

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2010-61

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO
IMPLEMENT CHANGES TO THE POLICIES AND REGULATIONS
(GENERAL REVIEW & UPDATE)

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 22, 2010 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:

1) **Section 2 – Definitions** of Zoning By-law 28-80 are amended, as follows:

- i) Section 2 of Zoning By-law 28-80 is amended by deleting and inserting in lieu thereof the following definition:

FLOOR SPACE INDEX (F.S.I.) means the gross floor area of all buildings on a lot divided by the lot area.

- ii) The definition of "Height of Building" in Section 2 of Zoning By-law 28-80 is amended by adding the following new sentence to the end thereof:

"where the building is considered a Quonset hut the height of the building is considered the highest part of the building."

- iii) Section 2 of Zoning By-law 28-80 is amended by deleting the definition "Lot Line, Frontage" in its entirety.

- iv) Section 2 of Zoning By-law 28-80 is amended by adding the following new definition:

PET DAYCARE FACILITY means an establishment conducted during regular office hours, which is engaged in grooming and supervision of pet animals. A Pet Daycare Service is not a kennel or a veterinary establishment, and does not operate on a 24 hour basis.

- v) Section 2 of Zoning By-law 28-80 is amended by deleting the word "Private" from the definition of "Private Play Space" and inserting in lieu thereof "Multiple Unit".

2) **Section 3 – General Provisions** of Zoning By-law 28-80 are amended, as follows:

- i) Section 3.3.7 of Zoning By-law 28-80 is amended by deleting the subsection in its entirety.

- ii) Section 3.6 of Zoning By-law 28-80 is amended by deleting "as a result of destruction by fire or other act of nature".

- iii) Section 3.7 of Zoning By-law 28-80 is amended by deleting "or the area required by this by-law".

- iv) Section 3.8 of Zoning By-law 28-80 is amended by deleting the entirety of the subsection, with the exception of (c), and inserting in lieu thereof the following:

3.8 Where a building line has been established by existing structures on two or more lots, this building line will be the minimum required front yard setback, but shall not be less than three (3) metres.

- v) Section 3.16.5 of Zoning By-law 28-80 is amended by deleting the words "and Rear" from the second column of the chart
- vi) Section 3.16 of Zoning By-law 28-80 is amended by adding the following new subsection:

3.16.6	Uncovered terraces, decks	Rear Yard Only	3 metres
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- vii) Section 3.25.2 of Zoning By-law 28-80 is amended by deleting the word "lesser" and inserting in lieu thereof the word "greater".
- viii) Section 3.26.4 (b)(ii) of Zoning By-law 28-80 is amended by adding "Boarding, Rooming or Lodging House" in the chart for parking provisions.
- ix) Section 3.26.6 of Zoning By-law is amended by deleting the section and inserting in lieu thereof the following:

3.26.6	5% of the required parking spaces in a public parking area shall be reserved for accessible parking spaces.
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- x) Section 3.26.6(f) of Zoning By-law 28-80 is amended by deleting "Signs to designate an accessible parking space shall be" and inserting in lieu thereof "Each designated parking space shall be provided with a sign and shall be".
- xi) Section 3.28.9 of Zoning By-law 28-80 is amended by deleting subsections (a) and (b) and inserting in lieu thereof the following:
 - (a) minimum length of five and five-tenths (5.5) metres, and for parallel parking seven and three-tenths (7.3) metres; and
 - (b) minimum width of two and seventy-five hundredths (2.75) metres, and for parallel parking three (3) metres
- xii) Section 3.28.9.1 of Zoning By-law 28-80 is amended by deleting the subsection in its entirety.
- xiii) Section 3.28.11(a) of Zoning By-law 28-80 is amended by deleting the word "six (6)" and inserting in lieu thereof "seven (7)".

3) **Section 6 – Commercial Zones** of Zoning By-law 28-80 are amended, as follows:

- i) Section 6.1 of Zoning By-law 28-80 is amended by adding the following new section:

6.1.9	Where a Pet Daycare Facility is permitted in Commercial zones, no Pet Daycare Facility shall be located within 100 meters of a residential zone.
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- ii) Section 6.2.1.1 of Zoning By-law 28-80 is amended by adding "Pet Daycare Facility" as a permitted use in the C1 zone.
- iii) Section 6.3.1.1 of Zoning By-law 28-80 is amended by adding "Pet Daycare Facility" as a permitted use in the C2 zone
- iv) Section 6.4.1.1 of Zoning By-law 28-80 is amended by adding "Personal Service Establishment" to the list of permitted uses.
- v) Section 6.4.1.1 of Zoning By-law 28-80 is amended by deleting "Laundromat" from the list of permitted uses.
- vi) Section 6.4.2.6 of Zoning By-law 28-80 is amended by deleting "or the one and five tenths (1.5) metre buffer strip as required by Section 6.1.4.3".
- vii) Section 6.5.1.1 of Zoning By-law 28-80 is amended by adding "Personal Service Establishment", "Pet Daycare Facility" and "Veterinary Establishment" to the list of permitted uses
- viii) Section 6.5.1.2 of Zoning By-law 28-80 is amended by deleting the words "boarding, lodging or rooming houses" from the subsection.
- ix) Section 6.5.2.6 of Zoning By-law 28-80 is amended by deleting "or the one and five tenths (1.5) metre buffer strip as required by Section 6.1.4.3".

- x) Section 6.6.1.1 of Zoning By-law 28-80 is amended by deleting "Laundromat" from the list of permitted uses.
- xi) Section 6.7.1.1 of Zoning By-law 28-80 is amended by adding "Pet Daycare Facility" to the list of permitted uses in the C6 zone.
- xii) Section 6.7.2.6 of Zoning By-law 28-80 is amended by deleting "or the one and five tenths (1.5) metre buffer strip as required by Section 6.1.4.3".

4) **Section 7 – Industrial Zones** of Zoning By-law 28-80 are amended as follows:

- i) Section 7.1 of Zoning By-law 28-80 is amended by adding the following new section:
 7.1.8 Where a Pet Daycare Facility is permitted in Industrial zones, no Pet Daycare Facility shall be located within 100 meters of a residential zone.
- ii) Section 7.2.1 and 7.3.1 of Zoning By-law 28-80 are amended by including "Pet Daycare Facility" as a permitted use.
- iii) Section 7.10.2.1 of Zoning By-law 28-80 is amended by increasing the permitted Lot Coverage to "seventy-five percent (75%)"
- iv) Section 7.11.2.1 of Zoning By-law 28-80 is amended by increasing the permitted Lot Coverage to "fifty percent (50%)"

5) **Section 10 – Rural Zones** of Zoning By-law 28-80 are amended, as follows:

- i) Section 10.2.2.1 of Zoning By-law 28-80 is amended by adding "or major inflowing stream to Trout Lake" to the end of the section.
- ii) Section 10.3.2.1 of Zoning By-law 28-80 is amended by adding "or major inflowing stream to Trout Lake" to the end of the section.

6) **Section 11 – Special Zones** of Zoning By-law 28-80 are amended as follows:

- i) Section 11 of Zoning By-law 28-80 is amended by adding "Group Home Type 1" as a permitted use to all R1, R2, R3 and R5 residential special zones.
- ii) Section 11.2.109.2(b) of Zoning By-law 28-80 is amended by deleting the words "front yard setback" and inserting in lieu thereof "frontage".

7) 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. 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 22nd DAY OF MARCH 2010.

READ A SECOND TIME IN OPEN COUNCIL THE 22nd DAY OF MARCH 2010.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6th DAY OF April 2010.

"original signature on file"

MAYOR, VIC FEDELI

"original signature on file"

CITY CLERK, CATHERINE CONRAD