

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2009-72**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80  
TO REZONE CERTAIN LANDS BETWEEN ALGONQUIN AVENUE, MCLAREN STREET,  
ANN STREET, CEDAR STREET, GALT STREET AND FRONT STREET  
FROM A “RESIDENTIAL THIRD DENSITY (R3)” ZONE AND A “RESIDENTIAL  
MULTIPLE FIRST DENSITY SPECIAL NO. 42 (RM1 SP.42)” ZONE TO A “RESIDENTIAL  
MULTIPLE SECOND DENSITY SPECIAL NO. 118 (RM1 SP.118)” ZONE**

**(CITY OF NORTH BAY – FORMER CN RAIL LANDS)**

**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 Section 11 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 Tuesday, April 14<sup>th</sup>, 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-42” of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedules “A” and “B” attached hereto (which property is more particularly described as Registered Plan No. 23, Part Lots 5 to 7 & 23 to 26, Plan M-32, Part Lots 167 to 172, and Plan M-5, Block 1 and Registered Plan No. 23, Part 7, Part Lot 22, Part Lots 24 to 26, and Plan M-32, Part Lots 167 to 172, Parcels 5307, 3003, 398, 399 & 2066 W/F in the City of North Bay) from a “Residential Third Density (R3)” zone and a “Residential Multiple First Density Special No. 42 (RM1 Sp.42)” zone to a “Residential Multiple Second Density Special No. 118 (RM2 Sp.118)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple Second Density Special No. 118 (RM2 Sp.118)” 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 the following:
  - 11.2.118 Residential Multiple Second Density Special No. 118 (RM2 Sp.118)
  - 11.2.118.1 The property description of this “Residential Multiple Second Density Special No. 118 (RM2 Sp.118)” zone is Registered Plan No. 23, Part Lots 5 to 7 & 23 to 26, Plan M-32, Part Lots 167 to 172, and Plan M-5, Block 1 and Registered Plan No. 23, Part 7, Part Lot 22, Part Lots 24 to 26, and Plan M-32, Part Lots 167 to 172,

Parcels 5307, 3003, 398, 399 & 2066 W/F in the City of North Bay as shown on the attached Schedules and on Schedule “B-42”.

11.2.118.2 No person shall use land, or use, erect, or construct any building or structure in this “Residential Multiple Second Density Special No. 118 (RM2 Sp.118)” zone except for the following uses:

- semi-detached dwelling
- duplex dwelling
- triplex dwelling
- double-duplex dwelling
- maisonette
- townhouse
- multiple dwelling – up to 4 units

11.2.118.3 The use of land or building in this “Residential Multiple Second Density Special No. 118 (RM2 Sp.118)” 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 Multiple Second Density Special No. 118 (RM2 Sp.118)” 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. 254/06 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 14<sup>th</sup> DAY OF APRIL 2009.

READ A SECOND TIME IN OPEN COUNCIL THE 14<sup>th</sup> DAY OF APRIL 2009.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 27 DAY

OF APRIL 2009.

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD

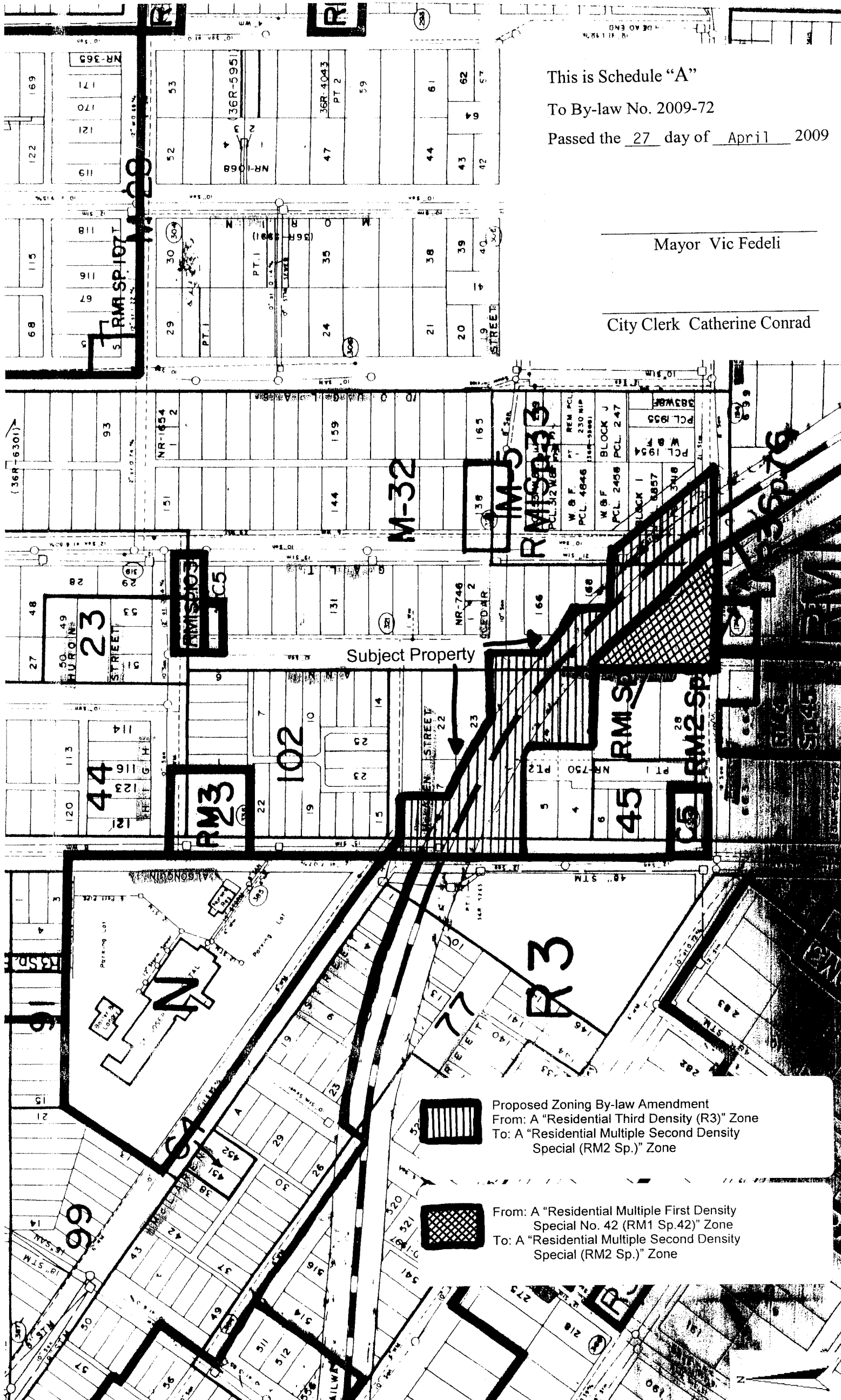
This is Schedule "A"

To By-law No. 2009-72

Passed the 27 day of April 2009

Mayor Vic Fedeli

City Clerk Catherine Conrad





This is Schedule "C"

To By-law No. 2009-72

Passed the 27 day of April 2009

Mayor Vic Fedeli

City Clerk Catherine Conrad

