

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN  
COMMITTEE OF ADJUSTMENT

FIRST MEETING

MINUTES

FEBRUARY 16<sup>TH</sup> 2021

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Tuesday February 16<sup>th</sup> 2021 at 7:30 pm. The meeting was held electronically using the internet. The public was able to view the meeting by following contact information found on the municipal website made available on February 11<sup>th</sup> 2021.

[www.enniskillen.ca](http://www.enniskillen.ca)

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

Kevin Marriot chaired the meeting.

A. Minutes

Moved by Judy Krall

Seconded by Chad Burke

That the minutes of the meeting of January 18<sup>th</sup> 2021 be adopted as circulated.

Carried.

- B. An application has been made by Gordon, Gary and Dolores McGregor owners of 3175/3177 Petrolia Line in the Township of Enniskillen. The applicant proposes to construct a dwelling on the farm property. The applicant requests a minor variance to Bylaw 58 of 2015 Section 5.2 to decrease the minimum distance separation distance between the proposed dwelling unit and the livestock facility at 3174 Petrolia Line.

Correspondence:

Rob Nesbitt County of Lambton

Gord McGregor

Kevin Marriott introduced the application noting that the McGregors planned to build a house on their farm but it would not meet the minimum distance separation for livestock in the zoning bylaw.

Rob Nesbitt reviewed his report indicating that the location of the proposed dwelling was closer than permitted by the zoning bylaw.

He noted that the house was to be positioned in a location where a house had been removed a number of years earlier.

Mr. Nesbitt noted that the proposed house would need be evaluated as a new structure on the site.

Mr. Nesbitt discussed the implementation of the minimum distance separation based on the Official Plan policies. He noted that the purpose of the house met the intent of the Official Plan. The reduction in setback was not significant and the location of the proposed house was acceptable.

Mr. Nesbitt discussed the setback of the house by referencing its proposed position from the asphalt on Petrolia Line. He recommended that a 300-foot setback from the asphalt on the road be established.

Mr. Nesbitt reviewed the four tests of the Planning Act and confirmed that the requested variance based on the 300-foot setback met the tests.

Gord McGregor reported that he requested that the proposed house be located within 250 feet from the asphalt on Petrolia Line. He indicated that an addition was proposed to the shop on the site and as well the building code required a minimum of 8-meter setback from the addition to the new house. Mr. McGregor noted that he had not completed the drawings for the dwelling and suggested that a setback of 270 feet from the road was acceptable.

Mr. Nesbitt noted that the setback from Petrolia Line should be calculated from the house not the porch on the front of the building. He discussed a setback of 285 feet from the asphalt on Petrolia Line.

Moved by Mary Lynne McCallum

Seconded by Wally Van Dun

That a minor variance be approved to Section 5.2 of Bylaw 58 of 2015 reducing the minimum distance separation for a proposed dwelling at 3175/3177 Petrolia Line to 285 feet from the southern edge of the asphalt road on Petrolia Line to the northern wall of the proposed dwelling.

Carried.

No Conditions

REASONS FOR DECISION:

That the intent and purpose of the Official Plan and Zoning Bylaw is maintained, the development is appropriate for the lands and is minor in nature.

#### C. 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 be reopened.

Carried.

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Chair

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Secretary