

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 1999-68

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON MCGAUGHEY AVENUE
(LEEROY'S FOODS (1987) LIMITED -
1405 HAMMOND STREET)**

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. 1999-67 to rezone the subject lands to an "Industrial Commercial Special Zone No. 47 (MC Sp.47)" in order to recognize the existing restaurant and automobile sales use by way of appropriate zoning, as well as permitting other uses compatible with the existing neighbourhood.

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 Part 2, Plan 36R-5440, Parts 1-4, Plan 36R-6245, Part 1, Plan NR-1429, and Part of Lots 561, 562, and 563, Plan M-189 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, and 3 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) a commercial 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 fourteen (14) parking spaces shall be provided and maintained 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".

- 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 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 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 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 \$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.

- 5)
 - a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.

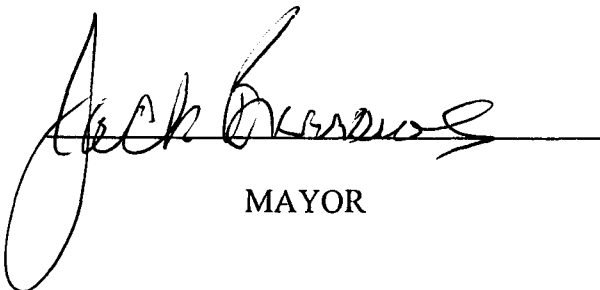
b) The owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the owner of a condition of this agreement.

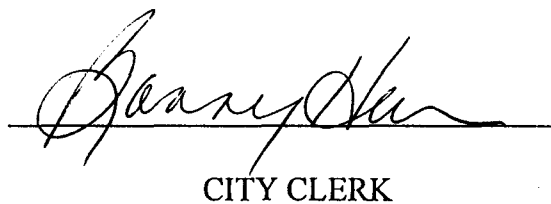
6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 17th DAY OF May
1999.

READ A SECOND TIME IN OPEN COUNCIL THE 17th DAY OF May
1999.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17th DAY
OF May 1999.


MAYOR


CITY CLERK

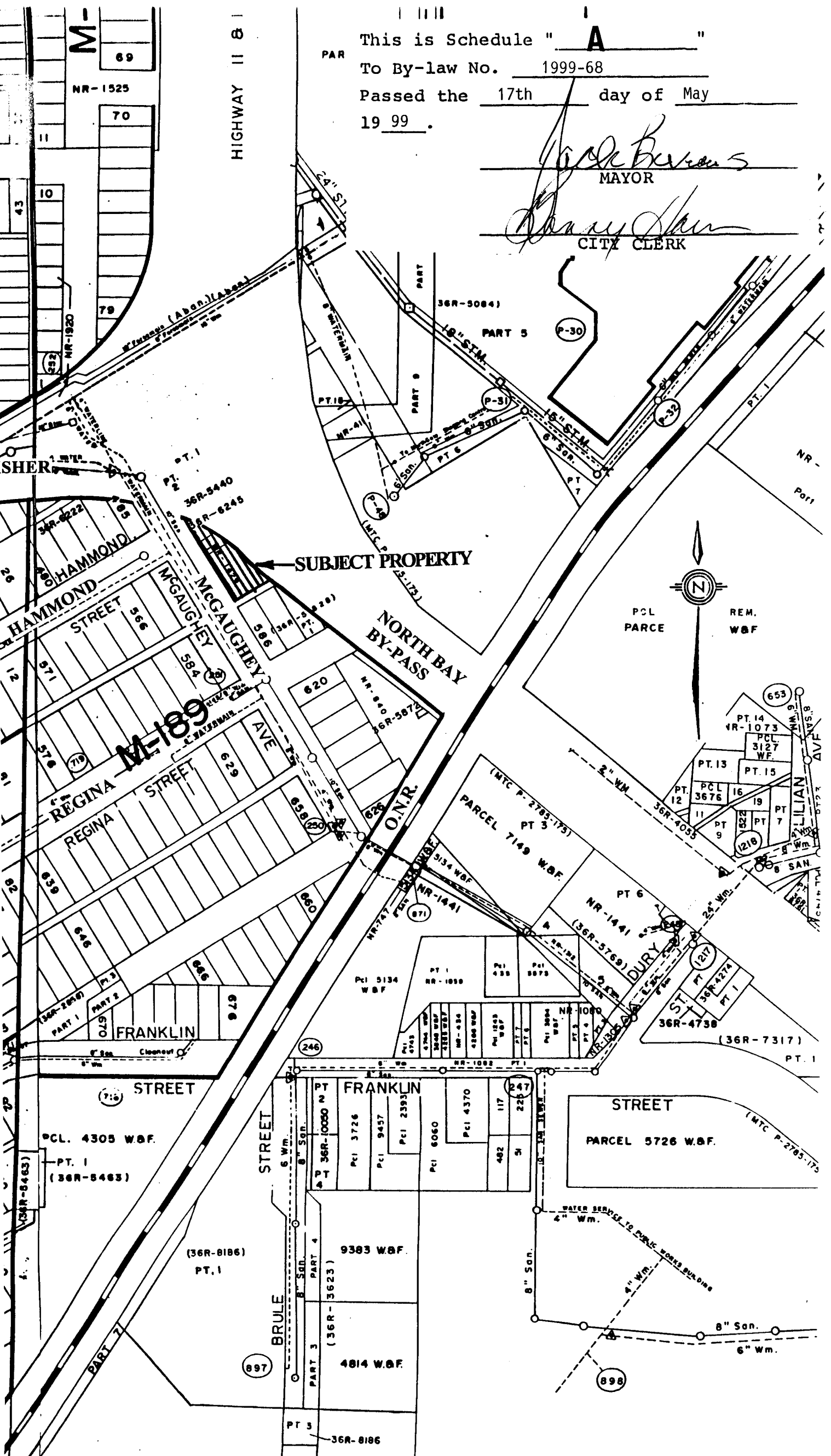
This is Schedule " A "

To By-law No. 1999-68

Passed the 17th day of May
19 99.

John Burrows
MAYOR

Sherry Sker
CITY CLERK



HIGHWAY 1181

M-189
NR-1525
70

SUBJECT PROPERTY

NORTH BAY BY-PASS

O.N.R.

PCL PARCE

REM. W&F

M-189

FRANKLIN STREET

STREET

PARCEL 5726 W&F.

FRANKLIN

9303 W&F.

4814 W&F.

(36R-8186) PT.1

PCL. 4305 W&F.

PT. 1 (36R-8463)

(36R-3623) PART 4

(36R-1080) PT 3

(36R-1080) PT 4

(36R-1080) PT 5

(36R-1080) PT 6

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This is Schedule " B "

To By-law No. 1999-68

Passed the 17th day of May

1999.

Joseph B. ...
MAYOR

Denise ...
CITY CLERK

Fisher St.



McGaughey Ave.

