

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 163-88

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS SOUTH OF MASSEY DRIVE, FROM "R-H" AND "O.2" TO "RESIDENTIAL FIRST DENSITY (R.1)", "RESIDENTIAL SECOND DENSITY (R.2)", "OPEN SPACE (O)", "RESIDENTIAL THIRD DENSITY (R.3)", "FLOODWAY (O.1)", FLOODPLAIN AND EROSION (O.2)", "RESIDENTIAL MULTIPLE SECOND DENSITY SPECIAL (RM.2 SP.)" AND "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL (RM.3 SP.)" (SAUNDERS - HERON PARK SUBDIVISION)

WHEREAS the owner of the subject property has requested a rezoning;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public and has held at least one public meeting after due notice for the purpose of informing the public of this By-law.

AND WHEREAS it is deemed desirable to amend the Zone designation shown on Schedules "B-71", "B-80" and "B-81" of the By-law No. 28-80 pursuant to Section 34 of The Planning Act;

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

1. Schedules B-71, B-80 and B-81 of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as the northerly 20.15 ha. of Parcel 11383 Nip. being lands located south of Massey Drive and shown as hatched on Schedule "B" attached hereto and forming part hereof) from a "Residential Holding (RH)" Zone and a "Floodplain and Erosion (O.2)" Zone to a "Residential First Density (R.1)" Zone, a "Residential Second Density (R.2)" Zone, a "Residential Third Density (R.3)" Zone, a "Residential Multiple Second Density Special (RM.2 Sp.)" Zone, a "Residential Multiple Third Density Special (RM.3 Sp.)" Zone, an "Open Space (O)" Zone a "Floodway (O.1)" Zone and a "Floodplain and Erosion (O.2)" Zone.
2. Section 11 of By-law No. 28-80 is further amended by inserting at the end thereof the following Section 11.2.25:

"11.2.25 Residential Multiple Second Density Special
Zone No. 25 (RM.2 Sp. 25)

11.2.25.1 The property description of this "Residential
Multiple Second Density Special Zone No. 25
(RM.2 Sp.25) Zone is:

Part of Parcel 11383 Nip. in the City of North
Bay as shown on the attached Schedule and
Schedules "B-71", "B-80" and "B-81".

11.2.25.2 (a) No person shall use land or erect or
construct any building or structure in this
"Residential Multiple Second Density Special
Zone No. 25 (RM.2 Sp.25)" Zone except for the
following uses"

50 Townhouse units;
Accessory Uses to the Above.

11.2.25.2 (b) The regulations for this "Residential
Multiple Second Density Special Zone No. 25
(RM.2 Sp.25)" Zone are as follows:

- (i) The minimum lot frontage shall be thirty
(30) metres;
- (ii) The maximum lot coverage shall be thirty
(30) percent;
- (iii) The minimum front yard setback shall be six
(6) metres;
- (iv) The minimum side yard shall be one and
two-tenths (1.2) metres for one storey and
an additional sixty-one (61) centimetres for
each additional storey or part thereof, but
one side yard must have a minimum width of
six (6) metres and an exterior side yard
must have a minimum width of three (3)
metres;

- (v) The minimum rear yard shall be seven and six-tenths (7.6) metres;
- (vi) The maximum number of dwelling units per building shall be eight (8); and
- (vii) The minimum distance between buildings shall be equal to the acreage height of the two adjacent buildings or portions thereof.

11.2.25.3 The use of land or buildings in this "Residential Multiple Second Density Special Zone No. 25 (RM.2 Sp. 25)" Zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

3. Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Residential Multiple Second Density Special Zone No. 25 (RM.2 Sp.25)" as shown on Schedule "C" to this By-law.

4. Section 11 of By-law No. 28-80 is further amended by inserting at the end thereof the following Section 11.2.26:

"11.2.26 Residential Multiple Third Density Special Zone No. 26 (RM.3.Sp.26)

11.2.26.1 The property description of this "Residential Multiple Third Density Special Zone No. 26 (RM.3 Sp.26)" Zone is:

Part of Parcel 11383 Nip. in the City of North Bay as shown on the attached Schedule and Schedules "B-71", "B-80" and "B-81".

11.2.26.2 (a) No person shall use land or erect or construct any building or structures in this "Residential Multiple Third Density Special Zone No. 26 (RM.3 Sp.26)" Zone except for the following uses:

50 Apartment Dwelling Units with a maximum height of three (3) storeys;
Accessory Uses to the Above.

11.2.26.2 (b) The regulations for this "Residential Multiple Third Density Special Zone No. 26 (RM.3 Sp.26)" Zone are as follows:

- (i) The maximum gross floor area as a percent of lot area shall be seventy-five (75) percent;
- (ii) The minimum lot frontage shall be thirty (30) metres;
- (iii) The minimum usable Open Space as a percent of gross floor area shall be fifty (50) percent;
- (iv) The minimum front yard setback shall be one-half the height of the building, but not less than seven and six-tenths (7.6) metres;
- (v) The minimum side yard shall be one-half the height of the building, but not less than six (6) metres;
- (vi) The minimum side yard setback from the exterior side lot line shall be one-half the height of the building, but not less than six (6) metres;
- (vii) The minimum rear yard shall be one-half the height of the building, but not less than seven and six-tenths (7.6) metres; and
- (viii) The maximum height of the apartment buildings shall be three (3) storeys.

11.2.16.3. The use of land or buildings in this "Residential Multiple Third Density Special Zone No. 26 (RM.3 Sp.26)" Zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

5. Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Residential Multiple Third Density

Special Zone No. 26 (RM.3 Sp.26)" as shown on Schedule "D" to this By-law.

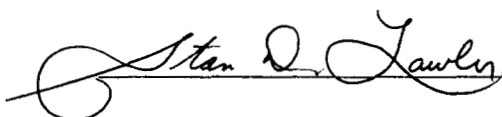
6. All buildings or structures erected or altered and the use of land in such "Residential First Density (R.1)" Zone, "Residential Second Density (R.2)" Zone, "Residential Third Density (R.3)" Zone, "Open Space (O)" Zone, "Floodway (O.1)" Zone and Floodplain and Erosion (O.2)" Zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.

- 7.a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 404/83, not later than 15 days after the day this By-law is passed.

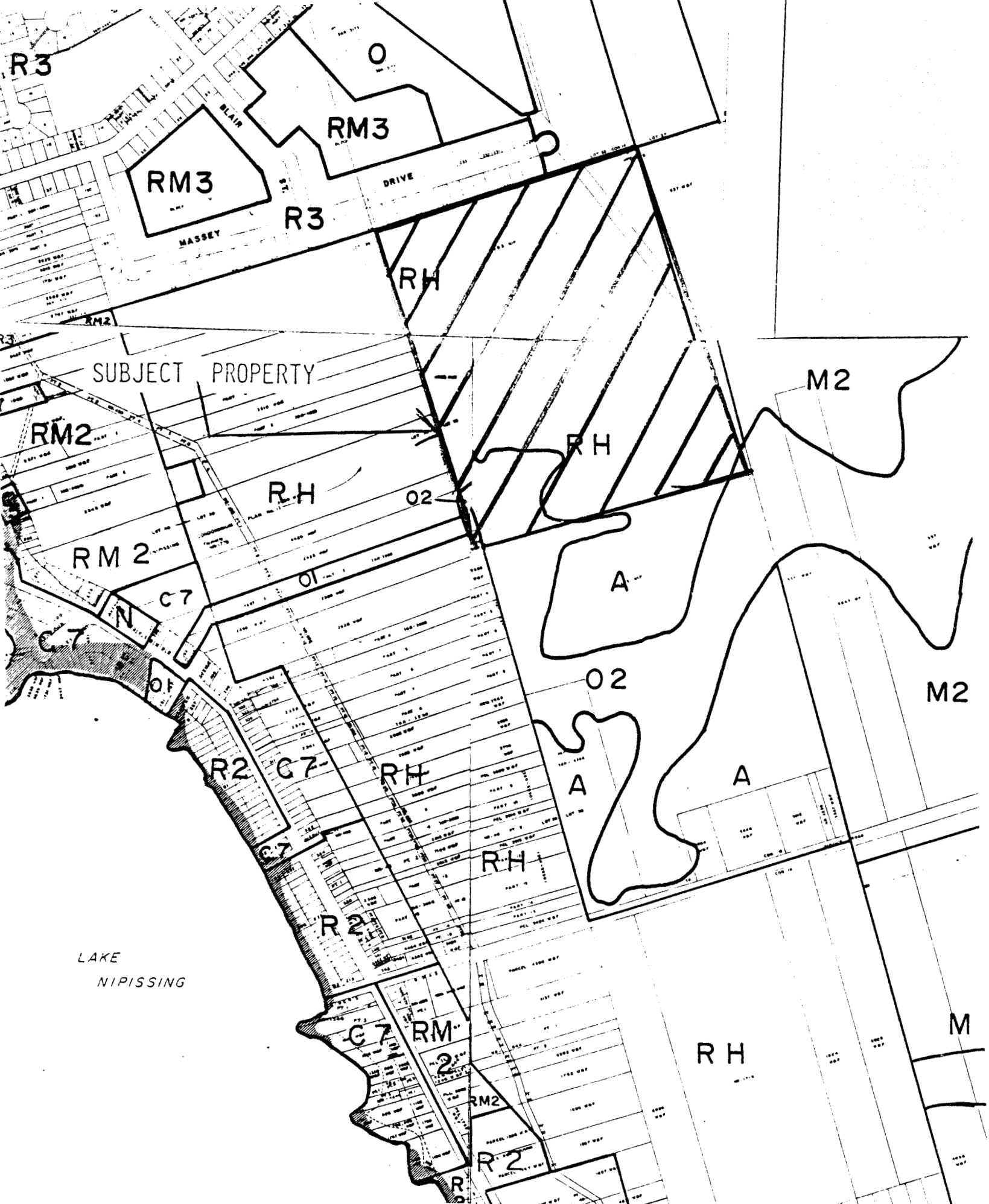
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within thirty-five (35) days from the passing of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.

- c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within thirty-five (35) days from the passing of this By-law, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 31ST DAY OF OCTOBER, 1988 .
READ A SECOND TIME IN OPEN COUNCIL THE 30th DAY OF January 1989 .
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 30th DAY
OF January 1989 .


MAYOR


CITY CLERK



This is Schedule " A "

To By-law No. 163-88

Passed the 30th day of January

19 89 .

Stan D. Lawler
MAYOR

R. B. [Signature]
CITY CLERK

CITY OF NORTH BAY
ZONING BY-LAW N^o 28-80
SITE PLAN CONTROL - SEE SECTION 3.38 (a) 11-79

SCHEDULE
B - 81
0 100m

CITY OF NORTH BAY
ZONING BY-LAW
SITE PLAN CONTROL - SEE SECTION









This is Schedule " B " "

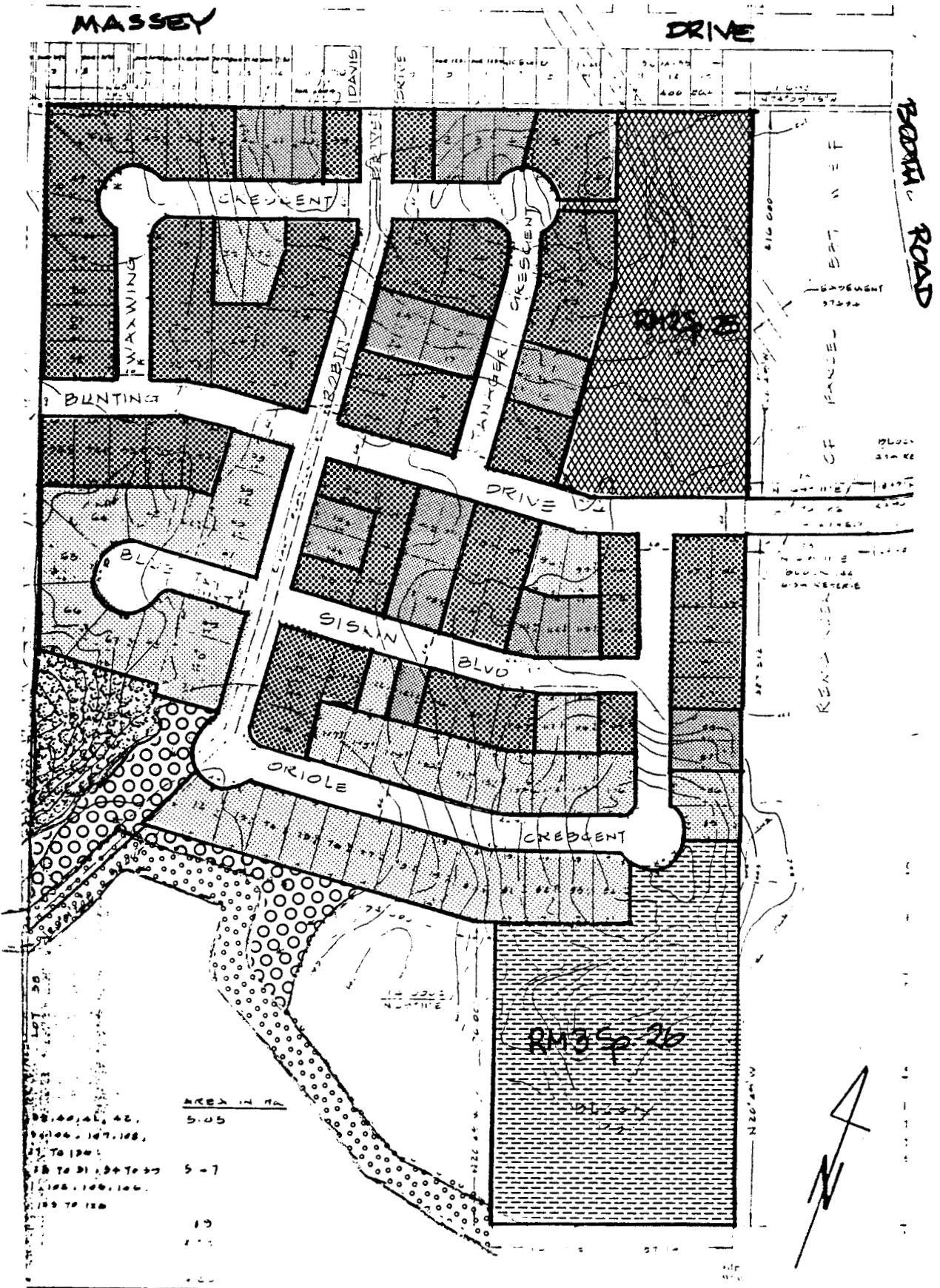
To By-law No. 163-88

Passed the 30th day of January
19 89 .

Stan D. Lawler
MAYOR

B. Butler
CITY CLERK

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|--|--|---|
|  FROM "RH" TO "R.1" |  FROM "RH" TO "RM2SP25" |  FROM "O.2" TO "O.1" |
|  FROM "RH" TO "R.2" |  FROM "RH" TO "RM3SP26" |  FROM "RH" TO "O.2" |
|  FROM "RH" TO "R.3" |  FROM "RH" TO "O" | |



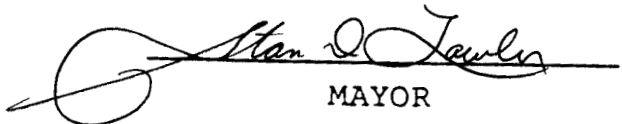
NOTE: NOT TO SCALE

This is Schedule "C"

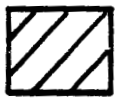
to By-law No. 163-88

Passed the 30th day of

January 19 89


MAYOR


CITY CLERK



- SCHEDULE TO "RESIDENTIAL SPECIAL ZONE No.25 (RM2 SP.25)"



- SCHEDULE TO "RESIDENTIAL SPECIAL ZONE No.26 (RM3 SP.26)"

