

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2002-25

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE
CERTAIN LANDS ON JANICE STREET FROM A
“RESIDENTIAL SECOND DENSITY (R2)” ZONE AND A
“NEIGHBOURHOOD COMMERCIAL (C5)” ZONE TO A
“RESIDENTIAL FIFTH DENSITY SPECIAL ZONE NO. 81
(R5SP.81)” AND A “NEIGHBOURHOOD COMMERCIAL
SPECIAL ZONE NO. 61 (C5 SP.61)”
(BOYER - 189 JANICE 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-33” of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

AND WHEREAS Council passed a resolution on April 8, 2002 to approve this rezoning.

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

- 1) Schedule “B-33” 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 Concession “B”, Part Lot 19, Rem. Parcels 4202 and 4844 W&F) along Janice Street in the City of North Bay, shown as hatched on Schedule “B” attached hereto from a “Residential Second Density (R2)” zone and a “Neighbourhood Commercial (C5)” zone to a “Residential Fifth Density Special Zone No. 81 (R5 Sp.81)” and a “Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)”.
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.2.81:

“11.2.81 “Residential Fifth Density Special Zone No. 81 (R5 Sp.81)”

11.2.81.1 The property description of this “Residential Fifth Density Special Zone No. 81 (R5 Sp.81)” is Concession “B”, Part Lot 19, Rem. Parcels 4202 and 4844 W&F along Janice Street in the City of North Bay as shown on the attached Schedules and Schedule “B-33”.

11.2.81.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Residential Fifth Density Special Zone No. 81 (R5 Sp.81)” except for the following uses:

- single detached dwelling;
- accessory home based business;
- parks, playgrounds and non-profit uses, and
- institutional uses.

11.2.81.2(b) The regulations for this “Residential Fifth Density Special Zone No. 81 (R5 Sp.8 1)” are as follows:

- i) The minimum front yard setback shall be six and zero-tenths (6.0) metres.

11.2.81.3 The use of land or building in this “Residential Fifth Density Special Zone No. 81 (R5 Sp.81)” 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 amended by inserting at the end thereof the following Section 11.3.61:

“11.3.61 “Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)”

11.3.61.1 The property description of this “Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)” is “Concession “B”, Part Lot 19, Rem. Parcels 4202 and 4844 W&F” along Janice Street in the City of North Bay as shown on the attached Schedules and Schedule “B-33”.

11.3.61.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)” except for the following uses:

- convenience stores;
- day-care facilities;
- dry cleaning depots;
- gas bars;
- local retail stores;
- personal service establishments;
- professional business offices, and
- restaurants.

11.3.61.2(b) The regulations for this “Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)” are as follows:

- i) the setback from the front lot line shall be a minimum of eight and five-tenths (8.5) metres;
- ii) the setback from the interim side lot line shall be a minimum of one and two-tenths (1.2) metres;
- iii) the setback from the exterior side lot line shall be a minimum of one and six metres (1.6) metres;
- iv) the setback from the rear lot line shall be a minimum of three and five-tenths (3.5) metres;
- v) the lot coverage shall be a maximum of fifty percent (50%);
- vi) a minimum of six (6) parking spaces on the site.

11.2.61.3 The use of land or building in this “Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)” shall conform to all other regulations of this By-law, except as hereby expressly varied.”

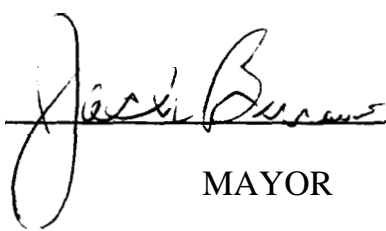
Section 11 of By-law No. 28-80 is further amended by inserting “Schedule to Residential Fifth Density Special Zone No. 81 (R5 Sp.81)” as shown on Schedule “C” to this By-law, and “Schedule to Neighbourhood Commercial Special Zone No. 61 (C5 Sp.61)” as shown on Schedule “D”.

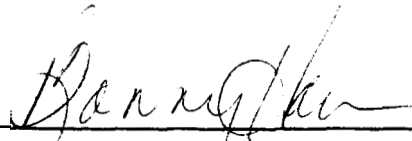
- a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O.Reg. 199/96 as amended.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving 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 8TH DAY OF APRIL
2002.

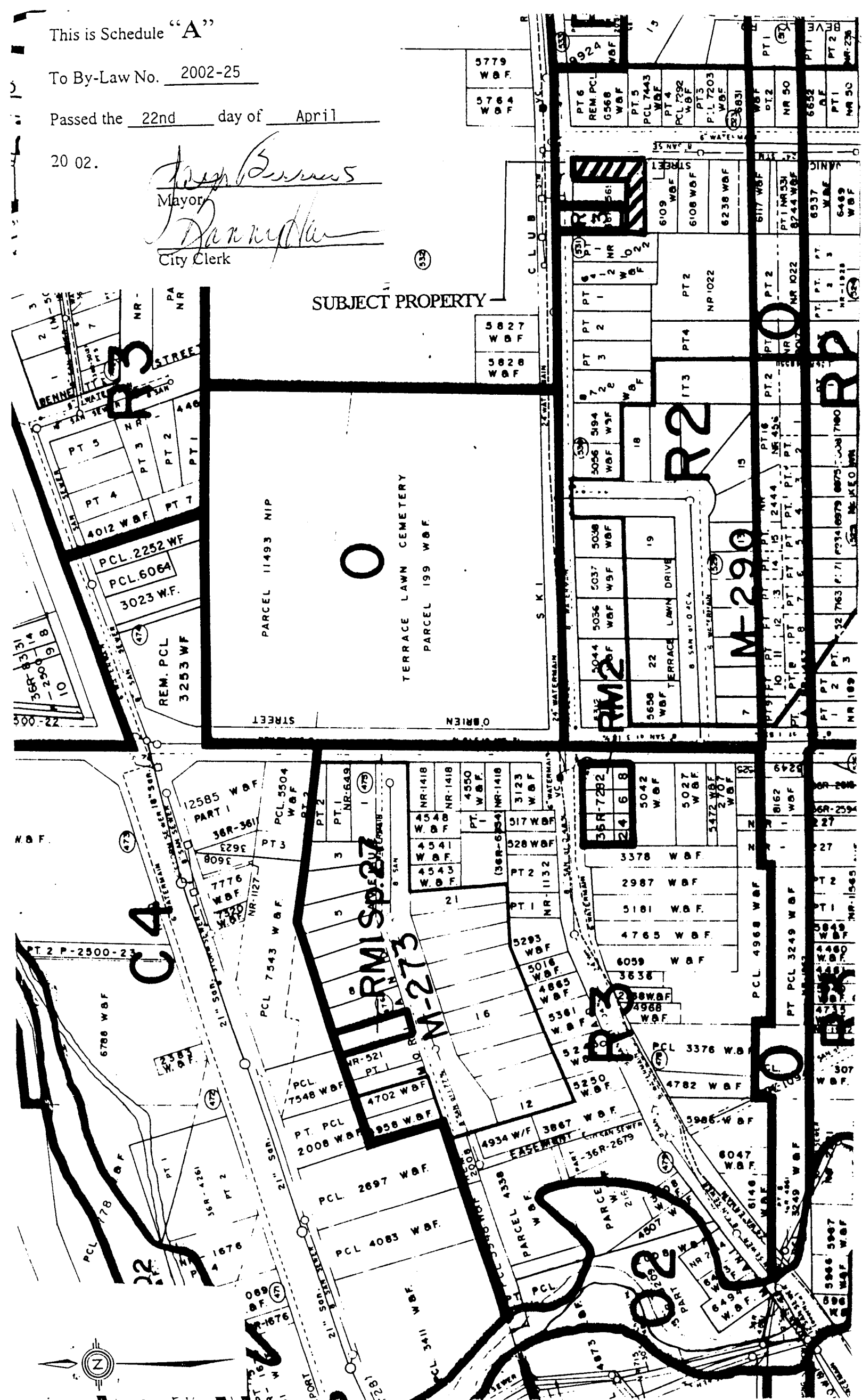
READ A SECOND TIME IN OPEN COUNCIL THE 22ND DAY OF APRIL
2002.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 22ND DAY
OF APRIL 2002.


MAYOR


CITY CLERK

City Clerk



This is Schedule "B"

To By-Law No. 2002-25

Passed the 22nd day of April

20 02

Mayor
City Clerk



FROM "R2" TO "R5SP81"



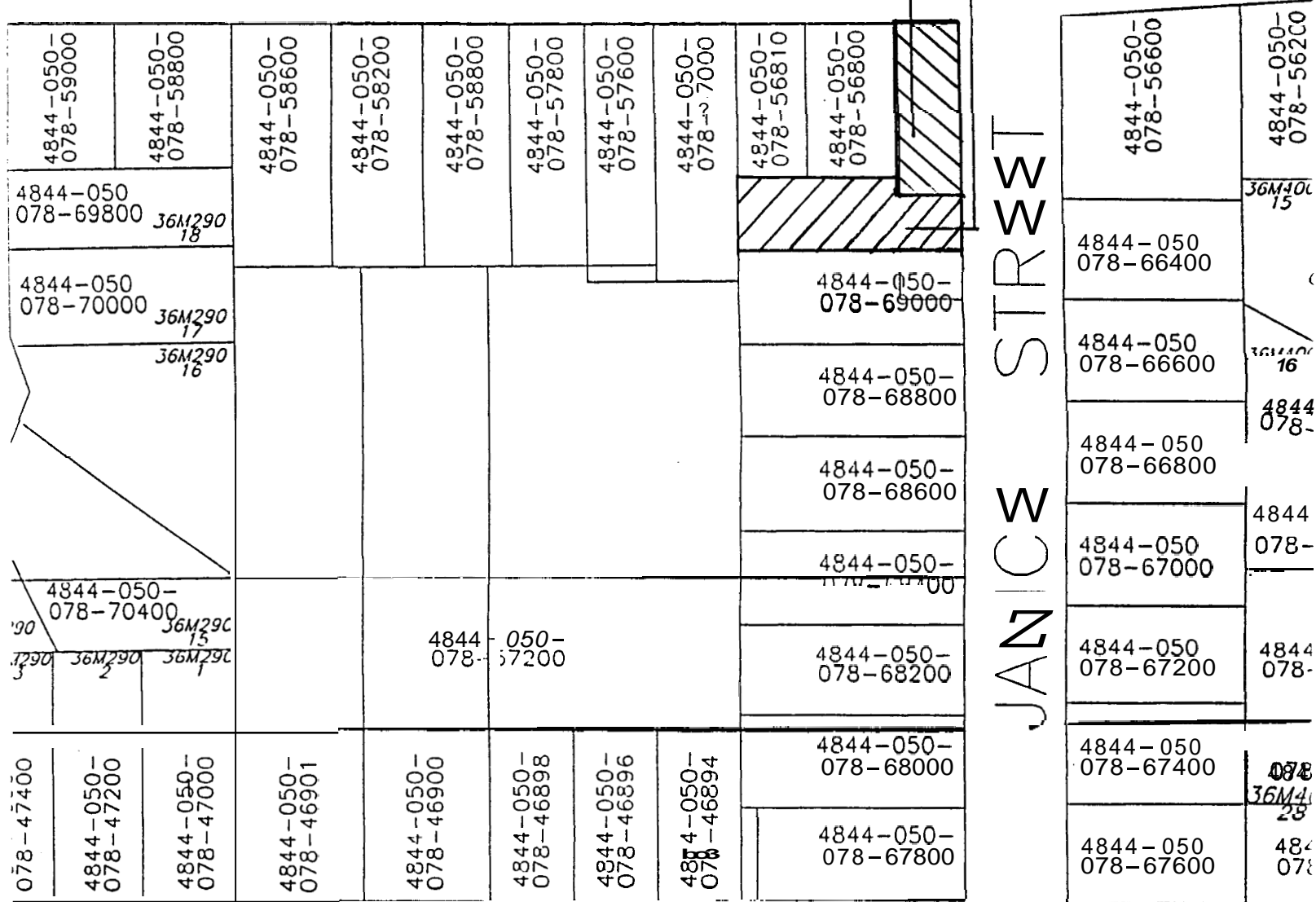
FROM "C5" TO "C5SP61"

1 INCH = 100 FEET

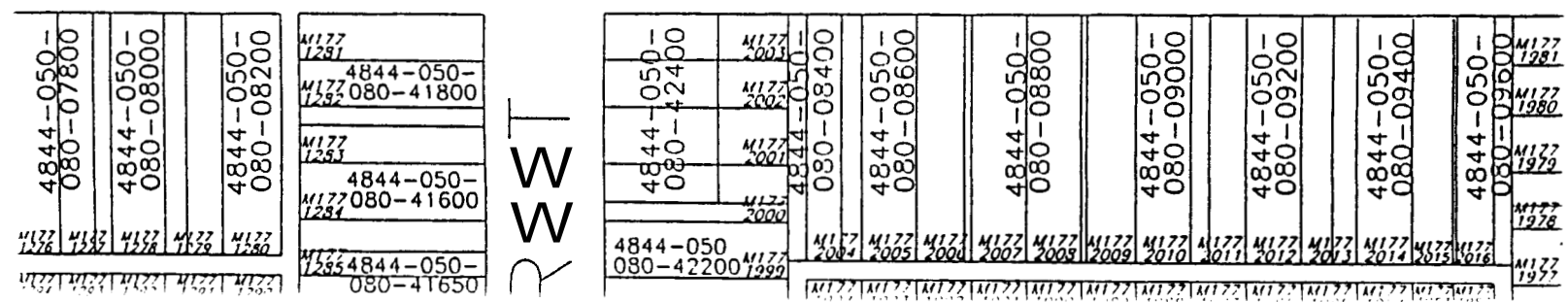
4844-050-5900
078-60400

SKI CLUB ROAD

SUBJECT PROPERTY



McKEOWN



078-57000

4844-050-
078-56810

4844-050-
078-56800

4844-050-
078-69000

4844-050-
078-68800

1 INCH = 30 FEET

JANICE STREET

STIRREET

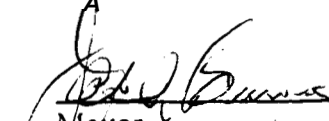
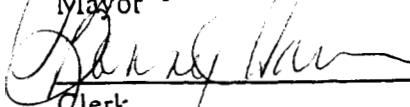


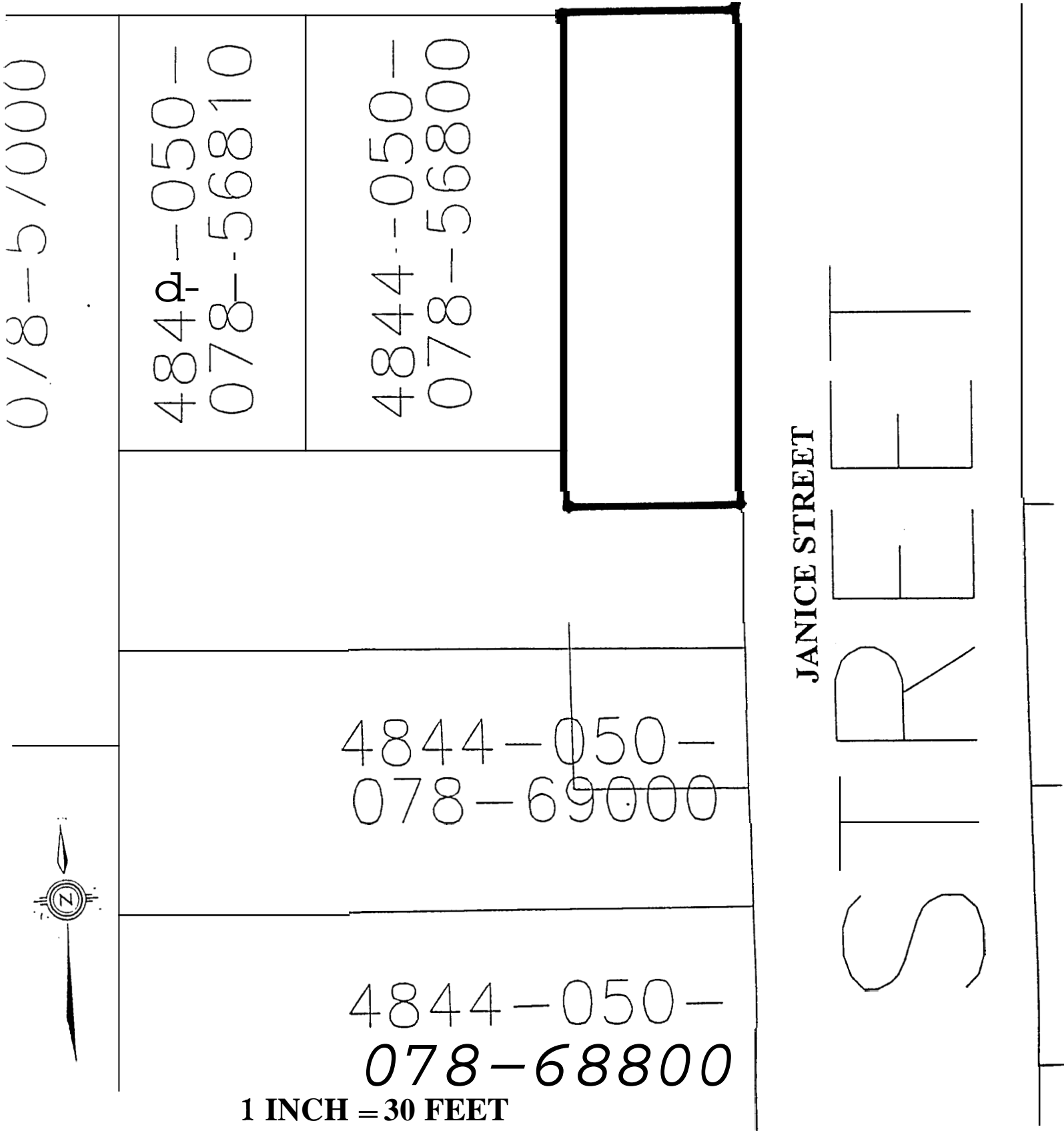
This is Schedule "C"

To By-Law No. 2002-25

Passed the 22nd day of April

2002.

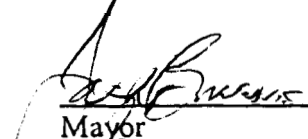
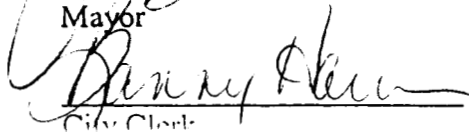

Mayor

Clerk



This is Schedule "D"

To By-Law No. 2002-25

Passed the 22nd day of April 2002.


Mayor

City Clerk