

The Corporation of the City of North Bay

By-Law No. 2016-70

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Gormanville Road from an “Industrial Commercial Special Number 21 (MC Sp.21)” Zone to an amended “Industrial Commercial Special Number 21 (MC Sp.21)” Zone

1761714 Ontario Inc. – 504 Gormanville 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 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-41” 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 Committee Report 2016-18 adopted by Council on May 30, 2016 by resolution number 2016-250 to approve this rezoning;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) Schedule “B-41” 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 # 49128-0292, Lots 1 & 2 on Plan M-167, Except Parts 17 & 19, 36R-12426, North Bay, District of Nipissing and PIN # 49128-0294, PT Rear St. Plan M36, Widdifield, Part 21, NR2326 & Part 1 36R2605, Except Parts 21 & 23 36R12426, S/T LT353747, North Bay, District of Nipissing), shown as hatched on Schedule A attached hereto from an “Industrial Commercial Special Number 21 (MC Sp.21)” zone to an “Industrial Commercial Special Number 21 (MC Sp.21)”zone.
- 2) All buildings or structures erected or altered and the use of land in such “Industrial Commercial Special Number 21 (MC Sp.21)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11.3.21 of By-law No. 2015-30 is amended by replacing the existing text with the following:

"11.3.21 "Industrial Commercial Special Number 21 (MC Sp.21)"

11.3.21.1 The property description of this "Industrial Commercial Special Number 21 (MC Sp.21)" is PIN # 49128-0292, Lots 1 & 2 on Plan M-167, Except Parts 17 & 19, 36R-12426, North Bay, District of Nipissing and PIN # 49128-0294, PT Rear St. Plan M36, Widdifield, Part 21, NR2326 & Part 1 36R2605, Except Parts 21 & 23 36R12426, S/T LT353747, North Bay, District of Nipissing along Gormanville Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-41".

11.3.21.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Industrial Commercial Special Number 21 (MC Sp.21)" except for the following uses:

- Neighbourhood convenience store;
- Restaurant;
- Retail Store, Local; and
- All those uses permitted in the Light Industrial (M1) zone

11.3.21.2 (b) The regulations for this "Industrial Commercial Special Number 21 (MC Sp.21)" are as follows:

- i) The minimum front yard setback shall be 7.5m; and
- ii) The minimum northern side yard setback shall be 0.06 metres.

11.3.21.3 The use of land or building in this "Industrial Commercial Special Number 21 (MC Sp.21)" 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 "Industrial Commercial Special Number 21 (MC Sp.21)" 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 Municipal Board Act*, R.S.O. 1990, c. O.28.

- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 4 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 4 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 30th Day of May 2016.

Read a Second Time in Open Council the 30th Day of May 2016.

Read a Third Time in Open Council and Passed this 30th Day of May 2016.

Mayor, Allan McDonald

City Clerk Karen McIsaac

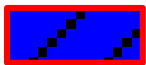
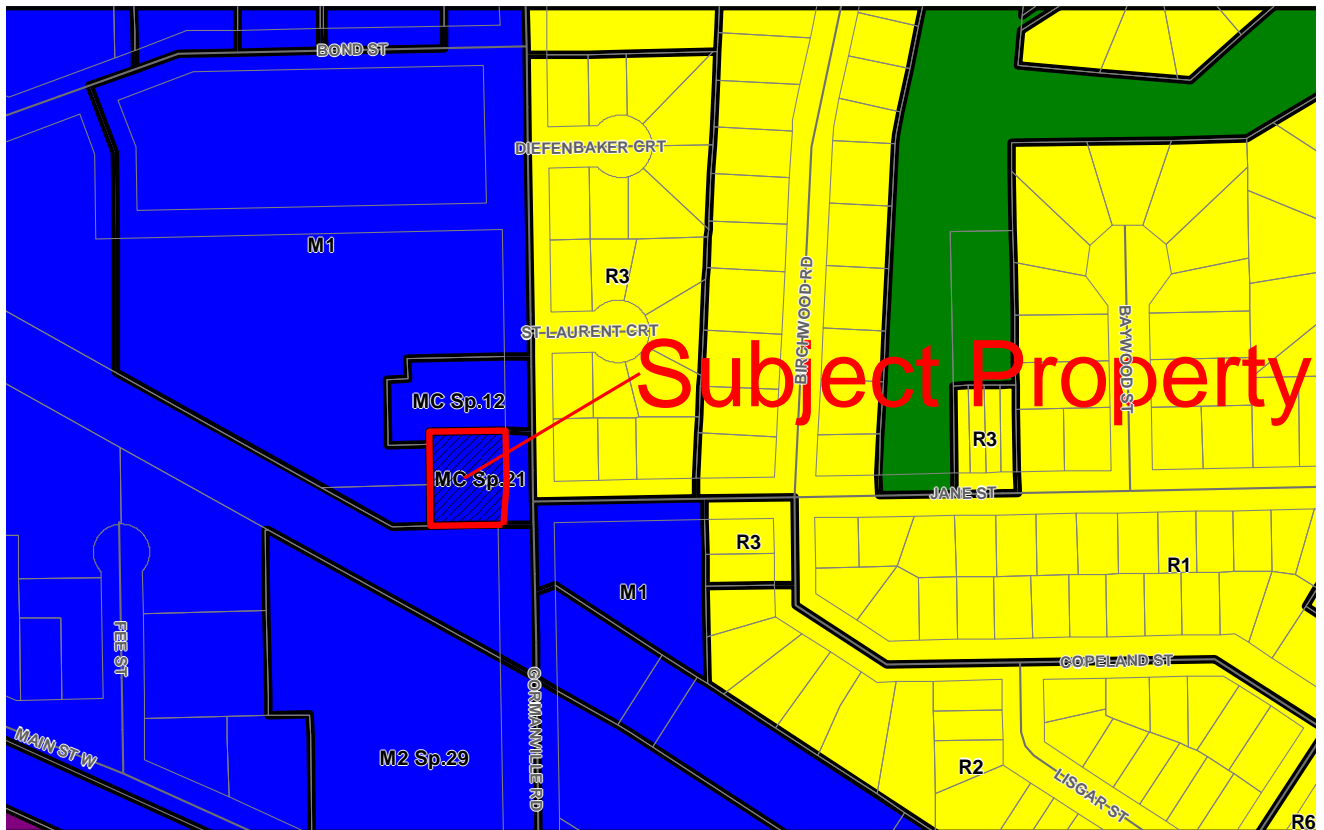
Schedule A

This is Schedule "A"
To By-law No. 2016-70

Passed the 30th Day of May 2016.

Mayor Allan McDonald

City Clerk Karen McIsaac



- From "Industrial Commercial Special Number 21 (MC Sp.21)" to an amended "Industrial Commercial Special Number 21 (MC Sp.21)"

Schedule B

This is Schedule "B"
To By-law No. 2016-70

Passed the 30th Day of May 2016.

Mayor Allan McDonald

City Clerk Karen Mclsaac

