

Minutes of a regular meeting of the Council of the Municipality of Middlesex Centre held this date at the Municipal Office, Coldstream at 5:30 p.m.

### **ATTENDANCE**

#### **PRESENT**

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

#### **ALSO PRESENT**

Greg Watterton	Acting Chief Administrative Officer
Stephanie Troyer-Boyd	Acting Clerk
Arnie Marsman	Director, Planning & Development Services
Maureen Looby	Director, Public Works & Engineering
Marc Bancroft	Senior Planner
Ben Puzanov	Planner
Mike Barnier	Corporate Support Specialist
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**

Councillor Ritchie declared a pecuniary interest in the Consent Agenda item Committee of Adjustment Notices as he has submitted an application for consent to the Committee of Adjustment.

### **DELEGATION**

Mike DeVos of Spriet Associates and Joe Heyninck of IBI Group attended the meeting to discuss drainage issues at the Wellness Centre site.

Joe Heyninck indicated that there is presently a drainage pipe serving the Wellness Centre property but that it is not a municipal drain under the Drainage Act. The municipality has submitted a Petition for Drainage to formalize the drainage needs for the site and formalize a proper outlet. He indicated that drainage is not really an issue on this property because of the sandy soil in the Komoka area where water just infiltrates into the soil.

Mr. Heyninck stated that the drainage petition submitted in July 2009 is a valid petition and the Drainage Act will dictate the process to be followed to get an outlet. He indicated that the Drainage Act process will allow the municipality to lower the outlet about 1 foot which will eliminate the need for as much fill on the site. He indicated that there will be a stormwater management pond on the site as well. Mr. Heyninck stated that there will be a requirement for a Certificate of Approval from the Ministry of the Environment for the stormwater management facility.

Resolution #2009/249  
Moved by Brian Ritchie  
Seconded by Ken Filson

THAT Director, Public Works & Engineering, Maureen Looby and Joe Heyninck of IBI Group meet with the Ministry of the Environment to consult with them on Ministry requirements.

- Carried –

Mike DeVos of Spriet Associates updated Council on meetings with the landowners who could potentially provide an outlet for the drain. Mr. DeVos indicated that the landowners are concerned with the quality and the quantity of water that will be accepted on their properties.

Mr. DeVos presented Council with four outlet options for the drain location. Councillor Filson suggested a fifth option to drain the water to the west of the Wellness Centre site and outlet on the property on the south side of Glendon Drive across from Queen Street. Mr. DeVos indicated that option could be investigated if the municipality wishes to look at that option.

Resolution #2009/250

Moved by Clare Bloomfield

Seconded by Brian Ritchie

THAT Council direct Michael DeVos of Spriet Associates to proceed with The Middlesex Wellness Drain, Part of Lot 6, Concession 2, Tunks Lane and Glendon Drive, Komoka, Geographic Township of Lobo under Section 10 of the Ontario Drainage Act;

AND FURTHER THAT Michael DeVos of Spriet Associates investigate a fifth option to drain the water to the west of the Wellness Centre site and outlet on the property on the south side of Glendon Drive across from Queen Street.

- Carried -

Mike DeVos noted that as part of his drainage report, the landowners will have to be compensated for any drain that is constructed on their property. Mr. DeVos noted that he does not have the knowledge to establish a fair market value for the properties which may be affected by the drain and suggested that the municipality get appraisals of those lands.

Resolution #2009/251

Moved by Brian Ritchie

Seconded by Ken Filson

THAT staff be directed to arrange for one appraisal of the two individually owned properties included in the five outlet options.

- Carried -

**COUNCIL RECESSED FOR DINNER AT 6:35 P.M.**

**COUNCIL RESUMED AT 7:00 P.M.**

Mayor Edmondson left the meeting at the dinner recess.

Deputy Mayor Bannister presided.

**CONSENT AGENDA**

1. Resolution #2009/252  
Moved by John Brennan  
Seconded by Clare Bloomfield

THAT Council receive the Notices of the Committee of Adjustment Hearing to be held on November 23, 2009.

- Carried -

**PUBLIC MEETING UNDER SECTIONS 34 AND 39 OF THE PLANNING ACT**

1. Resolution #2009/253  
Moved by Clare Bloomfield  
Seconded by Frank Berze

THAT Council move into Public Meetings at 7:10 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 Timothy McNabb and Luba McNabb for lands described as Part of Lot 15, Concession 2 (geographic Township of Delaware), Municipality of Middlesex Centre.

Deputy Mayor Bannister 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.

The applicant, Timothy McNabb was in attendance.

Ben Puzanov, Planner, provided an overview of the application indicating that the purpose and effect of the of the proposed temporary use by-law is to permit the existing single-detached dwelling to remain on the subject property for a period not to exceed three 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 existing single-detached 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 Chief Building Official, the Public Works and Engineering Department and the Kettle Creek Conservation Authority were presented.

The applicant, Timothy McNabb, confirmed that the request was for a 3-year temporary use by-law. He indicated that a 3-year temporary use by-law was previously passed in 2006 for the same property however it has since expired, with the new dwelling yet to be constructed.

Councillor Bloomfield questioned why the request was for 3-years. Timothy McNabb stated that he hopes that 3 years is not required to construct the new dwelling. Ben Puzanov noted that the Planning Act allows for up to 3 years for a temporary use by-law.

Councillor Ritchie asked if the design and location of the dwelling has been determined.

The Deputy Mayor thanked those in attendance for their comments and indicated that application will be forwarded to the December 16, 2009 Planning and Development Services Committee for consideration.

3. General Amendment to the Middlesex Centre Zoning By-law to address matters of a general and 'housekeeping' nature.

Deputy Mayor Bannister 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.

Ben Puzanov, Planner, provided an overview of the application indicating that proposed amendment would address matters of a general and "housekeeping" nature. Several items have been identified in the course of the day-to-day administration of Comprehensive Zoning By-law 2005-005, which require immediate attention. The changes being proposed would address deficiencies and provide greater clarification. These changes are generally considered to be minor in nature and will facilitate in a more efficient administration of the By-law. In addition, proposed changes to the Zoning By-law include, but are not limited to, the following: parking and loading standards; motor vehicle cueing standards for drive-thru facilities; and the incorporation of new mapping schedules.

Comments from the County of Middlesex, the Chief Building Official, the Public Works and Engineering Department indicating no objection were presented.

The Deputy Mayor thanked those in attendance for their comments and indicated that application will be forwarded to the December 16, 2009 Planning and Development Services Committee for consideration.

Resolution #2009/254  
Moved by Clare Bloomfield  
Seconded by John Brennan

THAT Council resume into general session at 7:15 p.m.

- Carried -

### **WELLNESS CENTRE UPDATE**

Councillor Ritchie provided a brief update with respect to the landscaping design for the Wellness Centre. He indicated that the landscaping plan has been designed to minimize maintenance and that there will be no requirement for grass cutting. He stated that the landscaping plan will be presented at the Open House sessions on November 26, 2009 in Komoka and December 2, 2009 in Ilderton.

### **CONFIRMING BY-LAW**

1. Resolution # 2009/255  
Moved by Clare Bloomfield  
Seconded by John Brennan

THAT By-law Number 2009-097 being a By-law to confirm the proceedings of the Council meeting held on November 18, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-097 is hereby enacted.

- Carried -

**ADJOURNMENT**

There being no further business, this meeting of Council adjourned at 7:30 p.m. to meet again on Wednesday, December 2, 2009 at 4:00 p.m.

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MAYOR

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CLERK

**INFORMATION**

1	AMO Alert 09/076 – Consultation on Blue Box Changes
2	AMO Alert 09/077 – Good Government Bill Contains Minor Changes for Municipalities
3	AMO FYI 09/017 – Presumptive Legislation for Volunteer and Part-time Firefighters
4	Delcan - Notice of Public Information Centre – November 26, 2009 – Highway 7 Improvements
5	Denfield Operations Centre – Class Environmental Assessment – Notice of Project Initiation and Public Information Meeting – November 23, 2009
6	Invitation to Middlesex County Council Inaugural Meeting – December 3, 2009
7	Lambton County Council – Supports Moratorium on Major Health Care Restructuring
8	LAS Closed Meeting Investigator Program
9	LAS Connections Energy Symposium – November 16 and 17, 2009
10	MLHU Pandemic (H1N1) 2009 Influenza Virus Update – November 1, 2009
11	MLHU Media Release – November 4/09 – More Pandemic (H1N1) Influenza Vaccine Clinics Announced for High-Risk Groups
12	MLHU Media Release – November 4/09 – Health Unit Reports First Local Deaths Associated with H1N1 Influenza
13	MLHU Pandemic (H1N1) 2009 Influenza Virus Update – November 9, 2009
14	Medway High School Correspondence – November 1, 2009
15	Municipal Waste Association Bulletin – November 4, 2009
16	OMAFRA Connects Bulletin – November 4, 2009
17	Ontario Municipal Water Association News Release – October 26/09 - Andrew Henry Joins OMWA Board
18	City of Ottawa Resolution/Request for Support – Highway Traffic Act, R.S.O. 1990.
19	SCOR Media Release – Nov 4/09 – Sand Plains Community Development Fund
20	SCOR Media Release – Nov 4/09 – SCOR Partners Adopt Strategic Management Plan.
21	Township of Frontenac Islands – Resolution regarding Closing of Prison Farms
22	ABCA Budget Information Session – December 3, 2009
23	MLHU Media Release – November 11, 2009 – H1N1 Clinics for Seniors with Underlying Conditions
24	MLHU Media Release – November 12, 2009 – H1N1 Clinics for Elementary Pupils