

City of North Bay Report to Council

Report No: CSBU-2021-044

Date: July 19, 2021

Originator: Beverley Hillier

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Request to Remove Holding Zone by 1804016 Ontario Inc. –
Sugarbush Drive

Closed Session: yes ☐ no ☒

Recommendation

1. That City Council pass a By-law to remove the Holding (H) Zone Symbol from the lands zoned "Residential Second Density Holding (R2H)" through By-law 2016-13 for the property shown on "Schedule A" attached to Report to Council CSBU 2021-044;
2. That the By-law be brought forward on September 7, 2021 for three (3) readings; and
3. That 14 days' notice of the intention to amending by-law to remove a holding symbol from a zoning by-law under subsection 36 (4) of the *Planning Act* be given by ordinary mail to all property owners within 120 meters of the subject property containing the information prescribed in Section 8 of Regulation 545/06.

Background

On January 25, 2016 City Council passed By-law 2016-13 to rezone the properties shown on Schedule "A" attached to this report a "Residential Second Density Holding (R2H)" zone. The Holding Zone provisions were put in place until servicing was brought to the subdivision by the developer.

At the same time as the Zoning By-law Amendment the Owner received Draft Approval of the Sherwood Forest Plan of Subdivision. Council approved a redline amendment to the subdivision on February 11, 2020 through council resolution 2020-49.

As a result of the Redline Amendment a portion of the lands were excluded from the Plan of Subdivision. The Owner applied for a consent to sever application through the Committee of Adjustment on May 4, 2021. The application was approved conditional upon the removal of the holding zone.

The services were installed by the Owner through the Plan of Subdivision and are available to the subject lands. It is appropriate to consider the removal of the holding zone.

In order to remove the "H" symbol, City Council is not required to hold a Public Meeting but is required to provide notice which sets out the effect of removing the holding symbol, the location of the property and the date which Council proposes to meet to pass the amending By-law as prescribed under the Planning Act (O.Reg 545/06). There is no specific timeframe for the notice provision contained within the Planning Act. As a result it is recommended that the City follow the standard notice timeframe of 14 days as provided for in By-law 2020-79 and that the notice be given by mail to all property owners as provided for in Section 8(3) of Regulation 545/06.

Financial/Legal Implications

None.

Corporate Strategic Plan

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

Specific Objectives

Options Analysis

Option 1:

1. That City Council pass a By-law to remove the Holding (H) Zone Symbol from the lands zoned "Residential Second Density Holding (R2H)" through By-law 2016-13 for the property shown on "Schedule A" attached to Report to Council CSBU 2021-043;
2. That the By-law be brought forward on September 7, 2021 for three (3) readings; and
3. That 14 days' notice of the intention to amending by-law to remove a holding symbol from a zoning by-law under subsection 36 (4) of the *Planning Act* be given by ordinary mail to all property owners within 120 meters of the subject property containing the information prescribed in Section 8 of Regulation 545/06.

The City's requirements for the removal of the Holding Zone Symbol have been fulfilled.

Option 2:

To not pass the Holding Zone removal By-law.

This option is not recommended, as the Applicant has satisfied the conditions to remove the Holding Symbol.

Recommended Option

1. That City Council pass a By-law to remove the Holding (H) Zone Symbol from the lands zoned "Residential Second Density Holding (R2H)" through By-law 2016-13 for the property shown on "Schedule A" attached to Report to Council CSBU 2021-043;
2. That the By-law be brought forward on September 7, 2021 for three (3) readings; and
3. That 14 days' notice of the intention to amending by-law to remove a holding symbol from a zoning by-law under subsection 36 (4) of the *Planning Act* be given by ordinary mail to all property owners within 120 meters of the subject property containing the information prescribed in Section 8 of Regulation 545/06.

Respectfully submitted,

Name: Beverley Hillier, MCIP, RPP

Title: Manager, Planning & Building Services

I concur with this report and recommendation.

Name Ian Kilgour, MCIP. RPP:

Title: Director, Community Development and Growth

Name: David Euler, P.Eng., PMP:

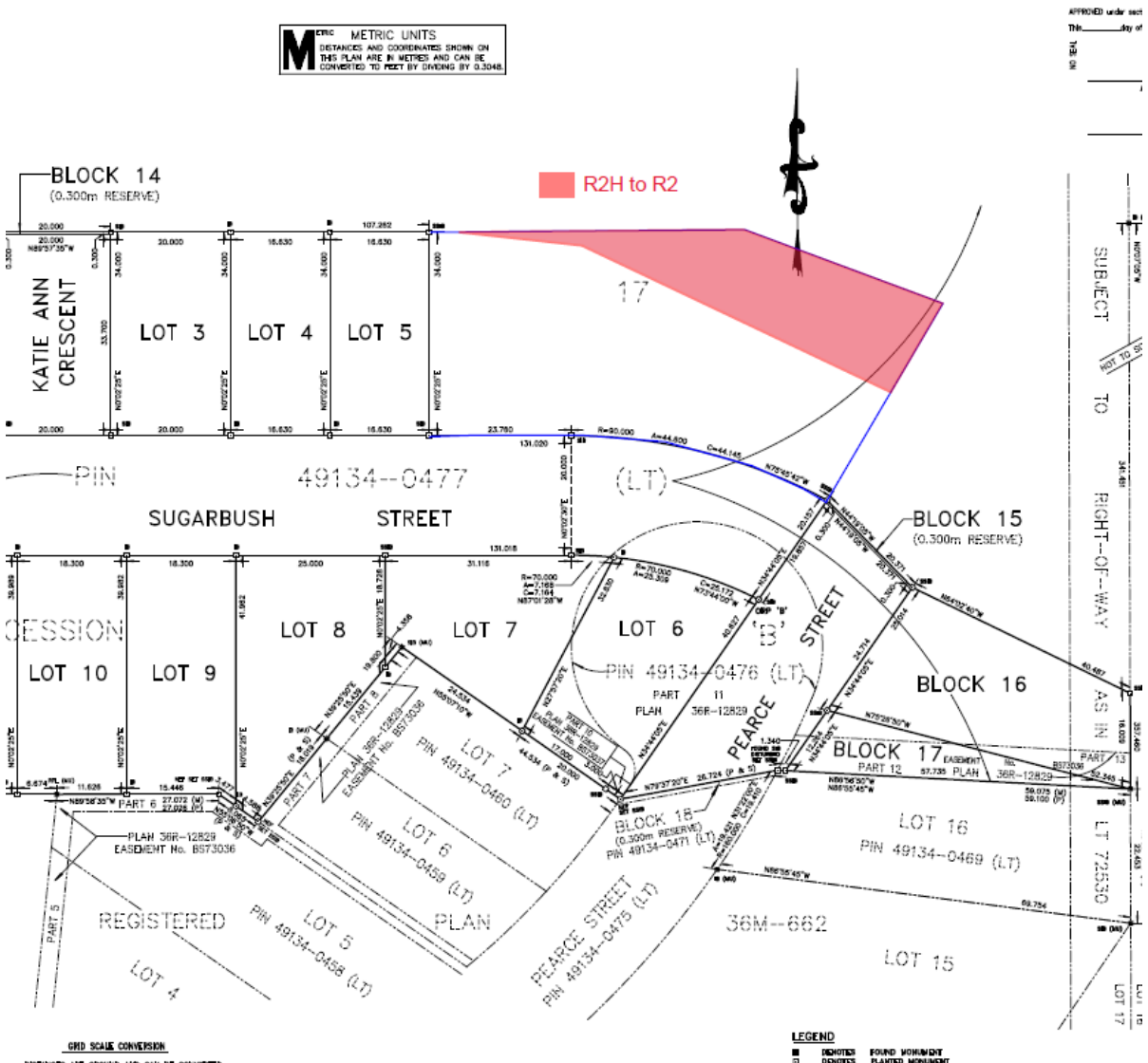
Title: Chief Administrative Officer

Personnel designated for continuance:

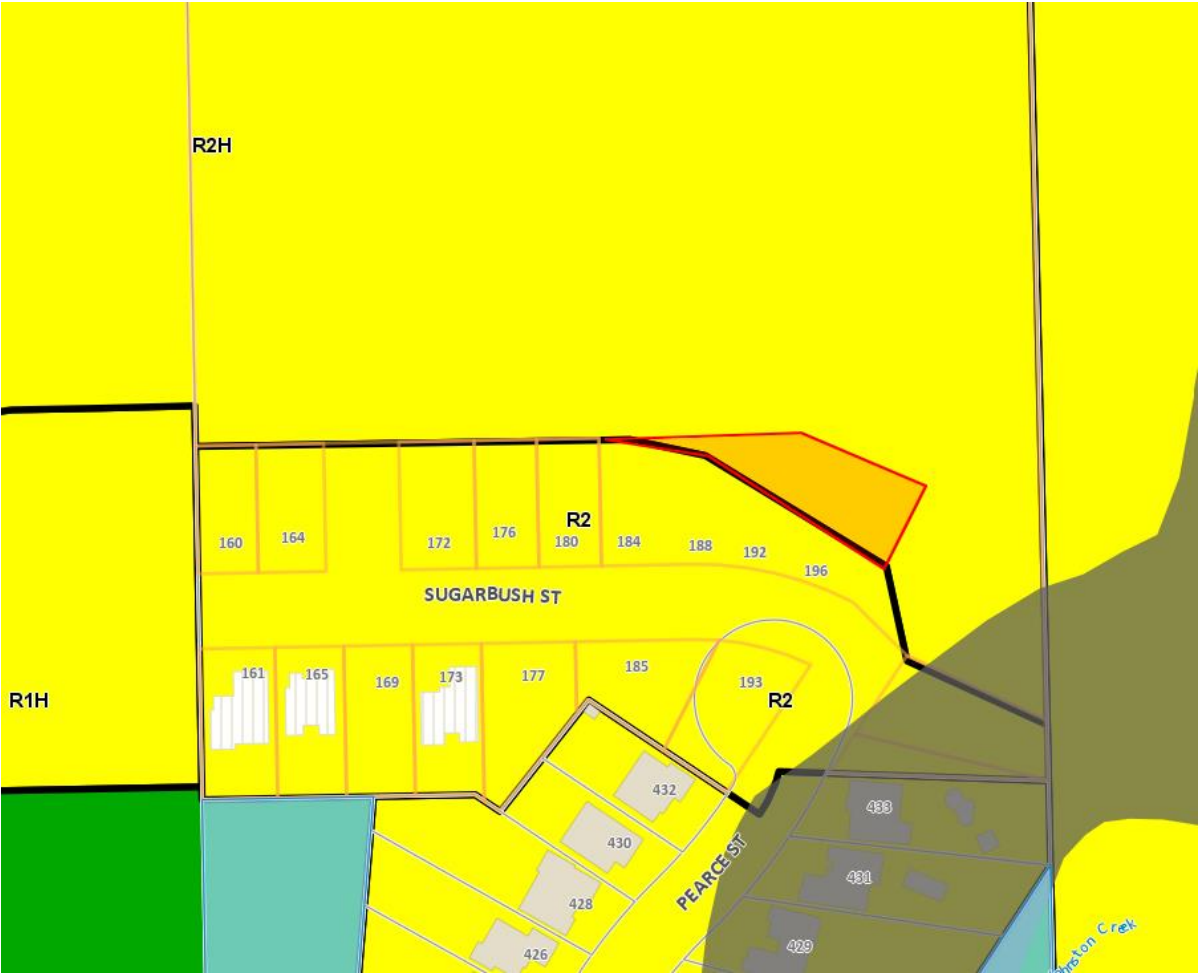
Name: Peter Carello

Title: Senior Planner, Current Operations

Schedule A



Schedule B



R2H to R2