

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 137-77

BEING A BY-LAW TO AMEND BY-LAW NO. 1097 OF THE FORMER TOWNSHIP OF WIDDIFIELD, NOW OF THE CORPORATION OF THE CITY OF NORTH BAY PURSUANT TO SECTION 35 AND SECTION 35 (A) 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 North Bay Planning Board, it is considered advisable to amend said By-law No. 1097 to provide for an alteration in the zone designations 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 of said By-law No. 1097 is amended by changing the zoning designations on those parts of said District Map as set out on Schedule "A" attached hereto and forming part hereof, from an "R.3 Multiple Family District" and a "Trailer Camp District R.6" as indicated on said Schedule "A", to a "Residential Third Density Special Zone 11-77 (R3S 11-77)" and a "Residential Multiple Third Density Special Zone 11-77 (RM3S 11-77)" as shown on Schedule "B" attached hereto and forming part hereof.
2. For the purpose of this By-law, including the attached Schedules, the following definitions shall apply:
 - (a) Dwelling, Apartment shall mean a building consisting of five or more dwelling units, which units have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and/or elevators and yards.
 - (b) Dwelling, Duplex shall mean a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly or through a common vestibule.
 - (c) Dwelling, Semi-Detached shall mean a building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.
 - (d) 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.
 - (e) Open, Space, Usable shall mean open unobstructed space on the site which is suitable for landscaping, including any part of the site occupied by recreational accessory building, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, any balcony at least five (5) feet in

depth, and the roof or other part of a building or structure open to the air and suitable for landscaping and used as a recreational area, but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area or loading space.

- (f) Zone, Privacy shall mean an area within the minimum yard depth in which communal activities are discouraged or prevented by means of surface finishing, landscaping or physical barriers.

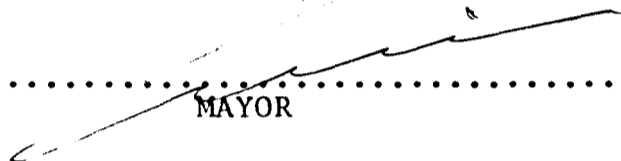
3. Pursuant to Section 35 (a) of The Planning Act, the lands referred to in Section 1 of this By-law are placed under Development Control and, prior to the development of the subject properties and in accordance with this By-law, the property owner shall enter into one or more agreements with the City of North Bay dealing with the prohibition, regulation, use and maintenance of any or all of the facilities and matters listed hereunder:
- (a) Subject to The Public Transportation and Highway Improvement Act, facilities to provide access to and from the land, such as access ramps and curbs, including the number, location and size of such facilities and the direction of traffic thereon.
 - (b) Off-street vehicular parking and loading areas and access driveways, including the surfacing of such areas and driveways.
 - (c) Walkways and all other means of pedestrian access.
 - (d) Removal of snow from access ramps, driveways, parking areas and walkways.
 - (e) Grading or change in elevation or contour of the land and the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
 - (f) Conveyance to the Municipality, without cost, of easements required for the construction, maintenance or improvements of any existing or newly required watercourses, ditches, land drainage works and sanitary sewerage facilities on the land.
 - (g) Floodlighting of the land or of any buildings or structures thereon.
 - (h) Walls, fences, hedges, trees, shrubs or other suitable groundcover to provide adequate landscaping of the land or protection to adjoining lands.
 - (i) Vaults, central storage and collection areas and other facilities and enclosures as may be required for the storage of garbage and other waste material.
 - (j) Plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the By-law.

- 4. For the purpose of this By-law all buildings or structures erected or altered and the use of land in such "Residential Third Density Special Zone 11-77 (R3S 11-77)" shall conform to the uses and regulations set forth in Schedule "C" attached hereto and forming part hereof.
- 5. All buildings and structures erected or altered in such "Residential Third Density Special Zone 11-77 (R3S 11-77)" and "Residential Multiple Third Density Special Zone 11-77 (RM3S 11-77)" hereby established shall conform to all other applicable provisions of Zoning By-law No. 1097, except as hereby expressly varied.
- 6. 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 7TH DAY OF NOVEMBER, 1977.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF NOVEMBER, 1977.

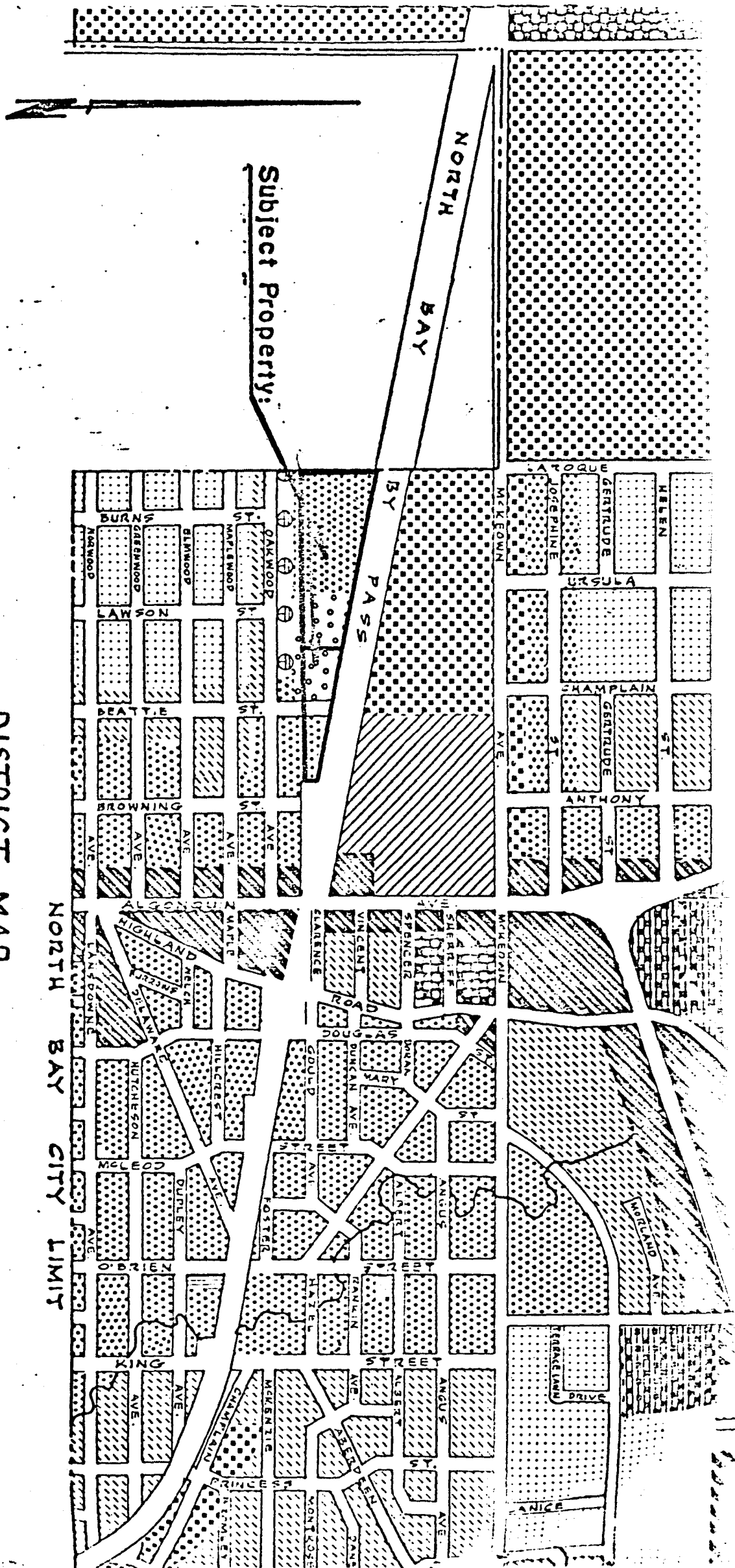
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 21ST DAY OF NOVEMBER, 1977.

.....

 MAYOR

.....

 CITY CLERK

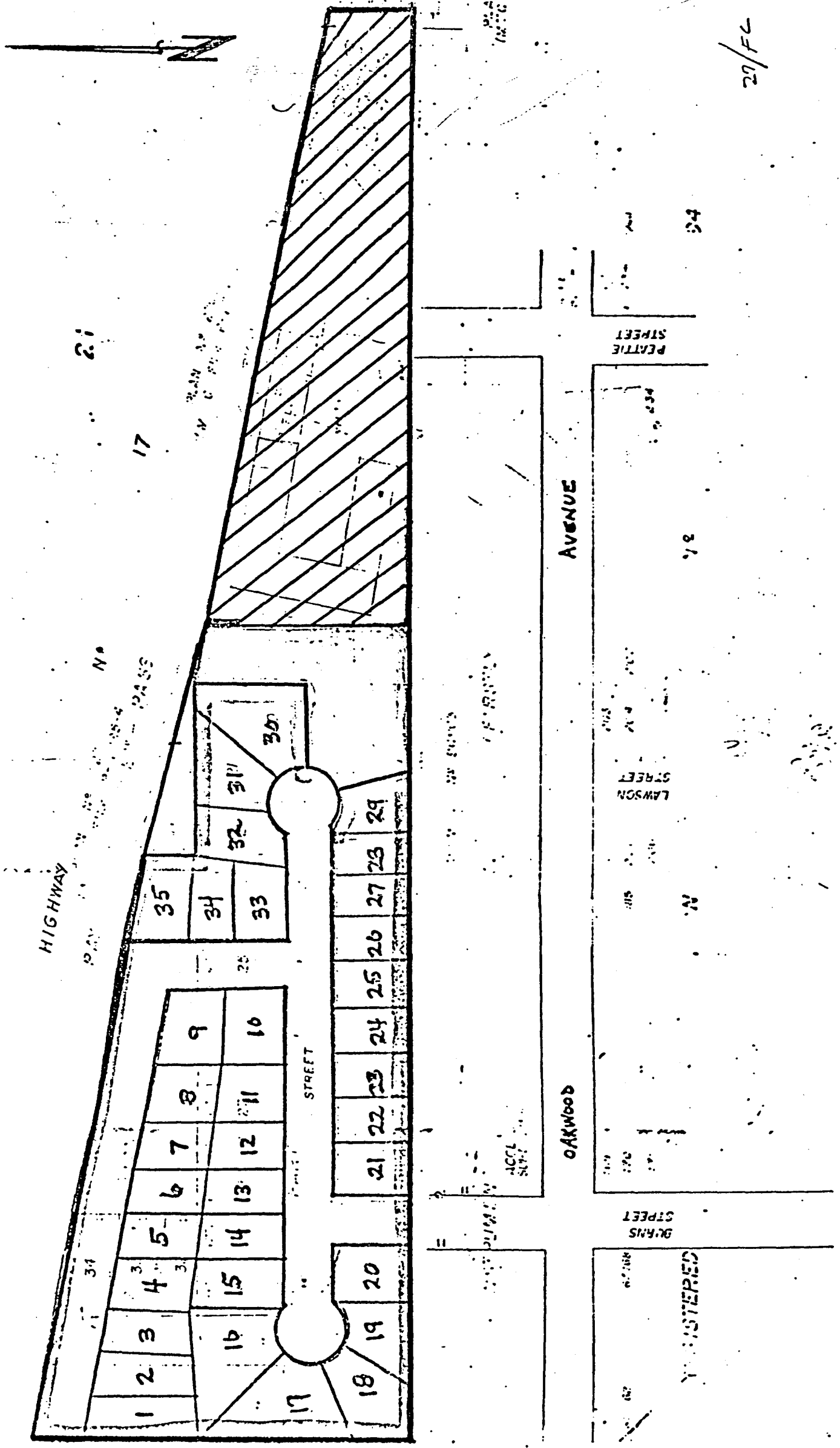
Schedule "A" of By-law No 137-77



DISTRICT MAP.
LEGEND. BY-LAW No 1097

Schedule "B" of By-Law No.

20/FC



A. ii) continued:

(b) Minimum Front Yard Depth

Twenty (20) feet;

(c) Minimum Side Yard Depth

Four (4) feet for one (1) storey building 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; The width of an exterior side yard shall not be less than ten (10) feet except, 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;

The width of a side yard on the side of a lot abutting a one-foot reserve shall not be less than twenty (20) feet;

(d) Minimum Rear Yard Depth

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.

RESIDENTIAL MULTIPLE THIRDDENSITY SPECIAL ZONE 11-77

(RM3S 11-77)

i) Permissible Uses(a) Residential

Apartment; dwellings;

(b) Business

Nil;

(c) Recreational

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

(d) Insitiutional

Day nurseries licensed under and operated in accordance with The Day Nurseries Act 1966 and regulations made thereunder within premises especially constructed for the purpose of the said nursery.

ii) Regulations

(a)

DWELLING TYPE	MAX. GROSS FLOOR AREA % OF LOT AREA	MIN. LOT FRONTAGE IN FEET	MIN. FLOOR AREA PER DWELLING UNIT IN SQ.FT.	MIN. USABLE OPEN SPACE % OF GROSS FLOOR AREA
Apartment	75	100	Bachelor 350 1-bedroom 550 2-bedroom 676 3-bedroom 800 4-bedroom 900	50

(b) Not less than fifty (50) percent of the usable open space required under Section 3.B ii (a) of this By-law shall be located in one place on the lot up to a maximum of five thousand (5,000) square feet;

(c) No apartment building shall be hereafter erected or altered except in accordance with the following yard regulations:

1. Minimum setback from the centre line of the street shall be one-half ($\frac{1}{2}$) of the height of the building, but in no case shall the front yard be less than twenty-five (25) feet deep and the setback from the centre line be less than fifty-eight (58) feet deep;

2. Minimum width shall be one-half ($\frac{1}{2}$) the height of the building but not less than twenty (20) feet;

3. Minimum Exterior Side Yard Depth

Minimum setback from the centre line of the flanking street shall be one-half ($\frac{1}{2}$) the height of the building, but in no case shall the yard be less than twenty (20) feet and the setback from the centre line be less than fifty-three (53) feet;

4. Minimum Rear Yard Depth

Minimum depth shall be one-half of the height of the building but not less than twenty-five (25) feet;

5. Maximum Building Height

No buildings within this Zone established by this By-law shall exceed four (4) storeys or forty (40) feet in height whichever is greater.

(d) Play Space for Apartments

Notwithstanding any other provision of this By-law, no person shall use land for or erect or use an apartment building unless he provides on the lot at least:

1. The following play space for children for each dwelling unit:

Bachelor unit.....	0	sq. ft.
1-bedroom.....	20	sq. ft.
2-bedroom.....	40	sq. ft.
3-bedroom or more.....	50	sq. ft.

Such play space shall be:

- a) Enclosed with a chain link or equivalent fence at least four (4) feet in height;
- b) Located at least fifteen (15) feet from the nearest wall of the building;
- c) Accessible to the building without the necessity of crossing a parking lot or driveway;
- d) In one location;
- e) In the rear or side yard;

e) Landscaping for Apartments

Notwithstanding any other provision of this By-law no person shall use land for or erect or use a building containing apartment dwelling units unless he provides on the lot:

- 1. A strip of land not less than five (5) feet wide for landscaping abutting on the rear lot line;
- 2. A strip of land not less than five (5) feet wide for landscaping abutting on the walls of the apartment dwelling where units on the ground floor have windows to habitable rooms which face onto either a driveway or a parking lot in the said yards;
- 3. A screen in the form of landscaping to a height of not less than five (5) feet adjacent to the side and rear lot lines within three years of the date of the issuance of the building permit for the said apartment dwelling.

PARKING REGULATIONS

(a) Automobile Parking Space

Minimum area: Two hundred (200) square feet;

Minimum length: Twenty (20) square feet;

Minimum width: Ten (10) feet.

(b) Aisle Space

Minimum width: Twenty-two (22) feet for 90 degrees to 60 degrees parking;

Minimum width: Eighteen (18) feet for 60 degrees to 45 degrees parking;

Minimum width: Twelve (12) feet for 45 degree or less parking, in which case access to such aisle shall be from one direction only.

PARKING REGULATIONS - Continued

(c)

TYPE OF BUILDING	MINIMUM PARKING REQUIRED
For each dwelling unit in a single family detached, semi-detached, duplex, triplex, double-duplex	One (1) space
For each dwelling unit in a multiple dwelling, maisonette, row-house, apartment building, or a building containing both commercial and residential uses.	One and one-quarter (1 1/4) spaces



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 137-77

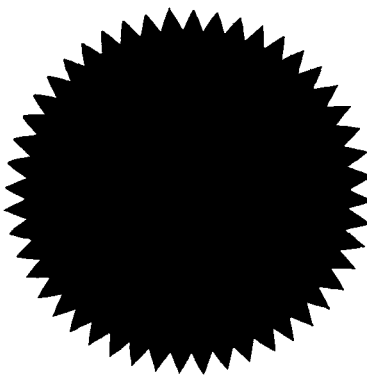
B E F O R E :

W.T. SHRIVES
Vice-Chairman

} Tuesday, the 31st day
} of October, 1978

THIS APPLICATION coming on for public hearing this
day at the City of North Bay and after the hearing
of the application;

THE BOARD ORDERS that By-law 137-77 is hereby approved.



K. Andrew

SECRETARY

ENTERED
O. B. No. <i>R-18-6</i>
Folio No. <i>167</i>
NOV 24 1978
<i>K. Andrew</i>
SECRETARY, ONTARIO MUNICIPAL BOARD