



City of North Bay Report to Council

Report No: CSBU-2022-025

Date: May 17, 2022

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Zoning By-law Amendment by Miller & Urso
Surveying Inc. on behalf of First Ave. (No.6) Inc. – 485 First
Avenue West and 486 Algonquin Avenue

Closed Session: yes ☐ no ☒

Recommendation

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of First Ave. (No.6) Inc. to rezone a property known locally as 485 First Avenue West and 486 Algonquin Avenue and legally described in Appendix A to Report to Council No. CSBU 2022-025 from a "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone and a "Residential Third Density (R3)" zone to an amended "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone be approved; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Background

Site Information

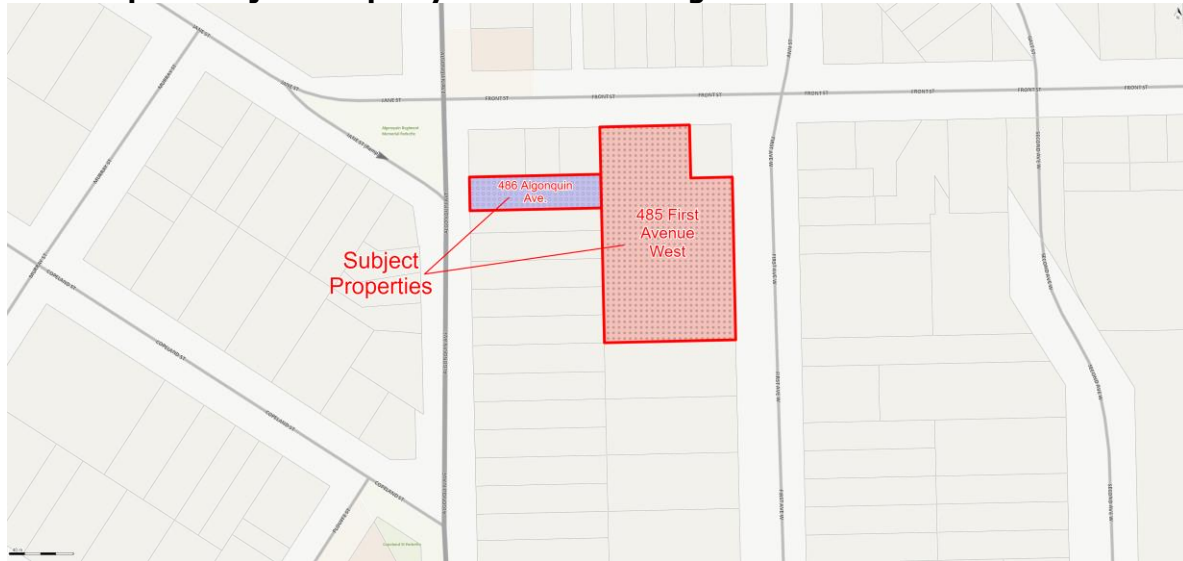
Legal Description: See [Appendix A](#)

Site Description: The subject lands were 2 existing lots of record on 485 First Avenue West and 486 Algonquin Avenue, located approximately 100m southeast of École Secondaire Catholique Algonquin (Algonquin Catholic high school), as shown below on Figure 1 and on attached [Schedule 'A'](#). These two lots have recently merged into one lot and will function as one property. 485

First Avenue West is currently developed with a 46 unit apartment building while 486 Algonquin Avenue is presently vacant.

485 First Avenue West is currently zoned "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" while 486 Algonquin Avenue is currently zoned "Residential Third Density (R3)" under the City's Zoning By-law No. 2015-30. Both are designated "Residential" under the City of North Bay's Official Plan. The subject lands are located within the Central Business District and Residential Intensification Area.

Figure 1: Map of Subject Property and Surrounding Area



485 First Avenue West has an existing lot area of 0.33 hectares and lot frontage of 31.6 metres on Front Street, as shown on attached [Schedule 'B'](#). The property is currently developed with a 46 unit apartment building.

486 Algonquin Avenue has an existing lot area of 0.39 hectares and lot frontage of 12.06 metres on Algonquin Avenue, as shown below on attached [Schedule 'B'](#). The property is currently vacant.

Surrounding Land Uses:

The immediately surrounding neighbourhood is comprised of low, medium and high density residential uses, with commercial uses in the larger area. The subject lands are in close proximity to a number of places of worship and schools. The subject lands are also roughly 700m from the downtown core.

Proposal

Miller & Urso Surveying Inc. on behalf of the property owner, First Ave. (No.6) Inc., has submitted an application to amend Zoning By-law 2015-30 to rezone the property located at 485 First Avenue West and 486 Algonquin Avenue to an amended "Residential Multiple Second Density Special No.33 (RM2 Sp.33)".

The purpose of the application is to add 4 additional apartment units (for a total of 50 units). The addition of the 4 proposed units would all be within the existing building. The vacant property at 486 Algonquin Avenue would be utilized exclusively for 6 parking spaces, see [Schedule 'C'](#) attached. The Special Zone requests would recognize the existing built form on the property, including the lot frontage, northerly side yard setback, rear yard setback, landscaping buffer and lot coverage. The special zone would also permit parking at a reduced rate of 1 parking space/unit as opposed to 1.5 spaces per unit and a nil useable open space.

Summary

The two existing lots, 485 First Avenue West and 486 Algonquin Avenue have recently merged into one lot and will function as one property. 485 First Avenue West is currently developed with a 46 unit apartment building while 486 Algonquin is presently vacant.

The proposed rezoning would result in the redevelopment of the property in order to add four new units for a new total of 50 units and additional parking spaces on a vacant property. Both the City's Official Plan and the Provincial Policy Statement encourage municipalities to facilitate the development of this type of housing.

The proposed development would take place within an existing built up area, making it infill development. Infill development is encouraged by the Official Plan and the Provincial Policy Statement.

The City's Official Plan includes policy that establishes where high density development is encouraged to take place. The property is largely in keeping with the characteristics identified by the Official Plan as being favorable for multi-residential development, such as being centrally located, having access to public services and having access to parks and natural areas. These policies are described in further detail in the Official Plan section of this report.

This rezoning request was circulated to the internal departments and external agencies that comment on these types of applications. Of the internal departments and external agencies which have provided comments, none have offered any objections. No comments from the public have been received.

It is my professional opinion that the proposed 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. As discussed in greater detail later in the report, it is my opinion the proposed development conforms with the City's Official Plan.

In my professional opinion, the proposed 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 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 rezoning of the subject lands meets this definition of residential intensification. If the proposed Zoning By-law Amendment were to be approved, the result would be an increase of 4 dwelling units for a new total of 50 units. The proposal also represents infill development within an existing built up neighbourhood.

The PPS 2020 encourages residential intensification within a community. There are several passages of the PPS 2020 outlining this policy directive. The Preamble to Part IV (Vision for Ontario's Land Use Planning System) states;

"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 1.1.3.2 – Settlement Areas reads;

"Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive."*

The subject property is fully serviced by municipal sewer & water and is located in a built-up part of the City. As such, this site represents an efficient use of land and services.

The subject property also strongly supports active transportation and transit. There are existing sidewalks along both sides of all streets within the area and 4 available transit routes along Algonquin Avenue. The nearest bus stop from the subject property is less than 90m. The subject lands are also

approximately 1 kilometre from the City's Transit Terminal.

Section 1.4.3 – Housing reads;

"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:...

a) 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 intent of directing higher levels of density into a community's Settlement Area is to ensure that the larger proportion of a community's population is located in a concentrated area, thereby reducing the overall amount of land that a municipality requires to house its population. Settlement Areas are also where public services are available. This reduces a community's impact on the natural environment and puts less stress on services and resources.

The proposed addition of 4 dwelling units, for a new total of 50 units would represent greater levels of density being located within the Settlement Area, as discussed by the above noted policies of the PPS 2020.

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

Official Plan

The primary goal of the Official Plan is to maintain and enhance the quality of life for the citizens of North Bay by providing a policy framework for Council to make good land use planning decisions.

The subject lands are designated "Residential" in the City of North Bay's Official Plan. Excerpts of the Official Plan applicable to this application are outlined below.

One of the core principles of the Official Plan is to direct higher levels of development into the City's Settlement Area on full municipal services. By focusing higher levels of development in this manner creates efficient development patterns and is a more sustainable approach to community building. Section 1.4.2 of the Official Plan reads;

"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 continues 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 subject property is located in a built up area with access to the full range of public services. This includes municipal sewer/water, nearby access to parks, transit and commercial areas within short walking distances.

The Official Plan contains policies that specifically relate to the placement of high density residential development. Relevant high density housing policies are cited below:

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

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 located in the Central Business District, as encouraged above. This area of the community has easy access to many of the other characteristics identified above, including major shopping areas, open space and community facilities.

2.1.12.4 - Apartment buildings shall be sited so that they:

- a) enhance the visual image of the City;*
- b) create focal points that emphasize important locations in the City;*
- c) do not unduly overshadow or interfere with visual amenities of lower density residential areas by reason of their bulk; and*
- d) 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 already developed with a two storey apartment. This building has existed in its current form for a number of years. The proposed additional units will be located within the existing building.

"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.

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*

There is no indication that the proposed addition of four new apartment units shall have any notable effect on the different forms of infrastructure/public services noted in Section 2.1.12.8, cited above.

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 access to Algonquin Avenue, one of North Bay's major arterial roads. It also has frontage on Front Street, a collector road. Engineering staff offered no concerns related to impact on traffic flows. In the development of the new parking area the owner will be required to meet the City's private approach by-law.

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.

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 building is built in close proximity to the property lines. However, this is an existing situation. There is no change in building envelope as a result of this application.

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 proposed development would be subject to Site Plan Control.

2.1.11.3 - In the development of new residential neighbourhoods, and as far as possible in the infilling of those already established, or in redevelopment in older neighbourhoods, high standards of residential amenity will be encouraged through the use of the following design principles:

- a) *Separate pedestrian walkways or trails will be encouraged, where feasible, and designed to facilitate access to elementary schools;*
- b) *Varieties of residential types will not be mixed indiscriminately, but will be arranged in a gradation so that higher density developments will complement those of a lower density, with sufficient spacing between tall apartments and lower row houses and single detached houses to maintain privacy, amenity and value;*
- c) *Sufficient land is to be assembled for residential developments to eliminate isolated parcels that would be difficult to develop or redevelop at a later date;*
- d) *Prior to any zoning changes to permit residential development it shall be established that schools, parks and all other services are adequate according to the standards in this Plan, and that access points to multiple family accommodations are adequate and safe; and*
- e) *Where older adult developments and/or retirement communities are located or planned within residential neighbourhoods, Council shall have regard for considerations such as location, housing types, community services and staging of construction."*

As previously mentioned, the subject property is located within the Central Business District (CBD). Section 2.2.1.1.5 of the Official Plan continues;

"To encourage, wherever possible, an increase in the amount of residential units within and around the Central Business District through new development or as a result of the rehabilitation of upper storeys of existing buildings. It is recognized that the establishment of market support for uses through residential development is very important to the long-term sustainable health of the Central Business District."

The proposed development would provide for a net increase to the amount of residential units within the CBD through infill development.

The subject property is also located within the Residential Intensification Area, is adjacent to a major arterial road (Algonquin Avenue) and is in close proximity to multiple schools, places of worship and the Downtown Core.

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

Zoning By-Law No. 2015-30

485 First Avenue West is presently zoned "Residential Multiple Second Density Special Zone No.33 (RM2 Sp.33)". The RM2 Sp.33 zone only permits a 46 unit apartment dwelling.

The regulations for this zone are as follows;

- i. The maximum lot coverage not to exceed 62% of the total lot area.
- ii. The minimum lot frontage shall be 32.3m.

- iii. The minimum front yard setback shall be nil.
- iv. The minimum easterly side yard setback shall be nil.
- v. The minimum westerly side yard setback shall be 0.4m
- vi. The minimum rear yard setback shall be 16.6m

486 Algonquin Avenue is presently zoned "Residential Third Density (R3)". The R3 zone permits the following uses;

- Single Detached Dwelling
- Semi Detached Dwelling
- Duplex Dwelling
- Group Home Type 1
- Accessory Bed and Breakfast
- Accessory Home Based Business
- Parks and Playgrounds
- Accessory Day Nursery
- Institutional Uses

The proposal is to rezone both of the above noted properties to an amended RM2 Sp.33 for the purpose of adding four additional units for a total of 50 units. The 4 additional units would be constructed within the existing built envelope at 485 First Avenue West while the property at 486 Algonquin Avenue would be used for 6 additional parking spaces.

The Special Zone request would recognize the existing built form of the property, including; the lot frontage, northerly side yard setback, rear yard setback, landscaping buffer and lot coverage. The Special Zone would also permit parking at a rate of 1 parking space/unit and a nil useable open space.

The Special Zone request would recognize the existing built form of the property, including;

- i. The maximum lot coverage not to exceed 62% of the total lot area.
- ii. The minimum lot frontage shall be 32.3m.
- iii. The minimum front yard setback shall be nil.
- iv. The minimum easterly side yard setback shall be nil.
- v. The minimum westerly side yard setback shall be 0.4m
- vi. The minimum rear yard setback shall be 16.6m

The Special Zone would also permit;

- i. Parking at a rate of 1 parking space per unit for a total of 50 parking spaces.
- ii. Useable open space shall be nil.
- iii. Landscaping buffer shall be nil.

The applicant will be required to provide a total of 10 visitor parking spaces and 2 accessible parking spaces within the total 50 parking spaces proposed. These parking space requirements will be required at the Site Plan Control stage.

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:

Of the agencies that provided comments, the Engineering Department and North Bay Mattawa Conservation Authority, each offered no concerns or objections.

The Engineering Department provided the following comments:

"If a private approach is proposed off of Algonquin Avenue, it will need to meet the City's Private Approach By-law 2017-72."

The North Bay – Mattawa Conservation Authority provided the following comments:

"The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest. It is our opinion that the application is consistent with Section 3.1 of the PPS 2020. The property is not subject to Ontario Regulation 177/06 or to the policies of NBMC at this time, and as such, a DIA permit is not required from this office. The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS 2020. We have no objection to this application."

No correspondence from the public was received concerned this application.

No other correspondence was received on this file.

Financial/Legal Implications

N/A

Corporate Strategic Plan

- | | |
|---|---|
| <input type="checkbox"/> Natural North and Near | <input checked="" type="checkbox"/> Economic Prosperity |
| <input checked="" type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input checked="" 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; and
- Diversify the property tax base.

Options Analysis

Option 1:

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of First Ave. (No.6) Inc. to rezone a property known locally as 485 First Avenue West and 486 Algonquin Avenue and legally described in Appendix A to Report to Council No. CSBU 2021-025 from a "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone and a "Residential Third Density (R3)" zone to an amended "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone be approved; and
2. 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:

That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of First Ave. (No.6) Inc. to rezone a property known locally as 485 First Avenue West and 486 Algonquin Avenue and legally described in Appendix A to Report to Council No. CSBU 2021-025 from a "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone and a "Residential Third Density (R3)" zone to an amended "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone be denied.

Recommended Option

Option 1 is the recommended option.

1. That the proposed Zoning By-law Amendment by Miller & Urso Surveying Inc. on behalf of First Ave. (No.6) Inc. to rezone a property known locally as 485 First Avenue West and 486 Algonquin Avenue and legally described in Appendix A to Report to Council No. CSBU 2022-025 from a "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone and a "Residential Third Density (R3)" zone to an amended "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone be approved; and
2. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Respectfully submitted,

Name: Peter Carello, MCIP, RPP

Title: Senior Planner

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

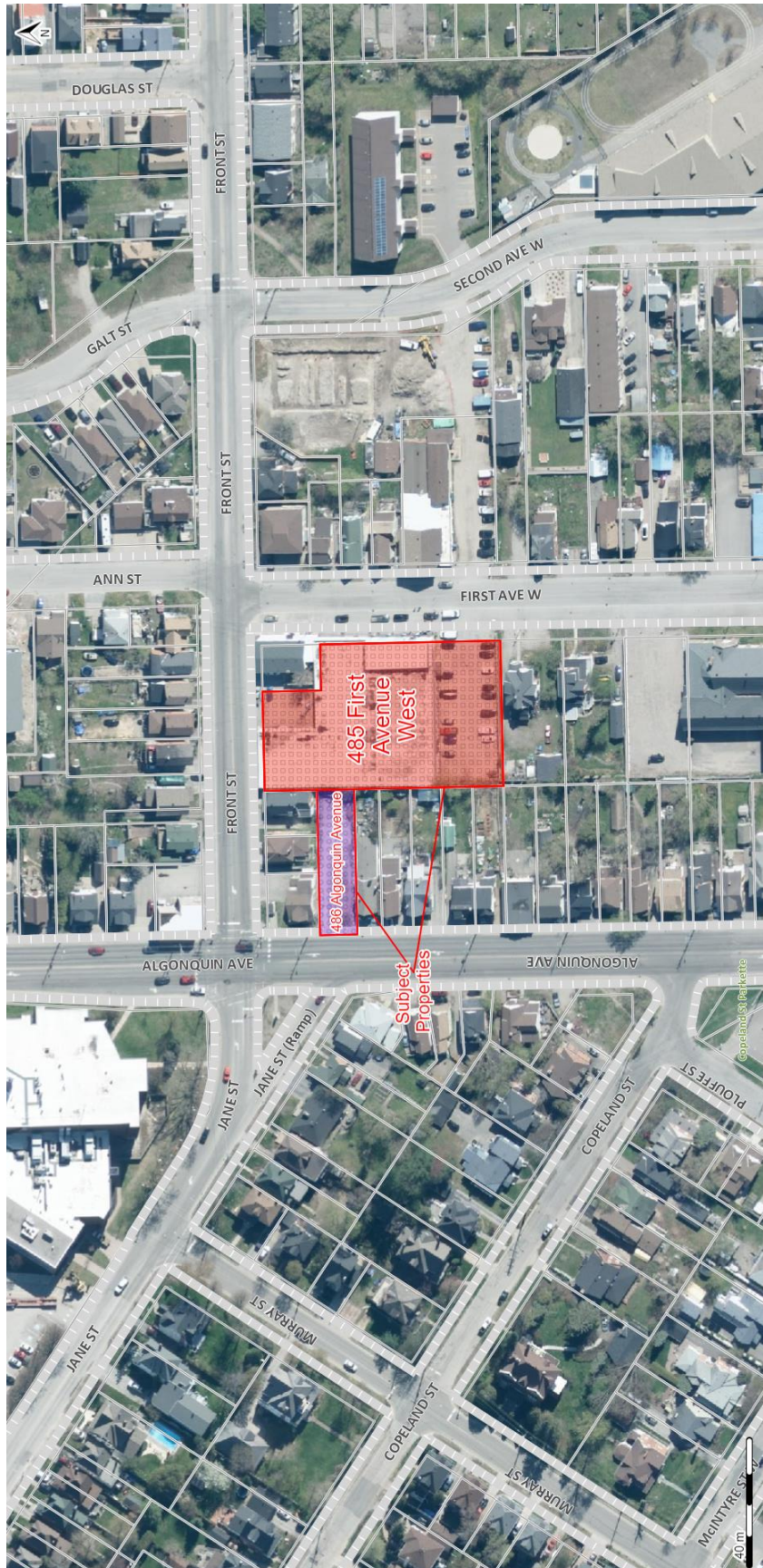
Personnel designated for continuance:

Name: Peter Carello, MCIP, RPP

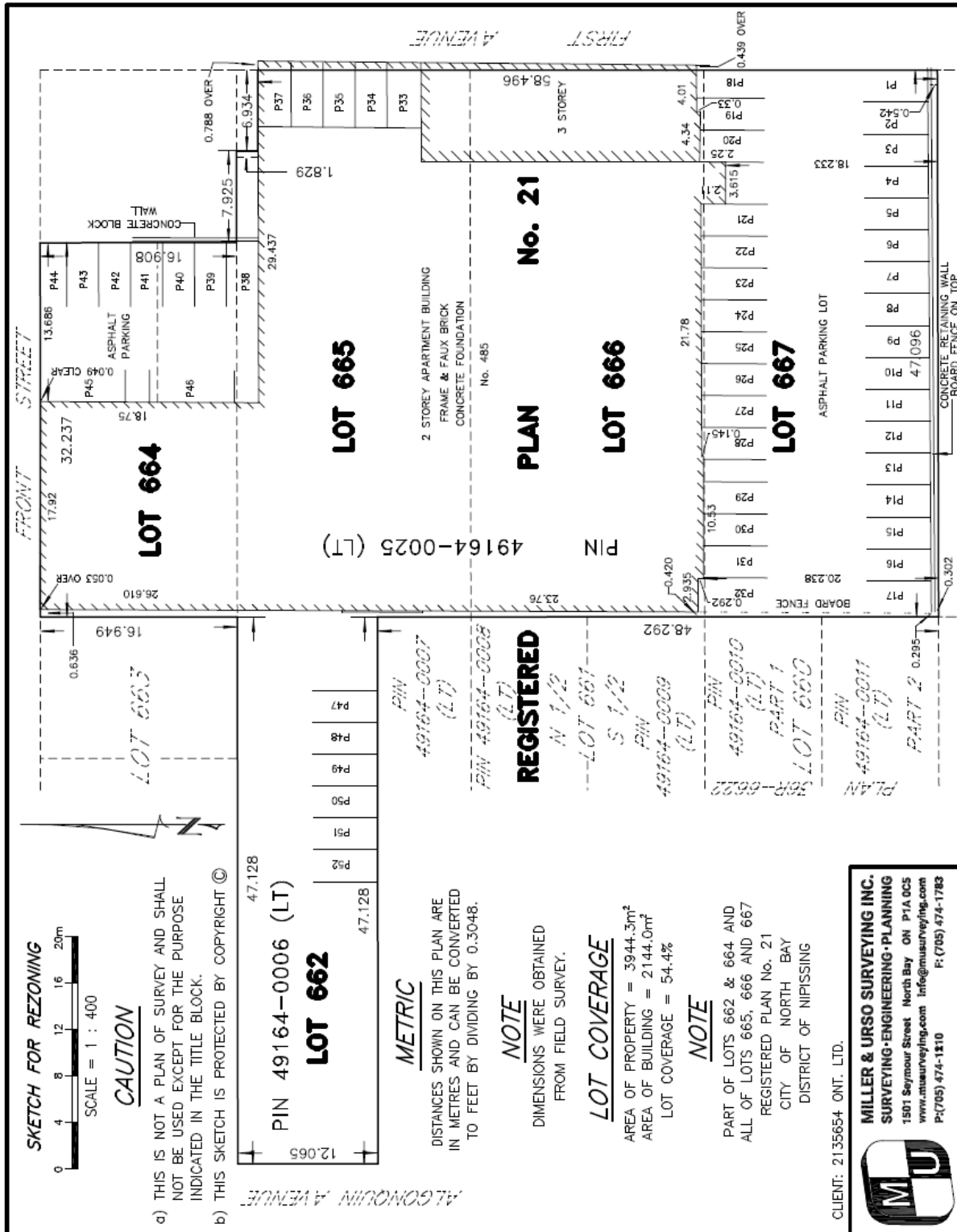
Title: Senior Planner

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Schedule 'A'



Schedule 'B'



Schedule 'C'



Vacant property at 486 Algonquin Avenue

Appendix A

PIN 49164-0025 (LT)

LT 666-667 PL 21 WIDDIFIELD; PT LT 664-665 PL 21 WIDDIFIELD AS IN NB146649; S/T EXECUTION 03-0396, IF ENFORCEABLE; NORTH BAY ; DISTRICT OF NIPISSING

PIN 49164-0006 (LT)

PT LT 662 PL 21 WIDDIFIELD AS IN NB101847, S/T & T/W NB101847; NORTH BAY; DISTRICT OF NIPISSING

Appendix B – Correspondence

Hi Peter,

Our comments for this application are as follows:

- If a private approach is proposed off of Algonquin Ave. it will need to meet the City's Private Approach By-Law 2017-72.

Thank you,

Jonathan



February 7, 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: Zoning By-law Amendment – First Ave. (No. 6) Inc.
485 First Avenue West & 486 Algonquin Avenue
City of North Bay
Our File No.: PZB2-NB-22

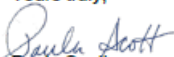
This office has received and reviewed the above zoning by-law amendment for the above noted properties. These two lots have recently merged into one lot and will function as one property. The property is currently designated "Residential" under the City of North Bay Official Plan. 485 First Avenue West is zoned "Residential Multiple Second Density Special No. 33 (RM2 Sp.33)" and 486 Algonquin Avenue is zoned "Residential Third Density (R3)" under Zoning By-law 2015-30. 485 First Avenue West is currently developed with a forty-six (46) unit apartment building; 486 Algonquin Avenue is presently vacant. This application proposes to amend Zoning By-law 2015-30 to rezone both 485 First Avenue West and 486 Algonquin Avenue to an amended "Residential Multiple Second Density Special No. 33 (RM2 Sp.33)". The purpose of the application is to add four additional apartment units (for a total of fifty (50) units). The Special Zone requests would recognize the existing built form of the property, including the lot frontage, northerly side yard setback, rear yard setback, landscaping buffer and lot coverage. The Special Zone would also permit parking at a rate of 1 parking space/unit and a nil usable open space.

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).

The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest. It is our opinion that the application is consistent with Section 3.1 of the PPS 2020. The property is not subject to Ontario Regulation 177/06 or to the policies of NBMC at this time, and as such, a DIA permit is not required from this office. The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS 2020. We have no objection to this application.

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