

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 1**

St. Clair Civic Centre  
Council Chambers  
January 10, 2011  
7:30 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
	J. DeGurse,	“
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
	J. Baranek	Deputy Clerk/Coordinator of Planning

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Council Meeting Minute of December 20, 2010 ~ Session # 28

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:30 PM – Sexton ~ East Part Lot 20 Con 2 - Rezoning

7:45 PM – St. Clair Mechanical ~ Rezoning

**CORRESPONDENCE:**

- a) Tim Harris – Shell Manufacturing parking lot

**INFORMATION:**

- 1) Shauna Carr – Clean Harbors
- 2) MOE – Clean Harbors Terms of Reference
- 3) Tom Mitchell – OPA December 9<sup>th</sup> speech
- 4) Rick Hansen – Man in Motion tour
- 5) Notice of Hearing – Franchise Agreement Union Gas
- 6) Bezanson Family – Thank you
- 7) Ezio Nadalin – Planning report
- 8) Jeff Baranek – Planning report
- 9) Pat Carswell-Alexander – Rezoning

**DRAINS:**

**REPORTS OF COMMITTEES AND OFFICERS:**

**TREASURER’S REPORT:**

**CLERK’S REPORT:**

**CAO'S REPORT:**

In-camera – Property issue

**MOTIONS:**

**BY-LAWS:**

By-Law # 1 of 2011 Borrowing By-law  
By-Law # 2 of 2011 Rezoning Part lot 20, Con 2  
By-Law # 3 of 2011 – Rezoning Lot 7 Part Lot 4 to 6, Con 4

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

Special Meeting of Council – Thursday January 13, 2011 ~ 6:00 pm  
Regular Meeting of Council – Monday January 17, 2011 ~ 5:00 pm  
Drainage Committee Meeting – Tuesday January 25, 2011 ~ 7:00 pm  
Committee of the Whole and Council – Monday February 14, 2011 ~ 6:00 pm  
Regular Meeting of Council – Tuesday February 22, 2011 ~ 7:00 pm

**ADJOURNMENT:**

The Mayor called the meeting to order at 7:30 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.

**MINUTES:**

Council proceeded to review the minutes as listed on the agenda. Deputy Mayor Gilliland questioned the status of the outstanding property standards issue on property known as 215 Cameron Street in Corunna. The Clerk advised that he would contact the Property Standards for the required information.

Moved by D. Randell

Seconded by P. Gilliland

**Motion #1** That the minutes of the Council meeting held December 20, 2010 – Session # 28 be adopted as printed and circulated

**CARRIED**

At the appointed time, the Mayor called to order the public meeting called to consider a proposal to rezone property known as Con 2 East Part Lot 20 known municipally as 1061 Oil Springs Line. Mayor Arnold detailed to those present that the format to be followed for this meeting and anyone wishing to address the meeting would be allowed to do so. The Mayor called upon Ezio Nadalin to present his planner's report on the issue dated January 6, 2011. In his report, Mr. Nadalin stated that the intent of the applicant was to permit on a temporary basis, a garden suite as a second residence on the subject property to provide for residential accommodations for an elderly family member. It was pointed out that provisions in Provincial policy allow for such on temporary basis such as ten years. It was also pointed out that the garden suite is currently in existence and apparently created by a previous owner. At the conclusion of his planning merit report, Mr. Nadalin is recommending that Council approve the appropriate rezoning subject to a development agreement that would involve a site inspection by the building and plumbing officials. No

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one asked to speak in opposition of the proposal. Mr. Kelly Bailey owner of the premises known as 1061 Oil Springs Line was present to respond to any questions Council may have. In response to Council's questions, Mr. Bailey advised that he was in agreement with the 10 year temporary use provision with a renewable provision and he was agreeable to enter into the appropriate site plan agreement with the Municipality. Hearing no further comments, the Mayor declared the public meeting closed after he provided information to those in attendance as to the appeal process.

Council returned to order.

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

**Motion #2:** That By-law #2 of 2011 being a by-law to authorize the temporary land use pursuant to Section 34 and 39 of the Planning Act for property known 1061 Oil Springs Line have been given the necessary three readings, signed, the Corporate seal affixed thereto and finally passed.

**CARRIED**

**CORRESPONDENCE:**

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

Moved by S. Miller

Seconded by D. Randell

**Motion #3:** That the letter from Tim Harris regarding the Shell parking lot be tabled pending further information and an invitation for Shell officials to attend a future meeting of Council.

**CARRIED**

At the appointed time, the Mayor called to order the public meeting called to consider a rezoning of property known as Lot 7 and Part Lot 4 to 6, Con 4 in the community of Brigden. Mayor Arnold advised those in attendance the procedure that would be followed at this public meeting allowing everyone wishing to do so the opportunity to comment on the proposal. Mayor Arnold then called upon Mr. Jeff Baranek who presented his planning report dated January 5, 2011 on the issue. Mr. Baranek advised that this meeting was held at the direction of the Ontario Municipal Board and is a reconsideration of the previous passed rezoning by-law referred to as By-law #21 of 2010. Mr. Baranek advised that the original application for rezoning was received from the owner, Mr. Ryan Scott and that the proposal was to convey the property to St. Clair Mechanical who were going to use the property to expend their current fabrication business. Mr. Baranek advised that the OMB at the hearing held in 2010 determined that the zoning proposed in 2010 was contrary to the Township's Official Plan and offered three options that Township could employ to remedy the situation. In his report, Mr. Baranek is recommending one of the three options. At the conclusion of the presentation, in response to the Mayor's questions, the Clerk advised that a written letter was submitted by Pat Carswell-Alexander dated January 6, 2011 and all member of Council received a copy of this letter. Mr. Baranek advised that no other written comments were received. The Mayor then called upon those in attendance wishing to speak in opposition to the proposal.

Todd Mayhead, 2333 Courtright Line: Mr. Mayhead questioned the setback distance for the property referred to as the Dawson residence. In response to Mr. Mayhead's questions relative to setbacks, Mr. Baranek reviewed that portion of his report dealing with setback requirements.

Jim Joyce, 2338 Sydenham Street: Mr. Joyce presented a letter to the meeting from Township Drainage Superintendent regarding drainage needs. Mr. Baranek advised that the Township is well aware of Mr. Neely's' position and that the drainage needs expressed by Mr. Neely would be addressed on the development agreement should the zoning by-law be successful and that the process would require ample financial security to assure that all work is completed. Mr. Joyce also questioned the status of the new engineer's report on the Parr Drain as well as who would finance the noise study if required, in the development agreement. Mr. Joyce was advised that any such study regarding noise or traffic or the like would be financed by the proponent.

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Martha Wilson, 2237 Jane Street: Ms. Wilson questioned if the restrictions imposed in the by-law would be in effect for any future owners. The CAO, John Rodey advised that the development agreement would be registered on title and any future owner would be bound by the provisions of the agreement unless changed by Council on request at a future date.

Mr. Joyce questioned if the proposed St. Clair Mechanical development would be factored into any future Parr Drain assessments. The Clerk advised that the engineer commissioned to prepare the report on the Parr Drain would be well aware of the development on the St. Clair Mechanical property and would factor these conditions such as paved parking into his assessment schedule. Also it was pointed out that the consideration of the forthcoming Parr Drain report would be subject to the appeal process as prescribed in the Provincial Drainage Act.

Councillor Carswell-Alexander provided an explanation to Council and the meeting as to the position she took as described in her letter dated January 6<sup>th</sup>. Councillor Carswell-Alexander is afraid that the development on the subject property could expand to the point where neighboring properties are adversely affected.

Hearing no further comments, the Mayor explained to those in attendance the appeal process that is available and declared the public hearing closed.

Moved by S. Miller

Seconded by P. Gilliland

**Motion #4:** That By-law #3 of 2011, being a by-law to amend the Township's comprehensive zoning by-law as it relates to property known as Lot 7 and Part Lot 4 to 6, Con 4 geographic Township of Moore, Township of St. Clair known municipally as 2371 Courtright Line to be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

**CARRIED**

A recorded vote was requested:

Councillor Randell	yes
Councillor Miller	yes
Deputy Mayor Gilliland	yes
Councillor Agar	yes
Councillor Carswell-Alexander	no
Councillor DeGurse	yes
Mayor Arnold	yes

Council proceeded to review the communications as listed on the agenda. Council reviewed the communication received from Ms. Shauna Carr regarding the Clean Harbors expansion proposal.

Moved by D. Randell

Seconded by S. Miller

**Motion #5:** That a copy of Ms. Carr's communication regarding the Clean Harbors expansion be forwarded to the MOE and the Township's environmental solicitor, Mr. Peter Pickfield and further that Ms. Carr be asked to provide the additional information as suggested in her correspondence.

**CARRIED**

Council reviewed the communication received on behalf of the Rick Hansen man in motion tour. Councillor Randell offered to review the material and report back to Council as to possible local support from various services clubs and schools in an effort to promote Mr. Hansen's efforts.

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Moved by S. Miller

Seconded by D. Randell

**Motion #6:** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Tim Harris – Shell manufacturing parking lot  
**Inst.** See motion #3

**CARRIED**

Council was advised of a meeting of the Drainage Committee scheduled for Tuesday January 25<sup>th</sup> at 6:30pm to review three engineer's reports. Council reviewed the request received from the Town of Petrolia for support in application for funding to the accessibility fund to assist in the development of a facility for the recently announced family health team in Petrolia.

Moved by D. Randell

Seconded by P. Gilliland

**Motion #7:** That Council supports the efforts of the Town of Petrolia to secure grant funding under the accessibility fund to assist in developing a facility for the proposed new family health team in Petrolia.

**CARRIED**

The CAO advised that he has two property issues that need to be discussed in camera.

**BY-LAWS:**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #8:** That By-law Number 1 of 2011, the Borrowing By-law for the Township of St. Clair for the year 2011, 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 of recent health issues with former Councillor and Deputy Mayor Arnold Pole.

Moved by P. Gilliland

Seconded by J. Agar

**Motion #9:** That the appropriate tribute be sent to former Deputy Mayor Arnold Pole on the occasion of his health issues.

**CARRIED**

**Jim DeGurse**

Councillor DeGurse led Council into a discussion of a proposal to revert back to past practice by holding the Committee of the Whole meetings in the afternoon perhaps commencing at 2pm. Several members of Council expressed their difficulty due to work commitments to make themselves available for a mid afternoon meeting and requested that the meeting protocol stay as it is now.

Moved by J. DeGurse

Seconded by S. Miller

**Motion #10:** That Council changes its meeting protocol to provide for an afternoon meeting for the Committee of the Whole instead of the current practice of an evening meeting.

**DEFEATED**

**Steve Arnold**

Mayor Arnold advised of attending the Lieutenant Governor's New Year's Day reception in Toronto at which time he had the opportunity to speak to the Lieutenant Governor and staff regarding volunteer recognition awards particularly for recipients from St. Clair

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Township. Also, the Mayor advised that Council would be approached by the Sarnia Lambton Art Gallery fundraising group soliciting municipal contributions for the new art gallery. The Mayor also attended the opening ceremonies of the Silver Stick Tournament at the Sports Complex and although he received many compliments on the improved condition of the facility following the RINK program improvements, he was disappointed in the failure of the sound system. The Mayor felt the failure was somewhat embarrassing at this showcase event and it was suggested that perhaps letter of support could be sent to local businesses and industry soliciting financial support for the financing for the improvement of the sound system.

Moved by D. Randell

Seconded by J. Agar

**Motion #11:** That the recommendations submitted by the January 10<sup>th</sup> meeting of the Finance and Administration Committee and the Public Works and Operations Committee be approved.

**CARRIED**

Moved by S. Miller

Seconded by D. Randell

**Motion #12:** That the meeting enter an in-camera session to discuss property issues.

**CARRIED**

Meeting returned to order.

**ADJOURNMENT:**

Moved by S. Miller

Seconded by D. Randell

That the meeting do hereby adjourn.

**CARRIED**

The meeting adjourned at 9:05 p.m.

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MAYOR

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CLERK