

Minutes of a regular meeting of the Council of the Municipality of Middlesex Centre held this date at the Municipal Office, Coldstream at 7:00 p.m.

ATTENDANCE

PRESENT

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

WITH REGRETS

Deputy Mayor Bannister

ALSO PRESENT

Michelle Smibert	Chief Administrative Officer
Stephanie Troyer-Boyd	Clerk
Maureen Looby	Director, Public Works & Engineering
Arnie Marsman	Director, Planning & Development Services / Chief Building Official
Marc Bancroft	Senior Planner
Ben Puzanov	Planner
Jim Reeve	Drainage Superintendent

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.

PUBLIC MEETING UNDER SECTIONS 34 & 39 OF THE PLANNING ACT

Resolution #2010/153
Moved by Brian Ritchie
Seconded by Clare Bloomfield

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

- Carried -

1. Application for a Zoning By-law Amendment from Robert Tourigny for land described as Part of Lot 5, Concession 13 and more specifically as Parts 1 and 3, Reference Plan 33R-2204 (geographic Township of Lobo) 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.

Ben Puzanov, Planner, provided an overview of the application indicating that the purpose and effect of the proposed Zoning By-law Amendment 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. The property is currently zoned Agricultural (A1) in accordance with the Middlesex Centre Comprehensive Zoning By-law 2005-005, which permits only one single-detached dwelling on the property. Permission is therefore required to permit the construction of a new single-detached dwelling while the existing single-detached dwelling remains on the subject property.

The subject property is legally described as Part of Lot 5, Concession 13 and more specifically as Parts 1 and 3, Reference Plan 33R-2204 (geographic Township of Lobo) in the Municipality of Middlesex Centre. The subject property is located at the southeast intersection of Poplar Hill Road and Fernhill Drive.

Ben Puzanov indicated that correspondence had been received from County of Middlesex, Ausable Bayfield Conservation Authority and the Public Works and Engineering Department and they have expressed no objection to the application. Correspondence was also received from the Director of Planning and Development Services/Chief Building Official who indicated no objection but added that a temporary holding tank may be considered as an option should there be a conflict between the new house and the current septic system's location.

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

The Mayor summarized the public meeting and indicated that the application will be forwarded to the July 14, 2010 Planning and Development Services Committee meeting for consideration.

Resolution #2010/154

Moved by Clare Bloomfield

Seconded by Brian Ritchie

THAT Council resume into general session at 7:10 p.m.

- Carried -

STAFF REPORTS

1. PLANNING AND DEVELOPMENT SERVICES

1.1 Planning

1.1.1 Recommendation from Staff Report entitled Proposal Evaluations for the Comprehensive Review and Komoka-Kilworth Secondary Plan

Resolution # 2010/155

Moved by Frank Berze

Seconded by John Brennan

THAT the recommendation from the Planning and Development Services Committee, as seen in the Planning and Building Services Department report dated June 11, 2010 and entitled "Proposal Evaluations for the Comprehensive Review and Komoka-Kilworth Secondary Plan", be received, and

FURTHER THAT the proposal led by the GSP Group Inc. be selected to undertake the Comprehensive Review and Komoka-Kilworth Secondary Plan Study at a cost of \$149,830 and that staff be authorized to facilitate the endorsement of the contract agreement to initiate the commencement of the Study.

- Carried -

1.1.2 There were no further reports or inquiries.

2. **PUBLIC WORKS & ENGINEERING**

2.1 Drainage

2.1.1 Report No. PWE-038-10/DR – Ministry of Natural Resources' Endangered Species Act Agreement

Maureen Looby stated that Brad Graham and Kate McIntyre, representatives from the Ministry of Natural Resources, were present to answer any questions of Council.

Brad Graham explained that maps have been prepared to identify locations of endangered species and municipal drains to assist municipal drainage superintendents in preparing their work plans. He noted that the Drainage Superintendents Association was consulted in preparation of the agreement. He clarified that the agreement is an exemption agreement that allows municipalities to do drain repairs, clean outs and construction without being in contravention of The Endangered Species Act. He indicated that a municipality would not be subject to The Endangered Species Act provided the measures contained in the agreement are followed.

Kate McIntyre of the Ministry of Natural Resources noted that the Department of Fisheries and Oceans provides updated mapping data annually and that the maps will be forwarded to municipalities once updated.

Councillor Brennan questioned if Jim Reeve, Drainage Superintendent, was satisfied with the agreement. Jim Reeve stated that notification to MNR and DFO already takes place and that the agreement will result in little change from present practices. He noted that the mapping identifies very few instances where there would be an issue with endangered species in Middlesex Centre. He did acknowledge that annually updated maps and new species added to the endangered species list could affect practices in the future.

Councillor Brennan expressed concern with this process in that municipal drains are constructed to service agricultural land but these initiatives from other government agencies could ultimately cause negative effects to the agricultural lands. Brad Graham stated the exemptions have been created to address these concerns and that the agricultural community and the Drainage Superintendents Association worked with the MNR to create the agreement. He noted that there was an effort to work with existing processes and not against them when preparing the agreement.

Councillor Ritchie questioned how the municipality will become aware of any new scientific information with respect to the species. It was confirmed that the MNR would pass information on to the municipality.

Councillor Ritchie referred to the auditing component of the agreement and questioned the frequency of the audits. Brad Graham stated that they do not anticipate many formal audits but expect to see advanced reporting function.

Resolution # 2010/156
Moved by Brian Ritchie
Seconded by Ken Filson

THAT Report No. PWE-038-10/DR dated June 16, 2010 and entitled "Ministry of Natural Resources' Endangered Species Act Agreement' be received, and

THAT By-law 2010-063 being a By-law Approving and Ratifying an Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Ministry of Natural Resources under Sect. 23 of O. Reg 242/08 made under the Endangered Species Act, 2007 be approved.

- Carried -

- 2.1.2 Director of Public Works and Engineering, Maureen Looby, noted that work has begun at the Denfield Operations Centre site and that the tender for the expansion of the Delaware site will be sent out by the end of June.

John Brennan questioned why traffic counts are being done on Eight Mile Road when there has been a detour on the route that will affect the results. Maureen Looby stated that the traffic counts are reviewed when they come in but that she would make note of the situation.

3. FINANCE & COMMUNITY SERVICES

3.1 Treasury

- 3.1.1 Report No. T016-TC – Applications for Cancellation/Reduction of Taxes

Resolution # 2010/157
Moved by Ken Filson
Seconded by Brian Ritchie

THAT Report T016-TC dated May 31, 2010 and entitled "Applications for Cancellation/Reduction of Taxes" be received, and

THAT the recommendations of the Municipal Property Assessment Corporation and Tax Collector respectively for the assessment and tax adjustments be approved.

- Carried -

- 3.1.2 There were no further reports or inquiries.

4. ADMINISTRATION

4.1 Clerk

- 4.1.1 Report No. CSA014/10 – Tile Drainage Debenture 2010-08-01 and By-law Imposing Special Annual Drainage Rates – Donald McFarlane – Lot 18, Concession 4 (geographic Township of Delaware)

Resolution # 2010/158
Moved by Brian Ritchie
Seconded by Clare Bloomfield

THAT Report Number CSA014/10 of the Corporate Services Assistant, dated June 11, 2010 and entitled "Tile Drainage Debenture 2010-08-01 and By-law Imposing Special Annual Drainage Rates – Donald McFarlane – Lot 18, Concession 4 (geographic Township of Delaware)" be received, and

FURTHER THAT By-law 2010-062 being a By-law to Impose Special Annual Drainage Rates be approved.

- Carried -

4.1.2 Report No. CAO-2010/001 – Bill 168 – Violence and Harassment in the Workplace

Chief Administrative Officer, Michelle Smibert, stated that the policy has been prepared in accordance with Bill 168 which amends the Occupational Health and Safety Act. She noted that all workplaces are required to develop policies with respect to violence and harassment in the workplace. She noted that once the policy is in place, staff training will follow.

Resolution # 2010/159

Moved by Ken Filson

Seconded by Clare Bloomfield

THAT Policy No. GG-2.33 entitled "Respect in the Workplace" (Harassment & Violence) appended to Report No. CAO-2010/001 entitled "Bill 168 – Violence and Harassment in the Workplace" be adopted and that the existing "Harassment Policy" previously adopted by Council be deleted and replaced with this new policy.

- Carried -

4.1.3 There were no further reports or inquiries.

4.2 By-laws

Resolution # 2010/160

Moved by John Brennan

Seconded by Clare Bloomfield

THAT By-law 2010-054 being a By-law Approving and Ratifying a Severance Agreement between Keith Tackabury and Marlene Tackabury as the "Owner" and the Municipality of Middlesex Centre as the "Municipality", for the land described as Part of Lots 28 and 29, Registered Plan 339 Parts 3 and 7, Reference Plan 33R-17730 (geographic Township of London), Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-054 is hereby enacted.

THAT By-law 2010-062, being a By-law to Impose Special Annual Drainage Rates Upon Land in Respect of Which Money is Borrowed Under the Tile Drainage Act, R.S.O. 1990 (TD-2010-08-01) be approved and this constitutes first, second and third reading and By-law 2010-062 is hereby enacted.

THAT By-law 2010-063, being a By-law Approving and Ratifying an Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Ministry of Natural Resources under Sect. 23 of O. Reg 242/08 made under the Endangered Species Act, 2007 be approved and this constitutes first, second and third reading and By-law 2010-063 is hereby enacted.

- Carried -

CONFIRMING BY-LAW

Resolution #2010/161

Moved by Clare Bloomfield
Seconded by John Brennan

THAT By-law Number 2010-064 being a By-law to confirm the proceedings of the Council meeting held on June 16, 2010 be approved and that this constitutes the first, second and third reading and By-law Number 2010-064 is hereby enacted.

- Carried –

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 7:45 p.m. to meet again on Wednesday, July 14, 2010 at 4:00 p.m.

MAYOR

CLERK

INFORMATION ITEMS

Item	Item Index
1	AMO – Bills Introduced Since June 3, 2010
2	AMO – Government Announces Deputy Minister Appointments
3	AMO – Two Parliamentary Assistants Given New Assignments
4	AMO – Charles Beer Report Refocuses Efforts on What is Needed for Successful Implementation of AODA
5	AMO – Environmental Registry – Notice of Policy Decision – Policies and Procedures for Conservation Authority Plan Review and Permitting Activities
6	AMO – Request for Nominations – 2010- 2012 AMO Board of Directors
7	Agriculture and Agri-Food Canada Publication – Rural Canadians' Guide to Programs and Services
8	Middlesex County Library – Invitation to Retirement Reception for Carlyne Walden
9	OMAFRA Connects – June 3, 2010
10	OMERS Sponsors Corporation – 2010 Plan Changes Process and Milestones
11	Muscular Dystrophy Canada – Recognizes Middlesex Centre Fire Departments
12	Resolution – Town of New Tecumseth – Harmonized Goods and Services Tax
13	Middlesex County Warden's Charity Golf Tournament – June 30, 2010
14	OGRA – Ontario Good Roads Association applauds extension of Highway 407
15	FCM – Municipal Leaders Leave Toronto United in Campaign for Post-Stimulus Partnership
16	FCM – FCM Hosts Third Annual Event Encouraging Women to enter Municipal Government – Pays Tribute to Retired Mayor of Windsor, N.S.