

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2010-008

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON FISHER STREET AND SECOND AVENUE EAST FROM A “RESIDENTIAL THIRD DENSITY (R3)” ZONE AND A “COMMERCIAL SPECIAL ZONE NO. 8 (C SP.8)” TO A “NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 78 (C5 SP.78)”**

**(O’ROURKE – FISHER STREET & SECOND AVENUE EAST)**

**WHEREAS** the Owner of the subject properties 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 zone designation shown on Schedule “B-51” 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 February 8th, 2010 to approve this rezoning.

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

- 1) Schedule “B-51” of By-law No. 28-80 is amended by changing the zoning designation of the properties shown on Schedule “A” attached hereto (which properties are more particularly described as Registered Plans 20 & 21, Part of Lots 29 & 30 and Lot 560, known locally as 414 to 420 Second Avenue East and 719 Fisher Street in the City of North Bay, shown as hatched on Schedule “B” attached hereto) from a “Residential Third Density (R3)” zone and a “Commercial Special Zone No. 8 (C Sp.8)” to a “Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)”.
- 2) All buildings or structures erected or altered and the use of land in such “Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)” zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following
  - 11.3.78 Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)
    - 11.3.78.1 The property description of this “Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)” is: Registered Plans 20 & 21, Part of Lots 29 & 30 and Lot 560 – 414 to 420 Second Avenue East and 719 Fisher Street in the City of North Bay as shown on the attached Schedules and Schedule “B-51”
    - 11.3.78.2 The regulations for this “Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)” zone are as follows:
      - i) The minimum front yard setback shall not be less than 2.0 metres;
      - ii) The minimum rear yard setback shall not be less than 4.5 metres;
      - iii) The minimum exterior side yard setback shall be 0.5 metres; and
    - 11.3.78.3 The permitted uses in this “Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)” zone are as follows:

- Convenience Stores
- Day Nursery
- Dry Cleaning Depots
- Laundromat
- Local Retail Stores
- Personal Service Establishments
- Professional Offices & Business Offices
- Wholesale Uses
- Restaurants
- Public & Private Parking Areas

11.3.78.4 The use of land or buildings in this “Neighbourhood Commercial Special Zone No.78 (C5 Sp.78)” zone shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 4) Section 11 of By-law No. 28-80 is further amended by inserting “Neighbourhood Commercial Special Zone No. 78 (C5 Sp.78)” as Schedule “C” to this By-law.
- 5) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule “A” attached hereto are hereby designated as a Site Plan Control Area.
- 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. 254/06 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.

READ A FIRST TIME IN OPEN COUNCIL THE 8<sup>TH</sup> DAY OF FEBRUARY, 2010.

READ A SECOND TIME IN OPEN COUNCIL THE 8<sup>TH</sup> DAY OF FEBRUARY, 2010.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15<sup>TH</sup> DAY OF AUGUST, 2011.

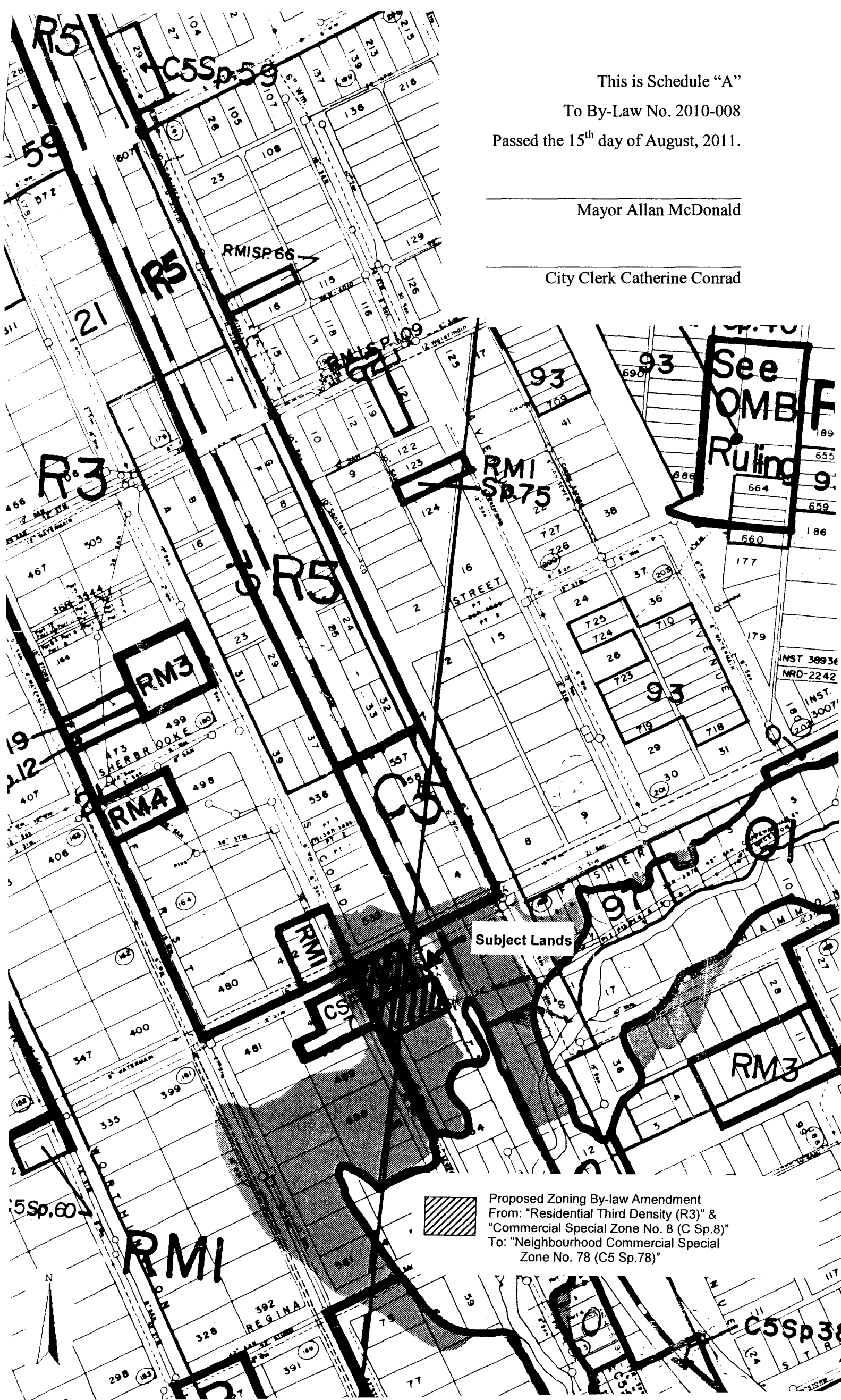
"original signature on file"  
MAYOR ALLAN McDONALD

"original signature on file"  
CITY CLERK CATHERINE CONRAD

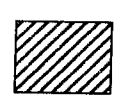
This is Schedule "A"  
To By-Law No. 2010-008  
Passed the 15<sup>th</sup> day of August, 2011.

Mayor Allan McDonald

City Clerk Catherine Conrad



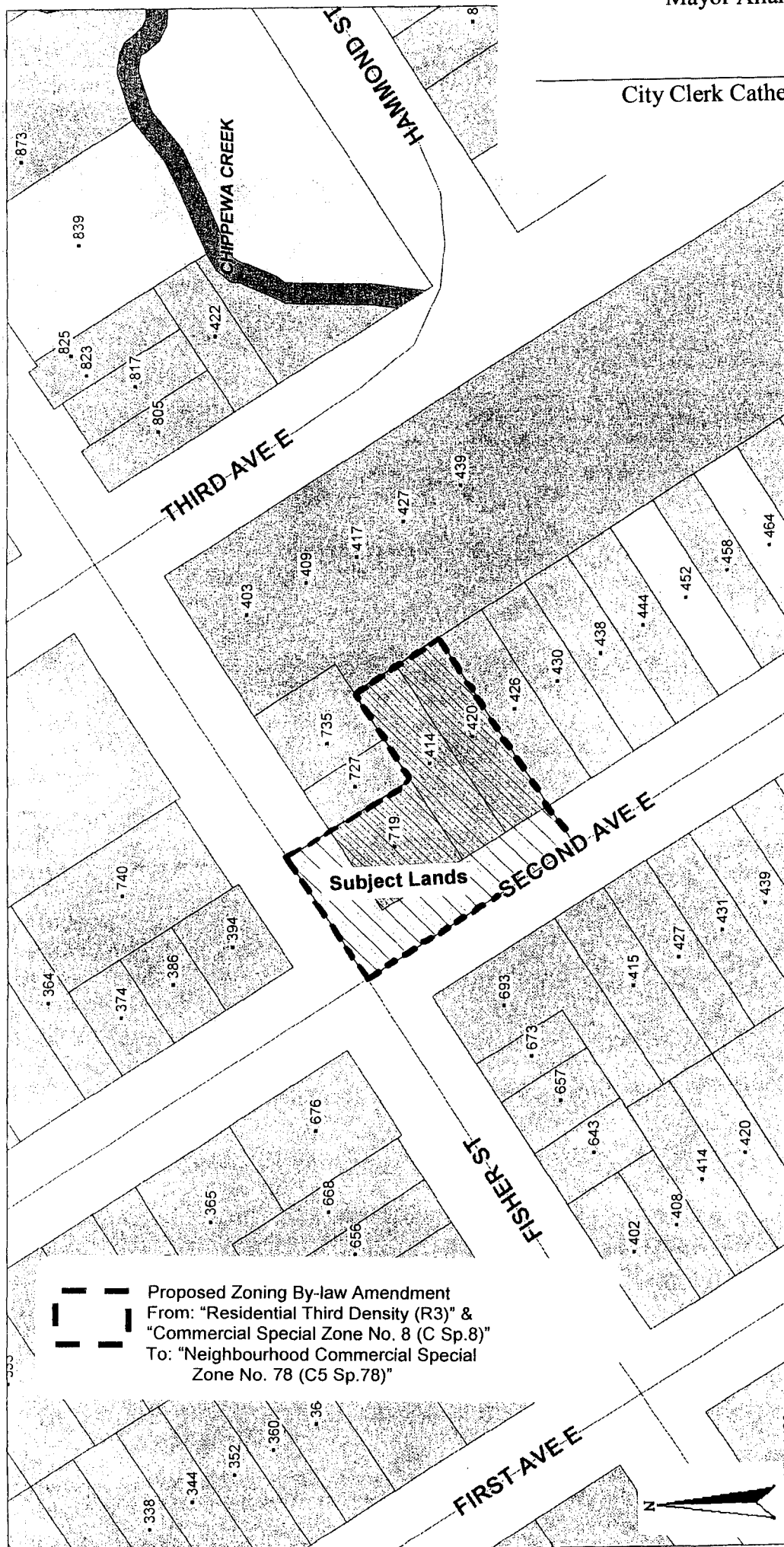
Subject Lands

 Proposed Zoning By-law Amendment  
From: "Residential Third Density (R3)" &  
"Commercial Special Zone No. 8 (C Sp.8)"  
To: "Neighbourhood Commercial Special  
Zone No. 78 (C5 Sp.78)"

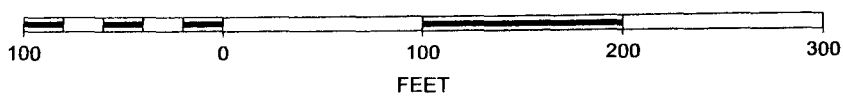
This is Schedule "B"  
To By-Law No. 2010-008  
Passed the 15<sup>th</sup> day of August, 2011.

Mayor Allan McDonald

City Clerk Catherine Conrad



SCALE 1 : 1,150

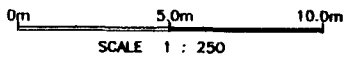


SITE PLAN OF  
**ALL OF LOT 30 AND PART OF LOT  
 REGISTERED PLAN 20, AND  
 PART OF LOT 560 REGISTERED PL/**  
**CITY OF NORTH BAY**

DISTRICT OF NIPISSING

This is Schedule "C"  
 To By-Law No. 2010-008

Passed the 15<sup>th</sup> day of August, 2011.



Miller & Urso Surveying Inc.

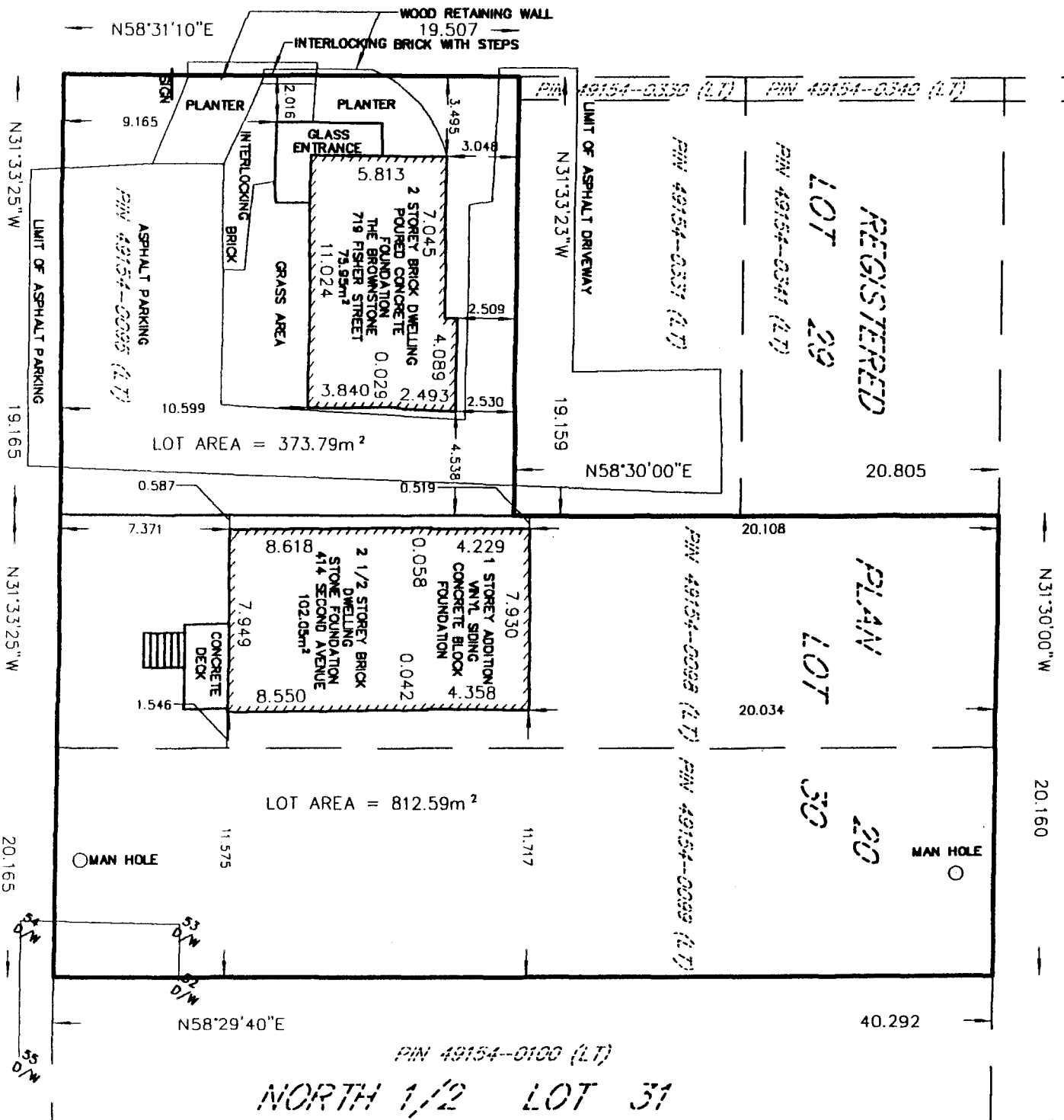


Mayor Allan McDonald

City Clerk Catherine Conrad

**METRIC**  
 DISTANCES SHOWN ON THIS PLAN ARE IN  
 METRES AND CAN BE CONVERTED TO FEET  
 BY DIVIDING BY 0.3048.

Proposed Zoning By-law Amendment  
 From: "Residential Third Density (R3)" &  
 "Commercial Special Zone No. 8 (C Sp.8)"  
 To: "Neighbourhood Commercial Special  
 Zone No. 78 (C5 Sp.78)"



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 Planning Consultants  
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