



Committee Agenda

**Committee Meeting of Council
October 7, 2013
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
OCTOBER 7TH, 2013**

Monday, October 7, 2013

5:00 p.m.

Special Closed Meeting of Council
Council will adjourn in-camera
for training and educational
purposes
5th Floor Boardroom, City Hall

7:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor,
City Hall

MEETINGS

**HELD UNDER THE
PLANNING ACT**

Monday, October 7, 2013

7:00 p.m.

Neil & Wendy Luxton
165 Hughes Road

ENGINEERING & WORKS COMMITTEE

Monday, October 7, 2013

Page 1

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).

EW-2013-01 Report from Laura Boissonneault/Margaret Karpenko dated September 20, 2013 re 2014 Water and Sewer Administrative Recommended Operating Budget (F05/2014/OPEBU/GENERAL).

GENERAL GOVERNMENT COMMITTEE

Monday, October 7, 2013

Page 1

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

- GG-2011-16 Report from C.M. Conrad dated August 2, 2011 re Election campaign signs (C07/2011/ELECT/GENERAL).
- GG-2013-06 Report from Christina Murphy dated March 8, 2013 re Smoking By-Law, Restaurant and Bar Patio Amendment (C00/2013/BYLAW/SMOKING).
- GG-2013-09 Report from Margaret Karpenko dated August 6, 2013 re 2014 Operating Budget Timelines and Process (F05/2013/OPEBU/GENERAL).
- GG-2013-10 Report from Laura Boissonneault/Lorraine Rochefort dated September 20, 2013 re 2014 Water and Sanitary Sewer Rates (F05/2014/OPEBU/GENERAL).

COMMUNITY SERVICES COMMITTEE

Monday, October 7, 2013

Page 1

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-2013-18 Motion presented by Councillor Maroosis and Councillor Mendicino on June 4, 2013 re Age Friendly Community (D00/2013/GENER/GENERAL).
- ▶**CS-2013-24 Report from Peter Carello dated August 29, 2013 re Rezoning application by Neil and Wendy Luxton – 165 Hughes Road (D14/2013/LUXTN/HUGHES).**
- CS-2013-25 Report from Elizabeth Courville dated September 10, 2013 re Proposed Amendment to Sign By-Law No. 2006-143 (C00/2013/BYLAW/SIGNS).

CS-2013-24

Draft Recommendation:

"That 1) the proposed Zoning By-law Amendment by Neil and Wendy Luxton to rezone the property legally described as Part of the North Half of Lot 16, Concession C, Parts 1 and 3, 36R-11960, subject to Easement in Gross Over Part 1, 36R-11960 as in BS33155, PIN No. 49144-0253 (LT) known locally as 165 Hughes Road in the City of North Bay from a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone, be approved."

INTER OFFICE

MEMO

*City of North Bay
Planning Services*

To: Cathy Conrad, City Clerk
From: Peter Carello - Senior Planner, Current Operations
Subject: Resolution No. 5 - Planning Advisory Committee
Date: August 29, 2013

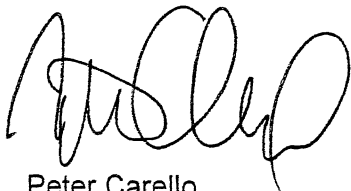
Quoted below is Resolution No. 5 passed at the regular meeting of the Planning Advisory Committee held on Wednesday August 28, 2013:

Resolution No. 5

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

- 1) That the proposed Zoning By-law Amendment by Neil and Wendy Luxton to rezone the property legally described as Part of the North Half of Lot 16, Concession C, Part 1 and 3 36R11960, Subject to Easement in Gross Over Part 1 36R11960 as in BS33155, PIN No. 49144-0253 (LT) known locally as 165 Hughes Road in the City of North Bay from a 'Residential First Density (R1)' zone to 'Residential Third Density (R3)' zone, BE APPROVED."

Please note that a length of notice period of 20 will be required for this application.



Peter Carello
Senior Planner, Current Operations
Secretary-Treasurer, Planning Advisory Committee

North Bay Planning Advisory Committee



Resolution No. 5

Date: August 28, 2013

Moved By: J. Joubert

Seconded By: [Signature]

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

- 1) That the proposed Zoning By-law Amendment by Neil and Wendy Luxton to rezone the property legally described as Part of the North Half of Lot 16, Concession C, Part 1 and 3 36R11960, Subject to Easement in Gross Over Part 1 36R11960 as in BS33155, PIN No. 49144-0253 (LT) known locally as 165 Hughes Road in the City of North Bay from a ‘Residential First Density (R1)’ zone to ‘Residential Third Density (R3)’ zone, BE APPROVED.”

“CARRIED”

[Signature]
Chair

INTER OFFICE

City of North Bay
PLANNING SERVICES

MEMO

To: Chair and Members, Planning Advisory Committee
From: Beverley Hillier, Manager, Planning Services
Subject: Proposed Zoning By-law Amendment by Neil and Wendy Luxton – 165 Hughes Road in the City of North Bay
Date: August 20th, 2013

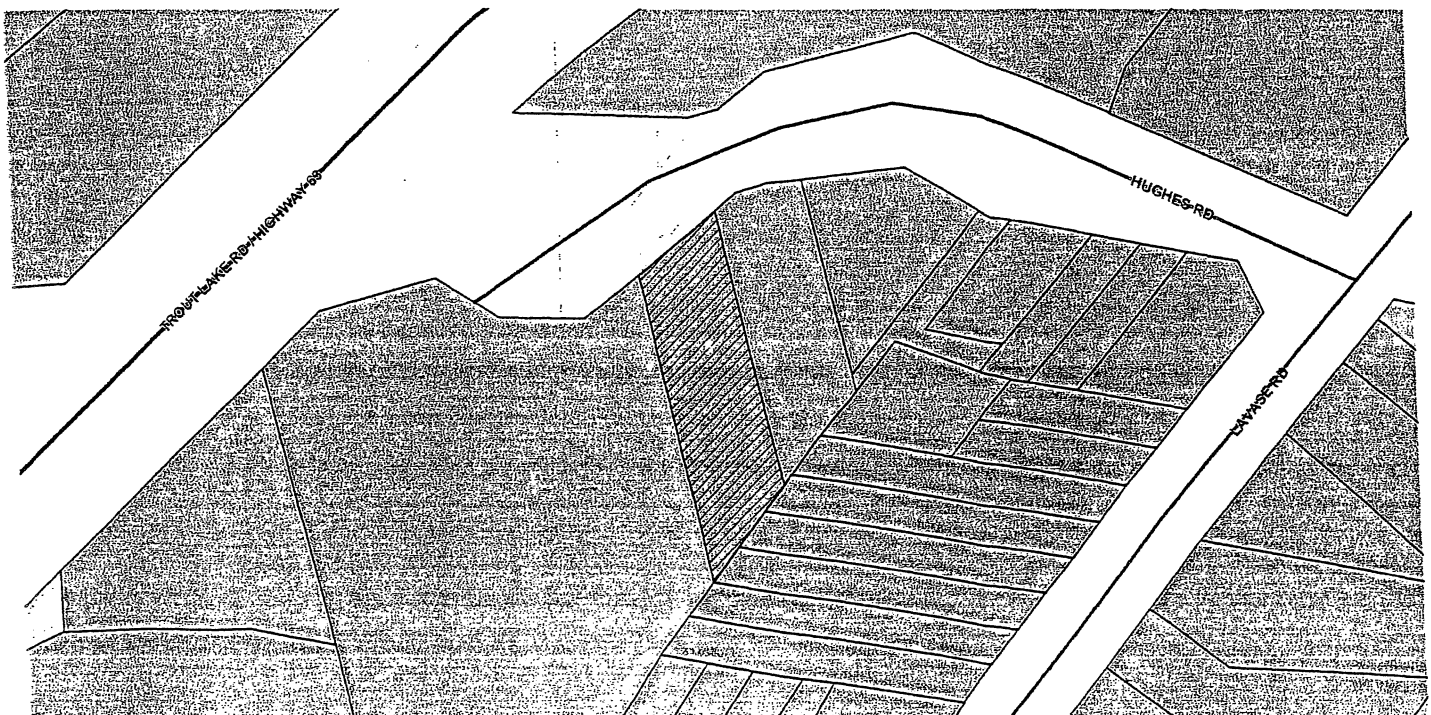
Recommendation

- 1) That the proposed Zoning By-law Amendment by Neil and Wendy Luxton to rezone the property legally described as Part of the North Half of Lot 16, Concession C, Part 1 and 3 36R11960, Subject to Easement in Gross Over Part 1 36R11960 as in BS33155, PIN No. 49144-0253 (LT) known locally as 165 Hughes Road in the City of North Bay from a 'Residential First Density (R1)' zone to 'Residential Third Density (R3)' zone, BE APPROVED.

Site

Legal Description: Part of the North Half of Lot 16, Concession C, Part 1 and 3 36R11960, Subject to Easement in Gross Over Part 1 36R11960 as in BS33155, PIN No. 49144-0253 (LT) in the City of North Bay, District of Nipissing.

Site Description: The subject property is an existing lot of record located on Hughes Road. It is currently zoned 'Residential First Density (R1)' under Zoning By-law 28-80 and designated 'Residential' in the City of North Bay's Official Plan.



The property is 1073 square metres in area, with a frontage of 19.8 metres on Hughes Road, as shown above and on attached Schedule A. It is developed with a single detached dwelling and three accessory structures.

Surrounding Land Uses: The subject property is located in a residential neighbourhood which features a mix of densities. Single detached and semi-detached dwellings are located to the South and East of the property and a number of apartment buildings are located to the North and West.

Proposal

Neil and Wendy Luxton have submitted a Zoning By-law Amendment application for the property known locally as 165 Hughes Road to rezone the lands from a 'Residential First Density (R1)' zone to a 'Residential Third Density (R3)' zone, as shown on attached Schedule B, in order to convert the existing single detached dwelling into a duplex.

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.

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.

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).

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 1.1.3 of the PPS 2005 provides policy for Settlement Areas and states:

"1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
 - 1. efficiently use land and resources;*
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and**

3. *minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and*

b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

1.1.3.3 *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.*

1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification and redevelopment and compact form, while maintaining appropriate levels of public health and safety.”*

The subject property is located within North Bay's Settlement Area in a neighbourhood which features a mixture of low and high density residential development. Planning Services Staff are of the opinion that this area, which is mixed density and has access to adequate municipal services, would be appropriate for intensification and that the proposed rezoning would be consistent with the policies contained in the Provincial Policy Statement (PPS 2005).

Official Plan

The property is currently designated 'Residential' in the City of North Bay's Official Plan.

Section 2.1.1 of the Official Plan states:

“Infill and intensification developments will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate and where adequate municipal services, facilities, and transit routes exist. Infilling and intensification will also be promoted in other areas of the City where there is appropriate infrastructure and new development or redevelopment is compatible with surrounding land uses [...]

The City will continue its practice through this Plan and the Comprehensive Zoning By-law to encourage secondary residential units in houses.”

Although the subject property is not located in close proximity to the Central Business District identified by the Official Plan, Planning Staff are of the opinion that intensification of this lot would be appropriate. The property is located in a residential area which features a mixture of densities, including single detached dwellings, semi-detached dwellings and apartment buildings. Appropriate infrastructure is also in place to accommodate an additional dwelling unit. As a result, Planning Staff are of the opinion that the Zoning By-law Amendment and proposed conversion of a single detached dwelling to a duplex is appropriate and is consistent with the intent of the City of North Bay's Official Plan.

Zoning By-Law No. 28-80

The subject property is presently zoned “Residential First Density (R1)”, which permits the following uses:

- Single Detached Dwelling
- Group Home Type 1

- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

The Applicant is proposing to rezone the subject property to a “Residential Third Density (R3)” zone which permits the following uses:

- Single Detached Dwelling
- Duplex Dwelling
- Semi-Detached dwelling
- Group Home Type 1
- Accessory Home based businesses
- Parks, Playgrounds & Non-profit uses
- Institutional uses

The proposed rezoning is being requested in order to permit the conversion of the existing single detached dwelling into a duplex. The subject property is able to meet all regulations of Zoning By-law 28-80. It is my professional opinion that this application meets the requirements and intent 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:

- Ministry of Transportation: “No objections”
- North Bay Hydro: “No objections”
- North Bay Mattawa Conservation Authority: “No objections”
- Municipal Heritage Committee: “No objections”

No further correspondence was received with regard to this proposal.

Summary

The Applicants have submitted a Zoning By-law Amendment application to rezone the subject property from a ‘Residential First Density (R1)’ zone to a ‘Residential Third Density (R3)’ zone in order to convert an existing single detached dwelling into a duplex.

The subject property is located in a residential area which features a mixture of densities, including apartment buildings, and has access to adequate municipal services. The property itself is large and meets all the requirements of Zoning By-law 28-80. As a result Planning Staff are of the opinion that the proposed Zoning By-law Amendment to permit a duplex would be appropriate as it is consistent with the intensification policies of the Provincial Policy Statement and the City’s Official Plan.

In conclusion, it is my professional opinion the proposed Zoning By-law Amendment application is consistent with the City of North Bay's Official Plan and Provincial Policy, as set out by the Growth Plan for Northern Ontario (GPNO 2011) and the Provincial Policy Statement (PPS 2005).

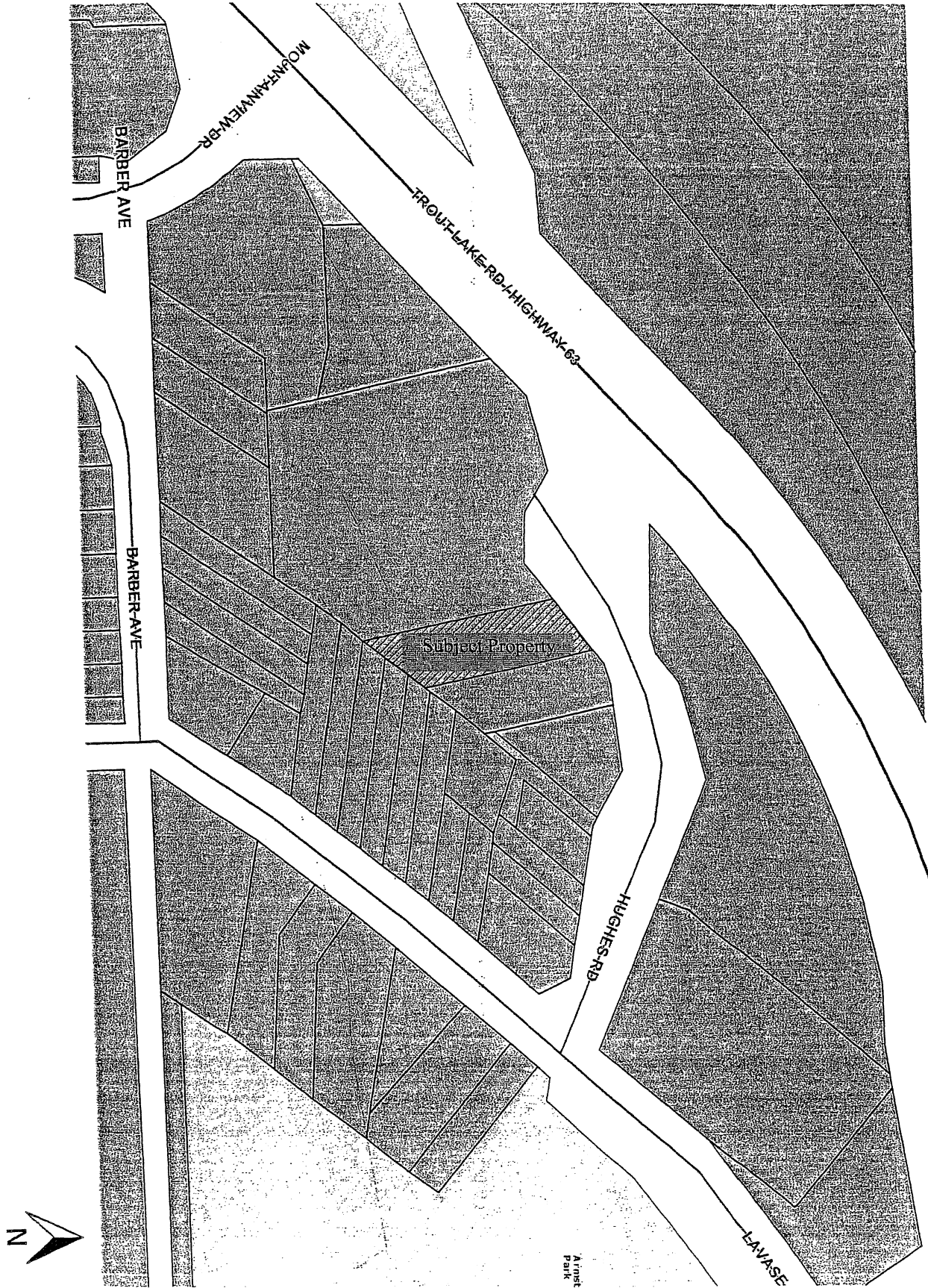
Respectfully submitted,



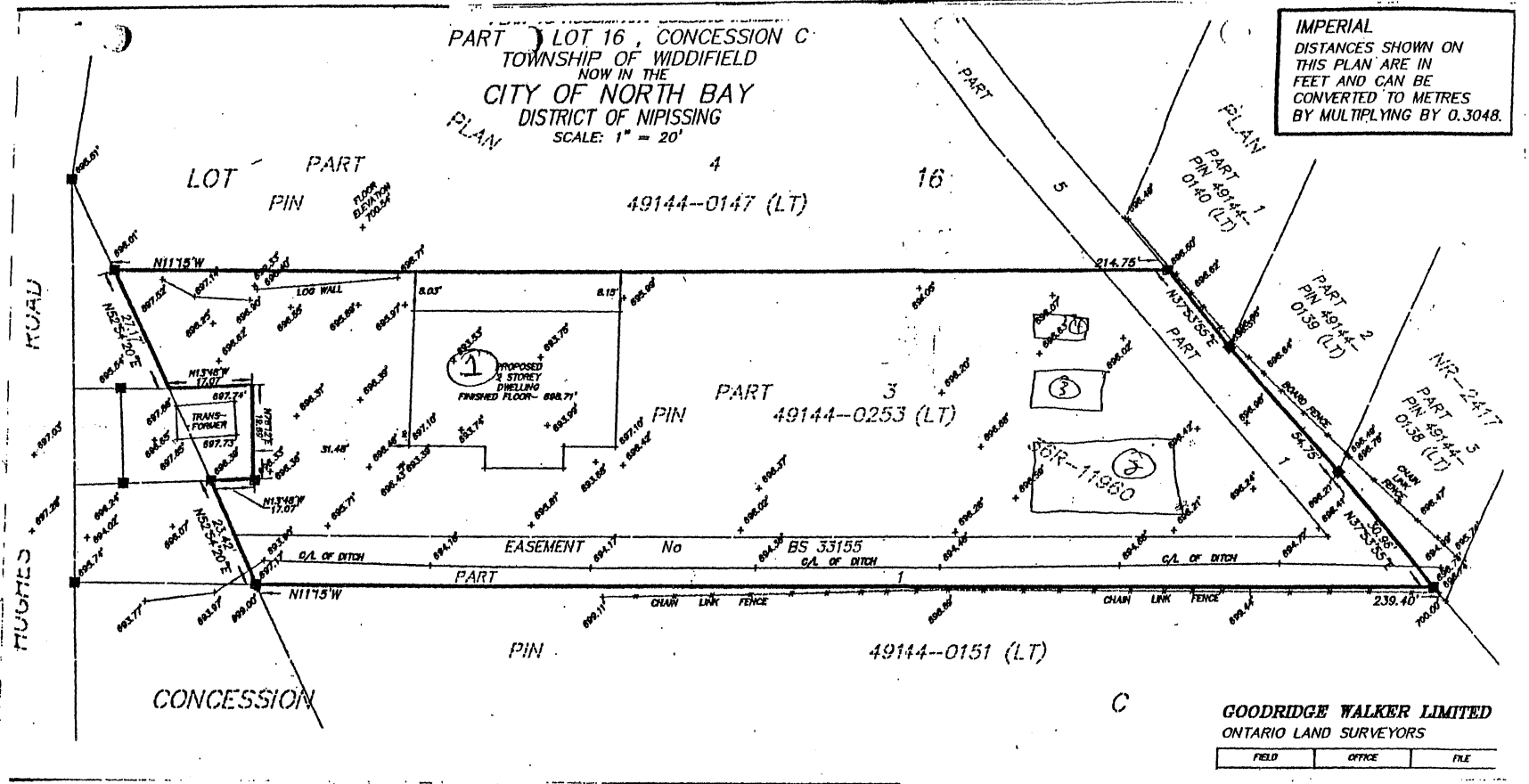
Beverley Hillier, MCIP, RPP
Manager, Planning Services

attach(s).

SCHEDULE A



SCHEDULE B



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). |
| 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. |
| January 24, 2011 | Comprehensive review of City owned Lake Nipissing accesses. |
| July 4, 2011 | Comprehensive Status Report relating to BCIP (due July 2014). |
| July 16, 2012 | Review of water and sewage rates for the dispensing facility on Patton Road (due March 2013). |
| August 26, 2013 | Exotic Animals |
| September 16, 2013 | Downtown Community Improvement Plan |