

TOWNSHIP OF MACHAR

Applicant: Franco Polsinelli and Nghi Nguyer
Application: Plan of Subdivision
Location: Part Lots 18, 19, 20, Concession 11 and 12

The Township of Machar is recommending the following Conditions of Draft Plan Approval to be considered by the Central Almaguin Planning Board who have the approval authority for Plan of Subdivision applications in the Township of Machar.

1. General

- a) That this approval applies to the Draft Plan of Subdivision prepared by KPK Surveying, Job Number 202405 which shows 20 single detached residential lots and 15-metre wide right-of-way.
- b) That the Owner agrees in a Subdivision Agreement to require a clearance letter from the Township of Machar stating that the Township is satisfied with the final Conditions of Draft Plan approval and the final Subdivision Agreement before final signatures.
- c) That is acknowledged that the Central Almaguin Planning Board is responsible for the formal circulation of the application, including agencies such as Hydro One and Canada Post; and that the Owner agrees in a Subdivision Agreement to address comments from required agencies.
- d) That the Owner agrees in a Subdivision Agreement to obtain all necessary permits from the North Bay Mattawa Conservation Authority associated with the proposed septic systems on each of the proposed lots.
- e) That the Owner agrees in a Subdivision Agreement that the proposed development must be in accordance with the recommendations and mitigation measures contained within the following reports/technical studies:
 - a. Stage 1 & 2 Archaeological Assessment, prepared by Earthworks Archaeological Services Inc., dated January 18, 2021.
 - b. Environmental Impact Study & Lake Capacity Assessment, prepared by RiverStone Environmental Solutions Inc., dated April 2023.
 - c. Peer Review of Environmental Impact Study & Lake Capacity Assessment, prepared by Hutchinson Environmental, dated October 17, 2024.

- d. Preliminary Stormwater Management Plan and Private Sewage System Assessment, prepared by Tulloch Engineering, dated August 2022.
- e. Traffic Brief, prepared by JD Northcote Engineering Inc., dated July 27, 2022.
- f. Wildland Fire Risk Assessment, prepared by RiverStone Environmental Solutions Inc., dated December 8, 2023.

2. Streets and Civic Addressing

- a) That the owner obtains 911 addressing from the Township for the proposed lots or agrees to appropriate wording in the Subdivision Agreement;
- b) That the Owner agrees in a Subdivision Agreement that the minimum right-of-way width is 15 metres where proposed;
- c) That the Owner apply for a Plan of Condominium or a Private Road Agreement for the proposed right-of-way and that the Subdivision Agreement indicates that the Township will not provide services on this road.

3. Reserves, Easements and Road Widenings

- a) If applicable, the Owner shall grant easements as may be required to the appropriate authority, free of all charges and encumbrances for utility, drainage, and/or servicing purposes.

4. Financial Requirements

- a) The Owner agrees in a Subdivision Agreement to satisfy all the requirements, financial and otherwise, of the Township of Machar, including entering into a Subdivision Agreement with the Township/Central Almaguin Planning Board concerning all provisions of municipal services.
- b) The Owner agrees in the Subdivision Agreement to reimburse the Township of Machar for the cost of any Peer Reviews of the Studies/Reports submitted in support of the proposed Plan of Subdivision.
- c) The Owner agrees in the Subdivision Agreement to reimburse the Township of Machar for all administrative, planning, legal, engineering, inspection and/or other costs or expenses whatsoever incurred by the Municipality or any of its agents, in connection with the development of the Subdivision Lands.

- d) The Owner shall bear the expense of all off-site work attributable to the subdivision resulting from the approved public works design where such works are not subsidized under the policies and by-laws of the Township.

5. Subdivision Agreement

- a) The Owner shall enter into a Subdivision Agreement with the Township of Machar/Central Almaguin Planning Board which shall list all approved plans and conditions established by the subdivision approval authority for the development of this Plan.
- b) That a provision is made for within the Subdivision Agreement between the Owner and the Township to be registered against the lands to which it applies once the Plan of Subdivision has been registered.
- c) The approval of the Draft Plan will expire five (5) years, or at the discretion of the Central Almaguin Planning Board, from the date of approval if Final Approval has not been obtained.
- d) That the Subdivision Agreement shall contain all necessary warning clauses and notices to purchasers resulting from, but not necessarily limited to, the design and provision of services, including the requirement to provide and maintain private site-specific works where necessary.
- e) Without limiting the generality of clauses, a) through e) of Condition 5, the Subdivision Agreement shall include, but shall not be limited to provisions to address the following:
 - i) The Owner agrees to implement all works referred to in the Conditions of Draft Plan of Subdivision approval.
 - ii) Individual lot grading plans consistent with the overall approved lot grading plan shall be submitted to the Chief Building Official as part of the building permit application process. Building permits will only be issued in compliance with the approved lot grading plan(s), at the discretion of the Chief Building Official.
- f) That the Subdivision Agreement shall include that topsoil shall not be removed from site without prior approval of the Township and shall be kept stockpiled and stabilized for use as topsoil for final lot grading.
- g) The Owner agrees to notify the Township and the North Bay-Mattawa Conservation Authority at least 48 hours prior to the initiation of any on-site development.
- h) The Owner agrees to install temporary and permanent signage for the subdivision to the satisfaction of the Township.

- i) The Owner/Developer provides sufficient confirmation that satisfactory arrangements, financial and otherwise, have been made with necessary utility companies for any facilities servicing this Draft Plan of Subdivision.
- j) That Owner agrees to co-ordinate and prepare an overall utility distribution plan to the satisfaction of the affected utilities and the Township. The Owner shall also agree that natural gas, telephone service, television service, and internet service where required, shall be constructed underground within the road allowance or other appropriate easements, if requested by the Township.

6. Engineering Drawings

- a) Prior to Final Approval, the Owner shall submit the following engineering drawings to the Township of Machar for approval, at the discretion of the Chief Building Official:
 - i) servicing plans;
 - ii) grading control plans;
 - iii) composite utility plans;
- b) The plans must be prepared and certified by a Professional Engineer and designed in accordance with the Township of Machar's design requirements to the Township's satisfaction, and that such plans form part of the Subdivision Agreement, at the discretion of the Chief Building Official.
- c) Prior to Final Approval, the Owner shall submit a digital file containing a list of the approved subdivision detailed design drawings to be included in the Subdivision Agreement in a format acceptable to the Township of Machar.

7. Zoning By-law Compliance

- a) The owner must ensure that the plan of subdivision contains appropriate zoning provisions to the satisfaction of the Township of Machar to recognize the residential uses and that such zoning is in effect in accordance with the provisions of the *Planning Act*.
- b) The Owner must apply for and obtain approval of a Zoning By-law Amendment.
- c) Prior to the Final Approval of any phase of this development, the Owner shall submit a Surveyor's Certificate which confirms that the lots and blocks within this Plan conform to the minimum lot frontage and lot area requirements of the Zoning By-law.

8. Stormwater Management

- a) Prior to Final Plan Approval, the Owner shall submit the lot grading and drainage plans, and erosion and sediment control plans which shall be prepared by a qualified Professional Engineer on behalf of the Owner, to the satisfaction of the Township, and shall be included in the Subdivision Agreement between the Owner and the Municipality. Such plans shall include the design and location of any temporary erosion and sediment control facilities (including ponds) as required, and the provision of any required environmental compliance certificate(s) from the Ministry of the Environment, Conservation and Parks to the satisfaction of the Municipality and North Bay Mattawa Conservation.

9. Parkland

- a) The Owner shall provide a cash contribution in lieu of parkland within the draft plan in accordance with the *Planning Act* and applicable Township By-laws.

10. Warning Clauses

The Subdivision Agreement shall require the Owner to include the following warning clauses, where appropriate, in a schedule to all offers of purchase and sale or lease for all lots/blocks within this Plan:

- a) Within the entire subdivision plan:
 - “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox or similar, the location of which will be identified by the Owner prior to any home closings.”
 - “Purchasers and/or tenants are not permitted to alter the constructed and approved drainage pattern in any manner which prohibition includes but is not limited to re-grading, the installation of fences and the installation or planting trees, shrub flower beds or gardens.”
- b) Regarding the private road:
 - “Purchases and/or tenants are to be aware that lots are serviced by a private right-of-way and standard Township services shall not be provided.

c) Development Map:

- A map shall be provided in all purchase and sale or lease agreements showing where the private road is located, environmental features, parks, mailboxes are located.