

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 22-88

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON
CERTAIN LANDS AT SIXTH AVENUE (BONIK INC.)

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. 22-88 to rezone the subject lands to a "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp. 28)" 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:

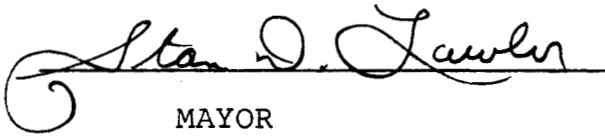
1. That certain parcel of land, composed of Block "D", the north half of Lot 263, Lots 264-271 inclusive and Lots 330-333 inclusive, Plan No. 54 as well as Lots 265 and 266, Registered Plan M-28, along Sixth Avenue West, in the City of North Bay, which lands are more particularly described on Schedule "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 and 8 on Schedules "B" and "C" attached hereto, and which Schedules "B" and "C" are hereby approved by the Council provided that:
 - (a) A fifty-eight (58) unit six (6) storey Apartment Building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) Parking for tenants and visitors consisting of not less than seventy-three (73) parking spaces shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (c) A retaining wall constructed of a masonry or treated wood materials together with a planting strip of mature hardwood trees 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

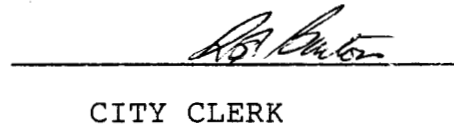
set out as Item 4 on Schedule "B";

- (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";
- (g) A park and play area on the easterly side of the apartment building shall be provided and maintained as set out as Item No. 7 on Schedule "C"; and
- (h) A 6 metre (20 ft.) strip of land at the northerly limits of the subject property for the purposes of a public road shall be conveyed to the City as set out as Item No. 8 on Schedule "C".

- 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 15TH DAY OF FEBRUARY, 1988 .
READ A SECOND TIME IN OPEN COUNCIL THE 28TH DAY OF MARCH 1988 .
READ A THIRD TIME IN OPEN COUNCIL THE 28TH DAY OF MARCH 1988 .


MAYOR


CITY CLERK

This is Schedule " A "

To By-law No. 22-88

Passed the 28th day of March ,
19 88 .

Stan J. Lawlor
MAYOR

B. Quinn
CITY CLERK



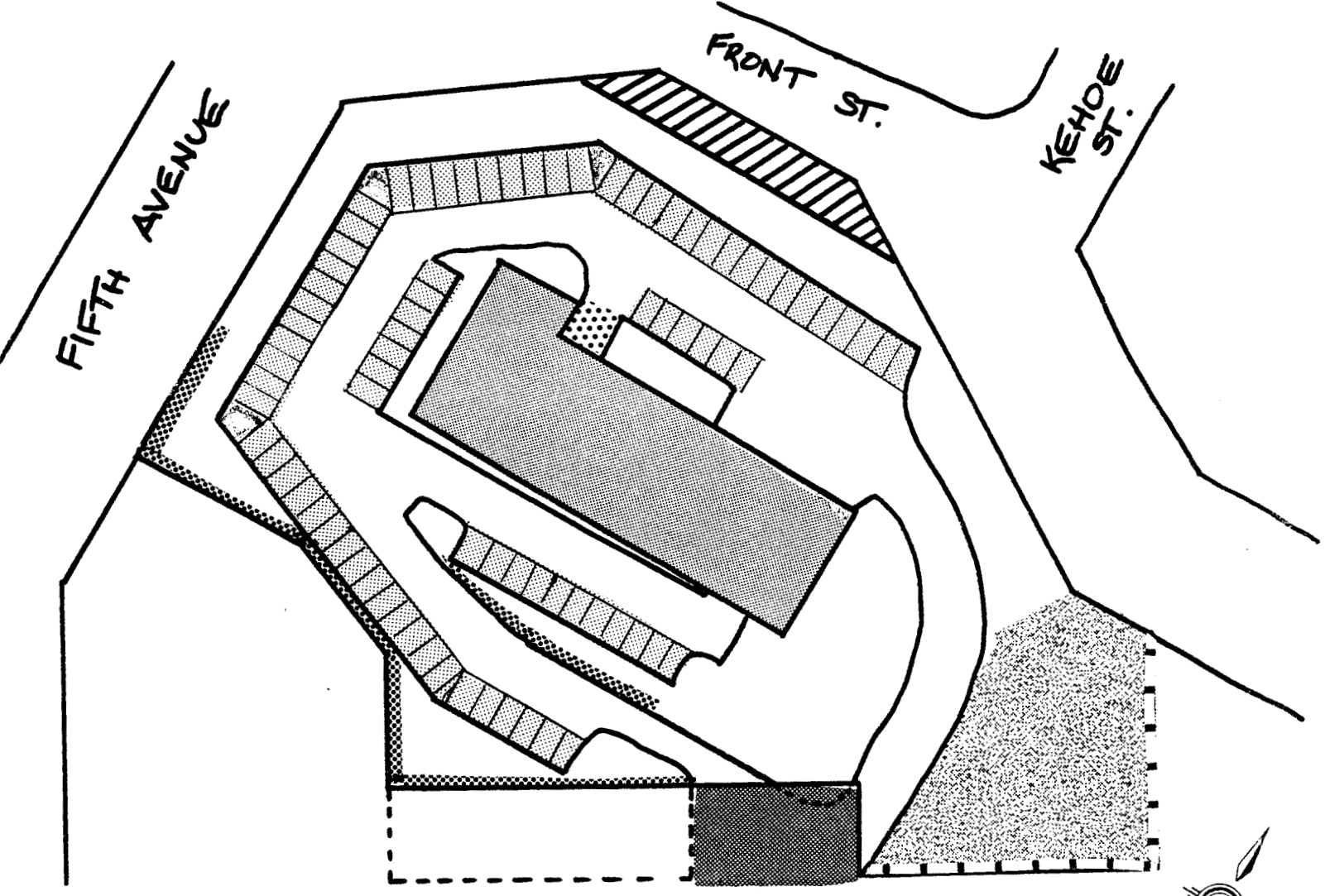
This is Schedule " B "

To By-law No. 22-88

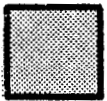
Passed the 28th day of March
1988.

Stan D. Lawler
MAYOR

[Signature]
CITY CLERK



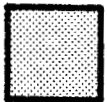
NOTE : NOT TO SCALE



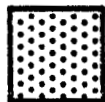
ITEM NO. 1



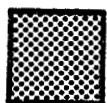
ITEM NO. 5



ITEM NO. 2



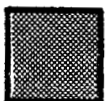
ITEM NO. 6



ITEM NO. 3



ITEM NO. 7



ITEM NO. 4



ITEM NO. 8