



MINUTES
MUNICIPALITY OF THAMES CENTRE
REGULAR MEETING

June 24, 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 (*virtual*)

Staff Present: D. Barrick, Chief Administrative Officer
J. Craven, Director of Public Works
S. MacDonald, Director of Community Services & Facilities
A. Storrey, Interim Director of Planning and Development Services
J. Nethercott, Director of Legislative Services/Clerk
E. Schinbein, Director of Financial Services/Treasurer
S. Henshaw, Deputy Clerk
A. Kertesz, Planner, Middlesex County
D. FitzGerald, Manager of Planning, Middlesex County

1. CALL TO ORDER

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

2. MOMENT OF SILENCE

Mayor McMillan expressed great sadness on the recent passing of Steve Presswood, who passed away unexpectedly. Steve was a dedicated member of the Thames Centre Roads Department as a Road Equipment Operator. He was a dedicated and skilled professional who made significant contributions to the Municipality for over 20 years, as well as a kind, entertaining and incredibly caring individual who touched the lives of everyone he worked with. Mayor McMillan extended, on behalf of Council and Staff, her deepest sympathy to his family and friends.

3. ADDITIONS TO AGENDA

Mayor McMillan announced the cancellation of the presentation under Agenda Item 7.1 ("G. Williams - Council Strategy Discussion"), due to unforeseen circumstances.

4. APPROVE AGENDA

Resolution: 199-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT the June 24, 2024 Regular Council Meeting Agenda **BE APPROVED** as amended.

Carried.

5. DISCLOSURE OF PECUNIARY INTEREST

No disclosures of pecuniary interest.

6. ANNOUNCEMENTS

Mayor McMillan announced the upcoming service disruption due to site work taking place in the municipal office parking lot, located at 4305 Hamilton Road in Dorchester. Access to the office will be limited from Tuesday, July 2nd until approximately Monday, September 2nd. Additional details will be provided to the public at a later date.

Mayor McMillan announced that the 401 Highway near Dorchester Road would be closed nightly from June 24 to June 27, from 9 pm to 5 am, due to the ongoing overpass construction.

Mayor McMillan congratulated Scott Taylor, Editor at the Signpost, on his new position and thanked him for his years of service reporting on behalf of Council to the public and wished him all the best.

7. PRESENTATIONS/DELEGATIONS

Agenda Item 7.1 was removed from the agenda.

8. PUBLIC MEETING - PLANNING

Resolution: 200-2024

Moved by: T. Heeman

Seconded by: M. Smibert

THAT Council adjourn its regular meeting at 5:06 p.m. and move into Public Meetings pursuant to the *Planning Act*, to consider applications listed on the June 24, 2024 Council Agenda.

Carried.

8.1 Consent Application B7-24 (Kilbyrne Estates Ltd., Applicant; Brown Beattie O'Donovan LLP c/o Stephen Carneiro Fernandes, Agent) - 22697 Nissouri Road

A. Kertesz, Planner, presented Report No. PDS-34-24.

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.

Stephen Carneiro Fernandes, Agent, was in attendance and provided additional information, referring to legal outcomes from past case law that supports restoring lots that were forced by merging.

There were no members of the public in attendance.

Council asked if a Minor Variance application would be required, should the applicants wish to construct in the future. The Planner advised that a Minor Variance application would be required for MDS setbacks, as well as lot frontage and area.

Council asked if the farmland is usable, to be cultivated. The Planner advised that this land is considered prime agricultural land and could be used by future owners for purposes such as pasture land.

Council asked about the demolished foundation on the proposed parcel. Mr. Fernandes, Agent, advised that the land is underutilized, vacant, does not represent an efficient use of rural land, and the redevelopment and continued residential use is strongly desired.

Resolution: 201-2024

Moved by: T. Heeman

Seconded by: C. Crockett

THAT Application for Consent B7-24 requested by Brown Beattie O'Donovan LLP c/o Stephen Carneiro Fernandes on behalf of Kilbyrne Estates Ltd. to sever a parcel of land having a frontage of approximately 74 metres along Nissouri Road and an area of approximately 0.49 hectares from an existing agricultural parcel for lands legally described as Part of Lot 23, Concession 2 (geographic Township of West Nissouri), and designated as Part of Part 1 on Reference Plan 33R-5733, Municipality of Thames Centre, and known municipally as 22697 & 22649 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 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 minor variance approval to address any deficiencies of the Agricultural (A) Zone for the severed lot including but not limited to lot area, lot frontage as well as setbacks for Minimum Distance Separation (MDS).
4. That all applicable property taxes, municipal fees and charges be paid to the Municipality.
5. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official.
6. 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.
7. 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

Carried.

8.2 Application for Temporary Use Zoning By-law Amendment Z7-24 (Milleny Farms Inc., Applicant; Kevin Miller, Agent) - 4607 Lewis Road

A. Kertesz, Planner, presented Report No. PDS-035-24..

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 Applicant/Agent was not in attendance.

There were no members of the public in attendance.

There were no questions from Council.

Resolution: 202-2024

Moved by: M. Smibert

Seconded by: D. Lockie

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 4607 Lewis Road, for a temporary period not to exceed three (3) years, as filed by Kevin Miller on behalf of Milleny Farms Inc. (Z7-24), as included in the by-law portion of the agenda;

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

Carried.

8.3 Close Public Meetings

Resolution: 203-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT the Planning Public Meetings adjourn at 5:22 p.m. in order to sit as Committee of Adjustment under the *Planning Act*, to consider applications listed on the June 24, 2024 Council Agenda.

Carried.

9. COMMITTEE OF ADJUSTMENT

9.1 Minor Variance Application A6-24 (John Michael Ferguson and Dawn Patricia Ferguson, Applicant; John Michael Ferguson, Agent) - 17598 Gregory Drive

A. Kertesz, Planner, presented Report No. PDS-036-24.

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.

John Michael Ferguson and Dawn Patricia Ferguson, Applicants, were in attendance and had no additional information to provide.

There were no members of the public in attendance.

The Committee inquired about the purpose of the current zoning of the subject property.

The Planner advised of the difficulty to speak to the past, but advised this property has been identified as a property that can be reviewed and considered during a housekeeping amendment or zoning by-law review.

Resolution: 204-2024

Moved by: T. Heeman

Seconded by: M. Smibert

THAT Application for Minor Variance A6-2024 filed by John and Dawn Ferguson to permit the expansion of a legal non-confirming use in the form of a dwelling addition and to permit the dwelling addition to have an interior side yard setback of 2.4 metres and a front yard setback of 8 metres for a property municipally known as 17598 Gregory Drive in the Municipality of Thames Centre, 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.

9.2 Minor Variance Application A7-24 (David Willms, Applicant) - 21882 Nissouri Road

A. Kertesz, Planner, presented Report No. PDS-037-24.

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 after the posting of the agenda, written comments were received from member of the public, "Matt Hildebrand", in opposition to this application.

David Willms, Applicant, was in attendance and had no additional information to provide.

There were no members of the public in attendance.

The Committee asked for and received confirmation that there is an existing fence and trees on the subject property for mitigation.

Resolution: 205-2024

Moved by: T. Heeman

Seconded by: C. Crockett

THAT Application for Minor Variance A7-2024 filed by David Willms to permit a reduced minimum lot area of 486 square metres for lands legally described as Part of Lot 16, Concession 3 (geographic Township of West Nissouri) designated as Part 1 on Reference Plan 33R-21660, Municipality of Thames Centre, and known municipally as 21882 Nissouri Road 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.

9.3 Adjourn Committee of Adjustment

Resolution: 206-2024

Moved by: M. Smibert

Seconded by: D. Lockie

THAT the Committee of Adjustment adjourn at 5:32 p.m. and Council reconvene its regular meeting.

Carried.

10. ADOPTION OF MINUTES

10.1 Regular Council Minutes - June 10, 2024

Resolution: 207-2024

Moved by: T. Heeman

Seconded by: C. Crockett

THAT the minutes of the regular meeting of Council, held on June 10, 2024, **BE APPROVED** as circulated.

Carried.

11. REPORTS OF DEPARTMENTS

11.1 CAO-005-24 - 2025 Budget Process

Council asked about the feasibility of having parts of the budget presented to Council in advance, such as Capital. D. Barrick, Chief Administrative Officer, advised it could potentially be considered in November, however, the public engagement piece still needs to be completed first to provide information.

Council discussed the option of creating a budget committee, as well as alternatives to the creation of a committee, such as increased communication and workshops.

Council asked about the methods of public engagement. The Chief Administrative Officer advised the current focus is on survey implementation, however alternate options could be considered.

Council discussed not setting the tax rate, to ensure fiscal prudence and easier workload on staff.

Council discussed the option of implementing a multi-year budget.

Resolution: 208-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT Report No. CAO-005-24 be **RECEIVED** for information;

AND THAT the 2025 Budget be developed to provide Council with various tax levy scenarios for its consideration;

AND THAT the 2024 Budget timelines be tentatively scheduled, as outlined in this report, in order to achieve approval prior to the beginning of the 2025 fiscal period.

Carried.

11.2 PW-ES-004-24 - Oversized Waste Collection Program - 2024 Summary

Resolution: 209-2024

Moved by: M. Smibert

Seconded by: T. Heeman

THAT Report No. PW-ES-004-24 **BE RECEIVED** for information.

Carried.

11.3 F-004-24 - Financial Report (Unaudited) – January to December 2023

Council inquired about the total amount of interest earned. E. Schinbein, Director of Financial Services/Treasurer, advised that almost \$1.1 million in interest was generated in 2023.

Council asked about the variance within the transportation overhead. The Director of Financial Services/Treasurer confirmed an answer would be provided after the meeting.

Council inquired about accounting for interest differently in future budget cycles. The Director of Financial Services/Treasurer advised that during

the 2024 budget development process, interest estimates were updated to be more in line with actuals and this will also be done for the 2024 budget. Since Covid, interest rates have spiked and been difficult to predict, however it is practice going forward to allocate accordingly and not have spikes.

Resolution: 210-2024

Moved by: M. Smibert

Seconded by: D. Lockie

THAT Report No. F-004-24 be **RECEIVED** for information;

AND THAT Council **APPROVE** \$44,701.87 in 2023 Industrial Development Charge exemptions be funded from the Tax Stabilization Reserve;

AND THAT Council **APPROVE** \$30,500.00 raised from property taxes and storm, water and sewer rates in 2023 for one-time projects that were not initiated and/or completed in 2023 be transferred to “Reserve – Projects not Completed” to fund the future completion of these projects;

AND THAT Council **APPROVE** the 2023 surplus be transferred to reserves at December 31, 2023, as identified in this report.

Carried.

12. REPORTS OF COMMITTEES

Resolution: 211-2024

Moved by: T. Heeman

Seconded by: C. Crockett

THAT Reports of Committees Agenda Items 12.1 and 12.2 **BE APPROVED** as presented.

Carried.

12.1 Thames Centre Special Events Committee Meeting Minutes - June 12, 2024

Moved by: K. Carter

Seconded by: S. Baker

THAT staff **BE DIRECTED** to waive Corn Fest vendor fees for any registered non-profit organizations located within Thames Centre that wish to apply for a booth at the event, provided the organization provides proof of status;

AND THAT any registered non-profit organizations located outside of Thames Centre pay the full vendor fee for a booth at Corn Fest.

Carried.

Moved by: M. Mundy

Seconded by: N. Abra

THAT staff **BE DIRECTED** to amend the draft Corn Fest banner, as amended to the following:

- Include municipal slogan, “Together we grow”
- Include generic additional information – location, vendor information (using QR code for signup)
- Reduce the size of the QR Code
- Website information;

AND THAT the Committee authorize the Chair to provide **FINAL APPROVAL** to staff of the final proof of the banner.

Carried.

Moved by: D. Lockie

Seconded by: S. Baker

THAT Correspondence Items 8.1 **BE RECEIVED** for information.

AND THAT the Thames Centre Special Events Committee **APPROVE** the donation of \$1,500.00 towards 2024 Canada Day fireworks;

AND THAT this item be **REFERRED** to the committee’s 2025 budget discussions.

Carried.

Moved by: M. Murray

Seconded by: S. Baker

THAT Correspondence Item 8.2 be **RECEIVED** for information;

AND THAT Community Employment Choices be invited and hold a community booth at the upcoming Canada Day event.

Carried.

12.2 FlightExec Centre Expansion Ad Hoc Committee Meeting Minutes - June 19, 2024

13. UNFINISHED BUSINESS

No items.

14. NOTICE OF MOTION

No items.

15. NEW BUSINESS

No items.

16. BY-LAWS

Resolution: 212-2024

Moved by: M. Smibert

Seconded by: C. Crockett

THAT By-laws 48-2024 through 52-2024 **BE ADOPTED** as presented.

Carried.

16.1 By-law 48-2024 - Zoning By-law Amendment (4607 Lewis Road)

Being a By-law to amend the Comprehensive Zoning By-law 75-2006 for lands located at 4607 Lewis Road

16.2 By-law 49-2024 - Temporary Use Agreement (4607 Lewis Road)

Being a By-law to authorize the execution of a Temporary Use Agreement with Milleny Farms Inc. for lands located at 4607 Lewis Road

16.3 By-law 50-2024 - Community Improvement Plan

Being a By-law to adopt a Community Improvement Plan for the Municipality of Thames Centre

16.4 By-law 51-2024 - Delegation of Powers and Duties Policy

Being a By-law to adopt a Delegation of Powers and Duties Policy

16.5 By-law 52-2024 - Confirmatory By-law

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

17. MEETING SCHEDULE

Monday, July 15, 2024 at 5:00 p.m.

Monday, August 12, 2024 at 5:00 p.m.

18. ADJOURNMENT

Resolution: 213-2024

Moved by: T. Heeman

Seconded by: C. Crockett

RESOLVED THAT the meeting adjourn at 5:54 p.m.

Carried.

S. McMillan, Mayor

J. Nethercott, Clerk