

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 24**

St. Clair Civic Centre  
Council Chambers  
January 19, 2015  
5:00 pm

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
	T. Kingston	Councillor
	D. Randell	“
	J. Agar	“
	J. DeGurse	“
	S. Miller	“
Staff:	J. Rodey	CAO
	J. Baranek	Clerk/ Deputy CAO
	C. McClemens	Deputy Clerk/Coordinator of Planning

**TOWNSHIP OF ST. CLAIR  
COUNCIL AGENDA**

**Declaration of Conflict of Interest:**

**Minutes:**

Regular Council – Session #23 – January 5, 2015

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

5:10 p.m. – Public Meeting Zoning By-law Amendment (Wellings – Lands north of the Corunna No Frills)  
5:45 p.m. – Frank Cowan Company/Gamble & Martin Insurance

**CORRESPONDENCE:**

- a) Hull Bus Lines – wooden shed request
- b) St. Clair Marina Estates – fence at SWM pond
- c) OPP – Lambton Group Police Services Board
- d) Legion Branch 447 – Outdoor Patio Liquor Licence
- e) Lambton County Mosaic Project

**INFORMATION:**

- 1) Canada Post – Price & Service changes
- 2) Nova Chemicals – Kimball Pipeline Replacement Project
- 3) Pembina – Hydrocarbon cavern conversion
- 4) LCSV – Minutes November 27, 2014
- 5) Memorial to Our Fallen

Council Meeting  
January 19, 2015

**DRAINS:**

By-law #1 of 2015, being a by-law to raise the sum of \$231.55 being money expended out of the General Funds of the Township of St. Clair for the expenses to the Arn Drain in the Township.

**REPORTS OF COMMITTEES AND OFFICERS:**

Barry Uitvlugt, Senior Planner  
- Shell Canada Ltd. (150 St. Clair Pkwy)  
- Planning Report – Wellings Corunna (Zoning By-law Amendment & OPA No.19)

**TREASURER'S REPORT:**

- Revised 2015 Capital Budget Report

**PROPERTY STANDARDS/BY-LAW ENFORCEMENT OFFICER**

- Property Standards Update – January 15, 2015

**DEPUTY CLERK/COORDINATOR OF PLANNING:**

- Lambton Area Water Supply System – Sale of Surplus Properties

**CLERK'S REPORT:**

- Correspondence Policy  
- Makeover of Committee Room 1 & Civic Centre Lobby

**CAO'S REPORT:**

**MOTIONS:**

**BY-LAWS:**

7 of 2015 – Site Plan Agreement: Shell Canada Ltd. (150 St. Clair Pkwy)  
8 of 2015 – Zoning By-law Amendment – Wellings Corunna  
9 of 2015 – By-law to Adopt OPA No.19 – Wellings Corunna

**COUNCILLORS' REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

- Regular Council – Monday, February 2, 2015 ~ 6:30 p.m.  
- Committee of the Whole – Tuesday, February 17, 2015 ~ 3:00 p.m.  
- Regular Council – Tuesday, February 17, 2015 ~ 5:00 p.m. after Committee of the Whole

**In Camera**

- Personnel (Clerk)

**ADJOURNMENT:**

The Mayor called the meeting to order at 5:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

None declared.

**ADOPT MINUTES:**

Moved by D. Randell

Seconded by J. Agar

**Motion #1** That the Minutes from the Council meeting held Session #23 – January 5, 2015 be received and accepted as printed.

**CARRIED**

**CORRESPONDENCE:**

Moved by D. Randell

Seconded by J. Agar

**Motion #2** That Council authorize Hull Bus Lines to erect a wooden shed in close proximity to their parking area for busses at 487 Polymoore Drive to the satisfaction of the Director of Community Services.

**CARRIED**

Moved by J. Agar

Seconded by D. Randell

**Motion #3** That the Township of St. Clair continue to support the existing 9 member format of the Lambton Group Policing Contract; and the Township of St. Clair supports the 2015 identified enhanced contract service items at a per household cost of \$9.95; and that the Township of St. Clair requests that the Lambton Group Police Services Board and Detachment Commander review ways of providing information to member Councils specifically focused on understanding and ideally reducing costs associated with identified calls for service.

**CARRIED**

Moved by J. Agar

Seconded by J. Degurse

**Motion #4** That Council grant a temporary extension to Legion Branch 447 for a liquor licence to accommodate their 5<sup>th</sup> Annual Summer Kick-Off Event to be held June 20, 2015.

**CARRIED**

Moved by D. Randell

Seconded by S. Miller

**Motion #5** That Council endorses and helps promote the Lambton County Mosaic Project and that the Director of Community Services work with the organizers for the event to assist in its promotion.

**CARRIED**

Moved by P. Gilliland

Seconded by J. Agar

**Motion #6** That Council agree to waive the site plan process for internal renovations to an existing building on-site at 220 St. Clair Parkway, Dockside Industrial Park Inc., understanding any future site alterations will trigger the site plan process and that the proponents agree to connect to the sanitary sewer when the site plan process is undertaken.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #7** That Council accept the following items of correspondence as per Council's direction:

- a) Hull Bus Lines – wooden shed request
- b) St. Clair Marina Estates – fence at SWM pond
- c) OPP – Lambton Group Police Services Board
- d) Legion Branch 447 – Outdoor Patio Liquor Licence
- e) Lambton County Mosaic Project
- f) Dockside – site plan exemption

g) Internet availability

**CARRIED**

At the appointed time of 5:10 p.m., Mayor Arnold welcomed those in attendance to hear the application for a retirement development located north of No Frills between St. Clair Boulevard and Bunker Avenue. The Mayor informed those in attendance that the Township Planner will present his report then, Council will have an opportunity for questions before the floor is opened up to the public and the proponent for discussion.

Township Planner, Barry Uitvlugt, presented his report and suggested that the proposed use will fit within the existing lot fabric and has enough lot area to provide adequate buffering as a transition from abutting single unit residential development to the multi-unit residential development proposed. Barry recommended both the zoning by-law amendment and official plan amendment for approval.

Deputy Mayor Gilliland asked for clarification that the portion of the lot fronting onto St. Clair Parkway would remain commercial and that there would be no access to the proposed development from the Parkway. Mr. Uitvlugt confirmed the portion of the lot south of the funeral home will remain highway commercial and that the proposed access points are from Bunker Avenue and St. Clair Boulevard. Councillor Degurse received confirmation that the units are rental units.

Kevin Knight, owner of Knight Funeral Home at 588 St. Clair Parkway and the car wash at 173 St. Clair Boulevard, voiced two concerns: the noise from the dryers at the car wash and that highway commercial land will remain available. Mr. Uitvlugt confirmed that a noise study has been done for phase 1 which is the apartment building complex, and a subsequent one will be done for phase 2 which would place the detached “cottage” units in close proximity to the car wash. It was noted at this time that Mr. Knight’s concerns about the proposal would be addressed during the site plan process.

Peter and Bev Cassel of 564 Riverside Drive opined that a barrier between the proposed development and the railroad tracks should be put in place and should be similar to the adjacent fence around Paddock Green. They continued by inquiring as to whether or not medical services that will be available to the residents of the proposed building will also be available to local residents.

The Mayor then welcomed Peter Gregor, Development Director for the Nautilus Lands Group, the proponent for this development. Peter explained that all medical services to be available to the residents of the development will be provided by Saint Elizabeth. The services will not only be designed by each resident to suit their own needs but, will also be available to the local public. Saint Elizabeth will have offices within the development where arrangements can be made to add or discontinue a service for each of the residents. Peter indicated Saint Elizabeth will look to staff their programs with local candidates.

Transportation will be offered to the residents by way of an extended van or small bus on a weekly schedule. Arrangements can be made to allow residents to get to and from medical or other appointments.

Jane Marsh, of 1775 Moore Line, informed Council that, in her opinion, the proposed development is a wonderful concept but, questioned that if once a resident needed assisted living on a full time basis, would that be offered in this development or would they be forced to seek that elsewhere. Peter indicated that the development can only operate up to a certain service level as determined by the provincial government. Once further services are required, a patient will need to relocate to a registered nursing home or similar accommodations.

Moved by P. Gilliland

Seconded by T. Kingston

**Motion #8** That Council approve the zoning by-law amendment and Official Plan Amendment #19 to permit a multi-unit retirement home development on the lands known as Part Lot 54, Front Concession, former geographic township of Moore and provide By-laws 8 and 9 of 2015 with all necessary readings thereby authorizing the Mayor and Clerk

to execute the by-laws and any appurtenant agreements/documents.

**CARRIED**

**INFORMATION:**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #9** That the following items of information be dealt with as per Council's instructions for items identified as agenda items 1) thru 5):

- 1) Canada Post – Price & Service changes
- 2) Nova Chemicals – Kimball Pipeline Replacement Project
- 3) Pembina – Hydrocarbon cavern conversion
- 4) LCSV – Minutes November 27, 2014
- 5) Memorial to Our Fallen

**CARRIED**

**DRAINS:**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #10** That By-law #1 of 2015 being a by-law to raise the sum of \$231.55 being money expended out of the General Funds of the Township of St. Clair for the expenses to the Arn Drain be given the necessary readings and signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

**REPORTS OF COMMITTEES AND OFFICERS:**

Moved by D. Randell

Seconded by P. Gilliland

**Motion #11** That the report of Barry Uitvlugt – Senior Planner with regard to Shell Canada Ltd. be received and that Council give approval in principle to the site plan agreement amendment, provided all municipal concerns are addressed financially and otherwise; and that Council pass the executing by-law pertaining to this agreement.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #12** That the report of Barry Uitvlugt – Senior Planner with regard to the Planning Report – Wellings Corunna (Zoning By-law Amendment & OPA No.19) be approved and be given the necessary readings and be signed by the Mayor and Clerk, and the Corporate Seal affixed thereto and finally passed.

**CARRIED**

**TREASURER'S REPORT:**

Moved by T. Kingston

Seconded by J. DeGurse

**Motion #13** That the Treasurer's report with regard to the Revised 2015 Capital Budget be received and that Council approve the revised \$266, 030 be taken from Reserve Year End Surplus Pre 2008 to balance the budget to 2013 level; and also approve that project 2015 - 101 Urban Resurfacing be designated project for the AMO Gas Tax grant and project 2015 -106 be designated for the OCIP formula base grant funding program.

**CARRIED**

**PROPERTY STANDARDS/BY-LAW ENFORCEMENT OFFICER:**

Moved by J. DeGurse

Seconded by S. Miller

**Motion #14** That the report of Kelly Bedard – Property Standards/By-law Enforcement Officer dated January 15, 2015 be accepted as information.

**CARRIED**

Moved by T. Kingston

Seconded by J. DeGurse

**Motion #15** That the Property Standards Officer be directed to provide both an informal letter and a telephone call to the property owner at 527 Belmont Ave. providing 7 days to remove the remaining vehicle and further, that the PSO be directed to tow the derelict vehicle if it remains following the deadline.

**CARRIED**

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Moved by J. DeGurse

Seconded by T. Kingston

**Motion #16** That the Property Standards Officer be directed to await engineer reports with regard to 357 Murray St. and further, be directed to report back to Council once received and provide further recommendations.

**CARRIED**

Moved by T. Kingston

Seconded by J. DeGurse

**Motion #17** That it be recommended to Council that the Property Standards Officer be directed to provide decision of the Appeal Committee by way of registered mail and further be directed to extend that deadline to February 16, 2015; also, in the event compliance is not achieved by the new deadline, the PSO be directed to obtain an Ontario Building Code Warrant for the house (2417 Courtright Line) and hire an engineer and a locksmith to enter both properties (2417 & 2421 Courtright Line) for the purpose of obtaining Professional Engineer reports regarding structural capability.

**CARRIED**

Moved by S. Miller

Seconded by J. DeGurse

**Motion #18**

That the Property Standards Officer be directed to take no further action at 244 Cameron St. and close the file.

**CARRIED**

Moved by S. Miller

Seconded by T. Kingston

**Motion #19** That the Property Standards Officer be directed to take no further action at 574 Albert Blvd. and close the file.

**CARRIED**

**DEPUTY CLERK/COORDINATOR OF PLANNING:**

Moved by T. Kingston

Seconded by S. Miller

**Motion #20** That the report of Carlie McClemens – Deputy Clerk with regard to the Lambton Area Water Supply be received and that Staff be directed to respond to Lambton Area Water Supply System informing them that the Township had no interest in the surplus properties at this time.

**CARRIED**

**CLERK'S REPORT:**

Moved by J. Agar

Seconded by P. Gilliland

**Motion #21** That the report submitted by the Clerk dated January 13, 2015 related to the correspondence policy be received and that the attached policy be approved and immediately be incorporated into the Township of St. Clair policy manual.

**CARRIED**

Moved by P. Gilliland

Seconded by J. Agar

**Motion #22** That staff be directed to continue to pursue the makeover of Committee Room 1 in the upper level of the Township Civic Centre and incorporate the two changes to the proposal from Manley's as identified in a report dated January 14, 2015 submitted by Clerk Jeff Baranek.

**CARRIED**

**MOTIONS:**

**BY-LAWS:**

Moved by T. Kingston

Seconded by S. Miller

**Motion #23** That By-laws 7 – 9 receive all three readings and that the Mayor and Clerk be authorized to execute appurtenant agreements and be thereby passed:

7 of 2015 – Site Plan Agreement: Shell Canada Ltd. (150 St. Clair Pkwy)

8 of 2015 – Zoning By-law Amendment – Wellings Corunna

9 of 2015 – By-law to Adopt OPA No.19 – Wellings Corunna

**CARRIED**

**COUNCILLORS' REPORTS:**

**Deputy Mayor Gilliland:**

**Councillor Miller:**

**Councillor Randell:**

**Councillor Agar:**

**Councillor Kingston:**

**Councillor DeGurse:**

**Mayor Arnold:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**UPCOMING MEETINGS:**

- Drainage Meeting – January 28, 2015 ~ 6:30 p.m.
- Regular Council – Monday, February 2, 2015 ~ 6:30 p.m.
- Committee of the Whole – Tuesday, February 17, 2015 ~ 3:00 p.m.
- Regular Council – Tuesday, February 17, 2015 ~ 5:00 p.m. after Committee of the Whole

At 6:30 p.m., Mayor Arnold apologized for the delay, and welcomed Tony Commisso of the Frank Cowan Company to address Council about their policy for the upcoming year.

Tony thanked Council for their continued business and congratulated Council on their election and re-election in the fall of 2014. He then highlighted five areas of importance within the policy for 2015: casualty policy, non-owned automobile policy, legal expense for lawsuit, legal expense for conflict of interest case and municipal liability policy.

The non-owned automobile policy covers councillors and staff who get into an accident in their personal vehicle while on municipal business up to \$15M. The casualty policy pays \$250,000 to your beneficiary in the event of a workplace casualty. The legal expense policy for defending a councillor or staff member named in a lawsuit covers up to \$100,000/case up to a \$250,000 aggregate. Similarly, the conflict of interest policy covers a defendant up to \$100,000 per claim (without an aggregate).

Tony concluded by stating that the Township does have a higher than normal claims history over recent years, and currently has 8 open claims. This hurts the premium year to year. He continued by stating that the Township has held a risk assessment seminar developed by Cowan, and has agreed to do the same in April 2015. He encourages the continued commitment to this training as it does score well when determining impact on the annual premium.

Moved by D. Randell

Seconded by S. Miller

**Motion #24** That the 2015 Municipal Insurance Program be approved and the Treasurer be authorized to pay the Premium of \$398,104 before taxes to the Frank Cowan Company.

**CARRIED**

**IN-CAMERA:**

Moved by J. Degurse

Seconded by T. Kingston

**Motion #25** That the meeting enter into an in-camera session to discuss a personnel matter at 6:40 p.m.

**CARRIED**

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Mayor Arnold declared the meeting back into open session at 6:50 p.m.. Seeing as there was no further business to discuss and nothing to rise and report from the in-camera session, Mayor Arnold called for a motion to adjourn.

Moved by S. Miller

Seconded by D. Randell

**Motion #26** That the meeting of Council hereby adjourn.

**CARRIED**

The meeting adjourned at 7:00 p.m.

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MAYOR

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CLERK