

# The Corporation of the City of North Bay

## By-Law No. 2017-38

### A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Olive Street from a “Residential Second Density (R2)” Zone to a “Neighbourhood Commercial Special Zone No 71 (C5 Sp. 71)”

#### Timothy Appleton – 319 Olive Street

**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-44” 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 2017-09 adopted by Council on May 2, 2017 by resolution number 2017-169 to approve this rezoning;

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

- 1) Schedule “B-44” 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 49150-0511 (LT) PCL 6848 SEC WF; LT 227 PL M186 WIDDIFIELD; PT LT 226 PL M186 WIDDIFIELD AS IN LT81877; NORTH BAY; DISTRICT OF NIPISSING and PIN 49150-0513 (LT) PCL 17231 SEC WF; PT LANE PL M45 WIDDIFIELD PT 3, 36R7354; S/T LT270887; NORTH BAY; DISTRICT OF NIPISSING shown as hatched on Schedule A attached hereto from a “Residential Second Density (R2)” zone to “Neighbourhood Commercial Special No. 71 (C5 Sp. 71)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Neighbourhood Commercial Special No. 71 (C5 Sp. 71)” 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 11.2.71:

"11.2.71 "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)"

11.2.71.1 The property description of this "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)" is PIN 49150-0511 PCL 6848 SEC WF; LT 227 PL M186 WIDDIFIELD; PT LT 226 PL M186 WIDDIFIELD AS IN LT81877; NORTH BAY; DISTRICT OF NIPISSING and PIN 49150-0513 PCL 17231 SEC WF; PT LANE PL M45 WIDDIFIELD PT 3, 36R7354; S/T LT270887; NORTH BAY; DISTRICT OF NIPPISSING along Olive Street in the City of North Bay as shown on the attached Schedule and on Schedule "B-44".

11.2.71.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)" except for the following uses:

- Office, professional.

11.2.71.2 (b) The regulations for this "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)" are as follows:

- i) The minimum easterly side yard setback shall be 2.9 metres;
- ii) The minimum rear yard setback shall be 3.44 metres; and
- iii) The required landscaping buffer shall be nil.

11.2.71.3 The use of land or building in this "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)" 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 "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)" 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 2nd Day of May 2017.**

**Read a Second Time in Open Council the 2nd Day of May 2017.**

**Read a Third Time in Open Council and Passed this 2nd Day of May 2017.**

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**Mayor, Allan McDonald**

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**City Clerk Karen McIsaac**

# Schedule A

This is Schedule "A"  
To By-law No. 2017-38

Passed the 2nd Day of May 2017

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Mayor Allan McDonald

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City Clerk Karen Mclsaac



## Schedule B

This is Schedule "B"  
To By-law No. 2017-38

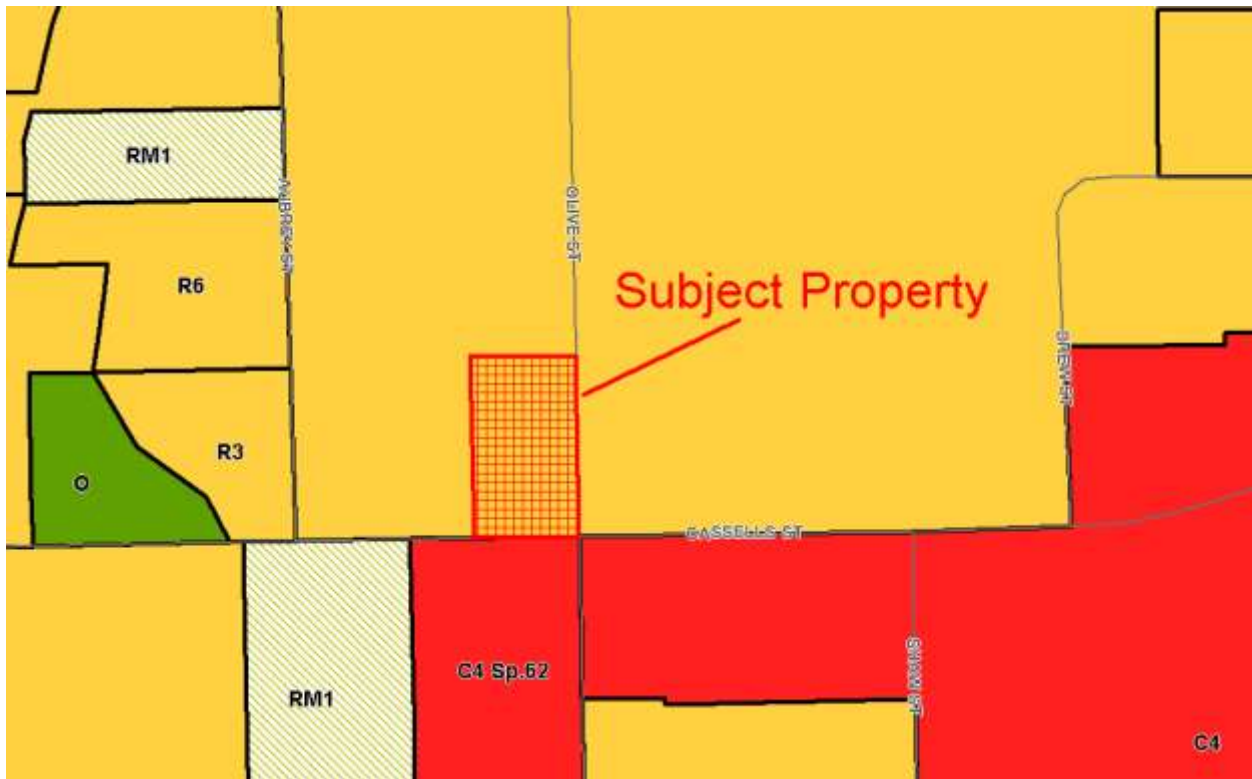
Passed the 2nd Day of May 2017

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Mayor Allan McDonald

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City Clerk Karen Mclsaac



- From "Residential Second Density (R2)" zone to "Neighbourhood Commercial Special No. 71 (C5 Sp. 71)" zone