

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2010-159

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON FISHER STREET & YORK STREET FROM A "LIGHT INDUSTRIAL TWO (M2)" ZONE TO AN "INDUSTRIAL COMMERCIAL ZONE SPECIAL NO. 60 (MC Sp.60)"

(893624 ONTARIO LTD. AND MURRAY HOWE – 1205 & 1229 FISHER STREET AND 432 & 444 YORK 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-51" 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 July 26th, 2010 to approve this rezoning.

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

- 1) Schedule "B-51" of By-law Number 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 Registered Plan No. 56, Lots 22, 23, 28 & 29 and Part of Lot 24) along Fisher Street and York Street in the City of North Bay from a "Light Industrial Two (M2)" zone to a "Industrial Commercial Special Zone No. 60 (MC Sp.60)".
- 2) Section 11 of the By-law Number 28-80 is amended by inserting at the end thereof the following Section 11.4.60:
 - "11.4.60 Industrial Commercial Special Zone No. 60 (MC Sp.60)
 - 11.4.60.1 The property description of this "Industrial Commercial Special Zone No. 60 (MC Sp.60)" is Registered Plan No. 56, Lots 22, 23, 28 & 29 and Part of Lot 24, along Fisher Street and York Street in the City of North Bay, as shown on the attached Schedule "A" and on Schedule "B-51".
 - 11.4.60.2 The regulations for this "Industrial Commercial Special Zone No. 60 (MC Sp.60)" are as follows:
 - i) The permitted uses shall be limited to the following:
 - pharmacy/drug store.
 - ii) The minimum rear yard setback shall be 6.0 metres; and
 - iii) The minimum exterior side yard setback shall be 8.2 metres.
 - 11.4.60.3 The use of land or building in this "Industrial Commercial Special Zone No. 60 (MC Sp.60)" shall conform to all other regulations for the Industrial Commercial Zone and this By-law except as hereby expressly varied."
- 3) Section 11 of By-law Number 28-80 is further amended by inserting "Industrial Commercial Special Zone No. 60 (MC Sp.60)" 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 as hatched on Schedule "A" 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 26TH DAY OF JULY, 2010.

READ A SECOND TIME IN OPEN COUNCIL THE 26TH DAY OF JULY 2010.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 20TH DAY
OF SEPTEMBER 2010.

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MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD

This is Schedule "B"

To By-law No. 2010-159

Passed the 20 day of September 2010

Mayor, Vic Fedeli

City Clerk, Catherine Conrad



