



Middlesex Centre Council Minutes
Regular Meeting of Council

April 17, 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: 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, Rob Cascaden - Director of Public Works and Engineering, 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 5:32 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 April 17, 2024 meeting of council.

3. DISCLOSURE OF PECUNIARY INTEREST

There are no Disclosures of Pecuniary Interest to note for the April 17, 2024 meeting of council.

4. DELEGATIONS, PRESENTATIONS AND PETITIONS

4.1 Nixon Stokes Municipal Drain Consideration of Report

Mike Devos of Spriet Associates is in attendance to provide an overview of the Engineer's Report.

Resolution # 2024-105

Moved by: Councillor Shipley

Seconded by: Councillor Cates

THAT the Council for the Municipality of Middlesex Centre receives the Nixon-Stokes Municipal Drain Report from Spriet Associates and authorizes that the project proceed;

AND THAT the Court of Revision will meet on May 22, 2024;

AND FURTHER THAT Councillor Heffernan, Councillor Shipley and Deputy Mayor Brennan be appointed to sit as the members of the Court of Revision with Deputy Mayor Brennan being the Chair.

CARRIED

5. ADOPTION OF THE MINUTES

Resolution # 2024-106

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT the minutes of the Council meeting held on April 3, 2024 and the minutes of the Special council meeting held on April 10, 2024 be adopted as printed.

CARRIED

5.1 Minutes of the April 3, 2024 Council meeting

5.2 Minutes of the April 10, 2024 Special Council meeting

6. CONSENT AGENDA

Resolution # 2024-107

Moved by: Councillor Heffernan

Seconded by: Councillor Aerts

THAT Consent items 6.1 through 6.6 listed on the April 17, 2024 agenda be adopted as recommended.

6.1 2024 Community Improvement Plan Applications

THAT Report CMS-03-2024 re: 2024 Community Improvement Plan Applications be received;

AND THAT Council approves the recommendations of the Community Improvement Plan Evaluation Committee for the following projects to be approved from the Build Middlesex Centre Fund:

- 80's Pizza Grill – Total estimated Façade and Signage Improvement costs of \$5,925 be approved for a municipal contribution of \$2,962.50;
- Active Chiropractic – Total estimated Façade and Signage Improvement costs of \$4,425 be approved for a municipal contribution of \$2,212.50;
- Cambridge Environmental - Total estimated Façade and Signage Improvement costs of \$1,754.80 be approved for a municipal contribution of \$877.40;
- Fringe Hair Spa - Total estimated Façade and Signage Improvement costs of \$3,761.92 be approved for a municipal contribution of \$1,880.96;
- Kilworth Storage - Total estimated 'Energy Efficiency & Retrofit Grant' costs of \$249,795.32 be approved for a municipal contribution of \$7,500.00 pending an approved site plan and project completion in 2024;
- Melville Church - Total estimated 'Energy Efficiency & Retrofit Grant' costs of \$9,952.38 be approved for a municipal contribution of \$4,976.19 pending the doors are confirmed to be Energy Star rated;
- SARI - Total estimated 'Modifications to Improve Accessibility' costs of \$2,712.00 be approved for a municipal contribution of \$1,356.00;
- Trish Major - Total estimated Façade and Signage Improvement costs of \$2,978.56 be approved for a municipal contribution of \$1,489.28;
- Urbshott Insurance - Total estimated Façade and Signage Improvement costs of \$5,350.00 be approved for a municipal contribution of \$2,675.00;

- Vinters of Kilworth - Total estimated Façade and Signage Improvement costs of \$4173.00 be approved for a municipal contribution of \$2,086.50; and
- Larry Ducharme (Floral Temptations) - Total estimated Façade and Signage Improvement costs of \$6,100.00 be approved for a municipal contribution of \$3,050.00.

6.2 Budget to Actual March 2024

THAT the Budget to Actual report CPS-23-2024 for March 2024 be received as information.

6.3 Request to Remove Holding Symbol (h-2) from 4836 Egremont Drive; Filed by Spriet Associates (c/o Mary Hirsch) on behalf of Proskairos Inc.

THAT the request by Spriet Associates on behalf of Proskairos Inc. to remove the (h-2) Holding symbol from the zoning of the land known as 4836 Egremont Drive, Middlesex Centre, be APPROVED.

6.4 Purchase of Emergency Services Support and Response Vehicle

THAT Report PWE 13-2024, re: Purchase of Used Emergency Services Support and Response Vehicle be received;

AND THAT the purchase of a used support and response vehicle for emergency services be awarded to Enterprise Holdings Inc. in the amount of \$66,157.00 (including the nonrefundable portion of HST).

6.5 2024 Sidewalk Program

THAT Report PWE-14-2024, re: 2024 Sidewalk Program be received;

AND THAT Council endorse the 2024 Sidewalk Program.

6.6 2023 Speed Radar Results

THAT Report PWE-15-2024, re: 2023 Speed Radar Results be received as information;

7. STAFF REPORTS

7.1 2024 Vision Zero Campaign

Rob Cascaden, Director of Public Works and Engineering is in attendance to provide an overview of the Staff Report.

Resolution # 2024-108

Moved by: Councillor Cates

Seconded by: Councillor Heffernan

THAT Report PWE 18-2024, re: 2024 Vision Zero Campaign be received;

AND THAT Council endorse the continuation of the Vision Zero Campaign for 2024.

CARRIED

7.2 Applications for Draft Plan of Subdivision (39T-MC2101), Official Plan Amendment (OPA 54), and Zoning By-law Amendment (ZBA-08-2021) for 21488 Highbury Avenue North; Filed by Ballymote Developments Inc.

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

Michelle Doornbosch, the applicant is in attendance virtually to comment on the application.

Resolution # 2024-109

Moved by: Councillor Berze

Seconded by: Councillor Cates

THAT Official Plan Amendment No. 54 (OPA 54) for the land legally described as Concession 6 N Pt Lot 8 (former Township of London) Municipality of Middlesex Centre, and known municipally as 21488 Highbury Avenue North, be ADOPTED and forwarded to the County of Middlesex for consideration of approval;

AND THAT the Zoning By-law Amendment application (ZBA-08-2021), to rezone the subject property from the 'Agriculture (A1)' to 'Hamlet Residential First Density (HR1)' for the land legally described as Concession 6 N Pt Lot 8 (former Township of London) Municipality of Middlesex Centre, and known municipally as 21488 Highbury Avenue North, be DENIED;

AND FURTHER THAT the County of Middlesex be advised that Middlesex Centre recommends draft plan approval for the land known legally as Concession 6 N Pt Lot 8 (former Township of London) Municipality of Middlesex Centre, and known municipally as 21488 Highbury Avenue North, County File No. 39T-MC2101, subject to the draft plan conditions appended to the Middlesex Centre report PLA-19-2024, and subject to a three (3) year lapse period.

CARRIED

8. COMMITTEE OF ADJUSTMENT

Resolution # 2024-110

Moved by: Councillor Shipley

Seconded by: Councillor Heffernan

THAT Council adjourn its regular meeting at 6:00 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 application listed on the April 17, 2024 Council Agenda.

CARRIED

8.1 Application for Minor Variance (File No. A-2/2024)

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

Alex Hassen is in attendance on behalf of the applicant to comment on the application.

Resolution # 2024-111

Moved by: Councillor Cates

Seconded by: Councillor Berze

THAT Minor Variance Application A-2/2024, filed by Sifton Properties Limited for relief from the Comprehensive Zoning By-law in order to establish a Minimum Exterior Side Yard Setback to a public road of 3.0 m and a Maximum Density of 37 UPH, for a property legally described as Block 56 of 33M-836, in the Municipality of Middlesex Centre, County of Middlesex, be **DENIED**.

CARRIED

9. PUBLIC MEETINGS

Resolution # 2024-112

Moved by: Councillor Cates

Seconded by: Councillor Berze

THAT the Committee of Adjustment adjourn at 6:17 pm and Council resume their regular meeting;

AND THAT Council move into Public Meetings at 6:17 pm pursuant to the Planning Act, R.S.O. 1990, as amended, to consider the application listed on the April 17, 2024 Council agenda.

CARRIED

9.1 Consent Application (B-3/2024), 23712 Adelaide Street

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

Stewart Findlater, the agent is in attendance virtually to comment on the application.

Resolution # 2024-113

Moved by: Deputy Mayor Brennan

Seconded by: Councillor Cates

THAT Consent Application B-3/2024, filed by Stewart Findlater on behalf of John Dekort, in order to sever a residence surplus to a farm operation as a result of consolidation, from a lot legally described as Concession 14 N Pt Lot 12, in the Municipality of Middlesex Centre, County of Middlesex, and municipally known as 23712 Adelaide Street; be GRANTED subject to conditions.

AND THAT Consent B-3/2024 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-3/2024 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-3/2024 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-3/2024 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 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-3/2024 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-3/2024 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 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.
14. That an address be assigned and number erected for the retained agricultural parcel.
15. That no livestock shall be maintained on the severed lands and that Owner demonstrate that the existing accessory building does not contain any stalls or pens, to the satisfaction of the Chief Building Official.

AND FURTHER THAT the reasons for granting Consent Application B-3/2024 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.

CARRIED

10. COUNCIL TO RISE FROM PUBLIC MEETINGS

Resolution # 2024-114

Moved by: Councillor Cates

Seconded by: Deputy Mayor Brennan

THAT the public meetings adjourn at 6:26 pm and Council resume their regular meeting;

CARRIED

11. NOTICE OF MOTION

There are no Notices of Motion to note for the April 17, 2024 council meeting.

12. CORRESPONDENCE

Resolution # 2024-115

Moved by: Councillor Berze

Seconded by: Councillor Shipley

THAT the Correspondence items 12.1 through to 12.14 listed on the April 17, 2024 meeting agenda be received as information.

CARRIED

12.1 Association of Municipalities of Ontario - Bill 185, Cutting Red Tape to Build More Homes Act, 2024

12.2 Association of Municipalities of Ontario - New Federal Infrastructure & Housing Items in Upcoming 2024 Budget

12.3 Canadian National (CN) - Annual Vegetation Management Program

12.4 Lower Thames Valley Conservation Area 2024 Budget

12.5 Middlesex Centre Archives - Annual Report 2023

12.6 Ontario Small Urban Municipalities - 2024 Conference

12.7 Andrew Stinson - A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.8 Bill Masse - A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.9 Jessica Fricke -A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.10 John and Tina Renaud - A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.11 Kim Cash - A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.12 Leah Bacon - A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.13 Lynn Goudeseune - A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

12.14 Michael Barton -MD1 Development Consulting Inc. -A-02-2024 - Timberwalk Trail, Plan 33M-386 Block 56

13. COUNTY COUNCIL UPDATE

Deputy Mayor Brennan provides an overview of the Middlesex County Council meeting held on April 9, 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 April 17, 2024 council meeting.

15. BY-LAWS

Resolution # 2024-116

Moved by: Councillor Aerts
Seconded by: Councillor Cates

THAT By-Laws 2024-031 through 2024-032 and 2024-034 through 2024-037 listed on the April 17, 2024 Council agenda be approved.

AND THAT Council confirms By-law 2024-033 in accordance with the OLT decision on lead case number OLT-22-004319

CARRIED

15.1 2024-031

Being a by-law of the Corporation of the Municipality of Middlesex Centre to provide for a drainage works to be known as the Nixon Stokes Municipal Drain

15.2 2024-032

Being a By-law of the Corporation of the Municipality of Middlesex Centre to raise money to aid in the construction of drainage works under the Tile Drainage Act R.S.O. 1990

15.3 2024-033

Being a by-law of the Corporation of the Municipality of Middlesex Centre to amend the Middlesex Centre Comprehensive Zoning By-Law 2005-005 with respect to Part of Lots 7 and 8, Concession 1, Part of Lot 7, Broken Front Concession (geographic Township of Lobo), Municipality of Middlesex Centre, Roll number: 393900002002500

15.4 2024-034

Being a by-law of the Corporation of the Municipality of Middlesex Centre to amend the Middlesex Centre comprehensive Zoning By-law number 2005-005 with respect to Concession 10 S Pt Lot 1 RP 33R9495 Part 1 (geographic Township of Lobo), Municipality of Middlesex Centre, roll number: 393900003017510

15.5 2024-035

Being a By-law of the Corporation of the Municipality of Middlesex Centre to dedicate for roads purposes lands described as Part Lot 18, Block 0, Plan 76, Designated as Part 3 on Plan 33R-21324, Municipality of Middlesex Centre being PIN 09662-0064 (LT)

15.6 2024-036

Being a By-Law of the Corporation of the Municipality of Middlesex Centre to adopt Amendment No. 54 to the Official Plan of Middlesex Centre

15.7 2024-037

Being a By-law of the Corporation of the Municipality of Middlesex Centre to adopt and confirm all actions and proceedings of the Council of the Municipality of Middlesex Centre at the Council meeting held on April 17, 2024

16. ADJOURNMENT

Resolution # 2024-117

Moved by: Councillor Aerts
Seconded by: Councillor Shipley

THAT the Council for the Municipality of Middlesex Centre adjourns the April 17, 2024 Council meeting at 6:31 p.m.

CARRIED

Aina DeViet, Mayor

James Hutson, Municipal Clerk