

The Corporation of the City of North Bay

By-Law No. 2016-21

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Mowat Crescent from a “Highway Commercial (C7)” Zone to a “Residential Multiple First Density Special Number 120 (RM1 Sp.120)” Zone

2043327 Ontario Ltd. – Mowat Crescent

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 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-80” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Committee Report 2016-06 adopted by Council on March 7, 2016 by resolution number 2016-96 to approve this rezoning;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) Schedule “B-80” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN: 49175-0407, Parcel 19171 Widdifield & Ferris, Part of Lot 99, Plan M203, West Ferris, Part of Lot 100, Plan M203, West Ferris, Part of Lot 113, Plan M203, West Ferris, Designated as Part 1 on Plan 36R11547, North Bay, District of Nipissing, shown as hatched on Schedule A attached hereto from a “Tourist Commercial (C7)” zone to a “Residential Multiple First Density Special No.120 (RM1 Sp.120)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple First Density Special No.120 (RM1 Sp.120)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.2.120:

"11.2.120 “Residential Multiple First Density Special No.120 (RM1 Sp.120)”
11.2.120.1 The property description of this “Residential Multiple First Density

Special No.120 (RM1 Sp.120)" is PIN: 49175-0407, Parcel 19171 Widdifield & Ferris, Part of Lot 99, Plan M203, West Ferris, Part of Lot 100, Plan M203, West Ferris, Part of Lot 113, Plan M203, West Ferris, Designated as Part 1 on Plan 36R11547, North Bay, District of Nipissing along Mowat Crescent in the City of North Bay as shown on the attached Schedule and on Schedule "B-80".

11.2.120.2 The regulations for this "Residential Multiple First Density Special No.120 (RM1 Sp.120)" are as follows:

- i) Reduce the minimum lot frontage from 30 metres to 27.8 metres
- ii) Reduce the minimum interior side yard setback from 6 metres to 5 metres;
- iii) Reduce the minimum rear yard setback from 7 metres to 6.8 metres;
- iv) Reduce the Minimum Useable Open Space requirement from 50% to 48%; and
- v) Reduce the minimum landscaping buffer along the east face of the building and the exterior side yard from 1.5 metres to nil.

11.2.120.3 The use of land or building in this "Residential Multiple First Density Special No.120 (RM1 Sp.120)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 2015-30 is further amended by inserting "Residential Multiple First Density Special No.120 (RM1 Sp.120)" as shown on Schedule "B" to this By-law.
- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out the objection to the By-

law and the reasons in support of the objection, and shall be accompanied by the fee prescribed under the *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28.

- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 4 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 4 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 March 2016.

Read a Second Time in Open Council the 7th Day of March 2016.

Read a Third Time in Open Council and Passed this 21st Day of March 2016.

Mayor, Allan McDonald

City Clerk Karen Mclsaac

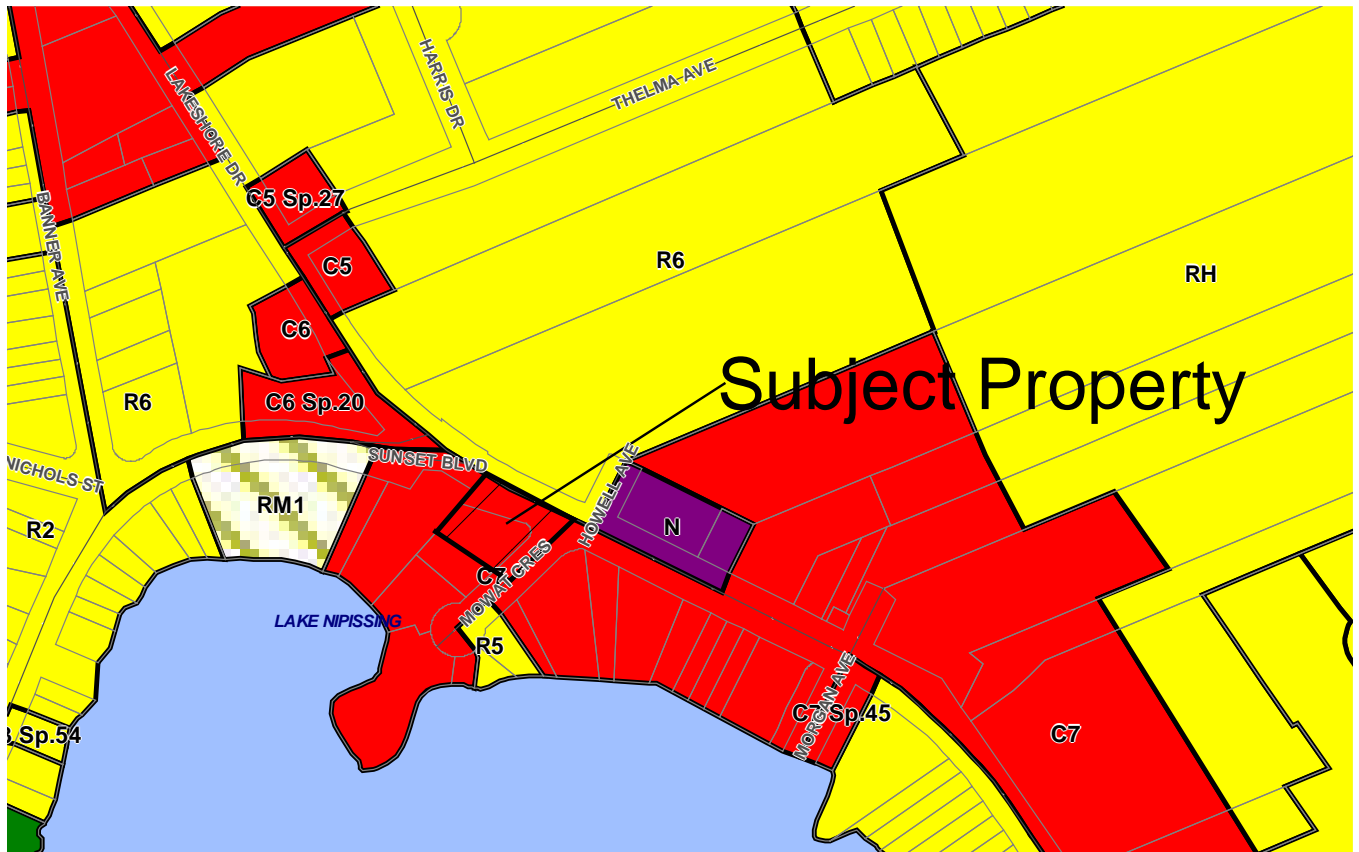
Schedule A

This is Schedule "A"
To By-law No. 2016-21


Passed the 21st day of March, 2016

Mayor Allan McDonald

City Clerk Karen Mclsaac



Legend

-  From a "Tourist Commercial (C7)" zone to a "Residential Multiple First Density Special Number 120 (RM1 Sp.120)" zone

Schedule B

This is Schedule "B"
To By-law No. 2016-21

Passed the 21st day of March, 2016

Mayor Allan McDonald

City Clerk Karen Mclsaac

