



TOWNSHIP OF CHISHOLM COMMITTEE OF ADJUSTMENT

2847 Chiswick Line, R.R. # 4

Powassan, Ontario, P0H 1Z0

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

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Gail Degagne, Mayor

Lesley Marshall, CAO Clerk-Treasurer

AGENDA

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY, MARCH 4, 2025 – 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 – December 3, 2024 Committee of Adjustment. (Encl.)
5. Consider the following Consent Application:
 - (a) File # 2025-01 – P. Young – Con. 8 Pt Lot 14 – 1065 Pioneer Road – Lot Addition (Encl.)
 - (b) File # 2025-02 – Tiekstra – Con. 15 Pt Lot 10 – 2528 Village Road – Lot Creation (Encl.)
6. Adjournment

TOWNSHIP OF CHISHOLM
COMMITTEE OF ADJUSTMENT MEETING
TUESDAY, DECEMBER 3, 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 7:05 p.m., along with Councillors Nunzio Scarfone and Claire Riley, and committee member Don Butterworth and Chris Frappier. Staff present was Clerk Jenny Leblond. Attendance electronically: one applicant representative, and 2 members of the public. Attendance in person: two community members.

2. DECLARATION OF PECUNIARY INTEREST - None

3. APPROVAL OF AGENDA

Resolution 2024-18 (COA)

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

4. APPROVAL OF MINUTES

Resolution 2024-19 (COA)

Claire Riley and Nunzio Scarfone: Be it resolved that the *Minutes* of the July 2nd, 2024, Committee of Adjustment Meeting be adopted as printed and circulated. **‘Carried’**

5. CONSIDER THE FOLLOWING CONSENT APPLICATIONS

A. SUMMARY OF APPLICATION –2024-09 – Con. 7, Broken lot 10 – O’Brien

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

Secretary reported that a letter dated November 25, 2024, was received from North Bay Mattawa Conservation Authority and the following comments were made:

- Subject property is within the Wistiwasing Subwatershed.
- The north side of the lot contains wetlands which are hazards.
- The proposed lot along Wasing Rd does not contain any hazards and would not be within the Approximate Regulated Area.
- The proposed lot is located outside of the Intake Protection Zone (IPZ) and Issue Contributing Area (ICA) for Safe Drinking Water. The retained lot is within the IPZ and ICA
- Septic comments will be sent after a site visit.

Resolution 2024-20 (COA)

Claire Riley and Nunzio Scarfone: Be it resolved that the consent application from Tulloch on behalf of Heidrun O’Brien to sever one rural lot from Concession 7, Broken Lot 10, RP36R12765 Parts 1 to 3, 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 138 meters in frontage and 162.5 meters in depth on the west and 164.64 meters on the east, to be approximately 2.047 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 any traveled road situated on the severed property be transferred to the Township for road purposes.
4. That comments be received by the North Bay Mattawa Conservation Authority that confirm that there is a suitable location for an initial and replacement sewage system for a 3-bedroom dwelling.
5. That the applicant pays pre-consultation planning consultant fees incurred by the Township in processing the application, if any.

Notes:

- Subject property is within the Wistiwasing Subwatershed.
- The north side of the lot contains wetlands which are hazards.
- The proposed lot along Wasing Rd does not contain any hazards and would not be within the Approximate Regulated Area.
- The proposed lot is located outside of the Intake Protection Zone (IPZ) and Issue Contributing Area (ICA) for Safe Drinking Water. The retained lot is within the IPZ and ICA

‘Carried’

B. SUMMARY OF APPLICATION –2024-10 – Con. 10 Part Lots 7 & 8 – O’Brien

Chairperson confirmed with Secretary that notices had been sent in accordance with Planning Act regulations. The clerk read out one written submission that was received in opposition of the application. Secretary reported that a letter dated November 25, 2024 and November 29, 2024, was received from North Bay Mattawa Conservation Authority. The following comments were made:

- The Conservation Authority has no objection to this application
- The property is located in the Genesee River subwatershed and the lot contains unevaluated wetlands and a watercourse, that may be hazardous, and is not within a Regulated Area under O.Reg. 41/24
- The proposed lot for severance is located outside of the Intake Protection Zone and Issue Contributing Area for Safe Drinking Water. Genessee Creek is linked to the Well Head Protection Area for the Municipality of Powassan.
- The CA recommend that a vegetative buffer be kept back 15m from the banks of the watercourse
- The CA is satisfied that because of the size of the severed and retained, there are at least 2 locations on each lot that could accommodate a sewage system.

Resolution 2024-21 (COA)

Chris Frappier and Don Butterworth: Be it resolved that the consent application from Tulloch on behalf of Heidrun O’Brien, to sever a merged Agricultural lot down the Original Township lot line from

Concession 10, Lot 7, and Lot 8, PCL 15409, 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 approximately 40 ha, and retain one approximately 39.9 ha.
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:

- The Conservation Authority has no objection to this application
- The property is located in the Genesee River subwatershed and the lot contains unevaluated wetlands and a watercourse, that may be hazardous, and is not within a Regulated Area under O.Reg. 41/24
- The proposed lot for severance is located outside of the Intake Protection Zone and Issue Contributing Area for Safe Drinking Water. Genesee Creek is linked to the Well Head Protection Area for the Municipality of Powassan.
- The CA recommend that a vegetative buffer be kept back 15m from the banks of the watercourse
- The CA is satisfied that because of the size of the severed and retained, there are at least 2 locations on each lot that could accommodate a sewage system. **'Carried'**

C. SUMMARY OF APPLICATION –2024-11 and 12 – Plan M185 – HOCHSTETLER

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

Secretary reported that a letter dated November 25, 2024 was received from North Bay Mattawa Conservation Authority. The following comments were made:

- The Conservation Authority has no objection to this application in regards to hazards, PPS, O.Reg 41/24, and the Clean Water Act
- The property is located within the Wistiwasung River subwatershed, does not contain any known hazards, and is not within the Approximate Regulated Area
- The proposed lot is located outside the Issue Contributing Area

Application 2024-11

Resolution 2024-22 (COA)

Nunzio Scarfone and Don Butterworth: Be it resolved that the consent application from Martin Hochstetler, to sever lot 11 and lot 18 of Plan M185 to be consolidated with Lot 15, 16 and 17 of Plan M185, and part of the unnamed Street in Plan M185 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 by severing through lot 11, of Plan M185 with approximately 6.096 meters in frontage, 40 meters in depth and Lot 18, of Plan M185, 6.096 meters wide and 20 meters in depth, to be added to Lot 15, 16, and 17, and part of the unnamed street, of Plan M185.
2. That comments be received from the North Bay Mattawa Conservation Authority with confirmation that a sewage system and well can be contained on the severed and retained lands 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 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 applies for a deeming by-law to consolidate the subdivision lots.
7. That the applicant purchases the unnamed street as part of the Plan M185 to be added to the severed and retained lots.
8. That the applicant apply for a Zoning By-law Amendment to allow for smaller lot and frontage.

Notes:

- The Conservation Authority has no objection to this application in regards to hazards, PPS, O.Reg 41/24, and the Clean Water Act
- The property is located within the Wistiwasung River subwatershed, does not contain any known hazards, and is not within the Approximate Regulated Area
- The proposed lot is located outside the Issue Contributing Area

‘Carried’

Application 2024-12

Resolution 2024-23 (COA)

Nunzio Scarfone and Chris Frappier: Be it resolved that the consent application from Martin Hochstetler, to sever lot 9 and lot 20 of Plan M 185 to be consolidated with Lot 21 of Plan M185, and part of the unnamed Street in Plan M185 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 by severing through lot 9, of Plan M185 with approximately 6.096 meters in frontage, 40 meters in depth and Lot 20, of Plan M185, 6.096 meters wide and 40 meters in depth, to be added to Lot 21, and part of the unnamed street, of Plan M185.
2. That comments be received from the North Bay Mattawa Conservation Authority with confirmation that a sewage system and well can be contained on the severed and retained lands 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 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 applies for a deeming by-law to consolidate the subdivision lots.
 7. That the applicant purchases the unnamed street as part of the Plan M185 to be added to the severed and retained lots.
 8. That the applicant apply for a Zoning By-law Amendment to allow for smaller lot and frontage.

Notes:

- The Conservation Authority has no objection to this application in regards to hazards, PPS, O.Reg 41/24, and the Clean Water Act
- The property is located within the Wistiwasing River subwatershed, does not contain any known hazards, and is not within the Approximate Regulated Area
- The proposed lot is located outside the Issue Contributing Area

‘Carried’

6. ADJOURNMENT

Resolution 2024-24 (COA)

Claire Riley 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:	2025-01
Report Prepared by:	Jessica Laberge Administrative Assistant	Application Name:	Paul Young
Location:	Part Lot 14, Con. 8		
Report Date:	February 24, 2025		

A. PROPOSAL/BACKGROUND

A consent application for a lot addition has been submitted by Paul Young. The application proposes to sever one rural lot from, CON 8 PT LOT 14 RP 36R13094 PART 1 NIP (1065 Pioneer Road) to be added to CON 8 PT LOT 14 RP 36R3741 PT PART 2 PCL 23499 NIP (1043 Pioneer Road). The subject property has frontage Pioneer Road. The subject land is 15.84 Acres. The proposed to be severed lot addition is to be approximately 64.008 meters by 697.11 meters being approximately 11.02 Acres. The retained lands will be approximately 64 meters by 304.8 meters, being 4.82 Acres. The subject property is designated Rural in the Township of Chisholm Official Plan and Zoning By-law.

B. ZONING BY-LAW COMPLIANCE

The subject land is designated Rural (RU) under the Township of Chisholm Zoning By-law (ZB) 2014-25. According to Table B1 Standards for Residential Uses, the minimum lot area is 2.47 acres. The retained lot has a current building permit for a dwelling and will be approximately 4.85 Acres. The severed land is vacant and is to be added to a lot that currently has a house and outbuilding. Figure 1 is an excerpt from Schedule B of the Zoning By-law and Figure 2 is from CGIS.

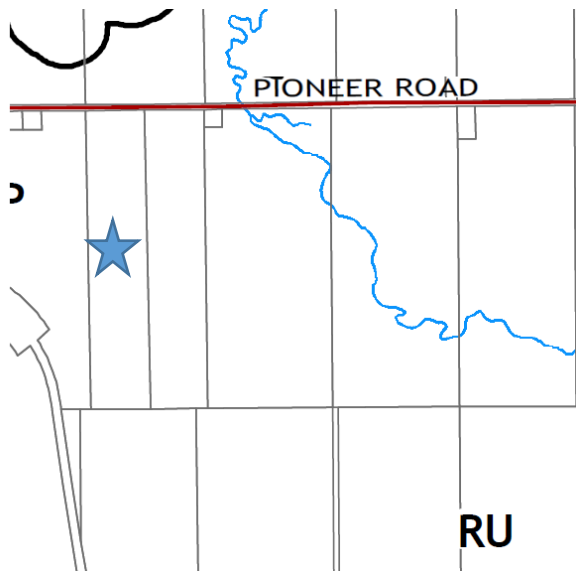


Figure 1: Schedule B ZB



Figure 2: CGIS

C. OFFICIAL PLAN

Section D4.2.2 – Boundary Adjustments

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, the Council shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this plan. The current use on the subject land is residential. The use of the adjacent land, the severed is to be added to, is residential with a hobby farm.

Provincial Planning Statement

All decisions under the Planning Act are required to be consistent with the Provincial Planning Statement.

The province released a new Provincial Planning Statement which came into effect on October 20, 2024. This Planning Report was considered from the perspective of this new Provincial Planning Statement, 2024

In reviewing the Provincial Planning Statement, and applying relevant policies, it is my opinion that the proposed lot addition is consistent with the Provincial Planning Statement, 2024.

The proposed consent for a rural lot is in conformity with the Township's Official Plan and Zoning By-law.

D. BUILDING

The subject land obtained a building permit in 2024 for a new dwelling. The proposed severed area is vacant. The adjacent lot that the severed is to be added to contains a dwelling and an outbuilding.



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

February 26, 2025

Corporation of the Township of Chisholm
2847 Chiswick Line RR# 4
Powassan, ON P0H 1Z0
info@chisholm.ca

Attention: Jessica Laberge, Administrative Assistant

RE: Application for Consent – Young
1065 Pioneer Rd, Chisholm ON P1H 1Z0
NBMCA File: PC01-CHI-25

The North Bay-Mattawa Conservation Authority (NBMCA) has received and reviewed the proposed lot addition with frontage on Pioneer Road. The following comments are based on a review of the application with respect to Section 5.2 of the 2024 Provincial Planning Statement, Ontario Regulation 41/24 Prohibited Activities, Exemptions, and Permits, as per Section 28.1 of the Conservation Authorities Act, and as a Source Protection Authority under the Clean Water Act.

NBMCA regulates natural hazard features and their adjacent lands such as floodplains, shorelines, wetlands, and watercourses under O. Reg 41/24. Development proposed within a regulated area may require a Section 28 permit from this office. The presence of a wetland was identified in the southernmost portion of the proposed severed lands (see enclosed map) and no mapped natural hazards are present on the proposed retained lands. Where development is proposed within 30 meters of the wetlands in the future, permission from NBMCA may be required to carry out the work.

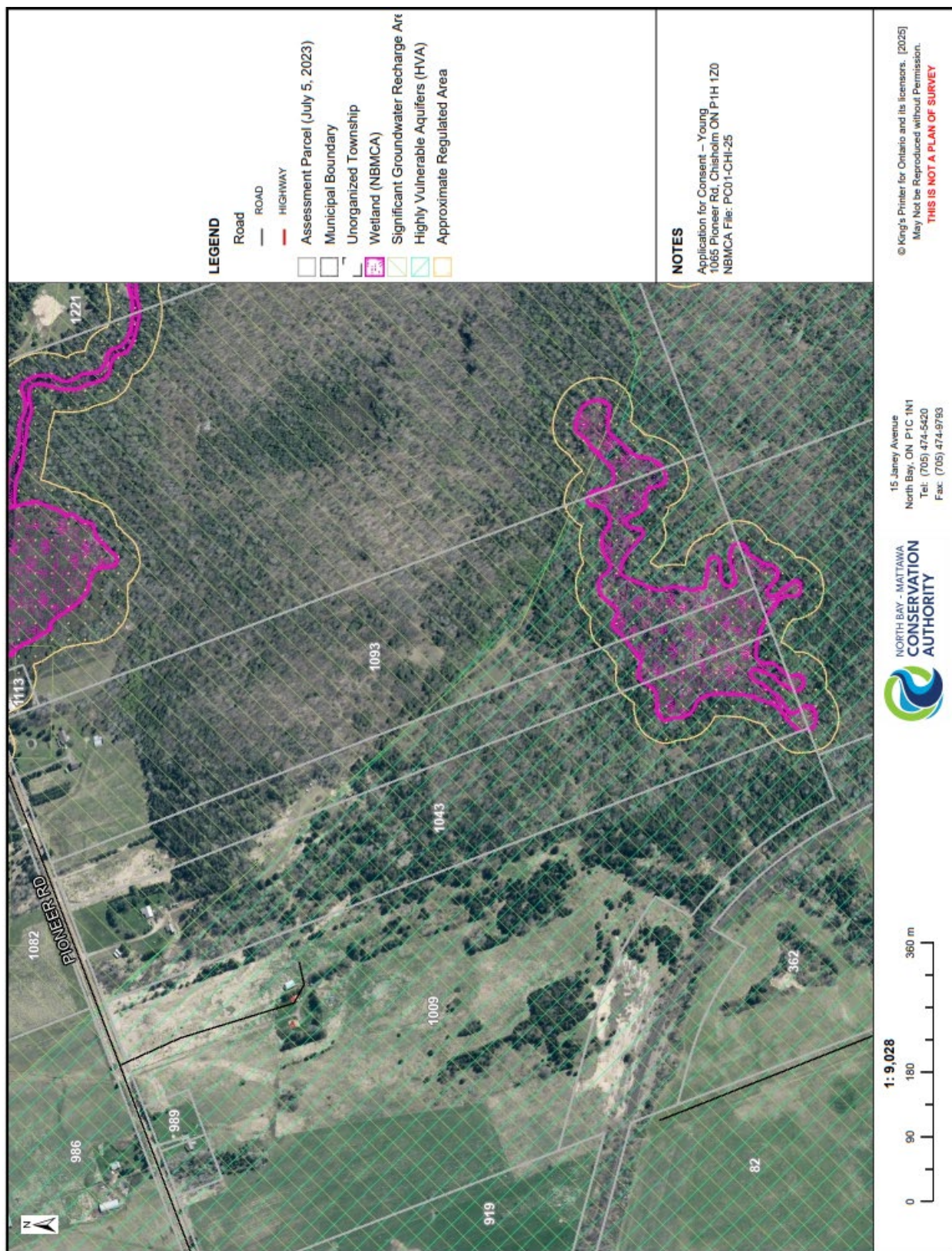
The subject lands are wholly located within a Significant Groundwater Recharge Area (SGRA), and partially located within an area of Highly Vulnerable Aquifers (HVA) (see enclosed map).

NBMCA is satisfied that the application is consistent with the policies as set out in Section 5.2 of the PPS and therefore, we have no objection. Should you have any questions, please do not hesitate to contact me directly at (705) 474-5420 x 2004.

Respectfully submitted,



Hannah Wolfram
Planning and Regulations Officer



TOWNSHIP OF CHISHOLM

Application for Consent Under Section 53 of the Planning Act

Note to Applicants: In this form the term "subject" land means the land to be severed and the land to be retained.

Completeness of the Application:

The information in this form that must be provided by the applicant is indicated by black asterisks on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulations 41/95 made under the Planning Act. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the Township of Chisholm will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the Township of Chisholm and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Submission of the Application

- ☐ One application form is required for each proposal
- ☐ The applicable fee as per By-law 2023-39 (attached)
- ☐ Site sketch with Measurements

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To help you understand the consent process and information needed to make a planning decision on the application, refer to the "Application Guide Q & A". For more information on the Planning Act, the consent process or provincial policies please see the "Guide to Planning Applications" and the "Comprehensive Set of Policy Statements".

Please Print and Complete or (x) Appropriate Box(es)

Application Information		
**1.1 Name of Applicant <i>Paul Young</i>	Home Telephone <i>[REDACTED]</i>	Business Telephone
Address (Civic and Mailing) <i>1065 Pioneer Rd</i>		Postal Code <i>P0H 1Z0</i>
**1.2 Name of Owner(s) (If different from the applicant).		
An owner's authorization is required in Section 11.1 if the applicant is different from the owner.		
Name of Owner(s)	Home Telephone	Business Telephone
Address (Civic and Mailing)		Postal Code
**1.3 Name of the person who is to be contacted, if different from the applicant (ie. Firm acting on the applicant's behalf)		
Name of Contact Person	Home Telephone	Business Telephone
Address (Civic and Mailing)	Postal Code	Fax Number

2. Location of Subject Land (Complete applicable boxes in 2.1)															
**2.1 District <u>Wipissing</u>		Municipality <u>Chisholm</u>													
Concession <u>8</u>	Lot Number(s) <u>14</u>	Reference Plan Number <u>36R13094</u>	Parcel Number												
**2.2 Are there any easements or restrictive covenants affecting the subject land? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>															
If yes, describe the easement or covenant and its effect.															
3. Purpose of this Application															
**3.1 Type and Purpose of proposed transaction (check appropriate box). <table style="width: 100%;"> <tr> <td>Transfer <input type="checkbox"/></td> <td>Creation of new lot <input checked="" type="checkbox"/></td> <td>Addition to lot <input type="checkbox"/></td> <td>An easement <input type="checkbox"/></td> </tr> <tr> <td>Other <input type="checkbox"/></td> <td>A charge <input type="checkbox"/></td> <td>A lease <input type="checkbox"/></td> <td>Correction of title <input type="checkbox"/></td> </tr> <tr> <td></td> <td>Other purposes <input type="checkbox"/></td> <td>Validation/Cancellation certificate <input type="checkbox"/></td> <td></td> </tr> </table>				Transfer <input type="checkbox"/>	Creation of new lot <input checked="" type="checkbox"/>	Addition to lot <input type="checkbox"/>	An easement <input type="checkbox"/>	Other <input type="checkbox"/>	A charge <input type="checkbox"/>	A lease <input type="checkbox"/>	Correction of title <input type="checkbox"/>		Other purposes <input type="checkbox"/>	Validation/Cancellation certificate <input type="checkbox"/>	
Transfer <input type="checkbox"/>	Creation of new lot <input checked="" type="checkbox"/>	Addition to lot <input type="checkbox"/>	An easement <input type="checkbox"/>												
Other <input type="checkbox"/>	A charge <input type="checkbox"/>	A lease <input type="checkbox"/>	Correction of title <input type="checkbox"/>												
	Other purposes <input type="checkbox"/>	Validation/Cancellation certificate <input type="checkbox"/>													
**3.2 Name of person(s), if known, to whom land is to be transferred, leased or charged. <u>Toby Barclay</u>															
**3.3 If a lot addition, identify the lands to which the parcel will be added. <u>Con 8 Lot 14 Part 2 of 36R3741 Pch. 23499</u>															
4. Description of Subject Land and Servicing Information. (Complete each subsection.)															
**4.1 Description		Severed	Retained												
	Frontage (m)	<u>64.0m</u>	<u>64.0 m</u>												
	Depth (m)	<u>697.10984m</u>	<u>304.8 m</u>												
	Area (m)	<u>44615.02976m</u>	<u>19507.2 m²</u>												
**4.2 Use of Property	Existing Uses	<u>/</u>	<u>/</u>												
	Proposed Uses														
**4.3 Buildings/Structures	Existing	<u>/</u>	<u>/</u>												
	Proposed														
**4.4 Access	Provincial Highway														
<i>Check appropriate space.</i>	Municipal road maintained all year		<u>/</u>												
	Municipal road maintained seasonally														
	Other public road														
	Right of way														
	Water access (if so describe below)														
Describe in Section 9.1, the parking and docking facilities to be used, and the approximate distance of these facilities from the subject land and the nearest public road.															
**4.5 Water Supply	Publically owned and operated piped water system														
	Privately owned and operated Individual water system														
	Privately owned and operated communal well		<u>X</u>												
	Lake or other water body														
	Other means														

**4.6 Sewage Disposal Check appropriate space.	Publically owned and operated Sanitary sewage system		
	Privately owned and operated Individual septic tank (1)		X
	Privately owned and operated Communal septic system		SA
	Other means		
(1) A certificate of approval from the North Bay-Mattawa Conservation Authority submitted with this application will facilitate the review.			
**4.7 Other Services	Electricity		
	School Busing		
	Garbage Collection		
<p>**4.8 If access to the subject land is by private road, or if "other public road" or "right of way" was indicated in Section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.</p>			
5. Land Use			
<p>** 5.1 What is the existing official plan designation(s) if any, of the subject land?</p> <p>R.U.</p>			
<p>** 5.2 What is the zoning, if any, of the subject land? If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?</p> <p>R.U.</p>			
<p>** 5.3 Are any of the following uses or features on the subject land or within 500 meters of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.</p>			
Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specified. (Indicate distance.)	
An agricultural operation, including livestock facility or stockyard within 1000 metres of the subject land	YES	1000 m ✓	
A landfill	YES		
A provincially significant wetland (Class 1,2 or 3)			
A provincially significant wetland within 120 meters of the subject land			
Flood Plain			
A rehabilitated or active mine site			
A non-operating mine site within 1 km of the subject land			
Industrial or commercial use (specify the use(s))			
An active railway line			
An existing quarry operation			
An existing pit within 300 metres			
A municipal or federal airport			

6. History of the Land

**** 6.1** Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?

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Yes

No

If yes and if known, provide the Ministry's application file No. and the decision made on the application.

**** 6.2** If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

**** 6.3** Has any land been severed from the parcel originally acquired by the owner of the subject land?

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Yes

No

If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

7. Current Applications

**** 7.1** Is the subject land currently the subject of a proposed official plan amendment that has been submitted to the Minister for approval? NO

**** 7.2** Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance consent or approval of a plan of subdivision?

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Yes

No

If yes and if known, specify the appropriate file number and status of the application.

8. Sketch (use the attached sketch sheet) To help you prepare a sketch, refer to the attached Sample Sketch.

**** 8.1** The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
- The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land.
- The distance between the subject land and the nearest township lot line or landmark, such as railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within, or abutting the subject land, indicating whether it is an unopened road allowance, a public road, a private road or a right of way.
- If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

9. Other Information

**** 9.1** Is there any other information that you think may be useful to the Township or other agencies in reviewing this application? If so, explain below, or attach on a separate page.

asking to put the Back of part one back onto
the part 2 lot.



Pioneer Road

1001.90984m

136.61136m

64.008m

304.8m

Retained

well

house

Lot 14 Cong part 2

well

out Building

house

Treed

697.10984

Lot 14 Cong part 1

64.008m

Treed

Severed

697.10984

Lot 15 Cong

Lot 13 Cong

TOWNSHIP OF CHISHOLM
PLANNING REPORT

Report Prepared for:	Committee of Adjustment	Application Number:	2025-02
Report Prepared by:	Jessica Laberge Admin. Assistant	Application Name:	Peter and Linda Tiekstra
Location:	Pt. Lot 10, Con. 15		
Report Date:	February 24, 2025		

A. PROPOSAL/BACKGROUND

An application to sever has been submitted by Peter and Linda Tiekstra. The application proposes to sever one rural lot from Part Lot 10, Concession 15. The subject property is located along Village Road. The applicant is applying to sever one rural lot with a cabin and retain a vacant lot. The subject land is 7.6 Hectares (18.45 Acres). The proposed severed lot is to be approximately 123.01 meters in frontage by 381 meters being approximately 3.9 Hectares (9.6 Acres). The retained lands will be approximately 262 meters in frontage by 381 meters on the south side and 139 meters on the north side (irregular shape), being 3.7 Hectares (9.14 Acres). The subject property is designated Rural in the Township of Chisholm Official Plan and Zoning By-law and the severed and retained have frontage on Village Road.

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 severed lot conforms to the Zoning By-law minimum lot area and frontage requirements.

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

Subject Property

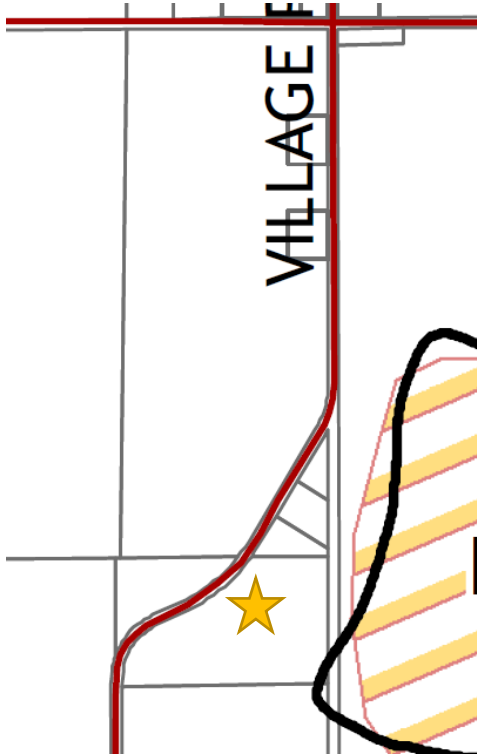


Figure 1: Schedule A ZB



Figure 2: CGIS

C. OFFICIAL PLAN

The property is designated **Rural** under the Official Plan of the Township of Chisholm.

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.

Section B1.4.1(d) allows for the severance of a maximum of 1 new lot that may be severed from an original Township lot having a lot area of 5 hectares. According to our records, the subject lot is an original Township lot that was 18.445 Acres in December of 1978.

Section B1.4.1(g) the boundary of the severed lot complies with the minimum distance required by the Minimum Distance Separation 1 Formula. The subject land is more than 500 meters from a livestock barn.

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 severed and retained will have frontage on Village Road.

Provincial Planning Statement

All decisions under the Planning Act are required to be consistent with the Provincial Planning Statement.

The province released a new Provincial Planning Statement which came into effect on October 20, 2024. This Planning Report was considered from the perspective of this new Provincial Planning Statement, 2024

According to the Provincial Planning Statement:

- Growth and development may be directed to rural lands in accordance with section 2.6, including where a municipality does not have a settlement area – (Section 2.5.3);
- On rural lands located in municipalities, permitted uses are: residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services (Section 2.61. c)
- Development that can be sustained by rural services levels should be promoted. (Section 2.6.2)
- Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure. (Section 2.63)

In reviewing the Provincial Planning Statement, and applying relevant policies, it is my opinion that the proposed application is consistent with the Provincial Planning Statement, 2024.

D. Buildings and Uses

Retained Land:

The severed lands contain an entrance with an existing cabin. The retained lands are vacant.



Comments from Public Works:

Entrance to proposed retained lands may require a culvert depending on location and line of sight due to curve in the road.

COMMENTS FROM THE NORTH BAY-MATTAWA CONSERVATION AUTHORITY WILL BE PROVIDED WHEN RECEIVED.

February 26, 2025

Corporation of the Township of Chisholm
2847 Chiswick Line RR# 4
Powassan, ON P0H 1Z0
info@chisholm.ca

Attention: Jessica Laberge, Administrative Assistant

RE: Application for Consent – Tiekstra
2528 Village Road, Chisholm ON
NBMCA File: PC02-CHI-25


The North Bay-Mattawa Conservation Authority (NBMCA) has received and reviewed the proposed consent application for the creation of one severed and one retained lot with frontage on Village Road, herein referred to as “the subject lands”. The following comments are based on a review of the application with respect to Section 5.2 of the 2024 Provincial Planning Statement (Natural Hazards), Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits) as per Section 28.1 of the Conservation Authorities Act, and as a Source Protection Authority under the Clean Water Act (CWA).

NBMCA regulates natural hazard features and their adjacent lands such as floodplains, shorelines, wetlands, and watercourses under O. Reg 41/24. There are no mapped natural hazards present on the proposed subject lands. At this time, the NBMCA has no concerns regarding this application for consent with respect to natural hazards or considerations under O. Reg. 41/24.

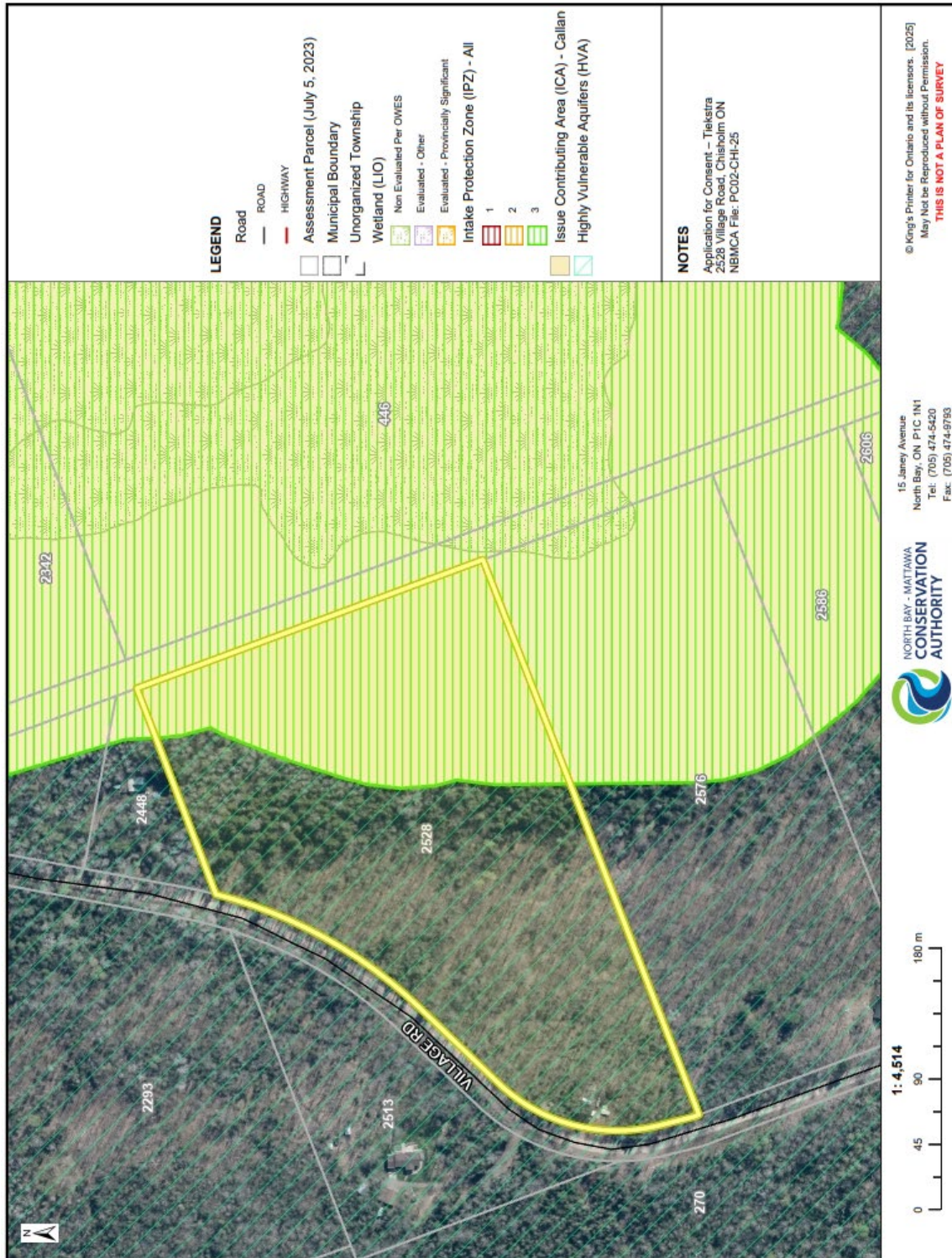
The subject lands are wholly located within an area of Highly Vulnerable Aquifers (HVA) and the easternmost portion of the subject lands has been identified as an Intake Protection Zone (IPZ-3) and an Issue Contributing Area (ICA) (see enclosed map). Any sewage systems located within an ICA will be subject to the Mandatory Maintenance Inspection (MMI) program under O. Reg 315/10 of the Ontario Building Code to support the implementation of the CWA. More information about the MMI program is available at: <https://bit.ly/43wD9nl>

The Conservation Authority is satisfied that the application is consistent with the policies as set out in Section 5.2 of the PPS and therefore, we have no objection. Should you have any questions, please do not hesitate to contact me directly at (705) 474-5420 x 2004.

Respectfully submitted,



Planning and Regulations Officer



FEB 10 2025

TOWNSHIP OF CHISHOLM

**Application for Consent Under
Section 53 of the Planning Act**

Note to Applicants: In this form the term "subject" land means the land to be severed and the land to be retained.

Completeness of the Application:

The information in this form that must be provided by the applicant is indicated by black asterisks on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulations 41/95 made under the Planning Act. The mandatory information must be provided with the appropriate fee. If the mandatory information and fee are not provided, the Township of Chisholm will return the application or refuse to further consider the application until the information and fee have been provided.

The application form also sets out other information that will assist the Township of Chisholm and others in their planning evaluation of the consent application. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Submission of the Application

- ☐ One application form is required for each proposal
- ☐ The applicable fee as per By-law 2023-39 (attached)
- ☐ Site sketch with Measurements

To help you understand the consent process and information needed to make a planning decision on the application, refer to the "Application Guide Q & A". For more information on the Planning Act, the consent process or provincial policies please see the "Guide to Planning Applications" and the "Comprehensive Set of Policy Statements".

Please Print and Complete or (x) Appropriate Box(es)

Application Information		
**1.1 Name of Applicant Peter & Linda Tiekstra	Home Telephone [REDACTED]	Business Telephone
Address (Civic and Mailing) 2513 VILLAGE Rd. Chisholm		Postal Code R0H 1B0
**1.2 Name of Owner(s) (If different from the applicant).		
An owner's authorization is required in Section 11.1 if the applicant is different from the owner.		
Name of Owner(s)	Home Telephone	Business Telephone
Address (Civic and Mailing)		Postal Code
**1.3 Name of the person who is to be contacted, if different from the applicant (ie. Firm acting on the applicant's behalf)		
Name of Contact Person	Home Telephone	Business Telephone
Address (Civic and Mailing)	Postal Code	Fax Number

2. Location of Subject Land (Complete applicable boxes in 2.1)			
**2.1 District <u>NIBISSING</u>		Municipality <u>Chisholm</u>	
Concession <u>15</u>	Lot Number(s) <u>PTLT 10</u>	Reference Plan Number <u>34R4008</u>	Parcel Number <u>23978</u>
**2.2 Are there any easements or restrictive covenants affecting the subject land? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, describe the easement or covenant and its effect. - <u>Access easement for Lot 11 Con 15.</u>			
3. Purpose of this Application			
**3.1 Type and Purpose of proposed transaction (check appropriate box). Transfer <input type="checkbox"/> Creation of new lot <input checked="" type="checkbox"/> Addition to lot <input type="checkbox"/> An easement <input type="checkbox"/> Other <input type="checkbox"/> A charge <input type="checkbox"/> A lease <input type="checkbox"/> Correction of title <input type="checkbox"/> Other purposes <input type="checkbox"/> Validation/Cancellation certificate <input type="checkbox"/>			
**3.2 Name of person(s), if known, to whom land is to be transferred, leased or charged. <u>Pete + Linda Tiekstra</u>			
**3.3 If a lot addition, identify the lands to which the parcel will be added.			
4. Description of Subject Land and Servicing Information. (Complete each subsection.)			
**4.1 Description		Severed	Retained
	Frontage (m)	<u>123.01 m</u>	<u>262.52 m</u>
	Depth (m)	<u>381 m - 392.16 m</u>	<u>318 m - 139.44 m</u>
	Area (m)	<u>3.9 ha</u>	<u>3.7 ha</u>
**4.2 Use of Property	Existing Uses	<u>Seasonal Cabin</u>	<u>Vacant</u>
	Proposed Uses	<u>Selling</u>	<u>Vacant</u>
**4.3 Buildings/Structures	Existing	<u>Cabin</u>	<u>none</u>
	Proposed	<u>none</u>	<u>none</u>
**4.4 Access	Provincial Highway	<u>no</u>	<u>no</u>
<i>Check appropriate space.</i>	Municipal road maintained all year	<u>yes</u>	<u>yes</u>
	Municipal road maintained seasonally		
	Other public road		
	Right of way		
	Water access (if so describe below)		
Describe in Section 9.1, the parking and docking facilities to be used, and the approximate distance of these facilities from the subject land and the nearest public road.			
**4.5 Water Supply	Publically owned and operated piped water system		
	Privately owned and operated Individual water system		
	Privately owned and operated communal well		
	Lake or other water body		
	Other means		

**4.6 Sewage Disposal Check appropriate space.	Publically owned and operated Sanitary sewage system		
	Privately owned and operated Individual septic tank (1)		
	Privately owned and operated Communal septic system		
	Other means	Out house	

(1) A certificate of approval from the North Bay-Mattawa Conservation Authority submitted with this application will facilitate the review.

**4.7 Other Services	Electricity	Yes	NO
	School Busing	Yes	Yes
	Garbage Collection	NO	NO

**4.8 If access to the subject land is by private road, or if "other public road" or "right of way" was indicated in Section 4.4, indicate who owns the land or road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

5. Land Use

** 5.1 What is the existing official plan designation(s) if any, of the subject land?

Rural

** 5.2 What is the zoning, if any, of the subject land? If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

Rural

** 5.3 Are any of the following uses or features on the subject land or within 500 meters of the subject land, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 metres of Subject Land, unless otherwise specified. (Indicate distance.)
An agricultural operation, including livestock facility or stockyard within 1000 metres of the subject land		Barn with goats approx 500m.
A landfill		
A provincially significant wetland (Class 1,2 or 3)		
A provincially significant wetland within 120 meters of the subject land		
Flood Plain		
A rehabilitated or active mine site		
A non-operating mine site within 1 km of the subject land		
Industrial or commercial use (specify the use(s))		
An active railway line		
An existing quarry operation		
An existing pit within 300 metres		
A municipal or federal airport		

6. History of the Land

**** 6.1** Has the subject land ever been the subject of an application for approval of a plan of subdivision or consent under the Planning Act?

☒

Yes

No

If yes and if known, provide the Ministry's application file No. and the decision made on the application.

**** 6.2** If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

**** 6.3** Has any land been severed from the parcel originally acquired by the owner of the subject land?

☒

Yes

No

If yes, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

7. Current Applications

**** 7.1** Is the subject land currently the subject of a proposed official plan amendment that has been submitted to the Minister for approval? NO

**** 7.2** Is the subject land the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance consent or approval of a plan of subdivision?

☒

Yes

No

If yes and if known, specify the appropriate file number and status of the application.

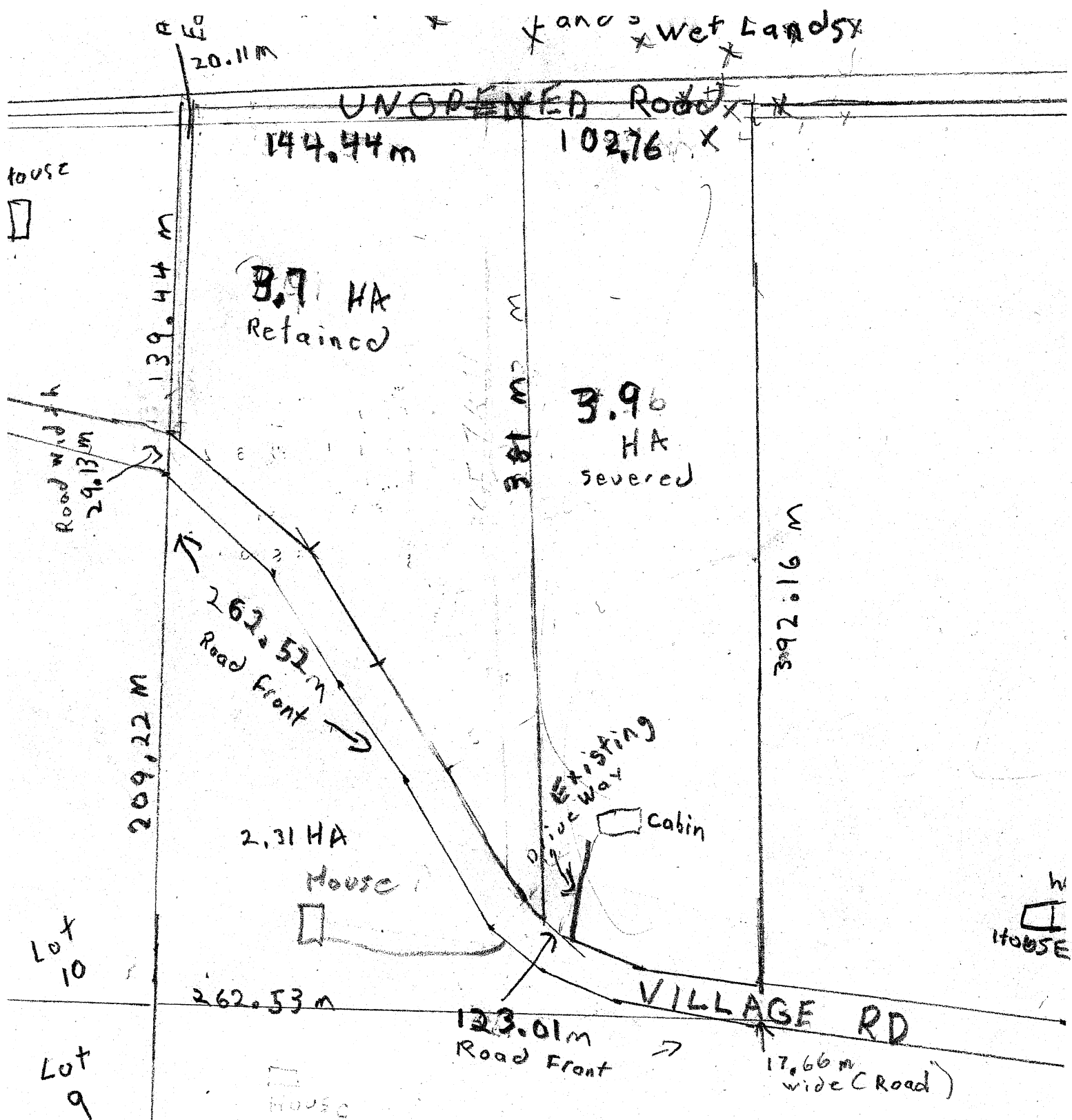
8. Sketch (use the attached sketch sheet) To help you prepare a sketch, refer to the attached Sample Sketch.

**** 8.1** The application shall be accompanied by a sketch showing the following:

- The boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained.
- The boundaries and dimensions of any land owned by the owner of the subject land and that abut the subject land.
- The distance between the subject land and the nearest township lot line or landmark, such as railway crossing or bridge.
- The location of all land previously severed from the parcel originally acquired by the current owner of the subject land.
- The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- The existing use(s) on adjacent lands.
- The location, width and name of any roads within, or abutting the subject land, indicating whether it is an unopened road allowance, a public road, a private road or a right of way.
- If access to the subject land is by water only, the location of the parking and boat docking facilities to be used.
- The location and nature of any easement affecting the subject land.

9. Other Information

**** 9.1** Is there any other information that you think may be useful to the Township or other agencies in reviewing this application? If so, explain below, or attach on a separate page.



Note

Exact Dimensions to be determined with survey

All Property and surrounding Lands in natural state of woodlands

TOWNSHIP OF CRISHOLM
DISTRICT OF NIPISSING

LET 1 INCH = 200 FEET

NEWLANDS, O.L.S. — 1976

