

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

SEVENTH MEETING

MINUTES

AUGUST 23 2016

A meeting of the Committee of Adjustment of the Council of the Township of Enniskillen was held on Tuesday August 23 2016 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Mary Lynne McCallum, Wally Van Dun, Judy Krall and Kathy O'Hara Wilson

Kevin Marriott chaired the meeting.

A Minutes

Moved by Judy Krall

Seconded by Mary Lynne McCallum

That the minutes of the meeting of August 2 2016 be adopted as circulated.

Carried

- B. Application B004/16 submitted by Clayton McLauchlin respecting lands known as 4172 Black Ash Road Township of Enniskillen. Mr. McLauchlin has purchased the farm and proposed to separate the house from the farm which is surplus to his needs.

Present: Mr. and Mrs. Wayne Gilroy, Clayt McLauchlin and Will Nywening

Correspondence:

1. Will Nywening County of Lambton
2. Corrine Nauta County of Lambton

Mr. Nywening reviewed his report. He noted that the applicant had purchased the farm and the applicant had met the requirements of the surplus dwelling unit policy within the Official Plan. Mr. Nywening noted that the accessory building area of the proposed lot exceeded the provisions in the zoning bylaw. He noted that the applicants had agreed to remove the southern portion of the building which would allow the lot to comply with the accessory area provisions.

Mr. Nywening noted that the new lot would not comply with the Minimum distance separation from a cattle operation to the north. He reported that the distance between the new lot and the existing livestock operations was 240 meters and the calculated MDS was 250 meters.

Mr. Nywening used the minor variance provisions of the Planning Act and recommended that the reduction in MDS from 240 to 250 meters could be supported. Mr. Nywening reported that the applicants had submitted a rezoning application that would address the reduction in the MDS.

Wayne Gilroy questioned whether the zoning on the property could be changed in the future to permit the construction of a dwelling on the property. It was noted that an application could be submitted for rezoning of the property to permit the construction of a dwelling unit.

Mr. Nywening recommended that a series of conditions be applied to the application.

The Building Department noted that they were satisfied that no further review of the septic system was required.

The St Clair Region Conservation Authority noted that they had no objection to the proposed severance.

Moved by Mary Lynne McCallum

Seconded by Judy Krall

That application B004/16 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 a fee of \$75.00 be made payable to the County of Lambton for septic inspection of the lot.
5. That the Municipal Engineer prepare amendments to all Drainage Act reports assessing the severed lot and the retained lot for their appropriate share of future maintenance of any municipal drain. The applicants agree to the assessments.
6. That the retained farmland be rezoned to prohibit the construction of a dwelling unit.
7. That a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
8. That a rezoning be obtained to recognize a reduction in the minimum distance separation from the dwelling and the livestock barn on 5126 Petrolia Line.
9. That the southerly section of the existing detached structure be demolished and removed from the site.
10. That the location of the septic system be demarcated on a reference plan and a copy be provided to the Township and to the County Building Services.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by the County Planning and Development Services, County Building Services and the St Clair Region Conservation Authority and helped the Committee make an informed decision with appropriate conditions of approval.

REASONS:

That the application complies with the surplus dwelling policy of the Township Official Plan.

C. Adjournment

Moved by Judy Krall

Seconded by Wally Van Dun

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

Carried.

Mayor

Clerk