

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

**BY-LAW NO. 118-97**

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS SOUTH OF SURREY DRIVE FROM A “RESIDENTIAL FIRST DENSITY (R1)” ZONE AND A “FLOODPLAIN AND EROSION (0.2)” ZONE TO A “RESIDENTIAL FIRST DENSITY SPECIAL ZONE No. 71 (R1 SP.71)”, A “RESIDENTIAL FIRST DENSITY SPECIAL ZONE NO. 73 (R1 SP.73)”, A “RESIDENTIAL FIRST DENSITY HOLDING (R1H)” ZONE, AN “OPEN SPACE (0)” ZONE AND A “FLOODPLAIN AND EROSION (0.2)” ZONE (LAURENTIAN HEIGHTS LTD. - SOUTH OF SURREY DRIVE)**

**WHEREAS** the owners of the subject property have 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-33”, “B-34” and “B-35” of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

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

- 1) Schedules “B-33”, “B-34” and “B-35” 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 Part of Parcel 5962 W&F, Parcel 2929 W&F, Parcel 2100 W&F, the Remainder of Parcel 5589 W&F, and the northeast quarter of Parcel 10309 W&F, along the south of Surrey Drive in the City of North Bay, shown as hatched on Schedule “B” attached hereto) from a “Residential First Density (R1)” zone and a “Floodplain and Erosion (0.2)” zone to a “Residential First Density Holding (R1H)” zone, an “Open Space (0)” zone and a “Floodplain and Erosion (0.2)” zone, a “Residential First Density Special Zone No. 71 (R1 Sp.71)”, and a “Residential First Density Special Zone No. 73 (R1 Sp.73)”.
- 2) All buildings or structures erected or altered and the use of land in such “R1”, “R1H”, “0”, “0.2”, “R1 Sp. 71” and “R1 Sp. 73” zones shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay, except as hereby expressly varied.

3) Section 11 of By-law No. 28-80 is further amended by inserting at the end of Section 11.2 the following Section 11.2.71:

“11.2.71 “Residential First Density Special Zone No. 71 (R1 Sp.71)”

11.2.71.1 The property description of this “Residential First Density Special Zone No. 71 (R1 Sp.71)” is as shown on R.D. Miller O.L.S. Drawing File No. 3395-D3 as amended January 10, 1995 showing Lots 21-60 incl., Lots 138-147 incl., Block 164 and the northerly 45 metres of Parcel 5962 W&F, south of Surrey Drive in the City of North Bay as shown on the attached Schedule “C”.

11.2.71.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Residential First Density Special Zone No. 71 (R1 Sp.71)” except for the following uses:

- single detached dwellings;
- local park and playground;
- accessory uses to the above;
- accessory home-based businesses.

11.2.71.2(b) The regulations for this “Residential First Density Special Zone No. 71 (R1 Sp.71)” are as follows:

- i) maximum number of finished storeys above finished grade shall be one (1);

11.2.71.3 The use of land or building in this “Residential First Density Special Zone No. 71 (R1 Sp.71)” 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 “Schedule to Residential First Density Special Zone No. 71 (R1 Sp.71)” as shown on Schedule “C” to this By-law.

5) Section 11 of By-law No. 28-80 is further amended by inserting at the end of Section 11.2 the following Section 11.2.73:

“11.2.73 “Residential First Density Special Zone No. 73 (R1 Sp.73)”

11.2.73.1 The property description of this “Residential First Density Special Zone No.

73 (R1 Sp.73)” is as shown on R.D. Miller O.L.S. Drawing File No. 3395-D3 as amended January 10, 1995 showing Lots 17 and 18, south of Surrey Drive in the City of North Bay as shown on the attached Schedule “D”.

11.2.73.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Residential First Density Special Zone No. 73 (R1 Sp.73)” except for the following uses:

- single detached dwellings;
- local park and playground;
- accessory uses to the above;
- accessory home-based businesses.

11.2.73.2(b) The regulations for this “Residential First Density Special Zone No. 73 (R1 Sp.73)” are as follows:

- i) minimum rear yard setback of seven and six-tenths (7.6) metres.

11.2.73.3 The use of land or building in this “Residential First Density Special Zone No. 73 (R1 Sp.73)” shall conform to all other regulations of this By-law, except as hereby expressly varied.”

6) Section 11 of By-law No. 28-80 is further amended by inserting “Schedule to Residential First Density Special Zone No. 73 (R1 Sp.73)” as shown on Schedule “D” to this By-law.

7) 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. 199/96 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.

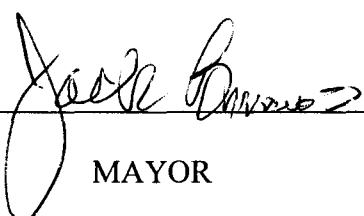
c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force

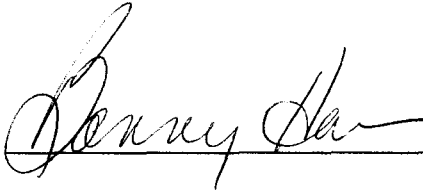
until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day it was passed.

READ A FIRST TIME IN OPEN COUNCIL THE 3rd DAY OF November  
1997.

READ A SECOND TIME IN OPEN COUNCIL THE 19th DAY OF April  
1999.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 19th DAY  
OF April 1999.

  
MAYOR

  
CITY CLERK

This is Schedule " A "

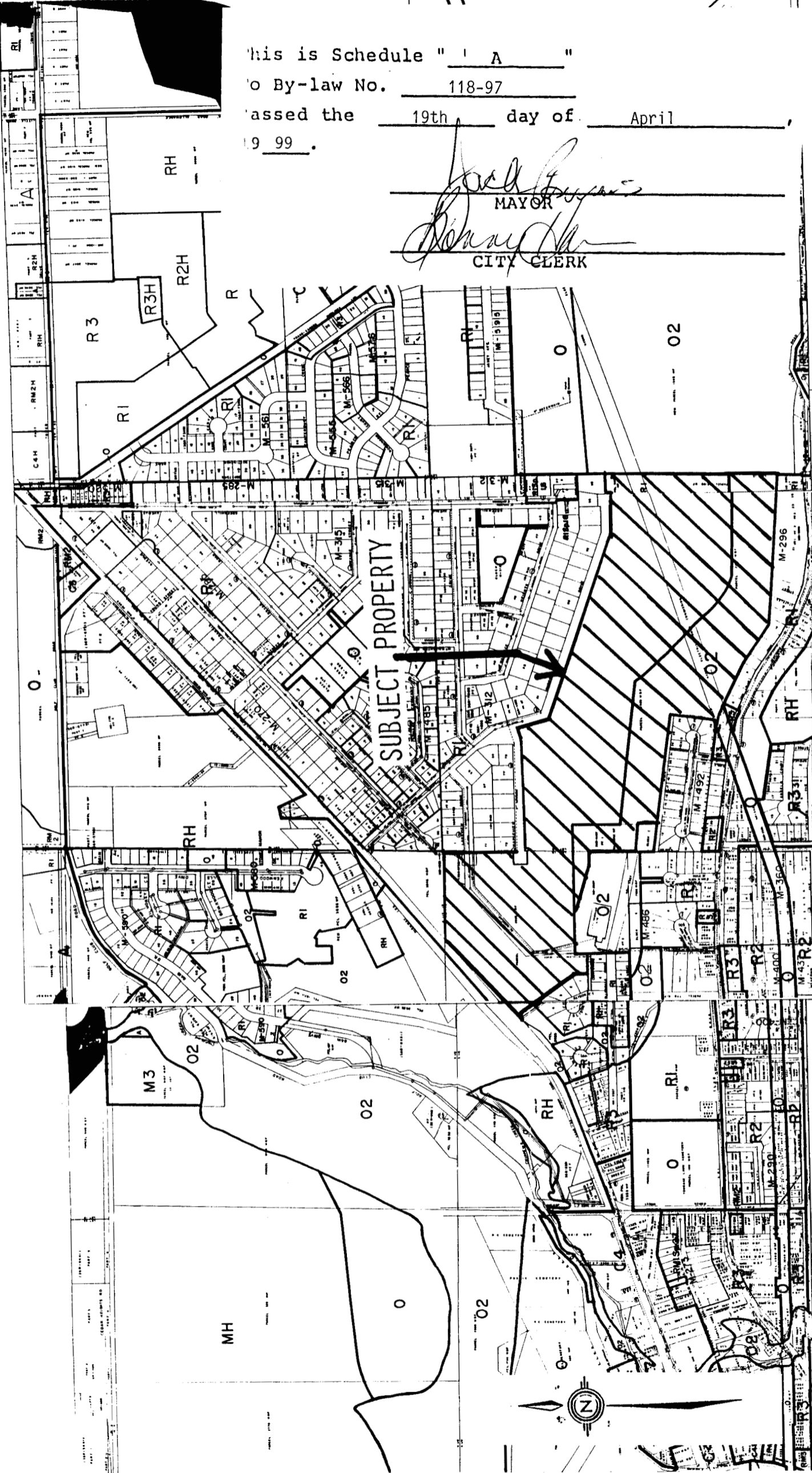
By-law No. 118-97

Passed the 19th day of April

19 99

*Jack ...*  
MAYOR

*Donna ...*  
CITY CLERK



SCHEDULE  
B-33  
0 50 100  
METRES

CITY OF NORTH BAY  
ZONING BY-LAW NO. 28-80  
(NOT TO SCALE)

SCHEDULE  
B-34  
0 50 100  
METRES

CITY OF NORTH BAY  
ZONING BY-LAW NO. 28-80  
(NOT TO SCALE)

SCHEDULE  
B-35  
0 50 100  
METRES

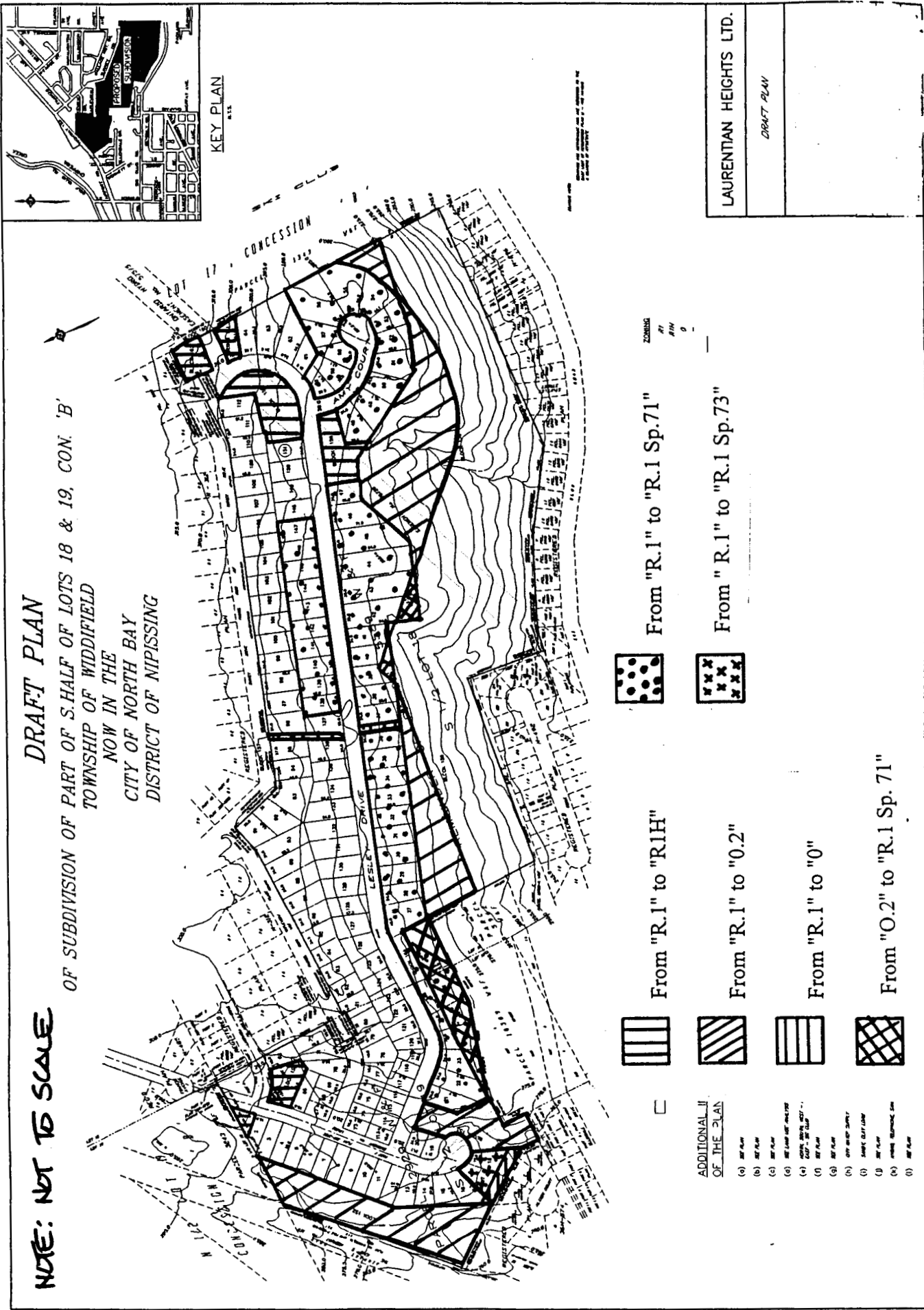
CITY OF NORTH BAY  
ZONING BY-LAW NO. 28-80  
(NOT TO SCALE)

This is Schedule "       B       "

To By-law No.       118-97      

Passed the       19th       day of       April        
19  99  .

*Jack Lewis*  
MAYOR  
*Danny...*  
CITY CLERK



This is Schedule " C "

To By-law No. 118-97

Passed the 19th day of April

19 99 .

*Jack Burrows*  
 MAYOR

*Danny Han*  
 CITY CLERK

SCHEDULE TO "RESIDENTIAL FIRST DENSITY SPECIAL NO. 71 (R1 Sp.71) ZONE

