



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday April 24, 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

ALSO PRESENT: Jeff Carswell, CAO/Clerk
Aaron Van Oorspronk, Director of Infrastructure & Development
Services
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: None

DISCLOSURES: None

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2023-151 Councillor Emons – Deputy Mayor Pennings

THAT the Minutes of the Regular Council Meeting of April 11, 2023
are hereby adopted.

CARRIED

Committee Minutes – Review

2023-152 Councillor Adzija – Councillor Fellows

THAT Council has reviewed the draft Committee Minutes of the Family Day Committee Meeting of March 22, 2023, the Keystone Complex and Shedden Recreation Board Meeting of March 30, 2023, and the Zero Waste Committee Meeting of April 6, 2023.

CARRIED

PLANNING:

Zoning By-law Amendments

7:00 p.m. ZBA 2023-03 Woodland Way Developments Inc, 10247 Talbotville Gore Road, and ZBA 2023-04 Echo Acres Limited, 38652 Longhurst Line

**In attendance: N. Dyjach, Strik, Baldinelli, Moniz
B. Fife, 39770 Shady Lane Cres.
S. Worotny, 39708 Shady Lane Cres.
E. and M. Valentin, 10248 Talbotville Gore Road**

Opening of Public Meeting for ZBA 2023-01

2023-153 Councillor Emons – 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. 2023-03, filed by Woodland Way Developments Inc, 10247 Talbotville Gore Road and Zoning By-law Amendment file no. 2023-04 filed by Echo Acres Limited, 38652 Longhurst Line opens at **7:03 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 lands legally described as Con SNBTR Pt Lot 40, and municipality known as 10247 Talbotville Gord Road.

The proposed zoning by-law amendment (ZBA) application would rezone the parcel from residential 1 (R1) Zone to Residential 1 Special Provisions Zone (R1), to allow for decreased minimum rear exterior side yard setbacks and maximum lot coverage.

Three site-specific provisions are being requested as part of this ZBA application.

1. A site-specific provision to permit a minimum required rear yard setback of 6m (19.7 feet whereas 9m (29.53 feet) is required.

2. A site-specific provision to permit a minimum required exterior side yard setback of 4m (13.12 feet) whereas 6m (19.7 feet) is required.

3. A site-specific provision to permit a maximum lot coverage of 50% whereas 40% is required.

The Mayor asked if any members of Council have a disclosure of interest concerning the proposals. 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 notice was mailed to neighbouring property owners within 120 meters of the subject lands and emailed to commenting agencies on April 3rd, 2023. A sign was posted on the subject property prior to the deadline of April 4th, 2023.

Planner Josh Mueller presented his report to Council.

The Mayor asked the Clerk if 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 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 he opens 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 April 25, 2023. Any person that has contacted the Planner to be a part of the Public Meeting will receive this further information automatically.

N. Dyjach of Strik, Baldinelli, Moniz identified himself as the planning consultant acting on behalf of the owners. Mr. Dyjach commented that this is a minor application to rezone a R1 zone to a R1 Zone with site-specific requests for reduced yard space and lot coverage. Not a huge impact on neighbouring lands. Simple zoning application. Surprised and disappointed that this application is being deferred. The comments in the staff report can be resolved in the site-plan approval. We can address these comments at the next council meeting.

B. Fife inquired about the setbacks to his property. Mr. Dyjach responded that the setbacks are being addressed through the site-specific provisions in the proposed zoning by-law amendment. Mr. Fife also inquired about whether this would affect the trees along his property line. He doesn't want the trees harmed during construction. Mr. Mueller stated that a clause in the site-plan agreement states that the contractor must

take precautions to preserve the trees. Mr. Fife questioned if any grading would be done on his property as these properties are so close. Mr. Van Oorspronk responded that grading activities would have to be within the boundary of the property. Mr. Dyjach stated that through the site-plan approval process the trees and grading would be addressed. Would maintain as many mature trees as possible.

Mayor Jones asked if any members of Council had any questions or comments. Deputy Mayor Pennings commented that the issues that have come up from staff would be part of the site-plan approval.

Mayor Jones commented on the number of concerns from staff. Mr. Mueller stated that this is not a final design for this project. Mayor Jones also commented that this plan may not exist as a lot of changes will need to be made.

M. Valentin questioned the amount of traffic flow that would be in this area. Mr. Dyjach responded that a traffic study has been done. The volume of traffic is not a concern. It is more about the sight lines and how traffic will flow in and out of the site. The study can be provided to staff. Mr. Dyjach also commented that there are not 4 new access roads for the condo units off Talbotville Gore Road, they are driveways. It is like the street scape now.

Councillor Adzija questioned if this was the first time this feedback was given. Mr. Mueller responded that this report was prepared after a meeting was held with staff.

Councillor Emons commented that deferring it will not be an issue. There is more time for discussion on this file.

ZBA 2023-03 Woodland Way Developments Inc

2023-154 Deputy Mayor Pennings – Councillor Fellows

THAT Council defer the proposed Zoning By-law Amendment Application ZBA 2023-03, to consider comments received from municipal staff and at the public meeting.

CARRIED

The Mayor stated that please be advised that the decision may be appealed to the Ontario Land Tribunal by the Applicant. This public meeting is now concluded.

ZBA 2023-04 Echo Acres Limited, 38652 Longhurst Line.

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 Con 4 Lot 22 RP 11R1690 Part 1 and described municipally as 38652 Longhurst Line.

The proposed Zoning By-law Amendment (ZBA) application would rezone the retained parcel from Agricultural 1(A1) Zone to Agricultural 3 (A3) Zone to prohibit future residential development. The retained parcel will continue to be used for agricultural purposes. The severed parcel will be rezoned from Agricultural 1 (A1) to Agricultural 1 Special Provision Zone to allow for increased lot area and decreased lot frontage.

Two site-specific provisions will be required as part of this ZBA application.

1. A site-specific provision to permit a maximum lot area of 1.67 acres (0.66 hectares) whereas 1.48 acres (0.59 hectares) is required.
2. A site-specific provision to reduce the required lot frontage to 25.5m (83.66 feet) whereas 30m (98 feet) is required.

The Mayor asked if any member of Council had a disclosure of interest concerning the 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 neighbouring property owners with 120 meters of the subject lands and emailed to commenting agencies on April 3rd, 2023. A sign was posted on the subject property prior to the deadline of April 4th, 2023.

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, as detailed in the Planning Staff Report. The Mayor asked if any written submissions on this application were received. The Clerk responded that agency comments were received, as detailed in the Planning Staff Report.

The Mayor stated that before he opens 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 April 25, 2023. Any person that has contacted the Planner to be a part of the Public Meeting will receive this further information automatically.

No additional comments were provided by the owner/applicant. No questions were asked from the public or Council.

ZBA 2023-04 Echo Acres Limited

2023-155 Councillor Fellows – Councillor Adzija

THAT Council approve the proposed Zoning By-law Amendment Application ZBA 2023-04, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2023-14.

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 2023-03- and ZBA 2023-04

2023-156 Councillor Fellows – Deputy Mayor Pennings

THAT the public meeting to consider the applications to amend the zoning on the properties owned by Woodland Way Developments Inc. and Echo Acres Limited, closes at **7:34 p.m.**

CARRIED

Consent Application E26-23 Eleanor Limited Partnership C/O Chris Pidgeon, GSP Group

2023-157 Councillor Emons – Councillor Adzija

THAT Council recommends approval to the Land Division Committee of the County of Elgin for consent application, E26-23, subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2023-15.

CARRIED

DELEGATION

7:38 p.m. – 8:13 p.m.

Warden Ed Ketchabaw and Brian Lima, General Manager of Engineering, Planning & Enterprise / Deputy CAO

Warden Ketchabaw and Mr. Lima presented the Elgin County 2023 Update to Council.

Break – 8:14 p.m. – 8:17 p.m.

REPORTS:

ENG 2023-22 Site Alternation By-law

2023-158 Councillor Fellows – Deputy Mayor Pennings

THAT Council pass By-Law 2023-27, being a Bylaw to prohibit and regulate the placing or dumping of fill, removal of topsoil, the alteration of the grade of land in the Township of Southwold, commonly referred to as the Site Alteration Bylaw.

CARRIED

ENG 2023-23 Ford Road Watermain

2023-159 Mayor Jones – Deputy Mayor Pennings

THAT Council defer the decision on the Ford Road Watermain until the next Council meeting.

CARRIED

CAO 2023-23 Circular Materials – Blue Box Promotion and Education

2023-160 Councillor Fellows – Deputy Mayor Pennings

THAT Council pass draft by-law 2022-28 to enter into an agreement with Circular Materials Ontario for Blue Box Promotion and Education Services.

CARRIED

County Council Highlights – April 11, 2023

Mayor Jones presented this report to Council.

BY-LAWS:

- By-law No. 2023-26, being a by-law to amend By-law No. 2011-14, Echo Acres Limited, 38652 Longhurst Line
- By-law No. 2023-27, being a by-law to prohibit and regulate the placing or dumping of fill, removal of topsoil, the alteration of the grade of land in the Township of Southwold
- By-law No. 2023-28, being a by-law to enter into an agreement with Circular Materials Ontario Eligible Community Promotion and Education Services

By-laws

2023-161 Councillor Emons – Councillor Adzija

THAT By-law Nos. 2023-26, 2023-27 and 2023-28 be read a first and second time, considered read a third time and finally passed this 24th day of April 2023.

CARRIED

OTHER BUSINESS:

Council reviewed the other items under Other Business.

CLOSED SESSION:

2023-162 Councillor Emons – Councillor Adzija

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **8:38 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- A position, plan, procedure, criteria or instruction 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)) – Sanitary Sewer Systems
- Personal Matters about identifiable individual, including municipal or local board employees (Section 239(2)b))- HR Matters

CARRIED

Adjournment of Closed Session

2023-163 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **9:22 p.m.**

CARRIED

STAFF DIRECTION

Staff were given directions by the Council on the items that were discussed in the Closed Session.

Staff Report 2023-22

2023-164 Councillor Fellows – Deputy Mayor Pennings

THAT Council adopt the recommendations in Staff Report CAO 2023-22 dated April 24, 2023.

CARRIED

BY-LAW:

- By-law No. 2023-29, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on April 24th, 2023

Confirming By-law

2023-165 Councillor Fellows – Councillor Adzija

THAT By-law No. 2023-29 be read a first and second time, considered read a third time and finally passed this 24th day of April 2023.

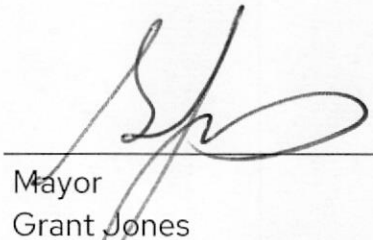
CARRIED


ADJOURNMENT:

2023-166 Deputy Mayor Pennings – Councillor Emons

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:23 p.m.**

CARRIED



Mayor
Grant Jones

CAO Clerk
Jeff Carswell