

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 23-88

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON SIXTH AVENUE FROM A "RESIDENTIAL MULTIPLE FOURTH DENSITY (RM.4)" ZONE, TO A "RESIDENTIAL MULTIPLE FOURTH DENSITY SPECIAL ZONE NO. 28 (RM4 SP.28)" (BONIK INC. - 330 SIXTH AVENUE WEST)

WHEREAS the owner of the property has requested a rezoning;

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 Schedule "B-43" of By-Law No. 28-80 pursuant to Section 23 of The Planning Act;

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 Block "D", the north half of Lots 263, Lots 264-271 inclusive and Lots 330-333 inclusive, Plan No. 54 as well as Lots 265 and 266, Registered Plan M-28, along Sixth Avenue West in the City of North Bay, shown as hatched on Schedule "B" attached hereto) from a "Residential Multiple Fourth Density (RM.4)" Zone to a "Residential Multiple Fourth Density Special Zone No. 28 (RM4 Sp. 28)".
2. Section 11 of By-Law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.23:

"11.2.23 "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp. 28)"

11. .23.1 The property description of this "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp.28)" Zone is Block "D", the north half of Lot 263, Lots 264-271 inclusive and Lots 330-333 inclusive Plan No. 54, as well as Lots 265 and 266, Reg'd Plan M-28 in the City of North Bay as shown on the attached Schedule and Schedule "B-43".

11.2.23.2 (a) No person shall use land or erect or construct any building or structure in this "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp. 28)" Zone except for the following uses:

A 58 unit apartment building
Accessory Uses to the Above.

11.2.23.2(b) The regulations for this "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp.28)" Zone are as follows:

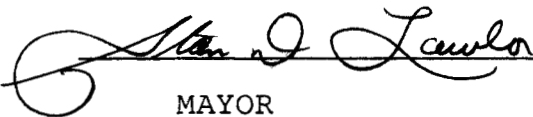
- (i) The maximum gross floor area as a percent of lot area shall be one hundred (100) percent;
- (ii) The minimum lot frontage shall be twenty (20) metres;
- (iii) The minimum usable Open Space as a percent of gross floor area shall be fifty (50) percent;
- (iv) The minimum front yard sideyard and rear yard setback shall be as illustrated on Schedule to "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp.28)".
- (v) The maximum height of the building shall be six (6) storeys.

11.2.23.3 The use of land or buildings in this "Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp.28)" Zone 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 "Schedule to Residential Multiple Fourth Density Special Zone No. 28 (RM.4 Sp.28)" 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 Ontario Regulation 404/83 not later than 15 days after the day this By-law is passed.
- (b) Where no notice of appeal is filed with the Clerk of The Corporation of The City of North Bay within thirty-five (35) days from the passing of this By-law, 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 thirty-five (35) days from the passing of this By-law setting out 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 15TH DAY OF FEBRUARY 1988 .
READ A SECOND TIME IN OPEN COUNCIL THE 28TH DAY OF MARCH 1988 .
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 28TH DAY OF
MARCH 1988 .


MAYOR


CITY CLERK

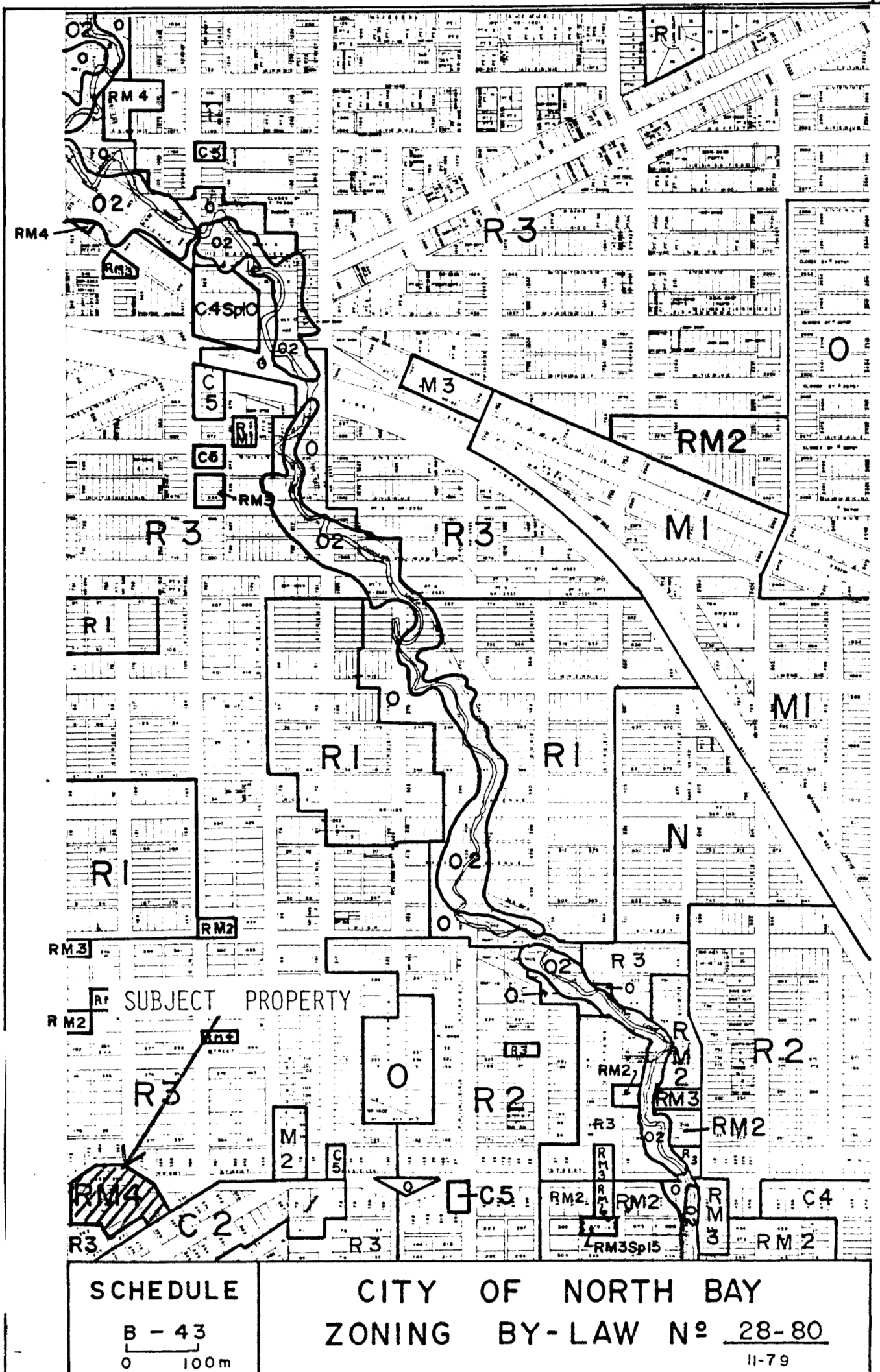
This is Schedule "A"

To By-law No. 23-88

Passed the 28th day of March, 1988.

Stan D. Lawlor
MAYOR

Jo Butler
CITY CLERK



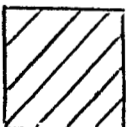
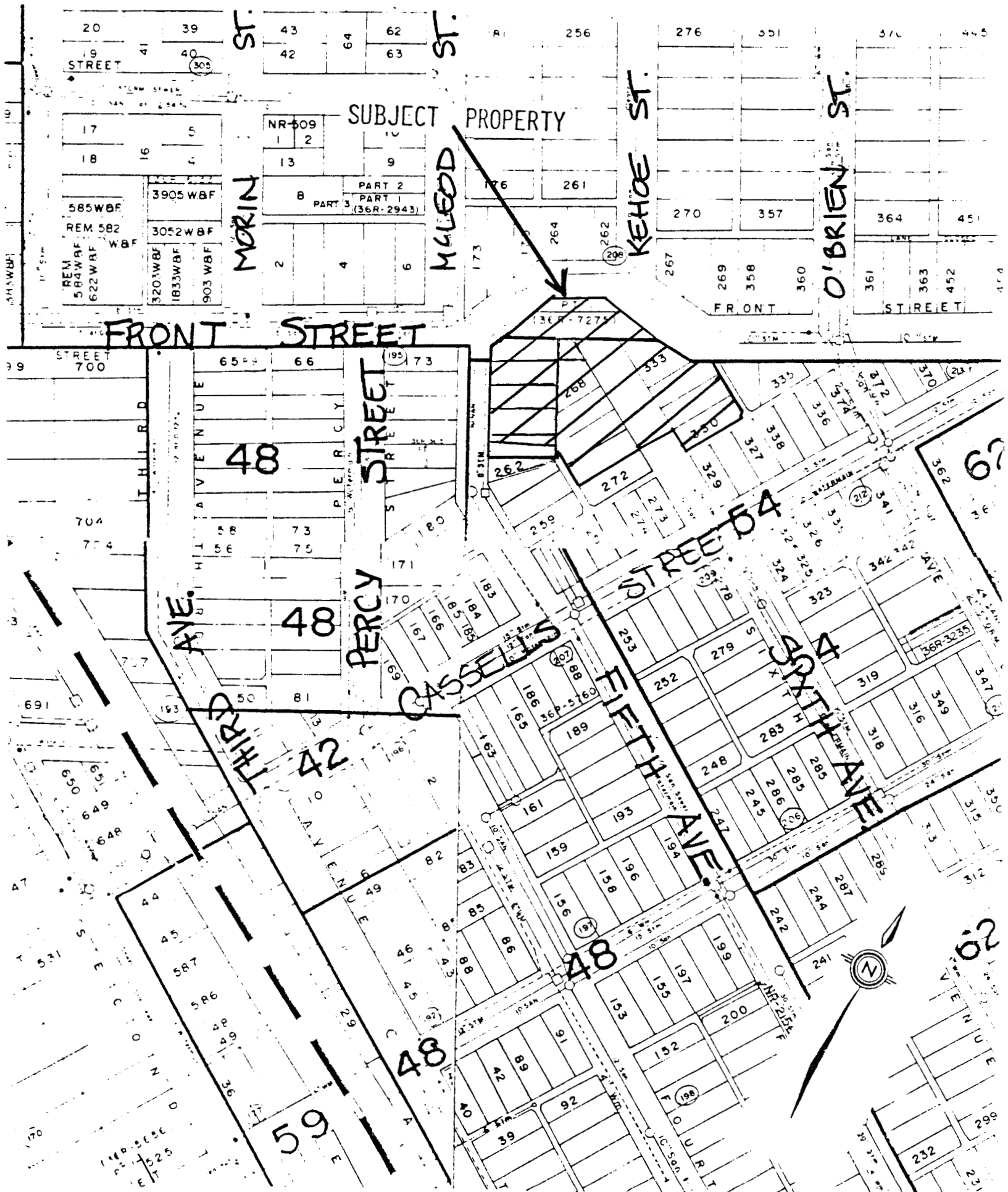
This is Schedule " B "

To By-law No. 23-88

Passed the 28th day of March
19 88.

Stan D. Lawlor
MAYOR

B. L. Linton
CITY CLERK



From "Residential Multiple Fourth Density (RM.4)" to
"Residential Multiple Special No. 28 (RM.4Sp.28)"

BUILDING LOCATION SURVEY OF
THE N1/2 OF LOT 263
ALL OF LOTS 264, 265, 266, 267, 268
269, 270, 271, 272, 330, 331, 332, AND 333
ALL OF BLOCK 'D'
REGISTERED PLAN N° 54
PART OF LOTS 265 AND 266
REGISTERED PLAN M-28
CITY OF NORTH BAY
DISTRICT OF NIPISSING

BUILDING LOCATION

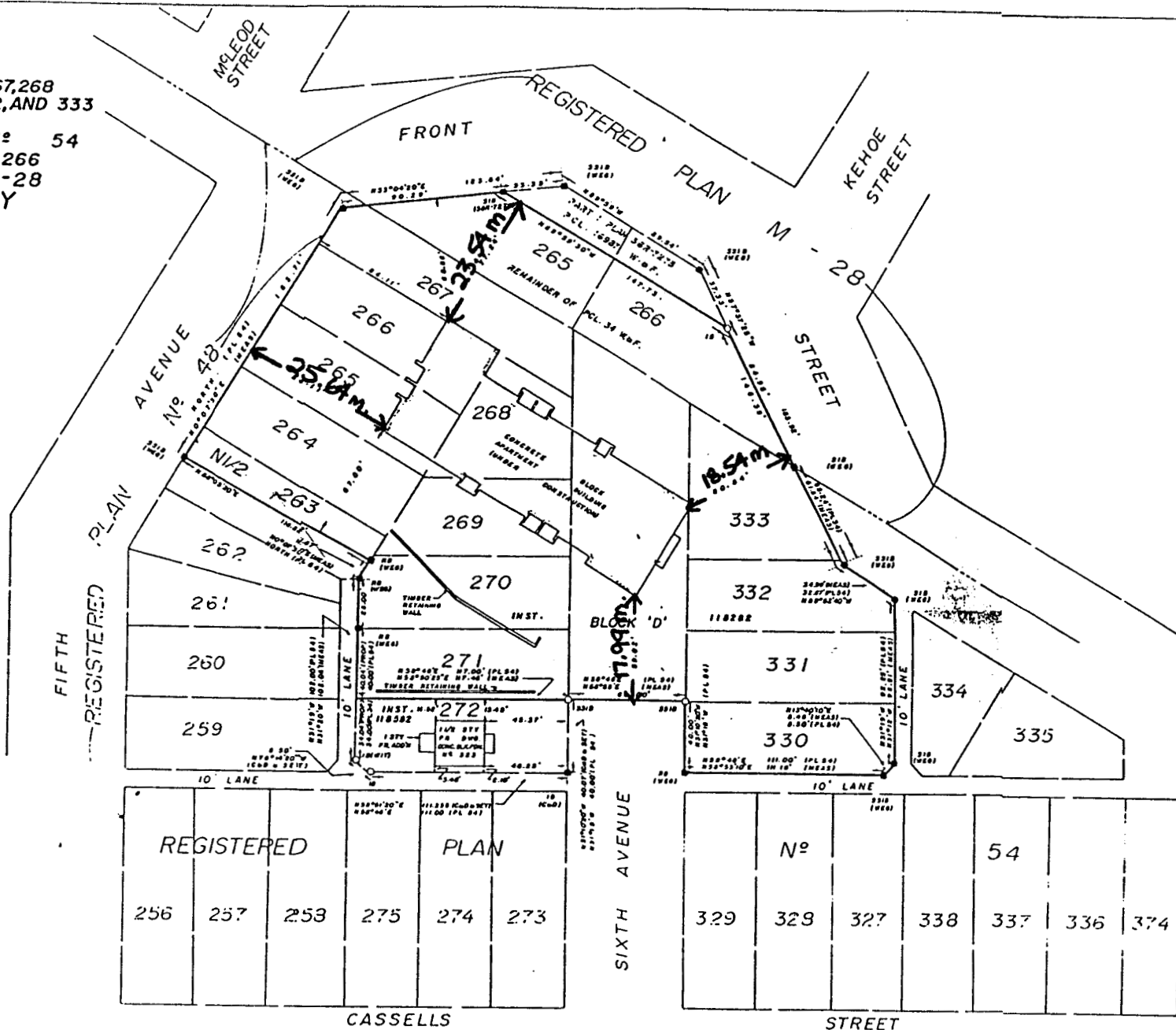
NOTE: NOT TO SCALE



LEGEND
 ■ - DENOTES MONUMENT FOUND.
 ○ - DENOTES MONUMENT PLANTED.
 31B - DENOTES 1" x 1/4" x 48" LONG IRON BAR.
 31B - DENOTES 1" x 1/4" x 24" LONG IRON BAR.
 1B - DENOTES 3/8" x 3/8" x 24" LONG IRON BAR.
 CWD - DENOTES CLARKE & DORLAND LTD., O.L.S.
 WEG - DENOTES W.E.G. TAYLOR, O.L.S.

BEARING NOTE
 BEARINGS ARE ASTROMOMIC AND ARE
 REFERRED TO PART OF THE SOUTH LIMIT
 OF FRONT STREET AS SHOWN ON PLAN
 368-1275, HAVING A BEARING OF N89°50'W.

NOTE
 BUILDING TIES ARE TO FRAME OR
 CONCRETE BLOCK BUILDING CORNERS.



CASSELLS
 SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN
 WAS COMPLETED ON THE 22ND DAY OF JUNE
 1987.

NORTH BAY, ONTARIO
 JUNE 23RD 1987
 Peter T. Clarke
 PETER T. CLARKE
 ONTARIO LAND SURVEYOR
 1011 CLARKE & DORLAND LIMITED
 ONTARIO LAND SURVEYORS

"NOT
 VALID UNLESS
 EMBOSSED WITH
 SURVEYOR'S
 SEAL"

SCHEDULE TO "RESIDENTIAL MULTIPLE FOURTH DENSITY SPECIAL ZONE NO. 28(RM4SP28)"

CITY CLERK

MAYOR

[Signature]

This is Schedule "C"
 to By-law No. 23-88
 Passed the 28th day of
 March 19 88