



TOWNSHIP OF CHISHOLM COMMITTEE OF ADJUSTMENT

2847 Chiswick Line, R.R. # 4

Powassan, Ontario, P0H 1Z0

Phone (705) 724-3526 Fax (705) 724-5099

info@chisholm.ca

Gail Degagne, Mayor

Jennistine Leblond, CAO Clerk-Treasurer

AGENDA

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY, JUNE 4, 2024 – 7:00 P.M.

“We respectfully acknowledge that we are on the traditional territory of the Anishinaabe Peoples, in the Robinson-Huron and Williams Treaties areas. We wish to acknowledge the long history of First Nations and Metis Peoples in Ontario and show respect to the neighbouring Indigenous communities. We offer our gratitude for their care for, and teachings about, our earth and our relations. May we continue to honor these teachings.”

1. Call to Order
2. Declaration of pecuniary interest.
3. Approval of Agenda.
4. Approval of Minutes – May 7, 2024 Committee of Adjustment. (Encl.)
5. Consider the following Consent Application:
 - (a) File # 2024-01 – Lambe/Walton – Con. 14 Lot 7 – 2904 Grahamvale Road (Encl.)
 - (b) File # 2024-03 – McCharles – Con 18, Part Lot 27 (Encl.)
 - (c) File # 2024-04 – Susan Major – Con 8., Lot 21 (Encl.)
6. Adjournment

TOWNSHIP OF CHISHOLM
COMMITTEE OF ADJUSTMENT MEETING
TUESDAY, MAY 7, 2024 7:00 p.m.

1. ACKNOWLEDGMENT AND CALL TO ORDER

“We respectfully acknowledge that we are on the traditional territory of the Anishinaabe Peoples, in the Robinson-Huron and Williams Treaties areas. We wish to acknowledge the long history of First Nations and Metis Peoples in Ontario and show respect to the neighbouring Indigenous communities. We offer our gratitude for their care for, and teachings about, our earth and our relations. May we continue to honor these teachings.”

The meeting was called to order by Chairperson Mayor Gail Degagne at 7:00 p.m., along with Councillor Nunzio Scarfone, and committee members Don Butterworth and Chris Frappier. Councillor Claire Riley was absent with regrets. Staff present was Acting Clerk Jess Laberge. One applicant in attendance by zoom. And one community member in attendance in person.

2. DECLARATION OF PECUNIARY INTEREST - None

3. APPROVAL OF AGENDA

Resolution 2024-01 (COA)

Chris Frappier and Nunzio Scarfone: Be it resolved that the *Agenda* for this meeting be approved as presented.

‘Carried’

4. APPROVAL OF MINUTES

Resolution 2024-02 (COA)

Don Butterworth and Nunzio Scarfone: Be it resolved that the *Minutes* of the December 5th, 2023, Committee of Adjustment Meeting be adopted as printed and circulated.

‘Carried’

5. MEMO RE: FRP – OFFICIAL PLAN REVIEW

6. CONSIDER THE FOLLOWING CONSENT APPLICATIONS

A. SUMMARY OF APPLICATION –2024-01 – Con. 14 Pt. Lot 7 – Lambe/Walton

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

Secretary reported that comment from North Bay Mattawa Conservation Authority has not been received yet.

Resolution 2024-03 (COA)

Nunzio Scarfone and Chris Frappier: Be it resolved that the consent application from Dawn Lambe and David Walton to sever one rural lot from Concession 14, Part Lot 7, 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 60 meters in frontage and 180 meters in depth on the west and 80 meters on the east, irregular shape, to be approximately 1 hectare in area.
2. That confirmation from the North Bay Mattawa Conservation Authority be received, showing that both the severed and retained lands have suitable locations for initial and replacement sewage systems, based on a three-bedroom single-family dwelling.

3. 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.
4. That any traveled road situated on the severed property be transferred to the Township for road purposes.
5. That the applicant pays pre-consultation planning consultant fees incurred by the Township in processing the application, if any.

‘Deferred’

B. SUMMARY OF APPLICATION –2024-02 – Con. 10 Lot 4, Con 9 Pt Lot 4, and Con 10 Pt Lot 5 – Shetler/Miller

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

Secretary reported that comment from North Bay Mattawa Conservation Authority has not been received yet.

Resolution 2024-04 (COA)

Don Butterworth and Nunzio Scarfone: Be it resolved that the consent application from John and Martha Shetler, Edward and Verna Shetler, and Eli and Lydia Miller, to sever one Original Township lot down the Original lot line in the agriculture zone from Con. 10 Lot 4, Con 9 Pt Lot 4, and Con 10 Pt Lot 5, 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 agricultural lot to be 300 meters in frontage, and to be approximately 40.5 hectare in area.
2. That confirmation from the North Bay Mattawa Conservation Authority be received, showing that both the severed and retained lands have suitable locations for initial and replacement sewage systems, based on a three-bedroom single-family dwelling.
3. 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.
4. That any traveled road situated on the severed property be transferred to the Township for road purposes.
5. That the applicant pays pre-consultation planning consultant fees incurred by the Township in processing the application, if any.

‘Carried’

C. SUMMARY OF APPLICATION –2024-03 – Con. 18 Part Lot 27 – McCharles

Chairperson confirmed with Secretary that notices had been sent in accordance with Planning Act regulations. Secretary informed that notices to the East Ferris residents were not circulated, and recommends that the committee defers the application to the next Committee of Adjustment meeting.

Secretary reported that comment from North Bay Mattawa Conservation Authority has not been received yet.

Resolution 2024-05 (COA)

Don Butterworth and Nunzio Scarfone: Be it resolved that the consent application from Brian McCharles, to sever one rural lot from Con. 18 Part Lot 27, 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 approximately 90.1 meters in frontage, and 190 meters in depth and approximately 4.22 acres in area.
2. That confirmation from the North Bay Mattawa Conservation Authority be received, showing that both the severed and retained lands have suitable locations for initial and replacement sewage systems, based on a three-bedroom single-family dwelling.
3. 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.
4. That any traveled road situated on the severed property be transferred to the Township for road purposes.
5. That the applicant pays pre-consultation planning consultant fees incurred by the Township in processing the application, if any.

‘Deferred’

7. ADJOURNMENT

Resolution 2024-06 (COA)

Nunzio Scarfone and Don Butterworth: Be it resolved that we do now adjourn to meet again at the call of the Chair.

‘Carried’

Chairperson, Gail Degagne

CAO Clerk-Treasurer, Jenny Leblond

TOWNSHIP OF CHISHOLM

PLANNING REPORT

Report Prepared for:	Committee of Adjustment	Application Number:	2024-01
Report Prepared by:	Jessica Laberge Admin. Assistant	Application Name:	Dawn Lamb and David Walton
Location:	Pt Lot 7, Con. 14	Report Date:	May 2, 2024

A. PROPOSAL/BACKGROUND

An application to sever has been submitted by Dawn Lambe and David Walton, Grahamvale Road. The subject land is approximately 30 Hectares. The application proposes to sever one rural lot and retain one on lands described as Concession 14, Pt. Lot 7, in the Township of Chisholm, District of Nipissing. The severed lot will have an approximate land area of 1 hectare, being 60 meters in frontage and 180 meters in depth, and an irregular shape. The retained parcel has an approximate area of 29 hectares. The submitted application is attached to this report

B. ZONING BY-LAW COMPLIANCE

The subject land is designated Rural (RU), under the Township of Chisholm Zoning By-law (ZB) 2014-25. In the Rural Zone, residential uses are permitted, as per Table A1 on Page 61 of the ZB. The proposed lot is to be located in the Rural Zone, and conforms to the Zoning By-law minimum lot area and frontage requirements. The severed and retained lot will have frontage on Grahamvale Road.

C. OFFICIAL PLAN

The property is designated *Rural*

Section B1.3 – Rural

Within the rural designation, single detached dwellings are a permitted use. The location of the proposed severance is in the *Rural* designation.

According to our records the Original Township lot was 100 acres (40 ha). The subject property has been severed 3 times as shown in Figure 2.

Section B1.4.1(a) allows for the severance of a maximum of 4 new lots from an original Township lot having a lot area of 40 hectares.

Section D4.2.1(a) requires that the proposed lot fronts on and will be directly accessed by a public road that is maintained on a year-round basis. The proposed lot has frontage on the municipally maintained portion of Grahamvale Road.

Figure 1 is an excerpt from Schedule A of the Zoning By-law. Figure 2 is from CGIS.

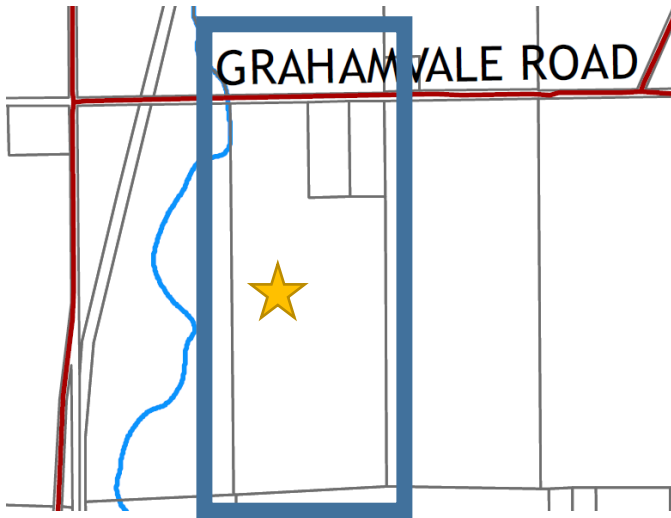


Figure 1

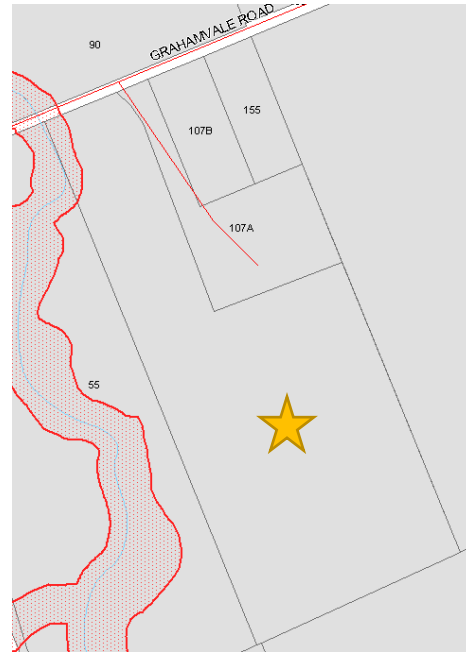


Figure 2

Provincial Policy Statement

The Provincial Policy Statement is issued under Section 3 of the Planning Act. All decisions under the Planning Act are required to be consistent with the Provincial Policy Statement.

The Province released a new Provincial Policy Statement on February 28, 2020, which came into effect on May 1, 2020. This Planning Report was considered from the perspective of this new Provincial Policy Statement (PPS 2020).

According to the Provincial Policy Statement:

- Growth and development may be directed to rural lands in accordance with Policy 1.1.5, including where a municipality does not have a settlement area – (Section 1.1.4.4);

In reviewing the Provincial Policy Statement, and applying relevant policies, it is my opinion that the proposed severance is consistent with the Provincial Policy Statement, 2020.

COMMENTS FROM THE NORTH BAY-MATTAWA CONSERVATION AUTHORITY FOLLOW THIS REPORT.

May 28, 2024

Corporation of the Township of Chisholm
2847 Chiswick Line
RR# 4
Powassan, ON P0H 1Z0

Attention: Jessica Laberge, Administrative Assistant

**Re: Consent Application – Dawn Shelley Lambe
East of 55 Grahamvale Road
Township of Chisholm, P0H 1B0
Assessment Roll No.: 4831000003081000000
Our File No.: PM01-CHI-24
Your File No.: 2024-01 Lambe**

The following comments are based on a review of the application with respect to our delegated responsibility from the province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and our regulatory authority under Ontario Regulation 41/24 and Part 8 (Sewage Systems) of the Ontario Building Code.

The Subject Property has Assessment Roll No. is 4831000003081000000. It does not have a Civic Address. It is located between 55 and 107 Grahamvale Road in the Township of Chisholm.

Planning Comments:

The Subject Property is within the Wistiwasing Subwatershed. Graham Creek is located on 55 Grahamvale Road, close to the western boundary of the Subject Property in the northern part of the Subject Property.

The applicant is proposing to sever an irregularly shaped, 1.1 ha lot with 60 m of frontage from the northwestern corner of the Subject Property. The western half of the proposed new lot appears to be within the approximately 30 m adjacent lands to Graham Creek. The eastern portion of the proposed lot is outside the approximate regulated area. No floodplain mapping has been developed for Graham Creek.

Section 3.1.2 of the 2020 PPS prohibits development and site alteration in “areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.”

The applicant should be asked to provide an engineering study to demonstrate that the area of the proposed severed lot proposed for development will have safe access for people and vehicles during times of flooding hazards and/or erosion hazards.

Section 28, Regulation 41/24 Comments:

The subject property is adjacent to Graham Creek. The area adjacent to Graham Creek is regulated based on the proximity to the creek and the associated floodplain.

There is no floodplain mapping available for Graham Creek.

The Approximate Regulated Area (ARA) mapping indicates the area approximately 30m adjacent to the banks is regulated. There appears to be approximately 50m (+) east of the regulated area that could support development and remain outside of the regulated area. This area appears to be former farm lands.

Lands in this general area have been known to have a high ground water table and can be saturated during spring freshet. Future development may want to consider elevating the area surrounding development.

If the property is severed and development is proposed, pre-consultation with this office would be beneficial to confirm if development is within or outside the ARA and confirm if a DIA permit is required.

Ontario Building Code Part 8 (Sewage Systems) Comments:

A site inspection was conducted on May 16, 2024. At this time the proposed lot lines were not flagged. However, due to the landscape features (Graham Creek, adjacent driveway) the development location was obvious. The frontage along Grahamvale Road was low and flat, appeared to be dry and heavily forested with alders. No concerns.

The Retained Lot, 29ha (71.66 acres), is currently vacant. There appeared to be two suitable locations observed on the retained portion to accommodate a sewage system. The Severed Lot, 1.09ha (2.69 acres), is currently vacant. There appeared to be two suitable locations observed on the severed portion to accommodate a sewage system.

Please note that zoning by-laws are applicable in this area and increased setbacks may apply. All comments are based on Ontario Regulation 332/12 of the Ontario Building Code for a 3 bedroom dwelling (less than 20 fixture units and less than 200 m², 4F filter bed of 21.3 m² and a 3600 L tank), soil percolation of T-50 min/cm, and a daily design sewage flow of 1600 L/day.

Should you have any questions, please do not hesitate to contact this office at (705) 474-5420. For administrative purposes, please forward any decisions and resolutions regarding this matter.

Yours truly,

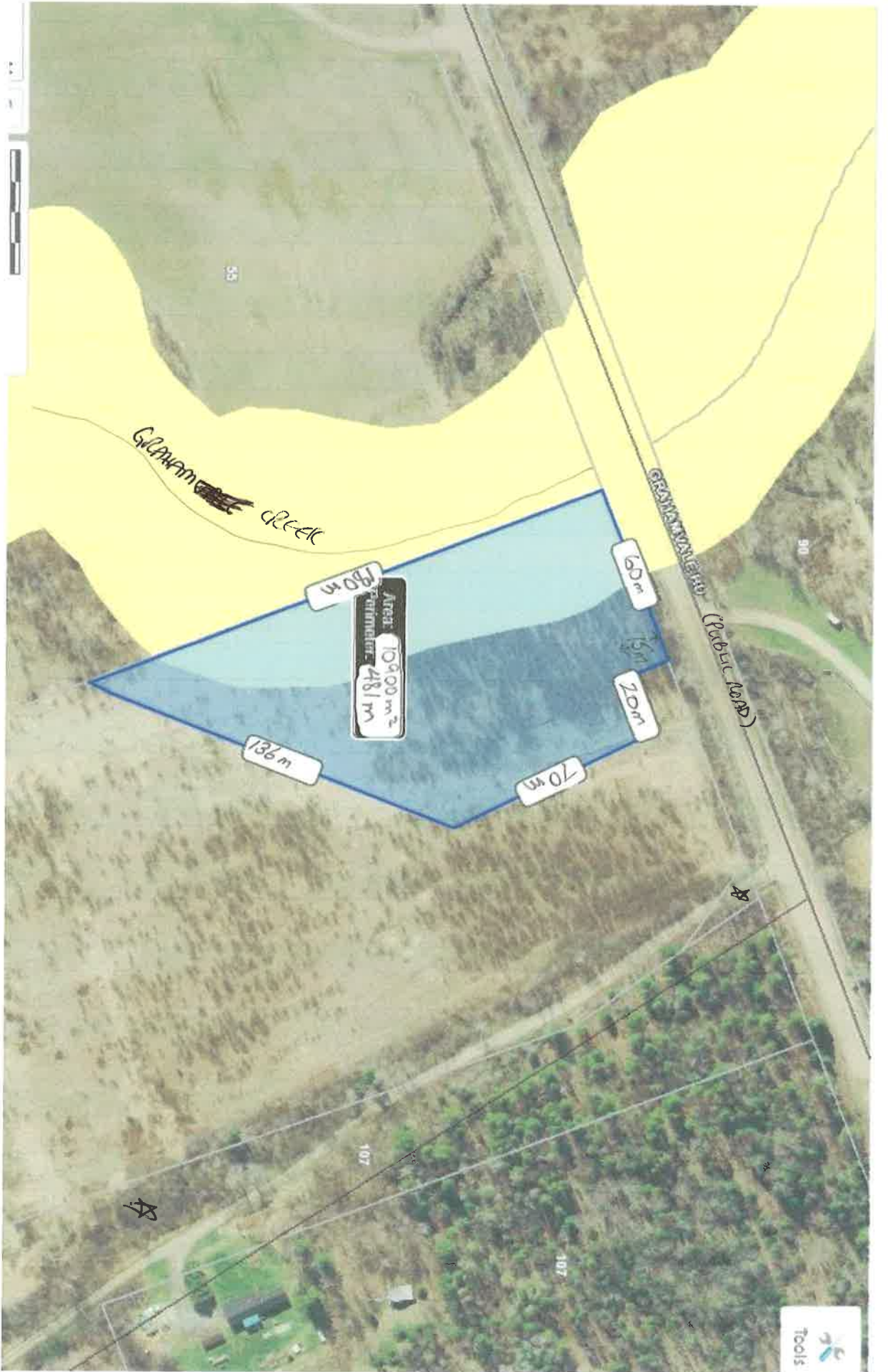


Chitra Gowda

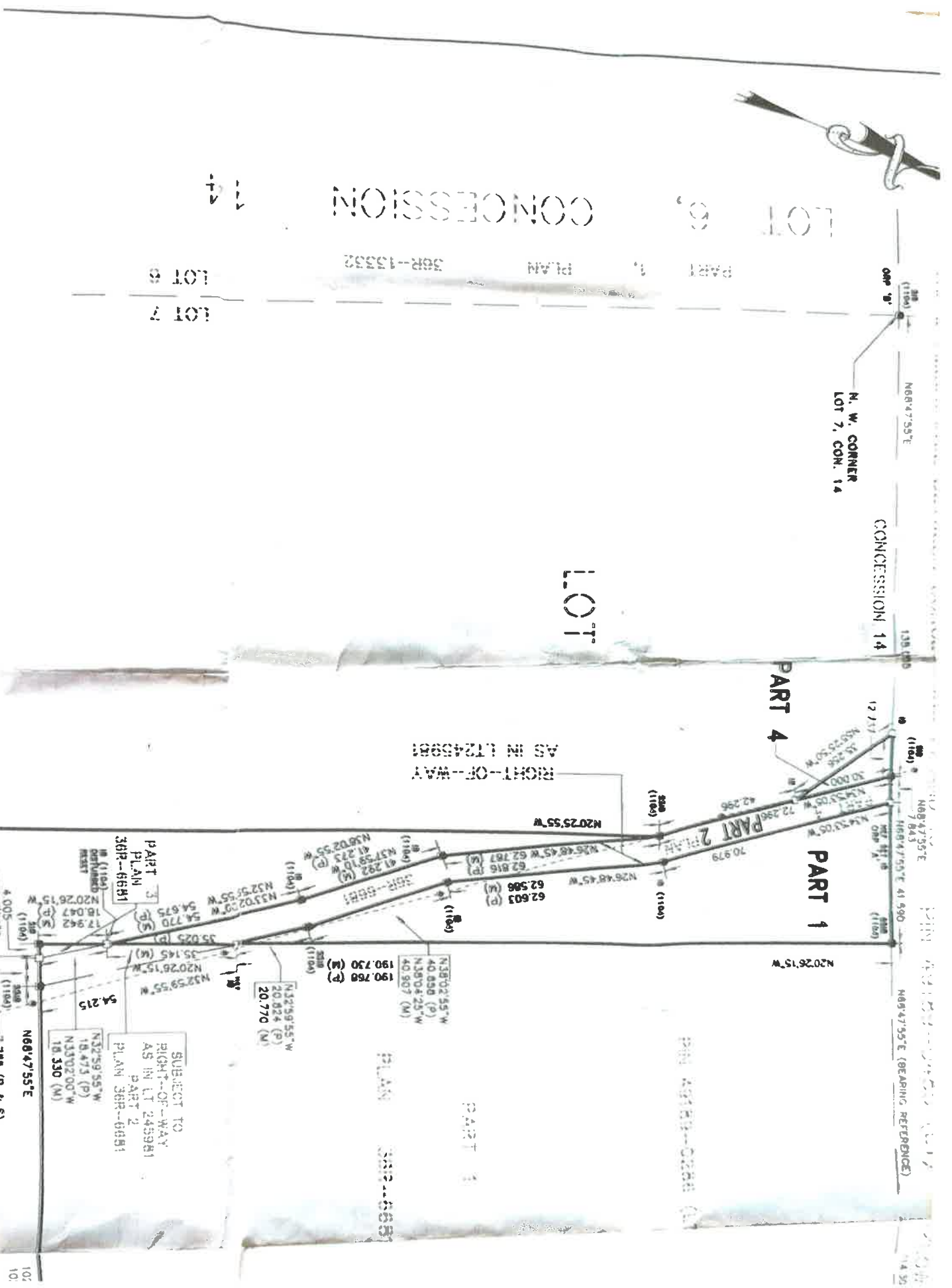
Chief Administrative Officer, Secretary Treasurer

North Bay-Mattawa Conservation Authority

Encl (3)



A previously owned by
 current owner of subject
 land
 see Appendix A → Letter
 of consent
 no sign



TOWNSHIP OF CHISHOLM

PLANNING REPORT

Report Prepared for:	Committee of Adjustment	Application Number:	2024-03
Report Prepared by:	Jessica Laberge Admin. Assistant	Applicant /Owner Name:	Brian McCharles
Location:	Pt Lot 27, Con. 18	Report Date:	May 2, 2024

A. PROPOSAL/BACKGROUND

An application to sever have been submitted by Brian McCharles. The application proposes to sever one rural lot and retain one on lands described **CON 18 PART LOT 27**, in the Township of Chisholm, District of Nipissing. The severed lot will have an approximate land area of 4.22 acres, being 90.1 m in frontage and 190 m in depth. The retained parcel has an approximate area of 90 acres.

The subject property is located along South Shore Road on the maintained Road. The property has a total area of approximately 94.4 Acres. The submitted application is attached to this report.

B. ZONING BY-LAW COMPLIANCE

The subject lands are designated Rural (RU), and Environmental Protection (EP) under the Township of Chisholm Zoning By-law (ZB) 2014-25. In the Rural Zone, residential uses are permitted, as per Table A1 on Page 61 of the ZB. In the Environmental Protection Zone, development is not permitted. The proposed lot is to be located in the Rural Zone, and conforms to the Zoning By-law minimum lot area and frontage requirements.

Subject Property

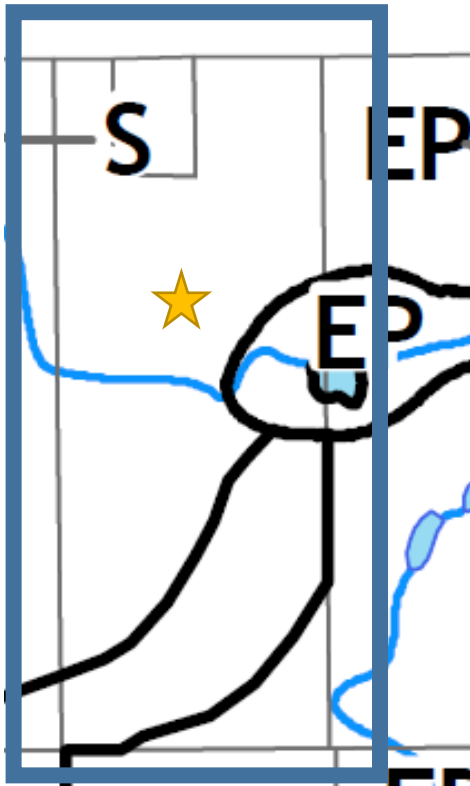


Figure 1 Schedule A, Zoning By-law

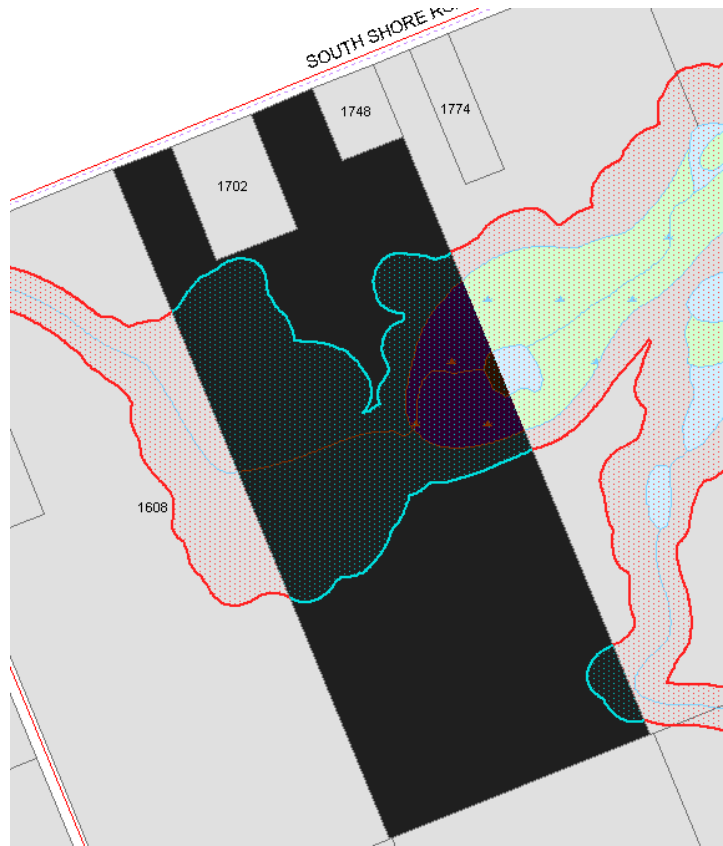


Figure 2 CGIS Mapping

C. OFFICIAL PLAN

The property is designated ***Rural, and Environmental Protection*** under the Official Plan.

Section B1.3 – Rural

Within the rural designation, single detached dwellings are a permitted use. The location of the proposed severance is in the *Rural* designation. The retained property will have the Environmental Protection (EP) designation as well as Rural.

Section B1.4.1(b) allows for the severance of a maximum of four new lots from an original Township lot having a lot area of 40 hectares. According to our records, there have been 2 severances from the subject land.

Section D4.2.1(a) requires that the proposed lot fronts on and will be directly accessed by a public road that is maintained on a year-round basis. The proposed lot has frontage on South Shore road.

Section B1.4.1(g) the boundary of the severed lot must comply with the minimum distance required by the Minimum Distance Separation I Formulae; The applicant submitted along with the application an MDS calculation for the barn located on the

adjacent property to the west. The MDS calculation gave a minimum distance of 187m from the livestock barn. The proposed severed lot is well beyond the minimum distance as determined from the MDS I Calculation.

Section B5.3 - Environmental Protection

Permitted uses on lands designated Environmental Protection are limited to conservation and passive recreational uses that do not require development or site alteration. The proposed severance is located outside of the Environmental Protection Zone, and is beyond the 45 meter setback for a septic system.

The proposed severance is in conformity with the Township's Official Plan and Zoning By-law.

Provincial Policy Statement

The Provincial Policy Statement is issued under Section 3 of the Planning Act. All decisions under the Planning Act are required to be consistent with the Provincial Policy Statement.

The province released a new Provincial Policy Statement on February 28, 2020, which came into effect on May 1, 2020. This Planning Report was considered from the perspective of this new Provincial Policy Statement (PPS 2020).

According to the Provincial Policy Statement:

- Growth and development may be directed to rural lands in accordance with Policy 1.1.5, including where a municipality does not have a settlement area – (Section 1.1.4.4);

In reviewing the Provincial Policy Statement, and applying relevant policies, it is my opinion that the proposed severances are consistent with the Provincial Policy Statement, 2020.

D. BUILDINGS

The subject property is vacant.

COMMENTS FROM THE NORTH BAY-MATTAWA CONSERVATION AUTHORITY FOLLOW THIS REPORT.

May 16, 2024

Corporation of the Township of Chisholm
2847 Chiswick Line
RR# 4
Powassan, ON P0H 1Z0

Attention: Jessica Laberge, Administrative Assistant

**Re: Consent Application – Brian McCharles
1702 South Shore Road
Lot 27, Concession 18
Township of Chisholm
P0H 1B0
Assessment Roll No.: 4831000003284000000
Our File No.: PC02-CHI-24
Your File No.:**

This office has received and reviewed a consent to sever application for 1702 South Shore Road in the Township of Chisholm. The following comments are based on a review of the application with respect to our delegated responsibility from the province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and our regulatory authority under Ontario Regulation 41/24 and Part 8 (Sewage Systems) of the Ontario Building Code.

The Subject Property is located in the Kabuskong River Subwatershed. The Assessment Parcel No. is 4831000003284000000. It is Lot 27, Con 18, Chisholm Twp. exclusive of 1702 and 1748 South Shore Road.

The applicant is proposing to sever a 90.1 m x 190 m, 2.42 ha lot from the northwest corner of the Subject Property. It is located west of 1702 South Shore Road. The retained lot will be remaining 38.44 ha of the Subject Property.

Planning Comments:

Northern Ontario Engineering Geology Terrain Study

The NOEGTS layer for the Subject Property and surrounding area indicates that the dominant landform is bedrock knob, with a subordinate landform of bedrock below a drift veneer of ground morainal till or peat or mucky organic terrain. The topography is described as jagged, rugged or cliffed moderate relief. The drainage is described as having a dry to mixed wet and dry surface condition.

The part of the Subject Property in the northwest corner, mapped as creek and wetland, is described as having three co-dominant landform: sandy glaciofluvial outwash plain, silty glaciolacustrine plain, ground morainal till, as a drift veneer above bedrock. The topography is described as undulated to rolling mainly moderate local relief. No line features including drumlins, escarpments, eskers or steep-walled valleys have been identified on the Subject Property.

Soil Survey

The Soil Survey Complex layer indicates that the soils in the northwestern part of the Subject Property are imperfectly drained loams and well drained gravelly sandy loams with a topography ranging from very gentle to moderate slopes.

The Soil Survey Complex indicates that the soils for the remainder of the Subject Property including the proposed severed lot are well drained sandy loams with a moderately sloping topography.

Features

A stream and an associated wetland pass through the Subject Property. The creek is located approximately 500 m south of South Shore Road. Adjacent to the proposed severed lot, the wetland is approximately 230 m south of South Shore Road. The creek and wetland are located on the retained parcel. With lot line setbacks imposed by the municipality, development and site alteration on proposed severed lot are unlikely to impact the creek, the wetland, or any associated flooding hazards, erosion hazards or ecological or hydrological functions of the wetland. The Subject Property does not contain any shorelines, steep valley slopes or hazardous sites.

PPS 3.1 consistency

There are no issues with respect to the natural hazards policies in Section 3.1 of the PPS that would prevent the proposal from proceeding.

Section 28, Regulation 41/24 Comments:

The property is located on Southshore Road in Chisholm. There is a wetland on the property, however, the proposed portion proposed to sever is located outside of the wetland and just touches the approximate regulated area (within 30m of wetland).

There is no concern or limitation for the future development of the newly created lot with respect to Ontario Regulation 41/24.

The retained portion of land is large with regulated areas, but no restrictions on the future development of the retained lot. There is ample room outside of any hazards as well as regulated area for development.

Ontario Building Code Part 8 (Sewage Systems) Comments:

A site inspection was completed on May 14, 2024 at around 5:20 p.m. It was noted at this time that the proposed lot addition did not appear to be flagged. However, the neighboring property line at 1608 was very evident as it runs cattle fencing straight up the property line. The proposed lot addition consisted of small brush and alders with some rock out crops. The retained portion consists of mixed forest along the frontage. The back portion is mostly forested by maples. There is a tributary that runs through the retained lot but does not prevent development.

The Retained Lot, 38.44ha (94.98 acres), is currently vacant. There appeared to be more than two suitable locations observed on the retained portion to accommodate a sewage system.

The Severed Lot, 2.42ha (5.979 acres), currently has a garage and dwelling serviced by an existing sewage system (02-CHI-92) on the property. There appeared to be adequate space on the severed portion for a replacement sewage system. The newly created lot addition would be more favourable for the existing sewage system.

Please note that zoning by-laws are applicable in this area and increased setbacks may apply.

All comments are based on Ontario Regulation 332/12 of the Ontario Building Code for a 3 bedroom dwelling (less than 20 fixture units and less than 200 m², 4F filter bed of 21.3 m² and a 3600 L tank), soil percolation of T-50 min/cm, and a daily design sewage flow of 1600 L/day.

Clean Water Act related comments:

Subject property is not located in a Wellhead Protection Area or Intake Protection Zone. It is not in an Issue Contributing Area or an Event Based Area.

There are no issues with respect to the North Bay-Mattawa Source Protection Plan that would prevent the proposal from proceeding.

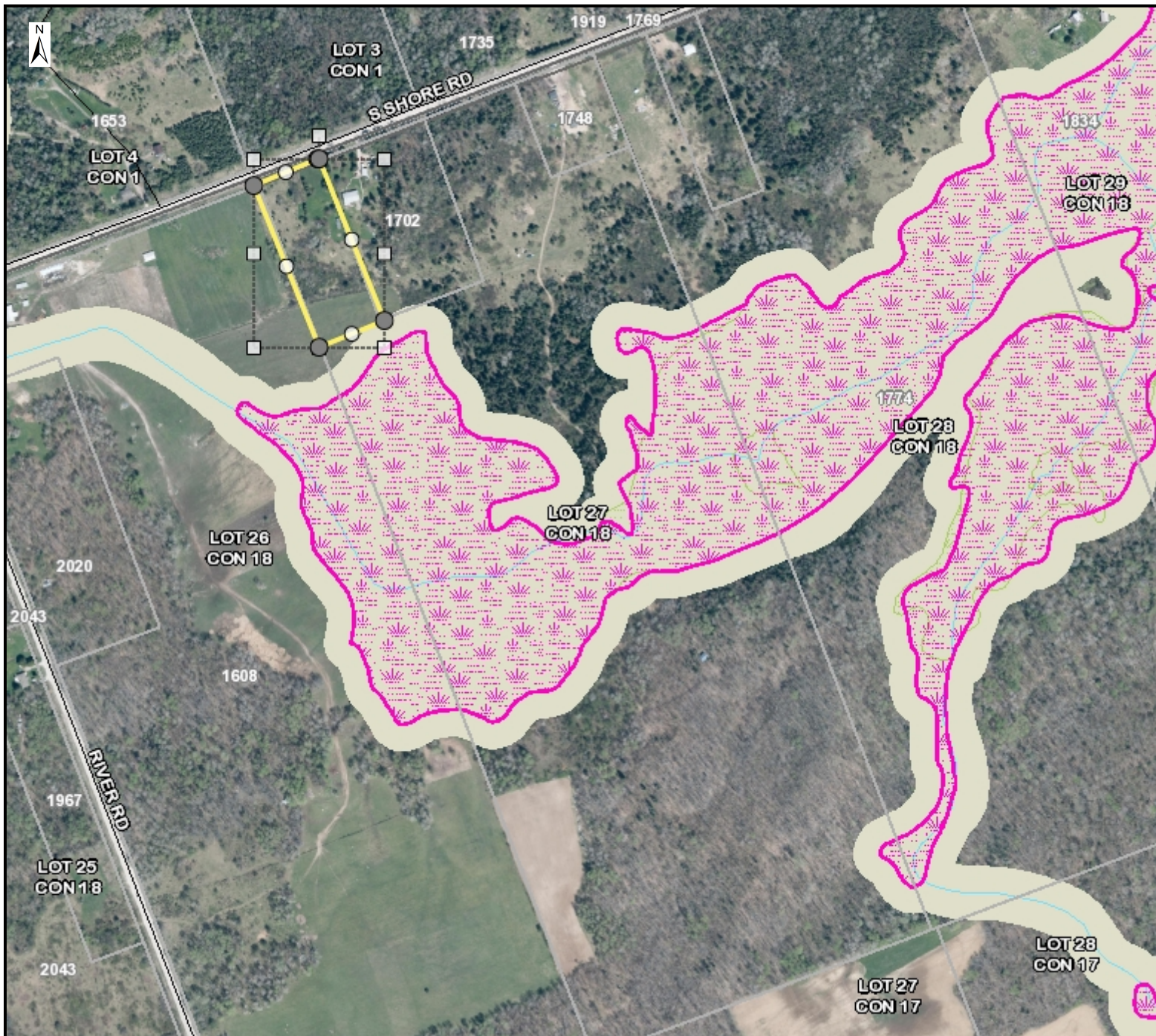
Should you have any questions, please do not hesitate to contact this office at (705) 474-5420. For administrative purposes, please forward any decisions and resolutions regarding this matter.

Yours truly,



Chitra Gowda
Chief Administrative Officer, Secretary Treasurer
North Bay-Mattawa Conservation Authority

Encl (1)

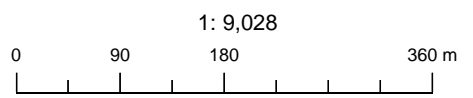


GENERAL USE MAP

LEGEND

- NBMCA
 - NORTH BAY - MATTAWA
 - UNDECIDED/NO CA JURIS.
- DWSP
 - On-site Sewage System Program
 - East Parry Sound
 - Nipissing
 - West Parry Sound
- Road
 - ROAD
 - HIGHWAY
- Assessment Parcel (July 5, 2023)
 - Lot & Concession
 - Municipal Boundary
 - Unorganized Township
 - Wetland (NBMCA)
 - Wetland (LIO)
 - Non Evaluated Per OWES
 - Evaluated - Other

NOTES



15 Janey Avenue
 North Bay, ON P1C 1N1
 Tel: (705) 474-5420
 Fax: (705) 474-9793

© King's Printer for Ontario and its licensors. [2024]
 May Not be Reproduced without Permission.
THIS IS NOT A PLAN OF SURVEY

TOWNSHIP OF CHISHOLM

PLANNING REPORT

Report Prepared for:	Committee of Adjustment	Application Number:	2024-04
Report Prepared by:	Jessica Laberge Admin. Assistant	Application Name:	Susan Major
Location:	Lot 21, Con. 8		
Report Date:	May 31, 2024		

A. PROPOSAL/BACKGROUND

An application to sever has been submitted by Susan Major. The application proposes to sever one rural lot from Lot 21, Concession 8. The subject property is located along Pioneer Road on the maintained Road and Golf Course Road. The property has a total area of approximately 84.83 Acres. The severed portion of the property will have a total lot area of approximately 3 Acres. The submitted application is attached to this report.

B. ZONING BY-LAW COMPLIANCE

The subject lands are designated Rural (RU), under the Township of Chisholm Zoning By-law (ZB) 2014-25. In the Rural Zone, residential uses are permitted, as per Table A1 on Page 61 of the ZB. The proposed lot is to be located in the Rural Zone, and conforms to the Zoning By-law minimum lot area and frontage requirements. The lot will be approximately 134 Meters in frontage along Pioneer Road and 90 Meters in Depth.

Figure 1 is an excerpt from Schedule A of the Zoning By-law. Figure 2 is from CGIS.

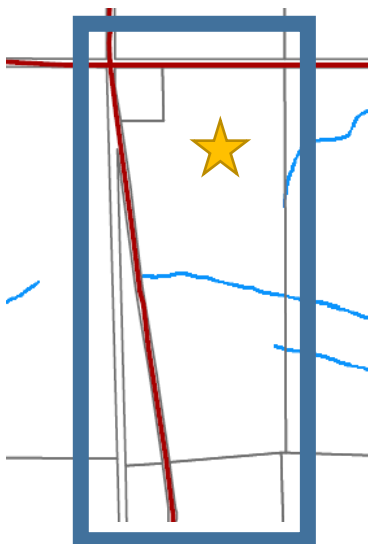


Figure 1



Figure 2

C. OFFICIAL PLAN

The property is designated *Rural*

Section B1.3 – Rural

Within the rural designation, single detached dwellings are a permitted use. The location of the proposed severance is in the *Rural* designation.

The subject property is an Original Township lot and according to Section B1.4.1(b) allows for the severance of a maximum of three new lots from an original Township lot having a lot area of 20 hectares.

Section B1.4.1(g) the boundary of the severed lot must comply with the minimum distance required by the Minimum Distance Separation I Formulae; an MDS calculation was undertaken by staff for the building labeled as a barn on the site sketch provided with the application. Using the size of the 'barn' and the largest Nutrient Unit livestock the MDS calculation gave a minimum distance of 138m from the barn to the base of a potential sensitive use. The proposed created lot does fall within this buffer by 35 meters. Staff recommends that the applicant get a proper MDS calculation done as it was said that the barn area is not all used to house livestock.

Section D4.2.1(a) requires that the proposed lot fronts on and will be directly accessed by a public road that is maintained on a year-round basis. The proposed lot has frontage on Pioneer Road.

Provincial Policy Statement

The Provincial Policy Statement is issued under Section 3 of the Planning Act. All decisions under the Planning Act are required to be consistent with the Provincial Policy Statement.

The Province released a new Provincial Policy Statement on February 28, 2020, which came into effect on May 1, 2020. This Planning Report was considered from the perspective of this new Provincial Policy Statement (PPS 2020).

According to the Provincial Policy Statement:

- Growth and development may be directed to rural lands in accordance with Policy 1.1.5, including where a municipality does not have a settlement area – (Section 1.1.4.4);

In reviewing the Provincial Policy Statement, and applying relevant policies, it is my opinion that the proposed lot severance is consistent with the Provincial Policy Statement, 2020.

D. Buildings

Retained Land:

The retained lands are vacant.

E. Regulated Area

The proposed severance does not have any NBMCA Regulated Area.

