

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

FOURTH MEETING

MINUTES

APRIL 19 2022

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday April 19 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 Chad Burke

That the minutes of the meeting of April 4 2022 be adopted as circulated.

Carried.

B. Application B003/22 by Ryan & Kyrrah Bright the owners of 3725 Shiloh Line in the Township of Enniskillen. The applicants propose to separate a two-acre residential lot and transfer the farmland to Racher Ag Inc.

Present: Lindsey Anderson

Rick Racher

Ryan Bright

Rob Nesbitt County of Lambton

Correspondence:

Corrine Nauta County of Lambton

Rob Nesbitt County of Lambton

Kevin Marriott introduced the application and requested that Mr. Nesbitt review his report to the Committee.

Mr. Nesbitt noted that the application proposed to sever a lot from the farm property. He noted also that the applicants requested permission to create an easement to the farm property through the existing driveway to the farm property.

Mr. Nesbitt reviewed the provincial policy regarding surplus farm dwellings. He noted that since Racher Ag Inc held other farms that the policy had been met.

Mr. Nesbitt reviewed the Township Official Plan polices regarding the creation of a surplus dwelling unit. He noted that the application generally conformed to the policies within the Official Plan.

Mr. Nesbitt noted that the if the application for severance were approved that the retained farm land would need to be rezoned to prohibit the construction of a dwelling. He also reviewed the need to address a reduction in the minimum farm separation between the proposed lot and the existing livestock operation to the north of the dwelling.

Mr. Nesbitt spoke to the applicant's request for an easement to provide access to the farm from the existing driveway. Mr. Nesbitt recommended that a new driveway access be constructed on the farm property.

Mr. Nesbitt also recommended that the silo be demolished.

Mr. Nesbitt noted that the application could be supported if conditions were applied. He recommended that the retained farm land be rezoned to prohibit the construction of a dwelling. He requested that the rezoning recognize a reduction in the MDS between the new residential lot and the livestock and manure storage to the north at 3724 Shiloh Line. He also recommended that the silo on the residential lot be removed.

The Chief Building Official requested that the existing septic system be placed on the survey and provided to the building department.

Ryan Bright noted that he had no comments to make to the committee.

Rick Racher noted that he had no problem installing a new access to the farm.

A discussion took place regarding the removal of the silo from the proposed lot.

Moved by Mary Lynne McCallum

Seconded by Chad Burke

That the surplus dwelling severance be approved with conditions and the proposed easement be denied.

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 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 farm lot as approved by the Township Road Superintendent.
8. That the applicant submits and have approved a rezoning of the farm property to rezone the retained farm land to prohibit the construction of a dwelling unit. That the rezoning must recognize the reduced MDS between the applicants existing dwelling and the livestock barn and manure storage areas locates at 3724 Shiloh Line.
9. That the silo be removed from the severed lot.

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 complies with the Township Official Plan and Zoning Bylaw permitting the separation of a surplus dwelling unit from a farm.

C. 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.

Mayor

Secretary