

The Corporation of the City of North Bay

By-Law No. 2026-39

**Being a By-Law to Amend Zoning By-Law No. 2015-30
to Rezone Certain lands on Birchs Road from an
"Industrial Holding (MH)" Zone and a "Residential
Holding (RH)" Zone to a "General Industrial Holding
(M2H)" Zone and a "Tourist Commercial Special No. 76
Holding (C7 Sp.76H)" Zone**

Northern Gateway Developments Inc. – 351 Birchs 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-82" and "B-83" 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 No. 2026-05, adopted by Council on June 16, 2026, by Resolution No. 2026-167 to approve this rezoning;

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

- 1) Schedule "B-82" and "B-83" 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 49180-0447 (LT) – PT LT 34 CON 14 West Ferris as in LT157456 Save & Except PT 1 36R13346; City of North Bay), shown as hatched on Schedule A attached hereto from an "Industrial Holding (MH)" Zone and a "Residential Holding (RH)" Zone to a "General Industrial Holding (M2H)" Zone and a "Tourist Commercial Special No. 76 Holding (C7 Sp. 76H)" zone.
- 2) All buildings or structures erected or altered and the use of land in such "General Industrial Holding (M2H)" Zone and a "Tourist Commercial Special No. 76 Holding (C7 Sp.76H)" 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 11.2.76:
"11.2.76 "Tourist Commercial Special No. 76 Holding (C7 Sp.76H)"
zone
11.2.76.1 The property description of this "Tourist Commercial
Special No. 76 Holding (C7 Sp.76H)" is PIN 49180-0447
(LT) – PT LT 34 CON 14 West Ferris as in LT157456 Save &

Except PT 1 36R13346; City of North Bay along Birchs Road in the City of North Bay as shown on the attached Schedule and on Schedule "B-82" and "B-83".

11.2.76.2 No person shall use land, or use, erect, or construct any building or structure in this "Tourist Commercial Special No. 76 Holding (C7 Sp.76H)", except for the following uses:

- Automobile Service Station;
- Dry Cleaning/Laundry Depot;
- Pharmacy;
- Specialty Food Store;
- All other uses permitted in the "Tourist Commercial (C7)" zone by Zoning By-Law No. 2015-30

11.2.76.3 The use of land or building in this "Tourist Commercial Special No. 76 Holding (C7 Sp.76H)" 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 "General Industrial Holding (M2H)" Zone and a "Tourist Commercial Special No. 76 Holding (C7 Sp.76H)" zone. Prior to the removal of the holding zone provisions, or to allow any specific permitted use, the following conditions must be satisfied:
 - a. Appropriate public services, including municipal sanitary sewer, water and stormwater infrastructure, shall be extended to the subject property to the satisfaction of the City Engineer.
 - b. The applicant shall provide a Traffic Impact Study and implement any recommendations forthcoming from the required Traffic Impact Study to the satisfaction of the City Engineer and at no expense to the City of North Bay.
- 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 the objection to the By-Law and the reasons in support of the objection 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 16th day of June, 2026.

Read a Second Time in Open Council the 16th day of June, 2026.

Read a Third Time in Open Council and Passed this 16th day of June, 2026.

Deputy Mayor Maggie Horsfield

City Clerk Karen McIsaac

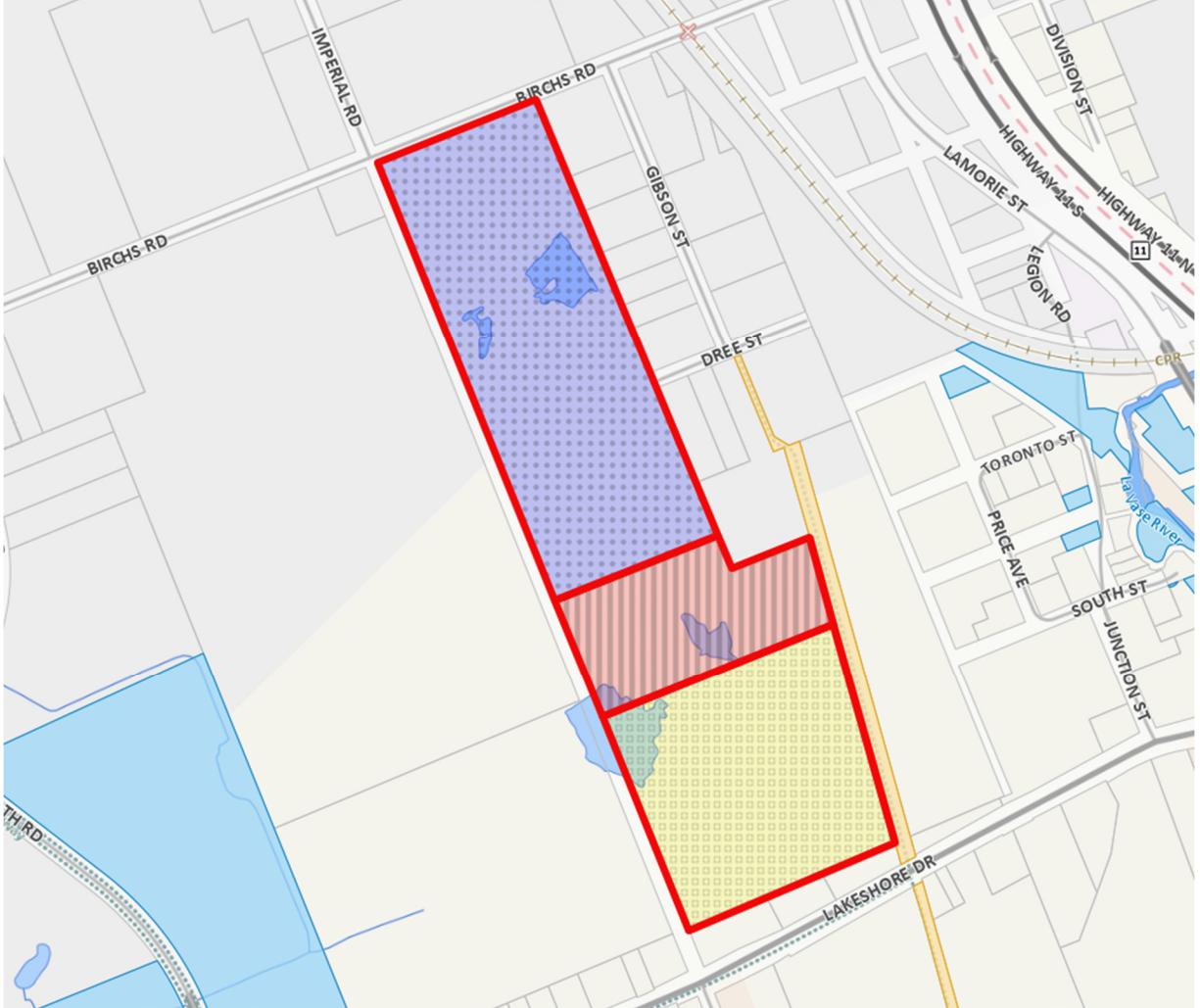
Schedule A

This is Schedule "A"
To By-Law No. 2026-039

Passed the 16th day of June, 2026

Deputy Mayor Maggie Horsfield

City Clerk Karen McIsaac



Legend



From an "Industrial Holding (MH)" Zone to a "General Industrial Holding (M2H)" zone



From a "Residential Holding (RH)" Zone to a "General Industrial Holding (M2H)" zone



From a "Residential Holding (RH) Zone to a "Tourist Commercial Special No. 76 Holding (C7 Sp. 76H)" zone