

Municipality of Strathroy-Caradoc
Regular Council Session
Minutes

Monday, December 4, 2023
6:00 p.m.

Hybrid Meeting (Virtual and In-Person)

Present: Mayor Colin Grantham
Deputy Mayor Mike McGuire
Councillor John Brennan
Councillor Frank Kennes
Councillor Steve Pelkman
Councillor Donna Pammer
Councillor Sandi Hipple
Councillor Greg Willsie
Councillor Brian Derbyshire

Also Present: Trisha McKibbin, Chief Administrative Officer
Jennifer Pereira, Deputy Clerk/Lottery Licensing Officer
(Recorder)
Brianna Hammer-Keidel, Deputy Clerk/Communications Co-
ordinator (Acting Clerk)
Bill Dakin, Director of Financial Services/Treasurer
Rob Lilbourne, Director of Community Services
Jennifer Huff, Director of Building and Planning
Doug Payne, Director of Human Resources
Jake Straus, Director of Engineering & Public Works

Others Present: Brad Morrison, Delegation
Craig DeBoer
George Vereyken, Spriet Associates
Michelle Luis, Resident

1. Roll Call

The Clerk has confirmed Council attendance.

2. Call to Order/Approve Agenda

Moved by Councillor Kennes

Seconded by Councillor Brennan

THAT: the December 4, 2023 Regular Council Meeting Agenda be approved as circulated.

Carried

3. Declaration of Pecuniary Interest

None.

4. Presentations/Delegations/Petitions

4.1 Brad Morrison, Strathroy United Church

Brad Morrison, Strathroy United Church made a presentation to Council requesting an amendment be made to the Municipality's Emergency response Plan to aid in homelessness in extreme weather cases.

Moved by Mayor Grantham

Seconded by Councillor Kennes

THAT: staff bring back a report on the possibility of using municipal buildings in weather emergencies.

Carried

5. Notice of Motion

5.1 Councillor Donna Pammer - Not to be voted on

5.2 Councillor Brian Derbyshire - Not to be voted on

5.3 Councillor Donna Pammer - Not to be voted on

6. Public Meeting

6.1 Public Meeting No. 1

6.1.1 Motion to open the public meeting

Moved by Councillor Kennes

Seconded by Councillor Willsie

THAT: the public meeting to consider an application for the rezoning for the property located at 21861 Cooks Road be hereby opened.

Carried

6.1.2 Report to be presented by the Planner.

Tim Williams, Senior Planner, presents a report on the application for rezoning for the property at 21861 Cooks Road. The subject lands comprise approximately 1.57 acres (0.64 ha) located on the west side of Cooks Road, just south of Longwoods Road. The lands currently contain a single-detached dwelling and a barn. Surrounding land uses are predominately agricultural in nature. The applicant is looking to maintain the existing dwelling while the new house is being constructed on the property. The one-year time frame will allow the owners time to construct the new building. The owners have made an application for a building permit, which would be issued if this rezoning is approved. Staff are supportive of the proposed rezoning of the subject lands to permit two dwellings on the subject lands for a temporary period, in this case not to exceed one (1) year, in order to provide the applicant with time to complete the construction of the 'new' dwelling. In addition, staff are supportive of the proposed rezoning as it is considered to be consistent with the Provincial Policy Statement, in conformity with the County of Middlesex Official Plan, Strathroy Caradoc Official Plan and represents good planning.

6.1.3 Comments in support of the proposed rezoning

None.

6.1.4 Comments in opposition to the proposed rezoning

None.

6.1.5 Comments and questions from Members of Council

Councillor Willsie wonders if the one-year timeline is sufficient time. Tim Williams, Senior Planner indicates that this was the request, and the expectations is that it will be completed.

6.1.6 Motion to close the public meeting

Moved by Councillor Pelkman
Seconded by Deputy Mayor McGuire

THAT: the public meeting to consider an application for the rezoning for the property located at 21861 Cooks Road be hereby closed.

Carried

6.1.7 Decision/Resolution

Moved by Councillor Hipple
Seconded by Deputy Mayor McGuire

THAT: Report BBP-2023-137 regarding ZBA 20-2023 be received by Council for information;

THAT: the rezoning application, ZBA 4-2023 which would rezone the lands municipally known as 21861 Cooks Road to allow for two dwellings for a maximum time frame of 1 year, be approved; and

THAT: By-law 98-23 be referred to the Consideration of By-laws Section of the Agenda for approval.

Carried

6.2 Public Meeting No. 2

6.2.1 Motion to open the public meeting.

Moved by Councillor Kennes
Seconded by Councillor Brennan

THAT: the public meeting to consider an application for the rezoning for the property located at 6919 Calvert Drive be hereby opened.

Carried

6.2.2 Report to be presented by the Planner.

Tim Williams, Senior Planner, presents a report on the application for rezoning for the property at 6919 Calvert Drive. The property is

9.65 ha (23.84 acres) in size and located on the south side of Calvert Drive (County Road 10) between Melbourne Road and Glen Oak Road, within the former Township of Caradoc. The purpose of the zoning by-law amendment application is to amend the existing site-specific 'General Agriculture (A1-13) Zone' to expand the 'Contractor's Yard or Shop' use that was added to the property by rezoning in 2018. The effect of the zoning by-law amendment is to allow for the storage of excavation equipment and materials on the property. The outside storage is proposed to expand from 1,942.5 m² (2% of the property) to 4,645 m² (4.8% of the property). Staff are not supportive of the proposed rezoning as it is not considered to be consistent with the Provincial Policy Statement, is not in conformity with the County of Middlesex Official Plan, Strathroy Caradoc Official Plan, and does not represent good planning.

6.2.3 Comments in support of the proposed rezoning.

Michelle Luis, Property Owner explains that in the application the intent for the additional access way is to gain access to the storage area and for access to the agricultural part of the land.

6.2.4 Comments in opposition of the proposed rezoning.

None.

6.2.5 Comments and questions from Member of Council.

Councillor Derbyshire expresses that this is necessary and feels that denying the request will not protect farmland and is opposed to the refusal.

Councillor Kennes feels that the process is precedence setting and veering from that could be an issue.

6.2.6 Motion to close the public meeting.

Moved by Deputy Mayor McGuire
Seconded by Councillor Kennes

THAT: the public meeting to consider an application for the rezoning for the property located at 6919 Calvert Drive be hereby closed.

Carried

6.2.7 Decision/Resolution

Moved by Councillor Kennes

Seconded by Councillor Derbyshire

THAT: Report BBP-2023-136 regarding ZBA 20-2023 be received by Council for information;

Carried

Moved by Councillor Brennan

Seconded by Councillor Kennes

THAT: the rezoning application, ZBA 20-2023 which would rezone the lands municipally known as 6919 Calvert Drive, expand the existing contractor's yard, be denied.

Loss

Moved by Councillor Willsie

Seconded by Councillor Pammer

THAT: the rezoning application, ZBA 20-2023 which would rezone the lands municipally known as 6919 Calvert Drive, expand the existing contractor's yard, be approved.

Carried

Moved by Councillor Pelkman

Seconded by Councillor Kennes

THAT: the reasons for approval the rezoning application include:

- lack of available employment lands in the municipality, and that we have to look at alternatives in order for business to flourish.
- small-acreage business

- maintaining agriculture as the predominant use of the land

Carried

7. Approval of Minutes

7.1 Regular Council Meeting Minutes – November 20, 2023

Moved by Councillor Kennes

Seconded by Councillor Pammer

THAT: the Regular Council meeting minutes of **November 20, 2023** be approved as written.

Carried

8. Drainage Matters

8.1 Baran Drain 2023 – Report Consideration Meeting - EPW-2023-74

Moved by Deputy Mayor McGuire

Seconded by Councillor Derbyshire

THAT: Council adopt the Engineers Report for the Baran Drain 2023, and give first and second reading to provisional By-law #89-23 for the project.

Carried

8.2 Winters Drain 2023 – Report Consideration Meeting - EPW-2023-75

Moved by Councillor Hipple

Seconded by Councillor Kennes

THAT: Council adopt the Engineers Report for the Winters Drain 2023, and give first and second reading to provisional By-law #92-23 for the project.

Carried

9. Communications

After some discussion regarding item 9.1, the consensus was that a communication plan be put together that involves live sessions.

Moved by Councillor Brennan
Seconded by Councillor Kennes

THAT: Council receive the communication items for information.

Carried

9.1 Notice of Virtual Public Information Session - Preliminary Proposed Settlement Area Boundary Expansion

9.2 Prince Edward County - Resolution Regarding Guaranteed Livable Income

9.3 Prince Edward County - Resolution Regarding MECP Proposal to Expand Use of Permit-by-Rule

9.4 Town of Aylmer - Resolution Regarding Provincial Consideration for Amendments to the Residential Tenancies Act

9.5 Coleman Township - Resolution of Support for Conservation Officer Reclassification

10. Unfinished Business

None.

11. Reports from Departments

11.1 Legal and Legislative Services

11.1.1 Council Member Appointments to Committee of Adjustment - LLS-2023-06

Moved by Councillor Hipple
Seconded by Councillor Brennan

THAT: Report LLS-2023-06 be received for information; and

Carried

Moved by Councillor Hipple
Seconded by Councillor Brennan

THAT: Deputy Mayor Mike McGuire and Councillors Brian Derbyshire, Frank Kennes, and Steve Pelkman be appointed to represent the Municipal Council on the Committee of Adjustment for the upcoming year 2024.

Carried

11.2 Financial Services

11.2.1 2024 Proposed Schedule of Fees and Charges - FIN-2023-44

Moved by Councillor Pelkman

Seconded by Councillor Brennan

THAT: Council approve report FIN-2023-44 for information.

Carried

Moved by Councillor Pelkman

Seconded by Councillor Kennes

THAT: Council approve the 2024 Proposed Schedule of Fees and Charges, and further;

THAT: By-law 81-23 be referred to the Consideration of By-laws for approval.

Carried

11.2.2 Section 357 Application - FIN-2023-49

Moved by Councillor Brennan

Seconded by Councillor Hipple

THAT: Report FIN-2023-49 be received for information and the applications be approved for processing.

Carried

11.2.3 Appointment of External Auditor for December 31, 2023 Year-End - FIN-2023-51

Moved by Councillor Kennes

Seconded by Councillor Pammer

THAT: the accounting firm of BDO Canada LLP Sarnia office be appointed as the Municipality's external auditor for the December 31, 2023 year-end, and further;

THAT: Staff be directed to prepare a Request for Proposal (RFP) for Qualified Auditing Services for the years ending 2024 -2027; and

Carried

Moved by Councillor Pelkman
Seconded by Councillor Kennes

THAT: By-law 102-23 be referred to the By-law section of the agenda for approval.

Carried

11.3 Building and Planning

11.3.1 Tender Award – Update to the Strathroy-Caradoc Zoning By-law - BBP-2023-145

Councillor Willsie requests an update to the score. Director Huff indicates that the scores are as follows:

Bidders	SCORE
WSP	82.3
JL Richards	85.3
MHBC	65.3

Moved by Councillor Willsie
Seconded by Councillor Kennes

THAT: Council receive report BBP-2023-145 Tender Award – Update to the Strathroy-Caradoc Zoning By-law for information; and further

THAT: Council award the Strathroy-Caradoc Zoning By-law Update Project to JL Richards in the amount of \$60,035.11 (excluding HST).; and

THAT: the staff report be corrected to reflect the proper scores.

Carried

11.3.2 Revised Local Service and Oversizing Policy - December 2023 -
BBP-2023-143

Moved by Councillor Kennes

Seconded by Councillor Brennan

THAT: Report BBP-2023-143 be received by Council for information.

Carried

Moved by Councillor Brennan

Seconded by Councillor Kennes

THAT: Council approves the Local Services – Oversizing Policy, and further;

THAT: Bylaw 86-23 Local Service – Oversizing Policy be referred to the Bylaw section of the Agenda for approval.

Carried

11.4 Community Services

11.4.1 Construction Tender Award Fire Hall - Station 1 - CS-2023-34

Councillor Derbyshire shares his concerns in regard to the 3.4 million in development charges. He was under the impression that no development charges would be used for this project and feels like this is not a wise choice. Director of Financial Services, Bill Dakin, indicates that this was part of the Development Charges Study in 2019 and could be available for use.

Councillor Kennes indicates that there are positive things as the estimate is lower and adding a 10% contingency. He adds that he also has not encountered any negative feedback with this proposal, and he is fully in favor of this project.

Moved by Councillor Kennes

Seconded by Councillor Pelkman

THAT: Council receive report CS-2023-2024 titled Construction Tender Award Fire Hall - Station 1 for information.

Carried

Moved by Councillor Brennan
Seconded by Councillor Pelkman

THAT: the vote be recorded.

Loss

Moved by Councillor Hipple
Seconded by Councillor Kennes

THAT: Council approve the awarding of the tender to Tradition Construction Inc. for a value of \$7,428,200.00 plus HST and further;

THAT: Council approve a 10% contingency fund to address unforeseen circumstances that may arise for a value of \$742,820.00.

For (5): Mayor Grantham, Councillor Brennan, Councillor Kennes, Councillor Pelkman, and Councillor Hipple

Against (4): Deputy Mayor McGuire, Councillor Pammer, Councillor Willsie, and Councillor Derbyshire

Carried (5 to 4)

11.4.2 Purchase of 4 Station Protect Air Purifiers - CS-2023-35

Moved by Councillor Kennes
Seconded by Councillor Pelkman

THAT: Council receive report CS-2023-35 for information.

Carried

Moved by Councillor Pammer
Seconded by Councillor Hipple

THAT: Council approve the purchase of 4 Station Protect Air Purifiers from Task Force Tips (TFT) Fire Fighting Equipment for a total cost of \$26,616.00 plus HST.

Carried

11.5 Chief Administrative Officer

11.5.1 Extension of Animal Control Agreement - CAO-2023-12

Moved by Councillor Kennes
Seconded by Councillor Willsie

THAT: Report CAO-2023-12 be received for information.

Carried

Moved by Councillor Pelkman
Seconded by Councillor Kennes

THAT: Council approve the extension of the Animal Control Agreement with Lobo Animal Care Centre for (3) three months ending March 31, 2024.

Carried

12. Reports from Boards and Committees

Moved by Councillor Brennan
Seconded by Councillor Pammer

THAT: the reports from boards and committees be received for information.

Carried

12.1 St. Clair Conservation Authority Meeting Highlights - October 26, 2023

12.2 Museum Advisory Committee Meeting Minutes - September 19, 2023

13. County Council Report

13.1 County Council Highlights - November 21, 2023

Deputy Mayor McGuire shares reports that Middlesex County has a homelessness prevention program, adds that the municipality is involved in the initiative, and explains some of the specifics on what is available throughout Middlesex County. He adds that the new Warden is Mayor Aina DeViet from the Municipality of Middlesex Centre.

14. Enquiries or Comments by Members

Councillor Kennes commends staff and the BIA for the Night Market that took place on December 1, 2023. He was pleased to see that many members of the community attend.

Councillor Willsie brought a motion forward.

Councillor Brennan compliments staff for the Chamber of Commerce Biz after Biz.

Councillor Pelkman reminds the community that the Parking By-law is now in effect for the winter which includes parking on the boulevard.

Councillor Pammer follows up on the homelessness discussion and indicates that there is a community navigator at the Public Library. She asks anyone to reach out to Josh if anyone is in need of any shelter.

Moved by Councillor Willsie

Seconded by Councillor Derbyshire

THAT: staff prepare a report indicating the actual cash bank account balances and how this relates to reserves and development charges account balances show on the report presented to Council on October 23; and also that the report includes details to any accounts that are holding cash and how they relate to the numbers that Council has shown and that the report be presented during the finance process in January 2024.

Loss

15. Schedule of Meetings

- Tuesday, December 12, 2023 @ 5:00 p.m. - Finance Committee Meeting
- Monday, December 18, 2023 @ 6:00 p.m. - Regular Council Meeting

- Monday, January 8, 2024 @ 5:00 p.m.- **(Tentative)** Finance Committee Meeting

16. In Camera

Moved by Deputy Mayor McGuire

Seconded by Councillor Brennan

THAT: Council move into closed session at 8:17 p.m. for the purpose of discussing the following:

- One item in accordance with Council's Procedure By-law (to approve In-Camera Meeting Minutes)

- One item pursuant to Section 239(e) of the *Municipal Act, 2001*, as amended, regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

17. Open Session Resume

Moved by Deputy Mayor McGuire

Seconded by Councillor Kennes

THAT: Closed Session adjourn at 8:59 p.m. and Open Session resume.

Carried

18. Report on Closed Session

Mayor Grantham reports that Council moved into closed session for the purpose of discussing the following:

- One item in accordance with Council's Procedure By-law (to approve In-Camera Meeting Minutes)

- One item pursuant to Section 239(e) of the *Municipal Act, 2001*, as amended, regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Moved by Deputy Mayor McGuire
Seconded by Councillor Kennes

THAT: the direction in Closed Session be approved.

Carried

19. Consideration of By-laws

19.1 By-law No. 81-23

Moved by Councillor Kennes
Seconded by Councillor Brennan

THAT: By-law 81-23 receive first, second and third and final reading.

Carried

19.2 By-law No. 86-23

Moved by Councillor Pammer
Seconded by Deputy Mayor McGuire

THAT: By-law 86-23, receive first, second and third and final reading.

Carried

19.3 By-law No. 89-23

Moved by Councillor Kennes
Seconded by Deputy Mayor McGuire

THAT: By-law 89-23, receive first and second reading.

Carried

19.4 By-law No. 92-23

Moved by Councillor Kennes
Seconded by Deputy Mayor McGuire

THAT: By-law 92-23, receive first and second reading.

Carried

19.5 By-law No. 99-23

THAT: By-law 99-23, receive first, second and third and final reading.

19.6 By-law No. 101-23

Moved by Councillor Pelkman

Seconded by Councillor Willsie

THAT: By-law 101-23 receive first, second and third and final reading.

Carried

19.7 By-law No. 102-23

Moved by Councillor Brennan

Seconded by Councillor Pammer

THAT: By-law 102-23 receive first, second and third and final reading.

Carried

19.8 By-law No. 100-23

Moved by Deputy Mayor McGuire

Seconded by Councillor Kennes

THAT: By-law 100-23 receive first, second and third and final reading.

Carried

20. Adjournment

Moved by Deputy Mayor McGuire

Seconded by Councillor Brennan

THAT: the December 4, 2023 Regular Council Meeting adjourn at 9:03pm.

Carried

Mayor

Acting Clerk