



City of North Bay Report to Council

Report No: CSBU-2024-046

Date: September 18, 2024

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Zoning By-Law Amendment and Draft Plan of Subdivision Applications by BBC Holdings Corporation – 0 Larocque Road (Unaddressed)

Closed Session: yes no

Recommendation

1. That the proposed Zoning By-Law Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation, for a portion of an unaddressed parcel on Larocque Road in the City of North Bay legally described in Appendix A to Report to Council CSBU 2024-046 to rezone the property from a "Residential Holding (RH)" zone and a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone be approved; and
2. That the proposed Plan of Subdivision application (Subdivision/Condo File No. 48T-24102) by Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation, for a portion of an unaddressed parcel on Larocque Road in the City of North Bay legally described in Appendix A to Report to Council No. CSBU 2024-046, shown as on Schedule "C" attached hereto as revised by the City of North Bay, be given Draft Approval subject to the conditions in Appendix C to Report to Council CSBU 2024-046 prepared by Peter Carello dated September 18, 2024; and
3. That a portion of the subject property identified as Block 50 on Schedule B to Report to Council CSBU 2024-046 be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Background

Site Information

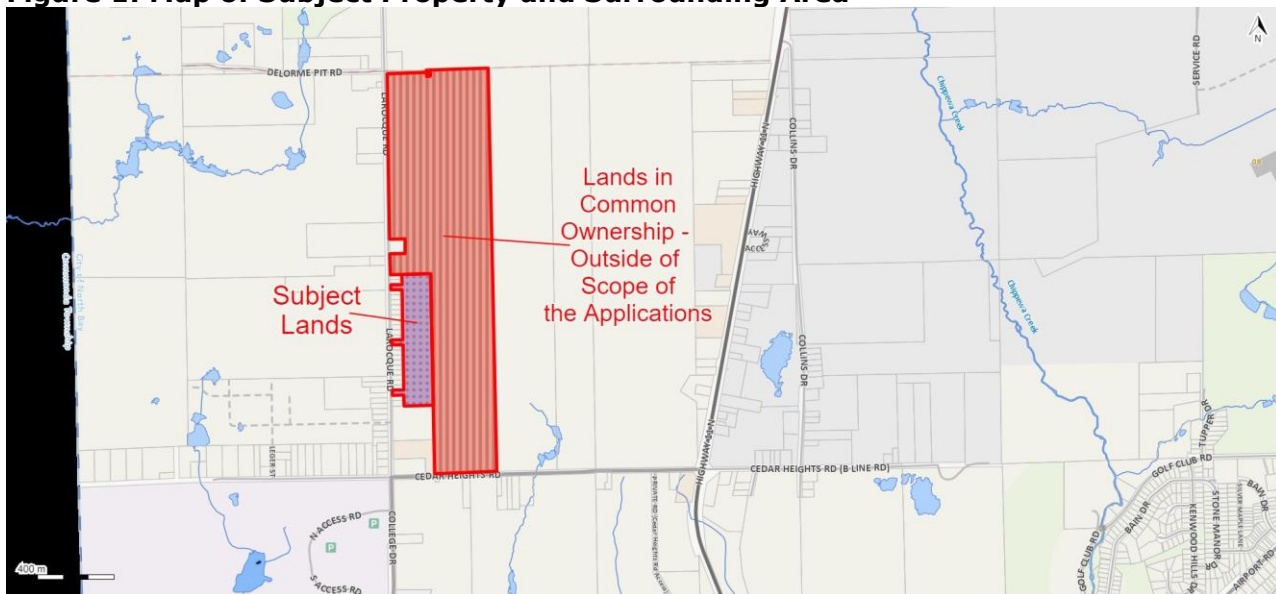
Legal Description: See Appendix A

Site Description: The subject property is an existing lot of record on Larocque Road, located just north of the intersection of Larocque Road, Cedar Heights Road and College Drive, as shown below and on attached Schedule A. The applications apply only to a portion of the property.

The parcel includes a sizeable portion of lands at the rear of previously approved lots with frontage on Larocque Road. The majority of the subject applications pertain to these lands at the rear of the existing housing.

The Subject Lands are designated "Residential" by the Official Plan. They are zoned both "Residential First Density (R1)" and "Residential Holding (RH)" under the City's Zoning By-law No. 2015-30.

Figure 1: Map of Subject Property and Surrounding Area



The entirety of the property has an existing lot area of 58 hectares. The applications pertain only to a 6-hectare portion of the property.

The property has frontage in five separate locations on Larocque Road and along Delorme Pit Road to the north. In the area of the property affected by the applications, the property has three separate frontages of 20 metres on Larocque Road, as shown on attached Schedule B. The property is currently vacant.

A natural gas easement bisects the property in a north-south direction just east of the lands subject to the proposed applications.

Surrounding Land Uses:

The lands on the opposite side of Larocque Road have been approved for a low-density residential subdivision to be developed on public services at an urban density. The subject lands are proposed to be developed in a similar manner. Other lots in the immediate area are mostly either vacant or are developed with low density residential uses, largely at a rural scale.

Nipissing University and Canadore College postsecondary institutions are co-located on a large parcel of land on the south-west intersection of Cedar Heights Road and College Drive. These postsecondary institutions are located a little more than 400 metres to the south of the subject property.

There are also some commercial uses in the general area. There is a doctor's office located with frontage on both Larocque Road and Cedar Heights Road. There are two contractor's yards fronting on Larocque Road. Further to the east are a gas bar/convenience store located at the intersection of Cedar Heights Road and Highway 11N.

Proposal

Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation has submitted a Zoning By-law amendment and Draft Plan of Subdivision applications.

If approved as submitted, the rezoning application would rezone portions of the property to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone. The requested subdivision application would create forty-nine lot density residential lots, one multi-residential lot, one block to be provided for parkland and four blocks to serve as municipal roads.

As will be discussed in this report and as shown on Schedule "C" to this report, staff are recommending modifying the request slightly to remove one proposed residential lot from the Draft Plan in order to maintain this lot for municipal road purposes.

Summary

The applicant is proposing to rezone a portion of the subject property from a "Residential Holding (RH)" zone and a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone. The applicant has also submitted a concurrent Draft Plan of Subdivision application that would create forty-nine (49) low density residential lots, one (1) apartment block and one (1) park block if it were to be approved as presented.

The subject property is located in the Cedar Heights Planning District. The City has long identified the Cedar Heights area as being the area of the community that would accommodate the City's future growth needs. A standpipe was constructed on Larocque Road just north of the property with the intention of enabling new development.

The proposed applications are consistent with the City's objectives in constructing this standpipe. With services now available, it is appropriate to consider the development of the subject lands at an urban density, as proposed by the subject Zoning By-law Amendment and Draft Plan of Subdivision.

As discussed throughout this report, the applications are consistent with both Provincial and Municipal policy documents. Specifically, the Provincial Policy Statement 2020 and the Official Plan both encourage the concentration of new development within the Settlement Area where public services (including municipal sewer and water) are available.

It is generally considered a best planning practice to develop mixed use neighbourhoods, both in terms of the uses and densities. Though the development is primarily comprised of low-density residential units, there is an apartment building included within the proposed Plan of Subdivision. The City's Official Plan provides direction regarding the placement of apartment buildings. In reviewing the proposed location for the apartment block and in considering the size of the apartment block, it is my opinion that the apartment block is appropriate and a desirable component of the subdivision.

The applicant has requested to include two lots within the proposed subdivision approval that were initially slated to form a future road allowance as part of the subdivision. These lands are identified as Lot 22 and Lot 49 on Schedule B to this report. This would remove the possibility of using these lands as a road in the future.

The Engineering Department did not have any objections to the removal of this potential road access, as there are two other road access points proposed as part of the Draft Plan of Subdivision. Additional access points will be considered in future phases of the subdivision. As a result, Planning Services does not have an objection to the inclusion of these lots as part of the Draft Plan of Subdivision.

The applicant has also included a lot in the Plan of Subdivision that would prevent the future road allowance from being extended eastwardly onto neighbouring properties and future phases of the subdivision. This is identified as Lot 38 on Schedule B.

City staff are opposed to the inclusion of this lot within the proposed Plan of Subdivision. Planning for future phases of development in this area must

include allowances for future road access to adjacent parcels that have direct access to Larocque Road. While it is noted that the proposed Plan of Subdivision has another point of access to the adjacent lands, it is staff's opinion that maintaining Lot 38 as a future road access with direct access to a future collector road (Larocque Road) is good planning.

As a result, Planning Staff have included a modified Plan of Subdivision sketch as Schedule C that would maintain Lot 38 as a block to be used as a road allowance.

The City received several items of correspondence from members of the public in response to the proposed applications. The Correspondence section of this report seeks to summarize the comments received and a complete copy of correspondence received is attached as Appendix B to this report.

There were concerns regarding traffic and the road network's capacity to accommodate the volume of vehicular movements, now and in the future. The City's Engineering Department has commented that there are no immediate traffic concerns on Larocque Road. The City is requiring a traffic study as a Condition of Approval. Any needed infrastructure improvements identified through the traffic study will be required to be incorporated into the final site design.

There were also concerns expressed about the proposed apartment block and its location. Staff considered a request from respondents to switch the proposed park and apartment blocks. However, it would be beneficial from the municipality's perspective to maintain the proposed park block in its current location. This would allow for future expansions to the size of the municipal park holdings as the larger subdivision develops in the future.

This request was also discussed with the applicant's agent. They also were not supportive of this request for similar reasons as identified by Planning Staff. The apartment block (Block 50) would be subject to Site Plan Control if more than 10 units are proposed. The Site Plan Control Agreement would regulate parking, lighting, landscaping and fencing. A Condition of Draft Approval has been included to recognize the need for a detailed site plan at the time of development.

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 and Draft Plan of Subdivision 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 prioritizes the development of Settlement Areas by focussing greater levels of density in the urban areas of a community. The purpose of this objective is to house a greater number of residents on more compact lots than what are found in rural areas. In doing so, the amount of land consumed to house the local population is reduced.

This objective is stated throughout the document in several parts of the PPS 2020, as cited below:

The Preamble to Part IV (Vision for Ontario's Land Use Planning System):

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 – Settlement Areas:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 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.*

1.4.3 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;*

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for residential

intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The lands subject to the applications are located in a developing residential neighbourhood. The lands have access to the full range of public services, including public sewer and water supply. In my professional opinion, the proposed rezoning and Draft Plan of Subdivision represents efficient use of land and is appropriate for the level of available services, as discussed by the PPS 2020.

Planning staff would note the above cited policies of the PPS 2020 includes the encouragement of residential intensification and the development of a “*appropriate range and mix of housing options*”. For clarification, “housing options” is defined by the PPS as:

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi-residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, affordable housing, housing for people with special needs, and housing related to employment, institutional or educational uses.

The proposed development would permit the development of low density residential uses, including single detached dwellings and semi-detached dwellings which may also include Additional Dwelling Units. There is also one block that would permit an apartment (multi-residential building). It is staff’s opinion that the proposed development represents an appropriate range of housing options, as directed by the PPS 2020.

The PPS 2020 encourages development to take place on municipal water supply and on municipal sanitary sewer. These public services are better for the environment as they minimize the amount of land required to accommodate new dwellings and reduce the potential for human health problems. There are several passages that discuss this objective, such as Section 1.6.6.2 of the PPS 2020, which states:

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The proposed applications as presented would result in the creation of a forty-nine (49) lot subdivision (48 lots as modified by City Staff) with one (1) block

for an apartment dwelling and one (1) block for parkland. Each of the lots and blocks would have access to the full range of public services, including municipal sewer and water, as encouraged by the PPS 2020.

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

Official Plan

The property is currently designated "Residential" in the City of North Bay's Official Plan.

The City's Official Plan is similar to the PPS 2020 in that it also aims to direct greater levels of residential development at a higher level of density to lands within the City's Settlement Area where public services are available. This general vision is stated in several locations throughout the Official Plan. The following passages are intended to summarize the Official Plan's direction regarding the concentration of development within the Settlement Area:

Section 1.4.2

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.

Lands within the Settlement Area, on full municipal services, will be the focus of growth in the municipality. The majority of the Trout Lake Watershed is outside the designated Settlement Area to restrict urban development within the watershed. The settlement area has been designated with consideration given to anticipated growth over the term of this Plan, to support both new residential and employment areas. In all situations, growth and development will be encouraged to locate within existing built up areas that have existing or planned infrastructure.

Section 2.1

It is the objective of this Plan to concentrate new growth and redevelopment within the Settlement Area and to develop new land for residential, employment area, commercial, park & open space and institutional uses.

Section 2.1.1

Infill and intensification developments will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate, and where adequate municipal services, facilities, and transit routes exist. Infilling and intensification will also be

promoted in other areas of the City where there is appropriate infrastructure and new development or redevelopment is compatible with surrounding land uses.

The overall intention of these policies is to reduce the amount of land used to accommodate development. It also makes better use of available public services and reduces the need for future extensions of municipal sewer and water into other parts of the City.

The Cedar Heights area was identified by the City's Official Plan as a future growth area. Schedule 9 of the Official Plan is the Staging Plan. All parts of the City's Settlement Area are either classified as "Stage 1", "Stage 2", or "Stage 3". Development is only permitted in a higher Stage area once the previous Stage area is 2/3 completed.

Land classified as "Stage 2" indicate that they were not to be the first lands to be developed but would expect to be developed over the life of the Official Plan. Lands in Stage 2 are now gradually being developed throughout the community.

The subject property identified as being "Stage 2" on Schedule 9 of the Official Plan, indicating that it is appropriate for the property to be developed at an urban density at this time.

The City's Official Plan includes provisions related to the placement of apartment buildings. Section 2.1.12 of the Official Plan is as follows:

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.

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.

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 proposed subdivision includes a block that will be zoned to accommodate an apartment unit. This is identified as Block 50 on Schedule B to this report.

In my opinion, the proposed apartment block generally meets the above cited policies of the Official Plan in the following manners:

- Proximity to shopping, community facilities, open space and recreational facilities: the subject lands are near Nipissing University and Canadore College, which are major community facilities.
- Peripheral locations around residential neighbourhoods and designed as an integral part of a new Plan of Subdivision: The proposed apartment block is at the southern most part of the proposed subdivision. It is being designed as an integral part of the subdivision and is to be located adjacent to park space.
- Road access: The proposed apartment is located 45 metres east of Larocque Road, which is a considered a future collector road under the Official Plan.
- Compatibility with surrounding neighbourhood: The applicant has provided concept plans for the apartment building that shows two separate two-storey buildings. It is important to note that these are not final designs and could be subject to change. However, if the property owner were to construct something of this general size and scope, it would be compatible with the neighbourhood.

The apartment development would be subject to Site Plan Control to regulate site requirements, such as lighting, parking and landscaping.

It is my professional planning opinion that the proposed Zoning By-law Amendment and Draft Plan of Subdivision 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 "Residential Holding (RH)" and "Residential First Density (R1)".

The current RH zone permits the following uses:

- Single Detached Dwelling;
- Additional Rural Residential Dwelling Unit;
- Principal Dwelling Unit Short-Term Rental;
- Cemetery;
- Commercial Agricultural Uses;
- Conservation Area;
- Golf Course;
- Group Home Type 1;
- Hobby Farm (as an Accessory Use to a residential use only);
- Kennel;
- Rural Recreational Facility;
- Solar Farm; and
- Wind Farm

The current R1 zone permits the following uses:

- Single Detached Dwelling;
- Additional Residential Urban Dwelling Unit;
- Group Home Type 1;
- Bed and Breakfast (as an Accessory Use only);
- Home Based Business (as an Accessory Use only);
- Parks and Playgrounds;
- Day Nursery (as an Accessory Use associated with an Institutional or Public Building only);
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

The applicant has proposed to rezone the property to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone.

If approved, the proposed R3 zone would permit the following uses:

- Single Detached Dwelling;
- Semi Detached Dwelling;
- Additional Residential Urban Dwelling Unit;
- Group Home Type 1;
- Bed and Breakfast (as an Accessory Use only);
- Home Based Business (as an Accessory Use only);
- Parks and Playgrounds;
- Day Nursery (as an Accessory Use associated with an Institutional or Public Building only);
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

If approved, the proposed RM1 zone would permit the following uses:

- Apartment Dwellings;
- Boarding, Lodging or Rooming House;
- Group Home Type 2;
- Home Based Business (as an Accessory Use only);
- Parks, Playgrounds and Non-profit uses;
- Day Nursery;
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

The proposed lots within the requested subdivision would 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 Ministry of Transportation and Hydro One each offered no concerns or objections.

Bell Canada and Enbridge both offered no objections but did request that an easement be conveyed at no expense to the utility companies.

Public Works offered no objections but did state that turnaround circles shall be required to be built to City standard.

The City's Engineering Department offered no specific objections but did provide a list of requirements that will need to be met for the subdivision to proceed, including stormwater management calculations, standard engineering drawings (i.e. site servicing plans, grade plans, erosion and sediment control plans, etc.) and confirmation that servicing requirements are available. The Engineering Department also stated that a booster pressure system for each lot and a traffic study would be required as part of a pre-servicing request. A complete copy of the Engineering Department's comments is found within Appendix B to this report. Specific requirements have been included as conditions of approval.

The City received correspondence from several neighbours in response to the circulation of the applications. A complete copy of these items is included within Appendix B to this report. The following is intended to summarize the general nature of the comments received and provide staff's response to each of the matters raised by the members of the public.

1. Apartment Block: Several individuals expressed concerns about the apartment block. They requested that the apartment block either be swapped location with the park block, relocated to the downtown or not be constructed at all.

It is generally considered best practice to mix different densities and avoid the creation of homogeneous neighbourhoods. In staff's opinion, the proposed apartment block is appropriately sized for the neighbourhood and in a desirable location for such a development.

Staff considered the request to swap the location of the apartment with the park. However, it would be more beneficial to the larger development of the area as a whole to maintain the park location in its present location. As lands to the east develop with future phases of residential subdivision(s), there will be an opportunity to acquire more

lands to create a larger park as identified in the City's Parks Master Plan. If the locations were to be swapped, this opportunity would be lost.

2. Street Lighting on Larocque Road: Several respondents indicated concerns with the lack of street lighting on Larocque Road. Staff has spoken with the Engineering Department who have indicated that placement of street lighting is anticipated to occur in the near future.
3. Type of Development and Occupants: Concerns were raised that the proposed density would be out of character with the neighbourhood. Another individual wanted reassurance that the proposed development would be comprised of single family homes of a quality that matched recent development. Another concern was raised about the type of tenant that may occupy the apartment unit.

Recent changes to the Planning Act allows all property owners to construct up to three dwelling units on a single lot. This has been incorporated into the City's Zoning By-law 2015-30 via our Additional Dwelling Unit policies. These lots will have the ability to construct up to three units on each lot, just like any other lot in the City's Settlement Area.

The City does not ask for information regarding the type of purchaser or occupant that may eventually inhabit the property. This is not a valid reason for objection and cannot be a consideration in reviewing applications made under the Planning Act.

4. Water Pressure: One individual expressed concern about the water pressure he currently has in his home and how the proposed development may affect his infrastructure. The watermain servicing the Cedar Heights area is a large diameter trunk watermain, and due to the size of the watermain, the new development is expected to have negligible impact on the water pressure and flow at existing properties. This part of Larocque Road is in a lower pressure area and a Condition of Approval is included requiring that a small booster pump in the house on each property be provided by the property owner. Also, the current capital budget plan and forecast includes a 2027 project for the construction of a booster pumping station adjacent to the Larocque standpipe, which will boost the pressure in the water system.
5. Sidewalks/Traffic Concerns on Larocque Road: Concerns were raised about Larocque Road's ability to safely accommodate the volume of traffic that are currently present and the additional volume that would be generated by the proposed development. The Engineering Department is of the opinion that road infrastructure is appropriate for the current volume of traffic and can accommodate the proposed development.

A Traffic Study is a Condition of Approval to this proposed Plan of

Subdivision. The findings of this study will be incorporated into the final subdivision design. Engineering will continue to monitor traffic levels in the area and will review if improvements are needed in the future.

Financial/Legal Implications

There are no financial implications at this time.

If approved, the City of North Bay Zoning By-law No. 2015-30 would be amended as discussed in this report.

Corporate Strategic Plan

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

Specific Objectives

- 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:

To approve the Zoning By-law Amendment and Draft Plan of Subdivision applications as modified by City of North Bay staff. This option is recommended for the reasons discussed in this report. It would result in certain lands being rezoned from a "Residential Holding (RH)" zone and a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone and the Draft Approval of a forty-eight (48) lot Plan of Subdivision with one (1) block for multi-residential purposes, one (1) block for parks purposes and five (5) blocks for municipal road purposes.

1. That the proposed Zoning By-Law Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation, for a portion of an unaddressed parcel on Larocque Road in the City of North Bay legally described in Appendix A to Report to Council CSBU 2024-046 to rezone the property from a "Residential Holding (RH)" zone and a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone be approved; and
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Approval subject to the conditions in Appendix C to Report to Council CSBU 2024-046 prepared by Peter Carello dated September 18, 2024; and

3. That a portion of the subject property identified as Block 50 on Schedule B to Report to Council CSBU 2024-046 be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.
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Option 2:

To approve the Zoning By-law Amendment and Draft Plan of Subdivision applications as submitted by the applicant. This option is not recommended as it would prevent a future connection of a road allowance to the lands to the east of the subject property.

1. That the proposed Zoning By-Law Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation, for a portion of an unaddressed parcel on Larocque Road in the City of North Bay legally described in Appendix A to Report to Council CSBU 2024-046 to rezone the property from a "Residential Holding (RH)" zone and a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone be approved; and
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Option 3

To deny the requested Zoning By-law Amendment and Draft Plan of Subdivision applications. This option is not recommended.

Recommended Option

Option 1 is the recommended option

1. That the proposed Zoning By-Law Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation, for a portion of an unaddressed parcel on Larocque Road in the City of North Bay legally described in Appendix A to Report to Council CSBU 2024-046 to rezone the property from a "Residential

Holding (RH)" zone and a "Residential First Density (R1)" zone to a "Residential Third Density (R3)" zone and a "Residential Multiple First Density (RM1)" zone be approved; and

2. That the proposed Plan of Subdivision application (Subdivision/Condo File No. 48T-24102) by Tulloch Geomatics Inc. on behalf of the property owner, BBC Holdings Corporation, for a portion of an unaddressed parcel on Larocque Road in the City of North Bay legally described in Appendix A to Report to Council No. CSBU 2024-046, shown as on Schedule "C" attached hereto as revised by the City of North Bay, be given Draft Approval subject to the conditions in Appendix C to Report to Council CSBU 2024-046 prepared by Peter Carello dated September 18, 2024; and
1. That a portion of the subject property identified as Block 50 on Schedule B to Report to Council CSBU 2024-046 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, Current Operations

We concur with this report and recommendation.

Name Beverley Hillier, MCIP, RPP
Title: Manager, Planning & Building Services

Name: Adam Lacombe, P.Eng.
Title: Senior Capital Program Engineer

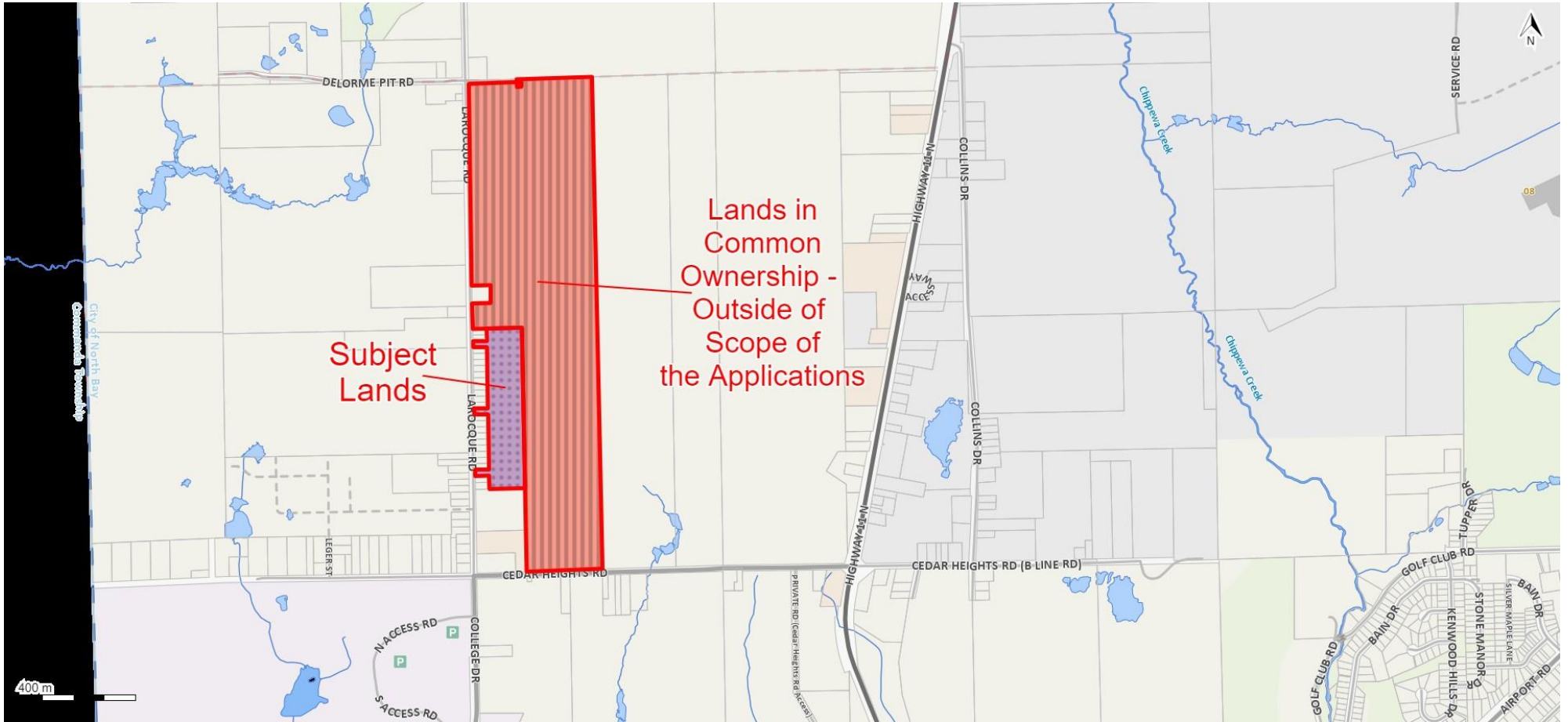
Name: John Severino, P.Eng., MBA
Title: Chief Administrative Officer

Personnel designated for continuance:

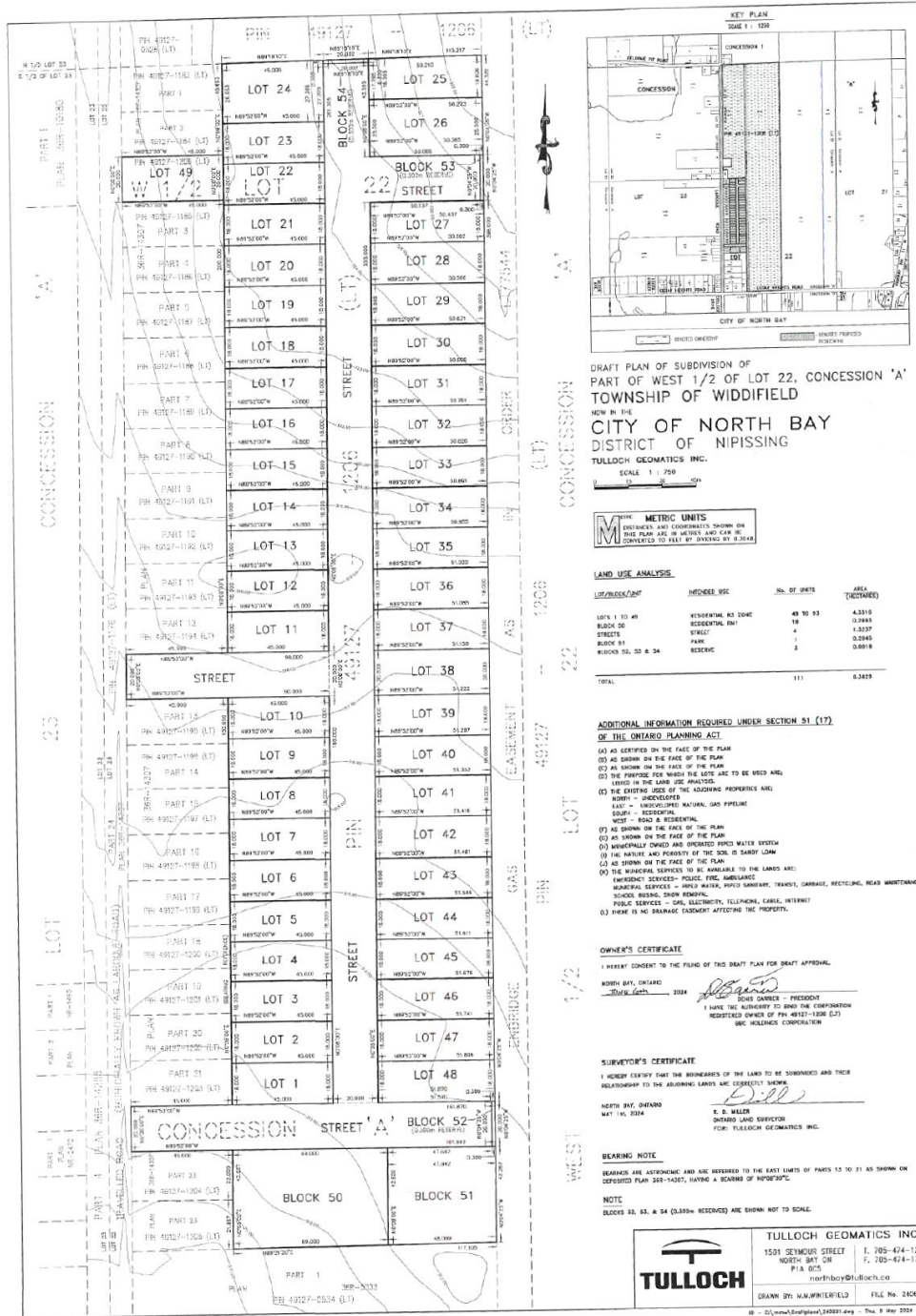
Name: Peter Carello, MCIP, RPP
Title: Senior Planner, Current Operations

W:\PLAN\Planning\Reports to Committees & Council (C11)\to Council\2024\CSBU 2024-046 – ZBLA File #966 – Proposed Zoning By-Law Amendment and Draft Plan of Subdivision Applications by BBC Holdings Corporation – 0 Larocque Road (Unaddressed

Schedule A



Schedule B – Draft Plan of Subdivision as Presented by Applicant



DRAFT PLAN OF SUBDIVISION OF
PART OF WEST 1/2 OF LOT 22, CONCESSION 'A'
TOWNSHIP OF WIDDIFIELD
NOW IN THE
CITY OF NORTH BAY
DISTRICT OF NIPISSING
TULLOCH GEOMATICS INC.
SCALE 1 : 750

M METRIC UNITS
DIMENSIONS AND COORDINATE POINTS ON
THIS PLAN ARE IN METERS AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 3.2808

LAND USE ANALYSIS

CONCESSION/LOT	PROPOSED USE	No. OF UNITS	AREA (HECTARES)
LOTS 1 TO 49	RESIDENTIAL R3 ZONIC	49 TO 53	4.3315
BLOCK 50	RESIDENTIAL PM1	18	0.2989
STREET	PARK	4	1.5137
BLOCK 51	PARK	1	0.2845
BLOCKS 52, 53 & 54	RESERVE	3	0.8014
TOTAL		111	6.2323

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE ONTARIO PLANNING ACT

- (A) AS CERTIFIED ON THE FACE OF THE PLAN
- (B) AS SHOWN ON THE FACE OF THE PLAN
- (C) AS SHOWN ON THE FACE OF THE PLAN
- (D) AS SHOWN ON THE FACE OF THE PLAN
- (E) AS SHOWN ON THE FACE OF THE PLAN
- (F) AS SHOWN ON THE FACE OF THE PLAN
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- (W) AS SHOWN ON THE FACE OF THE PLAN
- (X) AS SHOWN ON THE FACE OF THE PLAN
- (Y) AS SHOWN ON THE FACE OF THE PLAN
- (Z) AS SHOWN ON THE FACE OF THE PLAN

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE FILING OF THIS DRAFT PLAN FOR DRAFT APPROVAL
NORTH BAY, ONTARIO
DATE: 2024

I HAVE THE AUTHORITY TO SIGN THE CORPORATION
REGISTERED OWNER OF PIN 49127-1026 (L1)
WIC HOLDINGS CORPORATION

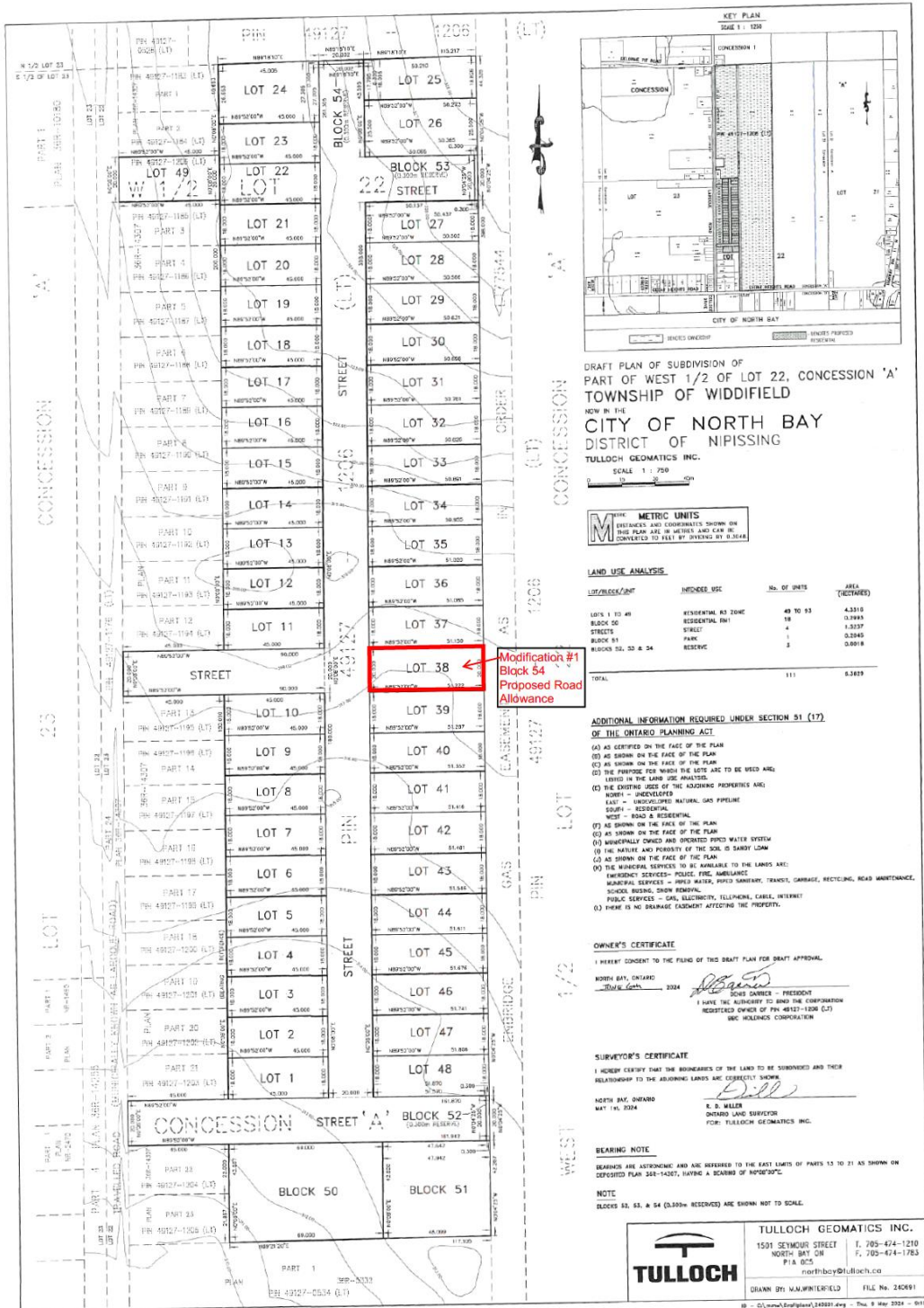
SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR
RELATIONSHIP TO THE ADJOINING LANDS ARE CORRECTLY SHOWN
NORTH BAY, ONTARIO
DATE: 2024

BEARING NOTE
BEARINGS ARE ASTERISCED AND ARE REFERRED TO THE EAST EDGERS OF PARTS 13 TO 21 AS SHOWN ON
CERTIFIED PLAN 428-10427, HAVING A BEARING OF N0°00'00"E.

NOTE
BLOCKS 52, 53, & 54 (3,300m² RESERVE) ARE SHOWN NOT TO SCALE.

TULLOCH
TULLOCH GEOMATICS INC.
1501 SELWOUR STREET
NORTH BAY, ON
P1A 0C5
northbay@tulloch.ca
I: 705-474-1210
F: 705-474-1783
DEANN BY: M.WINTERFIELD FILE No. 240691

Schedule C – Modified Draft Plan of Subdivision



Appendix A

PIN 49127-1206 (LT)

Part West 1/2 Lot 22 Concession A Widdifield as in NP7088; Save & Except LT64351, LT67891, Part 2, NR968, Part 1, NR1202, Part 1, 36R-3046, Parts 1 & 2, 36R-3880, Part 1, 36R-5304, Parts 1 & 2, 36R-5332, Part 1, 36R-14066 & Parts 1 to 26, Inclusive 36R-14307; S/T Part 1, NR968 as in LT101121; S/T LT77544; City of North Bay

Appendix B – Correspondence

Engineering Department

From: Jonathan Kapitanchuk <[REDACTED]@[REDACTED].[REDACTED]>

Sent: Monday, August 12, 2024 2:21 PM

To: Peter Carello <[REDACTED]@[REDACTED].[REDACTED]>

Cc: Megan Rochefort <[REDACTED]@[REDACTED].[REDACTED]>; Adam Lacombe <[REDACTED]@[REDACTED].[REDACTED]>

Subject: RE: Notice of Complete Application for a Zoning By-law Amendment and a Plan of Subdivision-Invitation of Comments-Larocque Road (Unaddressed)

Hi Peter,

Our comments for the ZBLA and a Plan of Subdivision remain the same from the Pre-Consultation for this file. Please see below:

1. The proposed use of the \$2,200 SWM fee per lot for this development is acceptable. Prior to proceeding with this fee, the proponent is to provide proper calculations and documentation to the City demonstrating that the downstream system has capacity for these additional stormwater flows.
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 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 study is required for this development including trip generation rates and any potential impacts/issues.

8. Please note that given the development's close proximity to the stand pipe on Larocque Road, water pressure will be less than MOECC Guidelines which will require each dwelling to install a booster pressure system to obtain household water pressure over 50 psi until such time a booster pumping station is constructed in the area.

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

Thank you,
Jonathan

Public Works

Roads

- Generally no concerns
- End of each phase will require a plow turn around built to CNB Standard

Water and Wastewater

- Will provide comments after servicing design is provided.

SF

Ministry of Transportation

From: Geauvreau, Jamie (MTO) <[REDACTED]@[REDACTED].[REDACTED]>

Sent: Friday, July 19, 2024 3:51 PM

To: Beverley Hillier <[REDACTED]@[REDACTED].[REDACTED]>

Subject: [EXTERNAL] Notice of Complete Application for a Zoning By-law Amendment and a Plan of Subdivision-Invitation of Comments-Larocque Road (Unaddressed)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe. Please forward this email to infosec@northbay.ca if you believe this email is suspicious.

Hi Bev,

Thank you for the opportunity to comment on the zoning by-law amendment application and plan of subdivision for 0 Larocque Road. Upon review it has been determined that the subject location is not within the permit control area of the Ministry of Transportation and as such the Ministry has no comments to provide.

Regards,
Jamie

Jamie Geauvreau
A/Corridor Management Planner | Corridor Management/Operations
Division
North Region – Area East
Ministry of Transportation | Ontario Public Service
[REDACTED] | [REDACTED]@[REDACTED].[REDACTED]

Hydro One

From: WIMALANATH Jenny <[REDACTED]@[REDACTED].[REDACTED]>
Sent: Thursday, August 29, 2024 1:43 PM
To: Robyn Jackowski <[REDACTED]@[REDACTED].[REDACTED]>
Subject: North Bay - Larocque Road (Unaddressed) - Plan of Subdivision

Hello,

We are in receipt of your Plan of Subdivision application, Larocque Road dated July 12, 2024. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:
[Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Jenny Wimalanath (she/her)
Real Estate Assistant
Hydro One
Real Estate – Land Management
HydroOne.com

Bell Canada

From: PrimeCities <[REDACTED]@[REDACTED].[REDACTED]>
Sent: Tuesday, July 16, 2024 5:16 PM
To: Beverley Hillier <[REDACTED]@[REDACTED].[REDACTED]>
Subject: [EXTERNAL] ZBLA (TBD) and Draft Plan of Subdivision (TBD); NE of Cedar Heights Rd. and Larocque Rd., North Bay

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7/16/2024

Beverley Hillier

North Bay

North Bay (City) 200 McIntyre St E North Bay, Ontario, P1B 8V6

Attention: Beverley Hillier

**Re: ZBLA (TBD) and Draft Plan of Subdivision (TBD); NE of Cedar Heights Rd. and Larocque Rd., North Bay; Your File No. TBD - ZBLA,TBD - Draft Plan of Subdivision
Our File No. DTS: 39327 / Circ: 42911**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

Bell Canada Condition(s) of Approval

1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such

2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to planninganddevelopment@bell.ca to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

Concluding Remarks:

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan
Senior Manager - Municipal Liaison
Email: planninganddevelopment@bell.ca.

Enbridge Gas Inc.

From: Ontario Lands <[REDACTED]@[REDACTED].[REDACTED]>

Sent: Thursday, July 11, 2024 4:08 PM

To: Robyn Jackowski <[REDACTED]@[REDACTED].[REDACTED]>

Subject: [EXTERNAL] RE: Notice of Complete Application for a Zoning By-law Amendment and a Plan of Subdivision-Invitation of Comments-Larocque Road (Unaddressed)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe. Please forward this email to infosec@northbay.ca if you believe this email is suspicious.

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

Should you require any further information, please contact the undersigned.

Barbara M.J. Baranow
Analyst Land Support

Enbridge Gas Inc.
50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

External Correspondence

From: Andre & Rachel Pineault <[REDACTED]@[REDACTED].[REDACTED]>
Sent: Thursday, July 18, 2024 2:33 PM
To: Beverley Hillier <Beverley.Hillier@northbay.ca>
Subject: [EXTERNAL] RE: Larocque Road - Site Plan identifying 94 Larocque Rd

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Beverley, thank you for your time and the clarification of the proposed development. Our only question is it possible to flip block 50 and block 51 around. This way the park land would be behind our property instead of the proposed 18 units.

Thank you

Andre & Rachel Pineault

From: Mark Phillips <[REDACTED]@[REDACTED].[REDACTED]>
Sent: Friday, July 26, 2024 8:00 PM
To: Beverley Hillier <beverley.hillier@northbay.ca>
Subject: [EXTERNAL] Zoning - by law Amendment for Subdivision- Larocque

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe. Please forward this email to infosec@northbay.ca if you believe this email is suspicious.

Good Evening,

A few concerns come to mind into the 49 units directly behind our property.

1) Three neighbours and us have extremely poor water pressure. The Ontario Building Code minimum pressure is 29 PSI. Our pressure was tested as is at 22 PSI, our neighbour at 25 psi. Therefore, the building inspector failed to catch this and therefore our brand new home, no fault of our own should never have received an occupancy status. We have contacted the City and the blame is being put on the builder, we have

called Tarion Homes who says warranty doesn't cover a pressure issue. We contacted our builder who blames the City. No one wants to accept the blame or fix the water pressure issue that doesn't meet the building code. We are unable to have 2 faucets open at once, the outside tap with a spray nozzle on shower maybe comes out 3 feet, not the expected 6-9 feet. How can any permits be issued in this area, being fully aware that the water pressure doesn't meet the standards.

2) We submitted overhead lighting concerns (street lights) for the other proposed 16 permits on the opposite side of the street and lack of lighting has not yet been address and property lines have been clearly marked in the interim.

3) We identified the need for sidewalks and adding in traffic calming speed bumps for the current traffic in relation to the proposed 16 permits, and no action has been taken. i did identify a simple remedy of traffic calming used by the City of Greater Sudbury on Southview Drive that is very effective year round.

4) Request that any homes being built be of only single family residences and of same quality and workmanship as the current homes in order to maintain our property value.

thank you
Mark Phillips
[REDACTED] Larocque Road

From: Nimit Mittal <[REDACTED]@[REDACTED].[REDACTED]>
Sent: Friday, September 13, 2024 2:08 PM
To: Peter Carello <peter.carello@northbay.ca>
Subject: [EXTERNAL] City of North Bay Letter Dated September 9, 2024 - Proposed Amendment to the Zoning By-law No 2015-30 and application for Approval of a Draft Plan of Subdivision (Resident Concerns)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you validate the sender and know the content is safe. Please forward this email to infosec@northbay.ca if you believe this email is suspicious.

Hi Peter,

Good Afternoon!!

My name is Nimit Mittal and I am a resident of the City of North Bay. My address is [REDACTED] Larocque Road, North Bay P1B 8G3.

This email is with respect to your letter dated September 9, 2024 regarding Proposed Amendment to the Zoning By-law No 2015-30 and application for Approval of a Draft Plan of Subdivision.

As per the information shared by the City of North Bay, I welcome the development in the vicinity of my house. However, I am not in support of a "multi-residential dwelling" on Block 50. This is for the following reasons.

1. Increase in vehicular traffic on Larocque Road
2. No public facilities such as sidewalks or multi-use paths on Larocque Road.
3. The existing classification of Larocque Road is a rural road.
4. The people are driving in excess of 20 to 30 Km/hr over the speed limit on Larocque Road.
5. The City has not shared any information on the "type" and its "use" for the multi-residential dwelling. I am very worried that if any student housing apartment or low-cost housing is proposed and approved by the City on Block 50, this will severely impact the resale value of my house.
6. Excess vehicular noise
7. Lack of streetlights along Larocque Road is already causing unsafe situations
8. Block 50 is right behind my house. Having multi-residential dwelling on Block 50 will impact my family privacy.

In my opinion, the best place for a multi-residential dwelling will be the North Bay downtown core. The downtown will provide all the services to the residents including other modes of transportation. By moving the Block 50 development from this area to the downtown core can be a perfect example for the City of North Bay to showcase their intent on revitalizing the downtown core.

Based on my discussions with my neighbors, we strongly discourage a multi-dwelling unit on Block 50.

It is my sincere request to the City of North Bay staff to review this request in greater depth.

Please provide your confirmation that you have received my email for our records.

Thanks,

Regards,

Nimit Mittal

Larocque Rd Zoning By-law Amendment and Subdivision Plan

MAJOR Objections:

1. *No provisions at all for people walking or cycling.* There are no sidewalks or paths along Larocque or Cedar Heights.
2. *Road safety will become a serious problem due to a large increase in traffic.* In addition to the driveways of the newly completed 24 homes fronting on Larocque (~ 30 to 40 vehicles), plus vehicles from the planned 20 to 24 homes on the west side of Larocque, with driveways opposite the newly built ones, (another 30 to 40 vehicles) the two or three streets entering Larocque from the 50 proposed residences (~ 75 vehicles), will create an area of dangerous congestion as noted on the attached "Schedule B." This will be especially a problem in the winter (snow banks = poor visibility) and when school buses are coming and going.
3. *Lot density and lot size is wholly out of character for the Larocque Rd. – Cedar Heights neighborhood.* For example, only ~35 residences now exist from north of the water tower to the end of Larocque Rd., including Delorme and Mantha Roads. Despite the city's intention to develop homes in this area as the reasoning for the "new" water tower, this is not justification to densely pack homes into this area.
4. *Insufficient replacement of destroyed forest habitat.* One small park does not even come close to compensate for this loss. The remaining escarpment forest areas are the cooling lungs of our mostly deforested small city.

Submitted by:
Richard and Christine Page
441 Larocque Rd.

Richard O. Page

Appendix C – Conditions of Approval

File No. 48T-24102

- 1) That this approval expires five (5) years from the date of approval by City Council. If there is an appeal to the Ontario Land Tribunal under section 51 (39) of the *Planning Act*, the five (5) year expiration period does not begin until the date of the order of the Ontario Land Tribunal issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 2) This Draft Approval applies to the Plan of Subdivision prepared by R.D. Miller (Tulloch Geomatics Inc.) and as modified by the City of North Bay as shown on the attached Schedule C dated May 1, 2024 which is comprised of forty-eight (48) low density residential lots, one (1) multi-residential block, one (1) block to be dedicated as a park and five (5) blocks for municipal road allowances.
- 3) That all streets on the Plan of Subdivision be named to the satisfaction of the City of North Bay.
- 4) That no removal of trees be undertaken prior to final approval except: within the proposed road allowance; for survey purposes around the boundary of the Draft Approved Lands and for exploratory soils investigations for the purpose of estimating servicing costs.
- 5) That prior to any above ground works or below ground works occurring on the subject property the Owner is required to enter into a Pre-Servicing Agreement with the City of North Bay, to the satisfaction of the City Engineer.
- 6) That the road allowance included in this Draft Plan shall be dedicated as public highways.
- 7) That any dead ends and open sides of road allowances created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held in trust by the Municipality.
- 8) That prior to signing the Final Plan by the Municipality, the proposed subdivision conform with the Zoning By-law in effect for the Municipality.
- 9) That the Owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage.
- 10) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 11) That the Subdivision Agreement between the Owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
 - a) the Owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction;

- b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development; and
 - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 12) The Owners agrees to pay a Stormwater Management fee of \$2,200 per Lot and that this fee be payable at the time of issuing the Building Permit for each Lot.
- 13) That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, including sidewalks if required, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay.
- 14) A Lot Grading Plan to scale and professionally prepared and be approved by the City of North Bay's Engineering Department. The Plan shall include but not limited to the following:
- a) Lot Boundaries with Dimensions
 - b) Lot Number
 - c) House Address Number (from City Building Department)
 - d) Building Envelope with Main and Basement Finished Floor Elevations Identified
 - e) Garage Envelope with Garage Finished Floor Elevation Identified
 - f) Entrances
 - g) Driveway with Slopes and Finished Elevations
 - h) Driveway culvert location (if applicable)
 - i) Patios, Walks, Planters, Etc.
 - j) Retaining Structures (Engineered if higher than 1m) no bigger than 4.5m
 - k) No fill to be placed prior to the completion of all retaining structures.
 - l) Lot Grading with slopes and finished elevations.
 - m) Drainage ditches or swales with inverts, if applicable.
 - n) Any Easements on the lot.
 - o) A cross-sectional view through the lot (R.O.W. to rear) to supplement the plan identifying the original and proposed features and grades.
 - p) Erosion and sediment controls.

- q) A Private Approach Permit in accordance with By-Law 2017-72.
- 15) As part of the Pre-servicing Agreement or Final Approval, whichever comes first, the Owner agrees to engage the services of a third-party professional at their sole expense to complete a Traffic Study and that any recommendations from such study shall be incorporated into the final Subdivision site design.
 - 16) The Owner must undertake to inform in writing all prospective purchasers of the residential units that the water pressure will be less than MECP Guidelines, which will require that each dwelling to install a booster pump at the Owner's sole expense to obtain household water pressure over 50 psi until such time a booster pumping station is constructed in the area.
 - 17) The Owner agrees to provide a detailed site plan of the proposed plan of development for Block 50 prior to the issuance of a Building Permit. The plan of development shall include details on fencing, landscaping, lighting and parking.
 - 18) That the Owner agrees to convey Block 51 to the Municipality for park or other public recreational purposes.
 - 19) That the Owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.
 - 20) That the Subdivision Agreement between the Owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
 - 21) The subdivision agreement for the subject subdivision application shall include a statement informing the first purchaser of a lot within the subject Plan of Subdivision that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges
 - 22) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
 - 23) That the Owner acknowledges that a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit may be required from the North Bay-Mattawa Conservation Authority. The subject lands are within an area regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulation 162/90. This regulation is pursuant to Section 28 of the Conservation Authorities Act of Ontario.
 - 24) The Owner acknowledges and agrees:
 - a) to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada; and
 - b) should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall

be responsible for the relocation of any such facilities or easements at their own cost.

- 25) That the Subdivision Agreement between the Owner and the Municipality contain a Special Provision with wording acceptable to TransCanada Pipeline to ensure that:
- a) All permanent structures and excavations shall be located at least 7m from the limited of TransCanada's right-of-way. Accessory structures and lots with side yards abutting the right-of-way shall have a minimum setback of at least 3 metres from the limit of the right-of-way.
 - a) If a pipe replacement is necessary because of the subdivision proposal, temporary work room shall be granted to TransCanada on the terms and conditions to be (or as) negotiated. This work room shall be adjacent to the existing easement and may be 15m wide. No grading or landscaping of the workroom should be undertaken until the replacement has been completed.
 - b) All crossings of TransCanada's right-of-way by roads, access ramps, trails or pathways, and above or below ground services and utilities must have TransCanada's prior authorization. The crossing applicant will be required to sign a crossing agreement that will be binding on all subsequent owners of the crossing. Furthermore, in accordance with the National Energy Board Act, an applicant is required to obtain crossing approval from the CSE in Calgary before final registration of the subdivision and before the start of any work within the subdivision. The owner agrees to meet all clearance and design requirements outlined in the crossing agreement has the NEB Pipeline Crossing Regulations.
 - c) Any grading not otherwise permitted by the NEB Act or Crossing Regulations Part 1, that will affect the right-of-way or drainage onto it, regardless of whether or not the grading is conducted on the right-of-way, must receive TransCanada's prior written approval. Grading activities on the right-of-way will only be permitted when a TransCanada representative is present to inspect and supervise them.
 - d) The Owner shall contact TransCanada for written approval prior to the commencement of construction works for any blasting undertaken within 300m of the right-of-way. Prior to any blasting being undertaken within 60m of the right-of-way, a report on the methods and charges to be used must be prepared, at the owner's expense, by a qualified blasting engineer and submitted for TransCanada's written approval. Blasting within 30m of a federally regulated pipeline is prohibited by the NEB (National Energy Board).
 - e) Permanent fencing shall be erected and maintained by the landowner on the south-west portion which abuts TransCanada's right-of-way. The fence erected must meet TransCanada's and the Municipalities specifications concerning type, location, and height. The Owner shall notify TransCanada 3 business days prior to any excavation for fence posts located on or within 30m of the pipeline right-of-way.
 - f) TransCanada will install markers to identify the location of its facilities and right-of-way. TransCanada's Regional Office may approve alternate signage to identify the pipeline right-of-way.

- g) Section 112 of the National Energy Board Act requires that anyone excavating with power-operated equipment or explosives within 30m of the pipeline must obtain leave from the National Energy Board before starting any work. To satisfy this NEB requirement, you may send your request for leave directly to TransCanada with supporting information explaining how the work will be carried out. Once you obtain written approval for your excavation request, you must notify TransCanada at 1-800-827-5094 three business days before the start of any excavation using power-operated equipment and seven business days before the use of explosives within 30 metres of the pipeline right-of-way limits.
- h) No fill or building material may be stored on the pipeline easement before, during or after any construction unless prior written approval is obtained from TransCanada.
- i) During construction of this site, temporary fencing must be erected and maintained along the limits of the right-of-way by the owner(s) to prevent unauthorized access by heavy machinery. The fence erected by meet TransCanada's specifications concerning type, height and location. Please note that Section 112 of the NEB Act states that "...no person shall operate a vehicle or mobile equipment across a pipeline unless leave is first obtained from the company..." The Owner is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction.
- j) Notice must be given to TransCanada directly (1-800-827-5094) or through Ontario One Call (1-800-400-2255) a minimum of three business days before the start of any construction on or within 30m of the pipeline right-of-way and 7 business days minimum advance notice for any work involving explosives.
- k) TransCanada will be performing engineering assessment on this site to determine whether or not a pipe replacement will be necessary. TransCanada is regulated by the National Energy Board and CSA Code Z662. If this development increases the population density in the area, TransCanada may be required to replace it pipeline to comply with Code Z662. Therefore, a development or site plan must be submitted to TransCanada at the applicant's earliest convenience to enable TransCanada to determine whether a pipe replacement is required and to allow TransCanada enough time to make the necessary arrangements with the owner, the National Energy Board and any other interested parties.
- l) TransCanada has existed cathodic protection test stations in the area. They are fully operational at this time and will be tested following construction. Any damages due to construction must be repaired at the owner's expense.
- m) When an owner/developer requests changes in the configuration of TransCanada's pipeline, he or she must enter into an agreement with TransCanada to pay for all costs associated with the required configuration changes to the pipelines. The specific terms and conditions of the agreement shall be negotiated prior to final execution. This agreement must be executed by both parties prior to approval of the final plan for registration.
- n) The developer or Owner must invite TransCanada to a pre-job meeting prior to any construction at this site. At this meeting, TransCanada must be given

the opportunity to make a presentation to all job supervisors responsible for construction on this project. This presentation will be a maximum of 30 minutes in length.

- o) TransCanada's prior approval must be obtained for the Site Plans for the permanent structures to be erected on the common element Block, which are encumbered by, or are adjacent to TransCanada's right-of-way.
 - p) Three copies of any registered plans for this condominium and a registered copy of the development agreement must be sent to TransCanada.
 - q) The Owner shall ensure through all contacts entered into, that all contractors and subcontractors are aware of and observe the foregoing conditions
 - r) The Owner shall include notice of the following in all offers of purchase and sale:
 - i. Notice of the easement agreement registered against the property (or near the property) which may affect development activities on the property;
 - ii. Notice of the 30m safety zone (Section 112 of the National Energy Board Act) as regulated by the National Energy Board;
 - iii. The number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
 - iv. The setback for all permanent structures and excavations from the limits of the right-of-way; and
 - v. The regional office contact number (1-800-827-5094)
 - s) All display plans in the lot/home sales office shall identify the TransCanada pipeline right-of-way corridor.
- 26) The Owner agrees that any third party professional engaged to provide consulting services shall inspect the property following construction to confirm that their recommendations were incorporated into the built form. The third party consultant shall provide a letter to the City with this confirmation at the Owner's sole expense.
- 27) That before City Council's Final Approval is given, the Council shall be advised in writing by the City of North Bay's Infrastructure and Operations Division how Conditions No. 11-16 have been satisfied.
- 28) That before City Council's Final Approval is given, the Council shall be advised in writing by the Manager of Parks how Condition No. 18 has been satisfied.
- 29) That before City Council's Final Approval is given, the Council shall be advised in writing by Canada Post Corporation how Condition No. 19 has been satisfied.
- 30) That before City Council's Final Approval is given, the Council shall be advised in writing by the North Bay-Mattawa Conservation Authority how Condition No.23 has been satisfied.

NOTES

- 1) We suggest you make yourself aware of the following:
 - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
- 2) Prior to any construction, the Owner should contact the North Bay Mattawa Conservation Authority to discuss specific concerns identified by the Conservation Authority.
- 3) Prior to any construction, the Owner/Developer should contact the Ministry of Environment, Conservation and Parks (MECP) to determine if Species at Risk and/or their habitat is present in the general vicinity of the development area.
- 4) An electrical distribution line operating below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on wood poles supporting conductors stating "*Danger – Overhead Electrical Wires*" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
- 5) Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.
- 6) We recommend you make yourself aware of applicable Federal and Provincial laws regarding construction in proximity to waterbodies.
- 7) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of

communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).