



City of North Bay Report to Council

Report No: CSBU-2025-004

Date: January 16, 2025

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Zoning By-law Amendment Application – 150 Mountainview Drive

Closed Session: yes no

Recommendation

That the proposed Zoning By-law Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of the property owner, Millford Development Limited, to rezone the property legally described in Appendix A to Report to Council No. CSBU 2025-004 and as shown on Schedule A from a “Neighbourhood Commercial (C5)” zone to a “Residential Multiple Second Density Special (RM2 Sp.)” zone be approved.

Background

Site Information

Legal Description:

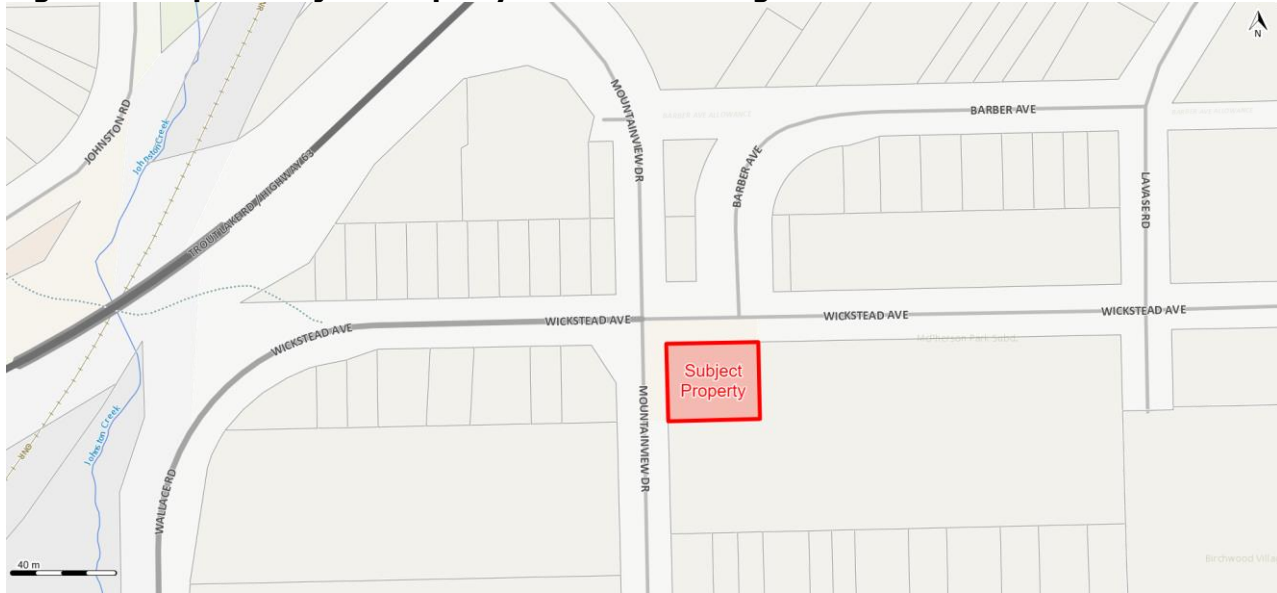
See Appendix A

Site Description:

The subject property is an existing lot of record at 150 Mountainview Drive. It is located at the intersection of Mountainview Drive and Wickstead Avenue, as shown below and on attached Schedule A.

It is designated “Residential” by the Official Plan and is zoned “Neighbourhood Commercial (C5)” under the City’s Zoning By-law No. 2015-30.

Figure 1: Map of Subject Property and Surrounding Area



The property is approximately 1,126.4 square metres in area and has frontage of 30.78 metres along Mountainview Drive, as shown on attached Schedule B. The property is currently developed with a one storey vacant commercial building with three apartment units in the basement. The building was most recently used as a convenience store and a restaurant. The restaurant is currently closed but will reopen in February.

Surrounding Land Uses:

The property is located in a mixed-use neighbourhood. Immediately abutting properties are all residential in nature. The form of residential uses includes low density uses (such as single detached dwellings), apartments and townhouse.

There are various forms of industrial uses located southwest of the subject property. These uses include a manufacturing facility, a transportation terminal and a courier distribution depot.

The larger area has major commercial uses, particularly west of the subject property along Trout Lake Road. This includes grocery stores, an auto sales establishment, gas stations and a strip mall with residential uses above. There is also a small neighbourhood commercial use a little more than 500m to the east of the subject property and several commercial businesses along the shore of Trout Lake.

There are also a number of City parks and recreational facilities found throughout the area. These include Armstrong Park (280m northeast), Circle Lake Playground (500m south) and Pete Palangio Arena (710m southwest) and Optimist Park (810m southwest). There are also a number of formalized and informal walking trails found throughout the area, including Lang Park and Ryan’s Way (a safe train crossing location). All measurements above are approximate and measured in a straightline manner from property line to property line and are intended to give an order of distance from the subject

lands.

Proposal

Goodridge Goulet Planning & Surveying Ltd on behalf of the property owner, Millford Development Limited, has submitted a Zoning By-law Amendment application to rezone the property located at 150 Mountainview Drive.

The application, if approved, would rezone the property from a "Neighbourhood Commercial (C5)" zone to a "Residential Multiple Second Density Special (RM2 Sp.)" zone.

The purpose of the application is to allow the conversion of the commercial portion of the building into residential apartment units.

The Special Zone request would reduce the minimum side yard setbacks to 3.2m along the northerly property line and 2.9m along the southerly property line. The requested application would also reduce the minimum parking standards to 1.25 parking spaces per unit or 9 parking spaces in total for 7 apartment units.

Summary

The proposed Zoning By-law Amendment application proposes to convert an existing neighbourhood commercial use into a small apartment building. If approved, four new apartment units would be constructed, for a total of seven units on the subject property.

Staff reviewed applicable policy documents in the review of the requested rezoning. Both the Provincial Planning Statement and the City's Official Plan encourage the development of different forms of housing stock. These documents also promote the concentration of development within the Settlement Area. The proposed Zoning By-law Amendment would help achieve both objectives.

The City's Official Plan contains policies that allow for small-scale commercial operations within a residential area. In reviewing these policies and evaluating the property's site characteristics, it is my opinion that the subject lands are appropriate for either the proposed apartment use or a commercial use.

The applicant has stated that there is limited demand for this type of commercial development. They specifically referenced the proximity of a similar type of commercial development a short distance to the east of the subject property that serves the day-to-day needs of the residential community.

There was no correspondence received from the public. No objections were

received from any of the internal municipal departments or external agencies who responded to the proposed Zoning By-law Amendment.

For these reasons stated above, Planning Staff has no objections to the requested change in usage.

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

Provincial Planning Statement (PPS 2024)

A new Provincial Planning Statement (PPS 2024) was recently issued by the Provincial Government. The new PPS 2024 is applicable to all decisions made on planning matters on or after October 20, 2024. This proposal has been reviewed in the context of the Provincial Planning Statement (PPS 2024).

All recent versions of the PPS have made the concentration of new

development within the Settlement Area a primary objective. The new PPS 2024 includes similar objectives. Section 2.3.1 of the PPS 2024 states:

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. *Land use patterns* within *settlement areas* should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned *infrastructure* and *public service facilities*;...
3. *Planning* authorities shall support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.

The subject property is located in a fully built-up part of the City with access to the complete range of public services. The proposed Zoning By-law Amendment would redevelop an existing building that is currently underutilized, resulting in greater density within the City's urban area.

The new PPS 2024 has placed a significant emphasis on the development of new housing, particularly within a community's Settlement Area. There are a number of passages throughout the document that outlines this general objective. Excerpts of the PPS 2024 stating this goal are outlined below:

- 2.1.6 Planning authorities should support the achievement of *complete communities* by:
 - a) accommodating an appropriate range and mix of land uses, *housing options*, transportation options with *multimodal access*, employment, *public service facilities* and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- 2.2.1 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected 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 wellbeing requirements of current and future

residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and

2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment*, which results in a net increase in residential units in accordance with policy 2.3.1.3;

c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*;

For additional context, Housing Options is defined by the PPS 2024 as follows:

Housing options: means a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments. 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*, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

The intent of these policies is to try to provide the largest range of housing choices as possible. By doing so, it allows residents to find housing that meets their individual life circumstances.

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

Official Plan

The property is currently designated "Residential" in the City of North Bay's Official Plan. However, up until the recent closure of the existing businesses, the primary use of the property had been commercial.

The City's Official Plan includes policies that allow the placement of limited commercial spaces and uses within a Residential designation. This type of commercial use is called a "Neighbourhood Commercial" use both within the Official Plan and a "Neighbourhood Commercial (C5)" zone in the Zoning By-

law.

Section 2.2.1.6 of the City's Official Plan provides policies related to Neighborhood Commercial uses. This section of the Official Plan is as follows:

2.2.1.6 Neighbourhood Commercial

Neighbourhood commercial developments are intended to serve the day to day needs of the local population in residentially designated areas.

The subject property is suitable as a Neighbourhood Commercial use. However, the property owner has indicated that the area has sufficient access to commercial spaces, including the major commercial sector along Trout Lake Road and a smaller neighbourhood commercial zone of a very similar nature approximately 500m from the subject property. This latter use serves a very similar function and caters to the same residents as the subject property.

Given these site characteristics, the applicant has indicated that the commercial use on the subject property is redundant and does not serve the purpose intended by the above noted policies of the Official Plan. As a result, the applicant has stated that it has proven challenging to maintain commercial tenants at this location and is the reason they have submitted the proposed Zoning By-law amendment.

The City's Official Plan contains several policies that encourages development to take place within the Settlement Area on public services. This general objective is stated several times in the Official Plan. Some examples are cited below.

1.4.2 Guiding Principles

North Bay endorses the principles of "smart growth" by concentrating growth within the Settlement Area in a manner that new development has easy access to employment lands, commercial lands, residential lands, parks, trails and public transit. North Bay continue the practice of concentrating growth within the Settlement Area in a manner that allows new development to have easy and efficient access to employment, residential, commercial and park areas.

...

Environmental sustainability will be achieved by concentrating urban built form within the Settlement Area and through infilling, intensification, and reclamation of brownfields.

2.1 Settlement Area Policies

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.

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 intention of these policies are to maximize use of public services while reducing the amount of land required to house local residents.

The subject property is located in a built-up area of the community. The property benefits from access to the full range of public services. It is in close proximity to a number of City parks, employment and commercial lands. The structure is underutilized at this point, with the commercial portion of the structure is currently vacant.

If approved, the proposed rezoning would support the intensification of the use of this property, consistent with the above noted policies of the Official Plan.

In my professional opinion, the proposed Zoning By-law Amendment conforms to the City of North Bay's Official Plan.

Zoning By-Law No. 2015-30

The subject property is presently zoned "Neighbourhood Commercial (C5)". The C5 Zone permits the following land uses:

- Brewery, Micro;
- Convenience Store;
- Day Nursery;
- Distillery, Micro;
- Dry Cleaning Depot;
- Office, Professional
- Personal Service Establishment;
- Pet Grooming;
- Pharmacy;
- Places of Worship;
- Post Office;
- Restaurant;
- Retail Store, Local;
- Specialty Food Store

The applicant is proposing to rezone the property to a "Residential Multiple Second Density Special (RM2 Sp.)" zone. The proposed RM2 Sp. zone would permit the following land uses:

- Apartment Dwellings;

- Boarding, Lodging or Rooming House;
- Group Home Type 2;
- Accessory Non-Residential Use;
- Parks, Playgrounds and Non-profit uses;
- Day Nursery;
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

The Special Zone request would reduce the minimum side yard setbacks to 3.2m along the northerly property line and 2.9m along the southerly property line. The requested application would also reduce the minimum parking standards to 1.25 parking spaces per unit or 9 parking spaces in total for 7 apartment units.

The subject property is able to meet all other regulations of the Zoning By-law.

Correspondence

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to several municipal departments and agencies that may have an interest in the application. In terms of correspondence received from these departments and agencies, the Planning Department received the following comments:

Of the agencies that provided comments, the Engineering Department, Building Department, Public Works Department, Ministry of Transportation, and North Bay Mattawa Conservation Authority each offered no concerns or objections.

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 obligations to the City at this time.

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 Zoning By-law Amendment application.

That the proposed Zoning By-law Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of the property owner, Millford Development Limited, to rezone the property legally described in Appendix A to Report to Council No. CSBU 2025-004 and as shown on Schedule A from a "Neighbourhood Commercial (C5)" zone to a "Residential Multiple Second Density Special (RM2 Sp.)" zone be approved.

Option 2:

Deny the proposed Zoning By-law Amendment application. This option is not recommended for the reasons outlined in this report.

Recommended Option

That the proposed Zoning By-law Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of the property owner, Millford Development Limited, to rezone the property legally described in Appendix A to Report to Council No. CSBU 2025-004 and as shown on Schedule A from a "Neighbourhood Commercial (C5)" zone to a "Residential Multiple Second Density Special (RM2 Sp.)" 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

Appendix A

PIN 49143-0011 (LT)

PCL 5869 SEC WF; LT 133 PL M188 Widdifield; LT 134 PL M188 Widdifield; LT 135 PL M188 Widdifield S/S of Wickstead AV, S/T, If Enforceable, Execution LT230566; North Bay; District of Nipissing

Appendix B – Correspondence

Engineering Dept

Member: Jonathan Kapitanchuk

Status: Approved

1. The following engineering civil plans/drawings are potentially required:
 - a. Site Servicing through a service contract (if any new services are being proposed and/or existing services are being upgraded/retired); and
 - b. Grading Plan through the Building Permit process for the improvements to the parking lot (if there are any site grading alterations or external site work being proposed).
2. All the drawings (if required) 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.
3. The developer must enter into a Service Contract with the Engineering Department for any services, restoration work or work in general on City property.
4. Private Approaches (entrance and exits) will need to meet the City's Private Approach By-Law 2017-72.

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

Building Services

Member: Carly Price

Status: Approved

No concerns with proposed rezoning to support a change of use from commercial use (retail) to residential.

- Building permit fees to be assigned based on value of construction, and calculated at a rate of \$11.23 per \$1,000.00 value of construction or part thereof
- Please allow 15 business days from complete permit application submission for plan review and permit application processing. Incomplete applications are not subject to the timeframes prescribed by OBC Division C, Article 1.3.1.3.
- Construction drawings shall be provided by a qualified BCIN Designer; alternatively, construction drawings may be provided by an Architect and/or Professional Engineer of Ontario
- Building permit cannot be issued until a Site Plan Control Agreement, if applicable, has been approved and registered on title for the proposed development
- Residential suites shall comply with OBC 9.5 for design of areas, spaces and doorways, and OBC 9.7.2.3 for minimum natural light provisions for rooms
- A Record of Site of Condition (RSC) will be required at the time of development/conversion to a residential use.

Public Works

Member: Scott Franks

Status: Approved

No concerns from Roads or Traffic.

MTO

Member: Jamie Gauvreau

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

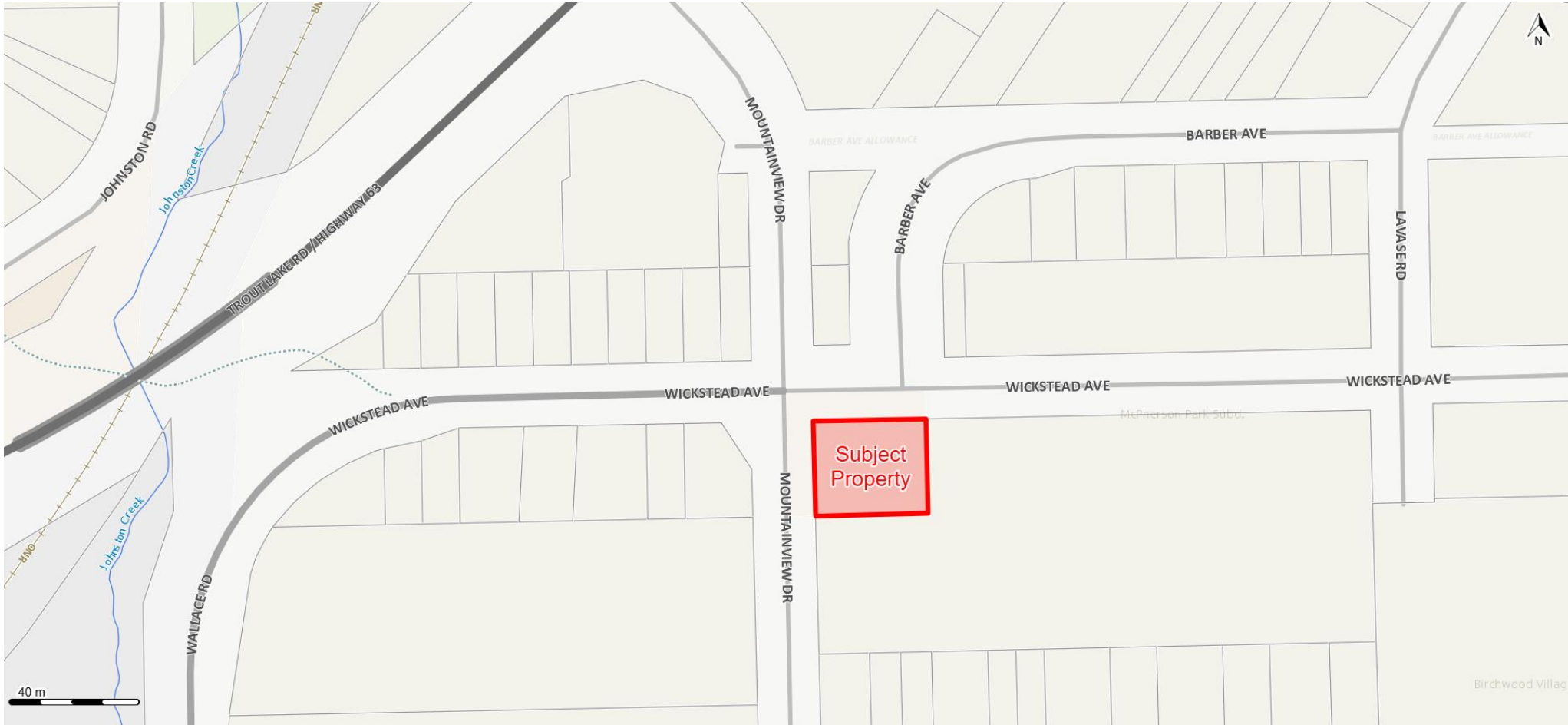
Status: Approved

This office has received and reviewed a Zoning By-law Amendment for 150 Mountainview Rd. 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 and the Clean Water Act, 2006.

The subject property is located within the Parks Creek subwatershed. The North Bay–Mattawa Conservation Authority mapping does not indicate any known hazards. The property is outside the Approximate Regulated Area and outside of the Intake Protection Zone for safe drinking water. We have no objections to the proposed rezoning and offer the following comments. We would request that some permeable areas are preserved where possible and/or Low Impact Development methods are considered to allow groundwater recharge and lessen surface runoff during precipitation events.

Should you have any questions regarding the above, please do not hesitate to contact us this office at 15 Janey Ave, North Bay, ON or (705) 474-5420. Thank you for allowing us to comment. Yours truly, Kevin Taylor Senior Manager: Planning and Water Resources

Schedule A



Schedule B

