

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,

Absent: 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

Announcements

Mayor C. Burghardt-Jesson opened with the following remarks:

It seems that every week is the "National Week" of something. This week is no different. This week is Waste Reduction Week. Yesterday, Minister Jeff Yuerk made a long awaited announcement regarding the Blue Bin Program. On the surface this will mean savings for municipalities. We look forward to more details from our provider Bluewater Recycling and of course the Province as details of the roll out are communicated. I do want to take this opportunity during Waste Reduction Week to challenge you, my colleagues, our staff and of course our residents to have a look at your households, your buying habits and to see how you can reduce your waste. Even the smallest change can make a difference. With disinfectant wipes at a premium, consider making your own. You reuse old textile material and wipes end up in landfill or worse in our wastewater treatment facilities. Please check out www.wrcanada.com for some great information. You can make a big difference even on your small footprint.

It is also Small Business Week. In Lucan Biddulph we are so fortunate to have so many creative, unique and thriving small businesses. Through our Discover Lucan Biddulph site, we highlight many of them. Right now we are hosting a Shop Local campaign that has gained much interest! As I continue to remind you, now, perhaps more than ever, it is important to #keepitlocal. If you can purchase something locally, please do.

Finally, it is also Local Government Week. How fortunate are we all, staff and elected officials, to work for our community as we do? I want to take tonight to thank our staff for the work you do for Lucan Biddulph. This year has been quite a year. You have all risen to the challenges that you have faced. You have adapted to new work protocols, new workspaces—and all that seemed to change on a daily basis at the beginning of all of this. You've adapted, while keeping the business of Lucan Biddulph going. Thank you!

To my colleagues around the horseshoe. Thank you for your representation. I know you love your community and you approach every decision made with the best interest and with the vision of how to make Lucan Biddulph better.

Council and staff you are incredible ambassadors for Lucan Biddulph. It is a pleasure and an honour to work with you.

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

1/ Committee of Adjustment

Moved by D. Regan

Seconded by A. Westman

Resolved that the Council of the Township of Lucan Biddulph adjourn its regular meeting at 6:00 pm in order sit as a Committee of Adjustment under Section 45 of the Planning Act, R.S.O. 1990, as amended.

CARRIED

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

D. Fitzgerald, County Planner gave a review of Planning Report PL-16-2020 and advised the purpose and effect of the application is to permit a reduced rear yard setback and an increase to the maximum allowable size for a home occupation. He further noted the

purpose is to accommodate a personal training studio on the lands in the form of an addition to the dwelling. D. Fitzgerald advised comments were received from the Chief Building Official who noted some concerns with allowing a home occupation to expand beyond the limits of the zoning by-law.

Comments from the Applicant and members of the public on behalf of the applicant were received as follows:

Deon Keller, Applicant

Mr. Keller advised he is a full-time teacher and has been running a personal training studio in his garage for the past 10 years. He noted no complaints from neighbours or the community have ever been made and he has and hopes to continue to provide a great service for the community. Mr. Keller further noted specialized equipment is required for his business which is why more space is needed and the majority of his clients are one on one training. Mr. Keller introduced two friends, Matt Farrell and Rex Santos who also spoke on his behalf and assisted him with the minor variance application.

Questions and comments were received from the Committee including, concerns for the property should ownership change in the future; the possibility of adding further restrictions to the use of home occupation; differences between a minor variance and major; concerns regarding the CBO comments with respect to another fitness studio and ensuring the neighbourhood is protected in future.

2/ A-3-2020 (Keller)

Moved by D. Manders

Seconded by D. Regan

Resolved that the Decision of the Committee of Adjustment be deferred to the next Council meeting in order to permit staff to provide further options for the Applicant.

CARRIED

b) B-13-2020 – 33799 Richmond Street (c/o Westdell Development Corporation)

D. Fitzgerald, County Planner gave a review of Planning Report PL-17-2020 and advised the purpose of the application is as follows:

- To sever a portion of land located northwest of Lucan which is currently within the Village of Lucan settlement area from a larger portion of land currently located outside of the settlement area, to accommodate the establishment of a commercial development on the lands designated Highway Commercial

Comments from the Applicant and Agent were received as follows:

Laverne Kirkness from Kirkness Consulting Inc., agent for the applicant provided an overview of his client's intentions for the development of the property. He noted Westdell Development has actively been pursuing tenant recruitment for the site including trying to recruit some more service based businesses which is why the request for additional uses to the site specific Highway Commercial zone is included in the application. Mr. Kirkness noted concerns with servicing the property prior to consent being granted adding the cost will be approximately \$500,000.00 to his client. He further advised that tenant commitment and financing the lands is a work hand-in-hand however tenants are unlikely to be secured until consent and zoning are in place.

Dave Traher from Westdell Development Corporation advised tenant recruitment is going well however is confidential at this point.

Discussion took place from the Committee members regarding turning lanes, traffic lights and extension of urban services, development timeline, extension of water, sanitary and storm services and what that entails exactly. J. Little advised that any services required for the project directly, would be at the cost of the developer and services required to tie the development into the existing community would be future costs of the municipality. It was further noted that extension of urban services can be collected through development charges.

Mr. Traher noted in a perfect world they would like to be starting construction next year with hopes of moving tenants infor 2022, however that does all rely on municipal approvals and tenant contingency.

3/ B-13-2020 (c/o Westdell Development Corporation)

Moved by D. Manders

Seconded by A. Westman

Resolved that Council accepts planning report no. PL-17-2020 as information.

CARRIED

4/ Public Meeting

Moved by A. Westman

Seconded by D. Manders

Resolved that the Committee does now rise out and move into a Public Meeting at 7:04 pm under Section 34 of the Planning Act, R.S.O. 1990, as amended, to consider the following Zoning By-law Application.

CARRIED

c) ZBA-10-2020 – 33799 Richmond Street (c/o Westdell Development Corporation)

D. Fitzgerald, County Planner reviewed the zoning aspect of report no. PL-17-2020 and advised the purpose of the zoning by-law amendment is to change the zoning of the lands to be severed from a General Agricultural (A1) Zone to a 'site specific' Highway Commercial exception zone. He further noted the balance of the lands would be rezoned to a 'site specific' General Agricultural exception zone to recognize the undersized nature of the lands.

No questions or comments were received from Council.

5/ ZBA-10-2020 (c/o Westdell Development Corporation)

Moved by P. Mastorakos

Seconded by A. Westman

Resolved that Council accepts planning report no. PL-17-2020 as information.

CARRIED

6/ Adjourn Public Meeting

Moved by D. Regan

Seconded by D. Manders

Resolved that the Council of the Township of Lucan Biddulph adjourn the public meeting at 7:12 p.m. and reconvene its regular meeting to continue with its deliberations.

CARRIED

Staff Reports

Planning

D. Fitzgerald reviewed report no. PL-18-2020. He noted the subject application was previously discussed at a public meeting on June 25th and at the last council meeting of October 6th. D. Fitzgerald advised the subject lands comprise of two separate parcels and the applicant is proposing to develop the site with two separate 4-storey apartment buildings in two phases.

Discussion from council took place regarding the esthetically pleasing buildings that have been presented by the developer and maintaining that appearance throughout the site plan process. Questions were also raised regarding the additional height on top of the building to permit the enclosed mechanical equipment. D. Fitzgerald advised provisions are included to limit the height of the mechanical equipment, and set it back to the center of the building so that it does not create a visual impact to the existing neighbourhood.

7/ OPA-1-2020 and ZBA-2-2020 (280 Main St., Lucan c/o Zelinka Priamo Ltd.)

Moved by A. Westman

Seconded by D. Regan

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.***

CARRIED

Adoption of Minutes

8/ Minutes

Moved by D. Regan

Seconded by D. Manders

That the regular council minutes of October 6, 2020 be approved as circulated.

CARRIED

Business Arising

Mayor C. Burghardt-Jesson noted two new items have been added and all items are ongoing at this time.

Correspondence

Councillor P. Mastorakos raised questions regarding item no. 9 (a) (3) respecting staffing levels and firefighter safety and how that impacts our municipality. Discussion took place regarding our volunteer firefighters and whether they are employees of the municipality, the separate fire boards established in our municipality and its responsibility to Council and requirements and responsibility for a community risk assessment.

Mayor C. Burghardt-Jesson commented on a resolution included from Township of North Glengarry regarding the inability to claim capital costs as part of the Safe Restart Agreement Funding provided by the province. She noted capital costs could be a COVID-19 expense that our Township incur. R. Reymer advised that staff would bring a motion forward supporting the request of Township North Glengarry at the next council meeting.

9/ Receive Communication Reports

Moved by D. Regan

Seconded by A. Westman

That Items 9 a) 1 through 14 (Correspondence) be received for information.

CARRIED

Committee Reports

Lake Huron

Mayor C. Burghardt-Jesson advised that the budget was passed at the Board's last meeting resulting in a 1% increase in rates from our previous rate.

ABCA and UTRCA

Councillor A. Westman advised that budget discussions are taking place with both Conservation Authorities. He noted there is a scheduled increase from ABCA to Lucan Biddulph as a result of our assessment growth. He further noted there has been an increase in gate fee receipts this year which is a positive impact to the budget.

Staff Reports

CAO/Clerk

R. Reymer advised that long time employee, Joanne Latta is retiring and acknowledged and thanked her for 10 years of service with the Township. He noted her last day in the office will be Thursday, October 29, 2020.

Finance

K. Langendyk noted she has reviewed numbers and advised there does not appear to be a need to move forward with applying for Phase 2 of the COVID-19 financial relief funding.

Public Works

J. Little reviewed report no. PW-28-2020 regarding a request received to install a sign at the corner of Main Street and George Street in memory of the late Terry Hickson. Councillor A. Westman noted this is a great way to pay tribute to Mr. Hickson who served as a longtime crossing guard at that corner.

10/ Terry Hickson Memorial Request

Moved by A. Westman

Seconded by D. Regan

Resolved that Council accepts report no. PW-28-2020 as presented and directs staff to proceed with the request made in memory of Terry Hickson.

CARRIED

J. Little reviewed report no. PW-29-2020 regarding proposed winter maintenance for the Clandeboye sidewalks and recommended the Township provide winter maintenance through a third party contractor for the upcoming season.

J. Little reviewed report no. PW-30-2020 regarding the Frank Street reconstruction project and noted the intention is to issue the tender this Fall to obtain competitive bids and plan a construction start date for early Spring of 2021.

Economic Development

L. deBoer noted survey results are complete for the Community Improvement Plan and staff was pleased to receive over 300 responses. L. deBoer further noted that flu shot clinics are being offered by our local doctors on November 16th

Councillor's Comments

Councillor D. Regan noted he is pleased to hear that Santa Claus will be making its way around town this year despite the traditional Santa Claus Parade being cancelled.

Councillor P. Mastorakos shared information from the Ontario Ombudsman regarding tips for local complaints processes for municipalities noting this could maybe be integrated into our procedures in future.

Councillor P. Mastorakos noted some concerns regarding continued water issue problems at the Lions Shed building and suggested staff meet with the Lions club members to try and resolve the problems.

Councillor A. Westman reminded residents that with winter season approaching its time to get prepared for our roads and homes with winter tires and emergency kits.

11/ Clandeboye Winter Sidewalk Maintenance

Moved by D. Regan

Seconded by A. Westman

Resolved that Council supports the recommendation of the public works manager as presented in report no. PW-29-2020 to extend winter maintenance to the Clandeboye sidewalks.

CARRIED

12/ Frank Street Reconstruction

Moved by D. Manders

Seconded by D. Regan

Resolved that Council directs staff to proceed with the tender for the Frank Street reconstruction project.

CARRIED

13/ Appoint Engineer – Clyman Drain

Moved by D. Regan

Seconded by A. Westman

Resolved that Council appoints 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.

CARRIED

14/ Accounts Paid

Moved by D. Regan

Seconded by D. Manders

Resolved that Council receive the attached accounts as paid for information, as follows:

September 2020

\$1,689,227.54

CARRIED

15/ Confirming

Moved by D. Manders

Seconded by A. Westman

Resolved 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, that they be numbered:

- 47-2020 Official Plan Amendment (280 Main St)
- 208-2020 ZBA (280 Main St)
- 48-2020 Confirming By-law

CARRIED

16/ Adjournment

Moved by A. Westman

Seconded by D. Manders

Resolved that the Council meeting be adjourned at 8:11 p.m.

CARRIED


MAYOR


CLERK