

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES



Regular Council Meeting
Monday November 22, 2021
7:01 p.m. Council Chambers Fingal/Via Video Link

PRESENT: Mayor: G. Jones
Deputy Mayor: R. Monteith
Councillors: P. North
J. Pennings

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Jeff Carswell, Treasurer (7:00 p.m. – 9:50 p.m.)
Peter Kavcic, Dir. of Infrastructure & Development Serv.
(7:00 p.m. – 10:15 p.m.)
Bryan Pearce, Planner (7:55 p.m.– 9:33 p.m.)
June McLarty, Corporate Services Clerk (7:00 p.m.- 9:50 p.m.)

ABSENT: Councillor: S. Emons

Mayor Jones called the meeting to order at 7:01 p.m.

ADDENDUM TO THE AGENDA:

DISCLOSURES: None

ADOPTION OF MINUTES:

2021-317 Deputy Mayor Monteith – Councillor Pennings Minutes

THAT the Minutes of the Regular Council Meeting of November 8, 2021 and the minutes of the Special Meeting of November 15, 2021 are hereby adopted, and

THAT Council has reviewed the minutes of the Young @ Heart Committee meeting of August 17, 2021 and the minutes of the Winterfest/Family Day Committee meeting of October 26, 2021

CARRIED

REPORT:

2022 Budget – User Fees, Background and Direction

Treasurer Jeff Carswell presented his report to Council. He outlined some of the proposed changes that may affect the 2022 budget.

DELEGATION:

7:26 p.m. -7:45 p.m.

Margaret and Ian Chinnery presented to Council concerns about Ms. Chinnery's water bill, expressing that it is inexplicably too high. Ms. Chinnery indicated that she has checked for leaks and her septic tank is not full, however she informed Council that her son Ian has filled up water totes, however these are not large volume. Staff informed Ms. Chinnery that multiple rereads have been done on her meter and that her meter is not capable of over charging for the amount of water that goes through it.

2021-318

Councillor North – Deputy Mayor Monteith

Chinnery Water Bill

THAT the decision on the water bill be deferred until staff can do more research and the interest on the account be waived until that time.

CARRIED

7:45 p.m. – 8:03 p.m.

Elgin Group Police Services Board – Reporting on our Progress

Inspector Mark Loucas was introduced by Ida McCallum. Inspector Loucas outlined the Board's 2020-2022 Strategic Plan, its priorities and their action plan.

Ida McCallum gave a PSB update on the Community Safety and Policing Act (2022).

8:03 p.m. – 8:20 p.m.

South Central Ontario Region Economic Development Corporation – Annual Partner Update

Kimberly Earls, Executive Director, SCOR EDC provided an annual update partner update to Council.

PLANNING:

Draft Plan of Condominium

8:20 p.m.

In attendance: D. Sparenberg, J. Pszczola, J. Jenskey, H. Tebo, B. Meaney, C. Meaney, D. Meek, S. Burns, T. Gill

**2021- 319 Councillor Pennings – Deputy Mayor Monteith Public Meeting
Draft Plan of Condominium**

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider an application for a Draft Plan of Condominium on the property owned by 1873828 Ontario Limited C/O Dave Sparenberg C/O Jody Pszczola, Dillon, Associate, Dillon Consulting Limited.

CARRIED

The Mayor stated that this a public meeting as required by Section 51 of the Planning Act to afford any person an opportunity to make representation with respect to a proposed draft plan of condominium. This public meeting is delegated to the Township of Southwold from the County of Elgin.

This proposed draft plan of condominium is for vacant land plan of condominium consisting of thirty-two (32) units, to be developed in the form of townhouse dwellings. The proposed landscape areas, internal driveways, services and visitor parking spaces would be located within a common element, to be maintained and managed by a condominium corporation.

No member of Council declared a disclosure of interest on this proposal.

Signs were posted on the property by October 29th, 2021 and notices were mailed to property owners within 120 m and emailed to agencies on October 28th, 2021.

Planner Bryan Pearce presented his report.

It was reported that Township departments have no concerns on this project. Written submissions were also received and were detailed in the staff report. Additional written comments were received, since time of writing the report; and are summarized as follows: Ted Gill, 39770 Fingal Line. Owner of the abutting property to the west. As access and security is a main concern please consider the following:

- A separated parcel of land described as South Part Lot 39, Concession SNBTR that abuts the proposed development and is essentially landlocked.
- Experienced increased unauthorized access to those lands as a result of subdivision growth. I respectfully request dedicated

access from the abutting development lands for ongoing maintenance and to control unauthorized access.

- Hope that such access can be obtained off an extension of the municipal road Glengariff Drive into the Hydro Corridor.
- Request that the previously discussed fencing abutting my property be completed for the future and existing projects.

Jody Pszcola reported that she has nothing further to add from Mr. Pearce's report other than that this is part of the Phase 2 application and these lands have always been planned to be developed.

H. Tebo, 39824 Shady Lane Cres. questioned why there is no sound barrier required for this proposal along the CN rail property. He questioned whether the lands behind his property be turned into a road way in the future.

Planner Bryan Pearce responded that CN provided comments and CN had indicated that the condo plan lands don't require a berm. Mr. Tebo questioned if CN has any plans to sell their lands to the Township so that it may be used as a road. Mr. Pearce responded that CN would have a separate process for surplus lands. Mayor Jones commented that CN has never approached the municipality to purchase the lands.

J. Jenskey, 39926 Shady Lane Cres., questioned what the development charges would be on Phase 3 of this development for the condos. Mr. Pearce responded that is based on the housing type. Treasurer Jeff Carswell also responded that it would be the same as a single-family dwelling.

J. Jenskey asked if they would be part of reduced rate for development charges. Mr. Carswell responded, that these properties would be part of the phase in process for development charges, as established in the Development Charges By-Law.

J. Jenskey asked what the timeline is for this development. Mr. Pearce responded that the developer would have to complete the conditions imposed and then they will have to enter into a development agreement. After that, building permits can be issued. Ms. Pszczola commented that they would like to get started as soon as the agreements are in place.

J. Jenskey questioned where the condo units were one level or two. Ms. Pszczola responded that they are one level units.

J. Jenskey questioned what is going to be done for trees and nature preservation. Mr. Pearce responded that part of the design concept that would have to do a tree inventory. Part of the site plan review process, the developer will have to include trees in their design. Ms. Pszczola commented that they are required to plant one tree per lot. Mr. Pearce also commented that over 50% of the lands are associated with the

hydro easement and should not have trees on it. Mr. Sparenberg commented that he has been working with Jeff Lawrence from KCCA. Over the 3 phases of the subdivision, over 5000 trees have been planted in a program with KCCA.

C. Meaney, 139 Glengariff Dr. , questioned the extension or change at the end of Glengariff Dr. Mr. Pearce responded that it would provide access to the lands to the west so that they have street frontage to a public street. Ms. Meaney questioned the lands at the end of Glengariff and whether there would be access to it. Mr. Pearce responded the change will provide an improved turnaround area. Ms. Meaney questioned if there was supposed to be a parking area or open area where people could access the forest in the back area. Mr. Pearce responded that those are privately owned lands and the owner would be able to have an entrance off the bulb and access his lands, so that their property would not be landlocked. Ms. Meaney questioned if there this was just for the owner to access and if there was any discussion on the public having access. Mr. Pearce responded that this is not part of this condominium plan of application.

Councillor Pennings questioned the railway drawings and whether or not they were abandoned. Ms. Pszczola responded that it is considered a spur line. Mr. Tebo commented that it could be used as a shutting line in the future.

Council discussed the fencing request. Mr. Gill commented that there has been lot of unauthorized access to his property and this has resulted in damage to his property. He would appreciate a fence being constructed

2021-320

Councillor Pennings – Deputy Mayor Monteith

**Draft Plan of
Condominium**

THAT Council of the Township of Southwold receive Report PLA 2021-38 regarding Condominium Application 34CD-SO2101 – Comment to the County of Elgin;

AND THAT Council of the Township of Southwold recommends that the draft plan of condominium be revised with the County of Elgin, to facilitate the natural extension and improved turnaround facility of Glengariff Drive by removing these lands from the draft plan, in accordance with the revised draft plan of vacant land plan of condominium, in accordance with Appendix Two of Report PLA 2021-38;

AND THAT Council of the Township of Southwold recommends approval to the Council of County of Elgin for the revised condominium application, File 34CD-SO2101, subject to the Lower-Tier Municipal conditions in Appendix Three of Report PLA 2021-38;

AND THAT Council of the Township of Southwold directs Administration to provide Report PLA 2021-38 as Municipal comments to the County of Elgin;

AND FURTHER THAT Council of the Township of Southwold directs Administration to provide the statutory public meeting minutes of November 22, 2021 to the County of Elgin, as drafted by the CAO/Clerk, prior to Council's consideration approval of the said minutes at a future Council Meeting.

AND FURTHER THAT Council grants the request for the construction of an approximate 50m long chain link westerly property fence, from the north western property line, to the Hydro Easement.

CARRIED

2021-321 Councillor North – Councillor Pennings Adjournment of Public Mtg

THAT the public meeting to consider the draft plan of condominium on the property owned by 1873828 Ontario Limited C/O Dave Sparenberg C/O Jody Pszczola, Associate, Dillon Consulting Limited ends at **9:04 p.m.**

CARRIED

COMMITTEE OF ADJUSTMENT

Minor Variance MV 2021-11.

In attendance: D. Sparenberg, J. Pszczola, J. Jenskey, H. Tebo, B. Meaney, C. Meaney, D. Meek, S. Burns, T. Gill

2021-322 Deputy Mayor Monteith – Councillor North MV 2021-11

THAT the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance application MV 2021-11, filed by 1873828 Ontario Limited C/O Dave Sparenberg C/O Jody Pszczola, Associate, Dillon Consulting Limited at **9:04 p.m.**

CARRIED

2021-323 Councillor Pennings – Councillor North Adjournment of C of A

THAT the meeting of the Committee of Adjustment to hear Application MV 2021-11, filed by 1873828 Ontario Limited C/O Dave Sparenberg C/O Jody Pszczola, Dillon, Associate, Dillon Consulting Limited at **9:15 p.m.** and the regular meeting of council reconvene.

Break 9:15 p.m. – 9:18 p.m.

REPORTS:

2022 Budget – User Fees, Background and Direction

Council further discussed the Treasurer’s report.

2021-324 Deputy Mayor Monteith – Councillor Pennings 2022 Budget – Fees & Direction

THAT Council approve the 2022 User Fees as set out in Report FIN 2021-38 and direct staff to prepare the necessary by-laws; and

THAT Council direct staff to prepare the 2022 Budget based on a 4.4% adjustment to the Wage Grid, in accordance with the Pay Administration Policy; and

THAT Council provide feedback and direction for preparation of the draft 2022 Budget and Capital Forecast.

CARRIED

STAFF DIRECTION

Staff was directed by Council to prepare a budget with a proposed tax increase.

Section 357/Tax Incentive Adjustment Application

Treasurer Jeff Carswell presented his report to Council.

2021- 325 Councillor North – Councillor Pennings Section 357 Application

THAT Council approves the total adjustment of taxes for the 2021 tax year resulting from Municipal Act, Section 357/Tax Incentive Adjustment applications, as presented, in the amount of \$1,859.75.

CARRIED

Southwold Winterfest 2022

CAO/Clerk Lisa Higgs presented her report to Council, explaining that her event will be held outdoors.

The Committee has had discussions on whether or not to allow food trucks. The Committee is asking for funding so this event can remain free to those that attend.

THAT Council approves the proposal by the Family Day/Winterfest Committee to host a Winterfest Event with COVID-19 Safety Protocols in Place at the Keystone Complex on February 19, 2022;

AND THAT Council provides direction to the Committee on the proposed elements for the proposed event;

AND THAT Council direct staff to apply to the Green Lane Community Trust for funding of \$5,000.00 for the purpose of hosting a Winterfest event.

CARRIED

STAFF DIRECTION

Staff was directed by Council to not include the food truck element as part of the outdoor Winterfest and to apply to the Green Lane Community Trust Fund for funding.

Gift Certificates for Staff

Lisa Higgs presented her report to Council.

THAT Council receives the report on the Christmas Party and Gift Certificates as information.

AND THAT Council supports the same amounts as 2020.

CARRIED

CORRESPONDENCE:

- Waiver of Fees Request – Shedden Ag Society
- Waiver of Fees Request – Eastern Star
- Waiver of Fees Request – Ray Lunn SS#12 Community Picnic
- Waiver of Fees Request – Biker’s Against Child Abuse (BACA)
- Correspondence from Elgin County RE: CEMC Amending Agreement

THAT Council of the Township of Southwold approves the waiver of fees request in the amount of \$550.00 from the Shedden Ag Society for the use of the Keystone complex for their 10 monthly meetings.

AND THAT Council of the Township of Southwold approves the requested fee reduction from the Golden Acres Eastern Star Chapter in the amount of \$1100.00 for 11 meetings at the Keystone Complex.

AND THAT Council of the Township of Southwold approves the waiver of fees request from the SS#12 Community Picnic in the amount of \$80.00 for the use of the Fingal Pavilion on June 25, 2022.

AND THAT Council of the Township of Southwold approves the waiver of fees request from Bikers Against Child Abuse in the amount of \$2250.00 for the use of the Keystone Complex on December 11, 2021, January 8, 2022, February 12, 2022, March 12, 2022 and April 9, 2022.

CARRIED

Elgin County – CEMC Amending Agreement

Council reviewed the correspondence received from Elgin County.

BY-LAWS:

- By-law No. 2021-69, being a by-law to amend By-law No. 2018-23 being a By-law to provide rules governing the proceedings of Council and the conduct of its members.
- By-law No. 2021-70, being a by-law to amend By-law No. 2021-21, appointment of Community Emergency Management Coordinator.
- By-law No. 2021-71, being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on November 15, 2021 and November 22, 2021

2021-329

Councillor North – Deputy Mayor Monteith

By-laws

THAT By-law Nos. 2021-69, 2021-70 and 2021-71 be read a first and second time.

CARRIED

2021-330

Deputy Mayor Monteith – Councillor Pennings

By-laws

THAT By-laws Nos. 2021-69, 2021-70 and 2021-71 read a third time and finally passed.

CARRIED

OTHER BUSINESS:

- Email from Prime Minister Justin Trudeau's office RE: Correspondence received regarding Long-Term Care Homes resolution
- Resolution from the Municipality of Mattice-Val Côté RE: Property Assessment News Release from CN RE: "Business Ambition for 1.5°C"

- and the "Race to Zero" Campaign
- City of St. Thomas RE: Notice of Virtual Meeting – St. Thomas Pollution Prevention Control Plan
- Resolution from Town of LaSalle RE: COVID-19 Testing at Land Border

2021-331 Councillor North – Deputy Mayor Monteith Other Business Items

THAT Council receive and file the items under Other Business.

CARRIED

CLOSED SESSION:

2021-332 Deputy Mayor Monteith – Councillor Pennings Closed Session

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **9:50 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- Personal Matters about an identifiable individual, including municipal or local board employees. (Section 239 (2) (b)) – Water Department
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose (section 239 (2) (f)) – Minor Variance Appeal

CARRIED

ADJOURNMENT:

2021-333 Councillor North - Deputy Mayor Monteith Adjournment

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **10:47 p.m.**

CARRIED



Mayor
Grant Jones



CAO/Clerk
Lisa Higgs