

**TOWNSHIP OF CHISHOLM**

**COMMITTEE OF ADJUSTMENT MEETING**

**TUESDAY, APRIL 5, 2022 6:00 p.m.**

**CALL TO ORDER**

The meeting was called to order at 6:00p.m. by Chairperson Councillor Nunzio Scarfone who stepped in for Mayor Gail Degagne who was absent, along with Councillor Gauthier and committee member Don Butterworth and Chris Frappier. Staff member present was CAO Clerk-Treasurer Jenny Leblond. Applicants in attendance: David Dockendorff

**DECLARATION OF PECUNIARY INTEREST** - None

**APPROVAL OF AGENDA**

**Resolution 2022-06 (COA)**

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

**APPROVAL OF MINUTES**

**Resolution 2022-07 (COA)**

Don Butterworth and Nunzio Scarfone: Be it resolved that the *Minutes* of the March 1, 2022 Committee of Adjustment Meeting be adopted as printed and circulated. **‘Carried’**

**Resolution 2022-08 (COA)**

James Gauthier and Chris Frappier: Be it resolved that the Committee received a Procedural Guide to the Ontario Planning Act Amendments 2022. **‘Carried’**

**SUMMARY OF APPLICATION –2022-02 – CON. 8 & 9, Lot 15&16 – Dockendorff**

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 March 22, 2022, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2022-02.

- 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 is a small portion of the Wasi River Provincially Significant Wetland found near the north west corner of the retained lands.
- Any work in the area would require a DIA permit from the NBMCA
- 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.

**Resolution 2022-09 (COA)**

James Gauthier and Chris Frappier: Be it resolved that the consent application from David and Anne Dockendorff to sever off one original township lot down the original lot line, being Con. 8 lot 16, from Con. 8, lot 15 and Con. 9 lots 15&16. in the Township of Chisholm, District of 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 to be severed along the original lot line between lot 15 and 16 and being approximately 105 Acres 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 or Alternate 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 pays pre-consultation planning consultant fees incurred by the Township in processing the application, if any.

**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 is a small portion of the Wasi River Provincially Significant Wetland found near the north west corner of the retained lands.
- Any work in the area would require a DIA permit from the NBMCA
- 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 approximately 167 feet from the severed property. It is recommended that a MDS 1 calculation be undertaken, to minimize the potential conflicts and nuisance complaints related to odour.

**‘Carried’**

**Resolution 2022-10 (COA)**

James Gauthier and Don Butterworth:

Whereas the solicitor for the owner of lands described legally CON 12 PT LOT 10 PCL 13659 NIP CON 12 PT LOT 10 PCL 13685 NIP has represented to the Township that the lands are in contravention of the Planning Act;

And Whereas the solicitor for the owner has applied for a Validation Certificate for CON 12 PT LOT 10 PCL 13659 NIP CON 12 PT LOT 10 PCL 13685 NIP to provide clear title to the lands in question;

And Whereas the subject lands have been historically assessed as two separate parcels of land by the Township of Chisholm;

And Whereas the proposed Validation Certificate would not offend Section 51 (24) of the Planning Act;

Now Therefore the Township of Chisholm hereby approves a Validation Certificate for lands legally described as CON 12 PT LOT 10 PCL 13659 NIP CON 12 PT LOT 10 PCL 13685 NIP

**‘Carried’**

**Resolution 2022-11 (COA)**

Don Butterworth and Chris Frappier: Be it resolved that the committee approve the extension request by Nunzio Scarfone regarding File 2021-03 to be able to satisfy all conditions of consent within two years from date of decision as per amendments made to the Planning Act effective January 1, 2022.

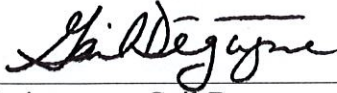
**'Carried'**

**ADJOURNMENT**

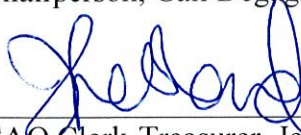
**Resolution 2022-12 (COA)**

James Gauthier and Don Butterworth: Be it resolved that we do now adjourn to meet again on May 3, 2022 at 6:00 p.m., or at the call of the Chair.

**'Carried'**



Chairperson, Gail Degagne



CAO Clerk-Treasurer, Jenny Leblond