



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday November 13, 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: Lisa Higgs, CAO/Clerk
Michele Lant, Director of Corporate Services/Treasurer
Aaron VanOorspronk, Director of Infrastructure & Development Services
Corey Pemberton, Director of Building/Community Services
Jeff McArthur, Director of Emergency Services/Fire Chief
Danielle Truax, Planner
June McLarty, Corporate Services Clerk

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

ADDENDUM TO AGENDA:

7. PLANNING:

- (a) Communication and responses received for Draft Plan of Subdivision 34T-SO2301 and ZBA 2023-08, Rickwood
 - i) Correspondence from Lake Erie Salmon and Trout Club
 - ii) Response from LDS Consultants Inc- Technical Response to Comments Received from Lake Erie Salmon and Trout Club
 - iii) Communication from Rob and Sherri Jones
 - iv) Communication from MaryAnne Van De Gevel, Great Lakes Farms

- v) Comments received from Patrick Matkowski, Monteith Brown
Planning Consultants RE: Proposed Conditions

DISCLOSURES: None

ADOPTION AND REVIEW OF MINUTES:

Council Minutes – Adopt

2023-338 Councillor Adzija – Deputy Mayor Pennings

THAT the Minutes of the Special Council Meeting of October 21, 2023 and the Regular Council Meeting of October 23, 2023 are hereby adopted.

CARRIED

Committee Minutes – Review

2023-339 Deputy Mayor Pennings – Councillor Emons

THAT Council has reviewed the Minutes of the Economic Development Committee Meeting of October 5, 2023, Draft Minutes from the Winterfest/Family Day Committee Meeting of October 11, 2023, Draft Minutes of the Shedden Recreation and Keystone Complex Meeting of October 19, 2023, Draft Minutes of the War Memorial Committee Meeting of October 24, 2023, Draft Minutes of the Talbotville Station Technical Advisory Committee Meeting of October 30, 2023.

CARRIED

DELEGATION:

7:03 p.m. – 7:10 p.m.

Rosy Rhubarb Run

2023-340 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold grants permission to the Optimist Club of Fingal-Shedden & District and the Rosy Rhubarb Committee to hold a 5k/10k run and walk plus a 1 k fun run in the Villages of Shedden and Fingal along Union Road on Sunday June 9th, 2024 beginning at 8:45 a.m. until approximately 10:45 a.m. ; acknowledging that traffic will be stopped along Township and County roads as part of the run and walk route as per the request; and

THAT the Clerk be authorized to sign the Road Closure Agreement with Elgin County for the purpose of the run and walk.

CARRIED

REPORTS:

FIR 2023-12 Activity Report – September and October 2023

Jeff McArthur presented this report.

FIR 2023-13 Community Emergency Preparedness Grant

2023-341 Deputy Mayor Pennings – Councillor Emons

THAT the Township of Southwold Council approve staff applying for the Community Emergency Preparedness Grant (CEPG).

CARRIED

PLANNING:

Draft Plan of Subdivision and Zoning By-law Amendment

7:15 p.m. ZBA 2023-08 and 34T-SO2301, Rickwood, 4400/4324 Thomas Road

In attendance: Public Registry – Attached as Appendix A

Opening of Public Meeting for ZBA 2023-08

2023-342 Deputy Mayor Pennings – Councillor Fellows

THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider a Draft Plan of Subdivision and Zoning By-law Amendment file no. 2023-08, filed by A. Rickwood C/O. Monteith Brown Planning Consultants, 4324 Thomas Road opens at **7:15 p.m.**

CARRIED

The Mayor called the meeting to order and made the following statement: This is a public meeting as required by Section 34 of the Planning Act to afford any person an opportunity to make representation with the respect to a proposed zoning by-law amendment to rezone the subject lands located at 4324 Thomas Road from Settlement Reserve (SR) Zone to Residential Holding (R1H) Zone to permit the construction of single detached residential dwellings and the approval of draft plan of subdivision 34T-SO3201.

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

The Mayor asked the Clerk as to 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 and municipal departments on October 23rd, 2023. A sign was posted on the subject property prior to the deadline of October 25th, 2023.

Planner Danielle Truax presented her report to Council and to the public. Ms. Truax reported that Schedule A to the By-law will need to be amended to show the correct line for what is designated as Open Space. Ms. Truax explained the zoning by-law amendment's purpose and the procedures for the draft plan of subdivision. The list of conditions for the draft plan of subdivision was also reported to Council and to the public.

The Mayor asked the Clerk if any comments were received from staff. The Clerk responded yes, that 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 agency comments were received, as detailed in the Planning Staff Report. Additional comments were received from LDS Consultants, William Pol of Pol Associates Inc, Planning Consultant for Great Lakes Farms, Rob and Sherri Jones and Patrick Matkowski, Monteith Brown Planning Consultants.

The Mayor 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 the zoning by-law amendment, please ensure that they email their name, address, postal code and phone to the Planner or Clerk by November 14, 2023. Any person that has contacted the Planner to be part of the public meeting on November 13, 2023 will receive this further information automatically.

The Mayor asked if the owner and/or applicant were in attendance.

Al Rickwood, owner of subject lands was present and Patrick Matkowski and Jay McGuffin of Monteith Brown Planning Consultants also identified themselves as the representatives for Mr. Rickwood. Mr. Matkowski thanked Staff for their work in processing this application. He had a chance to review the staff report and is in agreement with most of the conditions, but it was noted that there are concerns about the wording and requirement of the owner in two of the conditions. Staff indicated that small amendments to the report can be adjusted prior to formal submission to the County.

The Mayor opened the meeting up to comments from the public, requesting that commenters first identify themselves.

S. Jones and R. Jones of 4426 Thomas Road commented on the concerns that have been brought forward from the residents in the proposed developed area. These concerns were about drainage, conditions of the road, lot grading, septic systems, ditches, speed limit, internet and guardrails. Ms. Jones commented that there are questions about their concerns that they would like to be addressed.

Mayor Jones and CAO/Clerk Lisa Higgs commented that there is money in this year's budget as well as in subsequent budgets for proposed improvements on Thomas Road. Mr. VanOorspronk explained to the residents that the municipality is intending on taking a very wholesome look at the road, developing drainage solutions and structural improvements.

K. O'Neil of 4415 Thomas Road questioned whether the approvals are granted before the infrastructure is created. Ms. Truax explained the process for the plan of subdivision. The developer will be responsible for the conditions imposed. Some of the conditions will involve entering into a development agreement and plans for the infrastructure. There is a time limit for the completion of the conditions and building permits will not be issued until all the conditions have been met, including the appropriate installation of infrastructure.

D. Bruce of 4403 Thomas Road commented that the previous developer did not have a drainage plan in place. Mayor Jones explained that conditions for a drainage plan will be enforced before the first building permit is issued. Deputy Mayor Pennings commented that this Council is aware of the condition of the road and what has led to the problems in this area. Those previous houses were built without a plan of subdivision. The fact that the developer has come back and the municipality is recommending conditions is good step forward. This plan of subdivision will address a lot of these concerns.

M. Horner of 4389 Thomas Road commented that he is not opposed to development. He questioned whether new homes will include the same style and size as existing homes. CAO/Clerk Lisa Higgs commented there are mechanisms through things like restrictive covenants, however the municipality has not agreed to any at this time. While this is the legal mechanism under which the municipality can enforce finishes, in the absence of restrictive covenants, the municipality relies on applicable law under the building code act and development standards contained in a municipal zoning By-Law.

M. Horner commented that he is concerned about drastic difference that could affect their taxes or re-sale value. CAO/Clerk Lisa Higgs responded that these lots will be in R1 Zone, and we will have to follow the regulations under that zoning. M. Horner questioned what is in place to keep the neighbourhood like it is now. We don't want the

lots overing grown with tall grass. Ms. Truax responded that we have a clean yard maintenance by-law that the municipality can enforce.

R. Jones questioned the timeline for building a home and completing everything. CAO/Clerk Lisa Higgs commented that through the draft plan approval, the developer has 3 years to meet their conditions. They can ask for extensions, but this is done through the County. Once the conditions are completed, the deed can be stamped and the lots are created.

J. Van De Gevel, 5111 Union Road, commented about his concerns regarding clauses in the agreements stating that this an active farming community. Ms. Truax responded that there will be a clause in the development agreement and the purchase and sales agreement. The development agreement is registered on title.

D. Bruce questioned who would be paying for the infrastructure. Mr. VanOorspronk responded that the developer will be paying for their proportionate share of improvements. The updating of the road will be done by the Township.

Mr. Brown, President of the LESTC (Lake Erie Salmon and Trout Club) reported that they do not have problems with the subdivision, they have a concerns with water and the sources of water that feeds their hatchery and ponds. The club is seeking guarantees in place that their water won't be interrupted from supplying the hatchery. Mr. VanOorspronk responded that it would be addressed through low impact development and stormwater management such as a collection pond that will dissipate the water through a municipal drain or natural watercourse. Planning consultant for the applicant, Jay McGuffin, addressed the studies that were done by the geotechnical specialist which noted that the lots will not interfere with the stream and that post and pre-development conditions will be maintained.

Mayor Jones asked if there were any further questions from the Council or the public.

Deputy Mayor Pennings commented that there will be a development agreement that will come to Council with a lot more details on the actual plans. This is the framework for the proposal.

R. Jones questioned if there would be another notice of public meetings. CAO/Clerk Lisa Higgs responded that this would be the only public meeting for a zoning by-law. There will be no public meeting for the development agreement, but you can continue to monitor our website for updates and ask to updated on these matters when they come to Council.

PLA 2023-31 ZBA 2023-08 Rickwood, 4324 Thomas Road

2023-343 Deputy Mayor Pennings – Councillor Adzija

THAT Council approve Zoning By-law Amendment Application ZBA 2023-08 to rezone the subject properties from Settlement Reserve (SR) Zone to Residential Holding (R1H) Zone as presented in By-law 2023-58 attached as Appendix 3 to Report PLA 2023-31; and,

THAT Council recommend approval of the proposed Draft Plan of Subdivision 34T-SO2301 to Elgin County, subject to the conditions listed in Appendix 2 of Report PLA 2023-31 being assigned to any Notice of Decision by the County; and,

THAT subject to no concerns being raised at the public meeting, that By-law 2023-58 to amend Zoning By-law 2011-14 be presented at the regular meeting of Council on November 13th, 2023 for adoption as amended (PLA 2023-31) through the addendum to the agenda; and,

THAT the communication and responses that were received and listed below be included with report PLA 2023-31

- i) Correspondence from Lake Erie Salmon and Trout Club
- ii) Response from LDS Consultants Inc- Technical Response to Comments Received from Lake Erie Salmon and Trout Club
- iii) Communication from Rob and Sherri Jones
- iv) Communication from MaryAnne Van De Gevel, Great Lakes Farms
- vi) Comments received from Patrick Matkowski, Monteith Brown Planning Consultants RE: Proposed Conditions.

CARRIED

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

Closing of Public Meeting for ZBA 2023-08

2023-344 Councillor Fellows – Councillor Emons

THAT the public meeting to consider the Draft Plan of Subdivision and an application to amend the zoning on the property owned by A. Rickwood C/O Monteith Brown Planning Consultants, 4324 Thomas Road closes at **8:20 p.m.**

CARRIED

Break 8:20 p.m. – 8:26 p.m.

DELEGATION:

8:27 p.m. – 9:19 p.m.

2024 Budget – Fire Capital

Director of Emergency Services/Fire Chief Jeff McArthur presented his report to Council. The report contained items that are requested for the 2024 budget and subsequent budgets. Council discussion these various items.

REPORTS:

ENG 2023-56 Activity Report – October 2023

Aaron VanOorspronk presented this report.

ENG 2023-57 Ferguson Line Speeding Concerns

2023-345 Deputy Mayor Pennings – Councillor Fellows

THAT Report ENG 2023-57 relating to Ferguson Line Speeding Concerns, be received for information, and,

THAT Council direct Staff to forward the received correspondence to Elgin County Engineering, and,

THAT Council authorize the Mayor to provide written correspondence to the concerned residents acknowledging receipt of the correspondence, that it has been shared with Council and that it has been forwarded to the appropriate road authority.

CARRIED

FIN 2023-16 Accrual Budget

2023-346 Councillor Adzija – Councillor Emons

THAT Council approve the 2023 Accrual Budget as presented for Financial Statement purposes.

CARRIED

FIN 2023-17 Ontario Municipal Partnership Fund

Michele Lant presented this report.

CBO 2023-18 Activity Report – October 2023

Corey Pemberton presented this report.

CAO 2023-56 Activity Report – October 2023

Lisa Higgs presented this report.

CAO 2023-57 Food Waste Prevention and Diversion Research and Capacity Building Fund

2023-347 Councillor Emons – Councillor Fellows

THAT Council authorize staff to submit an application for funding under the Food Waste Prevention and Diversion Research and Capacity Building Fund through the Federal Government Environment and Climate Change Canada (ECCC) department.

CARRIED

CAO 2023-58 Council Chamber Renovation – Update and Possible Selection of Audio-Visual Equipment

2023-348 Deputy Mayor Pennings – Councillor Fellows

THAT Council receives report CAO 2023-58 as information; and

THAT an improved camera and installation be purchased with a threshold of \$5000.00 to \$6000.00.

CARRIED

County Council Highlights – October 24, 2023

Mayor Jones presented this report.

CORRESPONDENCE:

- Clearview Township Resolution RE: Illegal Car Rally – Provincial Task Force
- Municipality of North Perth Resolution Re: Till Death Do Us Part
- Elgin County RE: Resolution in Support of Updating the Municipal Freedom of Information and Protection of Privacy Act
- Watson & Associates Economists Ltd RE: Assessment of Bill 134, Affordable Homes and Good Jobs Act, 2023

North Perth Resolution - Support for Bill 21, Fixing Long-Term Care Amendment Act (Till Death Do Us Part), 2022

2023-349 Councillor Emons – Deputy Mayor Pennings

BE IT RESOLVED THAT the Council of the Township of Southwold supports the resolution that was passed by the Municipality of North Perth regarding Bill 21, Fixing Long-Term Care Amendment Act (Till Death Do Us Part), 2022; and,

FURTHER THAT a copy of this resolution be sent to the Honourable Minister of Long-Term Care, Stan Cho, the Honourable Rob Flack, Member of Provincial Parliament for Elgin-Middlesex-London, and the Municipality of North Perth.

CARRIED

Elgin County RE: Resolution in Support of Updating the Municipal Freedom of Information and Protection of Privacy Act

2023-350 Councillor Fellows – Councillor Emons

BE IT RESOLVED THAT the Council of the Township of Southwold supports the resolution that was passed by Elgin County regarding updating the Municipal Freedom of Information and Protection of Privacy Act; and,

FURTHER THAT a copy of the resolution be sent to the Honourable Premier Doug Ford, Hon. Paul Calandra, Minister of Municipal Affairs and Housing, the Honourable Todd McCarthy, Minister of Public and Business Service Delivery, the Honourable Rob Flack, Member of Provincial Parliament for Elgin-Middlesex-London, Association of Municipal Managers, Clerks and Treasurers of Ontario and Elgin County.

CARRIED

BY-LAW:

- By-law No. 2023-58, being a by-law to amend By-law No. 2011-14, Rickwood, 4324 Thomas Road

By-law

2023- 351 Deputy Mayor Pennings – Councillor Emons

THAT By-law No. 2023-58 be read a first and second time, considered read a third time and finally passed this 13th day of November, 2023.

CARRIED

OTHER BUSINESS:

- Notice of Public Information Centre – Highway 4 and Proposed Talbotville Bypass

Council reviewed the item under Other Business

CLOSED SESSION:

2023-352 Councillor Emons – Councillor Adzija

THAT Council of the Township of Southwold now moves again into a session of the meeting that shall be closed to the public at **10:01 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)) – 2 Items – Shedden Development Lands and Shedden Commercial Property
- Labour relations or employee negotiations (section 239(2) (d))- CUPE Negotiations
- A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value(section 239(2)(j)) – 2 Items – Financial Assessment for Industrial Property
- 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))- 2 Items Sanitary Servicing and Shared Services Infrastructure.

CARRIED

Adjournment of Closed Session

2023-353 Deputy Mayor Pennings – Councillor Emons

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **10:59 p.m.**

CARRIED

Extension of Council Meeting

2023-354 Deputy Mayor Pennings – Councillor Emons

THAT Council extend this regular meeting past 11:00 p.m. deadline, as per the Procedural By-law 2018-23.

CARRIED

CLOSED SESSION:

2023-355 Councillor Emons – Councillor Adzija

THAT Council of the Township of Southwold now moves again into a session of the meeting that shall be closed to the public at **11:00 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)) – 2 Items – Shedden Development Lands and Shedden Commercial Property
- Labour relations or employee negotiations (section 239(2) (d))- CUPE Negotiations
- A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value(section 239(2)(j)) – 2 Items – Financial Assessment for Industrial Property
- 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))- 2 Items Sanitary Servicing and Shared Services Infrastructure.

CARRIED

Adjournment of Closed Session

2023-356 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **11:27 p.m.**

CARRIED

STAFF DIRECTION

Staff were directed by Council to 5 items that were discussed in the Closed Session. The items under Section 239 (k) were deferred to the next Council meeting.

Confirming By-law

- By-law No. 2023-59, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on October 21 and November 13, 2023

Confirming By-law

2023-257 Councillor Fellows – Councillor Emons

THAT By-law No. 2023-59 be read a first and second time, considered read a third time and finally passed this 13th day of November, 2023.


CARRIED

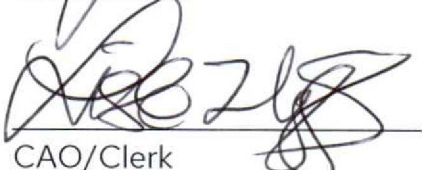
ADJOURNMENT:

2023-258 Deputy Mayor Pennings – Councillor Fellows

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **11:28 p.m.**

CARRIED



Mayor
Grant Jones


CAO/Clerk
Lisa Higgs



TOWNSHIP OF
Southwold

PUBLIC REGISTRY

RE: 4324 Thomas Road

- ☒ Zoning By-law Amendment (ZBA 2023-08)
☐ Official Plan Amendment
☐ Minor Variance
☐ Consent
☒ Other Draft Plan of Subdivision

PUBLIC MEETING HELD THIS 13th DAY OF NOVEMBER, 2023 AT 7:15 P.M.

STATE FULL NAME AND MAILING ADDRESS AND PLEASE INCLUDE PHONE NUMBER	DO YOU WISH TO RECEIVE NOTICE OF ANY DECISION CONCERNING THIS APPLICATION	
PLEASE PRINT	YES	NO
NAME <u>Mark Horner</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>LYNDIA NAKHBA</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS		
NAME <u>Joe Vande Gevel</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>Patrick MacCounis</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>Derek Lincoln</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>AL RICKWOOD</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS		
NAME <u>Kyle Moss</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	

Preston Kivell

Personal information on this form is collected under the authority of Freedom of Information Act, 1990 as amended. The information will become part of the official record for this purposes in the event of an appeal to the Ontario Land Tribunal. Questions about the Clerk.

Privacy Act,
Notification
used to

KIT BROWN } LESTC
RON CASIER }



TOWNSHIP OF
Southwold

PUBLIC REGISTRY

RE: 4324 Thomas Road

- ☒ Zoning By-law Amendment (ZBA 2023-08)
- ☐ Official Plan Amendment
- ☐ Minor Variance
- ☐ Consent
- ☒ Other Draft Plan of Subdivision

PUBLIC MEETING HELD THIS 13th DAY OF NOVEMBER, 2023 AT 7:15 P.M.

STATE FULL NAME AND MAILING ADDRESS AND PLEASE INCLUDE PHONE NUMBER	DO YOU WISH TO RECEIVE NOTICE OF ANY DECISION CONCERNING THIS APPLICATION	
PLEASE PRINT	YES	NO
NAME <u>Sherri & Rob Jones</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>Kim Blanchette</u> MAILING ADDRESS <u>1700 T. Rd</u> PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>Paul Shaw</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>Kimberly Boughey</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>KAREN O'NEILL</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>J. McGOFFIN</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	
NAME <u>LIZ EANN KERRULEY</u> MAILING ADDRESS PHONE NUMBER EMAIL ADDRESS	✓	

Personal information on this form is collected under the authority of *Freedom of Information and Protection of Privacy Act, 1990* as amended. The information will become part of the official record for this meeting and may be used for notification purposes in the event of an appeal to the Ontario Land Tribunal. Questions about this collection should be addressed to the Clerk.