

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2006 - 160

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80 TO REZONE
CERTAIN LANDS ON DRURY DRIVE FROM A
“LIGHT INDUSTRIAL TWO (M2)” ZONE AND “HEAVY INDUSTRIAL FOUR (M4)”
ZONE TO AN “INDUSTRIAL COMMERCIAL HOLDING (MCH)” ZONE**

(HEXION SPECIALTY CHEMICALS CANADA INC – DRURY 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-52” 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 October 16, 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-52” of By-law No. 28-80 is amended by changing the zoning designation of the property shown on Schedule “B” attached hereto (which property is more particularly described on Schedule “A”, attached hereto, in the City of North Bay), from a “Light Industrial Two (M2)” zone and a “Heavy Industrial Four (M4)” zone to an “Industrial Commercial Holding (MCH)” Zone.
- 2) All buildings or structures erected or altered and the use of land in such “Industrial Commercial Holding (MCH)” zone shall conform to all applicable provisions of By-law No. 28-80 of the Corporation of the City of North Bay.
- 3) The Holding Zone provision shall be applied to the lands zoned MC. Prior to the removal of the holding zone provisions, or to allow any specific permitted use, the following conditions must be satisfied:
 - a) The applicant shall provide a Traffic Impact Study and implement any recommendations forthcoming from the requested Traffic Impact Study, to the satisfaction of the City Engineer and at no expense to the City of North Bay.
 - b) A Record of Site Condition must be completed to satisfy the necessary legislation.
Provided the above conditions have been satisfied, and all agreements executed, the holding zone provisions shall be removed with respect to any portion of the subject lands which shall be set out in the holding zone removal by-law.

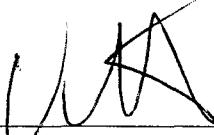
The holding zone provisions may also be removed to allow any specific use or uses permitted on the subject lands provided such uses are set out in the holding zone removal by-law.

- 4) Pursuant to Section 41 of the Planning Act, R.S.O. 1990 as amended, those lands shown as hatched on Schedule "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 16th DAY OF OCTOBER 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 16th DAY OF OCTOBER 2006.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 30th DAY OF OCTOBER 2006.



MAYOR, VIC FEDELI

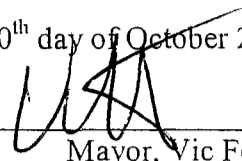


CITY CLERK, CATHERINE CONRAD

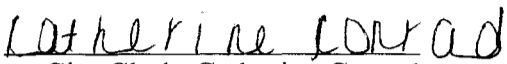
This is Schedule "A"

To By-law No. 2006-160

Passed this 30th day of October 2006



Mayor, Vic Fedeli



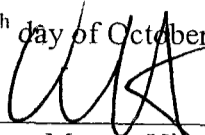
City Clerk, Catherine Conrad

- 1) PCL 4743 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD AS IN LT67726; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0043 (LT);
- 2) PCL 4744 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD AS IN LT67727; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0042 (LT);
- 3) PCL 5134 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD AS IN LT70362; S/T LT 114906; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0044 (LT);
- 4) PCL 9556 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD PT 2 & 3. NR1441 EXCEPT PT 26, 36R4040; S/T LT 114906; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0050 (LT);
- 5) PCL 435 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD BEING PT S 89 ACRES, AS IN LT24674; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0046 (LT);
- 6) PCL 9757 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD BEING PT S 89 ACRES, PT 1, NR1859; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0045 (LT);
- 7) PCL 3573 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD BEING PT S 89 ACRES, AS IN LT59385; EXCEPT PT 1, NR1312; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0047 (LT);
- 8) PCL 7976 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD PT 1. NR434; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0033 (LT);
- 9) PCL 4265 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD AS IN LT64388; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0040 (LT); and
- 10) PCL 3848 SEC WF; PT N ½ LT 18 CON D WIDDIFIELD AS IN LT61312 EXCEPT LT67727; NORTH BAY; DISTRICT OF NIPISSING; PIN 49142-0041 (LT);

This is Schedule "C"

To By-law No. 2006-160

Passed this 30th day of October 2006



Mayor, Vic Fedeli

Catherine Conrad

City Clerk, Catherine Conrad

FISHER ST

D ST

MCGAUGHEY AVE

Subject Property



HIGHWAY 11 / HIGHWAY 17 CHOLETTE

LILIAN AVE

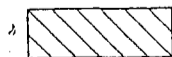
DRURY ST

FRANKLIN ST

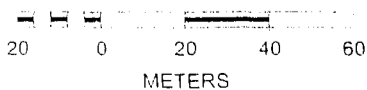
From "Light Industrial Two (M2)" and "Heavy Industrial Four (M4)"

To: "Industrial Commercial Holding (MCH)"

BRULE ST



SCALE 1 : 1,800



N

