

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

TWENTY-SECOND MEETING MINUTES

NOVEMBER 19 2019

A meeting of the Council of the Township of Enniskillen was held on Tuesday November 19 2019 at 7:00 pm at the Enniskillen Council Chambers.

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

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 Burke

That the minutes of the meeting of November 5 2019 be adopted as circulated.
Carried.

B. Interviews

Water: Lead sampling

The Clerk discussed lead sampling procedures associated with the municipal water systems.

The Clerk reviewed the discussions that had taken place regarding the Petrolia water distribution held on November 18 2019. The Clerk reported that Petrolia staff had reported on new subdivisions proposed for the Town in the future. Little growth in water usage was predicted for the Township of Dawn-Euphemia and Enniskillen Township. The Clerk noted that the Town was proposing to submit an application for infrastructure funding to replace the intake line into Lake Huron. The Town proposed a joint application for the project. Additional information on the proposal would be forthcoming.

Sewer: Update on Sewer lagoon discharge

It was noted that the lagoon discharge sampling were within Ministry standards. A pump in the sewer pump station was replaced in the last week.

C. Correspondence for information

1. Ontario Clean Air Alliance rising cost of electricity
2. Ontario Clean Air Alliance rising electricity rates
3. Wasaga Beach support of Springwater resolution
4. Sustainable Public Sector for Future Generations Act
5. AMO Federal Gas Tax transfers

6. Oil Springs notice of passage of zoning bylaw
7. County of Lambton-Vacancy Rebate Program cancelled
8. Ministry of Health Integrate Health Care Systems
9. Ministry of Health expanding digital and virtual health care
10. Ministry of Attorney General-Changes to Civil Court procedures
11. Job Site Challenge

Moved by Councillor Krall
Seconded by Councillor McCallum
That correspondence items 1-11 be received and filed.
Carried.

D. Correspondence requiring motions

1. Resolution Sudbury joint and several liability

Moved by Councillor Krall
Seconded by Councillor Burke
That the resolution from Sudbury regarding joint and several liability be received and filed.
Carried.

2. Resolution Perry Building Code Modernization

Moved by Councillor Krall
Seconded by Councillor McCallum
That the resolution from Perry Township regarding changes in the Building Code be received and filed.
Carried.

E. Meeting to Consider McFadyen Drain 7:15 pm

Moved by Councillor Krall
Seconded by Councillor McCallum
That the meeting to consider the report on the McFadyen Drain be opened.
Carried.

Present: Leo Burns, Wayne McMurphy, Ron Martin and Connie McFadden from the Village of Oil Springs

Ray Dobbin provided an overview of the report outlining that the drain was extended to the west of Tile Yard Road to address erosion from the McFadyen Drain. He noted that the estimated cost was \$30,800. Mr. Dobbin noted that the report provided for drain profiles for the open ditch west of Oil Heritage Road.

Ron Martin noted that the ditch should be straightened out through the property west of Oil Heritage Road.

Mr. Dobbin noted that this could be accommodated in a future report but it would take time to address the Department of Fisheries concerns.

Mr. Dobbin reported that he would be recommending changes to the drainage area during the Court of Revision. A fifty acre parcel in Dawn-Euphemia had been drained into another municipal drain.

Moved by Councillor McCallum

Seconded by Councillor Krall

That first and second reading be given to Bylaw 68 of 2019 a bylaw to adopt the McFadyen Drain Report.

Carried.

The Clerk discussed appeal processes for the report and assessments. Notices for the Court of Revision would be sent out for a future meeting.

The Clerk requested information on the maintenance of a culvert on the Lindsay Drain. The Engineer reported that the culvert did not form part of the drainage works.

Councillor McCallum questioned whether the Lindsay Drain had been deepened to accommodate drainage water from the greenhouse located on the drain.

The Engineer reported that the Lindsay Drain had been cleaned but it had not been deepened or widened.

Planning: Rob Nesbitt-High Park Site Plan amended site plan agreement--7:30 pm. Memo Severance B003/19

Present: Trevor Brand, Chris Weyers and Douglas Booth

Mr. Nesbitt reviewed his report regarding the amendment to the site plan agreement for the High Park site. He noted that the proposal would see the construction of a 20,000 square foot addition to the drying building and proposal for a 4,800 square foot storage building. He noted that an additional drainage pond would be in place as part of the site drainage system.

Mr. Nesbitt noted that adequate storage existed on site to meet the 48 hour water storage requirement.

Councillor McCallum noted that there were extensive changes made to the site plan and questioned whether the proposal exceeded the maximum lot coverage.

Mr. Nesbitt noted that the lot coverage provision in the zoning bylaw related only to buildings or structures on site and that the proposal did not exceed the maximum lot coverage.

Mrs. McCallum noted that the site plan did not include the third driveway.

Mrs. McCallum questioned what activity was taking place in the house located on the site.

High Park staff noted that the house was vacant.

Mrs. McCallum noted that she had concerns with the odour and lights from the greenhouse.

Councillor Krall noted that she had concerns with odour and lights from the greenhouse. She noted that the site plan presented to Council was no different than anyone in the municipality requesting permission to build a shed or barn on their property.

Councillor McCallum noted that as the High Park facility grew it would increase the problem with the neighbours in the area.

Rob Nesbitt reported that Council could place wording in the agreement requiring further information on the use of the storage building as a condition for the issuance of a building permit.

Mr. Nesbitt reviewed the number of parking spaces for the site indicating its increase to accommodate additional workers at the site.

He reported that the applicants were required to obtain approval from the Ministry of Environment in regards to the storm water retention system for the greenhouse. The agreement would permit the municipality access to the certificates of approval.

Chris Weyer from High Park noted that the license changes had been received from Health Canada to move the propagation zone to the poly greenhouse. When this change was completed the exterior glow would be reduced.

He noted that the completion of the cooling system in the glass greenhouse would reduce the need to vent the building using the roof louvers. As a result the amount of odours released into the environment would be reduced.

Moved by Councillor Krall

Seconded by Councillor Burke

That the planners report be accepted and that the site plan agreement be modified requiring further information on the use of the proposed storage building prior to the issuance of the building permit for its construction.

Councillor McCallum requested a recorded vote:

Councillor Krall: support

Councillor Burke: support

Councillor McCallum opposed

Mayor Marriott: support

Motion Carried.

Rob Nesbitt noted that he would be attending a presentation the next evening sponsored by Public Health in regards to the experiences in Colorado with the introduction of cannabis.

Councillor Krall reported that Enniskillen resolution regarding minimum separation distances had been supported by the Ontario Federation of Agriculture and would be submitted to the Canadian Federation of Agriculture for support.

Mr. Nesbitt outlined some observations regarding how other municipalities were putting in place setback requirement for cannabis facilities. Very little information was available on setbacks for outdoor grow operations.

The Clerk noted that an outreach discussion would be forthcoming with the Conservation Authority regarding its interaction with the regulating of development in the community.

A discussion took place in regards to the inaccuracy of the floodplain mapping.

F. Accounts

Moved by Councillor Krall

Seconded by Councillor McCallum

That the accounts be paid as circulated:

Cheque: 13863: \$ 67,460.44

Cheque: 13864-13891: \$ 360,499.85

Cheque: 13892-13910: \$ 59,945.52

Carried.

G. Bylaws

1. Bylaw 49 of 2019- Shiloh Line West Drain

2. Bylaw 64 of 2019- High Park amended site plan agreement

3. Bylaw 65 of 2019 Drain Rating Bylaw

4. Bylaw 66 of 2019 Confirmation Bylaw

Moved by Councillor McCallum

Seconded by Councillor Burke

That first and second reading be given to Bylaws 64, 65 and 66 of 2019
Carried.

Moved by Councillor Krall

Seconded by Councillor Burke

That third and final reading be given to Bylaws 49, 64, 65 and 66 of 2019.
Carried.

H. Other business

1. Municipal Modernization Program Intake 1

The Clerk reported that the modernization program expression of interest was required to be submitted by December 6 2019. At the present time there was no staff recommendation for a project.

The Clerk noted that when further information was available it would be submitted to Council for review.

2. Memo Exotic animals

The exotic animal bylaw from Lambton Shores was circulated for Council review.

Moved by Councillor McCallum

Seconded by Councillor Krall

That no action be taken on passing an updated exotic animal bylaw.
Carried.

3. Memo Audit Services

The Clerk reported that the current auditing firm was interested in continuing to provide auditing services to the Township. The Clerk reported that an appointment bylaw would be prepared for Council approval.

4. Draft OPP Contract Policing Proposal

The Ontario Provincial Police had circulated draft agreements for the renewal of the contract policing for the Lambton Policing Group.

Mayor Marriott noted that there would be a discussion on the matter during Lambton County committee meetings on November 20th 2019.

The Clerk reported that the matter would need to be addressed in December.

5. Budget to Actual Oct 31 2019

The Clerk was requested to report back on two questions regarding equipment repairs and general road expenses.

It was noted that two current public works staff would be taking tests for water and sewer operating licenses.

Councillor McCallum questioned whether road damage expenses had been calculated and submitted to High Park for truck hauling in 2019.

The Clerk reported that the expenses had not been calculated and submitted to High Park.

Councillor McCallum returned to a discussion regarding the site plan agreement for the greenhouse.

Councillor McCallum questioned whether the municipality reviewed the water usage at the site to confirm that the water was taken during off peak hours as provided for in the agreement.

The Clerk reported that there has not been any review of the time of day usage of water by the greenhouse operation. The Clerk noted that there were no water distribution system issues related to the taking of water by the greenhouse.

I. Adjournment

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

Mayor

Clerk