

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 26-86

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS AT ALGONQUIN AVENUE
(METZ FURNITURE)

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. 25-86 to rezone the subject lands to a Commercial Special Zone to permit an expansion to the existing Metz Furniture operation;

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 Parcel 5822 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 except in accordance with the location, massing and conceptual design of the buildings and structures set out as Items 1, 2, 3, 4 and 5 of Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council, provided that:
 - (a) a combined furniture warehouse and showroom/residential building containing twelve dwelling units shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) a parking area having not less than fifteen (15) parking spaces for the residential portion of the building shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (c) a parking area having not less than eight (8) parking spaces for the commercial portion of the building shall be provided and maintained as set out as Item No. 3 on Schedule "B";
 - (d) an area reserved for the delivery of stock shall be provided and maintained as set out as Item No. 4 on Schedule "B";

(e) access and egress shall be provided and maintained as set out as Item No. 5 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 ground-cover 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. This By-Law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 3RD DAY OF FEBRUARY 1986.
 READ A SECOND TIME IN OPEN COUNCIL THIS 3RD DAY OF MARCH 1986.
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
 THIS 3RD DAY OF MARCH 1986.


 MAYOR


 CITY CLERK

This is Schedule " A "

To By-law No. 26-86

Passed the 3rd day of March 19 86.

S. D. Lewis
MAYOR

S. B. Burton
CITY CLERK

PT. 3
PT. 5
235

10%

ANTHONY 290
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M-456

BLOCK 'A' HELEN ST.

33 32 31
30
24
23
26 25

AVE.

JOSEPHINE

5772 W.F.

9468 NIP.

MCKEOWN AVE.

Hwy. No. 11 NORTH

PARCEL 1380 NIP.



PART I

NR-957

PART I

36R-3543

AIRPORT ROAD

48" STORM SEWER
HIGHWAY 123

SUBJECT PROPERTY

PART I

(36R-3722)

PART 2

PART 3

90
PART I
NR-1020

(36R-4788)
PT. I

NR-028

12" SAN SEWER

8" WATERMAIN

8" SAN SEWER

14" WATERMAIN

10" SAN SEWER

10" SAN SEWER

10" SAN SEWER

This is Schedule " B "

To By-law No. 26-86

Passed the 3RD day of MARCH

19 86 .

S. D. Lawley
MAYOR

A. Burton
CITY CLERK

