

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 45-79

BEING A BY-LAW TO AMEND BY-LAW  
51-73 PURSUANT TO SECTION 35 OF  
THE PLANNING ACT, R.S.O. 1970  
AND AMENDMENTS THERETO.

WHEREAS, Council considers it advisable to amend By-law 51-73

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

1. By-law 51-73 is hereby amended to permit the construction of an additional 180,000 sq. ft. of gross leasable area on the lands shown on Schedule "B", and a major full line department store of at least 75,000 sq. ft. of gross leaseable area shall form part of the additional 180,000 sq. ft.
2. The further construction shall be in accordance with the general siting provided for in the Agreement contemplated in Section 5 herein.

3. PARKING

Within the zone hereby established there shall be at least one (1) automobile parking space provided for each two hundred (200) square feet of gross leasable area in the shopping centre.

4. All buildings and structures erected or altered in a "District Commercial Special Zone No. 16-73" permitted herein shall conform to all other applicable provisions of By-law 51-73 except as hereby expressly varied.

5. Pursuant to Section 35a of the Planning Act, the lands referred to in Section 1 of this By-law are placed under Development Control and, prior to the issuance of a building permit, and as a condition of the development contemplated in Section 2 of this By-law, the property owner shall enter into one or more agreements with the City of North Bay dealing with the prohibition, regulation, use and maintenance of any or all of the facilities and matters listed hereunder;

(a) Subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land, such as access ramps and curbing, including the number, location and size of such facilities and the direction of traffic thereon. Such facilities and traffic flow shall be drawn on a plan, the scale of which shall be agreed upon.

(b) Vehicular parking to the extent required by section 3 of this By-law and the location of such parking facilities shall be included in the plan drawing referred to in paragraph (a) above.

(c) Loading areas, both commercial and public, and access driveways, and such facilities shall be included in the plan drawing referred to in paragraph (a) above.

(d) Walkways and all other means of pedestrian access and such facilities shall be included in the plan drawing referred to in paragraph (a) above.

(e) Surfacing of the facilities listed in paragraphs (a), (b), (c), and (d) above.

(f) Grading or change in elevation or contour of the land and the disposal of storm, surface and waste water from the land and from any building or structures thereon in accordance with generally accepted engineering standards.

(g) Conveyance to the municipality, without cost, or easement required for the construction, maintenance or improvements of any existing or newly required watercourses, ditches, land drainage works and sanitary sewage facilities on the land related to the development contemplated.

(h) Floodlighting of the land or of any buildings or structures thereon to generally accepted standards.

(i) Snow removal from the facilities listed in paragraphs (a), (b), (c), and (d) with an indication of the manner and time that such snow removal will ordinarily be achieved.

(j) Walls, fences, hedges, trees, shrubs or other suitable ground-cover to provide adequate landscaping of the land or protection to adjoining lands.

(k) Vaults, central storage and collection areas and other facilities and enclosures as may be required for the storage of garbage and other waste material.

(l) Garbage and waste material collection and storage areas so that such facilities are adequate to meet the requirements of the occupants of the building on the land and such facilities are removed by at least 100 feet from regularly used public entrances to the building.

(m) Plans drawn to an agreed upon scale showing the location of all buildings and structures to be erected on the land and providing :

(i) the relationship of the facilities referred to in paragraphs (a), (b), (c), (d) and (k) of this section to the building on the land,

(ii) the public entrance ways to the building on the land,

(iii) loading areas, both commercial and public, to be provided for the building,

(iv) the general location of major uses within the building.

6. The Agreement referred to in Section 5 of this By-Law shall be registered against the title of the lands referred to in section 1 of this By-Law and the City of North Bay enforce the provisions thereof against the Owner and, subject to the provisions of The Registry Act and The Land Titles Act, any and all subsequent owners of the land.

7. This By-Law shall take effect from the date of passing by Council, and shall come into force upon the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THIS 12th DAY OF March , 19 79

READ A SECOND TIME IN OPEN COUNCIL THIS 26th DAY OF March , 1979

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 26th DAY OF March , 1979

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MAYOR

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CITY CLERK