

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

SIXTH MEETING

MINUTES

JUNE 3 2014

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday June 3 2014 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Mary Lynne McCallum, Kathy O'Hara Wilson and Christine Greydanus

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Mary Lynne McCallum

Seconded by Kathy O'Hara Wilson

That the minutes of the meeting of May 27 2014 be adopted as circulated.

Carried.

B. Application B002/14 made by Myron and Dawn McAuslan the owners of 4723 Petrolia Line, Concession 10 West 1/2 Lot 18 Township of Enniskillen. The applicants are selling their farm and requesting that a new lot be created to include the house which is surplus to the needs of the purchaser.

C. Application A007/14 made by Myron and Dawn McAuslan owner of 4723 Petrolia Line. The applicants request that the Committee of Adjustment approve a minor variance to permit a reduction in the minimum distance separation from a livestock operation within 300 meters. The applicant request a variance to Bylaw 17 of 2009 Section 5.2 (a) reducing the minimum distance separation from 300 meters to approximately 250 meters.

Present: Myron McAuslan, Paul Huizinga

Will Nywening County of Lambton

Correspondence:

Will Nywening County of Lambton

Greg Botting County of Lambton

Corrine Nauta County of Lambton

Mr. Nywening reviewed his report to the committee concerning the severance and the minor variance applications. He reported that Mr. McAuslan had entered into a sales agreement for the farm to Clayton McLauchlin.

The severance application provided for the creation of a 2.36 acre lot which would include the house currently part of the farm.

Mr. Nywening reported that the creation of the lot required a review of the minimum distance separation from the proposed lot and the neighbouring livestock farm. He reported on three set back calculations associated with the application.

Mr. Nywening noted that he would recommend that the committee approve the severance and minor variance.

Mr. Nywening recommended that the lot size be reduced to two acres.

The comments from the building department were reviewed by Mr. Nywening. It was noted that the current septic system could not be confined to the proposed lot. As a result they recommended that the septic system be replaced.

A request had been made by the County of Lambton public works department to transfer 7 foot of frontage of the McAuslan property to the County of Lambton to provide a widening to Petrolia Line.

Myron McAuslan acknowledged that he did not have any comments on the information provided.

The Committee discussed the residential lot size due to the need to replace the septic system.

Myron McAuslan recommended that the 2.36 lot size be maintained due to the proposed septic system and the positioning of trees on the lot.

The Committee discussed the request of the County of Lambton to have a road widening provided as a condition of the approval of the severance.

Moved by Kathy O'Hara Wilson

Seconded by Christine Greydanus

That severance application B002/14 be approved.

Carried.

Conditions:

1. That a copy of the deed and survey in a form suitable for registration be deposited with the Secretary-Treasurer.
2. That a fee of \$250 be paid to the Township of Enniskillen by cash or certified cheque.
3. That all conditions are to be fulfilled within one year of the notice of decision of this consent. The certificate of consent required by Section 53 (42) of the Planning Act must be obtained within one year after notice of decision of this

consent. The applicant is responsible for ensuring that the Provisional consent does not lapse. If the Provisional consent lapses (meaning the deed has not been stamped within one year of the notice of decision of the consent), a new application will be required. There is no provision in the Planning Act for extension for Provisional consents.

4. That a fee of \$75 be made payable to the County of Lambton for septic inspection of the lots.
5. That a new septic system be installed for the single family dwelling.
6. That the municipal engineer prepare amendments to all Drainage Act reports assessing the severed lot and the retained lot for their appropriate share of future maintenance of any drain. The applicants agree to the assessments.
7. That a minor variance be obtained for a reduction in the minimum distance separation from the proposed lot and the neighbouring livestock operation.
8. That the applicants provide a road widening of 7 feet to the County of Lambton from the frontage on the proposed lot and the farm property.
9. That the proposed residential lot size be 2.3 acres
10. That a new access be installed to the retained farm parcel.
11. That the applicants obtain a zoning amendment prohibiting a dwelling on the retained farm.

Reasons:

That the residential lot has been rendered surplus as the result of the acquisition of this farm parcel by a farmer who will include the farm within his farm operation.

Moved by Christine Greydanus

Seconded by Kathy O'Hara Wilson

That minor variance application A007/14 be approved,

That Section 5.2 (a) of Bylaw 17 of 2009 be adjusted reducing the minimum distance separation from 300 meters to approximately 250 meters.

Carried.

No Conditions

Reasons:

That there are three existing houses within the general area of the livestock operation which currently limits the expansion of the livestock operation. That the application is minor in nature meets the general purpose and intent of the Official Plan and Zoning Bylaw and is appropriate for the development of the land.

D. Adjournment

Moved by Christine Greydanus

Seconded by Mary Lynne McCallum

That the meeting of the Committee of Adjustment be adjourned.

Carried.

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Mayor

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Clerk