

The Corporation of the City of North Bay

By-Law No. 2022-068

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Cartier Street from a “Residential First Density (R1)” Zone to a “Residential Multiple First Density Special No. 140 (RM1 Sp.140)” Zone and an “Open Space (O)” Zone

Terrace Management Inc. – 111 Cartier 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-33” 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 Community Services Committee Report No. 2022-15 adopted by Council on June 28, 2022 by Resolution No. 2022-227 to approve this rezoning;

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

- 1) Schedule “B-33” 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 49130-0069 (LT) PCL 5097 SEC WF; PT ANTHONY ST PL M153 WIDDIFIELD AS IN LT70162; NORTH BAY; DISTRICT OF NIPISSING and PIN 49130-0514 (LT) PCL 10626 SEC NIP; LT 179 PL M153 WIDDIFIELD; LT 180 PL M153 WIDDIFIELD; LT 181 PL M153 WIDDIFIELD; LT 182 PL M153 WIDDIFIELD; LT 183 PL M153 WIDDIFIELD; LT 184 PL M153 WIDDIFIELD; LT 185 PL M153 WIDDIFIELD; LT 186 PL M153 WIDDIFIELD; LT 187 PL M153 WIDDIFIELD; LT 188 PL M153 WIDDIFIELD; LT 189 PL M153 WIDDIFIELD; LT 190 PL M153 WIDDIFIELD; LT 196 PL M153 WIDDIFIELD; LT 197 PL M153 WIDDIFIELD; LT 198 PL M153 WIDDIFIELD; LT 199 PL M153 WIDDIFIELD; LT 200 PL M153 WIDDIFIELD; LT 201 PL M153 WIDDIFIELD; LT 202 PL M153 WIDDIFIELD; LT 203 PL M153 WIDDIFIELD; LT 204 PL M153 WIDDIFIELD; LT 205 PL M153 WIDDIFIELD; LT 206 PL M153

WIDDIFIELD EXCEPT LT42648; NORTH BAY ; DISTRICT OF NIPISSING), shown as hatched on Schedule A attached hereto from a "Residential First Density (R1)" Zone to a "Residential Multiple First Density Special No. 140 (RM1 Sp.140)" Zone and an "Open Space (O)" Zone.

2) All buildings or structures erected or altered and the use of land in such "Residential Multiple First Density Special No.140 (RM1 Sp.140)" 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 11.1.140:

"11.1.140 "Residential Multiple First Density Special No.140 (RM1 Sp.140)"

11.1.140.1 The property description of this "Residential Multiple First Density Special No.140 (RM1 Sp.140)"Zone is PIN 49130-0069 (LT) PCL 5097 SEC WF; PT ANTHONY ST PL M153 WIDDIFIELD AS IN LT70162; NORTH BAY; DISTRICT OF NIPISSING and PIN 49130-0514 (LT) PCL 10626 SEC NIP; LT 179 PL M153 WIDDIFIELD; LT 180 PL M153 WIDDIFIELD; LT 181 PL M153 WIDDIFIELD; LT 182 PL M153 WIDDIFIELD; LT 183 PL M153 WIDDIFIELD; LT 184 PL M153 WIDDIFIELD; LT 185 PL M153 WIDDIFIELD; LT 186 PL M153 WIDDIFIELD; LT 187 PL M153 WIDDIFIELD; LT 188 PL M153 WIDDIFIELD; LT 189 PL M153 WIDDIFIELD; LT 190 PL M153 WIDDIFIELD; LT 196 PL M153 WIDDIFIELD; LT 197 PL M153 WIDDIFIELD; LT 198 PL M153 WIDDIFIELD; LT 199 PL M153 WIDDIFIELD; LT 200 PL M153 WIDDIFIELD; LT 201 PL M153 WIDDIFIELD; LT 202 PL M153 WIDDIFIELD; LT 203 PL M153 WIDDIFIELD; LT 204 PL M153 WIDDIFIELD; LT 205 PL M153 WIDDIFIELD; LT 206 PL M153 WIDDIFIELD EXCEPT LT42648; NORTH BAY ; DISTRICT OF NIPISSING along Cartier Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-33".

11.1.140.2 (a) No person shall use land, or use, erect, or construct any building

or structure in this Residential Multiple First Density Special No.140 (RM1 Sp.140)" Zone except for the following uses:

- Apartment Dwellings;
- Boarding, Lodging or Rooming House;
- Group Home Type 2;
- Accessory Home Based Business;
- Parks, Playgrounds and Non-profit uses;
- Day Nursery; and
- Institutional Uses.

11.1.140.2 (b) The regulations for this "Residential Multiple First Density Special No.140 (RM1 Sp.140)" are as follows:

- i) The minimum Usable Open Space as a percentage of Lot Area shall be 48%.

11.1.140.3 The use of land or building in this "Residential Multiple First Density Special No.140 (RM1 Sp.140)" 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 Multiple First Density Special No.140 (RM1 Sp.140)" and "Open Space (O)" 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 how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Sched. 6.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 6 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 6 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 28th Day of June 2022.

Read a Second Time in Open Council the 28th Day of June 2022.

Read a Third Time in Open Council and Passed this 28th Day of June 2022.

Mayor Allan McDonald

City Clerk Karen Mclsaac

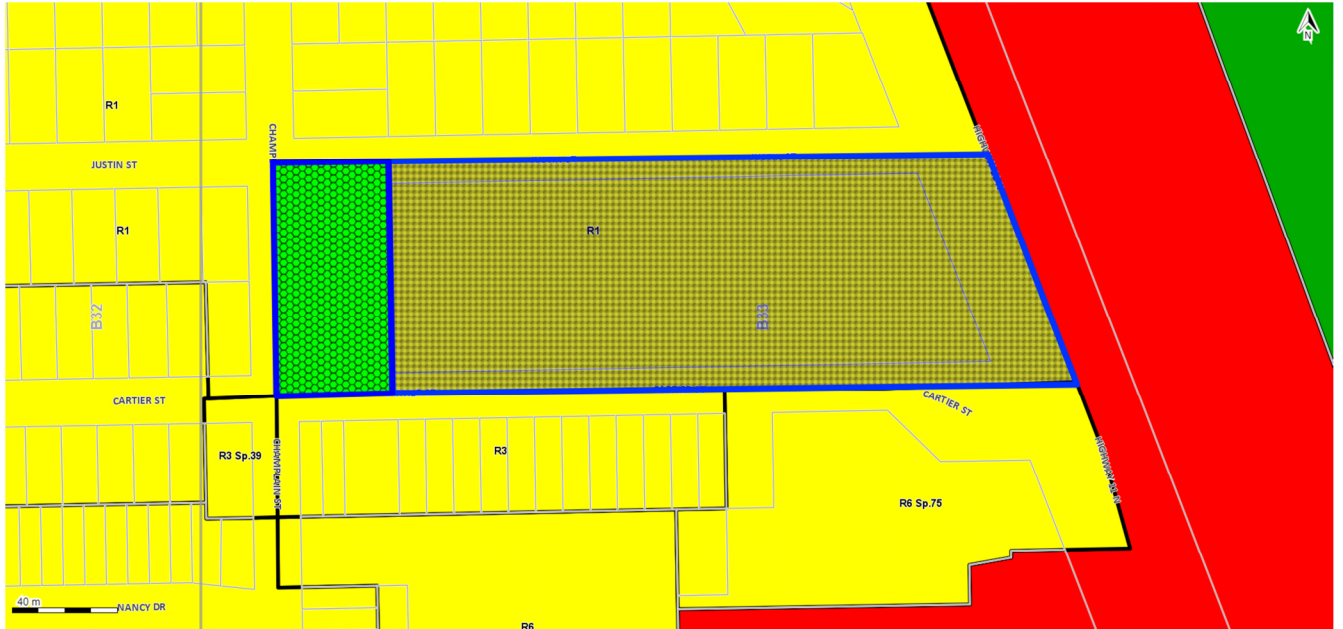
Schedule A

This is Schedule "A"
To By-law No. 2022-068

Passed the 28th Day of June 2022

Mayor Allan McDonald

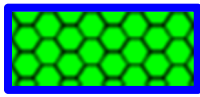
City Clerk Karen McIsaac



Legend



- from a "Residential First Density (R1)" Zone to a "Residential Multiple First Density Special No. 140 (RM1 Sp.140)" Zone



- from a "Residential First Density (R1)" Zone to an "Open Space (O)" Zone

Schedule B

This is Schedule "B"
To By-law No. 2022-068

Passed the 28th Day of June 2022

Mayor Allan McDonald

City Clerk Karen Mclsaac

