

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 35-82

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS AT FISHER STREET AND THE NORTH BAY BY-PASS FROM COMMERCIAL SPECIAL ZONE 2 (C.Sp.No.2) TO A REGIONAL SHOPPING CENTRE ZONE (NORTHGATE SQUARE)

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 to amend the zone designation as shown on Schedules "B-44" and "B-52" 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-44" and "B-52" of By-law No. 28-80 are amended by:

- (a) changing the zoning designation of the lands shown on Schedules "A" and "B" respectively attached hereto and forming part hereof, which property is more particularly described as Parts 1 to 46 inclusive, Plan 36R-5084; Parts 1 to 8 inclusive, Plan 36R-5419; and Parts 1 to 3 inclusive, Plan 36R-5650 in the City of North Bay, from "Commercial Special Zone No. 2 (C.Sp.No.2)" and "Residential Holding (RH) Zone" to "Regional Shopping Centre C.3) Zone"; and by
- (b) changing the zoning designation of the land shown on Schedules "A" and "B" respectively attached hereto and forming part hereof, which property is more particularly described as Parts 1 to 5 inclusive, Plan 36R-5645 in the City of North Bay, from "Commercial Special Zone No. 2 (C.Sp.No.2)" and "Residential Holding (RH) Zone" to "District Commercial (C.4) Zone";

all as shown on Schedule "C" attached hereto and forming part hereof.

2. (a) The following definitions are added to Section 2 - Definitions of By-law No. 28-80 of the City of North Bay:

- 2.142 CONVENIENCE DEPARTMENT STORE (C.D.S.) means a department store which offers Department Store Type Merchandise and which includes a concentration of convenience type merchandise.
- 2.143 DEPARTMENT STORE TYPE MERCHANDISE (D.S.T.M.) means merchandise ordinarily sold in full line conventional department stores and includes all apparel and accessories, furniture, appliances, television and other home furnishings, hardware, paint and wallpaper, miscellaneous goods sold in drug stores, books and stationery, jewellery and sporting goods.
- 2.144 MAJOR DEPARTMENT STORE means a major full line conventional store which offers a full range of department store type merchandise and which, for the purposes of this by-law, includes a major catalogue sales department which offers a full range of department store type merchandise.

2.145 NON-DEPARTMENT STORE TYPE MERCHANDISE (NON-D.S.T.M.) means all types of merchandise other than department store type merchandise and includes food, alcoholic, and non-alcoholic beverages, motor vehicles, snow-mobiles, mobile homes and trailers, monuments and motor vehicle service goods, gas bar.

2.146 OTHER COMMERCIAL RENTAL UNITS (C.R.U.) means businesses providing services, entertainment or recreation facilities and includes personal services, barbers, beauty salons, shoe repairs, garment alterations, dry-cleaning, laundromats, banks and other financial institutions, restaurants, food service outlets, theatres, amusement arcades, health clubs, video stores and cassette stores.

(b) For the purposes of this by-law:

(i) GROSS LEASEABLE AREA (G.L.A.) means the total floor area of a building designed and occupied for business purposes and includes any basement, mezzanines or upper floors, as expressed in square metres as measured from the centre line of joint partition walls and from outside wall faces.

(ii) COMMERCIAL FLOOR SPACE as referred to in Section 3.27 (r) means Gross Leaseable Area as defined in section 2 (b) (i) of this By-law No. 35-82, excluding common area, storage and maintenance areas, furnace rooms, laundry rooms, washrooms, stairwells and elevator shafts.

3. Section 6.4.1 of By-law No. 28-80 is hereby deleted and the following shall be inserted in lieu thereof:

6.4.1 (a) No building or structure shall be erected or altered and no land shall be used in any "Regional Shopping Centre "C-3" Zone except for the following component uses within the limits of the following maximum Gross Leaseable Areas:

A. Existing Northgate Square Shopping Centre

<u>Component Uses</u>	<u>Maximum Gross Leaseable Area</u>
(i) Convenience Department Store (Woolco)	11,855 square metres
(ii) Department Store Type Merchandise (D.S.T.M.) and Non-Department Store Type Merchandise (Non D.S.T.M.) and Other Commercial Rental Units (C.R.U.) Stores (ancillary)	11,435 square metres
(iii) Food Store	<u>1,847</u> square metres
TOTAL GROSS LEASEABLE AREA	25,137 square metres

B. Expansion to Existing Northgate Square Shopping Centre

<u>Component Uses</u>	<u>Maximum Gross Leaseable Area</u>
(i) Major Department Store (Sears)	7,897 square metres
(ii) Department Store Type Merchandise (D.S.T.M.) Stores (ancillary)	5,574 square metres
(iii) Non-Department Store Type Merchandise (Non D.S.T.M.) and Other Commercial Rental Units (C.R.U.) Stores (ancillary)	<u>2,787</u> square metres
TOTAL GROSS LEASEABLE AREA	16,258 square metres

3. (b) The component uses within the total defined maximum gross leaseable area of 41,395 square metres shall be constructed as one building with the existing Northgate Square Shopping Centre.
4. Section 6.4.2.1 of By-law No. 28-80 is hereby deleted and the following shall be inserted in lieu thereof:

"6.4.2.1 Maximum Lot Coverage shall not exceed thirty-five (35) per cent".
5. Pursuant to Section 39 (3) of the Planning Act, no person shall use land or erect or use a building or structure in such "Regional Shopping Centre (C.3) Zone" shown on Schedule "B" attached hereto, unless every opening such as a door, window, vent, passageway, or any other opening of any building or structure is above the Canadian Geodetic Datum elevation of two hundred and five and five-tenths (205.5) metres.
6. (a) By-law No. 34-82 of the City of North Bay is hereby repealed.
(b) Section 11.3.2 of By-law No. 28-80 is hereby deleted.
7. This By-law shall take effect from the date of passing by Council and shall come into force upon the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THE 15TH DAY OF FEBRUARY, 1982.

READ A SECOND TIME IN OPEN COUNCIL THE 1th DAY OF March , 1982.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS
15th DAY OF March , 1982.



MAYOR



DEPUTY CLERK

This is Schedule " A "

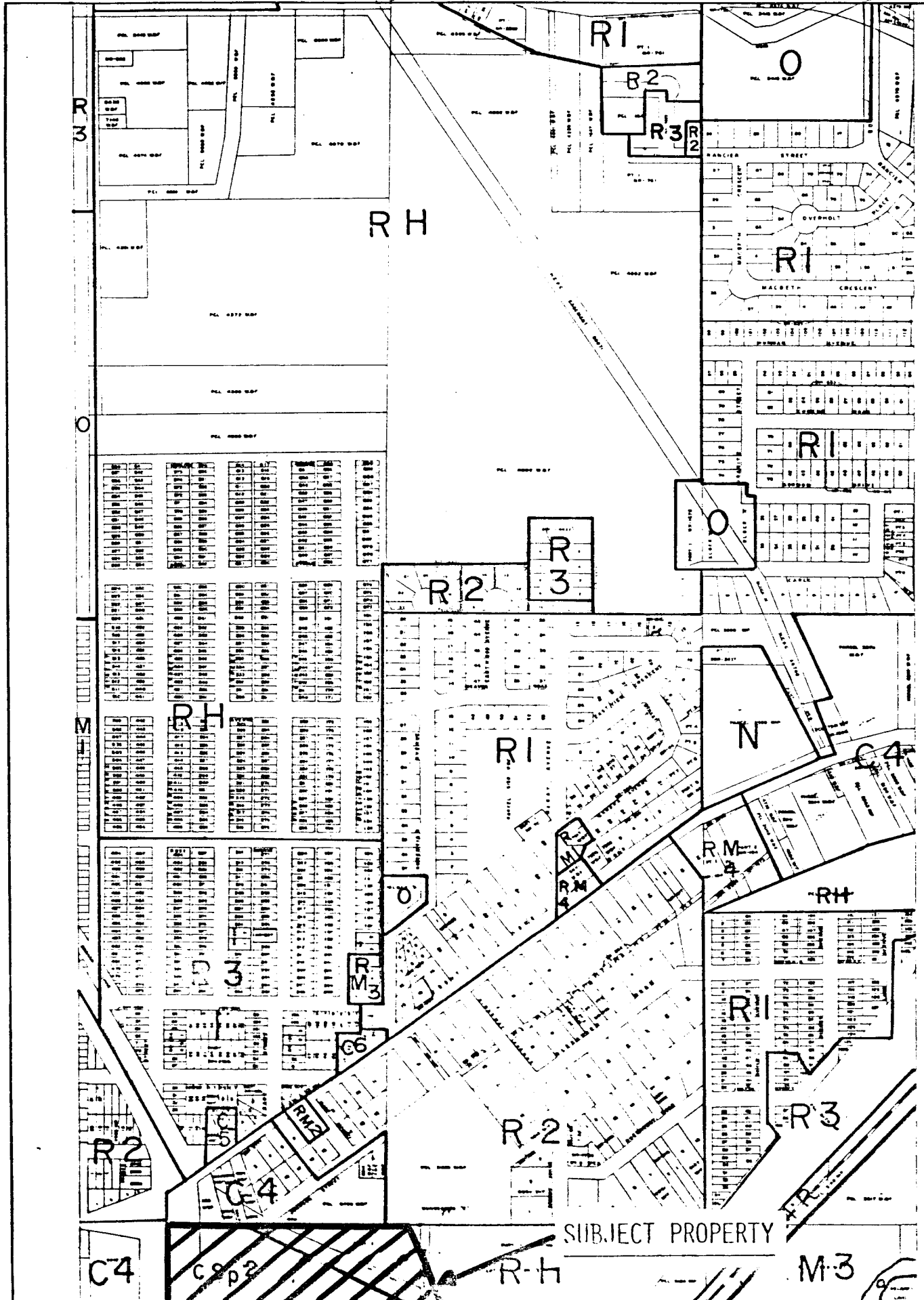
To By-law No. 35-82

Passed the 15th day of March

19 82.

[Signature]
MAYOR

Benny Dawson
DEPUTY CLERK



SCHEDULE

B - 44

CITY OF NORTH BAY
ZONING BY-LAW No 28-80

This is Schedule " B "

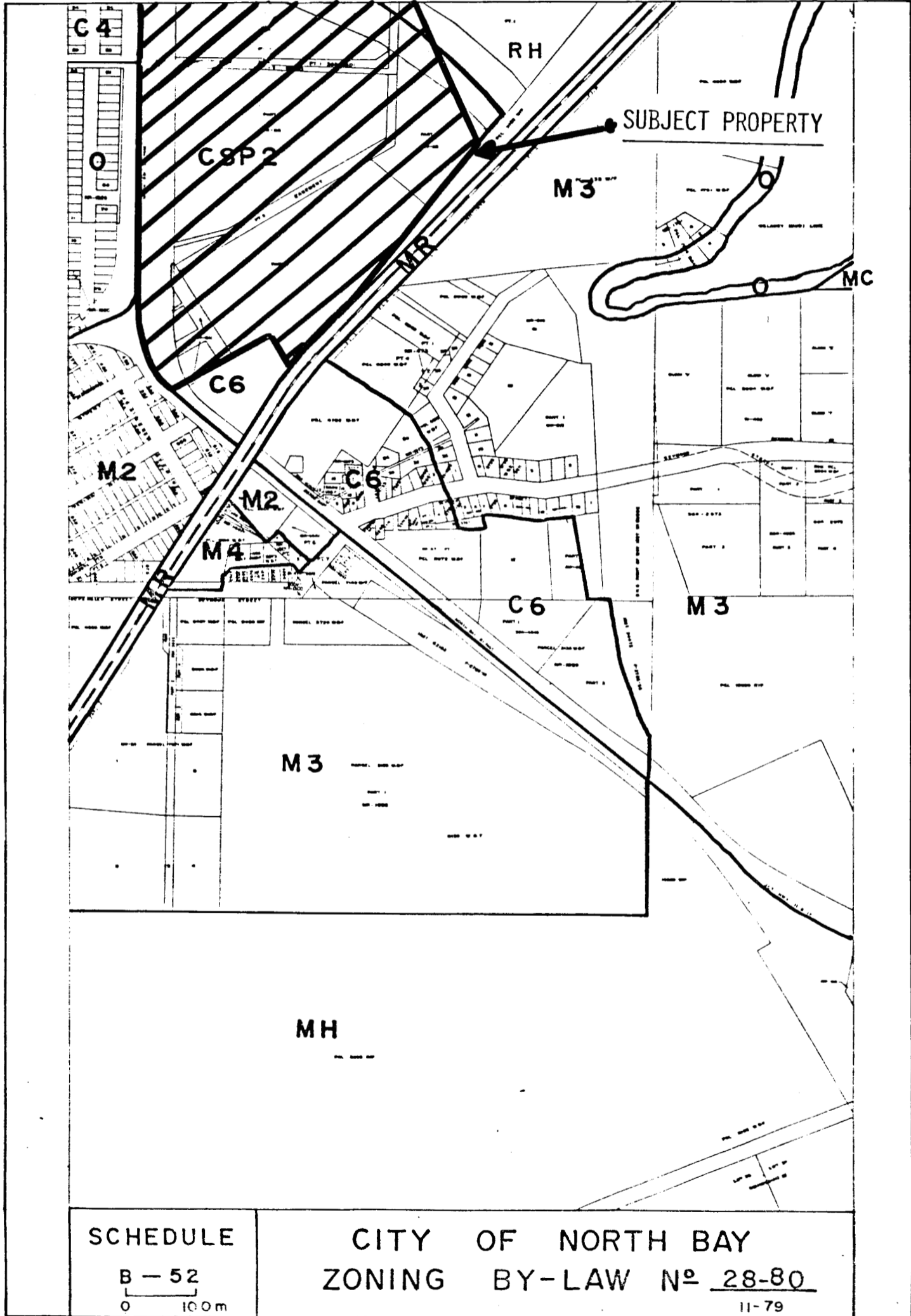
To By-law No. 35-82

Passed the 15th day of March

19 82 .

[Signature]
MAYOR

[Signature]
DEPUTY CLERK



SCHEDULE

B - 52

0 100m

CITY OF NORTH BAY
ZONING BY-LAW No 28-80

11-79

This is Schedule " C "

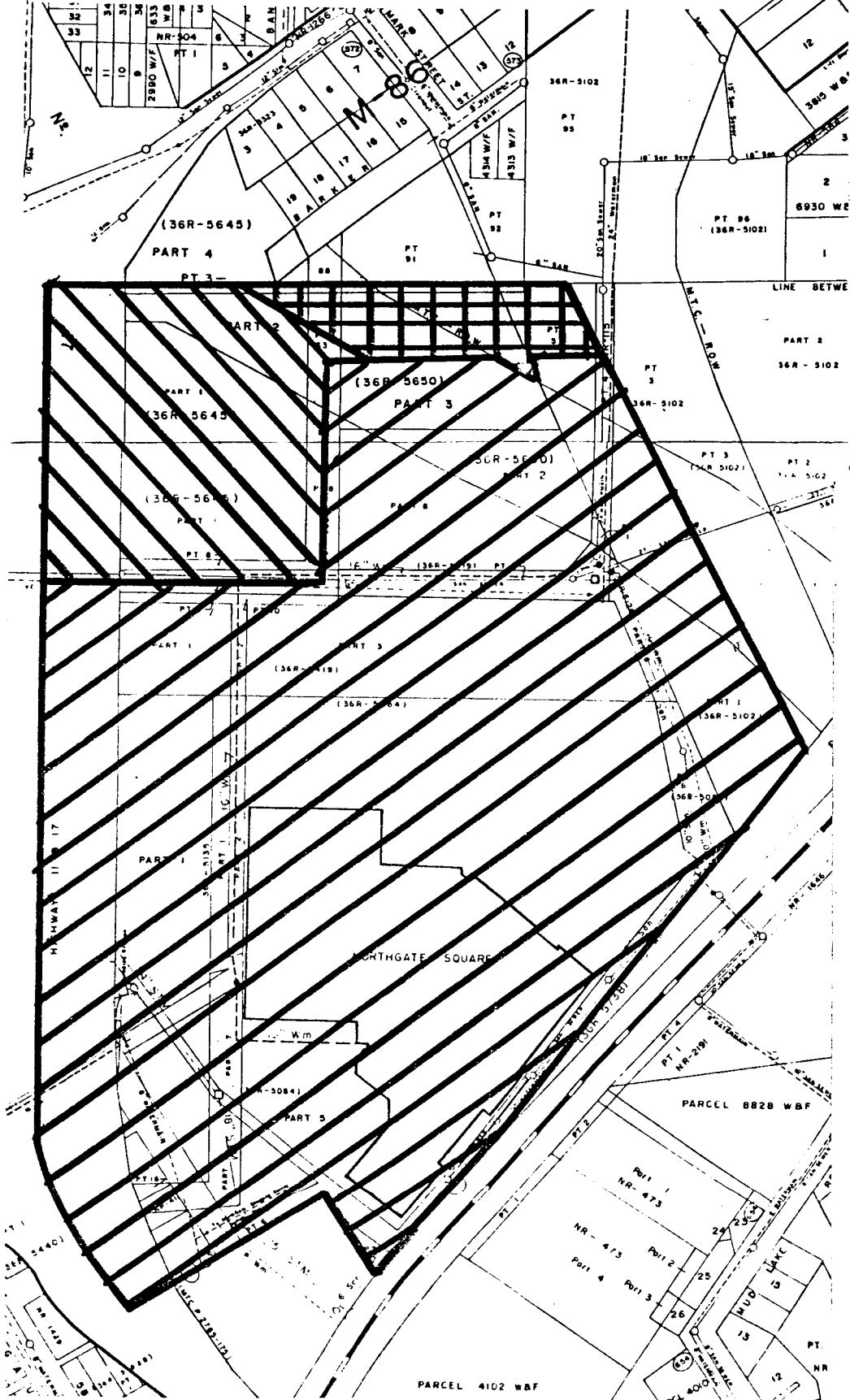
To By-law No. 35-82

Passed the 15th day of March

19 82.

[Signature]
MAYOR

[Signature]
DEPUTY CLERK



FROM "COMMERCIAL SPECIAL NO. 2(CSP,2)" AND "RESIDENTIAL HOLDING(RH)" TO "REGIONAL SHOPPING CENTRE(C,3)"



FROM "COMMERCIAL SPECIAL NO. 2(CSP,2)" TO "DISTRICT COMMERCIAL(C,4)"



FROM "RESIDENTIAL HOLDING(RH)" TO "DISTRICT COMMERCIAL(C,4)"