



**Municipality of Middlesex Centre
Council Meeting Minutes
Municipal Office, Council Chambers
Wednesday, November 28, 2018, 6:00p.m.**

COUNCIL PRESENT: - Mayor Edmondson - Chair presiding, Councillors: Deputy Mayor DeViet, Berze, Brennan, Harvey, McMillan, Silva

STAFF PRESENT: Michelle Smibert – CAO, Ann Wright - Clerk, Tiffany Farrell – Director of Corporate Services, Scott Mairs – Director of Community Services, Arnie Marsman - Director Planning & Development Services / Chief Building Official, Colin Toth – Director of Fire and Emergency Services

ALSO PRESENT: Members of the public and press.

1.0 CALL TO ORDER

Mayor Edmondson to call the meeting to order at 6:00 pm.

2.0 CLOSED SESSION

None at this time.

3.0 DISCLOSURE OF PECUNIARY INTEREST

None

4.0 ADDITIONS TO THE AGENDA (2)

4.1 Under Section 8.0 Staff Reports

8.3 CMS-12-2018 - Wellness Centre – Roof Top Unit #1 – Emergency Repair

4.2 Under Section 15.0 Closed Session

Pursuant to Section 239 (2) of the Municipal Act, 2001, as amended Council will adjourn to closed session to discuss the following matter:

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

Moved by Councillor Harvey; Seconded by Councillor Silva

R2018-331 THAT the Additions to the Regular Agenda of Council dated November 28, 2018 be added to the Agenda as printed.

CARRIED

5.0 ADOPTION OF THE MINUTES**Moved by Councillor Berze; Seconded by Deputy Mayor DeViet**

R2018-332 THAT the minutes of the November 14, 2018 meeting of Council be adopted as printed.

CARRIED

6.0 DELEGATIONS, PRESENTATIONS & PETITIONS

6.1 Martin Road Development Drain Report presented by Kevin Moniz of Moniz, Baldinelli, Moniz

Moved by Councillor Berze; Seconded by Councillor Silva

R2018- 333 That Council for the Municipality of Middlesex Centre approves the Martin Road Development Drain report as presented.

CARRIED

6.2 Green Builder Recognition Program – Mayor Edmondson presented the award to Phil Masschelein & Toby Stolee of Sifton Properties Limited

7.0 CONSENT AGENDA**Moved by Councillor Brennan; Seconded by Councillor Silva**

R2018-334 THAT the Council for the Municipality of Middlesex Centre receives the Consent Agenda items 7.1 through 7.4 as information.

CARRIED

7.1 BLD-15-2018 - October Building Report & Presentation

7.2 BLD-17-2018 - Recognition of Green Builders

7.3 CPS-41-2018 - Budget Engagement

7.4 PLA-68-2018 - Plain Language Notices

8.0 STAFF REPORTS

8.1 BLD-16-2018 - Renewal of Service Agreement with Township of Lucan Biddulph

Moved by Deputy Mayor DeViet; Seconded by Councillor Brennan

R2018-335 THAT council approve the renewal of the Agreement for the Provision of Services for Building Inspection and By-law Enforcement services with the Township of Lucan Biddulph for a three year period.

CARRIED

8.2 PLA-49-2018 - OP-41-2018 & ZBA-14-18, Oriole Park, 22790 Amiens Road

Moved by Councillor Berze; Seconded by Councillor Silva

R2018-336 THAT Official Plan Amendment No. 41 for the land legally described as Part of Lot 1, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre, be ADOPTED and forwarded to the County of Middlesex for consideration of approval.

THAT the Zoning By-law Amendment application, filed by MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC), on behalf of Oriole Park Resort Inc. to modify the Site-Specific Parks and Recreation (PR-3) zone in order to permit the year round occupancy of mobile homes, park model trailers as well as accessory commercial and service commercial uses of the site for a property located at 22790 Amiens Road, be amended to include an amended Holding Symbol on the property (H) in order to ensure some technical issues are addressed, be approved.

CARRIED

8.3 CMS-12-2018 - Wellness Centre – Roof Tip Unit #1 – Emergency Repair

Moved by Councillor Silva; Seconded by Councillor Berze

R2018-337 THAT the emergency repair of Roof Top Unit 1 at the Wellness Centre be approved.

FURTHER THAT the necessary repair costs up to \$15,000 be paid for from the Building & Facilities Reserve Fund.

CARRIED

15. CLOSED SESSION

Council went into Closed at this time as the Public Meeting could not begin until 7:00 p.m.

Moved by Deputy Mayor DeViet; Seconded by Councillor Silva

R2018-338 THAT Council adjourn to closed session at 6:26 p.m. pursuant to Section 239 (2) of the Municipal Act, 2001, as amended to discuss the following matter:

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

CARRIED

Moved by Councillor Silva; Seconded by Deputy Mayor DeViet

R2018-339 THAT Council do now rise out of closed session at 6:31 p.m. and resume to open Council.

CARRIED

10.0 NOTICE OF MOTION

None

11.0 CORRESPONDENCE**Moved by Councillor Silva; Seconded by Councillor Berze**

R2018-340 THAT the Council for the Municipality of Middlesex Centre receives the Correspondence item 11.1 through to 11.4 as information.

CARRIED

11.1 AMO Policy Update (1) - Cannabis Retail Regulations Released

11.2 AMO Policy Update (2) - Provincial Government Releases Fall Economic Statement

11.3 AMO Policy Update (3) - Welcome Fire News

11.4 County of Middlesex - Road Widening Policies

Council Recessed until 7:00 p.m.

9.0 PUBLIC MEETINGS**Moved by Councillor Silva; Seconded by Councillor McMillan**

R2018-341 THAT Council move into Public Meeting at 7:00 p.m. under Section 53 & 39 of the Planning Act, R.S.O. 1990, c. P13, as amended, to consider the following applications:

9.1 ZBA-22-2018, Lisa Constantine & Anthony Alexander, 14308 Thirteen Mile Rd

9.2 B-21-2018 –Clark, 6429 Bells Road

CARRIED

9.1 ZBA-22-2018, Lisa Constantine & Anthony Alexander, 14308 Thirteen Mile Rd

Mayor Edmondson read allowed the purpose and effect of the application

There were no additional comments received that were not included in the Planning Report

Kelly Henderson, Planner, gave a review of the Planning Report PLA-65-2018 and recommended that the application be approved.

The applicant's Planner was in attendance and stated they were in agreement with the report.

Mark Swaul, 14296 Thirteen Mile Road, spoke to the application and offered his support to the application and encouraged Council to approve the application.

No questions or comments from Council

Moved by Councillor Berze; Seconded by Councillor Brennan

R2018-342 THAT Zoning By-law Amendment Application ZBA-22-18, filed by Jay McGuffin, on behalf of Lisa Constantine and Anthony Alexander, which proposes to rezone the subject property from the Institutional (I) zone to Site-Specific Hamlet Residential First Density (HR1-11) zone in order to facilitate the conversion of an existing church building into a residential dwelling unit, and permit a Gross Floor Area of 93 square metres for all accessory buildings, for a property located at 14308 Thirteen Mile Road be approved.

CARRIED

9.2 B-21-2018 –Clark, 6429 Bells Road

Mayor Edmondson read allowed the purpose and effect of the application

Additional comments were received from the Township of Southwold and presented to Council

Kelly Henderson, Planner, gave a review of the Planning Report PLA-66-2018 and recommended that the application be approved.

Nicole Rogers was in attendance and said that they had proposed as little land at the front yard as possible and that she had no concerns with the conditions

No questions or comments from the public

Deputy Mayor DeViet thanked the applicant for their diligence and attention to the front yard

Councillor Silva thanked the applicant for reading and considering the conditions in the report.

Moved by Councillor Brennan; Seconded by Councillor Silva

R2018-343 THAT Consent Application B-21/18, filed by Amy Dale, on behalf of Douglas Albert Clark and Kimberley Diane Clark in order to sever a lot with a frontage of 13.5 metres (44.29 feet) along Bells Road and an area of approximately 0.67 hectares (1.65 acres); from a property legally described as Part of Lot 20, Concession 2 (geographic Township of Delaware), Municipality of Middlesex Centre; be granted.

FURTHER THAT Consent B-21/18 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance have been fulfilled.
2. That the fee for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-21/18 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's solicitor provides 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 submits an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
6. That, if necessary, a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
7. That a Zoning By-law Amendment that recognizes the residential use of the severed lot of Consent B-21/18 and prohibits new dwellings on the retained lot of Consent B-21/18 be in full force and effect.
8. That the Owner enter into a severance agreement with the Municipality in order to advise future owners of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced. The following requirement shall be included in the severance agreement:

The Owner shall include in any Agreement of Purchase and Sale of the severed lot a warning specifically notifying future owners that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property and shall require the purchaser, as a condition of any aforementioned Agreement of Purchase and Sale, to acknowledge and accept that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property.

9. That any outstanding property taxes for the severed and retained lots of Consents B-21/18 be paid in full.

10. That the Owner confirm the location of the septic system to the satisfaction of the Municipality, and that a contingency area is available, all of the above shall be adequately located on the residential parcel.

11. That the residence is deemed habitable by the Chief Building Official.

12. That an entrance permit be obtained from the Municipality for the entrance to the retained parcel and that an address sign be erected at the entrance to this property. All costs associated with this shall be borne by the Owner.

13. That the Municipal water line providing services to the farm residence be relocated to be fully contained on the severed parcel to the satisfaction of the Township of Southwold.

14. That the accessory building that is in disrepair be removed to the satisfaction of the Municipality's Chief Building Official.

FURTHER THAT the reasons for granting Consent Application B-21/18 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

Moved by Councillor Berze; Seconded by Councillor Harvey

R2018-344 That Council do now Close the Public Meeting and go back into the regular Council meeting.

12.0 COUNTY COUNCIL UPDATE

None

13.0 OTHER BUSINESS

None

14.0 BY-LAWS

14.1 By-law 2018-099 - Zoning By-law Amendment (ZBA-22-2018)

14.2 By-Law 2018-100 - Zoning By-Law Amendment (ZBA-14-2018)

14.3 By-Law 2018-101 - Official Plan Amendment (OP-41-2018)

14.4 By-Law 2018-102 - 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 November 28, 2018

Moved by Deputy Mayor DeViet; Seconded by Councillor Harvey

R2018-345 THAT By-Laws 2018-099 through to 2018-102 inclusive be approved passed and adopted.

CARRIED

16.0 ADJOURNMENT

Moved by Deputy Mayor DeViet; Seconded by Councillor Silva

R2018-346 THAT the Council for the Municipality of Middlesex Centre adjourns the November 28, 2018 Regular Council meeting at 7:31 p.m.

CARRIED

The next Council meeting is the Inaugural Meeting of the 2018-2022 Term of Council on Wednesday, December 5, 2018 at 6:00 pm in the Coldstream Community Centre, located in the Municipal Office.

Al Edmondson, Mayor

Ann Wright, Clerk