

The Corporation of the Township of Malahide**March 16, 2023 – 6:45p.m.**Virtual Meeting – <https://youtu.be/CpEhPYy7rXs>

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 6:45p.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, Councillor R. Cerna, 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:

Absent:

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 6:45p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items E– Meeting to Consider Robinson Drain. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

CLOSED:

No. 23-117

Moved By: Rick Cerna

Seconded By: John H. Wilson

THAT Council move into Closed Session at 6:46p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following

- (i) Training and education for the purpose of professional development relating to a Council orientation session on strategic planning.**

Carried

No. 23-118

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT Council move out of Closed Session and reconvene at 7:36p.m. in order to continue with its deliberations.

Carried

The Clerk stated that during the Closed Session, Council were provided training and education relating to a strategic planning session as part of professional development and Council Orientation. There is nothing further to report.

MINUTES:

No. 23-119

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the minutes of the regular meeting of the Council held on March 2, 2023 be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:

- Public Meeting – Zoning By-law & Severance Application–Applicant, Simona Rasanu (SBM Ltd.) on behalf of Joelle Giret, Colleen Giret and Jeremy Giret, relating to property at CON 9 S PT LOT 6, 13996 Whittaker Road

No. 23-120

Moved By: John H. Wilson

Seconded By: Rick Cerna

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z01-23 OF Joelle Giret, Colleen Giret, & Jeremy Giret c/o Strik, Baldinelli, Moniz Ltd., relating to the property located at Concession 9 S, Part Lot 6, and known municipally as 13996 Whittaker Road; be called to order at 7:41p.m.

Carried

No. 23-121**Moved By: Mark Widner****Seconded By: John H. Wilson**

THAT the Public Meeting concerning the Zoning By-law Amendment Application No. D14-Z01-23 of Joelle Giret, Colleen Giret, & Jeremy Giret c/o Strik, Baldinelli, Moniz Ltd., relating to the property located at Concession 9 S, Part Lot 6, and known municipally as 13996 Whittaker Road; be adjourned and the Council reconvene at 7:48p.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 February 22, 2023 and March 1, 2023. In addition, affected property owners within 120 meters were sent a notice by 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.

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.

No. 23-122**Moved By: John H. Wilson****Seconded By: Rick Cerna**

THAT Report No. DS-23-05 entitled “Application for Consent to Sever No. D10-E8-23 and associated Application for Zoning By-law Amendment No. D14-Z01-23 of Joelle Giret, Colleen Giret, & Jeremy Giret c/o Strik, Baldinelli, Moniz Ltd.” be received;

AND THAT the Application for Consent to Sever No. D10-E8-23 relating to the property located at Concession 9 S, Part Lot 6, and known municipally as 13996 Whittaker Road, be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions, with the removal of condition 2 being the entrance permit and condition 3 being the lot grading plan, be forwarded to the Land Division Committee for its review and consideration;

AND THAT the Zoning By-law Amendment Application No. D14-Z01-23 relating to the property located at Concession 9 S, Part Lot 6, and known municipally as 13996 Whittaker Road, BE APPROVED for the reasons set out in this Report.

AND THAT Council withholds the passing of the By-law until such time that a Notice of Decision from the County of Elgin approving the associated Consent Application has been received to the satisfaction of the Township of Malahide.

Carried

- Meeting to Consider – Robinson Drain, relating to parts of Lot 2, Concession 9, Township of Malahide

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items E – Meeting to Consider Robinson Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

George Vereyken, Engineer, was in attendance and provided an overview of the work required, by presenting the Engineering Report for the Robinson Drain 2023, dated February 16, 2023.

There were no questions from any affected landowners.

There were no additions or removal of names to the petition.

There were no questions or comments from Members of Council

No. 23-123

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT the Engineer's Report for the Robinson Drain be accepted;

AND THAT By-law No. 23-25 being a by-law to provide for the Robinson drainage works be read a first and second time and provisionally adopted.

Carried

No. 23-124

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the Court of Revision for the Robinson Drain be scheduled to be held on April 20, 2023, at 7:30 p.m.

Carried

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

REPORTS OF DEPARTMENTS:

Director of Public Works

- Tender Results – Carter Road Bridge Rehabilitation

No. 23-125

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Report No. PW-23-18 entitled “Tender Results – Carter Road Bridge Rehabilitation” be received;

AND THAT the Carter Road Bridge Rehabilitation be awarded to W. G. Kelly Construction of Mitchell, Ontario in the amount of \$242,597.00 (plus HST);

AND THAT the Mayor and Clerk be authorized to enter into an agreement with W. G. Kelly Construction for the purpose of completing the Carter Road Bridge Rehabilitation.

Carried

- Dust Control Contract Extension

No. 23-126

Moved By: Mark Widner

Seconded By: Scott Lewis

THAT Report No. PW-23-19 entitled “Dust Control Contract Extension” be received;

AND THAT Township Council authorize the requested price increase to \$0.315 per litre of applied calcium chloride dust control and fuel surcharge tied to the two-week trailing diesel rack rate.

Carried

Director of Corporate Services/Treasurer

- 2022 Council Remuneration and Expense

No. 23-127
Moved By: Sarah Leitch
Seconded By: Chester Glinski

THAT Report No. FIN 23-02 entitled “2022 Council Remuneration and Expense” be received.

Carried

Building/Planning/By-law

- Application for Consent to Sever No. E3-23 of Chad Underhill Farms Ltd.

No. 23-128
Moved By: Chester Glinski
Seconded By: John H. Wilson

THAT Report No. DS-23-06 entitled “Application for Consent to Sever No. E3-23 of Chad Underhill Farms Ltd.” be received;

AND THAT the Application for Consent to Sever of Chad Underhill Farms Ltd., relating to the property located at Concession 1 W, Part of Lot 29, and known municipally as 52361 Nova Scotia Line, be supported for the reasons set out in this Report;

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

Carried

- Passing of Zoning By-law of David and Mary Thiessen

No. 23-129
Moved By: Scott Lewis
Seconded By: Chester Glinski

THAT Report No. DS-23-09 entitled “Passing of Zoning By-law of David and Mary Thiessen” be received;

AND THAT the Zoning By-law be passed for the previous approval of the application of David and Mary Thiessen relating to the property located at North Part of Lot 24, Concession 3, and known municipally as 51553 Calton Line.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

- Kettle Creek Conservation Authority 2023 Budget

No. 23-130

Moved By: John H. Wilson

Seconded By: Scott Lewis

THAT the correspondence received from the Kettle Creek Conservation Authority, dated February 23, 2023, regarding the approval of the 2023 Budget be received.

Carried

-Long Point Region Conservation Authority - Minutes

No. 23-131

Moved By: Rick Cerna

Seconded By: Scott Lewis

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

(i) Long Point Region Conservation Authority – Minutes of February 1, 2023

Carried

CORRESPONDENCE:

No. 23-132

Moved By: John H. Wilson

Seconded By: Rick Cerna

THAT correspondence received from AMO in relation to sending a letter to the Minister of Transport Canada that speaks to the issue of Railways and the Drainage Act be supported.

Carried

No. 23-133

Moved By: John H. Wilson

Seconded By: Rick Cerna

THAT correspondence from Municipality of Chatham-Kent regarding Municipal Insurance Costs be supported.

Carried

No. 23-134

Moved By: John H. Wilson

Seconded By: Rick Cerna

THAT correspondence from the Township of Moonbeam regarding extension to the moratorium on most pupil accommodation reviews be supported.

Carried

No. 23-135

Moved By: John H. Wilson

Seconded By: Rick Cerna

THAT the following correspondence be noted and filed:

- 1. Association of Municipalities of Ontario - Watch File – dated March 2, 2023. (Pages 2-5)**
- 2. Municipality of Dutton-Dunwich - Provincial Policy Statement Exemptions. (Page 9)**
- 3. Otter Valley Naturalists – The Mayor’s Monarch Pledge. (Page 11)**
- 4. Alexandra Hospital, Ingersoll and Tillsonburg District Memorial Hospital – Media Release – March 6, 2023. (Pages 12-13)**
- 5. Ministry of the Environment, Conservation and Parks – Municipal Class Environmental Assessment (EA) Amendment: (Pages 14-16)**
 - Stakeholder Notification dated March 3, 2023**
 - EA Modernization Update – Notification Letter dated March 10, 2023**
- 6. The Corporation of the Town of Cobourg – Homeless and Unsheltered Persons. (Pages 19-22)**
- 7. Elgin County – Council Highlights – February 28, 2023. (Pages 23-26)**
- 8. Municipality of Trent Lakes – Municipal Oath of Office. (Pages 27-28)**

Carried

OTHER BUSINESS:

-Lyons Line

No. 23-136

Moved By: Rick Cerna

Seconded By: John H. Wilson

THAT Township of Malahide Council requests that Elgin County Council conduct speed and traffic counts on Lyons Line at west of Imperial Road in support of extending the 60km/h speed limit westerly beyond the built-up residential area.

Carried

Councillor Wilson raised the concern of speeding throughout the Village of Springfield and what could be done about this. Mayor Giguère mentioned that temporary speed signs could be requested from the OPP. Councillor Wilson was wondering about permanent signs and the cost of these. Mayor Giguère had noted that in the past a community group could raise the funds to purchase these and indicated that staff could look into the costs of these signs and provide a follow up report to Council.

BY-LAWS:

No. 23-137

Moved By: Chester Glinski

Seconded By: John H. Wilson

- By-law No. 23-22 – 2023 Roadside Grass Cutting

THAT By-law No.23-22, being a By-law to authorize the execution of an Agreement with Fitch General Contracting Inc. for roadside grass cutting for 2023, be given first, second and third readings, and be properly signed and sealed.

Carried

CONFIRMATORY:

No. 23-138

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT By-law No.23-24, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

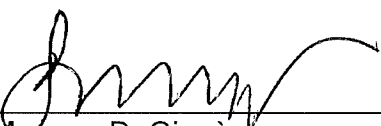
No. 23-139

Moved By: Mark Widner


Seconded By: Chester Glinski

THAT the Council adjourn its meeting at 8:28p.m. to meet again on April 6, 2023, at 7:30 p.m.

Carried



Mayor – D. Giguère



Clerk – A. Adams