

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 240-92

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO  
REZONE CERTAIN LANDS ON JOHN STREET  
FROM AN "OPEN SPACE (0)" ZONE AND A  
"FLOODWAY (0.1)" ZONE TO A "NEIGHBOURHOOD  
COMMERCIAL SPECIAL ZONE NO. 38 (C.5 SP.38)"  
(E. MACGREGOR - 732 JOHN STREET)

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-51 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-51" 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 Parts 1 to 6, Plan 36R-3993 along John Street in the City of North Bay, shown as hatched on Schedules "B" & "C" attached hereto) from an "Open Space (0)" zone and a "Floodway (0.1)" zone to a "Neighbourhood Commercial Special Zone No. 38 (C.5 Sp.38)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.38:

11.3.38            "Neighbourhood Commercial Special Zone No. 38  
(C.5 Sp.38)".

11.3.38.1        The property description of this  
"Neighbourhood Commercial Special Zone No. 38  
(C.5 Sp.38)" is Parts 1 to 6, Plan 36R-3993  
along John Street in the City of North Bay as  
shown on the attached Schedules "A", "B" and  
"C" and Schedule "B-51".

11.3.38.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Neighbourhood Commercial Special Zone No. 38 (C.5 Sp.38)" zone, except for the following uses:

- warehouse uses;
- wholesale uses;
- accessory commercial uses to the main wholesale and warehouse uses;
- 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.

11.3.38.2(b) The regulations for this "Neighbourhood Commercial Special Zone No. 38 (C.5 Sp.38)" zone are as follows:

- i) The maximum lot coverage not to exceed thirty-one (31) percent of the total lot area;
- ii) The minimum front yard setback shall be one and zero tenths (1.0) metres; and
- iii) The minimum easterly side yard setback shall be zero and three tenths (0.3) metres.

11.3.38.3        The use of land or buildings in this  
                  "Neighbourhood Commercial Special Zone No. 38  
                  (C.5 Sp.38)" 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. 38 (C.5 Sp.38)" 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.
- 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 DECEMBER, 1992.  
READ A SECOND TIME IN OPEN COUNCIL THE 11TH DAY OF JANUARY 19 93  
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 11TH DAY  
OF JANUARY 19 93

  
MAYOR

  
CITY CLERK



This is Schedule " B "

To By-law No. 240-92

Passed the 11TH day of JANUARY  
19 93.

*Stan D. Lawley*  
MAYOR

*B. Burton*  
CITY CLERK



FROM AN "OPEN SPACE (0)" ZONE AND A "FLOODWAY (0.1)" ZONE  
TO A "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 38 (C5 SP.38)"

6-5TH-23

This is Schedule " C "  
 To By-law No. 240-92  
 Passed the 11TH day of JANUARY  
 1993.

*Stan D. Lawler*  
 MAYOR  
*B. Butler*  
 CITY CLERK

SCHEDULE TO "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 38 (C.5 SP.38)"

