

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 170-87

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON UNOPENED MCKEOWN AVENUE FROM A "RESIDENTIAL MULTIPLE SECOND DENSITY (RM.2)" ZONE; RESIDENTIAL MULTIPLE THIRD DENSITY (RM.3)" ZONE; DISTRICT COMMERCIAL (C.4)" ZONE AND "OPEN SPACE (O) ZONE TO A "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 25 (RM3 SP.25)"; "RESIDENTIAL MULTIPLE FOURTH DENSITY SPECIAL ZONE NO. 26 (RM.4SP.26)"; "DISTRICT COMMERCIAL (C.4)" ZONE; "RESIDENTIAL THIRD DENSITY (R.3)" ZONE AND AN "OPEN SPACE (O)" ZONE (GOLDEN ESTATES, MCKEOWN AVE.)

WHEREAS the owner of the subject property has requested a rezoning;

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 zone designation shown on Schedule B-32 of By-law No. 28-80 pursuant to Section 34 of The Planning Act;

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

1. Schedule "B-32" 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 Blocks 97, 98, 99, 101, 102 & 103 and part of Blocks 96 Plan M-517 and part of Block A Plan M-456 and part of unopened Caroline Street along unopened McKeown Avenue in the City of North Bay, and shown as hatched on Schedule "B" attached hereto) from a "Residential Multiple Second Density (RM.2)" Zone; a "Residential Multiple Third Density (RM3)" Zone; a "District Commercial (C.4)" Zone and an "Open Space (O)" Zone to a "Residential Third Density (R.3)" Zone; a "Residential Multiple Third Density Special Zone No. 25 (RM3 Sp. 25)", a "Residential Multiple Fourth Density Special Zone No. 26 (RM4 Sp.26)", "a District Commercial (C.4)" Zone, and an "Open Space (O)" Zone.
2. Section 11 of By-Law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.25:

"11.2.25 Residential Multiple Third Density Special Zone No. 25 (RM.3 Sp.25)"

  - 11.2.25.1 The property description of this "Residential Multiple Third Density Special Zone No. 25 (RM.3 Sp.25)" Zone is: Part of Blocks 96, 97, 98 & 99 Plan M-517 and part of unopened Caroline Street in the City of North Bay as shown on the attached Schedule and Schedule "B-32".

11.2.25.2 (a) No person shall use land or erect or construct any building or structure in this "Residential Multiple Third Density Special Zone No. 25 (RM.3 Sp.25)" Zone except for the following uses:

83 Apartment Dwelling Units with a maximum height of three (3) storeys;  
Accessory Uses to the Above.

11.2.25.2 (b) The regulations for this "Residential Multiple Third Density Special Zone No. 25 (RM.3 Sp.25)" Zone are as follows:

- (i) The maximum gross floor area as a percent of lot area shall be seventy-five (75) percent;
- (ii) The minimum lot frontage shall be Thirty (30) metres;
- (iii) The minimum usable Open Space as a percent of gross floor area shall be fifty (50) percent;
- (iv) The minimum front yard setback shall be one-half the height of the building, but not less than seven and six-tenths (7.6) metres;
- (v) The minimum side yard shall be one-half the height of the building, but not less than six (6) metres;
- (vi) The minimum side yard setback from the exterior side lot line shall be one-half the height of the building, but not less than six (6) metres;
- (vii) The minimum rear yard shall be one-half the height of the building, but not less than seven and six-tenths (7.6) metres; and
- (viii) The maximum height of the apartment buildings shall be three (3) storeys.

11.2.25.3 The use of land or buildings in this "Residential Multiple Third Density Special Zone No. 25 (RM.3 Sp.25)" Zone 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 "Schedule to Residential Multiple Third Density Special Zone No. 25 (RM3.Sp.25)" as shown on Schedule "C" to this By-law.

4. Section 11 of By-law No. 28-80 is further amended by inserting at the end thereof the following Section 11.2.26:

"11.2.26 Residential Multiple Fourth Density Special Zone No. 26 (RM.4 Sp.26)"

11.2.26.1 The property description of this "Residential Multiple Fourth Density Special Zone No. 26 (RM4 Sp.26)" Zone is:

Part of Blocks 96, 97, 99 and 103 Plan M-517 and part of unopened Caroline Street in the City of North Bay as shown on the attached Schedule and Schedule "B-32".

11.2.26.2 (a) No person shall use land or erect or construct any building or structure in this "Residential Multiple Fourth Density Special Zone No. 26 (RM.4 Sp.26)" Zone except for the following uses:

85 Apartment Dwelling Units with a maximum height of three (3) storeys

Accessory Uses to the Above.

11.2.26.2 (b) The regulations for this "Residential Multiple Fourth Density Special Zone No. 26 (RM.4 Sp.26)" Zone are as follows:

- (i) The maximum gross floor area as a percent of lot area shall be one hundred (100) percent;
- (ii) The minimum lot frontage shall be Thirty (30) metres;
- (iii) The minimum usable Open Space as a percent of gross floor area shall be fifty (50) percent;
- (iv) The minimum front yard setback shall be one-half the height of the building, but not less than seven and six-tenths (7.6) metres;
- (v) The minimum side yard shall be one-half the height of the building, but not less than six (6) metres;
- (vi) The minimum side yard setback from the exterior side lot line shall be one-half the height of the building, but not less than six (6) metres;
- (vii) The minimum rear yard shall be one-half the height of the building, but not less than seven and six-tenths (7.6) metres; and
- (viii) The maximum height of the apartment buildings shall be three (3) storeys.

11.2.26.3 The use of land or buildings in this "Residential Multiple Fourth Density Special Zone No. 26 (RM.4 Sp.26)" Zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

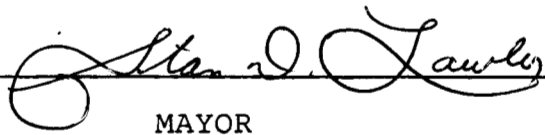
5. Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Residential Multiple Fourth Density Special Zone No. 26 (RM4 Sp.26)" as shown on Schedule "D" to this By-law.


6. (a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 404/83 not later than 15 days after the day this By-law is passed.

(b) Where no notice of appeal is filed with the Clerk of The Corporation of The City of North Bay within thirty-five (35) days from the passing of this By-law, 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 thirty-five (35) days from the passing of this By-law setting out 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 26TH DAY OF OCTOBER 1987.  
READ A SECOND TIME IN OPEN COUNCIL THE 7TH DAY OF DECEMBER 1987.  
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 7TH DAY  
OF DECEMBER 19 87.

  
MAYOR

  
CITY CLERK

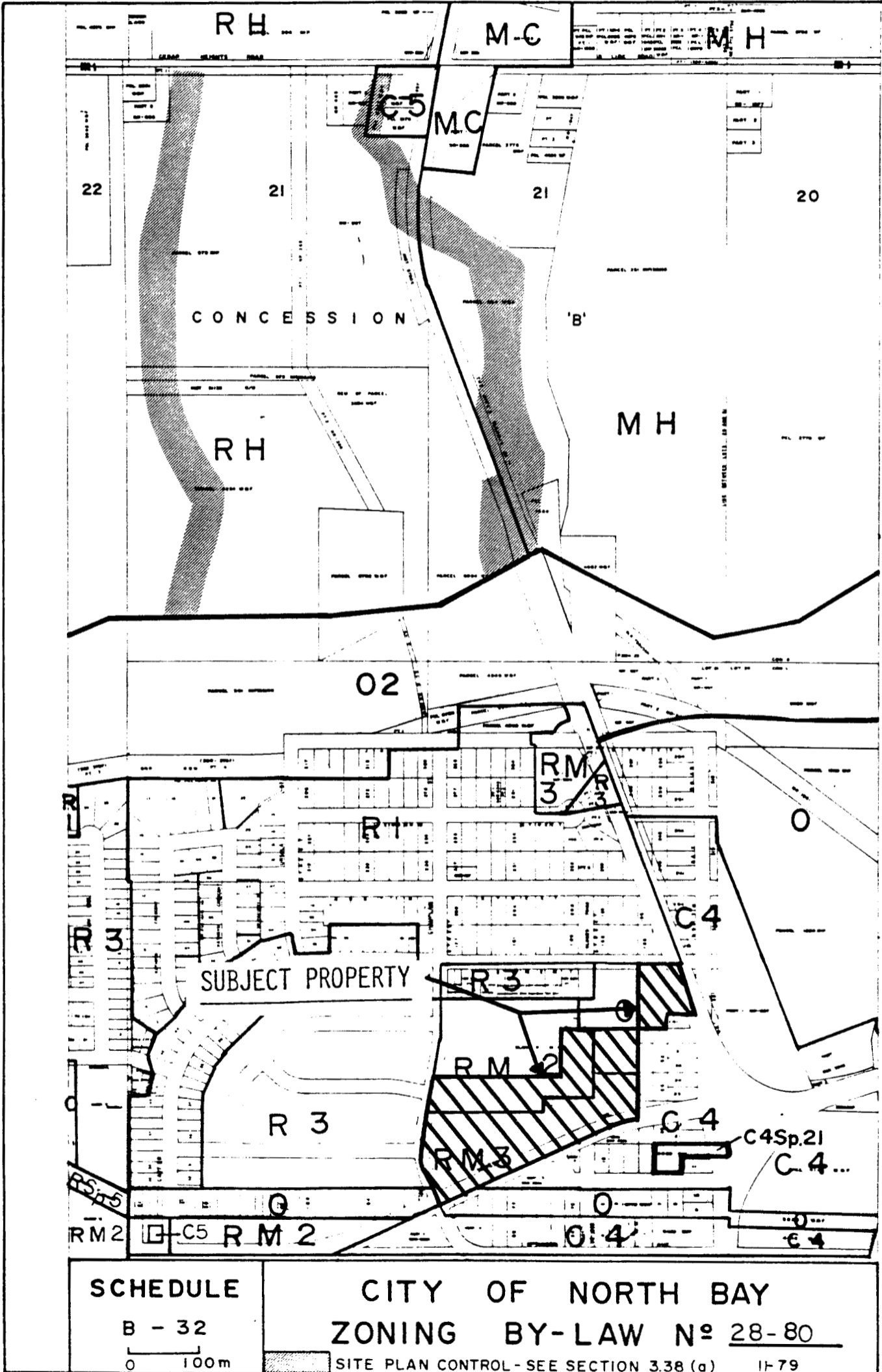
This is Schedule " A "

To By-law No. 170-87

Passed the 7th day of December,  
19 87.

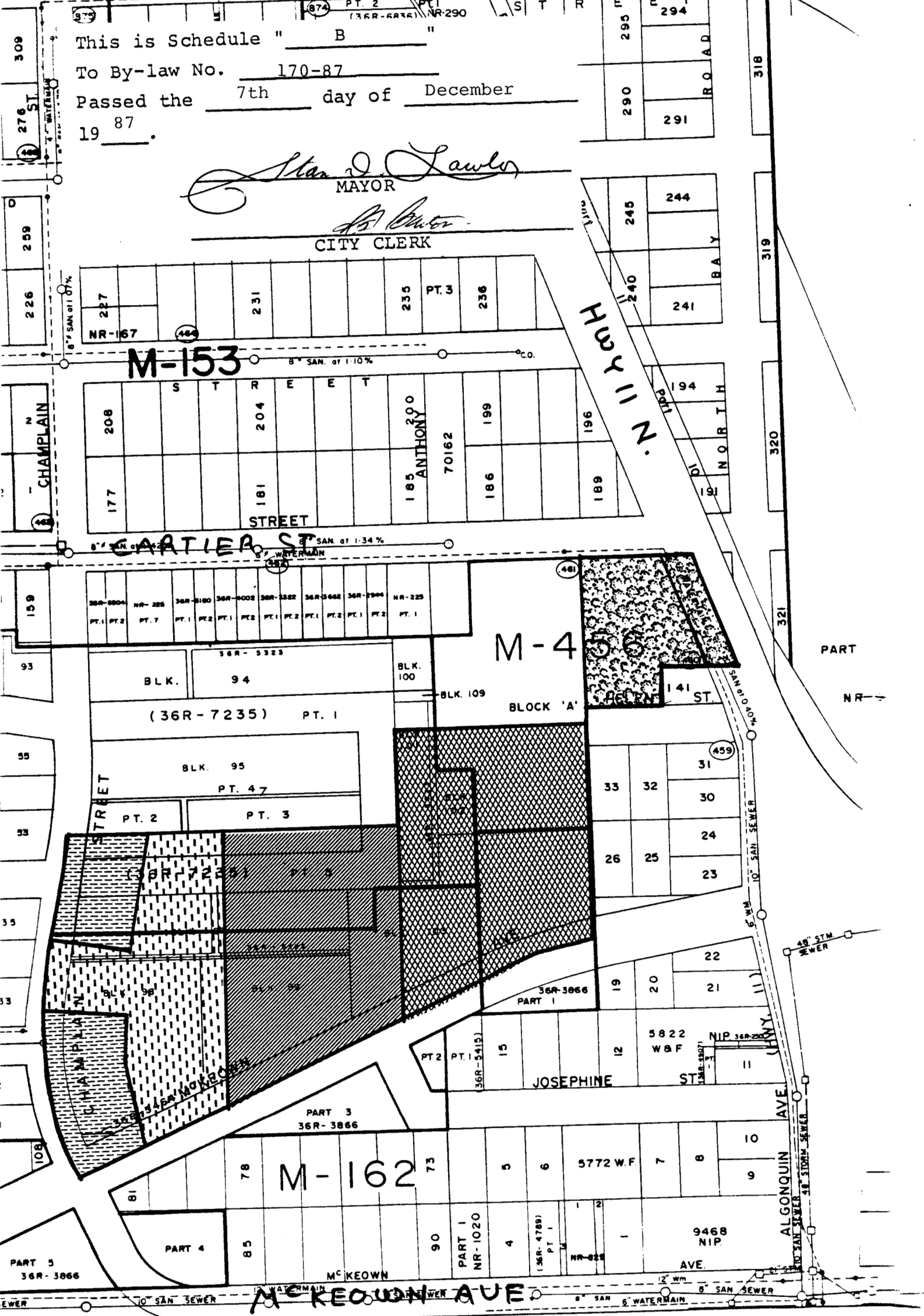
*Stan J. Lawlor*  
MAYOR

*[Signature]*  
CITY CLERK



This is Schedule " B "   
 To By-law No. 170-87   
 Passed the 7th day of December   
 19 87.

*Stan J. Lawlor*   
 MAYOR   
*Asst. Clerk*   
 CITY CLERK

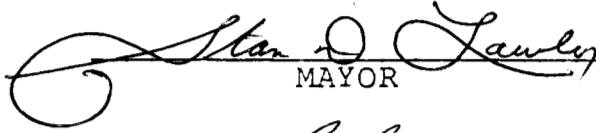


- FROM RM2 & RM3 TO R.3
- FROM RM2 & RM3 TO RM3SP.25
- FROM RM2 & RM3 TO RM4SP.26
- FROM RM2 & RM3 & O TO C.4
- FROM C.4 TO O

This is Schedule "  C  "

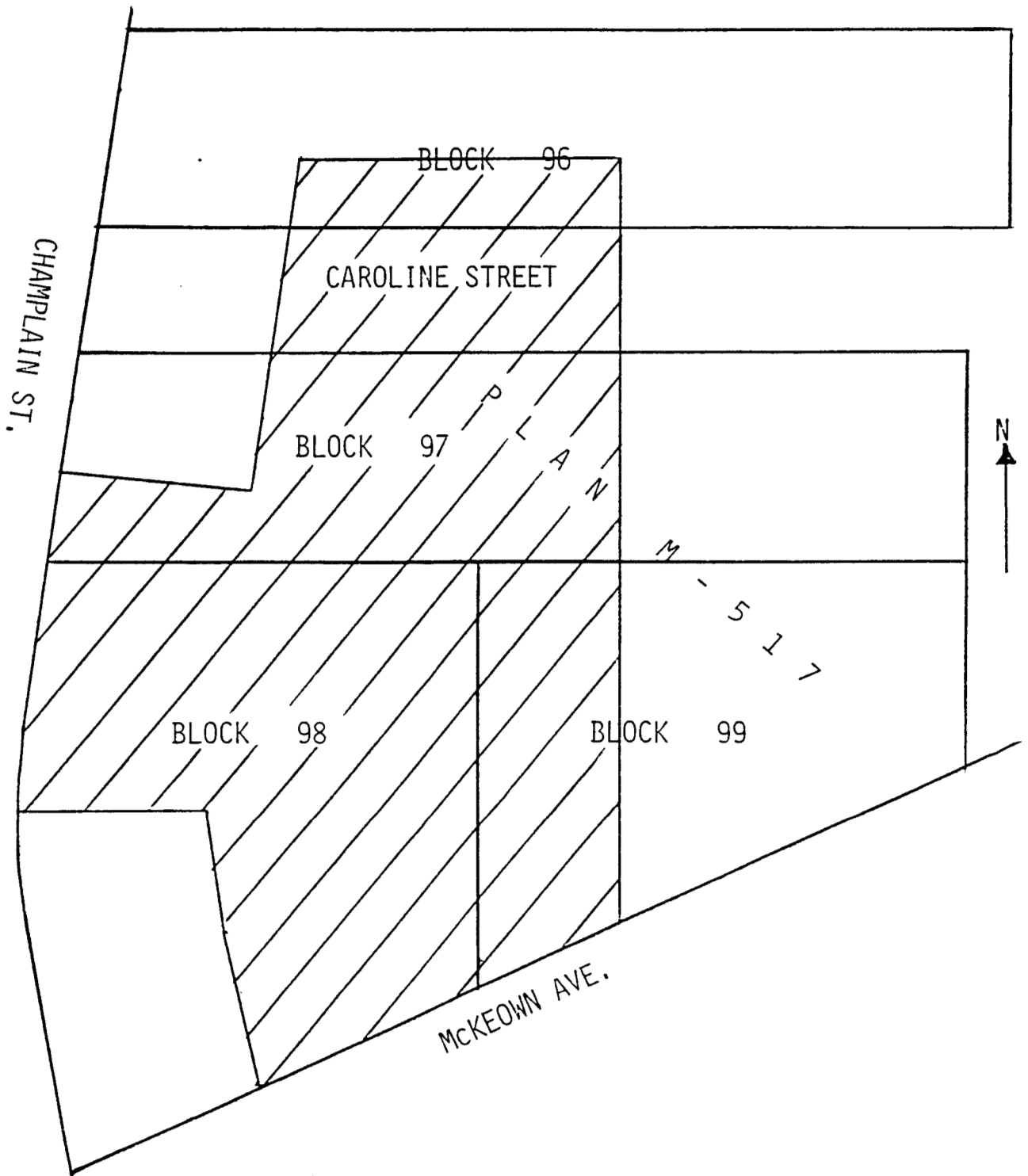
To By-law No.  170-87

Passed the  7th  day of  December ,  
19  87 .

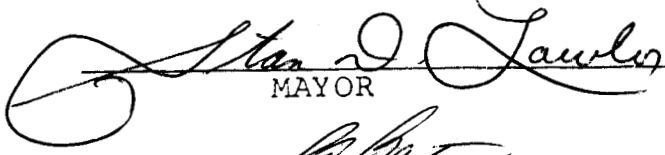
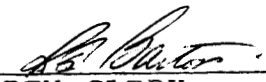
  
MAYOR

  
CITY CLERK

SCHEDULE TO "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE 25(RM3SP.25)"



This is Schedule "     D     "  
To By-law No.     170-87      
Passed the     7th     day of     December    ,  
19     87    .

  
MAYOR  
  
CITY CLERK

SCHEDULE TO "RESIDENTIAL MULTIPLE FOURTH DENSITY SPECIAL ZONE NO. 26(RM4SP.26)"

