

The Corporation of the City of North Bay

By-Law No. 2016-91

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Highway 63 from a “Restricted Industrial Special No.2 (M4 Sp.2)” Zone to a “Rural Special No. 20 (A Sp.20)” Zone

(James McGinn – 4250 Highway 63)

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 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 “C-5” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Committee Report 2016-22 adopted by Council on August 22nd, 2016 by resolution number 2016-380 to approve this rezoning;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) Schedule “C-5” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49136-0244; PCL 5030 SEC NIP; PT LT 12 CON B WIDDIFIELD AS IN LT8683, North Bay, District of Nipissing), shown as hatched on Schedule “A” attached hereto from a “Restricted Industrial Special No.2 (M4 Sp.2)” zone to a “Rural Special No.20 (A Sp.20)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Rural Special No.20 (A Sp.20)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.2.20:
 - "11.2.20 “Rural Special No.20 (A Sp.20)”
 - 11.2.20.1 The property description of this “Rural Special No.20 (A Sp.20)” is
PIN 49136-0244; PCL 5030 SEC NIP; PT LT 12 CON B
WIDDIFIELD AS IN LT8683, North Bay, District of Nipissing as

shown on the attached Schedule "A" and on Schedule "C-5".

11.2.20.2 The regulations for this "Rural Special No.20 (A Sp.20)" are as follows:

i) The setback for any dwellings shall be 30 metres from the property's mutual lot line with any rail lines.

11.2.20.3 The use of land or building in this "Rural Special No.20 (A Sp.20)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 2015-30 is further amended by inserting "Rural Special No.20 (A Sp.20)" as shown on Schedule "A" to this By-law.
- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out the objection to the By-law and the reasons in support of the objection, and shall be accompanied by the fee prescribed under the *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 4 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 4 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 22nd Day of August, 2016.

Read a Second Time in Open Council the 22nd Day of August, 2016.

Read a Third Time in Open Council and Passed this 22nd Day of August, 2016.

Mayor, Allan McDonald

City Clerk Karen Mclsaac

Sire - C01 - By-law No. 2016-91 – ZBLA File #880 – 4250 Highway 63 – James McGinn - Zoning By-law Amendment

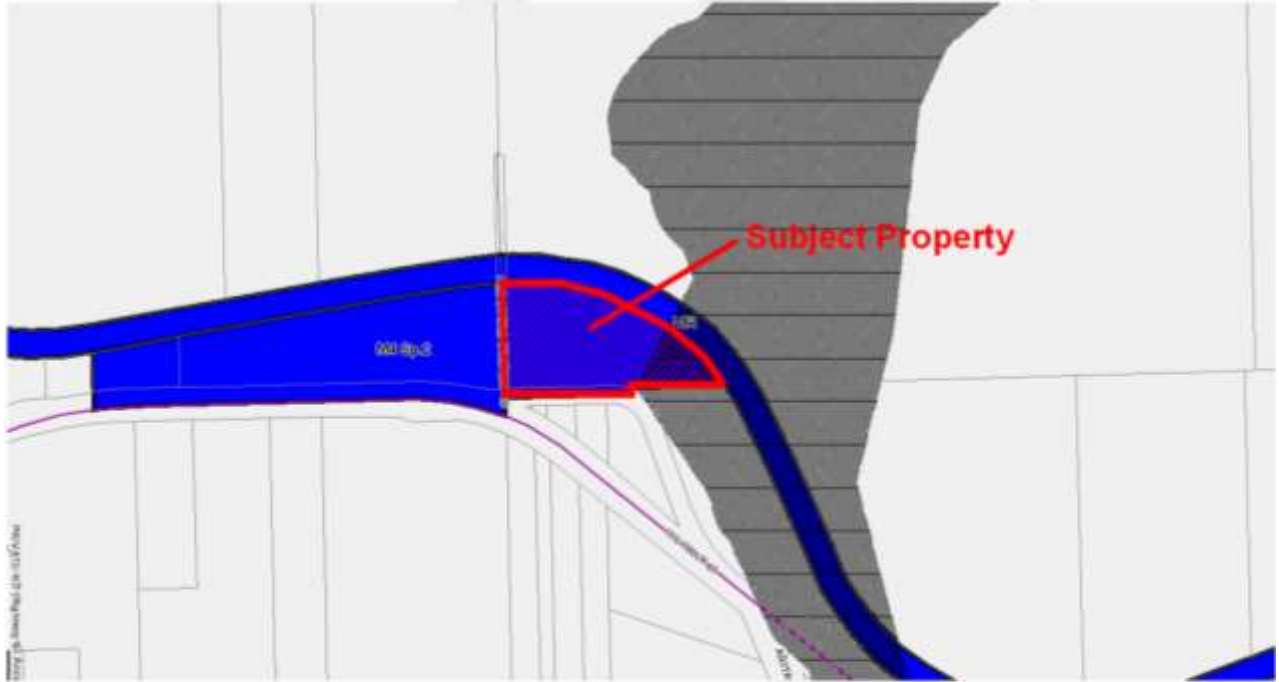
Schedule A

This is Schedule "A"
To By-law No. 2016-91

Passed the 22nd day of August, 2016

Mayor Allan McDonald

City Clerk Karen McIsaac



From "Restricted Industrial Special No.2 (M4 Sp.2)" to "Rural Special No. 20 (A Sp. 20)"