



MINUTES
MUNICIPALITY OF THAMES CENTRE
REGULAR MEETING

April 29, 2024, 5:00 P.M.
Hybrid Council Meeting (Virtual and In-Person)
Municipal Office - Council Chambers
4305 Hamilton Road Dorchester, ON

Members Present: Mayor McMillan
Deputy Mayor Smibert
Councillor Heeman
Councillor Crockett
Councillor Lockie

Staff Present: D. Barrick, Chief Administrative Officer
J. Craven, Director of Public Works
M. Bancroft, Director of Planning & Development Services
S. MacDonald, Director of Community Services & Facilities
E. Schinbein, Director of Financial Services/Treasurer
J. Nethercott, Director of Legislative Services/Clerk
S. Henshaw, Deputy Clerk
T. Pitt, Drainage Superintendent
A. Kertesz, Planner

1. CALL TO ORDER

Mayor McMillan called the meeting to order at 5:00 p.m.

2. ADDITIONS TO AGENDA

No additions to the agenda.

3. APPROVE AGENDA

Resolution: 123-2024

Moved by: T. Heeman

Seconded by: M. Smibert

THAT the April 29, 2024 Regular Council Meeting Agenda be **APPROVED** as circulated.

Carried.

4. DISCLOSURE OF PECUNIARY INTEREST

No disclosures of pecuniary interest.

5. ANNOUNCEMENTS

Mayor McMillan acknowledged and congratulated our local Optimist Clubs, for all the good work they do to support the youth of our community, and noted this evening they are hosting their Annual Youth Appreciation Night and that Tammy Hunter, long-time municipal staff member and volunteer with the Dorchester Optimist Club, would be in attendance to represent Thames Centre.

6. PRESENTATIONS/DELEGATIONS

J.1 Smile Cookie Campaign and VON

J. Winegarden and K. Hogendoorn, representatives from Ontario Student Nutrition Program and VON, provided a presentation to Council regarding the 2024 Smile Cookie Campaign and the Ontario Student Nutrition Program (OSNP). The Smile Cookie Campaign will be benefitting Lord Dorchester Secondary School (LDSS) and Northdale Central School.

Resolution: 124-2024

Moved by: M. Smibert

Seconded by: T. Heeman

THAT the presentation provided by J. Winegarden and K. Hogendoorn from VON regarding the 2024 Smile Cookie Campaign **BE RECEIVED** for information.

Carried.

6.2 Middlesex Federation of Agriculture (MFA) - Presentation

Crispin Colvin, Marcel Meyer & Ken Empey, representatives from the Middlesex Federation of Agriculture (MFA), provided a presentation to Council regarding the following topics:

- Stormwater Management
- Auditor General's Report on Well Water Testing
- Risks of Battery Energy Storage Systems
- Land Preservation
- Building Roads Up
- London Children's Museum - Supporting an Agricultural Feature

Council inquired on and discussed the following:

- Community Supported Agriculture (CSA) - supporting local farmers by purchasing a share of the harvest
- Phasing Well Water Testing is included in Consent Agenda Item 10.2
- Battery Energy Storage -
 - Size of storage and relation to the ground (above, partially or underground)
 - Jurisdiction over the storage systems
 - Compensation to farmers to offset loss of farmland
- Planning around Green Energy (wind projects, etc.) - is further direction required from the province, or is there enough direction to start regulation by the Municipality

MFA Representatives, Councillor Heeman, and the Director of Planning and Development Services all answered Council's questions.

Resolution: 125-2024

Moved by: C. Crockett

Seconded by: D. Lockie

THAT the presentation provided by the Middlesex Federation of Agriculture (MFA) **BE RECEIVED** for information.

Carried.

7. COMMITTEE OF ADJUSTMENT

Resolution: 126-2024

Moved by: M. Smibert

Seconded by: D. Lockie

THAT Council adjourn its regular meeting at 5:38 p.m. in order to sit as Committee of Adjustment under the *Planning Act*, to consider Minor Variance applications listed on the April 29, 2024 Council Agenda.

Carried.

7.1 Minor Variance Application A3-24 (David and Michelle MacArthur, Applicant) - 172 Boardwalk Way, Dorchester

The Planner presented Report No. PDS-023-24.

The Planner advised that comments received from circulated agencies and staff at the time of the writing of the report have been summarized in the planning report. There were no comments received from the public.

The Planner noted that the attached Location Map is outdated.

David and Michelle MacArthur, Applicants, were in attendance and had no additional information to provide.

There were no members of the public in attendance.

There were no questions from Committee Members.

Resolution: 127-2024

Moved by: T. Heeman

Seconded by: C. Crockett

THAT Application for Minor Variance A3-24 filed by David and Michelle MacArthur to permit the construction of a greenhouse with a reduced exterior side yard width of 0.6 metres for lands legally described as Lot 69 on Registered Plan 33M-770 (geographic Township of North Dorchester), Municipality of Thames Centre, and known municipally as 172 Boardwalk Way, be **APPROVED**.

REASONS

- The general intent and purpose of the Official Plan would be maintained;
- The general intent and purpose of the Zoning By-law would be maintained;
- The effects of the variance are considered minor in nature; and

- The variance is desirable for the appropriate use and development of the land.

Carried.

7.2 Minor Variance Application A4-24 (Chris and Lorraine Rijnen) - 92 Foxhollow Drive, Dorchester

The Director of Planning & Development Services presented Report No. PDS-024-24.

The Director of Planning & Development Services advised that comments received from circulated agencies and staff at the time of the writing of the report have been summarized in the planning report. There were no comments received from the public.

Chris and Lorraine Rijnen, Applicants, were in attendance and had no additional information to provide.

There were no members of the public in attendance.

There were no questions from Committee Members.

Resolution: 128-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT Application for Minor Variance A4-24, filed by Chris and Lorraine Rijnen to recognize an existing single detached dwelling with a front yard depth of 7.38 metres and a side yard width of 1.4 metres along the south side of the dwelling for lands legally described as Lot 6 on Registered Plan 33M-559 (geographic Township of North Dorchester), Municipality of Thames Centre and known municipally as 92 Foxhollow Drive, Dorchester, be **APPROVED**.

REASONS

- The general intent and purpose of the Official Plan would be maintained;
- The general intent and purpose of the Zoning By-law would be maintained;
- The effects of the variance are considered minor in nature; and
- The variance is desirable for the appropriate use and development of the land.

Carried.

7.3 Minor Variance Application A5-24 (Andrew Sawchuk and Robyn Toonen) - 3285 Catherine Street

The Planner presented Report No. PDS-025-24.

The Planner advised that comments received from circulated agencies and staff at the time of the writing of the report have been summarized in the planning report.

The Planner advised that one written comment was received after the writing of the report from Dongfeng Liu, which has been appended to the agenda.

Andrew Sawchuk, Applicant, was in attendance and had no additional information to provide.

There were no members of the public in attendance.

There was a question to the Applicant from the Committee regarding the new lift within the proposed garage, and if the usage of the garage would be for personal vehicles only.

Mr. Sawchuk confirmed that the garage would only be used for personal vehicles and not for commercial purposes.

Resolution: 129-2024

Moved by: D. Lockie

Seconded by: C. Crockett

THAT Application for Minor Variance A5-2024 filed by Andrew Sawchuck and Robyn Toonen to permit the construction of a detached garage with a height of 6.2 metres for lands legally described as Part of Lot 6, Concession 3, NRT (geographic Township of North Dorchester), Municipality of Thames Centre, designated as Part 1 on Plan 33R-12442 and known municipally as 3285 Catherine Street, be **APPROVED**.

REASONS

- The general intent and purpose of the Official Plan would be maintained;
- The general intent and purpose of the Zoning By-law would be maintained;
- The effects of the variance are considered minor in nature; and
- The variance is desirable for the appropriate use and development of the land.

Carried.

7.4 Adjourn Committee of Adjustment

Resolution: 130-2024

Moved by: M. Smibert

Seconded by: T. Heeman

THAT the Committee of Adjustment adjourn at 5:53 p.m. and Council reconvene its regular meeting.

Carried.

8. PUBLIC MEETING - PLANNING

Resolution: 131-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT Council adjourn at 5:54 p.m. to move into a Public Meeting pursuant to Section 28 of the *Planning Act*, to consider a proposed Community Improvement Plan.

Carried.

8.1 Proposed Community Improvement Plan - Director of Planning and Development Services

The Director of Planning & Development Services presented Report No. PDS-026-24. Written comments were received from Enbridge and Sifton, both of which have been appended to the agenda.

R. Haggith, from Stantec, was in attendance to provide an overview of the Draft Community Improvement Plan (CIP), consisting of the following topics:

- The Community Improvement Plan Process
- Engagement Program and Feedback
- Incentives
- Overview of Feedback Received

There were no members of the public in attendance.

Council inquired about and discussed the following:

- Other elements of CIP, besides financial grants
- Potential additional costs to taxpayers
- Building and Planning fees - potential for in-kind grants
- Sifton's comments -
 - Incentivizing development of affordable housing
 - Consideration of and response to their comments

The Director of Planning and Development Services answered questions from Council.

R. Haggith answered questions from Council.

Resolution: 132-2024

Moved by: M. Smibert

Seconded by: D. Lockie

THAT the Public Participation portion of the meeting be now closed.

Carried.

Resolution: 133-2024

Moved by: T. Heeman

Seconded by: M. Smibert

THAT Report No. PDS-026-24 **BE RECEIVED** for information;

AND THAT the Director of Planning and Development Services provide a subsequent report to Council to facilitate the approval of the Community Improvement Plan, taking into account all public and agency comments received, with a recommendation for Council's consideration at a future meeting.

Carried.

Resolution: 134-2024

Moved by: C. Crockett

Seconded by: D. Lockie

THAT the Public Meeting be adjourned at 6:10 p.m. and Council reconvene its regular meeting.

Carried.

9. ADOPTION OF MINUTES

9.1 Regular Council Minutes - April 15, 2024

Resolution: 135-2024
Moved by: M. Smibert
Seconded by: T. Heeman

THAT the minutes of the Regular Meeting of Council, held on April 15, 2024, **BE APPROVED** as circulated.

Carried.

10. CONSENT AGENDA

Regarding Consent Agenda Item 10.2, the Director of Legislative Services/Clerk noted the update appended to the agenda that the Free Private Drinking Water Testing Program will remain in place.

Resolution: 136-2024
Moved by: C. Crockett
Seconded by: M. Smibert

THAT Consent Agenda Items 10.1 and 10.3 **BE RECEIVED** as information.

Carried.

Resolution: 137-2024
Moved by: M. Smibert
Seconded by: T. Heeman

THAT Consent Agenda Item 10.2, regarding the "Thames-Sydenham Source Protection Region - Phasing Out of Free Well Water Testing" be received; **AND THAT** Council **ENDORSE** the resolution by the Thames-Sydenham Source Protection Committee (SPC) requesting that the province does not proceed with the recommended phase-out of free private well water testing in Ontario or close water testing sites.

Carried.

- 10.1 City of Sault Ste. Marie - Intimate Partner Violence and Coercive Control**
- 10.2 Thames-Sydenham Source Protection Region - Phasing Out of Free Well Water Testing**
- 10.3 Town of Goderich - Legislative Amendments to Improve Municipal Code of Conduct**

11. REPORTS OF DEPARTMENTS

11.1 PW-DR-003-24 - Wilton Drain – Request for Improvement

Council inquired about the following:

- What makes this a drain vs. normal ditching
- Potential impact on sidewalks in Harrietsville

The Drainage Superintendent answered Council's questions.

Resolution: 138-2024
Moved by: T. Heeman
Seconded by: D. Lockie

THAT Report No. PW-DR-003-24 of the Drainage Superintendent, dated April 29, 2024, concerning a request received by Middlesex County for a request for drain improvement, **BE RECEIVED** for information;

AND THAT the request submitted by Middlesex County, under Section 78 of the Drainage Act, R.S.O. 1990, for new drainage works, in relation to Elgin Road (County Road 73) located at CON 5 between Lot 12 and Lot 13, (former township of North Dorchester) **BE RECEIVED AND ADOPTED**;

AND THAT Mr. M. P. Devos, of Spriet Associates, **BE APPOINTED** the Engineer to investigate and prepare the necessary drainage report.

Carried.

11.2 PDS-022-24 - Proposed Bill 185 ("Cut Red Tape to Build More Homes Act") and Draft 2024 Provincial Planning Statement

Resolution: 139-2024
Moved by: T. Heeman
Seconded by: M. Smibert

THAT Report No. PDS-022-24 **BE RECEIVED** for information.

AND THAT the Director of Planning and Development Services be given direction to forward the said Report to the Province of Ontario as the Municipality of Thames Centre's formal comments on proposed Bill 185 and the draft 2024 Provincial Planning Statement.

Carried.

11.3 LS-008-24 - Proposed Update to Fees and Charges By-law

Resolution: 140-2024
Moved by: D. Lockie
Seconded by: C. Crockett

THAT Report No. LS-008-24 **BE RECEIVED** for information;
AND THAT Council consider the Amendment to By-law 119-2023, the Fees and Charges By-law for 2024 in the by-law portion of the Agenda.

Carried.

12. UNFINISHED BUSINESS

No items.

13. NOTICE OF MOTION

No items.

14. NEW BUSINESS

No items.

15. BY-LAWS

Resolution: 141-2024

Moved by: D. Lockie

Seconded by: C. Crockett

THAT By-laws 28-2024 through 33-2024 **BE ADOPTED** as presented.

Carried.

15.1 By-law 28-2024 - 2024 Tax Rates

Being a By-law to set the 2024 tax rates and levies for the Municipality of Thames Centre.

15.2 By-law 29-2024 - Adopt Policy for Attendance at Conferences/Conventions, Seminars and Workshops

Being a By-law to repeal and replace Council Policy C-B-2.1, as amended, being "Attendance at Conferences/Conventions, Seminars and Workshops" Policy

15.3 By-law 30-2024 - Amend Fees and Charges By-law

Being a By-law to Amend By-law 119-2023 being a by-law to provide for various Fees and Charges for the Municipality of Thames Centre.

15.4 By-law 31-2024 - Road Closure By-law

Being a By-law for the purpose of selling the roads identified as Pendarves Street, Bandon Street, Glynn Street, Market Ground, Bruce Street, part of Niles Street North of the Canadian National Railway, Hamilton Street and the unnamed street identified as 08172-0203 located on Lot 3, Concession 2 (North Dorchester) in the Municipality of Thames Centre, County of Middlesex

15.5 By-law 32-2024 - Deeming Part of a Plan of Subdivision

Being a By-law to deem all the lots comprising blocks 3, 4, 7, 8, 11, 12; the undesignated lots identified as 08172-0165 (LT), 08172-0178 (LT), 08172-0190 (LT) and 08172-0193 (LT); those parts of Pendarves Street, Bandon Street, Glyn Street and Bruce Street between Market Ground and unnamed street identified by 08172-0203 (LT); and those parts of Market Ground, Niles Street, Hamilton Street and the unnamed street 08172-0203 (LT) between Pendarves Street and the Canadian National Railway on Plan 128 (North Dorchester) not to be lots on a Registered Plan of Subdivision

15.6 By-law 33-2024 - Parkland Dedication By-law

Being a by-law to provide for the dedication of parkland or the payment in lieu thereof for all development or redevelopment in the Municipality

16. CLOSED SESSION

Resolution: 142-2024

Moved by: M. Smibert

Seconded by: D. Lockie

RESOLVED THAT Council **ADJOURN** to closed session at 6:22 p.m. pursuant to Section 239(2) (k) of the *Municipal Act, 2001* in order for Council to consider a

position, plan, procedure, criteria or instruction to be applied to negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Carried.

17. RISE AND REPORT

Mayor McMillan reported out of Closed Session at 6:40 p.m. that consideration was given to a position, plan, procedure, criteria or instruction to be applied to negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Resolution: 143-2024

Moved by: M. Smibert

Seconded by: T. Heeman

THAT Council **DIRECTS** staff to enter into negotiations for a 12-month trial period with the Playroom Experiment for an alternate location within the FlightExec Centre.

Carried.

18. CONFIRMATORY BY-LAW

18.1 By-law 34-2024 - Confirmatory By-law

Being a by-law to adopt, confirm and ratify matters dealt with by resolution of the Municipality of Thames Centre

Resolution: 144-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT By-law 34-2024, being the Confirmatory By-law, **BE ADOPTED** as presented.

Carried.

19. MEETING SCHEDULE

Monday, May 13, 2024 at 5:00 p.m.

Monday, May 27, 2024 at 5:00 p.m.

Mayor McMillan reminded everyone of the upcoming Ward 1 Mini Town Hall Meeting, taking place at the Lions Senior Centre in Thorndale on Tuesday, April 30, 2024 from 6:30 to 8:00 p.m.

20. ADJOURNMENT

Resolution: 145-2024

Moved by: C. Crockett

Seconded by: D. Lockie

RESOLVED THAT the meeting adjourn at 6:43 p.m.

Carried.

S. McMillan, Mayor

J. Nethercott, Clerk