

Minutes of a regular meeting of the Council of the Municipality of Middlesex Centre held this date at the Municipal Office, Coldstream at 6:30 p.m.

ATTENDANCE

PRESENT

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

ALSO PRESENT

Cathy Saunders	Chief Administrative Officer/Clerk
Maureen Looby	Manager, Public Works & Engineering
Jim McConnell	Manager, Planning & Development Services
Greg Watterton	Treasurer/Acting Manager of Recreation and Facility Services
Marc Bancroft	Senior Planner
John Elston	Supervisor, Emergency Services and Fire Chief
Greg Laforge	Environmental Technologist

Mayor Edmondson presided.

ADDITIONS TO THE AGENDA

None were disclosed by any of the members.

DISCLOSURE OF PECUNIARY INTEREST

None were disclosed by any of the members.

STAFF REPORTS

1. CORPORATE SERVICES DEPARTMENT

1.1 Treasury

1.1.1 Committee of the Whole Meeting Minutes – 2009 Budget

The Deputy Mayor indicated that he agreed with the proposal before Council, however, he indicated that he believed that the Jefferies Road capital project should be deferred and the money put towards an alternative Project. He indicated that he has surveyed Jefferies Road and believes it is in fairly good shape and does not require reconstruction at this time.

The Deputy Mayor requested a recorded vote.

Resolution #2009/021

Moved by Clare Bloomfield
Seconded by John Brennan

THAT Council receive the Minutes of the February 11, 2009 Committee of the Whole Meeting.

WHEREAS section 290 of the Municipal Act S.O. 2001, c.25, as amended, requires Council to adopt an annual budget including estimates of all sums required during the year for the purposes of the municipality; and

WHEREAS Municipal By-Law #2003-003 requires that public notice be given of the intention to adopt the budget; and

WHEREAS public notice has been given in accordance with the Municipal By-Law; and

WHEREAS Council through the review of the draft budget determined that the following matters be included within the 2009 Budget:

1. THAT the balance of the Roads and Bridges Reserve Fund of \$70,805.02 be transferred to the Roads Capital Reserve Fund.
2. THAT \$71,424.98 be transferred from the Tax Rate Stabilization Reserve Fund to the Buildings & Facilities Reserve Fund.
3. THAT the balance of the BMA Consulting report recommendations be transferred to Reserve Funds as follows:

Buildings & Facilities	\$12,645.02
Fire Vehicles & Equipment	3,570.00
General Vehicles & Equipment	33,451.00
Roads Capital	68,128.98
Storm Water Capital	69,205.00

WHEREAS Council has directed that the Municipal portion of the 2009 tax rate be 4.76% less than the 2008 Municipal portion of the tax rate; and

WHEREAS Council anticipates that the estimated overall residential tax rate decrease, including County and School Board, will be approximately 3.66%:

THAT the 2009 Budget of Revenue and Expenditures, as prepared and amended by the Treasurer and reviewed in draft form by Council and appropriate notice given, be hereby adopted, as amended, as follows:

Expenditures	\$61,052,517
Revenue	\$52,571,084
Taxes	\$ 8,481,433

AND FURTHER THAT the Treasurer be directed to prepare the by-law for the setting of the tax rates at such time as the upper tier and education rates are formally received.

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

1.1.2 Report No. CSD003/09-T – 2008 Council Remuneration

Council reviewed the annual report regarding Council remuneration. The Treasurer indicated that the Report circulated with the Agenda contained an error with respect to a per diem payment to the Deputy Mayor in the amount of \$425.00. He indicated that this per diem was not provided to or collected by the Deputy Mayor.

Resolution #2009/022

Moved by Albert Bannister

Seconded by Brian Ritchie

THAT Report Number CSD003/09-T, dated January 30, 2009, as amended and entitled “**2008 Council Remuneration**” be received.

- Carried -

1.1.3 Report No. CSD004/09-T – 2008 Development Charges Summary

Council reviewed the Report of the Treasurer which provided information regarding the 2008 activities related to Development Charges.

Resolution #2009/023

Moved by Clare Bloomfield

Seconded by John Brennan

THAT Report Number CSD004/09-T, dated January 30, 2009 and entitled “**2008 Development Charges Summary**” be received.

- Carried -

1.1.4 There were no further reports or inquiries.

1.1 Clerk

1.2.1 Report No. CAOC006/09 – Proposed Community Wellness & Recreation Centre – Architect Selection – Initial Phase

Council discussed the experience of the Architect being recommended by the Building Committee, it being noted that they have not undertaken an arena project previously. Councillor Ritchie, on behalf of the Building Committee indicated that the firm had addressed this concern by providing as part of their Project Team individuals and companies that had direct experience with arena development. He indicated that given that this Centre will be a focal point for the community the Building Committee placed more emphasis on the ability of the consultant to achieve a high level and uniqueness of design for all components of the building. It was also noted by members of the Building Committee that the recommended consultant has participated in a number of large projects throughout the area.

Discussion took place regarding the need for a two pad arena. The Deputy Mayor indicated that he remains concerned with the construction of a two pad arena given that previous studies undertaken suggested that only a one pad arena was required.

Councillor Ritchie indicated that staff is seeking input from potential ice users and will be providing a report on the

requested ice allocation for the new Centre. Other members of the Building Committee indicated that members of the community indicated that a two pad arena should be constructed.

Council also discussed the need to address environmental issues through the provision of green initiatives and a sustainable structure that address energy efficiencies. Councillor Filson indicated that the recommended consultant is LEEDS certified but is recommending that the project be taken through a Green Globe certification process rather than through the expense of a LEEDS certified building.

Members of the Building Committee requested clarification regarding the decision making process and the need to move things quickly. It was agreed that after the initial meeting with the architect further discussion would take place regarding such matters as the fitness centre, gymnasium, kitchen facilities, etc. Further discussion is to occur regarding the existing library and the potential for providing a new library at the site.

Staff was directed to forward a letter to organizations seeking interest in operating programs within the proposed fitness centre.

Resolution #2009/024

Moved by Ken Filson

Seconded by Brian Ritchie

1. THAT the Report No. CAOC006/09 of the Building Committee, dated February 13, 2009 and entitled "**Proposed Community Wellness & Recreation Centre – Architect Selection – Initial Phase**", be received.
2. THAT the firm of Cornerstone Architects Incorporated be retained to undertake the Initial Phase of the Proposed Community Wellness and Recreation Centre Project based on their proposal dated January 9, 2009 and clarification letter of February 10, 2009 at an upset cost of \$9,575.00, exclusive of GST.
3. THAT the Mayor and Clerk be authorized to execute the required contract to undertake this Initial Phase of the Proposed Community Wellness and Recreation Centre Project.

- Carried -

1.2.2 There were no further reports or inquiries.

PUBLIC MEETING UNDER SECTIONS 34, 39 AND 51 OF THE PLANNING ACT

1. Resolution #2009/025
Moved by Albert Bannister
Seconded by John Brennan

THAT Council move into Public Meetings at 7:00 p.m. under Sections 34, 39 and 51 of the Planning Act, R.S.O. 1990, c. P13, as amended.

- Carried -

2. **Application for a Zoning By-law Amendment from William Henry Theodore Vandenburg and Katharine Susan Elizabeth Vandenburg for lands described as Part of Lot 4, Concession 2; Lots 22 and 23 on Registered Complied Plan 428; being Parts 1-3 on Reference Plan 33R-13723 (geographic Township of Delaware), Municipality of Middlesex Centre.**

Mayor Edmondson provided an introduction stating the purpose of the Public Meeting and stated the process following the Public Meeting. Planning staff confirmed that notice of the Public Meeting had been given in accordance with the Planning Act.

There were no members of the public in attendance regarding this application.

Marc Bancroft reviewed the application with Council and members of public present. He indicated that the purpose of the temporary use by-law is to permit the existing single detached dwelling to remain on the subject property for a period not to exceed two years while a new single detached dwelling is constructed. He indicated that the existing dwelling would be removed from the property when the new single detached dwelling has received a final inspection to permit occupancy.

Comments from the County of Middlesex, the Upper Thames River Conservation Authority, the Municipal Public Works and Engineering Department and the Deputy Chief Building Official were provided to members of Council.

There were no questions or comments from the public or members of Council.

The Mayor thanked those in attendance for their comments and indicated that a staff report regarding the application will be forwarded to the March 18, 2009 Planning and Development Services Committee for consideration.

DUE TO THE NUMBER OF PEOPLE IN ATTENDANCE FOR THE PUBLIC MEETING BELOW, THE COUNCIL MEETING WAS RELOCATED TO THE COLDSTREAM COMMUNITY CENTRE

3. **Application for a Proposed Plan of Subdivision and a Zoning By-law Amendment from Hal Gould, Graeme Lowry and Douglas Weldon for the lands described as three separate parcels all located west of Richmond Street (Highway 4) in the village of Arva. The one parcel is situated on the north side of Medway Road (County Road 28) and generally described as Part of Lot 17, Concession 7 (geographic Township of London), Municipality of Middlesex Centre. The second and third parcels are both situated on the south side of Medway Road (County Road 28) and generally described as Part of Lot 17, Concession 6 (geographic Township of London) in the Municipality of Middlesex Centre.**

Mayor Edmondson provided an introduction stating the purpose of the Public Meeting and stated the process following the Public Meeting. Planning staff confirmed that notice of the Public Meeting had been given in accordance with the Planning Act.

There were approximately 70 members of the public in attendance regarding this application.

Marc Bancroft reviewed the application with Council and members of public present. He indicated that the purpose of the applications is to consider the development of a subdivision to facilitate: 122 single detached residential lots; one "live-work" street townhouse block with 18 units and three street townhouse blocks with a total of 44 units. He indicated that five park blocks,

a stormwater management block and a walkway/emergency access block to Croydon Drive is also proposed. Mr. Bancroft indicated that the purpose of the zoning by-law amendment request is to rezone the land to facilitate the development. He outlined the special provisions that were being sought with respect to front yard, side yard and rear yard setbacks.

Comments from the City of London, County of Middlesex, the Ministry of Municipal Affairs and Housing, specifically the Ministry of Transportation and the Ministry of Environment, the Upper Thames River Conservation Authority, Hydro One, Union Gas, the Thames Valley District School Board, the Municipal Public Works and Engineering Department and the Deputy Chief Building Official were provided to members of Council.

Written comments were provided from the following organizations and individuals:

Corlon Properties Inc.	379 Sunningdale Rd. W. London N6G 5B9
York Developments	233 Horton St. E. London N6B 1L1
Barry Johnson and Eileen Parker	#840 – 495 Richmond St. London N6A 5A9
Eleanor Schnall	33-21 St. John's Drive Arva N0M 1C0
Doug Pepino	27 Croydon Drive Arva N0M 1C0
R.I. Morrison	PO Box 182, Arva Ontario N0M 1C0
Al & Sharon Beck	18 Croydon Drive Arva N0M 1C0
L.D. Holmes	10 Croydon Drive Arva N0M 1C0
Doug & Sharon Coleman	16 Croydon Drive Arva N0M 1C0
Klemens & Hilda Libal	14335 Medway Road Arva N0M 1C0
Ian & Maree McLeod	19 Croydon Drive Arva N0M 1C0
Roy & Joanne Carter	45 Sir Robert Place PO Box 200, Arva N0M 1C0
Bruce & Carla Hill	44 Sir Robert Place Arva N0M 1C0
W. Fryday	26 Croydon Drive Arva N0M 1C0
Christel & Bob Morton	24 Croydon Place Arva N0M 1C0
Peter & Debbie Buckland	15 Croydon Drive Arva N0M 1C0
Robert Gratton	21 Croydon Drive Arva N0M 1C0
Aida & Charles Gatfield	23 Croydon Place Arva N0M 1C0
Peter Chelonis	
Margie Panopoulos	20 Croydon Drive Arva N0M 1C0
Maria Pittao	13 Croydon Drive Arva N0M 1C0
Joy Squire-Smith	11 Croydon Drive PO Box 18, Arva N0M 1C0

MacNaughton Hermsen, Britton, Clarkson – 630 Colborne Street, Suite 202, London, Ontario N6B 2V2 – Ms. Carol Wiebe on behalf of the following individuals:

Roy and Joanne Carter	45 Sir Robert Place
Bruce and Carla Hill	44 Sir Robert Place
Syd and Lynda Usprich	1 Croydon Drive
Mike and Carey Duncan	2 Croydon Drive
Kim Harris	3 Croydon Drive
Pam Mitchell	5 Croydon Drive
Gary & Ellen Bean	6 Croydon Drive
Don and Tina Boogerman	7 Croydon Drive
Barry and Eileen Johnson/Parker	9 Croydon Drive
Larry and Joan Holmes	10 Croydon Drive
Stuart and Joy Smith/Squire-Smith	11 Croydon Drive
Brian and Linda Burnet	12 Croydon Drive
Peter and Deb Buckland	15 Croydon Drive
Doug & Sharon Coleman	16 Croydon Drive
Jamie and Sue Deakin	17 Croydon Drive
Al and Sharon Beck	18 Croydon Drive
Ian and Maree McLeod	19 Croydon Drive
Peter and Margie Chelonis	20 Croydon Drive
Rob and Romona Gratton	21 Croydon Drive
Chuck and Aida Gatfield	23 Croydon Place

Bob and Christel Morton	24 Croydon Place
Bernie and Sandy Welfred	25 Croydon Place
Wilf and Joyce Fryday	26 Croydon Drive
Doug and Carol Pepino	27 Croydon Drive
Robert Morrison	21 St. John's Drive Unit 26

The following individuals spoke at the Public Meeting:

Carol Wiebe – McNaughton Hermsen, agent for a number of residents listed above.

Wilf Fryday of 26 Croydon Drive
Lisa Carter 14302 Medway Road
Les Shelton 14408 Medway Road
Stuart Smith 11 Croydon Drive
Aida Gatfield 24 Croydon Place
Marg Russell 1 St. John's Drive Unit 4
Larry Holmes 10 Croydon Drive
Peter Buckland 15 Croydon Drive
Maree McLeod 19 Croydon Drive
Graeme Lowry 90 Sir James Court
Doug Coleman 16 Croydon Drive

The following summarizes the concerns raised by members of the public and their representatives at the Public Meeting:

- Proposal is much denser than the existing developed areas of Arva and therefore will have a negative impact on the community of Arva
- Proposal is more suburban in nature and is not in character with the area
- Interface between existing lots and proposed lots fails to recognize the unique character of the estate lots with, in some cases, a minimum of 4 lots being proposed to be adjacent to an existing single lot
- the requested special provisions of the zoning by-law amendment demonstrates that the proposal is out of character with the community
- the plan should be modified to ensure that the interface between the new lots and the existing lots are more compatible and include a reduction in the number of lots along the south side of Street B. The lot sizes proposed along the westerly limit of Street B should be continued easterly along the entire length of the street toward Richmond Street.
- More information is required regarding the live work units. What types of uses are to be permitted? Will they require the owner to occupy the unit? Where is visitor parking to be provided?
- Will the units proposed on the south side of Medway Road be single or two storey units? Will there be visitor parking provided and how will the rear lane be maintained?
- There appears to be a lack of active parkland area being proposed for the future residents.
- Concern is raised regarding potential increase in traffic in the area as a result of the development.
- There is a desire to maintain the rural character of the road systems.
- There is a strong objection to the extension of Croydon Drive or the provision of an emergency access to Croydon Drive from the new development due to the increase in traffic that will result.

- There are concerns that increased traffic on Croydon Drive will lead to safety issues given that Croydon Drive does not have sidewalks or streetlights.
- There is limited capacity available in the wastewater system to accommodate additional growth. The services constructed on Croydon Drive are at minimum depth which has resulted in some sewer backups in existing homes. The residents are concerned that additional services may worsen the situation.
- The residents indicated concern that if such structures as fences and accessory buildings were to be constructed that their current views from the rear yards of their properties may be blocked. They are also concerned with the location of the proposed walkway that would provide access to the valley land behind their properties and the resulting loss of privacy.
- Concern was raised that the developer will not be paying the same amount toward the provision of services as the existing residents of Arva were required to do.
- There was concern that the new development will result in increased crime in the area.
- Mr. and Mrs. Carter were concerned that a proposed laneway would be placed beside their existing home which would result in loss of privacy and devalue their home.

Mr. Hannay, agent for the applicant provided information pertaining to the proposed development indicating that his client will have to provide water and waste water services at their expense. He indicated that he believed that the City of London would be receptive to changing the agreement to increase the capacity available. He also indicated that the Municipality requested the emergency access and not his client.

The Mayor thanked those in attendance for their comments and indicated that a staff report regarding the application will be forwarded to the March 18, 2009 Planning and Development Services Committee for consideration.

Resolution #2009/026
Moved by Clare Bloomfield
Seconded by Ken Filson

THAT Council resume into general session at 9:15 p.m.

- Carried -

THE COUNCIL MEETING RESUMED IN THE COUNCIL CHAMBERS

STAFF REPORTS

1. Public Works & Engineering Department

2.1 Report No. PWE-005-09/W – Drinking Water Quality Management Standard – Endorsement of Operational Plans

The Manager of Public Works and Engineering and the Environmental Technologist provided an overview of the Operational Plans for the Municipality's systems.

Resolution #2009/027

Moved by Frank Berze

Seconded by Clare Bloomfield

THAT on the recommendation of the Manager, Public Works and Engineering:

1. THAT Report Number PWE-005-09/W entitled "Drinking Water Quality Management Standard – Endorsement of Operational Plans," be received; and
2. FURTHER THAT Council endorses the 2009 Operational Plans for Middlesex Centre's drinking water systems as required under Ontario's Drinking Water Quality Management Standard.

- Carried -

2.2 There were no further reports or inquiries.

CONFIRMING BY-LAW

Resolution # 2009/028

Moved by Clare Bloomfield

Seconded by Ken Filson

THAT By-law Number 2009-012 being a By-law to confirm the proceedings of the Council meeting held on February 18, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-012 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 11:00 p.m. to meet again on Wednesday, March 4, 2009 at 4:00 p.m.

MAYOR

CLERK