

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2005-23

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON KINGSWAY AVENUE
FROM A “RESIDENTIAL HOLDING (RH)” ZONE TO A
“RESIDENTIAL THIRD DENSITY SPECIAL ZONE NO. 96 (R3 SP.96)”
(1381408 ONTARIO INC. – KINGSWAY 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 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 zoning designation shown on Schedules “B-44” and “B-52” of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on February 14, 2005 to approve this rezoning.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1) Schedules “B-44” and “B-52” 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 Concession D, N ½ Lot 18, and Pt. Lot 17, Pt. Plan M-189, Plan 36R-5102, Pt. 2, Plan 36R-5840, Pts. 1, 2, 3, 4, 5, 6, 7, and 9, Plan 36R-11377, Pts. 1, 2, 3, and 4, Parcel 16054 W&F, Parcel 29364 Nip., Parcel 18454 W&F, and Remainder of Pcl. 15459 W&F) along Kingsway Avenue in the City of North Bay from a “Residential Holding (RH)” zone to a “Residential Third Density Special Zone No. 96 (R3 Sp. 96)”.

2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.96:

"11.2.96 “Residential Third Density Special Zone No. 96 (R3 Sp.96)”

11.2.96.1 The property description of this “Residential Third Density Special Zone No. 96 (R3 Sp.96)” is Part Concession D, N ½ Lot 18, and Pt. Lot 17, Pt. Plan M-189, Plan 36R-5102, Pt. 2, Plan 36R-5840, Pts. 1, 2, 3, 4, 5, 6, 7, and 9, Plan 36R-11377, Pts. 1, 2, 3, and 4, Parcel 16054 W&F, Parcel 29364 Nip., Parcel 18454 W&F, and Remainder of Pcl. 15459 W&F along Kingsway Avenue in the City of North Bay as shown on the attached Schedule and on Schedules "B-44” and “B-52”.

11.2.96.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Residential Third Density Special Zone No. 96 (R3 Sp.96)” except or the following uses:

- single detached dwellings;
- semi-detached dwellings;
- duplex dwellings;
- parks, playgrounds and non-profit uses; and
- accessory home based businesses.

11.2.96.3 The use of land or building in this "Residential Third Density Special Zone No. 96 (R3 Sp.96)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Residential Third Density Special Zone No. 96 (R3 Sp.96)" as shown on Schedule "B" to this By-law.
- 4)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 199/96, as amended.
 - 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 14TH DAY OF FEBRUARY 2005.

READ A SECOND TIME NI OPEN COUNCIL THE 14TH DAY OF FEBRUARY 2005.

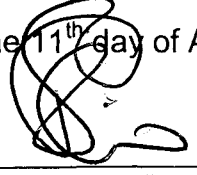
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 11TH DAY OF APRIL 2005.



DEPUTY MAYOR

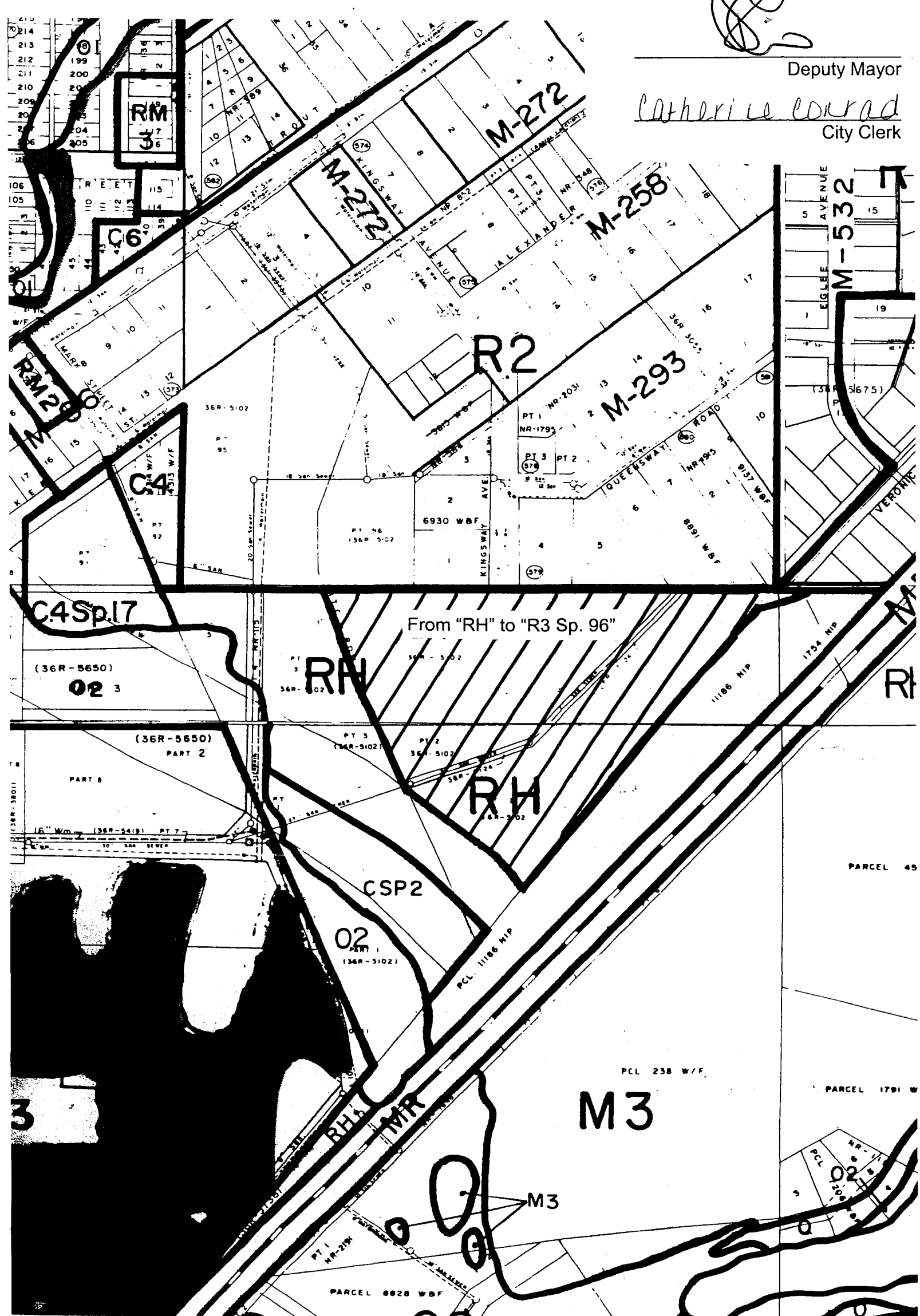
Catherine Conrad
CITY CLERK

This is Schedule "A"
To By-Law No. 2005-23
Passed the 11th day of April 2005.



Deputy Mayor

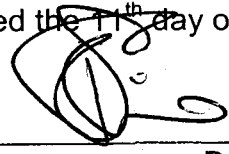
Catherine Conrad
City Clerk



This is Schedule "B"

To By-Law No. 2005-23

Passed the 11th day of April 2005.



Deputy Mayor

Catherine Conrad

City Clerk

This is schedule to "Residential Third Density Special Zone No.96 (R3 Sp.96)"

