

BY-LAW NO. 147-90

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON DREW STREET
(JACQUES AND THIBEAULT)

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. 146-90 to rezone the subject lands to a "Residential Multiple First Density Special Zone No. 47 (RM.1 Sp.47)" to permit a triplex and a double duplex 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 Lots 15-18 Plan M-161 and Part 1, Plan 36R-8352 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 triplex dwelling shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - b) a double duplex shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - c) asphalt parking areas consisting of not less than a total of seven (7) parking spaces 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) a four and five-tenth (4.5) metre earth berm with vegetative cover shall be provided and maintained as set out as Item No. 5 on Schedule "B".


- 3) As a condition of approval the owner agrees to retain the services of a recognized noise and vibration consultant. Any suggestions forthcoming from the study shall be incorporated into the building design. The afore-mentioned study and any resulting alterations to the structure or subject property shall occur to the satisfaction of and at no expense to the Municipality.

- 4) 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 provisions, 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 thereto.

- 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 all 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.
- 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.

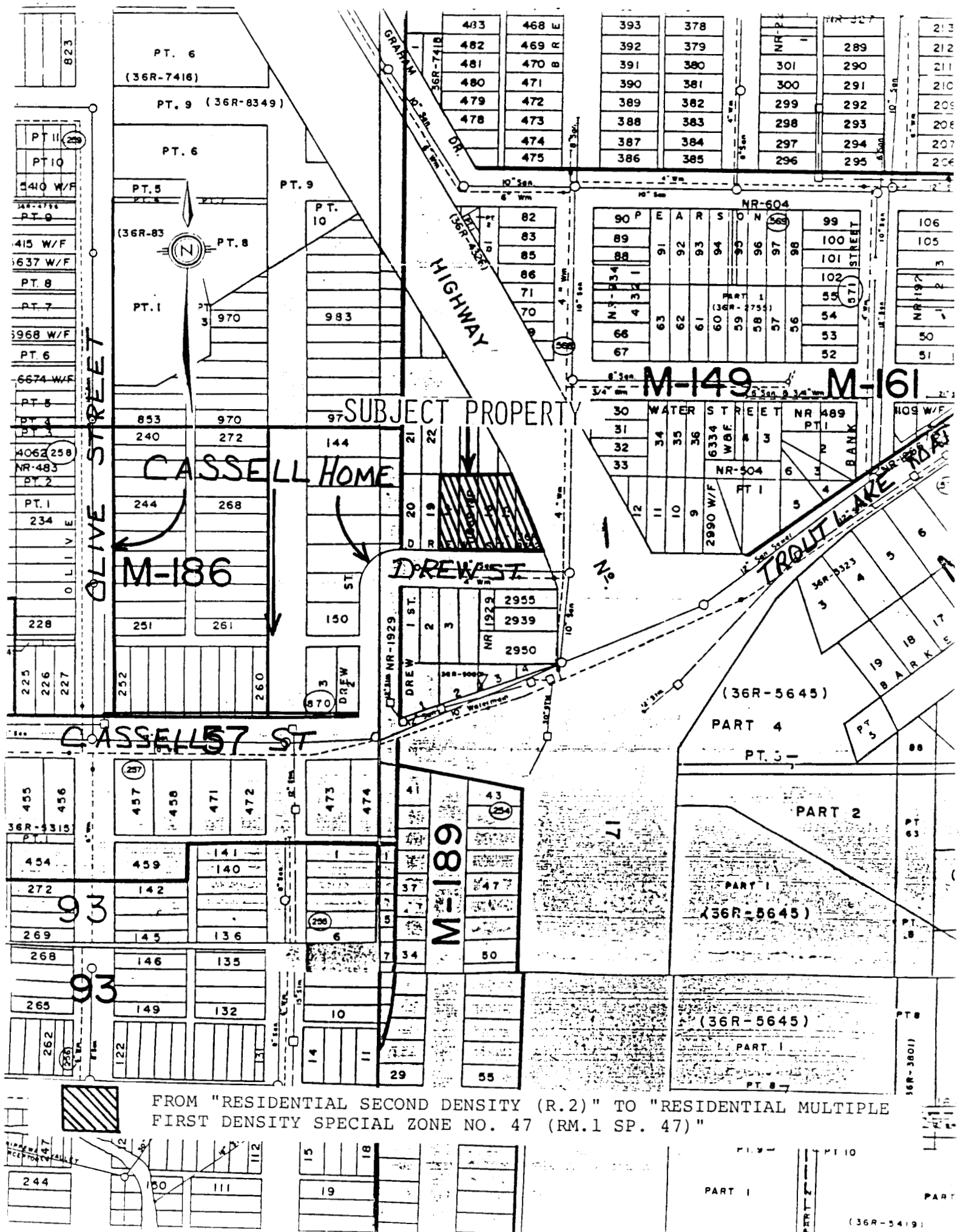
READ A FIRST TIME IN OPEN COUNCIL THE 7th DAY OF August 1990.
READ A SECOND TIME IN OPEN COUNCIL THE 17TH DAY OF SEPTEMBER 1990.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY
OF SEPTEMBER 1990.


MAYOR


CITY CLERK

Passed the 17TH day of SEPTEMBER
1990.

CITY CLERK



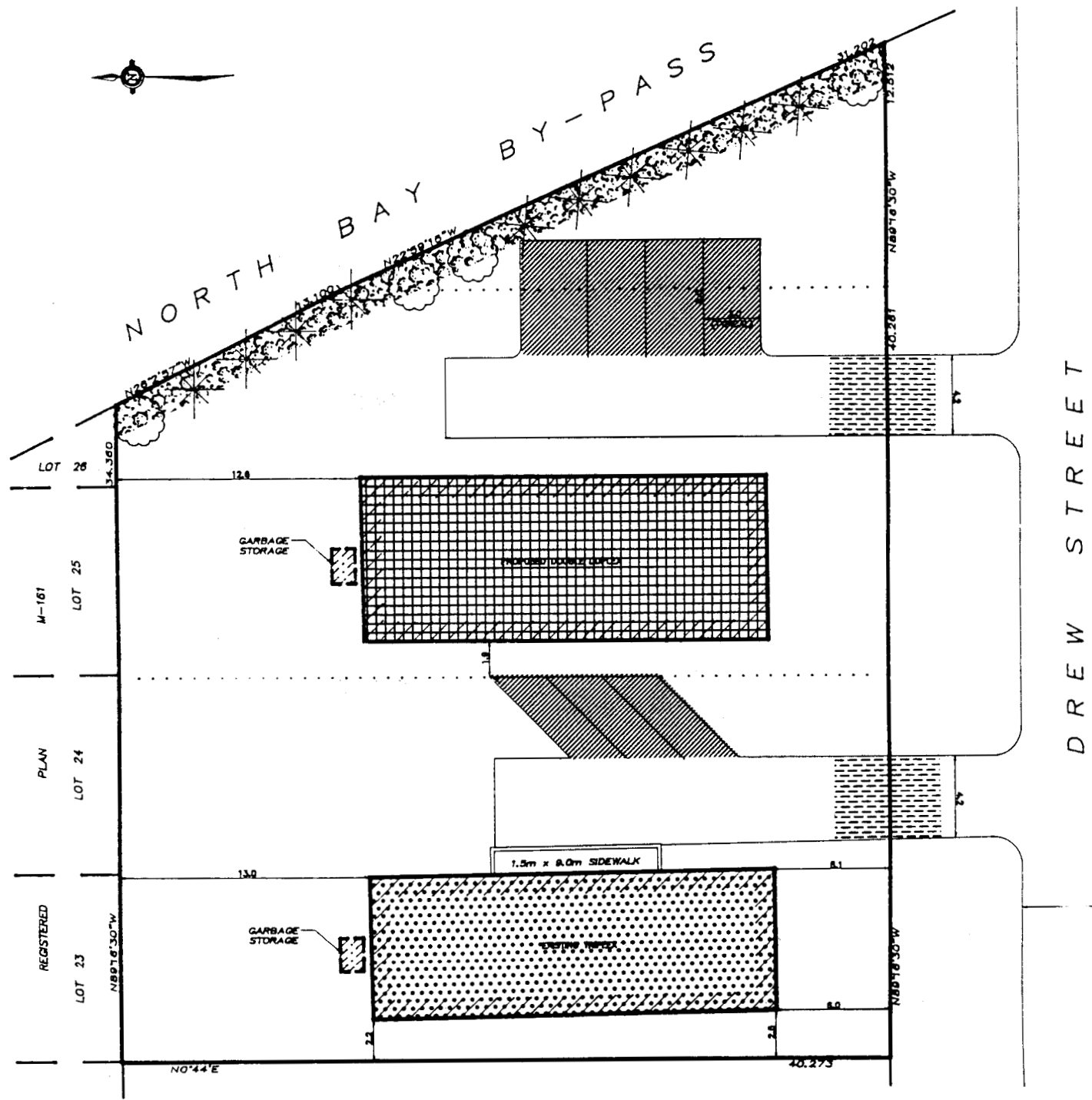
This is Schedule " B "

To By-law No. 147-90

Passed the 17TH day of SEPTEMBER 19 90 .

Stan D. Lawlis
MAYOR

B. B. B. B.
CITY CLERK



- LEGEND
- ITEM NO. 1: Dotted pattern
 - ITEM NO. 2: Grid pattern
 - ITEM NO. 3: Diagonal line pattern
 - ITEM NO. 4: Horizontal line pattern
 - ITEM NO. 5: Cloud-like pattern
 - LANDS TO BE REZONED FROM RESIDENTIAL SECOND DENSITY R2 TO RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL RM1SP 41: White box