

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

**BY-LAW NO. 2012-36**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 28-80  
TO REZONE CERTAIN LANDS ON MAIN STREET WEST  
TO EXPAND THE LIST OF PERMITTED USES IN A  
“LIGHT INDUSTRIAL THREE SPECIAL ZONE NO. 37 (M3 SP.37)”**

**(SOUTHSHORE INVESTMENTS INC. – 1704 TO 1730 MAIN STREET WEST)**

**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 Schedules “B-40” and “B-41” 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 March 19<sup>th</sup>, 2012 to approve this rezoning.

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

- 1) Schedules “B-40” and “B-41” of By-law No. 28-80 are amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as Plan No. M-36, Lots 83 to 85, 90 to 93, 98 to 100, Part Lots 81, 82, 94 to 97, 112 to 115, Reference Plan No. 36R-2791, Parts 2 & 4, and Reference Plan No. 36R-2583, Parts 1 & 5, known locally as 1704 to 1730 Main Street West in the City of North Bay), shown as hatched on Schedule “B” attached hereto.
- 2) Section 11 of the By-law Number 28-80 is amended by adding the following to Section 11.4.37:
  - “11.4.37 “Light Industrial Three Special Zone No. 37 (M3 Sp.37)”
  - 11.4.37.1 The property description of this “Light Industrial Three Special Zone No. 37 (M3 Sp.37)” is Plan No. M-36, Lots 83 to 85, 90 to 93, 98 to 100, Part Lots 81, 82, 94 to 97, 112 to 115, Reference Plan No. 36R-2791, Parts 2 & 4, and Reference Plan No. 36R-2583, Parts 1 & 5, known locally as 1704 to 1730 Main Street West in the City of North Bay, as shown on the attached Schedule “A” and on Schedules “B-40” and “B-41” of By-law No. 28-80.
  - 11.4.37.2 a) The regulations for this “Light Industrial Three Special Zone No. 37 (M3 Sp.37)” are as follows:
    - i) The permitted uses shall be limited to the following:
      - Those uses permitted in a Light Industrial Two (M2) zone.
      - 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, refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, pit, quarry or oil wells, but includes:

- Auto Dealerships and Service Establishments
- Body shop
- Bulk sales establishments
- Data processing firm
- Garden centre
- Heavy Equipment Sales and Service
- Heavy Equipment Storage
- Recreational Vehicle and Equipment Sales and Service
- Repair garage
- Self Storage Uses
- Transportation & Communications, Utility Yards, Terminals
- Warehouse and Storage Uses
- Administrative offices or day nursery or both associated with and integral with the main use.
- One (1) apartment unit within the main building for an essential worker, owner/operator or caretaker.
- Outdoor storage is permitted, subject to the provisions of Section 7.4.2.5 of the City of North Bay's Zoning By-law.

11.4.37.2 b) The special component of the Zoning By-law amendment would limit the permitted uses to the foregoing and would recognize existing deficiencies in the front yard setback from 13.5 metres to the existing 11.0 metres; and the exterior (easterly) side yard setback from 7.0 metres to the existing 3.0 metres.

11.4.37.3 The use of land or building in this "Light Industrial Three Special Zone No. 37 (M3 Sp.37)" shall conform to all other regulations of this By-law except as hereby expressly varied."

- 3) Pursuant to Section 41 of the Planning Act, R.S.O, 1990 as amended, those lands shown as hatched on Schedule "B" attached hereto are hereby designated a Site Plan Control Area.
  
- 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 6 of O. Reg. 545/06 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 FIRST TIME IN OPEN COUNCIL THE 19TH DAY OF MARCH 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 19TH DAY OF MARCH 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6 TH DAY OF APRIL 2012.

**"original signature on file"**

---

MAYOR ALLAN MCDONALD

**"original signature on file"**

---

DEPUTY CITY CLERK KAREN MCISAAC

This is Schedule "A"

To By-law No. 2012-36

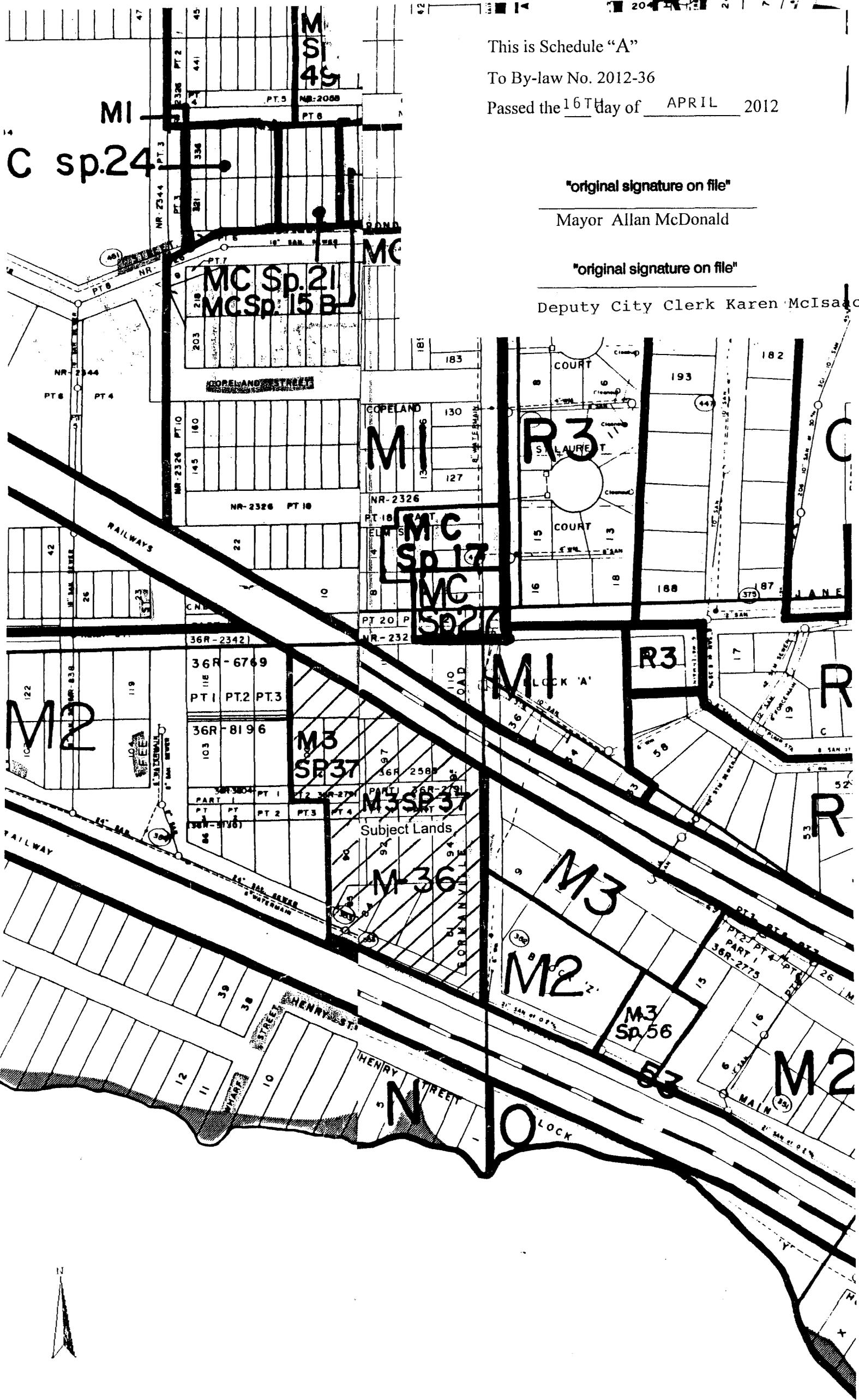
Passed the 16<sup>th</sup> day of APRIL 2012

"original signature on file"

Mayor Allan McDonald

"original signature on file"

Deputy City Clerk Karen McIsaac



C sp.24

MC Sp.21  
MC Sp.15 B

MC Sp.17  
MC Sp.21

M3 Sp.37

M3 Sp.37  
Subject Lands

M2

M3 Sp.56

M2

This is Schedule "B"

To By-law No. 2012-36

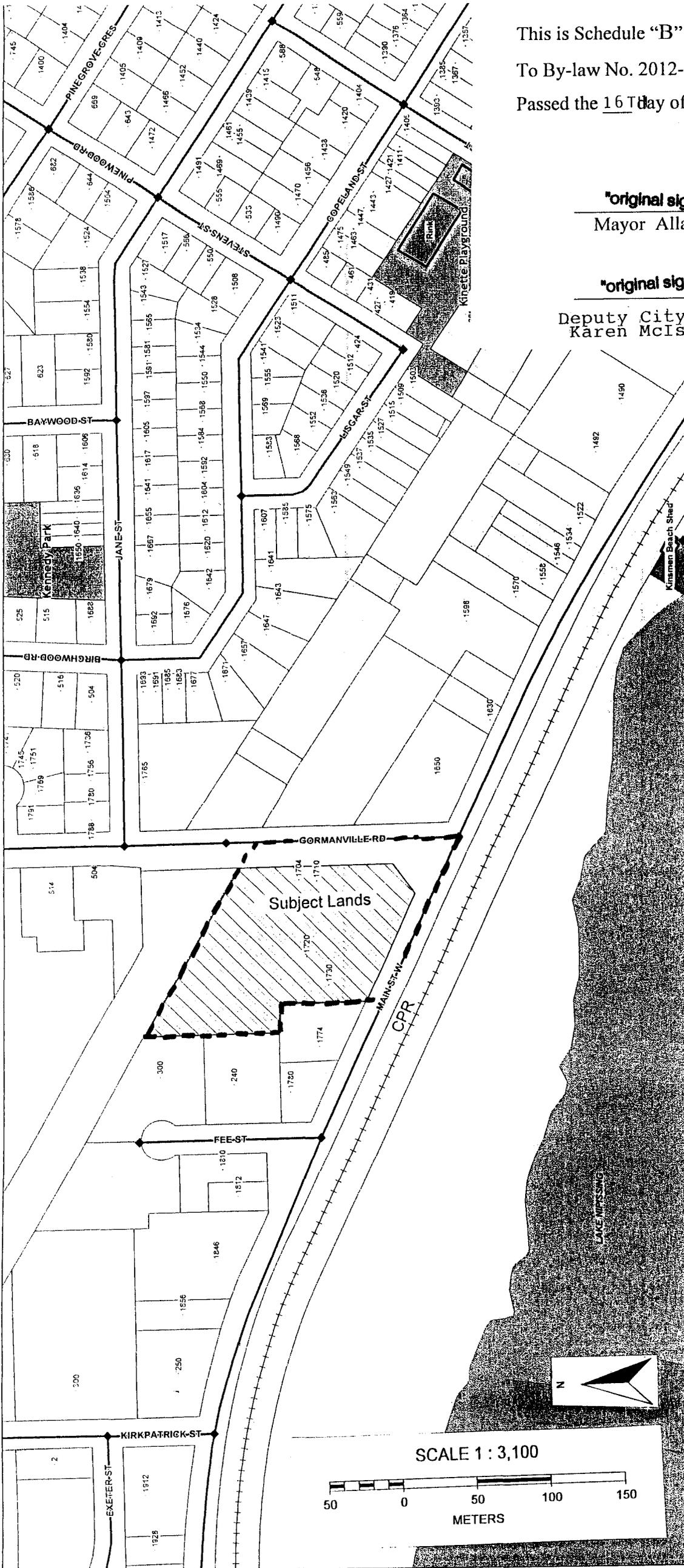
Passed the 16<sup>th</sup> day of APRIL 2012

"original signature on file"

Mayor Allan McDonald

"original signature on file"

Deputy City Clerk  
Karen McIsaac



This is Schedule "C"

To By-law No. 2012-36

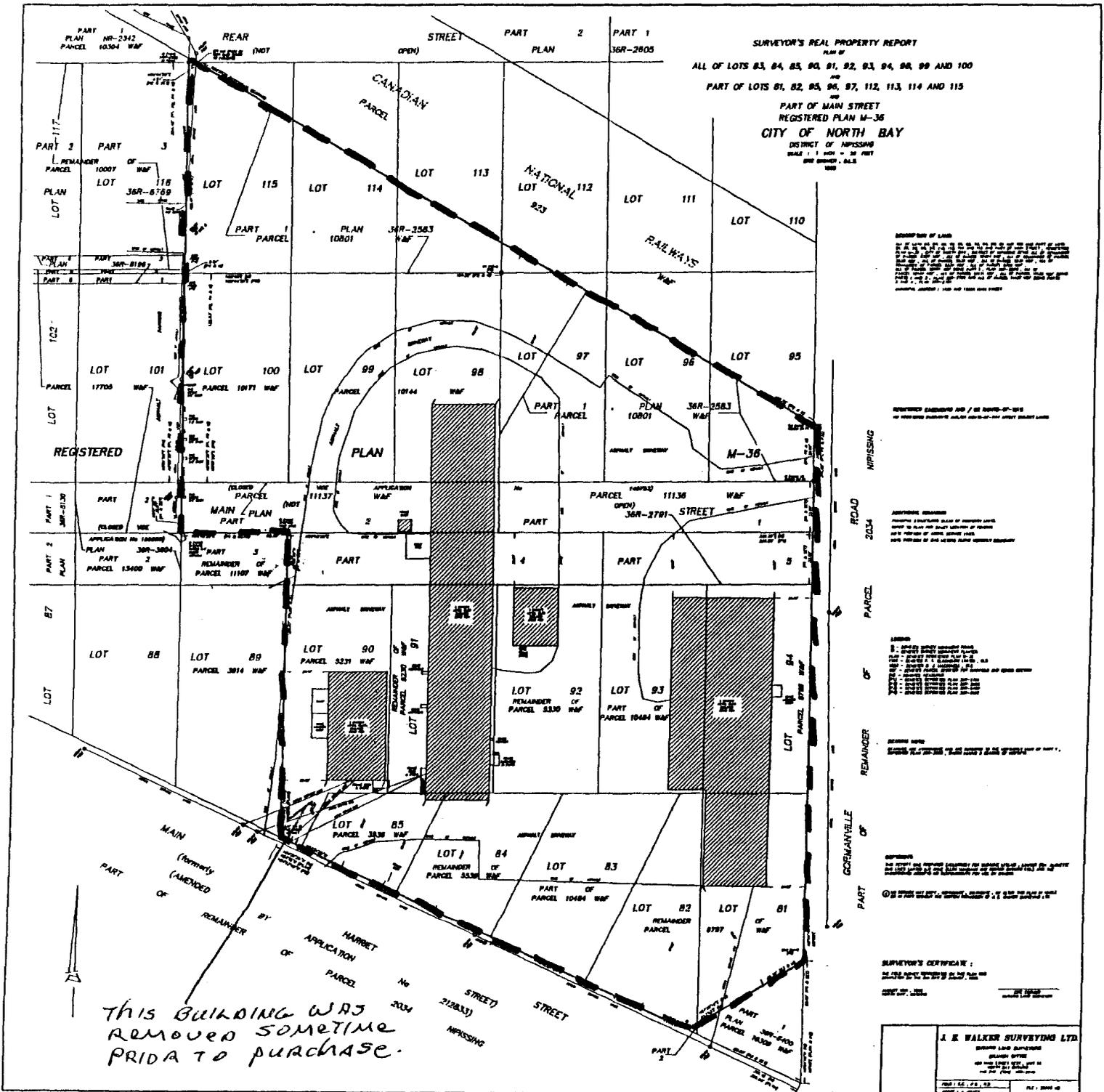
Passed the 16<sup>TH</sup> day of APRIL 2012

"original signature on file"

Mayor Allan McDonald

"original signature on file"

Deputy City Clerk Karen McIsaac



CERTIFIED TRUE COPY OF SURVEY

*[Handwritten Signature]*, OLS