THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2005-81

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON ALGONQUIN AVENUE FROM RESIDENTIAL MULTIPLE SIXTH DENSITY (RM6) ZONE TO A RESIDENTIAL FIRST DENSITY SPECIAL ZONE NO. 97 (R1 Sp. 97) (CITY OF NORTH BAY – ALGONQUIN AVENUE)

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 April 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-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 13, Part Lot 204, Registered Plan 36R-7040, Part 2) along Algonquin Avenue, Plouffe Street & Copeland Street in the City of North Bay from a "Residential Multiple Sixth Density (RM6)" zone to a "Residential First Density Special Zone No. 97 (R1 Sp. 97)".

2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.97:

    "11.2.97   "Residential First Density Special No. 97 (R1 Sp. 97)"

    11.2.90.1   The property description of this "Residential First Density Special No. 97 (R1 Sp. 97)" is Plan 13, Part Lot 204, Registered Plan 36R-7040, Part 2 along Algonquin Avenue, Plouffe Street & Copeland Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-50".

    11.2.97.2   The regulations for this "Residential First Density Special No. 97 (R1 Sp. 97)"are as follows:

    i)   The rear yard setback shall not be less than 2.0 metres;
    ii)   The interior side yard setback shall not be less than 4.6 metres;
    iii)   The exterior side yard setback shall not be less than 5.18 metres;
    iv)   The front yard setback shall not be less than 1.4 metres;
    v)   The frontage shall not be less than 13.5 metres; and
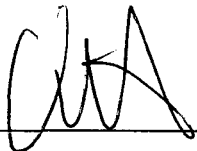   vi)   The distance for a driveway from a street intersection shall not be less than 14.0 metres.

11.2.97.3 The use of land or building in this "Residential First Density Special Zone No. 97 (R1 Sp. 97)"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 First Density Special No. 97 (R1 Sp. 97)" as shown on Schedule "C" 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 APRIL 2005.

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

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 9th DAY OF MAY 2005.

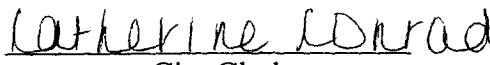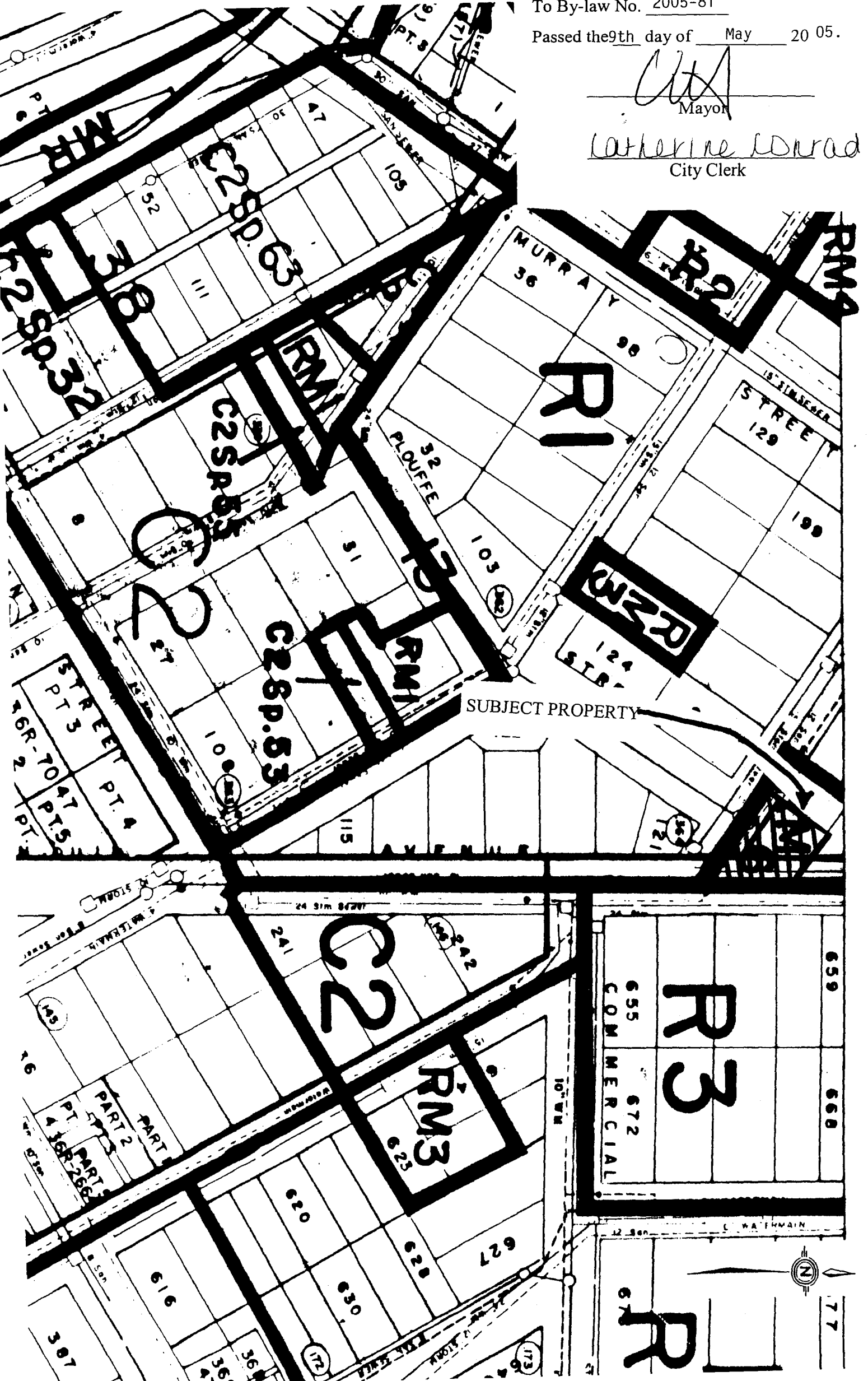_____   _Catherine Conrad_

MAYOR   CITY CLERK

This is Schedule "A"

To By-law No. 2005-81

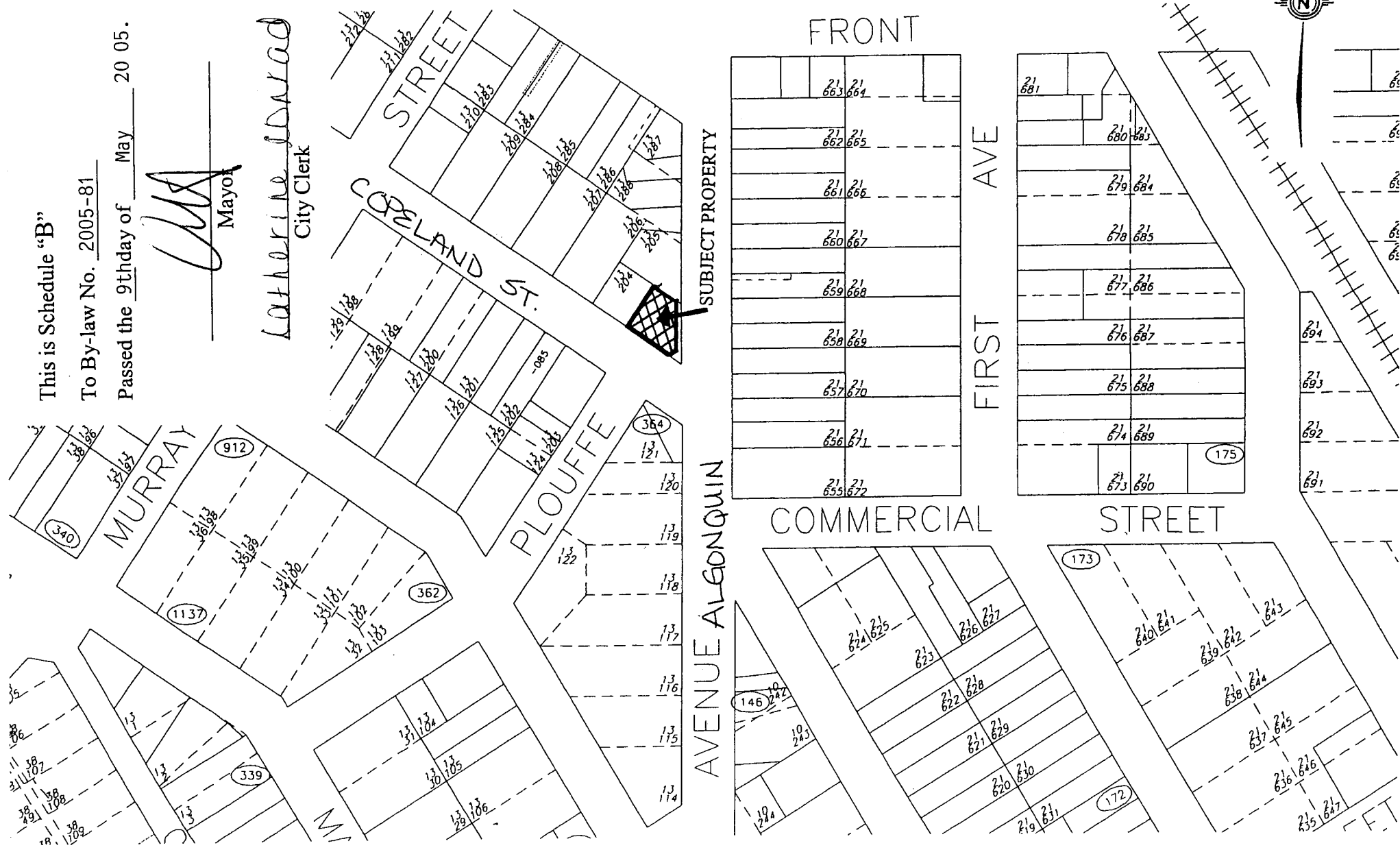Passed the 9th day of ___May___ 20 05.

Mayor

Catherine Conrad
City Clerk

SUBJECT PROPERTY

FRONT

STREET

COPELAND ST.

PLOUFFE

MURRAY

AVENUE ALGONQUIN

COMMERCIAL STREET

FIRST AVE

SUBJECT PROPERTY

from "Residential Multiple Sixth Density (RM6)" to "Residential First Density (R1)"