

The Corporation of the City of North Bay

By-Law No. 2016-128

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Pinewood Park Drive from a “Restricted Industrial (M4)” Zone to an “Industrial Commercial Special No. 51 (MC Sp. 51)” Zone

1897840 Ontario Limited – Pinewood Park Drive

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-93” 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 2016-31 adopted by Council on December 12, 2016 by resolution number 2016-557 to approve this rezoning;

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

- 1) Schedule “B-93” 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 PCL 18560 SEC WF, Part Lot 32 CON 12 West Ferris, Part Lot 30 Con 12 West Ferris, Part Lot 31 Con 12 West Ferris PT 1, 2, 3, 4, 5, 36R9931, S/T LT 345756, North Bay, District of Nipissing, shown as hatched on Schedule A attached hereto from a “Restricted Industrial (M4)” zone to a “Industrial Commercial Special No. 51 (MC Sp. 51)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Industrial Commercial Special No. 51 (MC Sp. 51)” 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 11.3.51:

"11.3.51 Industrial Commercial Special No. 51 (MC Sp. 51)

11.3.51.1 The property description of this “Industrial Commercial Special No. 51 (MC Sp. 51)” zone is PCL 18560 SEC WF, Part Lot 32 CON 12

West Ferris, Part Lot 30 Con 12 West Ferris, Part Lot 31 Con 12
West Ferris PT 1, 2, 3, 4, 5, 36R9931, S/T LT 345756, North Bay,
District of Nipissing, along Pinewood Park Drive in the City of North
Bay as shown on the attached Schedule and on Schedule "B-93".

11.3.51.2 (a) No person shall use land, or use, erect, or construct any building
or structure in this "Industrial Commercial Special No. 51 (MC Sp.
51)" zone except for the following uses:

- Automobile Sales, Service, and Leasing Establishment
- Automobile Service Station
- Body Shop
- Builder's Supply Yard
- Casino/Gaming Facility
- Convenience Store
- Courier Distribution Depot
- Day Nursery
- Exhibition Building
- Farmers' Market
- Financial Institution
- Flea Market
- Garden Centre
- Gas Bar
- Group Home Type 3
- Industrial Sales, Service, and Leasing Establishments
- Home Improvement Centre
- Hotel
- Laboratory
- Pet Daycare Facility
- Recreational Facility
- Recreational Vehicle Sales, Service, and Leasing
Establishment
- Restaurant
- Wholesale Uses

11.3.51.3 The use of land or building in this "Industrial Commercial Special
No. 51 (MC Sp. 51)" zone 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 "Industrial

Commercial Special No. 51 (MC Sp. 51)" zone as shown on Schedule "B" 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 12th Day of December 2016.

Read a Second Time in Open Council the 12th Day of December 2016.

Read a Third Time in Open Council and Passed this 12th Day of December 2016.

Mayor, Allan McDonald

City Clerk Karen McIsaac

Schedule A

This is Schedule "A"
To By-law No. 2016-128

Passed the 12th day of December, 2016

Mayor Allan McDonald

City Clerk Karen Mclsaac



Schedule B

This is Schedule "B"
To By-law No. 2016-128

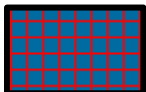
Passed the 12th day of December, 2016

Mayor Allan McDonald

City Clerk Karen Mclsaac



Legend



- From "Restricted Industrial (M4)" zone to "Industrial Commercial Special No. 51 (MC Sp. 51)" zone