



City of North Bay Report to Council

Report No: CSBU-2025-003

Date: January 15, 2025

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Official Plan and Zoning By-law Amendment Applications - 0 Birchs Road
(Unaddressed) - Lidrani Holdings Ltd

Closed Session: yes no

Recommendation

1. That the proposed Official Plan Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc. to amend the Official Plan Designation for the property legally described in Appendix A to Report to Council No. CSBU 2025-003 and as shown on Schedule B from "General Industry" to "Residential" be approved; and
2. That the proposed Zoning By-law Amendment by Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc. to amend the zoning for the property legally described in Appendix A to Report to Council No. CSBU 2025-003 and as shown on Schedule C from a "General Industrial (M2)" zone to a "Residential Holding (RH)" zone be approved.

Background

Site Information

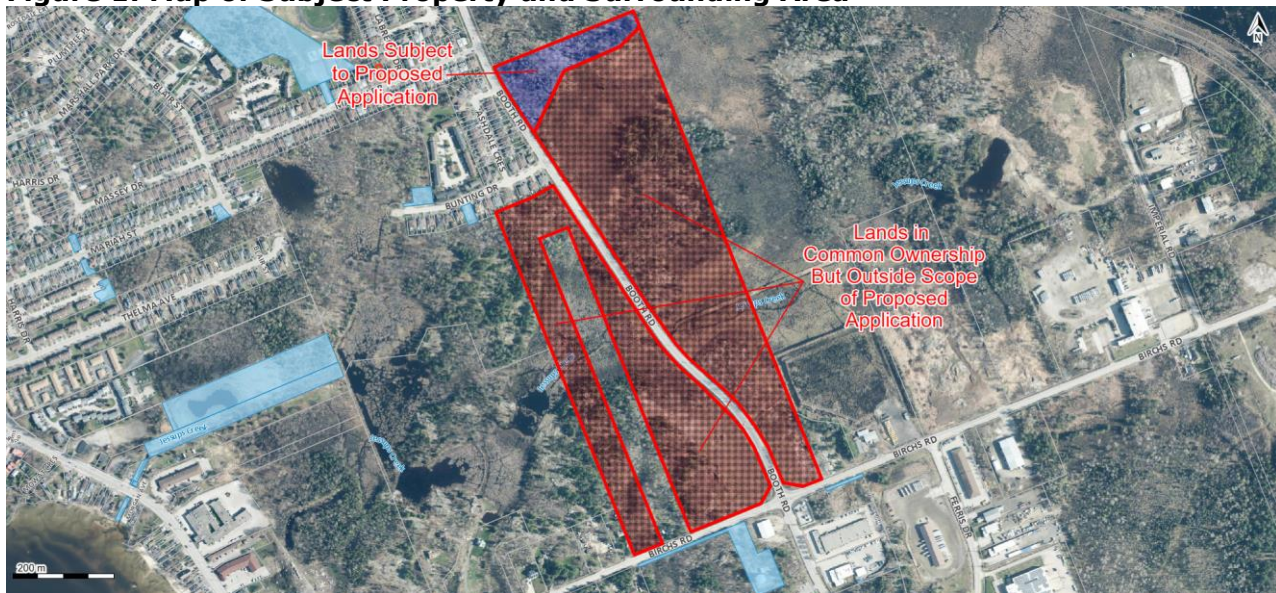
Legal Description: See Appendix A

Site Description:

The subject property is an existing lot of record at the intersection of Booth Road and Birchs Road. It is an irregularly shaped parcel that is divided by Booth Road, as shown below and on attached Schedule A.

It is designated "General Industry" by the Official Plan and is zoned "General Industrial (M2)" under the City's Zoning By-law No. 2015-30.

Figure 1: Map of Subject Property and Surrounding Area



The application only pertains to a portion of the property, as shown on the attached Schedule B. The entire property is approximately 31.124 hectares in area; the application pertains to 2.45 hectares of the property. The property has road access in several locations; the area subject to the proposed application pertains to approximately 150 metres of frontage along Booth Road.

The property is divided by watercourses (Jessups Creek) and Provincially Significant Wetlands (PSW). These natural features create separation within the land, resulting in a more fragmented layout.

The subject property was recently approved for a Consent to Sever. This approval is conditional upon the Official Plan and Rezoning applications being approved. If the Consent to Sever approval is perfected, the lands subject to the Official Plan and Zoning By-law applications would be severed from the remainder of the property. This severed portion of property would then be added to the adjacent residentially designated and zoned property to the north.

Surrounding Land Uses:

The property is located in a mixed-use neighbourhood. The subject lands are part of the border between industrially and residentially designated lands.

Properties to the north and to the west are residential. Residential uses in these areas are predominantly single-detached and semi-detached dwellings. There are also a small number of townhouse and apartment units in the general area.

Lands to the south and to the east are industrial in nature. Some of these uses include various forms of manufacturing/processing, two industrial malls and transportation terminals.

There are some commercial uses in the larger area along Lakeshore Drive, including hotels and restaurants.

Proposal

Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc., has submitted an Official Plan Amendment and a Zoning By-law Amendment application for an unaddressed lot at the intersection of Birchs Road and Booth Road. The applications pertain to only to a portion of the lot, as shown on the attached Schedule A and Schedule B.

The proposed Official Plan Amendment would change a portion of the property's Official Plan designation from "General Industry" to "Residential".

The proposed Zoning By-law Amendment would rezone a portion of the property from a "General Industrial (M2)" zone to a "Residential Holding (RH)".

The purpose of the application is to allow for the eventual residential development of the subject lands.

The requested RH zone would not define the density of the proposed future residential use. An RH zone only allows one dwelling to be constructed. A future Planning Act application will be required to allow for the full development of the subject lands.

Summary

The subject property is a large, irregularly shaped lot located within the Settlement Area at the intersection of Birchs Road and Booth Road. If the applications were to be approved, the subject property would be separated from the larger parcel and added to an adjacent residential lot.

The property has watercourses and Provincially Significant Wetlands that create portions of land on the property that seem distinct and separate from the rest of the property. Jessups Creek travels across the property under Booth Road, which effectively separates the northern part of the property from the southern part of the property. The lands subject to these applications are north of the PSW and Jessups Creek.

The area is mixed use, with residential uses to the north and to the west; industrial uses are found to the south and to the east.

The subject property spans both types of uses. This portion of land subject to the Official Plan and Zoning By-law Amendment applications is closest to the residential development in the area. The bulk of the property to the

south is in the area closest to the industrial uses. As a result, it is my opinion that the proposed applications would align the use of property with the adjacent residential lands.

Given the location of the Provincially Significant Wetland (PSW) and Jessups Creek on the property, the natural heritage features act as a buffer that separates the residential and industrial uses.

It is my professional opinion that the proposed Official Plan Amendment and Zoning By-law Amendment is in conformity with the Official Plan and the Growth Plan for Northern Ontario (GPNO 2011) and the end use is consistent with the Provincial Planning Statement (PPS 2024).

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 Official Plan and Zoning By-law Amendment applications conform with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

Provincial Planning Statement (PPS 2024)

The current Provincial Planning Statement issued by the Provincial government came into effect on October 20, 2024. This proposal has been reviewed in the context of the Provincial Planning Statement (PPS 2024).

The new Provincial Planning Statement has a heavy focus on the construction of new residential dwellings. The opening two paragraphs of the PPS 2024 are as follows:

Vision

Ontario is a vast, fast-growing province that is home to many urban, rural and northern communities distinguished by different populations, economic activity, pace of growth, and physical and natural conditions. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031.

Ontario will increase the supply and mix of *housing options*, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of *housing options* will support a diverse and growing population and workforce, now and for many years to come.

These paragraphs indicate the Provincial Government’s heightened emphasis on taking steps to construct new homes. The proposed applications would facilitate the potential development of new housing units, consistent with this vision.

The PPS 2024 contains policies that encourage compatibility between different land uses in order to minimize the potential for conflict between employment lands and sensitive land uses, such as residential uses. Relevant policies from the PPS outlining this objective are excerpted below:

2.8.1.1 Planning authorities shall promote economic development and competitiveness by:

...

e) addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*.

2.8.1.3 In addition to policy 3.5, on lands within 300 metres of *employment areas, development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned *employment areas*, in accordance with provincial guidelines.

The subject neighbourhood is already in the position of having employment lands directly abut a sensitive land use (residential). The proposed applications would shift the location where the boundary between these two uses is placed.

The Provincially Significant Wetlands and watercourse would provide physical separation between the industrial and residential uses, serving as a form of a mitigation measure, consistent with the above policies of the PPS 2024.

The specific form of development is not identified at this time for either the industrial or residential uses. Once the type of development is known, the City will be able to implement other buffering measures, if they are necessary and as they are deemed appropriate.

Provincially Significant Wetlands are considered by the PPS 2024 to be a Natural Heritage Feature. The lands subject to the applications are adjacent to the Natural Heritage Feature. The PPS provides direction to the manner that lands adjacent to PSWs can be developed. Section 4.1.8 of the PPS states:

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The following passage was included within the supporting documentation of the application form:

There are provincially significant wetlands and unevaluated wetlands on-site. The property owner is currently working with a Biologist (FRicorp) to determine the developable portion of the property.

The proposed zoning would create a "Residential Holding (RH)" zone, meaning that the property cannot be developed at this time apart from one single detached dwelling. The full development of the property can only take place once the Holding Zone is removed. The City can withhold the removal of the Holding Zone until the completion of environmental review that demonstrates that there will be no negative impact on the natural features, consistent with Section 4.1.8 of the PPS 2024.

The Provincial Planning Statement does place limitations on the removal of lands from employment areas. Section 2.8.2.5 states:

Planning authorities may remove lands from employment areas only where it has been demonstrated that:

a) there is an identified need for the removal and the land is not required for employment area uses over the long term;

b) the proposed uses would not negatively impact the overall viability of the employment area by:

1. avoiding, or where avoidance is not possible, minimizing

*and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5;
2. maintaining access to major goods movement facilities and corridors;*

c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and

d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

Housing is an identified need for the City of North Bay. These applications and the future development of lands would help address this need.

The area of the lands proposed to be removed from employment areas is approximately 2.5 hectares. This area may be further reduced when the environmental study determines what portion of the property can be developed due to the proximity of the PSW. The subject lands are north of a watercourse, separated from the bulk of property that could accommodate a larger industrial development. Although there is a need for industrial land within the community, this section of land directly abuts and is adjacent to residentially designated land, as shown on Schedule B, and is appropriate for residential development. When added to the property to the north, it represents a larger parcel of land available for new housing within the community.

Given these characteristics, Planning Services does not have any objections to the removal of these lands from the municipal inventory of employment lands.

It is my professional opinion that the end use of the proposed Official Plan and Zoning By-law Amendment applications are consistent with the Provincial Planning Statement (PPS 2024).

Official Plan

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

The Official Plan contains policies that seek to protect sensitive land uses from Employment Lands. Section 2.2.2.1.11 of the Official Plan states that:

To ensure that the development of new employment lands are designed in a manner to avoid public health and safety concerns and to minimize the risk to public health and safety, the Ministry of Environments D-Series Guideline for Land Use Compatibility will be used as a resource for the review of new industrial development. The same review will be undertaken where residential uses are proposed in

proximity to industrial uses.

As previously noted, the subject lands would be north of a Provincially Significant Wetlands and Jessups Creek. These natural features will provide a buffer between the industrial and residential uses.

The specific type of development and the location of the development on the property is not specified at this time. If approved, the subject property would be subject to a future Planning Act application(s). Through this process and at the time of development, staff will ensure that there is adequate separation between the uses.

The City's Official Plan includes policies protecting natural heritage features. The intention of this section of the Official Plan is to mirror the direction given by the Provincial Planning Statement. Part 4 of the Official Plan includes the following passage within the preamble:

Where development is proposed near identified natural heritage features no disturbance of the lands shall be permitted prior to the preparation and acceptance of an environmental impact study by a qualified professional. Where development is proposed near endangered or threatened species, the necessary review and study, as required by the Ministry of Resources [now the Ministry of Environment Conservation and Parks (MECP)] and by statute, shall be required prior to planning approval being given.

The City's Official Plan also identifies that the policies in the City's Official Plan are not intended to be more stringent than the Provincial Policy Statement (now the Provincial Planning Statement 2024) currently in effect. The policies within the PPS 2020 and PPS 2024 related to Natural Heritage have remained the same.

More specific policy is found in Section 4.6 of the Official Plan. The following table is included within the Official Plan to provide natural heritage policy consistent with the Provincial Policy Statement:

Component	Definition	Protection
Lands adjacent to Provincially Significant Wetlands	Lands within 120 metres of the boundary of the Provincially Significant Wetlands as designated on Schedule "3A" as Provincially Significant Wetlands.	Requires an Environmental Impact Study (EIS) with development application. Section 2.1.6 of the PPS -Development and site alteration will not be permitted unless an EIS demonstrates no negative impacts on natural heritage features or ecological functions.

The application states that a biologist has been engaged to determine the development limits of the property. Given that the applicant is proposing to rezone the property to "Residential Holding (RH)" and that a future Planning Act application is required, it is appropriate to consider the overall land use

change (industrial to residential) without an Environmental Impact Study (EIS) being submitted with the application. The future application to determine the overall development of the site will be required to be accompanied by an EIS.

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

Zoning By-Law No. 2015-30

The subject property is presently zoned "General Industrial (M2)". The M2 zone permits the following land uses:

- Automobile Sales, Service, and Leasing Establishments;
- Automobile Service Station;
- Body Shop;
- Brewery, Micro;
- Brewery, Manufacturing;
- Builder's Supply Yard;
- Bulk Sales Establishment;
- Card Lock Gas Facility;
- Contractor's Yard;
- Courier Distribution Depot;
- Data Storage and Processing Firm;
- Distillery, Micro;
- Distillery, Manufacturing;
- Group Home Type 3;
- Industrial Equipment Sales, Service and Leasing Establishment;
- Industrial Class 1;
- Industrial Class 2;
- Laboratory;
- Pet Daycare Facility;
- Production Studio;
- Production Studio & Backlot;
- Recreational Facility;
- Recreational Vehicle Sales, Service, and Leasing Establishment;
- Recycling Centre;
- Self-Storage Use;
- Transportation Terminal;
- Warehouse;
- Waste Transfer Station; and
- Wholesale Uses

The proposed Zoning By-law Amendment would rezone the property to a "Residential Holding (RH)" zone. The RH zone permits those uses within the Rural (A) zone of the City's Zoning By-law.

Planning Staff are recommending that the Holding Zone not be removed until such a time that the Environmental Impact Study is completed.

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, Building Department, Public Works Department, Finance Department and the Ministry of Transportation each offered no concerns or objections.

The Conservation Authority did not offer any concerns to the proposed rezoning. They identified the presence of the Provincially Significant Wetlands and watercourses, which would necessitate that a Development Alteration and Interference with Waterways (DIA) permit would be required from their office. The Conservation Authority did note that it appeared that portions of the property had development capacity.

There were no comments received from the public. A complete copy of this correspondence is attached to this Report as Appendix B.

No other correspondence was received on this file.

Financial/Legal Implications

There are no financial or legal implications to the City.

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:

Approve the proposed Official Plan Amendment and Zoning By-law

Amendment applications.

1. That the proposed Official Plan Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc. to amend the Official Plan Designation for the property legally described in Appendix A to Report to Council No. CSBU 2025-003 and as shown on Schedule B from "General Industry" to "Residential" be approved; and
2. That the proposed Zoning By-law Amendment by Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc. to amend the zoning for the property legally described in Appendix A to Report to Council No. CSBU 2025-003 and as shown on Schedule C from a "General Industrial (M2)" zone to a "Residential Holding (RH)" zone be approved.

Option 2:

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

Recommended Option

Option 1 is the recommended option

1. That the proposed Official Plan Amendment application by Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc. to amend the Official Plan Designation for the property legally described in Appendix A to Report to Council No. CSBU 2025-003 and as shown on Schedule B from "General Industry" to "Residential" be approved; and
2. That the proposed Zoning By-law Amendment by Tulloch Geomatics Inc. on behalf of the property owner, Lidrani Holdings Inc. to amend the zoning for the property legally described in Appendix A to Report to Council No. CSBU 2025-003 and as shown on Schedule C from a "General Industrial (M2)" zone to a "Residential Holding (RH)" zone be approved.

Respectfully submitted,

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

We concur with this report and recommendation.

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

Name: Ian Kilgour, MCIP. RPP
Title: Director, Community Services

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

Personnel designated for continuance:

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

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Official Plan Amendment & Zoning By-law Amendment – 0 Birchs Road (Unaddressed)

Appendix A

PIN 49176-0200 (LT)

PCL 537 SEC WF; LT 37 CON 15 WEST FERRIS EXCEPT LT50463, PT 1, 2 & 3,
36R5509, PT 2, 36R8060, 36M593, 36M605; S/T LT216454, LT237672; NORTH BAY ;
DISTRICT OF NIPISSING

Appendix B – Correspondence

Engineering Dept

We have no requirements or objections with respect to this rezoning.

In the future, should the property owner seek to develop the property, the following may be required:

1. The following engineering civil plans/drawings:
 - a. Servicing Plan
 - b. Grading Plan (existing and proposed grades)
 - c. Street Lighting
 - d. Erosion and Sediment Control
2. A stormwater management (SWM) report is required which meets the City's technical standards for quality and quantity control.
3. A traffic impact study
4. Should service extensions be required in the future, all service extensions will be at the cost of the developer.
5. All engineering designs shall be in accordance with the City's technical standards and industry guidelines.
6. Any work completed on City services and/or on City property/easements will require a Service Contract with the Engineering Department.
7. Any new Private Approaches (entrances and exits) will be required to meet the City's Private Approach By-Law 2017-72.
8. All the drawings and engineering 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.
9. A geotechnical investigation report with recommendations for road construction, if new road construction is contemplated.

The above comments are preliminary with the limited information provided at this time. Upon receiving further details, we will provide further comments including items that may not have surfaced at this phase.

Building Services

Member: Carly Price

Status: Approved

No concerns from Building Services.

Public Works**Member:** Scott Franks**Status:** Approved

No objections to rezoning – For future development, the Applicant must submit any required engineering drawings and reports for further comments

Finance**Member:** Lisa Beaulieu**Status:** Approved

If you are successful in rezoning the property, MPAC will receive a copy of the Zoning-By-Law amendment. We will monitor to ensure that the tax classification of the property is changed to reflect the updated zoning.

MTO**Member:** Diane Villneff**Status:** Approved

The Ministry of Transportation has reviewed the Zoning By-law Amendment and has determined that the subject lands are not located within the MTO's permit control area, therefore, the MTO does not have any comments to provide

NBMCA**Member:** Kevin Taylor**Status:** Approved

This office has received and reviewed the consent for a lot addition and zoning by-law amendment for property located at 0 Birchs Rd and Booth Rd in the City of North Bay. 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 (PPS, 2020) and our regulatory authority under Ontario Regulation 41/24, Sect. 28 and the Clean Water Act 2006.

The northern proposed lot for addition is located within the Parks Creek subwatershed and contains unevaluated and Provincially Significant Wetlands (PSW). The southern portion of the lot is part of the Jessups Creek subwatershed. Both Parks Creek and Jessups Creek are susceptible to flooding and erosion. From the perspective of the PPS 2020 Natural Hazards Policies, development is generally directed away from hazardous lands adjacent to wetlands and watercourses that may be impacted by flooding and/or erosion hazards. The proposed northern portion generally follows the wetland boundary and appears to have room for development. Attached map. Since the proposed development is located adjacent to a PSW we would request that pre-consultation occurs with NBMCA regarding the proposed developable area.

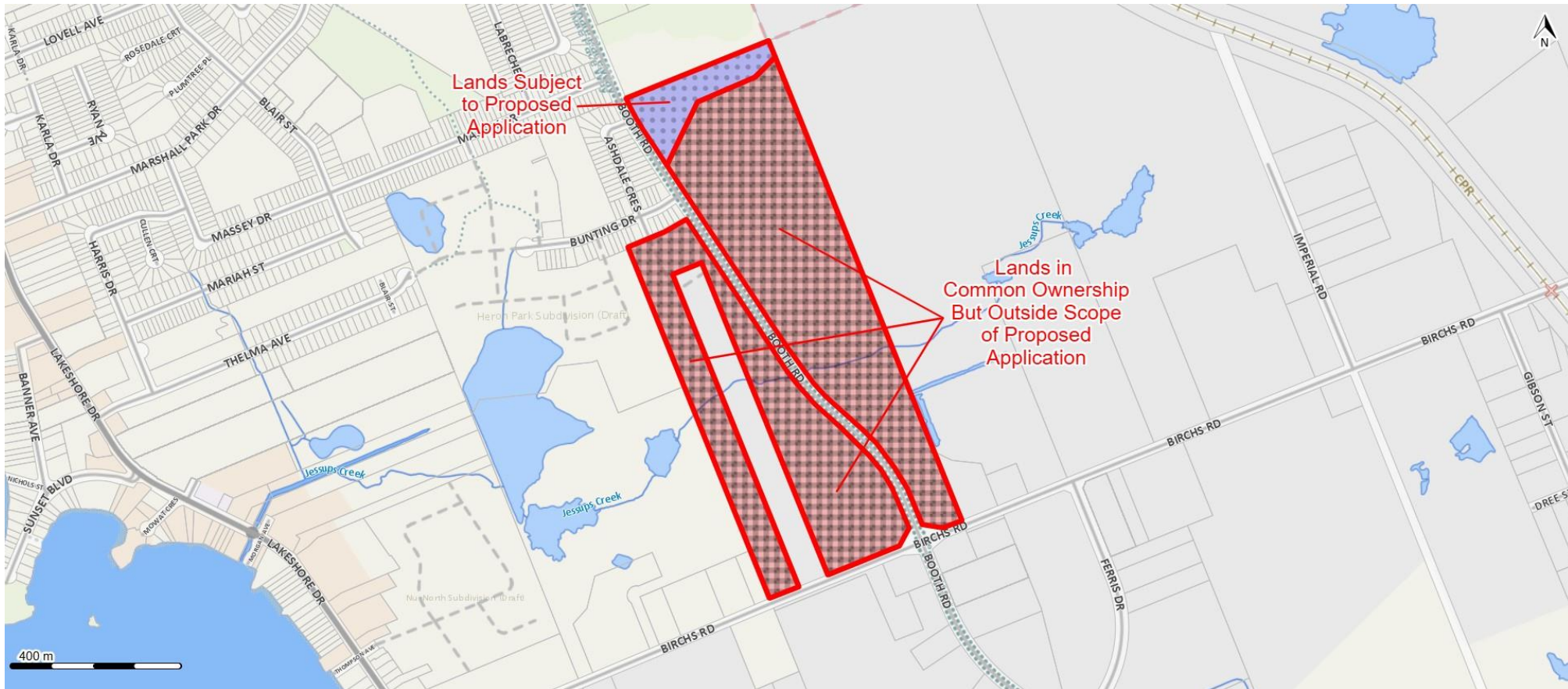
The entire lot and proposed addition is within the NBMCA regulated area under O. Reg. 41/24 and any development would require a Section 28 (DIA) permit from this office prior to undertaking any site alteration activities and/or any construction or renovation work on the subject property.

The Subject Property is not located in a Wellhead Protection Area or Intake Protection Zone. It is not in an Issue Contributing Area so there are no concerns with respect to the Clean Drinking Water Act.

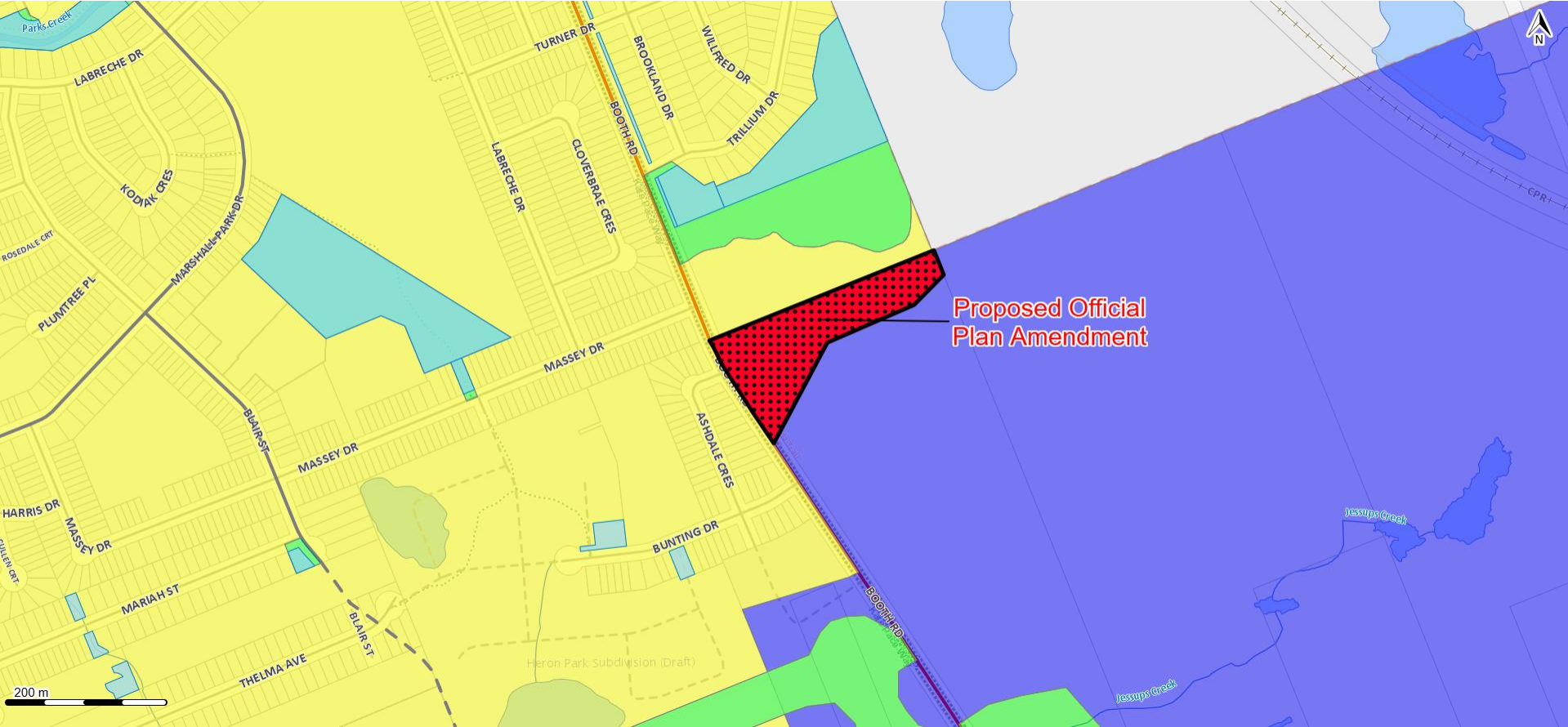
Should you have any questions, please do not hesitate to contact this office at (705) 474-5420. Thank you for letting us comment.

Yours truly, Kevin Taylor: Senior Manager, Planning & Water Resources

Schedule A



Schedule B – Proposed Official Plan Amendment



Schedule C – Proposed Zoning By-law Amendment

