

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

FOURTH MEETING

MINUTES

SEPTEMBER 21 2020

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Monday September 21 2020 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Mary Lynne McCallum, Wally Van Dun, Chad Burke
Judy Krall attended electronically.

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Chad Burke

Seconded by Mary Lynne McCallum

That the minutes of the meeting of August 17 2020 be adopted as circulated.

Carried.

- B. Application B004/20 by Wayne McKay the owner of 4607 Churchill Line in the Township of Enniskillen. The applicant proposes to separate a 2 acre lot containing a surplus dwelling unit from the farm property.

Present: Wayne McKay, Rita Felder

Rob Nesbitt County of Lambton

Correspondence:

Rob Nesbitt County of Lambton

Corrine Nauta County of Lambton

Kevin Marriott introduced application B004/20 and requested that Mr. Nesbitt present his report.

Mr. Nesbitt reported that the applicants proposed to separate a surplus dwelling unit from a farm that he had purchased.

Mr. Nesbitt reviewed the provincial and local official plan policies and noted that he was satisfied that the applicants met the policy requirements.

Mr. Nesbitt discussed the lot size noting that the applicants met the zoning requirements.

Mr. Nesbitt recommended that two grain bins on the proposed residential lot be removed. He also noted that in his opinion the accessory building on the property was too large and should either be removed or a statement placed on the property title indicating a variety of uses that would not be permitted on the property.

He also noted that the retained farm lot should be rezoned to prohibit the construction of a house on the property.

Wayne McKay reported that the two grain bins would be removed from the proposed lot. Mr. McKay agreed that the accessory building should not be used for commercial uses that may interfere with the farm operation.

Mary Lynne McCallum noted that Mr. McKay had indicated that eve troughs would be installed on the accessory building to direct the water unto the proposed residential lot and not unto the farm.

Mr. McKay reported that he planned to install eve troughs on the accessory building.

Rita Felder noted that there were certain circumstances that a tenant in the house was better for the farm operator. She made reference to the High Park Farms cannabis operation and the objections of the neighbouring property owner in regards to smells, noise and lights. Rita Felder noted that new owners may not accept farm related activities.

Wayne McKay noted that he tried to respect neighbours who lived abutting his farm operations.

Moved by Mary Lynne McCallum

Seconded by Chad Burke

That application B004/20 be approved with conditions.

Carried.

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 review the access to the municipal road for the severed and retained property and where required that the applicant at their expense have installed accesses approved by the Township.
5. That a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
6. 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.
7. 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 and recognize an oversized accessory building.

8. That the two grain storage bins be removed from the severed lot.
9. That a new septic bed be installed and connected to the existing tank and that the proper permits be obtained and inspections conducted.
10. That the septic system location be included on the survey and a copy provided to the building department.
11. That the zoning amendment include provisions to recognize the drive shed's lot coverage of 463 square meters.
12. That a clause be registered on the property title which states that the drive shed is to be used by the residents of the lot only, and that no commercial, industrial or livestock uses are permitted within the building.
13. That eve troughs be installed on the drive shed outletting water unto the proposed residential lot.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by the applicant's consultant, County Planning and Development Services, Building Department, St Clair Conservation Authority and local residents 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 Mary Lynne McCallum

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

Carried.

Chair

Secretary