

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2002-51

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON LAKESHORE DRIVE
(DR. IVAN LATOUR – 307 LAKESHORE DRIVE)**

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 41 of the Planning Act R.S.O. 1990 as amended;

AND WHEREAS the Council deems it desirable to delegate to the Chief Administrative Officer the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS Council intends to pass By-law No. 2002-50 to rezone the subject lands to a “Neighbourhood Commercial Special Zone No. 62 (C5 Sp.62)” to permit a dental office and one (1) residential unit.

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

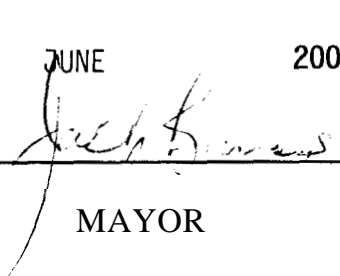
- 1) That certain parcel of land, composed of Plan No. 175, Lots 26, 27 & 28, Parcels 2350 and 16122 W&F in the City of North Bay, which lands are more particularly described on Schedule “A” attached hereto, is hereby designated as a Site Plan Control Area.
- 2) No building or structure shall be erected, 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 No. 1, 2, 3 and 4 on Schedule “B” attached hereto, and which Schedule “B” is hereby approved by the Council provided that:
 - a) the main building and garage shall be provided and maintained by the owner as set out as Item No. 1 on Schedule “B”;
 - b) vehicular parking consisting of not less sixteen parking spaces shall be provided and maintained by the owner as set out as Item No. 2 on schedule “B”;
 - c) ingress and egress shall be provided and maintained by the owner as set out as Item No. 3 on Schedule “B”;
 - e) privacy fencing being not less than 1.8 metres in height shall be provided and maintained by the owner as set out as Item No. 4 on schedule “B”.
- 3) As a condition of approval the owner of the Site Plan Control Area shall convey to the City a 3.0 metre road widening strip of land plus day lighting corner along the Lakeshore Drive frontage of the subject lands, for use by the City in the future widening of Lakeshore Drive.

- 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 provisions, to the satisfaction of and at no expense to the City 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 Chief Administrative Officer is hereby authorized 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 \$500.00 upon the owner for preparation and registration of each 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 or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 6)
 - a) The said Agreement shall be binding on the owner, its successors, assigns **and** heirs.
 - b) The owner shall authorize the City to exercise the provisions of Section 326 of The Municipal Act, R.S.O. 1990, Chapter M.45, as amended or any successor legislation thereto 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.

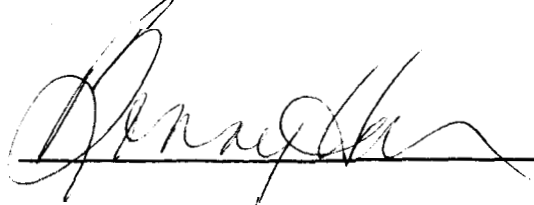
READ A FIRST TIME IN OPEN COUNCIL THE 21ST DAY OF MAY
2002.

READ A SECOND TIME IN OPEN COUNCIL THE 3RD DAY OF JUNE
2002.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 3RD DAY
OF JUNE 2002.



MAYOR



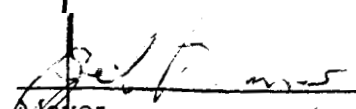

CITY CLERK

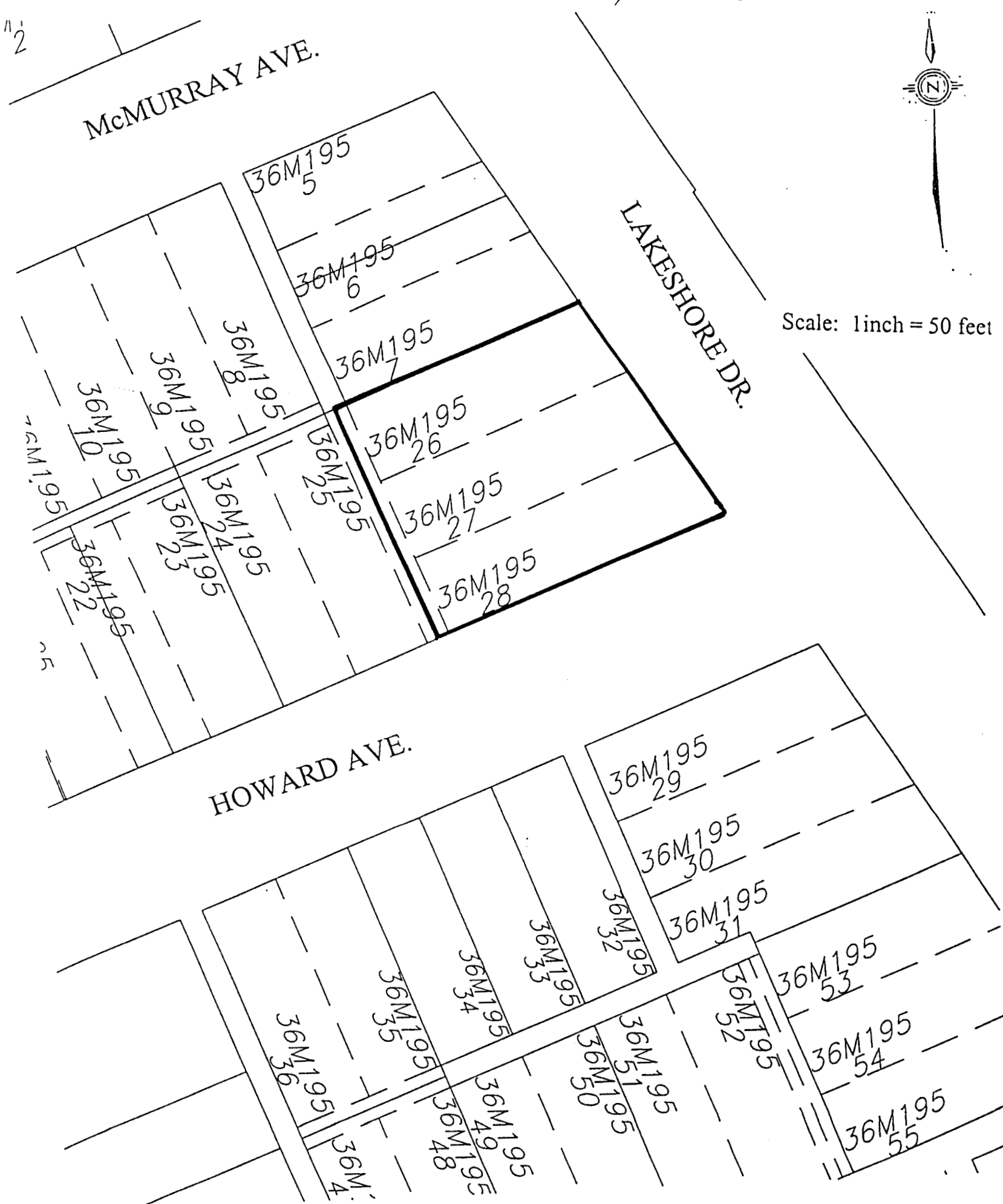
This is Schedule "A"

To By-Law No. 2002-51

Passed the 3RD day of JUNE

20 02.


Mayor

City Clerk



This is Schedule "B"

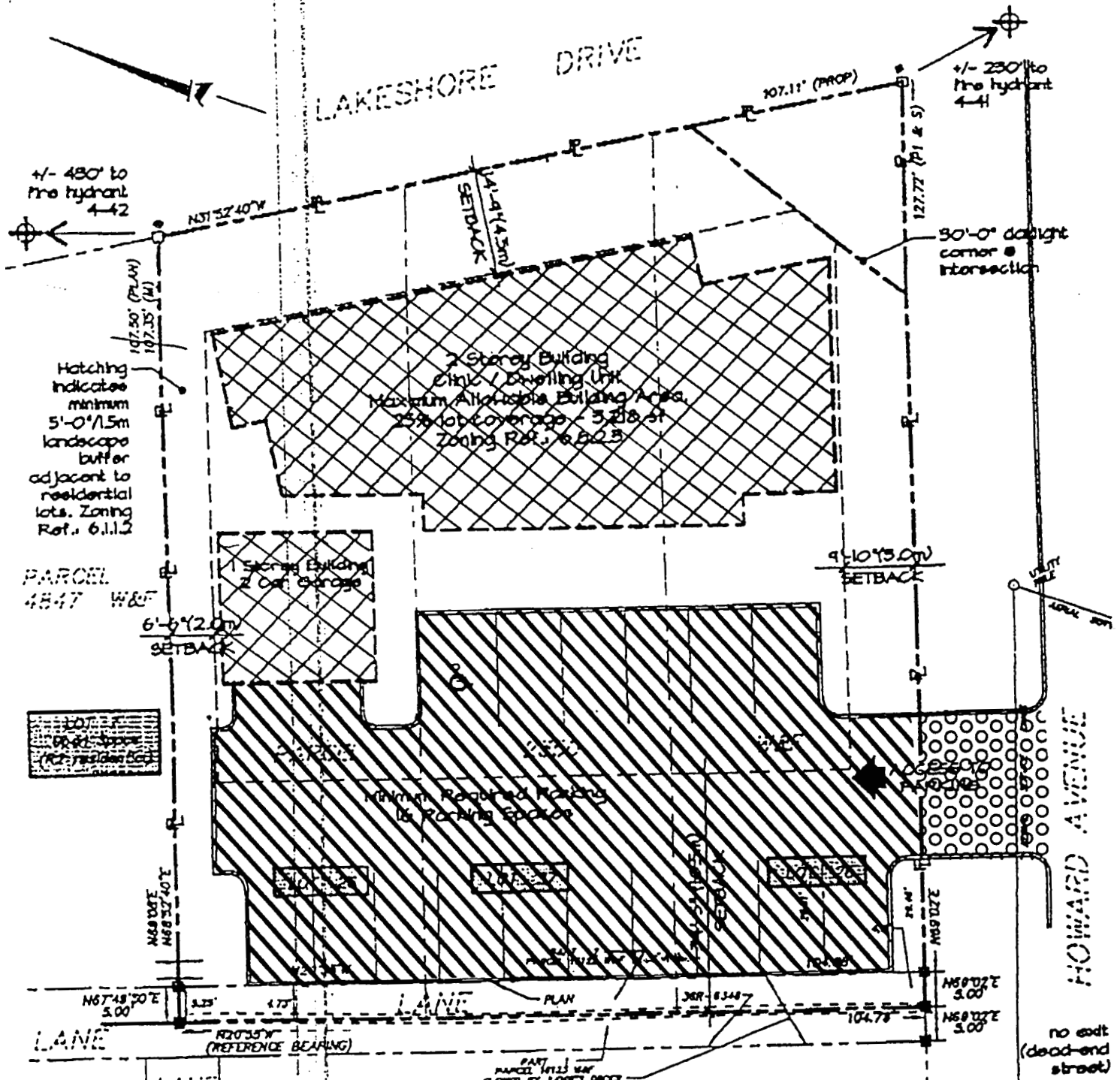
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Passed the 3RD day of JUNE

20 02.

Mayor

City Clerk



PARCEL 4817 W&F





307-75 Residential Dwelling (R2: residential)

307-75 Residential Dwelling (R2: residential)

Lot Area: 12,810 sq ft
 Based on CS SPECIAL
 Front yard: 14'-9" (4.5m) (Rev.) Zoning Ref. 6.6.2.4
 Rear yard: 34'-3" (10.5m) Zoning Ref. 6.6.2.6(b)
 Exterior side yard: 9'-10" (3.0m) (Rev.) Zoning Ref. 6.6.2.5(c)
 Interior side yard: 6'-6" (2.0m) Zoning Ref. 6.6.2.5(c)

307-75 Residential Dwelling (R2: residential)

Survey drawing supplied by Goodridge Walker Limited Land Surveyors. Refer to File #602 dated January 21st, 2002 for original survey.

-  Item No. 1
-  Item No. 2
-  Item No. 3
-  Item No. 4