



***Chatham-Kent
Ontario, Canada***

MUNICIPALITY OF CHATHAM-KENT

COMBINED COUNCIL AGENDA

**Monday, February 11, 2008
6:00 p.m.**

**Council Chambers
Chatham-Kent Civic Centre
315 King Street
2nd Floor
Chatham, Ontario
N7M 5K8**

Agenda available online at www.chatham-kent.ca

Please note: All cellular phones and pagers must be switched to a non-audible function during Council meetings

PROCESS - PLANNING MEETINGS

The process to be followed for each application will be as follows:

1. The application will be announced by name of applicant, the type of application, the municipal file number, and its location.
2. The Mayor will ask if there is anyone present, other than the applicant or his/or her agent, with an interest in the application, and to indicate so by raising their hand.

If there is no one present indicating an interest in the application, Council will proceed as follows:

1. There will be no presentation by the consultant or administration.
2. The consultant and administration will be asked if they wish to make additional comments regarding the report or recommendations.
3. Council will be asked if it has any questions of the consultant or administration.
4. The applicant will be asked if he or she has any comments.
5. The consultant and administration will be asked if they have comments based on any discussion that may have occurred.
6. Council will be asked what action it wishes to take with regard to the application.

If someone other than the applicant or the applicant's agent indicates an interest in the application, Council will proceed as follows:

1. The consultant will present the report.
2. Council will be asked if it has any questions of the consultant or administration.
3. Individuals or their agent present, with an interest in the application, other than the applicant, will be asked to proceed to the podium, provide their name and address, and address Council with their comments, concerns, questions.
4. Council will be asked if it has any questions of each presenter.
5. The applicant will be asked if he or she has any comments.
6. Council will be asked if it has any questions of the applicant.
7. The consultant and administration will be asked if they have any comments based on any discussion that may have occurred.
8. Council will be asked what action it wishes to take with regard to the application.

Please note: If any person or public body that files an appeal of a decision of The Corporation of the Municipality of Chatham-Kent in respect of a proposed planning application does not make any oral submission at the public meeting or any written submission to The Corporation of the Municipality of Chatham-Kent before the proposed Zoning By-law Amendment is approved, the Ontario Municipal Board may dismiss all or part of the appeal. Information on Council's actions tonight will be published on the municipal website (www.city.chatham-kent.on.ca). All persons receiving notice of this meeting will receive a Notice of the Passing of a By-law, relating to any of the planning applications presented here tonight, if approved, including appeal procedures. Any other person who wishes to receive a Notice of Passing or a Notice of Council's decision must submit a written request to the Municipal Clerk.

1. CALL TO ORDER

(Acting Mayor – Councillor Herman)

2. APPROVAL OF SUPPLEMENTARY AGENDA

3. DISCLOSURES OF PECUNIARY INTEREST (DIRECT OR INDIRECT) AND THE GENERAL NATURE THEREOF

4. PLANNING SERVICES

- (a) Combined Consent (File B-76/07) and
Zoning By-law Amendment (File D-28 HA/56/07/C)
Deane Collins & Fay Loyer
10965 River Line
Part of Lots 18 & 19, Concession 1, R.T.S. Part Road Allowance,
RP 24R4738 Pt. 4 & RP 24R8083 Parts 3 to 5
Community of Harwich (South Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council
- (b) Combined Consent (File B-104/07) and
Zoning By-law Amendment (File D-28 HO/76/07/P)
Bruce Parks & William Parks
Part of Lot 13, Concession 2
Community of Howard (East Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

- (c) Combined Consent (File B-114/07) and
Zoning By-law Amendment (File D-28 TE/85/07/M)
David & Mary Lynn McGuire
22542 Sloan Road
Part of Lot 7, Concession 8
Community of Tilbury East (West Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council
- (d) Combined Consent (File B-119/07) and
Zoning By-law Amendment (File D-28 DO/89/07/C)
Delbert & Margaret Chinnick
23680 & 23700 Bear Line Road, Part of Lot 19, Concession 2 and
Part of R.A.B., Concession 1 & 2 (Closed by By-law 63)
Community of Dover (North Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council
- (e) Combined Consent (File B-127/07) and
Zoning By-law Amendment (File D-28 DO/95/07/K)
Cheri Keskeny
7255 Marsh Line
Part of Lot 13, Concession 11
Community of Dover (North Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

- (f) Combined Consent (File B-118/07) and
Zoning By-law Amendment (File D-28 HA/88/07/V)
VDEB Farms Ltd.
10341 Maynard Line
Part of Lots 14 & 15, Concession 5, R.T.S.
Community of Harwich (South Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council
- (g) Application for Zoning By-law Amendment (File D-14 TI/16/07/O)
1046202 Ontario Limited (Ken Chettleburgh)
22 and 23 Kelly Crescent
Parts 2 and 3, Plan 24R-4298
Community of Tilbury (West Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council
- (h) Combined Applications for Official Plan Amendment (OPA No. 9) to the
Tilbury Official Plan and OPA No. 4 to the Chatham-Kent Official Plan &
Zoning By-law Amendment (File D-28 TI/81/07/M)
Missant Investments Inc.
Mill St. West
Part of Lot 7, Plan 793 & Part 1, 24R-4004
Community of Tilbury (West Kent)
- Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

- (i) Official Plan Amendment & Zoning By-law Amendment for the Community of Dover (D-28 DO/98/07/G)
Gengrowth LP1
Community of Dover (North Kent)
 - Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

- (j) Zoning By-law Amendment for the Community of Tilbury East (D-14 TE/19/07/G)
Gengrowth LP1
Community of Tilbury East (West Kent)
 - Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

- (k) Official Plan Amendment & Zoning By-law Amendment for the Community of Howard (D-28 HO/97/07/G)
Gengrowth LP1
Community of Howard (East Kent)
 - Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

- (l) Official Plan Amendment & Zoning By-law Amendment for the Community of Harwich (D-28 HA/96/07/G)
Gengrowth LP1
Community of Harwich (South Kent)
 - Presentation by Administration/Planning Consultant
 - Public Input
 - Presentation by Applicant
 - Discussion
 - Action by Council

REGULAR

5. COMMITTEE REPORTS

- (a) Drainage Board Recommendations from its meeting held on January 2, 2008
(to be approved)
- (b) Chatham-Kent Board of Health Minutes from its meetings held on November 21, 2007 and December 19, 2007 *(to be received)*

6. CHATHAM-KENT ENERGY INC.

- (a) Notice of Motion – Councillor McGregor re Earth Hour

7. INFRASTRUCTURE AND ENGINEERING SERVICES

Report from administration re

- (a) Tile Drainage Loan Debenture By-law and Inspections

8. COMMUNITY AND DEVELOPMENT SERVICES

Report from administration re

- (a) Proposed Concert, Chatham Municipal Airport
- (b) Notice of Motion – Councillor Parsons re Set Back Provisions for Wind Turbine Location
- (c) Notice of Motion – Councillor Parsons re Licensing Card Tournaments
- (d) Notice of Motion – Councillor Vercoouteren re Safety Hooks in Arena Dressing Rooms

9. CORPORATE SERVICES

Report from administration re

- (a) 2007 Request for Encumbrance Reserve

- (b) Third 2007 Budget Variance Forecast

10. CLOSED SESSION REPORTS

11. READING OF BY-LAWS

- (a) **FIRST READING**

- (b) **SECOND READING**

- (c) **COUNCIL TO GO INTO COMMITTEE, IF REQUIRED, TO DISCUSS BY-LAWS**

- (d) **RESUMPTION OF COUNCIL**

- (e) **THIRD AND FINAL READING**

- i. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Wiebenga Drain – Eau View Inc. Culvert (Community of Howard) **THIRD AND FINAL READING**
- ii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Thibault Drain – Vyn Culvert (Community of Ridgetown) **THIRD AND FINAL READING**
- iii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Eight Creek Drain Extension – Doyle Culvert (Community of Tilbury East) **THIRD AND FINAL READING**
- iv. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Askew Drain No. 2 Tributary – Askew/KEPA Culvert (Community of Tilbury East) **THIRD AND FINAL READING**
- v. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Chalmers Cut-Off Drain (Cook/KEPA Culvert) (Community of Tilbury East) **THIRD AND FINAL READING**
- vi. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Cooper Drain East – West Branch (Yellow Creek Farms/KEPA Culvert) (Community of Romney) **THIRD AND FINAL READING**
- vii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Gore A & B Drain (Yellow Creek Farms/KEPA Culvert) (Community of Romney) **THIRD AND FINAL READING**

- viii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the McDougall Drain – West Branch (McGuire/KEPA Culvert) (Community of Tilbury East) THIRD AND FINAL READING
- ix. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Tunnel Drain (Smith Tulen/KEPA Culvert) (Community of Romney) THIRD AND FINAL READING
- x. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Centre Road Drain Extension (KEPA Culvert DNC-10) (Community of Raleigh) THIRD AND FINAL READING
- xi. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Goulet Drain (KEPA Culverts DNC -5, 8 & 9) (Community of Raleigh) THIRD AND FINAL READING
- xii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Toll Drain No. 1 (KEPA Culvert DNC-11) (Community of Raleigh) THIRD AND FINAL READING
- xiii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Biden Drain (Schepens Culvert) (Community of Chatham Township Gore) THIRD AND FINAL READING
- xiv. By-law to provide for drainage work in the Municipality of Chatham-Kent for the 4th Concession Drain East (Modde and Nightingale Culverts) (Community of Chatham Township Gore) THIRD AND FINAL READING
- xv. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Third Concession Drain – Smith Culvert (Community of Dover) THIRD AND FINAL READING
- xvi. By-law to amend Zoning By-law 5296 of the former Township of Harwich (Dean Collins) (Hansen #4098)
- xvii. By-law to amend Zoning By-law No. 86-65, as amended, of the former Township of Howard (Bruce Parks & William Parks) (Hansen #4304)
- xviii. By-law to amend Zoning By-law No. 2470-86, as amended, of the former Township of Tilbury East (David & Mary Lynn McGuire) (Hansen #4358)
- xix. By-law to amend Zoning By-law No. 90-40, as amended, of the former Township of Dover (Dilbert & Margaret Chinnick) (Hansen #4362)
- xx. By-law to amend Zoning By-law No. 90-40, as amended, of the former Township of Dover (Cheri Keskeny) (Hansen #4393)

- xxi. By-law to amend Zoning By-law No. 5296 of the former Township of Harwich (VDEB Farms Ltd.) (Hansen #4361)
- xxii. By-law to amend Zoning By-law No. 1867-85, as amended, of the former Town of Tilbury (1046202 Ontario Ltd. c/o Ken Chettleburgh) (Hansen #4324)
- xxiii. By-law to adopt Amendment No. 9 to the Official Plan for the Municipality of Chatham-Kent (Tilbury)
- xxiv. By-law to amend Zoning By-law No. 1867-85, as amended, of the former Town of Tilbury (Missant Investments Inc.) (Hansen #4317)
- xxv. By-law to amend Zoning By-law No. 90-40, as amended, of the former Township of Dover (Gengrowth LP1) (Hansen #4046)
- xxvi. By-law to adopt Amendment No. 27 to the Official Plan for the Municipality of Chatham-Kent (Dover)
- xxvii. By-law to amend Zoning By-law No. 2470-86, as amended, of the former Township of Tilbury East (Gengrowth LP1) (Hansen #4046)
- xxviii. By-law to amend Zoning By-law No. 86-65, as amended, of the former Township of Howard (Gengrowth LP1) (Hansen #4046)
- xxix. By-law to adopt Amendment No. 8 to the Official Plan for the Municipality of Chatham-Kent (Howard)
- xxx. By-law to amend Zoning By-law No. 5296, as amended, of the former Township of Harwich (Gengrowth LP1) (Hansen #4046)
- xxxi. By-law to adopt Amendment No. 55 to the Official Plan for the Municipality of Chatham-Kent (Harwich)
- xxxii. By-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act
- xxxiii. By-law to establish certain user fees
- xxxiv. By-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (OIPC) for funding from the Municipal Infrastructure Investment Initiative for a new eligible capital project of The Corporation of the Municipality of Chatham-Kent, and to approve the expenditure of funds on said eligible capital project

xxxv. By-law to confirm the proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 11th, day of February, 2008

12. APPROVAL OF COMMUNICATION ITEMS

(a) Approval of the February 11, 2008 Council Information Package

13. NON-AGENDA BUSINESS

14. RESOLUTION COUNCIL IN CLOSED SESSION & ADJOURNMENT

That Chatham-Kent Council adjourn to its next meeting to be held at 6:00 p.m. on **Monday March 3, 2008** and that Chatham-Kent Council authorize itself to meet in closed session prior to such Meeting to discuss any matters permitted by The Municipal Act to be considered at a Closed Meeting.