

MINUTES

COUNCIL MINUTES

SOUTHWEST MIDDLESEX COUNCIL MINUTES

The Municipal Council of the Municipality of Southwest Middlesex met in Regular Session in the Council Chamber on February 26, 2020 at 7:00 p.m.

COUNCIL PRESENT:

Mayor Allan Mayhew (Chair presiding), Deputy Mayor Marigay Wilkins, Ian Carruthers, Christa Cowell, Mark McGill, Mike Sholdice and Martin Vink

REGRETS:

Councillors Doug Bartlett

STAFF PRESENT:

Deputy Clerk – Sheila L. McCahon, Facilities & Recreation Manager – Steve MacDonald, Fire Chief – Bob Hansen, Public Works Manager – Greg Storms, Treasurer – Kristen McGill

ALSO PRESENT:

Members of the public and press

1. CALL TO ORDER

Mayor Mayhew calls the meeting to order at 7:00 p.m.

This meeting may be recorded, streamed live and published in accordance with council's Electronic Recording of Meetings Policy.

To those present in the gallery today, by attending an open public meeting of the Municipality of Southwest Middlesex you are consenting to your image, voice and/or comments being recorded and published.

Anyone who is invited to speak may be recorded and their voice, image and/or comments will form part of the live stream and recording.

The chair and/or the clerk have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Today's meeting may be streamed live as well as recorded and published on the Southwest Middlesex website.

Thank you.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, 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.

- **None were declared**

3. ADDITIONS TO THE AGENDA

#2020-035

Moved by Councillor Carruthers

Seconded by Councillor Vink

THAT the Regular Agenda of Council dated February 26, 2020 be accepted with the addition of a closed session matter concerning Building Services.

Carried

4. DELEGATIONS AND PRESENTATIONS

None

5. CONSENT AGENDA

- 5.1 Vouchers in the amount of \$328,927.46 – February 5 to 11, 2020
- 5.2 SWM Council Minutes – February 12, 2020
- 5.3 Fire Department Staffing
- 5.4 Building Report – January 2020
- 5.5 Public Works Department Monthly Report
- 5.6 MECP Solid Non-Hazardous Waste Disposal Site Inspection Reports:

- a. Limerick
- b. Trillium

#2020-036

Moved by Deputy Mayor Wilkins

Seconded by Councillor McGill

THAT the council for the Municipality of Southwest Middlesex receives Consent Agenda Items 5.1 through 5.6 as information, and approve the February 12, 2020 meeting minutes.

Carried

6. COMMITTEE OF ADJUSTMENT – see committee of adjustment agenda

- B1-2020 – 5800 Century Drive – Vibrent Farms Ltd.
- B2-2020 – 21117 Melbourne Road – Estate of Marjorie Hazel Davenport
- B3-2020 – 4275 Olde Drive – Stanley & Cameron Towers

#2020-037

Moved by Councillor Carruthers

Seconded by Councillor McGill

THAT Southwest Middlesex move into Committee of Adjustment to consider planning applications B1-2020 (Vibrent Farms Ltd.), B2-2020 (Estate of Marjorie Hazel Davenport) and B3-2020 (Stanley and Cameron Towers) at 7:09 p.m.

Carried

Regular council reconvened at 7:37 p.m.

7. PUBLIC MEETINGS

UNDER THE *PLANNING ACT*

- **P2-2020- 5800 Century Drive – Vibrent Farms Ltd.**

Chair Mayhew calls the Public Meeting for P2-2020 Vibrent Farms Ltd. to order at 7:38 p.m.

The Chair announced the purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a **Zoning Amendment Application by Vibrent Farms Ltd.** and for Southwest Middlesex council to consider the proposal.

The purpose and effect of the zoning by-law amendment application is to rezone the retained parcel of Consent B1-2020 from the General Agricultural (A1) Zone to the Agricultural (A2) Zone to prohibit a dwelling from being erected thereon consistent with provincial policy. The proposed Zoning By-law Amendment also seeks to rezone the severed parcel of Consent B1-2020 from the General Agricultural (A1) Zone to the Rural Residential (RR) Zone to permit the creation of a residential lot for the purposes of disposing a surplus farm dwelling, with the parcel being occupied by an existing single unit dwelling and three accessory buildings.

The Planner presented the staff report and recommendation and comments received from circulated agencies and the public.

The chair invited the applicant to speak to the application. The applicant's representative Joseph Hentz, Lerner LLP noted that they did not wish to reduce the size of the severed parcel as recommended.

The chair invited members of the public wishing to speak in support or against the application to come forward. No members of the public came forward.

The chair invited members of council to ask questions of the applicant and/or staff. Deputy Mayor Wilkins advised the applicant that if the municipality approved the severance as applied for, there is a chance that someone else could appeal the decision of council.

Chair Mayhew declares the Public Meeting for P2-2020 (Vibrent Farms Ltd.) closed.

The Chair will now consider motions regarding the application.

Zoning By-law Amendment Application P2-2020

#2020-038

Moved by Councillor Carruthers

Seconded by Councillor Vink

THAT Application for Zoning By-law Amendment P2-2020, which proposes to rezone the severed parcel created through Consent Application B1-2020 from General Agricultural (A1) Zone to Rural Residential (RR) Zone and rezone the retained parcel created through Consent Application B1-2020 from General Agricultural (A1) Zone to the Agricultural (A2) Zone be **GRANTED**.

Carried

- **P3-2020 – 301 Main Street – Municipality of Southwest Middlesex**

Chair Mayhew calls the Public Meeting for P3-2020 Municipality of Southwest Middlesex to order at 7:42 p.m.

The chair announced the purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a **Zoning Amendment Application by the Municipality of Southwest Middlesex** and for Southwest Middlesex council to consider the proposal.

The purpose and effect of this Zoning By-law Amendment is to rezone the subject lands (former water tower lands) from the 'Public Utility (U) Zone' to the 'Restricted Commercial Site Specific (C2-7) Zone' within the Southwest Middlesex Zoning By-law, in order to facilitate the establishment of a day care centre.

The Planner presented the staff report and recommendation and comments received from circulated agencies and the public.

The chair invited the applicant to speak to the application. The applicant did not speak.

The chair invited members of the public wishing to speak in support or against the application to come forward. No members of the public came forward.

The chair invited members of council to ask questions of the applicant and/or staff. Councillor Vink asked about the access to the property with the planner advising that it had been agreed that the access to the property would be Main Street.

Chair Mayhew declares the Public Meeting for P3-2020 (Municipality of Southwest Middlesex) closed.

The Chair will now consider motions regarding the application.

Zoning By-law Amendment Application P3-2020

#2020-039

Moved by Councillor Carruthers

Seconded by Councillor McGill

THAT Application for Zoning By-law Amendment P3-2020, which proposes to rezone the subject lands from the 'Public Utility (U) Zone' to the 'Restricted Commercial Site Specific (C2-7) Zone', in order to facilitate the establishment of a day care centre be **GRANTED**.

Carried

- **P4-2020 – 4275 Olde Drive – Stanley & Cameron Towers**

Chair Mayhew calls the Public Meeting for P4-2020 Stanley and Cameron Towers to order at 7:49 p.m.

The chair announced that the purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a **Zoning Amendment Application by Stanley and Cameron Towers** and for Southwest Middlesex council to consider the proposal.

The purpose and effect of the zoning by-law amendment application is to rezone the retained parcel of Consent B3-2020 from the General Agricultural (A1) Zone to the Agricultural (A2) Zone to prohibit a dwelling from being erected thereon consistent with provincial policy. The proposed Zoning By-law Amendment also seeks to rezone the severed parcel of Consent B3-2020 from the General Agricultural (A1) Zone to the Rural Residential (RR) Zone to permit the creation of a residential lot for the purposes of disposing a surplus farm dwelling, with the parcel being occupied by an existing single unit dwelling and an accessory building (metal clad driveshed).

The Planner presented the staff report and recommendation and comments received from circulated agencies and the public.

The chair invited the applicant to speak to the application. Applicant Stan Towers noted that they were happy with the recommendation of the planner.

The chair invited members of the public wishing to speak in support or against the application to come forward. No members of the public came forward.

The chair invited members of council to ask questions of the applicant and/or staff. There were no questions of council.

Chair Mayhew declares the Public Meeting for P4-2020 (Stanley and Cameron Towers) closed.

The Chair will now consider motions regarding the application.

Zoning By-law Amendment Application P4-2020

#2020-040

Moved by Councillor Cowell

Seconded by Councillor Carruthers

THAT Application for Zoning By-law Amendment P4-2020, which proposes to rezone the severed parcel created through Consent Application B3-2020 from General Agricultural (A1) Zone to Rural Residential (RR) Zone and rezone the retained parcel created through Consent Application B3-2020 from General Agricultural (A1) Zone to the Agricultural (A2) Zone be **GRANTED**.

Carried

8. STAFF REPORTS

a. Fire

None

b. Administration

None

c. Building

None

d. Finance

1. Employee Benefit Renewal

#2020-041

Moved by Councillor Carruthers

Seconded by Councillor Sholdice

THAT council maintain all coverage levels.

AND THAT council authorize the renewal of the benefits program with RWAM Insurance Administrators Inc.

Carried

e. Facilities and Recreation

None

f. Public Works

1. Falcon Enterprises, Local Internet Servicing

#2020-042

Moved by Councillor Cowell

Seconded by Deputy Mayor Wilkins

THAT council approves the request by Falcon Enterprises for the installation of communications equipment on the Melbourne Standpipe;

AND that an Access Existing Structure Agreement be executed by the Mayor and CAO with Falcon Internet Services at a monthly rate of \$46.00.

Carried

9. NOTICE OF MOTION

Notice of Motion submitted by Councillor Sholdice:

#2020-043

Moved by Councillor Sholdice

Seconded by Councillor Vink

“Whereas council convention and seminar per diem and mileage expenses remuneration increased from \$11,510.47 in 2018 to \$19,700.75 in 2019, an increase of by \$8,190.28 or 71 per cent;

And Whereas three of the sitting councillors contributed less than \$1,000 in expenses towards the total of \$19,700.75 in 2019;

And Whereas Southwest Middlesex ratepayers spend a great deal more on this type of expense than those of comparably sized and populated neighbouring municipalities (ie. North Middlesex capped at \$2,500);

And Whereas Southwest Middlesex councillor's remuneration also increased substantially in 2019;

And Whereas conventions and seminar per diem, mileage and expenses were capped each year until 2019, limited to \$3,082 for 2018;

I respectfully present this notice of motion that the cap be replaced on councillor convention and seminar per diem, mileage and expenses to a limit of \$3,225 for the year 2020 which takes into consideration the Canadian Inflation rate. Any overages are to be covered by the individual councillors.”

Recorded vote requested by Councillor Vink:

Councillor Vink	Yes
Councillor Sholdice	Yes
Deputy Mayor Wilkins	No
Mayor Mayhew	No
Councillor McGill	No
Councillor Carruthers	No
Councillor Cowell	No

Motion lost

10. CORRESPONDENCE AND PETITIONS

None

11. UNFINISHED BUSINESS

Item 5.10 from February 12, 2020 council agenda - Rev. James Greenwood to Southwest Middlesex council

Councillor Carruthers recommends thanking Rev James Greenwood for his letter.

12. NEW BUSINESS

None

13. COUNTY COUNCIL AND CONFERENCE UPDATE

14. ANNOUNCEMENTS

- Deputy Mayor Wilkins encouraged attendance of Frank Cowan Company's session to be held March 27, 2020 concerning liability
- Questions concerning the storm water master plan and Switzer McLean Drain process

15. CLOSED SESSION

#2020-044

Moved by Deputy Mayor Wilkins

Seconded by Councillor Carruthers

THAT Council go into closed session, at 8:53 p.m., as per subsection 239(2) of the Municipal Act, 2011, to consider the following:

- a. Personal matters about an identifiable individual, including municipal or local board employees;
- b. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Specifically, the matter relates to the following:

Building Services

#2020-045

Moved by Deputy Mayor Wilkins

Seconded by Councillor Carruthers

THAT Council return to open session at 8:53 p.m. and rise and report:

THAT a closed session meeting was held and only closed session items identified were discussed in closed session;

AND THAT staff proceed as directed by council.

Carried

16. BY-LAWS

1. By-law No. 2020/010

Being a by-law to amend Zoning By-law No. 2011/065 – 5800 Century Drive

2. By-law No. 2020/011

Being a by-law to amend Zoning By-law No. 2011/065 – 4275 Olde Drive

3. By-law No. 2020/012

Being a by-law to amend Zoning By-law No. 2011/065 – 301 Main Street, Glencoe

4. By-law No. 2020/013

Being a by-law to confirm the proceedings of the council of the Municipality of Southwest Middlesex (February 26, 2020)

#2020-046

Moved by M. Wilkins

Seconded by C. Cowell

That By-law No. 2020/010 and By-law No. 2020/013 are read a first and second time;
And Further That 2020/012 and By-law No. 2020/013 be given third and final readings.

Carried

17. FUTURE MEETINGS (subject to change)

- Wednesday, March 4, 2020 – Council – 7:00 p.m.
- Wednesday, March 11, 2020 – Special Meeting - Development Charges
- Wednesday, March 25, 2020 – Planning/Council – 7:00 p.m.

18. ADJOURNMENT

The Mayor adjourned the meeting at 8:56 p.m.

Mayor

Clerk