



Municipality of West Elgin

Minutes

Council Meeting

February 24, 2022, 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
L. Gosnell, Manager of Operations & Community Services
Bryan Pearce, Planner
Emily Jocius, Operations & Community Services
Coordinator

Due to the COVID-19 Pandemic and physical distancing requirements this meeting was held in a hybrid format.

1. Call to Order

Mayor Duncan McPhail called the meeting to order at 9:32 a.m.

2. Adoption of Agenda

Resolution No. 2022- 49
Moved: Councillor Rowe
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. 2022- 50
Moved: Councillor Cammaert
Seconded: Councillor Tellier

That Council proceed into a Public Meeting pursuant to Section 34 of the *Planning Act, R.S.O. 1990* at 9:33 a.m. in order to consider a proposed amendment to Zoning By-Law 2015-36.

Carried

4.1 Purpose of the Public Meeting

Purpose of the public meeting read aloud by the Clerk.

**4.2 Zoning By-law Amendment Application D14-02-2002 -
Recommendation Report**

4.3 Applicant Presentation

Dan McKillop spoke on behalf of applicant and stated they are close to completing the conditions of the severance.

4.4 Public Comments

No public spoke

4.5 Council Comments

No comments from Council.

4.6 Recommendation

Resolution No. 2022- 51

Moved: Deputy Mayor Leatham
Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Bryan Pearce, Planner, regarding Zoning By-law Amendment Application D14 02-2022 – 21934 Johnston Line Recommendation Report (Planning Report 2022-04); and

That West Elgin Council approve the rezoning of 21934 Johnston Line from General Agricultural (A1) Zone to Agricultural (A2) Zone and Restricted Agricultural Site-Specific Provision 6 (A3-6) Zone, with Site-Specific Provision 6 reducing the minimum lot frontage from 30 metres to 19.6 metres, in accordance with the draft by-law contained within Appendix Two of this report, Planning Report 2022-04; 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 February 24, 2022 Council Agenda.

Carried

4.7 Close of Public Meeting

Resolution No. 2022- 52
Moved: Councillor Rowe
Seconded: Councillor Tellier

That West Elgin Council hereby closes the Public Meeting held pursuant to Section 34 of the *Planning Act, R.S.O. 1990* at 9:44 a.m. to reconvene in the Regular Meeting of Council.

Carried

5. Adoption of Minutes

Resolution No. 2022- 53
Moved: Councillor Rowe
Seconded: Councillor Cammaert

That the Minutes of the Council meeting on February 10, 2022 be adopted as circulated and printed.

Carried

6. Business Arising from Minutes

None.

7. Staff Reports

7.1 Operations & Community Services

7.1.1 E Jocius, Operations and Community Services Coordinator - Youth Task Team Request

Resolution No. 2022- 54

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Emily Jocius, Operations and Community Services Coordinator re: Youth Task Team Request to Join West Elgin Recreation Committee; and

That West Elgin Council hereby appoints one (1) voting member and one (1) non-voting member or alternate to the West Elgin Recreation Committee, to represent the Youth Task Team.

Carried

7.2 Planning

7.2.1 B. Pearce, Planner - Additional Dwelling Units/Second Residential Units – Dedicated Webpage (Planning Report 2022-05)

Resolution No. 2022- 55

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That West Elgin Council hereby receives the report from Bryan Pearce, Planner, regarding Additional Dwelling Units/Second Residential Units – Dedicated Webpage (Planning Report 2022-05), for information purposes.

Carried

7.3 Clerk's

7.3.1 J. Nethercott, Clerk - Coyote Population Control

Staff were directed to ensure the information is on the Municipal website.

Resolution No. 2022- 56

Moved: Deputy Mayor Leatham

Seconded: Councillor Cammaert

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Coyote Population Control for information purposes.

Carried

7.3.2 J. Nethercott, Clerk - Use of Corporate Resources During an Election Policy

Resolution No. 2022- 57

Moved: Councillor Rowe

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Use of Corporate Resources During an Election Policy; and

That West Elgin hereby considers the By-law to adopt the Use of Corporate Resource During an Election Policy.

Carried

7.4 Finance/Administration

7.4.1 M. Badura, CAO/Treasurer - 2021 Council Remuneration

Resolution No. 2022- 58

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That West Elgin Council hereby receives the report from Magda Badura, CAO/Treasurer re: 2021 Council Remuneration and Expenses report for information only.

Carried

8. Committee and Board Report

8.1 Councillor Reports from Committees

Mayor McPhail reported that he and the Clerk attended the West Lorne Optimist Club meeting on February 10, to provide information on the pathways in Miller Park. Staff explained that they are still applying for grants for these pathways. The Optimists are going to look at fundraising to get pathways in for at least part of the park and once they have their information, will report back to Council.

8.2 Four Counties Transportation Services Board Minutes of January 10, 2022

Councillor Rowe reported that at the last meeting in February the Committee had recommended to staff to investigate the costs of a replacement of the current Bus with another 16 passenger Bus, however to request a ramp instead of the hydraulic lift that is currently used.

8.2.1 Four Counties Transit Operating Agreement

Council discussed the draft agreement and saw no issues in reducing the number of representatives on the committee, especially if expansion was the plan and therefore other members will want representation.

8.3 West Elgin Recreation Committee - Minutes of January 19, 2022

9. Accounts

Resolution No. 2022- 59

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That the Mayor and Treasurer are hereby authorized to sign Payment Voucher #2A amounting to \$688,474.13 in settlement of General, Road, Water and Arena Accounts including EFT#4840-4883, online Payments# 869-875, cheque# 25867-25888 and Payroll PP03.

Carried

10. Correspondence

10.1 Elgin County Council Highlights - February 8, 2022

10.2 Elgin County OPP 2021 Annual Report

10.3 Township of Limerick - Gypsy Moth Spraying

10.4 Municipal Resolutions to Dissolve Ontario Land Tribunal

Resolution No. 2022- 60

Moved: Councillor Rowe

Seconded: Deputy Mayor Leatham

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”; and

Whereas our Official Plan includes zoning provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the Province; and

Whereas it is within the legislative purview of Municipal Council to adopt Official Plan amendments or approve Zoning By-law changes that better the community or fit within the vision of the Municipality of West Elgin Official Plan; and

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Municipality of West Elgin Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of West Elgin; and

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal and provincially approved official plans or consistent with provincial plans and policy; and

Whereas all decisions—save planning decisions—made by Municipal Council are similarly only subject to appeal by judicial review and such appeals are limited to questions of law; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas municipalities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the Province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

Now Therefore Be It Resolved That The Council Of The Municipality of West Elgin requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and

That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration

Carried

10.5 Norfolk County - Year of the Garden Proclamation

10.6 Rodney Carpet Bowlers and Shuffle Boards - Request to Waive Fees

Resolution No. 2022- 61

Moved: Councillor Rowe

Seconded: Councillor Cammaert

That West Elgin Council hereby approve the waiver of fees for the Rodney Carpet Bowlers and Shuffle Boards for the 2022 calendar year.

Carried

11. Council Inquires/Announcements

11.1 Notice of Motion

None

11.2 Statements/Inquires by Councillors

Councillor Tellier stated that the Rodney-Aldborough Agricultural Society Annual General Meeting is being held on February 26 at 9 am in the Elgin International Club and the cost is \$15 per person for breakfast.

Deputy Mayor Leatham stated that he will be attending the Lower Thames Valley Conservation Authority Annual General Meeting later today.

11.3 Matters of Urgency

Lee Gosnell, Manager of Operations & Community Services said that staff have received overwhelming responses to sponsor free public skating during the March Break. There are more sponsors than time available. Staff are enquiring if Council would support offering prime ice time that isn't rented, at the same cost as off prime time for sponsored public skates. Council directed staff to contact Dutton Dunwich and if they were in favor to move forward with this for March Break.

12. By-Laws

12.1 By-Law 2022-08 Use of Municipal Resources During an Election Policy

Resolution No. 2022- 62

Moved: Councillor Cammaert

Seconded: Councillor Rowe

That By-Law 2022-08 being a By-Law to adopt the Policy CO-2.1 - Use of Municipal Resources During an Election, be read a first, second and third and final time.

Carried

12.2 By-Law 2022-09 - Rezone 21934 Johnston Line

Resolution No. 2022- 63

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That By-law 2022-09 being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for the property known as 21934 Johnston Line, be read a first, second and third and final time.

Carried

13. Closed Session

Resolution No. 2022- 64

Moved: Councillor Rowe

Seconded: Councillor Tellier

That the Council of the Municipality of West Elgin Council hereby proceeds into Closed Session at 10:45 a.m. under Section 239 (b & d) 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 labour relations or employee negotiations.

Carried

14. Report from Closed Session

Mayor McPhail reported out at 11:40 a.m.

Resolution No. 2022- 65

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That West Elgin Council provided staff direction on matters pertaining to identifiable individuals and labour relations; and

That West Elgin Council directed staff to move forward with disconnection of water services for customers who have not made payment arrangements and are more than 90 days in arrears.

Carried

15. Confirming By-Law

Resolution No. 2022- 66

Moved: Councillor Cammaert

Seconded: Councillor Tellier

That By-law 2022-10 being a By-law to confirm the proceeding of the Regular Meeting of Council held on February 24, 2022 be read a first, second and third and final time.

Carried

16. Adjournment

Resolution No. 2022- 67

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That the Council of the Municipality of West Elgin hereby adjourn at 11:40 a.m. to meet again on March 10, 2022 at 9:30 a.m. or at the call of the chair.

Carried

Duncan McPhail, Mayor

Jana Nethercott, Clerk