



The Corporation of the Township of Malahide

A G E N D A

March 7, 2019 – 7:30 p.m.

Springfield & Area Community Services Building 51221 Ron McNeil Line, Springfield

- (A) Disclosure of Pecuniary Interest
- (B) Approval of Previous Minutes **RES 1 (Pages 12 - 24)**
- (C) Presentations/Delegations/Petitions
 - (i) Court of Revision – Fuller Drain – Shackelton Branch 2019 relating to Part Lots 16 - 20, Concessions 8 and 9, Geographic Township of Malahide. **RES 2 - 6 (Page 25)**
 - (ii) Court of Revision – Rempkens Drain relating to Part Lot 15, Concession 4, Geographic Township of Malahide. **RES 7 - 10**
 - (iii) Public Meeting – Minor Variance Application of Darcy Taylor relating to property at Plan 55, Lots 36 to 39, municipally known as 49364 Dexter Line. **RES 11 - 13 (Pages 26 - 43)**
 - (iv) Delegation – Andre Verhaeghe, on behalf of Talbot Trail ATV Club Inc., requesting use of additional roads in the Township for the ATV Club. **RES 14 (Page 44 -45)**
- (D) Reports of Departments
 - (i) Director of Fire & Emergency Services

- (ii) Director of Physical Services
 - Talbot Trail ATV Club Request for Additional Access to Road. **RES 15 (Pages 46 - 80)**
 - Woolleyville Line Road Widening. **RES 16 (Pages 81 - 84)**
 - Tender Results: 2019-2021 Supply and Apply Dust Control. **RES 17 (Pages 85 - 89)**
 - Tender Results: Pressey Line Sidewalk. **RES 18 (Pages 90 - 92)**
 - Petition for Drainage – Peckham Petition. **RES 19 (Pages 93 - 97)**
 - Quote Results: 2019 Processed Aggregates. **RES 20 (Pages 98 - 103)**

- (iii) Director of Development & Community Services
 - Report – Severance Application E11/19. **RES 21 (Pages 104 - 105)**
 - Conditions – Severance Application E11/19. **RES 22 (Pages 106 - 112)**
 - Report – Severance Application E13/19. **RES 23 (Pages 113 - 114)**
 - Conditions – Severance Application E13/19. **RES 24 (Pages 115 - 120)**
 - Report – Severance Application E19/19. **RES 25 (Pages 121 - 122)**
 - Conditions – Severance Application E19/19. **RES 26 (Pages 123 - 127)**

- (iv) Director of Corporate Services/Treasurer

- (iv) CAO/Clerk
 - Port Bruce Provincial Park – Management Agreement. **RES 27 (Pages 128 - 161)**

- (E) Reports of Committees/Outside Boards

- (F) Correspondence **RES 28**
 1. Association of Municipalities of Ontario - Watch File – dated February 21 and 28, 2019. **(Pages C2 - 5)**
 2. Township of South Stormont – Resolution regarding the future Provincial Review of the Ontario Municipal Partnership Fund (OMPF). **(Pages C6 - 7)**
 3. Township of Lake of Bays – Resolution regarding maintenance of Voters' List for Municipal Elections. (Malahide supported a similar Resolution on December 6, 2018). **(Pages C8 - 9)**

4. County of Elgin – Class Environmental Assessment relating to Imperial Road Port Bruce Bridge at Catfish Creek – Notice of Study Commencement. **(Page C10)**
 5. Elgin Area Primary Water Supply System – 2018 Annual Report. **(Pages C11 - 20)**
 6. Town of Aylmer – Notice of Passing of Zoning By-law relating to property at 516 John Street North. **(Page C21)**
 7. Ontario Energy Board – Notice to Customers of EPCOR Natural Gas Limited Partnership – Application to change its natural gas rates and other charges. **(Page C22)**
 8. County of Elgin - Approval of Official Plan Amendment No. 15 - 1841591 Ontario Inc. (John and Susana Guenther) relating to property at 11766 Imperial Road. **(Pages C23 - 33)**
- (G) Other Business
- (i) County of Elgin - Correspondence regarding the Southwestern Integrated Fibre Technology (SWIFT) Network relating to broadband; and requesting information on how Malahide wishes to vote (in person or by proxy). **RES 29 (Page 162)**
- (H) By-laws
- (i) By-law No. 19-27 – Agreement with the Minister of the Environment, Conservation and Parks to provide management services for the Port Bruce Provincial Park. **RES 30 (Pages 163)**
- (I) Closed Session
- (J) Confirmatory By-law **RES 31 (Page 164)**
- (K) Adjournment **RES 32**

PLEASE NOTE that the draft resolutions provided below DO NOT represent decisions already made by the Council. They are simply intended for the convenience of the Council to expedite the transaction of Council business. Members of Council will choose whether or not to move the proposed draft motions and the Council may also choose to amend or defeat them during the course of the Council meeting.

1. THAT the minutes of the regular meeting of the Council held on February 21, 2019 be adopted as printed and circulated.
2. THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Fuller Drain – Shackelton Branch 2019:
Mayor Dave Mennill (Chair)
Deputy Mayor Dominique Giguère
Councillor Rick Cerna.
3. THAT the Court of Revision for the Fuller Drain – Shackelton Branch 2019 be called to order at 7:____ p.m.

AND THAT Dave Mennill be appointed Chairman.
4. THAT the Court of Revision members for the Fuller Drain – Shackelton Branch 2019 do hereby accept the recommendations of Drainage Engineer John M. Spriet, Spriet Associates; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer, dated January 4, 2019.
5. THAT the Court of Revision relating to the Fuller Drain – Shackelton Branch 2019 be adjourned and the Council Meeting reconvene at 7:____ p.m.
6. THAT the tender for the Fuller Drain – Shackelton Branch 2019 be awarded to _____, in the amount of \$ _____; subject to the expiration of all appeal periods and subject to no appeals having been received related to the Fuller Drain – Shackelton Branch 2019.
7. THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Rempkens Drain:
Mayor Dave Mennill (Chair)
Deputy Mayor Dominique Giguère
Councillor Chester Glinski.

8. THAT the Court of Revision for the Rempkens Drain be called to order at 7:____ p.m.

AND THAT Dave Mennill be appointed Chairman.

9. THAT the Court of Revision members for the Rempkens Drain do hereby accept the recommendations of Drainage Engineer John M. Spriet, Spriet Associates; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer, dated January 4, 2019.

10. THAT the Court of Revision relating to the Rempkens Drain be adjourned and the Council Meeting reconvene at 7:____ p.m.

11. THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:____ p.m. and that Mayor Dave Mennill be appointed Chairperson for the "Committee of Adjustment".

12. THAT, notwithstanding that Section 6 of Zoning By-law No. 18-22 states what the permitted uses are in the Village Residential Two Zone, the Minor Variance Application of Darcy Taylor, relating to the property located at 49364 Dexter Line, to allow relief from the permitted uses by permitting a commercial fry truck on the property be granted.

13. THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at _____ p.m.

14. THAT the presentation from Andre Verhaeghe, of Talbot Trail ATV Club Inc., be received.

15. THAT Report No. PS-19-15, entitled "Talbot Trail ATV Club Request for Additional Access to Road Network", be received;

AND THAT, in response to the request of the Talbot Trail ATV Club for additional access to the Township's road network, the Municipal Staff be requested to prepare an amended Off-Road Vehicle Use By-law for consideration by the Council at its next regular meeting;

AND THAT the Talbot Trail ATV Club Inc.'s request for additional road access be granted; SUBJECT TO the Club paying for the signs which are required to facilitate such additional road access.

16. THAT Report No. PS-19-07, entitled "Woolleyville Line Road Widening", be received;

AND THAT the Municipal Staff be directed to investigate the acquisition of land along the south side of Woolleyville Line for the purposes of a future road widening.

17. THAT Report No. PS-19-11 entitled "Tender Results: 2019-2021 Supply and Apply Dust Control" be received;

AND THAT, notwithstanding that the 2019 Budget has not yet been approved, the Township's portion of the 2019-2021 Supply and Apply Dust Control tender be awarded to Da-Lee Dust Control Ltd., of Stoney Creek, Ontario, in the amount of \$394.94 per flake tonne for 35% calcium chloride (excluding HST);

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Da-Lee Dust Control Ltd. for the purpose of completing the 2019-2021 Dust Suppressant Program.

18. THAT Report No. PS-19-12 entitled "Tender Results: Pressey Line Sidewalk" be received;

AND THAT, notwithstanding that the 2019 Budget has not yet been approved, the Municipal Staff be authorized and directed to proceed with the Pressey Line Sidewalk project;

AND THAT the tender for the construction of the Pressey Line Sidewalk be awarded to J. Franze Concrete Ltd., of London, Ontario, in the tender amount of \$48,337.50 plus HST.

19. THAT Report No. PS-19-13 entitled "Petition for Drainage – Peckham Petition" be received;

AND THAT Andrew Gilvesy, P. Eng., of Cyril J. Demeyere Limited, be appointed to prepare an Engineer's Report for this petition.

20. THAT Report No. PS-19-14 entitled "Quote Results: 2019 Processed Aggregates" be received.

21. THAT Report No. DCS-19-08 entitled "Severance Application E11/19" be received;

AND THAT this report be forwarded to the Land Division Committee for its review and consideration.

22. THAT the Malahide Township Council has no objection to the Land Severance No. E11/19, in the name of Skipwell Farms Inc., relating to the

property located at Part Lots 74, 75, 76, Concession South Talbot Road, Geographic Township of Malahide, subject to the following conditions:

- (i) 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.
 - (ii) 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.
 - (iii) That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
 - (iv) 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.
 - (v) 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.
 - (vi) Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
 - (vii) That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds
 - (viii) That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
23. THAT Report No. DCS-19-07 entitled "Severance Application E13/19" be received;

AND THAT this report be forwarded to the Land Division Committee for its review and consideration.

24. THAT the Malahide Township Council has no objection to the Land Severance No. E13/19, in the name of Grovesend Farms Inc., relating to the property located at Part Lots 26 and 27, Concession 2, 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 all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
 3. 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.
 4. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
 5. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds
 6. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
25. THAT Report No. DCS-19-11 entitled "Severance Application E19/19" be received;

AND THAT this report be forwarded to the Land Division Committee for its review and consideration.

26. THAT the Malahide Township Council has no objection to the Land Severance No. E19/19, in the name of Randall and Gloria Fehr, relating to the property located at Part Lot 16, Concession 4, 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 the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled.
4. That all entrance permits are acquired from the appropriate road authority as per our entrance control policy ;
5. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
6. 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.
7. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
8. 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.
9. 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.
10. That all applicable property taxes, municipal fees and charges be paid

to the Municipality prior to the stamping of the deeds.

11. That three copies of a reference plan be submitted to the satisfaction of the Municipality, one of which shall be either 8 ½" X 14" or 11" X 17", and an electronic version of the plan shall also be submitted.

27. THAT Report No. CAO-19-10 entitled "Port Bruce Provincial Park – Management Agreement" be received;

AND THAT the draft Agreement with the Minister of Environment, Conservation and Parks for the management of the Port Bruce Provincial Park be approved;

AND THAT the Clerk be directed to prepare the necessary by-law to authorize the execution of the Draft Agreement by the Township.

28. THAT the following correspondence be noted and filed:

1. Association of Municipalities of Ontario - Watch File – dated February 21 and 28, 2019.
2. Township of South Stormont – Resolution regarding the future Provincial Review of the Ontario Municipal Partnership Fund (OMPF).
3. Township of Lake of Bays – Resolution regarding maintenance of Voters' List for Municipal Elections. (Malahide supported a similar Resolution on December 6, 2018).
4. County of Elgin – Class Environmental Assessment relating to Imperial Road Port Bruce Bridge at Catfish Creek – Notice of Study Commencement.
5. Elgin Area Primary Water Supply System – 2018 Annual Report.
6. Town of Aylmer – Notice of Passing of Zoning By-law relating to property at 516 John Street North.
7. Ontario Energy Board – Notice to Customers of EPCOR Natural Gas Limited Partnership – Application to change its natural gas rates and other charges.
8. County of Elgin – Approval of Official Plan Amendment No. 15 - 1841591 Ontario Inc. (John and Susana Guenther) relating to property at 11766 Imperial Road.

29. THAT the County of Elgin correspondence, dated February 22, 2019, regarding the Southwestern Integrated Fibre Technology (SWIFT) Network relating to broadband be received;

AND THAT the County of Elgin be advised that the Malahide Township Council is choosing to vote at the SWIFT Annual General Meeting, on March 21, 2019, _____ (in person OR by appointing the County Warden, as a member of the Western Ontario Wardens Caucus), as its voting proxy.

30. THAT By-law No. 19-27, being a By-law to authorize the execution of an Agreement with the Minister of the Environment, Conservation and Parks for management services for the Port Bruce Provincial Park, be given first, second and third readings, and be properly signed and sealed.
31. THAT By-law No. 19-28, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.
32. THAT the Council adjourn its meeting at _____ p.m. to meet again on March 21, 2019, at 7:30 p.m.