

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2005-177

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON DUKE STREET
FROM RESIDENTIAL MULTIPLE THIRD
DENSITY SPECIAL ZONE NO. 35 (RM3 Sp. 35) TO A
RESIDENTIAL SECOND DENSITY SPECIAL ZONE NO. 99 (R2 Sp. 99)**

(1038634 ONTARIO INC. –DUKE STREET)

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-51” 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 July 25, 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-51" 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 Plan 36-R-8423, Part of Part 5) along Duke Street in the City of North Bay from a “Residential Multiple Third Density Special Zone No. 35 (RM3 Sp. 35)” to a "Residential Second Density Special Zone No. 99 (R2 Sp. 99).”
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end, thereof, the following Section 11.2.99:
 - "11.2.99 “Residential Second Density Special Zone No. 99 (R2 Sp. 99)”
 - 11.2.99.1 The property description of this "Residential Second Density Special 99 (R2 Sp. 99)" is Plan 36R-8423, Part of Part 5 along Duke Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-51".
 - 11.2.99.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Residential Second Density Special Zone No. 99 (R2 Sp. 99)” except for the following uses:
 - Single detached dwelling with a frontage of 15 metres (49.2 feet)
 - Accessory home based business in accordance with Section 3.5 of Zoning By-Law 28-80
 - Parks, playgrounds and non-profit uses
 - Institutional uses
 - 11.2.99.2(b) The regulations for this “Residential Second Density Special Zone No. 99 (R2 Sp. 99), are as follows:
 - i) The rear yard setback shall be a minimum of 15 metres.

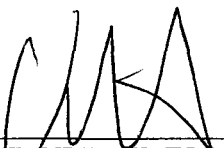
11.2.99.3 The use of land or building in this "Residential Second Density Special Zone No. 99 (R2 Sp. 99)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Second Density Special Zone No. 99 (R2 Sp. 99)" as shown on Schedule "B" to this By-law.
- 4)
 - 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 25th DAY OF JULY 2005.

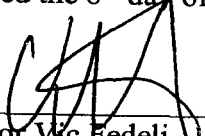
READ A SECOND TIME IN OPEN COUNCIL THE 25th DAY OF JULY 2005.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 8th DAY OF AUGUST 2005.


MAYOR VIC FEDELI


DEPUTY CLERK TERRY RINGLER

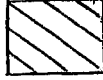
This is Schedule "B"
To By-Law No. 2005-177
Passed the 8th day of August 2005.

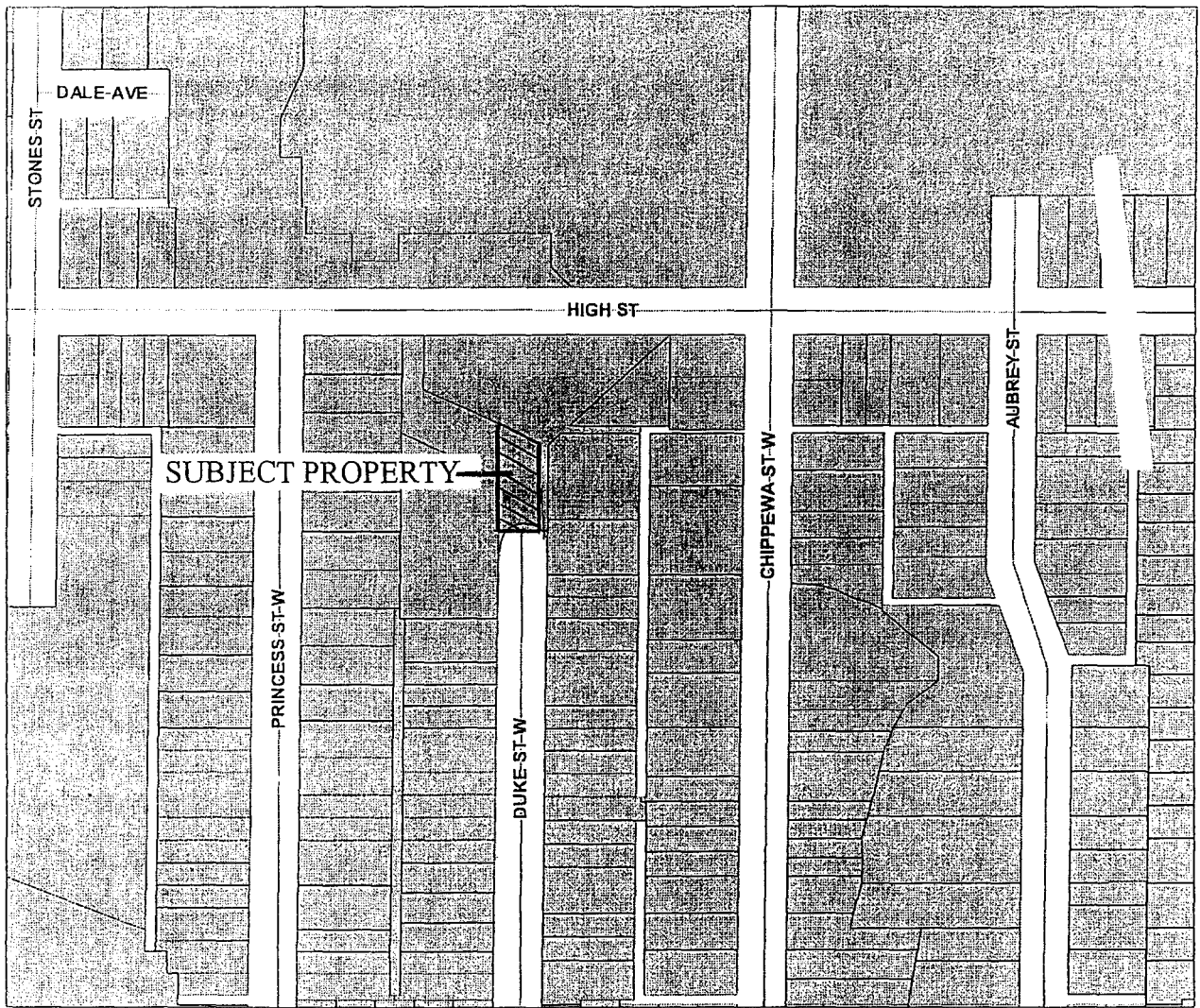


Mayor Vic Fedeli

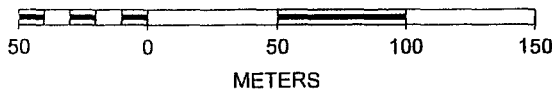


Deputy Clerk Terry Ringler

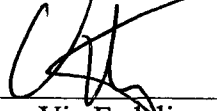
 From "RM3 Sp. 35"
To "R2 Sp. 99"



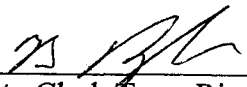
SCALE 1 : 3,000



This is Schedule "C"
To By-Law No. 2005-177
Passed the 8th day of August 2005.



Mayor Vic Fedeli



Deputy Clerk Terry Ringler

This is Schedule to "Residential Second Density Special Zone No. 99 (R2 Sp. 99)

