

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 129-97**

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON BOOTH ROAD AND MARSHALL AVENUE FROM A "LIGHT INDUSTRIAL TWO (M2)" ZONE AND A "LIGHT INDUSTRIAL THREE (M3)" ZONE TO AN INSTITUTION (N)" ZONE, A "FLOODWAY (0.1)" ZONE AND A "FLOODPLAIN AND EROSION SPECIAL ZONE NO. 3 (0.2 SP.3)" (GATEWAY PENTECOSTAL CHURCH - BOOTH ROAD AT MARSHALL AVENUE)**

**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-71" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended;

**AND WHEREAS** Council has indicated its intent to pass Official Plan Amendment No. 79.

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

- 1) Schedule "B-71" 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 Part of Parcel 5258 W&F, Part 5, Plan 36R-8702 and part of Part 1, Plan 36R-7257) along Booth Road in the City of North Bay, shown as hatched on Schedules "B & C" attached hereto from a "Light Industrial Two (M2)" zone and a "Light Industrial Three (M3)" zone to an "Institutional (N)" zone, a "Floodway (0.1)" zone, and a "Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.7.3:
  - "11.7.3 "Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)"
  - 11.7.3.1 The property description of this "Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)" is part of Parcel 5258 W&F, part of Part 5, Plan 36R-8702 and part of Part 1, Plan 36R-7257 along Booth Road in the City of North Bay as shown on the attached Schedules and Schedule "B-71".
  - 11.7.3.2 No person shall use land, or use, erect, or construct any building or structure in this "Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)" except for the

following uses:

- public and/or private parks;
- structural works of approved design for flood or erosion and sedimentation control.

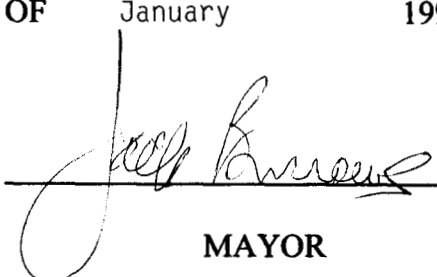
11.7.3.3 The use of land or building in this "Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

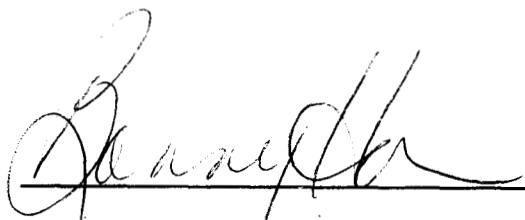
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Floodplain and Erosion Special Zone No. 3 (0.2 Sp.3)" as shown on Schedule "C" to this By-law.
- 4) This By-law shall not come into force and effect until such time as Official Plan Amendment No. 79 is finally approved.
- 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, 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 15th DAY OF December 1997.

READ A SECOND TIME IN OPEN COUNCIL THE 26th DAY OF January 1998.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 26th DAY OF January 1998.

  
 \_\_\_\_\_  
 MAYOR

  
 \_\_\_\_\_  
 CITY CLERK

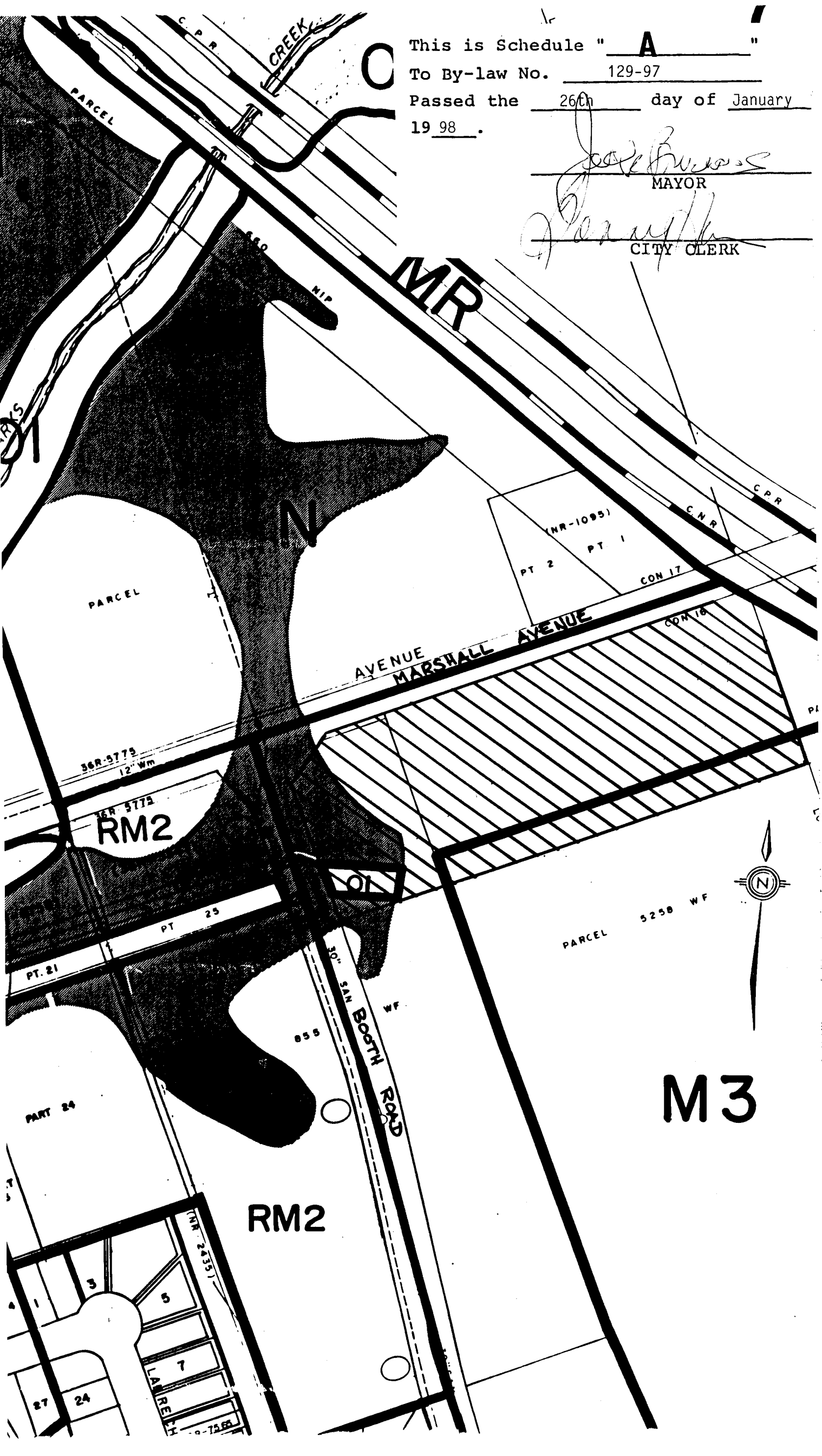
This is Schedule " A "

To By-law No. 129-97

Passed the 26th day of January  
19 98 .

*Joseph B. ...*  
MAYOR

*...*  
CITY CLERK



MR

AVENUE  
MARSHALL AVENUE

RM2

M3

RM2

30' SAN  
BOOTH ROAD



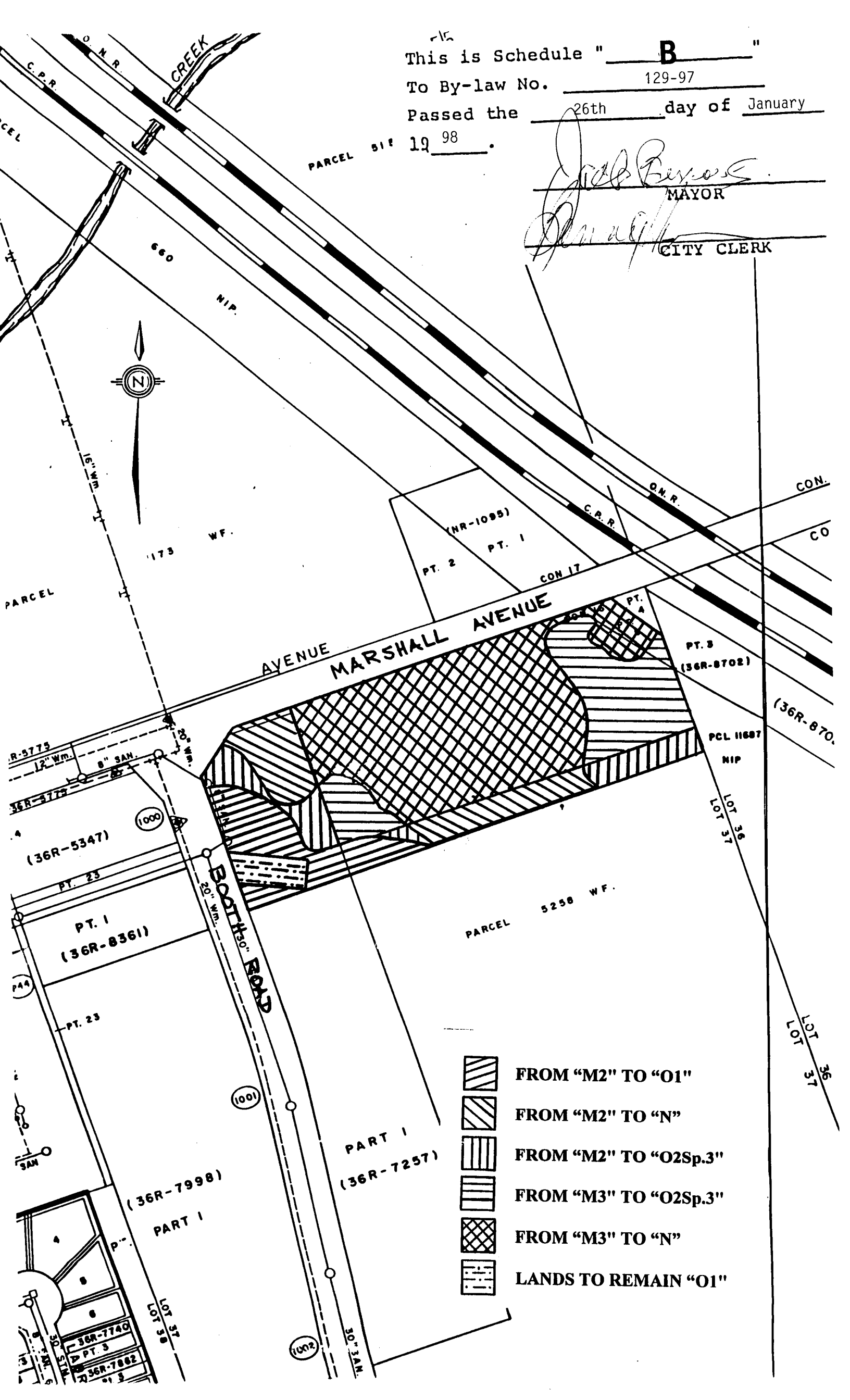
This is Schedule " B "







To By-law No. 129-97

Passed the 26th day of January

PARCEL 518 19 98

*John B. B...*  
MAYOR  
*D. ...*  
CITY CLERK



-  FROM "M2" TO "O1"
-  FROM "M2" TO "N"
-  FROM "M2" TO "O2Sp.3"
-  FROM "M3" TO "O2Sp.3"
-  FROM "M3" TO "N"
-  LANDS TO REMAIN "O1"

This is Schedule " C "

To By-law No. 129-97

Passed the 26th day of January  
1998.

*Joel Burrows*  
MAYOR

*Denise [Signature]*  
CITY CLERK

SCHEDULE TO "FLOODPLAIN AND EROSION SPECIAL ZONE NO. 3 (0.2 Sp.3)"

