

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 153-93

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON MCKEOWN AVENUE FROM A "LIGHT INDUSTRIAL TWO (M2)" ZONE AND A "DISTRICT COMMERCIAL (C.4)" ZONE TO A "DISTRICT COMMERCIAL SPECIAL ZONE NO. 40 (C.4 SP.40)" AND A "DISTRICT COMMERCIAL SPECIAL ZONE NO. 41 (C.4 SP.41)" - (L. FALUDY ON BEHALF OF GOLDEN ESTATES LTD.)

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 Schedules B-32 and B-42 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) Schedules "B-32" and "B-42" of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Part 1, Plan NR-1705, Part of Part 5, Plan 36R-3866, and part of the McKeown Avenue Road allowance along McKeown Avenue and Champlain Street in the City of North Bay, shown as hatched on Schedule "B" attached hereto) from a "Light Industrial Two (M2)" zone and a "District Commercial (C.4)" zone to a "District Commercial Special Zone No. 40 (C.4 Sp.40)" and a "District Commercial Special Zone No. 41 (C.4 Sp.41)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.40:
 - "11.3.40 "District Commercial Special Zone No. 40 (C.4 Sp.40)"
 - 11.3.40.1 The property description of this "District Commercial Special Zone No. 40 (C.4 Sp.40)" is Part 1, Plan NR-1705 along Champlain Street in the City of North Bay as shown on the attached Schedules and Schedule "B-42".
 - 11.3.40.2(a) No person shall use land, or use, erect, or construct any building or structure in this "District Commercial Special Zone No. 40 (C.4 Sp.40)"

except for the following uses:

- automobile service station;
- banks;
- business offices;
- financial institutions;
- local retail stores;
- public and private parking areas;
- places of entertainment;
- hotels, motels;
- professional offices;
- taverns;
- retail stores;
- service establishments that are not obnoxious;
- dwelling units connected to and forming an integral part of the commercial building provided that access to the dwelling units is separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor;
- club and fraternal organizations.

11.3.40.2(b) No person shall use land, or use, erect, or construct any building or structure in this "District Commercial Special Zone No. 40 (C.4 Sp.40)" for the following uses:

- free standing gasoline service station or gas bar;
- retail food store;
- retail department store;
- retail drug store;
- restaurant.

11.3.40.2(c) The regulations for this "District Commercial Special Zone No. 40 (C.4 Sp.40)" are as follows:

- i) The maximum lot coverage not to exceed twenty-seven (27) percent of the total lot area;
- ii) the minimum rear yard setback shall be twenty-six and zero tenths (26.0) metres.

11.3.40.3 The use of land or buildings in this "District Commercial Special Zone No. 40 (C.4 Sp.40)" 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 District Commercial Special Zone No. 40 (C.4 Sp.40)" as shown on Schedule "C" to this By-law.
- 4) Section 11 of By-law No. 28-80 is further amended by inserting at the end thereof the following Section 11.3.41:

- 11.3.41 "District Commercial Special Zone No. 41 (C.4 Sp.41)
- 11.3.41.1 The property description of this "District Commercial Special Zone No. 41 (C.4 Sp.41)" is part of Part 5, Plan 36R-3866 and part of the former McKeown Avenue Road allowance along McKeown Avenue in the City of North Bay as shown on the attached Schedules and Schedules "B-32" and "B-42".
- 11.3.41.2(a) No person shall use land, or use, erect, or construct any building or structure in this "District Commercial Special Zone No. 41 (C.4 Sp.41)", except for the following uses:
- automobile service station or gas bar;
 - banks;
 - business offices;
 - financial institutions;
 - food stores;
 - local retail stores;
 - public and private parking areas;
 - places of entertainment;
 - hotels, motels;
 - professional offices;
 - restaurants and taverns;
 - retail stores;
 - service establishments that are not obnoxious;
 - dwelling units connected to and forming an integral part of the commercial building provided that access to the dwelling units is separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor;
 - club and fraternal organizations.
- 11.3.41.2(b) The regulations for this "District Commercial Special Zone No. 41 (C.4 Sp.41)" are as follows:
- i) The maximum lot coverage not to exceed twenty-seven (27) percent of the total lot area;
 - ii) the minimum front yard setback shall be twelve and zero tenths (12.0) metres;
 - iii) the minimum easterly side yard setback shall be eighteen and three-tenths (18.3) metres.
- 11.3.41.3 The use of land or buildings in this "District Commercial Special Zone No. 41 (C.4 Sp.41)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

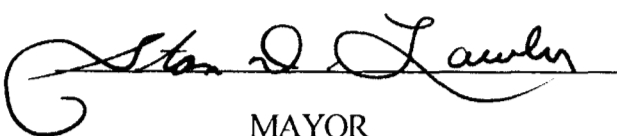
- 5) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to District Commercial Special Zone No. 41 (C.4 Sp.41)" as shown on Schedule "D" to this By-law.
- 6) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 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 13TH DAY OF **DECEMBER** 1993.

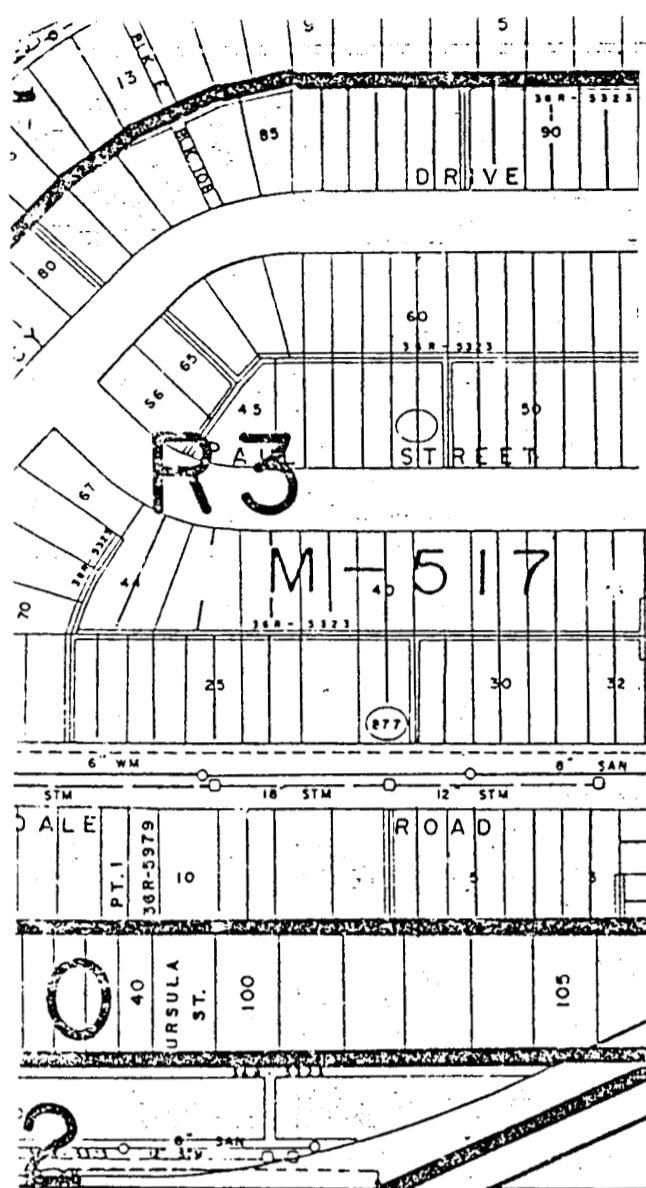
READ A SECOND TIME IN OPEN COUNCIL THE 17TH DAY OF JANUARY 1994.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY OF

JANUARY 1994.

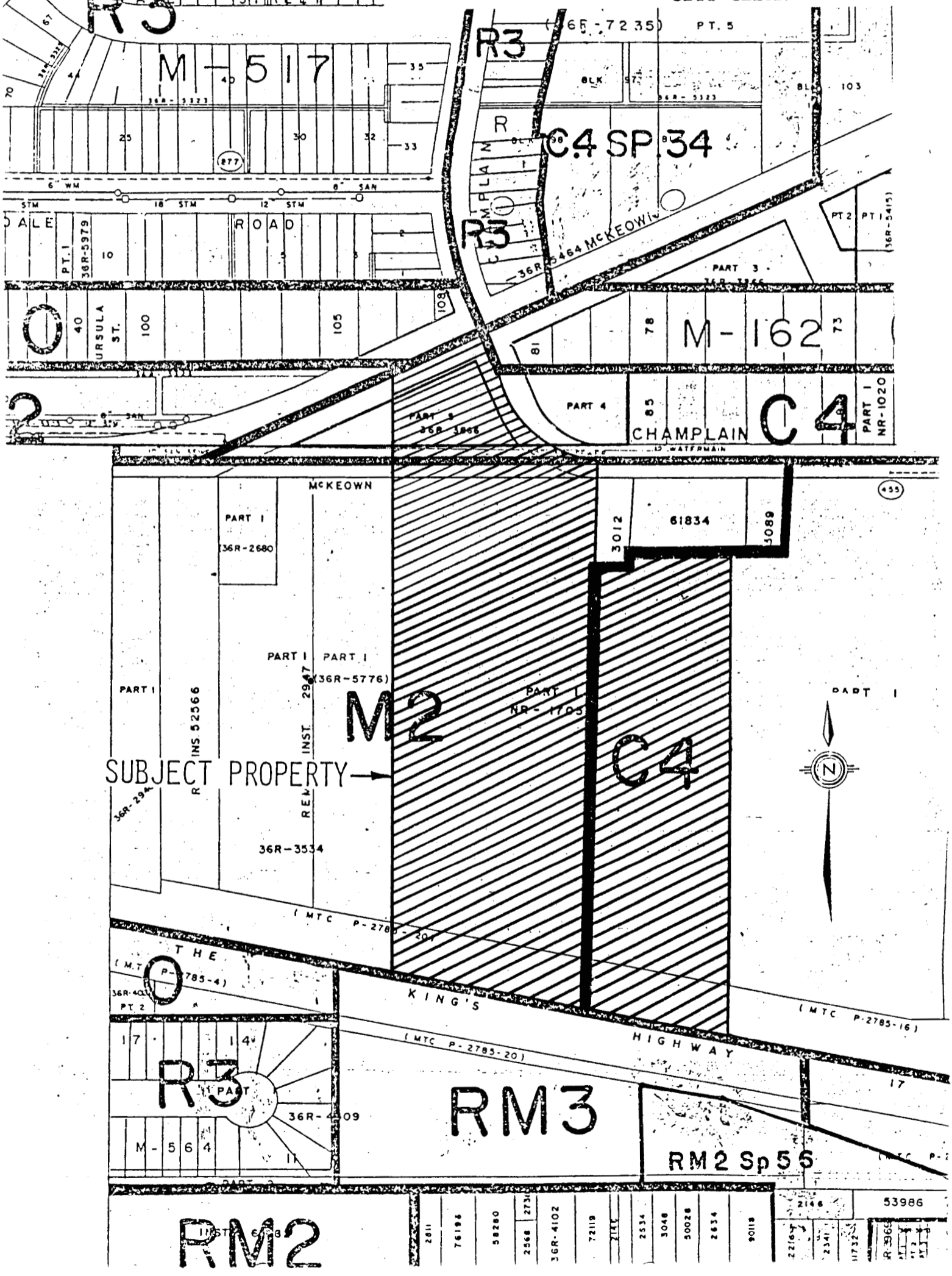

MAYOR


CITY CLERK



This is Schedule " A "
 To By-law No. 153-93
 Passed the 17TH day of JANUARY
 19 94 .

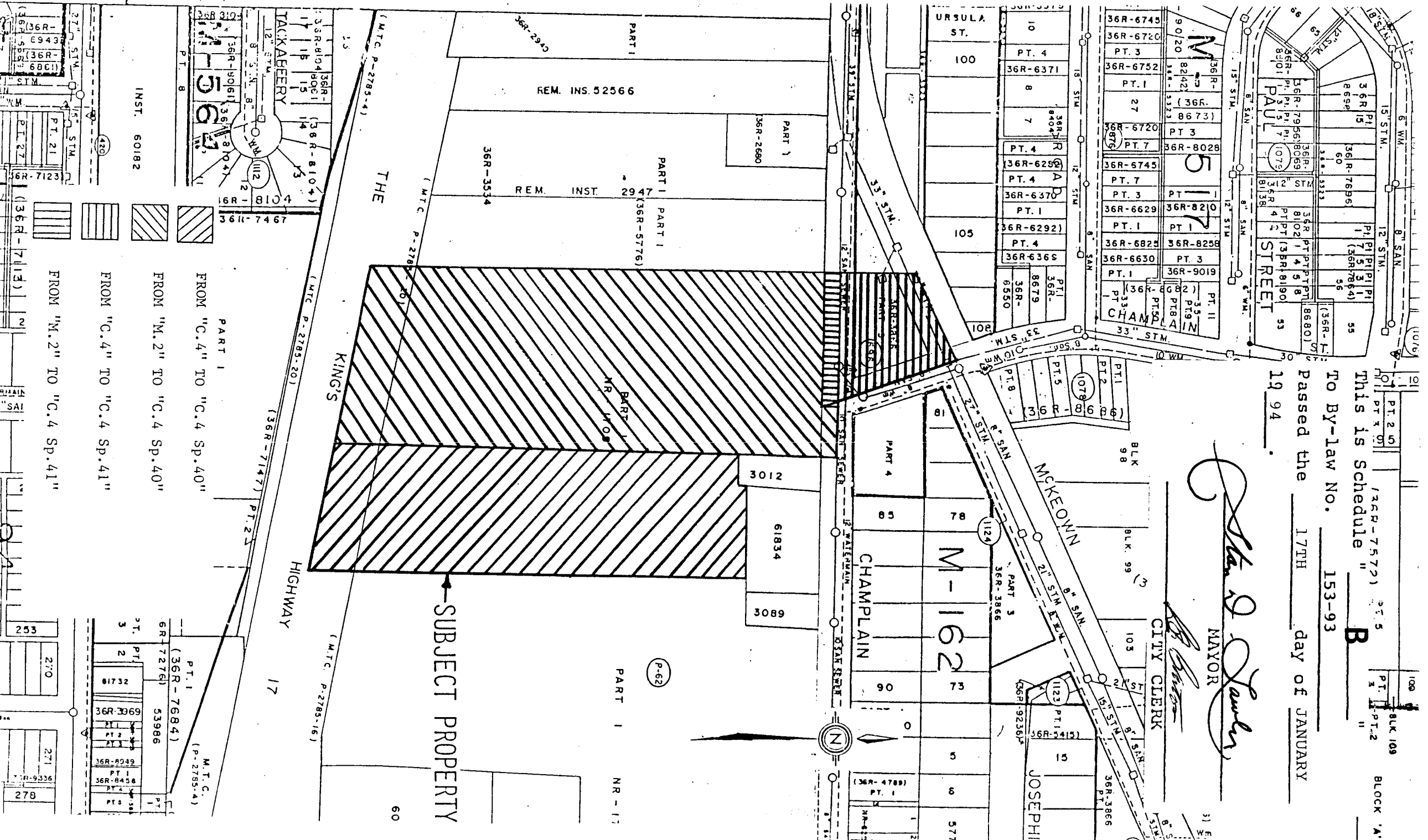
Stan D. Lawlor
 MAYOR
B. Hunter
 CITY CLERK



SUBJECT PROPERTY →



2811	76196	58280	2568	273	36R-4102	72119	2115	2534	3048	50028	2634	9018	2146	53986
------	-------	-------	------	-----	----------	-------	------	------	------	-------	------	------	------	-------



100' BLK 109
 BLOCK 'A'
 PT. 1
 PT. 2
 1722R-7572) ST. 5
 This is Schedule " **B** "

To By-law No. 153-93

Passed the 17TH day of JANUARY
 19 94 .

John D. Fowler
 MAYOR

[Signature]
 CITY CLERK

PART I
 FROM "C.4" TO "C.4 Sp.40"
 FROM "M.2" TO "C.4 Sp.40"
 FROM "C.4" TO "C.4 Sp.41"
 FROM "M.2" TO "C.4 Sp.41"
 FROM "M.2" TO "C.4 Sp.41"

← SUBJECT PROPERTY

PART I NR-17

HIGHWAY 17

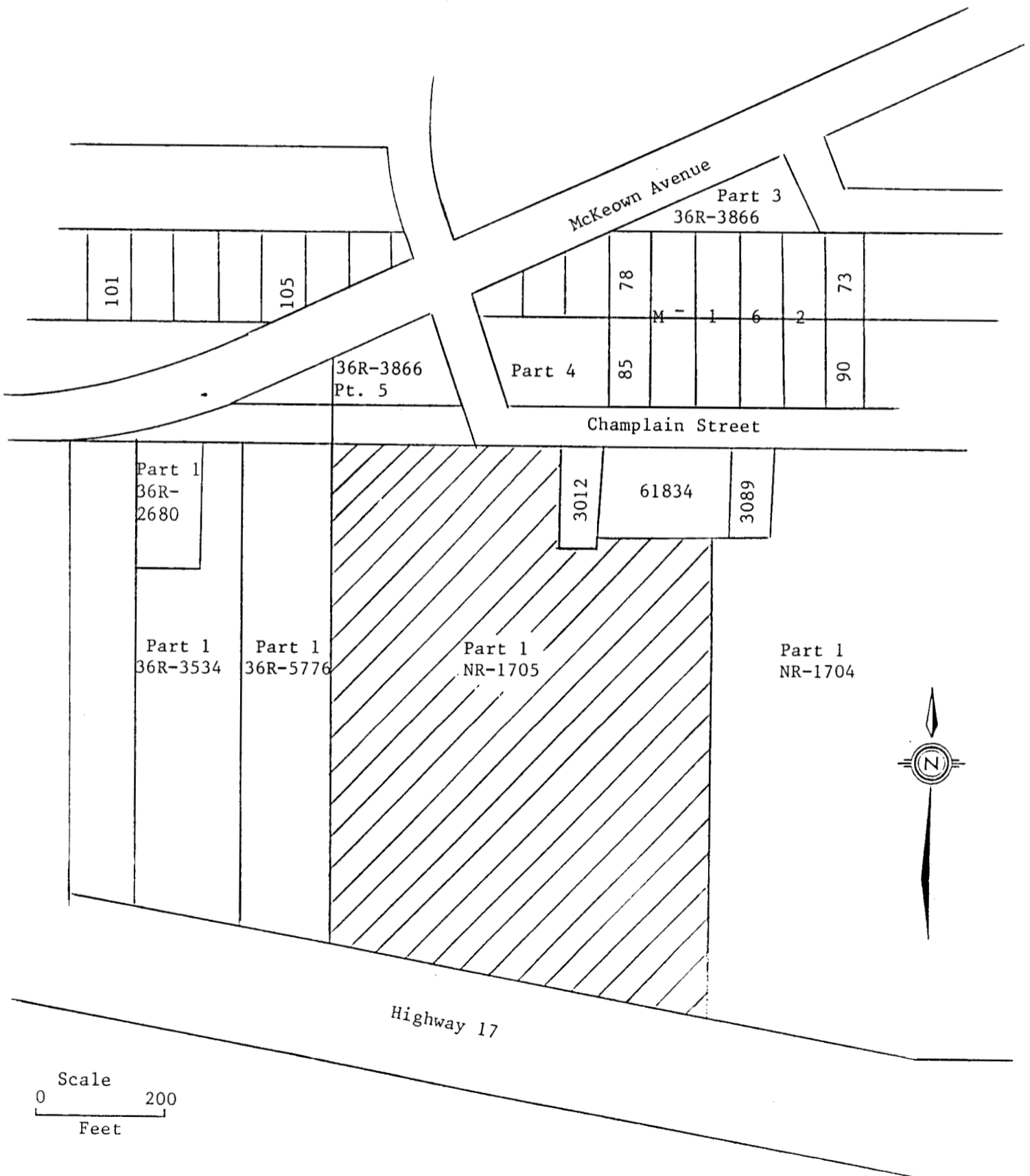
M-162



This is Schedule " C "
 To By-law No. 153-93
 Passed the 17TH day of JANUARY
 1994.

Stan J. Lawley
 MAYOR
B. B. Burt
 CITY CLERK

SCHEDULE TO "DISTRICT COMMERCIAL SPECIAL ZONE NO. 40 (C.4 Sp.40)"



This is Schedule " D "
To By-law No. 153-93
Passed the 17TH day of JANUARY
19 94 .

Stan J Lawler
MAYOR
B. Bates
CITY CLERK

SCHEDULE TO "DISTRICT COMMERCIAL SPECIAL ZONE NO. 41 (C.4 Sp.41)"

