

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 34-92

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON MCKEOWN AVENUE AND CHAMPLAIN STREET FROM A "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 25 (RM3 SP.25)" TO A "RESIDENTIAL THIRD DENSITY (R3)" ZONE AND FROM A "RESIDENTIAL MULTIPLE THIRD DENSITY SPECIAL ZONE NO. 25 (RM3 SP.25)" AND A "RESIDENTIAL MULTIPLE FOURTH DENSITY SPECIAL ZONE NO. 26 (RM4 SP.26)" TO A "DISTRICT COMMERCIAL SPECIAL ZONE NO. 34 (C4 SP.34)" (881359 ONTARIO LIMITED - ALGONQUIN SQUARE PHASE II)

WHEREAS the owner of the subject property has requested a rezoning;

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-32 of By-law No. 28-80 pursuant to Section 34 of the Planning Act.

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

- 1) Schedule "B-32" 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 Part of Blocks 96, 97, 98 and 103, all of Block 99, Plan M-517, Part of Part 5, RP 36R-7572 along McKeown Avenue and Champlain Street in the City of North Bay, shown as hatched on Schedules "B" & "C" attached hereto) from a "Residential Multiple Third Density Special Zone No. 25 (RM3 Sp.25)" to a "Residential Third Density (R3)" zone and from a "Residential Multiple Third Density Special Zone No. 25 (RM3 Sp.25)" and a "Residential Multiple Fourth Density Special Zone No. 26 (RM4 Sp.26)" to a "District Commercial Special Zone No. 34 (C4 Sp.34)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.34:
 - 11.3.34 "District Commercial Special Zone No. 34 (C4 Sp.34)"
 - 11.3.34.1 The property description of this "District Commercial Special Zone No. 34 (C4 Sp.34)" is Part of Blocks 96, 97, 98 and 103, all of

Block 99, Plan M-517, Part of Part 5,
RP 36R-7572 along McKeown Avenue and
Champlain Street in the City of North Bay as
shown on the attached Schedules and Schedule
"B-32".

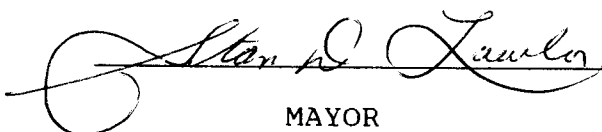
- 11.3.34.2(a) No person shall use land, or use, erect, or
construct any building or structure in this
"District Commercial Special Zone No. 34
(C4 Sp.34)" except for the following uses:
- automobile service station or gas bar;
 - banks;
 - business offices;
 - financial institutions;
 - food stores;
 - local retail stores;
 - public and private parking areas;
 - places of entertainment;
 - hotels, motels;
 - professional offices;
 - restaurants and taverns;
 - retail stores;
 - service establishments that are not
obnoxious;
 - 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;
 - club and fraternal organizations.
- 11.3.34.2(B) The special regulation for this "District
Commercial Special Zone No. 34 (C4 Sp.34)" is
as follows:


- i) the minimum front yard setback shall be four and five-tenths (4.5) metres.

11.3.34.3 The use of land or buildings in this "District Commercial Special Zone No. 34 (C4 Sp.34)" 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 "Schedule to District Commercial Special Zone No. 34 (C4 Sp.34)" 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 Ontario Regulation 404/83.
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 3RD DAY OF FEBRUARY 1992.
READ A SECOND TIME IN OPEN COUNCIL THE 2ND DAY OF MARCH 1992.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 2ND DAY
OF MARCH 1992 .


MAYOR


CITY CLERK

This is Schedule " 1 A "

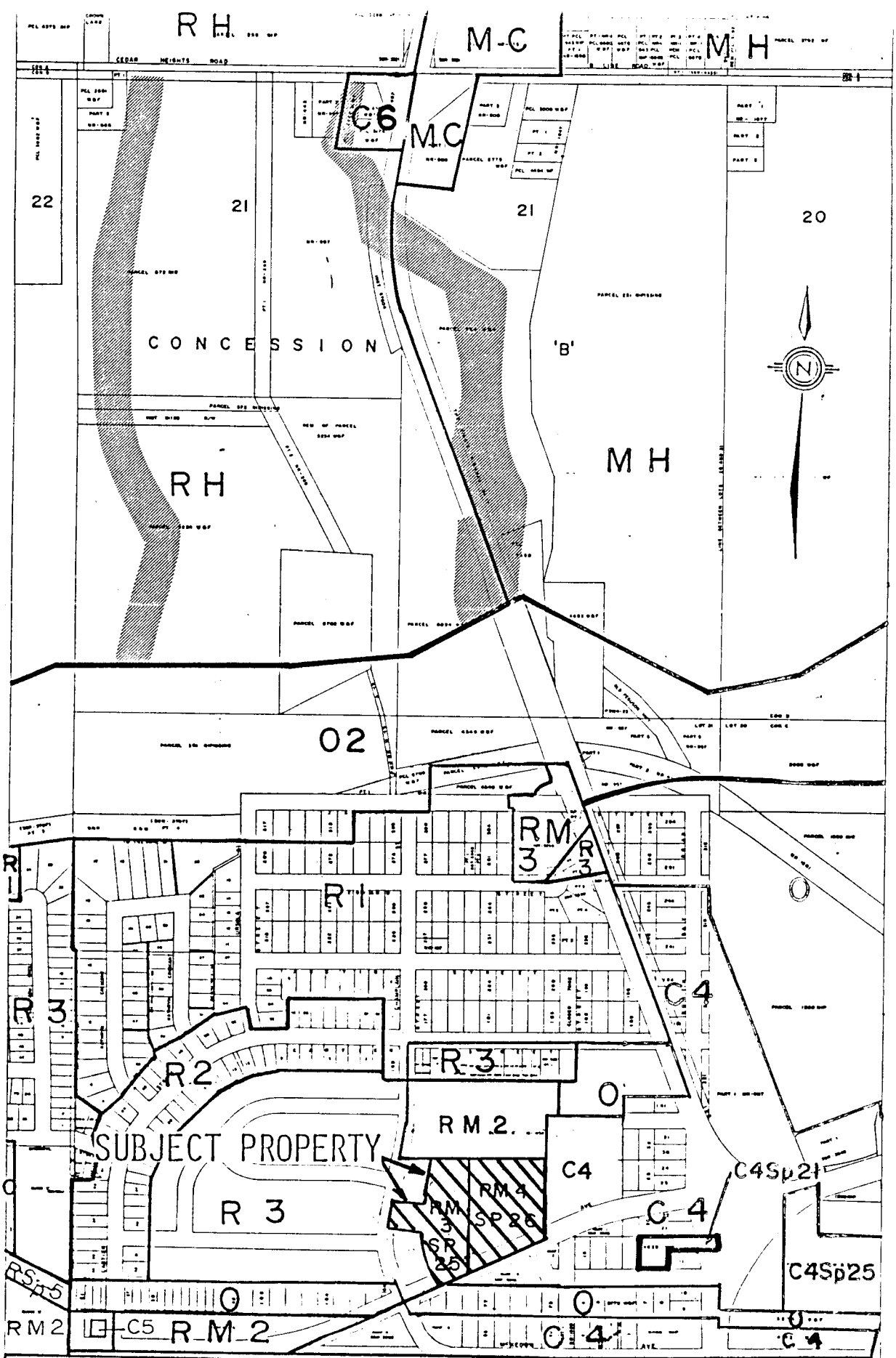
To By-law No. 34-92

Passed the 2ND day of MARCH

19 92.

Stan D. Lawler
MAYOR

B. Carter
CITY CLERK



SCHEDULE B - 32 CITY OF NORTH BAY ZONING BY-LAW N^o 28-80

This is Schedule " B " "

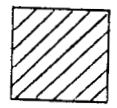
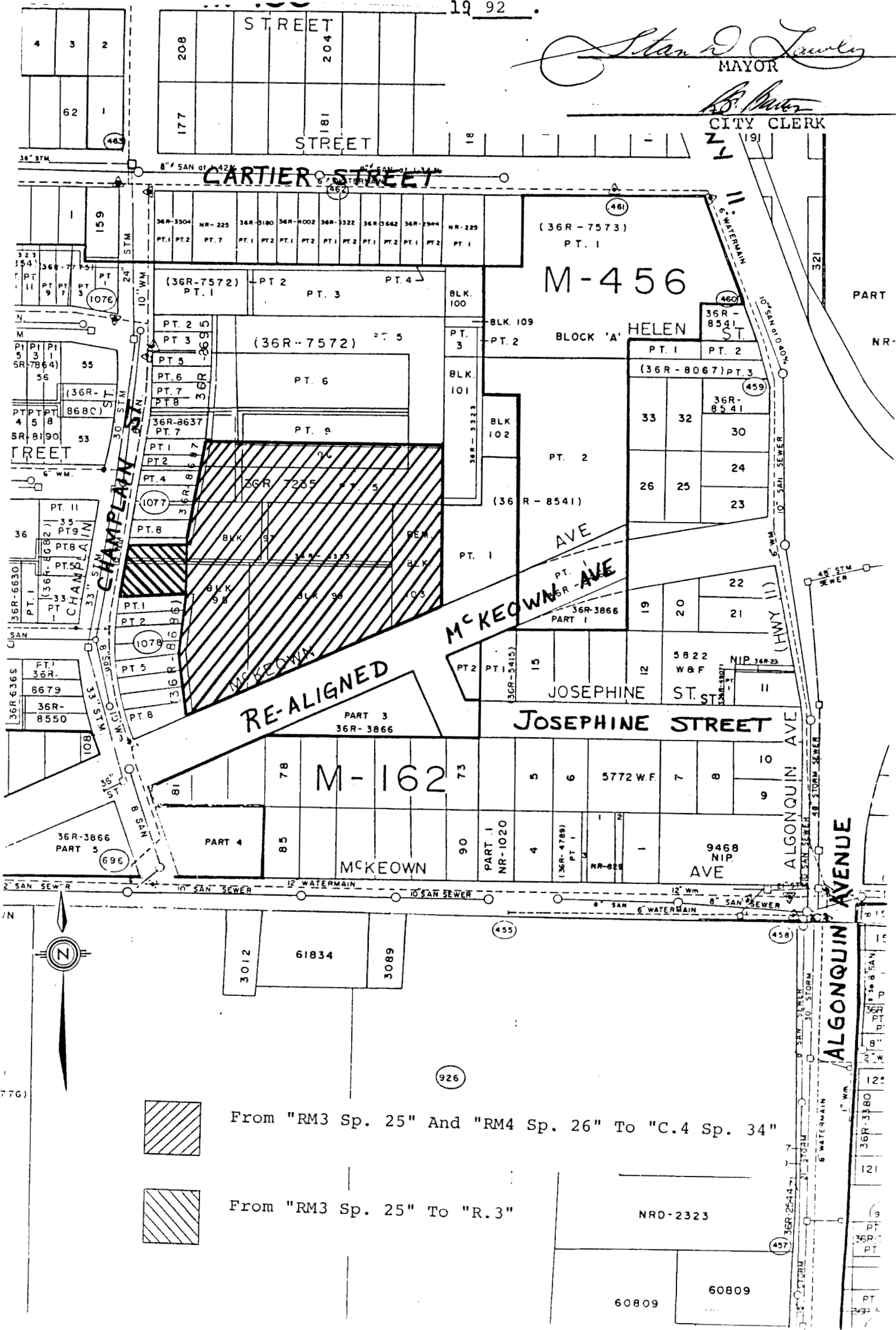
To By-law No. 34-92

Passed the 2ND day of MARCH

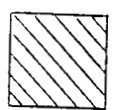
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Stan D. Towley
MAYOR

B. P. ...
CITY CLERK



From "RM3 Sp. 25" And "RM4 Sp. 26" To "C.4 Sp. 34"



From "RM3 Sp. 25" To "R.3"

776)

This is Schedule " C "

To By-law No. 34-92

Passed the 2ND day of MARCH
19 92 .

Stan D. Lawley
MAYOR
B. Butler
CITY CLERK

Schedule to "District Commercial Special Zone No. 34 (C4 Sp.34)"

