

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 139-82

BEING A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS AT O'BRIEN STREET (PRIMESITE DEVELOPMENTS)

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 Council has passed By-Law No. 138-82, to zone the subject lands for a District Commercial Special 7-82 Use in order to permit the construction of a Supermarket.

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 917 to 925 inclusive, Plan M-177, and **Parcels 1331 W&F, 2227 W&F and 15224 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 until the owner of the Site Plan Control Area has entered into an Agreement or Agreements with The Corporation of the City of North Bay respecting the provision, and at no expense to the municipality, of the following matters:
 - (a) facilities to provide vehicular access to and from the land;
 - (b) loading areas, parking areas, and access driveways and the surfacing of such areas and driveways;
 - (c) walkways for pedestrian access and the surfacing thereof;
 - (d) facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;
 - (e) walls, fences, hedges, trees or shrubs or other ground-cover or facilities for the landscaping of the lands;
 - (f) collection areas and other facilities and enclosures for the storage of garbage and other waste material on the land;
 - (g) easements to be conveyed to the municipality, if required, for the construction, maintainance, or improvement of water courses, ditches, land drainage works, water supply or sanitary sewage disposal on the land; and
 - (h) grading or alteration in elevation or contour of the land and for the provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.

3. The said agreements 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 agreements shall be binding on the Owners, 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 12th DAY OF JULY, 1982.
READ A SECOND TIME IN OPEN COUNCIL THE 26th DAY OF July, 1982.
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
THIS 26th DAY OF July, 198 2


MAYOR


CITY CLERK

