

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2008-12

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON MILANI ROAD
FROM “RESIDENTIAL THIRD DENSITY (R3)” TO
“RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL NO.112 (RM1 SP.112)”**

(BOISSONNEAULT – 154 MILANI ROAD)

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 Section 11 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 Monday January 21st, 2008 to approve this rezoning.

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

- 1) Schedule “B-33” of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedules “A” and “B” attached hereto (which property is more particularly described as PIN49131-0180(LT) being part of Concession B, South Half of Lot 20, Parcel 5245 W/F in the City of North Bay) from a “Residential Third Density (R3)” zone to a “Residential Multiple First Density Special No. 112 (RM1 Sp.112)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple First Density Special No. 112 (RM1 Sp.112)” zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by adding the following:
 - 11.2.112 Residential Multiple First Density Special No. 112 (RM1 Sp.112)
 - 11.2.112.1 The property description of this “Residential Multiple First Density Special No. 112 (RM1 Sp.112)” zone is PIN49131-0180(LT) being part of Concession B, South Half of Lot 20, Parcel 5245 W/F along Milani Road in the City of North Bay as shown on the attached Schedules and on Schedule “B-33”.
 - 11.2.112.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Residential Multiple First Density Special No. 112 (RM1 Sp.112)”

zone except for the following uses:

- Duplex Dwelling
- Semi-Detached dwelling
- Triplex
- Double Duplex
- Multiple Dwellings
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses
- Boarding or rooming house or Group home type 1

11.2.112.2(b) The regulations for this “Residential Multiple First Density Special No. 112 (RM1 Sp.112)” zone are as follows:

- i) The front yard setback shall be a minimum of three and nine-tenth metres (3.9m).

11.2.112.3 The use of land or building in this “Residential Multiple First Density Special No. 112 (RM1 Sp.112)” zone shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 4) Section 11 of By-law No. 28-80 is further amended by inserting “Residential Multiple First Density Special No. 112 (RM1 Sp.112)” zone as Schedule “C” to this By-law.
- 5) 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 as a Site Plan Control Area.
- 6)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O.Reg. 254/06 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 21ST DAY OF JANUARY, 2008.

READ A SECOND TIME IN OPEN COUNCIL THE 21ST DAY OF JANUARY, 2008.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 31ST DAY OF MARCH, 2008.

"original signature on file"

MAYOR VIC FEDELI

"original signature on file"

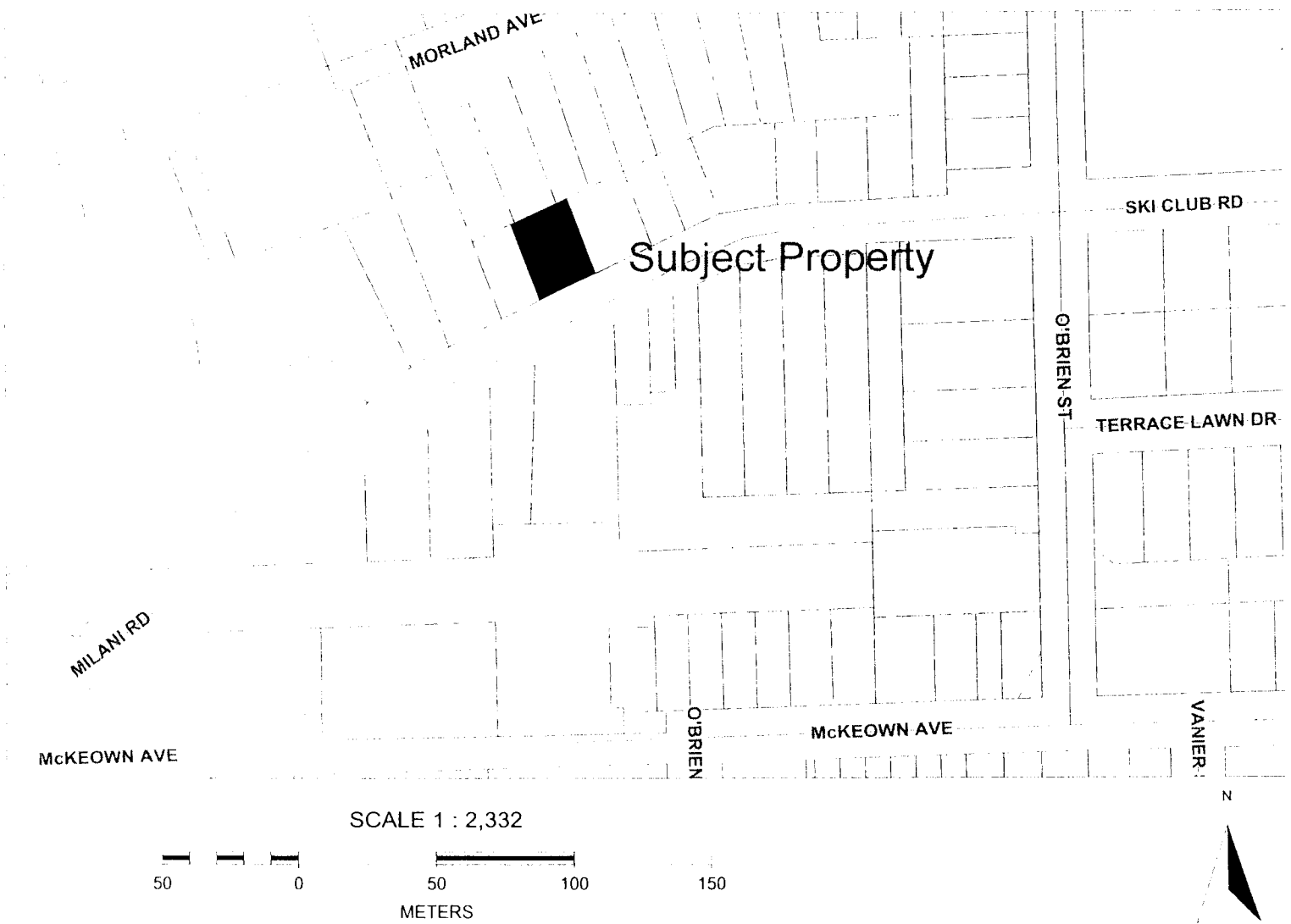
DEPUTY CLERK TERRY RINGLER

Mayor Vic Fedeli

Deputy Clerk Terry Ringler



Proposed Zoning By-law Amendment
From: Residential Third Density (R3)
To: Residential Multiple First Density
Special (RM1 Sp.)

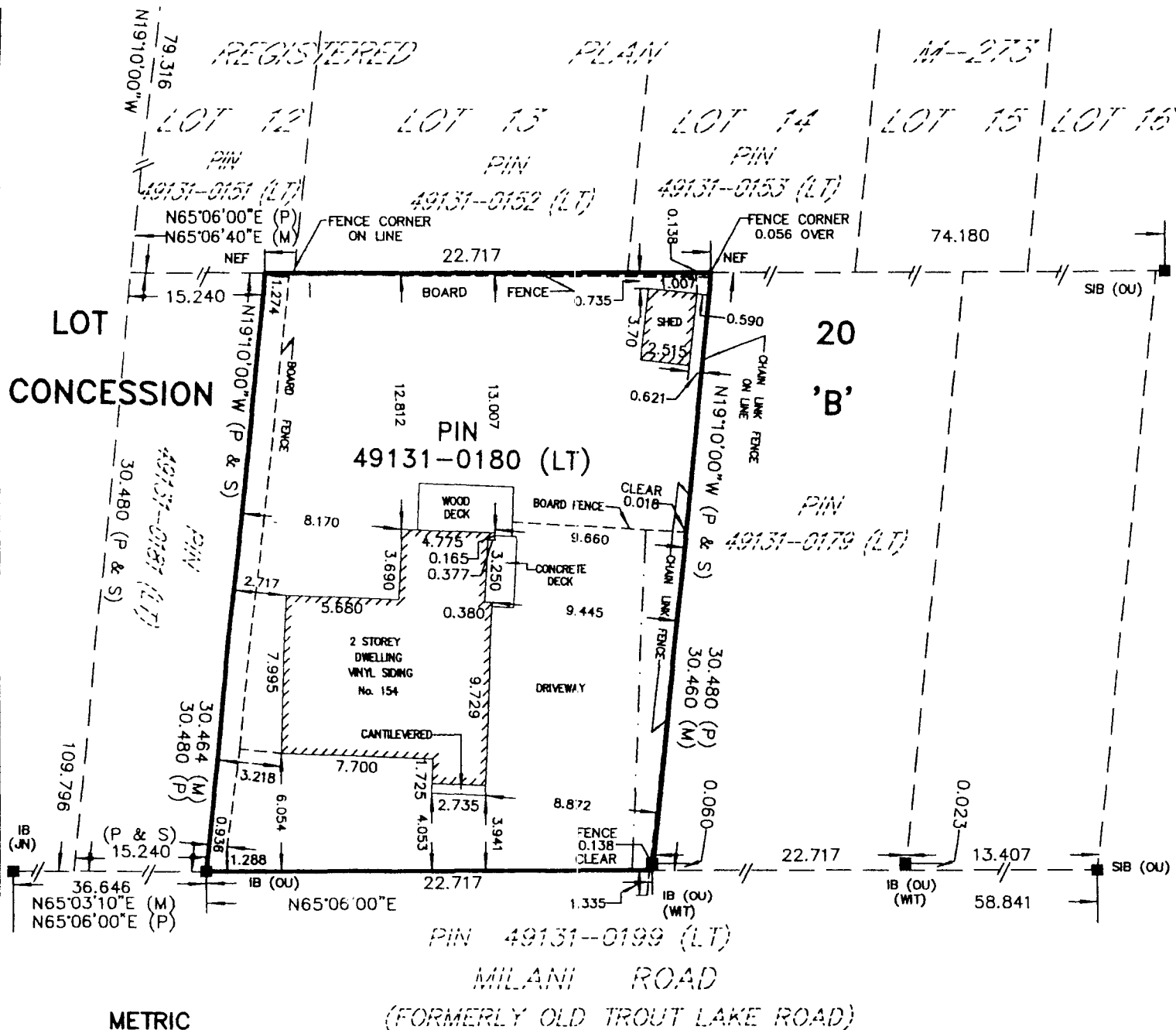


Mayor Vic Fedeli

Deputy Clerk Terry Ringler



Proposed Zoning By-law Amendment
 From: Residential Third Density (R3)
 To: Residential Multiple First Density
 Special (RM1 Sp.)



METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF MILANI ROAD, AS SHOWN ON A PLAN BY A.C. INGRAM, O.L.S. DATED DECEMBER 5, 1956, HAVING A BEARING OF N65°06'E.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 7th DAY OF NOVEMBER 2007.

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NOVEMBER 8th, 2007
 DATE

R.D. MILLER
 ONTARIO LAND SURVEYOR

Miller & Urso Surveying Inc.
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 Planning Consultants

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CHECKED BY: R.D.M.		