

The Corporation of the City of North Bay

By-Law No. 2023-013

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Chippewa Street from a “Residential Third Density (R3)” zone to a “Residential Sixth Density Special No.143 Holding (R6 Sp.143H)” Zone

Joey Rogers – 483 Chippewa St. W.

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-44” 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 2023-02 adopted by Council on _____ by resolution number _____ to approve this rezoning;

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

- 1) Schedule “B-44” 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 49150-0335 (LT) PCL 323 SEC WF; S1/2 LT 595-597 PL M165 WIDDIFIELD; NORTH BAY; DISTRICT OF NIPISSING, PIN 49150-0489 (LT) PCL 10332 SEC WF; PT LANES PL M165 WIDDIFIELD PT 1, NR2219; NORTH BAY; DISTRICT OF NIPISSING, known locally as 483 Chippewa Street West in the City of North Bay), shown as hatched on Schedule A attached hereto from “Residential Third Density (R3)” zone to a “Residential Sixth Density Special No.143 Holding (R6 Sp.143H)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Sixth Density Special No.143 Holding (R6 Sp.143H)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) The Holding Zone provision shall be applied to the lands zoned “Residential Sixth Density Special No.143 Holding (R6 Sp.143H)”. Prior to the removal of the holding

zone provisions, or to allow any specific permitted use, the following conditions must be satisfied:

- a. The applicant shall confirm that all development shall take place outside of the 1:100 year floodplain to the satisfaction of the City of North Bay and at no expense to the City of North Bay.
- 4) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.1.143:

"11.1.143 "Residential Sixth Density Special No.143 Holding (R6 Sp.143H)"

11.1.143.1 The property description of PIN 49150-0335 (LT) PCL 323 SEC WF; S1/2 LT 595-597 PL M165 WIDDIFIELD; NORTH BAY; DISTRICT OF NIPISSING, PIN 49150-0489 (LT) PCL 10332 SEC WF; PT LANES PL M165 WIDDIFIELD PT 1, NR2219; NORTH BAY; DISTRICT OF NIPISSING, known locally as 483 Chippewa Street West in the City of North Bay as shown on the attached Schedule and on Schedule "B-44".

11.1.143.2 The regulations for this "Residential Sixth Density Special No.143 Holding (R6 Sp.143H)" are as follows:

 - i) Minimum Lot Area of 157m² per dwelling unit
 - ii) Minimum Lot Frontage of 20.577m
 - iii) Minimum Front Yard Setback of 1.07m
 - iv) Minimum Side Yard Setback of 1.2m for a two-storey building
 - v) Minimum Parking Stall requirements of 1 parking space per unit for a total of 4 parking spaces

11.1.143.3 The use of land or building in this "Residential Sixth Density Special No.143 Holding (R6 Sp.143H)" shall conform to all other regulations of this By-law, except as hereby expressly varied."
- 5) Section 11 of By-law No. 2015-30 is further amended by inserting "Residential Sixth Density Special No.143 Holding (R6 Sp.143H)" as shown on Schedule "B" to this By-law.
- 6) 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.

- 7) 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.
- 8) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 7 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 9) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 7 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 17th Day of January 2023.

Read a Second Time in Open Council the 17th Day of January 2023.

Read a Third Time in Open Council and Passed this 17th Day of January 2023.

Mayor Peter Chirico

City Clerk Karen McIsaac

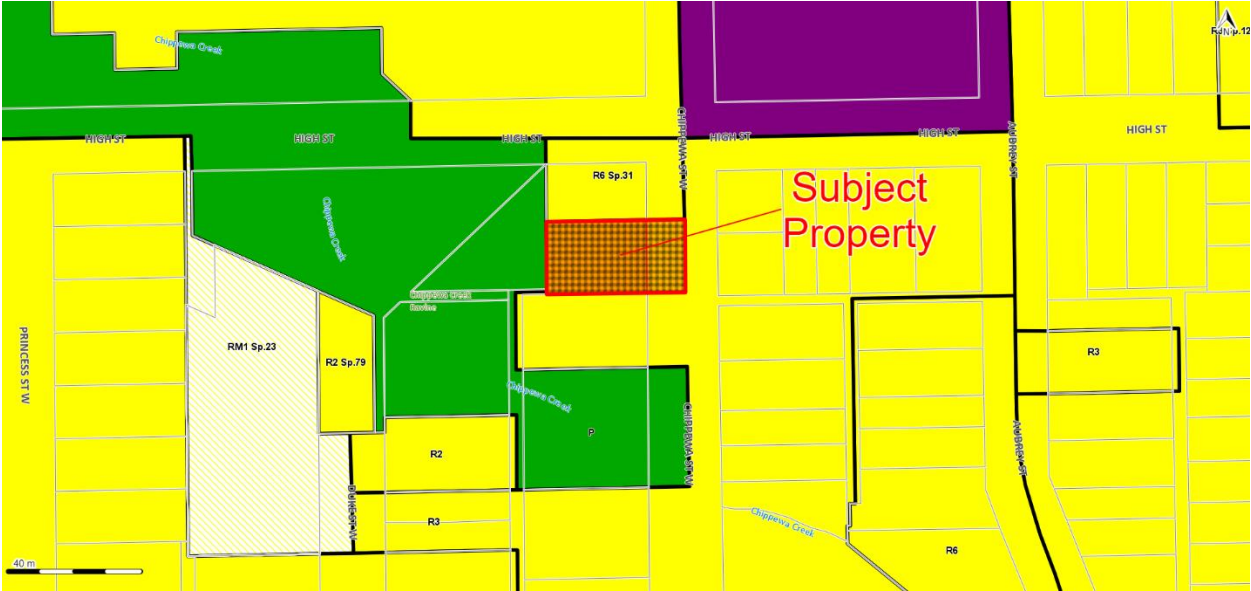
Schedule A

This is Schedule “A”
To By-law No. 2023-013

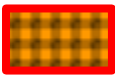
Passed the 17th Day of January, 2023

Mayor Peter Chirico

City Clerk Karen McIsaac



Legend



- From a “Residential Third Density (R3)” zone to a “Residential Sixth Density Special No.143 Holding (R6 Sp.143H)”

This is Schedule "B"
To By-law No. 2023-013

Passed the 17th Day of January, 2023

Mayor Peter Chirico

City Clerk Karen McIsaac

