

**TOWNSHIP OF CHISHOLM**

**COMMITTEE OF ADJUSTMENT MEETING**

**TUESDAY, JUNE 6, 2023 7:00 p.m.**

**1. CALL TO ORDER**

The meeting was called to order by acting Chairperson Nunzio Scarfone at 7:01 p.m., along with Councillor Claire Riley, and committee members Don Butterworth and Chris Frappier. Chairperson Gail Degagne was absent with regrets. Applicants present were Joel Kelly, Michel Perron, Alex Perron, and Katelyn McKinnon. Member of the public present was Jason Leblond and an anonymous person on zoom.

**2. DECLARATION OF PECUNIARY INTEREST**

**3. APPROVAL OF AGENDA**

**Resolution 2023-09 (COA)**

Chris Frappier and Don Butterworth: Be it resolved that the *Agenda* for this meeting be approved as presented. **‘Carried’**

**4. APPROVAL OF MINUTES**

**Resolution 2023-10 (COA)**

Claire Riley and Chris Frappier: Be it resolved that the *Minutes* of the April 4<sup>th</sup>, 2023, Committee of Adjustment Meeting be adopted as printed and circulated. **‘Carried’**

**5. CONSIDER THE FOLLOWING CONSENT APPLICATIONS**

**A. SUMMARY OF APPLICATION –2023-05 – CON. 10, LOT 26 – KELLY**

Chairperson confirmed with Secretary Jenny Leblond that notices had been sent in accordance with Planning Act regulations.

Secretary Jenny Leblond reported that a letter, dated May 18, 2023, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2023-05.

- NBMCA reviewed the application as per its mandate.
- The NBMCA has no objection to the application.
- This property is within the Wasi River subwatershed. Headwater tributaries regulated by NBMCA that flow into Wasi lake are found on the subject property but not on the severed portion and are regulated by NBMCA. Any work within 30m require a DIA permit
- The severed portion is found mostly within the Issue Contributing Area. Any sewage system within the ICA is subject to the Mandatory Maintenance Inspection program conducted every five years.
- A site visit was conducted on May 17, 2023 and determined that the severed portion can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. The retained lands have a recent sewage permit to service the existing dwelling and it is fully contained on the lands.

**Resolution 2023-11 (COA)**

Chris Frappier and Don Butterworth: Be it resolved that the application from Joel and Tara Kelly for consent to sever one rural lot and retain one on lands described as Concession 10, Lot 26, Pcl. 16994, Nipissing, be approved subject to the following conditions which must be fulfilled within two years 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 approximately 150 meters in frontage and 140 meters in depth and approximately 2.02 Hectares in area.
2. That the following documents be provided for the transactions 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, unless it is not required by the Land Titles Office.
3. That any traveled road situated on the severed property be transferred to the Township for road purposes.

4. That the applicant pay all fees and planning consultant fees incurred by the Township in processing the application.

**NOTES:**

- This property is within the Wasi River subwatershed. Headwater tributaries regulated by NBMCA that flow into Wasi lake are found on the subject property but not on the severed portion and are regulated by NBMCA. Any work within 30m require a DIA permit
- The severed portion is found mostly within the Issue Contributing Area. Any sewage system within the ICA is subject to the Mandatory Maintenance Inspection program conducted every five years.
- A site visit was conducted on May 17, 2023 and determined that the severed portion can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. Prior to development a Sewage System Permit is required. The retained lands have a recent sewage permit to service the existing dwelling and it is fully contained on the lands.

**‘Carried’**

**B. SUMMARY OF APPLICATION –2023-06 – CON. 16, LOT 9 – PERRON**

Chairperson confirmed with Secretary Jenny Leblond that notices had been sent in accordance with Planning Act regulations.

Secretary Jenny Leblond reported that a letter, dated May 18, 2023, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2023-06.

- NBMCA reviewed the application as per its mandate.
- The NBMCA has no objection to the application.
- This property is within the Wasi River subwatershed. A tributary of Graham Creek and a headwater wetland are on the property both being part of NBMCA Approximate Regulated Area. Any work within the ARA require a DIA permit.
- The severed portion is found mostly within the Issue Contributing Area. Any sewage system within the ICA is subject to the Mandatory Maintenance Inspection program conducted every five years.
- A site visit was conducted on May 17, 2023 and determined that the severed portion can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. Based on the size of the retained lands there are no concerns with respect to the ability to accommodate a replacement Class 4F sewage system.
- Entrance permit and culvert is required for driveway

**Resolution 2023-12 (COA)**

Claire Riley and Don Butterworth: Be it resolved that the application from Alex Perron on behalf of Michel Perron for consent to sever one rural lot and retain one on lands described as Concession 16, Lot 9, Pcl. 923, Nipissing, be approved subject to the following conditions which must be fulfilled within two years 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 approximately 99 meters in frontage and 235 meters in depth and approximately 5.75 Acres in area.
2. That the following documents be provided for the transactions 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, unless it is not required by the Land Titles Office.
3. That any traveled road situated on the severed property be transferred to the Township for road purposes.
4. That the applicant pay all fees and planning consultant fees incurred by the Township in processing the application.
5. That the well on the severed lot be used for the new development on that lot and that the adjacent property and dwelling be serviced by a new well located on the adjacent property.

**NOTES:**

- This property is within the Wasi River subwatershed. A tributary of Graham Creek and a headwater wetland are on the property both being part of NBMCA Approximate Regulated Area. Any work within the ARA require a DIA permit.

- The severed portion is found mostly within the Issue Contributing Area. Any sewage system within the ICA is subject to the Mandatory Maintenance Inspection program conducted every five years.
- A site visit was conducted on May 17, 2023 and determined that the severed portion can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. Based on the size of the retained lands there are no concerns with respect to the ability to accommodate a replacement Class 4F sewage system.
- Entrance permit and culvert is required for driveway.

**‘Carried’**

**C. SUMMARY OF APPLICATION –2023-07 & 08 – CON. 11, LOT 19 – MCKINNON**

Chairperson confirmed with Secretary Jenny Leblond that notices had been sent in accordance with Planning Act regulations.

Secretary Jenny Leblond reported that a letter, dated May 24, 2023, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2023-07 & 08.

- NBMCA reviewed the application as per its mandate.
- The NBMCA has no objection to the application.
- This property is within the Wasi River subwatershed. A small wetland pocket is on the north-east corner of the retained lands. Any work within 30m of the wetland a DIA permit is required. There are no natural hazards on either of the severed portions.
- A site visit was conducted on May 17, 2023 and determined that the severed portions can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. The existing septic system that services the dwelling is fully contained on the retained lands and there are no concerns with respect to the ability to accommodate a replacement Class 4F sewage system.
- Entrance permit and culvert is required for driveway

**Resolution 2023-13 (COA)**

Claire Riley and Chris Frappier: Be it resolved that the application from Katelyn McKinnon for consent to sever one rural lot and retain one on lands described as Concession 11, Lot 19, REM Pcl. 2206, Nipissing, be approved subject to the following conditions which must be fulfilled within two years 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 approximately 60 meters in frontage and 167 meters in depth and approximately 2.47 Acres in area.
2. That the following documents be provided for the transactions 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, unless it is not required by the Land Titles Office.
3. That any traveled road situated on the severed property be transferred to the Township for road purposes.
4. That the applicant pay all fees and planning consultant fees incurred by the Township in processing the application.

**NOTES:**

- NBMCA reviewed the application as per its mandate.
- The NBMCA has no objection to the application.
- This property is within the Wasi River subwatershed. A small wetland pocket is on the north-east corner of the retained lands. Any work within 30m of the wetland a DIA permit is required. There are no natural hazards on either of the severed portions.
- A site visit was conducted on May 17, 2023 and determined that the severed portions can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. The existing septic system that services the dwelling is fully contained on the retained lands and there are no concerns with respect to the ability to accommodate a replacement Class 4F sewage system.
- Entrance permit and culvert is required for driveway

**‘Carried’**

**Resolution 2023-14 (COA)**

Don Butterworth and Chris Frappier: Be it resolved that the application from Katelyn McKinnon for consent to sever one rural lot and retain one on lands described as Concession 11, Lot 19, REM Pcl. 2206, Nipissing, be approved subject to the following conditions which must be fulfilled within two years 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 approximately 140 meters in frontage and 290 meters in depth and approximately 10 Acres in area.
2. That the following documents be provided for the transactions 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, unless it is not required by the Land Titles Office.
3. That any traveled road situated on the severed property be transferred to the Township for road purposes.
4. That the applicant pay all fees and planning consultant fees incurred by the Township in processing the application.
5. That the owner enter into a Development Agreement for a building envelope to be created 70m from the west property line as the minimum separation distance from the adjacent Home Industry.

**NOTES:**

- NBMCA reviewed the application as per its mandate.
- The NBMCA has no objection to the application.
- This property is within the Wasi River subwatershed. A small wetland pocket is on the north-east corner of the retained lands. Any work within 30m of the wetland a DIA permit is required. There are no natural hazards on either of the severed portions.
- A site visit was conducted on May 17, 2023 and determined that the severed portions can accommodate an initial and a replacement Class 4 sewage system based on a three-bedroom single family dwelling. The existing septic system that services the dwelling is fully contained on the retained lands and there are no concerns with respect to the ability to accommodate a replacement Class 4F sewage system.
- Entrance permit and culvert is required for driveway

**‘Carried’**

**6. ADJOURNMENT**

**Resolution 2023-15 (COA)**

Claire Riley and Chris Frappier: Be it resolved that we do now adjourn to meet again on July 4<sup>th</sup>, 2023 at 7:00 p.m.

**‘Carried’**



Chairperson, Gail Degagne



for CAO Clerk-Treasurer, Jenny Leblond