

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 113-82

BEING A BY-LAW TO DESIGNATE A SITE PLAN  
CONTROL AREA IN THE CITY OF NORTH BAY  
(MONARCH MANAGEMENT LTD. - MCKEOWN AVE.)

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 owner of the subject lands has submitted concept plans of the proposed buildings and structures for the approval of Council.

AND WHEREAS Council has passed By-law No. 33-82, to zone the subject lands for a Neighbourhood Commercial Use in order to permit the construction of a Neighbourhood Convenience Store and several apartment units on the second storey.

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

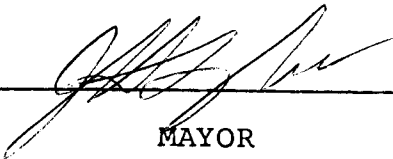
1. That certain parcel of land, composed of Block 105, Plan M-517 in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
2. No building or structure shall be erected, constructed or placed on the said Site 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 and 5 of Schedule "B" attached hereto and which Schedule "B" is hereby approved by the Council, provided that:
  - (i) a fence shall be provided and maintained along the northerly and westerly limits of the property as set out as Item No. 1 on Schedule "B";
  - (ii) a landscaped strip of not less than 1.5 m shall be provided along the northerly and westerly limits of the property as set out as Item No. 2 on Schedule "B";
  - (iii) an asphalt parking area having not less than five (5) parking spaces for the residential portion of the building, and eight (8) parking spaces for the Commercial portion of the building shall be provided and maintained as set out as Item No. 3 on Schedule "B"; and
  - (iv) a separate vehicular access for the residential portion of the building shall be provided from Cartier Street and separate vehicular access for the commercial portion of the building shall be provided from McKeown Avenue as set out as Item Nos. 4a and 4b respectively on Schedule "B"

- (v) a 15.06 metre by 13.22 metre Commercial/Residential building as set out as Item No. 5 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 or Agreements with The Corporation of the City of North Bay respecting the provision, and at no expense to the municipality, of the following matters:
  - (a) facilities to provide vehicular access to and from the land;
  - (b) loading areas, parking areas, and access driveways and the surfacing of such areas and driveways;
  - (c) walkways for pedestrian access and the surfacing thereof;
  - (d) facilities for the lighting, including flood lighting, and the land or of any buildings or structures thereon;
  - (e) walls, fences, hedges, trees or shrubs or other groundcover or facilities for the landscaping of the lands;
  - (f) collection areas and other facilities and enclosures for the storage of garbage and other waste material on the land;
  - (g) easements to be conveyed to the municipality, if required, for the construction, maintenance, or improvement of water courses, ditches, land drainage works, water supply or sanitary sewage disposal on the land; and
  - (h) grading or alteration in elevation or contour of the land and for the provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
4. The said agreements 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 agreements shall be binding on the Owners, its successors and assigns.
5. (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 14th DAY OF June, 1982.  
READ A SECOND TIME IN OPEN COUNCIL THE 28th DAY OF June, 1982.  
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED  
THIS 28th DAY OF June, 1982.



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MAYOR



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CITY CLERK

THIS IS SCHEDULE "A"

TO BY-LAW NO. 113-82

PASSED THE 28th DAY OF June

1982.

MAYOR

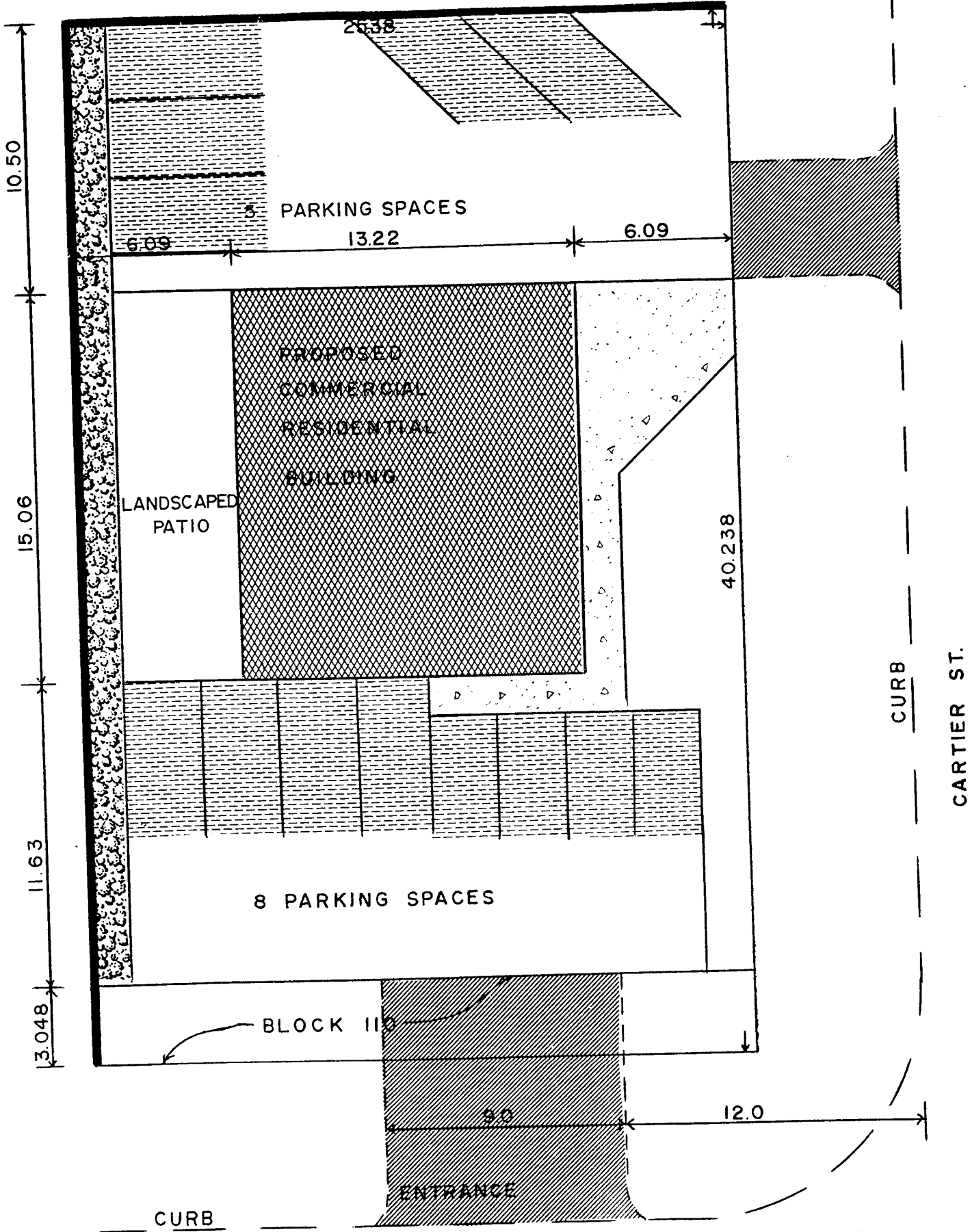
CITY CLERK

# Schedule A



THIS IS SCHEDULE " B "  
 TO BY-LAW NO. 113-82  
 PASSED THE 28th DAY OF June  
 1982 .

*[Signature]*  
 MAYOR  
*[Signature]*  
 CITY CLERK



- Mc KEOWN AVE.
- ITEM NO. 1
  - ▣ ITEM NO. 2
  - ▣ ITEM NO. 3
  - ▣ ITEM NO. 4
  - ▣ ITEM NO. 5