

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 143-84

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON MARSHALL AVENUE
(HARMONY HAVEN HOUSING CO-OP)

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 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 zoned the subject property "Residential Multiple Second Density (RM.2) Zone" in By-law No. 28-80 which permits the development of townhouses on the subject property;

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

1. That certain parcel of land described as Part of Lot 38, Concession XVI, and being the northerly one-half of the remainder of Parcel 6621 Nipissing, fronting on Marshall Avenue, in the former Township of West Ferris, now 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, 7, 8, 9 and 10 of Schedule "B" attached hereto and which Schedule "B" is hereby approved by the Council, provided that:
 - (a) Thirty-five (35) townhouse units shall be constructed as set out as Item No. 1 on Schedule "B";
 - (b) Fifty (50) parking spaces for residents and visitors shall be provided as set out as Item No. 2 on Schedule "B";
 - (c) A road widening strip on the south side of Marshall Avenue, described as Parts 4, 5 and 6 on Reference Plan 36R-5775, shall be provided as set out as Item No. 3 on Schedule "B";
 - (d) A vegetative buffer 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) Play space shall be provided and maintained as set out as Item No. 6 on Schedule "B";
 - (g) A driveway with a minimum width of six (6) metres shall be provided as set out on Item No. 7 on Schedule "B";
 - (h) An area for the parking of recreational vehicles shall be provided and maintained as set out as Item No. 8 on Schedule

- (i) A community hall and garage shall be provided and maintained as set out as Item No. 9 on Schedule "B"; and
 - (j) An area for the storage of a garbage enclosure shall be provided and maintained as set out as Item No. 10 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 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.
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 26TH DAY OF NOVEMBER 1984.

READ A SECOND TIME IN OPEN COUNCIL THE 10TH DAY OF DECEMBER 1984.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THE 10TH DAY OF DECEMBER 1984.


MAYOR


CITY CLERK

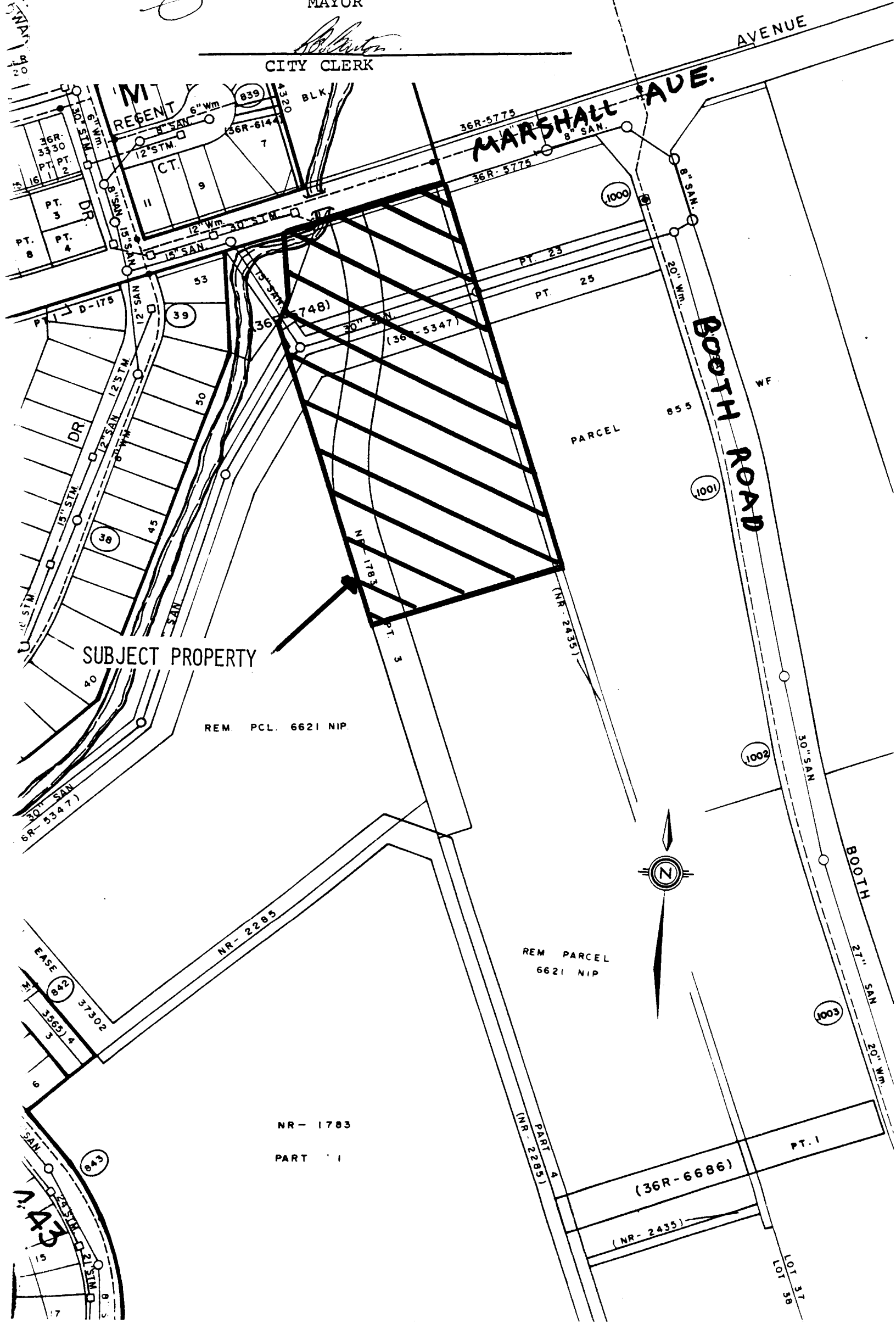
This is Schedule " A "

To By-law No. 143-84

Passed the 10TH day of DECEMBER, 19 84 .

Stan J. Lawler
MAYOR

Robertson
CITY CLERK



SUBJECT PROPERTY

REM. PCL. 6621 NIP.

REM PARCEL
6621 NIP

NR - 1783

PART 1

(36R-6686)

(NR-2435)

LOT 37
LOT 38

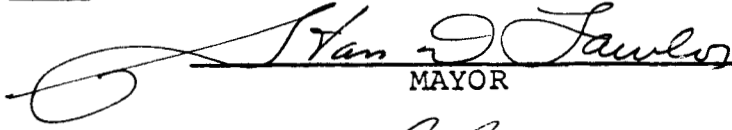
143

This is Schedule " B "

To By-law No. 143-84

Passed the 10TH day of DECEMBER

19 84 .

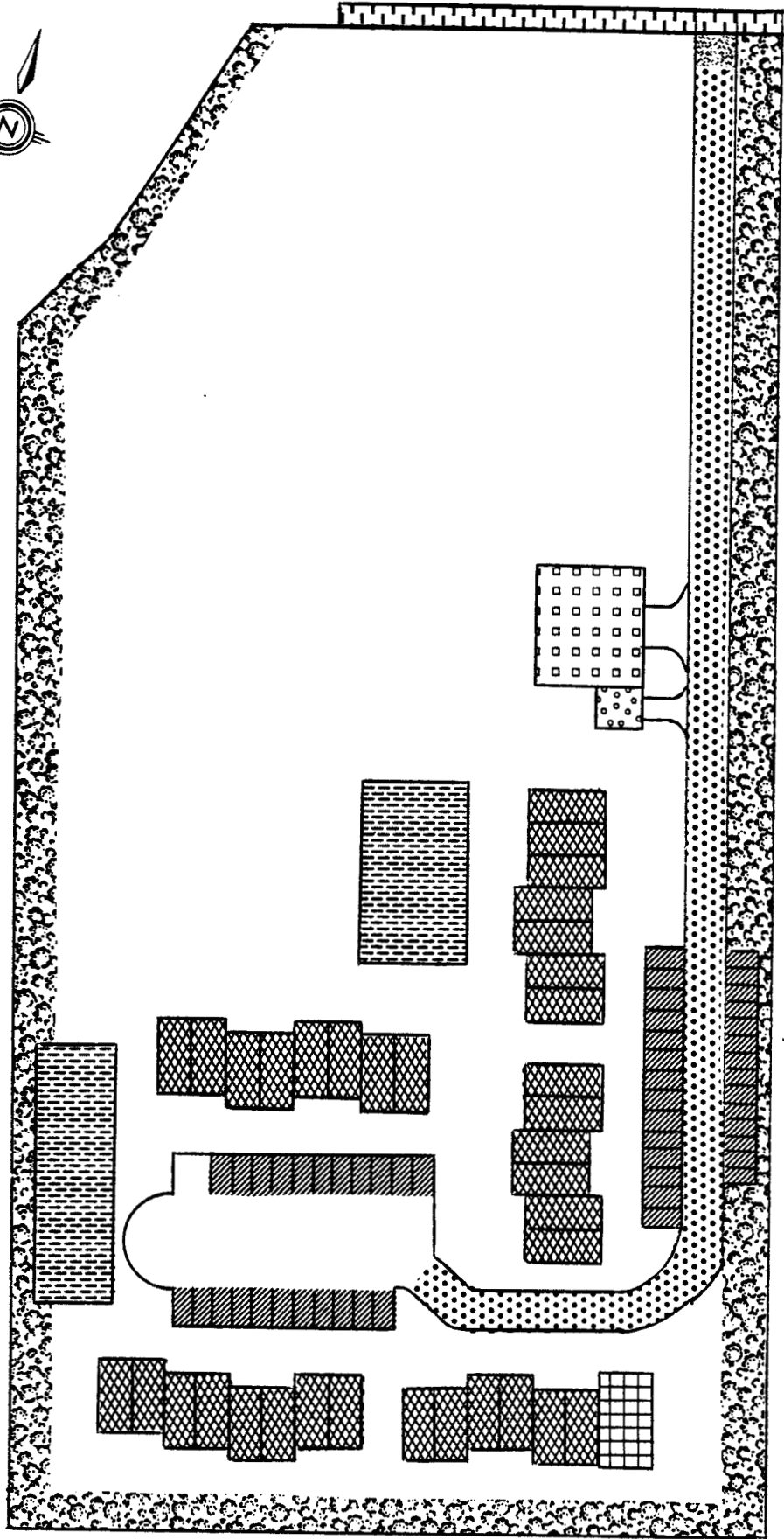

MAYOR





CITY CLERK




MARSHALL AVENUE







0 10 20 30
METRES



 ITEM NO. 1
 ITEM NO. 2
 ITEM NO. 3

 ITEM NO. 4
 ITEM NO. 5
 ITEM NO. 6

 ITEM NO. 7
 ITEM NO. 8
 ITEM NO. 9

 ITEM NO. 10