

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 126-93

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON BIRCHS ROAD FROM AN "INDUSTRIAL HOLDING (MH)" ZONE TO A "RESTRICTED INDUSTRIAL SPECIAL ZONE NO. 30 (M.5 SP.30)" (R. & P. SHEEDY - 349 BIRCHS 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 Schedule B-82 of By-law No. 28-80 pursuant to Section 34 of the Planning Act to permit an industrial on land without full urban services.

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

- 1) Schedule "B-82" 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 Parcel 6370, being Part of Lot 35, Concession 14 along Birchs Road in the City of North Bay, shown as hatched on Schedules "B" & "C" attached hereto) from an "Industrial Holding (MH)" zone to a "Restricted Industrial Special Zone No. 30 (M.5 Sp.30)".

- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.4.30:
 - 11.4.30 "Restricted Industrial Special Zone No. 30 (M.5 Sp.30)"
 - 11.4.30.1 The property description of this "Restricted Industrial Special Zone No. 30 (M.5 Sp.30)" is Parcel 6370, Part Lot 35, Concession 14 along Birchs Road in the City of North Bay as shown on the attached Schedules and Schedule "B-82".
 - 11.4.30.2(a) No person shall use land, or use, erect, or construct any building or structure in this "Restricted Industrial Special Zone No. 30 (M.5 Sp.30)", except for the following uses:

- bulk sales establishments;
- construction contractor yards;
- heavy equipment storage;
- transportation and communications and utility yards and terminals;
- warehouse uses;
- wholesale uses;
- scrap yards;
- a single detached dwelling for the owner, caretaker, or essential workman;
- any use permitted in a "Light Industrial Three (M.3)" zone, save and except the one (1) apartment unit within the main building for an essential workman or caretaker, and further said use shall not immediately require full Municipal services and shall be subject to an agreement between the prospective industry and the City.

11.4.30.2(b) The regulations for this "Restricted Industrial Special Zone No. 30 (M.5 Sp.30)" are as follows:

- i) The minimum front yard setback shall be eleven and five-tenths (11.5) metres.

11.4.30.3 The use of land or buildings in this "Restricted Industrial Special Zone No. 30 (M.5 Sp.30)" shall conform to all other regulations of this By-law, except as hereby expressly varied.

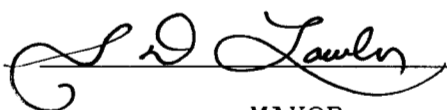
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Restricted Industrial Special Zone No. 30 (M.5 Sp.30)" as shown on Schedule "C" to this By-law.

- 4) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 404/83.
- 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.

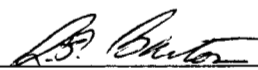
READ A FIRST TIME IN OPEN COUNCIL THE 1ST DAY OF NOVEMBER, 1993.

READ A SECOND TIME IN OPEN COUNCIL THE 15TH DAY OF NOVEMBER 1993.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15TH DAY OF NOVEMBER 1993.



MAYOR



CITY CLERK

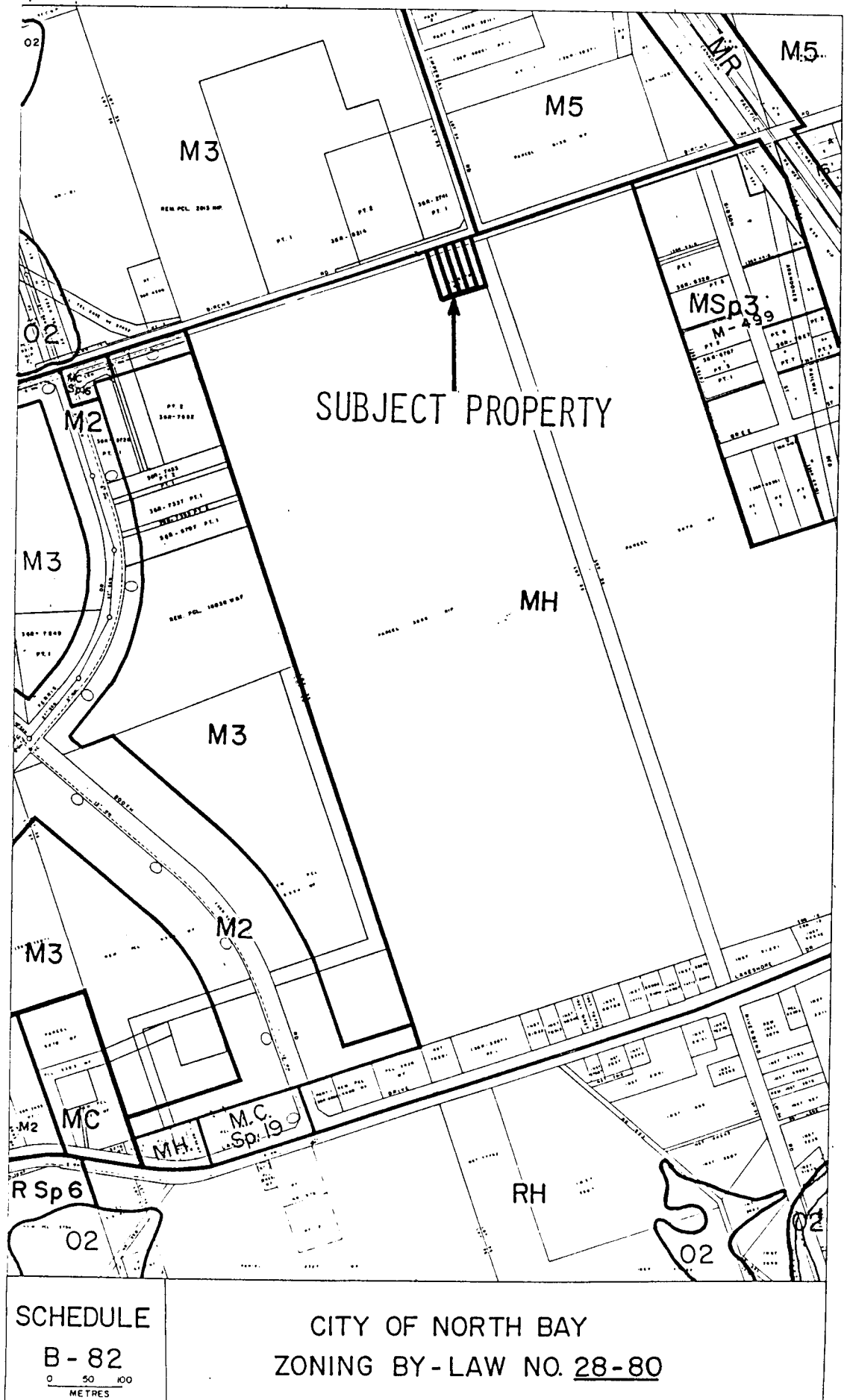
This is Schedule " A "

To By-law No. 126-93

Passed the 15TH day of NOVEMBER
19 93 .

S. D. Lawley
MAYOR

B. B. Baker
CITY CLERK



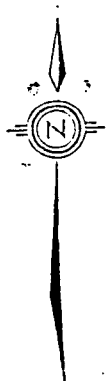
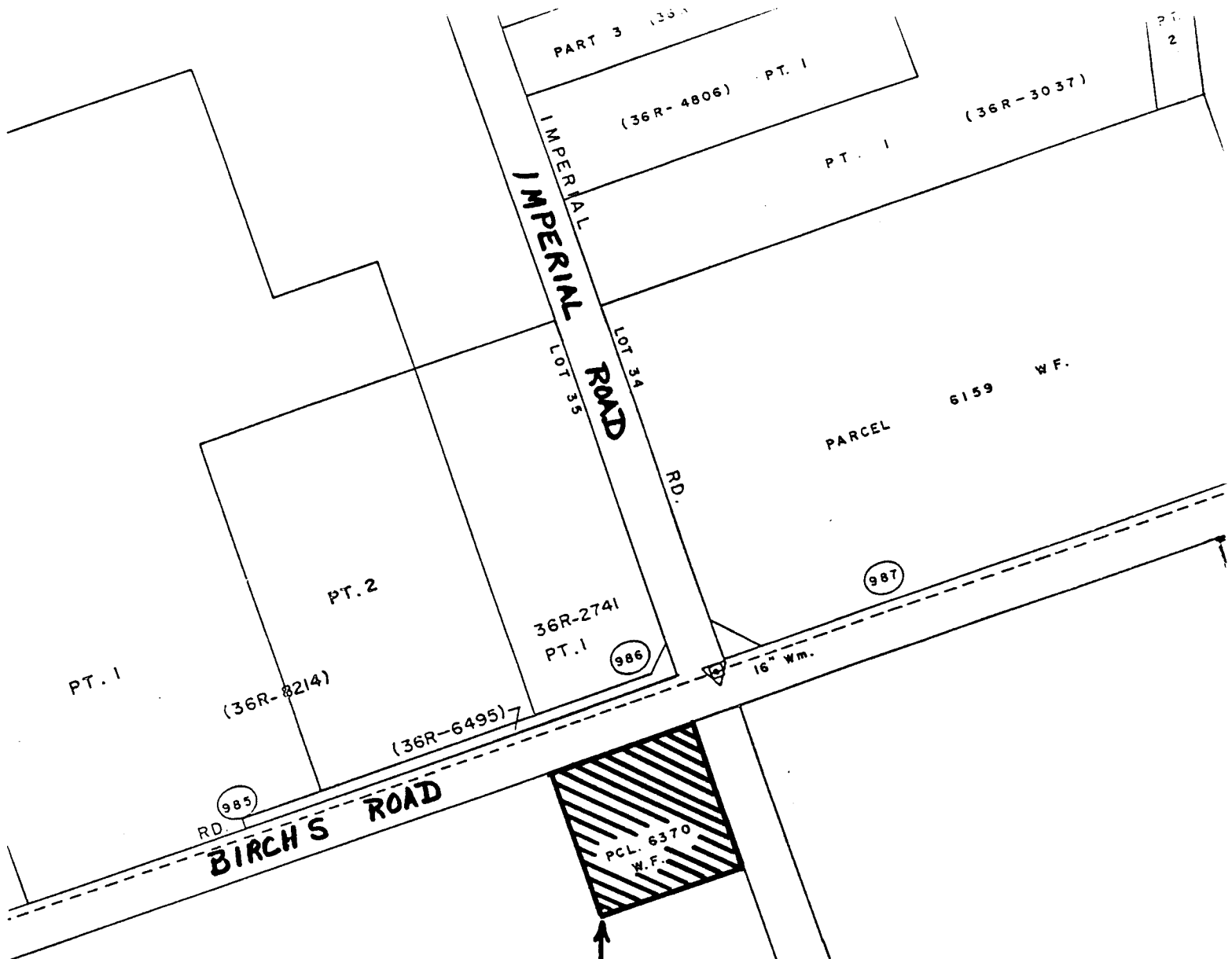
This is Schedule " B "

To By-law No. 126-93

Passed the 15TH day of NOVEMBER
19 93 .

S. D. Lawley
MAYOR

B. Carter
CITY CLERK



SUBJECT PROPERTY

0 200
Feet

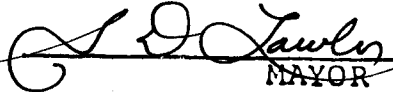


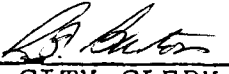
FROM "INDUSTRIAL HOLDING (MH)" TO "RESTRICTED INDUSTRIAL
SPECIAL ZONE NO. 30 (M5 Sp.30)"

This is Schedule " C "

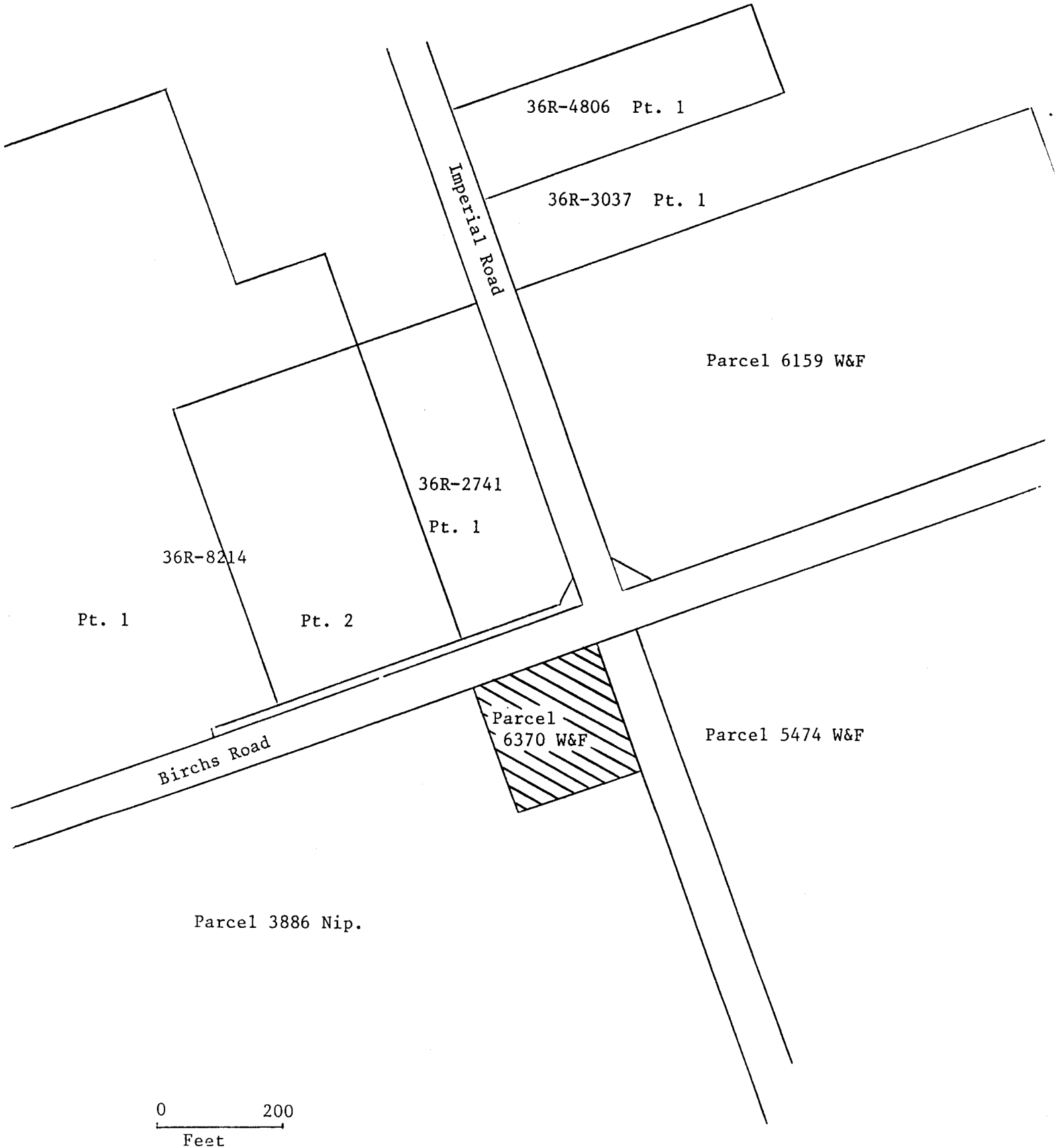
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Passed the 15TH day of NOVEMBER
1993.


MAYOR


CITY CLERK

SCHEDULE TO "RESTRICTED INDUSTRIAL SPECIAL ZONE NO. 30 (M.5 Sp.30)"



0 200
Feet