

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-240**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON CASSELLS STREET FROM A "RESIDENTIAL SECOND DENSITY (R2)" ZONE AND A "RESIDENTIAL MULTIPLE SECOND DENSITY (RM2)" TO A "DISTRICT COMMERCIAL SPECIAL ZONE NO. 80 (C4 SP.80)"**

**(BELISLE INVESTMENTS LTD. – 1781 CASSELLS STREET)**

**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 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-43" of By-law Number 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

**AND WHEREAS** Council passed a resolution on January 9<sup>th</sup>, 2012 to approve this rezoning.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

- 1) Schedule "B-43" of By-law Number 28-80 is amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (more particularly known as Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-0073(LT), known locally as the former site of Corpus Christi Church at 1781 Cassells Street in the City of North Bay) from a "Residential Second Density (R2)" zone and a "Residential Multiple Second Density (RM2)" zone to a "District Commercial Special Zone No. 80 (C4 Sp.80)".
- 2) Section 11 of the By-law Number 28-80 is amended by inserting at the end thereof the following Section 11.3.80:

"11.3.80 District Commercial Special Zone No. 80 (C4 Sp.80)

11.3.80.1 The property description of this District Commercial Special Zone No. 80 (C4 Sp.80) is Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-0073(LT), known locally as 1781 Cassells Street in the City of North Bay, as shown on the attached Schedule "A" and on Schedule "B-43".

11.3.80.2 The regulations for this District Commercial Special Zone No. 80 (C4 Sp.80) are as follows:

  - i) The permitted uses shall be limited to the following:
    - Business Offices
    - Data Processing Firms
    - Places of Worship
    - Public and Private Parking Areas
    - Professional Offices

- Dwelling Units connected to and forming an integral part of the commercial building, provided that access to the dwelling units separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor.

11.3.80.3 The special component of the Zoning By-law amendment would limit the permitted uses to the foregoing and would recognize existing deficiencies in the rear yard setback from the required 10.5m to the existing 1.23m; and in the front yard setback from the required 7.6m to the existing 5.01m.

11.3.80.4 The use of land or building in this District Commercial Special Zone No. 80 (C4 Sp.80) shall conform to all other regulations of this By-law except as hereby expressly varied."

- 3) Section 11 of By-law Number 28-80 is further amended by inserting "District Commercial Special Zone No. 80 (C4 Sp.80)" as shown on Schedule "B" to this By-law.
- 4) Pursuant to Section 41 of the Planning Act, R.S.O, 1990 as amended, those lands shown on Schedule "B" attached hereto are hereby designated a Site Plan Control Area.
- 5)
  - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of Reg. 254/06, as amended.
  - 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 9TH DAY OF JANUARY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 9TH DAY OF JANUARY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 23RD DAY OF JANUARY 2012.

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DEPUTY MAYOR PETER CHIRICO

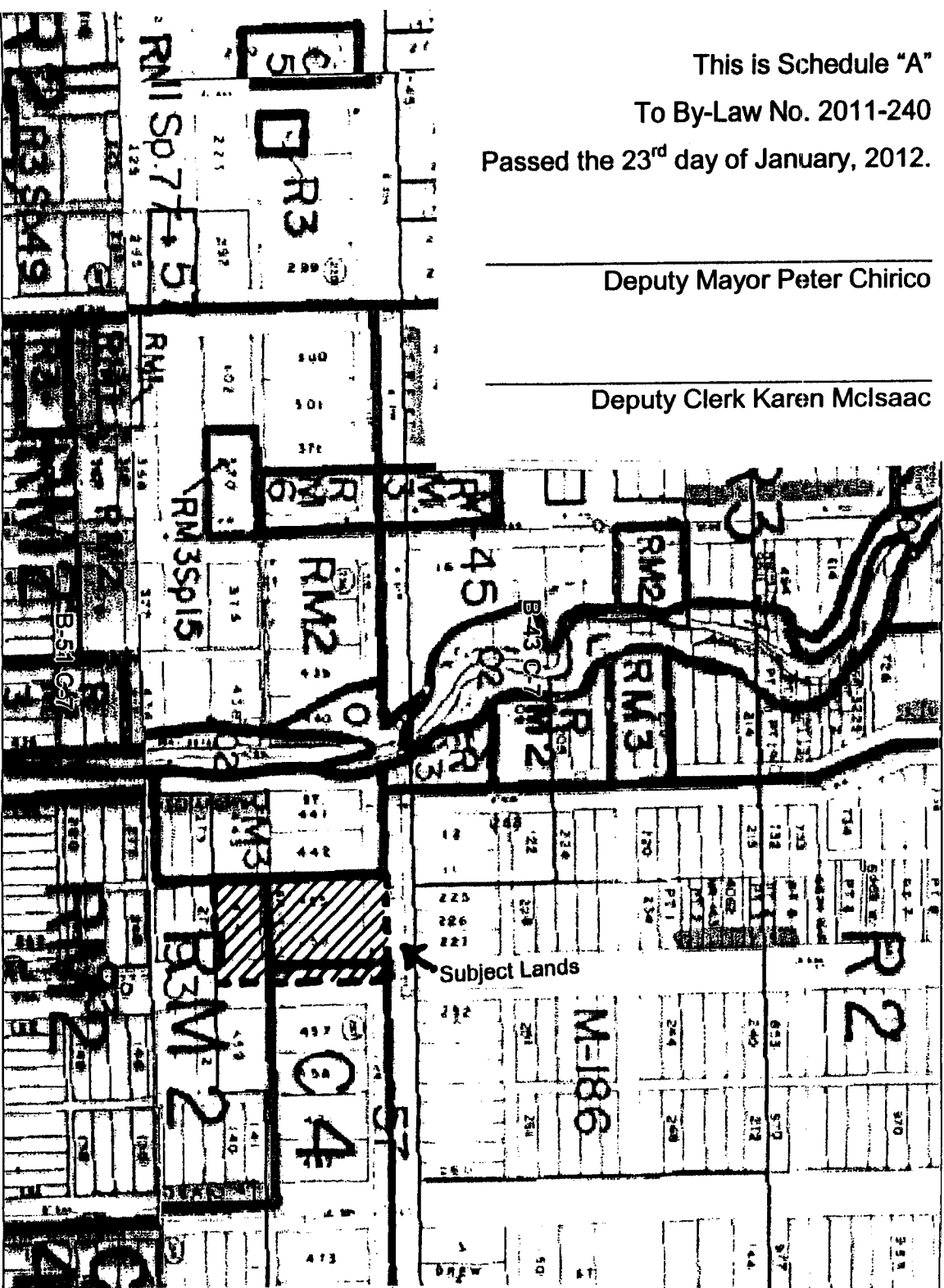
"original signature on file"

DEPUTY CLERK KAREN McISAAC

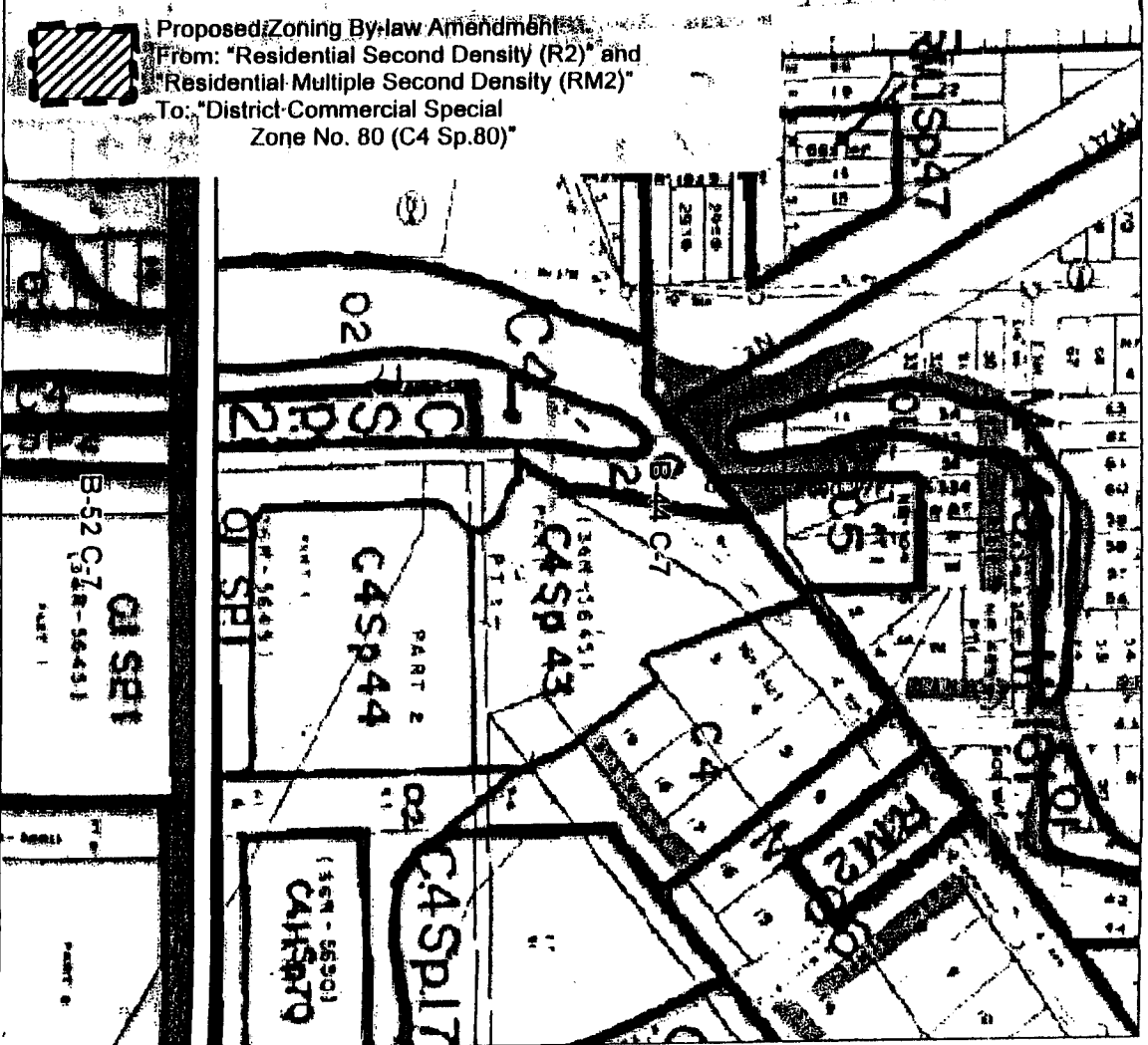
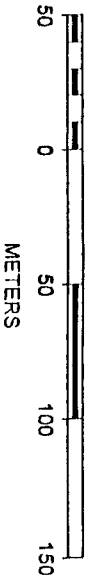
This is Schedule "A"  
 To By-Law No. 2011-240  
 Passed the 23<sup>rd</sup> day of January, 2012.

Deputy Mayor Peter Chirico

Deputy Clerk Karen McIsaac



SCALE 1 : 2,790



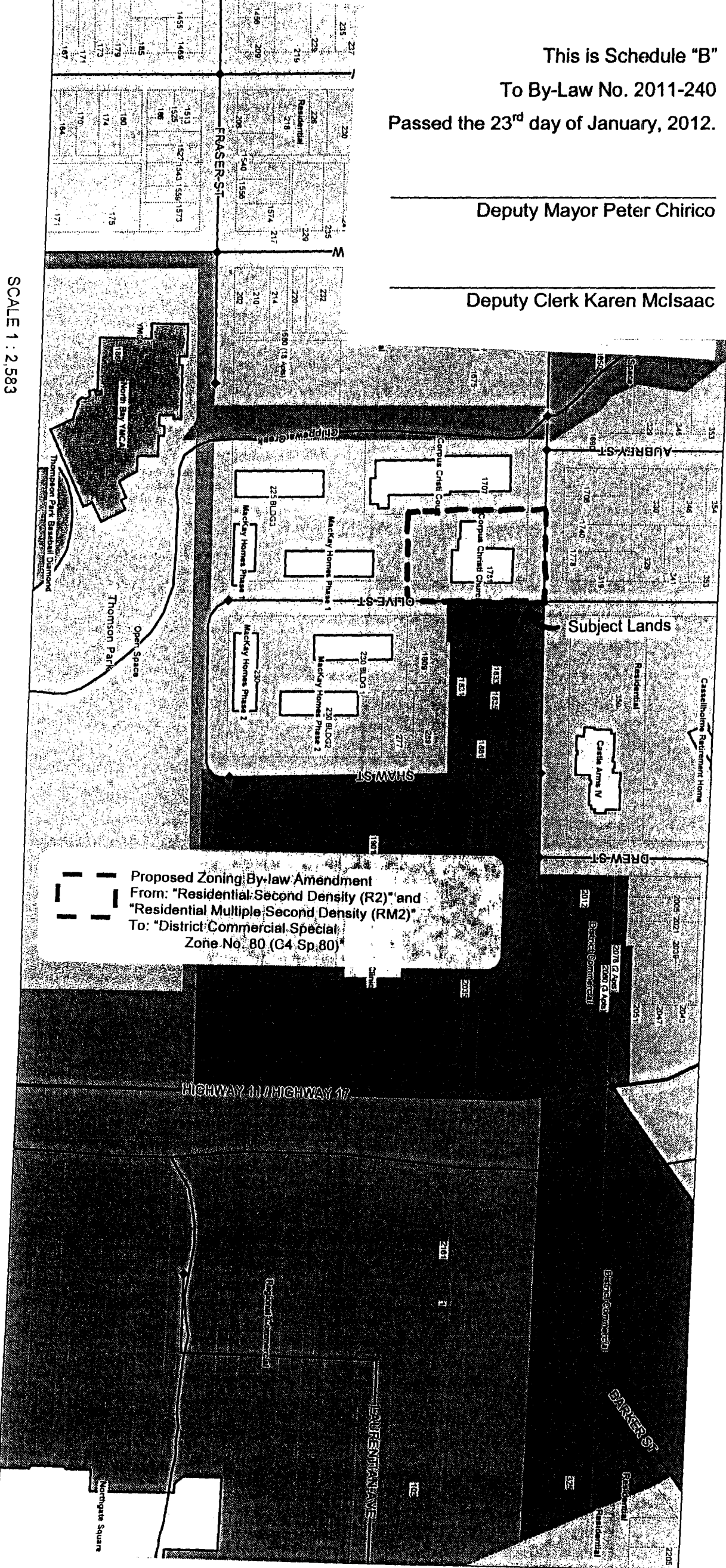
Proposed Zoning By-law Amendment  
 From: "Residential Second Density (R2)" and  
 "Residential Multiple Second Density (RM2)"  
 To: "District-Commercial Special  
 Zone No. 80 (C4 Sp.80)"



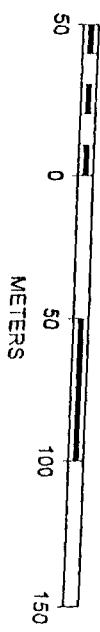
This is Schedule "B"  
 To By-Law No. 2011-240  
 Passed the 23<sup>rd</sup> day of January, 2012.

Deputy Mayor Peter Chirico

Deputy Clerk Karen McIsaac



Proposed Zoning By-law Amendment  
 From: "Residential Second Density (R2)" and  
 "Residential Multiple Second Density (RM2)"  
 To: "District Commercial Special  
 Zone No. 80 (C4 Sp.80)"



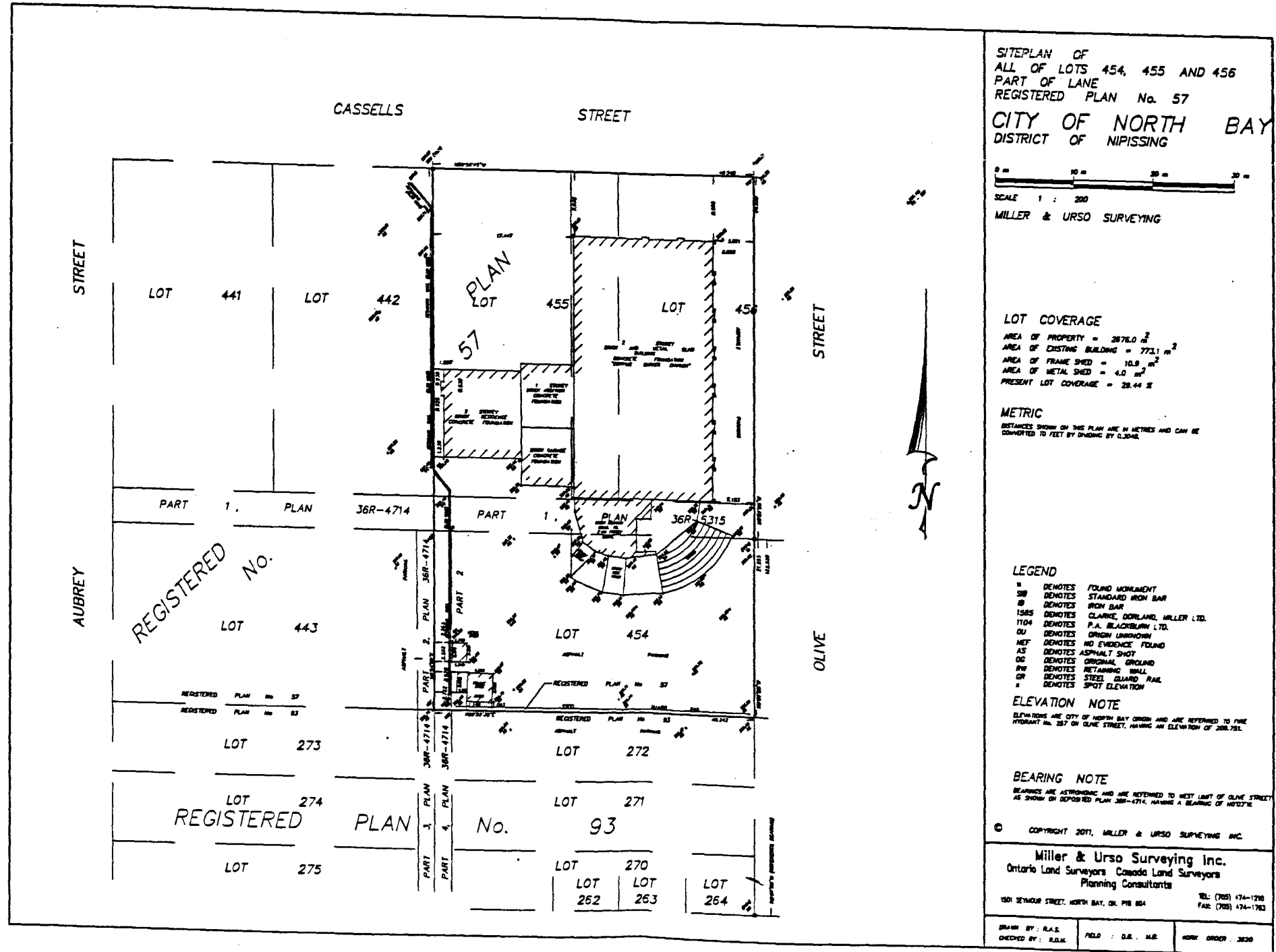
SCALE 1 : 2,583



This is Schedule "C"  
 To By-Law No. 2011-240  
 Passed the 23<sup>rd</sup> day of January, 2012.

Deputy Mayor Peter Chirico

Deputy Clerk Karen McIsaac



SITEPLAN OF  
 ALL OF LOTS 454, 455 AND 456  
 PART OF LANE  
 REGISTERED PLAN No. 57  
 CITY OF NORTH BAY  
 DISTRICT OF NIPISSING

0 m 10 m 20 m 30 m  
 SCALE 1 : 200  
 MILLER & URSO SURVEYING

LOT COVERAGE  
 AREA OF PROPERTY = 2876.0 m<sup>2</sup>  
 AREA OF EXISTING BUILDING = 773.1 m<sup>2</sup>  
 AREA OF FRAME SHED = 10.9 m<sup>2</sup>  
 AREA OF METAL SHED = 4.0 m<sup>2</sup>  
 PRESENT LOT COVERAGE = 28.44 %

METRIC  
 DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE  
 CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND  
 ■ DENOTES FOUND MONUMENT  
 ▬ DENOTES STANDARD IRON BAR  
 ⊕ DENOTES IRON BAR  
 1585 DENOTES CLARKE, DONLAD, MILLER LTD.  
 1104 DENOTES P.A. BLACKBURN LTD.  
 00 DENOTES ORIGIN UNKNOWN  
 NEF DENOTES NO EVIDENCE FOUND  
 AS DENOTES ASPHALT SHOT  
 OG DENOTES ORIGINAL GROUND  
 RW DENOTES RETAINING WALL  
 OR DENOTES STEEL GUARD RAIL  
 \* DENOTES SPOT ELEVATION

ELEVATION NOTE  
 ELEVATIONS ARE CITY OF NORTH BAY ORIGIN AND ARE REFERRED TO PINE  
 HYDRANT No. 287 ON OLIVE STREET, HAVING AN ELEVATION OF 208.781.

BEARING NOTE  
 BEARINGS ARE ASTROLOGIC AND ARE REFERRED TO WEST LIMIT OF OLIVE STREET  
 AS SHOWN ON DEPOSITED PLAN 36R-4714, HAVING A BEARING OF N070°16'

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 Miller & Urso Surveying Inc.  
 Ontario Land Surveyors Canada Land Surveyors  
 Planning Consultants  
 1501 SEYMOUR STREET, NORTH BAY, ON. P1B 8S4 TEL: (705) 474-1200  
 FAX: (705) 474-1763  
 DRAWN BY: R.A.S. FIELD: D.E., M.E. WORK ORDER: 3630  
 CHECKED BY: R.D.M.