

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 49-86

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE
CERTAIN LANDS AT McKEOWN AVENUE FROM
"NEIGHBOURHOOD COMMERCIAL (C.5)" TO
"NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 23
(C.5 SP. 23)" (GOLDEN ESTATES)

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-31" 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-31" 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 Block "B", Plan M-528 along McKeown Avenue and McNamara Street in the City of North Bay, shown as hatched on Schedule "B" attached hereto), from a "Neighbourhood Commercial (C.5)" Zone to a "Neighbourhood Commercial Special Zone No. 23 (C.5 Sp. 23)" Zone.
2. Section 11 of By-Law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.23:

"11.3.23 "Neighbourhood Commercial Special Zone No.23 (C.5 Sp.23)"

11.3.23.1 The property description of this "Neighbourhood Commercial Special Zone No. 23 (C.5 Sp. 23)" is:
Part of Block "B", Plan M-528 along McKeown Avenue and McNamara Street in the City of North Bay as shown on the attached Schedule and Schedule "B-31".

11.3.23.2 (a) No person shall use land or erect or construct any building or structure in this "Neighbourhood Commercial Special Zone No. 23 (C.5 Sp. 23)" Zone except for the following uses:

Convenience Stores
Dry Cleaning Depots
Local Retail Stores
Gas Bars
Service Establishments that are not Obnoxious
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.

(b) The regulations for this "Neighbourhood Commercial Special Zone No. 23 (C.5 Sp. 23)" Zone are as follows:

- (i) Maximum lot coverage shall be twenty-five (25) percent;
- (ii) The setback from the front lot line shall be a minimum of twelve (12) metres;
- (iii) The setback from the westerly side lot line shall be a minimum of four and five-tenths (4.5) metres;
- (iv) The setback from the easterly side lot line shall be a minimum of three (3) metres;
- (v) Where the building contains residential accommodation above the commercial area and the windows of habitable rooms face the side lot line, the nearest main wall of the residential portion of the building shall be not less than six (6) metres from the side lot line;
- (vi) The setback from the rear lot line shall be a minimum of ten and five-tenths (10.5) metres;
- (vii) No portion of any pump island shall be located closer than four and five-tenths (4.5) metres to the lot line along any street;
- (viii) The minimum parking requirement shall be one (1) space for every eighteen and six-tenths (18.6) square metres of commercial floor space, and one and one-quarter (1.25) spaces for every dwelling unit contained in the building.

11.3.23.3 The use of land or buildings in this "Neighbourhood Commercial Special Zone No. 23 (C.5 Sp. 23)" Zone 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 Neighbourhood Commercial Special Zone No. 23 (C.5 Sp. 23)" 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 not later than 15 days after the day this By-Law is passed.
(b) Where no notice of appeal is filed with the Clerk of The Corporation of The City of North Bay within thirty-five (35) days from the passing of this By-Law, 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 thirty-five (35) days from the passing of this By-Law setting out 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 MARCH 1986.
READ A SECOND TIME IN OPEN COUNCIL THE 1ST DAY OF APRIL 1986.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 1ST DAY OF
APRIL 1986.


MAYOR


CITY CLERK

This is Schedule " A "

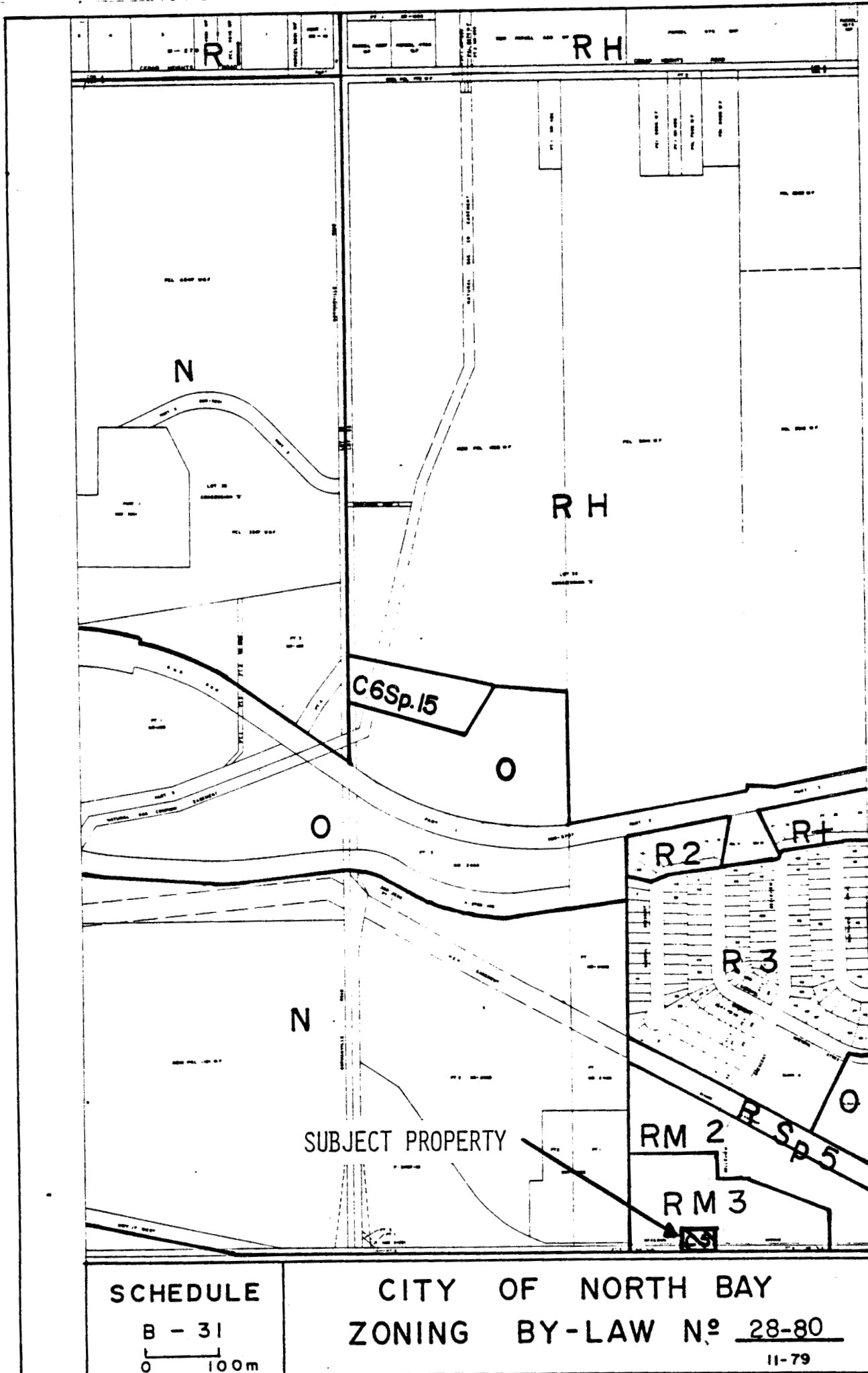
To By-law No. 49-86

Passed the 1st day of April,

19 86.

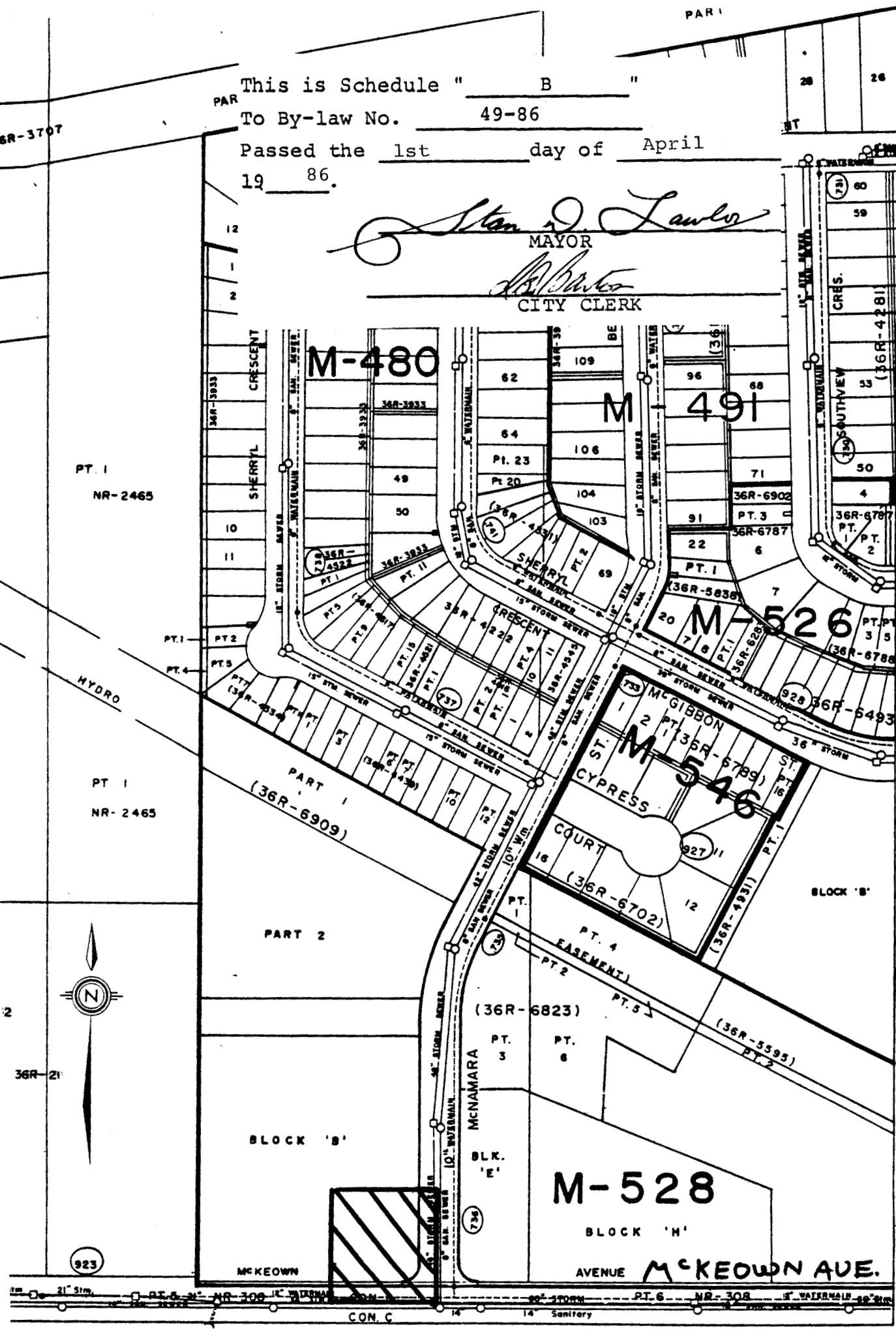
Stan D. Lawlor
MAYOR

B. B. Weston
CITY CLERK



This is Schedule " B "
 To By-law No. 49-86
 Passed the 1st day of April
 19 86.

Stan J. Lawlor
 MAYOR
[Signature]
 CITY CLERK



FROM "NEIGHBOURHOOD COMMERCIAL(C.5) TO "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 23(C.5SP.23)"

This is Schedule " C "
To By-law No. 49-86
Passed the 1st day of April
19 86.

Stan D. Lawlor
MAYOR
[Signature]
CITY CLERK

SCHEDULE TO "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 23(C.5SP.23)"

