

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

Report No: CSBU-2025-047

Date: July 25, 2025

Originator: Beverley Hillier, Manager, Planning & Building Services

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Condominium application by Tulloch Geomatics Inc. on behalf of Plastruct Canada Inc. – 189 Legault Street, 143 Birchs Road and 0 Birchs

Closed Session: yes ☐ no ☒

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### **Recommendation**

That the proposed draft plan of vacant land condominium (Plan of Condominium File No. 48CDM-25102) by Tulloch Geomatics Inc. on behalf of Plastruct Canada Inc. in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2025-047, as shown on Schedule B, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2025-047 prepared by Beverley Hillier dated July 25, 2025.

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### **Background**

#### **Site Information**

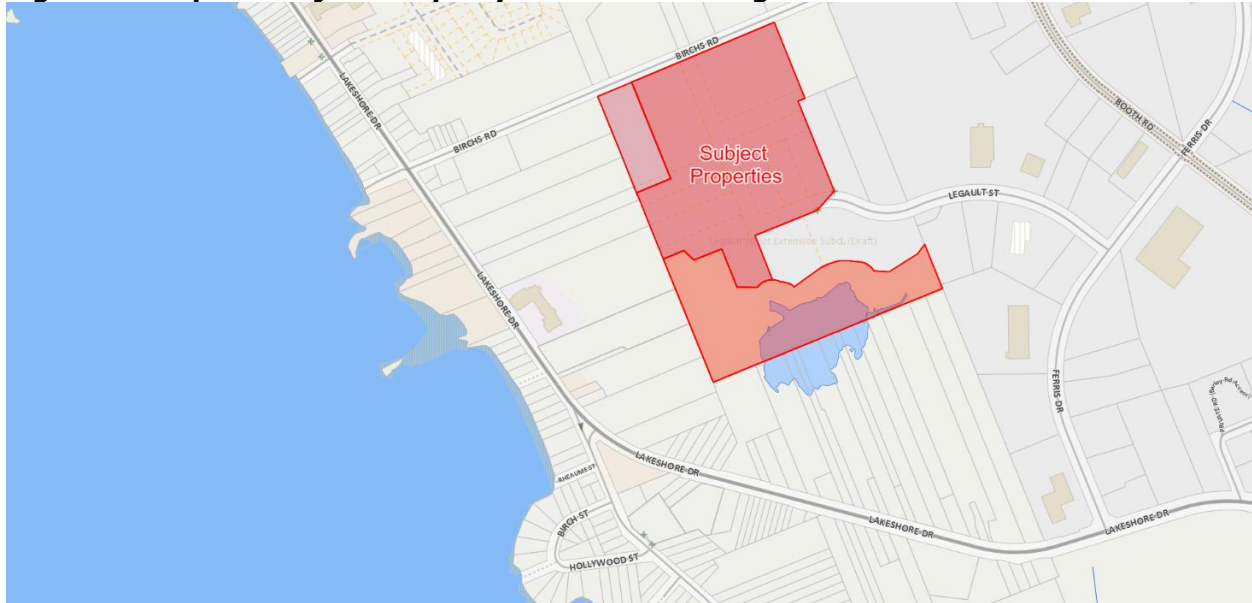
**Legal Description:** See Appendix A

#### **Site Description:**

The lands subject to the request for Draft Approval for a Vacant Land Condominium are comprised of three lots, 2 lots fronting onto Birchs Road and one land locked parcel, as shown below on Figure 1 and on Schedule "A" attached hereto. The property has secondary road access via Legault Street.

The properties are designated "General Industrial" by the Official Plan and are zoned "General Industrial (M2)" and "Open Space (O)" under the City's Zoning By-law No. 2015-30.

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



Combined, the properties have a total area of 14.5 hectares (35.8 acres) and lot frontage of approximately 310m from Birchs Road and 26m from Legault Street. The property located at 143 Birchs Road, located on the western corner (approximately 1 hectare (2.5 acres)) is developed with two buildings, specifically one being a legal non-conforming triplex with an entrance to a construction yard east of each building, the remaining property is vacant.

### **Surrounding Land Uses:**

The subject property is located between existing residential uses and the existing Gateway Industrial Park. The properties abutting the subject lands to the north, south and west are residential uses with the exception of a general institutional use at 820 Lakeshore Drive. All the properties located to the east of the subject lands are industrial uses with the exception of a residential property at 189 Birchs Road.

### **Proposal**

Tulloch Engineering submitted an application on behalf of Plastruct Canada Inc. for draft approval of a vacant land condominium.

The proposed vacant land condominium would create a total of 6 new units (lots) and one common element block. The common element block would include the natural areas on site (currently zoned "Open Space (O)") and the stormwater management pond servicing the entire development.

The property was previously approved for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision in February 2020. The Owner is now proposing to change the form of ownership from a Plan of Subdivision, which included the extension of municipal services (road, water and sewer), to a Vacant Land Condominium. The Condominium will be accessed via both direct access off Birchs Road and through driveway

extensions off Legault Street. The property would be serviced via the extension of private water and sewer infrastructure that will be connected to the municipal water and sewer network. Easements will be established for maintenance of the services by the Condominium Corporation.

## **Summary**

Plastruct Canada Inc. has submitted an application for a Draft Plan of Vacant Land Condominium to permit the creation of six industrial units and one common element block. The proposed condominium will facilitate the extension and shared use of private water and sewer infrastructure across the site.

The industrial use was established through an Official Plan Amendment and Zoning By-law Amendment, both approved by Council in February 2020 (see Reports to Council [2019-39](#) and [2020-05](#)). The subject lands were previously approved for an industrial Plan of Subdivision consisting of 12 lots and 4 blocks. Final Approval was granted for 2 lots and 2 blocks in June 2021. The application applies to the remainder of the lands. The proposed change in tenure from subdivision to condominium does not alter the approved land use, density, or built form.

This application represents a change in ownership structure only. The underlying land use designation and zoning remain in effect, and the proposed condominium conforms to all applicable zoning regulations. The condominium supports long-term maintenance of shared infrastructure while maintaining individual ownership of units.

In accordance with the *Planning Act*, a public meeting is not required for a Draft Plan of Condominium. Nevertheless, the application was circulated to adjacent landowners, internal departments, and external agencies for review. Comments received have been addressed through the recommended Conditions of Draft Approval in Appendix C.

It is my professional opinion that the proposed Draft Plan of Condominium conforms with the Official Plan, is consistent with the *Provincial Planning Statement (2024)*, and conforms with the *Growth Plan for Northern Ontario (2011)*.

## **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. 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 create a vision for a community's future. The City of North Bay achieves this through the implementation of the Official Plan.

In my professional opinion, the proposed draft plan of vacant land condominium conforms with the goals, policies and direction provided by the Growth Plan for Northern Ontario (GPNO 2011).

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

The current Provincial Planning Statement issued by the Provincial government came into effect in October of 2024. The 2024 Provincial Planning Statement (PPS 2024) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on Planning Act applications.

The proposed change from a subdivision to a condominium represents a shift in the form of ownership rather than a change in land use or intensity. The underlying land use designation and zoning remain unchanged. As such, the change is considered administrative in nature and aligns with the intent of the current planning policies.

The Provincial Planning Statement 2024 does not identify policies specific to subdivisions or condominiums.

In general, Section 2.8, Employment, of the PPS indicates that "*Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of*

- complete communities; and*
- e) *addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

This policy highlights the importance of providing employment opportunities along with a diverse economic base. This proposed development would help achieve this provincial policy as it would provide six units for new industrial development.

*Section 3.6.2 of the PPS indicates that "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. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems."*

*The applicant has indicated that "It has been determined by TULLOCH's civil engineering team that extending public sewer and water lines to the frontage of Units #1 – 4 on Birchs Road is not feasible due to rock outcroppings and topography. After extensive conversations with City staff regarding alternative solutions, it is proposed that private water and sewer lines will enter the property from the end of Legault Street. Once on the property, the lines will service each unit and will be privately maintained by the Condominium Corporation. Easements will eventually be established over the water and sewer lines for the Condominium Corporation to access and maintain them."*

The City agrees that this is a reasonable solution to support the development of the property. As noted in the Conditions of Draft Approval, the Owner will be required to provide detailed engineering information to ensure services are appropriately connected to the municipal services on Legault Street.

It is my professional opinion that with the conditions included in Appendix C, the proposed industrial condominium is consistent with the PPS 2024, which supports economic development, efficient land use, and flexible ownership models. The development maintains conformity with the employment land designation and applicable zoning and contributes to the long-term viability of the employment area.

### **Official Plan**

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

The City's Official Plan does not provide specific policy direction related to a Plan of Subdivision or a Plan of Condominium. The applicant is proposing to develop the property for industrial purposes which conforms with the City's Official Plan.

Section 5.2.2, Municipal Services, of the City's Official Plan indicates that *"new development within the settlement area, as shown on Schedule 1, should occur on full municipal services."*

Section 5.2.2.2 states that *"All areas in which urban development and redevelopment are to take place, as designated on Schedule 1, should be provided with municipal water supply and storm and sanitary sewers. Where services are not available, it is the responsibility of the property owner to extend the services."*

The proposed vacant land condominium will be connected to municipal services. Each individual lot will be serviced by private water and sewer extensions that are connected to the municipal infrastructure network. The water and sewer lines will service each unit and will be privately maintained by the Condominium Corporation.

It is my professional opinion that the proposed draft plan for vacant land condominium is in conformity with the Official Plan of the City of North Bay.

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

The subject properties are all presently zoned "General Industrial (M2)". The uses currently permitted that are relevant in this case in the M2 zone include:

- Automobile Sales, Service, and Leasing Establishments
- Automobile Service Station
- Body Shop
- Brewery, Micro
- Brewery, Manufacturing
- Builder's Supply Yard
- Bulk Sales Establishment
- Card lock Gas Facility
- Contractor's Yard
- Convenience Store
- Courier Distribution Depot
- Data Storage and Processing Firm
- Distillery, Micro
- Distillery, Manufacturing
- Group Home Type 3
- Industrial Equipment Sales, Service, and Leasing establishments.
- Industrial Class 1
- Industrial Class 2
- Laboratory
- Pet Daycare Facility
- Production Studio
- Production Studio & Backlot
- Recreational facility

- Recycling Center
- Self-Storage Use
- Transportation Terminal
- Warehouse
- Waste Transfer Station
- Wholesale Uses

No changes are proposed to the zoning of the subject property. Any development proposed would be required to meet all Zoning By-law regulations.

### **Correspondence**

This proposal was circulated to property owners within 120 metres (400 feet) of the subject lands, as well as to several municipal departments and agencies that may have an interest in the application. In terms of correspondence received from these departments and agencies, the Planning Department received the following comments:

Of the agencies that provided comments, the Engineering Department, Building Department, North Bay Hydro, Ministry of Transportation each offered no concerns or objections.

Two letters were received through the circulation of the application to members of the public and one phone call from an abutting property owner.

Two individuals were seeking clarification of the use of the property and conformation that the "common element" space would continue to be used as open space.

A second letter did not provide details on the concerns. Staff had a phone conversation with the individual and explained the application. Concern was raised related to the uses permitted on the property, as well as some additional concerns unrelated to this specific application.

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

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### **Financial/Legal Implications**

None at this time. The Owner will be required to enter into a Condominium Agreement prior to final approval. Each individual development will be subject to Site Plan control.

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### **Corporate Strategic Plan**

- |  |   |
|--|---|
| <input type="checkbox"/> Natural North and Near                | <input checked="" type="checkbox"/> Economic Prosperity |
| <input type="checkbox"/> Affordable Balanced Growth            | <input type="checkbox"/> Spirited Safe Community        |
| <input type="checkbox"/> Responsible and Responsive Government |   |

### **Specific Objectives**

- Promote and support public and private sector investment.
- Create an environment that supports entrepreneurship in North Bay.

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## **Options Analysis**

### Option 1:

That the proposed draft plan of vacant land condominium (Plan of Condominium File No. 48CDM-25102) by Tulloch Geomatics Inc. on behalf of Plastruct Canada Inc. in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2025-047, as shown on Schedule B, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2025-047 prepared by Beverley Hillier dated July 25, 2025.

This option is recommended for the reasons outlined in this report.

### Option 2:

That the proposed draft plan of vacant land condominium (Plan of Condominium File No. 48CDM-25102) by Tulloch Geomatics Inc. on behalf of Plastruct Canada Inc. in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2025-047, as shown on Schedule B, be denied.

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

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## **Recommended Option**

Option 1 is the recommended option.

That the proposed draft plan of vacant land condominium (Plan of Condominium File No. 48CDM-25102) by Tulloch Geomatics Inc. on behalf of Plastruct Canada Inc. in the City of North Bay for lands described in Appendix A to Report to Council Number CSBU 2025-047, as shown on Schedule B, be given Draft Approval subject to the conditions in Appendix C to Report to Council Number CSBU 2025-047 prepared by Beverley Hillier dated July 25, 2025.

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Respectfully submitted,

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

## **We concur with this report and recommendation.**

Name Ian Kilgour, MCIP. RPP  
Title: Director, Community Services



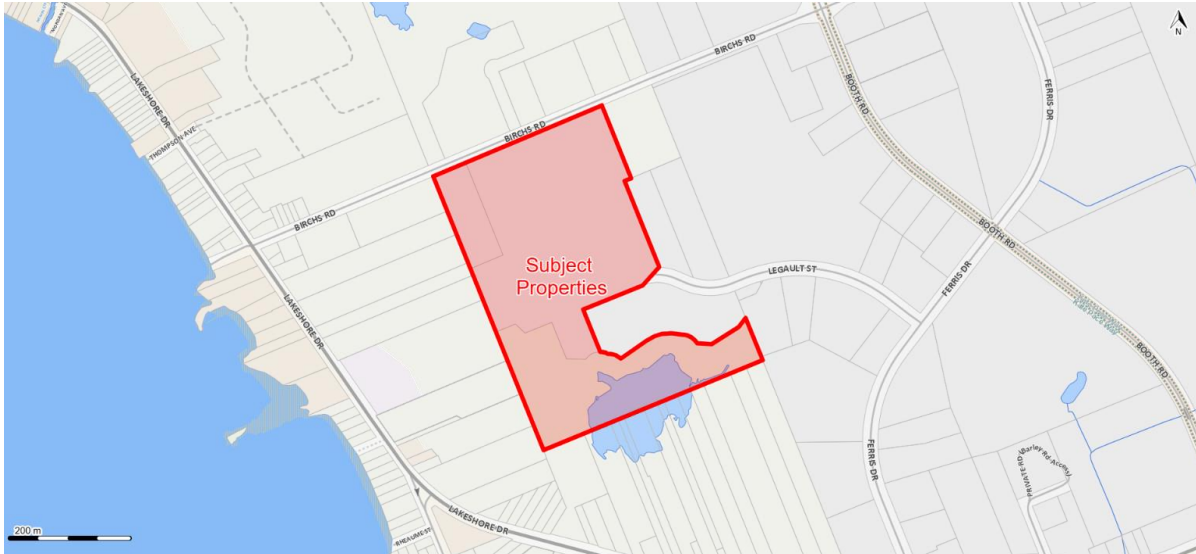
Name: John Severino, P.Eng., MBA  
Title: Chief Administrative Officer

Personnel designated for continuance:

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

W:\PLAN\Planning\00 - Development & Planning Management\189 Legault St (040-060-27202) \Condominium  
Plans (D07) COLLAB\Condominium File # 48CDM-25102

## Schedule A



## Schedule B

DRAFT PLAN OF VACANT LAND CONDOMINIUM OF  
ALL OF BLOCK B  
**REGISTERED PLAN 36M-713**  
PART OF THE NORTH HALF OF LOT 38  
CONCESSION 14

TOWNSHIP OF WEST FERRIS  
NOW IN THE  
CITY OF NORTH BAY  
DISTRICT OF NIPISSING  
TULLOCH GEOMATICS INC.

SCALE 1 : 1000



BEARING NOTE

BEARINGS ARE UTM GRID AND ARE REFERRED TO THE SOUTH LIMIT OF BIRCH'S ROAD AS SHOWN ON REGISTERED PLAN 38M-713, HAVING A BEARING OF N67°14'15"E.

## LAND USE ANALYSIS

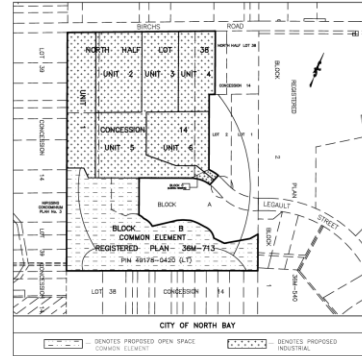
<u>LOT/BLOCK/UNIT</u>	<u>INTENDED USE</u>	<u>No. OF UNITS</u>	<u>AREA (HECTARES)</u>
1 TO 6 COMMON ELEMENT	INDUSTRIAL	6	9.2710 5.2158
<b>TOTAL</b>		<b>6</b>	<b>14.4868</b>

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

- (A) AS CERTIFIED ON THE FACE OF THE PLAN
- (X) AS SHOWN ON THE FACE OF THE PLAN
- ( ) AS SHOWN ON THE REVERSE 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 ADJACENT PROPERTIES ARE:
- NORTH - ROAD & RESIDENTIAL  
EAST - RESIDENTIAL - INDUSTRIAL  
SOUTH - RESIDENTIAL  
WEST - RESIDENTIAL
- (X) AS SHOWN ON THE FACE OF THE PLAN
- ( ) AS SHOWN ON THE REVERSE OF THE PLAN
- ( ) MANICALLY GROWN AND/OR GENERATED PIPED WATER SYSTEM
- ( ) THE NATURE AND POSSIBLY OF THE SOIL IS SANDY LOAM AND BEDROCK
- ( ) AS SHOWN ON THE FACE OF THE PLAN
- ( ) WINDMILL SERVICES TO BE AVAILABLE TO THE LANDS ARE:
- ELECTRICITY SERVICES - POLICE, FIRE, AMBULANCE, TRUCKS,  
TELEPHONE SERVICES - PIPES, PIPES SANITARY, TRUNK, GARAGE, RECTIFYING, ROAD MAINTENANCE,  
SCHOOLS, BURNING, SHOP REPAIR.
- ( ) PUBLIC SERVICES - GAS, ELECTRICITY, TELEPHONE, CABLE, INTERNET
- ( ) THERE IS NO DRAINAGE CHANNEL AFFECTING THE PROPERTY.

### KEY PLAN

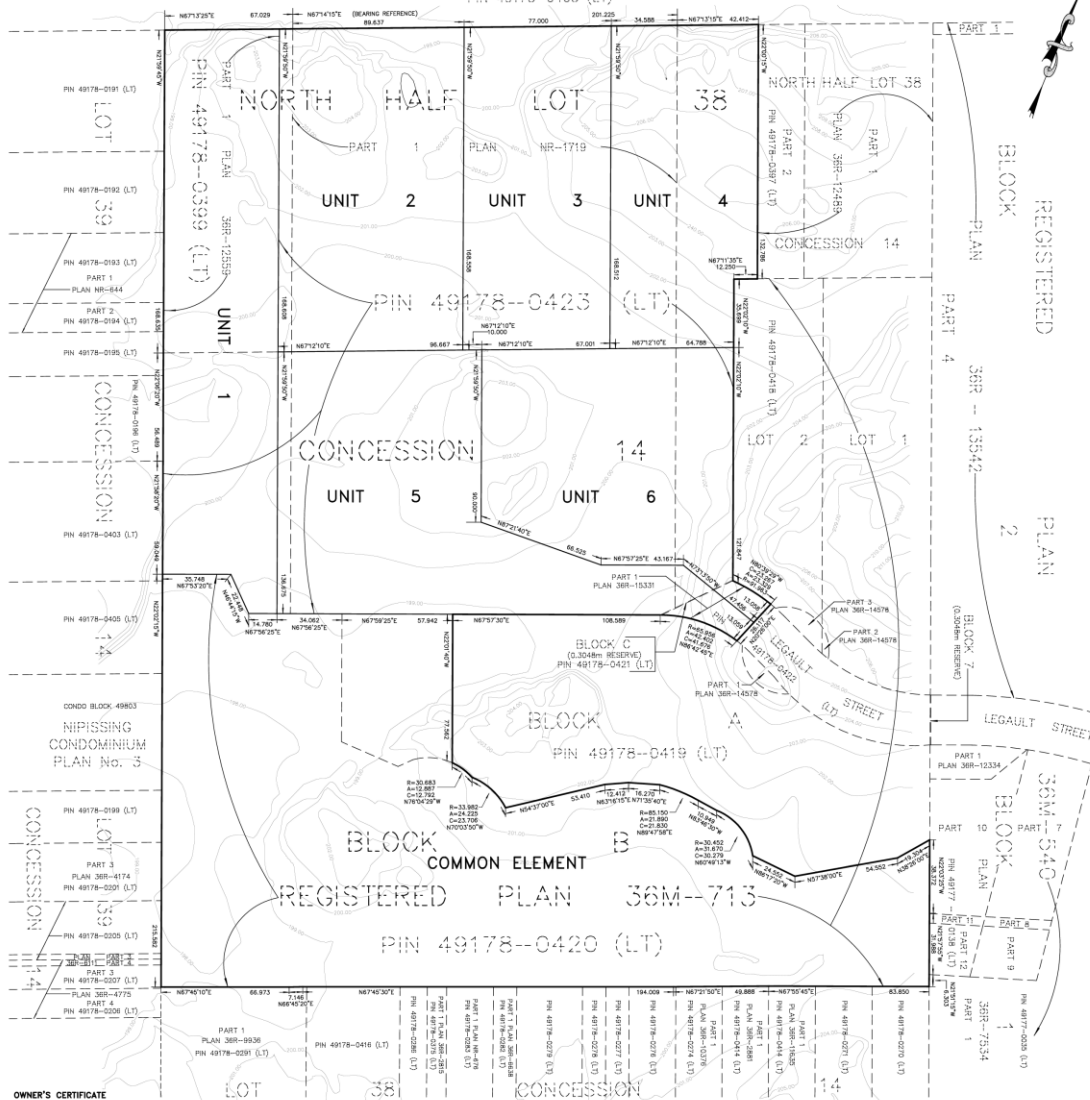
SCALE 1 : 4000



BIRCH'S ROAD

(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 14 AND 15)

PIN 49175--0405 (LT)



## OWNER'S CERTIFICATE

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

PLASTRUCT CANADA INC.

NORTH BAY, ONTARIO, 2015

NICK KOPPELAAR  
CHIEF EXECUTIVE OFFICER  
I HAVE THE AUTHORITY TO BIND THE CORPORATION  
REGISTERED OWNER OF PMS 48178-0389 (LT), 48178-0420 (LT) & 48178-0423 (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  
MARCH 28th, 2025

R. D. MILLER  
ONTARIO LAND SURVEYOR  
FOR: TULLOCH GEOMATICS INC.



TULLOCH GEOMATICS INC.

1501 SEYMOUR STREET | T. 705-474-1210  
NORTH BAY ON | F. 705-474-1783

northbay@tulloch.ca

DRAWN BY: M.M.WINTERFIELD	FILE No. 7775
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## **Appendix A**

### **PIN 49178-0399**

WEST FERRIS CON 14 PT LOT 38 RP 36R12559 PART 1; North Bay; District of Nipissing

### **PIN 49178-0423**

WEST FERRIS CON 14 PT LOT 38 AND RP NR1719 PT PART 1 PCLS 1824WF 6089WF 6923WF; North Bay; District of Nipissing

### **PIN 49178-0420**

PLAN 36M713 BLK B; North Bay; District of Nipissing

## Appendix B – Correspondence

### Engineering

**Member:** Jonathan Kapitanchuk

**Status:** Approved

1. The mitigation measures outlined within the approved SWM report must be adhered to for this development.
2. The following engineering civil plans/drawings are required: a. Site Servicing; b. Grading Plan; c. Erosion and sediment control.
3. All the drawings 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. A security deposit of 10% of the value of all on-site works (excluding the building) will be required for any site plan control agreement. An engineering estimate of the on-site works is to be provided in order to determine the security deposit value. A deposit of \$1,000 will be required as a minimum. At this stage, these comments are very high level and upon receiving further information and detailed plans we will have additional comments to provide.

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### Public Works

**Member:** Scott Franks

**Status:** Approved

No concerns from Roads and Traffic.

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### Finance

**Member:** Lisa Beaulieu

**Status:** Approved

No comments or concerns.

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## Ministry of Transportation

**Member:** Gabriel Nimoh

**Status:** Approved

Hello,

The Ministry of Transportation (MTO) has reviewed the application at Birch St and have determined that the subject lands are not located within the MTO's permit control area; therefore, we have no comments to provide at this time. Don't hesitate to contact me if there are any questions or concerns.

Thank you,  
Gabriel

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## North Bay Hydro

**Member:** Roch Pillion

**Status:** Approved

No concerns. Power is available up to 1MVA from Birchs Road and from Legault Street. Line extensions will be required.

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## Hydro One

No comments or concerns at this time...the Owner/Applicant should consult with their local area Distribution Supplier.

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## NBMCA

**Member:** Hannah Wolfram

**Status:** Approved

No concerns.

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## External correspondence

From: Mark Dutrisac <[REDACTED]>

Sent: July 28, 2025 12:54 PM

To: Beverley Hillier <[Beverley.Hillier@northbay.ca](mailto:Beverley.Hillier@northbay.ca)>

Subject: [EXTERNAL]189 Legault Street and 143 Birches road Plastruct Canada

Importance: High

Good afternoon Beverly,

I am at 54 Ferris drive which is M2 Zoning I have concerns with residential properties being erected on Commercial zoned areas. Will this inhibit my ability to operate my normal day to day business?

Sincerely

*Mark Dutrisac*

President  
Rahn Plastics Inc  
54 Ferris Drive  
North Bay, Ont, P1A-4M3

**Response from Staff:**

Hi Mark,

Thanks for the email. This proposed plan of condominium application is for industrial purposes and no new residential uses are proposed through this development. The property is zoned "M2" and "Open Space (O)" through the City's Zoning By-law. The Open Space zone is for the large pond/wet area at the south end of the property. No zoning changes are being proposed. The M2 zone is the same zoning that you have on your property at 54 Ferris Drive.

This property originally had a plan of subdivision for industrial purposes, and they are now proposing to change the form of ownership to a condominium.

Hopefully, that answers your question – if you need any more information or have any other questions, please feel free to let me know.

Bev

Beverley Hillier, RPP, MCIP  
Manager, Planning & Building  
City of North Bay | 200 McIntyre St. E  
Tel: 705-474-0400 ext 2403

To:

July 28/2025

Beverley H. Miller

Manager Planning Building Services?

I Do not agree with the proposal for  
the Draft Plan of the Vacant Land Condominium  
and one Common element.

Known as 189 Legault Street and 143  
Birches Rd.

I most definitely want to be notified  
if the city has an open forum to put  
forward my many concerns.

I wish to be notified in writing  
when there is a decision if the city  
refuses to open a formal oral  
appeal at a city hall meeting.

\* This is the first notice I've received

Gerry Supak  
386 Lakeshore Dr.  
North Bay Ont  
P1A 2G9

205-474-0372



**Appendix C – Conditions of Draft Approval**  
**File 48CDM-25102**

- 1) That this approval expires five (5) years from the date of approval. If there is an appeal to the Ontario Land Tribunal under section 51 (39) of the *Planning Act*, the five (5) year expiration period does not begin until the date of the order of the Ontario Land Tribunal issued in respect of the appeal or from the date of a notice issued by the Tribunal under section 52(51) of the *Planning Act*.
- 2) This Draft Approval applies to the Plan of Condominium prepared by Tulloch Geomatics Inc. as shown on the attached Schedule B dated March 25, 2025 which is comprised of 6 units and one (1) common element.
- 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 shall 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 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; and
  - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development
  - c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Condominium site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 8) That the Owner shall agree in the Condominium Agreement to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the City.
- 9) That the Owner provides full engineering drawings showing the individual site servicing and connections to 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.

- 10) 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.
- 11) 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.
- 12) 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.
- 13) The condominium agreement shall include a statement informing the first purchaser of a lot within the subject Plan of Condominium that prior to the issuance of a building permit, the purchaser may be required to pay Development Charges.
- 14) Owners and prospective purchasers shall be advised that surface and subsurface infrastructure i.e roads, sidewalks, streetlights, stormwater and drainage infrastructure including but not limited to pipes, ponds, conveyance, water and wastewater infrastructure is owned by the condominium and the maintenance and management of this and any other privately owned infrastructure is the responsibility solely of the subject condominium corporation.
- 15) A Lot Grading Plan to scale and professionally prepared and be approved by the City of North Bay's Engineering Department. The Plan shall include but not limited to the following:
  - a. Lot Boundaries with Dimensions
  - b. Lot Number
  - c. House Address Number (from City Building Department)
  - d. Building Envelope with Main and Basement Finished Floor Elevations Identified
  - e. Garage Envelope with Garage Finished Floor Elevation Identified
  - f. Entrances
  - g. Driveway with Slopes and Finished Elevations
  - h. Driveway culvert location (if applicable)
  - i. Patios, Walks, Planters, Etc.
  - j. Retaining Structures (Engineered if higher than 1m) no bigger than 4.5m
  - k. No fill to be placed prior to the completion of all retaining structures.

- l. Lot Grading with slopes and finished elevations.
  - m. Drainage ditches or swales with inverts, if applicable.
  - n. Any Easements on the lot.
  - o. A cross-sectional view through the lot (R.O.W. to rear) to supplement the plan identifying the original and proposed features and grades.
  - p. Erosion and sediment controls.
  - q. A Private Approach Permit in accordance with By-Law 2017-72.
- 16) That the owner acknowledges that a Section 28 Permit (formerly 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.
  - 17) That the owner acknowledges that the property is in an area where Species at Risk may be present. The owner agrees to obtain any approvals required by the Ministry of Natural Resources and Forestry and/or the Ministry of Environment Conservation and Parks as may be required.
  - 18) That the recommendations and requirements of the Environmental Impact Statement completed by FRICOP Ecological Services dated November 2019 be implemented to the satisfaction of the City of North Bay and the North Bay-Mattawa Conservation Authority prior to the Final Approval
  - 19) The Owner agrees that any third party professional engaged to provide consulting services shall inspect the property following construction to confirm that their recommendations were incorporated into the built form. The third party consultant shall provide a letter to the City with this confirmation at the Owner's sole expense.
  - 20) That before City Council's Final Approval is given, the Council shall be advised in writing by the City of North Bay's Engineering Department how Conditions No. 7, 8 and 9 have been satisfied.

#### NOTES

- 1) We suggest you make yourself aware of the following:
  - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
  - b) Section 143(2) allows certain exceptions.

- 2) Prior to any construction, the Owner should contact the North Bay Mattawa Conservation Authority to discuss specific concerns identified by the Conservation Authority.
- 3) Prior to any construction, the Owner/Developer should contact the Ministry of Natural Resources and Forestry (MNRF) to determine if Species at Risk and/or their habitat is present in the general vicinity of the development area.
- 4) An electrical distribution line operating below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on wood poles supporting conductors stating "Danger – Overhead Electrical Wires" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
- 5) 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).