

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 103-68

The Council of the Corporation of the City of North Bay in accordance with the provisions of The Planning Act hereby enacts as follows:

1. The Official Plan for the North Bay Planning Area (Subsidiary) (approved by the Minister of the Department of Planning and Development on January 5th, 1948, and subsequently amended), having been recommended for repeal by the North Bay Planning Board, is hereby repealed.
2. The attached maps and explanatory text constituting the Official Plan for the North Bay Planning Area which has been recommended by the North Bay Planning Board, is hereby adopted.
3. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for the approval of this repeal and the approval of the new Official Plan for the North Bay Planning Area.
4. This By-law shall not come into force or take effect until approved by the Minister of Municipal Affairs.

READ A FIRST TIME IN OPEN COUNCIL THIS 16TH DAY OF DECEMBER, 1968
 READ A SECOND TIME IN OPEN COUNCIL THIS 16TH DAY OF DECEMBER, 1968
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
 THIS 16TH DAY OF DECEMBER, 1968

Archie MacLear

 ACTING MAYOR

B. S. Armstrong

 CITY CLERK

Certified that the above is a true copy of By-law No. 103-68 as enacted and passed by the Council of the City of North Bay on Monday, 16 December 1968.

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 CITY CLERK

THE OFFICIAL PLAN OF THE NORTH BAY PLANNING AREA

Section 1 : General

- 1.1 This Amendment, comprising the following text and Schedule 'A', the Land Use Plan, when approved by the Minister of Municipal Affairs, shall replace the existing Official Plan of the City of North Bay as constituted prior to January 1st, 1968.
- 1.2 Wherever the term 'City of North Bay' is used in this Plan, it shall mean the City of North Bay as constituted prior to January 1st, 1968, and in no case do any of the policies contained herein refer to the former Townships of Widdifield and West Ferris.
- 1.3 The purpose of this Plan is to provide an interim framework within which development proposals may be judged and zoning and subdivision policies prepared, until such time as an overall plan is adopted for the entire area of the new City of North Bay.
- 1.4 This Official Plan shall mainly be implemented by a Comprehensive Zoning By-law prepared in accordance with the provisions of Section 30 of The Planning Act.
- 1.5 The City shall not approve of any development that contravenes the provisions of the Zoning By-law that implements this Plan except,
 - (a) by the preparation of an amendment to the Zoning By-law, or
 - (b) by the approval of applications for minor variations by a Committee of Adjustment that is appointed by the City and operates under procedures in accordance with the provisions of Articles 32(a) and (b) of the Planning Act.
- 1.6 An Amendment to the Zoning By-law that implements this Plan shall not be approved by the City except when it is shown to the satisfaction of the City that such Amendment is not contrary to the objectives and policies set forth in this Official Plan.
- 1.7 Development shall be guided so as to ensure that the disposition of major land use groupings are as shown on Schedule 'A', the Land Use Plan.
- 1.8 The City shall ensure that land is not subdivided in a manner that does not conform with the policies and schedules of this Official Plan.
- 1.9 All development shall be serviced with piped water supply, sanitary sewers, storm sewers, and all weather roads.
- 1.10 In areas where redevelopment occurs for medium (maisonettes and town houses) and high density (apartments) residential purposes, and additional trunk water or sewer mains are required to serve such development, the City will ensure that agreements are entered into between the developer and the Municipality regarding such trunk services.
- 1.11 Notwithstanding the policies of this Plan, existing uses may continue to exist and be zoned in any restricted area by-law in accordance with their present circumstances, and may be permitted to expand within the limits of property already held for such use, provided they do not adversely affect the amenity of the surrounding area.

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- 1.12 Notwithstanding the designations on Schedule 'A', the Land Use Plan, the Official Plan recognizes that some areas of changing land use may not require zoning for these long term designations for some time to come. In such areas holding zones may be established in the following manner:
- (a) The Zoning By-law may recognize existing uses of land until such time as specific proposals involving changes from the existing use to the long term designations are made.
 - (b) Zoning amendments to implement such proposals may only be made in conformity with this Official Plan.
 - (c) Each application involving a change as indicated in (a) above may be approved by amendment to the Zoning By-law, provided that where the existing use is residential, the residential amenity of the area is adequately protected.
- 1.13 The objective of this Official Plan with respect to the sequence in which major areas are developed or redeveloped for urban purposes is to ensure that the financing of necessary public works can be undertaken by the City without undue burden on the taxpayers and without endangering the City's financial position. It is also to ensure that all new development or redevelopment will be adequately served with water and sewer services.
- 1.14 The Zoning By-law that implements this Official Plan shall prohibit the use of land, buildings or structures for urban purposes where satisfactory roads, hydro electric power, municipal water supply, sanitary sewers and storm drainage are not available.
- 1.15 The City shall permit a developer to provide services only when such developer enters into an agreement to construct such services to the standards and specifications set from time to time by the City.
- 1.16 Where sanitary or storm trunk sewers are to be constructed in a service area, the City shall ensure that such sewers are of adequate depth and capacity to serve the development likely to take place in the entire service area.

Section 2 : Residential Uses

2.1 Low Density Uses

- 2.1.1 The Zoning By-law that implements this Official Plan shall provide for the use of land and buildings in low density residential areas only for accommodation in relatively small buildings with a maximum height of three floors, in dwelling units generally suitable for families with children. The intention of the municipality shall be to ensure that the physical relationship of buildings is such that the amenity of the area is preserved and that different types of structures shall only be mixed where they are mutually compatible. The dwelling unit types considered suitable in such low density areas are,
- (i) single family and semi-detached dwellings,
 - (ii) duplexes, triplexes,
 - (iii) rooming housing and boarding houses,
 - (iv) maisonettes and town houses as a result of specific amendments to the Zoning Bylaw for each application.

2.2 High Density Uses

- 2.2.1 The Zoning By-law that implements this Official Plan shall provide for the use of land and buildings in high density residential areas only for,
- (i) all uses permitted in low density residential areas, and for
 - (ii) apartment residential buildings containing about ten or more dwelling units in each building.
- 2.2.2 The City shall ensure that in the areas designated as residential high density, existing and future low density residential uses shall be protected from the future high density residential development through the use of adequate setbacks, buffering, etc.

2.3 In areas designated as appropriate for residential development on Schedule 'A', the Land Use Plan, the Zoning By-law that implements this Plan may also permit those business, professional, institutional and public uses necessary to serve the day-to-day needs of the people in the neighbourhood, provided they do not detract from the surrounding area, and suitable standards are prescribed to minimize the possibility of nuisance to or depreciation of adjacent residences.

- 2.3.1 Such permitted uses shall include:
- (a) public and separate schools,
 - (b) parks and churches,
 - (c) homes for the aged and indigent, and
 - (d) essential buildings and structures for public utilities.

2.3.2 In addition to the uses permitted in 2.3.1 above, local retail and personal service facilities may also be permitted in residential areas but only after a specific amendment to the Zoning Bylaw.

Section 3 ; Commercial Uses

- 3.1 Areas designated as appropriate for commercial development on Schedule 'A', the Land Use Plan, shall be used only for:
- (a) establishments engaged in trade and service operations,
 - (b) governmental and institutional uses, and
 - (c) dwelling units in commercial areas provided that such dwelling units are connected to and form an integral part of the business premises and are located above or at the rear of them.

- 3.2 Compact commercial concentrations shall be ensured by:
- (a) Zoning for commercial use areas of the approximate size and in the approximate locations indicated as appropriate for commercial use on Schedule 'A', the Land Use Plan, and
 - (b) approving applications for amendments to the Zoning By-law to permit commercial uses in other locations only,

- (i) where the proposal is for an individual commercial use, the site is immediately adjacent to other commercial uses or is of a size and nature that it may be considered a purely local store.

Section 4 : Industrial Uses

- 4.1 Areas designated as appropriate for industrial development on Schedule 'A', the Land Use Plan, shall be used only for,
- (a) a wide range of types of industrial uses that includes those industrial establishments
 - (i) that exist in the industrial areas of the City, and
 - (ii) that are considered by Council not likely to be deleterious to the surrounding areas,
 - (b) those commercial uses that are
 - (i) incidental to industrial operations, or
 - (ii) suitable for locations in an industrial area because they provide necessary services to industrial establishments or have characteristics or functional requirements similar to those of industrial establishments.
- 4.2 The effects of industrial establishments on adjacent residential areas shall be minimized by including provisions in the Zoning By-law that implements this Official Plan relating to:
- (a) the location of parking, loading and outdoor storage areas,
 - (b) the arrangement of lighting facilities,
 - (c) the provision of landscaping, and
 - (d) the provision of buffer strips between industrial uses and adjacent residential properties.

Section 5 : Railway Uses

- 5.1 The City shall ensure that the Zoning By-law that implements this Official Plan permits in the area designated for railway and other operations in Schedule 'A', the Land Use Plan, only:
- (a) railway lines and yards,,
 - (b) buildings and structures necessary for the operation and maintenance of railway facilities, and other operations that are compatible therewith.

Section 6 : Open Space Uses

- 6.1 Where in the areas designated as appropriate for parks and open space on Schedule 'A', the Land Use Plan, there is land held in public ownership, the City shall ensure that the Zoning By-law that implements this Official Plan provides for the use of such land only for,

- (a) parks and recreational facilities such as
 - (i) local, district or regional parks,
 - (ii) conservation areas, and
 - (iii) playgrounds, swimming pools, community centres, arenas, golf courses or ball parks, and
- (b) institutional uses characterized by large open spaces such as
 - (i) cemeteries,
 - (ii) fairgrounds, and
 - (iii) sewage treatment plants or water works facilities.

6.2 Where in the areas designated as appropriate for parks and open space on Schedule 'A', the Land Use Plan, there is land held in private ownership, insofar as possible, the City shall ensure that such land is used for the purposes set forth in Section 6.1 by

- (a) requesting the owners of such land to approve of its designation in the zoning category that provides for such uses in the Zoning By-law that implements this Official Plan, and
- (b) purchasing parcels of land in such areas from time to time.
- (c) where any lands designated for open space are in private ownership, this Plan does not indicate that this land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by the City. If proposals to develop any such lands that are in private ownership are made and a City does not wish to purchase such lands in order to maintain the open space then an application for the redesignation of such land for other purposes will be given due consideration by the City.

6.3 Areas of open space will be expanded and developed to provide for adequate distribution of park facilities throughout the City, and every effort will be made to develop the Lake Nipissing shoreline for public open space and other recreational purposes.