

**VILLAGE OF POINT EDWARD  
MINUTES**

**Council Meeting –July 24, 2007**

**6:00 p.m. – Council Chambers, Point Edward Municipal Office  
135 Kendall Street, Point Edward, Ontario**

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**Council Members Present:**

**Mayor Kirkland  
Councillor Hand**

**Deputy Mayor Robson  
Councillor Churchill**

**Councillor MacKenzie**

**Staff Present:**

**CAO Cramp**

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**DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**6:00 PM      RESOLUTION TO ADJOURN TO AN ‘IN CAMERA’ SESSION**

**Resolution #1**

Moved by Councillor MacKenzie

Seconded by Councillor Bev Hand

THAT Council adjourn to an ‘In Camera’ Session, at 6 p.m. for a personal matter about an identifiable individual, including employees; and a litigation or potential litigation matter.

CARRIED.

**7:00 PM      RESOLUTION TO RECONVENE TO REGULAR COUNCIL SESSION**

**Resolution #2**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT Council reconvene to Regular Council Session, at 7 p.m.

CARRIED.

**REPORT OF THE CLOSED SESSION MEETING OF COUNCIL**

There was nothing to report from the closed session.

**RESOLUTION TO ADOPT THE REPORT OF THE CLOSED SESSION**

**Resolution #3**

Moved by Councillor MacKenzie  
Seconded by Councillor Hand  
THAT the report of the Closed Session, be adopted.

CARRIED.

**PLANNING**

**RESOLUTION TO ADJOURN TO A PUBLIC MEETING**

**Resolution #4**

Moved by Councillor MacKenzie  
Seconded by Deputy Mayor Robson  
THAT Council adjourn to a Public Meeting, at 7:02 p.m.

CARRIED.

1. Letter from Dorothy Moore re: Zoning By-law Amendment application

**Resolution #5**

Moved by Deputy Mayor Robson  
Seconded by Councillor Churchill  
THAT Dorothy Moore and Ted Loxton, be invited within the Bar.

CARRIED.

Mr. Loxton commented that they would be using rooftop units for the air conditioners. By eliminating a unit from the original proposal, there is plenty of room on each side to contain snow as well as to provide ample parking. They have eliminated all the stairs to the rooftops. Air conditioners will be the only thing left on the roof. There will not be living space up top so there is no need for railings. The only access to the roof will be from inside the units. The setback from Livingston Street is 25 ft. from the closest point. As it steps back, it is the same as others on the street. Garage access will be from Holder's Lane.

2. Report from Dave Posliff re: Zoning By-law Amendment for Dorothy Moore

Mr. Posliff provided an overview of his planning report on the Zoning By-law amendment.

Deputy Mayor Robson commented that she likes the proposed changes. If there were peaked roofs, the buildings may fit in better with the surroundings. She asked if that was possible.

Ms. Moore replied that she had looked at it but the air conditioners are on the roof. She made other concessions that will cost money to implement. She wants this development for the future and feels that it is subdued and tasteful.

Councillor MacKenzie asked if the five units will form a condominium.

Ms. Moore replied that they would be freehold units owned by each condo. There will be an agreement with the owners that they have to abide with certain design requirements.

Councillor MacKenzie asked if the agreement is on title. Ms. Moore advised that it will be. Councillor MacKenzie asked who enforces it. He was advised that the owner enforces the agreement.

Councillor MacKenzie asked if there is a restriction on the 2-storeys. Mr. Posliff noted that it will be included in the zoning by-law.

Councillor MacKenzie commented that there is no Village control over the design or concept. There is no reason to disapprove of the proposal. When we get into concepts, such as Bob's Garage, they can appear to be magnificent but look what we ended up with. It may not be exactly what we see on the concept plan.

Bryan Brown asked if it is approved and Ms. Moore sold it, could the next owner be able to change it.

Councillor MacKenzie responded that there would still be five units and 2 storeys but certain changes could be made that are not covered by the zoning by-law.

Bryan Brown asked if they could put the garage at the front. Councillor MacKenzie responded that the zoning by-law will control the setback.

Bryan Brown commented that there is not much swinging room in the back for the parking areas. Mr. Loxton advised that there is sufficient room.

Sean Corey, 508 Victoria, noted that there would be more traffic on Holder's Lane. The lights from the vehicles will shine in his house. There is constant traffic already. He will have to build a blinder wall.

Bryan Brown commented that he would prefer access to the front of the units rather than the alley.

Mr. Loxton stated that for the units to be turned around would be design suicide.

Linda Braichet, 106 Victoria asked if an agreement was made regarding colours, would it go with the property. She was advised that it would. Ms. Braichet stated that she was confused about the addition of extra cars and parking. Mr. Loxton noted that the two end units will have enough parking for four full-sized vehicles. Therefore, their guests will not have to park on the street.

Rick Moyer, 106 Victoria, advised that he liked the concept and the colour. Why would there not be one maintenance stairway outside rather than each one being inside. Mr. Loxton stated that it was not too attractive. There would be an access hatch inside. It would be inside the walk-in closet or would be a pull down. It will be no more than 30" x 30".

Barb Horner stated that she liked the changes. She commended the proponent. She asked if the units are the same size as the previous design. Mr. Loxton stated that the two end units will be 4 ft. wider and the three inside units would remain the same. The inside units would be 20 ft. x 66 ft. and the outside units would be 24 ft. x 66 ft.

Hazel Brown, Fort Street asked how high the overall unit would be. Mr. Loxton responded that they would be no more than 21 ft. from grade to the top of the roof.

Ms. Brown commented that she liked that it had been reduced from 6 to 5 units. Ms. Moore stated that will leave approx. 10 ft. on each side. Ms. Brown asked if the laneway to the garages are the same as before. Mr. Loxton responded that they are.

Lee Toole stated that there is no control over what is being proposed. It looks very institutionalized. The flat tops are a disgrace. It does not compliment the surrounding residential area.

Ann Spanton stated that they had worked hard to make their property look good. She hates to see something old being destroyed. She does not like the design. It will take history away from the Point. The buildings could be fixed up.

Councillor Churchill noted that they can create their own history through the design. The design is best for their interest. They have made concessions by reducing it to 5 units. They also eliminated the roof top gardens. There is room for 36 cars at one time with 4 or 5 on the street. In terms of density, this is an increase from 3 units to 5 units. Therefore it will only add traffic from two additional units. Based on the baby boomer demographic, each household normally would have 1 to 2 cars. The design is up to the individual and is not under Council's control. He favours the addition of two units.

Deputy Mayor Robson stated that the Village does not have historical guidelines. When her house was built, the candy store owned by Mabel Coutts was demolished.

Bryan Brown asked if the Village has looked at a one-way road for Holder's Lane and if it would be asphalted or graded. Mayor Kirkland noted that it has always been used for parking at the back.

Councillor Hand asked what the brown material was. She was advised that it is stucco, which can be painted.

Councillor Churchill noted that changes were made at the Venetian Village and everyone is happy with it now.

**Resolution #6**

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the applicant be directed to prepare and submit a full application for the creation of the lots, including the filing of a detailed site plan, so that Council can ensure that the by-law that is prepared will properly address the details of the proposal and any other required matters.

CARRIED.

3. Brownfields Community Improvement Plan

Dave Posliff advised that the modifications recommended by Council together with the Ministry recommendations were included in the proposed plan for consideration by Council.

**REPORT TO RECONVENE TO REGULAR COUNCIL.**

**Resolution #7**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT Council reconvene to Regular Council, at 7:50 p.m.

CARRIED.

**Resolution #8**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the By-law be prepared for the adoption of the Brownfields Community Improvement Plan for the August 1, 2007 Council Session.

CARRIED.

**DELEGATIONS**

Nil

**ADOPTION OF MINUTES**

1. Regular Council meeting of June 25, 2007.

**Resolution #9**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the minutes of the Regular Council meeting of June 25, 2007, be adopted.

CARRIED.

2. Regular Council meeting of July 10, 2007.

**Resolution #10**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the minutes of the Regular Council meeting of July 10, 2007, be adopted.

CARRIED.

**BUSINESS ARISING FROM MINUTES**

There was no business arising from the minutes.

**FINANCIAL REPORTS**

1. General Operations: Total Revenues for the month of June, 2007.

**Resolution #11**

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT the Total Revenues for the month of June, 2007 for General Operations in the amount of \$1,244,434.99, be approved.

CARRIED.

General Operations: Total Expenditures for the month of June, 2007.

**Resolution #12**

Moved by Councillor Hand

Seconded by Councillor Churchill

THAT the Total Expenditures for the month of June, 2007 for General Operations in the amount of \$1,133,738.35, be approved.

CARRIED.

2. Water/WPCP: Total Revenues for the month of June, 2007.

**Resolution #13**

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the Total Revenues for the month of June, 2007 for Water/WPCP Department in the amount of \$198,618.76, be approved.

CARRIED.

Water/WPCP: Total Expenditures for the month of June, 2007.

**Resolution #14**

Moved by Councillor Hand

Seconded by Councillor MacKenzie

THAT the Total Expenditures for the month of June, 2007 for Water/WPCP Department in the amount of \$82,858.87, be approved.

CARRIED.

**COMMITTEE REPORTS**

1. Water and Pollution Control Committee meeting of July 10, 2007.

**Resolution #15**

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT the minutes of the Water and Pollution Control Committee meeting of July 10, 2007, be adopted.

CARRIED.

2. Parks Committee meeting of July 12, 2007.

**Resolution #16**

Moved by Deputy Mayor Robson

Seconded by Councillor Churchill

THAT the minutes of the Parks Committee meeting of July 12, 2007, be adopted, as amended.

CARRIED.

3. Public Works Committee meeting of July 12, 2007.

**Resolution #17**

Moved by Deputy Mayor Robson

Seconded by Councillor Churchill

THAT the minutes of the Public Works Committee meeting of July 12, 2007, be adopted.

CARRIED.

4. Finance Committee meeting of July 18, 2007.

**Resolution #18**

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT the minutes of the Finance Committee meeting of July 18, 2007, be adopted.

CARRIED.

**MISCELLANEOUS REPORTS**

1. News Release from the County of Lambton Housing Services Dept re: New Program Offers Down Payment Assistance for Homebuyers.
2. News Release from the County of Lambton Office of the CAO re: Council Highlights.
3. News Release from the Bluewater Bridge Authority re: Truck Ramp Opens – Plaza Improvements Continue.
4. Village Building Permits Issued for 2007.
5. Summary of Village Plumbing Permits issued for the month of June, 2007.
6. OGRA Alert re: Gas Tax Revenue Reporting for Road and Bridge Projects.
7. Tourism Sarnia Lambton – Board of Directors Minutes of meeting held May 10, 2007.
8. Tourism Sarnia Lambton – Board of Directors Minutes of meeting held June 28, 2007.
9. Tourism Sarnia Lambton Manager’s Report – June 2007.

**Resolution #19**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie  
THAT the Miscellaneous Reports (Items 1 – 9), be received and filed.

CARRIED.

**COMMUNICATIONS (COUNCIL ACTION)**

1. AMO Alert re: Federal Government Announces Negotiations Process to Conclude Agreements on the Building Canada Fund.

**Resolution #20**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie  
THAT the AMO Alert regarding the Federal Government announcing the negotiations process to conclude agreements on the Building Canada Fund, be received and filed.

CARRIED.

2. AMO Alert re: Province Proclaims Clean Water Act – Municipal Government Action is required.

**Resolution #21**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie  
THAT the AMO Alert regarding the province proclaiming the Clean Water Act, be referred to the Water Department.

CARRIED.

3. AMO Alert re: Ministry of Community and Social Services Announces Public Review of Transportation Standard.

**Resolution #22**

Moved by Deputy Mayor Robson  
Seconded by Councillor Churchill

THAT the AMO Alert regarding the Public Review of Transportation Standards, be received and filed.  
CARRIED.

4. Letter from the Ontario Municipal Board re: Lands South of the Bluewater Bridge.

**Resolution #23**

Moved by Councillor Hand  
Seconded by Councillor Churchill

THAT the letter from the Ontario Municipal Board regarding the lands south of the Bluewater Bridge, be received and filed.

CARRIED.

5. Letter from Melissa McMillan re: Request to use Pergola.

**Resolution #24**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie

THAT the request from Melissa McMillan to use the Pergola for her wedding be approved subject to the standard guidelines.

CARRIED.

6. Letter from the Minister of Transport, Infrastructure and Communities re: No Federal funding provided for Venetian Blvd. under the Border Infrastructure Fund (BIF).

**Resolution #25**

Moved by Deputy Mayor Robson  
Seconded by Councillor MacKenzie

THAT a response be made to the letter from the Minister of Transport providing the reasons that Venetian Blvd. should be included under the BIF funding including the following facts: it was used during the construction of the new Bridge and refurbishment of the other Bridge and that there have been a large number of cuts made in Venetian Blvd. as a result of the Truck ramp as well as further cuts being proposed during the construction of the new Plaza, which have undermined the road.

CARRIED.

7. Letter from the Kidney Foundation re: Request to utilize the Village walkways for the 4<sup>th</sup> Annual Walkathon.

**Resolution #26**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the request from the Kidney Foundation to utilize the Village walkways for their 4<sup>th</sup> Annual Walkathon, be approved subject to no markings being made to the walkway and that notification is provided to the Point Edward Fire & Rescue, Point Edward OPP and the Public Works Department.

CARRIED.

8. News Release from the University of Western Ontario re: Western offers courses and “On the Spot” admission in Sarnia.

**Resolution #27**

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT the News Release from the University of Western Ontario regarding Western courses, be received and filed.

CARRIED.

9. Letter from the Minister of Transport, Infrastructure and Communities re: Cost associated with the provision of services by the Ontario Provincial Police at the Blue Water Bridge.

**Resolution #28**

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the letter received from the Minister of Transport, Infrastructure and Communities regarding policing costs at the Blue Water Bridge Authority, be received and filed.

CARRIED.

10. Letter from Mayor Macmillan of Trent Hills re: Property Taxation in Ontario.

**Resolution #29**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the letter from Mayor Macmillan of Trent Hills regarding Property Taxation in Ontario, be received and filed.

CARRIED.

11. Email from Robert Swift re: Committee meetings.

**Resolution #30**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the e-mail from Robert Swift regarding Committee meetings, be received and filed.

CARRIED.

12. Memo from the County of Lambton Building Services Dept. re: Building Permit Information Guide.  
13. Memo from the County of Lambton Building Services Dept. re: Plumbing Fees and Building Inspector Charge – Out Rate Increase.

**Resolution #31**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT the memos from the County of Lambton Building Services Department, be received and filed; and further that the information be added to the Village Web Site.

CARRIED.

14. Memo from the County of Lambton Housing Services Dept. re: Homeownership Component of the Affordable Housing Program.

**Resolution #32**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the memo from the County of Lambton Housing Services Department regarding the homeownership component of the Affordable Housing Program, be received and filed.

CARRIED.

15. Resolution from the Municipality of Huron East requesting support re: Certificates of Approval and Permits to Take Water.

**Resolution #33**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Village of Point Edward Council supports the resolution passed by the Municipality of Huron East outlining concerns with timelines to have the municipal water system up to Provincial standards and the delays by the Ministry for approvals of amendments to C of A's and Permits to Take Water.

CARRIED.

16. Resolution from the City of Owen Sound requesting support re: Court Costs.

**Resolution #34**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the resolution from Owen Sound requesting support relating to court costs, be referred to the Point Edward Police Services Board for their recommendation to Council.

CARRIED.

17. Resolution from the City of Greater Sudbury requesting support re: Minimum Wage.

**Resolution #35**

Moved by Deputy Mayor Robson

Seconded by Councillor MacKenzie

THAT the Village of Point Edward Council support the resolution passed by the City of Greater Sudbury regarding the immediate increase of the minimum wage to \$10.00 per hour.

CARRIED.

**COMMUNICATIONS RECEIVE AND FILE – LISTED**

**Listed as of July 18, 2007**

1. News release from the Ministry of Municipal Affairs and Housing re: Ontario Rent Increase Guideline Lowest in History.
2. News Release from the Ontario Ministry of Municipal Affairs and Housing re: McGuinty Government Celebrates Greenbelt's Bounty.
3. Fact Sheet from the Ontario Ministry of Municipal Affairs and Housing re: The Greenbelt – Quick Facts.
4. Backgrounder from Ontario Ministry of Municipal Affairs and Housing re: 2008 Rent Increase Guideline.
5. Alert from Ontario Good Roads Association re: OGRA Board Identifies Key Issues to be Raised during Upcoming Election.
6. Members' Advisory from Federation of Canadian Municipality re: Brock Carlton named New FCM C.E.O.
7. Notice from FCM re: New Funding Opportunity for Water and Brownfields Projects.
8. Letter from Ontario Ministry of the Environment re: Shell Canada Products.
9. Letter from Union Gas re: Natural Gas Solutions.
10. Letter from Ontario Power Generation re: Ontario Power Generation's Waterways Safety Awareness Program. (CD in Councillor's office).
11. Letter from the Ontario Ministry of Citizenship and Immigration re: Ontario Medal For Good Citizenship.
12. Letter from the Ontario Ministry of the Attorney General re: Community Hate-Crimes Response Grants Program.
13. Letter from the Office of the Prime Minister re: Water levels in the Great Lakes and invasive species.
14. Letter from Canada-Ontario Business Service Centre re: Products and Services.

15. AMO Member Communication re: AMO Report to Members on June 2007 Board Meeting.
16. AMO Member Communication re: 25 Municipalities Now Saving Money Through Bulk Purchasing of Electricity with LAS.
17. AMO Member Communication re: Lift fiscal burden from city budget – Toronto Star Editorial, June 30.
18. AMO Member Communication re: AMO/LAS Moving Ahead with Closed Meetings Investigator Program.
19. 2006 Annual Report – Ontario Power Generation. (located in Councillor’s office)
20. 51<sup>st</sup> Annual Review, 2007 – Sarnia & District Labour Council. (located in Councillor’s office)
21. 2007 Report on Sustainability – Suncor Energy (located in Councillor’s office)
22. Local Authority Services Ltd. – Newsflash, Summer 2007.

**Resolution #36**

Moved by Councillor MacKenzie  
Seconded by Councillor Churchill

THAT the Communications (Receive and File – Listed), be received and filed.

CARRIED.

**NEW BUSINESS**

1. Consolidated Financial Report, December 31, 2006.

**Resolution #37**

Moved by Deputy Mayor Robson  
Seconded by Councillor Churchill

THAT the Consolidated Financial Report for the period ending December 31, 2006, be received and filed; and referred to the Finance Committee for review.

CARRIED.

2. Garbage Collection Tender Results

The tender results for Garbage Collection were referred to the August 1, 2007 Special Council meeting to deal with financial comparisons and other financial details.

3. E-mail from Rick Battson

**Resolution #38**

Moved by Councillor MacKenzie  
Seconded by Councillor Churchill

THAT the Village of Point Edward Council supports the application by the Thames-Sydenham Source Protection Region for funds to engage the residents located within Intake Protection Zones and Wellhead Protection Areas in the region.

CARRIED.

**BY-LAWS**

1. By-Law No. 26 of 2007 being a By-law to Adopt a Community Improvement Plan Respecting Brownfields Redevelopment for the Village of Point Edward.

**Resolution #39**

Moved by Councillor MacKenzie

Seconded by Deputy Mayor Robson

THAT By-law No. 26 of 2007, be referred to the August 1, 2007 Special Council meeting.

CARRIED.

2. By-Law No. 27 of 2007 being a By-Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including July 24, 2007.

**Resolution #40**

Moved by Councillor MacKenzie

Seconded by Councillor Hand

THAT By-Law No. 27 of 2007 being a By-Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including July 24, 2007, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 24<sup>th</sup> day of July, 2007.

CARRIED.

3. By-law No. 28 of 2007, being a A By-law to Levy Taxes for the Year 2007

**Resolution #41**

Moved by Councillor Hand

Seconded by Deputy Mayor Robson

THAT By-law No. 28 of 2007, being a A By-law to Levy Taxes for the Year 2007, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 24<sup>th</sup> day of July, 2007.

CARRIED.

**BUSINESS FROM COUNCILLORS**

**Bayfest**

Councillor Hand expressed concern that cars were parked in areas where they were not permitted. Mayor Kirkland commented that next year, fencing should be placed around the Bayview Storm Station to prevent parking in that area or to require that it be manned by a charitable organization, that could accept parking fees and ensure that the pumping station is not obstructed.

**O.P.P. Pipe Band**

Deputy Mayor Robson commented that the O.P.P. Pipe Band was enjoyed by all during the Mackinaw event and that the reception went well.

Street Sign

Deputy Mayor Robson advised that the sign for Alfred and Alexandra is missing.

Day of Mourning

Deputy Mayor Robson advised that it was indicated in the 'day of mourning' booklet that the Village of Point Edward was represented by her for the 'Day of Mourning' event.

Holiday Inn Manager

Mayor Kirkland advised that Doug Loucks, Manager of Holiday Inn, will be leaving the Holiday Inn Point Edward and will be moving to St. John's, Newfoundland to manage the Holiday Inn at that location.

Handicapped access to Casino

Mayor Kirkland and Deputy Mayor Robson had been contacted regarding the difficulties for handicapped persons to access the Casino. The sidewalk at the Venetian Blvd. curve was not taken to the curb as it was considered dangerous to cross at that location with traffic coming in three different directions. The Casino plans to extend the sidewalk along the access road to the Casino so that persons can cross at the crosswalk. In the meantime, Mayor Kirkland suggested that they continue north on Alexandra to the new walkway area along the river where they are able to access the Casino.

**ADJOURNMENT**

**Resolution #42**

Moved by Deputy Mayor Robson

Seconded by Councillor Hand

THAT the Council Meeting be adjourned at 8:55 p.m. until the August 1, 2007 Special Council meeting at 8 a.m. or at such time as a Special Committee meeting is held to discuss legal matters, property matters or personnel matters.

CARRIED.

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Mayor Dick Kirkland

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CAO Peggy Cramp