

The Corporation of the City of North Bay

By-Law No. 2024-76

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Sunset Boulevard from a “Residential Multiple First Density (RM1)” Zone to a “Residential Fifth Density Special No. 151 (R5 Sp. 151)” Zone

2525118 Ontario Limited – 2 Sunset Boulevard

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 Community Services Committee Report _____ adopted by Council on October 15, 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-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 PCL 3720 SEC WF; LT 103 PL M203 West Ferris; LT 104 PL M203 West Ferris; LT 105 PL M203 West Ferris; LT 106 PL M203 West Ferris; LT 107 PL M203 West Ferris; LT 90 PL M203 West Ferris; LT 91 PL M203 West Ferris; LT 92 PL M203 West Ferris; LT 93 PL M203 West Ferris; LT 94 PL M203 West Ferris; PT LT 89 PL M203 West Ferris; PT LT 102 PL M203 West Ferris as in LT60415; North Bay; District of Nipissing, shown as hatched on Schedule A attached hereto from a “Residential Multiple First Density (RM1)” zone to a “Residential Fifth Density Special Zone No. 151 (R5 Sp. 151)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Fifth Density Special Zone No. 151 (R5 Sp. 151)” 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 11.1.151:

"11.1.151 "Residential Fifth Density Special Zone No. 151 (R5 Sp. 151)"

11.1.151.1 The property description of this "Residential Fifth Density Special Zone No. 151 (R5 Sp. 151)" is PIN 49175-0308 (LT) PCL 3720 SEC WF; LT 103 PL M203 West Ferris; LT 104 PL M203 West Ferris; LT 105 PL M203 West Ferris; LT 106 PL M203 West Ferris; LT 107 PL M203 West Ferris; LT 90 PL M203 West Ferris; LT 91 PL M203 West Ferris; LT 92 PL M203 West Ferris; LT 93 PL M203 West Ferris; LT 94 PL M203 West Ferris; PT LT 89 PL M203 West Ferris; PT LT 102 PL M203 West Ferris as in LT60415; North Bay; District of Nipissing along Sunset Boulevard in the City of North Bay as shown on the attached Schedule and on Schedule "B-80".

11.1.151.2 The regulations for this "Residential Fifth Density Special Zone No. 151 (R5 Sp.151)" are as follows:

- (i) The minimum Lot Frontage shall not be less than 7.79m;
- (ii) The maximum permitted floor area of an additional dwelling unit in an accessory building shall be 100% of the floor area of the primary dwelling unit.
- (iii) The existing structure located on the "retained" parcel as shown on Schedule B attached hereto shall have the following regulations:
 - 1. The minimum front yard setback shall be a minimum of 0.474m; and
 - 2. The interior easterly side yard setback shall not be less than 1.143m

11.1.151.3 The use of land or building in this "Residential Fifth Density Special Zone No. 151 (R5 Sp.151)" 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 Fifth Density Special Zone No. 151 (R5 Sp.151)" 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 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 29th Day of October, 2024.

Read a Second Time in Open Council the 29th Day of October, 2024.

Read a Third Time in Open Council and Passed this 29th Day of October, 2024.

Mayor Peter Chirico

City Clerk Karen McIsaac

Schedule B

This is Schedule "B"
To By-law No. 2024-076

Passed the 29th Day of October 2024

Mayor Peter Chirico

City Clerk Karen Mclsaac

