

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

**BY-LAW NO. 2007-073**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE  
CERTAIN LANDS ON JOHN STREET FROM A  
“RESIDENTIAL THIRD DENSITY (R3)” ZONE TO A “NEIGHBOURHOOD  
COMMERCIAL SPECIAL ZONE NO. 76 (C5 SP.76)”**

**(MCCLUSKEY/WOOD – JOHN 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 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-51” 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 14, 2007 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. 28-80 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as Registered Plan 20, Pt. Lot 95 in the City of North Bay), shown as hatched on Schedules “A” and “B” attached hereto from a “Residential Third Density (R3)” to a “Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)”.
- 2) Section 11 of Zoning By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.76:
  - 11.3.76 “Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)”
  - 11.3.76.1 The property description of this “Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)” is Registered Plan 20, Part of Lot 95 along John Street in the City of North Bay as shown on the attached schedules and on Schedule “B-51”
  - 11.3.76.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)” except for the following uses:
    - local retail stores
    - personal service establishments
    - professional offices and business offices

- dwelling units connected to and forming an integral part of the commercial building, providing 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. One dwelling unit is permitted to locate adjacent to the main entrance to the building along John Street.

11.3.76.2(b) The regulations for this “Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)” are as follows:

- i) the maximum lot coverage shall be 50%;
- ii) the front yard setback shall be one and five tenths (1.5) metres;
- iii) the rear yard setback shall be 0.24 metres;
- iv) the exterior side yard setback shall be 1.3 metres;
- v) the interior side yard setback shall be nil; and
- vi) automobile parking spaces required shall be permitted to be stacked to a maximum of two deep.

11.3.76.3 The use of land or building in this “Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)” shall conform to all other regulations of this By-law, except as hereby expressly varied.

3) Section 11 of By-law 28-80 is further amended by inserting “Schedule to Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)” as shown on Schedule “C” to this By-law.

4) 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. 545/06 as amended.

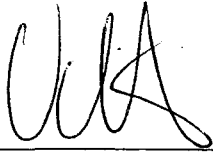
b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day it was passed.

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.

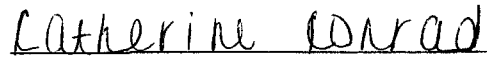
**READ A FIRST TIME IN OPEN COUNCIL THE 30<sup>TH</sup> DAY OF APRIL, 2007.**

**READ A SECOND TIME IN OPEN COUNCIL THE 30<sup>TH</sup> DAY OF APRIL, 2007.**

**READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 9<sup>TH</sup> DAY OF JULY 2007.**



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MAYOR VIC FEDELI



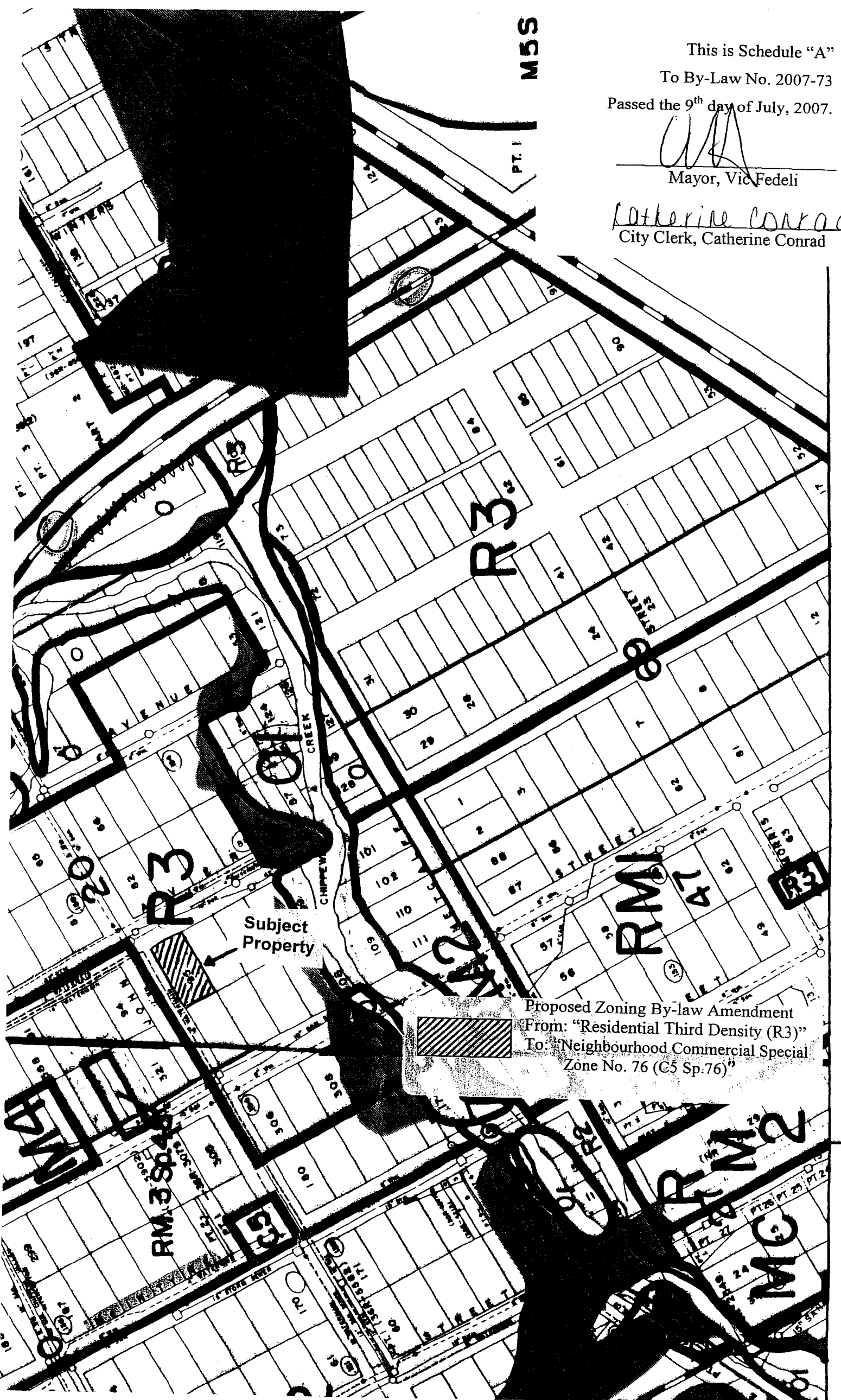
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CITY CLERK CATHERINE CONRAD

M55

This is Schedule "A"  
To By-Law No. 2007-73  
Passed the 9<sup>th</sup> day of July, 2007.

Mayor, Vic Fedeli

*Catherine Conrad*  
City Clerk, Catherine Conrad



Subject Property



Proposed Zoning By-law Amendment  
From: "Residential Third Density (R3)"  
To: "Neighbourhood Commercial Special  
Zone No. 76 (C5 Sp.76)"

This is Schedule "B"

To By-Law No. 2007-73

Passed the 9<sup>th</sup> day of July, 2007



Mayor, Vito Fedeli

*Catherine Conrad*  
City Clerk, Catherine Conrad

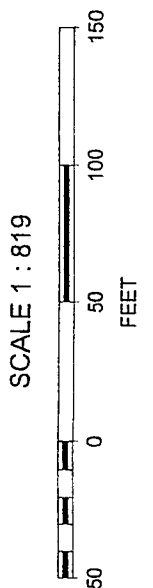
SECOND AVE E

FIRST AVE E

SUBJECT PROPERTY

JOHN ST

WORTHINGTON ST E



From: "Residential Third Density (R3)"  
To: "Neighbourhood Commercial  
Special Zone No. 76 (C5 Sp. 76)"

Mayor, Via Fedeli

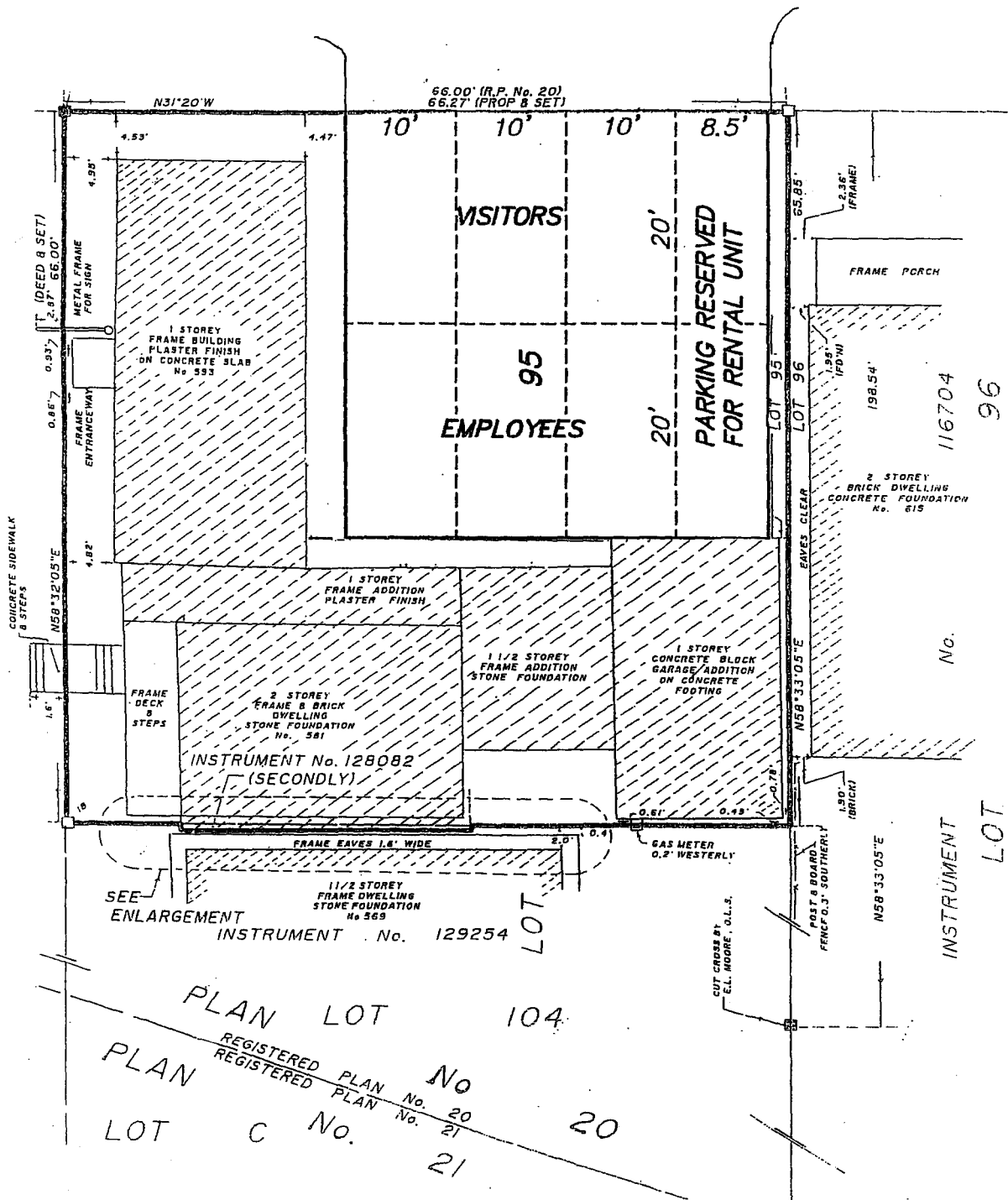
City Clerk, Catherine Conrad

**SITE PLAN CONTROL AGR.  
PART OF LOT 95  
REGISTERED PLAN No  
SCALE: 1 INCH = 15 FEE**

FIRST STREET

JOHN STREET

JOHN STREET



"This is schedule to Neighbourhood Commercial Special Zone No. 76 (C5 Sp.76)"