

The Corporation of the City of North Bay

By-Law No. 2023-082

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Cassells Street to an amended “District Commercial Special Zone No. 62 (C4 Sp.62)” Zone

Belisle Investments Ltd – 1781 Cassells 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 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-44 and “B-52” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Community Services Committee Report 2023-16 adopted by Council on October 30, 2023 by Resolution No. 2023-389 to approve this rezoning;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) Schedule “B-44 and “B-52” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49151-0073 (LT) LT 454-456 PL 57 WIDDIFIELD; PT LANE PL 57 WIDDIFIELD PT 1 & 2 36R5315 CLOSED BY N393487; NORTH BAY; DISTRICT OF NIPISSING, shown as hatched on Schedule A attached hereto from to an amended “District Commercial Special Zone No. 62 (C4 Sp. 62)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “District Commercial Special Zone No. 62 (C4 Sp. 62)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.2.62:
“11.2.62 District Commercial Special Zone No. 62 (C4 Sp.62)
11.2.62.1 The property description of this District Commercial Special Zone No. 62 (C4 Sp.62) is Registered Plan No. 57, Lots 454, 455 and 456, and Part of Lane, Reference Plan 36R-5315, Parts 1 & 2, being PIN #49151-0073(LT), known locally as 1781 Cassells Street in the City of North Bay.

11.2.62.2 No person shall use land, or use, erect, or construct any building or structure in this District Commercial Special Zone No. 62 (C4 Sp. 62) except for the following uses:

- i. The permitted uses shall be limited to the following:
 - Business Offices
 - Data Processing Firms
 - Places of Worship
 - Public and Private Parking Areas
 - Professional Offices
 - Dwelling Units connected to and forming an integral part of the commercial building, provided that access to the dwelling units separate from the access to the commercial portion of the building, and no dwelling units will be permitted on the ground floor.
 - Residential uses shall be permitted on the ground floor within the former rectory within the eastern portion of the building (illustrated in green on attached Schedule B).

11.2.62.3 The regulations for this District Commercial Special Zone No. 62 (C4 Sp.62) are as follows:

- i. The minimum westerly side yard setback shall be 1.23m
- ii. The minimum easterly side yard setback shall be 5.01m

11.2.62.4 The use of land or building in this District Commercial Special Zone No. 62 (C4 Sp.62) shall conform to all other regulations of this By-law except as hereby expressly varied.

- 4) Section 11 of By-law No. 2015-30 is further amended by deleting and inserting "District Commercial Special Zone No. 62 (C4 Sp. 62)" as shown on Schedule "B" to this By-law.
- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Sched. 6.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 6 of this By-law, then this By-law shall be deemed to have

come into force on the day it was passed.

- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 6 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 30th Day of October 2023.

Read a Second Time in Open Council the 30th Day of October 2023.

Read a Third Time in Open Council and Passed this 30th Day of October 2023.

Mayor Peter Chirico

City Clerk Karen McIsaac

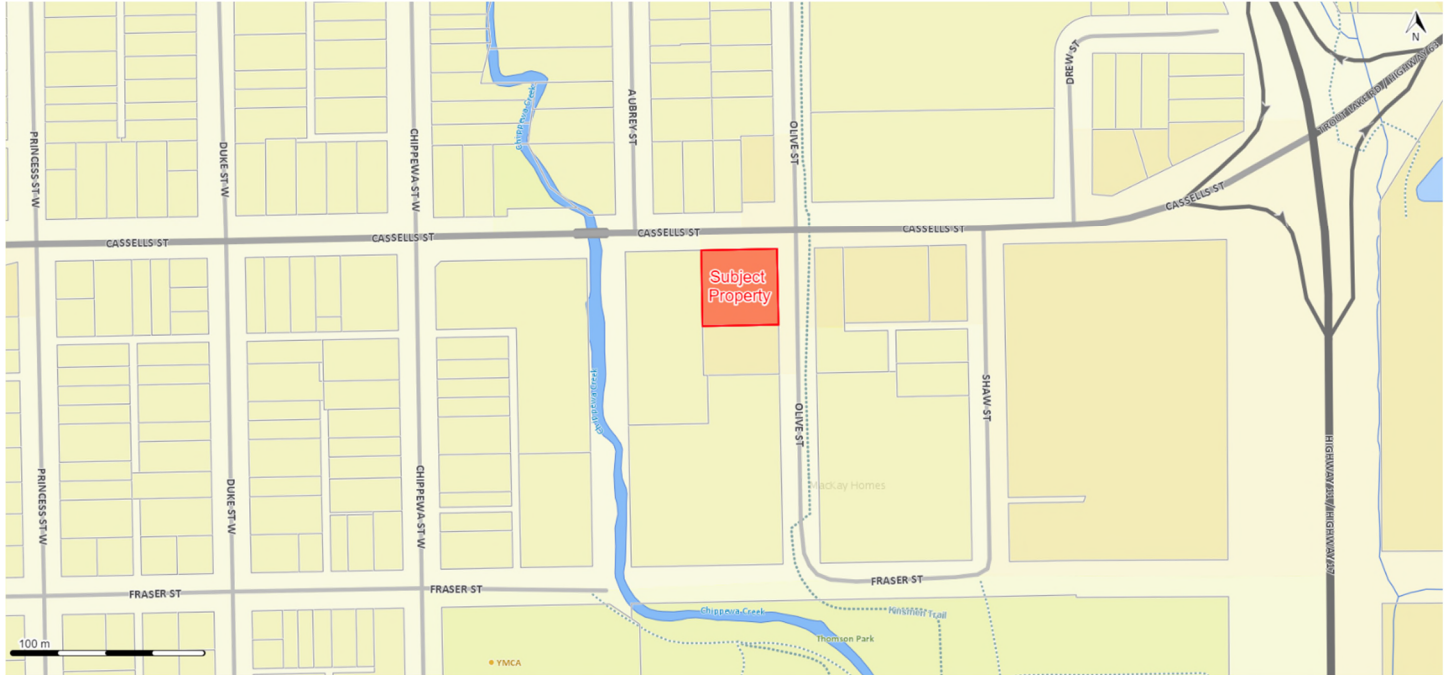
Schedule A

This is Schedule "A"
To By-law No. 2023-082

Passed the 30th Day of October 2023

Mayor Peter Chirico

City Clerk Karen Mclsaac



Legend



"District Commercial Special Zone No.62 (C4 Sp.62)" Zone

Schedule B

This is Schedule "B"
To By-law No. 2023-082

Passed the 30th Day of October 2023

Mayor Peter Chirico

City Clerk Karen McIsaac

"District Commercial Special Zone No.62 (C4 Sp.62)"

