

# The Corporation of the City of North Bay

## By-Law No. 2016-50

### A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on McPhail Street from a “Residential Third Density (R3)” Zone to a “Residential Sixth Density Special No. 68 (R6 Sp.68)” Zone

#### L’Arche North Bay – McPhail Street

**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-44” 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 Committee Report 2016-12 adopted by Council on April 18, 2016 by resolution number 2016-177 to approve this rezoning;

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

- 1) Schedule “B-44” 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 # 49156-0994, Part of Lot 448, Plan M28, Widdifield, McPhail Street, designated as Part 9 on Plan 36R-12845, City of North Bay, PIN # 49156-0995, Part Lot 448, Plan M28, Widdifield, McPhail Street, designated as Part 8 on Plan 36R-12845, City of North Bay, PIN # 49156-0979, Part Lot 447, Plan M28, Widdifield, Designated as Part 7 on Plan 36R12845, City of North Bay), shown as hatched on Schedule A attached hereto from a “Residential Third Density (R3)” zone to a “Residential Sixth Density Special No. 68 (R6 Sp.68)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Sixth Density Special No. 68 (R6 Sp.68)” 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 11.2.68:

"11.1.68 "Residential Sixth Density Special No. 68 (R6 Sp.68)"

11.1.68.1 The property description of this "Residential Sixth Density Special No. 68 (R6 Sp.68)" is PIN # 49156-0994, Part of Lot 448, Plan M28, Widdifield, McPhail Street, designated as Part 9 on Plan 36R-12845, City of North Bay, PIN # 49156-0995, Part Lot 448, Plan M28, Widdifield, McPhail Street, designated as Part 8 on Plan 36R-12845, City of North Bay, PIN # 49156-0979, Part Lot 447, Plan M28, Widdifield, Designated as Part 7 on Plan 36R12845, City of North Bay along McPhail Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-44".

11.1.68.2 The regulations for this "Residential Sixth Density Special No. 68 (R6 Sp.68)" are as follows:

- i) The minimum frontage for a Group Home Type 2 shall be 19.5 metres

11.2.68.3 The use of land or building in this "Residential Sixth Density Special No. 68 (R6 Sp.68)" 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 Sixth Density Special No. 68 (R6 Sp.68)" 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 the objection to the By-law and the reasons in support of the objection, and shall be accompanied by the fee prescribed under the *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 4 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 4 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 18th Day of April, 2016.**

**Read a Second Time in Open Council the 18th Day of April, 2016.**

**Read a Third Time in Open Council and Passed this 18th Day of April, 2016.**

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**Mayor, Allan McDonald**

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**City Clerk Karen McIsaac**

# Schedule A

This is Schedule "A"  
To By-law No. 2016-50

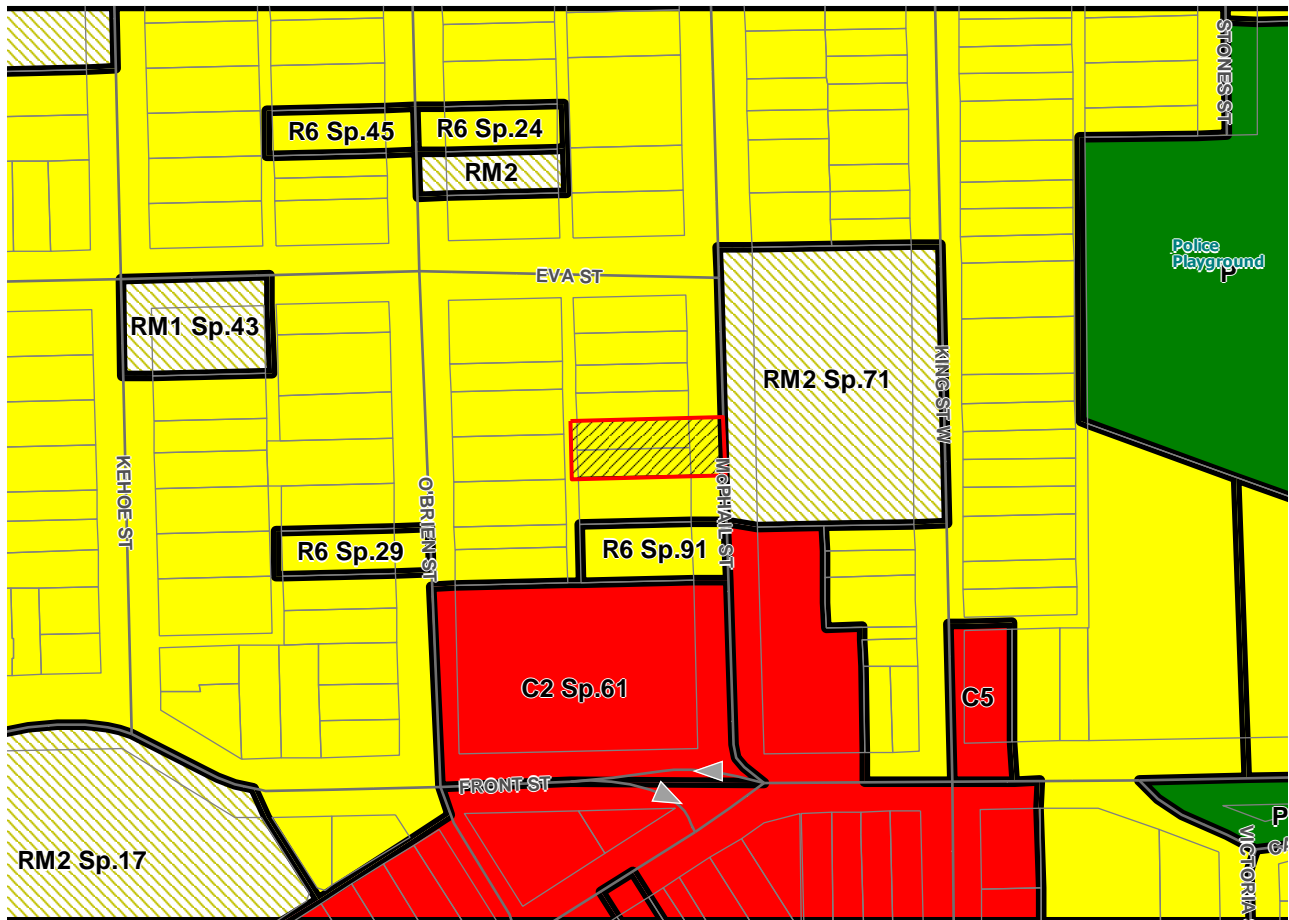
Passed the 18th day of April, 2016

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Mayor Allan McDonald

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City Clerk Karen McIsaac



## Legend



From: "Residential Multiple First Density (RM1)"  
To: "District Commercial (C4)"

# Schedule B

This is Schedule "B"  
To By-law No. 2016-50

Passed the 18th day of April, 2016

Mayor Allan McDonald

City Clerk Karen Mclsaac

