



City of North Bay Report to Council

Report No: CSBU-2022-036

Date: June 3, 2022

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Removal of Holding Zone – 1040 Brookes Street

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 Multiple Second Density Special No.136 Holding (RM2 Sp.136H)” through By-law 2021-94 for the property shown on “Schedule A” attached to Report to Council CSBU 2022-036;
2. That the By-law be brought forward on June 28, 2022 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

The subject property is known locally as 1040 Brookes Street, as shown on the attached Schedule A. The lands were zoned “Residential Multiple Second Density Special No.136 Holding (RM2 Sp.136H)” by City Council by By-law 2021-094, passed on November 3, 2021.

When the By-law was passed, a Holding Zone restriction was put in place to allow the property owner to provide studies to more closely examine certain areas of concern that were raised through the rezoning process. These concerns pertained to parking, infrastructure capacity and an acoustic study (due to the property’s proximity to the Ontario Northland rail line).

Once the Holding Zone restriction is removed, the RM2 Sp.136 zone would permit the construction of a new apartment building.

Since the By-law was approved, the property owner has provided three studies prepared by qualified third party consultants. The recommendations forthcoming from the studies are as follows:

- Traffic Study: No concerns, no improvements needed as a result of this development.
- Noise and Acoustic Study: No concerns. The owner should provide warnings of potential noise and potential expansion of rail operations within rental agreements or future sale agreements.
- Service Capacity Study: No concerns.

These studies have been reviewed and accepted by City staff. It is now 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 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

Options Analysis

Option 1:

Remove the Holding Zone symbol. This option is recommended as the property owner has met the conditions for the removal of the Holding Zone as established by By-law No. 2021-94.

1. That City Council pass a By-law to remove the Holding (H) Zone Symbol from the lands zoned "Residential Multiple Second Density Special No.136 Holding (RM2 Sp.136H)" through By-law 2021-94 for the property shown on "Schedule A" attached to Report to Council CSBU 2022-036;
2. That the By-law be brought forward on June 28, 2022 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.

Option 2:

Deny the removal of the Holding Zone symbol. This option is not recommended.

Recommended Option

Option 1

1. That City Council pass a By-law to remove the Holding (H) Zone Symbol from the lands zoned "Residential Multiple Second Density Special No.136 Holding (RM2 Sp.136H)" through By-law 2021-94 for the property shown on "Schedule A" attached to Report to Council CSBU 2022-036;
2. That the By-law be brought forward on June 28, 2022 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: Peter Carello, MCIP, RPP
Title: Senior Planner – Current Operations

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 Development and Growth

Name David Euler, P.Eng., PMP
Title: Chief Administrative Officer

Personnel designated for continuance:
Peter Carello, MCIP, RPP
Senior Planner – Current Operations

Schedule A

