

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2006-10

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON TROUT LAKE ROAD
FROM “DISTRICT COMMERCIAL (C4)” ZONE TO A
“DISTRICT COMMERCIAL SPECIAL ZONE NO. 73 (C4 SP. 73)”**

(DEMAC PROPERTIES INC. – TROUT LAKE 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 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 zoning designation shown on Schedule “B-45” of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on January 16, 2006 to approve this rezoning.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

- 1) Schedule "B-45" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as Concession "C", Part Lot 17) along Trout Lake Road in the City of North Bay from a “District Commercial (C4)” zone to a “District Commercial Special Zone No. 73 (C4 Sp. 73)”.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.73:
 - "11.3.73 “District Commercial Special Zone No. 73 (C4 Sp. 73)”
 - 11.3.73.1 The property description of this ““District Commercial Special Zone No. 73 (C4 Sp. 73)” is Concession "C", Part Lot 17 along Giroux Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-45".
 - 11.3.73.2(a) No person shall use land, or use, erect, or construct any building or structure in this “District Commercial Special Zone No. 73 (C4 Sp. 73)” except for the following uses:
 - automobile service station or gas bar;
 - automobile sales, service or leasing establishments;
 - banks;
 - business offices;
 - clubs;
 - day nursery;
 - financial institutions;
 - funeral homes;
 - food stores;

- group home Type 1;
- group home Type 2;
- hotels, motels;
- instructional services;
- local retail stores;
- places of worship;
- public and private parking areas;
- places of entertainment;
- professional offices;
- repair garages;
- restaurants & taverns
- retail stores;
- service establishments that are not obnoxious;
- dwelling units in conjunction with affiliated commercial and administrative uses connected to and forming an integral part of the commercial building

11.3.73.2(b) The regulations for this "District Commercial Special Zone No. 73 (C4 Sp. 73)" are as follows:

- The side yard setback shall not be less than 6.0 metres
- The maximum height shall not exceed 6 storeys

11.2.73.3 The owner shall maintain ownership of Parts 14, 15, 16, 17, 18, 19, 20, 21 and 22, Plan 36-11922 for the purposes of frontage on Trout Lake Road.

11.2.73.4 The use of land or building in this "District Commercial Special Zone No. 73 (C4 Sp. 73)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

5) Section 11 of By-law No. 28-80 is further amended by inserting "District Commercial Special Zone No. 73 (C4 Sp. 73)" as shown on Schedule "B" to this By-law.

6) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O.Reg. 199/96 as amended.

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.

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 16th DAY OF JANUARY 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 16th DAY OF JANUARY 2006.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 16th DAY OF JANUARY 2006.



MAYOR, VIC FEDELI



CITY CLERK, CATHERINE CONRAD

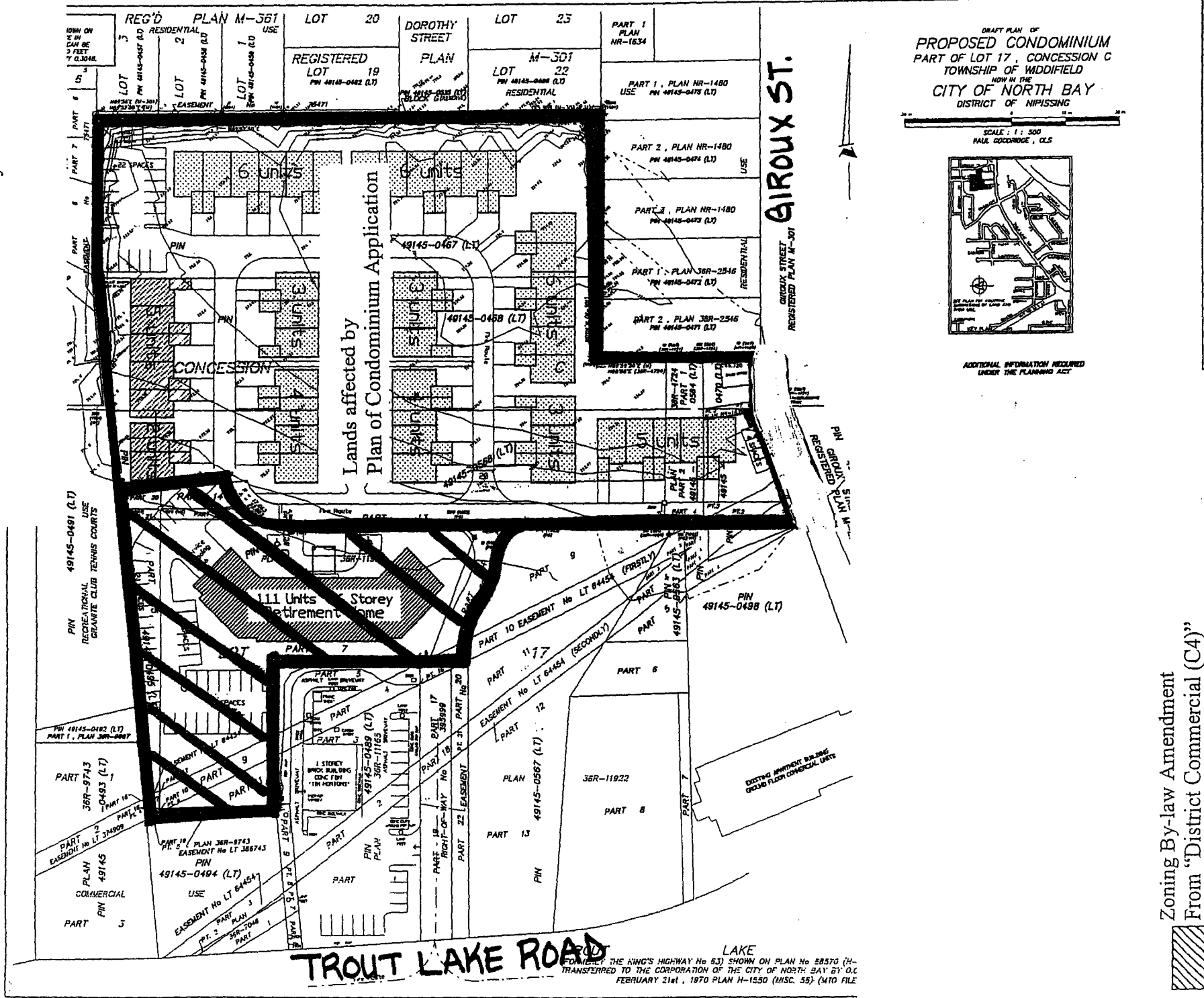
This is Schedule "B"

To By-law No. 2006-10

Passed the 16 day of January 20 06.

[Signature]
Mayor

Catherine Dango
City Clerk



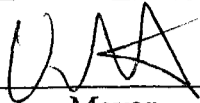
Zoning By-law Amendment
From "District Commercial (C4)"
To "District Commercial Special Zone (C4 Sp.)"



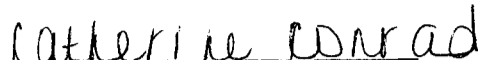
This is Schedule "C"

To By-law No. 2006-10

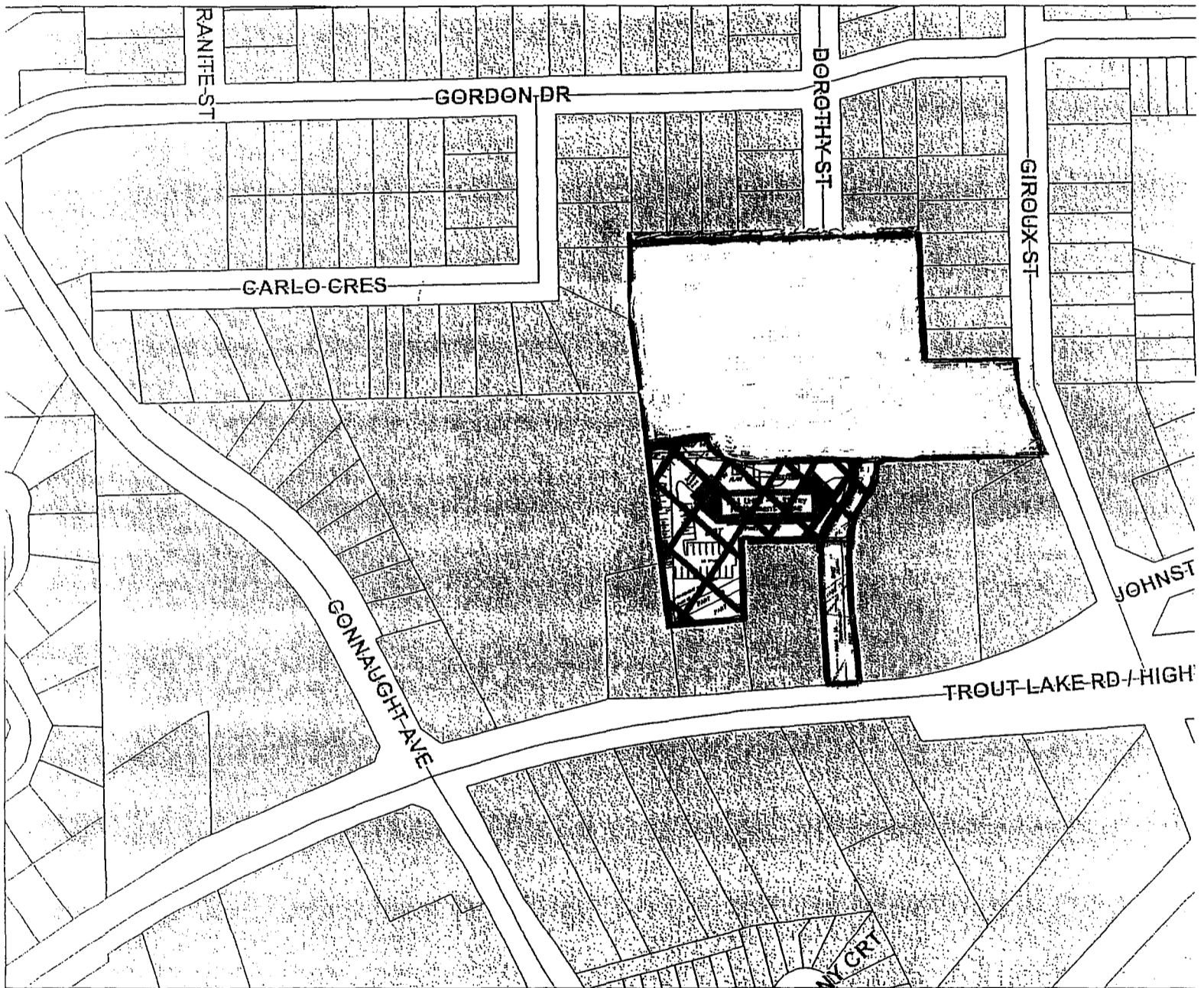
Passed the 16 day of January 2006.



Mayor



City Clerk



SCALE 1 : 3,000

