

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2009-238

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON ALGONQUIN AVENUE
FROM A “RESIDENTIAL THIRD DENSITY (R3)” ZONE TO A “RESIDENTIAL
MULTIPLE FIRST DENSITY SPECIAL ZONE NO. 121 (RM1 SP.121)”**

(FERNANDO HERNANDEZ SUAREZ – ALGONQUIN 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 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, November 30th, 2009 to approve this rezoning.

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

- 1) Schedule “B-42” 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 Registered Plan No. 21, Part of Lot 663) on Algonquin Avenue at Front Street in the City of North Bay from a “Residential Third Density (R3)” zone to a “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)”.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” 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:
 - 11.2.121 Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)
 - 11.2.121.1 The property description of this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” is Registered Plan No. 21, Part of Lot 663 on Algonquin Avenue at Front Street in the City of North Bay as shown on the attached Schedules and on Schedule “B-42”.
 - 11.2.121.2 No person shall use land, or use, erect, or construct any building or structure in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” except for the following uses:
 - Triplex

- Duplex
 - Boarding or Rooming House or Group Home Type 1
 - Accessory Home Based Businesses
 - Parks, Playgrounds & Non-Profit Uses
 - Institutional Uses
- 11.2.121.3 The minimum lot area required per dwelling unit in square metres in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” is reduced from 232.2 sq.m. to 113.8 sq.m. per unit.
- 11.2.121.4 The minimum lot frontage required for a triplex in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” is reduced from 19.8 metres to the existing 16.9 metres.
- 11.2.121.5 The minimum rear yard setback required for a triplex in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” is reduced from 7.6 metres to the existing 1.13 metres.
- 11.2.121.6 The minimum front yard setback required for a triplex in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” is reduced from 6 metres to the existing 4.18 metres.
- 11.2.121.7 The minimum side yard setback required for a triplex in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” is reduced from 1.81 metres to the existing 0.42 metres.
- 11.2.121.8 The minimum number of required parking spaces per unit in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” shall be reduced from two (2) spaces per unit to one (1) space per unit.
- 11.2.121.9 The use of land or building in this “Residential Multiple First Density Special Zone No. 121 (RM1 Sp. 121)” 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 Zone No. 121 (RM1 Sp. 121)” 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 30TH DAY OF NOVEMBER, 2009.

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF NOVEMBER, 2009.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THE 8TH DAY OF FEBRUARY, 2010.

"original signature of file"

MAYOR VIC FEDELI

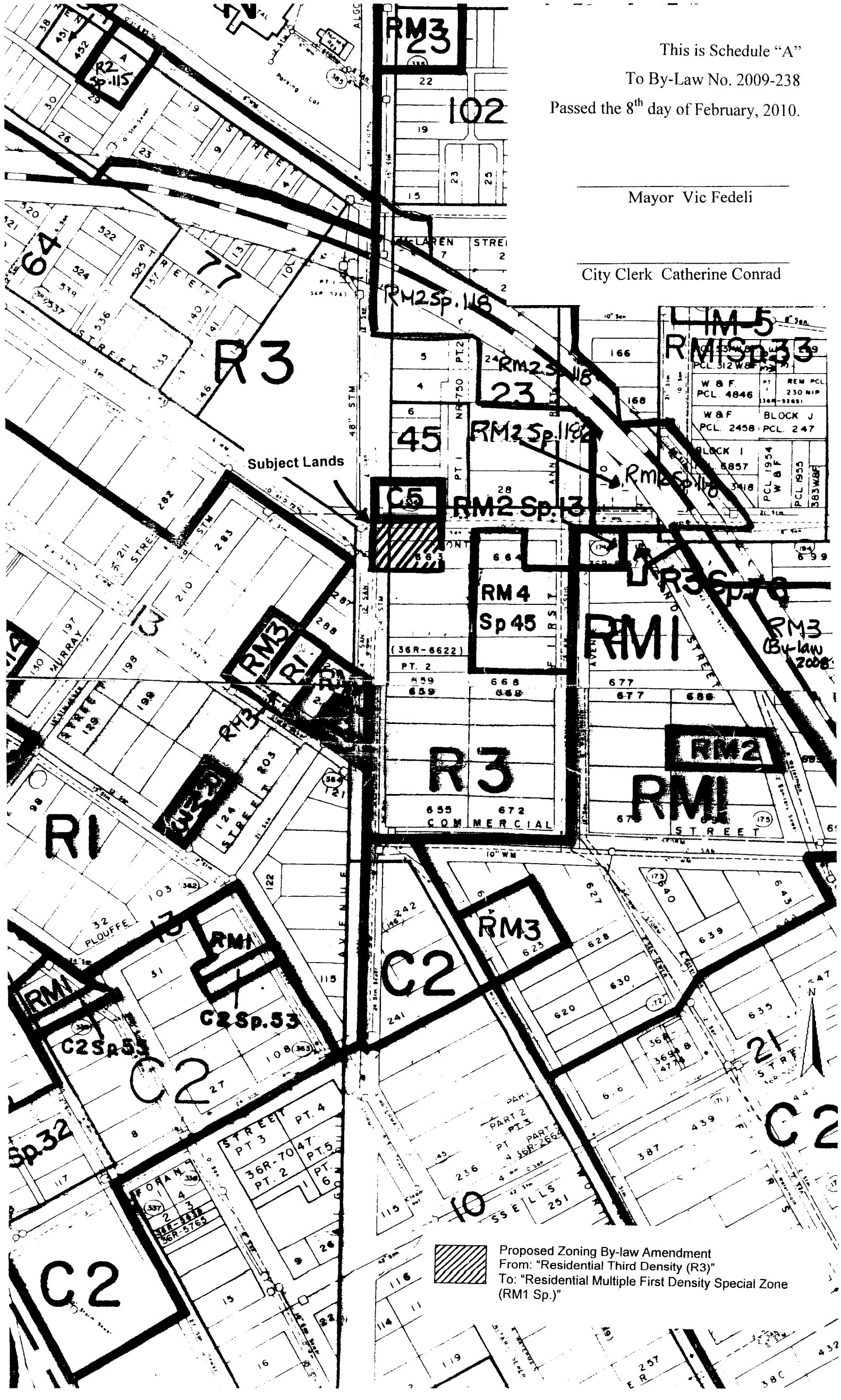
"original signature of file"


CITY CLERK CATHERINE CONRAD

This is Schedule "A"
To By-Law No. 2009-238
Passed the 8th day of February, 2010.

Mayor Vic Fedeli

City Clerk Catherine Conrad



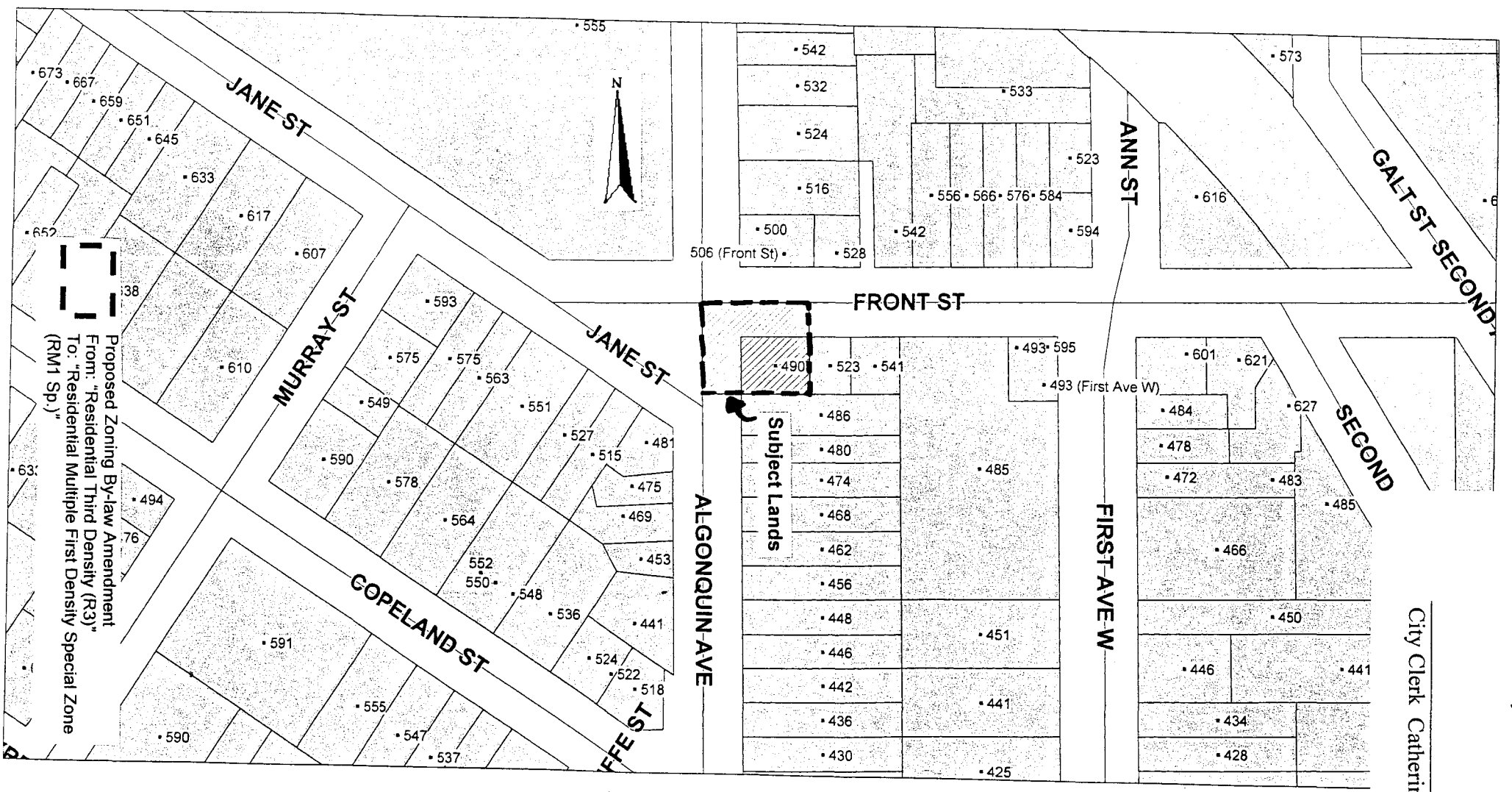
 Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple First Density Special Zone (RM1 Sp.)"

BLOCK J	
W & F PCL 4846	PT REM PCL 230 NIP 364-33891
W & F PCL 2458	BLOCK J PCL 247
BLOCK I 5857	PCL 1954 W & F
3418	PCL 1955
	383 W & F

This is Schedule "B"
To By-Law No. 2009-238
Passed the 8th day of February, 2010.

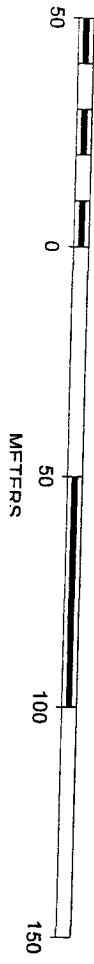
Mayor Vic Fedeli

City Clerk Catherine Conrad



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

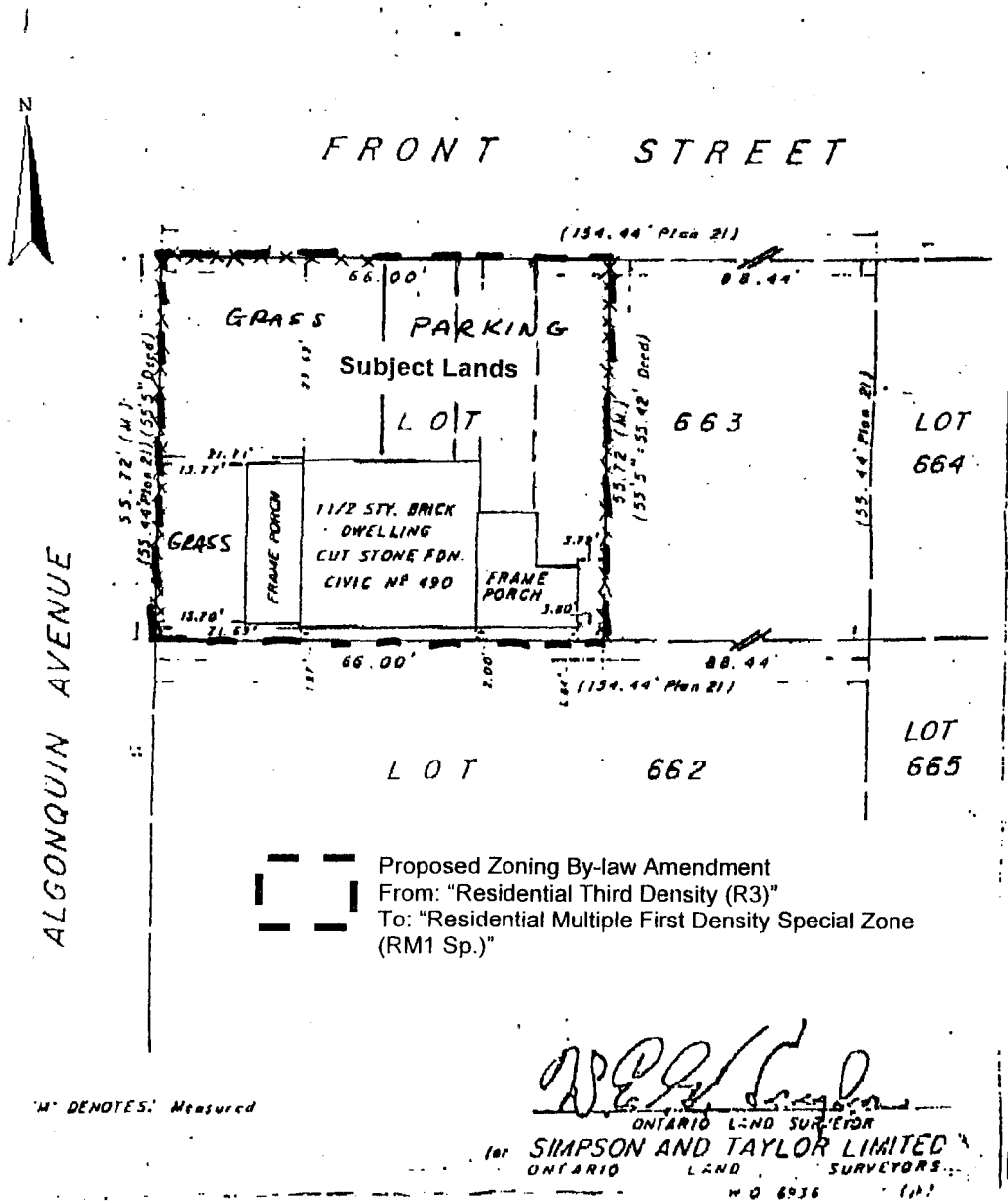
SCALE 1 : 1,635



Mayor Vic Fedeli

City Clerk Catherine Conrad

CITY OF NORTH BAY
DISTRICT OF NIPISSING
SCALE: 1 INCH = 20 FEET



"M" DENOTES: Measured

[Signature]
ONTARIO LAND SURVEYOR
IN: SIMPSON AND TAYLOR LIMITED
ONTARIO LAND SURVEYORS
M.O. 6936 (11)