

The Corporation of the City of North Bay

By-Law No. 2022-31

A By-Law to Amend Zoning By-Law No. 2015-30 to Include New Definitions and Technical Changes.

Whereas a review of the Zoning By-Law No. 2015-30 has found required changes and new definitions are required;

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 held at least one public meeting after due notice for the purpose of informing the public of this by-law;

And Whereas the Council has deemed it desirable to amend the text and zone designations of By-Law No. 2015-30 as indicated herein, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

And Whereas Council passed Community Services Committee Report 2022-05 adopted by Council on March 22, 2022 by Resolution No. 2022-___ to approve this amendment to Zoning By-Law No. 2015-30.

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

Definitions

- 1) Section 2 of Zoning By-Law No. 2015-30 is amended by adding the following definitions, in alphabetical order, within the existing definitions:
 - a. **"Brewery, Micro** – An establishment which is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of 50,000 hectolitres or less of beer or similar beverages per year as authorized by a license issued by the Alcohol and Gaming Commission of Ontario.
 - b. **Brewery, Manufacturing** – A building or structure which is used for the self-contained manufacturing, production, storage, bottling, canning and shipping of 50,000 hectolitres or more of beer or similar beverages per year as authorized by a license issued by the Alcohol and Gaming Commission of Ontario.
 - c. **Distillery, Micro** – An establishment that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of 9,000 hectolitres or less of alcohol (not beer) per year as authorized by the Alcohol and Gaming Commission of Ontario.
 - d. **Distillery, Manufacturing** – An establishment that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of 9,000 hectolitres or more of alcohol (not beer) per year as authorized by the Alcohol and Gaming Commission of Ontario.

- e. **Pet Grooming** – An establishment used for the washing, clipping, drying and grooming of domesticated animals. Pet Grooming does not include Pet Daycare facilities and the keeping of animals overnight.
- 2) Section 2 of Zoning By-Law No. 2015-30 is amended by amending the definition of “Setback” to include the add the following additional sentence:
- “... unless the closest wall is permitted to encroach under Section 3.15”
- 3) Section 2 of Zoning By-Law No. 2015-30 is amended by deleting the following definition in entirety:
- “Floor area, commercial:** The sum of the areas of all floors of a building or part thereof used for commercial purposes measured between the internal faces of the exterior walls, excluding the furnace room, laundry room, washrooms, stairwell and elevator shaft.”

Section 3 - General Provisions

- 4) Section 3.43.1.1 of Zoning By-Law No. 2015-30 is amended by adding the following words at the end of the last sentence”
- “and not encroach upon the Municipal Road Allowance.”
- 5) Section 3 of Zoning By-Law No. 2015-30 is amended by deleting Section 3.43.1.3 in its entirety.

Section 4- Parking and Loading Space Provisions

- 6) Section 4 of Zoning By-Law No. 2015-30 is amended by updating the Required Parking Space by Use table in Section 4.13, as follows:

Use	Minimum Parking Required
Office, Non-Profit Use.	1 parking space per 30m ² of total floor area .
Hotel	1 parking space for each guest room, plus the required number of parking for any on-site restaurant or bar provided in accordance with regulations of this By-law.
Commercial Use in any Commercial Zone except C1 or C2, unless otherwise specified.	1 parking space for every 30m ² of floor area .

Section 5 – Residential Zones

- 7) Table 5B (Low Density Residential Regulations) is amended reducing the rear yard to 7.5m for all residential zones except R6 (Stacked Townhouse and Street Front Townhouse).
- 8) Table 5B Special Provision 5 is deleted in its entirety.
- 9) Table 5B (Low Density Residential Regulations) is amended by increasing the lot coverage for R1, R2 and R3 zones, for all permitted uses to 45%, increase the R5 zone for a 1 storey semi-detached dwelling, duplex and triplex to 45%, increase the R6 zone for a semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling and a cluster townhouse to 45%.
- 10) Special Provisions for Table 5B (Low Density Residential Regulations) is amended to by deleting special provision 1 and replacing it with the following:
1. For every additional **storey** or part thereof above the first, an additional 0.6m will be added to required setback of that storey.

Section 6- Commercial Zones

- 11) Table 6A is amended by adding the following permitted uses, in alphabetical order:

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Brewery, Micro	X	X	X	X	X	X	X	X	X
Distillery, Micro	X	X	X	X	X	X	X	X	X
Pet Grooming	X	X	X	X	X	X	X	X	X

Section 7- Industrial Zones

- 12) Table 7A is amended by adding the following permitted uses, in alphabetical order:

Use	M1	M2	M3	M4	MC	MR	MBP
Brewery, Micro	X	X		X (3)	X		
Brewery, Manufacturing	X	X		X (3)			
Distillery, Micro	X	X		X (3)	X		
Distillery, Manufacturing	X	X		X (3)			

Section 10 – Rural Zones

- 13) Table 10B – Permitted Non-Residential Uses and Regulations is amended by amended by changing the required lot frontage for the “Rural Residential Lakefront (RRL)” and the “Rural Residential Estate (RRE)” zones from 61 metres to 60 meters:

Schedules

- 14) Schedule B-84 is amended to rezone a portion of property abutting Pinewood Park Drive from Institutional (N) to Arterial Commercial (C6), as shown below in the blue hatched area:



- 15) Notice of the passing of this By-Law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06, as amended.
- 16) Any notice of appeal of this By-Law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Schedule. 6.
- 17) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 16 of this By-Law, then this By-Law shall be deemed to have come into force on the day it was passed.

18) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 16 of this By-law, then this By-Law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, 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 22nd Day of March 2022.

Read a Second Time in Open Council the 22nd Day of March 2022.

Read a Third Time in Open Council and Passed this 22nd Day of March 2022.

Mayor Allan McDonald

City Clerk Karen McIsaac