

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 33-90

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON VICTORIA STREET EAST
(GAUTHIER - SUPREME HABITATS)

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. to rezone the subject lands to a "Residential Multiple Fourth Density Special Zone No. 40(RM4Sp.40)" zone to permit the construction of a sixty-five unit Senior Citizen Apartment Building;

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

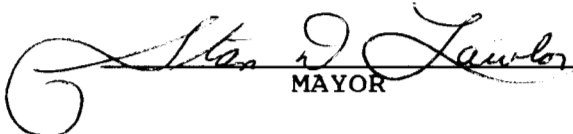
1. That certain parcel of land, composed of Lots 662, 663 and 664 Plan No. 93; Lots 171 to 174 Plan No. 57 and Part 1 and 2 Plan 36R-7585 in the City of North Bay which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
2. No building 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, 5 and 6 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
 - (a) A sixty-five (65) unit Senior Citizen Apartment Building shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) Parking consisting of not less than seventeen (17) parking spaces shall be provided and maintained as set out as Item No. 2 on Schedule "B";

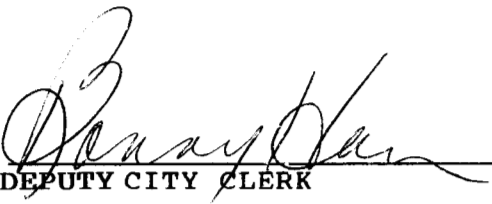
- (c) Ingress and Egress shall be provided and maintained as set out as Item No. 3 on Schedule "B";
 - (d) A fence constructed of an opaque material shall be provided and maintained as set out as Item No. 4 on Schedule "B";
 - (e) A vegetative buffer shall be provided and maintained as set out as Item No. 5 on Schedule "B" and
 - (f) An area for the storage of a garbage container shall be provided and maintained as set out as Item No. 6 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 provision, 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 thereon;
4. (a) Prior to the issuance of a building permit for any buildings or structures referred to in Section 2 hereof, the Owner shall complete a storm water drainage study, satisfactory to the City to address all potential storm water drainage concerns which may impact the site. The study shall demonstrate and ensure that storm water runoff from post development peak flows shall not exceed pre-development peak flows for a five year return period storm.
- (b) No parking area shall be paved unless storm water drainage is contained on site and directed in a controlled manner so as not to adversely affect existing drainage courses, in a manner to be approved by the Director of Engineering and Works of the City.
- (c) Storm drainage shall be contained on site and directed to the City storm sewers via an internal storm sewer system.
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 the subject lands herein to ensure the provision of all the 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.

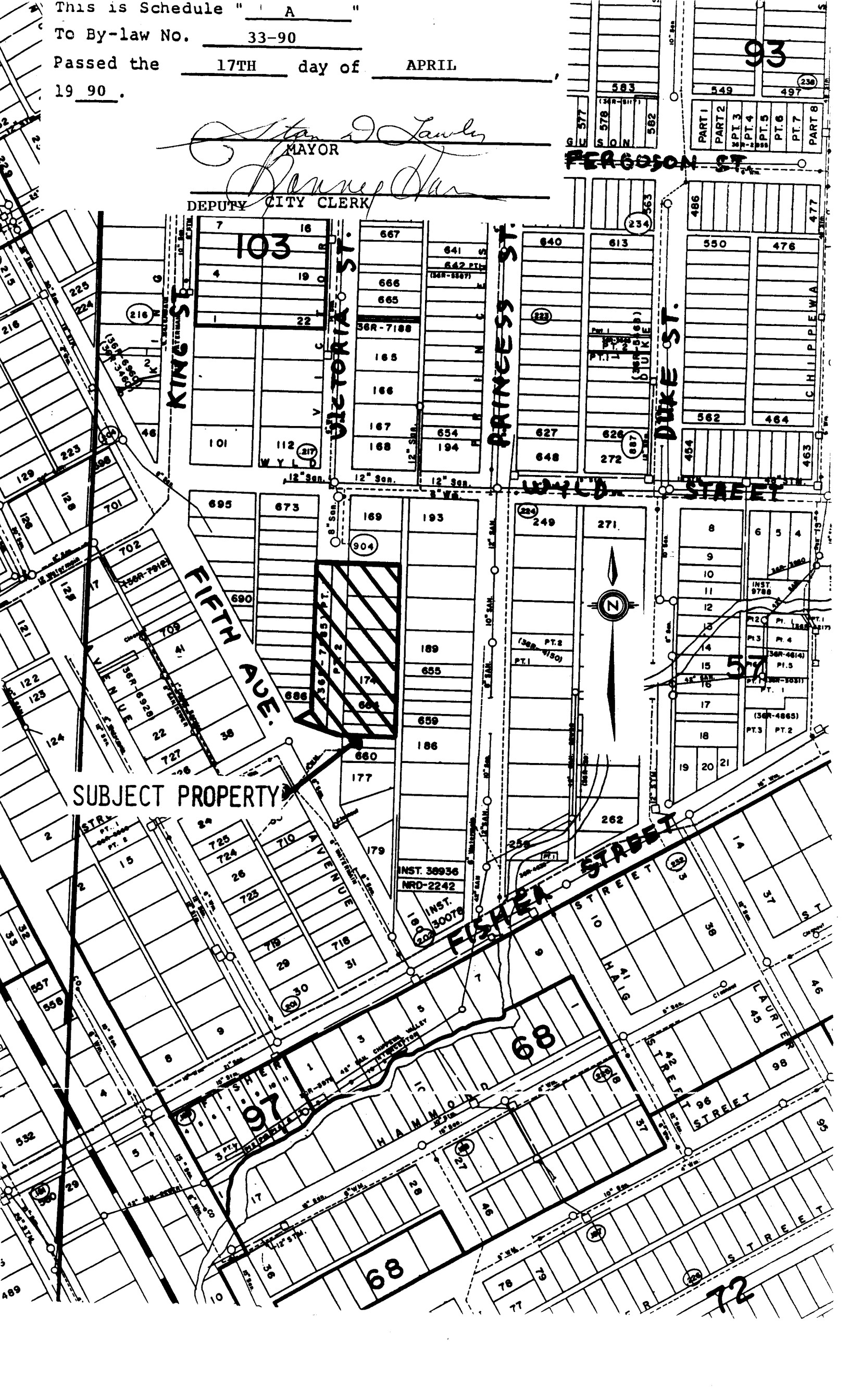
READ A FIRST TIME IN OPEN COUNCIL THE 5TH DAY OF MARCH 1990.
READ A SECOND TIME IN OPEN COUNCIL THE 17 DAY OF APRIL 1990.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY
OF APRIL 1990.


MAYOR


DEPUTY CITY CLERK

This is Schedule " A "
To By-law No. 33-90
Passed the 17TH day of APRIL
19 90 .

Stan D. Lawley
MAYOR
Donna J. Van
DEPUTY CITY CLERK



SUBJECT PROPERTY

93

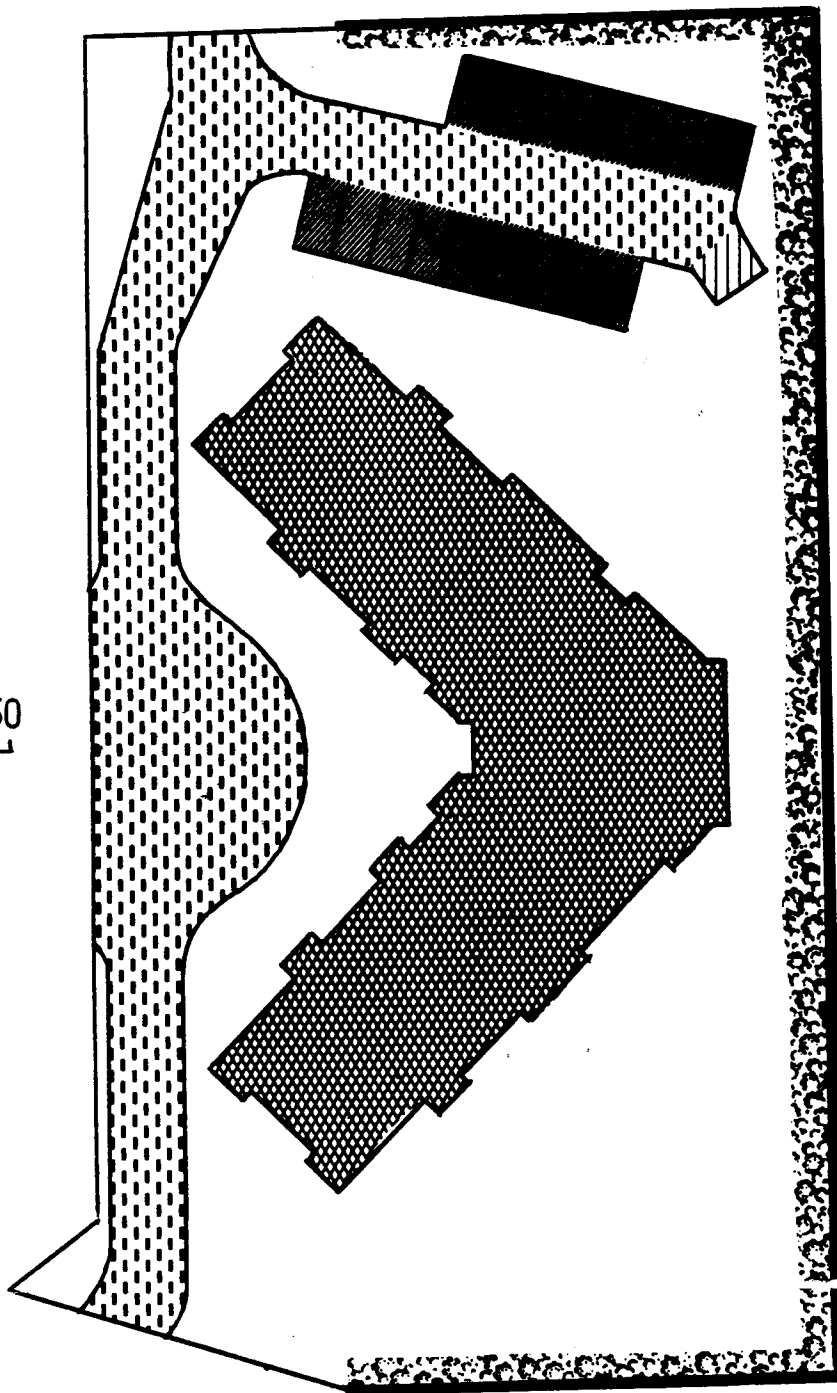
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68

72







This is Schedule " B "
To By-law No. 33-90
Passed the 17TH day of APRIL
1990.

Stan D. Lawley
MAYOR
Barney Han
DEPUTY CITY CLERK



0 50
FEET



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|--|--|--|
|  ITEM NO. 1 |  ITEM NO. 3 |  ITEM NO. 5 |
|  ITEM NO. 2 |  ITEM NO. 4 |  ITEM NO. 6 |