

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2005-56

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA
ON CERTAIN LANDS ON CARTIER STREET**

(2023725 ONTARIO LTD. – CARTIER 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 intends to pass By-law No. 2005-55 to rezone the subject lands to a "Industrial Commercial (MC)" to permit the development of 3 townhouse structures comprising of 14 units and seven double duplex dwelling units comprising of 28 units. The proposal is comprised of a total of 42 dwelling units.

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 Part of Anthony Street, Part of Cartier Street, Part of Helen Street, M-153, Part Block A, Plan M-456, Blocks 100, 109 and Part of Block 101, Plan M-517 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, 4, 5 and 6 on Schedule “B” attached hereto, and which Schedule "B" are hereby approved by the Council provided that:
 - a) the main building shall be maintained by the owner as set out as Item No. 1 on Schedule "B";
 - b) vehicular parking shall be 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";
 - d) plays space shall be provided and maintained by the owner as set out as Item No. 4 on Schedule “B”;
 - e) fencing will be provided and maintained as set out as Item No. 5 on Schedule "B";
 - f) a vegetative buffer shall be provided and maintained by the owner as set out as Item No. 6 on Schedule B.

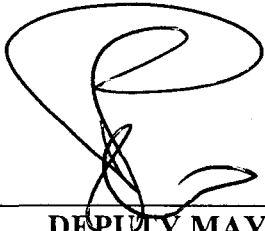
- 3) As a condition of approval the owner agrees to provide a storm water management plan which shall include a lot grading plan for the subject property. Said storm water management plan and any resulting alteration to the subject lands shall occur to the satisfaction of the City of North Bay and the Ministry of Transportation and at no expense to the City of North Bay or Ministry of Transportation.
- 4) As a condition of approval, the owner agrees to provide a lighting/illumination plan to the City of North Bay and Ministry of Transportation. Said plan shall occur to the satisfaction of, and at no expense to, the City of North Bay and the Ministry of Transportation.
- 5) As a condition of approval the owner agrees to provide adequate water for fire fighting purposes to the satisfaction of, and at no expense to, the City of North Bay.
- 6) 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 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;
 - g) adequate water supply for fire fighting purposes.
- 7) 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.

- 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.
- 8)
 - 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 427 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.
- 8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 11TH DAY OF APRIL 2005.

READ A SECOND TIME NI OPEN COUNCIL THE 11TH DAY OF APRIL 2005.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 11TH DAY OF APRIL 2005.



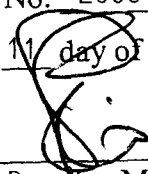
DEPUTY MAYOR


CITY CLERK

This is Schedule "A"

To By-law No. 2005-56

Passed the 11 day of April 2005.

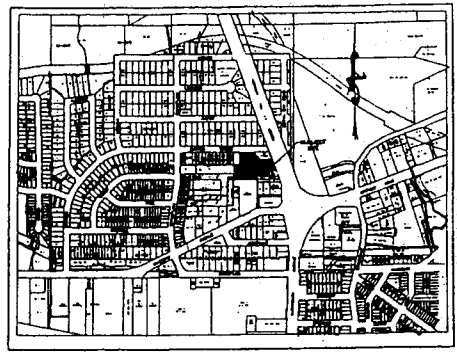

Deputy Mayor

Catherine Conrad
City Clerk



Deputy Mayor

Catherine Dineen
City Clerk

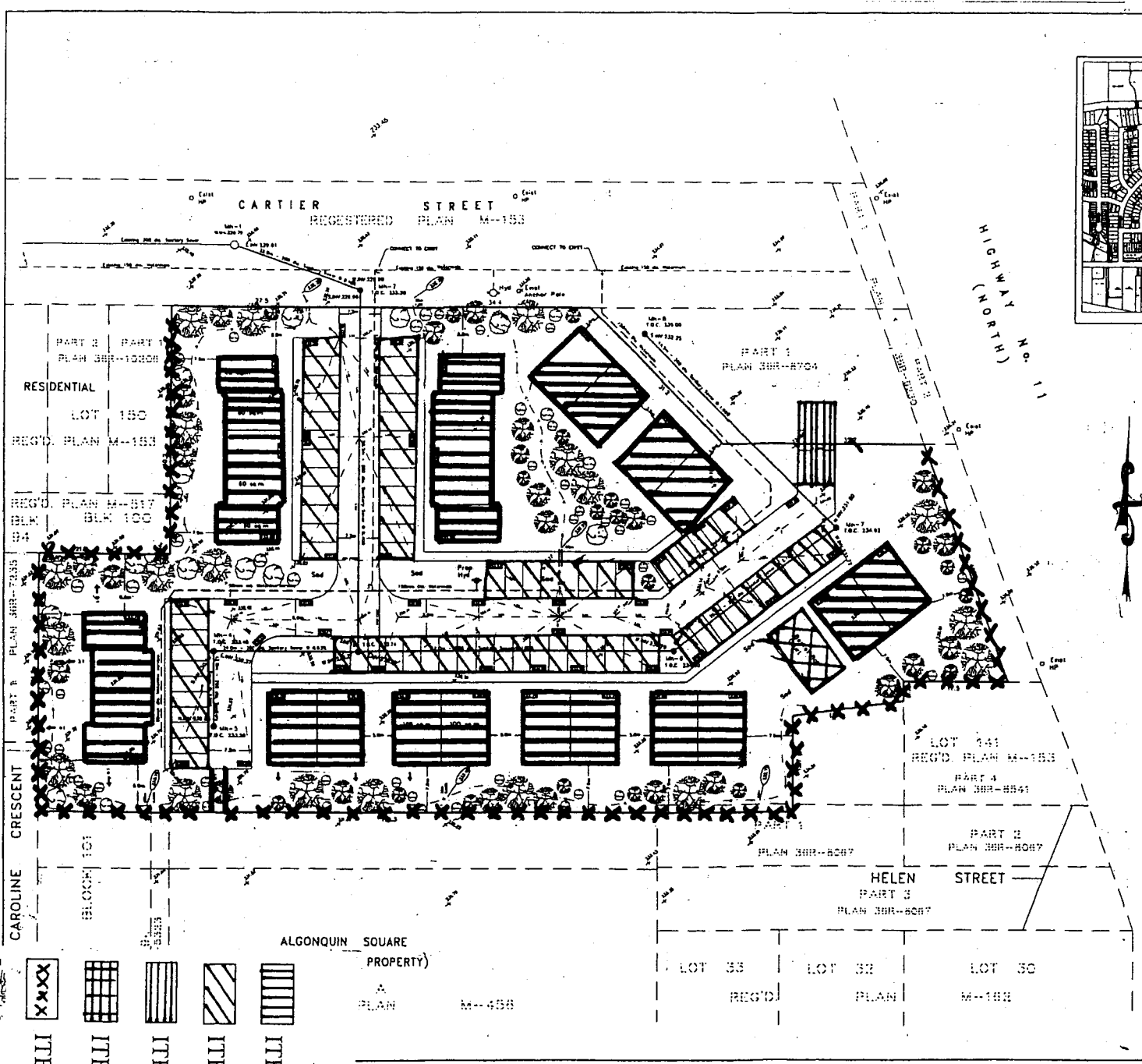


KEY PLAN

- LEGEND
- INDICATES PROPOSED FINISHED GRADE ELEVATIONS
 - PROPOSED FINISHED PARKING LOT GRADE
 - PROPOSED FINISHED PARKING LOT GRADE AT EDGE OF PAVEMENT
 - PROPOSED DRAINAGE DIRECTION AND SLOPE
 - EXISTING GROUND ELEVATIONS
 - BOTTOM OF SEWER SHALE
 - EXIST HYDRO POLES

PRELIMINARY

GRAHAIL HOLDINGS LTD.		
CITY OF NORTH BAY CARTIER STREET		
RENTAL HOUSING PROJECT SITE PLAN		
Miller & Urso Surveying Inc. Professional Engineers & Planners 1000 Highway 104, Unit 104 North Bay, Ontario		
DESIGNED BY: G.L. Holmes	DATE: FEB/2005	
CHECKED BY:	SCALE: 1 : 300	
1656 SITE PLAN		
PROJECT No: 1656	DRAWING No: C-1	REV:



- ALGONQUIN SQUARE PROPERTY)
- A PLAN M-458
- ITEM NO. 1
 - ITEM NO. 2
 - ITEM NO. 3
 - ITEM NO. 4
 - ITEM NO. 5
 - ITEM NO. 6