



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday October 23, 2023
7:00 p.m. Keystone Complex, 35921 Talbot Line, Shedden/Via Video Link

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

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Michele Lant, Director of Corporate Services/Treasurer
Aaron VanOorspronk, Director of Infrastructure & Development Services
Corey Pemberton, Director of Building and Community Services
Jeff McArthur, Director of Emergency Services/Fire Chief
June McLarty, Corporate Services Clerk

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

ADDENDUM TO AGENDA:

8. REPORT:

- (e) CBO 2023-17 Replacing Lights at the Keystone Complex

9. CORRESPONDENCE:

- (c) Elgin County Federal Economic Development Application – Letter of Support Request.

DISCLOSURES: Councillor Fellows declared a conflict on any discussion regarding snow plow equipment.

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2023-322 Councillor Fellows – Councillor Emons

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

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

CARRIED

DRAINAGE:

Bogart Drain “C” 2023 Tender Results

2023-323 Councillor Emons – Deputy Mayor Pennings

THAT Council of the Township of Southwold award the contract for the construction of the Bogart Drain ‘C’ 2023 to Robinson Farm Drainage Ltd. in the amount of \$23,300.00 plus HST and instructs the Mayor and Clerk to sign the tender contract.

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

CARRIED

REPORTS:

CBO 2023-17 Replacing Lights at the Keystone Complex

2023-324 Councillor Emons – Councillor Adzija

THAT a decision on replacing the lights at the Keystone Complex be deferred to a future Council meeting; and

THAT Staff was directed to obtain pricing comparing fluorescent tubes to LED lighting.

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

CARRIED

PLANNING:

Zoning By-law Amendment

7:15 p.m. ZBA 2023-09 D. and H. Lyle, 39564 Fingal Line

In attendance: D. Lyle

Opening of Public Meeting for ZBA 2023-09

2023-325 Councillor Fellows – 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. 2023-09, filed by Deren and Heather Lyle, 39564 Fingal Line opens at **7:16 p.m.**

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

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 Con NTRE S Part Lot 41 and 42 and described municipally as 39564 Fingal 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 prevent future residential development and ensure that that the retained parcel continues to be utilized for agricultural uses.

The severed parcel would be rezoned from Agricultural 1 (A1) Zone to Agricultural 1 Special Provision (A1-71) Zone to permit a maximum lot area of .89 hectares (2.19 acres) where 0.6 hectares (1.48 acres) is permitted.

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

The Mayor asked what method notice and when was the notice given to public for this meeting. The Clerk responded that a notice was mailed to neighbouring property owners within 120 meters of the subject lands and emailed to commenting agencies on October 2nd, 2023. A sign was posted on the subject property prior to the deadline of October 3rd, 2023.

The Director of Infrastructure and Development Services Aaron Van Oorspronk presented the report to Council.

Deputy Mayor Pennings questioned if the extra-large size of the lot was to accommodate a natural boundary. Mr. Van Oorspronk responded yes.

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 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 advised the public 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 October 24, 2023. Any person that has contacted the Planner to be part of the public meeting today will receive this further information automatically.

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

The applicant D. Lyle of 39564 Fingal Line, Fingal, ON N0L 1K0 identified himself. Mr. Lyle thanked Council for the presentation, and he reported that he had nothing further to add.

The Mayor asked if there were any further questions from Council or public. None were asked.

PLA 2023-30 ZBA 2023-09 Lyle, 39564 Fingal Line

2023-326 Councillor Fellows – Councillor Emons

THAT Council approves the proposed Zoning By-law Amendment Application ZBA 2023-09, in accordance with the site-specific By-law contained within Appendix Two of Report PLA 2023-30.

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

CARRIED

The Mayor advised Council and the public that the decision may be appealed to the Ontario Land Tribunal by the applicant.

Closing of Public Meeting for ZBA 2023-09

2023-327 Deputy Mayor Pennings – Councillor Emons

THAT the public meeting to consider the application to amend the zoning on the property owned by Deren and Heather Lyle, 39564 Fingal Line closes at **7:22 p.m.**

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

CARRIED

REPORTS:

ENG 2023-53 OCWA Sanitary Change Order

2023-328 Councillor Emons – Councillor Fellows

THAT Council receive report 2023-53 OCWA Sanitary Change Order for information; and,

THAT Council approve OCWA Change Order titled Talbotville Wastewater Treatment – Increased Scope & Labour Hours with a yearly fee of \$99,899.00.

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

CARRIED

DELEGATION:

7:30 p.m. – 8:07 p.m.

2024 Budget- Parks Capital, Administrative Capital and Public Works Facility and Equipment Capital

Director of Building and Community Service Corey Pemberton presented his report on Parks recommended capital improvement projects for the 2024 budget. This report contained the mandatory and recommended capital projects for the parks in the Township. Council discussed these various projects.

CAO/Clerk Lisa Higgs presented her report on the Administrative Capital mandatory and recommended capital projects for the 2024 Budget. Council discussed these projects.

Director of Instructure and Development Services Aaron VanOorspronk presented his report on Public Works Facility and Equipment Capital recommended capital expenditures for the 2024 budget. Council discussed these different projects.

No discussion was done on slow plow equipment so Councillor Fellows did not vacate their chair.

REPORTS:

ENG 2023-54 Shared Servicing Negotiations Committee

2023-329 Councillor Emons – Councillor Fellows

THAT Council receive report 2023-54 Shared Servicing Negotiations Committee for information; and,

THAT Council appoint the Mayor, Deputy Mayor, CAO/Clerk and Director of Infrastructure and Development Services to negotiate shared sanitary services with the Municipality of Central Elgin.

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

CARRIED

FIN 2023-15 Ford Motor Company Tax Adjustment

Director of Corporate Services/Treasurer Michele Lant presented this report to Council for information purposes.

County Council Highlights – October 10, 2023

Mayor Jones presented this report.

CORRESPONDENCE:

- The Royal Canadian Legion Ontario Command – 11th Annual Military Service Recognition Book Ad
- Fee Waiver Request – Shedden Soccer
- Elgin County Federal Economic Development Application – Letter of Support Request.

The Royal Canadian Legion Ontario Command – 11th Annual Military Service Recognition Book Ad

2023-330 Councillor Emons – Councillor Fellows

THAT Council of the Township of Southwold agrees to the placement of a business card size ad in the Royal Canadian Legion Ontario Command Military Service Recognition Book to help to honor Ontario's Veterans at a cost of \$395.00 (HST included).

Recorded Vote	Yeas	Nays
J. Adzija	√	
S. Emons	√	
S. Fellows	√	

G. Jones – Mayor	√
J. Pennings	√

CARRIED

Fee Waiver Request -Shedden Soccer

2023-331 Councillor Adzija – Deputy Mayor Pennings

THAT Council of the Township of Southwold approves the \$55.00 fee waiver request from Shedden Soccer for their Annual General Meeting that is to be held on Wednesday November 8th, 2023 in the meeting room at the Keystone Complex.

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

CARRIED

Elgin County Federal Economic Development Application – Letter of Support Request.

2023-332 Councillor Fellows – Deputy Mayor Pennings

THAT Council of the Township of Southwold supports Elgin County's grant application to the Federal Economic Development Agency for Southern Ontario; and,

THAT the Mayor sign a letter of support on behalf of the Township.

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

CARRIED

BY-LAW:

- By-law No. 2023-56, being a by-law to amend By-law No. 2011-14, Lyle, 39564 Fingal Line

By-law**2023-333 Councillor Emons – Deputy Mayor Pennings**

THAT By-law No. 2023-56 be read a first and second time, considered read a third time and finally passed this 23rd day of October, 2023.

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

CARRIED

OTHER BUSINESS:

- Ministry of Infrastructure RE: Administration Penalties Regulation under the Building Broadband Faster Act, 2021 (BBFA)

Council reviewed the item under Other Business

CLOSED SESSION:**2023-334 Councillor Adzija – Deputy Mayor Pennings**

THAT Council of the Township of Southwold now moves again into a session of the meeting that shall be closed to the public at **8:22 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- A proposed or pending acquisition or disposition of land by the municipality or local board (section 239 (2))(c) – Shedden Commercial Plaza
- Personal Matters about identifiable individual, including municipal or local board employees (Section 239(2)(b))- Infrastructure and Development Services Department
- 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 Servicing

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

CARRIED

Adjournment of Closed Session

2023-335 Deputy Mayor Pennings – Councillor Emons

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **9:37 p.m.**

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

CARRIED

STAFF DIRECTION

Staff were directed by Council to the 3 items that were discussed in the Closed Session.

Confirming By-law

- By-law No. 2023-57, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on October 23, 2023

Confirming By-law

2023- 336 Councillor Fellows – Councillor Adzija

THAT By-law No. 2023-57 be read a first and second time, considered read a third time and finally passed this 23rd day of October, 2023.

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

CARRIED

ADJOURNMENT:

2023- 337 Councillor Emons – Councillor Fellows

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:38 p.m.**

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

CARRIED

Mayor
Grant Jones

CAO/Clerk
Lisa Higgs