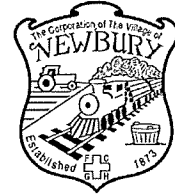


MINUTES
VILLAGE OF NEWBURY COUNCIL MEETING
THURSDAY, DECEMBER 11, 2025
6:00 pm
Council Chambers



Council: Reeve Diane Brewer
Councillor Kevin Derbyshire
Councillor Clyde Harris
Councillor Russell Patton
Councillor Jerard Rajendran

Staff: Cathy Case, Clerk-Treasurer
Chad Trethewey, Fire Chief (for part of meeting)
Marion Ramos Cabral, Planner (for part of meeting)

1. **CALL TO ORDER**

Reeve Brewer called the meeting to order at 6:00 pm.

2. **DECLARATION OF PECUNIARY INTEREST**

The Municipal Conflict of Interest Act requires any member of Council to declare a pecuniary interest and the general nature thereof; and, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Councillor Patton declared a pecuniary interest in Agenda Item 7.4-Drainage (i), (ii), (iii), and (iv) and Item 7.8-Accounts #37 as he is the principal owner of Patton Excavating, the contractor on the drainage projects.

3. **TIMED EVENTS**

6:00 PM COMMITTEE OF ADJUSTMENT
Consent Application B-01-2025
22971 Hagerty Road
1000101474 Ontario Ltd. & Mosa Mortgage Group Ltd.
(Agent – Adam McCallum)

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

"RESOLVED THAT Council convene as the Committee of Adjustment at 6:00 pm for the purpose of hearing Consent Application B-01-2025 for 22971 Hagerty Road." – Carried.

Planner Marion Ramos Cabral was in attendance for this portion of the meeting. Also in attendance was Adam McCallum, agent for the owners, Ahmed Saadeddin, Mohamed Saadeddin, Justin McCallum and Scott Rankin.

Planner Marion Ramos Cabral reviewed the staff report on the proposed consent, recommending that the Committee of Adjustment approve the consent with conditions.

Agent Adam McCallum had no questions; commenting that he plans to provide sewer services along the rear yard line for the four severed lots with the retained lot using the existing services.

Councillor Derbyshire asked if streetlights were required. Planner Ramos Cabral advised that streetlights would be discussed as part of the development agreement. There were no questions from the other Committee members.

Scott Rankin advised that he has concerns about the survey stakes encroaching on what he thinks is his property by about 5 feet. Adam McCallum will reach out to his survey company for clarification. He is willing to meet with Mr. Rankin to discuss the property boundaries.

Moved By: Councillor Derbyshire

Seconded By: Councillor Rajendran

“RESOLVED THAT consent application B-01-2025, filed by Adam McCallum on behalf of 1000101474 Ontario Ltd & Mosa Mortgage Group Ltd, in order to sever one (1) lot with a frontage of approximately 22.86 m (75 ft) on James Street and an area of 914.4 m², and three (3) lots with a frontage of approximately 18.29 m (60 ft) each on James Street and with lot areas of 731.6 m² (2,250.7 ft²) from an existing 0.39 ha (0.95 ac) parcel municipally described as 22971 Hagerty Road, Village of Newbury; be GRANTED; and

FURTHER THAT Consent B-01-2025 be subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance has been fulfilled.
2. That the fees for the Certificate of Consent be paid in accordance with the Village's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-01-2025 and that this plan be approved by the Village prior to being deposited with the Land Registry Office
4. That the Owners' solicitor provide a Transfer in Preparation to the Village, together with a deposited reference plan and a Schedule describing the land to be transferred, for the purposes of the issuance of a Certificate of Consent.
5. That the applicant submits an Acknowledgement and Direction duly signed by the applicant.

6. That Owners' solicitor submit an undertaking in a form satisfactory to the Secretary-Treasurer to register an electronic transfer of title consistent with the Acknowledgement and Direction and the decision of the Committee of Adjustment.
7. That any outstanding property taxes for the severed and retained lots of Consent B-01-2025 be paid in full.
8. That the Owners dedicate lands up to 13 m (42.7 ft) from the centerline of construction of County Road 1 (Hagerty Road) across the severed and/or retained parcels to the County of Middlesex for the purposes of road widening if the right of way is not already to that width.
9. That the Owners dedicate a 0.3 m reserve along the common property line with County Road 1 (Hagerty Road) to the County of Middlesex to prevent vehicular access from the lot directly onto County Road 1.
10. That the transfers associated with other conditions of Consent file B-01-2025 be registered concurrently by the Owners' solicitor.
11. That one copy of the deposited reference plan be submitted to the satisfaction of the Village.
12. That the Owners install separate water, storm, and sanitary service connections to the retained and severed lots at the sole expense of the Owners prior to Consent being granted to the satisfaction of the Village.
13. That any existing municipal services and private utilities that servicing the existing single detached dwelling proposed to be retained be wholly located within the boundaries of 1 severed lot or the retained lot.
14. That, if deemed necessary and as applicable, the Owners dedicate lands for park purposes or provide cash-in-lieu of the parkland dedication pursuant to the Planning Act and to the satisfaction of the Village.
15. That the severed and retained lands be given new municipal addressing to the satisfaction of the Chief Building Official.
16. That the proposed lots be required to apply for any entrance permits for new driveways to James Street or Broadway Street.
17. That, if necessary, the Owners dedicate lands along the James Street and Broadway Street frontages to the Village of Newbury for the purposes of road widening.

18. That the Owners enter into a Development Agreement with the Village, and that the Agreement be registered against the title of the subject land, which addresses among other matters, entrance locations and construction, lot grading and drainage, building envelopes, fire hydrant location, connections to the Municipal water supply and sanitary sewer systems, and a security deposit for 100% of the cost of the works in the right-of-way as well as any road reconstruction associated with the development, all to the satisfaction of the Village. The Development Agreement shall require the developer to provide a certification from the engineer of record confirming that all works within the road right-of-way, stormwater controls and lot grading have been completed in conformance with municipal standards and in general conformance with the approved design.
19. That the Owners submits a Storm Water Management Report to the satisfaction of the Village. The Storm Water Management Report must demonstrate that post development runoff from the proposed lots will not exceed the existing conditions. Any infiltration measures or other stormwater controls required shall be installed by the developer to the satisfaction of the Village.
20. That the Owners submits a lot grading plan for the severed and retained lands, depicting, as minimum, the suitable building locations, footing/foundation elevations as well as surface grades, to the satisfaction of the Village. The lot grading design shall ensure adjacent lots will not receive increased runoff.
21. That, if necessary, a revised assessment scheduled in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owners.

As the proposed severance is generally supported by the policies of the Provincial Policy Statement, the County of Middlesex Official Plan, and the Village of Newbury Official Plan.”
– Carried.

Moved By: Councillor Derbyshire

Seconded By: Councillor Rajendran

“RESOLVED THAT the Committee of Adjustment meeting close at 6:15 pm and Council resume regular session.” – Carried.

**6:15 PM Arnie Marsman, CBCO
Director of Building Services/Chief Building Official, Municipality of
Middlesex Centre**

CBCO Marsman attended the meeting to introduce himself to Council and provide an overview of the services being provided through the agreement with Middlesex Centre for building services.

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the agreement for Building Services with the Municipality of Middlesex Centre.” – Carried.

4. COUNCIL MINUTES

The Minutes of the regular Council meeting held on November 13, 2025 were reviewed.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT the minutes from the regular Council meeting held on November 13, 2025 be approved as circulated.” – Carried.

5. BUSINESS ARISING FROM THE MINUTES

Reeve Brewer asked if drain repairs have been completed. Councillor Patton advised that concrete work left to be completed on Queen Street Drain. He contacted Brandon Crow of B. Crow Excavation about the Robinson Drain; this work will be scheduled over the winter months.

6. CORRESPONDENCE

NON-ACTION CORRESPONDENCE

- 6.1 Middlesex County – Middlesex County Council Meeting Highlights- November 4, 2025 and November 25, 2025
- 6.2 Middlesex County – County Council welcomes Councillor Clarke as the New Warden of Middlesex County
- 6.3 St. Clair Region Conservation Authority – St. Clair Region Conservation Authority Meeting Highlights-October 23, 2025
- 6.4 ROMA Update – News Alert: Ontario's *Drainage Act* applies to all-including national railways
- 6.5 Township of Dawn-Euphemia – Notice of Special Meeting of Council, Dawn-Euphemia Official Plan Review
- 6.6 Hon. Robert J. Flack, Minister of Municipal Affairs and Housing – Bill 60, Fighting Delays, Building Faster Act, 2025 introduced on October 23, 2025 and posted on Environmental Registry of Ontario and Regulatory Registry of Ontario

- 6.7 Hon. Robert J. Flack, Minister of Municipal Affairs and Housing – filing of Ontario Regulation 257/25 which makes changes to the *Planning Act* under authority of Bill 17, the *Protect Ontario by Building Faster and Smarter Act, 2025*

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council receive and file correspondence items 6.1 to 6.7.”

– Carried.

ACTION CORRESPONDENCE

- 6.8 Town of Plympton-Wyoming – requesting support for St. Clair Region Conservation Authority to reconsider the composition of its Hearing Committee

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council support the Town of Plympton-Wyoming in requesting that the St. Clair Region Conservation Authority reconsider the composition of its Hearing Committee.” – Carried.

- 6.9 St. Clair Region Conservation Authority – Proposed Regional Consolidation of Ontario Conservation Authorities; proposed changes are posted on the Environmental Registry of Ontario for public comment until December 22, 2025

Moved By: Councillor Derbyshire

Seconded By: Councillor Rajendran

“RESOLVED THAT Council endorse the considerations related to the consolidation of Ontario Conservation Authorities as circulated by the St. Clair Region Conservation Authority.” – Carried.

- 6.10 Township of Puslinch – advising of support for resolutions from Township of Edwardsburgh Cardinal and Municipality of South Huron regarding Ontario Community Infrastructure Funds (OCIF)

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the resolutions from the Township of Puslinch, the Township of Edwardsburgh Cardinal and the Municipality of South Huron regarding the Ontario Community Infrastructure Funds (OCIF).” – Carried.

- 6.11 Town of Ajax – Solve the Crisis and Winter Homelessness Program Support

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the resolution from the Town of Ajax regarding the Solve the Crisis and Winter Homelessness Program.” – Carried.

7. STAFF REPORTS

7.1 Fire

Fire Chief Chad Trethewey attended the meeting at 7:00 pm.

i) Training Update

Chief Trethewey advised that training is ongoing at each meeting. There is a logbook set up in the office to document training activities and participants. Chief Trethewey advised that he is unable to issue invites from the OFM Learning Portal. Reeve Brewer advised that Council is willing to meet with the Newbury firefighters to review training requirements and the need for all firefighters to enroll in the Learning Portal and update individual training records.

ii) Firefighter Recruitment

There is a possibility for 2 new recruits. He advised that there is an overall decline in the number of volunteer firefighters throughout Ontario.

iii) Fire Protection Grant 2025-2026 Application

Chief Trethewey advised that there are not enough work gloves for each firefighter to have two pairs available. He would like to purchase more. Clerk-Treasurer Cathy Case advised that additional gloves have been included in the 2025 Fire Protection Grant Application and to hold off purchasing until decision on the grant has been received.

Chief Trethewey also advised that he needs to purchase box fans to assist with drying bunker gear and to replace sections of fire hose. He is investigating the cost to install tin barrier between the truck bay and office wall. The entire ceiling and walls will need insulation replaced.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council with the inclusion of the Fire Chief and Clerk-Treasurer move to closed session under Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees at 7:25 pm.” – Carried.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council move out of closed session at 7:45 pm and resume regular session.” – Carried.

Fire Chief Trethewey left the meeting at 7:50 pm.

7.2 Building Services

The Building Permit report for November 2025 was reviewed.

Moved By: Councillor Rajendran

Seconded By: Councillor Patton

“RESOLVED THAT Council accept the Building Permit Report for November 2025 as submitted by the Clerk-Treasurer.” – Carried.

7.3 By-law Enforcement

By-law Enforcement Report for November 2025 has not been received.

7.4 Drainage

i) Queen Street Drain Repair

The repair of the Queen Street Drain has been completed with cement work to be done as weather permits. Russ Patton reported that a section of pipe was replaced. The catch basin has been cleaned out as well

ii) Robinson Drain Clean Out

Russ Patton advised that he contacted Brandon Crow of B. Crow Excavating and that the work will be scheduled during the winter months.

iii) Catch Basin Repair – intersection York Street and Dundas Street

Council reviewed an opinion on the repair of the catch basin provided by Ryan Hillinger from the County of Middlesex. Council deferred the repair to the 2026 budget.

iv) Newbury Old Boys' Park – Sink Hole Repair

The sink hole to the south of the park entrance has been repaired. Russ Patton provided Council with an overview of the reason for the sink hole and how it was repaired. The catch basin has been cleaned due to build up of debris and dirt.

The Clerk-Treasurer advised that various catch basins on the south side of the tracks were cleaned out as part of routine maintenance.

7.5 Water

i) Tri-County Water Board of Management

The agendas for the Tri-County Water Board of Management meetings held on November 18, 2025 and December 4, 2025 were reviewed. The Board approved 'Model 3' of the 2026 Draft Budget Modelling Options at the December 4, 2025 meeting. There will be an increase of \$0.20 per cubic meter of water from the Tri-County system as of July 1, 2026. Councillor Derbyshire advised that he attended the session with the consultant to discuss creating a municipal service corporation. There was no decision made to proceed by the Board.

ii) DWQMS

Moved By: Councillor Harris

Seconded By: Councillor Rajendran

“RESOLVED THAT Council endorse Element 18-Emergency Management of the Newbury Drinking Water Quality Management System as revised.” – Carried.

iii) Request for Consideration for Relief of Water Consumption

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council does not provide a reduction in water consumption for 22971 Hagerty Road as per current policy.” – Carried.

7.6 Sewer**7.7 Administration**

i) Limerick Landfill Closure

a) Final Agreement for Limerick Landfill with Southwest Middlesex and Chatham-Kent

b) Southwest Middlesex Estimated Closure Costs

c) Southwest Middlesex Invoice for Closure Costs

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the agreement for the Limerick Landfill with Southwest Middlesex and Chatham-Kent.” – Carried.

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council remit payment in full to the Municipality of Southwest Middlesex for costs related to the Limerick Landfill Closure; that the Mosa Landfill Reserves be transferred to the general account; and that the balance of funds be borrowed from reserves to cover the closure costs with the understanding that the funds be replaced over the next five years or less.” – Carried.

ii) Asset Management Plan Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Rajendran

“RESOLVED THAT Council accept the proposal from Agile Infrastructure Limited in the amount of \$18,000.00 plus hst for the creation of an Asset Management Plan as recommended by the Clerk-Treasurer.” – Carried.

iii) Municipal Insurance Renewal Quotes

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council defer the review of the Municipal Insurance Renewal Quote to the next regular meeting.” – Carried.

iv) Speed Limits for Village Streets

Moved By: Councillor Derbyshire

Seconded By: Councillor Rajendran

“RESOLVED THAT Council direct the Clerk-Treasurer to investigate speed limits on Village streets and report back to Council.” – Carried.

7.8 Financial

i) Accounts Listing

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the accounts in the amount of \$240,902.02 as presented.” – Carried.

ii) Ontario Provincial Police (OPP) 2026 Annual Billing Statement

Attached is the OPP 2026 Annual Billing Statement. The total billing for 2026 is the capped amount of \$112,984.00 (an increase of \$11,196.00 over 2025 billing amount). Without the 11% capping introduced for 2026, the amount payable in 2026 would have been \$130,340.00. The 2026 OPP increase will be offset by the increase in Ontario Municipal Partnership Fund (OMPF) of \$10,400.00 for the year.

iii) Canada Day Grant Application for \$5,000 in funding has been submitted.

iv) Middlesex County Information Technology Services (ITS) Department

A cost estimate from the Information Technology Services (ITS) Department to provide annual computer and technology support was reviewed.

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the Newbury ITS Costing Estimate in the maximum amount of \$3,684.00 per year from the County of Middlesex and that the Clerk-Treasurer begin process to engage County IT Services.” – Carried.

8. NEW BUSINESS

8.1 Council Member Business (Each council member is given the opportunity to bring new business to the table.)

Councillor Rajendran advised Council on an opportunity to establish a long-term care home in the Village in partnership with the province. He will provide additional information at an upcoming meeting.

Councillor Harris requested information on the process to have the train stop blowing its whistle while going through the Village.

8.2 Other

Clerk-Treasurer Case advised that due to the road closure on December 10th, recycling was not collected on the north side of the tracks. A special pick-up date has been arranged for December 16th.

9. CLOSED SESSION

Moved By: Councillor Rajendran

Seconded By: Councillor Patton

"RESOLVED THAT Council with the inclusion of the Clerk-Treasurer move to closed session under Section 239(2) of the Municipal Act (a) the security of the property of the municipality or local board; (b) personal matters about an identifiable individual, including municipal or local board employees and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose at 9:15 pm." – Carried.

10. RISE AND REPORT FROM CLOSED SESSION

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

"RESOLVED THAT Council and Clerk-Treasurer rise from closed session and that the Clerk-Treasurer proceed as directed in closed session; and that regular session resume at 9:20 pm." – Carried.

11. BY-LAWS

11.1 By-law No. 18-25 to approve agreement for the Provision of Building Services with Middlesex Centre

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

"RESOLVED THAT By-law No. 18-25, being a by-law to approve an agreement for the Provision of Building Services with the Municipality of Middlesex Centre be given first, second and third reading this 11 day of December, 2025." – Carried.

11.2 By-law No. 19-25 to approve an agreement concerning Limerick Landfill with Southwest Middlesex and Chatham-Kent

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 19-25, being a by-law to approve an agreement concerning the Limerick Landfill with the Municipality of Southwest Middlesex and the Municipality of Chatham-Kent be given first, second and third reading this 11 day of December, 2025.”

11.3 By-law No. 20-25 to appoint Building Officials for the Village of Newbury

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 20-25, being a by-law to appoint Building Officials for the Village of Newbury be given first, second and third reading this 11 day of December, 2025.” – Carried.

11.4 By-law No. 21-25 to confirm the proceedings of Council

Moved By: Councillor Rajendran

Seconded By: Councillor Patton

“RESOLVED THAT By-law No. 21-25, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first, second and third reading this 11 day of December, 2025.” – Carried.

12. ADJOURNMENT

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council adjourn at 9:30 pm.” – Carried.


REEVE DIANE BREWER


CLERK-TREASURER CATHY CASE