

The Corporation of the City of North Bay

By-Law No. 2021-115

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Bain Drive from a “Residential Holding (RH)” Zone to a “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” Zone

Consolidated Homes Ltd. – Bain Drive

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-34” 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. 2021-17 adopted by Council on December 14, 2021 by Resolution No. 2021-505 to approve this rezoning;

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

- 1) Schedule “B-34” 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 49132-0485 (LT) PCL Block 19-1 SEC 36M629; BLK 19 PL 36M629 Widdifield; S/T LT416404; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “Residential Holding (RH) zone to a “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” 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 11.1.137:

"11.1.137 “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)”

- 11.1.137.1 The property description of this “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” is PIN 49132-0485 (LT) PCL Block 19-1 SEC 36M629; BLK 19 PL 36M629 Widdifield; S/T LT416404; North Bay; District of Nipissing along Bain Drive in the City of North Bay as shown on the attached Schedule and on Schedule "B-34".
- 11.1.137.2 The regulations for this “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” are as follows:
- i) The minimum frontage shall be 26.57 metres
 - ii) The minimum front yard setback shall be 60 metres
- 11.1.137.3 The use of land or building in this “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” shall conform to all other regulations of this By-law, except as hereby expressly varied."
- 4) The Holding Zone provision shall be applied to the lands zoned “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)”. Prior to the removal of the holding zone provisions by By-law, or to allow any specific permitted use, the following conditions must be satisfied:
- a. The applicant shall provide a Traffic Impact Brief and implement any recommendations forthcoming from said Traffic Impact Brief.
 - b. The applicant shall provide a Landscaping Plan that delineates the existing vegetation with the intention of preserving as much of the existing vegetation as feasible.
 - c. The applicant shall provide a functional servicing plan that identifies the services required by the proposed development and the capacity of the infrastructure available to the subject property.
- 5) Section 11 of By-law No. 2015-30 is further amended by inserting “Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)” as shown on Schedule "B" to this By-law.
- 6) 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.

- 7) 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 *Local Planning Appeal Tribunal Act*, S.O. 2017, c. 23, Sched. 1.
- 8) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 7 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 9) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 7 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 14th Day of December 2021.

Read a Second Time in Open Council the 14th Day of December 2021.

Read a Third Time in Open Council and Passed this 14th Day of December 2021.

Mayor Allan McDonald

City Clerk Karen Mclsaac

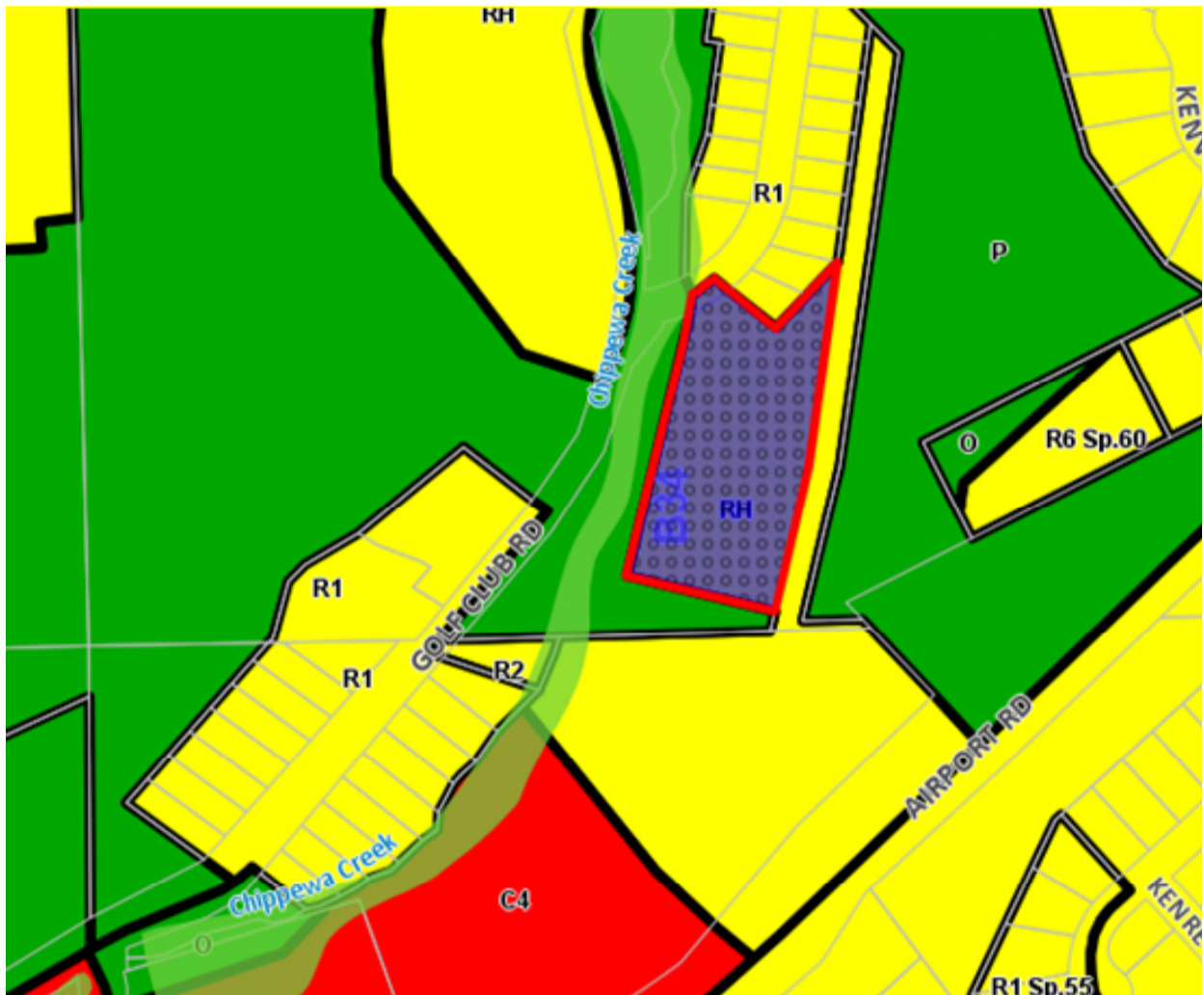
Schedule A

This is Schedule "A"
To By-law No. 2021-115

Passed the 14th day of December, 2021

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend



- From "Residential Holding (RH)" to "Residential Multiple First Density Special No.137 Holding (RM1 Sp.137H)"

Schedule B

This is Schedule "B"
To By-law No. 2021-115

Passed the 14th day of December, 2021

Mayor Allan McDonald

City Clerk Karen McIsaac

