

The Corporation of the Township of Malahide

October 7, 2021 – 7:30 p.m.

Virtual Meeting - <https://youtu.be/DBbf3KuGvNs>

Due to COVID 19 and Public Health concerns, the Malahide Township Council met at the Malahide Community Place, at 12105 Whittaker Road, Springfield, at 7:30 p.m. in order to allow for physical distancing. No public attendance was permitted. The following were present:

Council: Mayor D. Mennill, Deputy Mayor D. Giguère, Councillor M. Widner, Councillor M. Moore, Councillor R. Cerna, Councillor S. Lewis, and Councillor C. Glinski.

Staff: Chief Administrative Officer A. Betteridge, Clerk A. Adams, Director of Fire and Emergency Services J. Spoor, IT Manager C. Coxen, and Deputy Clerk D. Wilson.

Staff Members via Videoconference: Drainage Superintendent B. Lopez, and Roads and Construction Manager R. DeSutter.

CALL TO ORDER:

Mayor Mennill took the Chair and called the meeting to order at 7:30 p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Councillor Widner disclosed two pecuniary interest matters

- (i) Council Agenda Items E (ii) Petition for Drainage – Sparta Line. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.
- (ii) Council Agenda Item E (ii) Harvest Bowl Project. The nature of the conflict being he is on the Board of Directors of the Harvest Bowl Project.

Councillor Moore disclosed a pecuniary interest with respect to Council Agenda Item (D) (i) Rezoning Application of Marion Wallace. The nature of the conflict being that his daughter and son-in-law purchased one of the previously severed lots of M. Wallace.

Mayor Mennill welcomed the new Director of Fire and Emergency Services, Jeff Spoor to the Township. The Mayor indicated the Council was looking forward to working with Mr. Spoor.

MINUTES:

No. 21-414

Moved by: Rick Cerna

Seconded by: Max Moore

THAT the minutes of the regular meeting of the Council held on September 16, 2021 be adopted as printed and circulated.

Carried.

PRESENTATIONS/DELEGATIONS/PETITIONS:

Public Meeting – Zoning By-law Amendment – Marion Wallace (Agent: Jerome Collins) relating to Part Lots 15 and 16, Concession 2. Geographic Township of South Dorchester.

Councillor Moore declared a conflict of interest with respect to Council Agenda Items D (i) relating to the Zoning By-law Amendment Application of Marion Wallace, retired from the meeting and abstained from all discussions and voting on the matter.

No. 21-415

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT the Public Meeting concerning the Zoning By-law Amendment Application of Marion Wallace relating to the property located at Lots 15 and 16, Concession 7, be called to order at 7:32 p.m.

Carried.

Mayor Mennill advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property located at 48550 and 48670 Yorke Line, to change the zoning to allow severance of two existing dwellings as surplus as a result of a farm consolidation.

Mayor Mennill asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express on September 15 and 22, 2021. In addition, affected property owners within 120 meters were sent a notice by prepaid first class mail that was posted at least twenty days prior to this meeting.

Mayor Mennill requested the Chief Administrative Officer (CAO) to provide an overview and of the application together with any comments received. The CAO advised that the Owner/applicant has obtained approval from the Elgin County Land Division Committee (Application Nos. E25/21 and E26/21) for consent to sever two existing dwellings as surplus as a result of farm consolidation. As a condition of the approval of Application No. E25/21 and E26/21, a Zoning By-law Amendment is required for the severed dwellings and retained farm lands to be regulated as per the requirements of the Provincial Policy Statement and the Official Plans for the County of Elgin and the Township of Malahide.

The subject Zoning By-law Amendment will place the retained/remnant farm property into the "Agricultural (A2) Zone" so as to prohibit the establishment of any subsequent dwelling. The Amendment will also place the two severed dwelling properties into the "Small Lot Agricultural (A4) Zone".

The CAO advised that correspondence was received from Kettle Creek Conservation Authority indicating no objections

Mayor Mennill asked if any persons were in attendance that wished to make any comments regarding the application and there were none.

Mayor Mennill asked if any Council Members wished to make any comments regarding the application and there were none.

Mayor Mennill advised that the Council will consider all comments received when making its final decision on the application.

No. 21-416

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT the Public Meeting relating to Zoning By-law Amendment Application of Marion Wallace relating to the property located at Lots 15 and 16, Concession 7, be adjourned and the Council meeting reconvene at 7:35 p.m.

Carried.

No. 21-417

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT Report No. DS-21-43 entitled "Zoning By-law Amendment Application of Marion Wallace" be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z08-21 of Marion Wallace relating to the property located at South Part of Lots 15 and 16, Concession 7, Geographic Township of South Dorchester, and known municipally as 48550 and 48670 Yorke Line, BE APPROVED for the reasons set out in this Report.

Carried.

No. 21-418

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT By-law No. 21-67 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the property owned by Marion Wallace, located at Lots 15 and 16, Concession 7, be given first, second and third readings, and properly signed and sealed.

Carried.

Councillor Moore resumed his seat at the Council Table.

CLOSED SESSION:

No. 21-419

Moved by: Chester Glinski

Seconded by: Scott Lewis

THAT Council move into Closed Session at 7:35 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- (i) Advice that is subject to Solicitor-Client privilege including communications necessary for that purpose AND/OR Personal Matters about an identifiable individual, including municipal or local board employees, relating to Covid Policy.

Carried.

No. 21-420

Moved by: Chester Glinski

Seconded by: Scott Lewis

THAT Council move out of Closed Session and reconvene at 7:50 p.m. in order to continue with its deliberations.

Carried.

The Mayor advised that during the Closed Session, the Council received information subject to Solicitor-Client privilege including communications necessary for that purposes and/or Personal Matters about an identifiable individual, including municipal or local board employees, and this item will be discussed further in the Report Section under the Chief Administrative Officer.

REPORTS:

Director of Public Works

- Petition for Drainage: Sparta Line

Councillor Widner declared a conflict of interest with respect to Council Agenda Items E (ii) relating to the Petition for Drainage: Sparta Line, retired from the meeting and abstained from all discussions and voting on the matter.

No. 21-419

Moved by: Max Moore

Seconded by: Scott Lewis

THAT Report No. PW-21-49 entitled “Petition for Drainage: Sparta Line” be received;

AND THAT John M. Spriet, P. Eng., of Spriet Associates Ltd., be appointed to prepare an Engineer’s Report for the Sparta Line Petition, it being noted that the Petitioner is requesting this petition to be incorporated into the Engineers report currently being prepared for the Butters Petition on Sparta Line.

Carried.

Councillor Widner resumed his seat at the Council Table.

- Request for Authorization for Road Authority to Petition for Drainage – Norton Street

No. 21-420

Moved by: Chester Glinski

Seconded by: Rick Cerna

THAT Report No. PW-21-50 entitled “Request for Authorization for Road Authority to Petition for Drainage – Norton Street” be received;

AND THAT The Director of Public Works or his designate be authorized to file a petition for drainage under Section 4 of the *Drainage Act* for future drainage work on Norton Street.

Carried.

- Review of Draft Township Telecommunication Equipment Consent and Road User Agreement.

No. 21-421

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Report No. PW-21-56 entitled “Review of Draft Township Telecommunication Equipment Consent and Road User Agreement” be received;

AND THAT Council approve the form and content of the draft Telecommunication Equipment Consent and Road User Agreement and authorize its use in relation to telecommunication equipment installation projects within road allowances under the jurisdiction and/or ownership of the Township of Malahide.

Carried.

- Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall.

Councillor Widner declared a conflict of interest with respect to Council Agenda Items E (ii) relating to the Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall, retired from the meeting and abstained from all discussions and voting on the matter.

The Mayor noted the great community service that the Harvest Bowl Project delivered to the area residents in need of support. The Mayor noted his concerns with any possible delay in emergency services if the Harvest Bowl Project moved to one of the bays at the Malahide Fire Services Station 4. The Mayor noted his approval of the Harvest Bowl Project continuing out of the South Dorchester Community Hall but did not wish to allow the use of the fire bay at

Malahide Station 4. The Mayor noted that the Board of Directors should look for a different location that suited their growing needs.

No. 21-423

Moved by: Chester Glinski

Seconded by: Rick Cerna

THAT Report No. PW 21-57 entitled “Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall” be received.

Carried.

Councillor Widner resumed his seat at the Council Table.

Building/Planning/By-law

- Purchase of Building Permit Software

No. 21-424

Moved by: Max Moore

Seconded By: Scott Lewis

THAT Report No. DS-21-49 entitled “Purchase of Building Permit Software” be received as information;

AND THAT the Municipal Staff be authorized to proceed with the single-source award for the purchase and implementation of Cloudpermit building permit software.

Carried.

Chief Administrative Clerk

- O.P.P. Contract Renewal

No. 21-425

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT Report No. CAO 21-13 entitled “O.P.P. Contract Renewal” be received;

AND THAT the Municipal Council proceed with the adoption of By-law 21-77 authorizing the Mayor and Clerk to sign an Amending Agreement in order to extend the contract with the O.P.P. until the 31st of December 2022.

Carried.

- Proposed COVID-19 Vaccination Verification Policy

No. 21-426

Moved by: Max Moore

Seconded by: Mark Widner

THAT Report No. HR-21-15 entitled “Proposed COVID-19 Vaccination Verification Policy” be received;

AND THAT the Municipal Staff be authorized and directed to implement the COVID 19 Vaccination Verification Policy as set out in Report No. HR-21-15 entitled “Proposed COVID-19 Vaccination Verification Policy” effective October 11, 2021.

AND THAT all new employees and re-hires must show proof of full vaccination.

Carried

The Deputy Mayor questioned if employees were not vaccinated and needed to provide negative rapid antigen test as of November 22, 2021, with the testing at their own expense and outside of working hours, if the Township could provide on-site testing. The CAO advised that municipal staff could consider that option once the number of staff that require testing is known.

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

The Deputy Mayor noted that her name should be included in the listing of attendees in the September 8, 2021, East Elgin Community Complex Board of Management minutes.

No. 21-427

Moved by: Scott Lewis

Seconded by: Chester Glinski

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

- (i) **East Elgin Community Complex Board of Management – Draft Minutes of September 8, 2021, as amended.**

Carried.

CORRESPONDENCE:

Councillor Cerna was pleased the County of Elgin responded to the Township's request regarding a review of the intersection of Ron McNeil Line and Imperial Road to determine if any safety enhancements can be implemented during the construction of Imperial Road and the completion of the County's Transportation Master Plan.

No. 21-428

Moved by: Mark Widner

Seconded by: Max Moore

THAT the Municipality of Chatham-Kent and Town of Kingsville resolution requesting the Provincial Government recognize the value that access to quality eye care brings to all Ontarians and act now to protect it; and address the OHIP-insured eye care immediately and enter into legally binding negotiations with Ontario Optometrists to fund these services at least to the cost of delivery, prior to any job action taking place be supported.

Carried.

No. 21-429

Moved by: Mark Widner

Seconded by: Max Moore

THAT the following correspondence be noted and filed:

- 1. Association of Municipalities of Ontario - Watch File – dated September 16, 23 and 30, 2021.**
- 2. City of Sarnia, Municipality of Chatham-Kent – Resolution requesting the Province to take additional and meaningful steps to address the increasing problem of "Renovictions".**
- 3. Township of Huron-Kinloss – Resolution supporting Northumberland County and City of Toronto in their plea to include in Bill 177 Stronger Fairer Ontario Act and take immediate action to streamline and modernize this section of**

the legislation regarding Part 1 and Part II offences in the Provincial Offences Court.

4. Anishinabek Nation – Memorandum advising First Nation Status Cards can be used for Proof of Identification for Vaccination Passports & COVaxON.
5. Ministry of Municipal Affairs and Housing – Correspondence providing a Site Plan Control Guide enabling municipalities to reduce red tape and streamline development approvals.
6. County of Elgin – Correspondence advising the County will review the intersection of Ron McNeil Line and Imperial Road to determine if any safety enhancements can be implemented during the reconstruction of Imperial Road and the completion of the County's Transportation Master Plan.
7. County of Elgin – Correspondence advising the County will review the intersection of Imperial Road and John Wise Line to determine if any safety enhancements can be implemented and be reviewed during the completion of the County of Elgin Transportation Masterplan.
8. Ministry of Municipal Affairs and Housing – Correspondence advising of the expiry of the temporary regulations limiting municipal authority to regular construction noise.
9. Town of Aylmer – Notice of General Amendment to the Town of Aylmer Zoning By-law No. 57-99 (Housekeeping).

Carried.

OTHER BUSINESS:

- Mural on Port Bruce Public Washroom

The Deputy Mayor requested the deferral of the approval of the mural design and that the templates be attached to the Port Bruce Public Washrooms so the Community has an opportunity to review and comment on the murals.

No. 21-430

Moved by: Dominique Giguère

Seconded by: Max Moore

THAT the Elgin County Museum and Archives submission of the final design for the Port Bruce Public Washroom building murals, funded by the Bushell bequest, be deferred.

Carried.

- Santa Claus Parade - Springfield

No. 21-431

Moved by: Max Moore

Seconded by: Mark Widner

THAT the Springfield Santa Claus Parade Committee request for permission to tour the streets in Springfield with a Float carrying Santa Claus, together with firetrucks from Malahide Fire Services if available, on Saturday, December 4, 2021, be approved;

AND THAT a copy of this Resolution be forward to the County of Elgin for their information.

Carried.

- East Elgin Community Complex – Ontario Trillium Fund

No. 21-432

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT the Council of the Township of Malahide support the submission of the EECC parking lot rehabilitation to the Ontario Trillium Fund – Community Building Capital Stream opportunity.

AND THAT a letter of support be forwarded to the EECC Administrator for inclusion in the Ontario Trillium Fund – Community Building Capital Stream submission.

Carried.

- Catfish Creek Conservation Authority – General Manager

Councillor Cerna noted that Chris Wilkinson, the General Manager, of the Catfish Creek Conservation Authority has resigned. He noted that Dusty Underhill, Conservation Area Supervisor, has stepped into the role of General Manager – Secretary/Treasurer on an interim basis.

BY-LAWS:

- By-law No. 21-75 – Joint Sharing of a Fire Training Officer

No. 21-433

Moved by: Scott Lewis

Seconded by: Dominique Giguère

THAT By-law No. 21-75 being a By-law to authorize the execution of an Amendment to the Cost Sharing Agreement for the Joint Sharing of a Fire Training Officer, with the County of Elgin, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Southwold, Municipality of West Elgin and Township of Malahide, be given first, second and third readings, and be properly signed and sealed.

Carried.

- By-law No. 21-77 – Extension of OPP Police Services

No. 21-434

Moved by: Rick Cerna

Seconded by: Max Moore

THAT By-law No. 21-77 being a By-law to authorize the execution of an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Solicitor General for Police Services for the Elgin Group Municipalities, be given first, second and third readings, and be properly signed and sealed.

Carried.

CLOSED SESSION:

No. 21-435

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Council move into Closed Session at 8:30 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- (i) Labour Relations or Employee Negotiations and/or personal matters about an identifiable individual, including municipal or local board employees relating to the Finance Department.

- (ii) Advice that is subject to Solicitor Client privilege including communications necessary for that purpose relating to property on Avon Drive.

Carried.

No. 21-436

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Council move out of Closed Session and reconvene at 8:50 p.m. in order to continue with its deliberations.

Carried.

The Mayor advised that during the Closed Session, the Council provided direction to the Municipal Staff regarding a labour relations or employee negotiations and/or personal matters about an identifiable individual, including municipal or local board employees relating to the Finance Department. There is nothing further to report.

The Mayor advised that during the Closed Session, the Council provided direction to the Municipal Staff regarding Advice that is subject to Solicitor Client privilege including communications necessary for that purpose relating to property on Avon Drive. There is nothing further to report.

CONFIRMATORY:

No. 21-437

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT By-law No. 21-74, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

ADJOURNMENT:

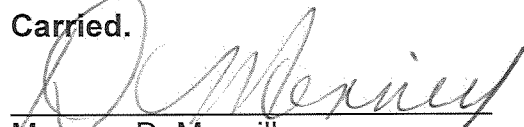
No. 21-438


Moved by: Chester Glinski

Seconded by: Mark Widner

THAT the Council adjourn its meeting at 8:52 p.m. to meet again on October 21, 2021, at 7:30 p.m.

Carried.


Mayor – D. Mennill


Clerk – A. Adams