

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2008-110

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON FISHER STREET
FROM "RESIDENTIAL THIRD DENSITY (R3)" TO
"NEIGHBOURHOOD COMMERCIAL SPECIAL NO. 75 (C5 Sp.75)"**

(DIMITRIOS AND TRACEY KOLIOS – 1066 FISHER 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 Section 11 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 April 14, 2008 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 Schedules "A" and "B" attached hereto (which property is more particularly described as Concession D, Plan 57, Part Lot 261, Part Lot 262 and a portion of abutting laneway) on Fisher Street in the City of North Bay from a "Residential Third Density (R3)" zone to a "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following 11.3.75:
 - 11.3.75 Neighbourhood Commercial Special No.75 (C5 Sp.75)
 - 11.3.75.1 The property description of this "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone is: Concession D, Plan 57, Part Lot 261, Part Lot 262 and a portion of abutting laneway along Fisher Street in the City of North Bay as shown on the attached Schedules and Schedule "B-51"
 - 11.3.75.2 The regulations for this "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone are as follows:
 - i) The maximum lot coverage shall be 35%;
 - ii) The interior side yard setback shall be 3.1 metres;
 - iii) The exterior side yard setback shall be 1.38 metres;

iv) The rear yard setback shall be 0.00 metres;

v) The vegetative buffer for parking shall be 0.00 metres;

11.3.75.3 The use of land or buildings in this "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied.

- 4) Section 11 of By-law No. 28-80 is further amended by inserting "Neighbourhood Commercial Special No.75 (C5 Sp.75)" zone as Schedule "C" to this By-law.
- 5) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "A" attached hereto are hereby designated as a Site Plan Control Area.
- 6)
 - 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. 254/06 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 14th DAY OF APRIL 2008.

READ A SECOND TIME IN OPEN COUNCIL THE 14th DAY OF APRIL 2008.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17th DAY OF SEPTEMBER 2012.

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MAYOR ALLAN MCDONALD

CITY CLERK CATHERINE CONRAD

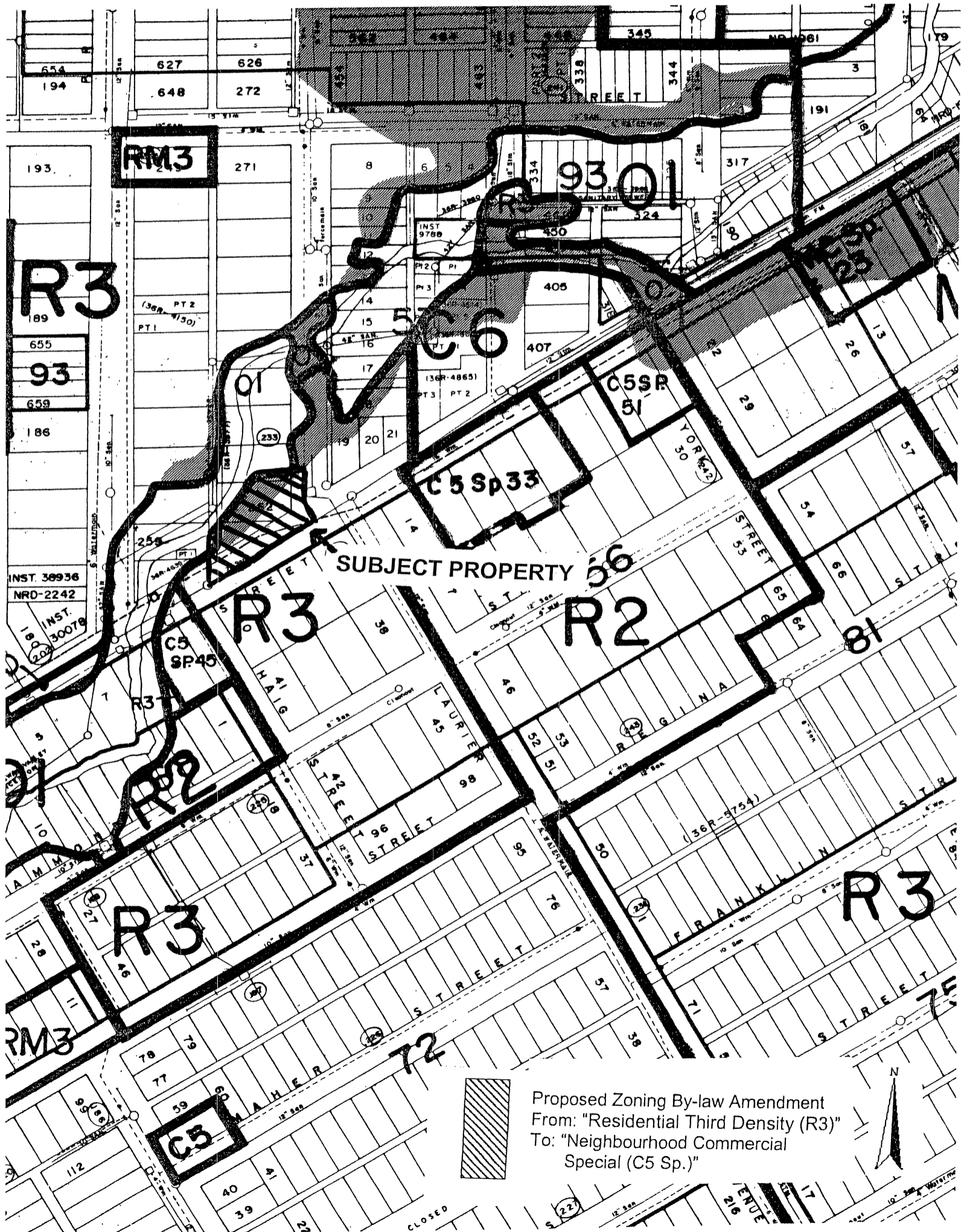
This is Schedule "A"
To By-law No. 2008-110
Passed the 17th day of September 2012

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Mayor Allan McDonald

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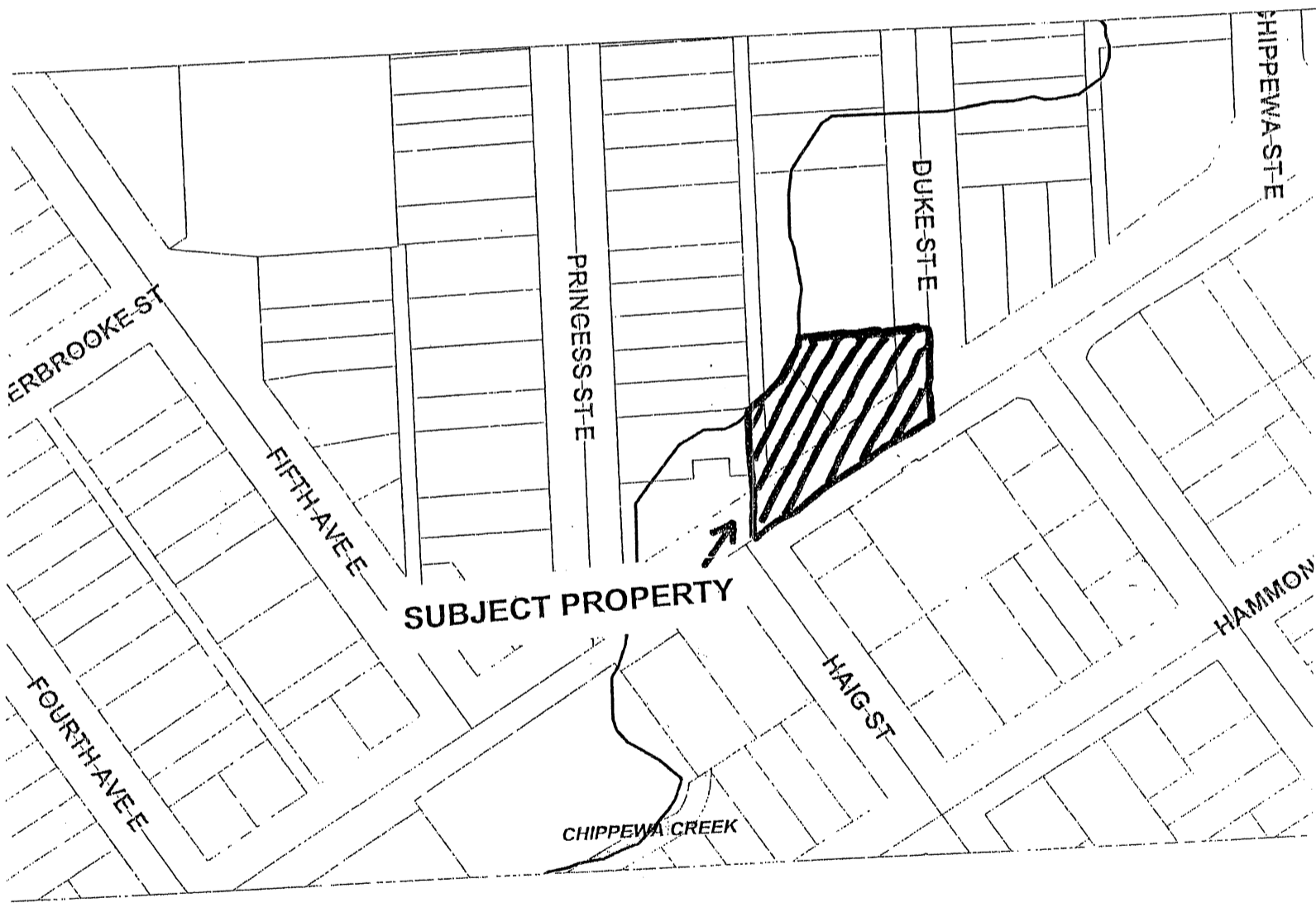
City Clerk Catherine Conrad




This is Schedule "B"
To By-law No. 2008-110
Passed the 17th day of September 2012

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City Clerk Catherine Conrad



 Proposed Zoning By-law Amendment
From: "Residential Third Density (R3)"
To: "Neighbourhood Commercial
Special (C5 Sp.)"

This is Schedule "C"

To By-law No. 2008-110

Passed the 17th day of September 2012

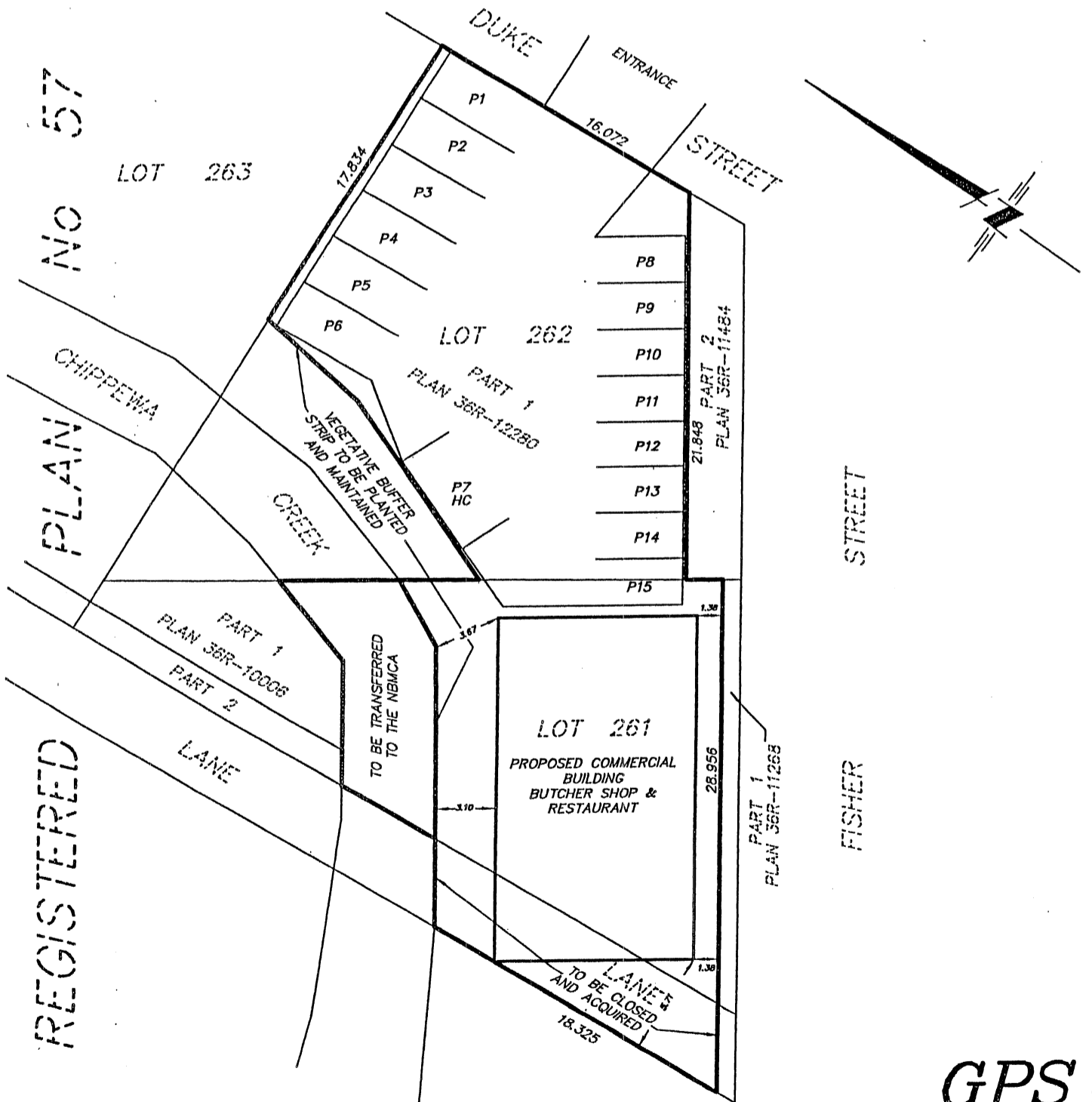
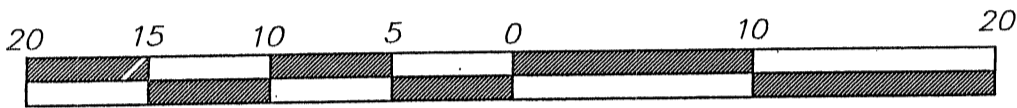
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City Clerk Catherine Conrad

SKETCH TO ACCOMPANY ZONING BY-LAW AMENDMENT APPLICATION



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