



LUCAN BIDDULPH COUNCIL AGENDA

TUESDAY, JANUARY 8, 2019 6:30 PM
Lucan Biddulph Township Office
270 Main Street P.O. Box 190 Lucan, ON

AGENDA

1. Call to Order

2. Disclosure of Pecuniary Interest & Nature Thereof

3. In-Camera Session

4. Petitions & Delegations

5. Adoption of Minutes

[Council Minutes - Dec 17 2018](#)

6. Business Arising From the Minutes

[Jan 8 2019 BA](#)

7. Communications Reports

1. [AMO Policy Update - Financial Risks for Property Taxpayers and Municipal Budgets](#)
2. [Minister of Finance letter re update on 2019 OMPF](#)
3. [LAS Natural Gas Program 2016-17 Period Reserve Fund Rebate](#)
4. Balance of Communications:
 - a. [MLHU - First Week Challenge Contest](#)
 - b. [Middlesex OPP welcomes new detachment coordinator](#)
 - c. [MPAC - 2018 Year End Assessment Report](#)
 - d. [ABCA - GM's Report, BOD Agenda, Minutes](#)
 - e. [AMO Watchfile Dec 20](#) [AMO Watch File Jan 3](#)

8. Committee Reports

- a) CEDC
- b) Bluewater Recycling
- c) Lake Huron

- d) Fire Boards
- e) ABCA
- f) Parks & Recreation
- g) Canada Day

9. Staff Reports

- a) CAO/Clerks Office
 - [Indemnification Bylaw Report](#)
- b) Building/By-law Enforcement
- c) Finance
- d) Planning
 - [SPA-1-2018 Prince George Retirement Residence \(135, 139 and 143 Main St, Lucan\)](#)
- e) Public Works
 - [400-08-2019 Water Arrears and Collection Policy](#)
- f) Parks & Recreation

10. Councillor's Comments

11. Changes to Budget

12. Motions and Accounts

[Motions - Jan 8 2019](#)

13. Notice of Motions

14. By-laws

[01-2019 Interim Tax Levy](#)

[02-2019 Indemnification Bylaw](#)

[03-2019 Appointment By-Law \(Committee\)](#)

[04-2019 Deeming Bylaw \(Prince George\)](#)

[05-2019 Execution of Agreement \(Prince George site plan approval\)](#)

[06-2019 Execution of Agreement Sire Temp Use](#)

[200-2019 Sire Temp Use](#)

[07-2019 Confirming](#)

15. Adjournment

The Corporation of the Township of Lucan Biddulph Council Minutes

Present: Mayor C. Burghardt-Jesson, Deputy Mayor D. Manders, Councillors D. Regan, P. Mastorakos and A. Westman.

Also Present: R. Reymer-CAO/Clerk, T. Merner-Deputy Clerk, D. Kester-Public Works Manager, P. Smith-Manager of Parks & Recreation, C. Morrison-Treasurer and L. deBoer-Economic Development Officer

Call To Order

Mayor C. Burghardt-Jesson called the meeting to order at 6:30 pm.

Declaration of Pecuniary Interest & Nature Thereof

None.

Presentations

Mayor C. Burghardt-Jesson presented Matt Pfaff with a letter received from the NHL. The letter referred to the Declaration of Principles and acknowledged that Mr. Pfaff's efforts including courage and perseverance were recognized by the NHL during the Kraft Hockeyville pre-season NHL game. Mayor C. Burghardt-Jesson advised that Matt assisted with snow removal from the ice and although he had a minor mishap with his skates his courage and perseverance allowed him to carry on with the task. The NHL also provided Matt with some gifts including a framed canvas print of the live mural that was completed during the pre-season NHL game day at Lucan Memorial Community Centre.

Delegation

Jason Johnson and Catherine Liscumb from Dillon Consulting attended to present the updated Lucan Biddulph Asset Management Plan for 2018. J. Johnson stated that Dillon Consulting was originally retained in 2013 to develop an Asset Management Plan which covers a period of 10 years. The plan is updated annually and is used as a tool to assist in decision making for the Township's financial and municipal planning. J. Johnson and C. Liscumb provided an overview of the area's covered in the Asset Management Plan. The Draft Road Condition Assessment Report was also included for reference as it was referred to in the Asset Management Plan. Several questions were asked by Council and responded to by either J. Johnson or C. Liscumb. J. Johnson noted that overall Lucan Biddulph's roads, sewers and watermains are rated as average or in above average condition.

D. Kester noted that we received approximately 50% funding from the government towards the Asset Management Plan and that funds are still being offered to continually enhance the Plan.

1/ Minutes

Moved by A. Westman

Seconded by D. Regan

That the regular Council Meeting Minutes of December 3, 2018 be approved as circulated/amended.

CARRIED

Business Arising

R. Reymer reminded council that the topic regarding an increase to council remuneration to offset the removal of the 1/3 tax free allowance, is still outstanding. Mayor C. Burghardt-Jesson advised Council that our neighbouring municipalities are also discussing this same topic and some have already made decisions to increase remuneration for 2019. After some discussion

between council members it was decided to defer the decision until a compensation consultant can review this issue and provide a recommendation.

D. Kester advised that the County IT Department has provided the "Report It" form for the website for council and staff's review at this time. D. Kester gave a demonstration of the electronic form and council provided some minor feedback, including the possibility of uploading a photo when submitting a request. D. Kester advised he will look into having council's suggestions added and completing the form for addition to our website early in the New Year.

Communications Reports

R. Reymer commented on the letter received from the Ministry of Municipal Affairs and Housing requesting feedback on municipal reporting requirements. Mr. Reymer noted that it is encouraging that the Province is looking at ways to streamline the municipal reporting system as it has become a time consuming task for many, if not all, municipalities.

Staff Reports

CAO/Clerk

R. Reymer provided a report regarding the extension of our Chief Building Official and bylaw enforcement services agreement with Municipality of Middlesex Centre. He advised that we are quickly approaching the time when we should look at hiring our own Chief Building Official to meet the needs of our developers and builders and suggested that council look at this when reviewing the 2019 budget. He further noted that the Agreement with Middlesex Centre can be terminated by either party upon a minimum of 90 days notice.

R. Reymer provided a report regarding the Cannabis Act and municipalities decision to opt-in or out to allow the sale of cannabis through retail store locations within their boundaries. He noted the advantages of opting-in including receiving provincial funding which the province has allocated to assist with costs related to cannabis legalization. He further advised that the province just announced it will be taking steps to ensure that private cannabis retail stores open in phases with just 25 licences being issued to operators in the initial phase. Councillor A. Westman stated now that Cannabis is regulated, we shouldn't treat it any different than selling alcohol and tobacco. Council directed staff to bring forward a resolution to opt-in at next meeting.

Planning

M. Bancroft reviewed his report regarding the Subdivision Agreement for Phase 3 of Olde Clover Village. He advised the developer is seeking approval to allow the creation of 27 single detached lots and two blocks to support townhouse dwellings and a low-rise apartment buildings. He further noted the developer has entered into a separate agreement with the MTO for improvements to Hwy 4 at Olde Clover Drive entrance including a turning lane. A Traffic Impact Study was also completed by the developer as per the requirements of the MTO.

Deputy Mayor D. Manders expressed some concerns regarding residents being aware that apartment buildings could be constructed on Blocks 29 and 30. M. Bancroft advised that these Blocks are zoned Mixed Used Residential which does permit apartment dwellings and further that the subdivision agreement registered on title against the lands, specifically identifies Block 29 for high density residential and Block 30 for medium density residential.

Councillor A. Westman exited the meeting at 8:31 pm.

Deputy Mayor D. Manders asked M. Bancroft for an update on the Prince George expansion. M. Bancroft advised he will have a report ready for January regarding site plan approval for this land.

Public Works

D. Kester reviewed his report regarding the Water/Sewer Arrears policy including billing, grace period and penalty. Council discussed the current policy and directed staff to bring back a draft

updated policy with the revisions as recommended, at the next council meeting.

D. Kester reviewed his report regarding the Large Item Cleanup Day and Green Waste Summary for Spring and Fall of 2018. Councillor P. Mastorakos commented that some residents feel our green waste pick-up is restricted. D. Kester advised that we will collect items fallen on the road allowance and further that Tri-Recycling accepts green waste all year long.

Parks & Recreation

P. Smith reviewed his report regarding proposed renovations to the Senior Centre space at the Community Centre. He advised that the floor is currently unsafe for senior’s using walker’s and canes. He suggested that a new floor would cost approximately \$15-20,000.00 which would come from the previously budgeted \$75,000.00. Mayor C. Burghardt-Jesson advised that the Trillium Grant should become available again in fall 2019. Council directed staff to provide a proposal of recommended renovations and costs for the Senior Centre.

Economic Development

L. deBoer reviewed the 2018 Election including electronic voting, voter’s list and assistance that was made available to elector’s during the voting period. She noted there were a few technical issues which were resolved quickly. The voter turnout for 2018 was 42% which was a slight decrease from 46% in 2014.

New Business

Councillor D. Regan mentioned a few comments received while campaigning including the intersection of Watson and John Street. D. Kester advised that intersection was discussed previously and a 3-way stop sign was recently installed. Councillor D. Regan further commented that the intersection of Saintsbury Line and Elginfield Road (formerly Hwy#7) comes up quickly, sometimes with reduced visibility. D. Kester advised that intersection is controlled by the County and he will suggest they look at replacement of reflective signs. Councillor D. Regan further suggested the area of Nicoline and Watson Street as a future location for our speed awareness signs.

L. deBoer advised council and staff that we are experiencing technical difficulties with the Township digital sign and she is working with the County IT department to get it fixed and updated.

2/ Land Use Planning Workshop

Moved by D. Regan

Seconded by P. Mastorakos

Resolved that the Council of the Township of Lucan Biddulph authorizes the following persons to attend the AMO’s Land Use Planning: Beyond the Basics workshop in London on March 29, 2019 at a registration cost of \$200.00 (plus HST).

- *Mayor C. Burghardt-Jesson*

CARRIED

3/ OGRA Conference

Moved by D. Manders

Seconded by D. Regan

That the Council of the Township of Lucan Biddulph authorize the attendance of the following person(s) at the OGRA Conference in Toronto from Feb 27-29, 2019 at a cost of \$625 (plus HST).

- *Dave Kester*
- *Alex Westman*

CARRIED

4/ Municipality of Middlesex Centre - CBO Agreement

Moved by P. Mastorakos

Seconded by D. Regan

That the Council of the Township of Lucan Biddulph authorizes the Clerk and Mayor to excute

the agreement between the Township of Lucan Biddulph and Municipality of Middlesex Centre for Chief Building Official and Bylaw enforcement services and further instructs staff to bring forward the discussion of possibly hiring a Chief Building Official to the 2019 budget discussions.

CARRIED

5/ Olde Clover Village Phase 3 Subdivision Agreement

Moved by D. Regan

Seconded by D. Manders

That the Council of the Township of Lucan Biddulph, having considered the report submitted by Marc Bancroft, Senior Planner dated December 13, 2018 and having reviewed and considered the updated version of the Phase 3 Subdivision Agreement dated December 17, 2018, inclusive of its Schedules, together with a verbal update from Staff, does hereby authorize the Mayor and Clerk to execute the Phase 3 Subdivision Agreement between the Township of Lucan Biddulph and 2161453 Ontario Inc. subject to such modifications or amendments deemed appropriate by the Chief Administrative Officer, in his discretion.

CARRIED

6/ Equipment Purchase for Community Centre – Floor Scrubber

Moved by D. Manders

Seconded by D. Regan

That the Council of the Township of Lucan Biddulph authorizes staff to accept the quoted price as received by Semco Janitorial in the amount of \$7,998.00 plus HST for the supply of a Karcher floor scrubber

CARRIED

7/ Senior Centre Improvements

Moved by D. Regan

Seconded by D. Manders

That the Council of the Township of Lucan Biddulph authorize the Manager of Parks & Recreation to proceed with renovations to the former library space to transform it into a new “Seniors Hub” in accordance with the approved allocation in the 2018 budget i.e. max of \$75,000.00.

CARRIED

8/ By-Laws

Moved by P. Mastorakos

Seconded by D. Regan

That if no one cares to speak to these By-laws on their First, Second and Third Reading, that they be considered to have been read a First time and Passed, read a Second time and Passed, read a Third time and Passed, that they be numbered:

- 73-2018 Execution of Agreement – Middlesex Centre CBO services*
- 74-2018 Procedure Bylaw*
- 75-2018 Execution of Subdivision Agreement – Olde Clover Village Phase 3*
- 76-2018 Confirming Bylaw*

CARRIED

9/ Adjournment

Moved by D. Regan

Seconded D. Manders

Resolved that the Council meeting be adjourned at 9:42 p.m.

CARRIED

MAYOR

CLERK

Business Arising – Minutes of December 17, 2018

Discussion Item	Minutes Action	Follow-up	Date to be Completed/or Update on Status

Previous Meetings

Discussion Item	Minutes Action	Follow-up	Date to be Completed/or Update on Status
Council Remuneration	1/3 tax free allowance for council remuneration removed as of Jan 1/19	Council to review upon receiving input from a compensation consultant	Spring 2019
New Stop signs	Staff to update Through Highways & Stop Signs Bylaw		January 2019
Legal municipal property matter	In-Camera		2019 Budget Discussion
Form for Website	Incorporation of a form to report road/sidewalk maintenance requests directly through our website	Staff to provide final revisions	January
Nagle Drive	Majority of Nagle Drive residents are in favour to proceed with the waterline extension.	Staff were given direction to keep moving forward and develop a report for Council.	Ongoing
Professional Fundraiser	Options and cost for professional fundraiser for Community Centre Renovation Project	Staff to provide a report for council	ongoing

From: AMO Communications <communicate@amo.on.ca>

Date: December 21, 2018 at 5:23:46 PM EST

To: "cbjesson@lucanbiddulph.on.ca" <cbjesson@lucanbiddulph.on.ca>

Subject: AMO Policy Update - Financial Risks for Property Taxpayers and Municipal Budgets

December 21, 2018

Financial Risks for Property Taxpayers and Municipal Budgets

Grants from the provincial and federal government are a critical part of the municipal financial picture. They account for 20% of municipal revenue across the sector and for many smaller municipalities, represent an even higher percentage of local revenue.

This interdependence shapes municipal spending decisions, too. Exactly 280 pieces of provincial legislation directly govern municipalities and help to form local budgets. Other sectors, like health or education, deal mostly with one transfer ministry. However, municipal governments relate to many, many more ministries.

AMO's advice to the new government has been to take a comprehensive approach rather than a Ministry funding line review and to consider the cumulative financial impact of how any decisions affect the cost and delivery of frontline services. A comprehensive approach is the only way to understand how provincial decisions affect municipal governments.

It is unclear if this advice is being taken or not. We also advised the Ministry of Finance to offer a status update on the Ontario Municipal Partnership Fund (OMPF). That advice was taken. Today, the Ministry of Finance sent a letter to heads of council and treasurers advising that the OMPF will be reduced by an unspecified amount and allocation notices for 2019 will be delayed.

In 2018, the Ontario Municipal Partnership Fund (OMPF) provided \$510 million in unconditional operating support from the Province to municipal governments. It uses an equalization approach to address challenges in rural and northern communities. The OMPF is a critical source of funding for 389 of 444 municipalities across Ontario. Some are very small municipalities without growth in their property assessment base.

Reducing the overall envelope and delayed allocation notices have immediate and long-term consequences for communities across the province.

Immediate Impact: In recent years, the provincial government has announced OMPF allocations in the year prior. This practice facilitated local budget development and council approval for the year ahead. Councils cannot make accurate 2019 spending decisions without this information. As a result, council budget planning will be delayed. If allocations to municipalities are reduced, councils will need to compensate with property tax increases or local service reductions in 2019.

Long-Term Impact: OMPF reductions will have a big impact on local property tax rates. For almost half of Ontario's municipal governments, a 1% property tax increase raises less than \$50,000. The Fund has changed over time, in large part to reflect the upload of social assistance.

The OMPF seeks to address regional economic imbalances by helping municipalities provide local services throughout the province. As noted in the Ontario Government's recent Fall Economic Statement, "employment has grown but has not been experienced across all regions". Northern Ontario has experienced employment declines while the Southwest has remained generally flat. Employment levels reflect a community's fiscal capacity.

OMPF declines will exacerbate economic imbalances between regions. Any reductions will be especially difficult for rural and northern areas. These areas typically have low assessment growth and can least afford significant property tax increases.

Other sources of municipal funding include provincial court security and prisoner transportation. Over \$60 million in 2018 provincial transfer payments for this service are being reviewed. Also, Ontario Community Infrastructure Fund (OCIF) and Ontario Gas Tax for Transit funds are to increase in 2019 and these increases were an election promise. There are also the shared service arrangements for ambulance, public health, and social services. These are just a few of the program grants that are important to municipal property taxpayers and the services that affect their daily lives.

AMO Contact: Matthew Wilson, Senior Advisor, mwilson@amo.on.ca, 416-971-9856 ext. 323.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

Ministry of Finance
Office of the Minister

Ministère des Finances
Bureau du ministre



7th Floor, Frost Building South
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Telephone: 416-325-0400
Facsimile: 416-325-0374

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7 Queen's Park Crescent
Toronto ON M7A 1Y7
Téléphone: 416-325-0400
Télécopieur: 416-325-0374

December 21, 2018

Dear Head of Council:

We are writing to provide you with an update on the 2019 Ontario Municipal Partnership Fund (OMPF).

Firstly, congratulations on your new office term. Our government knows that one of the first priorities for your new council is setting your 2019 budget. The Association of Municipalities of Ontario (AMO) along with a number of individual municipalities have asked for information about the 2019 OMPF to support budget planning.

Like many of my colleagues in the Legislature, as former municipal representatives, we understand the importance of this information. Let me assure you, we are committed to getting you the details of your 2019 OMPF allocation as soon as possible.

As outlined in November's *2018 Ontario Economic Outlook and Fiscal Review*, our government wants to ensure that the vital services people rely on like health and education are available to individuals and families for generations to come. This is why our top priority is putting the Province's fiscal house in order.

As you know, the Province's financial challenge is massive. We inherited a \$15 billion deficit and over a third of a trillion dollars in net debt. The previous government was spending more than \$40 million more a day than they took in.

This is simply unsustainable. This is why we are making every effort to restore fiscal balance to the Province.

Ernst and Young, who conducted a line-by-line-review of Ontario's spending, confirmed in its report *Managing Transformation — A Modernization Action Plan for Ontario* that the growth in transfer payments and other provincial supports are key contributors to the province's mounting debt. Getting this spending under control is why we are undertaking a detailed review of all transfer payments, including those to municipalities.

We must continue to support municipalities in a way that is sustainable and responsible. To achieve this, we are reviewing the OMPF — which is why details of OMPF allocations will be released later than in past years.

.../cont'd

- 2 -

We will be looking to you, our municipal partners, to help us with the challenge that lies ahead — as we look to drive efficiencies and value-for-money in all of our transfer payments, including the OMPF. While we all will be operating within a smaller funding envelope, we want to work with you to return the program to what it was initially intended to do — support the Northern and rural municipalities that need it the most.

As part of the OMPF review, we will seek your feedback on how best to renew the program. We will work through AMO and the recently signed joint Memorandum of Understanding (MOU). This agreement is a foundation of our relationship. The AMO MOU table has been an important forum for discussing and receiving your input on financial matters. I also understand that there has been a staff working group that has provided valuable feedback on the OMPF in the past. Ministry officials have been asked to engage with this group early in the New Year.

Again, we want to provide you with 2019 OMPF allocations as soon as possible. We are working to complete the review early in 2019.

Since coming into office, our government has taken a number of actions to support municipalities. These include introducing legislation to address two critical issues in Ontario's firefighting sector: fairness for professional firefighters and the efficiency of the interest arbitration system. In addition, we have committed to providing municipalities \$40 million over two years to help with the implementation costs of recreational cannabis legalization. In addition, if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million, the province will provide 50 percent of the surplus only to municipalities that have not opted-out as of January 22, 2019. We are also working to reduce the significant red tape burden municipalities face.

These are important initiatives that will make life better for the people of Ontario.

We respect our municipal partners, and are committed to working constructively with all local governments to find smarter and more efficient ways to make life better for our communities.

Sincerely,



Vic Fedeli
Minister of Finance

c: The Honourable Steve Clark, Minister, Municipal Affairs and Housing
Greg Orencsak, Deputy Minister, Ministry of Finance
Laurie LeBlanc, Deputy Minister, Ministry of Municipal Affairs and Housing
Jamie McGarvey, President, Association of Municipalities Ontario



Township of
Lucan Biddulph

DEC 17 2018

Received

December 10, 2018

Mayor Cathy Burghardt-Jesson
Township of Lucan Biddulph
P. O. Box 190
Lucan, ON N0M 2J0

Dear Mayor Burghardt-Jesson:

RE: LAS Natural Gas Program – 2016-17 Period Reserve Fund Rebate

LAS is pleased to announce a rebate to all LAS Natural Gas Program members. The amount being rebated back to your municipality is **\$1,390.12**.

This amount represents your municipality's proportionate share of the \$1.5 million reserve fund surplus that is being returned to program members that had accounts enrolled in the LAS Natural Gas Program during the 2016-17 program year (November 1, 2016 - October 31, 2017).

A copy of this letter and the cheque for your municipality has been sent to the designated LAS program contact (see CC below).

Your municipality's share of the program reserve fund was calculated using actual consumption data for all accounts enrolled in the LAS program for the period. The consumption data was aggregated at the organizational level and the payment amount is based on your proportionate share of the total LAS program volume.

We look forward to your continued involvement in this valuable program. Should you have any questions please contact Eleonore Schneider, LAS Program Manager at ext. 320 or at eschneider@amo.on.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Judy Dezell'.

Judy Dezell
Director

CC: Ron Reymer, CAO/Clerk



December 2018,

Dear Community Partner,

We are asking for your assistance to help promote the Canadian Cancer Society's **First Week Challenge Contest** and **Leave the Pack Behind's Wouldurather... Contest**.

The Canadian Cancer Society's **First Week Challenge Contest** encourages all Ontario tobacco users to make a quit attempt and remain tobacco-free for the first seven days of the month. One cash prize of \$500 will be awarded each month. All participants will receive discount coupons for Nicorette® or Nicoderm® products! Individuals may quit smoking or stop using tobacco any time in the month after they register for the Challenge as long as they quit by the first day of the month. The Challenge will be offered monthly until the end of the year and individuals who were unsuccessful with their quit attempt may register again. The deadline to register is always the last day of the month.

Leave the Pack Behind's Wouldurather... Contest supports young adult's between 18-29 in their efforts to quit smoking, cutback their smoking, refrain from smoking while drinking or to remain smoke-free. This year participants have the chance to win grand prizes up to \$2,500. Registration opened November 15, 2018. Any young adult signing up to participate can also receive free nicotine patches or gum delivered to their home while supplies last.

With many individuals looking to quitting smoking for the New Year, the Middlesex-London Health Unit is promoting both the Canadian Cancer Society's **First Week Challenge Contest** and **Leave the Pack Behind's Wouldurather... Contest** to encourage smokers to make a quit attempt.

Enclosed you will find business cards advertising the **First Week Challenge Contest** and posters advertising the **Wouldurather... Contest**. We know quitting is hard and we want individuals to be supported and not go through this alone. Therefore, if you or someone in your organization / facility could please post these business cards and posters where appropriate, it would be greatly appreciated and you would be bringing someone that much closer to quitting.

For more information and to register visit:

- www.FirstWeekChallengeContest.ca
- www.wouldurather.ca/en/

If you have any questions or would like additional resources, please don't hesitate to contact me.

Sincerely,

Sarah Neil R.N., BScN
Public Health Nurse
Chronic Disease Prevention and Tobacco Control
Middlesex-London Health Unit
P: 519-663-5317 ext. 2411
F: 519-663-9276
sarah.neil@mlhu.on.ca

From: OPP News Portal [<mailto:newsportal@opp.ca>]

Sent: Friday, January 04, 2019 11:36 AM

Subject: News release from the OPP - MIDDLESEX OPP WELCOMES NEW DETACHMENT COMMANDER

A new media release has been made by the OPP for West Region Headquarters, Middlesex County. The release content is below. If you wish to unsubscribe from these alerts, log into the [OPP News Release Portal](#) and select "Manage Account".

FROM/DE: West Region Headquarters

DATE: January 4, 2019

MIDDLESEX OPP WELCOMES NEW DETACHMENT COMMANDER

(LONDON, ON) - Chief Superintendent John Cain, Ontario Provincial Police (OPP) West Region Commander is proud to announce the selection of Inspector Dean Croker as the next Commander of the Middlesex County OPP detachment.

After a thorough evaluation process by OPP Command and the support of civilian governance partners, Inspector Croker was selected as the permanent Detachment Commander.

Inspector Croker began his career with the OPP in 1988, where he was posted to the Sioux Narrows detachment. His service continued at the South Porcupine and Iroquois Falls detachments, with part-time assignments on the Emergency Response Team and as well as the In-Service Training Unit. He has also instructed at the OPP Provincial Police Academy in Orillia.

As a member of the OPP West Region Tactics and Rescue Unit (TRU), he obtained the rank of Sergeant, and was later promoted to Staff Sergeant. After an extensive contribution to the unit, he returned to serve as the Staff Sergeant-Detachment Commander with the Chatham-Kent detachment.

His leadership continued with the Huron County detachment as an Acting Inspector, where he remained until his appointment as the Middlesex County Detachment Commander.

"Having lived and worked in various roles within Middlesex County over the past 14 years, it is an absolute privilege and honour to serve as the Middlesex OPP Detachment Commander.", says Inspector Dean Croker. The Inspector assumed his new role in December 2018, and is looking forward to working with the community.

"Inspector Croker has been a valued member of West Region for many years. He brings a wealth of front-line and operational experience with him to the Middlesex Detachment, and will be a tremendous benefit to the members and the community." Chief Superintendent John Cain, Regional Commander, OPP West Region.

Contact: Sergeant Laura Brown

Email: auralee.brown@opp.ca

opp.ca

TWITTER: @OPP_WR

January 08, 2019 Page 2 of 2



From: Brosseau, Judy [<mailto:Judy.Brosseau@mpac.ca>]
Sent: Tuesday, December 18, 2018 2:46 PM
To: Ron Reymer <rreymer@lucanbiddulph.on.ca>
Cc: Slater, Brenda <Brenda.Slater@mpac.ca>; Tracy Loyens <tloyens@lucanbiddulph.on.ca>
Subject: 2018 Year-End Assessment Report

Good Afternoon

Please find attached the 2018 Year-End Assessment Report, which supports our efforts to share relevant information with our municipal partners.

This report provides a high level summary of MPAC's activities throughout the year as well as two "snapshots" of assessment changes within your municipality, similar to reports received in past years. It is being shared with municipal administration, including CAOs, CFOs, Clerks, Treasurers and Tax Administrators for your review and digestion prior to being shared with your municipal council.

The report will be provided through the Clerk's department as a correspondence item to your council in January.

Please share with others in your office as appropriate.

Should you have any questions or would like to discuss the report please contact me.

Best regards,

Brenda Slater, DPA, MIMA
Account Manager
Zone 1, Municipal & Stakeholder Relations
Municipal Property Assessment Corporation
brenda.slater@mpac.ca
226-213-4079 (work)
519-281-1679 (cell)

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MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 14, 2018

To: Chief Administrative Officers, Chief Financial Officers, Clerks,
Treasurers and Tax Administrators

From: Carla Y. Nell, Vice President, Municipal and Stakeholder Relations

Subject: 2018 Year-End Assessment Report

As part of our continued commitment to stakeholder engagement and information sharing with our municipal partners, we have prepared the attached **2018 Year-End Assessment Report**, which will be of interest to both municipal administration and elected officials. This report provides a high-level summary of MPAC's 2018 activities that are relevant to the municipal sector, and also two municipal level snapshots of the assessment changes unique to your municipality.

This report will also be provided to Municipal Clerks for submission to municipal councils in January 2019. In the interim, I encourage you to review the report and share any questions with your MPAC Municipal and Stakeholder Relations Regional Manager and/or Account Manager.

Happy Holidays,

A handwritten signature in dark ink, appearing to read "C. Nell", is written over a light blue circular background.

Carla Y. Nell
Vice-President, Municipal and Stakeholder Relations

Attachments

Copy Regional and Account Managers



2018 YEAR-END ASSESSMENT REPORT FOR THE 2019 TAX YEAR

AS OF DECEMBER 2018



MUNICIPAL
PROPERTY
ASSESSMENT
CORPORATION

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About MPAC

MPAC stands for Municipal Property Assessment Corporation, and the MPAC team is made up of assessment experts who understand local communities and assess every property in Ontario. Our assessments provide the very foundation that municipalities use to base the property taxes needed to pay for the services we use every day.

As an independent, not-for-profit corporation, our assessments follow the *Assessment Act* and other legislation and regulations set by the Government of Ontario. We also have a Board of Directors made up of provincial, municipal and taxpayer representatives.

MPAC's expertise is in property assessment, customer service and technology. It is these components of MPAC's work that make our contribution to Ontario so valuable.

MPAC is responsible for assessing more than 5 million properties in Ontario, of all types (residential, business and farms), representing \$2.78 trillion in property value. We take property assessment seriously because it's the part we play in helping to make the communities we all live in stronger.

Learn more at:



mpac.ca



Introduction

Ontario municipalities rely on MPAC to provide expert opinions on the value of properties in our communities. We understand that turning these opinions into assessments goes beyond the determination of values. The work we do includes producing the products and services you require to understand, maintain and support your assessment base, such as property data, phase-in, classification, new assessment and appeals. The **2018 Year-End Assessment Report** provides an update on these items.

The Property Assessment Cycle in Ontario

We update the assessment of every property in Ontario every four years to capture changes to properties and the real estate market.

While the effective valuation date of January 1, 2016 remains constant during the four-year cycle, we are responsible for providing an updated annual Assessment Roll to each municipality that includes:

- **Changes to property ownership**
- **Changes to state and condition of a property**
- **Updates to the assessed value and classification**
 - New construction, demolitions and consolidations
 - Requests for Reconsideration (RfR) and Assessment Review Board (ARB) decisions

In advance of the 2019 property tax year, we delivered more than 800,000 Property Assessment Notices to property owners across Ontario where there was a change in property ownership or value. Your municipality also recently received the **2018 Assessment Roll for the 2019 property tax year** and the electronic **Year-End Tax File**. This file includes the updates we made during 2018 to keep your Roll current.

Purpose of This Report

We have prepared this report to assist you in understanding changes in your assessment base to inform ongoing budget and tax policy planning. The report also provides an update on the work we have undertaken over the course of 2018 to deliver an updated and stable Assessment Roll.

In addition, the report shares our plan for the next Assessment Update in 2020, which will provide property values for the 2021–2024 property tax years.

Attached to this report are two municipal-level assessment snapshots:

1. Assessment Change Summary

Provides the updated 2016 current value assessment (destination) and a comparison of the phased-in assessments for the 2018 and 2019 tax years

2. Assessment Base Distribution

Compares the distribution of the total 2018 and 2019 phased-in assessments and includes the percentage of the total assessment base by property class

Responsible for
assessing and
classifying more than

5 MILLION

properties in Ontario

Representing

\$2.78T

in property value

We delivered
more than

800,000

Property
Assessment
Notices

2018 Highlights

Our assessments support the collection of nearly **\$20 billion in municipal taxes annually**. We understand how important our work is to you, which is why we offer a range of services that enables you to understand and employ those values. No two assessment bases are the same. As such, we understand the need to share insights and develop understanding with all municipalities about how markets and communities are changing.

Maintaining Your Annual Assessment Roll

Having accurate and timely data is critical to the assessment process. Throughout the year, we complete regular quality control processes. Specifically, we review assessments and property classification changes received through:

- Building permits
- Vacancy applications
- Tax applications
- Subdivision plans

This ensures information is both current and accurate. This ongoing assessment work provides confidence that the information in your Assessment Roll is reliable and ready to support your budget and tax planning.

New Assessment

In 2018, we delivered more than \$38 billion in new assessment to municipalities across the province. We successfully processed more than 85% of this new assessment within one year of occupancy. Timely processing of new assessment from new

construction or additions to existing property and accurate forecasting of new assessment were identified as key municipal priorities and are included in our Service Level Agreement with municipalities.

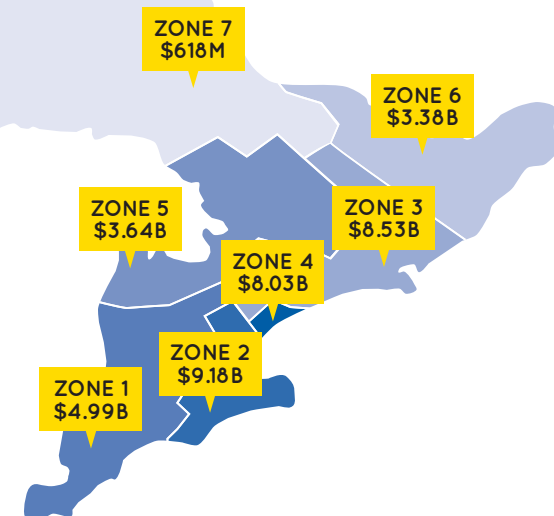
New Assessment Forecasting

A significant change in 2018 was the presentation of the quarterly new assessment forecast and our commitment to capture a minimum of 85% of all new assessment within one year of occupancy, based on availability of information from your municipality.

The other important change in 2018 came from you, our municipal partners.

This year, we started delivering new assessment progress reports on a quarterly basis to support ongoing dialogue between MPAC and municipalities about current and future growth trends and to provide a better sense of future taxable amounts.

2018 NEW ASSESSMENT BY ZONE



We delivered more than
\$38 billion
 in new assessment to municipalities across the province

From January 1 to October 31, 2018,
MPAC completed a total of 27,917
Requests for Reconsideration

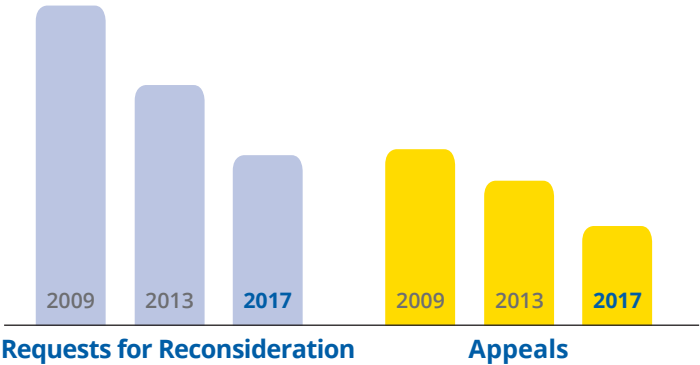
Requests for Reconsideration and Appeals

Another important activity we continue to work on throughout the four-year assessment cycle is responding to and processing assessment changes because of Requests for Reconsideration (RfR) and **Assessment Review Board (ARB)** appeal outcomes. This information is applied to your Assessment Roll throughout the year as part of our ongoing efforts to maintain and deliver stable Assessment Rolls.

We continue to work closely with the ARB and other parties, providing impartial, expert opinions to support the appeal process.

We have seen a steady decrease in the number of RfRs and appeals; since 2009 the number of RfRs filed has decreased by 50% and the number of appeals has decreased by 40%.

We will continue to work with the ARB and other parties to improve the efficiency and effectiveness of the appeals process, with the goal of reducing the time to resolve appeals.



2009, 2013 and 2017 represent the first tax year of the last three Assessment Updates, when the majority of appeals are filed.

2018 TOTAL NUMBER OF COMPLETED APPEALS BY ZONE



We have seen a steady decrease in the number of RfRs and appeals since 2009

Service Level Agreement (SLA)

The service levels in the SLA represent the most important MPAC deliverables as identified by you, our municipal partners. The SLA itself defines high performance standards in key service areas; outlines the roles, responsibilities and dependencies of both parties – reinforcing our shared accountability.

We implemented the SLA in 2017, and the end of 2018 marks a full year of measuring against these service levels.

In 2018, we also launched the SLA Reporting Tool in Municipal Connect to offer an at-a-glance snapshot to guide discussions around SLA objectives, help improve service delivery and promote shared accountability. At the end of our first year, MPAC is happy to report that we have met 96% of all service levels and have worked closely with municipalities, including remedial action, when service levels have not been met.

We have met
96%
of all service levels



Looking Ahead to the Next Assessment Update

A key change leading up to the **2020 Assessment Update** is the new valuation date of January 1, 2019, passed into legislation by the Province of Ontario. This is two years in advance of the first tax year to which the Assessment Update will apply. In the previous Assessment Update, the valuation date preceded the first tax year by one year.

The four-year phase-in program remains in place, meaning values will be effective for the 2021 to 2024 property tax years. As in the past, all assessment increases are phased-in over four years and assessment decreases are applied immediately.

The earlier valuation date increases the availability of data used to prepare valuations and will provide more time to consult and share preliminary market insights when our engagement activities begin in earnest in 2020.

This will enable MPAC and stakeholders to identify and resolve potential issues before the return of the Roll in December 2020.



Conclusion

At the core of our new **2017-2020 Strategic Plan** is the theme “Valuing What Matters Most.” For municipalities, we value building the customer and municipal relationship. This means enhancing the transparency of new assessment forecasts, processing assessment adjustments in a timely way, ensuring traceability and transparency in our assessment valuation and methodology, and keeping stakeholders apprised of changes in the market that may impact property values.

Through greater collaboration between MPAC and municipalities, we remain committed to continuously improving our service, and we encourage you to share your feedback with us on the delivery of our products and services.

Your local **Municipal and Stakeholder Relations team** is available to support you with any of our products or services. Please contact your Regional Manager, Account Manager, or Account Support Coordinator if you have any questions or would like more information about this report.





Assessment Change Summary by Property Class

Township of Lucan Biddulph

The following chart provides a comparison of the total assessment for the 2016 base years, as well as a comparison of the assessment change for 2018 and 2019 property tax year by property class.

Property Class/Realty Tax Class	2016 Full CVA	2018 Phased-in CVA	2019 Phased-in CVA	Percent Change 2018 to 2019
R Residential	507,062,300	484,597,399	495,829,849	2.3%
M Multi-Residential	6,952,500	6,317,128	6,634,814	5.0%
C Commercial	20,528,200	18,899,754	19,713,977	4.3%
X Commercial (New Construction)	3,566,000	3,211,159	3,388,579	5.5%
Y Office Building (New Construction)	375,000	375,000	375,000	0.0%
I Industrial	335,500	313,659	324,579	3.5%
J Industrial (New Construction)	2,086,200	1,949,140	2,017,670	3.5%
P Pipeline	5,855,000	5,608,684	5,731,841	2.2%
F Farm	554,803,200	414,630,396	484,716,797	16.9%
T Managed Forests	843,400	678,580	760,990	12.1%
(PIL) C Commercial	2,431,600	2,019,561	2,225,581	10.2%
(PIL) F Farm	1,237,900	920,768	1,079,334	17.2%
E Exempt	24,621,000	21,539,975	23,080,488	7.2%
TOTAL	1,130,697,800	961,061,203	1,045,879,499	8.8%


APPENDIX 2
**Assessment Base Distribution Summary by Property Class
Township of Lucan Biddulph**

The following chart provides a comparison of the distribution of the total assessment for the 2016 base year, and the 2018 and 2019 phased-in assessment which includes the percentage of the total assessment base by property class.

Property Class/Realty Tax Class	2016 Full CVA	Percentage of Total 2016 CVA	2018 Phased-in CVA	Percentage of Total 2018 CVA	2019 Phased-in CVA	Percentage of Total 2019 CVA
R Residential	507,062,300	44.8%	484,597,399	50.4%	495,829,849	47.4%
M Multi-Residential	6,952,500	0.6%	6,317,128	0.7%	6,634,814	0.6%
C Commercial	20,528,200	1.8%	18,899,754	2.0%	19,713,977	1.9%
X Commercial (New Construction)	3,566,000	0.3%	3,211,159	0.3%	3,388,579	0.3%
Y Office Building (New Construction)	375,000	0.0%	375,000	0.0%	375,000	0.0%
I Industrial	335,500	0.0%	313,659	0.0%	324,579	0.0%
J Industrial (New Construction)	2,086,200	0.2%	1,949,140	0.2%	2,017,670	0.2%
P Pipeline	5,855,000	0.5%	5,608,684	0.6%	5,731,841	0.5%
F Farm	554,803,200	49.1%	414,630,396	43.1%	484,716,797	46.3%
T Managed Forests	843,400	0.1%	678,580	0.1%	760,990	0.1%
(PIL) C Commercial	2,431,600	0.2%	2,019,561	0.2%	2,225,581	0.2%
(PIL) F Farm	1,237,900	0.1%	920,768	0.1%	1,079,334	0.1%
E Exempt	24,621,000	2.2%	21,539,975	2.2%	23,080,488	2.2%
TOTAL	1,130,697,800	100%	961,061,203	100%	1,045,879,499	100%



General Manager's Report

December 20, 2018

Prepared for the Board of Directors
by Brian Horner

Introduction

I am pleased to provide the Board of Directors with a brief update on ABCA projects, programs, new partnerships, funding opportunities and activities over the past couple of months. This report also includes information about Conservation Ontario and some of its activities on behalf of Ontario's 36 conservation authorities. If you have any questions please call me. *Note:* This is not an inclusive list – only some highlights.

Conservation Ontario

Conservation Ontario is the network of 36 Conservation Authorities, local watershed management agencies that deliver services and programs that protect and manage water and other natural resources in partnership with the government, landowners and other organizations. Conservation Authorities promote an integrated watershed approach balancing human, environmental and economic need. Conservation Authorities are organized on a watershed basis.

- Through its new “Made in Ontario Environment Plan” the Government of Ontario commits to continue working with Conservation Authorities on many different initiatives in order to help ensure the health of our lakes, rivers, and greenspaces. The Plan praises the effective partnership between provincially supported source protection committees, municipalities and conservation authorities in protecting important sources of drinking waters. It recognizes and commits support for the important roles of conservation authorities in protecting a people and property from flooding and other hazards, and conserving natural resources. “Conservation Authorities are a cost effective foundation on which to address many of the issues identified in the objectives of the Environment Plan,” said Kim Gavin, General Manager of Conservation Ontario. “We’re pleased to see the Government will address climate change impacts and continue to restore and protect Great Lakes. Conservation Authorities are key partners, along with many other agencies, in planning and implementing many of these initiatives.”
- Ministry of the Environment, Conservation and Parks has reorganized and Source Protection Programs Branch now falls under Land and Water Division.

Projects, Programs and Studies

1. Ross Wilson and Mari Veliz presented at a Certified Crop Advisors meeting in Guelph on November 7. Ross presented on soil pore size and Mari presented on field watershed scale best management practice evaluation.
2. Staff have been working with a number of partners including, Huron Soil and Crop, Ministry of Agriculture, Food and Rural Affairs, Ministry of the Environment, Conservation and Parks to finalize the design and monitoring plans for an innovative tile drain demonstration at the Huronview site.
3. The “Draft Shoreline Management Plan” was released to the public. The comment period goes until January 25, 2019. The results from the comment period will be provided to the Board at the February 21, 2019 Board meeting.
4. The Jones Pedestrian Bridge on the South Huron Trail was installed and is now open to the public. Donations are still needed to fund the project and can be done so by calling 519-235-2610 or coming into the administration office for details.

Training

- 1 Tim Cumming attended a meeting of Conservation Ontario Communicators at Black Creek Pioneer Village on November 30.
- 2 Education staff attended the Rekindle the Sparks conference on November 15 & 16th at Nottawasga Inn Resort & Convention Centre, in Alliston Ontario. Themes for the workshop included Great Lakes, climate change, conservation and stewardship, and community connections.

Meetings and Special Events

- 1 Mary Lynn MacDonald and Donna Clarkson (DWSP Co-Program Supervisors) attended the Risk Management Officials meeting at UTRCA on November 7. Mary Lynn was also a presenter at the Joint Orientation session for new councilors on November 22.
- 2 Brian Horner, attended the quarterly Conservation Ontario meeting on December 10 at Black Creek Pioneer Village. Topics for discussion included a presentation made by Kim Gavine, General Manager of Conservation Ontario, on moving forward in relation to the two Order in Council's from the province outlining the powers, duties, functions and responsibilities of the MECP and MNRF under the *Conservation Authorities Act*. MNRF shall continue to exercise the powers and perform duties, functions and responsibilities under the CA Act associated with the management and control of natural hazards. All other powers, duties, functions and responsibilities under the CA Act shall be exercised by the MECP under the Land and Water Division.
- 3 The Education Department hosted the annual Owl Prowl at Morrison Dam on November 3 from 5:30 – 8:30. Approximately 250 attended and \$900 was received in donations for the Jones Bridge project.
- 4 Angela VanNierkerk made a presentation at the Municipal Forum in Goderich, hosted by the Lake Huron Coastal Centre on December 13.
- 5 A number of staff as well as our Chair George Irvin, attended the 25th Latonell Conservation Symposium in Alliston from November 13 – 14 with presentations by Dan Bittman on evaluating a variety of agricultural best management practices with water and sediment control basins, and Geoff Cade made a presentation related to the Shoreline Management Plan update process.
- 6 Davin Heinbuck attended the Water Days conference at UTRCA where partners including Water Survey of Canada and Ministry of Natural Resources and Forestry, involved in the operation and maintenance of the stream gauge network came together for collaboration. Davin was also a presenter on the 3rd Party Operator Assist program.
- 7 Kate Monk presented on stewardship programs at the Conservation Authority University on December 12.
- 8 The Huron Tract Land Trust Conservancy met on November 19. The organization is currently working with a number of landowners interested in donating all or part of their properties to ensure the lands are protected for future generations. For more details call 519-235-2610 or visit the website www.htltc.ca



BOARD OF DIRECTORS MEETING

Thursday, December 20 , 2018

Ausable Bayfield Conservation Authority Administration Centre
Morrison Dam Conservation Area

2:30 p.m.

AGENDA

1. Chair's Welcome
2. Adoption of Agenda
3. Disclosure of Pecuniary Interest
4. Disclosure of intention to record this meeting by video and/or audio device
5. Adoption of Minutes from November 8, and November 22, 2018
6. **Business Out of the Minutes**
 - Vote on Proposed 2019 Project Levy, General Levy and Budget - Brian Horner
7. **Program Reports - Action Items**
 - Report 1: (a) Development Review (O Reg 147/06) - Meghan Tydd-Hrynyk
 - (b) Violation/Appeals Update - Geoff Cade
 - Report 2: Habitat Stewardship Program Funding Projects - Ian Jean
 - Report 3: Generic Regulations Mapping Updates - Tracey McPherson
 - Report 4: Agriculture Land Tender Results - Kate Monk
- Program Reports - Information Items**
 - Report 5: Rock Glen Washroom Renovation Update - Kate Monk
 - Report 6: Jones Pedestrian Bridge Report - Kate Monk
8. **Presentation: A Year in Review of Conservation Education** - Denise Iszczuk
9. **General Manager's Report**
10. **Committee Reports**
 - Ad Hoc Pedestrian Bridge Working Group - Dave Frayne
 - Ausable Bayfield Conservation Foundation - Judith Parker
 - Friends of South Huron Trail Committee - Dave Frayne
11. Correspondence
12. New Business
 - Set date for Striking Committee Meeting
 - ABCF Director Appointment
13. Committee of the Whole - property matter
14. Adjournment

UPCOMING MEETINGS AND EVENTS

- December 24 to January 2 (inclusive) - Office Closed
- February 21 - Board of Directors Annual Meeting at 10 a.m.



MINUTES

BOARD OF DIRECTORS MEETING

Thursday, November 8, 2018

**Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area**

DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Dave Frayne, Jim Ginn, Wayne Hall, Bob Harvey, George Irvin, Brian Ropp, Mike Tam

STAFF PRESENT

Bev Brown, Geoff Cade, Brian Horner, Ian Jean, Daniel King, Kate Monk, Judith Parker, Meghan Tydd-Hrynyk, Mari Veliz

OTHER PRESENT

Sue Haskett - Bluewater Shoreline Residents' Association
Adam Skillen - Skillen Investment Management

CALL TO ORDER

Chair George Irvin called the Board of Directors meeting to order at 10:06 a.m. and welcomed everyone in attendance.

ADOPTION OF AGENDA

MOTION #BD 96 /18

**Moved by Dave Frayne
Seconded by Ray Chartrand**

“RESOLVED, THAT the agenda for the November 8, 2018 Ausable Bayfield Conservation Authority Board of Directors Meeting be approved.”

Carried.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest at this meeting or from the previous meeting.

DISCLOSURE OF INTENTION TO RECORD PROCEEDINGS

None

ADOPTION OF MINUTES**MOTION #BD 97/18****Moved by Doug Cook****Seconded by Bob Harvey**

“RESOLVED, THAT the minutes of the Board of Directors meeting held on October 18, 2018 and the motions therein be approved as circulated.”

Carried.

PRESENTATION

Adam Skillen of Skillen Investment Management attended the meeting to give an update on the performance of the investment income portfolio which is 65% bonds and 35% equities (including common shares). There has been success in the cumulative returns over the four years and it is recommended that there be no further changes at this time. The directors concurred with the recommendation. Mr. Skillen was thanked and he left the meeting at 10:30 a.m.

BUSINESS OUT OF THE MINUTESShoreline Management Plan Update

Geoff Cade, Water & Planning Manager advised the Draft Shoreline Management Plan was received from the consultant, W.F. Baird & Associates Coastal Engineers Ltd. and is being reviewed by staff. The directors will have the report to review on November 13 for discussion at the Board of Directors Special Meeting on November 22, 2018 at 10 a.m.

Revisions to Proposed 2019 Budget

Brian Horner, General Manager/Secretary-Treasurer provided revisions to the proposed 2019 budget that resulted in a 2.12% increase to the combined project and general levies. By utilizing reserves, reductions were made to the Land Securement Plan project and the parking lot and furnace upgrades at the Admin Centre.

MOTION #BD 98/18**Moved by Ray Chartrand****Seconded by Jim Ginn**

“RESOLVED, THAT the Board of Directors approve the 2019 pay grid at a 2% increase.”

Carried.

MOTION #BD 99/18**Moved by Mike Tam****Seconded by Doug Cook**

“RESOLVED, THAT the Board of Directors approve the 2019 fee schedule as presented.”

Carried.

MOTION #BD 100/18**Moved by Ray Chartrand
Seconded by Dave Frayne**

“RESOLVED, THAT the member municipalities be advised of the 2019 proposed project levy, general levy and budget and provided with the supplementary information for the 30 day review, as the weighted vote by apportionment is intended to be held at the December 20, 2018 Board of Directors meeting.”

Carried.

PROGRAM REPORTS

1. (a) Development Review

Meghan Tydd-Hrynyk, Planning & Regulations Officer, presented the Development Review report pursuant to Ontario Regulation 147/06 *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for 14 *Applications for Permission* and 2 *Minor Works Permits*.

1. (b) Violation/Appeals Update

Staff reported there were no updates.

MOTION #BD 101/18**Moved by Bob Harvey
Seconded by Jim Ginn**

“RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report #1 - Development Review.”

Carried.

2. Habitat Stewardship Program Funding

Ian Jean, Forestry and Stewardship Specialist presented six stewardship projects in the municipalities of North Middlesex and South Huron that met the eligibility requirements for Habitat Stewardship Program funding.

MOTION #BD 102/18**Moved by Brian Ropp
Seconded by Wayne Hall**

“RESOLVED, THAT project numbers AB-2622, AB-2601, AB-2602, AB-2606, AB-2607, AB-2608 be approved for funding as recommended.”

Carried.

3. Healthy Lake Huron Project Funding Support

Mari Veliz, Healthy Watersheds Manager advised that the Healthy Lake Huron project is made up of a partnership of federal, provincial and municipal stakeholders as well as health units, industry, resident, agricultural organizations and four conservation authorities along the near shore of Lake Huron. The collaborative is seeking continued financial support that has resulted in millions of dollars of projects to protect and improve water quality issues in Lake Huron. A draft letter addressed to Honourable Rod Phillips, Minister of the Environment, Conservation and Parks was circulated for endorsement.

MOTION #BD 103/18

Moved by Jim Ginn

Seconded by Brian Ropp

"RESOLVED, THAT the Ausable Bayfield Conservation Authority (ABCA) Board of Directors support the request on behalf of the Healthy Lake Huron Partnership, to protect Lake Huron's southeast shore, and

FURTHER, THAT the Ontario Ministry of the Environment, Conservation and Parks continue funding, in the amount of \$360,000 per year, in support of the Canada-Ontario Agreement (COA) on Great Lakes Water Quality and Ecosystem Health, and

FURTHER, THAT in order to facilitate the Healthy Lake Huron collaborative partnership work that implements long-term water quality monitoring, storm water management project implementation and evaluation, education and outreach to the benefit of Lake Huron and all the people who rely upon it."

Carried.

GENERAL MANAGER'S REPORT

Brian Horner provided a written report with a brief update on the progress of various projects, staff training and development, upcoming meetings or events and general activities over the previous month.

COMMITTEE REPORTS

MOTION #BD 104/18

Moved by Ray Chartrand

Seconded by Wayne Hall

"RESOLVED, THAT the minutes of the Pedestrian Bridge Community Working Group meeting held November 1, 2018 and the motions therein be approved as circulated."

Carried.

CORRESPONDENCE

- a) Reference: Thank you
File: A.5.1
Brief: Note of appreciation from Jennifer Cade for the expression of sympathy in memory of her father.
- b) Reference: Certificate of Recognition
File: A.5.1
Brief: A certificate was received from the Huron County Health Unit in recognition of the partnership in creating and promoting the Storytime Trail that begins in Exeter at McNaughton Park on the South Huron Trail.

NEW BUSINESS

None

COMMITTEE OF THE WHOLE

MOTION #BD 105/18

**Moved by Jim Ginn
Seconded by Wayne Hall**

“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 11:17 a.m. to discuss three property matters with Brian Horner, Kate Monk and Judith Parker remaining in attendance.”

Carried.

MOTION #BD 106/18

**Moved by Ray Chartrand
Seconded by Jim Ginn**

“RESOLVED, THAT Committee of the Whole rise and report at 11:35 a.m.”

Carried.

MOTION #BD 107/18

**Moved by Jim Ginn
Seconded by Mike Tam**

“RESOLVED, THAT staff proceed with the property matters as presented and discussed.”

Carried.

ADJOURNMENT

The meeting was adjourned at 11:40 a.m.

George Irvin
Chair

Judith Parker
Corporate Services Coordinator



MINUTES

BOARD OF DIRECTORS SPECIAL MEETING

Thursday, November 22, 2018

**Ausable Bayfield Conservation Authority Administration Centre
Morrison Dam Conservation Area**

DIRECTORS PRESENT

Ray Chartrand, Dave Frayne, Doug Cook, Bob Harvey, Wayne Hall, Jim Ginn, George Irvin, Brian Ropp, Mike Tam

STAFF PRESENT

Geoff Cade, Brian Horner, Daniel King, Tracey McPherson, Judith Parker, Meghan Tydd-Hrynyk

OTHERS PRESENT

Sue Haskett, Robin Glenney, Jan Purvis - Bluewater Shoreline Residents' Association
Leslie Myers, Zena Besterd - Beach O Pines Association
Fionna Duckett, P.Eng., W.F. Baird & Associates Coastal Engineers Ltd.

CALL TO ORDER

Chair George Irvin called the special meeting to order at 10:01 a.m. and welcomed all those in attendance.

ADOPTION OF AGENDA

MOTION #BD 108/18

**Moved by Ray Chartrand
Seconded by Brian Ropp**

“RESOLVED, THAT the agenda for the November 22, 2018 Ausable Bayfield Conservation Authority Board of Directors special meeting be approved.”

Carried.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest at this meeting or from the previous meeting.

DISCLOSURE OF INTENTION TO RECORD PROCEEDINGS

None.

PROPOSED SHORELINE MANAGEMENT PLAN UPDATE

Water & Planning Manager, Geoff Cade introduced the draft Shoreline Management Plan (SMP) update, draft mapping and draft Development Guidelines. The document had been circulated to the Board of Directors for review prior to this meeting. He explained that the SMP was prepared by W.F. Baird and Associates Coastal Engineers Ltd. The mapping was prepared by ABCA staff based on a process protocol previously discussed with the Board and as peer-reviewed by Baird and Associates. The draft mapping was presented in the public open houses held on August 11 and August 18, 2018. The draft Development Guidelines are as presented to the Board of Directors at the June 21, 2018 meeting. They were also presented to the public during the August 2018 open houses.

Chair George Irvin welcomed Fiona Duckett, P.Eng of W.F. Baird & Associates Coastal Engineers Ltd. to give a presentation on the draft of the Shoreline Management Plan. She summarized the process in updating the 2000 Shoreline Management Plan to reflect the wording of Provincial Policy Statement on Natural Hazards

An update to the 1994 *Considerations for Shore Protection Structures* was completed and presented to the Board in December 2017.

As part of the public engagement process, recommendations were provided as to the information required to accompany applications for shore protection to ensure shoreline ecosystems and processes are not impacted and negative impacts on other shoreline properties are not created.

A recession rate analysis was completed and 67% of the shoreline has erosion which is low but significant. This is based on an unprotected shore, because near shore structures will ultimately fail as they react to erosion challenges.

Input on climate change considerations was provided by Dr. Robin Davidson-Arnott recognizing the fact there is a high level of uncertainty with intensity of storms and water levels in the future. To manage the erosion hazards, flooding hazards and the dynamic beach, shoreline development must be directed away from the lakeshore through setbacks or no development.

Geoff Cade clarified that when reviewing applications for new shore protection construction, the ABCA is requesting a coastal engineer's assessment - as opposed to an engineered design. This review will provide an expert opinion that will protect the landowner and the ABCA from any potential liability from hazards and impacts on neighbouring properties.

Staff recommend the next steps in updating the Shoreline Management Plan are for the Board to approve releasing the draft document and supporting appendices to the public for a commenting period until January 25, 2019. The comments will then be compiled and presented to the Board of Directors at the February 21, 2019 meeting.

MOTION #BD 109/18

Moved by Dave Frayne

Seconded by Ray Chartrand

“RESOLVED, THAT the Board of Directors direct staff to release the draft Shoreline Management Plan, draft mapping, draft Development Guidelines and other referenced appendices for a public comment period starting November 28, 2018 and ending January 25, 2019, and

FURTHER, THAT the Board of Directors direct staff to return the results of the public consultation to the February 21, 2019 Board of Directors meeting.”

Carried.

ADJOURNMENT

The meeting was adjourned at 11:28 a.m.

George Irvin
Chair

Judith Parker
Corporate Services Coordinator



December 20, 2018

Everyone at AMO wishes you, your friends and family, and your community a happy and safe holiday season!

In This Issue

- New episode of AMO ON Topic available now.
- 2019 ROMA Conference - Delegations.
- As a member of Council what you need to know!
- Land Use Planning: Beyond the Basics.
- Communications 101 for Elected Officials.
- Countdown to the AMO Conference has begun.
- Las Blog: A Year in Review.
- Careers with Port Colborne, New Tecumseth, Clearview and Lucan Biddulph.

AMO Matters

AMO President Jamie McGarvey gives listeners a primer on the Association, including updates on advocacy work related to cannabis and double hatters. [Listen now.](#)

The AMO Office will be closed from December 24, 2018 to January 1, 2019 and will re-open on January 2, 2019. The next issue of the WatchFile will be on January 3, 2019.

Eye on Events

Andrea Horwath, Leader of the Official Opposition, and the Ontario NDP Caucus look forward to meeting with municipal representatives during the 2019 ROMA Conference. To arrange a delegation, please send a request to [Ryan Gurcham](#), Office of Andrea Horwath, Leader of the Official Opposition, including attendees, preferred timing, and topics.

As a member of Council what do you need to know? The ABC's of municipal government; limiting your risk; budgeting; planning; impacts of new legislation and much more. Learn what it takes to be an effective team member and a municipal leader at this full day session in 2019. [Space is limited, register today.](#)

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The 2019 AMO AGM and Annual Conference will be held in Ottawa from August 18 - 21, 2019. AMO has negotiated Conference rates at eight hotels. In order to ensure the booking process goes smoothly

please read the [details in full](#) and make note of all deposit and cancellation policies for the individual properties. Call-in numbers and online reservation links are being posted as they become available. Reservations made before January 9, 2019 will not be honoured.

LAS

Las Blog: 2018 has been a great year for LAS, and we're working hard to continue that momentum in 2019. Read the [LAS Blog](#) for a look back at 2018 from LAS Director Judy Dezell.

Careers

[Capital Asset Coordinator/Analyst - City of Port Colborne](#). Reports to: Capital Asset Supervisor. Please visit Port Colborne [Employment Opportunities](#) for more details. Please apply with resume and cover letter quoting 2018-73 by 4:00 pm on January 4, 2019 to: Human Resources, City of Port Colborne, 66 Charlotte Street, Port Colborne, Ontario L3K 3C8. Email: careers@portcolborne.ca Fax: 905.835.2969.

[Director of Corporate Services/City Treasurer - City of Port Colborne](#). For full details, please see the job description available at [City of Port Colborne](#). To confidentially explore this opportunity, please submit your resume and cover letter by January 25, 2019 and quote 2018-81, to: City of Port Colborne, 66 Charlotte Street, Port Colborne, Ontario L3K 3C8. Attention: Tammy Morden, Human Resources, or by email to: careers@portcolborne.ca, fax: 905.835.2969.

[Chief Administrative Officer - Town of New Tecumseth](#). For a detailed candidate profile and to explore this exciting opportunity in strict confidence, e-mail or call Tim Dobbie Consulting Ltd. at 905.637.0000. To submit resumes email tim@tdobbie.com by January 18th, 2019. We thank all applicants and advise only those to be interviewed will be contacted directly.

[Development Implementation Technologist - Township of Clearview](#). Reports to: Director of Public Works. The preferred candidate must be willing to provide consent for the Township to conduct a criminal background and vulnerable sector check prior to finalizing an employment offer. Interested candidates are invited to forward their resume and covering letter quoting job # 2018-030 to Human Resources by January 11, 2019 to: hr@clearview.ca.

[Municipal Treasurer - Township of Lucan Biddulph](#). Reports to: Chief Administrative Officer/Clerk. A copy of the job description is available on the [Township's website](#). Applicants are invited to submit a cover letter and detailed resume in confidence no later than 4:30 p.m., January 11th, 2019, to: Ronald J. Reymer AMCT, Chief Administrative Officer/Clerk, Township of Lucan Biddulph, P.O. Box 190, Lucan, ON N0M 2J0. Phone: 519.227.4491; Fax: 519.227.4998; Email: rreymer@lucanbiddulph.on.ca.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

AMO Contacts

[AMO Watch File](#), Tel: 416.971.9856

[Conferences/Events](#)

[Policy and Funding Programs](#)

[LAS Local Authority Services](#)

[MEPCO Municipal Employer Pension Centre of Ontario](#)

[Media Inquiries](#), Tel: 416.729.5425

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

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Add Communicate@amo.on.ca to your safe list



January 3, 2019

In This Issue

- As a member of Council what you need to know!
- Land Use Planning: Beyond the Basics.
- Communications 101 for Elected Officials.
- Countdown to the AMO Conference has begun.
- Showcase at the AMO Conference - August 2019.
- Careers with Durham Region, Bruce County, Essex County and Kitchener.

Eye on Events

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Showcase your product or service at the 2019 AMO AGM and Annual Conference in August. Are you a municipal supplier or vendor? Do you have a product or service that would benefit the municipal sector? Then register today for the AMO Annual Conference Exhibit Hall. Early bird offer available until January 30, 2019 - [download the exhibitor application today.](#)

Careers

[Manager, Corporate Initiatives, Job ID 10976 - Durham Region.](#) Reports to: Director of Corporate Policy & Strategic Initiatives. Provides support to the Office of the Regional Chair and CAO. To learn more about this opportunity, please visit [Region of Durham](#) and apply online directly to Job ID#10976 no later than January 6, 2019.

Project Technologist (Asset Management/Construction) - Bruce County. Reports to the Housing Facilities Manager. Interested applicants can access the entire job posting through our Career Connector link on the County's website, and then apply online, following the outlined process. Please note that although a resume is required, this does not eliminate the need to complete the Applicant Profile. Deadline for applications is midnight on Monday, January 14, 2019.

Manager, Transportation Planning & Development / Draftsperson/Inspector - Essex County. Applications deadline: January 16, 2019. For more details about each of these two positions, please view the full postings on the County's Career Opportunities webpage.

Manager, Arts & Creative Industries - City of Kitchener. Reports to: Executive Director of Economic Development. Closing date for applications: January 21, 2019. To explore this opportunity and to apply, please visit Kitchener Current Career Opportunities.

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Municipal Wire, Career/Employment and Council Resolution Distributions

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Memo

To: Lucan Biddulph Council

From: Ron Reymer, Chief Administrative Officer/Clerk

Subject: Indemnification By-law

Date: January 4th, 2019

BACKGROUND: An indemnification by-law is a common municipal by-law to have in place.

Section 279 of the *Municipal Act*, 2001 provides municipalities with the authority to pass by-laws to pay for damages or costs awarded against members of council or officers or employees of the municipality, for expenses incurred for the defense costs as a result of any action or other proceeding arising out of acts or omissions done or made by them within the capacity of their role with the municipality.

Section 14 of the *Municipal Conflict of Interest Act* provides that a municipality may indemnify members of a municipal council for costs or expenses incurred to defend a proceeding brought under that *Act*, provided that the member of council is not found guilty of the allegation brought under Section 5.

Within Middlesex County, North Middlesex and the County of Middlesex already have in place indemnification by-laws. Staff from other local municipalities have been working together to bring forward a common indemnification by-law for consideration by their respective councils.

The purpose of an indemnification by-law is to protect individuals who work for the municipal corporation to protect against financial loss or damage if they are sued in connection with their work on behalf of the municipality. The intent is not to pay legal expenses of individuals who are acting outside of their authority.

Indemnification can play a key role in attracting qualified individuals to serve as officers and members of council, as it provides a level of assurance that they will not be personally liable for costs incurred in carrying out their duties.

ISSUES: The draft by-law would only apply to action done in 'good faith', and that the

individual would have reason to believe their action and conduct was lawful.

The draft by-law would not apply to an action or proceeding where the legal proceeding relates to a grievance under a collective agreement or to disciplinary action taken by the municipality as an employer. Nor would the by-law apply to an action or proceeding under the *Highway Traffic Act* or the *Criminal Code* unless such proceedings arose as a result of the individual's good faith pursuit or performance of their assigned duties. The by-law, as drafted, would not apply to any expenses incurred by members of council or local boards in obtaining legal advice regarding pecuniary interests

IMPACTS TO BUDGET: There are no direct financial implications of this report. In the event that council approves the draft by-law and there is legal action brought against individual members of council or staff because of them fulfilling their duties, there will be legal costs to defend the member of Council or staff.

RECOMMENDATION: That Council adopt the indemnification by-law as drafted.

Ron Reymer

Ron Reymer Chief Administrative Officer/Clerk



Planning Development
County of Middlesex
399 Ridout Street North
London, ON N6A 2P1
(519) 434-7321 (fax) 434-0638
www.middlesex.ca

January 4, 2019

REPORT

TO: Mayor Burghardt-Jesson and Members of Council
Township of Lucan Biddulph

FROM: Marc Bancroft, Senior Planner

SUBJ: Site Plan Approval and Deeming By-law
2301402 Ontario Limited (Prince George Retirement Residence)
135, 139 and 143 Main Street, Lucan

Purpose:

The purpose of this report is to evaluate a request for site plan approval and for the merging of lots through the use of a deeming by-law, both to allow the expansion of an existing retirement residence.

Background:

The subject lands are situated on the south side of Main Street between Albert Street and Elm Street as shown on the attached map. Currently, the lands accommodate a retirement residence operating under the name of the Prince George Retirement Residence along with an accessory parking lot located at 135 Main Street. There are currently site plan agreements from 2011 that were required to allow the initial development of the residence followed by the parking lot. Through this proposal, the intent is that requirements under the previous agreements be carried forward into one consolidated agreement.

To facilitate the expansion of the residence, the owner purchased the adjacent property to the west known municipally as 143 Main Street. The property also contains a single detached dwelling which is to be demolished. Given existing overhead hydro wires which affect the said property, those wires will need to be relocated at the expense of the owner and are governed through a separate agreement with Hydro One. Ownership of the accessory parking lot has also been transferred into the owner's name previously held by a sister company. With a current inverted "L" shaped building configuration, the expansion would result in a "U" shaped building.

To allow the merging of lots to wholly contain the proposed expanded building, the approval of a deeming by-law is necessary. The effect of a deeming by-law is the merging of abutting lots under common ownership for the purposes of the Planning Act thereby preventing the sale or transfer of such lots as separate parcels. To allow the development of the current retirement residence, Council passed a deeming by-law in 2011 which had the effect of merging three lots into a single parcel of land. The lands affected were Lot 256, Lot 257 and Lot 258 on Plan 188, being 139 and 141 Main Street. A municipality may through the passing of a by-law deem any plan of subdivision or part thereof not to be a registered plan of subdivision provided more than 8 years have elapsed since the date of plan registration. For the by-law to take effect, it also needs to be registered against the title of the lands affected.

To allow the proposed expansion, a deeming by-law is necessary to merge Lot 254 (143 Main Street) and Lot 259 (135 Main Street) along with Lots 256-258. Under the legislation, there is no requirement for public consultation with the exception that the owner of the lands affected must be notified.

Under the Official Plan, the lands are designated Mixed Use Residential and zoned site-specific Mixed Use Residential (MUR-3), which allows a retirement residence, a clinic and all other uses permitted under the parent MUR Zone.

Analysis:

Although the site plan approval proposal consists of a series of detailed plans ranging from site grading and servicing to landscaping which are collectively appended to the site plan agreement, the overarching plan is attached for Council's reference.

A site plan agreement has been prepared for Council's consideration which includes a number of requirements including but not limited to: access, parking, fire routes, servicing, grading, fencing, landscaping and the relocating of hydro wires. The site plan has been approved administratively. Because the merging of the lots as a single parcel of land is essential from a zoning standpoint, the execution of the deeming by-law (and its subsequent registration on title) should occur first and followed by site plan approval. Subsequently and prior to the issuance of a building permit, security in the amount of \$50,000 will be required as well as registration of the executed agreement on title.

In all, the subject proposal is consistent with the Provincial Policy Statement and conforms to both the County of Middlesex, the Lucan Biddulph Official Plans as well as the Lucan Biddulph Comprehensive Zoning Bylaw.

Recommendation:

That By-law No. 04-2019 being a deeming by-law in respect of Lot 254, Lot 255 and Lot 259, Registered Plan 188 (geographic Village of Lucan) now in the Township of Lucan Biddulph, in the County of Middlesex and known municipally as 135 Main Street and 143 Main Street be approved and subsequently registered on title.

That upon the foregoing being satisfied, that site plan approval be granted for the lands owned by 2301402 Ontario Limited to facilitate the expansion of the Prince George Retirement Residence located at 139 Main Street, Lucan.

Application for Site Plan Approval (SPA 1/2018)



2301402 Ontario Limited (Prince George Retirement Residence)
135, 139 and 143 Main Street, Lucan
Township of Lucan Biddulph

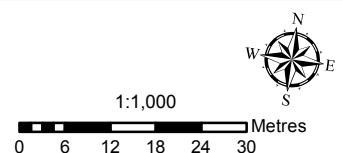
Township of LUCAN BIDDULPH



Published by the County of Middlesex
Planning Department,
399 Ridout Street North, London, ON N6A 2P1
(519) 434-7321
January 2019



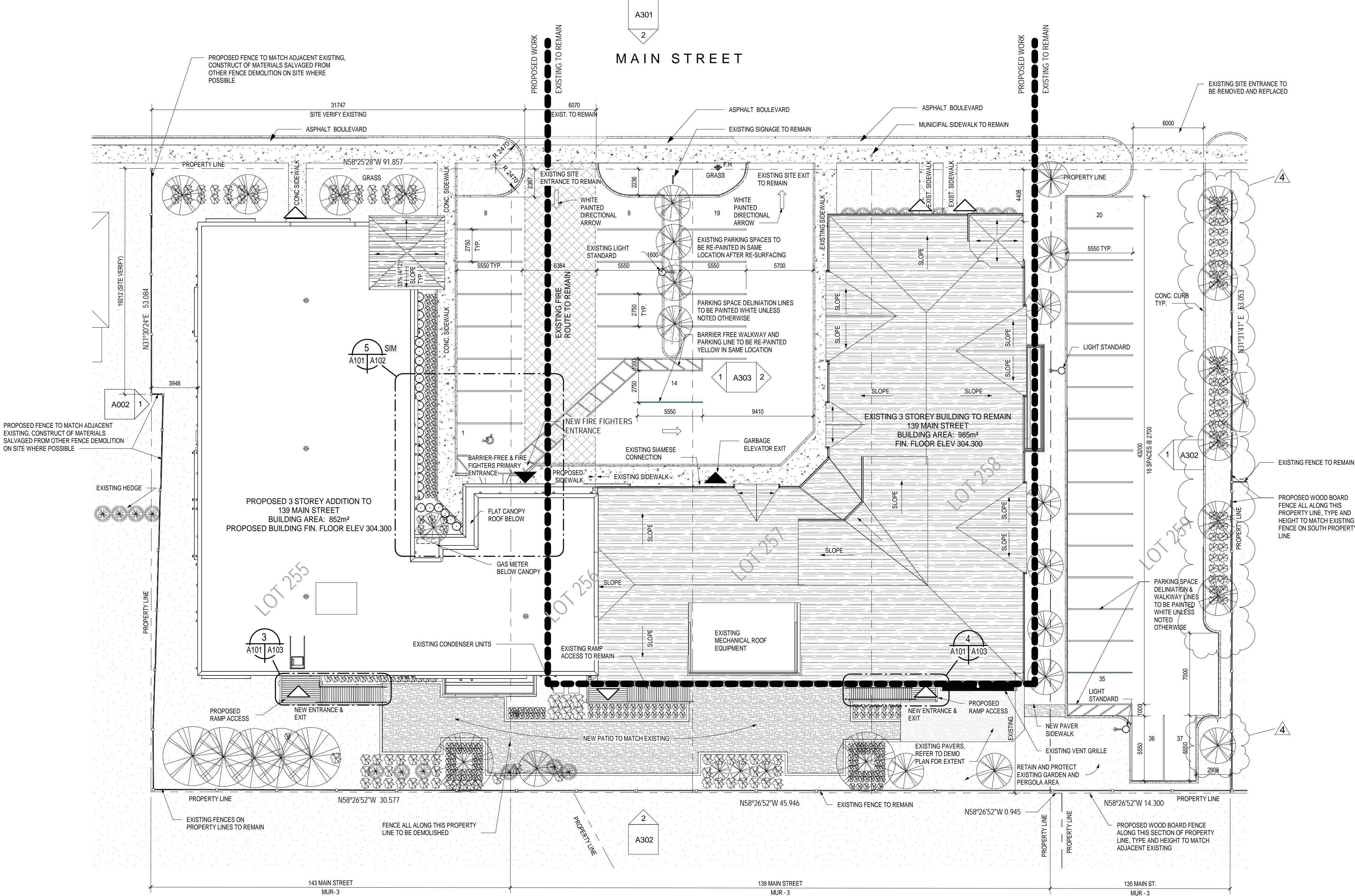
SUBJECT LANDS



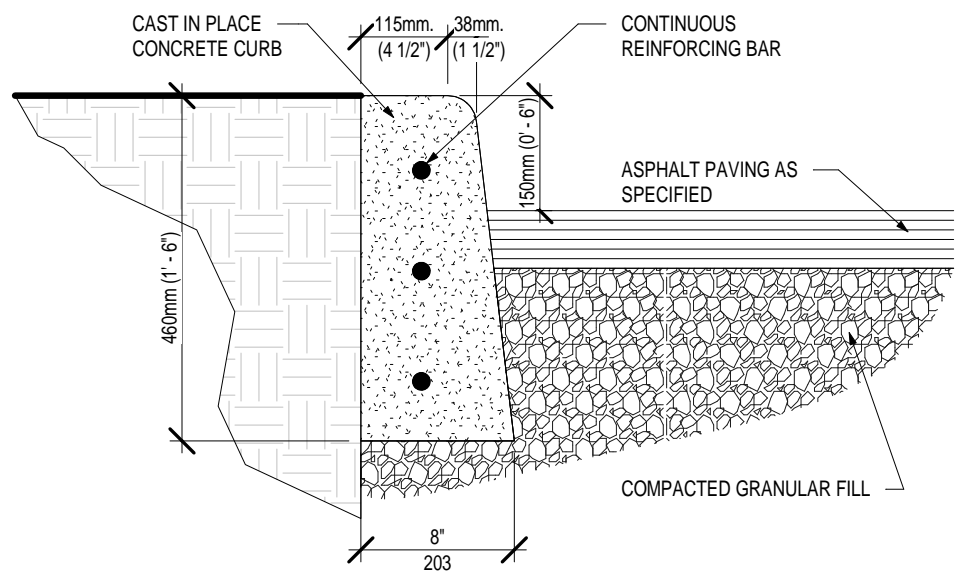
ORTHOPHOTOGRAPHY: SWOP 2015

Disclaimer: This map is for illustrative purposes only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

NOTE: ALL MUNICIPAL AND NEIGHBORING SURFACES AFFECTED BY CONSTRUCTION TO BE REPAIRED OR REPLACED AS PART OF THIS CONTRACT

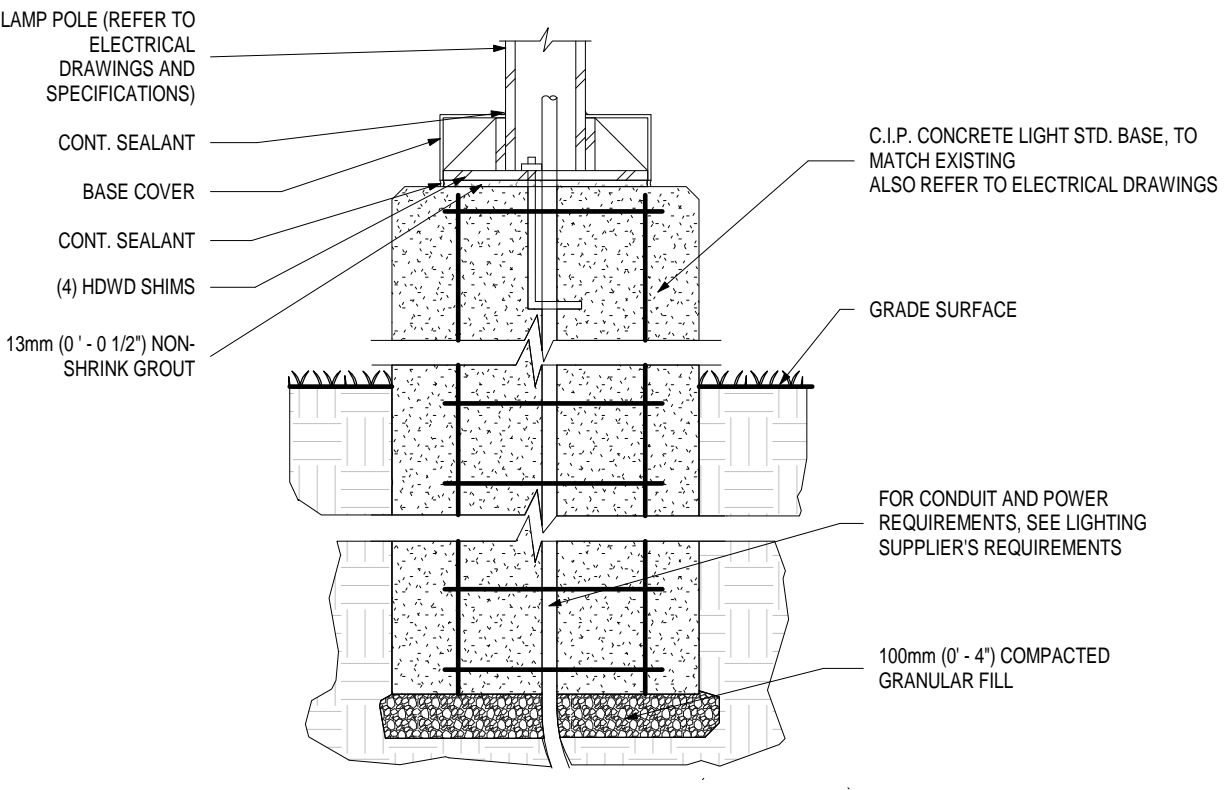


NOTES:
1. PROVIDE EXPANSION JOINTS IN CONCRETE CURBS AND RAMPS @ 10'-0" O.C. MIN.
2. CONCRETE TO BE BROOM FINISHED, UNLESS NOTED OTHERWISE

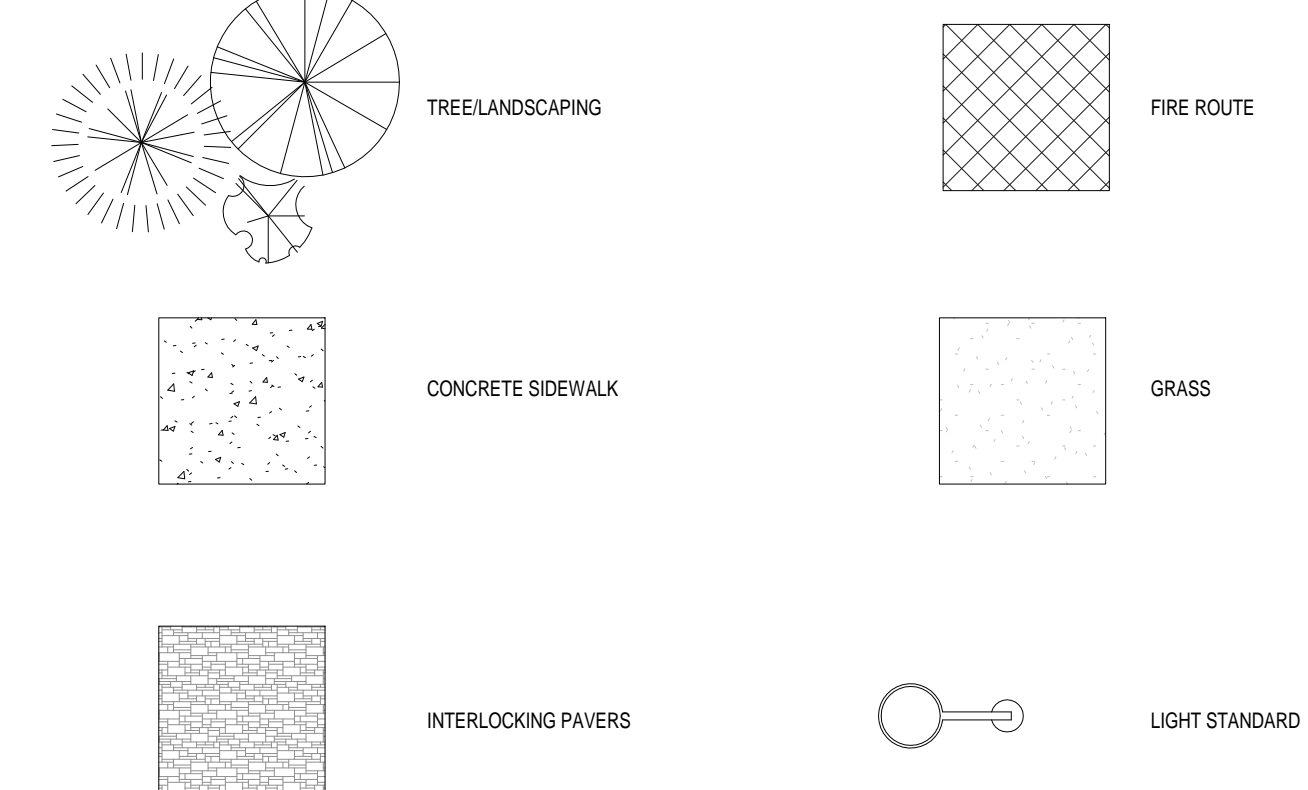


6 CURB DETAIL
A101 Scale: 1 : 10

4 SITE PLAN
A103 A101 Scale: 1 : 200



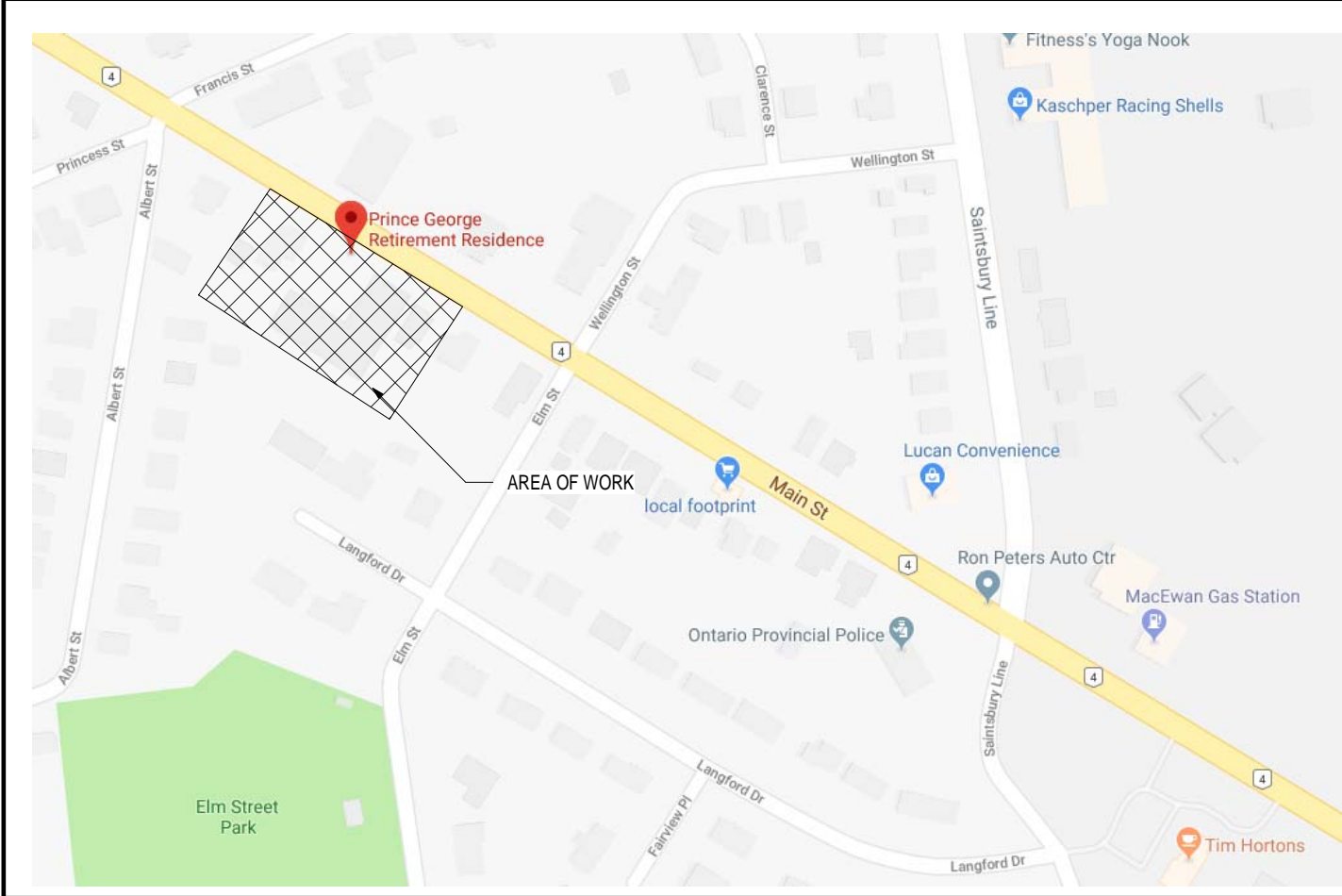
5 LIGHT POLE BASE SECTION
A101 Scale: 1 : 15



3 VIEW FROM NORTH WEST
A001

MUNICIPALITY OF LUCAN BIDDULPH ZONING ORDINANCE	REQUIRED	PROVIDED
GENERAL:		
ZONING DISTRICT CLASSIFICATION	MUR-3/ MUR	MUR-3
PROPOSED LAND USE	RETIREMENT RESIDENCE	RETIREMENT RESIDENCE
LOT AREA	460 m² MIN.	4850 m²
LOT DEPTH	N/A	53 m
LOT FRONTAGE	15 m MIN.	70 m
LOT COVERAGE	42% MAX.	38%
LANDSCAPE OPEN SPACE	N/A	N/A
PROPOSED BUILDING FOOTPRINT	N/A	1837 m²
PROPOSED BUILDING HEIGHT	12 m MAX.	12 m
PROPOSED BUILDING SETBACK		
NORTH BOUNDARY (FRONT)	EXISTING	EXISTING TO REMAIN
SOUTH BOUNDARY (BACK)	10 m MIN.	10 m
EAST BOUNDARY (SIDE)	3 m MIN.	EXISTING TO REMAIN
WEST BOUNDARY (SIDE)	3 m MIN.	3 m
PARKING SPACES		
EXISTING	1 SPACE PER 6 BEDS MIN.	11 EXISTING FOR 55 BEDS
PROPOSED	1 SPACE PER 2 BEDS MIN.	26 FOR 52 BEDS
BARRIER-FREE	2 SPACES	1 EXISTING, 1 NEW
BICYCLE	NR	0

2 SITE DEVELOPMENT DATA
A101 Scale: 1 : 1



1 KEY PLAN
A101 SCALE: NTS

IT IS THE RESPONSIBILITY OF THE OWNER, GENERAL AND/OR TRAVEL CONTRACTOR AND ALL SUB-TRADERS TO BE FAMILIAR WITH THE PROJECT AS A WHOLE. ALL DISCREPANCIES AND DIMENSIONAL ERRORS ON THE PLANS AND RELATED DOCUMENTS MUST BE REPORTED TO THE ARCHITECT PRIOR TO COMMENCING ANY WORK.

DO NOT SCALE DRAWING

CONSTRUCTION SET HAVE ORIGINAL CONSULTANTS STAMP AND SIGNATURE

THE CONTENTS OF THIS DRAWING REMAIN THE COPYRIGHT PROPERTY OF ENDRI POLETTI ARCHITECT INC.

KEY PLAN:

NORTH ARROW:

ISSUED DATES:

ITEM NO.	DATE	ISSUED FOR:	BY:
1	2018-08-20	ISSUED FOR SPA	JC
2	2018-10-01	ISSUED FOR BUILDING PERMIT	TS
3	2018-10-29	ISSUED FOR SUBSTRATE TENDER	TS
4	2018-11-09	RE-ISSUED FOR SPA	TS

SEAL:

PROJECT:
**PRINCE GEORGE
RETIREMENT RESIDENCE
PHASE II**
135-143 MAIN STREET LUCAN, ONTARIO

SHEET NAME:
SITE PLAN & DETAILS

DRAWN BY:	TS	CHECKED BY:	JC
PROJ. MGR/ARCH:	EP		

APPROVED FOR CONSTRUCTION DATE:
PLOT DATE/TIME: 09/11/2018 3:45:28 PM

PROJECT NO: 1737

REVISION NO: 4

SHEET NO: A101

**Statement of Policy**

Policy No. 400-08-2019

Effective: January , 2019

Revised: January 9, 2019

Formerly: B 400-1, 400-2

L 100-10, 200-13

TITLE: WATER ARREARS AND COLLECTIONS**Rationale:**

The Council of the Township of Lucan Biddulph wishes to establish the following policy regarding the collection of water and sewer payment arrears.

Details:**1. Dates**

- The billing dates for Lucan and Granton will be the first of the months of January, April, July and October.
- The due date will be the sixteenth (16th) of the same month. Billing rates will be according to current By-Laws.

2. Collections

- The water and sewer bill payments are collected at the Township of Lucan Biddulph Municipal Office located at 270 Main Street, Lucan as well as over the internet and through telephone banking.
- After a final read, the municipality may implement collection procedures if a balance remains on an account after the security deposit has been applied and if no payment has been received in 60 days after the final read.

3. Late Payment

- No penalty will be charged on the first four business days of default. A late payment charge of five per cent (5%) in addition to a \$5.00 statement fee shall be charged if the account is not paid by the fifth day of default. When a customer has a credit on their account, which reduces the amount due, or has made a partial payment, the penalty is to be charged on the unpaid balance rather than the total billed amount.

4. Reminder Notices

- Reminder notices will be sent to overdue accounts approximately (5) days after the due date. Any account with a balance owing over 61 days and over \$75.00 will be sent a disconnection notice stating that the water will be disconnected in 14 days. Two (2) business days prior to disconnection a door hanger notice will be placed at the property stating that the water will be disconnected in two business days if payment is not received in full. A notice fee of **\$25.00** will be charged to each account that receives a door hanger notice. On the second business day if the account is still in arrears, the water will be disconnected and a door hanger notice will be placed stating the water has been disconnected.

- A customer may contact the municipal office, prior to disconnection, and arrange a repayment plan to avoid disconnection. This option of a repayment plan will only be available once per year for each household. Any account with a repayment plan that is in default will be disconnected the day following default. All payment plans will be at the sole discretion of the Clerk, Treasurer or Public Works Manager.

5. Disconnection

- Once disconnection takes place, water service will not be restored until all arrears, plus the reconnection fee, is paid in full in cash. Reconnections will normally take place on weekdays during normal office hours. The fee for reconnections made during normal office hours is \$50.00. If a customer requests a reconnection after normal office hours, a fee of \$ 150.00 will be charged.
- Utility accounts where service is disconnected will continue to receive normal minimum billings for both water and sewage surcharge.

6. Repeal

- This Policy hereby repeals any former water arrears policies

Mayor

Administrator - Clerk

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That the regular Council Meeting Minutes of December 17, 2018 be approved as circulated/amended.

RESOLUTION CARRIED

MAYOR

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8th, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED That the Council of the Township of Lucan Biddulph instruct Staff to communicate to the Alcohol and Gaming Commission of Ontario that Lucan Biddulph wishes to “opt in” with regards to allowing retail cannabis outlets in our community;

AND FURTHER that Planning Staff be instructed to bring forth a report to address site plan control measures for cannabis cultivation and/or processing in the agricultural and industrial zones.

RESOLUTION CARRIED

MAYOR

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That the Council of the Township of Lucan Biddulph adopt the following policy:

- Policy No. 400-08-2019 (Water Arrears and Collection Policy)

RESOLUTION CARRIED

MAYOR

TOWNSHIP OF LUCAN BIDDULPH RESOLUTION

DATE: January 8th, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED That the Council of the Township of Lucan Biddulph appoints Councillor Alex Westman as the Ausable Bayfield Conversation Authority Board representative for the period of January 1, 2019 to October 31, 2022.
AND FURTHER that the Council of the Township of Lucan Biddulph authorizes Wayne Hall to continue to attend the meetings in addition to Councillor Alex Westman until the conclusion of the Shoreline Management Plan project.

RESOLUTION CARRIED

MAYOR

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That the Council of the Township of Lucan Biddulph authorize Tina Merner to enrol in Unit 1 of the Municipal Administration Program offered through AMCTO for the Winter 2019 term at a registration cost of \$406.80 (including HST).

RESOLUTION CARRIED

MAYOR

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That the Council of the Township of Lucan Biddulph authorize Dave Kester to enrol in Unit 2 of the Municipal Administration Program offered through AMCTO for the Winter 2019 term at a registration cost of \$446.35 (including HST).

RESOLUTION CARRIED

MAYOR

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 9, 2018

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That the Council of the Township of Lucan Biddulph authorize Paul Smith and Abby Vandermuren to attend the Pro Educational Forum and Trade Show through PRO (Parks and Recreation Ontario) in Blue Mountain, Collingwood from Mar 26-Mar 29, 2019 at a cost of \$729 plus HST per person. One registration fee will be covered by our municipal PRO membership.

RESOLUTION CARRIED

Mayor

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That if no one cares to speak to these By-laws on their First, Second and Third Reading, that they be considered to have been read a First time and Passed, read a Second time and Passed, read a Third time and Passed, that they be numbered:

- 01-2019 Interim Tax Bylaw
- 02-2018 Indemnification Bylaw
- 03-2018 Appointment Bylaw – Committee
- 04-2018 Deeming Bylaw (Prince George Retirement)
- 05-2018 Execution of Agreement (Prince George Site Plan Approval)
- 06-2018 Execution of Agreement (Sire Temporary Use)
- 07-2018 Confirming
- 200-2018 Sire Zoning Bylaw Amendment (Temporary Use)

RESOLUTION CARRIED

MAYOR

**TOWNSHIP OF LUCAN BIDDULPH
RESOLUTION**

DATE: January 8, 2019

RESOLUTION NO. _____

MOVED BY: _____

SECONDED BY: _____

RESOLVED:

That the Council meeting be adjourned at _____ p.m.

RESOLUTION CARRIED

MAYOR

Township of Lucan Biddulph

BY-LAW NO. 01-2019

BEING A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR THE YEAR 2019 FOR THE TOWNSHIP OF LUCAN BIDDULPH

WHEREAS Section 317 of the *Municipal Act*, 2001, provides that the council of a local municipality, before the adoption of estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

AND WHEREAS the Council of the Township of Lucan Biddulph deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

AND THAT in accordance with the Municipal Act 2001 and the Assessment Act, the Treasurer may strike from the roll taxes that by reason of a decision under Section 357, 358 or 359, or of a decision of a judge of any court are uncollectible and/or refund any overpayment received.

THEREFORE the Council of the Township of Lucan Biddulph enacts as follows:

In this by-law the following words shall be defined as:

“Collector” shall mean Treasurer or Dep. Treasurer of the Township of Lucan Biddulph;
“Minister” shall mean the Minister of Finance;

1. The amounts levied shall be as follows:
 - 1.1 For the Residential, Pipeline, Farmland and Managed Forest property classes, there shall be imposed and collected an interim levy of:
 - (a) the percentage prescribed by the Minister under Section 317(10) of the *Municipal Act*, 2001; or,
 - (b) 50%, if no percentage is prescribed,of the total taxes for municipal and school purposes levied in the year 2018.
 - 1.2 For the Multi-Residential, Commercial and Industrial property classes there shall be imposed and collected an interim levy of:
 - (a) the percentage prescribed by the Minister under Section 317(10) of the *Municipal Act*, 2001; or,
 - (b) 50%, if no percentage is prescribed,of the total taxes for municipal and school purposes levied in the year 2018.
 - 1.3 For all property classes, 50% of any other charge added to the roll, greater than one year in length.
2. For the purposes of calculating the total amount of taxes for the year 2018 under paragraph 1, if any taxes for municipal and school purposes were levied on a property for only part of 2018 because assessment was added to the collector’s roll during 2018, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.
3. The provisions of this by-law apply in the event that assessment is added for the year 2018 to the collector’s roll after the date this by-law is passed and an interim levy shall be imposed and collected.
4. All taxes levied under this by-law shall be payable into the hands of the Collector in accordance with the provision of this by-law.

- 5. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the instalment dates set out below. The penalty shall be one and one-quarter percent (1¼%) of the amount in default on the first day of default and on the first day of each calendar month during which the default continues, but not after the end of 2019.
- 6. The interim tax levy imposed by this by-law shall be paid in two instalments due on the 28th day of February of 2019 and the 31st day of May of 2019.
- 7. The Collector may mail or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law, a notice specifying the amount of taxes payable.
- 8. The notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered in the Collector's roll under Section 340 of the *Municipal Act, 2001*.
- 9. The subsequent levy for the year 2019 to be made under the *Municipal Act, 2001* shall be reduced by the amount to be raised by the levy imposed by this by-law.
- 10. The provisions of Section 317 of the *Municipal Act, 2001*, apply to this by-law with necessary modifications.
- 11. The Collector shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under Section 5 of this by-law in respect of non-payment or late payment of any taxes or any instalment of taxes.
- 12. Nothing in this by-law shall prevent the Collector from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.
- 13. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.
- 14. This by-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED on this 8th day of January, 2019.

MAYOR

CLERK

Township of Lucan Biddulph

BY-LAW NO. 02-2019

BEING A BY-LAW TO PROVIDE INDENMINIFICATION FOR CURRENT AND FORMER MEMBERS OF COUNCIL, LOCAL BOARDS, COMMITTEES AND EMPLOYEES WITH RESPECT TO CERTAIN ACTIONS OR PROCEEDINGS ARISING FROM THEIR DUTIES

WHEREAS Section 279 of the *Municipal Act*, S.O. 2001, as amended, (the Act) provides that, despite the *Insurance Act*, a municipality may be or act as an insurer and may exchange with other municipalities in Ontario, reciprocal contracts of indemnity or inter - insurance in accordance with Part XIII of the Insurance Act with respect to the following matters:

1. Protection against risks that may involve pecuniary loss or liability on the part of the municipality or any local board of the municipality.
2. The protection of its employees or former employees or those of any local board of the municipality against risks that may involve pecuniary loss or liability on the part of those employees.
3. Subject to Section 14 of the *Municipal Conflict of Interest Act*, the protection of the members or former members of the council or of any local board of the municipality or any class of those members against risks that may involve pecuniary loss or liability on the part of the members.
4. Subject to Section 14 of the *Municipal Conflict of Interest Act*, the payment of any damages or costs awarded against any of its employees, members, former employees or former members or expenses incurred by them as a result of any action or other proceeding arising out of acts or omissions done or made by them in their capacity as employees or members, including while acting in the performance of any statutory duty.
5. Subject to Section 14 of the *Municipal Conflict of Interest Act*, the payment of any sum required in connection with the settlement of an action or other proceeding referred to in Paragraph 4 and for assuming the cost of defending the employees or members in the action or proceeding;

AND WHEREAS exposure to liability under Acts dealing with areas such as environmental impairment or fisheries protection have prompted some municipalities to enact indemnification by-laws to address any gaps in their insurance coverage;

AND WHEREAS Provincial downloading in the second half of the last decade has brought new areas of exposure including the imposition of harsh penalties on elected representatives and senior managers for the actions of front-line staff, which has increased the risks still further;

AND WHEREAS Council would like to address the indemnification needs of Council members, Board appointees and employees in a comprehensive manner;

AND WHEREAS Council wishes to put in place appropriate protections against personal liability to ensure that competent staff, competent volunteers and competent Council members continue to be attracted to serve the Township of Lucan Biddulph;

NOW THEREFORE the Council of The Corporation of the Township of Lucan Biddulph
HEREBY ENACTS AS FOLLOWS:

1. Scope

The Township of Lucan Biddulph Indemnification By-law shall apply to all current and former members of Council, current and former members of Council Boards and Committees, and all current and former employees, subject to the limitations outlined in this by-law.

2. Definitions:

For the purposes of this by-law:

"*Action or proceeding*" means an action or proceeding referred to in Section 5 a).

"*Council*" means the Council of the Corporation of the Township of Lucan Biddulph.

"*Employee*" means any salaried officer, or any other person in the employ of the Township of Lucan Biddulph or of a local board and includes persons that provide their services on behalf of the Municipality without remuneration, exclusive of reimbursement of expenses provided that such persons are appointees of the Municipality or volunteers acting under the direction of a person in the employ of the Municipality.

"*Former employee*" means a person who was formerly an employee of the Municipality or local board.

"*Former member*" means a person who was formerly a member of a council of the Municipality or local board.

"*Individual*" means a person who was a member of council or was an employee, as the case may be, at the time the cause of action or proceeding arose or at the time that the act or omission occurred that gave rise to the action or proceeding, notwithstanding that prior to judgment or other settlement of the proceeding, the person may have become a former member or former employee.

"*Local board*" means a local board as defined in the Municipal Act, S.O. 2001;

"*Municipality*" means The Corporation of the Township of Lucan Biddulph.

3. Excluded Actions and Proceedings

- a. This By-law does not apply to:
 - i. an action or proceeding where the legal proceeding relates to a grievance filed under the provisions of a collective agreement or to disciplinary action taken by the Municipality as an employer;
 - ii. an action or proceeding brought under the *Highway Traffic Act*, R.S.O. 1990, as amended and the *Criminal Code*, R.S.C. 1985 as amended unless such proceedings arose as a result of the individual's good faith pursuit or performance of the individual's assigned duties;
 - iii. any expenses incurred by members of council or a local board in obtaining legal advice to determine whether the member has a pecuniary interest in a matter which is the subject of a determination or consideration by council or a local board as defined herein.

4. Indemnification

- a. Good faith — lawful conduct

The Municipality shall indemnify an individual in the manner and to the extent provided by Section 4 c) in respect of any civil, criminal or administrative action or proceeding, including appeals, brought by a third party for acts or omissions arising out of the scope of the individual's authority or within the course of the individual's employment or office if:

- i. the individual acted honestly and in good faith with a view to the best interests of the Municipality; and
- ii. in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, the individual had reasonable grounds for believing that his or her conduct was lawful.

b. Municipal Solicitor — to determine

In the event that any determination is required as to whether an individual meets the requirements of this Section, the Municipality's Solicitor shall obtain the advice and assistance of a qualified and independent solicitor, including advice on any terms and conditions that the Municipality's Solicitor may apply to the indemnification of an individual.

c. Manner and extent of indemnification

The Municipality shall indemnify an individual who meets the requirements of Section 4 a) & b) by:

- i. assuming the cost of defending such individual in an action or proceeding;
- ii. paying any damages or costs, including a monetary penalty, awarded against such individual as a result of an action or proceeding;
- iii. paying, either by direct payment or by reimbursement, any expenses reasonably incurred by such individual as a result of an action or proceeding; and
- iv. paying any sum required in connection with the settlement of an action or proceeding;

to the extent that such costs, damages, expenses or sums are not assumed, paid or reimbursed whether under any provision of the Municipality's insurance program or otherwise for the benefit and protection of such individual against any liability incurred by such individual.

5. Action — Proceedings

a. Persons served with process

Where an individual is served with any process issued out of or authorized by any court, administrative tribunal or other administrative, investigative or quasi-judicial body, other than a subpoena, in connection with any action or proceeding the individual shall forthwith deliver the process or a copy thereof to the CAO/Clerk, who in turn shall deliver a copy thereof to the Municipality's Insurance Broker and to the Municipality's Solicitor.

b. Lawyers retained by the Municipality's insurers

Notwithstanding any other provision of this By-law to the contrary, any lawyer retained by the Municipality's insurers from time to time to defend the Municipality in any action or proceeding shall represent an individual with respect to that action or proceeding unless the Municipality instructs such individual otherwise.

c. Municipality's right to select lawyer

Subject to Section 9 and to paragraph c) (ii) of this section, the Municipality shall have the right to select and retain the lawyer to represent an individual and the Municipality's Solicitor shall:

- i. advise such individual of the lawyer selected to represent the employee; and

- ii. advise the Council of the final disposition of the matter.

6. Conduct of Defense

Where possible, the Municipality's Solicitor shall conduct the defense of such actions or proceedings. In exceptional circumstances the use of the Municipality's Solicitor may not be possible and subject to Section 5 b) and Section 10 outside legal counsel may be retained having regard to:

- i. whether the Municipality's Solicitor has the required expertise;
- ii. whether the Municipality's Solicitor can provide the commitment of time and resources that is required;
- iii. whether the Municipality's Solicitor is or may be in a conflict of interest situation by virtue of conducting the defense of the individual.

7. Settlement — Council Approval

Council shall have the right to approve the settlement of any action or proceeding.

8. Approval of other Lawyer

Subject to the provisions of this section, an individual may request approval to be represented by the lawyer of the individual's choice by writing to the Municipality's Solicitor.

9. Municipal Solicitor — Review Request — 10 days

The Municipality's Solicitor shall within 10 days from receiving the request, either approve the request or deny the request and nominate a lawyer of the Municipality's choice and, in either case, advise the individual in writing of such decision.

10. Municipal Solicitor — Fail to Respond

If, after 10 days from receiving the request, the Municipality's Solicitor has not advised the individual in writing of the disposition of his or her request, the individual may retain his or her choice of lawyer to act on his or her behalf until the Municipality retains another lawyer to represent the individual, and shall forthwith so advise the Municipality's Solicitor in writing of any such retainer.

11. Municipality — Legal Fees

If the Municipality retains another lawyer to act on behalf of an individual in place of the lawyer originally retained by him or her in accordance with Section 10, the Municipality shall, subject to the Solicitors Act, pay to the individual's lawyer all of the reasonable legal fees and disbursements for services rendered and work done in connection with the action or proceeding from the time that the individual retained the lawyer in accordance with Section 10, until replaced by the lawyer retained by the Municipality.

12. Duty to Co-operate

An individual involved in any action or proceeding shall co-operate fully with the Municipality and any lawyer retained by the Municipality to defend such action or proceeding, shall make available to such lawyer all information and documentation relevant to the matter as are within his or her knowledge, possession or control, and shall attend at all proceedings when requested to do so by such lawyer.

13. Failure to Comply — Conflict

- a. Failure to Comply with By-law
If an individual fails or refuses to comply with the provisions of this By-law, the Municipality shall not be liable to assume or pay any of the costs, damages, expenses or sums arising from the action or proceeding and shall not be subject to the requirements of Section 4 c) of this By-law.
- b. Conflict — Insurance Policies
The Municipality maintains many different policies of insurance for both the Municipality and members of Council, officers and employees. The provisions of this Chapter are intended to supplement the protection provided by such policies of insurance. In the event of conflict between this Chapter and the terms of such policy of insurance in place from time to time, the terms of such policy or policies of insurance shall prevail.

14. Appeal - Enactment

Where an individual seeks to appeal a judgment in a covered action or proceeding, the Municipality shall have the sole discretion to determine whether an appeal should be pursued, and whether the cost of the appeal will be covered by this By-law. If an individual pursues an appeal without representation by the Municipality and is successful in that appeal, the Municipality shall have the sole discretion to determine whether the individual shall be indemnified for his or her legal fees.

15. Force and Effect

That this by-law shall come into force and effect on the date of passage hereof.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 8TH DAY OF JANUARY, 2019.

MAYOR

CLERK

Township of Lucan Biddulph

BY-LAW NO. 03-2019

Being a by-law to appoint various persons to Boards and Committees.

THE COUNCIL OF THE TOWNSHIP OF LUCAN BIDDULPH hereby enacts the following to appoint members to the various Committees and Boards from January 1st, 2019 to October 31st, 2022:

- | | | |
|-----|---|--|
| 1) | Committee of Adjustment | - All Council |
| 2) | Land Division Committee | - All Council |
| 3) | Lucan-Biddulph Fire Area
(2 Council; 1 Public) | - Mayor Cathy Burghardt-Jesson
- Councillor Daniel Regan
- Dave Goddard |
| 4) | Biddulph Blanshard Fire Bd.
(2 Lucan Biddulph Council,
2 South Perth Council and
1 Public)
Public Appointee | - Mayor Cathy Burghardt-Jesson
- Councillor Alex Westman
- Councillor Robert Wilhelm
- Councillor Sam Corriveau
–Norm Bilyea |
| 5) | Fence Viewers & Livestock
Evaluators (3) | -Mike O’Shea
-Public Works Manager – Dave Kester
-Vacant |
| 6) | Upper Thames River
Conservation Authority | -Councillor Alex Westman |
| 7) | Ausable-Bayfield
Conservation Authority | - Councillor Alex Westman
(previous Councillor Wayne Hall will
continue to attend the meetings in addition
to Councillor Alex Westman until the
conclusion of the ABCA’s Shoreline
Management Plan project) |
| 8) | Bluewater Recycling | - Deputy Mayor Dave Manders |
| 9) | Lake Huron Water
Supply System | - Mayor Cathy Burghardt-Jesson
- (Alternate – Deputy Mayor –Dave
Manders) |
| 10) | Community Emergency
Management Committee | - Mayor Cathy Burghardt-Jesson
- Deputy Mayor Dave Manders
- LB Fire Chief Ron DeBrouwer
- Fire Chief Steve Toews
- Public Works Manager, Dave Kester
- Facilities Manager, Paul Smith
- CAO/Clerk, Ron Reymer
-Treasurer
- Deputy Clerk, Tina Merner
- OPP Representative
- County of Middlesex Rep. (EMS)
- Middlesex-London Health Unit Rep. Sean
Bertleff
- Community Emergency Mgmt Coordinator,
B. Weber |

- 11)

Lucan Biddulph Community Economic Development Committee

-Mayor Cathy Burghardt-Jesson

-Councillor Peter Mastorakos

-Avery Greaves

-Debbie Baines

-Jackie Martens

-Teresa Burns

-Wes Hodgson

-Dan Forbes
- 12)

Santa Claus Parade

-Shirley Lorch

-Kim Gooding

-Connie Richardson

-Sapphire Miller
- 13)

Baconfest Committee

-Mayor Cathy Burghardt-Jesson

-Lisa deBoer

-Teresa Burns

-Lina Phillips

-Jackie Martens

-Sheila Hodgins

-Kelly O'Connor

-Barb Tuxford

-Connie Richardson

-Sandra Melvin

-Lisa Coddington

-Dean VanArenthals

-Anne Landendyk

-Clyde Walton

-Dave Gibbon
- 14)

Parks & Rec Committee

-Paul Smith

-Abby Vandermuren

-Councillor Daniel Regan

-Councillor Peter Mastorakos

-Colin Haskett

-Jenny Marrinan

-Mark Nixon

-Wayne Hall

-Keith Salters

-Linda Barr

That By-law No. 04-2018 is hereby rescinded.

READ A FIRST, SECOND AND THIRD TIME THIS 8th DAY OF JANUARY, 2019.

MAYOR

CLERK

Township of Lucan Biddulph

BY-LAW NO. 04-2019

**Being a Deeming by-law for 135 and 143 Main Street, Village of Lucan
(2301402 Ontario Limited – Prince George Retirement Residence)**

WHEREAS pursuant to Section 50(4) of the Planning Act, Council may pass a by-law designating a plan of subdivision (or part thereof) that has been registered for 8 years or more, not to be a plan of subdivision for the purposes of Section 50(3) of the Planning Act;

AND WHEREAS the Council of the Township of Lucan Biddulph deems it advisable to pass a by-law designating certain lots on a plan of subdivision situated in the former Village of Lucan not to be a plan of subdivision for the purposes of future conveyances or transactions;

AND WHEREAS such plan of subdivision has been registered for a period of more than eight years;

NOW THEREFORE the Council of the Corporation of the Township of Lucan Biddulph enacts as follows:

- 1. THAT** the lands outlined in heavy solid lines on Schedule "A" attached hereto and forming part of this By-law, and more particularly described as Lot 254, Lot 255 and Lot 259, Registered Plan 188 (geographic Village of Lucan) now in the Township of Lucan Biddulph, in the County of Middlesex, are deemed not to be a plan of subdivision for the purposes of Section 50(3) of the Planning Act.
- 2. THIS** By-law comes into force on the date of passing hereof.

**READ A FIRST TIME AND PASSED, READ A SECOND TIME AND PASSED AND
READ A THIRD TIME AND PASSED THIS 8th DAY OF JANUARY, 2019.**

MAYOR

CLERK

SCHEDULE "A"

Part of the Village of Lucan,
Lot 254, Lot 255 & Lot 259, Plan 188
135 & 143 Main Street
Township of Lucan Biddulph

**Township of LUCAN BIDDULPH**

THIS IS SCHEDULE "A" TO BY-LAW No. 04-2019
PASSED THIS 8th DAY OF January, 2019.

Mayor_____
Clerk**Township of LUCAN BIDDULPH****SCHEDULE "A"**

1:1,000
0 10 20 30 40 50 Metres



Township of Lucan Biddulph

BY-LAW NO. 05-2019

A by-law authorizing the execution of a site plan agreement between 2301402 Ontario Limited (hereinafter referred to as the “Owner”) and the Township of Lucan Biddulph (hereinafter referred to as the “Township”)

WHEREAS the Owner wishes to develop the land legally described in the attached Agreement as Schedule “A” (hereinafter called the “Land”);

AND WHEREAS the Owner has submitted for approval a series of plans (hereinafter called the “Site Plan” collectively) shown on the attached Agreement as Schedule “B”;

AND WHEREAS provided that the Owner and the Township have entered into this Agreement and By-law Nos. 46-2011 and 04-2019, being deeming by-laws with the effect of allowing the merging of lots on a plan of subdivision, are registered against the title of the Land, the Township may at that time issue a building permit subject to the approval of building plans and subject to the site plan being in full compliance with the Zoning By-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LUCAN BIDDULPH hereby enacts as follows:

1. That the Corporation of the Township of Lucan Biddulph is hereby authorized to enter into and execute an agreement with the Owner.
2. That the Mayor and Clerk are hereby authorized and directed to execute the said agreement, a copy of which is attached hereto, provided By-law Nos. 46-2011 and 04-2019 are registered against the title of the Land.
3. This by-law shall come into full force and takes effect on the day of the final passing thereof.

Read a FIRST, SECOND and THIRD time and FINALLY PASSED this 8th day of January, 2019.

MAYOR

CLERK

THIS SITE PLAN AGREEMENT made this 9th day of January, 2019.

-BETWEEN-

2301402 ONTARIO LIMITED

hereinafter called the “**Owner**”

-AND-

THE CORPORATION OF THE TOWNSHIP OF LUCAN BIDDULPH

hereinafter called the “**Township**”

WHEREAS the Owner is the owner of the land described on Schedule A (hereinafter referred to as the “Land”;

AND WHEREAS the Township passed By-law No. 46-2011 on October 17, 2011 for the purposes of deeming Lot 256, Lot 257 and Lot 258 on Registered Plan 188 (hereinafter referred to as the “merged lots”) not to be lots on a registered plan of subdivision to enable the development of a retirement residence known (at the time) as the Oasis Retirement Residence.

AND WHEREAS 2301402 Ontario Inc. being the previous owner of the merged lots entered into an agreement with the Township of Lucan Biddulph on November 1, 2011 and authorized by By-law No. 42-2011 to permit the development of the said retirement residence.

AND WHEREAS Marshall Zehr Capital Inc., a previous owner of part of the Land legally described as Lot 259 on Registered Plan 188 (geographic Village of Lucan), now the Township of Lucan Biddulph entered into an agreement with the Township of Lucan Biddulph on November 2, 2012 and authorized by By-law No. 47-2012 to permit the development of a parking lot accessory to the retirement residence.

AND WHEREAS the Owner wishes to expand the retirement residence known as the Prince George Retirement Residence and has submitted a series of plans as shown on Schedule B attached hereto (hereinafter collectively referred to as the “Site Plan”);

AND WHEREAS to allow the expansion of the retirement residence, the Owner has acquired the ownership of adjacent lands legally described as Lot 254, Lot 255 and Lot 259, Registered Plan 188 (geographic Village of Lucan) now in the Township of Lucan Biddulph, in the County of Middlesex.

AND WHEREAS the Township passed By-law No. 04-2019 on January 8, 2019 for the purposes of deeming Lot 254, Lot 255 and Lot 259 on Registered Plan 188 (hereinafter referred to as the “merged lots”) not to be lots on a registered plan of subdivision to enable development in accordance with the requirements of the Zoning By-law.

AND WHEREAS the Township is agreeable to the development of the Land as shown on the Site Plan on the condition that the Owner enters into this Agreement with the Township on certain specified terms;

AND WHEREAS provided the Owner and the Township have entered into this Agreement, the Township may at that time issue a building permit subject to approval of building plans and subject to the Site Plan being in full compliance with the Zoning By-law;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants herein contained and in consideration of the approval by the Township of the Site Plan in accordance with the provisions of the Planning Act, the parties hereto agree as follows:

- 1. **Development:** The Owner shall undertake and complete the development of the Land in accordance with the Site Plan; and the Land shall be used by the Owner and by any subsequent Owner or occupier of the Land in accordance with and in conformity the Site Plan.

- 2. **Development Control:** As a condition of the approval by the Township of the Site Plan, the provision, maintenance and use of the following facilities and matters are required and regulated as follows:
 - 2.1 **Parking Areas:** The Owner agrees that the parking areas on the Land shall be constructed of asphalt, or any other suitable hard surface to the satisfaction of the Township with the number of spaces as shown on the Site Plan. The parking spaces shall be constructed with a minimum width of 2.7 metres and a minimum depth of 5.5 metres whereas the handicapped parking spaces shall be constructed with a minimum width of 3.7 metres and a minimum depth of 5.5 metres. Furthermore, the Owner agrees that all parking spaces shall be clearly lined as indicated on the Site Plan.

 - 2.2 **Storm Drainage and Grading:** The undertaking of any storm drainage and grading work on the Land shall be in accordance with the Site Plan the satisfaction of the Township.

The Owner acknowledges and agrees to be responsible for all costs, and if required, the restoration of the road allowance to standards to the satisfaction of the Township. Prior to any work being undertaken within the said road allowance, the Owner will obtain a work permit from the Township. The undertaking of such work shall be to the satisfaction of the Township.

The final grading of the Land shall be established to the satisfaction of the Township as shown on the Site Plan. The Owner shall ensure that there is no interruption to any subsurface drainage flow because of construction on the site, which would have an adverse effect on neighbouring properties. Should such an interpretation occur, the Owner shall carry out any necessary remedial work to correct the problem as recommended by its consulting engineer and to the satisfaction of the Township, at no cost to the Township and/or neighbouring property owners.

 - 2.3 **Hydro Line Relocation:** The Owner agrees to satisfy Hydro One Networks Inc. with respect to any necessary hydro line relocation work in regards to 143 Main Street being part of the Land.

 - 2.4 **Access:** The Owner shall restrict the means of vehicular access to the location shown on the Site Plan. The Owner agrees to construct access according to the Site Plan to the satisfaction of the Township. Prior to any work being undertaken within the road allowance, the Owner will obtain a work permit from the Township. The undertaking of such work shall be to the satisfaction of the Township.

 - 2.5 **Fire Routes:** The Owner shall construct and maintain fire routes for access for firefighting and firefighting vehicles in conformity with the Site Plan; and the Owner shall install and maintain fire route signs, all to the satisfaction of the Township.

 - 2.6 **Municipal Water and Sanitary Sewer Connection:** The Owner agrees to maintain existing connections to the municipal water supply and sanitary sewer systems as shown on the Site Plan and to the satisfaction of the Township. The Owner acknowledges and agrees to be responsible for all costs associated with

maintaining such connections within the road allowance and the restoration of the road allowance, if required, to the satisfaction of the Township. The owner is required to obtain all necessary work permits from the Township prior to undertaking any of the work.

- 2.7 **Location of Building:** The Owner agrees to construct the building in the location as shown on the Site Plan and in conformity with the regulations of the Zoning By-law.
- 2.8 **Landscaping:** The Owner agrees to provide landscaping and grass cover on all areas of the Land as indicated on the Site Plan.
- 2.9 **Exterior Lighting:** The Owner agrees that all lighting of the said Land as indicated on the Site Plan shall be oriented and its intensity so controlled as to prevent glare on adjacent roadways and properties.
- 2.10 **Garbage and Waste Storage:** The Owner agrees to provide a facility for the storage of garbage and recycling containers within the building, or alternatively to the rear of the building and adequately screened by an opaque wall or fence to the satisfaction of the Township.
- 2.11 **Fencing:** The Owner agrees to provide fencing as shown on the Site Plan to the satisfaction of the Township. Amongst other matters, the Owner agrees to maintain the existing chain link fence along the westerly limit of the Land until the construction of the building expansion is completed. The new wood privacy fence along the westerly limit of the Land is to follow the same fence line as the existing chain link fence. North of that fence line, the new wood privacy fence would provide a slight “jog” only to follow the mutual lot line north to the front lot line.
- 2.12 **Maintenance:** The Owner shall at all times maintain or cause to be maintained all of the Land in as neat and tidy a condition as is reasonably consistent with the development of the Land pursuant to the Building Permit, and as otherwise required by this Agreement and the Site Plan, including weed removal and grass cutting prior to and during the development, and after completion of the development.
- 2.13 **Additional Approvals:** The Owner shall obtain additional approvals from other government agencies or ministries as may be required prior to the issuance of a Building Permit.
- 2.14 **Signs:** The Owner agrees that all signs, including locations and graphics contained in the proposed development shall be approved by the Township prior to the installation of such signs, in order to ensure compatibility with surrounding properties and to ensure no sight line obstructions. No portable or pylon signs will be permitted.
3. **Completion of Works:** The facilities and matters as shown on the Site Plan for each phase (or building) and described herein by paragraph 2 shall be completed within a period of one (1) year of the date of the issuance of the building permit for each building by the Township Chief Building Official. All such work shall be undertaken and completed to the satisfaction of the Township and at the sole expense of the Owner.
4. **Incidental Matters:** All incidental matters including the removal and planting of trees; the construction and re-construction of entrances; the re-location of utilities, pipes, poles, valves and equipment; the re-setting of drains and manholes; and all things required by this Agreement or by the Township shall be carried out by the Owner, at his/her sole risk and expense, provided all work is to be done to the satisfaction of the Township and/or the respective utility company or agency as the case may be.

5. **Use of Public Road Allowances:** The right of the Owner to use and occupy any untraveled portions of the public road allowance abutting the parcel shall, at all times, be at the will of the Township, and the construction and maintenance of any and all pavements, landscaping, parking and other improvements thereon shall, at all times, be at the sole risk and expense of the Owner.
6. **Maintenance of Works:** The facilities and matters required by paragraph 2 shall be maintained to the satisfaction of the Township and at the sole risk and expense of the Owner and, in default thereof, in addition to any other remedies which may be available to the Township, the provisions of the Municipal Act shall apply for the purposes of securing rectification of the default.
7. **Legibility of the Plans:** Where the legibility of Schedule "B" is in question or in dispute, the corresponding site plan drawn to scale and filed in the offices of the Township shall be deemed to be the site plan to which this Agreement applies.
8. **Security:** So as to ensure due performance of the requirements of this Agreement, the Owner shall deposit with the Township, upon execution of this Agreement, a certified cheque, a letter of credit issued by a Canadian Chartered Bank or similar legal tender, in a form approved by the Township, in the amount of FIFTY THOUSAND (\$50,000.00) Dollars. Upon completion of all works set out in paragraph 3 to the satisfaction of the Township applicable to each phase, the Township shall return the security deposit, letter of credit or similar legal tender to the Owner.
9. **Work According to Plans:** The Owner agrees not to change or revise the Site Plan or deviate from construction in accordance therewith without the prior written approval of the Township which approval shall not be unreasonably withheld.
10. **Right of Entry:** The Township or any of its officers, servants or agents may, from time to time and upon producing proper identification, enter upon the parcel for the purpose of inspecting the facilities, works and matters to be provided and maintained by the Owner under this Agreement. The Township, its officers, servants and agents shall not be liable to the Owner or any occupant of the parcel and premises for any losses or damages of any kind whatsoever arising, in any way, from entry for such purposes.
11. **Insurance:** Upon the execution of this Agreement and prior to undertaking any of the works required hereunder, the Owner shall lodge with the Township an insurance policy from an insurance company satisfactory to the Township, insuring, for the joint benefit of the Owner and the Township, against public liability and property damage arising out of the construction and installation of any of the works to be performed pursuant to this Agreement providing coverage which shall continue until all the works are completed and assumed by the Township, and the policy shall have limits of liability in an amount to be specified by the Township, but which limits shall not be less than ONE MILLION DOLLARS (\$1,000,000.00) and the Owner shall satisfy the Township, if and when requested, that the premiums for such insurance policy have been paid and that such insurance policy is in full force and effect.
12. **Remedy:** The Owner agrees that if he/she does not complete all the facilities and matters as shown on the Site Plan and required by this Agreement within three (3) years of the date of execution of this Agreement, this Agreement may be reviewed by the Township and amended as necessary in light of the policies, procedures, regulations and guidelines existing at that time including the right of the Township to enter upon and to restore the parcel to its original condition and recover the costs thereof.

13. **Indemnity**: The Owner shall, at all times, indemnify and save harmless the Township of and from all losses, costs and damages which the Township may suffer, be at or be put to, for or by reason of, or on account of, the construction, maintenance or existence of pavements, curbs, plantings and other improvements upon the untravelled portions of the public road allowance used and occupied by the Owner, and such indemnity shall constitute a first lien and charge upon the parcel.
14. **Reimbursement of Township Fees**: The Owner agrees to reimburse the Township for all solicitor's fees and disbursements, as well as all planning and engineering fees and disbursements, provided such fees and disbursements are reasonable and appropriately documented, incurred by the Township in any way arising out of this Agreement including the preparation thereof, and the costs of other necessary deeds, conveyances, agreements and registrations.
15. **Application of Township By-laws**: Notwithstanding any of the provisions of this Agreement, the Owner shall be subject to all by-laws of the Township.
16. **Registration of Agreement**: As soon as practicable after the Township's execution of this Agreement, and in any event not later than thirty (30) days after execution of this Agreement, the Owner shall cause this Agreement to be registered on title in the Middlesex County Land Registry Office and shall forthwith thereafter provide proof of such registration.
17. **Priority of Agreement**: The Parties hereby agree that if at the time of registration of this Agreement there are any encumbrances on the title to the Land held by any party other than the Township, then the Owner shall arrange for the discharge of such encumbrances from title. In the alternative, the Owner shall, prior to the registration of this Agreement, obtain a postponement and consent in favour of the Township for each encumbrance to this Agreement's priority on title of the Land.
18. **Agreement Binding**: The covenants, agreements, conditions and understandings herein contained on the part of the Owner shall run with the parcel and shall be binding upon it and upon its successors and assigns as Owner and occupiers of the said parcel from time to time and shall be appurtenant to adjoining roads under the jurisdiction of the Township.
19. **Severability**: If any of the terms of this Agreement shall be found to be 'ultra vires' the Township, or otherwise unlawful, such terms shall inclusively be deemed to be severable, and the remainder of this Agreement shall, with the necessary changes, be and remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective corporate seals under the hands of their proper signing officers duly authorized in that behalf.

2301402 ONTARIO LIMITED

Signed, sealed and
delivered in the
presence of:

Per: _____
Gregory Zehr, Chief Executive Officer

As authorized by By-law No. 05-2019
passed this 8th day of
January, 2019

**THE CORPORATION OF THE TOWNSHIP OF
LUCAN BIDDULPH**

Per: _____
Cathy Burghardt-Jesson, Mayor

Per: _____
Ron Reymer, Clerk

SCHEDULE A
TO
SITE PLAN AGREEMENT

BETWEEN-

2381414 ONTARIO INC.

-AND-

THE CORPORATION OF THE TOWNSHIP OF LUCAN BIDDULPH

The “Land”

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Lucan Biddulph, (formerly in the Village of Lucan), in the County of Middlesex and being composed of:

All of Lots 254, 255, 256, 257, 258 and 259
Registered Plan 188
(geographic Village of Lucan)
Township of Lucan-Biddulph
PIN 09702-0291
PIN 09702-0292
PIN 09702-0293
PIN 09702-0294

SCHEDULE B

TO

SITE PLAN AGREEMENT

BETWEEN-

2381414 ONTARIO INC.

-AND-

THE CORPORATION OF THE TOWNSHIP OF LUCAN BIDDULPH

The “Site Plan”

The Site Plan consists of the following plans and servicing drawings which are reproduced on the following pages of this Schedule “B”:

Site Plan & Details – Sheet No. A101 undertaken by Endri Poletti Architect Inc. and last revised November 9, 2018.

Demolition Site Plan/Site Details – Sheet No. A102 undertaken by Endri Poletti Architect Inc. and last revised August 20, 2018.

Existing Conditions, Site Preparation and Removals – Sheet No. SE1 undertaken by Development Engineering (London) Limited and last revised August 17, 2018.

Site Servicing Plan – Sheet No. SE2 undertaken by Development Engineering (London) Limited and last revised August 17, 2018.

Site Grading Plan – Sheet No. SE3 undertaken by Development Engineering (London) Limited and last revised August 17, 2018.

Construction Notes and Details – Sheet No. SE4 undertaken by Development Engineering (London) Limited and last revised August 17, 2018.

Landscape Plan – Drawing L-1 undertaken by Ron Koudys Landscape Architect Inc. and last revised November 9, 2018.

Landscape Details – Drawing L-2 undertaken by Ron Koudys Landscape Architect Inc. and last revised August 14, 2018.

Township of Lucan Biddulph

BY-LAW NO. 06-2019

**A by-law authorizing the execution of an agreement with
Robert Arvid Sire and Harolyn Hilda Sire (hereinafter called the “Owners”)**

WHEREAS the Owners represent that they are the registered owners of those lands and premises in the Township of Lucan Biddulph in the County of Middlesex situated on the east side of Saintsbury Line being Part of Lot 22, Concession 5 (geographic the Township of Biddulph) and known municipally as 34588 Saintsbury Line (hereinafter called the “parcel”).

AND WHEREAS the Owners propose to erect a new single unit dwelling on the parcel and, in the process of doing so, retain and occupy as their residence, the existing single unit dwelling for a certain specified period of time not to exceed a period of three (3) years or six (6) months after completion and occupancy of the new dwelling unit, whichever occurs first;

AND WHEREAS the Township is agreeable to the aforementioned proposal by the Owners notwithstanding the provisions of the Zoning By-law to the contrary, on the condition that the Owners enter into an agreement with the Township on certain specified terms as set for in the attached Agreement (Schedule “A”).

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF LUCAN BIDDULPH** hereby enacts as follows

1. That the Corporation of the Township of Lucan Biddulph is hereby authorized to enter into and execute an agreement with Robert Arvid Sire and Harolyn Hilda Sire.
2. That the Mayor and Clerk are hereby authorized and directed to execute the said agreement, a copy of which is attached hereto as Schedule “A”, and any other documents deemed necessary to carry out the intent of both parties.
3. This by-law shall come into full force and takes effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 8th DAY OF JANUARY, 2019.

MAYOR

CLERK

THIS AGREEMENT made this 8th day of January, 2019.

-BETWEEN-

ROBERT ARVID SIRE AND HAROLYN HILDA SIRE
hereinafter collectively called “**the OWNER**”

-AND-

THE CORPORATION OF THE TOWNSHIP OF LUCAN BIDDULPH
hereinafter called “**the TOWNSHIP**”

WHEREAS the Owner is the registered owner of those lands and premises in the Township of Lucan Biddulph in the County of Middlesex legally described as Part of Lot 22, Concession 5 (geographic Township of Biddulph) and known municipally as 34588 Saintsbury Line (hereinafter called “the parcel”);

AND WHEREAS the Owner proposes to erect a new single unit dwelling on the parcel and, in the process of doing so, retain and occupy as their residence the existing single unit dwelling for a certain specified period of time not to exceed a period of three (3) years or six (6) months after completion and occupancy of the new dwelling, whichever occurs first;

AND WHEREAS the Township is agreeable to the aforementioned proposal by the owner notwithstanding the provisions of the Zoning By-law to the contrary, on the condition that the Owner enters into this agreement with the Township on certain specified terms;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada now paid by the Municipality to the Owner, the Owner covenants with the Township to do and perform at its own expense the following:

1. The Owner agrees that the existing single unit dwelling situated on the parcel may be permitted to be occupied and remain on the parcel for a period not to exceed three (3) years or six (6) months after completion and occupancy of the new dwelling, whichever occurs first.
2. The Owner agrees that, upon the expiration of the period described in Section 1 of this Agreement, the Owner shall undertake to the satisfaction of, and at no cost to, the Township, removal or demolition of the existing single unit dwelling including all debris and materials, and disconnection of all utilities or services associated therewith to the satisfaction of the Township or the authority having jurisdiction as the case may be.

- 3. Should the Owner fail to comply with Section 2 of this Agreement or in the event a temporary use by-law is not adopted or having been adopted does not come in to full force and effect, the Township may commence legal proceedings against the Owner to obtain a conviction under Section 67 of the Planning Act for contravention of its Zoning By-law.
- 4. So as to ensure due performance by the Owner of the requirements of this Agreement, the Owner shall deposit with the Township, prior to the issuance of a building permit for the new dwelling, a certified cheque, a letter of credit issued by a Canadian Chartered Bank or similar legal tender, in a form approved by the Township, in the amount of FIVE THOUSAND (\$5,000.00) Dollars. Upon completion of the matters set out in Section 2 of the Agreement to the satisfaction of the Township, the Township shall return the security deposit, letter of credit or similar legal tender to the Owner.
- 5. The Owner shall not assign this Agreement without the prior written consent of the Township, which consent shall not be reasonably withheld.
- 6. The covenants, agreements, conditions and understandings herein contained on the part of the Owner shall run with the parcel and shall be binding upon it and upon its successors and assigns as owners and occupiers of the said parcel from time to time and shall be appurtenant to adjoining roads under the jurisdiction of the Municipality.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective corporate seals under the hands of their proper signing officers duly authorized in that behalf.

Signed, sealed and delivered)	
in the presence of:)	
	)	Per: _____
Witness	)	Robert Arvid Sire
)	
)	
	)	Per: _____
	)	Harolyn Hilda Sire
)	
As authorized by)	
By-law No. 06-2019 passed)	
this 8 th day of January, 2019.	)	THE CORPORATION OF THE TOWNSHIP OF
	)	LUCAN BIDDULPH
)	
)	
	)	Per: _____
	)	Cathy Burghardt-Jesson, Mayor
)	
)	
	)	Per: _____
	)	Ron Reymer, Clerk

TEMPORARY USE BY-LAW

BY-LAW NO. 200-2019

TOWNSHIP OF LUCAN BIDDULPH

Robert Arvid Sire and Harolyn Hilda Sire

34588 Saintsbury Line

WHEREAS the Council of the Corporation of the Township of Lucan Biddulph deems it advisable to enact restrictions authorized by Section 39 of the Planning Act, R.S.O., 1990, as amended, with respect to the use of certain lands for a temporary period of time;

AND WHEREAS this By-law is in conformity with the Township of Lucan Biddulph Official Plan and the County of Middlesex Official Plan and is consistent with the Provincial Policy Statement.

NOW THEREFORE the Council of the Corporation of the Township of Lucan Biddulph enacts as follows:

1. **THAT** notwithstanding Section 6.1.8 of Comprehensive Zoning By-law No. 100-97, a maximum of two single unit dwellings shall be permitted on the lands shown in heavy solid lines on Schedule "A" to this By-law, being Part of Lot 22, Concession 5 (geographic Township of Biddulph) and known municipally as 34588 Saintsbury Line in the Township of Lucan Biddulph in the County of Middlesex.
2. **THAT** this By-law shall remain in effect until the 8th day of January, 2022.
3. **THAT** upon expiry of the By-law as set out in Section 2, this By-law does not apply so as to permit two single unit dwellings on the lands shown in heavy solid lines on Schedule "A" to this By-law.
4. **THAT** this By-law comes into force and takes effect upon the day of passing in accordance with the provisions of Section 34 of the Planning Act, R.S.O 1990, c. P.13.

READ A FIRST TIME AND PASSED, READ A SECOND TIME AND PASSED AND READ A THIRD TIME AND PASSED THIS 8TH DAY OF JANUARY 2019.

MAYOR

CLERK

SCHEDULE "A"**Township of LUCAN BIDDULPH**

SAINTSBURY LINE

**PART OF LOT 22
CONCESSION 5**

THIS IS SCHEDULE "A" TO BY-LAW No. 200-2019
PASSED THIS 8th DAY OF January, 2019.

1:2,000
0 25 50 75 100 125 Metres



Township of Lucan Biddulph

BY-LAW NO. 07-2019

**Being a by-law to confirm proceedings of the Council
of The Corporation of the Township of Lucan Biddulph**

WHEREAS under Section 5(1) of the *Municipal Act, 2001*, S.O. 2001 c. 25, the powers of a municipality shall be exercised by its council.

AND WHEREAS under Sub-Section 3 of Section 5 of the *Municipal Act, 2001*, S.O. 2001 c. 25, the powers of every Council of a municipality shall be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of The Council of the Corporation of the Township of Lucan Biddulph at the January 8, 2019 meeting be confirmed and adopted by By-law.

THEREFORE the Council of the Corporation of the Township of Lucan Biddulph enacts as follows:

1. That the action of the Council of the Corporation of the Township of Lucan Biddulph in respect of all motions and resolutions and all other action passed and taken by the Council of the Corporation of the Township of Lucan Biddulph, documents and transactions entered into during the January 8, 2019 meeting of Council, are hereby adopted and confirmed, as if the same were expressly included in this By-law.
2. That the Mayor and proper officials of The Corporation of the Township of Lucan Biddulph are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Township of Lucan Biddulph during the said January 8, 2019 meeting referred to in Section 1 of this By-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Township of Lucan Biddulph to all documents referred to in said Section 1.

**Read a FIRST, SECOND and THIRD time and FINALLY PASSED
January 8, 2019.**

MAYOR

CLERK