

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

FIFTH MEETING

MINUTES

APRIL 22 2025

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday April 22 2025 at 4:30 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Wally Van Dun, Judy Krall, Chad Burke and Tim Williams

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Judy Krall

Seconded by Wally Van Dun

That the minutes of the meeting of April 7 2025 be adopted as circulated.

Carried.

B. Application A003/25

An application has been made by Trevor McCormick the owner of 4371 Churchill Line in the Township of Enniskillen. The applicant requests minor variances to Bylaw 58 of 2015 to recognize a second dwelling unit on the farm property.

The applicant requests a minor variance to Bylaw 58 of 2015 Section 3.8 (s), (k) and (l) to permit the construction of a second dwelling approximately 57 meters from an existing dwelling.

Correspondence:

Jarod Preston County of Lambton

St Clair Region Conservation Authority

Present: Mr. and Mrs. Trevor McCormick and Donna McCormick

Kevin Marriott introduced minor variance application A003/25 and requested that Jarod Preston present his report.

Jarod Preston reported that the applicants proposed to add a new house to their farm property. They wanted to retain one of the two houses on the property and demolish a third house.

Mr. Preston noted that the current zoning restricted the number of houses, their location and size. Due to provincial policy changes Council had provided direction to incorporate the new policies in planning decisions until the municipal zoning bylaw is amended.

Mr. Preston noted that a new proposed house would be considered the primary dwelling. A current house of just over 2,000 square feet would be the secondary house. The remaining house of 800 square feet would be demolished.

Mr. Preston reviewed his report and recommended that the minor variances to Bylaw 58 of 2015 be approved.

Moved by Judy Krall

Seconded by Chad Burke

That application A003/25 be approved permitting variances to Bylaw 58 of 2015

(1) Section 3.8 (k) and (l) permitting an increase in the detached accessory dwelling size to approximately 2,118 square feet

(2) Section 3.8 (s) permitting the detached accessory dwelling to be located approximately 57 meters from the main dwelling.

CONDITIONS:

1. That the applicant enters into an agreement with the municipality to ensure that the existing 811ft² dwelling is removed following construction of the new proposed primary dwelling.
2. That the applicant provides the distance between the new proposed dwelling and the adjacent farm buildings for building services to check spatial separation.
3. That the applicant provides the size and use of the existing farm structure adjacent to the proposed dwelling.
4. That the applicant indicates the location of the existing septic system and the proposed septic system on their building permit application drawing.

REASONS FOR RECOMMENDATION:

The proposed minor variances meet the four (4) tests and are consistent with the Planning Act, Provincial Policy Statement (PPS), County and Township Official Plan (OP) and Zoning By-Law (ZBL).

C. Application B002/25

An application has been made by 1499031 Ont. Ltd (Dave Munro) the owner of 5175 Oil Springs Line in the Township of Enniskillen. The applicant proposes to sever approximately 0.8 hectares (2.00 acres) to create a new lot containing an existing dwelling.

Correspondence:

Jarod Preston County of Lambton
St Clair Region Conservation Authority

Present: David Munro

Kevin Marriott introduced severance application B002/25 and requested that Jarod Preston review his report.

Mr. Preston noted that Mr. Munro had made an application to separate the house on a 150- acre farm parcel as surplus to his needs.

Mr. Preston explained the process used to review the minimum distance separation calculation for the livestock operation on the abutting farm. He found that there was no issue generated from the review. The location of the proposed 2-acre parcel met the setback requirements generated by the calculation.

Mr. Preston reported that the proposed surplus lot and the retained farm lot met the zoning regulations for setback and size.

Mr. Preston noted that the department supported the application with conditions which he reviewed with the committee.

Dave Munro made no comment to the committee on the application.

Moved by Judy Krall

Seconded by Tim Williams

That application B002/25 be approved with conditions.

Carried.

CONDITIONS:

1. The applicant is required to obtain a re-zoning change to the retained land on 5175 Oil Springs 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. 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 a parks dedication fee of \$1,000 be paid to the Township of Enniskillen.
5. 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.
6. 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.
7. That the applicant replaces the existing septic system on the property.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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

REASONS:

The proposed consent complies with the Planning Act, Provincial Planning Statements (PPS), County of Lambton Official Plan, Enniskillen Official Plan and Zoning Bylaw regulations.

D. Adjournment

Moved by Judy Krall

Seconded by Wally Van Dun

That the meeting of the Committee of Adjustment be adjourned.

Carried.

Chair

Secretary