

THE CORPORATION OF THE CITY OF NORTH BAY  
BY-LAW NO. 177-90

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE  
CERTAIN LANDS ON JOHNSTON ROAD FROM "RESIDENTIAL  
HOLDING (RH)" TO "NEIGHBOURHOOD COMMERCIAL SPECIAL  
(C.5 SP.)" ZONE, (CITY OF NORTH BAY)

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-45" 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) Schedule "B-45" 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 Part of Lots 18-32 inclusive, Plan M-85, and the opened portion of the Lindsay Street road allowance, along Johnston Road in the City of North Bay, shown as hatched on Schedule "B" and Schedule "C" attached hereto) from a "Residential Holding (RH)" zone to a "Neighbourhood Commercial Special Zone No. 31 (C.5 Sp.31)".

2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.3.31,:

"Neighbourhood Commercial Special Zone No. 31 (C.5 Sp.31)".

11.3.31.1 The property description of this "Neighbourhood Commercial Special Zone No. 31 (C.5 Sp.31)" is Lots 18 to 32 inclusive, Plan M-85 and the unopened portion of the Lindsay Street road allowance along Johnston Road in the City of North Bay as shown on the attached Schedule and Schedule "B-45".

11.3.31.2 (a) No person shall use land, erect or construct any building or structure in this "Neighbourhood Commercial Special Zone No. 31 (C.5 Sp.31)" except for the following uses:

Convenience Stores;

Dry Cleaning Depots;

Local Retail Stores;

Gas Bars;

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 the business premises.

(b) The regulations for this "Neighbourhood Commercial Special Zone No. 31 (C.5Sp.31)" are as follows:

- (i) The maximum lot coverage shall be twenty-three (23) percent;
- (ii) The maximum front yard setback from Giroux Street shall be fifty-five and seven-tenths (55.7) metres;
- (iii) The maximum side yard setback shall be fifteen (15) metres;
- (iv) The minimum side yard setback shall be three (3) metres;
- (v) The minimum rear yard setback shall be thirty-two (32) metres.

11.3.31.3 The use of land or buildings in this "Neighbourhood Commercial Special Zone No. 31 (C.5Sp.31)" 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. 31 (C.5Sp.31)" as shown on Schedule "C" of 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 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 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 4TH DAY OF SEPTEMBER 1990 .  
READ A SECOND TIME IN OPEN COUNCIL THE 15TH DAY OF APRIL 1991 .  
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15TH DAY  
OF APRIL 1991

  
MAYOR

  
CITY CLERK

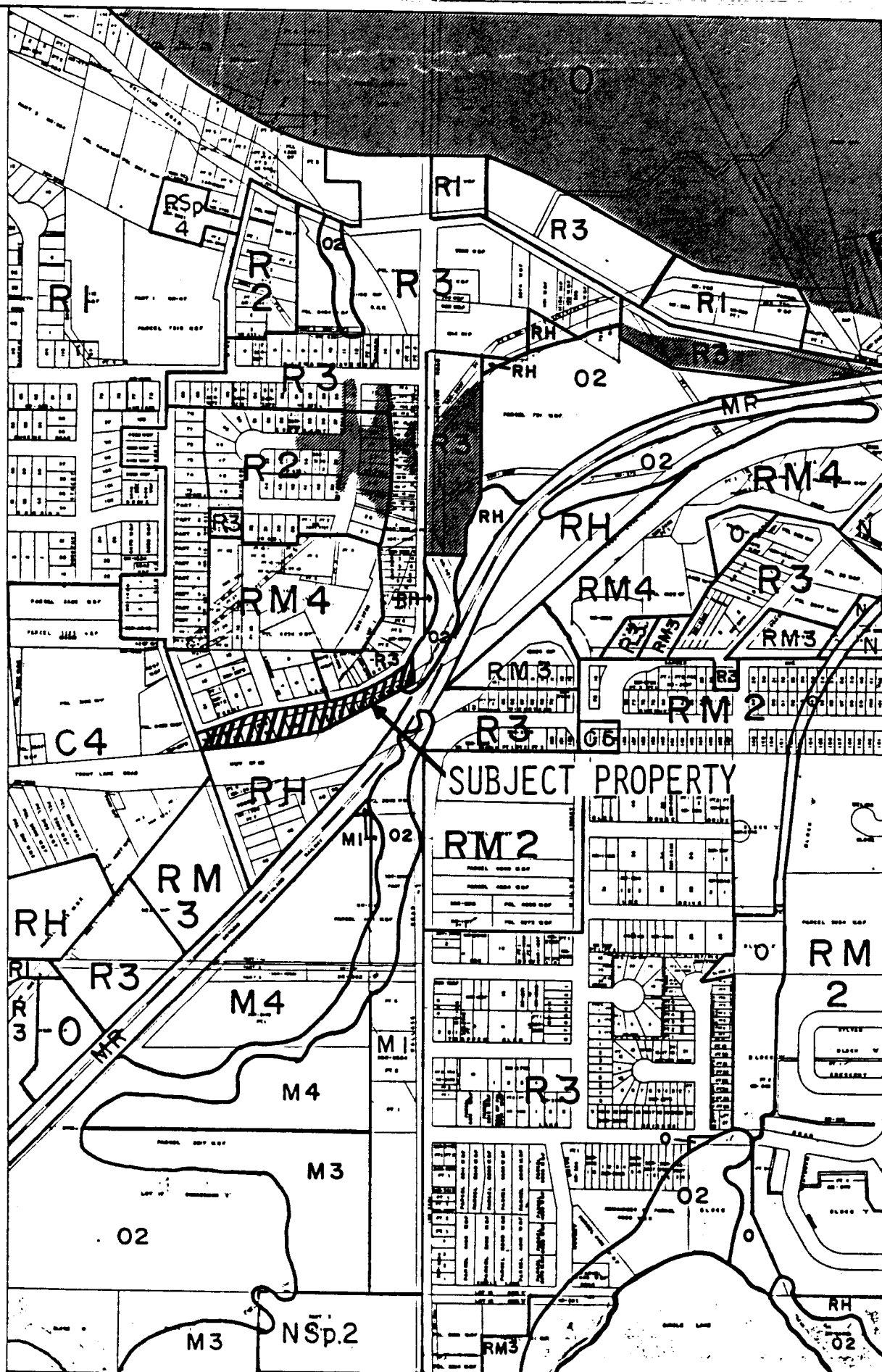
This is Schedule " 1 A "

To By-law No. 177-90

Passed the 15TH day of APRIL,  
19 91.

*S. D. Lawlor*  
MAYOR

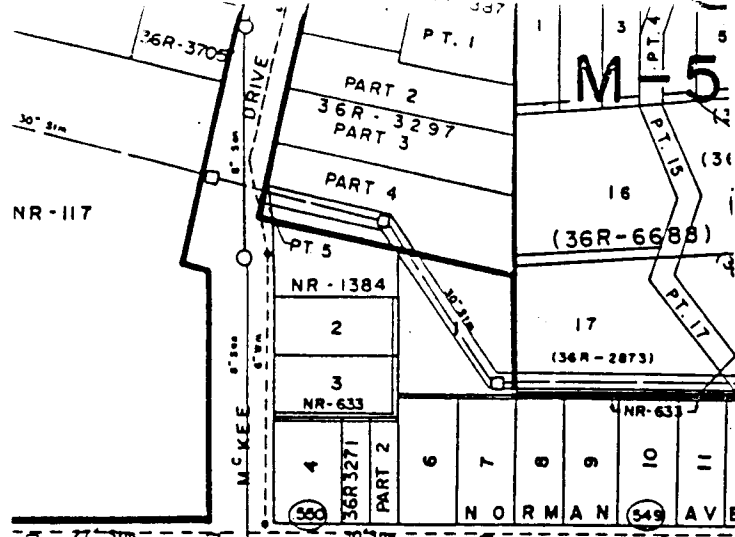
*B. M. Munn*  
CITY CLERK



SCHEDULE

B - 45

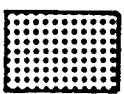
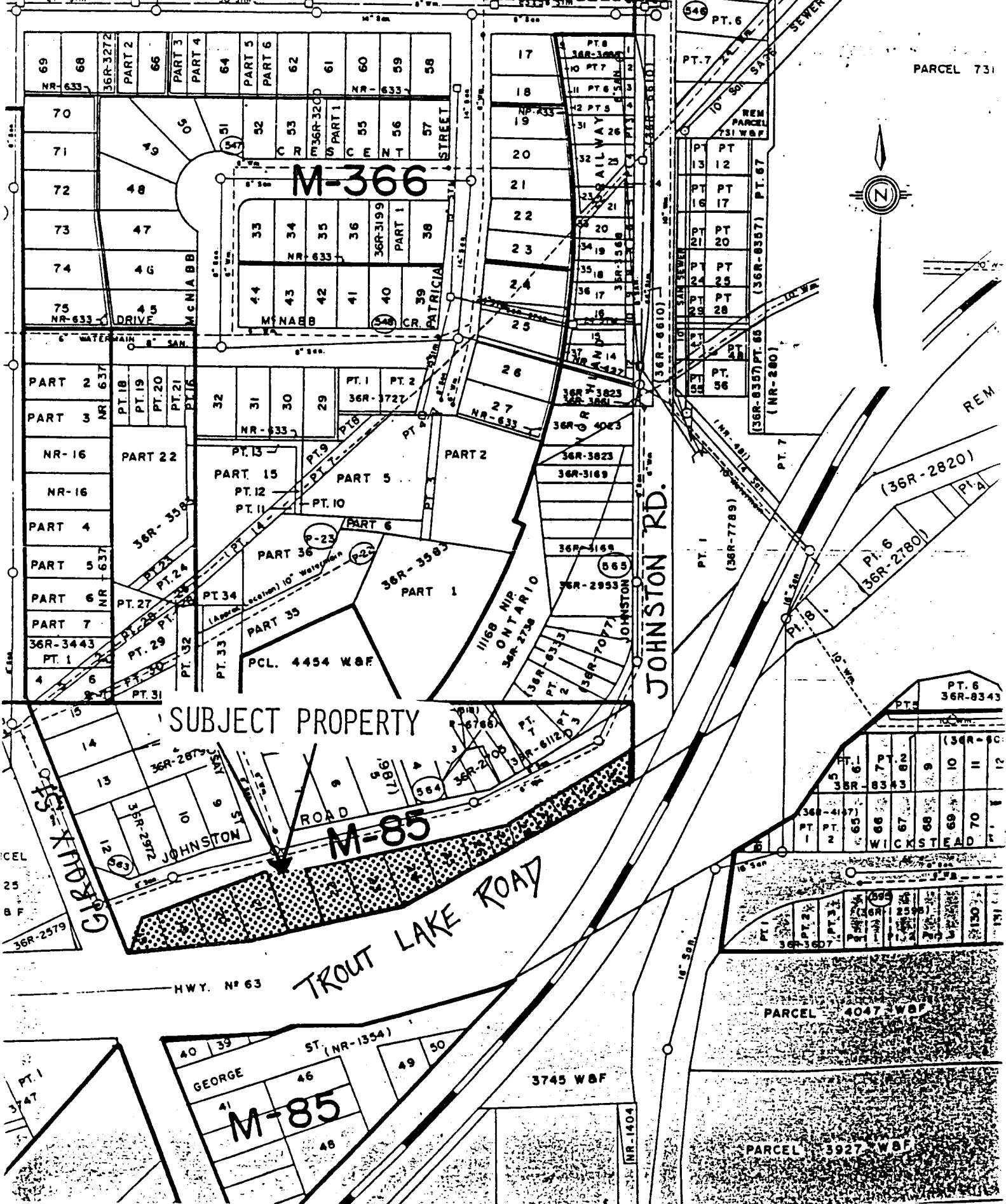
CITY OF NORTH BAY  
ZONING BY-LAW N<sup>o</sup> 28-80



This is Schedule " B "  
 To By-law No. 177-90  
 Passed the 15TH day of APRIL  
 19 91 .

*S.D. Lawler*  
 MAYOR

*R. Burton*  
 CITY CLERK



FROM A "RESIDENTIAL HOLDING (RH)" ZONE  
 TO A "NEIGHBOURHOOD COMMERCIAL SPECIAL  
 ZONE NO. 31 (C.5Sp.31)"

THIS IS SCHEDULE " C "  
TO BYLAW NO. 177-90  
PASSED THE 15TH DAY OF APRIL  
1991.

*A. J. Lawler*  
MAYOR  
*B. Burton*  
CITY CLERK

SCHEDULE TO "NEIGHBOURHOOD COMMERCIAL SPECIAL ZONE NO.31(C.5SP.31)"

