

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

**BY-LAW NO. 2013-170**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO AMEND THE  
"NEIGHBOURHOOD COMMERCIAL SPECIAL NO. 31A  
(C5 Sp.31A)" ZONE**

**(2190372 Ontario Inc. and 1340791 Ontario Ltd. – Johnston Road)**

**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-45" 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 July 15, 2013 to approve this rezoning.

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

- 1) Schedule "B-45" of By-law No. 28-80 is amended by changing the zoning regulations of the property shown on Schedule "A" attached hereto (which property is more particularly described as Concession C, Registered Plan No. M-85, Part of Lots 19-32 and Part of Lindsay Street in the City of North Bay), shown as hatched on Schedule A.
- 2) All buildings or structures erected or altered and the use of land in such "Neighbourhood Commercial Special No. 31A (C5 Sp.31A)" 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 replacing section 11.2.31A with the following:  

"11.2.31 "Neighbourhood Commercial Special Zone No. 31 A (C5 Sp. 31A)"

11.2.31.1 The property description of this "Neighbourhood Commercial Special Zone No. 31 A (C5 Sp. 31A)" is Concession C, Registered Plan No. M-85, Part of Lots 19-32 and Part of Lindsay Street along Johnston Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-45".

11.2.31.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Neighbourhood Commercial Special Zone No. 31A (C5 Sp. 31A)" except for the following uses:

- day nursery;
- dry cleaning depots;
- local retail stores;
- personal service establishments;
- professional offices & business offices;
- restaurants;
- satellite postal outlet
- 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 the 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; and
- All other uses permitted in a standard "Neighbourhood Commercial (C5)" zone.

11.2.31.2(b) The regulations for this "Neighbourhood Commercial Special Zone No. 31A (C5 Sp. 31A)" are as follows:

- i) The maximum lot coverage shall be 25%;
- ii) The minimum front yard setback shall be six (6) metres from Johnston Road;
- iii) The minimum interior side yard setback shall be three (3) metres from City owned property at the corner of Johnston Road and Giroux Street; and
- iv) The minimum rear yard setback shall be three (3) metres from Trout Lake Road.

11.2.31.3 The use of land or building in this "Neighbourhood Commercial Special Zone No. 31A (C5 Sp. 31A)" 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 Zone No. 31A (C5 Sp. 31A)" as shown on Schedule "B" 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 15<sup>TH</sup> DAY OF JULY, 2013.**

**READ A SECOND TIME IN OPEN COUNCIL THE 15<sup>TH</sup> DAY OF JULY, 2013.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29<sup>TH</sup> DAY OF  
JULY, 2013.**

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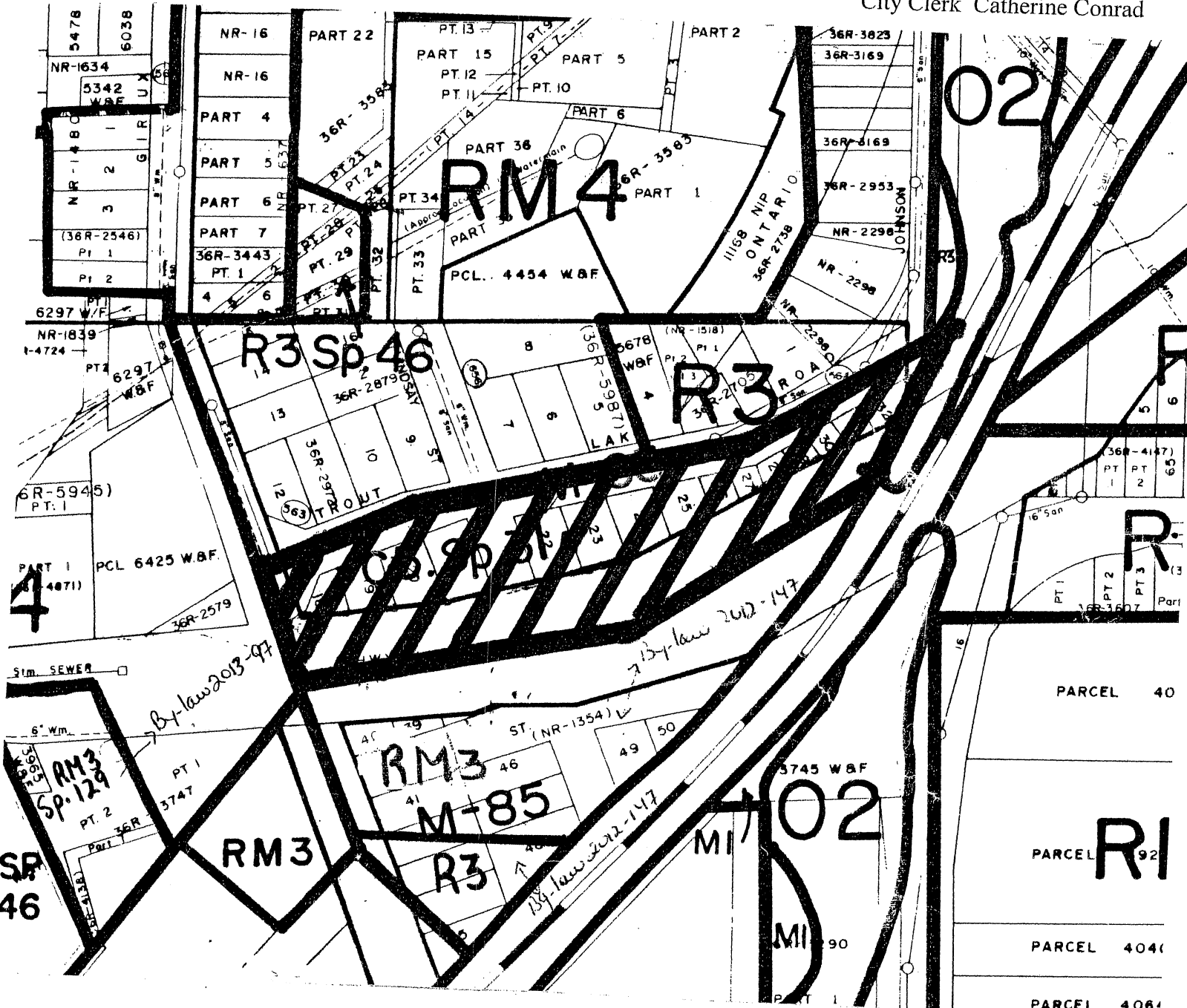
Mayor, Allan McDonald

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City Clerk, Catherine Conrad

Mayor Allan McDonald

City Clerk Catherine Conrad



 Zoning By-law Amendment  
 From: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"  
 To: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"

This is Schedule "B"

To By-law No. 2013-170

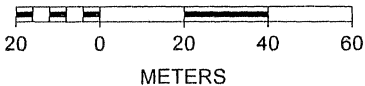
Passed the 29<sup>th</sup> day of JULY, 2013

\_\_\_\_\_  
Mayor Allan McDonald

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City Clerk Catherine Conrad



SCALE 1 : 1,806




**Zoning By-law Amendment**  
 From: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"  
 To: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"

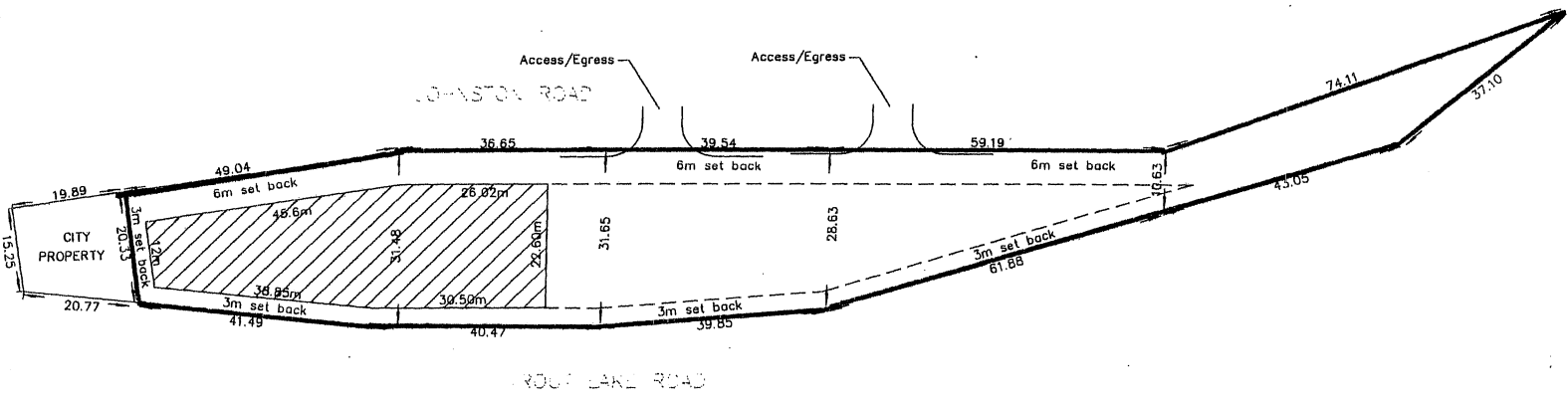
Passed the 29<sup>TH</sup> day of JULY, 2013

Mayor Allan McDonald

City Clerk Catherine Conrad




SKETCH FOR PROPOSED LOTS  
PART OF LOTS 19-32 AND PART OF LINDSAY STREET  
REGISTERED PLAN M-85  
CITY OF NORTH BAY



COMMERCIAL BLOCK

Site Total Area = 5,420 sq.m  
25% (of 5,420 sq.m) = 1,355 sq.m  
Site Building Area (inside setbacks) = 2,500 sq.m  
West Building Hatch = 1,355 sq.m.

REVISED: JAN.  
exp - REA

 Zoning By-law Amendment  
From: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"  
To: "Neighbourhood Commercial Special No. 31A (C5 Sp. 31A)"