

## **City of North Bay Report to Council**

Report No: CSBU-2025-045

Date: July 23, 2025

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Zoning By-Law Amendment application by Tulloch Engineering on behalf of the affected property owners, George Flumerfelt, Girtrude Lang-Flumerfelt, Colin MacWhirter, Vanessa Herald, 2555897 Ontario Inc. and Laurentian Heights Limited – 59, 61, 67, 71, 75, 79, 83, 87, 91 & 95 Kenreta Drive and Unaddressed lot on Kenreta Drive (Future Baxter Court)

Closed Session: yes ☐ no ☒

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### **Recommendation**

That:

1. Council approve the proposed Zoning By-Law Amendment by Tulloch Engineering on behalf of property owners, George Flumerfelt, Girtrude Lang-Flumerfelt, Colin MacWhirter, Vanessa Herald, 2555897 Ontario Inc. and Laurentian Heights Limited for the property known as 59, 61, 67, 71, 75, 79, 83, 87, 91 and 95 Kenreta Drive and an Unaddressed lot on Kenreta Drive (Future Baxter Court) in the City of North Bay to rezone the properties legally described in Appendix A to Report to Council No. 2025-045 dated July 23, 2025 from Peter Carello from a "Residential First Density Special No. 53 (R1 Sp.53)" zone to a "Residential First Density (R1)" zone; and
2. the subject properties be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

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### **Background**

#### **Site Information**

**Legal Description:** See Appendix A

#### **Site Description:**

The subject application pertains to a group of properties found within the

developing Laurentian Heights Subdivision. The total area of the lands subject to the requested Zoning By-law Amendment is approximately 2.5 hectares. The frontages of the lots subject to the requested application varies between 18m and 32.9m.

The properties are currently designated “Residential” by the City of North Bay’s Official Plan. They are currently zoned “Residential First Density Special No. 53 (R1 Sp.53)” zone by the City of North Bay’s Zoning By-law No. 2015-30.

The subject lands are either vacant or are in the process of being developed with low density residential uses.

**Figure 1: Satellite Imagery of Subject Properties and Surrounding Area**



### **Surrounding Land Uses:**

The area is predominantly comprised of low density residential units. This includes lands to the south, west and north of the subject lands.

Immediately to the east of the portion of property labelled as “Future Baxter Court” is the Laurentian Ski Hill property. This property is owned by the North Bay Mattawa Conservation Authority, which also have their offices located at this site. Also to the northeast of the subject lands is Vincent Massey school.

To the south of the subject lands is the North Bay Escarpment.

### **Proposal**

Tulloch Engineering on behalf of property owners, George Flumerfelt, Girtrude Lang-Flumerfelt, Colin MacWhirter, Vanessa Heraldo, 2555897 Ontario Inc. and Laurentian Heights Limited, has submitted a Zoning By-law Amendment. The proposed Zoning By-law Amendment would rezone the subject lands from a “Residential First Density Special No. 53 (R1 Sp.53)” zone to a “Residential First Density (R1)” zone.

The purpose of the application is to allow the properties in question to be developed with low density residential uses to a maximum height of two and a half storeys.

## **Summary**

The subject lands are a part of a larger Plan of Subdivision known as the Laurentian Heights subdivision. The Laurentian Heights subdivision was the subject of a Zoning By-law Amendment in 1997. This Zoning By-law Amendment was ultimately approved by the Ontario Land Tribunal (Decision No. PL990657). Through this Zoning By-law Amendment, a portion of land within the larger Laurentian Heights Subdivision was rezoned to a Residential First Density Special zone (now known as "Residential First Density Special No. 53 (R1 Sp.53)" zone), which limited the height of new dwellings to one (1) storey. The properties subject to the current Zoning By-law amendment are a part of this R1 Sp.53 zone. Adjacent properties to the south along Kenreta Drive and portions of the future Baxter court are also zoned "Residential First Density Special No. 53 (R1 Sp.53)" and are not part of this application.

The rationale of the height limitation of the R1 Sp.53 zone was related to the Escarpment Management Plan, which was completed in the mid-1990's. The Escarpment Management Plan identified both the core of the escarpment and an associated Escarpment Buffer Area. The core area was generally identified as areas between "220 metres above sea level ("masl") to 280 or 290 masl", with the buffer area extending 150 m.

In relation to the Laurentian Heights Subdivision, lands that were below 290 masl, that proposed to be developed as part of the original application, a special zone was applied to limit the height of the dwellings to one (1) storey.

This Escarpment Buffer Area was included in the City's Official Plan up until 2012. Through the City's new Official Plan (approved by the Ministry of Municipal Affairs and Housing in 2012), it was identified that the escarpment buffer area was to be determined based on the actual grade. The "Escarpment Buffer Area" is now defined as the area "extends 150 metres of linear measure northerly from the observed top of ridge." This change in Escarpment management policy was codified through the adoption of the Official Plan. With this change in escarpment management policy, it is appropriate to reconsider some of the lands included within the R1 Sp.53 zone that limits height to one storey.

The Laurentian Heights subdivision is now largely developed with roads, sewer and water. The subject properties fall within Phase 4 of the Laurentian Height Subdivision development and the future development of Baxter Court. The applicant has demonstrated that in relation to the developed lands to the north on Surrey Drive, a two or two and a half storey dwelling could be constructed without negatively impacting the views from those

properties on Surrey Drive.

Staff has reviewed the application from the perspective of applicable policy documents. As detailed throughout this report, the requested rezoning is consistent with these documents.

One item of correspondence was received from the public in response to the circulation of this application. The respondent expressed concerns that the increase in height would obstruct the views enjoyed by property owners on Surrey Drive. Through a site inspection, staff observed that lots on Surrey Drive are at a higher elevation than those lands subject to this rezoning application.

There were no objections expressed by any internal department or external agency that comments on Planning Act applications.

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 Planning**

### **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 May 1, 2020. This proposal has been reviewed in the context of the Provincial Planning Statement (PPS 2024).

The PPS 2024 directs municipalities to focus development within Settlement Areas. Section 2.3.1 (General Policies for Settlement Areas) provides the following policy:

- 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;*
  - c) support active transportation;*
  - d) are transit-supportive, as appropriate; and*
  - e) are freight-supportive.**
- 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 current zoning regulations only allows the subject properties to be developed with a one-storey residence. The proposed Zoning By-law Amendment would increase the permissible height to a maximum of two and a half storeys. This change will increase the demand for the subject lots, facilitating additional development.

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 subject properties are currently designated "Residential" in the City of North Bay's Official Plan.

Similar to the PPS 2024, the City's Official Plan directs residential development and greater levels of density within the Settlement Area. Section 2.1 (Settlement Area Policies) outlines this general objective:

### *Section 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.*

The proposed rezoning would facilitate the development of the subject lands, consistent with the above noted policy of the Official Plan.

While the subject lands are not identified as "Escarpment" within the Official Plan, they are within 150 metres of the Escarpment. This means that they are subject to the "Escarpment Buffer Area" policies of the Official Plan. Relevant policies from the Official Plan are cited below:

*4.7.3 There is an "Escarpment Buffer Area", which extends 150 metres of linear measure northerly from the observed top of ridge. Within the "Escarpment Buffer Area" are points of interest, such as old growth trees, ravines, vistas, and at least one large quartz outcrop which are shown on the appendices to this Plan. It is the intent of this Plan to protect these areas adjacent to the brow of the Escarpment as Park land through subdivision application and negotiation processes.*

*4.7.4 The "Escarpment Buffer Area" will be placed under Site Plan Control byway of a Site Plan Control By-law in order to regulate vegetation, building form, and colour of building materials so that structures are not easily seen from the City below.*

*4.7.5 Any lands developed within the "Escarpment Buffer Area" should be developed in a manner to maintain a natural, standing buffer of undisturbed mature trees and vegetation to visually screen the development and preserve the existing natural vistas and skylines of the escarpment, as seen below from the Escarpment. A qualified professional acceptable to the City of North Bay, should prepare a study to accompany any Planning Act application to address the development criteria listed below:*

*a) The cumulative impact of development will not have serious detrimental effects on the Escarpment or other downstream environments (e.g. water quality, vegetation, soil, wildlife, and landscape);*

*b) The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding;*

*c) Development meets applicable provincial and municipal regulations including health and servicing requirements;*

*d) Any development permitted should have a low vertical profile*

*and be designed and located in such a manner as to preserve the natural, visual and cultural characteristics of the area;*

*e) Where development involves new roads, road improvements or service corridors, their designation and alignment should be in harmony with the Escarpment landscape;*

*f) Subdivisions, condominiums, consents to sever, minor variances, site plans, signs or other forms of development within the "Escarpment Buffer Area" should be in harmony with and maintain the existing character of the Escarpment landscape. Standing vegetation shall be preserved on an individual lot to the greatest extent possible. Replanting on site may be required in certain areas;*

*g) The crest or brow and toe of the slope shall be established by means of a site visit by the City staff, and these lines will be plotted on proposed development plans;*

*h) By way of a Zoning By-law Amendment a minimum development setback from the brow and toe of the Escarpment, and no disturbance of grades or vegetation below the brow and above the toe shall occur;*

*i) An engineering report shall be prepared by the applicant if the existing or future stability of the slope or ravine is in question;*

*j) A setback for other development will be established from each side of a stream, riverbed or wetland within the Escarpment Buffer Area necessary to maintain existing water quality. Concerns related to flooding, erosion and slope stability shall be evaluated by the North Bay-Mattawa Conservation Authority.*

The proposed Zoning By-law Amendment application is consistent with these "Escarpment Buffer Area" policies of the Official Plan.

Each of the individual lots will be subject to Site Plan Control Agreement. Site Plan Control will be utilized to manage the built form of the individual lots and vegetation.

The brow of the escarpment has previously been established by way of a site visit in this area and historically matches the approved boundaries of the subdivision. The subject lands are outside of the escarpment area, meaning that there will not be any disturbance of any of the vegetation, elevation or slope stability within the escarpment.

While the proposed Zoning By-law Amendment would increase the height of the dwellings within the subject lands, all the lots in questions are north of other residential lots that abut the escarpment. These adjacent lots would

serve as a visual screen for the proposed lots from the central part of the City. This will help maintain the “low vertical profile” contemplated by the Official Plan.

It is my professional opinion that the proposed 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 lands are presently zoned “Residential First Density Special No. 53 (R1 Sp.53)”. Permitted uses in the R1 Sp.53 zone are as follows:

- Single Detached Dwelling;
- Local Park and Playground
- Accessory Uses to the Above;
- Accessory home based business

The requested rezoning would amend the list of permitted uses to the following:

- Single Detached Dwelling;
- Additional Residential Urban Dwelling Unit;
- Group Home Type 1;
- Bed and Breakfast (as an Accessory Use only);
- Home Based Business (as an Accessory Use only);
- Parks and Playgrounds;
- Day Nursery (as an Accessory Use associated with an Institutional or Public Building only);
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

The list uses within an R1 zone is more expansive in 2025 than the list of uses that was approved as part of the initial rezoning application. However, in staff’s opinion, all those uses in a standard R1 zone are compatible with low density residential neighbourhoods.

The R1 Sp. 53 zone limits the height of buildings to one storey. This limitation would be removed by the proposed rezoning.

Two of the properties (79 and 87 Kenreta Avenue) were approved for a minor variance (file A-05-25) in April 2025 to permit the construction of a two-storey dwelling with a maximum height of 30 feet.

The subject lands are 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 and the Ministry of Transportation each offered no concerns or objections.

One item of correspondence was received from a property owner on Surrey Drive. This individual expressed concern that allowing the homes in the subject lands to develop with two and a half storeys would negatively impact their view.

The applicant has demonstrated that in relation to the developed lands to the north on Surrey Drive, a two or two and a half storey dwelling could be constructed without negatively impacting the views from those properties on Surrey Drive. In addition, the City's Zoning By-law does not define a storey in terms of a numerical number at this time. As a result, a one storey dwelling could be constructed that would have the same height and massing of larger two or two and a half storey dwelling.

Staff would note that the subject properties along Kenreta Drive are lower than the homes on Surrey Drive. In my opinion, the increase in height will not have a significant effect on the views of Surrey Drive properties.

No other correspondence was received on this file.

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### **Financial/Legal Implications**

None at this time.

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### **Corporate Strategic Plan**

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|--|---|
| <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.

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### **Options Analysis**

Option 1: To approve the proposed Zoning By-law Amendment application as follows:

1. That the proposed Zoning By-law Amendment by Tulloch Engineering on behalf of property owners, George Flumerfelt,

Girtrude Lang-Flumerfelt, Colin MacWhirter, Vanessa Herald, 2555897 Ontario Inc. and Laurentian Heights Limited – 59, 61, 67, 71, 75, 79, 83, 87, 91 & 95 Kenreta Drive and Unaddressed lot on Kenreta Drive (Future Baxter Court) in the City of North Bay to rezone the properties legally described in Appendix A to Report to Council No. 2025-045 from a “Residential First Density Special No. 53 (R1 Sp.53)” zone to a standard “Residential First Density (R1)” zone be approved; and

2. That the subject properties be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended.

Option 2: That Council deny the proposed Zoning By-law Amendment application.

This option is not recommended for the reasons outlined in this report.

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### **Recommended Option**

That:

1. Council approve the proposed Zoning By-Law Amendment by Tulloch Engineering on behalf of property owners, George Flumerfelt, Girtrude Lang-Flumerfelt, Colin MacWhirter, Vanessa Herald, 2555897 Ontario Inc. and Laurentian Heights Limited for the property known as 59, 61, 67, 71, 75, 79, 83, 87, 91 and 95 Kenreta Drive and an Unaddressed lot on Kenreta Drive (Future Baxter Court) in the City of North Bay to rezone the properties legally described in Appendix A to Report to Council No. 2025-045 dated July 23, 2025 from Peter Carello from a “Residential First Density Special No. 53 (R1 Sp.53)” zone to a “Residential First Density (R1)” zone; and
2. the subject properties be placed under Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O., 1990 as amended

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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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ZBLA File #975 – Zoning By-law Amendment –Kenreta Drive

## **Appendix A**

### **PIN 49133-0903 (LT)**

Lot 18, Plan 36M715; Subject to an Easement in Gross Over Part 9 36R14777 as in BS211261; City of North Bay;

### **PIN 49133-0904 (LT)**

Lot 19, Plan 36M715; Subject to an Easement in Gross over Part 10 36R14777 as in BS211261; City of North Bay

### **PIN 49133-0931 (LT)**

Lot 10, Plan 36M722; City of North Bay

### **PIN 49133-0932 (LT)**

Lot 11, Plan 36M722; City of North Bay

### **PIN 49133-0933 (LT)**

Lot 12, Plan 36M722; City of North Bay

### **PIN 49133-0934 (LT)**

Lot 13, Plan 36M722; City of North Bay

### **PIN 49133-0935 (LT)**

Lot 14, Plan 36M722; City of North Bay

### **PIN 49133-0936 (LT)**

Lot 15, Plan 36M722; City of North Bay

### **PIN 49133-0937 (LT)**

Lot 16, Plan 36M722; City of North Bay

### **PIN 49133-0938 (LT)**

Lot 17, Plan 36M722; City of North Bay

### **PIN 49133-0947 (LT)**

Part South Half LOT 18 Concession B Widdifield; Subject to an Easement in Gross as in BS141848; Subject to an Easement as in LT71031; Subject to an Easement as in LT75726; Subject to an Easement Over Part 8, 36R-15242 as in BS237692; City of North Bay

## Appendix B – Correspondence

### Internal correspondence

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#### Engineering Dept

**Member:** Jonathan Kapitanchuk

**Status:** Approved

No concerns.

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#### Building Services

**Member:** Carly Price

**Status:** Approved

No concerns from Building Services.

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#### Public Works

**Member:** Scott Franks

**Status:** Approved

No concerns.

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#### Finance

**Member:** Lisa Beaulieu

**Status:** Approved

No comments or concerns.

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#### Ministry of Transportation

**Member:** Gabriel Nimoh

**Status:** Approved

Hello,

The Ministry of Transportation (MTO) has reviewed the zoning bylaw application at 59 Kenreta Dr and have determined that the subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time.

Don't hesitate to contact me if there are any questions or concerns.

Thank you,

Gabriel

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**NBMCA**

**Member:** Hannah Wolfram

**Status:** Approved

No concerns.

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## **External correspondence**

On Mon, Jun 2, 2025 at 6:31 PM L <[REDACTED]@[REDACTED].[REDACTED]> wrote:  
Hi Sasha,

In confidence, I received a letter in the mail today regarding the zoning of lots 59, 61, 67..etc and 95 Kenreta Dr and an unaddressed lot on Kenreta Drive (Future Baxter Court). The application is to allow the property to be developed with low density residential use to a maximum height of two and half storeys.

I'm writing to formally express my strong opposition to the proposed height allowance of a two and half storey building. These structures would significantly obstruct the views of many long-standing residents on Surrey Drive — views that were a major factor in our decisions to build or purchase homes in this area.

I respectfully ask that the Planning Committee deny this request in order to preserve the unique character, view, and overall integrity of Surrey Drive.

Thank you for your time and thoughtful consideration.

Sincerely,  
Ms. Edwards  
453 Surrey Drive

## Schedule A

