

BY-LAW NO. 73-90

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL
AREA ON CERTAIN LANDS ON FRONT STREET
(C. LECLAIR).

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. 72-90 to rezone the subject lands to a "Residential Multiple First Density Special Zone No.42 (RM.1 Sp.42)" to permit a Double Duplex Dwelling and Accessory Building.

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

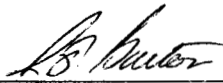
1. That certain parcel of land, composed of Part of Lots 170, 171, and 172, Plan M-32 in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
2. No building or structure shall be erected, constructed or placed 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 Double Duplex dwelling shall be provided and maintained as set out as Item No. 1 on Schedule "B";
 - (b) an accessory building shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - (c) an asphalt parking area having not less than four (4) 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 1.8 meter high chain link security fence shall be provided and maintained as set out as Item No. 5 Schedule "B".
3. (a) 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.
- (b) As a condition of approval the owner shall acknowledge that the close proximity of the subject property to the railway right-of-way may adversely affect the living environment of the occupants with regard to noise and vibration.
4. As a condition of the approval of buildings and structures referred to in Section 2 hereof, no building or structures 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 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.
5. (a) The Mayor and Clerk are hereby authorized upon the recommendation of the Chief Administrative Officer to enter into, under Corporated 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 provision 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 30TH DAY OF APRIL 19 .
READ A SECOND TIME IN OPEN COUNCIL THE 14TH DAY OF MAY 1990 .
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 14TH DAY
OF MAY 19 90


MAYOR


CITY CLERK

This is Schedule " A "

To By-law No. 73-90

Passed the 14TH day of MAY 1990 .

S. D. Lawler
MAYOR

B. Burton
CITY CLERK

115
116
E
E
30



SUBJECT PROPERTY

102

23

45

21

13

M-32

M-5

FRONT ST

ALGONQUIN AVE

ANN ST

GALT ST

DOUGLAS ST

ST. JOSEPH'S HOSPITAL

STREET
PT. 17
PT. 19
PT. 23
PT. 24

STREET 282
STREET 283

STREET 203
STREET 200

STREET 103
STREET 104

STREET PT. 4
PT. 5
PT. 6

FRONT 663 664
COMMERCIAL 655 672
659 668
673 690

COND AVE 677 686
STREET 693 704
707

627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800

This is Schedule " B "

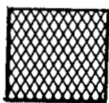
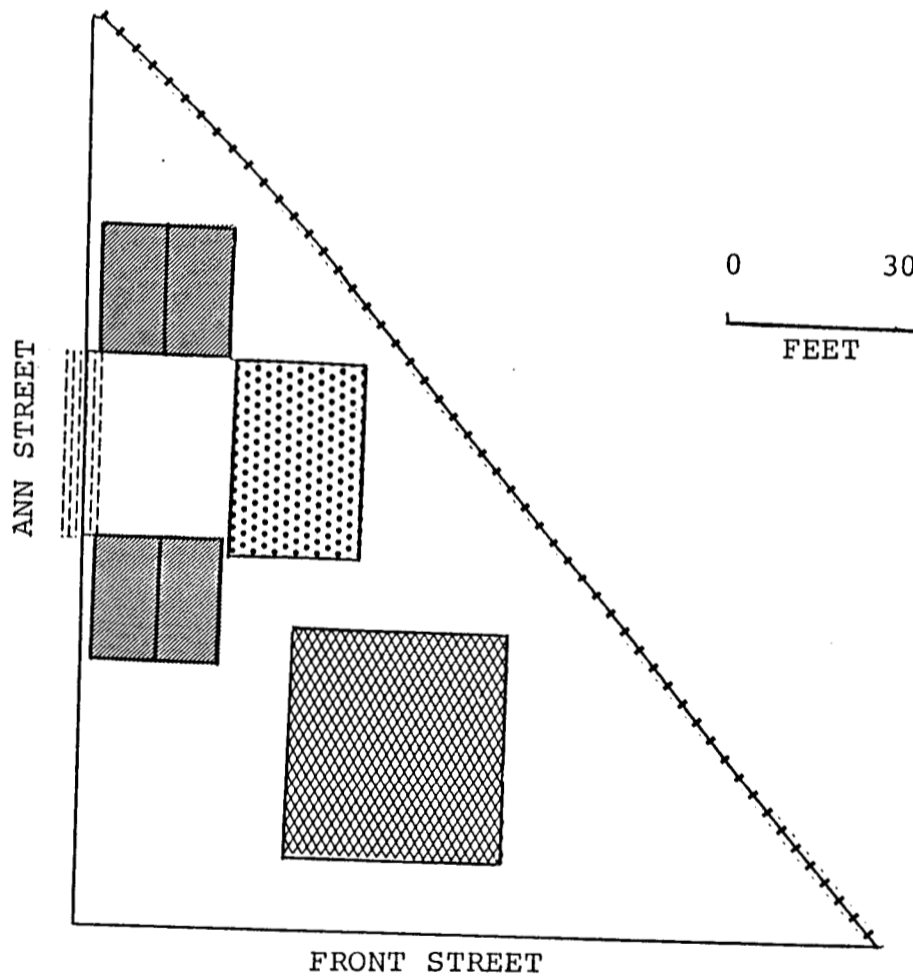
To By-law No. 73-90

Passed the 14TH day of MAY

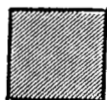
19 90 .

S. D. Lawley
MAYOR

B. Owen
CITY CLERK



ITEM NO. 1



ITEM NO. 3



ITEM NO. 5



ITEM NO. 2



ITEM NO. 4