

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 113-96

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON MCKEOWN AVENUE
FROM A 'RESIDENTIAL MULTIPLE THIRD DENSITY'
ZONE TO A 'DISTRICT COMMERCIAL SPECIAL
ZONE NO. 49 (C4 SP.49)'
(NEW ERA HOMES LIMITED)**

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-31" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990 as amended;

AND WHEREAS the Council has indicated its intent to pass Official Plan Amendment No. 74.

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

- 1) Schedule "B-31" 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 Plan 36R-8648, Pt. 2) along McKeown Avenue in the City of North Bay, shown as hatched on Schedules "B & C" attached hereto from a "Residential Multiple Third Density (RM3)" zone to a "District Commercial Special Zone No. 49 (C4 Sp.49)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.49:
 - "11.3.49 "District Commercial Special Zone No. 49 (C4 Sp.49)".
 - 11.3.49.1 The property description of this "District Commercial Special Zone No. 49 (C4 Sp.49)" is Plan 36R-8648, Pt. 2 along McKeown Avenue in the City of North Bay as shown on the attached Schedules and Schedule "B-31".
 - 11.3.49.2(a) No person shall use land, or use, erect, or construct any building or structure in this "District Commercial Special Zone No. 49 (C4 Sp.49)" except for the following uses:
 - banks;
 - business offices;
 - financial institutions;

- food stores;
- local retail stores;
- public and private parking areas;
- professional offices;
- 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.

11.3.49.2(b) The regulations for this "District Commercial Special Zone No. 49 (C4 Sp.49)" are as follows:

- i) the minimum front yard setback shall be fifteen and two-tenths (15.2) metres;
- ii) the minimum rear yard setback shall be nine and zero-tenths (9.0) metres.

11.3.49.3 The use of land or building in this "District Commercial Special Zone No. 49 (C4 Sp.49)" zone 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. 49 (C4 Sp.49)" as shown on Schedule "C" to this By-law.
- 4) This By-law shall not come into force and effect until such time as Official Plan Amendment No. 74 is finally approved.
- 5) 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.
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, subject to Section 4, 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 subject to Section 4, 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 15th DAY OF OCTOBER

199 6

READ A SECOND TIME IN OPEN COUNCIL THE 28th DAY OF OCTOBER

199 6.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 28th DAY

OF OCTOBER 199 6.


MAYOR


CITY CLERK

This is Schedule " A "
To By-law No. 113-96
Passed the 28th day of OCTOBER
19 96.

Jack Burruss
MAYOR

Benny Hill
CITY CLERK

PT 1
NR-2465

PT 1
NR-2465



PT 2

PT 1

36R-2609

BLOCK 'A'
RM2

36R-6823
PT.3
BLK.
'4'

PT.6

REM.
BLOCK '6'

36R-7164

BLOCK 'B'
RM3

M-528

BLOCK 'N'

AVENUE

SUBJECT PROPERTY →

CSP3

PART 1
36R-3281

PART 2

NRD-2091

PART 1
M2
NRD-2091

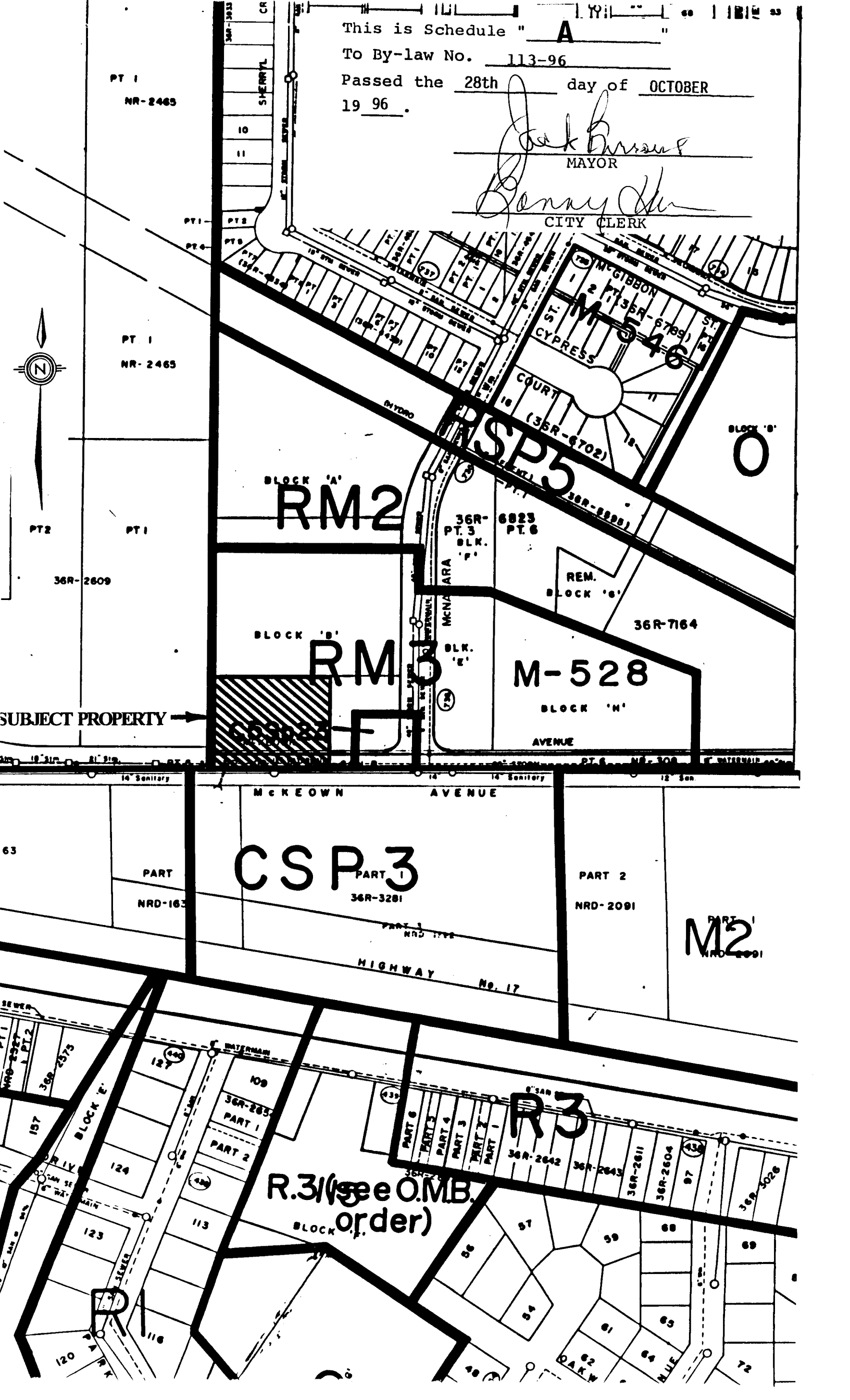
HIGHWAY No. 17

R3

R.3 (see O.M.B. order)

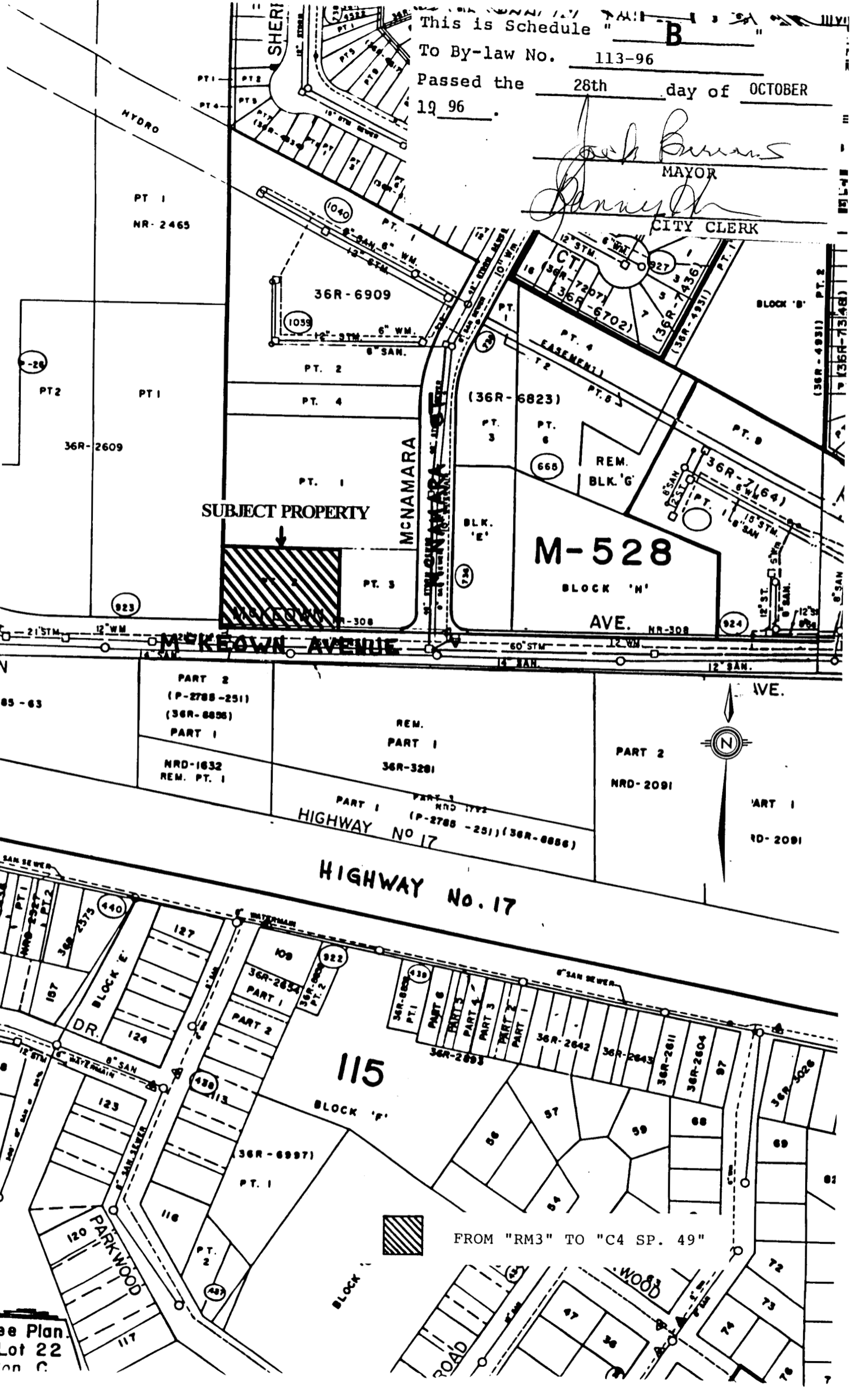
BLOCK 'C'

R1



This is Schedule " B "
To By-law No. 113-96
Passed the 28th day of OCTOBER
19 96

Jack Burrows
MAYOR
Dorothy
CITY CLERK



PT 1
NR-2465

36R-6909

36R-2609

SUBJECT PROPERTY

M-528

BLOCK 'M'

AVE. NR-308

MCKEOWN AVENUE

PART 2
(P-2788-251)
(36R-8886)
PART 1

MRD-1632
REM. PT. 1

REM.
PART 1
36R-3201

PART 1 PART 2
HIGHWAY NO 17 (P-2788-251)(36R-8886)

PART 2
MRD-2091

PART 1
RD-2091

HIGHWAY No. 17

115

BLOCK 'F'

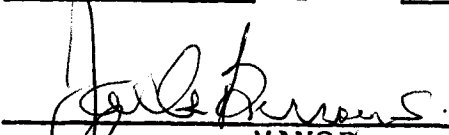
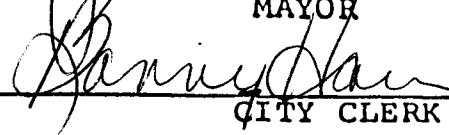
FROM "RM3" TO "C4 SP. 49"

See Plan
Lot 22
on C.

This is Schedule " C "

To By-law No. 113-96

Passed the 28th day of OCTOBER
19 96.


MAYOR

CITY CLERK

SCHEDULE TO "DISTRICT COMMERCIAL SPECIAL ZONE NO. 49 (C4 SP.49)"

