



Municipality of West Elgin

Minutes

Council Meeting

January 26, 2023, 9:30 a.m.

West Elgin Community Complex - Hybrid Meeting

160 Main St

West Lorne

Electronic Hybrid Meeting

Present:

Mayor D. McPhail
Deputy Mayor R. Leatham
Councillor T. Tellier
Councillor M. Navackas
Councillor B. Denning

Staff Present:

M. Badura, CAO/ Treasurer
J. Nethercott, Clerk
L. Gosnell, Manager of Operations & Community Services
R. Brown, Planner
B. Jessome, Recording Secretary

Also Present:

B. Widner, Spriet & Associates Engineers

**This Meeting was held in Hybrid format and the recording available at
www.westelgn.net**

1. Call to Order

Mayor Duncan McPhail called the meeting to order at 9:30 a.m.

2. Adoption of Agenda

Resolution No. 2023- 22

Moved: Councillor Denning

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 Under the Drainage Act

Resolution No. 2023- 23

Moved: Councillor Tellier

Seconded: Councillor Navackas

That Council proceed into a Public Meeting pursuant to Section 42 of the *Drainage Act*, to consider the Engineers Report for the DK Andrews Municipal Drain.

Carried

4.1 DK Andrews Municipal Drain Engineers Report

Brandon Widner, P.Eng. presented the DK Andrews Engineers Report.

4.2 Public Comments

H. Minema inquired if the road crossing is required or if a different route would save some money. Engineer stated that at first glance it would appear to go thru the property that Mr. Minema is suggesting instead of doing a road crossing, it may require work to an additional drain and adding another property to the drain schedule and the result may not save any money. There is also a 1 foot discrepancy in the depth of the proposed drain and the drain Mr. Minema is suggesting the water be diverted to. Mr. Minema agreed that with the difference in the depth the current design is appropriate.

4.3 Council Comments

None.

4.4 Recommendation

Resolution No. 2023- 24

Moved: Councillor Denning

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives and conditionally approves the Engineers Report on the DK Andrews Municipal Drain as presented; and

That West Elgin Council authorizes staff to initiate the tender process, if required, for the major improvement to the DK Andrews Municipal Drain to be considered by Council following the Court of Revision; and

That West Elgin Council consider the provisional By-law as presented in the By-law portion of the agenda for a first and second reading .

Carried

4.5 Close of Public Meeting Under the Drainage Act

Resolution No. 2023- 25

Moved: Councillor Tellier

Seconded: Councillor Denning

That West Elgin Council hereby close the Public Meeting held pursuant to Section 42 of the *Drainage Act* at 9:48 a.m. to reconvene in the Regular Meeting of Council.

Carried

5. Public Meeting Under the Planning Act - Gray Line

Resolution No. 2023- 26

Moved: Michelle Navackas

Seconded: Councillor Tellier

That the Council of the Municipality West Elgin proceed into a Public Meeting at 9:49 a.m. pursuant to Section 34 of the *Planning Act* in order to hear an application to rezone a property on Gray Line as a condition of a consent application E60-22.

Carried

5.1 Purpose of the Public Meeting

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

5.2 Zoning By-law Amendment Application D14 12-2022 - Gray Line Recommendation Report 2023-01

West Elgin Council received the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 12-2022 – Gray Line Recommendation Report (Planning Report 2023-01);

5.3 Applicant Comments

Don Ferguson, applicant representative spoke and stated that Mr. Brown characterized the application and he had no further comments.

5.4 Public Comments

None.

5.5 Council Comments

None.

5.6 Recommendation

Resolution No. 2023- 27

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That West Elgin Council approve the rezoning of the severed parcel (lot addition) from Lakeshore Residential Special Use Regulation 1 – Holding 7 (LR-1-H-7) to Recreation Vehicle Park (RVP);

That West Elgin Council approve an amendment to the existing zoning of the retained parcel to recognize the reduced lot frontage of 12 m, 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 January 26, 2023, Council Agenda.

Carried

5.7 Close of Public Meeting

Resolution No. 2023- 28

Moved: Councillor Navackas

Seconded: Councillor Denning

That West Elgin Council hereby adjourn the public meeting for Gray Line, held pursuant to Section 34 of the *Planning Act* at 9:57 a.m. to reconvene in Regular Meeting of Council.

Carried

6. Public Meeting Under Planning Act - 242 Furnival Road

Resolution No. 2023- 29

Moved: Councillor Navackas

Seconded: Councillor Tellier

That the Council of the Municipality West Elgin proceed into a Public Meeting at 9:57 a.m. pursuant to Section 34 of the *Planning Act* in order to hear an application to rezone a property at 242 Furnival Road, Rodney.

Carried

6.1 Purpose of Public Meeting

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

6.2 Zoning By-law Amendment Application D-14 13-2022 – Recommendation Report, 242 Furnival Road – 2023-02 - Planning

West Elgin Council received the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 13 2022 – 242 Furnival Road Recommendation Report (Planning Report 2023-02).

6.3 Applicant Comments

None.

6.4 Public Comments

None.

6.5 Council Comments

Councillor Denning enquired if this will impact parking requirements and does this rezoning comply with parking requirement. Planner, R. Brown stated that most downtown residential units do not comply with parking requirements but changing the zoning on this particular property actually lowers the parking requirements, therefore not making the parking any worse in downtown Rodney.

6.6 Recommendation

Resolution No. 2023- 30

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

That West Elgin Council hereby approve the zoning amendment for the subject parcel at 242 Furnival Road to permit a ground floor residential unit utilizing up to 60% of the ground floor space and located at the rear of the existing building;

That West Elgin Council consider the by-law to amend the Zoning By-law, as presented in the by-law portion of the January 26, 2023, Council Agenda

Carried

6.7 Close of Public Meeting

Resolution No. 2023- 31

Moved: Councillor Navackas

Seconded: Councillor Denning

That West Elgin Council hereby adjourn the public meeting held pursuant to Section 34 of the *Planning Act* at 10:07 a.m. to reconvene in Regular Meeting of Council.

Carried

7. Public Meeting Under Planning Act - 22100 Downie Line

Resolution No. 2023- 32

Moved: Councillor Denning

Seconded: Councillor Tellier

That the Council of the Municipality West Elgin proceed into a Public Meeting at 10:07 a.m. pursuant to Section 34 of the *Planning Act* in order to hear an application to rezone a property on 22100 Downie Line, as a condition of Consent Application E75-22.

Carried

7.1 Purpose of the Public Meeting

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

7.2 Zoning By-law Amendment Application D14 14-2022 – 22100 Downie Line Recommendation Report 2023-03

West Elgin Council received the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 14 2022 – 22100 Downie Line Recommendation Report (Planning Report 2023-03);

7.3 Applicant Comments

None.

7.4 Public Comments

None.

7.5 Council Comments

None.

7.6 Recommendation

Resolution No. 2023- 33

Moved: Deputy Mayor Leatham

Seconded: Councillor Navackas

That West Elgin Council approve the rezoning of the severed parcel (lot addition) from General Agricultural (A1) Zone to Highway Commercial, (C3) Zone;

That West Elgin Council approve an amendment to the existing zoning of the retained parcel to recognize the reduction in lot area, and

That West Elgin Council consider the by-law to amend the Zoning By-law, as presented in the by-law portion of the January 26, 2023, Council Agenda

Carried

7.7 Close of Public Meeting

Resolution No. 2023- 34

Moved: Councillor Tellier

Seconded: Councillor Denning

That West Elgin Council hereby adjourn the public meeting held pursuant to Section 34 of the *Planning Act* at 10:14 a.m. to reconvene in Regular Meeting of Council.

Carried

Council recessed at 10:14 a.m. and reconvened at 10:20 a.m.

8. Adoption of Minutes

Council recessed at 10:14 a.m. and reconvened at 10:20 a.m.

Resolution No. 2023- 35

Moved: Councillor Denning

Seconded: Councillor Navackas

That the Minutes of the Council meeting on January 12, 2023 be adopted as circulated and printed.

Carried

9. Business Arising from Minutes

Jana Nethercott, Clerk reported that a draft of the survey requested has been completed by staff and if Council wishes can be distributed and advertised. Council directed the Clerk to proceed with survey.

10. Consent Agenda

Resolution No. 2023- 36

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives and files the consent agenda.

Carried

10.1 Communications from Other Municipalities/Groups

10.1.1 LTVCA - Changes to CAs re Bill 23

10.1.2 What's New in Elgin January 2023

11. Staff Reports

11.1 Municipal Drains

11.1.1 J. Nethercott, Clerk - Appoint Engineers – Major Improvement for Eastlake & Wright Drains

Resolution No. 2023- 37

Moved: Councillor Navackas

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Appoint Engineers – Major Improvement for Eastlake & Wright Drains; and

That West Elgin Council hereby appoints Spriet Associates Engineers & Architects to prepare an Engineers reports for the Major Improvement for the Eastlake and Wright Drains under Section 78 of the *Drainage Act*.

Carried

11.1.2 J. Nethercott, Clerk - Appoint Court of Revision Members for DK Andrews Drain

Resolution No. 2023- 38

Moved: Councillor Tellier

Seconded: Councillor Navackas

That West Elgin Council hereby receives the report from J. Nethercott, Clerk re: Appoint Court of Revision Members for DK Andrews Drain; and

That the Court of Revision for the DK Andrews Drain is hereby scheduled on February 23, 2023 at 9:00 a.m.; and

Be it resolved that West Elgin Council hereby appoints Councillor Denning and Deputy Mayor Leatham to the Court of Revision for the DK Andrews Drain.

Carried

11.2 Operations & Community Services

11.2.1 L. Gosnell, Manager of Operations & Community Services - Shuffleboard Group Meeting Results

Resolution No. 2023- 39

Moved: Councillor Navackas

Seconded: Councillor Denning

That West Elgin Council hereby receives the report from L. Gosnell, Manager of Operations and Community Services; and

That West Elgin Council hereby approves a reduction in the fee by 10 % if paid annually for the Shuffle Board Group based on fees being paid annually no later than January 30 in a calendar year; and

That Staff report back to Council in January of 2024 on the outcome of this pilot program.

Carried

11.3 Clerk's

11.3.1 J. Nethercott, Clerk - Parking By-law Review

Resolution No. 2023- 40

Moved: Councillor Denning

Seconded: Deputy Mayor Leatham

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Parking By-law for Council's consideration; and

That West Elgin Council hereby request that the County of Elgin review By-law EC-1, Parking By-law and receive feedback from Local Municipal Partners as part of said review; and

That this resolution and staff report be circulated to all other Local Municipal Partners in Elgin County.

Carried

12. Committee and Board Report

12.1 Councillor Reports from Committees

None.

14. Consideration of Items Requiring Discussion

14.1 West Lorne Optimist Club - Waiver of Fees Request

Resolution No. 2023- 41

Moved: Councillor Tellier

Seconded: Councillor Denning

That West Elgin Council hereby approve the West Lorne Optimist Club's request to waive rental fees for their monthly Kids Craft Program from February to June at the Scout Hall, in the total amount of \$125 +HST.

Carried

14.2 Request to Appoint Member to Terrace Lodge Fundraising Committee

Council directed staff to issue a letter to the Terrace Lodge Fundraising Committee respectfully declining their offer to appoint a member.

15. Up Coming Meetings

- Four Counties Transit Committee - January 27 @ 1 pm
- Committee of the Whole (Training Session) - January 30 @ 9 am
- Tri-County Water Board Meet and Greet - January 30 @ 7 pm (Tri-County Water Plant)
- Council - February 9 @ 9:30 am

Resolution No. 2023- 42

Moved: Councillor Navackas

Seconded: Councillor Denning

That West Elgin Council hereby sets February 16, 2023 at 9:30 a.m. as a Committee of the Whole Meeting, to receive and review the draft 2023 Operating and Capital Budgets.

Carried

16. Council Inquires/Announcements

16.1 Notice of Motion

None.

16.2 Statements/Inquires by Councillors

Councillor Navackas reported that as of Tuesday January 24, 2023 all Fed Dev monies had been allocated.

16.3 Matters of Urgency

None.

17. By-Laws

17.1 By-Law 2023-05 - Provisionally Adopt DK Andrews Engineers Report

Resolution No. 2023- 43

Moved: Councillor Navackas

Seconded: Deputy Mayor Leatham

That By-law 2023-05 Being A By-Law to provide for the DK Andrews Drain in the Municipality of West Elgin, be read a first and second time and provisionally adopted.

Carried

17.2 By-Law 2023-06 - ZBLA - D14 12-2022 Gray Line

Resolution No. 2023- 44

Moved: Councillor Tellier

Seconded: Deputy Mayor Leatham

That By-Law 2023-06, Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for Property on Gray Line, be read a first, second, and third and final time.

Carried

17.3 By-Law 2023-07 - ZBLA - D14 13-2022 Furnival Rd

Resolution No. 2023- 45

Moved: Councillor Navackas

Seconded: Councillor Denning

That By-Law 2023-07, Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for Property Located at 242 Furnival Road, be read a first, second, and third and final time.

Carried

17.4 By-Law 2023-08 - ZBLA - D14 14-2022 Downie Line

Resolution No. 2023- 46

Moved: Councillor Denning

Seconded: Councillor Tellier

That By-Law 2023-08, Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law N0. 2015-36 for Property Known as 22100 Downie Line, be read a first, second, and third and final time.

Carried

17.5 By-Law 2023-09 Interim Tax Levy

Resolution No. 2023- 47

Moved: Deputy Mayor Leatham

Seconded: Councillor Navackas

That By-law 2023-09. being a By-Law to Provide for an Interim Tax Levy for 2023, be read a first, second and third and final time.

Carried

17.6 By-Law 2023-10 - 2023 Fees and Charges

Resolution No. 2023- 48

Moved: Councillor Denning

Seconded: Deputy Mayor Leatham

That By-Law 2023-10, Being a By-Law to Provide for Various Fees and Charges for the Municipality of West Elgin for 2023, be read a first, second, and third and final time.

Carried

18. Confirming By-Law

Resolution No. 2023- 49

Moved: Councillor Tellier

Seconded: Councillor Denning

That By-law 2023-11 being a By-law to confirm the proceeding of the Regular Meeting of Council held on January 26, 2023, be read a first, second and third and final time.

Carried

19. Adjournment

Resolution No. 2023- 50

Moved: Councillor Denning

Seconded: Deputy Mayor Leatham

That the Council of the Municipality of West Elgin hereby adjourn at 10:57 a.m. to meet again at 9:30 a.m. on February 9, 2023 or at the call of the Chair.

Carried

Duncan McPhail, Mayor

Jana Nethercott, Clerk