

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 60-92

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON KEHOE STREET
(P. LAFONTAINE AND R. O'HARE - 496 KEHOE STREET)

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. 59-92 to rezone the subject lands to a "Residential Multiple Third Density Special Zone No. 59 (RM.3 Sp.59)" to permit a five (5) unit apartment dwelling.

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 the northerly one-half of Lot 275 and all of Lot 276, Plan M-28 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 and 5 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) A five (5) unit apartment dwelling shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) parking consisting of not less than seven (7) 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) 1.8 metre high privacy fencing shall be provided and maintained as set out as Item No. 4 on Schedule "B";

- e) open space shall be provided and maintained as set out as Item No. 5 on Schedule "B".
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- 3) As a condition of approval the Applicant shall retain the services of a recognized engineering firm to determine the stability of the existing fieldstone retaining wall located along the southerly and easterly property lines. Any recommendations forthcoming from the study shall be incorporated into the landscaping design. The aforementioned study and any resulting alterations to the subject property shall occur to the satisfaction of and at no expense to the Municipality.
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- 4) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on 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.

- 5) 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, and to impose a fee of \$250.00 upon the owner for preparation and registration of the Agreement.
- 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.
- 6) 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.
- 7) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 2ND DAY OF MARCH 1992
READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF MARCH 1992.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16TH DAY
OF MARCH 1992.


MAYOR


CITY CLERK

This is Schedule " A "

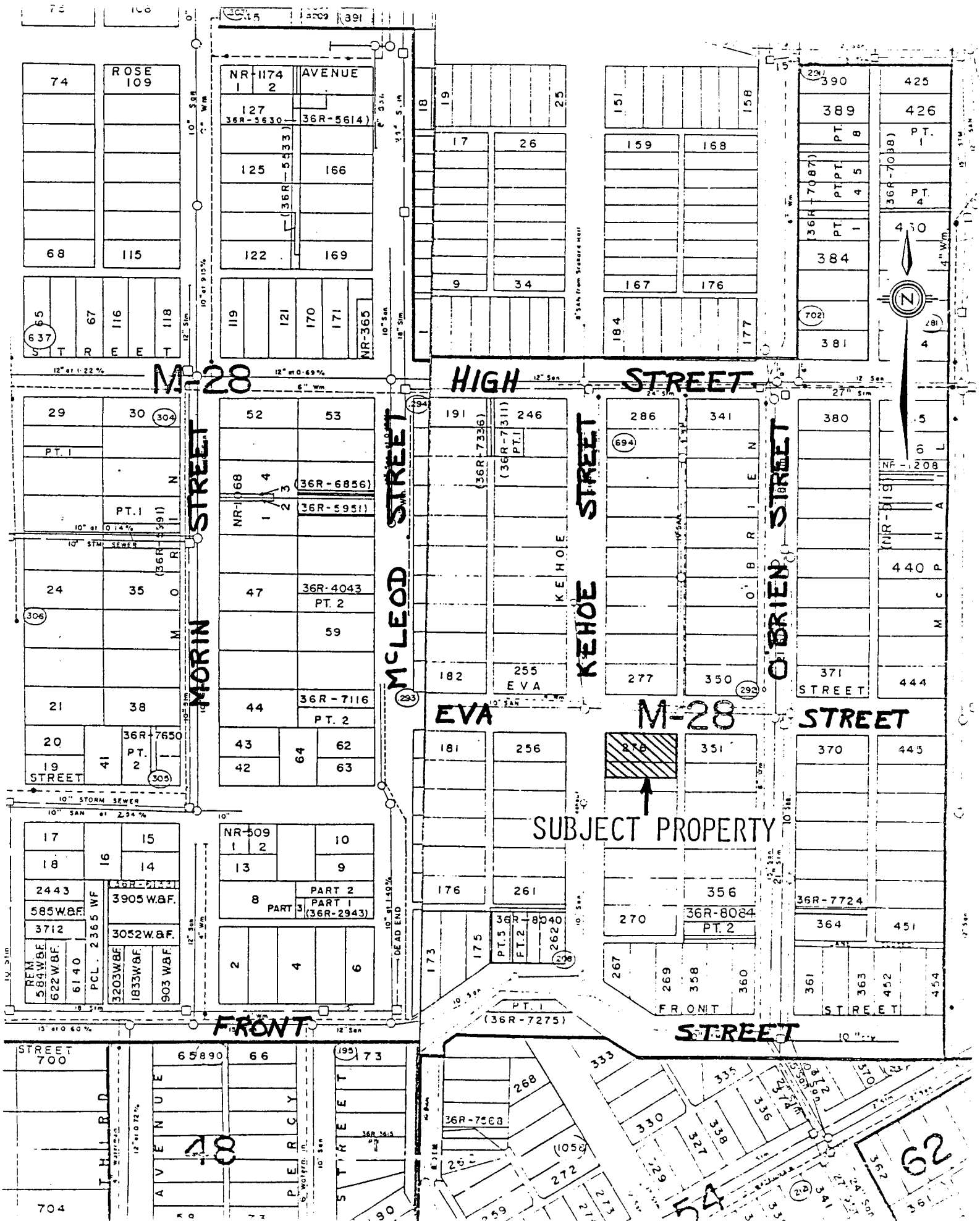
To By-law No. 60-92

Passed the 16TH day of MARCH

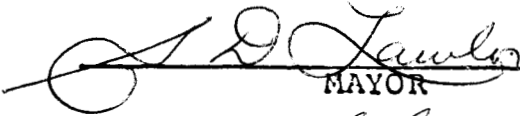
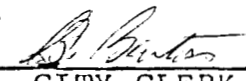
1992.

S. D. Lavelle
MAYOR

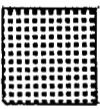
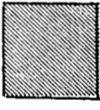
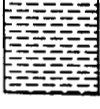

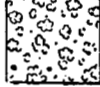
B. Butler
CITY CLERK



This is Schedule " B "
To By-law No. 60-92
Passed the 16TH day of MARCH
1992.


MAYOR

CITY CLERK

KEHOE STREET

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

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