

The Corporation of the City of North Bay

By-Law No. 2018-65

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Hardy Street from a “Residential Third Density (R3)” Zone to a “Residential Sixth Density Special No. 128 (R6 Sp.128)”Zone

Robert Steele – 594 Hardy Street

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-52” 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 No. 2018-16 adopted by Council on September 4, 2018 by Resolution No. 2018-261 to approve this rezoning;

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

- 1) Schedule “B-52” 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 49154-0267 (LT) LT 20 PL 72 Widdifield; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “Residential Third Density (R3)” zone to a “Residential Sixth Density Special No. 128 (R6 Sp.128)”zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Sixth Density Special No. 128 (R6 Sp.128)” 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 11.1.128:

"11.1.128 Residential Sixth Density Special No. 128 (R6 Sp.128)
11.1.128.1 The property description of this “Residential Sixth Density Special No. 128 (R6 Sp.128)” is PIN 49154-0267 (LT) LT 20 PL 72

Widdifield; North Bay; District of Nipissing along Hardy Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-52".

11.1.128.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Sixth Density Special No. 128 (R6 Sp.128)" except for the following uses:

- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Cluster townhouse;
- Stacked townhouse;
- Street front townhouse;
- Group home type 1;
- Group home type 2;
- Accessory home based business;
- Parks and playgrounds;
- Day nursery; and
- Institutional Uses.

11.1.128.2 (b) The regulations for this "Residential Sixth Density Special No. 128 (R6 Sp.128)" are as follows:

- a) Reduce the minimum lot area per dwelling unit from 171 square metres to 150.3 square metres;
- b) Reduce the minimum lot frontage from 22.8 metres to the existing 15.24 metres;
- c) Reduce the minimum front yard setback from 6 metres to the existing 3.54 metres; and
- d) Reduce the minimum side yard setback from 1.8 metres to 1.72 metres.

11.1.128.3 The use of land or building in this "Residential Sixth Density Special No. 128 (R6 Sp.128)" 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 Sixth Density Special No. 128 (R6 Sp.128)" 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 4th Day of September 2018.

Read a Second Time in Open Council the 4th Day of September 2018.

Read a Third Time in Open Council and Passed this 4th Day of September 2018.

Mayor, Allan McDonald

City Clerk Karen McIsaac

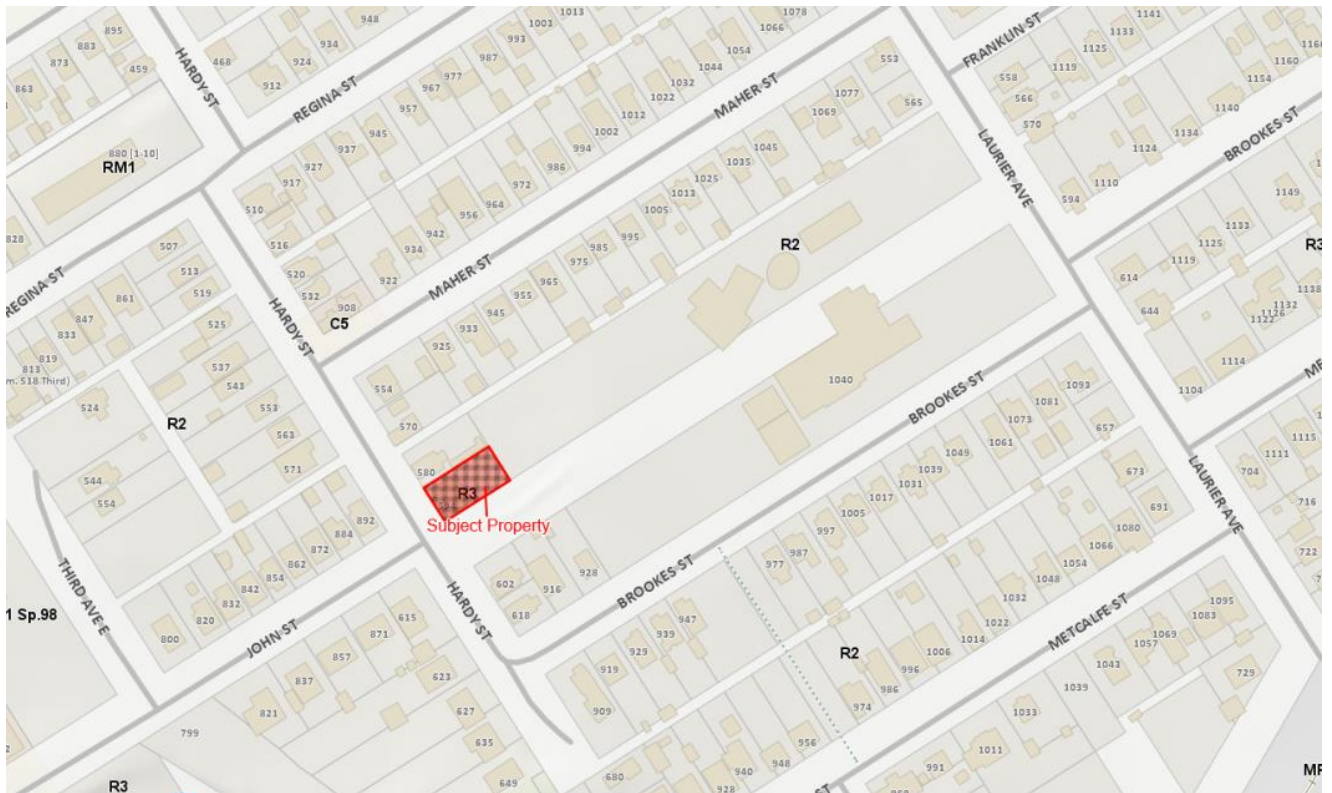
Schedule A

This is Schedule "A"
To By-law No. 2018-65

Passed the 4th day of September, 2018

Mayor Allan McDonald

City Clerk Karen Mclsaac



Legend



- From a "Residential Third Density (R3)" zone to a "Residential Sixth Density Special No. 128 (R6 Sp.128)" zone

Schedule B

This is Schedule "A"
To By-law No. 2018-65

Passed the 4th day of September, 2018

Mayor Allan McDonald

City Clerk Karen McIsaac

