

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 Al Edmondson
Deputy Mayor Bannister
Councillor Filson
Councillor Brennan
Councillor Bloomfield
Councillor Ritchie (arrived at 7:06 pm)
Councillor Berze

ALSO PRESENT

| | |
|-----------------------|---|
| Aaron Stewardson | Deputy Chief Building Official/By-Law Enforcement |
| Maureen Looby | Director, Public Works & Engineering |
| Marc Bancroft | Senior Planner |
| Ben Puzanov | Planner |
| Michael Barnier | Corporate Support Specialist |
| Stephanie Troyer-Boyd | Acting Clerk |

Mayor Edmondson presided.

The reporter from the Middlesex Banner was in attendance.

ADDITIONS TO THE AGENDA

Mayor Edmondson stated that a report from the Corporate Support Specialist regarding a Photovoltaic System for the Komoka Wellness and Recreation Centre would be dealt with under Finance and Community Services time.

Mayor Edmondson indicated that a resolution from the March 17, 2010 meeting of the Planning Committee would be considered under Planning and Development Services time.

DECLARATION OF PECUNIARY INTEREST

None were disclosed by any of the members.

PUBLIC MEETING UNDER SECTIONS 34 & 39 OF THE PLANNING ACT

Resolution #2010/064
Moved by Ken Filson
Seconded by Clare Bloomfield

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

- Carried -

Application for a Zoning By-law Amendment from Brian and Hendrica Ritchie for lands described as Part of Lots 46, 47, 57, 58 and 59, Part of Blocks BN and BO, Registered Plan No. 113(c) and more specifically as Part 2, Reference Plan 33R-17612 (geographic Township of Lobo), 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 temporary use by-law is to fulfill a condition of provisional consent B-11/09, which requires that a temporary use by-law be in full force and effect to allow an existing accessory building located on a parcel to be conveyed to 115 Union Avenue to remain on the lot for a period not to exceed 3 years in the absence of a single detached dwelling.

The Middlesex Centre Official Plan contains policies for the consideration of a temporary use by-law, which restricts the maximum period of time to which the temporary use by-law may be in effect to three years.

The subject property is located on the east side of Komoka Road (County Road 16), north of Union Avenue, in the Komoka urban settlement area. Known municipally as 22862 Komoka Road, the lands are legally described as Part of Lots 46, 47, 57, 58 and 59, Part of Blocks BN and BO, registered Plan No. 113(c) and more specifically as Part 2, Reference Plan 33R-17612 (geographic Township of Lobo), Municipality of Middlesex Centre.

The subject property is subject to consent applications B-11/09, B-13/09, B-14/09 and B-15/09 which conditionally severed four separate parcels of land in order to convey each as a lot addition to four residential lots fronting on Union Avenue in Komoka. The receiving lots are known municipally as 115, 117, 121 and 125 Union Avenue. The property at 115 Union Avenue is a vacant lot and the other receiving lots contain existing single-detached dwellings. Three of the parcels to be conveyed are vacant, with the exception being the parcel to be conveyed to 115 Union Avenue via consent B-11/09, which contains an existing accessory building that is the subject of the proposed temporary use by-law.

Ben Puzanov indicated Middlesex County, the Upper Thames River Conservation Authority, the Public Works and Engineering Department and the municipality's Chief Building Official have expressed no objections to the subject application.

The applicant, Hendrica Richie, was in attendance. 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 April 21, 2010 Planning and Development Services Committee meeting for consideration.

Resolution #2010/065
Moved by Ken Filson
Seconded by Albert Bannister

THAT Council resume into general session at 7:05 p.m.

- Carried -

STAFF REPORTS

1. PUBLIC WORKS & ENGINEERING DEPARTMENT

1.1 Environmental Division

1.1.1 Correspondence to City of London

Director, Public Works and Engineering, Maureen Looby, presented the correspondence which was sent to the City of London requesting delegation status at the March 22, 2010 Environment and Transportation Committee meeting. She stated that confirmation has been received from the City of the delegation. Councillor Filson questioned if the request was to discuss servicing of the present settlement area of Arva. It was confirmed that discussions would focus on the settlement boundary as it presently exists. Mayor Edmondson stated that

the municipality is looking for willingness from the City of London to open dialogue.

2. FINANCE AND COMMUNITY SERVICES

2.1 Community Services

2.1.1 Report No. FCS011/10 – Contract Award – Wellness Centre

Councillor Ritchie presented the contract award report for the Wellness and Recreation Centre and stated that the architect, Cornerstone Architecture, was satisfied that the tender was complete and also recommended the contract be awarded to Wellington Builders Inc. Councillor Berze presented a revised budget based on the tender submission by Wellington Builders Inc. He also displayed information on the site plan, green globes certification and the furniture and equipment budget.

Mayor Edmondson thanked members of the Building Committee for their hard work and time in bringing this stage of the project to completion.

2.1.2 Report No. CSS-0810 – Photovoltaic System – Komoka Wellness & Recreation Centre

Mike Barnier, Corporate Support Specialist, presented a report on the Photovoltaic System proposals received through the RFP process. The proposals have been analyzed by the selection committee with technical input from an Associate Professor in the Department of Electrical and Computer Engineering at UWO. Mike Barnier stated that the selection committee has agreed that NorthGrid Solar had the strongest proposal and offered the best case scenario for minimizing risk to the Municipality while maximizing profit due to their proven panel technology, 60% domestic content, shared profit-ownership model, and comprehensive post-commissioning plan.

Resolution # 2010/066

Moved by Brian Ritchie

Seconded by Ken Filson

“THAT Report Number FCS011/10 dated March 8, 2010 and entitled “Contract Award – Wellness Centre” be received;

FURTHER THAT the contract for the construction of the Wellness Centre in Komoka be awarded to Wellington Builders Inc. at an upset limit of \$ 18,116,300.;

FURTHER THAT Report Number CSS-0810 dated March 16, 2010 and entitled “Photovoltaic System – Komoka Wellness & Recreation Centre” be received; and

FURTHER THAT Council, in principle, award the contract for the installation of Solar Photovoltaic Panels at the Komoka Wellness & Recreation Centre to NorthGrid Solar pending confirmation of the Ontario Power Agency’s interpretation of NorthGrid Solar’s 60% domestic content claim at an upset limit of \$ 1,780,583.”

- Carried -

2.1.3 There were no further reports or inquiries.

3. ADMINISTRATION SERVICES**3.1 Clerk****3.1.1 Report No. CSD007-AC – By-law 2010-024 – Federal Gas Tax Amending Agreement****Resolution #2010/067**

Moved by Ken Filson

Seconded by Clare Bloomfield

THAT Council receive Report CSD007-AC entitled “By-Law 2010-024 - Federal Gas Tax Amending Agreement”

FURTHER THAT By-law 2010-024 being a By-law approving and ratifying an amending agreement for the transfer of Federal Gas Tax Revenues under The New Deal for Cities and Communities between the Association of Municipalities of Ontario as “AMO” and The Municipality of Middlesex Centre as “Recipient” be approved.

- Carried –

3.2 By-laws**Resolution #2010/068**

Moved by Clare Bloomfield

Seconded by John Brennan

THAT By-law 2010-022, being a By-law to Amend the Middlesex Centre Comprehensive Zoning By-law Number 2005-005 with respect to Part of Lot 2, Concession 2 Lot 7, Plan 428, Part 1, Reference Plan 34R-1234 (geographic Township of Delaware) Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-022 is hereby enacted.

THAT By-law 2010-023, being a By-law Approving and Ratifying a Development Agreement between Otto Schneider and Silvia Schneider collectively known as the “Owner” and the Municipality of Middlesex Centre as the “Municipality” for Lands described as Part of Lot 2, Concession 2 Lot 7, Plan 428, Part 1, Reference Plan 34R-1234 (geographic Township of Delaware) Municipality of Middlesex Centre be approved and this constitutes first, second and third reading and By-law 2010-023 is hereby enacted.

THAT By-law 2010-024, being a By-law Approving and Ratifying an Amending Agreement for the Transfer of Federal Gas Tax Revenues under the New Deal for Cities and Communities between the Association of Municipalities of Ontario as “AMO” and the Municipality of Middlesex Centre as “Recipient” be approved and this constitutes first, second and third reading and By-law 2010-024 is hereby enacted.

- Carried –

4. PLANNING AND DEVELOPMENT SERVICES**4.1 Addition to Agenda – Recommendation from March 17, 2010 Planning and Development Services Committee meeting****Resolution # 2010/069**

Moved by John Brennan

Seconded by Clare Bloomfield

THAT staff be directed to undertake an amendment to the Meadowcreek Estates Phase I Subdivision Agreement dated October 20, 1997 for lands described as Registered Plan 33M-360 (geographic Township of London), Municipality of Middlesex Centre; by deleting the cedar hedge requirement under Section 11.4(a) of Schedule C of the said Agreement to facilitate the assumption of the Meadowcreek Estates Phase I Subdivision; and, that the said Agreement be forwarded to the Municipal Council Meeting of April 7, 2010 for consideration of enactment.

- Carried -

IN CLOSED SESSION

1. Resolution # 2010/070
Moved by Brian Ritchie
Seconded by Albert Bannister

THAT Council move in to closed session at 8:48 p.m. for matters pertaining to litigation or potential litigation in accordance with Sections 239 (2) (e) of the Municipal Act, S.O. 2001, c.25, as amended.

- Carried -

REGULAR COUNCIL RESUME

1. Resolution # 2010/071
Moved by Brian Ritchie
Seconded by Frank Berze

THAT Council reconvene in regular session at 8:49 p.m.

- Carried -

BUSINESS FROM IN CLOSED SESSION

1. Resolution # 2010/072
Moved by Clare Bloomfield
Seconded by John Brennan

THAT Report Number 010/10 dated March 4, 2010 and entitled "Small Claims Court Settlement – 34 Oakmont Gardens" be received; and

THAT Middlesex Centre not reimburse the resident at 34 Oakmont Gardens one half of legal fees spent in the amount of \$803.98; and

FURTHER THAT should the matter go forward to court that the Municipality's legal firm be directed to assign a law student as representation.

- Carried -

INFORMATION ITEMS

Mayor Edmondson noted item #9 from the Canadian National Exhibition congratulating Scott Moir and Tessa Virtue on their Olympic gold medal. Mayor Edmondson stated that he would be attending a celebration planning meeting to honour the gold medalists. He stated that Council must decide how the municipality intends to contribute in celebrating the accomplishments of Scott Moir and Tessa Virtue.

CONFIRMING BY-LAW1. Resolution #2010/073

Moved by Clare Bloomfield
Seconded by Albert Bannister

THAT By-law Number 2010-016 being a By-law to confirm the proceedings of the Council meeting held on February 17, 2010 be approved and that this constitutes the first, second and third reading and By-law Number 2010-016 is hereby enacted.

- Carried -

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 9:00 p.m. to meet again on Wednesday, April 7, 2010 at 4:00 p.m.

MAYOR

ACTING CLERK

| Item | Item Index |
|------|--|
| 1 | AMO – AMO's 2010 Federal Gas Tax Award Application Now Available |
| 2 | AMO – Breaking News: Ontario Throne Speech Commits Government to Jobs in the New Economy; Honouring Infrastructure Spending |
| 3 | AMO – Call for Submissions - Peter J. Marshall 2010 Municipal Innovation Awards Competition |
| 4 | AMO – Federal Budget Maintains Infrastructure Spending and Health and Social Transfer Payments |
| 5 | AMO – Federal Throne Speech Reaffirms Commitment to Economic Stimulus; 2011 Project Deadline |
| 6 | AMO – McGuinty Government Prorogues Legislature to Prepare March Throne Speech |
| 7 | AMO – Update on Changes to Ontario Works Incentive Funding |
| 8 | AMO/MEPCO – OMERS Deficit Grows Again |
| 9 | Canadian National Exhibition Congratulates Tessa Virtue and Scott Moir |
| 10 | Kettle Creek Conservation Authority - 2009 Annual General Report |
| 11 | LAS Energy Newsflash Newsletter – Issue 06 February 2010 |
| 12 | Middlesex Group Police Services Board Meeting Minutes – November 27, 2009 |
| 13 | Middlesex Group Police Services Board Meeting Minutes – February 26, 2010 |
| 14 | Ministry of Citizenship and Immigration – Lincoln M. Alexander Award 2010 |
| 15 | Municipality of Thames Centre – Business Symposium Agenda and Registration – March 30, 2010 |
| 16 | OMAFRA Connects – March 11, 2010 |
| 17 | OSUM 2010 Conference and Trade Show |
| 18 | Request for Support - Township of Burpee and Mills – Native Lands Agreement |
| 19 | Resolution – County of Huron – Mandatory Septic System Maintenance Inspection Program |
| 20 | Resolution – County of Huron – Ontario Agriculture Sustainability Coalition (OACS) |
| 21 | Resolution – Municipality of West Perth – Concerns regarding increased operating and capital costs of the Conservation Authorities |
| 22 | Upper Thames River Conservation Authority 2010 Operating Budget/Levy and 2010 Capital Budget/Levy |