

**THE CORPORATION OF THE MUNICIPALITY OF
CHATHAM-KENT**

CHATHAM-KENT COUNCIL MEETING

COUNCIL CHAMBERS, CHATHAM-KENT CIVIC CENTRE

February 11, 2008

6:00 P.M.

1. CALL TO ORDER

The Mayor called the meeting to Order.

Present were: Mayor Randy Hope, Councillors Brown, Crew, Clarke, Faas, Fluker, Herman, King, McGregor, Parsons, Pickard, Pinsonneault, Robbins, Stirling, Sulman, Vercouteren and Weaver

Absent: Councillor Gilbert

2. APPROVAL OF SUPPLEMENTARY AGENDA

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

Councillor McGregor declared a conflict of interest with regard to Item #4(e) as the applicant is a client.

Councillor Vercouteren declared a conflict of interest with regard to Item #4(f) due to financial implications.

4. PLANNING SERVICES

The Clerk reviewed the procedure to be followed during the planning meeting. Mr. Robert Brown, Storey Samways Planning Ltd. explained for members of the public that 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.

He also advised that information on Council's actions would be published on the municipal website (www.chatham-kent.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.

- (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

This item was deferred per the applicant's request.

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was not present at the meeting.

Councillor Brown moved, Councillor Pinsonneault seconded:

“That

- 1. Council approve consent application B-104/07 concerning Part of Lot 13, Concession 2, in the Community of Howard, to dispose of a surplus dwelling on a 1.905 acre parcel located at 22569 Stage Road, subject to the following conditions:**
 - a) that the zoning by-law be amended to:**
 - i) rezone the surplus dwelling lot to rural residential;**
 - ii) prohibit any future dwellings on the retained farm parcel;**
 - c) that the applicant(s) demonstrate that the septic system on the surplus dwelling lot is functioning in accordance with Municipal Protocol;**
 - d) that the applicant(s) pay \$85 for the cost associated with the apportionment of assessments under the Drainage Act related to the subject lands;**
 - e) that the entire subject parcel be conveyed to William Parks as outlined in the Agreement of Purchase and Sale;**
 - f) that the necessary deed, transfers or charges be submitted in triplicate; signed**

and fully executed (no photo copies) prior to certification.

- 2. Council approve the zoning amendment application D-28 HO/76/07/P and adopt the by-law to implement the consent.”**

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

Councillor King moved, Councillor Fluker seconded:

“That

- 1. Council approve consent application B-114/07 concerning Part of Lot 7, Concession 8, in the Community of Tilbury East, to dispose of a surplus dwelling (22542 Sloan Road), subject to the following conditions:**
 - a) that the zoning by-law be amended to:**
 - i) recognize the non-farm use, lot area and lot frontage of the rural residential lot;**
 - ii) prohibit new dwellings on the retained farm parcel and recognize the reduced setback of the Kruger Wind Farm interconnection switching station;**
 - b) that the applicant(s) pay \$85 for the cost associated with the apportionment of assessments under the Drainage Act related to the subject lands;**
 - c) that the necessary deed(s), transfers or charges be submitted in triplicate; signed and fully executed (no photocopies) prior to certification;**
 - d) that the applicant(s) demonstrate that the septic system is functioning in accordance with Municipal Protocol.**
- 2. Council approve the zoning amendment application D-28 TE/85/07/M and adopt the by-law to implement the consent.”**

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

Councillor Weaver noted the spelling correction required to the first name of the applicant on the corresponding by-law.

Councillor Faas moved, Councillor Weaver seconded:

“That

- 1. Council approve consent application B-119/07 to sever a 0.38 acre parcel of land containing an existing dwelling at 23680 Bear Line Road, shown as Parts 3 and 4 on the applicant’s sketch, and sever and convey a 0.37 acre parcel, shown as Parts 1 and 2 on the applicant’s sketch, from an abutting farm lot as a lot addition to the severed parcel, in the Community of Dover, subject to the following conditions:**
 - a) that Parts 1, 2, 3 and 4 on the applicant’s sketch be rezoned to agricultural residential and recognize the reduced lot area;**
 - b) that the lot addition to be severed, shown on the applicant’s sketch as Parts 1 and 2, be conveyed to the owner of the abutting residential lot (Parts 3 and 4) (Roll No. 3650 480 003 05200) and Section 50 (3 or 5) applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent;**
 - c) that the remnant parcel from the severance of Parts 3 and 4 be conveyed to the owner of the abutting farm lot (Roll No. 3650 480 003 005100) and Section 50 (3 or 5) applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent;**
 - d) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies) prior to certification;**
 - e) that the applicant pay \$85 for the cost associated with the apportionment of assessments under the Drainage Act related to the subject lands.**
- 2. Council approve the zoning amendment application D-28 DO/89/07/C and adopt the by-law to implement the consent.”**

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

Councillor Faas moved, Councillor Weaver seconded:

“That

- 1. Council approve consent application B-127/07 to sever a 1.08 acre parcel of land containing an existing dwelling at 7255 Marsh Line, shown as the severed parcel, in the Community of Dover, subject to the following conditions:**
 - a) that the severed parcel be rezoned to an appropriate residential classification and add a group home as an additional permit use;**
 - b) that the retained parcel be rezoned to “A2, General Agricultural”;**
 - c) that the retained parcel, shown on the applicant’s sketch, be conveyed to the owner of the abutting farm lot (Roll No. 3650 480 008 02600) and Section 50 (3 or 5) applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent;**
 - d) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies) prior to certification;**
 - e) that the applicant pay \$85 for the cost associated with the apportionment of assessments under the Drainage Act related to the subject lands.**
- 2. Council approve the zoning amendment application D-28 DO/95/07/K and adopt the by-law to implement the consent.”**

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was not present at the meeting.

Councillor Herman moved, Councillor Stirling seconded:

“That

- 1. Council approve consent application B-118/07 in Part of Lots 14 and 15, Concession 5, R.T.S., in the Community of Harwich, to create a lot for a surplus dwelling located at 10341 Maynard Line, subject to the following conditions:**
 - a) that the parcel to be severed be rezoned to “R5.1, Rural Residential and recognize the reduced front yard of the dwelling;**
 - b) that the retained farm parcel be zoned to prohibit the construction of any new permanent dwellings;**
 - c) that the applicant(s) demonstrate that the septic system on the severed lot is functioning in accordance with Municipal Protocol;**
 - a) that the applicant(s) pay \$85 for the cost associated with the apportionment of assessments under the Drainage Act related to the subject lands;**
 - b) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies) prior to certification.**
- 2. Council approve the zoning amendment application D-28 HA/88/07/V and adopt the by-law to implement the consent.”**

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was not present at the meeting.

Councillor Fluker moved, Councillor King seconded:

“That Council approve zoning amendment application D-28 TI/16/07/O to rezone the vacant subject properties located at 22 and 23 Kelly Crescent, in the Community of Tilbury, from “RM3-9, Multiple Family Residential” to “RM1-7, Multiple Family Residential” to permit two separate semi-detached dwellings with a total of four dwelling units, and adopt the implementing by-law.”

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

The Municipal Clerk noted that the corresponding by-law for the Official Plan Amendment (OPA No. 4) needed to be added to the list of by-laws for third and final reading.

Councillor Fluker moved, Councillor King seconded:

“That

- 1. Council approve official plan amendment application D-28 TI/81/07/M being OPA No. 9 to the Tilbury Official Plan, in the Community of Tilbury by adding special policies to the Industrial designation on the subject lands to permit a total of less than 20,000 sq. ft. of retail commercial space.**
- 2. Council approve official plan amendment application D-28 TI/81/07/M being OPA No. 4 to the Chatham-Kent Official Plan, in the Community of Tilbury by adding special policies to the Employment Area designation of the subject lands to permit a total of less than 20,000 sq. ft. of retail commercial space.**
- 3. Council approve zoning by-law amendment application D-28 TI/81/07/M and adopt the by-law to implement the official plan amendment.”**

In response to a question by Councillor Herman, Mr. Brown explained that there are no financial implications as a result of the Official Plan Amendment. Any costs associated

with development will be recovered through increased assessment.

The Mayor put the Motion

Motion Carried

- (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

The Mayor asked if any person from the public had an interest in the applications. There were members from the public noted as being present with an interest in the matter. The applicant was noted as being present at the meeting.

The Acting Chief Administrative Officer explained that Items # 4(i), 4(j), 4(k), and 4(l) will be dealt with together due to the similarity of the projects. The consultant's presentation will be generic to all of the applications and members of the public that wish to speak may reference any or all of the four applications.

The Consultant presented the report outlining the four projects of five wind turbines each in the communities of Tilbury East (Swanton Line), Dover (Marsh Line), Harwich (Bisnett Line), and Howard (Front Line). The presentation format was as follows:

- Overview
- Project Description
- Consultation
- Analysis
- Conclusion
- Financial Implications
- Recommendations

Councillor Vercouteren questioned if the new Official Plan has areas designated for wind turbines. Mr. Storey explained that the Official Plan contains policies as to where wind turbines should be located. The set back for the turbines is based on the distance from a dwelling, not from the lot line.

Councillor Robbins sought clarification on the procurement of wind turbines. Mr. Storey explained that there are a limited number of wind turbine manufacturers and a tremendous demand. The cost of a wind turbine varies between approximately 2 to 2.5 million dollars with a 10% deposit required at the time of ordering.

In response to a question by Councillor Robbins, Mr. Storey explained that peer reviews are conducted by people who are experts in a particular field in accordance with a set of standards.

Councillor Parsons sought clarification on the set back provisions for wind turbine applications in Essex County. Mr. Storey explained that the draft official plan policies suggest set backs and provisions that varies depending on the management area.

Councillor Parsons questioned if additional turbines could be added by developers without approval from Council. Mr. Storey explained that some lots are zoned but do not have turbines on them. The developer could put wind turbines on these lots however they would have to go through an amended environmental assessment process, create a new site plan and amend existing agreements. The developer would also have to come before Council to have the "H –holding" designation removed from the property prior to erecting additional wind turbines.

Councillor McGregor asked when information regarding these projects was made available to the public. Mr. Storey explained that the planning reports were made available to the public on Thursday, February 7, 2008, in accordance with municipal policy. The ESR's were located in libraries in affected communities, at the Civic Centres and online. A notice of completion was put in the newspapers advising the public where copies of the ESR's were located.

Councillor Herman questioned how the environmental assessments are conducted. Mr. Storey explained that the Ministry of the Environment is the lead agency for environmental assessments, however ESR's are circulated to various other ministries that are specialized in the areas of study that are undertaken as part of the environmental assessment process. Ultimately, it is the Minister of the Environment that makes the final decision on whether a project is approved, approved as modified, rejected, or made to conduct a higher level of study.

Councillor Herman questioned what the possible negative impacts are to proceeding with this project, prior to the ESR approval. Mr. Storey explained that the environmental assessment is completed and the Ministry has provided comment. The project is currently in the appeal process. During the appeal process the Ministry could modify the project or request further study. It is possible, yet very unlikely, that the project will be rejected entirely.

Councillor Crew asked if there is money set aside for decommission of wind turbines should they prove to be unsuccessful. Mr. Storey indicated that the decommission

process deals with the applicants responsibility to remove the wind turbine and restore the land to a usable condition.

In response to a question by Councillor Brown, Mr. Storey explained that vacant properties around the turbine locations were assessed to ensure that reasonable development rights of the properties are not impacted.

Councillor Weaver asked if the Medical Officer of Health was consulted regarding some of the concerns raised by citizens of the possible health effects of wind turbines. Mr. Storey explained that the Medical Officer of Health was consulted and did not indicate any concerns.

Councillor Weaver sought clarification on the reasons behind the moratorium on wind turbines in France.

Councillor Stirling sought clarification on the maximum number of wind turbines that could be experienced in Chatham-Kent based on limitations of transmission capacity.

Councillor Sulman questioned the setback of the Bisnett Line wind turbines from the Rondeau Bay shoreline. Mr. Storey explained that the closest wind turbine is approximately 4 kilometers from the Rondeau Bay shoreline and 1.4 kilometers to the lake.

Councillor Sulman asked if we are relying on the environmental assessment process to determine the impacts to the proposed areas. Mr. Storey explained that wind turbines would not be constructed in areas where the environmental assessment process determines that the environmental impact was too great and cannot be mitigated.

Councillor Faas confirmed that wind turbines were not permitted to be built on lot lines, unless both properties had a lease with the proponent.

Councillor Faas expressed concern with the Gengrowth projects feeding into the distribution lines and therefore exacerbating stray voltage issues.

In response to a question by Councillor King, Mr. Storey explained that the proponent has to complete a connection impact assessment process. He further explained that turbines rotate at a constant pace despite differing wind conditions to ensure the power flow is constant.

Douglas Desmond

Mr. Desmond requested that Council defer the Gengrowth applications until such time as proper and coherent submissions can be prepared given that the information regarding these applications was only recently made available. He felt that Council has not received a balanced report that outlines all the choices available. Mr. Desmond explained that he is acting as agent for approximately twenty people and any proceedings could be shortened considerably by allowing time for submissions to be provided in writing and then making a brief oral presentation. This would allow Council the opportunity to review the submissions prior to any discussion and voting on the matter.

Councillor McGregor moved, Councillor Vercooterren seconded:

“That the applications be deferred to a special meeting of Council.”

Councillor Pickard questioned the implications to the proponent if the motion to defer is passed. Mr. Storey explained that the appeal period for the ESR ends February 27, 2008. A final decision from the Ministry of the Environment regarding the ESR will depend on the submissions received during the appeal period.

The Acting Chief Administrative Officer noted that there were a number of people that have requested to speak to these applications and suggested that perhaps a motion to defer wait until other people have had the opportunity to speak.

Councillor Sulman suggested that a date be set by which written submissions regarding the application must be received. He also suggested that the proponent be given a date by which to provide Council with a response to the submission received. He felt this would avoid further delays at the next meeting. The Director of Legal Services explained that there is no process in the Planning Act whereby Council can require individuals to make a written submission. The Planning Act allows for oral submissions during the meeting. The Acting Chief Administrative Officer explained that a deadline for submissions can be suggested; however there is no provision in the Planning Act to enforce that deadline.

Mr. Stephen D'Agostino, explained that he is a Partner with the law firm of Thomson Rodgers, acting on behalf of the proponent. He felt that Council had observed the rules for public meetings in the normal course, and that the reports were provided within the same time frame as all other planning applications. He also felt that the material in this instance is more widely known to the public due to the ESR, therefore there is less of a reason for an adjournment in this case than in other planning applications. Mr. D'Agostino noted that Council has commenced a statutory public meeting and under the Planning Act there is no provision for splitting the meeting. He explained that the proponent has arrived with a bevy of consultants at tremendous expense to answer any questions and concerns raised by Council. This expense will have to be repeated if Council chooses to defer the applications. He expressed concern that supporters of the project present in the audience may be unable to attend another meeting at a future date. Mr. D'Agostino felt that not hearing those opponents of the project who will be unable to attend another meeting is a prejudice to the proponent as they may be able to address some of those concerns. He requested that Council continue with the meeting. He further requested that if Council chooses to defer the applications, that the deadline for written submissions be in February in order to receive written comments back from the proponent in time for Council's review prior to the meeting.

Councillor Weaver noted that the majority of the correspondence he has received has been in opposition of wind turbines in general and not necessarily in opposition of this specific proponent. He felt that some consideration should be given to holding an open public meeting on Chatham-Kent wind energy policies.

The Acting Chief Administrative Officer requested that Council adjourn to Closed Session to allow the Director of Legal Services to provide legal advice to Council on this matter.

Councillor Pickard moved, Councillor Pinsonneault seconded:

“That Council adjourn to Closed Session to receive legal advice on this matter.”

The Mayor put the Motion

Motion Carried

Council adjourned to Closed Session at 8:30 p.m.

Council meeting resumed at 8:37 p.m.

Councillor Sulman suggested that those people in attendance tonight who would like to give an oral submission be allowed to speak, and those that would prefer to provide a written submission be given a timeline by which to do so. The Director of Legal Services explained the Council could vote down the motion to defer and continue with oral submissions. A deferral motion to a special meeting of Council with suggested

timelines for written submission can be made at a later time.

The Mayor put the Motion to defer

Motion Defeated

The Mayor asked Mr. Desmond if his oral presentation was concluded. Mr. Desmond requested that Dr. David Petrie be allowed to speak as it is unsure at this time if he will be able to attend a later meeting.

Dr. Scott Petrie, Simcoe Ontario

Dr. Petrie explained that his presentation was not specific to these applications, but rather to build wind turbines adjacent to Lake St. Clair in general.

Dr. Petrie noted that the Lower Great Lakes is one of the most important staging and wintering complexes for waterfowl in the world. There are 29 different species utilizing the Lower Great Lakes complex. He reviewed the major habitat types along the Great Lakes. The inland agricultural habitats are critically important approximately one-third to one-half of the waterfowl species get the bulk of their nutrition from flying inland to feed. Therefore it is very important to maintain a corridor for these birds to move from the wetlands to the terrestrial habitats. He reviewed the significance of the Lower Great Lakes to the migration of waterfowl. The Lower Great Lakes is also an important wintering habitat for waterfowl as the warming trend provides a more benign winter environment. Further, the presence of waste agricultural grains and the introduction of zebra mussels provides a winter food source. He reviewed the results of a study conducted by The Long Point Waterfowl and Wetland Research Fund to determine the number of waterfowl wintering in different areas of the Lower Great Lakes. The total number of waterfowl counted during January 2007 was 738,817 with 291,612 of those waterfowl being counted on Lake St. Clair alone. There is an international obligation through the Migratory Bird Treaty Act to protect aquatic habitats for waterfowl. Threats to waterfowl include the loss of coastal wetlands, introduction of exotic species and pollution. Wind Turbines also pose a threat to waterfowl if consideration is not taken as to their placement.

Dr. Petrie reviewed the following Danish recommendations regarding wind turbines:

- Do not place wind farms within 1000m of waterfowl roosting sites
- Do not place wind farms on flight corridors between roosting and feeding areas
- Do not place wind farms in areas where the wind farm +500 meter buffer zone occupies more than 1% of the known feeding areas at a site unless mitigation measures are taken

Dr. Petrie provided the following conclusions and recommendations to Council:

- Lake St. Clair provides critically important staging and wintering habitat, as well as migratory corridors for several species of waterfowl
- The agricultural habitats bordering Lake St. Clair provide essential foraging habitat for several waterfowl species
- Based on the high concentration of waterfowl (aquatic and terrestrial habitats) and results of European studies, the current proposal to place wind turbines adjacent to Lake St. Clair will almost certainly adversely impact staging and wintering waterfowl
- Due diligence is essential when it comes to turbine site selection (on and off shore)
- Companies need to increase their consultation with government and non-government wildlife agencies and they need to query all existing data sets
- Pre-construction monitoring/studies are essential – too much emphasis has been placed on post-construction assessments
- Strict protocols need to be established for the peer review of wind farm proposals
- The Long Point Waterfowl and Wetlands Research Fund is willing to work with the developers to determine if there are in fact suitable sites to erect wind turbines in the region

In response to a question by Councillor Herman, Dr. Petrie explained that hiring an outside consultant to review wind farm applications would ensure that due diligence is being practiced with respect to the placement of wind turbines.

Councillor Weaver noted that Dr. Petrie was referencing a different wind farm proposal in Dover that had proposed wind turbine locations much closer to Lake St. Clair than the application currently being considered.

Councillor Stirling noted that the wind energy industry says that, based on 100,000 wind turbines installed around the world, the average wind turbines kills two birds per year. He questioned if Dr. Petrie had any data that would refute this claim. Dr. Petrie explained that displacement is a much larger concern than mortality. Councillor Stirling questioned if there is a critical mass of wind turbines that will cause the displacement of waterfowl. Dr. Petrie noted that it is more the location than the number of wind turbines that causes displacement.

Councillor Fluker noted that there are other large wind energy proposals in the development stages and the information provided by Dr. Petrie will be very helpful in discussion regarding wind turbine placement.

Councillor Sulman questioned if Dr. Petrie was aware of the waterfowl migration in the Rondeau area. Dr. Petrie noted that Rondeau Bay has a high concentration of waterfowl and is an important staging area although he was not as familiar with the migratory corridors used by these birds.

Mayor Hope requested more refined mapping. Dr. Petrie explained that more fine scale mapping is available.

Paula Grail, resident of Mitchell's Bay

Mrs. Grail noted that she has been a resident of Mitchell's Bay for over 10 years and has made a substantial investment in the community by building a house on the water.

Mrs. Grail expressed grave concerns over the proposed wind turbines for Dover Centre due to the challenges faced by her five year old son. She explained her son's medical conditions which include prenatal stroke, hydrocephalus, blood clot in the brain, seizure disorder, right-sided hemiparesis, significant optic nerve atrophy and uneven cognitive development.

Mrs. Grail noted that she had heard about the strobing, flicker, and shadow effect that these types of turbines produce and that certain strobing can induce seizures. Mrs. Grail explained that her son has had seizures in the past, and will be prone to them for the rest of his life. She described the severity and length of her son's seizures. She noted Gengrowth's Environmental Impact Statement/Screening Report that says that shadow flicker from wind turbines has been described as annoying to residents with homes that are affected, and dangerous to epilepsy sufferers due to the strobing effect of the light.

Mrs. Grail referenced Dr. Nina Pierpont who stated that people with seizure disorders are susceptible to triggering of seizures by the strobe effect of seeing the sun through the moving blades. She felt that her son does not need this unnecessary risk in his life.

Mrs. Grail explained that strobing is not the only negative health impact that wind turbines might pose to her son. She expressed concern with the noise from the turbines and the adverse effects of this noise are larger in children with lower school achievement. She noted that her son was assessed as showing early academic skills well below age and grade expectations. She felt that attention needs to be paid to this vulnerable group when developing regulations and setback requirements for industrial turbines.

Mrs. Grail noted that the current setback for wind turbines, which is 600m from a home, is not acceptable and needs to be reevaluated. She requested that a no flicker exposure be added to the by-laws whereby the turbines are shut down during flicker conditions. She felt that the cost of losing wind power for a few hours per year is negligible given the risk it poses for her son's health.

Mrs. Grail requested that Council put themselves in her shoes and act as if it were their child with special needs and they were ensuring the best possible chance to live a full and productive life in Chatham-Kent.

Wayne Conner, resident of Bass Haven

Mr. Conner noted that he will be speaking tonight regarding his experience living in close proximity to wind turbines. He explained that he owns a 117 acre property in Huron County. Approximately two years ago an energy company in conjunction with the proper environmental assessments erected a 14 turbine wind farm in ACW. Mr. Connor explained that his neighbour entered into a lease agreement with the energy company to erect two 400 foot tall wind turbines that can be seen from his home. The setbacks of these wind turbines from his home are approximately 700m and 1000m.

Mr. Conner noted that he had an accredited appraisal firm come out and appraise his property. He explained that the hydro generation lines going across properties decreased the value of his property by 10% as compared to a previous appraisal. He further explained that MPAC accepted the decreased appraisal.

Mr. Conner explained that his family can hear the noise from the wind turbines in the house, depending on the direction and speed of the turbines. He attempted to hire a sound testing firm, but found that they have all been retained by various wind energy companies. Should sound testing conclude that the noise from the wind turbines is a nuisance, the value of his property could decrease further. Mr. Conner noted that he is considering legal action against the land owner, wind energy company, municipality and the province.

Frank Henry, Sydenham Field Naturalists

Mr. Henry explained that the Sydenham Field Naturalists are actively involved in conservation work. He noted that the Sydenham Field Naturalists are in favour of alternative forms of energy, wind energy included; however they are concerned about the location of wind turbines. The Sydenham Field Naturalists proposed a 3 kilometer setback from Lake Erie for wind turbines and at least a 5 kilometer set back from Lake St. Clair, the Channel Ecart and Walpole Island.

Mr. Henry explained that Chatham-Kent is located at a junction of a major flyway for the migration of birds. He noted that there are a number of statistics from government agencies and wildlife organizations to indicate the importance of these particular flyways. There are major staging areas, feeding areas and resting areas along the flyway. He pointed out that many of the birds that utilize these migration flyways and staging areas are protected and considered species at risk. Mr. Henry noted that we have a global responsibility to protect wildlife.

Mr. Henry explained that Rondeau Park is classified by government agencies and wildlife organizations because of certain bird related criteria. The Ministry of Natural Resources classifies Rondeau as a provincially significant wetland and a life science area of natural and scientific interest. Bird Life International coordinates bird activities all across the world, and classifies Rondeau and the east St. Clair shoreline as important birding areas. Mr. Henry explained the significance of Rondeau as a nesting area for many species of birds.

Mr. Henry noted that the Sydenham Field Naturalists agree with the placement of the turbines for the Front Line application, but are concerned about the leased land to the south. The southern most part of that leased land is only 1 kilometer from Lake Erie and other areas of natural and scientific interest. They hoped that no turbines would be located in this southern area.

Mr. Henry explained that the Sydenham Field Naturalists strongly disapprove of the entire Bisnett Line project as all of the turbines are within 2.5 kilometers of Lake Erie. The Bisnett Line project is located directly in the path of a flyway for birds exiting Rondeau and Rondeau Bay. Mr. Henry noted that Environment Canada classifies the Bisnett Line project as having very high sight sensitivity.

The Sydenham Field Naturalists felt that the Swanton Line project is the ideal location for wind farms in Chatham-Kent due to the distance from Lake Erie and Lake St. Clair.

Mr. Henry noted that the information provided from Dr. Petrie applies to the Marsh Line project. This is an important staging area as well as a major flyway for migratory birds. He further noted that the Marsh Line project is located approximately 6.5 kilometers from the national wildlife area and approximately 4 kilometers from an area classified as a provincially significant wetland. Mr. Henry explained that this area has been under restoration by a number of wildlife organizations. He also pointed out the importance of this area from a tourism and recreation perspective.

Mr. Henry concluded that we have an international, national and local responsibility to protect areas of natural heritage. He requested that the Municipality of Chatham-Kent adopt the recommendations proposed by the Sydenham Field Naturalists and follow the Greening Policy previously approved by Council.

The Acting Chief Administrative Officer explained that administration would recommend that Council hold a special meeting of Council on March 25th with written submissions to be received by February 25th.

Councillor Pickard moved, Councillor Sulman seconded:

“That the Gengrowth applications be deferred until a special meeting of Council to be held on March 25, 2008 with written submissions to be received by February 25th.”

Councillor Sulman clarified that oral submissions will still be allowed from the floor the night of the meeting.

The Mayor put the Motion

Motion Carried

Councillor Pickard moved, Councillor King seconded:

“That the meeting be extended to 10:30 p.m.”

The Mayor put the Motion

Motion Carried

REGULAR

5. COMMITTEE REPORTS

- (a) Drainage Board Recommendations from its meeting held on January 2, 2008

Councillor King moved, Councillor McGregor seconded:

“That the Drainage Board Recommendations from its meeting held on January 2, 2008 be approved.”

The Mayor put the Motion

Motion Carried

- (b) Chatham-Kent Board of Health Minutes from its meetings held on November 21, 2007 and December 19, 2007

This item will be added to the March 3, 2008 agenda as unfinished business.

6. CHATHAM-KENT ENERGY INC.

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

This item will be added to the March 3, 2008 agenda as unfinished business.

7. INFRASTRUCTURE AND ENGINEERING SERVICES

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

MUNICIPALITY OF CHATHAM-KENT

INFRASTRUCTURE AND ENGINEERING SERVICES

DRAINAGE, ENVIRONMENTAL AND FLEET DIVISION

TO: Mayor and Members of Council

FROM: Tim Dick, C.E.T.
Director, Drainage, Environmental and Fleet Division

DATE: January 28, 2008

SUBJECT: Tile Drainage Loan Debenture By-law and Inspections

RECOMMENDATION

It is recommended that:

1. Three readings be given to the Rating By-law for Tile Loan Debenture # 2008-03 for March 1, 2008 imposing special annual drainage rates under the Tile Drainage Act.

BACKGROUND

The Province of Ontario provides loans to property owners through the Tile Loan Program to assist in funding the installation of private farm tile on their agricultural properties. The program is governed by the Tile Drainage Act. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) announced the criteria for the 2007/2008 Tile Loan Program would remain the same as last year, offering an annual loan maximum of \$50,000 with a 6% interest rate for a ten year term. Tile drainage loans are available on a first come first served basis for the Provincial fiscal year. The \$50,000 loan limit is on a per owner basis, not on a per property basis. The details of the current Tile Loan Program were announced April 30, 2007.

COMMENTS

The Tile Drainage Act requires that the Council of the local municipality adopt an authorizing debenture by-law for tile loans.

The following inspections have met the criteria as set out under the Tile Drainage Act.

Tile Drainage Loan Inspections Completed and Loans Requested

Roll No.	Land to be Drained	Amount of Loan Requested	Annual Payment
410.001.87600	N Pt Lot 3 Concession 3 Community of Chatham Twp.	\$ 3,400.00	\$ 461.95
410.001.87700	Pt Lot 4 Concession 3 Community of Chatham Twp.	\$16,300.00	\$2,214.65
480.003.11100	W Pt Lot 3 Concession BDE Community of Dover	\$17,200.00	\$2,336.93
TOTAL		\$36,900.00	\$5,013.53

COMMUNITY STRATEGIC PLAN

The recommendation in this report supports the following objectives and strategic directions:

B: Economy – We are a prosperous community

B4: Encourage the continuing growth of a diversified and sustainable economic base

Desired Outcomes/Proposed Activities

- Develop and promote available industrial/commercial/residential/agricultural properties.

The recommendation will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

Correspondence has been received this year from the office of the Minister of Agriculture and Food, Leona Dombrowsky, announcing that funding is available through the Tile Loan Program for the 2007/2008 fiscal year.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendation.

Prepared by:

Reviewed by:

Lynn Tyhurst
Drainage Analyst

Tim Dick, C.E.T.
Director
Drainage, Environmental & Fleet Division

Reviewed by:

Reviewed by:

Leo Denys, P. Eng.
General Manager
Infrastructure and Engineering Services

Gerry Wolting, B.Math, CA
Acting Chief Administrative Officer

Councillor King moved, Councillor Stirling seconded:

“That three readings be given to the Rating By-law for Tile Loan Debenture # 2008-03 for March 1, 2008 imposing special annual drainage rates under the Tile Drainage Act.”

The Mayor put the Motion

Motion Carried

8. COMMUNITY AND DEVELOPMENT SERVICES

(a) Proposed Concert, Chatham Municipal Airport

MUNICIPALITY OF CHATHAM-KENT

COMMUNITY AND DEVELOPMENT SERVICES

COMMUNITY SERVICES – CULTURE & SPECIAL EVENTS

TO: Mayor and Members of Council

FROM: Janet Raddatz,
Manager, Culture and Special Events

DATE: January 31, 2008

SUBJECT: Proposed Concert, Chatham Municipal Airport

RECOMMENDATIONS

It is recommended that:

1. A “Rockstock” concert, to be held at the Chatham Municipal Airport on Saturday June 21, 2008, be approved and subsequently, that the Airport be closed on that date.

2. The collection of \$.25 for each concert ticket sold, up to a maximum of \$1,500, to cover costs of Airport and Public Works staff, be approved

BACKGROUND

Kennedy-Yorkridge Ventures is a newly formed Chatham-Kent company that is looking to bring a summer music concert to Chatham-Kent. Company representatives have networked with various experienced promoters to assist and advise on concert events. They now wish to hold a concert in the Chatham area on June 21, 2008.

The event organizers expect to attract 6,000-10,000 people to the proposed concert, which would feature an act or combination of acts such as, "Finger Eleven", "Sloan", "Matthew Good Band", etc. Local bands are also anticipated to be featured. Marketing efforts are expected to be concentrated both inside and outside of Chatham-Kent, since the event organizers wish to attract both residents and tourists to the concert. If successful in attracting tourists, the concert would have a positive economic impact for Chatham-Kent. Based on 2005 Ministry of Tourism Regional Tourism profiles, the average overnight domestic visitor spends \$95 per person per night.

COMMENTS

As this is a significant and unique event, the event organizer met with a variety of representatives on December 14, 2007 including:

- Manager, Culture and Special Events
- Special Events Assistant
- Inspector, Fire Services
- District Sergeant, Chatham, Police Services
- Sergeant, Police Services Traffic Section
- Director, Public Works South
- Licensing Assistant
- Public Health Inspector
- Engineering Technician
- Inspector, Liquor Enforcement Branch, Alcohol & Gaming Commission of Ontario

At this meeting the event organizer proposed two potential locations for the concert: Thames Grove Conservation Area or the Chatham Airport. Police Services noted that Thames Grove is not a suitable venue due to public safety issues. The entire south shore has a natural barrier of the river, which prohibits emergency access. Access from the remaining entry points is not readily accessible and presents a problem when medium sized events (fewer than 6,000 people) occur on-site. The Chatham Airport was therefore considered the only feasible location if the event organizer wished to remain on municipal property.

A second meeting was held at the Chatham Municipal Airport on January 16, 2008. The following representatives attended that meeting:

- Special Events Assistant
- Manager, Chatham Municipal Airport
- Director, Public Works South
- Inspector, Fire Services
- District Sgt, Ridgeway/Blenheim/Thamesville/Bothwell, Police Services
- Constable, Police Services

The summarized list of concerns and resolutions are found in Attachment A. When the concerns are appropriately addressed, there would be no objections by the Agencies/ Municipal departments whose members attended the meeting, and the event could be

held.

The Director, Public Works South has confirmed with Nav Canada that there are no restrictions closing a Municipal Airport if Council agrees to close the airport for the event.

Sontair operates the airport for the Municipality and is in agreement with the proposed one-day closure. There would be no loss of revenue for the Saturday. Only private user groups would be affected by the closure; they would be unable to take recreational flights.

If Council approves, Public Works / Airport staff will notify all user groups, well in advance of the date, that the airport will be completely closed.

Since Airport and Public Works staff will need to be on-site during and after the event to ensure the facility is maintained and returned to its pre-event condition, it is recommended that the event organizer will pay the Municipality \$.25 for each ticket sold up to a maximum of \$1,500 to cover the staff costs.

COMMUNITY STRATEGIC PLAN

The recommendations in this report supports the following objectives and strategic directions:

B: Economy – We are a prosperous community.

B1: Promote and market Chatham-Kent.

B2: Make Chatham-Kent a business-friendly community and a desirable leisure destination.

D: Culture – We are a cultural community.

D1: Celebrate and support heritage, arts, and cultural events and programs.

D2: Protect and promote heritage, arts, and cultural areas and resources.

Desired Outcomes/Proposed Activities

- Develop leisure/cultural venues that support community and business attraction activities.
- Increase tourist dollars and total time spent in Chatham-Kent by a measurable percentage.
- Develop Chatham-Kent as the business and leisure destination of choice in Ontario.
- Develop a comprehensive inventory of heritage, arts, and cultural organizations, facilities, sites and landscapes.
- Increase participation in heritage, arts, and cultural events and activities.
- Increase the number of visitors to cultural festivals.
- Increase attention and support paid to heritage, arts, and cultural endeavours by government, business, and industry.
- Support heritage, arts, and culture to make Chatham-Kent a more diverse and creative place in which to live.

The recommendations in this report will not adversely impact on the remainder of the Community Strategic Plan.

CONSULTATION

The representatives listed in this report, who attended December 14, 2007 and January 16, 2008 meetings, have reviewed the report and support the event, so long as the concerns outlined in the report are appropriately addressed by the event organizer and an event application is submitted through the Special Events Policies and Procedures

Manual.

The Director, Public Works South was consulted with regard to this matter and confirmed that Council approval is required in order to close the airport for this event.

The Coordinator, Emergency Medical Services was consulted and has no objections to the event; provided the event organizer engages/commissions an organization that can provide qualified first aid treatment during the event.

Legal Services was consulted with regard to the level of liability coverage required for an event of this size. They have confirmed that a certificate of insurance, in the amount of \$2 million per incident, naming The Corporation of the Municipality of Chatham-Kent as an additional insured is sufficient.

A Budget and Performance Analyst, Budget & Performance Services, reviewed the Financial Implications and agrees with the information contained in that section.

The event organizer has reviewed this report and agrees with the recommendations.

FINANCIAL IMPLICATIONS

All municipal costs will be recovered from the event organizer. Public Works has noted that a refundable damage deposit, in the amount of \$5,000, will be required from the event organizer as well as a commitment that any damage above and beyond that dollar amount would be paid for by the event organizer.

Since Airport and Public Works staff will need to be on-site during and after the event to ensure the facility is maintained and returned to its pre-event condition, the event organizer will pay the Municipality \$.25 for each ticket sold, up to a maximum of \$1,500, to cover the staff costs.

Sontair operates the airport for the Municipality. They have confirmed that there would be no loss of revenue due to closing the airport for one day.

Prepared by:

Janet Raddatz
Manager
Culture and Special Events

Reviewed by:

Reviewed by:

Evelyn Bish, B.A.
Acting General Manager
Community Development Services

Gerry Wolting, B. Math, CA.
Acting Chief Administrative Officer

Councillor Pickard moved, Councillor Stirling seconded:

“That

- 1. A “Rockstock” concert, to be held at the Chatham Municipal Airport on Saturday June 21, 2008, be approved and subsequently, that the Airport be closed on that date.**

2. The collection of \$.25 for each concert ticket sold, up to a maximum of \$1,500 to cover costs of Airport and Public Works staff.”

Councillor Herman requested that a report come back to Council at the conclusion of this event.

Councillor Robbins questioned how the cost of Public Works staff would be covered if ticket sales do not meet expected levels. The Director of Public Works South explained that the promoter will be asked to contribute towards any funding shortfalls.

Councillor Sulman questioned if the promoter has been required to pay a deposit to cover any damages. The Manager of Culture and Special Events explained that a \$5,000 damage deposit is required from the event organizers.

Councillor Sulman sought clarification on security at the event. The Manager of Culture and Special Events explained that security plans will have to be approved by Police Services in advance of the event. She further explained that the recommendations in this report are for requirements over and above what is normally approved by staff as part of the special events policy.

The Mayor put the Motion

Motion Carried

(b) Notice of Motion – Councillor Parsons re Set Back Provisions for Wind Turbines

This item will be added to the March 3, 2008 agenda as unfinished business.

(c) Notice of Motion – Councillor Parsons re Licensing Card Tournaments

This item will be added to the March 3, 2008 agenda as unfinished business.

(d) Notice of Motion – Councillor Vercooterren re Safety Hooks in Arena Dressing Rooms

This item will be added to the March 3, 2008 agenda as unfinished business.

9. CORPORATE SERVICES

(a) 2007 Request for Encumbrance Reserve

This item will be added to the March 3, 2008 agenda as unfinished business.

(b) Third 2007 Budget Variance Forecast

This item will be added to the March 3, 2008 agenda as unfinished business.

10. CLOSED SESSION REPORTS

The closed session report from February 11, 2008 will be added to the March 3, 2008 agenda.

11. BY-LAWS

(a) FIRST READING

Councillor Parsons moved, Councillor Pickard seconded:

“That the By-laws be taken as read for the first time.”

The Mayor put the Motion.

Motion Carried

(b) SECOND READING

Councillor Parsons moved, Councillor Pickard seconded:

“That the By-laws be taken as read for the second time.”

The Mayor put the Motion.

Motion Carried

(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 No. 86-65, as amended, of the former Township of Howard (Bruce Parks & William Parks) (Hansen #4304)
- xvii. 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)
- xviii. By-law to amend Zoning By-law No. 90-40, as amended, of the former Township of Dover (Delbert & Margaret Chinnick) (Hansen #4362)
- xix. By-law to amend Zoning By-law No. 90-40, as amended, of the former Township of Dover (Cheri Keskeny) (Hansen #4393)
- xx. By-law to amend Zoning By-law No. 5296 of the former Township of Harwich (VDEB Farms Ltd.) (Hansen #4361)
- xxi. 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)
- xxii. By-law to adopt Amendment No. 9 to the Official Plan for the Municipality of Chatham-Kent (Tilbury)
- xxiii. By-law to amend Zoning By-law No. 1867-85, as amended, of the former Town of Tilbury (Missant Investments Inc.) (Hansen #4317)
- xxiv. By-law to adopt Amendment No. 4 to the Official Plan for the Municipality of Chatham-Kent
- xxv. By-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act

- xxvi. By-law to establish certain user fees
- xxvii. 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
- xxviii. 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

Councillor Fluker moved, Councillor Faas seconded:

“That the By-laws be taken as read for the third time and finally passed.”

The Mayor put the Motion.

Motion Carried

12. APPROVAL OF COMMUNICATION ITEMS

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

This item will be added to the March 3, 2008 agenda as unfinished business.

13. NON-AGENDA BUSINESS

14. RESOLUTION RE: IN-CLOSED SESSION & ADJOURNMENT

Councillor Robbins moved, Councillor Stirling seconded:

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.

The Mayor put the Motion.

Motion Carried

The meeting adjourned at 10:15 p.m.

Mayor – Randy R. Hope

Clerk – Elinor Mifflin