

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

FIRST MEETING

MINUTES

JANUARY 20TH 2015

A meeting of the Committee of Adjustment was held on Tuesday January 20th 2015 at 7:00 pm at the Enniskillen Council Chambers.

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

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Kathy O'Hara Wilson

Seconded by Judy Krall

That the minutes of the meeting of November 4th 2014 be adopted as circulated.
Carried.

- B. Application B007/14 by Jim Blackman for the property located at 3651 Oil Springs Line. Mr. Blackman is purchasing the farm and is requesting that a new lot be created to include the house which is surplus to the needs of the purchaser.

Present: Bob and Janice Gould, Mr. and Mrs. Jim Blackman and Will Nywening.

Kevin Marriott introduced the application and requested that Will Nywening present his report on the application.

Mr. Nywening reported that Jim Blackman was prepared to purchase the farm from the Gould's but did not need the house on the property. He noted that Mr. Blackman owned the abutting farm. Mr. Nywening noted that the application met the surplus dwelling unit provisions of the Official Plan. He recommended that the severed farm be added to the abutting farm. He noted that this would mean that there would not be a need for a minor variance or a rezoning.

He reported that the lot size was appropriate due to the positioning of the buildings on the property.

Mr. Nywening reported that the septic system review had taken place with no concerns raised.

Mr. Nywening requested that the grain bin on the property be removed since it was too close to the new property line.

A discussion took place concerning the removal of the grain bin from the property.

Moved by Kathy O'Hara Wilson

Seconded by Judy Krall

That application B007/14 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 the severed land is to be deeded in the same name and interest as the farm lot which it is being added and that the two properties be consolidated under the same property identification number at the Registry office.
4. 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 drain. The applicants agree to the assessments.
5. That a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
6. That the grain bin be removed from the property.

Reasons:

1. That the application conforms to applicable policy in the Official Plan for a surplus dwelling unit.

C. Application for a Validation Certificate for 4062 Discovery Line

Wally Lang has requested that the Committee of Adjustment provide a validation certificate for 4062 Discovery Line. The lawyer acting for the mortgage holder has pointed out that the lot was created without receiving approval under the provisions of the Planning Act. In 1980 the one acre parcel containing a house was sold. This property was sold three additional times since the original sale.

Correspondence:

Wallace Lang

Will Nywening

Mr. Lang provided a brief history of the property. He noted that the two parcels had merged between 1970-1980. Mr. Lang noted that the house lot had been sold three times since 1980. He requested that a validation certificate be provided for both the one acre lot with the house and the twenty acre oil property.

Mr. Nywening reported that the provisions under the Planning Act provided the Committee the authority to issue a certificate of validation. He reported that the request met the provisions of the Planning Act.

Moved by Kathy O'Hara Wilson

Seconded by Judy Krall

With reference to an application by Wallace Lang (agent for registered owner) pursuant to section 57 of the Planning Act with respect to lands described as Concession 12, South Part Lot 11, Plan 16 Part Lot 3, in the Township of Enniskillen, in the County of Lambton, in the Province of Ontario, municipally known as 4062 Discovery Line, we have considered the request and concur in the decision below and the reasons for the decision.

DECISION: That the Secretary-Treasurer is directed and authorized to issue a certificate of validation in the form attached, subject to the following conditions:

CONDITIONS: None.

REASONS: The lands subject to the validation certificate have historically been regarded as a parcel of land and conform to the Official Plan and Zoning By-law, which recognize existing uses.

Moved by Wally Van Dun

Seconded by Judy Krall

With reference to an application by Wallace Lang (agent for registered owner) pursuant to section 57 of the Planning Act with respect to lands described as Lot 1-11 Range 8 Plan 29 Enniskillen; Lot 1-11 Range 9 Plan 29 Enniskillen; Lot 1-10, A Plan 33 Enniskillen; Pt Lot 6-7, 10 Plan 16 Enniskillen; Part Lot 12 Range 8 Plan 29 Enniskillen; Pt Lot 12 Range 9 Plan 29 Enniskillen; 20 Foot Rd Plan 33 Enniskillen; Enniskillen PIN 43454-0098 (R) we have considered the request and concur in the decision below and the reasons for the decision.

DECISION: That the Secretary-Treasurer is directed and authorized to issue a certificate of validation in the form attached, subject to the following conditions:

CONDITIONS: None.

REASONS: The lands subject to the validation certificate have historically been regarded as a parcel of land and conform to the Official Plan and Zoning By-law.

D. Adjournment

Moved by Kathy O'Hara Wilson

Seconded by Judy Krall

That the meeting of the Committee of Adjustment be adjourned and move into the Council meeting.

Carried.

FIRST MEETING

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JANUARY 20 2015

Mayor

Clerk