

The Corporation of the City of North Bay

By-law No. 2014-15

**A By-Law to Amend Zoning By-Law No. 28-80 to
Rezone Certain Lands on Douglas Street from a "Residential Third Density
(R3)" Zone to "Residential Multiple Third Density Special No.135
(RM3 Sp.135)" and "Residential Multiple First Density Special No.136
(RM1 Sp.136)" Zones
(2226563 Ontario Inc.)**

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-42" 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 March 31, 2014 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 Schedule "A" attached hereto (which property is more particularly described as Parcel 1646 Nipissing, Lot 21, Plan M-28, E/S Douglas Street, PIN No. 49156-0592, Parcel 368 Widdifield & Ferris, Southerly 43 feet of Part of Lot 22, Plan M-28, PIN No. 49156-0593, Parcel 358 Widdifield & Ferris, Northerly 23 feet of Part Lot 22, Plan M-28, Widdifield E/S Douglas Street, PIN No. 49156-0594 and Parcel 3 Widdifield & Ferris, Lot 23, Plan 28, PIN No. 49156-0595) along Douglas Street in the City of North Bay from a "Residential Third Density (R3)" zone to "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" and "Residential Multiple First Density Special No. 136 (RM1 Sp.136)" zones.
- 2) All buildings or structures erected or altered and the use of land in such "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" and "Residential Multiple First Density Special No. 136 (RM1 Sp.136)" zones 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 inserting at the end thereof the following Section 11.2.135:

"11.2.135 "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)";

11.2.135.1 The property description of this "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" is Parcel 368 Widdifield & Ferris, Southerly 43 feet of Part of Lot 22, Plan M-28, PIN No. 49156-0593, Parcel 358 Widdifield & Ferris, Northerly 23 feet of Part Lot 22, Plan M-28, Widdifield E/S Douglas Street, PIN No. 49156-0594 and Parcel 3 Widdifield & Ferris, Lot 23, Plan 28, PIN No. 49156-0595 along Douglas Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-42";

11.2.135.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" zone except for the following uses:

- Apartment Dwellings (to a maximum of 12 units);
- Boarding, Lodging and Rooming House;
- Group Home Type 2;
- Parks, Playgrounds and Associated Non-Profit Uses;
- Licenced Day Nurseries, Churches, Public Schools Other than Trade Schools;
- Institutional Uses;
- Accessory Home Based Business; and
- Accessory Non-Residential Use under Subsection 5.3.5;

11.2.135.2 (b) The regulations for this "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" zone are as follows:

- i) The minimum front yard setback shall be 7.2 metres
- ii) The enclosed entranceway shall be permitted to encroach in the front yard 4.6 metres from the main wall
- iii) The minimum northern side yard setback shall be 2.6 metres
- iv) The minimum rear yard setback shall be 6 metres;

11.2.135.3 The use of land or building in this "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" 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 amended by inserting at the end thereof the following Section 11.2.136:

"11.2.136 "Residential Multiple First Density Special No. 136 (RM1 Sp.136)";

11.2.136.1 The property description of this "Residential Multiple First Density Special No. 136 (RM1 Sp.136)" is PIN # 49156-0592, Parcel 1646

Nipissing, Lot 21, Plan M-28, Widdifield, E/S Douglas Street, North Bay, District of Nipissing as shown on the attached Schedule "A" and on Schedule "B-42";

11.2.136.2 No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple First Density Special No. 136 (RM1 Sp.136)" zone except for the following uses:

- Duplex Dwelling;
- Semi-Detached dwelling;
- Triplex;
- Group Home Type 1;
- Accessory Home Based Businesses;
- Parks, Playgrounds & Non-Profit Uses;
- Day Nurseries;
- Institutional Uses;

11.2.136.3 The use of land or building in this "Residential Multiple First Density Special No. 136 (RM1 Sp.136)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 5) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple Third Density Special No. 135 (RM3 Sp.135)" and "Residential Multiple First Density Special No. 136 (RM1 Sp.136)" zones as shown on Schedule "B" to this By-law.
- 6) Attached hereto as Schedule "C" is the site plan proposed for the property described in Section 1 of 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 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 this 31st day of March 2014.

Read a Second Time in Open Council this 31st day of March 2014.

Read a Third Time in Open Council and Passed this 8th day of December 2014

Mayor Allan McDonald

City Clerk Catherine Conrad

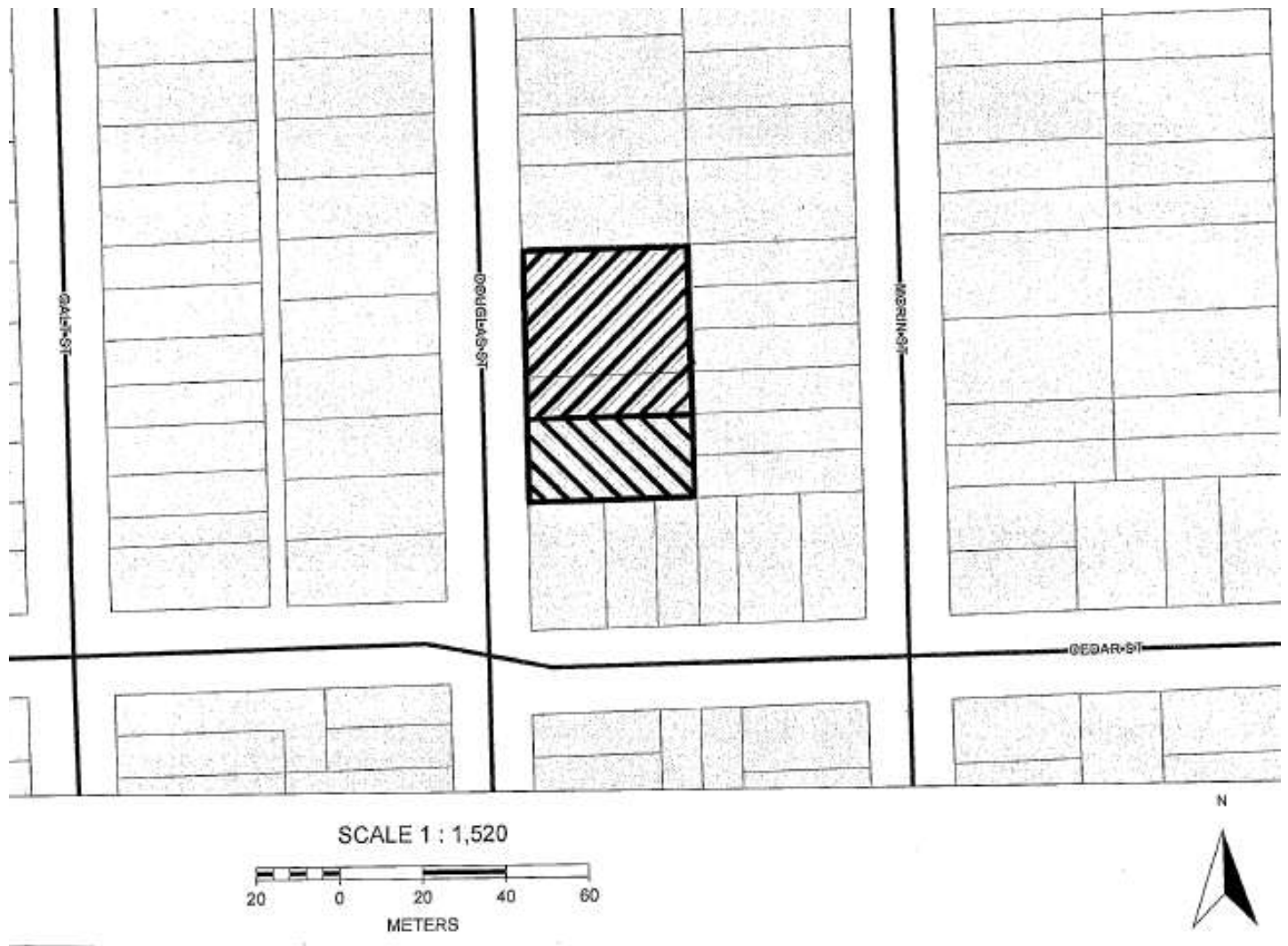
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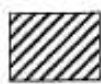
This is Schedule "B"
To By-law No. 2014-15


Passed the 8th day of December 2014

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple Third Density Special No. 135
(RM3 Sp. 135)"

 Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple First Density Special No. 136
(RM1 Sp. 136)"

This is Schedule "C"
 To By-law No. 2014-15

Passed the 8th day of December 2014

Mayor Allan McDonald

City Clerk Catherine Conrad

