



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, DECEMBER 3, 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 – July 2, 2024 Committee of Adjustment. (Encl.)
5. Memo to Committee from Staff Re: Conservation Authority
5. Consider the following Consent Application:
 - (a) File # 2024-09 – O’Brien – Con. 7 Broken Lot 10 – 411 Maple Road (Encl.)
 - (b) File # 2024-10 – O’Brien – Con. 10 Lot 7 & 8 - 1677 Chiswick Line (Encl.)
 - (c) File # 2024 11 and 12 – Hochstetler – Plan M185 (Encl.)
6. Adjournment

TOWNSHIP OF CHISHOLM
COMMITTEE OF ADJUSTMENT MEETING
TUESDAY, JULY 2, 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 7:01 p.m., along with Councillors Nunzio Scarfone and Claire Riley, and committee member Don Butterworth. Member Chris Frappier was absent with regrets. Staff present was CAO Jenny Leblond. There were two community members in attendance in person.

2. DECLARATION OF PECUNIARY INTEREST

Councillor Nunzio Scarfone declared Pecuniary Interest for agenda item 5a

3. APPROVAL OF AGENDA

Resolution 2024-13 (COA)

Claire Riley and Don Butterworth: Be it resolved that the *Agenda* for this meeting be approved as presented. **'Carried'**

4. APPROVAL OF MINUTES

Resolution 2024-14 (COA)

Nunzio Scarfone and Claire Riley: Be it resolved that the *Minutes* of the June 4th, 2024, Committee of Adjustment Meeting be adopted as printed and circulated. **'Carried'**

5. CONSIDER THE FOLLOWING CONSENT APPLICATIONS

A. SUMMARY OF APPLICATION –2024-05 – CON. 14, PT LOT 20 – Nunzio & Cindy Scarfone

Councillor Nunzio Scarfone declared pecuniary interest and did not partake in any decision making in this matter.

Chairperson Gail Degagne confirmed with CAO Clerk-Treasurer Jenny Leblond that notices had been sent in accordance with Planning Act regulations.

CAO Clerk-Treasurer Jenny Leblond reported that a letter, dated March 23, 2021, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to severance, stating:

- NBMCA reviewed the application as per its mandate.
- The property is within the Wasi River subwater shed with frontage on Wasi Lake. The shoreline of Wasi Lake is regulated by NBMCA, and any work near the shoreline will require a DIA permit from the Conservation Authority.
- As per the Townships OP, Wasi lake is at capacity and no new lot creation or Planning Act Approval for more intensive use shall be permitted on Wasi Lake or Wasi River, unless the septic system can be constructed 300 metres from the water's edge. Council may require the owner to enter into a Site Plan or Development Agreement to ensure minimum setbacks are achieved and to establish limitations on the removals of vegetation.

- NBMCA conducted a site inspection and it appears that a class 4 sewage system can be accommodated on the property 300m from the water's edge.
- The retained lands consist of a commercial tourist operation and generates more than 10,000 litres of effluent/day and falls under the jurisdiction of the Ministry of Environment Conservation and Parks (MECP). Due to the size of the retained lands we do not anticipate any issues with space for servicing this lot.

Resolution 2024-15 (COA)

Don Butterworth and Claire Riley: Be it resolved that the consent application from Nunzio & Cindy Scarfone to sever one rural lot from Concession 14, Lot 20, 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 60 meters in frontage, an irregular size in depth (approximately 135 metres on the South side and 355 meters on the North side being half of the road allowance), and approximately 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 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 the applicant enters into a Site Plan or Development Agreement to establish limitations on the removal of vegetation.
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.
6. That the applicant obtain septic approval prior to starting any building on the severed lot.

NOTES:

- NBMCA reviewed the application as per its mandate.
- The property is within the Wasi River subwater shed with frontage on Wasi Lake. The shoreline of Wasi Lake is regulated by NBMCA, and any work near the shoreline will require a DIA permit from the Conservation Authority.
- As per the Townships OP, Wasi lake is at capacity and no new lot creation or Planning Act Approval for more intensive use shall be permitted on Wasi Lake or Wasi River, unless the septic system can be constructed 300 metres from the water's edge. Council may require the owner to enter into a Site Plan or Development Agreement to ensure minimum setbacks are achieved and to establish limitations on the removals of vegetation.

- NBMCA conducted a site inspection and it appears that a class 4 sewage system can be accommodated on the property 300m from the water's edge.
 - The retained lands consist of a commercial tourist operation and generates more than 10, 000 litres of effluent/day and falls under the jurisdiction of the Ministry of Environment Conservation and Parks (MECP). Due to the size of the retained lands, there are no anticipated issues with space for servicing this lot.
- 'Carried'**

B. SUMMARY OF APPLICATION –2024-06, 07, 08 – Con. 10 Lot 28 – Tatti

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

Resolution 2024-16 (COA)

Claire Riley and Nunzio Scarfone: Be it resolved that the consent application from E.J. Williams Surveying Limited on behalf of Dino Lepre and Diane Tatti, to sever three rural lots from Con. 10, Lot 28, 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 three rural lots to be approximately 61 meters in frontage, and 335 meters in depth and approximately 2.04 Hectare in area.
 2. That comments be received from the North Bay Mattawa Conservation Authority and that there are no concerns with the application.
 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 the traveled road and road allowance be surveyed to confirm frontage and 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.
 6. That the applicant complete the transfer of the original lot to be solely in their name, prior to the transfer of the created lot.
- 'Carried'**

ADJOURNMENT

Resolution 2024-17 (COA)

Nunzio Scarfone: Be it resolved that we do now adjourn to meet again on August 6 at 7:00 p.m., or at the call of the Chair.

'Carried'

Chairperson, Gail Degagne

CAO Clerk-Treasurer, Jenny Leblond

Corporation of the Township of Chisholm

Municipal Office: 2847 Chiswick Line, RR #4, Powassan, ON P0H 1Z0

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

info@chisholm.ca

Gail Degagne, Mayor
Jennistine Leblond, CAO Clerk-Treasurer

Memorandum

TO: Committee of Adjustment
FROM: Admin. Assistant, Jessica Laberge
DATE: November 29, 2024
RE: North Bay Mattawa Conservation Authority

Staff met with the CAO of the North Bay Mattawa Conservation Authority, along with the manager of the On-Site Sewage System Program, to discuss the comments that have been received from the Conservation Authority on the planning applications in 2024. A summary of the discussion is below for your information.

In previous years, the Planner at the NBMCA who made comment on the planning applications, always did a site visit and gave full comment on, hazard lands, regulated areas as well as septic permits. Staff explained the needs of the Township to have all this information included in the comments, and the importance it has for committee to make decisions on applications. Staff questioned why the 2024 recent comments received from the Conservation Authority did not include any comments on septic systems.

The CAO of the Conservation Authority explained that the On-Site Sewage System program is a stand-alone program that does not operate from the funding from the municipal levy. It was expressed to staff that the planning fees for review of the consent application is not to cover comments under the sewage system program. The CA suggested that like other municipalities the Township can make it the responsibility of the applicant to obtain the septic review comments by submitting an application and the fees to the NBMCA and provide the comment along with the application. Township staff question if this is a burden that the municipality wishes to put on the applicant. Staff explained that for lot creation the township only needs preliminary comments as once the lands are created and sold, the building process would require the new owner to do a full septic application for any dwellings to be proposed.

The meeting was left that the Conservation Authority would review the needs of the Township for planning comments and will be in touch.

Staff will be sure to bring this information to Council as well and will update committee when new information comes in.