

The Corporation of the City of North Bay

By-Law No. 2014-73

A By-Law To Amend Zoning By-Law No. 28-80 To Rezone Certain lands on Tower Drive from “District Commercial Holding (C4H)” and “Residential Multiple Second Density Holding (RM2H)” Zones to a “Neighbourhood Commercial Special No. 83 (C5 Sp.83) Zone

(Robert and Mona Norman – Tower Drive)

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 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-35” and “C-7” of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

And Whereas Council passed a resolution on August 25, 2014 to approve this rezoning.

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

- 1) Schedule “B-35” and “C-7” of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule “A” and “B” attached hereto (which property is more particularly described as Parcel 9262 Widdifield & Ferris, Part of the South ½ of Lot 17, Concession A, Part 1 on Plan NR825, Subject to Lot 77792, PIN No. 49127-0382 (LT) in the City of North Bay), shown as hatched on Schedule A and B attached hereto from “District Commercial Holding (C4H)” and “Residential Second Density Holding (RM2H)” zones to a “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” zone shall conform to all applicable provisions of By-law No. 28-80 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.83:

"11.2.83 “Neighbourhood Commercial Special No. 83 (C5 Sp.83)”

- 11.2.83.1 The property description of this “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” is Parcel 9262 Widdifield & Ferris, Part of the South ½ of Lot 17, Concession A, Part 1 on Plan NR825, Subject to Lot 77792, PIN No. 49127-0382 (LT) in the City of North Bay as shown on the attached Schedule and on Schedule "B-35" and “C-7”.
- 11.2.83.2 (a) No person shall use land, or use, erect, or construct any building or structure in this “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” except for the following uses:
- Convenience Stores
 - Day Nursery
 - Dry Cleaning Depots
 - Local Retail Stores
 - Personal Service Establishments
 - Professional Offices & Business Offices
 - Restaurants
 - Dwelling units connected to and forming an integral part of the commercial building provided that they do not exceed the floor area of the commercial portion of the use and access to the dwelling units is separate from the access to the commercial portion of the building, and the dwelling units are located above or at the rear of the business premises.
 - Instructional Services
 - Gas Bar
 - Pharmacy.
- (b) The regulations for this “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” are as follows:
- i) The maximum lot coverage shall be 16.8 percent
 - ii) No permanent building or structure may be located within 7 metres of the TransCanada PipeLine easement
 - iii) No accessory structure may be located within 3 metres of the TransCanada PipeLine right-of-way.
- 11.2.83.3 The use of land or building in this “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” shall conform to all other regulations of this By-law, except as hereby expressly varied."
- 4) Section 11 of By-law No. 28-80 is further amended by inserting “Neighbourhood Commercial Special No. 83 (C5 Sp.83)” as shown on Schedule "C" to this By-law.
- 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 6 of O. Reg. 545/06 as amended.

- 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, then this By-law shall be deemed to have come into force on the day it was passed.
- c) Where one or more notices of appeal are 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 25th Day of August 2014.

Read a Second Time in Open Council the 25th Day of August 2014.

Read a Third Time in Open Council and Passed this 8th Day of September 2014.

Mayor, Allan McDonald

City Clerk Catherine Conrad

Schedule A

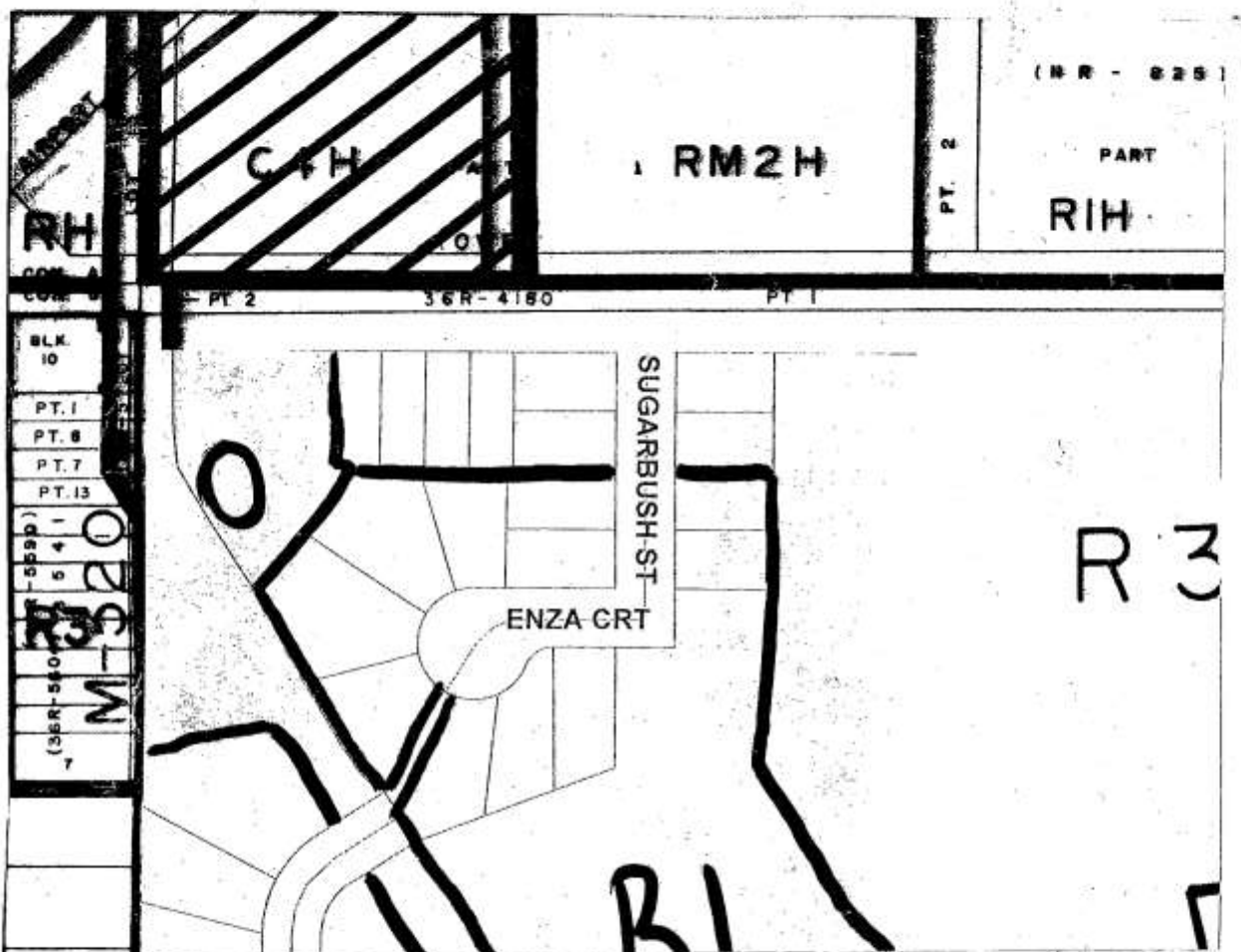
This is Schedule "A"

To By-law No. 2014-73

Passed the 8th day of September 2014

Mayor Allan McDonald

City Clerk Catherine Conrad



Zoning By-law Amendment
From: "District Commercial Holding (C4H)" and
"Residential Multiple Second Density Holding (RM2H)"
To: "Neighbourhood Commercial Special No. 83 (C5 Sp.
83)"

Schedule B

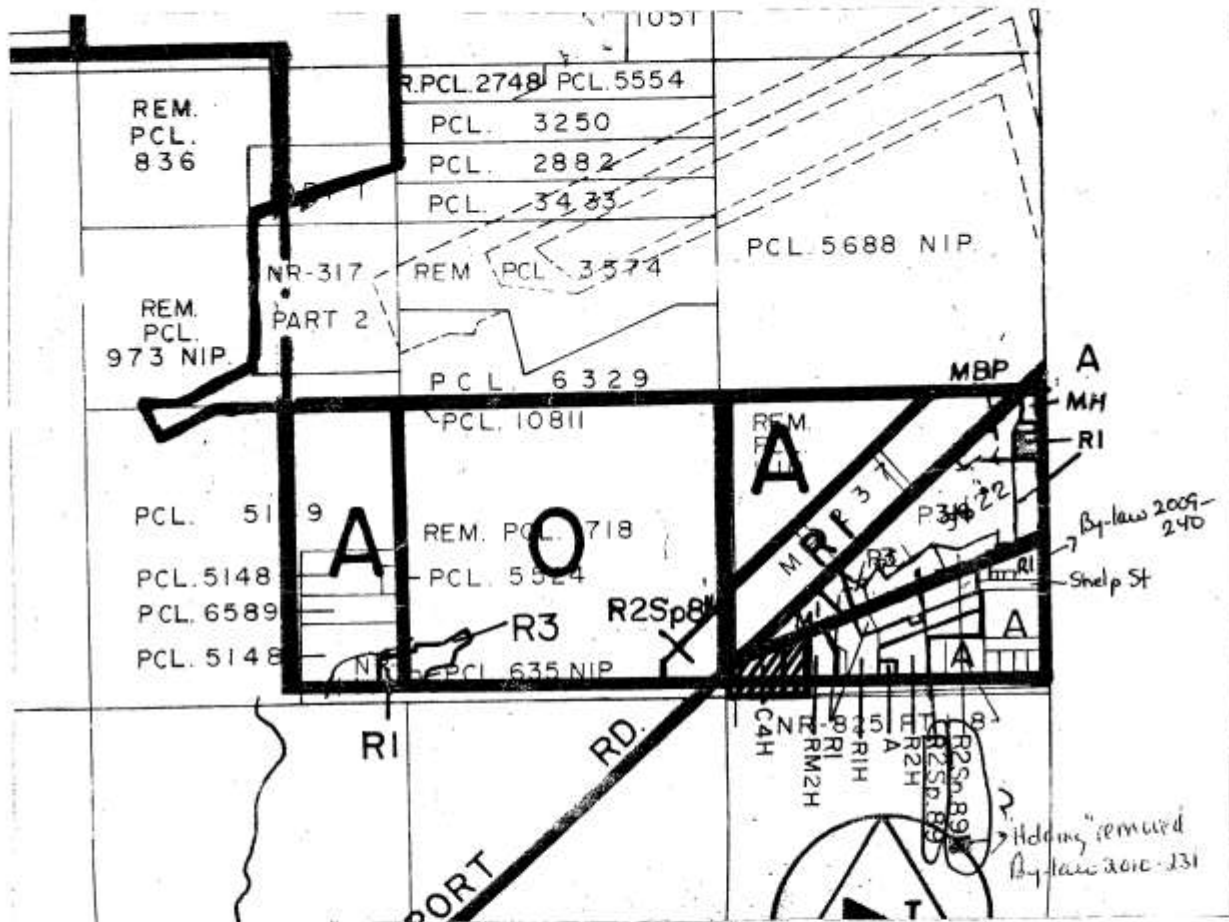
This is Schedule "B"


To By-law No. 2014-73

Passed the 8th day of September 2014

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment
From: "District Commercial Holding (C4H)" and
"Residential Multiple Second Density Holding (RM2H)"
To: "Neighbourhood Commercial Special No. 83 (C5 Sp.
83)"

Schedule C

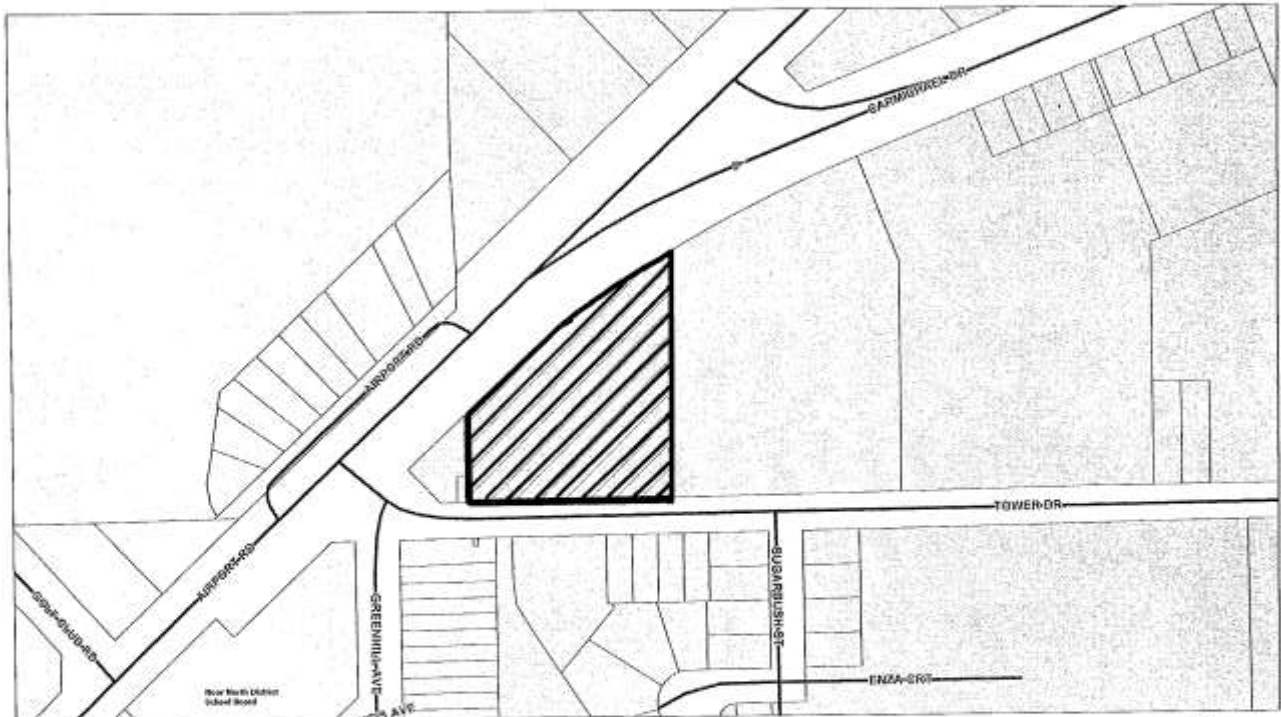
This is Schedule "C"

To By-law No. 2014-73

Passed the 8th day of September 2014

Mayor Allan McDonald

City Clerk Catherine Conrad



Zoning By-law Amendment
From: "District Commercial Holding (C4H)" and
"Residential Multiple Second Density Holding (RM2H)"
To: "Neighbourhood Commercial Special No. 83 (C5 Sp.
83)"



Schedule D

This is Schedule "D"

To By-law No. 2014-73

Passed the 8th day of September 2014

Mayor Allan McDonald

City Clerk Catherine Conrad

