

**The Corporation of the City of North Bay
By-law 2014-107**

**A By-law to Amend Zoning By-law No. 2013-155
to rezone certain land on Scollard Street
from an "Institutional (N)" zone
to a "Residential Third Density (R3)" zone,
a "Residential Fifth Density Special Zone No. 139 (R5 Sp. 139)" and a
"Residential Multiple Second Density Special Zone No. 138 (RM2 Sp. 138)"
(1866409 Ontario Limited – 750 Scollard Street)**

Whereas Zoning By-law 2013-155 was enacted by Council of the City of North Bay on August 26, 2013 and was appealed to the Ontario Municipal Board;

And Whereas the Ontario Municipal Board held a hearing and issued decision on May 30, 2014 (PL131073, Decision #20140030) that approved Zoning By-law 2013-155 subject to an amendment to exempt the subject lands from Section 3.26.1 of the Zoning by-law 28-80;

And Whereas the Ontario Municipal Board decision directed Council to amend Zoning By-law 2013-155 in accordance with the decision;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

1) Section 1 of By-law No. 2013-155 is amended as follows:

- a. deleting the words "Residential Fifth Density (R5)" and replacing them with the words "Residential Fifth Density Special Zone No. 139 R5 Sp. 139)";
- b. deleting the words "Residential Multiple Second Density (RM2)" and replacing them with the words "Residential Multiple Second Density Special Zone No. 138 (RM2 Sp. 138)".

2) Section 2 of By-law No. 2013-155 is amended as follows:

- a. Deleting the words "Residential Fifth Density (R5)" and "Residential Multiple Second Density (RM2)"

- b. Adding at the end of Section 2 the following:

"2b) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following new sections:

11.2.138 "Residential Multiple Second Density Special No. 138 (RM2 Sp. 138)";

11.2.138.1 The property description of this "Residential Multiple Second Density Special No. 138 (RM2 Sp.138)" is Lot 456, 457, 458, 463 to 472, 483, 484, and 485, Plan 78 along Lavery Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-42";

- 11.2.138.2 The regulations for this "Residential Multiple Second Density Special No. 138 (RM2 Sp.138)" zone are as follows:
1. Section 3.26.1 regarding unobstructed parking spaces does not apply to the subject property.
- 11.2.138.3 The use of land or building in this "Residential Multiple Second Density Special No. 138 (RM2 Sp.138)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied."
- 11.2.139 "Residential Fifth Density Special Zone No. 139 (R5 Sp. 139)";
- 11.2.139.1 The property description of this "Residential Fifth Density Special Zone No. 139 (R5 Sp. 139)" is Lots 256 to 277, Part Lot 278, Lots 287 to 289, Plan 78 along Lavery Street and Vimy Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-42";
- 11.2.139.2 The regulations for this "Residential Fifth Density Special Zone No. 139 (R5 Sp. 139)" zone are as follows:
1. Section 3.26.1 regarding unobstructed parking spaces does not apply to the subject property.
 2. Section 3.37 regarding site plan control does not apply to the subject property.
- 11.2.139.3 The use of land or building in this "Residential Fifth Density Special Zone No. 139 (R5 Sp. 139)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

3) Delete Section 3 and replace it with the following:

- "3) No notice or appeal provisions apply to this By-law as it results from an order of the Ontario Municipal Board under the powers of Section 34 (26)(b) of the *Planning Act*, R.S.O 1990, as amended."

Read a First Time in Open Council the 22nd day of September 2014.

Read a Second Time in open council the 22nd day of September 2014.

Read a Third Time and Passed this 22nd day of September 2014.

Mayor Allan McDonald

City Clerk Catherine Conrad

SIRE/C01/ ZBL #2014-107 / 750 SCOLLARD STREET

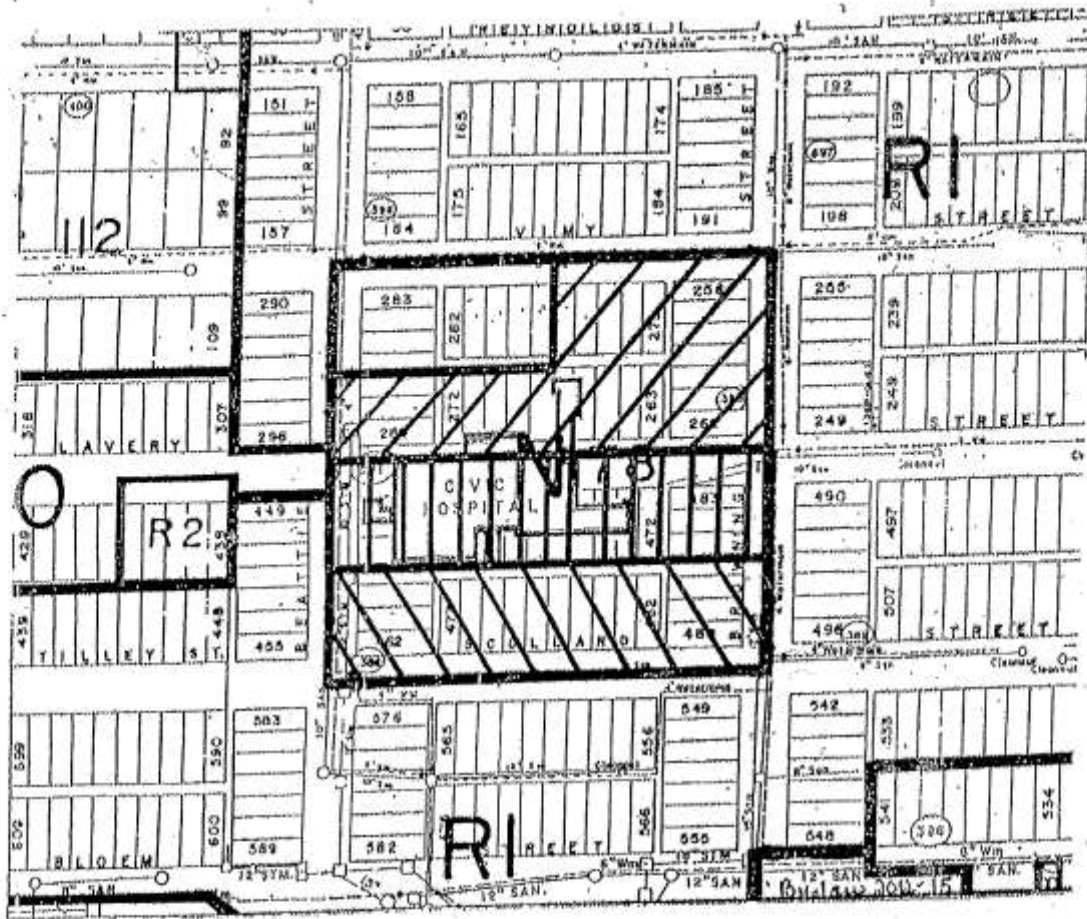
This is Schedule "A"


To By-law No. 2014-107


Passed the 22nd day of September 2014


Mayor Allan McDonald

City Clerk Catherine Conrad



 Proposed Zoning By-law Amendment
From: "Institutional (N)"
To: "Residential Fifth Density Special Zone
No. 139 (R5 Sp. 139)"

 Proposed Zoning By-law Amendment
From: "Institutional (N)"
To: "Residential Multiple Second Density Special Zone
No. 138 (RM2 Sp. 138)"

 Proposed Zoning By-law Amendment
From: "Institutional (N)"
To: "Residential Third Density (R3)"

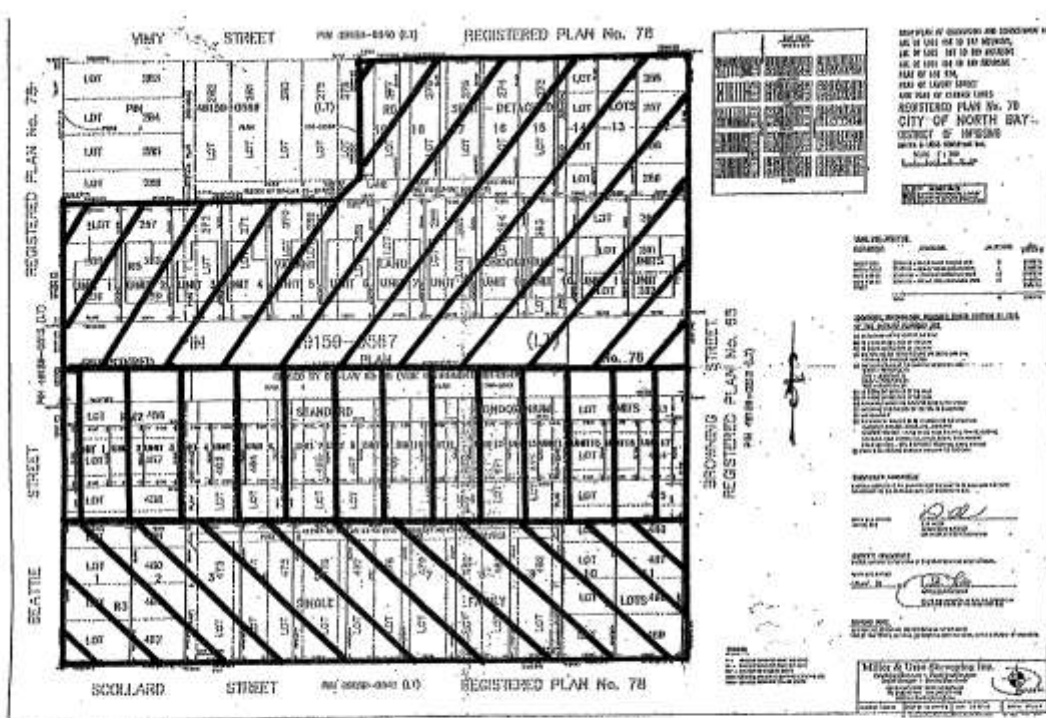
This is Schedule "B"


To By-law No. 2014-107


Passed the 22nd day of September 2014


Mayor Allan McDonald

City Clerk Catherine Conrad



 Proposed Zoning By-law Amendment
From: "Institutional (N)"
To: "Residential Fifth Density Special Zone
No. 139 (R5 Sp. 139)"

 Proposed Zoning By-law Amendment
From: "Institutional (N)"
To: "Residential Multiple Second Density Special Zone
No. 138 (RM2 Sp. 138)"

 Proposed Zoning By-law Amendment
From: "Institutional (N)"
To: "Residential Third Density (R3)"