

The Corporation of the City of North Bay

By-Law No. 2017-03

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on First Avenue West from a “General Commercial Outer Core Special Number 13 (C2 Sp.13)” Zone to an amended “General Commercial Outer Core Special Number 13 (C2 Sp.13)” Zone

2396701 Ontario Limited – 150 First Avenue West

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-51” 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 2017-01 adopted by Council on January 9, 2017 by resolution number 2017-03 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. 2015-30 is amended by changing the zoning designation of the property shown on Schedule A attached hereto (which property is more particularly described as PIN: #49164-0264 (LT), L/T 451-452, 519-520 PL 21 Widdifield, City of North Bay, shown as hatched on Schedule A attached hereto from a “General Commercial Outer Core Special No. 13 (C2 Sp.13)” zone to an amended “General Commercial Outer Core Special No. 13 (C2 Sp.13)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “General Commercial Outer Core Special No. 13 (C2 Sp.13)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.

- 3) Section 11.2.13 of By-law No. 2015-30 is amended by replacing the existing text with the following:

"11.2.13 General Commercial Outer Core Special No. 13 (C2 Sp.13)

11.2.13.1 The property description of this "General Commercial Outer Core Special No. 13 (C2 Sp.13)" is PIN: #49164-0264 (LT), L/T 451-452, 519-520 PL 21 Widdifield, City of North Bay along First Avenue West in the City of North Bay as shown on the attached Schedule A and on Schedule "B-51".

11.2.13.2 The regulations for this "General Commercial Outer Core Special No. 13 (C2 Sp.13)" are as follows:

- i) The minimum side yard setback shall be 5.5 metres; and
- ii) The minimum number of parking provided shall be one parking space for every 61 square metres of floor space for office uses.

11.2.13.3 The use of land or building in this "General Commercial Outer Core Special No. 13 (C2 Sp.13)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) 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.
- 5) 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.
- 6) 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.

- 7) 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 9th Day of January 2017.

Read a Second Time in Open Council the 9th Day of January 2017.

Read a Third Time in Open Council and Passed this 9th Day of January 2017.

Mayor, Allan McDonald

City Clerk Karen McIsaac

Schedule A

This is Schedule "A"

To By-law No. 2017-03

Passed the 9th day of January, 2017

Mayor Allan McDonald

City Clerk Karen McIsaac

