

TOWNSHIP OF CHISHOLM

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY, MARCH 1, 2022 6:00 p.m.

CALL TO ORDER

The meeting was called to order at 6:00p.m. by Chairperson Gail Degagne with Councillor Nunzio Scarfone, and committee member Don Butterworth. With regrets were Councillor Gauthier and committee member Chris Frappier. Staff member present was CAO Clerk-Treasurer Jenny Leblond. Applicants in attendance: Patricia and Clayton Kunkel. Applicants by teleconference: None.

DECLARATION OF PECUNIARY INTEREST - None

APPROVAL OF AGENDA

Resolution 2022-01 (COA)

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

APPROVAL OF MINUTES

Resolution 2022-02 (COA)

Nunzio Scarfone and Don Butterworth: Be it resolved that the *Minutes* of the December 14, 2021 Committee of Adjustment Meeting be adopted as printed and circulated. **‘Carried’**

SUMMARY OF APPLICATION –2022-01 – CON. 12, PT LOT 5 and 6 – Kunkel

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

Secretary Jenny Leblond reported that a letter, dated February 24, 2022, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2022-01.

- NBMCA reviewed the application as per its mandate.
- The NBMCA has no objection to the application.
- This property is within the Wasi River subwatershed. There are no natural hazard features associated with this property.
- There is adequate room to accommodate a Class 4F (3-bedroom single-family dwelling) septic system or replacement on the severed and retained lands. A sewage permit is required prior to any development on the severed land.
- The application noted there is a livestock facility within 500m of proposed severed lands. It is recommended that a MDS 1 calculation be undertaken, to minimize the potential conflicts and nuisance complaints related to odour.

Resolution 2022-03 (COA)

Don Butterworth and Nunzio Scarfone: Be it resolved that the application from Patricia and Clayton Kunkel for consent to adjust boundaries of existing lots and sever two rural lots and retain one on lands described as Concession 12, Part Lot 6, Plan 36R-4382 Part 1 Pcl. 24369 Nip, Concession 12 Part Lot 5 RP 36R4395 Pa 6 REM PCL 23768 Nip, and Concession 12 Part Lot 5 RP 36R4395 Part 1 PCL 24771 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 reconfiguring of boundary lines, of the above noted 3 lots with road allowance, to then create two rural lots approximately 160 meters frontage and approximately 3 acres in area, and retain approximately 198 m frontage and approximately 4 acres of 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, unless it is not required by the Land Titles Office.
3. That a MDS 1 calculation be undertaken showing that the neighbouring livestock facility meets the recommended separation from the severed lot.
4. That the applicant complete the process to purchase the Road Allowance.
5. That any traveled road situated on the severed property be transferred to the Township for road purposes.
6. That the applicant pay pre-consultation 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. There are no natural hazard features associated with this property.
- There is adequate room to accommodate a Class 4F (3-bedroom single-family dwelling) septic system or replacement on the severed and retained lands. A sewage permit is required prior to any development on the severed land.
- The application noted there is a livestock facility within 500m of proposed severed lands. It is recommended that a MDS 1 calculation be undertaken, to minimize the potential conflicts and nuisance complaints related to odour. **'Carried'**

SUMMARY OF APPLICATION –MVA 2021-01 – CON. 13, PT LOT 12 – Brown and Gibson

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

Secretary Jenny Leblond reported that a letter, dated February 25, 2022, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. MVA-01-2021, stating:

- NBMCA reviewed the application as per its mandate.
- The NBMCA is recommending that this application be deferred pending a more accurate site plan, a better description of the undertaking and more information on the design and size of the sewage system.
- The property has frontage on Wasi Lake and is regulated by the North Bay Mattawa Conservation Authority. A DIA permit is required for development of this property. That owner has been working with the NBMCA to overcome erosion hazards associated with the property. A minimum 5m setback is required from the top of the bank. This would put the house at 10m from the highwater mark.

- The floodplain elevation of Wasi Lake is 265.67m.a.s.l. C.G.D. Development is not permitted in the floodplain of Wasi Lake.
- As per site visits done in 2018, the front portion of the property consisted of wetland vegetation, a survey of the property confirmed that this low area was in fact part of the floodplain of Wasi Lake and considered the highwater mark.
- The NBMCA has not been provided details on the design of the buildings, sewage system, nor the soils on the property, which is crucial to determine whether a sewage system can be accommodated on this property or not.
- NBMCA recommends that a more accurate site plan be submitted for this property indicating all applicable setbacks, especially those associated with the minor variance, and that more information is provided with respect to the design and size of the sewage system.

Resolution 2022-04 (COA)

Don Butterworth and Nunzio Scarfone: Be it resolved that the application from Angela Gibson and Patricia Brown, requesting relief from the following:

- A reduction to the front yard setback of 25 meters to the highwater mark to 10 meters.
- A reduction to both side yard setback of 8 meters to 3 meters
- A reduction to the septic system setback of 45 meters to 35 meters from the highwater mark.
- An increase from the 10% maximum lot coverage to 15% lot coverage.
- An increase from the 5% maximum lot coverage for an accessory building to 7.6%

located at CON 13 PT LOT 12 RP36R3664 PART 11 PLUS ROW PCL 26155, Township of Chisholm, District of Nipissing, 316 Greenpoint Road, be deferred for the following reasons:

Reasons

1. That the proposed variance is not considered minor in nature.
2. That the applicant needs to submit/complete the following:
 - A detailed site plan indicating the highwater mark and the appropriate setbacks to the buildings and septic.
 - Finalize septic design and location with the North Bay Mattawa Conservation Authority.
 - And make changes to the proposal to justify the application as minor in nature.

‘Carried

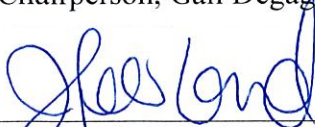
ADJOURNMENT

Resolution 2022-05 (COA)

Nunzio Scarfone and Don Butterworth: Be it resolved that we do now adjourn to meet again on April 5, 2022 at 6:00 p.m., or at the call of the Chair. **‘Carried’**



Chairperson, Gail Degagne



CAO Clerk-Treasurer, Jenny Leblond