



**MUNICIPALITY OF NORTH MIDDLESEX
REGULAR MEETING MINUTES**

April 5, 2023, 6:00 p.m.

Members Present: Mayor Brian Ropp
Deputy Mayor Paul Hodgins
Councillor Ward 1 Sara Nirta
Councillor Ward 2 Bill Irwin
Councillor Ward 3 Charles Daigle
Councillor Ward 4 John Keogh
Councillor Ward 5 Adrian Cornelissen

Staff Present: Clerk Richard Beachey
Interim CAO/Treasurer Estelle Chayer
Economic Development and Communications Coordinator
Natalie Core
Manager of Public Works Vance Czerwinski
Recreation and Facilities Manager Brandon Drew
Manager of Infrastructure and Operations Jaden Hodgins
Deputy Clerk Ashley Kwarciak

Staff Absent: Drainage Superintendent Joanne Sadler
Fire Chief Greg Vandenheuvel
Executive Assistant/HR Coordinator Donna Vanhooydonk

The Regular Meeting of the Council of the Municipality of North Middlesex was held under the provisions contained within the North Middlesex Procedural By-law and may be held in whole or in part without physically being present at 229 Parkhill Main Street, Parkhill.

1. CALL TO ORDER

Mayor Ropp welcomed the return of Clerk Ashley Kwarciak following a one year leave.

Mayor Ropp recognized the success of former McGillivray School student Jeremy Hanson on his recent appointment to the moon mission Artemis 2.

Mayor Ropp called the meeting to order at 6:00 p.m. with a quorum present.

2. DISCLOSURE OF PECUNIARY INTEREST

(Municipal Conflict of Interest Act – Section 5 requires any member of Council to declare a pecuniary interest and general nature thereof, prior to any consideration on that matter. Where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act. The disclosures become part of a Public Registry as required under the Act.

Councilor Daigle declared a Conflict on Items 7.1 and 14.2 of the agenda for the reason of being an assessed owner as identified in the Engineering Report.

3. MINUTES OF PREVIOUS MEETINGS

3.1 Meeting Minutes for March 15, 22 and 30 2023

Motion # 96/2023

Moved By: C. Daigle

Seconded By: P. Hodgins

That the attached minutes be approved as presented

CARRIED

4. ADJOURNMENT OF REGULAR MEETING

Motion # 97/2023

Moved By: J. Keogh

Seconded By: P. Hodgins

THAT the Regular Meeting adjourn and proceed into Public Meetings at 6:02 p.m. (including Committee of Adjustment) as listed on the agenda.

CARRIED

5. COMMITTEE OF ADJUSTMENT AND PUBLIC MEETINGS

5.1 6:02 p.m. Notice of Public Meeting to consider Application (B4-2023) located at Concession 19, North Part Lot 4

Owner: Willemse Baling Enterprises Incorporated, C/O Tony Willemse

Applicant: Pattyn Landscaping Services Ltd., C/O Rob Pattyn

Agent: Strik, Baldinelli, Moniz Ltd, C/O Nick Dyjach

5.1.1 Planners Evaluation Report

Planner Stephanie Poirier presented her Report and Recommendation.

5.1.2 Provision for Applicant Remarks

Agent Jamie Robertson from Strik, Baldinelli, Moniz was present. He explained that he supported the Planners Report and Recommendation.

5.1.3 Provision for Written Submissions

Objections and Concerns raised by residents of Mill Craig Street

Drainage concern raised by Maria Denys, 251 Mill Craig Street

Drainage concern from Ashley Poore

5.1.4 Provision for Public Comments

D'Arcy Elliot, representing Chateau Village Community Apartments, 252 Tain Street. Mr. Elliott stated that he is on the Board of the Chateau Village Community Apartments and was concerned about any future constraints about the apartments expanding. He explained that the development plans for expanding are not advanced.

Rebecca Niessen, 257 Millcraig Street. Ms. Niessen expressed concern about the volume of housing and that the single one lane road on Millcraig Street is constrained.

Rob Pattyn, Applicant. Mr. Pattyn explained that he would welcome a discussion with Mr. Elliott regarding future plans for Chateau Village Community Apartments. He further explained that there are no plans to expand Millcraig Street or make it an access for the new development.

5.1.5 Provision for Committee Questions

A question was asked of Mr. Elliott how the proposed consent affects Chateau Village Community Apartments and if the Chateau

Village currently has space to expand. Mr. Elliott stated that the expansion process is not that advanced. He further explained that there is a concern about physical space for future expansion.

5.1.6 Decision (approve, defer with reason, deny with reason) See Planner's report for recommendation

Motion # 98/2023

Moved By: S. Nirta

Seconded By: C. Daigle

THAT application for Consent B4-2023, submitted under Section 53 of the Planning Act be GRANTED subject to the following conditions: (Please refer to Planners Report and Recommendation for full listing of conditions)

CARRIED

- 5.2 6:19 p.m. Notice of Public Meeting to consider Application B6-2023 located at 261 Millcraig Street

Owner: Deborah Ruth Wiseman and James Douglas Wiseman

Applicant: Pattyn Landscaping Services Ltd., C/O Rob Pattyn

Agent: Strik, Baldinelli, Moniz Ltd, C/O Nick Dyjach

5.2.1 Planners Evaluation Report

Planner Stephanie Poirier presented her Report and Recommendation.

5.2.2 Provision for Applicant Remarks

Agent Jamie Robertson from Strik, Baldinelli, Moniz was present. He explained that he supported the Planners Report and Recommendation.

5.2.3 Provision for Written Submissions

Objections and Concerns raised by residents of Mill Craig Street

Drainage concern from Ashley Poore

5.2.4 Provision for Public Comments

5.2.5 Provision for Committee Questions

5.2.6 Decision (approve, defer with reason, deny with reason) See Planner's report for recommendation

Motion # 99/2023

Moved By: J. Keogh

Seconded By: P. Hodgins

THAT application for Consent B6-2023, submitted under Section 53 of the Planning Act be GRANTED subject to the following conditions: (Please refer to Planners Report and Recommendation for full listing of conditions)

CARRIED

- 5.3 6:24 p.m. Notice of Public Meeting to consider Application B7-2023 located at 35325 and 35233 Maguire Road

Owner: Tapecc Farms Ltd.

Agent: Tara Whibbs

5.3.1 Planners Evaluation Report

Planner Stephanie Poirier presented her Report and Recommendation.

5.3.2 Provision for Applicant Remarks

5.3.3 Provision for Written Submissions

5.3.4 Provision for Public Comments

5.3.5 Provision for Committee Questions

5.3.6 Decision (approve, defer with reason, deny with reason) See Planner's report for recommendation

Motion # 100/2023

Moved By: J. Keogh

Seconded By: S. Nirta

THAT application for Consent B7-2023, submitted under Section 53 of the Planning Act be GRANTED subject to the following conditions: (Please refer to Planners Report and Recommendation for full listing of conditions)

CARRIED

5.4 Adjournment of Meeting

Motion # 101/2023

Moved By: P. Hodgins

Seconded By: C. Daigle

THAT the Committee of Adjustment adjourn at 6.29 p.m. and convene as a Public Meeting under the Planning Act.

CARRIED

5.5 6:29 p.m. Notice of Public Meeting to consider Application ZBA 4-2023 located at 620 Parkhill Drive

5.5.1 Planners Evaluation Report

Planner Stephanie Poirier presented her Report and Recommendation.

5.5.2 Provision for Applicants Remarks

5.5.3 Provision for Written Submissions

5.5.4 Provision for Public Comments

Mark Jamieson of 646 Parkhill Drive reported that one or more survey stakes are now located on his property and affect the tree line. He reported that trees are affected. Mr. Jamieson explained that the original stake is where the tree line was. Mr. Jamieson was informed that he should address this concern with the applicant property owner.

5.5.5 Provision for Council Questions

A question was asked when the survey was completed. The Planner reported March 2023.

5.5.6 Decision (approve, defer with reason, deny with reason) See Planner's report for recommendation

Motion # 102/2023

Moved By: C. Daigle
Seconded By: S. Nirta

THAT Application for Zoning By-law Amendment No. ZBA-4-2023 which proposes to rezone the severed lot of Consent B13/2022 from the 'General Agricultural (A1) Zone' to 'Agricultural Small Holding Exception (AG1-38) Zone' to permit the residential use, limit permitted uses, recognize a front yard setback for the existing dwelling of 8.5 m (28 ft) whereas the minimum front yard setback required in the 'AG1 Zone' is 15 m (49 ft), and to recognize a maximum lot area of 1.02 ha (2.52 ac), whereas the maximum lot are required in the 'AG1 Zone' is 1 ha (2.5 ac); and to rezone the retained lands from 'General Agricultural (A1) Zone' to 'General Agricultural Exception (A1-101) Zone' to prohibit the establishment of new dwellings on the remnant farm parcel be, to recognize a minimum lot frontage of 74 m (243 ft), whereas the minimum lot frontage required in the 'A1 Zone' is 150 m, and to recognize a minimum lot area of 19.22 ha (47.48 ac), whereas the minimum lot area of the 'A1 Zone' is 39 ha (96.4 ac) be APPROVED.

CARRIED

5.6 Adjournment of Meeting

Motion # 103/2023

Moved By: J. Keogh
Seconded By: S. Nirta

THAT the Public Meeting adjourn at 6:37 p.m. and return to Regular Meeting.

CARRIED

6. DELEGATIONS

6.1 Jarrett Hoglund - Association of Ontario Road Superintendents (AORS)
Tradeshow - Strathroy

Jarett Hoglund and Kelly Elliott were present and provided a presentation to Council on the upcoming Association of Ontario Road Superintendents

trade show in Strathroy June 7 and 8, 2023. Mr. Hoglund and Ms. Elliott left a pop up display promoting the trade show.

7. DEPARTMENTAL REPORTS

7.1 Report from Drainage Superintendent - Review of Cameron Drain Branch "E" Tender

It was noted that Cr. Daigle declared a conflict on this item.

The Manager of Infrastructure and Operations presented the report and recommendation.

Motion # 104/2023

Moved By: B. Irwin

Seconded By: S. Nirta

THAT Council receives this report and directs staff to award the construction of the Cameron Drain Branch "E" Tender to Robinson Farm Drainage Limited, in the amount of \$39,316.00 (excluding HST).

CARRIED

7.2 Report from Clerk - Appointment of Integrity Commissioner

Motion # 105/2023

Moved By: C. Daigle

Seconded By: J. Keogh

THAT the report entitled "Appointment of Integrity Commissioner" be received; and,

THAT the Mayor and Clerk be authorized to sign an Agreement with Gregory F. Stewart for services as Integrity Commissioner until December 31, 2023.

CARRIED

7.3 Report from Manager of Public Works - Calcium Chloride Tender Results

The Manager of Public Works reported that the procedure is different this year in using a calcium chloride application. In the past a salt brine was applied.

Motion # 106/2023

Moved By: J. Keogh

Seconded By: C. Daigle

THAT Council award the Calcium Chloride Tender RD-2 of 2023 to Pollard Industries for the bid price of \$365,987.50 (excluding HST).

CARRIED

7.4 Report from Manager of Public Works -Bridge Number 34 - New Ontario Road

The Manager of Public Works was asked what the load limit on this bridge is. He reported the load limit is ten metric tons.

Motion # 107/2023

Moved By: C. Daigle

Seconded By: B. Irwin

THAT Council approve the recommended repairs to extend the life and service of Bridge #34 New Ontario Road based on the Engineer's report.

CARRIED

7.5 Report from Manager of Recreation and Facilities - Permanent Liquor License at North Middlesex Arena

The Manager of Recreation and Facilities was asked if groups could use their licenses from another location that they may have. He responded yes.

Motion # 108/2023

Moved By: P. Hodgins

Seconded By: C. Daigle

THAT Council direct staff to proceed with obtaining a permanent liquor license with catering endorsement for the North Middlesex Arena & Fitness Centre.

CARRIED

8. PASSING OF ACCOUNTS

8.1 Report from Treasurer - Accounts Payable

Motion # 109/2023

Moved By: C. Daigle

Seconded By: S. Nirta

That council receive and accept the following accounts payable report as information only.

CARRIED

9. COMMITTEE REPORTS

9.1 Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Keogh)

It was reported that an open house is scheduled. Information will be provided.

9.2 ABCA (Cr. Cornelissen)

Board Minutes of February 16, Meeting agenda of March 16, ABCA audited Financial Statement Letter, ABCA signed 2022 Financial Statement

A Parkhill Trails update was provided. It was reported that under recent legislative amendments Conservation Authorities will no longer be providing comments on natural heritage matters.

9.3 BWRA (Cr. Keogh)

9.4 EDAC (Cr. Nirta, Cr. Irwin, Deputy Mayor Hodgins)

It was reported t5hat the next meeting is on April 20, 2023.

9.5 LSAC (Cr. Irwin, Deputy Mayor Hodgins)

Contact will be made with Thames Valley District School Board member Arlene Morell to coordinate a meeting date.

9.6 Recreation Committee (Cr. Daigle, Cr. Keogh, Cr. Nirta)

It was reported that a meeting was planned but had to be rescheduled. A meeting has been rescheduled to April 11, 2023 at 6:00 p.m.

- 9.7 Policies Review Committee (Mayor Ropp, Deputy Mayor Hodgins, Cr. Daigle)
 - 9.8 Fire Committee (Mayor Ropp, Cr. Cornelissen, Cr. Daigle)
 - 9.9 Community Development Fund Committee (Mayor Ropp, Cr. Nirta, Cr. Cornelissen)
- Minutes from February 28, 2023 and March 22, 2023
- 9.10 OCWA Client Advisory Board (CAO)

10. CORRESPONDENCE

- 10.1 Township of Malahide, Town of Greater Napanee, Western Ontario Wardens Caucus, Municipality of South Huron, Municipality of West Perth - Cannabis Act

(Receive and File - filed at February 15, 2023 meeting)

Filed.
- 10.2 Municipality of Chatham-Kent, Town of Petrolia - end Homelessness in Ontario

(Receive and Consider)

Filed.
- 10.3 Municipality of Chatham-Kent, Town of Greeter Napanee - Reducing Municipal Insurance Costs

(Receive and Consider)

Filed.
- 10.4 Municipality of Chatham-Kent - Support for Bill 5 - Stopping Harassment and Abuse by Local Leaders Act

(Receive and Consider)

Filed.
- 10.5 Municipality of Trent Lakes, Township of Lake of Bays - request change in wording to Oath of Office

(Receive and Consider)

Filed.

- 10.6 Town of Petrolia, Town of Plympton-Wyoming, Township of Lucan-Biddulph, Township of South Glengarry - Permanent Register of Electors
(Receive and File - supported at March 1, 2023 meeting)
Filed.
- 10.7 City of Cambridge, City of Niagara Falls, City of Welland, Town of Plympton-Wyoming, Township of Lucan-Biddulph, Township of South Glengarry - Barriers for Women in Politics
(Receive and File - supported at March 15, 2023 meeting)
Filed.
- 10.8 City of Stratford - Invitation to Civic Night September 7, 2023
(Receive and Consider)
Filed.
- 10.9 Ministry of the Environment, Conservation and Parks - modernize environmental assessment program in Ontario
(Receive and File)
Filed.
- 10.10 Town of Essex - Homelessness, mental health and opioid addiction
(Receive and File - filed at March 15, 2023 meeting)
Filed.
- 10.11 Thames Valley District School Board - March 2, 2023 presentation and Middlesex Enrollment Comparison
(Receive and File)
Filed.
- 10.12 Municipality of Calvin - request to extend moratorium on pupil accommodation reviews
(Receive and File - filed at March 15, 2023 meeting)
Filed.
- 10.13 Municipality of North Perth - School Bus Stop Arm Cameras
(Receive and Consider)

Filed.

- 10.14 Township of East Garafraxa, Town of Lincoln - School Board elections
(Receive and File - filed at February 15, 2023 meeting)

Filed.

- 10.15 Town of Carleton Place - Intimate Partner Violence
(Receive and File - filed at January 18, 2023 meeting)

Filed.

- 10.16 Town of Essex - Tax classification of Short Term Rental Units
(Receive and Consider)

Filed.

- 10.17 Town of Essex - Reinstatement of legislation permitting a municipality to
retain surplus proceeds from tax sales
(Receive and Consider)

Filed.

- 10.18 Ailsa Craig Gala Days - Jocelyn Amos Recognition
(Receive and Consider)

Filed.

- 10.19 Minister of the Attorney General - Provincial Offences Act Modernization
(Receive and File)

Filed.

- 10.20 County of Middlesex Library - Drag Storytime - Saturday April 29, 2023 -
11:00 a.m.
(Receive and File)

Filed.

- 10.21 North Middlesex Police Advisory Committee Agenda April 4, 2023 and
Minutes March 7, 2023
(Receive and File)

Clr. Irwin reported that there was a meeting a the previous night. A question was asked about the status of the Committee as a Council Committee as the Committee believed they were a Committee of Council. It was explained that the Committee was a Committee of Council three terms ago and the Mayor at that time chose not to make Police Advisory a Committee of Council. It was explained that the Committee believes that it is a Committee of Council. The status of the Committee is to be investigated and reported on. The criteria and policies for a Committee of Council is to be investigated and reported upon.

11. OTHER AND URGENT BUSINESS

11.1 Manager of Infrastructure and Operations - Update on Parkhill Main Street Project

The Manager of Infrastructure and Operations reported that the project is approximately sixty percent complete with a total expense at this time of five million out of a total contract price of eight million. He elaborated on major component construction. He explained that the project is slightly behind schedule with completion scheduled for the end of July.

11.2 Status of food trucks in Municipality of North Middlesex

Clr. Cornelissen reported that he had been contacted with an inquiry from someone interested in operating a food truck in the municipality. It was explained that food trucks are not a defined use in the zoning by-law and as such are not allowed anywhere in the municipality. Food truck presence at special events was questioned. It was stated that while special events are not exempt from the zoning by-law requirements, there have been no complaints and therefore no enforcement undertaken.

11.3 Flooding issue in Ailsa Craig

Clr. Irwin reported that flooding has occurred on Rabbitwood Crescent in the area of Queen and Church Street. Water issues are alleged to be resulting from new subdivision work. Water has come into basements. The Manager of Infrastructure and Operations attended the area today and will be undertaking data collection and following up this issue. Subdivision requirements as it relates to drainage will be reviewed.

11.4 Environmental Committee

Clr. Irwin asked that Council consider consider an Environment (Climate Change or Sustainability) Committee of Council.

11.5 Drainage issue

Clr. Daigle reported that he was contacted about a drainage issue by a farmer across from where he lives. There was a municipal drain at this location which was abandoned last year. It was suggested that nearby construction for a subdivision may have impacted the existing drainage tiles at this location. The Manager of Infrastructure and Operations explained that he was aware of the issue and had reviewed the matter with the Drainage Superintendent. He reported that the developer of the nearby subdivision is working with the municipality to investigate and mitigate any negative impacts.

12. DEFERRED ITEMS FROM PREVIOUS MEETINGS

12.1 North Middlesex Surplus Properties

Review of North Middlesex Surplus Properties - deferred at November 17, 2021 (follow up by incoming CAO following Property tour)

12.2 Parkhill Sewage Lagoon - Potential Third Party Opportunities

Parkhill Sewage Lagoon - Potential Third Party Opportunities - pending additional information - deferred at February 1, 2023 (follow up by Manager of Infrastructure and Operations)

12.3 Request for Urban Design Guidelines

Request for Urban Design Guidelines - deferred at February 1, 2023 - policy to be developed (follow up by CAO)

The Manager of Infrastructure and Operations reported that he has contacted two different consulting companies that do this work. One of the companies has not followed up despite repeated contacts and the other is too busy to take on additional work.

12.4 Request for By-law Enforcement Quarterly Reports

Request for By-law Enforcement Quarterly Reports - deferred at March 15, 2023 (follow up by Clerk). Quarterly Report from Tenet Security for January 1, 2023 to March 29, 2023 is provided. Feedback, if any, is welcomed.

Additional report detail was requested similar to previous reports which were provided. The Clerk stated that this will be followed up,

Motion # 110/2023

Moved By: J. Keogh
Seconded By: S. Nirta

THAT Council receive the Municipality of North Middlesex By-law activity report - January 1, 2023 to March 29, 2023 as information.

CARRIED

12.5 Requested natural gas extension from Corbett to Moray

Requested natural gas extension from Corbett to Moray - deferred at March 15, 2023 meeting (follow up by Manager of Infrastructure and Operations)

12.6 Trail Proposal - Bear Creek Trail

Trail Proposal - Bear Creek Trail - deferred at March 15, 2023 (follow up by Manager of Recreation and Facilities)

12.7 Bulk Water Policy

Bulk Water Policy - deferred at meeting of February 15, 2023 (Follow up by Manager of Infrastructure and Operations)

A request was made to advise consumers of bulk water at this facility to be made aware that the bulk water facility is being made available for larger trucks and tankers

Motion # 111/2023

Moved By: C. Daigle
Seconded By: P. Hodgins

THAT Council approve the implementation of the attached Bulk Water Sales Policy per recommendation of the Policy Committee; and

THAT Council amend the Fees and Charges By-Law 06 of 2023 to add the bulk water fees as outlined in this report.

CARRIED

13. COMMUNICATIONS (Including County Council Meeting Report)

13.1 Marci Ivanic - County of Middlesex - Local Council Day - May 9, 2023 - 10:00 a.m.

13.2 Middlesex County archives

It was reported that a delegation had been made to County Council asking for consideration of a Middlesex County archives. A future visit to the Lambton County archives may be undertaken with a date to be provided.

14. READING OF THE BY-LAWS

It was noted that Cr. Daigle declared a conflict on item 14.2

Motion # 112/2023

Moved By: B. Irwin

Seconded By: A. Cornelissen

THAT By-laws 037 - 040 of 2023 be read a first and second time

Provision for questions

CARRIED

Motion # 113/2023

Moved By: P. Hodgins

Seconded By: S. Nirta

THAT By-laws 012 - 013 and 037 - 040 of 2023 be read a third and final time.

CARRIED

14.1 012 of 2023 - Kellestine Drain No. 2

(Third Reading)

14.2 013 of 2023 Cameron Drain Branch "E" Improvement and Branch "A" Maintenance

(Third Reading)

14.3 037 of 2023 Authorize Agreement with Gregory F. Stewart as Integrity Commissioner

14.4 038 of 2023 Amending By-Law 06 of 2023 Being a By-law to Establish Fees and Charges - Water

14.5 039 of 2023 - ZBA 4-2023 - 620 Parkhill Drive

14.6 040 of 2023 Council Proceedings

15. ADJOURNMENT

Motion # 114/2023

Moved By: J. Keogh

Seconded By: S. Nirta

That the Meeting adjourn at 7:56 p.m.

CARRIED

MAYOR

CLERK