

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2009-12

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO IMPLEMENT CHANGES TO THE POLICIES AND REGULATIONS (BOARDING, LODGING AND ROOMING HOUSES)

WHEREAS a general review of Zoning By-law No. 28-80 recommended changes to the text of the 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 the Council has deemed it desirable to amend the text of By-law No. 28-80 as indicated herein, pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

AND WHEREAS Council passed a resolution on March 2nd, 2009 to approve this amendment to Zoning By-law No. 28-80.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

- 1) Section 2 of Zoning By-law 28-80 is amended by deleting the current definition for “Boarding and Rooming House” and replacing it with the following:

BOARDING, LODGING OR ROOMING HOUSE means a building or part thereof,

- (a) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and
- (b) in which the lodging rooms do not have bathrooms and kitchen facilities for the exclusive use of individual occupants,

but does not include a Group Home Type 1, 2 or 3, Supervised Residence, Hotel, Motel, Hospital, Nursing Home, Home for the Aged, Retirement Home or institutional licensed, approved or supervised under Provincial or Federal Legislation.

GENERAL PROVISIONS

- 2) Section 3.26 Parking Regulations table of Zoning By-law 28-80 is amended as follows:
 - a. adding item (b)(iii) “an apartment building not specifically listed elsewhere in this section”
 - b. provide a minimum number of parking spaces required for item (b)(iii) to “one (1) space for each dwelling unit located within the building. An additional 20% of parking spaces shall be provided and designated for visitor parking.”
 - c. amend item (k) to “boarding, lodging or rooming houses”
 - d. increase the number of parking spaces required for item (k) to “one (1) parking space for every bedroom located within the boarding, lodging or rooming house”.

RESIDENTIAL ZONES

- 3) Section 5 of the Zoning By-law 28-80 is amended as follows:
 - a. Section 5.2.1 of Zoning By-law 28-80 is amended by removing a boarding and rooming house as a permitted use.
 - b. Section 5.2.2 of Zoning By-law 28-80 is amended by removing a boarding and rooming house as a permitted use.
 - c. Section 5.3.1 of Zoning By-law 28-80 is amended by adding a boarding, lodging or rooming house as a permitted use in all High Density Residential Zones (RM3 to RM6).
 - d. Section 5.3.3.2 of Zoning By-law 28-80 is amended by adding the words “or boarding, lodging or rooming house” after the words “No apartment building”...

COMMERCIAL ZONES

- 4) Section 6 of the Zoning By-law 28-80 is amended, as follows:
 - a. Section 6.5.1.1 is amended by adding a boarding, lodging or rooming house as a permitted use in the District Commercial (C4) zone.
 - b. Section 6.5.1.2 is amended by deleting the section in its entirety and replacing it with:
“Dwelling units, boarding, lodging or rooming houses, or any residential use, connected to and forming an integral part of the commercial building shall be permitted, provided that access to the dwelling units, boarding, lodging or rooming house or residential use is separate from the access to the commercial portion of the building, and no dwelling units, or any part of boarding, lodging or rooming houses or any other residential uses or part thereof shall be permitted on the ground floor”.

INSTITUTIONAL ZONES

- 5) Section 9 of the Zoning By-Law 28-80 is amended as follows:
 - a. Section 9.1 of Zoning By-law 28-80 is amended by adding boarding, lodging or rooming house as a permitted use within the Institutional zone.

READ A FIRST TIME IN OPEN COUNCIL THIS 2nd DAY OF MARCH, 2009.

READ A SECOND TIME IN OPEN COUNCIL THIS 2nd DAY OF MARCH, 2009.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16th DAY OF MARCH, 2009.

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MAYOR, VIC FEDELI

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CITY CLERK, CATHERINE CONRAD