

BY-LAW NO. 153-83

A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS AT FIRST
AVENUE AND FRONT STREET (DELFINO)

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 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. to rezone the subject lands to a Commercial Special Zone to permit a Neighbourhood Convenience Store including three apartment units;

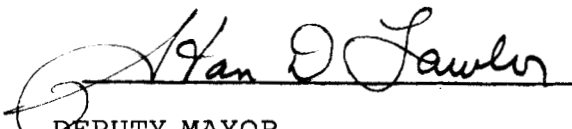
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

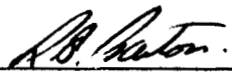
1. That certain parcel of land, composed of the westerly twenty and seven-tenths (20.7) metres of Lot 681, Plan 21, in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
2. No building or structure shall 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 of Schedule "B" attached hereto and which Schedule "B" is hereby approved by the Council, provided that:
 - (a) a fence constructed of an opaque material shall be provided and maintained along the southerly and easterly limits of the property as set out as Item 1 on Schedule "B";
 - (b) An asphalt parking area having not less than five (5) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (c) A two (2) storey Commercial/Residential building shall be provided as set out as Item No. 3 on Schedule "B".
 - (d) Vehicular access to the property shall 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 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 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.
4. (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.
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. By-Laws No. 98-82 and 173-82 are hereby repealed.

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

READ A FIRST TIME IN OPEN COUNCIL THIS 7TH DAY OF NOVEMBER 1983.
READ A SECOND TIME IN OPEN COUNCIL THIS 16TH DAY OF JANUARY 1984.
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
THIS 16TH DAY OF JANUARY 1984


DEPUTY MAYOR


CITY CLERK

This is Schedule " A "

To By-law No. 153-83

Passed the 16th day of January,

19 84.

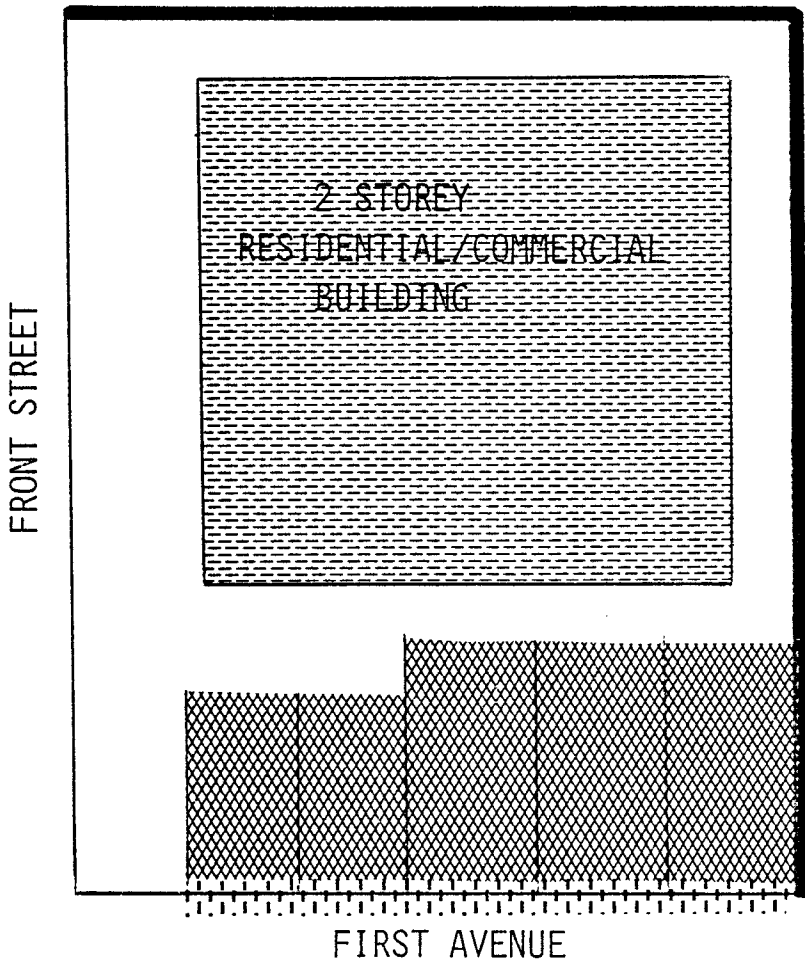
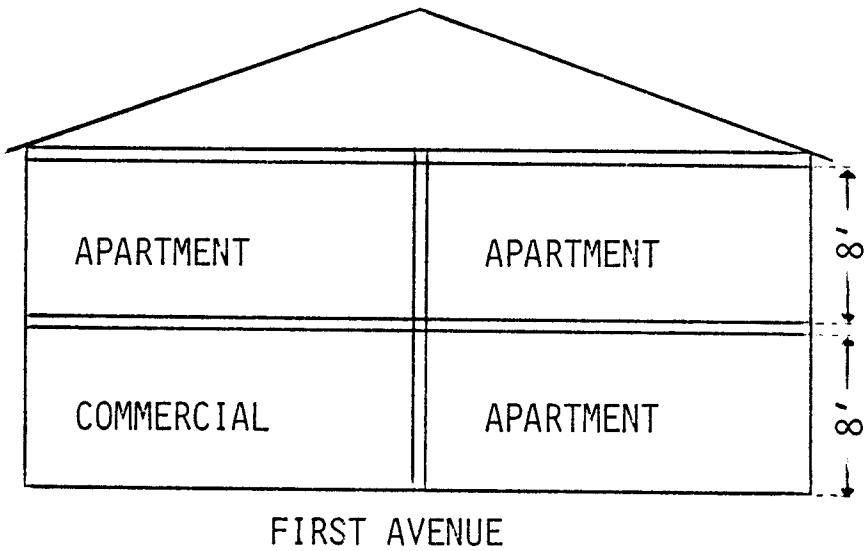
Alan J. Lawlor
DEPUTY MAYOR





B. Hubert
CITY CLERK



This is Schedule " B "
To By-law No. 153-83
Passed the 16th day of January
19 84 .

[Signature]
DEPUTY MAYOR
 [Signature]
CITY CLERK



- | | | | |
|---|------------|---|------------|
|  | ITEM NO. 1 |  | ITEM NO. 3 |
|  | ITEM NO. 2 |  | ITEM NO. 4 |