

# The Corporation of the City of North Bay

## By-Law No. 2023-072

### **A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone lands on Henry Street from a “Residential Third Density (R3)” Zone to “Residential Third Density Special (R3 Sp.144) Zone**

#### **Chris Derochie and Christine Misch – 1430 Henry 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 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 Schedule “B-42” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

**And Whereas** Council passed Community Services Committee Report 2023-12 adopted by Council on September 5<sup>th</sup>, 2023 by Resolution No. 2023-339 to approve this rezoning;

**Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:**

- 1) Schedule “B-42” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49161-0264 (LT) PT LT U PL 15 WIDDIFIELD AS IN NB158092; North Bay; District of Nipissing and PIN 49161-0344 (LT) PT OF LT V, PL 15 WIDDIFIELD PT 1, PL 36R-12717; North Bay; District of Nipissing), shown as hatched on Schedule “A” attached hereto from a “Residential Third Density (R3)” zone to “Residential Third Density Special (R3 Sp.144)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Third Density Special (R3 Sp.144)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.1.144:  
  
"11.1.144.1 “Residential Third Density Special (R3 Sp.144)”

11.1.144.2 The property description of this “Residential Third Density Special (R3 Sp.144)” is PIN 49161-0264 (LT) PT LT U PL 15 WIDDIFIELD AS IN NB158092; North Bay; District of Nipissing and PIN 49161-0344 (LT) PT OF LT V, PL 15 WIDDIFIELD PT 1, PL 36R-12717; North Bay; District of Nipissing, known locally as 1430 Henry Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-42".

11.1.144.3 The regulations for this “Residential Third Density Special (R3 Sp.144)” are as follows:

- i) Only one ‘Non-Principal Dwelling Unit Short-Term Rental’ is permitted.
- ii) The ‘Non-Principal Dwelling Unit Short-Term Rental’ is only permitted where the property owners’ principal dwelling is located on the same parcel of land.
- iii) No ‘Principal Dwelling Short-Term Rental’ is permitted in any dwelling unit.

11.1.144.4 The use of land or building in this “Residential Third Density Special (R3 Sp.144)” shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 2015-30 is further amended by inserting “Residential Third Density Special (R3 Sp.144)” as shown on Schedule "A" to this By-law.
- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Sched. 6.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as

required by Section 6 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.

- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 6 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 5<sup>th</sup> Day of September 2023.

Read a Second Time in Open Council the 5<sup>th</sup> Day of September 2023.

Read a Third Time in Open Council and Passed this 5<sup>th</sup> Day of September 2023.

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Mayor Peter Chirico

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City Clerk Karen Mclsaac

# Schedule A

This is Schedule "A"  
To By-law No. 2023-072

Passed the 5<sup>th</sup> Day of September 2023

\_\_\_\_\_  
Mayor Peter Chirico

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City Clerk Karen Mclsaac



## Legend



- From a "Residential Third Density (R3)" zone to "Residential Third Density Special (R3 Sp.144)"