

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**

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

#### **ABSENT WITH REGRETS**

Mayor Edmondson

#### **ALSO PRESENT**

Cathy Saunders	Chief Administrative Officer/Clerk
Maureen Looby	Director, Public Works & Engineering
Arnie Marsman	Director, Planning & Development Services
Marc Bancroft	Senior Planner
Ben Puzanov	Planner
Wayne Shipley	Acting Fire Chief
Launie Fletcher	District Chief, Coldstream Station

Deputy Mayor Bannister 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 17, 34 AND 51 OF THE PLANNING ACT**

1. Resolution #2009/225  
Moved by Clare Bloomfield  
Seconded by Frank Berze

THAT Council move into Public Meetings at 7:00 p.m. under Sections 17, 34 and 51 of the Planning Act, R.S.O. 1990, c. P13, as amended.

- Carried -

2. Application for Draft Plan of Subdivision and Zoning By-law Amendment from South Winds Development Co. Inc. for lands described as Part of Lots 7 and 8, Concession 1; and Part of Lot 7, Broken Front Concession (geographic Township of Lobo), 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.

There were approximately 100 members of the public in attendance regarding the applications. Agents for the applicants, Stacy Graham and Bill Graham were in attendance. Consultants for the applicants Carol Wiebe of MHBC Planning, Anthony Gubbels and Chris Powell of Stantec Engineering were in attendance. Solicitor of the applicants, Barry Card was also in attendance. Jocelyn Morris of Ron Koudys Landscape Architect was also in attendance.

Marc Bancroft, Senior Planner provided an overview of the applications indicating that the purpose and effect of the subdivision request is to consider the development of a residential subdivision to facilitate the following: 121 single detach dwelling lots; 6 residential blocks for semi-detached dwellings; and multiple dwellings up to 404 total housing units; 1 large park block; 1 stormwater management block; 1 private open space block; 4 public roads including the extensions of Westbrook Drive and Crestview Drive; two traffic roundabouts to create visual “gateways”, and, two future road connections to lands to the immediate north. He indicated that the larger residential blocks are intended to be developed through subsequent condominium plans which would allow for narrow roadways and the option for cluster type dwellings.

Mr. Bancroft indicated that the purpose and effect of the zoning by-law amendment request is to rezone the subject lands from Existing Use (EU) to Urban Residential First Density (UR1) with a holding (h-1) provision, Urban Residential Second Density (UR2) with a holding (h-1) provision, site-specific Urban Residential Second Density (UR2-#) with a holding (h-1) provision and Open Space (OS). He indicated that the UR1 zone is to accommodate single detached dwelling. He indicated that the UR2 zone is to accommodate single and semi-detached dwellings. He stated that the UR2-# zone is to accommodate townhouse dwellings and street townhouse dwellings in addition to single and semi-detached dwellings.

Comments from the Ministry of Municipal Affairs and Housing, Ministry of the Environment, Ministry of Natural Resources, Hydro One, County of Middlesex, Bell Canada, Thames Valley District School Board, Union Gas, Upper Thames River Conservation Authority, the Chief Building Official, the Fire Chief, the Municipal Consulting Engineer and the Public Works and Engineering Department were presented.

A letter from Darryl and Patricia Newbigging of 22372 Komoka Road was also presented indicating concerns with the proposal due to potential trespassing that may result from the development.

Ms. Stacy Graham on behalf of South Winds provided an explanation of the development being proposed and the goals of the developer to create an environmentally sustainable development that is compatible with the existing development of the area.

Ms. Carol Wiebe of MHBC Consulting provided an overview of the proposed development. She indicated that meeting had been held with representatives of the Kilworth Ratepayers Association as well as individual residents to discuss the proposed development. She indicated that as a result of those meetings modifications to the original proposal have been undertaken. She indicated that these modifications include: increasing the depth of the proposed lots that will abut existing development to 38 metres from 33 metres; and some of the large blocks originally proposed to be zoned UR2 and now proposed to be zoned UR1. She indicated that the proposed holding symbol (h-1) will ensure that development will not occur until such time as water and sewer capacity is available for the development.

Ms. Jocelyn Morris of Ron Koudys Landscape Architect reviewed the landscape features that are being proposed for the development.

Mr. Anthony Gubbels of Stantec Engineering provided an overview of the servicing for the proposed development.

Mr. Powell of Stantec Engineering provided an overview of the environmental features that are proposed to be incorporated into the development.

Mr. Barry Card, Solicitor for the applicant provided an overview of the zoning by-law requests, indicating that it is acceptable to proceed with approvals and place holding provisions on a zoning category to ensure that adequate servicing is in place prior to development proceeding.

Mr. Bill Graham provided summary comments on the development providing other examples of developments that have been undertaken by South Winds in the area.

Mr. Jay McGuffin of Monteith Brown Planning consultants indicated that he has been retained by the Kilworth Ratepayers Association to provide advice and assist the residents through the planning process. He indicated that the Kilworth Ratepayers Association has approximately 300 members. He indicated that the main concerns of the residents related to the proposed shallowness of the lots abutting existing development; the lack of details regarding the proposed development of the townhouse and semi-detached blocks; and the need for assurance that the secondary road access to Glendon Drive will be put in place in order to alleviate construction traffic through the existing development area of Kilworth. He confirmed that representatives of the Association and himself have met with the applicant and that they will review the amendments to the proposal that are being proposed by the applicant.

John Walkes of 119 Westbrook Drive indicated concern with respect to the increase traffic on Westbrook Drive that will result from the development of these lands. He requested information on how this concern would be addressed.

Mr. Graydon of Stephen Moore Drive expressed concern that taxes in the area would increase in order to pay for the infrastructure that would be required for this development.

Deputy Mayor Bannister indicated that infrastructure costs would be paid by the developer and through Development Charges that are collected to assist with infrastructure costs related to growth. He indicated that at the time each building permit is issued, a charge is applied to assist with development costs related to infrastructure.

Linda Mescia of Crestview Drive expressed concern that no comments had been received from the Catholic School Board. She indicated that the schools in the area are overcrowded and that the municipality should ensure that the School Board addresses this concern.

Mr. Blackmore of 105 Westbrook Drive expressed concern that the townhouse units being proposed would become rental properties which would impact the crime rate in the area.

Ms. Wiebe indicated that the townhouses being proposed are high caliber units.

Lori Bowman of 32 Rivers Edge Lane indicated that people moved into Kilworth because of the small community and that bringing in an additional 500 homes will change the small community atmosphere.

Mr. Graham indicated that the density being proposed for the development is actually less than the current density of Kilworth due to the amount of open space that will be provided in the new development.

Mr. Blackmore expressed concern that monies had been spent to expand the Kilworth Wastewater Facility and that new development will require upgrades to the Komoka Wastewater Facility. He also indicated that he understands that the Kilworth Facility will be abandoned and expressed concern regarding the costs to upgrade the Facility.

Maureen Looby, Director of Public Works and Engineering indicated that the Kilworth Facility will provide services for 20 years. She indicated that the Facility was expanded through a 100% funding allocation from other levels of government.

Silvia Orisini of 23 Crestview Drive indicated concerns with respect to the additional burden that will be placed on the schools with the additional children that will result from the proposed development. She requested that staff follow up with the School Board regarding the capacity of the existing schools.

Mr. Murray Haist of 11 Wingreen Lane indicated that he has been in contact with the Ministry of Environment expressing concern regarding paint that had been disposed of on the subject property.

Mr. Budd of 109 Westbrook Drive indicated concern regarding increased traffic as a result of the proposed development, specifically traffic that would be generated on Westbrook Drive. He asked for assurances that the proposed access road to Glendon Drive would be in place during construction and that the access to Westbrook Drive would be restricted during this time.

Mr. Paul Pritiko of 19 Crestwood Drive asked for clarification regarding the proposed parkland, noting that it had been indicated that some of the parkland would be private.

Ms. Wiebe reviewed the proposed development indicating that the private park would be part of a condominium development and that the remaining parkland would be public.

Ms. Laurie Bowman suggested that this development is premature and the Municipality does not have an overall plan in place for Kilworth.

Marc Bancroft indicated that the subject lands are designated for residential use and that the Municipality would be commencing a Secondary Plan Study for the Komoka/Kilworth area in the near future. He indicated that this Secondary Plan would look at design standards for road systems amongst other things.

Mr. Wyseman of Rivers Edge Lane indicated concern that the proposed development would not be compatible with the high caliber of the existing development. He indicated that this proposal is very important to the entire community and that notice of any further discussions regarding this matter should be provided to all residents of Kilworth.

Marc Bancroft indicated that the Municipality's web site will provide information on the planning application. He indicated however that we would be in touch with Mr. McGuffin and that perhaps Mr. McGuffin could keep the residents informed of the process. Mr. McGuffin confirmed that this arrangement was acceptable.

The Deputy Mayor thanked those in attendance for their comments and indicated that application will be forwarded to the November 18, 2009 Planning and Development Services Committee for consideration.

3. Application for a General Amendment to the Middlesex Centre Official Plan regarding Site Plan Control and Urban Design Guideline

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

Marc Bancroft, Senior Planner indicated that the purpose and effect of this general amendment to the Middlesex Centre Official Plan is to strengthen and clarify the policy basis for the application of site plan control and urban design in the Municipality. He indicated that that new documents have been prepared entitled "Urban Design Guidelines" and "Site Plan Manual" to encourage a high quality of built form and site design throughout the Municipality. He indicated that this amendment is necessary to implement these documents.

Mr. Bancroft indicated that in addition, the purpose and effect of this general amendment is also to provide policy direction in respect of the application of the Minimum Distance Separation (MDS) Formula regarding the following matters: application of MDS I and II for building reconstruction after a catastrophe; application of MDS I and II within settlement areas; and application of MDSII to cemeteries. He indicated that MDS I provides the minimum distance separation for new development from existing livestock facility; whereas MDS II provides minimum distance separation for new or expanding livestock facility from existing development.

Comments from the County of Middlesex, Upper Thames River Conservation Authority, the Chief Building Official, and the Public Works and Engineering Department were presented.

The Deputy Mayor indicated that application will be forwarded to the November 18, 2009 Planning and Development Services Committee for consideration.

Resolution #2009/226  
Moved by Frank Berze  
Seconded by Clare Bloomfield

THAT Council resume into general session at 9:00 p.m.

- Carried -

## **STAFF REPORTS**

### **1. PUBLIC WORKS AND ENGINEERING DEPARTMENT**

#### **1.1 Environmental**

##### **1.1.1 Report No. PWE-053-09/WW Ilderton Wastewater Treatment Facility – Future Expansion Planning**

Deputy Mayor Bannister expressed concern that the proposed Class Environmental process is being single sourced and that the project should be tendered.

Maureen Looby, Director of Public Works and Engineering indicated that the engineering firm that is being recommended to undertake the process has previously undertaken similar review of the Ilderton Wastewater Treatment facility and is therefore very familiar with the facility. She indicated that in her opinion there would be cost efficiencies achieved by retaining this firm to undertake this process. Ms. Looby indicated that the request is to expand the existing project being undertaken by Stantec Consulting Ltd. to include this additional work.

Deputy Mayor Bannister requested a recorded vote on this matter.

Resolution 2009/227

Moved by Frank Berze

Seconded by Brian Ritchie

THAT Report Number PWE-053-09-/WW entitled “Ilderton Wastewater Treatment Facility – Future Expansion Planning”, be received; and

FURTHER THAT the Class Environmental Assessment process for the planning of the expansion of the Ilderton Wastewater Treatment Facility be undertaken for completion and included in the revised project scope of work for the Ilderton Water Storage Project with Stantec Consulting Ltd. undertaking this expanded project; and

FURTHER THAT the project budget for 2009 be increased from \$50,000.00 to an upset limit of \$80,000.00 and staff be directed to include the remaining cost components of the Stantec Consulting Ltd. proposal in 2010 for Council consideration at a total upset cost limit of \$285,900.00. and

FURTHER THAT staff be directed to carry out the necessary administrative documents.

Name	Yes	No
Albert Bannister		x
Frank Berze	x	
Clare Bloomfield	x	
John Brennan	x	
Al Edmondson	Absent	Absent
Ken Filson	x	
Brian Ritchie	x	

-Carried -

**NOTICE OF MOTION FOR RECONSIDERATION – Coldstream Pumper Tender Results**

Resolution #2009/228

Moved by Clare Bloomfield

Seconded by Ken Filson

THAT Resolution #2009-210 of the October 7, 2009 meeting of Municipal Council directing staff to retender the Coldstream Pumper be reconsidered as additional information is available regarding the costs of a two person standard cab and a five person standard cab.

- Carried –

**2. ADMINISTRATION****2.1 Fire****2.1.1 Report PS-F2009-015/FC – Coldstream Pumper Tender Results**

Councillor Bloomfield indicated that information has been obtained that indicates that the cost difference between a two person standard cab and a five person standard cab is approximately \$10,000.00. He indicated that he supports the recommendation of the Manager of Emergency Services/Fire Chief to approve the tender bit submitted by Dependable Emergency Vehicles according to the quotation provided within Option "A" of the tender, which is five person cab given that the cost difference is not significant.

District Chief Fletcher indicated that he was informed today by Dependable Emergency Vehicles that a 2009 Freightliner chassis is no longer available and therefore a 2010 chassis would need to be purchased with at an additional cost of \$7,000.00. He indicated that a 2009 International chassis is available, however, an order would need to be placed by the end of October.

Deputy Mayor Bannister expressed concern that the lowest tender is not being recommended and therefore he could not support the recommendation.

Further discussion took place regarding the justification for a five person cab. District Chief Fletcher indicated that a five person cab is preferred as many of the firefighters live close to the station and therefore more firefighters could immediately respond to a fire call if there was sufficient room available on the fire truck for five firefighters.

In response to questions of Council, District Chief Fletcher indicated that the transverse pump control area was in the best interest of the health and safety of the firefighters.

District Chief Fletcher and Acting Fire Chief Shipley indicated that they could support the purchase of an International chassis, given that 2009 Freightliner chassis are no longer available.

Councillor Bloomfield requested a recorded vote on this matter.

**Resolution #2009/229**

Moved by Clare Bloomfield

Seconded by Frank Berze

THAT Council approve the tender bid submitted by Dependable Emergency Vehicles according to the quotation provided within Option "A" of the tender utilizing an International chassis; and

FURTHER THAT the Mayor and Clerk be authorized to sign the tender agreement on behalf of the Municipality of Middlesex Centre.

Name	Yes	No
Albert Bannister		x
Frank Berze	x	
Clare Bloomfield	x	
John Brennan		x
Al Edmondson	Absent	Absent
Ken Filson	x	
Brian Ritchie		x

- Lost -

Councillor Ritchie expressed concern that Dependable had been contacted regarding the price difference between a two person and five person cab and whether the tender process had been compromised as a result.

Cathy Saunders, Chief Administrative Officer/Clerk indicated that the recommendation before Council is to consider the original tender prices of both companies that have submitted tenders and that the price difference between the two person and five person cab remains as originally tendered. She indicated that as result the tender process has not been compromised.

Councillor Berze requested that the consideration should be given to including the trade in value proposed in the tender that would result in a reduction in the price of the vehicle of \$3600.00.

Resolution #2009/230

Moved by Frank Berze

Seconded by Clare Bloomfield

THAT Council approve the tender bid with trade in submitted by Dependable Emergency Vehicles according to the quotation provided within Option "A" of the tender utilizing an International chassis at a cost of \$341,823.00, exclusive of taxes ; and

FURTHER THAT the Mayor and Clerk be authorized to sign the tender agreement on behalf of the Municipality of Middlesex Centre.

- Carried -

2.2 Clerk

2.2.1 Report No. CSD009-DC – By-law 2009-085 – Road Dedication – Earls court Terrace – Plan 33R-12788, Parts 7, 10 & 12

Resolution #2009/231

Moved by Frank Berze

Seconded by Brian Ritchie

THAT Council receive Report CSD009-DC entitled "By-law 2009-085 – Road Dedication – Earls court Terrace – Plan 33R-12788, Parts 7, 10 & 12; and

FURTHER THAT By-law 2009-085 being a by-law to dedicate for road purposes lands described as Part of Lots 9 and 10, Concession 1 Geographic Township of Lobo designated as Parts 7 & 10, Plan 33R-12788 being the whole of PIN 08501-0767 (LT) and Part Block 19, Plan 33M-345 Geographic

Township of Lobo designated as Part 12, Plan 33R-33R-12788 being the whole of PIN 08052-0751 (LT) Municipality of Middlesex Centre be approved.

-Carried-

### **INFORMATION ITEMS**

1. Staff was directed to bring forward to the next meeting of Council the Information Item from the Community Schools Alliance requesting support for a "Smart Moratorium" on school closures for consideration.

### **BY-LAWS**

The Chief Administrative Officer/Clerk noted that By-law #2009-073 regarding the Mardlin Drain will be deferred until the next meeting of Municipal Council.

#### Resolution#2009/232

Moved by Clare Bloomfield  
Seconded by Brian Ritchie

THAT By-law 2009-081, being a By-law to amend the Middlesex Centre Comprehensive Zoning By-law Number 2005-005 with respect to Part of Lot 21, Concession 7 (Geographic Township of London) Municipality of Middlesex Centre be approved and this constitutes the first, second and third reading and By-law 2009-076 is hereby enacted.

THAT By-law 2009-082, being a By-law approving and ratifying a Development Agreement between Michael Thomas Murphy, Robert Michael Murphy and Michelle Mary Murphy-Bukala collectively known as the "Owner" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Part of Lot 21, Concession 7, (Geographic Township of London) Municipality of Middlesex Centre be approved and this constitutes the first, second and third reading and By-law 2009-082 is hereby enacted.

THAT By-law 2009-083, being a By-law to amend the Middlesex Centre Comprehensive Zoning By-law Number 2005-005 with respect to Part of Lot 12, Concession 1 Parts 8, 9 and 10, Reference Plan 33R 11299 Parts 9, 10 and 11, Reference Plan 33R 1813 (Geographic Township of Lobo) Municipality of Middlesex Centre be approved and this constitutes the first, second and third reading and By-law 2009-083 is hereby enacted.

THAT By-law 2009-084, being a By-law approving and ratifying a Development Agreement between Paul Needham and Heidi Needham collectively known as the "Owner" and the Municipality of Middlesex Centre as the "Municipality" for lands described as Part of Lot 12, Concession 1 Parts 8, 9 and 10, Reference Plan 33R 11299 Parts 9, 10 and 11, Reference Plan 33R 1813 (Geographic Township of Lobo) Municipality of Middlesex Centre be approved and this constitutes the first, second and third reading and By-law 2009-084 is hereby enacted.

THAT By-law 2009-085, being a By-law to dedicate for road purposes lands described as Part of Lots 9 and 10, Concession 1 Geographic Township of Lobo designated as Parts 7 & 10 Plan 33R12788 being the whole of PIN 08502-0767 (LT) and Part of Block 19, Plan 33M345 Geographic Township of Lobo designated as Part 12 Plan 33R12788 being the whole of PIN 08502-0751 (LT) Municipality of Middlesex Centre be approved and this constitutes the first, second and third reading and By-law 2009-085 is hereby enacted.

- Carried -

**CONFIRMING BY-LAW**

- 1. Resolution # 2009/233  
 Moved by Clare Bloomfield  
 Seconded by John Brennan

THAT By-law Number 2009-087 being a By-law to confirm the proceedings of the Council meeting held on October 21, 2009 be approved and that this constitutes the first, second and third reading and By-law Number 2009-087 is hereby enacted.

- Carried -

**ADJOURNMENT**

There being no further business, this meeting of Council adjourned at 10:30 p.m. to meet again on Wednesday, November 4, 2009 at 4:00 p.m.

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 MAYOR

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 CLERK

**INFORMATION**

AMCTO Express – Local Government Week - Oct 18 to 24, 2009
AMO Alert 09/068 – Southern Ontario Municipalities Invited to Submit Funding Requests
AMO Alert 09/069 – AMO Report to Members on September 2009 Board Meeting
CitiesAlive! World Green roof Infrastructure Congress – Toronto, October 19-21
Community Schools Alliance – Requesting Support for “Smart Moratorium” on school closures.
Correspondence & Resolution from Middlesex Centre to County of Middlesex – Access to County Rd. 15 (Glendon Drive) from Old River Road
FCM Members Advisory – Canadian Municipalities at the Upcoming U.N. Climate Change Conference in Copenhagen
Local Authority Services Ltd. – Connections – Energy Conference Nov 16 & 17, 2009
Local Authority Services Ltd. – Energy Newsflash – Issue 5, October 2009
MPAC – Divisional Court Decision Regarding Valuing Commercial Property (Toronto Bank Towers)
OMAFRA Connects – Update October 9, 2009
Ombudsman Ontario – The ABC’s of Rebuilding Public Trust: Restoring Accountability to Ontario’s Agencies