

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 132-79

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
THERE TO.

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,
being Lots 1 to 146 inclusive, Plan M-178 and Parcels 11176
Nipissing and 11231 Nipissing, from an "Industrial District M.2"
and a "General Commercial District C.3" as indicated on said Schedule
"A", to a "Residential First Density Special Zone 6-79
(R1S 6-79)", "Residential Third Density Special Zone 6-79
(R3S 6-79)", "Residential Multiple Third Density Special
Zone 6-79 (RM3S 6-79)" and an "Open Space
Special Zone 6-79 (OS 6-79)" 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.

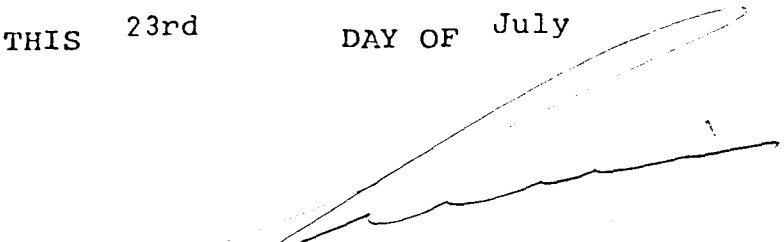
- (b) Dwelling, Duplex shall mean a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- (c) Dwelling, Semi-Detached shall mean a building that is divided vertically into two dwelling units each of which 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 six (6) metres 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 buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, any balcony at least one and five-tenths (1.5) metres 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. No building, structure or land shall be used, erected or altered or caused to be erected or altered in such "Residential First Density Special Zone 6-79 (R1S 6-79)", "Residential Third Density Special Zone 6-79 (R3S 6-79)", "Residential Multiple Third Density Special Zone 6-79 (RM3S 6-79)" and "Open Space Special Zone 6-79 (OS S 6-79)" unless such building, structure or land conforms to the permitted

uses and regulations set forth in Schedule "C" attached hereto and forming part hereof.

4. All buildings and structures erected or altered in such "Residential First Density Special Zone 6-79 (R1S 6-79)", "Residential Third Density Special Zone 6-79 (R3S 6-79)", "Residential Multiple Third Density Special Zone 6-79 (RM3S 6-79)" and "Open Space Special Zone 6-79 (OS S 6-79)" hereby established shall conform to all other applicable provision of Zoning By-law No. 1097, except as hereby expressly varied.
5. 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 9th DAY OF July 1979
READ A SECOND TIME IN OPEN COUNCIL THIS 23rd DAY OF July 1979
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
THIS 23rd DAY OF July 1979.


MAYOR


CLERK

This is Schedule " A "

To By-law No. 132-79

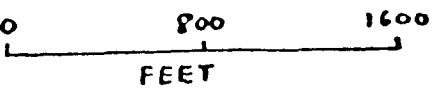
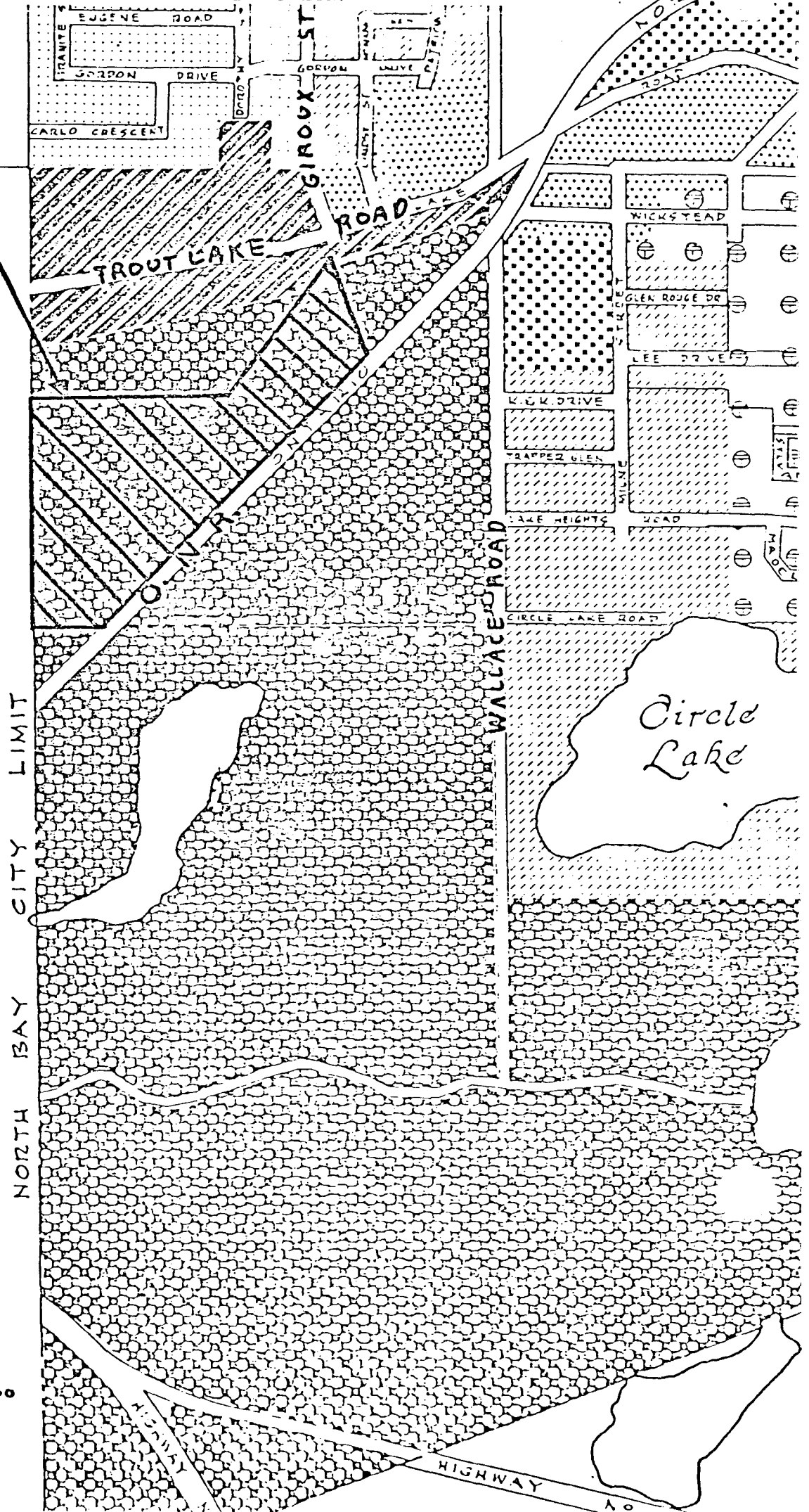
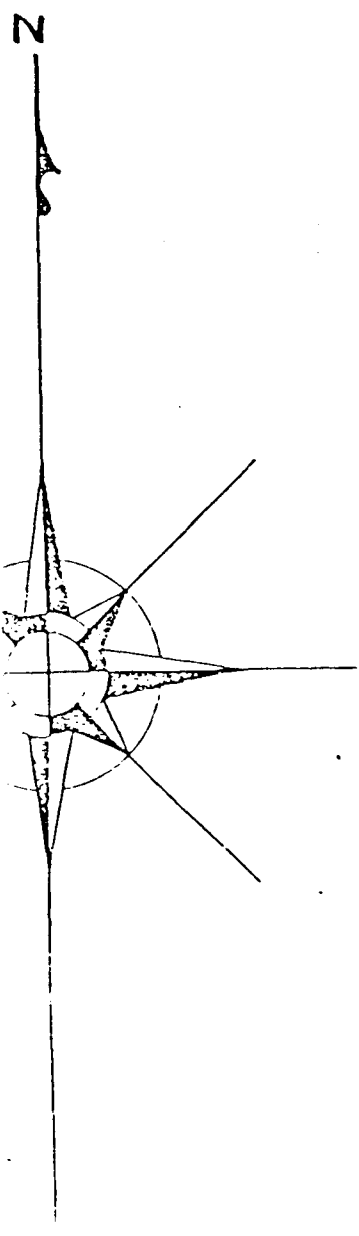
Passed the 23rd day of July, 19 79 .





MAYOR

R. Banton

CITY CLERK

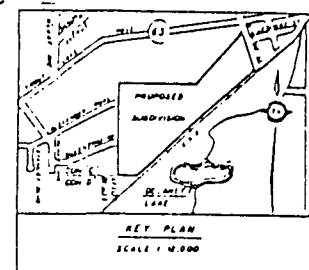
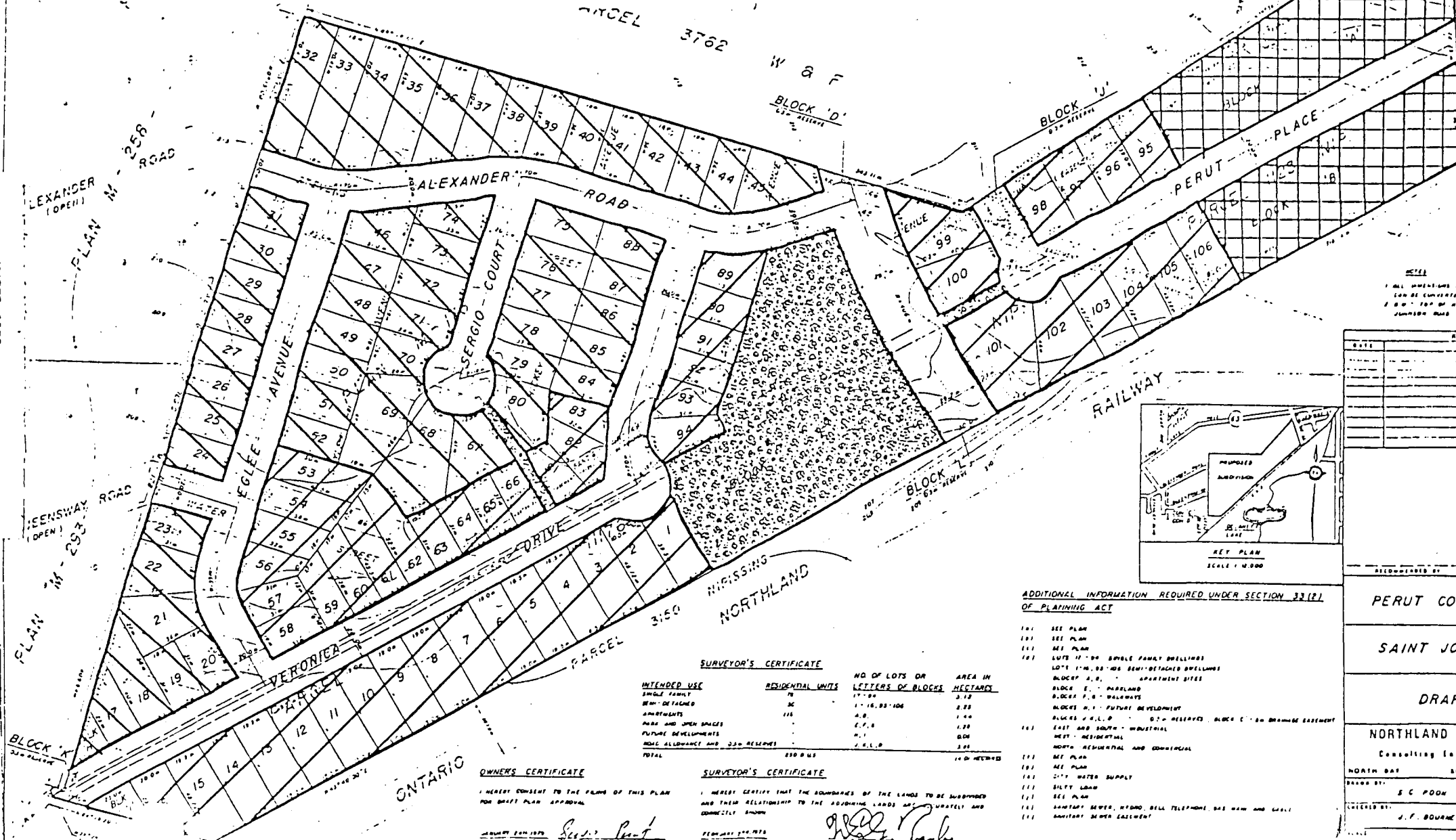
SUBJECT PROPERTY



-  FROM "INDUSTRIAL DISTRICT M.2" TO "RESIDENTIAL FIRST DENSITY SPECIAL ZONE — R1S —"
-  FROM "INDUSTRIAL DISTRICT M.2" TO "RESIDENTIAL THIRD DENSITY SPECIAL ZONE — R3S —"
-  FROM "INDUSTRIAL DISTRICT M.2" AND "GENERAL COMMERCIAL DISTRICT C3" TO "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE — RM3S —"
-  FROM "INDUSTRIAL DISTRICT M.2" TO "OPEN SPACE SPECIAL ZONE — OS1 —"

OF PROPOSED SUBDIVISION OF
PART OF REGISTERED PLAN M - 178 AND
PART OF S 1/2 OF LOT 17, CONCESSION 'C'
TOWNSHIP OF WIDDIFIELD
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPISSING

SCALE 1:1000



SURVEYOR'S CERTIFICATE

INTENDED USE	RESIDENTIAL UNITS	NO. OF LOTS OR LETTERS OF BLOCKS	AREA IN HECTARES
SINGLE FAMILY	76	17-04	2.12
SEMI-DETACHED	36	17-16, 23-106	2.22
APARTMENTS	116	A.B.	1.44
PARK AND OPEN SPACES		E.P.S.	1.22
FUTURE DEVELOPMENTS		M.1	0.24
ROAD ALLOWANCE AND 33.3% RESERVE		F.A.L.D.	2.01
TOTAL	224 UNITS	17-04	11.05 HECTARES

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE PLANS OF THIS PLAN FOR DRAFT PLAN APPROVAL.
JANUARY 20th 1979
NORTH BAY, ONT.
[Signature]
PERUT CONSTRUCTION LTD.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJOINING LANDS ARE CORRECTLY AND ACCURATELY SHOWN.
FEBRUARY 20th 1979
NORTH BAY, ONT.
[Signature]
ONTIAND LAND SURVEYOR

- ADDITIONAL INFORMATION REQUIRED UNDER SECTION 33(2) OF PLANNING ACT**
- 101. SEE PLAN
 - 102. SEE PLAN
 - 103. SEE PLAN
 - 104. SEE PLAN
 - 105. LOTS 17-04 - SINGLE FAMILY DWELLINGS
 - 106. LOTS 17-16, 23-106 - SEMI-DETACHED DWELLINGS
 - 107. BLOCKS A.B. - APARTMENT SITES
 - 108. BLOCK E - PARKLAND
 - 109. BLOCK F.B. - BALCONIES
 - 110. BLOCKS M.1 - FUTURE DEVELOPMENT
 - 111. BLOCKS F.A.L.D. - D.I. - RESERVED - BLOCK C - ON DRAINAGE EASEMENT
 - 112. EAST AND SOUTH - INDUSTRIAL
 - 113. WEST - RESIDENTIAL
 - 114. NORTH - RESIDENTIAL AND COMMERCIAL
 - 115. SEE PLAN
 - 116. SEE PLAN
 - 117. CITY WATER SUPPLY
 - 118. CITY SEWER
 - 119. SEE PLAN
 - 120. SANITARY SEWER, WIND, BELL TELEPHONE GAS MAIN AND CABLE
 - 121. SANITARY SEWER EASEMENT

DATE	
APPROVED BY	PERUT CON
	SAINT JOI
	DRAF
	NORTHLAND E
CONSULTING ENG.	
NORTH BAY	SUC
DRAWN BY	S C POON
CHECKED BY	J. F. BOURNE
	AS NOTED

TO BY-LAW NO. 132-79
Passed the 23rd day of July 1979.
[Signature]
CITY CLERK

1. All buildings, structures or uses of land within the area governed by By-law No. 132-79 shall conform to the Permitted Uses and Regulations for each Zone Designation as set out in this Schedule.

A. "RESIDENTIAL FIRST DENSITY SPECIAL ZONE 6-79 (R1S 6-79)

1) Permitted Uses

a) Residential:

Single-family detached dwellings.

b) Business:

Office use when part of the Practitioner's own home.

c) Recreational:

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

d) Institutional:

Private schools other than trade schools, churches, day nurseries licensed under and operated in accordance with The Day Nurseries Act 1966 and regulations made thereunder in a church hall or in a school building within the terms of The Schools Administration Act and in a single family detached dwelling where the number of children accommodated at any one time is less than twenty (20).

2) Regulations:

a) Single Family Detached Dwelling:

Min. Lot Area	Min. Lot Frontage	Min. Floor Area	Max. Lot Coverage
548 Sq. Metres	18 metres	1 Storey & Split Level - 93 Sq. Metres	30%
		1-1/2 Storey - 120 Sq. Metres	
		2 Storey - 130 Sq. Metres	

b) Minimum Front Yard Depth:

Minimum of six (6) Metres;

c) Minimum Rear Yard Depth:

Minimum of ten and five-tenths (10.5) metres, except

be not less than seven and six-tenths (7.6) metres.

d) Minimum Side Yard Depth:

Minimum of one and two-tenths (1.2) metres for a one-storey dwelling and an additional six-tenths (.6) metres 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 three (3) metres;

An exterior side yard of a corner lot shall be not less than three (3) metres;

In the case of a corner lot, no garage shall be located closer than six (6) metres to the street line and no portion of any driveway shall be located closer than nine (9) metres 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 with another street line or its projection;

The minimum side yard width on the side of a lot abutting a one-foot reserve shall be six (6) metres.

B. "RESIDENTIAL THIRD DENSITY SPECIAL ZONE 6-79 (R3S 6-79)"

i) Permitted Uses:

a) Residential

Single-family detached, semi-detached and duplex dwellings;

b) Business

Office use when part of the Practitioner's own home;

c) Recreational

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

d) Institutional

Private schools other than trade schools, churches, day nurseries licensed under and operated in accordance with The Day Nurseries Act 1966 and regulations made thereunder in a church hall or in a school building within the terms of The Schools Administration Act and in a single-family detached dwelling where the number of children accommodated

i) Regulations

(a)

DWELLING TYPE	MIN. LOT AREA PER DWELLING UNIT IN SQ.METRES	MIN. LOT FRONTAGE IN METRES	MIN.FLOOR AREA PER DWELLING UNIT IN SQ. METRES	MAX.LOT COVERAGE
Single-family detached	417	13.7	1 Storey & split level: 79 1-1/2 storey: 102 2 Storey: 102	30
Semi-Detached	278	9 per dwelling unit	1 Storey & split level: 79 1-1/2 storey: 102	35%
	371	12 if corner lot		
Duplex	278	9 per dwelling unit	79	35%

(b)

Minimum Front Yard Depth

Six (6) metres.

(c)

Minimum Side Yard Depth

One and two-tenths (1.2) metres for one (1) storey building and an additional six-tenths (.6) metre 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 three (3) metres;

The width of an exterior side yard shall not be less than three (3) metres except in the case of a corner lot, no garage shall be located closer than six (6) metres to the street line and no portion of any driveway shall be located closer than nine (9) metres to the intersection of any two streets measured along the street line and its projection to the intersection of such streets;

The width of a side yard on the side of a lot abutting a one-foot reserve shall not be less than six (6) metres;

(d)

Minimum Rear Yard Depth

Ten and five-tenths (10.5) metres, except in the case of a corner lot where the rear yard shall be not less than seven and six-tenths (7.6) metres.

In the case of a lot which abuts a railway right-of-way, the rear yard shall not be less than twenty-two and eight-tenths (22.8) metres.

C. "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE 6-79 (RM3S 6-79)"

i) Permitted 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) Institutional

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 METRES	MIN. FLOOR AREA PER DWELLING UNIT IN SQUARE METRES	MIN. USABLE OPEN SPACE % OF GROSS FLOOR AREA
Apartment	75	30	Bachelor 32.5 1-Bedroom 51 2-Bedroom 62.5 3-Bedroom 74 4-Bedroom 83.6	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 four hundred and sixty-four (464) square metres.

(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 (1/2) of the height of the building, but in no case shall the front yard be less than seven and six-tenths (7.6) metres deep and the setback from the centre line be less than seventeen and seven-tenths (17.7) metres deep;

2. Minimum Side Yard Depth

Minimum width shall be one-half (1/2) the height of the building but not less than six (6) metres.

3. Minimum Exterior Side Yard Depth

Minimum setback from the centre line of the flanking street shall be one-half (1/2) the height of the building, but in no case shall the yard be less than six (6) metres and the setback from the centre line be less than sixteen and two-tenths (16.2) metres.

4. Minimum Rear Yard Depth

Minimum depth shall be one-half the height of the building but no less than seven and six-tenths (7.6) metres.

In the case of a site that abuts a railway right-of-way, the rear yard shall not be less than twenty-two and eight-tenths (22.8) metres.

5. Maximum Building Height

No buildings within this Zone established by this By-law shall exceed four (4) stories or twelve (12) metres 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. metre
1-Bedroom.....	1.9 sq. metres
2-Bedroom.....	3.7 sq. metres

3-bedroom or more.... 4.6 sq. metres

Such play space shall be:

- a) Enclosed with a chain link or equivalent fence at least one and two-tenths (1.2) metres in height;
 - b) Located at least four and five-tenths (4.5) metres 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 one and five-tenths (1.5) metres wide for landscaping abutting on the rear lot line;
2. A strip of land not less than one and five-tenths (1.5) metres wide for landscaping abutting on the walls of the apartment dwelling where units on the ground floor have windows to habitable rooms which face on to 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 one and five-tenths (1.5) metres 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: Eighteen (18) square metres;

Minimum Length: Six (6) metres;

Minimum Width: Three (3) metres.

(b) Aisle Space

Minimum Width: Six and seven-tenths (6.7) metres for 90° to 60° parking;

Minimum Width: Five and four-tenths (5.4) metres for 60° to 45° parking;

Minimum Width: Three and six-tenths (3.6) metres for 45° or less parking, in which case access to such aisle shall be from one direction only.

(c)

TYPE OF BUILDING	MIN. 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 an apartment building	One and one-quarter (1-1/4) spaces.

D. "OPEN SPACE SPECIAL ZONE 6-79 (OS S 6-79)"

1) Permitted Uses

a) Recreational

Local, district and regional parks, conservation areas, playgrounds, swimming pools, community centres, arenas, ball parks, non-profit-making organizations;

2) Regulations

a) Yards

The depth of the front, side and rear yards shall be a

minimum of seven and six-tenths (7.6) metres
from the lot line to the nearest main wall of
any building.

b) Coverage

The maximum area of the lot that may be covered
by buildings or structures shall be ten (10)
percent.



R 793437

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 132-79

B E F O R E :

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

- and -

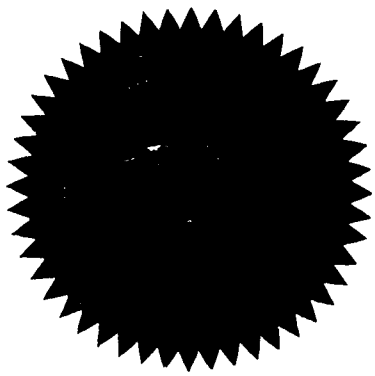
W.L. BLAIR
Member

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Wednesday, the 24th day
of September, 1980

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 132-79 is
hereby approved.



SECRETARY

ENTERED	
O. B. No.	R79-10
Folio No.	120
SEP 25 1980	
SECRETARY, ONTARIO MUNICIPAL BOARD	