



## City of North Bay Report to Council

Report No: CSBU-2022-010

Date: March 10, 2022

Originator: Peter Carello – Senior Planner, Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Official Plan Amendment and Zoning By-law Amendment by Antech Design and Engineering Group on behalf of the property owner Golden Estates Limited – 392 Airport Road

Closed Session: yes ☐ no ☒

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### Recommendation

1. That the proposed Official Plan Amendment by Antech Design and Engineering Group on behalf of the property owner Golden Estates Limited – 392 Airport Road in the City of North Bay to amend the Official Plan Designation from “District Commercial” to “Residential” for a portion of the property legally described in Appendix A to Report to Council No. CSBU 2022-10 be approved; and
2. That the proposed Zoning By-law Amendment by Antech Design and Engineering Group on behalf of the property owner Golden Estates Limited – 392 Airport Road in the City of North Bay to rezone the property from a “District Commercial (C4)” zone to a “Residential Multiple Third Density Special (RM3 Sp.)” zone and a “Residential Multiple Third Density (RM3)” zone for a portion of the property legally described in Appendix A to Report to Council No. CSBU 2022-10 be approved; and
3. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

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### Background

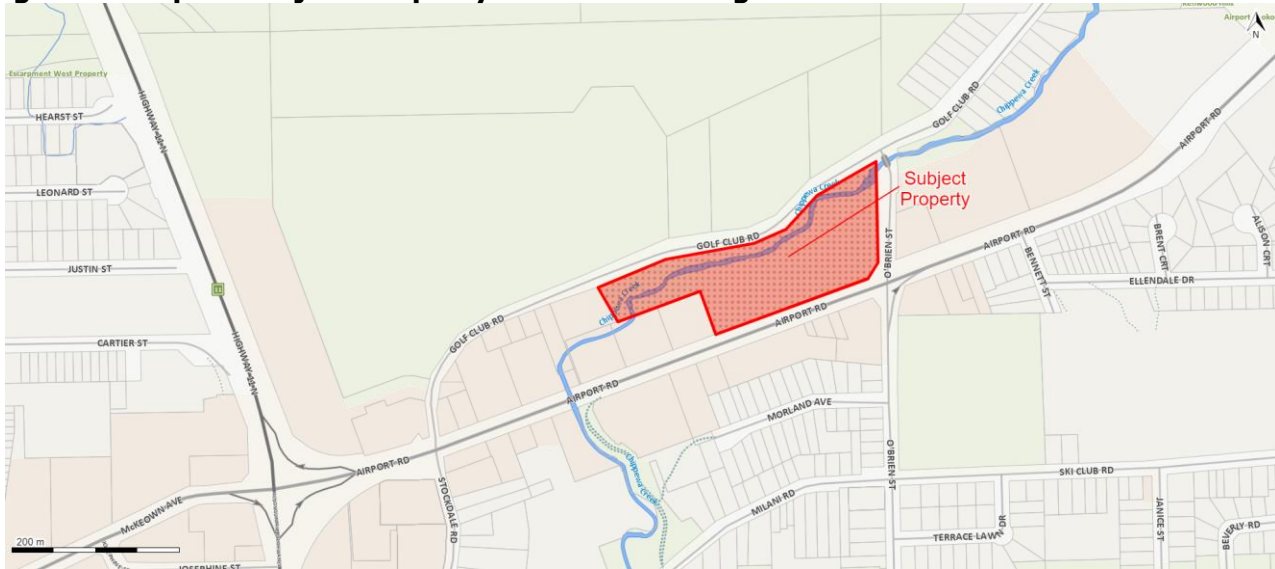
### Site Information

**Legal Description:** See Appendix A

**Site Description:** The subject property is an existing lot of record on Airport Road, located at the intersection of Airport Road and O'Brien Street, as shown below and on attached Schedule A.

It is designated "District Commercial" and "Open Space" by the Official Plan and is zoned "District Commercial (C4)" and "Open Space (O)" under the City's Zoning By-law No. 2015-30.

**Figure 1: Map of Subject Property and Surrounding Area**



The property has frontage of approximately 132 metres on O'Brien Street and a total lot area of approximately 3.459 hectares, as shown on attached Schedule B.

The property is developed with a six storey building that has a commercial ground floor and apartment units in the upper floors. This building is located on the eastern part of the property. The western part of the property is vacant and is used for parking.

### **Surrounding Land Uses:**

The immediately surrounding properties (properties fronting on Airport Road) are mostly commercial in nature. These uses include two separate strip malls, which are tenanted by a variety of uses including a restaurant, small format retail and a bingo hall. Other commercial uses in the immediate area include an auto dealership, auto repair facilities, and a cultural club/convention hall. The commercial uses continue to the west at Algonquin Avenue and McKeown Avenue, where there are large format commercial uses.

There are also a number of residential uses in the larger vicinity of the subject lands. These are mostly low density uses.

Chippewa Creek travels along the north part of the subject property. The North Bay Escarpment is a short distance to the north.

There are also two cemeteries in the area.

## **Proposal**

Antech Design and Engineering Group, on behalf of the property owner Golden Estates Limited, have submitted an Official Plan Amendment application to change the Official Plan designation on a portion of a property known locally as 392 Airport Road from "District Commercial" to "Residential". The applicant is not proposing to change the existing "Open Space" designation on the property which surrounds Chippewa Creek. The agent for the property owner has also submitted a concurrent Zoning By-law amendment application to rezone a portion of the aforementioned property from a "District Commercial (C4)" zone to a "Residential Multiple Third Density Special (RM3 Sp.)" zone.

The Special Zone would recognize the property's existing built form. Specific variances from the minimum standards of the Zoning By-law requested by this application are:

- Reduce the minimum front yard setback to the existing 11 metres;
- Reduce the minimum exterior side yard setback (southern property line) to the existing 11 metres;
- Reduce the minimum landscaping buffer to the existing buffer to nil; and
- Reduce the minimum number of loading spaces to one.

The purpose of the application is to allow the conversion of the ground floor of an existing commercial/residential building from commercial use to residential use. The applications would also permit the construction of a second apartment building on the subject property with residential units on the ground floor. The special zone components would only apply to the existing structure on the property.

The zoning regulations will apply to the whole property. After it is in effect, the owner could submit a building application for the new building that would meet the new regulations.

## **Summary**

The subject property is located at the intersection of Airport Road and O'Brien Street. The eastern part of the property is developed with an existing apartment building with commercial operations in the ground floor. The western part of the property is vacant and is used for parking for the existing apartment.

The property owner has requested an Official Plan Amendment to change a portion of the property's Official Plan designation from "District Commercial" to "Residential". The applicant is not proposing to change the existing "Open Space" designation on the property which surrounds Chippewa Creek. The property owner has also made a concurrent Zoning By-law request to rezone the property from a "District Commercial (C4)" zone to a "Residential Multiple Third Density Special (RM3 Sp.)" zone.

The purpose of the application is to permit the use of the entire property solely as residential. Under the current District Commercial designation and the C4 zoning, the property is permitted residential only when above a ground floor commercial use. These applications would effectively remove the requirement that the ground floor of buildings on the property be commercial.

The proposed development would result in new apartment units being constructed in an existing built up area of the community on full municipal services. The City of North Bay's Official Plan and the Provincial Policy Statement both encourage locating increased levels of density within the Settlement Areas of a community.

The Provincial Policy Statement does not provide direction on the location of apartment units within a community. However, the City's Official Plan does contain some specific guidance regarding appropriate locations and property attributes that are favourable for high density residential uses. These policy directives are reviewed in detail in the Official Plan section of this report.

It is my professional opinion that the Official Plan Amendment and Zoning By-law Amendment applications meet the general intent of the policies of the Official Plan regulating the placement of high density residential uses, as specifically discussed in the Official Plan section of this report.

The circulation of the proposed rezoning to internal departments and external agencies who comment on development applications did not yield any major concerns.

Notice of the application requests was also circulated to all property owners within 120 metres of the property. Staff received one item of correspondence with some general concerns regarding the property, but no major concerns regarding the proposed use itself.

It is my professional opinion that the proposed Official Plan Amendment and Zoning By-law Amendment is in conformity with the Official Plan and 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 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).

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

The Provincial Policy Statement encourages greater levels of density to take place within a community's Settlement Area, which appropriate. There are several sections of the PPS 2020 that outline this goal, including the Preamble to Part IV (Vision for Ontario's Land Use Planning System) states that *"Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs."*

Section 1.4.3 of the PPS 2020 further states that:

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing 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 special needs requirements and needs arising from demographic changes and employment opportunities; and*

*2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

The general intention of directing greater levels of density into a community's Settlement Area is to make better use of available public services, reduce the need for infrastructure extensions and to limit the amount of land used by a community (thereby leaving more lands in a natural state). Intensification and infill are the preferred manner of growth for all communities in Ontario and beyond.

Staff has reviewed the definition of "Residential Intensification" from the PPS 2020 in the context of this application. The PPS 2020 defines Residential Intensification as follows:

**Residential intensification:** means intensification of a property, site or area, which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) development and introduction of new housing options within previously developed areas;
- e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other housing options.

The proposed Official Plan and Zoning By-law Amendments would result in the conversion of existing commercial space into new residential units and the construction of a second apartment building on the subject lands. These new construction projects would create additional residential units on a major road on full municipal services, consistent with the above noted definition of "Residential Intensification".

The PPS 2020 is a high level visionary document. It does not provide direction that is specific enough to identify locations that are preferred for apartment buildings. The City's Official Plan does provide some level of specificity and is discussed later in this report.

It is my professional planning opinion that the end use of the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the Provincial Policy Statement (PPS 2020).

**Official Plan**

The property is currently designated "District Commercial" and "Open Space" in the City of North Bay's Official Plan. The proposed Official Plan would change a portion of the property's Official Plan designation to "Residential". The applicant is proposing to maintain the Open Space designation along Chippewa Creek.

The purpose of the "District Commercial" designation is to provide lands for large format commercial uses. Many of North Bay's major commercial areas are District Commercial lands, including the nearby McKeown Avenue and Algonquin Avenue.

The subject property is of a size that theoretically could accommodate the large format commercial uses described above. However, the space occupied by the existing building and the presence of Chippewa Creek on the northern part of the property limits the land that would be available for development to a small to mid-sized commercial operation. Staff would also note that the property is located in an area that is well served by nearby commercial uses.

Given the above site characteristics, Staff does not have any concerns regarding the elimination of the District Commercial designation and uses from the subject property.

Much like the Provincial Policy Statement, one of the Official Plan's primary objectives is to focus greater levels of development onto lands within the Settlement Area where public services are available. Section 1.4.2 of the Official Plan states that *"North Bay endorses the principles of "smart growth" by concentrating growth within the Settlement Area in a manner that new development has easy access to employment lands, commercial lands, residential lands, parks, trails and public transit. North Bay continue the practice of concentrating growth within the Settlement Area in a manner that allows new development to have easy and efficient access to employment, residential, commercial and park areas."*

The property in question is located at the intersection of O'Brien Street and Airport Road. It has access to the full range of public amenities noted in Section 1.4.2.

The Official Plan also includes direction that specifically relates to the placement of high density residential uses. These policies are referenced below, with a comment from Planning Staff on each of the policy directives:

*2.1.12.2 High and medium density developments should include common facilities, such as parks or open space.*

The subject property has some open areas on the property, as well as a natural area (Chippewa Creek) at the north of the property that cannot be developed.

*2.1.12.3 High density developments will be encouraged to locate in suitable areas including:*

- a) the Central Business District and its immediate vicinity, or*
- b) in close proximity to major shopping areas, community facilities, open space and recreational facilities, or*
- c) in peripheral locations around residential neighbourhoods with access to major collector or arterial roads, or*
- d) when designed as an integral part of a new Plan of Subdivision.*

The subject property is in close proximity to the major shopping area of McKeown Avenue and Algonquin Avenue. There are smaller commercial developments on Airport Road and O'Brien Street.

*2.1.12.4 Apartment buildings shall be sited so that they:*

- a) enhance the visual image of the City;*
- a) create focal points that emphasize important locations in the City;*
- b) do not unduly overshadow or interfere with visual amenities of lower density residential areas by reason of their bulk; and*
- c) relate compatibly with existing buildings and with the character of the immediate area, and do not constitute an intrusion into an established area of lesser density.*

The subject property is located at the intersection of two major roads. The existing building is larger than the proposed future development, which helps establish the character of the area. The proposed new building is located further away from the existing low density development on Golf Course Road.

*2.1.12.7 In the development of new apartment buildings, the City may require that a minimum amount of the land, or an equivalent amount of cash, be dedicated for park or open space purposes.*

The City does not have policy requiring the property owner to transfer parkland to the City as part of the Site Plan Control Agreement. However, the Owner will be required to provide amenity space on the site for the apartment buildings.

*2.1.12.8 In considering applications for higher density residential uses, it shall be clearly demonstrated to the satisfaction of the City that no undue pressure will result on:*

- a) arterial or collector roads;*
- b) parks, open space and recreational facilities;*
- c) schools; and*
- d) sewers and water mains.*

The Engineering Department commented on the proposed applications. They did not express concerns regarding traffic or infrastructure capacity for the conversion of the commercial space into residential units. At the time of the construction of the new building, as part of the Site Plan Control Agreement, the property owner would need to provide a traffic brief and confirmation that sewer and water capacity is sufficient.



- 2.1.12.9      *Apartments shall not be approved where major traffic flows will result on local streets serving low density residential development.*

The subject property has direct access to Airport Road (an arterial road) and O'Brien Street (a collector road). There is no direct access on local roads.

- 2.1.12.10      *Apartment buildings shall be separated from adjacent dwellings by a distance sufficient to maintain adequate privacy, amenity and the value of surrounding property.*

There are no low density residential uses adjacent to the subject property.

- 2.1.12.11      *The City shall ensure that existing and future low density residential uses shall be protected from future high density residential development through the use of adequate setbacks and buffering.*

The proposed reduction in setbacks and landscaping shall recognize the existing built form. Any new construction shall be required to meet the requirements of the Zoning By-law.

- 2.1.12.12      *There shall be no development of high density residential units except by site plan control, as provided for in the Planning Act.*

The property will be subject to Site Plan Control in order to convert the commercial use or construct the new building.

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

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

The subject property is presently zoned "District Commercial (C4)". The C4 zone permits the following uses:

- Automobile Sales, Service, and Leasing Establishment
- Automobile Service Centre
- Automobile Washing Establishment
- Boarding, Lodging and Rooming House
- Broadcast Studio or Newsroom
- Commercial Parking Lot
- Convenience Store
- Day Nursery
- Dry Cleaning Depot
- Dry Cleaning Establishment
- Financial institution
- Flea Market
- Funeral Home
- Garden Centre

- Gas Bar
- Grocery Store
- Group Home Type 2
- Home Improvement Centre
- Hotel
- Non Profit Use
- Office, Business
- Office, Professional
- Personal Service Establishment
- Pet Daycare Facility
- Pet Shop
- Pharmacy
- Places of Entertainment
- Places of Worship
- Post Office
- Recreational Facility
- Restaurant
- Retail Store
- Retail Store, Local
- Specialty Food Store
- Veterinary Establishment
- Apartment Dwelling
- Retirement Home

The property owner is proposing to rezone the property to a "Residential Multiple Third Density Special (RM3 Sp.)" zone. If approved, the RM3 Sp. zone would permit the following uses:

- Apartment Dwellings
- Boarding, Lodging or Rooming House
- Group Home Type 2
- Accessory Home Based Business
- Accessory Non-Residential Use
- Parks, Playgrounds and Non-profit uses
- Day Nursery
- Institutional Uses

The Special Zone request would recognize the following site deficiencies:

- Reduce the minimum front yard setback to the existing 11 metres;
- Reduce the minimum exterior side yard setback (southern property line) to the existing 11 metres;
- Reduce the minimum landscaping buffer to the existing buffer to nil; and
- Reduce the minimum number of loading spaces to one.

The Special Provision only apply to the existing building. The amending Zoning By-law will be structured for these special provisions to apply to the existing developed portion of the property only. The new building proposal will comply to the standard RM3 zoning regulations. The subject property is able to 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:

The North Bay Mattawa Conservation Authority offered no objections to the proposed application. They noted the presence of Chippewa Creek at the rear. Should any future development be within 15 metres of the Chippewa Creek, the owner would be required to obtain a permit from their office.

The Engineering Department had no objections to the development in principle. However, they noted several drawings and submissions that must be provided prior to development of the second building. This includes a stormwater study and a traffic brief.

The City received one item of correspondence from a member of the public. This neighbour expressed concern regarding the condition of the existing building and the dumping of snow in proximity to Chippewa Creek. These concerns are somewhat general in nature and not specific to the proposed use of the property. The Building Department and the Conservation Authority each visited the site to verify and investigate the stated concerns. These concerns relate to the existing operations and are outside of the proposed Official Plan Amendment and Zoning By-law Amendment.

No other correspondence was received on this file.

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## **Financial/Legal Implications**

None to the City of North Bay

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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
- 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

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## **Options Analysis**

## Option 1

1. That the proposed Official Plan Amendment by Antech Design and Engineering Group on behalf of the property owner Golden Estates Limited – 392 Airport Road in the City of North Bay to amend the Official Plan Designation from “District Commercial” to “Residential” for a portion of the property legally described in Appendix A to Report to Council No. CSBU 2022-10 be approved; and
2. That the proposed Zoning By-law Amendment by Antech Design and Engineering Group on behalf of the property owner Golden Estates Limited – 392 Airport Road in the City of North Bay to rezone the property from a “District Commercial (C4)” zone to a “Residential Multiple Third Density Special (RM3 Sp.)” zone and a “Residential Multiple Third Density (RM3)” zone for a portion of the property legally described in Appendix A to Report to Council No. CSBU 2022-10 be approved; and
3. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

## Option 2

Deny the proposed Official Plan Amendment and Zoning By-law amendment.

## **Recommended Option**

Option 1 is the recommended option

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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 Development and Growth

Name: David Euler, P.Eng., PMP

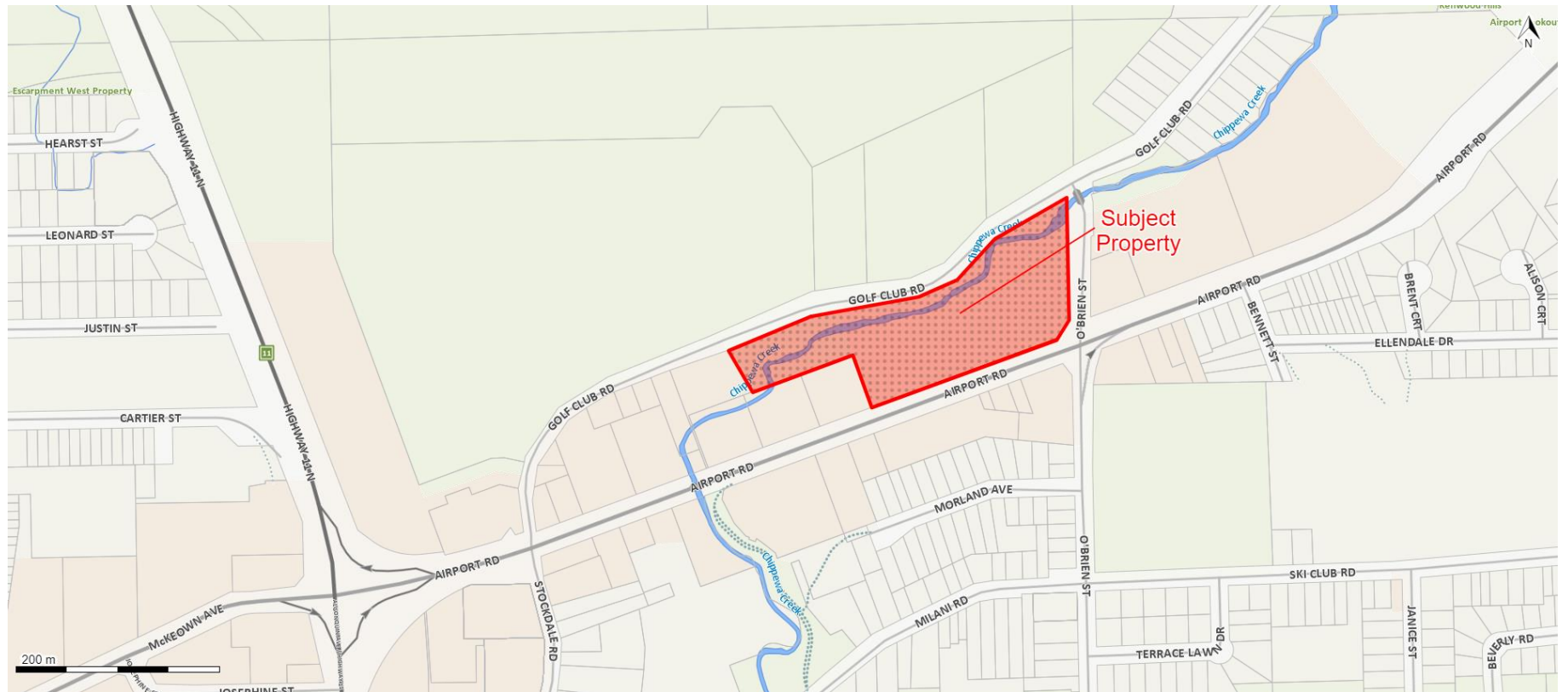
Title: Chief Administrative Officer

Personnel designated for continuance:

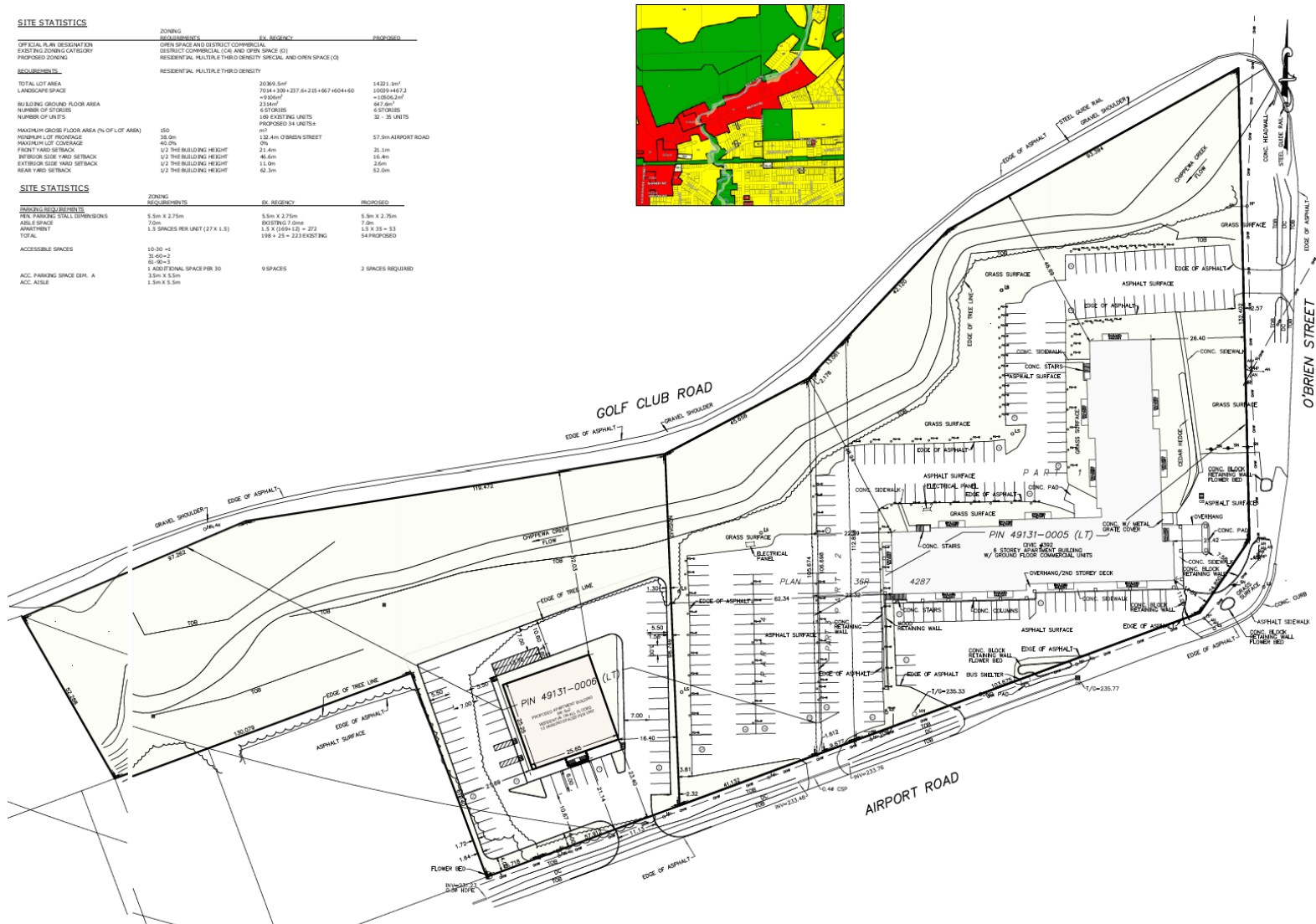
Name: Peter Carello, MCIP, RPP

Title: Senior Planner, Current Operations

## Schedule A



SITE STATISTICS		ZONING	
		REQUIREMENTS	EX. REGISTRY
OFFICIAL LAND DESIGNATION		OPEN SPACE AND DISTRICT COMMERCIAL	
EXISTING ZONING CATEGORY		DISTRICT COMMERCIAL (CA AND OPEN SPACE (C))	
PROPOSED ZONING		RESIDENTIAL, MULTIPLE THIRD DENSITY SPACING AND OPEN SPACE (C)	
REQUIREMENTS		REQUIREMENTS	PROPOSED
TOTAL LOT AREA		20,869 S.F.	14,221 S.F.
LANDSCAPE AREA		7014 + 300 + 237 + 610 + 667 + 464 + 60	1,600 + 443.2
		+ 99,562	+ 1,000 + 26
BUILDING GROUND FLOOR AREA		23,344 S.F.	68,700 S.F.
NUMBER OF UNITS		168 EXISTING UNITS	35 - 35 UNITS
MAXIMUM GROSS FLOOR AREA (% OF LOT AREA)	150	35 UNITS	35 UNITS
MINIMUM LOT COVERAGE	40.0%	26	27.0%
MAXIMUM LOT COVERAGE	40.0%	26	27.0%
FRONT YARD SETBACK	1/2 THE BUILDING HEIGHT	21.4m	21.4m
INTERIOR SIDE YARD SETBACK	1/2 THE BUILDING HEIGHT	16.6m	16.6m
REAR YARD SETBACK	1/2 THE BUILDING HEIGHT	42.3m	42.3m
REAR YARD SETBACK	1/2 THE BUILDING HEIGHT	42.3m	42.3m
SITE STATISTICS		ZONING	
		REQUIREMENTS	EX. REGISTRY
EXISTING LOT AREA	5.0m x 2.75m	5.0m x 2.75m	5.0m x 2.75m
NEW EXISTING LOT DIMENSIONS	7.5m	1.5 EXISTING 7.5m	7.5m
ADJ. ABLE	1.5 SPACES PER UNIT (27 X 1.5)	1.5 EXISTING 7.5m	1.5 EXISTING 7.5m
MINIMUM	1.5 SPACES PER UNIT (27 X 1.5)	1.5 EXISTING 7.5m	1.5 EXISTING 7.5m
TOTAL	1.5 SPACES PER UNIT (27 X 1.5)	1.5 EXISTING 7.5m	1.5 EXISTING 7.5m
ACCESSIBLE SPACES	10-30 +5	10-30 +5	10-30 +5
	35-400 +2	35-400 +2	35-400 +2
	60-90 +3	60-90 +3	60-90 +3
ADJ. PARKING SPACE OPT. A	1 ADDITIONAL PARKING PER 30	9 SPACES	2 SPACES REQUIRED
ADJ. ABLE	3.5m x 5.5m	3.5m x 5.5m	3.5m x 5.5m
	1.5m x 5.5m	1.5m x 5.5m	1.5m x 5.5m



## **Appendix A**

### **PIN 49131-0005(LT)**

PCL 3618 SEC WF; PT LT 20 CON B Widdifield PT 1, 2 & 3 36R4287; S/T  
LT110404 as amended by LT138112; North Bay; District of Nipissing

### **PIN 49131-0006(LT)**

PCL 6788 SEC WF; PT LT 20 CON B Widdifield as in LT81288 except PT 1 & 2  
36R4261; North Bay; District of Nipissing

## **Appendix B – Correspondence**

### **Engineering Department**

Good Afternoon Peter,

We do not have any comments for the conversion of the first floor of the existing apartment building to residential units.

As for the new proposed building at the West end of the property we have the following comments:

1. We will require a stormwater management (SWM) report for the proposed development which meets our technical standards for quality and quantity control.
2. The following engineering civil plans/drawings are required:
  - a. Site Servicing (if any new services are being proposed and/or existing services are being upgraded/retired);
  - b. Grading Plan;
  - c. Pre and post development drainage plans;
  - d. Erosion and sediment control.
3. All the drawings and SWM reports must be designed and stamped by a Professional Engineer licensed to practice in the province of Ontario. Documents must be sealed prior to being submitted to the City for review.
4. Private Approaches (entrance and exits) will need to meet the City's Private Approach By-Law 2017-72.
5. It will be the proponent's responsibility to confirm servicing requirements and conduct necessary testing.
6. The developer must enter into a Service Contract with the Engineering Department for any services, restoration work or work in general on City property.
7. A traffic impact brief is required for this development including trip generation rates and any potential impacts/issues. If the brief identifies any potential issues a full traffic impact study may be required.
8. A security deposit of 10% of the value of all on-site works (excluding the building) will be required. An engineering estimate of the on-site works is to be provided in order to determine the security deposit value. A deposit of \$1,000 will be required as a minimum.



At this stage, these comments are very high level and upon receiving further information and detailed plans we will have additional comments to provide.

Thanks,

Jonathan

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**North Bay Mattawa Conservation Authority**

January 13, 2022

Corporation of the City of North Bay  
200 McIntyre St. E.,  
P. O. Box 360  
NORTH BAY, Ontario P1B 8H8

**Attention: Peter Carello, Senior Planner-Current Operations**

Dear Mr. Carello:

**Re: Proposed Official Plan Amendment and Zoning By-law Amendment – Golden Estates Ltd.  
Con. B; Pt. Lot 20; Pcls. 6788, 3618 W/F  
Airport & O'Brien  
City of North Bay  
Our File No.: PPOA1-NB-22 & PZB1-NB-22**

This office has received and reviewed the above official plan and zoning by-law amendments which propose to amend the property's Official Plan designation from "District Commercial" to "Residential". The applicant has submitted a concurrent Zoning By-law 2015-30 to rezone the property from the existing "District Commercial (C4)" zone to a "Residential Multiple Third Density Special (RM3 Sp.)" zone. The purpose of the application is to convert the ground floor, which is currently utilized for commercial purposes, into residential units. The Special Zone requests would recognize the building in its current location with its current setbacks to the property lines and would reduce loading spaces requirements to one stall. The Conservation Authority has no objection to these applications.

The following comments are based on a review of the application with respect to our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement, 2020 (PPS, 2020) and our regulatory authority under Ontario Regulation 177/06 Development, Interference with Wetlands & Alteration to Shorelines & Watercourses (DIA). The Conservation Authority also provides advice as per our Plan Review Agreement with the Municipality regarding Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the Provincial Policy Statement (PPS, 2020).

As you are aware, Chippewa Creek is found on this property. This section of Chippewa Creek is a one-one policy area with the 1:100yr storm as the regulatory standard. Recent

updates to floodplain mapping are underway in this area. Preliminary results indicate that the floodplain area has not changed significantly here. The floodplain appears to be mostly contained in the channel of the creek. See attached mapping. Any work within 15m of the floodplain requires a DIA permit from this office. The conversion of the retail space to residential units will not require a DIA permit.

The Conservation Authority is satisfied that these applications are consistent with the policies as set out in Sections 2 and 3 of the PPS 2020.

Trusting this is satisfactory. Should you have any questions, please do not hesitate to contact me at (705) 471-7636. For administrative purposes, please forward any decisions and resolutions regarding this matter.

Yours truly,

Paula Scott  
Director, Planning & Development/Deputy CAO

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## **Correspondence from the Public**

Peter. Myself and a neighbour wonder why you need feedback to rezone a property from District commercial to residential, when it is already 95% residential. Your letter leaves the impression that this only for converting the ground floor to apartments.

I'm sure there is other reasons for the need to change the plan to residential. So if you walk under this building where the stores are located, you would notice the concrete has been rotting away for years. The rusty coloured cement is being held up with plywood, all along the walkway.

The landlord dumps all the snow from other commercial sites to the vacant lot beside the main building. I'm what you would call at least a block away and you can hear the banging of the dump trucks from 4 A.M .The garbage that's come from these parking lot snow dumps end up in Chippewa creek or flys onto airport road.

The biggest issue is that it's tough to get across airport road. There is no sidewalks or trail maintained to the lights, by either the landlord or the city for the last 40 years. Once across airport rd the sidewalk doesn't go all the way to Milani. In the other direction the sidewalk was supposed to be done in 2021.I look forward too see it built for safety of the people. I know a lot of these remarks do not apply directly to the resoning. This zoning will no doubt move forward but there should be considerations for the people who live there and walk to the malls in the area and I'm really worried about the lack of respect for the creek. We still have deer that access the creek from there.

Peter thks for the opportunity too sound off. I feel better now it's on your plate. Feel free to contact me if need be Merci Again