



## **LUCAN BIDDULPH COUNCIL AGENDA**

TUESDAY, OCTOBER 20, 2020 6:00 PM  
Lucan Biddulph Township Office  
270 Main Street P.O. Box 190 Lucan, ON

### **AGENDA**

**MEETING TO BE HELD ELECTRONICALLY. THE MEETING WILL BE AVAILABLE AS FOLLOWS AT 6:00 P.M. ON OCTOBER 20, 2020**

[https://www.youtube.com/channel/UCeA4Y0M03UFY2O\\_nbymnWHg](https://www.youtube.com/channel/UCeA4Y0M03UFY2O_nbymnWHg)

1. **Call to Order**
2. **Disclosure of Pecuniary Interest & Nature Thereof**  
The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.
3. **Announcements**
4. **Closed Session**
5. **6:00 p.m. Public Meetings**  
(Note: Resolution required for the Council to adjourn its regular meeting in order to sit as a Committee of Adjustment under the Planning Act.).
  - a) Minor Variance Application A-3-2020  
Deon Keller, Owner/Applicant  
231 Butler Street, Lucan, ON  
[PL-16-2020 Keller Minor Variance Application \(231 Butler St\)](#)
  - b) Consent Application B-13-2020  
Paul and Sue Manders, Owner c/o Westdell Development Corporation  
SBM Engineering and Planning, Agent  
33799 Richmond Street, Lucan, ON  
[PL-17-2020 Westdell Development Corporation \(Consent and ZBA - 33799 Richmond St\)](#)

(Note: Resolution required for the Council to adjourn Committee of Adjustment to convene a Public meeting under the Planning Act.)

  - c) Zoning Amendment Application ZBA-10-2020

Paul and Sue Manders, Owner c/o Westdell Development Corporation  
SBM Engineering and Planning, Agent  
33799 Richmond Street, Lucan, ON  
([see report no. PL-17-2020](#))

(Note: Resolution required for the Council to reconvene its regular meeting.)

**6. Delegations, Presentations & Petitions**

**7. Adoption of Minutes**

[Council Minutes - Oct 6 2020](#)

**8. Business Arising From the Minutes**

[BA Oct 20 2020](#)

**9. Correspondence**

a) Balance of Communications:

- (1) [Minister Steve Clarke Letter - Bill 204 \(Helping Tenants and Small Businesses Act, 2020\)](#)
- (2) [Memorandum to Municipalities - Court Security and Prisoner Transportation Program Review](#)
- (3) [Communiqué 2020-18 - Staffing Levels and Firefighter Safety](#)
- (4) [MLSX BOH Update for September](#)
- (5) [ABCA Agenda's, Meeting Minutes, Video](#)
- (6) [Township of Lake of Bays - Reform to the Municipal Insurance Policy](#)
- (7) [Resolution - Twp of North Glengarry - Safe Restart Agreement](#)
- (8) [Resolution - Ontario-Wide Request to Pass County of Wellington Aggregate Resolution](#)
- (9) [Resolution - Twn of North Wellington - Ontario-Wide Request to Pass County of Wellington Aggregate Resolution](#)
- (10) [Resolution - Loyalist Township - Funding for Community Groups and Service Clubs](#)
- (11) [Resolution - City of St Catherines - Development Approval Requirements for Landfills \(Bill 197\)](#)
- (12) [Resolution - Twp of Blandford-Blenheim - Unlicensed and Unmonitored Cannabis Grow Operations](#)
- (13) [Support Resolution - Wollaston Township - review of Municipal Elections Act](#)
- (14) [AMO Watchfile Oct 8](#)      [AMO Watchfile Oct 15](#)

**10. Committee Reports**

- a) CEDC
- b) Bluewater Recycling
- c) Lake Huron
- d) Fire Boards
- e) ABCA
- f) UTRCA

g) Parks & Recreation

**11. Staff Reports**

- a) CAO/Clerks Office
- b) Building/By-law Enforcement
- c) Finance
- d) Planning

[PL-18-2020 Lock and Zelinka Priamo Ltd \(OPA-1-2020 and ZBA-2-2020 280 Main St, Lucan\)](#)

e) Public Works

[PW-28-2020 - Terry Hickson Memorial Request](#)

[PW-29-2020 - Sidewalk Winter Maintenance for Clandeboye](#)

[PW-30-2020 - Frank Street Reconstruction](#)

f) Parks & Recreation

g) Economic Development

**12. Councillor's Comments**

**13. Changes to Budget**

**14. Notice of Motions**

**15. Motions and Accounts**

[Accounts paid](#)

[Motions Oct 20, 2020](#)

**16. By-laws**

[47-2020 Official Plan Amendment \(280 Main St\)](#)

[208-2020 ZBA \(Lock - 280 Main St\)](#)

[48-2020 Confirming](#)

**17. Adjournment**



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

**MEETING DATE:** October 20, 2020

**REPORT**

**TO:** Members of the Committee of Adjustment  
 Township of Lucan Biddulph

**FROM:** Dan FitzGerald, Planner

**SUBJ: Application for Minor Variance A-3/2020**  
**Deon and Jenelle Keller (Owner)**  
**231 Butler Street, Lucan**

**Purpose:**

The purpose of this minor variance application is for relief from comprehensive Zoning By-Law No. 100-2003 of the Corporation of the Township of Lucan Biddulph's zoning standards, to permit a reduced rear yard setback for the main dwelling unit, and to permit an increase to the maximum allowable size for a home occupation. The effect would be to accommodate a personal training home occupation on the lands and to accommodate the residential development of the lands in the form of an addition.

**Background (see Figure 1):**

The subject property is a 0.25 acre (1,021.77 m<sup>2</sup>) parcel of land located on the on the south side of Butler Street, on the south west corner of Butler Street and Stanley Street. The lands are legally described as Part Lot 129, Plan 340, Part 1 on Reference Plan 33R966, in the Township of Lucan Biddulph, and municipally known as 231 Butler Street, Lucan. A location map is attached. The lands are designated Residential under the Official Plan and zoned Residential Second Density (R2) Zone, which permits single detached dwellings and home occupations.

This requested variance would allow relief from the following requirements:

Requirements	Relief Requested
Minimum rear yard depth of 7.0 metres (22.9 ft)	Minimum rear yard depth of 3.02 metres (9.9 ft)
Maximum permissible size of a home occupation shall not exceed the lesser of 25% of the total area of the dwelling or 40 m <sup>2</sup>	Maximum permissible size for a home occupation of 69.7 m <sup>2</sup>

As shown on the attached site plan, the application would consider a reduction to the minimum rear yard setback requirement to 3.02 metres, whereas 7.0 metres is currently required. Additionally, the application would also consider a maximum permissible size for

a home occupation of 69.7 m<sup>2</sup>, whereas the comprehensive Zoning By-law currently permit a maximum size of 25% of the total floor area of the dwelling or 40 m<sup>2</sup>, whichever is lesser. The requested reduction to the rear yard as described by the Owner is to permit an addition off the rear of the home to house a proposed home occupation, which is described as a personal training facility. As noted in the application, the increase in maximum permissible size for a home occupation is also requested as the equipment used for the proposed use is large and takes up a large area. The Owner has noted that the number of clients varies from one to multiple individuals at any given time.

### **Policy and Regulation:**

The subject lands are designated 'Settlement Area' in the Middlesex County Official Plan, 'Residential' in the Township Official Plan, and zoned a Residential Second Density (R2) Zone in the Township Zoning By-law.

As per section 8.8 of the Township Official Plan, applications for minor variances to the Zoning By-law are required to be evaluated by the Committee of Adjustment according to the following criteria:

- a) whether the variance is "minor";
- b) whether the general intent and purpose of this Plan and the Official Plan of the County of Middlesex are maintained;
- c) whether with the general intent and purpose of the Zoning By-law are maintained;
- d) whether the variance is desirable for the appropriate use and development of the lands and neighbouring lands;
- e) whether compliance with the Zoning By-law would be unreasonable, undesirable or would impose undue hardship;
- f) whether the variance would result in a substantial detriment, hazard or nuisance that would detract from enjoyment, character or use of neighbouring lands.

Section 2.1.5.9 of the Township Official Plan provides policy guidance for home occupations. It states that home occupations shall be permitted provided they remain clearly secondary to the main residential use and are situated entirely within a dwelling or an attached garage, and provided they are engaged in only by those residing in the dwelling and do not create a nuisance or potential nuisance or detract in any way from the residential character of the area.

As per the Township Zoning By-law, section 8.1.7 requires a minimum rear yard depth of 7.0 metres. Section 8.2.2 of the Zoning By-law states that the total floor area of the dwelling including the basement area used for the home occupation shall not exceed twenty-five (25) percent of the total area of the dwelling or forty (40) square metres, whichever is lesser.

### **Comments:**

Notice of the applications have been circulated to agencies, as well as property owners in accordance to the requirements of the Planning Act.

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### Public Comments:

At the time of writing the subject report, no comments were received from the public regarding this proposal.

In the circulation of the notice to prescribed agencies and the public, the following comments were received:

Ausable-Bayfield Conservation Authority: No comment.

Public Works Manager: No comment.

Chief Building Official: No concerns with the proposed rear yard setback. Staff has concerns regarding allowing a home occupation to expand beyond the limits of the zoning by-law. Larger 'home occupation' areas will take away from the primary use of the building being residential, and potential issues may arise with parking. Also, By-law Enforcement staff are currently investigating noise complaints with respect to a fitness centre use and have concerns of noise/vibrations arising from this use including dropping of weights causing noise/vibrations and loud music.

### **Analysis:**

Section 45(1) of the Planning Act authorizes the Committee of Adjustment to grant relief from the Comprehensive Zoning By-law requirements if a request is deemed to be desirable for the appropriate development or use of the land, building, or structure; the requested relief is minor; and the general intent and purpose of both the Official Plan and Comprehensive Zoning By-law are maintained.

#### *Review of proposed reduction to rear yard setback:*

With respect to the Planning Act tests, the proposed addition generally is considered to be in keeping with the character of the area being a residential neighbourhood. The proposed variance would permit the ability for the Owners to construct an addition off the rear of the existing single detached dwelling beyond the current rear yard setback requirements. Reviewing the lot fabric in the area and the abutting lands, Planning Staff note that while considered a rear yard, the neighbouring property abutting the lands flanks this land as an interior side yard. As such an extension into the rear yard on the lands would be considered appropriate and in keeping with the existing character.

The interpretation of what is minor is not necessarily based on the extent to which the zoning by-law is varied. Rather it is based on whether the impact of the variance can be considered minor. Planning staff consider the proposed variance minor as there as the additional extension into the rear yard would not negatively impact the neighbouring property, nor would it necessitate the requirement of additional variances to accommodate the proposed addition. As such Planning Staff do not anticipate any unacceptable adverse impacts on neighbouring residential uses as a result of the proposal.

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In terms of meeting the intent of the Zoning By-law, it is noted that the intent of the rear yard requirement is to ensure compatibility with adjacent uses and to allow sufficient amenity areas. Compatibility with adjacent uses would not be compromised considering the adjacent use is residential and the common property line represents an interior side yard for the neighbouring lot. It is the opinion of planning staff that the proposed 3.98 m reduction to the rear yard setback requirement for the main dwelling maintains the intent of the Zoning By-law as it still provides sufficient interior side yard space with the neighbouring property, while maintaining access for maintenance.

Planning Staff also reviewed the proposal against the Official Plan. The intent of the 'Residential' designation is for the lands to be developed for residential purposes, and to ensure compatibility with neighbouring uses. The intent is therefore being maintained as the subject lands are to be developed for residential purposes in the form of an addition for the existing residential development.

Given the above, planning staff is satisfied that the requested rear yard setback reduction satisfies the aforementioned Planning Act tests.

*Review of the proposed increase to the maximum permitted size of a home occupation:*

Respecting the Planning Act tests, staff have reviewed the application to increase the maximum permissible size for a home occupation from 25 percent of the floor area or 40 m<sup>2</sup>, whichever is lesser, as required in the Residential Second Density (R2) Zone. As described in the tests, staff have first reviewed whether or not the proposal meets the intent of the Official Plan. The Township Official Plan states that home occupations shall be permitted provided they remain clearly secondary to the main residential use and are situated entirely within a dwelling or an attached garage, and provided they are engaged in only by those residing in the dwelling and do not create a nuisance or potential nuisance or detract in any way from the residential character of the area. The policy further states that appropriate provisions shall be set out in the Zoning By-law. Staff have reviewed the policy and note that the proposal to increase the maximum permitted size of a home occupation may not be considered appropriate given the potential to detract from the residential main use of the lands. Additionally, while the applicant has stated that no noise concerns have been received in the past, staff are concerned that the type of business, if allowed to expand within an area closer to an abutting property line, could create a potential conflict with neighbouring properties.

Staff have also reviewed the proposal in relation to the Zoning By-law as directed in the Official Plan. As stated in the Zoning By-law, appropriate standards have been set to permit a maximum size of 25 percent of the floor area, to a maximum of 40 m<sup>2</sup>, in order to prevent a home occupation from infringing on the residential nature of the lands. Also as defined in the Zoning By-law, home occupations are defined to such uses as offices, workrooms or consulting rooms for a profession, trade, craft, or hobby but such uses do not include or permit group instructions. Staff feel that a proposed increase in size of a home occupation could potentially result in future compatibility issues where a larger home occupation could take advantage of the increase permitted size then intended in the applicant's proposal, as approvals run with the lands as opposed to property owners. Given the above, staff are concerned that increasing permissions to the maximum size of a home occupation would

not meet the intent of the Zoning By-law and could potential create a future conflict with neighbouring lands.

Further to the above, staff have also reviewed if the minor variance is considered minor in nature. As previously noted, minor is not necessarily based on the number being requested to vary. Rather it is based on the whether the potential impact would be considered minor. The potential impact of expanding permissions for home occupations in residential areas is the detraction away from the predominant residential character of the area. As such, staff are of the opinion that a request to increase the maximum size of a home occupation from 40 m<sup>2</sup> to 69.7 m<sup>2</sup> is not considered minor in nature.

The subject property is a residential lot that is generally surrounded by residential development in the form of single-detached dwellings. While a home occupation is considered an appropriate use of the land and is consistent with the character of the neighbourhood, the proposed increase in maximum permissible size, as requested, is not consistent with the character of the area. As such, the variance is not considered an appropriate use of the land.

Given the above, planning staff recommend that the subject application be denied.

This opinion is provided prior to the public meeting and without the benefit of potentially receiving all comments from agencies or members of the public. Should new information arise regarding this proposal prior to or at the public meeting, the committee is advised to take such information into account when considering the application.

#### **Recommendation:**

**THAT Application for Minor Variance A-3/2020**; filed by Deon and Jenelle Keller for a property located on the located on the on the south side of Butler Street, on the south west corner of Butler Street and Stanley Street, Part Lot 129, Plan 340, Part 1 on Reference Plan 33R966, in the Township of Lucan Biddulph, and municipally known as 231 Butler Street; **be DENIED.**

**AND FURTHER THAT** the reasons for denying Minor Variance Application A-03/2020 include:

- The request does not comply with the general intent and purpose of the Township of Lucan Biddulph's Official Plan;
- The request does not comply with the general intent and purpose of the Township of Lucan Biddulph's Comprehensive Zoning By-law;
- The request is not considered minor in nature; and
- The request represents inappropriate development on the subject property.

#### **ATTACHMENTS:**

1. Location Map.
2. Site Plan.



APPLICATION FOR MINOR VARIANCE: A3/2020

Owner: Deon and Jenelle Keller



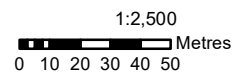
231 Butler Street, Lucan

Township of LUCAN BIDDULPH



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Planning Department,  
399 Ridout Street North, London, ON N6A 2P1  
(519) 434-7321  
September 2020

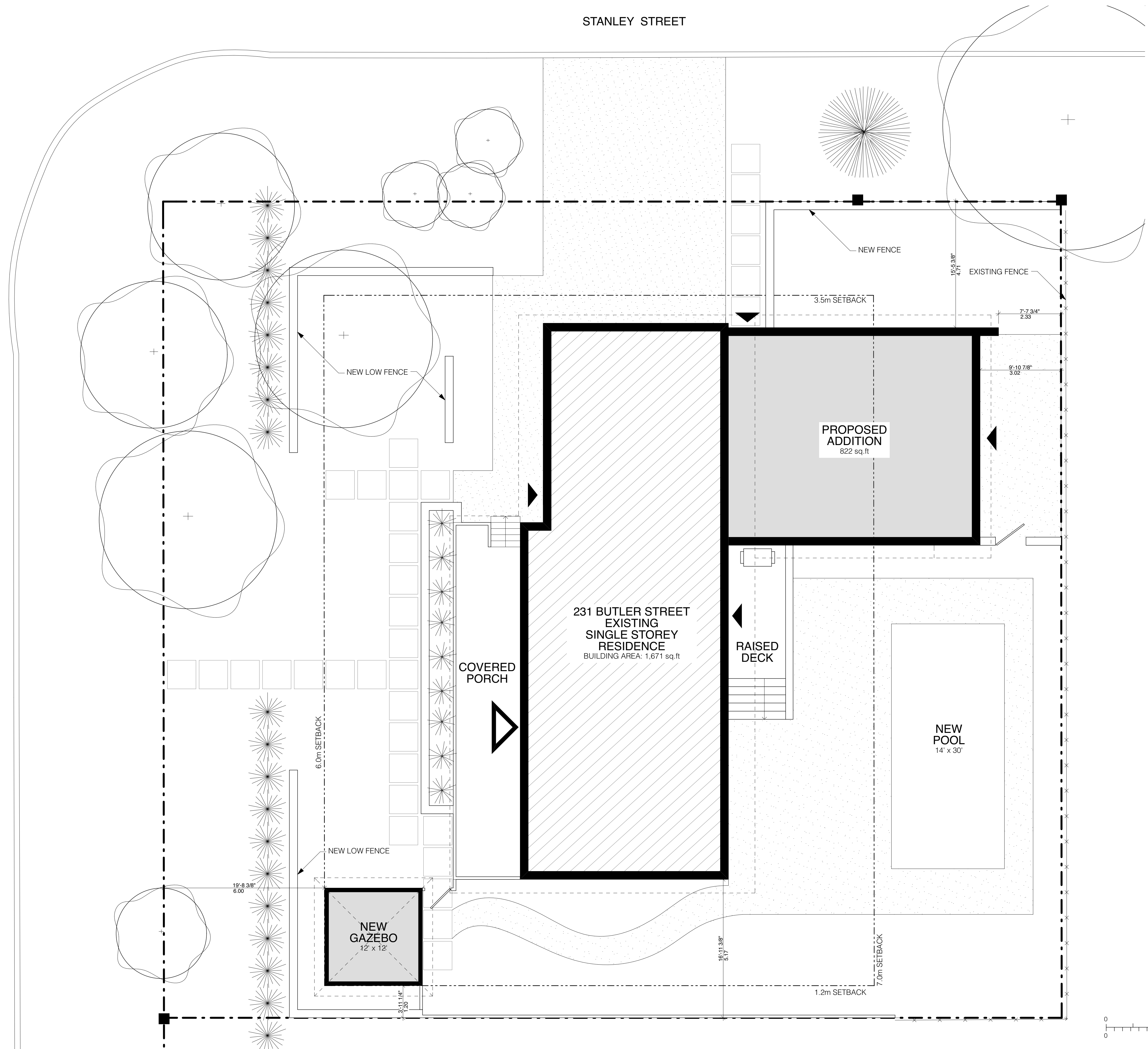
 SUBJECT LANDS



ORTHOPHOTOGRAPHY: SWOOP 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.*

BUTLER STREET

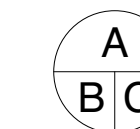
STANLEY STREET



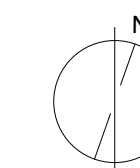
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 482 Riverside Drive, London, Ontario, 519 679 9201  
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Contractors: to complete work in accordance with the latest edition of the Ontario Building Code, and all applicable Municipal, Provincial, and Federal laws governing the project. Contractors shall verify all dimensions and report any discrepancy to the Architect before proceeding. Any variations during construction from the drawings must be reported to the Architect in writing for approval.



A. Detail number  
 B. Location sheet  
 C. Detail Sheet



Drawn By: TC  
 Scale: As Noted  
 Issue 1: For Approval 10/08/2020  
 Issue 2: For Distribution 14/08/20

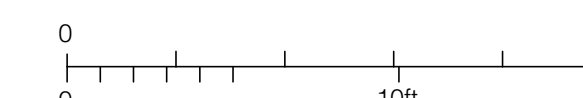
**skinner**architects



The Kellar Residence

231 Butler Street, Lucan, ON

Site Plan





Planning Department  
County of Middlesex  
399 Ridout Street North  
London, ON N6A 2P1  
519.434.7321  
www.middlesex.ca

**Meeting Date:** October 20, 2020

## REPORT

**TO:** Chair and Members of the Committee of Adjustment and Council  
Township of Lucan Biddulph

**FROM:** Dan FitzGerald MPI, Planner

**RE: Applications for Consent (B-13/2020) and Zoning By-law Amendment (ZBA 10/2020)  
Paul and Sue Manders C/O Westdell Development Corporation / SBM Engineering and Planning c/o Laverne Kirkness (Owner / Applicant)  
Part of Lots 3 and 4, Biddulph CON SLR, Part 1 of Reference Plan 33R20363,  
in the Township of Lucan Biddulph, County of Middlesex.**

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### **Purpose:**

The purpose and effect of the consent application is to sever a portion of land currently located within the Village of Lucan Settlement Area from a larger portion of land currently located outside of the Village of Lucan Settlement Area, which would accommodate the establishment of a commercial use.

The purpose and effect of the Zoning By-law Amendment application is to change the zoning of the lands to be severed from a General Agricultural (A1) Zone to a 'site specific' Highway Commercial exception (C2-#) Zone; which would consider a reduction to the front yard, interior side yard, and rear yard setback requirements, and also add the following uses: Clinic, Convenience Store, Office Professional, Office General, Personal Care Establishment, Personal Service Establishment, and Place of Entertainment or Amusement. The remnant farm lands would be rezoned to a 'site specific' General Agricultural exception (A1-#) Zone to recognize the undersized nature of the lands.

### **Background (see attachment 1):**

The subject property is a 21.83 hectare (54.29 ac) parcel situated on the south side of Main / Richmond Street (Highway 4), on the northern most edge of Lucan. The lands are also north of the Lucan Community Memorial Centre and municipally known as 315 Main Street, as shown on the attached map. The property is surrounded by agricultural lands to the north, east, south and west. The property is currently a vacant parcel of land used for agricultural crop production. The north-west portion of the existing lot is within the Urban Settlement Area of Lucan. This area of land is designated Highway Commercial in the Lucan Biddulph Official Plan. The remainder of land is outside of the Urban Settlement Boundary of Lucan and is designated Agricultural in the Township Official Plan. The property is currently zoned General Agricultural (A1) Zone. Municipal services currently do not exist to the property and access is maintained through Main Street.

The applicant has applied to sever a portion of the agricultural lands that is within the Urban Settlement Boundary of Lucan from a larger parcel of land that is outside of the Settlement Boundary. The intent for the severance would be to accommodate a commercial development on the lands designated Highway Commercial. The proposal would consider severing a portion of lands with a frontage of approximately 220.2 metres (721.7 feet) on Main Street and an area of approximately 3.76 hectares (9.29 acres). The remnant parcel would have a frontage of approximately 251.68 metres (825.5 feet) on Richmond Street and an area of approximately 18.07 hectares (44.6 acres).

The proposal is summarized below:

	Parcel 1 (Severed)	Parcel 2 (Retained)
Lot Frontage	220.2 metres (721.7 feet)	251.68 metres (825.5 feet)
Lot Depth	219.17 metres (955.3 feet)	741.58 metres (2433 feet)
Lot Area	3.76 hectares (9.29 acres)	18.07 hectares (44.6 acres)

Additionally, the applicant is proposing to rezone the lot to be severed from a General Agricultural (A1) Zone to a 'site specific' Highway Commercial Exception (C2-#) Zone for the portion of lands designated Highway Commercial in the Township Official Plan. The proposed Zoning By-law amendment would permit the following on the land:

- to permit a front yard setback of 3.0 metres, whereas 15.0 metres is currently required;
- to permit an interior side yard setback of 3.0 metres, whereas a minimum of 6.0 m is required;
- to permit a rear yard setback of 7.5 metres, whereas a minimum of 10.0 metres is required.

In addition to the specified exceptions, the applicant is also seeking to add the following uses to the proposed site specific Highway Commercial Exception (C2-#) Zone:

- Clinics
- Convenience Store
- Office, Professional
- Office, General
- Personal Care Establishment
- Personal Service Establishment
- Place of Entertainment or Amusement

The remaining balance of lands are proposed to be rezoned to a 'site specific' General Agricultural Exception (A1-#) Zone to recognize the undersized nature of the lands. Currently, the General Agricultural (A1) Zone requires a minimum lot area of 40 hectares, whereas the applicant is seeking permission to reduce the minimum requirement to 18.07 hectares. The retained lands would continue to be used for agricultural purposes.

**Policy and Regulation:**Provincial Policy Statement (PPS)

Section 3 of the Planning Act requires all decisions made under the Act “to be consistent with” the Provincial Policy Statement (PPS). The following PPS policies are most relevant to the proposed development and need to be considered when evaluating the subject application.

The PPS generally encourages a mix of land uses within settlement areas including residential, commercial and industrial uses to efficiently use land and infrastructure. Specifically, section 1.1.3 provides direction to direct growth and development to settlement areas where it can efficiently use land and resources, and is appropriate for existing or planned infrastructure. Further, settlement areas should include opportunities for intensification and redevelopment.

Section 1.3.1 of the PPS directs Planning authorities to promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d) ensuring the necessary infrastructure is provided to support current and projected needs.

Section 1.6 of the PPS speaks to servicing. The PPS has a hierarchy for services, where municipal services are the preferred form of servicing. Section 1.6.6.1a) states ‘Planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services’.

County of Middlesex Official Plan

The County of Middlesex Official Plan speaks to settlement areas in section 2.3.8. This section states ‘urban areas and community areas shall be the focus for future growth including residential, commercial and industrial development’. The County Official Plan also has a similar servicing hierarchy as the PPS, and prefers full municipal services within settlement areas.

The County of Middlesex's Official Plan in section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS. Specifically, the County encourages new development to proceed on the basis of full municipal services.

The County Official Plan provides a regional policy framework within which development proposals are to be evaluated. Section 3.2.1 of the County Official Plan dictates that growth within Middlesex is generally to be directed to the County's Settlement Areas in order to protect Agricultural Areas, protect natural heritage and promote efficient use of water and sewage services. It is noted that the detailed land use policies, and particularly those that pertain to development within settlement areas, are provided in the official plans of the County's member municipalities. Section 3.2.4.1 of the County Official Plan provides for a variety of land uses, including commercial uses, to be located in the Urban Areas of Middlesex.

#### Township of Lucan Biddulph Official Plan

In review of the Township of Lucan Biddulph's Official Plan, it is noted that the following contains a list of policies for consideration based on the existing and proposed site specific Official Plan Amendment.

The subject lands are split designated Highway Commercial and Agricultural in the Township of Lucan Biddulph's Official Plan.

Section 2.1.3 states areas designated 'Highway Commercial' are situated along Main Street towards the periphery of the Village. They are generally developed in a space extensive manner with buildings set back from the street and with generous provision for on-site parking in marked contrast to the intensive and compact form of development characteristic of the downtown core. The 'Highway Commercial' designation includes existing commercial development as well as lands considered suitable to accommodate future commercial needs.

In respect to the Highway Commercial designation, section 2.1.3.1 Land use states in areas designated 'Highway Commercial' on Schedule "A", uses will be characterized by those which cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, garden supply outlets, sale of bulk goods, restaurants and certain types of convenience retail and service outlets. The actual uses permitted shall be specified in, and regulated by, the provisions of the Zoning By-law.

Further to the above, section 2.1.3.2 states commercial development will be characterized primarily by buildings set back from the street and extensive areas for parking, outside storage and display. Efforts will be made to internally link adjacent development to minimize vehicle entrances and enhance public safety. In view of the location of areas designated 'Highway Commercial' at the main entrances to the Village and the tendency of highway commercial establishments to exhibit a non-distinctive appearance, a high standard of site design, creativity and amenities will be encouraged.

Section 8.4 of the Township Official Plan provides further direction regarding new lot creation through consent. As identified, lot creation by land severance or consent shall be evaluated in accordance with the following:

- a) Whether a plan of subdivision is considered necessary to ensure the proper and orderly development of the Township. Generally, a plan of subdivision shall not be considered necessary where the proposal represents a limited number of lots, the proposed lots front on an open public road and there is no other land under the same ownership adjacent to the lots proposed to be created and designated for the same type of development;
- b) Whether the proposed use and severance is in conformity with the policies and land use designations of this Plan and the Official Plan of the County of Middlesex;
- c) Whether the requirements of the Planning Act with respect to a plan of subdivision are satisfied;
- d) The effect of any relevant provincial policy statements issued pursuant to the Planning Act;
- e) The input received from public agencies.

Further, the policy states that issues arising out of the above evaluation may be addressed through conditions imposed to the granting of the severance, including entering into an agreement between the Municipality and the applicant pursuant to the Planning Act.

Section 8.10 of the Township Official Plan provides guidance and clarity around the site plan control process. Site plan shall address such requirements as the proposed use, the location of the buildings and structures, proposed ingress and egress, parking area, landscaping, grading and drainage, external lighting, buffering and other measures to protect adjoin lands.

#### Township of Lucan Biddulph Zoning By-law No. 100-2003

The current zoning, General Agriculture (A1) Zone requires a minimum lot area of 40 hectares, and a minimum lot frontage of 150 metres.

As previously noted in the background section, the applicant is seeking to rezone the proposed severed portion of land, that is currently designated Highway Commercial, to a 'site-specific' Highway Commercial Exception (C2-#) Zone. The applicant's proposal would also rezone the remnant parcel of land to a 'site-specific' General Agricultural Exception (A1-#) Zone to recognize the undersized lot area.

**Consultation:**

Notice of the application has been circulated to agencies, as well as property owners in accordance to the requirements to the Planning Act.

Public Comments:

At the time of the writing of this report, staff did not receive any comments from the public.

Agency Comments

- a) County Engineer – no comment.
- b) Hydro One – no comments or concerns at this time.
- c) Chief Building Official – no objection at this time to this application, however the applicant should be advised that all buildings must meet the separation distances outlined in the building code (which vary depending on a number of variables such building face construction types/windows)
- d) Manager of Public Works – Detailed comments for the water, sanitary, and storm water design will be further reviewed as additional information is provided. Further, a commercial development in this area will put pressure on the municipality to extend urban services to this property. This would include sidewalks, street lighting and road drainage.
- e) Ministry of Transportation - Thank you for circulating the Ministry of Transportation (MTO), we have completed our review of the proposed Consent to Sever and Zoning By-law Amendment to accommodate the development of multiple commercial retail units located at 20363 Richmond Street (Highway 4). The proposal has been considered in accordance with the *Public Transportation and Highway Improvement Act* (PTHIA) and MTO's highway access management guidelines.

The proposed severed land is located within the Lucan Connecting Link immediately adjacent to the Highway 4 provincial arterial highway property limit.

MTO has interest in any planning application that can impact the provincial highway network. The number and type of entrances along or near a highway have a direct impact on the operation and safety of the highway. MTO does not object to the Consent to Sever and Zoning By-Law to support a commercial development, however, the subject property falls within the MTO Highway 4 Permit Control Area (PCA), and as such, an MTO Building and Land Use Permit is required. As a condition of permit, MTO provides the following comments:

MTO approvals/permits are conditional upon our review and approval of a complete comprehensive submission. The Proponent shall submit an acceptable Site Plan,



Grading Plan, Drainage Plan and Site Servicing Plan for MTO review and approval for the proposed commercial development. These plans shall clearly identify all structures/works (existing and proposed) and all setbacks to MTO's property limit.

MTO has concerns with the proposed intersection spacing of the two westerly entrances due to their close proximity to the Highway 4 property limit. MTO will require a Traffic Impact Study (TIS) that assesses and analyzes the impact of the development to the road network, completed by a Registry, Appraisal and Qualification System (RAQS) approved traffic consultant. The report should provide supporting information to document if improvements are required and if they would extend into or affect the Highway 4 property limit. The owner should be aware that any highway improvements identified from our review and analysis of the study will be the sole responsibility of the owner, financially and otherwise. A Legal Agreement will be required to be entered into between the owner and MTO, whereby the owner agrees to assume financial responsibility for the design and construction all necessary highway improvements.

MTO recommends that the proponent should contact us prior to completion of the TIS to discuss the scope of work.

Storm Water Management - As a condition of MTO permits, to ensure that stormwater runoff from this property does not adversely affect our highway drainage system or highway corridor, MTO requires the owner to submit a Storm Water Management Report (SWMR) along with the above-noted grading/drainage plans for the proposed development for our review and approval.

MTO Stormwater Management Requirements for Land Development Proposals can be obtained from the following website:

<http://www.mto.gov.on.ca/english/engineering/drainage/stormwater/index.html>

Any encroachments and works identified within the Highway 4 property limit is subject to MTO conditions, approval and permits, prior to construction. All provincial highway property encroachments are strictly regulated and must meet all conditions set out by MTO, and as such, it is advantageous to the proponent for all servicing requirements to be identified on a Site Servicing Plan as early as possible. Additionally, please note that each individual service crossing/connection within MTO property limits requires a separate MTO Encroachment Permit.

The existing entrance onto Highway 4 located approximately 475 m east of Coursey Line may remain only for the current agricultural use of the retained lands. An MTO entrance permit will be required to define the current agricultural use.

### General

MTO is aware that the lands to be retained have been identified for possible future growth and residential use/plan of subdivision. MTO is supportive of residential growth in Lucan-Biddulph, however, it must be noted that there is insufficient distance from Coursey Line to the lands to be retained to accommodate a new municipal road connection within this section of Highway 4. As noted above, the existing access to the lands to be retained may continue for agricultural field access only.

In order to support and facilitate any future intensified access to the lands to be retained, as a condition of consent, MTO requires the establishment of a permanent easement over the lands to be severed, in order that such easement may eventually be redefined as a municipal road to serve any future development of the lands to be severed.

MTO looks forward to the advancement of this development, and we anticipates receiving additional plans and submissions as the project progresses. Please feel free to contact me directly should you have any questions or concerns.

### **Consent Recommendation:**

THAT **Applications for Consent B-13/2020**, filed by SBM Engineering and Planning c/o Laverne Kirkness on behalf of Paul and Sue Manders C/O Westdell Development Corporation, be received as information.

### **Rezoning Recommendation:**

THAT **Application for Zoning By-law Amendment ZBA 10/2020**, filed by SBM Engineering and Planning c/o Laverne Kirkness on behalf of Paul and Sue Manders C/O Westdell Development Corporation, be received as information.

### **Attachments:**

1. Location Map
2. Proposed Severance Plan
3. Conceptual Site Plan

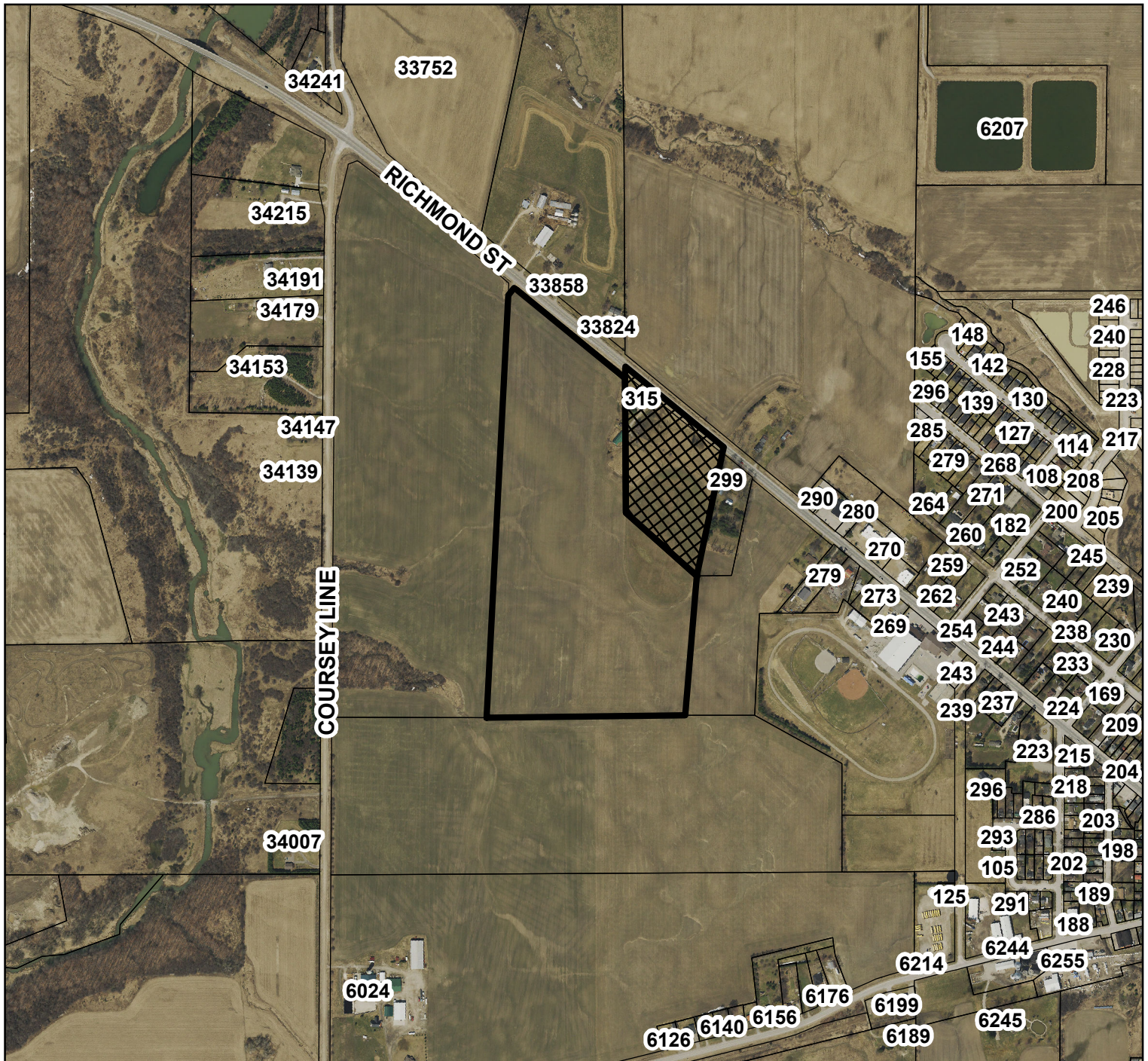

# APPLICATIONS FOR CONSENT: B13-2020 AND ZONING BY-LAW AMENDMENT: ZBA-10-2020

Paul and Sue Manders (Owners)  
SBM Engineering and Planning (Agent)





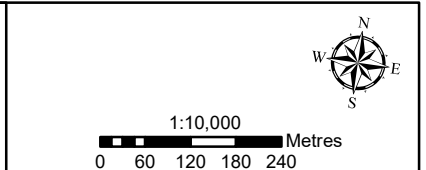
33799 Richmond Street  
Township of Lucan Biddulph

## Township of LUCAN BIDDULPH KEY MAP

Published by the County of Middlesex  
Planning Department  
399 Ridout Street North, London, ON N6A 2P1  
(519) 434-7321  
September 2020

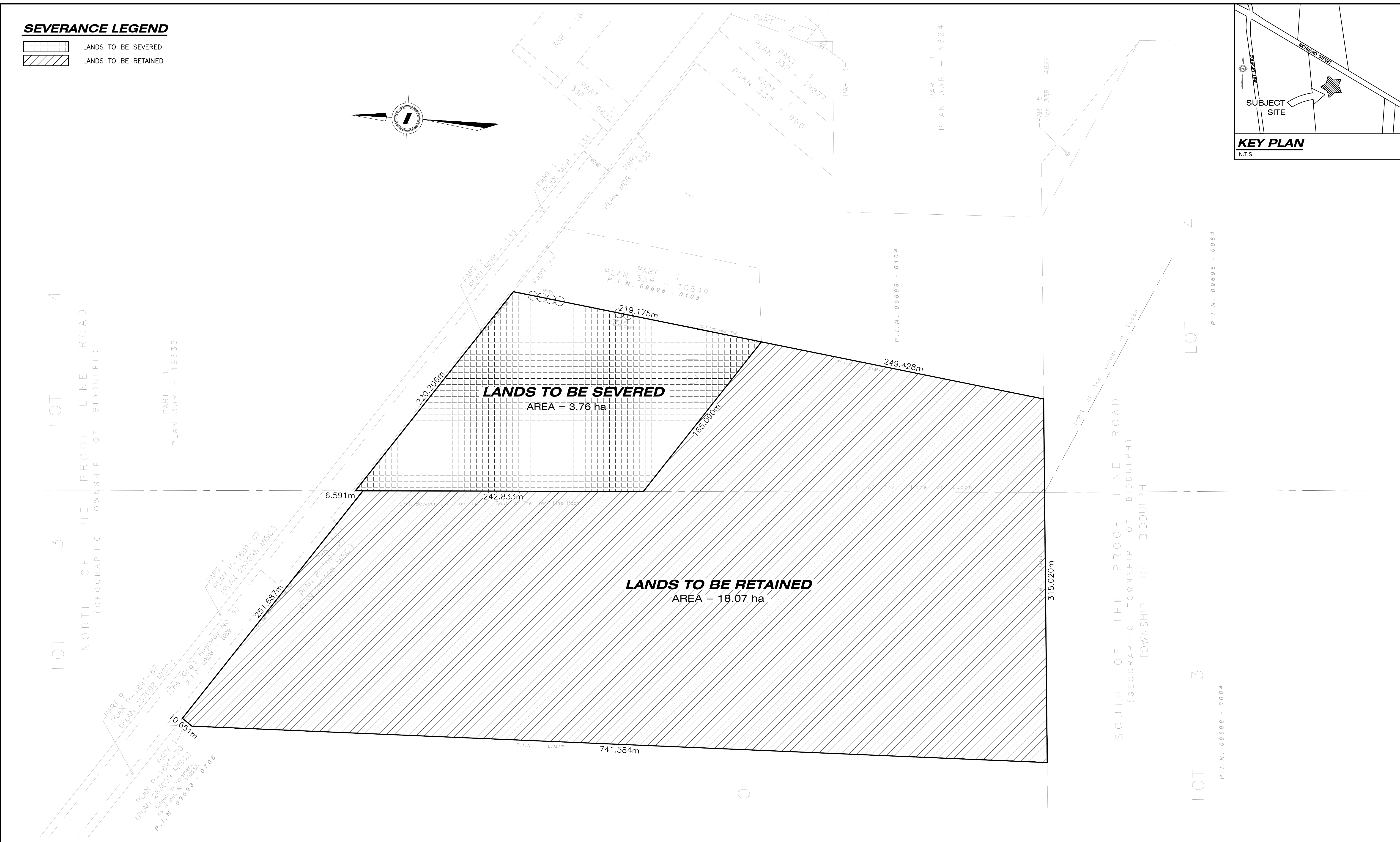
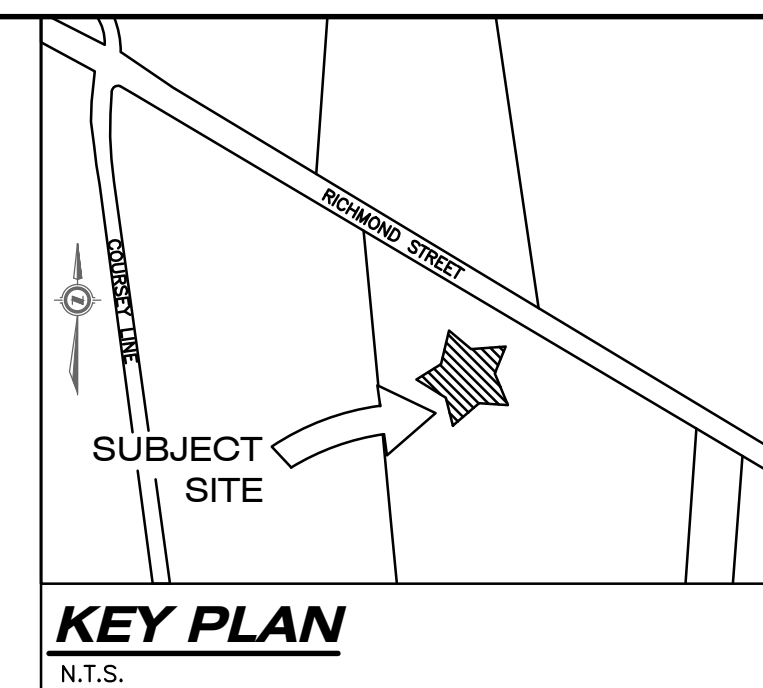
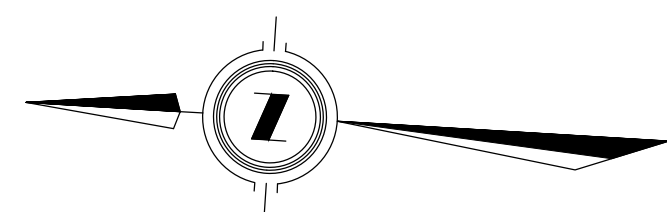
-  Lands to be retained
-  Lands to be severed and rezoned from 'Agriculture' to 'Site Specific Highway Commercial Exception (C2-#)'



1:10,000 Metres  
0 60 120 180 240  
ORTHOPHOTOGRAPHY: SWOOP 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.*

**SEVERANCE LEGEND**

-  LANDS TO BE SEVERED
-  LANDS TO BE RETAINED



AS CONSTRUCTED SERVICES	COMPLETION	No.	REVISIONS	D/M/Y	BY	CONSULTANT
	DESIGN	CJ	1	FOR DISCUSSION	24/08/20	CJ
	DRAWN	CJ				
	CHECKED	KK/KAM				
	APPROVED	KAM				
	DATE	21/08/2020				
	CAD	20-1919				

AS CONSTRUCTED SERVICES	COMPLETION	No.	REVISIONS	D/M/Y	BY	CONSULTANT
	DESIGN	CJ	1	FOR DISCUSSION	24/08/20	CJ
	DRAWN	CJ				
	CHECKED	KK/KAM				
	APPROVED	KAM				
	DATE	21/08/2020				
	CAD	20-1919				

**sbm STRIK BALDINELLI MONIZ**  
 CIVIL - STRUCTURAL - MECHANICAL - ELECTRICAL  
 1599 Adelaide St. N, Unit 301, London, Ontario, N5X 4E8  
 Tel: (519) 471-6667 Fax: (519) 471-0034  
 Email: sbm@sbmltd.ca

ENGINEER'S STAMP  
**PRELIMINARY  
 NOT FOR  
 CONSTRUCTION**

CLIENT  
**WESTDELL DEVELOPMENT CORPORATION**  
 782 RICHMOND ST.  
 LONDON, ON  
 N6A 3H5  
 P: 519.850.0000  
 E: INFO@WESTDELLCORP.COM

SCALE  
 SCALE - 1:1500  
 15.0 0 30.0m

TITLE  
**CONCEPTUAL PLAN OF SEVERANCE**  
**SEVERANCE SKETCH**  
 315 RICHMOND STREET  
 LUCAN, ON.

PROJECT No.  
**SBM-20-1919**  
 SHEET No.  
**SV2**  
 PLAN FILE No.  
 -

### WASTE REMOVAL

GARBAGE TO BE STORED EXTERNALLY IN DEEP WELL GARBAGE CONTAINERS AND OWNER TO ARRANGE SITE PICK-UP AND REMOVAL.

### CANADA POST

PROPOSED MAIL DELIVERY/PICK-UP TO BE DETERMINED BY CANADA POST.

### PERMITTED USES

- HIGHWAY COMMERCIAL (C2) ZONE:**
- ANIMAL CLINIC
  - CAR WASH
  - DRIVE-IN OR TAKE-OUT RESTAURANT
  - FINANCIAL INSTITUTION
  - GARAGE, PUBLIC
  - GARDEN CENTRE
  - GAS BAR
  - GENERAL RETAIL STORE
  - MARKET GARDEN
  - MOBILE FOOD OUTLET
  - MOTEL
  - MOTOR VEHICLE SALES ESTABLISHMENT
  - MOTOR VEHICLE SERVICE ESTABLISHMENT
  - RESTAURANT
  - SERVICE SHOP

### PARKING REQUIREMENTS

MINIMUM PARKING SPACE DIMENSIONS 2.7mX5.5m, MINIMUM B/F PARKING SPACE DIMENSION 3.7mX5.5m

**RETAIL STORE:**  
1 SPACE PER 30 m<sup>2</sup> OF FLOOR AREA

**DRIVE THROUGH RESTAURANT:**  
1 SPACE PER 5 SEATS  
VEHICLE STACKING = 12 SPACES

**CAR WASH:**  
1 SPACE + 2 SPACES PER BAY  
VEHICLE STACKING = 10 SPACES

**ON-SITE PARKING REQUIRED:**

TOTAL RETAIL AREA = 4243.43m <sup>2</sup> / 30m <sup>2</sup>	= 142 SPACES
DRIVE THROUGH RESTAURANT = 12 SEATING / 5	= 3 SPACES
CAR WASH	= 3 SPACES
GAS BAR	= 2 SPACES
TOTAL PARKING REQUIRED	= 150 SPACES
TOTAL PARKING PROVIDED	= 277 SPACES

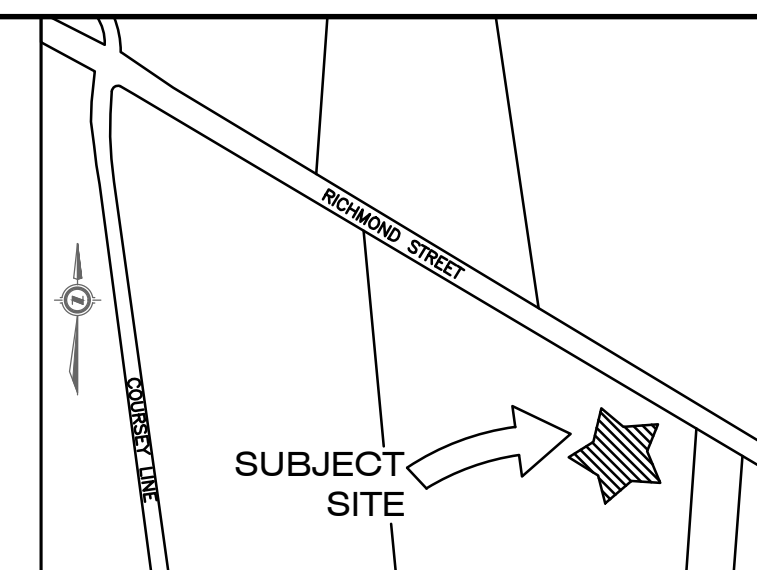
**BARRIER FREE PARKING REQUIRED = 4% OF 277** = 12 SPACES  
**BARRIER FREE PARKING PROVIDED** = 12 SPACES

**TOTAL ON-SITE PARKING PROVIDED:**  
277 SPACES + 12 BARRIER FREE SPACES + 22 STACKED SPACES = 311 SPACES

### ZONING DATA CHART

ITEM	C2	REQUIRED	PROVIDED
1	PERMITTED USES	COMMERCIAL USES	COMMERCIAL USES
2	LOT AREA (m <sup>2</sup> MIN)	4000.0	28,989.72
3	LOT FRONTAGE and DEPTH(m MIN)	60.0 and 60.0	220.21 and 145.05
4	FRONT YARD AND INTERIOR SIDE YARD SETBACK (NORTH) (m MIN)	15.0 6.0	3.0* 3.0*
5	REAR YARD AND INTERIOR SIDE YARD SETBACK (SOUTH) (m MIN)	10.0 6.0	7.50* 28.48
6	LOT COVERAGE (% MAX)	25.0	15.32
7	LANDSCAPED OPEN SPACE (%) MINIMUM	NOT APPLICABLE	23.29
8	HEIGHT (m MAX)	10.0	10.0
9	VEHICLE PARKING	SEE PARKING REQUIREMENTS NOTE	SEE PARKING REQUIREMENTS NOTE

\* SITE SPECIFIC ZONING REQUIRED



### KEY PLAN

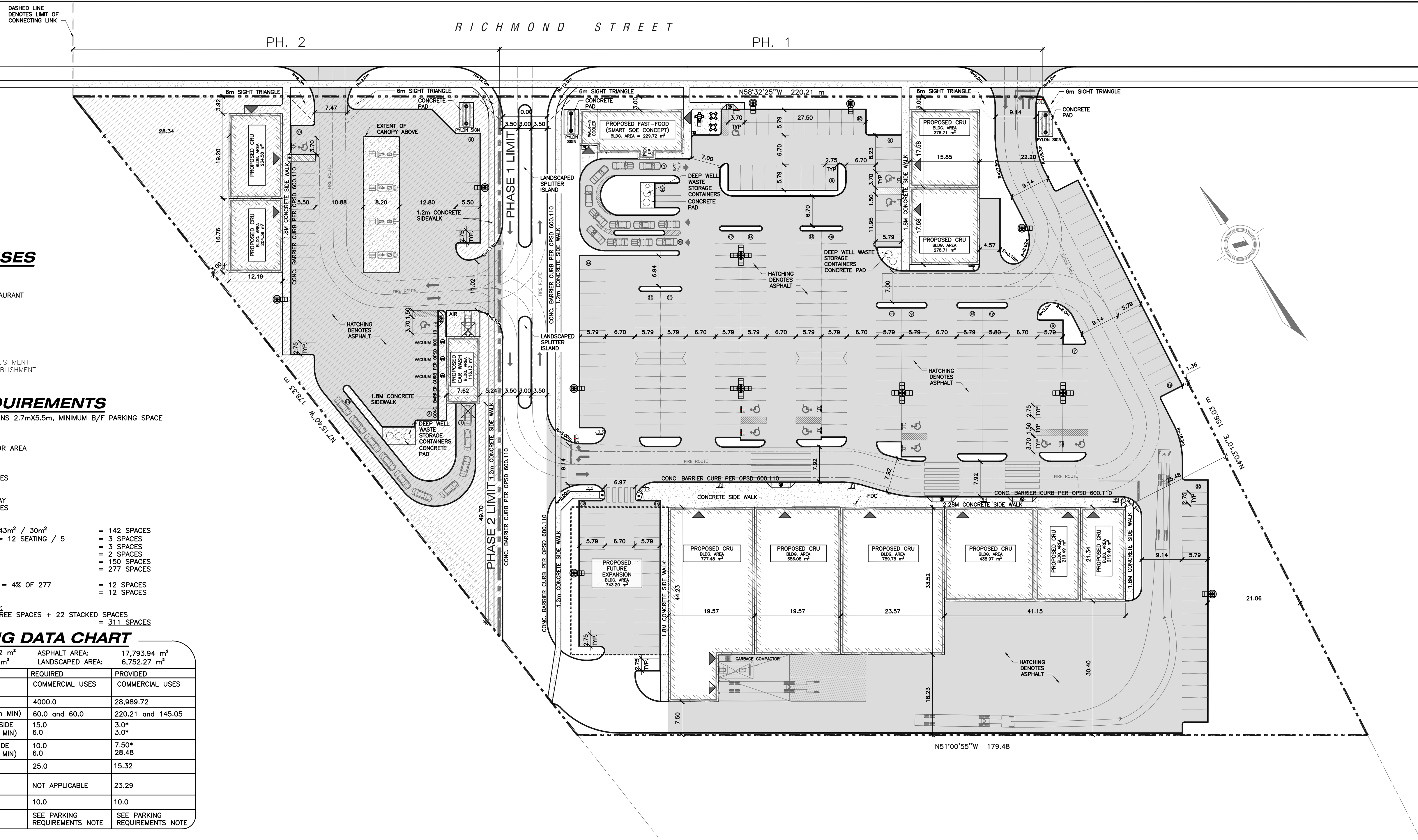
N.T.S.

### LEGAL INFORMATION

PART OF LOT 4  
SOUTH OF THE PROOF LINE ROAD  
(GEOGRAPHIC TOWNSHIP OF BIDDULPH)  
IN THE TOWNSHIP OF LUCAN BIDDULPH  
COUNTY OF MIDDLESEX

### LEGEND:

- PROPOSED FIRE ROUTE SIGN
- PROPOSED STOP SIGN
- PROPOSED B/F PARKING SIGN
- PROPOSED BARRIER FREE ROUTE
- PROPOSED FIRE ROUTE (6.0m WIDE, 12.0m RADIUS)
- PROPOSED RAMP (SEE DETAIL ON SP2)
- BUILDING ENTRANCE
- OVERHEAD DOOR
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- PROPOSED BUILDING
- LIMITS OF PROJECT BOUNDARY
- PHASE 2

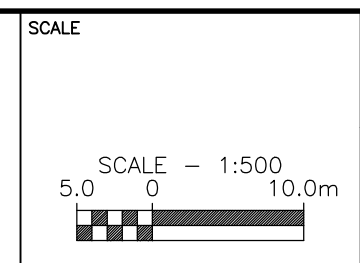


AS CONSTRUCTED SERVICES	COMPLETION	No.	REVISIONS	D/M/Y	BY	CONSULTANT
	DESIGN	CJ	1	ISSUED FOR ZONING BY-LAW AMENDMENT	05/08/2020	CJ
	DRAWN	CJ	2	ISSUED FOR ZONING BY-LAW AMENDMENT	11/08/2020	CJ
	CHECKED	KK/KAM	3	ISSUED FOR ZONING BY-LAW AMENDMENT	23/09/2020	CJ
	APPROVED	KAM				
	DATE	23/09/2020				
	CAD	20-1919				

**STRIK BALDINELLI MONIZ**  
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782 RICHMOND ST.  
LONDON, ON  
N6A 3H5  
P: 519.850.0000  
E: INFO@WESTDELLCORP.COM



TITLE  
**CONCEPTUAL SITE PLAN & ZONING DATA CHART**  
**THE GLENN'S SHOPPING CENTRE**  
315 RICHMOND STREET  
LUCAN, ON.

PROJECT No.  
**SBM-20-1919**  
SHEET No.  
**SP1**  
PLAN FILE No.  
-

# The Corporation of the Township of Lucan Biddulph Council Minutes

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

**Also Present:** R. Reymer-CAO/Clerk, T. Merner-Deputy Clerk, J. Little-Public Works Manager, K. Langendyk-Treasurer, P. Smith-Parks & Recreation Manager, L. deBoer-Economic Development Coordinator

## **Call To Order**

Mayor C. Burghardt-Jesson called the meeting to order at 6:00 pm. The meeting took place electronically with the Mayor and CAO/Clerk in attendance at the Township office and all other attendees via electronic participation.

## **Declaration of Pecuniary Interest & Nature Thereof**

None

## **Announcements**

Welcome to Councillor Regan's Senior Society Challenge & Change Class who are joining us via the livestream as part of a class discussion and subsequent assignment for the class. We've got a little of everything this evening and we all hope you finish the evening with a little more of an understanding how municipal government works and how our decisions and the things we are responsible for directly affect you.

Since 1992 the Government of Canada under the Status of Women umbrella has recognized October as Women's History Month. The theme this year is #BecauseofYou. The theme is to encourage celebrating women and girls in Canada who have made and continue to make a lasting impact on our country.

I would encourage you to visit the Status of Women Canada website to learn more. There you will find a gallery featuring Canadian Women of Impact and a timeline of women in Canadian History. We are so fortunate to have this history of women in leadership and mentoring positions for in some cases 100's of years.

It is not lost on me; the role I play as a female municipal leader. In Middlesex County, the council table is as close to parity as it can get. At the County level and more importantly tonight, in Lucan Biddulph, we have strong women in highly visible senior positions. I am extremely proud of the environment of inclusion and acceptance here in Lucan Biddulph.

Outside our doors, our community is so fortunate to have women who are not afraid to do better for our community. During the month of October, please think of our community and our women leaders who make Lucan Biddulph a better place because of the roles they take on.

## **Public Meeting Under Planning Act, R.S.O. 1990, c.P.13**

### **1/ Public Meeting**

*Moved by A. Westman*

*Seconded by D. Regan*

*Resolved that the Council of the Township of Lucan Biddulph adjourn its regular meeting at 6:00 p.m. in order to convene a Public Meeting under Section 34 and 17 of the Planning Act, R.S.O. 1990, as amended.*

**CARRIED**

### **a) OPA-1-2020 and ZBA-2-2020 – 280 Main Street, Lucan - (Lock and Zelinka Priamo Ltd.)**

D. Fitzgerald reviewed planning report PL-15-2020. He noted that a public meeting was previously held on June 25, 2020 and in light of concerns received from the public with respect to height and density, the applicant has revised the proposal and is now seeking to develop the site in two phases. Phase 1 would see a 4-storey residential complex containing 54 units encompassing the rear of the subject property and phase 2 would see a 4-story mixed-used building containing 36 residential units and 1615 sq. ft. of commercial space on the ground floor of the building. D. Fitzgerald noted the applicant is seeking site-specific zoning provisions for

minimum front yard depth of 16.5m, maximum height of 14.6m, minimum rear yard setback of 5m and parking space reduction for the commercial space. He further noted the proposed official plan amendment seeks to establish residential uses in the highway commercial designated portion of the lands. D. Fitzgerald also noted that the developer is proposing to contain mechanical equipment on the top of the building which would see an additional height of up to 9 feet in the centre of the building.

No comments were received from any members of the public.

Comments were received from the applicant's agent Harry Froussios of Zelinka Priamo Ltd. and John Knifton. Mr. Froussios advised this proposal satisfies most of the comments and concerns raised at the public meeting and Mr. Knifton added they have attempted to create a project that they believe will be good for the community of Lucan.

Questions from council were received and discussion took place regarding the additional height to house the mechanical equipment, the ratio of 1 to 2 bedroom units being proposed, accommodation for the existing medical clinic in the current building, site plan provisions, the demographic that the developer is aiming for, affordability and current market rate rent of approximately \$1400 monthly more or less, the Official Plan review and update that is currently taking place, effect of an appeal that has been filed against another apartment building proposal that was approved by council earlier this summer and the parking reduction request for the commercial space which the developer is hopeful will be the medical clinic. Mayor C. Burghardt-Jesson added that a tenant of the current building has forwarded a letter with concerns regarding future space for her business. She noted that this business has been in our community for approximately 11 years and would like to see it continue to remain in our community. Further discussion took place regarding Council's concerns with the uncertainty of knowing what the final product will be and the developer advised they wish to maintain a certain level of flexibility throughout the design process, however the drawings they have provided mimic a similar project they are working on in the Town of Exeter.

**2/ OPA-1-2020 (Lock and Zelinka Priamo Ltd.)**

*Moved by D. Regan*

*Seconded by D. Manders*

*Resolved that Council directs staff to bring back a draft by-law to adopt the proposed Official Plan Amendment for 280 Main Street, Lucan.*

CARRIED

**3/ OPA-1-2020 and ZBA-2-2020 (Lock and Zelinka Priamo Ltd.)**

*Moved by A. Westman*

*Seconded by D. Regan*

*Resolved that Council receives the planner's report no. PL-15-2020 as information.*

CARRIED

**4/ Adjourn Public Meeting**

*Moved by A. Westman*

*Seconded by D. Manders*

*Resolved that Council adjourn the public meeting at 6:55 p.m. and reconvene its regular meeting to continue with its deliberations.*

CARRIED

**Delegations**

**a) Court of Revision**

**5/ Appointment of Members for Court of Revision**

*Moved by D. Regan*

*Seconded by A. Westman*

*Resolved that the Council of the Corporation of the Township of Lucan Biddulph be appointed to the Court of Revision for the Hodgins Drain "Branch B" 2020 and that Mayor Cathy Burghardt-Jesson be appointed as chair for the Hodgins Drain "Branch B" 2020 Court of Revision.*

CARRIED

Mayor C. Burghardt-Jesson welcomed Mike DeVos from Spriet & Associates to the meeting.

M. DeVos advised that the Court of Revision gives the assessed property owners a chance to appeal the assigned assessment and distribution. He further noted that the Drainage Act states that appeals should be received 10 days in advance of the Court of Revision however Council does have the ability to accept appeals at the Court of Revision. M. Devos and J. Little confirmed that that no appeals have been submitted to date.

No questions were received from Council.

R. Reymer advised that Tim Foster has requested to make a verbal appeal.

**6/ Accept Verbal Appeal**

Moved by A. Westman

Seconded by D. Regan

Resolved that Council accepts Mr. Foster's request to submit a verbal appeal during the Court of Revision for the Hodgins Drain "Branch B" 2020.

CARRIED

Mr. Foster advised that his property has been assessed \$4,145.00 which he feels is quite high for a residential property. He further noted he is proposing that the assessment that deals with the direct construction costs be divided equally amongst the large number of urban properties since the net benefit is the same for all, his included. Mr. Foster also advised it is a solid pipe that will run through his land that essentially doesn't benefit his property and represents an impediment to the future use of the land.

M. DeVos reviewed the details of the assessments and stipulations of the Drainage Act. He noted there are different materials and a different location of the drain from revisions that were requested by Mr. Foster from the original report, which were granted and added additional costs. Discussion took place regarding grant provisions, the existing municipal drain that runs through Mr. Foster's land, the difference between sewer pipe and farm tile, agricultural drains versus urban drains and the process of moving assessment to other benefiting lands. J. Little advised that any work commenced to date has been undertaken by the farmer on his own land as he feels it is beneficial to start this time of year and acknowledges it is his complete responsibility. J. Little further noted that costs are higher on this portion of the drain due to the items that have been requested by Mr. Foster. He further noted that most urban properties included on the assessment are on the outlet side of the drain not the benefit which attributes to the difference in costs. J. Little further advised that the tender results will be presented later in the meeting and the results represent an approximate 42% savings from the original estimate of costs which will bring costs to the assessed owners down somewhat.

**7/ Hodgins Drain "Branch B" 2020**

Moved by D. Manders

Seconded by D. Regan

Resolved that the assessments for the Hodgins Drain "Branch B" 2020 be confirmed as presented in the Engineer's report dated July 9, 2020 and revised report dated August 27, 2020 and that the Court of Revision for the Hodgins Drain "Branch B" 2020 be closed.

CARRIED

**b) Dean Croker, OPP Detachment Coordinator**

Dean Croker attended to present the Lucan Biddulph summary activity report for the period of January – August 2020. Mr. Croker noted there are some discrepancies in the report following page 1 and advised he will provide a revised year to date report the beginning of 2021. Mr. Croker further noted that Middlesex OPP have partnered with the Canadian Mental Health Association (CMHA) and will soon have a dedicated mental health clinician on staff that will be able to attend calls with officers when a call relates to mental health issues. Discussion took place regarding changes in policing over the years, time standard definition on the billing summary report, changes seen during COVID-19, speeding issues on roadways and statistics reflected regarding sexual assaults in the Township. Mr. Croker noted that the sexual assaults statistic was one of the errors made in the report and the correct number was two in 2019 and one in 2020. Mr. Croker further advised there was an increase in domestic and family disturbance during the quarantine phase of COVID-19 however less property crime. Deputy Mayor D. Manders asked if there is anything Lucan Biddulph can do to enhance the relationship with the OPP to ensure the longevity of the OPP station in our community. Mr. Croker advised there has been no consideration of closure of Lucan station to date however will provide contact information for communication regarding this particular topic.

Discussion then took place regarding the amendments to the Highway Traffic Act regarding off-road vehicles. R. Reymer advised that previously no by-law was passed to permit off-road vehicles on our roadways. Mr. Croker advised council that OPP can deal with off-road vehicles as long as they are on a local road or highway and that without a bylaw in place permitting off-road vehicles OPP can charge citizens when driving on local roads. J. Little noted the Ministry is requesting that we implement a by-law to keep off-road vehicles off streets and that a by-law will come forward later this year.



Discussion also took place regarding security cameras for entrance and exits points of our community and the benefit that would provide to the OPP. Mr. Croker advised he would find out the feasibility of pursuing this option.

### **8/ OPP Billing Summary Report**

*Moved by A. Westman*

*Seconded by D. Regan*

*Resolved that Council receives the OPP Billing Summary report as presented by Dean Croker for information.*

CARRIED

### **c) Andrew Henry, Direction Regional Water Supply Lake Huron & Eglin Area Water Supply Systems**

Mr. Henry attended to present management options for the Lake Huron & Eglin Area Water Systems. He explained the outcomes of maintaining the existing structure of the local board governing authority, and the pros and cons of moving towards either a Municipal Services Board or a Municipal Services Corporation. Discussion took place regarding the degree of dependence or independence of water systems, the votes given to each municipality based on its size, the importance of having the majority of 15 municipalities agree to the same option and the development of a steering committee to refine recommendations. Mayor C. Burghardt-Jesson thanked Mr. Henry for his attendance and presentation.

### **9/ Municipal Services Boards, Municipal Corporations and the Lake Huron & Elgin Water Supply Systems**

*Moved by A. Westman*

*Seconded by D. Regan*

*Resolved that Council receives the report as presented by Andrew Henry for information.*

CARRIED

### **Adoption of Minutes**

#### **10/ Minutes**

*Moved by A. Westman*

*Seconded by D. Regan*

*Resolved that the regular Council minutes of September 15, 2020 and the closed session meeting minutes of April 21, 2020, July 14, 2020, August 11, 2020 and September 15, 2020 -be approved as circulated.*

CARRIED

### **Business Arising**

Mayor C. Burghardt-Jesson noted all items are on-going at this time and D. Manders requested that follow-up with the OPP be added to the list.

### **Correspondence**

R. Reymer commented on the letter received from Minister Steve Clark regarding changes to the Community Benefit Charges. R. Reymer advised he will be seeking advice from our consultant's BM Ross Engineers with respect to what these changes mean for Lucan Biddulph going forward.

### **11/ Receive Communication Reports**

*Moved by P. Mastorakos*

*Seconded by A. Westman*

*Resolved that Items 9 a) through 9 b) 1-21 (Correspondence) be received for information.*

CARRIED

### **Committee Reports**

CEDC

L. deBoer reviewed report no. EDC-05-2020 and noted some updates including progress on the Community Improvement Plan, grants received to local businesses in extending their patio seasons, progress with a new township website and the upcoming shop local campaign.

### **Staff Reports**

CAO/Clerk

R. Reymer reviewed report no. CAO-13-2020. He also advised council that effective October 6, masks will be required by all staff and visitors inside common areas of the municipal buildings. This applies to the municipal office, community centre and fire station buildings. If staff are contained within their individual offices, they will not be required to wear a mask.

### **12/ Department update report No. CAO-13-2020**

*Moved by  
Seconded by  
Resolved that Council receives report no. CAO-13-2020 as information.*

**CARRIED**

T. Merner reviewed report no. CL-08-2020 regarding the Employee Code of Conduct. Discussion took place regarding the procedure for filing complaints and the role of the CAO, Mayor and Council in administering same, as well as the possibility of further training for council on governance and their roles and accountabilities as council members. Questions were also raised regarding the legal costs involved for review of the policy in question.

**13/ Employee Code of Conduct concerns**

*Moved by A. Westman  
Seconded by D. Manders  
Resolved that Council accept the recommendation as presented by the Deputy Clerk in report no. CL-08-2020 and that no further review of the Respect in Workplace (Harassment and Violence) policy be pursued at this time.*

**CARRIED**

**14/ Consultant review regarding Governance and Accountability as Councillors**

*Moved by P. Mastorakos  
Seconded by D. Regan  
Resolved that Council direct staff to pursue options for having a consultant provide governance training and review the roles and accountability of Councillors.*

**CARRIED**

*Finance*

K. Langendyk reviewed report no. FIN-12-2020 and noted that she intends to bring reports of this nature forward on a more regular basis in the future. Discussion took place regarding the next round of COVID-19 funding and K. Langendyk advised we did not see a lot of financial changes during the pandemic and that municipalities with larger departments such as transit experienced greater losses. She further noted this will be a topic of discussion at her next Treasurer's meeting.

**15/ Budget to Actual Report No. FIN-12-2020**

*Moved by A. Westman  
Seconded by D. Regan  
Resolved that Council receives report no. FIN-12-2020 as information.*

**CARRIED**

*Public Works*

J. Little reviewed report no. PW-24-2020 regarding the tender results for the Hodgins Drain "Branch B" 2020. He noted that four bids were received and Robinson Farm Drainage submitted the lowest bid of \$109,406.60 including HST.

J. Little reviewed report no. PW-25-2020 regarding damage caused to the Township road allowance by a resident who removed trees earlier this year. He advised that a result of this incident staff realized there is currently no by-law in place relating to damage caused to the road allowance or right-of-way and recommended that council consider having a by-law put in place similar to one brought forward by the Municipality of Middlesex Centre earlier this year.

J. Little reviewed report no. PW-26-2020 regarding public safety and traffic calming measures. He noted that traffic calming measures are meant for local roads with posted speed limits of 50 km/h or less. J. Little described what passive measures are noting this is usually the best avenue to pursue for traffic calming. He further noted it is also important to continue to analyze traffic and what is happening on our local roads which was done recently on Watson Street and Nicoline Avenue over an eight-week period. Discussion took place regarding community involvement with signs, perception of speed, posting lower speed limits, use of delineators and possibility of purchasing another speed awareness sign.

**16/ Public Safety and Traffic Calming Measures Report No. PW-26-2020**

*Moved by A. Westman  
Seconded by D. Regan  
Resolved that Council receives report no. PW-26-2020 as information.*

**CARRIED**

J. Little reviewed report no. PW-27-2020 regarding the public works department update. He noted some good news just received being that Lavis Contracting will be starting construction on Saintsbury Line next Tuesday, October 13<sup>th</sup> which is Phase 1 of the traffic light project. J. Little added that storm water installed along Saintsbury Line is the first goal of the project with the aim of having the traffic lights portion started in spring of 2021.

**17/ Public Works update report No. PW-27-2020**

*Moved by P. Mastorakos*

*Seconded by A. Westman*

*Resolved that Council receives report no. PW-27-2020 as information.*

CARRIED

*Parks & Recreation*

P. Smith reviewed report no. PR-13-2020 regarding rink board advertisements inside the ice surface of the community centre. Discussion took place regarding offering advertisement space to other local businesses and P. Smith advised there will be a cost for the board stickers and due to COVID-19 restrictions there will be less traffic inside the arena this season which limits the benefit of advertising for businesses.

P. Smith reviewed report no. PR-14-2020 regarding public skating options for the 2020-21 season in light of COVID-19 restrictions. P. Smith advised that staff is proposing to open up some daytime and evening available ice-time slots for residents wishing to skate at a cost of \$5.00 per person. He further suggested that pre-registration would be required and a maximum of 18 skaters would be permitted on the ice.

**Councillor's Comments**

Mayor C. Burghardt-Jesson advised that the annual report from the Ontario Ombudsman is available and can be downloaded as well for those wishing to review same. She further noted that the Mobile COVID-19 testing site provided by the Middlesex London paramedics was hosted in our community last week and will be in Ilderton and Komoka this week and that no appointment is needed.

**18/ Municipal Agriculture Economic Development & Planning Forum 2020**

*Moved by D. Manders*

*Seconded by A. Westman*

*Resolved that Council authorizes Daniel Regan and Lisa deBoer to attend the 2020 Virtual Municipal Agriculture Economic Development & Planning Forum hosted by Huron County on November 18 and 19th, 2020 at a registration cost of \$60.00 (plus HST) each.*

CARRIED

**19/ Hodgins "Branch B" Drain 2020**

*Moved by P. Mastorakos*

*Seconded by D. Regan*

*Resolved that Council authorizes the Manager of Public Works to accept the tender for the Hodgins Drain - Branch "B" from Robinson Drainage in the amount of \$109,406.60 including HST and award same upon final reading of the by-law.*

CARRIED

**20/ Right-of-Way Protection By-law**

*Moved by D. Regan*

*Seconded by A. Westman*

*Resolved that Council directs staff to prepare a by-law for Council review that protects the right-of-ways of the Township.*

CARRIED

**21/ Public Skating**

*Moved by D. Manders*

*Seconded by D. Regan*

*Resolved that Council directs staff to implement the augmented winter programming as outlined in report no. PR-14-2020 at a rate of \$5.00 per person including HST for the winter 2020-21 season.*

CARRIED

**22/ Rink Board Advertisements**

*Moved by A. Westman*

*Seconded by P. Mastorakos*

*That Council accepts the recommendation of the Parks & Recreation Manager as presented in report no. PR-13-2020 at the October 6, 2020 council meeting.*

CARRIED

**23/ Confirming**

*Moved by A. Westman*

*Seconded by D. Manders*

*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:*

- 45-2020 Temporary Road Closure By-law (Remembrance Day)*
- 46-2020 Confirming By-law*

CARRIED

**24/ Adjournment**

*Moved by A. Westman*

*Seconded by D. Regan*

*Resolved that the Council meeting be adjourned at 10:39 p.m.*

CARRIED

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

DRAFT

**Business Arising – Minutes of October 6, 2020**

<b>Discussion Item</b>	<b>Minutes Action</b>	<b>Follow-up</b>	<b>Date to be Completed/or Update on Status</b>
Lucan OPP station	OPP Inspector Dean Croker to provide point of contact info. with respect to longevity of Lucan OPP station	CAO to provide information to Council	November 2020
Governance Training for Council	Staff to obtain quotes for a consultant to provide governance training and review roles and accountability of Councillors	Costs to be discussed during budget	Budget Discussion

**Previous Meetings**

<b>Discussion Item</b>	<b>Minutes Action</b>	<b>Follow-up</b>	<b>Date to be Completed/or Update on Status</b>
Affordable Housing	Investigate available options for providing affordable housing in Lucan	Staff to provide information and options for consideration	ongoing
Industrial Park Phase 2 lands	Ensure enough land retained surrounding Sewage Treatment Plant for future expansions and setback requirements	Staff to develop a plan moving forward	ongoing
Feasibility Report – Phase 2 Community Centre Project	Campaign Coaches provided report regarding feasibility study conducted	Staff to provide report with recommendation	ongoing
Future Development Lands	Proceed with comprehensive review	Staff to provide updates	ongoing
Roads Analysis	Cost benefit analysis	Staff complete a cost benefit analysis report for council	ongoing

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M7A 2J3  
Tél.: 416 585-7000

234-2020-4374

October 8, 2020

Dear Heads of Council and Chairs of District Social Services Administration Boards:

On August 28, 2020, our government announced its intention to stabilize rent by introducing legislation this fall to ensure that the vast majority of families do not see a rent increase in 2021.

On October 1, 2020, the *Helping Tenants and Small Businesses Act, 2020* received Royal Assent. The Act amends the *Residential Tenancies Act, 2006* (RTA), to deliver on the commitment to freeze residential rent increases in 2021 to give the vast majority of Ontario tenants some relief and financial security as we continue to recover from the pandemic.

The amendments set the 2021 rent increase guideline to zero per cent and freeze annual rent increases starting January 1, 2021 and lasting until December 31, 2021. The rent freeze applies to the majority of rental units that are covered by the RTA, including:

- Newly built units occupied for the first time on or after November 15, 2018, which are typically exempt from the rent increase guideline;
- Purpose-built rental apartments, condos, houses and basement apartments;
- Rented sites in mobile home parks and land lease communities;
- Care homes, including retirement homes;
- Affordable housing units created through various federally and/or provincially funded programs; and
- Households living in community housing that receive rent-geared-to-income (RGI) assistance or pay low end of market rent, with the exception of non-profit housing co-op members who pay market rates.

The Ministry of Municipal Affairs and Housing is committed to engaging the community housing sector through consultations under the Community Housing Renewal Strategy to monitor and understand the impacts of the rent freeze, as we work together to mitigate the financial impacts of COVID-19 on Ontarians, increase housing affordability, and deliver on our goal to sustain and grow the community housing system.

-2-

The Act is available [online here](#) and additional details can be found [online here](#).

On behalf of our government, I would like to extend our thanks for your support in working with the ministry to support tenants during this challenging time. We welcome your continued input and look forward to continuing to work with our municipal partners in the coming months.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark  
Minister

**Ministry of the Solicitor General**

Public Safety Division

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3Telephone: (416) 314-3377  
Facsimile: (416) 314-4037**Ministère du Solliciteur général**

Division de la sécurité publique

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037**October 15, 2020****MEMORANDUM TO:** Municipal CAOs**SUBJECT:** Court Security and Prisoner Transportation Program Review

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The Ministry of the Solicitor General (ministry) is committed to keeping communities across Ontario safe, supported and protected.

As you may recall, in August 2020, the ministry communicated to stakeholders and municipalities that a Request for Services would be issued to retain an external vendor to review programs that support the delivery of court security and inmate transportation across the province, including the Court Security and Prisoner Transportation (CSPT) Transfer Payment (TP) Program. Under the CSPT TP Program, the ministry allocates funding to municipalities to offset costs associated with both court security and prisoner transportation services to and from courts.

The ministry has now retained an independent consultant, Goss Gilroy Inc. (GGI), with expertise in public safety and security to conduct the review, following a competitive procurement process.

In the upcoming weeks, Goss Gilroy Inc. will engage ministry stakeholders – including municipalities, police services and other justice sector partners – to help assess and identify improvements to the court security and inmate transportation process and the design of the CSPT TP Program.

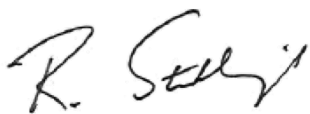
The review will explore best practices and ways to improve the delivery of services, streamline processes and maximize effectiveness to ensure the continued safety of Ontarians. This continuous improvement effort is part of the government's ongoing work to build a more responsive and resilient justice system.



Page 2

Throughout this process, the safety of Ontarians and frontline staff will remain the ministry's top priority.

Be well and stay safe,

A handwritten signature in black ink, appearing to read "R. Stubbings". The signature is written in a cursive, flowing style.

Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division

Fire Marshal's

# COMMUNIQUE

du commissaire des incendies

October 6, 2020

**No.** 2020-18

## Staffing Levels and Firefighter Safety

The Office of the Fire Marshal (OFM) is aware of the Interest Arbitration decision involving the City of Greater Sudbury dated August 31, 2020<sup>i</sup>. In light of the discussions arising as a result of the decision, I have determined that it is appropriate to provide an interpretation of the *Fire Protection and Prevention Act, 1997* (“the Act”)<sup>ii</sup>. These considerations are made in accordance with my Order in Council and fully based on the powers, duties, and responsibilities as set out in the Act. I provide the following information for municipal consideration, as applicable.

The intent of the Act is to establish minimum mandatory service levels with respect to public education and fire prevention, as well as to provide municipal council the authority to determine, based on community needs and circumstances, a desired level of fire protection services beyond the minimum requirements and including emergency response capabilities. As set out in legislation, a fire chief is the person who is ultimately responsible to their municipal council for the delivery of fire protection services. Municipal council sets or amends the fire protection service levels within their respective municipality. The establishment of fire protection service levels for emergency response within a municipality is the legislative responsibility and prerogative of municipal council, informed by the advice and guidance of the fire chief. The OFM has the authority to monitor, review and advise municipalities respecting the provision of fire protection services and to make recommendations to municipal councils for improving the efficiency and effectiveness of those services.

In 2018, Ontario enacted the Community Risk Assessment, a regulation under the Act (O. Reg 378/18)<sup>iii</sup>. A community risk assessment is a process of identifying, analyzing, evaluating and prioritizing risks to public safety to inform decisions about the provision of fire protection services. Municipalities set the level of service and delivery methods based on their needs and circumstances as informed by the community risk assessment, in consideration of the advice and guidance of the fire chief.

Fire departments are required to respond to numerous types of emergency calls, including (but not limited to), motor vehicle collisions, medical emergencies, rescue, hazardous materials and other technical operations and fire suppression. In terms of appropriate staffing levels on first arriving vehicles, consideration must be given to the following:

- Standard Operating Guidelines/Procedures (SOG/Ps) must be in place and enforced to align with the fire protection services provided under the Establishing and Regulating By-law. These should address, among other things, the issue of firefighter safety.
- Within the SOG/Ps, the discretion of trained and competent Incident Commanders must be empowered and supported to make on-scene decisions based on the specifics of the incident.

- All firefighters must be trained to comply with the SOG/Ps and the direction of the Incident Commander.
- An initial response, with four or more firefighters represents a self-sufficient unit able to perform a substantial number of tasks required at an emergency response without additional resources. Anything less than four firefighters typically requires staffing levels to be augmented to safely perform all required functions based on circumstances.
- Deployment models of fewer than 4 staff members on an initial response apparatus is not necessarily a firefighter safety concern, however actions/capabilities and tasks they can perform will be limited. Local deployment models and procedures are required to establish adequate resources to safely provide fire protection services as set out by the municipal Establishing & Regulating By-law. Therefore, the simultaneous arrival of four firefighters on one apparatus is not required under the Act, regardless of full-time, volunteer or part-time.
- In the case of fire suppression calls, initial crews of less than four firefighters should not attempt interior suppression or rescue operations except in very limited circumstances (such as a victim collapsed in close proximity to a window or exterior doorway, or where the fire is confined to a very small, readily accessible area).

While the council of each municipality is responsible for establishing their respective fire protection service levels, as the employer, they must ensure that employees (under the direction of the fire chief) are provided with SOG/Ps, equipment and training to safely carry out the mandated duties. Council decides if these services are to be delivered by volunteer, composite or full-time departments.

Therefore, in my opinion and considering all of the above factors, the decision to set, alter or adjust fire protection service levels in any municipality lies with the council of that municipality, in consideration of advice and guidance provided by the fire chief.

The OFM remains available to provide advice and assistance to municipal council and fire chiefs, through your local fire protection adviser.

## Endnotes

<sup>i</sup> [Interest Arbitration](#) - The City of Greater Sudbury and the Sudbury Professional Fire Fighters Association Local 527, International Association of Fire Fighters and Ontario Volunteer Firefighters Association, Christian Labour Association of Canada Local 92. Re: Val Therese Staffing Issue

<sup>ii</sup> [Fire Protection and Prevention Act, 1997](#)

## Definitions

1 (1) In this Act,

“fire chief” means a fire chief appointed under subsection 6 (1), (2) or (4); (“chef des pompiers”)

“fire department” means a group of firefighters authorized to provide fire protection services by a municipality, group of municipalities or by an agreement made under section 3; (“service d’incendie”)

“firefighter” means a fire chief and any other person employed in, or appointed to, a fire department and assigned to undertake fire protection services, and includes a volunteer firefighter; (“pompier”)

“Fire Marshal” means the Fire Marshal appointed under subsection 8 (1); (“commissaire des incendies”)

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“fire protection services” includes,

- (a) fire suppression, fire prevention and fire safety education,
- (b) mitigation and prevention of the risk created by the presence of unsafe levels of carbon monoxide and safety education related to the presence of those levels,
- (c) rescue and emergency services,
- (d) communication in respect of anything described in clauses (a) to (c),
- (e) training of persons involved in providing anything described in clauses (a) to (d), and
- (f) the delivery of any service described in clauses (a) to (e); (“services de protection contre les incendies”)

#### **Municipal responsibilities**

**2** (1) Every municipality shall,

- (a) establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
- (b) provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

#### **Services to be provided**

(3) In determining the form and content of the program that it must offer under clause (1) (a) and the other fire protection services that it may offer under clause (1) (b), a municipality may seek the advice of the Fire Marshal.

#### **Fire chief, municipalities**

**6** (1) If a fire department is established for the whole or a part of a municipality or for more than one municipality, the council of the municipality or the councils of the municipalities, as the case may be, shall appoint a fire chief for the fire department.

#### **Responsibility to council**

(3) A fire chief is the person who is ultimately responsible to the council of a municipality that appointed him or her for the delivery of fire protection services.

#### **Appointment of Fire Marshal**

**8** (1) There shall be a Fire Marshal who shall be appointed by the Lieutenant Governor in Council.

#### **Powers of Fire Marshal**

**9** (1) The Fire Marshal has the power,

- (a) to monitor, review and advise municipalities respecting the provision of fire protection services and to make recommendations to municipal councils for improving the efficiency and effectiveness of those services;
- (c) to advise and assist ministries and agencies of government respecting fire protection services and related matters;

#### **Duties of Fire Marshal**

(2) It is the duty of the Fire Marshal,

- (b) to advise municipalities in the interpretation and enforcement of this Act and the regulations;

iii [O. Reg. 378/18 Community Risk Assessments](#)

October 8, 2020

Ms. Cathy Burghardt-Jesson  
Warden, County of Middlesex  
399 Ridout Street North  
London, ON N6A 2P1

Dear Warden Burghardt-Jesson,

Re: Monthly Board of Health Update – September 2020

Please find the September Board of Health meeting update attached to this memo. The attached update includes links to reports reviewed at the September Board of Health and Standing Committee meetings, as well as links to the minutes from each meeting.

Please distribute this correspondence to all Middlesex County Municipalities.

Sincerely,



Maureen Cassidy  
Chair, Middlesex-London Board of Health

cc:

Kurtis Smith, Past Warden, Middlesex County  
Bill Rayburn, CAO, Middlesex County  
Kathy Bunting, Clerk, Middlesex County  
Middlesex County Municipalities c/o Kathy Bunting



**MIDDLESEX-LONDON BOARD OF HEALTH**  
**Meeting Update**

**BOARD OF HEALTH MEETING – [September 17, 2020](#), 6:30 p.m.**

*Please note: This document contains draft versions of motions only from this meeting. Significant discussion on many items is not captured here, but will be available in the approved minutes that will be published after the meeting of the following month.*

[Complete agenda package link](#) (PDF 9MB)

Minutes: [July 16, 2020 Board of Health meeting](#)  
[July 29, 2020 Special meeting of the Board of Health meeting](#)  
[September 10, 2020 Special meeting of the Board of Health](#)  
[September 10, 2020 Finance & Facilities Committee meeting](#)

Reports	Reports Received and Approved by the Board of Health
<p><b>Finance &amp; Facilities Committee Meeting – September 3, 2020</b></p> <p><a href="#">(Report 040-20)</a></p>	<p><b>Audited Consolidated Financial Statements for Middlesex-London Health Unit, March 31, 2020 (Report No. 020-20FFC)</b>                      It was moved by Ms. Elliott, seconded by Ms. DeViet, <i>that the Board of Health review and approve the audited Consolidated Financial Statements for Middlesex-London Health Unit, March 31, 2020, as appended to Report No. 020-20FFC.</i></p> <p style="text-align: right;">Carried</p>
	<p><b>Q2 Financial and Factual Certificate Update (Report No. 021-20FFC)</b>                      It was moved by Ms. Elliott, seconded by Mr. Peer, <i>that the Board of Health;</i></p> <ol style="list-style-type: none"> <li>1) <i>receive Report No. 021-20FFC re “Q2 Financial and Factual Certificate Update” for information;</i></li> <li>2) <i>Approve the allocation of up to \$40,000 of variance funds to support the development of a strategy to address anti-black racism; and</i></li> <li>3) <i>Approve the allocation of variance funds, above those required to offset the agency gapping budget, to relocation related expenses to a maximum of \$250,000 in 2020.</i></li> </ol> <p style="text-align: right;">Carried</p>
	<p><b>2021 PBMA Criteria and Weighting (Report No. 022-20FFC)</b>                      It was moved by Ms. Elliott, seconded by Mr. Reid, <i>that the Board of Health approve the 2021 PBMA criteria and weighting that is proposed in Appendix A to Report No. 022-20FFC.</i></p> <p style="text-align: right;">Carried</p>
	<p><b>Emergency Contract Award (Report No. 023-20FFC)</b>                      It was moved by Ms. Elliott, seconded by Mr. Peer, <i>that the Board of Health receive Report No. 023-20FFC, re: “Emergency Contract Award” for information.</i></p> <p style="text-align: right;">Carried</p>

2020 September 17

- 2 -

	It was moved by Ms. Elliott, seconded by Mr. Peer, <i>that the Board of Health receive Report No. 040-20 re: "Finance &amp; Facilities Committee Meeting – September 10, 2020" for information.</i> Carried
<b>Monitoring Impacts of the COVID-19 Pandemic and Related Public Health Measures</b>  <a href="#">(Report No. 041-20)</a>	It was moved by Ms. Elliott, seconded by Mr. Reid, <i>that Report No. 041-20 re: "Monitoring Impacts of the COVID-19 Pandemic and Related Public Health Measures" be received for information.</i> Carried
<b>COVID-19 Surveillance Testing on Farms</b>  <a href="#">(Report No. 042-20)</a>	It was moved by Mr. Parker seconded by Mr. Brennan, <i>that Report No. 042-20 re: "COVID-19 Surveillance Testing on Farms" be received for information.</i> Carried
<b>Update on Provincial COVID-19 Case and Contact Management (CCM) System</b>  <a href="#">(Report No. 043-20)</a>	It was moved by Mr. Peer, seconded by Ms. DeViet, <i>that Report No. 043-20 re: "Update on Provincial COVID-19 Case and Contact Management (CCM) System" be received for information.</i> Carried
<b>COVID-19 Update Verbal Report</b>	It was moved by Mr. Reid, seconded by Ms. Elliott, <i>that the Board of Health receive "COVID-19 Verbal Update" for information.</i> Carried
<b>Medical Officer of Health Activity Report for September</b>  <a href="#">(Report No. 044-20)</a>	It was moved by Mr. Brennan, seconded by Mr. Parker, <i>that the Board of Health receive Report No. 044-20 re: "Medical Officer of Health/CEO Activity Report for September" for information.</i> Carried
<a href="#">Correspondence</a>	It was moved by Mr. Reid, seconded by Ms. Elliott, <i>that the Board of Health receive items a) through j) for information.</i> Carried



# MINUTES

## BOARD OF DIRECTORS MEETING

Thursday, September 17, 2020

Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

VIA VIDEO CONFERENCE

### DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Mike Tam, Marissa Vaughan, Alex Westman

### STAFF PRESENT

Geoff Cade, Tim Cumming, Davin Heinbuck, Brian Horner, Abbie Gutteridge, Daniel King, Tracey McPherson, Kate Monk, Judith Parker, Sharon Pavkeje, Meghan Tydd-Hrynyk, Angela Van Niekerk, Ross Wilson

### CALL TO ORDER

Chair Doug Cook called the virtual meeting to order at 10:15 a.m. and welcomed everyone in attendance. He thanked staff for organizing the meeting and stated the procedures for voting and asking questions would be by show of hand.

### ADOPTION OF AGENDA

**MOTION #BD 61/20**

**Moved Ray Chartrand  
Seconded by George Irvin**

**“RESOLVED, THAT the agenda for the September 17, 2020 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

Chair Cook stated that the meeting was being recorded for the public to view, and a link would be posted on the ABCA website.



ADOPTION OF MINUTES**MOTION #BD 62/20****Moved by Marissa Vaughan  
Seconded by Alex Westman**

**“RESOLVED, THAT the minutes of the Board of Directors virtual meeting held on July 16, 2020 and the motions therein be approved as circulated.”**

**Carried.**

BUSINESS OUT OF THE MINUTESArmstrong West Erosion Control Project

Ross Wilson, Water & Soils Resource Coordinator provided an update on the quote received for undertaking the repairs to the Armstrong West Erosion Control project along the shore of ‘Chicken Island’ in Lambton Shores. At the previous Board meeting, staff were authorized to commit up to \$20,000 towards repairs and contact the engineering consultant who led the original project. The proposal was received from AECOM, (previously THS) at a quote that exceeded the upset limit.

**MOTION #BD 63/20****Moved by Bob Harvey  
Seconded by Ray Chartrand**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority not accept the proposal from AECOM due to the higher than anticipated costs, and**

**FURTHER, THAT staff seek quotes from other competent engineering firms for the completion of the investigation.”**

**Carried.**

PROGRAM REPORTS1. (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 35 *Applications for Permission* and 26 *Minor Works Applications*.

(b) Violations/Appeals Update

Daniel King, Regulations Coordinator provided an update on some violation files. He advised the court date has been deferred until October for the charges at Beach o’ Pines in Municipality of Lambton Shores. Staff are investigating a property matter in North Middlesex that is adjacent to municipal lands. Staff recently received a report about a deck built over the bank in the Municipality of Bluewater and the landowner had cleared vegetation as well. Also in Bluewater, staff are working with a landowner regarding a shore wall structure.

**MOTION #BD 64/20**

**Moved by Adrian Cornelissen  
Seconded by Alex Westman**

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

**Carried.**

**2. Stewardship Funding Projects Review**

Angela Van Niekerk, Wetlands Specialist presented 18 project applications eligible for funding assistance through the Canada Nature Fund for wetland restoration, sediment and nutrient reduction activities, fragile land retirement, and cover crops to improve aquatic habitat in the Ausable River for freshwater mussels and fish that are species at risk. Through the Environment Canada Eco-Action grant, there were 4 wetland restoration projects eligible for funding assistance.

**MOTION #BD 65/20**

**Moved by Dave Jewitt  
Seconded by Marissa Vaughan**

**“RESOLVED, THAT the Board of Directors approve the projects eligible for stewardship program funding as presented.”**

**Carried.**

**3. Rock Glen CA Parking Lot Reconstruction**

Kate Monk, Stewardship, Land and Education Manager reported that due to the pandemic, Rock Glen CA has been exceptionally busy and gate fee revenue is much higher than anticipated. The increased use has taken a toll on the main parking area and needs upgrading with granular material.

**MOTION #BD 66/20**

**Moved by Bob Harvey  
Seconded by Mike Tam**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority tender to upgrade the main parking lot to granular surface at Rock Glen Conservation Area, and**

**FURTHER, THAT the work be completed in 2020 with an upset limit of \$35,000 using funds from the surplus revenue at Rock Glen Conservation Area.”**

**Carried.**

**4. Fall 2020 Education Programs during Covid-19 Pandemic**

Kate Monk advised the Board that the ABCA Educators returned to work on September 1, 2020 after their furlough due to the pandemic. They are contacting school boards, principals and teachers to inform them the ABCA is available to provide conservation education programming in school yards or in class and meet Covid-19 safety protocols. A grant has been received from the Grand Bend Community Foundation for developing a webinar to provide the teachers with tips on instructing in the outdoor environment, using school yards or nearby green spaces. Components include child behaviour while outdoors, being ready for weather changes, risks and opportunities. Also being explored are smaller education pods, students being home-schooled and youth organizations.

**MOTION #BD 67/20**

**Moved by Mike Tam  
Seconded by George Irvin**

**“RESOLVED, THAT the update on delivering outdoor education to students during Covid-19 be received as presented.”**

**Carried.**

**PRESENTATION**

Geoff Cade, Water & Planning Manager provided a presentation on the ABCA shoreline structure approval process. He explained that the application process starts when all supporting documents are submitted. A checklist is available to guide the applicant through the requirements for obtaining a permit. The formal turnaround time is 4-6 weeks, however ABCA staff strive to complete the permit in a much shorter timeframe provided appropriate design plans are submitted with the application. During 2020, there have been 100 shore protection permits issued to date, and 40 more are being reviewed or waiting on coastal engineering reports. It was noted that applications are being submitted for development in regulated areas throughout other parts of the watershed, not just the shoreline. Recently, there has been media coverage of concerned landowners and contractors waiting on approvals for shore protection structures. In response to the concerns raised, staff conveyed that sometimes the landowner is unaware the contractor did not submit the required plans and so the permit is held up. Staff are looking at various options to mitigate these kinds of delays by only having the landowner provide the application.

George Irvin inquired on when the Ministry of Natural Resources & Forestry (MNR) gets involved. Geoff Cade advised that the ABCA permitting process falls under Section 28 of the *Conservation Authorities Act*. Applicants may also need a permit from Ministry of Environment, Conservation and Parks or Department of Fisheries & Oceans.

Chair Cook thanked Mr. Cade for clarifying what the regulations staff require to keep the shoreline structures permit process moving along efficiently and the challenges that will be addressed.

**MOTION #BD 68/20**

**Moved by Alex Westman  
Seconded by George Irvin**

**“RESOLVED, THAT the information provided in the presentation be received as presented.”**

**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 69/20**

**Moved by Ray Chartrand  
Seconded by Bob Harvey**

**“RESOLVED, THAT the minutes of the Ausable Bayfield Conservation Foundation meeting held on September 3, 2020 and the motions therein be approved as circulated.”**

**Carried.**

CORRESPONDENCE

- a) Reference: Thank you  
File: A.5.1  
Brief: A note of thanks from Janet Peters to Planning and Regulations Officer, Meghan Tydd-Hrynyk for her assistance through their permit application process.
- b) Reference: Official Plan Amendment  
File: L.2.2  
Brief: Correspondence to the Board from Michael and Janet Kurasz regarding their concerns with the application to amend the Official Plan (Port Blake Secondary Plan) in South Huron, by Tridon Group to change the 130 acre green belt Zone RC3 Recreational Commercial to Residential R1, R2, R3. Brian Horner advised that the ABCA makes recommendations on land use planning matters, but it is the municipality that is responsible for accepting or denying Official Plan amendments.
- c) Reference: Armstrong West Erosion Control Structure Repair  
File: W.3.16.3.14  
Brief: Correspondence from property owner, Michael Addley, regarding Section 8 of the easement agreement between himself, Municipality of Lambton Shores and ABCA for restoration of property whenever there is maintenance or construction on the erosion control structure at Armstrong West (Chicken Island).
- d) Reference: Armstrong East ATV Media Report  
File: L.4.51  
Brief: Copy of correspondence from Lois Gilmour to Minister Jeff Yurek (MECP), regarding a CTV media interview with a resident who is calling on the province to allow all-terrain vehicle use through The Pinery to Armstrong East, Port Franks where motor vehicles are restricted.
- e) Reference: Resignation  
File: P.1.  
Brief: A letter of resignation was received from Judith Parker advising of her retirement on September 25, 2020 as Corporate Services Coordinator at Ausable Bayfield Conservation Authority; Secretary of Ausable Bayfield Conservation Foundation and Secretary of the Huron Tract Land Trust Conservancy.

**MOTION #BD 70/20**

**Moved by Adrian Cornelissen  
Seconded by Ray Chartrand**

**“RESOLVED, THAT the Board of Directors accept the resignation of Judith Parker and express their appreciation for the 32 years of service, and**

**FURTHER, THAT Abigail Gutteridge be welcomed as Corporate Services Coordinator and appointed Secretary of the Ausable Bayfield Conservation Foundation and Huron Tract Land Trust Conservancy.”**

**Carried.**

NEW BUSINESS

Brian Horner advised that, at this time, the majority of directors wish to continue meeting by video-conference for the upcoming budget committee and monthly Board meetings.

COMMITTEE OF THE WHOLE

**MOTION #BD 71/20**

**Moved by Dave Jewitt  
Seconded by Bob Harvey**

**“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 11:36 a.m. to discuss a property matter with Kate Monk, Ian Jean, Abbie Gutteridge, Brian Horner and Judith Parker remaining in attendance.”**

**Carried.**

**MOTION #BD 72/20**

**Moved by Alex Westman  
Seconded by Mike Tam**

**“RESOLVED, THAT Committee of the Whole rise and report at 11:45 a.m.”**

**Carried.**

**MOTION #BD 73/20**

**Moved by George Irvin  
Seconded by Ray Chartrand**

**“RESOLVED, THAT staff should continue negotiations with the landowners on the possible property acquisition as presented.”**

**Carried.**

ADJOURNMENT

The meeting was adjourned at 11:47 a.m.

\_\_\_\_\_  
Doug Cook  
Chair

  
\_\_\_\_\_  
Judith Parker  
Corporate Services Coordinator

*Copies of program reports are available upon request.  
Contact Judith Parker, Corporate Services Coordinator*



# MINUTES

## BUDGET COMMITTEE

Thursday, October 8, 2020

Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

## VIA VIDEO CONFERENCE

### DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Marissa Vaughan, Alex Westman

### DIRECTORS ABSENT

Mike Tam

### STAFF PRESENT

Bev Brown, Geoff Cade, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Mary Lynn MacDonald, Tracey McPherson, Kate Monk, Mari Veliz

### CALL TO ORDER

Chair Doug Cook called the meeting to order at 9:35 a.m. and welcomed everyone in attendance.

### ADOPTION OF AGENDA

#### **MOTION #BD 74/20**

**Moved by Dave Jewitt  
Seconded by Bob Harvey**

**“RESOLVED, THAT the agenda for the October 8, 2020 Board of Directors Budget Committee 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 2021 BUDGET

General Manager Brian Horner provided an overview of the 2021 budget preparation by staff, as well as the format for the information session. Each department will present the budget for their program and a summary of the individual projects that are proposed for 2021. He noted the difference in the proposed 2021 budget and what was originally brought forward in the five year forecast. This change reflects a consideration of the current pandemic situation and the effect that it may have on member municipalities. Staff prepared the budget with a 1% wage increase on the pay grid.

### Corporate Services

Brian Horner presented the consolidated Corporate Services budget, and provided an overview of the services provided by this department. The proposed replacement of the Annex roof in 2020 was not completed, and as such, has been deferred to 2021. It is also proposed to begin the consultation process for making accessibility upgrades to the Administration Office in 2021. The amount of \$5,000 continues to be set aside annually in a reserve to meet building accessibility legislation.

### Education

Kate Monk, Stewardship, Lands and Education Manager presented the Conservation Education budget. Revenue for providing effective and meaningful outdoor education experiences comes from the municipal levy, program fees, donations, foundations, provincial and federal governments. Staff promote environmental awareness through classroom programs, field trips, day camps, the water safety awareness program, community presentations and special events. It was noted that 2020 saw some challenges for Conservation Education department, due to both labour unrest in the education system and the cancellation of in-school learning in mid-March due to the pandemic. The 2021 education program and budget is based on the premise that school programs can be delivered in schoolyards or virtually in classrooms, and with the expectation that field trips, special events and day camps will take place in some capacity starting in spring 2021. In addition, the education staff have developed several programs for home-schoolers, online learners and families, adhering to COVID protocols.

### Floodplain Management

Geoff Cade, Water & Planning Manager presented the four main components of the floodplain management program. They include the maintenance of 16 erosion control projects, 7 flood control projects, the flood forecasting and warning system and the Port Franks ice management project. Since 1996 the Ministry of Natural Resources and Forestry (MNRF) has provided a 50% grant toward three of the projects; however, for 2021 only a 23% funding grant is expected. New projects include repairs of the erosion protection at Walker Drain, concrete repairs at Morrison Dam, as well as safety railing replacement at Morrison Dam.

### Environmental Monitoring

Mari Veliz, Healthy Watersheds Manager and Tracey McPherson, GIS/IT Coordinator, and Davin Heinbuck, Water Resources Coordinator assisted Geoff Cade in presenting the Planning and Regulations program and Environmental Monitoring project factsheets and budgets. In some cases, funds are deferred to meet the funder's year end. Mari Veliz explained that some projects are fully funded through other partners, but that the project levy contribution often leverages other sources of funding, some substantial, to undertake environmental and monitoring

projects, one example of which is the Ausable River Recovery project. There are no new projects proposed for 2021; however, there are a number of phased or ongoing projects. The Natural Heritage Systems Plan will build on the outcomes of the analysis of the Nairn Creek subwatershed to better integrate permitting site visits with conservation education about the importance of small, natural features on the landscape. Additionally, work at the Huronview Demonstration Farm will continue with the Huron Country Soil and Crop Improvement Association and the County of Huron. Tracey McPherson noted that the South Western Ontario Orthophotography Project (SWOOP) captured high quality aerial photography in 2020, and will be acquired in 2021. This is a key dataset for all ABCA programs and activities. Additionally, the relocation of the Exeter Stream Gauge Station, which deferred in 2020, has been confirmed to go ahead in 2021.

#### Drinking Water Source Protection

Mary Lynn MacDonald, DWSP Co-Program Supervisor presented the Drinking Water Source Protection budget. There are no levy dollars allocated to the Drinking Water Source Protection budget. The Province funds ongoing mandatory implementation responsibilities for Source Protection Authorities. The implementation body for each source protection policy coordinates implementation costs. In August 2020, the province posted the proposed Phase II Directors Technical Rules on the Environmental Registry. This will require a revision of policies, and may increase the number of properties requiring a Risk Management Plan.

By agreement, ABCA delivers Risk Management Services for eight municipalities. These agreements are in place until December 2020. Currently, negotiations are underway for a three-year renewal of services for these municipalities.

The province has stated a commitment to this program, but as yet there has been no confirmation of ongoing funding.

#### Property Management

Kate Monk summarized the goals of managing the ABCA properties and water bodies, which includes conservation areas, wildlife areas, management areas, conservation forests and agricultural land. Property management revenue is generated from timber harvests, farm land rental and the Parkhill CA campground lease. Any surplus in property management through woodlot harvesting operations is used to compensate for the shortfall in the recreation services budget for maintaining conservation areas. The ongoing invasive species management project will continue in 2021, with the continued control of phragmites and developing strategies for other species control such as Giant Hogweed, Japanese Knotweed and Gypsy Moth.

#### Recreation Services

Kate Monk explained that the ABCA provides essential recreation areas for municipal residents and tourists. The routine maintenance of facilities at the conservation areas is carried out by ABCA employees. The ABCA has a part-time contract with one individual to provide property patrol and enforcement duties. Revenue is generated by gate fees at Rock Glen Conservation Area, hunting passes and community donations. Proposed new projects for 2021 are the protection of supports for the elevated boardwalk at Bannockburn Conservation Area, installing eavestroughs on the Arkona Lions Museum and Information Centre, as well as installing an outdoor boardwalk and accessible door to make the lower level of the building accessible.



Finally, a third new project is to install rock to protect the low flow crossing and downstream bank from erosion at Rock Glen Conservation Area.

### Stewardship

Kate Monk reviewed the private-land stewardship budget wherein staff provide one-on-one technical advice, site visits, and assistance with paperwork in connecting landowners with cost-share funding to maximize grants for their stewardship projects. The annual goal is to complete 100 projects. Expenses in the stewardship program are offset with tree sales, providing tree planting plans, phragmites management spraying and forest management plans for clients. The County of Huron continues to provide grants to landowners for stewardship projects through the very successful Huron Clean Water Project, and in 2020 Middlesex County introduced the Middlesex County Clean Water Project. Both of these programs will continue in 2021. There are no municipally funded grants available in Lambton or Perth Counties for landowners to access a similar cost-share program to improve rural water quality. Other projects that will take place in 2021, pending funding, include Canada Nature Fund, Ministry of Natural Resources Species at Risk Fund, EcoAction, and Forests Ontario Foundation.

### Vehicle and Equipment

Kate Monk presented the vehicle and equipment motor pool budget. There is no project or general levy required for the vehicle and equipment budget as the revenue received when charging mileage and equipment rates to the users' programs offsets expenses. In 2021, the ABCA plans to replace the 2010 Dodge Ram pick-up truck with a similar vehicle.

### Project Levy

Brian Horner presented the proposed project levy summary for 2021 at \$224,463 as compared to \$275,897 in 2020. This includes ongoing, phased and new projects proposed for 2021. The project levy dollars will be leveraged with other sources of funding to undertake projects totaling \$909,547.

### General Levy

The general levy proposed for 2021 total \$1,108,907 in comparison to \$1,068,047 in 2020.

### Proposed 2020 Budget

The proposed fee schedule and pay grid were presented for review as these figures were used in preparing the consolidated budget. The combined project and general levies total \$1,336,370 (0.56 per cent decrease) as compared to \$1,348,296 in 2020. Brian Horner reminded the directors that not every program area is sustained by levy dollars, and that staff did their best to reflect the effect of the pandemic on member municipalities.

The Board indicated that they would like to see the apportionment calculations provided by the province. Brian Horner agreed that he would send this information to the Directors.

Initial comments from the Board were positive on the presentation of a reasonable budget for review. Further direction and discussion will be held at the next Board meeting on October 15, 2020.

### NEW BUSINESS

None

ADJOURNMENT

The meeting was adjourned at 11:55 a.m.

\_\_\_\_\_  
Doug Cook  
Chair

*Abigail Gutteridge*  
Abigail Gutteridge  
Corporate Services Coordinator



# General Manager's Report

## October 15, 2020

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.

At the recent Conservation Ontario Council meeting, the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks, updated Council on the *Conservation Authorities Act* review process. He indicated that they are gathering all information from previous information sessions and hopes to introduce new regulations and or legislation during the current parliamentary session, which is set to end in early December.

### Projects, Programs and Studies

1. The Administration Centre continues to be closed to the public due to COVID-19. As of May 22<sup>nd</sup> all ABCA properties were opened to the public with facilities to remain closed. The majority of staff are now working in the office with some still working remotely from home. For this and other Notices of Disruptions visit the ABCA website (abca.ca) at this web page: [www.abca.ca/news/disruptions](http://www.abca.ca/news/disruptions)
2. ABCA continues to ensure the delivery of essential services and programs during this time. These services and programs include flood forecasting and warning; operation and maintenance of water control structures; communications; municipal support and property support. Staff continue to review development applications and issue permits as efficiently as possible.
3. DWSP/RMO staff are in the process of working with municipalities on preparing new RMO agreements for the next three years. Current agreements expire at the end of 2020. The new agreements will take into consideration new technical rules that are being introduced by the province.
4. Staff continue to complete fish surveys in the Ausable River for our fish index station, sampling program as a deliverable for our Canada Nature Fund Funding.
5. Staff have also been conducting fish sampling for Department of Fisheries & Ocean funded drain classification program. The purpose of this project is to classify “not rated” drains to help guide drain maintenance. In addition to the work being done in the ABCA watershed, the Maitland Valley CA has also hired us again this year to do similar sampling within their watershed.
6. Staff have worked with a number of landowners restoring and constructing wetlands in our watershed. A number of site visits have also occurred for potential new wetland

- projects.
7. Staff have been working with Ontario Streams to organize a stream restoration on the Old Ausable Channel. Work took place on October 1<sup>st</sup>.
  8. Hope Bock has been organizing landowners for fall soil sampling with funding coming from a Private Foundation. Enrolled landowners will be receiving funds through the on-going cover crop boost program.
  9. As part of a multi-part social media campaign staff have worked on and completed several cover crop videos.

## Meetings and Special Events

- 1 The Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee (SPC) had a meeting on Wednesday September 30, via Zoom video conference. Amongst other things proposed Phase II technical Rules Amendments were discussed. The committee is also looking for a municipal representative to replace David Blaney who attended his last meeting.
- 2 Mary Lynn MacDonald and Donna Clarkson participated in a DWSP Project Managers meeting on September 16 to discuss transfer payments and reporting requirements as well as a Risk Management Official seminar on September 29<sup>th</sup>. Both via Zoom.
- 3 Brian Horner, participated in the Conservation Ontario Council meeting on September 28<sup>th</sup> via zoom. This was the first Council meeting of the year. Meetings are usually held quarterly but the first two were cancelled due to COVID-19. Wayne Emerson, representing Lake Simcoe Region CA, was reelected as Chair of Conservation Ontario.
- 4 With the Education Department staff back they are starting to book some outdoor Education programs. They have introduced new programs called Oaks and Acorns (preschoolers with caregiver); Science Outdoors (primary, junior, intermediate, half day program); and Outdoor school (all day; ages 9-13) For more information please contact Denise Iszczuk at 519-235-2610.
- 5 Mari Veliz, along with a representative from the University of Maryland, were asked to present on the Watershed Report Cards to representatives from five watershed organizations in the Greater Detroit Area. The presentation was done on October 1<sup>st</sup> via Zoom.
- 6 While we regretfully announce that Judith Parker has retired, we are happy to announce that Abbie Gutteridge has been hired as the new Corporate Services Coordinator.
- 7 Kate Monk and Nathan Schoelier attended the Huron Clean Water project Review Committee on September 11<sup>th</sup>. Between Maitland Valley CA and ABCA there was 101 projects presented for funding approval.
- 8 Ian Jean participated in a Gypsy Moth meeting with Lambton County, Lambton Shores and Plympton Wyoming. Discussions included how to proceed with spraying if needed next year, proposed egg mass counts on some properties and that private landowners and residents associations will be making their own decisions and arrangements at their own cost with respect to moth management.



**BOARD OF DIRECTORS**

**Thursday, October 15, 2020**

**Ausable Bayfield Conservation Authority Administration Centre  
Morrison Dam Conservation Area  
VIA VIDEO CONFERENCE**

**10:00 a.m.**

**HEARING**

**Pursuant to Ontario Regulation 147/06**

(Development, Interference with Wetlands & Alteration to Shoreline and Watercourses)

**Regarding Applications #MW2020-89A, #MW2020-89B, and #MW2020-89C**

**BOARD OF DIRECTORS MEETING**

**AGENDA**

1. Chair's Welcome
2. Adoption of Agenda
3. Discloser of Pecuniary Interest
4. Disclosure of intention to record this meeting by video and/or audio device
5. Adoption of Minutes from September 17, 2020 and October 8, 2020
6. **Business Out of the Minutes**
  - Proposed 2021 Budget – Brian Horner
7. **Program Reports**
  - Report 1: (a) Development Review (O Reg147/06) - Meghan Tydd-Hrynyk  
(b) Violations/Appeals Update – Geoff Cade/Daniel King
  - Report 2: Stewardship Funding Review – Nathan Schoelier/Ian Jean
  - Report 3: Gypsy Moth Outbreak Review – Ian Jean
  - Report 4: ABCA Social Media Policy Update – Tim Cumming
  - Report 5: Third Quarter Profit & Loss Statement – Brian Horner
8. **General Manager's Report**
9. **Committee Reports**
  - Clinton Conservation Area Management Committee – Ray Chartrand
10. Correspondence
11. New Business
12. Committee of the Whole – property matter
13. Adjournment

**Upcoming Meetings**

November 19	Board of Directors Meeting
December 17	Board of Directors Meeting



T 705-635-2272  
TF 1-877-566-0005  
F 705-635-2132

TOWNSHIP OF LAKE OF BAYS  
1012 Dwight Beach Rd  
Dwight, ON POA 1H0

October 9, 2020

*Via Email*

Honourable Doug Ford  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON 1A1

Dear Honourable Premier Doug Ford:

**RE: Reform to the Municipal Insurance Policy**

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On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that Council would like to express their concern and request a reform to the Municipal Insurance Policy.

As outlined in the Association of Municipalities of Ontario (AMO) report entitled, "[Towards a Reasonable Balance: Addressing Growing Municipal Liability and Insurance Costs](#)", dated October 1, 2019, joint and several liability creates a higher insurance cost for municipalities. Local municipalities within Muskoka have experienced a 20% increase in municipal liability for 2019 and are expecting at least 20% increase for 2020.

Throughout the Township of Lake of Bays, the area of concern is the Errors and Omissions for building code claims. There is a much higher value of newly built cottages/seasonal residences within Lake of Bays and it is populated by a commanding number of ratepayers who possess the financial means to sue and will endure the protracted legal process. The Township has a lower than average number of building claims, however a higher than average payout.

Please consider an amendment to Bill 124 to make it a requirement that the building contractor name be disclosed and that the contractor must provide proof of insurance, thus providing greater accountability and responsibility and ensuring that municipalities will not bear the burden alone.

...2



T 705-635-2272  
TF 1-877-566-0005  
F 705-635-2132

TOWNSHIP OF LAKE OF BAYS  
1012 Dwight Beach Rd  
Dwight, ON POA 1H0

Page 2

Kindly review and consider the recommendations as outlined in the above-noted AMO report. Should you have any questions or concerns, please do not hesitate to contact the Municipal Office at 705-635-2272.

Sincerely,

Carrie Sykes, *Dipl. M.A., CMO, AOMC,*  
Director of Corporate Services/Clerk.

CS/cw

Copy to: MP, Scott Aitchison  
MPP, Norm Miller  
Association of Municipalities of Ontario  
Municipalities in Ontario

**CORPORATION OF THE  
TOWNSHIP OF NORTH GLENGARRY**

**Resolution #**

6

**Date:**

Monday, September 28, 2020

**Moved by:**

Jeff Manley

**Seconded by:**

Johanne Wensink

THAT Council of the Township of North Glengarry adopt the following resolution:

WHEREAS the Ontario government has provided emergency assistance funding to municipalities through the Safe Restart Agreement to offset the financial impact due to the COVID-19 pandemic;

AND WHEREAS the Province has specified funding must be used for operating costs and pressures due to COVID-19;

AND WHEREAS due to the nature of the pandemic and the necessity to make physical retrofits to offices to accommodate staff and the public in a safe environment, capital costs will be incurred by municipalities;

AND WHEREAS the Township has been advised by SDG County, through the Ministry of Finance that COVID-19 related capital costs are ineligible for Safe Restart Agreement Funding;

THEREFORE, BE IT RESOLVED THAT the Township of North Glengarry urges Ontario to allow capital expenditures under the Safe Restart Agreement, and that a copy of this resolution be forwarded to Premier Doug Ford, Jim McDonell, MPP and the Association of Municipalities of Ontario (AMO).

Carried

Deferred

Defeated



\_\_\_\_\_  
Mayor / Deputy Mayor





COUNTY OF WELLINGTON

KIM COURTS  
DEPUTY CLERK  
T 519.837.2600 x 2930  
F 519.837.1909  
E kimc@wellington.ca

74 WOOLWICH STREET  
GUELPH, ONTARIO  
N1H 3T9

October 2, 2020

Sent via email to all Ontario Municipal Clerks

Dear Municipal Clerks,

At its meeting held September 24, 2020, Wellington County Council approved the following recommendation from the Administration, Finance and Human Resources Committee:

**WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and**

**WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and**

**WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and**

**WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.**

**NOW THEREFORE BE IT RESOLVED:**

**(a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and**

**(b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and**

**(c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and**

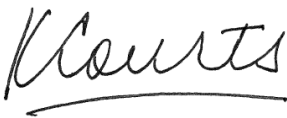
**(d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).**

Please find the Aggregate Resource Property Valuation and Advocacy report and Municipal Resolution enclosed.

Wellington County Council is requesting that all Ontario municipalities adopt the Municipal Resolution and forward to Donna Bryce, Wellington County Clerk at [donnab@wellington.ca](mailto:donnab@wellington.ca) upon passing.

Should you have any questions please contact Ken DeHart, County Treasurer, at [kend@wellington.ca](mailto:kend@wellington.ca) or call 519.837.2600 ext 2920.

Sincerely,

A handwritten signature in black ink that reads "Kim Courts". The signature is written in a cursive style and is underlined with a single horizontal line.

Kim Courts  
Deputy Clerk



# COUNTY OF WELLINGTON

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## COMMITTEE REPORT

**To:** Chair and Members of the Administration, Finance and Human Resources Committee  
**From:** Ken DeHart, County Treasurer  
**Date:** Tuesday, September 15, 2020  
**Subject:** **Aggregate Resource Property Valuation and Advocacy Report**

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### **Background:**

Through the County's Assessment Base Management Policy and Programme approved in 2016; Wellington County has made significant efforts to maintain, protect and enhance the quality of the assessment roll. This includes reviewing the accuracy of individual assessments and ensuring the equitable distribution of the tax burden. The County remains a strong advocate for the accurate and equitable valuation and property tax treatment of all properties, including gravel pit and aggregate resource properties in the County and throughout Ontario.

The County has been actively pursuing fair and accurate assessment valuations for gravel pits through two streams:

1. Assessment appeals heard by the Assessment Review Board
2. Advocacy through the province on a permanent policy solution

### **Assessment Appeals**

The County has filed assessment appeals on all aggregate producing properties in its three southern-most municipalities, being Puslinch, Erin and Guelph/Eramosa for the 2017 to 2020 taxation years. The purpose of these appeals is to ensure that the current value assessment of these properties is captured through the existing legislation, and to deal with how those properties are classified for taxation purposes.

The effect of the current property tax valuation structure by the Municipal Property Assessment Corporation ("MPAC") unfairly sees active gravel pits incurring less property tax than many single-family homes and small businesses as a result of unduly low and inaccurate current value assessments. It also leads to properties that are located in the same areas and are similar to gravel pits receiving vastly different property valuations, which contradicts the principle of fairness and transparency underpinning our taxation system that similar properties should be treated and taxed equally. Arbitrarily classifying gravel pits as among the lowest form of farmland (Class 5) sets an artificial cap on these producers' property assessments and keeps their property taxes well below what they should be paying. In turn, residents and businesses are subsidizing the break that gravel producers are receiving.

In terms of next steps for these appeals, a settlement conference is scheduled to take place on September 16 and hearings are scheduled for the weeks of November 16 and 23.

**Advocacy for a Permanent Policy Solution**

The County has been working with its colleagues through the Top Aggregate Producing Municipalities of Ontario (TAPMO) to raise awareness of the assessments and the inequitable treatment of these properties and ask the government to review how these properties are assessed and treated from a property tax policy perspective through the MPAC review that is currently taking place.

Through this work, TAPMO endorsed the attached municipal resolution to be shared with TAPMO municipalities for consideration at local Councils. The resolution formally asks the province to review how these properties are assessed in light of the inequitable treatment in comparison to other residential and business properties in the municipality. Several municipalities across the province have approved and forwarded this resolution to the province and local MPPs.

To be clear, the County believes MPAC's property valuation is incorrect even within the current legislation, however, the County is looking for further direction and possible legislative or regulatory changes that will eliminate future disputes. This kind of permanent policy change is in everyone's best interest to resolve this issue once and for all.

Staff recommend that the Administration, Finance and Human Resources Committee support the resolution and pass it along to County Council for approval. This is also an opportunity for the County to remind its member municipalities to review and give consideration to this resolution as well.

**AMO Delegation Meeting**

On August 18, 2020, in collaboration with the Top Aggregate Producing Municipalities of Ontario (TAPMO), County representatives met with Stan Cho, Parliamentary Assistant to the Minister of Finance, to discuss the need to improve how aggregate properties are assessed across Ontario under an equitable valuation system. The meeting was held during the Association of Municipalities of Ontario (AMO) conference. This is where municipal and provincial policymakers come together to discuss pressing issues facing both levels of government.

Wellington County and other TAPMO members presented several policy-driven solutions to Mr. Cho that would make MPAC's property tax valuations accurate and equitable. There are many possible legislative, regulatory or policy changes that can achieve a permanent solution. These include:

- Creating a separate class for aggregate producing properties (as was done for landfills in 2015);
- Directive (or regulation) from the Minister to MPAC regarding how to assess these types of properties to reflect their true market or industrial value;
- Remove the aggregate exemption from the *Assessment Act* (as was the situation prior to 2008).

This would enable municipalities to maintain stability in local taxation levels and meet the needs of their communities. Directing MPAC on how to assess these properties based on their true market value makes common sense and will result in stability and accuracy in the assessment process. The solution to remove the exemption of aggregate in the *Assessment Act* would allow MPAC to assess the full value of the property.

**Summary**

Aggregate sites are important job creators and an increasingly critical element of public works that help to fuel steady economic growth across Ontario, especially as part of municipalities' post-pandemic recovery. Yet, under the current MPAC valuation formula, their current value assessment is inaccurate such that these sites generate significantly less revenue for municipalities and the Province than other possible uses for the same land. This costs Ontario municipalities millions of dollars in lost tax revenue every year and negatively impacts their abilities to deliver more fulsome services and programmes to residents. The current system also generates less Education property taxes which shifts even more tax burden onto homeowners and small businesses. Municipalities are therefore eager to find a solution that is fair for all involved: the municipality, taxpayers, and aggregate producers.

COVID-19 has highlighted the urgency for a policy-driven, equitable approach. Municipalities across Ontario are fighting to continue providing a high standard of services to our families and businesses who need them now more than ever. The lost tax revenue undermines our ability to enhance those services and make key infrastructure investments at a time when our residents are suffering. The County wants to be fair to aggregate producers while recognizing that they should be part of the solution in terms of helping families and businesses get back on their feet – the very people who are carrying the burden of the current MPAC system.

**Recommendation:**

That the Aggregate Resource Property Valuation and Advocacy Update Report be received for information; and

That the attached resolution be supported by County Council and sent to the Ministry of Finance.

Respectfully submitted,



Ken DeHart, CPA, CGA  
County Treasurer

**SCHEDULE A – MUNICIPAL RESOLUTION**

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;

NOW THEREFORE BE IT RESOLVED:

- (a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and
- (b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and
- (c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and
- (d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

**From:** Karren Wallace <[KWallace@wellington-north.com](mailto:KWallace@wellington-north.com)>

**Sent:** Thursday, October 15, 2020 2:31 PM

**To:** [donnab@wellington.ca](mailto:donnab@wellington.ca)

**Cc:** Cathy Conrad <[cconrad@wellington-north.com](mailto:cconrad@wellington-north.com)>; [inquiries@huroncounty.ca](mailto:inquiries@huroncounty.ca); [admin@jocelyn.ca](mailto:admin@jocelyn.ca); [lairdtwp@soonet.ca](mailto:lairdtwp@soonet.ca); [tmichiels@thamescentre.on.ca](mailto:tmichiels@thamescentre.on.ca); [township@pertheast.ca](mailto:township@pertheast.ca);

**Subject:** FW: Ontario-Wide Request to Pass County of Wellington Aggregate Resolution

Please be advised this was passed at our October 13, 2020 meeting of Council

RESOLUTION: 2020-299

Moved: Councillor Burke

Seconded: Councillor McCabe

*WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and*

*WHEREAS Council of the Corporation of the Township of Wellington North supports a fair and equitable assessment system for all aggregate resource properties; and*

*WHEREAS the Municipal Property Assessment Corporation (MPAC) determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and*

*WHEREAS Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;*

**NOW THEREFORE BE IT RESOLVED:**

*THAT Council of the Corporation of the Township of Wellington North does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and*

*AND FURTHER THAT Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and*

*AND FURTHER THAT Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and*

*AND FURTHER THAT Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).*

**CARRIED**

**Karren Wallace, Director Legislative Services/Clerk**

Phone) 519-848-3620 ext 4227

Email) [kwallace@wellington-north.com](mailto:kwallace@wellington-north.com)

October 9, 2020

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
Email: justin.trudeau@parl.gc.ca

The Honourable Doug Ford  
Premier of Ontario  
Email: [premier@ontario.ca](mailto:premier@ontario.ca)

**Re: Funding for community groups and service clubs affected by pandemic**

Please be advised that at the Regular Meeting of Council on September 28, 2020, the Council of Loyalist Township passed the following resolution:

**Resolution No. 2020.35.16**  
**Moved by: Deputy Mayor Hegadorn**  
**Seconded by: Councillor Porter**

“Whereas, the world health organization characterized covid-19 as a pandemic on March 11, 2020

And whereas, travel restrictions were put in place March 21st, 2020 with emergency orders being established under the quarantine act

And whereas, the province of Ontario entered a state of emergency on March 17, 2020

And whereas Loyalist Township declared a state of emergency on March 26, 2020

And whereas the Kingston, Frontenac, Lennox and Addington Public Health Unit have enacted orders under Section 22 of the Ontario Health Protection and Promotion Act, 1990

And whereas the above noted state of emergencies and orders restricted the ability for charities, community groups and service clubs to raise or acquire funds through conventional methods

And whereas these charities, community groups and service clubs provide vital resources and support critical to community members



And whereas these charities, community groups and service clubs' partner with municipal governments reducing the financial pressures on the government while enhancing the lives of residents

Therefore be it resolved that Loyalist Township council requests confirmation from the governments of Ontario and Canada that funding will be available for these local smaller charities, community groups and service clubs.

AND FURTHER THAT a copy of this resolution be circulated to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; MP Derek Sloan, Hastings - Lennox and Addington ; the Honourable Daryl Kramp, MPP Hasting-Lennox and Addington; the Association of Municipalities Ontario; Rural Ontario Municipalities Association and all Municipalities within the Province of Ontario".

Regards,



Brandi Teeple  
Deputy Clerk  
Loyalist Township

cc. MP Derek Sloan- Hastings-Lennox and Addington  
MPP Daryl Kramp- Hastings- Lennox and Addington  
Association of Municipalities Ontario  
Rural Ontario Municipalities Association  
All Ontario Municipalities



October 7, 2020

Honourable Jeff Yurek  
Minister of Environment, Conservation and Parks  
College Park 5th Flr,  
777 Bay St, Toronto, ON M7A 2J3

Sent via email: [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

**Re: Development Approval Requirements for Landfills - (Bill 197)  
Our File 35.2.2**

Honourable and Dear Sir,

At its meeting held on October 5, 2020, St. Catharines City Council approved the following motion:

WHEREAS Schedule 6 of Bill 197, COVID-19 Economic Recovery Act, 2020 considers amendments to the Environmental Assessment Act relating to municipal autonomy and the principle that municipalities can veto a development outside their municipal boundary in an adjacent municipality; and

WHEREAS Bill 197 empowers multiple municipalities to 'veto' development of a landfilling site within a 3.5 km zone inside the boundary of an adjacent municipality; and

WHEREAS Bill 197 establishes a dangerous precedent that could be expanded to other types of development; and

WHEREAS Bill 197 compromises municipal autonomy and the authority of municipal councils to make informed decisions in the best interest of their communities and municipal taxpayers; and

WHEREAS amendments in Schedule 6 could cause conflict in the effective management of landfill sites, put significant pressure on existing landfill capacity, and threaten the economic activity associated with these sites;

THEREFORE BE IT RESOLVED That the City of St. Catharines calls upon the Government of Ontario (Ministry of the Environment, Conservation and Parks (MOECP) to amend Bill 197, COVID-19 Economic Recovery Act, 2020, to eliminate the development approval requirement provisions from adjacent municipalities and that the 'host' municipality be empowered to render final approval for landfills within their jurisdiction; and



BE IT FURTHER RESOLVED that a copy of this motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, local MPP's., the Association of Ontario Municipalities (AMO) and Ontario's Big City Mayors (formerly Large Urban Mayors Caucus of Ontario-LUMCO)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Ontario municipalities with a request for supporting motions to be passed by respective Councils and copies of the supporting motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, the local MPP's, the Association of Ontario Municipalities (AMO).

If you have any questions, please contact the Office of the City Clerk at extension 1506.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:ra

Cc. Hon. Premier Doug Ford [premier@ontario.ca](mailto:premier@ontario.ca)  
Hon. Steve Clark, Minister of Municipal Affairs, Housing [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)  
Jennifer Stevens, MPP - St. Catharines, [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)  
Jeff Burch, MPP - Niagara Centre, [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)  
Wayne Gates, MPP - Niagara Falls, [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)  
Sam Oosterhoff, MPP - Niagara West-Glanbrook, [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
Association of Municipalities of Ontario [amo@amo.on.ca](mailto:amo@amo.on.ca)  
Chair of Ontario's Big City Mayors, Cam Guthrie [mayor@guelph.ca](mailto:mayor@guelph.ca)  
All Ontario Municipalities (via email)



## Township of Blandford-Blenheim

47 Wilmot Street South  
Drumbo, Ontario N0J 1G0

Phone: 519-463-5347  
Fax: 519-463-5881  
Web: [www.blandfordblenheim.ca](http://www.blandfordblenheim.ca)

---

October 13, 2020

Emailed to the Federal Minister of Health, Federal Minister of Justice and Attorney General, Federal Minister of Public Safety and Emergency Preparedness, Oxford MP, Oxford MPP, the Association of Municipalities of Ontario and all municipalities in Ontario.

### **Re: Unlicensed and unmonitored cannabis grow operations**

Please be advised that at the Regular Meeting of Council on October 7<sup>th</sup>, 2020, the Council of the Township of Blandford-Blenheim passed the following resolution:

**Resolution Number: 2020-14**

**Moved by: Councillor Nancy Demarest**

**Seconded by: Councill Bruce Banbury**

**“That Whereas unlicensed and unmonitored cannabis grow operations have increasingly become a problem in communities in Ontario as well as across the Country; and,**

**Whereas these operations are allowed to establish with little or no consultation with the local community and municipalities are often only made aware of their existence after conflicts arise with neighboring land owners; and,**

**Whereas loopholes in existing Federal legislation allow these large scale grow op’s to establish and operate without any of the regulations or protocols that licensed and monitored operations need to adhere to,**

**BE IT RESOLVED that the Council of the Township of Blandford-Blenheim urges the Federal Government to amend the legislation under which these facilities operate to ensure the safety and rights of the local communities in which they are situated are respected; and,**

**That this resolution be forwarded to the Federal Minister of Health, Federal Minister of Justice and Attorney General, Federal Minister of Public Safety and Emergency Preparedness, Oxford MP, Oxford MPP, the Association of Municipalities of Ontario and all municipalities in Ontario.”**

Regards,

Sarah Matheson  
Deputy Clerk  
Township of Blandford-Blenheim



Wollaston Township (via e-mail)  
90 Wollaston Lake Road  
COE HILL, ON K0L 1P0

October 8, 2020

**Re: Support of Resolution from Wollaston Township regarding a Request to review the Municipal Elections Act**

Please be advised that on September 30<sup>th</sup> 2020 the Town of Plympton-Wyoming Council passed the following motion to support Wollaston Township's motion (attached) regarding a Request to review the Municipal Elections Act that was passed on September 16<sup>th</sup> 2020:

***Motion #13*** – Moved by Muriel Wright , Seconded by Gary Atkinson that Council support the correspondence item 's' regarding changes to the Municipal Elections Act.

***Motion Carried.***

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at [ekwarciak@plympton-wyoming.ca](mailto:ekwarciak@plympton-wyoming.ca).

Sincerely,

Erin Kwarciak  
Clerk  
Town of Plympton-Wyoming

Cc: (all sent via e-mail)  
Premier of Ontario  
M.P.P for Hastings-Lennox and Addington  
M.P.P for Sarnia-Lambton  
AMO  
All municipalities within the Province of Ontario

October 20, 2020

Page 2 of 3

90 Wollaston Lake Road  
COE HILL, ON K0L 1P0  
[clerk@wollaston.ca](mailto:clerk@wollaston.ca)  
[www.wollaston.ca](http://www.wollaston.ca)



**MAYOR: BARBARA SHAW**  
**CLERK: BERNICE CROCKER**  
613-337-5731 (Phone)  
613-337-5789 (Facsimile)

---

September 16, 2020

**MINISTRY OF MUNICIPAL  
AFFAIRS AND HOUSING**  
17<sup>th</sup> Floor, 777 Bay street  
TORONTO, ON  
M7A 2J3

**ATTN: THE HON. STEVE CLARK**

Dear Minister Clark:

At a special meeting of council held on August 24, 2020, members discussed concerns regarding the 2018 municipal election.

In the last six weeks of the 2018 municipal election in Wollaston Township, seasonal property owners presented signed leases with family members for sleeping cabins, bunkies and sheds. The \$100.00 leases added a significant number of new non-resident electors to the voters' list.

Although concerns were raised regarding the Township's Comprehensive Zoning By-law and non-use of the standard lease form, the leases were used as eligibility, allowing the children of seasonal property owners access to a Township election for the first time.

Because this gave the appearance of a pay to play campaign, and because the leases were with family members, and because no people actually lived in these structures that lacked hydro, running water and washroom facilities, this was reported to the OPP, who have a duty to enforce the rules and regulations of the *Municipal Elections Act*.

The OPP did not proceed with charges because they said there was no case law.

The following Motion was adopted:

MOTION NO.: 03  
MOVED BY: TIM CONLIN  
SECONDED BY: DARLENE COLTON

**MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING**

**THE HON. STEVE CLARK**

**September 16, 2020**

**Page 2**

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**BE IT RESOLVED**, that the Council of Wollaston Township ask Minister of Municipal Affairs and Housing, the Hon, Steve Clark, to review the *Municipal Elections Act* and provide amendments to ensure that loopholes are closed on any pay to play schemes in rural communities where non-resident electors are permitted to participate in elections so that \$100.00 leases do not turn into ballots for garden sheds.

**AND BE IT FURTHER RESOLVED**, that the County of Wollaston Township ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to review the Municipal Elections Act and provide amendments to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list.

**AND BE IT FURTHER RESOLVED**, that Council of Wollaston Township ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that there is a clear and accessible way to report election fraud.

**AND BE IT FURTHER RESOLVED**, that Council of Wollaston Township ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that the rules described in the Municipal Elections Act are actually enforceable even if there is not current case law.

**AND BE IT FURTHER RESOLVED**, that support for this resolution be sent to Premier Doug Ford, Daryl Kramp, M.P.P. for Hastings-Lennox and Addington, all Ontario Municipalities and the Association of Municipalities of Ontario.

**CARRIED**

Should you have any questions or concerns regarding the above, do not hesitate to contact me.

Sincerely,



**BERNICE CROCKER**  
Clerk/Administrator

cc. Premier Doug Ford, Daryl Kramp, M.P.P. for Hastings-Lennox and Addington, AMO and all Ontario Municipalities.



October 8, 2020

### **In This Issue**

- Seeking expressions of interest for 2 municipal staff vacancies on AMO Board.
- Save the date! ROMA Annual Conference January 25-26, 2021.
- Space still available for AMO's Land Use Planning training.
- LAS Blog: Cyber Security.
- Vendor Spotlight: Municipal Group Buying Program.
- Investments 101 Training now available.
- Ontario Trillium Foundation: Resilient Communities Fund.
- Infographic on reserves and reserve funds.
- IPAC's Virtual Conference-AC2020: Building the New Normal.
- Careers with Bruce County, Northumberland, Casselman, Halton and Windsor.

### **AMO Matters**

There are 2 vacancies on the AMO Board: staff positions on Rural and Large Urban Caucuses. Details about qualifications & appointment process are [here](#). Deadline, including Council resolution, is November 30.

### **Eye on Events**

ROMA is pleased to announce the launch of ROMA: Connecting Rural Ontario. ROMA's 2021 Conference will be a virtual event. Registration, exciting program news and more will be available soon. Contact [events@roma.on.ca](mailto:events@roma.on.ca) with questions.

AMO's Land Use Planning workshop offers municipal decision makers deep understanding of the principles and key elements of land use planning that inform implementing and managing the land use policy framework in Ontario. [Register now!](#)

### **LAS**

Cyber security is a key priority for Ontario's municipalities. With more services delivered online and reliance on internet connected technologies for day-to-day work, municipalities are exposed to potential cyber threats. [Learn more](#) about what AMO and LAS are doing to help members with cyber security.

The [Municipal Group Buying Program](#) just added an Automotive Aftermarket Accessories category. Buy discounted items from ladder racks and lights to towing parts from [Action Car & Truck Accessories](#) through the LAS program. To learn more or to get a list of all Program suppliers, [contact Tanner](#) today.



**ONE Investment**

Online Investments 101 Training is available now. To register [click here](#). Learn about fundamentals of investing under the Legal List and Prudent Investor Standard.

**Municipal Wire\***

The Ontario Trillium Foundation is offering one time funding for eligible municipalities that can assist with managing the re-opening or expansion of cultural and recreation services impacted by COVID-19. [Join the webinar](#) on Thursday, October 15 at 1:30pm (EDT) and learn more.

The Municipal Finance Officers' Association (MFOA) has recently released [an infographic](#) on the basics of reserves and reserve funds, why they are a strategic management tool, and the drawbacks to improper use of the funds.

Join the Institute of Public Administration of Canada's [virtual annual conference](#) from November 16-18, 2020 and gain the insight and practical knowledge needed to succeed in a post-pandemic public service.

**Careers**

[Business & Human Services Integration Manager - County of Bruce](#). Reports to: Director of Human Services. Position status: Full Time. Interested applicants should review the entire job posting, and then apply online at [County of Bruce](#), following the outlined process. Deadline for applications is 12:00 midnight on Tuesday October 20, 2020.

[Chief, Paramedics - Northumberland County](#). Position Status: Permanent, full-time. We invite you to submit your application by 4:30pm on Tuesday, October 20th, 2020 to: Human Resources, County of Northumberland, 555 Courthouse Road, Cobourg, ON K9A 5J6. Email: [hr@northumberlandcounty.ca](mailto:hr@northumberlandcounty.ca); Fax: 905.372.3046.

[Urbaniste / Planner - Municipalité de Casselman / Municipality of Casselman](#). Position status: Full-Time. Reports to: Chief Administrative Officer. The complete job description is available on demand. Please submit your application in writing to the attention of the human resources at: Municipality of Casselman, P.O. Box 710, 751 St-Jean Street, Casselman, ON K0A 1M0. Fax: 613.764.5709; EMAIL: [RH-HR@casselman.ca](mailto:RH-HR@casselman.ca)

[Manager, Project Portfolio Services - Region of Halton](#). Department: Strategic Transformation Group. Reports to: Director of Business Planning & Corporate Initiatives. Position Status: Full Time, Permanent. Posting Number: STG-360-20. Apply online at [Halton Job Postings](#).

[Chief Administrative Officer - City of Windsor](#). Due to the retirement of the incumbent, the City of Windsor is seeking a new Chief Administrative Officer (CAO) to provide

strategic and inclusive leadership during a period of change and growth. To apply for this position, please submit your application and related materials to [cmorrison@boyden.com](mailto:cmorrison@boyden.com) and state the title of the position in the subject line of your e-mail.

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### **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](#)

[ONE Investment](#)

[Media Inquiries](#) Tel: 416.729.5425

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

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October 15, 2020

### **In This Issue**

- Seeking expressions of interest for 2 municipal staff vacancies on AMO Board.
- Ontario Great Lakes Local Action Fund - Funding proposals due November 6.
- Ontario Cannabis Store survey on social responsibility.
- ROMA 2021 Virtual Conference registration open.
- Municipal Cyber Security 101 forum: What You Need to Know.
- Municipal Group Buying Program - New office supplies contract.
- Investments 101 Training now available.
- LAS Energy Planning Tool - Completely new and improved!
- Conservation Authorities and development process roles.
- Careers with Montague Township, Essex County and Greater Sudbury.

### **AMO Matters**

There are 2 vacancies on the AMO Board: staff positions on Rural and Large Urban Caucuses. Details about qualifications & appointment process are [here](#). Deadline, including Council resolution, is November 30.

### **Provincial Matters**

Ontario is inviting applications through the \$1.67 million [Great Lakes Local Action Fund](#) for clean up and other local shoreline and coastal restoration projects. Municipalities, community groups, small businesses and indigenous communities can apply for \$50,000 grants to fund these projects. Go to [Transfer Payments Ontario](#) to apply. Interested groups may also [register for a webinar](#) for more information.

The Ontario Cannabis Store is [conducting a survey](#) on social responsibility that will inform their proposed three-year strategy. Survey will determine what environmental, social, and governance topics are most important to municipal governments. For more information, please contact [OCS](#).

### **Eye on Events**

[Registration](#) is now open for [ROMA: Connecting Rural Ontario](#), January 25-26, 2021. Do not miss this opportunity to connect with colleagues and the province, and learn from experts on important and timely rural issues.

AMO and the Municipal Information Systems Association of Ontario (MISA-ON) are co-hosting a free Municipal Cyber Security 101 forum. [Join us on October 22](#), 10 am - 1.30 pm (EDT) and learn cyber security basics, how to implement the right training,

and hear from experts about how strengthening cyber security should be the default setting of your municipality.

### **LAS**

Staples Business Advantage has been awarded the new contract for office supplies under the Municipal Group Buying Program. This provides Ontario's municipalities even greater discounts on toner, paper, and other office essentials. Contact your LAS regional rep for more information.

The Energy Planning Tool is one of our most popular programs, allowing municipalities to manage and report their energy use quickly and easily. Over the summer we've rebuilt EPT from the ground up, adding new features to make the software easier to use and increase functionality. Join us for a webinar on October 28 for the big reveal!

### **ONE Investment**

Online Investments 101 Training is available now. To register click here. Learn about fundamentals of investing under the Legal List and Prudent Investor Standard.

### **Municipal Wire\***

If you have ever wondered about the role of conservation authorities vs municipal staff in the planning process, this Guideline for Conservation Authority Pre-Consultation offers a great explanation. While designed for CA staff, it is helpful for everyone involved in the development process.

### **Careers**

Clerk Administrator - Township of Montague. Position status: Maternity Leave Coverage (12 month contract). A full job description can be seen at the Township of Montague. Please forward your resume, along with a covering letter, by fax, mail, or email to the following by noon on October 30, 2020: The Township of Montague, ATTN: Jasmin Ralph, Clerk Administrator, 6547 Rogers Stevens Drive, PO Box 755, Smiths Falls, ON K7A 4W6. Fax: 613.283.3112; Email: jralfh@township.montague.on.ca.

Manager, Transportation Planning & Development - County of Essex. Job Posting Number: 37-20. The Manager is a leading member of the Infrastructure Services department. Qualified applicants are invited to apply online through the Current Job Postings section of our website at County of Essex Recruit Right, no later than November 5, 2020.

Director of Communications & Community Engagement - City of Greater Sudbury. To learn more about this opportunity, please visit Greater Sudbury Current Opportunities. Qualified candidates should submit their résumé in confidence by Monday, November 9, 2020 at 4:30 p.m. by email to hrjobs@greatersudbury.ca or fax number

705.688.3979. Any application received after this deadline will not be considered. Please reference the Employment Opportunity number EX20-489 on your resume.

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### **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**

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Planning Department  
County of Middlesex  
399 Ridout Street North  
London, ON N6A 2P1  
519.434.7321  
www.middlesex.ca

**MEETING:** October 20, 2020

## **PLANNERS REPORT**

**TO:** Chair and Members of Council  
Township of Lucan Biddulph

**FROM:** Dan FitzGerald MPI, Planner

**RE:** **Applications for Zoning Bylaw Amendment (ZBA 02/2020) and Application for Official Plan Amendment (OPA 1/2020)**  
**Walter Anton Lock and Zelinka Priamo Ltd. (Owner / Applicant)**  
**Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph**

---

### **Purpose:**

The purpose of this report is to provide Council with a recommendation report regarding a proposed Zoning By-law amendment and Official Plan Amendment for a property located along the north side of Main Street and legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph, and municipally known as 280 Main Street.

### **Background:**

The subject property is a 2.18 ac (0.88 ha) parcel situated on the north side of Main Street on the west end of Lucan. More specifically, the site is directly west of the Township office and library. Existing land uses surrounding the property include a commercial building to the west, vacant land to the north, the Township office and library to the east, and agricultural / commercial uses to the south. See attachment 1.

The subject property as a whole is an irregular flag shape property that contains two separate parcels of land. The flag shaped parcel on the north side of the site is vacant, undeveloped land. This parcel has a frontage of approximately 18 metres (60 feet) along Main Street and is approximately 1.47 acres (0.6 ha) in area. Access to the property is provided via Main Street along the east boundary of the property. The lands are predominately designated 'Residential' in the Township Official Plan, with exception of a portion of the front half of the property providing access being designated 'Highway Commercial'. Additionally, the lands are zoned a 'site specific' Highway Commercial Exception (C2-6) Zone in the Township of Lucan Biddulph Zoning By-law, which permits the following uses:

- apartment dwelling
- multiple unit dwelling
- nursing home
- townhouse dwelling
- all other permitted uses of the C2 zone

The second parcel of lands contains a commercial building supporting predominately professional office uses. This parcel of land has a frontage of approximately 50.39 metres (165 feet) along Main Street and an area of approximately 0.71 acres (0.29 ha). Access to the property is provided via Main Street. The lands are designated Highway Commercial in the Township Official Plan and zoned a 'site specific' Highway Commercial Exception (C2-5) Zone in the Township of Lucan Biddulph Zoning By-law, which includes the following uses:

- clinic
- office, general
- office, professional
- all other permitted uses of the C2 zone

The entirety of the property is within the Urban Settlement Area of Lucan and is designated 'Settlement Area (Urban and Community)' in the County of Middlesex Official Plan. The property currently has access to full municipal servicing.

A public meeting for the proposed Zoning By-law Amendment and Official Plan Amendment application was held on June 25, 2020. After hearing comments from the public regarding the initial proposal, the applicant revised the proposal as described in the Planning Justification Report provided by the agent. See attachment 2.

### **Application Revised Proposal:**

#### Conceptual Development Proposal:

The applicant is seeking a 'site specific' Zoning By-law amendment as well as a 'site specific' Official Plan amendment for the purpose of constructing two separate four (4) storey apartment buildings in two phases. The first residential building, proposed to be constructed in phase 1, would contain 54 dwelling units, conceptually comprised of 19 – one bedroom units and 35 – two bedroom units. The second mixed use building, proposed to be constructed in phase 2, would contain a total of 36 residential dwelling units, conceptually comprised of 19 – one bedroom units and 17 – two bedroom units. The second building would also contain a space for a professional office use (medical/clinic) comprising approximately 150 m<sup>2</sup> (1,615 ft<sup>2</sup>) of the ground floor of the building which directly faces Main Street.

The applicant is also proposing two (2) separate access points from Main Street to serve the development. A total of 141 at-grade parking spaces, with 136 spaces allocated for

residential use and 5 spaces provided for the office/clinical use. The proposal would also include seven (7) barrier free parking spaces.

The applicant's proposal also includes the following:

- A total of 33.6% at-grade landscaped open space at full build out;
- Outdoor patios are provided with ground floor units and balconies with units above the first floor;
- Considerations added for efficient work from home solutions to residential units in the form of fast and secure internet, built in office work stations, centralized delivery box for mail, and pet friendly.

The applicant's proposed site plan and conceptual building elevation is included as attachment 3 and 4 to this report.

#### Proposed Official Plan Amendment

As previously noted, the subject lands are designated 'Residential' and "Highway Commercial' in the Township Official Plan. The 'Residential' designation applies to the rear (north) portion of the site and the front portion of the site (south) is designated 'Highway Commercial'. The 'Highway Commercial' designation does not permit residential uses and instead is primarily intended to cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, motor supply outlets, sale of bulk goods, restaurants and certain types of convenience retail and service outlets.

Given the above, the developer is seeking to establish residential uses in the 'Highway Commercial' designated lands through the establishment of a 'site-specific' special policy area Official Plan amendment to add residential uses to the 'Highway Commercial' designation.

#### Proposed Zoning By-Law Amendment

As previously noted, the existing zoning on the site is a 'site specific' Highway Commercial Exception (C2-6) Zone for the rear (north) portion of lands. The existing zoning permits the establishment of residential uses in addition to the uses included in the Highway Commercial (C2) Zone.

The lands located towards the front portion of the site (south) containing the existing commercial use are zoned a 'site-specific' Highway Commercial Exception (C2-5) Zone, which does not permit residential uses in-line with the Township Official Plan designation.

As a result of the above, the developer is seeking to establish a consolidated 'site specific' Highway Commercial Exception (C2-10) Zone across the entirety of the property which would permit the following:

Permitted Uses:



- apartment dwelling
- clinic
- multiple unit dwelling
- nursing home
- office, general
- office, professional
- townhouse dwelling
- drive-in or take-out restaurant
- financial institution
- retail store
- restaurant

Additionally, the developer is seeking the following site specific exception Zoning By-law provisions:

Minimum Front Yard Depth:

apartment dwelling 16.5 m

Maximum Height: 14.6 m

Minimum Rear Yard Setback: 5.0 m

Minimum Number of Parking Spaces:

clinic 1 per 30 m<sup>2</sup> of net floor area

In summary, the proposed consolidated 'site specific' Zoning By-law amendment seeks to establish residential use permissions in the front portion of lands not currently permitted. Additionally, it seeks to establish reductions to the minimum front yard setback for apartment buildings from 54 metres to 16.5 metres; an increase in the maximum permissible height from 10 metres to 14.6 meters; a reduction in the require rear yard setback from 10.0 metres to 5.0 metres; and a reduction in the minimum number of parking stalls required for a clinic use from 1 per 15 m<sup>2</sup> of net floor area to 1 per 30 m<sup>2</sup> of net floor area.

**Policy and Regulation:**

Provincial Policy Statement (PPS)

According to Section 3 of the Planning Act, as amended, decisions made by planning authorities "shall be consistent with" the PPS. The principal policies of the PPS that are applicable to the proposed development include:

Section 1.1.1, which speaks to establishing and promoting healthy, liveable and safe communities. The following sub policies have been determine to be applicable:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and

long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- c) avoiding development and land use patterns which may cause enviro
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

Section 1.1.3.1 speaks to Settlement Areas being the focus of growth and development.

The following policies have been deemed applicable to the proposed development from section 1.1.3.2, which states that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;

Section 1.1.3.3 of the PPS states, Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.1.3.4 states appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.1.3.6 states new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.3.1 of the PPS directs municipalities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs and providing opportunities for a diversified economic base that includes maintaining a range and choice of suitable sites for a variety of employment uses that support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. Section 1.3.1 also provides policy direction that encourages compact, mixed-use development that incorporates compatible employment uses.

Section 1.4 of the PPS speaks to 'Housing'. More specifically, section 1.4.1 states 'to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and ...'

Section 1.4.3 states planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Section 1.6 of the PPS speaks to servicing. The PPS has a hierarchy for services, where municipal services are the preferred form of servicing.

Section 1.6.6.1a) states 'Planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services'.

Section 1.7.1 of the PPS speaks to long-term economic prosperity. The following policies from section 1.7.1 are deemed applicable:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;

The principal policies of the County of Middlesex's Official Plan that are applicable to the proposed development include the following:

The subject property is designated Settlement Area by the County of Middlesex Official Plan. Section 3.2 of the Plan directs growth to settlement areas, and promotes a variety of housing types within Settlement Areas.

Section 2.3.4 of the County Official Plan states that economic development is an important component of the County's Growth Management policy framework and that many long-term goals and objectives depend on economic activity and the opportunity for residents to live and work in Middlesex County. The County consequently encourages diversity in its economic base.

Section 2.3.7 of the County of Middlesex Official Plan speaks to housing policies, and states that, 'it is the Policy of the County to encourage a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County.' Further, subsection (a) promotes intensification and redevelopment, primarily within Settlement Areas, and in other areas where an appropriate level of physical services is or will be available in the immediately foreseeable future and subject to the policies of Section 2.3.6. In this regard, the County will require that 15 percent of all development occur by way of intensification and redevelopment'.

Section 2.3.8 of the County Official plan notes that urban areas shall be the focus for future residential growth on full services where warranted. Policies under this section further clarify that urban areas are the focus of growth and are expected to accommodate a significant portion of the projected growth. Also they state that new development shall be fully serviced by municipal or communal water and sewage disposal systems.

The County of Middlesex's Official Plan in section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS. Specifically, the County encourages new development to proceed on the basis of full municipal services.

The County Official Plan provides a regional policy framework within which development proposals are to be evaluated. Section 3.2.1 of the County Official Plan dictates that growth within Middlesex is generally to be directed to the County's Settlement Areas in order to protect Agricultural Areas, protect natural heritage and promote efficient use of water and sewage services. It is noted that the detailed land use policies, and particularly those that pertain to development within settlement areas, are provided in the official plans of the County's member municipalities. Section 3.2.4.1 of the County Official Plan provides for a variety of land uses, including commercial uses, to be located in the Urban Areas of Middlesex.

### Township of Lucan Biddulph Official Plan

In review of the Township of Lucan Biddulph's Official Plan, it is noted that the following contains a list of policies for consideration based on the existing and proposed site specific Official Plan Amendment.

As noted, a portion of the subject property is designated 'Residential' in the Township Official Plan. Section 2.1.1 of the Township Official Plan provides the following related goals and objectives for development in the Village of Lucan:

- a) 'To encourage and direct the majority of population growth and residential development in the Municipality to the Village of Lucan'
- b) 'To ensure development and redevelopment in the Village is adequately serviced and that the necessary infrastructure is in place to accommodate such activity.'

A portion of the subject lands is also designated 'Highway Commercial' in the Township Official Plan. Section 2.1.3 states areas designated 'Highway Commercial' are situated along Main Street towards the periphery of the Village. They are generally developed in a space extensive manner with buildings set back from the street and with generous provision for on-site parking in marked contrast to the intensive and compact form of development characteristic of the downtown core. The 'Highway Commercial' designation includes existing commercial development as well as lands considered suitable to accommodate future commercial needs.

In respect to the Highway Commercial designation, section 2.1.3.1 Land use states in areas designated 'Highway Commercial' on Schedule "A", uses will be characterized by those which cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, garden supply outlets, sale of bulk goods, restaurants and certain types of convenience retail and service outlets. The actual uses permitted shall be specified in, and regulated by, the provisions of the Zoning By-law.

Further to the above, section 2.1.3.2 states commercial development will be characterized primarily by buildings set back from the street and extensive areas for parking, outside storage and display. Efforts will be made to internally link adjacent development to minimize vehicle entrances and enhance public safety. In view of the location of areas designated 'Highway Commercial' at the main entrances to the Village and the tendency of highway commercial establishments to exhibit a non-distinctive appearance, a high standard of site design, creativity and amenities will be encouraged.

Respecting the Residential designation of the land, section 2.1.5 of the Township Official Plan provides guidance for areas to accommodate future residential development. It states undeveloped lands designated for residential purposes within existing developed areas shall be the focus of growth where opportunities exist for redevelopment and infilling.

Section 2.1.5.1 of the Township Official Plan notes areas designated 'Residential' shall primarily be singled unit detached dwellings. However other forms of development are also permitted including, but not limited to, low-rise and small-scale apartment buildings.

Section 2.1.5.2 of the Township Official Plan states that the 'scale, density and form of new residential development shall respect and be sensitive to the 'small town' character of the Village. At the same time, it is recognized that multiple forms of residential development will provide the potential for more affordable housing as well as housing more able to meet the increasingly diverse needs and preferences of the community. To ensure compatibility with existing development, the density and height of new residential development will be limited.'

Section 2.1.5.5 of the Township Official Plan notes that medium density residential development in the form of apartments will be encouraged to locate where direct or proximate access to arterial or collector roads is available; where they are close to commercial areas, schools, and parks; and where municipal services are available or capable of being made available. The policy further clarifies that intrusions into existing residential areas of predominantly single unit dwellings shall be discouraged and compatibility with the character and design of neighbourhood is expected. Appropriate buffering and setbacks shall be provided and standards for density, height, parking and landscaped open space shall be addressed in the Zoning By-law. The policy also notes that site plan control shall apply.

Section 2.1.5.7 of the Township Official Plan encourages housing forms and densities designed to be affordable to moderate and lower income households. It is the intent to meet a 20 percent target annually for housing affordability for new and infill development.

Section 2.1.5.11, Intensification and Redevelopment seeks to provide guidance for more intense forms of residential development. Most notably, that the Township require that 15 percent of development occur by the way of intensification and redevelopment. Further it notes the Township shall encourage intensification and redevelopment within the Village of Lucan on vacant or underutilized sites in order to efficiently utilize designated settlement area land and available municipal services. Intensification and redevelopment shall be subject to the following:

- a) Forms of residential intensification and redevelopment shall only be permitted based on the level of water and wastewater servicing that is available in the Village of Lucan.
- b) Residential intensification and redevelopment may take the form of multi-unit dwellings, dwelling conversion, street infilling, rear yard infilling, and infill subdivisions.
- c) Residential intensification and redevelopment may only occur to a maximum density which maintains the minimum lot areas permitted in the Zoning By-law, and/or is deemed suitable by the Township to satisfy the proposed water supply and wastewater disposal systems.

- d) When considering proposals for residential intensification and redevelopment, and in addition to all other applicable development criteria in the Official Plan, the Township will ensure that:
- b. For street infilling, the proposal is consistent with the established building line and setbacks of the surrounding area.
  - c. For rear yard infilling, the siting of buildings and parking areas must be done in a way which minimizes the impacts on neighbouring rear yards; allows for direct vehicular access provided to a public street with sufficient width to allow efficient vehicular use, on-site snow storage, and access and turn-around by emergency vehicles.

Section 8.10 of the Township Official Plan provides guidance and clarify around the site plan control process. Site plan shall address such requirements as the proposed use, the location of the buildings and structures, proposed ingress and egress, parking area, landscaping, grading and drainage, external lighting, buffering and other measures to protect adjoin lands.

Township of Lucan Biddulph Zoning By-law No. 100-2003

A portion of the subject lands to the rear is currently zoned a ‘site specific’ Highway Commercial Exception (C2-5) Zone. The current zone permits the following:

Permitted Uses		<ul style="list-style-type: none"> <li>• clinic</li> <li>• office, general</li> <li>• office, professional</li> <li>• all other permitted uses of the C2 zone</li> </ul>
Minimum Lot Area		2,800 m <sup>2</sup>
Minimum Lot Frontage		50 m
Minimum Lot Depth		60 m
Maximum Lot Coverage		25%
Minimum Setback		28 m
Side Yard Width	Interior Lot	6 m
	Corner Lot	15 m on the side abutting the road and 6 m on the other side
Rear Yard Depth		10 m
Maximum Height		10 m



Minimum Number of Parking Spaces	animal clinic	1 per 30 m2 of net floor area
	car wash	1 plus 2 for each drive through car wash bay and 1 plus 1 for each non-drive through car wash bay, excluding the car wash bay
	Clinic	
	Office, General	1 per 15 m2 of net floor area
	Office, professional	1 per 30 m2 of net floor area
	drive-in or take-out restaurant	1 per 30 m2 of net floor area
	financial institution	1 per 5 seats
	garden centre	
	gas bar	1 per 30 m2 of net floor area
	general retail store	1 per 20 m2 of net floor area
	market garden	2
	motel	1 per 30 m2 of net floor area
	service shop	1 per 20 m2 of net floor area
	1 per 10 m2 of net floor area devoted to public use plus 1 per guest room	
	1 per 30 m2 of net floor area	
Minimum Outdoor Amenity Area	N/A	

A portion of the subject lands to the rear is currently zoned a 'site specific' Highway Commercial Exception (C2-6) Zone. The current zone permits the following:

Permitted Uses		<ul style="list-style-type: none"> <li>apartment dwelling</li> <li>multi unit dwelling</li> <li>nursing home</li> <li>townhouse dwelling</li> <li>all other permitted uses of the C2 zone</li> </ul>
Minimum Lot Area		4,000 m <sup>2</sup>
Minimum Lot Frontage		18 m
Minimum Lot Depth		60 m
Maximum Lot Coverage		25%
Front Yard Depth		Apartment dwelling 56 m Multiple unit dwelling 56 m Townhouse dwelling 56 m
Side Yard Width	Interior Lot	6 m
	Corner Lot	15 m on the side abutting the road and 6 m on the other side
Rear Yard Depth		10 m
Maximum Height		10 m
Minimum Number of Parking Spaces		animal clinic 1 per 30 m <sup>2</sup> of net floor area car wash 1 plus 2 for each drive through car wash bay and 1 plus 1 for each non-drive through car wash bay, excluding the car wash bay drive-in or take-out restaurant 1 per 5 seats financial institution 1 per 30 m <sup>2</sup> of net floor area garden centre 1 per 20 m <sup>2</sup> of net floor area gas bar 2 general retail store 1 per 30 m <sup>2</sup> of net floor area market garden 2 motel 1 per 30 m <sup>2</sup> of net floor area

	service shop	1 per 20 m2 of net floor area
	apartment dwelling	1 per 10 m2 of net floor area devoted to public use plus 1 per guest room
	multiple unit dwelling	1 per 30 m2 of net floor area
	nursing home	1.5 per dwelling unit
	townhouse dwelling	1.5 per dwelling unit
		1 per 6 beds
		1.5 per dwelling unit
Minimum Outdoor Amenity Area		N/A

**Consultation:**

Notice of the application has been circulated to agencies, as well as property owners in accordance to the requirements to the Planning Act for the public meeting being held June 25, 2020. A subsequent public meeting was held on October 6, 2020.

Public Comments:

The public has submitted comments regarding the proposed bylaw and are included in this information report as attachment 5. Most responses received were to register to attend the public meeting. However the comments received (included as attachment 5) are generally summarized in the following categories:

- Height
- Density and percentage of landscaped open space
- Existing servicing capacity
- Increase of traffic to the neighbourhood
- Loss of privacy
- Loss of property value

The comments received from the public were limited to the initial proposal. No new comments were received from the public regarding the applicant’s revised proposal as discussed at the October 6<sup>th</sup>, 2020 follow up public meeting.

Agency Comments

- a) County Engineer – No comment.

- b) Chief Building Official – No objections to the proposed OPA or ZBA. If successful, a site plan application will be required and shall address the following matters from building perspective: a design matrix and details pertaining to dead end fire route, accessibility of the building for firefighting access and additional fire routes/turning radius, spatial separations, among others.
- c) Manager of Public Operations – if successful, and easement will be required for the property to the west for sanitary service and current capacity of Butler Street will be needed.
- d) Bell – no Concerns.
- e) Hydro One – no comment or concerns at this time.

**Analysis:**

Planning staff have reviewed the application and the analysis provided in this section weighs the existing guiding policy documents of the Provincial Policy Statement (PPS), County of Middlesex Official Plan and Township of Lucan Biddulph Official Plan. Additionally, staff have reviewed guiding policy and its interpretation by way of existing permissions implemented in the Township of Lucan Biddulph's Comprehensive Zoning By-law No. 100-2003.

The applicant's proposal seeks to amend the Township of Lucan Biddulph's Official Plan as well as the Township of Lucan Biddulph's comprehensive Zoning By-law No. 100-2003. Respecting the local Official Plan amendment, the applicant is requesting to establish a Highway Commercial – special policy area in order to permit residential uses. Additionally the applicant's proposal seeks to establish a 'site-specific' Highway Commercial Exception Zone; which would permit residential uses, increase existing height permissions, reduce rear yard setbacks, reduce to front yard setback, and reduce the required parking count for a clinic use on the lands. The applicant, in discussion with Planning Staff, have also agreed to a minimum 31% lot coverage for landscaping purposes, of which 10% shall be utilized for an enhanced outdoor amenity area for residents; to reduce the list of permitted uses to those considered appropriately matched with residential dwelling units on a mixed use site; and also to commit generally to the architectural design and character of the applicant's proposal, which will be further defined through the site plan approval process.

The aforementioned three guiding policy documents formulate the basis for the review undertaken in this analysis section. Through the documents planning staff recognize the need to accommodate multiple forms of development within existing settlement boundaries, which promote intensification of the existing housing stock. The PPS, County Official Plan and Township Official Plan all direct growth and intensification to existing settlement areas where efficiencies are achieved through existing servicing capacities. Further, the policies direct that intensification and redevelopment shall be encouraged within Settlement Areas where the appropriate level of physical services exist or are capable of being available. Additionally, all documents discuss the need to provide for a range of housing options,

beyond low density, to provide for an appropriate range and mix of housing types and densities.

The PPS directs Planning authorities to identify locations to accommodate a significant supply and range of housing options through intensification where servicing is available. It also states that appropriate development standards should be promoted to facilitate intensification through compact forms and to direct development to occur adjacent to existing built-up areas. It also directs municipalities to promote economic development and competitiveness by providing for an appropriate mix of employment uses to meet the long term needs; while also speaking to the need for mixed use developments that incorporate compatible employment uses. Further, the PPS discusses long term economic prosperity by way of encouraging residential uses to respond to dynamic market based needs for the diverse workforce; maintaining the vitality and viability of downtowns and main streets; and striving to achieve a sense of place through the promotion of well-designed built form.

In response to the PPS policies outlined in this Planning Report, Planning Staff note that the subject lands are appropriately identified as a candidate for both intensification and redevelopment. The applicant's proposal seeks to intensify the existing residential housing stock within the settlement boundary on a currently underutilized site. Additionally, the proposed development would take advantage of the existing servicing hierarchy and capabilities resulting in a more efficient land use. Also Planning staff note that the proposal to include a mixed use component to the development further achieves the policy direction of the PPS. Planning staff are satisfied that the applicant's proposal generally meets the intent of the Provincial Policy Statement.

Likewise, the County of Middlesex Official Plan directs growth and intensification to occur within existing settlement boundaries. It also seeks to encourage the redevelopment of underutilized lands while also promoting a servicing hierarchy for lands with existing servicing capabilities. The County Official Plan also seeks to encourage economic growth and prosperity of the local municipalities. Moreover, the County Official Plan notes that the detailed land use policies, and particularly those that pertain to development within settlement areas, are provided in the official plans of the County's member municipalities. As such, the proposal is generally supported by the guiding policy in the County Official Plan but is more appropriately evaluated based on the Township Official Plan. As such the remainder of the analysis will weigh the proposal against the local guiding policies and directions.

#### Evaluation of Proposed Official Plan Amendment – in the Context of the Local Official Plan

The Township of Luca Biddulph's Official Plan notes that Amendments to the Plan shall be considered in response to changing circumstances within or affecting the Township; changes in policy, legislation and guidelines of other levels of government which may have a bearing on existing uses or the future development of the Township including, in particular, the County of Middlesex Official Plan and, in response, to specific applications by landowners and developers. Planning Staff have reviewed the proposed Official Plan Amendment to add

residential through the creation of a Highway Commercial – Special Policy Area 1. Staff note that the rear portion of the site is currently designated residential and would permit the establishment of residential uses. Additionally, abutting lands to the east are designated Mixed Use Residential, which predominately seeks to maintain residential character while also permitting at grade commercial uses. Planning Staff find that extending residential permissions to the front portion of land is appropriate given the existing residential permission on abutting lands. Also, maintaining commercial opportunities on the lands achieves mixed use directives contained in the Provincial Policy Statement, County Official Plan, and Township Official Plan.

While the proposal is not in the residential designation, but residential is proposed to be added to the commercial designated lands, it's reasonable to review and ensure no conflict exists between the policies. More specifically, policy 2.1.5.11 of the Township Official Plan discusses the residential policies for intensification and redevelopment. The proposed format of development, by adding residential use permissions to a Highway Commercial – Special Policy Area 1, is supported as residential intensification is stated that it can occur where services exist, can take the form of street infilling, rear yard infilling by way of multi-unit dwellings, provides direct vehicular access to public streets with sufficient width, and that the exterior design is consistent with the approved built form and density of the area. Planning staff are of the opinion that the residential policies of the Township Official Plan are adequately addressed and that no adverse impact would occur to the existing neighbourhood for the addition of a residential use.

#### Evaluation of the Proposed Zoning By-law Amendment– in the Context of the Local Official Plan

The development concept provided by the developer for Council's consideration identifies required 'site specific' exceptions necessary to achieve the proposal. As previously identified, the applicant has requested an exception to the proposed height, front yard setback, rear yard setback, and a parking reduction for a clinic use. While the PPS and County Official Plan generally encourage infill and redevelopment projects, they both point to the Local Official Plan's to establish appropriate policy to guide development. As such a more comprehensive review of the Local Official Plan policy to determine the appropriateness of scale, setbacks, and parking formulates the basis for the remainder of the proposed Zoning By-law amendment analysis.

In review of the Township Official Plan, policy sections '2.1.3.1 Land Use', '2.1.5.1 Land Use', '2.1.5.2 Scale, Density and Form', '2.1.5.5 Medium Density Housing', as well as section '2.1.5.11 Intensification and Redevelopment' provide the most direct and applicable policy regarding the development proposal for two buildings, one being solely a residential apartment building and one being a mixed use building with commercial at grade, for development located in the Settlement Area of Lucan.

Policy 2.1.3.1 of the Township Official Plan characterizes development within the Highway Commercial designation to be automotive centric uses. Whereas policy 2.1.5.1 provides direction regarding the predominant forms of residential development considered appropriate for the Township. The policy speaks to single unit dwellings being the primary use of land. However it provides additional allowances for more intense forms of residential development such as duplex dwellings, converted dwellings, and townhouses. Further, and most applicable to this application, is a reference to permissions for residential development in the format of low-rise and small-scale apartment buildings. The developer's proposal considers adding residential uses to a site specific Highway Commercial exception (C2-#) Zone, resulting in a zone with mixed use potential. In order to mitigate against any potential conflict with on-site uses, the developer, in consultation with staff, has agreed to amend their request for uses on the property to the following: Clinic; Office, General; Office, Professional; Apartment Dwelling; Multi Unit Dwelling; nursing home; townhouse dwelling; Restaurant; Restaurant, Drive-in or take-out; financial institution, and retail store. The applicant has also agreed to guarantee a minimum of a 150 m<sup>2</sup> commercial unit facing Main Street, ensuring a mixed use component of development on the land. As such, Planning Staff are satisfied that the proposal meets the intent of both 2.1.3.1 and 2.1.5.1.

Policy 2.1.5.2 states that the 'scale, density and form of new residential development shall respect and be sensitive to the 'small town' character of the Village.' Additionally, the policy further notes that '[t]o ensure compatibility with existing development, the density and height of new residential development will be limited.' Based on planning staff's review of this policy, the use of the word shall in the Official Plan requires new development proposals to be respectful and sensitive to the existing established character of the Village. Planning Staff have reviewed this policy against the applicants proposed zoning provisions for increased height permissions, a reduction to the front and rear yard setbacks.

The existing comprehensive Zoning By-law generally permits a maximum height of 12.0 metres, intended as a maximum of 3 storeys, for development approvals currently in force and effect. The applicant justifies the proposal for a maximum permissible height of 14.6 metres in the Planning Justification Report by referencing setbacks greater than the minimum required interior setbacks to the east and west on the site. They have also indicated that the nearest existing single detached residential building is located approximately 60 metres from the proposed development, eliminating concerns of overlook, privacy and shadowing on the existing housing stock. As noted in discussions with the developer, the request to increase height beyond the existing 12.0 metre established maximum height permission in the Zoning By-law, is to permit the establishment of a more desirable development with 9 foot ceiling heights and exterior architectural features to provide visual interest to the building.

Planning Staff have reviewed the request for an increase in height against policy 2.1.5.2 for the existing 12.0 metre maximum height permission, established by existing Zoning By-law

provisions. Additionally, Planning Staff's review of the proposal is evaluated based on the specific site proposed for the development as well as the existing conditions and context. Staff note that the policy requires new development proposals to be respectful and sensitive to the small town character of Lucan. While the request extends beyond current established character, staff are of the opinion that the requested height permission of 14.6 metres, to a maximum of four (4) storeys is respectful and sensitive to the small town character as required in the policy for the following reasons. Existing permission on the abutting lands to the east permit a maximum height of 12.0 metre to a maximum of 3 storeys. The requested height represents an appropriate transition of scale from the existing single detached dwellings located along Butler Street, as the lands provide a buffer beyond 60 metres, whereas the former approved development abuts an existing single storey home. Additionally, the modest increase in maximum permissible height from the abutting lands, and in turn density on the lands, is less impactful to the existing neighbourhood as access to the site is provided by Main Street, eliminating traffic from local streets. Further, the development is able to appropriately meet the parking requirement for the proposed residential development meaning that the increase in height is justified given existing Zoning By-law provisions for apartment buildings. Given the above, Planning Staff are of the opinion that the requested increase in height would not adversely impact the existing neighbourhood by being sensitive and respectful to the existing character.

Planning Staff have also reviewed the proposed reductions to the requested front yard and rear yard minimum setbacks in relation to scale, density and form. Respecting the request for the reduction to the minimum front yard setback, staff note that the original setback back requirement of 56 metres was required to remove the potential for residential development within lands designated Highway Commercial. Subject to the approval of the proposed Official Plan amendment by Middlesex County Council, staff prefer the development be brought forward on the site to help encourage an appropriate street wall to face Main Street. Staff feel that a reduction to the front yard setback would not create any adverse impacts to neighbouring developments or the community as a whole. Additionally, staff have reviewed the requested reduction to the rear yard setback in relationship to existing permission within the area, most notably the adjacent site to the east. On the abutting site, the zoning by-law permits a setback of 5.0 metres on Butler Street. As such at the request of staff, the developer has amended their request to meet the neighbouring lands setback requirement of 5.0 metres. This will appropriately create a consistent street wall should Butler Street extend and development be permitted on abutting lands to the north.

In consultation with the applicant, staff have included provisions in the proposed Zoning By-law amendment to include a minimum outdoor landscaping percentage of 31 percent, of which 10 percent will be utilized as an enhanced outdoor amenity area for residents. A provision is also requested that would ensure future development of the land is consistent with the architectural character, design and form proposed in the elevations, renderings and site plan provided by the application. Both of these policies help to ensure the character of



the development is respectful and sensitive to the existing development within the neighbourhood. Given the above, Planning Staff are satisfied that the proposed increase in height, reduced front yard and rear yard setbacks are respectful and sensitive to the existing character as required in section 2.1.5.2.

Policy 2.1.5.5, as discussed in the policy section of this report, notes that medium density housing shall be located so that they are appropriately built where direct or proximate access to arterial roads is available, access to commercial areas, schools and parks is available, and where municipal services exist or are capable of existing. It also seeks to limit the impact to predominantly single unit dwellings by providing appropriate buffering and setback standards to ensure compatibility with the existing character and design of the neighbourhood, which is implemented through the Zoning By-law. Based on the above requirements, Planning Staff note that the proposed development site directly accesses a higher order road, reducing vehicle traffic and impact to the local neighbourhood on Butler Street. Further the site is located adjacent to existing commercial and institutional uses, while also proposing a mixed use development component on the site. Additionally, the location of the site is appropriately buffered from the existing low density neighbourhood by appropriate setback standards as well as previously approved higher density development. Finally, appropriate servicing exists within the area, ensuring an efficient form of development.

Policy 2.1.5.11 of the Township Official Plan supports the intensification and development of lands where services are available. It also notes that forms of residential intensification and redevelopment may take the form of multi-unit dwellings, occur on lands where density would maintain the minimum lot size requirements, and that street infilling shall be consistent with the existing building line and setbacks of the area, while also minimizing the impacts on neighbouring properties. Based on the applicant's proposal, Planning Staff have reviewed the requested zoning permissions for infill developments and do not anticipate any negative impacts as previously discussed.

Beyond the applicable policy sections, the applicant's proposal also seeks a reduction to the minimum parking requirement for the use- Clinic. As per the proposal, the applicant is requesting a minimum parking requirement of 1 stall per 30 m<sup>2</sup>, whereas the current zoning permissions require a minimum of 1 stall per 15 m<sup>2</sup>. Based on the current proposed commercial space within the property, the reduction would result in a loss of 5 parking spaces on the property. Staff have reviewed alternate zoning provisions in local zoning by-law and found the following: Strathroy – 1 per 40 m<sup>2</sup> gross floor area; Middlesex Centre – 1 per 40 m<sup>2</sup> gross floor area; and Thames Centre – 1 per 20 m<sup>2</sup> gross floor area. Given the above, staff do not anticipate any negative impact with respect to the reduction in parking.

Taking all of the above into consideration, planning staff are recommending that the subject application be approved subject to the following additional considerations:

- The applicant guarantee a minimum landscape amenity space of 31 percent of lot area, where a minimum of 10 percent of the landscape open space is enhanced as an outdoor amenity space for residents;
- Each residential unit be required to provide a private outdoor amenity space in the format of a balcony or option for a patio on ground floor units;
- The applicant agree to the following provision: Development shall be implemented through a site plan agreement to facilitate the development of two, four (4) storey buildings, one being an apartment building, and the second being a mixed use building with a minimum 150 m<sup>2</sup> commercial / office unit on the first floor facing Main Street. A combined maximum total of 90 units will be permitted between to two (2), four (4) storey building as depicted on the Site Plan attached as Schedule B to this By-law.
- Notwithstanding section 4.10 Height Exceptions of the Comprehensive Zoning By-law 100-2003, any accessory mechanical equipment or mechanical penthouse located on the roof of the buildings shall not encroach beyond 3.0 metres of the maximum permitted height of the building. Additionally, the mechanical penthouse shall not exceed a maximum floor area of 10 percent of the building envelope and shall be setback a minimum of the equivalent distance of height of the structure from any side of the building.
- The second building on the lands is required to have a minimum 150 m<sup>2</sup> commercial / office space.

This opinion is provided prior to the public meeting and without the benefit of potentially receiving all comments from agencies or members of the public. Should new information arise regarding this proposal prior to or at the public meeting, Council is advised to take such information into account when considering the application.

**Recommendation:**

**THAT** Official Plan Amendment No. 8 to permit the establishment of a Highway Commercial – Special Policy Area 1 to permit residential uses, for land legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph, County of Middlesex, be adopted and forwarded to the County of Middlesex for consideration of approval;

**AND FURTHER THAT** Application for Zoning By-law Amendment ZBA 02/2020, filed by Zelinka Priamo Ltd on behalf of Walter Anton Lock, to rezone the lands from a ‘site specific’ Highway Commercial Exception (C2-5) Zone and a ‘site specific’ Highway Commercial Exception (C2-6) Zone, to a ‘site specific’ Highway Commercial Exception (C2-10) Zone, for a property known municipally as 280 Main Street, Lucan and legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph, County of Middlesex, **BE APPROVED.**

An official plan amendment and zoning by-law amendment have been prepared for Council's consideration.

**Attachments:**

1. Location Map.
2. Planning Justification Report
3. Conceptual Site Plan
4. Elevation and Renderings
5. Public Comment

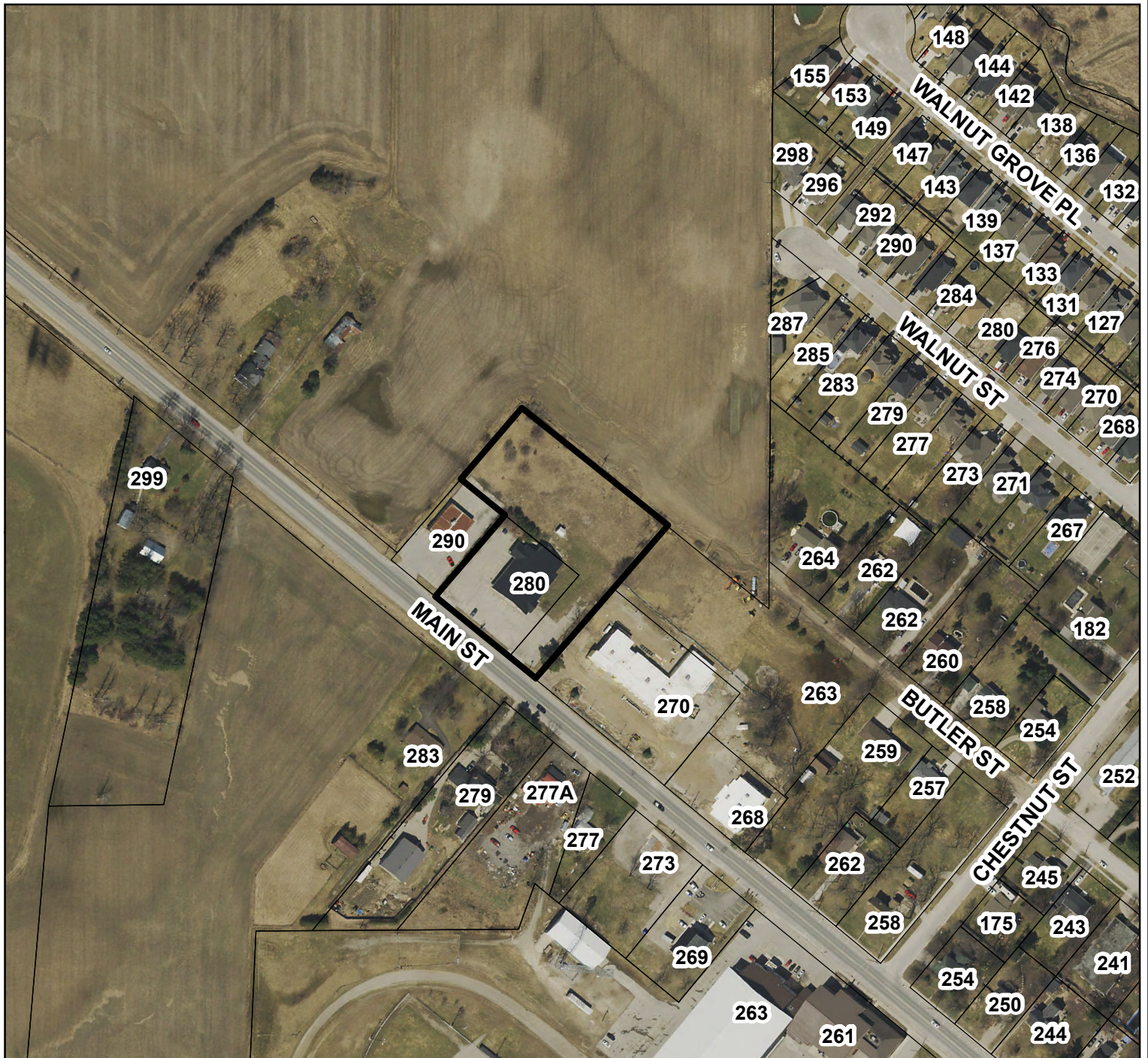
# APPLICATIONS FOR OFFICIAL PLAN AMENDMENT (OPA1-2020) AND ZONING BY-LAW AMENDMENT (ZBA 2-2020)

Walter Anton Lock (Owner)  
Zelinka Priamo Ltd. (Agent)


280 Main St  
Part Lot 4 NOTPLR, 33R-12915; 33R-16464, Parts 1; 1 to 6  
Township of Lucan Biddulph



## Township of LUCAN BIDDULPH KEY MAP




Published by the County of Middlesex  
Planning Department  
399 Ridout Street North, London, ON N6A 2P1  
(519) 434-7321  
May 2020

 Subject Lands

1:3,000  
0 10 20 30 40 Metres

ORTHOPHOTOGRAPHY: SWOOP 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.*



# Planning Justification Report

280 Main Street, Lucan

Township of Lucan Biddulph



August 2020



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

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## 1.0 INTRODUCTION

The purpose of the Planning Justification Report is to demonstrate that a proposed Amendment to the Official Plan and Zoning By-law to permit a mixed use development at 280 Main Street in the Community of Lucan is consistent with the Provincial Policy Statement and conforms to the Middlesex County Official Plan and the Lucan Biddulph Official Plan.

## 2.0 SUBJECT LANDS AND AREA CONTEXT

The subject lands are legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph.

The subject lands are located on the north side of Main Street, approximately 240 m (790 ft.) west of Chestnut Street at the north end of the built-up area of the Community of Lucan. The irregular flag shaped parcel has a lot area of approximately 0.875 ha (2.2 ac), frontage on Main Street of approximately 68.58 m (225 ft.) and depth of approximately 106 m (348 ft.) (see Figure 1).

**Figure 1 – Subject Lands (Outlined in Red and Surrounding Context)**



The front portion of the subject lands is occupied by a one storey medical and professional office building with approximately  $\pm 700 \text{ m}^2$  (7535 sq. ft.) gross floor area and a 37 parking space area together with a substantial area of vacant land. Parking provided complies with the requirements of the Zoning By-law. The area occupied by the building and parking is approximately 0.32 ha (0.79 ac.). Access is provided by two driveways along Main Street (Highway 4), a major road through Lucan. The rear portion of the subject lands (approx. 0.56 ha/1.39 ac) is currently vacant. Full municipal services are available.

Surrounding land uses are agriculture to the north; single detached dwellings to the northeast and south; institutional (Lucan Biddulph Township Office and Lucan Library Building), and low-rise apartment buildings (Lucan Woods) to the east; and a veterinary clinic building (formerly Canada

Trust ATM) to the west. The nearest single detached residence located on Butler Street is approximately 60 m from the rear lot line of the subject lands. Indoor and outdoor recreational facilities (the Lucan Community Memorial Centre & Arena) are located on the south side of Main Street within 100 m (328 ft.) of the subject lands. Library and medical services are located on the abutting lands to the east and west respectively. The site is within walking distance ( $\pm 700$  m /  $\pm 2300$  ft.) of the Central Commercial Area (Foodland, LCBO, restaurants, Fire Hall, etc.).

The housing form within the Lucan Community is predominantly single detached residential. The site offers an opportunity to redevelop the site to support an alternative form of housing in the primary settlement area of the Township of Lucan Biddulph. There are no natural or built heritage features on the site or adjacent to the site and there are no natural or manmade hazards.

Lucan is designated '*Settlement Areas (Urban and Community)*' in the County of Middlesex Official Plan. The subject lands are designated '*Residential*' and '*Highway Commercial*' in the Township's Official Plan and zoned '*Highway Commercial (C2-5) Zone*' and '*Highway Commercial (C2-6) Zone*' in the Township's Zoning By-law.

### **3.0 PROPOSAL**

The proposed redevelopment consists of the construction of a 4 storey apartment building on the vacant portion of the subject lands (Phase 1); and the demolition of the existing one storey clinic and general office building, to be replaced with a mixed-use building with a height of 4 storeys and consisting of residential and office/clinic uses (Phase 2)

The proposed apartment building will contain a total of 54 residential dwelling units on all levels, comprised of 19 one-bedroom and 35 two-bedroom units.

The proposed mixed-use building will contain a total of 36 residential dwelling units on all levels, comprised of 19 one-bedroom and 17 two-bedroom units. A medical office/clinic with a floor area of 150 m<sup>2</sup> (1,615 ft<sup>2</sup>) will be located on the ground floor of the building directly facing Main Street.

Existing access points along Main Street at both ends of the property will continue to service the proposed development. The proposed development will provide 141 at-grade parking spaces, including 7 barrier-free spaces; 5 spaces will be provided for the office/clinic use, and the remaining 136 spaces will be allocated to the residential dwelling units. An opportunity for shared parking between the residential and office/clinic use is possible if required.

A total of 33.6% of the site area is proposed as at-grade landscaped open space; and all of the dwelling units are to be provided with outdoor patio (ground floor units) or balcony (2<sup>nd</sup> – 4<sup>th</sup> storey units) space.

Indoor and outdoor recreational opportunities are available within convenient walking distance and as such no at-grade outdoor amenity area is proposed.



In light of social and economic impacts resulting from the COVID-19 virus, and their subsequent effects on the traditional office workspace environment, the following features will be, or considered to be, implemented within the proposed building to promote an efficient live/work environment:

- The building should be wired for fast and secure wireless internet, with signal repeaters throughout the building.
- The dwelling units should have a built-in office in the form of a “workstation” (unenclosed space). The workstation could have built in shelving provided by Developer with reinforced wall (plywood) to support standard computer monitor brackets. Same for large screen TV monitors in other rooms.
- The building may have a full time remote (third party) IT service department that residents could subscribe to and pay for.
- The building should have a centralized FED-EX or PUROLATOR delivery box exclusive for residents.
- The building should be pet friendly.

It is acknowledged that provisions of any of the above that require dedicated space within the building are considered accessory to the residential use and may result in the revision of the overall residential density of the proposed development.

The proposed development comprised of the proposed buildings, associated parking, driveways, access, height, and landscape strips are shown on the concept plan attached to this report (see Appendix 1). The elevations and renderings of the contemporary designed building are also attached (see Appendix 1).

#### **4.0 PROPOSED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT**

As previously noted, the subject lands are designated ‘*Residential*’ and ‘*Highway Commercial*’ in the Township’s Official Plan. The Residential designation applies to the majority of the rear (vacant) portion of the site; while the Highway Commercial designation applies to the front (developed) portion abutting Main Street, and the remaining portion of the vacant lands. The proposed development (Phase 2) includes residential dwelling units within the Highway Commercial designation, which does not permit residential uses. As such, an Official Plan Amendment (“OPA”) is required, based on previous discussions with Municipal Planning Staff, to allow for residential uses within the Highway Commercial portion of the subject lands.

As such, a site-specific Highway Commercial designation is being requested to add residential uses (i.e. apartment dwellings) to the existing permitted uses.

The subject lands are also within two site-specific Exception Zones. The existing office building is zoned Highway Commercial (C2-5) Zone which permits offices and highway commercial uses;

and the vacant lands are zoned Highway Commercial (C2-6) Zone which permits apartments and other multiple housing types. Permitted uses and regulations for these zones are contained in Section 5.3 of this report. An amendment to the Zoning By-law (“ZBA”) is required to facilitate the proposed redevelopment, which is considered intensification.

A consolidated Highway Commercial Exception Zone is requested which combines the permitted uses within the C2-5 and C2-6 zones, with exceptions to regulations for minimum setback of an apartment dwelling (16.5 m; whereas a minimum of 56 m is required); maximum height (14.6 m; whereas a maximum of 10 m is permitted); minimum rear yard setback (4.0 m; whereas a minimum of 10 m is required); and parking requirement for a clinic use (1 space per 30 m<sup>2</sup> net floor area; whereas 1 space per 15 m<sup>2</sup> is required) is required to permit the proposed development, to allow the proposed development to function as a single entity.

## 5.0 PLANNING DOCUMENT REVIEW AND POLICY ANALYSIS

The following sections demonstrate how the proposed OPA and ZBA to facilitate the proposed redevelopment are consistent with the applicable policies in the Provincial Policy Statement 2020 (“PPS”); and are in conformity with the Middlesex County Official Plan (“County OP”) and the Lucan Biddulph Official Plan (“LBOP”).

### 5.1 PROVINCIAL POLICY STATEMENT 2020 (PPS)

The PPS, issued under the authority of Section 3 of the Planning Act, provides policy direction on matters of provincial interest related to land use planning in order to ensure efficient development and protection of resources. All planning applications are required to be consistent with these policies. The latest version of the PPS came into effect on May 1, 2020 and the relevant sections are discussed below.

Policies in 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns; 1.1.3 Settlement Areas; 1.4 Housing; and 1.6.6 Sewage Water and Stormwater apply to the subject lands.

#### **Section 1.1.1**

*Healthy, liveable and safe communities are sustained by:*

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- f) improving accessibility for persons with disabilities and older persons by identifying, addressing land use barriers which restrict their full participation in society;*

- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*

The LBOP currently designates the subject lands to permit the proposed uses to meet the long term residential and commercial needs in the fabric of the Community of Lucan. The proposed development addresses multi-unit housing needs within the Community (Policy 1.1.1 b). There are no environmental or public and safety concerns resulting from the proposed development (Policy 1.1.1 c). The proposal incorporates features to remove land use barriers and promote accessibility (Policy 1.1.1 f); and infrastructure is available to provide full municipal services (sewer, water, storm water) and public service facilities (e.g. recreational, institutional, emergency services, medical) (Policy 1.1.1 g). Based on the above, the proposed development is consistent with the applicable policies in 1.1.1 Healthy, liveable and safe communities.

### **Section 1.1.3**

#### **1.1.3.1**

*Settlement areas shall be the focus of growth and development.*

#### **1.1.3.2**

*Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) *efficiently use land and resources;*
- b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation.*

*Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

#### **1.1.3.3**

*Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

#### **1.1.3.4**

*Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

#### **1.1.3.6**

*New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

The proposed OPA and ZBA to facilitate the proposed redevelopment and development is located in the Lucan Community. The Lucan Community is a designated settlement area in the County OP and the LBOP. Settlement areas are stated as the focus of growth in the PPS. The location of the proposed development in the settlement area of Lucan is consistent with the PPS policies directing development, intensification, redevelopment to settlement areas (Policies 1.1.3.1, 1.1.3.6). The Lucan Community is a fully serviced settlement area to support the proposed development (Policies 1.1.3.2a), 1.1.3.2b). Infrastructure, municipal services, municipal facilities, and services providing the day to day needs are located within walking distance of the subject lands, thus supporting active transportation and energy efficiency (Policies 1.1.3.2c) and 1.1.3.2e). The PPS encourages and is supportive of the development standards in the proposed amendment to the Zoning By-law which facilitates intensification and redevelopment at an appropriate location in Lucan with no known risks to public health and safety (Policy 1.1.3.4). The proposed development will have no negative impacts on the abutting uses; is generously separated ( $\pm 60$  m) from residential uses; and there are no natural or built heritage features on the subject lands or adjacent lands (Policies 1.1.3.3, 1.1.3.4, 1.1.3.6).

Based on the above, the proposed OPA and ZBA is consistent with the relevant policies in 1.1.3 Settlement Areas.

**Section 1.4.3**

*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) *permitting and facilitating:*
  - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The proposed amendment OPA and ZBA facilitates the development of a mixed-use building and apartment building that will add to the range and mix of housing types and provide for an alternative affordable housing option in the Lucan Community (Policies 1.4.3, 1.4.3 a). The

proposal is consistent with Policy 1.1.3.3, as previously stated (Policy 1.4.3b)2.). Full municipal services are available to the subject site as well as accessibility to day to day services (Policies 1.4.3 c), 1.4.3 d). The proposed development standards permit and promote a development that uses land and public facilities efficiently and do not impact public health and safety (Policies 1.4.3 d), Policies 1.4.3 f). The proposed OPA and ZBA is consistent with the relevant housing policies in the PPS.

**Section 1.6.6.2**

*Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services. Intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

Full municipal services are available to the subject lands. The proposal is appropriate intensification and redevelopment in the settlement area of Lucan and is consistent with Policy 1.6.6.2.

Based on the above, the proposed OPA and ZBA satisfies the intent of the PPS.

**5.1 MIDDLESEX COUNTY OFFICIAL PLAN**

The County OP was adopted by County Council on September 9, 1997. The current County OP is a consolidated version, dated August 2006.

The subject lands are designated “Settlement Areas (Urban and Community)” on Schedule A Land Use. Applicable policies are found in Sections 2.3 Growth Management and 3.2 Settlement Areas.

Lucan has full municipal services and the range of uses and services which qualifies it as a designated urban settlement area in Section 2.3.2 Growth Management Hierarchy. The Lucan Urban Area can accommodate the future growth population projections allocated to the Township in the County OP on full municipal services, as required by the County OP.

The County OP promotes communities that are diverse and have a sense of place with lifestyle choice and economic vitality in Section 2.3.5 General Policies. The subject lands are currently designated for development in the LBOP to meet the growth projections for the planning period and growth. The County op directs development to Settlement Areas in Section 2.3.5. The proposed development in the Urban Settlement Area of Lucan conforms to policies in Section 2.3.5.

Section 2.3.7 Housing Policies in the County OP encourages a wide variety of housing by type, size, and tenure to meet projected demographic and market requirements of current and future residents of the County. The County OP supports the proposed intensification and redevelopment, within the Lucan Settlement Area, where an appropriate level of physical services is available. The County OP also supports the provision of housing that is accessible to lower

and moderate income households. The proposed development adds to the range of housing types, housing densities and housing options to meet the needs of the Township's share of current and projected County residents.

Section 2.3.7.3 Intensification and Redevelopment, in the County OP, encourages residential intensification and redevelopment in areas designated for residential use at locations with the physical potential to accommodate residential intensification and have the physical services to support new households in the area and are physically compatible with the existing built form. The proposed special regulation amendments to the Zoning By-law to permit the proposed building height, minimum setback for apartment dwellings, and rear yard setback to allow intensification and redevelopment over the entire subject lands are appropriate as physical services are available; an appropriate range of mix of uses are being provided; and the proposed parking supply for the residential uses is consistent with the minimum parking requirements contained within the Zoning By-law.

In Section 2.3.7.4 Implementation, the County OP supports the proposed residential density, and residential intensification and redevelopment at this location.

In Section 2.3.8 Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial and industrial development. As previously stated, Lucan is a designated Urban Settlement Area in the LBOP and has concentrations and intensity of land uses. The Settlement Area policy supports the proposed development in the Urban Area of Lucan to accommodate a significant portion of the projected growth in the Township over the planning period.

Permitted uses are stated in Section 3.2.4.1 Permitted Use Urban Areas and include a variety of housing types and commercial uses. The proposed apartment dwellings and office/clinic use is are permitted uses in Settlement Urban Areas.

Based on the above, the proposed OPA and ZBA to permit the proposed development is in conformity with the Growth Management and Urban Areas policies in the County OP.

## **5.2 LUCAN BIDDULPH OFFICIAL PLAN**

The Official Plan of The Corporation of the Township of Lucan Biddulph ("LBOP") was adopted by the Council of the Township of Lucan Biddulph by By-law 37-2002 passed on June 4, 2002. The County of Middlesex approved the LBOP with modifications on June 10, 2003. This report relies on the consolidated version of the LBOP as of June 1, 2015.

The subject lands are identified on Figure 2 and are designated Highway Commercial and Residential on Schedule A Land Use. Residential use is proposed on part of the lands designated Highway Service Commercial. Policy 8.1.2 Land Use Boundaries allows flexibility in the interpretation of the land use boundaries, as follows:

**Section 8.1.2: Land Use Boundaries**

*The boundaries of the land use designations shown on the schedules to this Plan are to be considered approximate. Only where the boundaries are defined by public roads, the Little Ausable River, streams or similar physiographic barriers shall they be considered as absolute.*

The boundary between the designations on the subject lands are not considered absolute. Furthermore, the current C2-6 Zone which applies to the northerly portion of the subject lands is an implementing zone of the Highway Commercial designation and permits apartment dwellings, multiple unit dwellings and townhouse dwellings in addition to the uses permitted within the C2 zone, thus establishing the permission for mixed uses on the subject lands. In our opinion, an interpretation in accordance with Policy 8.1.2 could be made in this instance to permit the proposed development without amendment to the LBOP.

However, notwithstanding the above, previous discussions with planning staff suggest that, due to the prominence of residential uses on the property, an interpretation in accordance with Policy 8.1.2 in this instance is not in keeping with the intent of the Highway Commercial policies of the LBOP and the C2-6 zone which contains minimum front yard depth standards for apartment dwellings that would place them outside of the Highway Commercial designation. As such, a site-specific OPA is proposed to permit residential uses within the Highway Commercial designation portion of the subject lands.

Applicable polices are found in 2.1.3 Highway Commercial, 2.1.3.1 Land Use, 2.1.3.2 Form of Development for Highway Commercial; 2.1.5 Residential; 2.1.5.1 Land Use for Residential; 2.1.5.2 Scale, Density and Form for Residential; 2.1.5.5 Medium Density Residential; 2.1.5.7 Affordable Housing; and 2.1.5.11 Intensification and Redevelopment.

**Figure 2 Lucan Biddulph Official Plan, Schedule “A” – Land Use (Excerpt)**



**Section 2.1.3: Highway Commercial**

*Areas designated 'Highway Commercial' are situated along Main Street towards the periphery of the Village. They are generally developed in a space extensive manner with buildings set back from the street and with generous provision for on-site parking in marked contrast to the intensive and compact form of development characteristic of the downtown core. The 'Highway Commercial' designation includes existing commercial development as well as lands considered suitable to accommodate future commercial needs.*

The proposed redevelopment in Phase 2 generally maintains the footprint of the existing office building setback from Main Street with the parking area at the front of the building. The subject lands are suitable to accommodate the proposed redevelopment of a mixed-use building containing office and residential uses.

**Section 2.1.3.1: Land Use**

*In areas designated 'Highway Commercial' on Schedule "A", uses will be characterized by those which cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, garden supply outlets, sale of bulk goods, restaurants and certain types of convenience retail and service outlets. The actual uses permitted shall be specified in, and regulated by, the provisions of the Zoning By-law.*

It is recognized that a portion of the proposed development contains residential uses within the Highway Commercial designation, which does not permit residential uses. Furthermore, the exception zone that applies to the existing office building lands permits office uses and uses permitted in the Highway Commercial Zone. As previously noted, the exception zone that applies to the vacant portion of the subject lands permits residential uses under the Highway Commercial zone category, which is an implementing zone of the Highway Commercial designation. As such the proposed use(s) are already contemplated and permitted within the subject lands, notwithstanding the dual zoning of the property. The proposed uses within the 4 storey mixed-use building conforms to the Policy 2.1.3.1 provision regarding actual uses being specified and regulated in the Zoning By-law. The subject lands have long supported the existing office building and associated parking area and the site is suitable for redevelopment to accommodate mixed uses, including residential dwelling units and an office and/or retail component. As such, a site-specific OPA to include residential uses within the Highway Commercial designation is appropriate in this instance.

**Section 2.1.3.2: Form of Development**

*Commercial development will be characterized primarily by buildings set back from the street and extensive areas for parking, outside storage and display. Efforts will be made to internally link adjacent development to minimize vehicle entrances and enhance public safety. In view of the location of areas designated 'Highway Commercial' at the main entrances to the Village and the tendency of highway commercial establishments to exhibit a non-distinctive appearance, a high standard of site design, creativity and amenities will be encouraged.*



The proposed 4 storey mixed-use building is set back from Main Street with parking situated in the front yard, consistent with the existing development. The existing driveways are maintained. The proposed mixed-use building has a distinctive high standard contemporary appearance, demonstrated by the elevations attached to this report (see Appendix 1). The proposed buffer strip in the front yard provides ample space for landscaping to screen the parking area. The proposed landscaping and contemporary building design are appropriate features along a Main Street entrance to the Community of Lucan and complement the adjacent library and medical centre buildings and landscaping development.

**Section 2.1.5: Residential**

*Areas designated for existing and future residential purposes in the Village of Lucan include existing residential development as well as lands for accommodating future residential development. While residential development has been traditionally and continues to be primarily in the form of low-density single unit detached dwellings thereby contributing to the 'small town' residential character of the Village, a demand exists for other housing types to meet the socio-economic needs of the Community.*

*Undeveloped lands designated for residential purposes lie adjacent to existing residential areas to ensure contiguous development and the cost-efficient extension of services. Within existing developed areas, opportunities exist for redevelopment and infilling.*

As previously stated, residential development in the Lucan Community is predominantly low density single detached dwellings. The proposed 4 storey mixed-use and apartment buildings containing a total of 90 residential units provide a housing type that offers an alternative form of housing that has the potential to meet socio-economic needs of a growing Community and could provide alternative forms of housing for existing Lucan residents currently residing in single-detached dwellings. The proposed development is contiguous to existing development, including residential, institutional, and commercial uses.

**Section 2.1.5.1: Land Use**

*Within areas designated 'Residential' on Schedule "A", the primary use of land shall be for single unit detached dwellings. Other dwelling types are also permitted including semi-detached dwellings, duplex dwellings, converted dwellings, accessory apartments, townhouses and low-rise and small-scale apartment buildings. Secondary uses may also be permitted provided they complement and are compatible with these areas and do not detract from their predominantly residential character. These uses may include churches, schools, neighbourhood parks, nursing and rest homes, and home occupations. The actual uses permitted shall be specified in and regulated by the Zoning By-law.*

The proposed apartment building is a permitted use in the Residential designation.

**Section 2.1.5.2: Scale, Density and Form**

*The scale, density and form of new residential development shall respect and be sensitive to the 'small town' character of the Village. At the same time, it is recognized that multiple forms of residential development will provide the potential for more affordable housing as well as housing more able to meet*

*the increasingly diverse needs and preferences of the Community. To ensure compatibility with existing development, the density and height of new residential development will be limited.*

The subject lands are located in an area where intensification and redevelopment can be accommodated considering matters such as existing building stock, provision of affordable housing, the potential to meet socio-economic needs and suitable existing infrastructure and public service facilities. The subject lands are located at the interface of residential and non-residential land uses.

The requested amendments to the zone regulations for increases to height, reductions to front yard depth and rear yard setbacks provide appropriate development standards at this location as potential adverse impacts on adjacent institutional and commercial land uses are not anticipated. Existing residential development to the north is sufficiently separated from the proposed apartment building (approx. 60m) to mitigate possible concerns over privacy, overlook and shadowing.

As previously stated, there are no natural heritage or built heritage features on the subject lands or on adjacent lands. The proposed density, scale and form are appropriate at this location in the Community of Lucan.

**Section 2.1.5.5**

*Medium Density Housing Medium density residential development in the form of townhouses, apartments and other forms of multiple unit housing shall be encouraged to locate where direct or proximate access to arterial or collector roads is available; where proximity exists to commercial areas, schools, and/or parks and open space; and where municipal services are available or capable of being made available. Intrusions into existing residential areas of predominantly single unit dwellings shall be discouraged and compatibility with the character and design of neighbouring development expected. Appropriate buffering and setbacks shall be provided where necessary to ensure compatibility. Standards regarding housing types, density, height, parking, and landscaped open space shall be addressed in the Zoning By-law. Site plan control shall apply.*

The subject lands front on Main Street (Provincial Highway No. 4); are in close proximity to the main commercial area in Lucan and a major municipal indoor and outdoor recreational facility. Municipal services are available. The proposed mixed-use building would be situated within lands designated and zoned for highway commercial uses; and the proposed apartment building is situated within lands already designated and zoned for the intended use, notwithstanding the requirement for increased building height and reduced rear yard setback. As the nearest single-family dwelling is located approximately 60m from the rear of the subject lands, the proposed development does not intrude into existing residential areas and the proposed exceptions to regulations are appropriate to accommodate redevelopment, development, and intensification.

**Section 2.1.5.7: Affordable Housing**

*The Township shall encourage housing forms and densities designed to be affordable to moderate and lower income households. The County has set a target that 20 percent of all housing be affordable based on an annual benchmark. The County will monitor and provide this figure on an annual basis.*

The proposed apartment dwelling units are an affordable alternative to single and semi-detached detached dwellings and ground oriented attached dwellings such as town housing.

**Section 2.1.5.11: Intensification and Redevelopment**

*The Township supports intensification and redevelopment, most notably within Settlement Areas, as well as in areas where the appropriate levels of servicing are or will be available. As a result, the Township requires that 15 percent of development occur by the way of intensification and redevelopment.*

*The Township shall encourage intensification and redevelopment within the Village of Lucan on vacant or underutilized sites in order to efficiently utilize designated settlement area land and available municipal services.*

*Residential intensification and redevelopment is subject to the following policies:*

- a) *Forms of residential intensification and redevelopment shall only be permitted based on the level of water and wastewater servicing that is available in the Village of Lucan.*
- b) *Residential intensification and redevelopment may take the form of multi-unit dwellings, dwelling conversion, street infilling, rear yard infilling, and infill subdivisions.*
- c) *Residential intensification and redevelopment may only occur to a maximum density which maintains the minimum lot areas permitted in the Zoning By-law, and/or is deemed suitable by the Township to satisfy the proposed water supply and wastewater disposal systems.*
- d) *When considering proposals for residential intensification and redevelopment, and in addition to all other applicable development criteria in the Official Plan, the Township will ensure that:*
  - i. *For dwelling conversions, the exterior design of the dwelling is compatible with the surrounding area in terms of height, bulk, scale, and layout;*
  - ii. *For street infilling, the proposal is consistent with the established building line and setbacks of the surrounding area.*
  - iii. *For rear yard infilling, the siting of buildings and parking areas must be done in a way which minimizes the impacts on neighbouring rear yards; allows for direct vehicular access provided to a public street with sufficient width to allow efficient vehicular use, on-site snow storage, and access and turn-around by emergency vehicles.*
  - iv. *For infill subdivisions, measures shall be considered, to buffer and screen the development from surrounding residential uses.*

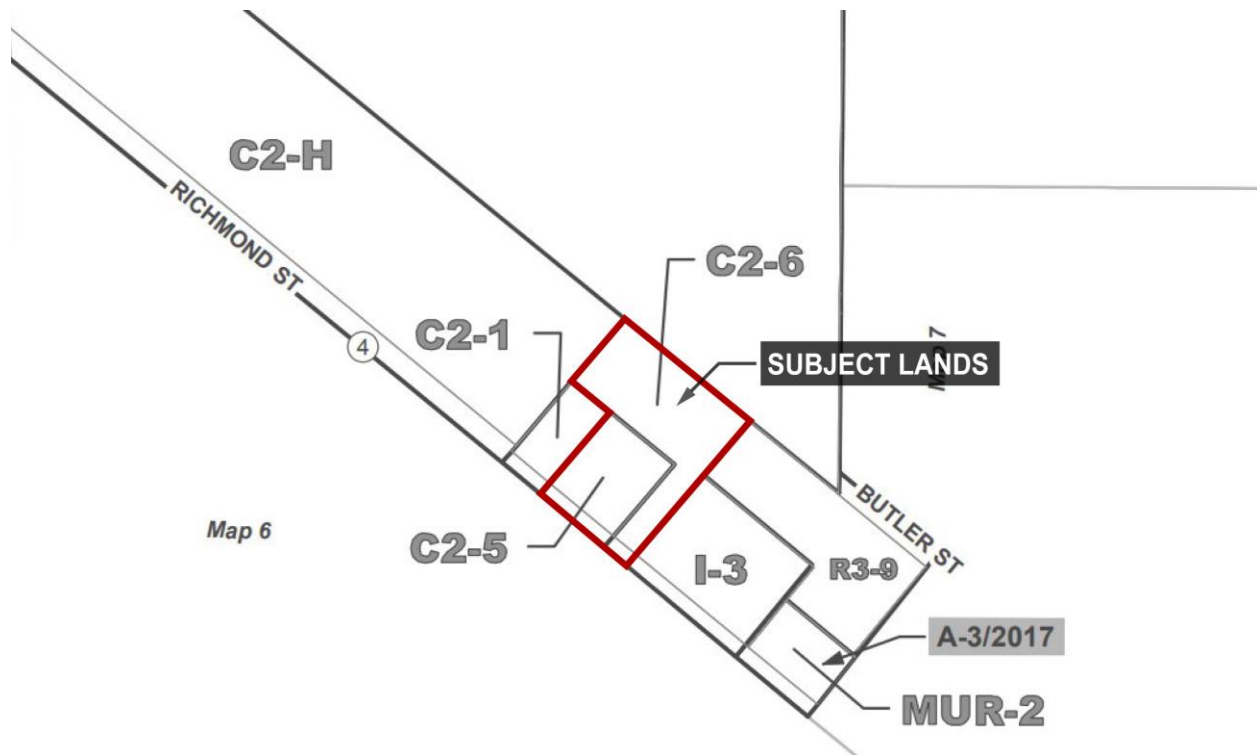
The proposed redevelopment of a mixed-use building and apartment building containing multiple residential units is supported by Policy 2.1.5.11. The proposal is within the designated Settlement Area of Lucan and the subject lands are underutilized and vacant. As previously stated, there are municipal services and public facilities to support the proposal. No adverse impacts are expected on the abutting institutional uses or the nearest residences. The existing vehicular access to Main Street is maintained, there is sufficient space to accommodate the emergency vehicles maneuvering requirements and for on-site snow storage.

Based on the above, the proposed OPA and ZBA to permit the proposed development is in conformity with the LBOP.

### 5.3 LUCAN BIDDULPH ZONING BY-LAW NO. 100-2003

The Lucan Biddulph Zoning By-law No. 100-2003 (“ZBL”) was adopted on October 7, 2003. The consolidated version of the ZBL dated July 2018, is used in this report to describe the existing zoning that applies to the subject lands. The lands are zoned C2-5 and C2-6 on Schedule “B” Map 2 in the ZBL (Figure 3).

**Figure 3 Zoning By-Law Map from Schedule “B” Map2**



The C2-5 and C2-6 zones are Exception zones. The defined area for the zones is the subject lands (280 Main Street). *Highway Commercial (C2-5) Exception Zone* applies to the existing one storey medical and professional office building. The C2-5 Zone permits clinic; office; general office; and all other permitted uses of the C2 zone including: animal clinic; car wash; drive-in or take-out restaurant; financial institution; garage, public; garden centre; gas bar; general retail store; market garden; mobile food outlet; motel; motor vehicle sales establishment; motor vehicle service establishment; restaurant; and service shop. The exception zoning that applies to the C2-5 Zone include: a Minimum Lot Area 2,800m<sup>2</sup>; a Minimum Lot Frontage of 50 m; and the Minimum Number of Parking Spaces for permitted uses are: clinic 1 per 15 m<sup>2</sup> of net floor area; office, general 1 per 30 m<sup>2</sup> of net floor area; and office, professional 1 per 30 m<sup>2</sup> of net floor area.

The *Highway Commercial (C2-6) Exception Zone* applies on the balance of the lands that are currently vacant. The C2-6 Zone permits: apartment dwelling; multiple unit dwelling; nursing

home; townhouse dwelling; and all other permitted uses of the C2 zone. Exception regulations that apply to the C2-6 Zone are: Minimum Lot Frontage 18 m; Front Yard Depth apartment dwelling 56 m; multiple unit dwelling 56 m; townhouse dwelling 56 m; and the Minimum Number of Parking Spaces are: apartment dwelling 1.5 per dwelling unit; multiple unit dwelling 1.5 per dwelling unit; nursing home 1 per 6 beds; townhouse dwelling 1.5 per dwelling unit.

As previously noted, it is proposed that the ZBA consolidate the existing zones into one zone for the proposed development on the subject lands. The standard Highway Commercial (C2) Zone regulations from which relief is requested are the Maximum Height (10 m is permitted, whereas 14.6 m is requested); and Rear Yard Depth (10 m minimum is required; whereas 4.0 m is requested). Relief is also required from Section 15.3.5.e) of the C2-5 Zone regulations to request a reduced parking rate for clinic uses of 1 space per 30 m<sup>2</sup> of net floor area, whereas 1 space per 15 m<sup>2</sup> is required; and Section 15.3.6.d) of the C2-6 Zone to permit a minimum front yard depth of 16.5 m for apartment dwellings, whereas a minimum of 56 m is required. It is important to note that Phase 1 can proceed, subject to the increased height and decreased rear yard setback requirements; Phase 2 requires the front yard setback reduction for apartment uses (consistent with the proposed OPA), increased height, and reduced parking requirement for clinic uses.

The proposed building height of 4 storeys (maximum 14.6 m) is appropriate in this instance as the buildings will be setback greater than the minimum required interior setbacks, thus increasing separation from abutting commercial uses to the east and west; and the nearest singled-detached dwelling is located approximately 60m from the proposed development, thus providing minimal, if any, overlook and privacy concerns. As such, based on the proposed height of the apartment building and distance to the nearest residential dwelling, the proposed apartment building is not expected to create any adverse impacts with respect to shadowing or overlook on adjacent residential lands.

The proposed reduction in the front yard depth for apartment dwellings is consistent with the proposed site-specific OPA to permit residential uses within the Highway Commercial designation portion of the subject lands. The spirit and intent of the Highway Commercial designation is being maintained by positioning office and/or general retail uses directly facing Main Street, with residential in behind on the ground floor. It is proposed that the site-specific front yard depth of 16.5m apply to all permitted uses within the subject lands.

The proposed reduction in the rear yard depth is appropriate as the subject lands do not back on to lands that are designated or zoned for residential purposes, and the nearest residential use (single detached dwelling) is approximately 60m from the proposed apartment building. Thus, there are no overlook or privacy concerns created from the proposed development on abutting land uses, and there is sufficient space for landscaping, buffering, and amenity space between the proposed building and the rear property line.

The proposed reduction in the parking requirement for a clinic use is appropriate as the number of parking spaces provided for this use (5 spaces) are sufficient for the intended use.

Furthermore, patients of the clinic can utilize visitor parking spaces provided for the residential uses on the subject lands, if necessary.

The requested amendments to the zone regulations for increases to height, and reductions to front yard and rear yard depth setbacks provide appropriate development standards at this location as potential adverse impacts on adjacent institutional and commercial land uses are not anticipated. Existing residential development is sufficiently separated from the proposed buildings to mitigate possible concerns over privacy, overlook and shadowing, as noted above. A future Site Plan Approval process will further address matters relating to any compatibility issues with abutting land uses.

The proposed special regulation amendments to the Zoning By-law to permit the proposed building height, reduced rear yard depth, reduced front yard depth for apartment dwellings, and parking for clinic uses to allow intensification and redevelopment are appropriate as physical services are available, and the proposal is compatible with the surrounding built form at this location.

## **6.0 SUMMARY AND CONCLUSIONS**

The purpose of this report is to demonstrate that an application proposing an OPA and ZBA to facilitate the redevelopment of an existing office building to create a mixed use development consisting of residential and office uses on lands that are currently underutilized is consistent with the applicable PPS policies and conforms to the applicable policies in the Middlesex County Official Plan and the applicable policies in the Lucan Biddulph Official Plan.

The proposed OPA to include residential uses within the Highway Commercial designation is appropriate in this instance, as the intended uses are being maintained, and residential uses are already permitted within the adjacent designation and zoning on the subject lands.

The proposed ZBA to consolidate the current exception zones to facilitate the redevelopment of the existing office building and development of a new mixed-use building and apartment building is appropriate at 280 Main Street in Lucan.

The proposed amendments are consistent with the PPS that encourages a range and mix of land uses to support development, redevelopment, and intensification in settlement areas. The proposed amendments are consistent with the direction to locate the proposed form and density of development in appropriate locations in settlement areas that have the public facilities and services to support the development. The proposed development is consistent with the direction to provide affordable housing opportunities.

The County OP and the LBOP contemplate this form of development at appropriate locations. Both Plans, encourage development, redevelopment, and intensification in serviced settlement areas. Both Official Plans encourage the provision of affordable housing and a variety of housing types. The proposed development fulfills a need within the Community and provides a desirable

residential development opportunity within Lucan that can accommodate existing residents, as well as attract new residents to the Community.

The proposed ZBA provides appropriate development standards to regulate the form of residential intensification and office redevelopment. Adverse impacts are not anticipated on adjacent institutional and commercial land uses and existing residential uses are adequately separated from the subject lands.

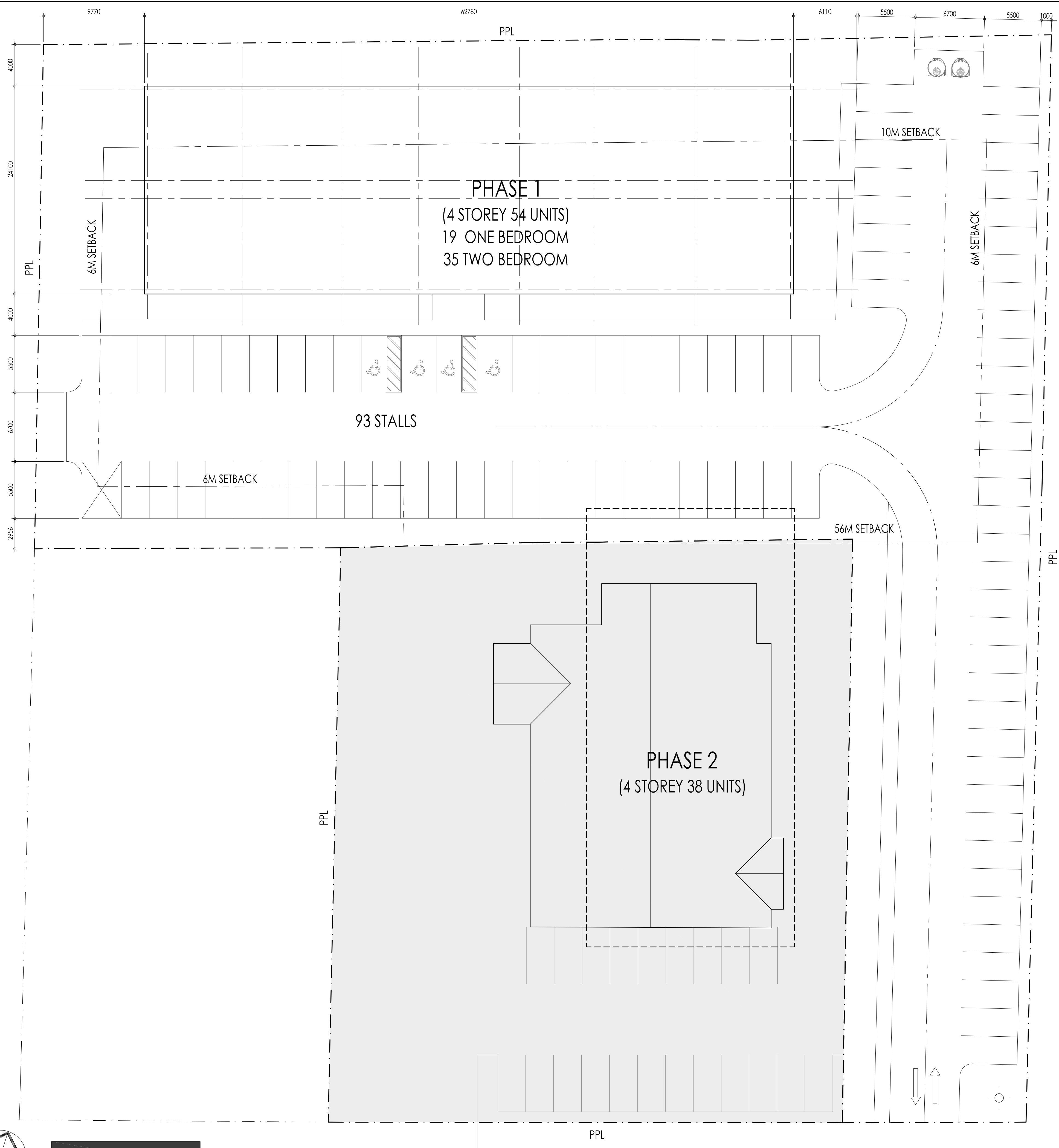
The proposed ZBA is consistent with the PPS and in conformity with the County and Township Official Plans.

Based on the above, the proposed OPA and ZBA is appropriate and represents sound land use planning principles.

# **APPENDIX 1**

## **Concept Plan & Building Renderings**





PHASE 1

ZONING DATA CHART: EXIST. - C2-6 ZONE (PERMITTED USES APARTMENT DWELLING)		
	REQ'D./ MAX./ MIN.	PROPOSED
PROPOSED ZONED USE		APARTMENT
LOT AREA (SM) MIN.	4,000 SM	5,750 SM (.575 HA)
LOT FRONTAGE (M) MIN.	18 M	18 M
FRONT YARD DEPTH (M) MIN.	56 M	80.1 M
REAR YARD DEPTH (M) MIN.	10 M	4 M
INTERIOR SIDE YARD DEPTH (M) MIN.	6 M	9.7 M
LOT COVERAGE (%) MAX.	25% MAX.	22.3%
BUILDING HEIGHT (M) MIN.	10 M	14.6 M
LANDSCAPED OPEN SPACE		31%
PARKING 1.5/UNIT	1.5x54 = 81 STALLS REQ'D (HCP 81x4%=4 STALLS REQ'D)	93 STALLS PROVIDED



KEY PLAN  
N.T.S.



1 19/02/11 ISSUED FOR BLDG PERMIT TEAM1  
NO. DATE: ISSUED FOR: BY:

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**matter.**

Matter Architectural Studio Inc.  
1108 Dundas Street, #300  
London, Ontario, N6W 3A7  
p: 519.601.6274  
www.matterinc.ca

Project Title:  
**280 MAIN STREET - LUCAN**

280 Main Street Lucan, ON

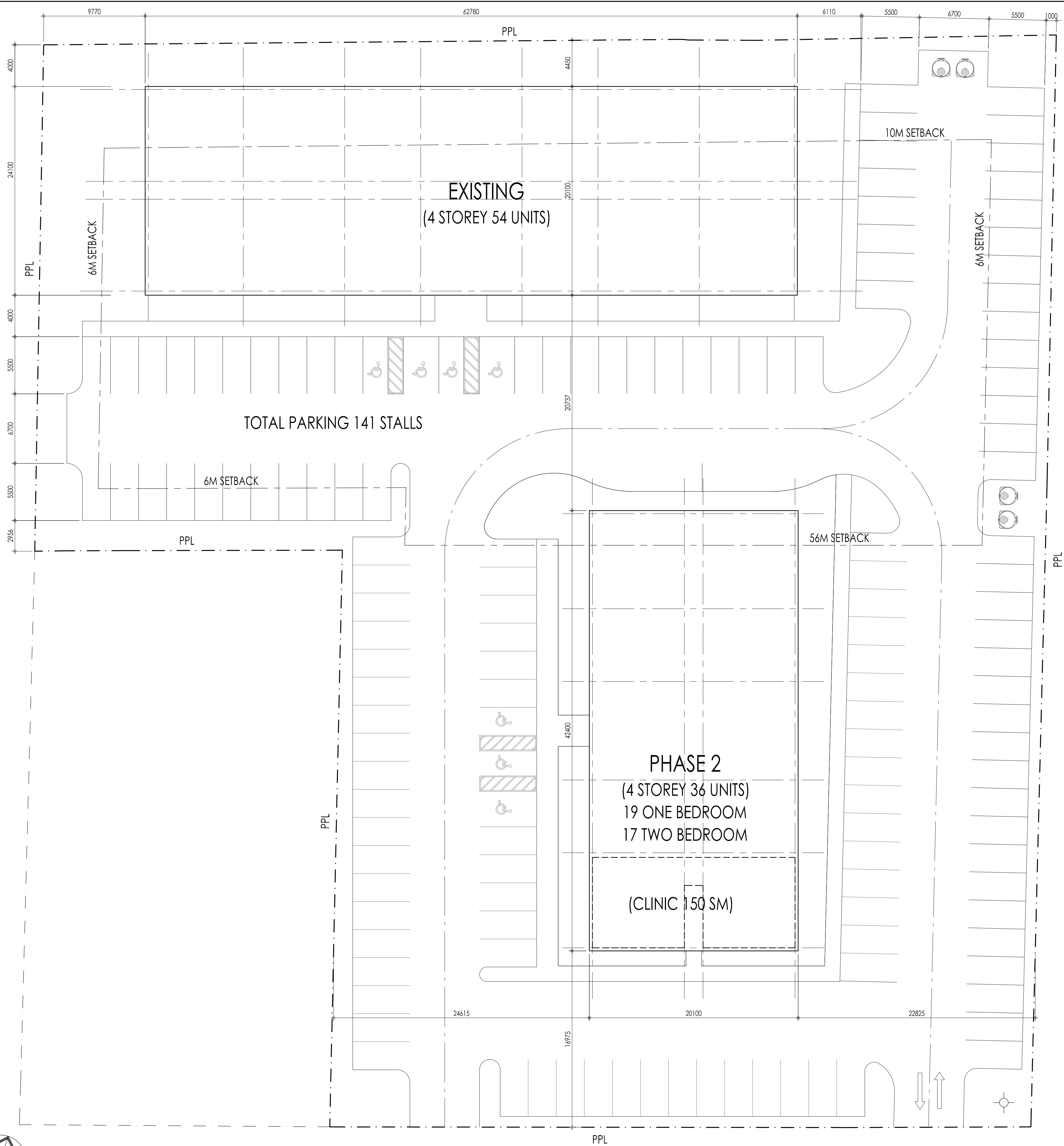
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**SITE PLAN - PHASE 1**

Scale:  
**AS SHOWN**

Project No:  
**19-061**

Sheet No:  
**A100**

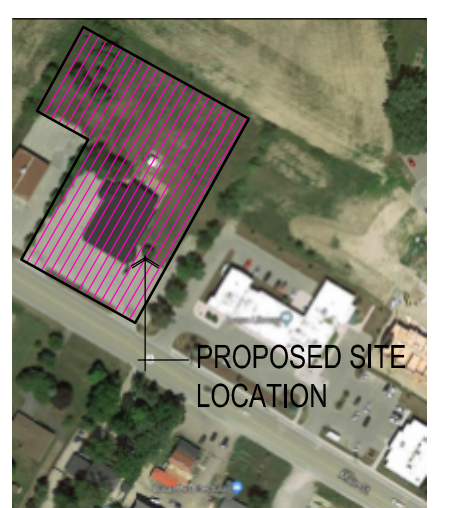
A1 PARTIAL SITE PLAN  
A100 Scale: 1:200



PHASE 1

ZONING DATA CHART: EXIST. - C2-6 ZONE (PERMITTED USES APARTMENT DWELLING)

	REQ'D./ MAX./ MIN.	PROPOSED
PROPOSED ZONED USE		APARTMENT
LOT AREA (SM) MIN.	4,000 SM	8,532 SM (.853 HA)
LOT FRONTAGE (M) MIN.	18 M	67.5 M
FRONT YARD DEPTH (M) MIN.	56 M	17 M
REAR YARD DEPTH (M) MIN.	10 M	4 M
INTERIOR SIDE YARD DEPTH (M) MIN.	6 M	9.7 M
LOT COVERAGE (%) MAX.	25% MAX.	25%
BUILDING HEIGHT (M) MIN.	10 M	14.6 M
LANDSCAPED OPEN SPACE		33.6%
PARKING 1.5/UNIT CLINIC 1/30 SM PHASE 2 (3 HCP PARKING REQ'D)	PHASE 1 (54 UNITS) 81 REQ'D PHASE 2 (36 UNITS) 54 REQ'D CLINIC (150 / 30) 5 REQ'D TOTAL PARKING REQ'D 140	141 STALLS PROVIDED



KEY PLAN  
N.T.S.



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1108 Dundas Street, #300  
London, Ontario, N6W 3A7  
p: 519.601.6274  
www.matterinc.ca

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280 Main Street Lucan, ON

Sheet Name:  
SITE PLAN - PHASE 2

Scale:  
AS SHOWN  
Project No:  
19-061  
Sheet No:  
A100

A1 PARTIAL SITE PLAN  
A100 Scale: 1:200



Key Plan:



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London, Ontario, N5W 3A7  
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280 Main Street Lucan, ON.  
Sheet Name:  
ELEVATION

Scale: AS SHOWN Project No: 19-061  
Sheet No: A300

## **REFERENCES**

Provincial Policy Statement (2020)

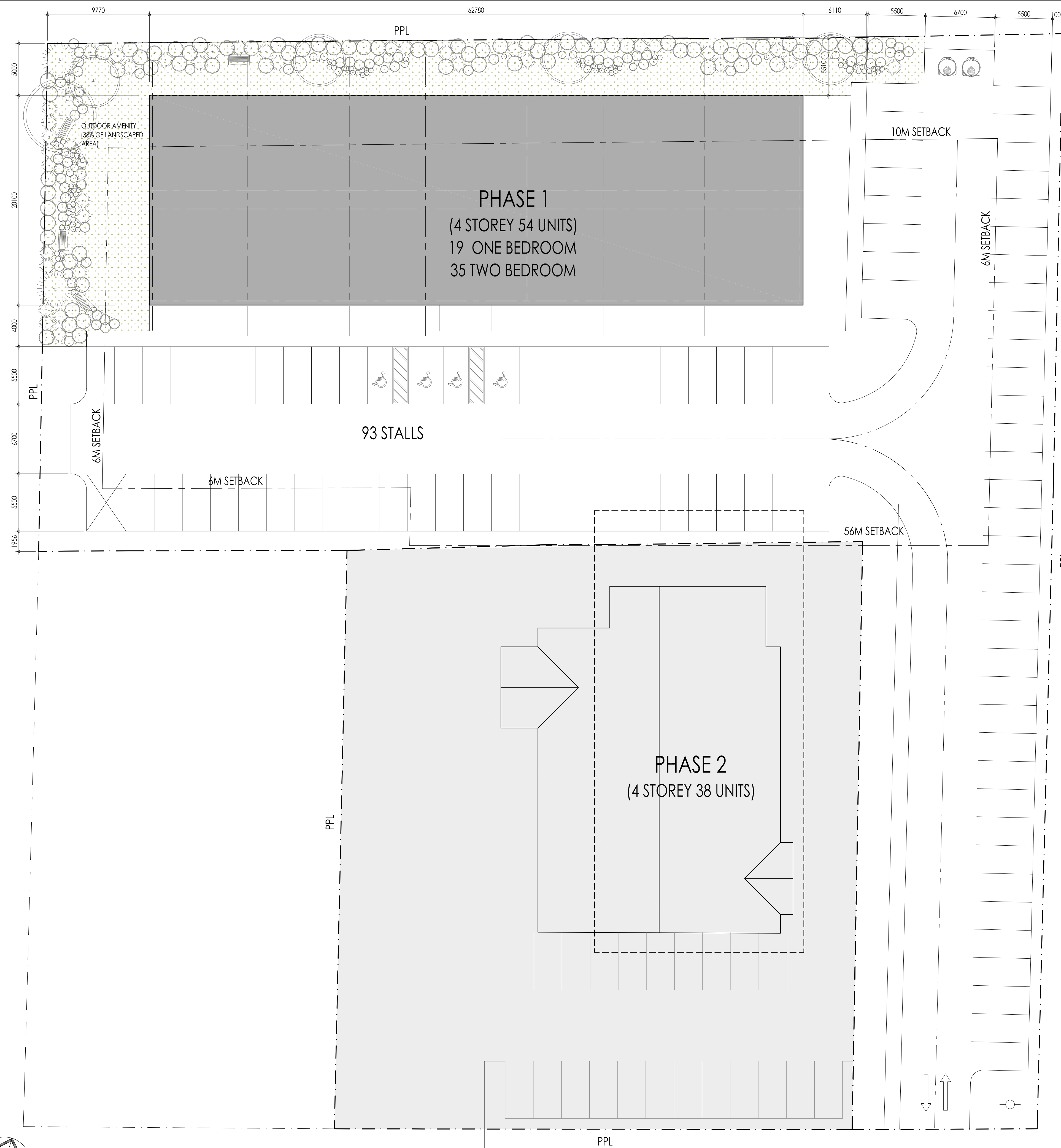
County of Middlesex Official Plan (Consolidated Version) (August 2006)

Lucan Biddulph Official Plan (September 2017)

Lucan Biddulph Zoning By-law (May 2005)

The Minimum Distance Separation (MDS) Document – Publication 853 (March 2017)

Guidelines on Permitted Uses in Prime Agricultural Areas – Publication 851 (2016)



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280 MAIN STREET - LUCAN

280 Main Street Lucan, ON

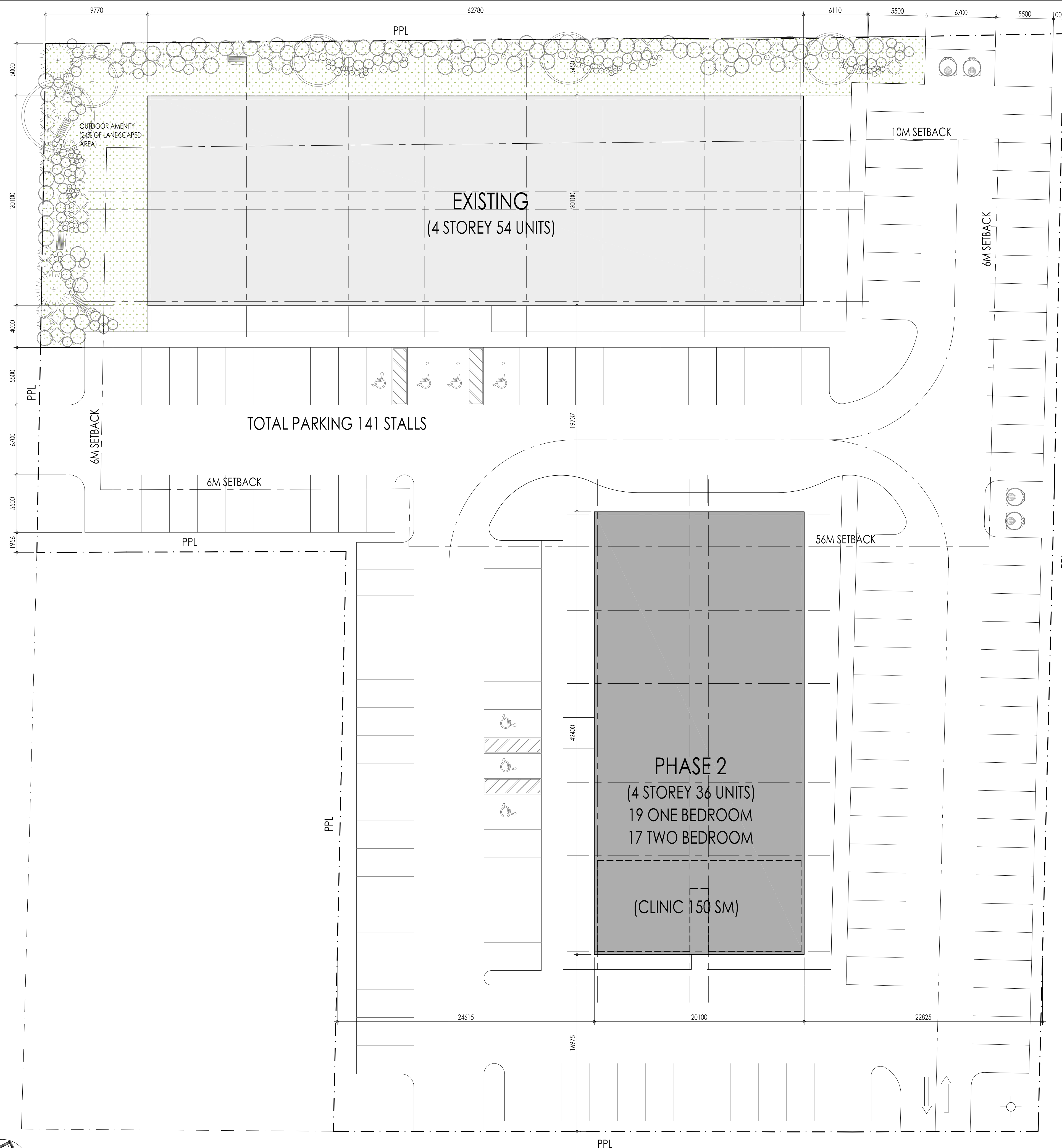
Sheet Name:  
SITE PLAN - PHASE 1

Scale:  
AS SHOWN

Project No:  
19-061

Sheet No:  
A100

A1 PARTIAL SITE PLAN  
A100 Scale: 1:200



PHASE 1

ZONING DATA CHART: EXIST. - C2-6 ZONE (PERMITTED USES APARTMENT DWELLING)

	REQ'D./ MAX./ MIN.	PROPOSED
PROPOSED ZONED USE		APARTMENT
LOT AREA (SM) MIN.	4,000 SM	8,532 SM (.853 HA)
LOT FRONTAGE (M) MIN.	18 M	67.5 M
FRONT YARD DEPTH (M) MIN.	56 M	17 M
REAR YARD DEPTH (M) MIN.	10 M	5 M
INTERIOR SIDE YARD DEPTH (M) MIN.	6 M	9.7 M
LOT COVERAGE (%) MAX.	25% MAX.	25%
BUILDING HEIGHT (M) MIN.	10 M	14 M
LANDSCAPED OPEN SPACE		33.6%
PARKING 1.5/UNIT CLINIC 1/30 SM PHASE 2 (3 HCP PARKING REQ'D)	PHASE 1 (54 UNITS) 81 REQ'D PHASE 2 (36 UNITS) 54 REQ'D CLINIC (150 / 30) 5 REQ'D TOTAL PARKING REQ'D 140	141 STALLS PROVIDED



NO. DATE: ISSUED FOR: TEAM BY:

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SEAL:

matter.

Matter Architectural Studio Inc.  
1108 Dundas Street, #300  
London, Ontario, N6W 3A7  
p: 519.601.6274  
www.matterinc.ca

Project Title:  
280 MAIN STREET - LUCAN

280 Main Street Lucan, ON

Sheet Name:  
SITE PLAN - PHASE 2

Scale:  
AS SHOWN

Project No:  
19-061  
Sheet No:  
A100



A1 WEST ELEVATION  
 A300 Scale: 1/8" = 1'-0"



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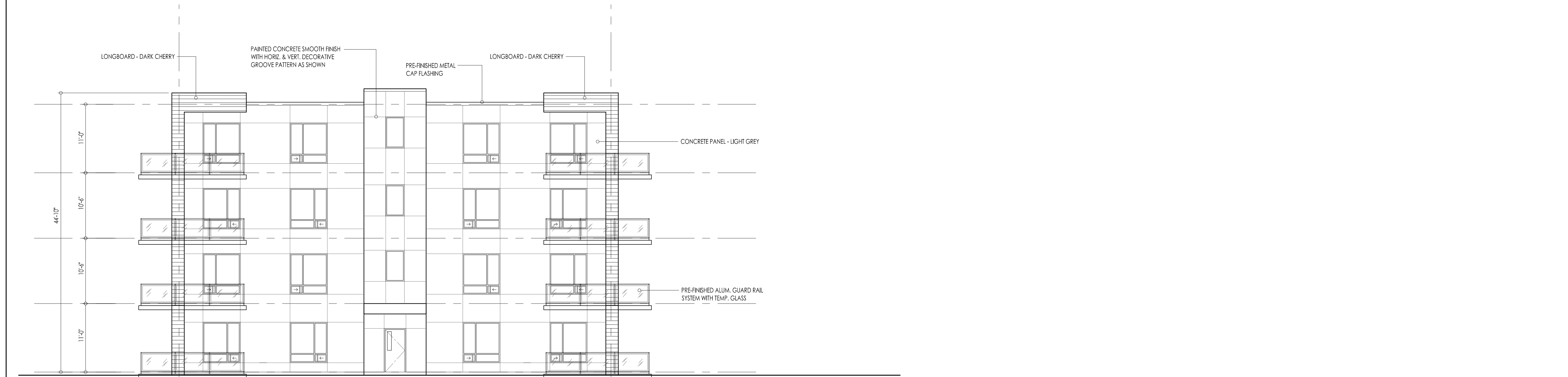
Project Title:  
 280 MAIN STREET - LUCAN

280 Main Street Lucan, ON.  
 Sheet Name:  
 ELEVATION

Scale: AS SHOWN  
 Project No: 19-061  
 Sheet No: A300



B1 EAST ELEVATION  
A301 Scale: 1/8" = 1'-0"



A1 NORTH/SOUTH ELEVATION  
A301 Scale: 1/8" = 1'-0"

Key Plan:



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**matter.**  
Matter Architectural Studio Inc.  
1108 Dundas Street, #300  
London, Ontario, N6W 3A7  
p: 519.601.6274  
www.matterinc.ca

Project Title:  
280 MAIN STREET - LUCAN

280 Main Street Lucan, ON.  
Sheet Name:  
ELEVATIONS

Scale: AS SHOWN Project No: 19-061  
Sheet No: A301



Attachment #4

Key Plan:



B1 PHASE 1  
A302 Scale:



B2 PHASE 2  
A302 Scale:



A1 PHASE 1  
A302 Scale:



A2 PHASE 2  
A302 Scale:

NO. DATE: ISSUED FOR: BY:

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**matter.**  
 Matter Architectural Studio Inc.  
 1108 Dundas Street, #300  
 London, Ontario, N5W 3A7  
 p: 519.601.6274  
 www.matterinc.ca

Project Title:  
**280 MAIN STREET - LUCAN**  
 280 Main Street Lucan, ON.  
 Sheet Name:

Scale: Project No:  
 AS SHOWN 19-061  
 Sheet No:  
 A302

**Dan FitzGerald**

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**CAUTION:** This email originated from outside of the Lucan Biddulph email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Dear Joanne,

Please forward this to whom it may concern for the Council meeting tonight & the 25th. Thank you.

I have read the proposed amendments and viewed the site plans and concepts. I recognize that concepts are conceptual.

1. Height is definitely a dimension that will be noticed in a town that has had a 3-story limit forever. In larger urban centres the height increases as you get to the centre, and as long as we don't allow height amendments to affect the town centre and adjacent neighbourhoods, I believe the height issue will have little affect on our small town character.

2. Density and the Percentage of Landscaped Open Space are the 'dimensions' that will have the greater affect on Lucan's small town feel.

I note that the Verhoog proposal (17 m building) and the proposal for the North end are very different in their site plan concepts and in their numbers (ie: lot coverage, density, % of landscaped open space, parking). The number of needed amendments for the North end are of concern to me. I am not concerned with the impact of the Verhoog proposal as it appears in the Concept plan.

3. I attended a meeting last year with regard to increasing the Settlement Area for the Town, and also our need to increase our Sewage capacity. Studies were to be done and Provincial approvals needed for expansion... I'd like to know what the status of these two are and what if any affect they'd have on these proposals or their approval.

4. Lucan is a lovely town and many folk are interested in being here with us. Most of our growth has been in the form of single family dwellings. I think we could benefit from a greater choice of housing and we also need affordable housing. When allowing apartment buildings on the edges of our town (especially if we have to 'amend' to allow for what's offered) I would hope that we ease into it ... by-law standards are there for a reason.

Please keep me informed by email about these issues.

Thank you for your time.

And take care of yourselves in these crazy times!

Phylis U'Ren

**Dan FitzGerald**

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**To:** Planning  
**Subject:** RE: Apartment at 280 Main St.

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Hi Dave, Cathy and council members,

I would like to voice myself and Joe's concerns over the proposal for 280 Main Street.

While we know Lucan is a very desirable place to live and grow and we know this can be a good thing for our community at what point does it become too much? Why is this happening? What are we trying to prove by allowing city style buildings in our little community?

Our concerns are as follows;

- a 6 storey high rise is very out of place in our town
- no such height exists in surrounding communities (except cities...)
- our backyard views are going to be obstructed- we have heard there was a shadow casting done and it may shadow over properties along Walnut St. at certain times of the day.
- how are we going to accommodate a higher population as far as grocery store, arena, parks and other community services and events.
- will fire/ ambulance/ police services be affected
- Wilberforce is busting at the seams- how will there be any more kids allowed to enroll in that school
- can our water plant, sewer, drains etc handle all of these extra buildings
- where will people park when they can't find a space on this site? Our library, municipal office, Main Street and Butler?
- how is this going to affect our taxes
- are they going to have lots of green space
- once we permit one higher density building what's stops the next developer from submitting similar requests
- are all commercial tenants of that existing building going to be accommodated in the new plan?
- I would guess that Dr Viguera holds the largest patient base in our community. Where will she go in the interim? And the RMTS and Bloodlab? There is already a lack of commercial space available. Don't we want to try and encourage more commercial space not less.

I know change is good, but there's also nothing wrong with keeping those changes small. What I am asking is for you to PLEASE advocate for us to keep our small town feeling.

Thank you for your time,

Jenna and Joe Dobbie  
281 Walnut St.

Get [Outlook for Android](#)

**Dan FitzGerald**

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In my opinion I thought Lucan was all about "that small town feel" this apartment building goes against everything Lucan is about. It's a city building put into a small country town. Just my opinion, but not in favor :)

Nicole Silver

Sent from Outlook Mobile

**Dan FitzGerald**

---

**To:** Planning  
**Subject:** RE: Apartments being built in Lucan

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Good morning,

I am writing in response to the proposed apartment building being built in our community. I am concerned about a few things.

Are we going to lose our small town character?

Will this overwhelm the livability of our streets and corrupt the family atmosphere Lucan offers?

What about our schools that are already overcrowded?

Other issues I consider are lost property values for our residents, an increased population that can't be supported by our small town infrastructure, increased traffic, privacy and noise issues for homes near by. This is a small community and I would like to keep it that way. I was born and raised here and I'm now raising my children here because I wanted them to experience the small town feeling and wonderful community I grew up in.

Thank you.

Mallory Van Heeswyk

**Dan FitzGerald**

---

**To:** Tina Merner  
**Subject:** RE: Applications OP1-2020 and Z02-2020

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To Lucan Biddulph Council,

We are writing in regards to the proposed 6 story apartment complex proposed for 280 Main Street in Lucan and wish address numerous concerns as a resident of Lucan and as property owners within 120 metres of the subject property.

First, as residents, we have deep concerns with how a project of this magnitude will affect the small town character of this town. The Official Plan supports intensification but to what extent? The plan also states that growth shall "be achieved without disruption to the existing nature and character of the township." By-laws are in place to control this. The developer has submitted a proposal with total disregard of the Official Plan and its by-laws. It appears to be a case of ask for the world and see what sticks. It is up to the council to follow the plan and maintain the character of this town and not give in to greedy developers.

By-laws allow for "minor variances". A change in height from the allowed 10m to 25m is more than excessive and will tower above any other structure in this town or any surrounding, much larger towns, for that matter. A building that requires reducing the setbacks by more than half, from 56m down to 22m and needs a reduction in the required parking spaces, because they don't have the space, makes it pretty obvious that the size and scope of the building is too large for the property. None of these variances are "minor" and all of them go against the small town character that the residents of Lucan are accustomed to.

As property owners we have concerns with the increased traffic levels, noise and light pollution, and shadowing from the building. The amount and speed of traffic coming in and out of town at the north end is already problematic for residents turning out of Chestnut Street at peak times of the day. An extra 130+ vehicles in and out of that property will only make it worse. The renderings show rooftop patios on the 5th and 6th floor levels (in order to meet the green space requirements). The noise and light pollution from those levels will project well into the neighboring subdivision and will reduce the privacy of those residents. Shadowing from the building will affect numerous homes for large parts of the year. "Maintaining the essential qualities of privacy, quiet enjoyment, public health and safety, and land use compatibility" are listed as goals and objectives in the Official Plan. This proposed building satisfies none but detracts from all of those.

Of other concern is what comes next? One proposal in town (Olde Clover) has already gone from 3 stories to four and is now asking for 5. If 5 gets approved then 6 is no longer such a big ask. Where does it stop? We understand that growth is inevitable and someday 5 or 6 story buildings will happen. But going from 3 to 6 stories overnight is a big change. The small town character is gone just as quickly. Two of the 3 approved condo buildings behind the township office are yet to be built. They were restricted to 3 stories from the requested 4. If 280 Main St. goes ahead, what is to stop the condo developer from going back and requesting more height? What grounds would council have to deny it and how would it hold up in an OMB hearing?

There is no doubt that this town is growing and in need of affordable housing, specifically in the form of apartments. This can still be accomplished while following the Official Plan and maintaining the existing nature and character of the town. Development is happening faster than planning is ready for. I urge council to consider what type of growth, and amount of intensification, is appropriate for Lucan and deny the Official Plan and Zoning By-law amendments as they are currently presented.

Sincerely,

Gordon & Sheryl Morsink

279 Walnut St.

Madam Mayor, deputy mayor and members of council,

I am speaking in regards to the proposed 6 story apartment complex slated for 280 Main St in Lucan and wish to address numerous concerns both as a resident of Lucan and as a property owner within 120metres of the subject property.

First, as a resident, I have deep concerns with how a project of this magnitude will affect the small town character that people here are accustomed to and move here for. The Middlesex Official Plan supports intensification but to what extent is considered appropriate? The plan doesn't specify a limit on density, it is simply controlled through by-laws. However, some surrounding municipalities do prescribe limits. Strathroy-Caradoc for example, which is a significantly larger town than Lucan, prescribes a maximum of 47-76 residential units per hectare. This development proposes 114 units plus 2 commercial spaces in less than 1 hectare. That's more than excessive.

After reading the Planning Justification Report submitted by the developer, it is "their opinion" after "their interpretation" of the Official Plan and By-laws, that this proposal is appropriate for Lucan. Do they live here?? The report skimmed over the most important part of the Official Plan and that is "that growth shall be achieved without disruption to the existing nature and character of the township" and that "to ensure compatibility, the density and height of new residential development will be limited". Opposite to what Mr. Knifton states, it doesn't blend in and will most certainly stand out. It is a high rise in respect to Lucan.

By-laws allow for minor variances. A change in height from the allowed 10m (3 stories) to 25m is more than excessive and will tower over any other structure in this town. A building that requires reducing setbacks by more than half, from 56m down to 22m, needs rooftop patios assuming to meet the green space requirements, and still needs a reduction in the number of parking spaces (even suggesting shared parking between residents and the commercial spaces) makes it pretty obvious that the size and scope of this building is too large for the property, and for Lucan. As just stated, their intent is to maximize. None of these variances are minor but all of them go against the small town character that the residents of Lucan are accustomed to.

As a property owner, I have concerns with the increased levels of traffic, noise and light pollution, and shadowing from the building. The amount and speed of traffic at the north end of town is already problematic for pedestrians crossing at the arena and residents turning out of Chestnut Street onto Main Street. Has a traffic study on the effects of another 150+ minimum resident vehicles been completed?

The renderings show rooftops patios on the 5<sup>th</sup> and 6<sup>th</sup> floor levels. The noise and light pollution from those levels will project well into the neighboring homes and buildings and will reduce the peace and privacy of those residents.

The shadowing study is of concern as well. The study only takes a small sampling throughout the year but still shows homes in the Walnut Grove subdivision, the future neighboring condos



and adjacent businesses to be affected. These are not single day events but will affect those properties for the majority of the winter months.

“Maintaining the essential qualities of privacy, quiet enjoyment, public health and safety and land use compatibility” are listed as goals and objectives in the Official Plan. This proposed building satisfies none but detracts from all of those.

Of other concern is what comes next? One proposal in town (Olde Clover apartments) has already gone from 3 stories to 4, now they are asking for 5. If 5 gets approved then 6 is no longer such a stretch. Where does it stop? We understand that growth is inevitable and someday 5 or 6 story buildings will happen. But going from 3 to 6 stories overnight is a big change. The small town character will be gone just as quickly.

Two of the 3 condo buildings behind the municipal office are yet to be built. They were restricted to 3 stories from the requested 4 after an OMB hearing. If 280 Main St gets approved what is to stop that developer from requesting a by-law amendment for more stories? What grounds would council have to deny it and how would that hold up in an OMB hearing?

There is no doubt that Lucan is growing and in need of affordable housing, specifically in the form of apartments. This can still be accomplished while following the Official Plan and maintaining the existing nature and character of the town. The developer has submitted a proposal with complete disregard to the Official Plan and its By-laws. It appears to be a case of throw crap at the wall and see what sticks. It is up to council to consider what type of growth, and to what amount of intensification is appropriate for Lucan as per the Official Plan while maintaining the character of this town and not giving in to over development.

Sincerely,

Gordon Morsink

279 Walnut Street

Please see below the comments I had read during my time speaking in today's meeting.

I thank you all for your consideration of my thoughts and I appreciate you valuing the public's passion regarding this matter.

Good afternoon Madam Mayor and Council, thank you for letting me speak here today.

First I want to begin by saying that I love this town. I am personally a new resident to Lucan, my partner who has lived here since childhood absolutely loves his home town. Like many new residents in this town, coming from all over, Lucan is now home. It is a place we are proud of, and the small town that drew us here was more than just a comfortable cost of living, but the community that bands together. We hold doors for one another, know the staff at the grocery store, get to know the staff at the post office and at Clark's and, in turn, some of them even know us by name. I cherish the things that make our community amazing, Lucan has felt like home before it ever officially was.

I am before you here today to address the development of our town. I am in no way against progress, and with responsible urban planning, growing Lucan, could give many more people the opportunity to work and invest their lives here, as I have been so lucky to do.

With that said, I implore the township and council to set a standard for where we see it in 10 years. How will Lucan ultimately look? Will we continue building high density housing? In towns throughout Canada, height restrictions on building have proven to be an effective way of directing pace of growth, economy, and infrastructure needs.

(Growth, ensuring older neighbourhoods not be neglected with their needs ie parks, services, new sidewalks etc  
economically - where wealth gets distributed (living - are wealthy only in one part of town?), how wealth gets distributed to different businesses  
Infrastructure- does Lucan have the right traffic and civil infrastructure in place to ensure smooth flow throughout the town without impeding other established neighbourhoods if we set 6 storey buildings as a precedent?)

I ask you, as the leaders and decision makers of our town to set -and stick to- a standard height maximum within the city limits of our town, thus making it abundantly clear to future developers, that we, as a community, have an expectation of what we want the landscape of our town to look like, both commercially and residentially, and, that we are not going to become a haven for tall metropolitan structures.

Taller buildings come with a host of issues including an imbalance load on municipal services, such as water supply, sewage, electricity etc.. By not permitting a height increase on new construction projects, I believe we can mitigate this issue, and prevent setting a new precedent for future developers to build larger and larger high-density structures.

With regard to the additional two storeys proposed by the owner of the condos to be built on Main St, there are three main points that require serious consideration. They are Wilberforce Public School, town infrastructure; including emergency services; retail space; green space; and town population density; and affordable housing commitments from builders.

A major consideration is the need to increase the occupancy size at Wilberforce PS. I hear time and again how our school is overflowing with students. People move to subdivisions like Ridge Crossing, in order to have easy access for their young ones to get to school. It is absolutely critical that we do not ignore the need for local children to go to school in town. I ask council to have a formal plan with school board on how we can ensure that the projected population here will have a place to send their children to school, in town. If we are bursting at the seams with no active plan to expand, we are doing wrong by residents, teachers, and our little scholars alike. Growing this condo is not a viable option with our current situation and thereby should not be approved.

My next point is the need for upgrades in our town's infrastructure. With the growth of Lucan comes the need for increased retail.

Are our current municipal services and facilities equipped for the imminent growth of our population at the pace that it's growing now?

When addressing population density, limiting the height of apartment buildings in the township has proven to be a successful in not outpacing the affordability of updating much needed city planning (building roads, traffic stops, streetlights, roundabouts, parks and green spaces etc.) With regards to the parking 1.2 spots amendment; in a two bedroom unit this prevents the families the builder states they are wanting to attract from having enough parking space and accessibility to two vehicles. Majority of families, especially in a town like Lucan without public transit, this parking amendment is working against the target market you wish to attract.

To my peers who are assuming this is will provide an option for affordable real estate, be it a rental or ownership dwelling, I worry that I may have to burst your bubble. I cannot imagine the owner of this structure would be designing rooftop patios and submit this thought-out proposal if they did not see lucrative potential in this investment. The market potential for this kind of building is very enticing. Just a few years ago, the units on Butler were proposed as affordable housing, then senior only, and finally became available on the market for rates, some as close, if not over, \$300k. The inflated rental market has continued to increase over the past few years, and Lucan has become a more desirable town and a rising star amongst London's bedroom communities. There were people who purchased a Butler St unit as an investment property to rent out. Those rentals are not \$1000 or less rentals. These units will not only be expensive, but will increase the property values of detached single family homes. Why would a prospective buyer purchase a \$300k condo when they can buy a 300k 3 bedroom home with a backyard? Even if it needs updates? While this is great for homeowners looking to sell, it will further hinder first time home buyers as costs continue to creep out of reach.

By building high density condos and permitting the owners to further line their pockets with the benefits accrued from ever-inflating cost of rent, we are not helping Lucanites or future homeowners. Agreeing to increase the size and number of units, is not to our benefit but to the benefit of the building owners.

For the good of the town, and it's community, I ask that you consider my concerns before deciding to permit, and in fact set a precedent, for this kind of development.

Rick Starzycka

**Dan FitzGerald**

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**To:** Planning  
**Subject:** RE: New high rise

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I'm very upset to hear about the plans of a potential "high rise" apartment building. The reason we moved to Lucan was we loved it's size and small town charm. This building is going to ruin that for me and my family. This town has grown a awful lot in the last few years and in my opinion is getting to large already. The school is full, the waste treatment plant is undersized and during the pandemic our stores could not keep up with local demand. Let this building go through and we will be looking elsewhere to live.

Cody Roger  
Sent from my iPhone

**Dan FitzGerald**

---

**To:** Elizabeth Guinness  
**Subject:** RE: Proposed construction at 280 Main Street, Lucan

To Whom it may concern,

We have been made aware of the potential building plans for 280 Main Street where the Doctors office currently exists, along with other medical facilities and our family has many concerns.

This is just one of several residential building projects currently proposed in the town. The current infrastructure will not, in anyway, support the population increase. Currently the Doctors in town are almost at breaking point. Child care options are all at a maximum.

When plans were submitted for the current apartments on Butler Street we were told that the bylaws only permitted up to 3 stories, this new proposals in going to be more than double that height with the roof top gardens. How is this acceptable, along with the proposed 5 storey building to the south of town. There is nothing near that size in any surrounding town. That's a city building.

If these plans are permitted to go ahead we think 'the small town feel will be lost.

The fire department are not equipped to deal with buildings of those heights and should they be needed, how long will it take for the correct equipment to arrive, who knows. The ambulance service are not going to be able to cope. Are there plans in place to add to the services.

Along with all the parking issues especially during town events there are also concerns that school is already bursting at the seams.

We have also been made aware of the shadow casting that has been carried out and our properties on Walnut Street will tremendously affected by this for a large portion of the year, not to mention the obstruction of view and the noise pollution and privacy issues.

We do not feel this is a would be good for the town and would like it known that we oppose the planning application. We need to abide by the bylaws the township needs to stick to them as well.

We hope that you will take the time to consider our concerns.

The Guinness Family.  
Elizabeth Guinness

**From:** Abby [<mailto:abby557@hotmail.com>]  
**Sent:** Tuesday, June 23, 2020 11:45 AM  
**To:** Planning <[planning@lucanbiddulph.on.ca](mailto:planning@lucanbiddulph.on.ca)>  
**Subject:** 280 Main Street concerns

Hi Dave, Cathy and council members,

[280 Main Street](#)

While we know Lucan is a very desirable place to live and grow and we know this can be a good thing for our community at what point does it become too much?

Our concerns are as follows:

- a 6 storey high rise is very out of place in our town
- no such height exists in surrounding communities
- our backyard views are going to be obstructed- we have heard there was a shadow casting done and it may shadow over properties along Walnut St. at certain times of the day.
- how are we going to accommodate a higher population as far as our schools, grocery store, arena, parks and other community services and events
- can our water plant, sewer, drains etc handle all of these extra buildings
- where will people park when that can't find a space on this site? Our library, municipal office, Main Street and Butler?
- how is this going to affect our taxes
- are they going to have lots of green space
- once we permit one higher density building what stops the next developer from submitting similar requests

What I am asking of you is that you continue to advocate to hold onto our "small town feeling". People move here for that very reason.

Thank you for your time!  
Sent from my iPhone

---

**From:** Nic Baron [mailto:nbaron2244@gmail.com]

**Sent:** Wednesday, June 24, 2020 12:35 PM

**To:** Planning <planning@lucanbiddulph.on.ca>

**Subject:** Complex concerns

Hello,

To whom it concerns.

My name is Nic Baron, and I have been a resident here in Lucan for the past 7 years. I love this community and have grown along side it over the past years. I am writing to express my deep concern, and disapproval of the 6 story apartment complex slated for our community. As a career profession firefighter in a near by city, I am quite familiar with the needs of such a building. I truly do not think we are prepared to offer the proper protection for those occupants. In emergency events involving building of this size, every moment is crucial, so having responding units from other outside agencies, though is acceptable, is not realistic. In today's world to maybe people and communities are settling for the bare minimum, and in this situation that's exactly what we are settling for. I agree that growing this community is extremely important, and having affordable housing for more residence is of the up most importance, but at what cost. There are also new building codes, which now allow such buildings to be built with less moderate materials meaning a 6 story building 40 years ago certainly is not a 6 story building today. This building will be significantly weaker, and dramatically more flammable. Total structural failure of this building will be reduced to mere minutes, so having the closest aerial unit 15-20 minutes away is almost useless.

I would be glade to speak to someone in person about this issue, as a professional in this line of work.

I am not saying this building shouldn't happen, I am saying it shouldn't happen before we are properly, and responsibly ready for it.

Please consider my concerns.

Nic Baron

(204)720-0046

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June 24/20

To Whom It May Concern:

I am writing this letter to express my concern about the proposed 6 story building at 280 Main Street, Lucan. I am currently a tenant & there is a Medical Office, as well as, Moss Therapy & Physiotherapy. It also includes a Blood Lab.

How will this affect us?

I am also concerned how this is going to affect the town of Lucan & the people who live here.

This town has only been allowing 3 story buildings. What is happening to our small town?

Karen Fear-Furman



**From:** Alyssa Monsigneur [mailto:alyssalm10@gmail.com]

**Sent:** Tuesday, June 23, 2020 3:31 PM

**To:** Planning <planning@lucanbiddulph.on.ca>

**Subject:** 6 story apartment complex

Hey! My name is Alyssa Monsigneur, I have lived in Lucan for almost 10 years now. We were very proud to move in, we wanted to raise our children out of the big city and Lucan is a beautiful town.

Driving through the back roads now my 9 year old asked what they were doing to the farm land, I explained they were putting new houses up and he said that was a shame. He said eventually we are going to lose our fresh food and farmers. I have to say I was very proud of his thoughtful thinking.

We knew and still know that Lucan is expanding. That it needs to expand and grow, and we are all for supporting that. However there are just some small town we feel that we need to keep. Lucan wouldn't be Lucan if Clarks was bought out and a generic name brand store took over. It wouldn't be the same without our little individual stores along main street. We need to expand but certain methods of expanding can harm our core small town values.

I have many concerns about the proposal of the six story apartment complex. At this time our local school is already struggling with the number of new families moving into the new homes. Will this change or create high taxes on everyone's properties? What about the fire department, are they equipped to handle the six story building? What expenses will that entail? What about space and parking?

Lucan is a small town, many people say if you blink you will miss it and that's okay. If you are in such a hurry to get through, to get to the next town or search for the next biggest object then keep going. Lucan is a town meant to take your time rolling down the road. Admire the hard work put into the main street flowers. Breathe in the fresh air as you leave the city. Listen to the children laughing and giggling as they ride their bikes to get ice cream at Clarks or dance in the water park. Lucan is a town to be enjoyed.

We are not London, we are not a big city, and we don't want the big city to come to us. I ask that you take a breath, take a walk around, and admire Lucan for what it is. Keep the large apartments off our main street. Keep them out of Lucan. Keep them in the city. Remember Lucan's core values.

Thank you.

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**From:** Tara Klisht [mailto:klishtt@gmail.com]  
**Sent:** Tuesday, June 23, 2020 7:54 PM  
**To:** Planning <planning@lucanbiddulph.on.ca>  
**Subject:** Official Plan Amendment

Good day,

I apologize for this not being received by 4:30 p.m. today, however I had misspelled the email address the first time I sent it.

This email is to register my opposition to the proposed bylaw changes for a new development on Main St.

I am opposed to an amendment of the bylaws that would accommodate additional stories and reducing the setback, as well as reducing the parking requirement.

The proposed changes far exceed zoning bylaws and are not in keeping with the municipalities' official plan and character of of the Town of Lucan.

It is my understanding that this will be an agenda item for the council meeting on Thursday. I would be interested in participating in that.

Best regards,  
Tara Klisht  
Lucan, Ontario

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**From:** ANDY MATT <[andymatt@rogers.com](mailto:andymatt@rogers.com)>  
**Sent:** Thursday, June 25, 2020 9:36 AM  
**To:** Dan FitzGerald <[dfitzgerald@middlesex.ca](mailto:dfitzgerald@middlesex.ca)>  
**Subject:** Purposed apartment

I would like to have my voice heard about why we should not have the building go up.

One of the joys about Lucan is that when you first arrive from London is a relaxing feeling that you live in a small town away from the city. The town is beautiful as it is and the township has done a great job of keeping it looking well. Any time I am asked about the town of Lucan I always say how quiet and wonderful the town is. It would be a shame if this build was allowed to proceed and in my eyes ruin the reputation and look that makes Lucan the town I call home.

[Sent from Rogers Yahoo Mail for iPhone](#)

**From:** ttapai [mailto:ttapai@quadro.net]  
**Sent:** Sunday, June 28, 2020 9:27 PM  
**To:** Planning <planning@lucanbiddulph.on.ca>  
**Subject:** Notice of Application-280 Main St., Lucan

After participating in the Public Meeting held on June 25, 2020, I would like to take this opportunity to provide my concerns in writing.

I currently reside at 285 Walnut St. which is located directly behind the proposed redevelopment at 280 Main St. Having had the opportunity to build my home on other lots located in the Walnut Grove development, I chose this lot for privacy reasons. At that time there was an elementary school, medical building and bank located behind my property. The existing structures were reasonably far away and all structures were single storey buildings. I do not object to the site being redeveloped to include an apartment building but it must be limited to three stories (10 m) in height which is in keeping with the surrounding neighbourhood.

The height and size of the proposed building is out of place both within the village and with the surrounding neighbourhood. To my knowledge there are no other structures in the village that exceed three stories (10 m) in height. The addition of 114 residential units could increase the population base by 228 new residents. Consideration should be given as to whether community services can accommodate such a large development. Although the proposed building is attractive it far from blends in with the area. The proposal put forward at the Neighbourhood Open House held on December 9, 2019 was much better suited to the community and surrounding area with the exception that the building was four stories in height.

The property located immediately to the east of 280 Main St. was the subject of an appeal to the Ontario Municipal Board in September of 2014. Council approved a By-law amendment to allow for a maximum height of 12 m. The OMB's decision was to limit any building on the proposed site to no more than three stories in height which is in keeping with the Township OP. Having taken part in that appeal, it was not a pleasant experience for myself and my neighbours. If Council approves a building exceeding 10 m in height, this development could be appealed to the Local Planning Appeal Tribunal at great expense to the Appellant and the Municipality when a precedent has already been set.

I am also concerned about the tax implications of a development of this magnitude. This development could increase the population of the village by over 10%. Who will be responsible for servicing the site? An Engineering Consultant could not determine if the existing sanitary sewer on Butler St. could handle the extra flows generated by this development. Is the existing sewage treatment plant able to accommodate the increased flow? Will police and fire services need to be upgraded? Will the arena, pool and library need to be upgraded? All of these questions need to be answered before Council jumps headlong into allowing increased development on this site and within the community at large.

I also take issue with the Developers Representative on many of the points that he made but the most concerning is the comparison with Exeter. Exeter is a community hub with a vibrant commercial and industrial base. Lucan is not as we are a bedroom community in close proximity to larger centres. Lucan has that small town feel and any current or future development should be sensitive to the character of the village.

Regards,

Tom Tapai

285 Walnut St

Attention: Ron Reymer and Cathy Burghardt-Jesson

I am writing to you in regards to the building at 280 Main street Lucan. I am very supportive of the apartment building that is to be built behind Doctor Lock's medical building (just off of Butler Street) however; I am worried about the tenants who run business' at 280 Main street. I am concerned as far as if the building is to be torn down and an apartment building be built in its place then where would myself, my employees (1 massage therapist and 1 physiotherapist) and Doctor Viguera operate our business' out of? There are not a lot of options and opportunities in Lucan at this time to rent or own commercial space. Even if they were to put space in the new apartment building that was commercial space for business' to rent where would my business and Dr. Viguera's business run while the old building is being torn down and the new one put up? As well as the rent in a new building would probably be so expensive I do not know if we would be able to afford to move back into the new building. I am also concerned about losing our clientele having to move locations (possibly multiple times if we move out then back in). As a business owner in Lucan for almost 10 years now I have always tried my best to cater to the needs and demands of the residents of Lucan. I am very thankful for all the residents of Lucan who have supported my business over the years. As Lucan continues to grow we have plans to hire 2 full time RMT's and another physiotherapist this winter. Doctor Lock's current building has room to accommodate the growth of our business and I am not able to find another location in town to accommodate this many health care practitioners. We would greatly appreciate you taking all this into consideration when planning this new apartment building.

Thank you for your time.

Sincerely,

Kim Vanhie, RMT

Back in Balance Massage and Physiotherapy Clinic

280 Main st. Lucan

# Memo

**To:** Mayor and Council  
**From:** Jeff Little, Manager of Public Works  
**Report No.** PW-28-2020  
**Subject:** Sign Request  
**Date:** October 20<sup>th</sup>, 2020

**BACKGROUND:** The Township has received a request for permission to install a sign in memory of the late Terry Hickson. Terry was a longtime resident and school crossing guard in the village of Lucan. The proposed sign is to be placed at the corner of Main Street and George Street, in recognition of the crosswalk location that Terry looked after.

**DISCUSSION:** The easiest way to proceed would be to mount this sign on the existing post; above the stop sign but below the street sign. This sign must not interfere or take away from either the stop sign or the street sign. Other municipalities have done this to identify a particular location or building such as a soccer field or a community centre. This is also commonly done to honour someone's accomplishment or sacrifice or as in this case, recognition of Terry's service as a crossing guard. This sign, as presented, is small in size and the colour scheme does not distract from the other signage. This sign labels a specific location within the municipality as "Terry's Corner" and then underneath "in memory of Terry Hickson". To approve this request staff will need direction from council.

**IMPACTS TO BUDGET:** The sign will be donated. I would recommend that staff install it. This would take 30 minutes and done as part of general operation of the road.

**STRATEGIC PLAN:**

This matter aligns with the following strategic priorities:

- Community Pride, Goal #3: Increase community involvement and volunteerism.
- Action #32: Develop an educational campaign to promote the benefits of volunteerism to the community.

**RECOMMENDATION:** Resolve that council accept this report as presented by the public works manager and provide direction to staff.

**ATTACHMENTS:** Terry Hickson's Memorial Request

*Jeff Little*

Jeff Little  
Public Works Manager

Hi Jeff, Following up on the Terry Hickson tribute we discussed couple weeks ago. We discussed placing a small plaque above the stop sign on Main and George. I've spoken to Terry's family and they would be honoured to have Terry remembered. What I'm proposing is attaching 6"x18" signs above the existing stop sign and below the street signs. The signs will be .064 aluminum and have two holes drilled on 2" centers to attach to the pole. You can just see them in lighter blue between his first and last name. Signs would be on both sides of the pole. Attached an image of the sign. I'm covering the cost of the signs, just looking for permission along with the pole being extended above the stop sign so there's room to place the plaques honouring Terry.

Give me a shout to discuss when you have time 519-671-4365

Thanks,  
Pat



.064 GAUGE ALUMINUM BLANK  
286C BLUE  
220 CANARY YELLOW



**SALES • SERVICE • INSTALLATION**  
OFFICE: 519-234-6506 CELL: 519-694-8689  
E MAIL: [courtesy Signs@quadro.net](mailto:courtesy Signs@quadro.net)  
206 Victoria Ave.E. Crediton, Ontario NOM 1M0

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# Memo

**To:** Mayor and Council  
**From:** Jeff Little, Manager of Public Works  
**Report No.:** PW-29-2020  
**Subject:** Sidewalk Winter Maintenance for Clandeboye  
**Date:** October 20th, 2020

**BACKGROUND:** There are two portions of sidewalk area within the hamlet of Clandeboye. Both sections have been replaced within the last two years and meet provincial standards. As per the Minimum Maintenance Standards of Ontario, winter maintenance for sidewalks is similar to the level of winter maintenance required for roads. Lucan Biddulph Township looks after the sidewalk winter maintenance in Lucan. A third party contractor is hired to look after Granton sidewalks because the Township cannot transport the necessary equipment safely and efficiently to do the required winter maintenance there. The total length of the Clandeboye sidewalks is 325m.

**DISCUSSION:** For the upcoming winter season, the Township needs to decide if sidewalk winter maintenance will be implemented in Clandeboye or if the sidewalks there will be closed for the winter. Last fall after the sidewalk replacement was completed, there was a request for winter maintenance. At that time, it was too late in the season to arrange the maintenance so the sidewalks were closed for the winter. It is important to have consistent coverage within the winter maintenance program across the municipality. Liability insurance is required and contributes to a high cost for this service but in closing the sidewalks, the Township would then limit accessibility. Through the strategic plan, the Township's goal is to increase accessibility. I would recommend extending winter maintenance service to the Clandeboye sidewalks for the upcoming season.

**IMPACTS TO BUDGET:** The cost for winter maintenance for the 2020/21 season will be \$6,000 to \$9,000. This would be an added cost to the 2021 operations budget.

**STRATEGIC PLAN:**

- Accessibility, Goal #2: Fully accessible Township services, programs and infrastructure. To ensure equal access to municipal services for all community members.

**RECOMMENDATION:** Resolve that council supports the recommendation of the Public Works Manager as presented in this report to extend winter maintenance to the Clandeboye sidewalks.

*Jeff Little*

Jeff Little  
Public Works Manager



# Memo

**To:** Mayor and Council  
**From:** Jeff Little, Manager of Public Works  
**Report No.:** PW-30-2020  
**Subject:** Frank Street Reconstruction  
**Date:** October 20, 2020

**BACKGROUND:** Within the Lucan Biddulph Asset Management Plan, Frank Street was identified for road, water and sanitary replacement in 2020. The engineering and design was completed in the spring. The project was pushed back because of uncertainty in the construction industry due to COVID-19 restrictions.

**DISCUSSION:** To secure a contractor for a 2021 spring installation the tender should proceed this Fall. I would recommend proceeding to maintain the schedule set by the AMP.

**IMPACTS TO BUDGET:** The estimated cost of this project was originally estimated at \$650,000 plus contingency and engineering. It is anticipated that by issuing the tender this Fall with a construction start date in the Spring of 2021, bids for tender will be competitive. The 2021 budgets will be set using the tendered price breakdown.

## **STRATEGIC PLAN:**

- Service Enhancement, Action #2 Develop a customer relationship management approach. Follows the Asset Management Plan.

**RECOMMENDATION:** Resolve that council direct staff to proceed with the tender for the Frank Street Reconstruction project

*Jeff Little*

Jeff Little  
Public Works Manager

# TOWNSHIP OF LUCAN BIDDULPH RESOLUTION

DATE: October 20, 2020

RESOLUTION NO. \_\_\_\_\_

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RESOLVED That the Council of the Township of Lucan Biddulph receive the attached accounts as paid for information, as follows:

September 2020	\$1,689,227.54
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RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR

Accounts Payable

Bank Of Montreal - General Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
025127	09/14/2020 Invoice 2	003400	A PLUS EXCAVATING 09/08/2020 PROGRESS PAYMENT 2	4,507.34
025128	09/14/2020 Invoice Sept 2020	002862	[REDACTED] 09/14/2020 SUPP & OVERPAYMENT	4,203.52
025129	09/14/2020 Invoice IN0046392	003072	AGM 08/17/2020 INDUSTRIAL PARK	2,978.71
025130	09/14/2020 Invoice 635257	003395	ARC-1 WELDING SUPPLIES 08/26/2020 EQUIPMENT RENTAL	207.71
025131	09/14/2020 Invoice 19197	001622	B M ROSS & ASSOCIATES 09/09/2020 SANITARY MASTER PLAN	1,768.90
025132	09/14/2020 Invoice 1168	003349	BERG CHILLING SYSTEMS 08/31/2020 BUILDING CAPITAL	19,202.77
025133	09/14/2020 Invoice 20-10058	002823	BLUEWATER PIPE 08/12/2020 ROADSIDE DRAINAGE	332.22
025134	09/14/2020 Invoice 2020	003406	BURK, DYLAN 09/11/2020 BACONFEST	700.00
025135	09/14/2020 Invoice 91417	002771	C-MAX FIRE SOLUTIONS 08/24/2020 Maintenance - Pumper	1,964.18
025136	09/14/2020 Invoice 5128	001878	C.T. ENVIRONMENTAL LTD 08/05/2020 R&M WATERMAINS	1,101.75
025137	09/14/2020 Invoice 46993-1	002595	CANADIAN SAFETY EQUIPMENT INC. 07/31/2020 EQUIPMENT R&M	2,053.78
025138	09/14/2020 Invoice 05S504266	002790	CARRIER CENTRES 08/10/2020 SENSOR REPAIR	712.58
025139	09/14/2020 Invoice 2020/2224 Invoice INV/2020/1961	001546	CEDAR SIGNS 09/04/2020 CROSSING GUARD 08/19/2020 SIGNS	164.19 343.98
025140	09/14/2020 Invoice 192324	002483	CITY OF LONDON 08/13/2020 WATER	23,803.35
025141	09/14/2020 Invoice 58843	001199	CLARENCE CARTER & SONS 09/03/2020 ROAD MAINTENANCE	596.64
025142	09/14/2020 Invoice 93622	001339	COLDSTREAM CONCRETE LTD 08/13/2020 BENN DRAIN	252.42
025143	09/14/2020 Invoice Q2 2020 Levy	001273	CONSEIL SCOLAIRE CATHOLIQUE PROVIDENCE 09/02/2020 Q2 2020 LEVY	1,734.55
025144	09/14/2020 Invoice Q2 2020 Levy	001274	CONSEIL SCOLAIRE VIAMONDE 09/02/2020 Q2 2020 LEVY	928.11
025145	09/14/2020 Invoice 2020087 Invoice 2020086	001876	DATA SOFT SOFTWARE SOLUTIONS 08/20/2020 R&M BUILDING 08/20/2020 R&M BUILDING	1,824.10 1,097.51

Accounts Payable

Bank Of Montreal - General Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
025146	09/14/2020 Invoice 11920	002287	DENNIS MAGUIRE SLINGERS LTD 08/07/2020 NICOLINE/KLEINFELDT	313.58
025147	09/14/2020 Invoice 222718 Invoice 222464 Invoice 222446	001263	DILLON CONSULTING LIMITED 08/27/2020 SOCCER FIELDS 08/24/2020 NAGLE DRIVE 08/24/2020 PHASE 4 OLDE CLOVER	19,264.80 607.38 16,895.47 1,761.95
025148	09/14/2020 Invoice 5178	001303	E & W BLANE TRUCKING 07/15/2020 GRAVEL - COURSEY LINE	6,109.63
025149	09/14/2020 Invoice 42217	001071	EASY LIFT DOORS LTD. 08/28/2020 R&M BUILDING	123.19
025150	09/14/2020 Invoice 805130 Invoice 805131	001085	GEORGIAN BAY FIRE & SAFETY 08/17/2020 R&M BUILDING 08/17/2020 R&M BUILDING	483.64 223.74 259.90
025151	09/14/2020 Invoice Aug 2020	003081	GILLET ANDREW 08/31/2020 WILBERFORCE MURAL	5,700.00
025152	09/14/2020 Invoice IN140661 Invoice IN140723	002211	GLASS CANADA 08/26/2020 WINDOW REPAIR 08/28/2020 TRACY'S OFFICE WINDOW	1,293.85 412.45 881.40
025153	09/14/2020 Invoice 1455	002855	GOLLAN HOLDINGS INC. 09/04/2020 LIBRARY CARPET CLEANING	621.50
025154	09/14/2020 Invoice Sept 2020	003325	<span style="background-color: black; color: black;">XXXXXXXXXX</span> 09/03/2020 MILEAGE	41.82
025155	09/14/2020 Invoice IN361026	001283	HAMISCO INDUSTRIAL SALES INC. 09/08/2020 SHOP SUPPLIES	79.39
025156	09/14/2020 Invoice 47902	003084	HM PIPE PRODUCTS INC. 08/07/2020 SEWER MAINTENANCE	1,765.23
025157	09/14/2020 Invoice L2106742	001772	HURONIA 07/31/2020 UTILITIES	257.64
025158	09/14/2020 Invoice IM87740	001408	HYDE PARK EQUIPMENT LTD 08/28/2020 PARK MOWER	114.58
025159	09/14/2020 Invoice R17871	001100	Huron Tractor 09/05/2020 RESCUE SAW	214.02
025160	09/14/2020 Invoice 218749	001522	ICECO ADVANCED ARENA PRODUCTS 08/27/2020 BUILDING MAINTENANCE	752.61
025161	09/14/2020 Invoice 20	003168	JEFF STAPLETON 08/31/2020 SENIOR FITNESS	180.00
025162	09/14/2020 Invoice 155106	002375	JOHNSON'S SANITATION SERV. LTD. 08/25/2020 POP-UP CONCERT	214.70
025163	09/14/2020 Invoice 1310626	003404	LANGFORD AUTO APC 08/13/2020 MOWER MAINTENANCE	4.03

Accounts Payable

Bank Of Montreal - General Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
025164	09/14/2020	001129	LANGFORD LUMBER	864.05
	Invoice 2150837		08/14/2020 PARK SUPPLIES	18.01
	Invoice 1048191		08/17/2020 EQUIPMENT MAINTENANCE	12.48
	Invoice 1048309		08/18/2020 MAINTENANCE SUPPLIES	30.22
	Invoice 1048383		08/19/2020 BUILDING MAINTENANCE	132.18
	Invoice 1048423		08/19/2020 BUILDING MAINTENANCE	92.21
	Invoice 1048512		08/20/2020 BUILDING MAINTENANCE	27.03
	Invoice 1049052		08/28/2020 MAINTENANCE SUPPLIES	84.74
	Invoice 1049320		08/31/2020 R&M EQUIPMENT	32.71
	Invoice 1049090		08/28/2020 SHOP SUPPLIES	28.78
	Invoice 2151131		08/20/2020 SHOP SUPPLIES	4.24
	Invoice 1048520		08/20/2020 SHOP SUPPLIES	44.30
	Invoice 2150740		08/12/2020 METERS	18.63
	Invoice 2150409		08/05/2020 FLOWERS	30.50
	Invoice 0476434		08/05/2020 PARKS MAINTENANCE	52.34
	Invoice 1047621		08/10/2020 GRANTON PARK	38.93
	Invoice 1047261		08/06/2020 MAINTENANCE SUPPLIES	10.60
	Invoice 2150729		08/12/2020 SAFETY WEAR	22.59
	Invoice 2150787		08/13/2020 PARK MAINTENANCE	14.67
	Invoice 1047961		08/14/2020 PARK MAINTENANCE	39.26
	Invoice 1047963		08/14/2020 BUILDING MAINTENANCE	24.09
	Invoice 1048352		08/19/2020 BUILDING MAINTENANCE	5.98
	Invoice 1048391		08/19/2020 MAINTENANCE SUPPLIES	72.56
	Invoice 1048415		08/19/2020 MAINTENANCE SUPPLIES	6.67
	Invoice 1048984		08/27/2020 MAINTENANCE SUPPLIES	20.33
025165	09/14/2020	001721	LAVIS CONTRACTING CO. LTD	242,848.06
	Invoice LA-240-2020-0245		08/10/2020 COURSEY LINE	242,848.06
025166	09/14/2020	001913	LERNERS LLP	3,277.00
	Invoice 40025420		08/28/2020 SOCCER FIELDS	960.50
	Invoice 40025417		08/28/2020 RIDGE CROSSING	791.00
	Invoice 40025587		08/31/2020 INDUSTRIAL PARK	1,525.50
025167	09/14/2020	003047	LIBRO CREDIT UNION	649.16
	Invoice AUG 2020		08/25/2020 [REDACTED]	649.16
025168	09/14/2020	001998	LOCAL AUTHORITY SERVICES LTD.	2,216.99
	Invoice PF-1225-03568		08/14/2020 COLOURED DIESEL	675.57
	Invoice PF-1232-03581		08/28/2020 DIESEL	1,541.42
025169	09/14/2020	001272	LONDON DISTRICT CATHOLIC SCHOOL BOARD	60,444.99
	Invoice Q2 2020 Levy		09/02/2020 Q2 2020 LEVY	60,444.99
025170	09/14/2020	002300	LONDON FIRE EQUIPMENT LTD.	289.85
	Invoice 119033-1		08/20/2020 SCBA CYLINDER	289.85
025171	09/14/2020	002007	LUCAN HERITAGE COMMITTEE	15,000.00
	Invoice 2020 Donation		08/31/2020 ANNUAL DONATION	15,000.00
025172	09/14/2020	003390	LUCAN OPTIMIST CLUB	215.01
	Invoice August 27 2020		08/27/2020 OVER PAYMENT	215.01
025173	09/14/2020	002621	MAGUIRE, KELLY	1,045.25
	Invoice 93		08/31/2020 Property Maintenance	1,045.25
025174	09/14/2020	003405	[REDACTED]	602.04

Accounts Payable

Bank Of Montreal - General Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
	Invoice Sept 2020		09/08/2020 REFUND - DUPLICATE TAX PAYMENT	602.04
025175	09/14/2020	003250	MINISTRY OF FINANCE	54,570.00
	Invoice 202408200910010		08/31/2020 JULY OPP	54,570.00
025176	09/14/2020	002382	MURALS IN METAL	3,729.00
	Invoice 3652		06/22/2020 BIKE RACKS	3,729.00
025177	09/14/2020	002929	OMI CANADA INC.	12,863.64
	Invoice 691130-04-07		09/07/2020 CONTRACTED SERVICES	12,863.64
025178	09/14/2020	001843	ONTARIO CLEAN WATER AGENCY	50,626.97
	Invoice INV00000003849		08/10/2020 JUNE CAPITAL BILLING	3,730.71
	Invoice INV00000003850		08/10/2020 UV REPAIRS	28,930.78
	Invoice INV00000004415		09/01/2020 CONTRACTED SERVICES	13,051.54
	Invoice INV00000004516		08/31/2020 JULY CAPITAL	4,913.94
025179	09/14/2020	002626	ONTARIO ONE CALL	222.16
	Invoice 202014775		08/31/2020 LOCATES	222.16
025180	09/14/2020	003071	OPEN SPACE SOLUTIONS INC.	383.07
	Invoice 1670		09/03/2020 ELM ST PARK	383.07
025181	09/14/2020	003022	ORKIN CANADA CORPORATION	91.53
	Invoice C-2058725		08/18/2020 MAINTENANCE CONTRACTS	91.53
025182	09/14/2020	001882	PBS BUSINESS SYSTEMS	711.90
	Invoice 106720		08/24/2020 ADMIN SUPPLIES	711.90
025183	09/14/2020	002309	PIERCE SERVICES & SOLUTIONS INC.	2,283.55
	Invoice 1007		08/07/2020 REPAIR/MAINTENANCE	717.43
	Invoice 1010		08/09/2020 R&M BUILDING	1,566.12
025184	09/14/2020	003329	POSTCARD PORTABLES - LONDON	113.00
	Invoice 6858		07/15/2020 COVID	113.00
025185	09/14/2020	003301	PRO FLEET CARE	2,994.50
	Invoice 770		08/27/2020 UNDERCOATING	988.75
	Invoice 772		08/27/2020 MAINTENANCE	2,005.75
025186	09/14/2020	001195	PROMECHANICAL TRUCK REPAIRS	5,043.18
	Invoice 75196		08/11/2020 SERVICE	9.21
	Invoice 75093		07/30/2020 FREIGHTLINER	72.18
	Invoice 75260		08/20/2020 SERVICE	417.13
	Invoice 75239		08/18/2020 SERVICE	4,205.41
	Invoice 75257		08/20/2020 SERVICE	339.25
025187	09/14/2020	001735	QUADIENT LEASING CANADA LTD.	259.88
	Invoice 6235448		09/01/2020 POSTAGE MACHINE RENTAL	129.94
	Invoice 6234225		08/01/2020 POSTAGE MACHINE RENTAL	129.94
025188	09/14/2020	001535	R.H. WOODWORKING	39.55
	Invoice Sept 1, 2020		09/01/2020 SHARPENING	39.55
025189	09/14/2020	001372	SPRIET ASSOCIATES	3,692.84
	Invoice 20-0397		08/11/2020 DRAINAGE EXPENSE	3,692.84
025190	09/14/2020	001485	TEAM TRUCK CENTRES	1,043.37

Accounts Payable

Bank Of Montreal - General Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
	Invoice 16ZL311030S		08/14/2020 TANKER REPAIR	415.40
	Invoice 16ZL311031S		08/14/2020 2013 WESTERN STAR	627.97
025191	09/14/2020	001271	THAMES VALLEY DISTRICT SCHOOL	
	Invoice Q2 2020 Levy		09/02/2020 Q2 2020 LEVY	300,860.51
025192	09/14/2020	001270	TREASURER, COUNTY OF MIDDLESEX	
	Invoice Q3-2020 Levy		09/02/2020 Q3 2020 LEVY	721,513.00
025193	09/14/2020	002546	ULINE CANADA CORPORATION	
	Invoice 7083627		08/20/2020 CLOTHING/SAFETY WEAR	171.21
025194	09/14/2020	001562	VERMEER CANADA INC.	
	Invoice 30034325		08/11/2020 KNIFE CUTTER	278.79
025195	09/14/2020	002960	WASTE CONNECTIONS OF CANADA INC.	
	Invoice 7120-0000839363		08/31/2020 MAINTENANCE	482.96
025196	09/14/2020	001713	WFS LTD.	
	Invoice 5299845		08/13/2020 TOOLS/SHOP SUPPLIES	49.49
	Invoice 5300328		08/13/2020 TOOLS/SHOP SUPPLIES	77.39
	Invoice 5306492		08/25/2020 R&M EQUIPMENT	621.50
Cheque Register Total -				1,598,187.91

Accounts Payable

Invoices Paid Online Municipal Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
001677	09/29/2020 Invoice 0920-3690	002574	BELL MOBILITY 09/08/2020 Cell Phones	250.23
001678	09/29/2020 Invoice 0920-1224	002474	BELL PWB 227-1224 09/01/2020 P.W. Building Phone	176.76
001679	09/29/2020 Invoice 0920-0565	003331	BELL, ARENA 227-0565 09/01/2020 FIRE LINE	49.87
001680	09/29/2020 Invoice 98560 Invoice 98561 Invoice 25145 Invoice 25139	001028	BLUEWATER RECYCLING ASSOC 08/31/2020 YD WASTE LIFT 08/31/2020 YD WASTE LIFT 08/31/2020 AUGUST DISPOSAL 09/03/2020 SEPT AUTOMATED	17,578.98 62.37 274.40 6,742.21 10,500.00
001681	09/29/2020 Invoice 0820-5250	002453	HYDRO, CROSSING LT. 315250 08/21/2020 Hydro One, Crossing Lights	91.97
001682	09/29/2020 Invoice 0920-7124	002439	HYDRO, MUSEUM 927124 09/04/2020 Hydro One, Museum	121.68
001683	09/29/2020 Invoice 0820-2711	002731	HYDRO, OFFICE/LIBRARY 2711 08/21/2020 Municipal Office/Library	1,421.36
001684	09/29/2020 Invoice 0920-0821	002566	HYDRO, PWB 210821 09/08/2020 Hydro One, Public Works Bldg.	530.63
001685	09/29/2020 Invoice 0920-7254	002436	HYDRO, SCOUT HALL 407254 09/04/2020 Hydro One, Scout Hall	85.93
001686	09/29/2020 Invoice 0820-6868-2 Invoice 0920-6868-1	002570	HYDRO, ST. LIGHTS 116868 08/20/2020 Hydro One, Street Lights 09/02/2020 Hydro One, Street Lights	1,442.49 19.56
001687	09/29/2020 Invoice 0920-4780	003403	HYDRO, ST. LIGHTS 494780 09/02/2020 Hydro One, Ridge Crossing 1	39.18
001688	09/29/2020 Invoice 0820-8601	002569	HYDRO, ST. LIGHTS 538601 08/20/2020 Hydro One, 0 Watson St.	432.84
001689	09/29/2020 Invoice 0920-3502	003289	HYDRO, ST. LIGHTS 693502 09/02/2020 Hydro, St. Lights Ind Park	33.23
001690	09/29/2020 Invoice 0820-7958	002451	HYDRO, ST. LIGHTS 807958 08/20/2020 Hydro One, 1 Conc. Lot 25	125.17
001691	09/29/2020 Invoice 0920-3632	002441	HYDRO, WATER TOWER 493632 09/04/2020 Hydro One, Water Tower	192.86
001692	09/29/2020 Invoice Aug 2020	001168	MINISTER OF FINANCE 08/31/2020 AUG 2020 EHT REMITTANCE	2,228.23
001693	09/29/2020 Invoice Aug 2020	002616	OMERS 08/31/2020 OMERS	18,132.28
001694	09/29/2020 Invoice 0920-10324606	002702	QUADRO - MUN. OFFICE/PARKS&REC. 09/06/2020 Mun. Office/Parks&Rec.	1,103.48



**Accounts Payable**

Invoices Paid Online Municipal Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
001695	09/29/2020	001983	RWAM INSURANCE ADMINISTRATORS	17,344.83
	Invoice Sept 2020 Group		09/01/2020 GROUP PREMIUM	2,703.13
	Invoice Aug 2020		08/31/2020 COST PLUS	4,267.82
	Invoice 09 2020-08 2021		09/01/2020 HEALTH CARE SPENDING	10,373.88
001696	09/29/2020	002585	STAPLES - OFFICE	785.26
	Invoice 0820-5002		08/31/2020 Office Supplies	785.26
001697	09/29/2020	002691	U. GAS - OFFICE/LIBRARY 2145	36.46
	Invoice 0820-2145		08/31/2020 OFFICE/LIBRARY HEAT	36.46
001698	09/29/2020	002469	U. GAS PW BLDG. 1545	36.59
	Invoice 0920-1545		09/09/2020 Public Works Heat	36.59
001699	09/29/2020	001231	WSIB	3,073.48
	Invoice Aug 2020		08/31/2020 WSIB	3,073.48
001700	09/08/2020	002986	MASTERCARD - BB FIRE	23.00
	Invoice Aug 2020		08/31/2020 MASTERCARD PURCHASES	23.00
001701	09/08/2020	002985	MASTERCARD - MUN. OFFICE	929.78
	Invoice Aug 2020		08/31/2020 MASTERCARD PURCHASES	929.78
001702	09/08/2020	002987	MASTERCARD - PARKS & REC.	2,198.30
	Invoice Aug 2020		08/31/2020 MASTERCARD PURCHASES	2,198.30
Cheque Register Total -				68,484.43

Accounts Payable

ARENA BANK Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
000698	09/29/2020 Invoice 0820-5990	002443	HYDRO, ARENA 425990 08/26/2020 Hydro One 263 Main Arena	3,179.81
000699	09/29/2020 Invoice 0920-9687	002456	HYDRO, ARENA 889687 09/04/2020 Hydro One, 263 Main St. BLDG.	84.41
000700	09/29/2020 Invoice 0920-7734	002449	HYDRO, ARENA LIGHT 857734 09/04/2020 Hydro One, 263 Main St. Light	36.41
000701	09/29/2020 Invoice 0920-2579	002457	HYDRO, GRANTON PK 512579 09/09/2020 Hydro One, High St. Light 2	32.76
000702	09/29/2020 Invoice 0920-1433	002458	HYDRO, GRANTON PK. 201433 09/09/2020 Hydro One, High St. Light 1	43.92
000703	09/29/2020 Invoice 0920-7345	002435	HYDRO, MARKET PARK 117345 09/04/2020 Hydro One, Market St. Park	57.46
000704	09/29/2020 Invoice 0920-8334	002442	HYDRO, SPLASH PAD 018334 09/04/2020 Hydro One, Splash Pad	58.42
000705	09/29/2020 Invoice 0820-2022	002463	U. GAS ARENA 2022 08/31/2020 Heat-Pool,Arena,LionsShed	364.50
000706	09/29/2020 Invoice 0820-2061	002563	U. GAS ARENA 2061 08/31/2020 Heat-MainHall&Daycare	283.13
000707	09/29/2020 Invoice 0820-2137	002464	U. GAS SENIOR CTR 2137 08/31/2020 HEAT - SENIOR CENTRE	33.65
Cheque Register Total -				4,174.47

**Accounts Payable**

Invoices Paid Online - Water Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
000293	09/29/2020 Invoice 0920-1017	002476	BELL, LW BOOSTER STN 227-1017 09/01/2020 Water Booster Station Telephon	222.43
000294	09/29/2020 Invoice 0820-6133	002618	HYDRO, 34395 GRANTON LINE, LW 08/13/2020 Granton Water Supply	435.57
000295	09/29/2020 Invoice 0820-7813	002455	HYDRO, L.WATER 027813 08/26/2020 Hydro One, Water Booster Stn.	3,928.66
000296	09/29/2020 Invoice 0920-9957	002461	HYDRO, L.WATER 049957 09/01/2020 Hydro One, 4 Conc. Lot 30	33.68
Cheque Register Total -				4,620.34

Accounts Payable

Invoices Paid Online - Sewer Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
000573	09/29/2020 Invoice 0920-1409	002477	BELL L. SEWER 227-1409 09/01/2020 Lucan Sewer Telephone	314.65
000574	09/29/2020 Invoice 0920-1393	002473	BELL L. SEWER 227-1393 09/01/2020 Nicoline Dev. Telephone	68.79
000575	09/29/2020 Invoice 0920-10226077	003001	HAY COMMUNICATIONS 09/01/2020 Alarm System	79.10
000576	09/29/2020 Invoice 0820-2687	002440	HYDRO, L. SEWER 232687 08/28/2020 Hydro One, Chestnut St. Pmp. S	465.73
000577	09/29/2020 Invoice 0820-6752	002444	HYDRO, L. SEWER 416752 08/26/2020 Hydro One, 6242 Fallon Dr.	10,981.05
000578	09/29/2020 Invoice 0820-7325	002567	HYDRO, L.S. 577325 08/20/2020 Hydro One 34195 Granton Line	733.47
000579	09/29/2020 Invoice 0920-0419	002568	HYDRO, L.S. PUMP 780419 09/04/2020 Hydro One, Joseph St. Pump	42.16
000580	09/29/2020 Invoice 0920-10304555	002564	QUADRO, L. SEWER 555 09/06/2020 Lucan Sewer Telephone	386.30
000581	09/29/2020 Invoice 0920-1292	002467	U. GAS L. SEWER 1292 09/09/2020 Heat - Lucan Sewer	25.43
000582	09/29/2020 Invoice 0920-6155	003044	U. GAS SEWER 6155 09/09/2020 34195 Granton Line Gas	125.14
Cheque Register Total -				13,221.82

### Accounts Payable

Invoices Paid Online - L.B. Fire Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
000249	09/29/2020 Invoice 0920-4913	002475	BELL L.B. FIRE 227-4913 09/01/2020 L.B. Fire Telephone	96.51
000250	09/29/2020 Invoice 0920-6629	002437	HYDRO, L.B. FIRE 326629 09/04/2020 Hydro One, L.B. Fire	148.44
000251	09/29/2020 Invoice 0820-1985	002465	U. GAS L.B. FIRE 1985 08/31/2020 Heat - L.B. Fire	25.43
Cheque Register Total -				270.38

### Accounts Payable

Invoices Paid Online - B.B. Fire Cheque Register By Date

09/01/2020 thru 09/30/2020

Cheque Number	Cheque Date	Vendor Nbr	Payee	Cheque Amount
000281	09/29/2020 Invoice 0920-3473	002448	HYDRO, B.B. FIRE 173473 09/09/2020 Hydro One, B.B. Fire	196.49
000282	09/29/2020 Invoice 0920-10300444	002429	QUADRO, BB FIRE 444 09/06/2020 B.B. Fire Telephone	46.27
000283	09/29/2020 Invoice 0920-1102	002468	U. GAS B.B.FIRE 1102 09/09/2020 Heat - B. B. Fire	25.43
Cheque Register Total -				268.19

# TOWNSHIP OF LUCAN BIDDULPH RESOLUTION

DATE: October 20, 2020

RESOLUTION NO. \_\_\_\_\_

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RESOLVED:

That the regular council meeting minutes of October 6, 2020 be approved as circulated/amended.

RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR

# TOWNSHIP OF LUCAN BIDDULPH RESOLUTION

DATE: October 20, 2020

RESOLUTION NO. \_\_\_\_\_

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RESOLVED:

That the Council of the Township of Lucan Biddulph appoint Spriet Associates London Ltd. under Section 4 and 78 of the Drainage Act to prepare a drainage report for the requested drainage improvements to the Clyman Drain, subject to the required 30 days' notice to the applicable Conservation Authority.

RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR



**TOWNSHIP OF LUCAN BIDDULPH**

**RESOLUTION**

DATE: October 20, 2020

RESOLUTION NO. \_\_\_\_\_

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RESOLVED:

Resolve that council accept report no. PW-28-2020 as presented by the public works manager and provide direction to staff.

RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR

**TOWNSHIP OF LUCAN BIDDULPH**

**RESOLUTION**

DATE: October 20, 2020

RESOLUTION NO. \_\_\_\_\_

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RESOLVED:

Resolve that council supports the recommendation of the public works manager as presented in no. PW-29-2020 to extend winter maintenance to the Clandeboye sidewalks.

RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR

**TOWNSHIP OF LUCAN BIDDULPH**

**RESOLUTION**

DATE: October 20, 2020

RESOLUTION NO. \_\_\_\_\_

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

RESOLVED:

Resolve that council directs staff to proceed with the tender for the Frank Street reconstruction project.

RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR

# TOWNSHIP OF LUCAN BIDDULPH RESOLUTION

DATE: October 20, 2020

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:

- 47-2020 Official Plan Amendment (280 Main St)
- 48-2020 Confirming By-law

RESOLUTION CARRIED

\_\_\_\_\_  
MAYOR

**TOWNSHIP OF LUCAN BIDDULPH  
RESOLUTION**

DATE: October 20, 2020

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. 47-2020

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**WHEREAS** in the Township of Lucan Biddulph an official plan is in effect adopted by Council on June 4 2002 and approved by the County of Middlesex on June 10 2003; and

**WHEREAS** a meeting of Council, open to the public, was held on June 25 2020 and 6 October 2020 for the purposes of considering a proposed amendment which would re-designate the subject lands from Highway Commercial to Highway Commercial – Special Policy Area 1 to permit residential uses;

**WHEREAS** the proposed amendment would be consistent with the Provincial Policy Statement;

**WHEREAS** the intent of the Official Plan of the County of Middlesex and the Official Plan of the Township of Lucan Biddulph would be maintained;

**WHEREAS** the Council of the Corporation of the Township of Lucan Biddulph now deems it expedient to adopt the proposed amendment to the Official Plan of the Township of Lucan Biddulph;

**THEREFORE** the Council of the Corporation of the Township of Lucan Biddulph, in accordance with Section 17 of the Planning Act, R.S.O., 1990, as amended, hereby enacts as follows:

1. **THAT** Amendment No. 8 to the Official Plan of the Township of Lucan Biddulph, consisting of the attached explanatory text and Schedule 'A', is hereby adopted.
2. **THAT** the Clerk is hereby authorized and directed to make application to the County of Middlesex for approval of the aforementioned Amendment No. 8 to the Official Plan of the Township of Lucan Biddulph.
3. **THAT** Amendment No. 8 shall not come into force or take effect unless and until it has been approved in accordance with the Planning Act, R.S.O., 1990, as amended.
4. **THAT** this By-law shall come into force and take effect on the day of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 20th DAY OF OCTOBER, 2020.

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MAYOR

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CLERK

**AMENDMENT NO. 8  
TO THE  
OFFICIAL PLAN  
OF THE  
TOWNSHIP OF LUCAN BIDDULPH**

**SUBJECT: Walter Anton Lock**

**280 Main Street, Lucan, ON**

**Legally described as:  
Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan),  
Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof  
Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464  
in the Township of Lucan Biddulph, County of Middlesex**

**THE CONSTITUTIONAL STATEMENT**

PART A - THE PREAMBLE does not constitute part of this amendment. The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and schedule constitutes Amendment No. 8 to the Official Plan for the Township of Lucan Biddulph.



## **PART A - THE PREAMBLE**

### **1. PURPOSE AND EFFECT**

The purpose and effect of this application is to amend the Lucan Biddulph Official Plan by re-designating certain lands from the “Highway Commercial” designation to a “Highway Commercial - Special Policy Area 1” designation, to permit the establishment of residential uses. This Amendment would re-designate the lands comprised of approximately 0.88 hectares (2.18 ac.) for the lands municipally known as 280 Main Street in Lucan.

The subject lands are located on the north side of Main Street on the north-west end of Lucan. More specifically, the site is directly west of the Township office and library. The land is privately owned and is collectively comprised of two parcels of land; one of which is vacant towards the rear of the property, and a second containing an existing professional office building fronting onto Main Street.

The applicant is proposing to develop two (2), four (4) storey buildings, one being an apartment building at the rear of the site, and the second being a mixed use building with at grade commercial unit(s) fronting Main Street, with dwelling units comprising the remainder of the ground floor, second, third, and fourth storey.

Surrounding land uses to the north include vacant land (agricultural land) and single detached dwellings, to the east include an apartment building(s), institutional and commercial uses, to the south include commercial uses, and to the west include a commercial use and vacant land (agricultural land) designated Highway Commercial.

### **2. BASIS**

The Planning Act requires all decisions made under the Act “be consistent with” the Provincial Policy Statement, 2020 (PPS). This provides direction which encourages development to occur in areas on full municipal services provided the proposal is compatible with surrounding area. The subject proposal satisfies such criteria.

According to the County Official Plan, the subject lands are within the Settlement Areas (Community and Urban) designation. Permitted uses within this designation include a variety of housing typologies as well as commercial / employment uses. Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial, and industrial development. Lucan is a designated Urban Settlement Area in the Township Official Plan and has concentrations and intensity of land uses. The County Official Plan also seeks to encourage economic growth and prosperity of the local municipalities. Moreover, the County Official Plan notes that the detailed land use policies, and particularly those that pertain to development within settlement areas, are provided in the official plans of the County’s member municipalities. The Settlement Area policy supports the proposed development in the Urban Area of Lucan to accommodate a significant portion of the projected growth in the Township over the planning period.

The Lucan Biddulph Official Plan designates the lands as “Highway Commercial” and provides a broad framework for proposed amendments thereto. The subject proposal complies with the policies of the Lucan Biddulph Official Plan in that it is consistent with the PPS and in conformity with the County Official Plan. In addition, the subject proposal is justifiable in that the re-designation would facilitate the development of a mixed-use building and apartment building with a form and density that is in an appropriate location; while also providing more housing variety in terms of type, form, and affordability.

According to the Lucan Biddulph Zoning By-law, the lands at 280 Main Street are currently zoned Highway Commercial (C2-5 & C2-6) Exception Zone. The applicants have applied to re-zone the lands to a consolidated ‘site specific’ Highway Commercial (C2-10) Exception Zone to permit the following uses: apartment dwelling; townhouse dwelling; clinic; multiple unit dwelling; nursing home; office, general; office, professional; drive-in or take-out restaurant; financial institution; retail store; and restaurant. The site specific C2-10 also considers the following: a maximum height of 14.6 metres (4 storeys), whereas 10 metres

(3 storeys) is currently permitted; a reduction in the minimum rear yard depth to 5.0 metres, whereas 10 metres is currently required; a reduction to the minimum front yard depth of all permitted uses to 16.5 metres, whereas 56 metres is currently required for apartment dwellings; and a reduction in the minimum number of parking stalls for a clinic use (1 per 30 m<sup>2</sup> of net floor area), whereas 1 per 15 m<sup>2</sup> of net floor area is currently required. In consultation with staff, the following provisions have also been included: minimum west interior side yard setback of 9.0 metres; a minimum east interior side yard setback of 15.5 metres; a minimum outdoor landscape open space requirement of 31 percent of lot area, where a minimum of 10 percent of the landscape open space is enhanced as an outdoor amenity area for residents; a minimum requirement for any building within 56 metres of Main Street to contain a minimum 150 m<sup>2</sup> commercial / professional office unit across the entire Main Street frontage; a clarification on permitted encroachments beyond the maximum permissible height for mechanical equipment and limit to the maximum permissible floor area for said mechanical equipment size as well as location; a provision clarifying the intent of development approved by Council as two (2), four (4) storey buildings not to exceed a total of 90 units across the site as depicted in the applicants Site Plan; and a maximum of 90 dwelling units across the entire site as depicted in Schedule 'A' to the amending Zoning By-law.

Based on the foregoing, the subject proposal is consistent with the Provincial Policy Statement 2020 and conforms to the Middlesex County Official Plan, while also constituting sound land use planning.

## **PART B - THE AMENDMENT**

All of this part of the Amendment entitled 'Part B - The Amendment', including the attached Schedule 'A', constitutes Amendment No. 8 to the Official Plan of the Township of Lucan Biddulph.

### **DETAILS OF THE AMENDMENT**

The Official Plan of the Township of Lucan Biddulph is hereby amended in accordance with the following:

1. That Section 2.1.3.1 be amended with the addition of the following policy:

“(1) Highway Commercial Special Policy Area 1

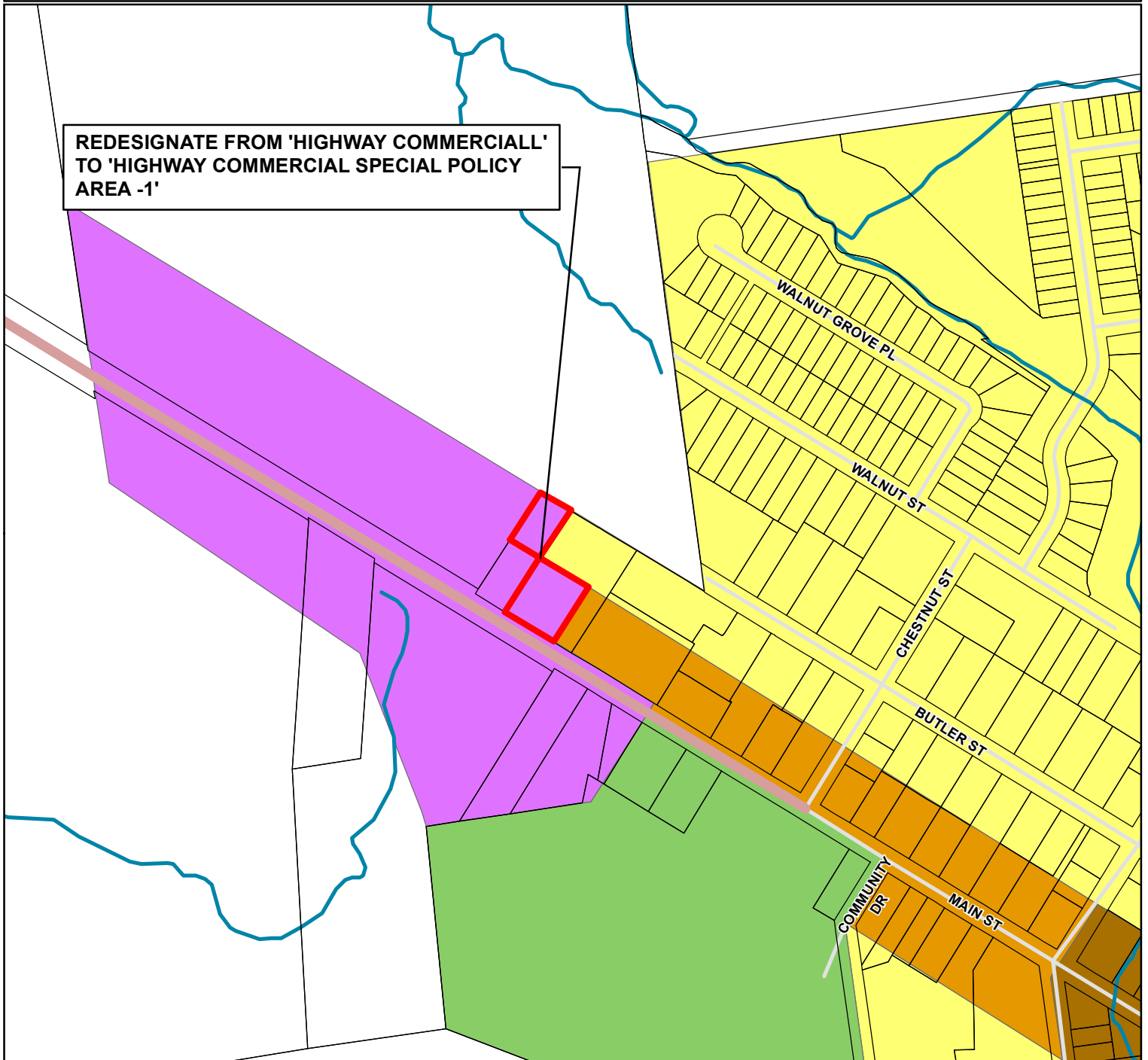
Notwithstanding any other policy of this Plan, residential uses may be permitted on the property legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464 in the Township of Lucan Biddulph, County of Middlesex and known municipally as 280 Main Street and shown on Schedule 'A' as Highway Commercial Special Policy Area 1.”

2. That Schedule 'A' – Land Use Plan of the Official Plan is hereby amended by changing the designation of certain lands known municipally as 280 Main Street, and legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464 in the Township of Lucan Biddulph, County of Middlesex, from 'Highway Commercial' to "Highway Commercial Special Policy Area 1".








# SCHEDULE "A"

## AMENDMENT NO.8 OF THE OFFICIAL PLAN OF THE TOWNSHIP OF LUCAN BIDDULPH



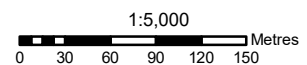
REDESIGNATE FROM 'HIGHWAY COMMERCIAL'  
TO 'HIGHWAY COMMERCIAL SPECIAL POLICY  
AREA -1'

### LAND USE DESIGNATIONS

-  CENTRAL COMMERCIAL
-  MIXED USE RESIDENTIAL
-  PARKS AND OPEN SPACE
-  RESIDENTIAL
-  HIGHWAY COMMERCIAL

### ROAD DESIGNATIONS

-  LOCAL ROAD
-  COLLECTOR ROAD



**TOWNSHIP OF LUCAN BIDDULPH**

**BY-LAW NO. 208-2020  
BEING A BY-LAW TO AMEND THE LUCAN BIDDULPH  
COMPREHENSIVE ZONING BY-LAW NO. 100-2003**

**Walter Anton Lock**

**Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph**

WHEREAS under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, authorizes municipalities to pass and amend zoning by-laws governing the use of land, buildings and structures;

AND WHEREAS the requirements for the giving notice and the holding of a public meeting of a zoning by-law amendment have been met;

AND WHEREAS the Council of the Township of Lucan Biddulph deems it advisable to amend By-law 100-2003, being the Comprehensive Zoning By-law of the Township of Lucan Biddulph;

AND WHEREAS Section 24(2) of the Planning Act, R.S.O. 1990 c.P.13 states that if Council has adopted an Official Plan amendment it may, before said amendment comes into effect, pass a by-law that does not conform to the Official Plan but will conform to the document if the amendment comes into effect;

AND WHEREAS Council adopted Official Plan Amendment No. 8 on October 20, 2020 via By-law No. 208-2020;

AND WHEREAS this By-law will conform with the Official Plan if Official Plan Amendment No. 8 to the Township of Lucan Biddulph Official Plan has been approved by the County of Middlesex;

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

1. THAT Schedule "B", Map No. 2 to the Comprehensive Zoning By-law No. 100-2003 is hereby amended by changing from the site specific Highway Commercial (C2-5) Exception Zone and site specific Highway Commercial (C2-6) Exception Zone to the a consolidated site-specific Highway Commercial (C2-10) Exception Zone for the lands outlined in heavy solid lines and described as C2-10 on Schedule "A" attached hereto and forming part of this By-law, being Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph, in the County of Middlesex.
2. THAT Section 15.3 to By-law No. 100-2003, as amended, being the Exceptions of the Highway Commercial (C2) Zone is hereby amended by deleting Subsections 15.3.5 and 15.3.6.
3. That Section 15.3 to By-law No. 100-2003, as amended, being the Exceptions of the Highway Commercial (C2) Zone is hereby amended with the addition of the following:
  - 15.3.10 a) Defined Area (*280 Main Street*)
  - b) Permitted Uses
    - apartment dwelling
    - multiple unit dwelling
    - nursing home
    - townhouse dwelling
    - clinic
    - office, general
    - office, professional
    - drive-in or take-out restaurant
    - financial institution
    - retail store
    - restaurant

- c) Minimum Front Yard Depth 16.5 m
- d) Maximum Height 14.6 m to a maximum of 4 storeys
- e) Minimum Rear Yard Setback 5.0 m
- f) Minimum West Interior Side Yard Setback 9.0 m
- g) Minimum East Interior Side Yard Setback 15.5 m
- h) Minimum Landscape Open Space 31 %
- i) Maximum Number of Dwelling Units 90 units
- j) Minimum Number of Parking Spaces
  - Apartment dwelling 1.5 per dwelling unit
  - Multi unit dwelling 1.5 per dwelling unit
  - Nursing home 1 per 6 beds
  - Townhouse dwelling 1.5 per dwelling unit
  - Clinic 1 per 30 m<sup>2</sup> of net floor area
  - Office, general 1 per 30 m<sup>2</sup> of net floor area
  - Office, professional 1 per 30 m<sup>2</sup> of net floor area

k) Additional Provisions

- i. A minimum of 10 percent of the landscape open space shall be enhanced as a common outdoor amenity space for residents.
- ii. Development shall be implemented through a site plan agreement to facilitate the development of two, four (4) storey buildings, one being an apartment building, and the second being a mixed use building with a minimum 150 m<sup>2</sup> commercial / office unit on the first floor facing Main Street. A combined maximum total of 90 units is permitted between two (2), four (4) storey building as depicted on the Site Plan attached as Schedule B to this By-law.
- iii. Notwithstanding section 4.10 Height Exceptions of the Comprehensive Zoning By-law 100-2003, any accessory mechanical equipment or mechanical penthouse located on the roof of the buildings shall not encroach beyond 3.0 metres of the maximum permitted height of the building. Additionally, the mechanical penthouse shall not exceed a maximum floor area of 10 percent of the building envelope and shall be setback a minimum of the equivalent distance of height of the structure from any side of the building.
- iv. All residential dwelling units shall provide a private outdoor amenity space in the format of a balcony or option for a patio on the ground floor units.
- v. Any building within 56 metres of the front lot line along Main Street shall contain a minimum 150 m<sup>2</sup> commercial / office unit, encompassing the entirety of the frontage of a proposed building along Main Street.

- 4. That despite any existing or future severance, partition, or division of the lot, the provisions of this By-law shall apply to the whole of the zone as shown on Schedule 'A' as if no severance, partition or division had occurred.
- 5. That this by-law shall come into force pursuant to Section 34 (21) of the Planning Act, RSO 1990.

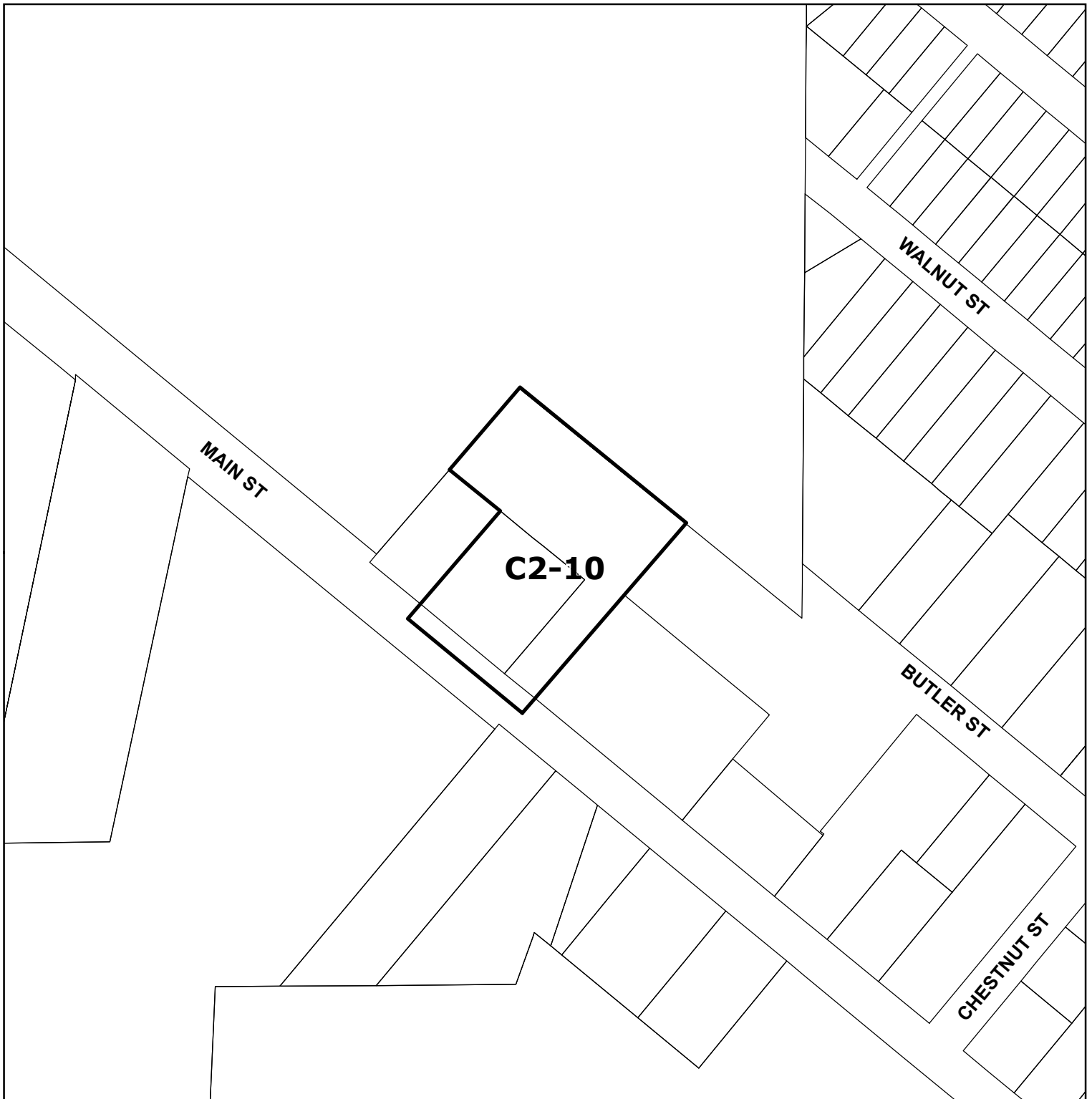
**READ A FIRST TIME AND PASSED, READ A SECOND TIME AND PASSED AND READ A THIRD TIME AND PASSED THIS 20<sup>TH</sup> DAY OF OCTOBER, 2020.**

\_\_\_\_\_  
MAYOR

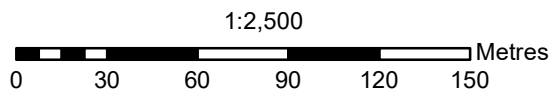
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CLERK

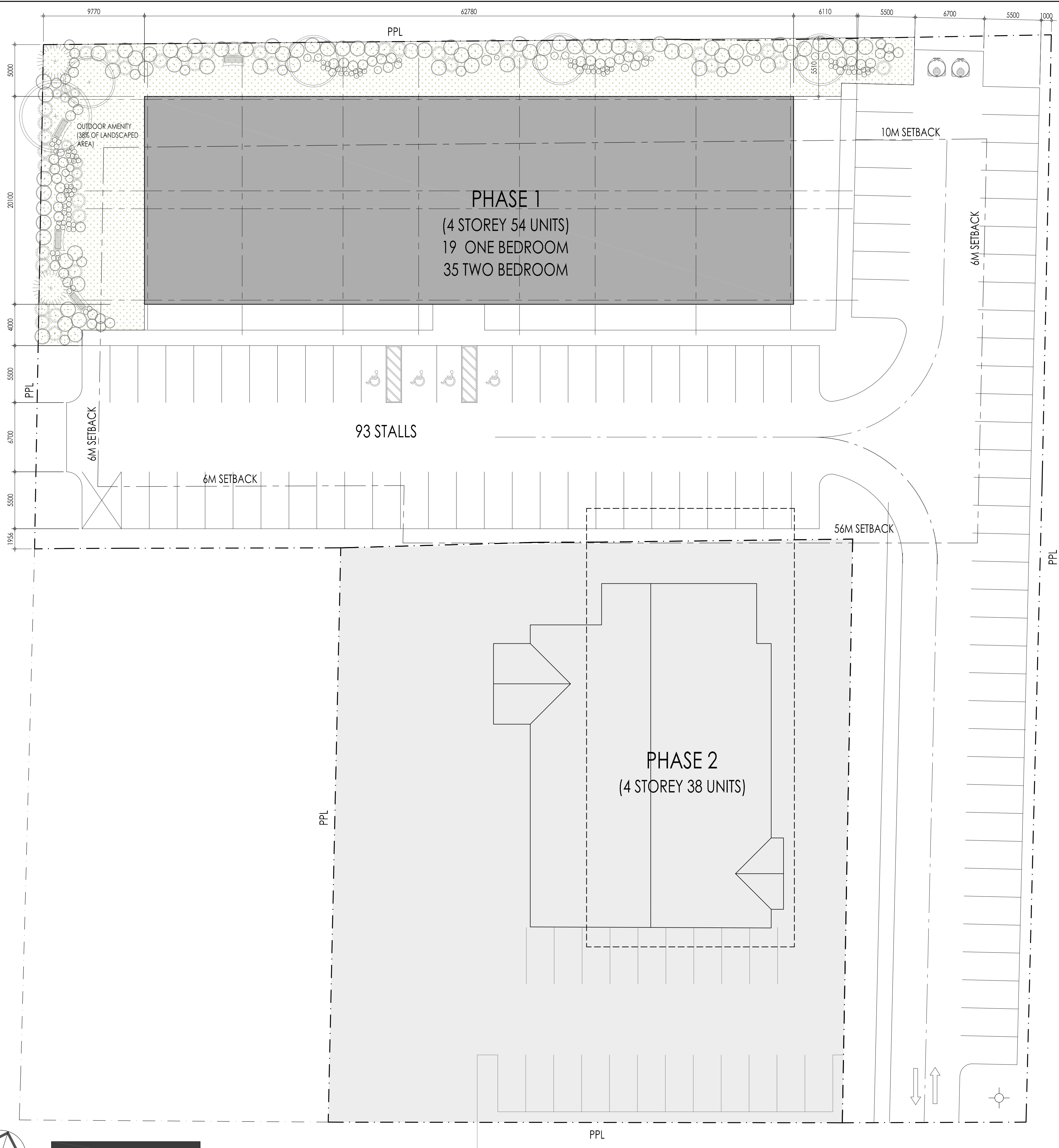


**Township of LUCAN BIDDULPH**



THIS IS SCHEDULE "A" TO BY-LAW No. 208-2020  
PASSED THIS 20 DAY OF October, 2020.





PHASE 1

ZONING DATA CHART: EXIST. - C2-6 ZONE (PERMITTED USES APARTMENT DWELLING)		
	REQ'D./ MAX./ MIN.	PROPOSED
PROPOSED ZONED USE		APARTMENT
LOT AREA (SM) MIN.	4,000 SM	5,750 SM (.575 HA)
LOT FRONTAGE (M) MIN.	18 M	18 M
FRONT YARD DEPTH (M) MIN.	56 M	80.1 M
REAR YARD DEPTH (M) MIN.	10 M	5 M
INTERIOR SIDE YARD DEPTH (M) MIN.	6 M	9.7 M
LOT COVERAGE (%) MAX.	25% MAX.	22.3 %
BUILDING HEIGHT (M) MIN.	10 M	14 M
LANDSCAPED OPEN SPACE		31 %
PARKING 1.5/UNIT	1.5x54 = 81 STALLS REQ'D (HCP 81x4%=4 STALLS REQ'D)	93 STALLS PROVIDED



KEY PLAN  
N.T.S.



NO. DATE: ISSUED FOR: TEAM BY:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, PERMITS AND LOCAL ORDINANCES TO COMPLETION OF WORK. ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING.  
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SEAL:

**matter.**

Matter Architectural Studio Inc.  
1108 Dundas Street, #300  
London, Ontario, N6W 3A7  
p: 519.601.6274  
www.matterinc.ca

Project Title:  
**280 MAIN STREET - LUCAN**

280 Main Street Lucan, ON

Sheet Name:  
**SITE PLAN - PHASE 1**

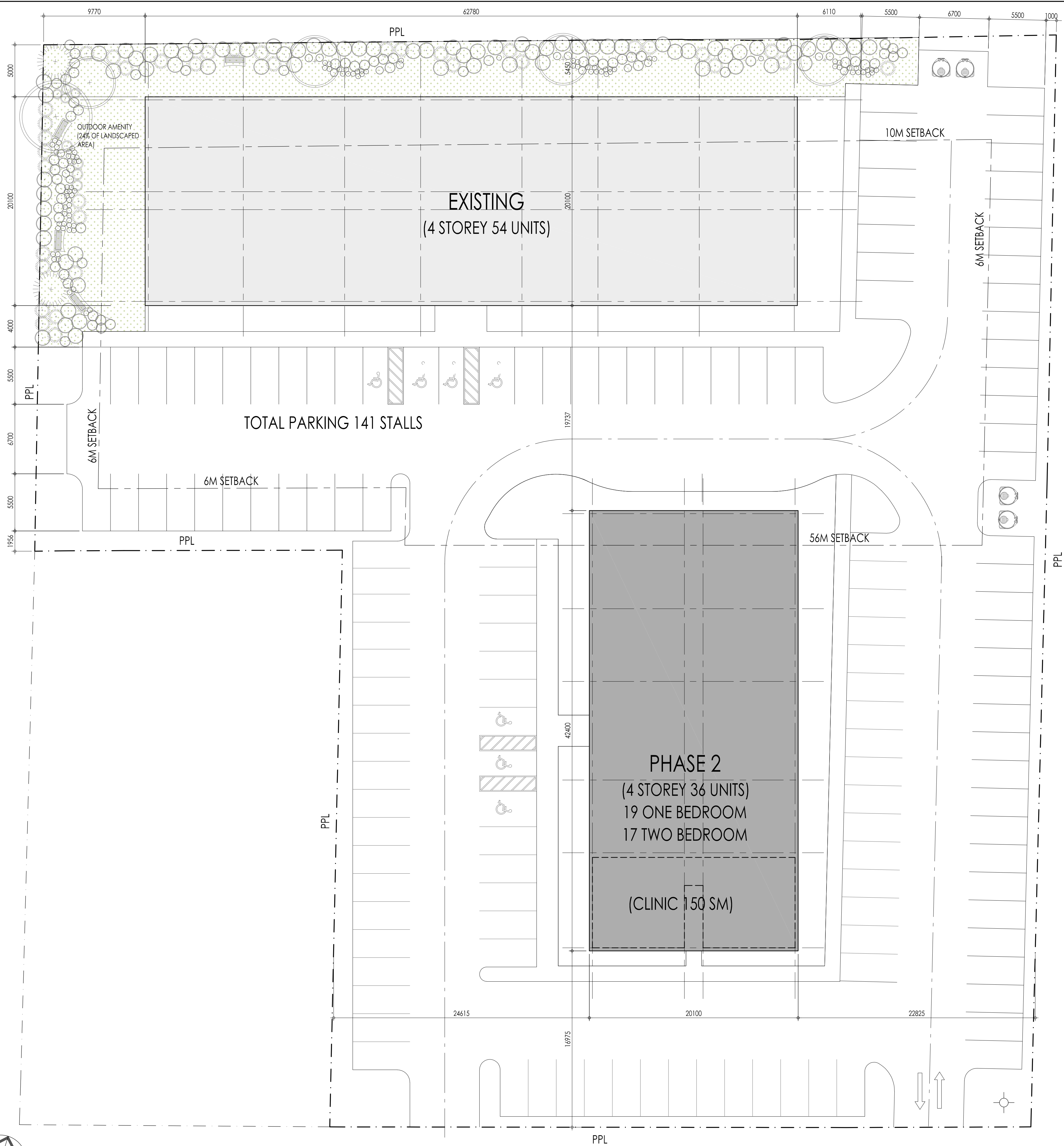
Scale:  
**AS SHOWN**

Project No:  
**19-061**

Sheet No:  
**A100**

A1 PARTIAL SITE PLAN  
A100 Scale: 1:200

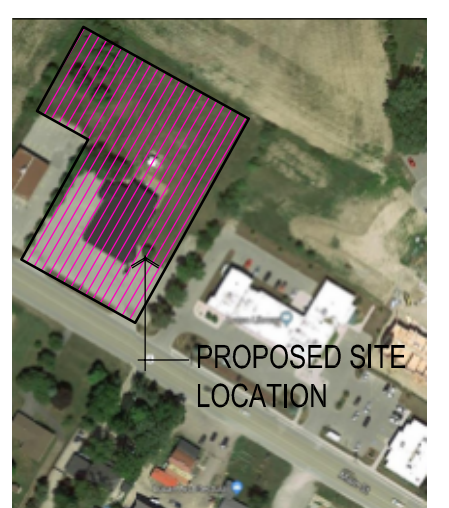




PHASE 1

ZONING DATA CHART: EXIST. - C2-6 ZONE (PERMITTED USES APARTMENT DWELLING)

	REQ'D./ MAX./ MIN.	PROPOSED
PROPOSED ZONED USE		APARTMENT
LOT AREA (SM) MIN.	4,000 SM	8,532 SM (.853 HA)
LOT FRONTAGE (M) MIN.	18 M	67.5 M
FRONT YARD DEPTH (M) MIN.	56 M	17 M
REAR YARD DEPTH (M) MIN.	10 M	5 M
INTERIOR SIDE YARD DEPTH (M) MIN.	6 M	9.7 M
LOT COVERAGE (%) MAX.	25% MAX.	25%
BUILDING HEIGHT (M) MIN.	10 M	14 M
LANDSCAPED OPEN SPACE		33.6%
PARKING 1.5/UNIT CLINIC 1/30 SM PHASE 2 (3 HCP PARKING REQ'D)	PHASE 1 (54 UNITS) 81 REQ'D PHASE 2 (36 UNITS) 54 REQ'D CLINIC (150 / 30) 5 REQ'D TOTAL PARKING REQ'D 140	141 STALLS PROVIDED



NO. DATE: ISSUED FOR: TEAM BY:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS, FINISHES AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING.  
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Project Title:  
280 MAIN STREET - LUCAN

280 Main Street Lucan, ON

Sheet Name:  
SITE PLAN - PHASE 2

Scale:  
AS SHOWN

Project No:  
19-061

Sheet No:  
A100

A1 PARTIAL SITE PLAN  
A100 Scale: 1:200

# Township of Lucan Biddulph

## BY-LAW NO. 48-2020

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### **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 October 20, 2020 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 October 20, 2020 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 October 20, 2020 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  
October 20, 2020.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK