



Middlesex Centre Council Minutes
Regular Meeting of Council

January 22, 2020, 5:00 p.m.
Municipal Office, Coldstream Community Centre

COUNCIL PRESENT: Mayor DeViet
Deputy Mayor Brennan
Councillor Heffernan
Councillor Shipley
Councillor Aerts
Councillor Silva
Councillor Scott

STAFF PRESENT: Ann Wright - Clerk
Michael Di Lullo - Chief Administrative Office
Arnie Marsman - Director of Building Services / Chief Building Official
Colin Toth, Director of Emergency Services / Fire Chief
Rob Cascaden - Director of Public Works and Engineering
Scott Mairs - Director of Community Services
Tiffany Farrell - Director of Corporate Services
Tim Williams - County Senior Planner

1. CALL TO ORDER

Mayor DeViet called the meeting to order at 5:00 p.m.

2. ADDITIONS TO THE AGENDA

None

3. DISCLOSURE OF PECUNIARY INTEREST

None

4. CLOSED SESSION

Resolution # 2020- 009

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT the Council for the Municipality of Middlesex Centre adjourn to closed session at 5:00 p.m. pursuant to Section 239 (2) of the Municipal Act, 2001, as amended to discuss the following matters:

Section 239 (2)(a) the security of the property of the municipality or local board;
and

Section 239 (2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

CARRIED

4.1 Section 239 (2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

4.2 Section 239 (2)(a) the security of the property of the municipality or local board

4.3 Minutes of Closed Session

4.3.1 November 27, 2019 Closed Session Minutes

4.3.2 December 9, 2019 Closed Session Minutes

4.4 Rise Out of Closed Session

Resolution # 2020- 010

Moved by: Councillor Shipley

Seconded by: Councillor Silva

THAT Council do now rise out of Closed Session at 5:54 p.m.

CARRIED

5. DELEGATIONS, PRESENTATIONS AND PETITIONS

5.1 Green Builder Program Recognition for 2019 - Sifton Properties Limited, Presented by Arnie Marsman, Director of Building Services / Chief Building Official

The award was accepted by Sifton's Lindsay Clark

5.2 eSCRIBE Introduction to Council - Provided by Ann Wright, Clerk

6. ADOPTION OF THE MINUTES

Resolution # 2020- 011

Moved by: Councillor Silva

Seconded by: Councillor Scott

THAT the Council for the Municipality of Middlesex Centre approves the minutes of the January 8, 2020 meeting of Council as printed.

CARRIED

6.1 January 8, 2020 Regular Meeting of Council Minutes

7. CONSENT AGENDA

Resolution # 2020- 012

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT the Council for the Municipality of Middlesex Centre receives and approves Consent Agenda items 7.1 through to 7.4 as recommended in the reports.

CARRIED

7.1 BLD-02-2020 - Green Builder Recognition for 2019

THAT the municipality recognizes Sifton Properties Limited, for its participation in the municipality's Green Builder Recognition Program.

7.2 BLD-01-2020 - By-law Enforcement Officer Appointments

THAT the revised By-law Enforcement Officer Appointment By-law be approved.

7.3 CAO-03-2020 - Bill 108 – More Homes, More Choice Act Overview

THAT Report re: Bill 108 – More Homes, More Choice Act Overview be received.

7.4 FS-09-2020 - Middlesex Centre Fire Services – 2019 End - Year Report

THAT Report FS-09-2019 entitled "Middlesex Centre Fire Services – 2019 End -Year Report" be received as information.

8. STAFF REPORTS

8.1 CAO-02-2020 - Retirement and Long Service Awards Policy

Resolution # 2020- 013

Moved by: Councillor Heffernan

Seconded by: Councillor Scott

THAT the Retirement Policy and Long Service Awards Policy attached to Report CAO-02-2020 be approved.

CARRIED

9. COMMITTEE OF ADJUSTMENT - 7:00 P.M.

Resolution # 2020- 014

Moved by: Deputy Mayor Brennan

Seconded by: Councillor Scott

THAT Council adjourn its regular meeting at 7:00 pm in order to sit as a Committee of Adjustment under Section 45 of The Planning Act R.S.O., 1990, as amended, to consider the following Minor Variance application:

CARRIED

Councillor Silva, Chair of Committee of Adjustment opened the Public Hearing and provided an overview of the general procedure.

9.1 A-01-20 - Harasym Developments Inc. - 138 Edgewater Boulevard, Komoka - PLA-01-2020

Councillor Silva, Chair provided the purpose and effect of the application.

No additional correspondence received by the Secretary Treasurer that was not included in the Planning Report

The applicant was not in attendance

No public comments

Resolution # 2020- 015

Moved by: Mayor DeViet

Seconded by: Councillor Shipley

THAT Minor Variance Application A-1-20, filed by Mike Harasym for relief from the Municipality's Comprehensive Zoning By-law's maximum lot coverage for a lot, whereas the applicant is requesting a maximum lot coverage of 36.77% for the main building on the subject property, whereas the Comprehensive Zoning By-law permits a maximum lot coverage of 35% for the main building on the subject property, be **GRANTED**.

AND FURTHER THAT the reasons for granting Minor Variance Application A-1-20 include:

- The request complies with the general intent and purpose of Middlesex Centre's Official Plan;
- The request complies with the general intent and purpose of Middlesex Centre's Comprehensive Zoning By-law;
- The request is minor in nature; and

- The request represents appropriate development on the subject property.

CARRIED

Resolution # 2020- 016

Moved by: Councillor Heffernan

Seconded by: Councillor Shipley

THAT the Committee do now rise out of the Committee of Adjustment and go back into the regular Council meeting for a public meeting,

AND FURTHER THAT Council move into Public Meeting at 7:07 pm pursuant to the Planning Act, R.S.O. 1990, c. P13, as amended, to consider the following applications:

CARRIED

10. PUBLIC MEETINGS

Mayor DeViet, Chair called the Public Meeting to order.

10.1 B-01-2020 - Drewlo Holdings Inc. - 15 Elmhurst St., Kilworth - PLA-02-2020

Mayor DeViet provided the purpose and effect of the application.

The Clerk did make note that there was one additional piece of correspondence was received by the Clerk on January 21st from residents at 10671 Glendon Drive, Komoka, that was not included in the planning report, that was forwarded to Council for their information.

Tim Williams, Senior County Planner provided a review of Planning Report PLA-02-2020

Agent in attendance, Paul Hind - representing Drewlo Holdings spoke to the application and noted that they are in agreement with the conditions

Public Comment:

Ann Quinn, 4 Parkland Place - Expressed Concerns

Resolution # 2020- 017

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT Consent Applications B-01-20, filed by Paul Hinde, on behalf of Drewlo Holdings Inc. in order to sever a residential lot with a frontage of approximately 33 m (108 ft) with an area of approximately 0.32 ha (0.8 ac), and the retained is to have a frontage of approximately 31 m (102 ft) with an area of 0.30 ha (0.75 ac) on a property legally described as Lot 1,

Plan 909 (geographic Township of Lobo), Municipality of Middlesex Centre, known municipally as 15 Elmhurst; be **GRANTED**.

FURTHER THAT Consent B-01-20 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance has been fulfilled.
2. That the fee for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-01/20 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owners' solicitor provide a Transfer in Preparation to the Municipality, together with a deposited reference plan and a Schedule describing the land to be transferred, for the purposes of the issuance of a Certificate of Consent.
5. That the Owners' solicitor submit an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
6. That any outstanding property taxes for the severed and retained lots of Consent B-01/20 be paid in full.
7. That the Owner enter into a Development Agreement with the Municipality, and that the Agreement be registered against the title of the subject land, to address among other matters: all financial, legal, planning and engineering matters including but not limited to payment of the Municipality's engineering, legal and planning review costs, entrance locations and construction, works within the road allowance, lot grading and drainage plans, building envelopes, septic systems and 100% contingency areas and potable wells, all to the satisfaction of the Municipality.
8. That the Owner provide a lot grading plan showing potential building, septic, contingency and well locations, and the locations and sizes of the required storm water infiltration basins for all properties to the satisfaction of the Municipality.
9. That the Owner provide security in the form of a Letter of Credit or Certified Cheque to ensure installation of the infiltration galleries and that such infiltration galleries are inspected and certified by a Professional Engineer. The Owner shall provide notice to potential future buyers of the requirement to install the infiltration galleries,

notice will be included in the Development Agreement to be registered on title of the land prior to issuance of the Certificate of Consent.

10. The Owner be required to complete a Stormwater Management Report to the satisfaction of the Municipality and the Conservation Authority
11. The Owner be required to complete a Groundwater Impact Assessment.
12. That existing buildings and structures be removed from the subject lands subject to any necessary permits to the satisfaction of the Municipality.
13. The applicant be required to pay for future road upgrade cost. Based on the frontage of the lots, this cost will be \$17,700.00.
14. That the Owners pay \$1,000 cash-in-lieu of parkland dedication for the proposed lot of Consent B-01-20.

AND FURTHER THAT the reasons for granting Consent Application B-01-20 include:

- The proposal is consistent with the Provincial Policy Statement;
- The proposal conforms to the County of Middlesex Official Plan and the Middlesex Centre Official Plan; and
- The proposal complies with the Middlesex Centre Comprehensive Zoning By-law.

CARRIED

10.2 B-03, 04, 05-20 - Denfield Estates Inc., Brecon Farms Limited, and Donna Layng - 12750 and 12777 Fifteen Mile Road, Denfield - PLA-03-2020

No additional comments were received by the Clerk that were not included in the Planning Report

Tim Williams, Senior County Planner provided the purpose and effect of the application and a review of Planning Report PLA-03-2020

John Thompson, the agent for the Applicant in attendance and spoke to the application and noted that they are in agreement with the conditions

No Public Comments

Resolution # 2020- 018

Moved by: Councillor Silva

Seconded by: Councillor Scott

THAT Consent Applications B-03-20, B-04-20 and B-05-20, filed by Denfield Estates Inc., Brecon Farms Limited, Donna Layng respectively in order to establish stormwater maintenance and access easements as well as driveway access easements in favour of the Denfield Estate Inc. subdivision (23779 to 23859 Denfield Road). The easements are located on three properties legally described as 33M-744 and Concessions 14 and 15 Part Lot 29, (geographic Township of London), Municipality of Middlesex Centre, known municipally as 12750 and 12777 Fifteen Mile Road and 23779 to 23859 Denfield Road; be **GRANTED**.

FURTHER THAT Consent B-03-20 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance has been fulfilled.
2. That the fee for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-03/20 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owners' solicitor provide a Transfer in Preparation to the Municipality, together with a deposited reference plan and a Schedule describing the land to be transferred, for the purposes of the issuance of a Certificate of Consent.
5. That the Owners' solicitor submit an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
6. That any outstanding property taxes for the subject lands of Consent B-03/20 be paid in full.

FURTHER THAT Consent B-04-20 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance has been fulfilled.
2. That the fee for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-04/20 and

that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.

4. That the Owners' solicitor provide a Transfer in Preparation to the Municipality, together with a deposited reference plan and a Schedule describing the land to be transferred, for the purposes of the issuance of a Certificate of Consent.
5. That the Owners' solicitor submit an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
6. That any outstanding property taxes for the subject lands of Consent B-04/20 be paid in full.

FURTHER THAT Consent B-05-20 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance has been fulfilled.
2. That the fee for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-05/20 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owners' solicitor provide a Transfer in Preparation to the Municipality, together with a deposited reference plan and a Schedule describing the land to be transferred, for the purposes of the issuance of a Certificate of Consent.
5. That the Owners' solicitor submit an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
6. That any outstanding property taxes for the subject lands of Consent B-05/20 be paid in full.

AND FURTHER THAT the reasons for granting Consent applications B-03-20, B-04-20 and B-05-20 include:

- The proposal is consistent with the Provincial Policy Statement;
- The proposal conforms to the County of Middlesex Official Plan and the Middlesex Centre Official Plan; and

- The proposal complies with the Middlesex Centre Comprehensive Zoning By-law.

CARRIED

Resolution # 2020- 020

Moved by: Councillor Heffernan

Seconded by: Councillor Shipley

THAT Council do now Close the Public Meeting and go back into the regular Council meeting at 8:00 p.m.

CARRIED

11. NOTICE OF MOTION

None

12. CORRESPONDENCE

Resolution # 2020- 020

Moved by: Councillor Silva

Seconded by: Councillor Scott

THAT the Correspondence items 12.1 through to 12.10 be received as information.

CARRIED

12.1 Bluewater Recycling Association - Blue Box Program Transition to Full Producer Responsibility

12.2 Enbridge Gas - 2020 Federal Carbon Pricing Program - Notice of Application

12.3 Grand River Conservation Authority - Application of Winter Maintenance Chemicals

12.4 Lower Thames Conservation Authority - Board of Directors Minutes December 12, 2019

12.5 Middlesex Community Policing Committee - November 21, 2019 Minutes

12.6 Ontario News Room - New Animal Welfare System Now in Place

12.7 St. Claire Region Conservation Authority - 2020 Large Stock Program

12.8 St. Claire Region Conservation Authority (2) - Tree Seedling Program 2020

12.9 Township of Stone Mills - Conservation Authorities Resolution

12.10 Upper Thames River Conservation Authority - 2020 Flood Contingency Plan

13. COUNTY COUNCIL UPDATE

None

14. OTHER BUSINESS

15. BY-LAWS

Resolution # 2020- 021

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT By-Laws 2020-003 through to 2020-006 inclusive be approved, passed and adopted.

CARRIED

15.1 By-Law 2020-003 - To repeal the Township of London Rating By-Law 6079 being a by-law imposing special annual drainage rates

15.2 By-Law 2020-004 - To appoint municipal by-law enforcement officers for the Municipality of Middlesex Centre

15.3 By-Law 2020-005 - To adopt a Municipal policy entitled Compensation Management-Retirement and Long Service Awards

15.4 By-Law 2020-006 - To adopt and confirm all actions and proceedings of the Council of the Municipality of Middlesex Centre at the Council meeting held on January 22, 2020

16. ADJOURNMENT

Resolution # 2020- 022

Moved by: Councillor Silva

Seconded by: Councillor Scott

THAT the Council for the Municipality of Middlesex Centre adjourns the January 22, 2020 Regular Council meeting at 7:30 p.m.

CARRIED