THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-124

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON FRANCIS STREET AND TO REPEAL BY-LAW NO. 2011-105

(914542 ONTARIO INC. - FRANCIS 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 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 passed By-law No. 2010-197 on the 23rd of August, 2010 to grant final approval to the Francis Street Plan of Subdivision (File #48T-06101) on the subject lands;

AND WHEREAS a condition of approval to the Francis Street Plan of Subdivision (File #48T-06101) on the subject lands requires the passing of a Site Plan Control Area By-law to regulate fencing and/or vegetative buffers and the placement of fill on Lots 1 and 4 to 10, and to provide a retaining wall on Lot 1;

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

- 1) That certain parcel of land on Francis Street, being Registered Plan 36M-667, representing lands included in the Francis Street Subdivision (File #48T-06101), which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) As a condition of approval, the Owner shall:
 - a) Provide fencing along the easterly lot line of Lot 10 adjacent to the pedestrian walkway;
 - b) Provide fencing along the top of the stone retaining wall of the westerly side yard of Lot 5:
 - c) Maintain a vegetative buffer along the westerly lot line of Lot 4, and along the rear property lines of Lots 5 to 10 inclusive;
 - b) Provide a lot grading plan to the satisfaction of the City Engineer to establish the location and placement of fill on Lots 1, 4, 5, 6, 7, 8, 9 and 10; and
 - c) Provide a retaining wall along the easterly side yard of Lot 1.
- 3) 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 \$1.00 upon the owner for preparation.

- 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.
- 4) 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 446 of The Municipal Act, 2001 (S.O. 2001, c.25), as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 5) This By-law comes into force and effect upon being finally passed.
- 6) By-law No. 2011-105 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 16TH DAY OF MAY, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF MAY, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16TH DAY OF MAY, 2011.

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"original signature on file"

MAYOR, ALLAN MCDONALD

CITY CLERK, CATHERINE CONRAD

PLAN D-30 UNIT 2 OFFICE FOR THE LAND TITLES
OMISON OF HERSING AT 9:51 O'CLOCK
ON THE DI DAY OF PLOTE I 2011 2015 515 HTO FILE P-2000-20 36M 66 Catherine Conrad PLAN D-30 UNIT 3 PN 49132--0154 (LT) Allan McDonald AND REQUIRED CONSENTS AND AFFOAV ARE RECISTRED AS PLAN DOCUMENT IN BS 87350 WTO FILE P-2500-26 PH 49132-0472 (27) "Liz Taylor THIS PLAN COMPRISES ALL OF PIN 49132-0154 (LT) LOT 10 AND BLOCK 12 - SUBJECT TO EASEMENT NO LT 198975 PLAN OF SUBDIVISION OF 107 PART OF THE NORTH 1/2 OF LOT 19 Clerk 74 CONCESSION 'B' Mayor TOWNSHIP OF WIDDIFIELD ojň. City LOT 11 CITY OF NORTH BAY 107 NORTH 1/2 DISTRICT OF NIPISSING LOT 19 75 SCALE 1: 400 05/3 Miller & Urso Surveying Inc. 76 (M) (M) (M) LOT LOT ST 107 The 23 day of AUGUST 2010 77 BLOCK LOT 2 LOT 1 LOT 3 10\$70 0510 LOT 78 T engos Catherine comas OWNER'S CERTIFICATE 1. LOTS 1 TO 11 ALL HICLISINE, BLOOKS 12 AND 13, BLOCKS 14 AND 15 (0.3 WE'RE RESERVE), AND THE STREET HANDLY FRANCIS AMENIE HANE BEEN LIAD OUT IN ACCORDANCE TO MY INSTRUCTIONS. FRANCIS 0 585 AVENUE BLOCK 'D' <u>AN</u> 49133-0239 (LT) TPIN 49132-0154 /2 914542 ONTARIO INC. REGISTERED OWNER OF PM 49132-0154 (LT) CONCESSION ST July 22, 2010 NORTH BAY, ONTARIO KENNETH JACKSON (SECRETARY) 0574 I have authority to said the Consention BURNEYOR'S CERTIFICATE LOT 6 LOT 5 LOT 8 LOT 9 LOT 10 0579 0578 0574 0515 EASEMENT No. JUNE 17th, 2010 LT 198975-PIN 49133-0237 (2.1) \ -EASEMENT No. LT 180499 LEGEND PART 2 TEASEMENT PLAN No. 17 175755 PLAN 14-312 REGISTERED PLAN 3644--638 BLOCK 30 10T 3 10T 2 10T LOT 4 PIN 49133-0328 (2.1) BEATING NOTE PIN 49132-0500 (17) PHV 49132-0499 (2.1) PW 49132-0502 (11) PHY 49132-0498 (27) PIN 49132-0497 (27) Miller & Urso Surveying Inc. Ontario Land Surveyors • Canada Land Surveying Consultants 107 · | PHV 49132-0496 (2.1)-ISON SEVNOUR STREET, HORTH BAY, CHTANO PIB BCA DRAWN BY: M.M.W. CHECKED BY: R.D.M.

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