

Appendix C – Conditions of Approval

Subdivision File 48T-20104

- 1) That this approval expires five (5) years from the date of approval shown by the “Draft Plan Approval Stamp” on the face of the draft plan. 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 Rick Miller of Miller & Urso Surveying Inc. as shown on the attached Schedule ‘B’ dated November 2, 2020 which is comprised of one street.
- 3) That all streets on the Plan of Subdivision be named to the satisfaction of the City of North Bay.
- 4) That no removal of trees be undertaken prior to final approval except: within the proposed road allowance; for survey purposes around the boundary of the Draft Approved Lands and for exploratory soils investigations for the purpose of estimating servicing costs.
- 5) That prior to any above ground works or below ground works occurring on the subject property the Owner is required to enter into a Pre-Servicing Agreement with the City of North Bay, to the satisfaction of the City Engineer.
- 6) That the road allowance included in this Draft Plan shall be dedicated as public highways.
- 7) That any dead ends and open sides of road allowances created by this Draft Plan shall be terminated in 0.3 metre reserves to be conveyed to and held in trust by the Municipality.
- 8) That prior to signing the Final Plan by the Municipality, the proposed subdivision conform with the Zoning By-law in effect for the Municipality.
- 9) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the City of North Bay concerning provision of roads, installation of services, and drainage.
- 10) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 11) That the Subdivision Agreement between the owner and the Municipality contain wording acceptable to the City Engineer to ensure that:
 - a) the owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction; and
 - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development

- c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 12) That the Owner provides full engineering drawings showing the provision of full municipal services including storm, sanitary sewers, water and full curb section, including sidewalks if required, prepared by a qualified engineer, to the satisfaction of, and at no expense to the City of North Bay.
- 13) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 14) That the 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.
- 15) That the owner acknowledges that the property is in an area where Species at Risk may be present. The owner agrees to engage the services of a third party professional to complete a Species at Risk Assessment and that any recommendations from the study shall be incorporated into the final Subdivision site design.
- 16) That the Subdivision Agreement between the owner and the Municipality contain wording obligating the owner at their own expense to reconstruct portions of the driveway of the property located at 97 Bain Drive that are affected by works associated with the extension of Bain Drive.
- 17) 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. 10, 11 & 12 have been satisfied.
- 18) That before City Council's Final Approval is given, the Council shall be advised in writing by the Director of Parks, Recreation and Leisure Services how Condition No. 13 has been satisfied.

19) NOTES

- 1) We suggest you make yourself aware of the following:
- a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
- 2) Prior to any construction, the Owner should contact the North Bay Mattawa Conservation Authority to discuss specific concerns identified by the Conservation Authority.
- 3) Prior to any construction, the Owner/Developer should contact the Ministry of Natural Resources and Forestry (MNRF) to determine if Species at Risk and/or their habitat is present in the general vicinity of the development area.

- 4) An electrical distribution line operating below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on wood poles supporting conductors stating "*Danger – Overhead Electrical Wires*" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
- 5) Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.
- 6) We recommend you make yourself aware of applicable Federal and Provincial laws regarding construction in proximity to waterbodies.
- 7) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).