

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2001-63

**A BY-LAW TO DESIGNATE A SITE PLAN
CONTROL AREA ON CERTAIN LANDS ON
O'BRIEN STREET
TIFFANY DITTMANN - 1404 O'BRIEN 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. 2001-62 to rezone the subject lands to a "Neighbourhood Commercial Special Zone No. 58 (C5 Sp.58)" to permit a licensed day-care facility.

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 Registered Plan No. M-177, Lots 1149-1151, Lots 1156-1157, Part Lots 1152, 1158, Pt. Pcl. 1746 W&F, Rem. Pcl. 5855, Pt. Pcl. 7545 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 1, 2, 3, 4 and 5 on Schedule "B-43" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - a) a licensed day-care with dwelling units connected to the commercial building 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 one and one-half (1.5) parking spaces for each dwelling unit and one (1) parking space for each eighteen and six-tenths (18.6) square metres of commercial floor space of the building 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) landscaped areas shall be provided and maintained by the owner as set out as Item No. 4 on Schedule "B";

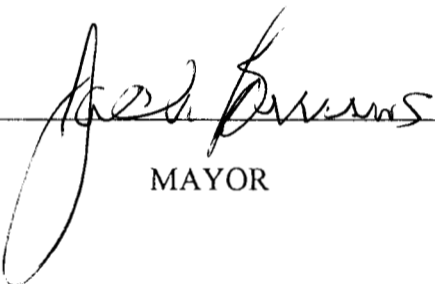
- e) fencing being not less than 1.8metres in height shall be provided and maintained by the owner as set out as Item No. 5 on Schedule "B".
- 3) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on 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 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.
- 4) 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.

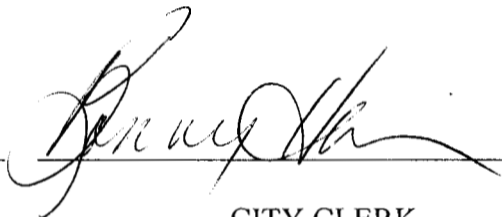
- 5) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
 - b) The owner shall authorize the City to exercise the provisions of Section 326 of The Municipal Act, R.S.O. 1990, Chapter **M. 45**, as amended or any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.
- 6) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 11TH DAY OF JUNE
2001.

READ A SECOND TIME IN OPEN COUNCIL THE 25TH DAY OF JUNE
2001.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 25TH DAY
OF JUNE 2001,


MAYOR


CITY CLERK

This is Schedule "A"

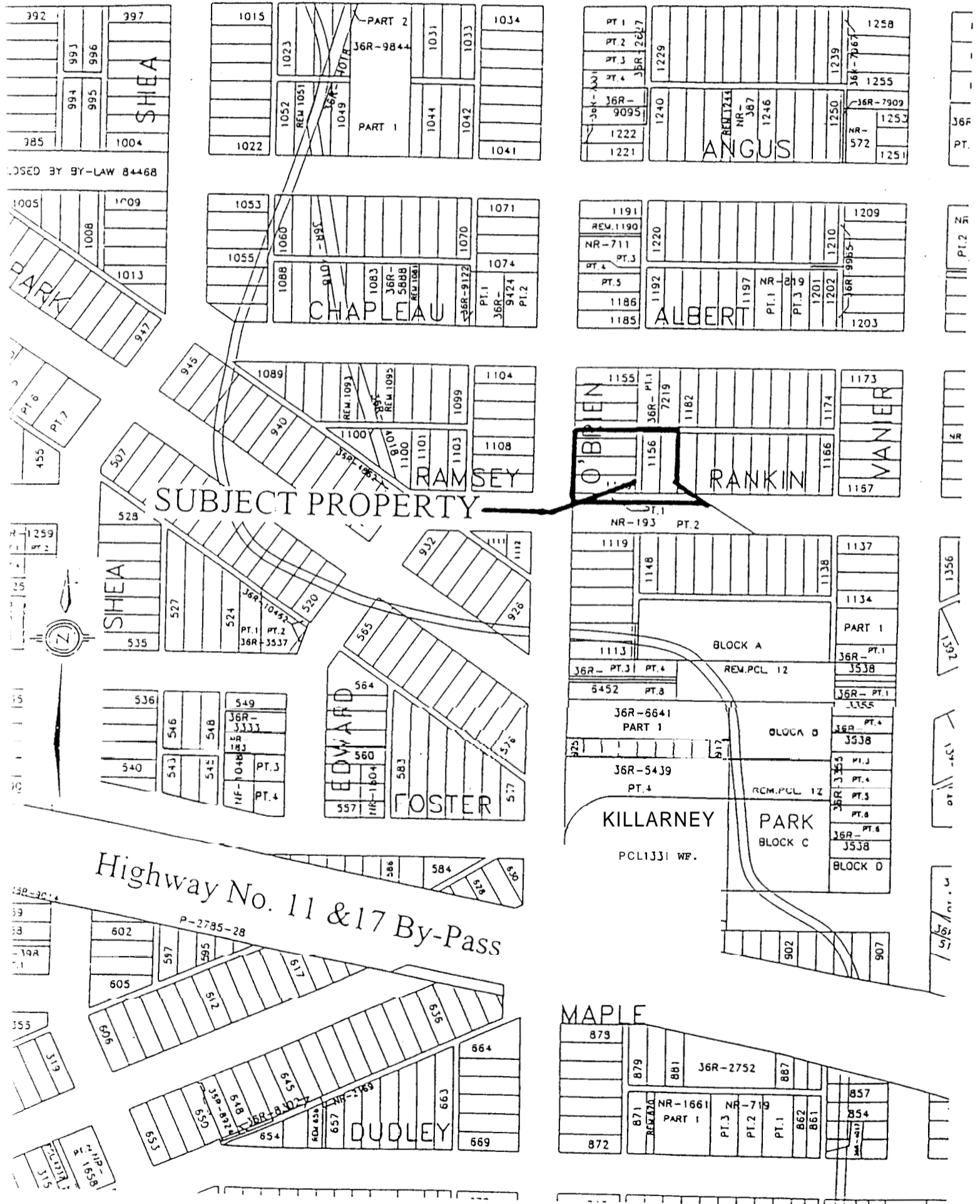
To By-Law No. 2001-63

Passed the 25th day of June

2001.

[Signature]
Mayor

[Signature]
City Clerk



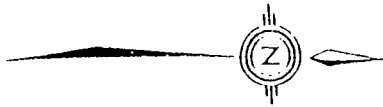
This is Schedule "B"

To By-law No. 2001-63

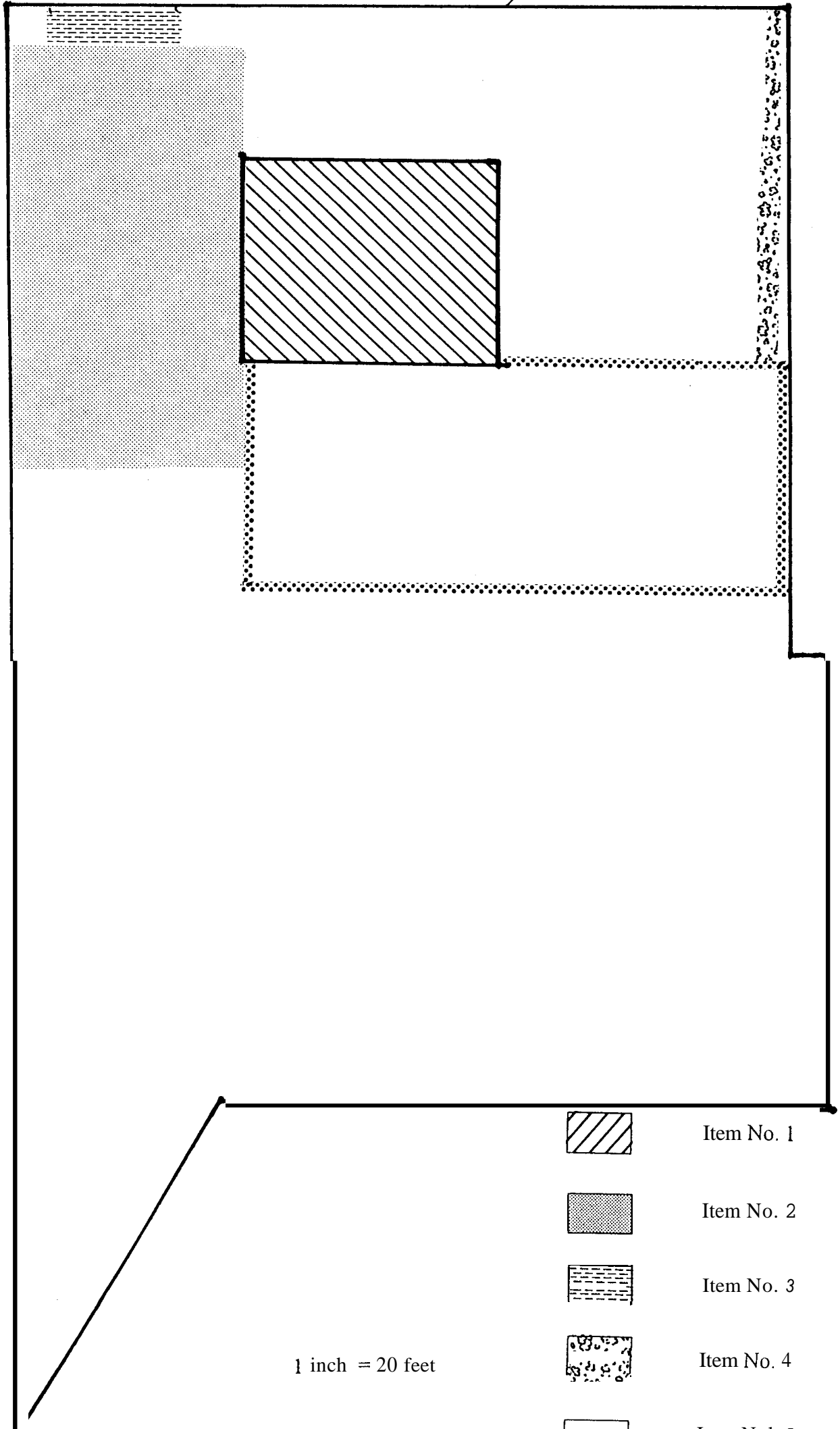
Passed the 25th day of June

2001

[Signature]
Mayor
[Signature]
City Clerk



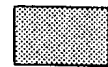
O'BRIEN STREET



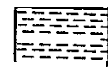
1 inch = 20 feet



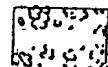
Item No. 1



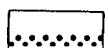
Item No. 2



Item No. 3



Item No. 4



Item No. 5