

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION #11**

St. Clair Civic Centre
Council Chambers
May 20, 2008
7:00 p.m.

The regular semi-monthly meeting of the Council of the Corporation of the Township of St. Clair was held this evening with the following members present:

	S. Arnold	Mayor
	P. Gilliland,	Deputy Mayor
	P. Carswell-Alexander,	Councillor
	P. Brown,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO

AGENDA:

Declaration of Conflict of Interest:

Adopt Minutes:

Council Meeting of May 5, 2008 -. Session #9
Special Meeting of Council – May 7, 2008 – Session #10
Finance & Administration, Public Works & Operations of May 12, 2008

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

7:30 p.m. – Rossell ~ Zoning by-law amendment
7:35 p.m. - Beaubien/Bourque ~ Rezoning and Official Plan Amendment
7:45 p.m. – DeRooy ~ Rezoning – temporary use

CORRESPONDENCE:

- a) Property Standards – Lyndoch Street
- b) Property Standards – Colborne Street
- c) Property Standards – St. Clair Parkway

INFORMATION:

- 1) County of Lambton – Council Highlights
- 2) County of Lambton – CPR Training
- 3) County of Lambton – Lambton’s Past
- 4) Township of St. Clair – Strategic Plan Meeting
- 5) Township of Enniskillen – Canada Day Tour
- 6) Corunna Community Policing – May 6th Minutes
- 7) Union Gas – invitation
- 8) Dow Chemical – landfill site
- 9) Sarnia/Lambton Chamber of Commerce – invitation
- 10) Township of St. Clair – Notice of Public Meeting 1194 Oil Spring Lines
- 11) Township of St. Clair – Notice of Public Meeting 1590 St. Clair Parkway
- 12) Township of St. Clair – Notice of Public Meeting 1157 Lambton Line
- 13) County of Lambton – Warden’s Picnic

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- 14) Planner's Report – 1194 Oil Springs Line
- 15) Planner's Report – 1590 St. Clair Parkway
- 16) Planner's Report – 1157 Lambton Line
- 17) Catherine McKenna – Lambton Historical meeting

DRAINS:

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF OPERATIONS (WORKS):

Paved Shoulder – Sombra
Pavement Painting Equipment
Sidewalk/Catch Basin - tender

TREASURER'S REPORT:

OIPC offer to purchase debentures

DIRECTOR OF EMERGENCY SERVICES:

Dawn-Euphemia request

DIRECTOR OF PUBLIC WORKS & OPERATIONS:

Brigden Road Resurfacing Tender

CLERK'S REPORT:

Animal Control
St. Joseph's Hospice – Naming opportunity

CAO'S REPORT:

MOTIONS:

BY-LAWS:

By-Law #26 of 2008 – Borrowing By-law for St. Clair Parkway Sanitary Sewers
By-law #30 of 2008 - Deeming By-law
By-Law #31 of 2008 – Official Plan Amendment #10~1590 St. Clair Parkway
By-Law #32 of 2008 – Rosseel rezoning
By-Law #33 of 2008 – Beaubien/Bourque rezoning
By-Law #34 of 2008 – DeRooy rezoning
By-Law #35 of 2008 - Animal Control
By-Law #36 of 2008 – Colborne Street School ~ Subdivision agreement
By-Law #37 of 2008 – Speed Limit – Burman Line
By-Law #38 of 2008 – Parking Restrictions – Port Lambton

COUNCILLORS REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Special Council Meeting – Thursday May 29, 2008 – 7:00pm (Rezoning)
Committee of the Whole – Monday June 16, 2008 – 6:00pm
Regular Council Meeting – Monday June 23, 2008 – 7:00pm

ADJOURNMENT:

The Mayor called the meeting to order at 7:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

Mayor Arnold declared a conflict of interest and left the Chair during the discussion of the Official Plan amendment and the Rezoning proposal submitted on behalf of the owners of property known 1590 St. Clair Parkway as a resident in the immediate are of the development.

MINUTES:

Council proceeded to review the minutes as listed on the agenda.

Moved by J. Agar

Seconded by D. Randell

Motion #1: That the minutes of the Council meeting of May 7, 2008 – Session #10 and the special meeting of Council with the County of Lambton of May 7, 2008 and the Finance and Administration, Public Works and Operations of May 12, 2008 and be adopted as printed and circulated:

CARRIED

CORRESPONDENCE:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #2: That the correspondence received regarding Lyndoch Street, Colborne Street and St. Clair Parkway be forwarded to the Property Standards Officer for further investigation.

CARRIED

It was noticed that the property standards issue identified as being on Lyndoch Street may actually be on Hill Street. The Clerk advised that the Property Standards Officer would be so advised.

Council reviewed the correspondence received from Union Gas regarding the invitation to their Landowner's meeting in Oil Springs. Mayor Arnold advised that he would attend this meeting on behalf of the Municipality. Council also reviewed the communications received from Dow Chemical regarding possible past Dow Chemical activities on the Brownfield Site on Hill Street east of Corunna.

Moved by P. Gilliland

Seconded by D. Randell

Motion #3: That the correspondence received from Dow Chemical regarding the Brownfield Site on Hill Street east of Corunna be referred to the Township Solicitor for a title search to determine if Dow Chemical ever owned the subject site.

CARRIED

Council also requested Staff to contact Barry Uitvlugt to determine if he had any knowledge of a possible Dow former use on the site.

Council discussed the communication received from Catherine McKenna regarding the upcoming Lambton Historical Society meeting to be hosted in Corunna. Deputy Mayor Gilliland advised Council that he will make arrangements for the provision of a light lunch for approximately 40 expected guests.

Moved by D. Randell

Seconded by J. Agar

Motion #4: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Property Standards – Lyndoch Street
Inst.-Motion #2

- b. Property Standards – Colborne Street
Inst.-Motion #2
- c. Property Standards – St. Clair Parkway
Inst.-Motion #2

CARRIED

DRAINS:

Councillor Carswell-Alexander questioned the Clerk on any possible upcoming Drainage Committee meetings. The Clerk advised that the next drainage report expected to be received was on the Parr-McGill Drain which is expected probably within 1 week which would generate the need of a Drainage Committee meeting in late June.

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF OPERATIONS/WORKS:

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #5: That the report submitted by the Coordinator of Operations (Works) dated May 14, 2008 recommending that the existing sidewalk be removed on the east side of St. Clair Parkway (Sarnia Lambton Housing Corporation apartment) and a 10 foot wide paved shoulder be installed at that location at an estimated cost of \$11,000.00 be accepted.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #6: That the report submitted by the Coordinator of Operations (Works) dated May 14, 2008 recommending that the requirements under the Township of St. Clair procurement policy be waived to purchase portable pavement marking equipment from RSI Road Services International in Brantford at the quoted price of \$5,840 plus GST be approved.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #7: That the report submitted by the Coordinator of Operations (Works) dated May 14, 2008 recommending that the tender submitted by RBM Contractors of Wallaceburg, ON in the amount of \$73,340 (plus GST) for miscellaneous sidewalk replacement, catch basin and curb repair be accepted and the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

Council asked Staff for a report as to which sidewalk and curb and gutter projects will be cut to bring this year's expenditures to within the budget limits.

TREASURER'S REPORT:

Moved by D. Randell

Seconded by J. Agar

Motion #8: That the report submitted by the Treasurer dated May 13, 2008 recommending that the Clerk and Mayor be authorized to execute and sign By-law #26 of 2008 for Parkway sewage from Courtright to OPG for OIPC offer to purchase a debenture in the amount of \$427,902 at 4.36% interest rate and the Clerk, Treasurer and Mayor be authorized to execute all the necessary documents to sell OIPC offer to purchase the debenture.

CARRIED

DIRECTOR OF EMERGENCY SERVICES:

Council reviewed Chief Dewhirst's report on the possibility of offering contract services to the Township of Dawn-Euphemia for fire inspections. Councillor Carswell questioned the attraction of liability and WSIB coverage for such activities. Staff will investigate these two issues.

Moved by S. Miller

Seconded by P. Brown

Motion #9: That the report submitted by the Fire Chief dated May 14, 2008 regarding the Dawn-Euphemia request on fire inspections be received and accepted as information.

CARRIED

DIRECTOR OF PUBLIC WORKS AND OPERATIONS:

Council reviewed the Director of Public Works and Operations report on the tender results for the proposed Brigden Road resurfacing project.

Moved by J. Agar

Seconded by D. Randell

Motion #10: That the report submitted by the Director of Operations and Engineering dated May 14, 2008 recommending that the tender submitted by Cope Construction and Contracting Inc. in the amount of \$753,218 (plus GST) for the resurfacing of Brigden Road from Kent to Kerr and Smith to Bentpath be accepted, and that the Mayor and Clerk be authorized to sign the contract and other related documents.

CARRIED

At the appointed time Mayor Arnold called to order the public meeting to consider an application to rezone property identified as 1157 Lambton Line. Mayor Arnold explained to those present the protocol that would be followed at the meeting and that anyone wishing to do so would have the opportunity to express their opinion on the rezoning proposal. He then called upon Mr. Jeff Baranek from the Lambton County Planning Department who verbally presented his Planner's Merit Report. Mr. Baranek advised that the rezoning was required as a condition of a consent earlier granted by the Committee of Adjustment to allow the severance of a single family home as a surplus farm dwelling. Mr. Baranek is suggesting that if Council accepts the proposal, the zoning should be site specific to recognize the undersized nature of the parcels. In response to Council's questions Mr. Baranek advised that the farm buildings on the property have been demolished. In response to Councillor Brown's question as to the existence of the silo, the applicant, Mr. Brian Rossell advised that the silo will be removed. There were no written submissions received on the zoning proposal and no verbal submissions were made. Hearing no further comments the Mayor declared the Public Hearing closed.

Moved by J. Agar

Seconded by D. Randell

Motion #11: That By-law #32 of 2008, being a by-law to amend Zoning By-law 17 of 2003 affecting lands described as north ½ Lot 12, Concession 6, Township of Sombra, Township of St. Clair to change the zone symbols from A1 to A1-ND2 for the remnant parcel and from A1 to A1-R for the new parcel be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

At the appointed time Council proceeded to consider the application for Official Plan Amendment and a Rezoning for property known as 1590 St. Clair Parkway. Mayor Arnold declared a conflict of interest as an owner of a property adjacent to the subject property and turned the meeting over to Deputy Mayor Gilliland and left his chair. Deputy Mayor Gilliland explained to those in attendance the protocol that would be followed for this public hearing and that anyone wishing to speak either in opposition or in favor of the proposed Official Plan amendment and the Zoning amendment would have an opportunity to do so. Deputy Mayor Gilliland then called upon Mr. Jeff Baranek of the Lambton County Planning Department who verbally presented his Planner's Merit Report on the proposal. Mr. Baranek explained that the property is currently designated and zoned as Highway Commercial and the proposal is to develop the property into a residential condominium development thus the need for the Official Plan Amendment and the Zoning By-law Amendment. The proposal calls for a 10 unit condominium facility and summarized in his report, Mr. Baranek stated his opinion that there is ample commercial land availability in the community of Courtright and that the commercial activity on the subject site has not been carried out for considerable years. Mr. Baranek is recommending to Council acceptance of Official Plan Amendment #10 and the corresponding Rezoning. No one spoke in opposition or in support of the application other than the co-owner Mr. Marcel Beaudien who explained to Council his plans for the property and his agreement with the points raised in Mr. Baranek's Planner's Report. Councillor Agar questioned that although the proposal calls for 10 residential units now could the foot print ever be

enlarged to allow additional units. Mr. Baranek advised that the condominium is proposed to be developed on the existing building foot print and that the setbacks that will be prescribed in the by-law, additions to the building would not be possible without another planning process. Also, in response to questions, Mr. Baranek advised of the environmental assessment process undertaken by the owner's consultant. Hearing no further comments, the Deputy Mayor declared the public hearing closed and Council returned to order.

Moved by S. Miller

Seconded by D. Randell

Motion #12: That By-law Number 31 of 2008, being a by-law to adopt amendment No. 10 to the Township of St. Clair Official Plan, having been given the necessary three readings, be signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Carswell-Alexander

Seconded by P. Brown

Motion #13: That By-law Number 33 of 2008, being a by-law to amend Zoning By-law 17 of 2003 affecting lands described as Front Concession Part Lot 25 & Part Road Allowance between Lots 24 and 25, Geographic Township of Moore, Township of St. Clair, to change the zone symbols from C2 to R7 and to be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Mayor Arnold returned to his chair.

Mayor Arnold called to order the Public Meeting called to consider an application for an amendment to the Township's Zoning By-law to allow a temporary use on property known as 1194 Oil Springs Line. Mayor Arnold advised those in attendance the protocol to be followed at this public hearing would allow anyone wishing to do so an opportunity to speak to the proposal. Mayor Arnold then called upon Mr. Jeff Baranek of the Lambton County Planning Department who presented his Planning Merit Report. Mr. Baranek advised that the proposal was to allow a temporary use for the existing home to be declared a garden suite for a family member of the property owners, with the owners to develop a new single family dwelling adjacent to the existing dwelling. It was pointed out that if the zoning amendment is approved the next step in the process would be entering into a temporary use agreement that would have a 10 year extendable term that would require that the garden suite would have to be removed or demolished at the end of the 10 year term if not renewed or if the need no longer existed. It was pointed out that the facility would be for the exclusive use of a family member and the dwelling could not be offered as rental accommodations to a third party. Mrs. DeRooy questioned the need for an expanded septic tank system for the new house that would allow for the tie in of the existing house. Council advised that septic tank issues are beyond its control and such questions should be referred to the County Chief Building Official. Also, Mr. DeRooy questioned the \$10,000.00 security deposit that would form part of the conditions of the draft temporary use agreement. He questioned that since it is for a 10 year period, if his deposit would generate any interest. Staff advised that the opinion of the Township Treasurer would be sought. Hearing no further comments the Mayor declared the Public Meeting closed.

Moved by D. Randell

Seconded by J. Agar

Motion #14: That By-law Number 34 of 2008, being a by-law to amend Zoning By-law 17 of 2003 affecting lands described as East ½ Lot 19, Concession 3, in the former geographic Township of Moore, Township of St. Clair, to change the zone symbols from A1 to A1-15 and to be given the necessary three readings, signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

CLERK'S REPORT:

Council reviewed the Clerk's Report regarding his recommendation to amend the current Animal Control By-law relative to Kennel Licenses.

Moved by P. Brown

Seconded by P. Carswell-Alexander

Motion #16: That the report submitted by the Clerk dated May 15, 2008 containing recommendations for amending the Animal Control By-law #81 of 2004 be received and accepted.

CARRIED

The Clerk provided to Council a verbal report on information received from the St. Joseph's Hospice Fund Raising Committee regarding the naming opportunities in the proposed new facility.

Moved by P. Gilliland

Seconded by D. Randell

Motion #17: That the St. Joseph's Hospice Committee be advised that the Township is directing its 5 year pledge of \$10,000.00 per year for the naming opportunity for a bedroom in the residential wing.

CARRIED

CHIEF ADMINISTRATIVE OFFICER'S REPORT:

Mr. Rodey provided to Council information received from City media regarding the current status of the drafting of the Township's strategic plan. The report contained the community contacts that were achieved and the fact that the City media hoped to file with the Municipality the draft plan for consideration at Council's June 23rd meeting. Mr. Rodey also reminded Council of a Town Hall meeting at Sir John Moore School this evening hosted by the City media group. Mr. Rodey also advised of a need for an in camera session to discuss a property issue.

BY-LAWS:

Moved by D. Randell

Seconded by J. Agar

Motion #18: That By-law Number 30 of 2008, the By-law for the Township of St. Clair to authorize that Lots 48 and 49, Plan 643, geographic Township of Moore, Township of St. Clair (2475 Jane Street Brigden) be deemed not to be a registered plan of subdivision having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #19: That By-law Number 35 of 2008, the By-law for the Township of St. Clair to regulate the control of animals within the Municipality of St. Clair Township as amended, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #20: That By-law Number 36 of 2008, the By-law to authorize a development agreement with 2052689 Ontario Inc. for Part of Lots 1 thru 26 inclusive, Plan 413, geographic Township of Moore, Township of St. Clair (Colborne Street School), having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #21: That By-law Number 37 of 2008, being a by-law to regulate traffic speed on the Burman Line in St. Clair Township, having been given the necessary three readings, be signed by the Mayor and Clerk, the corporate seal affixed thereto and finally passed.

CARRIED

Moved by P. Brown

Seconded by S. Miller

Motion #22 That By-law Number 38 of 2008, the By-law for the Township of St. Clair to regulate vehicular parking and authorize the placement of appropriate signs, having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

CARRIED

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised Council of the activities he has attended on behalf of the Municipality since the last meeting including the Senior's Fair in Point Edward and the May 10th, 40th Anniversary celebration at the Courtright Friendship Club. Deputy Mayor Gilliland lead Council in a discussion of the issue brought up at the last meeting of Council at the intersection of Secretariat and Omaha in Paddock Green. The Deputy Mayor pointed out that the debris had been initially cleared but now is re-accumulating on the site. Also, the Deputy Mayor asked for the placement as soon as possible for the no dumping signs and the property owner is to be contacted and asked to remove the earth pile at that location.

Darrell Randell

Councillor Randell shared with Council the recently published locally Lambton Agri Business map and briefed Council on a recent meeting of the Source Water Protection Committee. Also, Councillor Randell stated a ratepayer suggested to him that the Township develop the property at the intersection of the Kimball Road and the Wilkesport Line as a wayside park and that the park development should include a historical plaque outlining a brief history of the community of Wilkesport as Lambton County's only inland Port.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #23: That the St. Clair Region Conservation Authority be asked to consider the development of a wayside park at the property at the intersection of the Kimball Road and the Wilkesport Line with the park development to include the placement of a historical plaque.

CARRIED

This request is to be brought forward to the SCRCA by Mayor Arnold.

Pat Carswell-Alexander

Councillor Carswell-Alexander asked Staff to contact the CSX Railway regarding the condition of the Courtright Line crossing which is in poor condition. Councillor Carswell-Alexander advised of receiving a concern from a Bentinck Street resident requesting a parking restriction on Bentinck Street north of Albert Boulevard on the west side of the road. Councillor Carswell-Alexander stated that the comment received is that the area is relatively dangerous due to the construction work going on in the area. The issue was referred the Public Works Staff for a report at the next meeting of Council for suggestions to improve traffic flow and an estimation on how long the current construction will be taking place.

Pat Brown

Councillor Brown advised of attending a recent Community Liaison Committee meeting at Terra at which time the Company announced \$14 million dollars of capital spending for this fiscal year. Also, a representative of Greenfield Energy was present to advise that the facility under construction would be test started in June with operational status by September. Councillor Brown also requested staff to investigate the portable sign on the west side of Lyndoch Street with the request the sign be moved to improve motorists visibility.

Steve Arnold

Mayor Steve Arnold advised of receiving a thank you card for his participation and the municipality's contribution for refreshments at the earth day clean up conducted by the Courtright Junior Optimist. The Mayor also listed many meetings and activities he has attended since the last meeting of Council on behalf of Council. Mayor Arnold advised of a meeting with St. Clair Region Conservation Authority representatives and MP Pat Davidson to be hosted in Committee Room 1 on Friday May 23, 2008 at 2pm to discuss the status of the Guthrie Park seawall remediation. In response to Council's questions, Mayor Arnold stated that the project is stalled due to concerns of sediment contamination and the fear is that funding opportunities will be lost.

Council also discussed the information provided by the CAO regarding a ceremonial tree planting by a First Nations group at Segar Park. The information received by the Township was that a group of Walpole Island First Nations are going to conduct a ceremony in an effort to persuade the Federal Government to conduct a panel review of the Shell proposal relative to the St. Clair River. Following considerable discussion, it was

Moved by S. Miller

Seconded by J. Agar

Motion #24: That the Walpole Island First Nations be advised that permission has not been granted for any tree planting at Segar Park.

CARRIED

The Mayor also requested Public Works Staff to investigate the road shoulder adjacent to property known as 3300 St. Clair Parkway and the river flats at the Bear Creek Bridge on the Burman Line.

Moved by D. Randell

Seconded by S. Miller

Motion #25: That the meeting enter an in-camera session to discuss a property matter.

CARRIED

Meeting returned to order.

ADJOURNMENT:

Moved by S. Miller

Seconded by P. Brown

That the meeting do hereby adjourn.

CARRIED

The meeting adjourned at 9:30 p.m.

MAYOR

CLERK