

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2006-46

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON BOOTH ROAD
FROM A “LIGHT INDUSTRIAL TWO (M2) ZONE, A “LIGHT INDUSTRIAL THREE
(M3)” ZONE AND FLOODPLAIN AND EROSION (O2)” ZONE TO A
“RESIDENTIAL THIRD DENSITY (R3)” ZONE, A “RESIDENTIAL MULTIPLE
SECOND DENSITY (RM2)” ZONE AND AN “FLOODPLAIN AND EROSION SPECIAL
ZONE NO. 4 (O2 SP. 4)”**

(MARSHALL PARK DEVELOPMENTS LTD. – BOOTH ROAD)

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 Schedules “B-71” and “B-72” 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 February 27, 2006 to approve this rezoning.

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

- 1) Schedules “B-71” and “B-72” of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedules “A” and “B” attached hereto (which property is more particularly described as Concession 16, Lot 37, 36R-7257, Part 1, Parcels 5258 & 16951 W&F) along Booth Road in the City of North Bay from a “Light Industrial Two (M2) zone, a “Light Industrial Three (M3)” zone and an “Floodplain and Erosion (O2)” zone to a “Residential Third Density (R3)” zone, a “Residential Multiple Second Density (RM2)” zone and an “Floodplain and Erosion Special Zone No. 4 (O2 Sp. 4)”
- 2) All buildings or structures erected or altered and the use of land in such ““Residential Third Density (R3)” zone and “Residential Multiple Second Density (RM2)” zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.7.4:
"11.7.4 “Floodplain and Erosion Special Zone No. 4 (O2 Sp. 4)”
11.7.4.1 The property description of this “Floodplain and Erosion Special Zone No. 4 (O2 Sp. 4)” is Concession 16, Lot 37, 36R-7257, Part 1, Parcels 5258 & 16951 W&F along Booth Road in the City of North Bay as shown on the attached Schedule and on Schedules “B-71” and “B-72”.

11.7.4.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Floodplain and Erosion Special Zone No. 4 (O2 Sp. 4)" except for the following uses:

- Public and private parks
- Structural works of approved design for flood or erosion and sedimentation control

11.7.4.3 The use of land or building in this "Floodplain and Erosion Special Zone No. 4 (O2 Sp. 4)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Floodplain and Erosion Special Zone No. 4 (O2 Sp. 4)" as shown on Schedule "C" to this By-law.
- 5) 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 as a site plan control area.
- 6)
 - 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 27th DAY OF FEBRUARY 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 27th DAY OF FEBRUARY 2006.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 13th DAY OF MARCH 2006.

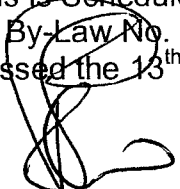



DEPUTY MAYOR, PETER CHIRCO

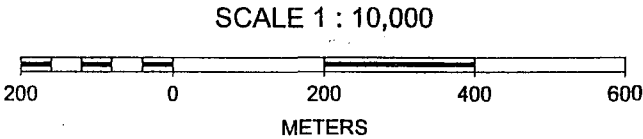
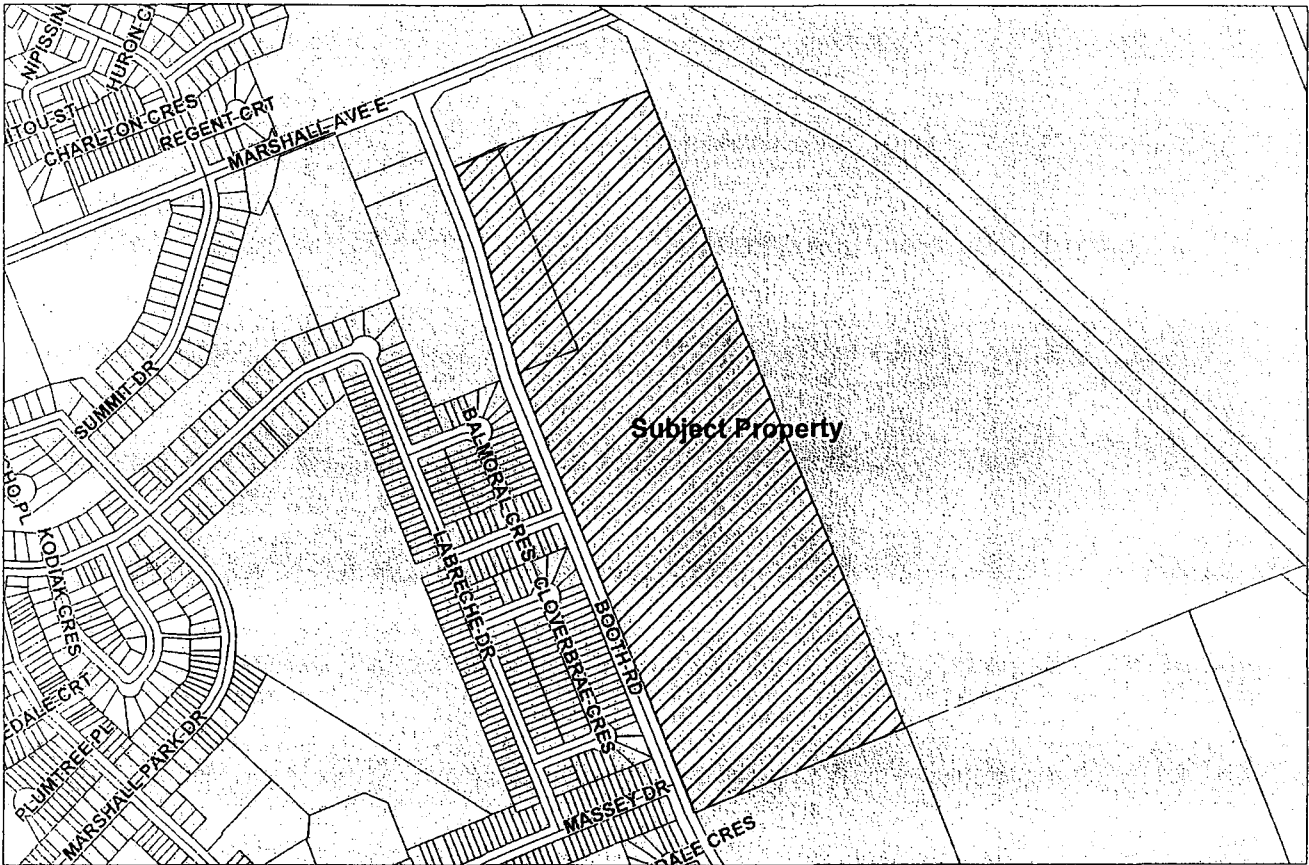








CITY CLERK, CATHERINE CONRAD

This is Schedule "A"
To By-Law No. 2006-46
Passed the 13th day of March 2006.


Deputy Mayor Peter Chirico

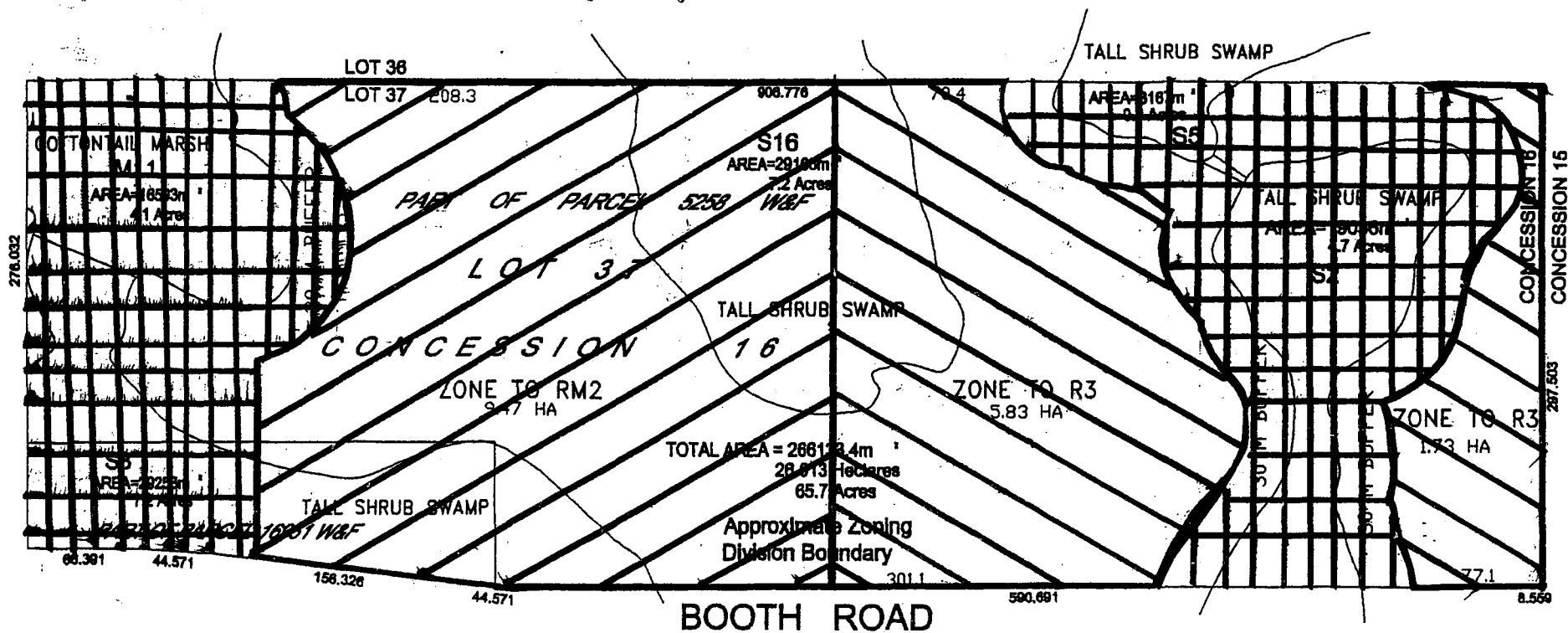

City Clerk Catherine Conrad



-  To "O2 Sp. 4"
 From "M2", "M3" and "O2"
 To "R3"
 From "M2", "M3" and "O2"
 To "RM2"
 From "M2", "M3" and "O2"

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



SKETCH SHOWING
 PART OF LOT 37
 CONCESSION 16

CITY OF NORTH BAY

DISTRICT OF NIPISSING

Miller & Urso Surveying Inc.

Boundaries approximated from FRI's Impact Study

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Miller & Urso Surveying Inc.
 Ontario Land Surveyors/Canada Land Surveyors
 Planning Consultants

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 FAX: (708) 494-494

DRAWN BY:
 CHECKED BY: R.D.M.

FIELD: D.B., M.B.

W.D. No 1

Deputy Mayor Peter Chirico

Catherine Conrad
 City Clerk Catherine Conrad

This is Schedule "B"
 To By-Law No. 2006-46
 Passed the 13th day of March 2006.

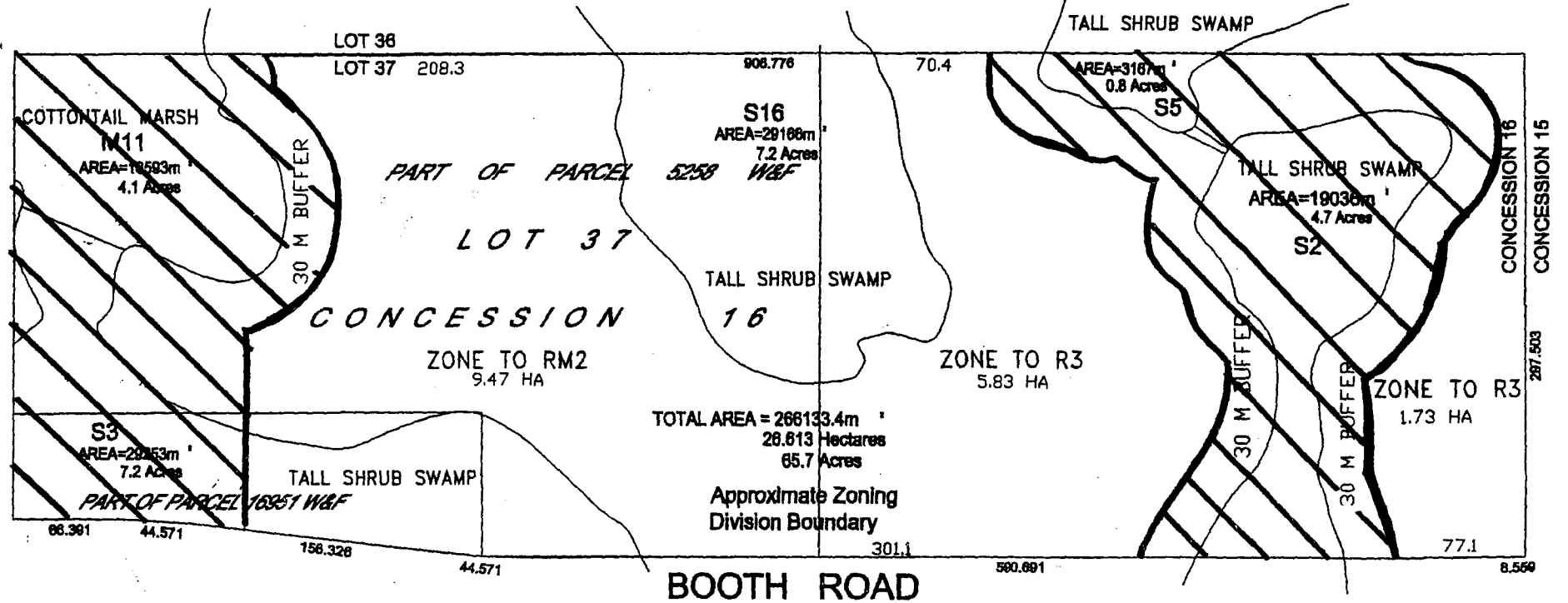
Deputy Mayor Peter Chirico

Catherine Conrad
City Clerk Catherine Conrad

ETCH SHOWING
RT OF LOT 37
INCESSION 16

CITY OF NORTH BAY
DISTRICT OF NIPISSING

30 M BUFFER



METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048.

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Miller & Urso Surveying Inc. Ontario Land Surveyors/Canada Land Surveyors Planning Consultants			
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DRAWN BY: CHECKED BY: R.J.M.		FIELD: D.B., M.B. W.D. No: 1471	