

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 164-91

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON DUKE STREET FROM "RESIDENTIAL SECOND DENSITY (R.2)" AND "OPEN SPACE (0)" TO A "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 35 (RM3 SP.35)", AND FURTHER TO REPLACE SECTIONS 11.2.35.1 PROPERTY DESCRIPTION, AND 11.2.35.2 PERMITTED USES AND REGULATIONS IN THE "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 35 (RM3 SP.35)" - DECOMA CONSTRUCTION

WHEREAS the owner of the subject property has requested a rezoning;

AND WHEREAS the owner of the subject property has requested an amendment to the property description, permitted uses, and governing regulations of the "Residential Multiple Third Density Special Zone No. 35 (RM3 Sp.35);

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 34 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 Parts 1 to 5, Plan 36R-8423 along Duke Street West in the City of North Bay, shown as hatched on Schedule "B" attached hereto) from a "Residential Second Density (R.2)" zone and an "Openspace (0)" zone to a "Residential Multiple Third Density Special Zone No. 35 (RM3 Sp.35)".
- 2) Section 11.2.35.1 of By-law No. 28-80 is amended by deleting the section in its entirety and substituting therefore the following:

"11.2.35.1 The property description of this "Residential Multiple Third Density Special Zone No. 35 (RM3 Sp.35)" is Parts 11, 12 and 16, Plan 36R-3405 and Parts 1 to 5 inclusive, Plan 36R-8423 along Duke Street in the City of North Bay as shown on the attached Schedules and Schedule "B-43"."

- 3) Section 11.2.35.2 of By-law No. 28-80 is amended by deleting the section in its entirety and substituting therefore the following:

"11.2.35.2(a) No person shall use land, erect, or construct any building or structure in this "Residential Multiple Third Density Special Zone No. 35 (RM3 Sp.35)" except for the following uses:

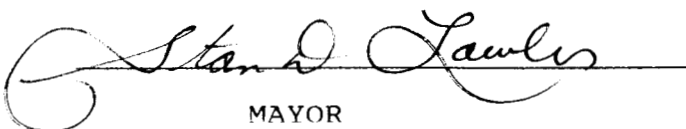
An apartment dwelling having not more than thirteen (13) dwelling units within two (2) storeys.

11.2.35.2(b) The regulations for this "Residential Multiple Third Density Special Zone No. 35 (RM3 Sp.35)" are as follows:

- i) The maximum gross floor area shall be one thousand seven hundred and forty-two (1,742) square metres;
- ii) The minimum lot frontage shall be thirty-six and five-tenths (36.5) metres;
- iii) The minimum front yard setback shall be seven and six-tenths (7.6) metres;
- iv) The minimum southerly side yard setback shall be thirteen and seven tenths (13.7) metres;
- v) The minimum northerly side yard setback shall be twenty-two and zero-tenths (22.0) metres;
- vi) The minimum rear yard setback shall be eleven and eight-tenths (11.8) metres.

- 4) Section 11 of By-law No. 28-80 is further amended by inserting revised "Schedule to Residential Multiple Third Density Special Zone No. 35 (RM3 Sp.35)" as shown on Schedule "C" to this By-law.
- 5) 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.
- 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 AUGUST 1991.
READ A SECOND TIME IN OPEN COUNCIL THE 26TH DAY OF AUGUST 1991.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 26TH DAY
OF AUGUST 1991.


MAYOR


CITY CLERK

This is Schedule " 1 A "

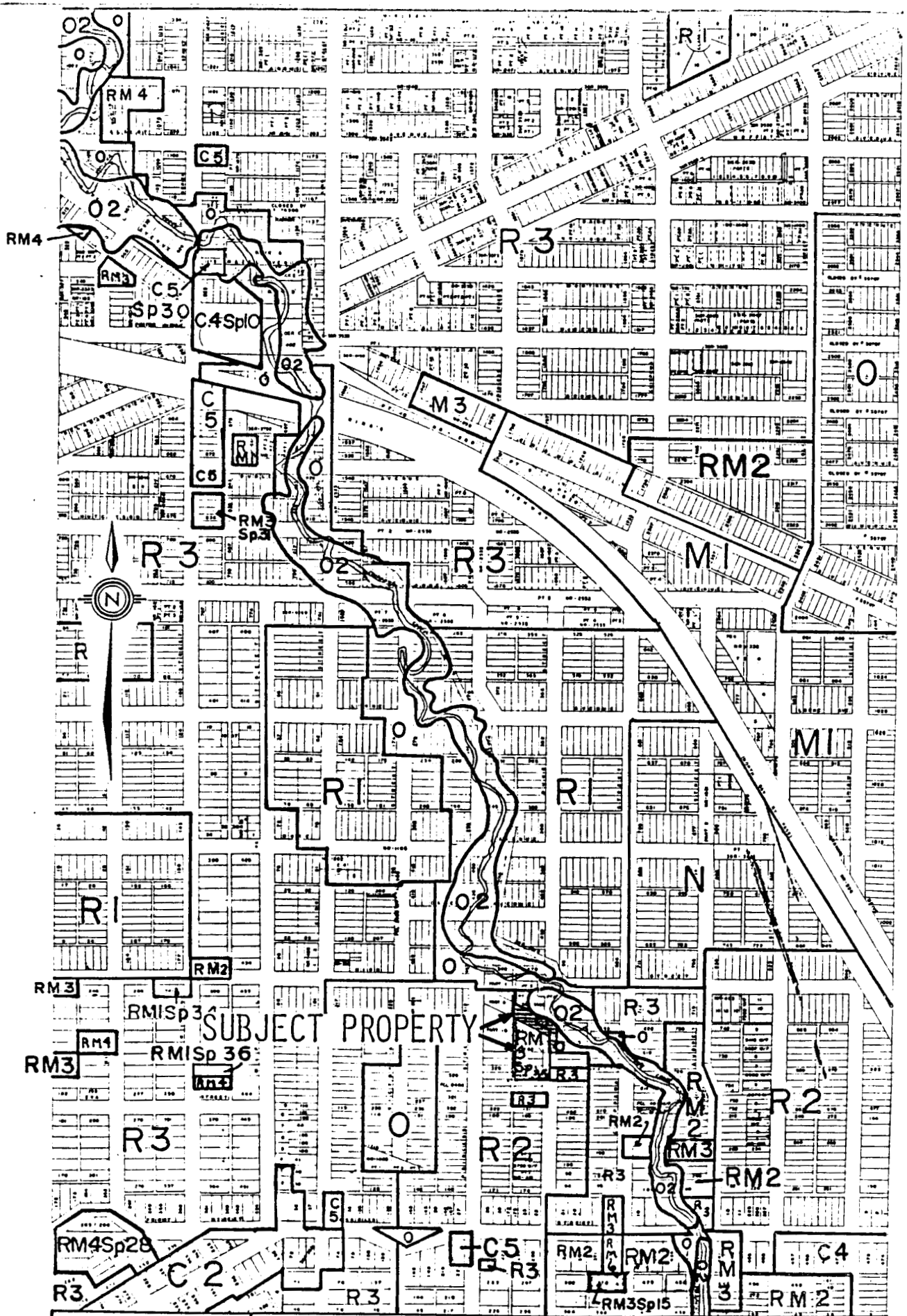
To By-law No. 164-91

Passed the 26TH day of AUGUST

19 91.


MAYOR


CITY CLERK

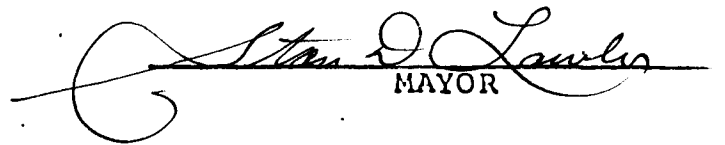


SCHEDULE

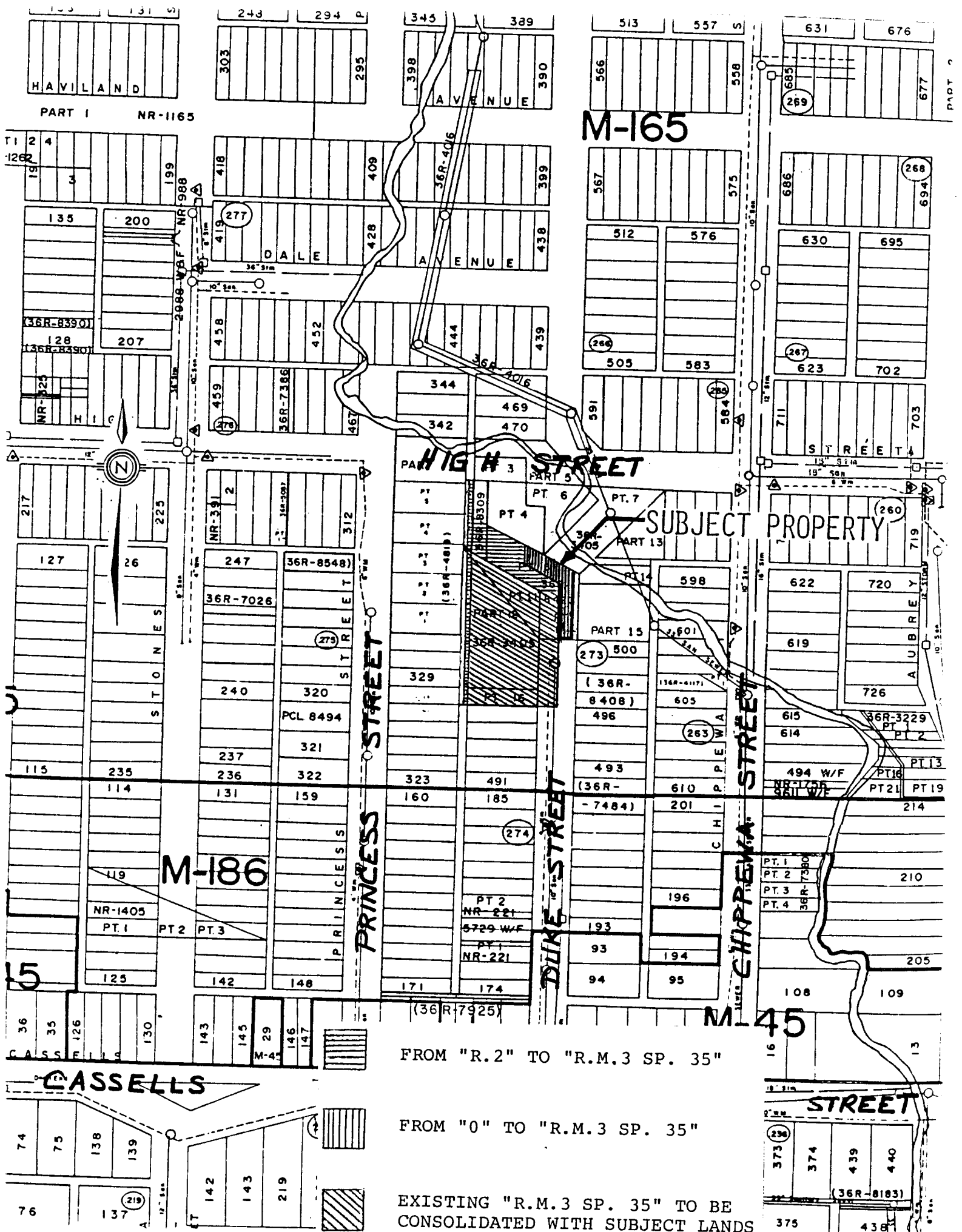
B - 43

CITY OF NORTH BAY
ZONING BY-LAW N^o 28-80

This is Schedule " B "
To By-law No. 164-91
Passed the 26TH day of AUGUST
19 91.


MAYOR

CITY CLERK



This is Schedule " C "
To By-law No. 164-91
Passed the 26TH day of AUGUST
19 91.

Stan D. Lawler
MAYOR
B. J. Butler
CITY CLERK

SCHEDULE TO "RESIDENTIAL MULTIPLE THIRD DENSITY
SPECIAL ZONE NO. 35 (RM.3 SP. 35)"

