

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 31 -89

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON LAKESHORE DRIVE AND MARSHALL AVENUE (M. MCDONALD)

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. 30 -89 to rezone the subject lands to a "Residential Multiple Sixth Density Special No. 30" 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 203 to 211 inclusive on Plan M-211, 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 of not more than nine (9) storeys and not more than thirty-two (32) units shall be provided and maintained as set out as Item No. 1 on Schedule "B";

- (b) Ingress and egress shall be provided and maintained as set out as Item 3 on Schedule "B";
  - (c) Landscaping strip five (5) feet in width shall be provided and maintained as set out as Item No. \_\_\_\_ on Schedule "B";
  - (d) Vegetative areas shall be provided and maintained as set out as Item No. 4 on Schedule "B";
  - (e) At-grade parking for visitors consisting of not less than eight (8) parking spaces shall be provided and maintained as set out as Item No. 5 on Schedule "B";
  - (f) Underground parking for tenants consisting not less than thirty-two (32) parking spaces shall be provided and maintained as set out as Item No. 6 on Schedule "B".
- 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.

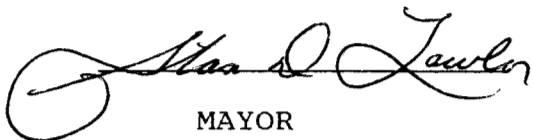
(b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act and The Land Titles Act against any and all subsequent owners of the land.

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 JAN. 1989 .  
READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF FEB. 1989 .  
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 13TH DAY OF  
FEBRUARY, 1989 .

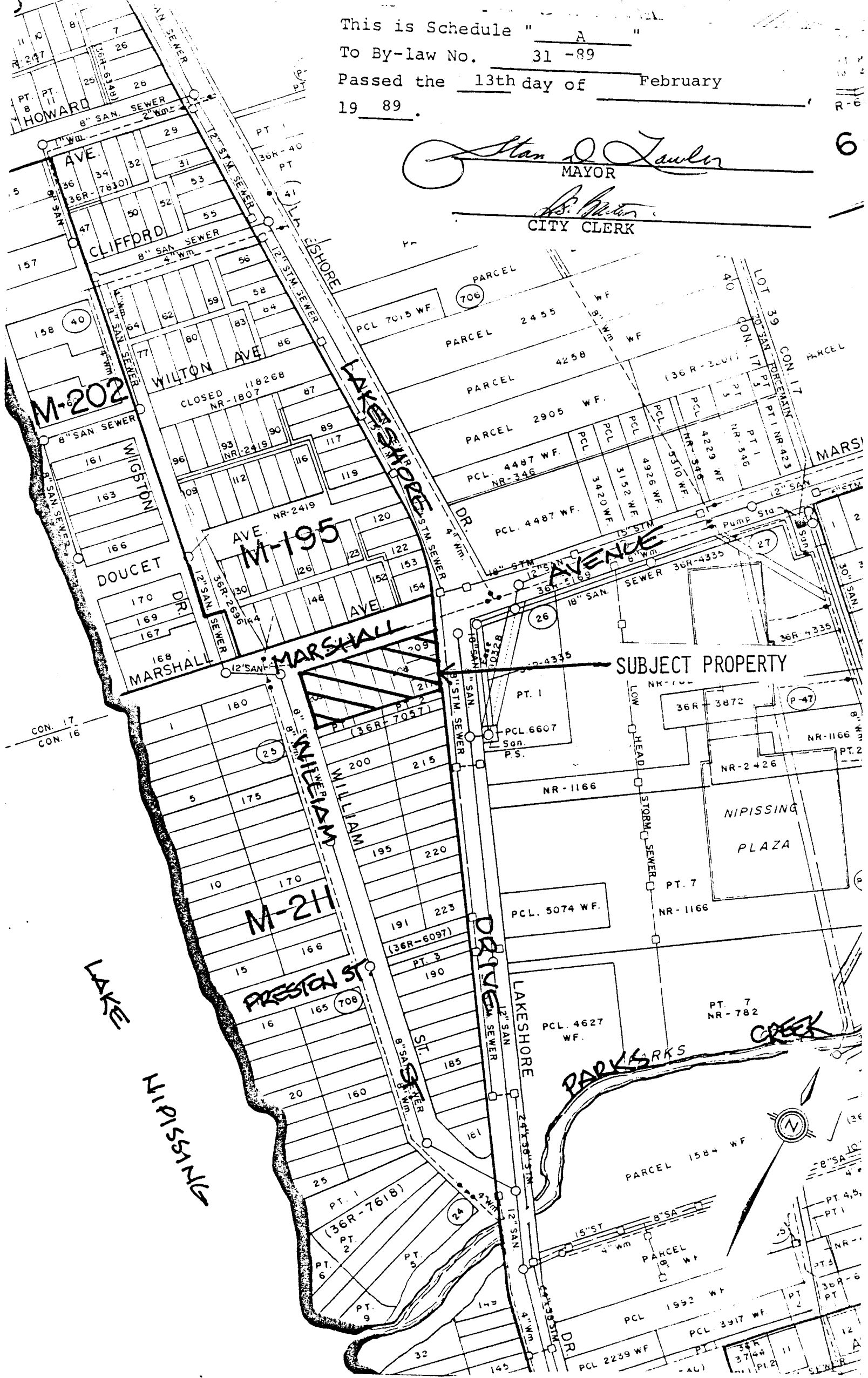
  
MAYOR

  
CITY CLERK

This is Schedule " A "  
To By-law No. 31-89  
Passed the 13th day of February  
19 89.

*Stan D. Lawler*  
MAYOR  
*B. M. ...*  
CITY CLERK

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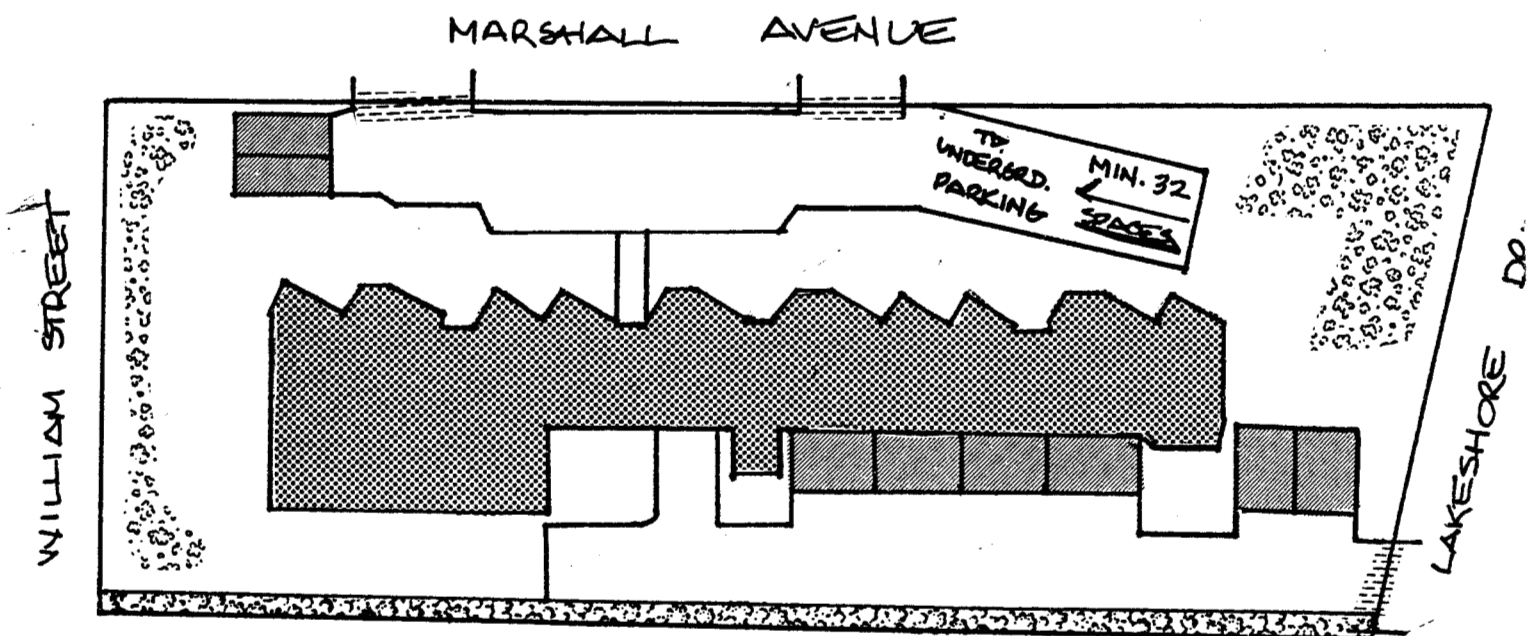
This is Schedule " B "

To By-law No. 31-89






Passed the 13th day of February  
19 89.

*Stan D. Jawlin*  
MAYOR

*[Signature]*  
CITY CLERK



NOTE: NOT TO SCALE

-  Item #1
-  Item #2
-  Item #3
-  Item #4
-  Item #5

Item #6 - Parking, including 32 underground spaces.