

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2012-11**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80  
TO REZONE CERTAIN LANDS ON WORTHINGTON STREET EAST  
FROM A “NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO.60”  
TO A “RESIDENTIAL MULTIPLE FIRST DENSITY SPECIAL ZONE NO. 126 (RM1 SP.126)”**

**(ORLANDO ROSALES & MABEL HERNANDEZ – 403 WORTHINGTON ST. E.)**

**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 Schedule “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 February 6th, 2012 to approve this rezoning.

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

- 1) Schedule "B-51" 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 Registered Plan No. 10, Part of Lot 291, known locally as 403 Worthington Street East in the City of North Bay) from a “Neighbourhood Commercial Special Zone No. 60 (C5 Sp.60)” to a “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)”.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.126:
  - 11.2.126 Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)
  - 11.2.126.1 The property description of this “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” is Registered Plan No. 10, Part of Lot 291, known locally as 403 Worthington Street East in the City of North Bay, as shown on the attached Schedules and on Schedule “B-51”.
  - 11.2.126.2 The permitted land uses in this “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” are as follows:
    - Duplex Dwelling
    - Semi-Detached dwelling

- Triplex
- Double Duplex
- Boarding or rooming house or Group home type 1
- Multiple Dwellings (Up to 4 apartment units)
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

11.2.126.3 The regulations for this “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” are as follows:

- i) Decrease the Minimum Lot Area per dwelling unit from the required 232.2 sq.m. to the existing 101.2 sq.m.;
- ii) Decrease the exterior side yard setback from the required 3.0 metres to the existing 2.2 metres;
- iii) Decrease the lot frontage from the required 30.0 metres to the existing 16.7 metres;
- iv) Remove the requirement to provide outdoor Play Space;
- v) Provide and maintain not less than four (4) parking spaces on the subject lands; and
- vi) Decrease the required Visitor Parking from 20% to Nil.

11.2.126.4 The use of land or building in this “Residential Multiple First Density Special Zone No. 126 (RM1 Sp.126)” 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 Multiple First Density Special Zone No. 126 (RM1 Sp.126)” as shown on Schedule "B" to this By-law.
- 4) 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 a Site Plan Control Area.

- 5) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 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 6TH DAY OF FEBRUARY, 2012.**

**READ A SECOND TIME IN OPEN COUNCIL THE 6TH DAY OF FEBRUARY, 2012.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY OF FEBRUARY, 2012.**

"original signature on file"

---

**MAYOR, ALLAN MCDONALD**

"original signature on file"

---

**CITY CLERK, CATHERINE CONRAD**

This is Schedule "A"

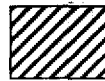
To By-law No. 2012-11

Passed the 21 day of February 2012

\_\_\_\_\_  
Mayor Allan McDonald

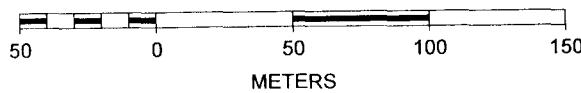
\_\_\_\_\_  
City Clerk Catherine Conrad

Subject Lands



Proposed Zoning By-law Amendment  
From: "Neighbourhood Commercial Special  
Zone No. 60 (C5 Sp.60)"  
To: "Residential Multiple First Density Special  
Zone No. 126 (RM1 Sp.126)"

SCALE 1 : 2,790



METERS





This is Schedule "C"

To By-law No. 2012-11

Passed the 21 day of February 2012

Mayor Allan McDonald

City Clerk Catherine Conrad

