

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 50-76

The Council of The Corporation of the City of North Bay, in accordance with the provisions of The Planning Act, R.S.O. 1970, and Amendments thereto, hereby enacts the following as a By-law:

1. That the attached map and explanatory text constituting Amendment No. 5 to the Official Plan of the North Bay Planning Area are hereby adopted.
2. That the appendices constitute revisions to the appendices only of the Official Plan and shall not constitute part of this Amendment.
3. That the Clerk is hereby authorized and directed to make application to the Ministry of Housing for approval of the aforementioned Amendment No. 5 to the Official Plan of the North Bay Planning Area.
4. That this By-law shall come into force and take effect on the day of final passing thereof, subject to the approval of the Minister of Housing.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF MARCH, 1976.
 READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF MARCH, 1976.
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
 THIS 29TH DAY OF MARCH, 1976.



 MAYOR



 CITY CLERK

AMENDMENT NO. 5 TO THE OFFICIAL PLAN
OF THE NORTH BAY PLANNING AREA

DECEMBER 1975

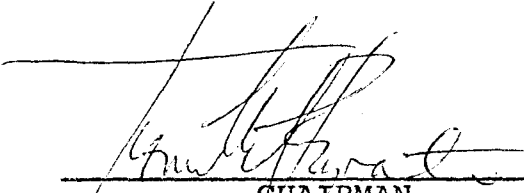
THE CORPORATION OF THE CITY OF NORTH BAY
NORTH BAY, ONTARIO

AMENDMENT NO. 5 TO THE

OFFICIAL PLAN


OF THE CITY OF NORTH BAY PLANNING AREA

The attached Schedule "A" and explanatory text constitute Amendment No. 5 to the Official Plan of the North Bay Planning Area. It was prepared by the North Bay Planning Board and was recommended to the Council of the City of North Bay under the provisions of Section 12 of The Planning Act, on the 16th day of FEBRUARY, 1976.




CHAIRMAN

Planning Board
Seal



SECRETARY-TREASURER

This Amendment was adopted by The Corporation of the City of North Bay by By-law No. 50-76 in accordance with Sections 13 and 17 of The Planning Act, on the 29TH day of MARCH, 1976.



MAYOR

Corporate Seal



CLERK

This Amendment to the Official Plan of the North Bay Planning Area, which has been recommended by the North Bay Planning Board and adopted by the Council of The Corporation of the City of North Bay, is hereby approved in accordance with Sections 14 and 17 of The Planning Act, R.S.O. 1970.

Date: _____

Minister of Housing

AMENDMENT NO. 5 TO THE

OFFICIAL PLAN

The following text and plan,
designated as Schedule "A",
attached hereto constitute
Amendment No. 5 to the
Official Plan of the North
Bay Planning Area.

PURPOSE:

It is the intention of this Amendment to change the designation of the Official Plan from "Residential" to "Highway Commercial" on certain property within the Urban Service boundary of the Planning Area.

This Amendment is required to permit an existing legal non-conforming use, known as the Highwayman Restaurant & Service Station, to relocate the Service Station portion of the existing operation onto the adjacent and abutting property to the North. Furthermore, this Amendment will recognize another existing legal non-conforming use, which is a Motorcycle Sales Outlet located on the Southerly abutting property to the aforementioned Highwayman Restaurant & Service Station. Although both existing uses were in conformity with the Permitted Uses of the "Bush" designation of the Official Plan of the former Township of Widdifield, neither use was recognized and both presently have a status of legal non-conformity to the existing By-law #1097, also of the former Township of Widdifield.

LOCATION:

This Amendment will apply to the following lots:

- A) Part of Parcel 5931 W&F being Part of Lot 21 Conc. A in the former Township of Widdifield;
- B) Parcel 4651 W&F being Part of Lot 21 Conc. A in the former Township of Widdifield;
- C) Parcel 7106 W&F being Part of Lot 21 Conc. A in the former Township of Widdifield.

The subject properties, when considered as one, are bounded to the North by a single family dwelling, to the South by a single family dwelling, to the East by Highway 11 with a Service Station, vacant property and a single family dwelling beyond, and by vacant land to the West.

BASIS OF THE AMENDMENT:

In late January 1975 application was made to the North Bay Planning Board by a consultant on behalf of the property owner concerned to establish a Gas Station on the property (Parcel 5931 W&F) to the North of the Highwayman Restaurant & Service Station (being located on Parcel 4651 W&F).

It was proposed that the Gas Station would only be relocated from the front and side of the Restaurant as they exist presently to the adjacent Northerly property; the intent of the Amendment being to provide gasoline service and parking facility for transport trucks separate from the Restaurant facilities of the existing operations.

In late May 1975 Planning Board disallowed the application, stating that the required Official Plan and Zoning By-law Amendments might prejudiciously affect the review on-going at that time by the Ministry of Transportation & Communications of the Highway 11 North Corridor Alignment in this area. Council accordingly refused the application in June 1975 pursuant to the recommendation of Planning Board.

The status of this application has now been re-assessed in light of recent information received from the Ministry of Transportation & Communications and a re-submission by the applicant. In a letter from the Ministry dated November 28, 1975, the Planning Department was advised that the Ministry is not planning to undertake a Route Study for Highway 11 in the immediate future. It was further stated that a minimum of two years would proceed initiation of a Study with a duration of close to one year. The Ministry has further requested in their letter of November 28, 1975 that the City support the

Ministry's position in such matters as business expansion which might affect possible future Highway expansions and development plans. In this regard, the applicant in a letter of re-submission has agreed that when the Ministry of Transportation & Communications effect the Highway widening, the applicant will move the Gas Pumps at his own expense.

POLICY

It is the intent of this Amendment to the Official Plan that the lands to be re-designated to "Highway Commercial" from "Residential" shall be developed in accordance with the policies stated in Section 2.5 of the Official Plan of the North Bay Planning Area.

DETAILS OF THE AMENDMENT

"Schedule 'B' - Land Use Plan" to the Official Plan is hereby amended by re-designating to "Highway Commercial" from "Residential" the lands which are marked as "Item No. 1" on Schedule "A" attached hereto.

IMPLEMENTATION

This Amendment to the Official Plan shall be implemented in accordance with the Implementation Policy of the Official Plan as contained in Section 10 thereof.

INTERPRETATION

This Amendment to the Official Plan shall be interpreted in accordance with the Interpretation Policy of the Official Plan as contained in Section 11 thereof.

ITEM NO. 1

A

A

B

LAKE
NIPISSING

AMENDMENT NO. 5

SCHEDULE "A"

ITEM #1 FROM RESIDENTIAL TO
HIGHWAY COMMERCIAL

LAND
USE
PLAN

SCHEDULE

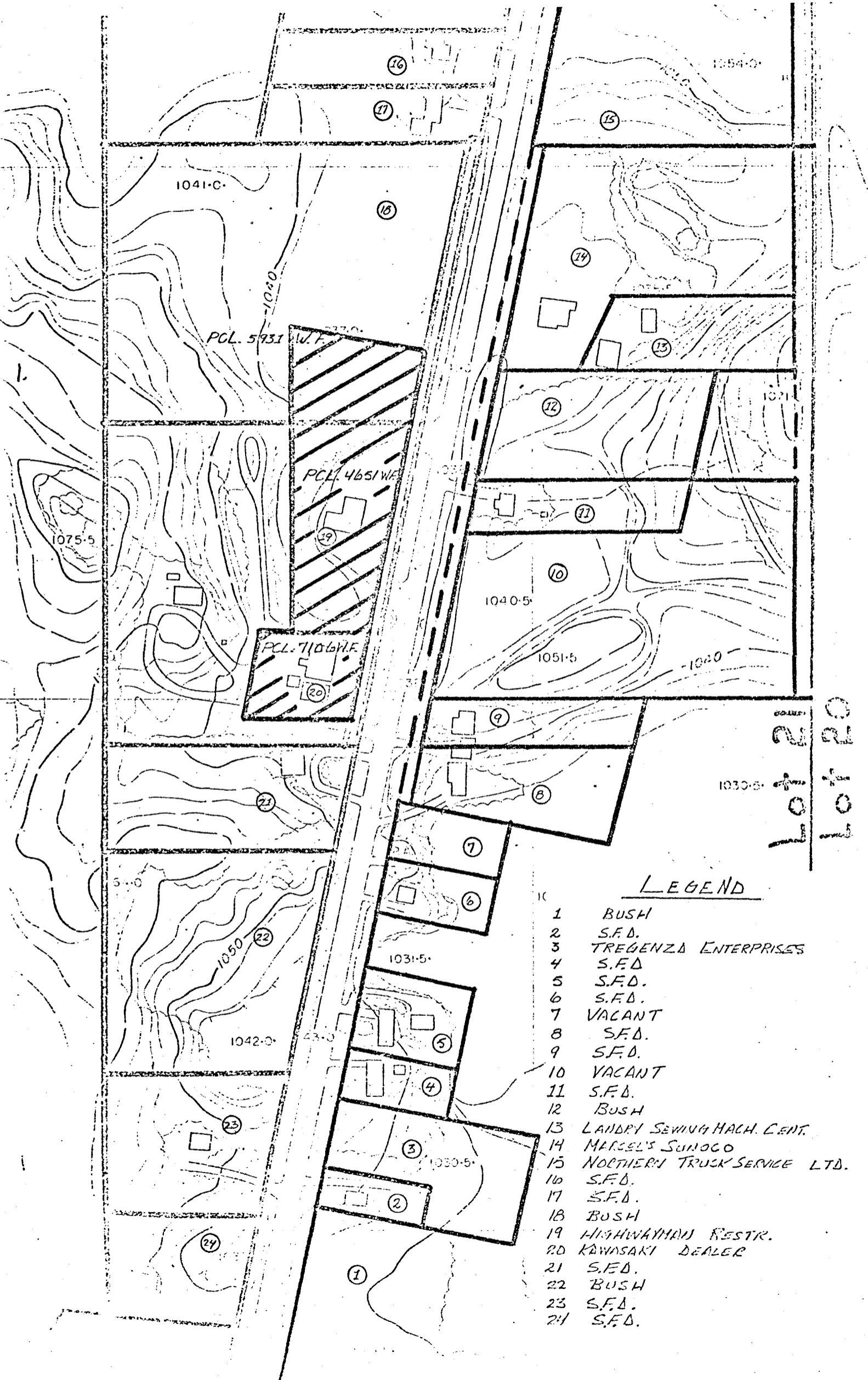
B

	RURAL		HOSPITALITY SERVICE
	RESIDENTIAL		RESTRICTED INDUSTRY
	RESTRICTED RESIDENTIAL A, B		OPEN SPACE
	CENTRAL AREA		MAJOR INSTITUTIONAL
	DISTRICT COMMERCIAL		RAILWAY
	HIGHWAY COMMERCIAL		LIMIT OF URBAN SERVICES
	WATERWAY		WATERWAY



0 1000 2000 3000 4000
SCALE IN FEET

APPENDIX No. 1.



Lot 20
Lot 20

LEGEND

- 1 BUSH
- 2 S.F.D.
- 3 TREGENZA ENTERPRISES
- 4 S.F.D.
- 5 S.F.D.
- 6 S.F.D.
- 7 VACANT
- 8 S.F.D.
- 9 S.F.D.
- 10 VACANT
- 11 S.F.D.
- 12 BUSH
- 13 LAUNDRY SEWING MACH. CENT.
- 14 MARCEL'S SUNOCO
- 15 NORTHERN TRUCK SERVICE LTD.
- 16 S.F.D.
- 17 S.F.D.
- 18 BUSH
- 19 HIGHWAYMAN RESTR.
- 20 KAWASAKI DEALER
- 21 S.F.D.
- 22 BUSH
- 23 S.F.D.
- 24 S.F.D.

-- APPENDICES --

The following Appendices are not intended to form part of the approved Amendment No. 5, but are included only for the purpose of providing information in support of this Amendment.

APPENDIX #1

SCHEDULE "B"

EXISTING AND ADJACENT LAND USES

LETTER FROM MINISTRY OF TRANSPORTATION
& COMMUNICATIONS DATED 28 NOVEMBER 1975



Ontario

DEC - 1 1975

Ministry of
Transportation and
Communications

472-7900, Ext. 242

Regional Planning & Design Office
P. O. Box 3030
447 McKeown Avenue
North Bay, Ontario
P1B 8L2

City of North Bay
P. O. Box 360
North Bay, Ontario

November 28, 1975

Attention: Hugh R. Gale, Planner

Re: Highway 11, Cedar Heights Northerly,
City of North Bay, District #13, North Bay

Dear Sir:

This is in reply to your letter of October 30th last and our subsequent telephone conversation relative to the current and future status of Highway 11 within the City of North Bay Urban Service Boundary.

As already indicated, the Ministry is not planning to undertake a route study for Highway 11 in the immediate future. It is suggested that it will be a minimum of two years before such a study is initiated with a study duration of something less than one year.

The question of whether alternatives to the present Highway 11 alignment would be considered in the subject area must be answered in the affirmative. It is our view at this time, however, that an expansion of the existing highway will likely emerge as the appropriate treatment.

It is our understanding that you plan to recommend the recognition of certain service station properties that are currently non-conforming under the Widdifield Zoning By-law. We would request that you support the Ministry's position in such matters as expansions and setbacks designed to allow for possible future highway development plans. Specifically, we refer to the "Highwayman" and the relevant material delivered to your office recently.

We trust we have been of some assistance

Yours truly,


B. A. SCHOALES
AREA MANAGER

FOR:
S. McCOMBIE
MANAGER, PLANNING & DESIGN

BAS/SMcC/tt

BUSH DESIGNATION OF OFFICIAL PLAN
OF FORMER TOWNSHIP OF WIDDIFIELD

VI - SCHEDULE "A" LAND USE MAP (CONT'D.)

B. DESCRIPTION & ORGANIZATION
OF LAND USES CATEGORIES (CONT'D.)

(vii) The Bush (Cont'd.)

It is intended that a restricted area by-law defining and restricting the foregoing uses will be passed.

Commercial uses dependent upon a major transportation route such as service stations and motels are permitted uses with the approval of Council after consultation with Planning Board and on amendment to the Zoning By-Law. It is intended, however, that such uses will be grouped rather than allowed to scatter indiscriminately along the highways, exits and entrances will be controlled to minimize traffic hazards.

Single family dwelling units shall be permitted in this area but shall be restricted to one unit per registered parcel, as registered in the Registry Office or filed in the Land Titles Office at North Bay. Such residential uses will only be permitted provided that they will not contribute to scatteration and sprawl along the highways, or make any future internal sub-division of land unduly difficult or interfere with the reasonable development of any future roads or adversely affect the assessment ratio of the Township.

APPENDIX NO. 5

PUBLIC MEETING

A. NOTICE

The following Public Notice was placed in the local newspaper on January 22nd, January 23rd and January 24th, 1976, to notify the public of the impending Amendment to the Official Plan:

**PUBLIC
MEETING
NORTH BAY
PLANNING BOARD**

Thursday
February 5th, 1976
at 7:00 p.m.
211 Highland Road

The North Bay Planning Board will conduct a Public Meeting at 7:00 p.m., on Thursday, February 5th, 1976, in the Board Room, 211 Highland Road, to obtain the views of concerned citizens with regard to an Amendment to the Official Plan of the North Bay Planning Area to redesignate an area of approximately three acres to "Highway Commercial" from "Residential," being Part of Parcel 5931 W&F being Part of Lot 21 Conc. A; Parcel 4651 W&F being Part of Lot 21 Conc. A and Parcel 7106 W&F being Part of Lot 21 Conc. A in the former Township of Widdifield, in and adjacent to the area of the Highwayman Restaurant located on Highway 11 North.

T. Bywater
Chairman

NORTH BAY
PLANNING BOARD

APPENDIX 6

MINUTES
OF A PUBLIC MEETING OF THE NORTH BAY PLANNING BOARD
REGARDING AMENDMENT NO. 5 TO THE NORTH BAY OFFICIAL
PLAN, HELD IN THE BOARD ROOM, 211 HIGHLAND ROAD ON
THURSDAY, FEBRUARY 5, 1976, AT 7:00 P.M.

PRESENT:

Planning Board: T. Bywater, Chairman
E. Ricciuto
R. Lachapelle
M. Purdy
Dr. D. Anthony
M. Taylor
Alderman R. J. Moynan
S. Domanico

Planning Dept.
Staff: M. L. Daiter
W. C. Raycraft
H. R. Gale
S. W. Kidd

Interested
Citizens: Five (5) interested citizens
from the subject area.

The meeting was opened by the Chairman at 7:00 p.m., and he called upon Mr. Kidd of the Planning Department Staff to give both a brief history of the reason for the Amendment and the contents of the Amendment.

No objection was made by any person in attendance at this meeting. However, Mr. F. Falconi, a Solicitor acting on behalf of a property owner in the area, stated that he was in total agreement with this Amendment and would be coming to Planning Board in the near future to request a similar Amendment for his client's property. He was informed that, so as not to delay this matter, this Amendment would proceed but that consideration of his proposal would be given upon its receipt by the Planning Board.

As there were no further questions, the meeting was adjourned at 7:25 p.m.

CHAIRMAN