



THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

MINUTES

Regular Council Meeting
Monday January 27, 2025
7:00 p.m. Southwold Keystone Complex, Shedden/Via Video Link

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

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Aaron VanOorspronk, Director of Infrastructure & Development
Services
Brent Clutterbuck, Drainage Superintendent
June McLarty, Deputy Clerk

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

ADDENDUM TO AGENDA:

DISCLOSURES: None

ADOPTION OF MINUTES:

Council Minutes – Adopt

2025-22 Deputy Mayor Pennings – Councillor Fellows

THAT the Minutes of the Regular Council Meeting of January 13th, 2025 and the Special Council Meeting of January 15th, 2025 are hereby adopted.

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

CARRIED

Committee Minutes – Review

2025-23 Councillor Adzija – Deputy Mayor Pennings

THAT Council reviewed the Draft Minutes of Economic Development Committee Meeting of December 12, 2024, the Minutes of the Southwold 175 Planning Committee Meeting of December 19, 2024 and the Draft minutes of the January 6th, 2025 meeting and the Draft minutes of the Family Day Committee Meeting of January 6, 2025.

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

CARRIED

DRAINAGE:

Ryan Drain 2024

In attendance: H. and P. Kerr, D. Bruce

Meeting to Consider Report – Ryan Drain 2024

2025-24 Councillor Fellows – Councillor Adzija

THAT the Meeting to Consider the Report for the Ryan Drain 2024 forms at **7:03 p.m.**

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

Chairman Grant Jones called the meeting to order and stated that this is the Meeting to Consider the Report for the Ryan Drain 2024, dated October 16, 2024, prepared by Mike DeVos of Spriet Associates. 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 been 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.

Chairman Jones 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 January 15, 2025 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 Ryan Drain 2024 Dated October 16, 2024

Mike DeVos presented his report to Council and the public.

Chairman Jones asked if any affected parties have any questions or concerns.

P. Kerr identified himself and asked for clarification on who was paying for the drain. Mr. DeVos responded that the report was paid for by the developer. Under the Drainage Act properties that are assessed will pay the towards future maintenance costs. CAO/Clerk Lisa Higgs commented that the construction of the drain has been completed. Mr. Kerr asked if in the future, they would have to pay. Mr. DeVos responded that any maintenance on the drain will be paid by the group of landowners that were assessed on the drain.

D. Bruce identified himself and questioned the construction and use of stones for the swale pond. Mr. DeVos responded that an inspection could be carried out to make sure that everything is complete. This report incorporated the stormwater management system that was designed by the Developer's engineer. There are specifications for the size and depth of the SWM pond that are to be maintained.

D. Bruce also questioned if there were any plans for the runoff on the road. Director of Infrastructure and Development Services Aaron VanOorspronk responded that there is a capital project planned for Thomas Road. Information from the developer and engineer would be collected to design the tender.

D. Bruce asked who would absorb the costs for the drain. Mr. DeVos responded that the developer would be responsible for the costs of any maintenance required before assumption.

P. Kerr questioned if there would be any more construction. Mr. DeVos responded that there may be some sentiment removed.

D. Bruce questioned if the report was complete. Mr. DeVos responded yes. Water from the surrounding field was not intended to go into the SWM pond. The developer’s engineer was responsible for the design of the SWM pond as part of the development. This report is an incorporation of that engineer’s design into a municipal drain under the Drainage Act

Report – Ryan Drain 2024

2025- 25 Deputy Mayor Pennings – Councillor Fellows

THAT the Report on the Ryan Drain 2024 prepared by Spriet Associates pursuant to Sections 4 of the Drainage Act, dated October 16, 2024 be accepted by Council of the Township of Southwold; and

THAT Council authorizes staff to initiate the tender process, if required, for the construction of the Ryan Drain 2024; and

THAT the Court of Revision for the Ryan Drain 2024 will be held virtually/in-person at 7:00 p.m. on February 24, 2025 and

THAT Council consider provisional By-law No. 2025-07.

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

CARRIED

Chairman Jones stated that later this meeting, Council will be passing provisional by-law 2025-07. 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 Ryan Drain 2024 that can be attended in person or virtually on Monday February 24, 2025 at 7:00 p.m.

Chairman Jones also stated that 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 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.

Landowners 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.

Adjournment of Mtg to Consider Report – Ryan Drain 2024

2025-26 Councillor Emons – Councillor Adzija

THAT the Meeting to Consider the Report for the Ryan Drain 2024 hereby adjourns and the regular meeting of Council reconvenes at **7:29 p.m.**

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

CARRIED

REPORTS:

IDS 2025-05 Ontario Trillium Grant

2025-27 Deputy Mayor Pennings – Councillor Adzija

THAT Council authorize staff to submit an Application for Funding under the Ontario Trillium Foundation, Capital Grant towards the renewal and improvement of Fingal Ball Park.

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

CARRIED

IDA 2025-06 Union Road Sanitary Servicing

2025-28 Councillor Emons – Deputy Mayor Pennings

THAT Report IDS 2025-06 relating to Union Road Sanitary Servicing Award, be received for information; and,

THAT Council award tender ENV 2024-001 to PV-EX Construction Ltd in the amount \$2,878,000 plus HST; and,

THAT a Contingency Allowance of \$400,000 be approved; and

THAT award Contract Administration and Inspection Services to Dillon Consulting in the amount of \$321,693.80 plus HST

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

CARRIED

CAO 2025-08 Evelyn’s Sausage Kitchen – Tax Increment Equivalent Grant (TIEG) Report

2025-29 Councillor Fellows – Deputy Mayor Pennings

THAT the report titled “Evelyn’s Sausage Kitchen – Tax Increment Equivalent Grant (TIEG) Report” from the CAO/Clerk be received as information; and,

THAT the Elgincentives application submitted by DHC Harris Enterprises Inc. (Evelyn’s Sausage Kitchen) for the Tax Increment Equivalent Grant be approved by Council; and,

THAT the grant be applied only to the commercial and industrial assessment portion of the project (and not any other tax classes); and,

THAT the grant be applied to 100% of the Municipal portion of the tax increase, decreasing by 10% for a period of 5 years; and,

THAT the Clerk be authorized to endorse a Financial Incentive Agreement prepared by Elgin County for the approved project as described in the application package for the applicant DHC Harris Enterprises Inc.

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

CARRIED

Elgin County – From Council Chambers – January 14, 2025

Mayor Jones presented this report to Council.

CORRESPONDENCE:

- Town of Aylmer RE: Motion regarding Opposition to Provincial Legislation on Cycling Lanes and Support for Municipal Authority in Transportation Planning
- Ministry of Rural Affairs RE: Enabling Opportunity: Ontario’s Rural Economic Development Strategy
- Resolutions from the City of Toronto and the City of Hamilton RE: No Paid Plasma Free Zone.

Opposition to Provincial Legislation on Cycling Lanes and Support for Municipal Authority in Transportation Planning

2025-30 Mayor Jones – Councillor Emons

THAT a letter opposing the provincial legislation on cycling lanes and support for municipal authority in transportation planning be sent to the Premier of

Ontario, the Minister of Transportation, the Member of Provincial Parliament representing constituencies within the Elgin-Middlesex-London region and to the Association of Municipalities of Ontario.

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

CARRIED

BY-LAWS:

- By-law No. 2025-07, being a by-law to provide for drainage works – Ryan Drain 2024.
- By-law No. 2025-08, being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on January 15, 2025 and January 27, 2025

By-law:

2025-31 Deputy Mayor Pennings – Councillor Fellows

THAT By-law No. 2025-07 be read a first and second time this 27th day of January, 2025.

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

CARRIED

OTHER BUSINESS

- Enbridge Gas Inc. – Southwold Pipeline Project

Council reviewed the item under other business.

Break 7:48 p.m. -8:00 p.m.

PLANNING:

Zoning By-law Amendment

ZBA 2025-01, 35743 Horton Street

Opening of Public Meeting for ZBA 2025-01

2025-32 Councillor Adzija – Deputy Mayor Pennings s

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 2025-01, 1873828 Ontario Limited C/O Dave Sparenberg C/O Dillon Consulting, 35743 Horton Street opens at **8:00 p.m.**

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

CARRIED

Chairperson Jones called the meeting to order and stated that this is a public meeting as required by Section 34 of the Planning Act to afford an person an opportunity to make representation with respect to a proposed zoning by-law amendment to rezone the subject property legally described as: Part of Lot 15, Concession South East of the North Branch Talbot Road, municipally known as 35743 Horton Street.

The proposed zoning by-law amendment (ZBA) application would rezone the subject property from Settlement Reserve (SR) and Agricultural 1 (A1) Zones to the requested site specific residential 2 (R2) and Residential 3 (R3) Zones. The proposed zoning seeks to establish site specific provisions to reduce the required exterior and rear yard setbacks, increase the permitted maximum lot coverage.

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

Chairperson Jones asked the Clerk what method of notice and when was 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 January 7th, 2025. Signs were posted on the subject property prior to the deadline of January 7th, 2025.

Planner Mike Szilagyi presented his report to Council and the public.

Chairperson Jones asked if any comments were received from staff. The Clerk responded yes, staff comments were received, as detailed in the Planning Staff report.

Chairperson Jones 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. Additional comments were received from Lower Thames Valley Conservation Authority and will be added as an addendum to the staff report. The Township is in receipt of various comments and questions directed to different departments, which have been replied to individually. Further public comments received tonight will be addressed at this meeting.

Chairperson Jones 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 rezoning by-law amendment, please ensure that they mail their name, address, postal code and phone number to the Planner or Clerk by January 28th, 2025. Any person that has contacted the Planner to be part of the public meeting today will receive this information automatically.

Chairperson Jones asked if the owner and /or applicant were in attendance. Connor Wilks and Jody Pszczola, from Dillon Consulting Ltd, identified themselves virtually as representatives from the owner.

M. Silcox questioned what the concerns were from the LTVCA. Mr. Szilagyi responded they were requested further review of the setbacks on lots. M. Silcox also questioned the minimum rear yard setback. Mr. Szilagyi responded that the measurement is 3.5m on one side and 1.2m on the other side.

W. Carroll asked how many people would live in this subdivision. Mr. Szilagyi responded there is an estimated 600-700 people. Mr. Carroll also questioned about schools for the kids. Mayor Jones responded that the Township has frequent meetings with the school boards to discuss the growth in the Township. Mr. Carroll inquired about doctors for all these people. Mayor Jones responded that Premier Ford is putting more money into doctors.

K. Carroll inquired about the additional traffic on the roads. Mr. Szilagyi responded that a traffic impact study was completed and no changes to the roads are required at this time. Director of Infrastructure and Development Services Aaron VanOorspronk commented that the Township will work with the County to monitor these roads and investigate opportunities to improve them. Ms. Carroll also inquired about whether the drainage and sewers were paid by the developer. Mr. VanOorspronk responded that growth pays for growth and that the developer pays for the stormwater improvements and that sanitary infrastructure and water system are on a user pay system.

S. Ward commented that he is in support of the development, but he had concerns with the new sewer plan. He inquired if there were any plans to have sewers for all the

residents in Shedden. CAO/Clerk Lisa Higgs commented that in the past, residents were not in favour of having to connect to the sewer system. Mr. VanOorspronk commented that the provincial funding grant we received was for new development. As the roads are reconstructed, we will install new sewer lines. A Sanitary Master Plan is to be completed and it shows how Shedden will all be connected. A public information session is to be held on February 19th about the new sanitary sewer and the Township appreciates the feedback from residents to better inform planning decisions.

M. Silcox commented that the need for sewers for everyone is there. Deputy Mayor Pennings commented that in the past residents were not interested in connection, but it is good to hear that they are now. Councillor Emons commented that maybe residents on a street can sign a petition to get everyone to connect to the system.

A. Graham commented that she was concerned about the growth in the community and the building of affordable houses. She also inquired about appealing process. Mr. Szalagyi responded that this is not affordable housing, however the proposal brings a greater diversity of housing options. Staff are requiring more time to review the rear and exterior setback for the lots in Phase 2 before a decision can be made on the rezoning. The province has made changes to the appeal process and only the applicant can appeal. This public meeting is where residents can voice their concerns. Mayor Jones commented that residents have said that they want small homes to retire to or small starter homes. We are not building apartment buildings like it was suggested by the government. The redevelopment of Shedden would not happen without the installation of sewers.

W. Whalls inquired about sewage plant and the traffic concerns. Mr. VanOorspronk responded that it is to be completed in 2026, and the price included the infrastructure and the plant.

M. Silcox inquired about how land is developed and used. Mayor Jones commented that we all want to see a better use of the land.

K. Carroll commented that we don't like change and bringing in a lot of people will change the community. A better plan needs to be discussed for drainage. Mayor Jones commented that we need to find unique ways to welcome new people to the community and show them what Southwold is all about. Councillor Emons commented that legally we cannot stop growth and we have talked about growth since she has been on Council. We should be able to grow and maintain our community care. The sewers are very important for Shedden.

A. Minor inquired if we had to wait until the road work was done before sanitary services went down the streets. Mr. VanOorspronk commented that it is more economical to do everything at once. Residents could pay the connection fees when the work is done. A.

Minor all inquired about weekly garbage and recycling collection. Mayor Jones responded that we would continue to monitor those options. An increase in this service will have a price and be included in your taxes. Ms. Higgs commented that the residents who have organic service have a special charge added to their final tax bill.

Chairperson Jones asked if there were any further questions. None were asked.

PLA 2025-03, Zoning By-law Amendment Application ZBA 2025-01 and Plan of Subdivision Application 34T-SO2402 35743 Horton Street

2025-33 Deputy Mayor Pennings – Councillor Fellows

THAT Council recommend approval of the proposed Draft Plan of Subdivision 34T-SO2402 to Elgin County, subject to the conditions listed in Appendix 2 of Report PLA 2025-03 being assigned to any Notice of Decision by the County; and

THAT Council table a decision on Zoning Amendment ZBA 2025-01 until such time that a new zoning distribution be received.

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

CARRIED

Mayor Jones 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.

Closing of Public Meeting ZBA 2025-01

2025-34 Councillor Adzija – Deputy Mayor Pennings

THAT the public meeting to consider the application to amend the zoning on the property owned by 1873828 Ontario Limited C/O Dave Sparenberg, C/O Dillon Consulting, 35743 Horton Street closes at **9:36 p.m.**

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

CARRIED

CLOSED SESSION:

2025-35 Councillor Adzija – Councillor Fellows

THAT Council of the Township of Southwold now moves again into a session of the meeting that shall be closed to the public at **9:38 p.m.** in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters;

- Personal Matters about an identifiable individual, including municipal or local board employees (Section 239 (2)(b)) 2 items – CAO Recruitment
- A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239 (2) (c)) – Shedden Commercial Plaza

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

CARRIED

Adjournment of Closed Session

2025-36 Deputy Mayor Pennings – Councillor Adzija

THAT Council of the Township of Southwold adjourns the Closed Session of the Regular Council meeting at **10:26 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 2 items that were discussed in the Closed Session.

Confirming By-law

- By-law No. 2025-08, being a By-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on January 15, 2025 and January 27, 2025

Confirming By-law

2025-37 Councillor Fellows – Councillor Emons

THAT By-law No. 2025-08 be read a first and second time, considered read a third time and finally passed this 27th day of January, 2025.

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

CARRIED

ADJOURNMENT:

2025-38 Councillor Adzija – Deputy Mayor Pennings

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at **10:27 p.m.**

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

CARRIED

Original signed by

Mayor

Grant Jones

Original signed by:
Deputy Clerk
June McLarty