

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2006-92

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO
REZONE CERTAIN LANDS ON MAIN STREET WEST
FROM LIGHT INDUSTRIAL TWO (M2) ZONE TO A
“LIGHT INDUSTRIAL THREE (M3)” AND
“LIGHT INDUSTRIAL THREE SPECIAL NO. 56 (M3Sp.56)
(MAIN STREET WEST-CERISANO)**

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 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 zoning designation shown on Schedule “B-41” 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 June 5, 2006 to approve this rezoning.

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

- 1) Schedule "B-41" 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 Plan M53, Lots 7,8,10,11,12,13,14, Part of lot 9 and Part of former Main Street Road Allowance) along Main Street West in the City of North Bay from a “Light Industrial Two (M2)” zone to a “Light Industrial Three (M3)” and “Light Industrial Three Special No. 56 (M3Sp.56)”
- 2) All buildings or structures erected or altered and the use of land in such “Light Industrial Three (M3)” zone shall conform to all applicable provisions of By-law No.28-80 of the Corporation of the City of North Bay.
- 3) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.4.:
 - 11.4.56 Light Industrial Three Special No.56 (M3 Sp.56)
 - 11.4.56.1 The property description of this “Light Industrial Three Special No.56 (M3 Sp.56)” is Plan M53, Lots 7 and 8 along Main Street West in the City of North Bay as shown on the attached Schedule and on Schedule "B-41".
 - 11.4.56.2(a) No person shall use land, or use, erect, or construct any building or structure in this “Light Industrial Three Special No.56 (M3 Sp.56)” except for the following uses:
 - Those uses permitted in a Light Industrial Two (M2) zone requiring outdoor storage;

- The use of land, building or structure designed for the purpose of manufacturing, assembling, processing, preparing, inspecting or ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substances, or things, and the storage of building and construction equipment and materials where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This does not include forest product industries, metal fabricating, refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, pit, quarry or oil wells;
- auto dealership and service establishments;
- builder supply yard;
- body shop;
- bulk sales establishments;
- construction contractor yards;
- garden centre;
- heavy equipment sales and service;
- heavy equipment storage;
- recreational vehicle and equipment sales and service;
- recycling centres and waste transfer stations;
- repair garage;
- transportation and communications and utility yards and terminals;
- warehouse and storage uses;
- administrative offices and day nursery associated with and integral with the main use;
- one (1) apartment unit within the main building for an essential worker, owner/operator or caretaker;
- outdoor storage is permitted, subject to the provisions of Section 7.4.2.5 of Zoning By-law 28-80.

11.4.56.2(b) The regulations for this are as follows:

- i) The setback from the front lot line shall be a minimum of one and three tenths (1.3) metres.
- ii) The setback from the westerly side yard shall be nil.

11.4.56.3 The use of land or building in this "Light Industrial Three (M3)" and "Light Industrial Three Special No.56 (M3Sp.56)" 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 "Light Industrial Three Special No.56 (M3Sp.56)" as shown on Schedule "C" to this By-law.

- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedules "B" and "C" attached hereto are hereby designated as a Site Plan Control Area.
- 5) 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 5th DAY OF JUNE 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 5th DAY OF JUNE 2006.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 5TH DAY OF JUNE 2006.



MAYOR, VIC FEDELI



CITY CLERK, CATHERINE CONRAD

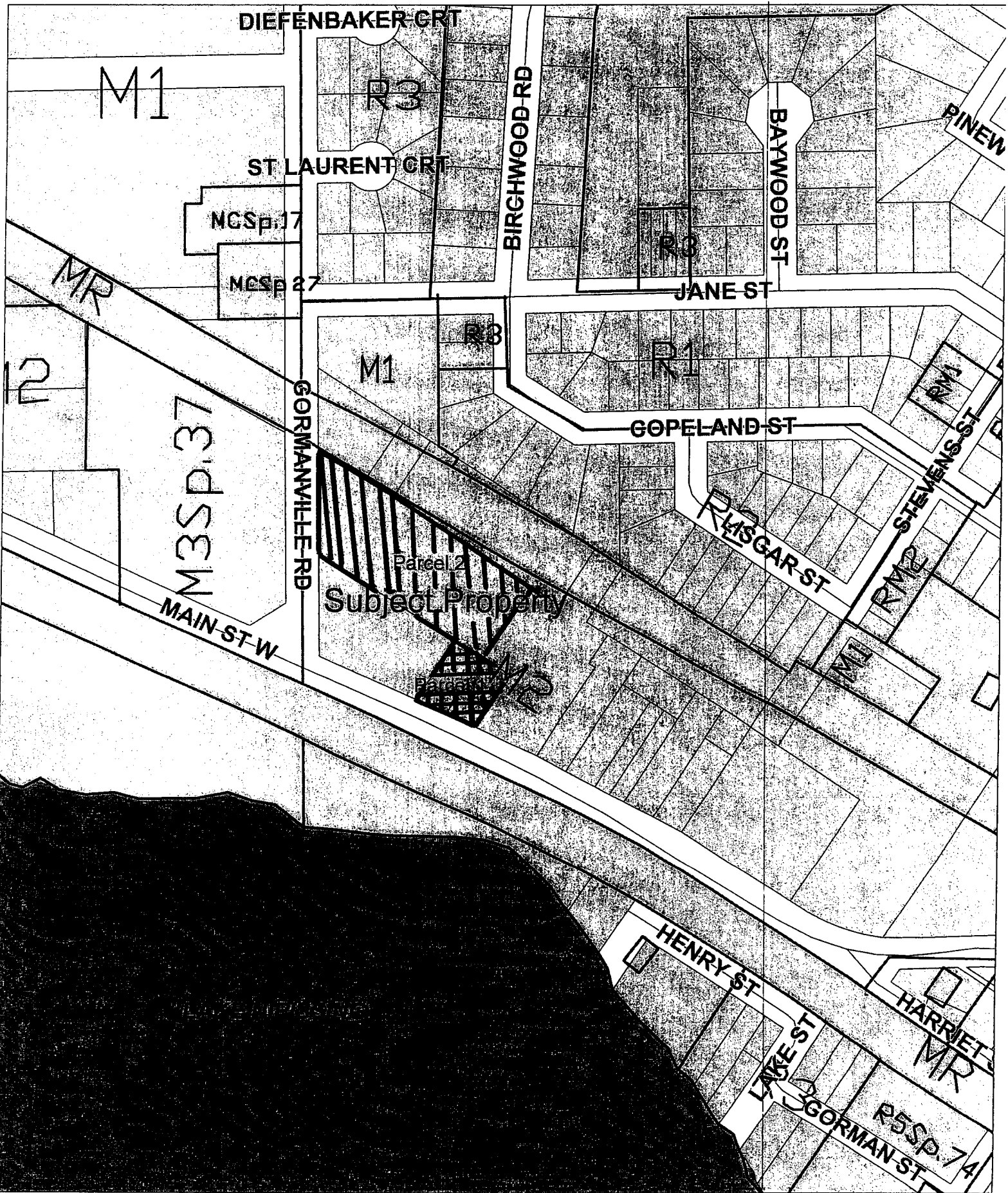
This is Schedule "A"

To By-law No. 2006-92

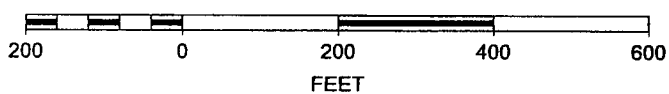
Passed the 5th day of June 20 06

Mayor, Vic Fedeli

Catherine Conrad
City Clerk, Catherine Conrad



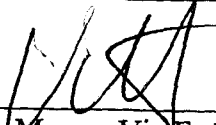
SCALE 1 : 3,000



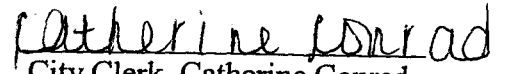
This is Schedule "B"

To By-law No. 2006-92

Passed the 5th day of June 2006.



Mayor, Vic Fedeli



City Clerk, Catherine Conrad

