

The Corporation of the Township of Malahide**February 2, 2023 – 7:30p.m.**Virtual Meeting – <https://youtu.be/Om1BBAbGd30>

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: Mayor D. Giguère, Deputy Mayor M. Widner, Councillor S. Leitch, Councillor J. Wilson, Councillor S. Lewis, and Councillor C. Glinski.

Staff: Chief Administrative Officer A. Betteridge, Clerk A. Adams, Director of Public Works M. Sweetland, Director of Finance A. Boylan, and Director of Fire & Emergency Services J. Spoor.

Via Zoom: Councillor R. Cerna

Absent:

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 – Court of Revision – W. McIntyre Drain. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

MINUTES:

No. 23-045

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the minutes of the regular meeting of the Council held on January 19, 2023 be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:

- Court of Revision – W. McIntyre Drain

Deputy Mayor Widner declared a conflict of interest with respect to Council Agenda items D – Court of Revision – W. McIntyre Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 23-046

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the W. McIntyre Drain:

Mayor Dominique Giguère (Chair)

Councillor John H. Wilson

Councillor Sarah Leitch

Carried

No. 23-047

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Court of Revision for the W. McIntyre Drain be called to order at 7:33p.m.

AND THAT Dominique Giguère be appointed Chair.

Carried

The Drainage Engineer, George Vereyken, of Spriet Associates provided an overview of the Drain application and assessments.

Chair Giguère inquired if any written comments/objections had been received and was advised that there were none.

Chair Giguère inquired if anyone wished to make comment regarding their assessment and there were none.

Chair Giguère inquired if any persons were in attendance that wished to comment or ask questions concerning the Drainage Report and there were none.

Chair Giguère inquired if any members of Council had any questions concerning the Drainage Report and there were none.

No. 23-048

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Court of Revision members for the W. McIntyre Drain 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 November 8,2022.

Carried

No. 23-049

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Court of Revision relating to the W. McIntyre Drain be adjourned and the Council Meeting reconvene at 7:36p.m.

Carried

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

-Public Meeting – Zoning By-law– Applicant, Deren Lyle (c/o CJDL) on behalf of Performance Communities Realty Inc. and Schipper Farms Ltd.

No. 23-050

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z17-22 of Performance Communities Realty Inc. and Schipper Farms Ltd, relating to the property located at CON NTR PT LOT 80 PCL 80-1;RP 11R2571 PARTS 4,5&6, Concession North of Talbot Road; be called to order at 7:37p.m.

Carried

Mayor Giguère advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property.

Mayor Giguère 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 for two consecutive weeks on January 11th and 18th. 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 Giguère requested that Eric Steele of Monteith Brown provide an overview of the Application and he did so.

Mayor Giguère asked if the applicant had anything to add and they did not.

Mayor Giguère asked if any Council Members wished to make any comments regarding the application. Councillor Glinski inquired if the property was owned by Aylmer or Malahide. CAO Betteridge confirmed its not owned by Aylmer or Malahide but rather is Privately owned. Deputy Mayor Widner inquired about the property being landlocked but there is driveway shown on the mapping. Mr. Steele stated that the driveway would be eliminated if the proposed subdivision occurs. The applicant, Mr. Lyle of CJDL, confirmed this. Councillor Widner asked if the vegetation would be removed because of the driveway removal. Mr. Lyle stated that the existing vegetation will remain and there will be a proposed multi use trail connection to the existing trail and existing infrastructure within that area that will service the subdivision.

Mayor Giguère asked if anyone was in attendance that wished to make comment and there was not.

No. 23-051

Moved By: John H. Wilson

Seconded By: Chester Glinski

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z17-22 of Performance Communities Realty Inc. and Schipper Farms Ltd, relating to the property located at CON NTR PT LOT 80 PCL 80-1;RP 11R2571 PARTS 4,5&6, Concession North of Talbot Road; be adjourned and the Council reconvene at 7:45p.m.

Carried

No. 23-052

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Report No. DS-23-03 entitled “Zoning By-law Amendment Application of Performance Communities Realty Inc. and Schipper Farms Ltd. Authorized Agent: Deren Lyle (c/o CJDL)” be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z17-22 of Performance Communities Realty Inc. and Schipper Farms Ltd. (Authorized Agent: Deren Lyle (c/o CJDL)), relating to the property located at Performance Communities Realty Inc. and Schipper Farms Ltd, BE APPROVED for the reasons set out in this Report.

Carried

-Public Meeting-Zoning By-law Amendment – Applicant, Joseph M. Hentz on behalf of James & Doreen MacIntyre

No. 23-053
Moved By: Mark Widner
Seconded By: John H. Wilson

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z19-22 of James and Doreen MacIntyre, relating to the property located at CON 8 N PT LOT 6; and known municipally as Part Lot 6, Concession 8, 11R-6241, Part 2; be called to order at 7:47p.m.

Carried

Mayor Giguère advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property.

Mayor Giguère 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 for two consecutive weeks on January 11th and 18th. 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 Giguère requested that Eric Steele of Monteith Brown provide an overview of the application. Eric Steele provided an overview of the zoning application that had been submitted for the property.

Mayor Giguère asked if the applicant had anything to add and they did not.

Mayor Giguère asked if any Council Members wished to make any comments regarding the application and they did not.

Mayor Giguère asked if anyone was in attendance that wished to make comment and there was not.

No. 23-054
Moved By: John H. Wilson
Seconded By: Sarah Leitch

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z19-22 of James and Doreen MacIntyre, relating to the property located at CON 8 N PT LOT 6; and known municipally as Part Lot 6, Concession 8, 11R-6241, Part 2; be adjourned and the Council reconvene at 7:51p.m.

Carried

No. 23-055
Moved By: Scott Lewis
Seconded By: Chester Glinski

THAT Report No. DS-23-04 entitled “Zoning By-law Amendment Application of James and Doreen MacIntyre” be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z19-22 of James and Doreen MacIntyre, relating to the property located at CON 8 N PT LOT 6, and known municipally as Part Lot 6, Concession 8, 11R-6241, Part 2, BE APPROVED for the reasons set out in this Report.

Carried

REPORTS OF DEPARTMENTS:

Director of Fire & Emergency Services

- Malahide Fire and Emergency Services -2022 Year End Report

No. 23-056

Moved By: John H. Wilson

Seconded By: Mark Widner

THAT Report No. F23-01 entitled “Malahide Fire and Emergency Services – 2022 Year End Report” be received.

AND THAT the Officers appointed for Malahide Fire Services effective January 1, 2023 are: South Station – District Chief, Randy Loewen; District Deputy Chief, Jason Brown; Captains: Joseph DeRyk Jr., Dylan DeKraker, Randy Huse, Andy Lamb, Scott Salmon, and Harmen Schuurman; North Station – District Chief, Ryan DeSutter, District Deputy Chief, Dave Bradley; Captains: Aaron Bradley, Rob DeSutter, Dennis Johnson, Mark Moyer, Rob Lindsay and Corey VanDenNest.

Carried

Director of Public Works

- Tender Award Follow-up Report re: Single Axle Dump Truck Complete with Winter Control Equipment

No. 23-057**Recorded Vote**

| | |
|--|------------|
| Deputy Mayor Mark Widner | No |
| Ward 1 Councillor Sarah Leitch | Yes |
| Ward 2 Councillor John H. Wilson | No |
| Ward 3 Councilor Rick Cerna | No |
| Ward 4 Councillor Scott Lewis | Yes |
| Ward 5 Councillor Chester Glinski | No |
| Mayor Dominique Giguère | Yes |

THAT Report No. PW-23-07 entitled “Tender Award Follow-up Report re: Single Axle Dump Truck Complete with Winter Control Equipment be received;

AND THAT the bid received from Team Truck Centres of London, Ontario in the amount of \$358,505.00 (plus applicable taxes), for the purchase of one new single axle dump truck complete with winter control equipment be accepted;

THAT Staff be directed to prepare terms of reference to establish the Township Equipment Committee as a formal Committee of Council;

AND THAT Staff be directed to report on an updated Long-Term Financial Plan for all Township Fleet replacement cycle.

Defeated

No. 23-058

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Staff be directed to prepare terms of reference to establish the Township Equipment Committee as a formal Committee of Council;

AND THAT Staff be directed to report on an updated Long-Term Financial Plan for all Township Fleet replacement cycle.

Carried

CAO

- Shared Director of Development Services Recruitment

No. 23-059

Moved By: Mark Widner

Seconded By: Sarah Leitch

THAT Report No. CAO-23-01 entitled “Shared Director of Development Services Recruitment” be received;

AND THAT Council directs the Chief Administrative Officer to formally invite the Bayham Mayor, Deputy Mayor (or designate(s)) and the CAO of the Municipality of Bayham to sit with the Township’s Mayor, Deputy Mayor (or designate(s)), CAO, and the HR Manager to form the Recruitment Committee for the hiring of a new Director of Development Services.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

-Terrace Lodge Redevelopment Fundraising Committee – Recruitment of Members

No. 23-060

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT the correspondence from Elgin County regarding recruitment of members for the Terrace Lodge Redevelopment Fundraising Committee be received;

AND THAT Council appoint Sarah Leitch to the Terrace Lodge Redevelopment Fundraising Committee for the four-year Council term.

CORRESPONDENCE:

Mayor Giguère referenced the correspondence item from the Town of Aylmer in regards to the Development of the Industrial Park Municipal Class Environmental Assessment Study and suggests that staff continue to monitor the results of the study.

No. 23-061
Moved By: Lewis
Seconded By: Glinski

THAT the following correspondence be noted and filed:

1. Association of Municipalities of Ontario - Watch File – dated January 26, 2023.
(Pages 2-5)
2. Town of Petrolia – Resolution requesting school boards become responsible for conducting their own trustee elections or for compensation to be provided to municipalities for overseeing them. **(Page 6)**
3. Township of Malahide - Zoning By-law Amendment Application No. D14-Z14-22– Correspondence received from Michael Down (agent) in response to denied rezoning application at 49485 Dexter Line. **(Page 7)**
4. Municipality of Killarney & Township of Huron-Kinloss - Correspondence received regarding letter of support of Township of Malahide Federal Cannabis Act Review Resolution. **(Pages 8-10)**
5. Elgin County Economic Development & Tourism – What’s New in Elgin – January 2023 issue. **(Pages 11-30)**
6. Municipal Property Assessment Corporation – 2022 Municipal Partnership Report. **(Page 31)**
7. City of Kitchener – Resolution regarding the Ontario’s Big City Mayors (OBCM) Bill 23, More Homes Built Faster Act, 2022. **(Pages 32-34)**
8. Kettle Creek Conservation Authority – Notice of Meeting for Levy Approval. **(Pages 35-36)**
9. City of Thunder Bay – Bill 42 – Gender Affirming Healthcare Act **(Page 37)**
10. Grand River Conservation Authority – Pre-Consultation notice regarding proposed changes to the Kettle Creek Source Protection Plan. **(Pages 38-43)**
11. Town of Aylmer – Planning Applications
 - Notice of Completion - Development of Industrial Park - Municipal Class Environmental Assessment Study. **(Page 44)**
 - Notice of Rescheduled Public Meeting – 62 Pine Street West. **(Pages 45-47)**

Carried

OTHER BUSINESS:

Councillor Wilson commented on a call he received about drainage requirements. He inquired if the sizes of drain materials were increasing based on requirements or if engineers were simply asking for larger and if things are being over engineered. If it's a want and not a requirement it would decrease the costs to the landowners and areas downstream, like Port Bruce could be saved some significant waterflows. Director of Public Works Sweetland noted the downstream implications of projects can be significant but when a petition is received they look at standard and alternatives practices and they look at the downstream effects. All of these items can be reviewed and altered at the site meeting. Deputy Mayor Widner noted that drains were also designed to slow the water down and if storm water management is ever implemented. Director Sweetland reiterated that discussions and considerations are made at the time of site meeting and these items, if determined to be wanted, amongst the property owners can be built into the design. Councillor Glinski stated that the type of soil that is being drained needs to be considered as well in these considerations.

Mayor Giguère indicated that this would be a beneficial topic at one of the upcoming orientation sessions that are to be scheduled for Council.

Deputy Mayor Widner mentioned the ROMA convention that he, the Mayor and the CAO attended a few weeks prior and that there were a lot of good workshops and seminars with information on recycling, home building, homelessness, indigenous affairs amongst other good topics.

Deputy Mayor Widner stated that there was an upcoming County Council budget consideration meeting that the public should attend. Mayor Giguère confirmed that the budget open house was February 6, 2023, beginning at 5:30p.m. at the Elgin County Building. The budget is available online and has been shared by the Township on their social media page for residents to review.

Councillor Wilson inquired about the grant opportunity that was discussed at the EECC meeting and if there are any opportunities for Malahide to apply for these funding opportunities. CAO Betteridge stated that he had consulted with Director Sweetland and there was nothing that currently fit the requirements of the specified grant matching with the current capital plans. Councillor Wilson inquired when he did review the information, a water treatment plant was listed and this money could go along way to a project like that. Mayor Giguère noted that grant notifications are provided to staff so they are aware of what opportunities are out there but generally you have to have the project ready and then apply for funding after. Councillor Wilson recognized the requirement to have a shovel ready project but noticed that there were multiyear timeframes listed. CAO Betteridge stated that if or when there is a project for water or sewer extensions ready, upper level funding will be required to make it feasible and we will take advantage of any opportunities at that point. Deputy Mayor Widner inquired about the grant criteria for HVAC systems. Director of Public Works reiterated that there were no funding initiatives of this grant that fit the current projects and that we don't create a project to fit a grant but rather have a project in mind and then we find a grant.

Councillor Wilson acknowledged the topic of homelessness that Deputy Mayor Widner had mentioned as a topic of the recent ROMA convention and wanted to inform everyone that the Family Central is having an open house around this topic and he would provide details about the event at a later date. Mayor Giguère recognized that there are some good programs and initiatives in the community being done in respect to homelessness and it's tricky for a municipality to know its role and how to contribute to the solution.

CONFIRMATORY:

No. 23-062

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT By-law No.23-09, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

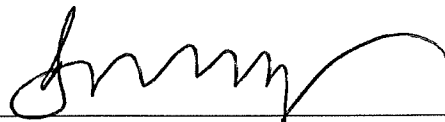
No. 23-063

Moved By: Mark Widner

Seconded By: Chester Glinski

THAT the Council adjourn its meeting at 8:56p.m. to meet again on February 16, 2023, at 7:30 p.m.

Carried



Mayor – D. Giguère



Clerk – A. Adams