

The Corporation of the City of North Bay

By-Law No. 2017-79

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on McKeown Avenue from a “Residential Second Density (R2)” Zone to a “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” Zone

1378697 Ontario Ltd. – McKeown Avenue

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 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-44” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Committee Report 2017-18 adopted by Council on November 28, 2017 by resolution number 2017-413 to approve this rezoning;

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

- 1) Schedule “B-44” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49132-0322 (LT) PCL Block-3 SEC 36M290; PT BLK A PL M290 Widdifield; PT LT 19 CON B Widdifield PT 1, 2, 3, 4 & 5, NR189 Except PT A & B, NR 457; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “Residential Second Density (R2)” zone to a “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.1.127:

"11.1.127 “Residential Multiple Second Density Special No. 127 (RM2

Sp.127)”

- 11.1.127.1 The property description of this “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” is PIN 49132-0322 (LT) PCL Block-3 SEC 36M290; PT BLK A PL M290 Widdifield; PT LT 19 CON B Widdifield PT 1, 2, 3, 4 & 5, NR189 Except PT A & B, NR 457; North Bay; District of Nipissing along McKeown Avenue as shown on the attached Schedule and on Schedule "B-44".
- 11.1.127.2 The regulations for this “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” are as follows:
- i) Minimum Interior Side Yard Setback of 1.18 metres
- 11.1.127.3 The use of land or building in this “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” shall conform to all other regulations of this By-law, except as hereby expressly varied."
- 4) Section 11 of By-law No. 2015-30 is further amended by inserting “Residential Multiple Second Density Special No. 127 (RM2 Sp.127)” as shown on Schedule "B" to this By-law.
- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out the objection to the By-law and the reasons in support of the objection, and shall be accompanied by the fee prescribed under the *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 4 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 4 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section

34 of the *Planning Act*, 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 28th Day of November 2017.

Read a Second Time in Open Council the 28th Day of November 2017.

Read a Third Time in Open Council and Passed this 28th Day of November 2017.

Mayor, Allan McDonald

City Clerk Karen McIsaac

Sire/C01/ By-law No. 2017-79 – ZBLA File #896 – 1823 McKeown Avenue – 1378697 Ontario Ltd. - Zoning By-law Amendment

Schedule A

This is Schedule "A"
To By-law No. 2017-79

Passed the 28th day of November, 2017

Mayor Allan McDonald

City Clerk Karen McIsaac



Schedule B

This is Schedule "B"
To By-law No. 2017-79

Passed the 28th Day of November, 2017

Mayor Allan McDonald

City Clerk Karen Mclsaac

