



**CORPORATION OF THE TOWNSHIP OF ST. CLAIR**

**COUNCIL MINUTES**

**SESSION #20**

Electronic Meeting  
November 15, 2021  
6:00 p.m.

A Regular Meeting of Council was held Monday, November 15, 2021, at 6:00 p.m. with the following people participating via video conference:

	S. Arnold	Mayor
	S. Miller	Deputy Mayor
	R. Atkins	Councillor
	P. Brown	Councillor
	J. De Gurse	Councillor
	B. Myers	Councillor
	T. Kingston	Councillor
Staff:	J. Rodey	CAO
	J. Baranek	Clerk

**AGENDA:**

**1. CALL TO ORDER**

**2. DECLARATION OF PECUNIARY INTEREST**

**3. ADOPTION OF MINUTES**

3.1 Regular Council Meeting - Session #19 – November 1, 2021

**4. DELEGATIONS/PRESENTATIONS**

**4.1 PUBLIC MEETING:**

- 6:10 p.m. – Zoning By-Law Amendment Application – 2742 Burman Line – AGinvest Farmland Properties IV Inc.

**4.2 PRESENTATION:**

- 6:15 p.m. – Ontario Power Generation – Lambton Generating Station Demolition Plan – Ralph Curitti, OPG Manager, Southwest Operations and Karim Ahmad El-Khatib, DELSAN-AIM Environmental Services Inc., General Manager of Operations

**5. CORRESPONDENCE ITEMS**

5.1 Municipality of Chatham-Kent Resolution – Professional Development Day for Municipal and School Board Elections – October 24, 2022

5.2 Request for Reconsideration – Pedestrian Crossing at Brander Park

5.3 Canadian Union of Public Employees (CUPE) Ontario – Ontario Municipal Employees Retirement System (OMERS) Investment Underperformance

5.4 Request for Dog Park in Corunna

5.5 Lighting Request for Fawn Island North Parking Area

5.6 EXIT Realty – Permission to Offer Refreshments at Corunna Santa Claus Parade

5.7 Thank You from Thompson Gardens Residents

5.8 Petition for Beckwith Street Upgrades

6. **INFORMATION ITEMS**

6.1 St. Clair Region Conservation Authority Board Meeting Highlights – September 23, 2021

6.2 Lambton County News Release – Council Highlights – November 4, 2021

6.3 Corunna Santa Claus Parade Information – November 27, 2021

6.4 2022 Tentative Council Meeting Schedule

7. **DRAINS**

7.1 DRAFT Drainage By-Law 22 of 2021 – Various Drains (Amending)

7.2 DRAFT Drainage By-Law 23 of 2021 – Various Drains (Amending)

7.3 DRAFT Drainage By-Law 24 of 2021 – Various Drains (Amending)

7.4 DRAFT Drainage By-Law 25 of 2021 – Various Drains (Amending)

7.5 DRAFT Drainage By-Law 26 of 2021 – Various Drains (Amending)

7.6 DRAFT Drainage By-Law 27 of 2021 – Various Drains (Amending)

8. **REPORTS OF COMMITTEES AND STAFF**

8.1 Planner's Report – Zoning By-Law Amendment Application – 2742 Burman Line – AGinvest Farmland Properties IV Inc.

8.2 Planner's Report – Plan of Condominium (Vacant Land Condominium) – Walnut Grove Development

8.3 Planner's Report – Plan of Condominium (Vacant Land Condominium) – Sifton Properties Limited, Corunna Soleil

8.4 Director of Public Works' Report – Sanitary Fixed Fee Charge Increase for 2022

8.5 Water/Wastewater Specialist's Report – NOVA Moore Sanitary Sewer Agreements

8.6 Director of Community Services' Report – Information

8.7 Director of Community Services' Report – 2022 Community Services Fees

8.8 Moore Museum Curator's Report – Request for Appointments to 2022 Moore Museum Advisory Committee

**8.9 Coordinator of Operations' (Works) Report – Brigden Road Closure – Special Event**

**9. BY-LAWS**

**9.1 By-Law 51 of 2021 – Confirming By-Law**

**9.2 By-Law 52 of 2021- Zoning By-Law Amendment – 2742 Burman Line – AGinvest Farmland IV Inc.**

**9.3 By-Law 53 of 2021 – Condominium Agreement – Sifton Properties Ltd. – Corunna Soleil Development**

**9.4 By-Law 54 of 2021 – Condominium Agreement – Kendel Homes Inc. – Walnut Grove Development**

**10. NEW BUSINESS/ COUNCILLORS' REPORTS**

**11. UPCOMING MEETINGS**

**11.1 Capital Budget Meeting – Thursday, November 25, 2021, at 5:00 p.m.**

**11.2 Regular Council Meeting – Monday, December 6, 2021, at 3:00 p.m.**

**11.3 Special Meeting of Council – Tuesday, December 7, 2021, at 2:00 p.m.**

**11.4 Regular Council Meeting – Monday, December 20, 2021, at 6:00 p.m.**

**12. IN CAMERA SESSION**

**12.1 Municipal Act – Section 239 (2) (e) To discuss on-going litigation related to a Property Standards file**

**13. ADJOURNMENT**

---

**1. CALL TO ORDER**

At the appointed time of 6:00 p.m., Mayor Arnold welcomed those watching on other platforms and called the meeting to Order. At the outset, Mayor Arnold asked everyone to observe a moment of silence for past Deputy Mayor of Moore Arnold Pole who recently passed away.

**2. DECLARATION OF PECUNIARY INTEREST**

Councillor Atkins declared a Conflict of Interest with item 5.3 as she is a member of the OMERS pension.

**3. ADOPTION OF MINUTES**

Moved by J. De Gurse

Seconded by T. Kingston

**Motion 1** Be it resolved that the Minutes from the Regular Council Meeting Session #19 held on November 1, 2021, be received and accepted as printed.

**CARRIED**

**4. DELEGATIONS/PRESENTATIONS**

**4.1 PUBLIC MEETING:**

**- 6:10 p.m. – Zoning By-Law Amendment Application – 2742 Burman Line – AGinvest Farmland Properties IV Inc.**

At the appointed time of 6:10 p.m., Mayor Arnold declared open the public meeting to consider an application to re-zone 2742 Burman Line as a condition of Consent as per application B10/21 conditionally approved by the Committee of Adjustment.

Application B10/21 would create a new 2.8-acre parcel to dispose of a surplus farm dwelling. Presently, there are three buildings that were formerly used to house livestock on the area of the new lot. Planner - Ezio Nadalin explained that, if the proposed re-zoning was approved, it would prohibit any of the three included out-buildings from ever housing livestock in the future. Further, as per the Provincial Policy Statement, the retained lot would be re-zoned to prohibit the erection of a future dwelling.

Mr. Nadalin was satisfied with the proposal and agreed that it complied with the Provincial Policy Statement and the Township Planning documents. He recommended the proposal for approval.

Clerk - Jeff Baranek noted that one letter of objection was received from the owner of the property known as 2836 Burman Line with concerns regarding prohibiting the use of the buildings on the new lot and asked that the severance be denied if the buildings cannot be used for the originally intended use, especially since they are in an agricultural zone.

Seeing no other comments forthcoming, Mayor Arnold declared the public meeting closed and asked for any forthcoming motions.

Moved by S. Miller

Seconded by T. Kingston

**Motion 2** Be it resolved that the *Zoning By-Law Amendment Application – 2742 Burman Line – AGinvest Farmland Properties* report submitted by Planner – Ezio Nadalin, dated November 2, 2021, be received as information and that the corresponding draft By-Law 52 of 2021 be considered for approval.

**CARRIED**

#### 4.2 **PRESENTATION:**

**- 6:15 p.m. – Ontario Power Generation – Lambton Generating Station Demolition Plan – Ralph Curitti, OPG Manager, Southwest Operations and Karim Ahmad El-Khatib, DELSAN-AIM Environmental Services Inc., General Manager of Operations**

At the appointed time of 6:15 p.m., Mayor Arnold welcomed Steve Repergel and Ralph Curitti of Ontario Power Generation (OPG) and Monica Dedic and Karim El-Khatib of Delsan-AIM to make their presentation related to the continued demolition of the Lambton Generating Station (LGS).

Demolition of the former LGS lands has continued and asbestos abatement has been 100% completed. Fly ash continues to be removed from site with an expected finish in the Fall of 2021.

The plan for the balance of the structures on-site, including the three stacks, is to demolish them by a “blast event” which will take place when weather conditions cooperate in early February 2022. Delsan-AIM has been involved in demolitions using explosives for over 30 years and recently knocked over two 650-foot-tall stacks at the former Nanticoke Generating Station.

The timing of the proposed blast demolition for February 2020 was strategically selected to avoid migratory bird season, wildlife breeding season and fish spawning season. The stacks will be dropped westward to avoid the active switchyard and microwave tower and all of the structures will be timed to fall in echelon. A specific date will not be selected until closer to the time to ensure

necessary North-West wind is forecast. Rescheduling will occur if the necessary wind speed and direction is not met.

Among the proposed mitigation measures to reduce dust pollution off-site is the use of a wall comprised of sea-containers filled with sand to interrupt any projectiles, geotextile curtains, channel protection covers, and misting cannons. In anticipation of the blast, abatement of all hazardous substances has been, or is being completed, washing of the boiler and SCR structures, and removal of exterior wall cladding will be completed in advance of the demolition.

Once the presentation was completed, Mayor Arnold opened the floor for questions.

Councillor Kingston acknowledged the information night scheduled for December 2, 2021 and asked that a letter be sent to those property owners within one kilometre of the site. Councillor Brown confirmed that a notice for the information night will be printed in the local papers a total of four times.

Deputy Mayor Miller confirmed that one resident will be personally consulted in advance of the demolition but, will not be required to re-locate during the blast.

As part of the mitigation plan, St. Clair Parkway and Oil Springs Line will be closed by police and OPG will have their own perimeter security guard team to ensure that no person sneaks into the Exclusion Zone.

Mayor Arnold suggested that the Parkway be closed at Highway 80 and Bickford and that Oil Springs be closed at Highway 40 to ensure that no traffic will be forced to turn around.

The Mayor also cautioned the team from OPG to expect questions about compensation for property owners impacted by this demolition procedure.

Mayor Arnold concluded the meeting by thanking OPG and Delsan-AIM for the presentation and reiterated his strong opposition to the blast plan noting that it has always been his preference to demolish the stacks and remaining superstructure piece by piece and not by any type of explosive.

## **5. CORRESPONDENCE ITEMS**

Moved by R. Atkins

Seconded by J. De Gurse

**Motion 3** Be it resolved that Council accept the following items of correspondence as per Council's direction:

- 5.1 Municipality of Chatham-Kent Resolution – Professional Development Day for Municipal and School Board Elections – October 24, 2022
- 5.2 Request for Reconsideration – Pedestrian Crossing at Brander Park
- 5.3 Canadian Union of Public Employees (CUPE) Ontario – Ontario Municipal Employees Retirement System (OMERS) Investment Underperformance
- 5.4 Request for Dog Park in Corunna
- 5.5 Lighting Request for Fawn Island North Parking Area
- 5.6 EXIT Realty – Permission to Offer Refreshments at Corunna Santa Claus Parade
- 5.7 Thank You from Thompson Garden Residents
- 5.8 Petition for Beckwith Street Upgrades

**CARRIED**

5.2 Moved by P. Brown

Seconded by B. Myers

**Motion 4** Be it resolved that the location of the approved crosswalk over St. Clair Parkway at Brander Park be RECONSIDERED.

**MOTION LOST**

Council Meeting  
November 15, 2021

- 5.3 Moved by T. Kingston Seconded by S. Miller  
**Motion 5** Be it resolved that the Township of St. Clair support the request submitted by CUPE to have the recent underwhelming performance of the OMERS pension plan investigated by a third party.  
**CARRIED**
- 5.4 Moved by B. Myers Seconded by T. Kingston  
**Motion 6** Be it resolved that the request for consideration for a dog park south of the health building at 233 Cameron Street be denied.  
**CARRIED**
- 5.5 Moved by S. Miller Seconded by P. Brown  
**Motion 7** Be it resolved that the request submitted by residents of Fawn Island to have lighting installed at the new north parking lot be referred to the St. Clair Region Conservation Authority, as they are the owners of the property.  
**CARRIED**
- 5.6 Moved by S. Miller Seconded by T. Kingston  
**Motion 8** Be it resolved that the request submitted by agents from Exit Realty to use the clocktower property to offer hot chocolate to children during the Corunna Santa Claus Parade be denied for 2021 due to ongoing COVID-19 protocols.  
**CARRIED**
- 5.8 Moved by T. Kingston Seconded by S. Miller  
**Motion 9** Be it resolved that the petition submitted for improvements to Beckwith Street be received and that it be referred to staff for consideration for such projects to be included in 2022 Capital Budget deliberations.  
**CARRIED**

**6. INFORMATION ITEMS**

Moved by P. Brown Seconded by S. Miller  
**Motion 10** Be it resolved that the following items of information be dealt with as per Council's direction:

- 6.1 St. Clair Region Conservation Authority Board Meeting Highlights – September 23, 2021
- 6.2 Lambton County News Release – Council Highlights – November 4, 2021
- 6.3 Corunna Santa Claus Parade Information – November 27, 2021
- 6.4 2022 Tentative Council Meeting Schedule

**CARRIED**

- 6.4 Moved by T. Kingston Seconded by P. Brown  
**Motion 11** Be it resolved that the first regular council meeting in January be cancelled, making the first regular council meeting of the new year to be scheduled for January 17, 2022, at 6:00 p.m. in the Council Chamber.  
**CARRIED**

**7. DRAINS**

Moved by J. De Gurse Seconded by B. Myers  
**Motion 12** Be it resolved that the following drainage by-laws be given all three readings and be thereby passed, and that the Mayor and Clerk be authorized to execute the By-Laws:

- 7.1 Drainage By-Law 22 of 2021 – Being a By-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Government Drain No. 2, Gray Drain Moore, Hargrove Drain, Hazzard Drain, Heal Drain, Hodge Drain, Jarvis Drain, Johnston Creek Drain, Johnston Drain and Joiner Drain;

- 7.2 Drainage By-Law 23 of 2021 – Being a By-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Lambton Line Drain, Lane Drain, Lapier Drain, McBean Drain, McKellar Drain, McLennan Drain, Moffat Drain, Moody Drain, Moran Drain and Moshier Drain;
- 7.3 Drainage By-Law 24 of 2021 – Being a By-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Moshier Drain, Murphy Drain, Meyers Drain, Nesbit Drain, Norwood Drain, O’Leary Drain East, Pacific Drain, Parr Drain South and Parr Magill Drain;
- 7.4 Drainage By-Law 25 of 2021 – Being a By-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Payne Drain, Plank Road Drain, Pray Drain West, Reid Becher Drain, Ritchie Drain, Rivers Lapish Drain, Robinson Drain and Scott Drain;
- 7.5 Drainage By-Law 26 of 2021 – Being a By-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Selman Drain, Shaw Drain, Sterling Drain, Stokes Drain South, Sweeney Drain, Toner Drain, Turnbull Drain, Vancouter Drain and Vandevenne Drain;
- 7.6 Drainage By-Law 27 of 2021 – Being a By-law to raise the sum of money expended out of the General Funds of the Township of St. Clair in the County of Lambton for drain expenses to the Wadsworth Drain, Walton Drain, Watson Drain Sombra, Wellington Drain, Whale Drain, White Drain No. 2, Wilson Drain, Wray Drain and Wright Drain.

**CARRIED**

**8. REPORTS OF COMMITTEES AND STAFF**

- 8.1 Moved by S. Miller   Seconded by T. Kingston  
**Motion 13** Be it resolved that the *Zoning By-Law Amendment Application – 2742 Burman Line – AGinvest Farmland Properties* report submitted by Planner – Ezio Nadalin, dated November 2, 2021, be received as information and that the corresponding draft By-Law 52 of 2021 be considered for approval.
- 8.2 Moved by J. De Gurse   Seconded by P. Brown  
**Motion 14** Be it resolved that the *Plan of Condominium (Vacant Land Condominium) – Walnut Grove Development* report submitted by Planner – Ian MacDougall, dated November 4, 2021, be received as information and that the corresponding draft By-Law 54 of 2021 be considered for approval.
- 8.3 Moved by T. Kingston   Seconded by S. Miller  
**Motion 15** Be it resolved that the *Plan of Condominium (Vacant Land Condominium) – Sifton Properties Limited, Corunna Soleil* report submitted by Planner – Ian MacDougall, dated November 4, 2021, be received as information and that the corresponding draft By-Law 53 of 2021 be considered for approval.
- 8.4 Moved by R. Atkins   Seconded by B. Myers  
**Motion 16** Be it resolved that the *Sanitary Fixed Fee Charge Increase for 2022* report as submitted by the Director of Public Works - Brian Black be received as information.

**CARRIED**

8.5 Moved by S. Miller Seconded by J. De Gurse  
**Motion 17** Be it resolved that the *NOVA Moore Sanitary Sewer Agreements* report as submitted by the Water/Wastewater Specialist – Nova VanderSlagt, be received as information and that the following recommendations be accepted:

1. That By-Law 53 of 2008 be repealed and;
2. That the attached Sewer Use and Extra Strength Surcharge Agreements be approved and that the Mayor and Clerk be authorized to execute the agreements and;
3. That the Clerk be authorized to execute the necessary By-Law for approval.

**CARRIED**

8.6 Moved by P. Brown Seconded by R. Atkins  
**Motion 18** Be it resolved that the *Community Services - Information* report as submitted by Director of Community Services - Kendall Lindsay be received as information.

**CARRIED**

8.7 Moved by S. Miller Seconded by T. Kingston  
**Motion 19** Be it resolved that the *2022 Community Services Fees* report as submitted by Director of Community Services - Kendall Lindsay be received as information and that the attached Community Services Fees be approved effective April 1st, 2022, and Golf Course Fees be approved effective January 1st, 2022.

**CARRIED**

8.8 Moved by J. De Gurse Seconded by P. Brown  
**Motion 20** Be it resolved that the *Request for Appointments to 2022 Moore Museum Advisory Committee* report as submitted by the Moore Museum Curator - Laurie Mason, be received as information and that the following changes and appointments be approved:

1. The following existing Moore Museum Advisory Committee members be re-appointed for 2022:
  - a. Joyce Brock
  - b. Leo Griffiths
  - c. Marg Griffiths
  - d. Susanne Hodgins
  - e. Marilyn Johnson
  - f. David Pattenden
  - g. Dave Taylor
  - h. Shirley Warner
2. The retirement of James Townsend from the Committee be accepted with regret;
3. That John Richardson of Mooretown, and Louis Townsend of Corunna be appointed to the Moore Museum Advisory Committee.

**CARRIED**

8.9 Moved by B. Myers Seconded by R. Atkins  
**Motion 21** Be it resolved that the *Brigden Road Closure – Special Event* report submitted by Coordinator of Works - Dave Neely be received as information and that the temporary closure of Brigden Road between Courtright Line and Jane Street be approved to accommodate a special community event on Saturday, December 4, between 4:30 p.m. and 7:30 p.m.

**CARRIED**



**9. BY-LAWS**

Moved by P. Brown

Seconded by R. Atkins

**Motion 22** Be it resolved that the following By-Laws receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

- 9.1 By-Law 51 of 2021 – Confirming By-Law
- 9.2 By-Law 52 of 2021 – Zoning By- Law Amendment – 2742 Burman Line – AGinvest Farmland IV Inc.
- 9.3 By-Law 53 of 2021 – Condominium Agreement – Sifton Properties Ltd. – Corunna Soleil
- 9.4 By-Law 54 of 2021 – Condominium Agreement – Kendel Homes Inc. – Walnut Grove

**CARRIED**

**10. NEW BUSINESS/COUNCILLORS' REPORTS:**

**Councillor Atkins**

Councillor Atkins participated in an Affordable Housing webinar and attended the Remembrance Day Ceremonies at both Wallaceburg and Aamjiwnaang.

**Councillor Brown**

Councillor Brown participated in the recent St. Clair Region Conservation Authority meeting and attended the Remembrance Day Ceremony in Corunna.

**Councillor De Gurse**

Councillor De Gurse had nothing to report.

**Councillor Kingston**

Councillor Kingston attended the Remembrance Day Ceremony in Corunna and participated in a Shoreline Protection webinar.

**Councillor Myers**

Councillor Myers attended the Remembrance Day Ceremony in Wallaceburg and recognized the passing of former Deputy Mayor of Moore Arnold Pole.

**Deputy Mayor Miller**

Deputy Mayor Miller participated in many meetings including the St. Clair Region Conservation Authority meeting and County Council. He also attended the cenotaph in Brighden on behalf of the Township for Remembrance Day.

Deputy Mayor Miller thanked Craig Bezaire for his tireless efforts at the ball diamonds in Port Lambton and for the installation of fencing at McDonald Park, in particular.

**Mayor Arnold**

Mayor Arnold represented the Township in many meetings and met the new GM of the local Shell Refinery. Mayor Arnold attended the Remembrance Day ceremonies at both Corunna and Aamjiwnaang and thanked Deputy Mayor Miller for representing the Township at the Brighden cenotaph.

Mayor Arnold concluded his report by advising that he met with Minister Fedeli of the Ministry of Economic Development with regard to chemical producers within Ontario.

**11. UPCOMING MEETINGS**

- 11.1 Capital Budget Meeting – Thursday, November 25, 2021, at 5:00 p.m.
- 11.2 Regular Council Meeting – Monday, December 6, 2021, at 3:00 p.m.
- 11.3 Special Meeting of Council – Tuesday, December 7, 2021, at 2:00 p.m.
- 11.4 Regular Council Meeting – Monday, December 20, 2021, at 6:00 p.m.

**12. IN CAMERA SESSION**

Moved by J. De Gurse

Seconded by S. Miller

**Motion 23** Be it resolved that the meeting enter an in-camera session to consider the following:

- 12.1 Municipal Act – Section 239 (2) (e) To discuss on-going litigation related to a Property Standards file

**CARRIED**

**13. ADJOURNMENT**

Seeing no other business to conduct, it was thereby moved:

Moved by T. Kingston

Seconded by B. Myers

**Motion 24** Be it resolved that the meeting do hereby adjourn.

**CARRIED**

The meeting was adjourned at 8:00 p.m.

  
\_\_\_\_\_  
Mayor – Steve Arnold

  
\_\_\_\_\_  
Clerk – Jeff Baranek