

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 1999-106**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS - FOURTH AVENUE EAST  
(R. & E. LANDRY - 257 FOURTH AVENUE EAST)**

**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. 1999-105 to rezone the subject lands to a "Residential Multiple First Density Special Zone No. 75 (RM1 Sp.75)" in order to recognize the existing triplex dwelling by way of appropriate zoning.

**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 57, Part Lot 16 and Plan 62, Part Lot 124 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, and 4 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 by the owner as set out as Item No. 1 on Schedule "B";
  - b) vehicular parking consisting of not less than six (6) 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. 2 on Schedule "B";
  - d) 1.8 m high privacy fencing shall be constructed and maintained by the owner as set out as Item No. 4 on Schedule "B".
- 3) 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 Municipality of the following matters:

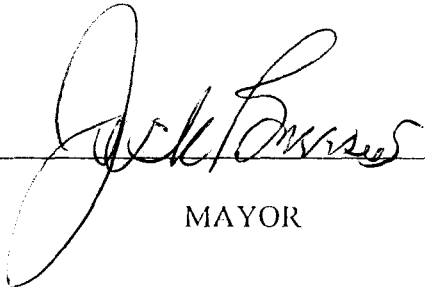
- a) Parking facilities, both covered and uncovered, and access driveways and the surfacing of such areas and driveways;
  - b) walkways and the surfacing thereof;
  - c) facilities for lighting, including floodlighting;
  - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities 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 and snow and ice from the land and from any buildings or structures thereon.
- 4) As a condition of approval the owner agrees to make provision for the storage and/or removal of snow from the rear lot parking area, at such time as the occupants of the premises have more than three vehicles, and such storage or removal shall occur to the ongoing satisfaction of the City Engineer and at no expense to the City Engineer and the City of North Bay.
- 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. An additional \$500.00 fee shall be imposed for supplementary inspections, or such other amount as would have been required for building permit approvals.

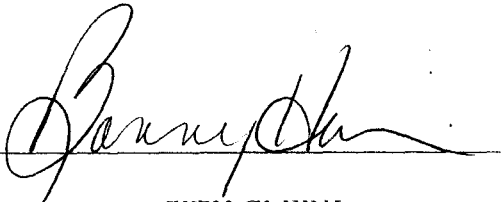
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act and The Land Titles Act against any and all subsequent owners of the land.
  
- 6) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.  
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 12TH DAY OF JULY  
1999.

READ A SECOND TIME IN OPEN COUNCIL THE 27TH DAY OF SEPTEMBER  
1999.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 27TH DAY  
OF SEPTEMBER 1999.

  
MAYOR

  
CITY CLERK

This is Schedule " 1 A "

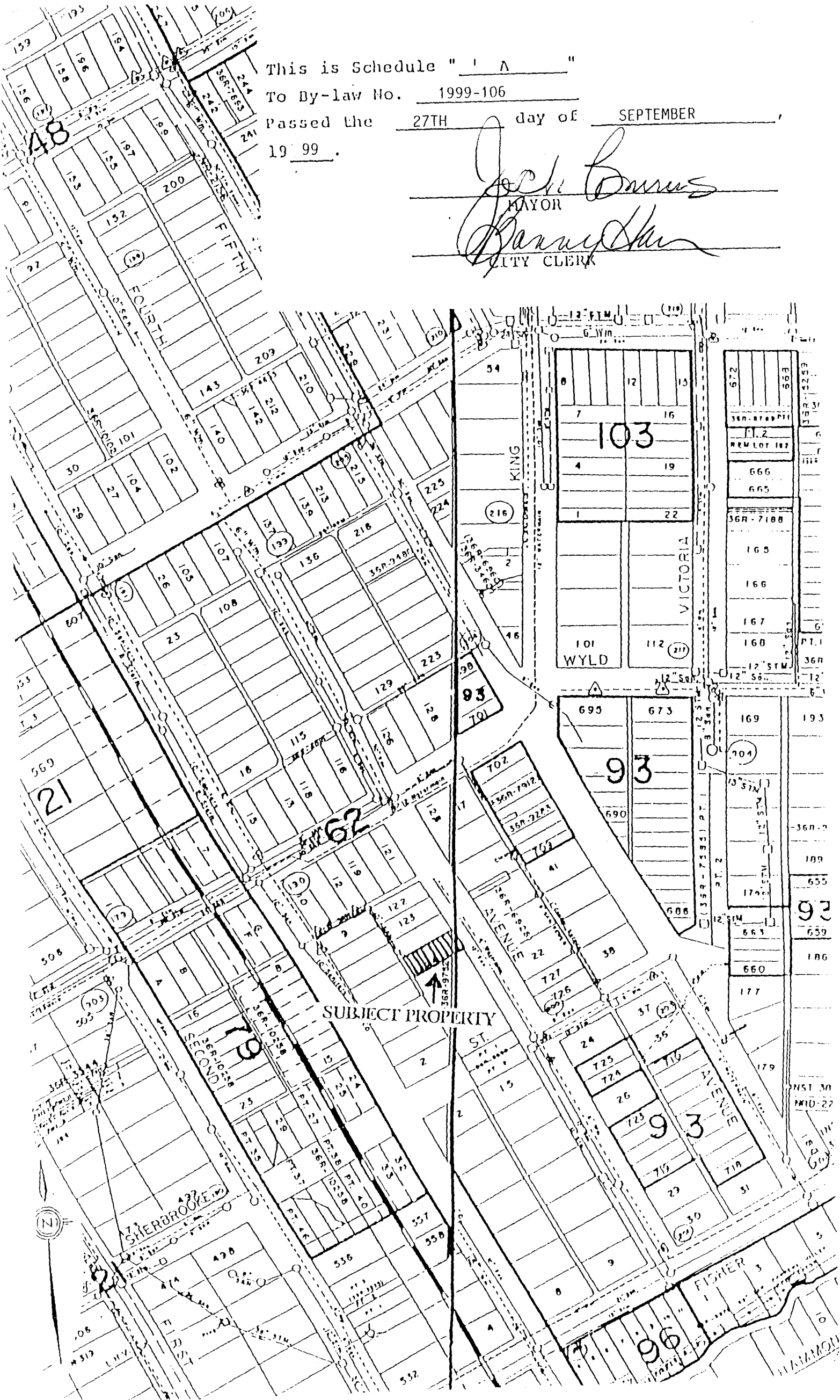
To By-law No. 1999-106

Passed the 27TH day of SEPTEMBER

19 99.

*Jack Barnes*  
MAYOR

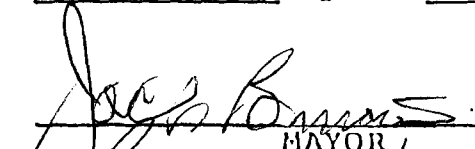
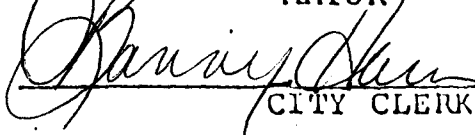
*Barny Khan*  
CITY CLERK







This is Schedule " B "

To By-law No. 1999-106

Passed the 27TH day of SEPTEMBER  
1999.

  
MAYOR  
  
CITY CLERK

FOURTH AVENUE

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

0 20  
Feet

