Regular Council Meeting  
Monday, January 14th, 2019  
7:00 p.m. Council Chambers, Fingal

PRESENT:  
Mayor: G. Jones  
Deputy Mayor: R. Monteith  
Councillors: S. Emons, P. North, J. Pennings

ALSO PRESENT:  
Lisa Higgs, CAO/Clerk  
Kim Grogan, Treasurer (7:00 p.m. – 10:10 p.m.)  
Brent Clutterbuck, Drainage Superintendent (7:00 p.m. – 8:30 p.m.)  
Jeff McArthur, Fire Chief (7:00 p.m. – 9:30 p.m.)  
Heather James, Planner (7:00 p.m. – 8:55 p.m.)  
June McLarty, Administrative Assistant (7:00 p.m. – 9:37 p.m.)

DISCLOSURES:

ADOPTION OF MINUTES:

2019-009  
Councilor Pennings – Deputy Mayor Monteith  
Approval of Minutes  
THAT the Minutes of the Regular Council meeting of December 10, 2018 are hereby adopted.  
CARRIED

2019-010  
Councilor Emons – Deputy Mayor Monteith  
Southwold Young at Heart Committee Minutes  
THAT the Minutes of the Southwold Young at Heart Committee meeting of December 4, 2018 are hereby adopted.  
CARRIED

2019-011  
Councilor Emons – Councilor Pennings  
Health and Safety Committee Minutes  
THAT the minutes of the Health and Safety Committee Meeting of December 13, 2018 are hereby adopted.  
CARRIED

DRAINAGE:

Drainage Superintendent Brent Clutterbuck reported that the numbered company recommended for approval is part of Cowan Farm Drainage.
THAT Council of the Township of Southwold award the contract for the construction of the Bogart Drain C 2017 to 1319735 Ontario Inc, C/O Cowan Farm Drainage for a total cost of $9,268.00 + HST and instructs the Mayor & Clerk to sign the tender contract and have a copy sent to the successful bidder.

REPORTS:

Activity Report from the Drainage Superintendent - December
Drainage Superintendent Brent Clutterbuck noted an increase in construction costs because of the tariffs on steel as part of his Activity Report.

Activity Report from the Fire Chief- December
Fire Chief Jeff McArthur reported that there are 6 new recruits who have just started.

Activity Report from the Acting Public Works Superintendent -December
Nothing was added to this report and no questions were asked.

Activity Report from the Chief Building Official – December
Nothing was added to this report and no questions were asked.

Tax Adjustments Farm Tax Class Changes – Batch 3
Treasurer Kim Grogan reported that she is seeking approval or denial of the 3rd batch of Farm Tax Class adjustments. The adjustments totaled $7,794.72 and the Township’s portion is $2,926.11.

THAT Council approve the total adjustment of taxes for the 2018 tax years resulting from Farm Tax Class Program changes, as presented, in the amount of $7,794.72.

Activity Report from the CAO/Clerk - December
CAO/Clerk Lisa Higgs reported that at the end of December interviews were held for the Community Services and Communications Clerk and Part-Time Custodian. Both positions have been filled.

Rosy Rhubarb Proposal to Install Electrical Service for Trailers at Keystone Complex
CAO/Clerk Lisa Higgs brought a report seeking authorization for electrical service at Keystone Complex.

Deputy Mayor Monteith questioned about building a gate for the washroom area. This request will be forwarded to the Rosy Rhubarb Committee.
2019-014  **Councillor Pennings – Deputy Mayor Monteith**

**Electrical Services at Keystone Complex**

**THAT** Report CAO 2019-10, Rosy Rhubarb Proposal to Install Electrical Service for Trailers at the Keystone Complex be received as information;

**AND THAT** Council grant permission to Rosy Rhubarb to complete the installation of Electrical Service for trailers on the Keystone property.

**CARRIED**

---

**PLANNING:**

7:15 p.m.  **Draft Plan of Subdivision and Zoning By-law Amendment – Pountney/1873828 Ontario Limited – 10117 Talbotville Gore Road**


2019-015  **Councillor Emons – Councillor North**

**Draft Plan of Subdivision 34T-SO1803 and ZBA 2018-17 Public Meeting**

**THAT** Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider a Plan of Subdivision and an application to amend the zoning on a property owned by John and Susan Pountney/1873828 Ontario Limited.

**CARRIED**

Planner Heather James presented her report to Council. It was noted that there was a change to the draft plan of subdivision, indicating that Street B, which extended to an adjacent property will now loop and connect to Street A.

S. Pountney asked if the driveway will be used as construction access and if there is any intention of taking trees down.

R. Dykstra responded that the lane will be used as a construction access and there is no intention of taking the trees down at this point. The houses will be the same as Phase 1 but smaller at the north end of the development.

T. Gill questioned if the stormwater was done in Phase 1.

J. Robbins questioned what will be done to control the dust.

S. Pountney questioned if there any changes to the size of the lots on the plan. R. Dykstra responded that the lots are 15m.

S. Pountney questioned Lot 2. R. Dykstra responded that Lot 2 is a wider lot. It should be 75m. Street A, block 70 is a future road.

R. Deleeuw questioned the sidewalks. R. Dykstra pointed out the red line on the map, which are the sidewalks which will go down the east side.

K. Usher commented that she appreciated the correspondence and she also wanted to know if there were plans for green space. She also express concerns about the construction process.
It was reported that the developer has paid into the parkland in lieu fund for a new park in Talbotville and Council noted the concerns for disruption for construction.

J. Robbins questioned the green space fee and wondered if there is anything in place for green space around the stormwater management pond. R. Dykstra responded that the developer is still proposing some ideas.

J. Bedek commented that there will be 100 families and that these needs should be satisfied. He suggested a hiking trail to link up the two subdivisions and maybe a trail around phase 2. He also mentioned that barrier fences around construction areas are required. R. Dykstra responded that CN Rail is working with the municipality and that maybe both developers may be interested in that.

M. White wanted to know what the vision for multi-family residences in the subdivision. R. Dykstra responded maybe row townhouses, a mixture of uses with no set plans. It would have to be something that would be complimentary to the houses that are there. The houses would be in the higher end.

T. Gill commented that maybe Council should look into building more affordable houses. Mr. Gill also questioned if we can put roads under the hydro easement.

J. Roy requested a privacy fence along the 10 neighbouring properties that abut his property. He also commented that he would like to see a drainage clause in the agreement and commented there was no dust control done in Phase 1. He would also like to see a schedule of work that is going to be done. CAO/Clerk Lisa Higgs responded that the privacy fence can be included as a condition to impose on this draft plan of subdivision, if this is Council's direction. Dust control and working hours can also be a part of the agreement.

T. Gill requested a fence between his property and the subdivision.

B. Awwad commented that there are a lot of house on one street. Why change it when there was a road there already.

J. Roy questioned what side the sidewalks are going on Talbotville Gore. R. Dykstra responded on the east side. This was decided by Dillon Consulting and staff. J. Bedek responded that there would be some costs savings if they were moved to the west side.

R. Fisher commented that the date on the notice and the date on the on the updated plan of subdivision was the same date. A new notice should have been sent out.

2019-016  Councilor North – Deputy Mayor Monteith  Draft Plan of Subdivision
34T -SO1803

THAT Council of the Township of Southwold recommend APPROVAL to the County of Elgin Approval Authority for the proposed Draft Plan of Subdivision 34T-SO1803 with the following Township conditions;

1) That the owner enters into a subdivision agreement, pursuant to the authority of Section 51 (26) of the Planning Act R.S.O 1990, as amended, with the Township of Southwold wherein the owner agrees to satisfy all the requirements, financial and otherwise, of the Township respecting the conditions of approval set out herein, and the laying out and development of the site, the installation of facilities and services including roads, sanitary sewage collection systems, water distribution

Minutes of Council – January 14, 2019
system, utilities, sanitary sewers and landscaping required for the development of the lands within the Plan;

2) That the agreement between the owner and the Township be registered against the lands to which it applies once the description has been registered;

3) That the streets shall be named, and new homes addressed to the satisfaction of the Township;

4) That the owner shall provide easements as may be required for utility, servicing, or drainage purposes in a form satisfactory to the Township or utility;

5) That the Agreement between the Owner and Township shall contain provisions requiring:
   a) The development shall be serviced with a piped municipal water supply and municipal sewage services at the developer's expense; and,
   b) That the Owner obtain an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks for storm water management prior to any development requiring a building permit. The subdivision agreement between the Owner and the Township shall contain provisions regarding the development, implementation, installation and maintenance of the storm water management facilities;

6) That a lot grading plan for all blocks has been prepared and approved by the Township; and,

7) That prior to final approval, the Approval Authority is to be advised by the Township that this proposed draft plan of subdivision conforms to the Zoning By-Law as amended;

8) That council investigate shared fencing and consider this as part of the subdivision agreement

CARRIED

2019-017 Councillor Pennings – Deputy Mayor Monteith

Adjournment of Public Meeting

THAT the public meeting to consider a Plan of Subdivision and an application to amend the zoning on a property owned by John and Susan Pountney/1873828 Ontario Limited ends at 8:30 p.m.
DELEGATION:

8:30 p.m. – 8:45 p.m. Valerie Cron – Communities in Bloom Committee
Ms. Cron thanked Council for their support. She outlined the Communities in Bloom Committee achievements in 2018. Ms. Cron noted that there was a challenge with the flags last year. The CIB Committee has reached out to another flag provider and are proposing a change in the location of the flags. The Committee is also seeking support from Council to request funding from Green Lane Community Trust Fund.

STAFF DIRECTION
Staff was directed by Council to include the request from the Communities in Bloom as part of the 2019 budget deliberations.

PLANNING:

2019-018  
Councillor Emons – Councillor Pennings

Con App E101/18
Ostrander C/O Gunn & Associates

THAT the Council of the Township of Southwold recommend approval to the County of Elgin Land Division Committee of the proposed severance application file no. E 101/18, subject to the following conditions:

i) That a septic system assessment be conducted on the proposed severed and retained parcels to ensure the existing privately owned and operated septic systems are in good working order;

ii) That all financial obligations to the Township of Southwold be paid in full;

iii) That two copies of the registered surveys have been provided to the Township; and,

iv) That the solicitor provides an undertaking that a copy of the registered deed for the severed lands once the transaction has occurred will be provided to the Township.

CARRIED

REPORTS

Cannabis in Southwold
CAO/Clerk Lisa Higgs provided a report on the federal and provincial legislation changes and the legal framework for cannabis in municipalities. Council discussed the requirements for changes to the various Planning apparatus (zoning, OP amendments) required and the implications of opting-in vs. opting out of retail cannabis.

2019-019  
Deputy Mayor Monteith – Councillor Emons

Recreational Cannabis Retail Storefronts

THAT Report CAO 2019-09 re Cannabis Licence Act, 2018 be received for information;
AND THAT Council of the Corporation of the Township of Southwold opt-out of permitting private recreational cannabis retail storefronts in the Township of Southwold.  

CARRIED

2019-020 Councillor Pennings – Councillor Emons  

Cannabis Zoning

THAT staff be directed to bring forward a Zoning By-law Amendment to define the terms “Cannabis Cultivation Facility”, “Cannabis Processing Facility”, “Standard-cultivation of Cannabis” and “Microcultivation of Cannabis” and any additional terms and conditions as required for Council consideration in order to permit the use in certain zones;

AND THAT staff be directed to bring forward a Zoning By-law Amendment to: 

permit commercial cannabis cultivation in Agricultural Zones (A1 & A3 zones); 
permit commercial cannabis processing in Commercial Industrial Zones (CM1 zone)

CARRIED

MTO Security and Privacy at Municipal Office  

CAO/Clerk Lisa Higgs provided a report on MTO security requirements and proposed changes to municipal office security requirements.

2019-021 Deputy Mayor Monteith – Councillor Emons  

MTO Security and Privacy at Municipal Office

THAT Council defer the report on MTO Security and Privacy at Municipal Office until for information can be obtained the costs to put locks on office doors and if this will satisfy MTO’s security request.

CARRIED

Terms of Reference – Southwold Young at Heart Committee  

CAO/Clerk Lisa Higgs reported that these terms were brought forward from the new Southwold Young at Heart Committee. It was also reported that this group was not successful at obtaining a grant but are still willing to meet monthly and bring events to the Township.

2019-022 Deputy Mayor Monteith – Councillor Pennings  

Terms of Reference – Southwold Young at Heart Committee

THAT Council receives the Southwold Young at Heart Committee Terms of Reference as Information;

AND THAT Council provides approval to the Terms of Reference.  

CARRIED

CORRESPONDENCE:

Council reviewed the Drinking Water Quality Management System Operational Plan (Lynhurst Area) which includes the Drinking Water Quality Management System Policy. CAO/Clerk Lisa Higgs reported that there were small changes made to update new board members. This plan is required to be reviewed by Council.
THAT Council of the Township of Southwold approves the Drinking Water Quality Management System Operational Plan for the Township of Southwold Water Distribution System (Lynhurst Area)

AND THAT the CAO/Clerk endorses the plan on behalf of Council.

CARRIED

Southwold Distribution System Inspection Report - MOE
CAO/Clerk Lisa Higgs reported that she was notified of the deficiencies and the operators were updated. Mike Taylor from OCWA will speak to Council about this report when he comes to present the 4th quarter report.

THAT Council of the Township of Southwold accepts the Drinking Water Inspection Report conducted on October 17, 2018.

CARRIED

BY-LAWS:

THAT By-law Nos. 2019-01, 2019-02 and 2019-03 be taken collectively

CARRIED

THAT By-law Nos. 2019-01, 2019-02, and 2019-03 be read a first and second time.

CARRIED

THAT By-law Nos. 2019-01, 2019-02 and 2019-03 be read a third time and finally passed.

CARRIED

OTHER BUSINESS:

THAT Council receive and file the items under other business on the agenda.

CARRIED
CLOSED SESSION:

2019-029 Councillor Pennings – Deputy Mayor Monteith

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at 9:37 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(s) including municipal employees or local board employees (section 239 (2) (b)) (2 items) – Public Works Replacement and Fire Personnel.
- A position, plan, procedure, criteria or instruction 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)) – Talbotville Development

CARRIED

STAFF DIRECTION

Staff was given direction from Council on the items that were discussed in the Closed Session.

AJOURNMENT:

2019-030 Councillor Pennings – Deputy Mayor Monteith

THAT Council for the Township of Southwold adjourns this Inaugural meeting of Council at 10:55 p.m.

CARRIED

[Signatures]

Clerk
Lisa Higgs

Mayor
Grant Jones