

**The Corporation of the Township of Malahide****April 6, 2023 – 7:30p.m.**

Virtual Meeting

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The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30p.m. Seating capacity is limited and those individuals with matters pertaining to agenda items were prioritized for in person attendance. The following were present:

**Council:** Deputy Mayor M. Widner, Councillor S. Leitch, Councillor J. Wilson, and Councillor C. Glinski.

**Staff:** Chief Administrative Officer A. Betteridge, Clerk A. Adams, Director of Public Works M. Sweetland, Director of Finance A. Boylan, Director of Fire & Emergency Services J. Spoor, and Water/Waste Water Operations Manager S. Gustavson.

**Via Zoom:** Mayor D. Giguère

**Absent:** Councillor S. Lewis and Councillor R. Cerna

**Also Present:** B. Slater, MPAC and J. Spriet, Spriet & Associate Engineers

**CALL TO ORDER:**

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

**DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:**

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items D– Sparta Line Municipal Drain No. 1 and Sparta Line Municipal Drain No. 2. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

**MINUTES:****No. 23-143****Moved By: Sarah Leitch****Seconded By: John H. Wilson**

**THAT the minutes of the regular meeting of Council held on March 16, 2023 and the minutes of the special meetings of Council held on March 14, 2023 and March 27, 2023 be adopted as printed and circulated.**

**Carried**

**PRESENTATIONS/DELEGATIONS/PETITIONS:**

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items D– Sparta Line Municipal Drain No. 1 and Sparta Line Municipal Drain No. 2. He retired from the meeting and abstained from all discussions and voting on the matter.

- Court of Revision- Sparta Line Municipal Drain No. 1, relating to parts of Lot 8 and 9, Concession 3, Township of Malahide

**No. 23-144**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT Council does hereby appoint the following members to sit on the Court of Revision for the Sparta Line Drain No. 1:**

**Mayor Dominique Giguère  
Councillor Sarah Leitch  
Councillor John H. Wilson**

**Carried**

**No. 23-145**

**Moved By: Sarah Leitch**

**Seconded By: John H. Wilson**

**THAT the Court of Revision for the Sparta Line Drain No. 1 be called to order at 7:32 p.m.**

**AND THAT Dominique Giguère be appointed Chair.**

**Carried**

Chair Giguère asked the drainage engineer to briefly outline the nature of the proposed drainage works and the related assessment schedule. Drainage Engineer John Spriet provided an overview of Sparta Line Drain No. 1.

No written comments/objections were received.

Chair Giguère inquired if anyone in attendance wished to make any comments or ask any questions concerning the proposed assessment schedule and there were none.

Chair Giguère asked if any members of the Court of Revision or members of the public had any comments, questions or required any clarification from the engineer and there were none.

Chair Giguère stated that the next steps of the Court of Revision is for members to consider a resolution to either confirm the rates presented by the engineer or amend the assessments.

Drainage Engineer John Spriet explained the appeal process if warranted.

**No. 23-146**  
**Moved By: Sarah Leitch**  
**Seconded By: John H. Wilson**

**THAT the Court of Revision members for the Sparta Line Drain No. 1 do hereby accept the recommendations of Drainage Engineer John M. Spriet; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated February 1, 2023.**

**Carried**

**No. 23-147**  
**Moved By: Sarah Leitch**  
**Seconded By: John H. Wilson**

**THAT the Court of Revision relating to the Sparta Line Drain No. 1 Drain be adjourned and the Council Meeting reconvene at 7:36p.m.**

**Carried**

- Court of Revision- Sparta Line Municipal Drain No. 2, relating to parts of Lot 8 and 9, Concession 3, Township of Malahide

**No. 23-148**  
**Moved By: Sarah Leitch**  
**Seconded By: John H. Wilson**

**THAT Council does hereby appoint the following members to sit on the Court of Revision for the Sparta Line Drain No. 2:**

**Mayor Dominique Giguère**  
**Councillor Sarah Leitch**  
**Councillor John H. Wilson**

**Carried**

**No. 23-149**  
**Moved By: Sarah Leitch**  
**Seconded By: John H. Wilson**

**THAT the Court of Revision for the Sparta Line Drain No. 2 be called to order at 7:37p.m.**

**AND THAT Dominique Giguère be appointed Chair.**

**Carried**

Chair Giguère asked the drainage engineer to briefly outline the nature of the proposed drainage works and the related assessment schedule. Drainage Engineer John Spriet provided an overview of Sparta Line Drain No. 2.

No written comments/objections were received.

Chair Giguère inquired if anyone in attendance wished to make any comments or ask any questions concerning the proposed assessment schedule and there were none.

Chair Giguère asked if any members of the Court of Revision or members of the public had any comments, questions or required any clarification from the engineer and there were none.

Chair Giguère stated that the next steps of the Court of Revision is for members to consider a resolution to either confirm the rates presented by the engineer or amend the assessments.

Drainage Engineer John Spriet explained the appeal process if warranted.

**No. 23-150**

**Moved By: Sarah Leitch**

**Seconded By: John H. Wilson**

**THAT the Court of Revision members for the Sparta Line Drain No. 2 do hereby accept the recommendations of Drainage Engineer John M. Spriet; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated February 1, 2023.**

**Carried**

**No. 23-151**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT the Court of Revision relating to the Sparta Line Drain No. 2 be adjourned and the Council Meeting reconvene at 7:40p.m.**

**Carried**

Deputy Mayor Widner returned to his seat at the Council table.

- Presentation – Brenda Slater, MPAC Update

Brenda Slater provided an overview of the organization and the assessment process of properties. Ms. Slater specified that when the announcement is made regarding new assessments, the representatives will notify the Township and provide resources to assist with MPAC's roll out of new assessment values.

Councillor Wilson noted the delay in the process and that the assessment is the only lever of the Township for tax bases. Deputy Mayor Widner inquired about the delay and Ms. Slater noted that MPAC is waiting for the Ministry of Finance to change the legislative date.

Mayor Giguère inquired if there are other misconceptions beyond MPAC blitzing an area or when assessments increase taxes will double that they have encountered. Ms. Slater noted they have tried to update their resources to try to explain the misconceptions that have been circulating in the public.

Mayor Giguère inquired about what MPAC's position is on tax classifications for short term rental units. Ms. Slater stated that MPAC representatives have seen the notice circulating municipalities regarding tax classifications for short term rentals but they have not received anything directly to MPAC regarding this to respond to. Councillor Wilson stated that Airbnb may not be a concern in Malahide but in larger cities it is leading to housing shortages.

**No. 23-152**

**Moved By: Mark Widner**

**Seconded By: Chester Glinski**

**THAT the presentation of Brenda Slater of MPAC related to property assessment updates be received.**

**Carried**

#### **REPORTS OF DEPARTMENTS:**

Director of Public Works

- Malahide Wastewater Collection System: 2022 Performance Report

**No. 23-153**

**Moved By: Mark Widner**

**Seconded By: John H. Wilson**

**THAT Report No. PW-23-17 entitled "Malahide Wastewater Collection System: 2022 Performance Report" be received.**

**Carried**

- Malahide Water Distribution System: 2022 Section 11 Annual Report and Schedule 22 Summary Report

**No. 23-154**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**THAT Report No. PW-23-16 entitled “Malahide Water Distribution System: 2022 Section 11 Annual Report and Schedule 22 Summary Report” be received.**

**Carried**

- Malahide Water Distribution: Drinking Water Quality Trends and Management Review of DWQMS Operational Plan

**No. 23-155**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**THAT Report No. PW-23-15 entitled “Malahide Water Distribution: Drinking Water Quality Trends and Management Review of DWQMS Operational Plan” be received.**

**Carried**

-Malahide Water Distribution System - Fourth Quarter 2022 Operations Report

**No. 23-156**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**THAT Report No. PW-23-14 entitled “Malahide Water Distribution System - Fourth Quarter 2022 Operations Report” be received.**

**Carried**

- Tender Results: Highway No. 3 (Talbot St. E.) Watermain Replacement

**No. 23-157**

**Moved By: Mark Widner**

**Seconded By: John H. Wilson**

**THAT Report No. PW-23-21 entitled “Tender Results: Highway No. 3 (Talbot St. E.) Watermain Replacement” be received;**

**AND THAT the low bid received from Van Bree Drainage & Bulldozing Ltd. in the amount of \$923,446.00 (plus applicable taxes), for the replacement of approximately 480m of watermain on Highway No. 3 (Talbot St. E) be accepted;**

**AND THAT the Mayor and Clerk be authorized to enter into an agreement with Van Bree Drainage and Bulldozing Ltd. for the purpose of completing the Highway No. 3 Watermain Replacement Project.**

**Carried**

- Tender Results: 2023 Supply & Place Surface Treatment

**No. 23-158**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**THAT Report No. PW-23-22 entitled “Tender Results: 2023 Supply & Place Surface Treatment” be received;**

**AND THAT Township Staff defer the Fire Hall 3 HVAC replacement project to the 2024 Capital Budget;**

**AND THAT Township Staff reduce the Admin Office renovation budget from \$25,000 to \$10,000;**

**AND THAT the 2023 Supply & Place Surface Treatment work be awarded to Duncor Enterprises Inc. of Barrie, Ontario;**

**AND THAT the Mayor and Clerk be authorized to enter into an agreement with Duncor Enterprises Inc. for the purpose of completing the 2023 Surface Treatment Program.**

**Carried**

- Radar Speed Signage

**No. 23-159**

**Moved By: Chester Glinski**

**Seconded By: Sarah Leitch**

**THAT Report No. PW-23-20 entitled “Radar Speed Signage” be received.**

**AND THAT staff be directed to request the OPP to install temporary radar speed signage in the Village of Springfield**

**Carried**

-Tender Award – Sparta Line Drain No. 1

**No. 23-160**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT Report No. PW-23-23 entitled “Tender Award – Sparta Line Drain No. 1” be received;**

**AND THAT the tender for the Sparta Line Drain No.1 be awarded B. Provoost Excavating Ltd., in the amount of \$32,000.00 (plus applicable taxes).**

**Carried**

-Tender Award – Sparta Line Drain No. 2

**No. 23-161**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**THAT Report No. PW-23-24 entitled “Tender Award – Sparta Line Drain No. 2” be received;**

**AND THAT the tender for the Sparta Line Drain No. 2 be awarded Laemers Excavating, in the amount of \$27,493.66 (plus applicable taxes).**

**Carried**

Director of Corporate Services/Treasurer

-2023 Budget Approvals

**No. 23-162**

**Moved By: Mark Widner**

**Seconded By: John H. Wilson**

**THAT Report No. FIN 23-06 titled “2023 Budget By-law Approvals” be received for information;**

**AND THAT By-law 23-26 authorizing the adoption of the 2023 Budget be deferred;**

**AND THAT By-law 23-27 authorizing the establishment of various User Fees and Rates be approved.**

**Carried**



Building/Planning/By-law

- Supplementary Building Code Consultant Service Update

**No. 23-163**

**Moved By: John H. Wilson**

**Seconded By: Chester Glinski**

**THAT Report No. DS-23-11 entitled “Supplementary Building Code Consultant Service Update” be received;**

**AND THAT the draft By-law appointing new Building Officials under the Building Code Act for the Township of Malahide be approved as presented.**

**Carried**

- Re-Submitted Applications for Consent to Sever Nos. E13-23 & E18-23 of John Loewen & David Loewen (Authorized Agent: David Roe)

**No. 23-164**

**Moved By: Chester Glinski**

**Seconded By: Sarah Leitch**

**THAT Report No. DS-23-12 entitled “Re-Submitted Applications for Consent to Sever Nos. E13-23 & E18-23 of John Loewen & David Loewen (Authorized Agent: David Roe)” be received;**

**AND THAT Council defer the approval of this application.**

**Carried**

**REPORTS OF COMMITTEES/OUTSIDE BOARDS:**

**No. 23-165**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

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

- (i) Catfish Creek Conservation Authority
  - April 1, 2023 Progress Report
  - Audited Financial Statements – December 31,2022 and Notice of 2023 Budget adoption

**Carried**

**CORRESPONDENCE:****No. 23-166****Moved By: Chester Glinski****Seconded By: John H. Wilson**

**THAT correspondence items five, eight, ten, thirteen, fourteen and fifteen be supported;**

**AND THAT the remaining correspondence items be noted and filed.**

**Carried**

1. **Association of Municipalities of Ontario - Watch File – dated March 16, 2023, March 23, 2023, and March 30, 2023. (Pages 3-14)**
2. **Elgin County – Malahide Township request to review Lyons Line, west of Imperial Road – Road Safety Concerns (Pages 15-18)**
3. **Elgin County – West Elgin request to review By-law EC-1 Parking By-law. (Pages 19-61)**
4. **Elgin County – Council Highlights – March 14, 2023 (Pages 62-64)**
5. **AORS –Opposing utility locate costs from being downloaded to Ontario municipalities (Pages 65-66)**
6. **Ministry for Seniors and Accessibility – Submit a nomination for 2023 Ontario Senior of the Year Award (Page 67)**
7. **Elgin Federation of Agriculture - Request for municipalities to conduct an impact assessment to evaluate the potential long-term consequences before allowing changes to agricultural uses of land (Page 68)**
8. **Fisheries and Oceans Canada – Review and addition of aquatic species to the List of Wildlife Species at Risk (Page 69)**
9. **Municipality of Bayham – Support for Bill 5 – Stopping Harassment and Abuse by Local Leaders Act (Pages 70-71)**
10. **Food Cycle Science – Impact Canada Pilot Program – Food Waste Reduction Challenge to expand municipal programs (Page 72)**
11. **Attorney General – Update on modernization initiatives in Ontario’s Provincial Offences Act (POA) courts (Pages 73-74)**
12. **Howick Township and Municipality of North Perth – Support for School Bus Stop Arm Cameras (Pages 75-77)**

13. **Town of Plympton-Wyoming and Township of Lucan-Biddulph – Future Accuracy of the Permanent Register of Electors (Pages 78-80)**
14. **Town of Plympton-Wyoming and Township of Lucan-Biddulph – Barriers for Women in Politics (Pages 81-83)**
15. **Corporation of the Town of Essex - Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales (Pages 84-85)**
16. **Corporation of the Town of Essex - Tax Classification of Short-Term Rental Units (Pages 86-87)**
17. **Ministry of Natural Resources and Forestry – Proposal to amend Ontario Regulation 161/17 to the Public Lands Act to change the requirements related to floating accommodations (Pages 88-89)**
18. **Western Ontario Wardens' Caucus – Supports Huron County's Call for Cannabis Act Review (Page 90-93)**

**Carried**

#### **OTHER BUSINESS:**

Councillor Leitch brought forth concerns she has heard circulating in the community regarding the delay with development plans in Springfield. CAO Betteridge noted that a firm had prepared feasibility options to facilitate new growth in Springfield and next steps. These next steps haven't occurred for a few reasons, one being that the Township doesn't have an on-site Director of Development Services to start exploring these options. However, staff will be bringing a report to Council in the next month or two seeking direction based on these options. Councillor Wilson noted the importance of developing the strategic plan in discussing these next steps as developers may want large subdivisions but the strategic plan will assist with creating a representative cohesive plan.

#### **BY-LAWS:**

**No. 23-167**

**Moved By: Sarah Leitch**

**Seconded By: John H. Wilson**

**That the following by-laws be considered read a first, second and third reading and properly signed and sealed.**

- **By-law No.23-27, being a By-law to establish various User Fees and Rates**
- **By-law No.23-30, being a being a By-law to authorize the execution of an Agreement with Da-Lee Dust Control Ltd. for the supply and apply Dust Control**

- **By-law No.23-32, being a By-law to authorize the execution of an Agreement with Van Bree Drainage & Bulldozing Ltd. for the Highway 3 Watermain Replacement Project**
- **By-law No.23-19, being a By-law to appoint Building Officials under the Building Code Act for the Township of Malahide**

**Carried**

**CLOSED:**

**No. 23-168**

**Moved By: Mark Widner**

**Seconded By: Sara Leitch**

**THAT Council move into Closed Session at 9:10p.m., pursuant to Section 239(2)(e&d), consideration will be given to items pertaining to litigation or potential litigation affecting the municipality relating to property on Avon Drive and a labour relations or employee negotiations matter relating to a shared staff recruitment matter.**

**Carried**

**No. 23-169**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT Council move out of Closed Session and reconvene at 9:47p.m. in order to continue with its deliberations.**

**Carried**

**No. 23-170**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**THAT Malahide Council provided staff direction regarding litigation or potential litigation affecting the municipality relating to property on Avon Drive and a labour relations or employee negotiations matter relating to a shared staff recruitment matter.**

**Carried**

**CONFIRMATORY:**

**No. 23-171**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT By-law No.23-31, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**ADJOURNMENT:**

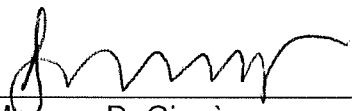
**No. 23-172**


**Moved By: Mark Widner**

**Seconded By: Chester Glinski**

**THAT the Council adjourn its meeting at 9:49p.m. to meet again on April 20, 2023, at 7:30 p.m.**

**Carried**

  
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Mayor – D. Giguère

  
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Clerk – A. Adams