



# City of North Bay Report to Council

Report No: CSBU 2021-13

Date: March 10, 2021

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 Subdivision by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited – 719 Ski Club Rd.

Closed Session: yes ☐ no ☒

## Recommendation

1. That the proposed Zoning By-law Amendment by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited – Ski Club Rd. to rezone portions of two properties legally described in Appendix A to Report to Council Number CSBU 2021-13 from a “Residential First Density (R1)” zone and a “Residential Holding (RH)” zone to a “Residential Third Density (R3)” zone be approved, and
2. That the proposed Plan of Subdivision (13 Lots, Subdivision File No. 48T-20101) by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2021-13, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2021-13 prepared by Peter Carello dated March 10, 2021.

## **Background Site Information**

**Legal Description:** See Appendix A

**Site Description:** The subject property is made up of two existing lots of record on Ski Club Road. For the purpose of this report, the two properties shall be referred to as the “westerly lot” or the “easterly lot”, as shown below and on Schedule ‘A’ attached hereto.

The westerly lot is an unaddressed parcel with approximately 56 metres of frontage on Ski Club Road. The easterly lot is a landlocked parcel directly adjacent to the westerly lot. The two parcels have a combined total lot area of 1.441 hectares.

Both properties are currently designated “Residential” under the City of North Bay Official Plan. The westerly lot is zoned “Residential First Density (R1)” under the City of North Bay Zoning By-law 2015-30 at the northern part of the property and is zoned “Residential Holding (RH)” at the southern part of the property. The easterly lot is zoned “Residential Holding (RH)”. The westerly lot is currently developed with a dwelling and accessory building while the easterly lot is currently vacant.

**Figure 1: Map of Subject Property and Surrounding Area**



### **Surrounding Land Uses:**

The subject properties are located within a residential neighbourhood. The land uses to the north and east consist of residential uses while the property to the south consists of a large parcel of vacant lands. These lots are mostly

developed at a size and scale that is consistent with the proposed lots that would be created through this subdivision.

Immediately west of the subject lands is a Plan of Subdivision under the same ownership as the lands subject to the current applications. This Plan of Subdivision was previously approved by City Council and achieved final approval. This means that individual parcels have already been created and unopened road allowances have been transferred to the City. The proposed road that would give frontage to these lots is known as Angela Court. However, the owner has not proceeded to develop the lots and they remain vacant.

Should the proposed Zoning By-law Amendment and Draft Plan of Subdivision be approved, the access to Angela Court would effectively be relocated from the current undersized McKeown Avenue road allowance, located south of Angela Court, to a new road allowance that intersects with Ski Club Road.

The following schools and City parks are also located in fairly close proximity to the subject lands;

- École Secondaire Catholique Odyssée (French public secondary school),
- École Élémentaire Catholique Odyssée (French public elementary school),
- Centennial Park (Caldwell- Elam).
- WJ Fricker (intermediate school) is currently closed. A new elementary school is proposed to be reconstructed on site.

## **Proposal**

Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited has submitted an application to amend Zoning By-law 2015-30 to rezone both properties for a Draft Plan Subdivision for both properties with frontage on Ski Club Road.

If approved, the subject lands would be rezoned from "Residential First Density (R1)" and "Residential Holding (RH)" zones to a "Residential Third Density (R3)" zone.

The subject applications would also establish a Draft Plan of Subdivision, as shown on Schedule 'C' attached hereto, in order to permit the creation of thirteen (13) residential lots (Lots 1-13).

## **Summary**

The subject lands are comprised of two adjacent properties. Combined, these properties have frontage on Ski Club Road and they form the continuation of the Angela Court subdivision.

Both existing lots of record are located within the City of North Bay's settlement area and the Laurentian Planning District. They are designated "Residential" by the Official Plan. The westerly property is zoned "Residential First Density (R1)" and "Residential Holding (RH)". The easterly property is zoned "Residential Holding (RH)".

The applicants are proposing to amend Zoning By-law 2015-30 to rezone both of the properties to "Residential Third Density (R3)". The applicants have also made a request for a thirteen (13) lot Plan of Subdivision.

The Angela Court Subdivision is located directly to the west of the subject properties. This subdivision has achieved final approval, meaning the eighteen lots have been created. However, at this time this subdivision is currently undeveloped. Road access at this time is slated to be provided by way of an extension to McKeown Avenue. At this time, this road has not been extended and the existing lots do not have road access.

If the current applications are approved, access to the Angela Court subdivision would be relocated from McKeown Avenue (just south of Angela Court) to a new road that would gain access to the City's larger road network via Ski Club Road.

The Provincial Policy Statement 2020 and the Official Plan both encourage the development of lands within the Settlement Area at an urban size and scale where public services are appropriate. The purpose of these policies is to concentrate development within the core area of the City, limiting the size of the community's footprint. In doing so, new construction takes place on municipal sewer and water, which is the preferred and more environmentally friendly approach to development.

Schedule 9 of the City's Official Plan establishes a Staging Plan that identifies where development should take place within the Settlement Area. The intention of this staging plan is to encourage development to primarily take place in areas where existing development is already built up before eventually allowing development to start in secondary growth areas. All lands in the Settlement Area are either identified as Stage-1, Stage-2 or Stage-3. The subject property is identified within Stage-1 of the Official Plan's Staging Plan.

The lands have access to the full range of public services, including municipal sewer, water, garbage collection, parks, and a range of schools. A municipal transit route runs along Chapais Street and Ski Club Road, which is less than 250 metres from the subject property.

If approved, this application would result in the development of thirteen new residential lots within the Settlement Area, consistent with the above noted policies of the Provincial Policy Statement and the City's Official Plan. In addition, it would facilitate the development of the eighteen vacant lots on Angela Court that are presently vacant and without road access.

The applications were circulated to the internal departments and external agencies that provide comments on development applications of this nature. A listing of comments received is outlined in the Correspondence section of this report. There were no major concerns raised by these departments and agencies.

The Engineering Department offered no objections to the proposed applications. However, they noted that they would appreciate additional traffic data prior to final approval. Staff has included a Condition of Approval (see Appendix C) requiring the preparation of a traffic report prior to final approval and execution of a Subdivision Agreement and the creation of the lots.

The Conservation Authority noted that a portion of the subject lands are located within their *Approximate Regulated Area*. The Conservation Authority offered no objections to the proposal, but noted that any development within these regulated areas will require a *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (DIA)* permit.

The Conservation Authority also identified that the subject property is within the Chippewa Creek subwatershed. As such, a small headwater tributary of Chippewa Creek is located adjacent to the westerly portion of the property. The Conservation Authority identified that an Environmental Impact Study should be completed prior to development taking place.

Planning staff have added conditions of approval to be reflective of the issues identified by the City's Engineering Department and the Conservation Authority to ensure that these matters are addressed prior to development taking place.

The application was also circulated to all residents within 120 metres of the subject property. Planning staff received two items of correspondence expressing concerns about the proposed development. To summarize, these concerns were centred on the loss of greenspace and wildlife, the costs associated with future road construction, the sloped topography due to the proximity to the North Bay escarpment, concerns on impacts to the wetland located directly to the south of the subject lands, storm water management impacts and the suggestion of implementing certain design measures through Site Plan Control.

Staff's response to these matters is outlined in the Correspondence section of this report and a complete copy of correspondence received is attached as Appendix B to this report.

It is my professional opinion that the proposed Zoning By-law Amendment and Plan of Subdivision 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 City of North Bay's Official Plan. As discussed in greater detail later in the report, it is my opinion that the proposed development conforms to the City's Official Plan.

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

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

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act, which requires that decisions affecting planning matters "shall be

consistent with” policy statements issued under the Act.

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

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas.

Relevant policy sections from the Provincial Policy Statement (PPS 2020) include the following;

#### Section 1.1.3 – Settlement Areas

Section 1.1.3.1 reads:

*“Settlement areas shall be the focus of growth and development”.*

The subject lands are located within the settlement area identified in Schedule 1 of the City of North Bay’s Official Plan. The above noted policy encourages municipalities to concentrate development within these areas for reasons that are outlined in Section 1.6 of the PPS 2020.

#### Section 1.6 – Infrastructure and Public Services

Section 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 sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”*

The proposed Zoning By-law Amendment and Plan of Subdivision applications would result in the creation of thirteen (13) new residential lots within the Settlement Area. It would provide the community with new housing, which would have access to all public services, including municipal water and sewer as encouraged by the Provincial Policy Statement.

## Section 1.4 – Housing

### Section 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..."*

Existing infrastructure in the vicinity of the proposed development is adequate to accommodate the proposed development.

Planning Services Staff are of the opinion that the proposed Zoning By-law Amendment and Plan of Subdivision are consistent with the Provincial Policy Statement (PPS 2020).

## **Official Plan**

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

Excerpts of the Official Plan applicable to this application are outlined below:

## 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 lands are located within the Settlement Area of the City of North Bay. It has access to the full range public services, including municipal sewer, water and parks, as encouraged by the Official Plan. The subject lands would



form a natural extension of the previously approved Plan of Subdivision for Angela Court. School facilities, both within the nearby neighbourhood and within the City as a whole, are adequate to accommodate this proposed residential growth.

#### 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 Third Density (R3)" zone. The types of housing permitted within the R3 zone would be consistent the types of housing that are already present within the area.

The subject lands would form a natural extension of a previously approved Plan of Subdivision of Angela Court, whose lots were created but never developed. School facilities in the area and within the City as a whole are adequate to accommodate residential growth.

Staff had discussion with the applicant regarding the proposed subdivision design, specifically with respect to Block 1 and Block 2 shown on the draft plan. The applicant has indicated that it is their desire to see Block 2 on the

Draft Plan be added to the existing Lot 23 of the Angela Court Subdivision. Staff are supportive of this to create a larger corner lot to facilitate future development. The applicant will be required to apply for a request for a deeming by-law to allow these parcels to merge together.

With respect to Block 1 staff are supportive of the idea of a buffer from the road from the adjacent property owner, however, would also like to ensure that should this property owner ever choose to develop their land in a more fulsome way that they have the ability to access this new road. As a result staff and the applicant have agreed that Block 1 will be identified as a 3 metre reserve adjacent to the road. The abutting property owner would be required to pay their share of servicing costs. This has been added as a condition of approval of Draft Plan of Subdivision and the Draft Plan has been modified to reflect this approach.

### Schedule 9 – Staging Plan

Schedule 9 of the Official Plan establishes a Staging Plan that provides a schedule for when development should take place in specific parts of the community. All properties within the Settlement Area are identified as Stage-1, Stage-2 or Stage-3. Lands within Stage-1 are the first properties to be developed. Lands in Stages 2 and 3 can only begin to be developed once 2/3<sup>rd</sup> 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-1 of Schedule 9, meaning that it is appropriate to consider these lands for infill development.

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

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

The westerly lot is presently zoned both "Residential First Density (R1)" and "Residential Holding (RH)" and the easterly lot is currently zoned "Residential Holding (RH)".

The northern portion of the westerly lot, currently zoned "Residential First Density (R1)". The R1 zone 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 southern portion of the westerly lot and the easterly lot are both currently zoned "Residential Holding (RH)". The RH zone permits the following uses:

Permitted Residential Use:

- Single Detached Dwelling

Permitted Non-Residential Uses

- Cemetery;
- Commercial Agricultural Uses;
- Conservation Area;
- Golf Course;
- Group Home Type 1;
- Hobby Farm (as an Accessory Use to a residential use only);
- Kennel;
- Rural Recreational Facility;
- Solar Farm; and
- Wind Farm

Despite the fact that they're listed as permitted uses, the majority of the Non-Residential Uses in the Rural Holding zone would be subject to other regulations of the Zoning By-law (such as minimum lot area requirements) that would preclude them from being developed on the subject lands.

The proposed re-zoning of the subject lands entirely to a "Residential Third Density (R3)" zone. The R3 zone would permit the following uses:

- Single Detached Dwelling
- Semi Detached Dwelling
- Duplex 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 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.

Of the agencies that provided comments, Building Department, Public Works, North Bay Hydro, the Ministry of Transportation and the Ministry of Environment, Conservation and Parks each offered no concerns or objections.

Enbridge Gas Inc. requested that a condition of final approval be included that the owner/develop provide the necessary easements and/or agreements required for the provision of gas services for the project, in a form satisfactory to Enbridge.

The North Bay-Mattawa Conservation Authority had no objections to the application, but noted that the subject property is located within the Chippewa Creek subwatershed and that a small headwater tributary of Chippewa Creek is located adjacent to the westerly portion of the property. The Conservation Authority also stated that a portion of the subject lands are located within the *Approximate Regulated Area*.

The Conservation Authority has stated that a DIA permit would be required for any work in the vicinity of the Regulated Area. The Conservation Authority has recommended that an Environmental Impact Assessment (EIS) be conducted due to the proximity of a tributary and wetland to the south of the property and the high potential for species at risk in the area.

A complete copy of the Conservation Authority's correspondence is attached to this report in Appendix B.

Bell Canada had no objections but advised that the owner contact Bell Canada during detailed design work to confirm the provisions of communications/telecommunication infrastructure needed to service the development.

The Conditions of Approval (Appendix C of this report) have been updated to be reflective of the recommendations and requirements of Enbridge, the Conservation Authority, the Engineering Department and Bell Canada.

Two members of the public provided a written response to the proposed Zoning By-law Amendment and Draft Plan of Subdivision. A complete copy of the correspondence received is attached within Appendix B. The following is intended as a summary of the primary areas of focus of these letters and staff's response to these concerns.

- Wildlife and Habitat Preservation: one letter identified the author's enjoyment of the natural environment in the area and viewing the wildlife as being an area of concern.

Protection of the natural environment is one of the core principles of the City's Official Plan. Protection measures are done at a high level through policies that limit development in the rural area, protects environmentally sensitive lands and creates parks and green spaces. The City's Official Plan contains identified areas of development constraint that need to be addressed prior to development.

The subject properties are located within the Settlement Area in an area that is somewhat built up at an urban scale. The Conservation Authority has requested that an Environmental Impact Study be completed prior to development taking place. This request has been added as a condition of approval.

Staff would also note the presence of other lands in the area that are unlikely to be developed and will remain in a natural state. This includes the Escarpment to the north and some large parcels of City and Conservation Authority owned lands to the south.

Considering this, it is staff's opinion that it is appropriate to consider the development of the subject lands subject to any mitigation that may be determined through an Environmental Impact Study.

- Northern Living: one letter identified that Northern Ontario living should include the integration of the natural environment within residential areas as well as trails.

There are works being done through the group of internal and external stakeholders who are working to implement the recommendations of the Active Transportation Plan. Chapais Street is identified within this plan as being a neighbourhood collector connects a larger collector (Ski Club Road) to a neighbourhood park located at the end of Chapais Street. The Committee envisions this subdivision being part of this trail network once all the roads are built out.

- Extension of McKeown Avenue: There were some questions regarding the possibility of extending McKeown Avenue just southwest of the subject property. There were also concerns regarding the fact that this extension was not identified as a future road within Schedule 5 of the City's Official Plan (Transportation Schedule).

Schedule 5 of the Official Plan is not intended as a comprehensive list of

all future roads within the City. There are many road extensions that are not shown on Schedule 5. The previous approval of Angela Court identified the extension of McKeown Avenue as providing access to these lots.

However, should the proposed development be approved, the proposed road access would be relocated to Ski Club Road. In staff's opinion, this would be a positive development, as the McKeown Avenue road allowance is currently undersized.

- Ecological Function of Lands in Area: There was a question regarding whether an evaluation of the proposed development's effect on adjacent wetlands and watercourses had been completed.

There has not been such an evaluation completed at this time. However, the Conservation Authority's comments include the request for an Environmental Impact Study. This has been incorporated into the Conditions of Approval. Such a study will need to be completed and the recommendations implementation prior to and as part of development taking place.

- Stormwater Management Plan for the development: There were questions regarding the Stormwater Management Plan for the development and the impact of such measures.

One of the Conditions of Approval obligates the developer to complete a Stormwater Management Plan prior to development taking place

A complete copy of correspondence received is attached as Appendix B to this report.

No other correspondence was received on this file.

### **Financial/Legal Implications**

None at this time

### **Corporate Strategic Plan**

- |  |   |
|--|---|
| <input type="checkbox"/> Natural North and Near                | <input 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 applications

1. That the proposed Zoning By-law Amendment by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited – Ski Club Rd. to rezone portions of two properties legally described in Appendix A to Report to Council Number CSBU 2021-13 from a “Residential First Density (R1)” zone and a “Residential Holding (RH)” zone to a “Residential Third Density (R3)” zone be approved, and
2. That the proposed Plan of Subdivision (13 Lots, Subdivision File No. 48T-20101) by Antech Design & Engineering on behalf of New Era Homes Limited and Millford Development Limited in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2021-13, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2021-13 prepared by Peter Carello dated March 10, 2021.

This option is recommended as it is staff’s opinion that that the proposed Zoning By-law Amendment and Plan of Subdivision 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).

### Option 2

To deny the requested applications. This option is not recommended.

## **Recommended Option**

Option 1 is the recommended option.

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Respectfully submitted,

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Name: Peter Carello, MCIP RPP

Title: Senior Planner – Current Operations

**I concur with this report and recommendation.**

Date: March 10, 2021  
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Name: Beverley Hillier, MCIP RPP  
Title: Manager, Planning & Building Services

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Name: Ian Kilgour, MCIP RPP  
Title: Director of Community Development and Growth

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Name: David Euler, P.Eng  
Title: Chief Administrative Officer

Personnel designated for continuance:

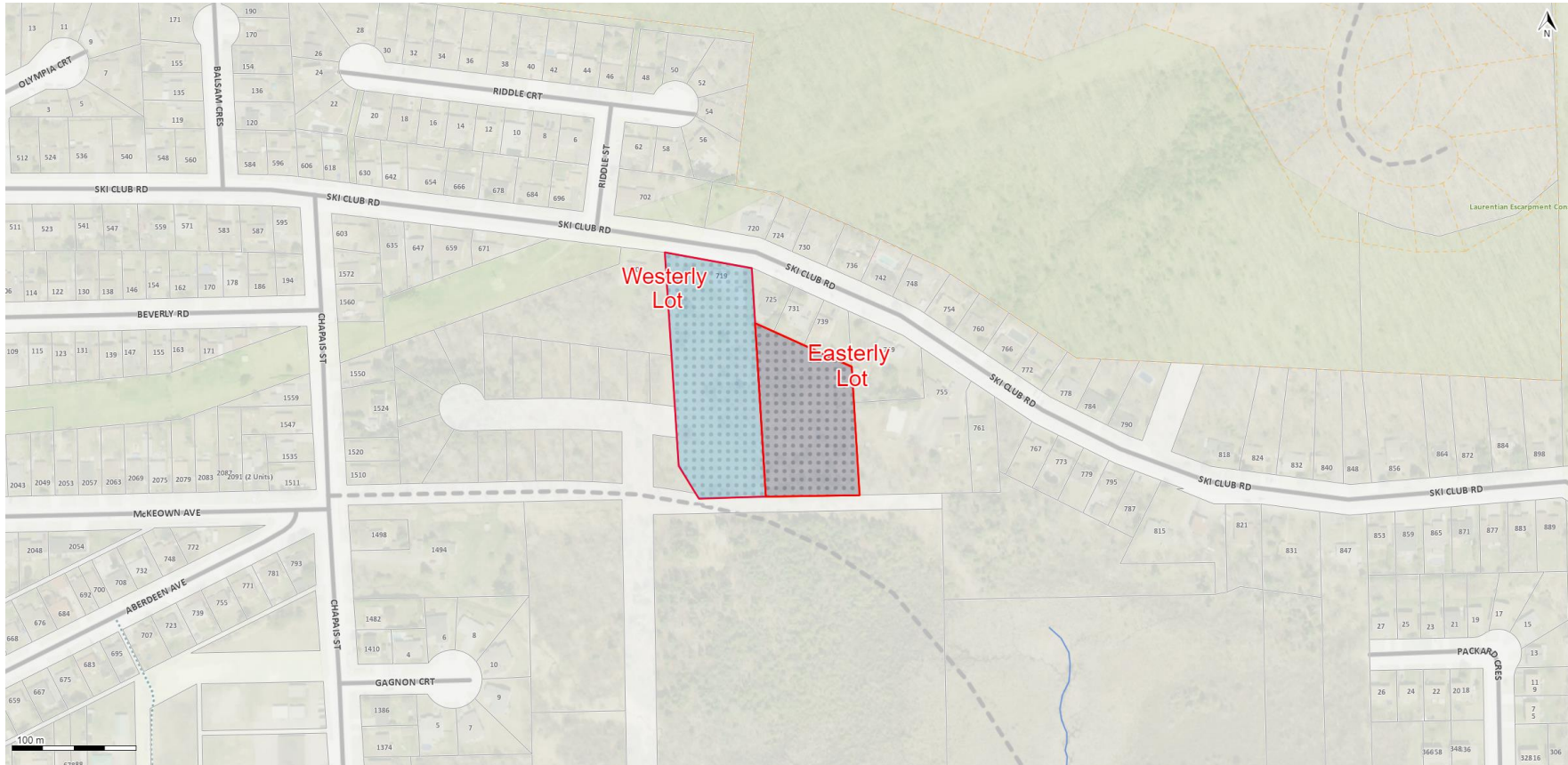
Name: Peter Carello

Title: Senior Planner, Current Operations

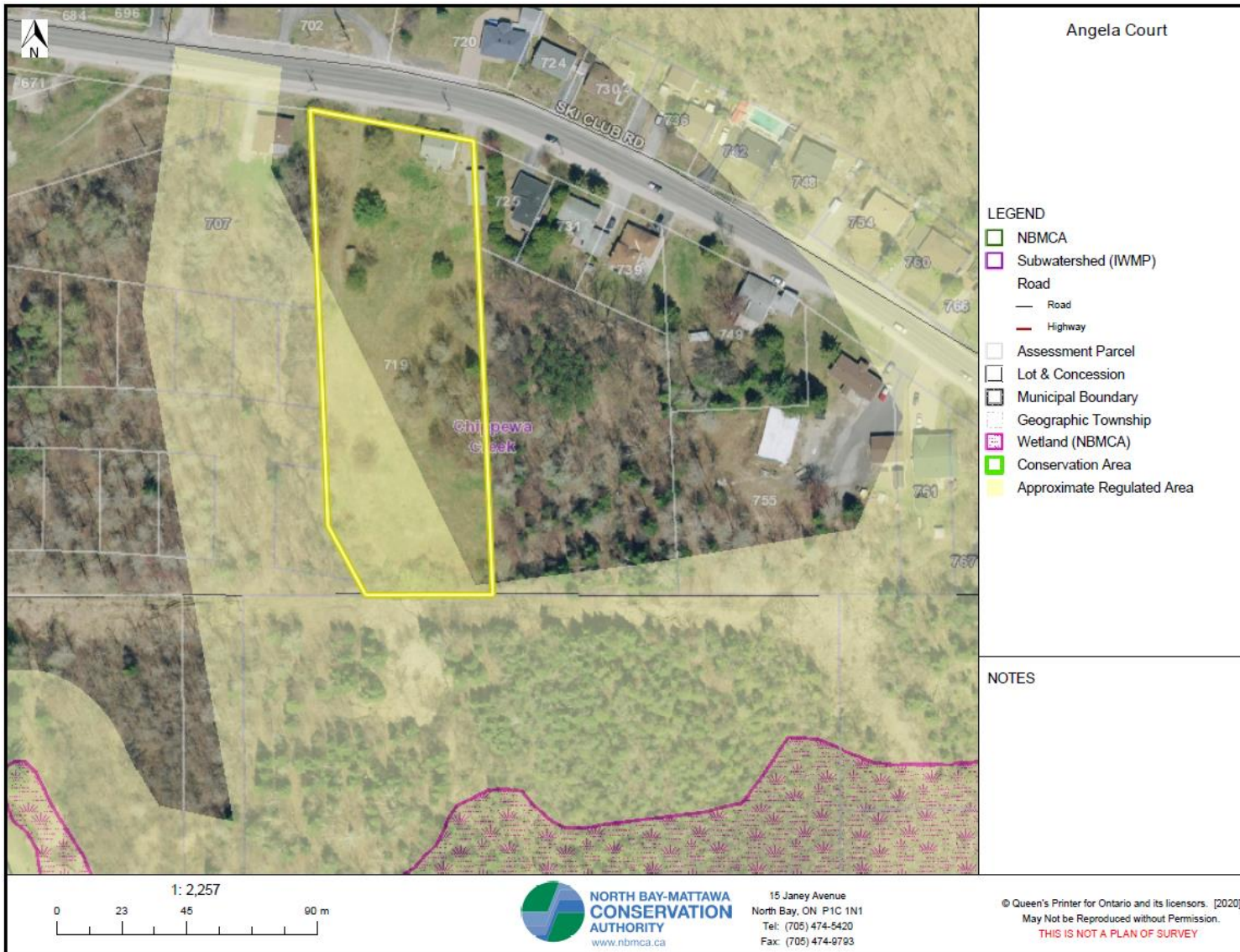
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By-law Amendment and Draft Plan of Subdivision – 719 Ski Club Road



## Schedule 'A'



## Schedule 'B'



## Schedule 'C'



## **Appendix A**

### **PIN 49148-0043 (LT)**

PCL 17450 SEC WF; PT LT 18 CON B WIDDIFIELD AS IN LT281104; NORTH BAY ; DISTRICT OF NIPISSING

### **PIN 49148-0047 (LT)**

PCL 9779 SEC WF; PT LT 18 CON B WIDDIFIELD PT 1 NR1855 EXCEPT PARTS 1, 2 & 3, 36R4097; NORTH BAY ; DISTRICT OF NIPISSING



## Appendix B – Correspondence

November 24, 2020

Peter Carello  
Senior Planner – Current Operations  
Planning Service, City of North Bay  
200 McIntyre Street East  
North Bay ON P1B 8H8

Sent by email peter.carello@cityofnorthbay.ca

Dear Peter:

**Re. Comment on Application for a Zoning By-law Amendment and a Draft Plan of Subdivision, Ski Club Road (unaddressed)**

A notice dated November 9<sup>th</sup> 2020 and circulated electronically on the same day was received by mail yesterday, November 23<sup>rd</sup>.

The Notice includes the following information:

*... The City of North Bay has received an application for a Zoning By-law amendment and an application for a Draft Plan of Subdivision under Sections 34 and 51 of the Planning Act, R.S.O. 1990, c. P. 13, as amended. This application has been deemed to be a complete submission...*

*The subject property is made up of two properties, as shown on Schedule A attached hereto. The westerly lot is an unaddressed parcel with approximately 56 metres of road frontage on Ski Club Road. The easterly lot is a landlocked parcel directly adjacent to the westerly lot. The two parcels have a combined total lot area of 1.441 hectares. Both properties are currently designated "Residential" under the City of North Bay Official Plan. The westerly lot is zoned "Residential First Density (R1)" under the City of North Bay Zoning By-law 2015-30 at the northern part of the property and is zoned "Residential Holding (RH)" in the southern part of the property. The easterly lot is zoned "Residential Holding (RH)". Both lots are vacant.*

*Antech Design & Engineering on behalf of the property owners, New Era Homes Limited and Millford Development Limited, has submitted an application to amend Zoning By-law 2015-30 to rezone both properties to a "Residential Third Density (R3)" zone. The applicants have also submitted an application for a Draft Plan of Subdivision. The purpose of the application is to permit the development of a thirteen (13) lot residential subdivision.*

My interest in this proposed planning amendment is threefold:

- As a member of GreenSpace North Bay I have an interest in orderly planning in the City of North Bay that aligns with GreenSpace North Bay's objectives, as were expressed during the official plan review in the 2008-2013 period and on occasions since that time

- As a resident in the Laurentian Planning Area I have an interest in planning and development in the Planning Area and in encouraging planning and development that will reflect the primary goal of the City of North Bay's Official Plan, that being "to maintain and enhance the quality of life for the citizens of North Bay" and which will reflect the guiding principles of the Official Plan, including the principle that "The City's natural amenities will be maintained and enhanced so that the community remains a sustainable community with a high standard for quality of life and healthy natural environment"
- As a resident in the Laurentian Planning Area and a user of recreational and environmental amenities in my planning area, including those associated with Laurentian Park and the Laurentian Marsh, I have an interest in proposed developments which might adversely affect those recreational and environmental values

As a resident in the area and homeowner of a property on Ski Club Road a short distance east of the proposed development, I am familiar with the area and the subject property. I have now reviewed the November 9<sup>th</sup> *Notice of Complete Applications for a Zoning By-law Amendment and a Draft Plan of Subdivision, Ski Club Road (unaddressed)* and Invitation of Comments and have the following comments, observations and questions related to this notice and proposed Zoning By-Law Amendment:

- Since having been forwarded the notice subject notice on November 9<sup>th</sup> I have passed the property numerous times and have not observed a notice of the proposed planning amendment or public meeting posted at the property; today, after receiving the printed notice by mail, I walked the distance of the Ski Club Road property line and did not observe a sign giving notice of the proposed planning amendment or public meeting

**QUESTION:** Why is there no notice posted at the subject property? How has notice been given to property owners in the area of the subject property?

- The notice identifies the property as "Ski Club Road (unaddressed)" but by my estimation the subject property identified within the notice as the "Westerly Lot" includes the residence at 719 Ski Club Road

**QUESTION:** Please confirm or correct my estimation that the "Westerly Lot" includes the residence at 719 Ski Club Road, and if "Westerly Lot" does include the residence at 719 Ski Club Road why this identification by street address omitted from the November 9<sup>th</sup> Notice?

- The map provided as "Schedule A" in the November 9<sup>th</sup> Notice did not include a legend and I have been unable to determine what the dotted line depicted as running east of McKeowan Avenue and then arcing south-east represents

**QUESTION:** What does the dotted line depicted as running east of McKeowan Avenue and then arcing south east represent? Could you please also identify the source, date and original purpose of the map included as "Schedule A"?

- The maps provided as “Schedule A” and as “Schedule B” provide different representations of land uses in the vicinity of the subject property; this perception of difference may be exacerbated by the poor quality of the reproduction of Schedule B and the lack of detail in Schedule A, but even with those limitations taken into account it is not fully clear that the two schedules are not in conflict in terms of their depiction of the same area. In addition, the information provided in the notice, including the maps, is overly limited.

**QUESTION:** what is the status of the planned development identified in Schedule B as “Registered Plan M-531”? For example, is there a planning approval in place, and if so when was it issued and does the planning approval have an expiry date?

**QUESTION:** If approved, would the proposed development for the subject property be sequential to “Registered Plan M-531” or would these planning approvals be untethered in terms of time of development? For example, could the subject property be developed with single access via the unnamed street at the western boundary of the subject property, in the absence of any planned / potential / future development via an extension to McKeowan Avenue?

- Schedule B depicts an extension of McKeowan Avenue west of Chapais which is not currently in place and is not identified Schedule 5 of the City of North Bay’s Official plan, which is the Transportation Plan.

**QUESTION:** What is the status of the depicted extension of McKeowan Avenue west of Chapais as depicted in Schedule B? If this is a planned road extension, what portion of the cost of this road construction be assigned to the City of North Bay, and if any of the costs would be assigned to the City of North Bay how has it been budgeted for and for what year(s) has its construction been budgeted?

- The subject property identified in Schedules A and B of the planning notice is immediately south of Ski Club Road and forms a portion of the northern perimeter of the undeveloped lands which appear to be part of a single ecological unit that includes the Laurentian Marsh and associated wetlands. While Schedules A and B provide no information about the environmental or ecological features of the subject property or of those lands in proximity, a comparison of the area as depicted in Schedules A and B and the lands as represented through the Ontario Lands Information System indicates that the subject property is at the foot of the North Bay escarpment, that the subject property includes sloped topography, and that the subject property includes low lying land that is connected to, associated with, and/or forms part of the wetlands associated with the Laurentian Marsh (See Figure 1 and 2). These indications have been confirmed with visual observation.



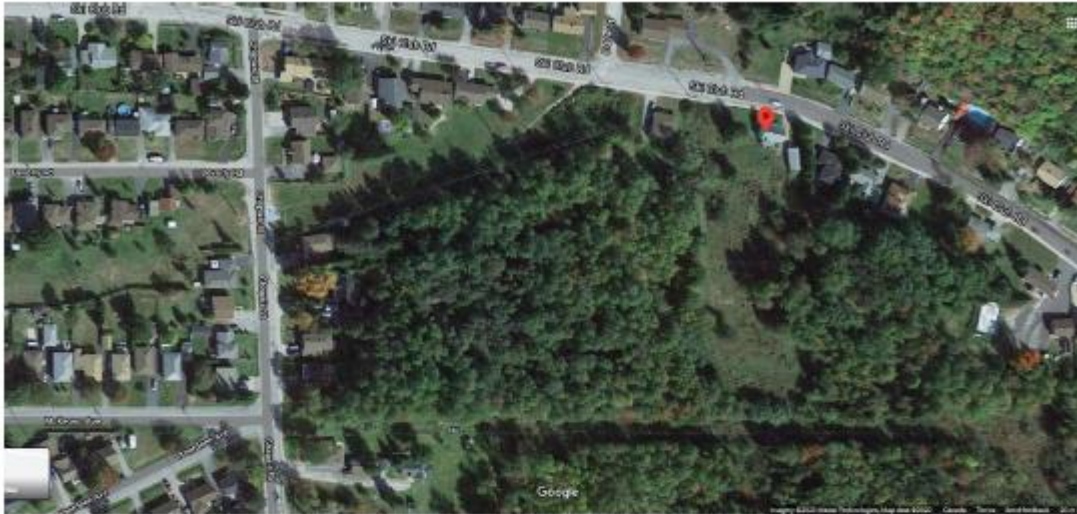


Figure 1. The red icon identifies the residence at 719 Ski Club Road

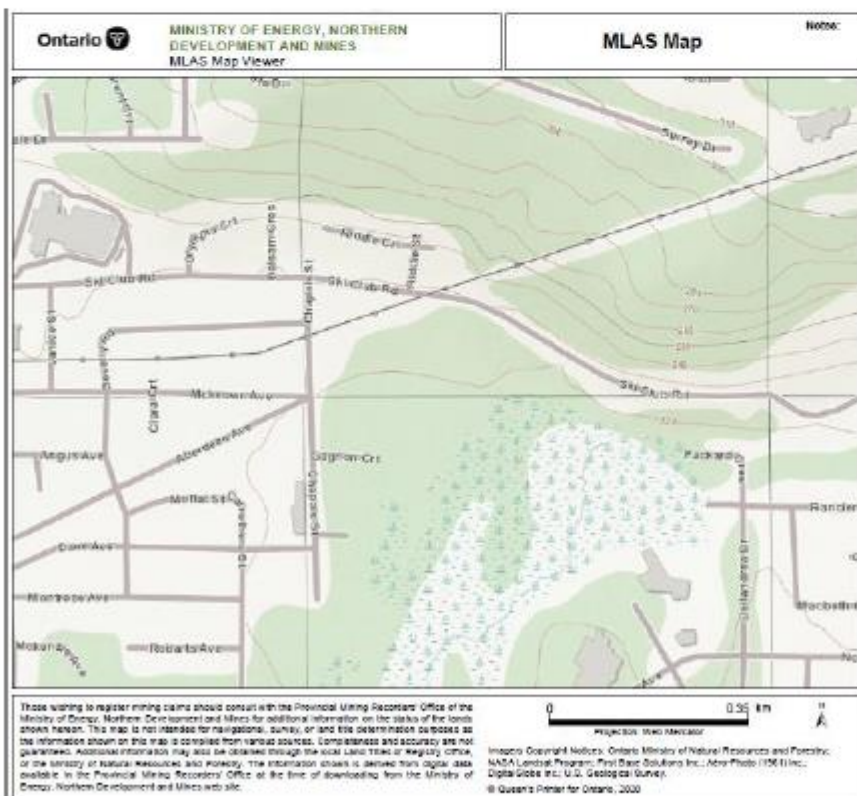


Figure 2. Source: Land Information Ontario, Mining Lands Assessment System



**QUESTION:** how has the City of North Bay evaluated the potential impact of this and adjacent developments on the environmental or ecological functions and values of the wetlands associated with and including the Laurentian Marsh?

**QUESTION:** If this development is approved, will the City utilize a Site Plan Control to minimize impacts on the Laurentian Marsh and associated wetlands?

**QUESTION:** Has the City of North Bay evaluated the potential effect of this and adjacent developments on the need for and timing of the construction of an additional stormwater management pond in the Eastview Tributary? (See Schedule 8b, City of North Bay Official Plan)

**QUESTION:** Has the City of North Bay evaluated the potential effect of the construction of an additional stormwater management pond in the Eastview Tributary on the ecological and environmental values of the Laurentian Marsh and associated wetlands? Similarly, how has the City of North Bay evaluated the potential effect of the construction of an additional stormwater management pond in the Eastview Tributary on the social and recreational values of the Laurentian Marsh and associated wetlands?

**QUESTION:** What would be the financial impact for the City of North Bay of this development hastening the construction of an additional stormwater management pond in the Eastview Tributary and how has or will the construction of an additional stormwater management pond in the Eastview Tributary be budgeted?

As per the Ministry of Municipal Affairs and Housing planning direction,<sup>1</sup> approval authorities may review subdivision plans to assess, among other things, aspects of design and layout that relate to climate change mitigation and adaptation, such as: orienting lots to maximize passive solar heating and lighting while decreasing energy consumption; consideration of energy supply; optimizing the use and efficiency of energy through compact design; and designing for nonmotorized pathways and trails that support walking and cycling. Conditions of approval may also include easements or land dedication for greenspaces and natural features, which store carbon and can reduce costs associated with stormwater management.

Sustainable external design elements may be secured through a site plan control by-law. To address climate change mitigation and adaptation, elements could include green infrastructure and low-impact development features such as:

- natural and artificial permeable surfaces that promote infiltration and reduce stormwater runoff (e.g., infiltration swales, vegetated channels/ditches, interlocking pavers, porous asphalt)
- green roofs for rainwater capture and energy efficiency

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<sup>1</sup> <http://www.mah.gov.on.ca/AssetFactory.aspx?did=7035>

- tree plantings that are suited to site conditions and which function to shade paved surfaces and reduce localized heat island effects<sup>2</sup>

**QUESTION:** If this development is approved, will the City utilize a Site Plan Control to minimize the carbon impacts of this development and incorporate climate change mitigation and adaptation measures?

As per my comments on earlier proposed (and now approved) developments, I have a curiosity about the City of North Bay's overall planning approach to new residential development, and how the planning approach reflects the goals and principles of the City of North Bay's Official Plan and best practices in municipal planning more generally. My final three questions are a reflection of this curiosity and interest in better understanding the City's planning approach:

**QUESTION:** noting that this area is outside the Residential Intensification Area outlined in Schedule 11 of the Official Plan, what is the planning rationale for this intensification in the Laurentian Planning Area?

**QUESTION:** how many approvals are currently in place / have been issued for residential units which have not yet been constructed?

**QUESTION:** of the approvals which are currently in place / have been issued for residential units and have not yet been constructed, how many have an expiry date or a time by which the units must have been constructed?

I understand that my comments will be summarized in a report that will be submitted to City Council for their consideration, and that my comments in their entirety will be included as an appendix to the Planning Report prepared by staff on this matter. I also understand that I may also provide comments "in person" to City Council on this matter, but have not yet determined my intention in this respect.

I look forward to receiving your response to the above-stated questions, and the opportunity to further contribute to the City staff evaluations and Council's decision-making process.

Thank you for your attention and consideration.

Regards,



Brennan Lloyd

1450 Ski Club Road, North Bay, ON P1B 8E6

cc. Peggy Walsh Craig, Nipissing Environmental Watch  
Official Plan Review Group, GreenSpace North Bay

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<sup>2</sup> Ibid

Hi Peter –

We received the proposal notice for a zoning by-law amendment for the Ski Club Road area (SIRE\D14\2020 – ZBLA #928 – Ski Club Road (unaddressed)).

I am reaching out with some inquiries and thoughts to the council regarding the above mentioned development proposal.

- **Wildlife & Habitat Preservation**

- What is the wildlife habitat preservation strategic plan? (For this area)
- There are many species that currently call the 1.44 hectares home and with this development many of these animals will be permanently displaced. The continued fragmentation and destruction of habitats within the North Bay community is alarming. This council has made capitalism a priority in their decisions when wildlife displacement and fragmentation has been a concern in past developments (i.e. Cascades Casino, Steve Omischl Sports Complex). There are builders who ensure communal green space is apart of their neighbourhood development plans (i.e. Degagne/ Oak Ridges) and with wildlife preservation top of mind on a global scale, how is our community ensuring the longevity of its natural habitats with this development?
- We love watching the deer eating, grazing and sleeping around our home. The deer enjoy our crab apple tree on a daily basis and we are comforted by the thought that these animals have a safe place to live and are welcomed as apart of the northern life we so very much love.
- We love observing the many different species of birds in our yard and teach our son about the different animals we see on a daily basis. This was a big reason we chose to live in this neighbourhood and it would be devastating to see the loss of this beauty and unity within the community.

- **Northern living**

- This neighbourhood proposal lacks any integration of community green space. The Ski Club area isn't in direct connection to local trails (i.e. Kate Pace Way) and this development is the perfect opportunity to layer in a very attractive and desirable want for people looking to join the North Bay community. The social media campaign "move up" is rooted in idea that moving to northeastern Ontario offers a lifestyle unrivaled by the GTA. A pitch that encompasses living amongst nature, short commute times, more time to do the things you love, affordable living, and many more. This development proposal contradicts a large portion of that campaign. An idea for an option; amend the proposal to include a nature pathway between Lot 1 & Part 1 that follows the back end of every Lot making its way to Mckeown Avenue, connecting the neighbourhoods. As we continue as a community to think about the longevity of our neighbourhoods and what we have to offer that's different or better than a suburb within the GTA, this would allow us to stay competitive. We would be showing that we think about tomorrow, and continue to be mindful of what makes North Bay special.
  - Integrated trails/ green space would connect the community geographically and support the healthy living lifestyle we promote.
- Question: The notification states that both lots are vacant, does the Westerly lot not have a home currently on the property which is occupied? And if I am understanding the proposal correctly, would this house and garage be torn down?

Overall continuing to grow the community and opportunities to build more homes that will boost the economy within North Bay is absolutely a priority, I believe we have the obligation to balance those decisions with the impacts to the environment. We only have one Earth. There can be harmonious decision making that supports community growth and animal welfare. This proposal has the opportunity to support that.

We hope the above will influence an amendment to this development draft. Thank you

Regards,  
Stephanie Kirkham

## Engineering Department

We have reviewed Application for a Zoning By-law Amendment and Draft Plan of Subdivision for Angela Ct. We have no oppositions to the application however we would like to provide comments for future phase(s) of the development. They are as follows:

1. We will require a stormwater management (SWM) plan for the proposed subdivision which meets our technical standards for quality and quantity control.
2. The Private Approach By-law 2017-72 will need to be consulted when driveways will be established to ensure they meet the By-law requirements.
3. We have concerns related to the intersection with Ski Club. We will want to receive a report from a traffic engineer regarding the intersection relating to the development.
4. We will require the following Plans/Engineered Drawings for the subdivision:
  - a. Servicing Plan, the developer will need to extend services to the subdivision at their own cost.
  - b. Grading and Drainage Plan, and
  - c. Erosion Control Plan
  - d. Street Lighting Plan
5. It is the developer's responsibility to conduct all water pressure testing to ensure sufficient pressure for domestic use and fire protection. Existing water pressure at fire hydrants can be tested through our Public Works Department by calling dispatch at 705-474-4340.
6. The developer is to confirm all the existing information on site.
7. We will require a stormwater management report for the subdivision which meets our technical standards for quality and quantity control. Based on that analysis, the City of North Bay and the developer can discuss whether \$2,200/lot will be applicable (if developer chooses to pursue this option).
8. Dimensions of the cul-de-sac should follow "OPSD 500.020 – Turning Basins For Terminated Urban Roadways, Residential".
9. All the drawings and engineering reports must be designed and stamped by a Professional Engineer licensed to practice in the province of Ontario.
10. The developer must enter into a Service Contract with Engineering Department for any services or restoration work on the City property.
11. The above comments are preliminary with the limited information provided at this time. Upon receiving further details, we will provide further comments including items that may not have surfaced at this phase.

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Should you require any further information, please contact the undersigned.

**Kelly Buchanan**

Analyst Land Services

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ENBRIDGE GAS INC.

TEL: 519-436-4673 | FAX: 519-436-5353

50 Keil Dr N, Chatham ON N7M 5M1

[enbridge.com](http://enbridge.com)

**Safety. Integrity. Respect**

Hi Peter,  
I have no comment with respect to the proposed application.  
Regards,

**Curtis Livingstone** CET, CBCO  
Chief Building Official  
The Corporation of The City of North Bay  
P.O. Box 360, 200 McIntyre St. E, North Bay, ON P1B 8H8  
(t) 705-474-0400 x2410  
[curtis.livingstone@cityofnorthbay.ca](mailto:curtis.livingstone@cityofnorthbay.ca)

November 27, 2020

Corporation of the City of North Bay  
200 McIntyre St. E., P. O. Box 360  
NORTH BAY, Ontario P1B 8H8

**Attention: Peter Carello, Senior Planner-Current Operations**

Dear Mr. Carello:

**Re: Zoning By-law Amendment and Draft Plan of Subdivision – New Era Homes Ltd.  
and Millford Development Ltd.  
Ski Club Road Unaddressed - Angela Court  
City of North Bay  
Our File No.: PZB5-NB-20; PPOS3-NB-20**

This office has received and reviewed the above zoning by-law amendment and draft plan of subdivision for two parcels of land having a combined total lot area of 1.441 hectares. The purpose of the zoning by-law amendment application is to amend Zoning By-law 2015-30 to rezone both properties to a “Residential Third Density (R3)” zone. The purpose of the Draft Plan of Subdivision application is to permit the development of a thirteen (13) lot residential subdivision.

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, 2020 (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 with regard to 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.

The subject property is within the Chippewa Creek subwatershed. A small headwater tributary of Chippewa Creek is found adjacent to the westerly portion of the property. See attached sketch. This tributary is regulated by the Conservation Authority as per Ontario Regulation 177/06. Any work within the Approximate Regulated Area requires a DIA permit from this office.

Due to the proximity of the tributary and the wetland to the south there is high potential for species at risk in this area. It is recommended that an Environmental Impact Study (EIS) be undertaken to address potential impacts to significant natural heritage features.

Subject to the successful completion of a DIA permit and an EIS, the Conservation Authority is satisfied that the application will be consistent with the policies as set out in Sections 2 and 3 of the PPS, 2020.

continued on following page.

Trusting this is satisfactory. Should you have any questions, please do not hesitate to contact this office at (705) 474-5420. For administrative purposes, please forward any decisions and resolutions regarding this matter.

Yours truly,

Paula Scott  
Director, Planning & Development/Deputy CAO



2020-12-01

Peter Carello

North Bay  
North Bay, Ontario, P1B 8V6

Attention: Peter Carello

Re: ZBLA and Draft Plan of Subdivision, South of Ski Club Rd., North Bay; Your File No. TBD,TBD

Our File No. 88230

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.

We would note that WSP operates Bell Canada’s development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

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)

## Appendix C – Conditions of Approval

Subdivision File 48T-20101

- 1) That this approval expires five (5) years from the date of approval. If there is an appeal to the Local Planning Appeal 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 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 Plan of Subdivision prepared by Paul Goodridge as shown on the attached Schedule C dated September 11, 2020, as modified by the City, which is comprised of thirteen (13) residential lots, two (2) blocks and one (1) street.
- 3) That all streets on the Plan of Subdivision be named to the satisfaction of the City of North Bay.
- 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 the road allowance included in this Draft Plan shall be dedicated as public highways.
- 7) That any dead ends and open sides of road allowances created by this Draft Plan shall be terminated in reserves to be conveyed to and held in trust by the Municipality.
- 8) That prior to signing the Final Plan by the Municipality, the proposed subdivision conform to the Zoning By-law in effect for the Municipality.
- 9) 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.
- 10) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 11) That the Subdivision Agreement between the owner and the Municipality 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 Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction; and
  - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development

- c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 12) That the Owner provides full engineering drawings showing the provision of full municipal 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.
- 13) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 14) 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.
- 15) That the owner agrees to include a notice registered on title informing future purchasers of lots within the subdivision that the roads within the subdivision may be used for future transit routes.
- 16) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
- 17) The subdivision agreement for the subject subdivision application shall include a statement informing the first purchaser of a lot within the subject Plan of Subdivision that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges
- 18) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 19) That the owner acknowledges that a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit may be required from the North Bay-Mattawa Conservation Authority. The subject lands are within an area regulated by the North Bay-Mattawa Conservation Authority under Ontario Regulation 162/90. This regulation is pursuant to Section 28 of the Conservation Authorities Act of Ontario.
- 20) That the owner acknowledges that the property is in an area where there are environmental considerations and Species at Risk may be present. The owner agrees to engage the services of a third party professional to complete an Environmental Impact Study that shall include a Species at Risk Assessment and that any recommendations from the study shall be incorporated into the final Subdivision site design.
- 21) 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.
- 22) That the owner/developer provide to Union the necessary easements and/or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Enbridge.

- 23) That Block 1 be identified as a reserve to be conveyed to and held in trust by the Municipality.
- 24) That before City Council's Final Approval is given, the Council shall be advised in writing by the City of North Bay's Engineering and Environmental Services how Conditions No. 11 and 12 have been satisfied.
- 25) That before City Council's Final Approval is given, the Council shall be advised in writing by the Director of Parks, Recreation and Leisure Services how Condition No. 13 has been satisfied.
- 26) That before City Council's Final Approval is given, the Council shall be advised in writing by Canada Post Corporation how Condition No. 14 has been satisfied.
- 27) That before City Council's Final Approval is given, the Council shall be advised in writing by the North Bay-Mattawa Conservation Authority how Condition No. 19 and 20 have 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 Natural Resources and Forestry (MNRF) 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) Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.
- 6) We recommend you make yourself aware of applicable Federal and Provincial laws regarding construction in proximity to waterbodies.

- 7) 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).