

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

THIRD MEETING

MINUTES

APRIL 4 2022

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Monday April 4 2022 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

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

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Judy Krall

Seconded by Mary Lynne McCallum

That the minutes of the meeting of March 21 2022 be adopted with amendment- Page 3 Application A002/22 "Present: Francis and Lorie Haight".

Carried.

- B. Application B002/22 by Troy, Trevor and Trent Duncan the owners of 5524 LaSalle Line in the Township of Enniskillen. The applicants propose to separate a two-acre residential lot from their farm to transfer to Trent Duncan.

Present: Trent Duncan, Cindy Duncan

Rob Nesbitt County of Lambton

Correspondence: Rob Nesbitt County of Lambton

Corrine Nauta County of Lambton

Rob Nesbitt reviewed his report. He noted that the intent of the application was to create a two acre residential lot from a 200-acre farm parcel and transfer it to Trent Duncan to permit the construction of a dwelling.

Mr. Nesbitt reviewed the provincial policy statements regarding the creation of residential lots in agricultural areas. He reviewed the surplus dwelling unit policy. He noted that the current application was not supported by the Provincial Policy statements.

Mr. Nesbitt noted that a minimum distance calculation was generated in the amount of 258 meters, due to a livestock operation south of the proposed lot. He noted that the lot line for the proposed lot was less than the 258 meters. This did not conform to the County Official Plan policies.

Mr. Nesbitt noted that the application was not supported by the Township Official Plan for creation of a residential lot in an agricultural area.

Mr. Nesbitt recommended that the application be denied.

The Building Services Manager commented that they could support the application because of its size. She requested that a condition be applied that required a sketch be prepared of the existing septic system for the house on the farm property and be submitted to the department.

Trent Duncan indicated that he wanted to live on his farm.

Judy Krall asked why the lot was not positioned on the east side of the lot.

Mr. Duncan noted that the lot was positioned where a road access had been provided to the property.

Wally Van Dun questioned where the lot was positioned on the two-hundred-acre parcel.

Trent Duncan noted that it was centered on the westerly 100-acre parcel.

Judy Krall noted that she welcomed youths from the community wanting to build dwellings in the Township. She noted how difficult it is to build in the community and wanted to see Trent Duncan build in the community.

Wally Van Dun questioned why the farm parcel was not divided into 100-acre parcels to provide a building lot.

Trent Duncan noted that if something happened with the farm in the future, he would have his two acres.

Mary Lynne McCallum noted that the committee was limited to permitting residential lots that held surplus dwelling units.

Trent Duncan reported that currently one brother lived on the house on the farm. Mary Lynne McCallum noted that it was not surplus.

Moved by Judy Krall

Seconded by Wally Van Dun

That application B002/22 be approved with conditions.

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 two years 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 two years after the notice of decision of this consent.
4. That a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
5. That the Township Engineer review existing drainage reports and where required prepare amended schedules to reflect the new property drainage areas. That the applicants pay the cost of the work and agree to the revised schedules.
6. That the septic system location be included on the survey and a copy provided to the building department.
7. That the applicant installs at their expense a new access to the proposed lot as approved by the Township Road Superintendent.
8. That the applicant submit an application to connect to the municipal water system.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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

REASONS:

The severance provides a new lot for the provision of a new dwelling.

C. Adjournment

Moved by Judy Krall

Seconded by Wally Van Dun

That the meeting of the Committee of Adjustment be adjourned.

Carried.

Chair

Secretary