

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 6**

St. Clair Civic Centre  
Council Chambers  
March 15, 2010  
6:00 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 March 1, 2010 Session #5  
Finance and Administration Meeting of March 8, 2010  
Public Works and Operations Meeting of March 8, 2010

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:30 pm – O P Amend #15 and Rezoning 4/10 – Res. Apartment -Mooretown

**CORRESPONDENCE:**

- a) MRC – by-law exemption request
- b) Port Lambton Pirates – donation request
- c) Captain Kidd Days – permission
- d) Ron Skreptak – accommodation request
- e) Robert & Wendy Lester – 1813 Brigden Road second house request

**INFORMATION:**

- 1) SCRT – February 24, 2010 minutes
- 2) County of Lambton – Council highlights
- 3) County of Lambton – Immigration
- 4) Cindy Scholtens – Physician recruitment
- 5) Chamber of Commerce – Invitation
- 6) CCPC – March 2, 2010 – minutes
- 7) Charles Nisbet – OPA & rezoning objection
- 8) Bruce and Joan Strangway - OPA & rezoning objection
- 9) J. Zammit - OPA & rezoning objection
- 10) Melina Wettergreen-Law - OPA & rezoning objection
- 11) Timothy Jarvis - OPA & rezoning objection
- 12) Dorothy Chabot - OPA & rezoning objection
- 13) Louise Neufeld - OPA & rezoning objection

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- 14) Betty Willock - OPA & rezoning objection
- 15) Gijbert Van Wijnen - OPA & rezoning objection
- 16) David Belanger - OPA & rezoning objection
- 17) Stuart and Jane McKenney - OPA & rezoning objection
- 18) Les and Alice May Sutherland - OPA & rezoning objection
- 19) Marietta Zammit - OPA & rezoning objection
- 20) Stephen and Lynn Black - OPA & rezoning objection
- 21) John and Betty Armstrong - OPA & rezoning objection
- 22) Eric and Kathryn White - OPA & rezoning objection
- 23) Mary Jane and Bob Marsh - OPA & rezoning objection
- 24) Winnifred Hamilton - OPA & rezoning objection
- 25) Peter and Irene Dirks - OPA & rezoning objection
- 26) Ken and Sue Webb - OPA & rezoning objection
- 27) Dave and Nikki Hummell - OPA & rezoning objection
- 28) Claire McKinnon - OPA & rezoning objection
- 29) Marlene and Clarence Horley - OPA & rezoning objection
- 30) Kathleen Noyle - OPA & rezoning objection
- 31) Jeff Baranek – Planning report Pt Lot 7, Con 4
- 32) Museum Sampler
- 33) Linda and Bev Byers – OPA & rezoning objection
- 34) George & Ida VanWijnen – OPA & rezoning objection
- 35) Doug Henderson – request for notification – OPA & rezoning objection
- 36) Mark and Patricia Mullen – OPA & rezoning objection
- 37) Marie Farquharson – OPA & rezoning objection
- 38) C. Eheler – OPA & rezoning objection
- 39) Ralph Eyre – OPA & rezoning objection
- 40) Sharon Nicol – OPA & rezoning objection

**DRAINS:**

Drainage By-law #6 of 2010 – Wright Drain 2009 - actual costs  
Drainage By-law #7 of 2010 - Burch Drain South 2009 - actual costs  
Drainage By-law #8 of 2010 – Parr Magill Drain 2008 – actual costs

**REPORTS OF COMMITTEES AND OFFICERS:**

**COMMITTEE OF ADJUSTMENT:**

Applications A6, A7, A8, and A9/10

**DEPUTY TREASURER’S REPORT:**

2009 Council remuneration

**CLERK’S REPORT:**

LMS – April 8, 2010 ~ Petrolia attendees

**CAO’S REPORT:**

In-camera ~ Legal

**MOTIONS:**

**BY-LAWS:**

By-law # 19 of 2010 – Rezoning Pt Lot 15, Con 1  
By-law #20 of 2010 – Planning and building fees  
By-law #21 of 2010 – Rezoning Pt. Lot 7, Con. 4  
By-law #22 of 2010 - Appointment  
By-law #23 of 2010 – 2010 Budget



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Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #6:** That the letter received from Kevin Hay and the Port Lambton Pirates requesting financial assistance for a golf tournament be granted in the amount of \$100.00 for hole sponsorship.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #7:** That permission be granted for a refreshment tent at the annual Captain Kidd Days to be held July 30th and July 31st, 2010, subject to the provision of the appropriate policing and security as per Township policy.

**CARRIED**

Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #8:** That the letter received from Robert and Wendy Lester dated March 15, 2010 asking permission to have a secondary temporary residence on property known as 1813 Courtright Line, Brigden while constructing a new home be granted with the conditions that the residence be demolished within 1 year of issuing the permit subject to execution of the corresponding agreement.

**CARRIED**

Moved by P. Brown

Seconded by S. Miller

**Motion #9:** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. MRC – by-law exemption request  
**Inst.** See motion #5
- b. Port Lambton Pirates - donation request  
**Inst.** See motion #6
- c. Captain Kidd Days – permission  
**Inst.** See motion #7
- d. Ron Skreptak – accommodation request  
**Inst.** Received and filed
- e. Ron and Wendy Lester – permission  
**Inst.** See motion #8

**INFORMATION:**

Council was advised of an invitation to the Chamber of Commerce luncheon on April 14<sup>th</sup>. The Mayor, Deputy Mayor and Councillor Miller and appropriate staff to attend this luncheon on behalf of the Municipality.

**DRAINS:**

Moved by D. Randell

Seconded by P. Gilliland

**Motion #10:** That Drainage By-law #6 of 2010, being a by-law to raise the sum of \$29,842.33 being money expended out of the General Funds of the Township of St. Clair for the reconstruction and improvement to the Wright Drain 2009 be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved P. Brown

Seconded by P. Carswell-Alexander

**Motion #11:** That Drainage By-law #7 of 2010, being a by-law to raise the sum of \$34,048.46 being money expended out of the General Funds of the Township of St. Clair for the reconstruction and improvement to the Burch Drain South 2009 be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #12:** That Drainage By-law #8 of 2010, being a by-law to raise the sum of \$92,605.97 being money expended out of the General Funds of the Township of St. Clair for the reconstruction and improvement to the Parr-McGill Drain 2008 be given the necessary readings and be signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

**COORDINATOR OF PLANNING REPORT:**

Moved by P. Brown

Seconded by S. Miller

**Motion #13:** That applications A6, A7, A 8 and A9/10 submitted by the coordinator of Planning be received as information.

**CARRIED**

**DEPUTY TREASURER'S REPORT:**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #14:** That the report received from the Deputy Treasurer/Coordinator of Accounting dated march 3, 2010 regarding the 2009 Council Remuneration be received and accepted.

**CARRIED**

**CLERK'S REPORT:**

In response to the Clerk's questions, there will be seven delegates attending the April 8<sup>th</sup> annual meeting of the Lambton Municipal Association.

**BY-LAWS:**

Moved by P. Carswell-Alexander

Seconded by P. Brown

**Motion #15:** That By-law Number 19 of 2010, being a zoning by-law affecting the lands described as South half Lot 15, Concession 1, geographic Township of Moore, Township of St. Clair, 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. Gilliland

Seconded by D. Randell

**Motion #16:** That By-law Number 20 of 2010, being a by-law to impose user fees and charges within the Township of St. Clair and to amend Township of St. Clair By-Law Number 64 of 2004, 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 #17:** That By-law Number 21 of 2010, being a by-law amend the Comprehensive Zoning By-law No. 17 of 2003 for property known as Con. 4 Lot 7 RP 25 R2330 Part 7 Pt. Parts 4 to 6 (2371 Courtright Line), 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 D. Randell

**Motion #18:** That By-law Number 22 of 2010, being a by-law to appoint a Deputy Clerk/Coordinator of Planning 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 S. Miller

Seconded by P. Carswell-Alexander

**Motion #19:** That By-law #23 of 2010 being a by-law to adopt the 2010 budget 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:**

**Darrell Randell**

Councillor Randell advised Council that he along with Councillor Miller and Mayor Arnold attended the recent Rural Ontario Hospital meeting in Wallaceburg.

**Pat Carswell-Alexander**

Councillor Carswell-Alexander questioned the existence of a building permit for a new accessory building being built near the intersection of Plank Road and LaSalle Line. Also Councillor Carswell-Alexander asked staff to apply some granular material in front of the postal box on First Street in Brigden and as well re-establish the nearby sign. Councillor Carswell-Alexander also asked staff to research a definition of pecuniary interest.

**Pat Brown**

Councillor Brown pointed out the deficiency and possible damage to the waste receptacle at the intersection of St. Clair Boulevard and Lyndoch Street.

**Steve Arnold**

Mayor Arnold attended with several other members of Council the Moore Optimist Youth Appreciation dinner, a meeting of the LAWSS Board, the Farmers and Friends Banquet in Brigden and as well as a visit with the Colonel Cameron students in grade six.

The Mayor declared the meeting be recessed until 7:25 pm. Meeting returned to order at 7:25 pm. Council reviewed the draft by-law prepared that would re-zone the Ryan Scott property on Part of Lot 7, Concession 4 in the community of Brigden. The by-law provided that the existing buildings would be allowed to remain as storage, the wooden fence be removed and in response to Council's questions the Clerk provided an explanation on the storm water management protocol that would be established in the site plan process. Councillor Carswell-Alexander questioned the issue of possible noise generated on the site and why the zoning provisions weren't more clear as to the noise issue and also questioned the set back provisions.

Moved by P. Carswell-Alexander

Seconded by P. Brown

**Motion #20:** That By-law Number 21 of 2010, being a by-law to amend the Comprehensive Zoning By-law #17 of 2003 for property known as Con. 4 Lot 7 RP 25 R2330 Part 7 Pt. parts 4 to 6 (2371 Courtright Line), having been given the necessary three readings, be signed by the Mayor and Clerk, the Corporate seal affixed thereto and finally passed.

**CARRIED**

At the appointed time Mayor Arnold called to order the public hearing called to receive public input relative to draft Official Plan amendment and draft Rezoning Number 4 of 2010 for the property owned by the municipality immediate south of the Civic Center at 1155 Emily Street. The Mayor explained the protocol that would be followed at this meeting that everyone wishing to speak on the issue would have an opportunity to do so. The Mayor then called upon County of Lambton Planner Barry Uitvlugt who presented his planner's report on the planning process. Mr. Uitvlugt stated that the purpose of the meeting would be to determine if the municipality should change its planning documents to allow for the development of an apartment building that could be in the order of 8-10 stories high. It was pointed out that the density would restrict the building to a maximum of 106 units. Mr. Uitvlugt completed his report and providing a summary to Council and those in attendance of the concerns expressed in the approximate 40 written comments

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received relative to this proposal. In response the Mayor's questions, the Clerk advised that the written comments received were those as listed on the agenda and those circulated to Council immediately before the meeting tonight and that Mr. Uitvlugt was correct that there have been approximately 40 written submissions received in opposition the proposal. The Mayor called upon anyone who wished to speak in support of the proposal. No written or verbal submissions in support were received at this meeting. Mayor Arnold stated his opinion that it seemed obvious that those in attendance and those providing written comments were in opposition of the proposal and perhaps Council should reconsider its position and declared the public hearing closed.

Moved by S. Miller

Seconded by P. Carswell-Alexander

**Motion #21:** That the applications for Official Plan Amendment and Rezoning that would provide for an apartment building structure on municipally owned property south of the Civic Center at 1155 Emily Street be withdrawn.

**CARRIED**

Deputy Mayor Gilliland and Councillor Brown spoke in support of the motion and Councillor Randell spoke against the motion on the grounds that the increased population in Mooretown would perhaps help better utilize the Township's recreation asset

Hearing no further business, it was;

**ADJOURNMENT:**

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

**CARRIED**

The meeting adjourned at 7:45 p.m.

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MAYOR

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CLERK