

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 5-94

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON LAKESHORE DRIVE
(AM-CLA PROPERTIES LIMITED - LAKESHORE DRIVE)

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. 4-94 to rezone the subject lands to a "Highway Commercial Special Zone No. 37 (C6 Sp.37)" to permit the operation of an automobile dealership.

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 19 to 25, Plan M-210, as well as that portion of the Corbett Street road allowance abutting Lots 23 and 24, Plan M-210 and the westerly one-half of the laneway abutting the rear of Lots 19 to 25, Plan M-210 along Lakeshore Drive 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, 5, 6 and 7 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) A commercial building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) vehicular ingress and egress for the subject property shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - c) on-site parking for service and customers shall be provided and maintained as set out as Item No. 3 on Schedule "B";

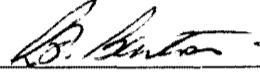
- d) on-site parking for storage shall be provided and maintained as set out as Item No. 4 on Schedule "B";
 - e) landscaping shall be provided and maintained as set out as Item No. 5 on Schedule "B";
 - f) a 1.8 metre high privacy fencing shall be provided and maintained as set out as Item No. 6 on Schedule "B";
 - g) pedestrian access shall be provided and maintained as set out as Item No. 7 on Schedule "B".
- 3) As a condition of approval the Applicant shall close up and acquire that portion of the Corbett Street road allowance that abuts Lots 23 and 24, Plan M-210. This road closure shall occur to the satisfaction of and at no expense to the Municipality.
- 4) As a further condition of approval the Applicant shall grant such easements as are required over that portion of the Corbett Street road allowance abutting Lots 23 and 24, Plan M-210. Such easements shall be granted to the satisfaction of and at no expense to the Municipality.
- 5) As a condition of approval of buildings and structures referred to in Section 2 hereof, 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 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;
 - 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.
- 6) 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 the preparation and registration of the Agreement.
- 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.
- 7) 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.

8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 17TH DAY OF JANUARY 1994.
READ A SECOND TIME IN OPEN COUNCIL THE 28TH DAY OF MARCH 1994.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 28TH DAY
OF MARCH 1994.


MAYOR


CITY CLERK

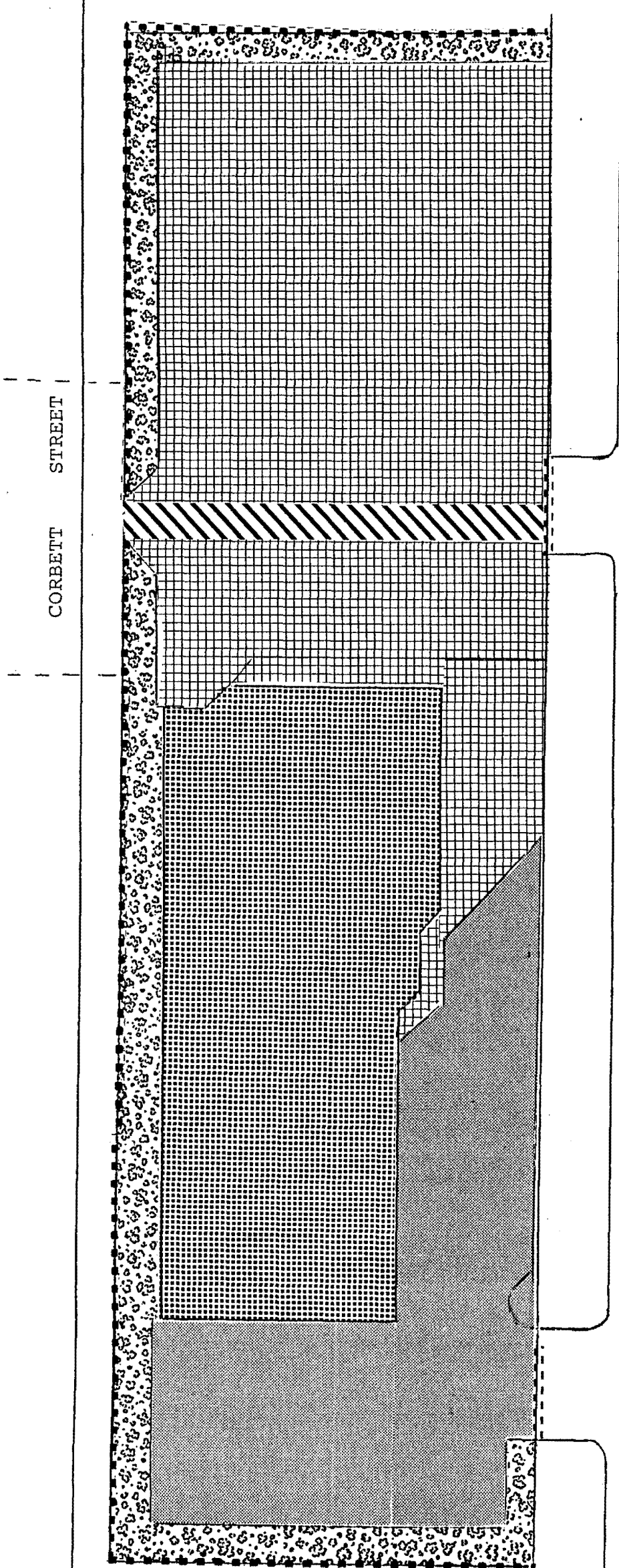
This is Schedule " B "

To By-law No. 5-94








Passed the 28TH day of MARCH
19 94.

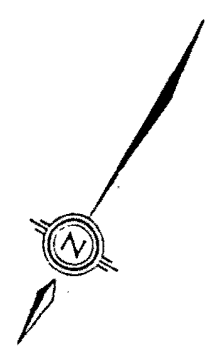
S. J. Lawler
MAYOR

B. [Signature]
CITY CLERK



LAKESHORE DRIVE

-  ITEM 1
-  ITEM 2
-  ITEM 3
-  ITEM 4
-  ITEM 5
-  ITEM 6
-  ITEM 7



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FEET