

The Corporation of the City of North Bay

By-Law No. 2018-60

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain Lands on Highway #11 North from a “Restricted Industrial Special Three (M4 Sp. 3)” Zone to an amended “Restricted Industrial Special Three (M4 Sp.3)” Zone

Atlantic Power GP Inc. – 4001 Highway 11 North

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 “C-1” 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 No. 2018-14 adopted by Council on September 4, 2018 by Resolution No. 2018-259 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 in Appendix A to By-law No. 2018-60), shown as hatched on Schedule A attached hereto from a “Restricted Industrial Special Three (M4 Sp. 3)” zone to an amended “Restricted Industrial Special Three (M4 Sp.3)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Restricted Industrial Special Three (M4 Sp.3) 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 text in Section 11.3.3 and replacing it with the following:
 - "11.3.3 “Restricted Industrial Special No. Three (M4 Sp.3)” zone
 - 11.3.3.1 The property description of this “Restricted Industrial Special No. Three (M4 Sp.3)” is PIN 49127-0021 (LT) PCL 18734 SEC WF; PT LT 21 CON 2 Widdifield PT 7 & 8, 36R9382 T/W PT 1, 36R9384 as

in LT332823, PT 1, 36R9381 as in LT332824, PT 2, 36R9381 as in LT332826, PT 2, 36R9384 as in LT332902, PT 3 & 9, 36R9381 as in LT332885, PT 7 & 8, 36R9381 as in LT333337, PT 4-6, 36R9381 as in LT339664, PT 2, 36R9382 & PT 1,2,3&5, 36R10374 as in LT366707, PT 1-3, 36R10375 as in LT 366710; T/W LT 366708 & LT 366709; North Bay; District of Nipissing; along Highway 11 North in the City of North Bay as shown on the attached Schedule A and on Schedule "C-1".

11.3.3.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Restricted Industrial Special No. Three (M4 Sp.3)" zone except for the following uses:

- Automobile Sales, Services and Leasing Establishments
- Automobile Service Station
- Body Shop
- Builder's Supply Yard
- Bulk Sales Establishment
- Card Lock Gas Facility
- Contractor's Yard
- Courier Distribution Depot
- Data Storage and Processing Firm
- Electrical Cogeneration
- Exhibition Building
- Garden Centre
- Group Home Type 3
- Industrial Equipment Sales, Service and Leasing Establishments
- Industrial Class 1
- Industrial Class 2
- Kennel
- Laboratory
- Pet Daycare Facility
- Recreational Facility
- Recreational Vehicle Sales, Service and Leasing Establishments
- Recycling Centre
- Salvage Yard
- Self-Storage Use
- Transportation Terminal
- Warehouse
- Waste Transfer Station
- Wholesale Uses

11.3.3.2 (b) The property owner shall adequately demonstrate to the City of North Bay that any use permitted under Section 11.3.3.2 (a) of this By-law shall not require municipal services.

11.3.3.3 The use of land or building in this “Restricted Industrial Special No. Three (M4 Sp.3)” zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) 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.
- 5) 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 Municipal Board Act*, R.S.O. 1990, c. O.28.
- 6) 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.
- 7) 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 4th Day of September 2018.

Read a Second Time in Open Council the 4th Day of September 2018.

Read a Third Time in Open Council and Passed this 4th Day of September 2018.

Mayor, Allan McDonald

City Clerk Karen McIsaac

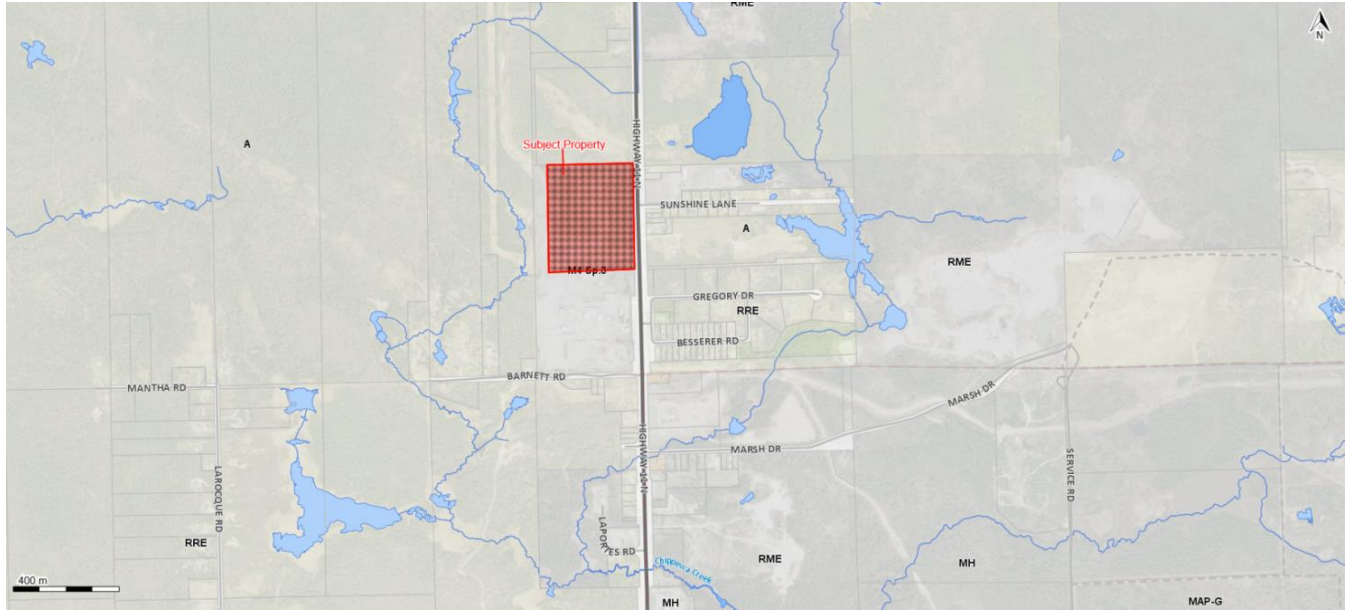
Schedule A

This is Schedule "A"
To By-law No. 2018-60

Passed the 4th Day of September 2018.

Mayor Allan McDonald

City Clerk Karen McIsaac



Appendix A

PIN 49127-0021 (LT)

PCL 18734 SEC WF; PT LT 21 CON 2 Widdifield PT 7 & 8, 36R9382 T/W PT 1, 36R9384 as in LT332823, PT 1, 36R9381 as in LT332824, PT 2, 36R9381 as in LT332826, PT 2, 36R9384 as in LT332902, PT 3 & 9, 36R9381 as in LT332885, PT 7 & 8, 36R9381 as in LT333337, PT 4-6, 36R9381 as in LT339664, PT 2, 36R9382 & PT 1,2,3&5, 36R10374 as in LT366707, PT 1-3, 36R10375 as in LT 366710; T/W LT 366708 & LT 366709; North Bay; District of Nipissing