

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 43-97**

**A BY-LAW TO AMEND BY-LAW NO. 28-80 TO  
REZONE CERTAIN LANDS ON MAIN STREET  
FROM A "LIGHT INDUSTRIAL TWO (M2)"  
ZONE TO A "LIGHT INDUSTRIAL THREE  
SPECIAL ZONE NO. 43 (M3 SP.43)"  
(SUPERIOR PROPANE INC./283652 ONTARIO  
LIMITED - 1366 MAIN STREET WEST)**

**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-41" of By-law No. 28-80 pursuant to Section 34 of the Planning Act R.S.O. 1990, as amended;

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

- 1) Schedule "B-41" 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 89, Part Lots 16 to 20, Plan 15, Part Lots 66 to 70, R.C.P. 4, Lots 2, 3, 4 including Plan 36R-10000, Part 1 and part of the unopened portions of the Main Street and Rock Street road allowances) along Main Street in the City of North Bay, shown as hatched on Schedules "B" & "C" attached hereto from a "Light Industrial Two (M2)" zone to a "Light Industrial Three Special Zone No. 43 (M3 Sp.43)".
- 2) Section 11 of By-law No. 28-80 is amended by inserting at the end thereof the following Section 11.4.43:  
  
"11.4.43 "Light Industrial Three Special Zone No. 43 (M3 Sp.43)"  
  
11.4.43.1 The property description of this "Light Industrial Three Special Zone No. 43 (M3 Sp.43)" is Plan 89, Part Lots 16 to 20, Plan 15, Part Lots 66 to 70, R.C.P. 4, Lots 2, 3, 4 including Plan 36R-10000, Part 1 and part of the unopened portions of the Main Street and Rock Street road allowances along Main Street in the City of North Bay as shown on the attached Schedules and Schedule "B-41".

11.4.43.2a) No person shall use land or use, erect, or construct any building or structure in this “Light Industrial Three Special Zone No. 43 (M3 Sp.43)” except for the following uses:

- Those uses permitted in a “Light Industrial Two (M2)” zone requiring outdoor storage.
- The use of land, building or structure designed for the purpose of manufacturing, assembling, processing, preparing, inspecting or ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substances or things, and the storage of building and construction equipment and materials where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This does not include forest product industries, metal fabricating, refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, pit, quarry or oil wells.
- Bulk sales establishments;
- heavy equipment sales and service;
- heavy equipment storage;
- warehouse and storage uses;
- administrative offices associated with and integral with the main use;
- one (1) apartment unit within the main building for an essential workman or caretaker;
- outdoor storage is permitted, subject to the provisions of Section 7.4.2.5.

11.4.43.2b) The regulations for this “Light Industrial Three Special Zone No. 43 (M3 Sp.43)” are as follows:

- i) the minimum front yard setback for any building or structure contained within Lot 66, Plan 15 shall be seven and six-tenths (7.6) metres;

- ii) the minimum exterior side yard setback for any building or structure contained within Lot 66, Plan 15 shall be six and five-tenth (6.5) metres.

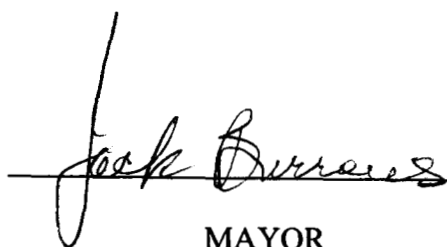
11.4.43.3 The use of land or building in this "Light Industrial Three Special Zone No. 43 (M3 Sp.43)" shall conform to all other regulations of this By-law, except as hereby expressly varied."

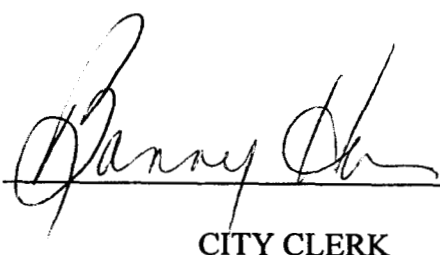
- 3) Section 11 of By-law No. 28-80 is further amended by inserting "Schedule to Light Industrial Three Special Zone No. 43 (M3 Sp.43)" as shown on Schedule "C" to this By-law.
- 4)
  - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 199/96.
  - 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, this 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 23RD DAY OF JUNE  
199 7.

READ A SECOND TIME IN OPEN COUNCIL THE 21ST DAY OF JULY  
199 7.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21ST DAY  
OF JULY 199 7.

  
MAYOR

  
CITY CLERK

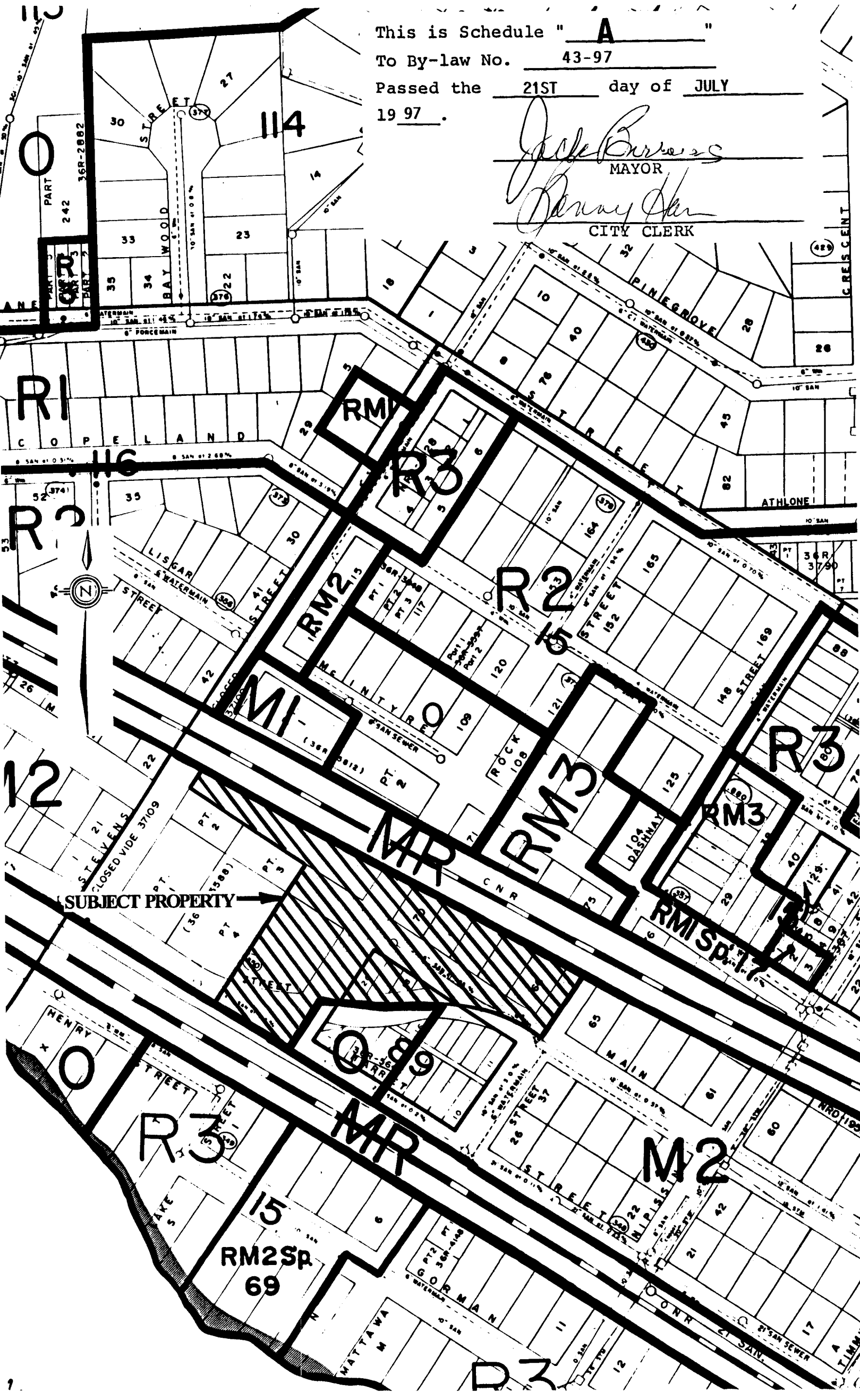
This is Schedule " A "

To By-law No. 43-97

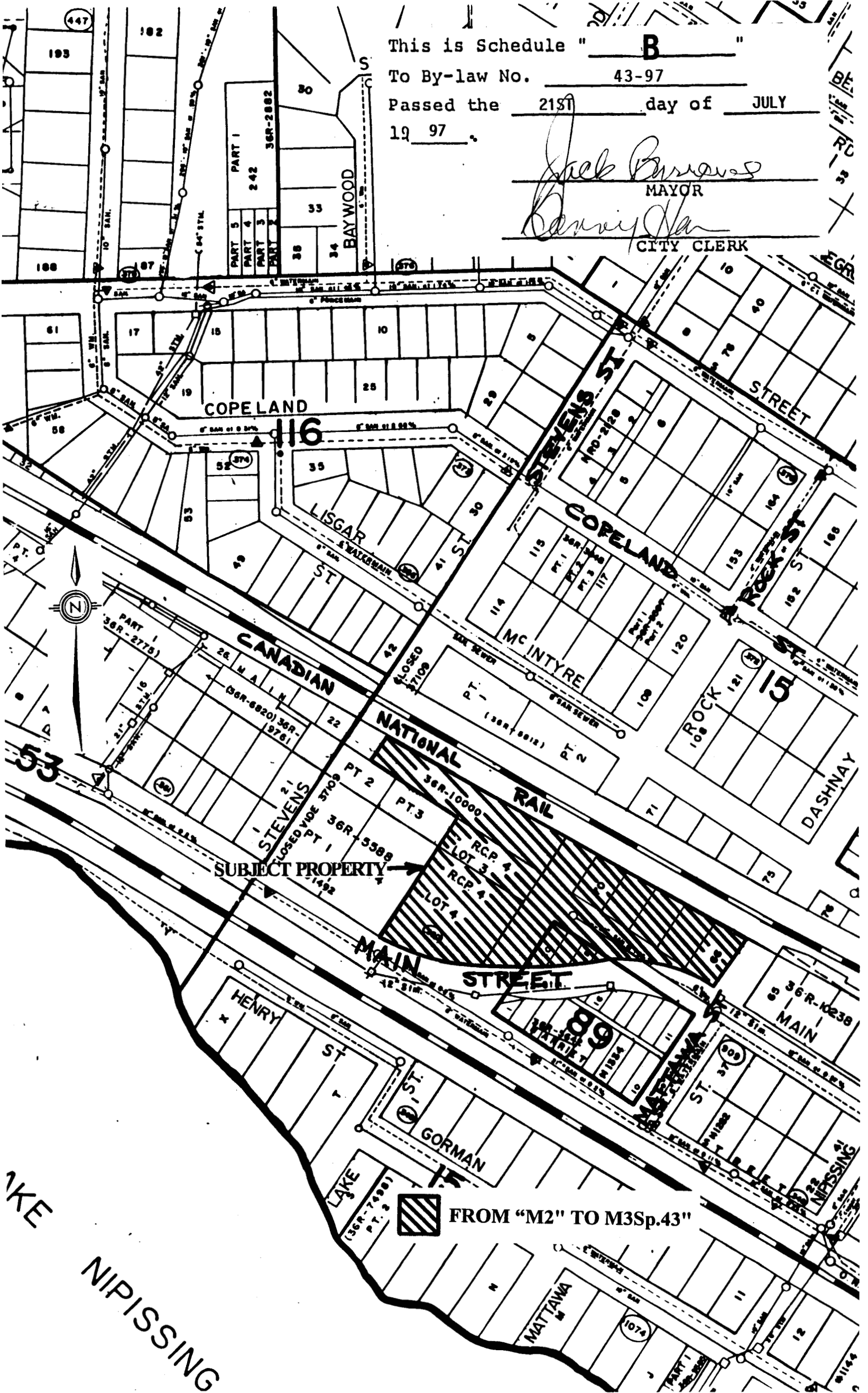
Passed the 21ST day of JULY  
19 97 .

*Jack Burrows*  
MAYOR

*Barney Sker*  
CITY CLERK



**CITY CLERK**



This is Schedule " C "

To By-law No. 43-97

Passed the 21ST day of JULY  
19 97 .

[Signature]  
MAYOR

[Signature]  
CITY CLERK

SCHEDULE TO "LIGHT INDUSTRIAL THREE SPECIAL ZONE NO. 43 (M3 Sp.43)"

