

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 170-91

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON CHIPPEWA STREET
(BYWATER, TIME OUT LOUNGE INC.)

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 it is deemed desirable to designate the legal non-conforming use known as the Time Out Lounge Inc., Chippewa Street East, as a site plan control area.

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

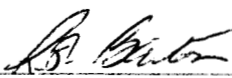
1. That certain parcel of land described as Lots 438 and 439, Plan 91 in the City of North Bay, District of Nipissing is hereby designated as a Site Plan Control Area.
2. As a condition of approval, no building or structure shall be erected, constructed or placed on the said Site Plan Control Area until 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.
3. (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.
4. (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.
5. This by-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 26TH DAY OF AUGUST, 1991.

READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF SEPTEMBER 1991.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16TH DAY OF SEPTEMBER, 1991.


MAYOR


CITY CLERK