

ST. CLAIR TOWNSHIP
SPECIAL MEETING OF COUNCIL
SESSION #12

St. Clair Civic Centre
Council Chambers
May 29, 2008
7:15 p.m.

A Special 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:

DEPUTATIONS AND APPOINTMENTS:

7:15pm - Ryan Wilson Charity Golf Tournament
7:30pm – Rezoning Part Lot 1, Con 15
8:00pm – Rezoning and Official Plan Amendment Part Lot 38, Front Concession

CORRESPONDENCE:

- a) County of Lambton Planner’s Report – Barry Uitvlugt – May 8, 2008 (Greenhouses)
- b) County of Lambton Planner’s Report – Barry Uitvlugt – May 21, 2008 (Hotel)

INFORMATION:

- 1) Tim Jarvis – against O. P. and Zoning amendment for Hotel – Pt Lt 38, F C
- 2) Winnifred Hamilton – against O. P. and Zoning amendment for Hotel – Pt Lt 38 F C
- 3) Marie Farquharson – against O. P. and Zoning amendment for Hotel – Pt Lt 38 F C
- 4) John & Betty Armstrong - OPA & Rezoning
- 5) Sharon Nicol – OPA & Rezoning
- 6) Peter & Irene Dirks – OPA & Rezoning
- 7) Eric & Kathryn White – OPA & Rezoning
- 8) Gerrit & Ida Van Wyner – OPA & Rezoning
- 9) Priscilla Hatt – OPA & Rezoning
- 10) Stan Kita – rezoning – Lot 1, Con 15
- 11) L.A.W.S.S. – rezoning – Lot 1, Con 15
- 12) S.C.R.C.A. – rezoning – Lot 1, Con 15
- 13) Borden Ladner Gervais (Shell) – rezoning – Lot 1, Con 15

REPORTS OF COMMITTEES AND OFFICERS:

COORDINATOR OF OPERATIONS (WATER/WASTE WATER):

May 23, 2008 report – purchase of ½ ton Ext. Cab Pickup truck
Truck tender summary

BY-LAWS:

By-law #39 of 2008 – Rezoning of Part Lot 1, Con 15
By-law #40 of 2008 – Official Plan Amendment Part Lot 38, Front Concession
By-law #41 of 2008 – Rezoning of Part Lot 38, Front Concession

UNFINISHED BUSINESS:

ADJOURNMENT:

The Mayor called the meeting to order at 7:15 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

DECLARATION OF CONFLICT OF INTEREST:

None declared.

At the appointed time Mayor Arnold welcomed Ryan Wilson. Mr. Wilson presented to Council his request for support for his annual Canadian Cancer Society Fund Raising Golf Tournament to be hosted at the St. Clair Parkway Golf Course on June 14th. Mr. Wilson provided to Council a brief history on the charity golf tournament and the successes he has had in the past. He pointed out that all proceeds go to the Canadian Cancer Society and last year's event was able to raise over \$5,000.00 for the charity. Mr. Wilson pointed out various ways at which the Township could provide sponsorship by entering of a foursome in the tournament, donation of prizes or being an event sponsor.

Moved by J. Agar

Seconded by D. Randell

Motion #1: That the Township enter a foursome in the Ryan Wilson Charity Golf Tournament in support of the Canadian Cancer Society as well as be an event sponsor and provide prizes to the event's prize table.

CARRIED

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

Moved by P. Gilliland

Seconded by P. Brown

Motion #2: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Planner's Report dated May 8, 2008 (Greenhouses)
Inst. received for information
- b. Planner's Report dated May 21, 2008 (Hotel)
Inst. received for information

CARRIED

COORDINATOR OF OPERATIONS (WATER/WASTEWATER):

Council proceeded to review Mr. Van Hyfte's report dated May 23, 2008 regarding the unavailability of the pick-up vehicle recently awarded to Ron Clark Motors. As an alternative Mr. Van Hyfte's is suggesting the next lowest bidder be accepted since the unit is in stock.

Moved by P. Gilliland

Seconded by S. Miller

Motion#3: That the report submitted by the Coordinator of Operations (Water/Wastewater) recommending that the tender of Bayview Chrysler Dodge for the supply of one 2008 ½ ton ext. cab pickup truck be accepted in the amount of \$26,894.56 including the \$100.00 license fee and all taxes and that the Mayor and Clerk be authorized to sign all related documents.

CARRIED

COUNCILLORS REPORTS:

Pat Carswell-Alexander

Councillor Carswell-Alexander advised of a possible program initiated through the Lambton County Library system as a used battery collection depot. Councillor Carswell-Alexander questioned that if this could pose a health and safety issue. Mayor Arnold and Deputy Mayor Gilliland advised that the issue was still being discussed by County Council and information would be made available when a decision is made.

Pat Brown

Councillor Brown advised of attending a recent Clean Harbors community meeting at which time it was pointed out that the intersection of the Petrolia Line and the Telfer Road requires shouldering work. Councillor Brown also advised that this Saturday is the monthly hazardous waste disposal day sponsored by Lambton County.

At the appointed time Mayor Arnold called to order the Public Hearing called to consider an application to rezone property known as Part of Lot 1, Concession 15, geographic Township of Sombra, Township of St. Clair owned by Terra International. Mayor Arnold explained the protocol that would be followed at the meeting and that those wishing to speak in opposition or in support of the proposed rezoning would have an opportunity to do so. Mayor Arnold then stated that four letters of concern have been received from the Public regarding the proposal and those written comments were identified as items 10 thru 13 inclusive as listed on the agenda. The Mayor then called upon Mr. Barry Uitvlugt who presented his Planner's Report on the proposed rezoning. Mr. Uitvlugt pointed out that the current zoning on the property is M3, Industrial and the proposal is to rezone a portion of the property between the CSX Rail right-of-way and the St. Clair Parkway to M6, Industrial to facilitate a development of a large scale greenhouse facility. Once completed the proposal calls for approximately 112 acres of greenhouse with a packing facility to allow the processing, packing and shipping of the greenhouse products. Mr. Uitvlugt pointed out that the total project involves five phases of approximately 23 acres each and with the proponent hoping to complete the first phase this year. Also, in his report Mr. Uitvlugt pointed out issues raised as far as the volume of potable water required and further studies that will be necessary to satisfy the Lambton Area Water Supply System and as well storm water management issues raised by the Conservation Authority. In response to questions of Council, Mr. Uitvlugt advised that the proposal provides for a 38 meter setback from the St. Clair Parkway in the southerly portion of the development with the northerly portion consisting of phases 4 and 5 to be approximately 96 meters and east of the existing berm. Deputy Mayor Gilliland questioned the entrance to the property. It was pointed out that the proposal calls for the entrance to the facility from the St. Clair Parkway and Deputy Mayor Gilliland expressed his reluctance to see the Parkway used in this fashion and questioned if the proposal could be modified to provide a Bickford Line access. The question was also raised as to the height of the proposed greenhouses and Mr. Uitvlugt advised that the height regulation would be in the way of a transition from the height of a typical residence on the west side of the Parkway to the Terra facility on the east side of the proposed development. At the conclusion of Mr. Uitvlugt's presentation and questions by Council, Mayor Arnold called the meeting to order for those wishing to speak in opposition to the proposal.

Shawn Bogaert 2811 St. Clair Parkway

Mr. Bogaert stated that in his opinion such a development would degrade the St. Clair Parkway image and suggested that the development be placed behind the holding pond on the Terra property east of the facility. Mr. Bogaert is also concerned about odors from the composting on site and objected to the St. Clair Parkway access for the facility.

Chris Brandon

Mr. Brandon stated that she would be concerned about an increase in traffic and suggested why all industry could not be relocated or developed on Highway #40.

The Mayor called upon Mr. Mark Huzeuvka, agent for the proponent as well as Mr. Art Caron of Enviro Fresh Produce Incorporated to respond to some of the questions. Mr. Huzeuvka stated that the increased truck traffic on the St. Clair Parkway would be approximately 4 trucks per day for each phase and that the first phase would employ approximately 50 employees. Also, it was pointed out that there is no compost stock pile on site and when weather and ground conditions permit the stem material is spread on agricultural land and when that is not possible it is trucked away for off site disposal. In discussion of the water usage volume Mr. Huzeuvka said that the plans for the proponent where to ultimately use St. Clair River raw water for irrigation purposes but the initial phase would rely on connection to the Township's municipal system. It was also pointed out that the engineering has not been completed to determine the peak volumes of daily water usage and how any possible adverse impacts to the Township's water system could be mitigated. In response to Councillor Miller's questions, Mr. Huzeuvka said that it is proposed that the setback area to the St. Clair Parkway that is 38 meters to the southerly portion of the project would be partially bermed and landscaped and would be an attractive green area. The Mayor then turned the meeting over to those wishing to speak in opposition.

Stuart McKinney 61 McDonald Street

Mr. McKinney expressed his concern as to the increased traffic on the St. Clair Parkway.

Chris Lee 2999 St. Clair Parkway

Mrs. Lee expressed concern that the proposal will lead to extra traffic and congestion on the St. Clair Parkway.

Councillor Carswell-Alexander asked if the greenhouse proposal could be moved to the property owned by Terra between the plant facility and Highway 40. Mr. Huzeuvka stated that it is very important from a point of view of connecting to the Terra facilities for steam for heating and carbon dioxide supply. It is important that the greenhouses be located as close as possible to the Terra facility.

Doug Henderson 1133 St. Clair Parkway

Mr. Henderson stated that he is supportive of the proposal that would be environmentally positive using waste carbon dioxide from the Terra facility which is typically now vented to the atmosphere and surplus steam that is also discharged to be used in a positive environmentally sound manner.

Hearing no further comments Mayor Arnold declared the Public Meeting closed and Council returned to order.

Moved by D. Randell

Seconded by P. Gilliland

Motion #4: That Council accept in principal the concept of the rezoning for property known as Part Lot 1, Concession 15, geographic Township of Sombra, Township of St. Clair to allow the development of a greenhouse facility and further that the decision of Council on this rezoning matter be referred until no later than June 23, 2008 to allow the development of further information relative to the proposal's potable water needs, storm water management and other servicing issues.

CARRIED

At the appointed time Mayor Arnold called to order the Public Meeting called to consider the possible Official Plan amendment and Zoning By-law amendment for property known as Part of Lot 38, Front Concession, geographic Township of Moore, Township of St. Clair. Mayor Arnold explained to those present the protocol that would be followed at this meeting where everyone wishing to speak in opposition to or support of the proposal would be given the opportunity to do so. At this time Mayor Arnold read into the record the letters of comment received on the issue identified on the agenda as items 1 thru 9 inclusive. Mayor Arnold then called upon Mr. Barry Uitvlugt of the Lambton County Planning Department who presented his Planning Merit Report both on the issue of the proposed Official Plan amendment and the Rezoning. Mr. Uitvlugt pointed out that the

purpose of the Official Plan amendment and Rezoning was to allow the development of the subject property which is located to the south of the St. Clair Township Civic Centre for hotel development. The property is currently zoned as Open Space and Residential and it is proposed that if the planning process if successful requests for proposals could be invited by the municipality for such a development. In the conclusion of his report Mr. Uitvlugt is recommending the adoption of the appropriate Official Plan amendment and is suggesting that the zone be a holding zone that could be lifted by by-law at the appropriate time. Mayor Arnold then called upon those wishing to speak in opposition to the proposal.

Marietta Zammit 1195 Emily Street

Ms Zammit stated that she was opposed to the hotel development and questioned the reference made in the Planner's Report to ancillary uses. She questioned what ancillary uses may be and would they include something such as an outdoor licensed patio. In response to Ms Zammit's questions, Mr. Uitvlugt advised that an outdoor licensed patio could be construed as an ancillary use, however, the by-law could be drafted in such a fashion where such uses would be prohibited.

Stuart McKinney 61 McDonald Street

Mr. McKinney questioned if the development was based on the possibility of the Shell heavy oil refinery project becoming a reality.

In response to Mr. McKinney's question, Mayor Arnold provided to the meeting a brief history on the concept on the subject property that dates back to a late 1990's feasibility study. Mayor Arnold further pointed out that there is no proposal on the table for the hotel development but that the need for a hotel in the area has been identified in the draft Township's strategic plan. The purpose of the meeting is to allow a public forum at which time such a development could be discussed. Mayor Arnold also pointed out that a hotel located in this location could be conducive for extra usage and a revenue stream for the Township's sports complex, golf course and museum.

Maria Farquharson 57 Victoria Street

Mrs. Farquharson questioned that if a business plan had been developed for the proposal and questioned the need for a hotel in a quiet community such as Mooretown and related to the meeting several failed attempts to develop such a facility along the St. Clair River.

Doug Henderson 1133 St. Clair Parkway

Mr. Henderson started his comments by thanking Council and Senior Staff for the notification method used to advise citizens of this Public Hearing and questioned if the Township has been approached by any such hotel developer.

Mayor Arnold advised that the Township has in fact been approached by a potential developer thus initiating the process but it was further pointed out that if the Official Plan amendment and Rezoning processes are successful the Township would issue a request for a proposal to expand the field of those who may be interested in such a development and the Township would evaluate each proposal on an individual basis.

Peter Dirks 51 Victoria Street

Mr. Dirks advised that he is opposed to the development, his opposition is based on traffic congestion, increased noise and dust, strains that may be put on existing infrastructure and suggested that the land is now open space and should be left as open space for park purposes.

Bev Byers 1073 St. Clair Parkway

Mr. Byers questioned how large the proposed hotel would be.

Mayor Arnold responded that he does not know how large the proposed hotel would be because there are no plans available since the Township has not commenced the process to select appropriate developers. Mr. Byers further stated that in his opinion the land should be saved for future civic needs such as expansion to the parking lot for the existing Civic Centre.

Dave Belanger 69 Victoria Street

Mr. Belanger stated that he is opposed to converting open space into commercial development.

Alice May Sutherland 965 St. Clair Parkway

Ms Sutherland questioned what other uses the property could be made of the property if the zoning is approved.

Mr. Uitvlugt pointed out that the by-law is of a site specific nature and the only uses would be hotel, restaurant, ancillary uses or open space. Also, in response to Ms Sutherland's questions, Mr. Uitvlugt advised that the perimeters in the zoning by-law called for a 10.5 meter building height and if a proposal in the future needed to consider a building of a higher height the zoning by-law proposed would need an amendment or a variance that would involve a public process.

Chris Brandon 1236 St. Clair Parkway

Ms Brandon suggested that the property be used for the development of an area high school where in a rural area the vast majority of the students would be bused and a youth problem would not be created.

Hearing no further comments the Mayor declared the Public Meeting closed and Council returned to order.

Moved by J. Agar

Seconded by P. Brown

Motion #5: That the application for Official Plan amendment and Rezoning that would allow the development of a hotel establishment on property known as Part of Lot 38, Front Concession, geographic Township of Moore, Township of St. Clair be denied.

CARRIED

Those in attendance thanked Council for listening to their concerns and acting appropriately.

At the conclusion of the meeting Deputy Mayor Gilliland reminded Staff of his earlier request for "no dumping signs" at the intersection of Secretariat and Omaha in Paddock Green and as well the earlier request by Council to have the piles of earth leveled.

ADJOURNMENT:

Hearing no new business it was:

Moved by D. Randell

Seconded by S. Miller

Motion #6 That the meeting adjourn.

CARRIED

The meeting adjourned at 10:15 p.m.

MAYOR

CLERK

