

MINUTES of the Planning Meeting of Council of the Corporation of the Municipality of Central Elgin held on Tuesday, May 20th, 2008 at 8:00 p.m. in the Council Chambers

Roll Call

Present: Mayor S. Hofhuis, Deputy Mayor T. Marks, Councillor D. Marr, Councillor S. Carr, Councillor R. Matthews and Councillor G. Reu

Staff: D. Leitch, CAO/Clerk; L. Perrin, Director of Physical Services, J. McCoomb, Planner, CEPO and D. Wilson, Deputy Clerk

Regrets: Councillor S. Martyn

Call to Order

Mayor Hofhuis took the chair and called the meeting to order at 7:30 p.m.

Disclosure of Pecuniary Interest and the General Nature Thereof

None was declared.

Delegations

1. **Proposed Solar Farm – 43921 Fruit Ridge Line**
Paul Marot, P. Eng., Injasuti Developments was in attendance to discuss a proposed solar farm on the lands located at 43921 Fruit Ridge Line. Mayor Hofhuis welcomed Mr. Marot to the meeting. Mr. Marot came forward and advised that he has recently purchased the parcel on Fruit Ridge Line from Hugh Shields and would like to develop a solar field with panels. He indicated that he has made application to Hydro One which may take time as there is a current backlog for this type of request. J. McCoomb advised that property is currently zoned agricultural with a golf course use. He indicated that an Official Plan and Site Specific Zoning to control use will be needed. P. Marot noted that he would like to place a yurt on the property as temporary accommodation while he is developing the solar farm, as well as an equipment barn. J. McCoomb advised that a zoning amendment will be needed to allow for the temporary use of a yurt on the property. Councillor Marr inquired why property is appealing for a solar farm. P. Marot advised that south facing slope is most appealing and logical area for development. L. Perrin referred to dust from Centennial Road and possible affects on proposed solar farm. P. Marot indicated he has no concerns with dust at this time. L. Perrin advised that it should be on record that the municipality would not deviate from the current road plan if dust issues become a concern in the future. P. Marot acknowledged that he understand the position of the municipality. Councillor Reu inquired if Mr. Marot has consulted with neighbours. P. Marot noted that he has spoken to the neighbours and has received a good response from them. Councillor Carr inquired as to erosion control. P. Marot advised that grasses will be planted to aid with erosion control. No further questions or comments were made. Mayor Hofhuis thanked Mr. Marot for his presentation. Mr. Marot thanked Council for their time and left the meeting at 7:50 p.m. Mayor Hofhuis advised that she had another commitment to attend. She left the meeting at 7:53 and Deputy Mayor Marks assumed the chair.

Correspondence (Action)

None.

Correspondence (for Council's Information)

1. County of Elgin Land Division Committee
Correspondence received from County of Elgin Land Division Committee advising that an appeal has been received against the decision for Peter and Janice Woloshyn, Part Lot 9 South of Front Street.
2. County of Elgin Land Division Committee
Notice of Application for Consent E5/08, Rite-Temp Holdings Ltd. (deferred from March 7th and April 17th, 2008) 43714 Talbot Line and E17/08, Wayne and Dawn Ratelle, 665 George Street.

Moved: D. Marr; Seconded: S. Carr

THAT: Correspondence items #1 - #2 inclusive be received as information and filed.
CARRIED.

Reports**Central Elgin Planning Office**

CEP 22-08 Proposed Official Plan and Zoning By-law Amendments: 8655720 Ontario Ltd. Borden Avenue, Belmont. Council discussed briefly and agreed that site was a good location for proposed development.

Moved G. Reu; Seconded D. Marr

THAT: The Council of the Corporation of the Municipality of Central Elgin receive Report CEP 22-08;

AND THAT: Council pursuant to Sections 22(6.1) and 34(10.4) of the Planning Act, R.S.O., 1990 as amended, directs the Clerk to notify the applicant (8655720 Ontario Ltd.) that the information and material required under Subsections 22(4) and (5) and 34(10.1) and (10.2) of the Act has been provided and the application is thereby considered complete;

AND THAT: Direction be given by Council to prepare a site specific draft amendment to the Official Plan and Zoning By-law to permit a restaurant use on a property located on the southwest corner of the intersection of Borden Avenue and Belmont Road, which may be legally described as Part of Lot 17, Concession 15, geographic Township of Yarmouth, now Municipality of Central Elgin;

AND FURTHER THAT: A date for a Public Meeting be scheduled for Monday, June 16th, 2008, at 7:15 p.m. in accordance with Ontario Regulations 543/06 and 545/06 as amended. CARRIED.

CEP 25-08 Consent Application: Wayne and Dawn Ratelle, 665 George Street
L. Perrin advised that applicants will be responsible to extend travelled portion of the road at their expense. He noted that travelled portion is 20 metres and severance will only allow 3 metres. Council discussed. Councillor Marr inquired if any correspondence has been received on the proposed severance. L. Perrin indicated that an email has been received from V. Clive, 657 George Street voicing concerns with application. J. MCoomb referred to a report from KCCA which was done in 1999 and suggested that report be updated.

Moved R. Matthews; Seconded S. Carr

THAT: The Council of the Corporation of the Municipality of Central Elgin has no objections to Land Division Committee Application No E 17/08, Wayne and Dawn Ratelle, 665 George Street, subject to the following conditions:

- The applicants be required to obtain a letter from a qualified shoreline engineer confirming that the subject lands are beyond the erosion hazard limit;
- The applicant enter into a development agreement with the Municipality of Central Elgin to address administrative, technical and financial matters related to the development of the subject lands;
- The subject land be re-zoned to permit residential use;
- The payment of cash-in-lieu of the dedication of 5% of the land for parkland purposes; and
- Other conditions as may be brought forward by the Director of Physical Services and;
- The municipality be supplied with a copy of the Reference Plan. CARRIED.

Chief Administrative Officer

CAO 27-08 Lynhurst and Port Stanley Area Development Charge Background Studies and By-law – Proposed to Update

Moved G. Reu; Seconded R. Matthews

THAT: The Council of the Corporation of the Municipality of Central Elgin authorize the Chief Administrative Officer to accept the proposal, "Corporation of the Municipality of Central Elgin Development Charge Background Study, May 13, 2008, Watson & Associates Economists Ltd. Mississauga", respecting the Lynhurst and Port Stanley area for an upset cost of \$25,000.00 excluding GST, as per Report CAO 27-08, prepared by Donald N. Leitch, Chief Administrative Officer. CARRIED.

By-laws

None.

Public Notice

None.

Resolutions

1. Green Lane Trust

Councillor Reu raised issue of concern that Green Lane Community Trust Fund did not provide funding for Water Day in Pinafore Park. Council discussed and agreed to contact the Green Lane Community Trust Fund and request a copy of the Terms of Reference and clarification as to criteria and mandate for providing funds. D. Leitch advised that staff would proceed with Council's request and report back at a future meeting.

Moved G. Reu; Seconded D. Marr

WHEREAS the Council of the Municipality of Central Elgin believes the St. Thomas-Elgin Water Festival to be a worthy project;
AND WHEREAS the Green Lane Trust has decided not to provide funding for the Festival;
NOW THEREFORE BE IT RESOLVED THAT Council request the Green Lane Trust to provide an explanation why it decided not to fund the Festival, a list of the funding criteria and a list of projects funded in the past year. CARRIED.

New Business

1. ARC
Deputy Mayor Marks thanked Mayor Hofhuis and Councillor Marr for the excellent presentation they provided at the June ARC meeting. He suggested that Council needs to lobby TVDSB representatives to seek their support for the recommendation. Councillor Reu indicated that an ARC review is scheduled for Belmont in 2009.

Closed Session

Moved: G. Reu; Seconded R. Matthews

THAT: The Council of the Corporation of the Municipality of Central Elgin proceed into "Closed Session" at 8:15 p.m. in order to address matters as per the Agenda. CARRIED.

CS1 Litigation or Potential Litigation (s.239.2(e)) – Appeal of Draft Plan of Subdivision – Erie Heights Properties (Verbal Report)

CS2 Litigation or Potential Litigation (s.239.2(e)) – Appeal of Belmont OPA #5 and Draft Approval – Dolmage Design/Build (Verbal Report)

Moved: T. Marks; Seconded: D. Marr

THAT: Council adjourn in "Closed Session" and return to "Open Session" at 8:27 p.m. CARRIED.

The Chief Administrative Officer provided verbal reports on both CS1 and CS2. These confidential updates were received by Council on an information basis.

Adjournment

Moved: S. Carr; Seconded D. Marr

THAT: The Planning Meeting of Tuesday, May 20th, 2008, be adjourned at 8:35 p.m. and the next Regular Meeting of Council be scheduled for Monday, May 26th, 2008. CARRIED.

The meeting was adjourned at 8:35 p.m.

Dianne Wilson
Deputy Clerk

Tom Marks
Deputy Mayor