



## City of North Bay Report to Council

Report No: CSBU-2023-001

Date: January 20, 2023

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Draft Plan of Subdivision by Miller and Urso Surveying Inc., on behalf of 1804016 Ontario Inc., – Pearce Street

Closed Session: yes ☐ no ☒

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### Recommendation

1. That the existing holding zone of “Residential Second Density Holding (R2H)” be removed for a portion of the lands as shown on Schedule A known locally as 0 Tower Drive and as legally described in [Appendix A](#) to Report to Council Number CSBU 2023-001; and
2. That the proposed Draft Plan of Subdivision (Subdivision File No. 48T-22101) by Miller and Urso Surveying Inc., on behalf of 1804016 Ontario Inc., in the City of North Bay for lands known locally as 0 Tower Drive and as legally described in [Appendix A](#), shown as on [Schedule 'B'](#) attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2023-001 prepared by Peter Carello dated January 20, 2023.

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### Background

### Site Information

**Legal Description:** See [Appendix A](#)

**Site Description:** The subject property is existing vacant land on Tower Drive, located between Tower Drive and Sugarbush Street, as shown below on Figure 1 and on [Schedule 'A'](#) attached hereto. It is designated “Residential” by the Official Plan and is zoned “Residential Second Density (R2)” and “Residential Second Density Holding (R2H)” under Zoning By-law 2015-30.

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



The property has an existing lot area of approximately 4.93 hectares and 20 metres of frontage along Tower Drive, as shown on [Schedule 'B'](#) attached. The proposed development is the next phase of the 'Sherwood Forest' residential subdivision. Phase 1 is located directly south of the subject property. The proposed subdivision would be accessed by extending the newly constructed Katie Ann Crescent, a municipal road that extends to the north from Sugarbush Street.

This property is also found within the Chippewa Creek subwatershed. Two small wetland areas are found on the property. These small headwater wetlands contribute water to a larger wetland and Johnston Creek to the east. The subject lands are located within the *Approximate Regulated Area* and will require a DIA permit from the North Bay Mattawa Conservation Authority (NBMCA). See the correspondence from the NBMCA in [Appendix B](#) of this report.

### **Surrounding Land Uses:**

The immediately surrounding area is entirely comprised of low-density residential units and vacant lands that are zoned for low density residential development.

There are existing low density residential uses to the north and south of the subject lands. The properties to the east and west are both vacant and zoned for low density residential uses. The property to the west has received a Draft Plan of Subdivision for low density residential uses. See Figure 1 above and/or [Schedule 'A'](#) attached hereto.

The property to the east is currently vacant. The majority of the property is in a "Residential Holding (RH)" zone. A relatively small portion in the southwest corner of the property was recently rezoned a "Residential Second Density

(R2)" zone and was approved for a low-density residential subdivision. It is expected that the remainder of the property will eventually be developed with residential units.

The larger area includes some more varied uses. Jack Garland Airport and the Department of National Defence's 22 Wing facilities are located north of the subject lands. There are several industrial uses north-east of the subject property, both at the Airport and on Carmichael Drive.

A natural gas pipeline is nearby to the south and to the west.

Recreational uses in the area include North Bay Golf and Country Club to the north-west and Laurentian Ski Hill to the south.

## **Proposal**

Miller and Urso Surveying Inc. on behalf of the property owners, 1804016 Ontario Inc., have requested the removal of the existing "Holding (H)" zone symbol to allow for the development of the property under the "Residential Second Density (R2)" zoning. The applicant has also submitted a Draft Plan of Subdivision Application to permit a 55 lot Draft Plan of Subdivision.

As discussed throughout this report, there are development challenges pertaining to the extension of Pearce Street. Staff are supportive of the removal of the Holding Zone on the western portion of the property (as identified on Schedule A) but are recommending that the Holding Zone remain in place for the balance of the property.

This would allow 21 of the lots to move forward, subject to meeting the Conditions of Approval. The Holding Zone would be removed from the remainder of the property once the infrastructure matters are resolved.

## **Summary**

The subject property is vacant land within the City's Settlement Area with access to full municipal services.

The Provincial Policy Statement and the City's Official Plan both encourage development within a community's Settlement Area where municipal 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 55 new low density residential lots within the Settlement Area which is generally encouraged by both the Provincial Policy Statement and the City's Official Plan. If approved, the new units would have access to the full range of municipal services. The proposed lots are a form of low density residential that is consistent with the character of the neighbourhood and Airport Heights at large.

It is envisioned that Pearce Street will be extended northerly, along the eastern property line. This would eventually allow the road network to connect to Tower Drive at the intersection of Little Down Lane. From a land development and road infrastructure standpoint, this road extension is highly desirable, as Pearce Street is effectively one large cul-de-sac at this time.

This road connection is expected to require land from both this subject property as well as the adjacent property to the east. It is anticipated that there will be some form of cost share to extend this road. As of the date of this report, such a Land Transfer and Cost Share Agreement has not been entered into by any party.

The Conditions of Approval includes Condition #8a, which obligates the property owner to enter into a Land Transfer and Cost Share Agreement and provide necessary security for this road extension. The abutting benefiting property owner to the east will also be required to contribute to the road extension.

Staff have recommended the addition of funds to the 2023 Capital Budget and forecast for a new project to provide a City contribution for the incremental costs for upsizing the road, sewers (storm and sanitary), and watermains. At the time of this report, the capital budget has not been approved by Council. In the event that this funding is not approved, the City will negotiate a new Condition #8. This negotiation would permit the approval of additional lots that meet good planning principles and to the satisfaction of the City.

Upon completion of the extension of Pearce Street and the contribution by both the abutting owners the City's capital cost includes funding for the incremental costs for upsizing the road and water, sewer and sanitary infrastructure.

Staff are recommending that the Holding Zone be removed from the western portion of the property at this time. Staff are further recommending that the balance of the property remain in a Holding Zone until the above noted infrastructure matters are resolved. This would allow a total of 21 lots to proceed in the next phase of the subdivision development.

None of the internal and external agencies that provided comments have provided objections to the proposed Draft Plan of Subdivision. Some of these agencies have requested that certain conditions be included for final approval. The agencies that have requested conditions include: Enbridge Gas Inc. and Bell Canada. See the correspondence section of this report and/or [Appendix B](#) for full comments from all agencies.

The City has not received any comments from the general public.

## **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 later in the report, it is my opinion that the proposed development conforms with the City's Official Plan. In my professional opinion, the proposed Draft Plan of Subdivision and removal of the Holding Zone from a portion of the property 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).

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 in the rural/outlying areas. This development pattern is considered more sustainable because it consumes less land to house and service a community's population. Relevant sections of the PPS are outlined below.

#### **Section 1.1.3 -Settlement Areas**

##### **Section 1.1.3.1**

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

### Section 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;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

Surrounding lands to the north, south and west are either developed or in the process of being developed with low density residential uses. The proposed subdivision would be consistent with other residential development in the area. The development would extend municipal services and road access from the recently constructed Phase 1 of the 'Sherwood Forest' residential subdivision.

## Section 1.5 – Public Spaces, Recreation, Parks, Trails and Open Space

### Section 1.5.1

"Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- c) providing opportunities for public access to shorelines; and*
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas."*

The area has an abundance of recreational trails, parks and playgrounds. Some of these include but are not limited to; Greenhill Park, Kenwood Hills Playground, Laurentian Escarpment Conservation Area and Ski Hill and the future Sugarbush Community Park which was previously acquired through park land dedication.

## Section 1.6.6 – Sewage, Water and Stormwater

### 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 water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services."*

### Section 1.6.6.7

*"Planning for stormwater management shall:*

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development."*

As mentioned earlier in the report, the proposed development would require the extension of municipal services and road access from the recently constructed Phase 1 of the 'Sherwood Forest' residential subdivision located directly to the south.

Clause 13 of the Conditions of Approval (Appendix C) requires that the owner provide a stormwater management plan prior to the development taking place. This would ensure that stormwater facilities shall be put in place as part of any new construction, consistent with the above noted policies of PPS 2020.

Planning Services Staff are of the opinion that the proposed removal of the

Holding Zone from a portion of the property and approval of the Draft Plan of Subdivision are consistent with the Provincial Policy Statement (PPS 2020).

## **Official Plan**

The property is in the Settlement Area and is currently designated "Residential" in the City of North Bay's Official Plan. Relevant sections of the Official Plan 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 property is located within the Settlement Area and has access to the full range of municipal services expected in an urban area, including access to a municipal water supply and sanitary sewer. Municipal services were installed to the adjacent lands during Phase 1 of the 'Sherwood Forest' residential subdivision. The surrounding lands are a combination of vacant and low density residential developments.

#### 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 Draft Plan of Subdivision would permit the development of 55 individual low density residential lots. The predominant zoning of properties in the area are "Residential First Density (R1)", "Residential Second Density (R2)" and some instances of "Residential Third Density (R3)". These zoning categories all permit low density residential uses. The development proposed through this proposed Draft Plan of Subdivision would be in line with the existing character of the area.

There are several schools located within fairly close proximity to the subject lands. Vincent Massey (roughly 1km) is the closest school and is also located on Airport Hill. There are several other schools at the foot of Airport Hill, including two French language public schools (Héritage and Odysée).

There are also a number of recreational trails and parks near the subject lands including but not limited to; Greenhill Park (roughly 1.3km), Kenwood Hills Playground (roughly 2km), Laurentian Escarpment Conservation Area and Ski Hill (roughly 1km). The nearest parklands will be the future Sugarbush Community Park, which will be less than 300m to the west. The City has acquired a portion of the lands required for this Park, with the remainder slated to be acquired when the adjacent lands are developed by way of subdivision. These lands are already zoned for park use.

#### Section 5.1.8 – Subdivision of Land

##### Section 5.1.8.2

*"Development shall be regarded as satisfactory and shall be permitted to be undertaken, provided that it can be shown that:*

- a) the development can be satisfactorily provided with roads and all necessary services and utilities;*
- b) the nature of the development will not over-tax public services, including roads, electricity, water supply, sanitary sewers and storm sewers;*
- c) the completed development will not prevent the satisfactory future use of other undeveloped areas served by the same facilities outlined in Clauses (a) and (b); and*
- d) where such development is for residential purposes:*
  - i. existing schools and parks are available and adequate to accommodate the needs of the population likely to live*

*there; or*

- ii. satisfactory arrangements have been made to ensure that schools and parks serving the area will be made adequate to accommodate the needs of the population likely to live there.”*

The subject lands have access to the full range of municipal services and future residential lots would be in close proximity to a number of schools, parks, trails and other recreational opportunities.

#### Section 5.1.8.10

*Where new subdivisions are constructed or where redevelopment projects are undertaken, the City shall require that:*

- a) Only those trees be cut down that must be removed in order to make room for roadways to be constructed;*
- b) Lots within the subdivision development are not to be cleared until the construction of new buildings commence;*
- c) Where there is not a tree in the front yard of a residential property, that at least one of the variety and size specified by the City be provided by the developer of the property, which is to be located off of the municipal road allowance*
- d) Where development occurs on an existing or proposed collector road a sidewalk should be constructed on one side of the street through negotiation with the City.”*

The City encourages the preservation of as many trees as possible through the development process. Clause 4 of the Conditions of Approval limits the removal of trees to certain specified uses, such as road construction and surveying.

#### Section 5.2.2 – Municipal Services

##### Section 5.2.2.1

*“New development within the settlement area, as shown on Schedule 1, should occur on full municipal services.”*

The subject lands have access to full municipal services because of the development of the first phase of the ‘Sherwood Forest’ residential subdivision.

#### Section 5.2.3 – Stormwater Management

*"Effective stormwater management is required to provide protection against flooding and erosion, to maintain groundwater recharge areas and stormwater run-off quality, and to provide sedimentation control. Stormwater management requires a coordinated approach involving the construction of works and facilities by both the City and developers. Preference shall be given to stormwater management techniques that are of a more natural character as opposed to hard engineering measures."*

#### Section 5.2.3.5

*"All proposed plans of subdivision or condominium, industrial, commercial, institutional and multi-residential site plans shall provide a stormwater management plan and erosion and sediment control measures for review and approval by the City as a condition of development approval."*

Clause 12 of the Conditions of Approval (Appendix C) necessitates that the owner provide a stormwater management report prepared by a professional engineer. This study will need to be provided to the City's Engineering Department and its recommendations accepted prior to final approval being granted and new lots being created.

#### 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 2/3<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 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.

Planning Staff are of the opinion the request to remove the Holding Zone from a portion of the property and the approval of the Draft Plan of Subdivision are appropriate and conform to the City of North Bay's Official Plan.

#### **Zoning By-law 2015-30**

The subject property is zoned "Residential Second Density (R2)" and

"Residential Second Density Holding (R2H)". The applicant has requested the removal of the Holding (H) zone.

The R2 zone permits the following uses:

- Single Detached Dwelling
- Group Home Type 1
- Accessory Bed and Breakfast
- Accessory Home-Based Business
- Parks and Playgrounds
- Accessory Day Nursery
- Institutional Uses
- Principal Dwelling Unit Short-Term Rental<sup>1</sup>

The subject property can meet all regulations of the Zoning By-law, including the proposed lot sizes for all 55 lots.

It is proposed that only a portion of the lands be removed from the "Holding (H)" zone until such time as the items under Condition #8 are resolved regarding the extension of Pearce Street.

### **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:

Enbridge Gas Inc. offered no objections but noted that a condition of final approval be included that the owner/developer provide Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for the project, in a form satisfactory to Enbridge. Clause 23 of the Conditions of Approval has been added to satisfy this request.

The North Bay Mattawa Conservation Authority (NBMCA) offered no objections but noted the following:

*"This property is found within the Chippewa Creek subwatershed. Two small wetland areas are found on the property. These small headwater wetlands contribute water to a larger wetland and Johnston Creek to the east. Base flow of these areas must be maintained. These wetland areas are regulated by the Conservation Authority as per Ontario Regulation 177/06. A DIA permit is required for any alteration to the wetlands. It is anticipated that base flow can be achieved and maintained through*

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<sup>1</sup> A Principal Dwelling Unit Short-Term Rental is defined as a Short-Term Rental which is also someone's principal dwelling unit (where they live primarily).

*stormwater management. The Conservation Authority will review the stormwater management plan to ensure this will occur."*

*"A site inspection was undertaken on the property on August 22, 2022. At that time, it was noted that fill and/or grading had taken place for the extension of Pearce Street. This activity stopped where the southern-most wetland crossed the proposed road. A DIA permit is required for this crossing as well as the crossing to the north."*

Clause 21 of the Conditions of Approval has been added in order to satisfy the requirements outlined by the Conservation Authority.

Bell Canada offered no objections but requested that the following paragraphs be included as a condition of approval:

*"The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada."*

*"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."*

Clause 22 of the Conditions of Approval has been added in order to meet the requirements of Bell Canada.

The City of North Bay's Engineering Department, The Ministry of Transportation of Ontario (MTO) and Hydro One received the notice but offered no objections, comments, or concerns.

The City did not receive any correspondence from any residents in the area. A complete copy of correspondence received is attached as [Appendix B](#) of this report.

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## **Financial/Legal Implications**

No financial/legal implications have been identified at this point in time.

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## **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 needs of

the community

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## Options Analysis

- Option 1: Approve the requested removal of the existing holding zone from a portion of the lands and the proposed Draft Plan of Subdivision.
- Option 2: Deny the requested removal of the existing holding zone and the proposed Draft Plan of Subdivision.

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## Recommended Option

Option 1 is the recommended option.

1. That the existing holding zone of "Residential Second Density Holding (R2H)" be removed for a portion of the lands as shown on Schedule A known locally as 0 Tower Drive and as legally described in [Appendix A](#) to Report to Council Number CSBU 2023-001; and
2. That the proposed Draft Plan of Subdivision (Subdivision File No. 48T-22101) by Miller and Urso Surveying Inc., on behalf of 1804016 Ontario Inc., in the City of North Bay for lands known locally as 0 Tower Drive and as legally described in [Appendix A](#), shown as on [Schedule 'B'](#) attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2023-001 prepared by Peter Carello dated January 20, 2023.

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Respectfully submitted,

Name: Peter Carello, MCIP, RPP

Title: Senior Planner

## I concur with this report and recommendation

Name: Beverley Hillier, MCIP, RPP

Title: Manager, Planning & Building Services

Name: Adam Lacombe, P. Eng.

Title: Senior Capital Program Engineer

Name: Ian Kilgour, MCIP. RPP

Title: Director, Community Services

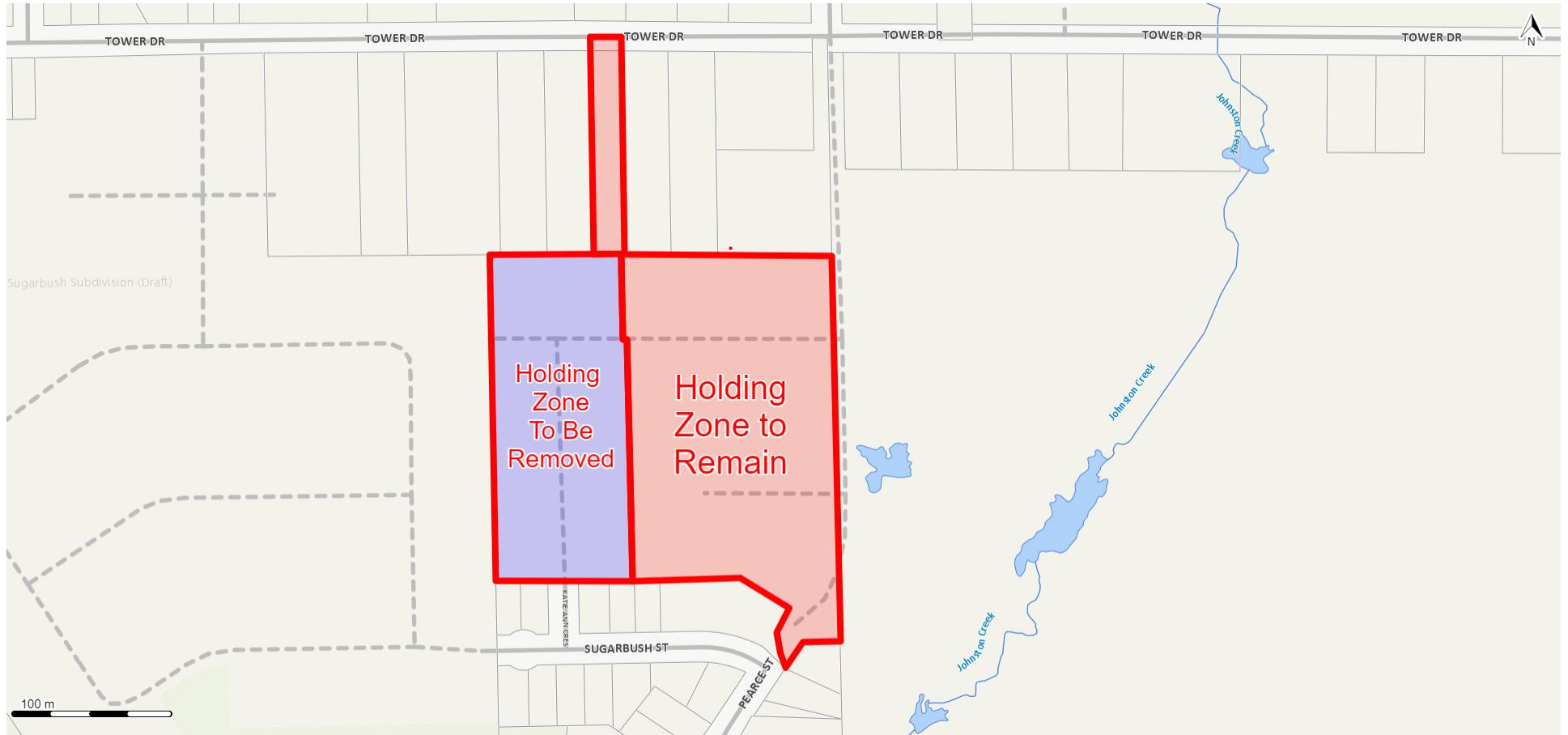
Name: John Severino, P.Eng., MBA

Title: Interim Chief Administrative Officer

Personnel designated for continuance:

Peter Carello, MCIP, RPP  
Senior Planner

## Schedule 'A'





# Schedule 'B'

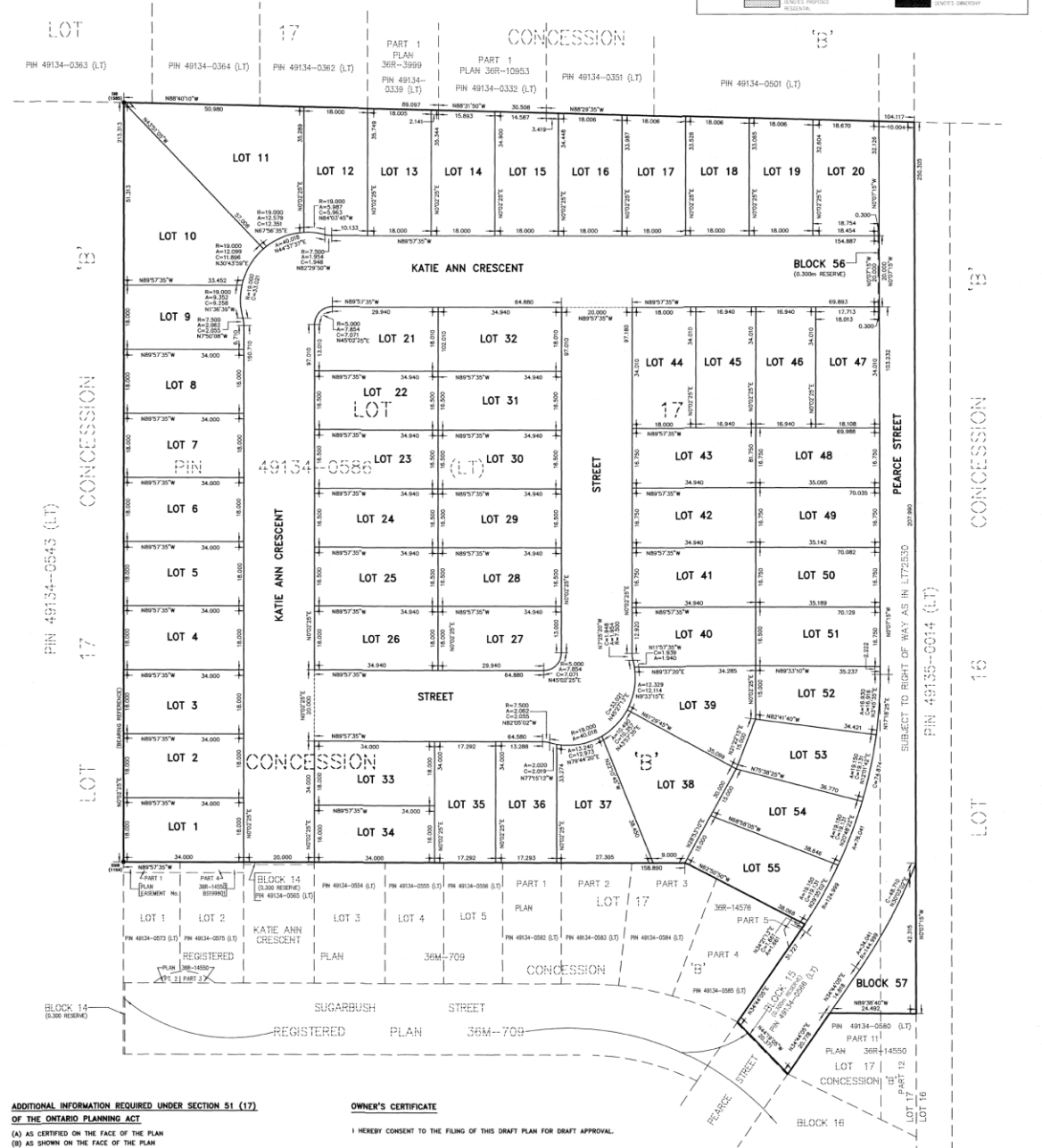
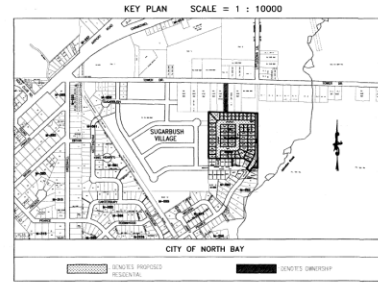
DRAFT PLAN OF SUBDIVISION OF  
PART OF LOT 17, CONCESSION 'B'  
TOWNSHIP OF WIDDIFIELD  
NOW IN THE  
CITY OF NORTH BAY  
DISTRICT OF NIPISSING  
MILLER & URSO SURVEYING INC.

SCALE 1 : 500

**M** METRIC UNITS  
DISTANCES AND DIMENSIONS SHOWN ON  
THIS PLAN ARE IN METRIC UNITS  
AND SHALL BE DEEMED TO BE IN  
METRIC UNITS UNLESS OTHERWISE  
SPECIFIED BY THE SURVEYOR

## LAND USE ANALYSIS

LOT/BLK/CON	INTENDED USE	Nr. OF UNITS	AREA (HECTARES)
LOTS 1 TO 55	RESIDENTIAL	55	3.4789
STREETS	STREET	2	1.4000
BLOCK 16	RESERVE	1	0.0000
LAND TO BE TRANSFERRED TO THE CITY			0.0468
<b>TOTAL</b>		<b>58</b>	<b>4.9251</b>



## ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE ONTARIO PLANNING ACT

- AS CERTIFIED ON THE FACE OF THE PLAN
- AS SHOWN ON THE FACE OF THE PLAN
- AS SHOWN ON THE FACE OF THE PLAN
- THE PURPOSE FOR WHICH THE LOTS ARE TO BE USED ARE LISTED IN THE LAND USE ANALYSIS.
- THE EXISTING USES OF THE ADJOINING PROPERTIES ARE:  
NORTH - RURAL RESIDENTIAL  
EAST - VACANT RESIDENTIAL  
SOUTH - RESIDENTIAL  
WEST - VACANT RESIDENTIAL
- AS SHOWN ON THE FACE OF THE PLAN
- AS SHOWN ON THE FACE OF THE PLAN
- MANICALLY OWNED AND OPERATED FIRED WATER SYSTEM
- THE NATURE AND POROSITY OF THE SOIL IS SANDY LOAM
- AS SHOWN ON THE FACE OF THE PLAN
- THE MUNICIPAL SERVICES TO BE AVAILABLE TO THE LANDS ARE:  
EMERGENCY SERVICES - POLICE, FIRE, AMBULANCE  
MUNICIPAL SERVICES - FIBRE OPTIC, WASTE, TRASH, GARBAGE, RECYCLING, ROAD MAINTENANCE,  
SCHOOL BUSING, SNOW REMOVAL  
PUBLIC SERVICES - GAS, ELECTRICITY, TELEPHONE, CABLE, INTERNET
- THERE IS NO DRAINAGE EASEMENT AFFECTING THE PROPERTY.

## OWNER'S CERTIFICATE

I HEREBY CONSENT TO THE FILING OF THIS DRAFT PLAN FOR DRAFT APPROVAL.

NORTH BAY, ONTARIO  
JULY 18th, 2022

*Frank Valenti*  
FRANK VALENTI - PRESIDENT  
1604016 ONTARIO INC.  
I HAVE THE AUTHORITY TO BIND THE CORPORATION  
REGISTERED OWNER OF PIN 49134-0586 (LT)

## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJOINING LANDS ARE CORRECTLY SHOWN.

NORTH BAY, ONTARIO  
JULY 18th, 2022

*R.D. Miller*  
R.D. MILLER  
ONTARIO LAND SURVEYOR  
FOR: MILLER & URSO SURVEYING INC.

## BEARING NOTE

BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE  
NORTH LIMIT OF LOTS 1 TO 5 AND BLOCK 14, AS SHOWN ON  
REGISTERED PLAN 36M-709, HAVING A BEARING OF N89°57'35\"



**MILLER & URSO SURVEYING INC.**  
SURVEYING-ENGINEERING-PLANNING  
1501 Seymour Street North Bay ON P1A 0C5  
www.musurveying.com info@musurveying.com  
P: (705) 474-1210 F: (705) 474-1783

CHECKED BY: R.D. MILLER DRAWN BY: M.W. WINTERFIELD FIELD: K.M. S.D. J.L. PLAN No: W.D. # 6958

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## **Appendix A**

### **PIN 49134- 0586 (LT)**

PART LOT 17 CONCESSION B WIDDIFIELD AS IN LT72530, SAVE AND EXCEPT PLANS 36M596, 36M662, 36M709, PART 11 36R12829, PARTS 11 AND 12 36R14550 AND PARTS 1 TO 5 36R14576; SUBJECT TO AN EASEMENT AS IN LT72530; TOGETHER WITH AN EASEMENT AS IN LT72530; CITY OF NORTH BAY

## **Appendix B – Correspondence**

### Enbridge Gas Inc.

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

It is Enbridge Gas Inc.'s 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.

**Barbara M.J. Baranow**  
**Analyst Land Support**

**Enbridge Gas Inc.**  
50 Keil Drive North, Chatham, ON N7M 5M1

### North Bay-Mattawa Conservation Authority (NBMCA)

Dear Mr. Carello:

**Re: Proposed Plan of Subdivision – 1804016 Ontario Inc Con. B; N  
Pt. Lot 17; Pt. 1 of 36R-3999, Pcl. 13645, Rem. Pcls. 5454 & 648  
Incl. Pt. 46  
of 36R-10464  
0 Tower Dirve  
City of North Bay  
Our File No.: PPOS02-NB-22**

This office has received and reviewed the above draft plan of subdivision and offers these preliminary comments. The property is currently designated "Residential" under the City of North Bay Official Plan and is zoned "Residential Second Density Holding (R2H)" under Zoning By-law 2015-30. The Draft Plan of Subdivision Application proposes to permit a fifty-five (55) lot Plan of Subdivision. The owner has also requested the removal of the Holding (H) zone symbol to allow for the development of the property under the "Residential Second Density (R2)" zoning.

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 regarding Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the Provincial Policy Statement (PPS, 2020).

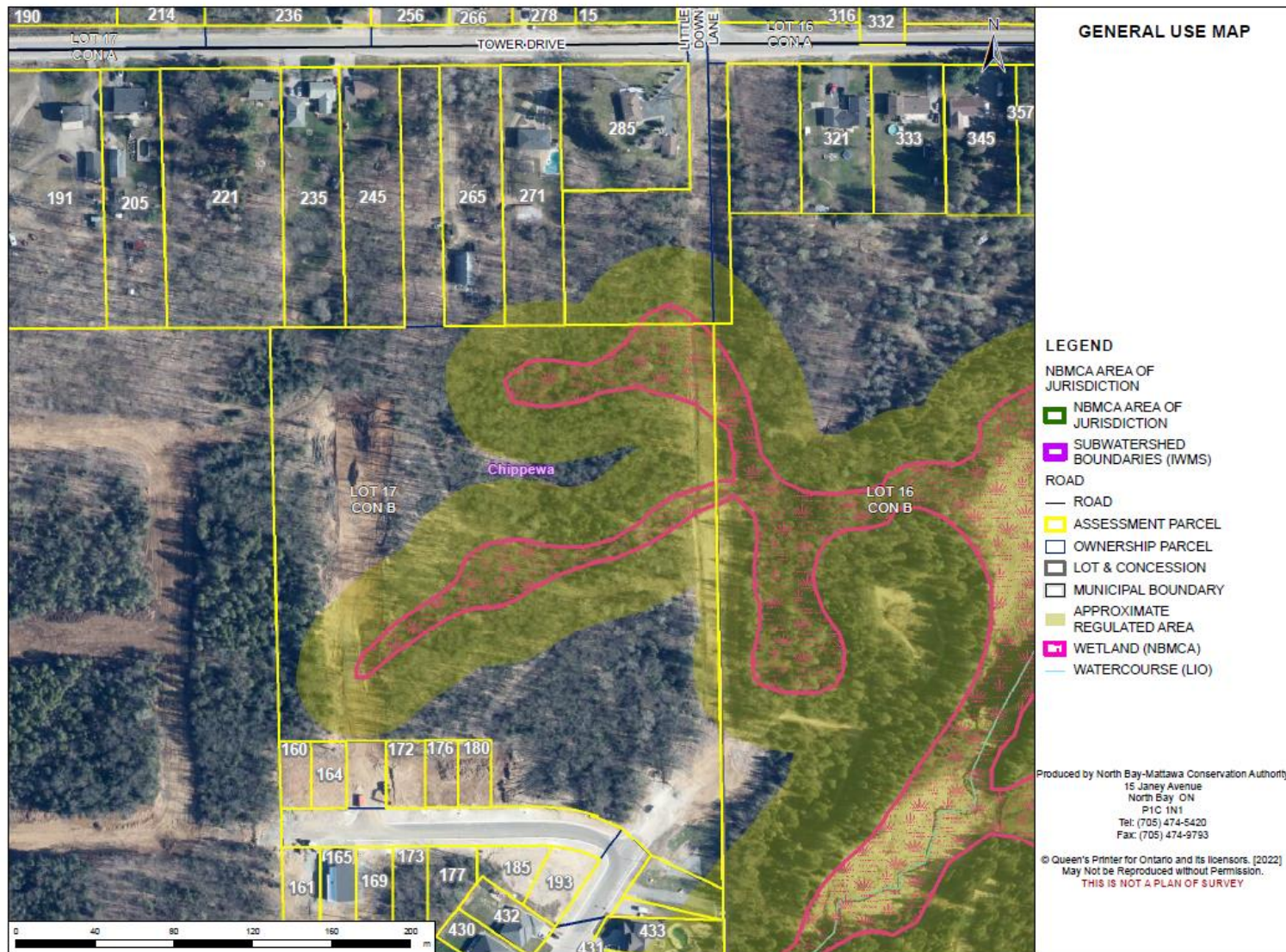
This property is found within the Chippewa Creek subwatershed. Two small wetland areas are found on the property. These small headwater wetlands contribute water to a larger wetland and Johnston Creek to the east. See attached map. Base flow of these areas must be maintained. These wetland areas are regulated by the Conservation Authority as per Ontario Regulation 177/06. A DIA permit is required for any alteration to the wetlands. It is anticipated that base flow can be achieved and maintained through stormwater management. The Conservation Authority will review the stormwater management plan to ensure this will occur.

A site inspection was undertaken on the property on August 22, 2022. At that time, it was noted that fill and/or grading had taken place for the extension of Pearce Street. This activity stopped where the southern-most wetland crossed the proposed road. A DIA permit is required for this crossing as well as the crossing to the north.

The Conservation Authority is satisfied that these applications are consistent with the policies as set out in Sections 2 and 3 of the PPS 2020. The Conservation Authority has no objection to this application.

Trusting this is satisfactory. Should you have any questions, please do not hesitate to contact me at (705) 471-7636. For administrative purposes, please forward any decisions and resolutions regarding this matter.

Yours truly,  
Paula Scott  
Director, Planning & Development/Deputy CAO



Bell Canada

2022-08-08

Peter Carello

North Bay  
North Bay, Ontario, P1B 8V6

Attention: Peter Carello

**Re: Draft Plan of Subdivision (48T-22101), 0 Tower Dr.  
(Sugarbush St.), North Bay; Your File No. 48T-22101**

To Whom this May Concern,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

"The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

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."

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall 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 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,

Juan Corvalan

Senior Manager - Municipal Liaison

Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

City of North Bay Engineering

Good Morning Bev and Peter,

Further to our meeting on this project. We do not have any comments regarding the draft plan of subdivision.

Thank you,

Jonathan

Ministry of Transportation (MTO)

Hello Jason,

The Ministry of Transportation of Ontario (MTO) has reviewed the attached Draft Plan of Subdivision and has determined that the subject lands are not located within MTO's permit control area, therefore, the MTO does not have any comments to provide.

Thank you,

Laurel

**Laurel Muldoon, MSc.**

**Corridor Management Senior Project Manager**

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Operations Division, Northeast Region

Ministry of Transportation

447 McKewen Ave, Suite 301

North Bay, Ontario, P1B 9S9

T. 705-491-0757 | E. [laurel.muldoon@ontario.ca](mailto:laurel.muldoon@ontario.ca)

Hydro One

Hello,

We are in receipt of your Draft Plan of Subdivision Application dated July 19, 2022. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:

Stormcentre (hydroone.com)

Please select "Search" and locate address in question by entering the address or by zooming in and out of the map

If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

**Kitty Luk**

Real Estate Assistant I Land Use Planning

**Hydro One Networks Inc.**

185 Clegg Road

Markham, ON | L6G 1B7

Email: landuseplanning@hydroone.com



## Appendix C – Conditions of Approval

City File: 48T-22101

- 1) That this approval expires five (5) years from the date of approval by City Council. 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 Local Planning Appeal Tribunal issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 2) This Draft Approval applies to the Plan of Subdivision prepared by R.D. Miller, O.L.S., as shown on the attached Schedule B dated July 18, 2022, which is comprised of fifty-five (55) residential lots, roadways and two (2) blocks.
- 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 0.3 metre reserves to be conveyed to and held in trust by the Municipality.
- 8) a) Prior to Final Approval of any portion of the development the Owner agrees to enter into a Land Transfer and Cost Share Agreement for the construction of the Pearce Street extension to Tower Drive. The Terms and Conditions of the subject Land Transfer & Cost Agreement will include the calculated funding contribution by the Owner as well as the other necessary terms and conditions as set out by the City. As part of Final Approval of any portion of the development, the Owner shall provide to the City the Pearce Street Road Allowance.

The Owner agrees that as part of Final Approval of any portion of the development the Owner will transfer to the City a total of eight (8) lots fronting on Pearce Street (Lots 48 to 55) on the subject Approved Draft Plan (drawing number 6958 dated July 18, 2022) as security for the construction of Pearce Street. The City agrees that the land will be transferred back to the Owner upon financial contribution by the Owner under the Land Transfer and Cost Share Agreement. The City acknowledges that the Owner has paid for the preliminary engineering design for the Pearce Street extension to Tower Drive.

- b) Staff have recommended the addition of funds to the 2023 Capital Budget and forecast for a new project to provide the City contribution for the incremental costs

for upsizing the road, sewers (storm and sanitary), and watermain. At the time of this report, the capital budget has not been approved by Council. In the event that this funding is not approved, the City will negotiate a new Condition #8. This negotiation would permit the approval of additional lots that meet good planning principles and to the satisfaction of the City.

- 9) That prior to signing the Final Plan by the Municipality, the proposed subdivision conform with the Zoning By-law in effect for the Municipality.
- 10) 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.
- 11) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 12) 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;
  - 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 Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 13) 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.
- 14) 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.
- 15) 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.
- 16) 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.
- 17) 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.
- 18) 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 may be required to pay Development Charges

- 19) That development charges be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 20) 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.
- 21) The Owner acknowledges and agrees:
  - a. to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada; and
  - b. 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 Subdivision Agreement between the owner and the Municipality contain a Special Provision with wording acceptable to Enbridge to ensure that the owner/developer provide to the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.
- 23) 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.
- 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. 8, 12 and 13 have been satisfied.
- 25) That before City Council's Final Approval is given, the Council shall be advised in writing by the Manager of Parks how Condition No. 14 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. 15 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. 20 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) 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.