

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-13

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON PERCY STREET
FROM A “RESIDENTIAL THIRD DENSITY (R3)” ZONE
TO A “RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 127 (RM3 SP.127)”**

(2046304 ONTARIO LTD. – 342 PERCY 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-50” 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 February 6th, 2012 to approve this rezoning.

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

- 1) Schedule "B-50" 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 48 Lots 170 and 171, Part Lots 172 181 And 182, 342 Percy Street in the City of North Bay) from a “Residential Third Density (R3)” zone to a “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)”.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.127:
 - 11.2.127 Residential Multiple Third Density Special Zone No.127 (RM3 Sp.127)
 - 11.2.127.1 The property description of this “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)” is Plan 48 Lots 170 and 171, Part Lots 172 181 And 182, 342 Percy Street in the City of North Bay, as shown on the attached Schedules and on Schedule “B-50”.
 - 11.2.127.2 The permitted land uses in this “Residential Multiple Third Density Special Zone No. 124 (RM3 Sp.124)” are as follows:
 - apartment dwellings;
 - boarding, lodging or rooming house;
 - group home type 2;

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- parks, playgrounds and associated non-profit uses;
- licensed day nurseries, churches, public schools other than trade schools;
- institutional uses;
- accessory home based business; and
- accessory non-residential use under Subsection 5.3.5.

11.2.127.3 The regulations for this “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)” are as follows:

- i) Increase the Maximum Gross Floor Area as a percentage of Lot Area from the 75% to the requested 95%;
- ii) Decrease the front yard setback from the required 7.6 metres to the existing 0.0 metres;
- iii) Decrease the northerly interior side yard setback from the required 6.0 metres to the existing 0.12 metres;
- iv) Decrease the southerly interior side yard setback from the required 6.0 metres to the existing 3.47 metres;
- v) Decrease the rear yard setback from the required 7.6 metres to the existing 4.50 metres;
- vi) Reduce landscaping buffers from the required 1.5 metres to Nil along the side and rear property lines;
- vii) Provide and maintain not less than eight (8) parking spaces on the subject lands; and
- viii) Decrease the required Visitor Parking from 20% to Nil.

11.2.127.4 The use of land or building in this “Residential Multiple Third Density Special Zone No. 127 (RM3 Sp.127)” 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 Third Density Special Zone No. 127 (RM3 Sp.127)” as shown on Schedule "B" 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 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 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 6TH DAY OF FEBRUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF
FEBRUARY, 2012.**

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MAYOR, ALLAN MCDONALD

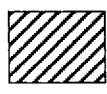
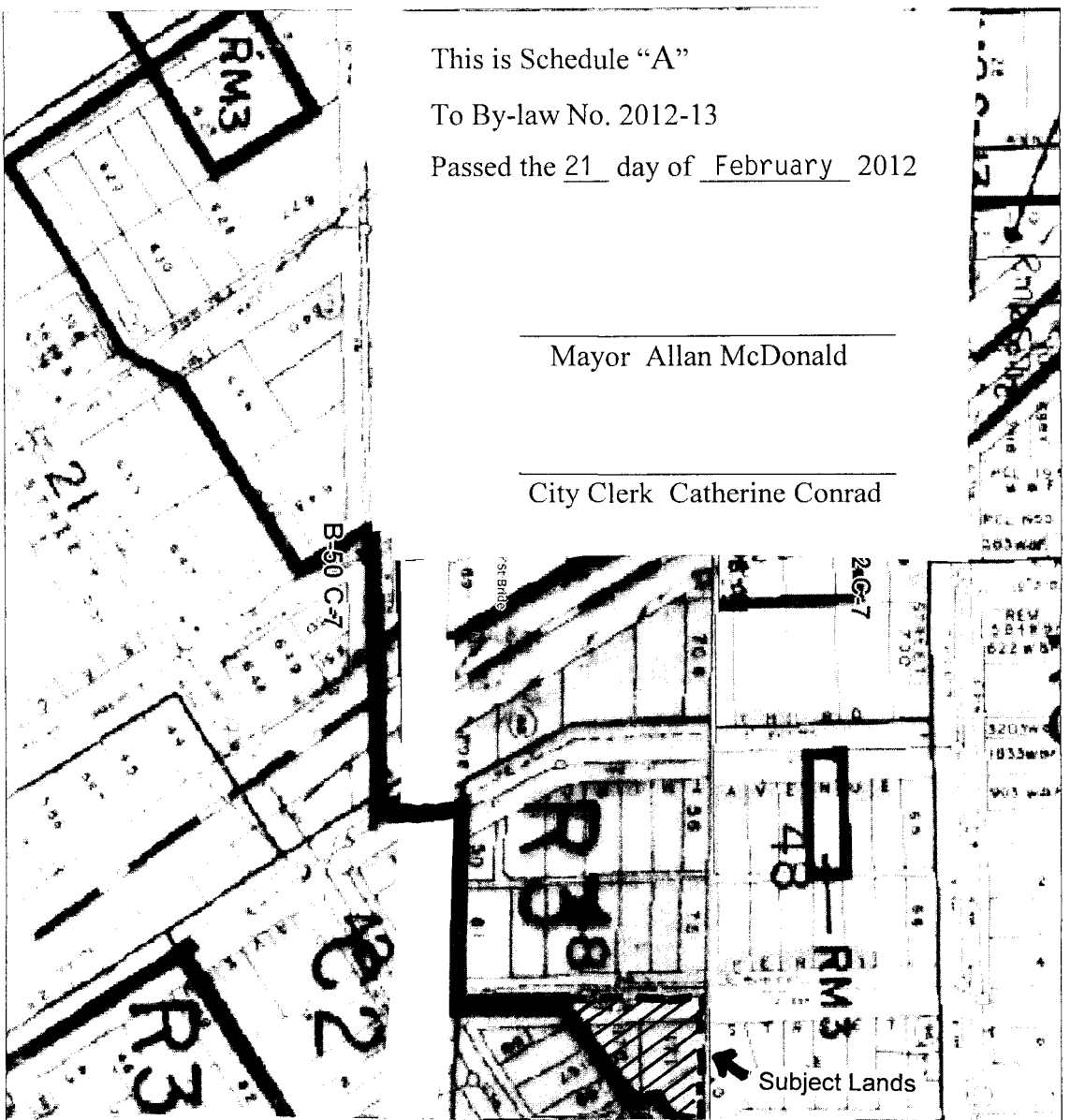
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CITY CLERK, CATHERINE CONRAD

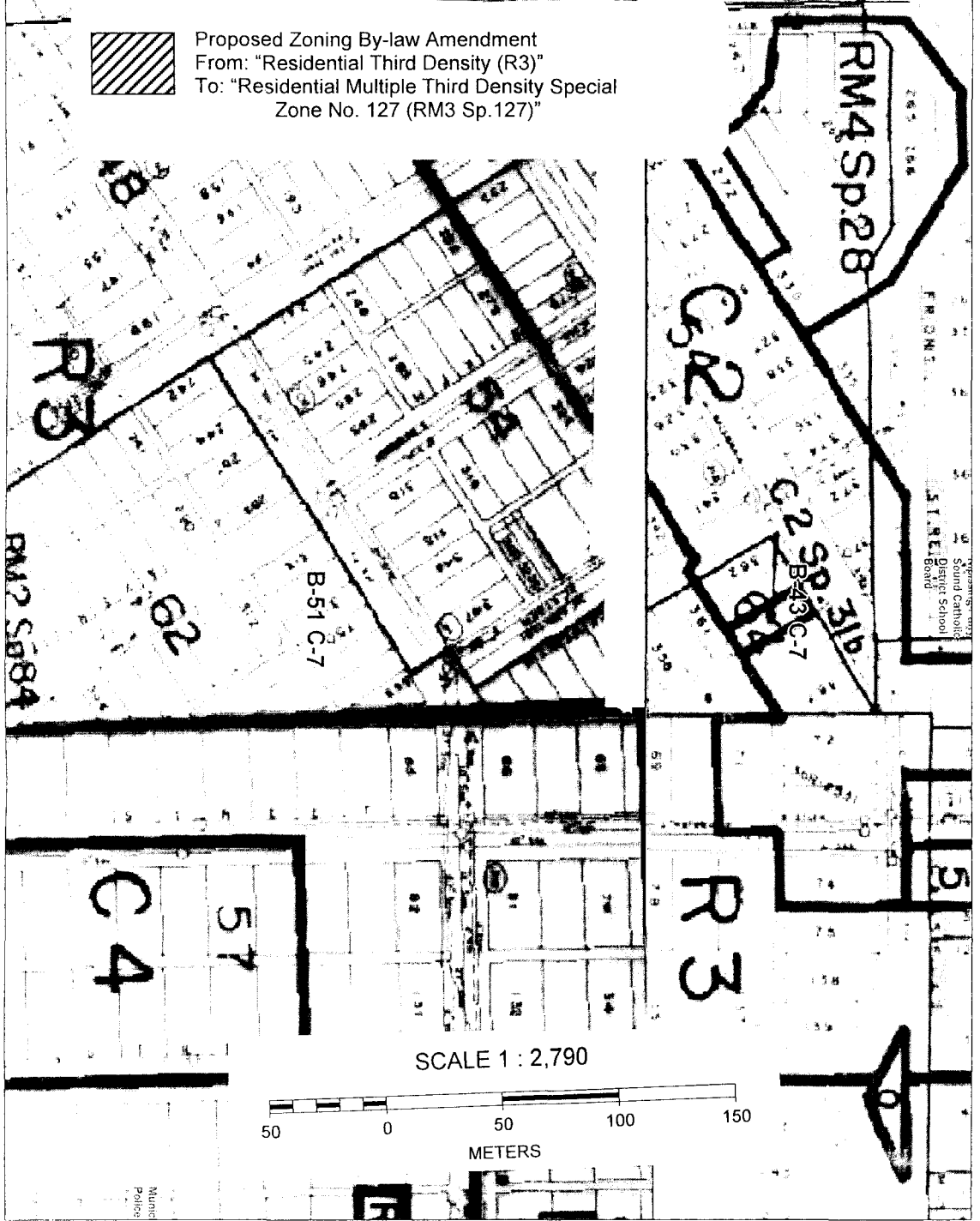
This is Schedule "A"
To By-law No. 2012-13
Passed the 21 day of February 2012

Mayor Allan McDonald

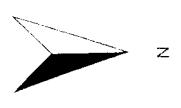
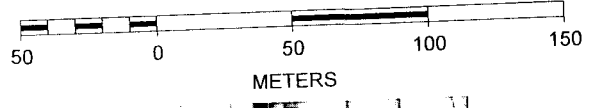
City Clerk Catherine Conrad



Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Residential Multiple Third Density Special
Zone No. 127 (RM3 Sp.127)"



SCALE 1 : 2,790



This is Schedule "B"
To By-law No. 2012-13
Passed the 21 day of February 2012

Mayor Allan McDonald

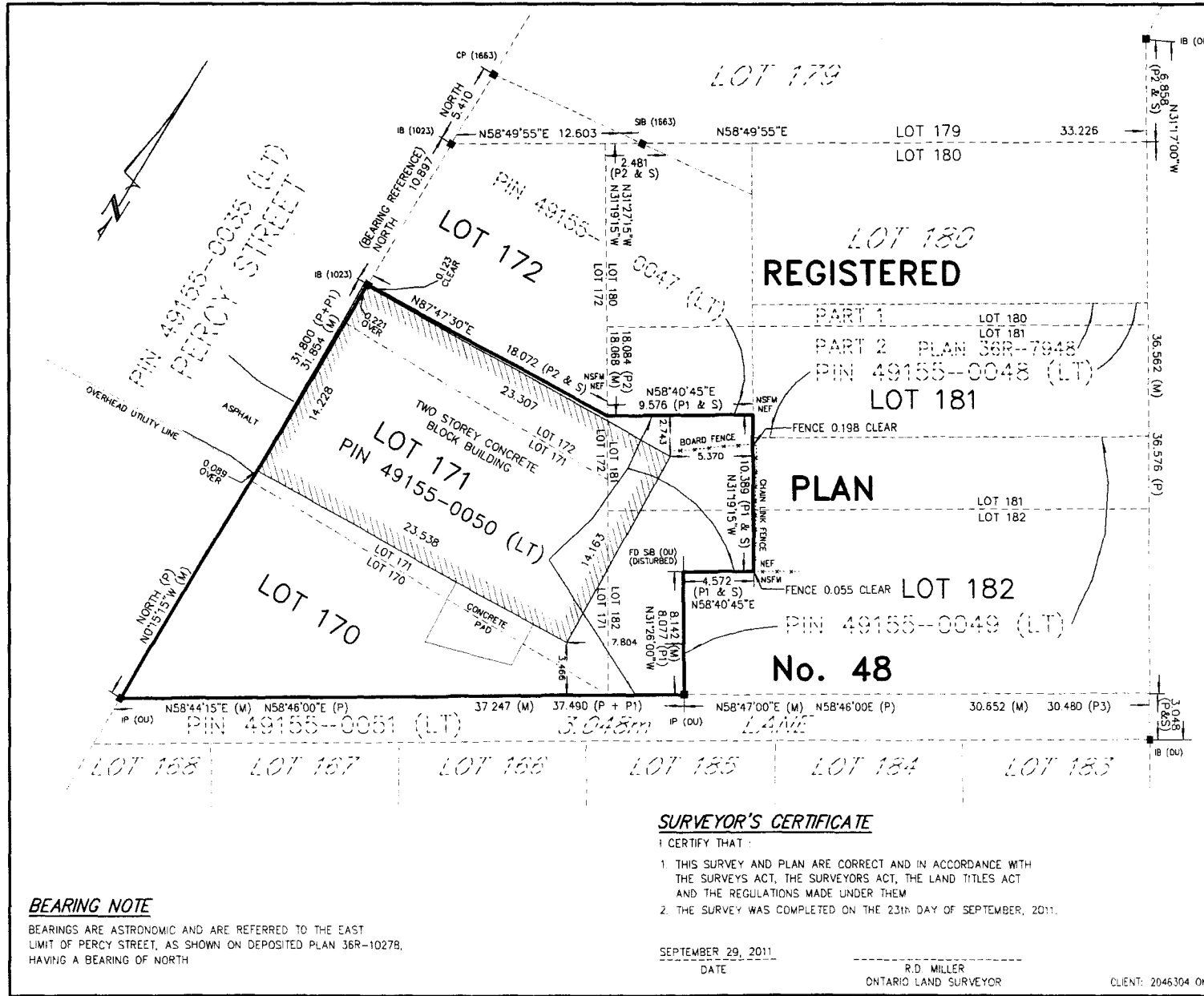
City Clerk Catherine Conrad



This is Schedule "C"
 To By-law No. 2012-13
 Passed the 21 day of February 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



PART 2
 THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED SEPTEMBER 28, 2011.

SURVEYOR'S REAL PROPERTY REPORT
 PART 1, PLAN OF SURVEY OF
 ALL OF LOTS 170 AND 171
 AND PART OF LOTS 172,
 181 AND 182
 REGISTERED PLAN No. 48
CITY OF NORTH BAY
 DISTRICT OF NIPISSING

0 5 10m
 SCALE 1 : 250

Miller & Urso Surveying Inc.

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

- DENOTES FOUND MONUMENT
- M DENOTES MEASURED
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- SIB DENOTES STANDARD IRON BAR
- CP DENOTES CONCRETE PIN
- OU DENOTES ORIGIN UNKNOWN
- NEF DENOTES NO EVIDENCE FOUND
- NSFM DENOTES NOT SUITABLE FOR MONUMENTATION
- 1023 DENOTES D. J. MACDONNELL, O.L.S.
- 1663 DENOTES PAUL GOODRIDGE, O.L.S.
- P DENOTES REGISTERED PLAN No. 48
- P1 DENOTES TRANSFER No. 103112
- P2 DENOTES DEPOSITED PLAN 36R-10278
- P3 DENOTES TRANSFER No. 97160

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
 2. THE SURVEY WAS COMPLETED ON THE 23rd DAY OF SEPTEMBER, 2011.

SEPTEMBER 29, 2011
 DATE

R.D. MILLER
 ONTARIO LAND SURVEYOR

CLIENT: 2046304 ONTARIO LTD

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE EAST LIMIT OF PERCY STREET, AS SHOWN ON DEPOSITED PLAN 36R-10278, HAVING A BEARING OF NORTH

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Miller & Urso Surveying Inc.
 Ontario Land Surveyors • Canada Land Surveyors
 Planning Consultants
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 NORTH BAY ON P1B 8G4 FAX: (705) 474-1783
 DRAWN BY: C.A.L. FIELD: K.M., S.M., C.B. WO No: 3859
 CHECKED BY: R.D.M.