

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

**BY-LAW NO. 137-96**

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO  
REZONE CERTAIN LANDS ON FISHER STREET  
FROM A 'RESIDENTIAL SECOND DENSITY (R2)'  
ZONE TO A 'NEIGHBOURHOOD COMMERCIAL  
SPECIAL ZONE NO. 51 (C5 SP.51)'  
(P. GASS/BPF HOLDINGS LIMITED -  
1183 AND 1193 FISHER 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 R.S.O. 1990.

**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 Lot 21, Part Lot 20, Plan 56) along Fisher Street in the City of North Bay, shown as hatched on Schedules "B & C" attached hereto from a "Residential Second Density (R2)" zone to a "Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.51:
  - "11.3.51 "Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)"
  - 11.3.51.1 The property description of this "Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)" is Lot 21, Part of Lot 20, Plan 56 along Fisher Street in the City of North Bay as shown on the attached Schedules and Schedule "B-51".
  - 11.3.51.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)" except for the following uses:
    - neighbourhood dairy;
    - convenience stores;

- dry cleaning depots;
- local retail stores;
- service establishments that are not obnoxious;
- 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.

11.3.51.2(b) The regulations for this "Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)" are as follows:

- i) the minimum rear yard setback shall be six and seven-tenths (6.7) metres.

11.3.51.2(c) For the lands contained within "Neighbour Commercial Special Zone No. 51 (C5 Sp.51)" a Neighbourhood Dairy shall mean "A building used to sell dairy products by retail and in which processing of raw milk is undertaken indoors".

11.3.51.3 The use of land or building in this "Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

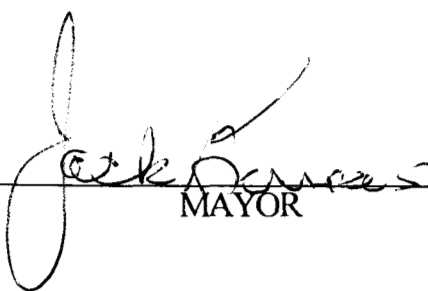
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Neighbourhood Commercial Special Zone No. 51 (C5 Sp.51)" as shown on Schedule "C" to this By-law.
- 4) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 199/96.

- 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 25th DAY OF NOVEMBER  
199 6.

READ A SECOND TIME IN OPEN COUNCIL THE 25th DAY OF NOVEMBER  
199 6.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 9th DAY  
OF DECEMBER 199 6.

  
MAYOR

  
CITY CLERK

This is Schedule " A "

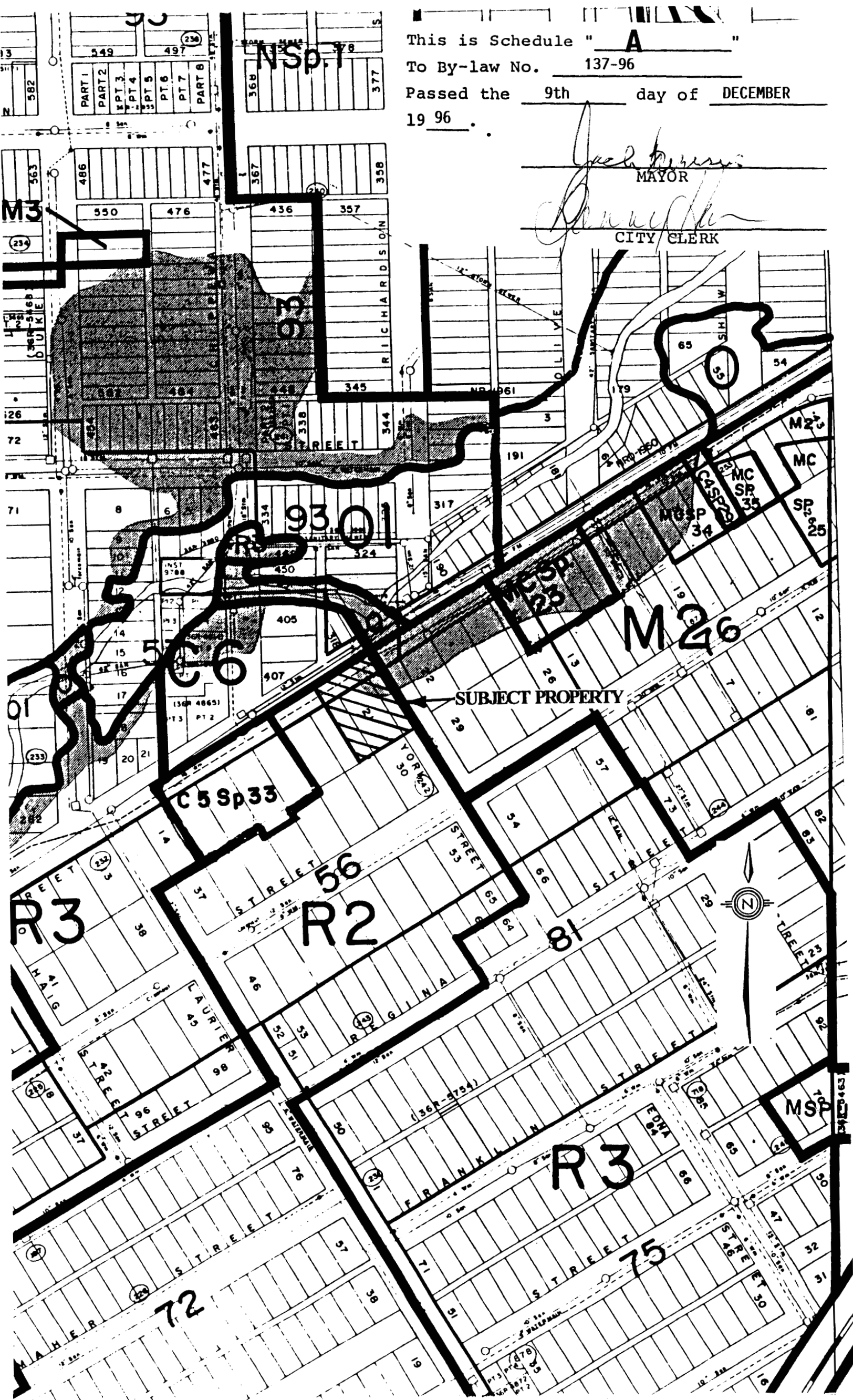
To By-law No. 137-96

Passed the 9th day of DECEMBER

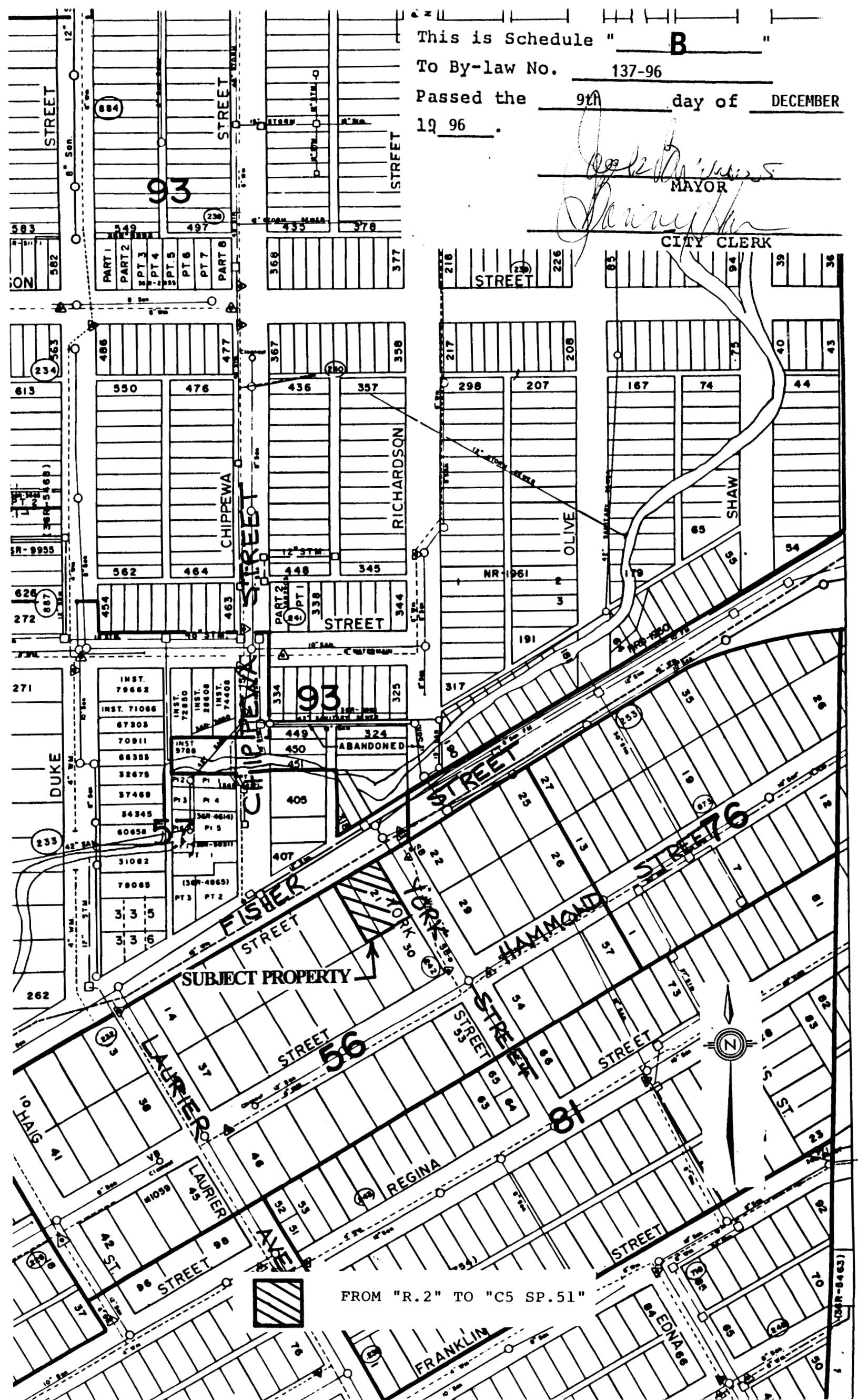
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*Jack Dumas*  
MAYOR

*Donna H. H.*  
CITY CLERK



**CITY CLERK**



This is Schedule " C "

To By-law No. 137-96

Passed the 9th day of DECEMBER  
19 96 .

[Signature]  
MAYOR  
[Signature]  
CITY CLERK

SCHEDULE TO "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO. 51 (C5 Sp.51)"

