

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 29-76

BEING A BY-LAW TO AMEND BY-LAW NO. 1097
OF THE FORMER TOWNSHIP OF WIDDIFIELD
PURSUANT TO SECTION 35 OF THE PLANNING
ACT R.S.O. 1970, CHAPTER 349 AND AMEND-
MENTS THERETO.

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 from "Residential 1 (R.1) Single Family District", "Residential 2 (R.2) Two Family District", "Residential 3 (R.3) Multiple Family District" and "Light Industrial District (M.1)" more particularly illustrated on Schedule "B" attached hereto and forming part hereof, to "Residential Third Density Special Zone 2-76 (R. 3S 2-76)", "Residential Multiple Second Density Special Zone 2-76 (RM.2S 2-76)", "Residential Multiple Third Density Special Zone 2-76 (RM. 3S 2-76)" and "Open Space Special Zone 2-76 (OS 2-76)" as shown on Schedule "C" attached hereto and forming part hereof.
2. For the purpose of this By-law, the following definitions will apply:
 - (a) Dwelling, Apartment shall mean a building consisting of five or more dwelling units, which units have a common entrance from the street level and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.
 - (b) Dwelling, Duplex shall mean a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly or through a common vestibule.
 - (c) Dwelling, Maisonette shall mean a building that is divided into three or more dwelling units, each of which has independent entrances, one to a common corridor, and the other directly to the outside yard area adjacent to the said dwelling unit. A Maisonette shall not be considered an apartment building for the purposes of this By-law.
 - (d) Dwelling, Multiple shall mean a building designed, intended and used for occupancy by three or more families living independently of each other, but shall exclude an apartment dwelling, row-house dwelling, maisonette dwelling.

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- (e) Dwelling, Row-House shall mean a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.
- (f) Dwelling, Semi-Detached shall mean a building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.
- (g) Dwelling, Single Family Detached shall mean a completely detached dwelling unit.
- (h) Lot, Frontage of means the perpendicular distance measured in a horizontal plane between the side lot lines of a lot but where such lot lines are not parallel, the lot frontage shall be the minimum distance between the side lot lines measured on a straight line twenty (20) feet back from and parallel to a line joining the intersections of the side lot lines with the front lot line.
- (i) Open Space, Usable shall mean open unobstructed space on the site which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, any balcony at least five (5) feet in depth, and the roof or other part of a building or structure open to the air and suitable for landscaping and used as a recreational area, but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area or loading space.
- (j) Zone, Privacy shall mean an area within the minimum yard depth in which communal activities are discouraged or prevented by means of surface finishing, landscaping or physical barriers.

3. For the purpose of this By-law all buildings or structures erected or altered and the use of land in such "Residential Third Density Special Zone 2-76 (R.3S 2-76)", "Residential Multiple Second Density Special Zone 2-76 (RM.2S 2-76)", "Residential Multiple Third Density Special Zone 2-76 (RM.3S 2-76)", and "Open Space Special Zone 2-76 (OS 2-76)" shall conform to the uses and regulations hereinafter set forth:

3. A. RESIDENTIAL THIRD DENSITY SPECIAL ZONE 2-76 (R.3S 2-76)i) Permissible Uses(a) Residential

Single family detached, semi-detached and duplex 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).

ii) Regulations

(a)

DWELLING TYPE	MIN. LOT AREA PER DWELLING UNIT IN SQUARE FEET	MIN. LOT FRONTAGE IN FEET	MIN. FLOOR AREA PER DWELLING UNIT IN SQUARE FEET	MAXIMUM LOT COVERAGE
Single	4,500	45	1 storey and split level: 850 1½ storey: 1,100 2 storey: 1,100	30%
Semi-Detached	3,000 4,000 if corner lot	30 per dwelling unit; 40 if corner lot	1 storey and split level: 850 1½ storey: 1,100	35%
Duplex	3,000	30 per dwelling unit	850	35%

3. A. ii) continued/

(b) Minimum Front Yard Depth

Twenty (20) feet;

(c) Minimum Side Yard Depth

Four (4) feet for one (1) storey building and additional two (2) feet for each additional storey or part thereof;

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 ten (10) feet;

The width of an exterior side yard shall not be less than ten (10) feet except, in the case of a corner lot, no garage shall be located closer than twenty (20) feet to the street line and no portion of any driveway shall be located closer than thirty (30) feet 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;

The width of a side yard on the side of a lot abutting a one-foot reserve shall not be less than twenty (20) feet;

(d) Minimum Rear Yard Depth

Thirty-five (35) feet, except in the case of a corner lot, where the rear yard shall be not less than twenty-five (25) feet.

B. RESIDENTIAL MULTIPLE SECOND DENSITY SPECIAL ZONE 2-76
(RM2S 2-76)i) Permissible Uses(a) Residential

Maisonette, row-house and multiple dwellings;

(b) Business

Nil;

(c) Recreational

Parks, playgrounds, non-profit-making organizations provided that the said use is located in a park or playground;

(d) Institutional

Day nurseries licensed under and operated in accordance with The Day Nurseries Act 1966 and regulations made thereunder within premises especially constructed for the purpose of the said nursery;

3. E. continued/

ii) Regulations

(a)

DWELLING TYPE	MIN. LOT AREA PER DWELLING UNIT IN SQUARE FEET	MIN. LOT FRONTAGE /DWELLING IN FEET	MIN. FLOOR AREA PER DWELLING UNIT IN SQUARE FEET	MAX. LOT COVERAGE
Maisonette	2,500	120	Bachelor 350 1 bedroom 550 2 bedroom 675 3 bedroom 800 And an additional 100 sq. ft. for each additional bedroom	30%
Row-house	2,500	100	Bachelor 350 1 bedroom 550 2 bedroom 675 3 bedroom 800 And an additional 100 sq. ft. for each additional bedroom	30%
Multiple	2,500	100	Bachelor 350 1 bedroom 550 2 bedroom 675 3 bedroom 800 And an additional 100 sq. ft. for each additional bedroom	30%

(b) Minimum Front Yard Depth

Twenty (20) feet;

(c) Minimum Side Yard Depth

Four (4) feet for one storey and an additional two (2) feet for each additional storey or part thereof, but one side yard must have a minimum width of twenty (20) feet and an exterior side yard must have a minimum width of ten (10) feet;

(d) Minimum Rear Yard Depth

Twenty-five (25) feet;

- continued/

3. B. ii) continued/

(e) Notwithstanding any other provisions of this By-law, each dwelling unit in a maisonette, row-house or multiple dwelling with an independent entrance to an outside yard shall have one yard area which serves as a private, outdoor living area for the occupants. This yard is normally associated with the living room, but to allow flexibility in design, the private outdoor area may alternatively be located adjacent to a dining room, family room, finished recreation room, study or den, or a kitchen which is combined with one of the above uses;

- 1. The private outdoor living area shall have a minimum yard depth of twenty (20) feet within which a privacy zone of fifteen (15) feet shall be provided;
- 2. A yard adjacent to a living room which is not designated as a private outdoor living area shall have a minimum depth of twenty (20) feet within which a privacy zone of twelve (12) feet shall be provided. No privacy zone shall be required for such living room where glazing to the living room is a minimum of six (6) feet above the adjacent exterior level;
- 3. A yard adjacent to a habitable room other than a living room and which is not designated as a private outdoor living area shall have a minimum depth of seventeen and one-half (17½) feet within which a privacy zone of twelve (12) feet shall be provided. No privacy zone shall be required:
 - (a) where glazing to the habitable room is a minimum of six (6) feet above the adjacent exterior level;
 - (b) for a kitchen which does not include the main dining area or any other communal family space.

(f) Where dwelling units in a maisonette, row-house or multiple dwelling are constructed on separate lots, no side yard shall be required where a dwelling unit has a common wall with an adjacent dwelling unit

C. RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE 2-76
(RM.3S) 2-76)

i) Permissible Uses

(a) Residential

Apartment dwellings;

(b) Business

Nil;

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3. C. i) continued/

(c) Recreational

Parks, playgrounds, non-profit-making organizations, provided that the said use is located in a park or playground;

(d) Institutional

Day nurseries licensed under and operated in accordance with The Day Nurseries Act 1966 and regulations made thereunder within premises especially constructed for the purpose of the said nursery.

ii) Regulations

(a)

DWELLING TYPE	MAX. GROSS FLOOR AREA % OF LOT AREA	MIN. LOT FRONTAGE IN FEET	MIN. FLOOR AREA PER DWELLING UNIT IN SQUARE FEET	MIN. USABLE OPEN SPACE % OF GROSS FLOOR AREA	
Apartment	75	100	Bachelor 1 bedroom 2 bedroom 3 bedroom 4 bedroom	350 550 676 800 900	50

(b) Not less than fifty (50) per cent of the usable open space required under Section 3. B. ii) (a) of this By-law shall be located in one place on the lot up to a maximum of five thousand (5,000) square feet;

(c) No apartment building shall be hereafter erected or altered except in accordance with the following yard regulations:

1. Minimum setback from the centreline of the street shall be one-half (1/2) the height of the building, but in no case shall the front yard be less than twenty-five (25) feet deep and the setback from the centreline be less than fifty-eight (58) feet deep;

2. Minimum Side Yard Depth

Minimum width shall be one-half (1/2) the height of the building but not less than twenty (20) feet;

3. Minimum Exterior Side Yard Depth

Minimum setback from the centreline of the flanking street shall be one-half (1/2) the height of the building, but in no case shall the yard be less than twenty (20) feet and the setback from the centreline be less than fifty-three (53) feet;

3. C. ii) Continued/

4. Minimum Rear Yard Depth

Minimum depth shall be one-half the height of the building but not less than twenty-five (25) feet.

(d) Play Space for Apartments

Notwithstanding any other provision of this By-law, no person shall use land for or erect or use an apartment building unless he provides on the lot at least:

- 1. The following play space for children for each dwelling unit:

Bachelor Unit.....	0 sq. ft.
1 bedroom.....	20 sq. ft.
2 bedroom.....	40 sq. ft.
3 bedroom or more.....	50 sq. ft.

Such play space shall be:

- a) Enclosed with a chain link or equivalent fence at least four (4) feet in height;
- b) Located at least fifteen (15) feet from the nearest wall of the building;
- c) Accessible to the building without the necessity of crossing a parking lot or driveway;
- d) In one location;
- e) In the rear or side yard;

(e) Landscaping for Apartments

Notwithstanding any other provision of this By-law, no person shall use land for or erect or use a building containing apartment dwelling units unless he provides on the lot:

- 1. A strip of land not less than five (5) feet wide for landscaping abutting on the rear lot line;
- 2. A strip of land not less than five (5) feet wide for landscaping abutting on the walls of the apartment dwelling where units on the ground floor have windows to habitable rooms which face onto either a driveway or a parking lot in the said yards;
- 3. A screen in the form of landscaping to a height of not less than five (5) feet adjacent to the side and rear lot lines within three years of the date of the issuance of the building permit for the said apartment dwelling.

3. continued/

D. OPEN SPACE SPECIAL ZONE 2-76 (OS 2-76)

i) Permissible Uses

(a) Recreational

Local, district and regional parks, conservation area, playgrounds, swimming pools, community centres, arenas, ball parks, non-profit-making organizations;

(b) Institutional

Sewage treatment works or water works facilities.

ii) Regulations

(a) Yards

The depth of the front, side and rear yards shall be a minimum of twenty-five (25) from the lot line to the nearest main wall of any building;

(b) Coverage

The maximum area of the lot that may be covered by buildings or structures shall be ten (10) per cent.

E. PARKING REGULATIONS

(a) Automobile Parking Space

Minimum area: Two hundred (200) sq. ft.

Minimum length: Twenty (20) square feet;

Minimum width: Ten (10) feet.

(b) Aisle Space

Minimum width: Twenty-two (22) feet for 90 degree to 60 degree parking;

Minimum width: Eighteen (18) feet for 60 degree to 45 degree parking;

Minimum width: Twelve (12) feet for 45 degree or less parking, in which case access to such aisle shall be from one direction only.

(c)

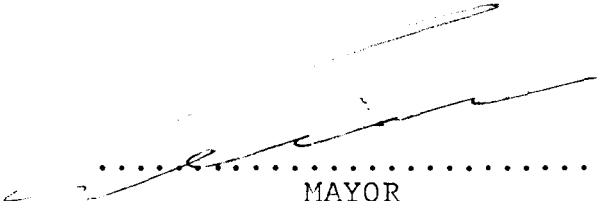
<u>TYPE OF BUILDING</u>	<u>MINIMUM PARKING REQUIRED</u>
For each dwelling unit in a single family detached, semi-detached, duplex, triplex, double-duplex	One (1) space
For each dwelling unit in a multiple dwelling, maisonette, row-house, apartment building, or a building containing both commercial and residential uses	One and one-quarter (1¼) spaces

- 4. All buildings and structures erected or altered in such "Residential Third Density Special Zone 2-76 (R.3S 2-76)," "Residential Multiple Second Density Special Zone 2-76 (RM. 2S 2-76)," "Residential Multiple Third Density Special Zone 2-76 (RM. 3S 2-76)" and "Open Space Special Zone 2-76 (OS 2-76)" hereby established shall conform to all other applicable provisions of Zoning By-law No. 1097 except as hereby expressly varied.
- 5. 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 19TH DAY OF JANUARY, 1976.

READ A SECOND TIME IN OPEN COUNCIL THIS 2ND DAY OF FEBRUARY, 1976.

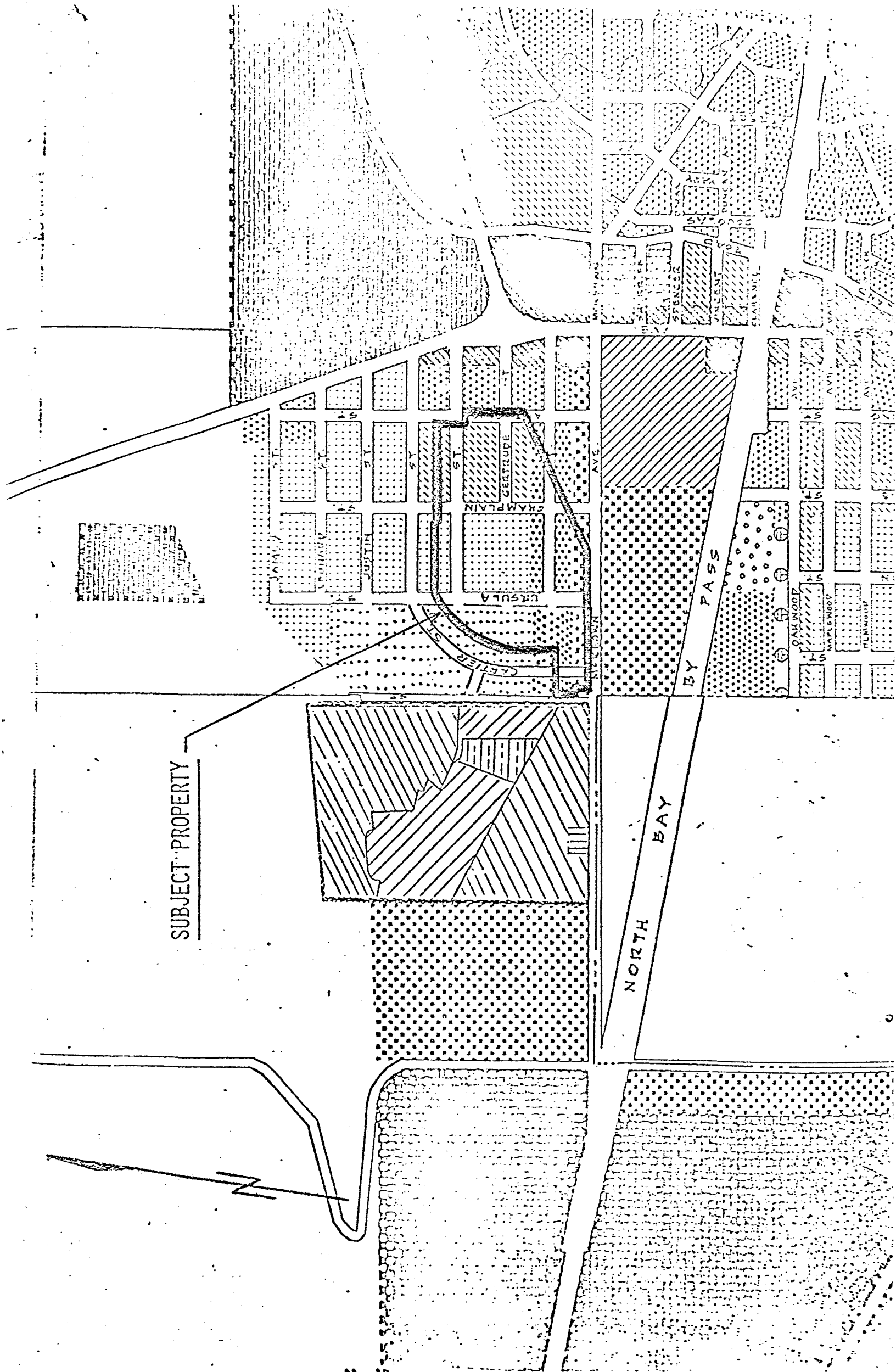
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 2ND DAY OF FEBRUARY, 1976.



 MAYOR

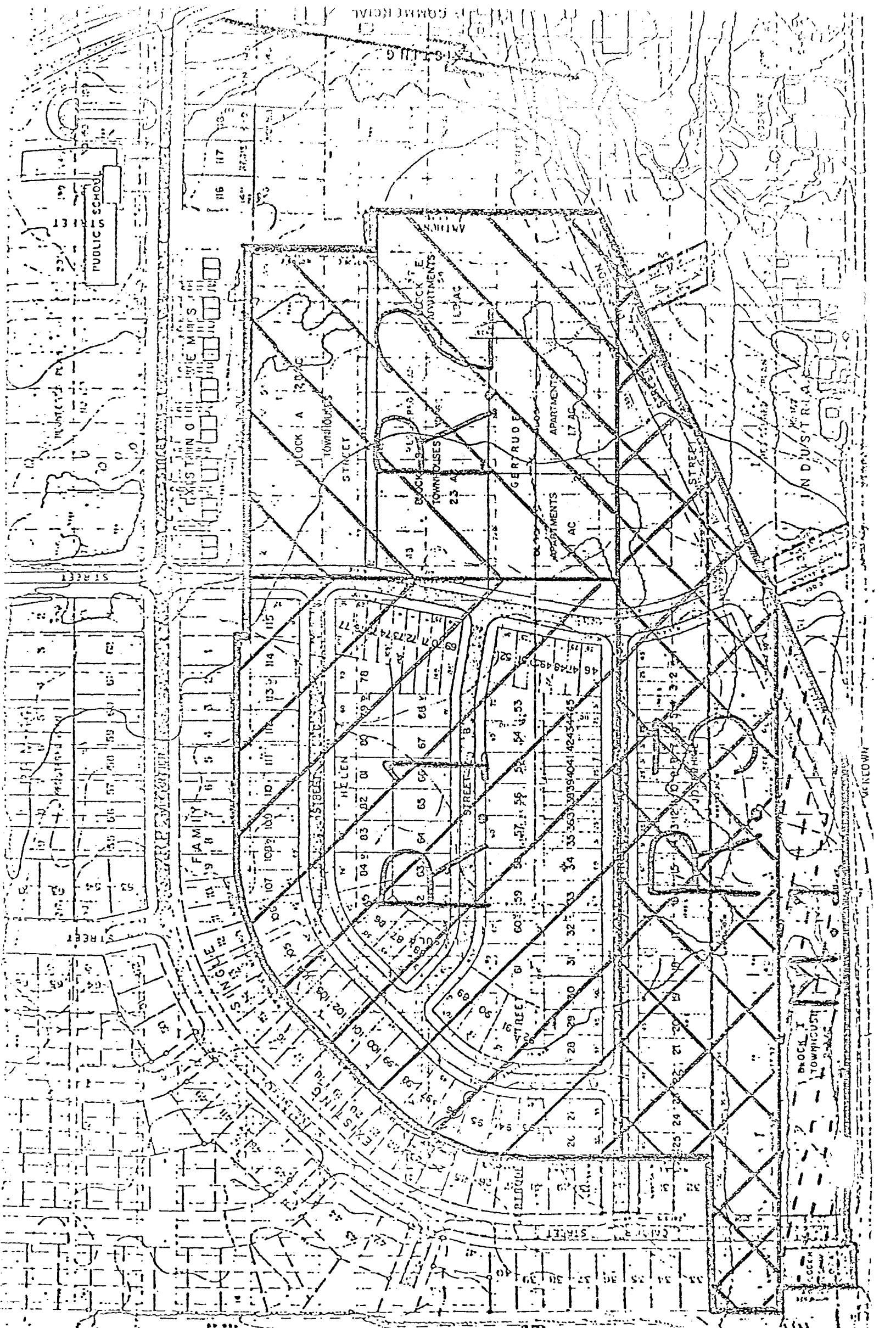


 CITY CLERK

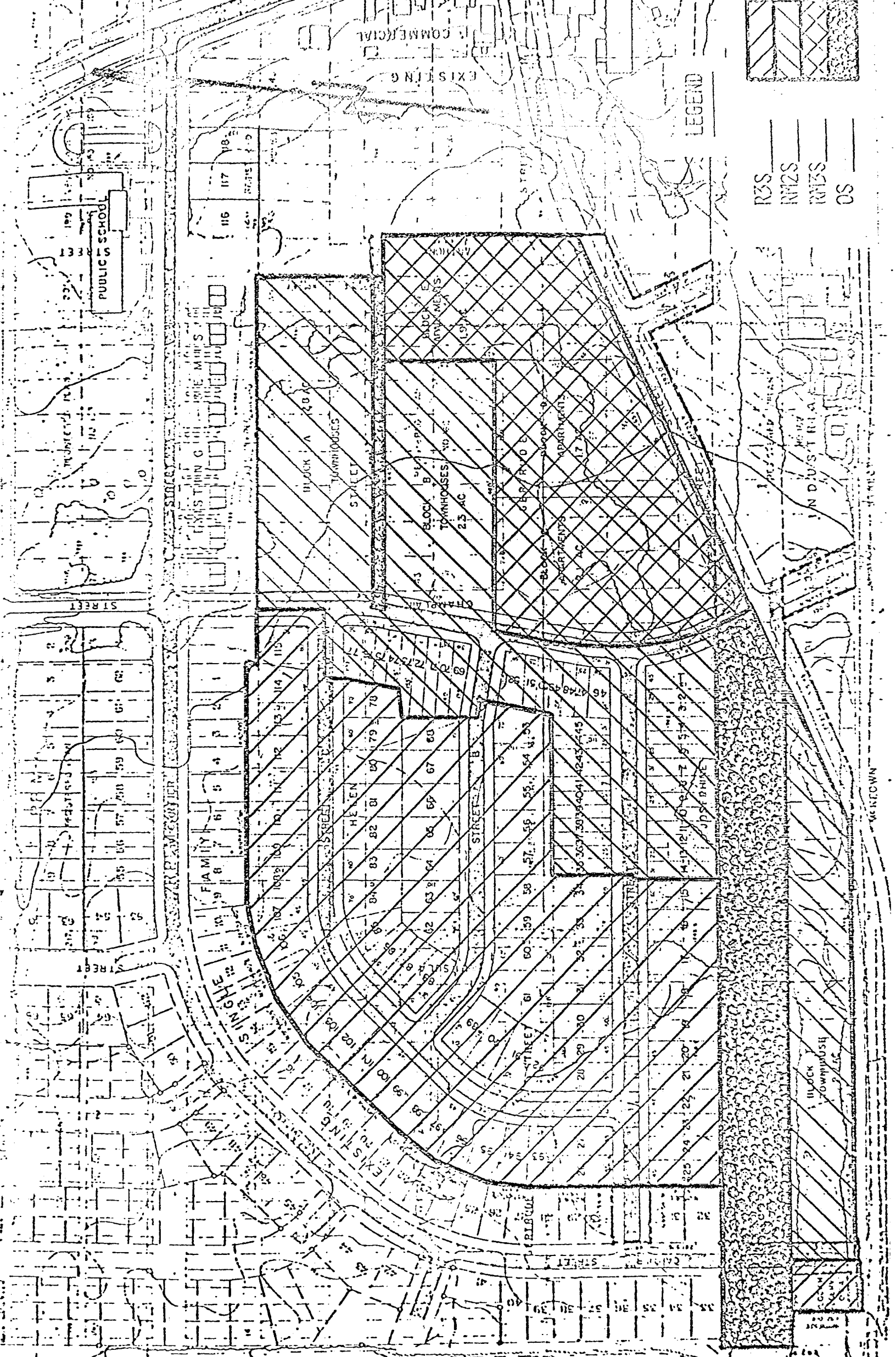


SUBJECT PROPERTY

Schedule "A" of By-law No



Schedule "B" of By-law No



R3S
 R1M2S
 R1M1S
 OS

LEGEND

Schedule "C" of By-law No