

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 6-79

BEING A BY-LAW TO AMEND BY-LAW NO. 1097
OF THE FORMER TOWNSHIP OF WIDDIFIELD PUR-
SUANT TO SECTION 35 OF THE PLANNING ACT,
R.S.O. 1970, CHAPTER 349, AND AMENDMENTS
THERE TO.

WHEREAS upon the request of the property owner concerned, and
with the approval of the local Planning Board, it is considered advisable
to amend By-law No. 1097 of the former Township of Widdifield to provide
for a change in the zone designation 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 which forms part of said By-law No. 1097 is amended
by changing the zoning designation of the land shown on that part of
said Zoning Map set out in Schedule "A" attached hereto and forming
part hereof, being Lots 1, 2, 3, 4, 5, 6 and 51 of Plan M-235 from
"Neighbourhood Shopping Center District (C.1)" to "Residential First
Density Special Zone 16-78 (R1S 16-78)", "Residential Third Density
Special Zone 16-78 (R3S 16-78)", and "Neighbourhood Commercial
Special Zone 16-78 (NCS 16-78)", as shown on Schedule "B" attached
hereto and forming part hereof.
2. (A) All buildings or structures erected or altered, and the use of
land in such "Residential First Density Special Zone 16-78
(R1S 16-78)", "Residential Third Density Special Zone 16-78
(R3S 16-78)", and "Neighbourhood Commercial Special Zone 16-78
(NCS 16-78)" shall conform to the uses and regulations herein-
after set forth:

"RESIDENTIAL FIRST DENSITY SPECIAL ZONE 16-78 (R1S 16-78)"

- (B) (1) Permitted Uses in this "Residential First Density Special
Zone 16-78 (R1S 16-78)" are:

(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 of use in this "Residential First Density Special Zone 16-78 (R1S 16-78)" are as set forth in this subsection and the following Table (a):

TABLE (a)

DWELLING TYPE	MIN. LOT AREA PER DWELLING UNIT IN SQUARE METRES	MIN. LOT FRONTAGE IN METRES	MIN. FLOOR AREA PER DWELLING UNIT IN SQUARE METRES	MAX. LOT COVERAGE
Single-Family Detached	1,000	18	1 storey and split level; 79 1 1/2 storey 102 2 storey 102	25%

(b) Minimum Front Yard Depth is Seven and Six-Tenths (7.6) metres

(c) Minimum Side Yard Depths are:

(i) One and two-tenths (1.2) metres for one (1) storey building and an additional six-tenths (.6) metres for each additional storey or part thereof;

(ii) 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

(c) Minimum Side Yard Depth (continued)

(iii) 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 street line or its projection;

(d) Minimum Rear Yard Depth shall be Thirty (30) 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.

"RESIDENTIAL THIRD DENSITY SPECIAL ZONE 16-78 (R3S 16-78)"

(C) (1) Permitted uses in this "Residential Third Density Special Zone 16-78 (R3S) 16-78)" are:

(a) Residential

Semi-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 of use in this "Residential Third Density Special Zone 16-78 (R3S 16-78)" are as set forth in this subsection and the following Table (a):

TABLE (a)				
NG	MIN. LOT AREA PER DWELLING UNIT IN SQUARE METRES	MIN. LOT FRONTAGE PER DWELLING UNIT IN METRES	MIN. FLOOR AREA PER DWELLING UNIT IN SQUARE METRES	MAX. LOT COVERAGE
mi- tached	500	9 metres	1 storey & split level; 79	30%

(b) Minimum Front Yard Depth is Seven and six-tenths (7.6) metres.

(c) Minimum Side Yard Depths are:

(i) 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;

(ii) 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;

(iii) 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 street line or its projection;

(d) Minimum Rear Yard Depth shall be Thirty (30) metres.

"NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE 16-78 (NCS 16-78 "

(D) (1) Permitted uses in this "Neighbourhood Commercial Special Zone 16-78 (NCS 16-78)" are:

(a) Commercial

Offices

Public and Private Parking Area

Retail Trade, within an enclosed building

Service Establishment that is not obnoxious

(b) Residential

Dwelling Units connected to and forming an integral part of the commercial building, provided that access to the dwelling units is separate from the access to the commercial portion of the building, and the dwelling units are located above or at the rear of business premises.

(2) Regulations of use in this "Neighbourhood Commercial Special Zone 16-78 (NCS 16-78)" are:

Vehicular Storage:

(a) In a Neighbourhood Commercial Special Zone 16-78 (NCS 16-78) any person who conducts a commercial undertaking for which commercial vehicles are stored on the premises shall provide in such a zone an area on the property for the exclusive storage of such vehicles and the said storage area shall be screened by a hedge not less than one and eight-tenths (1.8) metres in height, located in such a manner as to screen the said storage area from the surrounding residential properties.

Ownership

(b) Any lands in a Neighbourhood Commercial Special Zone 16-78 (NCS 16-78) shall be in one ownership, or, if in several ownerships, all owners shall individually and jointly comply with the provisions set forth herein.

Lot Coverage

(c) Maximum twenty-five (25) percent.

Front Yard

(d) The setback from the front lot line shall be a

Side Yard:

- (e) (1) Where a side lot line abuts a Residential Zone, the setback from the said side lot line shall be a minimum of four and five-tenths (4.5) metres.
- (2) Where a side lot line abuts a street, the setback from the said side lot line shall be a minimum of three (3) metres.
- (3) Where the building contains residential accommodation of one or more storeys in height, and the windows of habitable rooms face the side lot line, the nearest main wall of the residential portion of the building shall be no less than one-half (1/2) the height of the residential portion of the building from the side lot line, but not less than six (6) metres.

Rear Yard:

- (f) (1) Where the rear lot line abuts a Residential Zone, the setback from the said rear lot line shall be a minimum of fifteen (15) metres.
- (2) Where the building contains residential accommodation of one or more storeys in height, the nearest main wall of the residential portion of the building shall be no less than twenty-four (24) metres from the rear lot line.

Residential Regulations:

- (g) (1) Regulations of Residential Uses in this "Neighbourhood Commercial Special Zone 16-78 (NCS16-78"

DWELLING TYPE	MAX. GROSS FLOOR AREA - % OF LOT AREA	MIN. FLOOR AREA PER DWELLING UNIT IN SQ. METRES	MIN. USABLE OPEN SPACE % OF GROSS FLOOR AREA
Apartment	75%	Bachelor 32.5 1 Bedroom 51 2 Bedroom 62.5 3 Bedroom 74 4 Bedroom 83.6	50%

(1) Not less than fifty percent (50%) of the usable open space required under Section C.2 (g) of this Schedule shall be located in one place on the lot up to a maximum of five hundred (500) square metres.

Parking Regulations

(h) (1) Automobile Parking Space

Minimum Area: Eighteen (18) square metres

Minimum Length: Six (6) Metres

Minimum Width: Three (3) Metres

(2) Aisle Space

Minimum Width

Six and seven-tenth (6.7) metres for 90° to 60° parking;

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

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.

(3) Minimum Parking Requirements in this Neighbourhood Commercial Special Zone 16-78 (NCS 16-78) are as follows:

TYPE OF BUILDING	MINIMUM PARKING REQUIRED
each dwelling unit in a single family detached, semi-detached, duplex, triplex, double-duplex	One (1) Parking Space
each dwelling unit in a multiple dwelling, maisonette, row-house, apartment building or a building containing both Commercial and Residential Uses	One and one-quarter (1 1/4) Parking Spaces
each Commercial use in a Neighbourhood Commercial Zone	One (1) Parking Space for each eighteen (18) square metres of Commercial Use

3. All buildings and structures erected or altered in such "Residential First Density Special Zone 16-78 (R1S 16-78)", "Residential Third Density Special Zone 16-78 (R3S 16-78)" and "Neighbourhood Commercial Special Zone 16-78 (NCS 16-78)" hereby established shall conform to all other applicable provisions of By-law #1097 except as hereby expressly varied.
4. 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 3rd DAY OF JANUARY ,1979
READ A SECOND TIME IN OPEN COUNCIL THIS 15th DAY OF JANUARY ,1979
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
THIS 15th DAY OF JANUARY , 1979.



MAYOR



CLERK

is Schedule " A "

-law No. 6-79

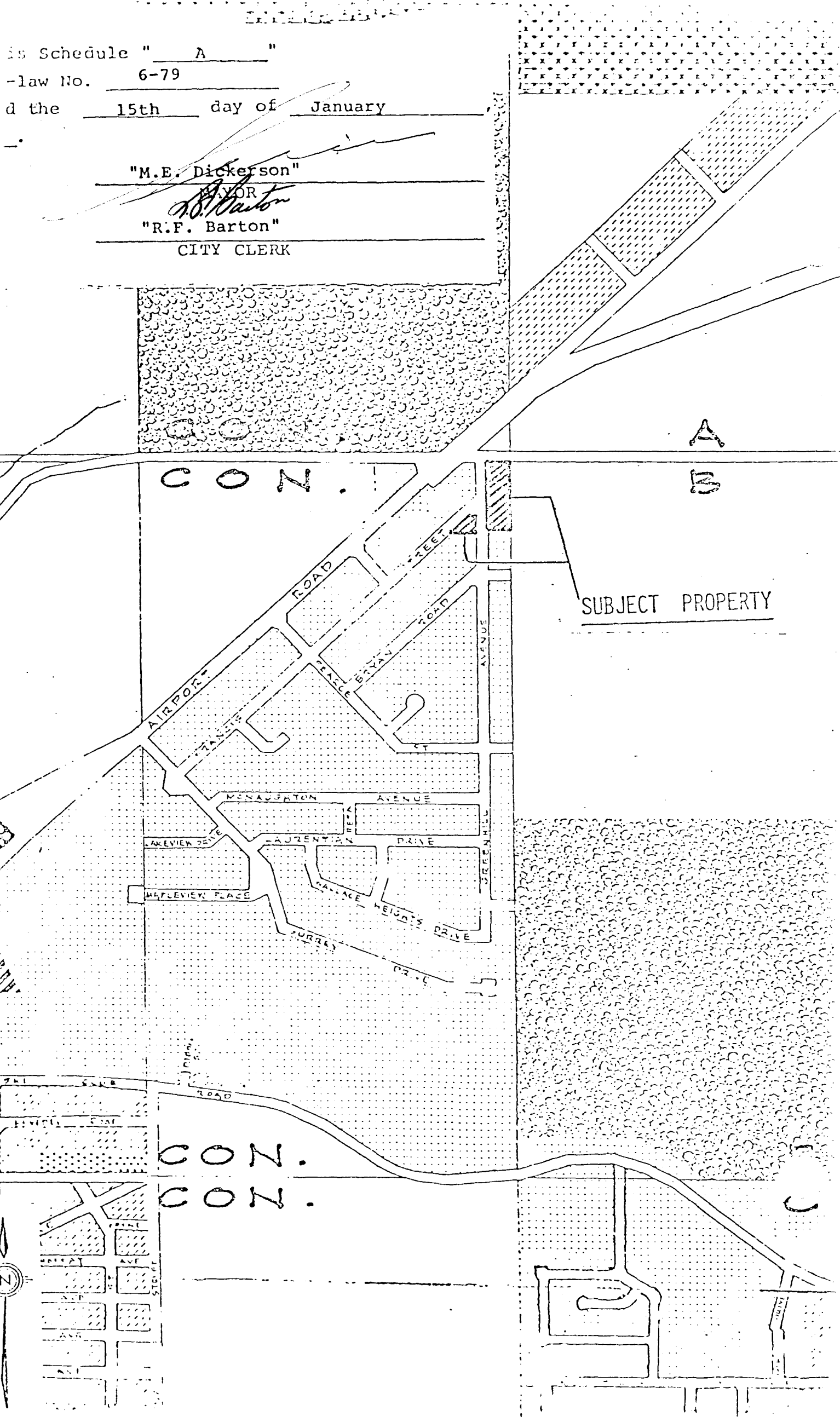
d the 15th day of January

"M.E. Dickerson"

M.E. Dickerson
MAYOR

"R.F. Barton"

CITY CLERK



EXPLANATION OF PURPOSE AND EFFECT

The purpose of By-law No. 6-79 of the City of North Bay is to change Zoning By-law No. 1097 of the former Township of Widdifield to allow for a change in the permitted land uses and the governing regulations on a specific site. The property to be affected is shown on Schedule "B" to By-law No. 6-79, a copy of which is attached.

The existing zoning on this property is "Neighbourhood Shopping Center District (C.1)". In this regard, the permitted land uses have been listed as follows:

"Neighbourhood Shopping Center District (C.1)"

- Retail Trade, Personal Service Uses
- Business or Professional Offices
- Banks, Restaurants, Taxi Stands
- Places of Worship
- Dwelling units incorporated in a Commercial building
- Accessory uses to the above.

The proposed zones of By-law No. 6-79 are "Residential First Density Special Zone 16-78 (R1S 16-78)", "Residential Third Density Special Zone 16-78 (R3S 16-78)", and "Neighbourhood Commercial Special Zone 16-78 (NCS 16-78)", as shown on the attached copy of Schedule "C" to By-law No. 6-79. By-law No. 6-79 proposes the following permitted land uses:

"Residential First Density Special Zone 16-78 (R1S 16-78)"

- Single-family detached dwellings
- Professional offices
- Parks and playgrounds
- Schools and Day nurseries

"Residential Third Density Special Zone 16-78 (R3S 16-78)"

- Semi-detached dwellings
- Professional offices
- Parks and playgrounds
- Schools and Day nurseries

"Neighbourhood Commercial Special 16-78 (NCS 16-78)"

- Offices
- Public and Private parking area
- Retail trade
- Service establishments
- Apartment dwelling units incorporated in the commercial building.

and the 15th day of January 1969.

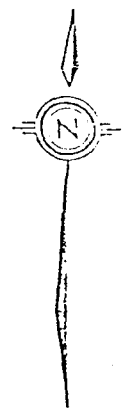
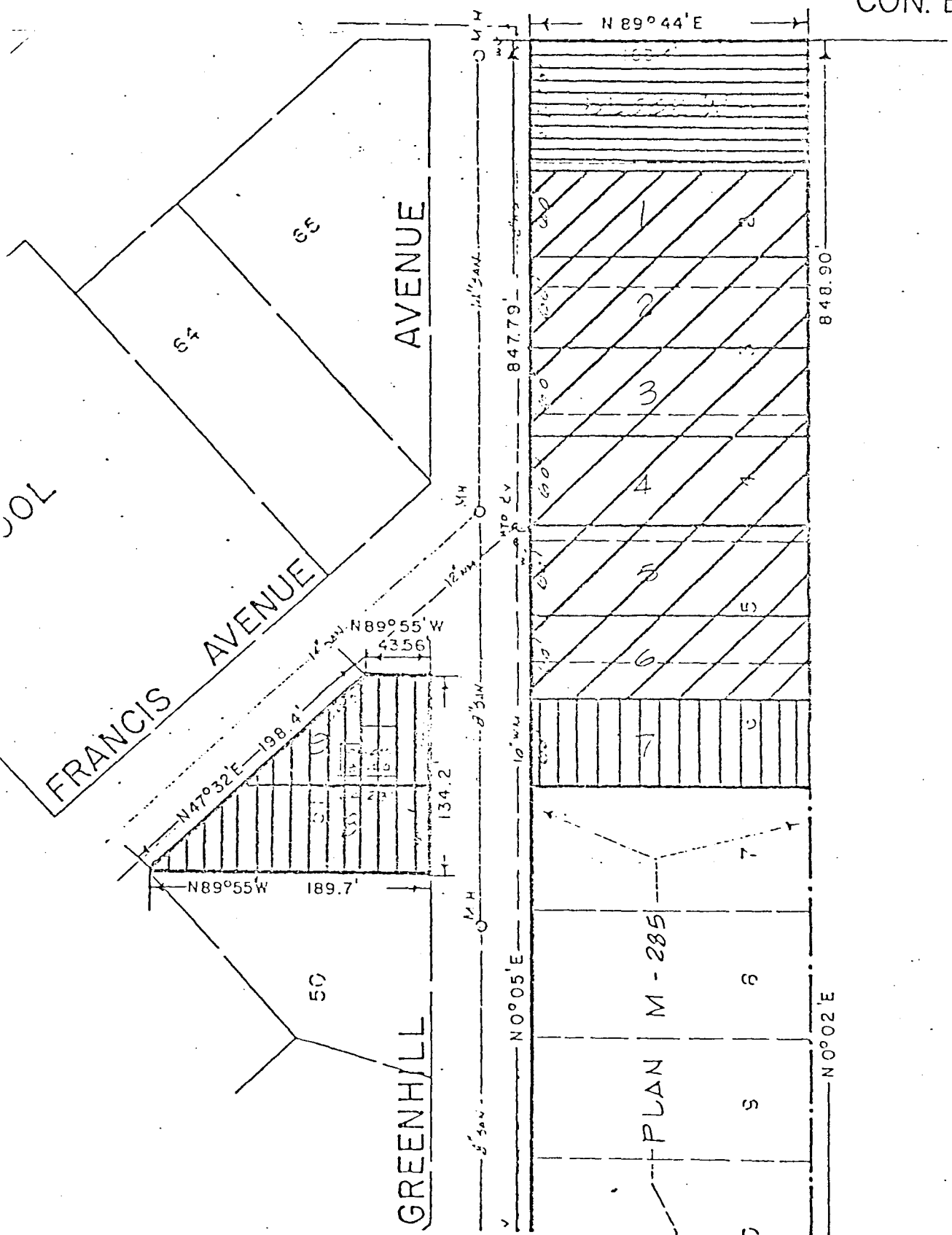
"M.E. Dickerson"

"R.F. Barton"




CITY CLERK

ER DRIVE

CON. A
CON. B



LEGEND

-  FROM "NEIGHBOURHOOD SHOPPING CENTER DISTRICT (C.1)" TO "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE (NCS)"
-  FROM "NEIGHBOURHOOD SHOPPING CENTER DISTRICT (C.1)" TO "RESIDENTIAL THIRD DENSITY SPECIAL ZONE (R.3S)"
-  FROM "NEIGHBOURHOOD SHOPPING CENTER DISTRICT (C.1)"



R 79665

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 6-79

B E F O R E :

H.E. STEWART
Member

- and -

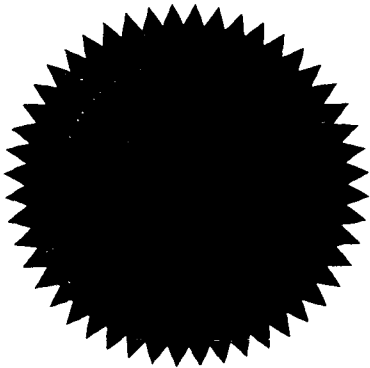
W.E. DYER, Q.C.
Member

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Tuesday, the 14th day of
August, 1979

No objections to approval having been received
as required;

THE BOARD ORDERS that By-law 6-79 is
hereby approved.



SECRETARY

ENTERED	
O. B. No.	R79-5
Folio No.	179
AUG 20 1979	
SECRETARY, ONTARIO MUNICIPAL BOARD	

Therefore, under By-law No. 6-79 the property shown on Schedule "B" attached will be rezoned to permit single family and semi detached residential dwellings and a commercial site in accordance with the provisions of By-law No. 6-79 and By-law No. 1097.

City Council and Planning Board have recommended the rezoning of the land indicated in By-law No. 6-79.

NOTE:

METRIC MEASUREMENT

In September, 1977 the Minister of Housing adopted a timetable for metric conversion of all planning documents. Within this schedule, 1 July, 1978 was given as the date after which all new planning documents should be prepared using the metric system of units.

To this end, the attached By-law, its Schedules, and Explanation of Purpose and Effect have been converted from Imperial to metric measure. The following conversion chart will cross-reference between the two systems any of the measurements contained in these documents for your convenience.

LINEAR MEASURE

SQUARE MEASURE

<u>SQUARE METRES</u>	<u>SQUARE FEET</u>	<u>METRES</u>	<u>FEET</u>
18	200	.6	2
32.5	350	1.2	4
51	550	1.8	6
62.5	675	3	10
74	800	3.6	12
79	850	4.5	15
83.6	900	5.4	18
102	1,100	6	20
500	5,000	6.7	22
		7.6	25
		9	30
		15	50
		18	60
		24	80
		30	100