

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 38-78

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, 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 changes in the Residential Districts, the Regulations and for an alteration in the zone designation as shown on the District Map which forms part of the said By-law;

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 By-law No. 1097 of the former Township of Widdifield be amended by changing Part of Lot 20 Concession II, shown as hatched on Schedule "A" attached hereto and forming part hereof, and more particularly described as being the Remainder of Parcel 258 W&F, shown outlined on Schedule "B" attached hereto and forming part hereof, from "Bush District - B" to "Estate Development District - R.7".
2. The following definitions are added to "Section 2-Definitions" of By-law No. 1097:
 66. ESTATE DEVELOPMENT: shall mean a residential development located in the "Rural Area" as shown on Schedule "A" of the Consolidated Official Plan and shall be comprised of a number of Estate Lots.
 67. ESTATE LOT: shall mean a lot of at least three (3) acres in size, fronting on an assumed road within an Estate Development devoted to the use of a residential rural non-farm dwelling.
 68. RURAL NON-FARM DWELLING: shall mean a one-family dwelling house located on an Estate Lot, having a minimum floor area of one thousand (1,000) square feet devoted to the housing of persons who do not operate an active farm.

69. OBNOXIOUS USE: shall mean any use which shall be a nuisance to the occupants or owners of any neighbouring land or building by reasons of the emission from the said land or any part thereof or the creation thereon of, odours, wastes, noise, gases or otherwise.

3. The following shall be added to Section 3- General Provisions for Zoning "Subsection 23- Keeping of Fowl or Animals":

"No person shall in an Estate Development maintain any fowl or animal for commercial or profitable purposes, but may, as household pets, keep any animal or fowl provided that the keeping of such animal or fowl does not constitute an obnoxious use."

4. The following District shall be added to "Section 4 - Establishment of Use Districts" of By-law No. 1097:

"R.7 ESTATE DEVELOPMENT DISTRICT"

5. The following shall be added as Section 22 of By-law No. 1097:

"SECTION 22- ESTATE DEVELOPMENT DISTRICT R.7

All buildings or structures erected or altered and the use of the lands in such "ESTATE DEVELOPMENT DISTRICT R.7" shall conform to the uses and regulations hereinafter set forth:

a) Permissible Land Uses

- i) rural, non-farm dwellings
- ii) accessory buildings
- iii) parks, playgrounds, non-profit-making organizations provided that the said use is located in a park or playground

b) Regulations

In an "Estate Development District R.7"

Zone no building or structure shall be hereafter erected or altered except in

accordance with the following Regulations:

b) Regulations

In an "Estate Development District R.7" Zone no building or structure shall be hereafter erected or altered except in accordance with the following Regulations:

i)

| DWELLING TYPE | MINIMUM LOT AREA PER DWELLING UNIT | MINIMUM LOT FRONTAGE IN FEET PER DWELLING UNIT | MINIMUM 1ST FLOOR AREA IN SQ. FEET | MAXIMUM LOT COVERAGE |
|-------------------------|------------------------------------|--|------------------------------------|----------------------|
| Rural Non-Farm Dwelling | 3 Acres | 250 | 1,000 | 5% |

ii) Front Yard:

There shall be a minimum setback of fifty (50) feet from the front lot line to the nearest main wall of any building or structure.

iii) Side Yard:

There shall be a minimum setback of fifty (50) feet from the side lot line to the nearest main wall of any building or structure.

iv) Rear Yard:

There shall be a minimum setback of fifty (50) feet from the rear lot line to the nearest main wall of any building or structure.

v) Accessory Buildings:

- a) No accessory building or structure shall be used for human habitation;
- b) No accessory building or structure shall be constructed in the front yard;
- c) No accessory building or structure shall be constructed closer than fifty (50) feet to the side or rear lot lines;
- d) An accessory building or structure shall not be constructed closer than ten (10) feet from the main building or other accessory buildings or structures;

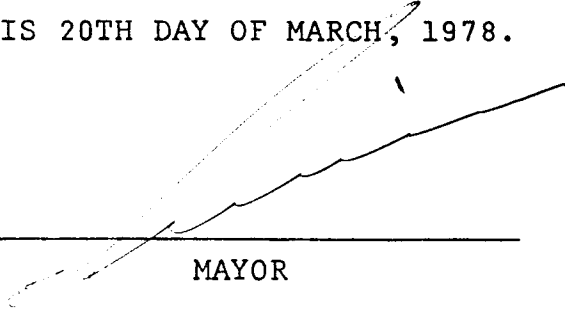
e) An accessory building or structure shall not exceed twenty-five (25) feet in height.

6. All buildings or structures erected or altered in the Estate Development District - R.7 Zone hereby established shall conform to all other applicable provisions of Zoning By-law No. 1097, except as hereby expressly varied.
7. 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 6TH DAY OF MARCH, 1978.

READ A SECOND TIME IN OPEN COUNCIL THIS 20TH DAY OF MARCH, 1978.

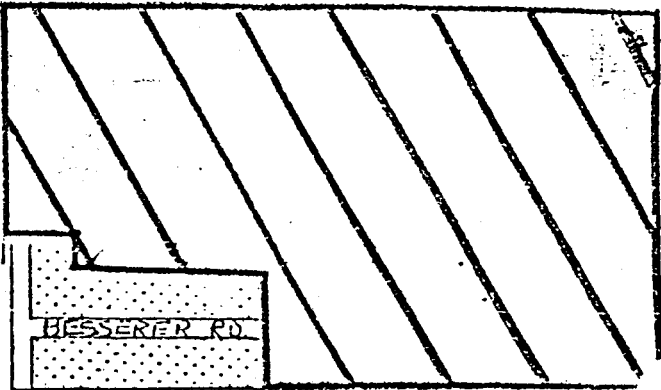
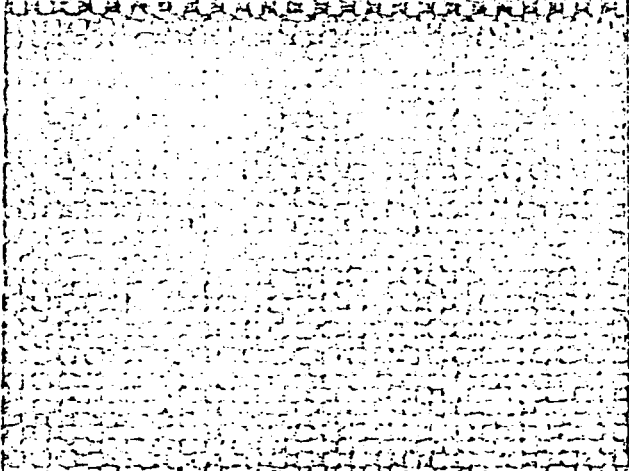
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 20TH DAY OF MARCH, 1978.



MAYOR



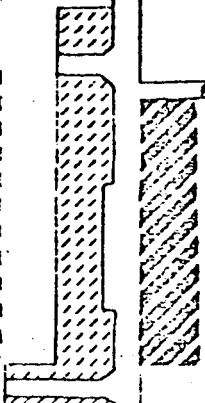
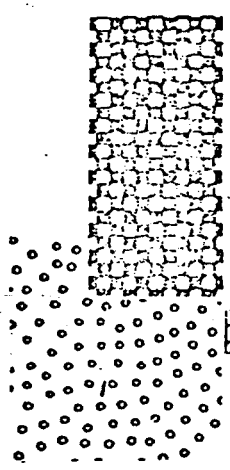
CITY CLERK



HESSENER RD.

SUBJECT PROPERTY

MARSH DRIVE



HIGHWAY No. 11

21

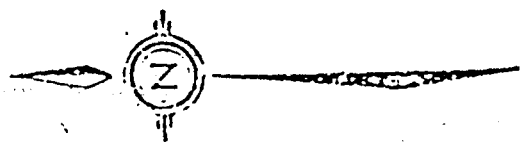
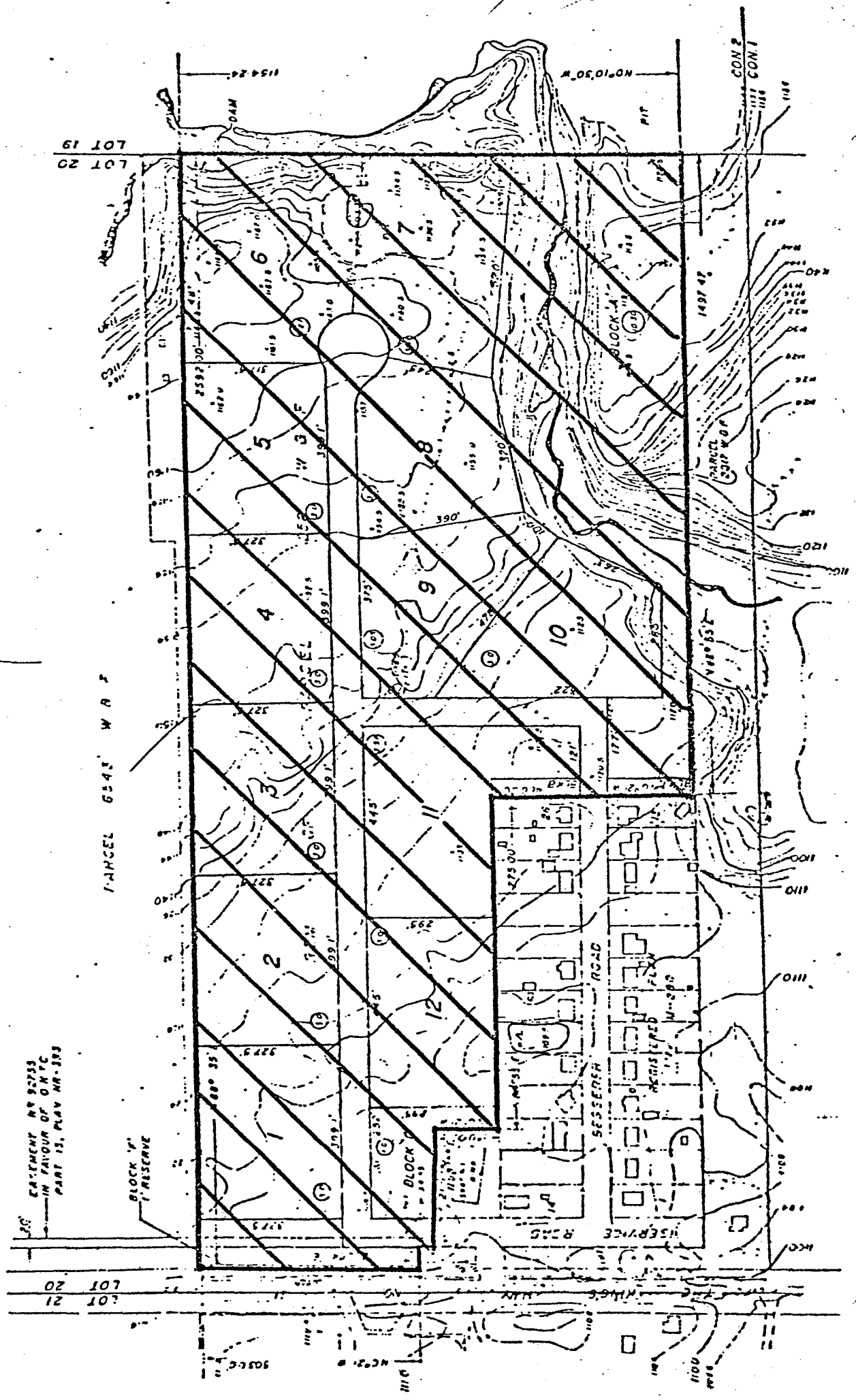
20

No. 11

Schedule "A" of By-law No.

Schedule "B" of By-law No

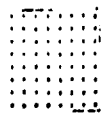
38-78



SEE CATCHMENT NO 92253
IN FAVOUR OF O.M.T.C.
PART 13, PLAN NR-373

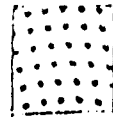
RESIDENTIAL

1.



RESIDENTIAL

5



GENERAL COMMERCIAL



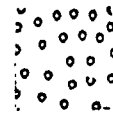
INSTITUTIONAL

RESIDENTIAL

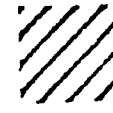
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TRAILER CAMP



MARINA COMMERCIAL



OPEN SPACE

RESIDENTIAL

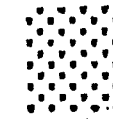
3



LOCAL SHOPPING CENTRE



LIGHT INDUSTRIAL



BUSH

RESIDENTIAL

4.



COMMUNITY SHOPPING CENTRE



MANUFACTURING



MAP

OF PART OF THE

ISHIP OF WIDDIFIELD



R 781249

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 38-78

B E F O R E :

A.H. ARRELL, Q.C.
Vice-Chairman

- and -

D.H. McROBB
Member

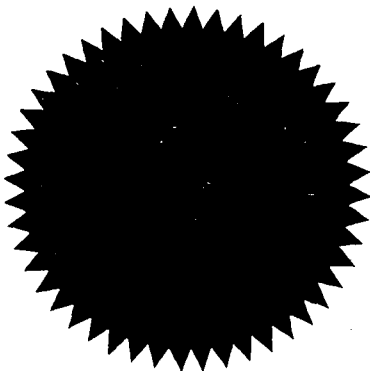
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Thursday, the 30th day of

November, 1978

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 38-78 is
hereby approved.



A| SECRETARY

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|------------------------------------|-------|
| ENTERED | |
| O. B. No. | B78-6 |
| Folio No. | 258 |
| DEC 6 1978 | |
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| SECRETARY, ONTARIO MUNICIPAL BOARD | |