

The Corporation of the City of North Bay

By-Law No. 2024-058

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on McIntyre Street West from a “Residential Third Density (R3)” Zone to a “Residential Sixth Density Special No. 149 (R6 Sp.149)” Zone

Catharine Hunter and Gary Gardiner – 1060 McIntyre Street West

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-42” 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 Community Services Committee Report _____ adopted by Council on July 9th, 2024 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-42” 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 49162-0559 (LT) PT LT 162 PL 13 Widdifield PT 2, PL 36R-12636; PT LT 91 PL 15 Widdifield PT 1, PL 36R-12636; North Bay; District of Nipissing and PIN 49162-0042 (LT) PT LT 162 PL 13 Widdifield; PT LT 91 PL 15 Widdifield as in NB143283; 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. 149 (R6 Sp.149)” Zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Sixth Density Special No. 149 (R6 Sp.149)” 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 11.1.149:

"11.1.149 Residential Sixth Density Special No. 149 (R6 Sp.149) Zone

11.1.149.1 The property description of this "Residential Sixth Density Special No. 149 (R6 Sp.149)" is PIN 49162-0559 (LT) PT LT 162 PL 13 Widdifield PT 2, PL 36R-12636; PT LT 91 PL 15 Widdifield PT 1, PL 36R-12636; North Bay; District of Nipissing and PIN 49162-0042 (LT) PT LT 162 PL 13 Widdifield; PT LT 91 PL 15 Widdifield as in NB143283; North Bay; District of Nipissing along McIntyre Street West in the City of North Bay as shown on the attached Schedule and on Schedule "B-42".

11.1.149.2 The regulations for this "Residential Sixth Density Special No. 149 (R6 Sp.149)" are as follows:

- (i) The minimum side yard setback for a one storey building shall be 0.6 metres;
- (ii) The minimum side yard setback for a two storey building shall be 1.2 metres;
- (iii) The minimum rear yard setback shall be 6.1 metres; and
- (iv) The maximum lot coverage shall be 55%.

11.1.149.3 The use of land or building in this "Residential Sixth Density Special No. 149 (R6 Sp.149)" 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. 149 (R6 Sp.149)" 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 9th Day of July 2024.

Read a Second Time in Open Council the 9th Day of July 2024.

Read a Third Time in Open Council and Passed this 9th Day of July 2024.

Deputy Mayor Maggie Horsfield

City Clerk Karen McIsaac

Schedule A

This is Schedule "A"
To By-law No. 2024-058

Passed the 9th Day of July, 2024

Deputy Mayor Maggie Horsfield

City Clerk Karen McIsaac



Legend



— from a "Residential Third Density (R3)" Zone to a "Residential Sixth Density Special No. 149 (R6 Sp.149)" Zone

Schedule B

This is Schedule "B"
To By-law No. 2024-058

Passed the 9th Day of July, 2024

Deputy Mayor Maggie Horsfield

City Clerk Karen McIsaac

