

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

FIRST MEETING

MINUTES

JANUARY 8 2019

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday January 8 2018 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Mary Lynne McCallum, Wally Van Dun and Judy Krall

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Judy Krall

Seconded by Wally Van Dun

That the minutes of the meeting of July 24 2018 be adopted as circulated.

Carried.

B. Application B001/19 by Joel and Suzanne McCallum on behalf of Becky Brand at 4552 Tank Street in the Township of Enniskillen. Mr. and Mrs. McCallum propose to purchase a parcel of property from Becky Brand to correct the title of the properties due to a building being constructed over the property boundaries.

C. Application A001/19 by Joel and Suzanne McCallum on behalf of Becky Brand at 4552 Tank Street in the Township of Enniskillen. The applicants propose to separate a portion of the Brand property to be added to the McCallum property. The applicants request a minor variance to Bylaw 58 of 2015 Table A to recognize a reduction of the Brand farm size to 4.85 hectares.

Present: Joel and Suzanne McCallum and Becky Brand  
Robert Nesbitt County of Lambton

Correspondence:

Robert Nesbitt: County of Lambton

Mr. Nesbitt reviewed his report on the two applications. He noted that in 2005 a garage had been constructed on the property owned by the McCallum's. The building was constructed on a portion of 4552 Tank Street. The severance application proposed to take a portion of property 48 feet by 245 feet from 4552 Tank Street and add it to 4245 LaSalle Line.

Mr. Nesbitt reported that the severance would only include the property currently maintained as lawn by the McCallum's.

Mr. Nesbitt noted that the minor variance application would recognize a reduction in the minimum farm size of 4552 Tank Street. He noted that the severance further reduced the farm lot size to 4.85 hectares.

Mr. Nesbitt noted that in his opinion the reduction in farm size met the general intent of the Official Plan in that no farm land was affected by the application. The variance was appropriate as it permitted the correction of an encroachment unto 4552 Tank Street.

He confirmed that the size adjustment was minor in nature.

Mr. Nesbitt noted that the department could support the severance application with conditions.

He requested that no conditions be applied to the minor variance.

He recommended that two conditions be applied to the severance application.

That the applicants be required to obtain a minor variance to recognize a smaller parcel size. That the severed property be merged with 4245 LaSalle Line.

Mr. McCallum provided no input to the application.

Moved by Wally Van Dun

Seconded by Judy Krall

That application B001-19 be approved with conditions.

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 \$250.00 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.
4. That the applicant obtain a minor variance respecting the minimum farm lot size.
5. That Section 50(3) of the Planning Act apply to any future conveyances (i.e. that the stipulated consent stamp be used to stamp the deed) and the severed lands be registered in the same name and interest as and be merged with the lands known municipality as 4245 LaSalle Line.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by the applicants, County Planning and Development Services and helped the Committee make an informed decision with appropriate conditions of approval.

REASONS:

The farm severance has been approved to correct an encroachment unto the farm lot.

Moved by Judy Krall  
Seconded by Mary Lynne McCallum;  
That application A001-19 be approved.  
Carried.

CONDITIONS: No Conditions

REASONS FOR DECISION:

The reduction in the farm lot size is minor in nature and meets the general purpose and intent of the Official Plan and Zoning Bylaw and is appropriate for the development of the lands.

D. Adjournment

Moved by Wally Van Dun  
Seconded by Judy Krall  
That the meeting of the Committee of Adjustment be adjourned and the meeting of Council be opened.  
Carried.

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Chair

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Secretary