



Middlesex Centre Council Minutes
Regular Meeting of Council

December 18, 2024, 5:00 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 Shipley, Councillor Aerts, Councillor Cates, Councillor Berze, Councillor Jean Coles

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, Tiffany Farrell - Director of Corporate Services, Marion Cabral - County Planner, Dan Fitzgerald - County Planner, Sophie Baysarowich, Communications & Legislative Services, Stephanie Bergman - Manager of Planning and Development, Rob Cascaden - Director of Public Works and Engineering, Aubrey Jongsma - Asset Management Coordinator

1. CALL TO ORDER

Mayor DeViet calls the meeting to order at 5:00 p.m. Members of the public are invited to participate in this meeting of Council by attending the meeting in-person at the Ilderton Community Centre located at 13168 Ilderton Rd, Ilderton, ON N0M 2A0.

Members of the public may also access 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 wishing to appear as a delegation can register for the meeting by visiting middlesexcentre.ca/participating-council-meetings or by contacting the Municipal Clerk at (519) 666-0190 by 4:30 p.m. on the Monday of the week of the scheduled meeting. All requests to delegate are subject to the provisions of the Middlesex Centre Procedure By-law.

Members of the public can choose to delegate in-person or by electronic participation. Accessible formats and communication supports are available upon request

2. ADDITIONS TO THE AGENDA

The following items have been added to the December 18, 2024 agenda:

Agenda Item 9.4 - Added condition to Consent file no. B-17-2024

THAT the Owner will be required to dedicate lands up to 13 m from the centerline of construction of Hyde Park Road across the retained parcel to the Municipality of Middlesex Centre for the purposes of road widening if the right-of-way is not already to that width.

Agenda Item 4.4.3 - Additional Closed Session Item

Section 239 (2)(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them (Housing Accelerator Fund Application Update)

3. DISCLOSURE OF PECUNIARY INTEREST

There are no Disclosures of Pecuniary Interest to note for the December 18, 2024 council meeting.

4. CLOSED SESSION

Resolution # 2024-335

Moved by: Councillor Cates

Seconded by: Councillor Berze

THAT the Council for the Municipality of Middlesex Centre adjourn to closed session at 5:01 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 (Proposed Acquisition - Property in Ward 4);

Section 239 (2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Legal Advice - Development Matter in Ward 4);

Section 239 (2)(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them (Housing Accelerator Fund Application Update).

CARRIED

4.1 CALL TO ORDER

4.2 DISCLOSURE OF PECUNIARY INTEREST

4.3 ADOPTION OF MINUTES

4.3.1 Minutes of the December 4, 2024 closed session

4.4 CLOSED SESSION ITEMS

4.4.1 Proposed Acquisition - Property in Ward 4

4.4.2 Legal Advice - Development Matter in Ward 4

4.4.3 Housing Accelerator Fund Application Update

4.5 ADJOURNMENT

Resolution # 227-2024

Moved by: Councillor Cates

Seconded by: Councillor Berze

THAT Council rise from closed session and return to open session at 5:26 p.m.

CARRIED

During the closed session Council received an update on a proposed property acquisition in Ward 4, legal advice regarding a development matter in Ward 4, as well as an update on a grant funding application and provided direction to staff.

5. DELEGATIONS AND PRESENTATIONS

There are no Delegations or Presentations to note for the December 18, 2024 council meeting.

6. ADOPTION OF THE MINUTES

6.1 Minutes of the December 4, 2024 Council Meeting

Resolution # 2024-338

Moved by: Councillor Cates

Seconded by: Deputy Mayor Brennan

THAT the minutes of the December 4, 2024 meeting of Council be adopted as printed.

CARRIED

7. CONSENT AGENDA

Resolution # 2024-339

Moved by: Councillor Cates

Seconded by: Councillor Jean Coles

THAT Consent items 7.1 through 7.6 listed on the December 18, 2024 agenda be adopted as recommended.

CARRIED

7.1 Seniors Community Grant 2025-2026 – Letter of Support

THAT Report CMS-10-2024 Seniors Community Grant 2025-2026 Letter of Support be received;

AND THAT Council endorse staff to apply for the Government of Ontario's Seniors Community Grant 2025-2026.

7.2 Budget to Actual November 2024

THAT the Budget to Actual report CPS-62-2024 for November 2024 be received as information.

7.3 Proposed Budget 2025 Impacts

THAT the compliance report CPS-64-2024, for expenses excluded from the 2025 budget outlined in Report CPS-63-2024 as a requirement of Ontario Regulation 284/09 passed under the Municipal Act, 2001 be received for information.

7.4 Quaker Lane 40km/h Speed Limit

THAT Report PWE 49-2024, re: Quaker Lane 40km/h Speed Limit be received;

AND THAT the Parking and Traffic By-law 2018-092 be amended as per Appendix A appended to Report PWE 49-2024.

7.5 City of London Boundary Road Winter Maintenance Agreement

THAT Report PWE 59-2024 Re City of London Boundary Road Winter Maintenance Agreement be received for information;

AND THAT; the Mayor and Clerk be authorized to execute the necessary documents to enter into a winter maintenance boundary road agreement with the City of London.

7.6 Middlesex Centre Top Management Review of the Drinking Water System

THAT the 2024 Middlesex Centre Top Management Review of the Drinking Water Systems as required under Ontario's Ministry of the Environment, Conservation and Parks' (MECP) Drinking Water Quality Management Standard be received and endorsement accepted by Council.

8. STAFF REPORTS

8.1 Budget 2025

Tiffany Farrell, Director of Corporate Services is in attendance to provide an overview of the Staff Report.

Resolution # 2024-340

Moved by: Councillor Berze

Seconded by: Councillor Cates

THAT Report CPS-63-2024, re: Budget 2025 be received;

AND THAT Council approves By-law 2024-107 to adopt the current budgetary estimates for the year 2025.

CARRIED

8.2 Energy Conservation and Demand Management Plan 2024-2029

Aubrey Guevarra-Jongsma, Asset Management Coordinator is in attendance to provide an overview of the Staff Report.

Resolution # 2024-341

Moved by: Councillor Jean Coles

Seconded by: Deputy Mayor Brennan

THAT Report PWE 58-2024, re: Middlesex Centre Energy Conservation and Demand Management (ECDM) Plan (2024-2029) be received and approved for publication.

CARRIED

9. PUBLIC MEETINGS

Resolution # 2024-342

Moved by: Councillor Cates

Seconded by: Councillor Shipley

THAT Council move into public meetings at 5:42 pm pursuant to the Planning Act, R.S.O. 1990, as amended, to consider the applications listed on the December 18, 2024 Council agenda.

CARRIED

9.1 Application for Zoning By-law Amendment (ZBA-18-2024) for 12538 Eight Mile Road; Filed by Lerner's LLP on behalf of James Robson, Jay Robson, and Joel Robson

Marion-Frances Ramos Cabral, County Planner, is in attendance to provide an overview of the planning report.

Resolution # 2024-343

Moved by: Councillor Cates

Seconded by: Deputy Mayor Brennan

THAT Zoning By-law Amendment Application (ZBA-18-2024), filed by Lerner's LLP on behalf of James Robson, Jay Robson, and Joel Robson, to rezone the lands known as 12538 Eight Mile Road from 'Agricultural (A1)' to 'Surplus Residence exception 14 (SR-14)' and 'Agricultural – No Residences (A3)' for the severed and retained lands of consent application B-13/23, 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

9.2 Application for Zoning By-law Amendment (ZBA-21-2024) for 12674 Twelve Mile Road; Filed by Lerner's LLP on behalf of 1106002 Ontario Ltd, 1106003 Ontario Ltd, 1106004 Ontario Ltd Joel Robson, Jay Robson, James Robson

Marion-Frances Ramos Cabral, County Planner, is in attendance to provide an overview of the planning report.

Resolution # 2024-344

Moved by: Councillor Shipley

Seconded by: Councillor Aerts

THAT Zoning By-law Amendment Application (ZBA-21-2024), filed by Lerner's LLP on behalf of 1106002 Ontario Ltd, 1106003 Ontario Ltd, 1106004 Ontario Ltd Joel Robson, Jay Robson, James Robson, to rezone the lands known as 12674 Twelve Mile Road from 'Agricultural (A1)' to 'Surplus Residence exception 15 (SR-15)' and 'Agricultural – No Residences (A3)' for the severed and retained lands of consent application B-19/23, 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

9.3 Application for Zoning By-law Amendment (ZBA-7-2024) for Kilworth Heights West Subdivision; Filed by Baker Planning Group on behalf

of Melchers Developments Inc., 2428812 Ontario Limited, Kilworth Heights West Ltd.

Marion-Frances Ramos Cabral, County Planner, is in attendance to provide an overview of the planning report.

Resolution # 2024-345

Moved by: Councillor Cates
Seconded by: Councillor Jean Coles

THAT Zoning By-law Amendment Application (ZBA-7-2024), filed by Baker Planning Group on behalf of Melchers Developments Inc., 2428812 Ontario Limited, Kilworth Heights West Ltd., to amend the site-specific 'Urban Residential First Density exception 36 (UR1-36)', 'Urban Residential First Density exception 37 (UR1-37)' and 'Urban Residential First Density exception 38 (UR1-38)' zones, for the lands known as Concession 1 Part of Lot 7 Part of Lot 8 RP 33R18800 Part of Part 1, and 33M-840, be APPROVED.

CARRIED

9.4 Applications for Consent (B-17/2024) and Zoning By-law Amendment (ZBA-10-2022 and ZBA-17-2024) for 13326 Fourteen Mile Road; filed by SBM Limited on behalf of JTW Farms Inc.

Marion-Frances Ramos Cabral, County Planner, is in attendance to provide an overview of the planning report.

Resolution # 2024-346

Moved by: Deputy Mayor Brennan
Seconded by: Councillor Cates

THAT applications B-17-2024, ZBA-10-2022 and ZBA-17-2024 be referred back to staff so that they can discuss a request from the agent to remove the Holding requirement.

CARRIED

Resolution # 2024-347

Moved by: Deputy Mayor Brennan
Seconded by: Councillor Cates

THAT Zoning By-law Amendment application (ZBA-10-2022), filed by SBM Limited on behalf of JTW Farms Inc. and as amended by staff, to rezone the subject land from the 'Agricultural (A1)' zone to the 'Farm Industrial exception 5 (M3-5)(h-10)' and 'Agricultural exception 53 (A1-53)'

zones for the land legally described as Concession 14 S PT Lot 25 (former Township of London), Municipality of Middlesex Centre and known as 13326 Fourteen Mile Road, be APPROVED;

AND THAT Zoning By-law Amendment application (ZBA-17-2024) for a temporary use zone, filed by SBM Limited on behalf of JTW Farms Inc., to permit two single-detached dwellings on one property for up to three years to allow a new residence to be constructed on the land known as 13326 Fourteen Mile Road, Municipality of Middlesex Centre, be APPROVED;

AND THAT the owner be required to enter into a new Temporary Use Agreement with the Municipality and submit a deposit of \$15,000 to ensure the removal of the existing residence or conversion in an office as an accessory use;

AND THAT the Owner must also obtain a change of use permit if they are to convert the existing dwelling into an office as an accessory use;

AND THAT Consent Application B-17/2024, filed by SBM Limited on behalf of JTW Farms Inc. for lands legally described as Part of Lot 4, Concession 14 S PT Lot 25 (former Township of London), Municipality of Middlesex Centre and known as 13326 Fourteen Mile Road, be GRANTED subject to conditions;

AND FURTHER THAT Consent B-17/2024 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-17/2024 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 any outstanding property taxes for the severed and retained lots of Consent B-17/2024 be paid in full.
7. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
8. That a Zoning By-law Amendment that recognizes the undersized nature of the remnant farm parcel and farm industrial use on the severed parcel of Consent B-17/2024 be in full force and effect.
9. 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.
10. That the hydro service for the severed lands be fully within the boundary of the proposed severed lot.
11. That the owner pay a cash-in-lieu of parkland dedication in the amount identified within the Municipality's Fees and Charges By-law.
12. That an address be assigned and number erected for the retained agricultural parcel.

That the Owner will be required to dedicate lands up to 13 m from the centerline of construction of Hyde Park Road across the retained parcel to the Municipality of Middlesex Centre for the purposes of road widening if the right-of-way is not already to that width.

AND FURTHER THAT the reasons for granting Consent Application B-17/2024 include:

- The proposal is consistent with the Provincial Planning Statement, 2024;
- 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.

DEFERRED

10. COUNCIL TO RISE FROM PUBLIC MEETINGS

Resolution # 2024-348

Moved by: Councillor Jean Coles

Seconded by: Councillor Shipley

THAT the public meetings adjourn at 6:14 pm and Council resume their regular meeting;

CARRIED

11. NOTICE OF MOTION

There are no Notices of Motion to note for the December 18, 2024 council meeting.

12. CORRESPONDENCE

Resolution # 2024-349

Moved by: Councillor Berze

Seconded by: Councillor Jean Coles

THAT the Correspondence items 12.1 and 12.2 listed on the December 18, 2024 agenda be received as information.

CARRIED

12.1 Office of the Solicitor General - Ontario Provincial Police Association (OPPA) Additional Support for Municipalities

12.2 Ministry of Municipal Housing and Affairs - Cutting Red Tape to Build More Homes Act, 2024 Memo

13. COUNTY COUNCIL UPDATE

Deputy Mayor Brennan provides an overview of the Middlesex County Council meeting held on December 10, 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 December 18, 2024 council meeting.

15. BY-LAWS

Resolution # 2024-350

Moved by: Councillor Berze

Seconded by: Councillor Shipley

THAT By-Laws 2024-061 and 2024-107 through to 2024-113 be adopted as printed.

CARRIED

15.1 2024-061

Third and Final reading

Being a by-law of the Corporation of the Municipality of Middlesex Centre to provide for a drainage works to be known as the Ilderton Municipal Drain No. 1.

15.2 2024-107

Being a By-law of the Corporation of the Municipality of Middlesex Centre to provide for the adoption of budgetary estimates for the year 2025

15.3 2024-108

Being a by-law to amend the Middlesex Centre Comprehensive Zoning By-law number 2005-005 with respect to Concession 14 S PT Lot 25 (geographic Township of London), Municipality of Middlesex Centre, roll number: 393903409014802

15.4 2024-109

Being a by-law to amend the Middlesex Centre Comprehensive Zoning By-law number 2005-005 with respect to Concession 1 Part of Lot 7 Part of Lot 8 RP 33R18800 Part of Part 1, and 33M-840 (geographic Township of Lobo), Municipality of Middlesex Centre

15.5 2024-110

Being a By-law of the Corporation of the Municipality of Middlesex Centre to authorize the execution of a Transfer Payment Agreement between the Municipality of Middlesex Centre and His Majesty the King in right of Ontario as represented by the Minister of Infrastructure

15.6 2024-111

Being a By-law of the Corporation of the Municipality of Middlesex Centre to amend the Parking and Traffic By-law 2018-09

15.7 2024-112

Being a By-law of the Corporation of the Municipality of Middlesex Centre to set the tax rates and to further provide for penalty and interest in default of payment thereof for 2025

15.8 2024-113

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 December 18, 2024

16. ADJOURNMENT

Resolution # 2024-351

Moved by: Deputy Mayor Brennan
Seconded by: Councillor Jean Coles

THAT the Council for the Municipality of Middlesex Centre adjourns the December 18, 2024 Council meeting at 6:17 p.m.

CARRIED

Aina DeViet, Mayor

James Hutson, Municipal Clerk