



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday June 26, 2023
7:00 p.m. Council Chambers, Fingal/Via Video Link

COUNCIL PRESENT: Mayor Grant Jones (virtual)
Deputy Mayor Justin Pennings
Councillor John Adzija (virtual)
Councillor Scott Fellows

ALSO PRESENT: Jeff Carswell, CAO/Clerk
Aaron Van Oorspronk, Director of Infrastructure & Development
Services
Jeff McArthur, Director of Emergency Services/Fire Chief
Brent Clutterbuck, Drainage Superintendent
Josh Mueller, Planner
June McLarty, Corporate Services Clerk

ABSENT: Councillor Sarah Emons

Deputy Mayor Pennings called the meeting to order at 7:02 p.m.

ADDENDUM TO AGENDA: None

DISCLOSURES: None

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2023-209 Councillor Fellows – Mayor Jones

THAT the Minutes of the Regular Council Meeting of June 12, 2023
are hereby adopted; and,

THAT Council has reviewed the minutes of the Southwold Young at Heart Committee Meeting of June 15, 2023 and the draft minutes of the Southwold Young at Heart Committee Meeting of June 20, 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

PLANNING:

Zoning By-law Amendments

7:00 p.m. ZBA 2023-05, J. and G. Milcz, 37437 Lake Line and ZBA 2023-06, Housekeeping- Additional Dwelling Units

In attendance: J. Milcz

Opening of Public Meeting for ZBA 2023-05 and ZBA 2023-06

2023-210 Councillor Fellows – Mayor Jones

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. 2023-05, filed by J. and G. Milcz, 37437 Lake Line and Zoning By-law Amendment file no. 2023-06, Housekeeping, Additional Dwelling Units opens at **7:05 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

The Deputy 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 Plan 39 Lot R and described municipally as 37437 Lake Line.

The proposed Zoning By-law Amendment (ZBA) application would rezone the severed and retained parcels from Settlement Reserve (SR) Zone to Residential 1 (R1) Zone to permit residential development.

The Deputy Mayor asked if any member of Council has a disclosure of interest concerning the proposals. None were declared.

The Deputy 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 June 5th, 2023. A sign was posted on the subject property prior to the deadline of June 6th, 2023.

Planner Josh Mueller presented his report to Council.

The Deputy 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 Deputy 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 Deputy Mayor stated that before he opened 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 they email their name, address, postal code and phone number to the Planner or Clerk by June 27th, 2023. Any person that has contacted the Planner to be part of this public meeting will receive this further information automatically.

J. Milcz of 37437 Lake Line identified himself.

Mr. Milcz commented that this rezoning is a condition of his severance application. He is rezoning his property so he will be able to build a new home. He thanked Southwold staff for their assistance with his planning and building applications.

No questions were asked from Council or the public.

2023-211 Councillor Fellows – Mayor Jones

THAT Council approves the proposed Zoning By-law Amendment Application ZBA 2023-05, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2023-20.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

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

The Deputy Mayor stated that this was 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.

The purpose of this proposed Zoning By-law Amendment is to amend the Township of Southwold Zoning By-law by making changes to the text and bringing the zoning by-law into compliance with the Planning Act.

The Deputy Mayor asked if any members of Council had a disclosure of interest concerning the proposals. None were declared.

The Deputy 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 placed on the Township website along with other social media platforms.

Planner Josh Mueller presented his report to Council.

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

The Deputy Mayor asked if any written submissions were received on this application. The Clerk responded that no written submissions were received.

The Deputy Mayor stated that before he opened 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 they email their name, address, postal code and phone number to the Planner or Clerk by June 27th, 2023. Any person that has contacted the Planner to be part of this public meeting will receive this further information automatically.

No questions were asked from Council or the public.

PLA 2023-21 ZBA 2023-06, Housekeeping – Additional Dwelling Units

2023-212 Councillor Fellows – Mayor Jones

THAT Council of the Township of Southwold approves the proposed Housekeeping Zoning By-law Amendment, in accordance with the By-law contained within Appendix Two of Report PLA 2023-21.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Closing of Public Meeting for ZBA 2023-05 and ZBA 2023-06

2023-213 Mayor Jones – Councillor Fellows jones – fellows

THAT the public meeting to consider the applications to amend the zoning on the property owned by J. and G. Milcz and the Housekeeping Zoning By-law Amendment, closes at **7:16 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

PLA 2023-22 Consent Applications E 42-23, E43-23 and E44-23 R. Pereira, 10117 Talbotville Gore Road

2023-214 Councillor Fellows – Mayor Jones

THAT Council recommends approval to the Land Division Committee of the County of Elgin for consent applications, E42-23, E43-23 and E44-23 subject to the Lower-Tier Municipal conditions in Appendix Two of Report PLA 2023-22.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

REPORT:

CAO 2023-33 Signage Branding

2023-215 Councillor Fellows – Mayor Jones

THAT Council approve Option 1 for branding on Township signs.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

DRAINAGE:

Gregory Drainage Works Petition

2023-216 Councillor Fellows – Mayor Jones

WHEREAS having received notice from Kettle Creek Conservation Authority stating they have no concerns; and

THAT Council appoints Spriet Associates to prepare the necessary reports for Section 78 request under the Drainage Act for the Gregory Drainage Works; and,

THAT notice of Council's decision to proceed with this petition be sent to all petitioners, Kettle Creek Conservation Authority, the Ontario Ministry of Agriculture, Food and Rural Affairs and Spriet Associates.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Committee of Adjustment

MV 2023-02, Kreator Developments Inc. C/O MP Custom Homes, 18 Rea Court

2023-217 Councillor Fellows – Mayor Jones

THAT the regular Council meeting adjourn to sit as a Committee of Adjustment to hear minor variance application MV 2023-02, filed by Kreator Developments Inc. C/O MP Custom, 18 Rea Court at **7:30 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

MV 2023-02, Adjournment of Committee of Adjustment

2023-218 Councillor Fellows – Mayor Jones

THAT the meeting of the Committee of Adjustment to hear application MV 2023-02, filed by Kreator Developments Inc. C/O MP Custom Homes,

18 Rea Court adjourns and the regular meeting of council reconvenes at
7:37 p.m.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

REPORTS:

ENG 2023-30 Talbotville Firehall Update

2023-219 Councillor Fellows – Mayor Jones

THAT Report ENG 2023-30 relating to Talbotville Firehall Update, be received for information; and,

THAT Council direct Staff to engage BM Ross to proceed with the issuance of a design-build request for proposal for a new stand-alone fire hall; and,

THAT Council direct Staff to award engineering services for Site Servicing based on successful quotation meeting the purchasing policy.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

DRAINAGE:

Bogart Drain 'C' 2023

Meeting to Consider Report Bogart Drain 'C' 2023

2023-220 Councillor Fellows – Mayor Jones

THAT the Meeting to Consider the Report for the Bogart Drain 'C' 2023 forms at **7:45 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

The Chairperson stated that this the Meeting to Consider the Report for the Bogart Drain 'C' 2023 dates June 9, 2023, prepared by the Engineers Mike DeVos and George Vereyken of Spriet Associates. This report was submitted to the Clerk of the Township of Southwold on June 12, 2023. Council received this report and decided to proceed with this report at our meeting on June 12, 2023. The purpose of this meeting is to allow the landowners and other affected parties to be given the opportunity to voice their concerns relating to any aspect of this report. Matters dealing specifically with assessments including where any land or road has been assessed too high or too low, any land or road that should have h assessed but has not been, or the land use was not duly considered will be dealt with by the Court of Revision at a date to be determined after the passing of a Provisional By-Law.

The Chairperson asked if everyone was notified of this Meeting to Consider the Report of the Engineer in an appropriate way that were required to be notified under the Drainage Act. The Clerk responded, yes. On June 14, 2023, the required notice of this meeting was sent by regular mail, or by email to all landowners and affected parties required to be notified under Section 41 of the Drainage Act. Included with the notice was a copy of the Report of the Engineer for the Bogart Drain 'C' 2023 dated June 9, 2023.

Drainage Superintendent Brent Clutterbuck presented the report on behalf of Mike DeVos.

The Chairperson asked if any landowner or affected parties had any questions or concerns. No questions were asked.

Bogart Drain 'C' 2023

2023-221 Councillor Fellows – Mayor Jones

THAT Council consider provisional By-law No. 2023-38 for the Bogart Drain 'C' 2023; and

THAT Council authorizes staff to initiate the tender process, if required, for the improvement of the Bogart Drain 'C' 2023; and

THAT Court of Revision for the Bogart Drain 'C' 2023 will be held virtually/in-person at 7:00 p.m. on August 14, 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

The Chairperson stated that later during this meeting, Council will be passing provisional by-law 2023-38. The Clerk will be mailing a copy of the Provisional By-Law duly passed tonight to the Landowner and affected parties as required by Section 46 of the Drainage Act along with the notice of The Court of Revision for the Bogart Drain 'C' 2023 can be attended in person or virtually on August 14, 2023 at 7:00pm. Any owner of land assessed for the drainage works may appeal to the Court of Revision on any of the following grounds:

1. Any land or road has been assessed an amount that is too high or too low.
2. Any land or road that should have been assessed has not been assessed.
3. Due consideration has not been given to the use being made of the land.

by a written notice setting out the grounds of the appeal at least 10-days before the first sitting of the Court of Revision to the Chief Administrative Officer/Clerk of the Township of Southwold

And further under section 48 of the Drainage Act Any owner of land or any public utility affected by a drainage works, if dissatisfied with the report of the engineer on the grounds that,

(a) the benefits to be derived from the drainage works are not commensurate with the estimated cost thereof.

(b) the drainage works should be modified on grounds to be stated

(c) the compensation or allowances provided by the engineer are inadequate or excessive and may appeal to the Tribunal, and in every case a notice of appeal shall be served within 40 days of the mailing of the Provisional By-Law.

A fact sheet is available that explains the appeals that are available to landowners under the Drainage Act as well as the required forms are available for pick up at the Township of Southwold Office or they could be sent to you by regular mail or email. If anyone has any questions regarding appeals or any other aspect of this work, please contact the Drainage Superintendent Brent Clutterbuck

Adjournment of Mtg to Consider Report – Bogart Drain ‘C’ 2023

2023-222 Councillor Fellows – Mayor Jones

THAT the Meeting to Consider the Report for the Bogart Drain ‘C’ 2023 hereby adjourns and the regular meeting of Council reconvenes at **7:52 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

CORRESPONDENCE:

Council reviewed the items under Correspondence.

Joint Annual Accessibility Status Report 2022

2023-223 Councillor Fellows – Mayor Jones

THAT the report titled “Joint Annual Accessibility Status Report 2022” dated June 13, 2023 from the Elgin County Accessibility Coordinator be received and filed as information; and,

THAT the Council of the Township of Southwold approves the Joint Annual Accessibility Status Report 2022.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Elgin County and Local Municipal Partners Joint Multi-Year Accessibility Plan 2021-2026

2023-224 Councillor Fellows – Mayor Jones

THAT the Council of the Township of Southwold receives the Elgin County and Local Municipal Partners Joint Multi-Year Accessibility Plan 2021-2026 as information; and,

THAT Council approves the amendments to the Elgin County and Local Municipal Partners Joint Multi-Year Accessibility Plan 2021-2026 which includes accessibility progress, goals and timelines specific to the Elgin County Heritage Centre.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

BY-LAWS:

- By-law No. 2023-36, being a by-law to amend By-law No. 2011-14, Milcz, 37437 Lake Line
- By-law No. 2023-37, being a by-law to amend By-law No. 2011-14, Housekeeping By-law
- By-law No. 2023-38, being a by-law to provide for drainage works – Bogart Drain 'C' 2023

By-laws

2023-225 Councillor Fellows – Mayor Jones

THAT By-law Nos. 2023-36 and 2023-37 be read a first and second time, considered read a third time and finally passed this 26th day of June 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

2023-226 Councillor Fellows – Mayor Jones

THAT By-law No. 2023-38 be read a first and second time this 26th day of June 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

OTHER BUSINESS:

No business

CLOSED SESSION:

2023-227 Councillor Fellows – Mayor Jones

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at **7:57 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 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)) – Shedden/Fingal Sanitary Sewers

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

Adjournment of Closed Session

2023-228 Councillor Fellows – Mayor Jones

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **8:31 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

STAFF DIRECTION

Staff were given direction by the Council on the item that was discussed in the Closed Session.

BY-LAW:

- By-law No. 2023-39, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on June 26, 2023

Confirming By-law

2023-229 Mayor Jones – Councillor Fellows

THAT By-law No. 2023-39 be read a first and second time, considered read a third time and finally passed this 26th day of June, 2023.

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED

ADJOURNMENT:

2023-230 Councillor Fellows – Mayor Jones

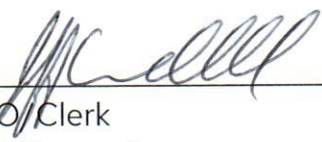
THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **8:32 p.m.**

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons		
S. Fellows	√	
G. Jones – Mayor	√	
J. Pennings	√	

CARRIED



Deputy Mayor
Justin Pennings



CAO/Clerk
Jeff Carswell