



Middlesex Centre Council Minutes
Regular Meeting of Council

March 20, 2024, 5:30 p.m.
Hybrid Council Meeting (Virtual and In-Person)
13168 Ilderton Road / Virtual
Ilderton, Ontario, N0M 2A0

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

STAFF PRESENT: Michael Di Lullo - Chief Administrative Officer, James Hutson - Municipal Clerk, Megan Kamermans - Deputy Clerk, Arnie Marsman - Director of Building Services / Chief Building Official, Colin Toth, Director of Emergency Services / Fire Chief, Scott Mairs - Director of Community Services, Tiffany Farrell - Director of Corporate Services, Marion Cabral - County Planner, Dan Fitzgerald - County Planner

1. CALL TO ORDER

Mayor DeViet calls the meeting to order at 4:32 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 electronically.

Members of the public may also attend the meeting in-person at the Ilderton Community Centre located at 13168 Ilderton Rd, Ilderton, ON N0M 2A0

2. ADDITIONS TO THE AGENDA

There are no Additions to the Agenda to note for the March 20, 2024 council meeting agenda.

3. DISCLOSURE OF PECUNIARY INTEREST

3.1 Councillor Shipley - Application for Minor Variance (File No. A-24/2023)

Employment partnership with applicant (freight transport)

4. DELEGATIONS, PRESENTATIONS AND PETITIONS

There are no Delegation, Presentations or Petitions to note for the March 20, 2024 council meeting.

5. ADOPTION OF THE MINUTES

5.1 Minutes of the March 6, 2024 Council Meeting

Resolution # 2024-073

Moved by: Councillor Berze

Seconded by: Councillor Heffernan

THAT the minutes of the Middlesex Centre Council meeting held on March 6, 2024 be adopted as printed.

CARRIED

6. CONSENT AGENDA

Resolution # 2024-074

Moved by: Councillor Heffernan

Seconded by: Councillor Shipley

THAT Consent items 6.1 through 6.4 listed on the March 20, 2024 agenda be adopted as recommended.

CARRIED

6.1 TVDSB 2023-2024 Accommodation Plan

THAT Report CAO-8-2024, re: TVDSB 2023-2024 Accommodation Plan be received for information.

6.2 Budget to Actual February 2024

THAT the Budget to Actual Report CPS-17-2024 for February 2024 be received as information.

6.3 Award of Hydro Vacuum Replacement

THAT report PWE 05-2024 re: be received;

AND THAT the purchase of 1 (one) new 2024 Hydrospace 1200 roll-off hydro vacuum be awarded to Hazeland Manufacturing in the amount of \$232,572.38 (including municipal portion of nonrefundable HST);

6.4 Arva Dam Safety Review

THAT Council receive for information Report PWE 10-2024, re: Arva Dam Safety Review.

7. STAFF REPORTS

7.1 Strategic Plan Progress Report Year 3

Michael DiLullo, CAO is in attendance to provide an overview of the Strategic Plan Progress Report Year 3.

Resolution # 2024-075

Moved by: Councillor Heffernan

Seconded by: Councillor Cates

THAT Report CAO-7-2024, re: Strategic Plan Progress Report Year 3 be received for information.

CARRIED

7.2 Application for Consent (B-03/2022) and (B-04/2022) – Amended Conditions

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Staff Report.

Resolution # 2024-076

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT Consent Applications B-03/2022 and B-04/2022, filed by Leonard Beeler, Adrian Beeler, and Charlotte Beeler, in order to sever two residential lots from a 2,006 square metre (0.49 ac) residential property, in order to facilitate the construction of a single-detached dwelling on the severed lots, each having a frontage of approximately 17.67 metres (58 feet) along Delaware Street Central, a depth of 35.72 metres (117 feet) and an area of approximately 631 square metres (0.16 acres), and the retained a frontage of approximately 19.5 metres (64 feet), and an area of approximately 698 square metres (0.17 acres), from a property legally described as Lots 11 and 12, Block K, Plan 76, Municipality of Middlesex Centre; be GRANTED;

AND THAT Consent B-03/2022 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years 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 fees 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-03/2022, and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's 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 Owner's 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-03/2022 be paid in full.
7. That the transfers for the subject applications be registered concurrently by the Owner's solicitor.
8. That the owner enter into a Development Agreement with the Municipality, and that the Agreement be registered against the title of the subject land, which addresses among other matters, entrance locations and construction, lot grading and drainage, building envelopes, fire hydrant location, connections to the Municipal water supply and sanitary sewer systems, a financial contribution to the future upgrading of Delaware Street to a full urban standard and a security deposit for 100% of the cost of the works as well as any road reconstruction associated with the development, all to the satisfaction of the Municipality. The Development Agreement shall require the developer to provide a certification from the engineer of record confirming that all works within the road right-of-way, stormwater controls and lot grading have been completed in conformance with municipal standards and in general conformance with the approved design.

9. That upon Condition 8 of Consent B-03/2022 being satisfied, the owner shall install separate water, stormwater and wastewater service connections to the severed parcels of Consent B-03/2022, and that these connections be installed to the satisfaction of the Municipality's Public Works and Engineering Department.
10. That the Owner enter into a cost sharing agreement with the Owner at 115 Huron Ave to pay for the extension of municipal services for the severed lots provisionally approved in Consent applications B-03/2022, B-04/2022, and B- 08/2021, to the satisfaction of the Municipality.
11. That the Owner's engineer shall apply and receive approval for an ECA related to the extension of municipal services associated with Consent applications B-03/2022, B-04/2022, and B- 08/2021, to the satisfaction of the Director of Public Works and Engineering.
12. That the Owner submits a Storm Water Management Report to the satisfaction of the Municipality.
13. That the owner demonstrate that post development runoff from the proposed lots will not exceed the existing conditions. Any infiltration measures or other stormwater controls required shall be installed by the developer to the satisfaction of the Municipality's Public Works and Engineering Department.
14. That the Owner submits a lot grading plan for the severed and retained lands, depicting the suitable building locations, footing/foundation elevations as well as surface grades and swale flow routes, to the satisfaction of the Municipality. The lot grading design shall ensure adjacent lots will not receive increased runoff.
15. That a demolition permit be required for the dwelling at 116 Delaware Street Central, and that the house be removed prior to the issuance of a certificate of consent.
16. That the owner, in consultation with CN Railway, register a noise easement against the title of the severed parcel of Consent B-

03/2022 and that the said easement be to the satisfaction of CN Railway.

17. That the owner pay a \$1100 cash-in-lieu of parkland dedication to the Municipality.
18. That the Owners pay to the Municipality \$8,433 for the purposes of funding 50% of the future road reconstruction costs of Delaware Street to an urban standard along the frontage of the severed lot of Consent B-03/2022, inclusive of curbs, sidewalks and road reconstruction.

AND THAT Consent B-04/2022 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years 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 fees 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-04/2022, and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's 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 Owner's 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-04/2022 be paid in full.
7. That the transfers for the subject applications be registered concurrently by the Owner's solicitor.
8. That the owner enter into a Development Agreement with the Municipality, and that the Agreement be registered against the title of the subject land, which addresses among other matters, entrance locations and construction, lot grading and drainage, building envelopes, fire hydrant location, connections to the Municipal water supply and sanitary sewer systems, a financial contribution to the future upgrading of Delaware Street to a full urban standard and a security deposit for 100% of the cost of the works as well as any road reconstruction associated with the development, all to the satisfaction of the Municipality. The Development Agreement shall require the developer to provide a certification from the engineer of record confirming that all works within the road right-of-way, stormwater controls and lot grading have been completed in conformance with municipal standards and in general conformance with the approved design.
9. That upon Condition 8 of Consent B-04/2022 being satisfied, the owner shall install separate water, stormwater and wastewater service connections to the severed parcels of Consent B-04/2022, and that these connections be installed to the satisfaction of the Municipality's Public Works and Engineering Department.
10. That the Owner enter into a cost sharing agreement with the Owner at 115 Huron Ave to pay for the extension of municipal services for the severed lots provisionally approved in Consent applications B-03/2022, B-04/2022, and B- 08/2021, to the satisfaction of the Municipality.
11. That the Owner's engineer shall apply and receive approval for an ECA related to the extension of municipal services associated with Consent applications B-03/2022, B-04/2022, and B- 08/2021, to the satisfaction of the Director of Public Works and Engineering.

12. That the Owner submits a Storm Water Management Report to the satisfaction of the Municipality.
13. That the owner demonstrate that post development runoff from the proposed lots will not exceed the existing conditions. Any infiltration measures or other stormwater controls required shall be installed by the developer to the satisfaction of the Municipality's Public Works and Engineering Department.
14. That the Owner submits a lot grading plan for the severed and retained lands, depicting the suitable building locations, footing/foundation elevations as well as surface grades and swale flow routes, to the satisfaction of the Municipality. The lot grading design shall ensure adjacent lots will not receive increased runoff.
15. That the owner, in consultation with CN Railway, register a noise easement against the title of the severed parcel of Consent B-04/2022 and that the said easement be to the satisfaction of CN Railway.
16. That the owner pay a \$1100 cash-in-lieu of parkland dedication to the Municipality.
17. That the Owners pay to the Municipality \$8,433 for the purposes of funding 50% of the future road reconstruction costs of Delaware Street to an urban standard along the frontage of the severed lot of Consent B-04/2022, inclusive of curbs, sidewalks and road reconstruction.

AND FURTHER THAT the reasons for granting Consent application B-03/2022 and B-04/2022 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
- Subject to the conditions, the proposal complies with the Middlesex Centre Comprehensive Zoning By-law.

CARRIED

8. COMMITTEE OF ADJUSTMENT

Resolution # 2024-077

Moved by: Councillor Cates

Seconded by: Councillor Berze

THAT Council adjourn its regular meeting at 5:39 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 March 20, 2024 Council Agenda.

CARRIED

8.1 Minor Variance Application A-4/2024, 103 Wellington Street

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Planning Report.

Daryl Diegel, is in attendance on behalf of the applicant to comment on the application.

Sandra Congdon, is in attendance on behalf of the agent to provide comments on the application.

Resolution # 2024-078

Moved by: Councillor Berze

Seconded by: Councillor Shipley

THAT Minor Variance Application A-4/2024, filed by Ben Hyland c/o SBM Ltd. on behalf of London District Catholic School Board, for relief from the Comprehensive Zoning By-law to permit a reduced minimum parking requirement of 49 parking stalls for an institutional use for a property legally described as Part of Park Lot 13, Plan 47, Parts 1 & 2 and Part of Part 3 on Reference Plan 34R17494, in the Municipality of Middlesex Centre, County of Middlesex and is municipally known as 103 Wellington Street, be GRANTED.

AND THAT the reasons for granting Minor Variance Application A-3/2024:

- 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

8.2 Minor Variance Application A-5/2024, 1830 Gainsborough Road

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Planning Report.

William Pol is in attendance on behalf of the applicant to comment on the application.

Madeline Wilson is in attendance virtually to comment on the application.

Mike Prince is in attendance to comment on the application.

Anna Wilson is in attendance to comment on the application.

Ken Hurrell is in attendance to comment on the application.

Z Molinari is in attendance to comment on the application.

Brad Armitage is in attendance to comment on the application.

Chris Banman is in attendance to comment on the application.

Resolution # 2024-079

Moved by: Councillor Heffernan

Seconded by: Deputy Mayor Brennan

THAT Minor Variance Application A-5/2024, filed by William Pol on behalf of Dekay Holdings Inc, to permit a motor vehicle service establishment in association with a farm vehicle sales and service establishment for a property legally described as Part of Lot 31, Concession 3, in the Municipality of Middlesex Centre, County of Middlesex, and is municipally known as 1830 Gainsborough Road, be GRANTED, subject to the following conditions:

THAT the motor vehicle service establishment use shall only permit servicing of vehicles onsite specific to under-coating, and that no other servicing be permitted,

AND THAT the owner enter into a site plan agreement for the intensification of use of the property,

AND FURTHER THAT the reasons for granting Minor Variance Application A-5/2024 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

8.3 Application for Minor Variance (File No. A-24/2023)

Councillor Shipley declared a conflict on this item. (Employment partnership with applicant (freight transport))

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Planning Report.

Steve Flanigan, the applicant, is in attendance to comment on the application.

Wendy Lenders is in attendance to comment on the application.

Tyler Buckland is in attendance to comment on the application.

Resolution # 2024-080

Moved by: Deputy Mayor Brennan

Seconded by: Councillor Cates

THAT Minor Variance Application A-24/2023, filed by Steve Flanigan for relief from the Comprehensive Zoning By-law in order to permit an accessory building in the front yard, and permit an overall maximum size of 162.6 square metres, for a property legally described as Part of Lot 16, Concession 7, in the Municipality of Middlesex Centre, County of Middlesex, and municipally known as 24089 Bear Creek Road, be GRANTED, subject to the following conditions:

THAT the accessory building be located in the same general location as shown on the plans;

AND THAT the accessory building be setback a minimum of 10 metres from the north interior side yard;

AND THAT the accessory building shall only be used for such uses as permitted in the Zoning By-law;

AND FURTHER THAT the reasons for granting Minor Variance Application A-24/2023:

- 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

8.4 Application for Minor Variance (File No. A-1/2024)

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Planning Report.

Resolution # 2024-081

Moved by: Councillor Berze

Seconded by: Councillor Heffernan

THAT Minor Variance Application A-14/2023, filed by Luke Oslizlo for relief from the Comprehensive Zoning By-law in order to establish a maximum size of 142.69 square metres (1,535.9 ft²) for all accessory buildings, permit the construction in the front yard, and increase the maximum permitted height to 7.6 metres, for a property legally described as P Part of Lot 28, Concession 15 South, in the Municipality of Middlesex Centre, County of Middlesex, and is municipally known as 23830 Denfield Road, be DENIED;

AND THAT the reasons for denying Minor Variance Application A-1/2024 include the following:

- The request complies with the general intent and purpose of Middlesex Centre’s Official Plan;
- 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 is not considered appropriate development on the subject property.

CARRIED

8.5 Application for Minor Variance (File No. A-3/2024)

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Planning Report.

James Kok, the applicant is in attendance to answer questions from council.

Resolution # 2024-082

Moved by: Councillor Shipley

Seconded by: Councillor Aerts

THAT Minor Variance Application A-3/2024, filed by Nathan Siemon on behalf of James Kok, for relief from the Comprehensive Zoning By-law in order to establish a maximum height for an accessory building of 9.7 metres for a property legally described as Part of Lot 7, Concession D, Part 2 on Reference Plan 33R1143, in the Municipality of Middlesex Centre, County of Middlesex and is municipally known as 11484 Miller Road, be GRANTED, subject to the following conditions:

THAT the accessory building be located in the same general location as shown on the attached drawings.

AND THAT the reasons for granting Minor Variance Application A-3/2024:

- 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

9. PUBLIC MEETINGS

Resolution # 2024-083

Moved by: Councillor Cates

Seconded by: Councillor Berze

THAT the Committee of Adjustment adjourn at 7:13 pm and Council resume their regular meeting;

AND THAT Council move into Public Meetings at 7:14 pm pursuant to the Planning Act, R.S.O. 1990, as amended, to consider the applications listed on the March 20, 2024 Council agenda.

9.1 Consent Application (B-2/2024); 24538 New Ontario Road

Dan Fitzgerald, County Planner, is in attendance to provide an overview of the Planning Report.

Rina Vandenheuvel the agent is in attendance to provide comments on the application.

Resolution # 2024-084

Moved by: Councillor Shipley

Seconded by: Councillor Berze

THAT Consent Application B-2/2024, filed by Rina Vandenheuvel on behalf of Hillbro Farms Ltd in order to sever a residence surplus to a farm operation as a result of consolidation, from a lot legally described as Part of Lot 21, Concession 9 North, in the Municipality of Middlesex Centre, County of Middlesex, and is municipally known as 24538 New Ontario Road, be GRANTED;

AND THAT Consent B-2/2024 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years 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 met.
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-2/2024 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's 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 Owner's 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 the Owner enter into a severance agreement with the Municipality in order to advise future owner of the severed lot of Consent B-2/2024 of normal farm practices occurring in the area as

outlined in the Farming and Food Production Protection Act, 1998, as amended.

7. That any outstanding property taxes for the severed and retained lots of Consent B-2/2024 be paid in full.
8. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
9. That the Owner provide confirmation that the private sewage disposal system that services the residence on the severed lot of Consent B-2/2024 is wholly contained on the said lot and that a 100% contingency area exists, to the satisfaction of the Municipality.
10. That the Owner either be required to drill a new well on the lands to be severed, or confirm its location will be wholly contained on the said lot, to the satisfaction of the Municipality.
11. That the severed and retained land requires their own entrance and address; and any laneway connecting the retained and severed land shall be altered in such a way that one cannot travel from one parcel of land to the other.
12. That the hydro service for the severed lands be fully within the boundary of the proposed severed lot.
13. That the owner complete a Development Assessment Report to identify both natural hazards and natural heritage features associated with the severed and retained lands. Findings of the report shall be incorporated into a Zoning By-law Amendment which may include limiting any future development or expansion of existing development on the severed lands.
14. That a Zoning By-law Amendment that recognizes the residential use of the severed lot and includes any require limitations for development, and prohibits any additional residential use on the retained lot of Consent B-2/2024 be in full force and effect.

AND FURTHER THAT the reasons for granting Consent Application B-2/2024 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
- Subject to the conditions, the proposal would comply with the Middlesex Centre Comprehensive Zoning By-law.

9.2 Consent Applications (B-24/2023, B-25/2023, B-26/2023) and Zoning By-law Amendment Application (ZBA-16-2023), 10181, 10207, 10215 and 10247 Ivan Drive

Marion Cabral, County Planner, is in attendance to provide an overview of the Planning Report.

Matt Litwinchuk is in attendance virtually on behalf of the agent to provide comment on the application.

Grant McComb is in attendance to provide comment on the application.

Resolution # 2024-085

Moved by: Deputy Mayor Brennan

Seconded by: Councillor Berze

THAT Consent Application B-24/2023, filed by Zelinka Priamo Ltd on behalf of Cole Estate Farms Inc., in order to sever a residence surplus to a farm operation as a result of consolidation, from a lot legally described as Concession 7 N Part of Lot 7, in the Municipality of Middlesex Centre, County of Middlesex, and municipally known as 10181 Ivan Drive; be GRANTED subject to conditions.

AND THAT Consent B-24/2023 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years 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 met.
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-24/2023 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's 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 Owner's 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 the Owner enter into a severance agreement with the Municipality in order to advise future owner of the severed lot of Consent B-24/2023 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.
7. That any outstanding property taxes for the severed and retained lots of Consent B-24/2023 be paid in full.
8. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
9. That a Zoning By-law Amendment that recognizes the residential use of the severed lot and prohibits any additional residential use on the retained lot of Consent B-24/2023 be in full force and effect.
10. That the Owner provide confirmation that the private sewage disposal system that services the residence on the severed lot of Consent B-24/2023 is wholly contained on the said lot and that a 100% contingency area exists, to the satisfaction of the Municipality.
11. That the severed land requires its own entrance, address and any laneway connecting the retained and severed land shall be altered in such a way that one cannot travel from one parcel of land to the other.
12. That the hydro service for the severed lands be fully within the boundary of the proposed severed lot.
13. That an address be assigned and number erected for the retained agricultural parcel.

AND THAT Consent Application B-25/2023, filed by Zelinka Priamo Ltd on behalf of Cole Estate Farms Inc., in order to sever a residence surplus to a farm operation as a result of consolidation, from a lot legally described as Concession 7 N Part of Lot 7, in the Municipality of Middlesex Centre, County of Middlesex, and municipally known as 10207 Ivan Drive; be GRANTED subject to conditions:

AND THAT Consent B-25/2023 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years 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 met.
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-25/2023 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's 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 Owner's 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 the Owner enter into a severance agreement with the Municipality in order to advise future owner of the severed lot of Consent B-25/2023 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.
7. That any outstanding property taxes for the severed and retained lots of Consent B-25/2023 be paid in full.
8. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
9. That a Zoning By-law Amendment that recognizes the residential use of the severed lot and prohibits any additional residential use on the retained lot of Consent B-25/2023 be in full force and effect.
10. That the Owner provide confirmation that the private sewage disposal system that services the residence on the severed lot of Consent B-25/2023 is wholly contained on the said lot and that a 100% contingency area exists, to the satisfaction of the Municipality.
11. That the severed land requires its own entrance, address and any laneway connecting the retained and severed land shall be altered in such a way that one cannot travel from one parcel of land to the other.
12. That the hydro service for the severed lands be fully within the boundary of the proposed severed lot.
13. That an address be assigned and number erected for the retained agricultural parcel.
14. That individual water service be provided for 10207 Ivan Drive, and that the connection to the shared well adjacent to 10215 Ivan Drive be disconnected.

AND THAT Consent Application B-26/2023, filed by Zelinka Priamo Ltd on behalf of Cole Estate Farms Inc., in order to sever a residence surplus to a farm operation as a result of consolidation, from a lot legally described as Concession 7 N Part of Lot 7, in the Municipality of Middlesex Centre, County of Middlesex, and municipally known as 10215 Ivan Drive; be GRANTED subject to conditions:

AND THAT Consent B-26/2023 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years 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 met.
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-26/2023 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's 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 Owner's 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 the Owner enter into a severance agreement with the Municipality in order to advise future owner of the severed lot of Consent B-26/2023 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.
7. That any outstanding property taxes for the severed and retained lots of Consent B-26/2023 be paid in full.
8. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
9. That a Zoning By-law Amendment that recognizes the residential use of the severed lot and prohibits any additional residential use on the retained lot of Consent B-26/2023 be in full force and effect.
10. That the Owner provide confirmation that the private sewage disposal system that services the residence on the severed lot of

Consent B-26/2023 is wholly contained on the said lot and that a 100% contingency area exists, to the satisfaction of the Municipality.

11. That the severed land requires its own entrance, address and any laneway connecting the retained and severed land shall be altered in such a way that one cannot travel from one parcel of land to the other.
12. That the hydro service for the severed lands be fully within the boundary of the proposed severed lot.
13. That an address be assigned and number erected for the retained agricultural parcel.
14. That the water service connection for 10207 Ivan Drive from the well servicing 10215 Ivan Drive be disconnected.

AND THAT the reasons for granting Consent Applications B-24/2023, B-25/2023 and B-26-2023 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
- Subject to the conditions, the proposal would comply with the Middlesex Centre Comprehensive Zoning By-law.

AND FURTHER THAT Zoning By-law Amendment ZBA-16-2023, filed by Zelinka Priamo Ltd on behalf of Cole Estate Farms Inc., to rezone the property known as 10247 Ivan Drive from 'Agricultural (A1) Zone' to 'Agricultural exception 50 (A1-50) Zone' and 'Surplus Residence exception 12 (SR-12) Zone', be APPROVED, and that the implementing By-law be forwarded to Council for consideration once a deposited reference plan has been provided to the satisfaction of the Municipality.

CARRIED

10. COUNCIL TO RISE FROM PUBLIC MEETINGS

Resolution # 2024-086

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT the public meetings adjourn at 7:32 pm and Council resume their regular meeting;

CARRIED

11. NOTICE OF MOTION

There are no Notices of Motion to note for the March 20, 2024 council meeting.

12. CORRESPONDENCE

Resolution # 2024-087

Moved by: Councillor Berze

Seconded by: Deputy Mayor Brennan

THAT the Correspondence items 12.1 through to 12.7 be received as information.

CARRIED

12.1 Correspondence - Application for Minor Variance (A-05-2024) - Wilson

12.2 Correspondence - Application for Minor Variance (A-05-2024) - Nicholson

12.3 Municipal Engineers Association - 2024 Bursary Awards Program

12.4 Upper Thames River Conservation Authority - Legislative and Regulatory Changes

12.5 Thames Valley District School Board - Accommodation Plan 2023-2024

12.6 Middlesex County - Ontario Land Tribunal Decision, February 20, 2024

12.7 Request for Recognition - World Press Freedom Day - May 3, 2024

13. COUNTY COUNCIL UPDATE

Deputy Mayor Brennan provides an overview of the Middlesex County Council meeting held on March 12, 2024.

Please visit the Middlesex County website for full meeting minutes and highlights.

14. OTHER BUSINESS

There is no Other Business to note for the March 20, 2024 council meeting.

15. BY-LAWS

Resolution # 2024-088

Moved by: Councillor Heffernan

Seconded by: Councillor Aerts

THAT By-Law 2024-022 be adopted as printed.

AND THAT Council confirms By-laws 2024-019 and 2024-020 in accordance with the OLT decision on lead case number OLT-23-000163

CARRIED

15.1 2024-019

Being a By-Law to adopt Amendment No. 57 to the Official Plan of Middlesex Centre

Approved as per Local Planning Appeal Tribunal Case No. OLT-23-000163

15.2 2024-020

Being a by-law to amend the Middlesex Centre comprehensive Zoning By-law 2005-005 with respect to Concession 1 S Part Lot 10, Concession 1 Part Lot 10 RP 33R12238 Part 1, Municipality of Middlesex Centre (geographic Township of Lobo), Middlesex County, roll numbers: 393900001023400, 393900001023500, 393900001023600

Approved as per Local Planning Appeal Tribunal Case No. OLT-23-000163

15.3 2024-022

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 March 20, 2024

16. CLOSED SESSION

Resolution # 2024-070

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT the Council for the Municipality of Middlesex Centre adjourn to closed session at 4:33 p.m. pursuant to Section 239 (2) of the Municipal Act, 2001, as amended to discuss the following matters:

Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board (Potential Property Acquisition - Ward 1 and Potential Property Disposition - Ward 2)

CARRIED

16.1 CALL TO ORDER

16.2 DISCLOSURE OF PECUNIARY INTEREST

16.3 ADOPTION OF MINUTES

16.3.1 Minutes of the March 6, 2024 Closed Session

16.4 CLOSED SESSION ITEMS

16.4.1 Potential Property Acquisition - Ward 1

16.4.2 Potential Property Disposition - Ward 2

16.5 ADJOURNMENT

Resolution # 2024-072

Moved by: Councillor Berze

Seconded by: Councillor Cates

THAT Council rise from closed session and return to open session at 5:06 p.m.

CARRIED

During the closed session Council received an update regarding a potential property acquisition in Ward 1 as well as a potential property disposition in Ward 2 and provided direction to staff.

17. ADJOURNMENT

Resolution # 2024-089

THAT the Council for the Municipality of Middlesex Centre adjourns the March 20, 2024 Council meeting at 7:37 p.m.

Aina DeViet, Mayor

James Hutson, Municipal Clerk