

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2003-177**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO  
REZONE CERTAIN LANDS ON EVA STREET  
FROM A "RESIDENTIAL THIRD DENSITY (R3)" ZONE TO A  
"RESIDENTIAL MULTIPLE FOURTH DENSITY  
SPECIAL ZONE NO. 91 (RM4 SP.91)"  
(DARYL DUGUAY – EVA 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-43" 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 **December 15, 2003** to approve this rezoning.

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

- 1) Schedule "B-43" 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 Lots 445 to 448, Plan M-28) along Eva Street in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.91:
  - "11.2.91 "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)"
  - 11.2.91.1 The property description of this "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)" is Lots 445 to 448, Plan M-28 along Eva Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-43".
  - 11.2.91.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)" except for the following uses:
    - apartment dwellings;
    - parks, playgrounds and associated non-profit uses;
    - licensed day nurseries, churches, public schools other than trade schools;
    - institutional uses;
    - accessory home-based businesses, and
    - accessory non-residential use under Subsection 5.3.5 of Zoning By-law 28-80.

11.2.91.2(b) The regulations for this "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)" are as follows:

- i) The minimum required open space shall not be less than 360 square metres;
- ii) The minimum required westerly landscaped strip shall be nil;
- iii) The play space may be separated by a driveway and parking lot;

11.2.91.3 The use of land or building in this "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

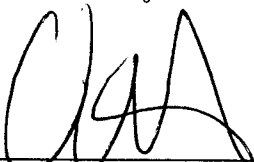
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp.91)" as shown on Schedule "B" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "A" attached hereto are hereby designated as 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 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 15 DAY OF December 2003.

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

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 25 DAY

OF July 2005.

  
MAYOR VIC FEDELI

  
CITY CLERK CATHERINE CONRAD

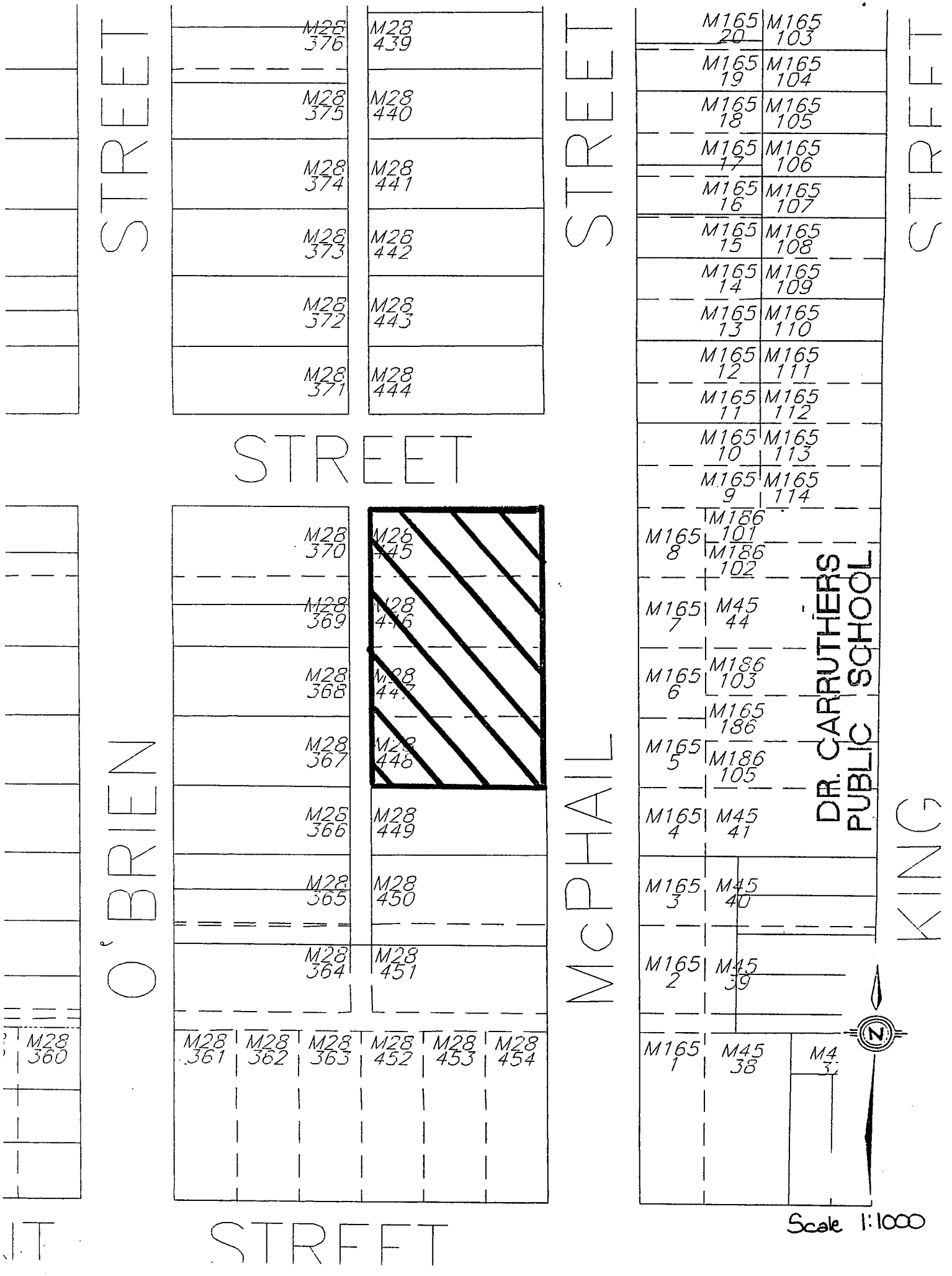
This is Schedule "A"

To By-law No. 2003-177

Passed the 25 day of July 2005

*U.A.*  
Mayor

*Catherine Conrad*  
City Clerk



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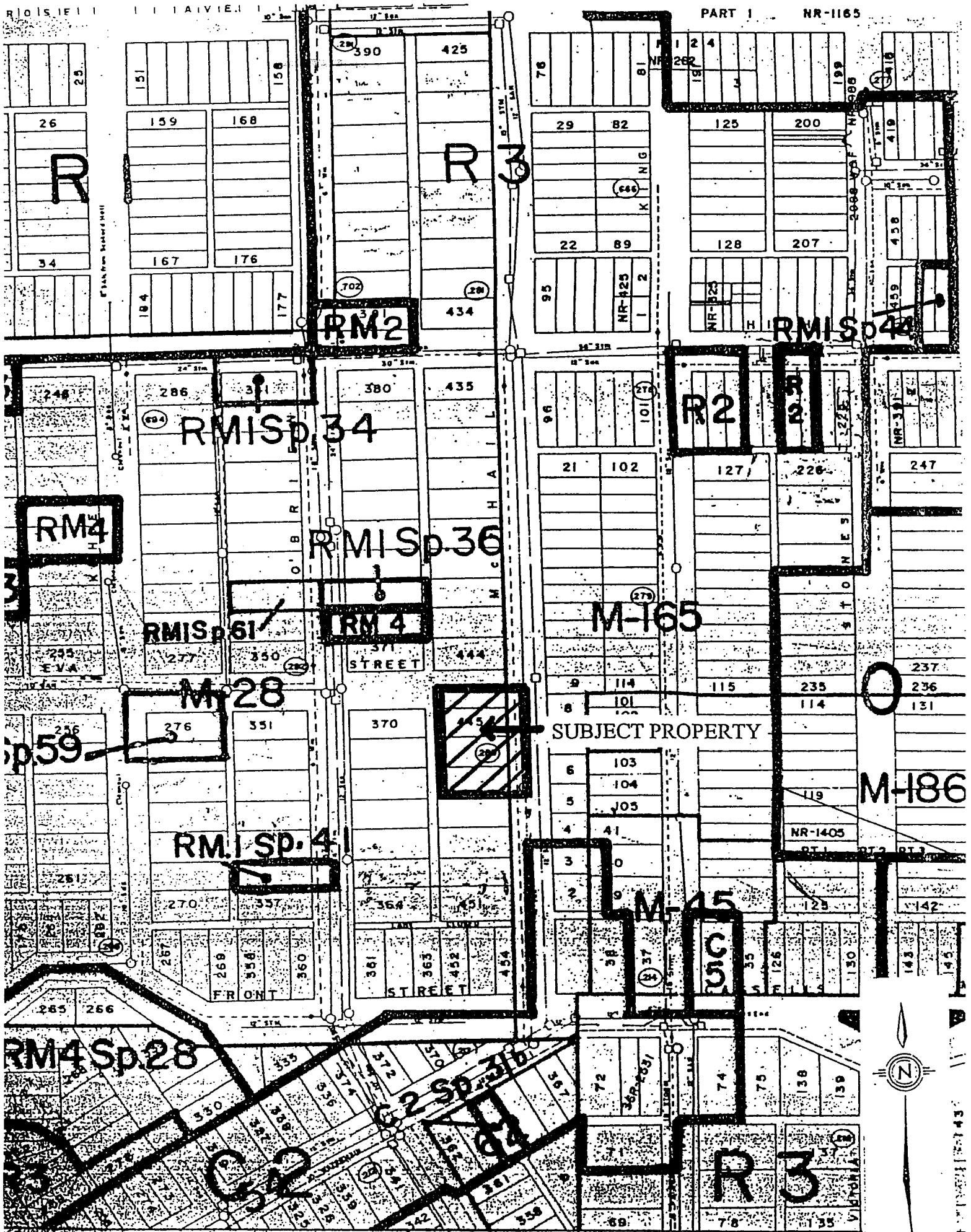
This is Schedule "B"

To By-law No. 2003-177

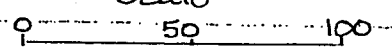
Passed the 25 day of July 20 05.

Mayor

Catherine Conrad  
City Clerk



Scale



This is Schedule "C"

To By-Law No. 2003-177

Passed the 25 day of July

2005.

Mayor

Catherine Conrad  
Clerk

This is schedule to "Residential Multiple Fourth Density Special Zone No. 91 (RM4 Sp. 91)"

