

THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES



Regular Council Meeting
Monday September 12, 2022
7:00 p.m. Council Chambers, Fingal/Via Video Link

PRESENT: Mayor: G. Jones
Deputy Mayor: R. Monteith
Councillors: S. Emons
J. Pennings

ALSO PRESENT: Jeff Carswell, CAO/Clerk
Michele Lant, Director of Corporate Services/Treasurer
(7:00 p.m.- 9:14 p.m.)
Peter Kavcic, Dir. of Infrastructure & Development Serv.
(7:00 p.m.- 10:40 p.m.)
Corey Pemberton, Dir. of Building & Community Services
(7:00 p.m. - 8:53 p.m.)
Paul Van Vaerenbergh, Public Works Superintendent
(7:00 p.m.- 8:49 p.m.)
Jeff McArthur, Director of Emergency Services/Fire Chief
(7:00 p.m. - 9:14 p.m.)
Kevin Goodhue, Water/Wastewater Compliance Superintendent
(7:00 p.m.- 8:49 p.m.)
Josh Mueller, Planner (7:00 p.m.- 8:13 p.m.)
Tracey Pillion- Abbs, Planner (7:00 p.m. - 8:13 p.m.)
June McLarty, Corporate Services Clerk (7:00 p.m.- 9:14 p.m.)

ABSENT: Councillor P. North

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

DISCLOSURES:

There were no disclosures

ADOPTION OF MINUTES:

2022-233 Councillor Pennings – Councillor Emons Minutes

THAT the Minutes of the Regular Council Meeting of August 8, 2022 are hereby adopted.

CARRIED

2022-234 Deputy Mayor Monteith – Councillor Pennings Committee Mtg Meetings

THAT Council has reviewed the Minutes of the Young @ Heart Committee Meeting of June 7, 2022 and the Court of Revision Meeting of August 8, 2022.

CARRIED

PLANNING:

7:00 p.m. Committee of Adjustment MV 2022-06 and 2022-07

**2022-06 Eckel C/O T. Keck, Gray & Fink Ltd, 40205 Longhurst Line
2022-07 Hiebert, 11645 Sunset Road**

In attendance: T. Keck, A. Hiebert, G. Williams, B. Harrison

2022- 235 Councillor Pennings – Deputy Mayor Monteith MV 2022-06 and 2022-07

THAT the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance applications MV 2022-06, filed by B. and J. Eckel C/O T. Keck, Gray & Fink Ltd, 40205 Longhurst Line and 2022-07 filed by A. Hiebert, 11645 Sunset Road at **7:01 p.m.**

CARRIED

2022-236 Councillor Pennings – Deputy Mayor Monteith Adjournment of C of A

THAT the meeting of the Committee of Adjustment to hear applications MV 2022-06, filed by B. and J. Eckel C/O T. Keck, Gray & Fink Ltd, 40205 Longhurst Line and MV 2022-07 filed by A. Hiebert, 11645 Sunset Road adjourns and the regular meeting of council reconvenes at **7:42 p.m.**

CARRIED

**2022-237 Councillor Pennings – Councillor Emons Consent Application
E66-22, Turville C/O
Domus Developments
(London) Inc. 4509 Union Road**

THAT Council of the Township of Southwold receive Report PLA 2022-31 regarding Consent Applications E66-22 – Comments to the County of Elgin;

AND THAT Council of the Township of Southwold recommends approval of the Land Division Committee of the County of Elgin for the consent applications, E66-22, subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2022-31;

Council of the Township of Southwold directs Administration to provide Report PLA 2022-31 as Municipal comments to the County of Elgin.

CARRIED

7:45 p.m. Zoning By-law Amendment - ZBA 2022-08, J. and K. Lethbridge C/O H. Button, Gunn & Associates, 36434 McDiarmid Line, ZBA 2022-09 B. Fulton and B. Siebenmorgen C/O. D. Roe, 36427 Talbot Line, and ZBA 2022-10, Turville C/O. Domus Development (London) Inc., 4509 Union Road.

In attendance:

A. Lethbridge, 36434 McDiarmid Line

H. Button, Gunn & Associates, 108 Centre Street St. Thomas, ON

**2022-238 Deputy Mayor Monteith – Councillor Emons Public Meetings
ZBA 2022-08, ZBA 2022-09
and ZBA 2022-10**

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider applications to amend the zoning on the properties owned by J. and K. Lethbridge C/O H. Button, Gunn & Associates, 36434 McDiarmid Line, ZBA 2022-09 B. Fulton and B. Siebenmorgen C/O. D. Roe, 36427 Talbot Line, and ZBA 2022-10, Turville C/O. Domus Development (London) Inc., 4509 Union Road.

CARRIED

The Mayor stated that this is a public meeting as required by Section 34 of the Planning Act to afford any person an opportunity to make representation with respect to the a proposed zoning by-law amendment to rezone the subject lands located a 36434 McDiarmid Line from the Agricultural 1(A1) Zone to A3 Zone and the severed parcel portion of the subject lands from the Agricultural 1 (A1) Zone to A1-66, in order to recognize the lot area of the lot being created in the Township of Southwold.

The Mayor asked Council if they had any disclosure of interest concerning the proposals. None were disclosed.

The Mayor asked the Clerk what method of notice and when was the notice given to the public for the meeting. The Clerk responded that notices were mailed to neighboring property owners within 120 meters of the subject lands and emailed to commenting agencies on August 18th, 2022. A sign was posted on the subject property prior to the deadline of August 24th, 2022.

Planner Josh Mueller presented the staff report prepared by Planner Tracey Pillion-Abs.

The Mayor asked the Clerk if any comments were received from staff. The Clerk responded yes staff comments were received as detailed in the Planning Staff Report.

The Mayor asked if any written submissions were received. The Clerk responded agency comments were received as detailed in the Planning Staff Report. No public comments were received at the time of writing the Planning Staff Report.

The Mayor stated that before I open the floor to questions from the public, please be advised if any person from the public wished 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 September 13, 2022. Any person that has contacted the Planner to be part of the public meeting today will receive this further information automatically.

No questions were asked by the public or Council.

2022-239 Councillor Emons – Deputy Mayor Monteith ZBA 2022-08
Lethbridge, C/O H. Button
36434 McDiarmid Line

THAT Council of the Township of Southwold receive Report PLA 2022-28 regarding Zoning By-law Amendment Application ZBA 2022-08 – Recommendation Report; and,

THAT Council of the Township of Southwold approve the proposed Zoning By-law Amendment Application ZBA 2022-08, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2022-28.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the applicants or another member of the public who have provided comments. This public meeting is now concluded.

ZBA 2022-09

The Mayor stated that this is a public meeting as required by Section 34 of the Planning Act to afford any person an opportunity to make representation with respect to a proposed zoning by-law amendment to rezone the subject lands located at 36427 Talbot Line from Agricultural 1 (A1) to Residential (R1) for the proposed three lots and to a site-specific Agricultural 1 Special Provision 68 (A1-68) for the retained land to address the new lot area as a Land Division Committee Condition of approval for applications E40-22 to E42-22.

The Mayor asked if any member of Council had a disclosure of interest concerning the proposals. None were received.

The Mayor asked the Clerk what method of notice and when was the notice given to the public for this meeting. The Clerk responded that notices were mailed to neighboring property owners within 120 meters of the subject lands and emailed to commenting agencies on August 18th, 2022. A sign was posted on the subject property prior to the deadline of August 24th, 2022.

Planner Josh Mueller presented the staff report prepared by Planner Tracey Pillion-Abbs.

The Mayor asked if any comments were received from staff. The Clerk responded yes. Staff comments were received as detailed in the Planning Staff Report.

The Mayor asked if any written submissions were received. The Clerk responded that agency comments were received as detailed in the Planning Staff Report. No public comments were received at the time of writing the Planning Staff Report.

The Mayor stated that before I open the floor to questions from the public, please be advised if any person from the public wished 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 September 13, 2022. Any person that has contacted the Planner to be part of the public meeting today will receive this further information automatically.

No questions were asked from Council or the public.

**2022-240 Deputy Mayor Monteith – Councillor Pennings ZBA 2022-09
Fulton/Siebenmorgen
C/O D. Roe, 36427 Talbot Line**

THAT Council of the Township of Southwold receive Report PLA 2022-29 regarding Zoning By-law Amendment Application ZBA 2022-09 – Recommendation Report; and,

THAT Council of the Township of Southwold approve the proposed Zoning By-law Amendment Application ZBA 2022-09, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2022-29.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the applicants or another member of the public who have provided comments. This public meeting is now concluded.

ZBA 2022-10

In attendance:

B. Rosser, Professional Land Use Planner
J. Van de Gevel, 5111 Union Road
D. Shields, 4263 Union Road

The Mayor stated that this is a public meeting as required by Section 34 of the Planning Act to afford any person an opportunity to make representation with respect to a proposed zoning by-law amendment to rezone the subject lands located at 4509 Union Road from Site-Specific Agricultural 3 (A3-2) to Site-Specific Agricultural 1 (A1-67) to address the resulting parcel size to 2.8 ha and to permit the existing single detached dwelling use as a Land Division Committee condition of the approval for application E66-22.

The Mayor asked if any member of Council had a disclosure of interest concerning the proposals. None were received.

The Mayor asked the Clerk what method of notice and when was the notice given to the public for this meeting. The Clerk responded that notices were mailed to neighboring property owners within 120 meters of the subject lands and emailed to commenting agencies on August 18th, 2022. A sign was posted on the subject property prior to the deadline of August 24th, 2022.

The Mayor asked if any comments were received from staff. The Clerk responded yes. Staff comments were received as detailed in the Planning Staff Report.

The Mayor asked if any written submissions were received. The Clerk responded that agency comments were received as detailed in the Planning Staff Report. No public comments were received at the time of writing the Planning Staff Report.

The Mayor stated that before I open the floor to questions from the public, please be advised if any person from the public wished 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 September 13, 2022. Any person that has contacted the Planner to be part of the public meeting today will receive this further information automatically.

J. Van De Gevel questioned the rezoning of the retained parcel. Ms. Pillion-Abbs responded that the retained parcel will be zoned Site-Specific Agricultural 1 (A1-67) to address the resulting parcel size to 2.8 ha to permit a single detached dwelling and the severed parcel in the Settlement Reserve Zone.

Mr. Van De Gevel questioned if there would be a chance to sever off another lot with that zoning. Ms. Pillion-Abbs responded that piece in the Official Plan will be agriculture and the left-over piece is part of recent Official Plan amendment that is at the County for approval. B. Rosser commented that the part being rezoned tonight is the part outside of the North Port Stanley Settlement Area and is designated as agriculture. Any possible land severances would need to be subject to the policies under the agricultural designation of the Southwold Official Plan. Those policies would only be permissible for land severances for the purpose of a surplus farm dwelling. This parcel at 2.8 ha would not qualify as a surplus farm dwelling. The severed parcel from OPA 2022-01 was taken into settlement reserve. There will be a future rezoning at the time of the residential plan of subdivision for the severance. The rezoning of the 2.8 ha parcel will be zoned A 1-67 and it meets all the agricultural setbacks.

Mr. Van De Gevel questioned why not leave it at an A3-2 Zone to prevent any future building on the retained parcel. Ms. Rosser responded that proposed A3-2 zoning only permits a single detached dwelling as is. They would not be able to build a new single detached dwelling. The severed parcel will need to be transferred to Domus Developments (London) Inc for ownership and the lot area would need to be legal under the Zoning By-law.

Ms. Shields questioned the pond for the development that is proposed to be located near her property. Mr. Mueller responded that stormwater management pond can be addressed we receive the site plan.

Councillor Pennings commented about new subdivision being located adjacent to farm operations and the need for an education program. Ms. Rosser responded that this matter was noted during the Official Plan Amendment and rezoning public process in June. Domus Development intends to implement that education program with help from Mr. Van De Gevel and Great Lake Farms.

Councillor Emons questioned about receiving the written materials or reports for this program. Beneficial for Council to use as a model for future developments. Mr. Van De Gevel responded that they are working on some materials that will inform new residents and welcome them to the country. Ms. Rosser commented that Domus is working with Great Lake Farms to develop these materials. It is possible that this information can come to Council.

**2022-241 Councillor Emons – Councillor Pennings ZBA 2022-10 Turville
C/O Domus Developments
(London) Inc., 4509 Union Road**

THAT Council of the Township of Southwold receive Report PLA 2022-30 regarding Zoning By-law Amendment Application ZBA 2022-10 – Recommendation Report; and,

THAT Council of the Township of Southwold approve the proposed Zoning By-law Amendment Application ZBA 2022-10, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2022-30.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the applicants or another member of the public who have provided comments. This public meeting is now concluded.

**2022-242 Deputy Mayor Monteith – Councillor Emons Adjournment of
Public Mtg**

THAT the public meeting to consider the applications to amend the zoning on the properties owned by J. and K. Lethbridge C/O H. Button, Gunn & Associates, 36434 McDiarmid Line, ZBA 2022-09 B. Fulton and B. Siebenmorgen C/O. D. Roe, 36427 Talbot Line, and ZBA 2022-10, Turville C/O. Domus Development (London) Inc., 4509 Union Road at **8:13 p.m.**

CARRIED

DELEGATION:

Jennifer Buchanan, Graham Scott Enns LLP

8:13 p.m. – 8:28 p.m.

THAT the Financial Statements for the Year Ended December 31, 2021 of the Corporation of the Township of Southwold, as prepared and presented by Graham Scott Enns, LLP be approved; and

THAT the Mayor, CAO/Clerk and/or Treasurer, as required, be authorized to the sign the following documents associated with the 2021 Year End:

1. Financial Statements
2. Management's Responsibility for Financial Reporting
3. Management Representation Letter
4. Audit findings letter

CARRIED

REPORTS:

Activity Report from the Director of Fire Services/Fire Chief

Jeff McArthur presented his report to Council.

Elgin County Fire Communications System Study

Jeff McArthur presented his report to Council on the study that was completed for the County's Fire Communications System. The study was completed by KVA Communications and at this time no action is required to replace the system. Fire Departments will need to plan to replace the system in the future.

Activity Report from the Director of Building and Community Services

Corey Pemberton presented his report to Council.

THAT Council endorse the staff direction for pavilion signage and usage rules.

CARRIED

Activity Report from the Director of Infrastructure and Development Services

Peter Kavcic presented his report to Council.

2022-245 Councillor Emons – Councillor Pennings Elgin County Growth Forecast

THAT Council endorse Staff's comments that will be sent to County Staff on the Elgin County's Growth Forecast report.

CARRIED

2022- 246 Councillor Emons – Councillor Pennings Lake Line Speed Reduction

THAT Council approve reducing the speed limit on Lake Line from Union Road to Scotch Line from 80 km/h to 60 km/h; and,

THAT Council approve By-law No. 2022-77, listed under By-laws.

CARRIED

2022-247 Deputy Mayor Monteith – Councillor Emons By-law Enforcement Services

THAT Council approve the agreement with Tenet Security Group Incorporated, as attached to this report as Appendix "A" and authorize the Mayor and Clerk to sign the agreement.

CARRIED

Council Restricted Acts (Lame Duck) Review – After Nominations

Jeff Carswell presented his report as information to Council. Based on the candidate certifications the Township's Council will be impacted by Section 275 of the Municipal Act, Restricted Acts after Nomination Day and the restrictions will apply.

2022-248 Councillor Emons – Councillor Pennings Policy Updates

THAT Council approve the General Expense Policy as attached as Appendix "A" to Report CAO 2022-41; and,

THAT Council approve the Conference Expense Policy as attached as Appendix "B" to Report CAO 2022-41; and,

THAT Council approve the Travel and Mileage Rate Re-imbursement Policy as attached as Appendix "C" to Report CAO 2022-41.

CARRIED

THAT the Township of Southwold coordinate efforts with Elgin County, other Elgin County municipalities and the City of St. Thomas to represent interests and concerns pertaining to the proposed federal electoral boundary districts; and,

THAT the Township of Southwold develop a submission and make a presentation at the Federal Electoral Boundaries Commission for the Province of Ontario; and,

THAT the submission and presentation guiding principle be that the Township of Southwold be fully contained and represented within one federal electoral district with the entirety of Elgin County and the City of St. Thomas.

CARRIED

Activity Report from the CAO/Clerk

Jeff Carswell presented this report to Council.

County Council Highlights – August 9, 2022

Mayor Jones presented this report to Council.

CORRESPONDENCE:

- Waiver of Fee Request – Talbotville Meadows Residents – Neighbourhood Meet and Greet.
- Elgin Amateur Radio Society RE: Thank you

THAT Council of the Township of Southwold approves the \$80 fee waiver request for the Talbotville Meadow Residents Neighbourhood Meet and Greet at the Talbotville Pavilion.

CARRIED

BY-LAWS:

- By-law No. 2022-51, being a by-law to provide for drainage works, Luton Drain 2022, third and final reading
- By-law No. 2022-74, being a by-law to amend By-law No. 2011-14-Lethbridge 36434 McDiarmid Line
- By-law No. 2022-75, being a by-law to amend By-law No. 2011-14-Fulton Siebenmorgen 36427 Talbot Line
- By-law No. 2022-76, being a by-law to amend By-law No. 2011-14-Turville 4509 Union Road
- By-law No. 2022-77, being a by-law to reduce speed on Lake Line
- By-law No. 2022-78, being a by-law to appoint Township Official
- By-law No. 2022-79, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on September 12, 2022

2022-251 Councillor Emons – Councillor Pennings**By-laws**

THAT By-laws Nos. 2022-74, 2022-75, 2022-76, 2022-77, 2022-78 and, 2022-79 be read a first and second time, considered read a third time and finally passed this 12th day of September 2022;

CARRIED

2022-252 Deputy Mayor Monteith – Councillor Pennings By-law No. 2022-51

THAT By-laws No. 2022-51 be read a third time and finally passed this 12th day of September, 2022.

CARRIED

OTHER BUSINESS:

- Resolution from the Town of Aylmer RE: Warming and Cooling Centre
- Ontario Sheep Farmers RE: Livestock Guardian Dogs (LGD)
- Town of Wasaga Beach Resolution RE Strong Mayors, Building Homes Act
- Resolution from the Town of Kingsville RE: Bill 3 Strong Mayors, Building Homes Act, 2022

2022-253 Councillor Emons – Councillor Pennings Bill 3 Strong Mayors, Building Homes Act, 2022 Resolution

BE THAT IT RESOLVED The Council of the Corporation of the Township of Southwold hereby supports the attached resolutions from the Towns of Wasaga Beach and Kingsville opposing the Bill 3, Strong Mayors, Building Homes Act, 2022; and

FURTHER a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, MPP Elgin- Middlesex- London Rob Flack and the Towns of Wasaga Beach and Kingsville.

CARRIED

2022-254 Councillor Emons – Councillor Pennings Livestock Guardian Dogs

THAT the Township of Southwold supports the recommendations from the Ontario Sheep Farmers for the use of Livestock Guardian Dogs.

CARRIED

Councillor reviewed the items under Other Business.

CLOSED SESSION:

2022- 255 Councillor Emons – Deputy Mayor Monteith 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 **9:14 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 members (section 239(2)(b))– Administration Staffing
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (section 239(2)(e)) – Talbotville Sanitary System
- Labour relations or employee negotiations (Section 239 (2)(d)) – Public Works Staffing

CARRIED

2022-256 Deputy Mayor Monteith – Councillor Emons Adjournment of Closed Session

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **10:38 p.m.**

CARRIED

THAT Council adopt the recommendation in Staff Report CAO2022-44 dated September 12, 2022 re: Records Management Contract Extension.

CARRIED

STAFF DIRECTION


Staff was directed by Council to the items that were discussed in the Closed Session.

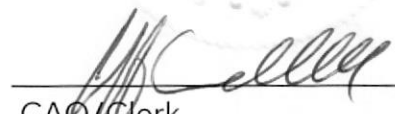
ADJOURNMENT:

2022- 258 Deputy Mayor Monteith – Councillor Pennings Adjournment

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **10:40 p.m.**

CARRIED



Mayor
Grant Jones

CAO/Clerk
Jeff Carswell