

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 118-83

BEING A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS AT SPENCER
STREET (CORTINA PIZZA)

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. 117-83 to rezone the subject lands to a Commercial Special Zone to permit a restaurant and tavern.

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 Lots 118, 119 and 120, Plan M-176, in the City of North Bay, which lands are described by hatching 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, and 3 of Schedule "B" attached hereto and which Schedule "B" is hereby approved by the Council, provided that:
 - (a) A restaurant and tavern shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) An asphalt parking area having not less than eighteen (18) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B"; and
 - (c) A buffer area where no parking shall be allowed of one and five tenths (1.5) metres shall be provided as set out as Item No. 3 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 Clerk is hereby authorized to enter into, under corporate seal, one or more agreements on behalf of the Council of the City of North Bay with the owner of the subject lands herein dealing with and ensuring 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 THE 29TH DAY OF August, 1983
READ A SECOND TIME IN OPEN COUNCIL THE 12th DAY OF SEPTEMBER, 1983
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS
12th DAY OF SEPTEMBER, 1983.


DEPUTY MAYOR


CITY CLERK

This is Schedule " A "

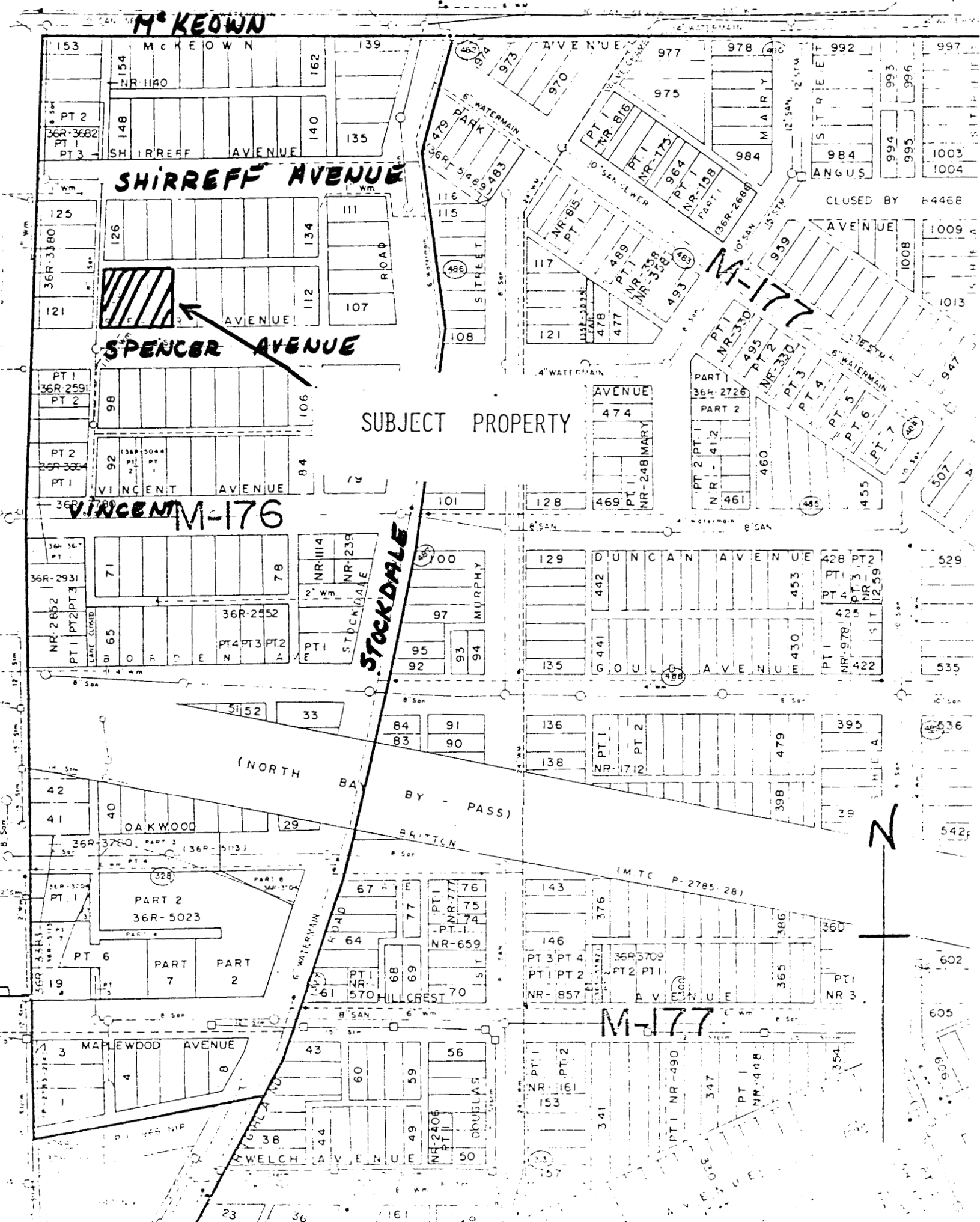
To By-law No. 118-83

Passed the 12th day of SEPTEMBER ,

19 83 .

Van W. Sewler
DEPUTY MAYOR

B. B. Weston
CITY CLERK



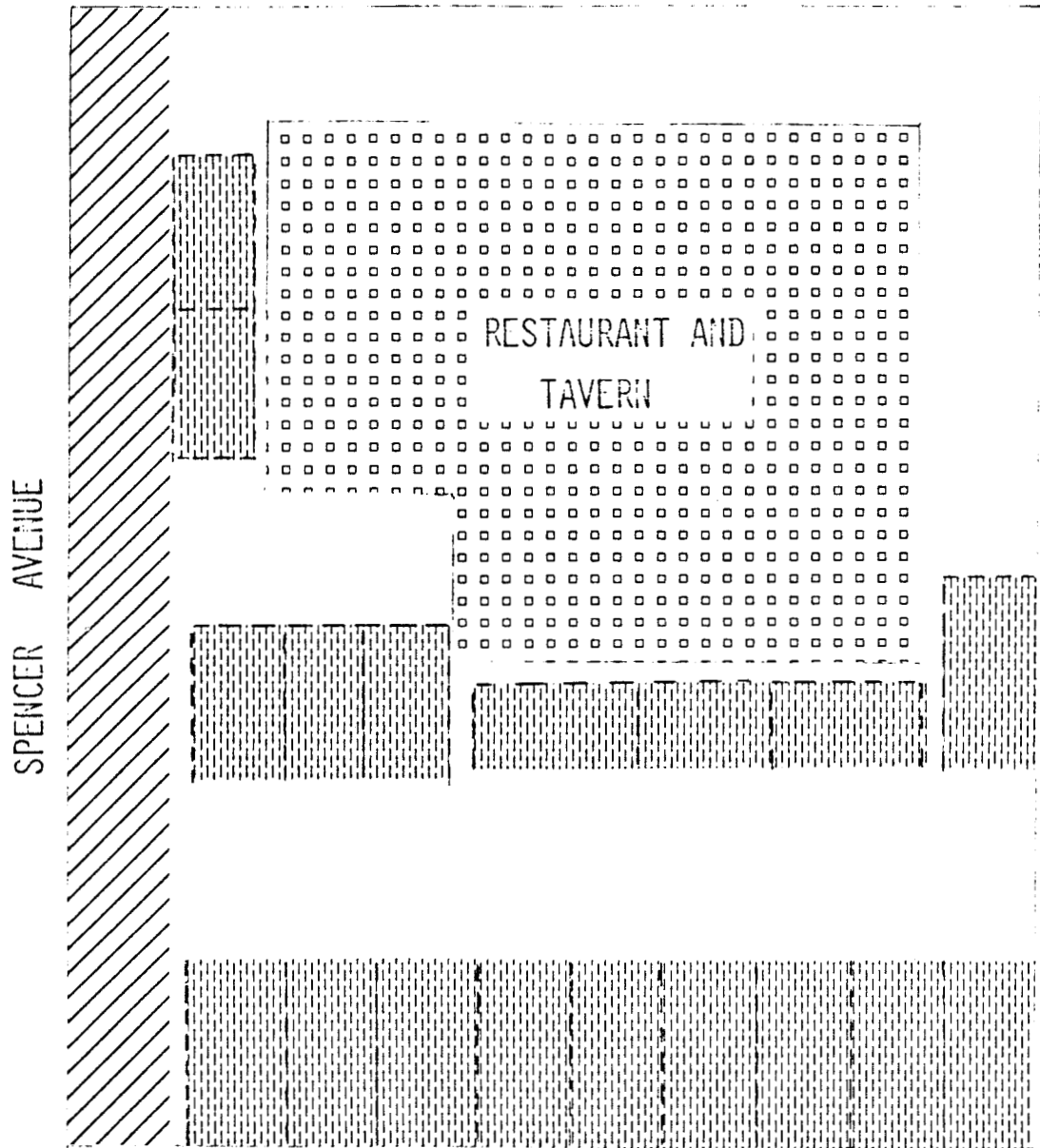
This is Schedule " B "

To By-law No. 118-83

Passed the 12th day of SEPTEMBER
19 83 .

Stan D. Sawlor
DEPUTY MAYOR

A. Linton
CITY CLERK



ITEM NO. 1



ITEM NO. 2



ITEM NO. 3

0 20 40

