

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 208-86

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON  
CERTAIN LANDS AT CARRUTHERS STREET (GAP CONSTRUCTION)

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. 207-86 to rezone the subject lands to a "Residential Multiple Second Density (RM.2)" Zone to permit the construction of a Townhouse Development;

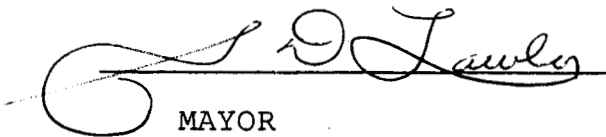
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

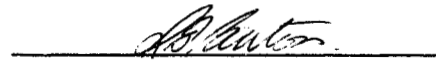
1. That certain parcel of land, composed of Lots 1769 to 1772; 2268 to 2270; and 2288 to 2324 inclusive and parts of Lots 1773, 2267 and 2287 all on Plan M-177 being part of Parcels 9496 W&F, 9508 W&F and 9509 W&F and parts of unopened Gardiner Ave. and Harrison St. in The City of North Bay, which lands 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 of Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - (a) Fifty-three (53) townhouse units 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-four (74) 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 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) Play Space area shall be provided and maintained as set out as Item No. 5 on Schedule "B"; and
  - (f) An area for the storage of a garbage bin shall be provided and maintained as Item No. 6 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.
- 4a) 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.

- 5a) 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 THIS 10TH DAY OF NOVEMBER 1986.  
READ A SECOND TIME IN OPEN COUNCIL THIS 8TH DAY OF DECEMBER 1986.  
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED  
THIS 8TH DAY OF DECEMBER 1986.

  
MAYOR

  
CITY CLERK

Passed the 8th day of December  
19 86.

MAYOR

CITY CLERK

M-177

# MONT ROSE

AVE.

McKENZIE AVE.

CARUTH, E. A. ST.

SUBJECT PROPERTY

FROST ST.

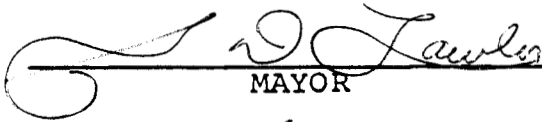
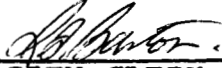
(36R-5909)

NORTH BAY BY-PASS

P-2785-230

**PART 2**

This is Schedule " B "  
To By-law No. 208-86  
Passed the 8th day of December  
19 86.

  
MAYOR  
  
CITY CLERK

