

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-97

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON TROUT LAKE ROAD FROM A "DISTRICT
COMMERCIAL (C4)" ZONE TO "RESIDENTIAL MULTIPLE THIRD DENSITY
SPECIAL NO.129 (RM3 SP.129)" ZONE**

(Daniel Bryer and George Franko – 2677 Trout Lake Road)

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-45" 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 15, 2013 to approve this rezoning.

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

- 1) Schedule "B-45" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Concession C, Part Lot 17, PINs #49146-0205 and 49146-0206) along Trout Lake Road in the City of North Bay from a "District Commercial (C4)" zone to a "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone.
- 2) All buildings or structures erected or altered and the use of land in such Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" 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 inserting at the end thereof the following Section 11.2.129:

"11.2.129 "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone.

11.2.129.1 The property description of this Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" zone is Concession C, Part Lot 17, PINs #49146-0205 and 49146-0206 along Trout Lake Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-45".

11.2.131.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" except for the following uses:

- apartment dwellings;
- boarding, lodging and rooming house;
- Group Home Type 2;
- parks, playgrounds and associated non-profit uses;
- licenced day nurseries, churches, public schools other than trade schools;
- institutional uses;
- accessory home based business;
- accessory non-residential use under subsection 5.3.5; and
- all other uses permitted in a standard "residential multiple third Density (RM3)" zone.

11.2.131.2(b) The regulations for this "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" are as follows:

- i) The easterly side yard setback shall not be less than 3.0 metres

11.2.131.3 The use of land or building in this "Residential Multiple Third Density Special No. 129 (RM3 Sp.129)" 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 Third Density Special No. 129 (RM3 Sp.129)" as shown on Schedule "B" to this By-law.
- 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 6 of O.Reg. 545/06 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 29th DAY OF APRIL 2013.

READ A SECOND TIME IN OPEN COUNCIL THE 29th DAY OF APRIL 2013.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 13TH DAY OF
MAY 2013.**

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Mayor, Allan McDonald

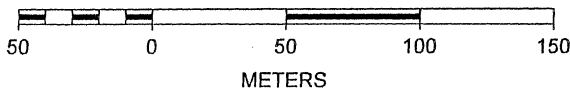
City Clerk, Catherine Conrad

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 2,852



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Zoning By-law Amendment
 From: "District Commercial (C4)"
 To: "Residential Multiple Third Density Special No 129
 (RM3 Sp. 129)"

