

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

TWENTY-THIRD MEETING

MINUTES

DECEMBER 3 2019

A meeting of the Council of the Township of Enniskillen was held on Tuesday December 3 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 November 19 2019 be adopted as circulated.
Carried.

C. Correspondence for information

1. South Huron response to Prescott resolution regarding transformation of building services
2. Ministry of Transportation – expanded use of off road vehicles
3. Demand the Right Coalition- municipal approval of landfill sites
4. Amherstburg Joint and Several Liability Consultation
5. Ontario Clean Air Alliance Pickering wants its waterfront back
6. Ministry of Agriculture biogas rules
7. Cannabis Host Community Network
8. County of Lambton Council highlights Nov 27-19

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That correspondence items 1-8 be received and filed.
Carried.

D. Correspondence requiring motions

1. Resolution Larder Lake- extension request for Main Street Revitalization Grant

Moved by Councillor Krall

Seconded by Councillor McCallum

That the resolution from Larder Lake be supported.
Carried.

2. Resolution Amherstburg Climate Emergency

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the resolution from Amherstburg concerning a climate change emergency be received and filed.

Carried.

3. Resolution Whitchurch-Stouffville- ban single use disposable wipes

Moved by Councillor Krall

Seconded by Councillor McCallum

That the resolution from Whitchurch-Stouffville regarding single use disposable wipes be received and filed.

Carried.

E. Interviews

1. High Park Official Plan and Zoning Bylaw 7:05 pm

Present: Scott Allen, Jonathan Kahn, Kirsty Burns, Mike Brown and Douglas Booth of High Park, Trevor Brand, Simon Rice, Jim Annett, Lloyd and Donna Ferguson, Ross and Karen Ringwood, Ron DeMeester and John Hakker.

Rob Nesbitt read his November 22 2019 report to the Council. Mr. Nesbitt reported that the traffic report had satisfied the County of Lambton regarding the intersection of Oil Heritage Road and LaSalle Line.

He noted that additional technical information had been provided by High Park. The report from O2e Inc had projected that the odour created by the proposed edibles area in the greenhouse was negligible. He noted that no light issue would be created due to the area being totally enclosed.

Mr. Nesbitt reported that an interested neighbour had appealed to the Normal Farm Practice Review Board concerning odour, lighting, traffic and noise associated with the current operation. Mr. Nesbitt indicated that the appeal body was better suited to address these matters.

Mr. Nesbitt recommended approval of the proposed Official Plan amendment and Zoning Amendment.

Scott Allen noted that he was a planner representing High Park. He indicated that he supported the recommendation of the County Planner. Mr. Allen noted that the change in the Official Plan was supported by the Provincial Policy Statements. He indicated that the consultant reports presented with the application noted that there would be no impact on the neighbourhood regarding odour. He indicated that the existing operations were in compliance with Health Canada license requirements.

Johnathan Kahn noted that he was a lawyer representing High Park. He noted that the Council was reviewing an Official Plan and Zoning amendment to permit cannabis edibles to be produced in the existing greenhouse. Mr. Kahn commented on the Health Canada inspection reports regarding the current licensed facility. He noted that the inspection had confirmed that the site was in compliance but included recommendations for what the inspector confirmed to be minor matters. This included a concern to address an odour issue associated with the parking lot area. High Park had responded to the inspection and was making changes at the site which would include moving the cannabis waste storage to the rear of the property and to install a cooling system in the greenhouse to reduce the frequency of the greenhouse vents.

Mr. Kahn acknowledged that the Normal Farm Practices Review Board had been involved concerning a complaint about the greenhouse. Mr. Kahn reported that the Board had recently reviewed High Parks' plans to be undertaken on the site to address the complainants concerns. At the request of the complainant the matter had been adjourned until May of 2020 to determine whether the High Park site modifications were effective in controlling lights, odour and noise.

Councillor Krall questioned a reference in the O2e report regarding the definition of "de minimus".

Mr. Kahn noted that the report from O2e had concluded that the odour generated by the proposed facility would be negligible.

Councillor McCallum noted that the proposed activity was commercial and not a value added farm business and not in the best interest of the municipality.

Councillor Van Dun noted that the current process was stressful on all members of Council. He noted that Council needed to separate what has taken place at the site from the applications before Council this evening. He noted that the applicants had submitted all documents requested by Council for review of the proposed applications.

Rob Nesbitt noted that he had circulated this evening a minor modification to the wording of the zoning bylaw which confirmed that the bylaw schedule formed part of the zoning bylaw.

Moved by Councillor Van Dun

That the Council of the Township of Enniskillen approve the High Park Official Plan and Zoning Amendment.

The motion failed due to a lack of seconder.

Rob Nesbitt reviewed the appeal process available to the Local Planning Appeal Tribunal.

2. Roads: roads expenditures

The Clerk reviewed specific road expenditures as requested by Council from the last meeting.

3. Drainage: Stevenson Drain site meeting

Councillor Krall discussed the results of the site meeting. She noted that the Drainage Superintendent had recommended that the cleaning of the drain be undertaken on an hourly basis. Brushing had been undertaken in the last two years by Racher Farms.

Moved by Councillor Krall

Seconded by Councillor McCallum

That the Drainage Superintendent be directed to engage a contractor on an hourly basis to clean out the Stevenson Drain.

Carried.

4. Water: 2020 Water Rates,

The Clerk reported that notice had been received from the Town of Petrolia that the sale rate of water to the Township would increase by 2 cents per cubic meter starting on January 1 2020. The Clerk noted that the request fell within the terms of the current agreement.

The Clerk noted that a bylaw had been circulated to authorize the water rate increases.

5. Canada Infrastructure Program- Petrolia,

A request was received from the Town of Petrolia to support an infrastructure application to provide funding to replace the intake line for the Bright's Grove water treatment plant. The Clerk noted that a resolution had been circulated for Council's review.

Moved by Councillor Krall

Seconded by Councillor Van Dun

THAT the Council of the Township of Enniskillen endorse a joint partnership with the Town of Petrolia, Village of Oil Springs and the Township of Dawn/Euphemia in an application for funding through the 2019 Investing in Canada Infrastructure Program: Green Stream for replacement of the Brights Grove Water Treatment Plant raw water in-take pipe;

AND THAT the partnering municipality contribution will be based on the actual water used, calculated from 2018 actual consumptions, with the Township of Enniskillen percentage to be 39.6%;
AND THAT the Town of Petrolia will be the lead municipality on the application and project, responsible for application, follow up reporting and project management.”
Carried.

LaSalle Pump station

The Clerk reported that one of the pump impellers had been replaced at the LaSalle pump station. Two new impellers had been ordered for inventory.

Mrs. Poland noted that two staff members had been successful in obtaining their Operator in Training certificates for operations in the water system.

F. Accounts

Moved by Councillor McCallum
Seconded by Councillor Krall
That the accounts be paid as circulated:
Cheque: 13911-13938: \$ 57,027.34
Cheque: 13939-13943: \$ 756,267.40
Cheque: 13944-13959: \$ 65,463.81
Carried.

G. Bylaws

1. Bylaw 67 of 2019 Bylaw to Authorize Policing Agreement
2. Bylaw 69 of 2019 Tile Loan Rating Bylaw
3. Bylaw 70 of 2019 Water Rate Bylaw
4. Bylaw 71 of 2019- Confirmation Bylaw

Moved by Councillor Krall
Seconded by Councillor Van Dun
That first and second reading be given to Bylaws 67, 69, 70 and 71 of 2019.
Carried.

Moved by Councillor McCallum
Seconded by Councillor Van Dun
That third and final reading be given to Bylaws 67, 69, 70 and 71 of 2019.
Carried

H. Other Business

1. St Clair Conservation Authority 2020 Draft Budget

Moved by Councillor Van Dun
Seconded by Councillor McCallum
That the St Clair Region Conservation Authority 2020 budget be referred to Councils 2020 budget considerations.
Carried.

2. Wyoming Public Cemetery-Grant request

Moved by Councillor Krall
Seconded by Councillor Van Dun
That the request for a grant from the Wyoming Public Cemetery Board be referred to budget review.
Carried.

3. Petrolia Fire Committee Nov 21/19, minutes, Training Center operating plan, draft establishment and regulating bylaw.

Councillor Krall reported to Council on the November 21 2019 Petrolia North Enniskillen Fire Management Committee meeting. Councillor Krall reported that the committee had reviewed a draft operations bylaw for the department as well as a training center business plan.
Councillor Krall reported that the training center would be operated by the department and fees would be charged to other departments to attend training. Funds generated from the center would be used to offset operating expenses. Any surplus would be directed to a reserve for maintenance of the site.

4. Memo St Clair Authority Planning Role

The Clerk reviewed the planning role of the Conservation Authority in Lambton. Further discussions on the matter would take place as additional information became available.

I. Adjournment

Moved by Councillor McCallum
Seconded by Councillor Krall
That the meeting be adjourned.
Carried.

Mayor

Clerk