

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 161-95

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON LAKESHORE DRIVE
(R. AND H. KUDLAK - 1235 LAKESHORE DRIVE)**

WHEREAS the Council of The Corporation of the City of North Bay, hereinafter referred to as the "City" passed By-law No. 156-93 designating a Site Plan Control Area on certain lands on Lakeshore Drive pursuant to Section 41 of the Planning Act R.S.O. 1990;

AND WHEREAS the owner of the subject property has requested an amendment to Site Plan Control By-law No. 156-93;

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 has passed By-law No. 155-93 to rezone the subject lands to a "Neighbourhood Commercial Special Zone No. 42 (C.5 Sp.42)" in order to legally recognize the existing professional office and residential unit, as well as permitting additional professional offices within the existing building.

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 Part 1, Plan 36R-7201 having a frontage of forty and two-tenths (40.2) metres on Lakeshore Drive and a flankage of forty-eight and five-tenths (48.5) metres along Riverbend 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 and 4 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) A two-storey building comprised of ground floor professional offices and one second floor dwelling unit shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) An accessory building used for medical services ancillary to the main professional office use shall be provided and maintained as set out as Item No. 2 on Schedule "B";

- c) Vehicular parking consisting of a minimum of nine (9) parking spaces shall be provided and maintained as set out as Item No. 3 on Schedule "B";
 - d) Ingress and egress shall be provided and maintained as set out as Item No. 4 on Schedule "B".
- 3) 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 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
- 4) 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

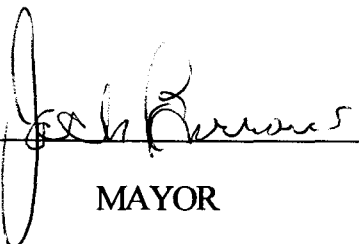
owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$250.00 upon the owner for preparation and registration of the Agreement.

- b) The 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) By-law 156-93 is hereby repealed.
- 7) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 27 DAY OF NOVEMBER 1995.

READ A SECOND TIME IN OPEN COUNCIL THE 27 DAY OF NOVEMBER 1995.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 27 DAY OF NOVEMBER, 1995.


MAYOR


DEPUTY CITY CLERK

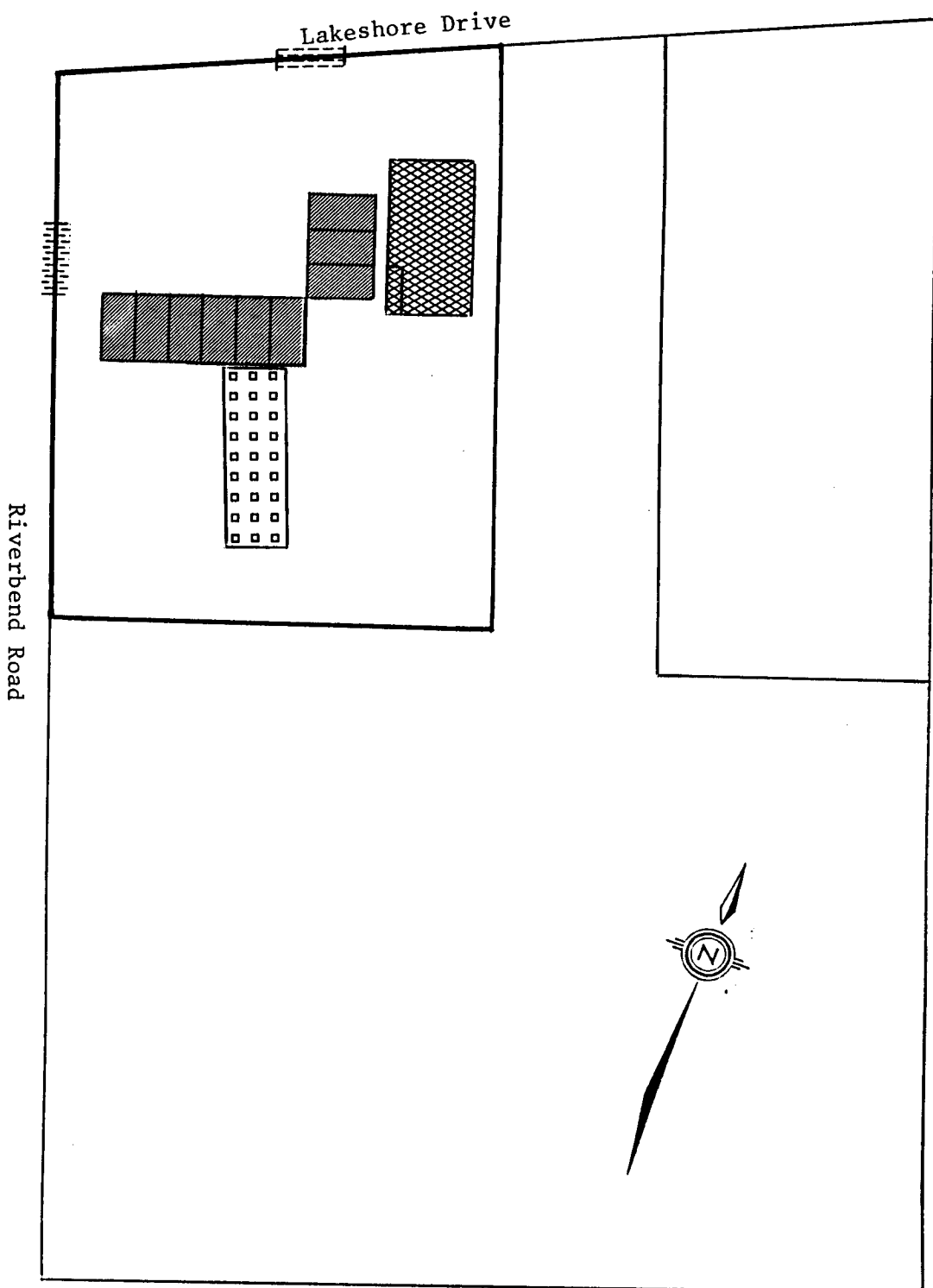
This is Schedule " B "

To By-law No. 161-95

Passed the 27TH day of NOVEMBER,
1995.

John Benson
MAYOR

W. B. B.
DEPUTY CITY CLERK



Item No. 1



Item No. 3



Item No. 2



Item No. 4

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