



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday September 23, 2024
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
Mike Taylor, Manager of Environmental Services
June McLarty, Deputy Clerk

GUEST: Mike Szilagyi, Planner

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

ADDENDUM TO AGENDA:

Staff update. Item 7b is to be deferred until the next regular Council meeting and the agenda be approved as amended.

DISCLOSURES: None

ADOPTION OF MINUTES:

Council Minutes – Adopt

2024-280 Councillor Adzija – Councillor Emons

THAT the Minutes of the Regular Council Meeting of September 9, 2024 are hereby adopted. **CARRIED**

Committee Minutes – Review

2024-281 Deputy Mayor Pennings – Councillor Fellows

THAT Council had reviewed the draft Minutes of the Parks Committee Meeting of September 11, 2024.

CARRIED

PLANNING:

Zoning By-law Amendment

7:00 p.m. ZBA 2024-05, D. Kikkert, C/O H. Button, 8169 Union Road

In attendance: H. Button, S. Helmer, T. and D. Penner, E. McLeod, T. and H. Bradish

Opening of Public Meeting for ZBA 2024-05

2024-282 Councillor Fellows – Councillor Adzija

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. ZBA 2024-05, D. and C. Kikkert, C/O. H. Button, 8169 Union Road opens at **7:02 p.m.**

CARRIED

Mayor Jones called the meeting to order and stated 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 which would amend the zoning on the subject property from Residential 1 (R1) Zone to Residential 1 Special Provision 38 (R1-38) Zone to fulfil a condition of consent application E23-24. A zoning by-law amendment is required to address minimum lot frontage and planting strip deficiencies on the retained parcel.

The Mayor asked if any member of Council had a disclosure of interest concerning the *Minutes of Council –September 23, 2024*

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 a notice was mailed to neighboring property owners within 120 meters of the subject lands and emailed to commenting agencies on August 27, 2024. A sign was posted on the subject property prior to the deadline of September 3, 2024.

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 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 Report.

Planner Mike Szilagyi present the report to Council and the public. Mr. Szilagyi noted that there is correction in the report. The report indicated that a lot grading plan was included as a condition of the severance application, but this is incorrect. The lot grading plan will be submitted as part of the building permit application process and will address the drainage issues.

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 to the Planner or Clerk by September 24, 2024. Any person that has contacted the Planner to be part of the public meeting tonight will receive this further information automatically.

The Mayor asked if the owner and/or applicant were in attendance to please identify themselves so the Township has a record of their attendance at this public meeting. Helen Button, solicitor for the applicant identified herself. She reported that she had no further comments to add to the report.

The Mayor asked if you are here for this public meeting to please identify yourself so that the Township has a record of your attendance at this public meeting with your name and civic address.

S. Helmer, 8177 Union Road identified herself. Ms. Helmer questioned the location of new laneway on the subject property. Mr. Szilagyi responded that the applicants can only construction a driveway in the limits of their own property. The 1 m distance would be adjacent to the Ms. Helmer's property but the applicants are asking for an exemption to

that 1 m distance. Mr. Szilagyi also reported the applicants will have to submit a drainage and lot grading plan to address these issues before any building permits are issued.

Ms. Helmer also questioned the access for emergency vehicles. Mr. Szilagyi responded that there was sufficient access for emergency vehicles.

Ms. Helmer questioned if this was the only time that she would be able to address these conditions and whether she would receive any further notification regarding the conditions.

Ms. Higgs responded that the consent application was conditionally approved and there were conditions attached to the decision. No appeals were filed on the application. The onus is now on the applicants to meet those conditions. There will not be any further public meetings to discuss the conditions. The Township will notify the Land Division Committee once the conditions have been met. The drainage reapportionment condition will have to come to Council as an annual report and the building permit is done by staff and there is no public process.

The Mayor asked if any member of Council had any comments or questions on the application. No comments or questions were received.

The Mayor asked if there were any further questions from Council or members of the public.

Ms. Helmer asked for clarification on a drawing that received. Ms. Higgs responded that when the municipality creates public notices, a GIS software is used that includes aerial images that contains an overlay showing approximate lot line data that we have received from the Land Registry office and MPAC. The lot lines on the image are an estimation. Any work done with the Land Division Committee in regard to the actual registration and transferring of the parcel must be completed through a legal survey. The drawing that was received is not a legal survey but the engineering plan that was submitted with the application is a legal survey.

Ms. Helmer voiced her concerns about the trees that are located where the additional laneway is to be located. The overhang of the trees may impact emergency vehicles. Ms. Button responded that she was not aware of the trees but reiterated that the applicant can only work within their lands. Mr. Szilagyi commented that if the trees overhang on the applicant's property they might have the ability to trim them, but they cannot be removed without permission. Those trees will not be removed.

Ms. Higgs commented that Ms. Helmer can do some further investigation into the Boundary Tree legal information webpage but should confer with her own legal council on this matter.

Deputy Mayor Pennings commented that the existing driveway is large enough to accommodate a fire truck.

PLA 2024-14, ZBA 2024-05, 8169 Union Road

2024-283 Deputy Mayor Pennings – Councillor Fellows

THAT Report PLA 2024-14 be received for information; and

THAT Application for Zoning By-law Amendment No. ZBA 2024-05 to amend the zoning of the property known municipally as 8169 Union Road, Fingal from Residential 1 (R1) Zone to Residential 1 Special Provision 38 (R1-38) Zone, be APPROVED; and,

THAT By-law No. 2024-48 be referred to in the By-law section of the Council Agenda of September 23, 2024 for passage.

CARRIED

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

Adjournment of Public Meeting ZBA 2024-05

2024-284 Deputy Mayor Pennings – Councillor Emons

THAT the public meeting to consider the application to amend the zoning on the property owned by D. and C. Kikkert C/O. H. Button, 8169 Union Road closes at **7:28 p.m.**

CARRIED

DELEGATION:

7:33 p.m. – 7:49 p.m.

OCWA – Vitally Talashok, Matthew Belding, Robin Trepanier

OCWA 2nd Quarter Reports

2024-285 Councillor Fellows – Deputy Mayor Pennings

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THAT Council of the Township of Southwold hereby receives the reports from Vitally Talashok and Matthew Belding, OCWA re: The Southwold Water Distribution System 2nd Quarter Operations Report and the Talbotville Wastewater Treatment Plant 2nd Quarter Operations Report for information purposes.

CARRIED

REPORTS:

ENG 2024-50 Bridge Engineering Award

2024-286 Deputy Mayor Pennings – Councillor Emons

THAT Report ENG 2024-50 relating to the Bridge Engineering Award, be received for information; and

THAT the proposal for design of the Scotch Line Culvert submitted by Spriet Associates Ltd. in the amount \$45,000 plus HST be accepted.

CARRIED

FIN 2024-19 2025 Capital Budget Meeting Dates

2024-287 Councillor Emons – Councillor Adzija

THAT Council approve the 2025 Capital Budget Meeting schedule as set Tentatively out in this report.

CARRIED

CAO 2024-68 Shedden Commercial Plaza – Declaration of Surplus

2024-288 Councillor Fellows – Deputy Mayor Pennings

THAT, in accordance with By-Law 2013-29, the Council of the Township of Southwold, formally declares that the following municipal property is declared surplus to the needs of the municipality;

35809 Talbot Line, legally described as CON SNBTR PT LOT 15 AND PLAN; 152 N PT LOT 3 RP 11R8789; PART 1; and,

THAT the Clerk is required to post notices in accordance with section 4.0 of By-Law 2013-29; and,

THAT the Clerk be directed to issue a Request for Proposal in accordance with section 6.2 of By-Law 2013-29.

CAO 2024-69 Parking in Talbotville Park

2024-289 Councillor Fellows – Councillor Adzija

THAT, Council receives the report CAO 2024-69 as information; and,

THAT Council directs staff to provide correspondence to not permit a school bus to park in the Talbotville Optimist Heritage Park; and,

THAT Council provides direction to staff on whether to allow overnight parking in municipal parks and whether to research converting the space into a controlled municipal lot.

CARRIED

STAFF DIRECTION

Staff was directed by Council to further investigate some solutions to the parking problems in the subdivisions in Talbotville.

County Council Highlights – September 10, 2024

Mayor Jones presented this report to Council.

CORRESPONDENCE:

- Talbotville Optimist Club Fee Waiver Request
- Thank you from Meggie Cywink
- Town of Tillsonburg Resolution RE: Cellular Coverage

Talbotville Optimist Club Fee Waiver Request

2024 – 290 Councillor Adzija – Councillor Emons

THAT Council approves the fee waiver request in the amount of \$468.00 from the Talbotville Optimist Club for the use of the pavilion and soccer field at the Talbotville Heritage Park for the Friday Family Nights during the month of September, 2024.

CARRIED

Town of Tillsonburg Resolution RE: Cellular Coverage

2024-291 Councillor Fellows – Councillor Emons

BE IT RESOLVED THAT the Council of the Township of Southwold supports the attached resolution that was passed by the Town of Tillsonburg regarding Cellular Coverage Concerns; and

THAT a copy of this resolution be sent to SWIFT, local telecommunications providers, the local MP, MPP and the Town of Tillsonburg.

CARRIED

Council has reviewed the other items under Correspondence

BY-LAW:

- By-law No. 2024-48, being a by-law to amend By-law No. 2011-14, Kikkert, 8169 Union Road

By-law No. 2024-48

2024-292 Councillor Emons – Councillor Fellows

THAT By-law No. 2024-48 be read a first and second time, considered read a third time and finally passed this 23rd day of September, 2024.

CARRIED

OTHER BUSINESS:

- Ontario Energy Board RE: Enbridge Gas Inc. - Notice of a Hearing – New Certificate of Public Convenience

Council reviewed the item under Other Business.

CLOSED SESSION:

2024-293 Councillor Fellows – 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 **8:37 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 Conservation Land Acquisition

CARRIED

Adjournment of Closed Session

2024-294 Deputy Mayor Pennings – Councillor Emons

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

CARRIED

STAFF DIRECTION

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

Confirming By-law

- By-law No. 2024-49, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on September 23, 2024

Confirming By-law

2024-295 Councillor Fellows – Councillor Emons

THAT By-law No. 2024-49 be read a first and second time, considered read a third time and finally passed this 23rd day of September, 2024.

CARRIED

ADJOURNMENT:

2024- 296 Councillor Adzija – Councillor Fellows

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **9:39 p.m.**

CARRIED

Original Signed by

Mayor
Grant Jones

Original signed by

CAO/Clerk
Lisa Higgs