedule " A "
To By-law No. 41-83
Passed the 18th day of April ,
19 83 .

Alan D. Parker
DEPUTY MAYOR

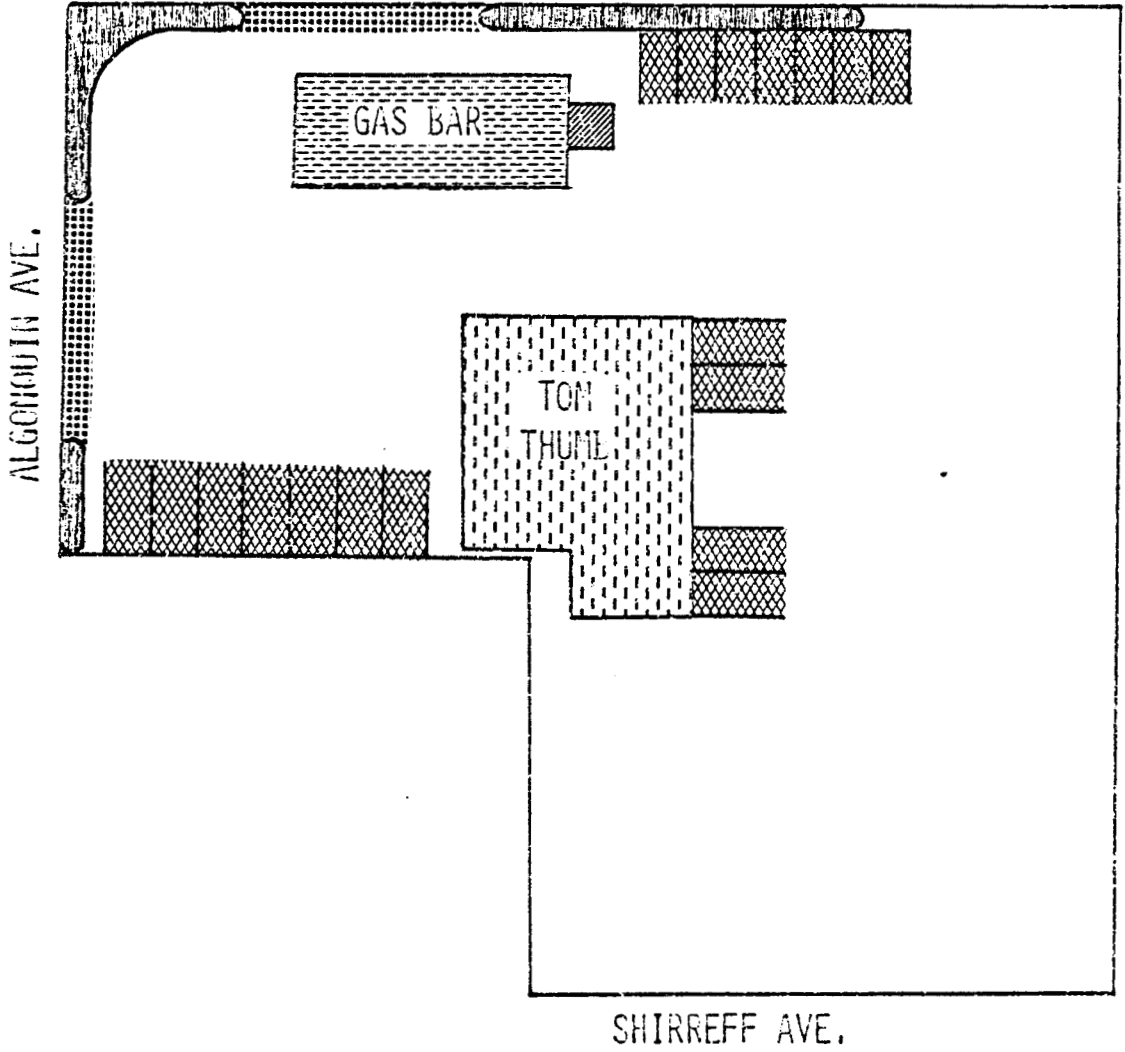
A. B. Burton
CITY CLERK



This is Schedule " B "
 To By-law No. 41-83
 Passed the 18th day of April
 19 83 .

W. Van D. Fowler
 DEPUTY MAYOR

A. Benton
 CITY CLERK



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| | ITEM NO. 1 | | ITEM NO. 4 |
| | ITEM NO. 2 | | ITEM NO. 5 |
| | ITEM NO. 3 | | ITEM NO. 6 |

