

The Corporation of the City of North Bay

By-Law No. 2016-109

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Cholette Street (Unaddressed) from an “Arterial Commercial (C6)” Zone to an “Arterial Commercial Special No. 68 (C6 Sp. No. 68)” Zone

Olga Rota - Cholette Street (Unaddressed)

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-53 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 2016-29 adopted by Council on November 14, 2016 by resolution number 2016-512 to approve this rezoning;

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

- 1) Schedule B-53 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 in Appendix A to By-law No. 2016-109 the City of North Bay), shown as hatched on Schedule A attached hereto from an “Arterial Commercial (C6)” zone to an “Arterial Commercial Special No. 68 (C6 Sp. 68)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Arterial Commercial Special No. 68 (C6 Sp. 68)” 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 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.2.68:

"11.2.68 Arterial Commercial Special No. 68 (C6 Sp. 68)
11.2.68.1 The property description of this Arterial Commercial Special No. 68 (C6 Sp. 68) is PIN # 49142-0058 PCL 3127 SEC WF; PT N1/2 LT 18 CON D WIDDIFIELD AS IN LT55714; NORTH BAY; DISTRICT

OF NIPISSING; PIN: 49142-0059 PCL 1552 SEC WF, PT N1/2 LT 18 CON D WIDDIFIELD AS IN LT39640 EXCEPT UNIT 8, D144, NORTH BAY, DISTRICT OF NIPISSING; PIN # 49142-0060 PCL 13473 SEC WF; PT LT 18 CON D WIDDIFIELD PT 9 TO 14, 16 TO 19, NR1073, EXCEPT UNIT 1 TO 3, D153; S/T PT 1 & 2, 36R4055 AS IN LT172319; S/T LT85769; NORTH BAY ; DISTRICT OF NIPISSING; PIN # 49142-0061 PCL 3676 SEC WF; PT N1/2 LT 18 CON D WIDDIFIELD BEING PT S 89 ACRES, AS IN LT60106; T/W PT 1 & 2, 36R4055 AS IN LT172319; NORTH BAY ; DISTRICT OF NIPISSING; PIN # 49142-0062 PCL 15658 SEC WF; PT N1/2 LT 18 CON D WIDDIFIELD PT 15, NR1073; NORTH BAY ; DISTRICT OF NIPISSING along Cholette Street in the City of North Bay as shown on the attached Schedule and on Schedule B-53

11.2.68.2 No person shall use land, or use, erect, or construct any building or structure in this Arterial Commercial Special No. 68 (C6 Sp. 68) except for the following uses:

- Automobile Sales, Service, and Leasing Establishment;
- Automobile service station;
- Automobile Washing Establishment;
- Body shop;
- Commercial Parking Lot;
- Convenience Store;
- Day Nursery;
- Display Home Sales Office;
- Dry Cleaning Depot;
- Dry Cleaning Establishment;
- Financial Institution;
- Flea Market;
- Funeral Home;
- Garden Centre;
- Gas Bar;
- Home Improvement Centre;
- Hotel;
- Industrial Equipment Sales, Service, and Leasing

- Establishment;
- Non-Profit Use;
 - Park, Public;
 - Parking Area;
 - Personal Service Establishment;
 - Pet Daycare Facility;
 - Pet Shop;
 - Pharmacy;
 - Places of Entertainment;
 - Places of Worship;
 - Recreational Facility;
 - Recreational Vehicle and Equipment Sales, Service, and Leasing;
 - Restaurant;
 - Transit Terminal;
 - Transportation Terminal;
 - Veterinary Establishment; and
 - Dwelling Apartment.

11.2.68.3 The use of land or building in this Arterial Commercial Special No. 68 (C6 Sp. 68) 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 Arterial Commercial Special No. 68 (C6 Sp. 68) 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 14th Day of November 2016.

Read a Second Time in Open Council the 14th Day of November 2016.

Read a Third Time in Open Council and Passed this 14th Day of November 2016.

Mayor, Allan McDonald

City Clerk Karen McIsaac

Sire/C01/ By-law No. 2016-109 – ZBLA File #886 – Cholette Street – Olga Rota - Zoning By-law Amendment

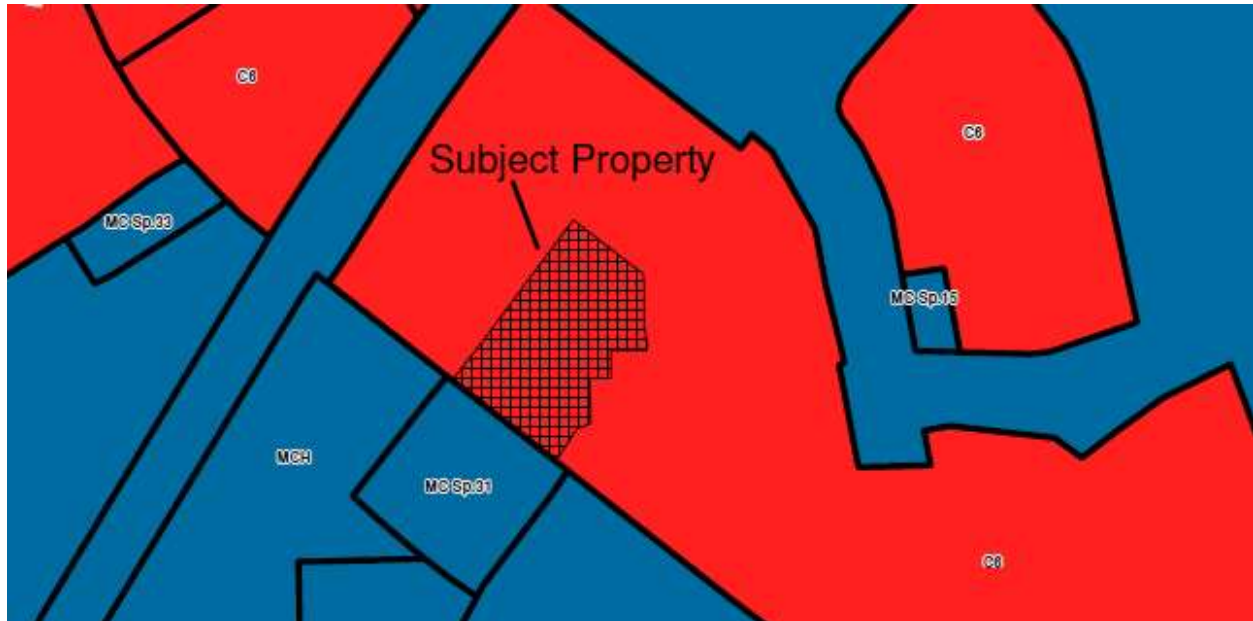
Schedule A

This is Schedule "A"
To By-law No. 2016-109

Passed the 14th day of November, 2016

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend



- From "Arterial Commercial (C6)" zone to "Arterial Commercial Special Zone No. 68 (C6 Sp. 68)" zone

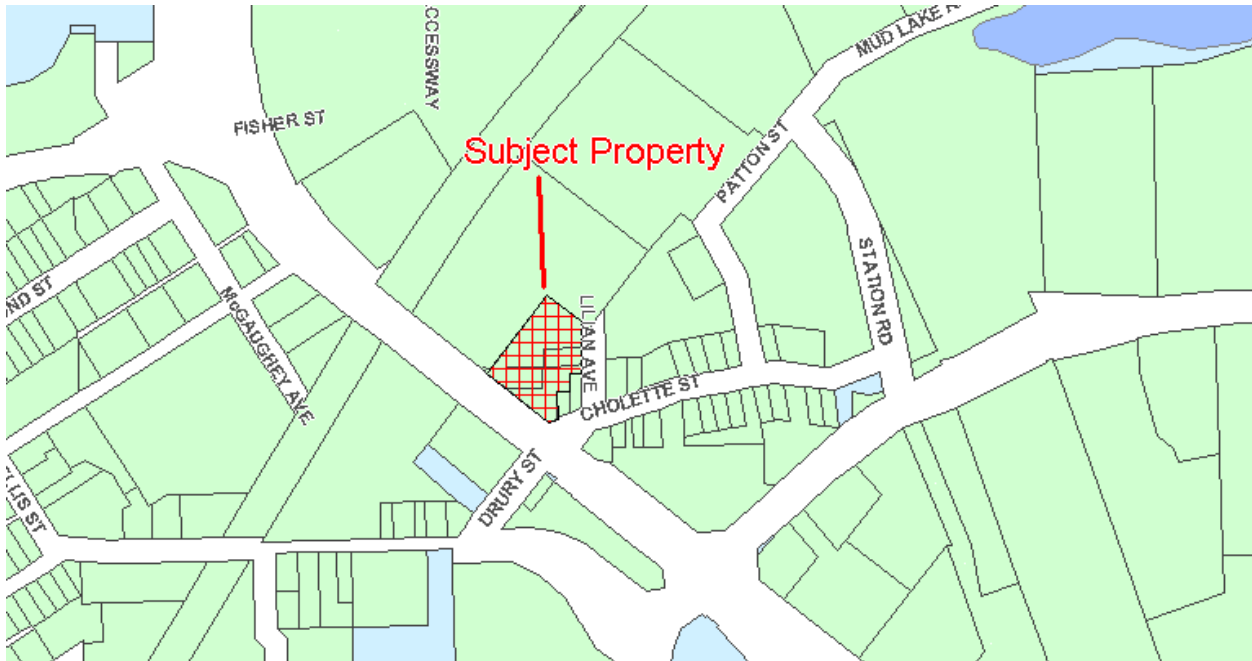
Schedule B

This is Schedule "B"
To By-law No. 2016-109

Passed the 14th day of November, 2016

Mayor Allan McDonald

City Clerk Karen McIsaac



Appendix A

Legal Description

PIN # 49142-0058

PCL 3127 SEC WF; PT N1/2 LT 18 CON D WIDDIFIELD AS IN LT55714; NORTH BAY; DISTRICT OF NIPISSING

PIN: 49142-0059

PCL 1552 SEC WF, PT N1/2 LT 18 CON D Widdifield as in LT39640 Except Unit 8, D144, North Bay, District of Nipissing

PIN # 49142-0060

PCL 13473 SEC WF; PT LT 18 CON D WIDDIFIELD PT 9 TO 14, 16 TO 19, NR1073, EXCEPT UNIT 1 TO 3, D153; S/T PT 1 & 2, 36R4055 AS IN LT172319; S/T LT85769; NORTH BAY ; DISTRICT OF NIPISSING

PIN # 49142-0061

PCL 3676 SEC WF; PT N1/2 LT 18 CON D WIDDIFIELD BEING PT S 89 ACRES, AS IN LT60106; T/W PT 1 & 2, 36R4055 AS IN LT172319; NORTH BAY ; DISTRICT OF NIPISSING

PIN # 49142-0062

PCL 15658 SEC WF; PT N1/2 LT 18 CON D WIDDIFIELD PT 15, NR1073; NORTH BAY ; DISTRICT OF NIPISSING