



**Middlesex Centre Council Minutes
Regular Meeting of Council
February 19, 2020, 5:45 p.m.
Municipal Office, Coldstream Community Centre**

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

REGRETS: Councillor Scott

STAFF PRESENT: Colin Toth, Director of Emergency Services / Fire Chief
Michael Di Lullo - Chief Administrative Officer / Deputy Clerk
Arnie Marsman - Director of Building Services / Chief Building Official
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
Marion Cabral - County Planner
Dan Fitzgerald - County Planner

1. CALL TO ORDER

Mayor DeViet called the meeting to order at 5:45 p.m.

2. ADDITIONS TO THE AGENDA

None

3. DISCLOSURE OF PECUNIARY INTEREST

None declared

4. CLOSED SESSION

Resolution # 2020-035

Moved by: Councillor Shipley

Seconded by: Councillor Heffernan

THAT the Council for the Municipality of Middlesex Centre adjourn to closed session at 5:46 p.m. pursuant to Section 239 (2) of the Municipal Act, 2001, as amended to discuss the following matters:

Section 239 (2)(b) personal matters about an identifiable individual, including municipal or local board employees;

CARRIED

4.1 Section 239 (2)(b) personal matters about an identifiable individual, including municipal or local board employees;

4.2 Rise Out of Closed Session

Resolution # 2020-036

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT Council do now rise out of Closed Session at 6:02 p.m.

CARRIED

5. DELEGATIONS, PRESENTATIONS AND PETITIONS

5.1 **Intercity Transit Service - Demetri Makrakos, Economic Development Officer for Strathroy-Caradoc**

Resolution # 2020-037

Moved by: Councillor Heffernan

Seconded by: Councillor Silva

THAT Council receive Report Intercity Transit Service as information;

AND THAT Council approve the Komoka Wellness and Recreation Centre as a stop for the Sarnia - Strathroy-Caradoc – London intercity transit service;

AND FURTHER THAT the Mayor and Clerk be authorized to enter into a Memorandum of Understanding with Strathroy-Caradoc for a bus location at the Komoka Wellness and Recreation Centre on the satisfaction of the municipal solicitor.

CARRIED

6. ADOPTION OF THE MINUTES

Resolution # 2020-038

Moved by: Councillor Silva

Seconded by: Councillor Aerts

THAT the Council of the Municipality of Middlesex Centre approve the minutes of the February 5, 2020 meeting of Council as printed.

CARRIED

7. CONSENT AGENDA

Resolution # 2020-039

Moved by: Councillor Heffernan

Seconded by: Councillor Silva

THAT the Council for the Municipality of Middlesex Centre receives and approves Consent Agenda items 7.1 through to 7.6 as recommended in the reports:

7.1 CAO-08-2020 - Community Wellbeing Safety Plan

THAT Report re: Community Safety and Well-Being Plan be received for information.

7.2 CAO-09-2020 - Economic Development Update: 2019 Recap and 2020 Intentions

THAT Report Economic Development Update: 2019 Recap and 2020 Intentions be received for information purposes

7.3 CPS-03-2020 - YMCA Surplus 2019 and YMCA Strong Kids Donation Report

THAT report CPS-03-2020 YMCA Surplus 2019 and YMCA Strong Kids Donation report be received as information.

7.4 CPS-05-2020 - Capital Budget to Actual 2019

THAT the capital budget to actual report be received for information.

7.5 CPS-06-2020 - 2020 OPP Annual Billing Statement and Grant

THAT the 2020 OPP Annual Billing Statement and Grant report be received;

AND THAT the \$9,875 from the Court Security and Prisoner Transportation grant be transferred to the Tax Rate Stabilization Reserve Fund.

7.6 CPS-07-2020 - Budget to Actual January 2020

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT the Budget to Actual report for January 2020 be received.

CARRIED

8. STAFF REPORTS

8.1 CPS-02-2020 - Ontario Community Infrastructure Fund 2020

Resolution # 2020-040

Moved by: Councillor Heffernan

Seconded by: Councillor Silva

THAT the Ontario Community Infrastructure Fund 2020 report be received,

AND THAT the \$992,950 fund the Hot Mix Resurfacing Project in 2020;

AND FURTHER THAT the funds initially approved in the 2020 Budget for the Hot Mix Resurfacing Program be transferred back into the Roads Capital Reserve Fund.

CARRIED

8.2 CAO-07-2020 - Updated Costing Agreement for Middlesex Centre Family Medicine Clinic

Resolution # 2020-041

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT Report re: Updated Costing Agreement for Middlesex Centre Family Clinic be received;

AND THAT the new costing agreement presented in Report CAO-07-2020 be approved for a five-year term;

AND FURTHER THAT the Chief Administrative Officer be authorized to execute the documentation associated with the new five-year term.

CARRIED

8.3 CAO-10-2020 - Audio Video Equipment Project for Meetings

Resolution # 2020-042

Moved by: Councillor Heffernan

Seconded by: Councillor Shipley

THAT Council for the Municipality of Middlesex Centre proceed with the implementation of audio/video for the Coldstream Community Centre;

AND THAT staff be directed to enter into agreement with Media Multi-Com Communications Inc. for audio/video services at a cost of \$26,596.00, plus HST.

CARRIED

8.4 CMS-01-2020 - Fees & Charges By-Law Amendment – 20 Visit Public Skate Pass

Resolution # 2020-043

Moved by: Councillor Silva

Seconded by: Councillor Aerts

THAT the Fees & Charges By-Law, 2020 (2019-108) be amended to include the addition of a 20 Visit Public Skating Pass for General and 55+ Admissions.

CARRIED

8.5 CMS-02-2020 - Intercity Transit Service

See **Resolution # 2020-037** under item 5.1

8.6 CMS-03-2020 - Denfield Operations Entry Gate – Single Source Request

Resolution # 2020-044

Moved by: Councillor Shipley

Seconded by: Councillor Heffernan

THAT Staff Report CMS-03-2020 entitled “Denfield Operations Entry Gate – Single Source Request” be received;

AND THAT Council authorize staff to sole source the repairs for the Denfield Operations Entry gate to London Automatic Door in the amount of \$23,550.

CARRIED

9. COMMITTEE OF ADJUSTMENT

None

10. PUBLIC MEETINGS

Resolution # 2020-045

Moved by: Councillor Shipley

Seconded by: Councillor Aerts

THAT Council move into Public Meeting at 7:00 pm pursuant to the Planning Act, R.S.O. 1990, c. P13, as amended, to consider the following applications:

10.1. B-02-2020; Sloan, 131 Ontario Ave - PLA-04-2020

10.2. B-06-2020 & ZBA-01-2020; Kelly, 13181 Ilderton Road - PLA-05-2020

10.3. OPA 48; Action Trailers/ Shane Thompson for David Pranger, 4766 Egremont Drive - PLA-06-2020

10.4. ZBA-04 2020; Pfister, 15548 Nine Mile Road - PLA-07-2020

10.5. Draft Plan of Subdivision 39T-MC0902; South Winds Development Co. Inc. (Edgewater Estates) - PLA-08-2020

CARRIED

10.1 B-02-2020; Sloan, 131 Ontario Ave - PLA-04-2020

Also present: Karen & David Chelson - Spoke in opposition to the consent application

Resolution # 2020-046

Moved by: Councillor Silva

Seconded by: Councillor Heffernan

THAT Consent Applications B-02-20, filed by Derek & Kelly Sloan in order to sever a residential lot with a frontage of approximately 20.19 m (66.24 ft) on Springer Street with an area of approximately 461.6 m² (4,968.6 sq ft), and the retained is to have a frontage of approximately 22.82 m (74.86 ft) on Ontario Avenue with an area of 792.6 m² (8,531.4 sq ft) on a property legally described as Plan 109, Block I, Lot 12, Part Lot 11 (geographic Township of Lobo), Municipality of Middlesex Centre, known municipally as 131 Ontario Ave; be **GRANTED**;

AND THAT Consent B-02-20 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-02/20 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-02/20 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, and building envelopes, all to the satisfaction of the Municipality.

8. That the owner install separate water and sanitary service connections to the severed parcel prior to consent being granted to the satisfaction of the Municipality.
9. That if necessary, the owner relocate the existing water and sanitary services be wholly contained on the retained lands to the satisfaction of the municipality.
10. That the Owner provide a lot grading plan for the severed lands to the satisfaction of the Municipality.
11. The Owner be required to complete a Stormwater Management Report to the satisfaction of the Municipality.
12. The applicant be required to pay \$11,965.00 for future road upgrade costs.
13. That the Owners pay \$1,000 cash-in-lieu of parkland dedication for the proposed lot of Consent B-02-20;

AND FURTHER THAT the reasons for granting Consent application B-02-20 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-06-2020 & ZBA-01-2020; Kelly, 13181 Ilderton Road - PLA-05-2020

Resolution # 2020-047

Moved by: Councillor Shipley

Seconded by: Councillor Heffernan

THAT consent application filed by Zelinka Priamo (c/o Casey Kulchycki) on behalf of James and Joanne Kelly to sever a vacant parcel of land for lot addition purposes having an area of approximately 81.5 square meters (0.02 ac) from a property legally described as Part 1 of Registered Plan 33R-4848, and Lot 26, Concession 10, (geographic Township of London) and municipally known as 13181 Ilderton Road, Municipality of Middlesex Centre to be merged in the same name and title as the adjacent commercial lands to the east, municipally known as 13187 Ilderton Road, Municipality of Middlesex Centre; be **GRANTED**;

AND THAT Consent B-06/20 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.
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-06/20 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's solicitor submits an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
5. That the severed parcel of Consent B-06/20 be registered in the same name and title as the adjacent property to the south, known municipally as 13187 Ilderton Road and legally described as Part 1 of Registered Plan 33R-4848, and Lot 26, Concession 10, (geographic Township of London) and that Sections 50(3) and 50(5) of the *Planning Act* apply to any future conveyance of the said severed parcel.
6. That any outstanding property taxes for the severed and retained lots of Consents B-06/20 be paid in full.
7. That a Zoning By-law Amendment that recognizes the commercial use of the severed parcel be in full force and effect.
8. That the Owner be required to dedicate lands up to 15 metres from the centerline of County Road 16 (Ilderton Road) across the retained land to the satisfaction of the County of Middlesex for the purposes of road widening if the right of way is not already to that width;

AND THAT the reasons for granting Consent application B-06/20 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;

AND FURTHER THAT the Zoning By-law Amendment application, filed by Zelinka Priamo (c/o Casey Kulchycki) on behalf of James and Joanne Kelly for the severed lands of Consent B-06/20 for lot addition purposes be **APPROVED**, and that the implementing By-law be forward to Municipal

Council for consideration once a deposited reference plan has been provided to the satisfaction of the Municipality.

CARRIED

10.3 OPA 48; Action Trailers/ Shane Thompson for David Pranger, 4766 Egremont Drive - PLA-06-2020

Resolution # 2020-048

Moved by: Councillor Heffernan

Seconded by: Deputy Mayor Brennan

THAT the Official Plan Amendment No. 48 for the land legally described as Part of Lot 1, Concession 10 (geographic Township of Lobo), Municipality of Middlesex Centre, be **ADOPTED** and forwarded to the County of Middlesex for consideration of approval.

CARRIED

10.4 ZBA-04 2020; Pfister, 15548 Nine Mile Road - PLA-07-2020

Resolution # 2020-049

Moved by: Councillor Silva

Seconded by: Councillor Shipley

THAT Zoning By-law Amendment Application ZBA-04-20, filed by Karl Pfister, in order to permit two single-detached dwellings on one property for up to three years while a new residence is being constructed on the land, be **APPROVED**,

AND THAT the owners be required to enter into a Temporary Use Agreement with the Municipality and submit a deposit of \$10,000 to ensure that the removal of the existing residence.

CARRIED

10.5 Draft Plan of Subdivision 39T-MC0902; South Winds Development Co. Inc. (Edgewater Estates) - PLA-08-2020

Resolution # 2020-050

Moved by: Councillor Silva

Seconded by: Councillor Aerts

THAT report PLA-08-2020 be received for information.

CARRIED

11. NOTICE OF MOTION

None

12. CORRESPONDENCE

Resolution # 2020-051

Moved by: Councillor Silva

Seconded by: Councillor Aerts

THAT the Correspondence items 12.1 through to 12.3 be received as information.

- 12.1 Village of Merrickville-Wolford - Provincially Significant Wetlands Designation
- 12.2 Middlesex London Health Unit - Monthly Board Update
- 12.3 Lower Thames Conservation - Moonlight Winter Family Hike 2020 Media Release

CARRIED

13. COUNTY COUNCIL UPDATE

Deputy Mayor Brennan gave an update on the County Council meeting held on February 18, 2020. For further information on this agenda please visit the [County of Middlesex Website](#)

14. OTHER BUSINESS

None

15. BY-LAWS

Resolution # 2020-052

Moved by: Councillor Silva

Seconded by: Councillor Heffernan

THAT By-Laws 2020-009 through to 2020-012 inclusive be approved, passed and adopted.

- 15.1 By-Law 2020-009 - ZBA-01-2020, Kelly - 13181 Ilderton Road
- 15.2 By-Law 2020-010 - OPA 48, Action Trailers/Shane Thompson - 4766 Egremont Drive
- 15.3 By-Law 2020-011 - ZBA-04-2020, Pfister - 15548 Nine Mile Road
- 15.4 By-Law 2020-012- To adopt and confirm all actions and proceedings of the Council of the Municipality of Middlesex Centre at the Council meeting held on February 19, 2020

CARRIED

16. ADJOURNMENT

Resolution # 2020-053

Moved by: Councillor Silva

Seconded by: Deputy Mayor Brennan

THAT the Council for the Municipality of Middlesex Centre adjourns the February 19, 2020 Regular Council meeting at 7:54 p.m.

CARRIED

Aina DeViet, Mayor

Michael Di Lullo, CAO/ Deputy Clerk