

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

EIGHTEENTH MEETING

MINUTES

SEPTEMBER 17 2019

A meeting of the Council of the Township of Enniskillen was held on Tuesday September 17 2019 at 7:00 pm at the Enniskillen Council Chambers.

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

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. Minutes

Moved by Councillor Krall

Seconded by Councillor McCallum

That the minutes of the meeting of September 3 2019 be adopted as circulated.

Carried.

B. Public Meeting High Park Official Plan and Rezoning 7:00 pm

Mayor Marriott indicated that applications had been received from Enniskillen Pepper to change the Official Plan and Zoning Bylaw of the Township to permit the preparation of cannabis edibles from the property located at 4376 LaSalle Line. Mayor Marriott requested that Rob Nesbitt planner for the Township review his report on the application.

Mr. Nesbitt reported to Council that the proposal was consistent with the Provincial Policy Statements regarding development in agricultural areas. He noted that the limited scale of the proposed production of edibles was clearly secondary to the primary agriculture use of the land.

He noted that the proposal was consistent with several policy considerations for agricultural development in the current County of Lambton Official Plan.

Mr. Nesbitt noted that the Township of Enniskillen Official Plan promoted value added farm activities which could include the production of edibles from the site.

Mr. Nesbitt commented that Council should ensure that landowners in the area were not being impacted by the proposed use in regards to odour, lighting and noise.

Mr. Nesbitt commented on the planning justification report submitted by the proponent. The report confirmed that the greenhouse operation was compliant with Health Canada regulations regarding odour. He noted that the nearest

resident was 90 meters from the greenhouse operation and complaints had been received regarding odour from the site.

Mr. Nesbitt noted that lighting had been raised as an issue on certain occasions. He reported that on his site visits he did not experience any noise issues.

Mr. Nesbitt reported that 20 additional vehicle movements for employees would not likely impact the area.

Mr. Nesbitt commented that the adjacent landowners should not be impacted by the current operations and any planned change in use on the property. Mr. Nesbitt recommended to Council that the developer be requested to provide noise, traffic and odour studies. The information could assist Council in making a decision on the current applications.

Mr. Nesbitt reported that he supported the application noting that the application was consistent with the policies in the Provincial Policy statements, Lambton County Official Plan policies and the Township of Enniskillen Official Plan Policies.

Scott Allen a planner representing the applicant provided an overview of his planning report. He noted that he agreed with Mr. Nesbitt's interpretation of the Provincial Policy statements, County Official Plan Policies and the Township Official Plan policies.

Mr. Allen noted that Health Canada had made four inspections of the site since 2018. He noted that Health Canada had confirmed that the site was in compliance with their license regarding odour. He reported that odour cannons to mask the smell and carbon filter air cleaners had been installed in the greenhouse to address odour.

Mr. Allen reported that the growing of cannabis required between 12-18 hours of lighting. Black out curtains had been installed in the greenhouse to reduce light leaving the greenhouse. With the introduction of the new cooling system in the greenhouse the blackout curtains would be more effective. He noted that a license application was being prepared to enclose a section of the poly greenhouse to isolate the plants that required 18 hours of light.

Mr. Allen reported that a fence had been erected on the south side of the greenhouse to mitigate sound from temporary cooling equipment. He noted that the permanent cooling system would not have an external electric generator. Mr. Allen discussed the non-staff traffic generated from the operation of the site. He reported that the operation would employ 250 people in two shifts.

Mr. Allen reported that he had been directed to confirm that an earlier rezoning application to increase the permitted site occupancy from 20 % to 50% would be withdrawn.

Eric Davis noted that he was present to outline the concerns of his clients Trevor Brand and Cathy Brand. He indicated that there were nuisance impacts from the greenhouse operation.

Mr. Davis indicated that a report had been prepared and circulated by Jay McGuffin a planning consultant. The report indicated that there had not been assessments made to determine adverse impacts from the greenhouse.

Mr. Davis speculated that the expansion proposed could have a cumulative impact on the area.

Mr. Davis asserted that although the growing of cannabis at the greenhouse site was federally regulated the Township should consider impacts in the area as part of the review of the applications. He asserted that such studies would assist in determining whether the current uses in the area are compatible with the expanded operation.

Mr. Davis supported the recommendation of Mr. Nesbitt to undertake objective odour, traffic and noise studies of the greenhouse.

Mr. Davis noted that his client simply wanted to mitigate the nuisance.

Councillor Krall questioned Cathy Brand whether the preparation of the studies would satisfy her concerns.

Mrs. Brand indicated that she did not know.

Councillor Krall noted that a letter had been sent by the Township to Health Canada concerning the odour at the site. She noted that a Council resolution had been sent to the Minister of Agriculture requesting the introduction of a minimum distance separation for cannabis operations.

Alan Lynch from High Park noted that they were good neighbours.

Kirsty Burns from High Park noted that each concern raised by the neighbours was actioned and addressed by High Park.

Comments were made by High Park personnel that farms do generate smells. It was noted that a chicken operation existed in the nearby area that generated odour.

It was noted that the wind does not always blow from the north.

Jack Greydanus noted that the High Park operations benefited the community with employment, economic spin offs into the community and increased taxation to the Township. He also noted that other neighbours have benefited from work generated from the site.

Mr. Greydanus noted that the current and proposed operations at High Park were the areas of growth that the provincial and federal governments were promoting. The area needed new high paying jobs.

Trevor Brand noted that his family had been in the area for 40 years and had built a house and shop on the property. He noted that clay tile had been installed by hand in the farm by his family. He stated that they had no say in the startup of the greenhouse. He noted that MPAC had reduced the value of his property due to the nuisance created by the greenhouse operation.

Moved by Councillor McCallum

Seconded by Councillor Krall

That the review of the Official Plan and Zoning Bylaw be deferred until the technical studies recommended by the Township planner were prepared and submitted by High Park to the Township for review.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the meeting of the Committee of Adjustment be opened.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor Krall

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

Carried.

#### C. Meeting to Consider Shiloh Line Drain Report 7:45 pm

No ratepayers were present for the Shiloh Line West Drain.

Ray Dobbin presented the report. He noted that a petition had been received under Section 4 of the Drainage Act to address drainage at the intersection of Shiloh Line and Mandaumin Road. He noted that the road side drain and tile was insufficient to deal with surface water from the farm properties and the road allowance.

He recommended that a new catchbasin and tile drain be installed to start at the north side of Shiloh Line at Mr. Persichilli driveway and outlet into the Stewart Drain north along Mandaumin Road.

Mr. Dobbin reported on the cost of the work.

Moved by Councillor McCallum

Seconded by Councillor Krall

That first and second reading be given to Bylaw 49 of 2019 the Shiloh Line West Drain.

Carried

#### D. Interviews

##### 1. Drains- Request for Maintenance Plympton-Johnson Drain

Mr. Dobbin reported that a request had been made to provide erosion control on the Plympton-Johnson Drain.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the Drainage Superintendent proceed to undertake repairs to the Plympton-Johnson Drain.

Carried.

##### 2. Sewer- update on operations

The Clerk reported that alum was to be applied to the Oil City Sewage Lagoon on September 18, 2019. The lagoon would be discharged after the samples indicated that the lagoon met discharge parameters.

The Clerk reported that Oil Springs had recently completed a smoke test of their sewage system. The testing attempted to determine if cross connections existing from surface water sources entering the sewage system.

##### 3. Road- update on operations

The Clerk reported that Huron Construction would be returning in the current week to complete patches on Rokeby Line east. The cut ins for the two bridges on Shiloh Line east would be completed at the same time. The asphalt work on Shiloh Line was planned for September 25 2019.

#### E. Correspondence for Information

- 1, Mississippi Mills support of farm safety resolution
2. Wasaga Beach support of resolution regarding municipal amalgamation
3. Dawn Euphemia appointment of new fire chief
4. Ministry of Municipal Affairs More Homes, More Choice Act regulations
5. St Clair Catholic District School Board multi-year capital planning projections
6. Lambton Group Police Services Board May/June 2019 report

7. Ben Puzanov County of Lambton OPA # 1
8. Ben Puzanov County of Lambton OPA # 2
9. Lambton Kent District School Board sale of Sarnia Collegiate property

Moved by Councillor Krall  
Seconded by Councillor McCallum  
That correspondence items 1-9 be received and filed.  
Carried.

F. Correspondence requiring motions

1. Resolution Kitchener single-use wipes

Moved by Councillor Krall  
Seconded by Councillor Van Dun  
That the resolution from Kitchener be received and filed.  
Carried.

2. Resolution Larder Lake- electronic delegations

Moved by Councillor Krall  
Seconded by Councillor McCallum  
That the resolution from Larder Lake regarding electronic delegation meetings be supported.  
Carried.

3. Resolution Zorra Conservation Authority program funding

Moved by Councillor McCallum  
Seconded by Councillor Van Dun  
That the resolution from Zorra concerning Conservation Authority Funding be received and filed.  
Carried.

4. Resolution Mulmur Special Constable enforcement of Highway Traffic Act

Moved by Councillor Krall  
Seconded by Councillor Van Dun  
That the resolution from Mulmer be received and filed.  
Carried.

G. Accounts

Moved by Councillor McCallum

Seconded by Councillor Krall  
That the accounts be paid as circulated;  
Cheque: 13647-13675: \$ 267,307.00  
Cheque: 13676-13680: \$ 272,166.57  
Cheque: 13681-13689: \$ 90,132.45  
Carried.

#### H. Bylaws

##### 1. Bylaw 50 of 2019 Confirmation Bylaw

Moved by Councillor McCallum  
Seconded by Councillor Van Dun  
That first and second reading be given to Bylaw 50 of 2019.  
Carried.

Moved by Councillor Krall  
Seconded by Councillor McCallum  
That third and final reading be given to Bylaw 50 of 2019.  
Carried.

#### I. Other Business

1. Budget to actual August 31 2019
2. Chief Arns Petrolia North Enniskillen Fire Department Organizational structure

3. Chief Arns Vehicle Extrication Rescue Equipment  
A discussion took place regarding the placement of municipal emblems on the new ladder truck. The Council recommended that the stickers were not necessary.

##### 4. Memo Oil City Vacant Lot

Moved by Councillor Krall  
Seconded by Councillor Van Dun  
That the Clerk be directed to engage a real estate agent to list the vacant lot for sale.  
Carried.

##### 5. Memo Joint/Several Liability

The Clerk reported that the Township insurance broker planned to circulate information on the matter to their clients in the near future.

6. Draft Water Bill insert

A discussion took place regarding a washroom-pavilion design for estimating purposes for Krall Park.

The Clerk was instructed to use the cement block building design submitted by Chet Lieu.

Correspondence was received from Cogeco regarding a letter of support for their applications for enhanced internet and cell phone systems in the area.

Moved by Councillor McCallum

Seconded by Councillor Krall

That letters of support be supplied to Cogeco for increasing internet and cell phone service within the municipality.

Carried.

J. Adjournment

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the meeting be adjourned.

Carried.

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Mayor

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Clerk