

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 28-76

BEING A BY-LAW TO AMEND BY-LAW NO. 1097 OF THE FORMER TOWNSHIP OF WIDDIFIELD PURSUANT TO SECTION 35 OF THE PLANNING ACT, R.S.O. 1970, CHAPTER 349 AND AMENDMENTS THERETO.

WHEREAS, upon the request of the property owner concerned, and with the approval of the local Planning Board, it is considered advisable to amend By-law No. 1097 of the former Township of Widdifield to provide for a change in the zone designation as shown on the District Map which forms part of said By-law No. 1097;

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

1. The District Map which forms part of said By-law No. 1097 is amended by changing the zoning designation of the land shown on that part of said zoning map set out in Schedule "A" attached hereto and forming part hereof, from "Residential 1 (R.1) Single Family District" to "Residential Second Density Special Zone 1-76 (R.2S1-76)" on the property more particularly described as: Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 55, 56, 57, 58, 59, 60, 61 and 62 and Part of Lot 36 of Registered Plan M-461, shown as hatched on Schedule "B" attached hereto and forming part hereof, and from "Residential 3 (R.3) Multiple Family District" to "Residential Second Density Special Zone 1-76 (R.2S 1-76)" on the property more particularly described as Lots Nos. 31, 32, 33, 34 and 35 and Part of Lot 36 of Registered Plan M-461, shown as hatched on Schedule "B" attached hereto and forming part hereof.
2. For the purpose of this By-law, the following definition will replace definition No. 32 in By-law No. 1097:
 

"Lot, Frontage of" means the perpendicular distance measured in a horizontal plane between the side lot lines of a lot, but where such lot lines are not parallel, the lot frontage shall be the minimum distance between the side lot lines measured on a straight line twenty (20) feet back from and parallel to a line joining the intersections of the side lot lines with the front lot line.
3. For the purpose of this By-law, all buildings or structures erected or altered and the use of land in such "Residential Second Density Special Zone 1-76 (R.2S 1-76)" shall conform to the uses and regulations hereinafter set forth:
  - (a) Permissible Uses
    - (i) Residential  
Single-family, detached dwellings;
    - (ii) Business  
Office use, when part of the practitioner's own home;

- continued/

-2-

(iii) Recreational

Parks, playgrounds, non-profit-making organizations, provided that the said use is located in a park or playground;

(iv) Institutional

Private schools other than trade schools, churches, day nurseries licensed under and operated in accordance with The Day Nurseries Act 1966 and regulations made thereunder in a church hall or in a school building within the terms of The Schools Administration Act and in a single-family, detached dwelling where the number of children accommodated at any one time is less than twenty (20).

(b) Regulations

In a "Residential Second Density Special Zone 1-76 (R.2S 1-76)" no building or structure or land shall be used and no building or structure shall be hereafter erected or altered except in accordance with the following regulations:

(i) Minimum Lot Area

Five thousand (5,000) square feet;

(ii) Minimum Lot Frontage

Fifty (50) feet;

(iii) Minimum Floor Area

One thousand (1,000) square feet;

(iv) Maximum Lot Coverage

Thirty (30) per cent;

(v) Front Yard

Minimum of twenty (20) feet;

(vi) Rear Yard

Minimum of thirty-five (35) feet, except in the case of a corner lot where the Rear Yard shall be not less than twenty-five (25) feet;

(vii) Side Yard

Minimum of four (4) feet for a one-storey dwelling and an additional two (2) feet for each additional storey or part thereof;

On every lot other than a corner lot where there is no attached garage or carport, or other provision for off-street parking on the same lot, one side yard shall have a minimum width of ten (10) feet;

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3. (b) (vii) cont./

An exterior side yard of a corner lot shall be not less than ten (10) feet;

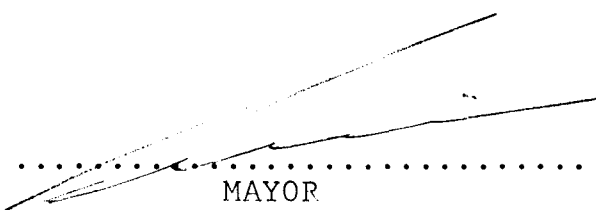
In the case of a corner lot, no garage shall be located closer than twenty (20) feet to the street line and no portion of any driveway shall be located closer than thirty (30) feet to the intersection of any two streets measured along the street line and its projection to the intersection of such street line or its projection with another street line or its projection;


The minimum side yard width on the side of a lot abutting a one-foot reserve shall be twenty (20) feet.

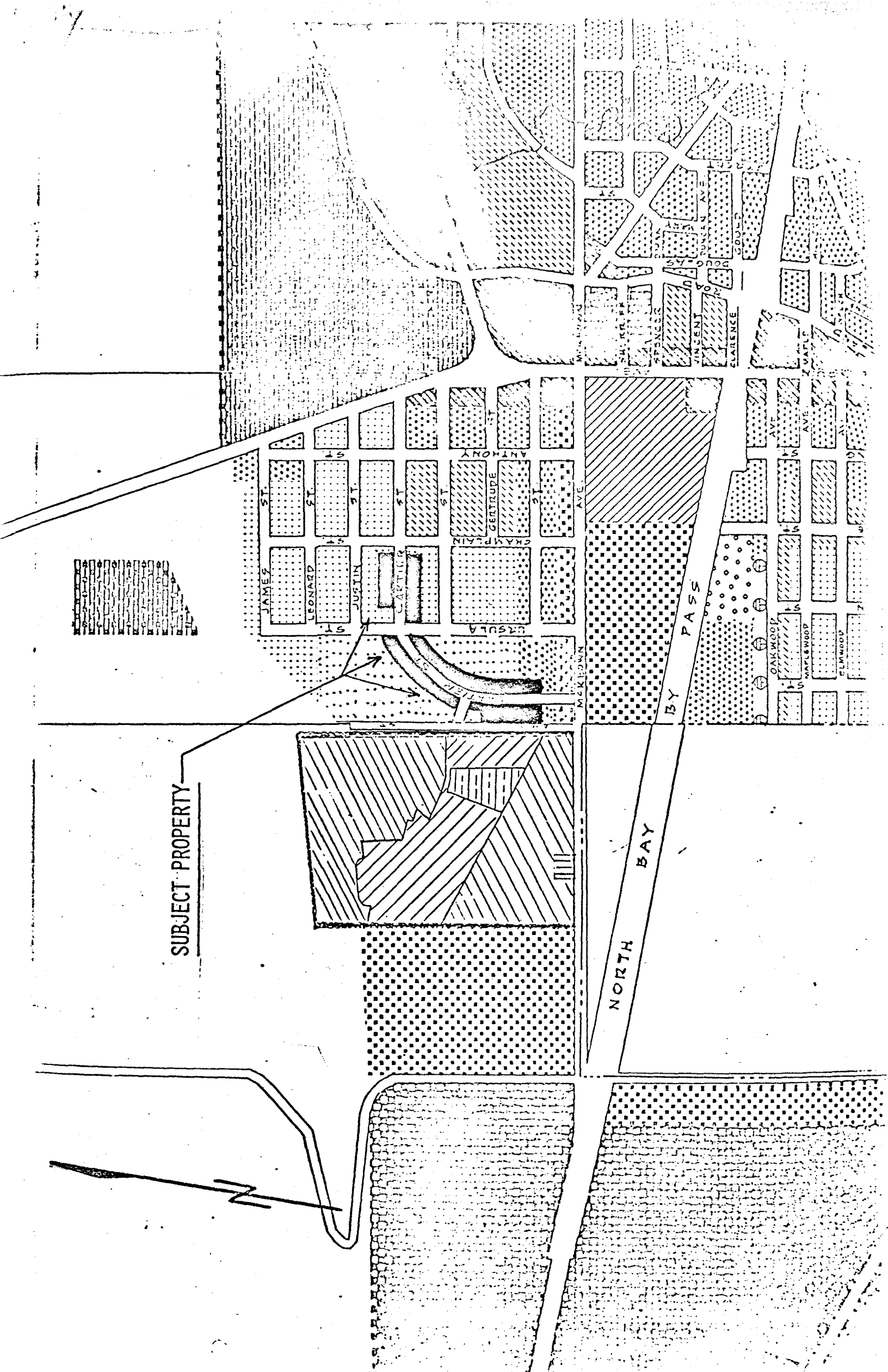
4. All buildings and structures erected or altered in a "Residential Second Density Special Zone 1-76 (R.2S1-76)" hereby established shall conform to all other applicable provisions of Zoning By-law No. 1097 except as hereby expressly varied.

5. This By-law shall take effect from the date of passing by Council and shall come into force upon the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF JANUARY, 1976.  
READ A SECOND TIME IN OPEN COUNCIL THIS 2ND DAY OF FEBRUARY, 1976.  
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 2ND DAY OF FEBRUARY, 1976.

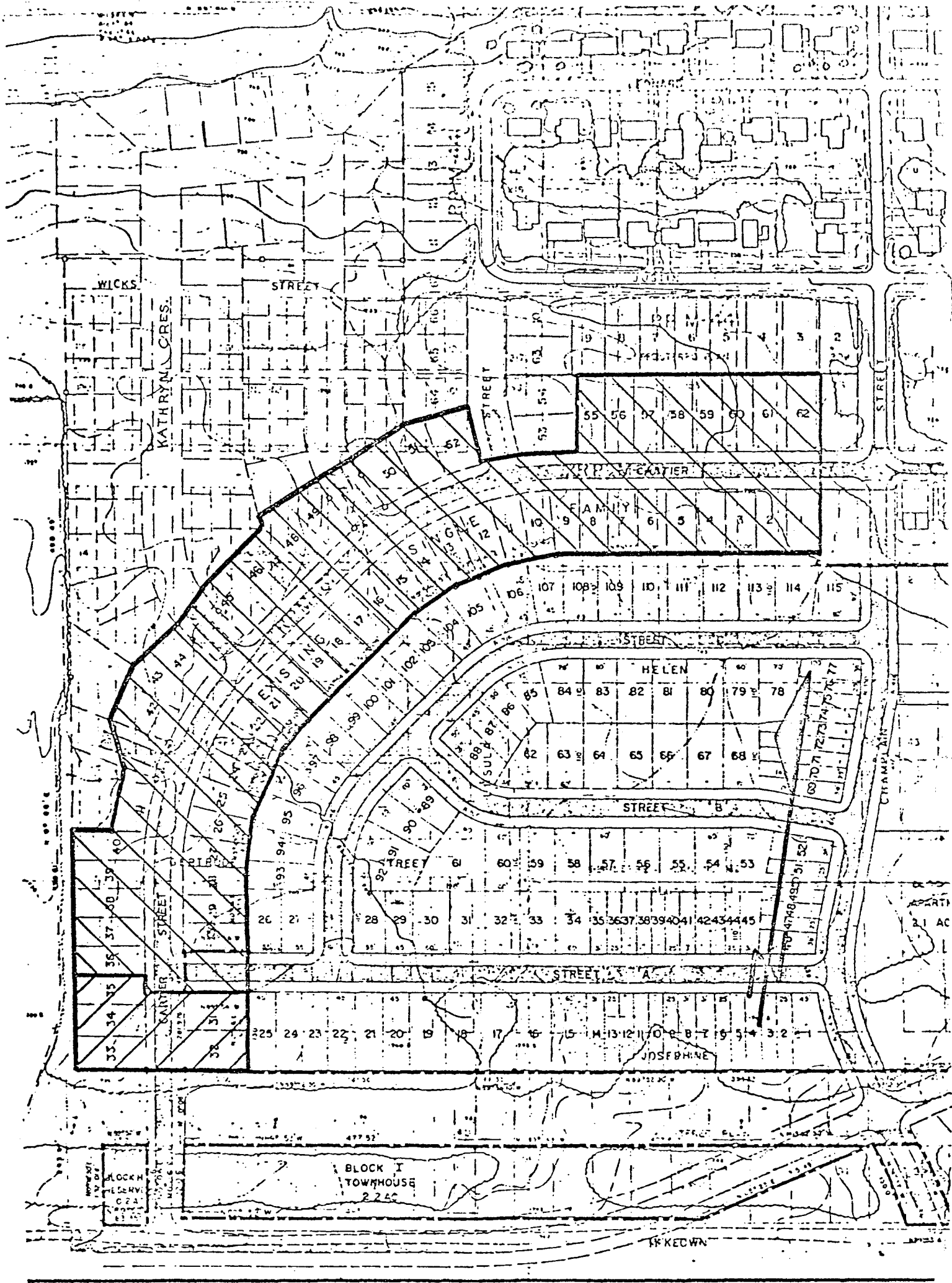
.....  
  
MAYOR


.....  
  
CITY CLERK



SUBJECT PROPERTY

Schedule "A" of By-law No



PROPERTY PREVIOUSLY ZONED R 3 

PROPERTY PREVIOUSLY ZONED R 1 

# Schedule "B" of By-law No



R 76822

Ontario Municipal Board

IN THE MATTER OF Section 35 of  
The Planning Act (R.S.O. 1970,  
c. 349),

- and -

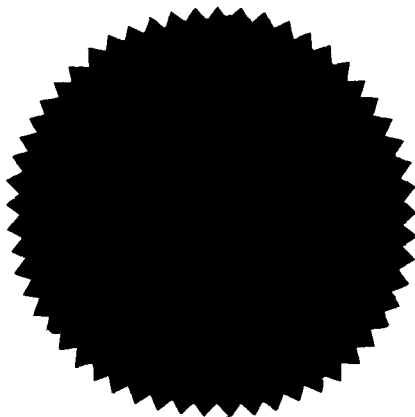
IN THE MATTER OF an application  
by The Corporation of the City  
of North Bay for approval of  
its Restricted Area By-law 28-  
76

B E F O R E :

A. H. ARRELL, Q.C.	)	
Vice-Chairman	)	
- and -	)	Tuesday, the 4th day of
	)	May, 1976
W. SHUB, Q.C.	)	
Vice-Chairman	)	

No objections to approval having been received  
as required;

THE BOARD ORDERS that By-law 28-76 is hereby  
approved.



K. C. ANDREWS  
SECRETARY

ENTERED	
G. B. No.	R 76-1
Folio No.	327
MAY 5 - 1976	
SECRETARY, ONTARIO MUNICIPAL BOARD	