

The Corporation of the City of North Bay

By-Law No. 2020-58

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Four Mile Lake Road from a “Rural (A)” zone to a “Rural Extractive Industrial Special No. 21 (RME Sp. 21)” zone

Mano Aggregates Inc. – 540 Marsh Drive

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 Schedules “B-15”, “B-16” and “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. 2020-10 adopted by Council on July 21, 2020 by Resolution No. 2020-205 to approve this rezoning;

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

- 1) Schedules “B-15”, “B-16” and “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 as PIN 49127-1009 (LT) PT S 1/2 LT 17 CON 2 Widdifield as in LT78276 Except LT83366, PTS 1 & 2, PL 36R12826; S/T LT44273, LT51686, LT93726; North Bay; District of Nipissing), shown as hatched on Schedule A attached hereto from a “Rural (A)” zone to a “Rural Extractive Industrial Special No. 21(RME Sp. 21)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Rural Extractive Industrial Special No. 56 (RME Sp. 56)” 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 11.4.21:
 - “11.4.21 “Rural Extractive Industrial Special No. 21(RME Sp. 21)”
 - 11.4.21.1 The property description of this “Rural Extractive Industrial Special

No. 21 (RME Sp.21)"is PIN 49127-1009 (LT) PT S 1/2 LT 17 CON 2 Widdifield as in LT78276 Except LT83366, PTS 1 & 2, PL 36R12826; S/T LT44273, LT51686, LT93726; North Bay; District of Nipissing along Four Mile Lake Road in the City of North Bay as shown on the attached Schedule and on Schedules "B-15", "B-16" and "C-1".

11.4.21.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "<proposed zone>" except for the following uses:

- Asphalt/Concrete plant;
- Pit;
- Waste sorting facility; and
- Quarry

11.4.21.2 (b) For the purpose of this By-law, a "Waste Sorting Facility" is defined as "A facility that the processes solid non-hazardous waste, including construction and demolition waste"

11.4.21.3 The use of land or building in this "Rural Extractive Industrial Special No. 21 (RME Sp.21)" 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 "Rural Extractive Industrial Special No. 21 (RME Sp.21)" 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 *Local Planning Appeal Tribunal Act*, S.O. 2017, c. 23, Sched. 1.
- 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 21st Day of July 2020.

Read a Second Time in Open Council the 21st Day of July 2020.

Read a Third Time in Open Council and Passed this 21st Day of July 2020.

Mayor, Allan McDonald

City Clerk Karen Mclsaac

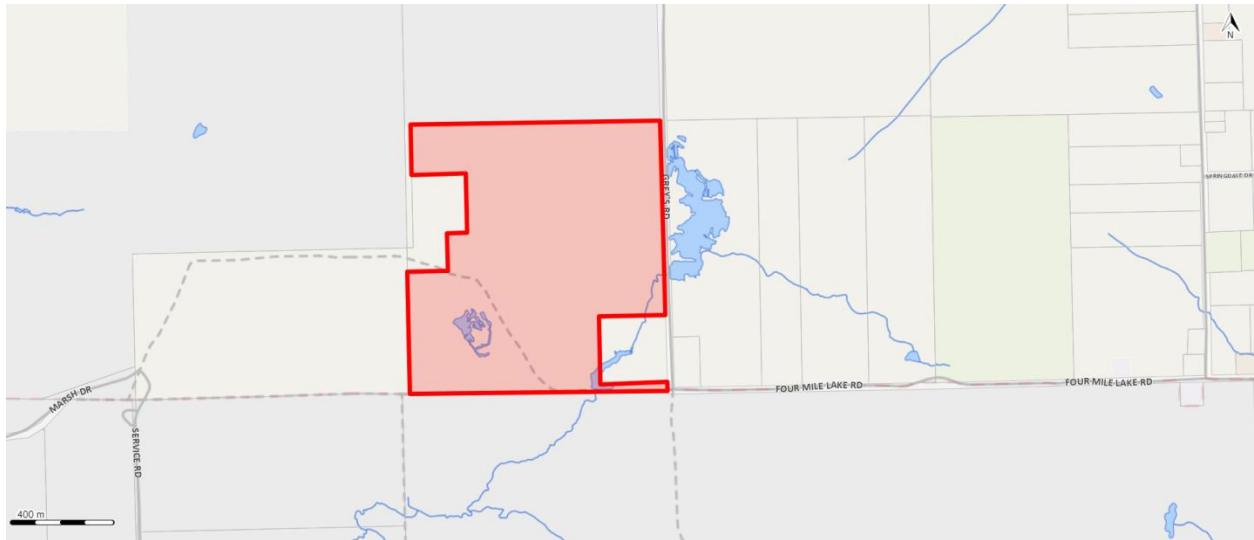
Schedule A

This is Schedule "A"
To By-law No. 2020-58


Passed the 21st day of July, 2020

Mayor Allan McDonald

City Clerk Karen McIsaac



Legend

 - From a "Rural (A)" zone to a "Rural Extractive Industrial Special No. 21 (RME Sp. 21)" zone