

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2009-07

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON PEARCE STREET FROM A “RESIDENTIAL HOLDING (RH)” ZONE AND “OPEN SPACE (O)” ZONE TO A “RESIDENTIAL FIRST DENSITY SPECIAL NO. 116 (R1 SP.116)” ZONE AND AN “OPEN SPACE (O)” ZONE

(676585 ONTARIO INC. & 655099 ONTARIO LTD. – PEARCE 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 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 Schedule “B-35” 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 February 2, 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-35 ” 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 Concession B, Part of Lot 17, in the former Township of Widdifield), shown as hatched on Schedule “B” attached hereto, from a “Residential Holding (RH)” zone and an “Open Space (O)” zone to a “Residential First Density Special No. 116 (R1 Sp.116)” zone and an “Open Space (O)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential First Density Special No. 116 (R1 Sp.116)” zone and “Open Space (O)” 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 a new legal description in section 11.2.116.1 as follows:
 - 11.2.116.1 The property description of this “Residential First Density Special No. 116 (R1 Sp.116)” zone is: Concession B, Part of Lot 17, in the former Township of Widdifield as shown on the attached Schedules and Schedule “B-35”
 - 11.2.116.2 The regulations for this “Residential First Density Special No. 116 (R1 Sp.116)” zone are as follows:
 - i) Front yard setback shall be a minimum of six (6) metres to a maximum of eight (8) metres
 - 11.2.116.3 The use of land or buildings in this “Residential First Density Special No. 116 (R1 Sp.116)” 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 First Density Special No. 116 (R1 Sp.116)” 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. 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 2nd DAY OF FEBRUARY 2009.

READ A SECOND TIME IN OPEN COUNCIL THE 2nd DAY OF FEBRUARY 2009.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17th DAY OF FEBRUARY 2009.

"original signature on file"

MAYOR, VIC FEDELI

"original signature on file"

CITY CLERK, CATHERINE CONRAD

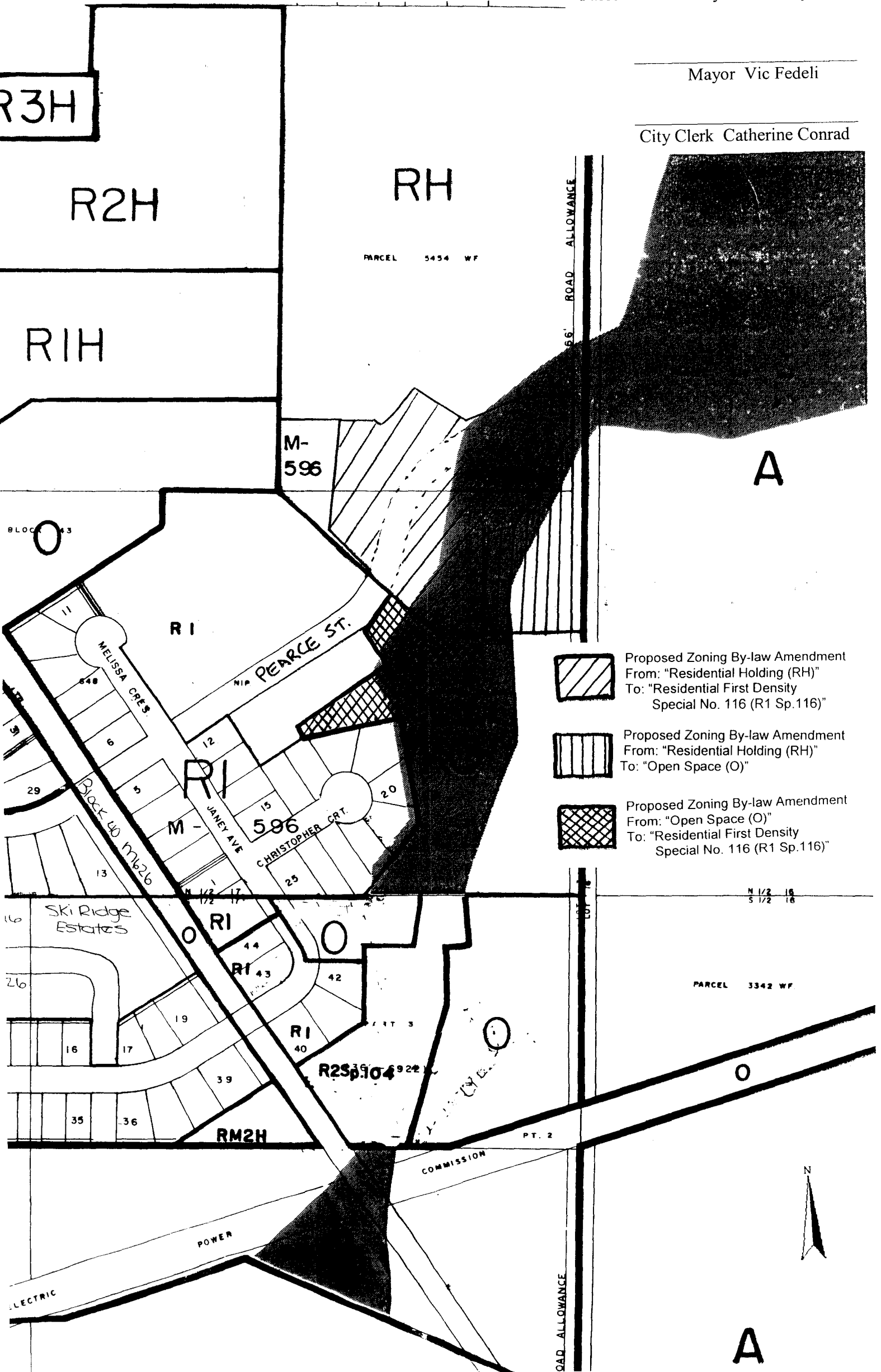
This is Schedule "A"




To By-law No. 2009-07

Passed the 17th day of February 2009

Mayor Vic Fedeli

City Clerk Catherine Conrad

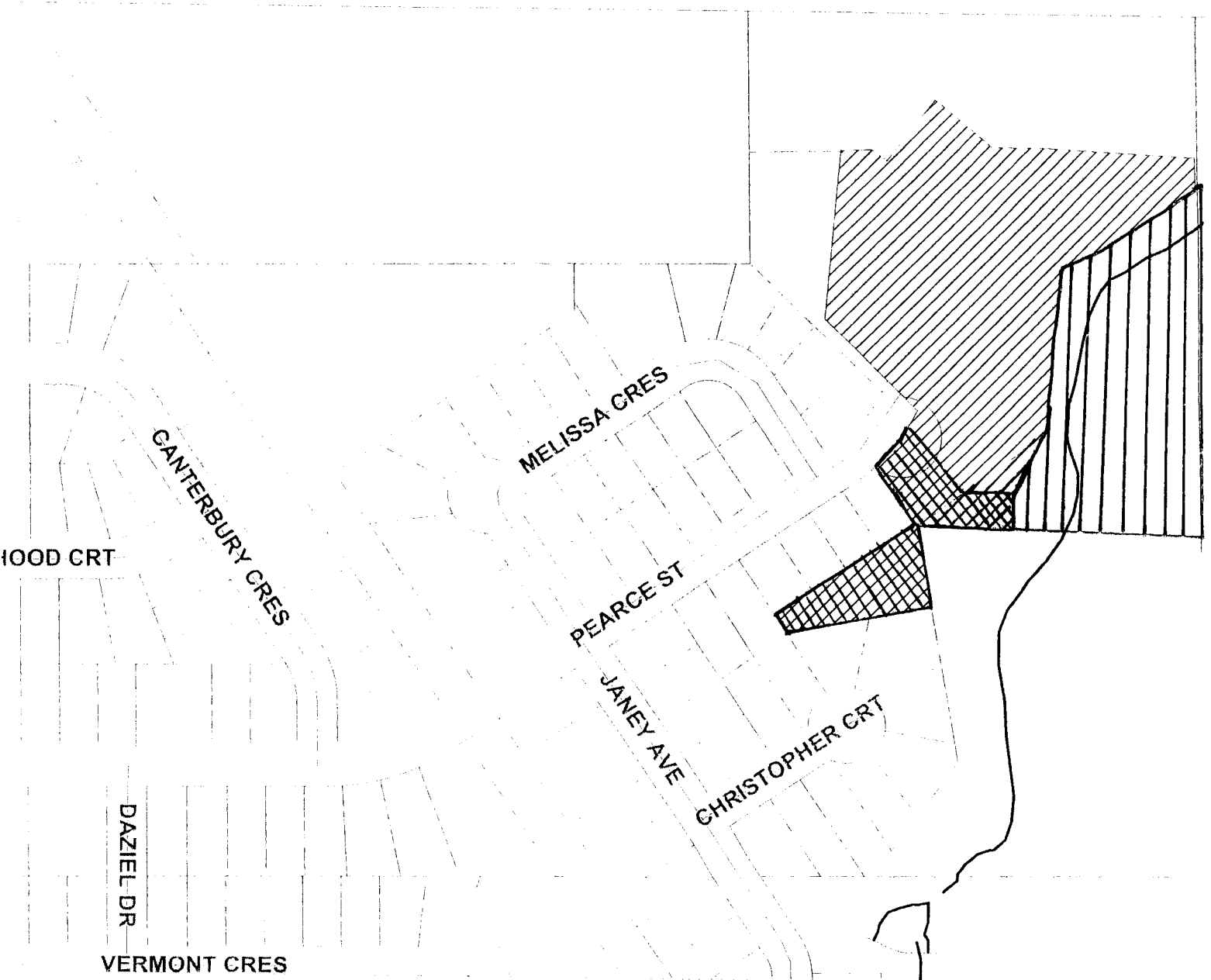


-  Proposed Zoning By-law Amendment From: "Residential Holding (RH)" To: "Residential First Density Special No. 116 (R1 Sp.116)"
-  Proposed Zoning By-law Amendment From: "Residential Holding (RH)" To: "Open Space (O)"
-  Proposed Zoning By-law Amendment From: "Open Space (O)" To: "Residential First Density Special No. 116 (R1 Sp.116)"

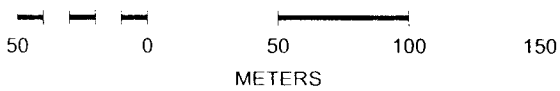
This is Schedule "B"
To By-law No. 2009-07
Passed the 17th day of February 2009


Mayor Vic Fedeli

City Clerk Catherine Conrad




SCALE 1 : 2,924



 Proposed Zoning By-law Amendment
From: "Residential Holding (RH)"
To: "Residential First Density
Special No. 116 (R1 Sp.116)"

 Proposed Zoning By-law Amendment
From: "Residential Holding (RH)"
To: "Open Space (O)"

 Proposed Zoning By-law Amendment
From: "Open Space (O)"
To: "Residential First Density
Special No. 116 (R1 Sp.116)"



This is Schedule "C"

To By-law No. 2009-07

Passed the 17th day of February 2009

Mayor Vic Fedeli

City Clerk Catherine Conrad

DRAFT PLAN OF SUBDIVISION OF PART OF LOT 17 CONCESSION "B" TOWNSHIP OF WINDFIELD NOW IN THE CITY OF NORTH BAY DISTRICT OF NIPISSING

SCALE 1 : 1000



Miller & Uroo Surveying Inc.

NOTES

DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

READING NOTE

BOUNDARIES ARE INDICATED AND ARE REFERRED TO THE NORTH LIMIT OF BLOCK 17, AS SHOWN ON REGISTERED PLAN 36M-596, HAVING A BEARING OF N89°30'00".

LAND USE ANALYSIS

LOT OR BLOCK	INTENDED USE	NO. OF UNITS	AREA (HECTARES)
LOTS 1 TO 16	RESIDENTIAL	16	2.1 HA
BLOCK 17	PARK LAND	1	2.8 HA
BLOCK 18	OLYMPIC RESERVE	1	0.601 HA
BLOCK 19	ADDITION TO ADJACENT LANDS	1	0.2 HA
BLOCK 20	ADDITION TO ADJACENT LANDS	1	0.1 HA
BLOCK 21	ADDITION TO ADJACENT LANDS	1	0.2 HA
STREETS	STREETS		0.2 HA
TOTAL			8.9 HA

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 31 (17) OF THE ONTARIO PLANNING ACT

- (A) AS SHOWN ON THE FACE OF THE PLAN
- (B) AS SHOWN ON THE FACE OF THE PLAN
- (C) AS SHOWN ON THE FACE OF THE PLAN
- (D) THE PURPOSE FOR WHICH THE LOTS ARE TO BE USED AND:
 - LOTS 1 TO 16 SINGLE FAMILY RESIDENTIAL, BLOCK 17 PARK LAND, BLOCK 18 OLYMPIC RESERVE & BLOCKS 19, 20, 21 LOT ADDITIONS TO ADJACENT PROPERTIES.
- (E) THE EXISTING USES OF THE ADJACENT PROPERTIES AND:
 - NORTH - VACANT RESIDENTIAL LANDS
 - EAST - VACANT LAND, JOHNSON CREEK
 - SOUTH - APPROVED VACANT LAND CONVERSION
 - WEST - DEVELOPED LOW DENSITY RESIDENTIAL SUBDIVISION
- (F) AS SHOWN ON THE FACE OF THE PLAN
- (G) AS SHOWN ON THE FACE OF THE PLAN
- (H) MANICALLY OWNED AND OPERATED PIPED WATER SYSTEM
- (I) THE NATURE AND POROSITY OF THE SOIL IS SANDY LOAM
- (J) 0.75 METRE CONTIGUOUS INTERVALS SHOWN ON THE FACE OF THE PLAN
- (K) THE MUNICIPAL SERVICES TO BE AVAILABLE TO THE LANDS AND:
 - EMERGENCY SERVICES - POLICE, FIRE, AMBULANCE
 - MUNICIPAL SERVICES - PIPED WATER, PIPED SANITARY, TRASH, GARBAGE, RECYCLING, ROAD MAINTENANCE, SCHOOL, SLUING, SNOW REMOVAL
 - PUBLIC SERVICES - GAS, ELECTRICITY, TELEPHONE, CABLE, INTERNET
- (L) THERE IS AN EASEMENT APPROVED PART OF PLAN 36M-10484 LT 308828 IN FAVOR OF THE CITY OF NORTH BAY

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

NORTH BAY, ONTARIO 2009

S.D. MILLER
ONTARIO LAND SURVEYOR
FOR MILLER & UROO SURVEYING INC.

OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE PLAN OF THIS DRAFT PLAN FOR DRAFT APPROVAL.

NORTH BAY, ONTARIO 2009

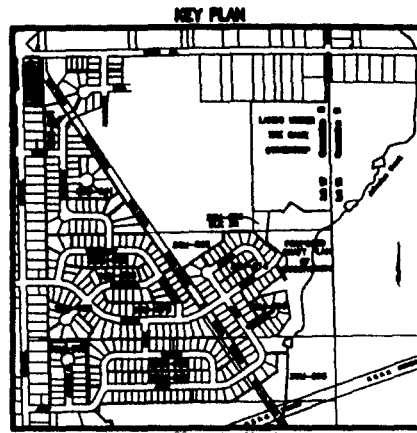
SEBASTIAN ONTARIO LTD
DAVID ALMOND - PRESIDENT
REGISTERED OWNER OF
PW 48134-0382 (L1) & 481374-0382 (L1)

OWNER'S CERTIFICATE

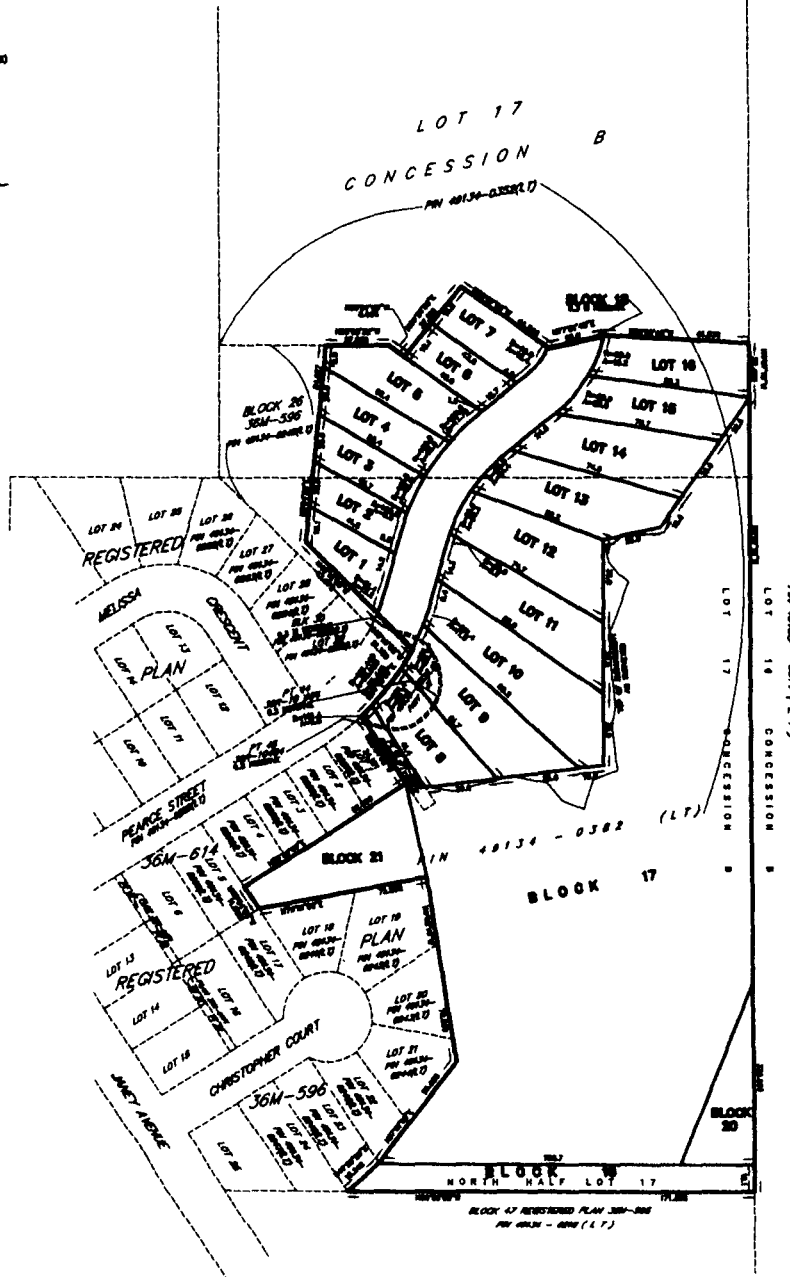
I HEREBY CONSENT TO THE PLAN OF THIS DRAFT PLAN FOR DRAFT APPROVAL.

NORTH BAY, ONTARIO 2009

STRONG ONTARIO INC.
DAVID ALMOND
REGISTERED OWNER OF
PW 48134-0382 (L1) & 481374-0382 (L1)



SCALE 1 : 20,000



Miller & Uroo Surveying Inc.
 2500 Highway 104, Unit 104
 North Bay, Ontario
 P1A 2S2
 Tel: (705) 638-1111
 Fax: (705) 638-1112
 Email: info@mlu.com