

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

THIRD MEETING

MINUTES

JUNE 17 2024

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Monday June 17 2024 at 4:30 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 Mary Lynne McCallum

That the minutes of the meeting of March 4 2024 be adopted as circulated.

Carried.

- B. Application B003/24 has been made by Brian Shannon & Kari Brooks as the agents for the owner RT Clark Holdings Ltd of 4750 Shiloh Line in the Township of Enniskillen. The applicant proposes to sever approximately 0.6 hectares (1.5 acres) of vacant farm land to be added to the residential lot at 4708 Shiloh Line owned by Brian Shannon and Kari Brooks.

Present: Barb Clark, Brian Shannon and Kari Brooks
Jarod Preston County of Lambton

Correspondence:

Jarod Preston- County of Lambton

Corrine Nauta- Manager Building Services

St Clair Region Conservation Authority

Kevin Marriott introduced the severance application affecting 4750 and 4708 Shiloh Line.

Jarod Preston reviewed the application noting that the proposed lot enlargement for 4708 was located in an A1 Agriculture zone and an EP Hazard zone due to the proximity to a municipal drain.

Mr. Preston noted that the remnant farm parcel would meet the minimum zone requirements for size. He noted that the lot enlargement to 4708 Shiloh Line would increase its lot size to meet the A1 zone minimum.

Mr. Preston recommended to the committee that the application be approved subject to conditions.

Mr. Preston recommended that the committee approve a cancellation certificate for 4708 Shiloh Line. This would permit the merging of the existing lot with the proposed severed parcel.

Mr. Shannon noted that the severance would enhance his property.

Mary Lynne McCallum asked the applicants whether there was sufficient land outside of the hazard zone to permit the construction of an accessory building. Mr. Shannon confirmed that there was sufficient land.

Moved by Mary Lynne McCallum

Seconded by Judy Krall

That application B003/24 be approved subject to conditions.

Carried.

1. The applicant is required to merge the approximately 1.5-acre parcel of land to 4708 Shiloh Line. That a cancellation certificate for the original severance be required as a condition of the current severance and that it be registered to title.
2. That a copy of the deeds and survey in a form suitable for registration be deposited with the Secretary-Treasurer.
3. That a fee of \$250.00 for each new lot created be paid to the Township of Enniskillen by cash or cheque.
4. That the certificate of consent under Section 53 (42) of the Planning Act shall be given within two years of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance have been fulfilled. That if the conditions are not fulfilled in that two-year period, the consent expires (there is no ability to be extended).
5. That the Township engineer review existing drainage reports and where required prepare amended schedules to reflect the new property drainage areas. That the applicant pays the cost of the work and agree to the revised schedules.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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

REASONS:

The proposed consent is consistent with the Planning Act, Provincial Policy Statement (PPS), County and Township Official Plans (OP) and Zoning By-Law.

Moved by Judy Krall

Seconded by Wally Van Dun

That the committee approve a cancellation certificate for the property known as 4708 Shiloh Line.

Carried.

- C. Application A002/24 has been made by Randy Kuykendall the agent for David Naus the owner of 4709 Plowing Match Road in the Township of Enniskillen. The applicants propose to construct a 30 ft by 60 ft accessory building for personal storage. The applicants request a variance from Bylaw 58 of 2015 Table A to reduce the accessory building front yard setback from 20 meters to 7 meters.

Present: David Naus and Randy Kuykendall.
Jarod Preston County of Lambton

Correspondence:
Jarod Preston- County of Lambton
Corrine Nauta- Manage Building Services

Kevin Marriott introduced the application for the minor variance for the construction of an accessory building at 4709 Plowing Match Road.

Jarod Preston reviewed his report for the minor variance. He noted that the applicant proposed to construct an accessory building on the property with a reduced front yard set back from 20 meters to 7 meters.

The applicants did not wish to cut trees on the property thereby the need for the reduced front yard setback.

Mr. Preston noted that the application met the requirements for a minor variance.

Moved by Judy Krall

Seconded by Wally Van Dun

That minor variance application A002/24 be approved with conditions, reducing the front yard setback of Section 5.1 b of Table A of Bylaw 58 of 2015 from 20 meters to 7 meters.

Carried.

CONDITIONS:

1. No livestock, Commercial or habitable space be permitted.
2. A proposed and final grading certificate by a qualified individual are required.
3. The septic area be protected and clearly identified throughout the construction process and following. Compaction of this area is not permitted, and access should be denied by equipment and the general public at all times, including all final driveway configurations.

REASONS FOR RECOMMENDATION:

The proposed minor variance is consistent with the Planning Act, Provincial Policy Statement (PPS), County and Township Official Plan (OP) and Zoning By-Law (ZBL).

D. Adjournment

Moved by Judy Krall

Seconded by Mary Lynne McCallum

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

Carried.

Chair

Secretary