

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

ELEVENTH MEETING

MINUTES

MAY 5 2015

A meeting of the Council of the Corporation of the Township of Enniskillen was held on Tuesday May 5 2015 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Mary Lynne McCallum, Wally Van Dun, Judy Krall and Kathy O'Hara Wilson

Mayor Marriott chaired the meeting.

Pecuniary Interest

Mayor Marriott requested that each member of Council declare an interest at the appropriate time within the agenda where an interest may exist.

A. Public Meeting- Review of Draft Official Plan and Zoning Bylaw

Present: Ed and Lynne Butler, Leon Raaymakers, Janet Hardy, Francis and Lorie Haight, Fred Sterling, Art de Boer, Brad Zantingh, John Vanderwal, Warren Graham and Carol Graham

Mayor Marriott reported that the public meeting was being held as required by the Planning Act to provide an opportunity for the public to formally comment on the draft Official Plan and Zoning Bylaw of the Township of Enniskillen.

Mayor Marriott requested that the Planner Will Nywening review the approval process. Mr. Nywening noted that the information received during the open house and the information received during the public meeting would be consolidated into a report to Council for a future meeting.

Mr. Nywening reported that those interested in future meetings would be provided notice. Mr. Nywening reviewed the approval process and the appeal process. He advised Council to wait for the approval of the Official Plan prior to the approval of the zoning bylaw.

Mr. Nywening noted that a letter had been received from Infrastructure Ontario to amend wording concerning hydro corridors.

Mr. Nywening noted that a letter had been received from the St Clair Region Conservation Authority. He commented on the wording in the official plan in regards to houses built in wooded areas.

Mr. Nywening reported on a request of a property owner on Marthaville Road to retain the agricultural zoning on his property rather than convert to a residential Zoning. This would permit agricultural structures on the property.

Mr. Nywening reported that a request had been made to amend the consent granting policy to permit any surplus dwelling unit to be separated from a farm holding regardless of the number of severances from the farm property in the past.

Mr. Nywening reported on a comment from the owner of 4421 Marthaville Road requesting that the agricultural zoning designation be changed to residential to permit the creation of two new residential lots.

Mr. Nywening reported that a comment had been received that did not support the new policy in the Official Plan to reduce the minimum farm size to 50 acres. Mr. Nywening noted that four letters were received that did not support the change in the plans to permit the creation of residential lots on Center Street. Mr. Nywening noted that one property owner on Center Street supported the creation of residential lots on Center Street.

Mr. Nywening reported that the addition of more land for residential development will require the preparation of a needs study. He noted that the complexity of a study of this purpose was dependent upon a variety of factors. He indicated that the study would be quite simple in content. He noted that this work would be completed and submitted to Council for consideration with the draft Official Plan.

Fred Sterling commented on the loss of agricultural land from residential development. He noted that he did not support the transfer of land from agriculture to residential land.

Mayor Marriott noted that the provincial governments wind turbine policy was withdrawing several hundreds of acres of farmland in the province.

Francis Haight questioned whether the change in zoning of his property would have an impact on his property taxes. It was noted that as long as the use of the land did not change the assessment class would not change.

Janet Hardy noted that there was other land in the Marthaville policy area that should be developed prior to the agricultural land on Center Street.

Carol Graham questioned whether Council had received the correspondence submitted concerning the official plan and zoning bylaw. It was noted that all correspondence commenting on the documents had been circulated to Council. Questions were raised concerning the completion of the justification report and that other undeveloped land in the Marthaville area could be used for residential purposes.

Mr. Nywening provided an explanation of the distinction in the planning process regarding settlement areas and clusters. He noted that the policies provided support to develop existing clusters where services exist.

Warren Graham noted that no studies had been undertaken to support the designation of Centre Street as a cluster. Mr. Graham asked whether the letters submitted concerning the residential development on Centre Street had changed anything.

Brad Zantingh confirmed his letter in regards to recommending a change in Council policy concerning the severance of surplus farm dwelling.

Councillor O'Hara Wilson noted that the provincial policies were changing to support additional residential development in rural areas.

Mr. Nywening noted that the intent of the provincial policy statements was to preserve agricultural land. He noted that the provincial policies did support development under specific circumstances.

Brad Zantingh questioned whether development of land in Enniskillen to the south of Wyoming had been considered by Council.

Carol Graham questioned whether residential land in Marthaville had been maxed out. Mr. Nywening noted that there was additional land in Marthaville for residential development.

A discussion took place in regards to the changes in the provincial policy statements concerning the placement of a second dwelling unit on a farm property.

Warren Graham noted that the Council needed to protect farm land from development.

Mr. Nywening reviewed the approval process and the rights and process of Appeal.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Van Dun

That the public meeting to hear comments concerning the draft official plan and Zoning bylaw be closed.

Carried.

B. Minutes

Moved by Councillor O'Hara Wilson

Seconded by Councillor Van Dun

That the minutes of the meetings of April 7 and April 21 2015 be adopted as circulated.

Carried.

The Clerk reported that the Township operated a waterline on Old Walnut Road north of LaSalle Line in Brooke Alvinston.

In April a water leak had been repaired in the section of waterline. The pipe had pulled apart. Since the repair an 80 meter section of the road had become unstable and was shifting into Brown's Creek.

The ten inch water main servicing Brooke Alvinston was located in the same section of road.

A recommendation was made to Council that Enniskillen's four inch main be abandoned. The Council of Brooke Alvinston had agreed to add the three services on the Enniskillen waterline to their system.

The replacement of the Enniskillen main was estimated at \$23,000.

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That the Council approves the transfer of the three water services on Old Walnut Road north of LaSalle Line to the Brooke Alvinston water system,

That the Enniskillen staff proceed to prepare documents required to permit the transfer of the water services,

That Enniskillen staff assist in connecting the three water services to the Brooke Alvinston water main.

Carried.

The Clerk noted that a letter had been received from the Town of Petrolia requesting a second meeting to discuss the Fire Chief position for the Petrolia North Enniskillen fire department.

The Clerk was requested to provide dates in the last week of May 2015.

E. Correspondence for information

1. AMO-
 - a. 2015 Ontario Budget
 - b. Supreme Court of Canada Decision on Prayer before Council Meetings
 - c. Steward Obligation for Blue Box 2015
 - d. Federal Budget provides new transit Fund and limited housing support
 - e. Advisory Council on Government Assets Report
 - f. Review of Waste
 - g. What's Next Ontario
 - h. AMO's Policing Modernization Report
2. AMCTO- 2015 Ontario Budget
3. College of Physicians and Surgeons Ideal Physician roles
4. Sarnia Lambton Research Park
 - a. Board Highlights
 - b. Debate on refining
5. County of Lambton- Creative County Fund
6. OGRA New Connecting Links Program

7. County of Lambton 2015 County Grant
8. Waste Diversion Ontario- Blue Box Funding
9. Ontario Provincial Police-online self-reporting
10. Minister of Energy- Changes in Electricity Distribution Organization
11. Ministry of Agriculture, Food and Rural Affairs 2015/2016 Tile Loan Program
12. City of Sarnia- Surplus City Property
13. Ministry of Finance- OMPF payment # 2
14. Minister Responsible for Seniors Affairs- Senior's Month
15. St Clair Region Conservation Authority Meeting Highlights Apr 23 2015

Moved by Councillor Krall

Seconded by Councillor Van Dun

That Correspondence items 1-15 be received and filed.

Carried.

F. Correspondence requiring motions

1. Resolution Township of Carling –Ontario Hydro rates
2. Resolution Township of Hornepayne- Ontario Hydro rates

Moved by Councillor O'Hara Wilson

Seconded by Councillor McCallum

That the resolution from the Townships of Carling and Hornepayne requesting the halt of increasing Ontario Hydro rates be supported.

Carried.

G. Accounts

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the accounts be paid as circulated:

Cheque: 8395-8425: \$228,703.04

Cheque: 8426-8444: \$ 145,309.78

Carried.

H. Bylaws

1. Bylaw 36 of 2015 Confirmation Bylaw
2. Bylaw 37 of 2015 Drain Debenture Bylaw

Moved by Councillor McCallum

Seconded by Councillor Krall

That first and second reading be given to Bylaws 36 and 37 of 2015.

Carried.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Van Dun
That third and final reading be given to Bylaws 36 and 37 of 2015.
Carried.

I. Court of Revision- Butler Drain 8:15 pm

Moved by Councillor Krall
Seconded by Councillor O'Hara Wilson
That the Court of Revision for the Butler drain be opened.
Carried.

Present: Bruce Cox and Lenny Duncan

Ray Dobbin noted that he had not received any comments concerning the assessments in the report.
The Clerk noted that no written appeals had been received concerning the assessments in the report.
Mr. Duncan questioned whether the blocks on his bridge would be recycled during the construction project.

Moved by Councillor Van Dun
Seconded by Councillor Krall
That the assessment schedule for the Butler Drain be confirmed.
Carried.

Moved by Councillor McCallum
Seconded by Councillor Krall
That the Court of Revision for the Butler Drain be closed.
Carried.

Ray Dobbin reported on the tenders received for the construction of the Butler Drain.

Van Bree Drainage: \$373,640.15
A. G. Hayter: \$478,402.45
Robinson Farm Drainage: \$424,032.50
J&L Henderson: \$ 381,939.04

The Engineer reported that the tender had required that the digging of the drain and the installation of the bridges be completed by August 31 2015. The low tender from Van Bree Drainage did not propose to start the project until Oct 1 2015. The Engineer recommended to Council that the tender from J & L Henderson be accepted to undertake the work starting on July 1 2015.

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That the recommendation of the Engineer be accepted to accept the tender from J&L Henderson for the construction of the Butler Drain.

Carried.

C. Interview:

Request for Drain Maintenance-Terry Callaghan Naylor Piggott Drain,

Moved by Councillor McCallum

Seconded by Councillor Van Dun

That a site meeting be held for the Naylor Piggott Drain with Councillor O'Hara Wilson as the Council representative.

Carried.

Ray Dobbin reported on the site meeting held concerning the Radford Piggott Drain. He noted that the property owners were interested in having the drain cleaned including the portion north of Oil Springs Line.

Moved by Councillor O'Hara Wilson

Seconded by Councillor Krall

That the Drainage Superintendent be directed to obtain tenders for the clean out of the Radford Piggott Drain.

Carried.

Ray Dobbin reported that the leveling of mud on the Arn Drain and Fox Creek was underway.

Mr. Dobbin reported that dump sites had been obtained for the Butler Drain.

Moved by Councillor Krall

Seconded by Councillor O'Hara Wilson

That the Council move into the Committee of Adjustment.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That the meeting of Council be opened.

Carried.

D. Other Business

1. Memo to Council – Council Prayer

Council discussed the memo concerning prayers associated with Council meetings.

2. Memo to Council- Motor Vehicle Accidents with deer
A discussion took place in regards to the reported number of motor vehicles accidents associated with deer in the Township.
3. Memo to Council- Township Employee Benefit Plan

The Clerk reported that no increase in fees were anticipated concerning the municipal employee benefit program during the next year.

4. Donation Request- Deker Bauer Foundation

Moved by Councillor Van Dun

Seconded by Councillor Krall

That a donation of \$250 be made to the Deker Bauer Foundation.

Carried.

5. Memo re: K2 Wind Ontario Inc. in Huron and Bruce Counties

Councillor Van Dun asked that a review be undertaken of a property along Marthaville Road to determine if a water leak was present.

Councillor O'Hara Wilson questioned whether a review was undertaken concerning standing water on a residential lot in Oil City.

An update was provided concerning the Tile Yard Road project.

Cement work was underway on the new salt shed.

E. Adjournment

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the meeting be adjourned.

Carried.

Mayor

Clerk