

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 29-88

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON THE CORNER OF LAKESHORE DRIVE AND SUNSET BOULEVARD FROM A "TOURIST COMMERCIAL (C.7)" ZONE AND A "RESIDENTIAL MULTIPLE SECOND DENSITY (RM.2)" ZONE, TO A "COMMERCIAL SPECIAL ZONE NO. 26 (C.7 SP.26)" ZONE (CHURCHILL'S PRIME RIB HOUSE, 631 LAKESHORE DRIVE)

WHEREAS the owner of the 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-80" 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-80" 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 Parcel 5555 W&F and Parts 1 and 2, 36R-2568 on the corner of Lakeshore Drive and Sunset Boulevard in the City of North Bay, shown as hatched on Schedule "B" attached hereto) from a "Tourist Commercial (C.7)" Zone and "Residential Multiple Second Density (RM.2)" Zone to a "Commercial Special Zone No. 26 (C.7 Sp.26)".
2. Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.26:

"11.3.26 Commercial Special Zone No. 26 (C.7Sp.26)"

11.3.26.1 The property description of this "Commercial Special Zone No. 26 (C.7Sp.26)" Zone is Parcel 555 W&F and Parts 1 and 2, 36R-2568, on the corner of Lakeshore Drive and Sunset Boulevard in the City of North Bay as shown on the attached Schedule and Schedule "B-80".

11.3.26.1 No person shall use land or erect or construct any building or structure in this "Commercial Special Zone No. 26 (C.7 Sp.26)" Zone except for the following uses:

Automobile Services
and Gas Bars;
Camps, Tourist Cabins and
Housekeeping Cottages;
Hotels, Motels, Restaurants
and Taverns;
Local Retail Stores;
Marinas;
Places of Entertainment;
Places of Recreation;
Places of Worship;
Public and Private Parks;
Seasonal Tent and Trailer Parks;
Accessory Retail Establishments
to the above uses;
Accessory Residential Units to the
above uses.

11.3.26.2 The regulations for this "Commercial Special Zone No. 26 (C.7 Sp.26)" Zone are as follows:

- (i) Maximum lot coverage is thirty-five (35) percent;
- (ii) The setback from the front line shall be a minimum of ten and seven-tenths (10.7) metres;
- (iii) The side yard width shall be a minimum of fifteen (15) centimetres;
- (iv) The setback from the rear lot line shall be a minimum of twenty-seven (27) metres

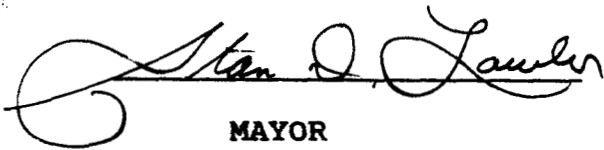
11.3.26.3 The use of land or buildings in this "Commercial Special Zone No. 26 (C.7Sp.26)" Zone shall conform to all other regulations of this By-law, except as hereby expressly varied.

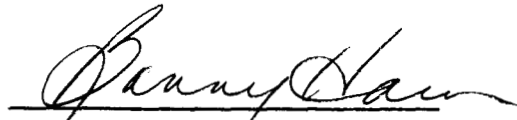
- 11.3.26.4 Pursuant to Section 34(1) of the Planning Act, no person shall use land or erect or use a building or structure in such "Commercial Special Zone No. 26 (C.7 Sp.26)" Zone shown on Schedule "B" attached hereto unless each building or structure, designed for human habitation has no opening such as a door, window, vent, passageway or any other opening below the Canadian Geodetic Datum elevation of one hundred and ninety-seven and five-tenths (197.5) metres.
3. Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Commercial Special Zone No. 26 (C.7 Sp.26)" Zone as shown on Schedule "C" to this By-law.
4. 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 not later than 15 days after this By-law is passed.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within thirty-five (35) days from the passing of this By-law, 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 thirty-five (35) days from the passing of this By-law setting out 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 29TH DAY OF
FEBRUARY, 1988.

READ A SECOND TIME IN OPEN COUNCIL THE 25TH DAY OF
APRIL, 1988.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS
25TH DAY OF APRIL, 1988.


MAYOR


DEPUTY
CITY CLERK

This is Schedule " 1 A "

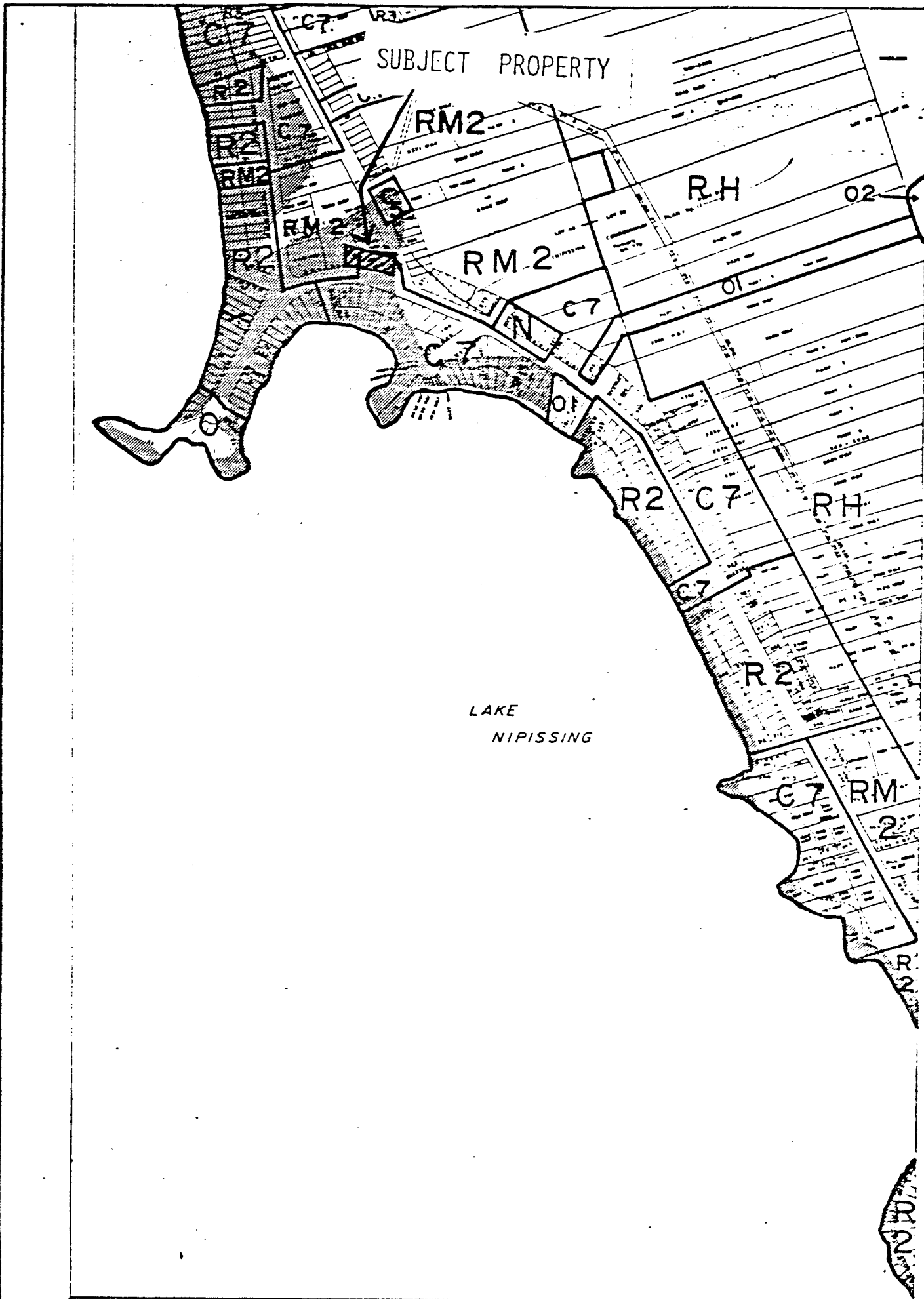
To By-law No. 29-88

Passed the 25th day of April

19 88 .

Stan J. Lawler
MAYOR

Bonny Haur
DEPUTY CITY CLERK



SCHEDULE
B - 80

CITY OF NORTH BAY
ZONING BY-LAW NO. 28-80

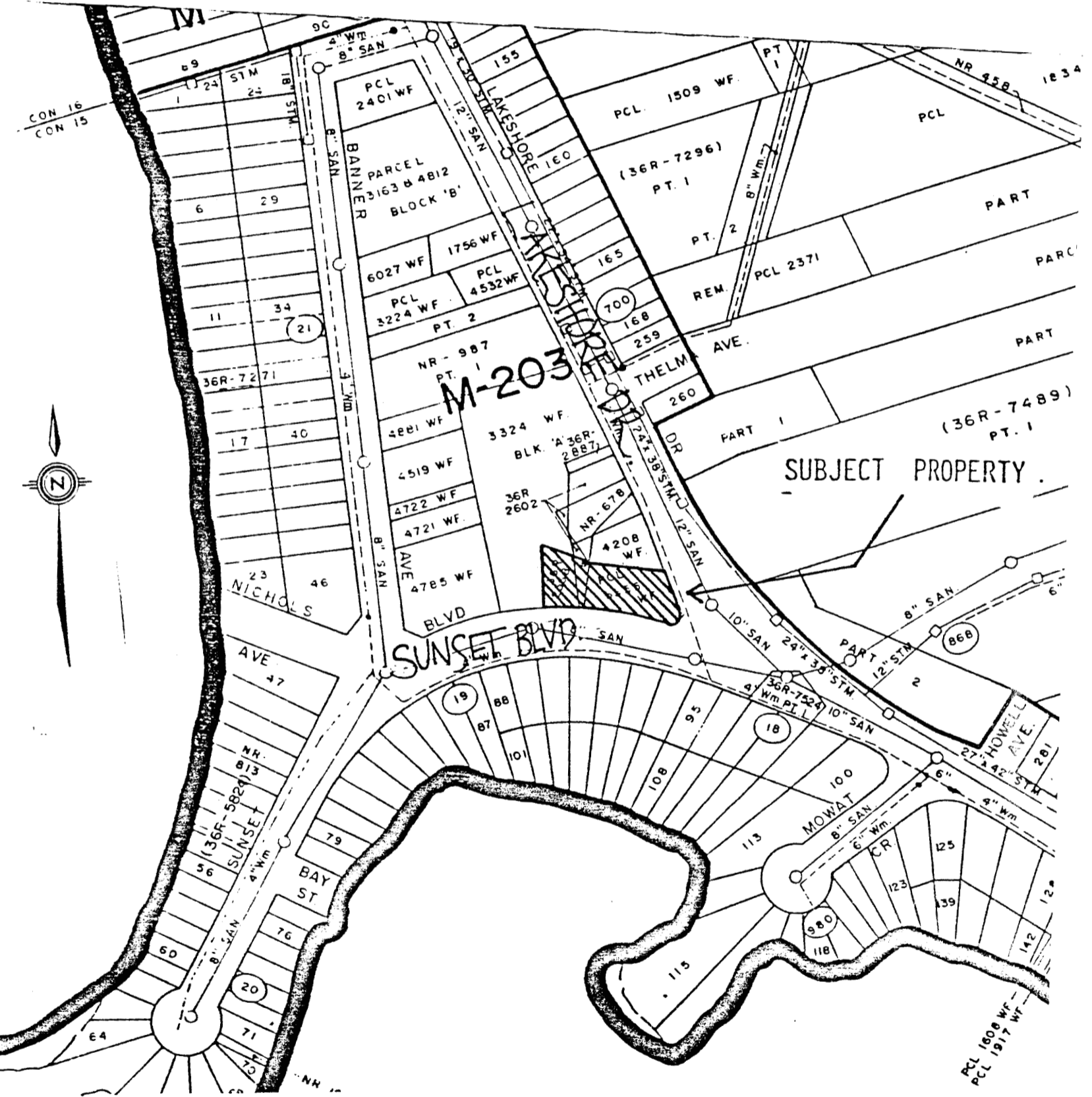
This is Schedule " B "


To By-law No. 29-88

Passed the 25th day of April
19 88 .

Stan D. Taylor
MAYOR

Benny Ham
DEPUTY CITY CLERK



 From "Tourist Commercial (C.7)" Zone and
"Residential Multiple Second Density (RM.2)" Zone
To "Commercial Special (C.7 Sp)" Zone

This is Schedule "C"

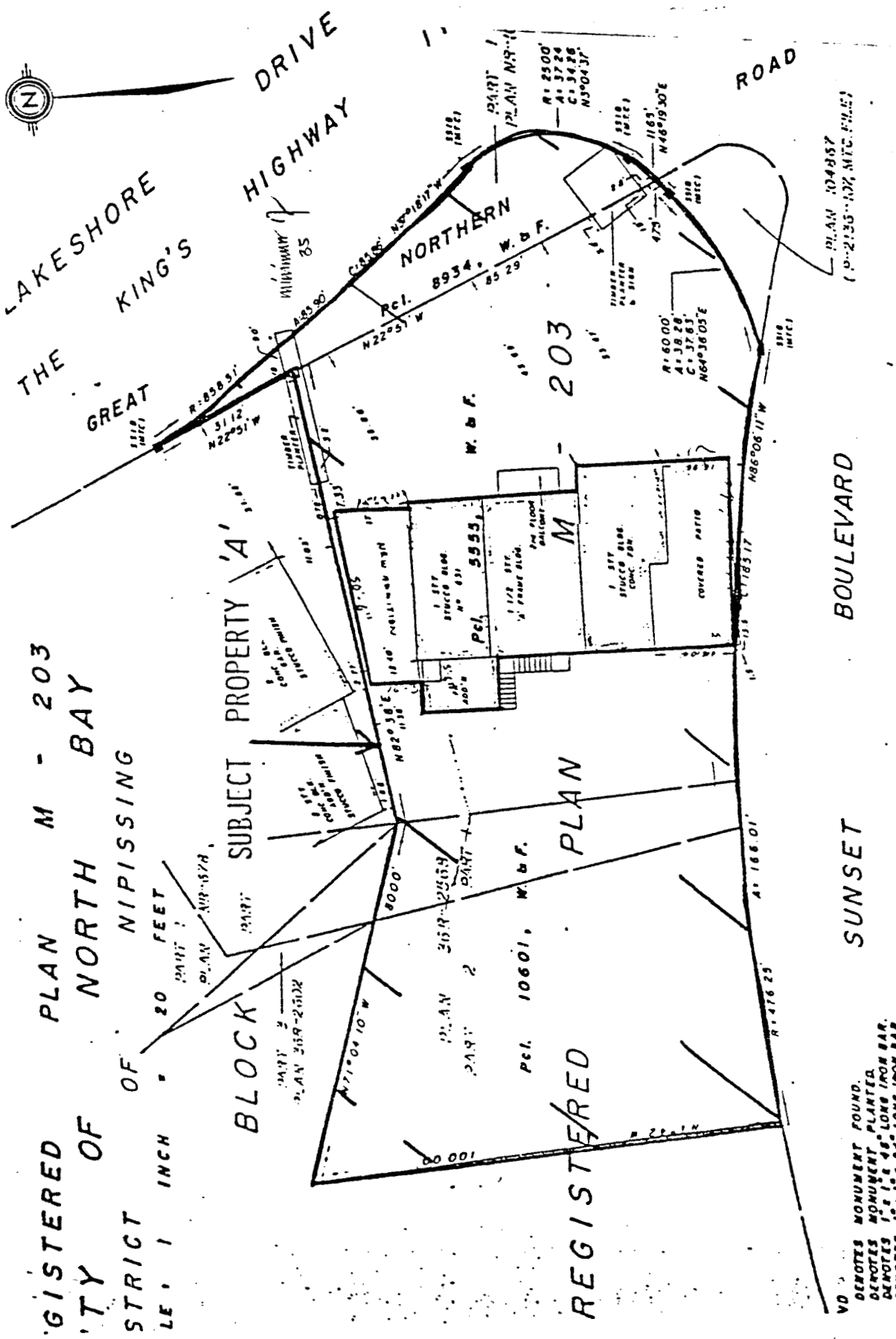
to By-law No. 29-88

Passed the 25th day of

April 19 88

Stan D. Fowler
MAYOR

Benny Ham
DEPUTY CITY CLERK



REGISTERED PLAN M - 203
 CITY OF NORTH BAY
 STREET OF NIPISSING
 SCALE 1 INCH = 20 FEET

REGISTERED PLAN

SUNSET BOULEVARD

CLARKE & DORLAN

CLARKE & DORLAN
 ONTARIO LAND
 BOX 642 NORTH BAY

NOT VALID UNLESS EMBOSSED WITH

VO DENOTES MONUMENT FOUND.
 DENOTES MONUMENT PLANTED.
 DENOTES 1" x 1" x 48" LONG IRON BAR.
 DENOTES 1" x 1" x 24" LONG IRON BAR.
 DENOTES 1/8" x 1/8" x 24" LONG IRON BAR.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 25th DAY OF MARCH, 1988.

NOTE: NOT TO SCALE