



R. 731250

ONTARIO

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 35  
of The Planning Act (R.S.O.  
1970, c. 349),

- and -

IN THE MATTER OF an applica-  
tion by The Corporation of the  
City of North Bay for approval  
of its Restricted Area By-law  
51-73

B E F O R E :

S. S. SPEIGEL,  
Member

)  
) Monday, the 17th day of  
) June, 1974

THIS APPLICATION coming on for public hearing this day  
at the City of North Bay and after the hearing of the  
application;

THE BOARD ORDERS that By-law 51-73 is hereby approved.

K. C. ANDREWS  
SECRETARY

ENTERED	
O. B. No.....	R. 73-5
Folio No.....	121
JUN 16 1974	
<i>K. C. Andrews</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 51-73

BEING A BY-LAW TO AMEND BY-LAW NO. 9-69  
PURSUANT TO SECTION 35 OF THE PLANNING  
ACT, R.S.O. 1970 AND AMENDMENTS THERETO.

WHEREAS , upon the request of the property owner concerned and with the approval of the local Planning Board, it is considered advisable to amend By-law No. 9-69 to provide for an alteration in the zoning designation as shown on Schedule "A" which forms part of said By-law:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Schedule "A" of By-law No. 9-69 is amended by changing the zoning designation of the land shown outlined in red on that part of said Zoning Map set out in Schedule "A" attached hereto and forming part hereof from "District Commercial Zone - DC" and "Rural Zone - RU" to "District Commercial Special Zone No. 16-73".
2. The following definitions are added to Section 4 - Definitions of By-law No. 9-69:
  - 4.59 "Gross Leaseable Area" (G.L.A.) shall mean the aggregate of the horizontal areas of each floor above or below grade in a building or structure contained within the walls but measured by the outside walls or outside finished partitions but excluding:
    - (i) Floor area occupied by boiler rooms, air conditioning equipment rooms, elevator shafts, machinery rooms and other building plant equipment rooms except laundry rooms and storage rooms;
    - (ii) Chimney shafts, garbage chutes and pipe shafts;
    - (iii) Parking spaces, access driveways and manoeuvring space;
    - (iv) All floor area of halls, corridors and stairwells and all areas to be used in common by and for three or more tenants.
  - 4.60 "Planned Shopping Centre" shall mean a group of commercial establishments conceived, designed, developed and managed as a unit in an integrated building complex in accordance with the provisions of this By-law and related in location, size and type to the surrounding trade area which it serves.
  - 4.61 "Gasoline Bar" shall mean a building or place where gasoline is kept for sale with or without lubricants and automobile accessories but where no servicing, repair or equipping of motor vehicles is carried on.
  - 4.62 "Food Bar" shall mean a building or place where snacks and light refreshments are prepared, sold and consumed but does not include an outside automobile waiter or waitress service, a restaurant or other establishment where full course meals are prepared and consumed.

3. For the purposes of this By-law, all buildings or structures erected or altered and the use of land in such "District Commercial Special Zone No. 16-73" shall conform to the uses and regulations hereinafter set forth:

(a) Permissible Uses - District Commercial Special Zone No. 16-73"

(i) Commercial Uses:

A planned shopping centre which shall include one or more of any of the following uses or combinations thereof:

Art Studio  
 Bake Shop  
 Bank, Trust Company, Financial Establishment  
 Barber Shop  
 Beauty Parlour  
 Billiard Parlour  
 Bowling Alley  
 Business Office, Professional Office  
 Car Wash  
 Community Social Building, Lodge, Club  
 Dry Cleaning or Laundry Establishment  
 Food Bar  
 Gasoline Bar  
 Laundromat  
 Library  
 Limited Institutional Uses as defined in Clause ii of Subsection a of Section 3  
 Medical or Dental Clinic or Office  
 Parking Structure  
 Pharmacy  
 Photographer's Studio  
 Post Office  
 Restaurant  
 Retail Store including Department Store  
 Shoe Repair and Shoe Shine Shop  
 Tavern  
 Theatre  
 Travel Agency; and

Any use which is accessory to any of the foregoing uses that are in accordance with all other provisions of this By-law.

(ii) Institutional Uses:

Club  
 Church  
 Fraternal Organizations

(iii) Residential Uses:

None

(b) Regulations

Within the zone hereby established, all buildings or structures erected or altered and the use of the land shall conform to Schedule "B" attached hereto and forming part of this By-law.

(c) Parking

Within the zone hereby established there shall be at least one (1) automobile parking space provided for each two hundred (200) square feet of gross leaseable area in the shopping centre.

- 4. All buildings and structures erected or altered in a "District Commercial Special Zone No. 16-73" hereby established shall conform to all other applicable provisions of By-law No. 9-69 except as hereby expressly varied.
- 5. This By-law shall take effect from the date of passing by Council and shall come into force upon the approval of The Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THIS 14th DAY OF May, 1973.

READ A SECOND TIME IN OPEN COUNCIL THIS 28th DAY OF May, 1973.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED

THIS 28th DAY OF May, 1973.

*[Handwritten Signature]*  
 .....  
 MAYOR

*[Handwritten Signature]*  
 .....  
 CITY CLERK

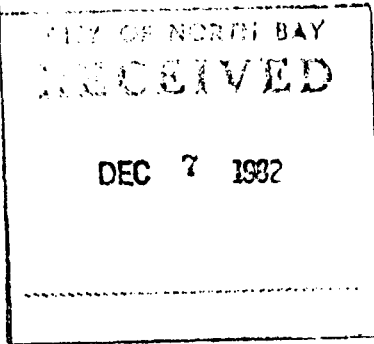


Ontario  
Municipal  
Board

416/965-5689

180 Dundas St. W.  
Toronto, Ontario  
M5G 1E5

The Clerk  
City of North Bay  
Box 360  
NORTH BAY, Ontario  
P1B 8H8



Quote File Number

R 763064

December 1, 1982

Dear Sir:

Enclosed is documentation as follows:

- Copy of Decision dated
- Duplicate Original of Decision dated
- Board's Order made November 24, 1982
- Appointment For Hearing

Yours truly,

RG:ik

C. Saruyama  
Supervisor  
Planning Administration

Encl. (s)



R 763064

Ontario Municipal Board

IN THE MATTER OF Section 35(22) of The Planning Act (R.S.O. 1970, c. 349)

- and -

IN THE MATTER OF an appeal by Patson Developments Limited for an order directing an amendment to By-laws 9-69 and 51-73 of the City of North Bay to permit further development of the following lands for commercial purposes:

Part 3, Plan NR-115 now zoned District Commercial with existing open Shopping Centre of 98,000 square feet,

All of Part 2, Plan NR-115 now zoned District Commercial,

All of Part 1, Plan NR-115 now zoned rural, permitting the development of Stage 2 of the Northgate Shopping Centre

BEFORE:

A.H. ARRELL, Q.C.  
Vice-Chairman

- and -

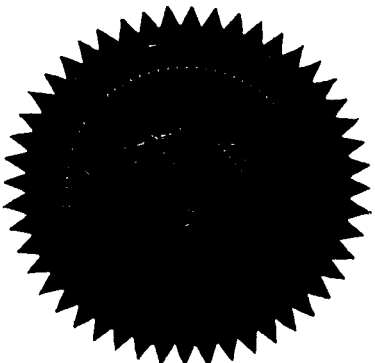
D.H. McROBB  
Vice-Chairman

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Wednesday, the 24th day  
of November, 1982

It appearing that the said appellant Patson Developments Limited has withdrawn its appeal;

THE BOARD ORDERS that this appeal is hereby dismissed.



SECRETARY

ENTERED
C. B. No. R. 16-8
Folio No. 353
DEC 2 - 1982
SECRETARY, ONTARIO

# SCHEDULE A NORTH BAY ZONING BY-LAW

## LEGEND

<b>R1</b>	RESIDENTIAL FIRST DENSITY ZONE	<b>GC</b>	GENERAL COMMERCIAL ZONE
<b>R2</b>	RESIDENTIAL SECOND DENSITY ZONE	<b>HC</b>	N'HOOD COMMERCIAL ZONE
<b>R3</b>	RESIDENTIAL THIRD DENSITY ZONE	<b>HC</b>	HIGHWAY COMMERCIAL ZONE
<b>RM1</b>	RESIDENTIAL MULTIPLE FIRST DENSITY ZONE	<b>DC</b>	DISTRICT COMMERCIAL ZONE
<b>RM2</b>	RESIDENTIAL MULTIPLE SECOND DENSITY ZONE	<b>I-C1</b>	INDUSTRIAL CLASS 1 ZONE
<b>RM3</b>	RESIDENTIAL MULTIPLE THIRD DENSITY ZONE	<b>I-C2</b>	INDUSTRIAL CLASS 2 ZONE
<b>RM4</b>	RESIDENTIAL MULTIPLE FOURTH DENSITY ZONE	<b>I-C3</b>	RAILWAY ZONE
<b>RM5</b>	RESIDENTIAL MULTIPLE FIFTH DENSITY ZONE	<b>O</b>	OPEN SPACE ZONE
<b>RM6</b>	RESIDENTIAL MULTIPLE SIXTH DENSITY ZONE	<b>RU</b>	RURAL ZONE



