

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

FOURTH MEETING

MINUTES

AUGUST 16 2021

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Monday August 16th 2021 at 7:00 pm. The meeting was held electronically using the internet. The public was able to view the meeting by following contact information found on the municipal website. www.enniskillen.ca

A. Minutes

Moved by Judy Krall

Seconded by Wally Van Dun

That the minutes of the meeting of June 7 2021 be adopted as circulated.

Carried.

- B. B004/21 by Robert & Christina Core of 3328 Oil Heritage Road in the Township of Enniskillen. The applicants propose to divide the 100-acre farm into two parcels approximately 50 acres in size. A vacant 50-acre parcel created by the application will be transferred to the applicant's son.

Present:

Rob Core, Rob Nesbitt County of Lambton

Correspondence:

Rob Nesbitt- County of Lambton

Corrine Nauta- County of Lambton

- C. A007/21 by Robert & Christina Core of 3328 Oil Heritage Road in the Township of Enniskillen. The applicants have submitted an application to divide their 100-acre farm into two 50-acre parcels. The applicants request minor variances to Bylaw 58 of 2015 Table A- (1) to recognize two farm parcels of approximately 50 acres in size and - (2) a reduction in the minimum lot frontage to less than 492 feet.

Correspondence:

Rob Nesbitt- County of Lambton

Mr. Nesbitt reported that he had consolidated his report into one document for the severance and minor variance applications.

Mr. Nesbitt reported that the official plan policies recognized a minimum lot size of 40 hectares. He noted that there were no policies that would permit a smaller farm size.

Mr. Nesbitt reviewed the minor variance application noting that the requested changes did not meet the four tests of the Planning Act.

Mr. Nesbitt noted that the department could not support the severance application or the minor variance application.

Rob Core indicated that he had no further information to circulate to the committee.

He noted that the application would permit his son to engage in farming and provide the opportunity to live in the community.

Rob Core noted that the severance would address the merging of two fifty-acre parcels of land that had taken place when his father owned the property.

Judy Krall noted that the committee had turned down a severance on the same property for a 2-acre lot.

Judy Krall noted that she had no issue with the creation of two fifty-acre parcels in this situation.

Moved by Judy Krall

Seconded by Mary Lynne McCallum

That severance application B004/21 be approved with conditions and that minor variance application A007/21 be approved to Bylaw 58 of 2015 Table A-(1) recognizing two farm parcels of approximately 50 acres in size and (2) a reduction the minimum lot frontage to less than 492 feet.

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 for the severed and remnant properties.
5. That the applicant be required to connect the severed lot to the municipal water system.
6. That the septic system location be included on a map and a copy provided to the Building Department for the property files.

7. That the severed farm lot be transferred into the ownership of the applicants' son.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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

REASONS:

The Committee of Adjustment considers it appropriate to create the 50-acre parcels to assist in the estate planning of the owners which would provide their son a farm property to construct a dwelling.

- D. A008/21 by Randy & Jean Riley owners of 4515 Keating St., Oil City in the Township of Enniskillen. The applicants propose to increase the height of their accessory building to 6.7 meters. The applicants request minor variances to Bylaw 58 of 2015 Section 3.3.4 (e) to increase the detached accessory building height from 5.5 meters to 6.7 meters and Section 3.3.3 (d) to reduce the interior side yard from 3 meters to .89 meters.

Present: Randy Riley, Kim and Tom Wilkins and Rob Nesbitt County of Lambton

Correspondence:

Rob Nesbitt- County of Lambton
Kim and Tom Wilkins

Mr. Nesbitt reviewed his report noting that the applicants proposed to increase the height of the existing accessory building by one meter. He noted that due to the existing positioning of the building and the abutting properties the department could support the application.

Moved by Judy Krall

Seconded by Mary Lynne McCallum

That minor variance application A008/21 be approved to Bylaw 58 of 2015 Section 3.3.4 (e) increasing the detached accessory building height from 5.5 meters to 6.7 meters and to Section 3.3.3 (d) reducing the interior side yard from 3 meters to .89 meters

CONDITIONS:

No conditions

REASONS FOR DECISION:

The minor variance as outlined in the planning report meets the four tests of the Planning Act, the purpose and intent of the Official Plan and Zoning Bylaw are maintained and is appropriate for the development of the land and is minor in nature.

- E. Application for Validation Certificate Concession 9 Part Lot 5 RP 25R-1927 Part 1, Township of Enniskillen.

Correspondence:

Rob Nesbitt-County of Lambton

The Clerk reported that the information regarding the validation certificate would be circulated for the next meeting.

Moved by Judy Krall

Seconded by Wally Van Dun

That the meeting of the Committee of Adjustment be adjourned and the meeting of Council reconvened.

Carried.

Chair

Secretary