

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 204-89

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON MARSHALL AVENUE AT MULLIGAN STREET (LEON LEVASSEUR - HOLY NAME CHURCH)

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. 203-89 to rezone the subject lands to a "Residential Multiple First Density(RM1)" zone and a "Residential Multiple Third Density (RM3)" zone to permit the construction of three double duplex dwellings; a thirty (30) unit apartment building and a community centre;

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 1 Plan NR-1888; part of Part 1 Plan NR-291 and Block C 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 three (3) storey thirty (30) unit apartment building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) Three (3) double duplex dwellings shall be provided and maintained as set out as Item No. 2 on Schedule "B";

- (c) A community centre for the use of the residents shall be provided and maintained as set out as Item No. 3 on Schedule "B";
- (d) Parking consisting of not less than fifty-five (55) parking spaces shall be provided and maintained as set out as Item No. 4 on Schedule "B";
- (e) Ingress and Egress shall be provided and maintained as set out as Item No. 5 on Schedule "B";
- (f) A fence shall be provided and maintained as set out as Item No. 6 on Schedule "B"; and
- (g) An open space and playground area shall be provided and maintained as set out as Item No. 7 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 or structures thereon;

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.

- (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.

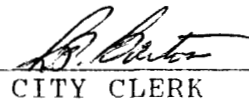
5. (a) The said Agreement shall be binding on the Owner, its successors and assigns.

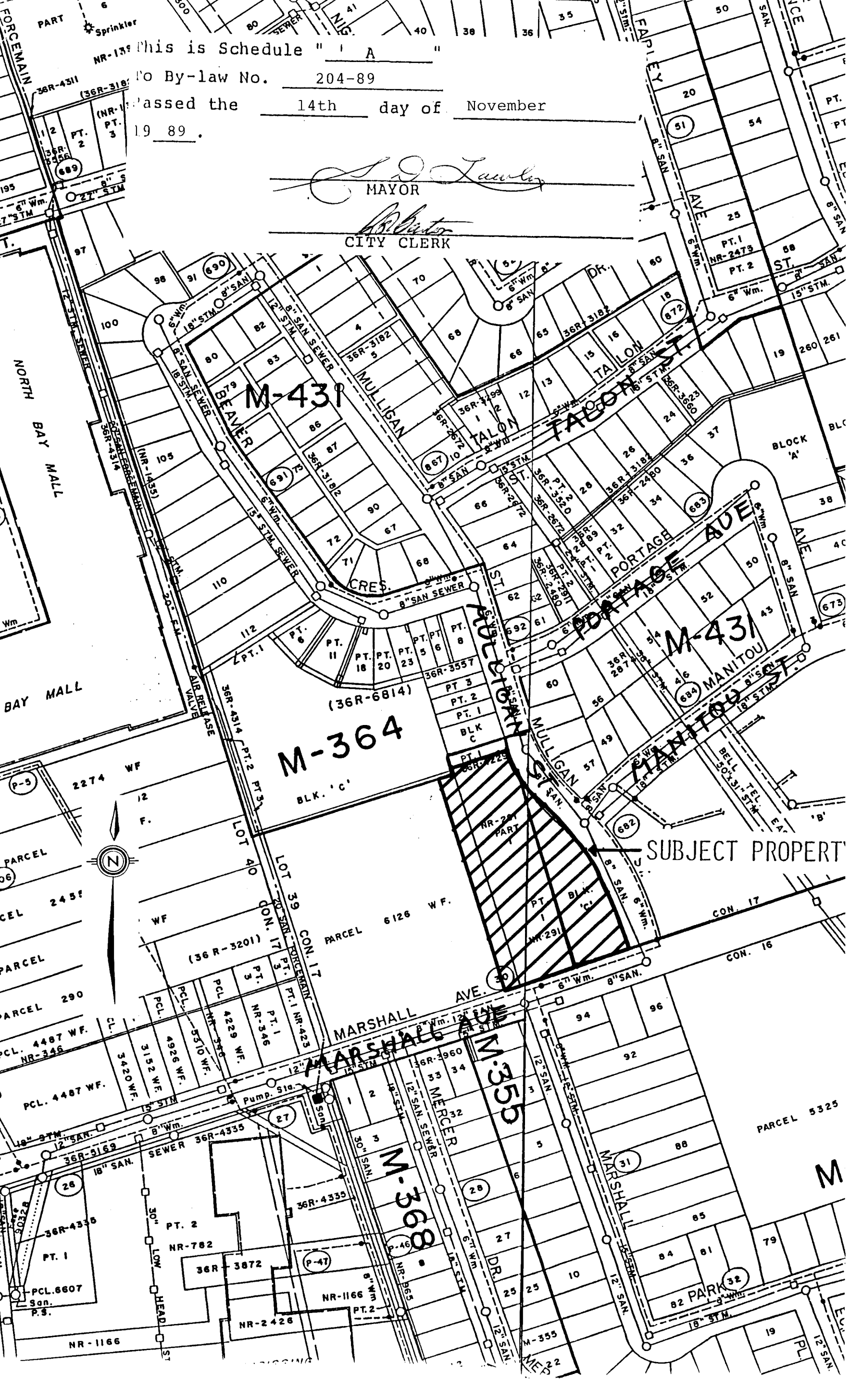
- (b) The Owner shall authorize the City to exercise the provisions of Section 325 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the Owner of a condition of this Agreement.

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

READ A FIRST TIME IN OPEN COUNCIL THE 30TH DAY OF OCTOBER 1989 .
READ A SECOND TIME IN OPEN COUNCIL THE 14th DAY OF November 1989
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 14th DAY
OF November, 1989 .


MAYOR


CITY CLERK



NR-139 This is Schedule "A"

By-law No. 204-89

Passed the 14th day of November

1989.

MAYOR

CITY CLERK

M-431

M-364

M-431

SUBJECT PROPERTY

M-355

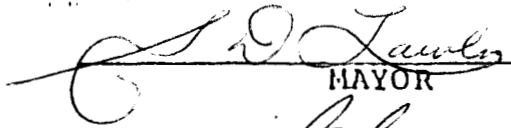
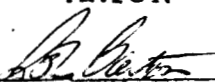
M-368

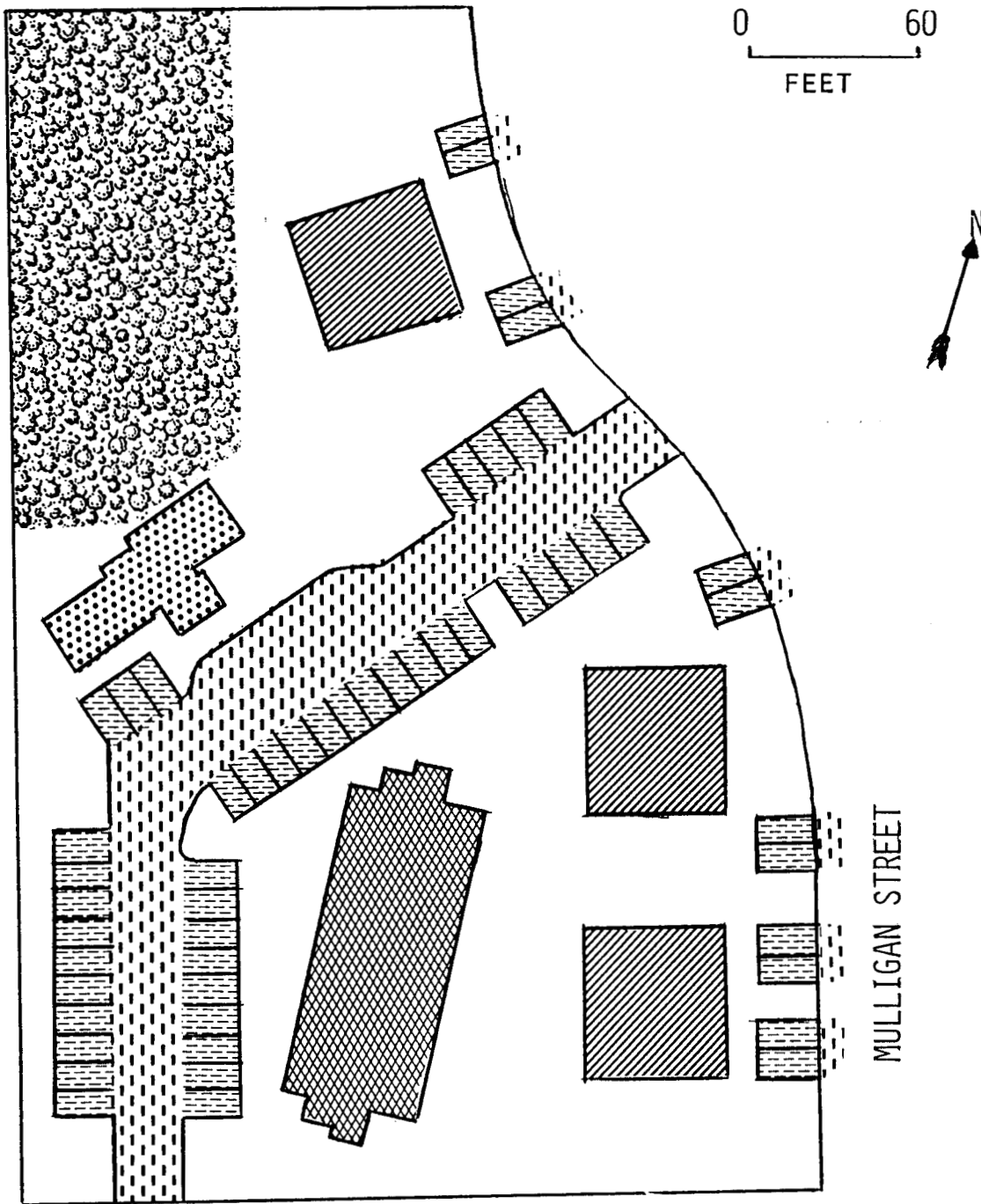
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This is Schedule " B "

To By-law No. 204-89

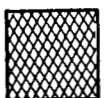
Passed the 14th day of November
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MAYOR

CITY CLERK

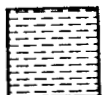


MARSHALL AVENUE

MULLIGAN STREET



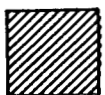
ITEM NO. 1



ITEM NO. 4



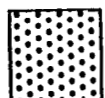
ITEM NO. 7



ITEM NO. 2



ITEM NO. 5



ITEM NO. 3

ITEM NO. 6