

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 (entered the meeting at 6:30 p.m.), P. Smith-Parks & Recreation Manager (entered the meeting at 6:30 p.m.)

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

1/ In-Camera Session

Moved by D. Regan

Seconded by A. Westman

Resolved that Council adjourn its regular council meeting in order to conduct a closed session pursuant to Section 239 (2)(e) of the Municipal Act in regards to potential litigation, including matters before administrative tribunals, affecting the municipality or local board, with R. Reymer, T. Merner, J. Little and L. deBoer remaining.

CARRIED

2/ Rise from In-Camera Session

Moved by D. Regan

Seconded by D. Manders

Resolved that the Council does now rise out of closed session and Council reconvene its regular meeting at 6:28 p.m.

CARRIED

Staff was given further direction regarding a drainage issue as presented in confidential report no. PW-34-2020.

Announcements

Welcome to November! You will be happy to know we only have 8 1/2 weeks left of 2020. You likely have heard November referred to as Movember. Movember actually refers to a specific organization. I do not want to highlight that organization per se, but I want to focus on what the organization has started. It has started a discussion and awareness surrounding men's health, both physical and mental. Many organizations have followed this lead and have made the month of November the focus of men's health.

As the mother of 4 boys, now men, I am keenly aware of this focus. As I have highlighted many times during these stressful times we find ourselves living in, added attention to our mental health and well-being is paramount. Especially for men, there seems to be added pressure to have it all together, to have it all figured out. Quite often struggles with anxiety and depression are battled alone. As the mother of a son who struggles daily with depression, I implore you to reach out to the men in your life, check in on them to ensure they are looking after their mental health. There are many resources available online through many organizations. Please take the time to do the research and find local resources to support your male loved ones. At the very least, regularly check in with them so they know they have a safe and supportive sounding board.

We will be talking about Remembrance Day a bit later, but to no one's surprise, it will look different this year. Most Legions, Lucan's included, are discouraging public participation in services. Lisa will be sharing with us, how our Legion is being supported with their service. However, I want to encourage you to take the time to make it a priority on November 11 to pay your respects to those that have gone before us, who served community and country beyond what should be expected from anyone. The freedoms we are privileged to have because of their sacrifices should never be taken for granted or forgotten.

Which leads me to tonight—November 3rd. You may think I might reference the election our neighbours are holding, polls are getting ready to close in some areas as our meeting progresses. I really don't know what my commentary might be except—I will be a good neighbour and quote a great American poet and songwriter:

"I will provide for you
And I'll stand by your side
You'll need a good companion
For this part of the ride
Leave behind your sorrows
Let this day be the last
Tomorrow there'll be sunshine
And all the darkness past

Big wheels roll through fields
Where sunlight streams
Meet me in a lad of hope and dreams."

For all the flaws in a democratic process, it is still the best process we can participate in. Still, with all that is at stake, for all the unknowns, the process of casting a vote still provides me hope.

Cathy Burghardt-Jesson
Mayor Lucan Biddulph

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

3/ Committee of Adjustment

Moved by D. Manders

Seconded by A. Westman

Resolved that the Council of the Township of Lucan Biddulph adjourn its regular meeting at 6:37 pm in order sit as a Committee of Adjustment under Section 45 of the Planning Act, R.S.O. 1990, as amended.

CARRIED

Dan Fitzgerald, County Planner entered the meeting as well as the Applicant, Deon Keller and acquaintance, Rex Santos.

a) A-3-2020 – 231 Butler Street, Lucan (Keller)

D. Fitzgerald, County Planner gave a review of Planning Report PL-19-2020 and advised that after the planning staff does not have a concern with the rear-yard setback request however did have concerns with the increase to the home occupation size. D. Fitzgerald further noted that after comments received from the Committee at the Oct. 20th meeting, staff have sought additional opinions from the planning department and can advise that it is possible to limit the home occupation increase to the personal training studio use only.

Discussion took place from the committee members regarding monitoring and enforcement of the home occupation use and the definition of a personal training studio under the zoning by-law.

4/ A-3-2020 (Keller)

Moved by D. Manders

Seconded by D. Regan

THAT Application for Minor Variance A-3/2020; filed by Deon and Jenelle Keller to permit a decrease in the required rear yard setback to 3.02 metres, as well as permit an increase to the maximum permissible size for a home occupation to 69.7 m², for a property located 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 APPROVED; subject to the following condition:

THAT the increase to the maximum size for a home occupation from 40 m² to 69.7m² be limited to a personal training studio, and that no other form of permitted home occupation shall exceed the maximum permitted size.

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

- *The request complies with the general intent and purpose of the Township of Lucan Biddulph's Official Plan;*
- *The request complies with the general intent and purpose of the Township of Lucan Biddulph's Comprehensive Zoning By-law;*
- *The request is considered minor in nature; and*
- *The request represents appropriate development on the subject property.*

CARRIED

Applicant, Deon Keller thanked staff and the Committee members for working towards an amicable arrangement for his request.

5/ Adjourn Public Meeting

Moved by P. Mastorakos

Seconded by A. Westman

Resolved that the Committee does now rise out and reconvene its regular meeting at 6:46 p.m. to continue with its deliberations

CARRIED

Delegations

None

Adoption of Minutes

6/ Minutes

Moved by D. Regan

Seconded by D. Manders

That the regular council minutes of October 20, 2020 be approved as circulated.

CARRIED

Business Arising

All items were noted as ongoing.

Correspondence

K. Langendyk commented on the 2021 OMPF Allocation notice and advised Lucan Biddulph's amount is approximately \$5,000 less than the previous year however we are still in good shape compared to some of our neighbours who received larger decreases.

Mayor C. Burghardt-Jesson commented on the request received from the Lucan Legion branch and noted a temporary road closure by-law was passed last month however the dates were incorrect and are being revised in a by-law brought forward tonight.

7/ Receive Correspondence Reports

Moved by P. Mastorakos

Seconded by D. Regan

That Correspondence Items 9 a) through 9 t) be received for information.

CARRIED

Committee Reports

Lake Huron

Mayor C. Burghardt-Jesson noted some erosion issues due to recent storm damage at the main Lake Huron Water System plant which will require some repair work on the beach.

Fireboards

R. Reymer noted that the Lucan Biddulph board meets on Thursday, Nov. 19th and the Biddulph Blanshard board meets on Thursday, Nov. 26th

UTRCA

A Westman noted a number of members have shared concerns with UTRCA owning residential properties and the board will be looking to liquidate these in future.

Staff Reports

CAO/Clerk

R. Reymer reviewed report no. CAO-14-2020. Discussion took place regarding a formal letter to our MPP and a delegation request with Minister Sylvia Jones at the ROMA conference to be proactive in noting the desire to have the Lucan OPP detachment centre remain in Lucan in future as our community continues to grow. Comments regarding the recent closure of the Exeter OPP station were referenced and how we can try to avoid a similar situation in Lucan in future. Discussion also took place regarding the HR shared services with the County and centralized training as well.

8/ Report No. CAO-14-2020

Moved by P. Mastorakos

Seconded by D. Regan

That report no. CAO-14-2020 be received for information.

CARRIED

T. Merner reviewed report no. CL-09-2020. Discussion took place regarding availability of council members for daytime meetings and keeping council meetings accessible for residents

who choose to participate or register as delegations. Council members also discussed the impact to budget and the possibility of trying two daytime meetings for the 2021 schedule.

9/ 2021 Council Meeting Schedule

Moved by D. Manders

Seconded by D. Regan

That Council accepts Option A as presented in report no. CL-09-2020 and further directs staff to develop the 2021 Council meeting schedule with two daytime meetings for the 2021 calendar year.

CARRIED

Finance

K. Langendyk reviewed report no. FIN-13-2020 and noted the benefits of moving away from a water disconnection process for collection of water arrears which includes saving staff time, eliminating wear and tear of turning curb stops on and off, reducing safety concerns for staff entering private property for disconnection notices and avoiding public shaming for our residents that receive door hanger notices. Discussion took place regarding interest rate of arrears from water account to tax account and the average disconnection's that currently take place. J Little noted he supports the recommendation to transfer water arrears to the property tax account as the current process is not a great resolution for residents.

Planning

J. Little and D. Fitzgerald reviewed report no. PW-32-2020 and advised that a noise study was required as part of the approval process for the Ausable Fields subdivision. The study highlighted the grain elevators as a potential noise source for consideration and as such the developer is requesting that the development lands be classified as a Class 4 noise designation, recognizing the land is in an elevated noise area due to existing surrounding industrial businesses. J. Little noted that as part of a Class 4 designation all surrounding noise impacts must be studied and recommended that further investigation of noise impacts in the area be completed. J. Little further noted that residential lands are usually classified with a Class 2 designation. D. Fitzgerald noted that for infill developments the onus is on the developer to mitigate the noise levels as the surrounding industry has legally binding existence and permitted noise uses. Discussion took place regarding the current identification of this area in our Official Plan as an elevated noise area, requirements for infill developments, effects of changing permitted noise levels in a residential area, noise mitigation measures and purchaser's being made aware of the Class 4 designation.

10/ Ausable Fields Noise Classification Request

Moved by D. Manders

Seconded by D. Regan

That Council approves the request to have the Ausable Fields development lands designated as a Class 4 under the NPC-300 guidelines, and that testing as part of a comprehensive noise study review to determine if noise mitigation measures are required be completed.

CARRIED

Public Works

J. Little reviewed report no. PW-31-2020 regarding a proposed municipal right-of-way by-law and noted a draft has been included for review. He further noted that the set fine schedule included with the by-law will require Ministry approval before the by-law is adopted by Council.

J. Little reviewed report no. PW-33-2020 regarding a request received for tree removal along the road allowance for a property located on Stonehouse Line. J. Little noted a total of 13 trees are being requested for removal, 8 of which are not in good condition and 5 that are and all costs will be covered by the land owner. He further noted that Hydro One supports this project as the lines are currently located on private property and would prefer they are moved to the road allowance. Discussion took place regarding the fact that Lucan Biddulph is the lowest treed community in Middlesex County and the importance of replacing the trees once they are removed

11/ Tree Removal Request

Moved by P. Mastorakos

Seconded by A. Westman

That Council accepts the recommendation of the Public Works Manager as presented in report no. PW-33-2020 on November 3, 2020 and further directs staff to provide 2 trees for replacement of each tree that is removed.

CARRIED

J. Little provided a department update and advised the crosswalk light at the arena has been repaired, an agreement has been signed for use of the sand/salt dome for the upcoming winter season, a new truck for the public works department is scheduled to arrive this week and parking agreements for main street businesses have been completed and a by-law is included to authorize execution of each.

Parks & Recreation

P. Smith reviewed report no. PR-15-2020 and noted that with the growing concern of climate change and environmental and green initiatives staff have been exploring projects for Lucan Biddulph to make an active contribution in this direction to present to Council. P. Smith noted that several meetings have taken place with the ABCA to look at programs and properties where green initiatives could take place in our Township and the property lying north of the Public Works facility is restricted in use due to its proximity to the drain and would therefore make an ideal location for a tree reforestation project. P. Smith further noted that grants are available through Tree Canada and the deadline for applications is November 30th. Discussion took place regarding school and youth group participation, future trail connections and budget implications considering revenue is currently generated from agricultural land rent.

12/ Lucan Biddulph Community Forest

Moved by A. Westman

Seconded by D. Regan

That Council receive report no. PR-15-2020 for information and further directs staff to apply for the Tree Canada grant.

CARRIED

P. Smith gave a department update and advised minor sports clubs such as Lucan Skating Club and Lucan Minor Hockey have been able to continue operating despite the Section 22 class orders issued from the Middlesex London Health Unit although some programs such as indoor volleyball had to make some revisions. P. Smith noted that unfortunately the Junior C program has not been able to utilize our facilities due number of participants on the team.

P. Smith asked Council if there is a need for further discussion regarding the public skating options presented previously and noted there has been some negative feedback received regarding the \$5 fee admittance fee. He further noted some neighbouring municipalities have begun to offer public skate programs and fees are applied in accordance with their fees by-law. P. Smith also noted there is now a limit of 12 people permitted on the ice for public skate as per the Section 22 class order. Discussion took place regarding waiving the fee, managing the users coming and going and starting with the Mom & Tot program as a trial for staff and participants.

Economic Development

L. deBoer updated Council on the upcoming Remembrance Day Service and advised it will be streamed live on the Township Facebook page. She further provided information on the shop local campaign, the development of the Community Improvement Plan and the Township's new website.

Councillor's Comments

Councillor D. Regan asked if any further progress has been made regarding the soccer field discussion and R. Reymer noted a report should be coming before Council before in the coming weeks.

Councillor D. Regan noted he and J. Little attended an on-site meeting at the Lucan Lions shed regarding a resolution to some water drainage issues. He further noted there is some clean-up needed of material at the rear of the shed.

Mayor C. Burghardt-Jesson reminded residents that parking restrictions are now in effect between the hours of 3am and 6am.

Mayor C. Burghardt-Jesson asked staff to see if any Ward boundary adjustments will need to take place in 2021 prior to the next election.

13/ Support of Township of North Glengarry Motion re Safe Restart Agreement Funding

Moved by A. Westman

Seconded by D. Regan

THAT the Council of the Township of Lucan Biddulph hereby supports the motion provided by the Township of North Glengarry in regards to the Safe Restart Agreement Funding and ineligible COVID-19 related capital costs, copy attached hereto as Schedule "A".

AND FURTHER directs staff to forward a copy of this resolution to our local MPP, Minister of Municipal Affairs and Housing and Minister of Finance.

CARRIED

14/ Water and Sewer Billing & Collection Policy

Moved by P. Mastorakos

Seconded by D. Manders

That Council direct staff to proceed with Option No. 2 as presented in report no. FIN-13-2020 and further directs staff to draft a new water/wastewater billing and collections policy for adoption at the November 17, 2020 regular council meeting.

CARRIED

15/ Municipal Right-of-Way Bylaw

Moved by A. Westman

Seconded by D. Regan

That Council approves the draft Municipal Right-of-way By-law as presented in report no. PW-31-2020.

CARRIED

16/ Confirming

Moved by D. Regan

Seconded by D. Manders

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:

- 49-2020 Execution of Main Street Parking Agreements
- 50-2020 Temporary Road Closure Bylaw
- 51-2020 Confirming By-law

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

- 40-2020 (Hodgins Drain Branch B)
- 41-2020 Animal Control

CARRIED

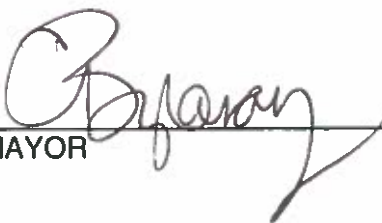
17/ Adjournment

Moved by D. Regan

Seconded by A. Westman

Resolved that the Council meeting be adjourned at 9:04 p.m.

CARRIED


MAYOR


CLERK