



## MUNICIPALITY OF NORTH MIDDLESEX

### REGULAR MEETING MINUTES

The Electronic Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday December 2, 2020 under the provisions of Section 238 (3.3) and 238 (3.4) of the *Municipal Act*, 2001 as amended without physically being present at 229 Parkhill Main Street, Parkhill

#### 1. CALL TO ORDER

Mayor Ropp called the meeting to order at 6:00 p.m. with a quorum present by way of livestream on the North Middlesex You Tube Channel.

#### 2. ROLL CALL

Mayor Brian Ropp

Deputy Mayor Adrian Cornelissen

Councillor Ward One – Doreen McLinchey

Councillor Ward Two – Joan Nichol

Councillor Ward Three – Gord Moir

Councillor Ward Four – John Keogh

Councillor Ward Five – Andrew Hemming

CAO/Director of Operations – Jonathon Graham

Clerk Jackie Tiedeman

Director of Economic Development and Community Services – Mike Barnier

Infrastructure Supervisor, Jonathon Lampman

Treasurer, Tracy Johnson

Fire Chief, Greg Vandenheuvel

#### 3. DISCLOSURE OF PECUNIARY INTEREST (in writing or at anytime during the meeting)

None

#### 4. MINUTES OF PREVIOUS MEETINGS

##### **MOTION #272/2020**

**MOIR/NICHOL:** That the November 18, 2020 Regular Meeting Minutes be approved as presented.

CARRIED

#### 5. PUBLIC MEETINGS

Brief Recess to allow for applicant and public access to meeting (5 minutes)

6:00 p.m. Notice of Amendment to Zoning – 34603 Richmond St - Lucan Gardens

Legal Description: Con 1 Part Lot 17, RP 33R12340 Part 15  
former McGillivray Township

Owner: Darren Bouman (attended by zoom)

The purpose and effect of the application for zoning amendment (ZBA-12-2020) is to amend the permitted uses within the “General Agricultural Exception (A1-2) Zone” by deleting ‘golf driving range and buildings and structures accessory’ as a permitted use and adding ‘commercial greenhouse’ as a permitted use in order to recognize an existing commercial greenhouse operation (Lucan Country Gardens) and to facilitate a proposed expansion of the greenhouse operation.

Planner Stephanie Poirier then presented her evaluation report. She advised that a separate Site Plan Application has been submitted concurrently with the Zoning By-law Amendment application. The application was circulated to agencies as well as property owners in accordance to the requirements of the Planning Act.

Staff are of the opinion that recognizing the existing commercial greenhouse use on the subject lands through an amendment to the site specific zoning is appropriate, as the use can be considered generally consistent with the definition and criteria of an agricultural use given that the growing of plants is the primary use. Staff note that although the retail component of the existing greenhouse business may exceed what is considered to be a typical agricultural use, the proposed zone change to add commercial greenhouse as a permitted use and remove ‘golf driving range’ as a permitted use will ensure that a use more in line with the agricultural policies of the North Middlesex Official Plan is permitted on the subject lands and will prohibit the ability for the recreational golf use to be permitted in the future. Staff will be recommending as part of the site specific zoning that the retail building be limited to its

existing size, in order to ensure that the retail use does not exceed beyond what can be considered reasonable within an agricultural area.

#### WRITTEN SUBMISSIONS BY AGENCIES AND/OR PUBLIC

North Middlesex Chief Building Official has no comments on the application

Paul & Pam Hodgins (neighbor) – the neighbor indicated support for the expansion of small businesses but did have some questions in regards to the ‘commercial’ aspect/zoning of the business. Staff addressed the questions with Mr. Hodgins and advised that the current zoning/boundaries (A1 and A1-2) are to remain the same and that a commercial greenhouse, which has a retail component included within the definition, is being proposed to be added as a permitted use. Commercial zoning is not being added to the subject lands and commercial uses beyond what is included within the defined commercial greenhouse use will not be permitted without subsequent Planning Applications(s).

#### ORAL SUBMISSIONS

Applicant and Owner Darren Bouman was present for the meeting. He advised the reason for the zoning amendment is to be able to accommodate the significant growth to his business. He expressed his concern in the planning process as it relates to timing with his project and being able to secure his builder to commence in the next couple of weeks.

Council requested clarification regarding the appeal period and commencing construction. Staff advised that the 20 day appeal period is a requirement under the *Planning Act*.

#### **MOTION #273/2020**

**MOIR/HEMMING:** That Application for Zoning By-law Amendment ZBA 12-2020 to amend the permitted uses with the ‘General Agricultural Exception (A1-2) Zone’ by deleting ‘golf driving range and buildings and structures accessory’ as a permitted use and adding ‘commercial greenhouse and buildings and structures accessory’ as a permitted use, to limit the retail building to the existing 135m<sup>2</sup> (1,453 sq ft) to recognize a front yard setback deficiency of 18.4 m(60ft) and to recognize a interior side yard setback deficiency of 4.91m (16ft) in order to recognize an existing commercial greenhouse operation (Lucan Country Gardens) and to facilitate a proposed expansion of the greenhouse operation be APPROVED as the application: satisfies the requirements of the Planning Act is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Municipality of North Middlesex and the

County of Middlesex; satisfies the requirements of the North Middlesex Zoning By-law; and represents sound land use planning.

CARRIED

The Clerk advised that the By-law would be considered later on the agenda and that anyone wishing to receive Notice of Passing should make a written request to the Clerk's Office. A 20 day appeal period applies from the date of notice of decision.

## **6. DELEGATION**

None

## **7. DEPARTMENTAL REPORTS**

### a. Verbal update – Animal Care Centre renewal of contract for pound keeping and pickup services – Clerk (through By-law)

The Clerk advised that the agreement proposes a three year term, minimum increase in the pick up animal fee and there is an inclusion for wildlife (raccoon) pickup at the discretion of the Municipality.

### b. Verbal update – Ailsa Craig Medical Clinic Renewal of Lease Agreement with Dr. Furtado and Dr. Wagner – Director of Economic Development (through By-law)

Mr. Barnier advised that he was pleased to advise that a two year lease has been reached that includes both doctors. Similar terms and conditions were included the same as in the past.

### c. Verbal update – Parkhill Lions Club Goal Post Renewal – Director of Economic Development (through By-law)

Mr. Barnier advised that a two year lease was negotiated with the Parkhill Lions Club to run the Goal Post at the arena. The lease also contained similar terms and condition that were included in past agreements.

d. Lifting Temporary Amendments to Municipal Fees & Charges By-law - Treasurer

Considerable discussion arose regarding the timing for reinstating late penalty and issuance of past due statements. The Treasurer advised that although there has been lost revenue due to COVID, receivables are at 55% whereas last year at this time they were at 45%. Council considered the options available to them and the following motion was considered:

**MOTION #274/2020**

**NICHOL/CORNELISSEN:** That the staff report entitled Lifting Temporary Amendments to Municipal Fees & by-law be received; and

That the temporary amendments to By-law 64-2017 and By-law 46-2019 be lifted effective January 1, 2021; and

That the suspension of producing or sending statements to residents and businesses with overdue accounts at a \$5.00 statement fee resume January 1, 2021.

DEFEATED

**MOTION #275/2020**

**MOIR/MCLINCHEY:** That staff provide a similar report in March 2021 in order to re-evaluate this matter at that time.

CARRIED

e. Establishing and Regulating By-law for North Middlesex Fire Department –Fire Chief

Clarification on the role of Deputy Chief was requested and provided by the Fire Chief.

**MOTION #276/2020**

**NICHOL/KEOGH:** That Council receive the report entitled “Fire Department Establishing & Regulating By-law” and;

That Council approve this Policy through the enactment of the By-law.

CARRIED

f. Donation of Surplus Fire Apparatus - Fire Chief

Clarification was requested on how the donation of the truck would take place and was responded to by the Treasurer and Fire Chief.

**MOTION #277/2020**

**NICHOL/MCLINCHEY:** That Council receive the report entitled “Donation of Surplus Fire Apparatus” and;

That Council approve the donation of the Surplus Fire Apparatus to the Ailsa Craig and Area Food Bank.

CARRIED

g. Tender Results for the Campbell & Watson Drain – Infrastructure Supervisor

**MOTION #278/2020**

**KEOGH/HEMMING:** That Council receive this report and direct staff to award the construction of the Campbell and Watson Drains Tender to JLH Excavating Inc. in the amount of \$88,775.75 (Not including Contingency or HST).

CARRIED

**8. PASSING OF ACCOUNTS**

Compilation of accounts from Nov.11-25, 2020 in the amount of \$2,628,363.69

**MOTION #279/2020**

**MCLINCHEY/MOIR:** Be it resolved that the following Bills and Accounts in the amount of \$2,628,363.69 be approved for payment:

General Cheques \$517,509.31  
Direct Deposit \$2,079,210.34  
On-line/PAP \$31,644.04  
Cemetery Cheques \$0.00  
Cemetery Direct Deposit \$0.00

CARRIED

**9. COMMITTEE REPORTS**

- a. Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming) Dec.3 next mtg
- b. ABCA (Deputy Mayor Cornelissen) November 19<sup>th</sup>, 2020 Meeting (R&F)
- c. BWRA (Cr. McLinchey) November Meeting Notes (R&F)
- d. EDAC (Cr. Moir) None

e. LSAC – (Cr. Nichol) Deputy Mayor Cornelissen encouraged Council to review the link being circulated from Thames Valley District School Board entitled “Thought Exchange” – he also requested the Municipality to use its social media to circulate throughout the community to encourage its participation in the survey.

f. Recreation Committee (Cr. Hemming) None

g. Water/Wastewater Committee (Cr. Moir) None

h. Policies Review Committee (Cr. Nichol) None

i. Fire Committee (Cr.Keogh) August 4, 2020 Minutes (R&F)

j. OCWA Client Advisory Board (Jonathon Graham) None

k. Budget Committee – None

l. Joint Building Committee – none

m. Community Development Fund Committee – The Clerk advised that the program is now closed for 2021 and the applications will be prepared for the Committee’s consideration in the New Year.

## **10. CORRESPONDENCE**

a. ABCA – consideration of motion support regarding proposed changes to Conservation Authorities Act

A discussion ensued regarding the request for support which included evaluating what services are provided by the CA, value of levy to the Municipality and proposed changes with respect to regulations in their jurisdiction. After careful consideration, the motion was not brought forward for consideration.

(action: receive and consider support)

b. Ontario Command – request for advertising support Military Service Recognition Book

(action: receive and consider support)

### **MOTION #280/2020**

**HEMMING/KEOGH:** That Council purchases the ¼ page full colour advertisement in the amount of \$570.00.

CARRIED

c. Township of Howick – consideration of motion support regarding the Tile Drain Loan Program  
(action: receive and consider support)

**MOTION #281/2020**

**KEOGH/CORNELISSEN:** That the Council of the Municipality of North Middlesex hereby supports the motion from the Township of Howick regarding changes to the Tile Drain Loan Program as provided.

CARRIED

**11. OTHER OR URGENT BUSINESS**

a. Attendance at Annual Community Planning and Facility Collaboration Opportunities TVDSB Meeting December 17 (RVSP Needed for Dec 4<sup>th</sup>)

The Clerk was asked to forward the registration link to Mayor Ropp, Deputy Mayor Cornelissen and Councillor McLinchey.

b. Investing in Canada Infrastructure Program (COVID 19 Resilience Stream) Treasurer

At the request of the CAO and Treasurer, this item was removed from the agenda at this time.

c. Mayor Ropp has requested that staff co-ordinate a Visioning Session for early in 2021 to allow Council an opportunity to submit topics of interest for this agenda.

d. Mayor Ropp requested staff to look into a Veteran Flag program that other municipalities are undertaking for consideration by Council in the future.

**12. COMMUNICATIONS (including County Council)**

The Warden for 2021 will be Cathy Burghardt-Jesson from Lucan Biddulph



**13. CLOSED MEETING (UNDER SECTION 239 OF THE *MUNICIPAL ACT*)**

None

**14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING**

None

**15. READING OF BY-LAWS**

By-law 087 of 2020 – ZBA for 34603 Richmond Street (if application approved)

A twenty day appeal period will apply from date of Notice of Decision

By-law 088 of 2020 – Appointment of External Auditor Services – Graham Scott Enns

By-law 089 of 2020 – Authorize execution of agreement with Animal Care Centre

By-law 090 of 2020 – Lease agreement with Dr. Furtado and Dr. Wagner – Ailsa Craig Medical Practice

By-law 091 of 2020 – Lease Agreement with Parkhill Lions Club for Goal Post

By-law 092 of 2020 - Establish and Regulate North Middlesex Fire Department

By-law 093 of 2020 - Confirming

**MOTION #282/2020**

**MCLINCHEY/NICHOL:** That By-law #087-093 of 2020 be read a first and second time

CARRIED

**MOTION #283/2020**

**MOIR/HEMMING:** That By-law #087-093 of 2020 be read a third and final time

CARRIED

**16.ADJOURNMENT**

**MOTION #284 /2020**

**MCLINCHEY/KEOGH:** That the meeting adjourn at 7:10 p.m.

CARRIED

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MAYOR

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CLERK