



MINUTES
MUNICIPALITY OF THAMES CENTRE
REGULAR MEETING

May 27, 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 (*arrived 5:05 p.m.*)
Councillor Crockett
Councillor Lockie

Staff Present: D. Barrick, Chief Administrative Officer
J. Craven, Director of Public Works
M. Bancroft, Director of Planning & Development Services
N. Dorken, Director of Fire & Emergency Services/Fire Chief
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
A. Peter, Human Resources Advisor
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: 160-2024

Moved by: M. Smibert

Seconded by: D. Lockie

THAT the May 27, 2024 Regular Council Meeting Agenda **BE APPROVED** as circulated.

Carried.

4. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

5. ANNOUNCEMENTS

Mayor McMillan thanked the Fire Department for their recent Thorndale Firefighters Breakfast held in Thorndale on May 26, 2024.

Mayor McMillan announced the upcoming event, "An Evening with Michael Landsberg" taking place at the FlightExec Centre in the gym on May 28, 2024 at 7:00 p.m.

Mayor McMillan read out a letter received by a member of the public, acknowledging the new Customer Service Charter and the good customer service recently received.

Councillor Heeman arrived at 5:05 p.m.

6. PRESENTATIONS/DELEGATIONS

6.1 Royal Field & Field of Dreams Annual Update

Chris Robinson and Adam Stern, representatives from Great Lake Canadians and Dorchester Minor Baseball, were in attendance and provided a presentation on Royal Field and Field of Dreams.

Resolution: 161-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT the Presentation by the Great Lake Canadians and Dorchester Minor Baseball **BE RECEIVED** for information.

Carried.

6.2 Dorchester Lions Club - Request to Install a Lions Friendship Arch at the FlightExec Centre

Gord Curmin, President of the Dorchester Lions Club, was in attendance to present a request to install a Lions Friendship Arch at the FlightExec Centre.

Resolution: 162-2024

Moved by: T. Heeman

Seconded by: D. Lockie

THAT the Request to Install a Lions Friendship Arch at the FlightExec Centre from the Dorchester Lions Club **BE APPROVED**.

Carried.

7. PUBLIC MEETING - PLANNING

Resolution: 163-2024

Moved by: C. Crockett

Seconded by: D. Lockie

THAT Council adjourn its regular meeting at 5:28 p.m. and move into Public Meetings pursuant to the *Planning Act*, to consider applications listed on the May 27, 2024 Council Agenda.

Carried.

7.1 Consent Application B6-24 (Kevin and Jodi McGuffin, Applicant; Stewart Findlater, Agent) - 22803 Nissouri Road

The Director of Planning & Development Services presented Report No. PDS-031-24.

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.

Kevin and Jodi McGuffin, Applicants, and Stewart Findlater, Agent, were in attendance and provided additional information.

Mr. Findlater advised that the subject property has a geothermal heating and cooling system, well below grade level, which extends into the cultivated field halfway to the road.

There were no members of the public in attendance.

Mayor McMillan closed the Public Participation Portion of the Meeting at 5:49 p.m.

Council inquired about the lack of a Zoning By-law Amendment Application filed with the Consent Application, to ensure the remaining agricultural land would not be built upon.

Mr. Findlater advised that should Council actually approve the Consent Application, the Applicants would subsequently apply for the Zoning Application.

Council inquired if the Official Plan regulates the limits of the size of the residential lot, being 2 acres.

The Director of Planning and Development Services advised there is typically a residential lot with surplus farm dwelling severances that is approximately 2 acres in size. There is nothing in the Official Plan to specify an area, which is intentional because each application is based on its own merit.

The Director of Planning and Development Services further advised that the Applicant still needs to satisfy the minimum lot size requirements in order to accommodate the house and private servicing, and also to minimize the loss of cultivated land.

Resolution: 164-2024

Moved by: T. Heeman

Seconded by: M. Smibert

THAT Application for Consent B6-24 requested by Stewart Findlater on behalf of Kevin and Jodi McGuffin to sever a parcel of land having a frontage of approximately 100 metres along Nissouri Road and an area of approximately 2.9 hectares to facilitate the disposal of a residence surplus to a farming operation as a result of farm consolidation for lands legally described as Part of Lot 24, Concession 2 (geographic Township of West Nissouri), Municipality of Thames Centre, and known municipally as 22803 Nissouri Road be **APPROVED**, subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act be given within two years 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 and the required fee.
2. That the applicant be also required to dedicate lands up to 18 m from the centreline of construction of County Road 27 (Nissouri Road) to the County of Middlesex across the severed and retained parcels for the purposes of road widening if the right of way is not already to that width.
3. That the applicant obtain a rezoning approval to prohibit any new residential use on the lands to be retained being the remnant farm parcel.
4. That all applicable property taxes, municipal fees and charges be paid to the Municipality.
5. That the applicant provide evidence from an Ontario Land Surveyor which confirms with respect to the lands to be severed that all structures shall be compliant with applicable zoning by-law setbacks and the existing private on-site sewage disposal system and well are wholly contained and compliant with applicable setbacks as required by the Ontario Building Code, all to the satisfaction of the Chief Building Official.
6. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official.
7. That the necessary deeds, transfers and charges for certificates and /or instruments necessary for registration be submitted electronically to the Municipality, all of which are to be fully executed.
8. That an electronic version of a deposited reference plan be submitted to legally describe the lands affected and in general conformity with this decision, all to the satisfaction of the Municipality.

REASONS

- The application would be consistent with the Provincial Policy Statement.
- Conformity with the County Official Plan and the Thames Centre Official Plan would be maintained.

- The requirements of the Zoning By-Law are capable of being satisfied as a condition of consent to require a rezoning approval to prohibit any new residential use on the balance of the farm.

Carried.

7.2 Application for Zoning By-law Amendment Z3-24 (Jamie and Tanya Buck) - 18065 Thorndale Road

The Planner presented Report No. PDS-032-24.

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.

Jamie Buck, Applicant, was in attendance and had no additional information to provide.

There were no members of the public in attendance.

Mayor McMillan closed the Public Participation Portion of the Meeting at 5:57 p.m.

There were no questions from Council.

Resolution: 165-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT Application for Zoning By-law Amendment (Z3-24) filed by Jamie and Tanya Buck to permit an Additional Residential Unit for lands legally described as Part of Lot 15, Concession 7, (geographic Township of West Nissouri) and designated as Part 1 on Plan 33R-20519, Municipality of Thames Centre and known municipally as 18065 Thorndale Road be **APPROVED** in principle and that staff be directed to bring forward the implementing by-law for Council's consideration at the next regular meeting.

Carried.

7.3 Application for Temporary Use Zoning By-law Amendment Z4-24 (MV Management Inc., Applicant; Martin Vandenberg, Agent) - 16692 Ebenezer Drive

The Planner presented Report No. PDS-033-24.

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.

Martin Vandenberg, Agent, was in attendance and had no additional information to provide.

There were no members of the public in attendance.

Mayor McMillan closed the Public Participation Portion of the Meeting at 6:01 p.m.

There were no questions from Council.

Resolution: 166-2024
Moved by: C. Crockett
Seconded by: T. Heeman

THAT the Municipality of Thames Centre Comprehensive Zoning By-law 75-2006 be **AMENDED** to permit two single unit dwellings on the property municipally known as 16692 Ebenezer Drive, for a temporary period not to exceed three (3) years, as filed by Martin Vandenberg on behalf of MV Management Inc. (Z4-24), as presented in the by-law portion of the agenda;

AND THAT the Mayor and Clerk be **AUTHORIZED** to execute a Temporary Use Agreement, substantially in the form of the agreement attached, as presented in the by-law portion of the agenda.

Carried.

7.4 Close Public Meetings

Resolution: 167-2024
Moved by: M. Smibert
Seconded by: T. Heeman

THAT the Planning Public Meetings adjourn at 6:01 p.m. and Council reconvene in its regular meeting in order to continue with its deliberations.

Carried.

8. ADOPTION OF MINUTES

8.1 Regular Council Minutes - May 13, 2024

Resolution: 168-2024
Moved by: M. Smibert
Seconded by: C. Crockett

THAT the minutes of the regular meeting of Council, held on May 13, 2024, **BE APPROVED** as circulated.

Carried.

9. CONSENT AGENDA

Resolution: 169-2024
Moved by: D. Lockie
Seconded by: C. Crockett

THAT Consent Agenda Items 9.1 through 9.3 **BE RECEIVED** as information.

Carried.

9.1 Township of Amaranth & Township of Puslinch - Operational Budget Funding

9.2 Township of Larder Lake - Request to Province to Amend Blue Box Regulation for Ineligible Sources

9.3 Municipality of Casselman - Autonomy of Conservation Authorities in Ontario

10. REPORTS OF DEPARTMENTS

10.1 CS-010-24 - VON Lease Agreement – New Space

Resolution: 170-2024

Moved by: M. Smibert

Seconded by: T. Heeman

THAT Report No. CS-010-24 **BE RECEIVED** for information;

AND THAT Council **APPROVE** the recommended Lease Agreement for the new space VON Middlesex-Elgin (VON) will be occupying upon completion of the renovation to that portion of the FlightExec Centre;

AND THAT the Mayor and Clerk be **AUTHORIZED** to execute the Facility Lease Agreement, substantially in the form of the agreement attached, as presented in the by-law portion of the agenda.

Carried.

10.2 CS-011-24 - Funding for TLCC & Thorndale Community Park Capital Projects

There was some discussion.

Resolution: 171-2024

Moved by: T. Heeman

Seconded by: M. Smibert

THAT Report No. CS-011-24 **BE RECEIVED** for information;

AND THAT Council **AUTHORIZE** funds from the Thorndale Lions Community Centre deferred revenue be applied to the \$40,000 overage for the storm water management 2024 capital project;

AND THAT Council **DIRECT** staff to negotiate with Peters Paving Inc. to finalize the optimal scope of the project, as detailed within this report.

Carried.

10.3 PDS-030-24 - Community Improvement Plan

There was some discussion.

Resolution: 172-2024

Moved by: C. Crockett

Seconded by: M. Smibert

THAT Report No. PDS-30-24 **BE RECEIVED** for information;

AND THAT the Community Improvement Plan dated May 13, 2024 be **APPROVED** in principle and that staff be directed to bring forward the implementing by-law for Council's consideration at the next regular meeting.

Carried.

10.4 PDS-027-24 - Application for Part Lot Control Exemption; 1732435 Ontario Limited (c/o Shawn Elliott), Lot 15 on Plan 33M-829, Elliott Estates Subdivision (Phase 1), Thorndale

Resolution: 173-2024

Moved by: T. Heeman

Seconded by: C. Crockett

THAT Application for Part Lot Control Exemption (PLC-1-24) by 1732435 Ontario Limited (c/o Shawn Elliott) for lands located on the west side of Shirley Street south of Patrick Street in the village of Thorndale and legally described as Lot 15 on Plan 33M-829 be **APPROVED**;

AND THAT the implementing by-law be **ADOPTED** as presented in the by-law portion of the agenda;

AND THAT the adopted by-law be forwarded to the County of Middlesex for consideration of approval.

Carried.

10.5 PDS-028-24 - Application for Zoning By-law Amendment (Z12-20); Vista Wood Estates Limited (c/o Don Cromarty); 2429 Dorchester Road, Dorchester

Council inquired about the location of the roads, number of residential units in medium-density areas, sidewalk extension along Dorchester Road, and location of commercial development.

The Director of Planning and Development Services answered Council's questions.

Resolution: 174-2024

Moved by: D. Lockie

Seconded by: M. Smibert

THAT Application for Zoning By-law Amendment (Z12-20) by Vista Wood Estates Limited (c/o Don Cromarty) be **APPROVED** in principle;

AND THAT staff be **DIRECTED** to prepare a zoning by-law amendment for Council's consideration at the next regular meeting and subject to the following changes with reference to the Draft Plan of Subdivision (File No. 39T-TC2001): that Block 42 be rezoned to a site-specific R1-17 Zone; that the requested site-specific R3-15 Zone for Blocks 43 and 44 be subject to reduced front yard and exterior side yard width of 4.5 metres for the habitable portion of the dwelling and 6 metres for the attached garage portion of the dwelling; that any parkland dedication be rezoned to Open Space (OS) with the exception of lands currently zoned Environmental Protection (EP); and that Block 45 (stormwater management pond) and Block 46 (private gardens) be rezoned to the Open Space (OS) Zone; and that all lands to be rezoned for residential purposes be subject to a holding "H" provision;

AND THAT based on the foregoing changes, no further notice be required pursuant to Section 34(17) of the *Planning Act*.

Carried.

10.6 PDS-029-24 - REVISED Applications for Consent & Zoning By-Law Amendment; Sherry Lynn Pye & Lawrence Pye (Applicant); Mike Pye (Agent); 2770 Rath Street, Putnam

Resolution: 175-2024

Moved by: M. Smibert

Seconded by: D. Lockie

THAT Applications for Consent B2-24, B3-24, B4-24 and B5-24 as revised and requested by Michael Pye on behalf of Sherry Lynn Pye and Lawrence Pye to sever four (4) parcels of land each having a frontage of

approximately 31 metres along Putnam Road and, from north to south, each having an area of approximately 0.45 hectares, 0.49 hectares, 0.53 hectares and 0.53 hectares, for lands legally described as Part of Lot 4, Concession B, SRT (geographic Township of North Dorchester), Municipality of Thames Centre, and known municipally as 2770 Rath Street be **APPROVED**, subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act be given within two years 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 and the required fee.
2. That the applicant be required to dedicate lands up to 15 m from the centreline of construction of County Road 30 (Putnam Road) to the County of Middlesex for the purposes of road widening if the right of way is not already to that width. That the applicant be also required to dedicate lands up to 18 m from the centreline of construction of County Road 29 (Hamilton Road) to the County of Middlesex for the purposes of road widening if the right of way is not already to that width.
3. That a consent for easement purposes be required to establish a right-of-way in favour of the owner of 2757 Rath Street over the subject lands to ensure legal access to and from Rath Street (if such easement does not already exist).
4. That an easement in favour of the Municipality of Thames Centre be dedicated for the lands to be severed consistent with the working area identified in the Putnam Drain Report.
5. That the applicant obtain a rezoning approval to rezone the lots to be severed and the lots to be retained to the Hamlet Residential (HR) Zone with the exception of flood prone lands along the Reynolds Creek Drain and extending the full length of the subject property which are to be rezoned to Environmental Protection (EP).
6. That an approved minor variance be required to address the lot frontage deficiency of the lands to be retained.
7. That the applicant retain a qualified professional to undertake a soils investigation to confirm independent private sewage disposal systems are capable of supporting the proposed residential development based on existing site conditions and surrounding uses.
8. That the applicant enter into a Development Agreement with the Municipality to facilitate the residential development of the lands to address a number of matters including but not limited to access, grading, drainage, private servicing, identify any easements that apply to the lands; and that the said agreement be registered against the title of the subject lands.
9. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, with such costs to be paid in full to the appropriate engineering firm, all to the satisfaction of the Drainage Superintendent.
10. That all applicable property taxes, municipal fees and charges be paid to the Municipality.

11. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official.
12. That the necessary deeds, transfers and charges for certificates and /or instruments necessary for registration be submitted electronically to the Municipality, all of which are to be fully executed.
13. That an electronic version of a deposited reference plan be submitted to legally describe the lands affected and in general conformity with this decision, all to the satisfaction of the Municipality.

REASONS

- The applications would be consistent with the Provincial Policy Statement.
- Conformity with the County Official Plan would be maintained.
- The requirements of the Zoning By-Law are capable of being satisfied through the requested rezoning.

Carried.

Resolution: 176-2024
Moved by: C. Crockett
Seconded by: D. Lockie

THAT Application for Zoning By-law Amendment Z2-24 as revised and requested by Michael Pye on behalf of Sherry Lynn Pye and Lawrence Pye for lands legally described as Part of Lot 4, Concession B, SRT (geographic Township of North Dorchester), Municipality of Thames Centre, and known municipally as 2770 Rath Street, be **APPROVED** in principle and that staff be directed to prepare the necessary Zoning By-law Amendment for Council’s consideration at the next regular meeting.

Carried.

11. REPORTS OF COMMITTEES

Resolution: 177-2024
Moved by: C. Crockett
Seconded by: T. Heeman

THAT Reports of Committees Agenda Items 11.1 and 11.2 **BE APPROVED** as presented.

Carried.

11.1 Accessibility and Inclusivity Advisory Committee Meeting Minutes - May 6, 2024

Moved by: S. Rae
Seconded by: M. Coghlin

THAT Report No. C-AIAC-07-2024 **BE RECEIVED** for information;

AND THAT the Accessibility & Inclusivity Advisory Committee (AIAC) provide direction that \$1,000.00 of the 2024 budget be to dedicate to the 2024 Pride Event.

Carried.

Moved by: S. Rae
Seconded by: D. Lockie

THAT staff provide a draft Terms of Reference that models Wellington Centre for review at an upcoming meeting.

Carried.

11.2 Thames Centre Special Events Committee Meeting Minutes - May 8, 2024

Moved by: K. Carter
Seconded by: M. Mundy

THAT Agenda Item 6.1, “Thames Centre’s 25th Anniversary (January 1, 2026) – Committee Discussion” **BE REFERRED** to the Regular Meeting scheduled on Wednesday, August 14, 2024, ahead of 2025 Budget Preparations.

Carried.

12. UNFINISHED BUSINESS

No items.

13. NOTICE OF MOTION

Resolution: 178-2024
Moved by: D. Lockie
Seconded by: M. Smibert

THAT Council **DEFER** required responses from affected property owners impacted by the Hamilton Road/ Oakwood Drive – Sanitary Trunk Sewer Construction, and Oakwood Place – Reconstruction project to December 2024 with payments starting on the final tax bill for 2025;
AND THAT Council **REDUCE** the interest rates quoted in the letters dated April 30, 2024 by 1% for impacted property owners.

Carried.

Resolution: 179-2024
Moved by: T. Heeman
Seconded by: C. Crockett

THAT Council **REDUCE** the quoted interest rates for the King Street Reconstruction Project in Thorndale by 1% for the impacted property owners.

Carried.

Resolution: 180-2024
Moved by: C. Crockett
Seconded by: D. Lockie

WHEREAS The Council of the Corporation of the Municipality of Thames Centre supported the resolutions of the Councils of the Municipality of South Huron, Howick Township, and the Municipality of North Perth at their regular Council Meeting on May 8, 2023;

AND WHEREAS the issues that lead to that resolution still persist today;

NOW THEREFORE the Council of the Municipality of Thames Centre urges the Provincial Government to:

a) Require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2024-2025 school year; and

B) Underwrite the costs for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities;

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, Attorney General, Minister of Education, Provincial opposition parties, Hon. Rob Flack, MPP and the Association of Municipalities of Ontario (AMO).

Carried.

14. NEW BUSINESS

14.1 Middlesex County OPP Detachment Board

Minutes of the introductory meeting of the Board on May 21, 2024 and Correspondence from the Board.

Resolution: 181-2024

Moved by: C. Crockett

Seconded by: D. Lockie

THAT Thames Centre Council **ENDORSE** the appointment of Murray Faulkner and Jim Maudsley as Public Member representatives for the Middlesex County OPP Detachment Board for the duration of the 2022-2026 term of Council.

Carried.

15. BY-LAWS

Resolution: 182-2024

Moved by: M. Smibert

Seconded by: T. Heeman

THAT By-laws 36-2024 through 41-2024 **BE ADOPTED** as presented.

Carried.

15.1 By-law 36-2024 - Part Lot Control Exemption

Being a by-law to exempt from part lot control, lands legally described as Lot 15 on Plan 33M-829, designated as Parts 1 and 2 on Plan 33R-21873 (geographic Township of West Nissouri) in the Municipality of Thames Centre, in the County of Middlesex (Elliott Estates Subdivision, Phase 1, Thorndale)

15.2 By-law 37-2024 - Collection of Costs of Repairs and Maintenance of Municipal Drainage Works

Being a By-law to provide for the collection of costs of repairs and maintenance of municipal drainage works in the Municipality of Thames Centre

15.3 By-law 38-2024 - Levy Final Cost of Crampton Drain 2022

Being a By-law to levy the final cost of the work of the construction known as the Crampton Drain 2022, as provided for in By-law No. 77-2022

15.4 By-law 39-2024 - Facility Lease Agreement - Victorian Order of Nurses Canada - Ontario Branch-VON Middlesex-Elgin

Being a By-law to authorize the execution of a Facility Lease Agreement with Victorian Order of Nurses Canada - Ontario Branch-VON Middlesex-Elgin for the rental of a portion of the FlightExec Centre located at 2066 Dorchester Road, Dorchester, Ontario

15.5 By-law 40-2024 - Zoning By-law Amendment (16692 Ebenezer Drive)

Being a By-law to amend By-law No. 75-2006, as amended, insofar as it relates to the lands located at Part of Lot 31, Concession 2 (geographic Township of West Nissouri) Municipality of Thames Centre, in the County of Middlesex

15.6 By-law 41-2024 - Temporary Use Agreement (16692 Ebenezer Drive)

Being a By-law to authorize the execution of a Temporary Use Agreement with MV Management Inc. relating to the property at Part of Lot 31, Concession 2 (geographic Township of West Nissouri), now the Municipality of Thames Centre.

16. MEETING SCHEDULE

Monday, June 10, 2024 at 5:00 p.m.

Monday, June 24, 2024 at 5:00 p.m.

17. CLOSED SESSION

Resolution: 183-2024

Moved by: T. Heeman

Seconded by: M. Smibert

RESOLVED THAT Council **ADJOURN** to closed session at 6:45 p.m. pursuant to Section 239(2)(b) & (d) of the *Municipal Act, 2001* in order for Council to consider personal matters about an identifiable individual, including a municipal or local board employee and labour relations or employee negotiations.

Carried.

18. RISE AND REPORT

Mayor McMillan advised at 8:08 p.m. that consideration was given to matters related to labour relations or employee negotiations and personal matters about an identifiable individual and direction was provided to staff.

19. CONFIRMATORY BY-LAW

19.1 By-law 42-2024 - Confirmatory By-law

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

Resolution: 184-2024

Moved by: C. Crockett

Seconded by: M. Smibert

THAT By-law 42-2024, being the Confirmatory By-law, **BE ADOPTED** as presented.

Carried.

20. ADJOURNMENT

Resolution: 185-2024

Moved by: D. Lockie

Seconded by: M. Smibert

RESOLVED THAT the meeting adjourn at 8:10 p.m.

Carried.

S. McMillan, Mayor

J. Nethercott, Clerk