

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 61-89

A BY-LAW TO AMEND BY-LAW NO. 28-80 TO REZONE CERTAIN LANDS ON FERRIS DRIVE AND BIRCHS ROAD FROM A "LIGHT INDUSTRIAL CLASS 2(M.2)" AND A "LIGHT INDUSTRIAL CLASS 3(M.3)" TO AN "INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 16(MCSP.16)" (BRY-CO - 739047 ONTARIO LTD.)

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;

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 part of Part 1 Plan 36R-7682 along Ferris Drive and Birchs Road in the City of North Bay, shown as hatched on Schedule 'B' attached hereto) from a "Light Industrial Class 2(M.2)" and a "Light Industrial Class 3(M.3)" to an "Industrial Commercial Special Zone No. 16(MCSp.16)".
2. Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.4.16.

"11.4.16 "Industrial Commercial Special Zone No. 16(MCSp.16)"

- 11.4.16.1 The property description of this "Industrial Commercial Special Zone No. 16(MCSp.16)" is part of Part 1 Plan 36R-7682 along Ferris Drive and Birchs Road in the City of North Bay as shown on the attached Schedule and Schedule "B-82".

11.4.16.2 (a) No person shall use land, erect, or construct any building or structure in this "Industrial Commercial Special Zone No. 16 (MCSp.16)" except for the following uses:

Restaurant not to exceed two thousand(2,000) square Feet in gross floor space.

(b) The regulations for this "Industrial Commercial Special Zone No. 16(MCSp.16)" are as follows:

(i) The maximum gross floor area as a percent of lot area shall be ten (10) percent;

(ii) The minimum front yard setback shall be eighteen and two tenths (18.2) metres;

(iii) The minimum northerly side yard setback shall be twenty-five and six tenths (25.6) metres;

(iv) The minimum southerly side yard setback shall be nil (0);

(v) The minimum rear yard setback shall be nil (0).

11.4.16.3 The use of land or buildings in this "Industrial Commercial Special Zone No. 16(MCSp.16)" 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 "Industrial Commercial Special Zone No. 16(MCSp.16)" as shown on Schedule "C" to this By-law.

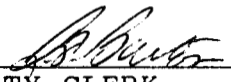
4.a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Ontario Regulation 404/83, not later than 15 days after the day this By-law is passed.

(b) Where no notice of appeal is filed with the Clerk of The Corporation of The City of North Bay within thirty-five (35) days from the passing of this By-law, 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 thirty-five (35) days from the passing of this By-law, 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 24 DAY OF APRIL, 1989.
READ A SECOND TIME IN OPEN COUNCIL THE 5TH DAY OF JUNE 1989.
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 5TH DAY
OF JUNE 1989.


DEPUTY MAYOR


CITY CLERK

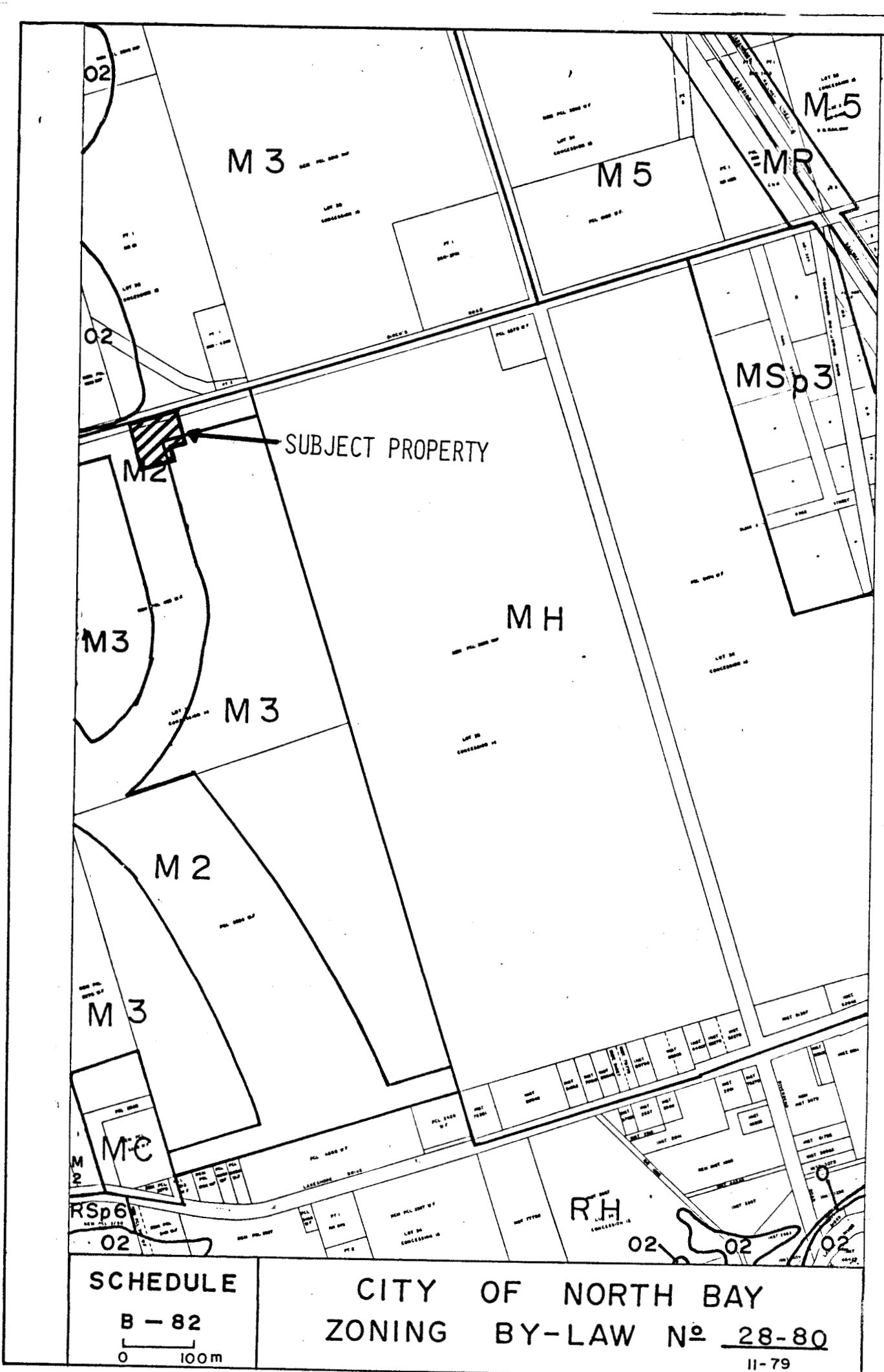
This is Schedule " A "

To By-law No. 61-89

Passed the 5TH day of JUNE,
19 89.

John Burrows
DEPUTY MAYOR

B. Hunter
CITY CLERK



This is Schedule " B "

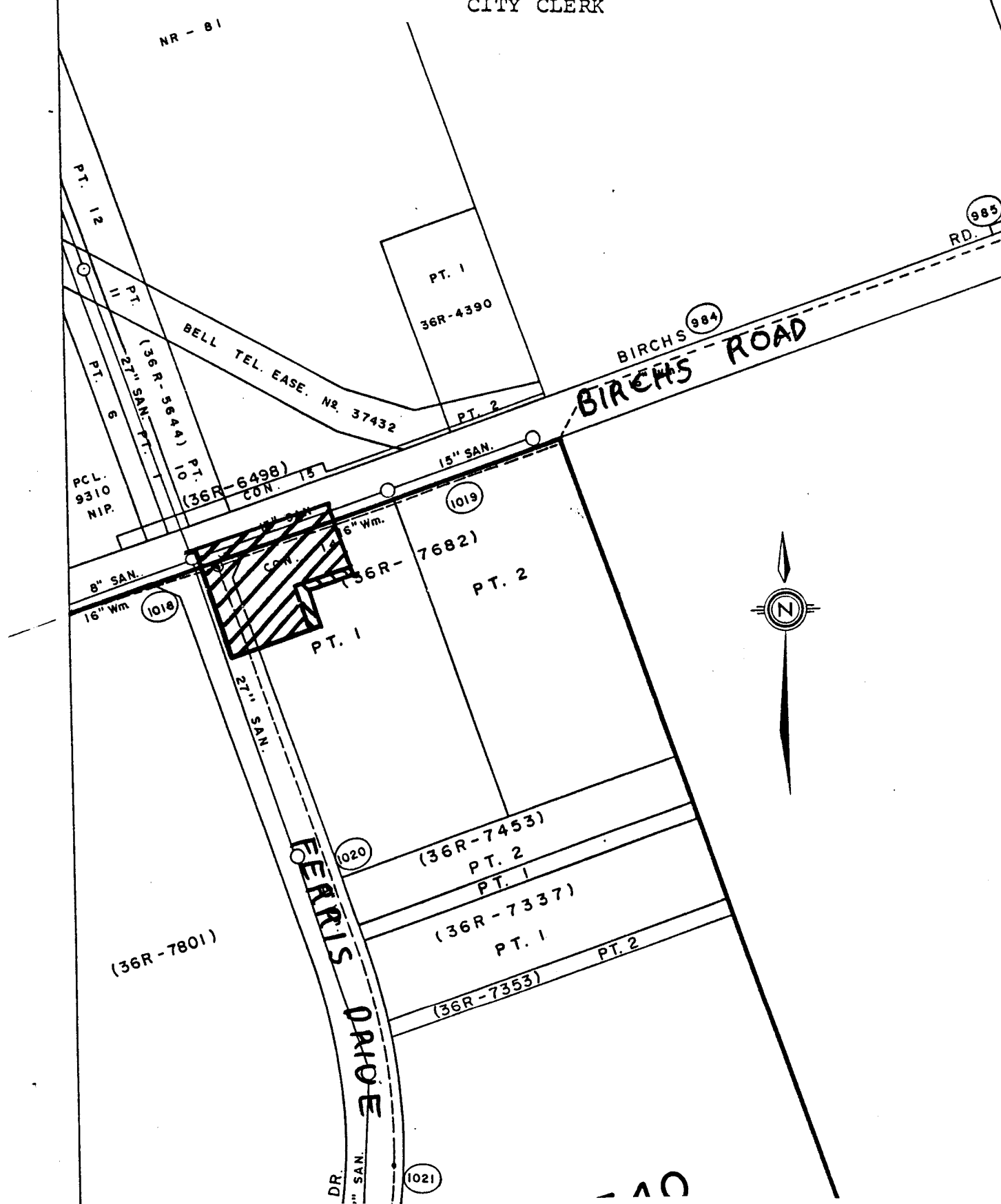
To By-law No. 61-89



Passed the 5TH day of JUNE 19 89 .

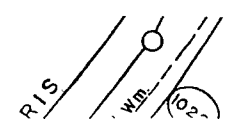
813 NIP.

Jacob Burrows
DEPUTY MAYOR

B. Butler
CITY CLERK



-  FROM "LIGHT INDUSTRIAL CLASS 2(M.2)" TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 16(MCSP.16)"
-  FROM "LIGHT INDUSTRIAL CLASS 3(M.3)" TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 16(MCSP.16)"

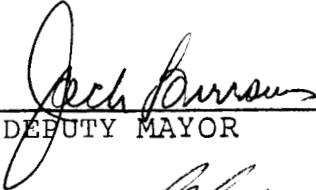


LOT 35

This is Schedule " C "

To By-law No. 61-89

Passed the 5TH day of JUNE ,
19 89 .


DEPUTY MAYOR


CITY CLERK

SCHEDULE TO "INDUSTRIAL COMMERCIAL SPECIAL ZONE NO. 16(MCSP.16)"

