

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 (left at 8:34 p.m.)
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 | Clerk |
| Arnie Marsman | Director, Planning & Development Services |
| Marc Bancroft | Senior Planner |
| Ben Puzanov | Planner |

Mayor Al 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

Deputy Mayor Bannister declared a pecuniary interest with respect to Agenda item 3.1.1 – Tile Drain Debenture and accompanying By-law in 3.2.1 as he is the applicant.

DELEGATION – COUNTY OF MIDDLESEX

Middlesex County Warden Joanne Vanderheyden and County Engineer Chris Traini attended the meeting to present highlights of the 2010 Budget and County priorities for 2010.

PUBLIC MEETING UNDER SECTION 34 OF THE PLANNING ACT

Resolution #2010/129
Moved by Albert Bannister
Seconded by Ken Filson

THAT Council move into Public Meetings at 7:30 p.m. under Section 34 of the Planning Act, R.S.O. 1990, c. P13, as amended.

- Carried -

1. Application for a Zoning By-law Amendment from C & L Group Inc. for lands described as Part of Lot 4, Concession 9, Part 2, Reference Plan 33R-14897 (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.

Marc Bancroft, Senior Planner, provided an overview of the application indicating that the purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject property from Village Commercial (C1) to a site-specific Village Commercial (C1-#) to permit a dwelling unit as an accessory use. All other permitted uses of the C1 zone would continue to apply. The property is currently vacant.

The subject property is legally described as Part of Lot 4, Concession 9; Part 2, Reference Plan 33R-14897 (geographic Township of Lobo) in the Municipality of Middlesex Centre. The subject property is located on the north side of Ilderton Road (County Road 16) and on the west side of Poplar Hill Road in the hamlet of Poplar Hill.

Marc Bancroft indicated correspondence has been received from the Director, Planning and Development Services and the Public Works and Engineering Department and they have expressed no objections to the application.

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 June 16, 2010 Planning and Development Services Committee meeting for consideration.

2. Application for a Zoning By-law Amendment from The Busy Farmer Inc. for lands described as Part of Lot 32, Concession 3; Parts 1 and 2, Reference Plan 33R-2565; Part 1, Reference Plan 33R-6206 (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.

Marc Bancroft, Senior Planner, provided an overview of the application indicating that the purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject property from Agricultural (A1) to a site-specific Agricultural (A1-#) to permit a farm market. All other permitted uses of the A1 zone would continue to apply. The property contains an apple orchard, a single detached dwelling and a barn.

The subject property is legally described as Part of Lot 32, Concession 3; Parts 1 and 2, Reference Plan 33R-2565; Part 1, Reference Plan 33R-6206 (geographic Township of London) in the Municipality of Middlesex Centre. Known municipally as 20706 Vanneck Road, the subject property is located on the east side of Vanneck Road (County Road 38) and on the south side of Gainsborough Road (County Road 17).

Marc Bancroft read correspondence that had been received from the County of Middlesex, the Director of Planning and Development Services, Kavin Noble of 20261 Vanneck Road and David Crone. William and Ray Demopoulos of 20485 Pulham Road provided correspondence along with a petition signed by 36 residents of the area in opposition to the zoning by-law amendment.

There were approximately 42 members of the public in attendance regarding this application.

Doug Gagel, agent for the applicant, made a brief presentation regarding the application. Mr. Gagel stated that there is presently a business operated at the site and that the purpose of the rezoning application is to expand what is presently sold at the property. He stated that the owner would like to sell locally produced products and produce and that he thinks it is an excellent

use for the property. He stated that he had made a presentation to Middlesex County Council and felt that there was support at the county level but no formal approval had been received.

Mr. Bill Demopoulos of 20485 Pulham Road stated that he is not opposed to local produce sold locally but questioned the amount of local produce that would be sold at the location since most farmers in the area are feed corn and soybean producers. He stated that the proposed business venture is not being undertaken to better the community and that the owners should attempt to maintain the character of life of the community. Mr. Demopoulos indicated that he lives over a mile away but can hear noise from parties at the site.

John Wilson of 20569 Frank's Lane stated that he is a market gardener and supports farm markets selling local produce. However, he believes the flavour of this community would be changed by a farm market and that the location is not appropriate for this use.

Val Bradley of 19 Linksgate Road in London stated that the site is very close to Gainsborough Road and that the number of people who would have direct impact is minimal. She does not see that there would be any disruption to the neighbours.

Donna Kian of 27 Parks Lane in London stated that she thinks the proposal is a great idea.

Don Fairbairn of 1758 Gainsborough Road indicated that he had recently dug a new well at his property and has concerns about potential changes to the water table if this proposal is approved. He stated that the property should be serviced by sanitary sewers before such a proposal is considered. He also expressed concerns with increased traffic in the area.

Daniel Robson of 20507 Vanneck Road noted that many of the people who object to the zoning by-law amendment do not live close to the property. He stated that the concerns with respect to the Building Code expressed by the Director, Planning and Development Services would obviously have to be met before the farm market would be in operation. He stated that the farm market will give back to the community, not take away from it. He also noted that there are a dozen people in close proximity to the property who are in favour of the zoning amendment.

Dave Colver of 22568 Nairn Road requested a list of the people who are in favour of the zoning amendment.

Terry Ornoch speaking of behalf of Roger Prince of 2038 Gainsborough Road stated that selling local produce would have to be a seasonal operation and that it does not appear that this farm market will be seasonal. She noted that the zoning by-law does not define a farm market. Ms. Ornoch also stated that a zoning amendment should be to a commercial zoning because the farm market would be a commercial business. She also expressed concern with respect to Roger Prince and his family's privacy and loss of enjoyment of their property. The Prince's have a pool in their backyard and Ms. Ornoch expressed concern on their behalf that children could get into the backyard unsupervised.

Bonnie Prince of 2038 Gainsborough Road noted that the zoning by-law amendment application form asks for details about mortgages on the property and it has been left blank. Mrs. Prince stated that she is aware that there is a mortgage on the property.

Joanne Gorman of 1819 Gainsborough Road indicated that she is concerned with increased traffic on Gainsborough Road as well as Old River Road as people will use Old River Road as a route from Oxford Street/Glendon Drive to the site.

Peter Dean of 20722 Vanneck Road stated that he lives next door to the property and has no issue with the zoning amendment. He stated that traffic should not be travelling quickly because the property is very close to the corner of Vanneck and Gainsborough Roads.

Louise Wilson of 20636 Pulham Road stated that there has been no operating orchard on the property since the former owner sold the property. She indicated that she has concerns with potential noise and traffic disruptions.

Werner Reindorf, owner of The Busy Farmer, indicated that any noise concerns are no longer valid since he stopped renting the property out for parties 2 years ago.

Dan Robson stated that the intention is to design the driveway so that people exiting the property will have to turn right and travel back to Gainsborough Road in an attempt to divert traffic off Vanneck Road to the south and Old River Road.

Mr. Demopoulos stated that his residence at the end of Pulham Road will not be affected by traffic because it is a dead end road but he appreciates the concerns of Old River Road residents as people will use it coming from Oxford Street/Glendon Drive.

Mr. Doug Gagel stated that the community is an agricultural area and the zoning amendment will be beneficial to the agricultural community. He indicated that there is no better place to operate a farm market than in a farming area.

Kavin Noble of 20621 Vanneck Road indicated that a compromise to alleviate traffic concerns off Vanneck Road would be to have the entrance off Gainsborough Road.

Councillor Filson asked for clarification by the property owner if he resided at the property. Mr. Reindorf indicated that he does reside on the property.

Councillor Berze questioned what is proposed to be sold at the farm market. He asked if the owner would be buying produce and reselling it or if there would be individual farmers selling their produce. Mr. Reindorf responded that his concept was in the early stages and that his intention was to sell seasonal produce throughout the growing season and use non-local providers to sustain the business throughout the year.

Mr. Gagel suggested that some of the site plan and building requirements could be deferred until the business becomes profitable.

Councillor Ritchie noted that the business idea sounds like a commercial business rather than a farm market.

The Mayor summarized the public meeting and indicated that the application will be forwarded to the June 16, 2010 Planning and Development Services Committee meeting for consideration.

Resolution #2010/130

Moved by Albert Bannister

Seconded by Clare Bloomfield

THAT Council resume into general session at 8:34 p.m.

- Carried -

Deputy Mayor Bannister assumed the Chair.

STAFF REPORTS**1. PUBLIC WORKS & ENGINEERING****1.1 Environmental****1.1.1 Report No. PWE-036-10/WW – Tunks Lane – Sanitary Sewer Project – Community Wellness & Recreation Centre - Komoka**

Council asked that the Director of Public Works and Engineering provide clarification on the breakdown of the total budget for the project and what will be spent in 2010 and 2011.

Resolution # 2010/131

Moved by Brian Ritchie

Seconded by Ken Filson

THAT Report Number PWE-036-10/WW entitled 'Tunks Lane – Sanitary Sewer Project Community Wellness & Recreation Centre – Komoka' be received, and;

FURTHER THAT, the construction tender for the Tunks Lane Sanitary Sewer be awarded to Aar-Con Excavating for \$455,244.26 (excluding GST), and,

FURTHER THAT, Staff be authorized to execute the necessary documentation.

- Carried -

1.1.2 There were no further reports or inquiries.

2. FINANCE & COMMUNITY SERVICES**2.1 Community Services****2.1.1 Report No. FCS017/10 – Renaming of Heritage Park to Gold Medal Park – Home of Champions**

Director, Finance and Community Services, Greg Watterton provided a summary of his report on the renaming of Heritage Park. He indicated that there was no opposition to recognizing the achievements of Scott Moir and Tessa Virtue but many respondents expressed their opposition to doing that by renaming the park.

Councillor Berze questioned why the recommendation was to not rename the park when the Committee that made the recommendation is representative of many community groups.

Councillor Filson stated that people he had spoken with in the community are fully supportive of recognizing the Olympic Champions and putting signs at the entrances to the village but feel that any further recognition should be done at the arena as there is little connection between the Olympians and the park. He also stated that many of his constituents do not like the proposed name as it is too long.

Councillor Brennan indicated that the people he has spoken with have expressed the same concerns and that the focus of the recognition should be at the arena.

Councillor Bloomfield also agreed that he had heard from residents who do not want to see the name of the park changed.

Resolution # 2010/132

Moved by Clare Bloomfield

Seconded by Brian Ritchie

THAT Report Number FCS017/10 dated May 14, 2010 and entitled "Renaming of Heritage Park to Gold Medal Park – Home of Champions" be received; and

THAT Council not approve the renaming of the Heritage Park to Gold Medal Park – Home of Champions.

- Carried -

2.1.2 Report No. FCS018/10 – Requests of Scott and Tessa Celebration Committee

Councillor Filson indicated his support for the issuance of tax receipts by the municipality for donations to the signs. He stated that people may be willing to give if they receive a charitable donation receipt.

Director, Finance and Community Services, Greg Watterton, stated that the sign project is not a project of the municipality and that it does not qualify in accordance to the Municipality's Charitable Donation Receipt policy.

Resolution # 2010/133

Moved by Frank Berze

Seconded by Brian Ritchie

THAT Report Number FCS018/10 dated May 14, 2010 and entitled "Requests of Scott and Tessa Celebration Committee" be received; and

THAT Council approve the free use of the Ilderton arena facilities and grounds, the erection of a sign on the Hyde Park Road allowance north of Ilderton Road, and a donation of up to \$5,000 toward the cost of the signs or the administration of any excess funds; and

FURTHER THAT Council not approve the issuance of charitable receipts for contributions received toward the project.

- Carried -

2.1.3 There were no further reports or inquiries.

3. **ADMINISTRATION**

3.1 Clerk

3.1.1 Report No. CSA010/10 – Tile Drainage Debenture 2010-06-01 and By-law Imposing Special Annual Drainage Rates – Albert F. Bannister – North Part Lot 2, Concession 8 (geographic Township of London)

Deputy Mayor Bannister had declared a pecuniary interest in this matter and did not take part in discussion or vote on this matter.

Resolution # 2010/134
Moved by Frank Berze
Seconded by Clare Bloomfield

THAT Report Number CSA010/10 of the Acting Corporate Services Assistant, dated May 13, 2010 and entitled "Tile Drainage Debenture 2010-06-01 and By-law Imposing Special Annual Drainage Rates – Albert F. Bannister – North Part Lot 2, Concession 8 (geographic Township of London)" be received.

FURTHER THAT By-law 2010-049 being a By-law to Impose Special Annual Drainage Rates be approved.

- Carried -

3.1.2 Report No. CSD017-C – Summer Council Schedule

Resolution # 2010/135
Moved by John Brennan
Seconded by Clare Bloomfield

THAT the Council meetings for the months of July, August and September 2010 be held on Wednesday, July 14, 2010 at 4:00 p.m., Wednesday, August 11, 2010 at 4:00 p.m. and Wednesday, September 8, 2010 at 4:00 p.m.; and

FURTHER THAT Public Meetings for Planning matters in the months of July, August and September 2010 be held on Wednesday, July 14, 2010 at 7:00 p.m., Wednesday, August 11, 2010 at 7:00 p.m. and Wednesday, September 22, 2010 at 7:00 p.m.

- Carried -

3.1.3 There were no further reports or inquiries.

3.2 By-laws

Resolution # 2010/136
Moved by John Brennan
Seconded by Clare Bloomfield

THAT Brian Ritchie assume the chair.

- Carried -

Resolution # 2010/137
Moved by Ken Filson
Seconded by John Brennan

THAT By-law 2010-049, 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 – 2010-06-01) be approved and this constitutes first, second and third reading and By-law 2010-049 is hereby enacted.

- Carried -

CONFIRMING BY-LAW

Resolution #2010/138

Moved by Clare Bloomfield
Seconded by Brian Ritchie

THAT By-law Number 2010-050 being a By-law to confirm the proceedings of the Council meeting held on May 19, 2010 be approved and that this constitutes the first, second and third reading and By-law Number 2010-050 is hereby enacted.

- Carried –

ADJOURNMENT

There being no further business, this meeting of Council adjourned at 9:15 p.m. to meet again on Wednesday, June 2, 2010 at 4:00 p.m.

MAYOR

CLERK

| Item | Item Index |
|------|--|
| 1 | AMO – Bill 16 Proposes Transfer of OHIP and Related Costs to Municipalities |
| 2 | AMO – Breaking News – Government withdraws OHIP Costs Transfer Proposal |
| 3 | AMO – Government Makes Further Commitments to Implementation of Full Day Early Learning Program |
| 4 | AMO – New AMO Director of Policy – Monika Turner |
| 5 | AMO – Bills Introduced Since April 20, 2010 |
| 6 | AMO – Environmental Registry – Draft Performance Monitoring Framework and Draft Indicators for the Provincial Policy Statement, 2005 |
| 7 | AMO – Conference Study Tours – New for 2010 |
| 8 | AMO – 2010 Conference Companion's Program |
| 9 | Announcement of AMO President Candidacy – Gary McNamara |
| 10 | Alternative Management Options for Municipal Sewage Biosolids – June 17, 2010, Burlington, Ontario |
| 11 | Ausable Bayfield Maitland Valley Source Protection Committee approves proposed Assessment Reports - Now posted for public review |
| 12 | Ausable Bayfield Conservation Authority Board of Directors - May 20, 2010 Agenda and April 8, 2010 Minutes |
| 13 | FCM – Liberal Party Town Hall Forum on Rural Canada in May |
| 14 | FCM – Perfect Storm: How New Technologies and Foreign Investment in Canada's Telecommunications Industry Will Affect Municipalities |
| 15 | FCM – First Round of Rural Broadband Funding Announced |
| 16 | FCM – FCM Awards of Excellence in Sustainability |
| 17 | FCM – 73 rd Annual Conference and Municipal Expo – Live Webcasts May 28 and 29, 2010 |
| 18 | Lobo Union School Picnic – Saturday June 12, 2010 |
| 19 | Middlesex County Library – Media Release – “Destination Jungle” Summer Reading Program |
| 20 | OMAFRA Connects – May 3, 2010 |
| 21 | OMERS Spring Information Meeting Report – April 21, 2010 |
| 22 | Proclamation – Scott Moir & Tessa Virtue Day |
| 23 | Resolution – City of Ottawa |
| 24 | Southwest Economic Alliance Assembly 2010 – June 3 & 4, London, Ontario |
| 25 | Acknowledgement of Bereavement Floral Arrangement – Ryan Johnston and family |