

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-17**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS  
ON JOHN STREET AND THIRD AVENUE EAST  
FROM A “RESIDENTIAL SECOND DENSITY (R2)” ZONE  
AND A “NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 38 (C5 SP.38)”  
TO A “RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 124 (RM3 SP. 124)”**

**(THE COPORATION OF THE CITY OF NORTH BAY  
FORMER CN RAIL LANDS ON JOHN STREET & THIRD AVENUE EAST)**

**WHEREAS** the owner of the subject property has initiated an amendment to the Zoning By-law;

**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 zoning designation shown on Schedule “B-51” of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

**AND WHEREAS** Council passed a resolution on February 22, 2011 to approve this rezoning.

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

- 1) Schedule "B-51" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as Concession 13, Registered Plan 20, Lots 14 to 19, representing a portion of the former CN Rail Lands in the City of North Bay) from a “Residential Second Density (R2)” zone and a “Neighbourhood Commercial Special Zone No. 38 (C5 Sp.38)” to a “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)”.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.124:
  - 11.2.124 Residential Multiple Third Density Special Zone No.124 (RM3 Sp.124)
  - 11.2.124.1 The property description of this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” is Concession 13, Registered Plan 20, Lots 14 to 19 along John Street and Third Avenue East in the City of North Bay as shown on the attached Schedules and on Schedule “B-51”.
  - 11.2.124.2 The permitted land uses in this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” are as follows:
    - i) Apartment Dwellings;
    - ii) Group Home Type 2;
    - iii) Parks, Playgrounds and Associated Non-Profit Uses;

- iv) Licensed Day Nurseries, Churches, Public Schools (Other Than Trade Schools); and
- v) Accessory Home Based Businesses.

11.2.124.3 The regulations for this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” are as follows:

- i) Increase the number of permitted patients for a Group Home Type 2 from eight (8) to twelve (12);
- ii) Increase the front yard setback to 45.0 meters from the required 7.6 meters; and
- iii) Increase the rear yard setback to 20.0 meters from the required 7.6 meters.
- iv) Limit the building footprint, as shown on Schedule ‘C’ attached hereto, to a total not to exceed 615 sq. m. (6,600 sq. ft.), representing total lot coverage to a maximum of 15%.

11.2.124.4 The use of land or building in this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” 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 “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” as shown on Schedule "B" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule “A” attached hereto are hereby designated a Site Plan Control Area.
- 5)
  - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
  - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, 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 twenty (20) days after the day that the giving of written notice as required by the Act is completed, 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 4TH DAY OF APRIL, 2011.**

**READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF APRIL, 2011.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 18TH DAY OF APRIL, 2011.**

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**MAYOR, ALLAN MCDONALD**

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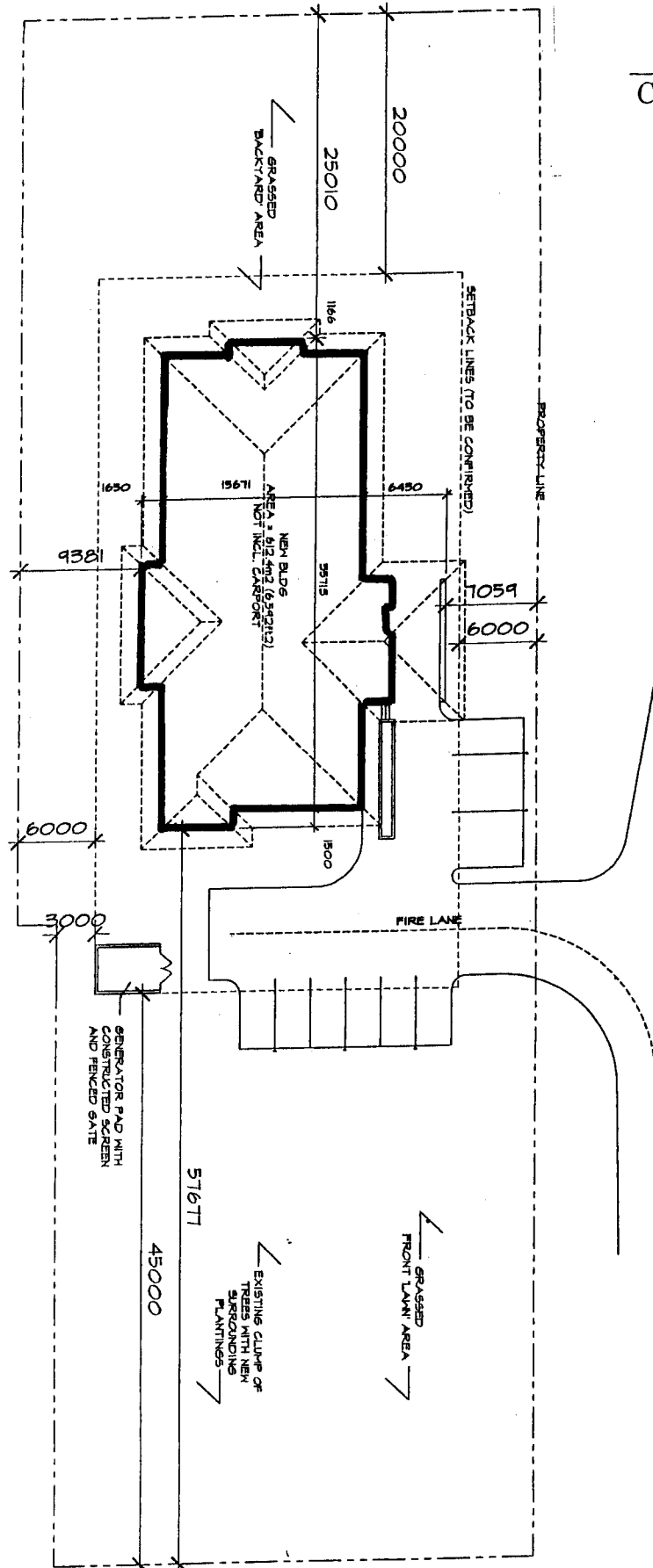
**CITY CLERK, CATHERINE CONRAD**





Mayor Allan McDonald

City Clerk Catherine Conrad



**—** - BUILDING FOOTPRINT TO A MAXIMUM OF 615 m<sup>2</sup> (6,600 sq. ft.)