

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 78-93

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON CHAMPLAIN STREET
FROM A "LIGHT INDUSTRIAL TWO (M2)" ZONE
TO A "DISTRICT COMMERCIAL SPECIAL ZONE
NO. 39 (C4 SP.39)"
(D. MACLEOD/773365 ONTARIO LIMITED -
91 CHAMPLAIN STREET)

WHEREAS the owner of the subject property has requested a rezoning;

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 has 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 By-law No. 28-80 pursuant to Section 34 of the Planning Act.

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. 28-80 is amended by changing the zone designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Instrument No. 61834, Part of Lot 21, Concession "C" along Champlain Street in the City of North Bay, shown as hatched on Schedules "B" and "C" attached hereto) from a "Light Industrial Two (M2)" zone to a "District Commercial Special Zone No. 39 (C4 Sp.39)".

- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.39:

11.3.39 "District Commercial Special Zone No. 39
(C4 Sp.39)"

11.3.39.1 The property description of this "District Commercial Special Zone No. 39 (C4 Sp.39)" is Instrument No. 61834 being Part of Lot 21, Concession "C" along Champlain Street in the City of North Bay as shown on the attached Schedules and Schedule "B-42".

11.3.39.2(a) No person shall use land, or use, erect, or construct any building or structure in this "District Commercial Special Zone No. 39 (C4 Sp.39)", except for the following uses:

- automobile service station or gas bar;
- banks;
- business offices;
- financial institutions;
- food stores;
- local retail stores;
- public and private parking areas;
- places of entertainment;
- hotels or motels;
- professional offices;
- restaurants and taverns;
- retail stores;
- service establishments that are not obnoxious;
- dwelling units connected to and forming an integral part of the commercial building, provided that access to the dwelling units is separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor;
- club and fraternal organizations.

11.3.39.2(b) The regulations for this "District Commercial Special Zone No. 39 (C4 Sp.39)" are as follows:

- i) The minimum front yard setback shall be eight and zero tenths (8.0) metres.

11.3.39.3 The use of land or buildings in this "District Commercial Special Zone No. 39 (C4 Sp.39)" shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to District Commercial Special Zone No. 39 (C4 Sp.39)" as shown on Schedule "C" to this By-law.

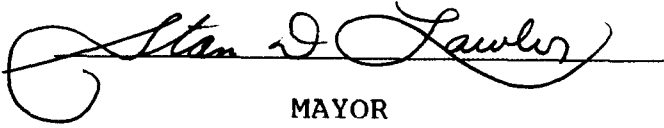
- 4) As a condition of approval the owner agrees to grant title to the City to that portion of the Champlain Street road allowance that traverses the northerly thirty-three (33) feet of the subject property.


- 5)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 404/83.

 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.

 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, 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 31ST DAY OF MAY 1993.
READ A SECOND TIME IN OPEN COUNCIL THE 19TH DAY OF JULY 1993.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 19TH DAY
OF JULY 1993.


MAYOR


CITY CLERK

This is Schedule " A "

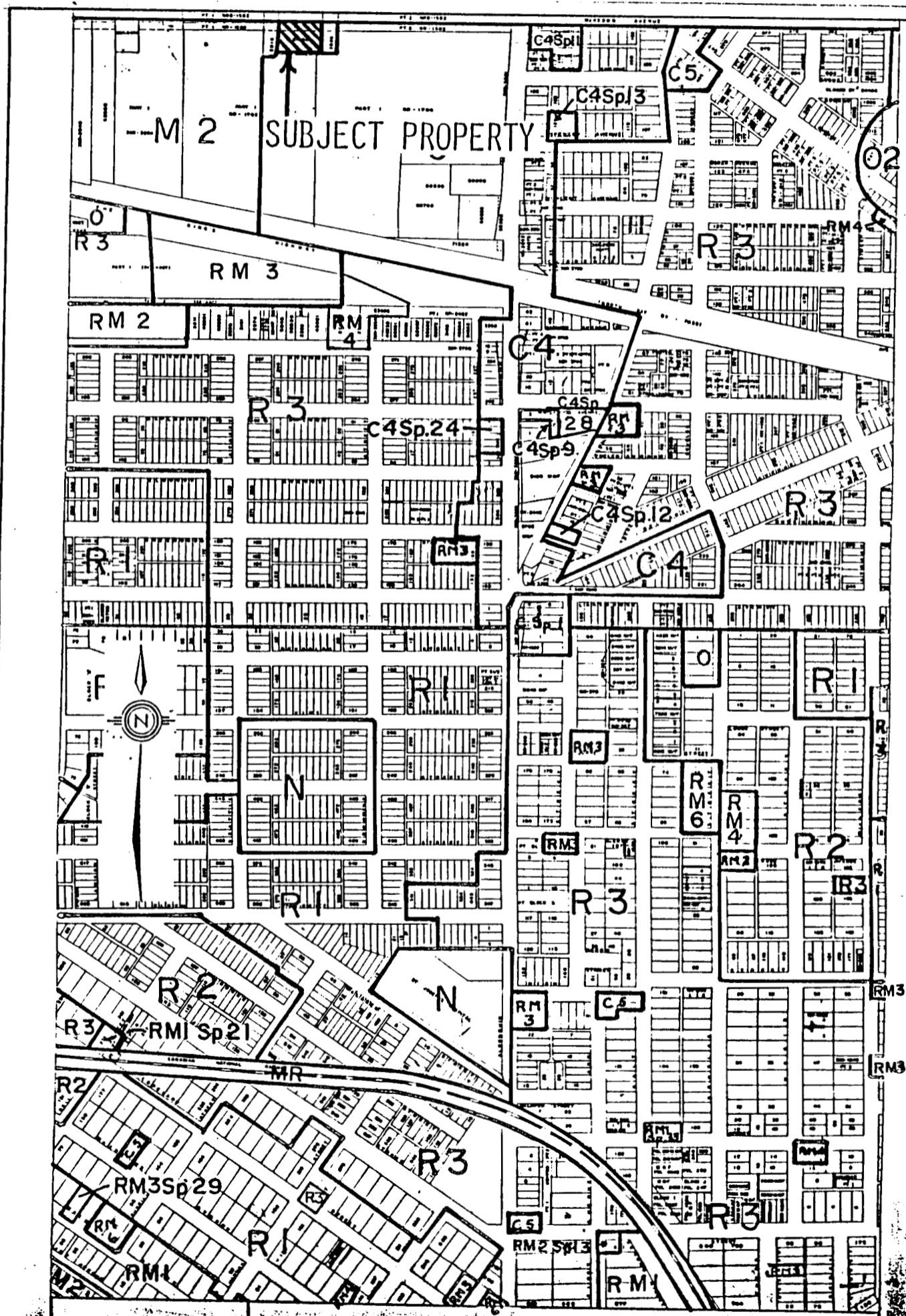
To By-law No. 78-93

Passed the 19TH day of JULY

19 93

Stan D Lawley
MAYOR

R. B. Butler
CITY CLERK



SCHEDULE
B - 42
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CITY OF NORTH BAY
ZONING BY-LAW N^o 28-80

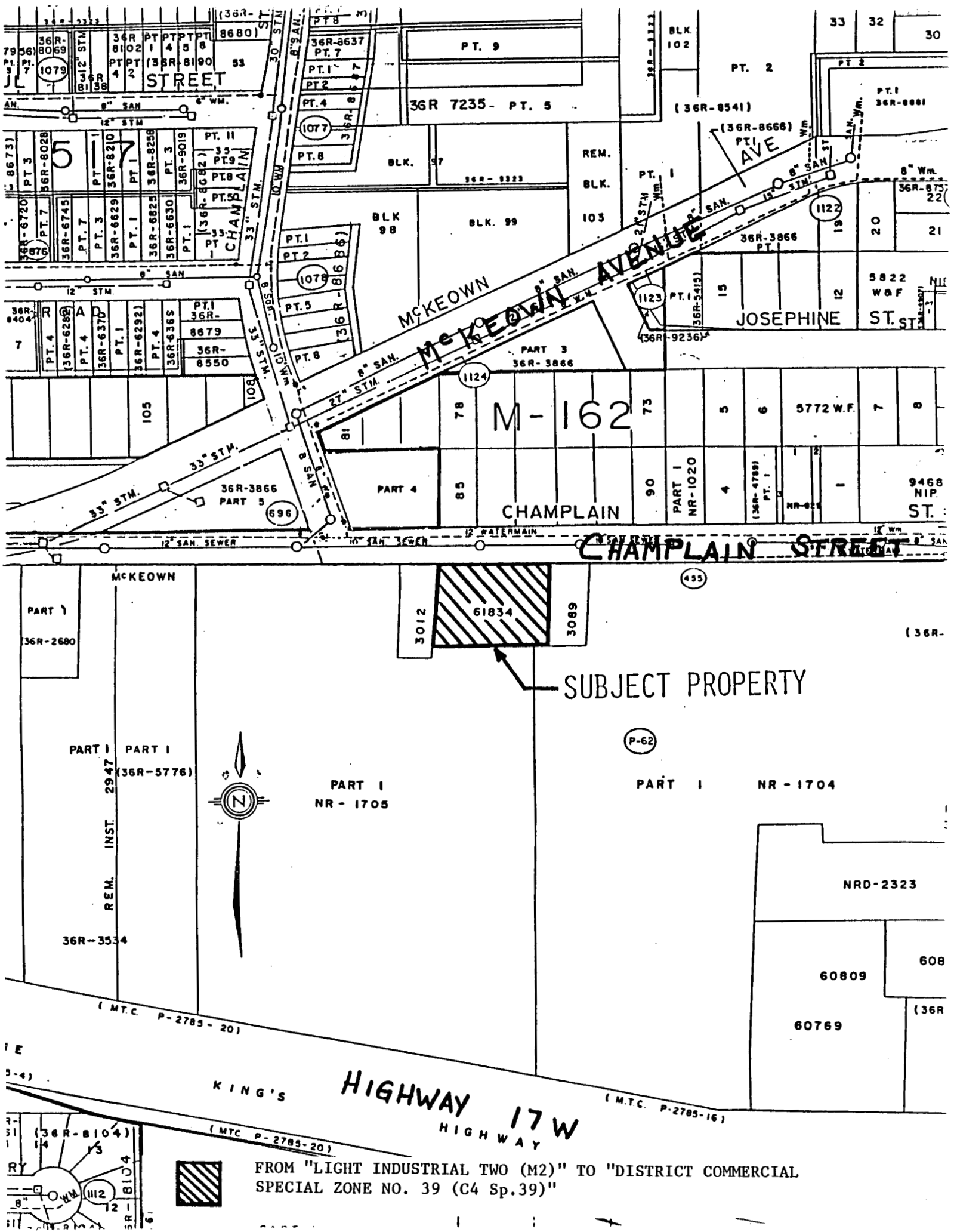
This is Schedule " B "

To By-law No. 78-93

Passed the 19TH day of JULY
19 93.

Stan D. Lawley
MAYOR

B. Carter
CITY CLERK



FROM "LIGHT INDUSTRIAL TWO (M2)" TO "DISTRICT COMMERCIAL SPECIAL ZONE NO. 39 (C4 Sp.39)"

This is Schedule " C "

To By-law No. 78-93

Passed the 19TH day of JULY
1993.

Stan D. Lawley
MAYOR
B. Burton
CITY CLERK

SCHEDULE TO "DISTRICT COMMERCIAL SPECIAL ZONE NO. 39 (C4 Sp.39)"

