



**Special Committee Meeting  
AGENDA**

**Monday, March 24, 2025, 6:00 p.m.**

**Council Chambers**

**City Hall - 200 McIntyre Street East, North Bay, ON**

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## Community Services Committee

**Chair:** Councillor Mallah

**Vice-Chair:** Councillor King

### Public Meeting Pursuant to the Planning Act

CS 2025-01: Report from Adam Curran dated February 11, 2025 re:

Housing Accelerator Fund (HAF) - Implementation Plan - Growth

Community Improvement Plan (GCIP) Amendment and Additional Dwelling  
Units (ADU) - Official Plan and Zoning Amendments

## General Government Committee

**Chair:** Councillor Horsfield

**Vice-Chair:** Councillor Inch

### Item(s) to be Addressed:

GG 2025-04: Report from Peter Leckie & Karen McIsaac dated January 22, 2025 re: City of North Bay Procedural By-Law Amendments

## Infrastructure and Operations Committee

**Chair:** Councillor Mitchell

**Vice Chair:** Councillor Mayne

No Items to be Addressed.

# CS 2025-01

Draft Recommendation:

“That Council:

1. recognize the seven initiatives identified in the City of North Bay’s Housing Accelerator Fund application as presented in Report to Council CSBU-2025-011 dated February 11, 2025, prepared by Adam Curran; and
2. authorize staff to amend the City’s Housing Action Plan to reflect the seven initiatives.”

# **CS 2025-01**

Draft Recommendation:

“That Council approve the Official Plan Amendment and Zoning By-Law Amendment as shown in Schedule ‘A’ and Schedule ‘B’ to Report to Council CSBU-2025-011 dated February 11, 2025, prepared by Adam Curran to implement four units as-of-right and to allow enabling policies for delegated approval for Planning Act decisions.”

# CS 2025-01

Draft Recommendation:

“That Council approve the Official Plan Amendment as shown in Schedule ‘C’ to Report to Council CSBU-2025-011 dated February 11, 2025, prepared by Adam Curran to amend the Growth Community Improvement Plan to implement the ‘Top-Up Funding’ for additional residential units.”

**City of North Bay  
Report to Council**

Report No: CSBU-2025-011

Date: February 11, 2025

Originator: Adam Curran

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Housing Accelerator Fund (HAF)– Implementation Plan – Growth Community Improvement Plan (GCIP) Amendment and Additional Dwelling Units (ADU) – Official Plan and Zoning Amendments.

Closed Session: yes  no

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**Recommendation**

- 1) That City Council recognizes the seven initiatives identified in the City of North Bay’s Housing Accelerator Fund (HAF) application as presented in Report to Council CSBU-2025-011 by Adam Curran;
- 2) That City Council direct staff to amend the City’s Housing Action Plan to reflect the seven initiatives; and
- 3) That the Housing Accelerator Fund (HAF) implementation be referred to the Community Services Committee of Council for the required statutory public meetings under the Planning Act.

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**Background**

The City of North Bay has been successful in receiving \$10.6 million dollars for their application to the Federal government’s Housing Accelerator Fund (HAF) administered by the Canadian Mortgage and Housing Corporation (CMHC). HAF was established to provide incentive funding to local governments to improve housing processes and ultimately create more housing units. The funding is meant to remove barriers and support the development of affordable, inclusive, equitable and climate-resilient communities by supporting housing related local initiatives.

The City’s application included identified seven initiatives to improve housing processes and create additional housing units. The purpose of this report is to identify the seven initiatives and outline how these initiatives will increase



North Bay's housing supply. Some of the proposed initiatives will require an Official Plan and/or Zoning By-law amendment. This report outlines the various Official Plan Amendments and Zoning By-law Amendments required and provides recommendations to refer these matters to Committee for the required public meetings under the Planning Act.

The seven initiatives are:

1. Allow 4 units As-of-Right within the City's Settlement Area, where a property is connected to municipal services;
2. Make municipally owned lands available for housing;
3. Update the Growth Community Improvement Plan (GCIP) to expand the Housing Target Area and provide Top-Up Funding of the GCIP;
4. Introduce E-Permitting, Delegation of Authority and 3D Mesh/Digital Twin-Increase Processes Efficiency;
5. Comprehensive review of development charges and fee schedules, including waivers for affordable housing;
6. Development Application Review Team (DART), prioritized and enhanced development approval process for rental and affordable housing and provide a concierge service for affordable housing development; and
7. Reduce Parking Standards and Promote Active Transportation.

Each initiative, either independently or in combination with other initiatives, will create additional and enhanced opportunities to create additional housing units in the City of North Bay. Each initiative identifies how many new housing units it will incentivize. The City of North Bay's target is 840 new housing units over the three years of the program, of which 337 are intended to be directly related to HAF incentives.

### **Initiative Details and Implementation Status**

#### **1. Allow 4 units As-of-Right within the City's Urban Settlement Boundary;**

This initiative would allow for up to three Additional Dwelling Units (ADUs) for a total of four units as-of-right on an urban serviced lot within the settlement area.

The City currently permits up to two ADUs as a right within the settlement area. Since the implementation of ADUs, the City has seen a substantial shift in how housing units are being created.

In 2024, the City had 36 ADUs created, which represents 36% of the new housing starts in 2024. This was also up from 20 and 22 ADUs in 2022 and 2023, respectively. ADUs support new housing unit opportunities, which are generally less expensive than new residential units and can be relatively easier and quicker to create. It is anticipated that this trend will continue and is an appropriate way to create new residential units.

To increase the number of ADU's per lot from 2 to 3 (not including the primary residence), the Official Plan and Zoning By-law must be amended. The draft Official Plan Amendment and Zoning By-law Amendment to implement this initiative are attached as Appendix 'A'. This includes a full planning analysis as required by the Planning Act.

## **2. Make Municipally Owned Lands Available for Housing**

The City of North Bay will identify municipal land that could be made available for new housing construction.

The City consider certain municipally owned lands feasible for the development opportunity for new affordable home ownership and rentals.

These potential lands will be brought forward on a case-by-case basis to City Council for review, consideration and approval to be deemed surplus to be developed under the HAF program.

## **3. Develop Grant Program – Expansion of the Housing Target Area and Top up Funding of the Growth Community Improvement Plan (GCIP)**

The City of North Bay has had the GCIP in place since 2020. The GCIP has 4 target areas, Industrial, Waterfront, Downtown and the Housing target areas.

The Growth CIP - Housing Target Area has already approved a number of applications, and if all approved applications are constructed it is estimated that 169 net new housing units to come to the market. The City continues to see growth in the number of Housing Target Areas applications.

Through the HAF application, the City identified two proposed changes to the Housing Target Area through the GCIP.

### **Action 1: Expand the Housing Target Area**

The first initiative expands the Housing Target Area to the entire designated Settlement Area within the City's Official Plan. By doing so, the City will provide financial incentives to property owners for infill and intensification of residential development.

The current incentives within the housing target area include:

- 100% of Municipal Fees rebated (Building Permit, Planning Act Fees);
- 100% of Development Charges rebated;
- Up to 50% to a maximum of \$5,000 to assist with Professional Services for housing unit design; and
- A property tax benefit would be available to property owners who create affordable rental units with a 100% tax rebate of the incremental tax payable increase each year for 6 years.

This initiative was supported and approved by Council in the summer of 2024 and is currently in place and the City is accepting applications.

#### Action 2: Provide Top-up Funding

The second initiative would offer top-up funding of 75% of expenses, up to \$25,000 per unit for new housing units. This initiative is specifically focused on rental housing projects and aims to encourage the development of ADUs and new multiple residential apartment dwellings. This top-up funding is supported by Official Plan policy and regulation development that ensures continued ADU and multi-unit housing construction.

The goal is to incentivize the creation of varied housing types, including the missing middle, non-market, and market rental housing, throughout the city by offsetting a portion of the cost of construction.

The overall objective of these initiatives is to stimulate the creation of new housing units, promote diverse housing options, and facilitate the intensification of residential development within the City.

This initiative requires an amendment to the GCIP. The details of the proposed amendment are included in Appendix 'C'. In addition to the specific program changes, staff are proposing to create detailed guidelines and provide for strict development timelines to ensure that housing units are coming to market as quickly as possible. Preference will be given to construction ready projects.

#### **4. E-Permitting, Delegation of Authority and 3D Mesh/Digital Twin**

##### Action 1: E-permitting/Electronic Development Applications.

The City has just recently implemented an e-permitting process for both Building Permits and Planning Applications (Citywide). The E-permitting is available for all types of planning and building permit applications.

The E-permitting assists greatly in monitoring progress towards Key Performance Indicators for planning and building permit applications. E-permitting will create automated workflows to streamline process efficiency

to speed up reviews of applications. Including concurrent review of files by various departments. A user-friendly interface improves the experience for the applicant, making it easy to submit and monitor their applications progress.

E-permitting has been implemented for Planning Act applications and Building Permit Applications. Details on this process, including instruction videos/Frequently Asked Questions are available on the City's website: [Building Permits](#) and [Planning Applications](#).

#### Action 2: Increased Delegation to Staff

As permitted by the Planning Act, the City will increase delegation of approval authority to staff. The City proposes completing an Official Plan Amendment and amendment to the City's Delegation By-law to permit certain technical matters to be delegated to staff with the expertise to review and approve these items.

The delegation of these routine technical matters will permit staff members to approve applications where required. This may include the removal of a holding zone, Temporary Use By-laws, Consent Granting Officials and extension to Draft Plan of Subdivision and/or Condominiums, and Validation Certificates.

This initiative requires an amendment to the City's Official Plan. The details on this amendment, including a full planning analysis, is included in Appendix 'A'.

#### Action 3: 3D Mesh/Digital Twin

The City of North Bay has initiated works towards providing aerial imagery, oblique imagery and 3D Mesh data and applications. High-resolution aerial imagery and advanced technology offers detailed, accurate views of properties and infrastructure. This can help the City with tasks like property assessments, urban planning, infrastructure management, and disaster response. This data can be used to streamline processes, improve decision-making, and enhance overall efficiency in managing municipal services.

The City will also be able to use this technology to support ongoing education on the look and feel of residential development within the existing urban form and ongoing efforts to determine the impact of climate change, model changes to determine potential impacts on the City's infrastructure and to plan and update the City's infrastructure accordingly.

This work is currently underway and expected to be implemented in 2025.

### **5. Comprehensive review of development charges and fee schedules including waivers for affordable housing.**

On August 13, 2024, Council passed an extension of the Development Charges By-law. This By-law extension ensures that Development Charge rates are clear, transparent and predetermined (not subject to negotiation). The By-law was extended for 5 years holding current Development Charge rates in place and creating stability for the development community. The existing Development Charges have remained unchanged since 2014 and are 50% below the 2014 maximum permitted development charge rate.

The City has taken an additional step in the Development Charges By-Law by including a reduced rate to support new housing construction for Entry Level/Starter homes. This reduces the rate paid within a range of 50% to 100% depending on the size of the structure. In addition, the Development Charges By-law waives all development charges for affordable housing projects, projects by colleges and universities (to support student housing initiatives) and additional dwelling units.

This initiative is complete.

## **6. Development Application Review Team (DART)**

The City has an established track record of supporting and facilitating all forms of development within the community.

Action 1 - Prioritized/enhanced development approval process for rental and affordable housing.

Through this initiative, the City will create a process to fast-track the development review and building permit review for non-market and purpose-built multiple residential dwellings. This will ensure that all non-market and purpose-built multiple residential dwellings are processed quickly and efficiently to allow this form of new housing units to come online quickly. This project supports the City's overall strategy to support new housing creation and aligns with the other initiatives proposed, including the Development Grant Programs (Growth CIP) to support new housing units. This initiative focuses on improved case management to ensure priority projects are managed efficiently to support applicants through any necessary development approvals process. Information on the City's Development Application Review Team (DART) is available on the City's website.

Action 2 – Concierge Service

The City will identify one key staff member who will be the key point of contact for any non-profit housing developer/provider. This concierge service will help non-profit providers to navigate the development and building permit process. This service will support and facilitate discussions with the District of Nipissing Social Services Administration Board (DNSSAB), the City's Service Manager, which is responsible for social housing within the City of North Bay.

This initiative is in place. Adam Curran is the designated City staff person to assist non-profit housing providers navigate the development and building permit process.

## **7. Reduce Parking Standards and Promote Active Transportation**

### **Action 1: Reduce Parking Standards**

Through the adoption of the City's new Additional Dwelling Unit policies and regulations, the City reduced the maximum required parking per ADU from 1 parking space per unit to 0.5 parking spaces per unit.

The City continues to invest consistently year over year in new active transportation opportunities and has developed a recognized leading edge public transportation system with Dynamic Dispatch. These initiatives provide a viable alternative to the use of personal vehicles and support the reduction of parking requirements, allowing for additional flexibility in providing new housing units by reducing the amount of land area necessary for parking-related uses. This allows for more dwelling units per property and increases project viability and density.

This reduced parking standard is currently in place.

### **Action 2: Promote Active Transportation**

The City adopted an Active Transportation Master Plan in 2019. The purpose of the Active Transportation Master Plan is to create the vision and establish a plan related to the improvements necessary in the City's Active Transportation network and infrastructure to support a connected, integrated transportation network that reduces the dependency on personal vehicles.

This initiative would result in an integrated active transportation system creating cyclist-friendly multi-modal points at key transit stops, the Transit Terminal and municipal cycling destinations.

The scope of the project includes the purchase and installation of 21 bicycle racks on city buses and the purchase and installation of 30 secure bike/personal areas at transit terminals, stops and cycling destinations. Not all locations would have a storage area. The storage areas would be locker-type storage.

The City is purchasing and installing 5 bike lockers that store 2 bikes per locker that are placed in strategic locations to support the use of public transportation and reduce car dependency. These bike lockers will provide secure storage and peace of mind for users to support the use of public transportation and City recreational facilities.

The following initiatives have been completed or soon to be completed:

- Twenty-one (21) bike racks have been installed on transit buses; and
- Thirty (30) personal/secure in the summer of 2025

The proposed 7 initiatives will incentivize additional housing units being created in North Bay.

The purpose of the first section of this report is to provide details on the seven initiatives. Staff will continue to bring amendments and policies to implement the initiatives when appropriate.

### **Proposed Official Plan Amendments and Zoning By-law Amendments**

Attached to this report are proposed Official Plan Amendments and Zoning By-law Amendments to implement the following initiatives:

- 1) Appendix 'A' and Appendix 'B' - An Official Plan Amendment and a Zoning By-law Amendment to Allow 4 units As-of-Right within the City's Settlement Area and an Official Plan Amendment to permit enabling policy to permit Delegated Approval to Staff; and
- 2) Appendix 'C' - An Official Plan Amendment to amend the City's GCIP to top up funding within the Housing Target Area.

The Appendices provide planning rationale and justification.

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### **Financial/Legal Implications**

The City of North Bay has entered into an agreement with the Federal Government to receive \$10.6 million dollars to implement the seven initiatives to incent the creation of 337 housing units over three years. The funding is conditional upon the City achieving its housing target, and requires annual reporting to Canada Mortgage and Housing Corporation (CMHC) on the status of the implementation of the initiatives.

The Top-Up Funding to GCIP will be funded through the Housing Accelerator Fund (HAF). Applications will be accepted on a first come, first served basis with preference to ready for construction projects. All other aspects of the GCIP are funded from the existing GCIP reserve fund.

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### **Corporate Strategic Plan**

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

### **Specific Objectives**

- Promote and support public and private sector investment;

- Explore and implement opportunities to streamline processes, policies and practices that make it easier and more effective to do business in North Bay;
- Provide smart, cost-effective services and programs to residents and businesses;
- Facilitate the development of housing options to service the entire community, with consideration to socio-economic characteristics of the community;
- Continually improve policies and practices that celebrate diversity and create a welcoming environment that supports development, growth, and community engagement; and
- Facilitate the development of housing options to service the needs of the community.

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## **Options Analysis**

### Option 1:

- 1) That City Council recognizes the seven initiatives identified in the City of North Bay's Housing Accelerator Fund (HAF) application as presented in Report to Council CSBU-2025-011 by Adam Curran;
- 2) That City Council direct staff to amend the City's Housing Action Plan to reflect the seven initiatives; and
- 3) That the Housing Accelerator Fund (HAF) implementation be referred to the Community Services Committee of Council for the required statutory public meetings under the Planning Act.

### Option 2:

- 1) That City Council does not recognize the seven initiatives identified in the City of North Bay's Housing Accelerator Fund (HAF) application as presented in Report to Council CSBU-2025-011 by Adam Curran;
- 2) That City Council does not direct staff to amend the City's Housing Action Plan to reflect the seven initiatives; and
- 3) That the Housing Accelerator Fund (HAF) implementation not be referred to the Community Services Committee of Council for the required statutory public meetings under the Planning Act.

This option is not recommended as it is required as part of the City's agreement with the Federal Government's Housing Accelerator Fund.

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## **Recommended Option**



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Option 1 is the recommended option.

- 1) That City Council recognizes the seven initiatives identified in the City of North Bay's Housing Accelerator Fund (HAF) application as presented in Report to Council CSBU-2025-011 by Adam Curran;
- 2) That City Council direct staff to amend the City's Housing Action Plan to reflect the seven initiatives; and
- 3) That the Housing Accelerator Fund (HAF) implementation be referred to the Community Services Committee of Council for the required statutory public meetings under the Planning Act.

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Respectfully submitted,

Name: Adam Curran, M.E.S., MCIP, RPP

Title: Policy and Business Development Planner

**I 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: Adam Curran, M.E.S., MCIP, RPP

Title: Policy and Business Development Planner

**‘Appendix A to Report to Council CSBU-2025-011’**

**AMENDMENT NO. 35**

**TO THE**

**OFFICIAL PLAN**

**OF THE**

**CITY OF NORTH BAY**

**(ADDITIONAL DWELLING UNITS and DELEGATED APPROVAL AUTHORITY)**

*February 2025*

**AMENDMENT NO. 35  
TO THE OFFICIAL PLAN OF THE CITY OF NORTH BAY**

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## **STATEMENT OF COMPONENTS**

PART ONE - INTRODUCTION is included for information purposes and is not an operative part of this Official Plan Amendment.

PART TWO - THE AMENDMENT, consisting of the text and schedules attached hereto, is an operative part of this Official Plan Amendment.

## **PART ONE - INTRODUCTION**

### **1. PURPOSE**

The purpose of Amendment No.35 to the Official Plan of the City of North Bay is to make changes to the Additional Dwelling Unit Policies as outlined in the City's successful application to Canada Mortgage and Housing Corporation's (CMHC) 'Housing Accelerator Fund' (HAF) and to permit up to four units as a right on all residential urban serviced lands within the settlement boundary of the City.

The proposed Amendment would also provide Official Plan policy to permit Council to pass by-laws to delegate approval authority to City Staff for routine Planning applications and processes that are typically technical in nature.

### **2. LOCATION**

This Amendment applies to the entirety of the City of North Bay.

### **3. BASIS**

#### Additional Dwelling Units

The City of North Bay has been approved under the Federal Government's 'Housing Accelerator Fund' (HAF) administered by CMHC. Through the application process the City identified seven initiatives that would encourage additional residential units.

One of the initiatives identified in the City's application was permitting up to three Additional Dwelling Units (ADU) as a right (for a total of four units per property).

ADUs are currently permitted within the Settlement Area of the City, this change was completed in 2023, with the *More Homes Built Faster Act, 2022*, which made amendments to the Planning Act. The new legislation prohibited Municipalities from creating Official Plan policy or Zoning By-law regulations that would restrict urban residential properties having less than three residential units.

This proposed change would permit one additional unit per property, for a total of four units, should the property be able to meet the required setbacks, meet parking requirements and the Ontario Building Code.

ADUs are an effective way to increase housing inventory as ADUs are, in comparison to new development, relatively inexpensive and can be constructed relatively fast. The new amended ADU policy will allow property owners to create

up to four new units within the Settlement Area, where the property is connected to municipal services. The creation of the new amended ADU policies will allow for more rental units to be created, provide a revenue stream that allows for affordable home ownership, and permit multi-residential units. The introduction of this ADU policy will make housing more affordable, inclusive, equitable and diverse.

ADUs will be constructed on existing developed properties within the serviced area and road networks infilling and/or intensifying by taking advantage of the existing infrastructure. ADUs will also be constructed in new subdivision developments where builders will complete an ADU(s) at time of construction or rough in for future completion. ADUs will help to support complete and walkable communities with diverse land uses and access to amenities.

Since Council approved the ADUs policy which permitted up to three units per property, the City has seen an increase in the uptake of ADUs. The figure below demonstrates the amount of ADUs and Secondary Dwellings (2021 and 2022):

<b>Year</b>	<b>Additional Dwelling Units</b>
2021	9
2022	20
2023	22
2024	36
<b>Total</b>	<b>87</b>

In 2024, ADUs represented 36% of the new housing units created in North Bay. Since 2021, 87 new housing units have been created through the ADU policies. This trend and uptake in the market to construct ADUs demonstrates that the existing policy is working for applicants (homeowners, home builders). The new amended ADU policy aims to improve upon the existing policy by allowing up to three ADUs per property and making the approval process more streamlined and efficient.

Based on the current practices with Additional Dwelling Units and general Planning guidelines, the Planning Department makes the following recommendations on implementing Additional Dwelling Units (up to three ADUs) within the City of North Bay, including:

- ADUs will be permitted within the serviced Settlement Area of the City and not permitted within the Rural Area;
- 0.5 Additional Parking Space will be required for each ADU; and
- Satisfying all applicable requirements of Zoning By-law, Building Code, Fire

## Code and Property Standards By-law.

### **4. Planning Rational and Justification**

The proposal to permit 4 units as-of-right (primary residence and 3 ADUs) on municipally serviced lands within the City's Settlement Area requires an Official Plan and Zoning By-law Amendment. The proposed amendment needs to represent good land use policy and the following section provides the Planning rational and justification. Additional Dwelling Units has seen changes and different requirements in the last couple of years.

#### *Secondary Dwellings Units – OPA 20 – 2018*

In 2018, the City of North Bay amended its Official Plan and Zoning By-law to implement the requirements of the *Strong Communities Through Affordable Housing Act, 2011*. Through this act it was required that Municipalities permit a second residential unit within a single detached, semi-detached and row housing, provided no accessory dwelling contained a residential unit.

#### *Additional Dwelling Units – OPA 31*

The *More Homes, More Choice Act, 2019* was passed on November 28, 2022, which made further changes to the Planning Act regarding additional residential units. This change permitted up to three units per property.

In 2023, the City of North Bay implemented these changes to permit up to three residential units on a parcel of land within the Settlement Area, and permitting up to 2 residential units within the rural area.

The proposed changes to the Official Plan and Zoning By-law would take a similar approach to the current policies and provisions in place for ADUs.

The proposed amendments would permit up to 4 units as-of-right (primary residence, 3 ADUs) within the urban area and still allow up to 2 residential units within the rural area.

### **Policy and Regulatory Framework**

The proposed amendments to the Official Plan and Zoning By-law are subject to the following policy and regulatory framework:

- The Planning Act
- 2024 Provincial Planning Statement
- 2011 Growth Plan for Northern Ontario
- Official Plan for the City of North Bay
- Zoning By-law No. 2015-30.

### **Planning Act**

The Planning Act is provincial legislation that sets out the rules for land use planning for

municipalities in Ontario. The Planning Act currently prohibits municipalities from not permitting three dwelling units on a parcel of urban residential land.

The proposed amendments are proposing to allow up to 4 units as-of-right on a parcel of urban residential land.

## **Provincial Planning Statement, 2024**

The proposed amendment to allow for up to 4 units as-of-right on a parcel of urban residential land must be consistent with the Provincial Planning Statement.

Planning Staff have reviewed the PPS, 2024 in its entirety and is of the opinion the proposed amendments are consistent with the policy direction. Specifically, the following sections of the PPS, Policy 4 of Section 2.1 and Policy 1b) of Section 2.2, which states the following:

*“2.1 Planning for People and Homes – 4. To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.*

### **2.2 Housing**

*1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

*b) permitting and facilitating:*

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas,*



*and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation;...”*

## **Growth Plan for Northern Ontario**

The proposed amendments conform to and do not conflict with the Growth Plan for Northern Ontario, 2011. Specifically, policy 3.4.3 of the GPNO encourages municipalities to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality open spaces, and easy access to local stores and services. The proposed amendments would facilitate a greater range and mix of housing types.

## **Official Plan**

The City of North Bay’s Official Plan generally directs new growth and redevelopment within the Settlement Area. The Settlement Area is sized to meet current and future land requirements for these uses requiring full municipal services.

The Official Plan Section 2.1.11 has Housing Policies and provides general housing policies to ensure that there is an adequate number of housing units available.

### **2.1.11.2 –**

- a) To encourage the existence of an adequate supply and diversity of residential accommodation by type and tenure to satisfy the social and economic requirements to the population;

### **2.1.12 Urban Residential Area Densities**

Urban Residential Areas will be made up of low, medium and high-density residential developments. The Comprehensive Zoning By-law will zone various areas within the City for low, medium and high density residential development.

- 2.1.12.1 Low and medium density residential developments permit single detached dwellings, semi-detached dwellings, duplexes, triplexes, townhouses, low profile apartments (up to four units), rooming houses, mobile homes and group homes.

The proposal to permit 4 units as-of-right in all low-density residential zones, would permit cost effective intensification, while maintaining low density residential development in existing neighbourhoods.

In my professional opinion, the proposed Official Plan Amendment and Zoning By-law Amendment to permit four (4) residential units as-of-right are consistent with the PPS, 2024, does not conflict with the Growth Plan for Northern Ontario, conforms with the City of North Bay's Official Plan.

The Canada Housing Infrastructure Fund (CHIF) website advises that municipalities with populations of 30,000 and above are required to implement zoning for four units as-of-right. The Government of Canada expects municipal land use policy and required zoning regulations to be in place by Spring 2025.

### Delegated Authority

The second part of this Official Plan Amendment is to provide Official Plan policy to allow Council to delegate approval of certain Planning Act applications to an officer, employee or agent of the Municipality. This initiative was also part of the City's HAF application and approval.

Planning Staff currently have delegated authority for Site Plan Control Agreements. The proposed Official Plan Amendment would create the necessary enabling policies to allow for delegation to staff to review and process routine and technical approvals or extensions. In addition to this policy amendment, a By-law would need to be passed by Council to enact the delegation.

Delegated Authority would allow for reduced timelines for minor technical Planning Act applications that would support new development.

Delegated Authority could be for the following:

- Site Plan Control Agreements;
- Consents;
- Minor Changes to the Zoning By-law (Holding Zones, Temporary Use By-law)
- Redline Amendments to Draft Plan of Subdivision and/or Condominiums;
- Extension and Final Approval of Draft Plan of Subdivision/Condominiums;
- Draft Plan of Subdivision and/or Condominiums; and
- Any other Planning Act Application that is permitted under the Planning Act.

### **Planning Rational and Justification**

The proposed amendment to the City of North Bay's Official Plan would provide enabling policies to give delegation of authority to qualified staff for routine and technical

approvals, amendments and extensions.

Bill 13, *Supporting People and Businesses Act, 2021*, made changes to a variety of statutes, including the *Planning Act*. The proposed changes to the *Planning Act* added a new section (Section 39.2) that the council of a local municipality may delegate decision-making authority under Section 34. The delegated decision-making authority may include, but not limited to, the following approvals: remove a holding symbol, temporary use by-laws to authorize the temporary use of land, buildings, or structures.

Along with these changes through Bill 13, there are other enabling polices for delegation approval under the *Planning Act*, including extension to Draft Approval, Red-Line Amendment to Draft Approval, consent authority and Site Plan Approvals.

The proposed Official Plan amendment would allow for enabling policies only, and any delegation of approval would need to be approved by amendment to the City's delegation by-law.

Planning Staff is of the opinion that the proposed amendment to the Official Plan to allow for enabling policies represents good land use planning and can help expediate certain processes that are generally more technical in nature.

## **PART TWO - THE AMENDMENT**

### **1. PURPOSE**

The purpose of Amendment No.35 to the Official Plan of the City of North Bay is to include Additional Dwelling Unit policies and provide Official Plan policy for delegated approval authority.

This amendment applies to all lands within the City of North Bay.

### **2. THE AMENDMENT**

The Official Plan of the City of North Bay is hereby amended:

#### **2.1.1 Policies**

By deleting section 2.1.13.6 Additional Dwelling Unit Policies in its entirety and replacing it with the following:

##### **"2.1.13.6 Additional Dwelling Unit Policies**

Additional Dwelling Units (ADU) can help to achieve intensification targets and increase the availability of affordable housing choices for

residents. ADUs may also assist with aging in place concepts.

ADUs are ancillary and subordinate to the primary dwelling unit. ADUs are permitted within the Settlement Area, where the property is connected to municipal services, to a maximum of three Additional Dwellings Units and the primary dwelling for a maximum of four (4) units.

Within the Rural area of the City, or where a property is within the Settlement Area but not connected to municipal services, a maximum of one ADU is permitted.

ADUs are permitted provided it meets the following criteria:

- a) Within the Settlement Area, where connected to municipal services, a second, third and/or fourth residential unit in a detached, semi-detached, townhouse, provided that no accessory structure on the property contains an additional residential dwelling unit; or
- b) Within the Settlement Area, where connected to municipal services, an additional residential dwelling unit in a detached, semi-detached, townhouse, if there is only one residential unit within an accessory structure on the property; or
- c) Within the Settlement Area, where connected to municipal services, an accessory building is permitted to have one additional residential dwelling unit, provided that no other accessory building on the property has an additional residential dwelling unit and provided that there is a maximum of two additional residential dwelling units within the primary residential unit;
- d) Recreational Vehicles and Mobile homes are not considered an additional residential dwelling unit;
- e) Adequate servicing must be available to service the additional residential dwelling unit through either the municipal system within the Settlement Area, or through, privately owned systems within the rural area where municipal services are not

available;

- f) additional residential dwelling units are not permitted within hazard lands or adjacent to hazard lands;
- g) additional residential dwelling units are not permitted in any Industrial or Commercial zoned property;
- h) additional residential dwelling units shall not be permitted within 300 metres of the un-serviced shoreline and major inflowing streams of Trout Lake, unless the proposed property is on full Municipal Services;
- i) Additional residential dwelling units will not cause alterations to the main building's exterior that would significantly change the existing character of the neighbourhood or streetscape. This may include but is not limited to the creation of new entrances and adequate parking;
- j) additional residential dwelling units must satisfy all applicable requirements of the Ontario Building Code, Ontario Fire Code, the Zoning By-law and the Property Standards By-law, and any other Federal, Provincial or Municipal law or legislation;
- k) Existing illegal additional residential dwelling units must comply with all of the applicable requirements of the Official Plan and Zoning By-law and obtain the necessary building permits to be considered a legal additional dwelling unit; and
- l) Additional regulations for additional residential dwelling units will be established in the Zoning By-law.

## **5.1 The Planning Toolbox**

Add the following after the third paragraph in Section 5.1 The Planning Toolbox:

“5.1.0 Delegated Approval Authority

Council has the ability through the Planning Act by By-law to delegate

approval authority for Planning Tools to be approved by a Committee of Council or an individual who is an officer, employee or agent of the Municipality.

Council may by By-law delegate approval authority to either a Committee of Council or an individual who is an officer, employee or agent of the Municipality. The By-law would grant the delegated authority and provide the process in which to follow for approval. Council would have the ability to delegate approval authority for the following:

- Site Plan Control Agreements;
- Consents;
- Minor Variances;
- Minor Changes to the Zoning By-law (holding zones, temporary use By-laws);
- Redline Amendments to Draft Plan of Subdivisions and/or Condominiums;
- Extension and Final Approval of Draft Plan of Subdivisions and/or Condominiums;
- Draft Plan of Subdivisions and/or Condominiums; and
- Any other Planning Act Application or process that is permitted under the Planning Act.”

### **3. IMPLEMENTATION AND INTERPRETATION**

This Official Plan Amendment shall be implemented and interpreted in accordance with the implementation and interpretation provisions set out in the Amendment and the Official Plan.

**‘Appendix B to Report to Council CSBU-2025-011’**

**The Corporation of the City of North Bay**

**By-Law No. 2025-\_\_\_\_**

**A By-Law to Amend Zoning By-Law No. 2015-30  
to include Additional Dwelling Unit Policies within  
the City of North Bay**

Whereas the Council of the Corporation of the City of North Bay has initiated amendments to the Zoning By-law to permit Additional Residential Dwelling Units;

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 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 regulations of Zoning By-law 2015-30 pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended;

And Whereas Council passed Council Resolution No. 2025-\_\_\_\_\_ on the day of \_\_\_\_\_, 2025, to approve this rezoning;

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

- 1) Section 2 – Definitions of Zoning By-law No. 2015-30 is amended by amending the following definitions:

**Dwelling Unit, Additional Residential Urban:**

A dwelling unit that is ancillary and subordinate to the main dwelling unit within the **Urban Settlement Area**, and connected to municipal services.

- 2) Amend Section 3.20.2.1 Additional Residential Dwelling Unit to the following:

**“3.20.2.1 Additional Residential Dwelling Unit**

An **additional dwelling unit** may be permitted within:

- a) A **single detached dwelling** or an accessory building thereto
- b) A **semi-detached dwelling** or an accessory building thereto
- c) A **townhouse (cluster, stacked, or street front)** dwelling or an accessory building thereto

provided that a maximum of three **additional residential dwelling units** shall be permitted within the **Urban Settlement Area** per property and connected to municipal services and one **additional residential dwelling unit** shall be permitted per property within the Rural Area of the City.

Additional residential dwelling units which were illegal on the passing of this By-law must meet all the required criteria for an **additional residential dwelling unit** and receive a change of use permit under the Building Code to be considered a legal **additional residential dwelling unit**.

Notwithstanding the above, additional **residential dwelling unit(s)** are not permitted:

- a) Within a dwelling unit or an accessory building within the Parkland (P), Open Space (O), Rural Residential Lakefront (RRL), Floodway (O1) and the Floodplain and Erosion (O2) Zones;
  - b) Within a dwelling unit or accessory building that is permitted in a non-residential zone in Section 6 and 7 of this By-law; and
  - c) Within a dwelling unit or an accessory building on the un-serviced properties within 300 metres of Trout Lake and any major inflowing streams as identified on Schedule 'E' of Zoning By-law 2015-30;
- 3) Delete Section 3.20.2.5 e) and replace it with the following:  
"e) shall not have a maximum **gross floor area**, provided it meets the provisions of the Zoning By-law for lot coverage and setbacks;"
- 4) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O.Reg. 545/06 as amended.
  - 5) This By-law shall come into effect upon passage and the adoption of Official Plan Amendment 35.
  - 6) This By-law is in conformity with the City of North Bay's Official Plan as amended by Official Plan Amendment 35.

Read a First Time in Open Council the      day of \_\_\_\_\_. 2025.

Read a Second Time in Open Council the      day of \_\_\_\_\_. 2025.

Read a Third Time in Open Council and Passed this      day of \_\_\_\_\_. 2025.

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Mayor Peter Chirico

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City Clerk Karen McIsaac



**“Appendix ‘C’ to Report to Council CSBU-2025-011”**

**The Corporation of the City of North Bay**

**By-Law No. 2025-\_\_**

**A By-Law to amend By-Law 2019-107  
to amend the Growth Community Improvement Plan**

Whereas Section 28 (2) of the Planning Act permits Municipalities where there is an Official Plan in effect that contains provisions relating to community improvement, the Council may, by By-law, designate the whole or any part of an area covered by such an Official Plan as a Community Improvement Project Area;

Whereas the Council of the Corporation of the City of North Bay designated the entire City boundary as a Community Improvement Project Area by By-law No. 2019-106, as per Section 28 (2) of the Planning Act, R.S.O., 1990, as amended;

Whereas the City of North Bay’s Official Plan contains provisions pertaining to and supporting a Community Improvement Plan;

Whereas the goals of the Growth Community Improvement Plan are to encourage sustainable growth and development within housing, the industrial sector with the creation of jobs and economic opportunity and to enhance the City’s Downtown Core.

Whereas the Growth Community Improvement Plan would provide successful applicants within the target areas grants permitted under Section 28(7) of the Planning Act, R.S.O., 1990, as amended, to encourage growth and development within the Industrial Target Area, Housing Target Area and the Downtown Target Area and Waterfront Target Area;

Whereas Council adopted the Growth Community Improvement Plan on December 8, 2019 by By-Law 2019-107;

Whereas the City of North Bay was successful in the funding from the Federal Government for the Housing Accelerator Fund (HAF) to enable the creation of new residential dwelling units;

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

1. The attached explanatory text and schedule constitutes Amendment No. 3 to the Growth Community Improvement Plan is hereby adopted.
2. This By-law shall come into force and take effect on the day it is passed, subject to and in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended from time to time.

Read a First Time in Open Council the \_\_\_\_ day of \_\_\_\_\_ 2025.  
Read a Second Time in Open Council the \_\_\_\_ day of \_\_\_\_\_ 2025.  
Read a Third Time in Open Council and Passed this \_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Mayor Peter Chirico

\_\_\_\_\_  
City Clerk Karen McIsaac

**AMENDMENT NO. 3 TO THE CITY OF NORTH BAY'S GROWTH COMMUNITY  
IMPROVEMENT PLAN**

*February 2025*

Amendment No. 3  
to the Growth Community Improvement Plan  
of the City of North Bay

The attached explanatory text and Schedule A constitute Amendment No. 3 to the Growth Community Improvement Plan of the City of North Bay. This Amendment was adopted by The Corporation of the City of North Bay by By-law No. XXXXXX 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 XXXXXX.

Corporate Seal

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Mayor Peter Chirico

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City Clerk Karen McIsaac

## **PART ONE - INTRODUCTION**

### **1. PURPOSE**

The purpose of the amendment to the Growth Community Improvement Plan (Growth CIP) is to create a new incentive within the Housing Target Area. The new incentive titled the 'Additional Housing Unit Grant Program' will provide successful proponents up to 75% up to a maximum of \$25,000 of the total costs to create an additional housing unit. An additional housing unit can be an additional dwelling unit(s) (ADU) within an existing or new dwelling unit or can be a multiple residential building.

This amendment will create a financial incentive to encourage additional housing units to be created and can also encourage existing illegal units to be legalized.

### **2. LOCATION**

This Amendment applies to the Growth Community Improvement Plan Project area which is the entire City of North Bay.

### **3. PLANNING RATIONALE AND JUSTIFICATION**

The Planning Act in Ontario allows municipalities to create Community Improvement Plans (CIPs) to address various local needs and opportunities.

A CIP can be used to encourage redevelopment, rehabilitation, or other improvements in designated areas.

The City of North Bay has designated the entire City as a Community Improvement Project Area. The City of North Bay has a long history of having CIPs to offer financial incentives to support different forms of development.

Council adopted the new Growth Community Improvement Plan (Growth CIP) in January 2020. The Growth CIP currently has four different target areas, being Downtown, Waterfront, Industrial and Housing.

The focus of this amendment is on the Housing Target Area. The main objective of the Housing Target Area is to encourage infill and intensification of housing development within the Settlement Area of the City. Generally, the Housing Target Area supports development that is increasing the net number of residential units on properties through different forms of housing development, including Additional Dwellings Units (ADUs).

The Housing Target Area has processed 32 applications which will assist 169 additional residential units to be created. The private sector has invested approximately \$27 million to create these units, with a public sector contribution of approximately \$497,500, not including the tax incremental grant. This represents a 1:54 ratio of public to private sector spending.

Through the first initiative, Council adopted an amendment to the Housing Target Area of the Growth CIP in the summer of 2024. This amendment expanded the housing target area to apply to the entire urban settlement area.

The second initiative would provide top-up funding to encourage intensification of residential units. The top-up funding is proposed to be 75% up to \$25,000 for each additional housing unit created within the Urban Settlement Area.

The top-up funding can be used for the construction costs of the unit and upgrading services to accommodate the intensification (including hydro, water and sewer)

Planning Staff is of the opinion that the current Housing Target Area incentives are encouraging and providing the necessary assistance to create more housing units.

The current program has been successful, and the added Top-Up funding will incentivize more units to come to the market within the Urban Settlement Area of the City than otherwise would have.

## **Policy and Regulatory Framework**

The proposed amendment to the Growth CIP is subject to the following policy and regulatory framework:

- The Planning Act
- 2024 Provincial Planning Statement
- 2011 Growth Plan for Northern Ontario
- Official Plan for the City of North Bay
- Zoning By-law No.2015-30.

## **Planning Act**

The Planning Act is provincial legislation that sets out the rules for land use planning in Ontario. The legislation prohibits Municipalities from creating Official Plan policy or Zoning By-law regulations that would restrict urban residential properties having less than three residential units.

Part IV of the Planning Act provides policies for Community Improvement and when it can be established and used to provide incentives, including financial incentives to property owners that are making an improvement to their lands, structure or building. The proposal is to amend the Housing Target Area to include the Additional Housing Top-up Funding which is permitted under Section 28 (7).

### **“Grants or loans re eligible costs**

(7) for the purpose of subsection (7), the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities. 2006, c.23, s. 14 (8).”

## **Provincial Planning Statement, 2024**

The proposed amendment would provide top-up funding for developers and individuals increasing the amount of housing units on their property. The Housing Target Area is the Settlement Area of the City and the property must be connected to municipal services to be eligible. The proposal will increase density within the Settlement Area, which is consistent with the policy direction of the PPS. Specifically, with the following sections:

*“2.1 Planning for People and Homes – 4. To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.*

## **1.2 Housing**

1. *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: ...*
- b) *permitting and facilitating:*
  1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
  2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation;...*

### **Growth Plan for Northern Ontario**

The proposed amendments conform to and do not conflict with the Growth Plan for Northern Ontario, 2011. Specifically, policy 3.4.4 of the GPNO encourages municipalities to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality open spaces, and easy access to local stores and services. The proposed amendments would facilitate a greater range and mix of housing types.

### **Official Plan**

The City of North Bay's Official Plan generally directs new growth and redevelopment within the Settlement Area. The Settlement Area is sized to meet the current and future land requirements for these uses requiring full municipal services.

The Official Plan Section 2.1.11 has Housing Policies and provides general housing policies to ensure that there is an adequate number of housing units available.

#### **“2.1.11.2**

- a) *To encourage the existence of an adequate supply and diversity of residential accommodation by type and tenure to satisfy the social and economic requirements of the population;”*

The proposed Top-Up Funding for additional units will encourage intensification of current built forms within the Urban Settlement Area of the City on full municipal services.

#### **“5.1.12 Community Improvement Plans**

*5.1.12.1 Community Improvement Plans will be prepared to provide direction regarding one or more of the following:*

- g) *Promote and encourage new residential developments Downtown and increase density development around existing commercial nodes.*
- h) *Encourage the Downtown to be the focus for economic, employment, and housing opportunities.”*

In my professional opinion, the proposed Official Plan Amendment to amend the Growth CIP to provide Top-Up Funding for additional residential units is consistent with the PPS, 2024, conforms and does not conflict with the Growth Plan for Northern Ontario, and conforms with the City of North Bay's Official Plan.

## **PART TWO - THE AMENDMENT**

The Growth CIP is hereby amended with the following:

1. Amend Section 4.0 by adding the following to the list of CIP Incentive Programs:

“12. Additional Housing Unit Grant”

2. Amend Section 4.0 by adding the following after Section 4.12:

### **“4.13 Additional Housing Unit Grant Program**

#### **4.13.1 Purpose**

The purpose of the Additional Housing Unit Grant program is to provide a financial incentive to encourage property owners to create new or legalize existing additional dwelling units or construct new multiple residential buildings for the purpose of new rental housing or new affordable home ownership.

#### **4.13.2 Description**

This program can provide a financial incentive of up to 75% to a maximum of \$25,000 for the creation of a new or legalization of an existing additional dwelling unit or the construction of a multiple residential building.

#### **4.13.3 Program Requirements**

Applicants are eligible to apply to this program, subject to meeting the general program requirements, program specific requirements, be in an eligible target area and subject to the availability of funding as approved by Council. This program can end without an amendment to this plan at any time based on the funding from the Federal Government through the Housing Accelerator Fund (HAF). Successful applicants will be required to enter into a development agreement with the City of North Bay to ensure the Housing Units are being built. The development agreement will identify key milestones based on the type of rental unit(s) or affordable home ownership, as determined and defined by the City at its sole discretion, being created, if milestones are not met the approval will be rescinded.

Applicants cannot be receiving funding through the District of Nipissing Social Services Administration Board, Additional Dwelling Unit Program.

#### **4.13.4 Eligible Target Areas**

Applicants within the **Housing Target Area** are eligible to apply for the Additional Housing Unit Grant Program.

#### **4.13.5 Eligible Costs**

The eligible cost for a grant under the Additional Housing Unit Grant Program is a maximum of 75% up to \$25,000 for the construction costs of creating or the legalization of an additional dwelling unit(s) within an existing dwelling or an additional dwelling unit in a new dwelling or the creation of a new multiple residential building with five (5) or more residential units.

**PART 3 – IMPLEMENTATION**

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

**PART TWO – INTERPRETATION**

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

DRAFT

**GG 2025-04**

**NO DRAFT RECOMMENDATION.**





## City of North Bay Report to Council

Report No: CORP-2025-010

Date: January 22, 2025

Originator: Peter Leckie, City Solicitor and Karen McIsaac, City Clerk

Business Unit:

Department:

Corporate Services

Clerks Department

Subject: City of North Bay Procedural By-Law Amendments

Closed Session: yes  no

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### Recommendation

That Council refer Report to Council CORP 2025-010 dated January 22, 2025, from Peter Leckie and Karen McIsaac to the General Government Committee.

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### Background

#### Town Hall Meetings:

The City's Procedural By-Law 2019-80, provides for Town Hall Meetings. Section 10 of the By-Law reads:

#### 10. Town Hall Meeting

- 10.1 The purpose of a Town Hall Meeting is to allow Participants an opportunity to provide comment and input to Council as a whole. Town Hall Meetings are not a statutory requirement of Council and are offered as an added opportunity for dialogue with the community grounded in principles of transparency, responsiveness, participation, respect and collaboration.
- 10.2 The rules of decorum as set out in Sections 13, 38.3 and 38.4 of this By-Law will apply to Town Hall Meetings.
- 10.3 Two (2) Town Hall Meetings per year will be held at the call of the Presiding Officer. The Presiding Officer will determine the date, time and location of the Town Hall Meeting. Town Hall Meetings will be two (2) hours in length.
- 10.4 The Presiding Officer will chair the Town Hall Meeting.

- 10.5 The proceedings of Town Hall Meeting will not be recorded and minutes will not be available.
- 10.6 Participants may speak for up to three (3) minutes and may not speak a second time to ensure that all Participants have had an equal opportunity to speak.
- 10.7 Participants will be required to register by noon on the day preceding the Town Hall Meeting with the Clerk and provide a brief outline of their presentation.
- 10.8 Town Hall Meetings will not take place within six (6) months of a Municipal Election.
- 10.9 At least two (2) weeks' notice must be provided on the City's Website prior to the Town Hall Meeting being held.

The Procedural By-Law previous to the current Procedural By-Law 2019-80, had provided for an unlimited number of unscheduled five-minute presentations by the public. Procedural By-Law 2019-80 was peer reviewed by Fred Dean. It was Mr. Dean's suggestion, to the Council of the day, that unscheduled presentations put Council at risk of being ambushed and suggested Town Hall Meetings in the place and stead of those presentations. As Town Hall Meetings are set out in the Procedural By-Law they are governed by it, including the Rules of Decorum and the requirement for prior registration by the participants where they provide a brief outline of the presentation. At the time of the peer review Mr. Dean was a lawyer, with over two decades of municipal experience. Presently, Mr. Dean continues to work with Municipalities and Municipal Associations in Ontario including AMO where he has facilitated *Municipal Act, 2001*, training and the Effective Municipal Councillor Program, among making other significant contributions to that Organization.

In addition to the Town Hall Meetings, members of the public have the ability to contact Members of Council informally through regular mail, email, telephone, social media, in-person meetings and formally they may also present to Council at a Regular Council Meetings in accordance with Procedural By-Law 2019-80.

A Town Hall Meeting was scheduled for 6:00 p.m. on September 24, 2024, at the North Bay Public Library Auditorium. Pursuant to section 10.3 of the Procedural By-Law the location of Town Hall Meetings are determined by the Presiding Officer. While Council Chambers provide a more formal venue, the Presiding Officer together with the City Clerk look for City-related venues that are accessible and available at no cost to the City which provide a more relaxed atmosphere. The intent of which is to make participants feel more comfortable speaking publicly, and this is also why the meetings are not recorded or livestreamed.

The meeting was advertised in accordance with the City's Procedural By-Law 2019-80, being advertised on the City of North Bay's website. The City's Communications Officer has advised that the meeting was also promoted for eighteen (18) days from September 6, 2024 to September 24, 2024 via the following means:

- City's social media channels including Facebook, Twitter, LinkedIn and Instagram, including paid advertising through Meta, reaching more than 4,500 accounts.
- A Public Service Announcement was shared with local media which was picked up by most local outlets and radio stations.

Despite all this advertising, the media reported that only sixteen (16) people attended the meeting, (which would have included the four (4) presenters). While Section 10.3 of the Procedural By-Law provides in part that Town Hall Meetings will be two (2) hours in length, this meeting adjourned after only approximately thirty (30) minutes.

At the conclusion of the Meeting two members of the public raised their concerns with respect to the format of the meeting. While the City Clerk, as of the date of this report, has not received any complaints with respect to the Town Hall Meeting, the following concerns have come to light through local media and social media, that included, format, forum, time of meeting, registration requirements, advertising, technology and amount of time allowed to speak.

Consequently, Council passed Resolution 2024-297, for staff to review Section 10 of the City's Procedural By-Law, as follows:

Whereas Section 10 of the City of North Bay's Procedure By-Law sets out the purpose and procedures for Town Hall Meetings.

Therefore Be It Resolved that Council direct the City Solicitor and City Clerk to review the procedures for Town Hall meetings and bring forward suggested changes to the procedures.

Staff have undertaken a review of Procedural By-Law 2019-80, which has included consulting with four (4) Municipalities and the review of sixty-four (64) Municipal Procedural By-Laws.

The four (4) Municipalities that were consulted, each have different procedures for Town Hall Meetings, as summarized below:

Municipality	Comments
City of Barrie	<ul style="list-style-type: none"> <li>• Not part of the Procedural By-Law.</li> <li>• Not Council Meetings.</li> <li>• Register in advance of or at the meeting.</li> <li>• Topic Specific.</li> </ul>
City of Sault Ste. Marie	<ul style="list-style-type: none"> <li>• Not Part of the Procedural By-Law.</li> <li>• Open Houses not run by Council.</li> </ul>
City of Timmins	<ul style="list-style-type: none"> <li>• Not part of the Procedural By-Law.</li> <li>• Mayor and the Councillor for the ward attend it is a meet and greet any member of the public can speak on any topic – Staff does not attend.</li> <li>• Also have Open Houses on specific topics (i.e. homelessness) this is driven by members of Council. No Staff present.</li> </ul>
Township of Mono	<ul style="list-style-type: none"> <li>• Not part of Procedural By-Law.</li> <li>• Topic specific.</li> <li>• Presentation from a consultant – 15 minutes in length.</li> <li>• Open floor question and answer period</li> </ul>

The sixty-four (64) Municipal Procedural By-Laws that were reviewed come from Municipalities whose Legal Departments are members of the Municipal Law Departments Association of Ontario. That review demonstrated that only three (3) Municipalities, Kingston, Kawartha Lakes and Stouffville, provide for Town Hall Meetings in their Procedural By-Laws.

## Recommendations:

- Option 1: Remain status quo.
- Option 2: Amend the Procedural By-Law to eliminate Town Hall Meetings.
- Option 3: Amend the Procedural By-Law to remove Town Hall Meetings from the By-Law and the City adopt a Policy for holding Open Houses that are topic specific.
- Option 4: Amend the Procedural By-Law to have Town Hall Meetings remain in the By-Law but the procedures be amended as follows:
- i) Be on a specific topic that is chosen from a survey of the citizens of the municipality.
  - ii) Questions from members of the public shall be in relation to the topic as determined in section (i) above and shall be directed to the Members of Council.
  - iii) No registration required.
  - iv) Town Hall Meetings will be held at the call of the Presiding Officer. The Presiding Officer will determine the date, time and location of the Town Hall Meeting. Town Hall Meetings will be two (2) hours in length.
  - v) All other procedures remain the same as set out in sections 10.2, 10.4, 10.5, 10.6, 10.8 and 10.9, of the City of North Bay Procedural By-Law 2019-80.

## **Hybrid Meetings - Electronic Participation:**

The City's Municipal Accessibility Advisory Committee (MAAC) is required to adhere to the City's Procedural By-Law. MAAC have requested that the Council make an amendment to Procedural By-Law 2019-80 to allow MAAC members the opportunity to attend meetings via electronic participation.

A hybrid meeting would be defined as a proceeding where some members participate virtually and some members participate in-person at Council and Committee meetings.

MAAC currently meets in the Mayor's Boardroom therefore there would be no costs associated with the holding of hybrid meetings.

If Council is interested in adopting hybrid meetings, we have had the opportunity to discuss upgrading the Council Chambers with the City's Information Services Department to determine what, if any costs, would be incurred. Information Services has provided the following preliminary fees:

Installation of cabling and the necessary equipment in the closed session room	@ \$30,000.00 + taxes
Upgrade of system in the Council Chambers (for 15 remote licenses)	@\$53,930.00 + taxes
Annual Licensing Fees for 15 remote licenses	@\$ 2,700.00 + taxes
Information Systems Overtime Costs	@\$ 250 (at time and a half for 2 hours)

We have reviewed numerous Procedural By-Laws from other Municipalities and each one differs significantly. If Council wishes to go forward with hybrid meetings/electronic participation, the following are preliminary recommendations or procedures to be put in place:

1. The City’s Procedural By-Law setting out the rules and procedure must be observed by Members that are attending a hybrid meeting.
2. Inaugural Meetings of Council will only be held in-person. Hybrid Meetings will not be allowed.
3. Any Council member may attend up to four (4) meetings in a twelve (12) month period per Council Meeting or Committee Meeting of Council including Special Meetings, by electronic participation.
4. Meeting participation by the members of Agencies, Boards and Commissions (ABC’s) that adhere to the City of North Bay’s Procedural By-Law shall not be subject to the four (4) meeting maximum in a twelve-month period.
5. Members of Council or members of ABC’s shall provide not less than forty-eight (48) hours’ notice prior to a scheduled Meeting to the Clerk or City Liaison, as the case may be, if they will be attending the Meeting electronically.
6. Members of Council or member of ABC’s may participate in open and closed sessions of the meeting and will be counted towards quorum.
7. If quorum cannot be maintained during a hybrid meeting, due to a loss of members electronic connection, the Clerk will advise the Mayor or Deputy Mayor that quorum is lost, and the meeting will be recessed for up to fifteen (15) minutes to allow for the member’s electronic connection to be restored. If quorum cannot be restored within fifteen (15) minutes, the meeting will be adjourned and all matters on the Agenda that have not been addressed will be moved to the next Meeting of Committee of Council, Council or ABC Meeting.

8. Electronic Participation will be limited to video conferencing with internet access and conferencing software or programming. The Member of Council or the Member of the ABC attending virtually must ensure their video conferencing is capable of allowing the public to watch and hear, all Members participating electronically in the Meeting, except for any part of the Meeting that is closed to the public. The Members video must be on at all times during all Meetings.
9. The Clerk or City Liaison will provide the Member with an electronic participation link and, if applicable, a confidential password. The password and meeting ID are not to be shared.
10. Members of Council or ABC'S participating electronically shall be responsible for testing and ensuring the reliability of their connection using audio-visual communication prior to the start of the meeting.
11. Members participating electronically shall login to the electronic meeting within 15 minutes of the start of the meeting to test connectivity and audio and visual quality.
12. The City will not provide equipment or pay any associated costs that may be required for a Member who wishes to participate electronically.
13. In the event of a Closed Meeting, Member(s) participating electronically must ensure that the meeting discussion and materials are not accessible by individuals that are not subject to be part of the closed portion of the Meeting. Members must still respect their Oath and Council Code of Conduct regarding the protection of confidential information from unauthorized disclosure, release, publication or use. In addition, a Member shall be prohibited from recording any part of the closed meeting. The Chair may ask each Member participating electronically to confirm they are the only one present in the room or within hearing distance from the Member.
14. Members of Council or Committees participating electronically shall advise the Clerk or the City Liaison if they will be leaving the meeting early.
15. At the call of the Chair any Meeting may be held virtually for all Members in the case of an Emergency.

### **Housekeeping**

In addition to amendments as noted above, we will also be bringing forward in our presentation to Council housekeeping amendments to the By-Law.

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## Financial/Legal Implications

The cost to upgrade and install the electronic systems in the Council Chambers would be in the range of \$83,930 + taxes, together with the additional licensing fees of \$2,750.00 year and the overtime cost for the Information Services employee.

There are no legal implications.

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## Corporate Strategic Plan

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

## Specific Objectives

Ensure continuous improvement of governance and administration.

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## Options Analysis

Option 1: That Council refer Report to Council CORP 2025-010 dated January 22, 2025 from Peter Leckie and Karen McIsaac to the General Government Committee.

This is the recommended option.

Option 2: That Council does not refer Report to Council CORP 2025-010 dated January 22, 2025 from Peter Leckie and Karen McIsaac to the General Government Committee.

This is not the recommended option.

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## Recommended Option

That Council refer Report to Council CORP 2025-010 dated January 22, 2025 from Peter Leckie and Karen McIsaac to the General Government Committee.

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Respectfully submitted,

Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.

Title: City Solicitor

Name: Karen McIsaac, Dipl. M.A.

Title: City Clerk



**I concur with this report and recommendation**

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

Personnel designated for continuance:  
Name: Peter E.G. Leckie, B.A. (Hons.), LL.B.  
Title: City Solicitor

Name: Karen McIsaac, Dipl. M.A.  
Title: City Clerk