

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 115-87

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS AT TROUT LAKE ROAD (WHITNEY
NORTHERN LEASING)

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. to rezone the subject lands to a "Residential Multiple Fourth Density Special Zone No. 22 (RM.4 Sp.22)" to permit the construction of an apartment development;

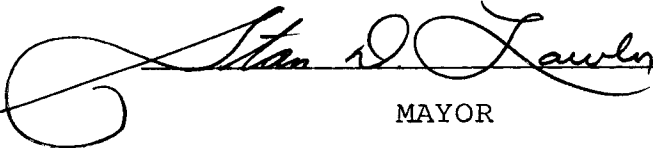
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That certain parcel of land, composed of Part of Parcel 3254 W&F 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 Schedules "B" and "C" attached hereto, and which Schedules "B" and "C" are hereby approved by the Council provided that:
 - (a) A twenty-four (24) unit four (4) storey Apartment Building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) Parking for visitors consisting of not less than fourteen (14) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (c) A fence constructed of an opaque material together with an earth bermand vegetative buffer 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";

- (e) A vegetative buffer shall be provided and maintained as set out as Item No. 5 on Schedule "B";
 - (f) An area for the storage of a garbage bin shall be provided and maintained as Item No. 6 on Schedule "B"; and
 - (g) Below ground parking for tenants consisting of not less than twenty-four (24) spaces shall be provided and maintained as set out as Item No. 7 on Schedule "C".
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 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 13th DAY OF JULY 1987.
READ A SECOND TIME IN OPEN COUNCIL THE 31 DAY OF AUGUST 1987.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 31ST DAY OF
AUGUST 1987.


MAYOR

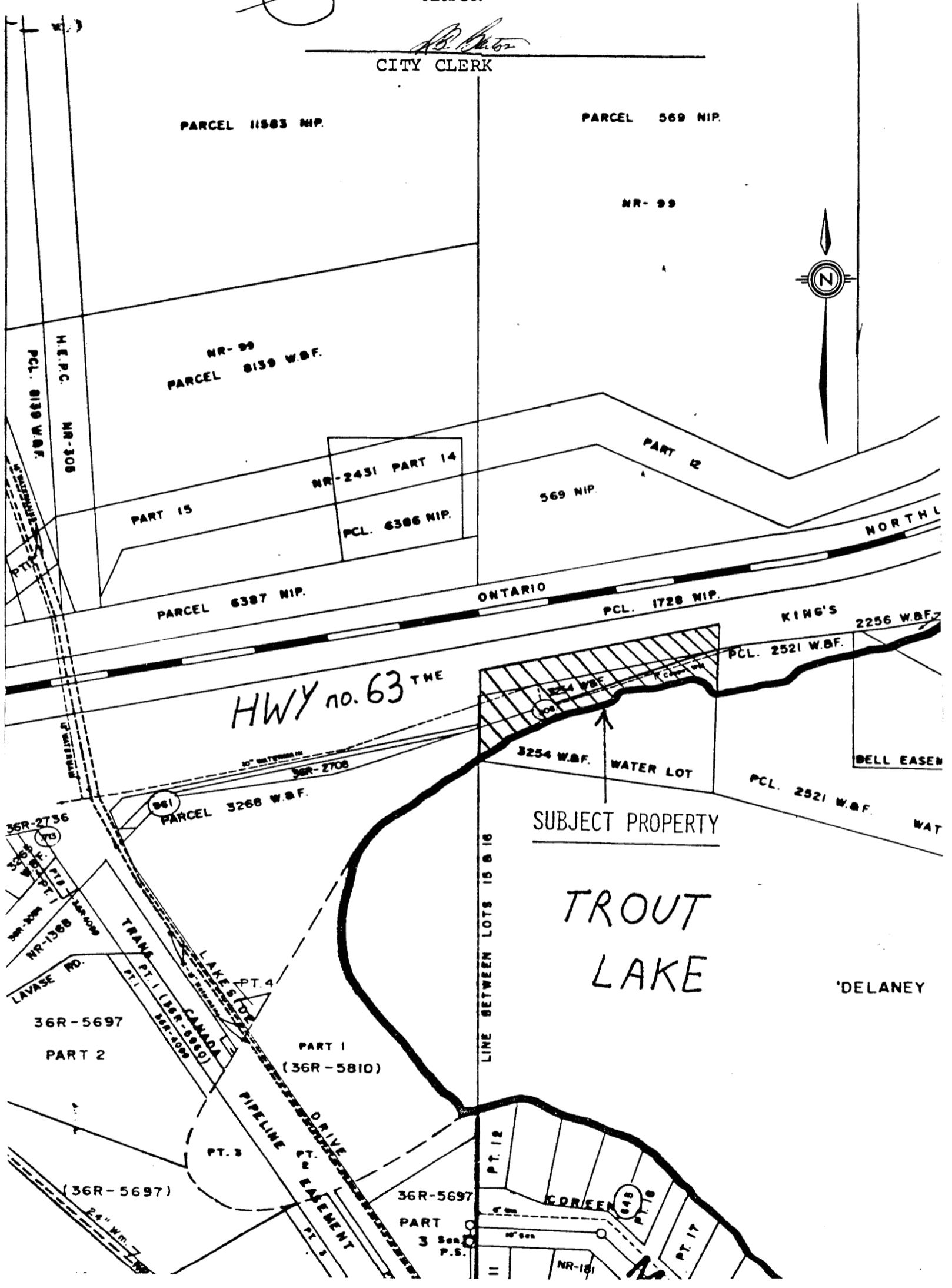

CITY CLERK

To By-law No. 115-87

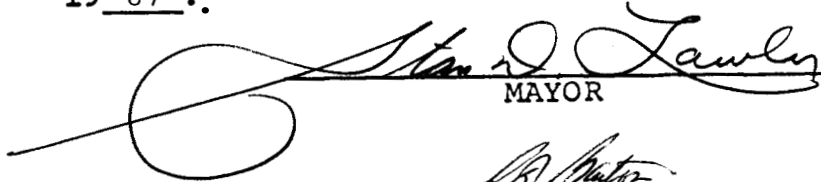

Passed the 31ST day of AUGUST,
19 87.

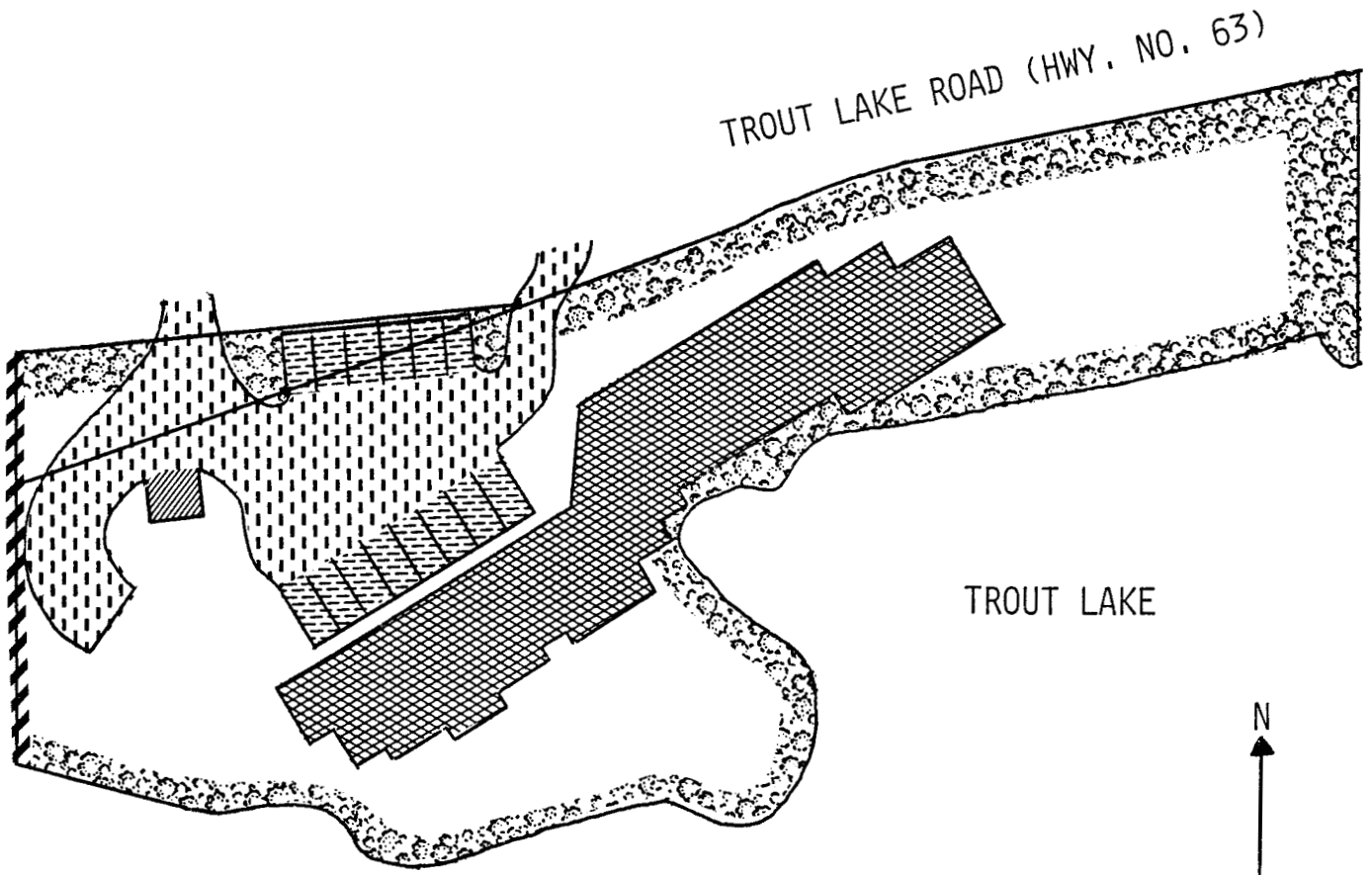
Stan D. Lawler
MAYOR

A.B. [Signature]
CITY CLERK









This is Schedule " B "
To By-law No. 115-87
Passed the 31ST day of AUGUST
19 87..


MAYOR

CITY CLERK



0 50 100
FEET

- | | | | |
|---|------------|---|------------|
|  | ITEM NO. 1 |  | ITEM NO. 4 |
|  | ITEM NO. 2 |  | ITEM NO. 5 |
|  | ITEM NO. 3 |  | ITEM NO. 6 |

This is Schedule " C "

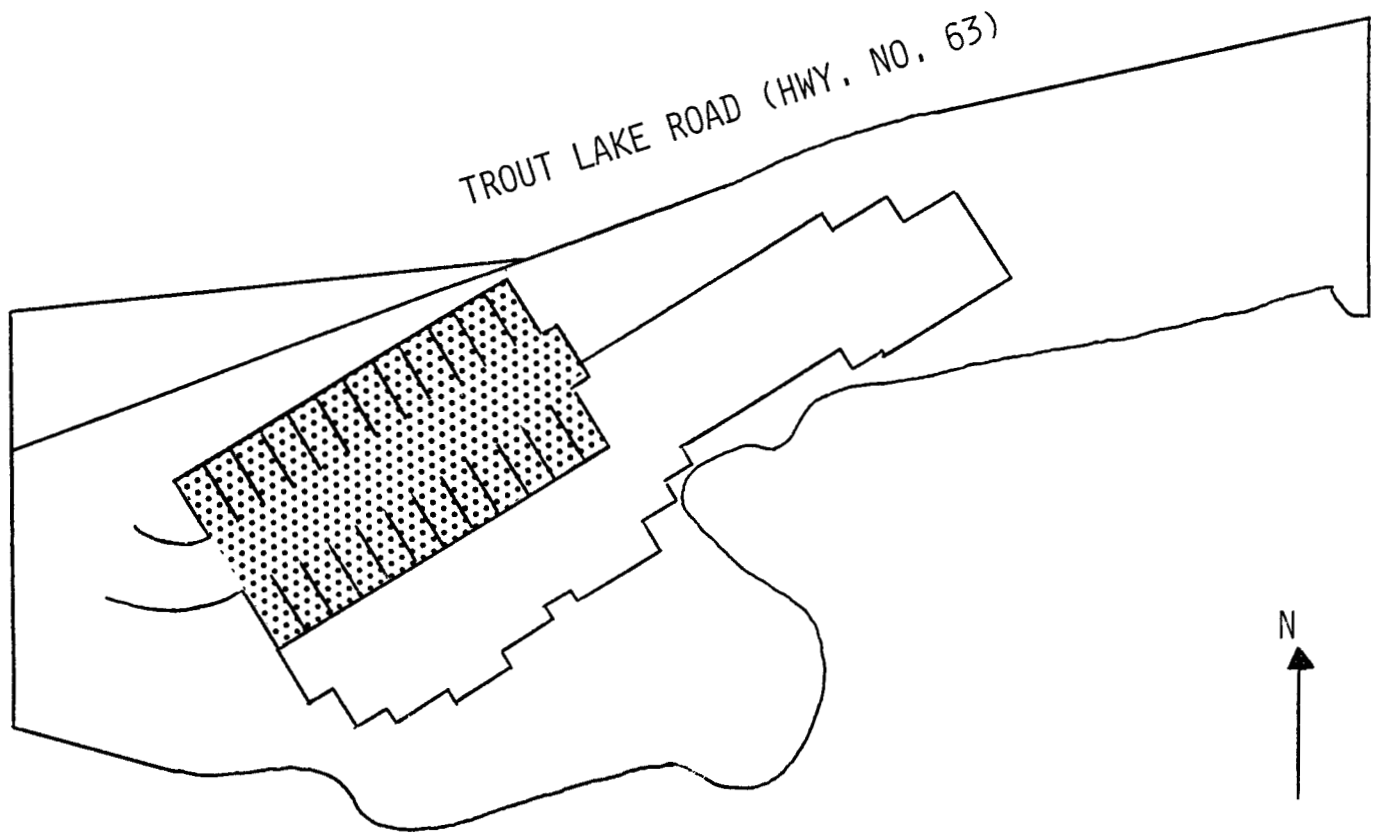
To By-law No. 115-87

Passed the 31ST day of AUGUST ,
19 87 .

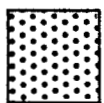

MAYOR


CITY CLERK

BELOW GRADE PARKING



0 50 100
FEET



ITEM NO. 7