

MUNICIPALITY OF MIDDLESEX CENTRE

PLANNING AND DEVELOPMENT SERVICES COMMITTEE MINUTES

First Meeting

January 20, 2010

The first meeting of 2010 of the Municipality of Middlesex Centre Planning and Development Services Committee was called to order this date at the Middlesex Centre Offices, Coldstream at 4:00 p.m.

PRESENT

Al Edmondson
Albert Bannister
Clare Bloomfield
John Brennan
Frank Berze
Ken Filson

REGRETS

Brian Ritchie

STAFF PRESENT

Marc Bancroft, Senior Planner
Benjamin Puzanov, Planner
Arnie Marsman, Director of Planning and Building Services/Chief Building Official

NOMINATION OF CHAIR

Moved by John Brennan
Seconded by Frank Berze

THAT Brian Ritchie be appointed as Chair of the Planning and Development Services Committee for the 2010 term.

Carried

NOMINATION OF VICE-CHAIR

Moved by John Brennan
Seconded by Frank Berze

THAT Albert Bannister be appointed as Vice-Chair of the Planning and Development Services Committee for the 2010 term.

Carried

DECLARATIONS OF PECUNIARY INTEREST

There were no pecuniary interests declared by any of the Committee members.

MINUTES

Moved by Al Edmondson
Seconded by Clare Bloomfield

THAT the minutes of the December 16, 2009 Municipality of Middlesex Centre Planning and Development Services Committee Meeting be approved.

Carried

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1. Building Permit Report – December 2009

Albert Bannister inquired as to whether the Municipality was generating enough revenue through its building inspections in the Township of Lucan Biddulph to cover staff time and expenses. Arnie Marsman indicated that there are no problems with the current arrangement with Lucan Biddulph. Mr. Marsman further noted that he will be evaluating the existing arrangement in the near future as building inspections in Lucan Biddulph consume staff time that could be used on by-law enforcement within Middlesex Centre.

Ken Filson asked whether freestanding solar panels require a building permit. Mr. Marsman indicated that they do not.

Clare Bloomfield inquired whether solar panels were prohibited from Class 1, 2 and 3 agricultural lands. Ben Puzanov indicated that solar projects of up to 10kW could be located anywhere in the Municipality while solar projects that exceed 10kW cannot be located on Class 1, 2 or 3 agricultural lands or on specialty crop areas.

Mr. Filson asked whether building permit fees would be based on the value of the solar panels. Mr. Marsman indicated that this information is yet to be determined.

Moved by Frank Berze
Seconded by Ken Filson

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

THAT Report Number PS-B-19-09/CBO, dated January 5, 2010 and entitled “Building Permit Report – December 2009”, be received.

Carried

2. Comparison of Building Activity 2005, 2006, 2007, 2008, 2009

Moved by Ken Filson
Seconded by Frank Berze

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

THAT Report Number PS-B-02-10/CBO, dated January 6, 2010 and entitled “Comparison of Building Activity 2005, 2006, 2007, 2008, 2009”, be received.

Carried

3. Application for Zoning By-law Amendment – Jeanine Alice Pattyn (Agent – Robert Julien Pattyn); Part of Lot 8, Concession 11, Part 1, Reference Plan 33R-16761 (geographic Township of London)

Marc Bancroft indicated that the purpose and effect of the proposed Zoning By-law Amendment is to rezone the subject property from Village Commercial (C1) to Hamlet Residential First Density (HR1) to facilitate the residential development of the land. The lands affected have a frontage of 33.34 metres (109 ft) along Highbury Avenue (County Road 23), a depth of 87.25 metres (286 ft) and an area of 2,908 square metres (0.72 ac). Mr. Bancroft further noted that the subject application will be considered at the January 20, 2010 Public Meeting of Municipal Council.

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John Brennan noted that he has received several complaints of basement flooding in Bryanston and asked whether water table issues get addressed at the building permit stage of development. Mr. Marsman indicated that such problems are identified and resolved during the excavation inspection and he suspects that basement flooding in the area may be related to drainage. Mr. Marsman advised Mr. Brennan that homeowners with flooding basements in the area should contact staff in order to resolve the problem.

Moved by John Brennan
Seconded by Clare Bloomfield

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

THAT the report of the Planning and Development Services Department, dated January 15, 2010 and entitled “Application for Zoning By-law Amendment; Owner: Jeanine Alice Pattyn; Agent: Robert Julien Pattyn; Legal Description: Part of Lot 8, Concession 11; Part 1 on Reference Plan 33R-16761 (geographic Township of London), Municipality of Middlesex Centre”, be received.

Carried

4. Request for Assumption – Kilworth Heights Subdivision – 1319790 Ontario Inc.; Registered Plan 33M-496 (geographic Township of Lobo)

Mr. Bancroft indicated that the Kilworth Heights Subdivision has been completed, with single detached dwellings existing on all lots with the exception of Lot 16. He further noted that building staff confirmed that a building permit has been requested for the final lot. As such, the Subdivider is requesting that the Subdivision now be assumed by the Municipality.

Mr. Bancroft indicated that there are six outstanding lot grading certificates required from an Ontario Land Surveyor in respect of Lots 2, 8, 9, 32, 35 and 36 in accordance with Section 48.5 of the Subdivision Agreement. Given that Lot 16 will be under construction shortly, no lot grading certificate will be required until the development is undertaken and the subdivision assumed. Mr. Bancroft added that a lot grading certificate is also required for Block 50 of Registered Plan 33M-496, which is a pedestrian walkway.

Mr. Bancroft noted that earlier in the day the Subdivider indicated to him that he would like the Municipality to move forward with assumption of the Subdivision and retain a reduced letter of credit as security for the outstanding grading certificates. Mr. Bancroft explained that this scenario would be discussed with the Municipal Engineering Consultant but until then he is recommending that the grading certificates be submitted prior to assumption of the Subdivision.

Albert Bannister asked whether it is problematic for staff to obtain lot grading certificates directly from homeowners after a subdivision has been assumed. Mr. Marsman indicated that the Municipality does not take security at the building permit stage of development and if the lot grading certificates are not obtained prior to assumption of the subdivision, the Municipality would be responsible for adjusting the grades, if necessary, at its own cost. Mr. Marsman further noted that staff is considering taking security at the building permit stage of development, specifically for the installation of pools.

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Moved by Ken Filson
 Seconded by Clare Bloomfield

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

1. **THAT the report of the Planning and Development Services Department, dated January 15, 2010 and entitled "Request for Assumption of the Kilworth Heights Subdivision; Owner: 1319790 Ontario Inc.; Legal Description: Registered Plan 33M-496 (geographic Township of Lobo), Municipality of Middlesex Centre", be received.**
2. **THAT staff forward the attached by-law to facilitate the assumption of the Works of Registered Plan 33M-496 (being the Kilworth Heights Subdivision) to Municipal Council for consideration of enactment once the following has been undertaken:**
 - 2.1 **That the lot grading certificates be provided by an Ontario Land Surveyor in respect of Block 50 and Lots 2, 8, 9, 32, 35 and 36 of Registered Plan 33M-496; and**
 - 2.2 **That the Municipal Engineering Consultant issue the Certificate of Final Completion once the foregoing lot grading certificates have been issued.**

Carried

5. **Request for Assumption – Harris Road Watermain Extension – Emil Albert Pattyn and Deborah Lynn Pattyn; Part of Lot 15, Plan 305, Parts 2-5 on Reference Plan 33R-17233 (geographic Township of Delaware)**

Mr. Bancroft noted that development of four lots on the north side of Harris Road has been completed according to the requirements of the Severance Agreement for the subject lands. The Owners are seeking the release of the remaining security which can only be undertaken once the works have been assumed by the Municipality. The Works in this case are generally limited to the watermain.

Frank Berze asked whether the watermain extends all the way to Martin Road. Mr. Bancroft indicated that the watermain only extends to the easterly limit of the property known municipally as 131 Harris Road.

Moved by Al Edmondson
 Seconded by Frank Berze

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

1. **THAT the report of the Planning and Development Services Department, dated January 15, 2010 and entitled "Request for Assumption – Harris Road Watermain Extension; Owners: Emil Albert Pattyn and Deborah Lynn Pattyn; Legal Description: Part of Lot 15, Plan 305; Parts 2-5 on Reference Plan 33R-17233 (geographic Township of Delaware), Municipality of Middlesex Centre", be received.**

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2. **THAT staff forward the attached by-law to Municipal Council for consideration of enactment to facilitate the assumption of the Works related to the Severance Agreement between Middlesex Centre and Emil Albert Pattyn and Deborah Lynn Pattyn dated August 13, 2008.**

Carried

6. **Harris Road Watermain Extension Assumption – Maurice D’Agostino and Joyce D’Agostino; Part of Lots 4 and 5, Plan 305 (geographic Township of Delaware)**

Moved by Al Edmondson

Seconded by Frank Berze

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

1. **THAT the report of the Planning and Development Services Department, dated January 15, 2010 and entitled “Harris Road Watermain Extension Assumption; Owners: Maurice D’Agostino and Joyce D’Agostino; Legal Description: Part of Lots 4 and 5, Plan 305 (geographic Township of Delaware), Municipality of Middlesex Centre”, be received.**
2. **THAT staff forward the attached by-law to Municipal Council for consideration of enactment to facilitate the assumption of the Works related to the Severance Agreement between Middlesex Centre and Maurice D’Agostino and Joyce D’Agostino dated May 2, 2007.**

Carried

7. **Traffic Roundabouts on County Roads (discussion)**

Mayor Edmondson stated that Chris Traini, County Engineer for the County of Middlesex, indicated that the cost to carry out a study on roundabouts on County roads within Middlesex Centre, specifically at the “five corners” intersection of Glendon Drive (County Road 14), Vanneck Road, Coldstream Road and Jefferies Road, would be between \$2,000 and \$3,000. Marc Bancroft added that this matter should be heard at the Public Works and Engineering Committee of Municipal Council but has been brought to Planning Committee due to time constraints.

Frank Berze questioned whether the County would agree to install a roundabout on Glendon Drive. Mayor Edmondson indicated that County staff, namely Chris Traini, are generally supportive of the idea. Albert Bannister indicated that County Council had not yet made a decision on the matter.

Mayor Edmondson indicated that the timeline for such a project would be anywhere from 5 to 10 years. He added that the County will be upgrading Glendon Drive in 2 years so perhaps a roundabout could be installed at that time.

Albert Bannister indicated that it is his preference that Middlesex Centre focus on the maintenance and upgrading of Municipal roads instead of County roads.

Ken Filson indicated that the Municipality should limit the amount of money that it contributes to the study and not spend any additional funds until it obtains the support of County Council for such a project.

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Moved by Frank Berze
Seconded by Ken Filson

It is therefore recommended that the Planning and Development Services Committee recommend to Municipal Council:

- 1. THAT the County of Middlesex be requested to proceed with the undertaking of a study to facilitate the development of roundabouts on County Roads with an upset limit of \$2000 in respect of Middlesex Centre's contribution; and**
- 2. THAT the study be forwarded to Middlesex Centre Municipal Council.**

Carried

NEXT MEETING

The meeting adjourned at 5:20 p.m. with the next regular meeting of Planning and Development Services Committee being scheduled to be held on Wednesday, February 17, 2010 at 4:00 p.m.

Chair

Secretary