

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 172-82

BEING A BY-LAW TO AMEND BY-LAW NO. 28-80  
TO REZONE CERTAIN LANDS ON FIRST AVENUE  
FROM RM-1 TO COMMERCIAL SPECIAL ZONE NO.9  
(N. DELFINO)

WHEREAS upon the request of the property owner concerned and with the approval of the local Planning Board, it is considered advisable to amend By-Law No. 28-80 of The Corporation of the City of North Bay to amend the zone designation shown on Schedule "B-42" of By-Law No. 28-80 pursuant to Section 39 of The Planning Act, R.S.O. 1980, Chapter 379;

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

1. Schedule "B-42" of said By-Law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto and forming part hereof, which property is more particularly described as the westerly portion of Lot 681, Plan 21 in the City of North Bay, shown as hatched on Schedule "B" attached hereto and forming part hereof, from a "Residential Multiple First Density (RM-1)" Zone to a "Commercial Special No. 9 (C.SP.9)" Zone.
2. No building or structure shall be erected or altered and no land shall be used in said "Commercial Special No. 9 (C.SP.9)" Zone except for the following uses and in conformity with the following regulations:
  - (i) PERMITTED USES: Convenience Store  
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 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 business premises.

- (ii) REGULATIONS:
- (a) Maximum lot coverage is thirty-five percent (35%);
  - (b) Minimum front yard setback is three (3) metres;
  - (c) Minimum interior side yard setback is one (1) metre;
  - (d) Minimum side yard setback where a side lot line abuts a street is three (3) metres;
  - (e) Minimum rear yard setback is one and five-tenths (1.5) metres;
  - (f) Minimum number of on-site parking spaces is four (4).

3. All buildings or structures erected or altered and the use of land in such "Commercial Special No. 9 (C.SP.9)" Zone hereby established shall conform to all applicable provisions of By-Law No. 28-80 of The Corporation of the City of North Bay, except as hereby expressly varied.
4. By-Law No. 97-82 is hereby repealed.
5. (a) Notice of this By-Law shall be given in the manner and form and to the persons prescribed by Ontario Regulation 78/80;
- (b) Where no notice of objection is filed with the Clerk of The Corporation of the City of North Bay within twenty-one (21) days of service of the notice as prescribed by Ontario Regulation 78/80, then this By-Law thereupon comes into force and effect;
- (c) Where notice of objection is filed with the Clerk of The Corporation of the City of North Bay within twenty-one (21) days of service of the notice as prescribed by Ontario Regulation 78/80, this By-Law shall come into force and effect upon the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THIS 4TH DAY OF OCTOBER 1982.  
READ A SECOND TIME IN OPEN COUNCIL THIS 18th DAY OF OCTOBER 1982.  
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED  
THIS 18th DAY OF OCTOBER 1982.

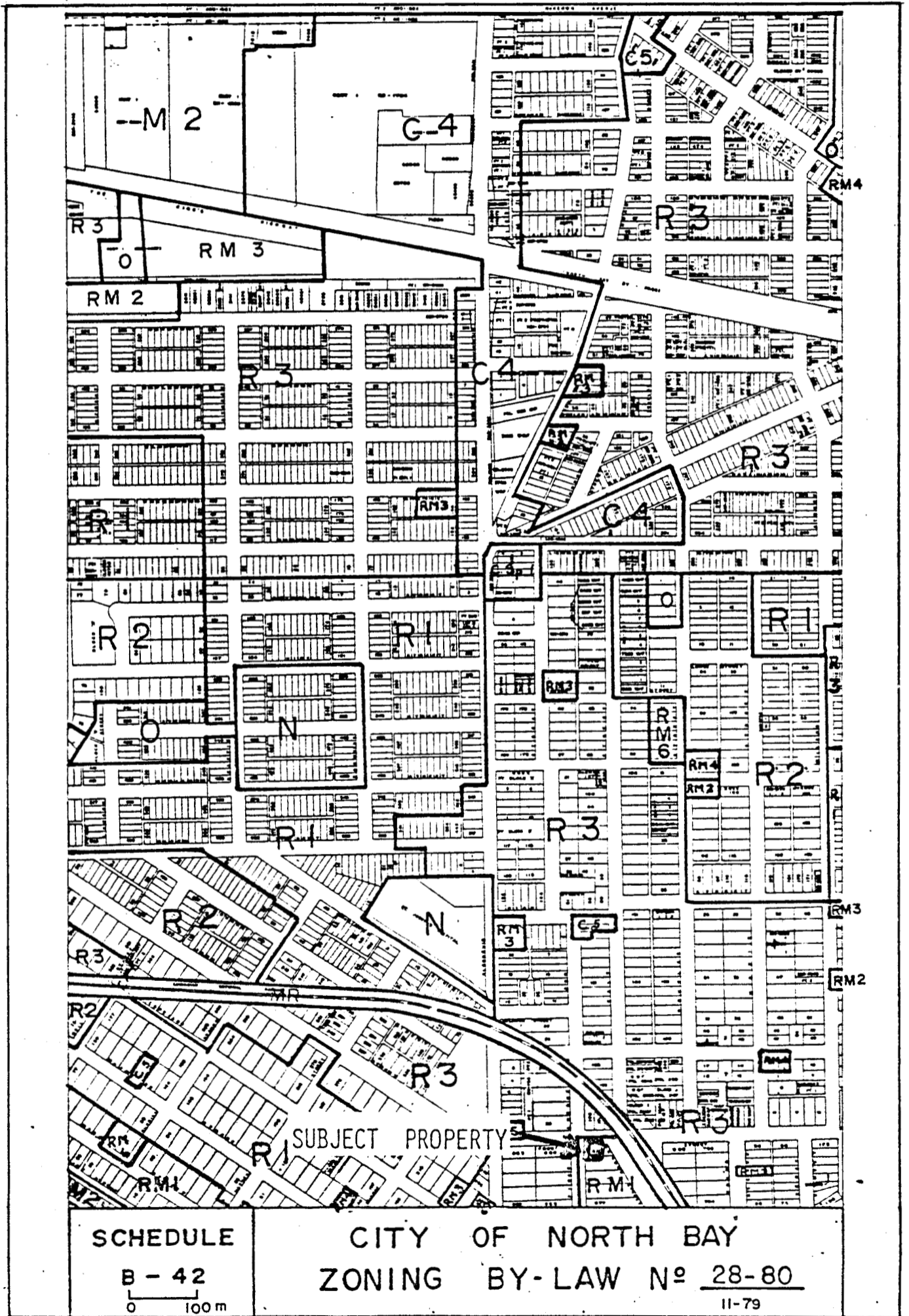
  
MAYOR

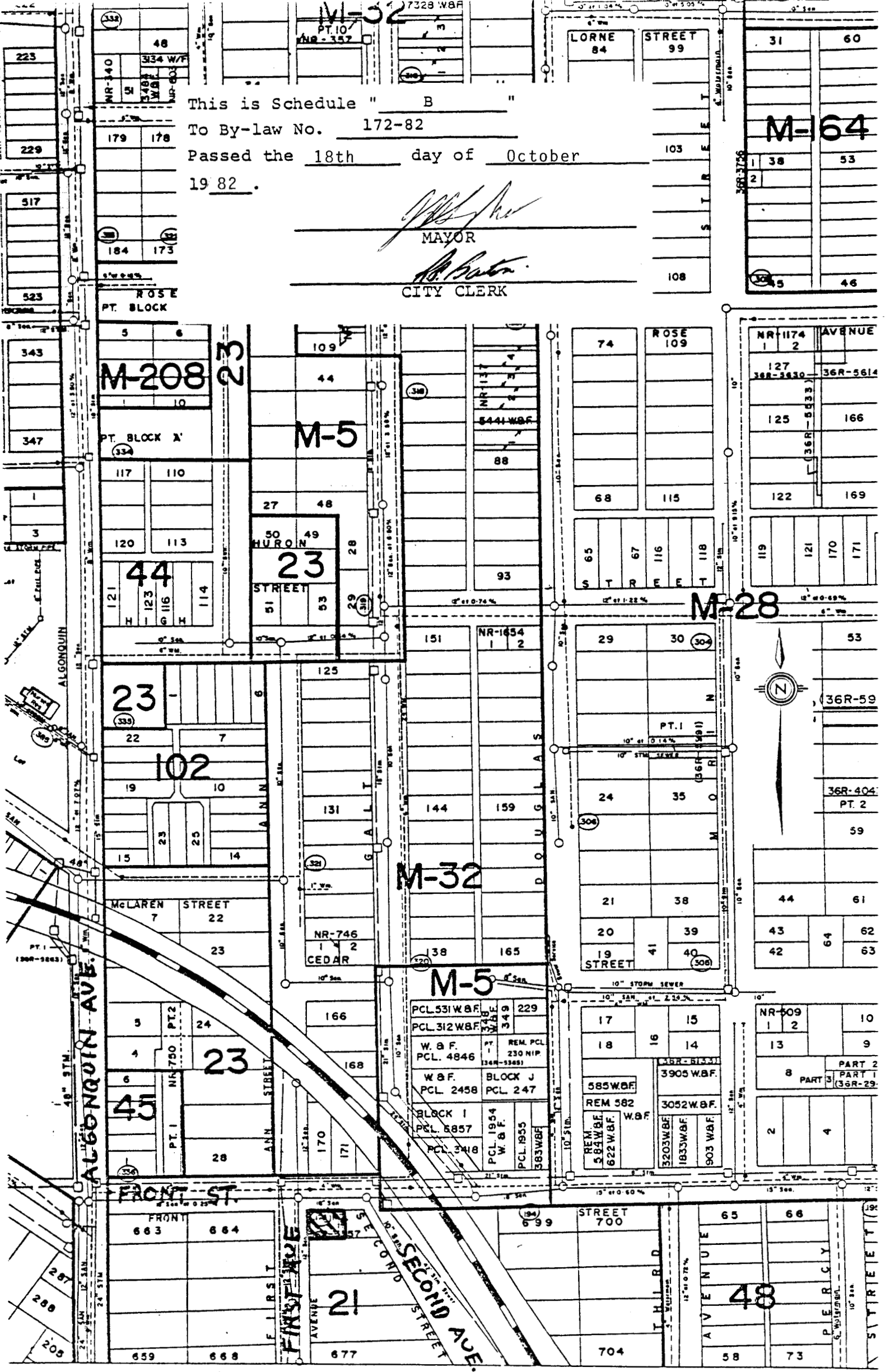
  
CITY CLERK

This is Schedule " A "  
To By-law No. 172-82  
Passed the 18th day of October,  
1982.

*[Signature]*  
MAYOR

*[Signature]*  
CITY CLERK





This is Schedule " B "   
 To By-law No. 172-82   
 Passed the 18th day of October   
 19 82 .

*[Signature]*   
 MAYOR   
*[Signature]*   
 CITY CLERK

**M-64**

**M-208**

**M-5**

**M-28**

**M-32**

**M-5**



FROM "RESIDENTIAL MULTIPLE FIRST DENSITY(RM1)"   
 TO "COMMERCIAL SPECIAL NO. 9(CSP.9)"

SCHEDULE 2

STATEMENT OF CONFORMITY TO THE OFFICIAL PLAN  
AND PURPOSE AND EFFECT OF BY-LAW NO. 172-82

I, Stephen M. Sajatovic, M.C.I.P., the Chief Planning Officer of The Corporation of the City of North Bay, have reviewed By-Law No. 172-82 of the City of North Bay and I am of the opinion that the By-Law is in conformity with the Official Plan in effect for the North Bay Planning Area.

The purpose and effect of the By-Law are as follows:

- a) The purpose of By-Law No. 172-82 of the City of North Bay is to change the permitted land uses and the governing regulations on a specific property. The property to be affected (the westerly portion of Lot 681, Plan 21) is shown on Schedule "B" to By-Law No. 172-82, a copy of which is attached. The subject property is presently zoned "Residential Multiple First Density (RM-1)", which permits the following land uses:

Triplexes  
Double-Duplexes  
Boarding or Rooming Houses.

- b) By-Law No. 172-82 proposes that the subject property be rezoned to a "Commercial Special No. 9 (C.Sp.9)" Zone, which would permit the following land uses:

Convenience Store  
Dwelling Units connected to and  
forming an integral part of the  
commercial building

The Applicant proposes to construct a Neighbourhood Convenience Store to replace a similar operation which was destroyed by fire in 1981. Therefore, under the proposed By-Law No. 172-82, the property shown on Schedule "B" attached will be rezoned to permit the construction of a Neighbourhood Convenience Store.

City Council and Planning Board have recommended the rezoning of the land indicated in By-Law No. 172-82.

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Stephen M. Sajatovic, M.C.I.P.  
Chief Planning Officer  
The Corporation of the  
City of North Bay