

BEING a by-law to amend by-law no. 1446, a by-law known as "The Zoning By-Law."

WHEREAS the Municipal Council of the City of North Bay deems it advisable to amend said by-law no. 1446.

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

1. THAT Section 2, Subsection 4 be repealed and the following substituted therefore;

Section 2, Subsection 4: COMMITTEE

Committee shall mean the Committee of Adjustment established pursuant to provisions of this by-law.

2. THAT Section 2 subsection 9 be repealed and the following substituted therefore;

Section 2, Subsection 9: BOARD

Board shall mean the Planning Board of the City of North Bay as established under the provisions of the Planning Act, 1946, as amended by Planning Amendment Act, 1947, AND wherever the word 'Commission' is used in this by-law it shall be taken to read as 'Board'.

3. THAT Section 2 be amended by adding thereto subsection 26 (a).

Section 2, Subsection 26(a): OFFICIAL PLAN:

Official Plan shall mean a plan for the orderly development of the City of North Bay as recommended by the North Bay Planning Board and adopted and approved as provided in the Planning Act, 1946, as amended by Planning Amendment Act, 1947.

4. THAT Sections 15, 16, 17 and 18 of the said by-law are hereby repealed and the following substituted therefore;

Section 15: COMMITTEE OF ADJUSTMENT:

Subsection 1: There is hereby established a committee of adjustment which committee shall perform its duties and exercise its powers as provided in this by-law and in Section 14 of the Planning Act 1946, as amended by Planning Amendment Act, 1947.

Subsection 2: The said Committee of Adjustment shall consist of the Planning Board appointed by City Council unless and until Council constitutes such a Committee composed of such persons as the Council, subject to the approval of the Minister of Planning and Development, may deem advisable.

Subsection 3: The members of the Committee shall remain in office during the pleasure of the Council.

Subsection 4: Two members or one third of the members of the Committee, whichever is the greater, shall constitute a quorum.

Subsection 5: The members of the Committee shall elect one of themselves as Chairman and when the Chairman is absent through illness or otherwise the Committee may appoint another member to act as Chairman pro tempore.

Subsection 6: The Committee shall appoint a Secretary-Treasurer who may be a member of the Committee.

Section 16:

The Committee, upon the application of the owner of land affected by this by-law, implementing the Official Plan may, notwithstanding any act of the Province of Ontario, exempt, or partly exempt the land from the operation of this by-law, provided that the general purpose of this by-law and official plan is maintained and that the objections, if any, to the application have been withdrawn.

Section 17:

The Committee shall, before hearing an application, give notice thereof in such manner and to such persons as the Committee shall deem proper.

Subsection 1: The Committee may require that a fee of not more than \$25.00 be paid on every such application.

Subsection 2: At the place and time appointed for the hearing the Committee shall hear the applicant and every other person who desires to be heard in favor of or against the application, and the Committee may adjourn the hearing or reserve its decision.

Section 18: When the decision of the Committee does not exempt or partially exempt land from the operation of the by-law, the Committee shall put its decision in writing and send a copy thereof, signed by the Secretary-Treasurer to the applicant.

Section 18-A: When the decision of the Committee exempts or partly exempts land from the operation of the by-law, the Committee shall put its decision in writing and send two copies thereof, signed by the Secretary-Treasurer to the Minister.

Subsection 1: The Minister shall receive the decision of the Committee and may approve, reserve or vary the same in any manner that he deems proper.

Subsection 2: As approved, reversed or varied by the Minister, the decision shall be final and binding and a Notice thereof shall be sent by the Minister to the Committee, and the Committee shall thereupon notify the applicant of the result.

5. THAT any provisions of by-law no. 1446, and any amending by-laws of said by-law no. 1446 contrary to the provisions of this by-law are hereby repealed.

READ a first time in Open Council this 19th day of January, 1948.

READ a second time in open Council this 19th day of January, 1948.

RULES OF ORDER were suspended and by-law read a third time short and passed this 19th day of January, 1948.

Bob Price
.....
MAYOR

J. O. Spair
.....
CLERK



ONTARIO

THE ONTARIO MUNICIPAL BOARD

Tuesday, the Third day of February, A.D., 1948.

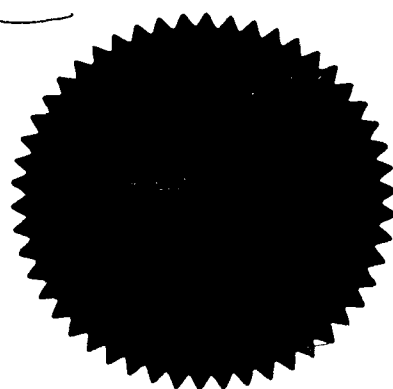
BEFORE :	)	IN THE MATTER OF Section 406 of
R. H. Colter, Esq., K.C.,	)	"The Municipal Act" (R.S.O. 1937,
CHAIRMAN,	)	Chapter 266), (as re-enacted by
W. P. Near, Esq., B.A.Sc.,	)	Ontario Statutes 1941, Chapter
VICE-CHAIRMAN, and	)	35, Section 13), and amendments
W. J. Moore, Esq., O.L.S.,	)	thereto, and
MEMBER.	)	IN THE MATTER OF an application
	)	by the Corporation of the City of
	)	North Bay for approval of its
	)	by-law Number 1505 being a by-law
	)	to amend Restricted Area By-law
	)	Number 1446 in respect to the
	)	administration thereof.

UPON THE APPLICATION OF the said Corporation and upon consideration of the material filed, and upon reading a copy of each of the said by-laws,

THE BOARD ORDERS, under and in pursuance of the provisions of Section 406 of "The Municipal Act" (R.S.O. 1937, Chapter 266), (as re-enacted by Ontario Statutes 1941, Chapter 35, Section 13), and amendments thereto, that the said By-law Number 1505 intituled: "By-law No. 1505 Being a by-law to amend By-law No. 1446, a By-law known as "The Zoning By-law", be and the same is hereby approved.

W.P. Near

VICE CHAIRMAN.



CITY OF NORTH BAY
RECEIVED
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