



Committee Agenda

**Committee Meeting of Council
July 30, 2012
at 6:00 p.m.**

MEETINGS

**FOR THE WEEK OF
JULY 30TH, 2012**

Monday, July 30, 2012

6:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

MEETINGS

**HELD UNDER THE
PLANNING ACT**

Monday, July 30, 2012

6:00 p.m.

Rezoning application
Gap Construction Co. Ltd.
Dree Street

Rezoning application
Kenneth & Leona Walker
860 Northshore Road

ENGINEERING & WORKS COMMITTEE

Monday, July 30, 2012

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Chairperson: Councillor Vrebosch

Vice-Chair: Councillor Koziol

Member: Councillor Campbell

Ex-Officio: Mayor McDonald

EW-2010-03

Report from A. Korell/J. Houston dated March 26, 2010 re Kate Pace Way west end bike route connection between Memorial Drive and Gormanville Road (R05/2010/KPWTR/WESTENDR).

GENERAL GOVERNMENT COMMITTEE

Monday, July 30, 2012

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Chairperson: Councillor Lawlor
Vice-Chair: Councillor Anthony
Members: Councillors Bain, Maroosis
Ex-Officio: Mayor McDonald

GG-2011-04 Motion from Councillor Anthony dated January 10, 2011 re Council remuneration (F16/2011/CNB/COUNCIL).

GG-2011-16 Report from C.M. Conrad dated August 2, 2011 re Election campaign signs (C07/2011/ELECT/GENERAL).

COMMUNITY SERVICES COMMITTEE

Monday, July 30, 2012

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Chairperson: Councillor Mendicino
Vice-Chair: Councillor Mayne
Member: Councillor Vaillancourt
Ex-Officio: Mayor McDonald

- CS-2001-35 Rezoning applications by Consolidated Homes Ltd. – Golf Club Road (D14/2001/CHLTD/GOLFCLUB).
- CS-2003-37 Condominium application by Rick Miller on behalf of New Era Homes Ltd. - McKeown Avenue (D07/2003/NEHL/ MCKEOWN).
- CS-2004-29 Rezoning and Plan of Subdivision applications by Rick Miller on behalf of Grand Sierra Investments Ltd. - Sage Road (D12/D14/2003/GSIL/SAGERD).
- CS-2011-04 Motion moved by Councillor Mayne on January 24, 2011 re Designated Off-Leash Dog Area (R00/2011/PARKS/DOGPARK).
- CS-2011-16 Plan of Subdivision application by Miller & Urso Surveying Inc. on behalf of 873342 Ontario Inc. (Kenalex Development Inc.) - Phase II, Trillium Woods Subdivision (Booth Road) (D12/2011/KENAL/BOOTHRD2).
- **CS-2012-14 Report from S. McArthur dated June 7, 2012 re Rezoning application by Miller & Urso Surveying Inc. on behalf of Gap Construction Co. Ltd. - Dree Street (D14/2012/GAP/DREE).**
- **CS-2012-15 Report from S. McArthur dated June 7, 2012 re Rezoning application by Kenneth & Leona Walker - 860 Northshore Road (D14/2012/WALKE/NORTHS).**
- CS-2012-16 Report from S. Kitlar dated June 12, 2012 re Multi-Use Recreation Facility Study update (R05/2012/MURF/GENERAL).

CS-2012-14

Draft recommendation:

- "That a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Gap Construction Co. Ltd. from an "Industrial Holding (MH)" zone to an "Industrial Special Zone No. 3 (M Sp.3)" for the purpose of a lot addition to a property known locally as 387 Dree Street in the City of North Bay, be approved; and
- b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990 as amended, in order to regulate parking, lighting, landscaping, stormwater, drainage, garbage, play space, ingress, egress and fencing as required."

INTER OFFICE

*City of North Bay
Planning Services*

MEMO

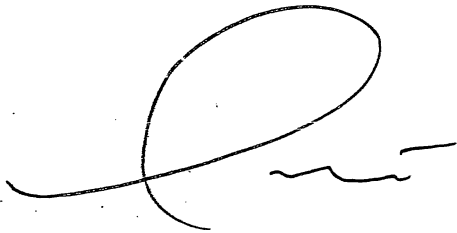
To: Cathy Conrad, City Clerk
From: Steve McArthur - Senior Planner, Current Operations
Subject: Resolution No. 3 - Planning Advisory Committee
Date: June 7th, 2012

Quoted below is Resolution No. 3 passed at the regular meeting of the Planning Advisory Committee held on Thursday, June 7th, 2012:

Resolution No. 3

"That the Planning Advisory Committee recommend the following to City Council:

1. That the proposed Zoning By-law Amendment by GAP Holdings Inc. from an 'Industrial Holding (MH)' zone to an 'Industrial Special Zone No. 3 (M Sp.3)' for the purpose of a lot addition to a property known locally as 387 Dree Street in the City of North Bay, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required."

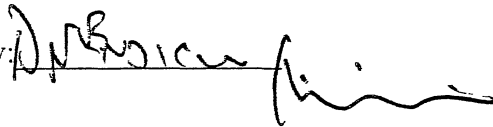


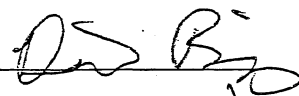
Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

North Bay Planning Advisory Committee

Resolution No. 3

Date: June 7, 2012

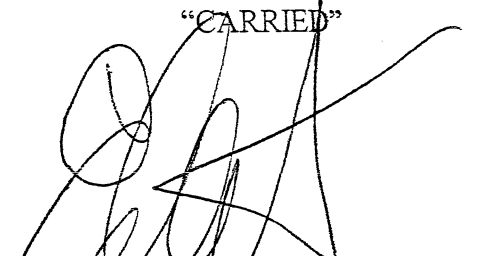
Moved By: 

Seconded By: 
(Briggs)

“That the Planning Advisory Committee recommend the following to City Council:

1. That the proposed Zoning By-law Amendment by GAP Holdings Inc. from an ‘Industrial Holding (MH)’ zone to an ‘Industrial Special Zone No. 3 (M Sp.3)’ for the purpose of a lot addition to a property known locally as 387 Dree Street in the City of North Bay, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended in order to regulate parking, lighting, landscaping, storm water, drainage, garbage, play space, ingress, egress and fencing as required.”

“CARRIED”


Chair

City of North Bay
Planning Services

MEMO

To: Chair and Members, Planning Advisory Committee
From: Steve McArthur - Senior Planner, Current Operations
Subject: Proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of GAP Construction Co. Ltd., for Vacant Lands behind 379, 383 & 387 Dree St., City of North Bay.
Date: May 30, 2012

Recommendation

1. That the proposed Zoning By-law Amendment from an 'Industrial Holding (MH)' zone to an 'Industrial Special Zone No. 3 (M Sp.3)' by Miller & Urso Surveying Inc. on behalf of GAP Construction Co. Ltd., for the property legally described as Concession 14, Part of Lot 34, Parcels 5464 & 6761 in the former Township of West Ferris, known locally as Vacant Lands at the rear of 379, 383 & 387 Dree Street in the City of North Bay, BE APPROVED; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, in order to regulate parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

Site

The subject lands consist of vacant property at the rear of 379, 383 & 387 Dree Street, as shown on Schedules "A" and "B" attached hereto. The total land area subject to this application is approximately 1.22 ha (3.0 acres). The property is designated "General Industry" in the City's Official Plan and is zoned "Industrial Holding (MH)" by Zoning By-law No. 28-80.

The subject lands are currently vacant and undeveloped. The abutting properties fronting on Dree Street are developed with three (3) light industrial businesses featuring buildings with a total footprint of approximately 1,850 sq.m. (20,000 sq.ft.). The site is surrounded by light industrial uses and other similarly designated vacant lands, the exception being the Kate Pace Way multi-use trail which abuts the subject lands immediately to the east.

Proposal

The Owner has applied to rezone the Subject Lands in order to permit the expansion of an existing business located at 387 Dree Street. If successfully rezoned, the Owner will apply to the Committee of Adjustment for a lot addition in order to add the subject lands to an existing property at 387 Dree Street.

Provincial Policy

This proposal has been reviewed in the context of the Growth Plan for Northern Ontario (GPNO 2011) and the Provincial Policy Statement (PPS 2005). These policies provide direction on matters of Provincial interest related to land use planning and development.

The Growth Plan for Northern Ontario was introduced on March 3rd, 2011, and all Planning applications must now be evaluated to consider this plan. The GPNO is broad in scope and is aimed at shaping

development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This plan is an economic development tool that encourages growth in Northern Ontario. Specific planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Provincial government or incorporated into the Official Plan.

This application has been reviewed in accordance with the Growth Plan for Northern Ontario (2011) and has been found to be in conformity with its policies.

This application has been reviewed in the context of the Provincial Policy Statement (PPS 2005). Section 1.0 of the PPS 2005, Building Strong Communities, provides for a wide variety of policies relating to wisely managing change and promoting efficient land use and development patterns.

Section 1.1.3.3 states: *"Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs"*.

Although it is preferable that development occur on full municipal services, the subject lands will be added to a property that is currently developed. The proposed rezoning and future lot addition should not place additional demands on the municipality for the future extension of piped sanitary services. The subject property will be added to lands with existing buildings on partial municipal services (water), resulting in redevelopment, reinvestment and intensification without the requirement for the extension of municipal services, as is encouraged by Section 1.3 'Employment Areas', which states:

"Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) planning for, protecting and preserving employment areas for current and future uses; and*
- d) ensuring the necessary infrastructure is provided to support current and projected needs."*

Section 2 of the PPS, Natural Heritage, indicates that development and site alteration shall not be permitted in *"significant habitat of endangered species and threatened species; or significant wetlands"*. The Conservation Authority has noted *"that there is a large wetland area at the south end of the subject lands"*. This wetland area is not defined as 'significant wetland' under the PPS 2005.

In addition, the Conservation Authority has identified that there are no known Species at Risk on, or within 120m, of the subject lands. The area is regulated by the NBMCA and a Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (DIA) Permit will be required prior to undertaking any site alteration activities on the subject property.

Although it is not considered a PSW, the Owner has agreed that the future transfer of the subject lands will exclude the wetland area and it will remain undeveloped.

In reviewing the proposed Zoning By-law Amendment, it is my professional opinion that all pertinent Provincial policies have been applied in their entirety and that the end use is consistent with Provincial Policy as set out in the Provincial Policy Statement (PPS 2005) and in the Growth Plan for Northern Ontario (GPNO 2011).

Official Plan

The subject property is designated "General Industry" in the City of North Bay's Official Plan.

Section 2.2 of the Official Plan, Employment Lands, states that: *"The Gateway and Seymour industrial parks and other existing industrial lands within the City will be maintained by way of appropriate Official Plan policy and zoning in the City's Comprehensive Zoning By-law to ensure they remain viable. All business retention and expansion opportunities and new economic development opportunities will be developed in harmony with the environmental, social and economic environments of the City."*

The subject lands are adjacent to the Gateway Industrial Park and are currently vacant and undeveloped. The abutting properties fronting on Dree Street are developed with three (3) light industrial businesses featuring buildings with a total footprint of approximately 1,850 sq.m. (20,000 sq.ft.). The site is surrounded by light industrial uses and other similarly designated vacant lands. The Applicants' proposal to rezone the Subject Lands in order to permit the expansion of an existing business located at 387 Dree Street is in conformity with the general intent of the Official Plan.

Zoning By-law No. 28-80

The subject property is currently zoned "Industrial Holding (MH)" by the City of North Bay's Zoning By-law No. 28-80. The currently permitted uses and proposed land uses are included in the following table:

Current List of Permitted Land Uses Industrial Holding (MH) Zone	Proposed List of Permitted Land Uses Industrial Special Zone No. 3 (M Sp.3)
<p>Permitted Uses: Current -</p> <ul style="list-style-type: none"> - Agricultural and Forestry Uses; - Cemeteries - Commercial Agricultural Use - Conservation Areas - Hobby Farm - Public and Private Recreational Uses - Existing single detached dwellings and new single detached dwellings on a lot created pursuant to Section 50 or 53 of the Planning Act, R.S.O. 1990 as amended - Accessory Uses to the above - Accessory Home Based Businesses in accordance with Section 3.35 	<p>Permitted Uses: Proposed -</p> <ul style="list-style-type: none"> - Industrial Bulk sales establishments, construction contractors and yards, heavy equipment storage, heavy equipment sales and service, transportation, communication and utilities yards or terminals, wholesale uses, warehouse uses, builders' supply yards, manufacturing, processing and assembly operations not requiring municipally -supplied services such as sewer and water. <p>Residential - An apartment within the main building for an essential workman or caretaker.</p> <p>Offices - Administrative offices associated with and integral to the main industrial use.</p> <p>Outdoor Storage - Will be permitted, but shall not be conducted in the front yard and shall be enclosed and adequately screened in the form of opaque fencing or landscaping to a height of not less than one and eight-tenths (1.8) metres, but not greater than the height of the first storey of the main building on the property.</p>

The special component of the "Industrial Special Zone No. 3 (M Sp.3)" is as follows:

1. The minimum front yard shall be fifteen (15) metres.
2. The minimum rear yard setback shall be twelve (12) metres except:

- a. where the rear lot line abuts a residential or open space zone the setback from said rear lot line shall be a minimum of fifteen (15) metres, or
- b. where a rear lot line abuts a railway the setback from the rear lot line shall be nil.
3. The minimum side yard setback shall be four and five-tenths (4.5) metres except:
 - a. where the side lot line abuts a residential or open space zone the setback from said side lot line shall be a minimum of nine (9) metres, or
 - b. where a side lot line abuts a street, setback from said side lot line shall be a minimum of nine (9) metres, or
 - c. where a side lot line abuts a railway, the setback from said side lot line shall be nil.
4. The use of land in this Industrial Special 3 Zone shall be subject to a written agreement between the prospective industries and the City that:
 - a. urban services are not required for the proposed use, and
 - b. the City will not provide urban services to such land.

There is no construction anticipated and no new buildings are planned. The rezoning, if successful, will permit the expansion of an existing business located at 387 Dree Street that will continue to meet all of the requirements and regulations of the City of North Bay's Zoning By-law No. 28-80.

Correspondence

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to several municipal departments and other agencies that may have an interest in this matter.

In terms of the correspondence received, the Engineering Department, the Chief Building Official, the Ministry of Transportation, the Chief Fire Prevention Officer, the Economic Development Department, and the Municipal Heritage Committee offered no objections to the proposal.

The North Bay-Mattawa Conservation Authority (NBMCA) offered the following comments: *"The Conservation Authority has no objection to this application, and offers the following. For your information, the above-noted property is located in a "spillway" of the La Vase River. In addition to this, there is a large wetland area at the south end of the proposed lands to be rezoned. This area is regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulation 177/06. This regulation is pursuant to Section 28 of the Conservation Authorities Act of Ontario. A Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (DIA) Permit will be required from this office prior to undertaking any site alteration activities and/or any construction or renovation work on the subject property. Site alteration activities would include: the placement or removal of fill material of any kind, and/or the alteration of existing grades on the subject property. It is recommended that the proposed southerly lot line be re-located so that it does not encroach into the wetland area. This would alleviate some of the spillway concerns. Correspondence from the Ministry of Natural Resources indicates that there are no known Species at Risk on the property or within 120 meters. The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS."*

The Director of Parks, Recreation & Leisure Services asked that the property be placed under Site Plan Control, in order to establish appropriate fencing and/or landscaping adjacent to the Kate Pace Way multi-use trail. Site Plan Control will allow the City to implement conditions in order to regulate parking, lighting, landscaping, fencing, storm water management, drainage, ingress and egress as required.

The requests from the NBMCA and the Director of Parks, Recreation & Leisure Services have been agreed to by the Owner and will be incorporated into the required Site Plan Control Agreement (SPCA). The Owner has indicated that the future transfer of lands to 387 Dree Street will exclude the identified wetland area and it will remain undeveloped. In addition, the Owner is agreeable to establishing and maintaining fencing and/or a buffer adjacent to the Kate Pace Way.

No objections to the proposed Zoning By-law Amendment were received from any of the other circulated property owners.

Summary

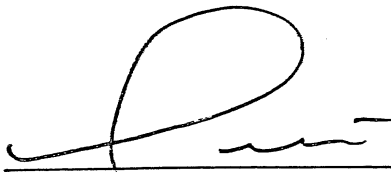
The subject lands are adjacent to the Gateway Industrial Park and are currently vacant and undeveloped.

The abutting properties fronting on Dree Street are developed with three (3) light industrial businesses featuring buildings with a total footprint of approximately 1,850 sq.m. (20,000 sq.ft.). The site is surrounded by light industrial uses and other similarly designated vacant lands. The Applicants' proposal to rezone the Subject Lands in order to permit the expansion of an existing business located at 387 Dree Street is in conformity with the general intent of the Official Plan.

The property will be subject to Site Plan Control, which will allow the City to implement conditions in order to regulate parking, lighting, landscaping, fencing, storm water management, drainage, ingress and egress as required. There is no construction anticipated and no new buildings are planned. The rezoning, if successful, will permit the expansion of an existing business located at 387 Dree Street that will continue to meet all of the requirements and regulations of the City of North Bay's Zoning By-law No. 28-80.

It is my professional opinion that the proposed Zoning By-law amendment maintains the intent of the City of North Bay's Official Plan and the end use is consistent with the Provincial Policy as outlined in the Provincial Policy Statement (PPS 2005) and in the Growth Plan for Northern Ontario (GPNO 2011).

Respectfully submitted,




Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

attach.

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I concur with the recommendations contained in this report.


Beverley Hillier, MCIP, RPP
Manager, Planning Services

CS-2012-15

Draft recommendation.

"That the proposed Zoning By-Law Amendment by Kenneth & Leona Walker from a "Rural Residential Lakefront (RRL)" zone to a "Rural (A)" zone for the purpose of permitting the construction of one (1) single detached dwelling on an existing lot of record east of 850 Northshore Road in the City of North Bay, be approved."

INTER OFFICE

*City of North Bay
Planning Services*

MEMO

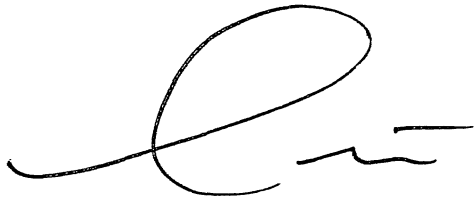
To: Cathy Conrad, City Clerk
From: Steve McArthur - Senior Planner, Current Operations
Subject: Resolution No. 2 - Planning Advisory Committee
Date: June 7th, 2012

Quoted below is Resolution No. 2 passed at the regular meeting of the Planning Advisory Committee held on Thursday, June 7th, 2012:

Resolution No. 2

"That the Planning Advisory Committee recommend the following to City Council:

That the proposed Zoning By-law Amendment by Kenneth & Leona Walker from a 'Rural Residential Lakefront (RRL)' zone to a 'Rural (A)' zone for the purpose of permitting the construction of one (1) single detached dwelling on an existing lot of record east of 860 Northshore Road in the City of North Bay, BE APPROVED."

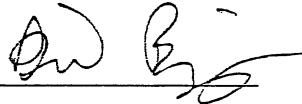


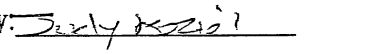

Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

North Bay Planning Advisory Committee

Resolution No. 2

Date: June 7, 2012

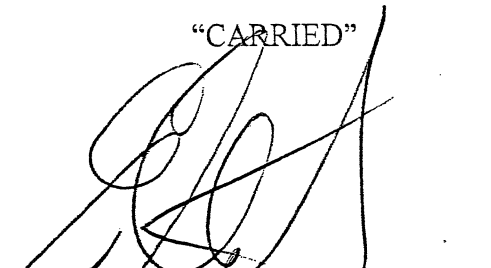
Moved By: 
(Biggs)

Seconded By: 


“That the Planning Advisory Committee recommend the following to City Council:

1. That the proposed Zoning By-law Amendment by Kenneth & Leona Walker from a ‘Rural Residential Lakefront (RRL)’ zone to a ‘Rural (A)’ zone for the purpose of permitting the construction of one (1) single detached dwelling on an existing lot of record east of 850 Northshore Road in the City of North Bay, BE APPROVED.”

“CARRIED”


Chair

INTER OFFICE

City of North Bay
PLANNING SERVICES

MEMO

To: Chair and Members, Planning Advisory Committee

From: Steve McArthur – Senior Planner, Current Operations

Subject: Proposed Zoning By-law Amendment by Kenneth & Leona Walker for the property legally described as Concession B, Part of Lot 6, Reference Plan No. 36R-10792, Part 1, and Reference Plan No. 36R-11769, Part 1, Parcel 18857 W&F in the City of North Bay.

Date: June 1, 2012

Recommendation

- 1) That the proposed Zoning By-law Amendment from a 'Rural Residential Lakefront (RRL)' zone to 'Rural (A)' zone by Kenneth & Leona Walker for the property legally described as Concession B, Part of Lot 6, Reference Plan No. 36R-10792, Part 1, and Reference Plan No. 36R-11769, Part 1, Parcel 18857 W&F in the City of North Bay, BE APPROVED.

Site

The lands subject to the proposed amendment are in the rural area of the City of North Bay near the northeast shore of Four Mile Bay on Trout Lake, adjacent to the property locally known as 850 Northshore Road, as shown on Schedule "A" attached hereto.

The subject lands are 0.69 hectares (1.71 acres) in total land area, with a frontage of approximately 111 meters (364 feet) on Northshore Road. The subject property is surrounded by vacant, undeveloped lands and similarly zoned rural residential uses on all sides.

Proposal

The Owner perfected a severance for the purpose of a lot addition in 2004 (File No. B-25-04). This resulted in a property with split zoning, being a "Rural (A)" zoning designation on the severed parcel and a "Rural Residential Lakefront (RRL)" zoning designation on the retained parcel, as shown on Schedule "B" attached hereto.

The Applicant is proposing to rezone the portion subject lands with the "Rural Residential Lakefront (RRL)" zoning designation in order to permit the construction of a single detached dwelling.

Provincial Policy Statement (PPS 2005)

This proposal has been reviewed in the context of the Provincial Policy Statement (PPS 2005). The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development.

Section 1.1.4, Rural Areas, of the PPS 2005 states that: *"In rural areas located in municipalities:*

- a) *permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses;*
- b) *development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure;*
- c) *new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae;*
- d) *development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted; ..."*

The proposed amendment will result in the construction of one (1) single detached dwelling on a private well and septic system. The North Bay-Mattawa Conservation Authority (NBMCA) has advised that there are *"no concerns with the rezoning of the lands with respect to servicing the property with a septic system"*. The proposed development is compatible with existing rural residential uses in the immediate area.

In my professional opinion, the proposed Zoning By-law amendment is consistent with the policies contained in the Provincial Policy Statement (PPS 2005).

Growth Plan for Northern Ontario (GPNO 2011)

The Growth Plan for Northern Ontario (GPNO 2011) was introduced on March 3rd, 2011. All Planning Applications must consider this Plan as part of the evaluation process.

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario. Specific Planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Province or incorporated into the Official Plan.

The Plan has been reviewed in its entirety and in my professional opinion, the proposed Zoning By-law amendment is consistent with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

Official Plan

The property is currently designated 'Rural' on Schedule "2" of the City of North Bay's Official Plan.

The Rural Area is beyond the area required for urban development and therefore the intent of the Official Plan is to protect the rural nature of these lands, by directing new development to the Settlement Area, leaving the rural area largely undeveloped. Uses in the Rural Area will be those uses that are location dependent and do not require urban services, such as but not limited to: aggregate and mineral extraction, limited restricted industrial, highway commercial, waterfront commercial, rural institutional and *limited residential development*. It is the intent of the Official Plan to strictly control development within the rural area and ensure that land use conflicts in the rural area are minimized.

Section 3.4.10 states: "Recognizing that many of the existing residences in the rural area are non-farm dwellings, and because of the unsuitability of much of the land in the rural area of the City for agricultural purposes, it is the policy of the Plan to permit very limited residential development that maintains the rural character of the area and does not jeopardize the planned function of the rural area...".

Section 3.5 of the O.P., Trout Lake Watershed, contains policies for properties in the watershed area. It is the intent of the Official Plan to strictly control or limit the nature and extent of development along the shoreline of Trout Lake, including second-tier or backshore development, development on islands in Trout Lake, development along streams flowing into Trout Lake, as identified by the North Bay-Mattawa Conservation Authority on the schedule to the Development, Interference and Alteration to Waterways Regulations and development in the Trout Lake Watershed in general. The section goes on to add that this will be achieved by generally prohibiting the creation of new lots which front on Trout Lake or on a stream flowing into Trout Lake.

These policies are mainly in place to discourage new lot creation in the watershed. The subject lands represent an existing lot of record on the north side of Northshore Road some 155 meters (500 feet) back from the Trout Lake shoreline. In my professional opinion the proposed Official Plan amendment meets the general intent of the Official Plan.

Zoning By-Law No. 28-80

The subject property is presently zoned "Rural Residential Lakefront (RRL)" which permits the following uses:

- Existing single detached dwelling
- New single detached dwelling
- Local park and playground
- Accessory uses to the above
- Accessory home based business in accordance with Section 3.35

The Applicant is proposing to rezone the subject lands to a "Rural (A)" zone which permits the following uses:

- Agricultural and Forestry Uses
- Cemeteries
- Commercial Agricultural Uses
- Conservation Areas
- Hobby farm
- Public and Private Recreational Uses
- Existing single detached dwellings and new single detached dwellings on a lot created pursuant to Section 50 or 53 of the Planning Act, R.S.O. 1990 as amended
- Accessory uses to the above
- Accessory home based businesses in accordance with Section 3.35

The Applicant is seeking to rezone the subject lands in order to permit the construction of one (1) single detached dwelling on an existing lot of record. The subject property currently has 'split-zoning', meaning two (2) zoning designations. The applicant is seeking to rezone the subject lands to a 'Rural (A)' designation only. There is no new lot creation being proposed as part of this amendment.

Considerations

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to several municipal departments and agencies that may have an interest in the application.

In terms of correspondence received, the Engineering Department, the Secretary-Treasurer of the North Bay Municipal Heritage Committee, the Chief Building Official, the Chief Fire Prevention Officer and the Ministry of Transportation have indicated they have no concerns or objections to this proposal.

The North Bay-Mattawa Conservation Authority (NBMCA) submitted the following comments:

"There are no concerns with the rezoning of the lands with respect to servicing the property with a septic system. Please be advised that this property is not in an area regulated by the Conservation Authority. The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS; therefore, we have no objection to this application."

The proposal was presented to the public at the regular meeting of the Planning Advisory Committee on May 16, 2012. At that meeting, the abutting property owner from 850 Northshore Road spoke and indicated that he had received notice of the application and was in support of a single detached home being built on the property. No further correspondence was received with regards to this proposal.

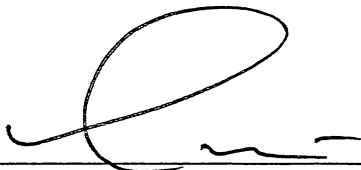
Summary

The intent of the policies contained in the Official Plan outlined in this report is to prohibit new lot creation in the Trout Lake Watershed and to mitigate any potential impacts on established area property owners. In the context of this specific application, there is no lot creation contemplated and the construction of a single detached dwelling on this existing lot of record should have no negative impact on surrounding properties.

The Owner perfected a severance for the purpose of a lot addition in 2004. This resulted in a property with split zoning, being a "Rural (A)" zoning designation on the severed parcel and a "Rural Residential Lakefront (RRL)" zoning designation on the retained parcel. In order to construct a new dwelling that meets the requirements of Zoning by-law No. 28-80 the Applicant is proposing to rezone the portion subject lands with the "Rural Residential Lakefront (RRL)" zoning designation to a "Rural (A)" zoning designation, thereby creating consisting zoning for the entire 0.69 hectares (1.71 acres) property.

It is my professional opinion the proposed Zoning By-law amendment represents good planning, is in conformity with the Official Plan, and is consistent with Provincial Policy, as set out by the Growth Plan for Northern Ontario (GPNO 2011) and the Provincial Policy Statement (PPS 2005).

Respectfully submitted,



Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

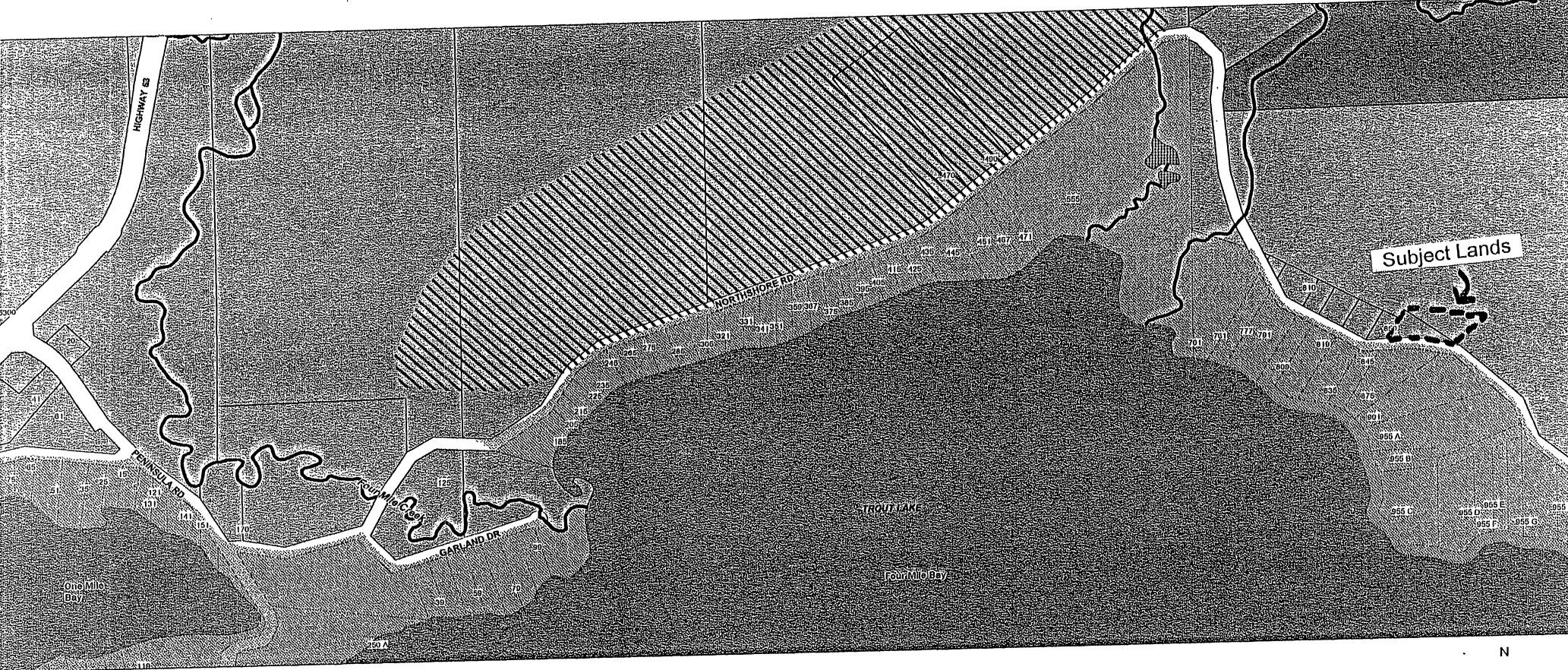
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attach.

I concur with the recommendations contained in this report.

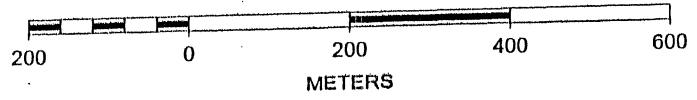


Beverley Hillier, MCIP, RPP
Manager, Planning Services

SCHEDULE A



SCALE 1 : 9,647



Proposed Zoning By-law Amendment
From: "Rural Residential Lakefront (RRL)"
To: "Rural (A)"



ITEMS REFERRED BY COUNCIL FOR A REPORT

<u>DATE</u>	<u>ITEM</u>
March 29, 2005	Backflow Prevention Program survey of all industrial, commercial and institutional buildings (due September 2005) .
September 21, 2009	Review, update and consolidation of Noise By-Law (due June 30, 2010) .
March 8, 2010	Comprehensive Long-Term Financial Plan (due April 30, 2010) .
May 3, 2010	Track the net financial benefits created through increased assessment as a result of the Airport Industrial Community Improvement Plan sites being developed.
December 30, 2010	Quarterly report on progress of WSIB appeal, error corrections and cost projections for 2011.
January 24, 2011	Comprehensive review of City owned Lake Nipissing accesses.
July 4, 2011	Comprehensive Status Report relating to BCIP (due July 2014) .
August 2, 2011	Review of smoking at City facilities and commercial establishment patios.
August 15, 2011	Effectiveness of the Residential Rental Housing By-Law (due May 2013) .
July 16, 2012	Review of water and sewage rates for the dispensing facility on Patton Road (due March 2013) .