

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

FOURTH MEETING

MINUTES

SEPTEMBER 5 2023

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday September 5 2023 at 7:30 pm at the Enniskillen Council Chambers.

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

Kevin Marriott Chaired the meeting.

A. Minutes

Moved by Judy Krall

Seconded by Wally Van Dun

That the minutes of the meeting of Aug 21 2023 be adopted as circulated.

Carried.

- B. Application A003/23 made by Joe Lapointe the owner of 4737 Shiloh Line in the Township of Enniskillen. The applicant proposes to construct a 50-foot by 60-foot accessory building. The applicant requests a minor variance to Bylaw 58 of 2015, Section 3.3.5 subsection c (i) to increase the maximum accessory building lot coverage to approximately 290 square meters.

Present: Joe Lapointe

Jarod Preston and Ken Melanson County of Lambton

Correspondence:

Jarod Preston: County Planning

Corrine Nauta- Manager Building Services

St Clair Region Conservation Authority

Jarod Preston reviewed his report regarding the minor variance application A003/23. He discussed that Mr. Lapointe planned to construct a new accessory building that was larger than that permitted on the lot.

Mr. Preston noted that the application met the four tests of the Planning Act and recommended approval of the application subject to conditions.

Joe Lapointe noted that if a condition were applied regarding his septic system, he did not have sufficient funds to build the new accessory building and replace the septic system.

A discussion took place regarding the proposed conditions.

Mr. Melanson noted that if the septic conditions were not applied by the committee the Building Department would under take a review as part of the building permit process.

Mr. Lapointe noted that the application process should include reference to the septic inspection as part of the minor variance process.

Mr. Lapointe requested that minor variance application A003/23 be withdrawn.

Moved by Wally Van Dun

Seconded by Judy Krall

That at the request of the applicant that minor variance application A003/23 be withdrawn.

Carried.

- C. Application B003/23 made by 1886946 ON Ltd as the owner of 4138 LaSalle Line in the Township of Enniskillen. The applicant proposes to sever approximately 0.8 hectares of land with a dwelling from the farm property.

Present: Trevor Brand

Jarod Preston and Ken Melanson

Correspondence:

Jarod Preston- County of Lambton

Corrine Nauta- Manager Building Services

Jarod Preston presented his report on application B003/23. He noted that the application was for a surplus dwelling unit due to a farm consolidation.

Mr. Preston noted that he recommended that the application be denied as the retained farm size does not meet the minimum farm size in the County and Township Official Plan.

A discussion took place regarding the approval of the application recognizing the reduced farm size in a rezoning of the property.

Mr. Melanson provided a history of the approval of the minimum farm size in the County Official Plan. He noted that the decisions of the Committee could be appealed to the Ontario Land Tribunal. He also suggested that a court action could be taken by an interested party.

Moved by Wally Van Dun

Seconded by Judy Krall

That application B003/23 be denied.

Carried.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by the applicants, County Planning and Development Services and Building Department and helped the Committee make an informed decision.

REASONS:

The application does not conform with the minimum farm size in the Enniskillen Township Official Plan, County of Lambton Official Plan and Provincial Policy Statements.

D. 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 reopened.

Carried.

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Chair

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Secretary