

Minutes of a regular meeting of the Council of the Municipality of Middlesex Centre held this date at the Municipal Office at 4:00 p.m.

**ATTENDANCE****PRESENT**

Mayor Edmondson  
Deputy Mayor Bannister  
Councillor Filson  
Councillor Brennan  
Councillor Bloomfield  
Councillor Ritchie  
Councillor Berze

**ALSO PRESENT**

Greg Watterton	Acting Chief Administrative Officer/Director of Finance & Community Services
Stephanie Troyer-Boyd	Acting Clerk
Maureen Looby	Director, Public Works & Engineering
Arnie Marsman	Director, Planning & Development Services / Chief Building Official
Marc Bancroft	Senior Planner
Wayne Shipley	Acting Fire Chief

Mayor Edmondson presided.

The reporter from the Middlesex Banner was in attendance.

**ADDITIONS TO THE AGENDA**

None were disclosed by any of the members.

**DECLARATION OF PECUNIARY INTEREST**

None were disclosed by any of the members.

**DELEGATION**

Several residents of Ashwood Crescent in Ilderton attended the meeting and presented a petition and request to have the subdivision agreement amended to exclude the provision for sidewalks. Paul McNorgan of 50 Ashwood Crescent, spokesperson for the group, indicated that all residents on the street were supportive of the request. Mr. McNorgan indicated that the hydro boxes have been installed in the improper location and that it will affect the location of the sidewalk. Senior Planner, Marc Bancroft, indicated that the hydro boxes are in the correct location but the orientation in relation to the roadway is incorrect. He stated that the sidewalk would have to be moved between 12" to 18" closer to the front lot line of the properties. He stated that the sidewalk would still be wholly contained in the boulevard.

Resolution # 2010/077  
Moved by Frank Berze  
Seconded by Ken Filson

THAT Council reconsider Resolution # 2009/239 of November 4, 2009.

(2/3 vote required for reconsideration)

Name	Yes	No
Albert Bannister	■	
Frank Berze	■	
Clare Bloomfield	■	
John Brennan	■	
Al Edmondson	■	
Ken Filson	■	
Brian Ritchie	■	

- Carried –

Resolution # 2010/078

Moved by Ken Filson

Seconded by Brian Ritchie

THAT staff be directed to reject the petition and continue the development under Middlesex Centre’s current standard and subdivision agreement as outlined in Report Number PWE-064-09/D entitled, ‘Deer Haven Woods Subdivision, Ilderton Sidewalk Petition’.

Name	Yes	No
Albert Bannister		■
Frank Berze		■
Clare Bloomfield		■
John Brennan		■
Al Edmondson		■
Ken Filson		■
Brian Ritchie		■

- Lost –

Resolution # 2010/079

Moved by Frank Berze

Seconded by Ken Filson

THAT staff be directed to accept the petition of the residents of Ashwood Crescent and amend the Deerhaven Woods subdivision agreement for lands described as Registered Plan 33M591 to limit the location of sidewalks to the south side of the Maplewood Lane road allowance starting from the existing sidewalk with the road allowance of Hyde Park Road to the east and continuing westward to the condominium entrance related to Block 54 of Registered Plan 33M591.

- Carried -

**MINUTES**

1. Resolution # 2010/080  
 Moved by Clare Bloomfield  
 Seconded by Albert Bannister

THAT the minutes of the special meeting of Council held on February 19, 2010 be approved.

- Carried -

2. Resolution # 2010/081  
 Moved by Clare Bloomfield  
 Seconded by Albert Bannister

THAT the minutes of the regular meeting of Council held on March 3, 2010 be approved.

- Carried –

3. Resolution # 2010/082  
Moved by Clare Bloomfield  
Seconded by Albert Bannister

THAT the minutes of the regular meeting of Council held on March 17, 2010 be approved.

- Carried -

4. Resolution # 2010/083  
Moved by Clare Bloomfield  
Seconded by Albert Bannister

THAT the minutes of the special meeting of Council held on March 25, 2010 be approved.

- Carried -

### **APPROVAL OF CONSENT AGENDA**

Deputy Mayor Bannister questioned the need for a minor variance at the Denfield Operations Centre to allow for a driveway that exceeds 12 metres. Director, Public Works and Engineering, Maureen Looby stated that operations staff have indicated a wider entrance is required to allow for the safe operation of large equipment that enters and exits the site.

Deputy Mayor Bannister questioned the denial of the rental fee for the Delaware Canada Day Committee at the Delaware Community Centre. Councillor Berze stated that the Corporate Services Committee had been supportive of the Canada Day Committee including the cost for renting the community centre in their annual grant application. In the interim, the Canada Day Committee has found an alternate meeting location. Councillor Filson indicated that he would like to see a clearer process for dealing with this type of request.

Deputy Mayor Bannister asked that recommendation 2.3 from Public Works and Engineering Committee and recommendation 4.4 from Corporate Services Committee be removed from the Consent Agenda for further discussion.

Resolution # 2010/084  
Moved by John Brennan  
Seconded by Clare Bloomfield

1. THAT Council receive the Minutes of the March 17, 2010 Planning and Development Services Committee meeting and concur with the following recommendations:

- 1.1 THAT By-law 2010-032 to facilitate the assumption of the Works of Registered Plan 33M-513 (being the Deerhaven Estates Phase VI Subdivision) be approved.
- 1.2 THAT the draft Subdivision Agreement for the land in the ownership of RDM Construction Limited being the Birchcrest Heights Phase II Subdivision described as Part of Lot 9, Concession 1 (geographic Township of Lobo), Municipality of Middlesex Centre; be approved, provided the Agreement is to the satisfaction of the Municipal Solicitor, Municipal Consulting Engineer and Planning staff; and

THAT staff forward the final Subdivision Agreement to Municipal Council for consideration once the appropriate zoning is approved and in full force to facilitate the residential development of the land.

- 1.3 THAT the draft Subdivision Agreement Amendment for the land in the ownership of Meadowcreek Estates Limited for lands described as Part

of Lot 24, Concession 10; Part 1, Reference Plan 33R-13057 (geographic Township of London), Municipality of Middlesex Centre; be approved; and

THAT By-law 2010-031 being a By-law Approving and Ratifying an Amending Subdivision Agreement between Meadowcreek Estates Limited as the "Subdivider" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Registered Plan 33M-613 (geographic Township of London) in the Municipality of Middlesex Centre, in the County of Middlesex be approved.

- 1.4 THAT the request for Site Plan Approval for the Denfield Operations Centre for lands described as Part of Lot 29, Concession 12, Part 1, Reference Plan 33R-16646 (geographic Township of London), Municipality of Middlesex Centre, be approved, provided the following revisions are undertaken to the satisfaction of Middlesex Centre:

THAT the site plan be amended to show a snow storage area;

THAT the site plan be amended to illustrate a garbage and recycling area that is screened from Denfield Road (County Road 20);

THAT the site plan be amended to illustrate additional exterior lights at the following locations: north end of the Operations Centre, in between the two existing exterior lights; southeastern corner of the Operations Centre, just north of and between the two handicapped parking spaces; and at the southwestern corner of the Operations Centre, above the siamese connection;

THAT the site plan be amended to indicate the amount of gross floor area that will be allocated to the garage and office/training space, respectively;

THAT the legend of the site plan be amended to show the total lot coverage of all buildings on the site;

THAT the site plan be amended to illustrate the width of a standard parking space as well as the width and depth of a handicapped parking space;

THAT the Site Services and Grading Plan (Drawing SP2) be amended to illustrate a hydrant instead of two different sized stand pipes.

THAT a minor variance be requested to allow for a driveway that exceeds 12 metres (39.37 ft) at the streetline of Denfield Road (County Road 20) whereas the maximum driveway width permitted at the streetline is 12 metres (39.37 ft).

- 1.5 THAT upon the finalization of the Request for Proposal and the Terms of Reference for the undertaking of a comprehensive review and secondary plan, staff forward an Interim Control By-law to Municipal Council for consideration of enactment in respect to the Komoka Kilworth study area.
2. THAT Council receives the minutes of the Public Works and Engineering Committee meeting of March 22, 2010 and concur with the following recommendations:
- 2.1 THAT the Drainage Works as outlined in Report Number PWE-016-10/DR entitled 'Request for Municipal Drainage – The St. Cyr Branch C Drain' be approved; and

FURTHER THAT staff be directed to notify the affected landowners and appropriate agencies of Council's decision to proceed with the drainage works; and

FURTHER THAT following the notice to the appropriate agencies and thirty days, Michael DeVos, P.Eng., of Spriet Associates be appointed to prepare a Drainage Report for a New Municipal Drain, all within accordance with the Ontario Drainage Act.

- 2.2 THAT the Komoka WWTF expansion project Phase 1 servicing Komoka and Kilworth West and increasing the treatment facility's design capacity from 780 m<sup>3</sup>/day to 2200 m<sup>3</sup>/day as outlined in Report Number PWE-015-10/WW entitled 'Komoka WWTF Expansion Project' be approved.
3. THAT Council receive the Minutes of the March 9, 2010 and March 15, 2010 Recreation & Facility Services Committee meetings.
4. THAT Council receive the Minutes of the March 22, 2010 Corporate Services Committee meeting and concur with the following recommendations:
  - 4.1 THAT the utility penalty waived on the December 2009 billing for account 8256130000 not be extended.
  - 4.2 THAT the property tax penalty charges be confirmed on roll no. 39-39-034-080-31050-0000.
  - 4.3 THAT the request of the Delaware Canada Day Committee to waive the rental fee for the Delaware Community Centre meeting room leading up to the Canada Day Celebration on July 1<sup>st</sup> be denied.
  - 4.4 THAT By-Law 2010-027 being a By-law to Provide for the Regulation of the Display, Sale and Discharge of Fireworks in the Municipality of Middlesex Centre be approved as amended; and

FURTHER THAT By-law 2010-028 being a By-law to Regulate the Establishment of Open Air Burning be approved.
5. THAT Council receive the Minutes of the Committee of Adjustment Hearing held March 22, 2010.
6. THAT the accounts as presented by the Treasurer in the amount of \$5,571,984.31 be approved for payment.

-Carried -

#### **ITEMS REMOVED FROM CONSENT AGENDA**

Deputy Mayor Bannister stated that alternatives to building a new ramp at the Hedley Drive clean up day location should be considered before approving the construction of a replacement ramp at \$ 99,500. He suggested closing the Hedley Drive location and exploring arrangements with service providers to allow Middlesex Centre residents to use alternate facilities. He stated that he would like to understand the total cost of providing the clean up day service including wages, bin rental and tipping fees.

Councillor Bloomfield stated that the Hedley Drive location is convenient for residents and is well used on clean up day.

Councillor Filson expressed similar concern with spending \$ 99,500 for a ramp at a location that is used twice a year and suggested there are many other options that could be explored.

Director, Public Works and Engineering, Maureen Looby stated that eliminating the ramp at the Hedley Drive location would escalate the possibility for accidents and cause the current process to be disorganized at this very busy location.

Councillor Brennan agreed that the ramp cost was expensive but well worth the price to provide the service to the residents of the municipality.

Resolution # 2010/085

Moved by Albert Bannister

Seconded by Ken Filson

THAT staff facilitate Clean Up Day at the Hedley Road location from ground level without the use of a ramp and;

FURTHER THAT staff research alternatives for the provision of this service in the future.

- Carried -

Deputy Mayor Bannister referred to the amendment to the 2010 Fee By-Law and suggested consideration of the sale of green cones at a subsidized cost of \$ 45.00 for residents of Middlesex Centre. He stated that the use of green cones will ultimately divert waste from the curbside.

Councillor Ritchie acknowledged there are other green initiatives that the municipality could pursue in addition to subsidizing green cones.

Resolution # 2010/086

Moved by Albert Bannister

Seconded by Ken Filson

THAT green cones be included in By-law 2010-026 at a fee of \$ 45.00 to Middlesex Centre residents and;

THAT By-law 2010-026 being a By-law to amend By-law 2009-098 Establishing Various Fees and Charges for Services Provided by the Municipality of Middlesex Centre (Fee Consolidation By-law) be approved, as amended.

- Carried -

## **STAFF REPORTS**

### **1. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

#### **1.1 Planning**

1.1.1 Senior Planner, Marc Bancroft, read correspondence received from Auburn Developments regarding the proposed amendment to the subdivision agreement for Phase 1 of Meadowcreek Estates. The developer expressed support for the proposed amendment.

Four residents of Meadowcreek Estates directly affected by the wall were in attendance at the meeting and expressed their concerns with the proposed amendment to the subdivision agreement.

#### **1.2 Building**

1.2.1 There were no reports or inquiries.

#### **1.3 By-law Enforcement**

1.3.1 There were no reports or inquiries.

**2. PUBLIC WORKS AND ENGINEERING DEPARTMENT****2.1 Environmental Division**

2.1.1 Maureen Looby, Director of Public Works and Engineering, updated Council on the recent break in the Lake Huron pipeline. She noted that the emergency lasted for 39 hours and stated that overall the situation was handled well.

2.1.2 Maureen Looby stated that there will be a delay in the commissioning of the pipeline for Komoka-Kilworth water supply. She indicated that the extension is caused by equipment delivery delays and would be 2-3 weeks behind the April 30, 2010 schedule.

**2.2 Transportation Division**

2.2.1 Councillor Brennan asked if there would be any work done on Medway Road where the pipeline was installed. Maureen Looby stated that the restoration of the roads after the construction of the pipeline is not yet complete and that the municipality would be given the opportunity to comment on the road repairs.

**2.3 Drainage Division**

2.3.1 Councillor Brennan noted there were drainage issues on Medway Road where the pipeline was constructed. The Director, Public Works and Engineering noted the problem is as a result of the Lake Huron pipeline work and would be repaired as part of the restoration.

Councillor Filson inquired if the Drainage Superintendent had looked at the location of the splashpad in Ilderton and whether drainage would be a problem. Recreation and Facility Services Department staff will jointly with the County of Middlesex to review this matter.

**3. FINANCE AND COMMUNITY SERVICES****3.1 Treasury**

3.1.1 Director, Finance and Community Services, Greg Watterton noted that the 2010 county and school board rates had been received and combined with the municipal rate will result in an overall residential tax rate decrease of .61%.

**3.2 Community Services****3.2.1 Report No. FCS012/10 – Ilderton Splashpad Location****Resolution # 2010/087**

Moved by Ken Filson

Seconded by Frank Berze

THAT Report Number FCS012/10 dated March 30, 2010 and entitled "Ilderton Splashpad Location" be received; and

THAT the splashpad in Ilderton be located in Heritage Park in place of the parking lot and the parking lot be relocated to the current location of the tennis courts; and

FURTHER THAT construction of new tennis courts in Ilderton be deferred until the 2011 capital budget discussions.

- Carried -

3.2.2 Deputy Mayor Bannister asked when the Board of Directors would be put in place for the Medical Centre. Mayor Edmondson stated that the interim corporation has been put in place to deal with lease administration and other matters. The Board of Directors will be established once the building is operational and appointments are made by the various partners.

Councillor Berze asked if the old round tables from the Ilderton Community Centre could be relocated to Coldstream Community Centre. Greg Watterton stated that he would look into the condition of the old tables and feasibility of relocation.

#### 4. ADMINISTRATION SERVICES

##### 4.1 Fire & Emergency Services

4.1.1 Acting Fire Chief, Wayne Shipley, stated that the engineers report on the Coldstream garage would be received this week.

##### 4.2 Clerk

##### 4.2.1 Report No. CSD010-AC – Appointment of Municipal Weed Inspector – By-law 2010-033

Resolution # 2010/088  
Moved by Albert Bannister  
Seconded by Brian Ritchie

THAT Report Number CSD010-AC of the Acting Clerk, dated March 30, 2010 and entitled “Appointment of Municipal Weed Inspector – By-Law 2010-033”, be received; and

THAT By-law Number 2010-033 being a By-law to appoint a Weed Inspector for the Municipality of Middlesex Centre for the year 2010 be approved.

- Carried -

##### 4.2.2 Report No. CSD011-AC – Resolution from In Closed Session – March 25, 2010

Resolution # 2010/089  
Moved by Brian Ritchie  
Seconded by Frank Berze

THAT the Mayor be directed to follow through on the process to complete the hiring of a CAO as discussed in closed session on March 25, 2010.

- Carried -

##### 4.3 By-laws

By-law 2010-030 was discussed separately.

Senior Planner, Marc Bancroft, stated that the By-law was to approve the amendment to the Meadowcreek Estates Limited subdivision agreement that would remove the cedar hedge requirement from the location where the brick wall presently exists.

Councillor Bloomfield requested a recorded vote.

Resolution #2010/090

Moved by Ken Filson

Seconded by Brian Ritchie

THAT By-law 2010-030 being a by-law Approving and Ratifying and Amending Subdivision Agreement between Meadowcreek Estates Limited as the "Subdivider" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Registered Plan 33M-360 (geographic Township of London) in the Municipality of Middlesex Centre, in the County of Middlesex be deferred to the May 5, 2010 meeting of Municipal Council.

Name	Yes	No
Albert Bannister	■	
Frank Berze	■	
Clare Bloomfield		■
John Brennan		■
Al Edmondson		■
Ken Filson	■	
Brian Ritchie	■	

- Carried -

Resolution #2010/091

Moved by Clare Bloomfield

Seconded by Albert Bannister

THAT By-law 2010-026, being a By-law to Amend By-law 2009-098 Establishing Various Fees and Charges for Services Provided by the Municipality of Middlesex Centre (Fee Consolidation By-law) be approved and this constitutes first, second and third reading and By-law 2010-026 is hereby enacted.

THAT By-law 2010-027, being a By-law to Provide for the Regulation of the Display, Sale and Discharge of Fireworks in the Municipality of Middlesex Centre be Approved and this constitutes first, second and third reading and By-law 2010-027 is hereby enacted.

THAT By-law 2010-028, being a By-law to Regulate the Establishment of Open Air Burning be approved and this constitutes first, second and third reading and By-law 2010-028 is hereby enacted.

THAT By-law 2010-031, being a By-law Approving and Ratifying an Amending Subdivision Agreement between Meadowcreek Estates Limited as the "Subdivider" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Registered Plan 33M-613 (geographic Township of London) in the Municipality of Middlesex Centre, in the County of Middlesex be approved and this constitutes first, second and third reading and By-law 2010-031 is hereby enacted.

THAT By-law 2010-032, being a By-law to Accept and Assume Ownership of the Works on Registered Plan 33M-513 (geographic Township of London) Deerhaven Estates Phase 6 Subdivision, Ilderton be approved and this constitutes first,

second and third reading and By-law 2010-032 is hereby enacted.

THAT By-law 2010-033, being a By-law to Appoint a Weed Inspector for the Municipality of Middlesex Centre for the Year 2010 be approved and this constitutes first, second and third reading and By-law 2010-033 is hereby enacted.

THAT By-law 2010-034, being a By-law to provide for interim tax levies for the year 2010 for the Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-034 is hereby enacted.

- Carried -

**INFORMATION ITEMS**

Staff was asked to send an acknowledgement and thank you with respect to Information Item #7.

Regarding the Council and Committee Schedule of meetings in Information item #6, it was clarified that the May 12, 2010 Committee of the Whole meeting would be at 7:00 pm and that Corporate Services and Public Works and Engineering Committee meetings for May would be held on May 17, 2010 at the regular time.

**CONFIRMING BY-LAW**

1. Resolution # 2010/092  
Moved by Clare Bloomfield  
Seconded by John Brennan

THAT By-law Number 2010-035 being a By-law to confirm the proceedings of the Council meeting held on April 7, 2010 be approved and that this constitutes the first, second and third reading and By-law Number 2010-035 is hereby enacted.

- Carried -

**ADJOURNMENT**

There being no further business, this meeting of Council adjourned at 7:15 p.m. to meet again on Wednesday, April 21, 2010 at 7:00 p.m.

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MAYOR

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CLERK

**INFORMATION**

Item	Item Index
1	AMO – Government Responds to AMO and Municipalities and Announces 2008 Reconciliation
2	AMO – Provincial Budget Maintains Child Care and Infrastructure Funding; Increases Social Assistance Costs
3	AMO – Bills Introduced Since Legislature was Prorogued and Recalled
4	AMO – Provincial Government Introduces New Retirement Homes Act
5	AMO – Holding a Successful Meeting by Don Cousens
6	Council and Committee Meetings – April and May
7	Correspondence from Ken McGuffin – Re: Scott Moir and Tessa Virtue
8	Enviro-Friends News – Winter 2009-10
9	Federation of Canadian Municipalities – Annual Conference and Expo – May 28 – 31, 2010
10	Lower Thames Valley Conservation Authority – Board of Directors Annual Meeting Minutes – February 25, 2010
11	Ontario Public Service Employees Union (OPSEU) – Correspondence from Warren (Smockey) Thomas, President Re: Service Quality Issues at Municipal Property Assessment Corporation (MPAC) – March 16, 2010
12	Municipal Property Assessment Corporation (MPAC) – Correspondence from Carl Isenburg, President and CAO Re: Negotiations with the Ontario Public Service Employees Union (OPSEU) – March 19, 2010
13	Minister Without Portfolio, Responsible for Seniors – 2010 Senior of the Year Award
14	Ontario Good Roads Association (OGRA) – Municipal DataWorks (MDW) Project
15	Municipal DataWorks – MDW News March 2010
16	Resolution – Township of Muskoka Lakes – Request for Funding and Increased Education for Accessibility Standards
17	St. Clair Region Conservation Authority – 38 <sup>th</sup> Annual Sydenham River Canoe Race
18	Thames – Sydenham and Region Source Protection Authority – Meeting Minutes – February 25, 2010
19	Upper Thames River Conservation Authority – Board of Directors Meeting Agenda and Minutes – March 23, 2010