THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2009-139

A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80
TO REZONE CERTAIN LANDS ON EXETER STREET
FROM AN “INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 55 (MC Sp.55)”
TO A “LIGHT INDUSTRIAL THREE SPECIAL ZONE NO. 58 (M3 Sp.58)”

(1489549 ONTARIO LIMITED – EXETER 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 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-40” 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 July 13th, 2009 to approve this rezoning.

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

1) Schedule “B-40” 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 M-472, Part of Block C, Reference Plan 36R-5296, Parts 2 & 3 along Exeter Street in the City of North Bay, shown as hatched on Schedule “B” attached hereto from) an “Industrial Commercial Special Zone No.55 (MC Sp.55)” zone to a “Light Industrial Three Special Zone No.58 (M3 Sp.58)”.

2) All buildings or structures erected or altered and the use of land in such “Light Industrial Three Special Zone No.58 (M3 Sp.58)” 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 11.4.58:

11.4.58 Light Industrial Three Special Zone No.58 (M3 Sp.58)

11.4.58.1 The property description of this “Light Industrial Three Special Zone No.58 (M3 Sp.58)” is: Plan M-472, Part of Block C, Reference Plans 36R-5296, Parts 2 & 3 along Exeter Street in the City of North Bay as shown on the attached Schedules and Schedule “B-40”.

11.4.58.2 The regulations for this “Light Industrial Three Special Zone No.58 (M3 Sp.58)” zone are as follows:

i) The minimum front yard setback shall not be less than 14.9 metres; and

ii) The minimum rear yard setback shall not be less than 4.5 metres;

iii) Permitted uses in this zone shall include all “Light Industrial (M3)” uses and “An administrative office building and enclosed storage and warehousing uses associated with the main office use.”
11.4.58.3 The use of land or buildings in this “Light Industrial Three Special Zone No.58 (M3 Sp.58)” zone shall conform to all other regulations of this By-law, except as hereby expressly varied.

4) Section 11 of By-law No. 28-80 is further amended by inserting “Light Industrial Three Special Zone No.58 (M3 Sp.58)” as Schedule “C” to this By-law.

5) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule “A” attached hereto are hereby designated as a Site Plan Control Area.

6) 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. 254/06 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 THIRD TIME IN OPEN COUNCIL AND PASSED THIS 27 DAY OF JULY 2009.

"original signature on file"  "original signature on file"
MAYOR VIC FEDELI  CITY CLERK CATHERINE CONRAD
Subject Property

Proposed Zoning By-law Amendment
From: An "Industrial Commercial Special No. 55 (MC Sp. 55)" Zone
To: A "Light Industrial Three Special (M3 Sp.)" Zone
This is Schedule "B"

To By-law No. 2009-139

Passed the 27th day of July 2009

Mayor Vic Fedeli

City Clerk Catherine Conrad

Subject Property

Proposed Zoning By-law Amendment

From: An "Industrial Commercial Special No. 55 (MC Sp. 55)" Zone

To: A "Light Industrial Three Special (M3 Sp.)" Zone
City of North Bay
District of Nipissing

Surveyor’s Real Property Report

Part 1, Plan of Survey of Part of Block ‘C’
Registered Plan M-472

Legend
- Denotes Planted Monument
- Denotes Found Monument
- Denotes Measured
- Denotes Standard Iron Bar
- Denotes Iron Bar
- Denotes Deposited Plan 36R-11907
- Denotes Miller & Urso Surveying Inc.

Surveyor’s Certificate

I certify that:
1. This survey and plan are correct and in accordance with the surveys act, the surveyors act, the land titles act and the regulations made under them.
2. The survey was completed on the 23rd day of November 2007.

December 9th, 2007

Surveyor's Real Property Report

Revised by:

Print Name: J. Urso

Ursa Surveying Inc.

Plan 36R-11907

Engineer:

Print Name: J. Urso

Ursa Surveying Inc.

Plan 36R-11907

Approved by:

Print Name: J. Urso

Ursa Surveying Inc.

Plan 36R-11907

NOTICE

1. This plan must be read in conjunction with the survey report dated December 9th, 2007.
2. This plan is not valid unless it is an endorsed original copy issued by the surveyor in accordance with Regulation 1029, Section 2(3).

this is schedule ‘C’

Passed the 27 day of July 2009

Mayor Vic Fedeli

Theat Lawrence F. C. L. Miller

COPELAND STREET
Locally Known as Exeter Street

Bearings are astronomical and are referred to the North limit of Copeland Street, as shown on Deposited Plan 36R-11907, having a bearing of N 89° 34' 00" E.