



**MUNICIPALITY OF NORTH MIDDLESEX
REGULAR MEETING MINUTES**

March 2, 2022, 6:00 p.m.

Members Present: Mayor Brian Ropp
Deputy Mayor Adrian Cornelissen
Councillor Ward 1 Doreen McLinchey
Councillor Ward 2 Joan Nichol
Councillor Ward 3 Gord Moir
Councillor Ward 4 John Keogh
Councillor Ward 5 Andrew Hemming

Staff Present: CAO Jonathon Graham
Infrastructure Manager Jonathan Lampman
Fire Chief Greg Vandenheuvel
Treasurer, Estelle Chayer
Ashley Kwarciak, Deputy Clerk/Communications Coordinator

Staff Absent Clerk Jackie Tiedeman
Drainage Superintendent Joanne Sadler
Facilities Manager Brandon Drew
Executive Assistant/HR Coordinator Donna Vanhooydonk

The Regular Meeting of the Council of the Municipality of North Middlesex was held under the provisions contained within the North Middlesex Procedural By-law and may held in whole or in part without physically being present at 229 Parkhill Main Street, Parkhill

1. CALL TO ORDER

Mayor Ropp called the meeting to order at 6:00 p.m. with a quorum present in person at the Municipal Council Chambers.

2. DISCLOSURE OF PECUNIARY INTEREST

(Municipal Conflict of Interest Act – Section 5 requires any member of Council to declare a pecuniary interest and general nature thereof, prior to any consideration on that matter. Where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act. The disclosures become part of a Public Registry as required under the Act.

None.

3. MINUTES OF PREVIOUS MEETINGS

3.1 Previous Meeting Minutes

Previous meeting minutes from Special Budget Meetings of February 9th and 10th, 2022 and Regular Council Meeting minutes of February 16th, 2022.

Motion # 050/2022

Moved By: G. Moir

Seconded By: D. McLinchey

THAT the attached minutes be approved as presented;

CARRIED

Motion # 051/2022

Moved By: J. Nichol

Seconded By: J. Keogh

THAT Regular meeting adjourn at xx and proceed into Public Meeting including Committee of Adjustments.

CARRIED

4. PUBLIC MEETING AND COMMITTEE OF ADJUSTMENT

4.1 6:00 p.m. Notice of Public Meeting to consider Application B02/2022 and ZBA-3-2022 located at 153 + 159 Ann St.

4.1.1 Planners Evaluation Report

4.1.2 Provision for Applicant Remarks

Jim Vandersanden was present in person on behalf of the applicant. Further to the Planner's report he inquired about several conditions, highlighting mainly the road access to be granted at the rear of the property considered as a condition of the consent. The Planner and CAO guided Mr. Vandersanden on the rationale for this condition which included future land use planning.

4.1.3 Provision for Written Submissions

None.

4.1.4 Provision for Public Comments

None.

4.1.5 Provision for Council Questions

Councillor McLinchey sought clarification on the road allowance and how that would impact the surrounding development. The CAO outlined that this would allow for the extension of Albert St. in the future. Councillor Keogh asked for confirmation of the zoning requests as it pertains to the severed and retained parcels. The Planner confirmed that should the zoning application be successful the house would be zoned Residential R-1 and the Church would remain in the Institutional zone.

4.1.6 Decision

Motion # 052/2022

Moved By: D. McLinchey

Seconded By: A. Hemming

THAT Application for Consent B2-2022, submitted under Section 53 of the Planning Act be GRANTED 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; conforms with the requirements of the North Middlesex Zoning By-law; and, represents sound land use planning.

(See Planner Evaluation Report for full listing of conditions)

CARRIED

- 4.2 6:10 p.m. Notice of Public Meeting to consider Application B05/2022 and ZBA-4-2022 located at 35541 Brinsley Rd.

4.2.1 Planners Evaluation Report

4.2.2 Provision for Applicants Remarks

Rita and Kevin Lewis were present in person. They had no further comments to add after the Planner's report but thanked staff for their guidance through the process.

4.2.3 Provision for Written Submissions

None.

4.2.4 Provision for Public Comments

None.

4.2.5 Provision for Council Questions

None.

4.2.6 Decision

Motion # 053/2022

Moved By: J. Keogh

Seconded By: J. Nichol

THAT Application for Consent B5-2022, submitted under Section 53 of the Planning Act be GRANTED as the application: satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement, 2020; 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.

(See Planner's Report for full listing of Conditions)

CARRIED

4.3 6:15 p.m. Notice of Public Meeting to consider Application B4-2022 at 225 Roskeen St.

4.3.1 Planners Evaluation Report

4.3.2 Provision for Applicant Remarks

Applicants Pam and Ron McLinchey were present in person. After the Planner's report Ron sought clarification on several of the conditions and the process of obtaining the Certificate of Official once conditions were met. Specific regard was given to the lot grading condition and the necessity of it. CAO, CBO, and the Planner spoke to the importance of proper lot grading especially in the setting of having immediate neighbours with touching lot lines.

With the recent addition of Bell Canada comments and the necessity of a registered easement, applicants discussed with Council and staff how that may look and the purpose of it. The Planner noted that there would be an amendment to the condition list in her report to require that a 3 m wide utility easement be created through an additional Consent Application, to the satisfaction of Bell Canada.

4.3.3 Provision for Written Submissions

4.3.3.1 Bell Canada Comments

These comments were received after the Planner Evaluation Report was prepared. The Planner has reviewed and will speak to these comments during her report. Full comments can be viewed in the attachments.

4.3.4 Provision for Public Comments

None.

4.3.5 Provision for Committee Questions

Committee questions took place in a larger discussion during the provision for applicant remarks and they focused on the lot grading condition, as well as the requirement of the Bell Canada easement. Mayor Ropp asked staff if it was the responsibility of Bell to repair any disturbance to the property that they may have to make. The CAO confirmed that this was the way that has been seen with other Bell projects in the area.

4.3.6 Decision

Motion # 054/2022

Moved By: D. McLinchey

Seconded By: J. Keogh

THAT Application for Consent B4-2022, submitted under Section 53 of the Planning Act be GRANTED 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; conforms with the requirements of the North Middlesex Zoning By-law; and, represents sound land use planning.

AND THAT a 3 m wide utility easement be created through a Consent Application, to the satisfaction of Bell Canada be added to the existing recommended conditions as an additional condition for consent.

CARRIED

- 4.4 6:20 p.m. Notice of Public Meeting to consider Application B03-2022 located at 34751 Brinsley Rd.

4.4.1 Planners Evaluation Report

4.4.2 Provision for Applicant Remarks

Applicant Sal Moccia was present in person. He spoke to the Committee with concerns about the change in regulated areas that now heavily impact his property as well as the outcome of this consent. Discussion ensued and it was recommended by Staff and members of the Committee that the applicant continue discussions with the ABCA to mitigate a solution.

4.4.3 Provision for Written Submissions

None.

4.4.4 Provision for Public Comments

None.

4.4.5 Provision for Committee Questions

Committee members spoke to understanding the frustrations that the applicant must be having and urged him to continue the conversation with the authoritative body regulating the property. Deputy Mayor Cornelissen spoke to the applicant stating that he was willing to follow up with the ABCA in efforts to further this discussion. It was noted that the Deputy Mayor would do this as a representative of the ABCA and not for the Municipality. The CAO encouraged the applicant to keep the Municipality informed as discussions go on.

4.4.6 Decision

Motion # 055/2022

Moved By: A. Hemming

Seconded By: J. Nichol

THAT Application for Consent B3-2022, submitted under Section 53 of the Planning Act be DEFERRED, so that the applicant may continue to work with the Ausable Bayfield Conservation Authority to address environmental concerns.

CARRIED

5. ADJOURNMENT

Motion # 056/2022

Moved By: D. McLinchey

Seconded By: J. Nichol

THAT Committee of Adjustment adjourn at 6:58 p.m. and Public Meeting continue in order to consider the Building Permit Fee Review.

CARRIED

6. PUBLIC MEETING - BUILDING PERMIT FEE REVIEW

- 6.1 Building Permit Fee Review - Joint Building Group Report from Tunnock Consulting LTD.

Virtually presented by Tunnock Consultant Glenn Tunnock and Chief Building Official Arnie Marsman

Deputy Mayor Cornelissen proposed a dimensions for a hypothetical agricultural building and asked for the calculated permit fees that they would be subject to. The CBO preformed the calculations based on the proposed rates. The Deputy Mayor asked if this cost was consistent throughout the Municipalities in the Shared Building Services Agreement with Middlesex Centre. The CBO spoke to the fact that he did not have exact fee structures before him for those other municipalities at the moment but emphasized that there was potential for consideration of a "stepped" approach once a certain value was hit in so much to not penalize agricultural buildings for being so large.

6.1.1 Provision for Public Comments

None.

6.1.2 Provision for Written Submissions

No written comments were received by the Office of the Clerk.

6.1.3 Adjournment

Motion # 057/2022

Moved By: J. Nichol

Seconded By: G. Moir

THAT the Building Permit Fee Review presentation and report be received;

AND THAT Public Meeting adjourn to Regular Meeting at 7:37 p.m.

CARRIED

7. DEPARTMENTAL REPORTS

7.1 Report from Treasurer - User Fees and Charges Review - Building, Planning

Mayor Ropp made a comment that the annual consideration was a favorable approach to that of the past.

Deputy Mayor Cornelissen asked for clarification on what proposed changes Council would be considering to adopt. The Treasurer made note that the proposed changes in schedule J (Planning) were highlighted in yellow, and the changes proposed for schedule C (Building) were those proposed by the consultant in the presentation just prior to her report.

The Deputy Mayor felt that the information was vast and that Council may benefit for an additional amount of time for their consideration. Councillor Keogh spoke to the importance of consistency with other neighboring municipalities. The Deputy Mayor further asked if the recommendation before them was to adopt the fees set out by the consultant. The CAO confirmed that adoption was the intent. The Deputy Mayor made the motion below in efforts to give Council more time to consider the proposal.

Motion # 058/2022

Moved By: A. Cornelissen

Seconded By: J. Keogh

THAT Council of the Municipality of North Middlesex defers consideration of this report and its recommended motions, for a period of two weeks.

CARRIED

- 7.2 Report from Chief Building Official - Year End and Fourth Quarter 2021 Building Activity Summary

Motion # 059/2022

Moved By: D. McLinchey

Seconded By: A. Hemming

THAT the report entitled Year End and Fourth Quarter 2021 Building Activity Summary be received for information.

CARRIED

8. DELEGATIONS

- 8.1 CIMA - Parkhill Main St. Rehabilitation and Ailsa Craig Queen / Petty St. Rehabilitation Presentation

Presenter: Stuart Winchester P. Eng. Partner

(Motions for consideration can be found in the attachments)

After the presentation from CIMA the Manager of Infrastructure and Operations briefed Council with a memo with the proposed motions. This memo can be found in the attachments of the agenda. The intent was to talk through each option of design for both Parkhill Main St. and the Ailsa Craig Queen and Petty St. rehabilitation projects as a result of the PICs. The Manager of Infrastructure and Operations explained the position of the municipality with each project and went over the cash allowances for Landscape Design, Streetscaping, Street Parking Design, and Lighting / Photometric Design.

Parkhill Main St. Rehabilitation discussion:

Each motion was talked through, and discussion pointed to priorities in increased parking, public safety in terms of pedestrian crossing and utilizing the existing features of the street. Manager of Infrastructure and Operations is to follow up on the discussion of including Way Finding street signage.

Ailsa Craig Queen and Petty St. Rehabilitation discussion:

Once again, each motion was talked through and discussion pointed to priorities in creating a "town-like" atmosphere with landscape design as well as the inclusion of provisional features for anticipated future pedestrian crossing use.

Motion # 060/2022

Moved By: D. McLinchey

Seconded By: J. Nichol

BE IT RESOLVED that council direct staff to not enter into a time and material change order through the landscape design cash allowance and utilize current landscape elements/features along Parkhill Main St.

(Parkhill Main St. Rehabilitation)

CARRIED

Motion # 061/2022

Moved By: A. Cornelissen
Seconded By: J. Keogh

BE IT RESOLVED that council direct staff to enter into a time and material change order through the Streetscaping design cash allowance, so that the current sidewalk remain concrete.

(Parkhill Main St. Rehabilitation)

CARRIED

Motion # 062/2022

Moved By: G. Moir
Seconded By: A. Hemming

BE IT RESOLVED that council direct staff to enter into a time and material change order through the Streetscaping design cash allowance for the inclusion of a pedestrian crosswalk in and/around Leonard St.

(Parkhill Main St. Rehabilitation)

CARRIED

Motion # 063/2022

Moved By: J. Keogh
Seconded By: A. Cornelissen

BE IT RESOLVED that council direct staff to not enter into a time and material change order through the Streets parking design cash allowance and utilize current elements/features along Parkhill Main St.

(Parkhill Main St. Rehabilitation)

CARRIED

Motion # 064/2022

Moved By: J. Nichol
Seconded By: A. Hemming

BE IT RESOLVED that council direct staff to not enter into a time and material change order through the Lighting & Photometric design cash allowance and utilize current streetlight configuration on Parkhill Main St.

(Parkhill Main St. Rehabilitation)

CARRIED

Motion # 065/2022

Moved By: J. Nichol

Seconded By: A. Hemming

BE IT RESOLVED that council direct staff to enter into a time and material change order through the landscape design cash allowance, for the inclusion of new flower planter boxes, and new mature trees from Queen St. to about Church St. as well as the corridor South of Highway No. 7.

(AC Queen + Petty St. Rehabilitation)

CARRIED

Motion # 066/2022

Moved By: J. Nichol

Seconded By: D. McLinchey

BE IT RESOLVED that council direct staff to not enter into a time and material change order through the Streetscaping design cash allowance and utilize current design elements/features along Queen & Petty Street Corridor

(AC Queen + Petty St. Rehabilitation)

CARRIED

Motion # 067/2022

Moved By: D. McLinchey

Seconded By: J. Keogh

BE IT RESOLVED that council direct staff to enter into a time and material change order through the Streetscaping design cash

allowance if necessary in incorporating future provisions for pedestrian crosswalk lighting.

(AC Queen + Petty St. Rehabilitation)

CARRIED

Motion # 068/2022

Moved By: A. Cornelissen

Seconded By: G. Moir

BE IT RESOLVED that council direct staff to not enter into a time and material change order through the Streets parking design cash allowance and utilize current elements/features along Queen & petty Street Corridor.

(AC Queen +Petty St. Rehabilitation)

CARRIED

Motion # 069/2022

Moved By: J. Nichol

Seconded By: A. Cornelissen

BE IT RESOLVED that council direct staff to not enter into a time and material change order through the Lighting & Photometric design cash allowance and utilize current streetlight configuration on Queen and Petty St. Corridor.

(AC Queen + Petty St. Rehabilitation)

CARRIED

Motion # 070/2022

Moved By: J. Nichol

Seconded By: J. Keogh

BE IT RESOLVED that council direct staff to enter into a time and material change order through the Streetscape Design cash

allowance to undergo an investigation into an enhanced intersection at the corner of Petty St. and Elginfield Rd. on AC Main St.

(AC Queen + Petty St. Rehabilitation)

CARRIED

9. PASSING OF ACCOUNTS

9.1 Report from Treasurer - Accounts Payable

Deputy Mayor Cornelissen asked for clarification on two refund amounts. The Treasurer noted that due to a water meter reading error, these notations reflected two households being overcharged and refunded.

Motion # 071/2022

Moved By: G. Moir

Seconded By: A. Cornelissen

THAT the Accounts from February 12, 2022 to February 24, 2022 in the amount of \$629,583.29 be approved.

CARRIED

10. COMMITTEE REPORTS

10.1 Lake Huron Primary Water Supply Joint Mgmt Board (Cr. Hemming)

10.1.1 Tri-County Water Board Agreement

(Receive and File)

10.2 ABCA (Deputy Mayor Cornelissen)

Deputy Mayor spoke to the recognition of a new Chair and to the expectation of updates on the proposed changes to come with regards to the Environmental Protection Act as it relates to the ABCA.

10.3 BWRA (Cr. McLinchey)

10.3.1 Board of Directors Meeting Notes - February 17, 2022

10.4 EDAC (Cr. Moir)

None.

10.5 LSAC (Cr. Nichol)

Upcoming meeting February 17th, 2022

10.6 Recreation Committee (Cr. Hemming)

Councillor Hemming spoke to events of a recent meeting highlighting a trail discussion and public interest in forming a community group.

10.7 Policies Review Committee (Cr. Nichol)

Upcoming meeting March 9, 2022.

10.8 Fire Committee (Cr. Keogh)

None.

10.9 Community Development Fund Committee (Cr. Hemming)

Mayor Ropp spoke to the recent meeting, expressing that there was evidently a need for this program especially with the impact of COVID on community groups. He noted that the Committee took this into consideration while making their recommendations but also that there was a continued attempt at maintaining consistency and fairness amongst all applicants.

Motion # 072/2022

Moved By: G. Moir

Seconded By: A. Hemming

As the Community Development Fund Committee meetings have concluded for 2022, that the minutes dated February 17th, 2022 as circulated to the members be hereby accepted as final.

CARRIED

10.10 OCWA Client Advisory Board (CAO)

The CAO provided an update from the group's last meeting, highlighting Strategic Planning and Civil engagement noting municipal involvement with being on the Client Advisory Board.

11. CORRESPONDENCE

11.1 Ministry of Northern Development, Mines, Natural Resources, and Forestry - LDD Moth Management

(Receive and File)

11.2 Ministry of the Solicitor General - Proposed Firefighter Certification Regulation

(Receive and File - Fire Chief was available for preliminary questions)

The Fire Chief was available for questions but spoke to the fact that this was very much still new and that his department was still looking for clarification from the ministry on this matter at the current time.

12. OTHER AND URGENT BUSINESS

Mayor Ropp spoke to the recent water outage and thanked the crews for their efforts as he was aware that the issue went late into the evening.

13. DEFERRED ITEMS FROM PREVIOUS MEETINGS

- Review of North Middlesex surplus properties deferred at November 17, 2021 meeting (follow up CAO)
- Mystery Falls - Public Concerns deferred at May 5, 2021 meeting (follow up CAO)

14. COMMUNICATIONS (Including County Council Meeting Report)

Deputy Mayor mentioned the County Women's Caucus is holding an upcoming "Election School" event to be held at the Komoka Wellness Centre on March 26th, 2022.

15. READING OF THE BY-LAWS

Motion # 073/2022

Moved By: G. Moir

Seconded By: D. McLinchey

That By-laws 017-020 be read a first and second time

Provision for questions

CARRIED

Motion # 074/2022

Moved By: A. Hemming

Seconded By: J. Keogh

That By-laws 019-020 of 2022 be read a third and final time

CARRIED

15.1 017 of 2022 Zoning By-Law Amendment 35541 Brinsley Rd.

First and Second only

15.2 018 of 2022 Zoning By-Law Amendment 159 + 153 Ann St.

First and Second only

15.3 019 of 2022 Eagle St. Turning Circle Road Dedication

(Administrative - designation of municipal public highway formed by the westerly portion of the Eagle Street turning circle)

15.4 020 of 2022 - Confirming

16. ADJOURNMENT

Motion # 075/2022

Moved By: D. McLinchey

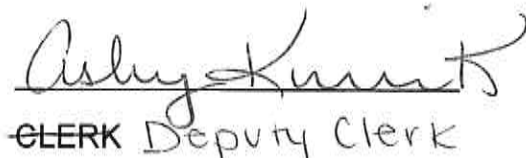
Seconded By: J. Keogh

That the Meeting adjourn at 9:21 p.m.

CARRIED



MAYOR



CLERK Deputy Clerk