

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2005-57

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON ALGONQUIN AVENUE
FROM "RESIDENTIAL THIRD DENSITY (R3)" ZONE TO A
"RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL ZONE NO. 94 (RM1 Sp. 94)"
(TURCOTTE – ALGONQUIN 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 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 the zoning designation shown on Schedule "B-42" 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 April 11, 2005 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 Plan M-32, Lots 53 and 54, Parcel 4373 W/F) along Algonquin Avenue in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)" zone.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.94

"11.2.94 "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)"

11.2.94.1 The property description of this "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)" is Plan M-32, Lots 53 and 54, Parcel 4373 W/F along Algonquin Avenue in the City of North Bay as shown on the attached Schedules and on Schedule "B-42".

11.2.94.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)" except for the following uses:

 - semi-detached dwelling;
 - duplex dwellings;
 - triplex dwelling;
 - double duplex dwelling;
 - multiple dwellings;
 - boarding or rooming house or Group Home Type 1;
 - accessory home based businesses in accordance with Section 3.35 of Zoning By-law 28-80;
 - parks, playgrounds and non-profit uses;
 - day nurseries; and
 - institutional uses.

11.2.94.2(b) The regulations for this "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)" are as follows:

- i) The number of units within the Multiple Dwelling shall not be greater than four (4) units.
- ii) The required lot area per dwelling unit shall not be less than 200 square metres.

11.2.94.3 The use of land or building in this "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

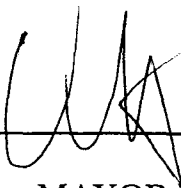
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple First Density Special No. 94 (RM1 Sp. 94)" as shown on Schedule "C" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "A" attached hereto are hereby designated as a site plan control area.
- 5)
 - 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. 199/96 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 11TH DAY OF APRIL 2005.

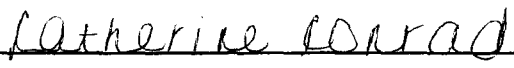
READ A SECOND TIME IN OPEN COUNCIL THE 11TH DAY OF APRIL 2005.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 25 DAY

OF APRIL 2005.



MAYOR



CITY CLERK

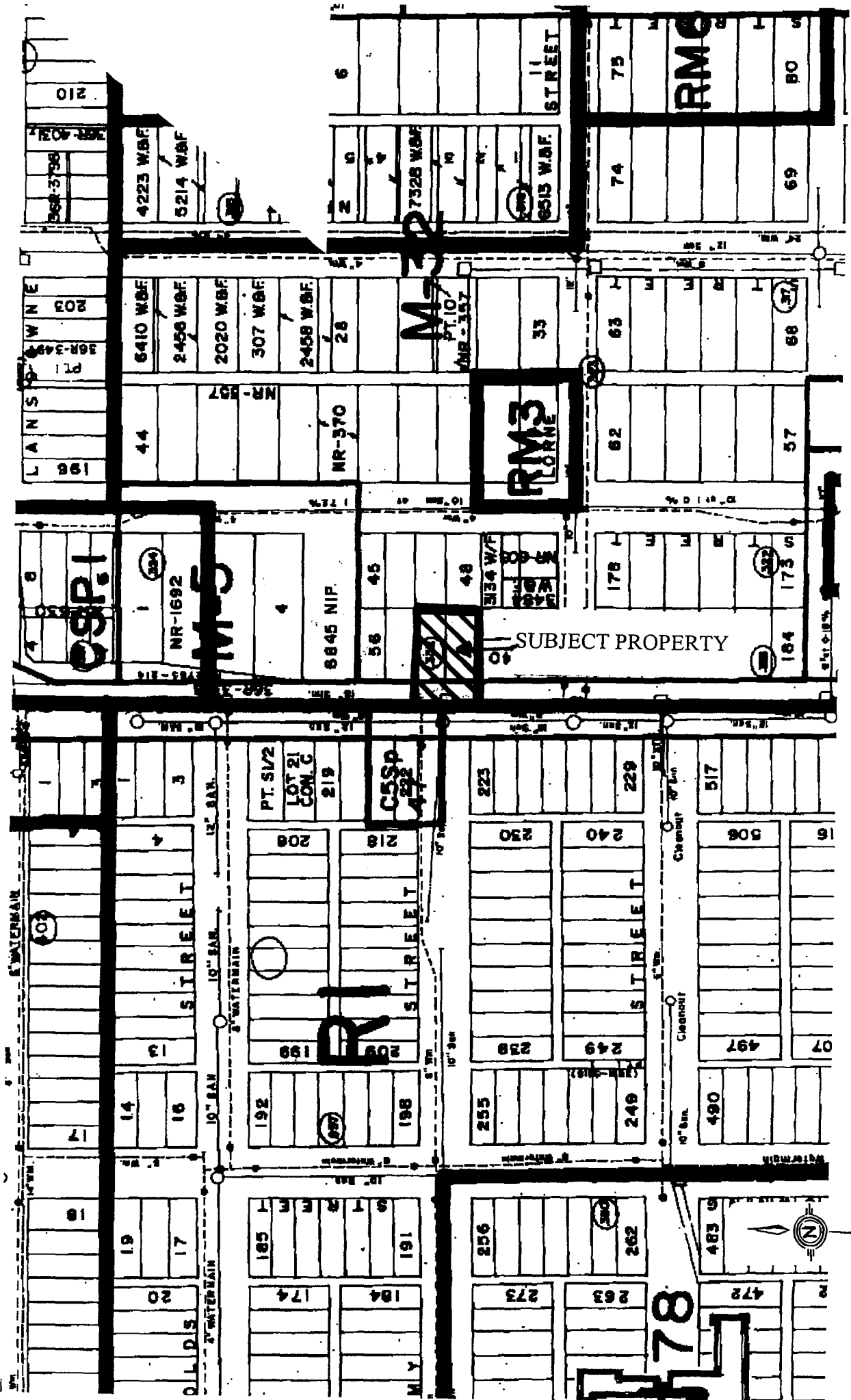
This is Schedule "A"

To By-law No. 2005-57

Passed the 25 day of April 2005

Mayor

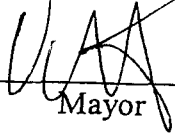
Catherine Conrad
City Clerk

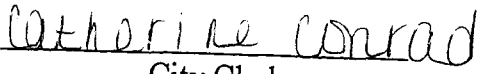


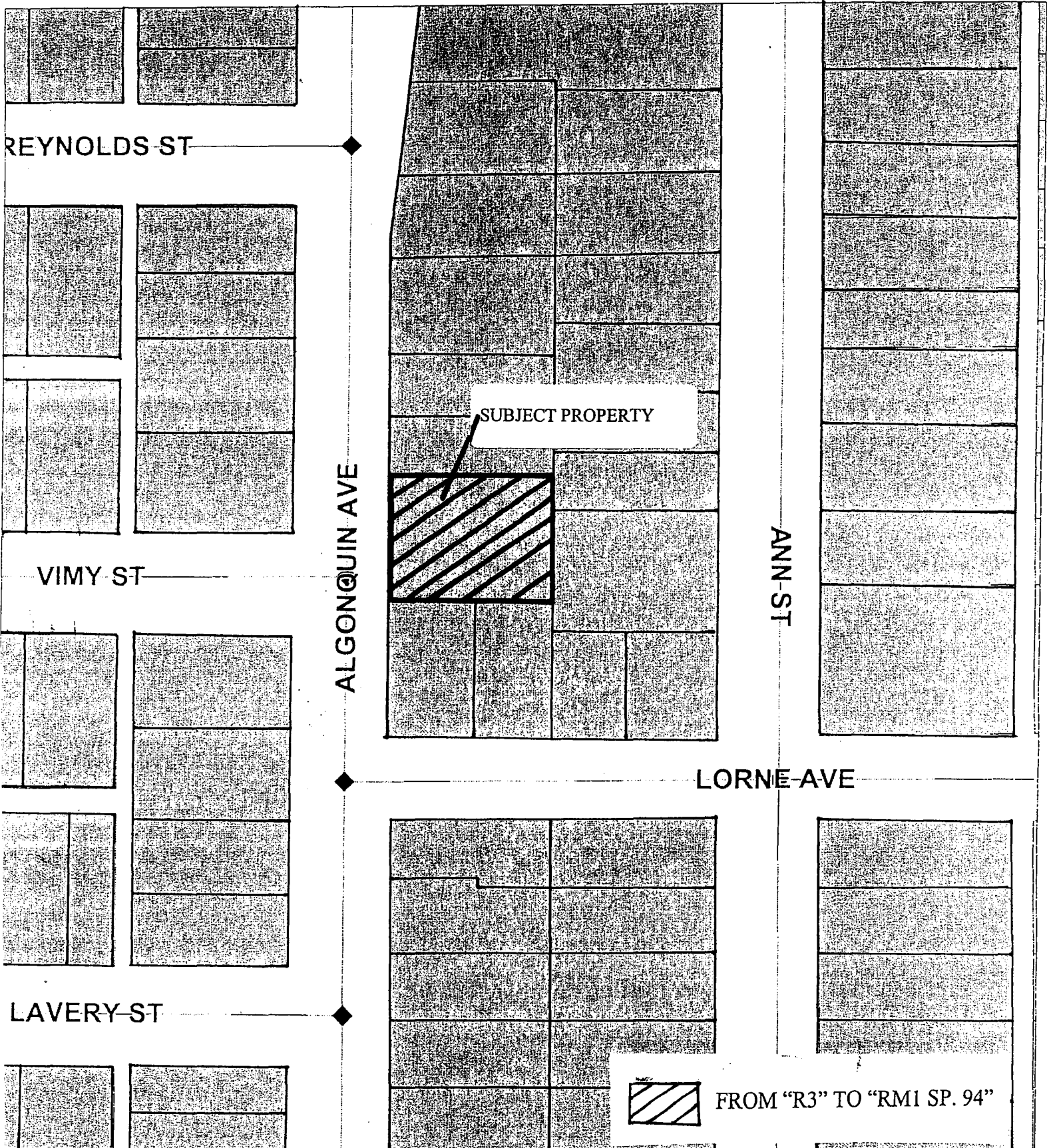
This is Schedule "B"

To By-law No. 2005-57

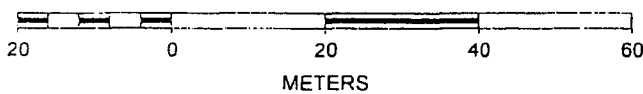
Passed the 25 day of April 20 05.


Mayor


Catherine Conrad
City Clerk



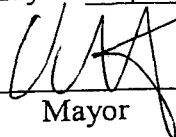
SCALE 1 : 1,000

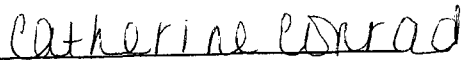


This is Schedule "C"

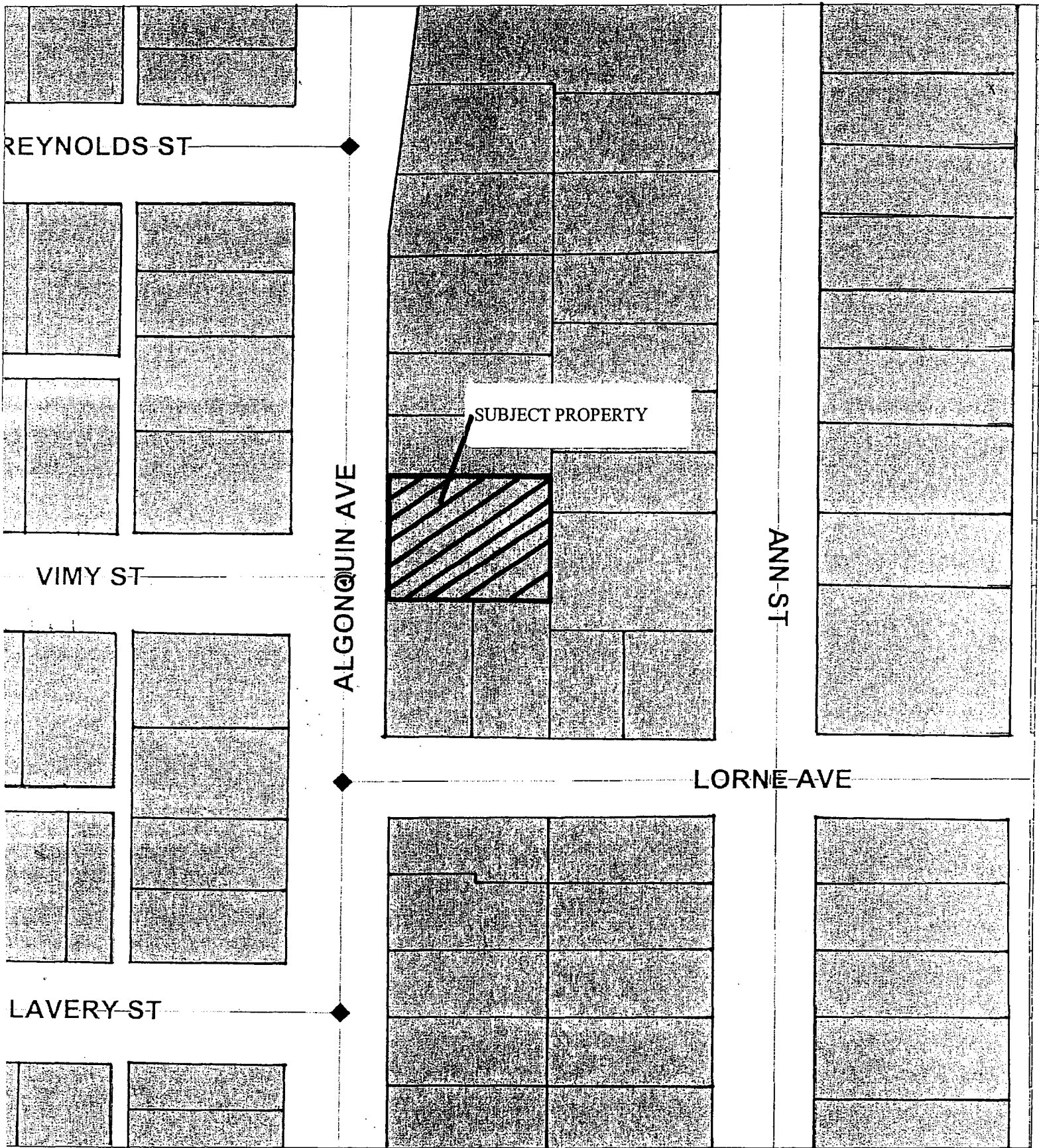
To By-law No. 2005-57

Passed the 25 day of April 2005.


Mayor


Catherine Conrad
City Clerk

"THIS IS SCHEDULE TO RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL ZONE NO. 94 (RM1 SP. 94)"



SCALE 1 : 1,000

