

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 58-90

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON HIGHWAY 17 EAST (M. HOLMAN).

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. _____ to rezone the subject lands to a "Rural (A)" Zone to permit the development of a building lot in accordance with the "Rural (A)" Zone standards.

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 0.5 Hectares of Parcel 900 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. As a condition of approval, ingress and egress shall be provided and maintained as set out as Item 1 on Schedule "B" and further, that this existing common access be registered on both deeds.
3. As a condition of approval, no building or structure shall be erected, constructed, or placed on 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:

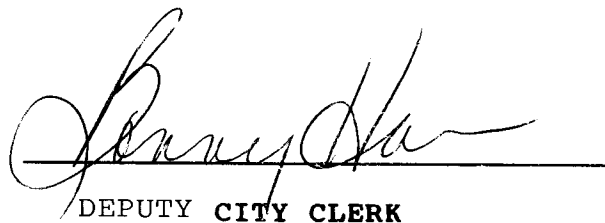
- a) Parking facilities, both covered and uncovered, and access driveways and the surfacing of such areas and driveways;
 - b) walkways and the surfacing thereof;
 - c) facilities for lighting, including floodlighting;
 - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
 - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - 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. Further, that any septic bed be located a minimum of 100 feet from the Highwater level of Trout Lake.
 - g) that all existing buildings on the subject property be removed.
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 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 THE 17th DAY OF APRIL 1990 .
READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF APRIL 1990 .
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 30TH DAY
OF APRIL 1990 .


MAYOR

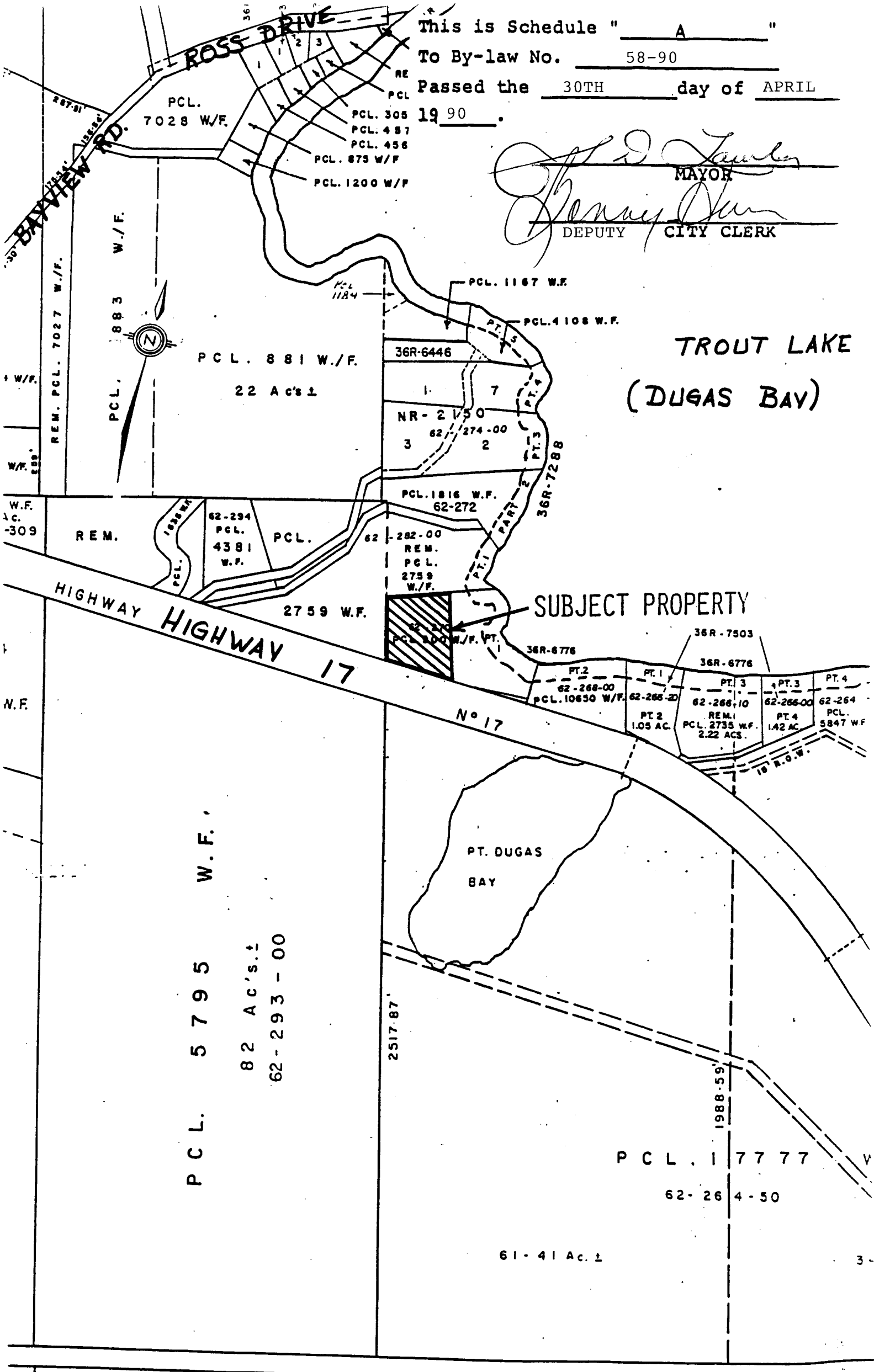

DEPUTY CITY CLERK

This is Schedule " A "

To By-law No. 58-90

Passed the 30TH day of APRIL
19 90 .

[Signature]
MAYOR
[Signature]
DEPUTY CITY CLERK



TROUT LAKE
(DUGAS BAY)

SUBJECT PROPERTY

No 17

PT. DUGAS
BAY

PCL. 17777
62-264-50

61-41 Ac. ±

This is Schedule " B "

To By-law No. 58-90

Passed the 30TH day of APRIL

19 90 .

[Signature]
MAYOR
[Signature]
DEPUTY CITY CLERK

