

City of North Bay Report to Council

Report No: CSBU-2025-030

Date: May 9, 2025

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Zoning By-law and Official Plan Amendments by Goodridge Goulet
Planning & Surveying Ltd. on behalf of 9739041 Canada
Corporation – 331 Pinewood Park Drive

Closed Session: yes ☐ no ☒

Recommendation

1. That the proposed Official Plan Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to amend Schedule 1 of the Official Plan to extend the Settlement Boundary to encompass the property legally described in Appendix A and Appendix B to Report to Council No. CSBU 2025-030 be approved;
2. That the proposed Official Plan Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to amend the Official Plan Designation from “Rural” to “Arterial Commercial” for the property legally described in Appendix A and Appendix B to Report to Council No. CSBU 2025-030 be approved;
3. That the proposed Zoning By-law Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to rezone the property from a “Rural General (A)” zone to a “Arterial Commercial (C6)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2025-030 be approved; and
4. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Background

Site Information

Legal Description: See Appendix A

Site Description: The subject property is an existing rural lot of record fronting on Decaire Road and Pinewood Park Drive, located across from Cascades/Gateways Casino, as shown below and on attached Schedule A.

The property located in the rural area and is outside of the Settlement Area as shown on Schedule 2 of the Official Plan. It is designated "Rural" by the Official Plan and is zoned "Rural General (A)" under the City's Zoning By-law No. 2015-30.

Figure 1: Map of Subject Property and Surrounding Area



The property has an existing lot area of 15.06 hectares and lot frontage of 269 metres on Decaire Road, as shown on attached Schedule B. The property is developed with one single detached dwelling.

Surrounding Land Uses:

The subject property is in an area that is largely commercial in nature. All properties along Pinewood Park Drive north of the lands subject to this application are zoned "Arterial Commercial (C6)" and the uses are largely consistent with this zoning. This includes restaurants, a gas bar, a hotel and some small retail locations.

Pinewood Park Golf Course is just north of the subject property.

There are a number of vacant industrially zoned lands on the east side of Pinewood Park Drive to the southeast of the subject property.

There are also a number of residential units built to a rural residential

standard found throughout the area.

Proposal

Goodridge Goulet Planning & Surveying Ltd. has submitted concurrent Official Plan Amendment and Zoning By-law applications on behalf of 9739041 Canada Corporation. The purpose of the Official Plan Amendment application is to bring the subject lands into the City's Settlement Area and to change the Official Plan designation from "Rural" to "Arterial Commercial". The purpose of the Zoning By-law Amendment application is to re-zone the subject property from a "Rural General (A)" zone to an "Arterial Commercial (C6)" zone.

The intent of the concurrent applications is to allow for the commercial development of the subject lands in the future at an urban density level. The applicant has also stated that it would be their intention to sever the subject lands into three commercial lots in the future.

The City of North Bay owns lands adjacent to the subject property, as shown on Schedule A. Considering that the application, if approved, would result in the City property being surrounded on all four property lines by lands within the Settlement Area, it is staff's recommendation that the City's property should be brought into the Settlement Area as well. The property's zoning, which controls what can be constructed on a site, would not be amended.

Summary

The proposed Official Plan would bring the subject property into Settlement area and change the property's Official Plan designation from "Rural" to "Arterial Commercial". The concurrent Zoning By-law Amendment application would rezone the property to an "Arterial Commercial (C6)" zone. The combined purpose of these applications is to allow for the commercial development of the subject lands at an urban density.

If the Official Plan Amendment is approved by City Council, the subject lands and an adjacent parcel of municipally owned lands would be brought into the Settlement Area. This would allow the property to connect to municipal services, which are now available in the area. Development on full municipal services is considered encouraged by both the Provincial Planning Statement (PPS) and the City's Official Plan, meaning that this proposed change is generally desirable.

The Provincial Planning Statement also includes policies that provide parameters for adding new lands to the Settlement Area. As discussed in the PPS section of this report, the subject property is consistent with these policies.

The Zoning By-law Amendment would allow the subject property to be

developed with uses outlined in the City's "Arterial Commercial (C6)" zone. In reviewing the composition of the neighbourhood, the proposed C6 use is appropriate and consistent with other uses found in the area.

The City-owned property would not be rezoned. Any changes to the future use of the City property would be subject to a future rezoning application and to the direction of City Council.

There were no concerns expressed by any of the circulated agencies or departments. There were also no comments on the application from any member of the public.

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 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 professional opinion that the proposed development conforms with the City's Official Plan.

In my professional opinion, the proposed Official Plan Amendment and 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)

The current Provincial Planning Statement (PPS 2024) 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 Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. Excerpts of the PPS 2024 applicable to this application are outlined below.

The PPS 2024 provides direction specifically related to the expansion of Settlement Areas. Section 2.3.2 (New Settlement Areas and Settlement Area Boundary Expansions) states the following:

- 1. In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities shall consider the following:*
 - a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;*
 - b) if there is sufficient capacity in existing or planned infrastructure and public service facilities;*
 - c) whether the applicable lands comprise specialty crop areas;*
 - d) the evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*
 - e) whether the new or expanded settlement area complies with the minimum distance separation formulae;*
 - f) whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and*
 - g) the new or expanded settlement area provides for the phased progression of urban development.*
- 2. Notwithstanding policy 2.3.2.1.b), planning authorities may identify a new settlement area only where it has been demonstrated that the*

infrastructure and public service facilities to support development are planned or available.

The proposed Official Plan Amendment application to bring the subject property into the Settlement Area is generally consistent with these policies.

The area in question has undergone changes in recent years. The construction of a new casino has created a new demand generator in the Pinewood Park Drive area. This new use has created the opportunity for commercial uses that could both support and enhance existing developments in the area. The proposed applications would create new vacant commercial lands that could accommodate a number of uses that would be compatible with and complementary to those existing uses.

The area does not have any agricultural uses or livestock that would be impacted by the commercial development of these lands.

Planning staff consulted with the Engineering Department regarding service capacity in the area. The Engineering Department confirmed that there is sufficient capacity to accommodate the urban development of these lots.

The PPS 2024 does not provide policies specifically related to the development of new commercial lands. However, it does include policies pertaining to the development of the local economy. Section 2.8.1 of the PPS 2024 is as follows:

- 1. Planning authorities shall promote economic development and competitiveness by:*
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
 - d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
 - e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

The proposed applications and the developments that would eventually take place on the subject lands would support the above noted policies in that they would result in new investment and employment opportunities for the private sector.

The PPS 2024 encourages development to take place on public services whenever possible. Section 3.6.2 of the PPS 2024 is as follows:

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.

The proposed applications would result in the subject lands hooking into municipal sewer and water services, consistent with the above noted policies.

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

Official Plan

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

The proposed Official Plan Amendment seeks to bring the subject lands into the Settlement Area and redesignate them as "Arterial Commercial."

The Official Plan outlines specific policies for lands designated as Arterial Commercial. Section 2.2.1.4 provides historical context and a policy framework for these areas. Key policy excerpts include:

Commercial uses along North Bay's arterial roads evolved as a result of the amalgamation of three communities. North Bay's original Official Plan attempted to manage the continued growth of these areas in a manner that would not compete with regional and district commercial areas. Their primary function was to service the needs of the traveling public. It is now contemplated that the permitted uses along Arterial roads should be made more flexible for these areas to achieve viability, while at the same time respecting the commercial hierarchy of this Plan.

This designation applies to limited areas fronting on certain arterial roads, as shown on Schedule "1", that because of location and accessibility are most suited to commercial uses relying on vehicular traffic for most of their business. Existing commercial uses located along arterial roads are primarily a result of the historical use of these roads as primary or secondary highways.

The intent of the Plan is to consolidate as much of this type of development as possible within present limits before allowing extensions into other areas to recognize existing uses and to provide limited flexibility to ensure viability.

Additional commercial uses beyond those designated on Schedule "1" will only be permitted by an amendment to the Official Plan. Such an amendment will only be considered if it has been adequately demonstrated by the developer and to the satisfaction of the City that it is not feasible to locate in other designated commercial areas and that the new commercial development will be compatible with surrounding land uses.

The subject lands align with this vision. Historically, the property had frontage along a former highway (Highway 11N) and the proposed "Arterial Commercial (C6)" zoning is consistent with the existing uses in the area.

The remainder of this section of the Official Plan speaks to the manner in which the lands would be used. The list of permitted uses in a standard "Arterial Commercial (C6)" zone is consistent with these policies of the Official Plan. The applicant is not proposing to deviate from this list of permitted uses.

Historically, Pinewood Park Drive lacked access to municipal services. However, the extension of water and sewer infrastructure along this corridor has enabled urban-density development, including the recent construction of Gateway Casino south of Decaire Road.

Lands on the east side of Pinewood Park Drive south of Decaire Road are within the City's Settlement Area, meaning that services could be extended to these properties and allowing greater density of development.

Conversely, lands on the west side of Pinewood Park Drive south of Decaire Road are outside of the Settlement Area. Properties can only hook into City services when they are within the Settlement Area. This means that these properties can only be developed at a rural density, even if public services are available to them.

Bringing the lands in question into the Settlement Area would allow the property to connect to municipal services. This would eliminate the need for private services, support more efficient land use and allow for a greater density of development.

The City of North Bay owns a parcel of property that is surrounded by the subject property. To ensure that there is not a smaller portion of land unnecessarily excluded from the Settlement Area, it is recommended that the scope of the Official Plan Amendment application be extended to include this parcel of land in the Settlement Area with a matching Official Plan designation. This would represent good planning, while also ensuring that a

public process (via a rezoning application) be required before the potential use of the property is changed.

The Settlement Area boundary is a component of other Schedules within the City's Official Plan. For example, Schedule 9 is the City's Staging Plan, where all lands in the Settlement Area are provided a Stage when services are expected to be provided. If the subject property is within the Settlement Area, these other Schedules must be reconsidered to incorporate these lands into the City's overall vision.

The City is currently undertaking a comprehensive review of the Official Plan. The purpose of this review is to update the Plan based on actual changes within the community that have taken place since the adoption of the Official Plan in 2012. Further updates to these Schedules will take place during the comprehensive review.

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 "Rural General (A)". Non residential uses currently permitted in the A zone include:

- Cemetery
- Commercial Agricultural Uses
- Conservation Area
- Golf Course
- Group Home Type 1
- Hobby Farm
- Kennel
- Recreational Facility, Rural
- Solar Farm
- Wind Farm

Residential uses currently permitted in the A zone include:

- Single Detached Dwelling
- Additional Rural Residential Dwelling
- Principal Unit Short-Term Rental

The applicant is proposing to rezone the property to an "Arterial Commercial (C6)" zone. A C6 zone permits the following uses:

- Automobile Sales, Service, and Leasing Establishment;
- Automobile Service Station;
- Automobile Washing Establishment;
- Body Shop;
- Brewery, Micro;
- Commercial Parking Lot;
- Convenience Store
- Day Nursery;
- Distillery, Micro;
- Dry Cleaning Depot;
- Dry Cleaning Establishment;
- Financial Institution;
- Flea Market;
- Funeral Home;
- Garden Centre;
- Gas Bar;
- Home Improvement Centre;

- Hotel;
- Industrial Equipment, Sales, Service, and Leasing Establishment;
- Non-Profit Use;
- Park, Public;
- Parking Area;
- Personal Service Establishment;
- Pet Daycare Facility;
- Pet Grooming;
- Pet Shop;
- Pharmacy;
- Places of Entertainment;
- Places of Worship;
- Production Studio;
- Recreational Facility;
- Recreational Vehicle and Equipment Sales, Service and Leasing;
- Restaurant;
- Transit Terminal;
- Transportation Terminal; and
- Veterinary Establishment.

The applicant is not proposing to vary any section of the Zoning By-law, meaning that in the absence of any future Planning Act application, the subject property be required 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 Building Department and Ministry of Transportation each offered no concerns or objections.

The North Bay Mattawa Conservation Authority offered no objections, however did advise that permits may be required from their office at the time of development.

The City's Engineering Department did not offer any objections. They did provide a list of requirements that will be required at the time of development. They also confirmed that the City's sanitary sewer and water systems in the area are adequately sized to accommodate development at an urban density.

There was no public correspondence received related to this application.

A complete copy of this correspondence is attached to this Report as Appendix C.

No other correspondence was received on this file.

Financial/Legal Implications

There are no financial or legal implications 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 type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

- Promote and support public and private sector investment
 - Diversify the tax base
-

Options Analysis

Option 1:

To approve the proposed Official Plan Amendment and Zoning By-law Amendment applications as discussed throughout this report

1. That the proposed Official Plan Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to amend Schedule 1 of the Official Plan to extend the Settlement Boundary to encompass the property legally described in Appendix A and Appendix B to Report to Council No. CSBU 2025-030 be approved;
2. That the proposed Official Plan Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to amend the Official Plan Designation from “Rural” to “Arterial Commercial” for the property legally described in Appendix A and Appendix B to Report to Council No. CSBU 2025-030 be approved;
3. That the proposed Zoning By-Law Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to rezone the property from a “Rural General (A)” zone to a “Arterial Commercial (C6)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2025-030 be approved; and
4. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Option 2:

To 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 by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to amend Schedule 1 of the Official Plan to extend the Settlement Boundary to encompass the property legally described in Appendix A and Appendix B to Report to Council No. CSBU 2025-030 be approved;
2. That the proposed Official Plan Amendment by Goodridge Goulet Planning & Surveying Ltd on behalf of 9739041 Canada Corporation – 331 Pinewood Park Drive in the City of North Bay to amend the Official Plan Designation from “Rural” to “Arterial Commercial” for the property legally described in Appendix A and Appendix B to Report to Council No. CSBU 2025-030 be approved;
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4. That the subject property be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Respectfully submitted,

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

W:\PLAN\Planning\Reports to Committees & Council (C11)\to Council\2025\ CSBU 2025-030 – ZBLA File #970 – Zoning By-law and Official Plan Amendment request – 331 Pinewood Park Drive

Appendix A Applicant-Owned Property

PIN 49180-0220 (LT)

PCL 7097 SEC WF; PT LT 32 CON 12 West Ferris as in LT84384 Except LT176746, LT207805, LT210537 & PT 2, 3, 4, 5 & 6, 36R5568; S/T LT72445 Amended By LT274364, LT300425, LT376199; North Bay; District of Nipissing

Appendix B – City-Owned Property

PIN 49180-0223 (LT)

PCL 3715 SEC WF; PT LT 32 CON 12 West Ferris AS IN LT60402, S/T PT 3, D188 Amended By LT306010; S/T LT63171; North Bay ; District of Nipissing

Appendix C – Correspondence

Engineering Dept

Member: Jonathan Kapitanchuk

Status: Approved

Engineering has no concern with the proposed re-zoning application. Should the property develop in the future we would require the following:

1. We will require a stormwater management (SWM) report for the proposed development which meets our technical standards for quality and quantity control.
2. The following engineering civil plans/drawings are required:
 - a. Servicing Plan;
 - b. Grading Plan;
 - c. Pre and post development drainage plans;
 - d. Erosion and sediment control Plan.
3. All the drawings and SWM 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.

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

In addition to my comments below, there is a 675mm dia. sanitary sewer and 400mm dia. watermain fronting the subject site within the Pinewood Park Drive right-of-way which should provide sufficient capacity for future development.

Building Services

Member: Carly Price

Status: Approved

As no development is proposed at this time, Building Services do not have any concerns with the proposed Official Plan and Zoning By-law Amendments.

Planning

Member: Sasha Fredette

Status: Approved

Please see attached Zoning Analysis Sheet for a detailed review of the proposal's compliance with Zoning By-law regulations

Ministry of Transportation

Member: Gabriel Nimoh

Status: Approved

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.

NBMCA

Member: Hannah Wolfram

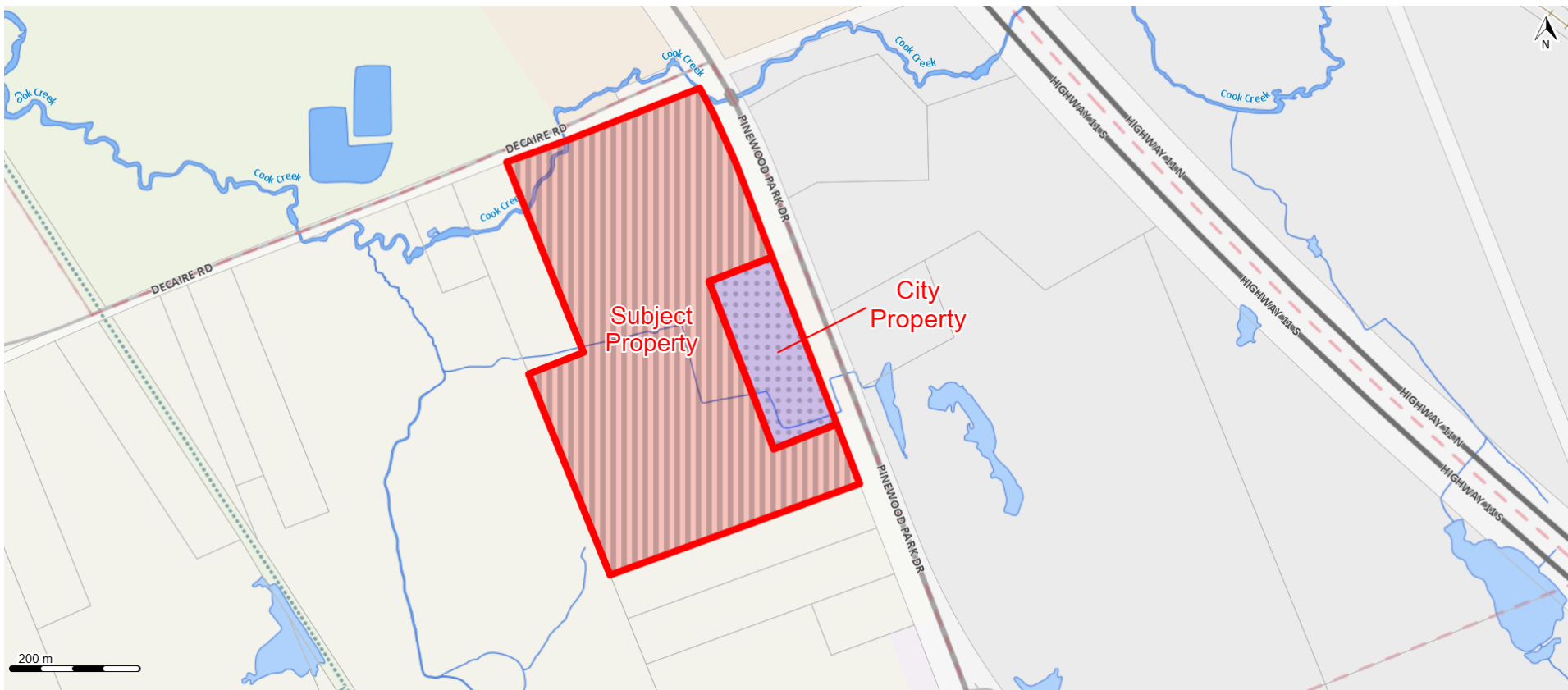
Status: Approved

NBMCA regulates hazardous land, wetlands, and watercourses and adjacent lands under O. Reg 41/24. Development proposed within a regulated area may require a Section 28 permit. A feature or hazard does not have to be mapped to be regulated and the text contained within O. Reg. 41/24 supersedes any overview mapping.

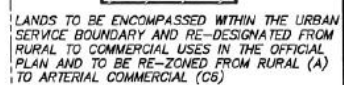
Cooks Creek flows through the northeast corner of the property. Development within the flooding and erosion hazard limits of the creek and the adjacent lands are regulated by NBMCA. There appears to be smaller tributaries of Cooks Creek also present on the subject lands. With respect to O. Reg 41/24, only watercourses with a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs are regulated by NBMCA. Where tributaries meet the aforementioned definition of a watercourse, the area on the subject lands regulated by NBMCA will extend to include the flooding and erosion hazard limits and adjacent lands of these watercourses.

The site plan included with the applications submitted by Goodridge Goulet Planning & Surveying Ltd on behalf of the property owner has identified areas of the subject lands as "beaver meadow". Where land is seasonally or permanently covered by shallow water, directly contributes to the hydrological function of a watershed, and has hydric soils and vegetation dominated by water tolerant plants, the land as well as the adjacent 30m is considered to be regulated by NBMCA. The landowner may be required to supply confirmation of any wetland boundaries as part of a Section 28 Permit application where development is proposed within or adjacent to wetlands meeting the above criteria on the subject lands.

Schedule A



Schedule B



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