

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2003-25

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO  
REZONE CERTAIN LANDS ON FIFTH AVENUE FROM A  
"RESIDENTIAL THIRD DENSITY (R3)" ZONE TO A  
"RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL  
ZONE NO. 85 (RM1 SP.85)"  
(NORTH BAY INDIAN FRIENDSHIP CENTRE - 339 FIFTH AVENUE WEST)

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 zone designation shown on Schedules "B-42", "B-43", "B-50" and "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 March 10, 2003 to approve this rezoning.

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

- 1) Schedules " B-42", "B-43", "B-50" and "B-51" of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Plan 48, Lot 181, Pt Lot 182) along Fifth Avenue in the City of North Bay, shown as hatched on Schedules "B" and "C" attached hereto from a "Residential Third Density (R3)" zone to a "Residential Multiple First Density Special Zone No. 85 (RM1 Sp.85)".
- 2) Section 11 of By-law No. 2s-SO is amended by inserting at the end thereof the following Section 11.2.85:
  - "11.2.85 "Residential Multiple First Density Special Zone No. 85 (RM1 Sp.85)"
  - 11.2.85.1 The property description of this "Residential Multiple First Density Special Zone No. 85 (RM1 Sp.85)" is Plan 48, Lot 181, Pt. Lot 182 along Fifth Avenue in the City of North Bay as shown on the attached Schedules and on Schedules "B-42", "B-43", "B-50" and "B-51".
  - 11.2.85.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple First Density Special Zone No. 85 (RM1 Sp.85)" except for the following uses:
    - triplex dwelling;
    - double duplex dwelling;

- multiple dwellings;
- group home type 1;
- accessory home based business;
- parks, playgrounds and non-profit uses;
- day nurseries, and
- institutional uses.

11.2.85.2(b) The definition of a Group Home Type 1 is as follows:

"Group Home Type 1 means a single housekeeping unit in which up to eight (8) residents (excluding staff or receiving family) live as a family under responsible supervision consistent with the requirements of its residents, and the group home is operated and funded by a Provincial or Federal ministry, or an agency of such. No supervision or treatment shall be provided to any person not resident in the home."

11.2.85.2(c) The regulations for this "Residential Multiple First Density Special Zone No. 85 (RM1 Sp.85) are as follows:

- i) the minimum lot frontage shall be not less than eight and nine-tenths (8.9) metres;
- ii) the minimum front yard setback shall be not less than three and one-half (3.5) metres;
- iii) the minimum interior side yard setback shall be not less than five-tenths (.5) of a metre, and
- iv) the minimum rear yard setback shall be not less than six (6) metres.

11.2.85.3 The use of land or building in this "Residential Multiple First Density Special Zone No. S5 (RM1 Sp.85)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

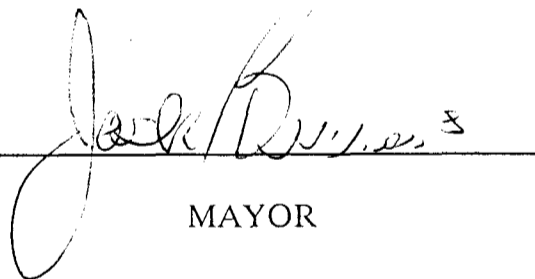
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Residential First Density Special Zone No. S5 (RM1 Sp.85)" as shown on Schedule "C" to this By-law.
- 4) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 199/96 as amended.

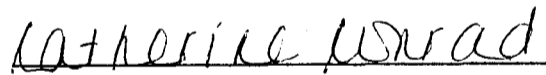
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.
- c) Where 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 10TH DAY OF MARCH  
2003.

READ A SECOND TIME IN OPEN COUNCIL THE 24TH DAY OF MARCH  
2003.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 24TH DAY  
OF MARCH, 2003.

  
MAYOR

  
CITY CLERK

# SCHEDULE 'A'

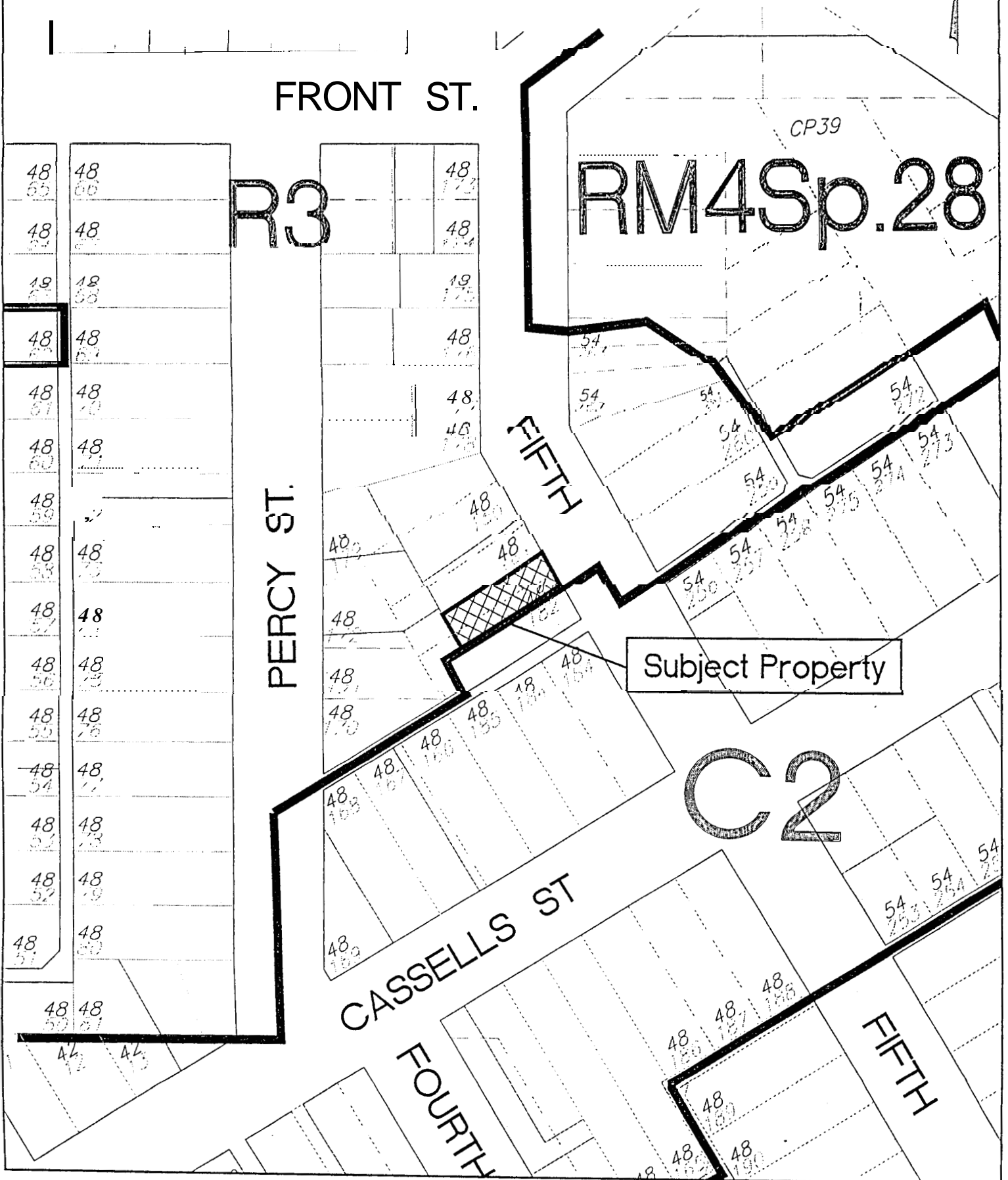
This is Schedule "A"

To By-law No. 2003-25

Passed the 24th day of March 2003

*Ray Burns*  
Mayor

*Katherine Conrad*  
City Clerk



# SCHEDULE 'B'

This is Schedule "B"

To By-law No. 2003-25

Passed the 24th day of March 2003



Subject Property

FROM "R 3" to "RMCP 25"

*Paul Brown*  
Mayor  
*Catherine Conrad*  
City Clerk



FRONT ST.

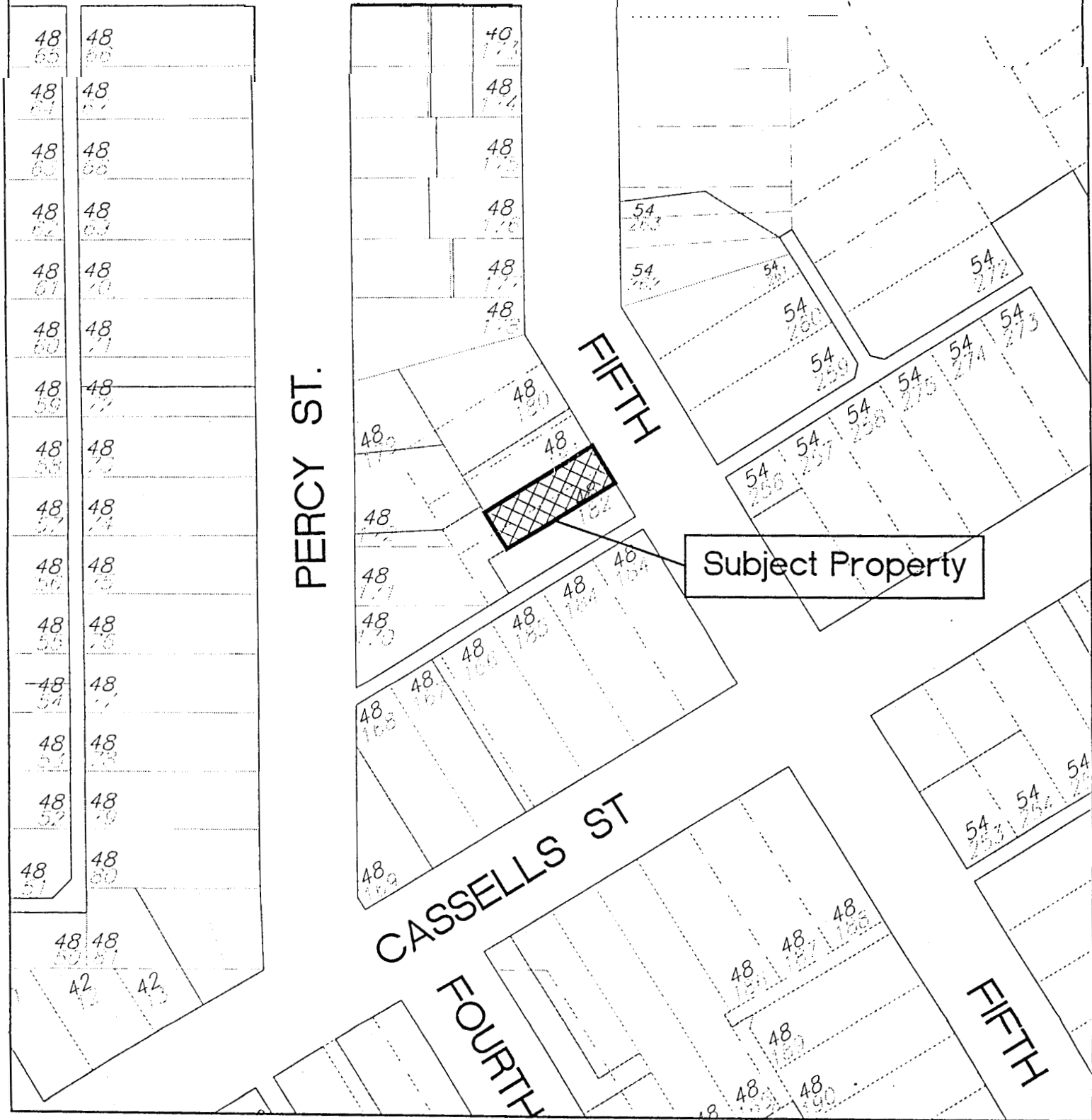
PERCY ST.

FIFTH

CASSELLS ST

FOURTH

FIFTH



Subject Property

# SCHEDULE 'C'

This is Schedule "C"

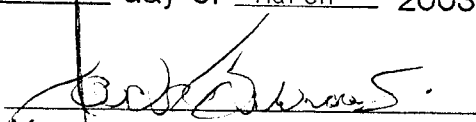
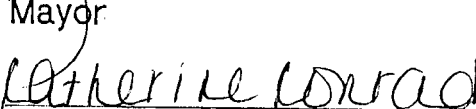
To By-law No. 2003-25

Passed the 24th day of March 2003

Subject Property



FROM "R 3" to "RMISP.85"

  
Mayor  
  
Catherine Conrad  
City Clerk



FRONT ST.

SCHEDULE TO 3 RESIDENTIAL MULTIPLE FIRST DENSITY  
SPECIAL ZONE No. 85 ( RMISP.85 )

