

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

THIRTEENTH MEETING

MINUTES

AUGUST 21 2023

A meeting of the Council of the Township of Enniskillen was held on Monday August 21 2023 at 6:45 pm at the Enniskillen Council chambers.

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

Mayor Marriott chaired the meeting.

A. Presentation of the 2023 Education Scholarships

Mayor Marriott with the assistance of Councillor Krall presented three scholarships to local students attending post-secondary schools. Presentations of \$1,500 awards were made to Ava LaPorte, Liam Crummy and Wesley Williams

B. 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.

C. Minutes

Moved by Councillor Krall
Seconded by Councillor McCallum
That the minutes of the meeting of July 17 2023 be adopted as circulated.
Carried.

D. Interviews

Drains: McIntosh Drain site meeting minutes,
The Clerk noted that a site meeting had been held on the McIntosh Drain. It was noted that the recommendation had been made to have the drain cleaned and brushed.

Moved by Councillor McCallum
Seconded by Councillor Van Dun
That tenders be issued for the cleaning and brushing of the McIntosh Drain.
Carried.

Groves Drain Site meeting minutes

A site meeting had been held for the Groves Drain. It was noted that there was limited attendance at the meeting.

Moved by Councillor Krall

Seconded by Councillor Van Dun

That tenders be issued for the cleaning and brushing of the Groves Drain.

Carried.

Tender for Wilson Drain

The Clerk reported that three tenders were received for the Wilson Drain.

Bruce Poland and Sons	\$26,052.15
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JLH Excavating	\$27,015.48
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GM Construction	\$29,210.50
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Moved by Councillor McCallum

Seconded by Councillor Van Dun

That the low tender from Bruce Poland and Sons be accepted for the cleaning of the Wilson Drain.

Carried.

Roads: Rokeby Line- verbal

The Clerk reported that Rokeby Line would be open for traffic in the area of construction in the next day.

Parks: Gorman Park Drainage-

A request was received from Tom Sinclair to install a catch basin in Gorman Park to address drainage concerns associated with his home.

Councillor McCallum noted that there were many other persons along Shamrock Street who had complained of drainage issues.

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That staff be instructed to explore whether there were other drainage issues associated with property owners near Gorman Park prior to permitting the construction of a catch basin in the park.

Carried.

Moved by Councillor Krall

Seconded by Councillor Van Dun

The meeting of Council move into a meeting of the Committee of Adjustment.

Carried.

Moved by Councillor Krall

Seconded by Councillor Van Dun

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

Carried.

E. Public Meeting K. Dobbin Rezoning- W ½ Lot 22 Con 7--7:15 pm

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the public meeting regarding the rezoning application for Ken Dobbin for property located at the West ½ Lot 22 Concession 7 be opened.

Carried.

Present: Ken Dobbin, Derek and Kelsey Syer

Jarod Preston reviewed his planning report regarding the rezoning of the Dobbin farm. He noted that a condition of the severance application required that the farm property be rezoned to prohibit the construction of a dwelling.

He noted that the rezoning application complied with provincial policy and the County and Township Official plans and the Township zoning bylaw.

Mr. Preston recommended that the zoning amendment be approved.

The Clerk noted that the bylaw as circulated would prohibit the keeping of livestock on the proposed residential lot.

Moved by Councillor McCallum

Seconded by Councillor Krall

That Section 3 of the draft bylaw regarding the housing of livestock on the proposed residential lot be deleted from the bylaw.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That the public meeting regarding the Ken Dobbin rezoning be closed.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That first and second reading be given to Bylaw 48 of 2023 be approved

Carried.

Moved by Councillor Krall

Seconded by Councillor McCallum

That third and final reading be given to Bylaw 48 of 2023.

Carried.

Planning: Ken Melanson- update on Cannabis policies and zoning regulations Official Plan Amendment # 4, Cannabis Zoning Bylaw and Enniskillen Pepper site specific zoning bylaw amendments

Ken Melanson noted that a public meeting was held in January of 2023 regarding an Official Plan amendment and zoning regulations for growing cannabis in the Township of Enniskillen. He noted that at direction of Council discussions were held with Enniskillen Pepper regarding concerns expressed with respect to the current greenhouse operation.

Mr. Melanson noted that he was recommending the approval of the Official Plan policies and zoning regulations that had been circulated to the Council in January.

After discussions with representatives with Enniskillen Pepper he had prepared a site-specific zoning bylaw that would accommodate the existing greenhouse facility. The site-specific bylaw would reactivate the site plan agreement for a period of one year.

Councillor Krall put forward a motion to table discussion on the Cannabis bylaws to permit Council additional time to review the documents circulated for the meeting.

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the Cannabis bylaw discussions be tabled to a future meeting.

After discussion Councillor Krall and Van Dun withdrew their motion.

Ken Melanson noted that the bylaw framework had not be amended since the January meeting.

Anthony Petrucci noted that he as a lawyer representing Trevor Brand. Mr. Petrucci acknowledged that his client had no concerns regarding Bylaw 45 of 2023 the cannabis Official Plan amendment and Bylaw 46 of 2023 the general cannabis zoning bylaw. He noted that his client had concerns regarding the site-specific zoning bylaw for the Enniskillen Pepper property.

A discussion took place and Council proceeded to approve the Cannabis Official Plan amendment and the general Cannabis Zoning bylaw regulations.

Moved by Councillor McCallum

Seconded by Councillor Van Dun

That first and second reading be given to Bylaws 45 and 46 of 2023.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That third and final reading be given to Bylaws 45 and 46 of 2023.

Carried.

Councillor Krall put forward a motion to table Mr. Melanson's recommendation for a site-specific bylaw for the Enniskillen Pepper property as well as recommendations regarding the site plan agreement.

Councillor Van Dun noted that many people were in attendance regarding the bylaw and he wanted to hear their concerns.

There was no seconder to the motion.

Christine Greydanus spoke on behalf of Enniskillen Pepper. She noted that they were interested in continuing the use of the greenhouse. She noted that it had been constructed and operated in compliance with the municipal zoning regulations.

Christine Greydanus noted that the neighbours present were interested in down zoning the property. She noted that they had worked with Mr. Melanson to come up with the site-specific bylaw.

Christine Greydanus noted that the previous tenant has issues regarding lighting, noise and traffic at the site.

She noted that they currently have three employees hired at the greenhouse and 20 employees in their poultry operation.

The greenhouse when operational could have between 40 and 200 employees.

Trevor Brand spoke expressing concern that he had only received the Council materials on the Friday prior to the meeting.

He noted that he had been in litigation for two years regarding the problems associated with the growing of cannabis at the greenhouse.

Trevor Brand noted that the correspondence provided false and inaccurate information. He discussed the completion of an asphalt apron to the property that had not been completed as required by the site plan agreement.

Mr. Brand reviewed the comments in the correspondence regarding lighting, and noise. He noted that he would share with Council his report regarding the noise barriers constructed at the greenhouse property.

Mr. Brand noted that the odour cannons and the carbon filtration air systems were installed on site. The correspondence suggested that these systems would be installed in the future.

Mr. Brand asked why his family had been tortured with the storage of waste cannabis materials for the duration of the cannabis operation and now it was planned to move the wastes to the north side of the greenhouse.

Mr. Brand noted that he did not support the establishment of a community advisory group to address complaints associated with growing cannabis at the greenhouse.

Mr. Brand noted that there were no solutions put forward to address the odour issues during the growing season.

Mr. Brand stated that there had been a reduction in property values in the neighborhood due to the growing of cannabis at the greenhouse.

Christine Greydanus indicated that if they were not able to use the greenhouse that the financial harm would be immense due to the financial investment.

Jack Greydanus noted that they were requesting a site-specific bylaw to continue operations at the greenhouse.

He noted that a license from Health Canada was not in place at the site at this time.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the discussion of the site-specific zoning bylaw and associated site plan agreements be tabled for a month.

Carried.

Marthaville Park ball diamond lighting

The Clerk reported that new wiring would be installed at two light standards at Marthaville park.

Sewer: Update on activities

The Clerk reported that a planned release of the lagoon would take place in the current week. The release was necessary due to the rainfall and lack of evaporation. A sampling procedure was agreed to in consultation with the Ministry staff.

F. Correspondence for information

1. CUPE Child Care Worker appreciation day
2. Ontario and Michigan Strengthen Economic Ties
3. Ministry of Finance OMPF payment
4. Town of Petrolia notice of minor variance application
5. CTV News recycling fees
6. Ontario Clean Air Alliance do not support gas plant expansion
7. Ministry of Municipal Affairs Audit of municipal finances
8. St Clair Conservation Update
9. AMO Property Tax Reassessment

10. Toronto Comments on Provincial Planning Statement
11. Ontario Clean Air Alliance federal clean electricity regulations
12. Ministry of Environment environmental Assessment Act
13. St Clair Conservation Authority Meeting Highlights June 22 2023
14. Ministry of Infrastructure Red Tape Reduction for Designated Broadband Projects
15. Lambton Historical Society notice of Aug 24 2023 meeting

Moved by Councillor Krall

Seconded by Councillor Van Dun

That correspondence items 1-15 be received and filed.

Carried.

G. Correspondence requiring motions

1. Resolution Wawa funding of pain clinics

Moved by Councillor Krall

Seconded by Councillor McCallum

That the resolution from Wawa be received and filed.

Carried.

2. Resolution FONOM Federal Funding for housing

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the resolution from FONOM be received and filed.

Carried.

3. Resolution EMO Black Ash Tree endangered classification

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the resolution from EMO be received and filed.

Carried.

H. Accounts

Moved by Councillor McCallum

Seconded by Councillor Krall

That the accounts be paid as circulated:

Cheque 17705-17793: \$ 625,274.81

Carried.

I. Other Business

1. Memo MTO Review of Off-Road Vehicle Regulations

The Clerk noted that the Ministry of Transportation were considering new regulations for off road vehicle usage.

2. Memo Recycling Depot Operations

3. Memo Battery Storage Project 4703 Churchill Line

The Clerk reported that a battery storage project was planned for 4703 Churchill Line. The Clerk reported that the developer was planning a public meeting to provide information to the neighbouring property owners.

4. Minutes Petrolia North Enniskillen Fire Department July 20 2023

5. Minutes Petrolia North Enniskillen Fire Department Aug 10 2023

6. Memo Petrolia North Enniskillen Fire Department Truck Purchase

A discussion took place regarding the proposal to purchase a new combined tanker and pumper truck.

Councillor Krall noted that no decision should be made on the new truck until such time as the shared cost arrangements for the operation of the department had been concluded.

Councillor Van Dun reported that the department had not provided specific information on the cost and supply of a standard tanker truck.

Chief Arns reported to Council that the purchase of a vehicle must comply with NFPA standards.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That the Council of the Township of Enniskillen not support the purchase the pumper tanker truck for the Petrolia North Enniskillen Fire Department.
Carried.

7. Memo Sarnia Police- Fire Dispatch

8. Budget to Actual July 31 2023

Councillor Krall recommended that a parks and recreation committee meeting be held in the near future.

Councillor Van Dun requested that the grass and weeds be removed in front of the Enniskillen signs and the rear of the roads yard.

J. Bylaws

1. Bylaw 42 of 2023- Confirmation Bylaw
2. Bylaw 43 of 2023- Retention Bylaw
3. Bylaw 44 of 2023- Amending appointment bylaw

Moved by Councillor McCallum

Seconded by Councillor Krall

That first and second reading given to Bylaw 42, 43 of 44 of 2023.

Carried.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That third and final reading given to Bylaw 42, 43 and 44 of 2023.

Carried.

K. Adjournment

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That the meeting be adjourned.

Carried.

Mayor

Clerk