

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, L. deBoer-Economic Development Coordinator, J. Little-Public Works Manager, K. Langendyk-Treasurer, P. Smith-Parks & Recreation Manager

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

Mayor C. Burghardt-Jesson opened the meeting with the following reflection:

I cannot help but start tonight's meeting with some reflections on the events we are witnessing south of the border. I was horrified to watch the brutal attack on George Floyd. I understand the passion behind the peaceful protests and meaningful dialogues taking places across the United States. What I don't understand is the violence, rage and attacks happening in cities across the country. I don't understand for a number of reasons. Firstly, I don't understand because the suppression and bigotry that many of these protestors are fighting is not my truth or my experience. Secondly, many of these attacks seem to go beyond the protest of the death of George Floyd. While we have not seen the demonstration in Lucan Biddulph or the County of Middlesex (although I understand there are number of peaceful protests being organized in our area for Saturday), we cannot be so naïve as to believe these concerns are not in our community. One could argue we are one improperly handled incident away from these experiences that as of now, we are only watching from afar. I do not understand the response of leadership in the United States. History has shown us, that the answer to violence is not more violence. When someone believes they do not have a voice, stifling and not listening to that voice only provokes them to find other means to be heard. Watching this unfold, my hope is that with the misuse and abuse of power, those oppressed by that power will find the strength to continue to push for change with honest and meaningful dialogue. Without respectful conversation we cannot learn, we cannot change.

So, as a municipal leader of a small rural Ontario municipality—what is my role?

I see it as sharing with you my truth and humbly hoping it resonates with you as you grapple with what our neighbours are dealing with.

Every day when I wake up, I have a choice. I choose how I'm going to take on whatever the day is going to present me—some days it is easier than others—but every day I wake up and choose the way of love.

The parable of the Good Samaritan is a Christian lesson—it is a lesson that goes across and beyond faiths. The story of the Good Samaritan challenges us to treat our neighbour as ourselves. It challenges us to ask ourselves—who is our neighbour? Racial prejudices or a prejudice of others, different in any way from us has always been a divider. We tend to distrust those that don't look or sound like us. Yet, the Samaritan didn't care about that. He showed us that racism/prejudice has no place when it comes to common decency—that at the end of the day we all belong to the same race—the human race.

And so I challenge you—to remind you—that every day is a choice; we must live and work together as equals, as brothers and sisters. If we don't, then we choose chaos over community. In my office, I have this sign that says "DO BETTER." As Maya Angelou said—"Do the best you can until you know better. Then when you know better, do better."

So while in Lucan Biddulph, community is the choice, we can always do better. I know I can. We must always work together for the good.

It all starts with a choice...

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

1/ Committee of Adjustment

Moved by D. Regan

Seconded by D. Manders

Resolved that the Council of the Township of Lucan Biddulph adjourn its regular meeting at 6:05 pm in order sit as a Committee of Adjustment under Section 45 of the Planning Act, R.S.O. 1990, as amended.

CARRIED

Mayor C. Burghardt-Jesson reviewed the process that will be followed for council and the public in consideration of the new electronic format.

a) B-5-2020 (Malbrecht)

D. Fitzgerald, County Planner gave a review of Planning Report PL-04-2020 and advised the purpose and effect of the application is as follows:

- to permit a severance of an existing farm from a residence for the purpose of farm consolidation
- The application is considered to be a "reverse" surplus farm dwelling severance which will be surplus to a farmer's operation who is purchasing the lands and consolidating the lands into their business
- The applicants dwelling is considered surplus to the lands and proposed to be retained

T. Merner advised that no additional comments were received from circulated agencies and the public that are not already included in the planner's report.

Councillor D. Regan questioned the need to apply for a new entrance with the MTO and D. Fitzgerald advised that it is the MTO's general practice to formalize access points on provincial highways and in this case they are wanting to limit any additional access that is not permitted on the subject lands.

Applicant, Tina Malbrecht provided comments at this time and advised that she submitted a question to D. Fitzgerald regarding the revised drainage assessment condition and he has provided a response to which she is satisfied. Mrs. Malbrecht did not have any further questions or concerns.

No further questions or comments were received.

2/ B-5-2020 (Malbrecht)

Moved by A. Westman

Seconded by D. Regan

*THAT Application for Consent B-5/2020 filed by Catharina Malbrecht to sever a parcel of land for the purpose of farm consolidation and to retain the disposed surplus farm dwelling, having a lot frontage of approximately 73.75 metres along Mitchell Line, a lot depth of approximately 103.53 metres and a lot area of approximately 0.83 hectares from a property legally described as Part of Lots 27 and 28, Concession 8, Parts 2 and 3 of Registered Plan 33R12037, in the Township of Lucan Biddulph, being located on the west side of Mitchell Line (Provincial Highway 23) and known municipally as 34237 Mitchell Line; **BE GRANTED** subject to the following conditions:*

1. *That the Certificate of Consent under Section 53(42) of the Planning Act be issued within one year of the date of the notice of decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of consent has been fulfilled.*
2. *That the lands being conveyed be rezoned to a 'site specific' Agricultural (A3-#) Exception Zone to permit their frontage and size for agricultural purposes as well as prohibit any new residential use.*
3. *That the lands being retained be rezoned to Surplus Dwelling (SD) Zone to recognize the residential use.*
4. *That the applicant confirm, to the satisfaction of the Township, that the septic system will be wholly contained on the lands being retained in accordance with Ontario Building Code requirements and that a 100 percent contingency area be shown to exist on same.*
5. *That the lands to be conveyed be transferred to 806538 Ontario Ltd to ensure the consolidation occurs with their existing farming operation.*

6. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of revised assessment schedule(s) for any municipal drain having jurisdiction in accordance with the Drainage Act, as amended, such costs to be paid in full to the appropriate engineering firm prior to submitting a registered copy of the transfer.
7. That the taxes on the subject lands are paid in full.
8. That the applicant's solicitor submits an Acknowledgment and Direction duly signed by the applicant.
9. That the applicant's solicitor submits an undertaking, in a form satisfactory to the Secretary-Treasurer, to register an electronic transfer of title consistent with the Acknowledgment and Direction and the decision of the Committee of Adjustment.
10. That an address be assigned and number erected for the severed agricultural parcel.
11. That any laneway or access from the residential lands to the farm lands be removed and replaced with a minimum 1.0 metre wide planting strip.
12. That all retained buildings must be confirmed by a professional engineer, to be suitable to support a residential accessory use. A building permit is required if any improvements are to be made.
13. That the property be cleaned up and all debris, including cut vegetation, waste, abandoned vehicles and the like shall be removed. Any wood remaining for 'wood heat' must be stored and stacked neatly.
14. That the applicant confirm that the wood furnace heat pipe running between the shop and house does not encroach onto the severed lands.
15. That the owner(s) be required to convey to Ministry of Transportation by deed, free and clear of all mortgages, liens and encumbrances, a 3.048 metre (10-foot) property widening along the former rail corridor fronting the highway. This widening must be illustrated as a part(s) on a reference plan. A draft reference plan must be submitted to the ministry for review and approval prior to being deposited. As well, a draft of the transfer deed and certification of title conveying the part(s) to MTO must be submitted for our review and approval prior to being registered.
16. That a new MTO Entrance Permit shall be applied for and obtained for both parcels defining the site specific use for each property.
17. That the owner confirm to the MTO that the access to the retained farm land via the old rail corridor shall only be used for the farm parcel and not any other adjoining lands.
18. That two copies of the reference plan are submitted to the satisfaction of the Township.

CARRIED

3/ Public Meeting

Moved by D. Regan

Seconded by D. Manders

Resolved that the Committee does now rise out and move into a Public Meeting at 6:23 pm under Section 34 of the Planning Act, R.S.O. 1990, as amended, to consider the following Zoning By-law Application.

CARRIED

b) ZBA-3-2020 (Malbrecht)

D. Fitzgerald advised the subject lands are proposed to be rezoned to recognize the residential use associated with the lands to be retained, while prohibiting the construction of a new dwelling on the lands to be conveyed consistent with the Provincial Policy Statement (PPS). He also advised the rezoning application further seeks to address a lot frontage deficiency for the lands to be severed.

No further comments were received.

4/ ZBA-3-2020 (Malbrecht)

Moved by D. Regan

Seconded by D. Manders

THAT Application for Zoning By-law Amendment ZBA 03/2020, for lands owned by Catharina Agatha Alida Malbrecht and legally described as Part of Lots 27 and 28, Concession 8, Parts 2 and 3 of Registered Plan 33R12037, in the Township of Lucan Biddulph, being located on the west side of Mitchell Line (Provincial Highway 23) and known municipally as 34237 Mitchell Line, be approved and that the implementing By-law be forwarded to Township Council for

consideration once a deposited reference plan has been provided to the satisfaction of the Township.

CARRIED

5/ Adjourn Public Meeting

Moved by A. Westman

Seconded by P. Mastorakos

Resolved that the Council of the Township of Lucan Biddulph adjourn the public meeting at 6:29 p.m. and reconvene its regular meeting to continue with its deliberations.

CARRIED

Mayor C. Burghardt-Jesson mentioned there is a 20-day appeal period that will follow the Notice of Decision.

Delegations

Rod Dupuis of OCWA presented the 2019 Annual reports for the Lucan and Granton Waste Water Treatment facilities as well as the 1st quarter 2020 report on the operation of each facility. Discussion took place regarding PH levels at the Lucan facility and the fats, oil and grease build-up that continues to cause concern at the Granton facility.

After presentation of the quarterly reports it was noted that there was a failure with the UV system at the Lucan facility on May 22nd and the system was closely monitored until the parts were available to repair the system. J. Little noted that MECPC was notified and does not believe there was any non-compliance issues.

R. Dupuis advised he has accepted another position within OCWA and will no longer be managing Lucan Biddulph's facilities and introduced his replacement, Senior Operations Manager, Renee Hornick. Mayor C. Burghardt-Jesson thanked R. Dupuis for his service and commitment for the work in Lucan Biddulph including our community events and welcomed R. Hornick.

6/ WWTP Compliance reports for 2019

Moved by A. Westman

Seconded by D. Regan

Resolved that the Township of Lucan Biddulph accepts the Lucan Biddulph and Granton Wastewater Treatment Plant Compliance reports for 2019 as presented.

CARRIED

Adoption of Minutes

7/Minutes

Moved by A. Westman

Seconded by D. Regan

That the regular council minutes of May 19, 2020 be approved as circulated.

CARRIED

Business Arising

Mayor C. Burghardt-Jesson announced all items are ongoing at this time.

Communications Reports

No items were listed for discussion.

8/ Receive Communication Reports

Moved by D. Manders

Seconded by D. Regan

That Items 8 a) i. through 8 a) v. (Communications) be received for information.

CARRIED

Committee Reports

CEDC

L. deBoer advised that Shamrocks have been displayed around town advertising "Stronger together, support local." She provided further updates including a survey that will be going out to the CEDC committee in the coming weeks to gain input from the members; new town entrance signs will be displayed this coming Thursday and the County IT department will be doing an RFP for new websites which includes Lucan Biddulph.

Canada Day

L. deBoer advised we did receive the \$3,200.00 grant for Canada Day celebrations and we have until March 31st, 2021 to use those funds. She advised a social media post has been released asking residents to submit a video saluting Canada Day and all submissions will be compiled to create a video to be released and displayed on July 1st.

Bluewater Recycling Association (BRA)

D. Manders advised there was a recent meeting however not a lot to report and asked R. Reymmer to comment on the AMO resolution and proposed recycling program transition to producer responsibility. R. Reymmer advised he discussed with Francis Veilleux, Executive Director at BRA and noted municipalities are being asked to decide by January 1, 2023 whether they want to continue to provide their own recycling program or have recycler's provide that service in our municipality. R. Reymmer suggested input from residents may need to be obtained as there will be varying factors to this discussion and decision.

ABCA and UTRCA

A Westman advised Conservation Authorities are working towards a gradual re-opening. He noted seasonal camping is open now with restrictions in place, Rock Glen conservation authority is open for day use and Fanshawe and Wildwood boat launches will open soon, subject to COVID-19 protocols.

Staff Reports

CAO/Clerk

R. Reymmer reviewed report no. HS-01-2020 regarding the WSIB Health and Safety Excellence program. He noted mandatory workshops will be attended which by staff and for each topic taken during the workshop the Township will receive \$1,000.00 towards payment of the consultant who will provide assistance in the review and update of Health and Safety policies. R. Reymmer noted the total cost of the consultant will depend on what is identified through a risk assessment and that a budget was identified in the 2020 budget to implement health and safety programs. Discussion took place regarding costs, current health and safety measures in place and Ministry of Labour's involvement for the assessment.

Councillor P. Mastorakos asked the status of the updates to our HR policies and T. Merner advised a consultation took place with Cindy McNair in April regarding the reporting procedure of the Harassment and Violence policy and changes have been made and will be brought forward at the following council meeting for approval.

R. Reymmer reviewed report no. CAO-09-2020 regarding the Lucan Master Servicing Plan. He noted we continue to receive inquiries from developers with lands that are unable to be serviced by tapping into the current sanitary sewer collection system. He noted the cost of this plan can be funded through development charges. J. Little added it is important to identify where to invest money in the system so that we are not restricted with planning and development in the future.

R. Reymmer advised the County has hired a consultant to work on the Community Safety and Well Being Plan and invitations will be coming forward for individuals invited to sit on the advisory committee. He further noted the deadline for this plan has been extended beyond the original date of January 1, 2021. Mayor C. Burghardt-Jesson advised that in the end this will be a County document/plan however an appendix will be included for each Municipality identifying what affects their community.

R. Reymmer advised he and J. Little will be attending the rescheduled Lake Huron Water Supply Board Supply meeting on Thursday, June 18th. He noted they are looking at setting up a separate Municipal Services Corporation or Board to provide its services. He further noted we will be obtaining legal input as to which service will best serve our community. Mayor C. Burghardt-Jesson noted that there are currently some grey areas as to where the supply system falls within governing rules and the municipal act and they are essentially trying to find that place.

Finance

K. Langendyk gave an update from her department and advised interim tax instalments were due last week and an early calculation shows that majority of rate payers submitted instalments by the May 29th due date.

K. Langendyk further advised that our on-site audit was postponed and has been rescheduled for June 15th.

Public Works

J. Little reviewed report no. PW-16-2020 regarding a grant opportunity through the Federation of Canadian Municipalities (FCM) that will assist in updating the Municipal Asset Management Plan (MAMP). J. Little noted this is a County wide initiative wherein all lower-tier municipalities will work together to participate. J. Little further identified areas he would recommend be updated in our MAMP such as inspection and rating of all paved roads, 360 degree pictures of all paved roads and inspection and rating of all sidewalks. Discussion took place regarding anything further that could be identified at this time and J. Little advised there are other items available however presently our MAMP is not ready for further additions.

Parks & Recreation

P. Smith reviewed report no. PR-07-2020 regarding the status of the day camp programs and the Lucan Community pool for the summer 2020 season. He noted that in light of the restrictions and guidelines imposed as result of the COVID-19 pandemic most municipalities in our area have decided to close community pools for the upcoming season. P. Smith reviewed some of the restrictions the province has imposed and discussion took place regarding best practices, safety concerns and increased costs.

P. Smith advised discussion is still taking place between parks & recreation managers with regards to re-opening of splash pads.

9/ Pool Season and Summer Day Camp Programs 2020

Moved by P. Mastorakos

Seconded by D. Manders

RESOLVED That Council authorize staff to cancel the pool season and summer day camp programs for the summer of 2020.

CARRIED

Councillor's Comments

Deputy Mayor D. Manders noted some technical issues he has noticed recently with the zoom platform. R. Reymer advised internet connection could be contributing but will discuss with County IT staff.

Deputy Mayor D. Manders asked of the status of a new construction build on Main Street that has been stretched out over the last couple of years and if there are any repercussions to the owner for incompleteness. R. Reymer advised he would confer with the Chief Building Inspector.

Mayor C. Burghardt-Jesson reminded staff and council of a couple upcoming items including extension of the County Strategic Plan survey and the upcoming food drive hosted by the Lions club on June 10th.

Mayor C. Burghardt-Jesson announced an initiative that the Thames Valley Home School Association is doing in honour of all 2020 graduates. Signs to recognize your graduate can be purchased and they are further asking that municipalities light up their municipal buildings in gold the week of June 22nd to honour the graduating students. She further noted the Thames Valley District School Board is asking businesses to do the same.

Motions

10/ WSIB Health and Safety Excellence Program

Moved by P. Mastorakos

Seconded by A. Westman

RESOLVED That Council direct staff to participate in the WSIB Health and Safety Excellence program and workshop.

CARRIED

11/ RFP for Servicing Masterplan

Moved by D. Regan

Seconded by P. Mastorakos

RESOLVED That Council direct staff to issue an RFP (Request for Proposal) for a servicing masterplan for the Lucan urban area.

CARRIED

12/ FCM Grant Opportunity

Moved by D. Regan

Seconded by A. Westman

RESOLVED That Council directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program through:

- Vehicle based automated data collection for roads (and cart based collection for sidewalks)
- Road and sidewalk assessment data processing
- Pavement Management Software utilizing a GIS based software analytics platform;

CARRIED

13/ Confirming

Moved by D. Regan

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:

- 22-2020 Confirming By-law

CARRIED

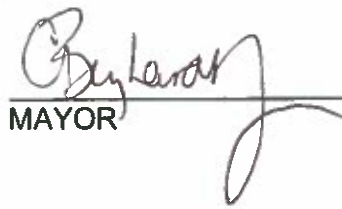
14/ Adjournment

Moved by A. Westman

Seconded D. Manders

Resolved that the Council meeting be adjourned at 9:05 p.m.

CARRIED


MAYOR


CLERK