

The Corporation of the City of North Bay

By-Law No. 2021-112

Official Plan Amendment No. 28

Jai Ambe Motels Corporation - 710 Lakeshore Drive

Whereas the owner of the subject property has requested an amendment to the Official Plan of the North Bay Planning Area;

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 has 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 land use designation shown on Schedule "1" to the Official Plan of the North Bay Planning Area pursuant to Section 17 of the Planning Act R.S.O. 1990, as amended.

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

- 1) The attached Schedules and explanatory text constituting Amendment No. 28 to the Official Plan of the City of North Bay Planning Area are hereby adopted.
- 2) The appendices constitute revisions to the appendices only of the Official Plan and shall not constitute part of this Amendment.
- 3)
 - a) Notice of this By-law shall be given by the Clerk in the manner and form and to the persons prescribed by Section 4 of O. Reg. 543/06 as amended.
 - b) Where no notice of appeal is filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, then this By-law shall be deemed to have come into force on the day after the last day for filing an appeal.
 - c) Where one or more notices of appeal are filed with the Clerk of The Corporation of the City of North Bay within twenty (20) days after the day that the giving of written notice as required by the Act is completed, setting out the objection to the By-law and the reasons in support of the objection, then this By-law shall not come into force until all appeals have been finally disposed of, whereupon the By-law shall be deemed to have come into force on the day after the last day all appeals have been finally disposed of.

Read a First Time in Open Council the 14th Day of December 2021.

Read a Second Time in Open Council the 14th Day of December 2021.

Read a Third Time in Open Council and Passed this 14th Day of December 2021.

Mayor Allan McDonald

City Clerk Karen Mclsaac

Amendment No. 28 to the Official Plan
of the Planning Area of the
City of North Bay

Jai Ambe Motels Corporation – 710 Lakeshore Drive

December, 2021

The Corporation of the City of North Bay
North Bay, Ontario

Amendment No. 28 to the Official Plan
of the Planning Area of the
City of North Bay

The attached Schedule "28-A" and explanatory text constitute Amendment No. 28 to the Official Plan of the City of North Bay. This Amendment was adopted by The Corporation of the City of North Bay by By-law No. 2021-112 in accordance with Sections 17 and 21 of the Planning Act, R.S.O. 1990 as amended by Statutes of Ontario 19101, Chapter 4, Section 9 pursuant to O. Reg. 543/06 on December 14, 2021.

Corporate Seal

Mayor, Allan McDonald

City Clerk Karen Mclsaac

Amendment No. 28 to the Official Plan
of the Planning Area of the
City of North Bay

The following text and plan designated as Schedule "28-A" attached hereto constitute Amendment No. 28 to the Official Plan of the Planning Area of the City of North Bay.

A) Purpose of the Amendment

It is the intention of this Amendment to change the designation on certain property within the rural area of the Planning area from "Residential" to "Hospitality Service".

In an application received September 20, 2021 the Applicant applied for an Official Plan Amendment in order to permit the expansion of an existing motel operation.

B) Basis of the Amendment

The Amendment applies to PIN 49175-0100 (LT) PCL 5388 SEC WF; Firstly LT 313 PL M203 West Ferris; LT 314 PL M203 West Ferris; LT 315 PL M203 West Ferris; Secondly PT LT 39 CON 15 West Ferris as in LT72085; West Ferris; District of Nipissing, known locally as 710 Lakeshore Drive. It is 3,785.7 square metres in area, with a frontage of 30.1 metres on Lakeshore Drive. The subject property is currently developed with a motel.

Surrounding land uses include primarily commercial and residential uses.

The intent of this Official Plan Amendment is to permit the expansion of an existing motel operation.

City Council has indicated their support of this proposed Amendment.

C) Details of the Amendment

The Official Plan is hereby amended in accordance with the following:

Item No. 1 Schedule "1" - "Settlement Area" to the Official Plan is hereby amended by changing the designation of the lands shown on Schedule "28-A" to this Amendment from "Residential" to "Hospitality Service".

D) Implementation

This Amendment to the Official Plan shall be implemented in accordance with the implementation policy contained in Part 5 of the Official Plan.

E) Interpretation

This Amendment to the Official Plan shall be interpreted in accordance with the interpretation policy contained in Part 6 of the Official Plan.

APPENDICES

The following Appendices are not intended to form part of the approved Amendment No. 28, but are included only for the purpose of providing information in support of this Amendment.

Appendix No. 1

Staff report dated November 17, 2021



City of North Bay Report to Council

Report No: CSBU-2021-060

Date: November 17, 2021

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: AMENDMENT NO

Closed Session: yes no

Recommendation

1. That the proposed Official Plan Amendment by Miller & Urso Surveying Inc. on behalf of Jai Ambe Motels Corporation – 710 Lakeshore Drive in the City of North Bay to amend the Official Plan Designation from “Residential” to “Hospitality Service” for the property legally described in Appendix A to Report to Council No. CSBU 2021-060 be approved; and
2. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Jai Ambe Motels Corporation – 710 Lakeshore Drive in the City of North Bay to rezone the property from a “Residential Holding (RH)” zone and a “Tourist Commercial (C7)” zone to a “Tourist Commercial Special (C7 Sp.)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2021-060 be approved; and
3. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Background

Site Information

Legal Description:

See Appendix A

Site Description:

The subject property is an existing lot of record on Lakeshore Drive, located south of Jessups Creek and north of the Lakeshore Drive/Birchs Road intersection, as shown below and on attached Schedule A.

It is designated "Residential" by the Official Plan and is zoned "Tourist Commercial (C7)" and "Residential Holding (RH)" under the City's Zoning By-law No. 2015-30.

Figure 1: Map of Subject Property and Surrounding Area



The property has an existing lot frontage of 30.1 metres and a total lot area of 3,785.7 square metres on Lakeshore Drive. The property is currently developed with motel units, as shown on attached Schedule B.

Surrounding Land Uses:

The subject property is located in a mixed use neighbourhood.

There is a reasonable amount of commercial development in the area. There are several other tourist commercial operations nearby, including two hotels on either side of the subject property. There are also a few restaurants nearby along Lakeshore Drive.

Immediately opposite the subject property on the west side of Lakeshore Drive are low density residential homes. There are other pockets of low density residential uses both to the north and to the south of the subject properties. Throughout the area, there are some medium density residential developments (townhouse complexes). A high density residential building is in development a short distance to the south.

There are also large vacant areas to the east of the subject property, including the property to the rear of the subject lands. This property has a draft approved Plan of Subdivision established that could see the property developed residentially in the future.

There are industrial developments being located further to the east.

Proposal

Miller & Urso Surveying Inc. on behalf of Jai Ambe Motels Corporation has submitted an Official Plan Amendment application to redesignate the entire property from "Residential" to "Hospitality Service" and a concurrent Zoning By-law Amendment application to rezone the property from a "Residential Holding (RH)" zone and a "Tourist Commercial (C7)" zone to a "Tourist Commercial Special (C7 Sp.)" zone for the property located at 710 Lakeshore Drive.

The purpose of the application is to allow the construction of additional motel units.

The Special Zone request would recognize the existing built form of the property and the existing 0.7 metre northerly side yard setback.

Summary

The applicants have requested an Official Plan Amendment and a Zoning By-law Amendment in order to permit the expansion of an existing motel operation.

Both the Provincial Policy Statement and the Official Plan contain policies that encourage the development of a vibrant local economy. The proposed applications are consistent with these policies. If approved, the applicant would be able to expand their motel, which would facilitate private sector investment, economic activity and would support local jobs in the tourism industry.

The Official Plan includes more specific direction regarding the placement of Hospitality Service designated lands. These policies state that additional Hospitality Service lands should only be created when they are adjacent to other preexisting Hospitality Service lands. The intent of this policy is to ensure that tourist-type businesses are clustered together in a cohesive manner.

The neighbouring property is designated Hospitality Service. The adjacent uses on either side of the property are other hotels. It is Planning Services' opinion that the proposed Official Plan Amendment represents a natural extension of the existing Hospitality Service designation in the area.

Considering the existing use of the subject property and of the neighbouring properties, it is also our opinion that the use of the property as a motel is the highest and best use of these lands at this time. The expansion of the proposed motel is a positive development for the community.

The application was circulated to all property owners within 120 metres of the subject lands and the internal departments and external agencies with an interest in development applications. There were no responses from any member of the public nor any objections from any of the departments or agencies circulated on these applications.

It is my professional opinion that the proposed Official Plan Amendment and Zoning By-law Amendment is in conformity with the Official Plan and the Growth Plan for Northern Ontario (GPNO 2011) and the end use is consistent with the Provincial Policy Statement (PPS 2020).

Provincial Policy

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. Section 3(5)(b) of the Planning Act requires that decisions made under the Planning Act need to conform to the Provincial Plan or shall not conflict with it, as the case may be.

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.

Section 4 of the GPNO (Communities) deals with land use planning matters. This Section speaks to creating a vision for a community's future. The City of North Bay achieves this through the implementation of the Official Plan. As discussed in greater detail later in the report, it is my opinion the proposed development conforms to the City's Official Plan.

In my professional opinion, the proposed Official Plan Amendment and Zoning By-law Amendment conforms with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

Provincial Policy Statement (PPS 2020)

The current Provincial Policy Statement issued by the Provincial government came into effect on May 1, 2020. This proposal has been reviewed in the context of the Provincial Policy Statement (PPS 2020).

The PPS 2020 is generally supportive of development that enhances a community's local economy. Tourism is specifically identified as a sector that plays a role in the economic health of a community. Section 1.7.1 (Long-Term Economic Prosperity) of the PPS 2020 states that "*Long-term economic prosperity should be supported by: ...h) providing opportunities for sustainable tourism development;*"

The proposed applications would facilitate the expansion of an existing motel development. This would support the local tourism industry and would create economic growth and would support local employment.

Planning Services Staff are of the opinion that the end use of the proposed Official Plan Amendment and Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS 2020).

Official Plan

The property is currently designated "Residential" in the City of North Bay's Official Plan. The property owner is requesting to amend this designation to "Hospitality Service" in order to rezone the property and permit the expansion of the existing motel operation.

The Official Plan includes policies supporting economic activity and employment growth. There are several passages that outline this general objective, but Section 1.4.2 (Guiding Principles) expresses this goal, stating that "*It is the overall intent of this Plan to plan land uses in a manner that builds on the City's natural attractiveness and setting, while ensuring that the City remains economically competitive to address the needs of its citizens now and in the future.*"

The proposed application would allow an existing motel operation to expand their business, which will create additional economic activity and supporting existing jobs with the potential for employment growth in the future.

The Official Plan provides some guidance regarding the placement of new "Hospitality Service" designated lands and the uses that are to be permitted in these lands. Section 2.2.1.5 (Hospitality Service) is cited below

2.2.1.5.1 In the area lying on either side of Lakeshore Drive from Parks Creek to Premier Road, a more orderly division of residential uses from existing or proposed Hospitality Services uses is required. The expansion and development of new Hospitality Service developments in this area will be directed to lands which are already designated. New Hospitality Service designations should only be considered where they are adjacent to existing Hospitality Service designations. Such amendments will only be considered if it has been adequately demonstrated by the developer and to the satisfaction of the City that it is not feasible to locate in other designated commercial areas.

2.2.1.5.2 The uses permitted in the Hospitality Service designation will include hotels, motels, cabins, tent and trailer parks, restaurants, gift shops, places of entertainment and recreation and other facilities which cater to the needs of the traveling and vacationing public.

The neighbouring property is partially designated "Hospitality Service". The subject lands and the neighbouring properties on the east side of Lakeshore Drive are all developed with hotels, which is consistent with Section 2.2.1.5.2 of the Official Plan.

It is staff's opinion, the proposed Official Plan that it is appropriate to consider the extension of the Hospitality Service designation onto the subject lands. It represents a natural continuation and would allow the back portion of the property to be utilized in a similar manner to the remainder of the property and the neighbouring properties on Lakeshore Drive.

Planning Staff are of the opinion the Official Plan Amendment and Zoning By-law Amendment is appropriate and conforms to the City of North Bay's Official Plan.

Zoning By-Law No. 2015-30

The subject property is presently zoned "Tourist Commercial (C7)" and "Residential Holding (RH)".

The C7 zone permits the following uses:

- Camping Establishment
- Convenience Store
- Efficiency Unit
- Financial Institution
- Flea Market
- Hotel
- Marina
- Park, Public
- Parking Area
- Personal Service Establishment
- Places of Entertainment
- Places of Worship
- Recreational Vehicle and Equipment Sales, Service, and Leasing
- Restaurant
- Retail Store
- Retail Store, Local
- Tourist Cabin

The RH zone permits the following uses:

- Single Detached Dwelling
- Cemetery;
- Commercial Agricultural Uses;
- Conservation Area;
- Golf Course;
- Group Home Type 1;
- Hobby Farm (as an Accessory Use to a residential use only);
- Kennel;
- Rural Recreational Facility;
- Solar Farm; and
- Wind Farm

The applicants are proposing to rezone the property to a "Tourist Commercial Special (C7 Sp.)" zone. The proposed C7 Sp. zone would permit the same permitted uses allowed within the C7 zone as listed above.

The Special Zone request would recognize the existing northerly side yard setback of 0.7 metres. This reduced setback will apply to the existing building only. New structures will be required to meet the setbacks of the by-law.

The subject property is able to meet all other regulations of the Zoning By-law.

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 agencies that may have an interest in the application. In terms of correspondence received from these departments and agencies, the Planning Department received the following comments:

Of the agencies that provided comments, the Building Department and the Ministry of Transportation both offered no concerns or objections.

The North Bay Mattawa Conservation Authority offered no objections or concerns, but did note that the property is within the Lake Nipissing Shoreline/North Bay subwatershed and adjacent to a wetland. A DIA permit is required from their office to protect these features at the time of development.

The Engineering Department also offered no concerns but did provide a list of requirements that would need to be provided at the time of development. Some of the requirements include a traffic brief, a stormwater management brief and agreement to provide a 3 metre strip of land to the City to accommodate a future road widening.

The requirements of the Conservation Authority and the Engineering Department are fairly standard requirements as part of development. The

applicant would be required to meet these prerequisites as part of the Site Plan Control Agreement process in order to obtain a Building Permit. These comments have been discussed with the agent for the applicant. They are aware that additional information shall be required through the Site Plan Control Agreement process.

A complete copy of all correspondence is attached to this Report as Appendix A.

No correspondence was received from any member of the public.

Financial/Legal Implications

None to the Corporation of the City of North Bay.

Corporate Strategic Plan

- | | |
|----------------------------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Natural North and Near | <input checked="" type="checkbox"/> Economic Prosperity |
| <input type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

- Promote and support public and private sector investment
- Cultivate the growth and expansion of existing businesses in North Bay and in surrounding communities

Options Analysis

Option 1:

To approve the Official Plan Amendment and Zoning By-law Amendment applications as requested

Option 2:

To deny the Official Plan Amendment and Zoning By-law Amendment applications. This option is not recommended

Recommended Option

Option 1 is the recommended option.

1. That the proposed Official Plan Amendment by Miller & Urso Surveying Inc. on behalf of Jai Ambe Motels Corporation – 710 Lakeshore Drive in the City of North Bay to amend the Official Plan Designation from “Residential” to “Hospitality Service” for the property legally described in Appendix A to Report to Council No. CSBU 2021-060 be approved; and
2. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of Jai Ambe Motels Corporation – 710 Lakeshore Drive in the City of North Bay to rezone the property from a “Residential Holding (RH)” zone and a “Tourist Commercial (C7)” zone to a “Tourist Commercial Special (C7 Sp.)” zone for the property legally

described in Appendix A to Report to Council No. CSBU 2021-060 be approved; and

3. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Respectfully submitted,

Name: Peter Carello, MCIP, RPP

Title: Senior Planner

We concur with this report and recommendation.

Name Beverley Hillier, MCIP, RPP

Title: Manager, Planning & Building Services

Name: Ian Kilgour, MCIP. RPP

Title: Director, Community Development and Growth

Name: David Euler, P.Eng., PMP

Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Peter Carello, MCIP, RPP

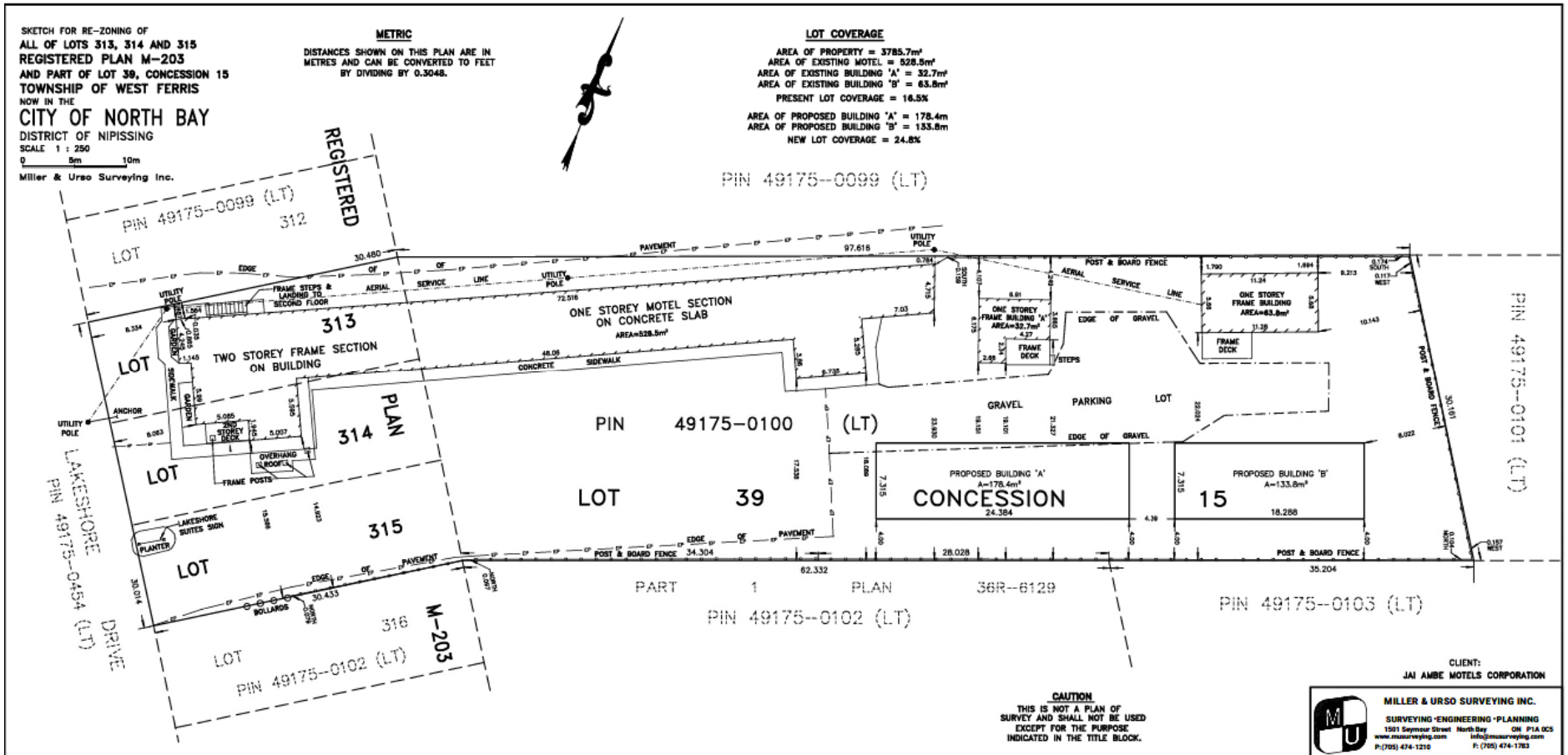
Title: Senior Planner

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Schedule A



Schedule B



Appendix A

PIN 49175-0100 (LT)

PCL 5388 SEC WF; Firstly LT 313 PL M203 West Ferris; LT 314 PL M203 West Ferris; LT 315 PL M203 West Ferris; Secondly PT LT 39 CON 15 West Ferris as in LT72085; West Ferris; District of Nipissing

Appendix B – Correspondence

Building Department

Hi Peter,

The Building Services department has no concerns with this Zoning By-Law Amendment. Thanks

Aaron Lott
Acting Chief Building Official
Plan Examiner
Building Services
Community Services Business Unit

Engineering Department

Good Morning Peter,

Please see below our comments for the above noted application.

1. We will require a stormwater management (SWM) brief for the proposed development which meets our technical standards for quality and quantity control. A full SWM report may be required if the SWM brief identifies any issues.
2. The following engineering civil plans/drawings are required:
 - a. Site Servicing (if any new servicing is being proposed and/or existing services are being upgraded/retired);
 - b. Grading Plan;
 - c. Pre and post development drainage plans;
 - d. Erosion and sediment control.
3. All the drawings and SWM reports must be designed and stamped by a Professional Engineer licensed to practice in the province of Ontario. Documents must be sealed prior to being submitted to the City for review.
4. Private Approaches (entrance and exits) will need to meet the City's Private Approach By-Law 2017-72.
5. There will be a condition in this SPCA indicating that the owner agrees to transfer 3m from the frontage of the property in order to widen Lakeshore Drive.
6. It will be the proponent's responsibility to confirm servicing requirements and conduct necessary testing.
7. The developer must enter into a Service Contract with the Engineering Department for any services, restoration work or work in general on City property.
8. A traffic impact brief is required for this development including trip generation rates and any potential impacts/issues. If the brief identifies any potential issues a full traffic impact study may be required.

9. A security deposit of 10% of the value of all on-site works (excluding the building) will be required. An engineering estimate of the on-site works is to be provided in order to determine the security deposit value. A deposit of \$1,000 will be required as a minimum.

At this stage, these comments are very high level and upon receiving further information and detailed plans we will have additional comments to provide.

Thank you,

Jonathan Kapitanchuk

Ministry of Transportation

Hi Peter,

The Ministry of Transportation of Ontario (MTO) has reviewed the information provided and has determined that the subject property is not located within MTO's permit control area, and as such the MTO does not have any comments on the proposed zoning by-law and official plan amendment.

Thank you,
Jamie

Jamie Geauvreau, Corridor Management Planner (A)
Operations Division, Northeastern Region
Ministry of Transportation Ontario

North Bay Mattawa Conservation Authority



September 24, 2021

Corporation of the City of North Bay
200 McIntyre St. E., P. O. Box 360
NORTH BAY, Ontario P1B 8H8

Attention: Peter Carello, Senior Planner-Current Operations

**Re: Official Plan and Zoning By-law Amendment – Jai Ambe Motels Corp.
710 Lakeshore Drive
Pt. Lot 39, Con. 15, Pcl. 5388 W/F; Lots 313, 314 and 315 of Plan M-203
City of North Bay
Our File Nos.: PPOA2-NB-21 & PZB15-NB-21**

This office has received and reviewed the above official plan and zoning by-law amendment. The applicant proposes to amend the property's Official Plan designation from "Residential" to "Hospitality Service". A concurrent application has been submitted to amend Zoning By-law 2015-30 to rezone the property from a "Tourist Commercial (C7)" zone to a "Tourist Commercial Special (C7 Sp.)" zone. The property is presently developed with motel units. The purpose of these applications is to permit the construction of additional motel units. The Special Zone request would recognize the existing deficient side yard setback of the existing building.

The following comments are based on a review of the application with respect to our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement, 2020 (PPS, 2020) and our regulatory authority under Ontario Regulation 177/06 Development, Interference with Wetlands & Alteration to Shorelines & Watercourses (DIA). The Conservation Authority also provides advice as per our Plan Review Agreement with the Municipality regarding Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the Provincial Policy Statement (PPS, 2020). The Conservation Authority has no objection to these applications.

The subject property falls within the Lake Nipissing Shoreline/North Bay subwatershed. A small pocket of wetland is found adjacent to the rear of the property. The wetland and adjacent lands (30m) are regulated by the Conservation Authority. See attached sketch. A DIA permit is required for the construction of the proposed motel units.

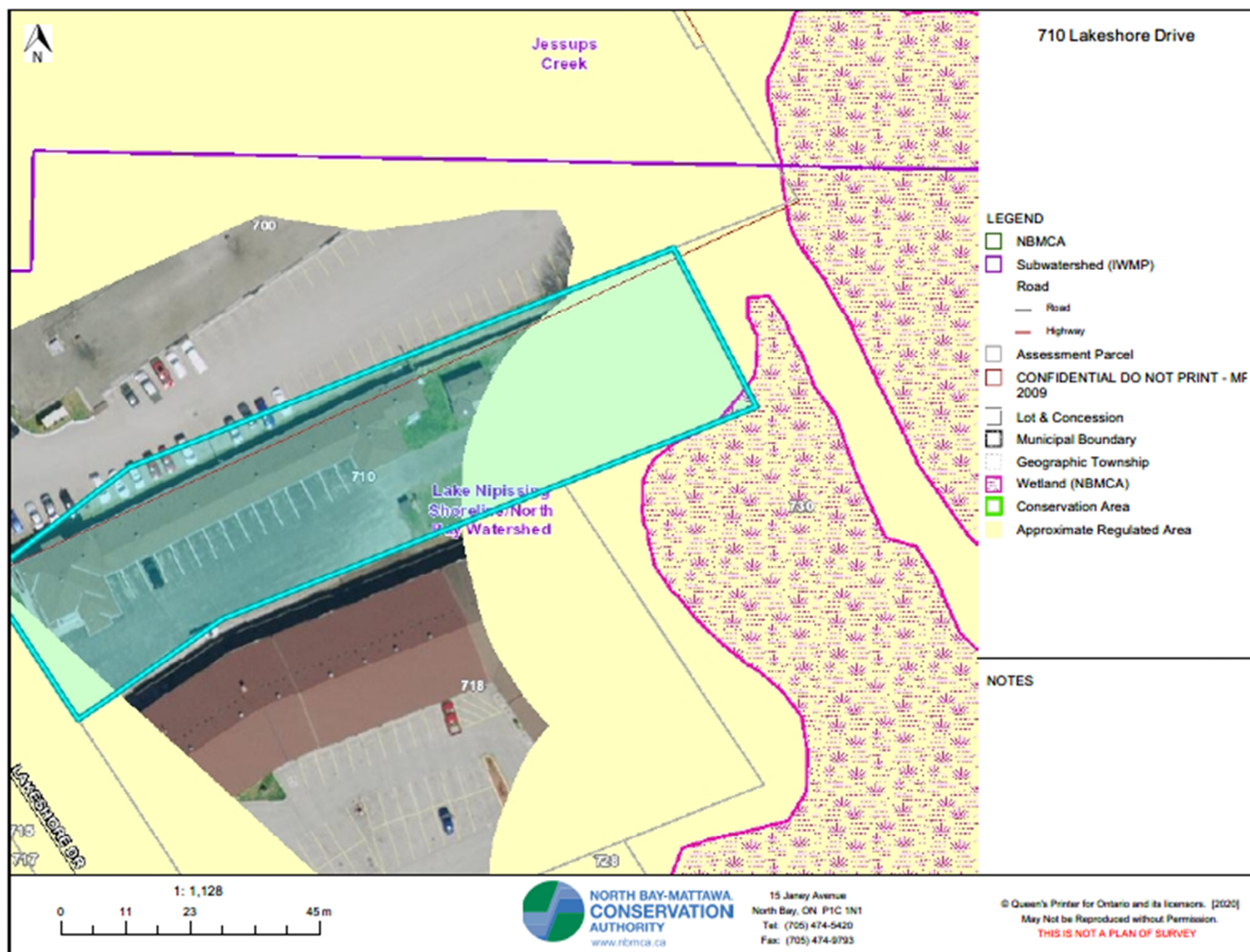
Subject to a DIA permit from the Conservation Authority, we are satisfied that the application will be consistent with the policies as set out in Sections 2 and 3 of the PPS, 2020; and therefore, we have no objection to this application.

Trusting this is satisfactory. Should you have any questions, please do not hesitate to contact this office at (705) 471-7636. For administrative purposes, please forward any decisions and resolutions regarding this matter.

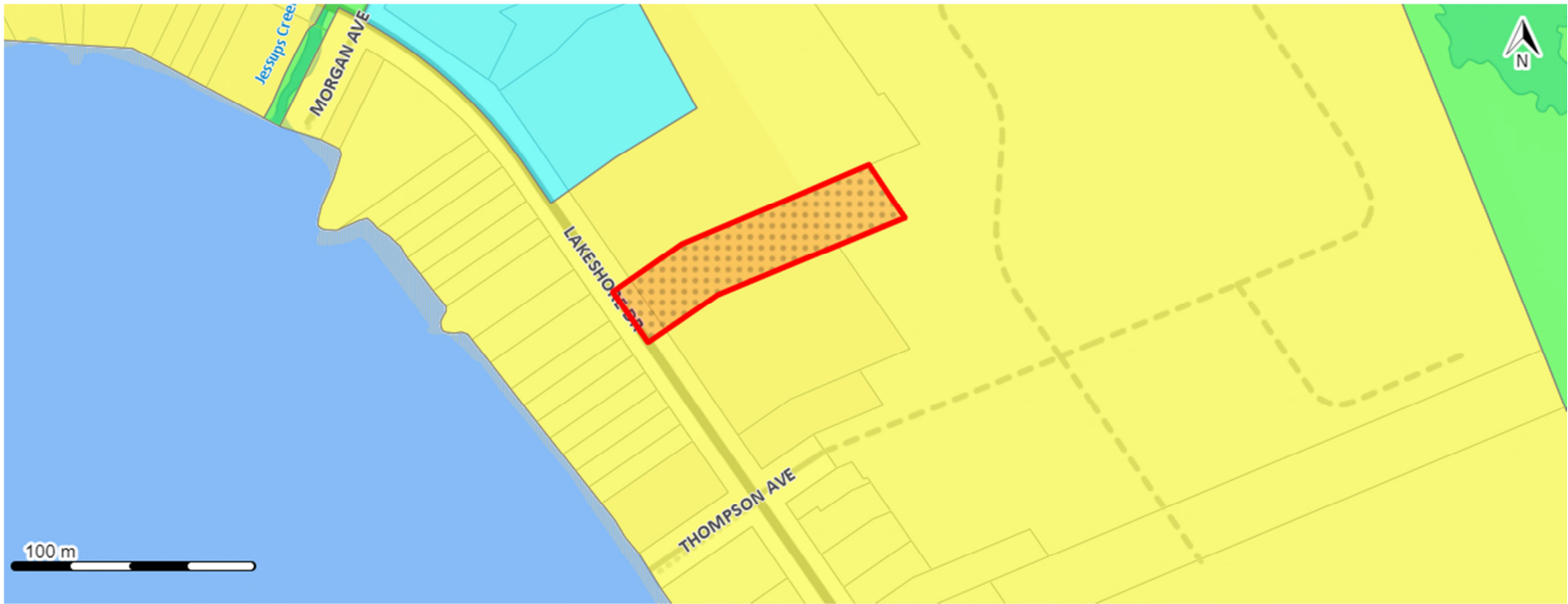
Yours truly,

A handwritten signature in blue ink that reads "Paula Scott".

Paula Scott
Director, Planning & Development/Deputy CAO
Encl. (2)



Schedule "28-A"



Legend



- Official Plan Designation amended from "Residential" to "Hospitality Service"