

TOWNSHIP OF CHISHOLM

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY, September 6, 2022 6:00 p.m.

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Chairperson Gail Degagne with Councillor Nunzio Scarfone, and James Gauthier and Committee Members Don Butterworth and Chris Frappier. Staff member present was Administration Assistant Jessica Laberge. There were no participants from the public.

DECLARATION OF PECUNIARY INTEREST - None

APPROVAL OF AGENDA

Resolution 2022-28 (COA)

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

‘Carried’

APPROVAL OF MINUTES

Resolution 2022-29 (COA)

Nunzio Scarfone and Don Butterworth: Be it resolved that the *Minutes* of the July 5, 2022 Committee of Adjustment Meeting be adopted as printed and circulated.

‘Carried’

DEERRED CONSENT APPLICATION REQUEST – 2022-11, 12, 13, 14 – Wand – Con. 11 Lot 3&4

A Pre-Consult was done with staff prior to the submittance of the applications, on July 6, 2022. Staff reviewed the proposed application and accepted it as it conformed to the Official Plan. It was identified that a barn is located across the street and that the subject land has a Wetland designated as Environmental Protection, but that the proposed lots were outside of the EP.

The application was submitted to the North Bay Mattawa Conservation Authority for review and they performed a site visit and determined that the proposed lots are not suitable for development due to the presence of a wetland. Staff circulated the NBMCA report with the applicant and owner, the applicant responded with a request to defer the application so they can further review the Conservation Authorities findings. It was noted that one written submission was also received opposed to the application that the committee will take into consideration.

Resolution 2022-30 (COA)

James Gauthier and Chris Frappier: Be it resolved that the application from Miller and Urso Surveying Inc. on behalf of Jennifer and Markus Wand, for consent to sever 4 rural lots from Concession 11 Lots 3 and 4, be deferred as requested to review application and submit more information to support their application.

‘Carried’

SUMMARY OF APPLICATION --2022-15 – CON. 10, PT LOT 11 – Angela and Jason Ashford
Chairperson Gail Degagne confirmed with Secretary Jessica Laberge that notices had been sent in accordance with Planning Act regulations.

Admin Assistant Jessica Laberge reported that a letter, dated August 25, 2022, was received from the North Bay-Mattawa Conservation Authority (NBMCA) relating to File No. 2022-15

- 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 are no concerns severed and retained have adequate room for a replacement Class 4 sewage system, based on a 3-bedroom single family dwelling.
- The application is consistent with the policies as set out in Sections 2 and 3 of the PPS.

Resolution 2022-31 (COA)

James Gauthier and Don Butterworth: Be it resolved that the application from Angela and Jason Ashford for consent to sever one rural lot to be added to CON 10 PT LOT 21 RP 36R9071 PART 1 RP 36R11071 PART 1 RP 36R11577 PART 1 PCL 28109 NIP, and retain one on lands described as CON 10 PT LOT 21 AND RP 36R5581 PART 3 PT PART 2 PCL 21923 NIP PCL 25526 NIP, 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 addition to be approximately 36.65 meters in frontage and 127 meters in depth (irregular shape) and approximately 2.79 acres in area.
2. That Section 50(3) or 50(5) of the Planning Act apply to this consent, such that the severed parcel and the abutting parcel described as CON 10 PT LOT 21 RP 36R9071 PART 1 RP 36R11071 PART 1 RP 36R11577 PART 1 PCL 28109 NIP, owned by Jimmy Sinclair and Leslie Top-ham, merge in title.
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 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.
 - (c) A solicitor's letter of understanding to be submitted to confirm that the merger in title will occur.
 - (d) That the applicant shall pay all costs related to this condition, including any cost for surveying and/or any costs related to the preparation and or registration of any required municipal by-law related to the said conveyance.
4. That any traveled road situated on the severed property be transferred to the Township for road purposes.
5. That the Transfer Application Schedule include wording of the newly severed lands and reference the PIN No. that the land is to be added to for to CON 10 PT LOT 21 RP 36R9071 PART 1 RP 36R11071 PART 1 RP 36R11577 PART 1 PCL 28109 NIP, Nipissing. An Application to

Consolidate the parcels, shall be prepared and an undertaking from the individual registering the documents is required agreeing to register the consolidation once the land transfer has been registered.

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 are no concerns severed and retained have adequate room for a replacement Class 4 sewage system, based on a 3-bedroom single family dwelling.
- The application is consistent with the policies as set out in Sections 2 and 3 of the PPS.

‘Carried’

REQUEST FOR EXTENTION – Paul Tackaberry File# 2021-18

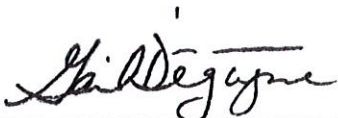
Resolution 2022-32 (COA)

Nunzio Scarfone and Chris Frappier: Be it resolved that the Committee grant Paul Tackaberry, file 2021-18, an additional year to complete his severance. **‘Carried’**

ADJOURNMENT

Resolution 2022-33 (COA)

Chris Frappier and Don Butteworth: Be it resolved that we do now adjourn to meet again on October 4, 2022 at 6:00 p.m., or at the call of the Chair. **‘Carried’**



Chairperson, Gail Degagne



CAO Clerk-Treasurer, Jenny Leblond