

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

SIXTH MEETING

MINUTES

JULY 2 2019

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday July 2 2019 at 7:00 pm at the Enniskillen Council Chambers.

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

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Mary Lynne McCallum

Seconded by Judy Krall

That the minutes of the meeting of June 18 2019 be adopted as circulated.

Carried.

B. Application B007/19

An application by Jason Armstrong for a property located at 5583 Churchill Line Township of Enniskillen. Mr. Armstrong proposes to divide a 96 acre farm parcel from the 196 acre parcel.

Application B008/19

An application by Jason Armstrong for a property at 5583 Churchill Line Township of Enniskillen. The applicant proposes to create an easement through the E ½ Lot 26 to permit access to farmland on the south side of Bear Creek in the W ½ Lot 26.

Correspondence:

Rob Nesbitt- County of Lambton

Corrine Nauta- County of Lambton

Present: John Little, Harold Smith, Jason Armstrong and Jamie Armstrong

Kevin Marriott introduced the two applications for the evening.

The Secretary reviewed the correspondence received from Corrine Nauta and Rob Nesbitt.

The Chief Building Official noted that the department did not find any concerns with the two septic systems on the farm property and could support the applications.

Mr. Nesbitt's report confirmed that the applicants proposed to create two farm parcels from the 196 acre farm. A second application proposed to provide an easement over the E ½ Lot 26 Concession 14 to provide access to the farm property south of Bear Creek. Mr. Nesbitt's report confirmed the Official Plan designations of the property. His report indicated that the division of the farm property conformed to the Official Plan policies. The report noted that the severance met the regulations of the Township zoning bylaw.

Mr. Nesbitt noted that his department could support both the farm severance and the creation of the easement to provide access to farm land south of Bear Creek. Mr. Nesbitt recommended conditions to be applied to each severance.

Moved by Judy Krall

Seconded by Chad Burke

That Application B007/19 be approved subject to conditions.

Carried.

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 Township Road Superintendent review the access to the municipal road and where required that the applicant at their expense have installed an access approved by the Road Superintendent.
5. That the Township Engineer review existing drainage reports and where required prepare amended schedules to reflect the new property owners. That the applicants pay the cost of the work and agree to the revised schedules.
6. That the approval of this application is conditional on the approval of Application B-008/19.
7. That the survey of the right of way approved by Application B008/19 be registered at the same time as the deeds for the lots created by this application.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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

REASONS:

The severance complies with the Township Official Plan and Zoning Bylaw regarding farm severances.

Moved by Wally Van Dun

Seconded by Mary Lynne McCallum

That Application B008/19 be approved subject to 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 Township Road Superintendent review the access to the municipal road and where required that the applicant at their expense have installed an access approved by the Road Superintendent.
5. That the Township Engineer review existing drainage reports and where required prepare amended schedules to reflect the new property owners. That the applicants pay the cost of the work and agree to the revised schedules.
6. That the approved right of way must be 25 feet wide and must be registered on the title of the retained lot described as the East ½ Lot 26 Concession 14 Township of Enniskillen.
7. That the survey of the right of way must be submitted to the Secretary-Treasurer in a form suitable for registration.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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

REASONS:

The severance complies with the Township Official Plan and Zoning Bylaw regarding farm severances.

C. Adjournment

Moved by Judy Krall

Seconded by Chad Burke

That the meeting of the Committee of Adjustment be adjourned and the meeting of Council be opened.
Carried.

Chair

Secretary