#### The Corporation of the City of North Bay

By-Law No. 2023-055

#### Official Plan Amendment No. 30

#### 2554162 Ontario Inc. - Cedar Heights Road (Unaddressed)

**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 Bylaw;

**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. 30 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.
  - 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 t | the 6th Day of June 2023.             |
|-------------------------------------|---------------------------------------|
| Read a Second Time in Open Cound    | cil the 6th Day of June 2023.         |
| Read a Third Time in Open Council   | and Passed this 6th Day of June 2023. |
| Mayor Peter Chirico                 | City Clerk Karen McIsaac              |

### Amendment No. 30 to the Official Plan of the Planning Area of the City of North Bay

2554162 Ontario Inc. - Cedar Heights Road (Unaddressed)

June 6, 2023

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

#### Amendment No. 30 to the Official Plan of the Planning Area of the City of North Bay

The attached Schedule "30-A" and explanatory text constitute Amendment No. 30 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. 2023-055 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 June 6, 2023.

|                      | Corporate Seal           |  |
|----------------------|--------------------------|--|
|                      |                          |  |
| Mayor, Peter Chirico | City Clerk Karen McIsaac |  |

#### Amendment No. 30 to the Official Plan of the Planning Area of the City of North Bay

The following text and plan designated as Schedule "30-A" attached hereto constitute Amendment No. 30 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 within the Settlement Area from "General Industry" to "Residential".

In an application received February 15, 2023, the Applicant applied for an Official Plan Amendment in order to permit the eventual residential development of the lands.

#### **B)** Basis of the Amendment

The Amendment applies to PIN 49127-0536 (LT), PCL 975 SEC NIP; PT LT 22 CON A WIDDIFIELD BEING THE W ONE HUNDRED ACRES OF THE E 1/2; NORTH BAY; DISTRICT OF NIPISSING and PIN 49127-0537 (LT), PCL 4375 SEC NIP; PT LT 22 CON A WIDDIFIELD BEING THE E SIXTY-ONE ACRES; NORTH BAY; DISTRICT OF NIPISSING. It is approximately 66.2 hectares (163.6 acres) in area, with a frontage of 411 metres on Cedar Heights Road.

The subject property is currently vacant and undeveloped.

Surrounding land uses are largely vacant or residential.

The intent of this Official Plan Amendment is to permit the residential development of the lands.

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:

<u>Item No. 1</u> Schedule "1" - "Settlement Area" to the Official Plan is hereby amended by changing the designation of the lands shown on Schedule "30-A" to this Amendment from "General Industry" to "Residential".

## 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. 30, but are included only for the purpose of providing information in support of this Amendment.

# Appendix No. 1

Staff report dated May 9, 2023



# City of North Bay Report to Council

Report No: CSBU-2023-040 Date: May 9, 2023

Originator: Peter Carello, Senior Planner - Current Operations

Business Unit: Department:

Community Services Planning & Building Department

Subject: AMENDMENT NO

Closed Session: yes □ no ⊠

#### Recommendation

- That the proposed Official Plan Amendment by Goodridge Goulet on behalf of Milford Development Limited – 0 Cedar Heights Road in the City of North Bay to amend the Official Plan Designation from "General Industry" to "Residential" for the property legally described in <u>Appendix</u> <u>A</u> to Report to Council No. CSBU 2023-040 be approved; and
- 2. That the proposed Zoning By-law Amendment by Goodridge Goulet on behalf of Milford Development Limited – 0 Cedar Heights Road in the City of North Bay to rezone the property from a "General Industrial Special No.54 Holding (M2 Sp.54H)" zone to a "Residential Holding (RH)" zone for the property legally described in <u>Appendix A</u> to Report to Council No. CSBU 2023-040 be approved.

#### **Background**

#### **Site Information**

Legal Description: See Appendix A

**Site Description:** The subject lands are comprised of two separate properties located on Cedar Heights Road. The subject lands are approximately 66.2 hectares in area and have frontage of 411 metres along Cedar Heights Road, as shown on Schedule A.

The subject lands are designated "General Industry" by the Official Plan and is zoned "General Industrial Special No.54 Holding (M2 Sp.54H)" under the City's Zoning By-law No. 2015-30.



Figure 1: Map of Subject Property and Surrounding Area

The subject lands are vacant, undeveloped and mostly forested with some limited cleared land in the south and southeast portion.

The property owner previously submitted concurrent applications to amend the Official Plan designation to "General Industry" and the zoning classification to a "General Industrial Special No.54 Holding (M2 Sp.54H)" zone. These applications were approved by City Council in 2019.

**Surrounding Land Uses:** Most of the uses in the immediate area are vacant or are residential.

There are a variety of uses in the general vicinity of the subject lands. The largest use in the area is Nipissing University and Canadore College, including their related uses. These institutions are located roughly 500m southwest of the subject property.

While the subject lands are located within the City's Settlement Area, the lands do not currently have access to municipal water and sewer services. A standpipe was recently constructed along Larocque Road which could allow the property owner to extend services to the property in the future.

There are some commercial uses in the general area, including a doctor's office located at the corner of Larocque Road and Cedar Heights Road and several commercial uses along Highway 11N including a gas bar and a convenience store.

There are also several industrial uses along Highway 11N.

#### **Proposal**

Goodridge Goulet Planning & Surveying Ltd. on behalf of Millford Development Limited has submitted an Official Plan Amendment and Zoning By-law Amendment concurrently to re-designate and rezone the subject lands legally described in Appendix A.

The proposed Official Plan Amendment would change the properties' land use designation from "General Industry" to "Residential". The proposed Zoning Bylaw Amendment would rezone the properties' from "General Industrial Special No.54 Holding (M2 Sp.54H)" to a "Residential Holding (RH)" zone.

The purpose of these concurrent applications is to allow for the future residential development of the subject lands.

#### **Summary**

The subject lands are comprised of two existing lots of record along Cedar Heights Road. This is within North Bay's Settlement Area and the Cedar Heights planning district. The subject lands are currently designated "General Industry" in the Official Plan and are presently zoned "General Industrial Special No.54 Holding (M2 Sp.54H)" by North Bay's Zoning By-law 2015-30. The property is currently vacant and undeveloped.

The subject lands were re-designated in the Official Plan and rezoned in 2019. The intent of the Planning Act application in 2019 was to enable for a public-private partnership of industrial nature with Canadore College. It was Planning Services' opinion at the time that public-private partnerships between post-secondary institutions and industry were fairly common throughout Canada and was a positive development for a community. The staff report at the time included the following passage:

This type of postsecondary-industrial development would be a new form of development in the City. However, similar institutional-industrial collaborative development is relatively common in other cities with major postsecondary institutions. They are typically located in close proximity to the main campus and are generally considered to be a positive development within a community. There are examples of similar types of academic-industrial research park facilities in London (University of Western Ontario), Waterloo (University of Waterloo and Winnipeg (both the University of Manitoba and the Manitoba Institute of Trades and Technology). In all four of these examples, the research facility is in close proximity to the institution and directly abuts residential lands.

The agent has expressed that this opportunity for a public-private partnership with Canadore College no longer exists. As a result, the applicant is seeking to effectively undo the previous Official Plan and Zoning By-law applications and revert the property to its original "Residential" designation under the Official Plan and rezone the property to a "Residential Holding (RH)" zone.

While Planning Staff was of the opinion that the proposed public-private developments would have been a positive development for the community, the residential use of the subject lands would also be compatible with the neighbourhood. The majority of the surrounding land classifications and permitted uses are residential and there remains a community need for additional housing units.

As discussed throughout this report, there is Official Plan policy that encourage the development of residential lands where services are adequately sized for the scale of the proposed development and where the proposed development is compatible with the surrounding neighbourhood.

A "Residential Holding (RH)" zone indicates that a property will be used for residential purposes at an urban scale in the future. However, it does not define the precise nature and type of housing. The property owner would need to rezone the property at a later date to specify the type of housing prior to any construction taking place. The Holding (H) zone also recognizes the need for the extension of municipal services as part of the future development of the property.

At the time of this report, the majority of the lands in the area are vacant. Services are available a few hundred metres to the west, but not to the property line. Given these characteristics, it is staff's opinion that the proposed "Residential Holding (RH)" zone is appropriate under the circumstances.

A further rezoning will be required to identify the specific type of development that will occur, and once municipal services are available.

It is my professional opinion that the proposed Official Plan and Zoning By-law Amendments represent good planning, is in conformity with 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.

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 general direction from the Provincial Government in recent years has been to facilitate new housing development and residential units through a variety of means. These changes have largely been implemented by way changes to the Planning Act. These changes included mandating that municipalities permit two additional dwelling units on a residential property within the urban area, limiting public appeals rights and eliminating the use of Site Plan Control for residential developments with 10 units or less.

Provincial policy is largely expressed by way of the Provincial Policy Statement. 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 Province of Ontario is currently considering a new Provincial Planning Statement that would replace the existing Provincial Policy Statement. The general tenet of the new PPS is significant support of residential development, including facilitating the conversion of Employment Lands into residential uses.

However, as of the time of this report, the new PPS has not been approved and does not have any legal standing to be considered in the review of this application. As such, Planning Services review of Provincial Policy as it relates the proposed Official Plan Amendment and Zoning By-law Amendment will consider the PPS 2020.

Excerpts of the Provincial Policy Statement (PPS 2020) applicable to this application are outlined below.

One of the core principles of the PPS 2020 is to make efficient use of lands, particularly within the Settlement Area. This includes a number of policies that encourage additional housing. Some examples are cited below:

- 1.1.1. Healthy, liveable and safe communities are sustained by:...
  b)accommodating an appropriate affordable and market-based range
  and mix of residential types (including single-detached, additional
  residential units, multi-unit housing, affordable housing and housing for
  older persons), employment (including industrial and commercial),
  institutional (including places of worship, cemeteries and long-term care
  homes), recreation, park and open space, and other uses to meet longterm needs;
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through 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.
- 1.7.1 Long-term economic prosperity should be supported by:...b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:...e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

The proposed applications will not immediately create new housing, as sewer and water services are not yet available to the property. However, as the area develops and services are extended to the property, they will able to connect to public utilities and construct new housing at an urban scale.

The proposed development is consistent with the above referenced policies of the PPS 2020. The City has previously identified this area as being a targeted area for the construction of new housing at an urban scale over the long-term. A standpipe was recently constructed to provide public water services to the larger Cedar Heights area.

The application before City Council at this time would permit the eventual residential development of the subject lands. The proposed "Residential Holding (RH)" zone means that the density and the housing type would need to be defined at a later date and would be subject to the extension of municipal services.

Staff notes that as a result of the presence of Nipissing University, Canadore College and the Hospital, Cedar Heights Road is well serviced by transit routes. Section 1.8.1 of the PPS 2020 encourage greater levels of density in proximity to transit.

The PPS 2020 places limitations on the removal of Employment Lands, stating that a comprehensive review should be undertaken to ensure that the subject lands are not required for industrial purposes. Section 1.3.2.4 of the PPS 2020 states that:

Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

However, Planning Services note that in the proposed new Provincial Planning Statement, the Provincial Government is taking steps to facilitate the creation of new residential lands wherever possible. This includes the removal of the requirement to undertake a comprehensive review prior to the conversion of employment lands. Further, the subject properties were only recently converted from residential lands to employment lands. No tangible steps had been taken to develop these lands for employment purposes. This application reverts the property to its previous residential designation.

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

#### **Official Plan**

The property is currently designated "General Industry" in the City of North Bay's Official Plan. The property owner is proposing to amend the designation to "Residential".

In general terms, the Official Plan is supportive of new housing development, particularly within the Settlement Area where public services are available.

#### 1.4.2 Guiding Principles

In the preparation of this Plan, a wide and strong consensus was expressed by the citizens of North Bay to build on North Bay's quality of life strengths. To continually improve the quality of life in the City through good land use planning, the following guiding principles have been developed for this Plan:

- A strong, competitive diverse economy will be supported by the designation of suitable employment and commercial lands for quality sustainable employment;
- Suitable supply and range of housing types, complemented by efficient public transit, and active transportation, access to facilities and services for employment, education, health and social care, sports recreation, culture and parks;

#### 2.1 Settlement Area Policies

It is the objective of this Plan to concentrate new growth and redevelopment within the Settlement Area and to develop new land for residential, employment area, commercial, park & open space and institutional uses.

There is no development planned at this time. However, this application would put in place the Official Plan designation and zoning that will allow the residential development of the lands in the future when services are extended to the property. This is consistent with the above noted Official Plan policies.

It is my professional opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are appropriate and conforms to the City of North Bay's Official Plan.

#### Zoning By-Law No. 2015-30

The subject property is presently zoned "General Industrial Special No.54 Holding (M2 Sp.54H)".

The "General Industrial Special No.54 Holding (M2 Sp.54H)" permits the following uses.

- Courier Distribution Depot
- Data Storage & Processing Firm
- Industrial Equipment Sales, Service and Leasing Establishment
- Industrial Class 1
- Industrial Class 2
- Laboratory
- Post-Secondary Institution
- Recreational Facility
- Transportation Terminal

- Warehouse
- Wholesale Uses

The "Residential Holding (RH)" permits the following residential and non-residential uses.

- Single Detached Dwelling
- Single Detached Dwelling Infilling
- Single Detached Dwelling Lots of Record
- Single Detached Dwelling Trout Lake Shoreline
- Principal Dwelling Unit Short-Term Rental
- Cemetery
- Commercial Agricultural Uses
- Conservation Area
- Golf Course
- Group Home Type 1
- Hobby Farm
- Kennel
- Recreational Facility, Rural
- Solar Farm
- Wind Farm

The RH zone is a "placeholder" zone that gets put in place to identify in general terms the type of development that would take place in the future. However, further rezoning would be required to identify the specific type of development and once municipal services are available.

The subject property can 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, North Bay Hydro, the Building Department, the Finance Department, the Zoning Administrator, the Parks Department, the Public Works Department and the Economic Development Department each offered no concerns or objections.

The North Bay Mattawa Conservation Authority (NBMCA) offered no objections at this time. However, they noted the presence of watercourses on the property and that a DIA Permit would be required from their office in the future when the property owner seeks to develop the lands.

The Engineering Department also had no objections at this time but provided a list of studies and information that will be needed to be submitted at the time of development.

The Ministry of Transportation stated that the "MTO has no objection, in principle, to residential development of the subject lands, but will provide more detailed comments upon receipt of a specific development."

The MTO expects potential changes to the intersection of Cedar Heights Road and the highway may limit the manner that the subject lands can be developed. They also note that permits from their office shall be required in the future.

No correspondence was received from the public regarding the subject applications.

#### Financial/Legal Implications

There are no legal or financial implications at this time.

#### **Corporate Strategic Plan**

| □ Natural Nort | th and Near | ⊠ Economic Prospe | erity |
|----------------|-------------|-------------------|-------|
|                |             |                   |       |

☑ Affordable Balanced Growth 
☑ Spirited Safe Community

☐ Responsible and Responsive Government

#### **Specific Objectives**

- Promote and support public and private sector investment.
- Facilitate the development of housing options to service the entire community, with consideration to socio-economic characteristics of the community.
- Facilitate the development of housing options to service the needs of the community.

#### **Options Analysis**

#### Option 1:

- 1. That the proposed Official Plan Amendment submitted by Goodridge Goulet Planning & Surveying Ltd. on behalf of Millford Development Limited to change the Official Plan designation subject lands legally described in Appendix A to report to Council Number CSBU 2023-040 from "General Industry" designation to "Residential" be approved; and
- 2. That the proposed Zoning By-law Amendment submitted by Goodridge Goulet Planning & Surveying Ltd. on behalf of Millford Development Limited to rezone the subject lands legally described on Appendix A to

Report to Council Number CSBU 2023-040 from a "General Industrial Special No.54 Holding (M2 Sp.54H)" zone to a "Residential Holding (RH)" be approved.

#### Option 2:

- 1. That the proposed Official Plan Amendment submitted by Goodridge Goulet Planning & Surveying Ltd. on behalf of Millford Development Limited to change the Official Plan designation subject lands legally described in Appendix A to report to Council Number CSBU 2023-040 from "General Industry" designation to "Residential" be denied; and
- 2. That the proposed Zoning By-law Amendment submitted by Goodridge Goulet Planning & Surveying Ltd. on behalf of Millford Development Limited to rezone the subject lands legally described on Appendix A to Report to Council Number CSBU 2023-040 from a "General Industrial Special No.54 Holding (M2 Sp.54H)" zone to a "Residential Holding (RH)" be denied.

#### **Recommended Option**

Option 1 is the recommended option.

Respectfully submitted,

Name: Peter Carello, MCIP, RPP

Title: Senior Planner, Current Operations

## 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 Services

Name: John Severino, P.Eng., MBA Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Peter Carello, MCIP, RPP

Title: Senior Planner

# Schedule A

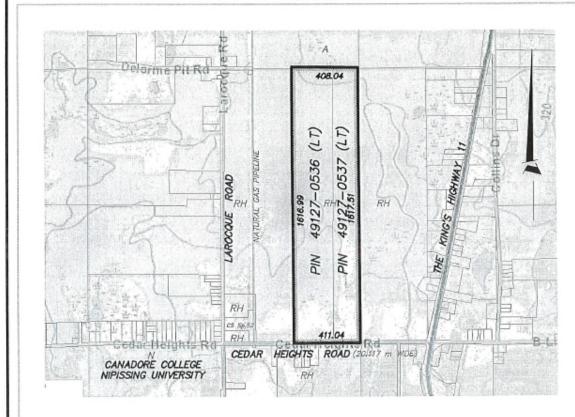


#### Schedule B

SKETCH TO ACCOMPANY

# OFFICIAL PLAN & ZONING BY-LAW AMENDMENT APPLICATION

PART OF LOT 22, CONCESSION "A" GEOGRAPHIC TOWNSHIP OF WIDDIFIELD CITY OF NORTH BAY





#### LEGEND:

LANDS TO BE RE-DESIGNATED FROM GENERAL INDUSTRY TO RESIDENTIAL. IN THE CITY OF NORTH BAY'S OFFICIAL PLAN AND TO BE RE-ZONED FROM GENERAL INDUSTRIAL SPECIAL (MZ Sp.) TO RESIDENTIAL HOLDING (RH) TO ALLOW FUTURE RESIDENTIAL DEVELOPMENT.

AREA OF LAND TO BE RE-DESIGNATED & RE-ZONED = 66.19 ha / 163.5 Ac

#### ABUTTING ZONE CATEGORIES:

RH RESIDENTIAL HOLDING A RUBAL
C5 Sp.52 NEIGHBOURHOOD
COMMERCIAL SPECIAL
N INSTITUTIONAL

DISTANCES SHOWN ON THIS SKETCH ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.5048.

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