



# Township of St. Clair

## Agenda

### Regular Council Meeting

Monday, September 18, 2023 @ 6:00 PM  
Council Chambers

#### 1. CALL TO ORDER

This meeting is being streamed live through the St. Clair Township Website. By attending a public meeting of Council you are consenting to your image, voice and comments being recorded and published to the Township website.

Anyone who is invited to speak will be recorded and their voice, image and comments will form part of the live stream and public record.

#### 2. DECLARATION OF PECUNIARY INTEREST

#### 3. ADOPTION OF MINUTES

- 3.1. Council Meeting - September 5, 2023 - Session #15  
[DRAFT - Minutes - Sept. 5, 2023 - Session 15](#)

#### 4. DELEGATIONS/PRESENTATIONS

- 4.1. [6:10 p.m.](#) - Moore Recreation Foundation
- 4.2. [6:15 p.m.](#) - Court of Revision - Currier Drain  
[COR Notice - Currier](#)  
[Notice of Appeal - 1105 White Line](#)  
[Notice of Appeal - 3105 St. Clair Parkway](#)
- 4.3. [6:20 p.m.](#) - Draft Plan of Subdivision - Brigden  
[38T-23003 - Brigden Park SC Public Meeting pkg](#)
- 4.4. [6:25 p.m.](#) - Draft Plan of Subdivision - Beckwith  
[38T-23002 - Beckwith - Plan of Subdivision meeting pkg](#)

#### 5. CORRESPONDANCE

- 5.1. Corunna 200- Two Water Brewing Event  
[Two Water Event letter](#)

#### 6. INFORMATION ITEMS

- 6.1. Lambton County Council Highlights - Sept 2023  
[Lambton County Council Highlights - September 6 2023](#)
- 6.2. Police Record Check - Revenue Letter  
[Police Record Check Revenue Letter](#)

#### 7. REPORTS OF COMMITTEES AND STAFF

- 7.1. Clerks Report - Waste Collections  
[Waste Collection](#)
- 7.2. Deputy Clerks Report - Conditional Permit Request - Eastern Power  
[Conditional Permit Request - Eastern Power](#)
- 7.3. Coordinator of Operations (Works) Report - Lambton County Winter Maintenance Agreement  
[Lambton County Winter Maintenance Agreement](#)

## **8. BY-LAWS**

- 8.1. By-Law 46 of 2023 - Waste By-Law  
[DRAFT B-L 46 of 2023 - Waste Bylaw](#)
- 8.2. By-Law 47 of 2023 - Agreement - 442 Colborne St - Access through CAP  
[DRAFT B-L 47 of 2023 - Agreement - 442 Colborne Street - Access through CAP](#)
- 8.3. By-Law 48 of 2023 - Winter Maintenance Agreement  
[DRAFT B-L 48 of 2023 - Winter Maintenance Agreement - County of Lambton](#)
- 8.4. By-Law 49 of 2023 - Conditional Building Permit Agreement - Greenfield South Power - 477 Oil Springs Line  
[DRAFT B-L 49 of 2023 - Conditional Building Permit Agreement - Greenfield South Power - 477 Oil Springs Line](#)

## **9. COUNCILLORS' REPORTS**

## **10. UPCOMING MEETINGS**

- 10.1. Regular Meeting - Session 17 - October 2, 2023, 3:00 p.m.
- 10.2. Regular Meeting - Session 18 - October 16, 2023, 6:00 p.m.
- 10.3. Regular Meeting - Session 19 - November 6, 2023, 3:00 p.m.

## **11. IN CAMERA SESSION**

- 11.1. Section 239(2)(k) to consider our position for negotiation with potential developer

## **12. ADJOURNMENT**





# MINUTES

## Regular Council Meeting

6:00 PM - Monday, September 18, 2023  
Council Chambers

The Regular Council of the Township of St. Clair was called to order on Monday, September 18, 2023, at 6:00 PM, in the Council Chambers, with the following members present:

**PRESENT:** Councillor Bill Myers, Councillor Brad Langstaff, Councillor Cathy Langis, Councillor Holly Foster, Mayor Jeff Agar, Clerk Jeff Baranek, CAO John Rodey, Councillor Pat Brown, and Deputy Mayor Steve Miller

**EXCUSED:**

### 1 CALL TO ORDER

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Anyone who is invited to speak will be recorded and their voice, image and comments will form part of the live stream and public record.

### 2 DECLARATION OF PECUNIARY INTEREST

None to declare.

### 3 ADOPTION OF MINUTES

3.1- Council Meeting - September 5, 2023 - Session #15

#### MOTION 1

Bill Myers made a motion - Be it resolved that the Minutes from the Regular Council Meeting Session #15 held on September 5, 2023, be received, and accepted as printed. Cathy Langis seconded the motion. CARRIED.

### 4 DELEGATIONS/PRESENTATIONS

#### 4.1- 6:10 p.m. - Moore Recreation Foundation

Mayor Agar welcomed Jane Marsh of the Moore Recreation Foundation to recognize the recipients of the 2023 grants.

The Foundation provided funds to both the Moore and Sombra Museums, the Moore Agricultural Society, the Brigden Decorating Team, and the Sombra Volunteer Garden Club. Each group used the funds for community enhancement projects.

Mayor Agar thanked the Foundation and each of the grant recipients specifically thanking their volunteers noting without them the community would not be able to provide such great programs for our residents.

#### 4.2- 6:15 p.m. - Court of Revision - Currier Drain

At the appointed time of 6:15 p.m., Mayor Agar convened the Court of Revision to hear appeals for the Currier Drain.

Clerk Jeff Baranek noted the Court has received appeals from the properties located at 1105 White Line and 3105 St. Clair Parkway.



The appeal submitted by the Caris' of 3105 St. Clair Parkway, known as 40-138, was originally set at \$416, but Engineer Josh Warner of Dobbin Eng Inc. noted the owners have undertaken significant drainage improvements since taking over the land in 2023. As such, Mr. Warner noted not much water reaches the Currier Drain and recommended a reduction to their initial assessment.

The appeal submitted by the Fournies' of 1105 White Line, known as 40-151, has been originally set at \$5,892 by Mr. Warner's report dated June 15, 2023. Mr. Warner noted the property has been tile drained north to the Burns Drain, but noted at the site meeting that some surface water would still require outlet into the new Currier Drain. Mr. Warner noted they had a survey of the property completed and confirmed surface water will enter the Currier Drain. Mr. Warner recommended the appeal be dismissed and that the assessment should remain as proposed.

Karen and Joseph Fournie submitted a written appeal claiming: 1) that tile drainage including gravel beds/french drains moves the vast majority of surface water quickly to the northwest where it then drains west into the Stokes Drain; 2) There is no significant ditch or drain in the area of question abutting my property that would take my water to the Currier Drain; 3) There is also a grass berm and tree line in my south lot line with elevation preventing water to outlet in the direction of the Currier Drain. They reiterated these claims in person at the meeting.

In response, Mr. Warner stated surface water will still get to the Currier Drain in significant rain events which was confirmed by the survey undertaken.

Seeing no other comments or appeals from those in attendance, Mayor Agar declared the public meeting closed and asked for any forthcoming motions.

#### **MOTION 2**

Holly Foster made a motion - Be it resolved that the assessment for the property known as 40-138, 3105 St. Clair Parkway, has its assessment reduced by 75% to 25% of the \$416 contained in the engineer's report, with the 75% being added to the assessment of the Road Authority.  
Pat Brown seconded the motion. CARRIED.

#### **MOTION 3**

Holly Foster made a motion - Be it resolved that the appeal submitted by the owners of the property known as 40-151, 1105 White Line, be dismissed and that the assessment contained in the engineer's report dated June 15, 2023, in the amount of \$5,892 be confirmed.  
Bill Myers seconded the motion. CARRIED.

#### **MOTION 4**

Holly Foster made a motion - Be it resolved that the engineers report dated June 15, 2023, as provided by R.Dobbin Engineering Inc. for the Carrier Drain be approved and that the assessments contained therein be confirmed, inclusive of the amended assessment described under Motion 2.  
Pat Brown seconded the motion. CARRIED.

#### **4.3- 6:20 p.m. - Draft Plan of Subdivision – Brigden**

- Please refer to attached County of Lambton Official Meeting Minutes.

#### **4.4- 6:25 p.m. - Draft Plan of Subdivision – Beckwith**

- Please refer to attached County of Lambton Official Meeting Minutes.



## **5 CORRESPONDANCE**

### **5.1- Corunna 200- Two Water Brewing Event**

#### **MOTION 5**

Cathy Langis made a motion - Be it resolved that Council accept the following items of correspondence as per Council's direction.

5.1 - Corunna 200 - Two Water Brewing Event

Steve Miller seconded the motion. CARRIED.

#### **MOTION 6**

Holly Foster made a motion - Be it resolved that the request for Corunna 200th Celebration Event at Two Water Brewing on September 23 ,2023 be approved and support be given for a temporary extension of their patio to encompass existing parking spaces; and be it resolved the Township has no objection to the serving of alcohol for this event.

Brad Langstaff seconded the motion. CARRIED.

## **6 INFORMATION ITEMS**

### **6.1- Lambton County Council Highlights - Sept 2023**

### **6.2- Police Record Check - Revenue Letter**

#### **MOTION 7**

Cathy Langis made a motion - Be it resolved that the following items of information be dealt with as per Council's direction.

6.1 -Lambton County Council Highlights - Sept 2023

6.2 -Police Record Check - Revenue Letter

Pat Brown seconded the motion. CARRIED.

## **7 REPORTS OF COMMITTEES AND STAFF**

### **7.1- Clerks Report - Waste Collections**

#### **MOTION 8**

Holly Foster made a motion - Be it resolved that the Garbage Waste Collection and Storage By-law report submitted by Clerk, Jeff Baranek, be received as information and that the draft bylaw 48 of 2023 be considered for approved.

Brad Langstaff seconded the motion. CARRIED.

### **7.2- Deputy Clerks Report - Conditional Permit Request - Eastern Power**

#### **MOTION 9**

Pat Brown made a motion - Be it resolved that the Conditional Permit Request report by Carlie McClemens, Deputy Clerk/Coordinator of Planning, be received as information and that By-law 49 of 2023, being a by-law to execute a Conditional Permit Agreement with Greenfield South Power Corporation be considered for approval. Holly Foster seconded the motion. CARRIED.

### **7.3- Coordinator of Operations (Works) Report - Lambton County Winter Maintenance Agreement**

#### **MOTION 10**

Bill Myers made a motion - Be it resolved that the Lambton County Winter Maintenance Agreement report submitted by Coordinator of Operations, David Neely, be received as information and that the Lambton County Winter Maintenance Agreement be approved with the Mayor and Clerk authorized to sign all agreements. Holly Foster seconded the motion. CARRIED.

## **8 BY-LAWS**

- 8.1-** By-Law 46 of 2023 - Waste By-Law
- 8.2-** By-Law 47 of 2023 - Agreement - 442 Colborne St - Access through CAP
- 8.3-** By-Law 48 of 2023 - Winter Maintenance Agreement
- 8.4-** By-Law 49 of 2023 - Conditional Building Permit Agreement - Greenfield South Power - 477 Oil Springs Line

### **MOTION 11**

Brad Langstaff made a motion - Be it resolved that the following by-laws receive all three readings and be thereby passed and that the Mayor and Clerk be authorized to execute appurtenant agreements.

8.1 - By-Law 46 of 2023 - Waste By-Law

8.2 - By-Law 47 of 2023 - Agreement - 442 Colborne St - Access Through CAP Park

8.3 - By-Law 48 of 2023 - Winter Maintenance Agreement

8.4 - By-Law 49 of 2023 - Conditional Building Permit Agreement - Greenfield South Power - 477 Oil Springs Line

Steve Miller seconded the motion. CARRIED.

## **9 COUNCILLORS' REPORTS**

### **Councillor Brown**

Councillor Brown attended the SCRCA meeting and asked staff to look into dead shrubs at the Shell Health Centre in Corunna.

Councillor Brown also asked for an update from staff on the streetlight project on Beckwith Street.

### **Councillor Foster**

Councillor Foster had nothing to report.

### **Councillor Langis**

Councillor Langis attended the Downriver Craft Sale and noted she has been away on holiday.

### **Councillor Langstaff**

Councillor Langstaff attended the monthly meeting of the Lambton Federation of Agriculture, and the Grain Farmers of Ontario general meeting in Woodstock.

### **Councillor Myers**

Councillor Myers had nothing to report, though he did note he has been busy setting up for the upcoming Brigden Fair and thanked staff for the nice new Town of Brigden sign.

Councillor Myers asked staff for a report on the status of the potential installation of streetlights at the corner of Bentpath Line and Highway 40.

### **Deputy Mayor Miller**

Deputy Mayor Miller attended a County Council meeting and the subsequent barbecue which was hosted by Brooke-Alvinston; he also attended the SCRCA meeting and the Downriver Craft Sale.



## **Mayor Agar**

Mayor Agar represented the Township at many events including County Committee meetings; the Township Rec Club Golf Tournament; zoom call with a local reporter for inclusion in a magazine; dropped the puck at the Mooretown Flags Home Opener; the Moore Museum Craft Sale; and the Battle of Britain Ceremony.

Mayor Agar asked staff to eliminate permanent subdivision signs in the future as their maintenance becomes onerous and reminded developers to be courteous to your neighbours by maintaining your weeds and grass to an acceptable standard. Mayor Agar noted he attended a wedding for residents Jason Teschke and Lauren Peters and congratulated the new couple.

Mayor Agar closed his report by recognizing the three local hardball teams out of the Port Lambton program who recently won their respective OBA Championships. He asked Council if they would consider a donation to each of the championship teams to acknowledge their accomplishments.

### **MOTION 12**

Brad Langstaff made a motion - Be it resolved that a donation in the amount of \$2000 be granted to each of the three local Port Lambton Ontario Baseball Association championship teams to commemorate their achievements.

Cathy Langis seconded the motion. CARRIED.

## **10 UPCOMING MEETINGS**

10.1- Regular Meeting - Session 17 - October 2, 2023, 3:00 p.m.

10.2- Regular Meeting - Session 18 - October 16, 2023, 6:00 p.m.

10.3- Regular Meeting - Session 19 - November 6, 2023, 3:00 p.m.

## **11 IN CAMERA SESSION**

11.1- Section 239(2)(k) to consider our position for negotiation with potential developer

### **MOTION 13**

Cathy Langis made a motion - Be it resolved that the meeting enter an in-camera session to discuss the following:

- Section 239(2)(k) to consider our position for negotiation with potential developer

Pat Brown seconded the motion. CARRIED.

## **12 ADJOURNMENT**

12.1- The Meeting was adjourned at 8:05 p.m.

### **MOTION 14**

Steve Miller made a motion - Be it resolved that the meeting do hereby adjourn. Pat Brown seconded the motion. CARRIED.

CLERK - Jeff Baranek

MAYOR - Jeff Agar



MINUTES

**PUBLIC MEETING FOR APPLICATION 38T-23003**

**September 18, 2023**

A meeting was held in person at the Township of St.Clair Civics Centre, 1155 Emily St. Mooretown at 6:45 p.m. on the above date.

Present

Mayor J. Agar, Councillors C. Langis, B. Myers, B. Langstaff, S. Miller, H. Foster, P. Brown. Also present were J. Rodey, J. Baranek, C. McClemens, B. Black, R. Fabri, G. Lozon, J. Brunt, K. Melanson, I. MacDougall, A. Major.

Regrets

None.

**Application 38T-23003**

**C-Cubed Holdings Limited**

Part Lot 6, Concession 5, geographic of Moore (Brigden)  
Township of St.Clair

Attending the meeting was the applicant, Cory Brekelmans.

Mayor Agar called the meeting to order at 6:45 p.m.

K. Melanson outlined the application and the process this public meeting will follow. The County of Lambton is the approval authority for plan of subdivision/condominium approvals, and he explained the plan of subdivision process. He noted that due to changes to the Planning Act, only specified persons can appeal the decision of the approval authority and public meetings are no longer a requirement through the Planning Act. Anyone wishing to receive the notice of decision was advised to add their name and contact information to the sign in sheet at the entrance or email [planning@county-lambton.on.ca](mailto:planning@county-lambton.on.ca).

K. Melanson explained the order of the agenda and how the public meeting would proceed. He asked any members of the public who wished to speak to the application to please raise their hand and identify themselves and their addresses for the minutes.

I. MacDougall reviewed the planning report which included a summary of comments received from various agencies and residents through the circulation of the application.

C. Brekelmans, the applicant, introduced himself and thanked I. MacDougall and acknowledged that Mr. MacDougall summed up the application appropriately.

K. Melanson open the floor for Council questions and comments.



J. Agar highlighted long grass and weed issues with all developments and asked that property maintenance be required for all projects going forward. Also mentioned the maintenance of Subdivision entrance signs, these should be maintained by the developer and not ratepayers.

K. Melanson responded that weed control and property maintenance can be addressed in the conditions of final approval. This may fall under By-law enforcement; we will confirm to be sure it's addressed.

B. Myers brought up the concern privacy and fencing requirements.

K. Melanson confirmed that fencing can be addressed in the subdivision agreement or as part of the conditions of final approval. The requirements would default to the fence By-law standard.

B. Myers added that materials should also be specified to provide privacy for current residents of this area.

K. Melanson noted that wood or vinyl would be the preference and the height would be as stated in the by-law.

P. Brown commented that he is pleased to see this development take place and is satisfied that the subdivision agreement will satisfy the concerns of council and residents.

K. Melanson asked for a motion to open the public hearing.

Moved by Cathy Langis, Seconded by Bill Myers

To move into the public hearing of the public meeting.

**Carried.**

K. Melanson introduced A. Major as the recorder of minutes for this meeting and asked all parties that wished to speak to provide their name and address for the official record. A reminder was also given to provide name and contact information on the sign in sheet for the notice of decision. K. Melanson also mentioned that with the introduction of Bill 23, appeal rights of third parties have been removed.

M. Evanitski, 2522 Courtright Line, made comment that fencing should be considered for all surrounding properties including farmland to prevent encroachment issues.

K. Melanson responded that fencing requirements would apply to all adjacent properties.

R.McDonald, 1570 Traxler Court, that most of his concerns had been addressed but wanted to note that there are a number of mature trees that cannot be replaced. Asked that the developer be mindful of these.

This concluded the public hearing portion of the meeting.

Moved by Holly Foster Seconded by Brad Langstaff

To close the public hearing portion of the public meeting.

**Carried.**

K.Melanson asked if there were any further comments from Council members.

No further comments were made.

Moved by Pat Brown, Seconded by Brad Langstaff

That the report by Ian MacDougall, Senior Planner, dated September 18, 2023 regarding County File No. 38T-23003, C-Cubed Holdings Limited application for Plan of Subdivision be received for information.

**Carried.**

Meeting for this application ended at 6:54 p.m.

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Kenneth Melanson, Manager  
Planning & Development Services Department  
County of Lambton



**MINUTES**  
**PUBLIC MEETING FOR APPLICATION 38T-23002**

**September 18, 2023**

A meeting was held in person at the Township of St. Clair Civics Centre, 1155 Emily St. Mooretown at 6:55 p.m. on the above date.

Present

Mayor J. Agar, Councillors C. Langis, B. Myers, B. Langstaff, S. Miller, H. Foster, P. Brown. Also present were J. Rodey, J. Baranek, C. McClemens, B. Black, R. Fabri, G. Lozon, J. Brunt, K. Melanson, I. MacDougall, A. Major.

Regrets

None.

**Application 38T-23002**

**Beckwith Developments Inc.**

Part of Lot 63 Front Concession, Geographic Township of Corunna in St. Clair Township

Attending the meeting were the agents for the applicant, Jordan Fohkens and Curt Bladon of BM Ross.

Mayor Agar called the meeting to order at 6:55 p.m.

K. Melanson outlined the application and the process this public meeting will follow. The County of Lambton is the approval authority for plan of subdivision/condominium approvals, and he explained the plan of subdivision process. He noted that due to changes to the Planning Act, only specified persons can appeal the decision of the approval authority and public meetings are no longer a requirement through the Planning Act. Anyone wishing to receive the notice of decision was advised to provide name and contact information on the sign in sheet near the entrance or email [planning@county-lambton.on.ca](mailto:planning@county-lambton.on.ca).

K. Melanson explained the order of the agenda and how the public meeting would proceed. He asked any members of the public who wished to speak to the application to please identify themselves and addresses for the minutes.

I. MacDougall reviewed the planning report which included a summary of comments received from various agencies and residents through the circulation of the application.

J. Fohkens, agent for applicant Beckwith Developments Inc., presented the application for the proposed development and provided a presentation for the agenda. J. Fohkens

gave a brief overview of the presentation and addressed the concerns that were raised through the circulation process.

K. Melanson ask Council for questions and comments.

J.Agar requested confirmation of where the parking garage is located and also requested plan for property maintenance during development. Also requested the distance between the existing property and the proposed backyards.

J. Fohkens responded that the parking garage is not at this location but at the north site, the access is currently on the proposed site. Each unit will have driveways with street accesses. The property will continue to be maintained as part of the existing agreement. The distances between properties will adhere to the Zoning By-law setbacks.

P. Brown asked for confirmation of who the applicants are.

J.Fohkens responded Beckwith Development Inc. out of London, the developer's name is Dave Tennant.

P.Brown expressed concern regarding the width of the access to the existing property.

J.Fohkens responded that access will exceed Fire Code regulations.

P.Brown questioned the reasoning for two lots having different frontages than the remaining ten lots, why not have them all equal?

J.Fohkens replied that this was to meet side setbacks on the two properties on the ends to meet the zoning by-law.

P.Brown suggested that the developer should consider dressing up the development to increase the appeal of the units.

H.Foster enquired about the plans for the docks on the north side.

J.Fohkens confirmed that these would be transferred to the Condo Corporation for their exclusive use.

H.Foster who will maintain them.

J.Fohkens acknowledged that there is currently an agreement in place and that can be looked into and confirmed by legal professionals.

K. Melanson asked for a motion to move into public session.

Moved by S.Miller, Seconded by B.Langstaff

To move into the public hearing of the public meeting.

**Carried.**



Tom Rodgers, 505-166 Beckwith St. member of the Condo Corporation, noted that he submitted a letter of concerns to the County of Lambton Planning department to be considered for this application. Main concerns are having access to make repairs, concerns about damage to buildings during construction and use of stairs and walkways and the developer to remove the wharf T. Rodgers noted that he was pleased that these concerns have been addressed in the applicant's presentation.

Bev Byers – 308 & 508 -166 Beckwith St., asked Council the holding provision had been removed.

K.Melanson confirmed that the holding provision is still in place and will be a condition of final approval. This is one of the last steps of subdivision approval.

B.Byers also expressed concern about the noise and working hours during construction.

K.Melanson confirmed that a construction management plan will need to be submitted by the applicant as part of the subdivision agreement or as part of the conditions. This will identify working hours.

Darren MacKenzie, 301-166 Beckwith St., commented that he had a couple of enquires. Asked about the reconstruction of the ramp to the second level and who would cover the cost. Also expressed concern about the trees in the area, and if there is a tree saving plan. D.Mackenzie enquired about the road extension down the hillside.

K.Melanson asked if there were anymore comments from the public before the agent for the applicant responds, no more comments were received. Ken asked for a motion to close the public session.

Moved by H.Foster, Seconded by Cathy Langis

To close the public session.

Carried.

J.Fohkens responded that the St.Clair Region Conservation Authority supports the removal of the holding provision and this will be taken care of as part of the final conditions. The reconstruction of the ramp will be at the cost of the developer as well as the addition of five additional parking spaces. Some mature trees will need to be removed but will be replaced as directed through the subdivision agreement. The street will be sloped but will meet all standard requirements.

P.Brown asked if the Beckwith St. extension will be a private road.

J.Fohkens responded that the developers will build the road on the right of way to meet all standards. This extension will eventually be assumed by the Township for on going maintenance.

K. Melanson requested a motion to accept the planning report for information.

Moved by S.Miller, Seconded by P.Brown

That the report by Ian MacDougall, Senior Planner, dated September 18, 2023 regarding County File No. 38T-23002, Beckwith Development Inc. application for Plan of Subdivision be received for information.

**Carried.**

K.Melanson reminded attendees to provide names and contact information on the sign in sheet if they wished to be notified of the decision. Contact information can also be sent to the County of Lambton Planning department. K. Melanson then turn meeting over to Mayor Agar to continue the regular council session.

Public Meeting adjourned at 7:20 p.m.

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Kenneth Melanson, Manager  
Planning & Development Services Department  
County of Lambton