

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-114

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON LAURIER STREET
FROM A “RESIDENTIAL THIRD DENSITY (R3)” ZONE
TO A “RESIDENTIAL THIRD DENSITY SPECIAL ZONE NO. 128 (R3 SP.128)”**

(1168108 ONTARIO INC. – 449 LAURIER 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-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 June 4th, 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-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 Registered Plan No. 56, Part Lot 38, known locally as 449 Laurier Avenue in the City of North Bay) from a “Residential Third Density (R3)” zone to a “Residential Third Density Special Zone No. 128 (R3 Sp.128)”.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.128:
 - 11.2.128 Residential Third Density Special Zone No.128 (R3 Sp.128)
 - 11.2.128.1 The property description of this “Residential Third Density Special Zone No. 128 (R3 Sp.128)” is Registered Plan No. 56, Part Lot 38, known locally as 449 Laurier Avenue in the City of North Bay, as shown on the attached Schedules and on Schedule “B-51”.
 - 11.2.128.2 The permitted land uses in this “Residential Third Density Special Zone No. 128 (R3 Sp.128)” are as follows:
 - Day Nursery;
 - Single Detached Dwelling (minimum frontage of 13.7m)
 - Duplex Dwelling

- Semi-Detached Dwelling
- Group Home Type 1
- Accessory Home Based Businesses
- Parks, Playgrounds & Non-Profit Uses
- Institutional Uses

11.2.128.3 The regulations for this “Residential Third Density Special Zone No. 128 (R3 Sp.128)” are as follows:

- i) Increase the Maximum Lot Coverage permitted to the existing 70%;
- ii) Decrease the front yard setback from the required 6.0 metres to the existing 3.0 metres;
- iii) Decrease the northerly interior side yard setback from the required 1.8 metres to the existing 0.5 metres;
- iv) Decrease the rear yard setback from the required 7.6 metres to the existing 1.0 metres; and
- v) Permit a Day Nursery to locate and operate in this zone without being a secondary use to a main institutional or public use.

11.2.128.4 The use of land or building in this “Residential Third Density Special Zone No. 128 (R3 Sp.128)” 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 Third Density Special Zone No. 128 (R3 Sp.128)” 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 4TH DAY OF JUNE, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 4TH DAY OF JUNE, 2012.

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16TH DAY OF
JULY, 2012.**

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MAYOR, ALLAN MCDONALD

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CITY CLERK, CATHERINE CONRAD

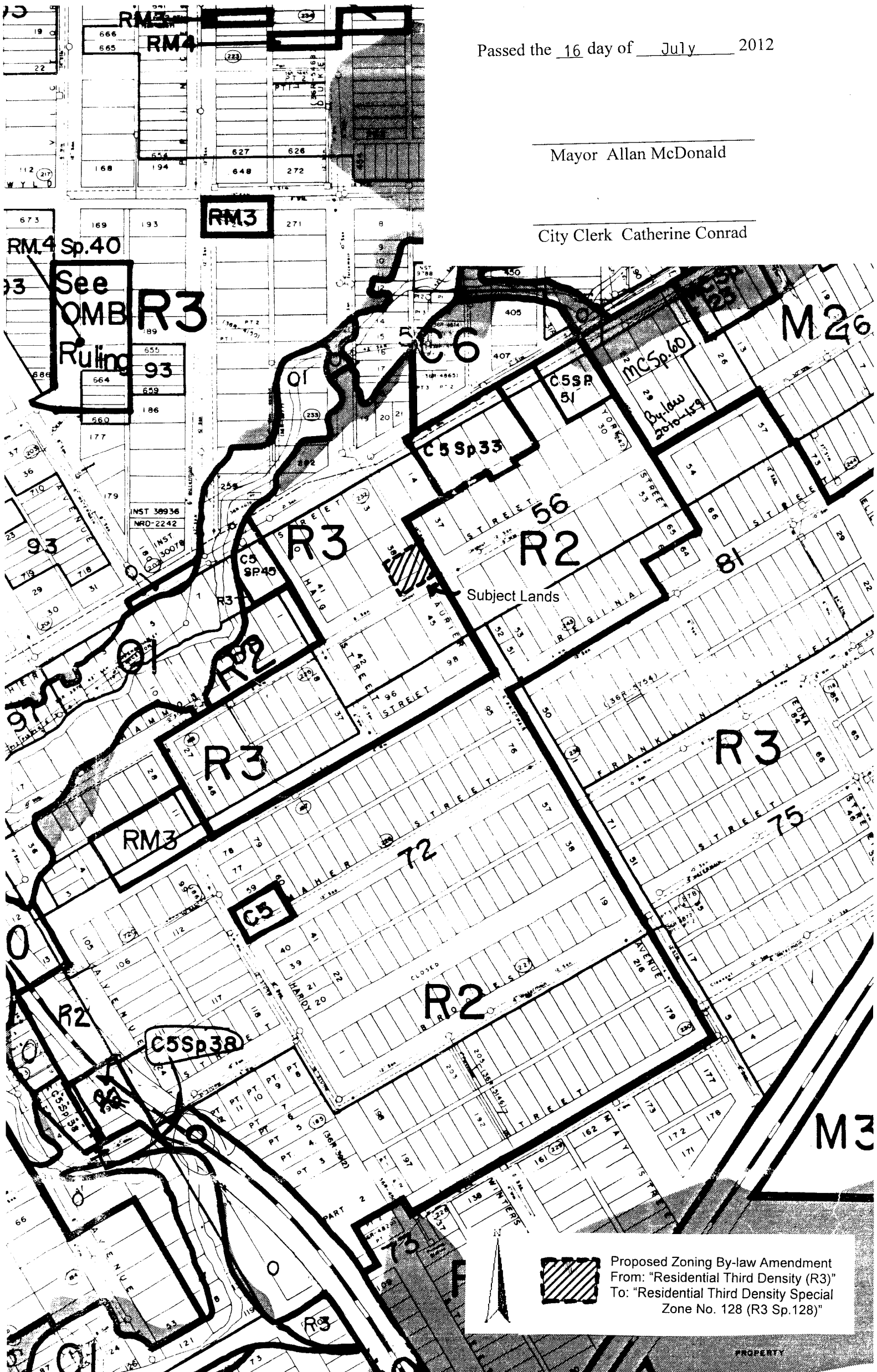
This is Schedule "A"

To By-law No. 2012- 114

Passed the 16 day of July 2012

Mayor Allan McDonald

City Clerk Catherine Conrad

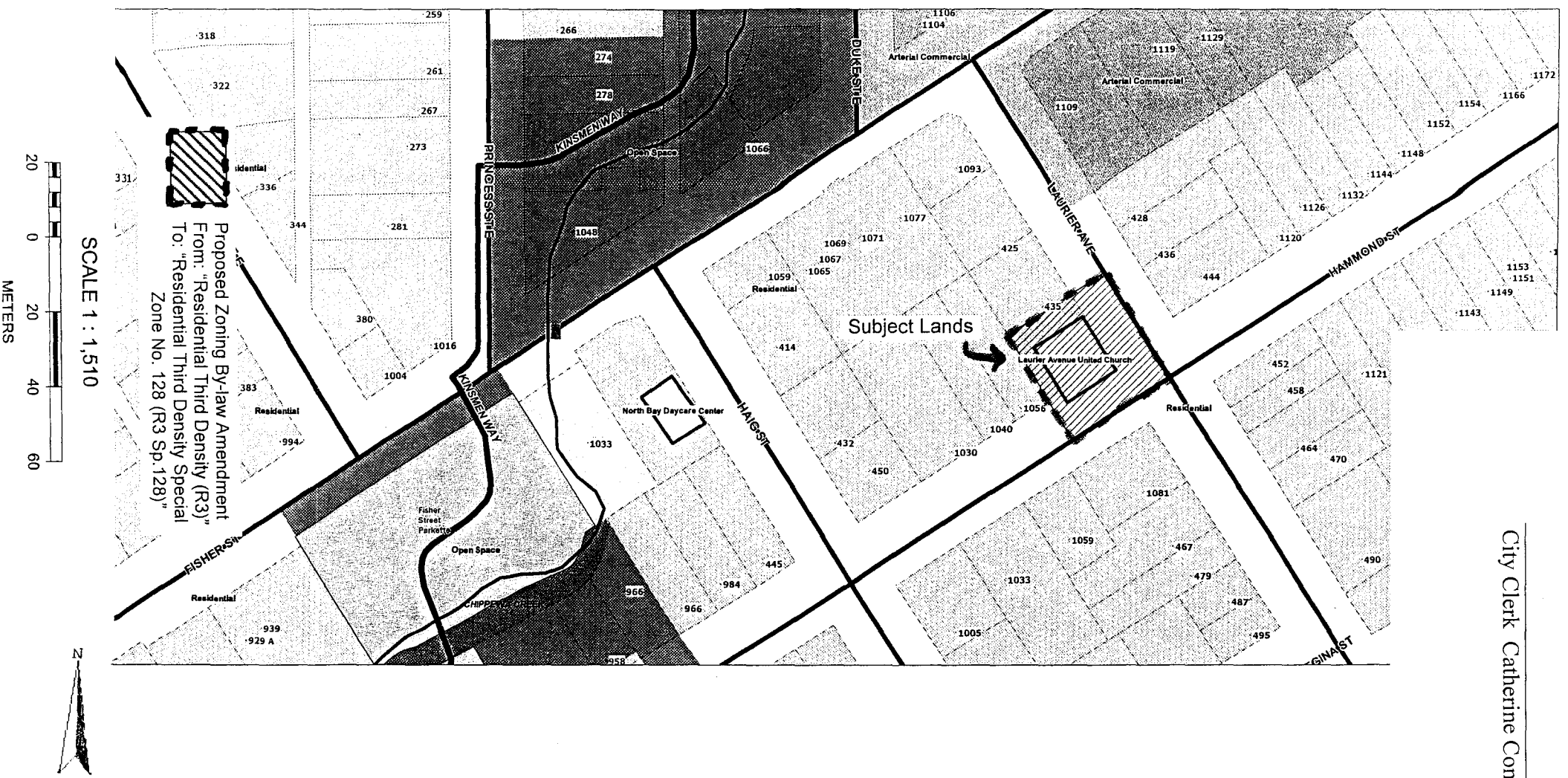


This is Schedule "B"
To By-law No. 2012- 114

Passed the 16 day of JULY 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



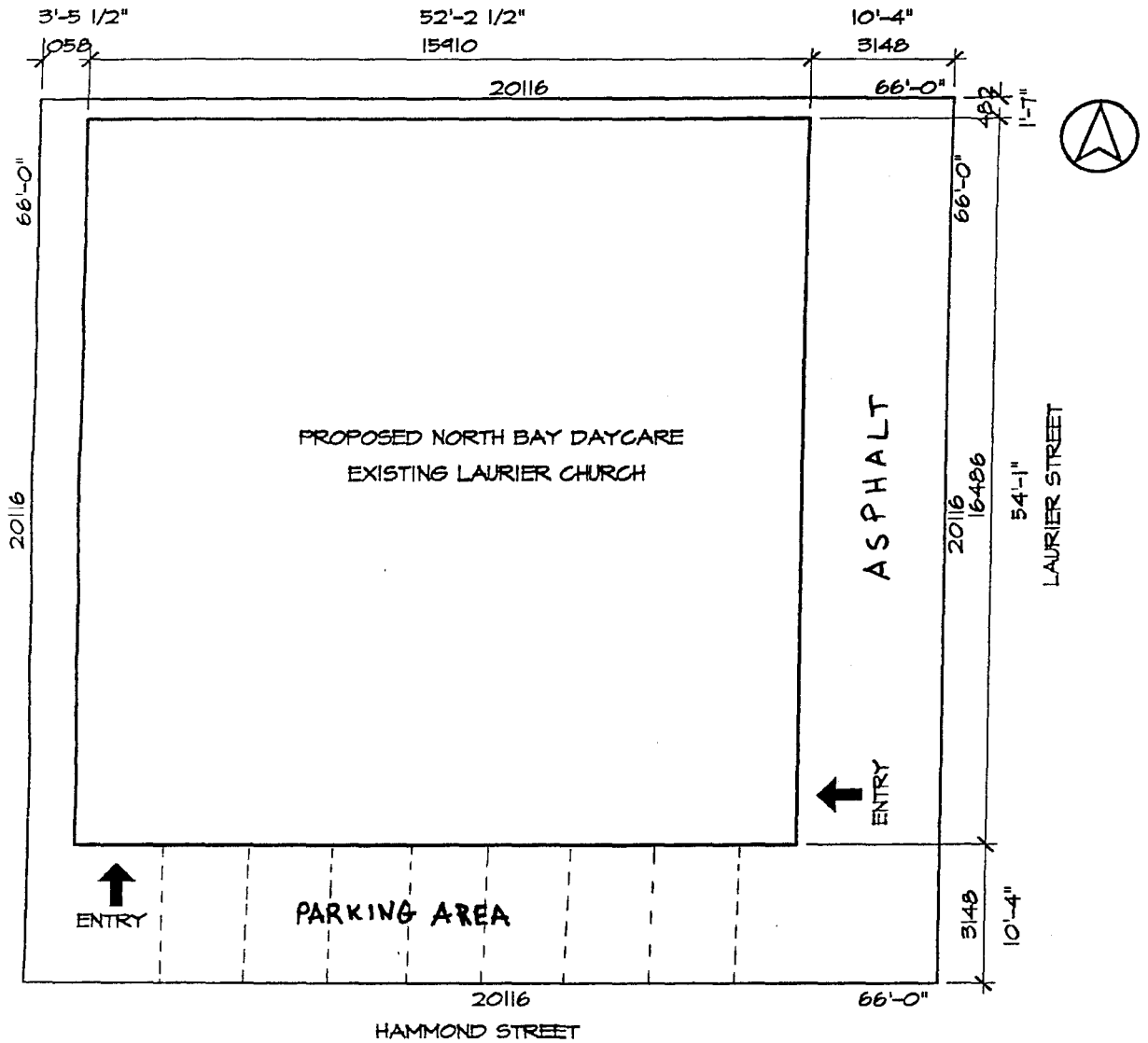
This is Schedule "C"

To By-law No. 2012- 114

Passed the 16 day of JULY 2012

Mayor Allan McDonald

City Clerk Catherine Conrad



SURVEY INFORMATION

1. PROPERTY SURVEY DIMENSION INFORMATION IS APPROXIMATED FROM A DRAWING PROVIDED BY THE OWNER DATED FEBRUARY 13, 2012. ACTUAL DIMENSION SETBACKS ARE NOT CONFIRMED BY THE ARCHITECT.
2. BUILDING DIMENSIONS ARE TAKEN FROM A DRAWING DATED APRIL, 1989 PREPARED BY BRIAN R. BERTRAND ARCHITECT.