

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 166-88

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON LAKESHORE DRIVE/
WILLIAM STREET.

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. 165-88 to rezone the subject lands to a "Residential Multiple Sixth Density (RM.6)" Zone to permit the construction of an apartment development;

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 191 to 194 and 220 to 223 inclusive on Plan M-211 and part of Preston Street 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 and 6 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - (a) An apartment building containing not more than forty-three (43) dwelling units and not more than six (6) storeys shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) Parking for tenants and visitors consisting of not less than fifty-eight (58) parking spaces including not less than forty-three (43) underground parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";

- (c) Ingress and egress shall be provided and maintained as set out as Item 3 on Schedule "B";
 - (d) A landscaped vegetative area shall be provided and maintained as set out as Item No. 4 on Schedule "B";
 - (e) An area for the storage of a garbage bin shall be provided and maintained as Item No. 5 on Schedule "B";
 - (f) A pedestrian walkway asphalt surfaced and not less than one and five-tenths (1.5) metres in wide shall be provided and maintained as set out as Item No. 6 on Schedule "B";
 - (g) A chain link fence one and two-tenths (1.2) metres in height along the centreline of the Preston Street road allowance shall be provided and maintained as set out as Item No. 7 on Schedule "B";
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.

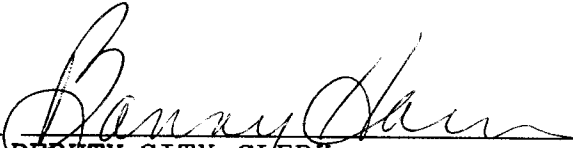
5. This by-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 31ST DAY OF OCTOBER, 1988.

READ A SECOND TIME IN OPEN COUNCIL THE 23RD DAY OF MAY, 1989.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF MAY, 1989.


MAYOR


DEPUTY CITY CLERK

This is Schedule " 2 "

To By-law No. 166-88

Passed the 23RD day of MAY

19 89 .

Paul Taylor
MAYOR

Deanna
DEPUTY CITY CLERK



SUBJECT PROPERTY



PCL. 5074 WF.

PCL. 4627 WF.

LOVELL

MATHEW ST.

M-465

M-504

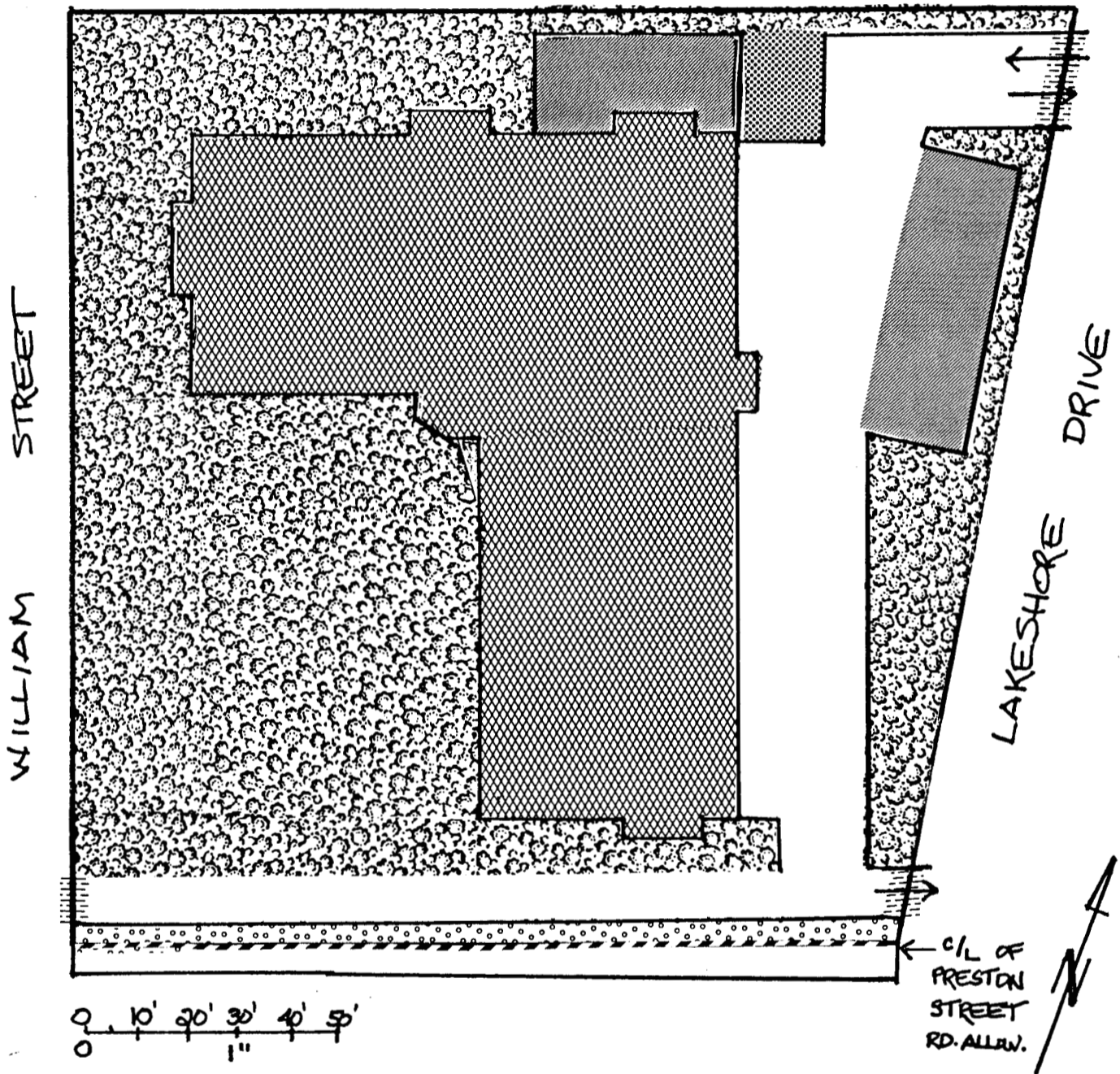
M-502








RYAN

AVE.

This is Schedule " B "
 To By-law No. 166-88
 Passed the 23RD day of MAY
 19 89 .

S. D. Taylor
 MAYOR
Denise M. ...
 DEPUTY CITY CLERK



-  Item No. 1
-  Item No. 2 (Incl. 43 underground spaces)
-  Item No. 3
-  Item No. 4
-  Item No. 5
-  Item No. 6
-  Item No. 7