

The Corporation of the City of North Bay

By-Law No. 2021-25

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Cassells St. from a “Residential Second Density (R2)” Zone to a “Residential Second Density Special No. 134 (R2 Sp. 134)” Zone

Robert Collins – 1410 Cassells St.

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 Community Services Committee Report No. 2021-03 adopted by Council on March 23rd, 2021 by Resolution No. 2021-107 to approve this rezoning;

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

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 49150-0251 (LT) PCL 4013 SEC WF; PT LT 26 PL M45 Widdifield as in LT62500; North Bay; District of Nipissing in the City of North Bay), shown as hatched on Schedule “A” attached hereto from an “Residential Second Density (R2)” zone to a “Residential Second Density Special Zone No. 134 (R2 Sp. 134)” zone.

- 1) All buildings or structures erected or altered and the use of land in such “Residential Second Density Special No.134 (R2 Sp.134)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 2) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.1.134:
 - “11.1.134 “Residential Second Density Special No.134 (R2 Sp.134)”
 - 11.1.134.1 The property description of “Residential Second Density Special No.134 (R2 Sp.134)” is PIN 49150-0251 (LT) PCL 4013 SEC WF; PT LT 26 PL M45 Widdifield as in LT62500; North Bay; District of Nipissing in the City of North Bay along Cassells St. in the City of North Bay as shown on the attached Schedule and on Schedule “B-44”.
 - 11.1.134.2 The regulations for this “Residential Second Density Special No.134 (R2 Sp.134)” are as follows:

- i) A "Retail Store, Local" is a permitted use as a home based business in this "Residential Second Density Special No.134 (R2 Sp.134" zone ; and
- ii) There is no requirement for the property owner to live in the residence at the subject property.

11.1.134.3 The use of land or building in this "Residential Second Density Special No.134 (R2 Sp.134)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 3) Section 11 of By-law No. 2015-30 is further amended by inserting "Residential Second Density Special No.134 (R2 Sp.134)" as shown on Schedule "A" to this By-law.
- 4) 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.
- 5) 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.
- 6) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 5 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 7) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 5 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 23rd Day of March 2021.

Read a Second Time in Open Council the 23rd Day of March 2021.

Read a Third Time in Open Council and Passed this 23rd Day of March 2021.

Mayor, Allan McDonald

City Clerk Karen McIsaac

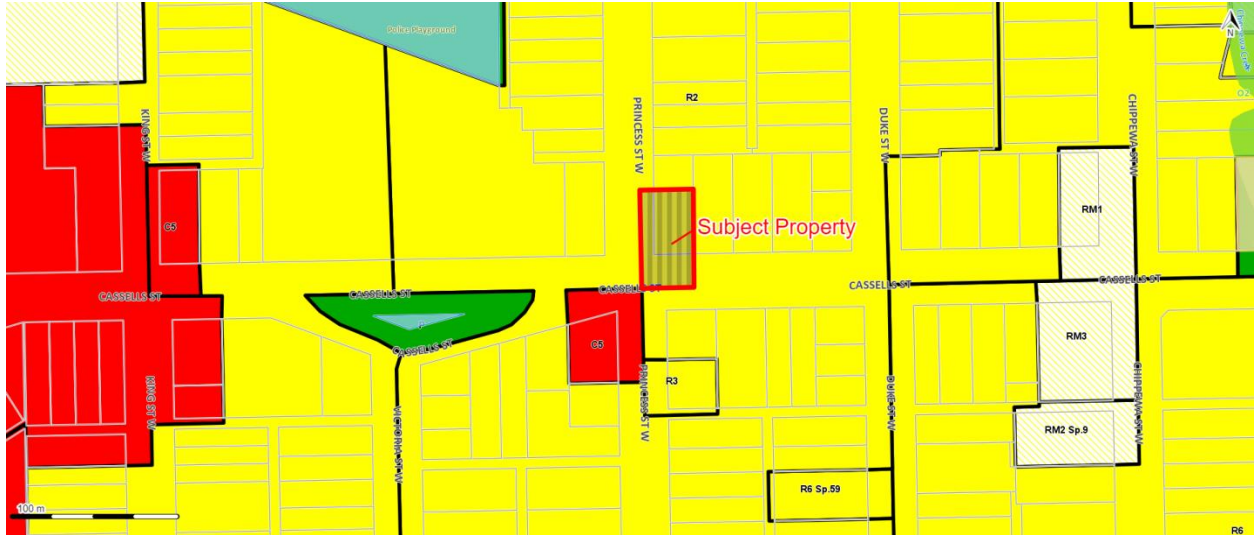
Schedule A

This is Schedule "A"
To By-law No. 2021-25

Passed the 23rd Day of March 2021

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend



- From a "Residential Second Density (R2)" zone to a "Residential Second Density Special No.134 (R2 Sp.134)" zone