

The Corporation of the City of North Bay

By-Law No. 2016-80

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Chippewa Street West from a “Residential Third Density (R3)” Zone to a “Neighbourhood Commercial Special Number 69 (C5 Sp.69)” Zone

Gregory Grace Holdings Inc. – 117 Chippewa Street West

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 “B-52” 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 2016-21 adopted by Council on July 11, 2016 by resolution number 2016-330 to approve this rezoning;

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

- 1) Schedule “B-52” 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 49151-0150, Lots 497-506, Plan 93 Widdifield, Except Part 1 on Plan 36R11564 in the City of North Bay, District of Nipissing, shown as hatched on Schedule “A” attached hereto from a “Residential Third Density (R3)” zone to a “Neighbourhood Commercial Special Number 69 (C5 Sp.69)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Neighbourhood Commercial Special Number 69 (C5 Sp.69)” 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 11.2.69:
- "11.2.69 "Neighbourhood Commercial Special Number 69 (C5 Sp.69)"
- 11.2.69.1 The property description of this "Neighbourhood Commercial Special Number 69 (C5 Sp.69)" is PIN 49151-0150, Lots 497-506, Plan 93 Widdifield, Except Part 1 on Plan 36R11564 in the City of North Bay, District of Nipissing along Chippewa Street West in the City of North Bay as shown on the attached Schedule "A" and on Schedule "B-52".
- 11.2.69.2 The regulations for this "Neighbourhood Commercial Special Number 69 (C5 Sp.69)" are as follows:
- i) The minimum rear yard setback shall be 5.8 metres.
- 11.2.69.3 The use of land or building in this "Neighbourhood Commercial Special Number 69 (C5 Sp.69)" 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 "Neighbourhood Commercial Special Number 69 (C5 Sp.69)" 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 11th Day of July 2016.

Read a Second Time in Open Council the 11th Day of July 2016.

Read a Third Time in Open Council and Passed this 11th Day of July 2016.

Mayor, Allan McDonald

City Clerk Karen Mclsaac

Sire/C01/ By-law No. 2016-80 – ZBLA File #878 – 117 Chippewa Street West – Gregory Grace Holdings Inc. - Zoning By-law Amendment

Schedule A

This is Schedule "A"
To By-law No. 2016-80

Passed the 11th Day of July 2016

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend



From Residential Third Density (R3) to Neighbourhood Commercial Special Number 69 (C5 Sp.69)"

Schedule B

This is Schedule "B"
To By-law No. 2016-80

Passed the 11th Day of July 2016

Mayor Allan McDonald

City Clerk Karen McIsaac

