

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 1999-99

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON GORMANVILLE ROAD FROM A "LIGHT INDUSTRIAL ONE (M1)" ZONE TO A "LIGHT INDUSTRIAL ONE SPECIAL ZONE NO. 48 (M1 SP.48)" AND AN "INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 49 (MC SP.49)" (EASTVIEW DEVELOPMENT LIMITED / 667589 ONTARIO LIMITED - 600, 612 GORMANVILLE ROAD)

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 Schedules "B-40" and "B-41" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended.

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

- 1) Schedules "B-40" and "B-41" of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedule "A" attached hereto (which property is more particularly described as Lots 421-456, 542-577, Plan M-167, Parts 4, 5, 6 and 7, Plan NR-2053, Part 2, Plan NR-2326 and part of the former First Street and Parr Street road allowances) along Gormanville Road in the City of North Bay, shown as hatched on Schedules "B, C, and D" attached hereto from a "Light Industrial One (M1)" zone to a "Light Industrial One Special Zone No. 48 (M1 Sp.48)" and an "Industrial Commercial Special Zone No. 49 (MC Sp.49)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.4.48:

"11.4.48 "Light Industrial One Special Zone No. 48 (M1 Sp.48)"

11.4.48.1 The property description of this "Light Industrial One Special Zone No. 48 (M1 Sp.48)" is Plan M-167, Lots 436-441, 451-456, 557-562, 572-577 and Part Lots 435, 450, 556, 571, Plan NR-2053, Part 4 and Part of Part 5, Plan NR-2316, part of Part 2 and part of the former First Street and Parr Street road allowances along Gormanville Road in the City of North Bay as shown on the attached Schedules and Schedule "B-40".

11.4.48.2 No person shall use land, or use, erect, or construct any building or structure in this "Light Industrial One Special Zone No. 48 (M1 Sp.48)" except for the following uses:

- The use of land, buildings or structures designed for the purpose of manufacturing or processing of any goods, substances or things for sale, and does not include any Heavy Industry (M4) or any Light Industrial (M3) uses, but shall include printing.
- recreation/gymnastics club;
- administrative offices or day-care facilities associated with and integral with the main use;
- one (1) apartment unit within the main building for an essential worker, owner/operator or caretaker.
- all permitted uses shall be conducted within an enclosed building with no outside storage permitted.

11.4.48.3 The use of land or building in this "Light Industrial One Special Zone No. 48 (M1 Sp.48)" 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 Light Industrial One Special Zone No. 48 (M1 Sp.48)" as shown on Schedule "C" to this By-law.

4) Section 11 of By-law No. 28-80 is further amended by inserting at the end thereof the following Section 11.4.49:

"11.4.49 "Industrial Commercial Special Zone No. 49 (MC Sp.49)"

11.4.49.1 The property description of this "Industrial Commercial Special Zone No. 49 (MC Sp.49)" is Plan M-167, Lots 421 to 434, 442 to 449, 542 to 555, 563 to 570, Part Lots 435, 450, 556, 571, and part of Parts 5, 6, and 7, Plan NR-2053 along Gormanville Road in the City of North Bay as shown on the attached Schedules and Schedules "B-40" and "B-41".

11.4.49.2 No person shall use land, or use, erect, or construct any building or structure in this "Industrial Commercial Special Zone No. 49 (MC Sp.49)" except for the following uses:

- "- architecture, engineering, surveying, planning or design offices;
- automobile sales, leasing and service establishments;
- banks;
- builder's supply yards and stores;
- computer, electronic, or data processing business;
- convenience stores;
- corporate administrative offices;
- hotels and motels;
- heavy equipment sales and service;
- farmers market;
- flea market;
- printing and photographic services;
- public garages;
- recreational vehicles and equipment sales and service;
- repair garages;
- restaurants;
- all those uses permitted in the Light Industrial One (M1) zone;
- one (1) apartment unit shall be permitted for an essential worker, owner/operator or caretaker within the main building."

11.4.49.3 The use of land or building in this "Industrial Commercial Special Zone No. 49 (MC Sp.49)" zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

5) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Industrial Commercial Special Zone No. 49 (MC Sp.49)" as shown on Schedule "D" to this By-law.

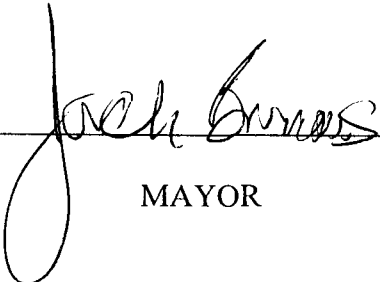
6) Section 2 of By-law No. 28-80 is amended by adding the following new definition:
"CORPORATE ADMINISTRATIVE OFFICE means an establishment primarily engaged in overall management and general supervisory functions such as executive, personnel, finance, legal, and sales activities, performed in a single location or building for other branches or divisions of a firm involved in any use that would normally be permitted within the zone."

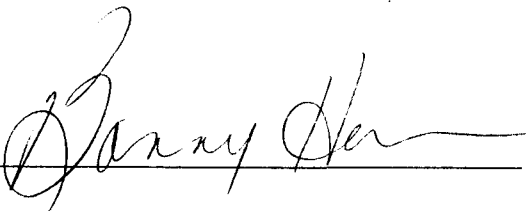
- 7) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 199/96 as amended.
- b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving 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 12th DAY OF July
199 9.

READ A SECOND TIME IN OPEN COUNCIL THE 26th DAY OF July
199 9.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 26th DAY
OF July 199 9.


MAYOR

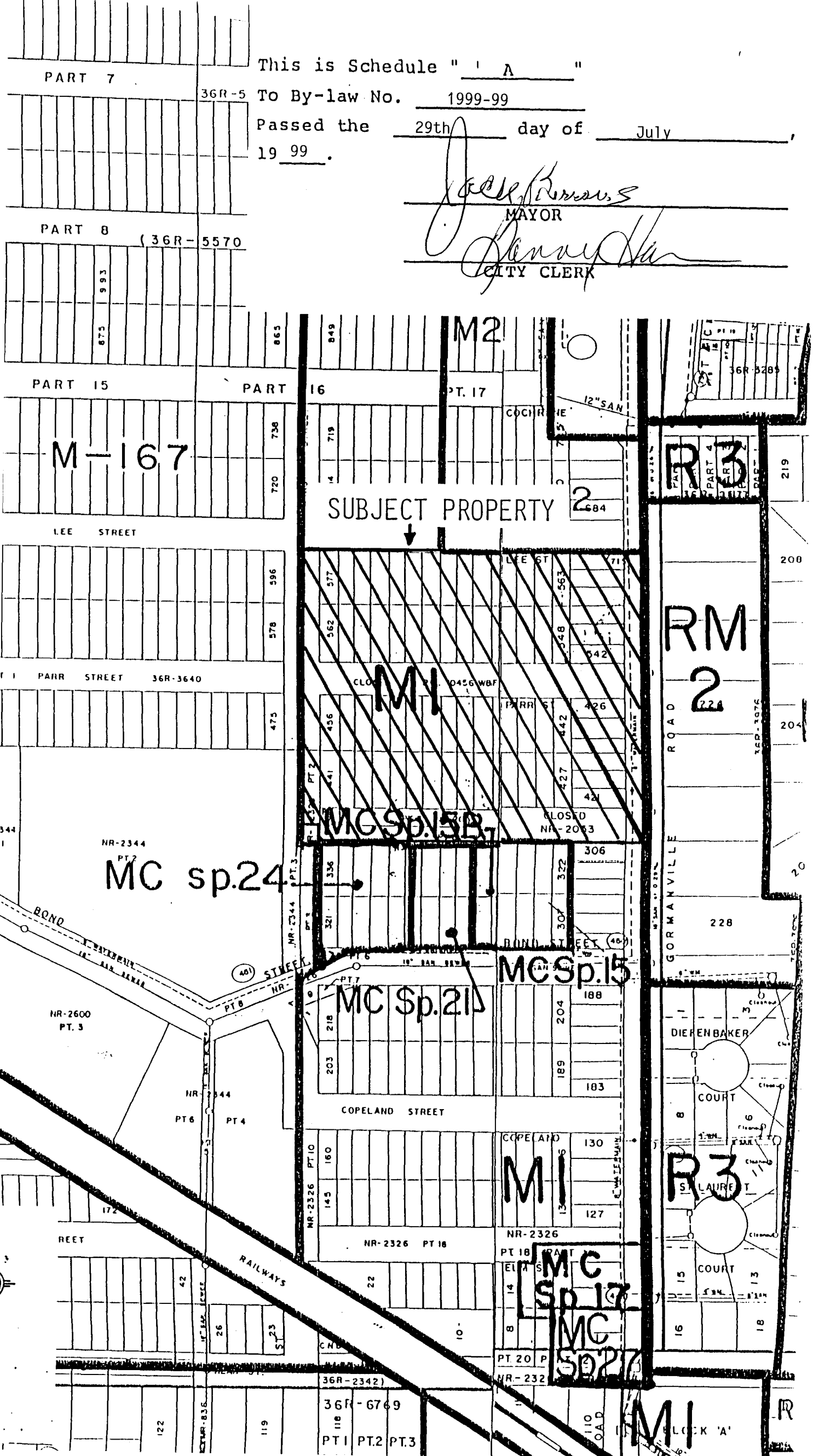

CITY CLERK

This is Schedule " A "

To By-law No. 1999-99

Passed the 29th day of July, 19 99.

Jack Roman
MAYOR
Denise Van
CITY CLERK



PART 7

36R-5

PART 8 (36R-5570)

PART 15

PART 16

M2

PT. 17

M-167

SUBJECT PROPERTY

2684

R3

RM 224

M1

NR-2344

MC sp.24

MC Sp.15

MC Sp.21

NR-2600 PT. 3

COPELAND STREET

MI

R3
DIEHNBAKER COURT
S. LAURET

MC Sp.17

MC Sp.17

MI

36R-2342

36R-6769

PT.1 PT.2 PT.3

NR-232

PT.18

PT.20

R

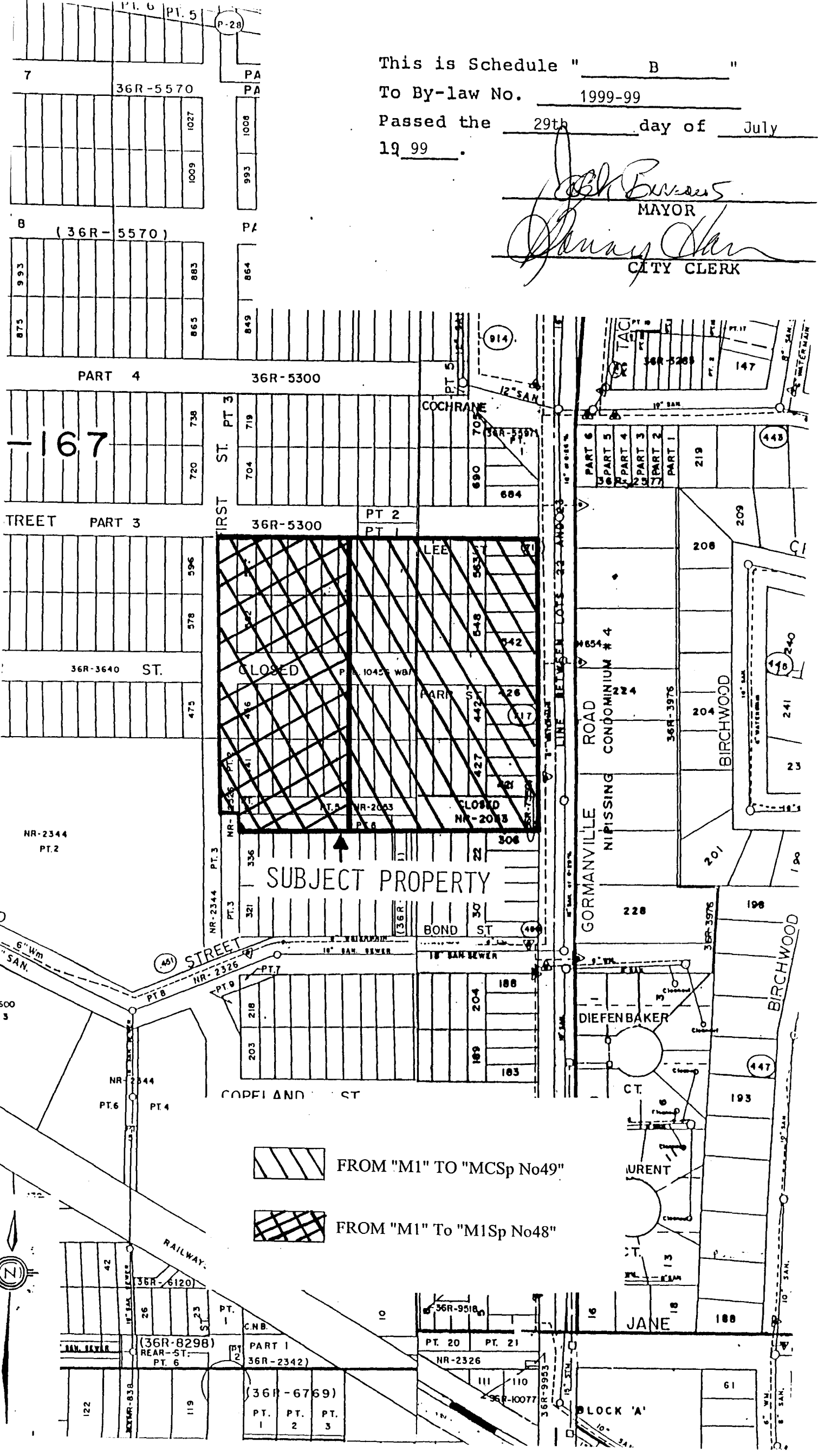
This is Schedule " B "

To By-law No. 1999-99

Passed the 29th day of July 19 99 .

[Signature]
MAYOR

[Signature]
CITY CLERK



-167



FROM "M1" TO "MCSp No49"



FROM "M1" To "M1Sp No48"



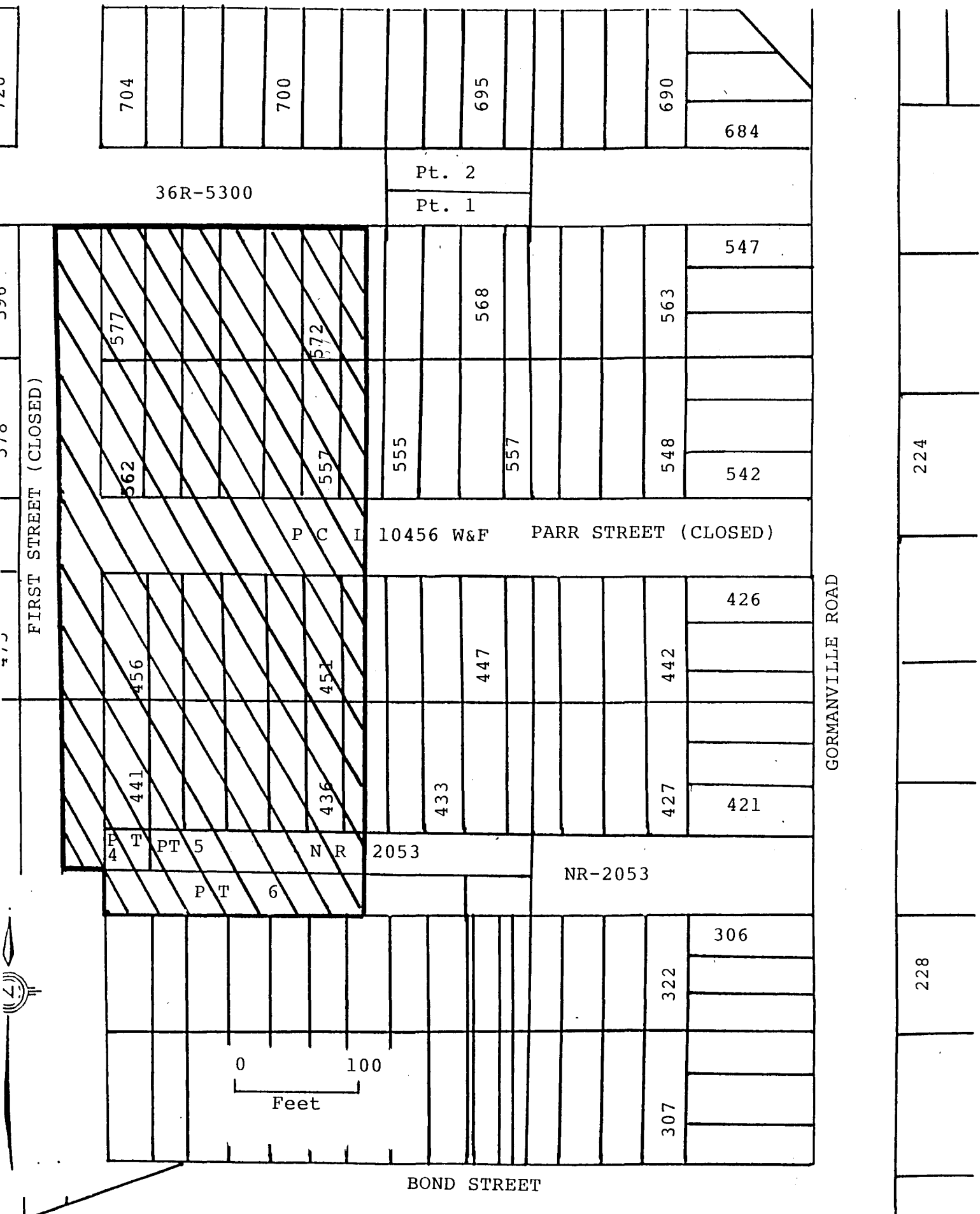
This is Schedule " C "

To By-law No. 1999-99

Passed the 26th day of July
19 99.

John Berrows
MAYOR
Dorothy Van
CITY CLERK

SCHEDULE TO "LIGHT INDUSTRIAL ONE SPECIAL ZONE NO. 48 (M1 Sp.48)"



This is Schedule " D "

To By-law No. 1999-99

Passed the 26th day of July

19 99.

Jack Bennett
MAYOR
Dorothy Han
CITY CLERK

SCHEDULE TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 49 (MC Sp.49)"

