

The Corporation of the City of North Bay

By-Law No. 2022-10

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Dudley Avenue from a “Residential Third Density (R3)” Zone to a “Residential Multiple Second Density Special No.138 (RM2 Sp.138)” Zone

2808138 Ontario Inc. – 327 Dudley Avenue

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 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 Schedule “B-43” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Community Services Committee Report No. 2022-01 adopted by Council on February 8, 2022 by Resolution No. 2022-36 to approve this rezoning;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) Schedule “B-43” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49157-0345 (LT) PCL 3410 SEC WF; LT 684-685 PL M177 Widdifield; North Bay; District of Nipissing PIN 49157-0346 (LT) PCL 2640 SEC WF; LT 682-683 PL M177 Widdifield; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “Residential Third Density (R3)” zone to a “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.1.138:

"11.1.138 “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)”

11.1.138.1 The property description of this “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)” is PIN 49157-0345 (LT) PCL 3410 SEC WF; LT 684-685 PL M177 Widdifield; North Bay; District of Nipissing PIN 49157-0346 (LT) PCL 2640 SEC WF; LT 682-683 PL M177 Widdifield; North Bay; District of Nipissing along Dudley Avenue in the City of North Bay as shown on the attached Schedule and on Schedule "B-43".

11.1.138.2 The regulations for this “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)” are as follows:

- i) Reduce the minimum front yard setback from 7 metres to the existing 0.36 metres;
- ii) Reduce the minimum easterly side yard setback from 6 metres to the existing 2.28 metres;
- iii) Reduce the minimum rear yard setback from 7 metres to the existing 1.59 metres;
- iv) Reduce the minimum usable open space requirement to nil; and
- v) Reduce the minimum landscaping buffer to nil.

11.1.138.3 The use of land or building in this “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)” shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 2015-30 is further amended by inserting “Residential Multiple Second Density Special No. 138 (RM2 Sp.138)” as shown on Schedule "B" to this By-law.
- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Local Planning Appeal Tribunal Act*, S.O. 2017, c. 23, Sched. 1.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 6 of this By-law, then this By-law shall be deemed to have

come into force on the day it was passed.

- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 6 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 8th Day of February, 2022.

Read a Second Time in Open Council the 8th Day of February, 2022.

Read a Third Time in Open Council and Passed this 8th Day of February, 2022.

Mayor Allan McDonald

City Clerk Karen McIsaac

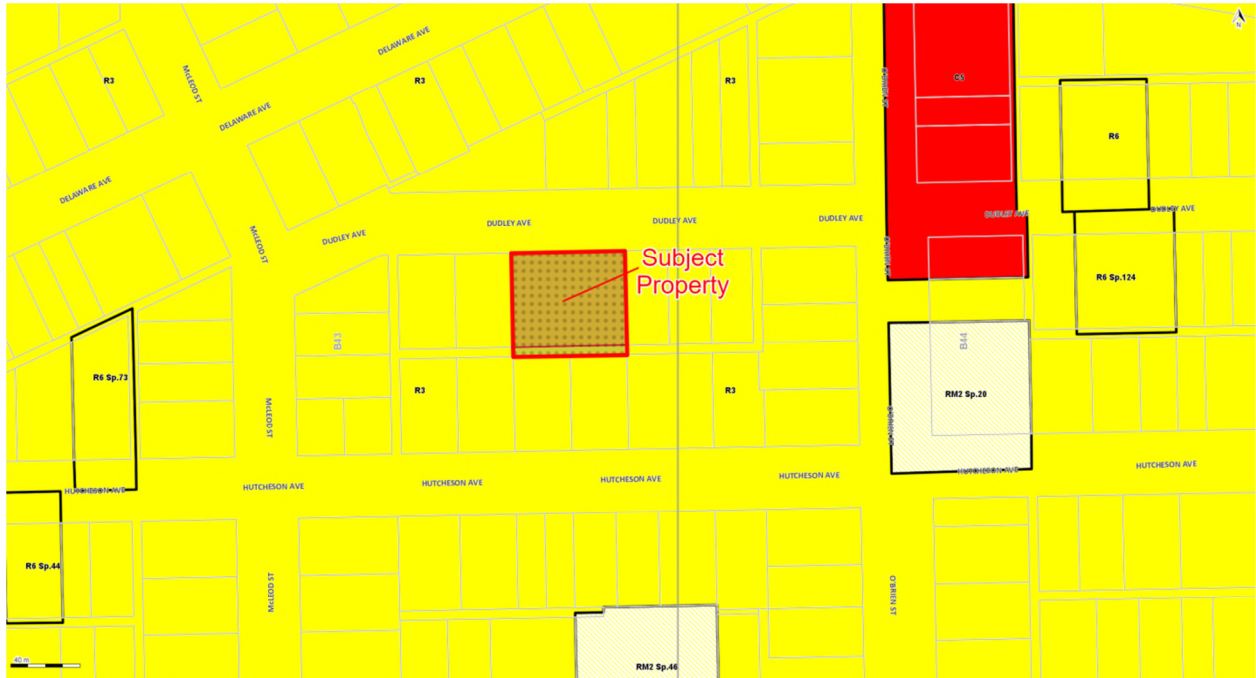
Schedule A

This is Schedule "A"
To By-law No. 2022-10


Passed the 8th Day of February, 2022

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend

 - From a "Residential Third Density (R3)" zone to a "Residential Multiple Second Density Special No. 138 (RM2 Sp.138)" zone

Schedule B

This is Schedule "B"
To By-law No. 2022-10

Passed the 8th Day of February, 2022

Mayor Allan McDonald

City Clerk Karen McIsaac

