

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES



Regular Council Meeting

Tuesday May 24, 2022

7:00 p.m. Council Chambers, Fingal/Via Video Link

PRESENT: Mayor: G. Jones
Deputy Mayor: R. Monteith
Councillors: S. Emons (7:28 p.m.)
J. Pennings

ALSO PRESENT: Jeff Carswell, Dir. of Corporate Services/Treasurer (7:00 p.m.– 8:21 p.m.)
Peter Kavcic, Dir. of Infrastructure & Development Serv. (7:00 p.m.– 8:21 p.m.)
Paul Van Vaerenbergh, Public Works Superintendent (7:00 p.m.–8:21 p.m.)
Brent Clutterbuck, Drainage Superintendent (7:00 p.m.–7:12 p.m.)
Heather James, Planner (7:00 p.m.–8:06 p.m.)
June McLarty, Corporate Services Clerk (7:00 p.m.– 8:21 p.m.)

ABSENT: Councillor P. North

Mayor Jones called the meeting to order at 7:00 p.m.

ADDENDUM TO THE AGENDA:

BY-LAW:

10 (h) By-law 2022-50, being a By-Law to authorize a Purchase and Sale Agreement for Part of Lot 15 Concessions South of Talbot Road designated as Part 1 on 11R-10216, save and except Parts 1-10 on 11R-10769

DISCLOSURES:

There were no disclosures

ADOPTION OF MINUTES:

2022-139 Councillor Pennings – Deputy Mayor Monteith Minutes

THAT the Minutes of the Regular Council Meeting of May 9, 2022 are hereby adopted;

AND THAT Council has reviewed the minutes of the Zero Waste Committee Meeting of April 1, 2022, and minutes of the Parks Committee Meeting May 5, 2022.

CARRIED

PLANNING:

2022-140 Deputy Mayor Monteith – Councillor Pennings MV 2022-04

THAT the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance application MV 2022-04, filed by 8735506 Canada Ltd (Vara Homes Inc.) at **7:02 p.m.**

CARRIED

**2022-141 Deputy Mayor Monteith – Councillor Pennings Adjournment of
C of A**

THAT the meeting of the Committee of Adjustment to hear application MV 2022-04, filed by 8735506 Canada Ltd (Vara Homes Inc.) adjourns at **7:08 p.m.** and the regular meeting of council reconvene.

CARRIED

DRAINAGE:

**2022-142 Councillor Pennings – Deputy Mayor Monteith McIntosh Drain
No. 2 2022 – Main Portion**

THAT Council of the Township of Southwold accepts the tender from Robinson Farm Drainage in the amount of \$407 828.50 (plus HST) for the main portion of the McIntosh Drain No. 2 2022 tender.

CARRIED

THAT Council of the Township of Southwold accepts the tender from VanBree Drainage and Bulldozing Limited in the amount of \$269 925.00 (plus HST) for the McIntosh Drain No. 2 2022 Bore Portion Tender.

CARRIED

PLANNING:

7:15 p.m. Zoning By-law Amendment - ZBA 2022-03 1454664 Ontario Inc. (Dave Philips),
10096 Iona Road

In attendance: Dave Philips

**2022- 144 Councillor Pennings – Deputy Mayor Monteith Public Meeting
ZBA 2022-03**

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider application to amend the zoning on the property owned by 1454664 Ontario Inc. (Dave Philips).

CARRIED

The Mayor stated that this a public meeting required by Section 34 of the Planning Act to afford any person an opportunity to make representation with respect to a proposed to re-zoning by-law amendment to rezone the subject lands from Institutional (I) to Residential 1 (R1) to permit the conversion of a former place of worship to a single detached dwell with a civic address of 10096 Iona Road.

The Mayor asked if any member of Council have a disclosure of interest concerning this proposals. None were reported.

The Mayor asked the Clerk what method of notice and when was the notice given for this meeting. The Clerk responded that a sign was posted on the property by May 4th, 2022. Notices were mailed to property owners within 120 metres and emailed to Agencies on May 4th, 2022.

Planner Heather James presented her report to Council. Comments were received from staff and were detailed in the Planning Staff Report. Agency and public comments were also received and detailed in the Planning Staff Report. Since that time no additional comments have been received.

The Mayor stated that before the floor is open to questions from the public, please be advised if any person from the public wishes to receive further information on the action of

Council regarding the decision on the application for zoning by-law amendment, please ensure that they email their name, address, postal code and phone number to the planner or clerk by May 25th, 2022. Any person that has contacted the planner to be part of the public meeting will receive this further information automatically.

The Mayor asked if the owner and/or application is in attendance. If so, please identify yourself so that the Township has a record of your attendance at this public meeting, with your name and civic address.

No additional comments or questions were received from the owner.

No additional comments or questions were received from Council.

2022-145 Deputy Mayor Monteith – Councillor Pennings ZBA 2022-03

THAT Council of the Township of Southwold receive Report PLA 2022-11 regarding Zoning By-law Amendment Application ZBA 2022-03 – Recommendation Report;

AND THAT Council of the Township of Southwold approve the proposed Zoning By-law Amendment Application ZBA 2022-03, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2022-11.

CARRIED

**2022-146 Councillor Pennings – Deputy Mayor Monteith Adjournment of
Public Mtg**

THAT the public meeting to consider the application to amend the zoning on the property owned by the 1454664 Ontario Inc. (Dave Philips) ends at **7:21 p.m.**

CARRIED

REPORT:

**2022-147 Councillor Pennings – Deputy Mayor Monteith Draft Township
Design Guidelines Manual
– Part 1**

THAT Council approve, in principle, the draft Township Design Guidelines Manual Part 1 and authorize a 20-working day consultation period with consultants and development industries.

CARRIED

PLANNING:

7:30 p.m. Zoning By-law Amendment - ZBA 2022-04

2022-148 Councillor Emons – Councillor Pennings

**Public Meeting
ZBA 2022-04**

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider an application to add a new subsection 3.48 Additional Dwellings Units to the Township of Southwold Comprehensive Zoning By-law 2011-14.

CARRIED

The Mayor stated that this a public meeting required by Section 34 of the Planning Act to afford any person an opportunity to make representation with respect to a proposed to re-zoning by-law amendment to add a new subsection 3.48 additional dwelling units to the Township of Southwold Comprehensive Zoning By-law which will include zoning permissions and regulations for additional dwelling units in the Township of Southwold.

The Mayor asked if any member of Council have a disclosure of interest concerning this proposals. None were reported.

The Mayor asked the Clerk what method of notice and when was the notice given for this meeting. The Clerk responded that a notice was published in the West Elgin Chronicle and emailed to Agencies on April 28th, 2022.

Planner Heather James presented her report to Council. She reported that the next project for the planning department is new site plan by-law that will speak to these additional dwelling units. Comments were received from staff and detailed in the Planning Staff Report and By-law. No agency or public comments were received, at the time of writing the Planning Staff Report. Since that time, written comments have been received from Lower Thames Valley Conservation stating that Section 3.48 (i) Additional Dwelling Units shall not exceed 40% of gross floor area of the primary dwelling unit. A suggestion that this be expanded upon that this is still subject to zoning regulations of Total Maximum Gross Floor Area. Proponents may attempt to use this wording to their advantage when it should state that ADUs shall not exceed 40% of gross floor area of the primary dwelling unit; and contribute to the property's Maximum Lot Coverage.

The Mayor stated that before the floor is open to questions from the public, please be advised if any person from the public wishes to receive further information on the action of Council regarding the decision on the application for zoning by-law amendment, please ensure that they email their name, address, postal code and phone number to the planner or clerk by May 25th, 2022. Any person that has contacted the planner to be part of the public meeting will receive this further information automatically

No questions were asked from the public

Deputy Mayor Monteith questioned if we were going with what the Conservation Authority is requesting regarding the 40%. Can we put stipulations in the By-law? Ms. James responded that we need to review the suggestion that was made by the Conservation Authority and decide on it.

Councillor Emons questioned is the intent that it is entire other house on the property or is it a granny suite or a small dwelling. We are not putting two homes on the property, it is a secondary dwelling that is reduced in size. Ms. James responded that correct and is the intent on the average size home. If someone had a 3000 -4000 square foot home, they could have a large additional dwelling unit.

Councillor Emons questioned if it is better to have a square footage than a percentage. Ms. James responded that as a team they look at this and they seemed comfortable having it as a percentage.

Councillor Pennings questioned if there is a residence built into a shop, drive shed or horse barn, is the percentage based on the residential part of the dwelling. Ms. James responded no it would be not on whole building, just a percentage of that building.

Deputy Mayor questioned the percentage and setting up the dwelling to be wheelchair accessible. It will take a greater area. Ms. James responded if the proposal exceeded the percentage, they would need to apply for a minor variance. Deputy Mayor commented that we need to look at the square footage.

Councillor Pennings commented that he was okay with a percentage if it lower than the square footage.

2022-149 Councillor Pennings – Councillor Emons

ZBA 2022-04

THAT Council defer the passing of ZBA 2022-04 until such time as staff can prepare a report on the comments received from Lower Thames Conservation Authority regarding additional dwelling units that should not exceed 40% of the gross floor area of the primary dwelling unit.

CARRIED

2022-150 Deputy Mayor Monteith – Councillor Pennings

Adjournment Public Meeting ZBA 2022-04

THAT the public meeting to hear application ZBA 2022-04 to add a new subsection 3.48 Additional Dwellings Units to the Township of Southwold Comprehensive Zoning By-law 2011-14 ends at **7:48 p.m.**

CARRIED

THAT Council of the Township of Southwold receive Report PLA 2022-13 regarding Consent Applications E40-22, E41-22, and E42-22 – Comments to the County of Elgin;

AND THAT Council of the Township of Southwold recommends approval of the Land Division Committee of County of Elgin for the consent applications, File E40-2022, E41-2022 and E42-2022, subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2022-13;

AND FURTHER THAT Council of the Township of Southwold directs Administration to provide Report PLA 2022-13 as Municipal comments to the County of Elgin.

CARRIED

REPORTS:

2022-152

Councillor Pennings – Councillor Emons

Public Works Building
Project Update

THAT Council endorse the Public Works building standalone option 2 as the preferred option to be advanced in detailed design.

CARRIED

County Council Highlights

Mayor Jones presented this report to Council.

CORRESPONDENCE:

- Waiver of Fee Request – Elgin Amateur Radio Society
- Appointment of Zero Waste Committee Member- Andrea Di Lullo

2022-153

Councillor Emons – Deputy Mayor Monteith

Fee Waiver Request
– Elgin Amateur Radio Society

THAT Council of the Township of Southwold approves the one day \$90.00 waiver of fee for the use of the pavilion in Shedden for the Elgin Amateur Radio Society Field Day event that is to be held on June 25 and June 26, 2022.

CARRIED

THAT Council approves the appointment of Andrea Di Lullo to the Southwold Zero Waste Committee.

CARRIED

BY-LAWS:

- By-law No. 2022-24, being a by-law to provide for drainage works – McIntosh Drain No. 2 2022, third and final reading
- By-law No. 2022-44, being a By-law to amend By-law No. 2011-14, 1454665 Ontario Inc., 10096 Iona Road
- By-law No. 2022-46, being a by-law to to establish an Election Joint Compliance Audit Committee for the 2022 Municipal Election in accordance with the Municipal Elections Act, 1996, as amended
- By-law No. 2022-47, being a by-law to appoint various Township Officials
- By-law No. 2022-48, being a by-law to authorize a lease agreement with T. Glover for lands on Registered Plan 11R-10840
- By-law No. 2022-49, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on May 24, 2022
- By-law 2022-50, being a By-Law to authorize a Purchase and Sale Agreement for Part of Lot 15 Concessions South of Talbot Road designated as Part 1 on 11R-10216, save and except Parts 1-10 on 11R-10769

2022-155 Deputy Mayor Monteith – Councillor Pennings

By-laws

THAT By-laws Nos. 2022-44, 2022-46, 2022-47, 2022-48, 2022-49 and 2022-50 be read a first and second time.

CARRIED

2022-156 Councillor Emons – Councillor Pennings

By-laws

THAT By-laws Nos. 2022-24, 2022-44, 2022-46, 2022-47, 2022-48, 2022-49 and 2022-50 be read a third time and finally passed.

CARRIED

OTHER BUSINESS:

- Central Elgin Zoning By-law Amendment -43315 Roberts Line

Council reviewed the item under Other Business.

ADJOURNMENT:

2022-157 Deputy Mayor Monteith – Councillor Pennings

Adjournment

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **8:21 p.m.**

CARRIED



Mayor
Grant Jones



Deputy Clerk
Jeff Carswell