

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 24-83

BEING A BY-LAW TO AMEND BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON MAPLEWOOD AVENUE
FROM C.4 TO COMMERCIAL SPECIAL (C.4 NO. 9)
ZONE (LEEROY'S)

WHEREAS upon the request of the property owner concerned, and with the approval of the local Planning Board, it is considered advisable to amend By-Law No. 28-80 of The Corporation of the City of North Bay to amend the zone designation shown on Schedule "B-42" of By-Law No. 28-80 pursuant to Section 39 of The Planning Act, R.S.O. 1980, Chapter 379;

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

1. Schedule "B-42" of said By-Law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto and forming part hereof, which property is more particularly described as Lots 3 and 4, Plan M-176 in the City of North Bay, shown as hatched on Schedule "B" attached hereto and forming part hereof, from a "District Commercial (C.4)" Zone to a "Commercial Special (C.4) No. 9 (C.4 Sp. 9)" Zone.
2. Section 11 of By-Law No. 28-80 is amended by inserting at the end thereof, the following Section 11.3.9:

"11.3.9 "Commercial Special (C.4) Zone No. 9 (C.4 Sp.9)"

 - 11.3.9.1 The property description of this "Commercial Special C.4 No. 9" Zone is:

Lots 3 and 4, Plan M-176 as shown on the attached schedule and Schedule "B-42".
 - 11.3.9.2 (a) The Permitted Uses in this "Commercial Special (C.4) Zone No. 9 (C.4 Sp.9) Zone are as follows:

Restaurants and Taverns

Public and Private Parking Areas
 - (b) The regulations for this "Commercial Special (C.4) Zone No. 9 (C.4 Sp.9) Zone are as follows:
 - (i) Maximum lot coverage shall be forty (40) percent;

- (ii) The setback from the front lot line shall be a minimum of seven (7) metres;
- (iii) The setback from the side lot line shall be a minimum of six tenths (.6) metres;
- (iv) Where a side lot line abuts a street, the setback from the said side lot line shall be a minimum of four and eight-tenths (4.8) metres;
- (v) The setback from the rear lot line shall be a minimum of one and two-tenths (1.2) metres.

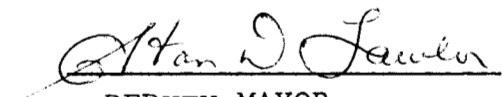
11.3.9.3 Notwithstanding the requirement of Section 3.27 that parking spaces be provided on the same lot as the building on the lot, any parking spaces required for any building on Lot 3, Plan M-176 may be located on Lot 4, Plan M-176, provided the number of parking spaces required by Section 3.27 is met.

11.3.9.4 The use of land in this "Commercial Special (C.4) Zone No. 9 (C.4 Sp.9)" 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 "Commercial Special (C.4) Zone No. 9 (C.4 Sp.9)" as shown on Schedule "C" to this By-Law.
- 4. All buildings or structures erected or altered and the use of land in such "Commercial Special (C.4) No. 9 (C.4 Sp.9)" Zone hereby established shall conform to all applicable provisions of By-Law No. 28-80 of The Corporation of the City of North Bay, except as hereby expressly varied.
- 5. (a) Notice of this By-Law shall be given in the manner and form and to the persons prescribed by Ontario Regulation 78/80;

- (b) Where no notice of objection is filed with the Clerk of The Corporation of the City of North Bay within twenty-one (21) days of service of the notice as prescribed by Ontario Regulation 78/80, then this By-Law thereupon comes into force and effect;
- (c) Where notice of objection is filed with the Clerk of The Corporation of the City of North Bay within twenty-one (21) days of service of the notice as prescribed by Ontario Regulation 78/80, this By-Law shall come into force and effect upon the approval of the Ontario Municipal Board.

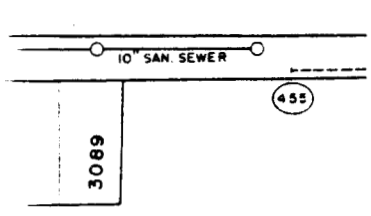
READ A FIRST TIME IN OPEN COUNCIL THE 7TH DAY OF MARCH, 1983. 1
READ A SECOND TIME IN OPEN COUNCIL THE 21ST DAY OF MARCH, 1983. 1
READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS
21ST DAY OF MARCH 1983.


DEPUTY MAYOR

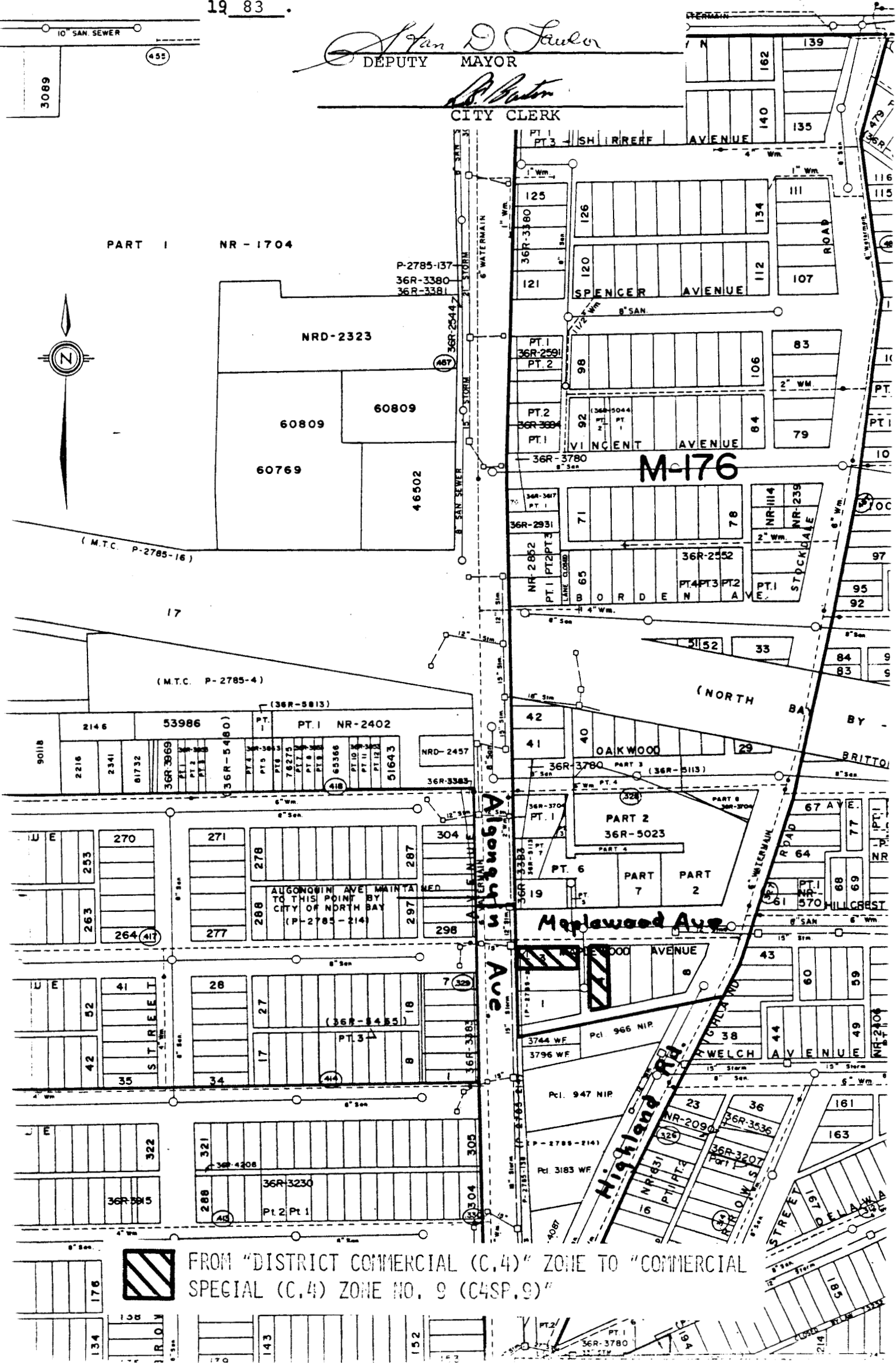

CITY CLERK

This is Schedule " B "
 To By-law No. 24-83
 Passed the 21st day of March
 19 83 .

Alan D. Fowler
 DEPUTY MAYOR
[Signature]
 CITY CLERK



PART I NR - 1704



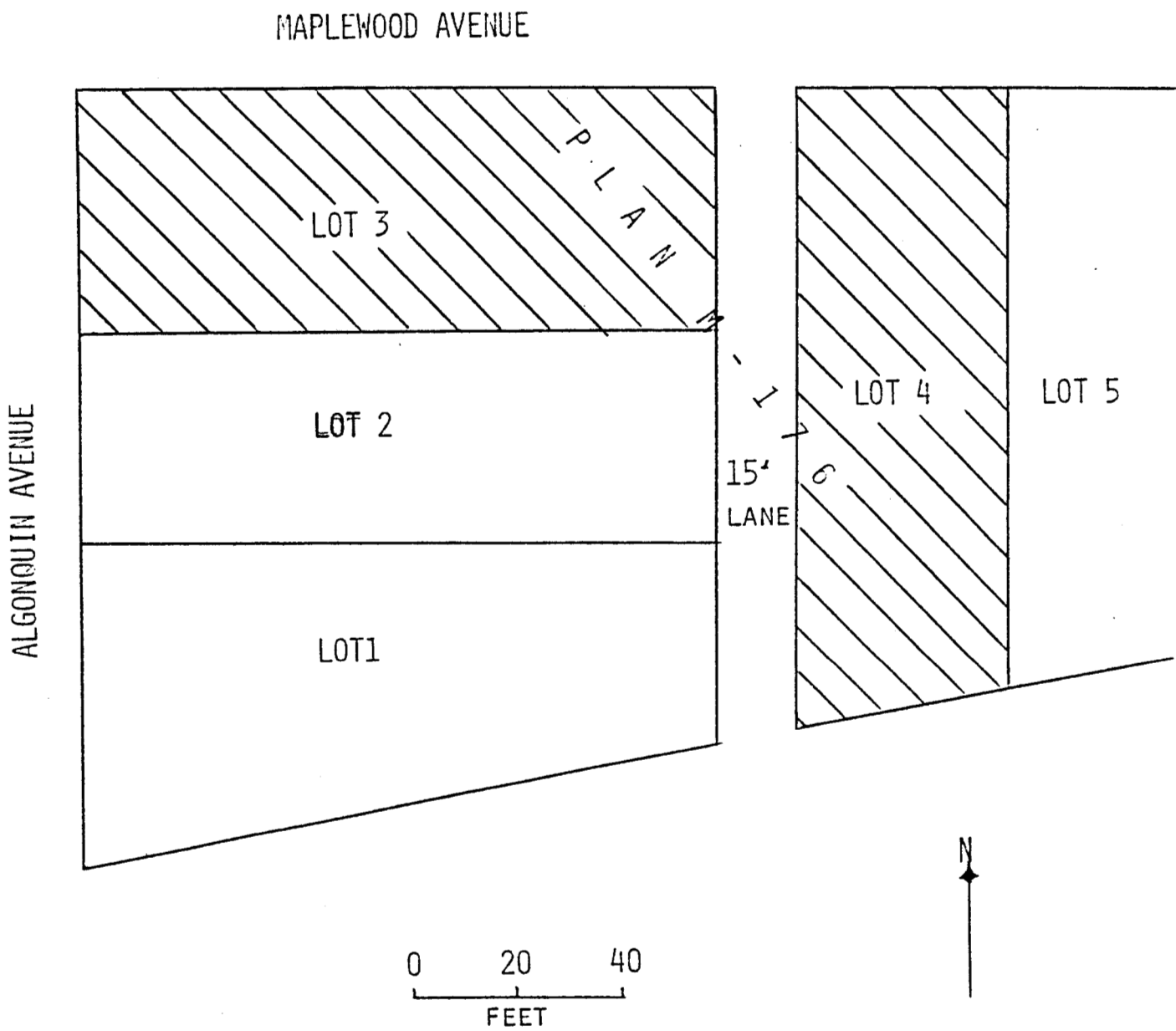
FROM "DISTRICT COMMERCIAL (C.4)" ZONE TO "COMMERCIAL SPECIAL (C.4) ZONE NO. 9 (C4SP.9)"

This is Schedule " C "
To By-law No. 24-83
Passed the 21st day of March ,
19 83 .

Alan D. Fauler
DEPUTY MAYOR

A. Burton
CITY CLERK

SCHEDULE TO "COMMERCIAL SPECIAL (C.4) ZONE NO. 9(C4SP.9)"



SCHEDULE 2

STATEMENT OF CONFORMITY TO THE OFFICIAL PLAN AND
PURPOSE AND EFFECT OF BY-LAW NO. 24-83

I, Stephen M. Sajatovic, M.C.I.P., the Chief Planning Officer of the Corporation of the City of North Bay, have reviewed By-law No. 24-83 of the City of North Bay and I am of the opinion that the By-law is in conformity with the Official Plan in effect for the North Bay Planning Area.

The purpose and effect of the By-law are as follows:

- a) The purpose of By-law No. 24-83 of the City of North Bay is to change the permitted land uses and the governing regulations on a specific property. The property to be affected (Lots 3 and 4, Plan M-176) is shown on Schedule "B" to By-law No. 24-83, a copy of which is attached. The subject property is presently zoned "District Commercial "C.4)" which permits the following land uses:

Automobile Service Station or Gas Bar;
Banks;
Business Offices;
Financial Institutions;
Food Stores;
Local Retail Stores;
Public and Private Parking Areas on the same property as the main use is located;
Places of Entertainment;
Hotels, Motels;
Professional Offices;
Restaurants and Taverns;
Retail Stores;
Service Establishments that are not obnoxious;

- (b) By-law No. 24-83 proposes that the subject property be rezoned to a "Commercial Special (C.4) No. 9 (C4Sp.9)" Zone which would permit the following land uses:

Restaurants and Taverns;
Public and Private Parking
Areas located in close proximity to the main use;

The applicant proposes to expand his existing restaurant to permit seating space. This expansion will eliminate the existing parking on Lot 3.

New parking will be provided on Lot 4 by the demolition of the existing single family dwelling located on that lot.

Therefore, under the proposed By-law No. 24-83 the property shown on Schedule "B" attached will be rezoned to permit the expansion of the existing restaurant and the creation of new parking on Lot 4, Plan M-176.

City Council and Planning Board have recommended the rezoning of the land indicated in By-law No. 24-83.

Stephen M. Sajatovic, M.C.I.P.
Chief Planning Officer

The Corporation of the City of
the City of North Bay.