

# **‘Appendix A’ – Planning Rationale Document**

## **A By-law to Amend Zoning By-Law No. 2015-30 to include policies for Production Studios and Backlot within the City of North Bay.**

### **1) Section 2 – Definitions of Zoning By-law No. 2015-30 is amended by amending the following existing definition:**

#### **‘Broadcast studio or newsroom’:**

##### From:

Any **building** or **structure used** primarily for the purpose of preparing and broadcasting news, music, or other information over a variety of mediums including radio, television and internet.

##### To:

Any **building** or **structure used** primarily for the purpose of preparing and broadcasting news, music, or other information over a variety of mediums including radio, television and internet but does not include **production studio, backlot, or production studio & backlot**.

##### Rationale:

The existing definition is amended to clarify the distinction between the uses related to ‘broadcasting’ and the uses related to ‘production’. The amendment also proposes references to the three proposed definitions as described later in this document (**production studio, backlot, and production studio & backlot**) to further provide a clear distinction between ‘broadcasting’ and ‘production’ uses.

### **2) Section 2 – Definitions of Zoning By-law 2015-30 is amended by adding the following definitions:**

#### **‘Production Studio’:**

The **use** of any building for the recording, production, or post-production of audio and visual media including motion pictures, videos, or television but does not include **broadcast studio or newsroom, backlot, or production studio & backlot**. This may also include a partial production office, storage, carpentry, and soundstage and the parking of associated production vehicles ancillary to the main filming **use**.

##### Rationale:

The addition of the proposed definition identifies **production studio** as a use in

the Zoning By-law. The purpose of the definition is to provide details and clarity regarding what a production studio is considered and to support the regulations that are proposed throughout the By-law.

The three following definitions are proposed to be added to the **production studio** definition to clarify that the uses are distinct from each other:

- Existing definition in Zoning By-law: **broadcast or newsroom**
- Proposed Definition: **backlot**
- Proposed Definition: **production studio & backlot**

#### 'Backlot':

*The use of property for temporary set construction, **building** facades, streetscapes and/or permanent **buildings** for **use** in filming but does not include **broadcast or newsroom**, **production studio**, or **production studio & backlot**.*

#### Rationale:

The addition of the proposed definition identifies **backlot** as a use in the Zoning By-law. The purpose of the proposed definition is to provide details about what a **backlot** use is. Providing a definition will support the zoning regulations proposed throughout the By-law.

The three following definitions are proposed to be added to the **backlot** definition to clarify that the uses are distinct from each other:

- Existing definition in Zoning By-law: **broadcast or newsroom**
- Proposed Definition: **production studio**
- Proposed Definition: **production studio & backlot**

#### 'Production Studio & backlot':

*The **use** of any **building** and **lot** for the combined use of both **production studio** and **backlot** and does not include **broadcast or newsroom**.*

#### Rationale:

The addition of the proposed definition identifies **production studio & backlot** as a use in the Zoning By-law. The use combines both a **production studio** and **backlot** as one combined use. The definition will support the proposed Zoning By-law regulations throughout the By-law.

The three following definitions are proposed to be added to the **production studio & backlot** definition to clarify that the uses are distinct from each other:

- Existing definition in Zoning By-law: **broadcast or newsroom**
- Proposed Definition: **production studio**
- Proposed Definition: **backlot**

**3) Table 6A (Commercial Zones) – Permitted Non-Residential Uses is amended by adding a row, in alphabetical order with existing uses in Table 6A for ‘Production studio’ to permit the use in the identified commercial zones below:**

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Production studio			X	X		X	X	X	

**Rationale:**

**Production studio** is proposed to be permitted within the Regional Shopping Centre (C3), District Commercial (C4), Arterial Commercial (C6), Arterial Commercial – Fisher Street (C6F) and Arterial Commercial – Lakeshore Drive (C6L) zones respectively. The use would function similarly to any other commercial use also permitted in terms of size, scale, and potential impact on surrounding uses within the proposed permitted zones identified above. As noted in the definition, a production studio occurs within a building and does include any permanent outdoor filming or set construction.

**4) Table 7A (Industrial Zones) – Permitted Uses is amended by adding separate rows for ‘production studio’, ‘backlot’, and ‘production studio & backlot’ in alphabetical order with existing uses in Table 7A to permit the uses in the industrial zones identified below:**

Use	M1	M2	M3	M4	MC	MR	MBP
Production studio	X	X		X	X		
Backlot				X			
Production studio & backlot		X		X			

**Rationale:**

- i. **Production studio** is proposed to be permitted within the Light Industrial (M1), General Industrial (M2), Restricted Industrial (M4) and Industrial Commercial (MC) zones respectively. The proposed use would function similarly to many commercial uses and light industrial uses also permitted within the proposed permitted zones identified above. As noted in the definition, a production studio occurs within a building and does include any permanent outdoor filming or set construction. The inclusion of production

studios in industrial zones will support outdoor storage in the same manner as currently permitted within the industrial zone.

- ii. **Backlot** is proposed to be permitted within the Restricted Industrial (M4) zone only. As noted in the definition, a backlot use is the use of a property for temporary set construction, building facades, streetscapes and/or permanent buildings. Recognizing that the use would be outdoors the proposed zone category including the proposed regulations (increased setbacks, buffering etc.) should mitigate any potential impacts on the surrounding land uses.

Properties zoned M4 are generally in the City's Rural Area, are not connected to municipal services, and are generally well distanced from residential and open space zones. Staff is also proposing several special provisions related to **backlot** uses which are intended to further minimize potential negative impacts of the proposed use. The applicable proposed special provisions are listed later in this document.

- iii. **Production studio & backlot** is proposed to be permitted within the General Industrial (M2) and Restricted Industrial (M4) zones respectively. As noted in the definition section a **production studio & backlot** development combined both a **production studio** and **backlot** on one property. Similar to the **backlot** use, there is the potential that this use can impact surrounding land uses, as a result the number of zones that the use is permitted is limited. In addition, the proposed regulations (increased setbacks, buffering etc.) should mitigate any potential impacts on the surrounding land uses.

Properties zoned M2 are in the City's Urban Settlement boundary and may be in relative proximity to sensitive zones such as residential and open space. Planning Staff is proposing several special provisions which are intended to limit potential negative impacts. These special provisions are detailed later in this document.

Properties zoned M4 are in the Rural Area, are not connected to municipal services and are generally well distanced from residential and open space zones. Special provisions are also proposed for the M4 zone.

## 5) Table 7C (Industrial Zones) - Setbacks and Other Regulations for Industrial Properties is amended by adding the following special provisions:

- i. Within the M2 and M4 zones, the following special provisions shall be included in "Other Provisions" and added to the list of special provisions:

(8) **backlot or production studio & backlot** uses:

- a) shall require a minimum **setback** of 30m from all **lot lines**.
- b) no parking or **outside storage** is permitted within 30m of any **lot line** in any **yard**.
- c) no **outside storage** is permitted within 30m of any **lot line** in the side or rear **yard**. No **outside storage** is permitted within the **front yard**. All **outside storage** shall be screened in the form of **landscaping** or fencing, to a height of at least 2.5m.
- d) landscaping:
  - i) a strip of land at least 3m in width along the **lot frontage** shall be adequately landscaped.
  - ii) the 30m required **setback** shall be landscaped in a manner that creates both a visual and noise **buffer** to adjacent properties, including a variety of trees, shrubs and hedges.
  - iii) All exterior lighting and illuminated signs shall be arranged to face away from adjacent residential, rural and open space zones and in all cases arranged as to direct the light away from adjacent **lots**.

#### Rationale:

The proposed special provisions for backlot and production studio & backlot uses is intended to recognize the potential impact that these uses could have on adjacent properties given the outdoor nature of backlot uses. The setbacks and landscaping provisions should provide adequate buffering to adjacent uses.

#### **6) Table 10A (Rural Zones) – Permitted Non-Residential Uses is amended by adding rows for ‘Production studio’, ‘Backlot’ and ‘Production studio & backlot’ in alphabetical order with existing uses in Table 10A to permit the uses in the rural zones identified below:**

<b>Use</b>	<b>A</b>	<b>RRL</b>	<b>RRE</b>	<b>RME</b>	<b>RC</b>	<b>RMC</b>	<b>RN</b>
Production studio					X		
Backlot					X		
Production studio & backlot					X		

#### Rationale:

**Production studio, backlot** and **production studio & backlot** are proposed to be permitted in the Rural Commercial (RC) zone only. In general, the three proposed uses would function similarly to many other uses permitted in the RC zone.

Properties zoned RC are in the City’s Rural Area, are not connected to municipal

services and are generally well distanced from residential and open space zones. Several special provisions related to **backlot** uses are proposed which should minimize potential negative impacts on adjacent uses. The proposed special provisions are listed later in this document.

## 7) Table 10B (Rural Zones) - Permitted Non-Residential Uses and Regulations is amended by adding the following special provisions:

- i. Within the RC zone, the following special provisions shall be included in “Other Provisions” and added to the list of special provisions:
  - (10) **backlot or production studio & backlot** uses:
    - a) shall require a minimum **setback** of 30m from all **lot lines**.
    - b) no parking or **outside storage** is permitted within 30m of any **lot line** in any **yard**.
    - c) no **outside storage** is permitted within 30m of any **lot line** in the side or rear **yard**. No **outside storage** is permitted within the **front yard**. All **outside storage** shall be screened in the form of **landscaping** or fencing, to a height of at least 2.5m.
    - d) **landscaping**:
      - i) a strip of land at least 3m in width along the **lot frontage** shall be adequately landscaped.
      - ii) the 30m required **setback** shall be landscaped in a manner that creates both a visual and noise **buffer** to adjacent properties, including a variety of trees, shrubs and hedges.
      - iii) All exterior lighting and illuminated signs shall be arranged to face away from adjacent residential, rural and open space zones and in all cases arranged as to direct the light away from adjacent **lots**.

### Rationale:

The proposed special provisions for backlot and production studio & backlot uses is intended to recognize the potential impact that these uses could have on adjacent properties given the outdoor nature of backlot uses. The setbacks and landscaping provisions should provide adequate buffering to adjacent uses.