



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday February 27, 2023
7:00 p.m. Council Chambers, Fingal/Via Video Link

COUNCIL PRESENT: Mayor Grant Jones
Deputy Mayor Justin Pennings
Councillor John Adzija
Councillor Sarah Emons
Councillor Scott Fellows

COUNCIL ABSENT:

ALSO PRESENT: Jeff Carswell, CAO/Clerk
Michele Lant, Director of Corporate Services/Treasurer
Peter Kavcic, Dir. of Infrastructure & Development Services
Paul Van Vaerenbergh, Public Works Superintendent
Kevin Goodhue, Water/Wastewater Compliance Superintendent
Josh Mueller, Planner
June McLarty, Corporate Services Clerk

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

ADDENDUM TO AGENDA:

8. REPORTS:

- (c) PW 2023-03 Supply and Delivery of Tandem Axle Plow/ Sander Truck Proposal Award

DISCLOSURES: None

ADOPTION OF MINUTES:

Council Minutes – Adopt

2023-71 Councillor Fellows – Deputy Mayor Pennings

THAT the Minutes of the Regular Council Meeting of February 13, 2023 are hereby adopted.

CARRIED

PLANNING:

7:00 p.m. Zoning By-law Amendment – ZBA 2023-02, Housekeeping Amendment

Opening of Public Meeting ZBA 2023-02

2023-72 Councillor Emons – Councillor Adzija

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to update the text in the Zoning By-law as it pertains to spelling, grammar and other minor corrections.

CARRIED

The Mayor called the meeting to order and stated that this is 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.

The purpose of this proposed zoning by-law amendment is to amend the Township of Southwold Zoning By-law by making any changes to the text including spelling, grammar and other minor corrections.

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

The Mayor asked the Clerk what method of notice and when was notice give to the public for the meeting. The Clerk responded that a notice was put on the Township of Southwold website, along with other social media platforms.

Planner Josh Mueller presented his report to Council.

The Mayor asked the Clerk if any comments were received from Staff. The Clerk responded yes. Staff comments were received and formed part of the amended text.

The Mayor asked if any written submissions were received. The Clerk responded that no written submissions were received.

The Mayor stated that before I open the floor 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 February 28, 2023. Any person that has contact the contacted the planner to be part of the public meeting today will receive this further information automatically.

No questions were asked from the public.

The Mayor asked if any members of Council had any questions. Deputy Mayor Pennings asked if under Section 3.35 the dwelling has to be completed before occupancy can be granted. Director of Infrastructure Peter Kavcic responded that this a new requirement under the Building Code.

PLA 2023-03, Housekeeping Zoning By-law Amendment

2023-73 Councillor Emons – Councillor Fellows

THAT Council approve the proposed Housekeeping Zoning Bylaw Amendment, in accordance with the Bylaw contained within Appendix One of Report PLA 2023-03.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the applicant or another member of the public who has provided comments.

Adjournment of Public Mtg for ZBA 2023-02

2023-74 Councillor Adzija – Deputy Mayor Pennings

THAT the public meeting to consider the update to the text in the Zoning By-law ends at **7:11 p.m.** and the regular Council meeting reconvenes.

CARRIED

PLA 2023-08 Part Lot Control Exemption

2023-75 Deputy Mayor Pennings – Councillor Emons

THAT Council approve the part lot control policies listed in report PLA 2023-08.

CARRIED

Zoning By-law Amendments

7:15 p.m. ZBA 2023-01 Andrews C/O A. Dale, Gunn & Associates Con NWNBTR Lot 15- Union Road

In attendance: N. Ooms, H. Button, Gunn & Associates, R. and N. Halington, R. Woodhouse, L. Addley-Darel.

Opening of Public Meeting for ZBA 2023-01

2023-76 Councillor Adzija – Deputy Mayor Pennings

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider Zoning By-law Amendment file no. 2023-01, filed by J. and J. Andrews C/O Amy Dale, Gunn & Associates, Con NWNBTR Lot 15, Union Road opens at **7:15 p.m.**

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 a proposed zoning by-law amendment to rezone the subject property legally described as Southwold CON NWNBTR Pt Lot 15 RP 11R2336 Pt Part 1 Part 3 RP 11R9183 Part 3 from Settlement Reserve (SR) to Residential 2 (R2) Zone to permit residential development.

The Mayor asked if any member of Council had a disclosure of interest concerning this proposal. None were declared.

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 a notice was mailed to neighboring property owners within 120 meters of the subject lands and emailed to commenting agencies on February 6th, 2023. A sign was posted on the subject property prior to the deadline of February 7th, 2023.

Planner Josh Mueller presented his report to Council.

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

The Mayor asked the Clerk if any written submissions were received on this application. 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 that 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 to the planner or Clerk by February 28, 2023. Any person that has contacted the planner to be part of the public meeting today will receive this further information automatically.

H. Button, Solicitor from Gunn & Associates identified herself on behalf of Amy Dale. She provided no specific comments.

N. Hallington questioned what the precedence would be for subject lands. Do they have to use a septic or a waste management system or has nothing be set up for this property? Director of Infrastructure and Development Services Peter Kavcic responded that this property is envisioned to have catchment or capacity in the sewage treatment project. It is an item on this agenda. There are also some engineering challenges. They could consider septic, but Council would prefer development to be on full services. At this time, it is unknown what is going to be done.

L. Addely-Darel voiced her concerns on the timeline to complete the development, whether it had to be completed in 5 years. She was also concerned about the use of septic systems for this project, the condition of the land if this land is going to be used by multiple houses, who is going to pay if there is a problem with the septic systems, will residents be mandated to pay.

Mayor Jones responded that septic is not the option for this development. Existing residents will not be forced to hook up.

L. Addely – Darel commented that if the land become permeated, we may not have choice. The cost will fall on the ratepayers. Development is great but poor planning is a waste. Mayor Jones responded that we have development charges and sewer charges in place as part of our Asset Management Plan. The people who caused the problem should fix it.

L. Addely- Darel questioned if there is development levy that would be applied to any R2 zone, who pays for it and does it include wastewater. Is it applied immediately or do they have a year. Mayor Jones responded yes to developer paying these charges. J. Mueller commented that there is an agreement of purchase and sale for this property. One of the conditions of the agreement is that all conditions of the consent agreement must be completed. The property owner has 2 years from the date approved to complete these conditions. L. Addely – Darel questioned if the date lapse can they reply. J. Mueller responded yes.

N. Ooms questioned what type of houses can be built in the R2 Zone. J. Mueller responded it that single or semi-detached dwellings, duplexes, could be build.

N. Ooms questioned about development in general and whether there is something in the strategic plan for servicing existing residents in the settlement area for streetlights and sidewalks. Is this a developer obligation or a joint effort? P. Kavcic responded that the County has recently completed a Transportation Master Plan that included reclassification of their roads and creating more pedestrian friendly environments in settlement areas. Union Road is a County Road and urbanize that cross section is in the plan. Not sure when this will be done. More information on the completion of the urbanization can be obtained when it becomes available.

Deputy Mayor Pennings commented the subject lands have had 4 or 5 separate severances done in the past. He questioned if there was room for another house before a plan of subdivision is required or are they at their limit. J. Mueller responded that this is just a severance to sever off a parcel to be rezoned for residential development. Deputy Mayor Pennings questioned if they were to build a house on the severed parcel, the count is already more than one. J. Mueller responded that the proposal development is not for just one residential house, it would be for more than one residential dwelling and a plan of subdivision would be required.

L. Addely- Darel questioned if this is the only one severance applied for. J. Mueller responded yes. It is just two parcels; the lower parcel is severed off for residential and the upper parcel is to remain for agricultural purposes.

L. Addely-Darel questioned if they want to sever the residential parcel, they will have to go through the process again. J. Mueller responded that would have to go through the proper procedures of the Planning Act when they further develop the lot.

L. Addely- Darel questioned the size of the lots as in the past 1 acre was the required size for a lot. J. Mueller responded that he is not aware of the size of the lots and there are certain requirements. He not seen any plans. L. Addely- Darel commented that depending on this development residents may not have a choice and will have to connect to the sewers.

Mayor Jones reiterated that this Council and the previous Council were clear that we will not force any hookups for existing residents. It would be strictly for new residential growth.

PLA 2023-07 ZBA 2023-01 Andrews C/O A. Dale

2023-77 Councillor Adzija – Councillor Emons

THAT Council approve the proposed Zoning By-law Amendment Application ZBA 2023-01, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2023-07.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the applicant.

Closing of Public Meeting for ZBA 2023-01

2023-78 Councillor Adzija – Councillor Fellows

THAT the public meeting to consider the applications to amend the zoning on the property owned by J. and J. Andrews C/O A. Dale, Gunn & Associates, closes at **7:46 p.m.** and the regular meeting of Council reconvenes.

CARRIED

DELEGATION:

7:46 p.m. – 8:00 p.m.

Director of Corporate Services/Treasurer Michele Lant - 2023 Budget

Director of Corporate Services/Treasurer Michele Lant presented the 2023 budget to Council, staff and the public.

Council directed that the draft by-law to implement the budget be revised to show \$25,000 for the netting/fencing for the Shedden Open Space Park.

PLANNING:

PLA 2023-06 Consent Application E2-23, 33294 First Line

2023-79 Councillor Adzija – Councillor Fellows

THAT Council recommend approval to the Land Division Committee of the County of Elgin for consent application, E2-23, subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2023-06.

CARRIED

PLA 2023-08 Hamilton Zoning By-law Amendment Update

2023-80 Councillor Fellows – Deputy Mayor Pennings

THAT Council of the Township of Southwold receive report PLA 2023-09 regarding Ontario Land Tribunal (OLT) decision for 10195 Sunset Road.

CARRIED

REPORTS:

Shedden and Fingal Sanitary Sewer Project

2023-81 Deputy Mayor Pennings – Councillor Emons

THAT Council approve Staff advancing Option 2 for the Shedden and Fingal servicing project which includes pumping sewage to the Port Stanley Treatment Plant, and;

THAT Council approve a budget of \$27,500,000 for the sanitary sewer project in Shedden and Fingal which results in an anticipated sewer connection charge of \$19,300.00 with Staff having to report back for future approvals if the project is over this amount, and;

THAT Council direct Staff to negotiate an agreement with Central Elgin Staff for the dedication of sewage capacity at the Port Stanley Treatment Plant that is endorsed by both Southwold Council and Central Elgin Council through a shared service agreement.

CARRIED

CAO 2023-10 Federal Electoral Districts Redistribution

CAO/Clerk Jeff Carswell presented his report to Council as information.

PW 2023-03 Supply and Delivery of Tandem Axle Plow/Sander Truck

2023-82 Councillor Fellows – Deputy Mayor Pennings

THAT Council accept the proposal for the supply and delivery of a Freightliner Tandem Axle Plow/Sander Truck from Premier Truck Group – London at a price of \$369,880.00 excluding HST.

CARRIED

BY-LAWS:

- By-law No. 2023-11, being a by-law to amend By-law No. 2011-14, Housekeeping By-law
- By-law No. 2023-15, being a by-law to amend By-law No. 2011-14, Andrews Lot 15 NWNBTR, Union Road
- By-law No. 2023-16, being a by-law to adopt the Budget Estimates and Capital Projects for the year 2023 as amended.
- By-law No. 2023-17, being a by-law to appoint Deputy Treasurer

By-laws

2023-83 Councillor Emons – Deputy Mayor Pennings

THAT By-law Nos. 2023-11, 2023-15, 2023-16 and 2023-17 be read a first and second time, considered read a third time and finally passed this 27th day of February 2023.

CARRIED

CLOSED SESSION:

2023 -84 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **8:37 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- Litigation or potential litigation including matters before administration tribunals, affecting the municipality or local board (section 239 (2) (e)) A position, plan, procedure, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (section 239 (2)(k)) – Talbotville Development Matters

CARRIED

Adjournment of Closed Session

2023-85 Councillor Fellows – Councillor Adzija

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **9:51 p.m.**

CARRIED

STAFF DIRECTION

Staff was given direction from Council on the items that were discussed in the Closed Session.

BY-LAW:

- By-law No. 2023-18, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on February 27, 2023

Confirming By-law

2023-86 Deputy Mayor Pennings – Councillor Emons

THAT By-law No. 2023-18 be read a first and second time, considered read a third time and finally passed this 27th day of February 2023.

CARRIED

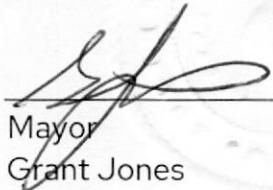
ADJOURNMENT:

2023-87


Councillor Adzija – Deputy Mayor Pennings

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:52 p.m.**

CARRIED



Mayor
Grant Jones



CAO/Clerk
Jeff Carswell