

THE CORPORATION OF THE TOWNSHIP OF ENNISKILLEN

FIFTEENTH MEETING

MINUTES

SEPTEMBER 18 2023

A meeting of the Council of the Township of Enniskillen was held on Monday September 18 at 7:00 pm at the Enniskillen Council Chambers.

Present: Kevin Marriott, Mary Lynne McCallum, Wally Van Dun, 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 Van Dun

That the minutes of the meeting of September 5 2023 be adopted as circulated.

Carried.

B. Compass Energy- Energy Storage Project- 7pm

Present: James Marzotto

Mr. Marzotto reported to Council that the capacity of the electrical system in Concession 14 had provided this day and it had been determined that there was not sufficient capacity to permit additional electricity. As a result, Compass Energy was no longer pursuing their energy storage project.

C. Cannabis Bylaw- Site Specific Cannabis Zoning Bylaw tabled from the meeting of August 21 2023

D. Interviews:

Drainage: Request for Drain Maintenance Adair Drain

A request had been received to clean the Adair Drain. The Drainage Superintendent had requested that the contractor working on the McIntosh Drain proceed to clean the Adair Drain.

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the Drainage Superintendent proceed to obtain pricing from Bruce Poland Trucking for the cleaning of the Adair Drain.

Carried.

Minutes of Gorman Park site meeting

Councillor Krall read the minutes to the site meeting provided by the Drainage Superintendent. Property owners who expressed concern about back yard flooding were directed to make use of the drainage outlets provided to their properties. Alternatively, they could submit a petition under the Drainage Act to address drainage.

Councillor Krall noted that the site meeting discussed the installation of two catch basins connected to the park tile system at the east end of both Keating and McMillian Street.

Moved by Councillor McCallum

Seconded by Councillor Krall

That the Drainage Superintendent proceed to inspect the drainage tile at Gorman Park and install two catch basins.

Carried.

Tender results Groves Drain

Tenders were reviewed for the Groves Drain:

J& L Henderson:	\$25,863.62
HE Construction:	\$43,052.10
B Poland Trucking:	\$38,186.58
BF Environmental:	\$39,087.06
McNally Excavating:	\$36,206.10

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That the low tender from J & L Henderson be accepted for the cleaning of the Groves Drain.

Carried.

Roads: Road Salt pricing 2023-24

The memo from the County Public Works noted that the salt cost for 2023-24 would be \$92.71 per ton. The salt tender would be advertised by the County in early 2024.

E. Correspondence for Information

1. IESO Corporate Strategy Review
2. OPP distribution of Record Check Revenue
3. County of Lambton Council Highlights September 6 2023
4. Lambton Senior's Advisory Committee minutes June 27-23
5. Ministry of Natural Resources Oil, Gas and Salt Resource Act Regulation changes

6. Infrastructure Ontario Designated Broadband Projects
7. Ministry of Environment regulatory changes
8. IESO Long Term RFP- Frequently Asked Questions
9. Petrolia North Enniskillen Fire 2nd Quarter report
10. Ministry of the Solicitor General – Police Board Composition

Moved by Councillor Krall

Seconded by Councillor McCallum

That correspondence items 1-10 be received and filed.

Carried.

F. Correspondence requiring motions

1. Application for reduction in assessment-5648 Shiloh Line

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the recommendation of the assessor to reduce the assessment at 5648 Shiloh Line be accepted.

Carried.

2. Resolution Grimsby Guaranteed Livable Income

Moved by Councillor Krall

Seconded by Councillor McCallum

That the resolution from Grimsby regarding livable income be received and filed.

Carried.

3. Resolution Hamilton abandon greenbelt changes

Moved by Councillor Krall

Seconded by Councillor Van Dun

That the resolution from Hamilton regarding the abandonment of greenbelt changes be received and filed.

Carried.

G. Accounts

Moved by Councillor Van Dun

Seconded by Councillor McCallum

That the accounts be paid as circulated:

Cheque: 17826-17864: \$ 296,694.86.

Carried.

H. Other Business

1. Budget to Actual August 31 2023

Staff were requested to provide additional information on reported expenditures.

I. Bylaws

1. Bylaw 50 of 2023-Drain Maintenance Bylaw
2. Bylaw 52 of 2023-Confirmation Bylaw

Councillor McCallum questioned why there had not been agricultural grant applied to farm properties on the Gurd Drains.

Moved by Councillor Van Dun

Seconded by Councillor Krall

That first and second reading be given to Bylaws 50 and 52 of 2023.

Carried.

Moved by Councillor McCallum

Seconded by Councillor Van Dun

That third and final reading be given to Bylaws 50 and 52 of 2023.

Carried.

A break was taken until the County Planner arrived at the meeting.

Mayor Marriott requested that Mr. Melanson provide a report to Council of the status of the bylaws presented to regulate cannabis growing in the Township. Mr. Melanson noted that the Council had tabled discussion on the site-specific zoning bylaw for Enniskillen Pepper.

Councillor Krall asked whether the site specific bylaw could be amended to include regulations dealing with noise, odour and lights.

Mr. Melanson referred to the Pelham bylaw which he noted had included site specific provisions to address these matters.

Councillor Krall questioned whether there was any way to obtain common ground on the bylaws.

Mr. Melanson noted that the passage of the cannabis policies and associated bylaws would lead to a hearing at the Ontario Land Tribunal.

Councillor McCallum questioned about the site plan agreement affecting the Enniskillen Pepper property.

Mr. Melanson noted that the schedule to the site plan agreement had lapsed.

Councillor Van Dun questioned the Clerk as to whether any person had requested to speak to the Council on the cannabis bylaw.

The Clerk noted that Mr. Brand's lawyer had requested that the Council advertise a public meeting under the provisions of the Planning Act to provide an opportunity for people to comment on the site-specific bylaw.

Mr. Melanson noted that Mr. Brand had been effective in attracting people from the community to attend Council meetings to listen to the discussion regarding the cannabis bylaws.

He noted it would be up to Council whether to proceed to re-advertise for an additional public meeting.

Councillor Van Dun put a motion forward to adopt the site-specific bylaw but there was no seconder.

Councillor Krall recommended that the site-specific bylaw be amended to include additional provisions related to odour, noise and lights.

Anthony Petrucci questioned what is new in the proposed amendments to the site-specific bylaw.

Mr. Melanson commented that the issue of odour from a licensed cannabis facility is within federal jurisdiction.

Councillor McCallum questioned whether the federal government would participate in an Ontario Land Tribunal hearing.

Mr. Melanson noted that Council could approve the site-specific bylaw without amendment or approve with changes.

Mr. Melanson noted that the current appeal of the general cannabis bylaw to the Ontario Land Tribunal would place a hold on the process until it was settled.

Moved by Councillor Krall

Seconded by Councillor McCallum

That Bylaw 51 of 2023 be denied.

Motioned failed.

Councillor Van Dun put forward a motion to approve Bylaw 51 of 2023 but the motion was not seconded.

J. Adjournment

Moved by Councillor McCallum

Seconded by Councillor Krall

FIFTEENTH MEETING

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SEPTEMBER 18 2023.

That the meeting be adjourned.
Carried.

Mayor

Clerk