

MINUTES  
VILLAGE OF NEWBURY COUNCIL MEETING  
TUESDAY, JANUARY 16, 2024  
6:00 pm  
Council Chambers



Council: Reeve Diane Brewer  
Councillor Kevin Derbyshire  
Councillor Clyde Harris  
Councillor Russell Patton (arrived at 7:00 pm)  
Councillor Randy Smith

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

**1. CALL TO ORDER**

Reeve Brewer called the meeting to order at 6:03 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.

There were no declarations of pecuniary interest.

**3. TIMED EVENTS**

**6:00 PM PLANNING APPLICATIONS**

**3.1 Zoning By-law Amendment (ZBA 04-2023) and Plan of Subdivision (39T-NEW2301) – 13 Wellington Street**

**Owner: Theresa Rankin  
Applicant: 26666650 Ontario Inc.  
Agent: Zelinka Priamo**

3.1 (a) Correspondence from Sue Rabideau

3.1 (b) Staff Report from Planner Marion Cabral

Planner Marion Cabral was in attendance. Planner Cabral advised that the comments and discussion from the December 12, 2023 public meetings have been considered in

relation to the application. Approval of Zoning By-law Amendment ZBA 04-2023 is recommended as per the Planning Staff Report.

The public in attendance were given the opportunity to comment on ZBA04-2023. Those in attendance brought forward the same concerns related to the size of the lots being created, the height of buildings permitted, increased traffic, flooding in the area and drainage concerns. The following spoke at the meeting: Russ Rabideau, Sue Rabideau, Cheryl Pinsonneault, Joe Pinsonneault, Andrea Knight.

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT the report as amended for Zoning By-law Amendment application ZBA-04-23 filed by Zelinka Priamo on behalf of 2666650 Ontario Limited, to rezone the land from “Open Space (OS)” and “Residential First Density (R1)” to the “Residential First Density exception 6 (R1-6)” zone with the minimum lot area to be same as required in the R1 Zone.” – Carried.

### **3.2 Official Plan Amendment (OPA 02-23, OPA16) and Zoning By-law Amendment (ZBA 05-2023) – All Lands within the Village of Newbury Applicant: Village of Newbury**

#### **3.2 (a) Staff Report from Planner Marion Cabral**

Planner Marion Cabral was in attendance. Planner Cabral advised that the Planning Staff Report on the proposed Official Plan Amendment OPA02-203 and Zoning By-law Amendment ZBA 05-2023 which would allow for the keeping of backyard chickens in the Village of Newbury was not revised since the public meeting on December 12, 2023.

Council discussed the proposed zoning by-law amendment.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Official Plan Amendment OPA 02-23 (OPA 16) and Zoning By-law Amendment (ZBA05-23) are not approved.” – Carried.

## **4. COUNCIL MINUTES**

### **4.1 Minutes of the regular Council meeting held on December 12, 2023**

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT the minutes from the regular Council meeting held on December 12, 2023 be approved as circulated.” – Carried.

## **5. BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes.

## 6. CORRESPONDENCE

### NON-ACTION CORRESPONDENCE

- 6.1 Municipal World – January 2024
- 6.2 County of Middlesex – Middlesex County Council Meeting Highlights-December 12, 2023
- 6.3 Emergency Management Ontario – Year End Highlights and St Clair Sector Update
- 6.4 St. Clair Region Conservation Authority – Meeting Highlights-December 7, 2023 Board Meeting

Moved By: Councillor Derbyshire  
Seconded By: Councillor Harris  
"RESOLVED THAT Council receive and file correspondence items 6.1 to 6.4." – Carried.

### ACTION REQUIRED CORRESPONDENCE

- 6.5 Middlesex-London Health Unit – request for letter for private applications for mosquito larviciding permits

Moved By: Councillor Harris  
Seconded By: Councillor Derbyshire  
"RESOLVED THAT Council approve participation in the 2024 mosquito larviciding program by the Middlesex-London Health Unit and provide letter of authorization as requested." – Carried.

## 7. STAFF REPORTS

### 7.1 Fire

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

#### i) Training Update

There is no training report for December. Two firefighters are starting fire school (as required by the regulation) in January through the Elgin-Middlesex Regional Fire School.

#### ii) Firefighter Recruitment

There are three new firefighter recruits starting tonight (two in firefighter capacity and one junior firefighter). The probation period is six months.

iii) Firehall Overhead Door Replacement Update

The Reeve and Clerk-Treasurer met with Project Manager from Spriets. A final list of deficiencies was forwarded to Agri-Urban Buildings Inc. Chief Trethewey confirmed that the round hole in the drywall was from vent removal a few years ago. He will forward pictures of the holes in the beams to the Clerk for submission. Reeve Brewer advised that Council will hire a cleaning service to clean once the office is cleared of garbage.

iv) Furnace Quote (cc – Council)

Chief Trethewey advised that the furnace has kept working since a new gas valve and thermostat were installed. The furnace is approximately 30 years old. The Clerk-Treasurer will investigate any grant programs available for replacing furnace.

v) Other:

Chief Trethewey advised that he has found dead bird carcasses and noticed daylight coming in at the end of the metal work and that the roof is leaking. He contacted McNaughton's to see if there is any warranty remaining from the roof replacement.

The Chief was advised to obtain a price on rigid hose for use at fire calls where this is no accessible hydrant.

Fire Chief Trethewey left the meeting at 7:40 pm.

## 7.2 Building Services

There were no building permits issued in December 2023.

## 7.3 By-law Enforcement

By-law Enforcement Report for December 2023 was circulated at meeting.

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT Council accept the By-law Enforcement Report for December 2023 as submitted by the By-law Enforcement Officer.” – Carried.

## 7.4 Animal Control

Humane Society London & Middlesex – Q4 2023 Animal Care & Control Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council accept the Q4 2023 Animal Care & Control Report as submitted by the Humane Society London & Middlesex.” – Carried.

**7.5 Water**

- i) DWQMS
- ii) Water Budget to Actual Report

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the water financial report for the period ended December 31, 2023 as presented.” – Carried.

**7.6 Sewer**

- i) Sewer Budget to Actual Reports

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the sewer financial report for the period ended December 31, 2023 as presented.” – Carried.

- ii) Call-ins – Newbury WWTP – October & November 2023

**7.7 Administration**

- i) Laptop Replacement

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council authorize the Clerk-Treasurer to proceed with purchase of a Dell 3540 Laptop at a price of \$1,271.31 plus hst through the County of Middlesex and that the current administration laptop be reconfigured for use by the Newbury Fire Department.” – Carried.

- ii) “Town Hall” Meeting

The Clerk-Treasurer asked for direction from Council on hosting a “town hall” meeting. Council would like to have a meeting open to the public in late March or early April. The Clerk-Treasurer will investigate potential dates.

**7.8 Financial**

- i) Accounts Listing

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the accounts in the amount of \$122,742.35 as presented.” – Carried.

## ii) Budget to Actual Report

Moved By: Councillor Smith

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the budget to actual report for the period ending December 31, 2023 as presented.” – Carried.

**8. NEW BUSINESS**

## 8.1 Council Member Business

Councillor Harris advised that he attended the Four Counties Transit Committee meeting. Costs to operate the bussing program continue to increase. Rates for users will be going up.

**9. CLOSED SESSION**

There was no closed session.

**10. RISE AND REPORT FROM CLOSED SESSION****11. BY-LAWS**11.1 By-law No. 1-24, being a by-law to provide for Interim Tax Levies for the Year 2024

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 1-24, being a by-law to provide for Interim Tax Levies for the Year 2024 be given first and second reading this 16 day of January, 2024.” – Carried.

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESOLVED THAT By-law No.1-24 be given third reading, taken as read, properly signed and sealed, and numbered 1-24, this 16 day of January, 2024.” – Carried.

11.2 By-law No. 2-24, being a by-law to amend the Comprehensive Zoning By-law (ZBA04-2023-13 Wellington Street)

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT By-law No. 2-24, being a by-law to amend the Comprehensive Zoning By-law be given first and second reading this 16 day of January, 2024.” – Carried.

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 2-24 be given third reading, taken as read, properly signed and sealed, and numbered 2-24, this 16 day of January, 2024.” – Carried.

11.3 By-law No. 3-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 3-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first and second reading this 16 day of January, 2024.” – Carried.

Moved By: Councillor Smith

Seconded By: Councillor Harris


“RESOLVED THAT By-law No. 3-24 be given third reading, taken as read, properly signed and sealed, and numbered 3-24, this 16 day of January, 2024.” – Carried.

12. ADJOURNMENT

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESOLVED THAT Council adjourn at 8:42 pm.” – Carried.

  
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REEVE DIANE BREWER

  
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CLERK-TREASURER CATHY CASE