

TOWNSHIP OF ST. CLAIR

COUNCIL MINUTES

SESSION #12

St. Clair Township Civic Centre
June 18, 2018
5:00 p.m.

A Regular Meeting of Council was held Monday, June 18, 2018 at the Council Chambers in Mooretown at 5:00 p.m. with the following people present:

S. Arnold	Mayor
P. Gilliland	Deputy Mayor
J. Agar	Councillor
D. Randell	“
T. Kingston	“
S. Miller	Councillor
J. De Gurse	Councillor

Staff:	J. Rodey	CAO
	J. Baranek	Clerk

AGENDA:

Declaration of Conflict of Interest:

Minutes:

Regular Council Meeting – Session #11 – June 4, 2018
St. Clair River Trail Planning & Development Meeting – May 23, 2018
Twsp. of St. Clair Accessibility Advisory Committee Meeting – May 31, 2018
Moore Museum Advisory Committee Meeting – June 6, 2018

Business Arising from the Minutes:

DEPUTATIONS AND APPOINTMENTS:

- 5:30 p.m. - River Run – Ben Hazzard

Public Rezoning Meetings:

- 6:40 p.m. - ZBLA – Serkka Farms Inc. - 450 Lambton Line*
- 6:45 p.m. - ZBLA/OPA – 2594765 Ontario Ltd. – 394 Alfred St.*
*see separate agendas

CORRESPONDENCE:

- 1) 2421 Courtright Line – Property Standards
- 2) Courtright Village – Property Standards
- 3) Integrity Commissioner Proposal
- 4) Wilkesport Village – Property Standards
- 5) Mooretown Campground – Rental Reduction Request
- 6) Dock Request – John Smith
- 7) Courageous Companions – Support Request
- 8) Sombra Sports & Recreation - Road Closure Request
- 9) Sombra Sports & Recreation – Refreshment Area

INFORMATION:

- a) NOVA Chemicals – Genesis Pipeline Update
- b) OPP News Update
- c) County Council Highlights – June 6, 2018
- d) AMO Delegations
- e) NOVA Chemicals – Growth Projects Open House

REPORTS OF COMMITTEES AND OFFICERS:

CLERK’S REPORT:

- Idling Control By-law Consideration Report

DEPUTY CLERK/COORDINATOR OF PLANNING’S REPORT:

- Temporary Second Dwelling Agreement Request – 355 West Pointe Line

MOTIONS:

- That the recommendations from the June 18, 2018 – Finance & Administration and Public Works & Operations Committee meetings be received and approved.
- Notice of Motion - Darrell Randell: That staff planning for facility, public works and recreation upgrades to improve the Township accessibility and to meet the impending AODA requirements, shall budget for these costs out of the “St. Clair Environment and Education” reserve.

BY-LAWS:

- 40 of 2018 – Temporary Second House Agreement – 355 West Pointe Line (Donald Berkvens)
- 41 of 2018 - ZBLA – 450 Lambton Line – Serkka Farms Inc.
- 42 of 2018 – ZBLA - 394 Alfred St. – 2594765 Ontario Ltd.
- 43 of 2018 – Idling Control By-law
- 44 of 2018 - Adopt Official Plan Amendment – 394 Alfred St.

IN-CAMERA:

- 239 (2) (k) Negotiations for a lease agreement with the SCRCA
- 239 (2) (e) Potential litigation with 2 illegal buildings

COUNCILLORS’ REPORTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

- Regular Council – Tuesday, July 3, 2018 ~ 6:30 p.m.
- Committee of the Whole – Monday, July 16, 2018 ~ 3:00 p.m.
- Regular Council – Monday, July 16, 2018 ~ 5:00 p.m.
- Regular Council – Tuesday, August 7, 2018 ~ 6:30 p.m.
- Committee of the Whole – Monday, August 20, 2018 ~ 3:00 p.m.
- Regular Council – Monday, August 20, 2018 ~ 5:00 p.m.

ADJOURNMENT:

Council Meeting
June 18, 2018

Mayor Arnold 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 Be it resolved that the Minutes from Council Session #11 held June 4, 2018 be received and accepted as corrected.

CARRIED

Moved by J. Agar

Seconded by D. Randell

Motion #2 Be it resolved that the Minutes from the following meetings be received and accepted as printed:

- St. Clair River Trail Planning & Development Meeting – May 23, 2018
- Twsp. of St. Clair Accessibility Advisory Committee Meeting – May 31, 2018
- Moore Museum Advisory Committee Meeting – June 6, 2018

CARRIED

DEPUTATIONS AND APPOINTMENTS:

5:30 p.m. – River Run – Ben Hazzard

At the appointed time of 5:30 p.m., Mayor Arnold welcomed Nathan Hazzard, on behalf of Ben, to come forward to make his presentation.

Since the River Run began in 2010, its popularity has continued to grow. This year's event will be held on July 21, 2018 and will include a 5k run, a 10k run and the kids' Minnow Run. CF Industries continues to partner with the run with a \$20,000 donation for this year's event, as the main sponsor.

The run also depends on the support of the Township and they are requesting the same assistance with the event as in past years.

Moved by P. Gilliland

Seconded by J. De Gurse

Motion #3 Be it resolved that the Township support the 9th annual River Run by agreeing to provide the following:

- Traffic Diversion with rolling opening – including necessary barriers
- Use of Township staff to assist with the road closures and other items
- Covering the cost of the OPP participation
- Cutting the grass in Brander Park on the Wednesday prior to the event
- Having representatives from Council meet and greet runners at the finish line

CARRIED

Public Rezoning Meetings:

6:40 p.m. - ZBLA – Serkka Farms Inc. - 450 Lambton Line

At the appointed time of 6:40 p.m., Mayor Arnold welcomed those in attendance for the public meeting related to 450 Lambton Line and asked Senior Planner - Barry Uitvlugt to come forward to make a presentation on behalf of absent planner Ezio Nadalin.

The purpose of the rezoning was a condition of a surplus farm dwelling consent that was approved by the Committee of Adjustment as file B-09/18. The zoning would prohibit dwellings to be erected on the remnant and would recognize the severed parcel as Rural Non-Farm Residential as per Provincial Policy.

No one in attendance wished to speak in opposition of the application and Mayor Arnold declared the meeting closed.

Council Meeting
June 18, 2018

Moved by D. Randell

Seconded by S. Miller

Motion #4 Be it resolved that the rezoning for the property known as 450 Lambton Line, being a condition of Severance B-09/18, be approved for both the remnant and severed parcels.

CARRIED

6:45 p.m. - ZBLA/OPA – 2594765 Ontario Ltd. – 394 Alfred St.

At the appointed time of 6:45 p.m., Mayor Arnold welcomed those in attendance for the public meeting related to 394 Alfred Street and asked Senior Planner - Barry Uitvlugt to come forward to present his report.

Mayor Arnold noted a letter of objection submitted by the owner of 338 Hill Street, Mr. Elnicki who would like to see the property converted to low density residential.

The application proposed the rezoning of the 1.6 acre subject lands from Institutional 1 and a small component of Residential 1 to a hybrid C7 zone and to re-designate the lands in the Township Official Plan from Residential to Residential Exception. If approved as applied, the list of permitted uses would include the current martial arts school, assembly hall, bank, clinic, convenience store, day nursery, for-profit instructional facilities, library, office uses, personal service shops, private club, retail store, restaurant (with drive through), service shop, veterinarian establishment and accessory uses thereto.

The applicant, Mr. Pintus, did not have an acute proposal and was looking to rezone the lands for a broad list of uses to attract potential businesses to the area instead. Mr. Pintus has not committed to a site plan at this time. Until such time as the applicant narrows down the list of permitted uses and commits to a conceptual site plan which the zoning bylaw can adopt, Mr. Uitvlugt does not support the application for approval.

The owner of 336 Hill Street, Mr. Bothwell, objects to the proposal and would like to see residential development.

The owner of 385 Ellis, Mr. Grier, would like the proposal to be limited to residential uses but, does not object to the current martial arts use.

Mr. Pintus advised that the property had been vacant for 10 years prior to being purchased by his company. The building was gutted and renovated to accommodate the current fitness uses. The owner advised that he prefers not to tear the building down as he has spent over \$20,000 on the property and it was formerly a church. He consulted with Township staff on many occasions with several ideas and wants to keep the options open for future development both for business reasons and for community use purposes. Any new development on the lot would access the site from the arterial Hill Street and no new accesses would connect to Alfred Street. Mr. Pintus advised that the reason for having no site plan at the present time was to maintain flexibility for future tenants.

Councillor Agar advised that the proposal was too vague to garner his support as he has concerns with potential uses if it were approved in its current form. Mr. Pintus advised that his vision was not for a single use but, for a plaza instead with smaller office style uses that would be more compatible with the neighbourhood.

Mayor Arnold summarized the comments by suggesting that the local neighbourhood seemed to be satisfied with the current uses and potential residential uses of the property and noted that Mr. Uitvlugt did not support the application in its current form. He then declared the public meeting closed.

Moved by S. Miller

Seconded by J. Agar

Motion #5 Be it resolved that any decision be deferred to allow the applicant to revise the application to a more concise proposal including a conceptual site plan.

CARRIED

CORRESPONDENCE:

Moved by P. Gilliland

Seconded by J. Agar

Motion #6 Be it resolved that Council accept the following items of correspondence as per Council's direction:

- 1) 2421 Courtright Line – Property Standards
- 2) Courtright Village – Property Standards
- 3) Integrity Commissioner Proposal
- 4) Wilkesport Village – Property Standards
- 5) Mooretown Campground – Rental Reduction Request
- 6) Dock Request – John Smith
- 7) Courageous Companions – Support Request
- 8) Sombra Sports & Recreation - Road Closure Request
- 9) Sombra Sports & Recreation – Refreshment Area

CARRIED

Moved by J. Agar

Seconded by S. Miller

Motion #7 Be it resolved that the property standards complaint submitted against 2421 Courtright Line be referred to staff for investigation and the process be initiated to remedy any confirmed non-compliances with Property Standards By-law 53 of 2017.

CARRIED

Moved by D. Randell

Seconded by T. Kingston

Motion #8 Be it resolved that the complaint received against a series of properties in Courtright be dismissed as it identified specific properties throughout the village which violates the intent of the complaint process in that complaints are only accepted where the complainant's property itself or the ability to enjoy their property is compromised.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #9 Be it resolved that the Township complaint policy be revised to restrict the ability for a landowner to submit a property standards complaint to the immediate local area where a property would have the ability to negatively impact the complainant's property.

CARRIED

Moved by P. Gilliland

Seconded by T. Kingston

Motion #10 Be it resolved that the Integrity Commissioner proposal submitted by Aird and Berlis be received as information and tabled for consideration once other proposals have been reviewed.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #11 Be it resolved that the property standards complaint received against the properties on Mill and Edward Streets in Wilkesport be referred to staff for investigation and the process be initiated to remedy any confirmed non-compliances with Property Standards By-law 53 of 2017.

CARRIED

Moved by S. Miller

Seconded by J. De Gurse

Motion #12 Be it resolved that the request submitted by seasonal campers at the Moore Campground for a rate reduction due to services undertaken on behalf of the park be referred to the Director of Community Services for a report.

CARRIED

Council Meeting
June 18, 2018

Moved by S. Miller

Seconded by T. Kingston

Motion #13 Be it resolved that the request submitted by John Smith to install a seasonal or permanent dock east of the new Fawn Island ferry dock on land owned by the St. Clair Region Conservation Authority not be supported and endorsed by Township Council.

CARRIED

Moved by P. Gilliland

Seconded by T. Kingston

Motion #14 Be it resolved that the request submitted by Courageous Companions for a donation be received and filed and that they be encouraged to submit a request during 2019 budget deliberations.

CARRIED

Moved by T. Kingston

Seconded by S. Miller

Motion #15 Be it resolved that the request submitted by Sombra Sports and Recreation to close Middle Street between East Street and Duke Street from 11:00 am to 3:00 pm on Sunday, July 8, 2018 in order to facilitate the annual soap box derby be approved.

CARRIED

Moved by J. Agar

Seconded by J. De Gurse

Motion #16 Be it resolved that the request submitted by Sombra Sports and Recreation to declare the upcoming Sombra Days being held July 6 – 8, 2018 a Community Festival be approved and that a refreshment tent be permitted subject to the Township Alcohol Management Policy.

CARRIED

INFORMATION:

Moved by J. Agar

Seconded by P. Gilliland

Motion #17 Be it resolved that the following items of information be dealt with as per Council's instructions for agenda items identified a) to e):

- a) NOVA Chemicals – Genesis Pipeline Update
- b) OPP News Update
- c) County Council Highlights – June 6, 2018
- d) AMO Delegations
- e) NOVA Chemicals – Growth Projects Open House

CARRIED

REPORTS OF COMMITTEES AND OFFICERS:

CLERK'S REPORTS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #18 Be it resolved that Council receive the report submitted by Jeff Baranek – Clerk with regard to Idling Control By-law Consideration.

CARRIED

Moved by D. Randell

Seconded by J. Agar

Motion #19 Be it resolved that the draft by-law for idling control within the Township be amended to except the operation of farm vehicles and be considered for approval.

CARRIED

DEPUTY CLERK'S REPORTS:

Moved by D. Randell

Seconded by P. Gilliland

Motion #20 Be it resolved that the report submitted by Carlie McClemens – Deputy Clerk/Coordinator of Planning dated June 11, 2018 be received for information purposes and that By-law No. 40 of 2018, being a By-law to Authorize an Agreement with Don Berkvens & Dee Johnston for the temporary use of an existing house while a new home

Council Meeting
June 18, 2018

is being constructed at 355 West Pointe Line, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign said by-law accordingly.

CARRIED

MOTIONS:

Moved by P. Gilliland

Seconded by D. Randell

Motion #21 Be it resolved that the recommendations from the June 18, 2018 – Finance & Administration and Public Works & Operations Committee meetings be received and approved.

CARRIED

NOTICE OF MOTION: D. Randell

Seconded by J. De Gurse

Motion #22 Be it resolved that a new line item be created in the annual Township Budget for facility and recreational upgrades to comply with the AODA and that the line item be financed as determined during budget deliberations.

CARRIED

BY-LAWS:

Moved by J. De Gurse

Seconded by T. Kingston

Motion #23 Be it resolved that By-law 40 of 2018 – Temporary Second House Agreement – 355 West Pointe Line (Don Berkvens) be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by S. Miller

Seconded by T. Kingston

Motion #24 Be it resolved that By-law 41 of 2018 – ZBLA – 450 Lambton Line – Serkka Farms Inc. being a by-law to rezone the subject lands according to Consent B-9/2018 be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

Moved by s. Miller

Seconded by J. De Gurse

Motion #25 Be it resolved that By-law 42 and 44 of 2018 – being a by-law to rezone and redesignate respectively, the lands known as 394 Alfred Street for some commercial and other uses be deferred to a later meeting to allow the applicant time to detail a more specific application and limit the scope of permitted uses.

CARRIED

Moved by S. Miller

Seconded by P. Gilliland

Motion #26 Be it resolved that By-law 43 of 2018 – Idling Control Bylaw be given all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

CARRIED

COUNCILLORS' REPORTS:

Deputy Mayor Gilliland:

Deputy Mayor Gilliland recently attended the County Council meeting on June 6, the Fireman's Field Day Parade on June 9th and Lonnie and Carolyn Napper's 50th Wedding Anniversary celebration.

Councillor Miller:

Councillor Miller attended the Sombra Optimists' Old Car Show and noted that the grass at the former school house in Sombra needed to be cut.

Council Meeting
June 18, 2018

Councillor Kingston:

Councillor Kingston noted the sign for Moda Hair Salon in Corunna was knocked over across the sidewalk.

Mayor Arnold:

Mayor Arnold recently attended a number of events representing the Township including: the 60th Annual Brigden Homecraft Event, Fireman Field Days Parade, the St. Clair Region Conservation Authority meeting, the Sombra Optimists Car Show, the Trevor Daye Memorial Golf Tournament, Lonny and Carolyn Napper's 50th Wedding Anniversary celebration and the LAWSS meeting.

Mayor Arnold recently attended the Great Lakes Mayors Conference in Ajax, Ontario where he expressed concern with proposed tariffs and the publication of documents not endorsed by the group.

UNFINISHED BUSINESS:

NEW BUSINESS:

UPCOMING MEETINGS:

Council debated and ultimately decided to have only one council meeting per month until the next term of Council is sworn into office, due to their lame duck status. The next meeting will be July 16, 2018 and then will be held the second Monday of each month until the new term. During this time, there will be no Committee of the Whole meetings.

- Regular Council – Monday, July 16, 2018 ~ 5:30 p.m.
- Regular Council – Monday, August 13, 2018 ~ 5:30 p.m.
- Regular Council – Monday, September 10, 2018 ~ 5:30 p.m.

IN-CAMERA:

Moved by J. De Gurse

Seconded by S. Miller

Motion #27 Be it resolved that the meeting enter an in-camera session to discuss:

- 239 (2) (k) Negotiations for a lease agreement with the SCRCA
- 239 (2) (e) Potential litigation with 2 illegal buildings

CARRIED

Mayor Arnold declared the meeting back into open session and asked for any forthcoming motions.

Moved by D. Randell

Seconded by J. De Gurse

Motion #28 That the Township enter into a lease/easement agreement with the St. Clair Region Conservation Authority providing access to a well in Guthrie Park.

CARRIED

ADJOURNMENT:

Seeing no further business to discuss, it was thereby moved:

Moved by D. Randell

Seconded by S. Miller

Motion #29 That the meeting of Council hereby adjourned.

CARRIED

The meeting adjourned at 8:00 p.m.

MAYOR - Steve Arnold

CLERK - Jeff Baranek