

# The Corporation of the City of North Bay

## By-Law No. 2019-76

### A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Cedar Heights Road from a “Residential Holding (RH)” Zone to a “General Industrial Special No. 54 Holding (M2 Sp. 54H)” Zone

#### Millford Development Limited – Cedar Heights Road

**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 “B-22” & “B-32” 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 Committee Report 2019-10 adopted by Council on September 3, 2019 by Resolution Number 2019-352 to approve this rezoning;

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

- 1) Schedule “B-22” & “B-32” 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 49127-0536 (LT), PCL 975 SEC NIP; PT LT 22 CON A Widdifield Being the W One Hundred Acres of the E ½; North Bay; District of Nipissing PIN 49127-0537 (LT) PCL4375 SEC NIP; PT LT 22 CON A Widdifield Being the E Sixty-One Acres; North Bay; District of Nipissing, shown as hatched on Schedule A attached hereto from a “Residential Holding (RH)” zone to a “General Industrial Special No. 54 Holding (M2 Sp. 54H)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “General Industrial Special No. 54 Holding (M2 Sp. 54H)” zone shall conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.

3) Section 11 of By-law No. 2015-30 is amended by inserting at the end thereof the following section 11.3.54:

“11.3.54 “General Industrial Special No. 54 Holding (M2 Sp. 54H)”

11.3.54.1 The property description of this “General Industrial Special 54 Holding (M2 Sp. 54H)” is PIN 49127-0536 (LT), PCL 975 SEC NIP; PT LT 22 CON A Widdifield Being the W One Hundred Acres of the E ½; North Bay; District of Nipissing PIN 49127-0537 (LT) PCL4375 SEC NIP; PT LT 22 CON A Widdifield Being the E Sixty-One Acres; North Bay; District of Nipissing along Cedar Heights Road in the City of North Bay as shown on the attached Schedule and on Schedule “B-22” & “B-32” to Zoning By-law No. 2015-30.

11.3.54.2 No person shall use land, or use, erect, or construct any building or structure in this “General Industrial Special No. 54 Holding (M2 Sp. 54H)” zone except for the following uses:

- Courier Distribution Depot;
- Data Storage & Processing Firm;
- Industrial Equipment Sales, Service, and Leasing Establishments;
- Industrial Class 1;
- Industrial Class 2;
- Laboratory;
- Post-Secondary Institution;
- Recreational Facility;
- Transportation Terminal;
- Warehouse; and
- Wholesale Uses.

11.2.54.3 The use of land or building in this “General Industrial Special No. 54 Holding (M2 Sp. 54H)” zone shall conform to all other regulations of this By-law, except as hereby expressly varied.”

4) The Holding Zone provision shall be applied to the lands zoned M2 Sp. 54. Prior to the removal of the holding zone provisions by By-law, or to allow any specific permitted use, the following conditions must be satisfied:

- a) Specific mitigation measures for individual developments are identified and approved by the City of North Bay. Mitigation measures will be incorporated into a Site Plan Control Agreement;

- b) A Species at Risk evaluation is completed and accepted;
- c) A Traffic Study is completed and accepted; and
- d) Municipal sewer and water shall either be extended to the subject property or the City and the developed have entered into an agreement to extend municipal sewer and water to the subject property.

Provided the above conditions have been satisfied, and all agreements executed, the holding zone provisions shall be removed with respect to any portion of the subject lands which shall be set out in the holding zone removal by-law.

The holding zone provisions may also be removed to allow any specific use or uses permitted on the subject lands provided such uses are set out in the holding zone removal by-law.

- 5) Section 11 of By-law No. 2015-30 is further amended by inserting "General Industrial Special No. 54 Holding (M2 Sp. 54H)" as shown on Schedule "B" to this By-law.
- 6)
  - a) 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.
  - b) 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 *Local Planning Appeal Tribunal Act*, S.O. 2017, c. 23, Sched. 1.
  - c) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 5 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.

- d) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 5 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 10th Day of September 2019.**

**Read a Second Time in Open Council the 10th Day of September 2019.**

**Read a Third Time in Open Council and Passed this 10th Day of September 2019.**

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**Deputy Mayor, Tanya Vrebosch**

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**City Clerk Karen Mclsaac**

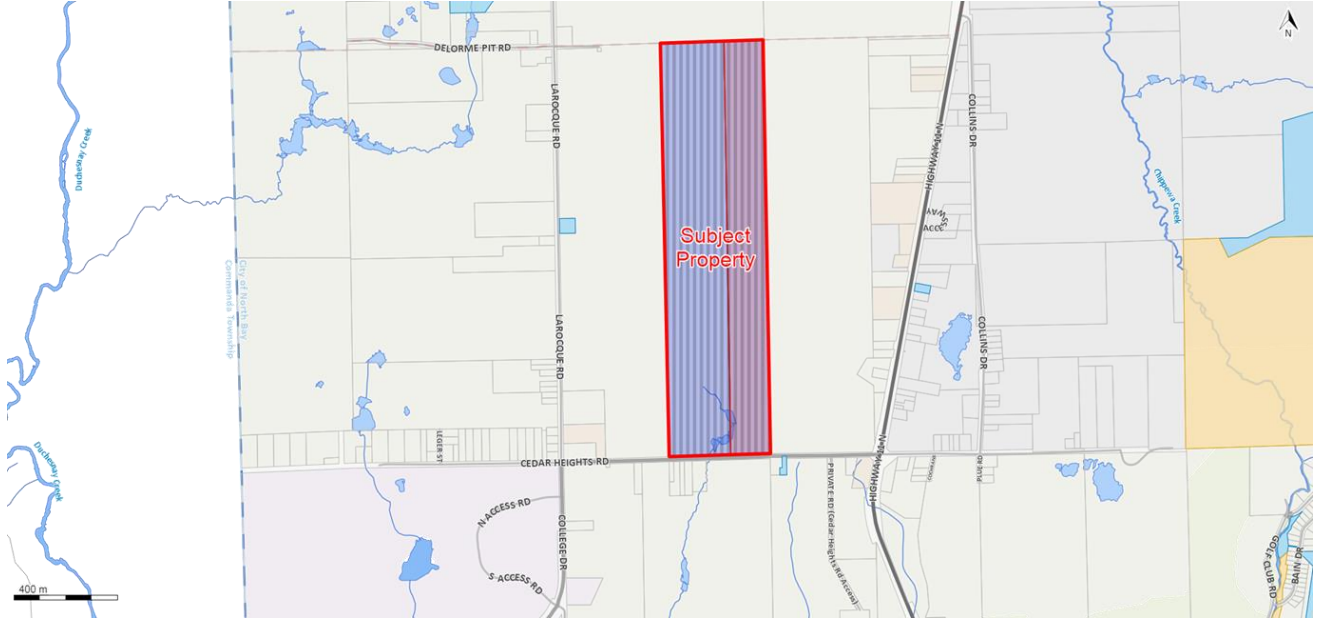
# Schedule A

This is Schedule "A"  
To By-law No. 2019-76

Passed the 10th day of September, 2019

Deputy Mayor Tanya Vrebosch

City Clerk Karen McIsaac



## Schedule B

This is Schedule "B"  
To By-law No. 2019-76

Passed the 10th day of September, 2019

\_\_\_\_\_  
Deputy Mayor Tanya Vrebosch

\_\_\_\_\_  
City Clerk Karen McIsaac

SKETCH TO ACCOMPANY

### OFFICIAL PLAN & ZONING BY-LAW AMENDMENT APPLICATION

PART OF LOT 22, CONCESSION "A"  
GEOGRAPHIC TOWNSHIP OF WIDDIFIELD  
CITY OF NORTH BAY

**LEGEND:**

LANDS TO BE RE-DESIGNATED FROM RESIDENTIAL TO GENERAL INDUSTRY IN THE CITY OF NORTH BAY'S OFFICIAL PLAN AND TO BE RE-ZONED FROM RESIDENTIAL HOLDING (RH) TO GENERAL INDUSTRIAL SPECIAL (M2 Sp) TO ALLOW ALL M2 PERMITTED USES AND TO ADD POST-SECONDARY EDUCATIONAL INSTITUTIONAL USES.

AREA OF LAND TO BE RE-DESIGNATED & RE-ZONED = 66.19 ha / 163.5 Ac

**ABUTTING ZONE CATEGORIES:**

RH RESIDENTIAL HOLDING  
A RURAL  
C5 Sp.52 NEIGHBOURHOOD COMMERCIAL SPECIAL  
N INSTITUTIONAL

**METRIC:**  
DISTANCES SHOWN ON THIS SKETCH ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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**GOODRIDGE GOULET**  
**PLANNING & SURVEYING LTD.**  
ONTARIO LAND SURVEYOR - LAND USE PLANNER - DEVELOPMENT CONSULTANTS  
UNIT 1 - 490 MAIN STREET EAST, NORTH BAY, ON P1B 1B5  
705-493-1770 paul.goodridge@ggpltd.com

FIELD	OFFICE	FILE
N/A	P. GOODRIDGE	040-29 284

## Appendix A

**PIN 49127-0536 (LT)**

PCL 975 SEC NIP; PT LT 22 CON A WIDDIFIELD BEING THE W ONE HUNDRED ACRES OF THE E ½; NORTH BAY; DISTRICT OF NIPISSING

**PIN 49127-0537 (LT)**

PCL 4375 SEC NIP; PT LT 22 CON A WIDDIFIELD BEING THE E SIXTY-ONE ACRES; NORTH BAY; DISTRICT OF NIPISSING