



Municipality of West Elgin

Agenda

Council Meeting

Date: September 9 2021, 9:00 a.m.
Location: West Elgin Community Complex - Hybrid Meeting
160 Main Street
West Lorne
Electronic Hybrid Meeting

Due to Orders under *Reopening Ontario Act*, 2020 this meeting broadcasted electronically. If you wish to view this meeting please contact the Clerk's Department also if you require an alternate format or accessible communication support or wish to receive the link to the meeting, at 519-785-0560 or by email at clerk@westelgin.net.

Pages

1. Call to Order

2. Adoption of Agenda

Recommendation:

That West Elgin Council hereby adopts the Agenda as presented.

3. Closed Session

Recommendation:

That the Council of the Municipality of West Elgin Council hereby proceeds into Closed Session at _____ a.m. under Section 239(2) (b & c) of the *Municipal Act, R.S.O. 2001* consideration will be given to matters pertaining to an identifiable individual, including a municipal or local board employee and a proposed or pending acquisition or disposition of land by the municipality of local board.

4. Report from Closed Session

5. Disclosure of Pecuniary Interest

6. Adoption of Minutes

7

Recommendation:

That the Minutes of the Council meeting on August 19, 2021 be adopted as circulated and printed.

7. Business Arising from Minutes

8. Staff Reports

8.1. Fire

8.1.1. J. McArthur, Fire Chief - Monthly Report – August 2021

24

Recommendation:

That West Elgin Council hereby receives the report from Jeff McArthur, Fire Chief re: August Monthly Fire Report for information purposes.

8.2. Operations & Community Services

8.2.1. L. Gosnell, Manager of Operations & Community Services - Monthly Operations Update – August 2021

27

Recommendation:

That West Elgin Council hereby receives the report from Lee Gosnell, Manager of Operations & Community Services for information purposes.

8.3. Planning

**8.3.1. Bryan Pearce, Planner - Severance Application E67-21 –
Comments to County of Elgin (Planning Report 2021-26)**

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Recommendation:

That West Elgin Council hereby receives the report from Bryan Pearce regarding the severance application, File E67-21 – Comments to County of Elgin (Planning Report 2021-26);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for the severance application, File E67-21, subject to the Lower-Tier Municipal conditions in Appendix Two of this report;

And further that West Elgin Council directs Administration to provide this report as Municipal comments to the County of Elgin.

**8.3.2. B. Pearce, Planner - Severance Application E68-21 –
Comments to County of Elgin (Planning Report 2021-27)**

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Recommendation:

That West Elgin Council hereby receives the report from Bryan Pearce regarding the severance application, File E68-21 – Comments to County of Elgin (Planning Report 2021-27);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for the severance application, File E68-21, subject to the Lower-Tier Municipal conditions in Appendix Two of this report;

And further that West Elgin Council directs Administration to provide this report as Municipal comments to the County of Elgin.

8.4. Clerk's

8.4.1. J. Nethercott, Clerk - Amendment to Fire Training Officer/CEMC Agreement 52

Recommendation:

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Amendment to Fire Training Officer/CEMC Agreement with County of Elgin; and

That the proposed by-law approving the amending agreement be approved in the by-law portion of the Agenda; and

That the Mayor and Clerk be authorized to execute the above-mentioned agreement and any additional documents, if required, to give effect to the agreement.

8.5. Finance/Administration

8.5.1. M. Badura, CAO/Treasurer & J. Nethercott, Clerk - Administration Monthly Update for August 2021 60

Recommendation:

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk and Magda Badura CAO/Treasurer re: Administration Monthly Report for August 2021 for information purposes

8.5.2. M. Badura, CAO/Treasurer - National Day for Truth and Reconciliation Observance 65

Recommendation:

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: National Day for Truth and Reconciliation Observance; and

That West Elgin Council hereby direct staff to fly the “Every Child Matters” Flag on the Municipal Flag Poles, where able on September 30th and for 3 days after the National holiday annually in acknowledgment of National Day for Truth and Reconciliation; and

That an acknowledgement ceremony take place at 10 am on Thursday September 30, 2021 at the West Elgin Community Centre, West Lorne.

9. Committee and Board Report

9.1.	Councillor Reports from Committees	
10.	Councillor Announcements/Inquires	
10.1.	Notice of Motion	
10.2.	Councillor Announcements	
10.3.	Matters of Urgency	
11.	Accounts	
	Recommendation:	
	That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #9 amounting to \$ 768,546.27 in settlement of General, Road, Water and Arena Accounts including EFT#4234-4330, online Payments# 747-764, Cheques 25750-25766 and Payroll PP17.	
12.	Correspondence	
12.1.	City of Hamilton - Noise Concerns	68
12.2.	AMO- Draft Resolution for National Day for Truth and Reconciliation	70
12.3.	AMO - Proof of Vaccination	72
13.	By-Laws	
13.1.	2021-50 Amending Agreement for Fire Training Officer and CEMC with County of Elgin	77
	Recommendation:	
	That By-law 2021-51 being a By-law to Authorize the Execution of an Agreement between The Corporation of the County of Elgin and The Corporation of the Municipality of West Elgin for a Fire Training Officer, be read a first, second and third and final time.	
14.	Confirming By-Law	86
	Recommendation:	
	That By-law 2021-52 being a By-Law to confirm the proceedings of the Regular Meeting of Council held on September 9, 2021, be read a first, second and third and final time.	

15. Adjournment

Recommendation:

That the Council of the Municipality of West Elgin hereby adjourn at _____
to meet again at 9:30 a.m. on September 23, 2021 or at the call of the Chair.



Municipality of West Elgin

Minutes

Council Meeting

August 19, 2021, 9:30 a.m.

West Elgin Community Complex - Hybrid Meeting

160 Main Street

West Lorne

Electronic Hybrid Meeting

Present: Mayor D. McPhail
Deputy Mayor R. Leatham
Councillor T. Tellier
Councillor A. Cammaert
Councillor B. Rowe

Staff Present: M. Badura, CAO/ Treasurer
J. Nethercott, Clerk
J. Morgan-Beunen, Chief Building Official
Jeff McArthur, Fire Chief
Bryan Pearce, Planner

Also Present: Kelsey McConnell, Dutton Dunwich/West Elgin Housing
Stability Coalition

**Due to the COVID-19 Pandemic and physical distancing requirements this
meeting was held electronically.**

1. Call to Order

Mayor Duncan McPhail called the meeting to order at 9:31 a.m.

2. Adoption of Agenda

Resolution No. 2021- 253

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby adopts the Agenda as presented.

Carried

3. Disclosure of Pecuniary Interest

No disclosures

4. Public Meeting

Resolution No. 2021- 254

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That Council proceed into a Public Meeting pursuant to Section 34 of the Planning Act, R.S.O 1990 at 9:32 a.m. in order to consider a proposed amendment to the Zoning By-law.

Carried

4.1 Purpose of the Public Meeting

The purpose of the public meeting was read aloud by the Clerk.

4.2 Staff Report

**4.2.1 B. Pearce, Planner Zoning By-law Amendment Application D14
02-2021 – Furnival Road – Recommendation Report (Planning
Report 2021-23)**

4.3 Public Comments

Ryan Cheeseman, Rodney - Mr. Cheeseman stated he is opposed to this rezoning as he doesn't agree with lot sizes and locations as it appears that a road allowance is being created for future development. Moving of the McKenzie Drain makes no sense and who will be paying for this? How can a decision be made without all the information, such as the Engineers report on the drain? Mr. Cheeseman stated that if this were just the four lots being created off of Furnival Road, he is all for that, he is however opposed to the future development of the agricultural lands that surround his property and will affect him. He believes the fact that an Engineers

Report is required means this does not conform to the Elgin County Official Plan as it impacts drainage. Mr. Cheeseman stated that he is not sure how a decision on rezoning can be dealt with at this time as Council does not have all of the information without the Engineers Report. Planner, Bryan Pearce explained that as a condition of severance the improvement of the South Branch of the McKenzie Drain is required and that this is at the sole cost of the applicant, if this is not satisfied, the lots do not get created. Mr. Pearce noted that the lot selection was done by the applicant and that they align with the Rural Residential designation in the Official Plan. The other areas of the property are designated Agricultural and lot creation is not permitted in this designation, save and except for farm splits. Mr. Cheeseman stated he is struggling to understand how this is permitted as this will affect drainage and the County of Elgin Official Plan states that drainage should not be impacted and the drain does not need any improvement. Mr. Pearce stated that as the Rural Residential designation extends along the entire frontage of Furnival Road and if and when any future development was to take place the drain would need to be relocated and the four proposed lots are located where the drain is currently located and therefore a Drainage Act process is required to support a building envelope on those lots. Mayor McPhail inquired if Mr. Cheeseman's main concern is these four lots or the agricultural area, as the majority of the agricultural area is not within the settlement area and taking good agricultural area out of production is not an easy thing. Mayor McPhail did state he understands Mr. Cheeseman's concerns but at this time the concern of a large subdivision in this area is premature at this time. Mr. Cheeseman stated that his concern is the information they have been receiving is inconsistent and incomplete as there is more to this story than these four lots as the applicant has stated he has plans to put in over 200 homes back there and there are a lot more environmental considerations that need to be taken into consideration when talking about this land.

Brian Pinder, Downie Line Rodney - Mr. Pinder stated that he echoes Mr. Cheeseman's comments and that he is concerned that the south branch of the McKenzie Drain goes through the middle of these lots and why is the applicant paying money to move the drain unless he has this laid out for future road access to the agricultural lands. Mr. Pinder stated that his main concern is the lot layout as it could have been different and left the drain alone. Mr. Pinder also stated that at first he had no objection to the severance of the lots, but upon further review he now has concerns and is strongly opposed to the way the lots are being severed and the moving of

the drain. Mr. Pinder further stated that he is in agreement with four lots being created, just not in their current set up as it has left wasted land that will have no use, unless further development is planned.

Mike Parazonovic, Applicant - Mr. Parazonovic stated that they have followed the County rules and this area is in settlement area and what better place to have a nice little subdivision in there off Centre street and along Furnival and we will be getting a Civil Engineer to do a subdivision plan and trying to develop the town of Rodney for the betterment. Those four lots were created with the assistance of a Civil Engineer for the betterment of the Municipality.

Peter Parazonovic, Rodney - the road allowance needed to be there as per Elgin County Land Division Committee. There is no plans for that forest and we want it to stay. If the development is ever to proceed, that bush will remain. I see this as not in my backyard comments.

Mayor McPhail reminded all that at this time Council can only consider the application before them, which is for the four lots on Furnival Road and that any future development would also have to go through a public process when an application comes.

Planner Bryan Pearce read comments received from the public:

L. Smith, Rodney - opposed to the rezoning

S. Israg, Rodney - opposed, would prefer leaving things as is

B & J Pinder, Rodney - opposed to the rezoning.

4.4 Council Comments

Councillor Rowe inquired of the Planner if this rezoning has any impact on future development either positive or negative. Planner stated no impact as this implements the Official Plan Policies.

Councillor Cammaert inquired if this meets the Provincial Policy Statement, West Elgin and Elgin County Official Plans? Planner stated yes.

Mayor McPhail inquired how long these lots have been designated Rural Residential in the Official Plan. Planner stated it appears to be over 10 years, as long there has been an Official Plan in West Elgin.

Councillor Tellier stated that in concentrating on the four lots that are part of this application, for future development could there be a reconfiguring of

these lots, as the allowances on either side of the four lots seems to be the main concern? Planner stated that reconfiguration isn't the discussion point for today as the lot creation was done through the Elgin County Land Division approval previously.

Deputy Mayor Leatham stated that he agrees with the infill of the four lots and what has been talked about a lot is a potential subdivision and we shouldn't be dealing with what may come and Rodney needs more houses.

4.5 Recommendation

Resolution No. 2021- 255

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council approve the rezoning of Part of Lot 6, Concession 7; Parts 9 to 12, RP 11R-5944 from General Agricultural (A1) to Rural Residential (RR) Zone, in accordance with the draft by-law contained within Appendix Two of this report, Planning Report 2021-23; and

Further That West Elgin Council consider the by-law to amend the Zoning By-law, as presented in the by-law portion of the August 19, 2021 Council Agenda.

Carried

4.6 Close Public Meeting

Resolution No. 2021- 256

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby closes the Public Meeting pursuant to Section 34 of the *Planning Act* at 10:42 a.m. to reconvene the Regular Meeting of Council.

Carried

5. Delegations

5.1 Kelsey McConnell - Dutton Dunwich - West Elgin Housing Stability Coalition

Council recessed at 10:43 a.m. and reconvened at 10:56 a.m.

Mayor McPhail welcomed Mr. McConnell to Council. Mr. McConnell stated that he was here to provide Council with an update on what the Dutton Dunwich -West Elgin Housing Stability Coalition. Mr. McConnell stated that they are hoping to place a 12 by 40 Office trailer, which will hold 4 to 6 beds on a lot on the North side of Munroe Street in order to provide proximity to West Elgin Health Centre. This trailer will be staffed by volunteers on an on-call basis between 7 pm and 7 am daily as a temporary pilot project between November 1 and April 1 to assess the need and if its a viable option. There will be no drugs allowed in the shelter and snacks and water will be provided. Mr. McConnell stated that the goal for this is provide assistance for local residents only, however they will not be able to turn away others, but instead will try to assist them with finding shelter in their municipality. Mr. McConnell provided some stories of people in the community that need assistance. Funding for this will be coming from Elgin County and a request of the province will most likely be made. Mr. McConnell stated they have been talking to Heritage Homes to ensure that their concerns are addressed. This is a short term task team to prevent residents from freezing over the winter and a long term task force will be looking for more permanent solutions.

Councillor Rowe thanked Mr. McConnell and inquired where the bed users go during the daytime while the shelter are closed. Mr. McConnell stated that showers and laundry are at the West Elgin Community Health Centre and could also meet with the Rural Systems Navigator there for assistance. Councillor Rowe inquired about the statement about assisting residents outside of the area and Mr. McConnell stated that this is assist local residents but would not turn anyone away.

Councillor Cammaert stated that she has been inundated by community concerns due to the lack of communication with residents about what the committee plans are. In a previous meeting with the West Elgin Community Health Centre it was stated that they are in the business of health care not housing, so what has changed? Mr. McConnell stated this is a group of concerned residents that are doing this and the West Elgin Community Health Centre is only providing assistance to the residents and that a Rural Systems Navigator is a new position. Councillor Cammaert stated that she would want staff reports from Building, Fire and Planning prior to considering providing any support for this shelter, along with a short and long term strategic plan for funding.

Deputy Mayor Leatham stated that no one wants to see anyone homeless and this could happen to anyone. Deputy Mayor Leatham stated that he

believes each municipality should be responsible for their own residents and not centralize them in West Lorne. Deputy Mayor Leatham also stated that he believes much more thought needs to be put into this prior to moving forward.

Councillor Tellier inquired about locations of other shelters within Elgin County. Councillor Tellier also confirmed that the wrap around services are already being provided by West Elgin Community Health Centre and that a needle exchange is also provided by the health centre. Mr. McConnell stated that the committee will provide needle sweeps around the trailer. Councillor Tellier stated that West Elgin often collaborates with Dutton Dunwich so why not for this? and we want to keep and bring services to our area, so we need to use these, not sending people to other communities.

Mayor McPhail stated that he is happy that the committee is going to ensure that the public is aware of what is going on and encouraged the committee to meet with stake holders, service groups, church groups and other community organizations to get the word out. Mayor McPhail stated that a rezoning would need to be done to even allow any facility in a trailer, no matter the location which means a public meeting would need to be called. Mayor McPhail stated that housing this on municipal land brings with it a whole host of other issues and liabilities and encouraged the committee to look for private lands to host the trailer.

Council requested that the committee come with a business plan with more details at a future meeting before any decisions are made and keep the information flowing with the public.

6. Adoption of Minutes

Resolution No. 2021- 257

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That the Minutes of the Council meeting on July 22, 2021 be adopted as circulated and printed.

Carried

7. Business Arising from Minutes

None.

8. Staff Reports

8.1 Building

8.1.1 J. Morgan-Beunen, CBO - Building Activity Report July 2021

Resolution No. 2021- 258

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Jackie Morgan-Beunen, CBO re: Building Permit Report for July 2021 for information purposes.

Carried

8.2 Fire

8.2.1 J. McArthur, Fire Chief - Monthly Report – July 2021

Fire Chief McArthur stated that he wanted to make Council aware that Captain Tim Blain has retired after 21 years on the Rodney and West Elgin Fire Departments and there will be a celebration held at a future date.

Resolution No. 2021- 259

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Jeff McArthur, Fire Chief re: July Monthly Fire Report for information purposes.

Carried

8.3 Municipal Drains

8.3.1 J. Nethercott, Clerk - Appoint Engineer – Request for Major Improvement to Drainage Works

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Appoint Drainage Engineer – Request for Major Improvement to Drainage Works; and

That Council hereby appoints Spriet Associates Engineers & Architects to prepare a Preliminary report for the major improvement of the Miller Drain.

Defeated

8.4 Operations & Community Services

8.4.1 L. Gosnell, Manager of Operations & Community Services - Monthly Operations Report – July 2021

Resolution No. 2021- 260

Moved: Councillor Tellier

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Lee Gosnell, Manager of Operations and Community Services for information purposes

Carried

8.5 Planning

8.5.1 B. Pearce, Planner - Dedication and Establishment of Public Highways – Portions of Finney, Frederic and Anne Streets, West Lorne (Planning Report 2021-24)

Resolution No. 2021- 261

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Bryan Pearce, Planner, regarding Dedication and Establishment of Public Highways – Portions of Finney, Frederic and Anne Streets, West Lorne (Planning Report 2021-24);

And That West Elgin Council approve the dedication and establishment of public highways for the following Property Identification Numbers:

1. Finney St, Plan 75, Aldborough North of Gilbert Street, s/t The Interest of the Municipality; Elgin, being PIN 35113-0551;

2. Finney St, Plan 75, Aldborough between Hughes Street and Gilbert St, s/t The Interest of the Municipality; Elgin, being PIN 35113-0548;
3. Finney St, Plan 75, Aldborough South of Hughes Street, s/t The Interest of the Municipality; Elgin, being PIN 35113-0546;
4. Hughes Street, Plan 75, Aldborough except E172041, s/t The Interest of the Municipality; Elgin, being PIN 35113-0547; and
5. Anne St, Plan 75, Aldborough East of Finney Street, s/t The Interest of the Municipality; Elgin, being PIN 35113-0549.

And Further that West Elgin Council consider the by-law to dedicate and establish the above-noted streets, as public highways, as presented in the by-law portion of the August 19, 2021 Council Agenda.

Carried

8.6 Finance/Administration

8.6.1 J. Nethercott, Clerk & M. Badura, CAO/Treasurer - Administration Monthly Report for July 2021

Resolution No. 2021- 262

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk and Magda Badura CAO/Treasurer re: Administration Monthly Report for July 2021 for information purposes.

Carried

8.6.2 M. Badura, CAO/Treasurer - National Day for Truth and Reconciliation Recognition and Statutory Holiday

Resolution No. 2021- 263

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: National Day for Truth and Reconciliation Recognition and Statutory Holiday for information; and

That West Elgin Council provide the following direction to staff report back on the cost of recognizing this as a statutory holiday and options for recognizing the importance of this day publicly.

Carried

8.6.3 M. Badura, CAO/Treasurer - Proceeds from the sale of the vacant land

Resolution No. 2021- 264

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: Proceeds from the sale of the vacant land, and

That West Elgin Council hereby allocate the proceeds in the amount of \$146,611.00 towards the Municipal Office renovations.

Carried

Councillor Tellier exited the meeting at 12:25 p.m.

8.6.4 M. Badura, CAO/Treasurer - CityWide Maintenance Manager Implementation Project Proposal

Resolution No. 2021- 265

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: CityWide Maintenance Manager Implementation Project Proposal; and

That West Elgin Council hereby approves Phase 2 project implementation of CityWide Maintenance Management System in the amount of \$105,600.00 plus applicable taxes.

Carried

Council recessed at 12:31 p.m. and reconvened at 1:00 p.m.

9. Waiver of Fee Requests

Resolution No. 2021- 266

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That Waiver of Fees Requests for 2021 dates are approved for West Elgin Community Health Centre and Rodney Agricultural Society

Carried

9.2 West Elgin Community Health Centre

9.3 Rodney Aldborough Agricultural Society

10. Committee and Board Report

10.1 Four Counties Transit Committee - Minutes of June 28, 2021

Councillor Rowe reported that members of the committee have toured the West Elgin Community Health Centre Van.

10.2 West Elgin Community Centre Board of Management - Minutes June 9, 2021

10.3 Councillor Reports from Committees

Councillor Cammaert reported that the Recreation Committee has not been able to achieve quorum at the last two meetings and therefore considering moving meeting dates.

Mayor McPhail stated that he met with the new Economic Development Officer for Elgin County and the Planner and took them on a tour of West Elgin recently.

Deputy Mayor Leatham stated that Lower Thames Valley Conservation Authority has recently had some meetings and their reports shall be sent through soon.

11. Councillor Announcements/Inquires

11.2 Councillor Announcements

Councillor Rowe stated that she had just recently attended Association of Municipalities of Ontario Conference virtually and was pleased to hear the Municipal Modernization Grant Intake 3 had been announced.

11.3 Matters of Urgency

CAO/Treasurer Magda Badura reported that there has been a leak discovered in the roof of the West Lorne Complex and staff are gathering information on a roof replacement and a report shall be coming forward to a future Council meeting.

12. Accounts

Resolution No. 2021- 267

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #8 amounting to \$ 496,102.09 in settlement of General, Road, Water and Arena Accounts including EFT#4160-4233, online Payments# 734-746, Cheques 25742-25749 and Payroll PP15-16.

Carried

13. Correspondence

13.1 Ministry of Municipal Affairs and Housing - Main Street Recovery Act Proclamation

13.2 Ministry of Municipal Affairs and Housing - Intake 3 of Municipal Modernization Program

13.3 Plympton-Wyoming - Rising Cost of Building Materials

13.4 Chatham Kent - Support Affordable Internet

Resolution No. 2021- 268

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby supports Chatham Kent's Resolution in support of affordable internet

Carried

13.7 Rodney Aldborough Agricultural Society - Fair Parade

Resolution No. 2021- 269

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby approves the Rodney Aldborough Agricultural Society's request for a parade through Rodney on Saturday September 18, 2021, pending approval from the County of Elgin for the temporary closure of Furnival Road; and

That West Elgin Council hereby approves the Public Works Department staff to provide traffic control for the parade.

Carried

14. By-Laws

14.1 By-Law 2021-47 - Dedicate Finney Street, Frederic Street and Anne Street

Resolution No. 2021- 270

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That By-law 2021-47 being a By-law to dedicate and establish lands as a Public Highway to be known as part of Finney Street; Frederic Street and Anne Street, be read a first, second and third and final time.

Carried

14.2 By-Law 2021-48 - Rezone Lands

Resolution No. 2021- 271

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That By-law 2021-48 being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for the property legally described as Part of Lot 6, Concession 7; Parts 9 to 12, RP 11R-5944, be read a first, second and third and final time.

Carried

15. Closed Session

Resolution No. 2021- 272

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That the Council of the Municipality of West Elgin Council hereby proceeds into Closed Session at 1:24 p.m. under Section 239 2 (b & c) of the *Municipal Act, R.S.O. 2001* consideration will be given to a personal matter about an identifiable individual, including a municipal or local board employee and a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

16. Report from Closed Session

Council reconvened in Open Session at 3:18 p.m.

Resolution No. 2021- 273

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That West Elgin Council approve the Quit Claim Deed for property identification number 35105-0492; and

That West Elgin Council authorize the Mayor and Clerk to execute the above noted Quit Claim Deed on behalf of the Municipality and all associated legal documents related thereto.

Carried

Resolution No. 2021- 274

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council provide direction to staff to employ Bill Todd on a part time basis; and

That the CAO/Treasurer be authorized to sign the employment contract

Carried

Resolution No. 2021- 275

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

That West Elgin Council provided direction to staff with regards to identifiable individuals and a proposed sale or disposition of land

Carried

Resolution No. 2021- 276

Moved: Deputy Mayor Leatham

Seconded: Councillor Rowe

That West Elgin Council direct staff to bring forward a by-law to renew the Human Resources Consulting Agreement with Robert Bryce during the by-law portion of the agenda.

Carried

17. By- Law 2021-50 - HR Consultant Agreement

Resolution No. 2021- 277

Moved: Councillor Cammaert

Seconded: Deputy Mayor Leatham

That By-law 2021-50 being a By-law to authorize the execution of an agreement between Robert Bryce and The Corporation of the Municipality of West Elgin for Human Resources Consulting, be read a first, second and third and final time.

Carried

18. Confirming By-Law

Resolution No. 2021- 278

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That By-law 2021-49 being a By-Law to confirm the proceedings of the Regular Meeting of Council held on August 19, 2021, is read a first, second and third and final time.

Carried

19. Adjournment

Resolution No. 2021- 279

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That the Council of the Municipality of West Elgin hereby adjourn at 3:30 p.m. to meet again at 9:30 a.m. on September 9, 2021 or at the call of the Chair.

Carried

Duncan McPhail, Mayor

Jana Nethercott, Clerk



Staff Report

Report To: Council Meeting
From: Jeff McArthur, Fire Chief
Date: 2021-09-09
Report: 2021-20
Subject: Monthly Report – August 2021

Recommendation:

That West Elgin Council hereby receives the report from Jeff McArthur, Fire Chief re: August Monthly Fire Report for information purposes.

Purpose:

To provide Council with an update on fire department activities in the month of August 2021.

Background:

Emergency Responses

Fire	2	Vehicle, grass
Alarms Sounding	6	Fire – 4, CO – 2
MVC	2	1 on Hwy 401
<i>TOTAL</i>	<i>10</i>	

Training & Meetings

Training topics including hydrant operations and drafting. Regular training resumed the first week of August, with a schedule being created for the fall which includes subjects and lead instructors.

One member was enrolled in NFPA 1521 Incident Safety Officer online through the Ontario Fire College.

Two members attended NFPA 1001 Firefighter training at the Ontario Fire College's Innisfil Regional Training Centre.

One member attended an Auto Extrication course in Oxford County.

Four members are enrolled in a DZ driver's license course in September in Malahide.

Other Activities/Information

Applicants on waiting list from the last recruitment have been contacted to fill available probationary firefighter position and a new fall recruitment is being planned.

Financial Implications:

There are no financial implications associated with this report.

Report Approval Details

Document Title:	Monthly Activity Report - August 2021 - 2021-20-Fire.docx
Attachments:	
Final Approval Date:	Sep 7, 2021

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott



Staff Report

Report To: Council Meeting

From: Lee Gosnell, Manager of Operations & Community Services

Date: 2021-09-09

Subject: Monthly Operations Update – August 2021

Recommendation:

That West Elgin Council hereby receives the report from Lee Gosnell, Manager of Operations & Community Services for information purposes.

Purpose:

The purpose of this report is to provide Council with an update on municipal operations during carried out during the month of August.

Background:

Parks and Recreation

- Continued steady grass cutting and watering flowers due to the hot summer days
- Maintenance and addition of A gravel to the Miller Park walking trail.
- Renovations started in the Scout Hall on Chestnut Street. One of the small bathrooms has been removed to make room for a kitchenette and fridge.
- Annual fire inspection of kitchen hoods/fire suppression system was completed in the Rodney Recreation Centre and the West Lorne Arena.
- Park and recreation operator Michael Aers completed his Certified Pool Operator training course.
- The third and fourth sessions of swimming lessons were successfully held in August. Pool activities were well received by patrons and staff would like to thank the guards and service clubs/business who helped make the Saturday free swims a welcome addition to the programming schedule.
- Soccer is running well, and their year-end 'Cup Day' is scheduled for mid-September
- Nature walks started in Miller Park and moved to Joe's Bush in September. These are held Wednesday mornings from 10 – 11 am and have been well received by those in attendance.
- Vaccine clinics will be held at the Rodney Recreation Centre on September 9 and October 1

Public Works

- Staff completed vegetation control and berm removal on gravel shoulders by using a disk retriever to mulch the weeds and remove the gravel berm. This was followed up with grading the shoulders along all county roads.
- Roadside mowing continued in August along with hand trimming around guiderail and signs
- Spot spraying for phragmites was completed along all roads in West Elgin
- Mobile Services completed sweeping of all curb and gutter in Rodney and West Lorne.

- Work continued on the Rodney reconstruction project. Sidewalk and driveway installation was completed along Furnival Road north of Queens Line and lawn restoration was started. Crews replaced the large municipal drain which crosses Queens Line west of Padfield Lane and started sewer installation on Queens Line. This section of road will be closed to traffic for approx. 3-4 weeks while work continues.
- Erosion control work was carried out on McMurchy Line and surveying for a future drainage project was also completed.
- One of our public works operators, Doug Tribe, left West Elgin in August to pursue an opportunity in Sault St. Marie. Staff would like to thank Doug for his contributions to West Elgin and wish him well in his future endeavors. Staff are currently in the recruitment process to fill this operator position.

Utilities

- A new water service was installed on Pioneer Line (new home build).
- August was another heavy month for locates, with many construction and utility projects underway in West Elgin.
- Staff spent time assisting VanBree Drainage with utility concerns on the Rodney reconstruction project.
- Minor maintenance projects were completed in the Rodney Library and West Lorne complex. It has been determined that the shingled roof on the Complex is leaking and needs to be replaced. A local contractor has tarped the roof as a temporary measure while staff obtain quotes for the needed repairs.
- Joe Machado Contracting completed installation of the new roof above the West Elgin municipal office in advance of the interior renovations follow this fall.

Report Approval Details

Document Title:	Monthly Operations Update - August 2021 - 2021-36-Operations Community Services.docx
Attachments:	
Final Approval Date:	Sep 7, 2021

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott



Staff Report

Report To: Council Meeting
From: Bryan Pearce, Planner
Date: 2021-09-09
Subject: Severance Application E67-21 – Comments to County of Elgin (Planning Report 2021-26)

Recommendation:

That West Elgin Council hereby receives the report from Bryan Pearce regarding the severance application, File E67-21 – Comments to County of Elgin (Planning Report 2021-26);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for the severance application, File E67-21, subject to the Lower-Tier Municipal conditions in Appendix Two of this report;

And further that West Elgin Council directs Administration to provide this report as Municipal comments to the County of Elgin.

Purpose:

The purpose of this Report is to provide Council with recommendations related to authorizing municipal comments to the County of Elgin regarding County of Elgin Severance Application E67-21, as Elgin County is the planning approval authority for severances.

The purpose of the application is to facilitate the lot creation of a surplus farm dwelling that is part of a farm consolidation within our agricultural area, on Marsh Line.

Background:

Below is background information, in a summary chart:

Application	E67-21
Owner	John Lamb
Applicant	Ed Dewild
Legal Description	Part Lot B, Concession 10
Civic Address	20183 Marsh Line
Entrance Access	Marsh Line
Water Supply	Privately owned and operated individual well
Sewage Supply	Private on-site individual septic system
Existing Land Area	14.00 ha (34.60 ac)

Below is the detailed dimensions and land areas of the application, in a chart:

Application	Severed Parcel			Retained Parcel		
	Frontage	Depth	Area	Frontage	Depth	Area
E67-21	77.26 m (253.48 ft)	104.74 m (343.64 ft)	8,093 sqm (2.00 ac)	160 m (524.93 ft)	590 m (1,935.70 ft)	13.2 ha (32.62 ac)

The Public Hearing is scheduled for September 22, 2021 at the Elgin County Land Division Committee Meeting.

Figure One below, depicts the existing parcel of the Lamb Lands.



The severance sketch, showing E67-21 is attached to this report as Appendix One for reference purposes.

Financial Implications:

None. Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended time to time.

Policies/Legislation:

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) and does not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.

With regard to this proposal involving severances, the Planning Authority is the County of Elgin Land Division Committee, wherein the Municipality provides agency comments to the County of Elgin as part of their decision-making process.

PPS:

Lot creation in agricultural areas is permitted for a residence surplus to a farming operation because of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and the planning authority created by the severance, in accordance with Section 2.3.4.1(c) of the PPS. New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae, in accordance with Section 2.3.3.3 of the PPS. The severed parcel is limited in area to accommodate the existing infrastructure associated with the existing dwelling; and the Applicant notes that there are no livestock barns within 750 metres of the subject lands, as concurred by Planning Staff, but MDS-1 is exempt on the surrounding lands as per Guideline 9 of the MDS Guidelines, as there is no specific policies contained in the OP requiring this aspect and there are no existing livestock facilities on the retained parcel.

No development is proposed within the natural heritage (Section 2.3) and natural hazard (Section 3.1) portions of the property.

This proposal appears to be consistent with the PPS.

CEOP:

The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP. A portion of the proposed retained parcel is within Woodlands as indicated on Appendix #1 Natural Heritage Features and Areas in the CEOP.

Section E1.2.3.4 b) of the CEOP permits the creation of new lots provided the local Official Plan supports their creation and if the lot is to be created to accommodate a habitable residence that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farmland created by the consent to sever. In this instance the purchasing farmer's intent is to merge the retained parcel with the lands to the west, thereby achieving the same purpose. The residence to be severed is habitable and is surplus to the owner's farming operations. The proposed severed parcel meets the MDS I setbacks as there are no barns capable of housing livestock. The residence is connected to the municipal water and private individual on-site septic system.

No development is proposed within the natural heritage (Section D1.2) and natural hazard (Section D3.1) portions of the property.

Therefore, this proposal appears to conform to the CEOP.

OP:

The subject lands are designated as Agricultural, as shown on Rural Area Land Use and Transportation Schedule 'E' of the OP.

The agricultural land use policies, under Section 6.2 of the OP, permit farm dwelling on the farm operation.

Section 6.2.9 policies of the OP, state that the creation of a lot for the purposes of disposing of a dwelling considered surplus as a result of farm consolidation, being the acquisition of additional farm parcels to be operated as one farm operation, shall be considered in accordance with the following:

- a) The dwelling considered surplus has been in existence for at least 10 years;
- b) The dwelling is structurally sound and suitable, or potentially made suitable, for human occupancy;
- c) No new or additional dwelling is permitted in the future on the remnant parcel which shall be ensured through an amendment to the Zoning By-law;
- d) Compliance with MDS I with respect to any livestock building, structure, or manure storage facility on the remnant parcel;
- e) Minimizing the loss of productive farmland; and
- f) Deteriorated derelict abandoned farm buildings (including farm buildings and structures with limited future use potential) are demolished and the lands rehabilitated.

Administration advises that:

- The proposed severance demonstrates that the residence is surplus to the owners' farming operation and the dwelling has been in existence greater than ten years and is structurally sound and suitable for human occupation;
- The remnant parcel would be consolidated with the vacant property to the west, also owned by the purchasing farmer, so no new development potential is being considered;
- There are no livestock operations affecting the proposal, with respect to MDS I;
- The proposed severed parcel is minimizing the loss of the productive farmlands to the best of its abilities with existing site features; and
- There are no farm buildings that area deteriorated, derelict or abandoned for consideration of removals.

No development is proposed within the natural heritage and natural hazard portions of the property.

Lot creation polices under Section 10.4.1 of the OP, allows for severance (consent) application to be the method utilized since no infrastructure is warranted with this proposed development and is in compliance with the criteria of Section 51(24) of the *Planning Act*.

Therefore, this proposal appears to conform to the OP.

Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):

The subject lands are zoned General Agricultural (A1) on Schedule A, Map 53 of the ZBL, as depicted in Figure Two to the right.

Permitted uses within the General Agricultural (A1) Zone include single unit dwelling. The minimum lot area and lot frontage requirements of the General Agricultural (A1) Zone are 20.2 hectares and 300 metres respectively.

The proposed severed parcel area is approximately 8,093 square metres (2.00 acres), with a lot frontage of 77.26 metres (253.48 feet); and would need to be rezoned to implement the proposed lot creation, by rezoning it to the Restricted Agricultural (A3) Zone, as a condition of approval. The Restricted Agricultural (A3) Zone has a minimum lot area of 4000 square metres and a minimum lot frontage of 30 metres respectively.

The proposed retained parcel would stay in the General Agricultural (A1) Zone, since it is to be amalgamated with the property to the west, also owned by the purchasing farmer.

Therefore, it would appear that the proposal would comply with the ZBL, provided a Zoning By-law Amendment was obtained for the severed parcel, that can be addressed through a condition of the consent application.

Interdepartmental Comments:

The severance applications were circulated to municipal staff for comment. The following comments were received:

Drainage:

Drainage Department noted the following:

- The subject lands are within the Kruppe Drain, Schweitzer Drain, and Hampton Drain municipal drainage areas.



Planning Staff notes that this can be addressed as condition of approval for reassessment processes.

Utilities:

Utilities Department noted the following:

- No issues of concern, as no municipal water and sewer fronts this subject lands.

Public Works:

Public Works Department noted the following:

- If the applicant wishes to put a new entrance in for farm access, an entrance permit would be required. Alternatively, entrance access may be obtained from the existing entrance access farmlands to the west.

Planning Staff notes that the intent is to obtain entrance access from the lands to the west, since the retained parcel would be merged with the lands to the west.

At the time of submission of this report, no other comments or concerns were received from Administration.

Summary:

Therefore, it is Planning Staff's opinion that the proposed surplus farm dwelling lot creation consent, would appear to be consistent with the PPS, conforms to the CEOP and conforms to the OP, complies with the ZBL (subject to relief); and that Council recommends to the County of Elgin that the consent be approved, subject to the lower-tier municipal conditions listed in this report.

The County of Elgin, as the Planning Approval Authority, will have to review the application accordingly against the planning documents (PPS, CEOP, OP and ZBL) and obtain comments from the other agencies and members of the public through the public consultation process, as part of their decision-making on the planning application.

Respectfully Submitted,

Bryan Pearce, HBA, CPT, MCIP, RPP
Planner
Municipality of West Elgin

Report Approval Details

Document Title:	Severance Application E67-21 - Comments to Elgin County - 2021-26-Planning.docx
Attachments:	<ul style="list-style-type: none">- Appendix One - Planning Report 2021-26 - Consent Sketch E67-21.pdf- Appendix Two - Planning Report 2021-26 - Severance Application E67-21 Conditions.pdf
Final Approval Date:	Sep 2, 2021

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott

**PLANNING REPORT 2021-26
APPENDIX ONE: SEVERANCE
(CONSENT) SKETCH - E67-21**

SKETCH FOR PROPOSED SEVERENCE

PART OF LOT B

CONCESSION 10

(GEOGRAPHIC TOWNSHIP OF ALDBOROUGH)

THE

MUNICIPALITY OF WEST ELGIN
COUNTY OF ELGIN

NOT TO SCALE

AREA OF PARCEL "A"

= 8093 SQUARE METRES

"NO AERIAL HYDRO LINES"

LEGEND

DENOTES FENCE

DENOTES FENCE

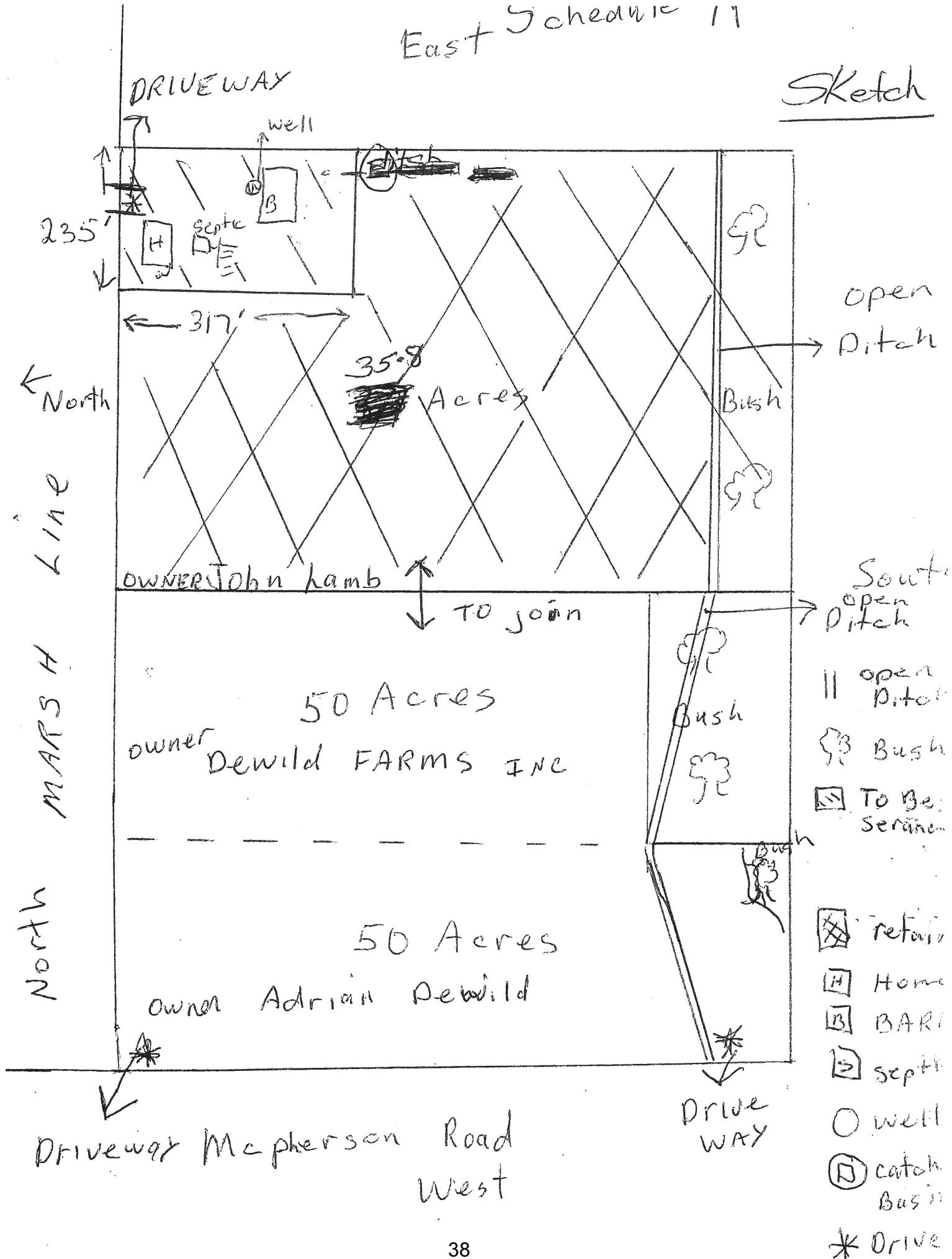
DENOTES TREES

S.Q.M. DENOTES SQUARE ME

**SOUTH WESTERN
SURVEYING LTD.**

Blake van der Veen
ONTARIO LAND SURVEYOR
PORT STANLEY, ONTARIO
BLAKE@SURV.CA

PROJECT: 21-036



Planning Report 2021-26: Severance Report E67-21 –
Comments to the County of Elgin

Appendix Two: Severance Application E67-21 Conditions

Severance Application E67-21 Conditions:

1. That the Applicant meet all the requirements, financial and otherwise of the Municipality, to the satisfaction and clearance of the Municipality.
2. That the Applicant provides a description of the lands to be severed which can be registered in the Land Registry Office, to the satisfaction and clearance of the Municipality.
3. That the Applicant's Solicitor provides an undertaking to the Municipality, to provide a copy of the registered deed for the severed parcel once the transaction has occurred to the Municipality.
4. That the Applicant successfully apply to the Municipality for a Zoning By-law Amendment for the severed parcel and having such rezoning of the Zoning By-law come into full force and effect pursuant to the Planning Act, to the satisfaction and clearance of the Municipality.
5. That the Applicant shall have a private water well assessment completed on the retained parcel to ensure the drinking water source is safe for human consumption, to the satisfaction and clearance of the Municipality.
6. That the Applicant have a septic system assessment be completed by a qualified individual, on the proposed severed parcel to ensure that the lands are suitable for a privately owned and operated septic system, to the satisfaction and clearance of the Municipality.
7. That the Applicant have a drainage reapportionment completed pursuant to the *Drainage Act*, to the satisfaction and clearance of the Municipality.
8. That the Applicant's Solicitor provided an undertaking to the Municipality, to provide a copy of the registered deed for the retained parcel prior to the transfer of the severed parcel, by transferring retained parcel to the purchasing farmer as part of a farm consolidation with the abutting lands to the west, once the transaction has occurred to the Municipality.
9. That prior the final approval of the County, the County is advised in writing by the Municipality how the above-noted conditions have been satisfied.
10. That all conditions noted above shall be fulfilled within one year of the Notice of Decision, so that the County of Elgin is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the *Planning Act*.



Staff Report

Report To: Council Meeting
From: Bryan Pearce, Planner
Date: 2021-09-09
Subject: Severance Application E68-21 – Comments to County of Elgin (Planning Report 2021-27)

Recommendation:

That West Elgin Council hereby receives the report from Bryan Pearce regarding the severance application, File E68-21 – Comments to County of Elgin (Planning Report 2021-27);

And that West Elgin Council hereby recommends approval to the Land Division Committee of the County of Elgin for the severance application, File E68-21, subject to the Lower-Tier Municipal conditions in Appendix Two of this report;

And further that West Elgin Council directs Administration to provide this report as Municipal comments to the County of Elgin.

Purpose:

The purpose of this Report is to provide Council with recommendations related to authorizing municipal comments to the County of Elgin regarding County of Elgin Severance Application E68-21, as Elgin County is the planning approval authority for severances.

The purpose of the application is to facilitate the lot creation of a surplus farm dwelling that is part of a farm consolidation within our agricultural area, on Johnston Line.

Background:

Below is background information, in a summary chart:

Application	E68-21
Owner	Pioneer Hay Sales Ltd
Applicant	Dan McKillop
Legal Description	West Part Lot 9, Concession 2
Civic Address	21934 Johnston Line
Entrance Access	Johnston Line
Water Supply	Privately owned and operated individual well
Sewage Supply	Private on-site individual septic system
Existing Land Area	26.8 ha (66.2 ac)

Below is the detailed dimensions and land areas of the application, in a chart:

Application	Severed Parcel			Retained Parcel		
	Frontage	Depth	Area	Frontage	Depth	Area
E68-21	19.65 m (64.47 ft)	218.94 m (718.31 ft)	6,082.3 sqm (1.5 ac)	526 m (1,725 ft)	453 m (1,486 ft)	26.2 ha (64.7 ac)

The Applicant has acknowledged in their application that they will need two easements, as detailed below and depicted in the severance (consent) sketch. It is noted that no Planning Act consent applications for easements have been applied for, but an easement can be created for terms outside of Planning Act approval (21 years).

The first easement is for the existing privately owned and operated individual well and associated private waterline. The existing water well is approximately 100 metres (328 feet) southeast of the existing house in the middle of the field that is planted in crops. The extent of the easement would be from approximately 6 metres (20 feet) around the existing water well to the proposed severed parcel, being approximately 90 metres (295 feet) by approximately 6 metres (20 feet) wide. This would save the Owner the cost of relocating the well onto the severed parcel; if there is a water vein to tap into; and is an already established water supply source. Planning Staff acknowledges that crop damage could occur within the easement lands should infrastructure issues arise, water consumption quality issues could also arise with agricultural practices, and infrastructure damage could with agricultural practices.

The second easement is for the existing private underground hydro line between Hydro Ones distribution lines of overhead hydro on the north side of Johnston Line to the existing dwelling. The extent of the easement would be from the front lot line to the proposed severed parcel, being approximately 140 metres (459 feet) by approximately 6 metres (20 feet) wide. This would save the Owner the cost of relocating the hydro onto the severed parcel and aligns with the existing Hydro One pole. Planning Staff acknowledge that crop damage could occur within the easement lands should infrastructure issues arise, and infrastructure damage could with agricultural practices with the current site location.

The Public Hearing is scheduled for September 22, 2021 at the Elgin County Land Division Committee Meeting.

Figure One below, depicts the existing parcel of the Pioneer Hay Sales Lands.



The severance sketch, showing E68-21 is attached to this report as Appendix One for reference purposes.

Financial Implications:

None. Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended time to time.

Policies/Legislation:

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) and does not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.

With regard to this proposal involving severances, the Planning Authority is the County of Elgin Land Division Committee, wherein the Municipality provides agency comments to the County of Elgin as part of their decision-making process.

PPS:

Lot creation in agricultural areas is permitted for a residence surplus to a farming operation because of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and the planning authority created by the severance, in accordance with Section 2.3.4.1(c) of the PPS. New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae, in accordance with Section 2.3.3.3 of the PPS. The severed parcel is limited in area to accommodate the existing infrastructure associated with the existing dwelling; and the Applicant notes that there are livestock barns within 750 metres of the subject lands, as concurred by Planning Staff, but MDS-1 is exempt on the surrounding lands as per Guideline 9 of the MDS Guidelines, as there is no specific policies contained in the OP requiring this aspect and there are no existing livestock facilities on the retained parcel.

No development is proposed within the natural heritage (Section 2.3) portion of the property.

This proposal appears to be consistent with the PPS.

CEOP:

The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP. A portion of the proposed retained parcel is within Woodlands as indicated on Appendix #1 Natural Heritage Features and Areas in the CEOP.

Section E1.2.3.4 b) of the CEOP permits the creation of new lots provided the local Official Plan supports their creation and if the lot is to be created to accommodate a habitable residence that has become surplus to a farming operation as a result of a farm consolidation provided that the development of a new residential use is prohibited on any retained parcel of farmland created by the consent to sever. The residence to be severed is habitable and is surplus to the owner's farming operations. The proposed severed parcel meets the MDS I setbacks as there are no barns capable of housing livestock. The residence is connected to the municipal water and private individual on-site septic system.

No development is proposed within the natural heritage (Section D1.2) portion of the property.

Therefore, this proposal appears to conform to the CEOP.

OP:

The subject lands are designated as Agricultural, as shown on Rural Area Land Use and Transportation Schedule 'E' of the OP.

The agricultural land use policies, under Section 6.2 of the OP, permit farm dwelling on the farm operation.

Section 6.2.9 policies of the OP, state that the creation of a lot for the purposes of disposing of a dwelling considered surplus as a result of farm consolidation, being the acquisition of additional farm parcels to be operated as one farm operation, shall be considered in accordance with the following:

- a) The dwelling considered surplus has been in existence for at least 10 years;
- b) The dwelling is structurally sound and suitable, or potentially made suitable, for human occupancy;
- c) No new or additional dwelling is permitted in the future on the remnant parcel which shall be ensured through an amendment to the Zoning By-law;
- d) Compliance with MDS I with respect to any livestock building, structure, or manure storage facility on the remnant parcel;
- e) Minimizing the loss of productive farmland; and
- f) Deteriorated derelict abandoned farm buildings (including farm buildings and structures with limited future use potential) are demolished and the lands rehabilitated.

Administration advises that:

- The proposed severance demonstrates that the residence is surplus to the owners' farming operation and the dwelling has been in existence greater than ten years and is structurally sound and suitable for human occupation;
- The remnant parcel would be rezoned to prohibit a dwelling;
- There are no livestock operations affecting the proposal, with respect to MDS I;
- The proposed severed parcel is minimizing the loss of the productive farmlands to the best of its abilities with existing site features; and
- There are no farm buildings that area deteriorated, derelict or abandoned for consideration of removals.

No development is proposed within the natural heritage portion of the property.

Lot creation polices under Section 10.4.1 of the OP, allows for severance (consent) application to be the method utilized since no infrastructure is warranted with this proposed development and is in compliance with the criteria of Section 51(24) of the *Planning Act*.

Therefore, this proposal appears to conform to the OP.

Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):

The subject lands are zoned General Agricultural (A1) on Schedule A, Map 7 of the ZBL, as depicted in Figure Two to the right.

Permitted uses within the General Agricultural (A1) Zone include single unit dwelling. The minimum lot area and lot frontage requirements of the General Agricultural (A1) Zone are 20.2 hectares and 300 metres respectively.

The proposed severed parcel area is approximately 6,082.3 square metres (1.5 acres), with a lot frontage of 19.65 metres (64.47 feet);

and would need to be rezoned to implement the proposed lot creation, by rezoning it to the Restricted Agricultural Special Provision X (A3-X) Zone, as a condition of approval. The Restricted Agricultural (A3) Zone has a minimum lot area of 4000 square metres and a minimum lot frontage of 30 metres respectively. The Special Provision would be required to reduce the minimum lot frontage from 30 metres to 19.6 metres, in order to minimize agricultural land loss.

The proposed retained parcel would need to be rezoned to the Agricultural (A2) Zone, in order to prohibit a single unit dwelling on the lands, as a condition of approval.

Therefore, it would appear that the proposal would comply with the ZBL, provided a Zoning By-law Amendment was obtained for the severed parcel, that can be addressed through a condition of the consent application.

Interdepartmental Comments:

The severance applications were circulated to municipal staff for comment. The following comments were received:

Drainage:

Drainage Department noted the following:

- The subject lands are within the Purcell Drain municipal drainage area.



Planning Staff notes that this can be addressed as condition of approval for reassessment processes.

Utilities:

Utilities Department noted the following:

- No issues of concern, as no municipal water and sewer fronts this subject lands.

Building:

Building Department noted the following:

- A permit is required for a new septic system on the subject lands.

Planning Staff notes that this can be addressed as condition of approval for the installation of the new septic system.

At the time of submission of this report, no other comments or concerns were received from Administration.

Summary:

Therefore, it is Planning Staff's opinion that the proposed surplus farm dwelling lot creation consent, would appear to be consistent with the PPS, conforms to the CEOP and conforms to the OP, complies with the ZBL (subject to relief); and that Council recommends to the County of Elgin that the consent be approved, subject to the lower-tier municipal conditions listed in this report.

The County of Elgin, as the Planning Approval Authority, will have to review the application accordingly against the planning documents (PPS, CEOP, OP and ZBL) and obtain comments from the other agencies and members of the public through the public consultation process, as part of their decision-making on the planning application.

Respectfully Submitted,

Bryan Pearce, HBA, CPT, MCIP, RPP
Planner
Municipality of West Elgin

Report Approval Details

Document Title:	Severance Application E68-21 - Comments to Elgin County - 2021-27-Planning.docx
Attachments:	<ul style="list-style-type: none">- Appendix One - Planning Report 2021-27 - Consent Sketch E68-21.pdf- Appendix Two - Planning Report 2021-27 - Severance Application E68-21 Conditions.pdf
Final Approval Date:	Sep 2, 2021

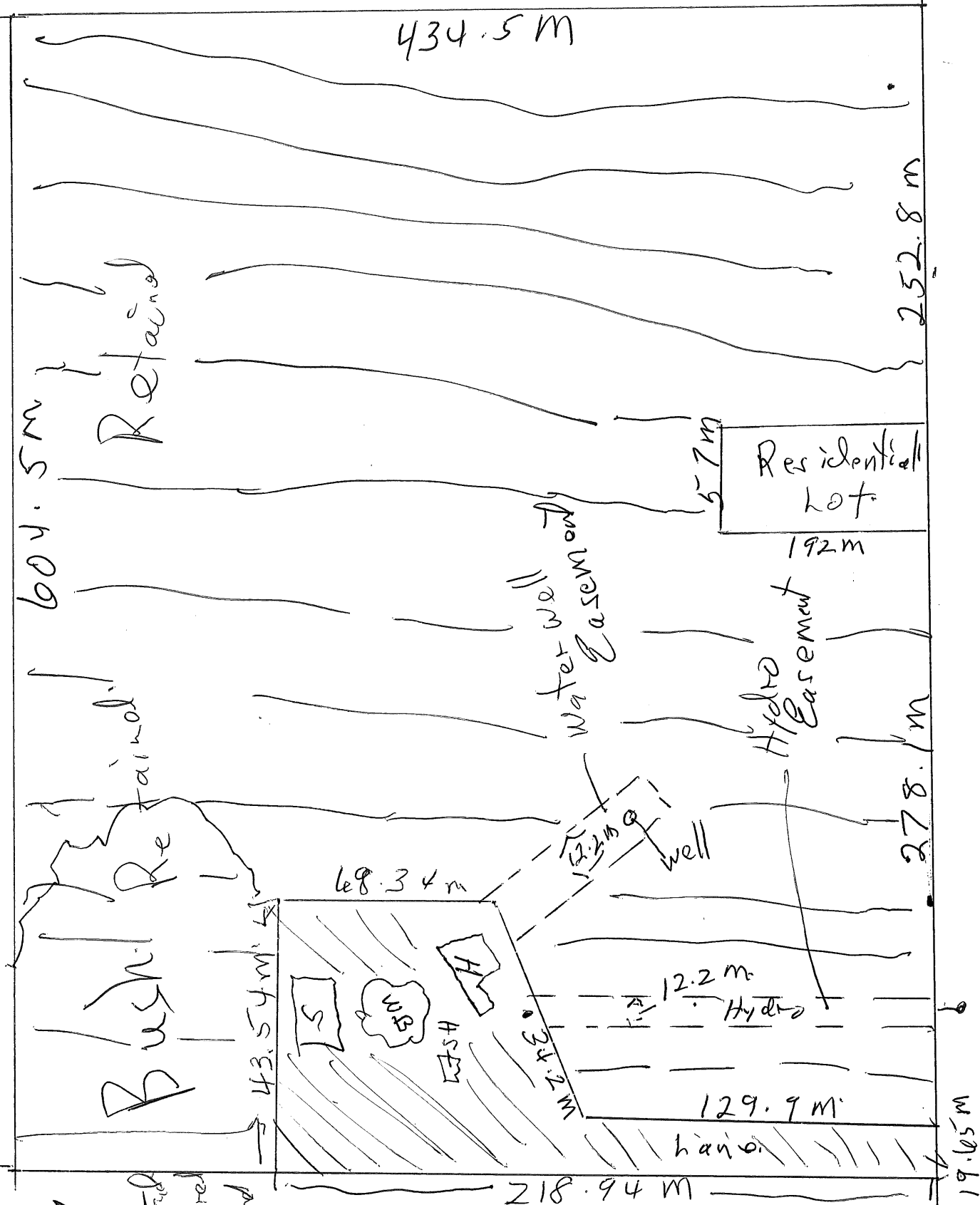
This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott






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Johnson
Liner

Planning Report 2021-27: Severance Report E68-21 –
Comments to the County of Elgin

Appendix Two: Severance Application E68-21 Conditions

Severance Application E68-21 Conditions:

1. That the Applicant meet all the requirements, financial and otherwise of the Municipality, to the satisfaction and clearance of the Municipality.
2. That the Applicant provides a description of the lands to be severed which can be registered in the Land Registry Office, to the satisfaction and clearance of the Municipality.
3. That the Applicant's Solicitor provides an undertaking to the Municipality, to provide a copy of the registered deed for the severed parcel once the transaction has occurred to the Municipality.
4. That the Applicant successfully apply to the Municipality for a Zoning By-law Amendment for the severed parcel and retained parcel and having such rezoning of the Zoning By-law come into full force and effect pursuant to the Planning Act, to the satisfaction and clearance of the Municipality.
5. That the Applicant shall have a private water well assessment completed on the retained parcel to ensure the drinking water source is safe for human consumption, to the satisfaction and clearance of the Municipality.
6. That the Applicant have a septic system assessment be completed by a qualified individual, on the proposed severed parcel to ensure that the lands are suitable for a privately owned and operated septic system, to the satisfaction and clearance of the Municipality.
7. That the Applicant shall engage a qualified designer and contractor to install a new septic system on the proposed severed parcel through the building permit process pursuant to the Building Code Act, to the satisfaction and clearance of the Municipality.
8. That the Applicant have a drainage reapportionment completed pursuant to the *Drainage Act*, to the satisfaction and clearance of the Municipality.
9. That the Applicant's Solicitor prepare an Easement Agreement between the severed and retained parcels for the existing privately owned and operated individual well and associated private waterline, to be registered on title at the Owner's sole cost and expense, to the satisfaction and clearance of the Municipality.
10. That the Applicant's Solicitor provides an undertaking to the Municipality, to provide a copy of the registered Notice of Easement for the water well and waterline once the transaction has occurred to the Municipality.

11. That the Applicant's Solicitor prepare an Easement Agreement between the severed and retained parcels for the existing private underground hydro line, to be registered on title at the Owner's sole cost and expense, to the satisfaction and clearance of the Municipality.
12. That the Applicant's Solicitor provides an undertaking to the Municipality, to provide a copy of the registered Notice of Easement for the hydro line once the transaction has occurred to the Municipality.
13. That prior the final approval of the County, the County is advised in writing by the Municipality how the above-noted conditions have been satisfied.
14. That all conditions noted above shall be fulfilled within one year of the Notice of Decision, so that the County of Elgin is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the *Planning Act*.



Staff Report

Report To: Council Meeting
From: Jana Nethercott, Clerk
Date: 2021-09-09
Subject: Amendment to Fire Training Officer/CEMC Agreement

Recommendation:

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Amendment to Fire Training Officer/CEMC Agreement with County of Elgin; and
That the proposed by-law approving the amending agreement be approved in the by-law portion of the Agenda; and
That the Mayor and Clerk be authorized to execute the above-mentioned agreement and any additional documents, if required, to give effect to the agreement.

Purpose:

The purpose of this report is to present to Council the amending agreement with the County of Elgin and participating lower tier municipalities for the Fire Training Officer/CEMC for Council review and to gain Council's approval to execute the agreement when approved by all member municipalities.

Background:

The original agreement to which the Municipalities/Townships of Bayham, Malahide, Southwold, Dutton Dunwich and West Elgin are parties was effective on June 1, 2020.

The original agreement requires that any amendment must be in writing and signed by all parties, including the County of Elgin. The Municipality of Central Elgin now wishes to be party this agreement and in response to this Elgin County Legal Department has prepared the attached amendment.

Financial Implications:

N/A

Effective Date: , 2021

Corporation of the County
of Elgin

The Corporation of the
Municipality of
Central Elgin

The Corporation of the
Municipality of Bayham

The Corporation of the
Township of Malahide

The Corporation of the
Township of Southwold

The Corporation of the
Municipality of
Dutton/Dunwich

The Corporation of the
Municipality of West Elgin

Fire Training Officer/
Community Emergency
Management Coordinator
Amending Agreement

Stephen H. Gibson
450 Sunset Drive
St. Thomas, ON
N5R 5V1

County Solicitor

This Amending Agreement made effective the day of , 2021.

Between:

Corporation of the County of Elgin
(hereinafter "Elgin")

Of The First Part

And:

The Corporation of the Municipality of Central Elgin
(hereinafter "Central Elgin")

Of The Second Part

And:

The Corporation of the Municipality of Bayham, The Corporation of the
Township of Malahide, The Corporation of the Township of Southwold,
The Corporation of the Municipality of Dutton Dunwich, and The
Corporation of the Municipality of West Elgin
(hereinafter, individually, "Bayham", "Malahide", "Southwold",
"Dutton Dunwich", and "West Elgin" and, collectively, the
"originally contracting local municipalities")

Of The Third Part

WHEREAS Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended,
(hereinafter "FPPA" or "Act") sets forth the obligations of, among others, local
municipalities for the provision of, among other things, fire protection services;

AND WHEREAS fire protection services includes, by definition, fire prevention and fire
safety education as well as the training of persons involved in provision of such services;

AND WHEREAS the Act, by section 2(2), contemplates that, in discharging its statutory
responsibilities, a local municipality shall establish fire departments;

AND WHEREAS the local municipalities within the territorial limits of the County of Elgin
have established fire departments as contemplated by the Act, which fire departments
operate under the leadership, guidance, and supervision of a Fire Chief appointed by
each local municipality (hereinafter "local Fire Chief" or, collectively, "local Fire Chiefs");

AND WHEREAS the Act, by section 9(2), provides that it is the duty of the Fire Marshall
to develop training programs and evaluation systems for persons involved in the provision
of fire protection services and to provide programs to improve practices relating to fire
protection services;

AND WHEREAS the Act, by section 10(1), provides that the Fire Marshall may delegate
any power or duty that is granted to or vested in the said Fire Marshall under the Act to
any person or class of persons, subject to such limitations, restrictions, conditions, and
requirements as may be set forth in such delegation;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, as amended, contemplates and provides for agreements between municipalities for the provision of services which each such municipality is required to deliver and provide within its own territorial limits;

AND WHEREAS Elgin employs and has appointed a Fire Training Officer/Community Emergency Management Coordinator (hereinafter "Officer") as a resource person qualified and able, among other things, to assist in the development, co-ordination, and delivery of required training and education programs for fire service personnel, including special teams, in support of an associated with local fire training programs implemented under the direction and authority of local Fire Chiefs;

AND WHEREAS Elgin and the original contracting local municipalities entered into A Fire Training Officer Cost sharing Agreement ("Agreement"), effective the first day of June, 2020, pursuant to which Agreement the original contracting local municipalities agree to utilize the Officer to assist in the development, co-ordination, and delivery of required training and education programs for local fire service personnel, including special teams, in support of and associated with local fire training programs implemented under the direction and authority of the local Fire Chiefs;

AND WHEREAS Central Elgin wishes to have access to and utilized the said services of the Officer to assist in the development, co-ordination, and delivery of required training and education programs for its local fire service personnel, including special teams, in support of and associated with local fire training programs implemented under the direction and authority of its Fire Chief;

AND WHEREAS Central Elgin thereby wishes to be added as a contracting local municipality to the aforementioned Agreement amongst Elgin and the original contracting local municipalities on the same terms and conditions as set forth therein;

AND WHEREAS Elgin is prepared to agree to the addition of Central Elgin as a contracting local municipality pursuant to such Agreement and the original contracting local municipalities are prepared to consent to such necessary amendments to that end;

AND WHEREAS Elgin, Central Elgin, and the original contracting local Ms. Pauli's wish to reduce the terms and conditions of addition of Central Elgin as a contracting local municipality to the said Agreement.

NOW THEREFORE, in consideration of payment of the sum of ONE DOLLAR (\$1.00) now paid by Central Elgin to each of the other Parties hereto and the mutual promises and covenants hereinafter contained, the receipt and/or sufficiency of which consideration is hereby irrevocably acknowledged, the Parties hereto agree and covenant as follows:

1. Preamble Paragraphs

The Parties hereby acknowledge the preamble paragraphs set forth above as accurate and, furthermore, agree that the said preamble paragraphs shall be deemed incorporated in and forming part of this Agreement.

2. Fire Training Officer Cost Sharing Agreement

Although not formally attached hereto, the Parties to this Agreement agree that the Fire Training Officer Cost Sharing Agreement, made effective the 1st day of June, 2020, executed by Elgin and the original contracting local municipalities hereto in counterparts, is deemed to be incorporated in and form part of the within Agreement.

3. Amendments to the Fire Training Officer Cost Sharing Agreement

The Parties to this Agreement agree that the Fire Training Officer Cost Sharing Agreement, made effective the 1st day of June, 2020, shall be amended as follows:

- (i) The list of Parties to the said Fire Training Officer Cost Sharing Agreement shall be amended by adding “The Corporation of the Municipality of Central Elgin” as the Party of the Seventh Part pursuant to the following wording between identification of The Corporation of the Municipality of West Elgin as the Party of the Sixth Part and the first preamble paragraph:

“AND:

THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN
(hereinafter “Central Elgin”)

Of The Seventh Part”

- (ii) The definition of “Fire Chief” in section 1.2 shall be amended by deletion of the words and punctuation mark “and West Elgin.” At the end of such section 1.2 and substitution of the words and punctuation marks “West Elgin, and Central Elgin.” therefor.
- (iii) The definition of “Contracting local municipalities” in section 13 shall be amended by deletion of the words and punctuation mark “and West Elgin.” at the end of such section 1.3 and substitution of the words and punctuation marks “West Elgin, and Central Elgin.” therefor.
- (iv) Section 7.2, relating to “Payment of Services Through Levy to Local Municipalities”, shall be amended by deletion of the words “ tier municipalities, as well as the Corporation of the Town of Aylmer and The Corporation of the Municipality of Central Elgin, as non-contracting local municipalities.” and the following words substituted therefor:

“ tier municipalities, as well as the Corporation of the Town of Aylmer as a non-contracting local municipality.”.
- (v) Section 10.3, relating to “Insurance/Save Harmless” commitments, shall be amended by deleting the word “and” between “Southwold,” and “West Elgin” and addition of the words “and Central Elgin” immediately following the words “West Elgin”.
- (vi) Section 10.4, relating to “Insurance/Save Harmless” commitments, shall be amended by deleting the words “and” between “Southwold,” and “West Elgin” in addition of the words “and Central Elgin” immediately following the words “West Elgin”.
- (vii) Section 11.1, relating to “Release” commitments, shall be amended by deleting the word “and” between “Southwold,” and “West Elgin” and addition of the words “and Central Elgin” immediately following the words “West Elgin”.
- (viii) Section 11.2, relating to “Release” commitments, shall be amended by deleting the word “and” between “Southwold,” and “West Elgin” and addition of the words “and Central Elgin” immediately following the words “West Elgin”.

- (ix) Section 12.1, relating to delivery of Notices, shall be amended by adding the following at the end of the section, following reference to West Elgin contact information:

“To Central Elgin at: 450 Sunset Drive,
St. Thomas, Ontario N5R 5V1
Fax: (519) 631-4036

- (x) The signature blocks for the Parties to the said Fire Training Officer Cost Sharing Agreement shall be amended to provide the following signature block following the signature block for The Corporation of the Municipality of West Elgin:

“ The Corporation of the Municipality of Central Elgin

Per: _____
Name: Sally Martyn
Position: Mayor

Per: _____
Name: Paul Shipway
Position: Chief Administrative Officer “

and, by execution of this Amending Agreement, the signatures of the said municipal Ofc. shall be deemed to be completed and endorsed upon the said Fire Training Officer Cost Sharing Agreement, as then amended.

4. Balance of Fire Training Officer Cost Sharing Agreement To Remain Unchanged

The Parties hereto acknowledge and agree that all other terms, conditions, and provisions of the Fire Training Officer Cost Sharing Agreement, effective the 1st day of June, 2020, and as hereby amended, shall be and remain unchanged and binding upon each individual Party and all collective Parties then named and identified therein.

5. Consent of the Original Contracting Local Municipalities

in compliance with and as required by section 12.3 of the Fire Training Officer Cost Sharing Agreement, the original contracting local municipalities consent to the amendments to the said Fire Training Officer Cost Sharing Agreement as set forth in this Amending Agreement.

(Balance of Page Left Blank Intentionally)

6. Electronic Signatures / Signatures In Counterparts

THIS Agreement may be executed in several counterparts, each of which, when so executed, shall constitute but one and the same document. This Agreement may also be signed in paper form, by facsimile signature or by electronic signature in accordance with section 11 of the Electronic Commerce Act, 2000 (Ontario). It may also be signed, whether or not in counterpart, scanned to Adobe® Portable Document Format (PDF) and delivered by way of electronic mail.

IN WITNESS WHEREOF the Parties hereto have executed this Agreement by the signature of authorized officials upon the dates and at the locations set forth below.

SIGNED, SEALED & DELIVERED

in the presence of

) Corporation of the County of Elgin

per: _____

Name: Tom Marks

Position: Warden

per: _____

Name: Julie Gonyou

Position: CAO/Clerk

We have authority to bind the Corporation

) The Corporation of the Municipality of
) Central Elgin

per: _____

Name: Sally Martyn

Position: Mayor

per: _____

Name: Paul Shipway

Position: CAO/Clerk

) The Corporation of the Municipality of
) Bayham

per: _____

Name: Edward Ketchabaw

Position: Mayor

per: _____

Name: Thomas Thayer

Position: CAO/Clerk

We have authority to bind the Corporation

) **The Corporation of the Township of Malahide**

)

)

) per: _____

)

Name: David Mennill

)

Position: Mayor

)

)

) per: _____

)

Name: Adam Betteridge

)

Position: CAO/Clerk

)

) We have authority to bind the Corporation

)

)

) **The Corporation of the Township of**

) **Southwold**

)

)

) per: _____

)

Name: Grant Jones

)

Position: Mayor

)

)

) per: _____

)

Name: Lisa Higgs

)

Position: CAO/Clerk

)

) We have authority to bind the Corporation

)

)

) **The Corporation of the Municipality of**

) **Dutton/Dunwich**

)

)

) per: _____

)

Name: Robert Purcell

)

Position: Mayor

)

)

) per: _____

)

Name: Heather Bouw

)

Position: CAO/Clerk

)

) We have authority to bind the Corporation

)

)

) **The Corporation of the Municipality of**

) **West Elgin**

)

)

) per: _____

)

Name: Duncan McPhail

)

Position: Mayor

)

)

) per: _____

)

Name: Magda Badura

)

Position: CAO/Treasurer

)

) We have authority to bind the Corporation



Staff Report

Report To: Council Meeting

From: Magda Badura, CAO/Treasurer & Jana Nethercott, Clerk

Date: 2021-09-09

Subject: Administration Monthly Update for August 2021

Recommendation:

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk and Magda Badura CAO/Treasurer re: Administration Monthly Report for August 2021 for information purposes

Purpose:

The purpose of this report is to provide Council with an update on Administration for the month of August 2021.

Background:

Vital Statistics:

Marriage Licenses – 4

Registered Deaths – 27

Marriage Ceremonies Performed – 0

Municipal Office Operations:

Water Bills were mailed out Aug 12 and the staff had a busy month with property changes for both water and tax purposes.

Staff on the technical advisory committee for the Official Plan were busy attending meetings with regards to the Background Study for the new Official Plan. With Council's permission staff would like to set 3 pm on October 5th as a Committee of the Whole meeting for the presentation of the background study for the Official Plan. This meeting will be a hybrid meeting.

Staff had a virtual tender opening for the one property up for Tax Sale on August 25, receiving 13 tenders.

The Clerk and Community Services & Operations Coordinator attended a webinar regarding applying for the next round of Trillium Community Fund – Capital Stream Grant. Staff will be applying for this grant to be able to purchase a dehumidifier for the Arena.

Staff were busy collecting information for and developing the Fall Tax Bill insert newsletter. This newsletter is sent out with the final tax installment bills in September.

The Elections survey was sent out as unaddressed ad mail to all residents in West Elgin, with a few being addressed in order to ensure we got them to the residents that get mail from other post offices, such as Wardsville and Murkirk.

Service Ontario:

Service Ontario was busy in August with 93 appointments and 220 walk ins (walk ins include appointments booked same day by office). The Province announced that by February 28, 2022 all stickers and license renewals will need to be brought up to date and according to the latest update from Service Ontario there are approximately

Service Requests (CityWide):

Attached please find a summary of Open and Closed Calls for the month of August. There is an additional report that list the Total Service Requests Dealt with in August. This report lists the issues that were dealt with in some way in August. An example would be the request was entered the end of July, but not closed until August or is an ongoing issue, where a note was made in the file regarding the issue.

Open Service Requests as of August 31, 2021

Name	Service Requests Count
By-law/Property Standards Complaint	28
Municipal Drain Concern	1
Municipal Drain Inquiry	1
Beach/Marina - General	1
Catch Basins	4
Ditch	1
Public Works - General	2
Sidewalk - General	1
Sign - Request for New	1
Tree Inspection	1
Water - General	2
Cumulative Total	43

Closed Service Requests Between Aug 1 and Aug 31, 2021

Name	Service Requests Count
Administration - General	1
Parks - General	1
Boulevard Maintenance	1
Catch Basins	1
Dead Animal	1
Dust Complaint	1
Flooding	1
Public Works - General	3
Sign - Maintenance	2
Sign - Request for New	1
Streetlight - Maintenance	1
Tree Fallen	1
Cumulative Total	15

Total Service Requests Dealt With Between Aug 1 and Aug 31, 2021

Name	Service Requests Count
Administration - General	1
Port Glasgow Trailer Park - General Inquiry	1
Animal Control Complaint	1
By-law/Property Standards Complaint	9
By-law/Property Standards Inquiry	1
Municipal Drain Concern	3
Municipal Drain Inquiry	1
Beach/Marina - General	1
Parks - General	1
Boulevard Maintenance	3
Catch Basins	4
Culverts	1
Dead Animal	1
Ditch	2
Dust Complaint	1
Flooding	17
Grass Cutting - Roadside	1
Public Works - General	5
Sign - Maintenance	2
Sign - Request for New	2
Sod Damage	1
Tree Fallen	2
Tree Inspection	4
Water - General	3
Cumulative Total	68



Staff Report

Report To: Council Meeting
From: Magda Badura, CAO/Treasurer
Date: 2021-09-09
Subject: National Day for Truth and Reconciliation Observance

Recommendation:

That West Elgin Council hereby receives the report from M. Badura, CAO/Treasurer re: National Day for Truth and Reconciliation Observance; and
That West Elgin Council hereby direct staff to fly the “Every Child Matters” Flag on the Municipal Flag Poles, where able on September 30th and for 3 days after the National holiday annually in acknowledgment of National Day for Truth and Reconciliation; and
That an acknowledgement ceremony take place at 10 am on Thursday September 30, 2021 at the West Elgin Community Centre, West Lorne.

Purpose:

The purpose of this report is to provide Council information on plans to acknowledge the new Federal Statutory Holiday: National Day for Truth and Reconciliation and the staffing cost to recognize this day as a statutory holiday for staff.

Background:

At the Council meeting on August 19, 2021 staff provided Council with a report about the new Federal Statutory Holiday and Council directed staff to return with a report on the cost of recognizing this as a statutory holiday for staff and options for recognizing the importance of this day publicly.

According to The Truth and Reconciliation Commission report, this day was established to spread awareness of and reflect upon the tragedies experienced by Indigenous people as a result of Canada’s residential school system. According to the Federal Government, September 30th “pay present itself as a day of quiet reflection or participation in a community event”. Staff are suggesting an acknowledgment ceremony to allow community members and Council to gather and acknowledge the importance of this day.

Staff have researched and submitted a land acknowledgment to Delaware Nation: Moravian town, which is to be reviewed by their Band Council on September 21, 2021 at their meeting. Staff would like to have this acknowledgment unveiled at the acknowledgment ceremony, and then have it as a part of Council meetings from that point forward. This acknowledgment will also be placed on the website and in municipal buildings.

At this time staff are working with Dutton Dunwich and Elgin County Library to create a joint program for both municipalities to offer community engagement and participation and to reach out

collectively to local First Nation Councils to join us. The list of activities currently being proposed for each municipality are:

- Opening Prayer and Drumming
- Reading of Land Acknowledgement
- Welcome to traditional territory by Chief or Band Council Member
- Welcome/information on history and significance of this day by Mayor or Council Member
- Raising of Every Child Matters Flag
- Children's story reading by Elgin County Librarian

Staff are proposing inviting the local schools to the ceremonies and rotate them in each Municipality – West Elgin hosted at West Lorne Community Centre Flag Poles (West Lorne Arena) at 10 am and then Dutton-Dunwich at 1 pm.

Financial Implications:

If council approves the above recommendation, there will be no financial implications.

If council chooses to recognize this holiday with a day off in addition to the proposed observance additional \$3,000 in wages and benefits will affect 2021 budget.

Policies/Legislation:

Report Approval Details

Document Title:	National Day for Truth and Reconciliation Observance - 2021-40-Administration Finance.docx
Attachments:	
Final Approval Date:	Sep 7, 2021

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott



OFFICE OF THE MAYOR
CITY OF HAMILTON

August 20, 2021

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

City Council, at its meeting held on August 13, 2021, approved Item 13 of Planning Committee Report 21-012 which reads as follows:

13. Noise Concerns and Request for Expiry of Extended Construction Hours

WHEREAS, municipalities have the authority under the *Municipal Act, 2001* to pass a Noise By-law to regulate and prohibit with respect to noise;

WHEREAS, in response to the COVID-19 pandemic, the Ontario government sought to accelerate construction projects in municipalities;

WHEREAS, the Ontario government passed O.Reg 131/20, under the *Municipal Act, 2001* ("O.Reg 131/20") allowing for extended construction hours for projects associated with the healthcare sector to 24 hours a day and any other construction activity in a municipality between the hours of 6am and 10pm;

WHEREAS, O.Reg 131/20 limits a municipality's authority and enforcement through Section 451.1 of the *Municipal Act, 2001* from prohibiting and regulating noise with respect to after-hour noise from construction sites;

WHEREAS, there has been an increase in complaints as a result of after-hour noise caused by construction sites impacting the quiet enjoyment of the residents of Hamilton; and,

WHEREAS, O.Reg 131/20 is set to expire on October 7, 2021;

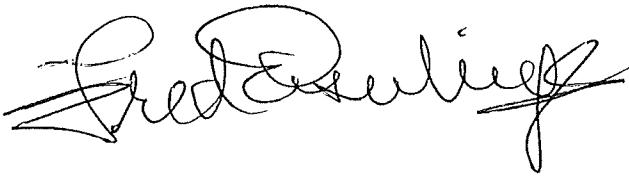
THEREFORE BE IT RESOLVED:

- (a) That the Mayor contact the Premier of Ontario, and local Members of Parliament to ask that the Province to promptly expediate the expiry of O.Reg 131/20, the COVID exemption for after-hours noise from construction sites.

- (b) That the Mayor contact the Premier of Ontario, and local Members of Parliament to request that the Province not make the temporary regulations of O.Reg 131/20, or any similar restrictions, permanent through an amendment to the *Municipal Act, 2001*.
- (c) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.

Your consideration of Council's request is appreciated. We would ask that you reference File #C21-014 when responding to this correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fred Eisenberger', with a stylized flourish at the end.

Fred Eisenberger
Mayor

File #C21-014

c.c. Hon. Andrea Horwath, Leader of the Official Opposition, MPP, Hamilton Centre
Hon. Donna Skelly, MPP, Flamborough-Glanbrook
Hon. Paul Miller, MPP, Hamilton East-Stoney Creek
Hon. Monique Taylor, MPP, Hamilton Mountain
Hon. Sandy Shaw, MPP, Hamilton West-Ancaster-Dundas
Association of Municipalities of Ontario
All Ontario Municipalities (by email)

Jana Nethercott

From: AMO Communications <Communicate@amo.on.ca>
Sent: August 23, 2021 12:29 PM
To: Jana Nethercott
Subject: AMO Policy Update - Draft Resolution for Municipal Recognition of September 30th as National Day for Truth and Reconciliation, New Municipal Resource Materials

Follow Up Flag: Follow up
Due By: September 3, 2021 4:00 PM
Flag Status: Flagged

AMO Update not displaying correctly? [View the online version](#)
Add Communicate@amo.on.ca to your safe list



August 23, 2021

AMO Policy Update – Draft Resolution for Municipal Recognition of September 30th as National Day for Truth and Reconciliation, and New Municipal Resource Materials

Recent discoveries of remains and unmarked graves across Western Canada have led to increased calls for all levels of government to immediately address the recommendations in the Truth and Reconciliation Commission's (TRC) Calls to Action.

All Canadians and all orders of government have a role to play in reconciliation. The TRC's 94 Calls to Action are addressed primarily to the federal, provincial, and territorial governments but also to municipal governments, the corporate sector, and the broader Canadian society. They cover a wide range of government responsibilities including child welfare, education, language and culture, health, justice, commemoration, museums and archives, training for public servants, and a few specific initiatives related to reconciliation.

At the August 14th Board Meeting, the AMO Board of Directors approved two resource papers to assist municipal councils' efforts to support Truth and Reconciliation.

The first resource paper provides an overview of the Truth and Reconciliation Commission's (TRC's) Calls to Action that municipal governments can address themselves.

The second resource paper provides ideas and options for what municipal leaders, councils can do to better support and engage Indigenous residents and neighbours at this time.

These AMO resource papers are meant to be organic and to be revised/updated when appropriate and more municipal resource materials are available.

Municipal Recognition of September 30th as National Day for Truth and Reconciliation – Draft Resolution

The AMO Board of Directors encourages members to recognize September 30th as National Day for Truth and Reconciliation (also known as Orange Shirt Day with the adoption of the following resolution:

WHEREAS the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

AND WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

AND WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

AND WHEREAS the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

THEREFORE, BE IT RESOLVED THAT the Council of the [municipality] of [placename] does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

AMO's COVID-19 Resources page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to covid19@amo.on.ca.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

Jana Nethercott

From: AMO Communications <Communicate@amo.on.ca>
Sent: September 1, 2021 3:37 PM
To: Jana Nethercott
Subject: AMO Policy Update - Proof of Vaccination Certificates

AMO Update not displaying correctly? [View the online version](#)
Add Communicate@amo.on.ca to your safe list



September 1, 2021

AMO Policy Update – Proof of Vaccination Certificates

The Premier today announced the Province will launch an enhanced vaccine certificate and verification app to stop the spread of COVID-19.

Starting September 22nd, 2021, Ontarians will need to be fully vaccinated (two doses plus 14 days) and provide proof of vaccination along with photo ID to access certain public settings and facilities. The following higher-risk indoor public settings where face coverings cannot always be worn will be covered by these requirements:

- restaurants and bars (excluding outdoor patios, as well as delivery and takeout);
- nightclubs (including outdoor areas of the establishment);
- meeting and event spaces, such as banquet halls and conference/convention centres;
- facilities used for sports and fitness activities and personal fitness training, such as gyms, fitness and recreational facilities, with the exception of youth recreational sport;
- sporting events;
- casinos, bingo halls, and gaming establishments;
- concerts, music festivals, theatres, and cinemas;
- strip clubs, bathhouses, and sex clubs;
- racing venues (e.g., horse racing).

These mandatory requirements will not apply to settings where people receive medical care, food from grocery stores, other essential goods, or medical supplies. Access to

voting in the federal election will not be affected. Indoor masking policies and capacity limits will continue to remain in place.

Facilities and operations not covered by the policy may develop their own access policies that make use of the new verification credentials.

According to the announcement, the enhanced vaccination certificate services will ensure individual control, privacy enhancements, stability for businesses, and interoperability with verification systems employed by the federal government. As of September 22, Ontarians will be required to show their vaccine receipt when entering designated settings along with another piece of photo identification. By October 22nd, Ontario will also introduce an enhanced digital vaccine receipt that features a QR code that can be kept on a phone and easily used to show proof of vaccination. The Province will also launch a new app to make it easier and more convenient for businesses and organizations to read and verify that a digital receipt is valid while protecting privacy. Additional tools to improve user experience, efficiency, and business supports will be developed and provided in the coming weeks including alternative tools for people with no email, health card, or ID. The government will also work to support implementation of vaccine certificates for Indigenous communities while maintaining Indigenous data governance, control, access, and possession principles.

Individuals who cannot receive the vaccine due to medical exemptions will be permitted entry with a doctor's note until recognized medical exemptions can be integrated as part of a digital vaccine certificate. Children who are 11 years of age and younger will also be exempted from these requirements.

According to the announcement, vaccine credentials are a temporary measure, and their necessity will be monitored and evaluated based on data and the advice of the Chief Medical Officer of Health. Enforcement of these requirements will be consistent with current practices under the *Reopening Ontario Act*. Frequently asked questions about proof of vaccination requirements can be accessed [here](#).

On August 16th, AMO [wrote](#) to the Premier calling on the Province to implement a province-wide, practical vaccine certification program for those fully vaccinated to protect children under 12 and Ontario's health care resources, and to support the safe, timely and stable reopening of public services, institutions, facilities, and businesses.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to covid19@amo.on.ca.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

New Requirement for Proof of Vaccination in Certain Settings: Frequently Asked Questions

September 01, 2021
[Office of the Premier](#)

TORONTO — Beginning September 22, 2021, Ontario will require proof of vaccination focused on indoor public settings. All Ontarians who registered their vaccines are encouraged to [download their vaccine receipt](#) as proof of their vaccine status until an enhanced vaccine certificate with a QR code is available.

Who is considered fully vaccinated?

People are considered fully vaccinated after receiving the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by World Health Organization (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series).

Does a previous COVID-19 infection allow you to attend these settings?

No, a previous infection is not a substitute for being fully vaccinated.

How can I get my proof of vaccination?

Currently, vaccine receipts are available in PDF form to be downloaded or printed to your computer, phone or tablet. Ontarians who received their first or second dose of the COVID-19 vaccine out of province should contact their local public health unit to record their information and receive proper documentation. Both proof of identity along with proof of vaccination will be required. Individuals can provide proof of immunization by downloading or printing their vaccine receipt from the [provincial booking portal](#), or by calling the Provincial Vaccine Booking Line at 1-833-943-3900.

What if a person has a red or white health card or does not have health card?

If a person has a red and white health card, they can call the Provincial Vaccine Booking Line at [1-833-943-3900](#). The call centre agent can email you a copy of your receipt. If they don't have an OHIP number at all, they should contact their local public health unit, and they can help you obtain the receipt.

What if they don't have a phone or a computer?

Ontario will develop and provide additional tools to improve user experience, efficiency and business supports in the coming weeks, including establishing alternative tools for people with no email, health card or ID.

How do I prove I am fully vaccinated if I am from out of province or out of country?

Individuals visiting from outside the province or the country will be required to show their full vaccination status and identification to enter prescribed settings.

Ontario will develop and provide additional tools to improve user experience, efficiency, and business supports in the coming weeks, including ensuring verification of fully vaccinated individuals from outside of province or country.

How does an individual prove they are fully vaccinated if they are an Indigenous person and haven't consented to providing their data to COVAX?

In the coming weeks Ontario will support implementation of vaccine certificates for Indigenous communities whether or not they have opted to enter their data into COVax, while maintaining Indigenous data governance, control, access and possession principles.

How does a person correct or change information on their vaccine credential?

Individuals should contact their local [public health unit](#) to make any changes to their vaccination record.

What will happen on September 22nd? What will happen on October 22nd?

As of September 22, 2021, Ontarians will need to be fully vaccinated (two doses plus 14 days) and provide their proof of vaccination as well as proof of identity (such a driver's licence or health card) to access certain public settings and facilities.

An enhanced vaccine certificate, as well as a verification app to allow businesses to read the QR code, will be available beginning October 22.

What will the digital vaccine certificate look like?

Ontario will develop and implement an enhanced vaccine certificate with unique QR code and accompanying verification app that will allow users to securely and safely verify their vaccination status when scanned. This could be stored on a mobile device, such as Apple Wallet. The enhanced vaccine certificate, as well as a verification app to allow businesses to read the QR code, will be available beginning October 22.

What if I don't want to disclose my vaccination status?

It is the discretion of the individual to determine whether they would like to disclose their vaccination status. Should they make the decision not to divulge this information, they will not be permitted to access settings that require proof of vaccination.

In settings where you have to be vaccinated to attend, is recent negative test sufficient to attend if you are unvaccinated?

A negative COVID-19 test or recent COVID-19 infection will not entitle a person to enter these settings, with narrow time-limited exceptions for testing. For the period between September 22 and October 12, 2021, it is intended that people attending wedding or funeral receptions at meeting or event spaces will be able to provide a negative rapid antigen COVID-19 test from no more than 48 hours before the event as an alternative to proof of vaccination. These rapid antigen tests would have to be privately purchased. The only exemptions are for unvaccinated people with medical exemptions and people under 12 years old will also be permitted to enter these settings.

Will people with medical exemptions be allowed to access settings requiring proof of vaccination?

The only exemptions permitted to enter these settings are for unvaccinated people with medical exemptions and people under 12 years old. Individuals who cannot receive the vaccine due to medical exemptions will be permitted with a doctor's note until the medical exemption can be integrated as part of a digital vaccine certificate.

Will individuals aged 11 and under be allowed to access settings requiring proof of vaccination?

Individuals aged 11 and under will be eligible to access these settings. If they are accompanied by an adult, the adult must be vaccinated.

Will proof of vaccination be required to attend weddings and other organized events?

For the period between September 22nd and October 12th, 2021, people attending indoor wedding and funeral receptions at indoor meeting or event spaces will be able to provide a negative rapid antigen COVID-19 test from no more than 48 hours before the event, as an alternative to the vaccine certificate showing they are fully vaccinated. These rapid antigen tests must be privately purchased.

Will people need a phone to be able to access businesses that require proof of vaccination?

A vaccination certificate is a PDF that can be downloaded online or received in paper copy. It includes the same information in both printed and digital form. These certificates will be required to access certain businesses and settings starting on September 22, 2021 as part of the Ontario government's efforts to stop the spread of the COVID-19 virus. By October 22, an enhanced vaccination certificate will be available in a new digital format that will offer increased accessibility and privacy protection.

How will businesses verify digital vaccination certificates?

Ontario will develop and implement an enhanced vaccine certificate with unique QR code and accompanying verification app that will allow users to securely and safely verify their vaccination status when scanned. The enhanced vaccine certificate, as well as a verification app to allow businesses to read the QR code, will be available beginning October 22. Guidance will be

provided to business ahead of September 22 to ensure they are prepared.

How long will a vaccine credential be in place?

Vaccine credentials are a temporary measure to address health and safety in the COVID-19 pandemic. How long they are necessary will be monitored and evaluated based on data and the advice of the Chief Medical Officer of Health.

How will the government enforce the requirement for proof of vaccination?

Consistent with current practices under the Reopening Ontario Act, enforcement will be conducted by by-law officers. Ministry of Labour, Training and Skills Development inspectors will begin with education and warnings visits.

Why isn't the province increasing capacity limits for the settings where proof of vaccination is required?

As Ontario continues to confront the Delta-driven fourth wave, the province has taken a cautious approach. This has included some of the highest vaccine thresholds required for re-opening, as well as maintaining indoor masking, a policy that other provinces are now re-introducing.

To avoid future lockdowns and protect hospitals, Ontario is maintaining this cautious approach. This includes not expanding capacity limits in any setting at this time. As we monitor the impact of opening schools and the growing number of people returning to workplaces, we will evaluate when it may be safe to consider expanding capacity limits in settings that are captured by the new vaccine certificate policy.

Additional Resources

- [Ontario to Require Proof of Vaccination in Select Settings](#)

Related Topics

Education and Training

Learn about Ontario's early years, education and training systems. Includes information on child care, elementary schools, secondary schools, colleges, universities, skills training and financial aid. [Learn more](#)

Government

Learn about the government services available to you and how government works. [Learn more](#)

Health and Wellness

Get help navigating Ontario's health care system and connecting with the programs or services you're looking for. [Learn more](#)

Media Contacts

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David Jensen
Communications Division
416-314-6197
media.moh@ontario.ca



MUNICIPALITY OF **West Elgin**

The Corporation of the Municipality of West Elgin

By-Law No. 2021-51

A By-law to Authorize the Execution of an Agreement between The Corporation of the County of Elgin and The Corporation of the Municipality of West Elgin for a Fire Training Officer

Whereas Section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority; and

Whereas The Corporation of the Municipality of West Elgin passed by-law 2020-20 on February 27, 2020 authorizing entered into an Agreement with The Corporation of the County of Elgin; The Corporation of the Municipality of Bayham; The Corporation of the Township of Malahide; The Corporation of the Township of Southwold; and The Corporation of the Municipality of Dutton Dunwich; for the purposes of providing the services of a Fire Training Officer as of June 1, 2020; and

Whereas it is deemed expedient that The Corporation of the Municipality of West Elgin enters into an Amending Agreement with The Corporation of the County of Elgin; The Corporation of the Municipality of Bayham; The Corporation of the Township of Malahide; The Corporation of the Township of Southwold; and The Corporation of the Municipality of Dutton Dunwich for the purposes of providing the services of a Fire Training Officer for the Corporation of the Municipality of West Elgin; and

Now Therefore the Council of the Corporation of the Municipality of West Elgin enacts as follows:

1. That the Corporation of the Municipality of West Elgin hereby authorizes the amending agreement with The Corporation of the County of Elgin; The Corporation of the Municipality of Bayham; The Corporation of the Township of Malahide; The Corporation of the Township of Southwold; and The Corporation of the Municipality of Dutton Dunwich, in the form of an agreement titled Fire Training Officer/Community Emergency Management Coordinator Amending Agreement, identified as Schedule "A" attached hereto and forming an integral part of this By-law.

2. That the Mayor and Clerk are hereby authorized and directed to execute such agreement and any related documents and affix the Seal of the Corporation of the Municipality of West Elgin thereto.
3. This by-law shall come into force and effect on September 9, 2021.

Read a first, second, and third time and passed this 9th day of September, 2021

Duncan McPhail
Mayor

Jana Nethercott
Clerk

Effective Date: , 2021

Corporation of the County
of Elgin

The Corporation of the
Municipality of
Central Elgin

The Corporation of the
Municipality of Bayham

The Corporation of the
Township of Malahide

The Corporation of the
Township of Southwold

The Corporation of the
Municipality of
Dutton/Dunwich

The Corporation of the
Municipality of West Elgin

Fire Training Officer/
Community Emergency
Management Coordinator
Amending Agreement

Stephen H. Gibson
450 Sunset Drive
St. Thomas, ON
N5R 5V1

County Solicitor

This Amending Agreement made effective the day of , 2021.

Between:

Corporation of the County of Elgin
(hereinafter "Elgin")

Of The First Part

And:

The Corporation of the Municipality of Central Elgin
(hereinafter "Central Elgin")

Of The Second Part

And:

The Corporation of the Municipality of Bayham, The Corporation of the
Township of Malahide, The Corporation of the Township of Southwold,
The Corporation of the Municipality of Dutton Dunwich, and The
Corporation of the Municipality of West Elgin
(hereinafter, individually, "Bayham", "Malahide", "Southwold",
"Dutton Dunwich", and "West Elgin" and, collectively, the
"originally contracting local municipalities")

Of The Third Part

WHEREAS Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended,
(hereinafter "FPPA" or "Act") sets forth the obligations of, among others, local
municipalities for the provision of, among other things, fire protection services;

AND WHEREAS fire protection services includes, by definition, fire prevention and fire
safety education as well as the training of persons involved in provision of such services;

AND WHEREAS the Act, by section 2(2), contemplates that, in discharging its statutory
responsibilities, a local municipality shall establish fire departments;

AND WHEREAS the local municipalities within the territorial limits of the County of Elgin
have established fire departments as contemplated by the Act, which fire departments
operate under the leadership, guidance, and supervision of a Fire Chief appointed by
each local municipality (hereinafter "local Fire Chief" or, collectively, "local Fire Chiefs");

AND WHEREAS the Act, by section 9(2), provides that it is the duty of the Fire Marshall
to develop training programs and evaluation systems for persons involved in the provision
of fire protection services and to provide programs to improve practices relating to fire
protection services;

AND WHEREAS the Act, by section 10(1), provides that the Fire Marshall may delegate
any power or duty that is granted to or vested in the said Fire Marshall under the Act to
any person or class of persons, subject to such limitations, restrictions, conditions, and
requirements as may be set forth in such delegation;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, as amended, contemplates and provides for agreements between municipalities for the provision of services which each such municipality is required to deliver and provide within its own territorial limits;

AND WHEREAS Elgin employs and has appointed a Fire Training Officer/Community Emergency Management Coordinator (hereinafter "Officer") as a resource person qualified and able, among other things, to assist in the development, co-ordination, and delivery of required training and education programs for fire service personnel, including special teams, in support of an associated with local fire training programs implemented under the direction and authority of local Fire Chiefs;

AND WHEREAS Elgin and the original contracting local municipalities entered into A Fire Training Officer Cost sharing Agreement ("Agreement"), effective the first day of June, 2020, pursuant to which Agreement the original contracting local municipalities agree to utilize the Officer to assist in the development, co-ordination, and delivery of required training and education programs for local fire service personnel, including special teams, in support of and associated with local fire training programs implemented under the direction and authority of the local Fire Chiefs;

AND WHEREAS Central Elgin wishes to have access to and utilized the said services of the Officer to assist in the development, co-ordination, and delivery of required training and education programs for its local fire service personnel, including special teams, in support of and associated with local fire training programs implemented under the direction and authority of its Fire Chief;

AND WHEREAS Central Elgin thereby wishes to be added as a contracting local municipality to the aforementioned Agreement amongst Elgin and the original contracting local municipalities on the same terms and conditions as set forth therein;

AND WHEREAS Elgin is prepared to agree to the addition of Central Elgin as a contracting local municipality pursuant to such Agreement and the original contracting local municipalities are prepared to consent to such necessary amendments to that end;

AND WHEREAS Elgin, Central Elgin, and the original contracting local Ms. Pauli's wish to reduce the terms and conditions of addition of Central Elgin as a contracting local municipality to the said Agreement.

NOW THEREFORE, in consideration of payment of the sum of ONE DOLLAR (\$1.00) now paid by Central Elgin to each of the other Parties hereto and the mutual promises and covenants hereinafter contained, the receipt and/or sufficiency of which consideration is hereby irrevocably acknowledged, the Parties hereto agree and covenant as follows:

1. Preamble Paragraphs

The Parties hereby acknowledge the preamble paragraphs set forth above as accurate and, furthermore, agree that the said preamble paragraphs shall be deemed incorporated in and forming part of this Agreement.

2. Fire Training Officer Cost Sharing Agreement

Although not formally attached hereto, the Parties to this Agreement agree that the Fire Training Officer Cost Sharing Agreement, made effective the 1st day of June, 2020, executed by Elgin and the original contracting local municipalities hereto in counterparts, is deemed to be incorporated in and form part of the within Agreement.

3. Amendments to the Fire Training Officer Cost Sharing Agreement

The Parties to this Agreement agree that the Fire Training Officer Cost Sharing Agreement, made effective the 1st day of June, 2020, shall be amended as follows:

- (i) The list of Parties to the said Fire Training Officer Cost Sharing Agreement shall be amended by adding “The Corporation of the Municipality of Central Elgin” as the Party of the Seventh Part pursuant to the following wording between identification of The Corporation of the Municipality of West Elgin as the Party of the Sixth Part and the first preamble paragraph:

“AND:

THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN
(hereinafter “Central Elgin”)

Of The Seventh Part”

- (ii) The definition of “Fire Chief” in section 1.2 shall be amended by deletion of the words and punctuation mark “and West Elgin.” At the end of such section 1.2 and substitution of the words and punctuation marks “West Elgin, and Central Elgin.” therefor.
- (iii) The definition of “Contracting local municipalities” in section 13 shall be amended by deletion of the words and punctuation mark “and West Elgin.” at the end of such section 1.3 and substitution of the words and punctuation marks “West Elgin, and Central Elgin.” therefor.
- (iv) Section 7.2, relating to “Payment of Services Through Levy to Local Municipalities”, shall be amended by deletion of the words “ tier municipalities, as well as the Corporation of the Town of Aylmer and The Corporation of the Municipality of Central Elgin, as non-contracting local municipalities.” and the following words substituted therefor:

“ tier municipalities, as well as the Corporation of the Town of Aylmer as a non-contracting local municipality.”.
- (v) Section 10.3, relating to “Insurance/Save Harmless” commitments, shall be amended by deleting the word “and” between “Southwold,” and “West Elgin” and addition of the words “and Central Elgin” immediately following the words “West Elgin”.
- (vi) Section 10.4, relating to “Insurance/Save Harmless” commitments, shall be amended by deleting the words “and” between “Southwold,” and “West Elgin” in addition of the words “and Central Elgin” immediately following the words “West Elgin”.
- (vii) Section 11.1, relating to “Release” commitments, shall be amended by deleting the word “and” between “Southwold,” and “West Elgin” and addition of the words “and Central Elgin” immediately following the words “West Elgin”.
- (viii) Section 11.2, relating to “Release” commitments, shall be amended by deleting the word “and” between “Southwold,” and “West Elgin” and addition of the words “and Central Elgin” immediately following the words “West Elgin”.

- (ix) Section 12.1, relating to delivery of Notices, shall be amended by adding the following at the end of the section, following reference to West Elgin contact information:

“To Central Elgin at: 450 Sunset Drive,
St. Thomas, Ontario N5R 5V1
Fax: (519) 631-4036

- (x) The signature blocks for the Parties to the said Fire Training Officer Cost Sharing Agreement shall be amended to provide the following signature block following the signature block for The Corporation of the Municipality of West Elgin:

“ The Corporation of the Municipality of Central Elgin

Per: _____
Name: Sally Martyn
Position: Mayor

Per: _____
Name: Paul Shipway
Position: Chief Administrative Officer “

and, by execution of this Amending Agreement, the signatures of the said municipal Ofc. shall be deemed to be completed and endorsed upon the said Fire Training Officer Cost Sharing Agreement, as then amended.

4. Balance of Fire Training Officer Cost Sharing Agreement To Remain Unchanged

The Parties hereto acknowledge and agree that all other terms, conditions, and provisions of the Fire Training Officer Cost Sharing Agreement, effective the 1st day of June, 2020, and as hereby amended, shall be and remain unchanged and binding upon each individual Party and all collective Parties then named and identified therein.

5. Consent of the Original Contracting Local Municipalities

in compliance with and as required by section 12.3 of the Fire Training Officer Cost Sharing Agreement, the original contracting local municipalities consent to the amendments to the said Fire Training Officer Cost Sharing Agreement as set forth in this Amending Agreement.

(Balance of Page Left Blank Intentionally)

6. Electronic Signatures / Signatures In Counterparts

THIS Agreement may be executed in several counterparts, each of which, when so executed, shall constitute but one and the same document. This Agreement may also be signed in paper form, by facsimile signature or by electronic signature in accordance with section 11 of the Electronic Commerce Act, 2000 (Ontario). It may also be signed, whether or not in counterpart, scanned to Adobe® Portable Document Format (PDF) and delivered by way of electronic mail.

IN WITNESS WHEREOF the Parties hereto have executed this Agreement by the signature of authorized officials upon the dates and at the locations set forth below.

SIGNED, SEALED & DELIVERED) **Corporation of the County of Elgin**
in the presence of)
)
) per: _____
) Name: Tom Marks
) Position: Warden
)
)
) per: _____
) Name: Julie Gonyou
) Position: CAO/Clerk
)
) We have authority to bind the Corporation
)
)
) **The Corporation of the Municipality of**
) **Central Elgin**
)
)
) per: _____
) Name: Sally Martyn
) Position: Mayor
)
)
) per: _____
) Name: Paul Shipway
) Position: CAO/Clerk
)
)
) **The Corporation of the Municipality of**
) **Bayham**
)
)
) per: _____
) Name: Edward Ketchabaw
) Position: Mayor
)
)
) per: _____
) Name: Thomas Thayer
) Position: CAO/Clerk
)
) We have authority to bind the Corporation
)
)
)
)
)
)

) **The Corporation of the Township of Malahide**

)

)

) per: _____

)

Name: David Mennill

)

Position: Mayor

)

)

) per: _____

)

Name: Adam Betteridge

)

Position: CAO/Clerk

)

) We have authority to bind the Corporation

)

)

) **The Corporation of the Township of**

) **Southwold**

)

)

) per: _____

)

Name: Grant Jones

)

Position: Mayor

)

)

) per: _____

)

Name: Lisa Higgs

)

Position: CAO/Clerk

)

) We have authority to bind the Corporation

)

)

) **The Corporation of the Municipality of**

) **Dutton/Dunwich**

)

)

) per: _____

)

Name: Robert Purcell

)

Position: Mayor

)

)

) per: _____

)

Name: Heather Bouw

)

Position: CAO/Clerk

)

) We have authority to bind the Corporation

)

)

) **The Corporation of the Municipality of**

) **West Elgin**

)

)

) per: _____

)

Name: Duncan McPhail

)

Position: Mayor

)

)

) per: _____

)

Name: Magda Badura

)

Position: CAO/Treasurer

)

) We have authority to bind the Corporation



MUNICIPALITY OF **West Elgin**

The Corporation Of The Municipality Of West Elgin

By-Law No. 2021-52

Being a By-Law to confirm the proceedings of the Regular Meeting of Council held on September 9, 2021.

Whereas Section 5(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be exercised by council; and

Whereas Section 5(3) of the Municipal Act, the powers of Council shall be exercised by by-law; and

Whereas it is deemed expedient that proceedings of Council of the Corporation of the Municipality of West Elgin as herein set forth be confirmed and adopted by by-law;

Now therefore the Council of the Municipality of West Elgin enacts as follows:

1. That the actions of the meeting of Council held on September 9, 2021, in respect of each recommendation, motion and resolution and other action taken by the Council at this meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. The Mayor and proper officials of the Corporation of the Municipality of West Elgin are hereby authorized and directed to do all things necessary to give effect to the action of the Council referred to in the preceding section hereof.
3. The Mayor and Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix the Seal of the Corporation of the Municipality of West Elgin.

Read a first, second, and third time and finally passed this 9th day of September, 2021.

Duncan McPhail
Mayor

Jana Nethercott
Clerk