

The Corporation of the City of North Bay

By-Law No. 2023-023

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Marsh Drive from a “Rural (A)” Zone to a “Restricted Industrial Special No. 56 (M4 Sp.56)” Zone and a “Restricted Industrial Special No.56 Holding (M4 Sp.56H)” Zone

Pioneer Construction Ltd. – 500 Marsh Drive

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 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 “C1” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Community Services Committee Report _____ adopted by Council on February 14, 2023, by Resolution No. _____ to approve this rezoning;

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

- 1) Schedule “C-1” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49127-0119 (LT) PCL 826 SEC WF; N ½ LT 19 CON 2 WIDDIFIELD; NORTH BAY ; DISTRICT OF NIPISSING and known locally as 500 Marsh Drive in the City of North Bay), shown as hatched on Schedule “A” attached hereto from a “Rural (A)” zone to a “Restricted Industrial Special No.56 (M4 Sp.56)” zone and a “Restricted Industrial Special No.56 Holding (M4 Sp.56H)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Restricted Industrial Special No.56 (M4 Sp.56)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.
- 3) The Holding Zone provision shall be applied to the lands zoned “Restricted Industrial Special No.56 Holding (M4 Sp.56H)”. Prior to the removal of the holding

zone provisions, or to allow any specific permitted use, the following conditions must be satisfied:

- a. The applicant shall provide an Environmental Impact Study demonstrating that there shall be no adverse effect on the natural heritage features present on the property and in the area.
- 4) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following Section 11.3.56:

"11.3.56 "Restricted Industrial Special No.56 (M4 Sp.56)" and "Restricted Industrial Special No.56 Holding (M4 Sp.56H)"

11.3.56.1 The property description of this "Restricted Industrial Special No.56 (M4 Sp.56)" and "Restricted Industrial Special No.56 Holding (M4 Sp.56H)" is PIN 49127-0119 (LT) PCL 826 SEC WF; N ½ LT 19 CON 2 WIDDIFIELD; NORTH BAY ; DISTRICT OF NIPISSING along Marsh Drive in the City of North Bay as shown on the attached Schedule and on Schedule "C-1".

11.3.56.2 No person shall use land, or use, erect, or construct any building or structure in this "Restricted Industrial Special No.56 (M4 Sp.56)" except for the following uses:

 - Soil Management Site
 - All those uses permitted by Zoning By-law 2015-30 in a "Restricted Industrial (M4)" zone

11.3.56.3 The use of land or building in this "Restricted Industrial Special No.56 (M4 Sp.56)" shall conform to all other regulations of this By-law, except as hereby expressly varied.

11.3.56.4 No development or site alteration is permitted within the "Restricted Industrial Special No.56 Holding (M4 Sp.56H)" until such time the Holding Zone is removed in accordance with By-law 2023-23"
- 5) Section 11 of By-law No. 2015-30 is further amended by inserting "Restricted Industrial Special No.56 (M4 Sp.56)" and "Restricted Industrial Special No.56 Holding (M4 Sp.56H)" as shown on Schedule "A" to this By-law.

- 6) 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.
- 7) 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, Sched. 6.
- 8) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 7 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 9) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 7 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 14th Day of February 2023.

Read a Second Time in Open Council the 14th Day of February 2023.

Read a Third Time in Open Council and Passed this 14th Day of February 2023.

Mayor Peter Chirico

Deputy City Clerk Veronique Hie

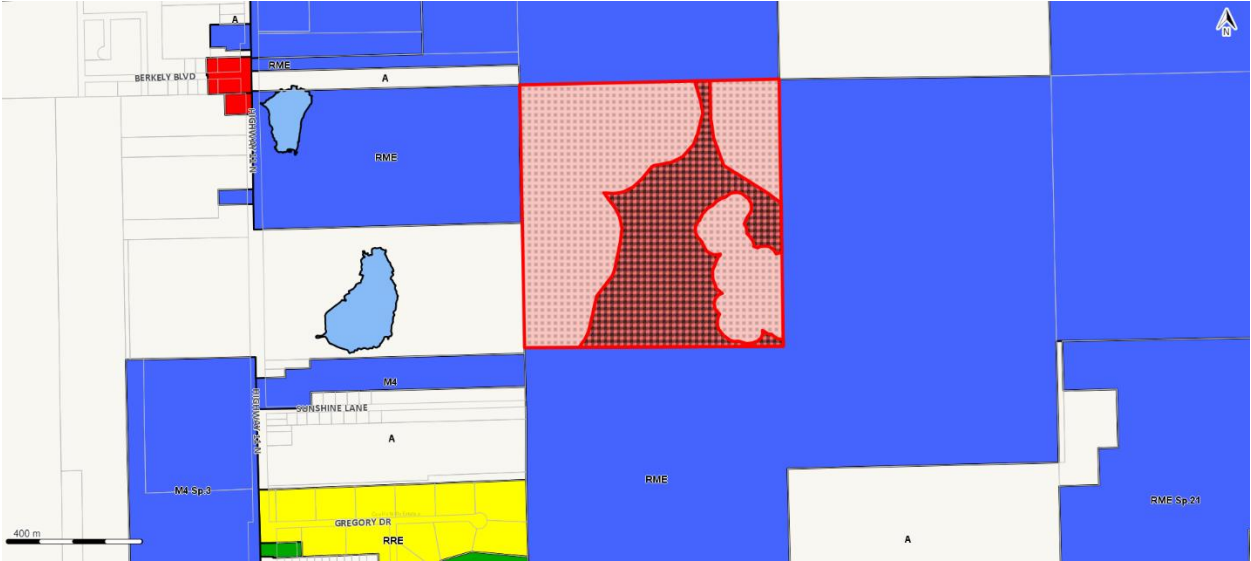
Schedule A

This is Schedule “A”
To By-law No. 2023-023



Passed the 14th day of February, 2023

Mayor Peter Chirico

Deputy City Clerk Veronique Hie



Legend

-  - From a “Rural (A)” Zone to a “Restricted Industrial Special No.56 (M4 Sp.56)” zone
-  - From a “Rural (A)” Zone to a “Restricted Industrial Special No.56 Holding (M4 Sp.56H)” zone