

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

**BY-LAW NO. 2002-100**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO  
REZONE CERTAIN LANDS ON OAK STREET WEST  
FROM A “LIGHT INDUSTRIAL TWO (M2)” ZONE  
TO A “GENERAL COMMERCIAL OUTER CORE SPECIAL  
ZONE NO. 63 (C2 SP. 63)  
(EFECTO DE ONDES INC. - OAK STREET WEST)**

**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 “B50” of By-law No. 25-YO pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

**AND WHEREAS** Council passed a resolution on August 12, 2002 to approve this rezoning.

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

- 1) Schedule “B50” of By-law No. 25-50 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as Plan M-38, Part Lot 105, Lots 106 through 113, Lots 47 through 54, Plan 36R-5205, Parts 1, 3, 4 & 6) along Oak Street West in the City of North Bay, shown as hatched on Schedules “B” and “C” attached hereto from a “Light Industrial Two (M2)” zone to a “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)”
- 2) All building structures erected or altered and the use of land in such “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)” shall conform to all applicable provisions of By-law No. 25-50 of The Corporation of the City of North Bay, except as hereby expressly varied.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.63:  
  
“1 1.3.63 “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)”  
1 1.3.63.1 The property description of this “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)” is Plan M-38, Part Lot 105, Lots 106 through 113, Lots 47 through 54, Plan 36R-5205, Parts 1, 3, 4 & 6 along Oak Street West in the City of North Bay as shown on the attached Schedules and on Schedule “B-50”.

11.3.63.2(a) No person shall use land, or use, erect, or construct any building or structure in this “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)” except for the following uses:

- apartment dwellings;
  - parks, playgrounds and associated non-profit uses;
  - licensed day nurseries, churches, public schools other than trade schools;
  - institutional uses;
  - accessory home based business; and
- a retail store to serve the day-to-day needs of the occupants may be permitted providing that:
- said use shall be located on the ground floor only; and
  - the total area devoted to said use shall be not more than ten (10) percent of the total floor area of the building, or two hundred and seventy-nine (273) square meters, whichever is less.

11.3.63.2(b) The regulations for this “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)” are as follows:

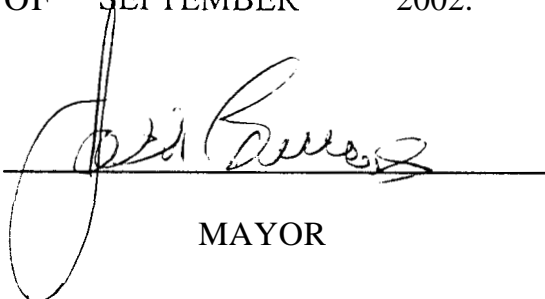
- i) not less than fifty (50) per cent of the usable open space required under 5.3.2 of Zoning By-law 28-80 shall be located in one place on the lot up to a maximum of four hundred and sixty-five (465) square metres;
- ii) the minimum front yard set back shall be not less than seven and six-tenths (7.6) metres;
- iii) the minimum interior side yard set back shall be not less than twenty-five (25) metres;
- iv) the minimum exterior side yard set back shall be nil;
- v) the minimum rear yard set back shall be not less than seven and six-tenths (7.6) metres; and
- vi) the maximum lot coverage shall be seventy-five (75) percent.

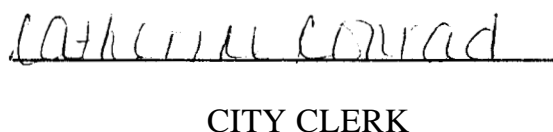
- 11.63.3 The use of land or building in this “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)” shall conform to all other regulations of this By-law, except as hereby expressly varied.”
- 4) Section 11 of By-law No. 25-50 is further amended by inserting “General Commercial Outer Core Special Zone No. 63 (C2 Sp. 63)” 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 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 26<sup>th</sup> DAY OF AUGUST  
2002.

READ A SECOND TIME IN OPEN COUNCIL THE 9<sup>TH</sup> DAY OF SEPTEMBER  
2002.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 9<sup>TH</sup> DAY  
OF SEPTEMBER 2002.

  
MAYOR

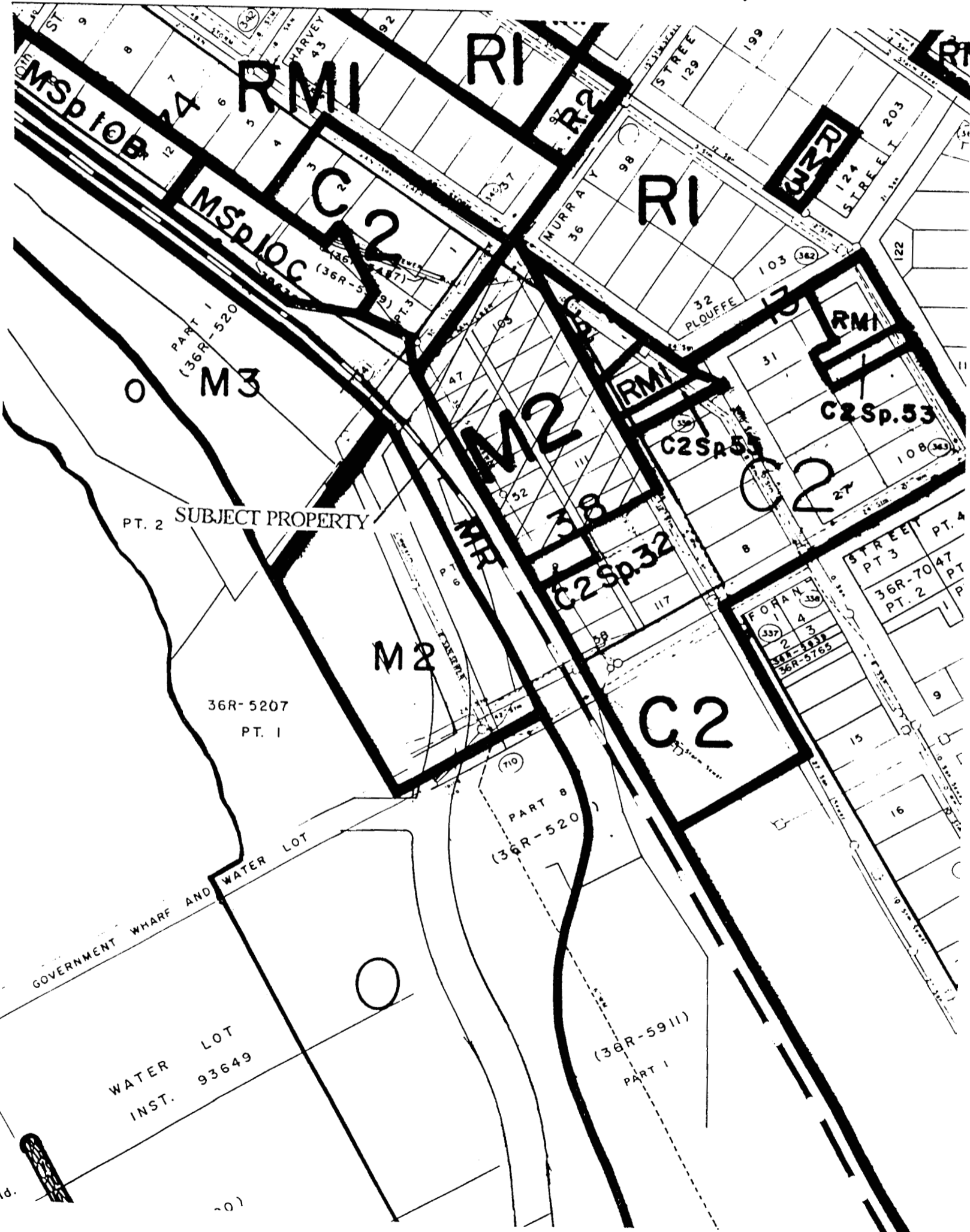
  
CITY CLERK

This is Schedule "A"

To By-Law No. 2002-100

Passed the 9<sup>th</sup> day of September 2002.

*John J. Ferguson*  
Mayor  
*Catherine Conrad*  
City Clerk

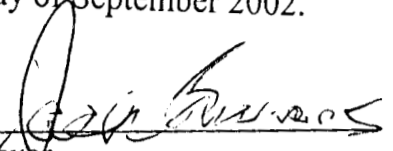
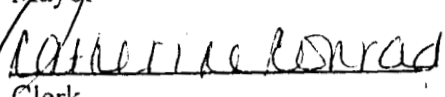




This is Schedule "C"

To By-Law No. 2002-100

Passed the 9<sup>th</sup> day of September 2002.

  
Mayor  
  
Clerk

General Commercial Inner Core Special Zone No. 63

