



MUNICIPALITY OF NORTH MIDDLESEX

REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday August 19, 2020 in the Council Chambers 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.

2. ROLL CALL

Mayor Brian Ropp

Deputy Mayor Adrian Cornelissen

Councillor Ward One – Doreen McLinchey

Councillor Ward Two – Joan Nichol (Absent)

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

Planner, Stephanie Poirier (portion of meeting)

3. DISCLOSURE OF PECUNIARY INTEREST (in writing) - None

4. MINUTES OF PREVIOUS MEETINGS

MOTION #168/2020

MOIR/KEOGH: That the August 5, 2020 Regular Meeting Minutes be approved as presented.

CARRIED

5. PUBLIC MEETINGS

MOTION #169/2020

MCLINCHEY/HEMMING: That Regular Meeting adjourn to Court of Revisions at 6:00 p.m.

CARRIED

Court of Revisions (See separate minutes)

MOTION #170/2020

CORNELISSEN/HEMMING: That Court of Revisions adjourn to Regular Meeting at 6:07 p.m. for staff reports.

CARRIED

MOTION #171/2020

KEOGH/MOIR: That Regular Meeting adjourn to Public Meeting at 6:30 p.m.

CARRIED

The Clerk provided an introduction to the Public Meeting which disclosed the purpose of the meeting, that comments expressed and written material presented are a matter of public record available for full disclosure and that if a member of the public wished to be notified of a decision on applications being heard this evening that a written request must be submitted to the Municipality.

6:30 p.m. Notice of Zoning Amendment (ZBA #6/2020) for 35491 Cassidy Road – VanOsh Farms Inc.

Description of Land:
Con 13 Lot 6
35491 Cassidy Road
former Town of McGillivray

Owner: VanOsch Farms Limited
Agent: Keith McLean, Raymond and McLean

There was no representation from the applicants present at the meeting.

The purpose and effect of the Application for Zoning By-law is to implement a condition of Consent B03/2020 which was conditionally approved by the Committee of Adjustment on February 5, 2020. The Zoning Amendment proposes to rezone the severed lot from General Agricultural (A1) Zone to Agricultural Small Holding (AG1) Zone to recognize the residential use of the lands and limit the range of permitted uses. Also, it proposes to rezone the retained lands from General Agricultural (A1) Zone to General Agricultural Exception (A1-83) Zone to prohibit the establishment of new dwellings on the remnant farm parcel.

Planner Stephanie Poirier reviewed her Planner Evaluation Report dated August 19, 2020.

Staff identified that the existing shed on the lands to be severed has a height of 5.8 m (19 ft), whereas the maximum height for an accessory building in the AG1 zone is 5.5 m (18 ft) and recommend that the severed lands be rezoned to a site specific AG1 zone to recognize the height of the shed. The proposed lot to be retained meets all other zoning requirements of the parent 'Agricultural Small Holding (AG1) Zone'. The proposed zone change for the severed lands will recognize the disposal of the surplus farm dwelling, will limit the range of agricultural uses permitted on the lands, and recognize the height of an existing accessory building of 5.8 m (19 ft). Staff are satisfied that the application of the 'Agricultural Small Holding Exception (AG1-28) Zone' is appropriate for the proposed residential use of the lands, and as such, staff support this proposed zone change. The proposed lot to be retained meets all of the zoning requirements of the parent 'General Agricultural (A1) Zone'. The proposed zone change for the retained lands will prohibit the establishment of new residential uses on the subject lands. Staff are satisfied that the application of the 'General Agricultural Exception 83 (A1-83) Zone' is appropriate for the remnant farm parcel, and as such, staff support this proposed zone change.

AGENCY AND WRITTEN SUBMISSIONS

None

PUBLIC COMMENTS

None

The following recommendation from the report was then considered

MOTION #172/2020

MOIR/KEOGH: THAT Application for Zoning By-law Amendment No. ZBA 06-2020 which proposes to rezone the severed lot and the retained lot of Consent B03/2020 from 'General Agricultural (A1) Zone' to 'Agricultural Small Holding Exception (AG1-28) Zone' and 'General Agricultural Exception 83 (A1-83) Zone' respectively, be **APPROVED.**

CARRIED

A twenty day appeal period from the date of notice of decision will apply to the Zoning By-law Amendment.

6:40 p.m. Notice of Zoning Amendment – 4562 West Corner Dr – 1926624 Ontario Inc.

Description of Land:

Con 7 ECR Lot 25 RP33R4952 Part 1

4562 West Corner Drive (former McGillivray Township)

Owners: 1926624 Ontario Inc

Agent: Douglas Peter Cassino

David Bond was present representing the owner on the application

The purpose and effect of the Application for Zoning By-law Amendment is to implement a condition of consent B02/2020 which was conditionally approved by the Committee of Adjustment on January 15, 2020. The zoning proposes to rezone 4572 West Corner Drive as well as the severed lands added onto the property through the lot addition of Consent from General Agricultural Exception (A1-52) Zone to Agricultural Small Holding Exception (AG1-27) Zone to recognize the maximum lot size of 2.65 ha (5.85ac) and limit the range of permitted uses.

Planner Stephanie Poirier then presented the Planners Evaluation Report dated August 19, 2020.

Staff are of the opinion that the proposed lot adjustment does not meet the criteria for minor lot adjustments as it is not for the purposes of granting easements, for conveyances and consolidations or other legal or technical matters, and it is not considered minor in nature as it will result in the fragmentation of agricultural land. The applicants have proposed to rezone the subject lands from the General Agricultural (A1-52) Zone and the Agricultural Small Holding (AG1) Zone to the site specific AG1-29 Zone in order to recognize a maximum lot size of 2.65 ha (5.85 ac), whereas the maximum lot size permitted in the AG1 Zone is 1 ha (2.5 ac). Staff note that all other standards of the parent AG1 Zone are being met. At the time of the consent application, planning staff recommended denial of the lot addition in favour of 4572 West Corner

Drive, as the AG1 zone has a maximum lot size of 1 ha (2.5 acres) and the subject lands would result in a lot with an area of 2.65 ha (5.85ac), which exceeds the requirement of the AG1 zone, and does not meet the intent of a surplus farm dwelling severance, which is how the lot was originally created. As noted, the Committee of Adjustment approved the lot addition as proposed by the applicant on January 15th 2020. In light of this, the Zoning By-law Amendment application which was submitted subsequent to the Committee of Adjustment, is to rezone the conditionally approved parcel. It is under this circumstance that planning staff have evaluated the application and it is the opinion of staff that the application is consistent with the PPS, County and local Official Plan. It is not anticipated that the woodlands or hazard lands will be impacted as a result of the Consent application or the Zoning By-law Amendment application.

AGENCY COMMENTS AND WRITTEN SUBMISSIONS

ABCA –no concerns

PUBLIC COMMENTS

None

The following recommendation front the report was then considered:

MOTION #173/2020

MOIR/KEOGH: That Application for Zoning By-law Amendment No. ZBA 08-2020 which proposes to rezone the severed lot of Consent B02/2020 and 4572 West Corner Drive from General Agricultural Exception (A1-52) Zone and the Agricultural Small Holding (AG1) zone to Agricultural Small Holding Exception (AG1-29) Zone be **APPROVED**.

CARRIED

A twenty day appeal period from the date of notice of decision will apply to the Zoning By-law Amendment.

MOTION #174/2020

HEMMING/CORNELISSEN: That Council move into Committee of Adjustment at 6:39 p.m.

CARRIED

See separate Committee of Adjustment minutes

The Regular Meeting resumed at 7:00 p.m.

6. DELEGATION

None

7. DEPARTMENTAL REPORTS

- a. Demolition Tender Results for former Hensall Co –op Buildings –Fire Chief

There was some discussion regarding timing of the demolition, which is expected to be completed by December (weather permitting). The site will be levelled and gravel base.

MOTION #175/2020

MCLINCHEY/KEOGH: That Jones Group Ltd. Be awarded the contract for the demolition of the structures at 192 Parkhill Main Street in the amount of \$54,240 (including HST).

CARRIED

- b. Request for mask fitting equipment for Fire Dept – Fire Chief

There was some discussion regarding whether testing could be offered to staff at local nursing homes as a revenue source. Staff advised that there could be legalities issues of providing this service to private businesses as well as costs for recalibrating. Staff advised that they will explore this to see if it is feasible.

MOTION #176/2020

HEMMING/KEOGH: That Council receive the report entitled Purchase of Fit Testing Equipment for Fire Department and that funding for this equipment in the amount of approximately \$2,500 be approved from the 2020 Annual Budget Mitigation Program finances from the Community Vibrancy Fund.

CARRIED

- c. Community Improvement Plan –Director of Economic Development

Mr. Barnier explained why the plan was identified as a project and the benefit it will have to the municipality with implementing other projects such as the Façade Improvement Grant. The County is providing lower tier municipalities a 50% funding opportunity to implement a CIP. The plan is expected to be completed in early 2021.

MOTION #177/2020

MOIR/HEMMING: That Council direct staff to proceed with the development of a municipal Community Improvement Plan (CIP) with Re: Public for 2020-2021 implementation.

CARRIED

d. Website Update and Agreement –Director of Economic Development

Mr. Barnier provided an overview of the project and the plan is to simply the website which would make it more user friendly. The County undertook the request for proposal on behalf of the lower tier municipalities wishing to participate in this project. The successful firm that was chose is “Digital Echidna” which Mr. Barnier has worked with before. This project is anticipated to be completed in 2020. Cr. Keogh inquired if the new Cloud Permitting software will be compatible with the new website and staff advised that it will work. This software is on a trial basis now and an update will be provided to Council as to whether it will become a permanent program in the organization.

MOTION #178/2020

MCLINCHEY/KEOGH: That Council receive the report entitled, “North Middlesex Municipal Website Rebuilding 2020” as information.

CARRIED

e. Huron Transit Committee Update –Director of Economic Development

Mr. Barnier advised that the hope is to eventually have staff representation on this Committee but at the present time they are requesting it be council representative. Mayor Ropp indicated his interest in attending the first meeting. He will be advocating to the Committee that a staff representative be appointed which should be Mr. Barnier.

MOTION #179/2020

CORNELISSEN/HEMMING: That Council appoint Brian Ropp as representative on Huron Shores Transit Advisory Committee on behalf of North Middlesex and that this Committee and Appointment be added Committee By-law #62 of 2018, as amended; and further that Mike Barnier be appointed when staff representation is accepted.

CARRIED

f. North Middlesex Arena Update/Return to Play – Facilities Manager

Mr. Drew provided an overview on the situation at the Arena. Due to the current circumstances, ice is not anticipated to go in until October. It has been confirmed that Men's League will not proceed this year, the Star's are targeting their season to start December 1st however that is not confirmed and Minor Hockey has sent out a request to parents in order to determine if there is a commitment from this league with ice rental. The results of this request will not be known until next week. Other options being explored, if it is not feasible to put ice in here, is for North Middlesex users to go to other centres that have ice in. A follow up report will be provided to Council after this date to update on the final plans for the Arena.

MOTION #180/2020

MCLINCHEY/CORNELISSEN: That Council receive and file the report entitled North Middlesex Arena Re-opening Plan.

CARRIED

- g. Verbal update on Parkhill Playschool Agreement -Director of Economic Development

Mr. Barnier advised that a three year proposal was agreed to by the playschool that includes a 2% increase throughout the duration of the agreement. A By-law has been prepared in response to the agreement.

- h. Operational and Capital Update – CAO

MOTION #181/2020

MOIR/CORNELISSEN: That Council receive the staff report entitled 2020 Capital Project Status Update for information.

CARRIED

- i. COVID-19 Response to Opening - CAO

The municipality has received approximately \$159,000 from the government to support OVID 19 operating costs and pressures. The province is expecting a report back to the Province in March 2021. Phase 2 Funding is available and the deadline for applying is November 6, 2020.

MOTION #182/2020

MOIR/HEMMING: That Council receive the report entitled COVID 19 Response to Reopening as information.

CARRIED

- j. Application for Encroachment Request for 262 Victoria Street, Parkhill - CAO

MOTION #183/2020

MCLINCHEY/KEOGH: That Council direct staff to allow the encroachment (as presented by the owner(s)) as per By-law #13 of 2019 with the following condition to be registered on title of 262 Victoria Street, Parkhill (Roll #39 54 052 020 025 04).

CARRIED

- k. Council Remuneration Report – Treasurer

Members of Council thanked the Treasurer for the report. There was some discussion on the matter of the change in legislation regarding the loss of the taxable benefit for councillors. Although it was recognized there are some notable differences with comparing to other municipalities, it was suggested that this report be filed for now and further consideration to remuneration be undertaken next year.

MOTION #184/2020

KEOGH/MCLINCHEY: That the staff report entitled Council Compensation Review be received for informational purposes.

CARRIED

8. PASSING OF ACCOUNTS

Compilation of accounts from July 29 – August 12, 2020 in the amount of \$887,762.22

MOTION #185/2020

KEOGH/CORNELISSEN: Be it resolved that the following Bills and Accounts be approved for payment:

General Cheques \$105,284.49

Direct Deposit \$670,617.88

On-line/PAP \$111,859.85

Cemetery Cheques \$0.00

CARRIED

9. COMMITTEE REPORTS

- a. Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming) None
- b. ABCA (Deputy Mayor Cornelissen) Five Year Forecast and 2019 Financial Statements (receive and file) Deputy Mayor Cornelissen reiterated that the forecast is just a draft and has not been approved.
- c. BWRA (Cr. McLinchey) July 2020 Notes and Summary of Resolutions regarding the Transition to Full Producer Responsibility – BWRA April 1, 2024
- d. EDAC (Cr. Moir) Cancelled
- e. LSAC – (Cr. Nichol) Cancelled
- f. Recreation Committee (Cr. Hemming) Cancelled
- g. Water/Wastewater Committee (Cr. Moir) Cancelled
- h. Policies Review Committee (Cr. Nichol) Cancelled
- i. Fire Committee (Cr.Keogh) February 11, 2020 Minutes and Recommendations from August 4, 2020

MOTION #186/2020

KEOGH/MCLINCHEY: That the following recommendations be accepted from the Fire Committee –August 4, 2020:

That Fire Chief Vandenheuvel bring the North Middlesex fire department establishment and regulating by-law to council at the next available meeting;

That Fire Chief Vandenheuvel bring the report for the equipment purchase of a Porta Fit Tester to Council and ask for funding through the Community Vibrancy Fund at next available meeting.

CARRIED

- j. OCWA Client Advisory Board (Jonathon Graham) None

10. CORRESPONDENCE

- a. Middlesex London Health Unit – Board Meeting updates (June and July 2020) (action: receive and file)

b.MMAH – Safe Restart Agreement and Funding Program due to COVID 19
(action: receive and have Treasurer proceed with acknowledgement as requested)

c. Blessing Store – concerns with amendment to parking by-law specifically Mill St Parkhill (action: receive and consideration of concern)

Councillor McLinchey requested discussion on correspondence item c). In particular the request for a loading/unloading zone along Mill Street for patrons of the Blessings Store

Clerk Jackie Tiedeman provided an overview of the changes that were made to the parking by-law and in particular the effects to Mill Street. She advised that individual requests have to take into consideration potential implications to the surrounding area not just site specific. There were many challenges to this parking enforcement as well as trying to assess needs of businesses and/or impacts. This has been a problematic area and the fact that there is no curb and gutter to delineate road allowance and sidewalk does not help. It is more public education on trying to change parking habits. Although, she understood the frustration with the changes, she did not recommend formally adding a loading/unloading zone to the By-law as that then becomes a challenge with enforcement as well as approvals for set fines with the Attorney General.

CAO Jonathon Graham also provided an overview of the on site meeting held that included himself, Cr. McLinchey, Mayor Ropp and representatives from Blessings Store. Mr. Graham advised that different suggestions were made however he recommended as a solution that the Municipality would provide 2 signs (1-Loading/Unloading Sign and 1-Do Not Block Sidewalk) These would then be affixed to the building (upon consent of the owner). This would then be more of a private initiative and not require changes to the By-law.

Council discussion ensued that recognized the challenges that staff face with parking enforcement as well as trying to find a mutual type solution for Blessing Store.

After careful consideration the following motion was introduced:

MOTION #187/2020

MOIR/KEOGH: That staff be directed to order one – Loading Zone and one Do Not Block Sidewalk Sign that will be affixed to the building upon consent from the owner of the building; and

Further that staff undertake a review of the no parking signage along Mill Street in three months to determine if some of the signage may be removed as the by-law already prohibits parking in that area.

CARRIED

11.OTHER OR URGENT BUSINESS

CAO Jonathon Graham provided an update on the status of Gold Leaf Properties Inc and the recommendation to accept the Site Plan Agreement by way of By-law this evening.

In addition he also provided an update on Westwood Estates status. There has been many challenges in these two projects due to obtaining external approvals including servicing approvals as well as financial securities to due COVID 19.

Council was provided with an overview of the delegation that was recently undertaken by the Municipality through the AMO conference this week. Mayor Ropp commended staff on their presentation and overall felt it went very well. Staff will continue to liaison with applicable Ministries regarding our infrastructure needs.

Cr. Moir asked as to whether there have been any further updates with Tech Savvy and their communications project. Mr. Graham replied that he understands there are waiting on federal approvals however will make contact to get a further update.

12.COMMUNICATIONS (including County Council)

Deputy Mayor Cornelissen advised that the County will be sending out a survey to area residents regarding the Blackburn Bridge project. Staff will ensure the residents are aware of this survey in order for them to be involved in any impact this project may have on them in the area.

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 #57 of 2020 – ZBA for 4562 West Corner Drive

By-law #58 of 2020 – ZBA for 35491 Cassidy Road

By-law #59 of 2020 – Parkhill Playschool Lease Agreement

By-law #60 of 2020 – Gold Leaf Properties Inc. – Site Plan Agreement Parkhill

By-law #61 of 2020 – Confirming By-law

MOTION #188/2020

MCLINCHEY/HEMMING: That By-law #057 - 061 of 2020 be read a first and second time

CARRIED

MOTION #189/2020

KEOGH/MOIR: That By-law #057 -061 of 2020 be read a third and final time

CARRIED

16.ADJOURNMENT

MOTION #190/2020

MCLINCHEY/KEOGH: That the meeting adjourn at 8:23 p.m.

CARRIED

MAYOR

CLERK