The Corporation of the Township of Malahide

A G E N D A

December 1, 2011 – 7:30 p.m.


(A) Disclosure of Pecuniary Interest

(B) Approval of Previous Minutes RES 1(Pages 1 – 7)

(C) Presentations/Delegations/Petitions

1. 7:30 p.m. - Jim Crane – concerns about property tax rates. (Page 8)

2. 7:45 p.m. - Bryon Craik - concerns about winter snow plowing. (Page 9)

3. 7:50 p.m. - Bill MacIntyre/Ted Chyc – concerns about escalating property taxes. (Page 10)

(D) Reports of Departments:

(i) Director of Fire & Emergency Services
   - 2012 Ice Breaking Services – Port Bruce RES 2 (Pages 11 - 15)

(ii) Director of Physical Services -
   - Malahide Distribution System: 2011 First and Second Quarter Sample Report RES 3 (Pages 16 - 18)
   - Petition for Drainage Works – Smit Drain RES 4 (Page 19)
   - Activities Report: Roads Division RES 5 (Page 20)
(iii) Director of Community & Corporate Services
- IBI Planners Comments concerning Zoning By-law Amendment Application for Skipwell Farms and Gerald Schipper relating to property at Part Lot 8, Concession 9, Geographic Township of Malahide  **RES 6 (Pages 21 - 23)**
- IBI Planners Comments concerning Zoning By-law Amendment Application for J & E Streicher and S. Wagler relating to property at Part Lot 31, Concession 6, Geographic Township of Malahide  **RES 7 (Pages 24 - 27)**
- IBI Planners Comments concerning Zoning By-law Amendment Application for Lankhuijzen Farms Ltd. relating to property at Part Lots 9 and 10, Concession 2, Geographic Township of Malahide  **RES 8 (Pages 28 - 30)**
- Land Division Committee – Severance Application for David Underhill relating to property at Part Lot 16, Concession 5, Geographic Township of Malahide  **RES 9 (Pages 31 - 34)**
- Community Facilities 2011 Review  **RES 10 (Pages 35 - 36)**

(iv) Director of Financial Services
- Accounts Payable  **RES 11**
- Section 357 Tax Assessment Reductions  **RES 12 (Page 37)**

(v) CAO/Clerk
- Convention Policy - ROMA/OGRA Combined Conference  **RES 13 (Pages 38 - 44)**

(E) Reports of Committees/Outside Boards.  **RES 14**


2. Lake Erie Region Source Protection Committee Minutes – October 6, 2011.  **RES (Pages 53 - 60)**

(F) Correspondence  **RES 15**


2. Township of Chisholm – Resolution requesting amendment of Municipal Act for pregnancy/parental leave for mayors and councillors.  **(Page C5)**

3. Town of Goderich – Thank you for “re-leaf” funds.  **(Page C6)**
4. Town of Aylmer – Resolution forwarding Fire Dispatch Service request to the Fire Communications Committee. (Page C7)

5. Chris Dancey – Information regarding impacts of burning plastic in open fires. (Page C8 - 15)


7. County of Huron – Resolution requesting Province to support woodlot landowners by including losses sustained in eligible disasters under ODRAP assistance. (Page C17)

8. County of Huron – Supporting Central Huron’s resolution objecting to the direction from the Fire Marshal’s office restricting the use of farm buildings. (Page C18)


10. Elgin County Fire Communication Committee – Letter to St. Thomas regarding fire dispatch services. (Page C21 - 22)

11. Town of Ingersoll – Requesting support for resolution supporting Ingersoll’s pledge to end bullying. (Page C23-24)

(G) New Business

1. East Elgin Community Complex – Approval of Resolutions. RES 16 (Page 61)

2. Long Point Region Conservation Authority – 30 Day Notice to Affected Municipalities - 2012 Draft Budget. (Pages 62 - 70)

3. Municipality of Bayham - Malahide Representative requested for 2012 Doors Open Event. RES 17 (Page 71)

4. Councillor Mike Phillimore - Resignation from Council. (Page 72)

(H) By-laws

1. By-law No. 11-83 – Authorizing the execution of an agreement with Her Majesty the Queen in Right of Ontario for the provision of Police services. RES 18 (Pages 73 - 102)

(I) Closed Session RES 19 and 20
2. Advice Subject to Solicitor-Client Privilege – Land Purchase Agreement.
3. Labour Relations or Employee Negotiations Matter relating to the Community Services Coordinator position.

(J) Confirmatory By-law  **RES 21 (Page 103)**

(K) Adjournment  **RES 22**
1. THAT the minutes of the regular meeting of the Council held on November 17, 2011 be adopted as printed and circulated.

2. THAT the Malahide Township Council as the benefiting municipality, in conjunction with the Catfish Creek Conservation Authority, accept the quotation submitted by Erie Draglines to provide Ice Breaking Services in Port Bruce from January 1 to December 31, 2012;

AND THAT Erie Draglines be notified by the Catfish Creek Conservation Authority to have the dragline remain on-site in Port Bruce from January 15 to March 15, 2012, at a cost of $4,000.00 per month plus $3,000.00 move in and rigging costs (plus applicable taxes) and a working hourly rate of $160.00 per hour.


4. THAT the Petition for Improvements to the Smit Drain, as submitted by Alec Saarloos and Elaine Saarloos, regarding the property located at Part Lot 15, Concession 12, Geographic Township of South Dorchester, be accepted;

AND THAT Spriet Associates be requested to prepare the necessary Engineer’s Report.


6. THAT the Clerk be authorized to proceed with the scheduling of a public meeting concerning the Zoning By-law Amendment Application relating to property owned by Skipwell Farms Ltd. and Gerald Schipper, being Part Lot 8, Concession 9, Geographic Township of Malahide.

7. THAT the Clerk be authorized to proceed with the scheduling of a public meeting concerning the Zoning By-law Amendment Application relating to property owned by J. & E. Streicher and S. Wagler, being Part Lot 31, Concession 6, Geographic Township of Malahide.

8. THAT the Clerk be authorized to proceed with the scheduling of a public meeting concerning the Zoning By-law Amendment Application relating to property owned by Lankhuijzen Farms Ltd., being Part Lots 9 and 10, Concession 2, Geographic Township of Malahide.

9. THAT the Malahide Township Council has no objection to the Land Severance No. E 112/11 in the name of David Underhill, relating to the
property located at Part Lot 16, Concession 5, Geographic Township of Malahide, subject to the following conditions:

1. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.

2. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, as amended, with such costs to be paid in full to the township prior to the condition being deemed fulfilled.

3. That all entrance permits are acquired from the appropriate road authority, and any required road works/upgrades/widening are complete or the necessary agreements are in place with sufficient security posted to cover the costs of the works prior to the condition being deemed fulfilled.

4. That the applicants initiate and assume all planning costs associated with the required Official Plan Amendment, Zoning Amendment, Minor Variance or other land use planning process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.

5. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.

6. The owner has the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage disposal system and payment of necessary fees per lot ($150.00 each).

7. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds

8. Any other conditions deemed to be necessary in order to complete this severance.

11. THAT Cash Disbursements Journal No. 962 to No. 971 in the amount of $983,544.53 be approved.

12. THAT Report No. T-11-32 entitled “Tax Assessment Reductions” be received;

AND THAT, pursuant to Section 357 of the Municipal Act, 2001, the following assessments be adjusted:
2011 Commercial Assessment – 59,300 reduction
2011 Residential English Public – 26,674 reduction

13. THAT the following Members of Council be authorized to attend the 2012 Rural Ontario Municipal Association/Ontario Good Roads Association Municipal conference being held in Toronto on February ????, 2012:

Councillor _____________
Councillor _____________

14. THAT the following Reports of Committees/Outside Boards be noted and filed:

i) East Elgin Community Complex – Minutes dated November 15, 2011; and Amended Minutes dated September 20, 2011.

ii) Lake Erie Region Source Protection Committee – Minutes dated October 6, 2011.

15. THAT the following correspondence be noted and filed:


14. Town of Goderich – Thank you for “re-leaf” funds.

15. Town of Aylmer – Resolution forwarding Fire Dispatch Service request to the Fire Communications Committee.


18. County of Huron – Resolution requesting Province to support woodlot landowners by including losses sustained in eligible disasters under ODRAP assistance.

19. County of Huron – Supporting Central Huron’s resolution objecting to the direction from the Fire Marshal’s office restricting the use of farm buildings.


21. Elgin County Fire Communication Committee – Letter to St. Thomas regarding fire dispatch services.

22. Town of Ingersoll – Requesting support for resolution supporting Ingersoll’s pledge to end bullying.

16. THAT the East Elgin Community Complex Board of Management Resolution No. 064-2011 as amended, passed on November 15, 2011, relating to service levels for the EECC be approved.

17. THAT the Malahide Township Council supports the Municipality of Bayham being the lead municipality for the 2012 Doors Open Ontario event;
   AND THAT be appointed as the Malahide Representative on the 2012 Doors Open Organizing Committee.

18. THAT By-law No. 11-83 being a By-law to enter into an agreement with Her Majesty The Queen in Right of Ontario, as represented by the Minister of Community Safety and Correctional Services, for the provision of Police Services be given first, second and third readings, and be properly signed and sealed.

19. THAT Council move into Closed Session at p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:
   4. Advice Subject to Solicitor-Client Privilege – Land Purchase Agreement.
   3. Labour Relations or Employee Negotiations – Community Services Coordinator position.

20. THAT Council move out of Closed Session and reconvene at p.m. in order to continue with its deliberations.
21. THAT By-law No. 11-84, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

22. THAT the Council adjourn its meeting at _______ p.m. to meet again on December 15, 2011, at 7:30 p.m.