

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 18-89

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON O'BRIEN STREET AND DUDLEY AVENUE
(T. COSTAKOS)

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 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. 17-89 to rezone the subject lands to a "Neighborhood Commercial (C-5)" Zone to permit construction of 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 Lots 872, 873 and 874 Plan M-177 in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as Site Plan Control Area.

2. 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 surfacing of such areas and driveways;

 - (b) Walkways and the surfacing thereof;

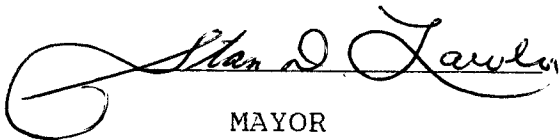
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- (c) Facilities for lighting, including floodlighting;
 - (d) Walls, fences, hedges, trees or shrubs, or other ground cover or facilities for the landscaping of the land;
 - (e) Collection areas and other facilities and enclosures for the storage 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.
- 3.(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.
- 4.(a) The said Agreement shall be binding on the Owner, its successors and assigns.

4.(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 30TH DAY OF JAN. 1989.
READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF FEB. 1989.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 13TH DAY OF
FEBRUARY, 1989.


MAYOR


CITY CLERK

