

# The Corporation of the City of North Bay

## By-Law No. 2022-033

### A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Airport Road from a “District Commercial (C4)” Zone to a “Residential Multiple Third Density Special No. 139 (RM3 Sp.139)” Zone and a “Residential Multiple Third Density (RM3)” Zone

#### Golden Estates Limited – 392 Airport Road

**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-33” and Schedule “B-34” of Zoning By-Law No. 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

**And Whereas** Council passed Community Services Committee Report \_\_\_\_\_ adopted by Council on \_\_\_\_\_ by Resolution No. \_\_\_\_\_ to approve this rezoning;

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

- 1) Schedule “B-33” and Schedule “B-34” 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 49131-0005(LT) PCL 3618 SEC WF; PT LT 20 CON B Widdifield PT 1, 2 & 3 36R4287; S/T LT110404 as amended by LT138112; North Bay; District of Nipissing PIN 49131-0006(LT) PCL 6788 SEC WF; PT LT 20 CON B Widdifield as in LT81288 except PT 1 & 2 36R4261; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “District Commercial (C4)” Zone to a “Residential Multiple Third Density Special No. 139 (RM3 Sp.139)” Zone and a “Residential Multiple Third Density (RM3)” Zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple Third Density Special No. 139 (RM3 Sp.139)” Zone and the “Residential Multiple Third Density (RM3)” 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 11.1.139:

"11.1.139 "Residential Multiple Third Density Special No. 139 (RM3 Sp.139)"

11.1.139.1 The property description of this "Residential Multiple Third Density Special No. 139 (RM3 Sp.139)" is PIN 49131-0005(LT) PCL 3618 SEC WF; PT LT 20 CON B Widdifield PT 1, 2 & 3 36R4287; S/T LT110404 as amended by LT138112; North Bay; District of Nipissing PIN 49131-0006(LT) PCL 6788 SEC WF; PT LT 20 CON B Widdifield as in LT81288 except PT 1 & 2 36R4261; North Bay; District of Nipissing along Airport Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-33" and Schedule "B-34".

11.1.139.2 The regulations for this "Residential Multiple Third Density Special No. 139 (RM3 Sp.139)" are as follows:

- i) Reduce the minimum front yard setback to the existing 11 metres for the existing building;
- ii) Reduce the minimum exterior side yard setback (southern property line) to the existing 11 metres;
- iii) Reduce the minimum landscaping buffer to the existing buffer to nil; and
- iv) Reduce the minimum number of loading spaces to one.

11.1.139.3 The use of land or building in this "Residential Multiple Third Density Special No. 139 (RM3 Sp.139)" 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 Third Density Special No. 139 (RM3 Sp.139)" 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 how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Sched. 6.

- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 6 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 6 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 22<sup>nd</sup> Day of March 2022.**

**Read a Second Time in Open Council the 22<sup>nd</sup> Day of March 2022.**

**Read a Third Time in Open Council and Passed this 22<sup>nd</sup> Day of March 2022.**

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**Mayor Allan McDonald**

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**City Clerk Karen McIsaac**

# Schedule A

This is Schedule "A"  
To By-law No. 2022-033

Passed the 22<sup>nd</sup> Day of March 2022

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Mayor Allan McDonald

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City Clerk Karen Mclsaac



## Legend



- From a "District Commercial (C4)" zone to a "Residential Multiple Third Density (RM3)" zone



- From a "District Commercial (C4)" zone to a "Residential Multiple Third Density Special No.139 (RM3 Sp.139)" zone

# Schedule B

This is Schedule "B"  
To By-law No. 2022-033

Passed the 22<sup>nd</sup> Day of March 2022

Mayor Allan McDonald

City Clerk Karen McIsaac

SITE STATISTICS			
	ZONING REQUIREMENTS	ALL RIGHTS	PROPOSED
OFFICIAL PLAN DESIGNATION	OPEN SPACE AND DISTRICT COMMERCIAL		
EXISTING ZONING CATEGORY	DISTRICT COMMERCIAL (C) AND OPEN SPACE (S)		
PROPOSED ZONING	RESIDENTIAL MULTIFAMILY THIRD DENSITY SPECIAL AND OPEN SPACE (S)		
<b>REQUIREMENTS</b>			
TOTAL LOT AREA	20399 sqm	14223.14m <sup>2</sup>	14223.14m <sup>2</sup>
LANDSCAPE SPACE	7074+309+237+4+25+467+484+40	10289.44m <sup>2</sup>	10289.44m <sup>2</sup>
BUILDING FOOTPRINT FLOOR AREA	+1050m <sup>2</sup>	+20396.3m <sup>2</sup>	+20396.3m <sup>2</sup>
NUMBER OF STOREYS	20 STOREYS	8 STOREYS	8 STOREYS
NUMBER OF UNITS	8 UNITS	8 UNITS	32 - 35 UNITS
MAXIMUM GROSS FLOOR AREA (% OF LOT AREA)	15%	132.44 O'BRIEN STREET	57.5m AIRPORT ROAD
MAXIMUM LOT COVERAGE	26.5%	2%	2%
MAXIMUM BUILDING HEIGHT	45.7m	21m	21.5m
FRONT YARD SETBACK	1/2 THE BUILDING HEIGHT	14.8m	10.8m
REAR YARD SETBACK	1/2 THE BUILDING HEIGHT	14.8m	2.8m
LEFT SIDE YARD SETBACK	1/2 THE BUILDING HEIGHT	14.8m	13.0m
RIGHT SIDE YARD SETBACK	1/2 THE BUILDING HEIGHT	14.8m	13.0m

  

PARKING REQUIREMENTS			
	ZONING REQUIREMENTS	ALL RIGHTS	PROPOSED
PER PERMITTED OFFICIAL DESIGNATION	5 SPA + 1.75m	5 SPA + 1.75m	5 SPA + 1.75m
ASILE SPACE	7.0m	EXISTING 7 SPA	7 SPA
APARTMENT	1.5 SPACES PER UNIT (1.75 X 1.3)	1.5 X (10911) + 272	1.5 X 32 = 52
ACCESSIBLE SPACES	80-30-14	108 X 25 = 2723 EXISTING	54 PROPOSED
ACC. PARKING SPACE OR. A	35-40-12		
ACC. ASILE	81 M <sup>2</sup>		
	1 ADDITIONAL SPACE PER 30	9 SPACES	2 SPACES REQUIRED
	2.5m X 5.5m		

