

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 70-93

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON RIVERBEND ROAD FROM A "RURAL MOBILE HOME (RMH)" ZONE AND A "FLOODPLAIN AND EROSION (0.2)" ZONE TO A "RURAL MOBILE HOME SPECIAL ZONE NO. 4 (RM SP.,4)" AND A "FLOODWAY (0.1)" ZONE AND TO FURTHER AMEND THOSE USES PERMITTED WITHIN THE "FLOODWAY (0.1)" ZONE CONTAINED IN BY-LAW NO. 28-80

(FAIRVIEW TENT AND TRAILER PARK - RIVERBEND ROAD)

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

AND WHEREAS the Council of The Corporation of the City of North Bay had passed By-law 172-90, being a by-law to amend Zoning By-law 28-80 to rezone certain lands on Riverbend Road, which By-law did not come into force because the concurrent Official Plan Amendment No. 62 was not approved by the Minister, but referred to The Ontario Municipal Board for a hearing;

AND WHEREAS The Ontario Municipal Board held a hearing under Section 17(11) of the Planning Act 1983, and ordered a modification to Official Plan Amendment No. 62 which would cause Zoning By-law Amendment 172-90 to not conform with the Official Plan;

AND WHEREAS The Ontario Municipal Board has ordered, under Section 34(11) of the Planning Act 1983, an amendment to the zone designation shown on Schedule C-2 of By-law 28-80;

AND WHEREAS it is deemed desirable to amend the permitted uses contained within the "Floodway (0.1)" zone of By-law No. 28-80 to recognize existing uses which are normally found in floodways;

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule C-2 of By-law No. 28-80 pursuant to Section 34 of the Planning Act 1983.

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

- 1) Schedule "C-2" 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 Part of Lot 35, Concession 13 in the former Township of West Ferris and shown as hatched on Schedule "B" and Schedule "C" attached hereto, from a "Rural Mobile Home (RMH)" zone, and a "Floodplain and Erosion (0.2)" zone to a "Rural Mobile Home Special Zone No. 4 (RMH Sp.4)" and a "Floodway (0.1)" zone.
- 2) Section 8.2.1 of By-law No. 28-80 is amended by inserting at the end thereof the following uses:
 - Marinas, boathouses and docks.

- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.5.4:

11.5.4 "Rural Mobile Home Special Zone No. 4
(RMH Sp.4)"

11.5.4.1 The property description of this "Rural Mobile Home Special Zone No. 4 (RMH Sp.4)" is Part of the south one-half of Lot 35, Concession 13 in the former Township of West Ferris along Riverbend Road in the City of North Bay as shown on the attached Schedules and Schedule "C-2".

11.5.4.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Rural Mobile Home Special Zone No. 4 (RMH Sp.4)", except for the following uses:

- A Rural Mobile Home Park having not more than twenty-four (24) mobile home units;
- local park and playgrounds;
- accessory uses to the above;
- home occupations in accordance with Section 3.36.

11.5.4.2(b) The regulations for this "Rural Mobile Home Special Zone No. 4 (RMH Sp.4)" are as follows:

- i) Minimum lot area for a single mobile home unit shall be three hundred twenty-five (325) square metres;
- ii) minimum lot area for a double mobile home unit shall be three hundred seventy-two (372) square metres;
- iii) minimum lot frontage for a single mobile home unit shall be ten and five-tenths (10.5) metres;

- iv) minimum lot frontage for a double mobile home unit shall be thirteen and seven-tenths (13.7) metres;
- v) minimum front yard shall be six (6) metres;
- vi) minimum side yard shall be one and two-tenths (1.2) metres;
- vii) on any lot where there is no attached garage or carport, one side yard shall have a minimum width of three (3) metres;
- viii) minimum rear yard shall be seven and six-tenths (7.6) metres;
- ix) where a lot fronts on the seven and six-tenths (7.6) metre buffer strip required by this By-law, the minimum rear yard shall be three (3) metres;
- x) minimum floor area per dwelling unit shall be fifty-six (56) square metres;
- xi) maximum lot coverage shall be thirty-five percent (35%);
- xii) minimum area of the lands shall be one (1) hectare;
- xiii) maximum number of mobile home units on the lands shall be twenty-four (24);
- xiv) no lot shall be used for a mobile home for sub-surface sewage disposal and on-site water supply without the approval of the Ministry of the Environment. No communal water supply and sewage disposal system shall be permitted for the development without the approval of the Ministry of the Environment;

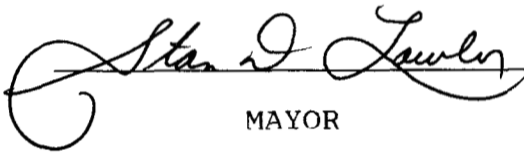
- xv) no less than five percent (5%) of the total site area, excluding the buffer area of the lands, shall be used exclusively for playground purposes, and
- xvi) there shall be a buffer area of at least seven and six-tenths (7.6) metres in which no lots, building, or structures shall be permitted.


11.5.4.3 The use of land or buildings in this "Rural Mobile Home Special Zone No. 4 (RMH Sp.4)" shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Rural Mobile Home Special Zone No. 4 (RMH Sp.4)" as shown on Schedule "C" to this By-law.
- 5) All buildings or structures erected or altered and the use of land in the "Floodway (0.1)" zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.
- 6) By-law No. 172-90 is hereby repealed.
- 7) 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.
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 31ST DAY OF MAY 1993.
READ A SECOND TIME IN OPEN COUNCIL THE 19TH DAY OF JULY 1993.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 19TH DAY
OF JULY 1993.


MAYOR


CITY CLERK

This is Schedule " A "

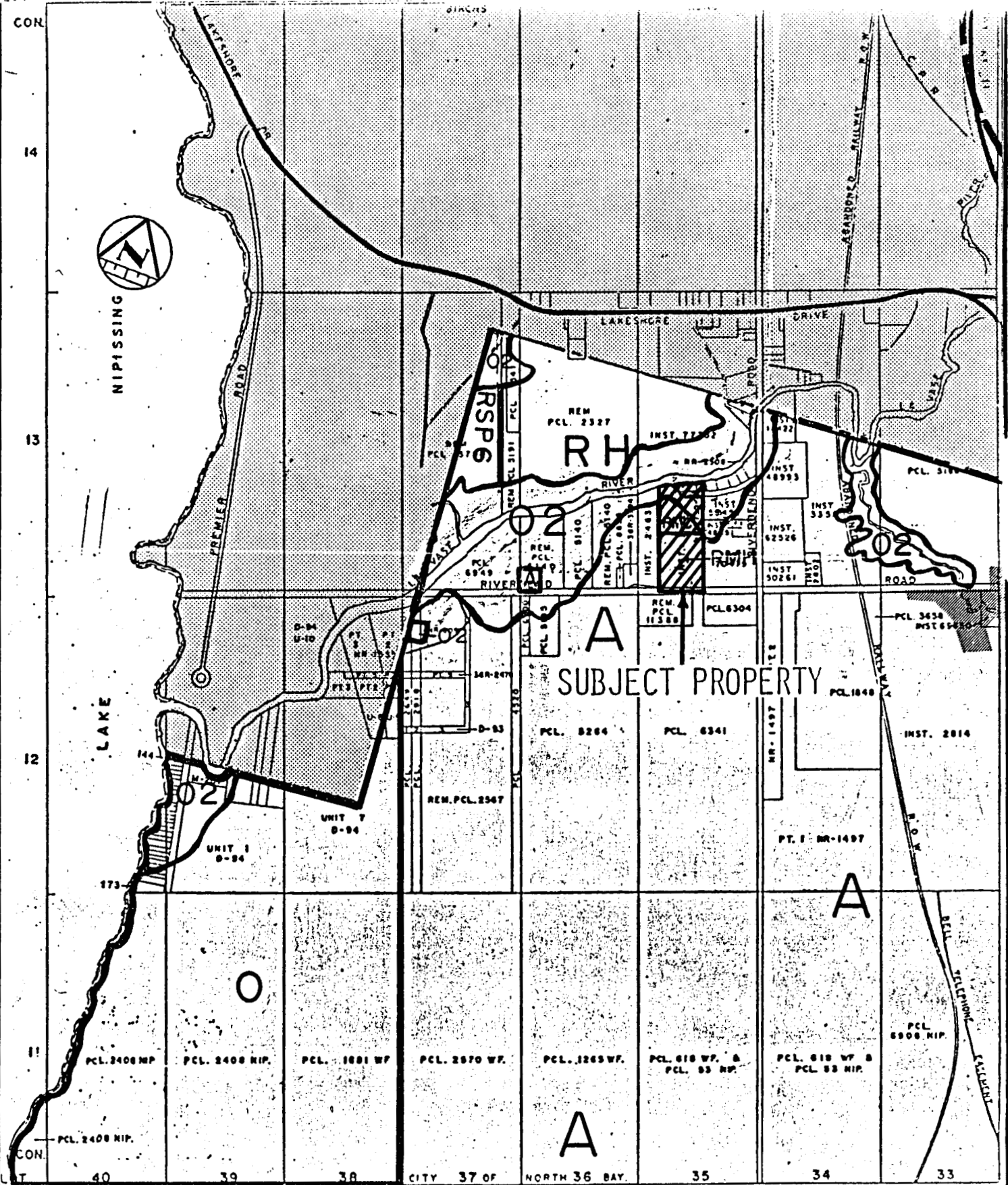
To By-law No. 70-93

Passed the 19TH day of JULY

19 93.

Stan D. Lawler
MAYOR

B. [Signature]
CITY CLERK



SCHEDULE

C 2

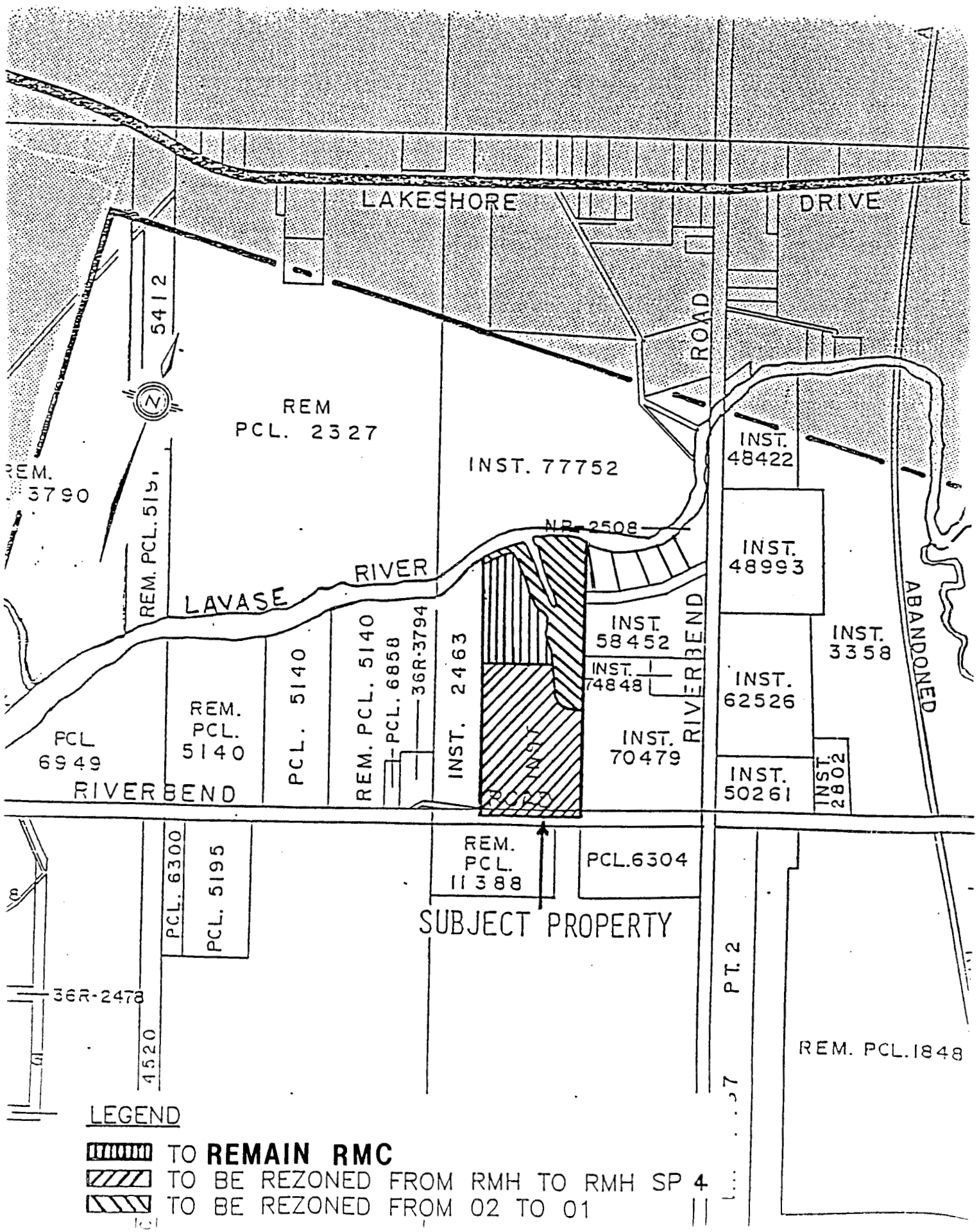
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CITY OF NORTH BAY

ZONING BY-LAW NO. 28-80

This is Schedule " B "
 To By-law No. 70-93
 Passed the 19TH day of JULY
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Stan D. Lawler
 MAYOR
B. Butler
 CITY CLERK



This is Schedule " C "

To By-law No. 70-93

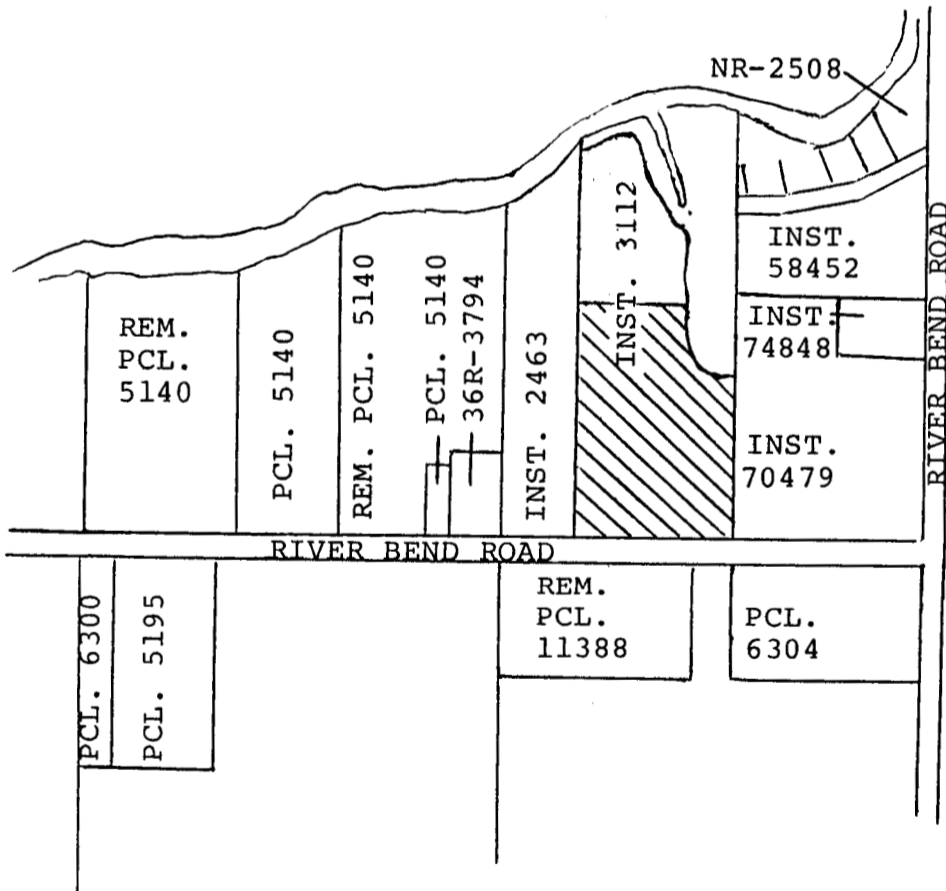
Passed the 19TH day of JULY

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Stan J. Lawler
MAYOR

B. B. Bester
CITY CLERK

SCHEDULE TO "RURAL MOBILE HOME SPECIAL ZONE NO. 4
(R.M.H. Sp.4) "



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