

## **‘Appendix A’**

**AMENDMENT NO. \_\_**

**TO BY-LAW 2015-30**

**THE COMPREHENSIVE ZONING BY-LAW**

**OF THE**

**CITY OF NORTH BAY**

**(TROUT LAKE INFLUENCE AREA)**

***June 2025***

**AMENDMENT NO. \_\_\_\_**  
**TO BY-LAW 2015-30**  
**THE COMPREHENSIVE ZONING BY-LAW**  
**OF THE CITY OF NORTH BAY**

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## **STATEMENT OF COMPONENTS**

PART ONE - INTRODUCTION is included for information purposes and is not an operative part of this Zoning By-law Amendment.

PART TWO - THE AMENDMENT, consisting of the text and schedules attached hereto, is an operative part of this Zoning By-law Amendment.

## **PART ONE - INTRODUCTION**

### **1. PURPOSE**

The purpose of Amendment No. \_\_ to By-law 2015-30 being the Comprehensive Zoning By-law of the City of North Bay (the “Zoning By-law”) is to reflect in the Zoning By-law the outcome of the *Trout Lake Watershed and Management Study* (Trout Lake Study) undertaken by the City of North Bay, Municipality of East Ferris and the North Bay-Mattawa Conservation Authority.

### **2. LOCATION**

This Amendment applies all lands within 300 metres of the shoreline of Trout Lake, its islands, major inflowing streams and Four Mile Lake.

### **3. BASIS**

In 2021, the City of North Bay, Municipality of East Ferris and North Bay-Mattawa Conservation Authority initiated the Trout Lake Study.

The Trout Lake Study was initiated as a comprehensive review of lake quality and the review of current policies and provisions around the protection and management of the lake. The last, similar, comprehensive study was conducted in 1992.

Generally, the Trout Lake Study found that a limited amount of new residential development could be permitted within 300 metres of the shoreline of the lake, its major inflowing streams and Four Mile Lake, subject to best management practices, to protect and enhance lake water quality. The Study included 28 recommendations to protect the lake, including 13 land use planning recommendations.

On xxxx, Council passed Resolution No. xxxx to direct staff to initiate an Official Plan Amendment and Zoning By-law Amendment based on the general direction of the “Directions Report, Trout Lake Watershed and Management Study” by J.L. Richards dated June 29, 2022 and Addendum # 2 (November 2, 2023) and Hutchinson’s “Trout Lake Watershed Study and Management Plan – Existing Conditions, Issues, Opportunities and Constraints (October 23, 2023).

## PART TWO - THE AMENDMENT

### 1. PURPOSE

The purpose of Amendment No. \_\_\_ to By-law 2015-30 being the Comprehensive Zoning By-law of the City of North Bay (the “Zoning By-law”) is to include land use planning permissions and development standards that implement the Trout Lake Influence Area Official Plan policies.

This amendment applies to all lands within 300 metres of the Trout Lake shoreline, its islands, major inflowing streams and Four Mile Lake.

### 2. THE AMENDMENT

The Zoning By-law is hereby amended:

#### 2.1.1 By deleting and replacing definitions under Section 2 as follows:

##### “Boathouse:

A detached **accessory building** used for the berthing, sheltering or storing of boats and related equipment, built, founded or anchored near or at the shoreline of a navigable waterway or on land, which extends partially or completely over the water, but does not include any areas designed for living, sleeping, eating or food preparation by humans.”

##### “Deck:

A **structure** without a roof having a foundation to hold it **erect** and **attached** to or **abutting** one or more walls of a **building** or constructed separate from a **building**, with or without direct access to the ground, the floor of which is greater than 0.3m above the **established grade** but shall not include a landing or a stair. Any portion of a dock structure that extends onto the land above the shoreline is considered a deck.

#### 2.1.2 By adding definitions under Section 2 as follows:

##### “Boathouse, Dryland:

A boathouse that does not project over the water. A dryland boathouse shall not be located closer to the shoreline than the principal building on the lot, and must meet the regulations of an accessory building.”

**“Boat Port:**

A detached accessory building used for the berthing, sheltering or storing of boats and related equipment that is roofed, but not enclosed by more than one wall and is built, founded or anchored near or at the shoreline of a navigable waterway or on land.”

**“Sleep Cabin:**

A detached accessory building or structure, located on the same lot as the principal dwelling, for sleeping accommodation only or for the occasional accommodation of guests, from which there shall be no monetary gain and in which sanitary facilities may be provided, but shall not contain cooking facilities.”

**2.1.3 By deleting and replacing Section 3.6.1 with the following:**

“3.6.1 Where a **building** or **structure** was **erected** prior to the date this By-law comes into effect and is **used** for a purpose which is not a permitted **use** in the **zone** in which it is situated, but is a **legal non-conforming use**, the **building** or **structure** may be reconstructed, repaired, renovated, extended or enlarged provided that the repair or **renovation** does not include any alteration of **use**, the **building** or **structure** continues to be used for the same purpose and the extension or enlargement does not have any adverse impacts.”

**2.1.4 By deleting Sections 3.6.2 in its entirety.**

**2.1.5 By adding “Subject to section 3.7.2, where” to the beginning of Section 3.7.1.**

**2.1.6 By deleting and replacing 3.7.2 with the following:**

“3.7.2 Legal **Existing Dwellings** in the Trout Lake Influence Area Overlay

3.7.2.1 Notwithstanding anything herein to the contrary in the Trout Lake Influence Area shown on Schedule E, legal existing dwellings that do not comply with the front yard requirements may expand and or enlarge, subject to the following:

3.7.2.1.1 Where a legal **existing dwelling** is 7.5 metres or less from the water’s edge:

3.7.2.1.1.1 The **gross floor area** of the legal existing **dwelling** shall be permitted to increase by a maximum of 10%

based on the **gross floor area** of the legal **existing dwelling** on the day this By-law was passed;

3.7.2.1.1.2 The width of the legal **existing dwelling** shall be permitted to increase by a maximum of 10% of the legal **existing dwelling** width on the day this By-law was passed;

3.7.2.1.1.3 No portion of any expansion or enlargement of the legal **existing dwelling** shall be permitted to encroach further into the **front yard** or reduce any other **legal non-complying setbacks** based on the **setbacks** of legal **existing dwelling** on the day this By-law was passed; and,

3.7.2.1.1.4 The **height** of the legal **existing dwelling** shall be permitted to increase by a maximum of 1 metre based on the **height** of the legal **existing dwelling** on the day this By-law was passed, and provided that the required **yard setbacks** are maintained.

3.7.2.1.2 Where a legal existing dwelling is 7.6 to 15 metres from the water's edge:

3.7.2.1.2.1 The **gross floor area** of the legal **existing dwelling** shall be permitted to increase by a maximum of 20% based on the **gross floor area** of the legal **existing dwelling** on the day this By-law was passed;

3.7.2.1.2.2 The width of the legal **existing dwelling** shall be permitted to increase by a maximum of 20% of the legal **existing dwelling** width on the day this By-law was passed;

3.7.2.1.2.3 No portion of any expansion or enlargement of the legal **existing dwelling** shall be permitted to encroach further into the **front yard** or reduce any other **legal non-complying setbacks** based on the **setbacks** of legal **existing dwelling** on the day this By-law was passed; and,

3.7.2.1.2.4 The **height** of the legal **existing dwelling** shall be permitted to increase by a maximum of 2 metres

based on the **height** of the legal **existing dwelling** on the day this By-law was passed, and provided that the required **yard setbacks** are maintained.

3.7.2.1.3 Where a legal **existing dwelling** is 15.1 to 32 metres from the water's edge:

3.7.2.1.3.1 The **gross floor area** of the legal **existing dwelling** shall be permitted to increase by a maximum of 30% based on the **gross floor area** of the legal **existing dwelling** on the day this By-law was passed;

3.7.2.1.3.2 The width of the legal **existing dwelling** shall be permitted to increase by a maximum of 30% of the legal **existing dwelling** width on the day this By-law was passed;

3.7.2.1.3.3 No portion of any expansion or enlargement of the legal **existing dwelling** shall be permitted to encroach further into the **front yard** or reduce any other **legal non-complying setbacks** based on the **setbacks** of legal **existing dwelling** on the day this By-law was passed; and,

3.7.2.1.3.4 The **height** of the legal **existing dwelling** shall be permitted to increase by a maximum of 3 metres based on the **height** of the legal **existing dwelling** on the day this By-law was passed, and provided that the required **yard setbacks** are maintained.”

**2.1.7 By deleting Section 3.8 and leave Section 3.8 intentionally blank.**

**2.1.8 By deleting and replacing Section 3.9.1 with the following:**

“In any **zone** within the Urban Settlement Boundary where undeveloped **lots** exist between developed **lots**, and where the **lots** are within the same block and fronting on the same **street** and connected to municipal services, **the minimum front yard setback** may be reduced. Where a **building line** has been established by **existing structures** on two or more **lots**, this **established building line** will be the minimum required **front yard setback**, but shall not be less than 3m. [amended by By-law 2016-25]”



**2.1.9 By deleting Section 3.9.2 in its entirety.**

**2.1.10 By adding the following to the end of Section 3.15.1:**

**“ in the following tables.**

**Section 3.15.1 and the permitted encroachments are not permitted within the Trout Lake Influence Area Overlay as shown in the Official Plan on Schedule ‘E’.**

**2.1.11 By deleting and replacing “A additional dwelling unit” in Section 3.20.2.1 with “An *additional residential dwelling unit*”.**

**2.1.12 By deleting and replacing Section 3.20.2.1 c) with the following:**

“c) Within a dwelling unit or an accessory building on unserviced properties within the Trout Lake Influence Area overlay as identified on Schedule ‘E’ of this By-law.”

**2.1.13 By deleting Section 3.20.2.3 in its entirety.**

**2.1.14 By deleting and replacing “15 m” with “30 m” in Section 3.21.1.5**

**2.1.15 By deleting and replacing “4 m” with “5 m” in Section 3.21.1.5.1**

**2.1.16 By deleting and replacing “15 m” with “30 m” in Section 3.21.1.5.2**

**2.1.17 By adding “Accessory structures must follow the setback requirements and provisions as shown in Table 10D of Zoning By-law 2015-30” to the end of Section 3.21.1.7**

**2.1.18 By deleting and replacing Section 3.31 with the following:**

“No part of any ***sewage disposal system*** that discharges effluent to the soil, may be located, constructed or installed closer than 32 m, measured from the closest distribution pipe of the ***sewage disposal system*** to the shoreline within the Trout Lake Influence Area Overlay as identified on Schedule ‘E’ of this By-law. Any additional regulations from the North Bay-Mattawa ***Conservation Authority*** must also be met.”

**2.1.19 By deleting and replacing Section 3.50.2 with the following:**

“Those lands on all ‘B’ Schedules, ‘C’ Schedules and ‘E’ Schedules of this By-law identified by shading are hereby designated Site Plan Control areas.”

**2.1.20 By adding “Such Site Plan Control Agreement shall include:” to the end of Section 3.50.3**

**2.1.21 Be deleting Section 3.50.4 in its entirety.**

**2.1.22 By renumbering Section 3.50.4.1 to 3.50.4.2.6**

**2.1.23 By adding Section 3.50.4.2.7 as follows:**

“In addition to the above, the Site Plan Control Agreement for properties within the Trout Lake Influence Area shown on Schedule E shall also include:

3.50.4.2.7 a) A Site Plan, prepared by an Ontario Land Surveyor and drawn at scale acceptable to the City, which will provide the City and agency staff with checklists and explanatory text in order to develop appropriate Site Plan Controls respecting the following:

- i) the siting of sewage disposal systems and their individual components;
- ii) the siting of water supplies, particularly drilled or dug wells;
- iii) proposed site drainage;
- iv) house and building siting, including accessory buildings, docks and similar structures;
- v) parking areas, walkways and the surfacing thereof;
- vi) vegetative buffers and the requirements for protection of natural vegetation and/or re-vegetation (including trees and shrubs appropriate to this climatic zone);
- vii) the approximate location of all natural and artificial features on the subject land including but not limited to, roads, drainage ditches, wells, watercourses, banks, slopes, swamps, wooded areas, and large bedrock outcrops; and
- viii) all easements and utility corridors.

3.50.4.2.7 b) A cross-section plan which shows proposed final grade elevations from the water's edge to the rear lot line, including all areas to be excavated and/or filled, as well as the location of all erosion control features; and

3.50.4.2.7 c) A site grading plan and/or stormwater management plan and landscaping plan which shows where existing vegetation will be disturbed and/or removed, including selective cutting and shoreline alterations; all areas to be vegetated, including a description of the vegetation to be planted; the location of all site erosion control features, and an indication of final site drainage with details of specific drainage features.

3.50.4.2.7 d) When deemed necessary due to steepness, terrain conditions, or the nature of the proposal, Council or its designate may also require additional site information prepared by a professional, with appropriate, demonstrated expertise, to the satisfaction of the City, for a lot within the Trout Lake Site Plan Control Area, which may include:

- i) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to watertable, and mitigation measures for any soil deficiency related to a proposed use;
- ii) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized;
- iii) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and
- iv) A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved."

**2.1.24 By inserting a new Section 3.50.5.1.11, as follows:**

"3.50.5.2 In addition to the above, provide to the satisfaction of and at no expense to the ***municipality*** any or all of the following:

- The ***use*** of mineral rich soils (iron and aluminum) for septic tile field and mantle or tertiary treatments;
- The ***use*** of phosphorous removing ***sewage disposal systems***;

- ***Sewage disposal system*** monitoring and maintenance requirements;
- Eavestroughs installed on the ***building*** shall outlet into infiltration trenches and soakaway pits on the corner of the ***building*** farthest from the Lake;
- Retain all existing natural vegetation and mature tree growth where possible (dead, diseased or hazardous trees may be removed at any time);
- Vegetation buffers to slow down and retain runoff to promote settling;
- Prohibitions on the ***use*** of lawn fertilizer;
- Prohibitions on the ***use*** of treated lumber;
- Installation of silt fences, check dams and straw bales during construction;
- Minimize land disturbance area;
- Minimize slope and gradient of disturbed areas; and,
- Other considerations as deemed necessary during pre-consultation based on the site and nature of the proposed development.”

**2.1.25 By deleting and replacing “30” with “32” in the “Front Yard Setback” Column for “RRL, All Permitted Uses and A, Single Detached Dwelling – Trout Lake Shoreline” in Table 10B.**

**2.1.26 By deleting and replacing “30” with “32” in Special Provision 1) for Table 10B.**

**2.1.27 By deleting and replacing “Shoreline” with “Influence Area Overlay” in the “Use” Column for “A, Single Detached Dwelling” uses in Table 10C.**

**2.1.28 By deleting and replacing “0.4” with “0.8” in the “Minimum Lot Area (ha)” Column for “A Single Detached Dwelling – Trout Lake Influence Area Overlay” uses in Table 10C.**

**2.1.29 By deleting and replacing “30” with “32” in “Front Yard Setback (m)” Column for “A Single Detached Dwelling – Trout Lake Influence Area Overlay” uses in Table 10C.**

**2.1.30 By inserting “(1)” in the “Other Provisions” Column for “A”, Single Detached Dwelling” uses in Table 10C.**

2.1.31 By deleting and replacing “0.4” with “0.8” in the “Minimum Lot Area (ha)” Column for “RRL Single Detached Dwelling”, “RRL, Bed and Breakfast Establishment” and “RRL, Principal Dwelling Unit Short-Term Rental” uses in Table 10C.

2.1.32 By deleting and replacing “30” with “32” in the “Front Yard Setback” Column for “RRL, Single Detached Dwelling”, “RRL, Bed and Breakfast Establishment” and “RRL, Principal Dwelling Unit Short-Term Rental” uses in Table 10C.

2.1.33 By inserting “(1)” in the “Other Provisions” Column for RRL, Single Detached Dwelling”, “RRL, Bed and Breakfast Establishment” and “RRL, Principal Dwelling Unit Short-Term Rental” uses in Table 10C.

2.1.34 By deleting and replacing “Special Provision 1)” for Table 10C with the following:

“For *lots* within the Trout Lake Influence Area Overlay, as identified on Schedule ‘E’ of this By-law, a **vegetative buffer zone** shall be maintained within 30 m of the boundaries of the water’s edge of Trout Lake. This shall be done in a way to minimize the impact of the waterbody from adjacent *uses* and maintain the natural characteristic of the shoreline as much as possible and shall be to the satisfaction of the *municipality*.”

2.1.35 By deleting and replacing “Boat house” with “Boathouse, Boat Port” in the “Accessory Use” Column in Table 10D.

2.1.36 By adding a Row to the end of Table 10D to add “Sleep Cabin” as an “Accessory Use” and by adding an “X” to both Columns “A” and “RRL” for Sleep Cabin Accessory Use.

2.1.37 By deleting and replacing “Special Provision 1)” for Table 10D with the following:

“A **boathouse** or **boat port** shall be permitted to be built on the front lot line and shall not exceed 1 storey in height or contain a rooftop deck.”

2.1.38 By deleting and replacing “Special Provision 2)” for Table 10D with the following:

“No **boathouse** or **boat port** shall exceed 10m in width or 30% of the frontage of

the property in width, whichever is the lesser.”

### **3. IMPLEMENTATION AND INTERPRETATION**

This Zoning By-law Amendment shall be implemented and interpreted in accordance with the implementation and interpretation provisions set out in the Amendment and the Zoning By-law