

The Corporation of the City of North Bay

By-Law No. 2022-057

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Lakeshore Drive from a “Residential Sixth Density (R6)” Zone to a “Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)” Zone

2865755 Ontario Ltd. – 458 Lakeshore Drive

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-71” 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. 2022-13 adopted by Council on June 28, 2022 by Resolution No. 2022-225 to approve this rezoning;

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

- 1) Schedule “B-71” 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 49173-0294 (LT) PCL 1992 SEC WF; PT LT 40 CON 16 WEST FERRIS AS IN LT44388 EXCEPT LT84029, PT 3, 5, NR416; NORTH BAY ; DISTRICT OF NIPISSING), shown as hatched on Schedule A attached hereto from a “Residential Sixth Density (R6)” Zone to a “Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)” Zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) The Holding Zone provision shall be applied to the lands zoned “Residential Multiple Third Density Special No.141 (RM3 Sp.141)”. Prior to the removal of the

holding zone provisions, or to allow any specific permitted use, the following conditions must be satisfied:

- a. The applicant shall provide a Traffic Impact Study and implement any recommendations forthcoming from the required Traffic Impact Study to the satisfaction of the City Engineer and at no expense to the City of North Bay.
 - b. The applicant shall provide a Service Capacity Study demonstrating adequate infrastructure capacity for the proposed development and implement any recommendations forthcoming from the required Service Capacity Study to the satisfaction of the City Engineer and at no expense to the City of North Bay.
- 4) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.1.141:
- "11.1.141 Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)
- 11.1.141.1 The property description of this "Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)" is PIN 49173-0294 (LT) PCL 1992 SEC WF; PT LT 40 CON 16 WEST FERRIS AS IN LT44388 EXCEPT LT84029, PT 3, 5, NR416; NORTH BAY ; DISTRICT OF NIPISSING along Lakeshore Drive in the City of North Bay as shown on the attached Schedule and on Schedule "B-71".
- 11.1.141.2 The regulations for this "Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)" are as follows:
- i) Minimum Lot Frontage of 21.3 metres
 - ii) Minimum Side Yard Setback of 3 metres
 - iii) Minimum Usable Open Space of 20% of Lot Area
 - iv) Maximum height of 2 Storeys
- 11.1.141.3 The use of land or building in this "Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 5) Section 11 of By-law No. 2015-30 is further amended by inserting “Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)” as shown on Schedule "B" to this By-law.
- 6) 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.
- 7) 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.
- 8) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 7 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 9) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 7 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 28th Day of June 2022.

Read a Second Time in Open Council the 28th Day of June 2022.

Read a Third Time in Open Council and Passed this 28th Day of June 2022.

Mayor Allan McDonald

City Clerk Karen Mclsaac

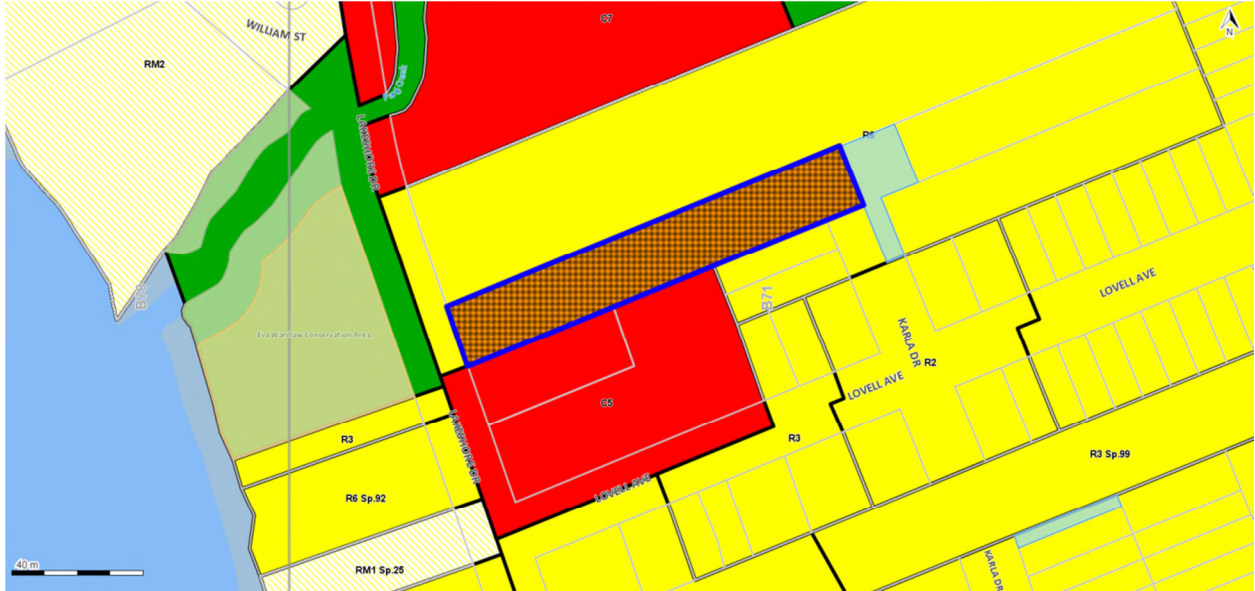
Schedule A

This is Schedule "A"
To By-law No. 2022-057

Passed the 28th Day of June 2022

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend



- From a "Residential Sixth Density (R6)" Zone to a "Residential Multiple Third Density Special No.141 Holding (RM3 Sp.141H)" Zone

