

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
Councillor Filson
Councillor Brennan
Councillor Bloomfield
Councillor Ritchie
Councillor Berze

ABSENT WITH REGRETS

Deputy Mayor Bannister

ALSO PRESENT

Cathy Saunders	Chief Administrative Officer/Clerk
Maureen Looby	Director, Public Works & Engineering
Jim McConnell	Director, Planning & Development Services
Marc Bancroft	Senior Planner
Arnie Marsman	Deputy Chief Building Official
John Elston	Manager, Emergency Services/Fire Chief
Jim Reeve	Drainage Superintendent
Ben Puzanov	Planner

Mayor Edmondson presided.

The reporters from the Strathroy Age Dispatch and Middlesex Banner were 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.

MINUTES

1. Resolution # 2009/153
Moved by Frank Berze
Seconded by John Brennan

THAT the minutes of the regular meeting of Council held on July 2, 2009 be approved.

- Carried -

CONSENT AGENDA

Marc Bancroft, Senior Planner indicated that the hearing regarding Committee of Adjustment Variance Application A-11/09 will be deferred from the July 27, 2009 hearing to a subsequent hearing as there was an error on the notice. He indicated that as a result of the error, notice of the hearing will need to be circulated again with the correct information.

Resolution # 2009/154

Moved by Brian Ritchie

Seconded by Clare Bloomfield

1. THAT Council receive the Notices of the Committee of Adjustment Hearing to be held on July 27, 2009.
2. THAT the accounts as presented by the Treasurer in the amount of \$8,230,648.58 be approved for payment.

- Carried -

STAFF REPORTS**1. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT****1.1 Planning****1.1.1 Report No. PS-P-03-09 – Campground Licencing By-law and General Amendment to Middlesex Centre Comprehensive Zoning By-law No. 2005-005**Resolution #2009/155

Moved by John Brennan

Seconded by Brian Ritchie

THAT Council receive Report Number PS-P-03-09, dated July 17, 2009 and entitled "Campground Licencing By-law, General Amendment to the Middlesex Centre Comprehensive Zoning By-law No. 2005-005 – To consider allowing "park model trailers" in campgrounds"; and

THAT the approved campground licencing by-law be revised with respect the following.

- 1.1 That the recreational hall in addition to the cabins situated on the Oriole Park property be recognized;
- 1.2 That the pamphlet alternative to the main entrance sign be permitted; and
- 1.3 That the fire pit setbacks be revised in regards to 4 metres (13 ft) generally from a tent or trailer and 2 metres (6.6 ft) from the boundary of a campsite.

THAT the approved campground licencing by-law as revised be enacted.

THAT the general zoning by-law amendment be enacted; and that no further public notice be required.

- Carried -

1.1.2 There were no further reports or inquiries.

1.2 Building**1.2.1 Report No. PS-B-10-09-CBO – Delaware Library**

Councillor Ritchie inquired whether the existing septic system would be adequate if the library building was to be renovated and expanded with an addition.

Jim McConnell, Director of Planning and Development Services indicated that the existing septic system is adequate.

Councillor Berze indicated that it appears that the partnering with the London District Catholic School Board to construct a new library at the new Our Lady of Lourdes site is not feasible from an economic perspective.

Councillor Filson expressed concern that the School Board was unwilling to share the library facilities at the new site and instead would only support a separate library.

Resolution #2009/156

Moved by Frank Berze

Seconded by Ken Filson

THAT Council receive Report Number PS-B-10-09, dated July 17, 2009 and entitled "Delaware Library".

- Carried -

Further discussion took place regarding the future of the Delaware Library with it being decided that the matter be deferred to permit staff an opportunity to further evaluate the renovations and expansion of the existing facility and to provide an opportunity for public input.

Resolution #2009/157

Moved by Ken Filson

Seconded by John Brennan

THAT staff be directed to advise the London and District Catholic School Board that the Municipality will not proceed with partnering with the School Board to construct a new Delaware Library and the new Our Lady of Lourdes site as the School Board has indicated that the integration of a new library with the new school is not possible.

- Carried -

- 1.2.2 Jim McConnell indicated that the Middlesex Centre Doctors Clinic construction is progressing on schedule.

1.3 Drainage

- 1.3.1 Report No. PS-D-06-09-DS – Request for Municipal Drainage – The Middlesex Wellness Drain Part of Lot 6, Concession 2, Tunks Lane and Glendon Drive, Komoka, Geographic Township of Lobo

Resolution #2009/158

Moved by Brian Ritchie

Seconded by John Brennan

THAT Council receive Report Number PS-D-06/09, dated July 22, 2009 and entitled "Request for Municipal Drainage – The Middlesex Wellness Drain, Part of Lot 6, Concession 2, Tunks Lane and Glendon Drive, Komoka, Geographic Township of Lobo", and

FURTHER THAT Council proceeds with the Drainage Works; 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 Mr. Michael Devos, of Spriet Associates be appointed to prepare a Drainage Report for a New Municipal Drain in accordance with the Ontario Drainage Act.

- Carried -

- 1.3.2 Councillor Filson requested an update regarding the Patrick Drain on Fourteen Mile Road.

Maureen Looby, Director of Public Works and Engineering indicated that a meeting with the landowners was held on July 17, 2009 where further detail regarding the work to be undertaken was explained to the residents. She indicated that the existing road culvert will be replaced with a larger culvert and that extensive ditching improvements will occur on the north side.

Councillor Bloomfield stated that he had attended the meeting and that the residents, for the most part, were satisfied with the work that is to be undertaken.

1.4 By-law Enforcement

- 1.4.1 Councillor Brennan requested staff to investigate the no parking signs in Ilderton in front of the UPI Gas Station as he believes that they are incorrectly placed.

2. **RECREATION AND FACILITY SERVICES DEPARTMENT**

- 2.1 There were no reports or inquiries.

3. **PUBLIC WORKS AND ENGINEERING DEPARTMENT**

- 3.1 Maureen Looby indicated that the tender from the second grader closed and that the price for the grader was below budget.

She also indicated that the closing date for submission for Request for Proposal for the Denfield Operations Centre has been extended by two weeks as a number of the companies that were invited to submit indicated that they needed additional time given the busy construction season.

Mayor Edmondson noted a concern that was recently raised by the Deputy Mayor regarding the Denfield Operations Centre project. He indicated that the Deputy Mayor believes that a Building Committee, similar to the Committee that has been established for the Wellness and Recreation Centre should be in place for this project. He indicated that the Deputy Mayor believed that the Request for Proposal is too detailed.

Ms. Looby indicated that Council had previously discussed this and had determined that a Building Committee was deemed to be not necessary. She indicated that three members of staff and the consulting engineer that has been retained will review all submissions and provide a recommendation to Council. She stated that Council approval will be required as the 2009 Budget contains funds for engineering costs and not the building construction. She also

indicated that it is necessary to ensure detailed information in the Request for Proposal as this is a Design/Build project.

Members of Council discussed this matter further indicated that the Wellness and Recreation Centre project and the Denfield Operations Centre project are two distinctly different projects, with the Wellness Centre requiring greater public review and design discussions than the Operations Centre. Council also acknowledged that they had previously directed staff to carry out the process without a Building Committee being required. Council concluded that they are comfortable with the process currently underway acknowledging that a recommendation would be brought forward for Council approval.

Ms. Looby also reported that the tender for the Komoka/Kilworth water supply project for the Middlesex Centre portion of the work closed and came in under budget.

4. **CORPORATE SERVICES DEPARTMENT**

4.1 Treasury

4.1.1 There were no reports or inquiries.

4.2 Fire & Emergency Services

4.2.1 There were no reports or inquiries.

4.3 Clerk

4.3.1 Report No. CAO031/09 – Request for Agreement for Building/Planning Services – Lucan Biddulph

Councillor Filson suggested that the fee to be charged for the services should be reviewed on an annual basis.

Cathy Saunders, Chief Administrative Officer/Clerk indicated that staff would bring this matter forward as part of the fee by-law discussions that occur in December of each year.

Resolution #2009/159

Moved by Clare Bloomfield

Seconded by Frank Berze

THAT Council receive Report Number CAOC031/09, dated July 7, 2009 and entitled "Request for Agreement for Building/Planning Services – Lucan Biddulph"; and

FURTHER THAT the Agreement for the Provision of Services between the Township of Lucan Biddulph and the Municipality of Middlesex Centre attached as Appendix A to Report Number CAOC031/09 be approved; and

FURTHER THAT By-law 2009-058, being a By-law approving and ratifying an Agreement for the Provision of Services for Building Inspections and Planning Review of Building Permits between The Corporation of the Township of Lucan Biddulph as "Lucan Biddulph" and the Municipality of Middlesex Centre as "Middlesex Centre" be approved.

- Carried -

4.3.2 Report No. CAO032/09 – Development Charges Background Study – Non-Engineered Services Public Response

Councillor Filson requested clarification regarding the proposed Development Charges to be applied to Agricultural and Industrial development. Ms. Saunders indicated that the draft by-law provides for a reduced charge for agriculture of \$0.14 and \$1.27 for industrial developments.

Resolution #2009/160

Moved by Frank Berze

Seconded by Ken Filson

THAT Council receive Report Number CAOC032/09, dated July 14, 2009 and entitled “Development Charges Background Study – Non-Engineered Services Public Response”;

THAT the Development Charge Background Study prepared by Watson and Associates dated May 22, 2009 (as amended on July 14, 2009) be received and approved;

THAT Council approve the capital projects as set out in Chapter 4 of the Development Charge Background Study dated May 22, 2009 (as amended on July 14, 2009), subject to annual review during the capital budget process;

THAT Council express its intention that development related post planning period capacity of the works identified in the Development Charge Background Study be paid for by development charges or other similar charges;

THAT whenever appropriate, that grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development (or new development where applicable);

THAT Council confirm that no further notice or public meeting is required pursuant to Section 12 of the *Development Charges Act, 1997*;

THAT By-law 2004-106 be repealed; and

THAT Council enact By-law No.2009-062 being a by-law to establish Municipal-Wide Development Charges for Non-Engineered Services, and to repeal By-law 2004-106, as amended.

- Carried -

4.3.3 Report No. CAO032/09 – Development Charges Background Study – Non-Engineered Services Public Response

Resolution #2009/161

Moved by Clare Bloomfield

Seconded by Brian Ritchie

THAT Council receive Report Number CSD007-DC, dated July 14, 2009 and entitled “By-Law 2009-061 – Road Dedication – Harris Road, Lot 15 on Plan 305”;

FURTHER THAT By-law 2009-061 being a by-law to dedicate for road purposes lands described as Part Lot 15 on Plan 305; designated as Part 1 Plan 33R17233 and Part 1 Plan

33R17373, Municipality of Middlesex Centre being PIN 08509-0086 (LT) be approved.

- Carried -

4.3.4 Report No. CSA013/09 – Department of Fisheries and Oceans Requirements Pertaining to Drainage Works and Bridge Reconstruction

Resolution #2009/162

Moved by Brian Ritchie

Seconded by John Brennan

THAT Council receive Report Number CSA013/09, dated June 30, 2009 and entitled “Department of Fisheries and Oceans Requirements Pertaining to Drainage Works and Bridge Reconstruction”.

- Carried -

4.3.5 Report No. CSS0909 – Photocopier Purchase

Resolution #2009/163

Moved by Frank Berze

Seconded by Clare Bloomfield

THAT Council receive Report Number CSS0909, dated July 16, 2009 and entitled “Photocopier Purchase”; and

FURTHER THAT Council approve the proposal submitted by OE Canada Inc. to purchase 2 photocopiers in the amount of \$16,195.67, with a service contract of \$0.0085 per copy for the Toshiba e-studio 523, and \$0.012 per page of black and white and \$0.115 per page of colour for the Toshiba e-studio 451c.

FURTHER THAT Council approve an amendment to the 2009 Capital Budget in the amount of \$1,195.67 to purchase two photocopiers from OE Canada Inc.

- Carried -

4.3.6 There were no further reports or inquiries

READING OF THE REPORT – BALLYMOTE NORTH DRAIN BRANCHES “A” AND C” 2009

Mayor Edmondson welcomed those in attendance regarding the Drainage Matter and introduced Michael Devos of Spriet Associates who proceeded to explain the construction details of the drain.

There were five landowners in attendance.

Mr. Devos reviewed the Drainage Report that had been circulated to the affected landowners. He indicated that the Drainage Work is related to the construction of a Municipal Drain serving Parts of Lots 7 to 9, Concessions 7 and 8 (geographic Township of London) in the Municipality of Middlesex Centre.

Mr. Wilson indicated concern that the watershed defined by the mapping in the Engineer’s Report may not reflect the watershed that exists today. Mr. Devos indicated that he was willing to go on site to investigate the concern however that would result in a delay in the project occurring and additional costs that would be placed against the drain.

Mr. Wilson indicated that he did not wish to delay the process or increase costs and therefore he was satisfied.

Resolution #2009/164

Moved by Brian Ritchie

Seconded by Clare Bloomfield

THAT Council having considered the Engineer's Report dated April 30, 2009 for the Ballymote North Drain Branches "A" and "C" approves Provisional By-law Number 2009-059 being a By-law to provide for a drainage works known as the Ballymote North Drain Branches "A" and "C" and that this constitutes the first and second reading of By-law Number 2009-059; and

FURTHER THAT Council appoints September 2, 2009 at 5:30 p.m. for the Court of Revision;

FURTHER THAT the following persons be appointed to the Court of Revision:

1. Al Edmondson
2. Ken Filson
3. Brian Ritchie
4. Frank Berze
5. John Brennan

- Carried -

READING OF THE REPORT – HACK DRAINS 2009

Mayor Edmondson welcomed those in attendance regarding the Drainage Matter and introduced Michael Devos of Spriet Associates who proceeded to explain the construction details of the drain.

There was one landowner in attendance.

Mr. Devos reviewed the Drainage Report that had been circulated to the affected landowners. He indicated that the Drainage Work is related to the construction of a Municipal Drain serving Parts of Lots 7 and 8, Concession 13 (geographic Township of London) in the Municipality of Middlesex Centre.

Resolution #2009/165

Moved by Frank Berze

Seconded by Ken Filson

THAT Council having considered the Engineer's Report dated June 12, 2009 for the Hack Drains 2009 approves Provisional By-law Number 2009-060 being a By-law to provide for a drainage works known as the Hack Drains 2009 and that this constitutes the first and second reading of By-law Number 2009-060; and

FURTHER THAT Council appoints September 2, 2009 at 5:30 p.m. for the Court of Revision;

FURTHER THAT the following persons be appointed to the Court of Revision:

1. John Brennan
2. Ken Filson
3. Brian Ritchie
4. Frank Berze
5. Al Edmondson

- Carried -

PUBLIC MEETING UNDER SECTIONS 34 AND 39 OF THE PLANNING ACT

1. Resolution #2009/166
Moved by Clare Bloomfield
Seconded by Ken Filson

THAT Council move into Public Meetings at 6:00 p.m. under Sections 34 and 39 of the Planning Act, R.S.O. 1990, c. P13, as amended.

- Carried -

2. **Application for a Zoning By-law Amendment from Daniel Francis Fallon for lands described as Part of Lot 1, Concession 6 (geographic Township of London), 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 was one member of the public in attendance regarding this application.

Ben Puzanov, Planner indicated that the purpose of the application 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 being constructed. He noted that the Zoning By-law permits only one single detached dwelling on a lot and therefore permission is being sought to permit the construction of a new dwelling while the existing dwelling remains on the subject property.

Comments from the County of Middlesex, Upper Thames River Conservation Authority, the Deputy Chief Building Official, and the Public Works and Engineering Department were presented. Correspondence from Ken McGuffin and Martin Donkers in support of the application was also presented.

The Mayor thanked those in attendance for their comments and indicated that application will be forwarded to the August 12, 2009 Planning and Development Services Committee for consideration.

REGULAR COUNCIL RESUME

1. Resolution # 2009/167
Moved by Clare Bloomfield
Seconded by John Brennan

THAT Council reconvene in regular session at 6:05 p.m.

- Carried -

4.4 By-laws

Resolution #2009/168
Moved by John Brennan
Seconded by Frank Berze

THAT By-law 2009-051, being a By-law to Provide for the Licencing, Regulating and Governing of Campgrounds within the Municipality of Middlesex Centre be approved and this constitutes the first, second and third reading and By-law 2009-051 is hereby enacted.

THAT By-law 2009-052, being a General Amendment By-law to amend the Middlesex Centre Comprehensive Zoning By-law Number 2005-005 be approved and this constitutes the first, second and third reading and By-law 2009-052 is hereby enacted.

THAT By-law 2009-058, being a By-law Approving and Ratifying an Agreement for the Provision of Services for Building Inspections and Planning Review of Building Permits between The Corporation of the Township of Lucan Biddulph as "Lucan Biddulph" and the Municipality of Middlesex Centre as "Middlesex Centre" be approved and this constitutes the first, second and third reading and By-law 2009-058 is hereby enacted.

THAT By-law 2009-061, being a By-law to Dedicate for Road Purposes lands described as Part Lot 15 South of Ravine Rd Plan 305; Designated as Part 1 Plan 33R17233 and as Part 1 Plan 33R17373, Municipality of Middlesex Centre being PIN 08509-0086 (LT) be approved and this constitutes the first, second and third reading and By-law 2009-061 is hereby enacted.

THAT By-law 2009-062, being a By-law a By-law to Establish Municipal-Wide Development Charges for Non-Engineered Services and to repeal By-law 2004-106, as amended, be approved and this constitutes the first, second and third reading and By-law 2009-062 is hereby enacted.

- Carried -

INFORMATION ITEMS

1. Staff was directed to prepare a draft resolution regarding Canada Post Strategic Review of rural post offices for Council consideration.

CONFIRMING BY-LAW

1. Resolution # 2009/169
Moved by Clare Bloomfield
Seconded by John Brennan

THAT By-law Number 2009-063 being a By-law to confirm the proceedings of the Council meeting held on July 22, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-063 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 6:15 p.m. to meet again at a regular meeting of Council on Wednesday, August 12, 2009 at 4:00 p.m.

MAYOR

CLERK

INFORMATION

1. AMO – Count Me in Community Challenge Launch – 44 Municipalities Have Signed Up for the Challenge
2. AMO Alert 09049 – Important Report on Early Learning Signals Direction Ontario Must Take for Future Prosperity
3. AMO Alert 09050 – WDO Used Tire Plan Comes Into Effect September 1, 2009
4. AMO Alert 09051 – AMO Report to Members on June 2009 Board meeting
5. AMO Alert 09052 – Municipal, Provincial, Federal and Business Leaders Working Together
6. AMO Alert 09053 – Recreational Infrastructure Funding Announcements Now Underway
7. AMO Alert 09054 – Planning Act Survey
8. AMO Alert 09055 – Call for Applications for the Ontario Transportation Demand Management (TDM) Municipal Grant Program
9. AMO Alert 09056 – Government Releases Draft Built Environment Standard Under the AODA for Public Review
10. Booking Coordinator Position
11. Committee Meetings – July and August, 2009
12. Community Schools Alliance – Media Release
13. Community Schools Alliance
14. Lake Erie Region SPC Minutes – June 4, 2009
15. Las – LAS Energy Performance Benchmarking – Program Filling Up
16. MEPCO – OMERS Sponsors Corporation – Disposition of Contribution and Benefit Proposals
17. Ministry of Municipal Affairs & Housing – Notice to AMO 2009 Conference Delegates
18. Ministry of Municipal Affairs and Housing with AMO – 2009 Invitation to Delegates July 6
19. Ministry of Natural Resources – Annual Wildlife Rabies Control Operations
20. Ministry of the Environment – General Nutrient Management Regulation
21. Ministry of the Environment – Proposed Amendment to General Nutrient Management Regulation
22. Community School Alliance – Moratorium Sought on Closings – Article from Free Press
23. AMO – Notice of AGM and By-Law Amendment
24. News Release – Lambton-Kent-Middlesex Communities to Receive Funding for Recreational Upgrades

25. PWE REPORT 041 Response to Deputy Mayor – Traffic Counts
26. Resolution – CUPW – Save Public Post Offices & Rural Delivery
27. Resolution – Town of Innisfil – Harmonized Sales Tax Affects Electricity Rates
28. Resolution – Welland – Access to Service at Hospitals
29. Upper Thames River Conservation Authority – Administration Building Update
30. Letter of Thanks
31. Letter of Thanks – Thames Valley District – Language Award