

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 17-95

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON FISHER STREET FROM A 'LIGHT INDUSTRIAL TWO (M2)' ZONE TO AN INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 34 (MCSp 34)" AND AN 'INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 35(MCSp 35)" AS WELL AS AMENDING THE LEGAL DESCRIPTION, PERMITTED USES, AND REGULATIONS CONTAINED WITHIN 'INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 25 (MCSp 25)"
Belisle Investments / 512013 Ontario Inc.)**

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-51" and "B-52" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990;

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

- 1) Schedule "B-51" and "B-52" of By-Law No. 28-80 are amended by changing the zoning designation of the properties shown on Schedule "A" attached hereto (which properties are more particularly described as Lots 26, 34, 35 and Part Lots 36, 38, 39, 41, 42, and 43 Plan 76 and Lots 479, 480, 481, and Part Lots 476, 477 and 478 Plan M-189) along Fisher Street in the City of North Bay shown as hatched on schedules "B", "C", "D", and "E" attached hereto from a "Light Industrial Two (M2)" zone to an "Industrial Commercial Special Zone No. 25 (MCSp 25)", an "Industrial Commercial Special Zone No 34 (MCSp 34)", and an "Industrial Commercial Special Zone No. 35 (MCSp 35)".
- 2) Section 11 of By-law No. 28-80 is amended by deleting subsection 11.4.25 in its entirety and replacing it with the following new Section 11.4.25:

"11.4.25 "Industrial Commercial Special Zone No. 25 (MCSp 25)"
"11.4.25.1 The property description of this "Industrial Commercial Special Zone No. 25 (MCSp. 25)" is Lot 26 and Part of Lots 41, 42 and 43 Plan 76 and Lots 479, 480, 481 and Part Lots 476, 477, and 478 Plan M-189 along Fisher Street in the City of North Bay as shown on the attached Schedules and Schedules "B-51" and "B-52"

11.4.25.2 a) No person shall use land, or use, erect, or construct any building or structure in this "Industrial Commercial Special Zone No. 25 (MCSp 25)" except for the following uses:

- warehousing, storage and retail sales of flooring and textile products;
- home renovation and improvement shops;
- auto dealerships and service establishments;
- service establishments that are not obnoxious;
- banks;
- hotels and motel;
- public garages;
- restaurant and taverns;
- service stations and gas bars;
- all those uses permitted in the "Light Industrial One (M.1)" Zone;
- one (1) apartment unit shall be permitted for an essential workman or caretaker within the main building.

11.4.25.2 (b) The regulations for this "Industrial Commercial Special Zone No. 25 (MCSP 25)" are as follows:

- i) The minimum front yard setback shall be two and two tenths (2.2) meters;
- ii) The minimum easterly side yard setback shall be Nil;
- iii) The Minimum westerly side yard setback shall be Nil;

11.4.25.3 The use of land or buildings in this "Industrial Commercial Special Zone No. 25 (MCSp 25)" shall conform to all other regulations of this by-law except as hereby expressly varied."

- 3) Section 11 of By-law 28-80 is further amended by inserting revised "Schedule to Industrial Commercial Special Zone No. 25 (MCSp 25)" as shown on Schedule "C" to this By-law.
- 4) Section 11 of By-law 28-80 is further amended by inserting at the end therefore the following Section 11.4.34:

11.4.34 "Industrial Commercial Special Zone No. 34 (MCSp 34)"

11.4.34.1 The property description of this "Industrial Commercial Special Zone No. 34 (MCSp 34)" is Lots 34 and 35 and Part of Lot 36, Plan 76 along Fisher Street in the City of North Bay shown as hatched on the attached Schedules and Schedule "B-51"

11.4.34.2 a) No person shall use land, or use, erect, or construct any building or structure in this "Industrial Commercial Special Zone No. 34 (MCSp 34)" except for the following uses:

- warehousing, storage and retail sales of flooring and textile products;
- home renovations and improvement shops;
- auto dealerships and service establishments
- service establishments that are not obnoxious;
- banks;
- hotels and motel;
- public garages;
- restaurant and taverns;
- service stations and gas bars;
- all those uses permitted in the "Light Industrial One (M.1)" zone;
- one (1) apartment unit shall be permitted for an essential workman or caretaker within the main building.

11.4.34.2 b) The regulations for this "Industrial Commercial Special Zone No. 34 (MCSp 34)" are as follows:

- i) The minimum easterly side yard setback shall be Nil;
- ii) The minimum rear yard setback shall be four and two tenths (4.2) meters.

11.4.34.3 The use of land or buildings in this "Industrial Commercial Special Zone No. 34 (MCSp 34)" 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. 34 as shown on Schedule "D" to this By-law.

6) Section 11 of By-law No. 28-80 is further amended by inserting at the end thereof the following Section 11.4.35:

11.4.35 "Industrial Commercial Special Zone No. 35 (MCSp 35)"

11.4.35.1 The property description of this "Industrial Commercial Special Zone No. 35 (MCSp 35) is part of Lot 38 and 39 Plan 76 along Fisher Street in the City of North Bay as shown on the attached Schedules and Schedule "B-51"

11.4.35.2 a) No person shall use land, or use, erect, or construct any building or structure in this "Industrial Commercial Special Zone No. 35 (MCSp 35) " except for the following uses:

- warehousing, storage and retail sales of flooring and textile products;
- home renovations and improvement shops;
- auto dealerships and service establishments
- service establishments that are not obnoxious;
- banks;
- hotels and motel;
- public garages;
- restaurant and taverns;
- service stations and gas bars;
- all those uses permitted in the "Light Industrial One (M.1)" zone;
- one (1) apartment unit shall be permitted for an essential workman or caretaker within the main building.

11.4.35.2 b) The regulations for this "Industrial Commercial Special Zone No 35 (MCSp 35)" are as follows:

- i) The minimum rear yard setback shall be four and two tenths (4.2) meters.

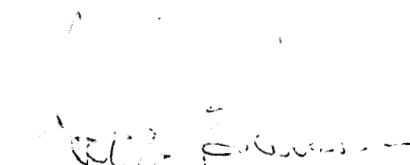
11.4.35.3 The use of land or buildings in this "Industrial Commercial Special Zone No. 35 (MCSp 35)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 7) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Industrial Commercial Special Zone No. 35 (MCSP 35)" as shown on Schedule "E" to this by-law.
- 8) a) Notice of this By-law shall be given by the Clerk in the manner and form and to the person prescribed by Regulation 920, R.R.O. 1990.
- b) Where no notice of appeal is filed with 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 are required by the Act is completed, setting out the objections 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.

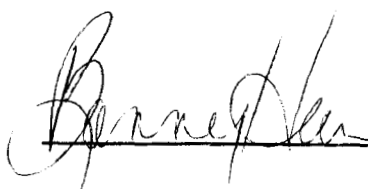
READ A FIRST TIME IN OPEN COUNCIL THE 3RD DAY OF JANUARY 1995

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF JANUARY 1995

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 30TH DAY
OF JANUARY 1995.



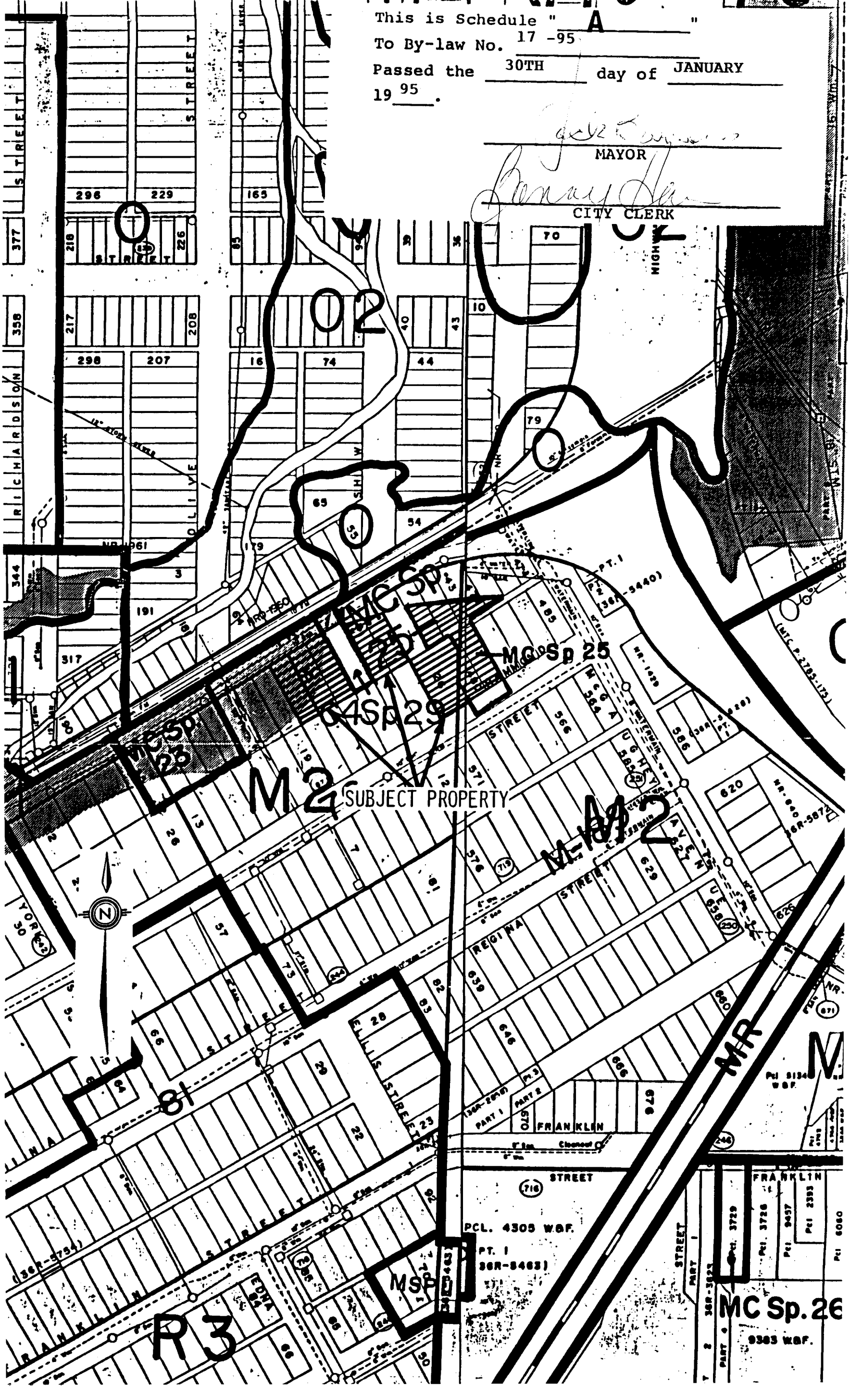
MAYOR



CITY CLERK

This is Schedule " A "
To By-law No. 17 -95
Passed the 30TH day of JANUARY
19 95.

[Signature]
MAYOR
[Signature]
CITY CLERK



SUBJECT PROPERTY

MC Sp. 25

MC Sp. 29

MC Sp. 25

MR

R3

MSP

MC Sp. 26
6305 WOF.

PCL. 4305 WOF.
PT. I
36R-8463

STREET PART I
PCL. 3729
PCL. 3726
PCL. 3457
PCL. 2393
PCL. 6080

This is Schedule " B "

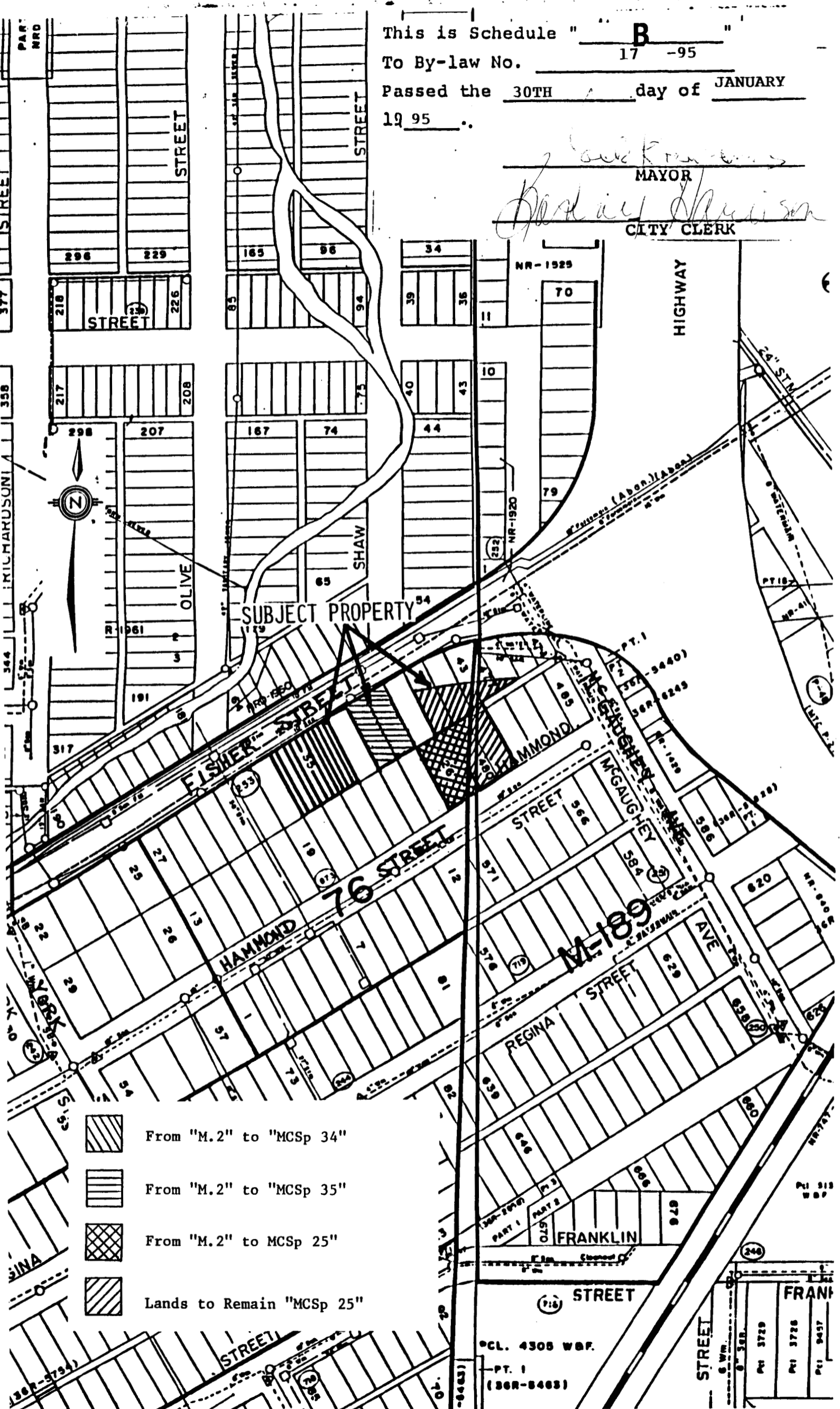
To By-law No. 17 -95





Passed the 30TH day of JANUARY

19 95 .

David K...
MAYOR

David Harrison
CITY CLERK



-  From "M.2" to "MCSp 34"
-  From "M.2" to "MCSp 35"
-  From "M.2" to MCSp 25"
-  Lands to Remain "MCSp 25"

PCL. 4308 W.B.F.
PT. I
(368-8465)

STREET
PT. 1
3729
3728
9437

This is Schedule " C "

To By-law No. 17-95

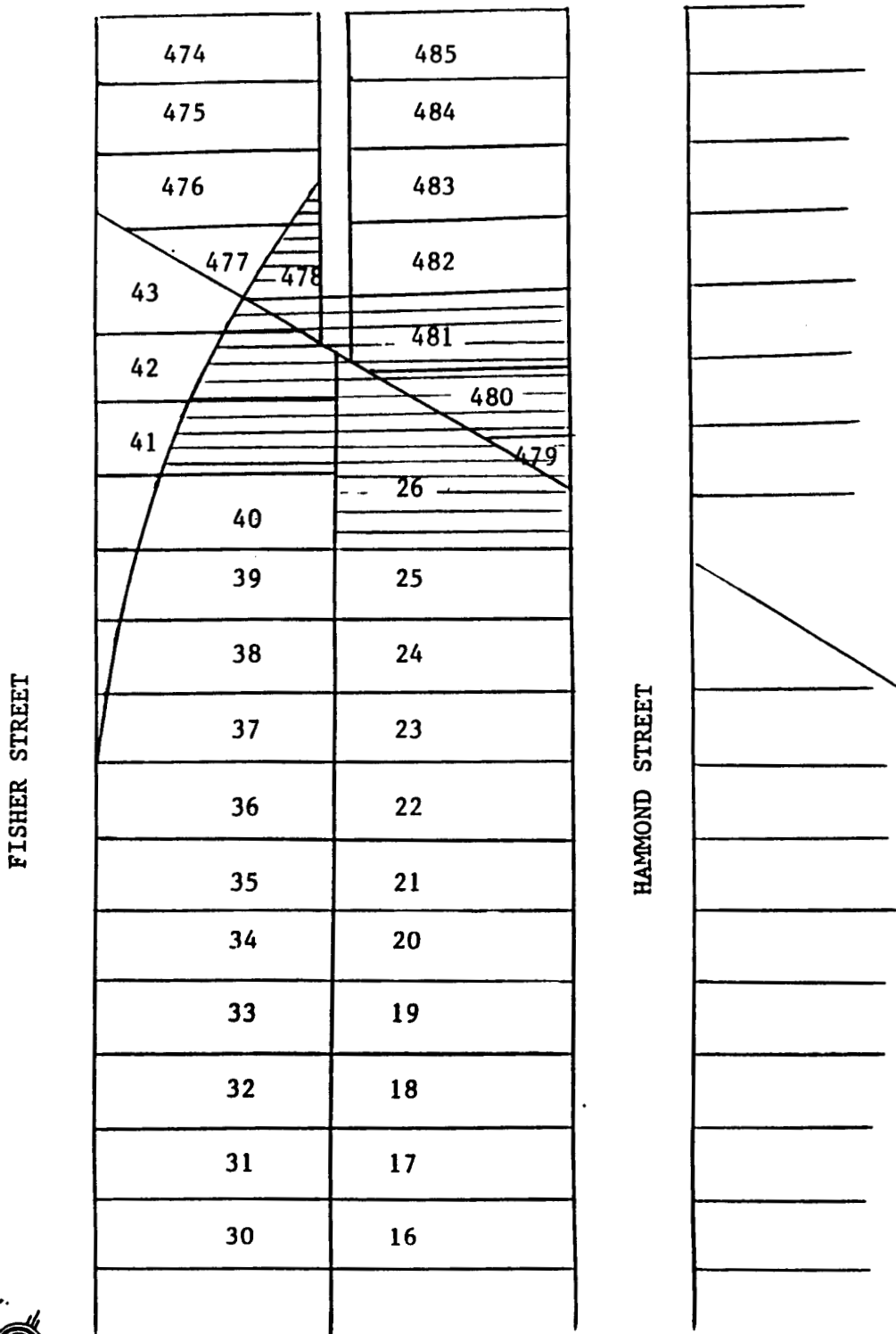
Passed the 30TH day of JANUARY

19 95.

[Signature]
MAYOR
[Signature]
CITY CLERK

SCHEDULE TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE
NO. 25 (MCSp. 25)"

McGAUGHEY AVENUE



FISHER STREET

HAMMOND STREET



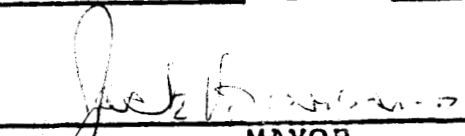
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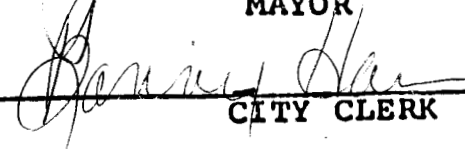
This is Schedule " D "

To By-law No. 17-95

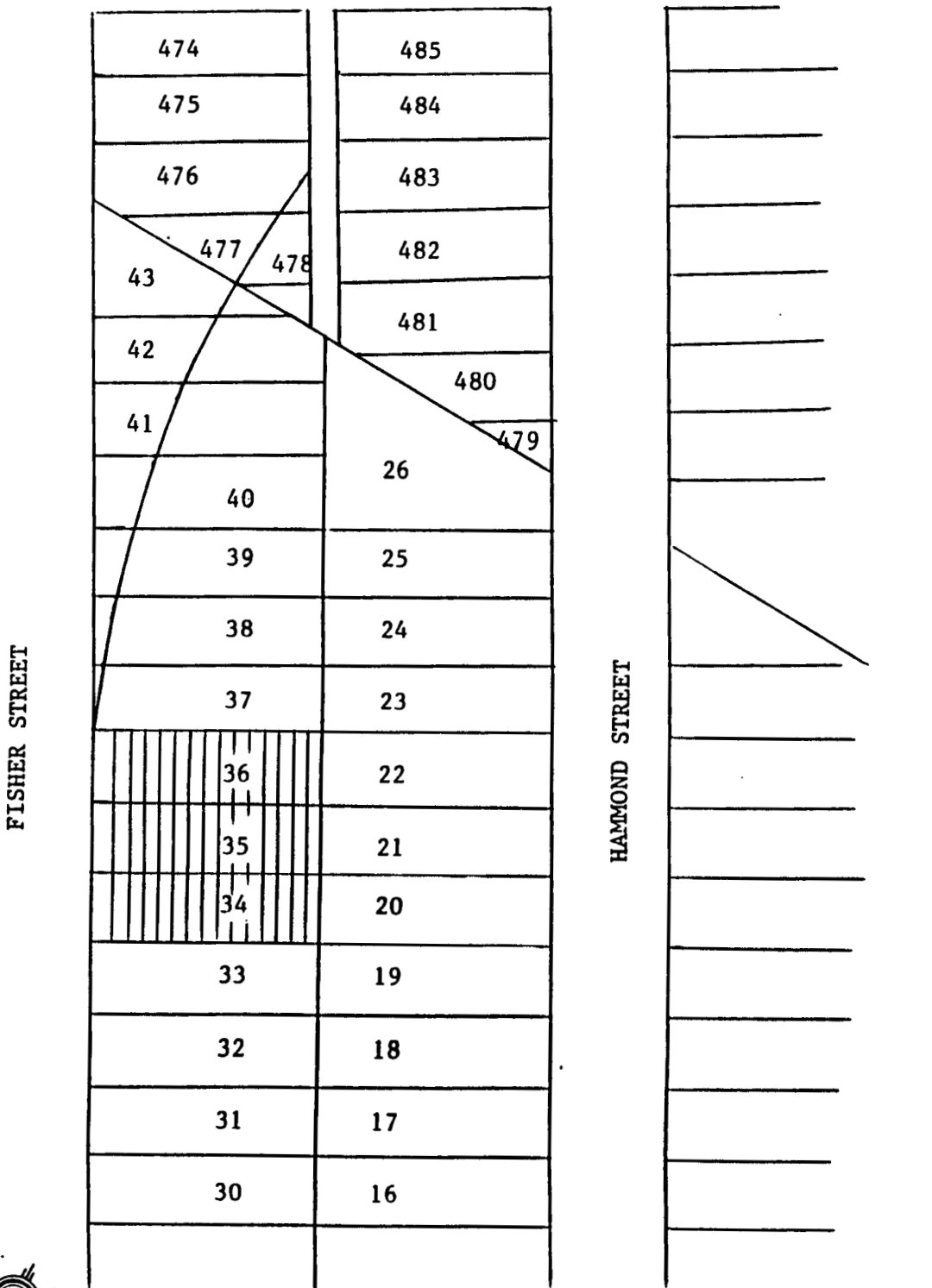
Passed the 30TH day of JANUARY

19 95 .


MAYOR


CITY CLERK

SCHEDULE TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE
NO. 34 (MCSp. 34)"
McGAUGHEY AVENUE



0 100
FEET

This is Schedule " E "

To By-law No. 17-95

Passed the 30TH day of JANUARY
1995.

[Signature]
MAYOR

[Signature]
CITY CLERK

SCHEDULE TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE
NO. 35 (MCSp. 35)"

McGAUGHEY AVENUE

