

**TOWNSHIP OF CHISHOLM**

**COMMITTEE OF ADJUSTMENT MEETING**

**TUESDAY, SEPTEMBER 1<sup>ST</sup>, 2015**

**CALL TO ORDER**

The meeting was called to order by Chairperson Leo Jobin with Councillor David Hodgins and members Don Butterworth and Ken Frederick present. Councillor Nunzio Scarfone were absent with regret. Applicant Brian McCharles was in attendance, along with Luke and Patricia McCharles. Staff member present was Clerk-Treasurer Linda Ringler.

**DECLARATION OF PECUNIARY INTEREST** – None noted.

**APPROVAL OF AGENDA**

**Resolution 2015-14 (COA)**

Don Butterworth – David Hodgins: Be it resolved that the agenda for this meeting be approved as presented. **‘Carried’**

**APPROVAL OF MINUTES**

**Resolution 2015-15 (COA)**

David Hodgins – Ken Frederick: Be it resolved that the Minutes of the August 4<sup>th</sup>, 2015 Committee of Adjustment meeting be adopted as printed and circulated. **‘Carried’**

**SUMMARY OF APPLICATION – BRIAN MCCHARLES – PART LOT 27, CONCESSION 18 – FILE NO. 2015-03**

A letter, dated August 28<sup>th</sup>, 2014, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2015-03 stating:

- NBMCA has reviewed the applications as per its mandate.
- The retained portion of the property contains a tributary of Lake Nosbonsing and a wetland feature which are regulated by the Conservation Authority. This feature of the retained lands is not anticipated to hinder development on these lands as they are @ 380m from South Shore Road.
- A site inspection conducted on the property on August 28, 2015 indicated that there is adequate room to accommodate an initial and a replacement Class 4 septic system based on a 22 m<sup>2</sup> bed and a 3600 litre tank for a 3-bedroom single family dwelling, on the severed portion. Due to the size of the retained portion there are multiple locations to accommodate an initial and a replacement Class 4 septic system should one be required in the future. Prior to development on the severed property a Sewage System Permit is required as per Ontario Regulation 332/12 of the Ontario Building Code.
- The Minimum Distance Separation (MDS) Formulae was applied due to new non-farm development being proposed within 1000m of a livestock facility in order to minimize odour conflicts between these incompatible uses. MDS calculations were undertaken for the livestock facility located on Con. 18, Lot 26. The minimum distance separation was calculated to be 159m, and the proposed severed lot exceeds this distance.
- The Conservation Authority is satisfied that the application is consistent with the policies as set out in Sections 2 and 3 of the PPS.

**Resolution 2014-16 (COA)**

Ken Frederick – Don Butterworth: Be it resolved that the application from Brian McCharles to sever one rural lot from Part Lot 27, Concession 18, Pcl 13718, Township of Chisholm, District of Nipissing, be approved subject to the following conditions which must be fulfilled within one

year from the date of the Committee's Notice of Decision letter. These conditions must be fulfilled prior to the granting of consent.

1. That this approval applies to the creation of one rural lot to be approximately 94 meters in frontage and 112 meters in depth and 1 hectare in area.
2. That the following documents be provided for the transaction described in Condition No. 1:
  - (a) That a signed Acknowledgement and Direction Consent and Draft Electronic Transfer setting out the entire legal description of the parcel in question be submitted to the Clerk-Treasurer of the Township for the issuance of a Certificate of Consent.
  - (b) A reference plan of survey, which bears the Land Registry Office registration number and signature as evidence of its deposit therein, illustrating the parcel to which the consent approval relates.
3. That any traveled road situated on the severed property be transferred to the township for road purposes.

**NOTES:**

1. The required Acknowledgement and Direction Consent and Draft Electronic Transfer form shall contain a complete and accurate legal description. Inaccuracies or omissions with regard to the legal description in the Acknowledgement and Direction Consent and Draft Electronic Transfer forms or the survey plan will result in the documents being returned without consent.
2. Prior to any development on the severed portion, a Sewage System Permit is required as per Ontario Regulation 332/12 of the Ontario Building Code. **'Carried'**

Mr. McCharles expressed his concern to the Committee regarding water backing up onto the proposed severed property as a result of some ditching work done by the Township. Clerk-Treasurer Ringler was asked to forward this concern to the Public Works Supervisor for handling.

**ADJOURNMENT**

**Resolution 2015-17 (COA)**

Ken Frederick – David Hodgins: Be it resolved that we do now adjourn to meet again on Tuesday, October 6<sup>th</sup>, 2015 at 7:00 p.m. or at the call of the Chair. **'Carried'**

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Chairperson

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Secretary-Treasurer