

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

FOURTH MEETING

MINUTES

JULY 15 2024

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Monday July 15 2024 at 4:30 pm at the Enniskillen Council Chambers.

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

Kevin Marriott chaired the meeting

A. Minutes

Moved by Mary Lynne McCallum

Seconded by Wally Van Dun

That the minutes of the meeting of June 17 2024 be adopted as circulated.

Carried.

- B. Application B004/24 has been made by Patti Dobbin as one of the owners of 3826 LaSalle Line in the Township of Enniskillen. The applicant proposes to sever approximately 14 acres of land into two equal sized parcels to allow for the construction of two houses.

Present: Patti Dobbin and Vicki King

Jarod Preston: County of Lambton

Correspondence:

Jarod Preston- County of Lambton

Corrine Nauta- Manager Building Services

St Clair Region Conservation Authority

Kevin Marriott introduced application B004/24 and requested that Mr. Preston review his report and recommendations.

Mr. Preston reported that the applicants proposed to create two residential lots at 3826 LaSalle Line. He noted that the property was located in the Marthaville settlement area. To permit the creation of the lots the Official Plan and Zoning bylaw would need to be amended to permit the residential use. Mr. Preston noted that these applications would be reviewed by the Council in a public meeting.

With the assistance of photos Mr. Preston outlined the location of the properties and identified the areas where the two lots would be created.

He noted that the woodlot portions of the property would remain in the EP-Woodlot designation in the Official Plan and Zoning Bylaw. The two new houses would be constructed in the area that was currently designated and zoned Agriculture.

Mr. Preston recommended that the severance application be approved subject to a series of conditions related to the related planning changes.

The Clerk noted that the conditions be amended to reflect that a \$1,000 parks dedication would apply to the newly created lot.

Secondly the Clerk recommended that the requirement for a new septic system for the existing house be removed. In its place a condition that the applicants enter into an agreement with the Township to permit them to live in the existing house for up to two years while a new house was constructed on the property.

Moved by Judy Krall

Seconded by Chad Burke

That application B004/24 be approved.

Carried.

Conditions:

1. No livestock be allowed on the proposed severed and retained residential lots.
2. That OPA 4 of 2024 be approved by Township of Enniskillen Council to change the OP designation from "Agricultural Area" to "Residential".
3. That a Zoning By-Law Amendment be approved by Township of Enniskillen Council to change the zoning from Agricultural 2 "A2" to Residential 2 Marthaville (R2).
4. That there is no more than one dwelling located on the proposed retained and severed residential lots.
5. That a copy of the deeds and survey in a form suitable for registration be deposited with the Secretary Treasurer.
6. That a fee of \$250.00 for each new lot created be paid to the Township of Enniskillen by cash or cheque.
7. That a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
8. That all conditions be fulfilled within two years 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 two years after the Notice of Decision of this consent.
9. 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.
10. That the owners of 3826 LaSalle Line enter into an agreement with the Township of Enniskillen to provide for the demolition of the existing house within two years of the approval of the severance.

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.

- C. Applications B005/24 and B006/24 have been made by Jason and Jamie Armstrong the owners of 5547 and 5583 Churchill Line in the Township of Enniskillen. The applicants propose to sever both one-hundred-acre farm parcels and merge the northern parcels into one parcel and merge the southern portion of properties with an abutting farm.

Present: Jason Armstrong, Roy Hall and MarkHall  
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 application and requested that Mr. Preston present his report and recommendations.

Jason Preston noted that the applicants owned two abutting farms at 5547 and 5583 Churchill Line that he proposed to divide south of Bear Creek. The farmland north of Bear Creek would be retained and the farm land south of Bear Creek would be sold to the abutting farmer to the east.

Mr. Preston reported that the proposed farm lots would meet the minimum lot sizes for farms in the planning documents. He noted that there were no livestock concerns regarding the proposed severances.  
Mr. Preston recommended that the two applications be approved subject to conditions which he reviewed.

The Clerk recommended to the Committee that the park fees be removed as conditions as the fees normally applied to the creation of residential lots. Secondly a recommendation was made to include a condition that the severed parcels south of Bear Creek be consolidated in title with the abutting farm parcel to the east.

Moved by Judy Krall  
Seconded by Chad Burke  
That Applications B005/24 and B006/24 be approved subject to conditions.  
Carried.

Conditions:

## B005/24

1. That a copy of the deeds and survey in a form suitable for registration be deposited with the Secretary Treasurer.
2. That a fee of \$250.00 for each new lot created be paid to the Township of Enniskillen by cash or cheque.
3. That all conditions be fulfilled within two years 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 two years after the Notice of Decision of this consent.
4. 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.
5. That one (1) of the two (2) single-detached dwellings on the proposed merged parcel on the north section be removed.
6. That the severed land be deeded in the same name and interest as the property immediately to the east. Section 50 (3) of the Planning Act applies to any future transactions involving the severed land.

## Conditions:

## B006/24

1. That a copy of the deeds and survey in a form suitable for registration be deposited with the Secretary Treasurer.
2. That a fee of \$250.00 for each new lot created be paid to the Township of Enniskillen by cash or cheque.
3. That all conditions be fulfilled within two years 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 two years after the Notice of Decision of this consent.
4. 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.
5. That one (1) of the two (2) single-detached dwellings on the proposed merged parcel on the north section be removed.
6. That the severed land be deeded in the same name and interest as the property immediately to the east. Section 50 (3) of the Planning Act applies to any future transactions involving the severed land.

## EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by the applicant and 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.

- D. Application B007/24 by Tony and Rita Felder as owners of 4703 Churchill Line in the Township of Enniskillen. The applicants propose to sever a surplus farm dwelling from the farm property.

Present: Rita and Tony Felder  
Jarod Preston County of Lambton

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

Kevin Marriott introduced the application and requested that Mr. Preston present his report and recommendations.

Mr. Preston noted that applicants had submitted a request to separate a house located at 4703 Churchill Line from the farm property. The applicants considered the house surplus to their needs.

Mr. Preston reviewed maps and photos of the farm dwelling. He indicated that the proposed lot met minimum distance separation from two livestock facilities in Plympton-Wyoming. He noted that if the committee approved the severance the retained farm parcel would require a rezoning to restrict construction of a dwelling.

Mr. Preston noted that the application was consistent with the current planning policies for surplus dwelling units.

Mr. Preston recommended approval of the application subject to conditions.

Moved by Mary Lynne McCallum

Seconded by Judy Krall

That application B007/24 be approved subject to conditions.

Carried.

Conditions:

1. The applicant is required to obtain a re-zoning to change the retained land on 4703 Churchill Line from "Agricultural 1" (A1) to "Agricultural – No Dwelling (A-ND)" as per Section 2.17, subsection d (ii) of the Township of Enniskillen OP.
2. No livestock be allowed on the proposed severed residential lot.
3. That a copy of the deeds and survey in a form suitable for registration be deposited with the Secretary Treasurer.
4. That a fee of \$250.00 for each new lot created be paid to the Township of Enniskillen by cash or cheque.
5. That a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
6. That all conditions be fulfilled within two years 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 two years after the Notice of Decision of this consent.
7. 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.
8. That a new septic system be installed, proper permits be obtained, and inspections conducted.
9. That the septic system location be included on the survey (plotted on a copy by owner) and a copy provided to this Department for the property files.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by the applicant and County Planning and Development Services, Building Services 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.

E. Adjournment

Moved by Wally Van Dun

Seconded by Judy Krall

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

Carried.

---

Chair

---

Secretary