

City of North Bay Report to Council

Report No: CSBU-2025-038

Date: June 25, 2025

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Zoning By-law Amendment by Tulloch Engineering on behalf of FGA Trades Inc. – 2890 Highway 11N

Closed Session: yes ☐ no ☒

Recommendation

1. That the proposed Zoning By-law Amendment by Tulloch Engineering on behalf of FGA Trades Inc. – 2890 Highway 11N in the City of North Bay to rezone the property from an “Industrial Commercial” zone to an “Industrial Commercial Special (MC Sp.)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2025-038 be approved; and
2. 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 lot of record on Highway 11N. This property is located on the block bounded by Highway 11N, Collins Drive and Cedar Heights Road, as shown below and on attached Schedule A.

The property is located within the Settlement Area of the Official Plan and is designated “General Industry”. It is zoned “Industrial Commercial (MC)” 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 0.653 hectares and lot frontage of 40.75 metres on Highway 11N, as shown on attached Schedule B. This parcel contains two warehouse-style buildings – a main building and an accessory structure. The lands are privately serviced via a well and septic system.

Surrounding Land Uses:

The area is largely defined by the presence of Highway 11N. This major four-laned roadway is controlled and maintained by the Province in this area.

The property is in a mixed-use neighbourhood. Lands east of Highway 11N are designated and zoned for industrial purposes. There are several of industrial uses in this area, including several contractor's yards, a self storage facility and a recreational vehicle facility. There are also a number of legal non-conforming residential uses on industrially zoned lands in the area, both along Highway 11, Collins Drive and Cedar Heights Road.

Lands to the west of the property, across Highway 11, are designated for residential use in the Official Plan some of which are occupied with low density residential.

There are also commercial uses found in the area along Highway 11N. This includes gas stations, a convenience store and a restaurant.

As the lands are within the Settlement Area, it is anticipated that over the long term the properties would be developed on full municipal services. However, at the time of this report, services are not available to the property. There is no timeline at this time for municipal sewer and water to be available, meaning that new development will take place on private services.

Proposal

Tulloch Geomatics on behalf of the property owner, FGA Trades Inc., has submitted a Zoning By-law Amendment application to rezone the property located at 2890 Highway 11N. If approved, the property's Zoning would be amended to an "Industrial Commercial Special (MC Sp.)" zone. The Special Zone request would allow a "Contractor's Yard" and to permit an "apartment unit within the main building for use by an essential worker, owner/operator or caretaker".

The purpose of the application is to allow the use of the property as a "Contractor's Yard" with a residential unit in the main building.

Summary

The proposed Zoning By-law Amendment application would add "Contractor's Yard" and an "Apartment Unit Within the Main Building for Use by an Essential Worker, Owner/Operator or Caretaker" to the list of permitted uses.

The proposed modifications are intended to facilitate the establishment of a new business on the subject property. This, in turn, is likely to encourage private sector investment, support job creation, and result in the addition of a new residential dwelling unit intended for an individual or family affiliated with the business. Collectively, these outcomes represent positive contributions to the broader community. Furthermore, both proposed land uses are considered appropriate and compatible with the established character of the surrounding area.

Planning staff have evaluated the proposed Zoning By-law Amendment within the framework of applicable policy documents. Both the Provincial Policy Statement and the Official Plan contain provisions that promote economic development and support the creation of new residential units. Relevant policy references are provided in the respective sections of this report. As outlined in greater detail below, the proposed amendment is consistent with the intent and direction of these guiding policies.

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)

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).

Excerpts of the Provincial Planning Statement (PPS 2024) applicable to this application are outlined below.

The new Provincial Planning Statement contains policies supporting economic development and job creation within a community. Section 2.8.1 (Employment – Supporting a Modern Economy) states:

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 rezoning is supported by these policies of the Provincial Planning Statement. It would facilitate the development of an industrial use in an area that is designated for such purposes.

The new PPS 2024 has a focus on the development of new housing units. This general objective is identified in several locations throughout the PPS 2024. Section 2.2.1 (Housing) states:

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;*

Should the proposed rezoning be approved, it would grant permission to the property owner to repurpose an existing building in a manner that would create one new residential unit, consistent with the above noted policies of the PPS 2024. Considering the built form of this building, the zoning of adjacent properties and the composition of the surrounding neighbourhood, the placement of one accessory residential unit is appropriate.

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 "General Industry" in the City of North Bay's Official Plan.

Section 2.2.2 of the Official Plan is titled "Employment Lands – Industrial". This section contains the policies that direct the development of lands that are designated "General Industry" on Schedule 1 of the Official Plan. Section 2.2.2.1 of the Official Plan states:

...

- 2.2.2.1.4 *Within the Settlement Area, sensitive land uses should be protected from employment lands through a gradient of industrial zones and permitted uses established through the Comprehensive Zoning By-law.*

2.2.2.1.5 In general, the major uses of land in the General Industry areas shall be all forms of manufacturing, processing of goods, data and materials, warehousing, storage, builders' yards, transportation and communication related facilities and public utilities.

2.2.2.1.6 Residential uses shall not be permitted in any industrial area except for a dwelling unit for an essential workman or caretaker and his/her family.

The proposed Zoning By-law Amendment is compatible with the above noted policies of the Official Plan. Section 2.2.2.1.5 specifically identifies a builder's yard as a permitted use and Section 2.2.2.1.6 permits one residential unit for an essential worker or caretaker. Permitting these uses is the specific purpose of the subject application.

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

Zoning By-Law No. 2015-30

The subject property is presently zoned "Industrial Commercial (MC)". The existing MC zone permits the following uses:

- Automobile Sales, Service, and Leasing Establishments;
- Automobile Service Station;
- Body Shop;
- Brewery, Micro;
- Builder's Supply Yard;
- Convenience Store;
- Courier Distribution Depot;
- Day Nursery;
- Distillery, Micro;
- Exhibition Building;
- Farmer's Market;
- Financial Institution;
- Flea Market;
- Garden Centre;
- Gas Bar;
- Group Home Type 3;
- Industrial Equipment Sales, Service and Leasing Establishments;
- Home Improvement Centre;
- Hotel;
- Laboratory;
- Pet Daycare Facility;
- Production Studio;
- Recreational Facility;
- Recreational Vehicle Sales, Service, and Leasing Establishments;
- Restaurant; and
- Wholesale Uses.

The applicant has proposed to rezone the property to an "Industrial Commercial Special (MC Sp.)" zone.

If approved, the proposed Zoning By-law Amendment application would add "Contractor's Yard" and an "Apartment Unit Within the Main Building for Use by an Essential Worker, Owner/Operator or Caretaker" to the list of permitted uses.

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 Building Department, the Engineering Department and the Public Works Department each offered no concerns or objections.

The Ministry of Transportation offered no objections to the proposed rezoning but did note that the property is within their permit control area. The future development of the property would necessitate the owner to obtain a permit from their office.

The North Bay Mattawa Conservation Authority noted the property is partially regulated by their office. Should the property be developed in the future, a Section 28 permit may be required.

There was no public correspondence received in response to the proposed Zoning By-law Amendment.

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 as a result of the proposed Zoning By-law Amendment.

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

Option 1:

1. That the proposed Zoning By-law Amendment by Tulloch Engineering on behalf of FGA Trades Inc. – 2890 Highway 11N in the City of North Bay to rezone the property from an “Industrial Commercial” zone to an “Industrial Commercial Special (MC Sp.)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2025-038 be approved; and
2. 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 requested Zoning By-law Amendment application. This option is not recommended for the reasons outlined in this report.

Recommended Option

Option 1 is the recommended option

1. That the proposed Zoning By-law Amendment by Tulloch Engineering on behalf of FGA Trades Inc. – 2890 Highway 11N in the City of North Bay to rezone the property from an “Industrial Commercial” zone to an “Industrial Commercial Special (MC Sp.)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2025-038 be approved; and
2. 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

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2890 Highway 11N

Appendix A

PIN 49127-0587 (LT)

PCL 3866 SEC WF; PT LT 21 CON A WIDDIFIELD AS IN LT61447 EXCEPT PT 1, NR1592 & PT 12, 36R8756; S/T LT344517; NORTH BAY ; DISTRICT OF NIPISSING

Appendix B – Correspondence

Engineering Dept

Member: Jonathan Kapitanchuk

Status: Approved

No concerns.

Building Services

Member: Carly Price

Status: Approved

Building Services does not have any concerns with the request. Further comments may be provided once a proposal for construction has been provided for Code compliance review.

Public Works

Member: Scott Franks

Status: Approved

No concerns from a Roads and Traffic perspective.

Ministry of Transportation

Member: Gabriel Nimoh

Status: Approved

The Ministry of Transportation (MTO) has reviewed the attached zoning by-law amendment application on lands located at 2890 Hwy 11 N, North Bay.

It is our understanding that, the subject property is currently zoned 'Industrial-Commercial (MC)' under the City of North Bay's Zoning By-law. The MC zone does not specifically list 'Contractor's Yard' as a permitted use. The proposed Zoning By-law Amendment is to create an MC Special Zone to add Contractor's Yard as an additional permitted use and to recognize any other special, existing conditions that do not meet the requirements of the MC zone. No new development is contemplated at this time.

The subject lands are located with MTO's permit control area and is subject for review under the Public Transportation and Highway Improvement Act R.S.O 1990.

The Ministry has no concerns or objections to the proposed rezoning and, with the following comments to consider:

- Placement of any buildings/structures or any site grading/paving within 45 meters of the Hwy 11 property line will require an MTO building/land use permit.
- Any future development or change in land use must be subject to MTO review.

All permit applications can be made online at the following link: <https://www.hcms.mto.gov.on.ca/>
Any questions regarding permitting or setbacks can be directed to Diane Villneff, Corridor Management Officer at Diane.Villneff@ontario.ca

I have also uploaded these comments in citywide. If there are any other questions or concerns, don't hesitate to contact me.

Comments on this planning application expire in one (1) year.

Regards,
Gabriel

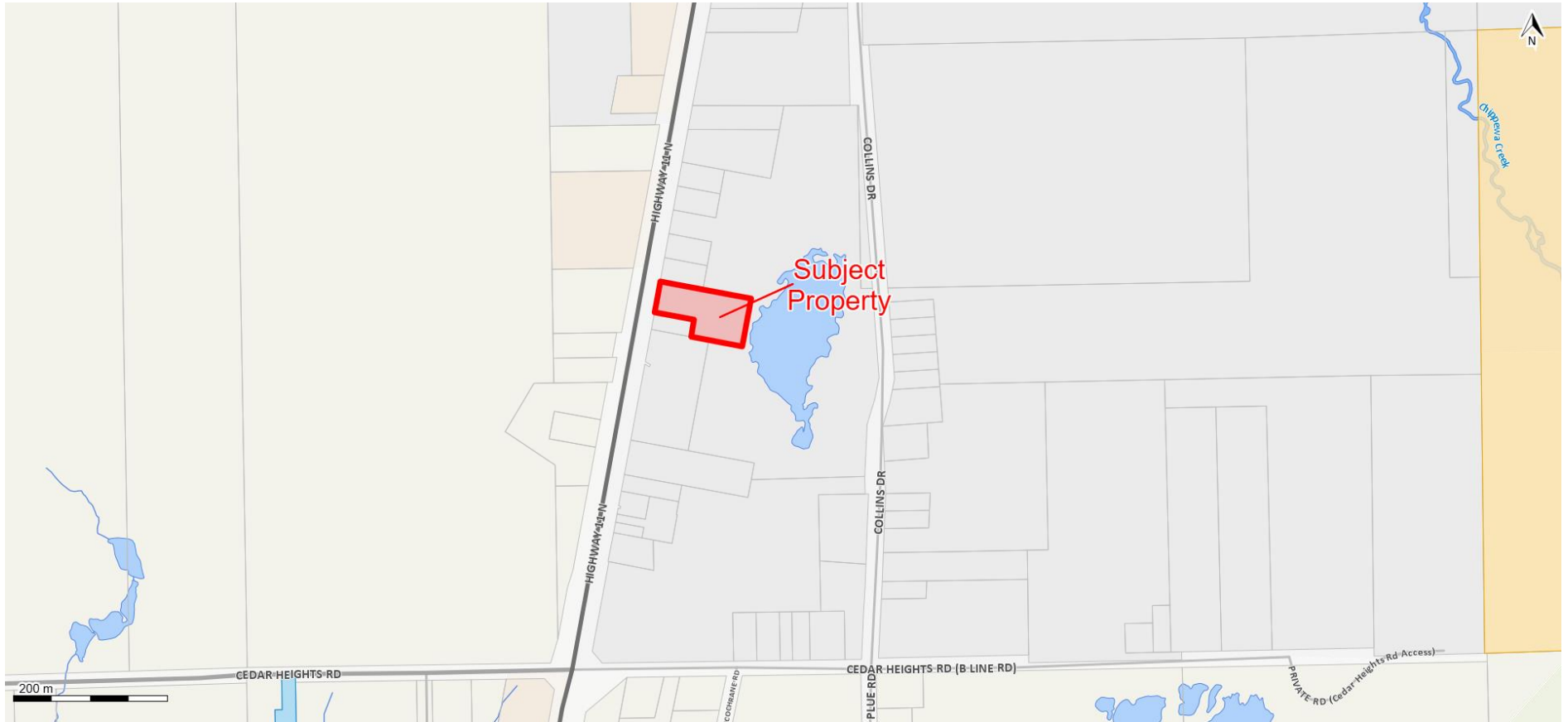
NBMCA

Member: Hannah Wolfram

Status: Approved

The subject lands are partially regulated by NBMCA due to the presence of a wetland feature near to the east and south sides of the property. Where development is proposed in the wetland itself or within 30m of the wetland boundary, a Section 28 permit from NBMCA may be required. The subject lands are partially located within an area of Highly Vulnerable Aquifers (HVA), one of four types of vulnerable areas identified in the Clean Water Act. Municipalities, implementing bodies, and landowners should have regard for these policies. A copy of the Source Protection Plan can be found here: <https://bit.ly/41mWDYG>.

Schedule A



Schedule B

