



Middlesex Centre Council Minutes
Regular Meeting of Council

December 14, 2022, 5:00 p.m.
Hybrid Council Meeting (Virtual and In-Person)
10227 Ilderton Road / Virtual
Ilderton, Ontario, N0M 2A0

COUNCIL PRESENT: Mayor DeViet, Deputy Mayor Brennan, Councillor Heffernan, Councillor Shipley, Councillor Aerts, Councillor Berze

REGRETS: Councillor Cates

STAFF PRESENT: Michael Di Lullo - Chief Administrative Officer, 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, James Hutson - Municipal Clerk, Heather Kepran - Communications Specialist, Megan Kamermans - Corporate Records and Planning Services

1. CALL TO ORDER

Mayor DeViet calls the meeting to order at 5:02 p.m.

Members of the public are invited to participate in this meeting of Council by accessing the meeting which will be live-streamed on our Middlesex Centre YouTube channel or by contacting the Municipal Clerk to receive a registration link to join the meeting being held electronically.

Members of the public may also attend the meeting in-person at the Coldstream Community Centre, located at 10227 Ilderton Road, Ilderton, N0M 2A0.

2. LAND ACKNOWLEDGEMENT

The Municipality of Middlesex Centre recognizes that we are gathering on the traditional territory of the Anishinaabe, Haudenosaunee, and Leni-Lunape Peoples. We acknowledge the enduring presence of First Nation, Métis and Inuit

people on this land and are committed to moving forward in the spirit of reconciliation and respect.

3. ADDITIONS TO THE AGENDA

There is (1) addition to the December 14, 2022 Council Agenda, being By-law 2022-114 for a subdivision agreement.

4. DISCLOSURE OF PECUNIARY INTEREST

There are no disclosures of pecuniary interest to note for December 14, 2022.

5. DELEGATIONS, PRESENTATIONS AND PETITIONS

5.1 Operating Budget Presentation (See Item 8.1)

Tiffany Farrell, Director of Corporate Services is in attendance, along with members of the leadership team, to provide an overview of the Capital Budget.

Please see Item 8.1 for the budget booklet and related materials.

6. ADOPTION OF THE MINUTES

6.1 Minutes of the December 7, 2022 Council Meeting

Resolution # 2022-302

Moved by: Councillor Aerts

Seconded by: Councillor Heffernan

THAT the minutes of the Council meeting held on December 7, 2022 be adopted as printed.

CARRIED

7. CONSENT AGENDA

Resolution # 2022-303

Moved by: Councillor Berze

Seconded by: Councillor Heffernan

THAT Consent items 7.1 through 7.2 listed on the December 14, 2022 agenda be adopted as recommended.

CARRIED

7.1 Budget to Actual November 2022

THAT the Budget to Actual Report CPS-49-2022 for November 2022 be received as information.

7.2 Bill 23, More Homes Built Faster Act, 2022

THAT Report CAO-34-2022 re: Bill 23, More Homes Built Faster Act, 2022 be received for information.

8. STAFF REPORTS

8.1 2023 Budget and Draft Booklet

Resolution # 2022-301

Moved by: Deputy Mayor Brennan

Seconded by: Councillor Berze

THAT Report CPS-50-2022, re: 2023 Budget Report and Draft Booklet be received.

CARRIED

8.2 Application for Plan of Condominium Exemption for Timberwalk “Phase 5” – Block 55 (File: 39T-MC-CDM2204); Filed by Sifton Properties Limited

Marion Cabral, County Planner is in attendance to provide an overview of the staff report

Alex Haasen is in attendance on behalf of Sifton Properties to comment on the planning application.

Resolution # 2022-304

Moved by: Councillor Shipley

Seconded by: Councillor Heffernan

THAT Council passes a resolution in support of the requested exemption from the condominium approval process as set out in 9(6) and 9(10) of the Condominium Act for the lands known as “Block 55” within the draft approved Plan of Subdivision (39T-MC1901) and known legally as Concession 10 Pt Lot 26 RP 33R19510 Pt Part 3, Municipality of Middlesex Centre, and that the resolution be forwarded to Middlesex County Council for consideration of the exemption request.

CARRIED

8.3 Application for Zoning By-law Amendment (ZBA-14-2020), filed by NPG Planning Group and Caroline Baker of Baker Planning Group on behalf of Kilworth Heights West Ltd.; Block 231 of 33M-371 at the southeast corner of Glendon Drive and Crestview Drive

Tim Williams, County Planner is in attendance to provide an overview of the staff report.

Caroline Baker is in attendance on behalf of Baker Planning Group to comment on the application.

Jacob Katz is in attendance to comment on the application.

Resolution # 2022-305

Moved by: Councillor Shipley

Seconded by: Deputy Mayor Brennan

THAT Report PLA-80-2022 for the purposes of Zoning By-law Amendment application (ZBA-14-2020), filed by Kilworth Heights West Ltd., to amend the site-specific 'Village Commercial exception 15 with Hold (C1-15)(h-7)' zone for the lands described as Block 231 of Registered Plan of Subdivision 33M-761 in the Municipality of Middlesex Centre, be separated with the request for revision to the zoning by-law to permit standalone residential be DENIED and the requested revisions to zoning to permit the commercial development be APPROVED.

CARRIED

8.4 Application for Zoning By-law Amendment (ZBA-05-2022) for 108 St Clair Avenue; Filed by Craig White on behalf of TTW Properties Inc.

Marion Cabral, County Planner is in attendance to provide an overview of the staff report.

Resolution # 2022-306

Moved by: Councillor Berze

Seconded by: Councillor Heffernan

THAT Zoning By-law Amendment application (ZBA-05-2022), as amended,, filed by TTW Properties Inc., to rezone the lands from 'Institutional' to 'Urban Residential Third Density exception 26 with Hold (UR3-26)(h-3)(h-9)' zone for the land known municipally as 108 St Clair Avenue, Municipality of Middlesex Centre, be APPROVED.

CARRIED

9. PUBLIC SITE PLAN REVIEW

9.1 Site Plan Application – SPA06/2022 – Public Site Plan Review

Dan FitzGerald, County Planner is in attendance to provide an overview of the staff report.

Paul Mylemans is in attendance to comment on the staff report.

Matt Campbell is in attendance on behalf of Zelinka Priamo Ltd. to comment on the staff report.

Resolution # 2022-307

Moved by: Councillor Shipley
Seconded by: Councillor Aerts

THAT Council ADVISE the Approval Authority of the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 50 unit, townhouse development;

AND THAT Council ADVISE the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

CARRIED

9.2 Applications for Plan of Condominium Exemption and Site Plan Review for Clear Skies Phase 3 – Block 62 (File: 39T-MC-CDM2203); Filed by Sifton Properties Limited on behalf of 1960634 Ontario Inc.

Marion Cabral, County Planner is in attendance to provide an overview of the staff report.

Resolution # 2022-308

Moved by: Councillor Berze
Seconded by: Councillor Heffernan

THAT Council passes a resolution in support of the requested exemption from the condominium approval process as set out in 9(6) and 9(10) of the *Condominium Act* for the lands legally described as 33M-820, Block 62, Municipality of Middlesex Centre, and that the resolution be forwarded to Middlesex County Council for consideration of the exemption request;

AND THAT Council ADVISE the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 76 unit, townhouse development;

AND FURTHER THAT Council ADVISE the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

CARRIED

10. COMMITTEE OF ADJUSTMENT

Resolution # 2022-309

Moved by: Councillor Shipley
Seconded by: Councillor Berze

THAT Council adjourn its regular meeting at 7:50 pm in order to sit as a Committee of Adjustment under Section 45 of The Planning Act, 1990, as amended, to consider the Minor Variance applications listed on the December 14, 2022 Council Agenda.

CARRIED

10.1 Application for Minor Variance (File No. A-21/2022)

Dan FitzGerald, County Planner is in attendance to provide an overview of the staff report.

Caroline Baker is in attendance on behalf of Baker Planning Group to comment on the application.

Resolution # 2022-310

Moved by: Councillor Aerts

Seconded by: Councillor Heffernan

THAT Minor Variance Application A-21/2022, filed by Caroline Baker c/o Baker Planning Group, on behalf of Kilworth Heights West Ltd, for relief from the Comprehensive Zoning By-law to define minimum building frontage requirements, provide clarification on the lot lines, and reduce the rear yard setback requirement from 6.0 metres to 3.0 metres, for a lot legally described as Block 231, Plan 33M761, in the Municipality of Middlesex Centre, County of Middlesex, be GRANTED;

AND THAT the reasons for granting Minor Variance Application A-21/2022:

- 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

10.2 Application for Minor Variance (File No. A-23/2022)

Dan FitzGerald, County Planner is in attendance to provide an overview of the staff report.

Paul Hinde is in attendance to comment on the application.

Resolution # 2022-311

Moved by: Councillor Aerts

Seconded by: Councillor Heffernan

THAT Minor Variance Application A-23/2022, filed by Ivan Stimac for relief from the Comprehensive Zoning By-law in order to permit a maximum overall size of 118 square metres (1270 square feet) or 3.6 percent lot coverage, and a height of 6.1 metres for all accessory buildings, for a property legally described as Part of Lot 1, Plan 909, in the Municipality of Middlesex Centre, County of Middlesex, and Municipally known as 15 Elmhurst Street, be DENIED;

AND THAT the reasons for denying Minor Variance A-23/2022 include:

- The request does not comply with the general intent and purpose of Middlesex Centre's Comprehensive Zoning By-law;
- The request is not minor in nature; and
- The request represents inappropriate development on the subject property.

CARRIED

10.3 Application for Minor Variance (File No. A-24/2022)

Dan FitzGerald, County Planner is in attendance to provide an overview of the staff report.

Paul Hinde is in attendance to comment on the application.

Resolution # 2022-312

Moved by: Councillor Berze

Seconded by: Deputy Mayor Brennan

THAT Minor Variance Application A-24/2022, filed by Paul Hinde on behalf of Stoneridge Homes Inc for relief from the Comprehensive Zoning By-law in order to permit a maximum overall size of 118 square metres (1270 square feet) or 3.6 percent lot coverage, and a height of 6.1 metres for all accessory buildings, for a property legally described as Part of Lot 1, Plan 909, in the Municipality of Middlesex Centre, County of Middlesex, and Municipally known as 17 Elmhurst Street, be DENIED;

AND THAT the reasons for denying Minor Variance A-24/2022 include:

- The request does not comply with the general intent and purpose of Middlesex Centre's Comprehensive Zoning By-law;
- The request is not minor in nature; and

- The request represents inappropriate development on the subject property.

CARRIED

11. PUBLIC MEETINGS

Resolution # 2022-313

Moved by: Deputy Mayor Brennan

Seconded by: Councillor Aerts

THAT the Committee of Adjustment adjourn at 8:34 pm and Council resume their regular meeting;

AND THAT Council move into Public Meetings at 8:34 pm pursuant to the Planning Act, R.S.O. 1990, as amended, to consider the applications listed on the December 14, 2022 Council agenda.

CARRIED

11.1 Application for Consent (B-12/2022) and Zoning By-law Amendment (Z-11/2022).

Resolution # 2022-314

Moved by: Councillor Berze

Seconded by: Councillor Shipley

THAT Consent Applications B-12/2022, filed by Wayne Lewis, Lynda White, Nancy White, Steve White, and Patty Munkittrick, in order to sever a 4.33 acre (1.755 hectare) residential land holding from a 48.52 acre (19.64 hectare) agricultural parcel, to facilitate future residential lot creation, with the severed lot having a front of approximately 130 metres (426.5 ft) on Thirteen Mile Road, and an area of approximately 4.33 acres (1.755 hectares), and the retained a frontage of approximately 20 metres (66 feet) along Thirteen Mile Road and an area of approximately 44.5 acres (18.03 hectares), from a property legally described as Part of Lot 17, Concession 13 South, in the Municipality of Middlesex Centre, County of Middlesex; be referred back to staff for further review;

AND THAT the application be brought forward to the January 25, 2023 Council meeting.

CARRIED

12. COUNCIL TO RISE FROM PUBLIC MEETINGS

Resolution # 2022-315

Moved by: Councillor Berze
Seconded by: Councillor Heffernan

THAT the public meetings adjourn at 8:51 pm and Council resume their regular meeting;

CARRIED

13. NOTICE OF MOTION

There are no notices of motion to note for December 14, 2022.

14. CORRESPONDENCE

Resolution # 2022-316

Moved by: Councillor Heffernan
Seconded by: Councillor Aerts

THAT the Correspondence items 14.1 through to 14.4 listed on the December 14, 2022 Council agenda be received as information

CARRIED

14.1 Kettle Creek Conservation Authority - Bill 23

14.2 Middlesex County Office of the Warden - Letter to Minister Clark

14.3 Ministry of Municipal Affairs - Letter to Association of Ontario Municipalities - Response to Bill 23

14.4 Lower Thames Valley Conservation Authority - Submissions on ERO postings 019-6141, 019-6160 and 019-6163

15. COUNTY COUNCIL UPDATE

Deputy Mayor Brennan provides the following update from Middlesex County Council held on December 8, 2022 and December 13, 2022

- Mayor DeViet has been elected Deputy Warden for the upcoming year;
- There continue to be ongoing offload delays for ambulance, forecasting a 10% increase over the next 10 years, with a 9% increase already being seen in the previous year. A request has been made to the Ministry for a 24-hour offload delay nurse.

Please visit the Middlesex County website for full meeting highlights.

16. OTHER BUSINESS

There are no matters of other business to note for December 14, 2022.

17. BY-LAWS

Resolution # 2022-317

Moved by: Councillor Heffernan
Seconded by: Councillor Shipley

THAT By-Laws 2022-111 through to 2022-115, listed on the December 14, 2022 agenda be adopted as printed.

CARRIED

17.1 2022-111

Being a by-law to amend the Middlesex Centre comprehensive Zoning By-law number 2005-005 with respect to Concession 16 W Part Lot 4, Municipality of Middlesex Centre, roll number: 393903401000400 (ZBA-02-2021)

17.2 2022-112

Being a by-law to amend the Middlesex Centre comprehensive Zoning By-law number 2005-005 with respect to PLAN 76 BLK L LOT 14 (geographic Township of Lobo), Municipality of Middlesex Centre, roll number: 393900002014900 (ZBA-05-2022)

17.3 2022-113

Being a by-law to amend the Middlesex Centre comprehensive Zoning By-law number 2005-005 with respect to PLAN 33M761 BLK 231 (geographic Township of Lobo), Municipality of Middlesex Centre, roll number: 393900002028332 (ZBA-14-2020)

17.4 2022-114

Being a by-law to approve and ratify a Subdivision Agreement between 2270942 Ontario Ltd., the “Subdivider” and the Municipality of Middlesex Centre as the “Municipality” for lands described as Part of Lot 6, Concession 2, Township of Lobo, Municipality of Middlesex Centre, County of Middlesex

17.5 2022-115

Being a By-law to adopt and confirm all actions and proceedings of the Council of the Municipality of Middlesex Centre at the Council meeting held on December 14, 2022

18. ADJOURNMENT

Resolution # 2022-318

Moved by: Deputy Mayor Brennan
Seconded by: Councillor Shipley

THAT the Council for the Municipality of Middlesex Centre adjourns the
December 14, 2022 Council meeting at 8:56 p.m.

CARRIED

Aina DeViet, Mayor

James Hutson, Municipal Clerk