

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2004-144**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO AMEND THE  
"RESIDENTIAL MULTIPLE FOURTH DENSITY  
SPECIAL ZONE NO. 62 (RM4SP.62)" AND TO REZONE ADDITIONAL  
LANDS ON LANSDOWNE AVENUE FROM "RESIDENTIAL THIRD DENSITY (R3)"  
TO A "RESIDENTIAL MULTIPLE FOURTH DENSITY  
SPECIAL ZONE NO. 62 (RM4SP.62)"  
(STEFANO MARMINA – LANSDOWNE 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** the Council intends to repeal By-law 12-93.

**AND WHEREAS** it is deemed desirable to amend the zoning designation shown on Schedule "B-43" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended to include additional lands.

**AND WHEREAS** Council passed a resolution on August 23, 2004 to approve this rezoning.

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

- 1) Schedule "B-43" of By-law No. 28-80 is amended by changing the zoning designation of the lands shown on Schedules "A" and "B" attached hereto (which property is more particularly described as Lot 742, Plan M-177) along Lansdowne Avenue in the City of North Bay from a "Residential Third Density (R3)" zone to a "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)".
- 2) Section 11 of By-Law 28-80 is amended by replacing the existing "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)" with the following:
  - "11.2.62 Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62).
  - 11.2.62.1 The property description of this "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)" is Plan M-177, Lots 742 to 746 (inclusive), and the abutting closed laneway (Plan 36R-9240, Parts 1 and 2 ) along Lansdowne Avenue in the City of North Bay as shown on the attached Schedule and on Schedule "B-43".

11.2.62.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)" except for the following uses:

- maximum twelve (12) dwelling unit, three storey apartment.

11.2.62.2(b) The regulations for this "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)" are as follows:

- i) The minimum parking spaces provided shall be not less than sixteen (16);
- ii) The minimum front yard setback shall be not less than five (5.0) metres;
- iii) The minimum usable open space shall not be less than 10% of gross lot area;
- iv) The minimum required play space shall be twenty-five (25) square metres;
- v) Twelve (12) of the required sixteen (16) parking spaces shall be not less than 2.5 metres in width and 5.4 metres in length;
- vi) The required landscaped area adjacent to the main building shall be nil;
- vii) Not less than fourteen (14) percent of the usable open space required shall be located on one place on the lot;
- viii) The play space shall be separated from the main building by a driveway; and
- ix) The play space shall be enclosed with a fence not less than one and eighth-tenths (1.8) metres in height where the play space abuts a property line.

11.2.62.3 The use of land or building in this "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

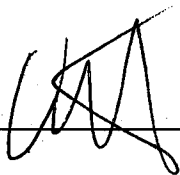
- 3) Section 11 of By-law No. 28-80 is further amended by replacing the existing "Residential Multiple Fourth Density Special Zone No. 62 (RM4Sp.62)" schedule as shown on Schedule "C" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedules "A" and "B" attached hereto are hereby designated as a site plan control area.

- 5) 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 7TH DAY OF SEPTEMBER 2004.**

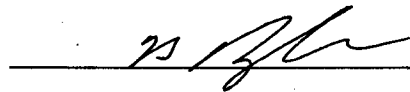
**READ A SECOND TIME IN OPEN COUNCIL THE 7TH DAY OF SEPTEMBER 2004.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 7TH DAY  
OF SEPTEMBER 2004.**



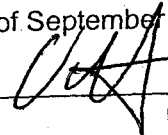
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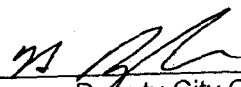
**MAYOR**



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**DEPUTY CITY CLERK**

  
Mayor

  
Deputy City Clerk



SCHEDULE "B"

To By-law No. 2004-144

Passed on the 7<sup>th</sup> day of September 2004

*[Signature]*

Mayor

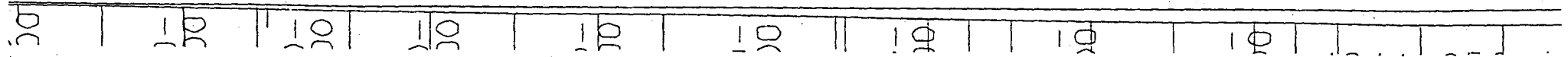
*[Signature]*

Deputy City Clerk

# HITCHESON

M177 729																				
M177 730																				
M177 731																				
M177 732	M177 728	M177 727	M177 726	M177 725	M177 724	M177 723	M177 722	M177 721	M177 720	M177 719	M177 718	M177 717								
M177 733	M177 735	M177 737	M177 738	M177 739	M177 740	M177 741	M177 742	M177 743	M177 744	M177 745	M177 746	M177 747								
M177 734																				
M177 735																				

# LANSDOWNE



From "R3" to "RM4 Sp. 62"



To Remain "RM4 Sp. 62"



M177  
714

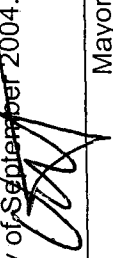
M177C  
715

O'BRIEN STREET

SCHEDULE "C"

To By-law No. 2004-144

Passed on the 7<sup>th</sup> day of September 2004.

 Mayor

 Deputy City Clerk

This is Schedule to "Residential Multiple Fourth Density Special Zone No. 62 (RM4 Sp. 62)"

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HUTCHESON

MACLEOD

M177 729																			M177 709
M177 730																			M177 710
M177 731																			M177 711
M177 732	M177 728	M177 727	M177 726	M177 725	M177 724	M177 723	M177 722	M177 721	M177 720	M177 719	M177 718	M177 717	M177 716						M177 712
M177 733	M177 736	M177 737	M177 738	M177 739	M177 740	M177 741	M177 742	M177 743	M177 744	M177 745	M177 746	M177 747	M177 748						M177 713
M177 734																			M177 714
M177 735																			M177 715

LANSDOWNE

O'BRIEN

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