



## City of North Bay Report to Council

Report No: CSBU-2022-020

Date: May 18, 2022

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Zoning By-law Amendment and Draft Plan of Condominium Applications by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road

Closed Session: yes  no

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### Recommendation

1. That the proposed Zoning By-law Amendment by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road in the City of North Bay to rezone the property from a “Residential First Density (R1)” zone to a “Residential Fifth Density (R5)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2022-020 be approved; and
2. That the proposed Plan of Condominium (12 Units, Condominium File No. 48CDM-22101) by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2022-020, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2022-020 prepared by Peter Carello dated May 18, 2022.

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### Background

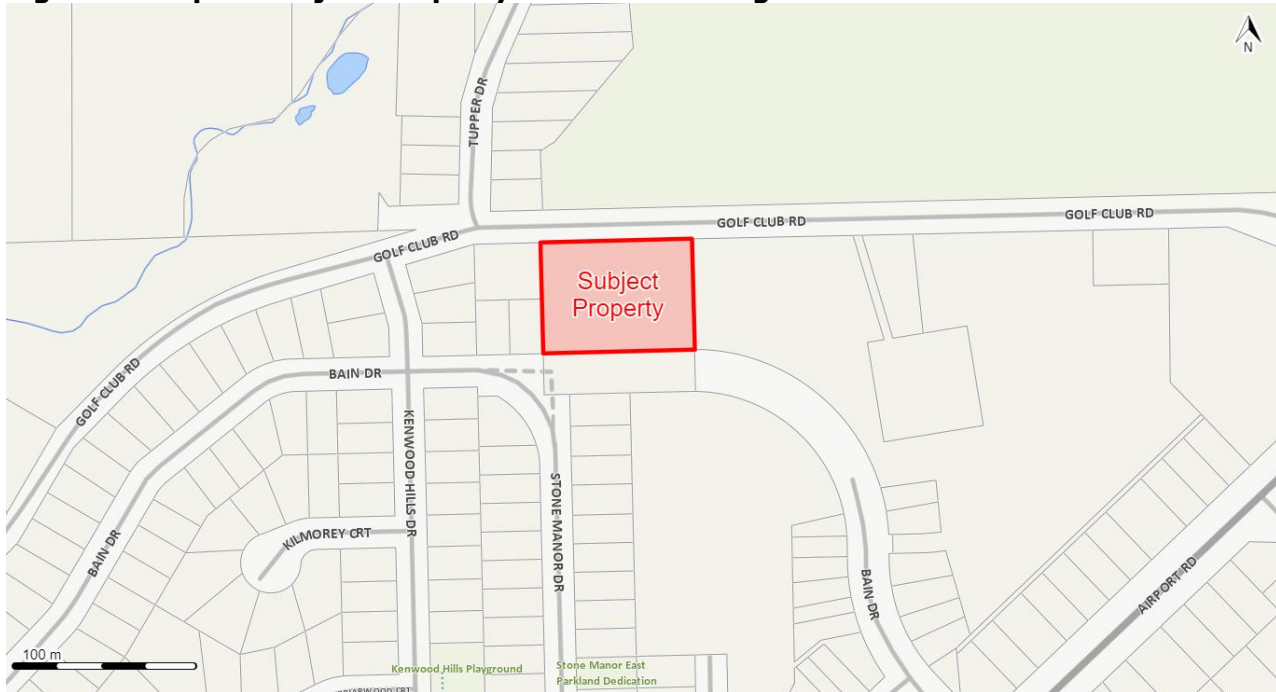
#### Site Information

**Legal Description:** See Appendix A

**Site Description:** The subject property is an existing lot of record on Golf Club Road. The property is a through lot that has secondary road access on Bain Drive, as shown below and on attached Schedule A.

It is designated "Residential" by the Official Plan and is zoned "Residential First Density (R1)" 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 0.6639 hectares and lot frontage of 95.3 metres on Golf Club Road, as shown on attached Schedule B. The property is currently vacant.

A portion of the property was recently approved for a Plan of Subdivision which was registered on October 22, 2021. This subdivision resulted in the creation of a street (Bain Drive) which allows for its final connection to Pearce Street/Airport Road. This section of road is currently under construction.

### **Surrounding Land Uses:**

The subject property is located in an area that is primarily comprised of low density residential units or vacant lands that are zoned for low density residential development.

The North Bay Golf and Country Club is located immediately north of the subject property. There are some commercial uses some distance from the property along Airport Road, as well as the North Bay Jack Garland Airport.

### **Proposal**

Miller and Urso Surveying Inc. on behalf of the property owners, Jogra Investments Ltd., have submitted an application to amend Zoning By-law 2015-30 to rezone the property from a "Residential First Density (R1)" zone to a "Residential Fifth Density (R5)" zone. The purpose of the proposed rezoning is to permit the residential development of the lands with different Zoning By-law regulations than what is currently permitted.

The property owner has also submitted a Draft Plan of Condominium to permit a twelve (12) unit vacant land condominium that would be developed with single detached dwellings. The proposed Draft Plan of Condominium includes a private laneway that would allow private vehicular access to the rear yards of the units.

## **Summary**

The subject property is a vacant lot within the Settlement Area with access to public services. A significant proportion of the surrounding lands have been developed with residential uses at an urban scale and density in the relatively recent past. Some of the lands immediately abutting the subject property are currently vacant. There was a Draft Plan of Subdivision that was previously approved on some of these abutting vacant lands; this Draft Approval has since lapsed. Any further development of the surrounding property would require a new Planning Act application.

The Provincial Policy Statement and the City's Official Plan both encourage development within a community's Settlement Area where public services are available. This form of development makes better use of public services and reduces the amount of land consumed by a municipality to house its residents.

The proposed development would result in the creation of twelve new low density residential units within the Settlement Area, as encouraged by both the Provincial Policy Statement and the Official Plan. If approved, the new units would have access to the full range of public services.

Planning Staff received some comments from members of the public expressing concern regarding the proposed development. These concerns were mostly focused on the management of stormwater and the high levels of overland water during storm events. Video was submitted in support of this argument. Other stated reasons for opposition include the removal of trees and the removal of existing vegetation.

The City's Engineering Department has replied to the stormwater concerns, stating that a stormwater management report will be required. The standard that must be achieved through this stormwater report and stormwater infrastructure is that post-development flows must not exceed pre-development flows.

Should City Council approve the submitted applications, the property would have Draft Approval for the condominium units. Appendix B to this report is a list of conditions that must be fulfilled by the property owner prior to final approval being given to the Plan of Condominium. Clause 9 of the Conditions of Approval requires the property owner to provide the City with a stormwater management plan, which must be approved by the City's Engineering

Department.

The City does not have landscaping requirements or a tree removal by-law that prevents the property owner from removing trees at the time of development. The City allows individual homeowners to determine the number and size of trees appropriate for their lot. In the interim between the approval process and the actual development of the lots, protection is provided to existing trees through the approval process by restricting the developer from removing trees other than for survey work and road/services preparation (see Clause 4 of the Conditions of Approval).

The subject property is located within the Settlement Area, where development is expected and encouraged to occur. The proposed R5 zone, though smaller lots than some of the other lots in the area, is a form of low density residential use that is generally consistent with the character of the neighbourhood.

It is my professional opinion that the proposed Zoning By-law Amendment and Draft Plan of Condominium are 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 opinion the proposed development conforms with the City's Official Plan.

In my professional opinion, the proposed Zoning By-law Amendment and Draft Plan of Condominium conforms with the policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

### **Provincial Policy Statement (PPS 2020)**

The current Provincial Policy Statement issued by the Provincial government came into effect on May 1, 2020. This proposal has been reviewed in the context of the Provincial Policy Statement (PPS 2020).

Excerpts of the Provincial Policy Statement (PPS 2020) applicable to this application are outlined below.

One of the core principles of the Provincial Policy Statement is to concentrate development within a community's Settlement Area while limiting the amount of development that takes place in the rural/outlying areas. This development pattern is considered more environmentally friendly by limiting the amount of land consumed by a community to house and service its population. Some high level statements that establish this directive include:

- 1.1.1 *Healthy, liveable and safe communities are sustained by*
  - a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
  - ...
  - e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
  - ...
  - h) *promoting development and land use patterns that conserve biodiversity;*
- 1.1.3.1 *Settlement areas shall be the focus of growth and development.*
- 1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
  - a) *efficiently use land and resources;*
  - b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

The PPS 2020 has more detailed policies that complements and further advances the general goal of concentrating development in Settlement Areas. This includes prioritizing construction to take place on public services,

permitting different forms of housing and encouraging intensification. Some relevant policies seeking to achieve these more descriptive goals are referenced below:

*1.4.3. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing 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 well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*

*2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

*c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

*d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

*1.6.6.2 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. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

If approved, the proposed Zoning By-law amendment and the Draft Plan of Condominium applications would allow the existing vacant lot to be subdivided and developed with twelve residential units. The services within the Draft Plan of Condominium would be private services that would ultimately be connected to municipal sewage and water services along Bain Drive. The units would represent a different form of housing (vacant land condominium units) for the area. All of these characteristics are consistent with the above noted policies of the Provincial Policy Statement.

It is my professional opinion that the end use of the proposed Zoning By-law

Amendment and Draft Plan of Condominium is consistent with the Provincial Policy Statement (PPS 2020).

## **Official Plan**

The property is located in the Settlement Area and is currently designated "Residential" in the City of North Bay's Official Plan.

Below are excerpts from the Official Plan that applicable to this application:

### 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 Settlement Area is sized to meet current and future land requirements for these uses requiring full municipal services".*

The subject property has access to the full range of public services expected in an urban area, including access to a municipal water supply and sanitary sewer. The surrounding lands have largely been subdivided and developed with low density residential units in recent years, similar to what is proposed by these applications.

### Section 2.1.11 – Housing Policies

#### Section 2.1.11.3

*"In the development of new residential neighbourhoods, and as far as possible in the infilling of those already established, or in redevelopment in older neighbourhoods, high standards of residential amenity will be encouraged through the use of the following design principles:*

- a) Separate pedestrian walkways or trails will be encouraged, where feasible, and designed to facilitate access to elementary schools;*
- b) Varieties of residential types will not be mixed indiscriminately, but will be arranged in a gradation so that higher density developments will complement those of a lower density, with sufficient spacing between tall apartments and lower row houses and single detached houses to maintain privacy, amenity and value;*
- c) Sufficient land is to be assembled for residential developments to eliminate isolated parcels that would be difficult to develop or redevelop at a later date;*

- d) *Prior to any zoning changes to permit residential development it shall be established that schools, parks and all other services are adequate according to the standards in this Plan, and that access points to multiple family accommodations are adequate and safe;*"

The proposed Zoning By-law Amendment would rezone the property to a "Residential Fifth Density (R5)" zone. Nearby residential uses are mostly zoned a mixture of "Residential First Density (R1)", "Residential Third Density (R3)" and "Residential Sixth Density (R6)". The types of housing permitted within the proposed R5 zone is in character with the housing types found in the surrounding area. There are school facilities in the general area (Vincent Massey Public School) and bussing that provides access to other schools throughout the City.

#### Schedule 9 – Staging Plan

Schedule 9 of the Official Plan provides a Staging Plan for the establishment of infrastructure in different parts of the community. All properties within the Settlement Area are identified as Stage-1, Stage-2 or Stage-3. Lands within Stage-1 were the first to be provided with infrastructure. Lands in Stages 2 and 3 can only have infrastructure once 2/3rd of the previous stage has been built out. The intention of this schedule is to prioritize development within existing built up areas of the City before allowing development to move into secondary growth areas.

The subject property is within Stage-2 of Schedule 9. Stage-1 is largely built out and the City has moved into Stage-2 of the Staging Plan, meaning that it is now appropriate to consider the expansion of infrastructure and the development of the lands and an urban scale.

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

#### **Zoning By-Law No. 2015-30**

The subject property is presently zoned "Residential First Density (R1)". The R1 zone currently permits the following uses:

- Single Detached Dwelling;
- 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 a Institutional or Public Building only); and
- Institutional Uses

The applicant is proposing to rezone the property to a "Residential Fifth



Density (R5)" zone. If the proposed Zoning By-law amendment were to be approved by City Council, the R5 zone would permit the following uses:

- Single Detached Dwelling;
- Semi Detached Dwelling;
- Group Home Type 1;
- 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); and
- Institutional 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, Hydro One and the North Bay Mattawa Conservation Authority offered no concerns or objections.

The Fire Department offered no objections provided that the 'common element' roadway is designated as a 'fire access route.' Therefore, no parking would be permitted along the common element roadway.

Bell Canada offered no objections, but noted that the property owner is responsible for the cost of providing services and the relocation of any easements (if necessary).

The City received correspondence from several area residents. A complete copy of the letters received is attached as Appendix B to this report. The following is intended as a summary of the primary areas of focus of these letters and staff's response to these concerns.

- Drainage: Several neighbours stated that there is significant overland water runoff and there are periodic instances of flooding during storms. Several short videos were submitted in support of these comments.

Staff has discussed this drainage issue with Engineering. In response, the Engineering Department stated the developer "*will required to produce a SWM report and plan outlining how it will achieve reducing the post development storm flows to pre-development levels. Also the development will not be allowed to drain storm water onto private*

*property. The flows will have to be directed to the Golf Club Road or Bain Drive Right-of-Ways via storm sewers or overland."*

The above noted requirement for a stormwater management report is listed in the Conditions of Approval as Clause 9.

- Buffer/fencing: There were comments and concerns about the removal of trees and potentially the impact this development may have on snow storage and privacy on existing adjacent properties.

The proposed development would be subject to the same setback requirements of any other low density residential lot found throughout the City. This setback provides buffering and separation. In addition, included within the Conditions of Approval is Clause 15, which requires the owner to construct a fence along the westerly property line to provide privacy and to ensure there is no snow storage onto adjacent properties.

- Tree Removal/Loss of Natural Environment: one neighbour commented that they would be disappointed by the removal of trees and the feeling of being in the outskirts of town.

One of the Official Plan's principal objectives is to protect the City's natural environment. Protection measures are done at a high level through policies that limit development in the rural area, protect environmentally sensitive lands and create parks and green spaces but allows for development and greater levels of density in the urban area. The City's Official Plan contains identified areas of development constraint that need to be addressed prior to development. The subject property is located in the Settlement Area, where development is encouraged and is not in an area with development constraints.

- Snow Storage: one neighbour expressed concerns that the placement of the private laneway may result in snow being stored adjacent to or even onto their property.

As previously noted, there is a fence proposed as a Condition of Approval, which would help prevent any spillover of snow onto the neighbouring property.

- Condition of Well Water: one neighbour stated that they maintain a well as a backup water supply. This individual expressed concern that the development could have a negative impact on the safety and quality of their well water.

Contained within the Conditions of Approval is Clause 19, which places the Owner on notice that there is at least one private well within the area and directs the owner to take precautions to ensure that groundwater in the area is not adversely affected.

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**

- Natural North and Near
- Affordable Balanced Growth
- Responsible and Responsive Government
- Economic Prosperity
- Spirited Safe Community

### **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:

1. That the proposed Zoning By-law Amendment by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road in the City of North Bay to rezone the property from a “Residential First Density (R1)” zone to a “Residential Fifth Density (R5)” zone for the property legally described in Appendix A to Report to Council No. CSBU 2022-020 be approved; and
2. That the proposed Plan of Condominium (12 Units, Condominium File No. 48CDM-22101) by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2022-020, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix B to Report to Council Number CSBU 2022-020 prepared by Peter Carello dated May 18, 2022.

#### Option 2:

To deny the requested Zoning By-law Amendment and Draft Plan of Condominium applications. This option is not recommended for the reasons outlined in this report.

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### **Recommended Option**

Option 1 is the recommended option.

1. That the proposed Zoning By-law Amendment by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road in the City of North Bay to rezone the property from a “Residential First Density (R1)” zone to a “Residential Fifth Density (R5)” zone for

the property legally described in Appendix A to Report to Council No. CSBU 2022-020 be approved; and

2. That the proposed Plan of Condominium (12 Units, Condominium File No. 48CDM-22101) by Miller and Urso Surveying Inc. on behalf of Jograh Investments Ltd. – 771 Golf Club Road in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2022-020, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2022-020 prepared by Peter Carello dated May 18, 2022.

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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: David Euler, P.Eng., PMP

Title: Chief Administrative Officer

Personnel designated for continuance:

Name: Peter Carello, MCIP, RPP

Title: Senior Planner, Current Operations

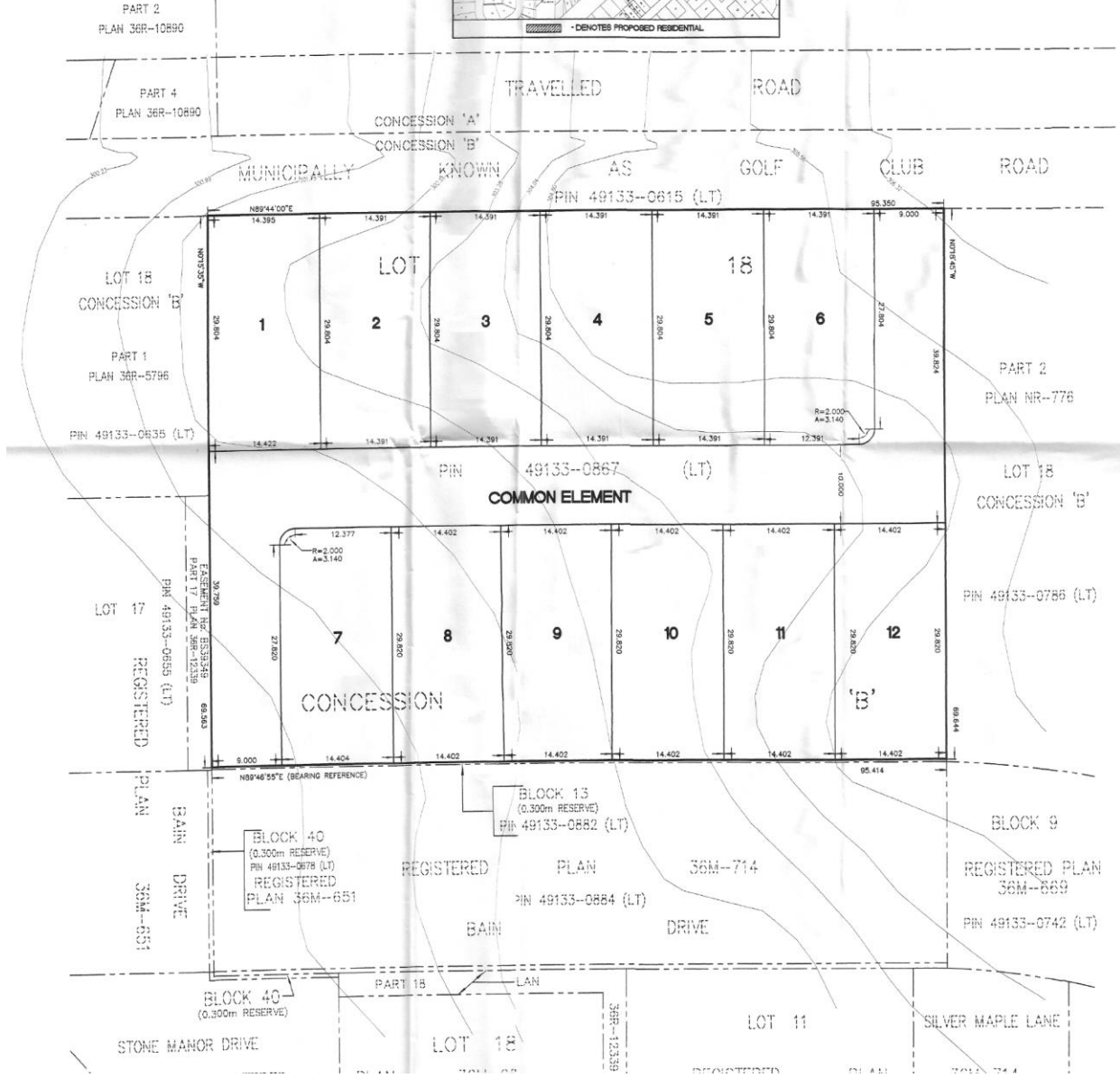
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# Schedule A



# Schedule B

**M** METRIC UNITS  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



## Appendix A

### **PIN 49133-0867 (LT)**

Part Lot 18 Concession B Widdifield as in LT63273 Except 36M714; City of North Bay

## Appendix B – Correspondence

### Internal Correspondence

#### North Bay Fire Department

In regards to fire department access at 771 Golf Club Road; the attached draft proposal is acceptable if the 'common element' roadway is designated as a 'fire access route.' Therefore, no parking would be permitted along the common element roadway.

If further information or clarification is required, I humbly direct you to Deputy Chief Greg Saunders, ext. 4805

Sheri Korn

#### Bell Canada

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application and have no objections to the application as this time. However, we hereby advise the Owner to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during detailed design to confirm the provisioning of communication/telecommunication infrastructure needed to service the development. We would also ask that the following paragraph be included as a condition of approval:

“The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

It shall also be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.



Please note that WSP operates Bell's development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell's behalf. WSP is not responsible for Bell's responses and for any of the content herein.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca). Should you have any questions, please contact the undersigned.

Yours truly,

Ryan Courville  
Manager - Planning and Development  
Network Provisioning  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

North Bay Mattawa Conservation Authority

Dear Mr. Carello:

**Re: Zoning By-law Amendment and Draft Plan of Condominium  
771 Golf Club Road  
Con. B, Pt. Lot 18; Pcl. 4113 W/F  
City of North Bay  
Our File Nos.: PCON1-NB-22 & PZB5-NB-22**

This office has received and reviewed the notice for a proposed zoning by-law amendment and draft plan of condominium. The property is currently designated "Residential" under the City of North Bay Official Plan and is zoned "Residential First Density (R1)" under Zoning By-law 2015-30. The applicant is proposing to amend Zoning By-law 2015-30 to rezone the property to a "Residential Fifth Density (R5)" zone. The purpose of the application is to permit the residential development of the lands with different Zoning By-law regulations than what is currently permitted. The property owner has also submitted a Draft Plan of Condominium to permit a twelve (12) unit vacant land condominium that would be developed with single detached dwellings.

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 177/06 Development, Interference with Wetlands & Alteration to Shorelines & Watercourses (DIA). The Conservation Authority also provides advice as per our Plan Review Agreement with the Municipality regarding Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the Provincial Policy Statement (PPS) 2020. The Conservation Authority has no objection to this application.

This property is in the Chippewa Creek subwatershed. There are no natural hazard features on this property and therefore, the property is not within an area that is regulated by the Conservation Authority.

The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS.

Trusting this is satisfactory. Should you have any questions, please do not hesitate to contact this office at (████) █████-████. For administrative purposes, please forward any decisions and resolutions regarding this matter.

Yours truly,

Paula Scott  
Director, Planning and Development/Deputy CAO

## External Correspondence

**From:** Charland, Claude

**Sent:** March 2, 2022 8:42 AM

**To:** Peter Carello

**Subject:** [EXTERNAL] 771 Gulf Club Road Condominium development

Dear Peter, I have completely lost faith and remain deeply disappointed in the new housing development in my backyard. I cannot believe in 2022 the new development completely eliminated every tree without one hint of a green space between our home of 13 years and this new development. Mapleridge has no trees! I would encourage you to take a drive and see for yourself the ugliness of your so-called new development. Please be advised we are getting organized as concerned citizens and will strongly oppose the condominium proposal.

Respectfully, Claude

Claude Charland

12 Stone Manor Drive

North Bay, ON, P1C-0A2

Cell [REDACTED]-[REDACTED]-[REDACTED]

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My name is Marc Ferland, I'm married and have 2 young boys. We reside at 747 Golf Club Rd and have for 12 years. This has always been a serene, quiet neighbourhood with lots of privacy and the only cars driving by are from the golf course. The reason I am writing you is the application for rezoning of 771 Golf Club Rd. I have serious concerns about squeezing that many homes in such a small area which will end up right beside my yard with no wiggle room at all for drainage of water. Every year we have water issues between that property and ourselves. There is somewhat of a wetland in that area with water constantly running toward my property and my back door neighbour Chris Cuthbertson and ending up on Bain. Both our yards are constantly saturated because of this and turns into mud. My backdoor neighbour has an easement to help with this but I don't. I think we need a good plan to deal with this issue or I will end up with all that water from this new development as they are uphill from my property and will obviously be on higher ground. How much higher are houses going to be compared to me? If they are way higher we could be dealing with an erosion issue if water is constantly running down hill towards me. What is the answer: Maybe a French drain system? Maybe a ditch running North/South between the properties, draining into the Bain storm system. By removing the absorbing material (wetland) to build asphalt will worsen the situation. I believe we are trying to put too many houses in this section and not allowing any room in between to deal with this. We could leave a buffer zone in between with either trees or with a privacy fence. We are making this zone more dense with many houses close together, my privacy will no doubt be compromised. I think a privacy fence is also fair. I also have serious worries about my well water. I have city water but also have well water as my back up. How is this project going to affect my well water? Are you able to guarantee me and my family that my well water will remain a viable option. This is very worrying for my family and I.

There is no doubt that this will change the quality of life for my young family. The ground water/drainage issue is a big one. The height in elevation of these houses being above my land is another big issue for erosion. My drinking well water must remain drinkable. Our privacy is another issue. If we want to build that many condos in a small area they should have a privacy fence around the whole complex in my opinion. Also this will add much more traffic to our neighbourhood.

I understand that city hall has growth in mind and building houses is a top priority and I am not standing in the way of growth. We knew that changes were coming in this neighbourhood, but we have to make sure that the existing houses around this development are not stuck with water problems because we wanted to put 2 extra houses in a project just for more profit. We value our quality of life here in this neighbourhood and in North Bay. I ask you please don't approve this project

unless our concerns are fixed with real solutions. I have added a video to show you the water run off problem we had last summer after a rainstorm. Thank you for listening to our concerns.

Marc and Shierly Ferland  
747 Golf Club Rd  
North Bay, ON P1B 8G2

Marc's cell# [REDACTED]  
Shierly's cell# [REDACTED]

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To: Mr. Carello,

My name is Chris Cuthbertson. I am married and have 2 young boys. We reside at 97 Bain Drive, and have lived at this address for 10 years. Our home and surrounding area has always been safe, quiet and calm, with lots of wildlife and trees, and very little traffic. This was one of the reasons that we chose this neighbourhood to raise our family. We got an “outskirts of town” feel with lots of green space within North Bay.

This letter is in response to the application to re-zone 771 Golf Course Road from R1 to R5. We own the property at 97 Bain Drive which shares an easement with 771 Golf Course Road that extends the length of our lot. The purpose of this easement is to allow for the drainage of ground water and surface water that constantly flows all year round from the property applying to be re-zoned.

The topography of the land in question slopes directly towards this drainage area that has been privately maintained every year by myself so that water damage will not occur on my property. We already deal with water issues that we, up until recently have been able to maintain without requiring help.

I have serious concerns with the drainage issues that will be incurred with the approval of this re-zoning plan. One main concern is the lack of drainage plans for the common roadway planned for the property and the absence of storm sewers to catch rain run off that would drain towards my property because of the slope of the property.

Another area of concern is our significant loss of privacy. If an entrance way into this property will be located next to our property, we would request that a privacy fence be erected on the applicant’s side of the easement with also many trees being added to further create privacy. We have had trees beside us and very much have enjoyed this. Which was another selling point of our home. We requested to purchase a small piece of the property next to us to continue to allow green space between us and the new development, but were told that was not an option either.

The design that the applicants have submitted for this property shows very little space to allow for snow build up in the winter. Our concern is that snow will be pushed downhill towards our property from the common roadway area and end up in the easement catch and damage our property. We get a lot of snow and it is not removed throughout the winter. Also, when spring thaw happens that will be a lot of added water onto our property. Constant water flow from the property at 771 Golf Course Road has been an ongoing issue since our family moved to this address 10 years ago. This has increased with the more development and removal of trees that have occurred, especially more recently. The easement that extends the length of my property and ends with a large storm drain is proof that there is a water issue that needs to be addressed prior to the approval of the re-zoning applicational. We are also attaching pictures of the overflow problems that we had last year as a result of the development already taking place in the area. We also contacted the Public Works department to formally notify them of the significant water, however no one attended, and we had to clear the storm grate and take care of this ourselves to avoid water damage to our home.

We understand the need for properties to be developed in our area, however we would ask that consideration be given to the current property owners and the current “flow” of our quiet, peaceful neighbourhood with mainly single detached homes. We ask that

consideration be given to number of properties that are planned to be constructed in our area, as it would appear that too many houses are planned to be built considering this property was originally advertised as a potential of 10 residential building lots, 5 on Golf Course Road side and 5 lots on the new Bain Street extension (which was the original information provided to us when we moved in). There is no need to squeeze in extra homes.

We also feel that this current plan for re-zoning application is a great financial benefit to the developer because all of the services for the 12 lots planned will be provided from Bain Street. This prevents the developer from extending services on Golf Course Road, past Tupper Drive, to accommodate any new building lots. As we understand being fiscally responsible is important to the developer, we would hope that consideration for the neighbours residing in this area be given so that this new development maintains the current family, quiet, private environment that already existed in this neighbourhood prior to this current development. The amount of extra traffic alone is going to be significant.

We felt it was important to share our concerns and fears for this planned development, however feel that the decisions have already been made for this property due to the fact that water services have already been installed LAST SUMMER to accommodate the proposed plan. We can also forward a picture of the 2-inch water line that is taped to a tree beside our property, ready to be installed once the remaining trees are cleared.

We loved our neighbourhood and our neighbourhood has been sought after by young professional families because of the safety of our area as it is quiet, with little traffic, lots of privacy and once had lots of green space. This area will no longer be as desirable as we are losing all of these benefits. Neighbours who have lived in this area for as long as we have, if not longer, who were also aware of the plan for future developments, we not made aware of the extent of how many properties would be built, and some are looking to move or have already moved as a direct result of the construction on our area and loss of natural habitat surrounding our homes. We are also considering this.

We hope that you can understand how devastating this is to our family and the neighbourhood entirely.

Thank you for any consideration you may have to making any changes to this proposed plan.  
Chris and Natalie Cuthbertson  
97 Bain Drive

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07 March 2022

**RE: Notice of Complete Application for a Zoning By-law Amendment and a Draft Plan of Condominiums: Invitation of Comments: 771 Golf Club Road**

To Whom It May Concern:

The proposal to re-zone the property located at 771 Golf Club Road and construct twelve (12) dwelling units where there was once one (1) is troubling. The proposal represents an attempt to further 'Torontonize' a residential neighbourhood of our city which is known for its single-family orientation and connection to nature and, if approved, is likely to exacerbate community concerns related to traffic and the drainage of water.

Though vehicles have tendency to drive fast along Golf Club Road, its partially paved surface is uneven and poorly lit. There is no sidewalk for pedestrians, who share the two-lane road with vehicles, cyclists, and the occasional deer. Implementation of this proposal will (along frontage of only 95.3 metres) double the number of residential buildings on the eastern half of Golf Club Road—i.e., between its Airport Road connection and Chippewa Creek intersect. This will have a significant impact on the number of vehicles accessing the area and the noise and air pollution that accompanies their presence. The privacy of neighbours who purchased homes within a Residential First Density zone and around the 771 property will also be negatively affected, as will the surrounding land's ability to absorb water.

Since construction began on Bain Road's most recent extension project, Golf Club Road was partially washed out near its Kenwood Hills Drive connection, the continuous wet patch near Tupper Drive has worsened, and the area has experienced dangerous street-level flooding (see the attached, neighbour provided video). The environmental impact of diminishing the soil's absorption capacity by clearcutting appears to have pushed the existing city infrastructure beyond its limit and the proposed plan seems poised to make things worse, while continuing to prioritizing the financial security of a few (here the developer) over that of the many.

North Bay already has some of the highest property taxes in the province. The apparent corrective costs and infrastructure upgrades required to support the proposed project and developments in the area will require city officials spend taxpayer money in ways that do less to address North Bay's housing needs. They also encourage city residents to ask if the grass really is greener in Corbeil.

C. Greco  
36 Tupper Dr.  
North Bay ON



**Appendix C – Conditions of Approval**  
**File Number: 48CMD-22101**

- 1) That this approval expires five (5) years from the date of approval by the City of North Bay. If there is an appeal to the Ontario Land Tribunal under section 51 (39) of the *Planning Act*, the five (5) year expiration period does not begin until the date of the order of the Ontario Land Tribunal issued in respect of the appeal or from the date of a notice issued by the Tribunal under section 52(51) of the *Planning Act*.
- 2) This Draft Approval applies to the Vacant Land Plan of Condominium prepared by Rick Miller, OLS, as shown on the attached Schedule B dated January 6, 2022 which is comprised of twelve (12) residential units and one (1) common element.
- 3) The owner acknowledges that the front yards of all units created by way of this Draft Plan of Condominium shall be considered to be either Bain Drive or Golf Club Road.
- 4) That no removal of trees be undertaken prior to final approval except: within the proposed road allowance; for survey purposes around the boundary of the Draft Approved Lands and for exploratory soils investigations for the purpose of estimating servicing costs.
- 5) That prior to any above ground works or below ground works occurring on the subject property the Owner is required to enter into a Pre-Servicing Agreement with the City of North Bay, to the satisfaction of the City Engineer.
- 6) That prior to signing the Final Plan by the City, the proposed condominium conform to the Zoning By-law in effect for the City.
- 7) That the Owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage.
- 8) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 9) That the Condominium Agreement between the owner and the City contain wording acceptable to the City Engineer to ensure that:
  - a) the owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Condominium describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction;
  - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development; and
  - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Condominium site design and implemented to the ongoing satisfaction of, and at no expense to, the City.

- 10) That the Owner provides full engineering drawings showing the provision of full services including storm, sanitary sewers, water and full curb section, including sidewalks if required, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay.
- 11) That the Condominium Agreement between the owner and the Municipality contained a Special Provision with wording acceptable to the City of North Bay to ensure that:
  - a) All residential building lots located above the 28 NEF contour for the City of North Bay Airport shall conform to the appropriate Acoustic Design criteria;
  - b) The owner must undertake to inform, in writing, all prospective tenants or purchasers of the residential units that the property in question is in an area where possible noise problems may exist or develop
  - c) The owner shall be required to provide a detailed specifications for noise attenuation related to the development
- 12) That the owner agrees to convey up to 5% of the land included in the Plan or cash-in-lieu to the City for park or other public recreational purposes.
- 13) That the Owner agrees to provide locations for centralized mail delivery acceptable to Canada Post Corporation or other alternative systems as may be normally required by Canada Post.
- 14) The Owner agrees to construct a privacy fence along the westerly lot line at the owner's expense.
- 15) That the Condominium Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 16) The condominium agreement for the subject condominium application shall include a statement informing the first purchaser of a lot within the subject Plan of Condominium that prior to the issuance of a building permit, the purchaser may be required to pay Development Charges
- 17) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 18) The Owner acknowledges that the property is in an area where private water services are present. The owner is responsible for implementing measures to ensure groundwater is not contaminated throughout the construction process.
- 19) The Owner agrees that any third party professional engaged to provide consulting services shall inspect the property following construction to confirm that their recommendations were incorporated into the built form. The third party consultant shall provide a letter to the City with this confirmation at the Owner's sole expense.

- 20) That before City Council's Final Approval is given, the Council shall be advised in writing by the City of North Bay's Engineering Services how Conditions No. 5, 9, 11 has been satisfied.
- 21) That before City Council's Final Approval is given, the Council shall be advised in writing by the Manager of Parks how Condition No. 12 has been satisfied.
- 22) That before City Council's Final Approval is given, the Council shall be advised in writing by Canada Post Corporation how Condition No. 13 has been satisfied.

## NOTES

- 1) We suggest you make yourself aware of the following:
  - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
  - b) Section 143(2) allows certain exceptions.
- 2) Prior to any construction, the Owner should contact the North Bay Mattawa Conservation Authority to discuss specific concerns identified by the Conservation Authority.
- 3) Prior to any construction, the Owner/Developer should contact the Ministry of Environment, Conservation and Parks (MECP) to determine if Species at Risk and/or their habitat is present in the general vicinity of the development area.
- 4) An electrical distribution line operating below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on wood poles supporting conductors stating "*Danger – Overhead Electrical Wires*" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
- 5) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative

communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).