



MUNICIPALITY OF NORTH MIDDLESEX

REGULAR MEETING MINUTES

The Regular Meeting of the Council of the Municipality of North Middlesex was held on Wednesday January 16, 2019 in the Council Chambers, Shared Services Centre, 229 Parkhill Main Street, Parkhill.

1. CALL TO ORDER

Mayor Ropp called the meeting to order at 7:00 p.m. with a quorum present.

2. ROLL CALL

Mayor Brian Ropp
Deputy Mayor Adrian Cornelissen
Councillor Ward One – Doreen McLinchey (Absent)
Councillor Ward Two – Joan Nichol
Councillor Ward Three – Gord Moir
Councillor Ward Four – John Keogh
Councillor Ward Five – Andrew Hemming
CAO/Director of Finance (Treasurer) – Nandini Syed
Deputy CAO/Director of Operations – Jonathon Graham
Director of Economic Development and Community Services – Justin Dias
Director of Emergency and Safety Services – William Davidson
Clerk Jackie Tiedeman
Infrastructure Supervisor – Jonathan Lampman
Manager of Finances/Deputy Treasurer – Dani Johnston

3. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Adrian Cornelissen declared a potential pecuniary interest on Agenda Item Number 5 – Application B01/2019 for the following reason: personal friend and he left the Council Chambers for the duration of time pertaining to this application

4. MINUTES OF PREVIOUS MEETINGS

MOTION #001/2019

MOIR/MCLINCHEY: That the December 19, 2018 Regular Meeting Minutes, December 19, 2018 Court of Revision Minutes and the December 19, 2018 Public Meeting Minutes be accepted as presented.

CARRIED

5. PUBLIC MEETINGS

MOTION #002/2019

HEMMING/CORNELISSEN: That Regular Meeting adjourn to Committee of Adjustment to consider a planning application at 7:03 p.m.

CARRIED

Separate minutes for Committee of Adjustment and Public Meeting

The Regular Meeting reconvened at 7:20 P.M. following the planning portion of the agenda.

6. DELEGATION

7:15 p.m. Ken Simpson, ratepayer, requested to attend Council to provide his opinion regarding private property rights, magna carta, land patent grants and the pledge to the Queen who represents the people of North Middlesex and their right to life, liberty and security. Mr. Simpson provided an article to the Clerk which he requested be circulated to Council for information.

7:30 p.m. HMS Insurance & Financial Services Inc./McLachlan Insurance Inc (Woods/Hodgins) represented by Tony Commisso and Darcy Elliott. The 2018-2019 Insurance Renewal Program was presented. A breakdown of the total premium of \$279,216 was provided and explained to members of council.

Mr. Commisso explained the biggest component of the policy is General Liability which includes a 20 million limit and a \$15,000.00 deductible. Other components of interest to Council include: provision for use of personal vehicle while conducting council business; member accident and death benefit; legal representation for matters relating to provincial statute and conflict of interest.

Mr. Elliot explained the coverage for committees of council and provided the criteria that must be met when considering how to apply:

1. Council must pass a resolution stating that a group of individuals will be acting as a Committee of Council;
2. The Committee must be accountable to Council for all their actions and activities;
3. All finances are directed by Council, or at least approved by Council;
4. Typically, one or two Council members are appointed to sit on the Committee

Mr. Commisso then provided an overview of an additional policy that is available relating to terrorism attack and the definition of how this applies. The cost is \$5,000-6,000/yr.

Several questions were asked by Council and responded to by Mr. Commisso and Mr. Elliot.

Mr. Elliot reminded Council of the upcoming workshop at the Lamplighter Inn on January 31, 2019.

MOTION #003/2019

CORNELISSEN/MOIR: That the 2018-2019 Municipal Insurance Renewal Program be accepted in the amount of \$279,216.00.

CARRIED

7. DEPARTMENTAL REPORTS

- a. Report from Jonathan Lampman, Infrastructure Supervisor, Final By-law Reading of the Eagleson Drain

MOTION #004/2019

NICHOL/KEOGH: Be it resolved that Council receive the Final Reading of the By-law report for the Eagleson Drain;

And that the By-law #59 of 2018 for the Eagleson Drain be given a third reading and passed.

CARRIED

- a. Report from Jonathan Lampman, Infrastructure Supervisor, Conlin Drain Maintenance Tender Results

MOTION #005/2019

MOIR/HEMMING: Be it resolved that Cassidy Construction be awarded the construction of the Conlin Drain Maintenance Tender in the amount of \$103,223.24 including HST.

CARRIED

- b. Report from William Davidson, Director of Emergency and Safety Services, Emergency and Safety Services November 2018 Report

MOTION #006/2019

MOIR/CORNELISSEN: Be it resolved that the reported titled “Emergency and Safety Services November 2018 Report” be received and filed for informational purposes as presented.

CARRIED

- c. Report from William Davidson, Director of Emergency and Safety Services, Inclement Weather

This report outlines the need for ratepayer clarity of when municipally owned facilities will be open for the purpose of cooling or warming centres as well as clear direction to staff for providing the support for such facilities to operate in non-state of emergency situations.

Deputy Mayor Cornelissen inquired if there was an interim plan should these types of events occur before the policy is approved?

Chief Davidson replied that the County Library system has agreed to open their facilities if requested to do so by the Municipality.

Mr. Dias advised Council that he has had an inspection of the municipal facilities (community centres in Ailsa Craig and Parkhill) being designated in order to prepare a Request for Proposal for commercial grade generators for both of these centres. Staff anticipate reasonable completion of the project by early spring of 2019.

MOTION #007/2019

CORNELISSEN/KEOGH: Be it resolved that Council direct staff to prepare a Cooling/Warming Centre Policy for review by the Policy Committee that is intended for use in non-state of emergency situations but compliments the Municipalities Emergency Plan in the event the situation worsens in nature and a state of emergency is declared.

CARRIED

d. Report from Justin Dias, Director of Economic Development and Community Services, Overview of Community Improvement Plans

This report highlights the key features of a Community Improvement Plan (CIP), North Middlesex's current Official Plan policies with regards to the provision of Community Improvement Plans (CIP's) and an overview of the various tools and funding approaches that can be implemented to achieve the goals of a CIP.

Mr. Dias provided examples of some programs which Council may consider and how each is typically funded. An example used was the Tax Incremental Equivalency Grant. He then provided the steps required for Council in order to advance a CIP that meets the objectives laid out in the Economic Development Strategy:

- Review of Official Plan with provisions for expanded CIP policies
- Public consultation and input on specific CIP objectives, goals and project areas
- Ministry consultation
- Draft CIP developed
- Passage of the CIP By-law

Mr. Graham added that by proceeding with the Plan it blends into the synergy of other projects that are ongoing such as the Environment Assessment and Official Plan review.

Deputy Mayor Cornelissen inquired into whether this is part of the draft 2019 Budget?

Mr. Dias advised that if Council chooses to have staff proceed there is interest on collaboration with the County as well as other agencies such as OMFRA which would provide for a cost savings.

Councillor Moir commented that approving a plan is one component but implementation is another step – how would this be achieved?

Mr. Dias replied that the plan would be part of the marketing initiatives for the municipality.

Council concurred that they are in favour of proceeding provided further reports are made available throughout the process.

Mr. Dias assured Council that this plan includes input from Council as well as public.

MOTION #008/2019

CORNELISSEN/NICHOL: That Council receive and file the Community Improvement Plan Report;

And that Council direct staff to begin the process of engaging the County and the Province for the purposes of preparation and implementation of a Community Improvement Plan(s).

CARRIED

- e. Update from Nandini Syed, CAO/Director of Finance (Treasurer), on the 2019 Ontario Municipal Partnership Fund (OMFP)

CAO, Nandini Syed, provided the most recent update to Council on the status of the funding. She advised Council that her recommendation would be to proceed with budget deliberations assuming a 15% reduction in OMPF based upon the trend over the last six years. She advised that the CAO's of municipalities have been invited to a special meeting taking place in London on January 17th to discuss a number of recent developments affecting municipal government and although this topic will not be specifically discussed there will be Ministry attendee's and there will be opportunity to ask questions.

8. PASSING OF ACCOUNTS

Compilation of accounts from December 13 to January 10 in the amount of \$1,208,656.18.

MOTION #009/2019

NICHOL/KEOGH: Be it resolved that the following Bills and Accounts be approved for payment in the amount of \$1,208,656.18

General Cheques \$451,339.88

Direct Deposit \$529,624.75

On-line/PAP \$227,691.55

CARRIED

9. COMMITTEE REPORTS

Councillor Hemming advised that the next meeting of the Lake Huron Primary Water Supply Joint Management Board is scheduled for January 31st.

Mayor Ropp advised that the next Policies Committee is scheduled for January 17th.

10. CORRESPONDENCE

- a. Notice of Hearing for Consent Application 34998 Richmond St (Lucan Biddulph)

Action: Planner responded to the application – receive and file

- b. Royal Canadian Legion Ontario Command – request for sponsorship in the 6th Military Service Recognition Book.

Clerk Jackie Tiedeman advised that council has supported in the past with a ¼ page full colour

MOTION #010/2019

MOIR/KEOGH: That staff be directed to proceed with payment for a ¼ page full colour ad in the amount of \$570.00 (including HST) for 2019.

CARRIED

- c. Second Blessing Parkhill and Ailsa Craig & Area Foodbank – request for free landfill privileges

MOTION #011/2019

CORNELISSEN/NICHOL: Be it resolved that both organizations be granted use of the transfer station, same terms as agreed up with Public Works Dept, for the term of council 2018-2022.

CARRIED

11. OTHER OR URGENT BUSINESS

Mayor Ropp congratulated CAO, Nandini Syed and Director of Emergency & Safety Services/Fire Chief, William Davidson on attaining the Certified Municipal Manager Designation (CMM III).

Mayor Ropp also noted that at a recent workshop, Cam Musser relayed that he received his Certified Ice Technician certificate.

12. COMMUNICATIONS

Deputy Mayor Cornelissen reported that the OFA attended the last County Council Meeting looking for support to reduce the farm tax rate. County Council has requested that staff organize a vision session in February to examine impacts to the overall tax rates before any decision is made on the farm tax ratio.

Approval was given for a new gravel pit in Middlesex County.

13. CLOSED MEETING (UNDER SECTION 239 OF THE *MUNICIPAL ACT*)

MOTION #012/2019

CORNELISSEN/KEOGH: That the regular meeting adjourn to Closed Meeting at 8:36 p.m. under the following exception:

A proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

14. CONSIDERATION OF MATTERS ARISING FROM CLOSED MEETING

MOTION #013/2019

NICHOL/KEOGH: That the Closed Meeting adjourn and return to Regular Meeting without recommendation in open meeting at 8:58 p.m.

CARRIED

15. READING OF BY-LAWS

MOTION #014/2019

CORNELISSEN/MOIR: That By-laws #1,2,3 and 4 of 2019 be read first and second time.

CARRIED

MOTION #015/2019

KEOGH/HEMMING: That By-law #59 OF 2018 and By-laws #1,2,3 and 4 of 2019 be read a third and final time.

CARRIED

16. ADJOURNMENT

MOTION #016/2019

HEMMING/KEOGH: That the meeting adjourn at 8:59 p.m.

CARRIED

MAYOR

CLERK



**MUNICIPALITY OF NORTH MIDDLESEX
PUBLIC MEETING
MINUTES**

A Public Meeting was held on Wednesday January 16, 2019 at 7:15 p.m. in the Council Chambers, Shared Services Building, Parkhill to consider a planning application with a quorum present.

ROLL CALL

Present:

Mayor Brian Ropp
Deputy Mayor Adrian Cornelissen
Councillor Ward One – Doreen McLinchey (Absent)
Councillor Ward Two – Joan Nichol
Councillor Ward Three – Gord Moir
Councillor Ward Four – John Keogh
Councillor Ward Five – Andrew Hemming
CAO/Director of Finance (Treasurer), Nandini Syed
Deputy CAO/Director of Operations, Jonathon Graham
Infrastructure Supervisor, Jonathan Lampman (portion of meeting)
Director of Emergency and Safety Services – William Davidson
Director of Economic Development and Community Services – Justin Dias
Clerk Jackie Tiedeman
Planner Christie Kent

DISCLOSURE OF PECUNIARY INTEREST

None

The Clerk provided an introduction to the Public Meeting which disclosed the purpose of the meeting, that comments expressed and written material presented are a matter of public record available for full disclosure and that if a member of the public wished to be notified of a decision on applications being heard this evening that a written request must be submitted to the Municipality.

**7:15 p.m. HEARING –Application for Zoning Amendment (ZBA 1/2019)- 9106
Townsend Line**

Planner Christie Kent advised that the above noted application had been received, deemed complete and circulated to agencies as well as property owners in accordance to the Planning Act.

Description of Land: Part of Lot 20 Con 7 & Part of Lot 20, Pt Road allowance Con 8
geographic Township of West Williams
Municipality of North Middlesex
9106 Townsend Line

Owner: Adwood Farms Ltd

Agent: Dan Smith, Monteith Brown Planning Consultant

The purpose and effect of the application for Zoning By-Law Amendment (File No. ZBA-1/2019) is to implement a condition of Consent B06/2018 which was conditionally approved by the Committee of Adjustment on September 5, 2018. Application for Zoning By-law No. ZBA 1/2019 proposes to rezone the severed lot of Consent B06/2018 from 'Restricted Agricultural (A2) Zone' to 'Agricultural Small Holding (AG1) Zone' to recognize the residential use of the lands and limit the range of permitted uses. Application for Zoning By-law No. ZBA 1/2019 also proposes to rezone the retained lands of Consent B06/2018 from "Restricted Agricultural (A2) Zone' to 'Restricted Agricultural Exception (A2-#) Zone' to prohibit the establishment of new dwellings on the remnant farm parcel.

Planner Christie Kent advised that the proposed zone change for the severed lands will recognize the disposal of the surplus farm dwelling and will limit the range of agricultural uses permitted on the lands. Staff are satisfied that the application of the 'Agricultural Small Holding (AG1) is appropriate for the proposed residential use of the lands and as such, staff support this proposed zone change. The proposed change to 'Restricted Agricultural Exception 4 (A2-4) Zone will prohibit the establishment of new residential uses on the lands and recognize a minimum lot area of 38.5 ha (95.1 ac). Staff are satisfied that the application is appropriate for a portion of the remnant farm parcel and support the change. Staff note that no zone change is proposed for the portion of the retained lands currently zoned 'Environmental Protection (EP) Zone'. Staff are satisfied that maintaining the EP Zone on a portion of the retained lands will sufficiently protect the lands from future development.

WRITTEN AND ORAL SUBMISSIONS

- Ausable Bayfield Conservation Authority: no comments received
- Municipal Operations: No concerns
- Public Written Comments: None
- Oral Submissions at meeting: None

ANALYSIS

MOTION P01/2019

HEMMING/NICHOL: Be it Recommended that Application for Zoning By-law Amendment No. ZBA 01/2019 which proposes to rezone the severed lot and portions of the retained lot of Consent B06/2018 from 'Restricted Agricultural (A2) Zone' to 'Agricultural Small Holding (AG1) Zone' and 'Restricted Agricultural Exception 4 (A2-4) Zone' respectively be approved; and further that Council execute the implementing by-law

CARRIED

REASONS:

Consistency with the Provincial Policy Statement would be maintained
Conformity with the County of Middlesex Official Plan would be maintained
Conformity with the Municipality of North Middlesex Zoning By-law would be satisfied
The requirements of the Municipality of North Middlesex Zoning By-law would be satisfied.

The By-law will be given all three readings during the regular meeting. In addition, it was noted that there is a twenty day appeal period which will apply from the date of notice of the passage of the by-law.

ADJOURNMENT

MOTION P02/2018

MOIR/KEOGH: That the Public Meeting adjourn to Regular Meeting at 7:20 p.m.

CARRIED

MAYOR

CLERK



**MUNICIPALITY OF NORTH MIDDLESEX
COMMITTEE OF ADJUSTMENT
MINUTES**

A Meeting was held on Wednesday January 16, 2019 at 7:01 p.m. in the Council Chambers, Shared Services Building, Parkhill to consider a planning application with a quorum present.

ROLL CALL

Present:

Mayor Brian Ropp
Deputy Mayor Adrian Cornelissen
Councillor Ward One – Doreen McLinchey (absent)
Councillor Ward Two – Joan Nichol
Councillor Ward Three – Gord Moir
Councillor Ward Four – John Keogh
Councillor Ward Five – Andrew Hemming
CAO/Director of Finance (Treasurer), Nandini Syed
Deputy CAO/Director of Operations, Jonathon Graham
Director of Emergency and Safety Services/Fire Chief William Davidson
Director of Economic Development and Community Services, Justin Dias
Supervisor of Infrastructure, Jonathan Lampman (portion of meeting)
Clerk Jackie Tiedeman
Planner Christie Kent

DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Adrian Cornelissen declared a potential pecuniary interest on Agenda Item Number 5 – Application B01/2019 for the following reason: personal friend

He left the Council Chambers for the duration of time pertaining to this application.

The Clerk provided an introduction to the Public Meeting which disclosed the purpose of the meeting, that comments expressed and written material presented are a matter of public record available for full disclosure and that if a member of the public wished to be notified of a decision on applications being heard this evening that a written request must be submitted to the Municipality.

7:01 p.m. Application for Consent to Sever Land – 1733 Mark Settlement Drive

Planner Christie Kent advised that the above noted application was deemed complete on December 4, 2018 and was circulated according to the Planning Act.

Description of Land: Part of Lots 11 and 12, Con 8 WCR
1733 Mark Settlement Drive
former Township of McGilliray

Applicant: Derek Baltessen & Dalgetta
Agent: Derek Baltessen and Paul Hendrikx

The purpose and effect of this application is to sever a parcel of land from a 40 ha(100ac) farm parcel as a surplus farm dwelling severance. The lands proposed to be severed would be approximately 1.29 ha (3.2 ac) in size and would contain an existing single detached residential dwelling and accessory building. The lands proposed to be severed would have approximately 92m (302ft) of frontage along Mark Settlement Drive. The lands proposed to be retained, being the remnant farm parcel, contain agricultural lands in crop production. No change to the current use of the subject lands is proposed.

The subject lands are located within the 'Agricultural Area' land use designation of the North Middlesex Official Plan and zoned 'General Agricultural (A1) Zone' within the Municipality's Zoning By-law. Portions of the lands are located within an area regulated by the ABCA and are identified as 'Significant Woodlands' and 'Natural Heritage Features'.

Staff note that the frontage of the lands proposed to be severed appears to extend beyond the area required to accommodate the residential use of the lands and the existing agricultural building to be used in part for the applicant's home industry. The North Middlesex Official Plan directs that the severed parcel should only be as large as necessary and generally not exceed 1.0 ha (2.47 ac). As proposed, the lands to be severed would comprise an area of approximately 1.3 ha (3.2 ac), including approximately 0.17 ha (0.4 ac) of land currently in agricultural production. The applicant has advised that these lands are to be removed from production and coniferous trees planted notwithstanding the outcome of the proposed severance.

Staff recommend, as a condition of approval, that the area of the lands proposed to be severed be reduced, as illustrated on Key Map 3 attached to this report. To regularize the parcel fabric but still maintain an adequate turn around area adjacent to the agricultural building used for the home industry, staff propose an L-shaped parcel with an approximate area of 1.18 ha (2.9 ac). It is the opinion of staff that this reduced lot area would be more consistent with the intent of the policy direction with respect to keeping the parcel to the minimum size required for the intended use. As home industries are permitted within the current 'General Agricultural (A1) Zone' and the future 'Agricultural Small Holding (AG1) Zone', subject to evaluation criteria, staff consider including the existing agricultural building and the extension of the driveway used to turn around a flatbed trailer within the boundaries of the lot to be severed to be reasonable. Staff note that the existing agricultural building is uninsulated and not capable of housing livestock.

The proposed severance was evaluated in accordance with the Minimum Distance Separation (MDS) Formula Implementation Guidelines. As the lands proposed to be retained do not contain livestock barns or facilities, staff have determined that MDS I does not apply.

Staff do not anticipate negative impacts to the existing woodlands or hazard areas as a result of the proposed severance.

Staff are supportive of the application in principle as it appears to meet most of the policies regarding the severance of a surplus farm dwellings, with the exception of the proposed area of the lot to be severed. As such, staff have included a condition requiring the applicant to submit a revised preliminary survey illustrating a reduced lot area for the lot to be severed and that this be to the satisfaction of the Municipality.

WRITTEN AND ORAL SUBMISSIONS

- Ausable Bayfield Conservation Authority: no concerns
- Municipal Operations: water connection at 1733 Mark Settlement Drive. If the lands proposed to be retained require water service, all applicable dues and levies would be applicable. Access to the lands proposed to be severed is from Mark Settlement Drive. The lands proposed to be retained do not appear to have an established individual access from Mark Settlement Drive or Harmony Road. The lands proposed to be severed and retained are accessed to the Prance Drain. Due to the proposed severance, the Assessment Schedule for the Prance Drain is required to be reassessed under the Drainage Act R.S.O 1990, c D17, at

the expense of the owner(s) in the format recommended by the Drainage Superintendent.

The lands proposed to be severed have a privately owned and operated septic system. Municipal records do not contain an inspection report for the existing septic system.

- Public Written Comments: None received
- Oral Submissions at meeting: None

Mr. Hendrixx, agent, then spoke to the application and Planners Evaluation Report. He advised that his clients are agreeable to all the proposed conditions with the exception of Condition #2 which is requesting the reduction in the area of the severed lot. They are respectfully request that the Committee consider the application as presented with a severed parcel of 1.29 ha (3.2 ac). The reasons being that it is the owner that will be purchasing the house and home industry already established;

After careful consideration the following motion was brought forward:

COA MOTION# 01/2019

MOTION/HEMMING: Be it Resolved That Application for Consent B01/2018, submitted under Section 53 of the Planning Act be **GRANTED** subject to conditions as the application: satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Municipality of North Middlesex and the County of Middlesex; is capable of satisfying the requirements of the North Middlesex Zoning By-law; and, represents sound land use planning:

Approval of the subject application is conditional upon the following:

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within one year of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of consent has been fulfilled.
2. That a preliminary survey be revised to illustrate a severed lot with a reduced area of approximately 1.18 ha(2.9ac) with a frontage of approximately 68 m (223 ft) of frontage along Mark Settlement Drive as recommended by planning staff, to the satisfaction of the Municipality.
3. That one hard copy and an electronic version of the deposited reference plan prepared by an Ontario Land Surveyor legally describing the lands affected and in general conformity with this decision be submitted, to the satisfaction of the Municipality.

4. That a Zoning By-law Amendment that appropriately rezones the severed and retained lot of Consent B01/2019 be in full force and effect
5. That the location of the existing septic system be confirmed as being wholly contained within the boundaries of the severed lot and that a pump out, inspection and evaluation of the septic system be completed and any remedial works recommended by undertaken, all to the satisfaction of the Municipality.
6. That the owner obtain the necessary permits from the Municipality of North Middlesex to install a new farm entrance in order to provide access to the retained lot
7. That the the Assessment Schedule for the Prance Drain be reassessed under the Drainage Act R.S.O 1990, c D17 at the expense of the owner in the format recommended by the Drainage Superintendent.
8. That the applicant's solicitor submit an undertaking in a form satisfactory to the Secretary-Treasurer of the Committee of Adjustment to register an electronic transfer of title exactly consistent with the Acknowledgement and Direction executed by the applicant and the decision of the Committee of Adjustment.
9. Conditions imposed must be met within one year of the date of notice of decision as required by Section 53(41) of the Planning Act, R.S.O. 1990, c.P.13. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of decision.

CARRIED

A twenty day appeal period will apply from the date of notice of decision.

COA MOTION #02/2019

NICHOL/HEMMING: That Committee of Adjustment meeting adjourn and return to Public Meeting to consider a Zoning By-law Amendment at 7:15 p.m.

CARRIED

CHAIRMAN

SECRETARY