

MUNICIPALITY OF MIDDLESEX CENTRE

PLANNING AND DEVELOPMENT SERVICES COMMITTEE MINUTES

Fifth Meeting

May 19, 2010

The fifth 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

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

STAFF PRESENT

Marc Bancroft, Senior Planner
Benjamin Puzanov, Planner
Arnie Marsman, Director of Planning and Development Services/Chief Building Official
Mauro Castrilli, Transportation Coordinator (left at 4:12 p.m.)

DECLARATIONS OF PECUNIARY INTEREST

John Brennan declared a pecuniary interest regarding the Building Report noted on the agenda.

MINUTES

Moved by Albert Bannister
Seconded by Frank Berze

THAT the minutes of the April 21, 2010 Municipality of Middlesex Centre Planning and Development Services Committee Meeting be approved as circulated.

Carried

1. **Application for Site Plan Approval – Delaware Operations Centre – 805 Gideon Drive**

John Michael Spriet of Spriet Associates was in attendance, being the retained engineer for this project.

Ben Puzanov provided a summary of the staff report. He noted that the purpose of the application is to facilitate an expansion of the existing Delaware Operations Centre located on the north side of Gideon Drive (County Road 3) and east of Brigham Road.

Mr. Puzanov noted that the application has been evaluated according to the Municipality's Comprehensive Zoning By-law, the Site Plan Manual and circulation comments received. As such, the following revisions are recommended by staff in respect of the submitted site plan: that three additional parking spaces be included; that the handicapped parking space be provided east of the painted barrier free path of travel across the parking area; that a geotechnical report be undertaken; that the amount of gross floor area to be dedicated to the garage and office uses and locations of each within the expanded building be indicated; that the legal description of the property be indicated; that the gross floor area of existing building be noted; and, that an entrance permit be obtained by the County of Middlesex.

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John Spriet indicated that a geotechnical report is currently being undertaken. He stated that the Upper Thames River Conservation Authority has no objection to the proposal.

Frank Berze inquired the current width of the existing entrance. Mauro Castrilli indicated that the entrance is currently 9.5 metres wide and therefore a minor variance is required to facilitate a 13 metre wide entrance similar to the Denfield Operations Centre.

Frank Berze questioned the function of the wastewater holding tank. Arnie Marsman indicated that the tank would be used to collect wash water from trucks and other equipment primarily due to salt residue related to winter maintenance. He added that it would be problematic if the wash water was discharged directly into the septic system or as stormwater runoff.

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 May 14, 2010 and entitled "Site Plan Approval – Delaware Operations Centre; Owner: Middlesex Centre; Agent: Spriet Associates London Limited; Legal Description: Block A, Part of Lots 1, 2, 5 and 6, Registered Plan 382; Parts 1 and 2, Reference Plan 34R-1324; (geographic Township of Delaware), Municipality of Middlesex Centre; Municipal Address: 805 Gideon Drive" be received.**
2. **THAT the request for Site Plan Approval for the Delaware Operations Centre for lands described as Block A, Part of Lots 1, 2, 5 and 6, Registered Plan 382 and more specifically as Parts 1 and 2, Reference Plan 34R-1324 (geographic Township of Delaware), Municipality of Middlesex Centre, be approved, provided the following are undertaken to the satisfaction of Middlesex Centre:**
 - 1.1 **THAT three additional parking spots be added to the site plan to meet the minimum standards of the Municipal Comprehensive Zoning By-law;**
 - 1.2 **THAT the site plan be amended to indicate the handicapped parking space east of the painted barrier free path of travel across the parking area;**
 - 1.3 **THAT a geotechnical report be undertaken in order ensure the structural integrity of the proposed laneway, and that this report be to the satisfaction of the Upper Thames River Conservation Authority;**
 - 1.4 **THAT Drawing SP1: Site Plan, be amended to indicate the amount of gross floor area that will be allocated to the garage and office space, respectively, as well as the location of each within the expanded building;**
 - 1.5 **THAT Drawing SP3: Details and Notes, be amended to include the legal description of the subject property;**

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1.6 THAT the site plan be amended to indicate the gross floor areas of all existing buildings on the subject property; and

1.7 THAT the applicant obtain an entrance permit from the County of Middlesex.

Carried

2. Building Permit Report – March 2010

Moved by Albert Bannister
Seconded by Al Edmondson

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

THAT Report Number PS-B-05-10/CBO, dated May 4, 2010 and entitled “Building Permit Report – April 2010”, be received.

Carried

3. Application for Zoning By-law Amendment – Initiated by Middlesex Centre; 10497, 10507 and 10531 Glendon Drive, Kilworth

Marc Bancroft provided a brief summary of the staff report. He noted that the subject lands are located south of Glendon Drive (County Road 14) and would generally facilitate the extension of Earls court Terrace. He added that the application would rezone the lands from Existing Use (EU) to site-specific Urban Residential First Density (UR1-#) and site-specific Urban Residential First Density (UR1-#) with a (h-1) holding symbol. Mr. Bancroft indicated that the prerequisite for the removal of the holding symbol would be that a subdivision agreement be entered into. It was noted that there is no holding symbol proposed for the Phase II of the Birchcrest Heights subdivision since a subdivision agreement is pending.

Mr. Bancroft noted that he was satisfied that the subject application is in conformity with the PPS, the County of Middlesex Official Plan and the Middlesex Centre Official Plan. He therefore recommended that the rezoning be approved and that the amendment be forwarded to Municipal Council for consideration of enactment.

Moved by Frank Berze
Seconded by Al Edmondson

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

- 1. That the report of the Planning and Development Services Department, dated May 14, 2010 and entitled “Application for Zoning By-law Amendment – Initiated by Middlesex Centre – Public Meeting Report; Legal Description: Part of Lot 9, Concession 1; Part 1, Reference Plan 33R-13911; Part 1, Reference Plan 33R-15260; Parts 1 and 3, Reference Plan 33R-5694; Part 2, Reference Plan 33R-16979 (geographic Township of Lobo) Municipality of Middlesex Centre; Municipal Address: 10497, 10507 & 10531 Glendon Drive”, be received.**

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2. **That the Zoning By-law Amendment initiated by Middlesex Centre for the lands legally described as Part of Lot 9, Concession 1; Part 1, Reference Plan 33R-13911; Part 1, Reference Plan 33R-15260; Parts 1 and 3, Reference Plan 33R-5694; Part 2, Reference Plan 33R-16979 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved and that said Amendment be forwarded to Municipal Council for consideration of enactment.**

Carried

The Committee brought up the issue regarding sanitary sewage capacity and draft plan approved subdivisions. Under the current system, draft plan approved subdivisions are allocated sanitary sewage capacity. The Committee generally views that the current method as being flawed since it can prevent other development opportunities from proceeding. They expressed concern regarding the “first come, first served” method that currently applies. It was also noted that the Municipality should have more control on how it allocates wastewater capacity. The Committee is generally of the opinion that capacity should not be allocated at the draft plan approval stage but rather when a plan of subdivision is registered.

Moved by Al Edmondson
Seconded by Frank Berze

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

THAT staff be directed to discuss with the Municipal Solicitor a policy to ensure that sanitary sewage capacity is not allocated at the draft plan approval stage; and that this matter be brought back to the June Planning and Development Services Committee Meeting.

Carried

4. **Application for Zoning By-law Amendment – The Busy Farmer Inc.; 20706 Vanneck Road**

Marc Bancroft indicated that the purpose and effect of the proposed amendment is to rezone the subject property from Agricultural (A1) to a site-specific Agricultural (A1-#) zone to permit a farm market. All other permitted uses of the A1 zone would continue to apply.

He added that a subsequent report will provide an evaluation of the application and a summary of public and agency submissions. The subject application is scheduled to be presented at the May 19, 2010 public meeting of Municipal Council.

Clare Bloomfield inquired what is meant by a “farm market”. Marc Bancroft indicated that the applicant will be required to define a “farm market”. He added that the Zoning By-law includes a definition for a “market garden” related to the sale of fruits and vegetables.

Albert Bannister assumed that the subject proposal would be similar in nature and scale to the former Bellamere Market that was situated on Gainsborough Road in the City of London.

Clare Bloomfield questioned if a new building was being proposed. Marc Bancroft indicated that the existing barn is to be renovated to accommodate the proposed farm market use. Arnie Marsman noted that there are significant building code implications related to this undertaking which could make this project unfeasible. He added that the

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applicant has been informed in this regard from the onset.

Ken Filson questioned the access for the farm market. Marc Bancroft indicated that the site currently has two driveway entrances onto Vanneck Road; the northerly entrance services the barn and the southerly entrance services the dwelling. There is no driveway entrance onto Gainsborough Road. He added that site access would be addressed as part of the site plan approval process should the rezoning be approved.

Moved by Al Edmondson
Seconded by Frank Berze

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 May 14, 2010 and entitled “Application for Zoning By-law Amendment; Owner: The Busy Farmer Inc.; Agent: Douglas Gagel; Legal Description: Part of Lot 32, Concession 3; Parts 1 and 2, Reference Plan 33R-2565; Part 1, Reference Plan 33R-6206 (geographic Township of London) Municipality of Middlesex Centre; Municipal Address: 20706 Vanneck Road”, be received.

Carried

5. **Application for Zoning By-law Amendment – C & L Group Inc.; Ilderton Road at Poplar Hill Road, Poplar Hill**

Marc Bancroft indicated that the purpose and effect of the proposed amendment is to rezone the subject property from Village Commercial (C1) to a site-specific Village Commercial (C1-#) zone to permit a dwelling unit as an accessory use. All other permitted uses of the C1 zone would continue to apply.

He added that a subsequent report will provide an evaluation of the application and a summary of public and agency submissions. The subject application is scheduled to be presented at the May 19, 2010 public meeting of Municipal Council.

Moved by Albert Bannister
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 May 14, 2010 and entitled “Application for Zoning By-law Amendment; Owner: C & L Group Inc.; Agent: Carey Thody; Legal Description: Part of Lot 4, Concession 9; Part 2, Reference Plan 33R-14897 (geographic Township of Lobo) Municipality of Middlesex Centre; Municipal Address: not assigned”, be received.

Carried

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6. Draft Severance Agreement – Keith and Marlene Tackabury; 23959 and 23965 Denfield Road, Denfield

Ben Puzanov indicated that the purpose of the severance agreement is to satisfy conditions of Applications for Consent B-2/10 and B-3/10.

Moved by Ken Filson
Seconded by Al Edmondson

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 May 14, 2010 and entitled “Draft Severance Agreement; Owners: Keith and Marlene Tackabury; Legal Description: Part of Lots 28 and 29, Registered Plan 339 (geographic Township of London); Municipality of Middlesex Centre”, be received.**
2. **That the Severance Agreement for the land in the ownership of Keith and Marlene Tackabury and legally described as Part of Lots 28 and 29, Registered Plan 339 (geographic Township of London), Municipality of Middlesex Centre, be approved; and that the Severance Agreement be forwarded to Municipal Council for consideration following the receipt of a deposited reference plan and an approved service connection plan.**

Carried

7. Application for Site Plan Approval – 2227179 Ontario Ltd. (Tom Schofield); Sinclair Drive west of Coldstream Road

Marc Bancroft indicated that the purpose of the application is to facilitate the development of a 501 m² (5,382 ft²) building on lands located on the south side of Sinclair Drive between Egremont Drive (County Road 22) and Coldstream Road. The building is to be composed of two-units, each of which would contain an office and shop use. The property is currently zoned General Industrial (M2) in accordance with the Middlesex Centre Comprehensive Zoning By-law. A contractor’s yard or shop and accessory office space are both listed as permitted uses under the M2 zone.

Mr. Bancroft noted that the application has been evaluated according to the Municipality’s Comprehensive Zoning By-law, the Site Plan Manual and circulation comments received. As such, the following revisions are recommended by staff in respect of the submitted site plan: that the handicapped parking space is to be hard surfaced; that curbing be provided along the concrete walkway in front of the building, a curb cut provided to facilitate barrier free access, along with ramp curbs at either end of the building to facilitate access to the shop bays; that landscaping be provided; that snow storage areas be provided for the parking area; that the correct legal description be provided; and, that the PIN for the subject property be provided.

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Moved by Clare Bloomfield
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 May 14, 2010 and entitled "Application for Site Plan Approval; Owner: 2227179 Ontario Ltd. (Tom Schofield); Legal Description: Part of Lot 8, Concession 6; Part 3, Reference Plan 33R-11277 (geographic Township of Lobo), Municipality of Middlesex Centre; Municipal Address: not assigned" be received.**
2. **That the request for an Application for Site Plan Approval submitted by 2227179 Ontario Ltd. (Tom Schofield) for lands described as Part of Lot 8, Concession 6; Part 3, Reference Plan 33R-11277 (geographic Township of Lobo), Municipality of Middlesex Centre, be approved, provided the following is undertaken to the satisfaction of the Municipality:**
 - 2.1 **That the site plan be amended to indicate that the handicapped parking space is to be hard surfaced;**
 - 2.2 **That the site plan be amended to include curbing along the concrete walkway in front of the building, a curb cut to facilitate barrier free access, and ramp curbs at both ends of the building to facilitate access to the shop bays;**
 - 2.3 **That the site plan be amended to include landscaping;**
 - 2.4 **That the site plan be amended to indicate snow storage areas for the parking area;**
 - 2.5 **That the site plan be amended to include the correct legal description: Part of Lot 8, Concession 6; Part 3, Reference Plan 33R-11277 (geographic Township of Lobo) Municipality of Middlesex Centre; and**
 - 2.6 **That the applicant provide the PIN for the subject property.**
3. **That staff be directed to present the Site Plan Agreement submitted by 2227179 Ontario Ltd. (Tom Schofield) for lands described as Part of Lot 8, Concession 6; Part 3, Reference Plan 33R-11277 (geographic Township of Lobo), Municipality of Middlesex Centre, for execution at the next regular meeting of Municipal Council once the above matters have been undertaken to the satisfaction of the Municipality and pending the receipt of the required \$5,000 security deposit.**

Carried

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8. Redline Amendment Request – Fieldstone Estates Inc. – Phases 4 and 5, Komoka (County File No. 39T-96001)

Marc Bancroft indicated that the redline amendment request applies to the Fieldstone Estates balance of its draft approved plan of subdivision being Phases 4 and 5. The proposed red-line amendment affects all of the remaining lots within the undeveloped portion of the draft plan of subdivision. Phase 4 would include altering the lot pattern of nine proposed lots within the internal “island” portion of the subdivision bounded by Fieldstone Crescent and Fieldrun Drive. No change in the number of lots is proposed in respect of Phase 4. Phase 5 proposes the elimination of Fieldstone Gate resulting in the creation of two additional building lots and a 3 metre wide pedestrian walkway block. With the elimination of Fieldstone Gate, the internal portion of the subdivision would be accessible by three existing streets, namely Delaware Street North and Fieldrun Drive via Simcoe Avenue and Oxbow Drive.

Regarding Phase 4, Mr. Bancroft noted that the redline amendment to the internal “island” portion of the subdivision is necessary to provide for a more efficient layout of the lots affected by the orientation of Fieldrun Drive and Fieldstone Crescent. Staff has no objection to what is being proposed in this respect.

Regarding Phase 5, Mr. Bancroft indicated that staff has no issue with the elimination of Fieldstone Gate. Given that there would be no driveway access onto this road, its only other purpose would be to accommodate a watermain and storm sewer which can otherwise be accommodated by a pedestrian walkway block and servicing easements adjacent thereto. He suggested that the lotting along Queen Street be adjusted to ensure that all lots have a frontage of at least 20 metres (66 ft). As well, the pedestrian walkway shown as Block 17 should be located further south by a factor of two lots.

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 Community Development Department, dated May 14, 2010 and entitled “Redline Amendment Request – Fieldstone Estates – Phases 4 & 5; Subdivider: Fieldstone Estates Inc. (Stephen Stapleton); Legal Description: Parts 1 and 2, Reference Plan 33R-17337 (geographic Township of Lobo), Municipality of Middlesex Centre; County File No. 39T-96001”, be received.**
2. **THAT the request for a redline amendment to the draft plan of subdivision undertaken by Callon Dietz Incorporated and dated April 22, 2010; submitted by Fieldstone Estates Inc. for the lands described as Parts 1 and 2, Reference Plan 33R-17337 (geographic Township of Lobo), Municipality Centre, be approved provided the following revisions being undertaken:**
 - 2.1 **THAT in respect of Phase 5 along Queen Street, that the frontage of Lot 1 be reduced from 40 metres to 37 metres and that the frontage of Lot 13 reduced from 33.76 metres (111 ft) to 32.26 metres (106 ft) to ensure that all lots have a frontage of at least 20 metres (66 ft); and**
 - 2.2 **THAT the pedestrian walkway shown as Block 17 be located further south by a factor of two lots.**

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3. **THAT staff be directed to forward correspondence to the County of Middlesex stating that the Municipality is supportive of the redline amendment provided the above noted revisions are undertaken.**

Carried

9. **Committee of Adjustment Notices of Public Hearing**

Moved by Al Edmondson
Seconded by Frank Berze

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

THAT the Notices of Public Hearing for Applications for Consent B-7/10 and B-8/10; and for Applications for Minor Variance A-5/10, A-6/10 and A-7/10 in respect of the Middlesex Centre Committee of Adjustment be received.

Carried

NEXT MEETING

The meeting adjourned at 5:30 p.m. with the next regular meeting of Planning and Development Services Committee being scheduled to be held on Wednesday, June 16, 2010 at 4:00 p.m.

Chair

Secretary