

# The Corporation of the City of North Bay

## By-Law No. 2022-035

### A By-Law To Amend Zoning By-Law No. 2015-30 To Modify “Industrial Commercial Special No. 55 (MC Sp.55)” Zone

#### 1633057 Ontario Ltd. and 1633091 Ontario Ltd. – 490 Gormanville 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-41” of Zoning By-Law No. 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 2022-06 adopted by Council on March 22, 2022 by Resolution No. 2022-99 to approve this rezoning;

**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. 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 49128-0336 (LT) PART OF THE CANADIAN NORTHERN ONTARIO RAILWAY RESERVE PLAN M167 WIDDIFIELD PART 4 36R13964; CITY OF NORTH BAY PIN 49128-0296 (LT) PT LTS 110,112 & 113 PL M26 WIDDIFIELD PT 3 36R11393 EXCEPT PT 25 36R12426; NORTH BAY; DISTRICT OF NIPISSING PIN 49128-0340 (LT) PART REAR STREET PL M36, CLOSED BY LT134342 WIDDIFIELD, PART 6 36R13964; CITY OF NORTH BAY PIN 49128-0298 (LT) PT LTS 95 TO 97 & PT LTS 110 TO 115 PL M36 PT 2 36R11393 EXCEPT PT 26 36R12426; NORTH BAY; DISTRICT OF NIPISSING PIN 49128-0338 (LT) PART LOTS 6,7,8,9 & 10, PL M167 WIDDIFIELD PART 5 36R13964; CITY OF NORTH BAY), shown as hatched on Schedule A attached to amend the permitted uses of the “Industrial Commercial Special No.55 (MC Sp.55)” zone.

- 2) All buildings or structures erected or altered and the use of land in such “Industrial Commercial Special No. 55 (MC Sp.55)” 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 deleting the existing Section 11.3.55 and replacing it as follows:

"11.3.55      “Industrial Commercial Special No. 55 (MC Sp.55)”

11.3.55.1    The property description of this “Industrial Commercial Special No. 55 (MC Sp.55)” is PIN 49128-0336 (LT) PART OF THE CANADIAN NORTHERN ONTARIO RAILWAY RESERVE PLAN M167 WIDDIFIELD PART 4 36R13964; CITY OF NORTH BAY PIN 49128-0296 (LT) PT LTS 110,112 & 113 PL M26 WIDDIFIELD PT 3 36R11393 EXCEPT PT 25 36R12426; NORTH BAY; DISTRICT OF NIPISSING PIN 49128-0340 (LT) PART REAR STREET PL M36, CLOSED BY LT134342 WIDDIFIELD, PART 6 36R13964; CITY OF NORTH BAY PIN 49128-0298 (LT) PT LTS 95 TO 97 & PT LTS 110 TO 115 PL M36 PT 2 36R11393 EXCEPT PT 26 36R12426; NORTH BAY; DISTRICT OF NIPISSING PIN 49128-0338 (LT) PART LOTS 6,7,8,9 & 10, PL M167 WIDDIFIELD PART 5 36R13964; CITY OF NORTH BAY along Gormanville Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-41".

11.3.55.2    No person shall use land, or use, erect, or construct any building or structure in this “Industrial Commercial Special No. 55 (MC Sp.55)” except for the following uses:

- Automobile sales, service, and leasing establishments;
- Automobile service station;
- Automobile washing establishment;
- Body shop;
- Brewery, micro;
- Builder’s supply yard;
- Commercial parking lot;
- Courier distribution depot;
- Distillery, micro;
- Dry cleaning depot;
- Dry cleaning establishment;

- Exhibition building;
- Financial institution;
- Garden centre;
- Group home type 3;
- Industrial equipment sales, service, and leasing establishments;
- Home improvement centre;
- Industrial equipment sales, service, and leasing establishment;
- Laboratory;
- Non-profit use;
- Parks, public;
- Parking area;
- Personal service establishment;
- Pet daycare facility;
- Pet shop;
- Places of entertainment;
- Places of worship;
- Recreational facility;
- Recreational vehicle, sales, service, and leasing establishments;
- Restaurant;
- Veterinary establishment; and
- Wholesale uses.

11.3.55.3 The use of land or building in this “Industrial Commercial Special No. 55 (MC Sp.55)” shall conform to all other regulations of this By-law, except as hereby expressly varied.”

- 4) Section 11 of By-Law No. 2015-30 is further amended by inserting “Industrial Commercial Special No. 55 (MC Sp.55)” as shown on Schedule "B" to this By-Law.
- 5) 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.
- 6) 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.

- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 6 of this By-Law, then this By-Law shall be deemed to have come into force on the day it was passed.
- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 6 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 22<sup>nd</sup> Day of March, 2022.**

**Read a Second Time in Open Council the 22<sup>nd</sup> Day of March, 2022.**

**Read a Third Time in Open Council and Passed this 22<sup>nd</sup> Day of March, 2022.**

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**Mayor Allan McDonald**

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**City Clerk Karen McIsaac**

# Schedule A

This is Schedule "A"  
To By-Law No. 2022-35

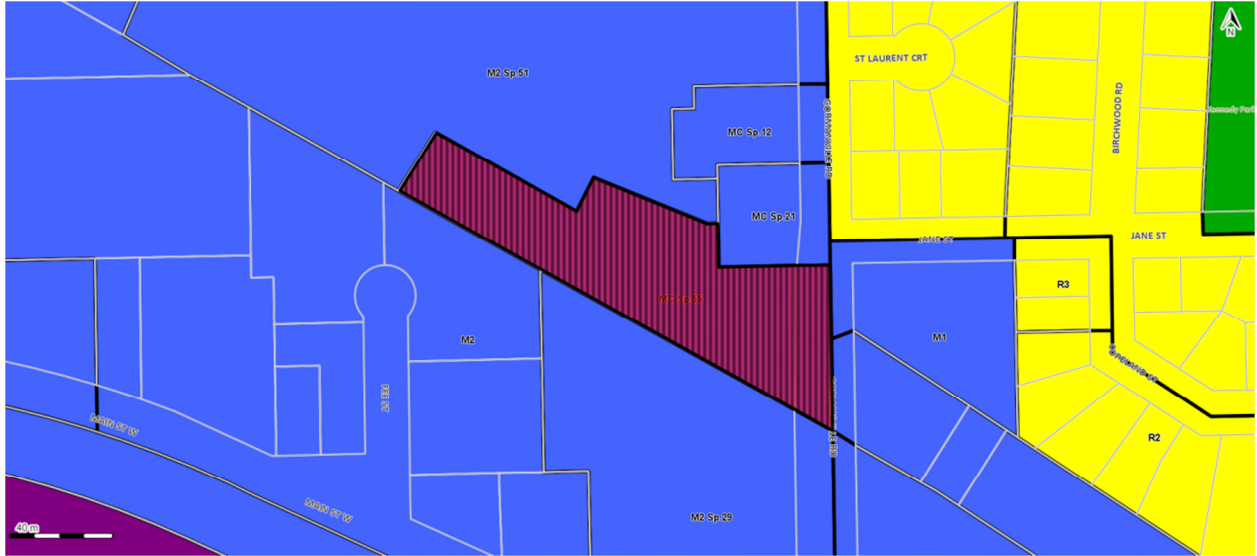
Passed the 22<sup>nd</sup> Day of March, 2022

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Mayor Allan McDonald

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City Clerk Karen Mclsaac



## Legend



- Amended "Industrial Commercial Special No. 55 (MC Sp.55)" Zone

## Schedule B

This is Schedule "B"  
To By-law No. 2022-35

Passed the 22<sup>nd</sup> Day of March, 2022

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Mayor Allan McDonald

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City Clerk Karen McIsaac

