

**ST. CLAIR TOWNSHIP
COUNCIL MINUTES
SESSION # 10**

St. Clair Civic Centre
Council Chambers
May 7, 2012
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
	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:

Finance and Administration Committee meeting minutes of April 23, 2012
Public Works and Operations Committee meeting minutes of April 23, 2012
Regular meeting of Council – April 23, 2012 ~ Session #9
Moore Museum meeting minutes of April 4, 2012
Drainage Committee meeting minutes of May 2, 2012
Sombra Museum meeting minutes of April 19, 2012

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

6:10 pm – Randy Alwood ~ Pembina Energy
6:15 pm – Seward public meeting
6:30 pm – Wilkesport Community proposal

CORRESPONDENCE:

- a) Sombra Sports and Rec – permission
- b) City of Sarnia – surplus property
- c) Port Lambton Gala Days – permission
- d) Michiels – proposal
- e) Tourism Sarnia Lambton – National Tourism Week
- f) VON – golf tournament
- g) Burgess – 2nd house permission
- h) Sombra Museum – grand opening
- i) Rick and Janice Clubb – Vansickle property

INFORMATION:

- 1) Oxford County – resolution
- 2) Notice of public meeting – Seward
- 3) MP Pat Davidson – meetings

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- 4) Moore Presbyterian Foundation – thank you
- 5) SCRT – April 25, 2012 minutes
- 6) Bluewater Trails – bike summit
- 7) Heritage Committee meeting – minutes of April 16, 2012
- 8) Steve Seward – Seward rezoning
- 9) Pat Seward – Seward rezoning
- 10) Lambert Burdan – Seward rezoning

DRAINS:

By-law #16 of 2012 – Vandendool Drain
By-law #17 of 2012 – Froomfield Drain

REPORTS OF COMMITTEES AND OFFICERS:

PROPERTY STANDARDS OFFICER REPORT:

Property standards update

PLANNER'S REPORT:

Affordable housing
Seward rezoning

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

Conditional permit for ChemFab
Nantais Subdivision agreement

COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:

Tractor tender
Truck accident
Curb cut policy
Road side barrier at Shell

TREASURER'S REPORT:

OPG TCC

BY-LAWS:

By-law #18 of 2012 – Confirming
By-law # 19 of 2012 – Nantais Subdivision agreement

COUNCILLORS REPORTS:

MOTIONS:

Watson Creek Drain

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Committee of the Whole – Tuesday May 22, 2012 ~ 6:00 pm
Council meeting – Tuesday May 22, 2012 ~ 7:30 pm (after Committee)
Council meeting – June 4, 2012 ~ 6:00 pm

ADJOURNMENT:

Moved by P. Gilliland

Seconded by D. Randell

Motion #8: That the Township declare Sombra Days to be held Friday July 6th, Saturday July 7th and Sunday July 8th 2012 as a community festival and support the application of the appropriate refreshment license subject to the Township's Alcohol Management policy.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #9: That the City of Sarnia be advised that St. Clair Township has no interest in purchasing property known as 112 Front Street North, Sarnia known as Part Lot D & E Plan 14 City of Sarnia, County of Lambton.

CARRIED

Moved by S. Miller

Seconded by J. Agar

Motion #10: That the Township declared Port Lambton Gala Days to be held August 3rd, 4th and 5th, 2012 as a community festival and that permission be granted to the issuance of the appropriate refreshment license subject to the Township's Alcohol Management policy.

CARRIED

Council reviewed the request received from Shari and Rick Michiels regarding the retention of the original residential building on property known as 922 Duthill Road. The letter of request pointed out that a new dwelling was constructed on the subject property and by agreement with the Municipality; the owners were allowed to occupy the old house during construction. The owners now wish to convert the old house into a non-residential storage building with the removal of other detached accessory buildings of lesser quality.

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #11: That the request received from Shari and Rick Michiels, owners of property known as 922 Duthill Road for an amendment to an agreement to allow a second residence on the property be approved subject to the decommissioning to non-residential uses of the original residence on the house and subject to the inspection once the decommissioning has been completed.

CARRIED

Council received as information, the communication from Tourism Sarnia – Lambton regarding National Tourism Awareness week kick off at the Moore Museum on Wednesday May 16th between 11:30am – 1:30pm.

Council reviewed the invitation to participate in the 10th annual VON Golf Tournament.

Moved by P. Carswell-Alexander

Seconded by J. DeGurse

Motion #12: That a financial donation in the amount of \$500 plus 4 golf prizes be provided to the VON in sponsorship of their fundraising golf tournament to be held June 8th 2012.

DEFEATED

Moved by J. Agar

Seconded by S. Miller

Motion #13: that a donation of \$1000 be made to the 10th annual VON Fundraising Golf Tournament to sponsor a foursome in the June 8th fundraising event.

A recorded vote was requested:

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

CARRIED

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Council reviewed the letter of request received from Mr. Jason Burgess owner of property known as 1120 Holt Line for permission to build a new residence on the property while occupying the existing residence. Mr. Burgess is agreeing to remove the old dwelling within 6 months of the occupancy of the new house.

Moved by D. Randell

Seconded by P. Carswell-Alexander

Motion #14: That permission be granted to Mr. Jason Burgess, owner of property known as 1120 Holt Line to allow the occupancy of the existing home during construction of the new home subject to the execution of the corresponding agreement.

CARRIED

Council reviewed the invitation received from the Sombra Museum Board regarding the grand opening of the Sombra Museum Cultural Center on Tuesday June 19th at 1:00pm. All members of Council will be in attendance with the exception of Councillor Carswell-Alexander.

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #15: That the Property Standards complaint received regarding a fire damaged house on the Bickford Line at Lot 30 be referred to the Property Standards Officer for investigation and report.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #16: That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Sombra Sports and Rec - permission
Inst. See motion #8
- b. City of Sarnia – surplus property
Inst. See motion #9
- c. Port Lambton Gala Days - permission
Inst. See motion #10
- d. Michiels - proposal
Inst. See motion #11
- e. Tourism Sarnia-Lambton – National Tourism Week
Inst. Received as information
- f. VON – golf tournament
Inst. See motion #13
- g. Burgess – 2nd house permission
Inst. See motion #14
- h. Sombra Museum – grand opening
Inst. Received as information
- i. Property Standards – Vansickle property
Inst. See motion #15

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #17: That the items of information correspondence be received as information.

CARRIED

DRAINS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #18: That Drainage By-law #16 of 2012, being a by-law to raise the sum of \$146,122.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Vandendool Drain be given the first and second readings and be provisionally adopted.

CARRIED

Moved by J. Agar

Seconded by J. DeGurse

Motion #19: That Drainage By-law #17 of 2012, being a by-law to raise the sum of \$288,644.00 being money expended out of the General Funds of the Township of St. Clair for construction of the Froomfield Drain be given the first and second readings and be provisionally adopted.

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

Council proceeded to review the report of the Property Standards Officer dated April 30, 2012.

Moved by P. Gilliland

Seconded by J. Agar

Motion #20: That the Property Standards Officer be instructed not to close the file on property known as 2662 Burman Line until all the remaining derelict cars have been removed.

CARRIED

Moved by D. Randell

Seconded by S. Miller

Motion #21: That further action relative to the property standards complaint received on property known as 1367 Wilkesport Line be tabled until the Property Standards Officer has had an opportunity to discuss the property's condition and need for repair or removal with the property owner.

CARRIED

Moved by P. Carswell-Alexander

Seconded by S. Miller

Motion #22: That the Property Standards Officer be instructed to communicate with the owner of the property known as 1364 Walker Street in Wilkesport, the condition of the property relative to the Township's property standards by-law.

CARRIED

Moved by S. Miller

Seconded by J. DeGurse

Motion #23: That the Property Standards Officer be requested to communicate with the owner of property known as 1357 Edward Street, Wilkesport, the condition of the property relative to the property standards by-law.

CARRIED

Moved by S. Miller

Seconded by D. Randell

Motion #24: That the report of the Property Standards Officer dated April 30, 2012 and the recommendations contained therein be received as amended be accepted.

CARRIED

Chuck and Betty Lauwereys, chairman and member of the Wilkesport Community Center Board were present to discuss with Council a proposal to construct a spray pad and a concrete pad approximately 40 feet by 80 feet in size to accommodate a basketball court, road hockey court and possible winter skating facility proposed to be located at the Wilkesport Community Center grounds. Mr. Lauwereys advised that he has investigated the spray pad currently located in Sombra and Corunna and feel that the Wilkesport Community would benefit from a spray pad estimated at cost of approximately \$130,000. It was also pointed out that the cost to construct the 40 by 80 feet concrete pad would be approximately \$18,000. Mr. Lauwereys stated that he is aware of the Township's position in the past to fund such recreational developments with a commitment from a partner to repay ½ of the total capitol costs to the municipality over a 5 year period. Mr. Lauwereys

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stated that he was of the opinion that the Wilkesport Community Center Board may be willing to partner with the Township for the project estimated to cost \$148,000. Mr. Lauwereys further stated that the Wilkesport Community Hall has approximately \$45,000 in surplus funds that they could direct towards the project.

Moved by S. Miller

Seconded by D. Randell

Motion #25: That Council approve in principle the concept of constructing a spray pad and an outdoor recreational concrete pad approximately 40 feet by 80 feet in dimension subject to the agreement and commitment of a second party partner.

CARRIED

PLANNER'S REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #26: That the report submitted by the Senior Planner Barry Uitvlugt dated April 20, 2012 recommending that Council receives the update report as information regarding Bill 140, Strong Communities through Affordable Housing Act, 2011 as it relates to the Planning Act and That the policies subject to input from Council, form the basis of the draft amendments and that staff be directed to set a date for a public meeting to present the draft Official Plan Amendment policies and draft zoning regulations be tabled until May 22, 2012 meeting.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #27: That the report submitted by the Senior Planner Barry Uitvlugt dated April 19, 2012 regarding a proposed zoning by-law amendment for 497 Courtright Line be received and accepted as information.

CARRIED

DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #28: That the report received from the Deputy Clerk/Coordinator of Planning dated May 3, 2012 recommending that Council authorize the Mayor and Clerk to enter into a conditional building permit- including a conditional permit agreement – for ChemFab Industries to accommodate a new maintenance shop and small addition to office space. As a conditional permit agreement shall be a \$2000 security requirement to be returned to the proponent upon signing of the Site Plan Agreement be received and accepted.

CARRIED

Moved by P. Gilliland

Seconded by D. Randell

Motion #29: That the report received from the Deputy Clerk/Coordinator of Planning dated May 3, 2012 recommending that Council authorize the Mayor and Clerk to enter into a subdivision agreement with Glen Nantais for the development of 13 lots on Nantais Court off Beckwith Street and 2 lots fronting on Paget Street. In addition, Council passes the authorization by-law with all three readings be received and accepted.

CARRIED

COORDINATOR OF OPERATIONS (ROAD/DRAINAGE) REPORT:

Moved by J. DeGurse

Seconded by J. Agar

Motion #30: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated May 1, 2012 recommending that the tender submitted by Kucera Farm Supply Ltd. be approved for the purchase of a 2012 Case IH Maxxum 140 tractor complete with rear scraper blade, front loader, front two-way snow plow, front forks and front broom. And that an Alamo Falcon 15 hydraulically driven rear deck mower be purchased on a separate purchase order from the Alamo distributor for a total of \$145,089.69 and the Mayor and Clerk be authorized to sign the necessary documents be tabled until the May 22, 2012 meeting of the Public Works and Operations Committee meeting.

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Moved by D. Randell

Seconded by S. Miller

Motion #31: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated May 1, 2012 regarding a truck accident be tabled for further information.

CARRIED

Moved by J. DeGurse

Seconded by J. Agar

Motion #32: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated April 4, 2012 recommending that the low tender submitted by RBM Contractors in the amount of \$37,855.00 for “miscellaneous sidewalk replacement and curb and gutter repair” be received and accepted and that the Mayor and Clerk be authorized to sign the necessary documents.

CARRIED

Moved by P. Gilliland

Seconded by S. Miller

Motion #33: That the report submitted by the Coordinator of Operations (Roads/Drainage) dated May 1, 2012 recommending that Council approve the proposal by Shell Canada to install a suitable barrier on the west side of St. Clair Parkway north of Talfourd Creek and to be 100% privately funded be tabled pending further information.

CARRIED

TREASURER’S REPORT:

Moved by J. Agar

Seconded by P. Carswell-Alexander

Motion #34: That the report submitted by the Treasurer, dated April 25, 2012 regarding the OPG TCC be received and accepted as information.

CARRIED

BY-LAWS:

Moved by P. Gilliland

Seconded by S. Miller

Motion #35: That By-law #18 of 2012 being a by-law to confirm the resolutions and motions of St. Clair Township which were adopted up to and including April 23, 2012 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 P. Carswell-Alexander

Motion #36: That By-law #19 of 2012 being a by-law to authorize a Development Agreement with Glen Allan Nantais for Part Lots 218 & 219 of Plan 413 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

MOTIONS:

Moved by D. Randell

Seconded by S. Miller

Motion #37: that Ray Dobbin of R. Dobbin Engineering Inc. be instructed to draft an Engineer’s Report on the possible Watson Creek Drain modified alternative #6 in the R. Dobbin Engineering Inc. report dated April 6, 2012

CARRIED

CAO’S REPORT:

The CAO advised of a need of an in-camera session to discuss a property, personnel and legal issue.

COUNCILLORS REPORTS:

Pete Gilliland

Deputy Mayor Gilliland advised Council of the scheduled trail date to be hosted at Guthrie Park on Saturday June 2, 2012. All members of Council are invited to participate in the annual event.

Steve Miller

Councillor Miller advised of attending a recent Port Lambton Community Hall Board meeting at which time it was announced that two long serving board members Murray and Barb McAllister are resigning with regret due to relocation from Port Lambton. Council instructed that a certificate of appreciation be provided to the McAllister's for their years of community service.

Jeff Agar

Councillor Agar questioned the appropriateness of residential vehicular parking on Township streets.

Pat Carswell-Alexander

In response to Councillor Carswell-Alexander's questions, she was advised that no word has been received from Nova regarding the Township's proposal to construct a new watermain on the LaSalle Line.

Jim DeGurse

Councillor DeGurse questioned the appropriateness of school board parking on residential streets and was also advised that no word has been received yet from the proponents of the Corunna churches garden project proposal. Councillor DeGurse also said that the "Shred-it" days co-sponsored the CCPC was successful once again this year.

Steve Arnold

Mayor Arnold advised of a request received from the Black Creek Cemetery Board for additional shoulder gravel to accommodate roadside parking has been referred to the Public Works Department. Also the Mayor will be in Toronto later this week and early next week partly to participate in a discussion on the immigration portal.

Moved by J. DeGurse

Seconded by D. Randell

Motion #38: That the meeting enter an in-camera session to discuss a legal, property and personnel issue.

CARRIED

Meeting returned to order.

Moved by P. Carswell-Alexander

Seconded by J. Agar

Motion #39: That By-law #20 of 2012 being a by-law to accept and execute an amendment to a lease on property known as 487 Polymoore Drive to HQN and to amend By-law #35 of 2011 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 meeting called to consider a rezoning proposal for property known as Part Lot 26, Con 4 geographic Township of Moore, Township of St. Clair known municipally as 497 Courtright Line. Mayor Arnold advised all those in attendance that they would be given an opportunity to speak in support of or in opposition to the proposal. Mayor Arnold then called upon County Planner Barry Uitvlugt to present his planning merit report on the proposal submitted by Mr. James Seward, the property owner dated April 19th, 2012. Mr. Uitvlugt stated that the rezoning

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requested from Agricultural and Environmental Protection would be rezoned to accommodate the establishment of a recycling yard on the subject property for the recycling of material known as drilling mud, asphalt, concrete and pipeline materials. Mr. Uitvlugt pointed out that the Official Plan designation of the subject property is Industrial type 3. Mr. Uitvlugt's report also contained a summary of the written material received in advance of this public meeting and as well, 2 additional written submissions were received earlier in the meeting for Council's consideration. At the conclusion of his presentation, Mr. Uitvlugt advised that in his planner's opinion, the proposal had planning merit and recommended Council pass the corresponding appropriate re-zoning by-law. The Mayor then turned the meeting over to those wanting to speak in opposition to the proposal. The following residents were in attendance and given an opportunity to speak in opposition to the proposal.

Erin Moore	Elsie Metcalfe
Gary Robbins	Bill Wheeler
Gord Vickerd	Tom Wheeler
Bill Fleckie	Larry Munday
Steve Seward	Robert Estensen
Carley Devlin	Carley Warner
Bill Warner	James Seward
D'Arcy Bell (representing James Seward)	

Questions and comments raised during the presentation range from the berming requirements, fencing requirements, the height of the required berms, affect on drainage and ground water, possible dust and pollution issues as well as possible negative impacts on endangered species. The questions also posed to Mr. Uitvlugt were if the uses proposed for the property could be expanded with the expansion of the types of material recycled on site. Mr. Uitvlugt advised that any expansion of the permitted recycling activities would require an additional public planning process. Concerns were also raised as to whether the material on site is hazardous subject to any Ministry of the Environment regulations and guidelines and the possible negative impact on vehicular traffic in the area. Mr. D'Arcy Bell, representing the proponent, Mr. James Seward and Mr. Seward made a presentation to the meeting answering many of the questions raised by those in opposition. Mr. Seward said that he is prepared to comply with any guidelines the Township imposes in the Zoning By-law or subsequent site plan agreement as to berm height, hours of operation and possible further measures to mitigate some of the concerns the neighbors may have on the proposed site. Mr. Seward also advised that the material being recycled on site is subject to an MOE certificate of approval and the material entering the site will either be monitored by the MOE or the company's wishing to recycle their materials in the Seward facility. Several of the opponents suggested that a relatively large performance bond be required by the proponent and that the circulation notification for this meeting should have been expanded considerably. At the conclusion of the public meeting it was determined that many of the rate payers concerns may be addressed in the corresponding site plan that will be required for this development. Mr. Uitvlugt advised that he would attempt to prepare a draft site plan for review by Council, the proponent and those citizens in attendance to consider a meeting of Council proposed for June 4th. A mailing list of those in attendance was developed to facilitate further notification of decisions by Council on this proposal.

Hearing no further comments, the public meeting was declared closed and the meeting returned to order.

Moved by J. Agar

Seconded by J. DeGurse

Motion #40: That the application submitted to rezone property known as Part Lot 26, Con 5 geographic Township of Moore, Township of St. Clair be denied.

TABLED

Moved by S. Miller

Seconded by P. Carswell-Alexander

Motion #41: That the consideration of the proposal to allow the establishment of a recycling facility be tabled until the June 4, 2012 meeting of Council.

CARRIED

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Mayor Arnold advised those in attendance that they would be invited to attend the next meeting of Council at which this issue will be discussed possibly to be held June 4th.

ADJOURNMENT:

Moved by S. Miller
That the meeting do hereby adjourn.

Seconded by D. Randell

CARRIED

The meeting adjourned at 8:45 p.m.

MAYOR

CLERK