



City of North Bay Report to Council

Report No: CSBU-2024-038

Date: June 27, 2024

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Zoning By-law Amendment and Draft Plan of Condominium Applications – 1060 McIntyre Street West

Closed Session: yes no

Recommendation

1. That the proposed Zoning By-law Amendment by Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner – 1060 McIntyre Street West in the City of North Bay to rezone the lands described in Appendix A to Report to Council No. CSBU 2024-038 from a “Residential Third Density (R3)” zone to a “Residential Sixth Density Special (R6 Sp.)” zone be approved; and
2. That the proposed Plan of Condominium (6 Units, Condominium File #48CDM-24102) by Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2024-038, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2024-038 prepared by Peter Carello dated June 27, 2024.

Background

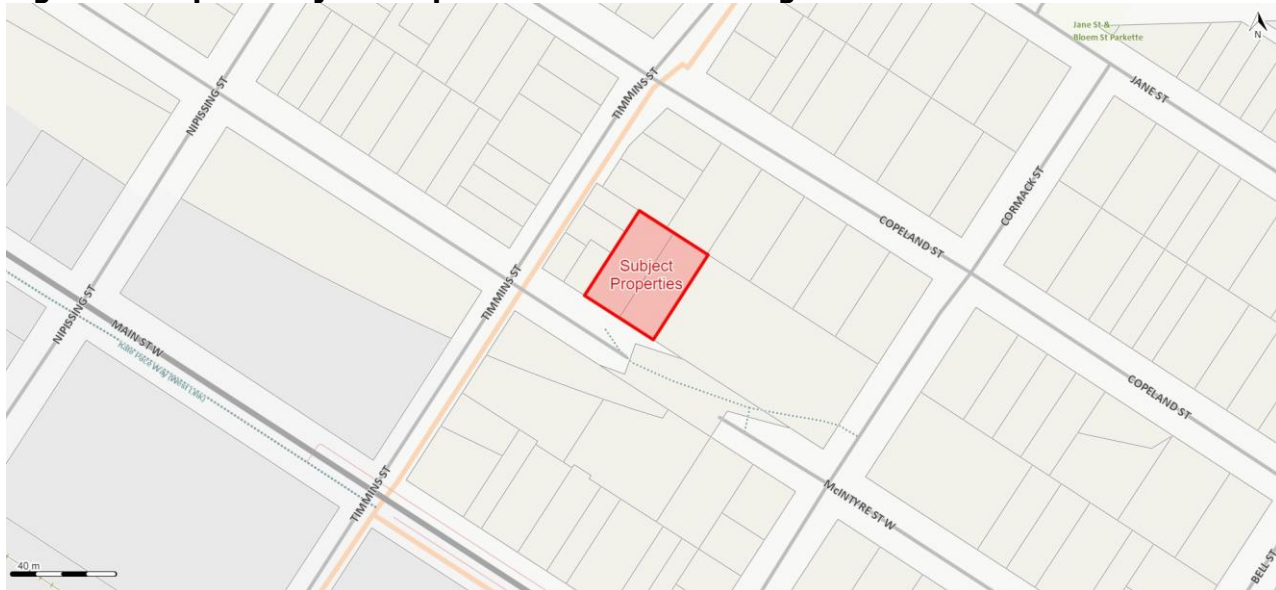
Site Information

Legal Description: See Appendix A

Site Description: The lands subject to the proposed applications are two separate lots of record on McIntyre Street West. They are located in the Pinewood Planning District in the western part of the City near the intersection of Main Street West and Timmins Street, as shown below on Figure 1 and on the attached Schedule A.

The properties are designated "Residential" by the Official Plan and are zoned "Residential Third Density (R3)" under the City's Zoning By-law No. 2015-30.

Figure 1: Map of Subject Properties and Surrounding Area



The two properties have a combined lot area of approximately 0.1304 hectares and lot frontage of 32.4 metres along the McIntyre Street West road allowance. A portion of the McIntyre Street West road allowance is unopen and not travelable at this time. The easterly lot does not have any access to a maintained portion of the road allowance.

The western property is currently developed with a residential dwelling unit. The eastern property is presently vacant.

Surrounding Land Uses:

The subject properties were once adjacent to the former Canadian National rail line that bisected the City. The rail line cut through McIntyre Street West in this area and resulted in a dead-end street directly in front of the subject properties. The rail line was removed years ago, but McIntyre Street West has never been connected in this area.

Properties immediately surrounding the subject properties are low density residential uses. The larger area includes some higher density residential uses as well.

Immediately adjacent to the southeast of the properties is a parcel of City land. Informal gardens were built on this property by an adjacent neighbour. The gardens remain present on this adjacent property.

A short distance to the south and west of the subject properties are a variety of industrial uses. Most notably, Boart Longyear is located under 150 metres from the subject property (measured in a straight line). Superior Propane is also nearby, a little more than 300 metres to the west of the subject

properties (measured in a straight line).

Public facilities in the area include Kinette Playground (approximately 300 metres to the northwest), an English language elementary school (St. Alexander, approximately 300 metres to the north) and a French language secondary school (Ecole Secondaire Catholique Algonquin, approximately 650 metres to the east).

Proposal

Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner has submitted a Zoning By-law Amendment application to rezone two properties located at 1060 McIntyre Street West and a vacant lot to the east from a "Residential Third Density (R3)" zone to a "Residential Sixth Density Special (R6 Sp.)" zone.

The property owners have also submitted a concurrent Plan of Condominium application. The effect of this application would be to merge the two lots into one parcel and to allow for the individual ownership for each of the proposed residential units.

The proposed Zoning By-law amendment would permit the development at the following standards:

- Reduce the minimum side yard setback for a one storey building from 1.2 metres to 0.6 metres;
- Reduce the minimum side yard setback for a two-storey building from 1.8 metres to 1.2 metres;
- Reduce the minimum rear yard setback from 7.5 metres to 6.1 metres;
- Increase the lot coverage from 45% to 55%.

The purpose of the applications is to allow for the construction of two separate triplex buildings on the subject property.

Summary

The lands subject to these applications are two separate lots in the Pinewood Planning District. The westerly lot is developed with a single detached dwelling. The easterly lot is presently vacant. The subject lands are considered underutilized lots.

The applicants are proposing to rezone the property to construct two triplex dwelling units. The applicant has also submitted a concurrent Plan of Condominium application so that each unit can be sold to individual owners.

The Official Plan and the Provincial Policy Statement both encourage the concentration of development within the Settlement Area where public services are available. The Provincial Policy Statement includes language that

encourages the residential intensification of underutilized lands within the urban area.

The proposed applications are consistent with these policies and, in general, staff are supportive of the request and the end use of the properties.

The applicant has requested a reduction in the side yard setback from 1.2 metres for a one-storey building to 0.6 metres and a reduction from 1.8 metres for a two-storey building to 1.2 metres. The agent for the applicant has indicated that the rationale for this reduction is that there is no impacted neighbour on easterly side yard, as the lands are owned by the City of North Bay. They also say that with the "*custom design of these units the special setback is needed*".

The applicant has also requested a reduction in the rear yard setback and an increase in the overall lot coverage. Staff does not have any objection to requested setbacks or increase in lot coverage at this time.

The McIntyre Street West road allowance in the block between Timmins Street and Cormack Street is only partially constructed. The portion of the McIntyre Street road allowance in the middle of the block (where the former rail line used to travel) is not built, meaning that McIntyre Street West is interrupted in this area.

The subject lands front on both the opened and unopened portion of McIntyre Street West. The opened and maintained portion of the roadway currently ends partway through the westerly lot. The easterly lot does not have direct road access to a municipally maintained road, just an unopened road allowance.

Should the proposed Plan of Condominium be approved, the lots would merge into one larger lot, meaning the entire lot would technically have road access to McIntyre Street West. However, the site plan as presented shows parking for the easterly lot as being accessed via the unopened portion of the road access.

The applicants requested that parking access to the easterly lot be permitted as a driveway over the City's road allowance. For operational reasons, staff had concerns about this approach. At the current time, the road in the area is narrow and snow removal is achieved by plowing the snow to the end of the maintained portion of the road, which is where this proposed driveway would have been located. As a result, staff cannot recommend road access being provided in this manner.

Given that the above driveway option would conflict with municipal operations, staff has identified two options to allow the construction to take place as presented:

1. Road extension: McIntyre Street West could be extended to a municipal

standard so the eastern property would have access to a municipally maintained road; or

2. Site Plan amendment: The Site Plan could be amended so that access to the parking area could be achieved on the western part of the property where there is municipal road access.

There was no correspondence received from the public.

It is my professional opinion that the proposed Zoning By-law Amendment and draft Plan of Condominium is in conformity with the Official Plan and the Growth Plan for Northern Ontario (GPNO 2011) and the end use is consistent with the Provincial Policy Statement (PPS 2020).

Provincial Policy

Growth Plan for Northern Ontario (GPNO 2011)

The Growth Plan for Northern Ontario (GPNO 2011) was introduced on March 3rd, 2011. All Planning Applications must consider this Plan as part of the evaluation process. Section 3(5)(b) of the Planning Act requires that decisions made under the Planning Act need to conform to the Provincial Plan or shall not conflict with it, as the case may be.

The GPNO 2011 is broad in scope and is aimed at shaping development in Northern Ontario over the next 25 years. It outlines strategies that deal with economic development, education, community planning, transportation/infrastructure, environment, and Aboriginal peoples. This Plan is primarily an economic development tool that encourages growth in Northern Ontario. Specific Planning related policies, including regional economic planning, the identification of strategic core areas, and targets for intensification have not yet been defined by the Province or incorporated into the Official Plan.

Section 4 of the GPNO (Communities) deals with land use planning matters. This Section speaks to creating a vision for a community's future. The City of North Bay achieves this through the implementation of the Official Plan. As discussed in greater detail later in the report, it is my opinion the proposed development conforms with the City's Official Plan.

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

Provincial Policy Statement (PPS 2020)

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

context of the Provincial Policy Statement (PPS 2020).

The Provincial Policy Statement provides direction to where development should take place, encouraging greater levels of density within the Settlement Area. The Provincial Policy Statement further supports greater levels of intensification in areas that have access to existing municipal sewage and water services. Relevant excerpts outlining the PPS 2020's objectives are cited below:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;

b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

...

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.

The subject properties are existing lots of records located within the City's Settlement Area. The properties have access to municipal water and sewer supplies.

The Provincial Policy Statement contains a number of policies pertaining to housing. The general intent of the PPS's housing policies is to achieve a diverse range of housing types, ideally within the Settlement Area. Section IV provides a high-level overview of the PPS's overarching goals and objectives. With respect to housing objectives, the general vision outlined by this section of the PPS states that "*Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.*"

More specific housing policies from the PPS 2020 that relate to the subject applications are cited below:

1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

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;*

The proposed applications would result in the construction of two separate triplex dwelling units in condominium ownership. Although different from the existing form of development in the surrounding neighbourhood the proposed development would be compatible with the area.

Both the general vision for housing and the more specific policies of the PPS 2020 encourages "residential intensification". Residential intensification is defined by the PPS 2020 as follows:

Residential Intensification means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;*
- b) the development of vacant or underutilized lots within previously developed areas;*
- c) infill development;*
- d) development and introduction of new housing options within previously developed areas;*
- e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and*
- f) the conversion or expansion of existing residential buildings to*

create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other housing options.

The proposed development meets this definition.

It is my professional opinion that the end use of the proposed Zoning By-law Amendment and Draft Plan of Condominium are consistent with the Provincial Policy Statement (PPS 2020).

Official Plan

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

Below are excerpts from the Official Plan that applicable to these applications:

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.

2.1.1 Infill and intensification developments will be primarily encouraged in the Central Business District (CBD) and surrounding neighbourhoods, where appropriate, and where adequate municipal services, facilities, and transit routes exist. Infilling and intensification will also be promoted in other areas of the City where there is appropriate infrastructure and new development or redevelopment is compatible with surrounding land uses.

The subject property has access to municipal water supply and sanitary sewer. The surrounding neighbourhood is largely built up with low density dwelling units of a similar size and scale that is proposed by the subject applications.

The Official Plan contains policies related to housing development. The general theme of these policies is to encourage redevelopment of existing housing stock and new housing construction, as dictated by the individual circumstances of the area and property in question. Applicable Housing policies are referenced below for City Council's consideration:

Section 2.1.11 – Housing Policies

It is the general intent of this Plan to encourage the development and maintenance of an efficient and pleasant environment for all lifestyles. In providing for these demands, the objective is an appropriate mixture of densities and an arrangement that will minimize conflicts between different forms of housing.

2.1.11.1 It is intended that a balanced program providing for the conservation, rehabilitation and redevelopment of the existing housing stock shall be carried out as appropriate, so that dwellings in the community may not fall below an acceptable minimum standard of maintenance and occupancy.

2.1.11.2 The following general policies are intended to assist the City in its determination of housing requirements for the various special needs groups in the City:

a) To encourage the existence of an adequate supply and diversity of residential accommodation by type and tenure to satisfy the social and economic requirements to the population;

b) To increase the life span of existing housing stock by encouraging maintenance and repair, and to ensure that all housing units meet the minimum standards of safety and health related regulations;

c) To encourage the provision of special housing for the older adults, physically challenged, low income, and group homes within the residential environment of the community.

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; and*
- e) *Where older adult developments and/or retirement communities are located or planned within residential neighbourhoods, Council shall have regard for considerations such as location, housing types, community services and staging of construction.*

It is my opinion that the proposed development is consistent with the above noted policies of the Official Plan for the following reasons:

- The subject property is developed with a single detached dwelling unit. Should the proposed development proceed, the home would be demolished, and new construction would take its place. This represents redevelopment, as encouraged by Section 2.1.11.1 of the Official Plan;
- The proposed form of housing (two separate triplex structures, each two storeys in height) will be compatible with the existing built form of the area;
- Two parcels were acquired by the proponents to facilitate the development, meaning that there will not be an isolated parcel; and
- The property has access to school facilities in the general area as well as school bussing. The property also has reasonably close access to a few municipal parks, including Kinette Playground (approximately 300 metres to the northwest).

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

Zoning By-Law No. 2015-30

The subject property is presently zoned "Residential Third Density (R3)" zone.

The R3 zone permits the following uses:

- Single Detached Dwelling;
- Semi Detached Dwelling;
- Additional Residential Urban Dwelling Unit;
- Group Home Type 1;
- Bed and Breakfast (as an Accessory Use only);

- Home Based Business (as an Accessory Use only);
- Parks and Playgrounds;
- Day Nursery (as an Accessory Use associated with an Institutional or Public Building only);
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

The applicant is proposed to rezone to a “Residential Sixth Density Special (R6 Sp.)” zone. The proposed R6 Sp. zone would permit the following uses:

- Semi Detached Dwelling;
- Duplex Dwelling;
- Triplex Dwelling;
- Additional Residential Urban Dwelling;
- Fourplex Dwelling;
- Cluster Townhouse;
- Stacked Townhouse;
- Street Front Townhouse;
- Group Home Type 1;
- Group Home Type 2;
- Home Based Business (as an Accessory Use only);
- Parks and Playgrounds;
- Day Nursery (as an Accessory Use associated with an Institutional or Public Building only);
- Institutional Uses; and
- Principal Dwelling Unit Short-Term Rental.

The proposed Zoning By-law amendment would permit the development at the following standards:

- Reduce the minimum side yard setback for a one storey building from 1.2 metres to 0.6 metres;
- Reduce the minimum side yard setback for a two storey building from 1.8 metres to 1.2 metres;
- Reduce the minimum rear yard setback from 7.5 metres to 6.1 metres;
- Increase the lot coverage from 45% to 55%.

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 applications. In terms of correspondence received from these departments and agencies, the Planning Department received the following comments:

Of the agencies that provided comments, the Fire Department, the Ministry of

Transportation, Bell Canada, Hydro One each offered no concerns or objections.

The City’s Engineering Department did not have any objections in principle to the proposed development but did identify their requirements that they would have at the time of the Plan of Condominium. This includes standard development plans (site servicing plan, grading plan, drainage plan and an erosion and sediment control plan), a stormwater management report, a service contract and confirmation that the proposed driveways meet the City’s Private Approach by-law 2017-72.

The Engineering Department has noted that infrastructure upgrades on McIntyre Street West between Timmins Street and Cormack Street would be required based on the proposed site layout. They also said that these improvements should be subject to a cost sharing agreement between the proponent and the City and that further discussions should take place with the Engineering Department.

There was no correspondence received from any member of the public in response to the circulation of these applications.

No other correspondence was received on this file.

Financial/Legal Implications

There are no financial or legal implications to the City at this time.

Corporate Strategic Plan

- | | |
|--|---|
| <input type="checkbox"/> Natural North and Near | <input type="checkbox"/> Economic Prosperity |
| <input checked="" 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

Options Analysis

Option 1:

1. That the proposed Zoning By-law Amendment by Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner – 1060 McIntyre Street West in the City of North Bay to rezone the lands described in Appendix A to Report to Council No. CSBU 2024-038 from a “Residential Third Density (R3)” zone to a “Residential Sixth Density

Special (R6 Sp.)” zone be approved; and

2. That the proposed Plan of Condominium (6 Units, Condominium File #48CDM-24102) by Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2024-038, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2024-038 prepared by Peter Carello dated June 27, 2024.

Option 2:

That the proposed Zoning By-law Amendment and Draft Plan of Condominium application be denied. This option is not recommended for the reasons outlined in this report.

Recommended Option

Option 1 is the recommended option.

1. That the proposed Zoning By-law Amendment by Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner – 1060 McIntyre Street West in the City of North Bay to rezone the lands described in Appendix A to Report to Council No. CSBU 2024-038 from a “Residential Third Density (R3)” zone to a “Residential Sixth Density Special (R6 Sp.)” zone be approved; and
2. That the proposed Plan of Condominium (6 Units, Condominium File #48CDM-24102) by Tulloch Geomatics Inc. on behalf of the property owners, Catharine Hunter and Gary Gardiner in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2024-038, shown as on Schedule “B” attached hereto, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2024-038 prepared by Peter Carello dated June 27, 2024.

Respectfully submitted,

Name: Peter Carello, MCIP, RPP
Title: Senior Planner, Current Operations

We concur with this report and recommendation.

Name Beverley Hillier, MCIP, RPP
Title: Manager, Planning & Building Services

Name 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: Chief Administrative Officer

Personnel designated for continuance:

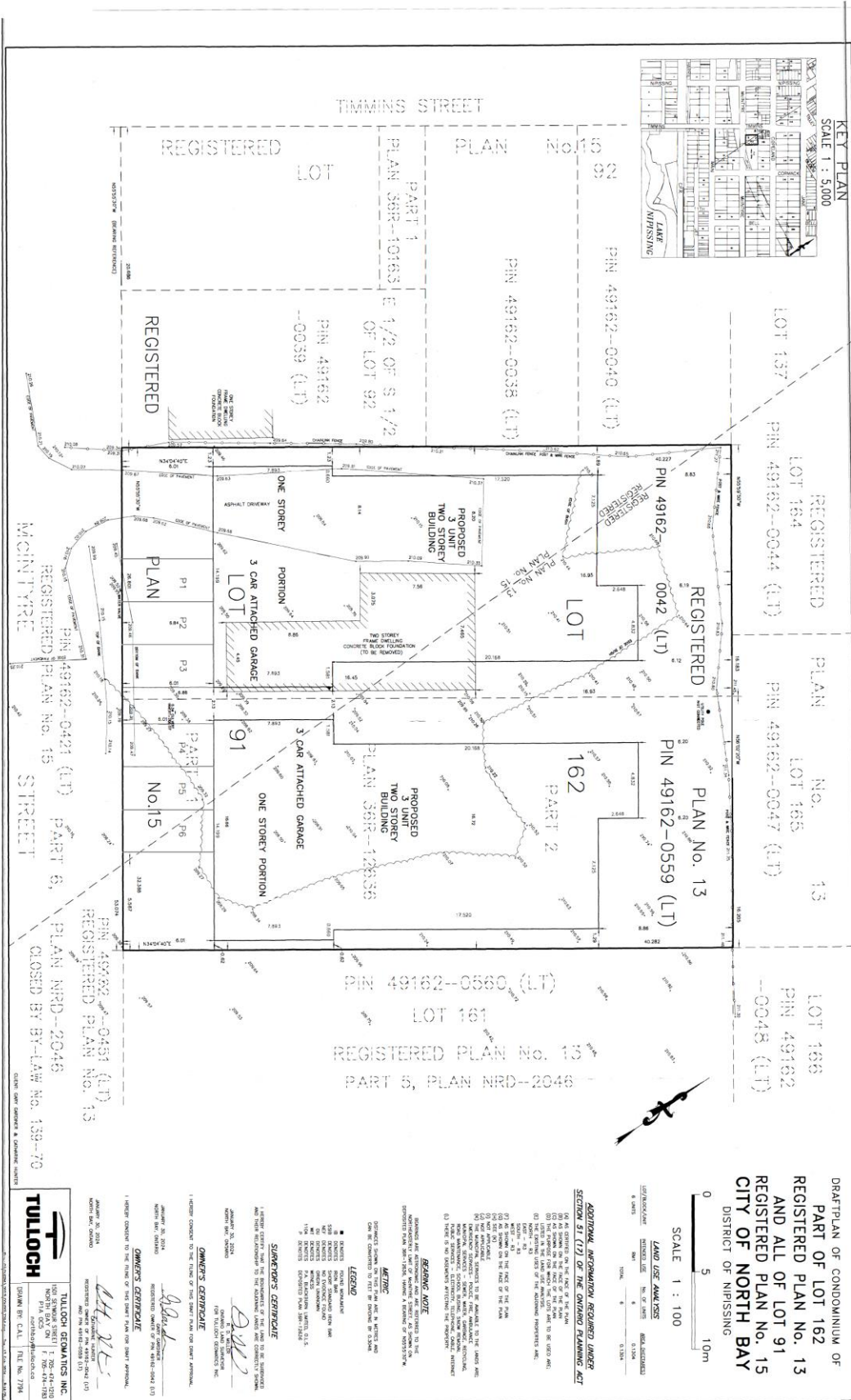
Name: Peter Carello, MCIP, RPP
Title: Senior Planner, Current Operations

W:\PLAN\Planning\Reports to Committees & Council (C11)\to Council\2024\CSBU 2021-038 – ZBLA File
#963 – Zoning By-law Amendment & Draft Plan of Condominium – 1060 McIntyre Street West

Schedule A



Schedule B



DRAFT PLAN OF CONDOMINIUM OF
 PART OF LOT 162
 REGISTERED PLAN No. 13
 AND ALL OF LOT 91
 REGISTERED PLAN No. 15
 CITY OF NORTH BAY
 DISTRICT OF NIPISSING

SCALE 1 : 100

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (7) OF THE ONTARIO PLANNING ACT

1. THE PROPOSED DEVELOPMENT IS NOT SUBJECT TO THE PROVISIONS OF THE ONTARIO PLANNING ACT, SECTION 51 (7) OF THE ONTARIO PLANNING ACT, AS THE PROPOSED DEVELOPMENT IS NOT A DEVELOPMENT AS DEFINED IN SECTION 51 (1) OF THE ONTARIO PLANNING ACT.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING DRIVEWAY
- PROPOSED DRIVEWAY
- EXISTING GARAGE
- PROPOSED GARAGE
- EXISTING LOT
- PROPOSED LOT
- EXISTING SETBACK
- PROPOSED SETBACK
- EXISTING CURB
- PROPOSED CURB
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING UTILITY
- PROPOSED UTILITY
- EXISTING TREE
- PROPOSED TREE
- EXISTING WATER
- PROPOSED WATER
- EXISTING SEWER
- PROPOSED SEWER
- EXISTING GAS
- PROPOSED GAS
- EXISTING ELECTRIC
- PROPOSED ELECTRIC
- EXISTING TELEPHONE
- PROPOSED TELEPHONE
- EXISTING CABLE
- PROPOSED CABLE
- EXISTING FIBER OPTIC
- PROPOSED FIBER OPTIC
- EXISTING OTHER
- PROPOSED OTHER

OWNER'S CERTIFICATE

I, the undersigned, being the owner of the land shown on this plan, do hereby certify that the information contained herein is true and correct to the best of my knowledge and belief, and that I am not aware of any other person who has an interest in the land shown on this plan.

DATE: 2024-01-15
 SIGNATURE: [Signature]
 NAME: [Name]

TULLOCH

TULLOCH REALTY INC.
 1700 BAYVIEW AVE. SUITE 100
 SCARBOROUGH, ONTARIO M1S 1V7
 TEL: (416) 291-1111
 FAX: (416) 291-1112
 WWW.TULLOCHREALTY.COM

Appendix A

PIN 49162-0559 (LT)

PT LT 162 PL 13 Widdifield PT 2, PL 36R-12636; PT LT 91 PL 15 Widdifield
PT 1, PL 36R-12636; North Bay; District of Nipissing

PIN 49162-0042 (LT)

PT LT 162 PL 13 Widdifield; PT LT 91 PL 15 Widdifield as in NB143283;
North Bay; District of Nipissing

Appendix B – Correspondence

Engineering Department

1. We will require a stormwater management (SWM) report for the proposed development which meets our technical standards for quality and quantity control.
2. The following engineering civil plans/drawings are required:
 - a. Site Servicing (if any new services are being proposed and/or existing services are being upgraded/retired);
 - b. Grading Plan;
 - c. Pre and post development drainage plans;
 - d. Erosion and sediment control.
3. All the drawings and SWM reports must be designed and stamped by a Professional Engineer licensed to practice in the province of Ontario. Documents must be sealed prior to being submitted to the City for review.
4. Private Approaches (entrance and exits) will need to meet the City's Private Approach By-Law 2017-72.
5. It will be the proponent's responsibility to confirm servicing requirements and conduct necessary testing.
6. The developer must enter into a Service Contract with the Engineering Department for any services, restoration work or work in general on City property.
7. Security amounts will be determined at the condominium agreement stage.
8. Infrastructure upgrades will be required on McIntyre Street West between Timmins Street and Cormack Street. A cost sharing agreement between the proponent and City for the aforementioned upgrades is to be made all to the satisfaction of the City Engineer. Further discussions are to be had with the City's engineering department on this matter.

At this stage, these comments are very high level and upon receiving further information and detailed plans we will have additional comments to provide.

Ministry of Transportation

Hi Peter,

Thank you for the opportunity to comment on the above-noted amendment and application. Upon review it has been determined that the subject location is beyond the permit control area of the MTO, and as such the ministry has no comments to provide.

Regards,
Jamie

Jamie Geuvreau

A/Corridor Management Planner | Corridor Management/Operations Division

North Region – Area East

Ministry of Transportation | Ontario Public Service

Bell Canada

Dear Sir/Madam,

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

Bell Canada Condition(s) of Approval

1) 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.

2) 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 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.

Concluding Remarks:

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.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca directly.

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 Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan
Senior Manager - Municipal Liaison
Email: planninganddevelopment@bell.ca

Hydro One

Hello,

We are in receipt of your Plan of Condominium application, 1060 McIntyre Street West dated May 7th, 2024. 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' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at Subdivision@HydroOne.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:
[Stormcentre \(hydroone.com\)](https://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 you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.

Appendix C – Conditions of Approval

Condominium File #48CDM-24102

- 1) That this approval expires five (5) years from the date of approval by City Council. If there is an appeal to the Ontario Land Tribunal under section 51 (39) of the *Planning Act*, the five (5) year expiration period does not begin until the date of the order of the Ontario Land Tribunal issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.
- 2) This Draft Approval applies to the Plan of Condominium prepared by R.D. Miller (Tulloch Geomatics Inc.) as shown on the attached Schedule B dated January 30, 2024 which is comprised of six (6) residential units.
- 3) 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.
- 4) That prior to signing the Final Plan by the Municipality, the proposed condominium conform with the Zoning By-law in effect for the Municipality.
- 5) 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.
- 6) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 7) That the Condominium 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 Report and Lot Grading & Drainage Plan shall be undertaken by a professional engineer with respect to the Condominium describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction;
 - b) The Stormwater Management report and Lot Grading & Drainage Plan shall also address any slope stability, or any hydrogeological issues associated with this development; and
 - c) Any recommendations forthcoming from the Stormwater Management Report and Lot Grading & Drainage Plan shall be incorporated into the final Condominium site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 8) a) Prior to obtaining a building permit for any portion of the Draft Approved Condominium, the Owner agrees to enter into a Cost Share Agreement with the City to extend McIntyre Street West and associated infrastructure. The Cost Share Agreement will include the calculated funding contribution by the Owner as well as the necessary terms and conditions as set out by the City.

- b) Should the City and the Owner be unable to achieve an Agreement to extend McIntyre Street West, the Site Plan associated with the Plan of Condominium shall be amended so that all parking spaces shall have access to a municipally maintained road.
- 9) 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.
- 10) 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.
- 11) That the Condominium Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Condominium has been registered prior to any encumbrances.
- 12) The Condominium Agreement for the subject condominium application shall include a statement informing the Owner that prior to the issuance of a building permit, the purchaser will be required to pay Development Charges and that development charges will be imposed in accordance with the current applicable Municipal Development Charges By-law.
- 13) 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.
- 14) That before City Council's Final Approval is given, the Council shall be advised in writing by the City of North Bay's Infrastructure and Operations division how Conditions No. 5, 7 and 8 have been satisfied.
- 15) That before City Council's Final Approval is given, the Council shall be advised in writing by the Manager of Parks how Condition No. 9 has been satisfied.
- 16) That before City Council's Final Approval is given, the Council shall be advised in writing by Canada Post Corporation how Condition No. 10 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/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.
- 3) 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.
- 4) 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).