

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 104-87

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON WILLIAM STREET
(BEACHES CONDOMINIUM)

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 has zoned the subject property "Residential Multiple Fourth Density (RM.4)" in By-Law No. 28-80 which permits the development of apartments 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 composed of Lots 150 to 155 inclusive and 26 to 31 inclusive Plan M-211 in the City of North Bay, which land is 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 of Schedule "B" and "C" attached hereto, and which Schedule "B" and "C" are hereby approved by the Council provided that:
 - (a) A thirty-two (32) unit nine storey apartment building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) A two (2) level parking structure for residents and visitors consisting of not less than sixty-two parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (c) Ingress and egress shall be provided and maintained as set out as Item No. 3 on Schedule "B";
 - (d) A vegetative buffer shall be provided and maintained a set out as Item No. 4 on Schedule "B";

- (e) Active and passive recreation space shall be provided and maintained as set out as Item No. 5 on Schedule "B";
 - (f) A stone breakwall shall be provided and maintained as set out as Item No. 6 on Schedule "B"; and
 - (g) An enclosure for the storage of garbage shall be provided and maintained as set out as Item No. 7 on Schedule "B".
3. As a condition of the approval of the 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 materials;
 - (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 29TH DAY OF JUNE 1987.
READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF JULY 1987.
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND
PASSED THE 13TH DAY OF JULY 1987.


MAYOR


CITY CLERK

This is Schedule " A "

To By-law No. 104-87

Passed the 13TH day of JULY

1987 .

Man O Lawler
MAYOR

B. Blanton
CITY CLERK

JN. 17
CON. 16

168
MARSH

36R-4335

NR-1166

R-2426

NIPISSING
PLAZA

PT. 7
NR-1166

PCL. 5074 WF.

M-211

PRESTON

PCL. 4627 WF.

PT. 7
NR-782

PARKS CREEK

PARCEL 1584 WF.

PARCEL 2251 WF.

PCL. 1992 WF.

PCL. 2239 WF.

PT. 1 (NR-540)

LOVELL AVE

PT. 1
36R-4704

PARCEL 1357 WF.

PT. 1
36R-4563

PT. 4
36R-4140

PT. 6
36R-1562

PT. 9
36R-4729

PCL. 2169 WF.

PCL. 3753 WF.

PCL. 2851 WF.

PCL. 2211 WF.

PT. 1
NR-553
MARSHALL

LAKE
NIPISSING

SUBJECT PROPERTY



MATHEW ST.

50 129

36R-3795 PT. 1

PT. 2 (36R-5809)

PT. 1

57 122

PT. 5

36R-4512 PT. 2

PT. 6

61 118

64 115

68 111

OSCAR ST.

110

M-211

NR-504

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

36R-4729

This is Schedule " B "

To By-law No. 104-87

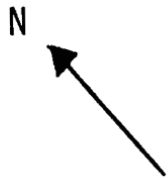
Passed the 13TH day of JULY

19 87.

Stan D. Towler
MAYOR

Al. Weston
CITY CLERK

WILLIAM STREET



2 STOREY PARKING
STRUCTURE


PARKS CREEK

9 STOREY APARTMENT

LAKE NIPISSING


 ITEM NO. 1


 ITEM NO. 2

 ITEM NO. 3

 ITEM NO. 4

 ITEM NO. 5

 ITEM NO. 6

 ITEM NO. 7

0 5 10
METRES

This is Schedule " C "

To By-law No. 104-87

Passed the 13TH day of JULY ,
19 87 .


MAYOR


CITY CLERK

VERTICLE EXAGGERATION
VIEW LOOKING FROM THE NORTH WEST

