

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 156-91

A BY-LAW TO DESIGNATE A SITE PLAN CONTROL AREA ON CERTAIN LANDS ON MARSHALL AVENUE WEST (LEISURE WORLD INC.) LOTS 1, 2, 3, 178, 179 AND 180, PLAN M-211

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. 155-91 to rezone the subject lands to a "Residential Multiple Fourth Density Special Zone No. 54 (RM.4 Sp.54)" zone to permit a twenty (20) unit apartment dwelling.

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 1, 2, 3, 178, 179 and 180, Plan M-211 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 four-storey twenty (20) unit apartment building shall be provided and maintained as set out as Item No. 1 on
 - b) asphalted parking areas and parking garage area having not less than twenty-six (26) total parking spaces for tenants and visitors shall be provided and maintained as set out as Item No. 2 on Schedule "B";
 - c) vehicular ingress and egress from William Street shall be provided and maintained as set out as Item No. 3 on Schedule "B";

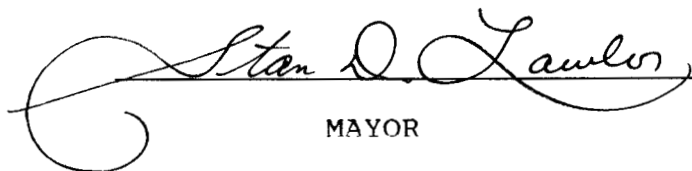
- d) a 1.8 metre privacy fence on adjacent lands owned by the Applicant abutting Lots 13 and 168, M-211 shall be provided and maintained as set out as Item No. 4 on Schedule "B";
 - e) a landscaped/planting area for the westerly 30.0 metres of the Marshall Avenue road allowance shall be provided and maintained as set out as Item No. 5 on Schedule "B".
 - f) relocated employee and visitor parking facilities on adjacent lands owned by the applicant, totalling thirty-nine (39) spaces 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) 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.

- 5) a) The said Agreement shall be binding on the Owner, its successors or 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.

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

READ A FIRST TIME IN OPEN COUNCIL THE 22ND DAY OF JULY 1991.
READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF AUGUST 1991.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6TH DAY
OF AUGUST 1991.


MAYOR


CITY CLERK

This is Schedule " A "

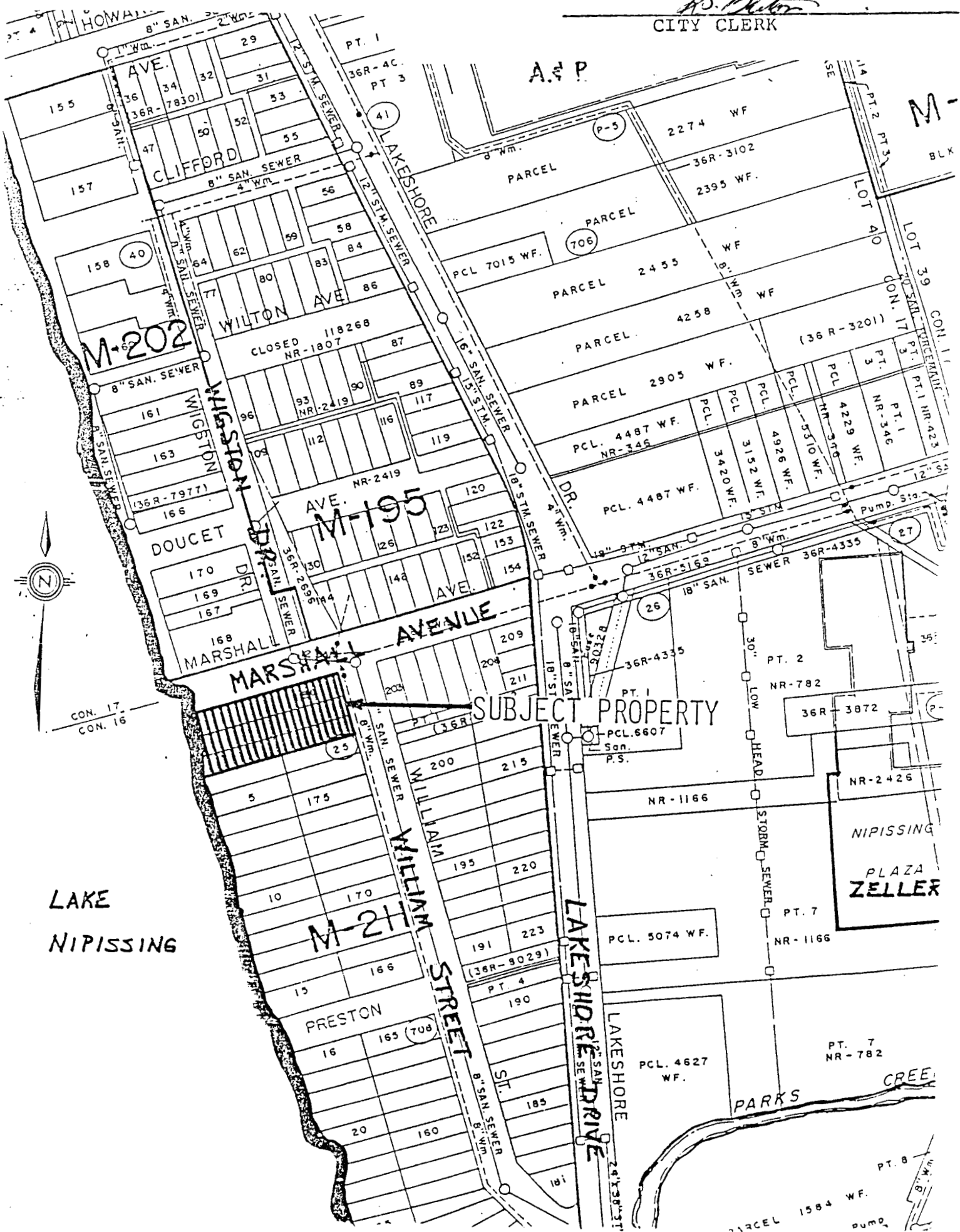
By-law No. 156-91

Passed the 6TH day of AUGUST

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Stan D. Lawlor
 MAYOR

A.B. [Signature]
 CITY CLERK



LAKE
 NIPISSING

CON. 17
 CON. 16

M-202

M-195

M-211

SUBJECT PROPERTY

A & P

M-

NIPISSING
 PLAZA
 ZELLER

PARKS

CREEK

This is Schedule " B "

To By-law No. 156-91

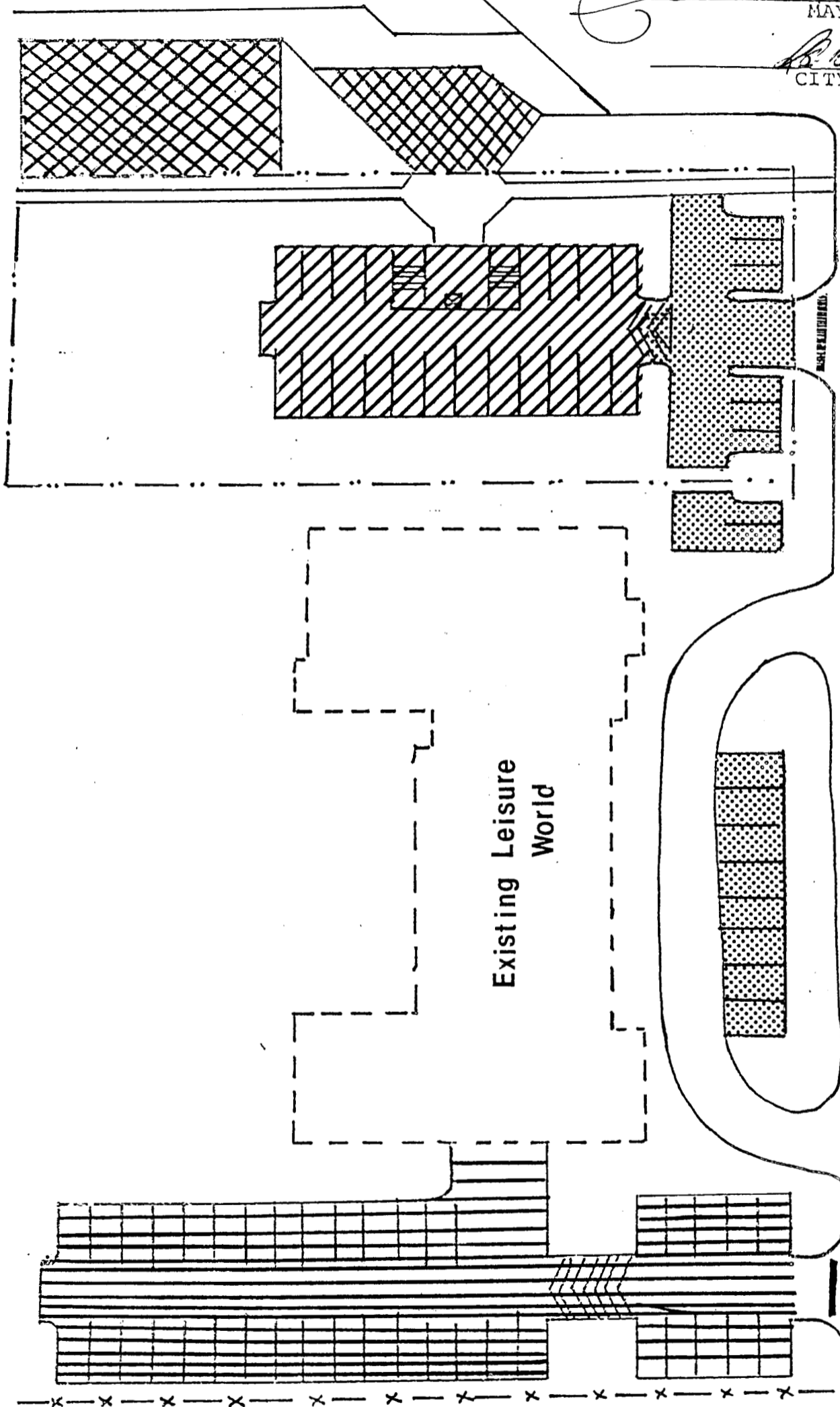
Passed the 6TH day of AUG.

19 91 .

MARSHALL AVENUE






Stan Lawlor
MAYOR

R. Carter
CITY CLERK



Existing Leisure World

WILLIAM STREET

- ITEM 1 
- ITEM 2 
- ITEM 3 
- ITEM 4 
- ITEM 5 
- 