

# The Corporation of the City of North Bay

## By-Law No. 2023-011

### A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Judge Avenue from a “Residential Third Density (R3)” Zone to a “Residential Multiple First Density Special (RM1 Sp.142)” Zone

#### Saeed Mahmood and Sadia Quadri – 12 Judge Avenue

**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-61” 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 Committee Report 2023-03 adopted by Council on January 17, 2023 by Resolution No. 2023-17 to approve this rezoning;

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

- 1) Schedule “B-61” 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 49168-0354 (LT) LT 3-5 PL 90 West Ferris; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “Residential Third Density (R3)” zone to a “Residential Multiple First Density Special (RM1 Sp.142)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple First Density Special (RM1 Sp.142)” 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 11.1.142:  

"11.1.142    “Residential Multiple First Density Special (RM1 Sp.142)”  
11.1.142.1    The property description of this “Residential Multiple First Density Special (RM1 Sp.142)” is PIN 49168-0354 (LT) LT 3-5 PL 90 West Ferris; North Bay; District of Nipissing, known locally as 12 Judge Avenue in the City of North Bay as shown on the attached Schedule and on Schedule "B-61".

11.1.142.2 The regulations for this “Residential Multiple First Density Special

(RM1 Sp.142)” are as follows:

- i) The minimum rear yard setback shall be 2.6 metres
- ii) Parking spaces shall be permitted without independent access to an aisle

11.1.142.3 The use of land or building in this “Residential Multiple First Density Special (RM1 Sp.142)” 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 (RM1 Sp.142)” 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 17th Day of January 2023.**

**Read a Second Time in Open Council the 17th Day of January 2023.**

**Read a Third Time in Open Council and Passed this 17th Day of January 2023.**

# Schedule A

This is Schedule "A"  
To By-law No. 2023-011

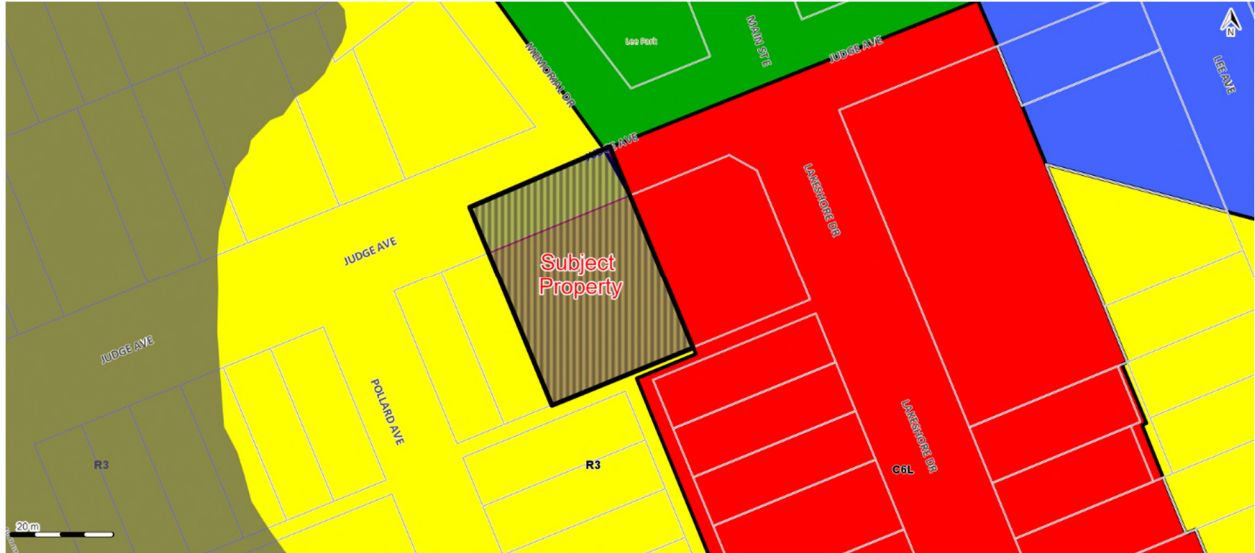
Passed the 17th Day of January, 2023

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Mayor Peter Chirico

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City Clerk Karen Mclsaac



## Legend



- From a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special No. 142 (RM1 Sp.142)"

# Schedule B

This is Schedule "B"  
To By-law No. 2023-011

Passed the 17th Day of January, 2023

\_\_\_\_\_  
Mayor Peter Chirico

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City Clerk Karen McIsaac

SKETCH TO ACCOMPANY  
**ZONING BY-LAW AMENDMENT APPLICATION**  
12 JUDGE AVENUE, CITY OF NORTH BAY

**REGISTERED**  
LOT 2  
LOT 3  
LOT 4  
LOT 5  
LOT 6  
LANE  
JUDGE AVENUE  
MEMORIAL DRIVE

**PLAN**  
2 STORY BRICK & CINDERBLOCK TRI-PLEX BUILDING WITH STONE FOUNDATION W/ 12

GAS VALVE ENCLOSURE 31.09 R=5 R=5

33.53 7m 2.64m 31.09 33.53

<b>AREAS:</b>	
LOT	1042.45 m <sup>2</sup>
BUILDING	141.18 m <sup>2</sup>
DECK	23.52 m <sup>2</sup>
LOT COVERAGE:	13.6%

<b>METRIC:</b> DISTANCES SHOWN ON THIS SKETCH ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.	<b>PROPOSED ZONING AMENDMENT:</b> LANDS SHOWN IN BOLD OUTLINE TO BE RE-ZONED FROM RESIDENTIAL FIRST DENSITY (R1) TO RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL (RM15p) TO PERMIT A TOTAL OF FIVE APARTMENT UNITS. SPECIAL ZONE CATEGORY REQUIRED TO REDUCE REAR YARD SETBACK FROM 7.0 m TO 2.4 m RECOGNIZING EXISTING POSITION OF STRUCTURE.
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