

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

COMMITTEE OF ADJUSTMENT

THIRD MEETING

MINUTES

JUNE 7TH 2021

A meeting of the Committee of Adjustment of the Township of Enniskillen was held on Monday June 7th 2021 at 7:05 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. www.enniskillen.ca

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

Kevin Marriott chaired the meeting.

A. Minutes

Moved by Councillor Burke

Seconded by Councillor Krall

That the minutes of the meeting of April 19th 2021 be adopted as circulated.

Carried.

B. Application A005/21

An application has been made by Dan and Miriam Konzelmann of 5029 Churchill Line in the Township of Enniskillen. The applicants propose to construct a 140 ft X 822 ft cattle barn on the property. The applicants request a minor variance to Bylaw 58 of 2015 Section 5.2 to reduce the calculated minimum distance separation from 1450 feet to 985 feet to permit the construction of a feed lot to house up to 1980 cattle.

Correspondence:

Rob Nesbitt- County of Lambton

Present: Dan Konzelmann

Rob Nesbitt County of Lambton

Kevin Marriott introduced the application indicating that Mr. Konzelmann was applying for a minor variance to reduce the minimum distance separation from a dwelling owned by his daughter and son in law.

Rob Nesbitt reviewed his report regarding the application. He recommended to Council that he could not support the variance request due to the proximity to the house occupied by Mr. Konzelmann's daughter. He also noted that a neighbour had called indicating that he did not oppose the application but was interested some day in building a house on his farm. Mr. Nesbitt reported that this house would be closer than the one subject to the application.

Mr. Nesbitt noted that in his opinion the application did not meet the Planning Act requirements for a minor variance.

Mr. Konzelmann reported that the construction of the building on his property was restricted by the two electrical transmission corridors that ran through his property. He was concerned that by placing the buildings closer to the transmission corridors could result in stray voltage affecting his cattle operation.

Mr. Konzelmann noted that moving the barn south of the transmission corridors would bring the building too close to Bear Creek.

Mr. Konzelmann noted that his son and daughter lived in the house that was subject to the minimum distance minor variance application. He noted that both people worked on the farm with him. He also noted that in providing the property to his family members he had retained the right to purchase the property in the event that it was sold in the future.

Wally Van Dun questioned whether the barn could be moved to the south.

Rob Nesbitt was questioned on his report's reference to a house that may be built in the future.

Moved by Judy Krall

Seconded by Wally Van Dun

That minor variance application A005/21 be approved to Section 5.2 of Bylaw 58 of 2015 to reduce the minimum distance separation for a cattle barn from 1450 feet to 985 feet. Carried.

Conditions:

That the Township of Enniskillen Road Superintendent review and approve the access to the farm of the proposed cattle barn.

Reasons:

The minor variance as outlined in the planning report meets the four tests of the Planning Act, the purpose and intent of the Official Plan and Zoning Bylaw are maintained and is appropriate for the development of the land and is minor in nature.

C. Application A006/21

An application has been made by Mathew and Ricki Jenniskens of 5221 Petrolia Line in the Township of Enniskillen. The applicants propose to construct a new dwelling which will include a 1,000 square foot granny suite. The applicants request a minor variance to Bylaw 58 of 2015 Section 3.8 (k) to increase the area of the granny suite to 1,000 square feet.

Correspondence:

Rob Nesbitt- County of Lambton

Corrine Nauta- County of Lambton

Present: Mathew Jenniskens
Rob Nesbitt County of Lambton

Kevin Marriot reviewed the application indicating that the applicants wanted to construct a granny flat in a new dwelling proposed for their farm. Mr. Jenniskens needed assistance from his family due to his physical condition. The application requested that the granny suite be up to 1,000 square feet.

Rob Nesbitt in reviewing the application noted that Mr. Jenniskens had suffered a significant injury. The proposed granny suite was larger partially due to space required for wheel chair accessibility. The proposal would see Mr. Jenniskens daughter and family living in the other portion of the house.

Mr. Nesbitt noted that the increase in the granny suite would be 66% more than provided for in the zoning bylaw.

Mr. Nesbitt reported that in his opinion the variance met the tests of the Planning Act. The Chief Building Official reported that a new septic system would be required for the new house.

Moved by Judy Krall

Seconded by Chad Burke

That minor variance application B006/21 be approved to Section 3.8 (k) of Bylaw 58 of 2015 to increase the area of the granny suite to 1,000 square feet.

Carried.

Conditions:

No conditions.

Reasons:

The Minor variance as outlined in the planning report meets the four tests of the Planning Act, the purpose and intent of the Official Plan and Zoning Bylaw are maintained and is appropriate for the development and is minor in nature.

D. Adjournment

Moved by Judy Krall

Seconded by Wally Van Dun

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

Carried.

Mayor

Secretary

