

City of North Bay Report to Council

Report No: CSBU-2025-035

Date: June 4, 2025

Originator: Peter Carello, Senior Planner

Business Unit:

Community Services

Department:

Planning & Building Department

Subject: Road Closure Application – Robarts Avenue (Revised)

Closed Session: yes ☐ no ☒

Recommendation

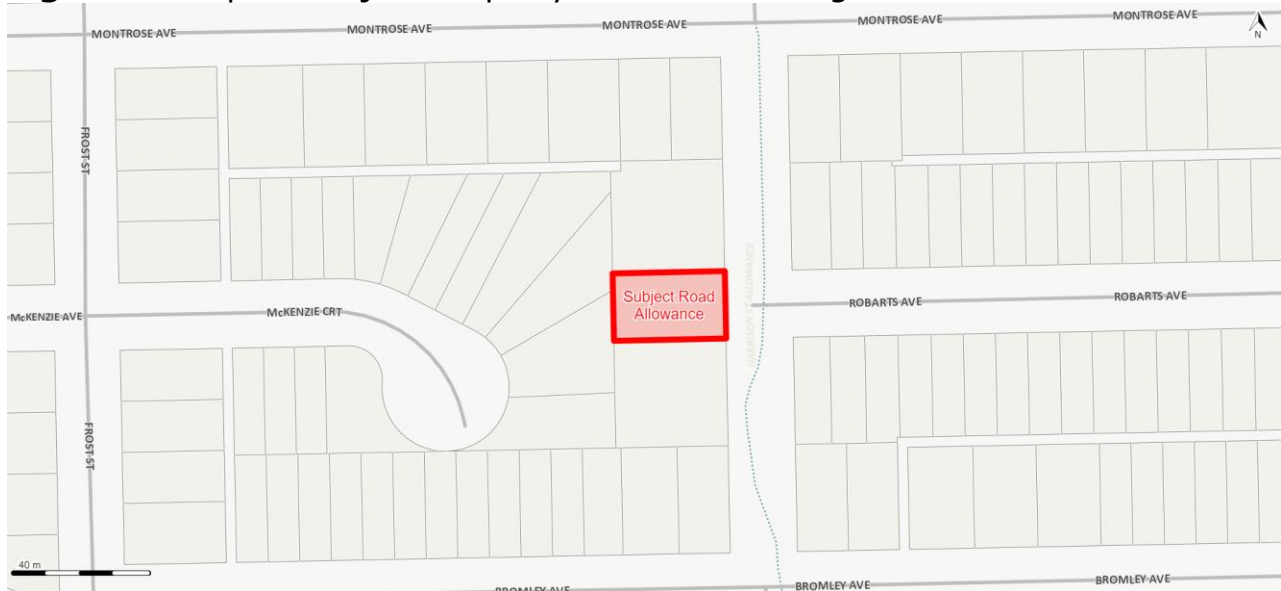
1. That the application by Apex Custom Kitchen Cabinets to acquire an unopened municipal road allowance, as shown on Schedule "A" attached to Report to Council CSBU 2025-035, be approved;
2. That the sale of the unopened road allowance be subject to the granting of any required easements; and
3. That the Chief Administrative Officer be authorized by Council to negotiate the sale of the subject road allowances at the appraised value and on such terms and conditions as are satisfactory to the Chief Administrative Officer and the City Solicitor.

Background

Site Description: The subject road allowance is at the end of Robarts Avenue. It is adjacent to two vacant, undeveloped, parcels addressed as 0 Harrison Street, each of which are owned by the applicant.

It is designated "Residential" by the Official Plan and is zoned "Residential Third Density (R3)" under the City's Zoning By-law No. 2015-30.

Figure 1: Map of Subject Property and Surrounding Area



Surrounding Land Uses: The subject property is located in a residential neighbourhood. The Harrison Street Road allowance (which runs north-south) is adjacent to the subject property.

The application was considered by City Council in 2024. Following City Council's decision of the initial application in 2024, an error in the circulation was brought to the attention of City staff. Certain members of the public were not notified of the proposed closure. As a result, the initial process was halted and was restarted.

Proposal

Shoaib Akram on behalf of the property owner has submitted a road closure application in order to acquire an unopened portion of the Robarts Avenue road allowance.

The purpose of the application is to allow the property owner to expand their land holdings and ultimately to develop the subject lands for residential purposes.

Summary

Section 34(1) of the Municipal Act 2001 (S.O. 2001, c.25) permits municipalities to pass By-laws for "stopping up any highway or part of a highway".

One of the City's primary goals is to facilitate new residential development. The applicant has indicated that, should they acquire the subject road allowance from the City, both the northerly and southerly adjacent properties would be developed with new residential units. These new units would be orientated in a north-south manner, gaining access to Robarts Avenue and the municipal road network via the subject road allowance.

As part of the recirculation, the owners of an adjacent property on McKenzie Court filed a request to acquire a portion of the road allowance. Staff had discussions with the interested party to determine their proposed use of the lands. They did not have development plans for the property.

Correspondence

This request has been circulated both in 2024 and 2025. The following organizations offered no objections during either of these two circulations:

- Bell Canada
- Hydro One
- Engineering Department
- Ministry of Transportation
- Public Works
- Enbridge Gas Inc.
- North Bay Fire Department
- Building Department

One adjacent neighbour responded to the notice of the application to express interest in acquiring the road allowance.

Financial/Legal Implications

Should the subject application be approved, the financial implications to the City of North Bay would be revenue generated from the sale of the road allowance at their appraised value and ongoing annual assessment revenue when developed. The applicant would be responsible for all costs associated with the closure including the appraisal, survey and legal costs.

The legal implications to the City would be the transfer of an unopened road allowance into private ownership.

Planning staff would recommend to the City Solicitor, that in addition to the terms and conditions that the City would include in the sale of property, that if the development does not proceed in a timeframe to be determined by the Chief Administrative Officer and the City Solicitor, the City shall have the option to reacquire the subject road allowance.

Corporate Strategic Plan

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

Specific Objectives

- Promote and support public and private sector investment

- Facilitate the development of housing options to service the entire community, with consideration to socio-economic characteristics of the community

Options Analysis

When there are competing requests for road allowances or laneways from multiple property owners, staff typically attempt to find a solution to share the road allowance. However, in reviewing the subject road allowance and the location of holdings of the two property owners that have submitted requests to acquire the road allowance, there does not appear to be a manner to evenly split the lands. Several scenarios are shown below for City Council's consideration.

Option #1 – Sell the Road Allowance in its entirety to the original applicant (Robarts Avenue Owner)

This scenario would see the subject road allowance be transferred to the initial applicant. It would enable the two parcels adjacent to the road allowance to the north and to the south be merged into one larger lot, as shown in Figure 2 below. It would optimize the best use of the adjoining parcels, by joining them into one larger parcel, with the potential for an increased number of residential units subject to any necessary planning approvals and associated public notifications.

This is staff's preferred option, as it creates a larger parcel potential future residential development.

Figure 2

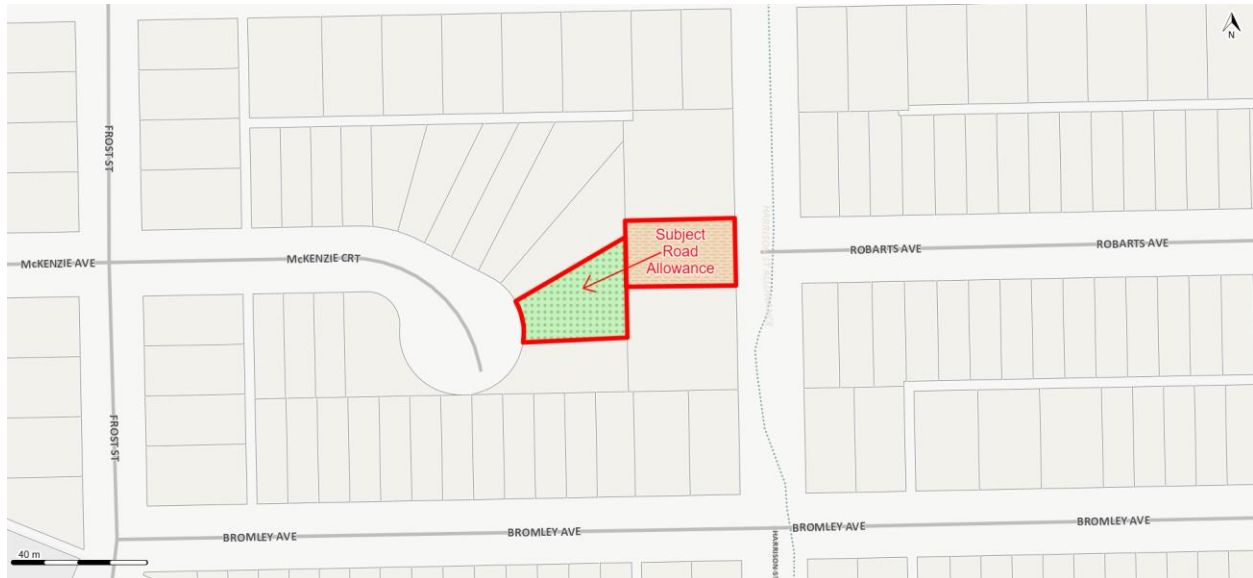


Option #2 – Sell the Road Allowance in its entirety to the McKenzie Court respondents

This scenario would see the road allowance transferred to the McKenzie Court property owner, as shown in Figure 3 below. The lands would be added to their lot. There could be development on this land in the future, though discussions with the property owners did not indicate that they intended to do so in the near future.

Planning Staff does not favour this option, as it does not create a cohesive lot fabric. It would also prevent the most desirable development of the lots adjacent to the road allowance to the north and to the south.

Figure 3



Option #3 –Divide the road allowance between the two property owners

The third option would be to divide the road allowance between the two property owners, as shown on Figure 4 below. This option is not recommended as it would also prevent the most efficient development of the property south of the road allowance and limits the potential development of the property north of the subject road allowance.

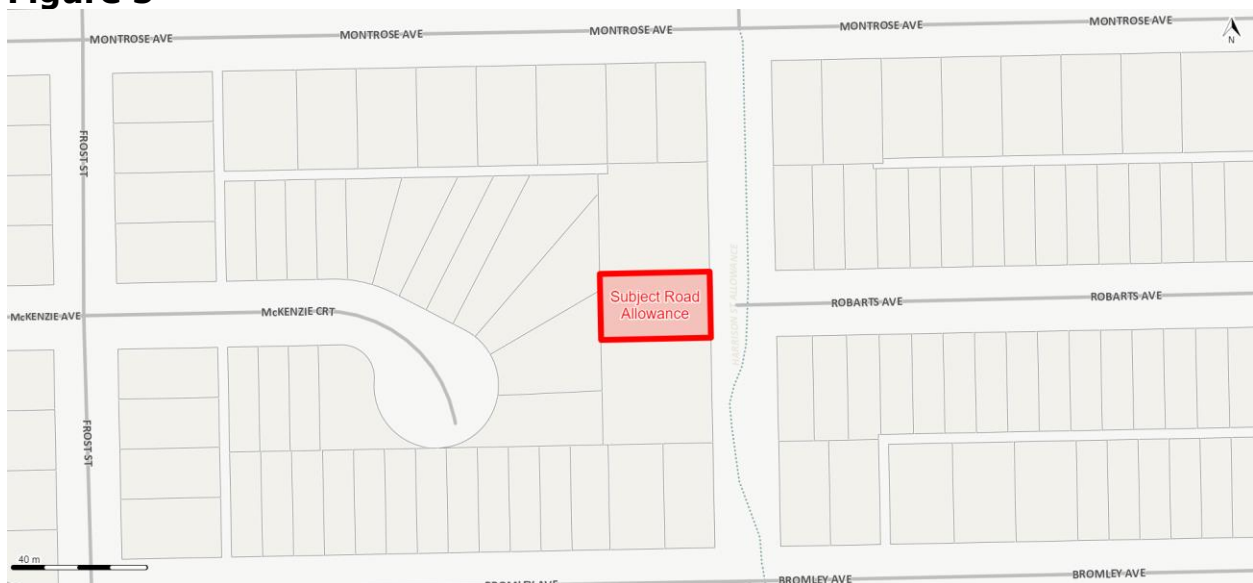
Figure 4



Option #4 – Sell the unopened road allowance via a Tender process

The fourth option would be to sell the unopened road allowance, as shown in Figure 5 below, via a Request for Tender process under the City's purchasing by-law. This option is not recommended. As outlined in Option #1, selling this road allowance to the applicant would enable the two parcels adjacent to the road allowance to the north and to the south be merged into one larger parcel for the potential for an increased number of residential units

Figure 5



Recommended Option

Option #1 is the recommended option.

1. That the application by Apex Custom Kitchen Cabinets to acquire an unopened municipal road allowance, as shown on Schedule "A" attached to Report to Council CSBU 2025-035, be approved;
2. That the sale of the unopened road allowance be subject to the granting of any required easements; and
3. That the Chief Administrative Officer be authorized by Council to negotiate the sale of the subject road allowances at the appraised value and on such terms and conditions as are satisfactory to the Chief Administrative Officer and the City Solicitor.

Respectfully submitted,

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

I concur with this report and recommendation

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

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

Schedule A

