

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2006-104

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON AIRPORT ROAD
FROM A "LIGHT INDUSTRIAL TWO (M2)" ZONE TO A
"DISTRICT COMMERCIAL SPECIAL ZONE NO. 74 (C4Sp.74)
(MENALON PROPERTIES INC.-AIRPORT 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 zoning designation shown on Schedule "B-33" 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 May 23, 2006 to approve this rezoning.

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

- 1) Schedule "B-33" of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedules "A", "B", and "C" attached hereto (which property is more particularly described as Part of Lot 20, Concession B, Parts 1, 2 & 3, Plan NR-806) along Airport Road in the City of North Bay from a "Light Industrial Two (M2)" zone to a "District Commercial Special Zone No. 74 (C4Sp. 74)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.74:
 - 11.3.74 District Commercial Special Zone No. 74 (C4Sp. 74)
 - 11.3.74.1 The property description of this "District Commercial Special Zone No. 74 (C4Sp. 74)" is Part of Lot 20, Concession B, Parts 1, 2 & 3, Plan NR-806 along Airport Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-33".
 - 11.3.74.2(a) No person shall use land, or use, erect, or construct any building or structure in this "District Commercial Special Zone No. 74 (C4Sp. 74)" except for the following uses:
 - automobile service station or gas bar;
 - automobile sales, service or leasing establishments;
 - banks;
 - business offices;
 - clubs;
 - day nursery;
 - financial institutions;
 - funeral homes;
 - food stores;
 - group home type 1;
 - group home type 2;
 - hotels, motels;
 - instructional services;
 - local retail stores;
 - places of worship;
 - public and private parking areas;

- professional offices;
- repair garages;
- restaurants;
- retail stores;
- service establishments that are not obnoxious; and
- dwelling units connected to and forming an integral part of the commercial building, provided that access to the dwelling units is separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor.

11.3.74.3 The use of land or building in this "District Commercial Special Zone No. 74 (C4Sp. 74)" 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 "District Commercial Special Zone No. 74 (C4Sp. 74)" as shown on Schedule "C" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "B" attached hereto are hereby designated as a site plan control area.
- 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 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 23RD DAY OF MAY 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 23RD DAY OF MAY 2006.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 5TH DAY OF JUNE 2006.

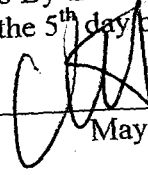


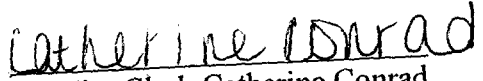
MAYOR, VIC FEDELI

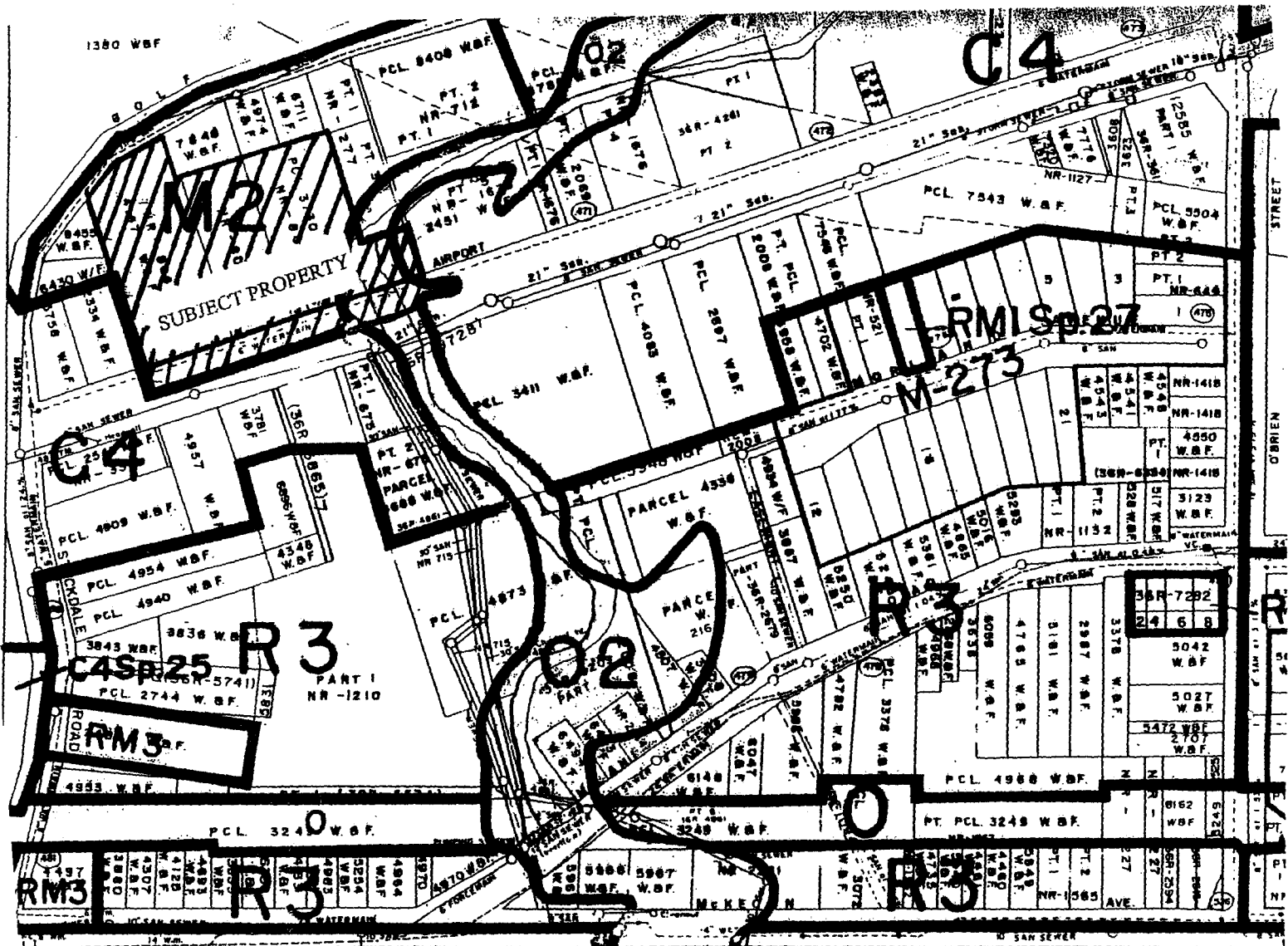


CITY CLERK, CATHERINE CONRAD

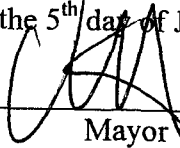
This is Schedule "A"
To By-Law No. 2006-104
Passed the 5th day of June 2006.

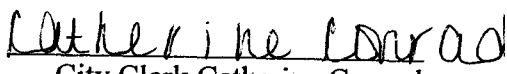

Mayor Vic Fedeli

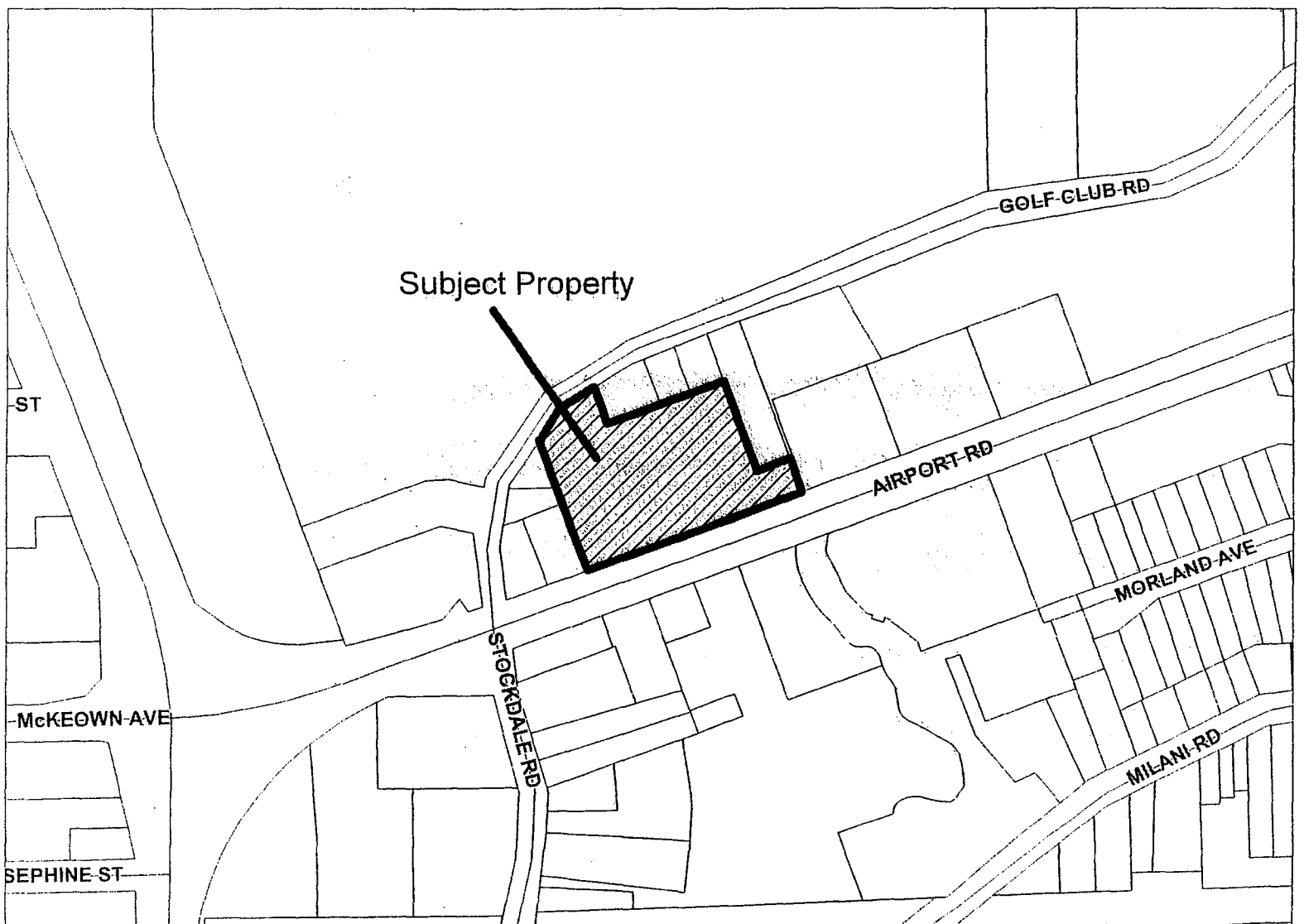

City Clerk Catherine Conrad



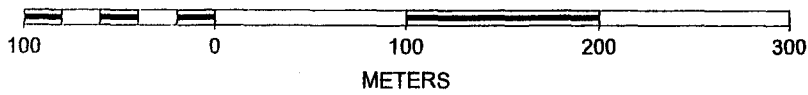
This is Schedule "B"
To By-Law No. 2006-104
Passed the 5th day of June 2006.



Mayor Vic Fedeli


City Clerk Catherine Conrad

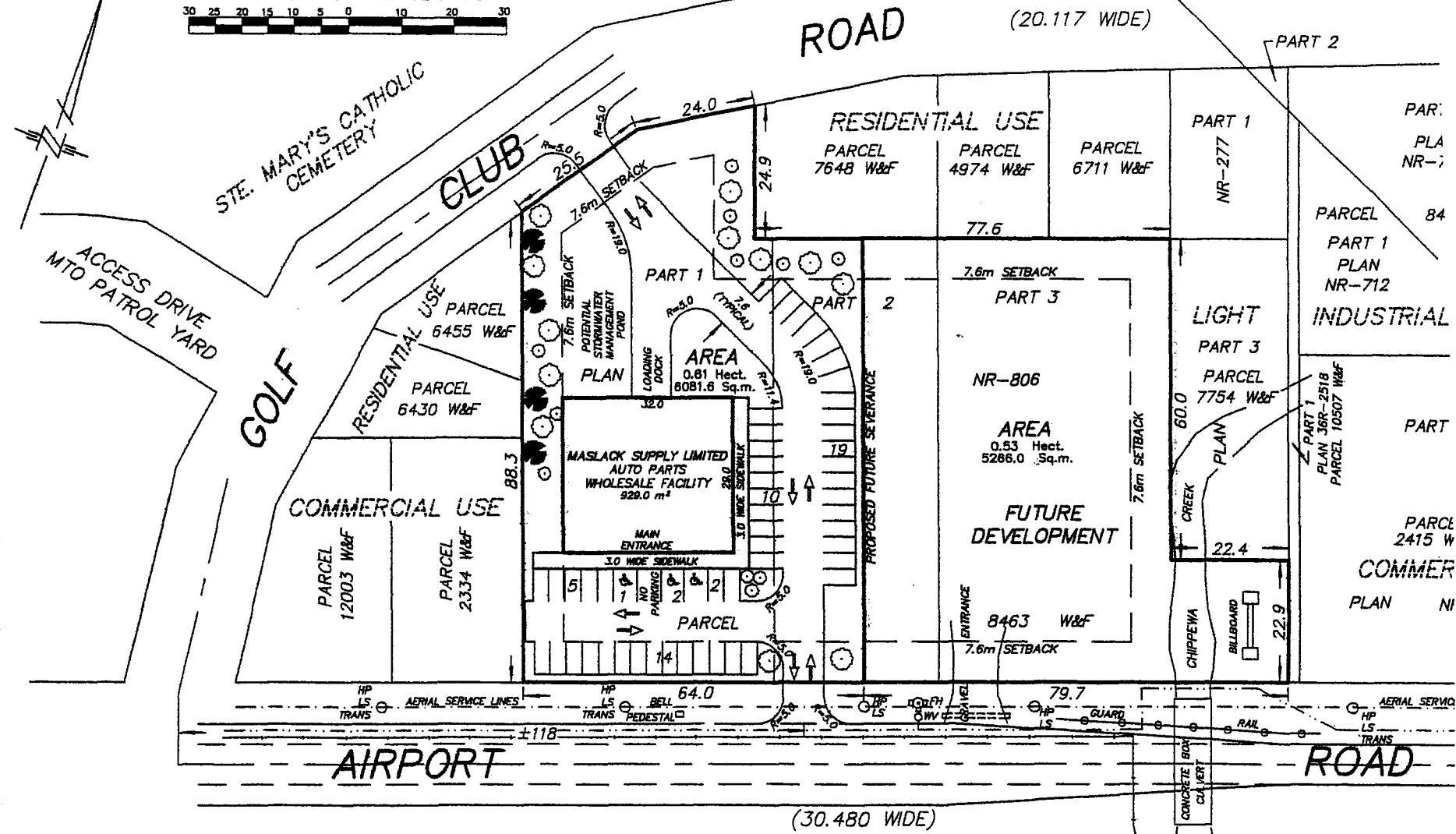
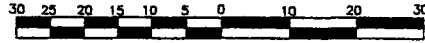


SCALE 1 : 4,000



 From "M2"
To "C4 Sp. 74"

PART OF LOT 20, CONCESSION B, TOWNSHIP OF WIDDIFIELD
CITY OF NORTH BAY
 DISTRICT OF NIPISSING



This is schedule to "District Commercial Special Zone No. 74 (C4 Sp. 74)"

PARKING
 50 PARKING SPACES - 3.0m X 6.0m
 3 WHEELCHAIR ACCESSIBLE SPACES
 TOTAL PARKING = 53 SPACES
 LOT COVERAGE = 15.3%

LIGHTING
 ALL SITE LIGHTING TO BE
 DIRECTIONAL, ORIENTED
 AWAY FROM AREAS MARKED
 RESIDENTIAL HEREON

LEGEND
 - - - - - AERIAL UTILITY LINES
 - - - - - 250mm WATERMAIN
 - - - - - 200mm SANITARY SEWER
 HP HYDRO POLE
 LS LIGHT STANDARD
 TRANS TRANSFORMER
 WV WATER VALVE
 FH FIRE HYDRANT

GOODRIDGE PLANNING SOI
LAND USE PLANNING & DEVELOPMENT CO
 248 LABRECHE DRIVE, NORTH BAY, ON P1A 4J6 (70)

Catherine Conrad
 City Clerk Catherine Conrad

Vic Fedeli
 Mayor Vic Fedeli

This is Schedule "C"
 To By-Law No. 2006-104
 Passed the 5th day of June 2006.