

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

NINETEENTH MEETING

MINUTES

JULY 24 2012

A meeting of the Council of the Corporation of the Township of Enniskillen was held on Tuesday July 24 2012 at 7:00 pm at the Enniskillen Council Chambers.

**Present:** Kevin Marriott, John Phair, Mary Lynne McCallum, Kathy O'Hara Wilson & Christine Greydanus.

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**

Minutes of the meeting of July 17 2012

Moved by Councillor O'Hara

Seconded by Councillor McCallum

That the minutes of July 17, 2012 be adopted as presented.

Carried.

**B. Public Meeting- John Vanderkloet rezoning 7:00 pm**

Present: John Vanderkloet & Rob Nesbitt, County of Lambton planner.

Planning Report- R Nesbitt

Mr. Nesbitt reviewed his report respecting the application for zoning bylaw amendment of John Vanderkloet's property Pt Lot 7 Conc. 6, 3276 Plowing Match Road. He explained that the zoning bylaw amendment was a condition set out in consent application B-006/12 prohibiting the construction or placement of dwellings on the remnant parcel created from consent B-006/12. It is recommended that a portion of the retained parcel (zoned A1) be rezoned to Agricultural-No Dwelling (A-ND) Zone to satisfy the PPS.

The County Planning Dept. recommended approval of the zoning by-law application.

Moved by Councillor O'Hara

Seconded by Councillor Phair

That Bylaw 37 of 2012 be read a first and second time this 24<sup>th</sup> day of July, 2012

Carried.

Moved by Councillor Greydanus

Seconded by Councillor McCallum

That Bylaw 37 of 2012 be read a third time and finally passed this 24<sup>th</sup> day of July, 2012.  
Carried.

**C. Interview: Landon Re: Off Road Vehicle Bylaw**

Present: Ariel & Vince Lyons, Stewart Powers, Lori & Francis Haight, Stan Klapak, Greg Brown, Mrs Paul Williams and Sandra Landon.

Mayor Marriott reviewed the history regarding Bylaw 49 of 2006 to regulate the operation of motorcycles with those present while waiting for the arrival of Sandra Landon.

Sandra Landon arrived at 7:15 p.m. and presented Council with her reasons for not passing Bylaw 42 of 2012 to include her property at 3917 Tile Yard Road in regulating the operation of motorcycles. Mrs. Landon stated there had been no official complaint made regarding the use of motorcycles on their property. She stated that her family had been considerate with their neighbours regarding the noise and time that the bikes were being used since the construction of the dirt bike track. She indicated that her young children were involved with bike competition events and no other persons were invited to practice on their track, it was for family use only. She noted that the track had been constructed in accordance with the approved guidelines and supervision of the St. Clair Region Cons. Auth.

Stan Klapak asked what steps would be taken by Council to deal with motor cycle noise on Sundays and stated that he would like no bike riding at all.

Francis Haight asked why the Bylaw did not include all residential areas in the Township. He also asked if the bylaw addressed the size of bikes that were allowed.

Mayor Marriott explained that the provisions in the bylaw were taken from other municipal district bylaws and they had carefully considered how the bylaw would impact the Township as a whole regarding numerous different noise related issues. To categorize types and sizes of bikes would need expert advice and noise levels to be measured.

Mrs. Williams pointed out that she had never been approached by Mrs. Landon about the installation of the motor bike track.

Vince Lyons pointed out that he had witnessed adults as well as children riding bikes on the Landon property.

Councillor McCallum stated that passing of the bylaw should not affect their usage of the track if they are already using it within the timelines stated in the bylaw.

Moved by Councillor McCallum

Seconded by Councillor Phair

That first & second reading be given to Bylaw 42 of 2012.

Councillor O'Hara Wilson spoke about amending the bylaw to include other residential areas like Oil City.

Planner Rob Nesbitt asked what is the specific issue, noise or fill placed in the track. He explained that Council has no authority to deal with the placement of fill on the property and that the Township Zoning bylaw prohibits a commercial bike track.

Moved by Councillor Greydanus

Seconded by Councillor O'Hara Wilson

That Bylaw No. 42 of 2012 be given third and final reading this 24<sup>th</sup> day of July, 2012.

All in favour.

Carried.

D. Interview:

**1. Roads**

- a. Sun Canadian Pipe Plowing Match Road maintenance

Council had no concerns regarding the pipeline valve rebuilding on the west side of Plowing Match Road between La Salle Line & Churchill Line as the work will be completed shortly.

**2. Drainage**

- a. Request for Drain Maintenance- Leo Deschamp has requested a cleanout of the Fox Creek Drain from 21 Sideroad (Black Ash Road) east.

Moved by Kathy O'Hara Wilson

Seconded by John Phair

That Councillor McCallum attend the site meeting to be held on the Fox Creek Drain.

Carried.

**E. Correspondence for information**

1. M Gravelle Minister of Natural Resources- commercial fill applications
2. Federation of Canadian Municipalities
  - a. communique July 12-12
  - b. Proposed Federal Wastewater Regulations

3. Environment Canada Protection for Canada's water quality
4. Ministry of Municipal Affairs Collective Bargaining in the Broader Public Sector
5. Lambton Elderly Outreach thank you

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That correspondence items 1 to 5 be received & filed. Carried.

F. Correspondence requiring motions

**G. Accounts**

There were no accounts submitted.

**H. Bylaws**

1. Bylaw 41 of 2012 – Auditor appointment bylaw

Moved by Councillor Phair

Seconded by Councillor Greydanus

That Bylaw 41 of 2012 be read a first, second & third time and finally passed this 24<sup>th</sup> day of July, 2012 appointing Bailey Kearney Ferguson as auditor for the 2012, 2013 & 2014 financial years. Carried.

2. Bylaw 43 of 2012 – Confirmation Bylaw

Moved by Councillor McCallum

Seconded by Councillor O'Hara Wilson

That Bylaw 43 of 2012 be read a first, second & third time and finally passed this 24<sup>th</sup> day of July, 2012.

**I. Other Business**

1. Plympton Wyoming Fire Department Agreement

No action was taken at this time, to be discussed at a later date.

J. Adjournment

Moved by Councillor Greydanus

Seconded by Councillor McCallum

That the meeting be adjourned to meet again on August 7, 2012.

Carried.