

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 23-95

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON TACKABERRY DRIVE
(L.S. KIDD DEVELOPMENTS)**

WHEREAS the owner of the subject lands has applied to the Committee of Adjustment for a consent to sever Part of Block "F", Plan 115 in the City of North Bay, District of Nipissing;

AND WHEREAS it was a condition of the granting of the consent that the parties enter into an agreement to establish conditions for the development of the subject lands in accordance with the Planning Act, as amended;

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.

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

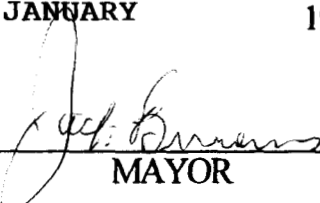
- 1) That certain parcel of land, composed of Part of Block "F", Plan 115 in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition of approval the owner shall prepare lot grading and drainage plans and at no expense to the Municipality.
- 3) As a further condition of approval the owner shall provide facilities for the connection to municipal sanitary and storm sewers, municipal water services and other public utilities. The owner shall provide said facilities to the satisfaction of the Director of Engineering and Environmental Services and at no expense to the Municipality.
- 4) As a condition of the 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 provisions, 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;

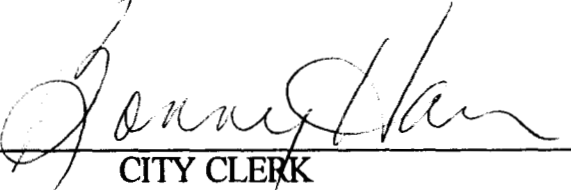
- d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
 - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 5) 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, and to impose a fee of \$250.00 upon the owner for preparation and registration of the Agreement.
- b) The 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.
- 6) a) The said Agreement shall be binding on the owner, its successors and assigns.
- b) The owner shall authorize the City to exercise the provision 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.
- 7) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 16TH DAY OF JANUARY
199 5.

READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF JANUARY
199 5.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16TH DAY
OF JANUARY 199 5.


MAYOR


CITY CLERK

This is Schedule " A "

To By-law No. 23-95

Passed the 16TH day of JANUARY,

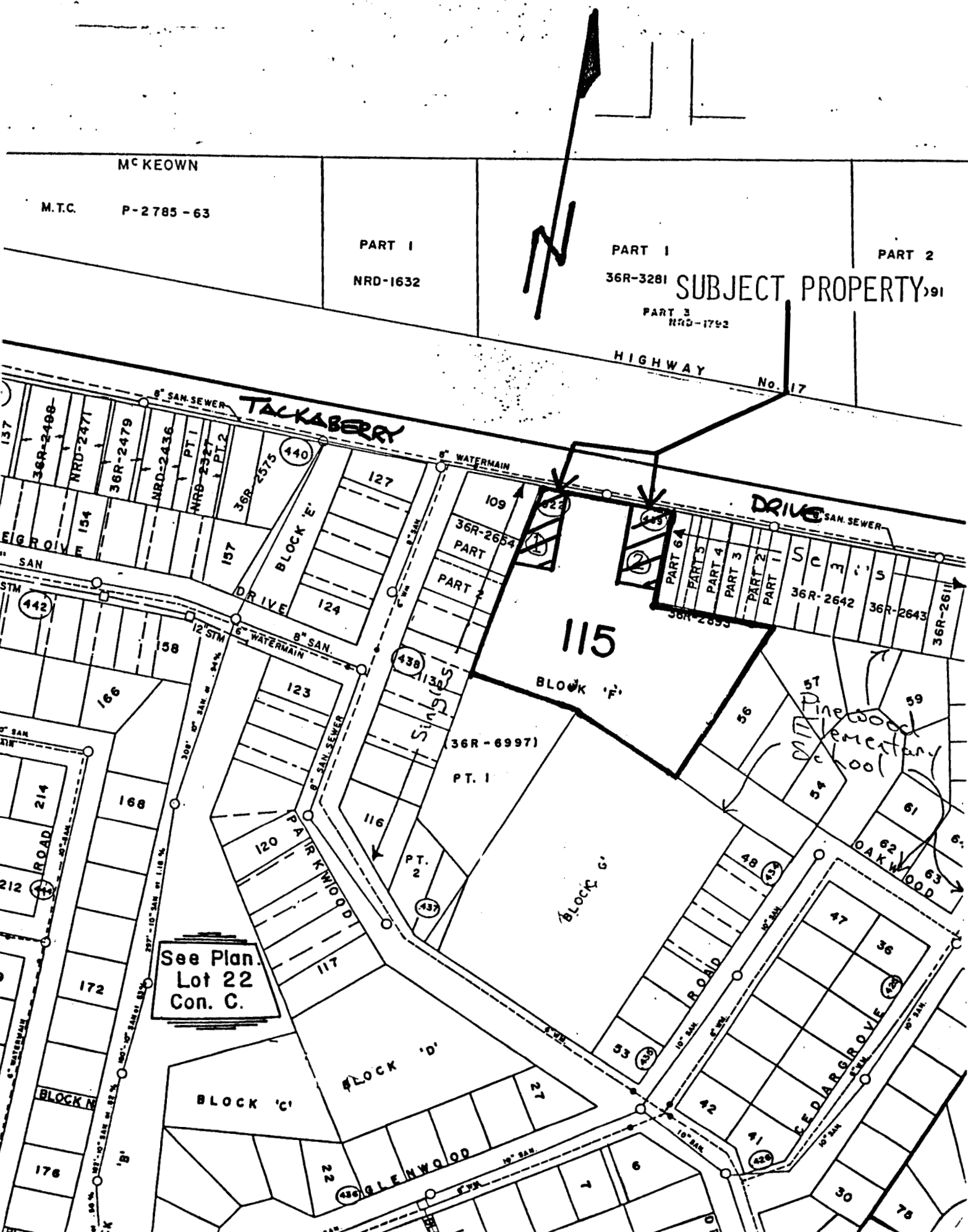
19 95.

Carl Kewens

 MAYOR

Benny Bauer

 CITY CLERK



See Plan
 Lot 22
 Con. C.