



# Municipality of West Elgin

## Minutes

### Council Meeting

July 18, 2024, 4:00 p.m.

Council Chambers

160 Main Street

West Lorne

**Present:** Mayor Leatham  
Deputy Mayor Tellier  
Councillor Navackas  
Councillor Denning  
Councillor Statham

**Staff Present:** M. Badura, CAO/ Treasurer  
L. Gosnell, Manager of Operations & Community Services  
Jeff McArthur, Fire Chief  
Robert Brown, Planner  
Terri Towstiuc, Clerk

**Council Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at [www.westelgin.net](http://www.westelgin.net), when available (pending no technical difficulties).**

#### 1. Call to Order

Mayor Leatham called the meeting to order at 4:02 pm.

#### 2. Adoption of Agenda

##### **Resolution No. 2024- 275**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby adopts the Regular Council Agenda for July 18, 2024 as presented.

**Carried**

### **3. Disclosure of Pecuniary Interest**

#### **3.1 Councillor Navackas - South Rodney Drain, Engineers Report**

Business owner on lands affected by South Rodney Drain.

### **4. Public Meeting for Consideration of the Fleuren Drain Engineers Report, and the South Rodney Drain Engineers Report**

#### **Resolution No. 2024- 276**

That West Elgin Council hereby proceed into a Public Meeting pursuant to the *Drainage Act*.

#### **4.1 Fleuren Drain, Engineers Report**

##### **4.1.1 Public Comment**

Mr. Fleuren advised that, while he was the petitioner to request the drain, he does not feel that it is fair that he is responsible for the entire cost assessment of the drain, with little benefit to him. Mr. Spriet advised that there may be another petition for this drain received at the Municipal Office in the upcoming days, which may affect the overall cost assessment and scope of the project and watershed, which was discovered prior to the Public Meeting.

The Fleuren Drain will be taken back with the Engineer, for further review and redesign.

##### **4.1.2 Council Comment**

Councillor Navackas questioned the compensation for engineering work done thus far, and if the petitioner were to revoke the petition. Mr. Spriet advised that the petitioner would be responsible for payment of the engineering cost to date, if they were to revoke the petition.

##### **4.1.3 Recommendation**

#### **Resolution No. 2024- 277**

**Moved:** Councillor Statham

**Seconded:** Councillor Denning

That the Council of the Municipality of West Elgin hereby receives the Engineers report as prepared and presented by Mr. J.M. Spriet, P. Eng.; and

That Council direct the Engineer to take the report back for further review.

**Carried**

#### **4.2 South Rodney Drain, Engineers Report**

Councillor Navackas declared a conflict on this item. (Business owner on lands affected by South Rodney Drain.)

Councillor Navackas recused herself from Item 4.2, South Rodney Drain.

##### **4.2.1 Public Comment**

Mr. Dave Kelly addressed Council with his concerns regarding the project. Mr. Kelly owns the lands that are most affected by this request with the majority assessed amount, and the current drain running through the farmland. The proposed drain will be moved to run parallel to Furnival Road. However, there is a potential zoning amendment to turn the affected land into residential, to create housing lots. If this proposal is approved, the drain will require amending again, and Mr. Kelly would be at a loss for the funds he put forth to initially move the drain.

Mr. Spriet agreed that a new design may be required, and the current proposed design is different to prevent tree roots and has the ability to allow driveways to be installed over top. Mr. Spriet advised to proceed with the provisional by-law reading today to prevent delays, and further discussion will take place in thirty-days at the Court of Revision. Mr. Kelly agreed.

##### **4.2.2 Council Comment**

Councillor Denning requested an update on the status of the Official Plan submission to Elgin County, as the municipality is excited for the potential new zoning, and lots created from this parcel. CAO/Treasurer Badura advised that it is with the County, and hopeful to receive correspondence soon.

##### **4.2.3 Recommendation**

**Resolution No. 2024- 278**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That the Council of the Municipality of West Elgin hereby receives the Engineers report as prepared and presented by Mr. J.M. Spriet, P. Eng.; and

That Council authorizes staff to initiate the tender process in accordance with the Drainage Act, if required, for the reconstruction to the Municipal Drain known as South Rodney Drain, to be considered by Council following the Court of Revision; and

That the Court of Revision be scheduled for Thursday, August 15th, 2024, at 3:30pm; and

That Council consider the provisional By-Law 2024-52, as presented in the By-Law portion of the agenda for a first and second reading.

**Carried**

#### **4.3 Adjournment of Public Meeting (Drainage Act)**

**Resolution No. 2024- 279**

**Moved:** Councillor Statham

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby adjourn the Public Meeting, pursuant to the *Drainage Act*.

**Carried**

#### **5. Public Meeting for Consideration of Zoning By-law Amendment Application D-14 5-2024 (19911 Pioneer Line)**

**Resolution No. 2024- 280**

**Moved:** Councillor Denning

**Seconded:** Councillor Statham

That West Elgin Council hereby proceed into a Public Meeting pursuant to the *Planning Act*.

**Carried**

#### **5.1 Planner Report**

**Resolution No. 2024- 281**

**Moved:** Councillor Denning

**Seconded:** Councillor Navackas

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 5-2024 – 19911 Pioneer Line Recommendation Report (Planning Report 2024-17); And

That West Elgin Council approve the rezoning of 19911 Pioneer Line from General Agricultural (A1) Zone to Agricultural Special Regulation 1 (A2-1) and Restricted Agricultural Special Regulation 9 (A3-9) in accordance with the attached draft by-law; And

Further that West Elgin Council consider the proposed amendment to the Zoning By-law, presented in the by-law portion of the July 18, 2024, Council Agenda.

**Carried**

## **5.2 Applicant or Public Comment**

Applicant not present, no public present. No comment received by the planner or at the Municipal Office.

## **5.3 Council Comment**

None.

## **5.4 Adjournment**

### **Resolution No. 2024- 282**

**Moved:** Councillor Statham

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby adjourn the public meeting, pursuant to the *Planning Act*.

**Carried**

## **6. Closed Session**

### **Resolution No. 2024- 283**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Statham

That the Council of the Municipality of West Elgin hereby proceeds into Closed Session at 4:23 pm, to discuss matters pursuant to the *Municipal Act*, Section

239 (2)(c), being proposed or pending acquisition or disposition of municipal land; And Section 239(2)(d) labour relations or employee negotiations.

**Carried**

**7. Report from Closed Session**

Clerk Towstiuc reported out at 4:47 pm, that Council received two (2) items pursuant to the Municipal Act, 2001, Section 239 (2), resulting in the following recommendations:

**Resolution No. 2024- 284**

**Moved:** Councillor Statham

**Seconded:** Councillor Navackas

That West Elgin Council received a report from M. Badura, CAO/Treasurer Re: Pay Equity Adjustment; And

That Council approve the necessary adjustments, as presented.

**Carried**

**8. Adoption of Minutes**

**Resolution No. 2024- 285**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby adopt the Minutes of June 27, 2024 as presented.

**Carried**

**8.1 Committee and Board Minutes**

**Resolution No. 2024- 286**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby acknowledge receipt of the minutes of the Recreation Committee, June 10, 2024, and the Old Town Hall Committee, June 25, 2024, as presented.

**Carried**

**9. Business Arising from Minutes**

None.

**10. Staff Reports**

**10.1 Planning**

**10.1.1 Minor Development Agreement, 10153 Dunborough Road**

**Resolution No. 2024- 287**

**Moved:** Councillor Navackas

**Seconded:** Councillor Statham

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding approval of a minor development agreement for property located at 10153 Dunborough Road.

That West Elgin Council approve the proposed minor development agreement to temporarily permit a second dwelling at 10153 Dunborough Road during the construction of a new dwelling on the property and authorize the Mayor and Clerk to sign the minor development agreement and register said agreement on title.

**Carried**

**10.1.2 Dedication & Establishment of Public Highway – Colley Road – Crinan to Stalker**

**Resolution No. 2024- 288**

**Moved:** Councillor Statham

**Seconded:** Councillor Denning

That West Elgin Council hereby receives the report from Robert Brown, Planner, regarding Dedication and Establishment of Public Highways – Colley Road, municipal portion of PIN 35144-0101 between Crinan Line and Stalker Line (Planning Report 2024-22);

And that West Elgin Council approve the dedication and establishment of a public highway for the municipal portion of Colley Road - Property Identification Number 35114-0101;

And further that West Elgin Council consider the by-law to dedicate and establish the above noted portion of Colley Road, as public highway, as presented in the by-law portion of the July 18, 2024 Council Agenda.

**Carried**

## **10.2 Building**

### **10.2.1 Monthly Building Report and Comparison, June 2024**

#### **Resolution No. 2024- 289**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Statham

That West Elgin Council hereby receives the report from Corey Pemberton, CBO Re: Building Department Summary Report for the month of June 2024.

**Carried**

## **10.3 Fire**

### **10.3.1 Monthly Fire Activity Report, June 2024**

#### **Resolution No. 2024- 290**

**Moved:** Councillor Navackas

**Seconded:** Councillor Denning

That West Elgin Council hereby receives the Monthly Fire report for June 2024, from Jeff McArthur, Fire Chief, for information purposes.

**Carried**

### **10.3.2 Incident Summary Report 2023**

#### **Resolution No. 2024- 291**

**Moved:** Councillor Navackas

**Seconded:** Councillor Statham

That West Elgin Council hereby receives the 2023 Incident Summary report from Jeff McArthur, Fire Chief for information purposes.

**Carried**

## **10.4 Clerk's**

### **10.4.1 Backyard Chicken Survey Results**

#### **Resolution No. 2024- 292**

**Moved:** Councillor Navackas

**Seconded:** Councillor Statham

That West Elgin Council hereby receives the report from Terri Towstiuc, Clerk Re: Backyard Chicken Survey Results; And

That Council direct staff to bring back a pilot project proposal to allow back-yard chickens, within the municipality.

**Carried**

#### **10.4.2 Memorial/Sponsorship Bench Program**

**Resolution No. 2024- 293**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Denning

That West Elgin Council hereby receives the report from Terri Towstiuc, Clerk Re: Memorial Bench Program; And

That West Elgin Council direct staff to bring back a Memorial and Sponsored Bench Policy for proposal, at a future meeting of Council.

**Carried**

#### **10.4.3 Volunteer Recognition Awards**

**Resolution No. 2024- 294**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby receives the report from Terri Towstiuc, Clerk Re: Volunteer Recognition Awards; And

That West Elgin Council direct staff to create a policy detailing the volunteer recognition categories and criteria, for adoption at the next Regular Council Meeting; And

That West Elgin Council direct the Clerk to begin preparations for a volunteer recognition event, to be held in the fall of 2024.

**Carried**

### **11. Committee and Board Reports or Updates**

Councillor Denning: The Arena Renaming event is getting closer (August 24, 2024), and the committee has secured St. Thomas MyFM to broadcast and play music for the entire event. A full itinerary will be provided to Council on August 18th, at the regular meeting.

Mayor Leatham: Heritage Homes is currently on hold, as they currently do not have proper insurance, so it is not wise to move forward with any plans until insurance is in place.

## **12. Notice of Motion**

### **12.1 Mayor Leatham - Elgin County Commitment - Old Town Hall Rodney Library**

#### **Resolution No. 2024- 295**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Statham

Whereas the Municipality of West Elgin was approved in 2019 for the Investing in Canada Infrastructure Program; Community, Culture and recreation Stream for the renovation Old Town Hall, Rodney; And

Whereas, on October 24, 2019, the County of Elgin provided a letter of support, in principle, to relocate the Elgin County Library (Rodney Branch) to the renovated Old Town Hall, upon completion; And

Whereas the successful grant application included the provision of the Rodney Library being a vital component of the renovated Old Town Hall;

Therefore, the continuation of the proposed renovation requires the continued commitment of the Elgin County Council and the Elgin County Library (Rodney Branch);

Now be it resolved that the Council of the Municipality of West Elgin hereby requests a revised letter of commitment from the County of Elgin Council, to proceed with the relocation of the Rodney Library, to the renovated Rodney Old Town Hall, upon completion.

**Carried**

### **12.2 Mayor Leatham - Elgin County Library (West Lorne Branch)**

#### **Resolution No. 2024- 296**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

Whereas the County of Elgin Library, West Lorne Branch, is operating a facility capacity; And

Whereas the Municipality has a vacant unit in the West Lorne Community Complex located adjacent to the West Lorne Library;

And whereas recent interactions with Elgin County staff have indicated a need for the vacant space to increase user capability and programming;

Now Therefore, West Elgin Council hereby requests a letter from Elgin County Council and the Elgin County Library indicating the space required, either being the space adjacent to the current library only, or the entire upper units of the West Lorne Community Complex.

**Carried**

**13. Council Inquires/Announcements**

None.

**14. Correspondence**

14.1 AMO Homeless Encampments in Ontario: A Municipal Perspective

14.2 Enbridge Gas Inc. - 2023 Utility Earnings and Disposition of Deferral & Variance Account Balances - OEB Notice of Application

14.3 Planning Act and Development Charges Act Regulations related to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)

**Resolution No. 2024- 297**

**Moved:** Councillor Statham

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby receive and file all correspondence not otherwise dealt with.

**Carried**

**15. Items Requiring Council Consideration**

**15.1 Asset Retirement Obligation**

**Resolution No. 2024- 298**

**Moved:** Councillor Navackas

**Seconded:** Councillor Denning

That West Elgin Council hereby acknowledge receipt of the letter dated June 26, 2024 from the Corporation of the Town of Cobalt Re: Asset Retirement Obligations;

And that Council hereby support the resolution from the Town of Cobalt;

And further that a copy of this resolution and letter be forwarded to Honourable Paul Calandra, Minister of Municipal

Affairs and Housing, the Association of Municipal Clerks and Treasurers of Ontario (AMCTO), MPP Rob Flack, MP Karen Vecchio, and the Town of Cobalt.

**Carried**

**15.2 Rural and Small Urban Municipalities, Affordability of Water and Wastewater Systems**

**Resolution No. 2024- 299**

**Moved:** Councillor Navackas

**Seconded:** Councillor Statham

That West Elgin Council hereby acknowledge receipt of the letter dated July 4, 2024 from the Corporation of the Town of Tecumseh Re: Rural and Small Urban Municipalities – Affordability of Water and Wastewater Systems;

And that Council hereby support the resolution from the Town of Tecumseh;

And further that a copy of this resolution and letter be forwarded to The Honourable Doug Ford, Premier of Ontario; the Honourable Kinga Surma, Minister of Infrastructure (Ontario); the Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities (Canada); the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, the Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks (Ontario), the Association of Municipal Clerks and Treasurers of Ontario (AMCTO), MPP Rob Flack, MP Karen Vecchio, and the Town of Tecumseh.

**Carried**

**15.3 Request to Province of Ontario for New Provincial-Municipal Fiscal Framework**

**Resolution No. 2024- 300**

**Moved:** Councillor Denning

**Seconded:** Councillor Navackas

That West Elgin Council hereby acknowledge receipt of the letter dated July 8, 2024 from the Corporation of the Township of Emo Re: New Provincial-Municipal Fiscal Framework;

And that Council hereby support the resolution from the Township of Emo;

And further that a copy of this resolution and letter be forwarded to Premier of Ontario; the Minister of Municipal Affairs and Housing; the Minister of Finance; the Association of Municipalities of Ontario; the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO), MPP Rob Flack, MP Karen Vecchio, and the Township of Emo.

**Carried**  
**15.4 Operational Budget Funding**

**Resolution No. 2024- 301**

**Moved:** Councillor Navackas

**Seconded:** Councillor Statham

That West Elgin Council hereby acknowledge receipt of the letter dated July 8, 2024 from the Corporation of the Township of Emo Re: Operating Budget Funding; And

And that Council hereby support the resolution from the Township of Emo;

And further that a copy of this resolution and letter be forwarded to Premier of Ontario; the Minister of Municipal Affairs and Housing; the Minister of Finance; the Association of Municipalities of Ontario; the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO), MPP Rob Flack, MP Karen Vecchio, and the Township of Emo.

**Carried**

**15.5 Liquor License Notification - July 27, 2024 Wedding**

**Resolution No. 2024- 302**

**Moved:** Councillor Statham

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby acknowledge receipt of the event notification from the Sarah Harries, for their private outdoor event, being a wedding to be held at 25889 Downie Line for Kyle Krebs and Stephanie Harries, to be held on Saturday, July 27, 2024, as a requirement from the Alcohol and Gaming Commission of Ontario (AGCO).

**Carried**

**15.6 Crosswalk in Rodney**

Lee Gosnell, Manager of Operations and Community Services provided Council with the process required to install "crosswalks" within town, including the need for a pedestrian crossing study. Mr. Gosnell advised that when the reconstruction of Rodney was completed in 2020, a study

was done, and there was not enough pedestrian traffic at the time to warrant a crosswalk. If the Municipality completes the study, and does not qualify, the municipality can choose to install at their own cost, which is estimated a \$45,000 to \$80,000, depending on the style chosen, and must meet the Ontario Traffic Manual standards. Mr. Gosnell also reviewed the amount of parking that will be lost with the installation of a crosswalk.

Mr. Gosnell advised that he put together further information and bring back a report to Council at a later date.

#### **15.7 Rodney Pool Fees - Continued Discussion**

A Special Meeting was held on Monday, July 15, 2024, regarding the pool fees, and large concerns regarding the increase to aquafit and public/open swims, with concerns for affordability and low-income families missing out on the pool due to these concerns.

After the meeting, the municipality received a generous, anonymous donation towards the Rodney Pool, and council passed the following resolution:

##### **Resolution No. 2024- 301**

**Moved:** Councillor Navackas

**Seconded:** Councillor Statham

That West Elgin Council hereby authorize staff to utilize the anonymous pool donation to cover the fees for all open swims for the remainder of the season.

**Carried**

#### **15.8 Notice of Council's Decision to Petition, Municipality of Dutton Dunwich, Government No. 1 Drain North**

##### **Resolution No. 2024- 302**

**Moved:** Councillor Denning

**Seconded:** Councillor Statham

That West Elgin Council hereby receive the Notice of Council's Decision to Petition, pursuant to the Drainage Act, from the Municipality of Dutton Dunwich Re: Government No. 1 Drain, and corresponding report and motion; And

That Council hereby approve the request from Dutton Dunwich to combine the project with the current improvement project for the Government No. 1 Drain North, in the Municipality of West Elgin.

**Carried**

**16. Upcoming Meetings**

- Four Counties Transit Meeting, July 22, 2024 8:30am
- Old Town Hall, July 23, 2024 7:00pm
- Special Meeting, August 1, 2024 4:00pm, Discussion regarding Economic Development and Recreation Committees
- Arena Board, August 14, 2024, 9:00am
- Court of Revision, August 15, 2024 at 3:30pm
- Regular Council Meeting, August 15, 2024, 4:00pm
- Tri-County Water Board, August 20, 2024, 7:00pm

**17. By-Laws**

**17.1 South Rodney Drain, Provisional Reading**

**Resolution No. 2024- 303**

**Moved:** Deputy Mayor Tellier

**Seconded:** Councillor Statham

That By-law 2024-52, Being a By-Law to provide for drainage works on the South Rodney Drain in the Municipality of West Elgin be read a first and second time.

**Carried**

**17.2 Zoning By-law Amendment, 19911 Pioneer Line**

**Resolution No. 2024- 304**

**Moved:** Councillor Denning

**Seconded:** Councillor Statham

That By-law 2024-53, Being a By-Law to Amend the Municipality of West Elgin Comprehensive Zoning By-Law No. 2015-36 for property at 19911 Pioneer Line, be read a first, second and third and final time.

**Carried**

**17.3 Fleuren Drain, Provisional Reading**

Fleuren Drain sent back to Engineer for further review. No Provisional By-law read or passed.

**17.4 Establishment of Public Highway**

**Resolution No. 2024- 305**

**Moved:** Councillor Statham

**Seconded:** Councillor Denning

That By-law 2024-55, Being a By-law to dedicate and establish lands as a Public Highway to be known as part of Colley Road (PIN 35144-0101 (Colley Road) between Crinan Line and Stalker Line, be read a first, second and third and final time.

**Carried**

**18. Confirming By-Law**

**Resolution No. 2024- 306**

**Moved:** Councillor Denning

**Seconded:** Deputy Mayor Tellier

That By-law 2024-56 being a By-law to confirm the proceeding of the Regular Meeting of Council held on July 18, 2024, be read a first, second and third and final time.

**Carried**

**19. Adjournment**

**Resolution No. 2024- 307**

**Moved:** Councillor Navackas

**Seconded:** Deputy Mayor Tellier

That West Elgin Council hereby adjourn at 6:51 pm to meet again at 4:00pm, on Thursday August 1, 2024 (Special Meeting) or at the call of the Chair.

**Carried**

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Richard Leatham, Mayor

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Terri Towstiuc, Clerk