

**The Corporation of the Township of Malahide****April 7, 2022 – 7:30 p.m.****Virtual Meeting - <https://youtu.be/PO5O1iDC4qk>**

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Due to COVID 19 and Public Health concerns, the Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, 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 Public Works M. Sweetland, Director of Finance A. Boylan, Director of Fire and Emergency Services J. Spoor.

**Council via Zoom:** N/A

**Staff via Zoom:** Water/Waste Water Manager Sam Gustavson and Manager of Building Services/By-law Enforcement Scott Sutherland.

**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 Moore disclosed a pecuniary interest with respect to Council Agenda Section G Correspondence, item 8 - Ontario Nurses - Repeal Bill 124. The nature of the conflict being that immediate relatives of his are nurses.

**MINUTES:****No. 22-128****Moved By: Rick Cerna****Seconded By: Scott Lewis**

**THAT the minutes of the regular meeting of the Council held on March 17, 2022, be adopted as printed and circulated.**

**Carried**

**PRESENTATIONS/DELEGATIONS/PETITIONS:****No. 22 –129****Moved By: Mark Widner****Seconded By: Dominique Giguère**

**THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:34p.m. and that Mayor Dave Mennill be appointed Chairperson for the “Committee of Adjustment”.**

**Carried**Public Hearing–Minor Variance Application - Holmes

Chair Mennill advised that the purpose of this Public Meeting is to consider an application for a Minor Variance as submitted by Calvin and Hanna Holmes. CAO Betteridge stated that the application is to grant relief from the requirements of the Township of Malahide Zoning By-law which prohibit accessory structures (such as shops) from being located closer to the front lot line than the minimum distance required for the dwelling, in the front yard, closer to the road than the dwelling, and closer to a municipal drain than 7.5 metres.

Mennill asked the Applicant and/or their agent to provide any additional information and there were none.

Chair Mennill asked if any comments were received and the Clerk advised there were no additional comments received that weren't included in the report and no other correspondence was received.

Chair Mennill asked if any person in attendance wished to make any comments regarding the application and there were none.

Chair Mennill inquired if any Committee Members had any questions regarding the application and there were none.

**No. 22 –130****Moved By: Max Moore****Seconded By: Rick Cerna**

**THAT Report No. DS-22-14 entitled “Minor Variance Application No. D13-MV-04-22 of Calvin and Hanna Holmes” and affecting lands described as Part Lot 11, Concession 1, Part 3 of RP 11R2824, former Geographic Township of Malahide, Township of Malahide (49395 Nova Scotia Line) be received;**

**AND THAT the Township of Malahide Committee of Adjustment**

**APPROVE** Minor Variance Application No. D13-MV-04-22 to permit a 100.26 square metre detached accessory building 4.5 metres from the front lot line, in the front yard, and closer to Nova Scotia Line than their existing dwelling, and 3.5 metres from the McDonald Drain;

**AND THAT** the approval shall be subject to the following conditions:

- 1) That the owner/applicant provide confirmation from a licensed surveyor of the location of the McDonald Drain and 3.5 metre setback for the structure to the satisfaction of the Township;**
- 2) That the owner/applicant obtain the necessary Building Permit within 2 years from the date of decision to the satisfaction of the Chief Building Official, ensuring that the approved variances apply only to the proposed accessory structure as illustrated with the application, and location changed due to the proximity to the McDonald Drain; and,**
- 3) That the structure be constructed as per the details shown in the drawings as provided with the application (architectural detail) to the satisfaction of the Chief Building Official.**

**Carried**

**No. 22 – 131**

**Moved By: Dominique Giguère**

**Seconded By: Chester Glinski**

**THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:38p.m.**

**Carried**

Public Meeting – Zoning By-law Amendment - Loewen

**No. 22 – 132**

**Moved By: Scott Lewis**

**Seconded By: Mark Widner**

**THAT the Public Meeting concerning the Zoning By-law Amendment Application of John Loewen, relating to the property located at Lot 23 & 24, Concession N Gore; and known municipally as 51432 Woolleyville Line, be called to order at 7:38p.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 51432 Woolleyville Line from site-specific Large Lot Agricultural (A3-4) zone to Large Lot Agricultural (A3) Zone.

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 March 16, 2022 and March 23, 2022. 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 that Eric Steele from Monteith Brown acting on behalf of the Township, provide an overview of the application. Mr. Steele provided an overview of the zoning application as detailed in the report and that based on the review the proposal could be supported given the conditions outlined in the report.

Mayor Mennill asked if the agent for the applicant, David Roe, wished to make any comments. Mr. Roe provided a brief additional overview of his applicant's proposal that was outlined in the report.

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

**No. 22 – 133**

**Moved By: Rick Cerna**

**Seconded By: Chester Glinski**

**THAT the Public Meeting concerning the Zoning By-law Amendment Application of John Loewen, relating to the property located at Lot 23 & 24, Concession N Gore; be adjourned and the Council reconvene at 7:43 p.m.**

**Carried**

**No. 22 – 134**

**Moved By: Max Moore**

**Seconded By: Dominique Giguère**

**THAT Report No. DS-22-16 entitled “Zoning By-law Amendment Application of John Loewen” be received;**

**AND THAT the Zoning By-law Amendment Application No. D14-Z01-22 of John Loewen, relating to the property located at Lot 23 & 24, Concession N Gore; and known municipally as 51432 Woolleyville Line, BE APPROVED for the reasons set out in this Report.**

**Carried**

**No. 22 – 135**

**Moved By: Scott Lewis**  
**Seconded By: Mark Widner**

**THAT By-law No. 22-21 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the property owned by John Loewen, located at Lot 23 & 24, Concession N Gore, be given first, second and third readings, and properly signed and sealed.**

**Carried**

Public Meeting – Zoning By-law Amendment - Loewen

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 51477 Glencolin Line from General Agricultural (A1) zone to site specific General Agricultural (A1-20-H-1) zone.

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 March 16, 2022 and March 23, 2022. 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 that Eric Steele from Monteith Brown acting on behalf of the Township, provide an overview of the application. Mr. Steele provided an overview of the zoning application as detailed in the report and that based on the review the proposal could be supported given the conditions outlined in the report.

Mayor Mennill asked if the agent for the applicant, David Roe, wished to make any comments. Mr. Roe didn't have any additional comments.

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

**No. 22 – 136**

**Moved By: Rick Cerna**  
**Seconded By: Mark Widner**

**THAT the Public Meeting concerning the Zoning By-law Amendment Application of John Loewen, relating to Part Lot 23, Concession N Gore, Part Lot 4 on Reference Plan 11R7037 and known municipally as 51477 Glencolin Line, be called to order at 7:44 p.m.**

**Carried**

**No. 22 – 137**  
**Moved By: Max Moore**  
**Seconded By: Scott Lewis**

**THAT the Public Meeting concerning the Zoning By-law Amendment Application of John Loewen, relating to Part Lot 23, Concession N Gore, Part Lot 4 on Reference Plan 11R7037 be adjourned and the Council reconvene at 7:48p.m.**

**Carried**

**No. 22 – 138**  
**Moved By: Rick Cerna**  
**Seconded By: Chester Glinski**

**THAT Report No. DS-22-15 entitled “Zoning By-law Amendment Application of John Loewen” be received;**

**AND THAT the Zoning By-law Amendment Application No. D14-Z02-22 of John Loewen, relating to the property located at Lot 23, Concession N Gore, Part Lot 4 on Reference Plan 11R7037; and known municipally as 51477 Glencolin Line, BE APPROVED for the reasons set out in this Report.**

**Carried**

**No. 22 – 139**  
**Moved By: Mark Widner**  
**Seconded By: Dominique Giguère**

**THAT By-law No. 22-22 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the property owned by John Loewen, located at Lot 23, Concession N Gore, Part Lot 4 on Reference Plan 11R7037, be given first, second and third readings, and properly signed and sealed.**

**Carried**

The Mayor thanked David Roe and he retired from the meeting.

**REPORTS:**

Director of Public Works

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

**No. 22 – 140**  
**Moved By: Dominique Giguère**  
**Seconded By: Scott Lewis**

**THAT Report No. PW-22-09 entitled “Malahide Water Distribution: Drinking Water Quality Trends and Management Review of DWQMS Operational Plan” be received.**

**Carried**

- Malahide Wastewater Collection System: 2021 Performance Report

**No. 22 – 141**  
**Moved By: Max Moore**  
**Seconded By: Scott Lewis**

**THAT Report No. PW-22-16 entitled “Malahide Wastewater Collection System: 2021 Performance Report” be received.**

**Carried**

-Malahide Water Distribution System-2021 Fourth Quarter Operations Report

**No. 22 – 142**  
**Moved By: Mark Widner**  
**Seconded By: Chester Glinski**

**THAT Report No. PW-22-19 entitled “Malahide Water Distribution System-2021 Fourth Quarter Operations Report” be received.**

**Carried**

Building/Planning/By-law

- Application to Consent to Sever of Scott Hayhoe Farms Inc.

MBPC Planner, Eric Steele provided an overview of the consent application as detailed in the report and that based on the review the application is being recommended with conditions.

**No. 22 – 143**  
**Moved By: Dominique Giguère**  
**Seconded By: Max Moore**

**THAT Report No. DS-22-17 entitled “Application for Consent to Sever of Scott Hayhoe Farms Inc.” be received;**

**AND THAT the Application for Consent to Sever of Scott Hayhoe Farms Inc. relating to the property located at Part Lot 32, Concession 3 and known municipally as 52947 Calton Line, be supported for the reasons set out in this Report;**

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

**Carried**

-Application to Consent to Sever of Scott Hayhoe Farms Inc.

MBPC Planner, Eric Steele provided an overview of the consent application as detailed in the report and that based on the review the application is being recommended. with conditions.

**No. 22 – 144**

**Moved By: Rick Cerna**

**Seconded By: Chester Glinski**

**THAT Report No. DS-22-18 entitled “Application for Consent to Sever of Scott Hayhoe Farms Inc.” be received;**

**AND THAT the Application for Consent to Sever of Scott Hayhoe Farms Inc. relating to the property located at Part Lot 32, Concession 3 and known municipally as 52887 Calton Line, be supported for the reasons set out in this Report;**

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

**Carried**

-Application to Consent to Sever of G. & M. Howe & Sons Ltd.

MBPC Planner, Eric Steele provided an overview of the consent application as detailed in the report and that based on the review the application is being recommended.

**No. 22 – 145**

**Moved By: Chester Glinski**

**Seconded By: Rick Cerna**

**THAT Report No. DS-22-19 entitled “Application for Consent to Sever of G. & M. Howe & Sons Ltd” be received;**



**AND THAT the Application for Consent to Sever of G. & M. Howe & Sons Ltd, relating to the property located in Part Lot 5, Concession 5, (Geographic Township of Malahide) (7077 Rogers Road), 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**

-Application to Consent to Sever of Susan Wiebe on behalf of Open Bible Baptist Church

MBPC Planner, Eric Steele provided an overview of the consent application as detailed in the report and that based on the review the application is not being recommended.

**No. 22 – 146**

**Moved By: Scott Lewis**

**Seconded By: Dominique Giguère**

**THAT REPORT NO. DS-22-20 entitled “Application for Consent to Sever of Susan Wiebe, on behalf of Open Bible Baptist Church” be received;**

**AND THAT the Application for Consent to Sever of Susan Wiebe, on behalf of Open Bible Baptist Church, relating to the property located in Part Lot 89, Concession NTR S (Geographic Township of Malahide) (9060 Hacienda Road) not be supported for the reasons set out herein;**

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

**Carried**

Mayor Mennill thanked Eric Steele from MBPC and he retired from the meeting.

-Limiting Distance Agreement – 3311 Lakeview Drive

**No. 22 – 147**

**Moved By: Rick Cerna**

**Seconded By: Scott Lewis**

**THAT Report No. DS-22-21 entitled “3311 Lakeview Drive Limiting Distance Agreement” be received;**

**AND THAT the Council approve the Limiting Distance Agreement;**

**AND THAT the Mayor and Clerk be authorized to execute the Agreement.**

**Carried**

CAO

-Award for Shared Development Approvals Service Business Plan and Electronic Processing

Deputy Mayor Giguère noted that this was the same firm that did the service delivery review and that it was fitting to explore this next step with them. She inquired if the project would be done in stages and if we stopped throughout would the Township be on the hook for the full amount.

CAO Betteridge noted that typically in these processes that at each phase an invoice is sent before proceeding to the next phase and if it's not already in the contract agreement it will be added.

Councillor Glinski asked how much the Township portion would be of the expense since a portion was being paid through funding. CAO Betteridge said the Township portion would be just under \$10,000.

Councillor Glinski clarified that Bayham doesn't have to pay anything and CAO Betteridge confirmed this.

**No. 22 – 148**

**Moved By: Scott Lewis**

**Seconded By: Max Moore**

**THAT Report No. CAO-22-03 entitled "Award for Shared Development Approvals Service Business Plan and Electronic Processing" be received;**

**AND THAT the project for a review and service framework for a shared land-use planning, building/development permits, and by-law enforcement service be awarded to Performance Concepts Consulting Inc., of Uxbridge, Ontario at an expected cost (partially funded by the Province of Ontario) of \$48,000.00 (plus HST);**

**AND THAT the Chief Administrative Officer be authorized and directed to take the necessary actions to enter into an agreement with Performance Concepts Consulting Inc. to undertake the project as set out in the proposal.**

**Carried**

**REPORTS OF COMMITTEES/OUTSIDE BOARDS:****No. 22 – 149****Moved By: Scott Lewis****Seconded By: Chester Glinski**

Deputy Mayor Giguère noted the Terrace Lodge Redevelopment Committee could always use committee members or volunteers and if anyone wants to join the committee or to invite others to the group all are welcome.

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

- (i) **Malahide Budget Committee - Minutes of March 15, 2022**
- (ii) **County of Elgin correspondence dated March 17, 2022 regarding the Terrace Lodge Redevelopment Fundraising Committee**

**Carried**

**CORRESPONDENCE:**

Councillor Moore declared a conflict of interest with respect to Council Agenda Section G Correspondence, item 8 - Ontario Nurses - Repeal Bill 124. He retired from the meeting and abstained from all discussions and voting on the matter.

**No. 22 – 150****Moved By: Dominique Giguère****Seconded By: Rick Cerna**

Mayor Mennill noted support for the Ontario Nurses Repeal Bill 124 motion that was received and for Malahide Council to pass the following motion of support.

**Whereas nurses and health-care professionals are the backbone of our public health-care system and provide essential care to all Ontarians, and more than ever nurses and health-care professionals deserve recognition and reward for their skills and dedication; and**

**Whereas Ontario is experiencing a health human resources crisis with chronic shortages of nurses and health-care professionals in hospitals, clinical settings, long-term care, home care, and all health care environments; and**

**Whereas Ontario has the lowest RN-to-population of any province in Canada, and would need to hire 22,000 new nurses to reach the average RN staffing ratio in Canada; and**

**Whereas burnout and overwork are exacerbating the underlying health human resources crisis and driving nurses and other health-care professionals to leave the sector at an unprecedented rate; and**

**Whereas Bill 124 unfairly suppresses the wages of nurses and health-care professionals and limits their ability to negotiate freely, and further contributes to the culture of disrespect that is contributing to the staffing crisis. Further, as Bill 124 limits wage increases to a maximum of 1% per year despite growing inflation nurses have effectively seen their wages cut during the COVID-19 pandemic.**

**Now Therefore Be It Resolved that the Township of Malahide calls on the Ontario government to recognize the severity of the health human resources crisis in Ontario and take urgent action to recruit and retain skilled, experienced nurses and health-care professionals; and further**

**THAT the Township of Malahide calls on the Ontario government to repeal Bill 124, legislation that suppresses the wages of nurses and health-care professionals and prevents collective bargaining to keep up with inflation; and further**

**THAT a copy of this resolution be sent to:**

- **The Premier of Ontario, the Ontario Minister of Health, and the Ontario Minister of Long-Term Care**
- **The Leader of the Official Opposition, the Opposition Critic for Health, and the Opposition Critic for Long-Term Care**
- **All Members of Provincial Parliament representing constituencies in Malahide**
- **The Association of Municipalities of Ontario (AMO) requesting they share with all their member municipalities.**

**Carried**

**No. 22 – 151**

**Moved By: Dominique Giguère**

**Seconded By: Rick Cerna**

**THAT the following correspondence be noted and filed:**

1. **Association of Municipalities of Ontario - Watch File – dated March 17, 2022, March 24, 2022 and March 31, 2022. (Pages C2 - 9)**
2. **City of Waterloo – Resolution requesting the Province of Ontario to build it right the first time in respect to energy performance standards (Pages 10-12)**

3. **County of Elgin – Resolution regarding notice of library draft lease renewals that will be presented to Township Council for consideration and execution before the end of 2022. (Pages 13-39)**
4. **Ministry of Municipal Affairs and Housing – Information regarding the More Homes for Everyone Plan to address the housing crisis in Ontario. (Page 40)**
5. **The Corporation of the Municipality of Mississippi Mills – Resolution calling for government action concerning the current legislation and regulations surrounding municipal requirements to take over and maintain abandoned operating cemeteries. (Page 41)**
6. **Halton Hills, City of Cambridge and Reform Gravel Mining Coalition (RGMC) – Resolution requesting that the Ontario government be requested to impose an immediate temporary moratorium on all new gravel mining applications pending further review. (Pages 42-50)**
7. **Town of Fort Erie – Resolution requesting that the government tighten their timelines for Climate Change Plans to be reflective of the urgency it demands for immediate and meaningful action and that all Ontario Municipalities that do not have plans in place to implement an affirmative Climate Change Action Plan. (Pages 51-53)**

### **Carried**

Councillor Moore returned to his seat at the council table.

### **OTHER BUSINESS:**

Councillor Widner commented on an email he had received about South Dorchester Public School becoming overcrowded and concerns of proper sanitation and fire safety. The members of the public aren't having much luck with receiving a response to this issue. If the Township can send a letter regarding overcrowding and safety concerns to the school board and its representatives it may assist in recognizing this issue.

Councillor Glinski inquired about the status of school in Belmont. Mayor Mennill noted it could be four years before that school is ready. Councillor Cerna noted that it doesn't make sense to close schools when others are being overcrowded.

Deputy Mayor Giguère inquired about what the municipalities role in this is. CAO Betteridge noted that if portables are required, the Township will request that site plan control is applied for and this will address many areas such as sanitary issues etc.

**BY-LAWS:**

**No. 22 – 152**

**Moved By: Scott Lewis**

**Seconded By: Max Moore**

**THAT By-law No.22-14, being a By-law to amend the Procedural By-law 17-97 in regards to the inaugural meeting date, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**No. 22 – 153**

**Moved By: Rick Cerna**

**Seconded By: Mark Widner**

**THAT By-law No.22-19, being a By-law to delegate executive authority to the Chief Administrative Officer for decisions in the event that the Council finds itself subject to Section 275 of the Municipal Act regarding “restricted acts after nomination”, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**No. 22 – 154**

**Moved By: Rick Cerna**

**Seconded By: Chester Glinski**

**THAT By-law No.22-20, being a By-law to By-law to authorize a limiting distance agreement with property 3311 Lakeview Drive, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**CLOSED SESSION:**

**No. 22 – 155**

**Moved By: Mark Widner**

**Seconded By: Dominique Giguère**

**THAT Council move into Closed Session at 8:23 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following**

- (i) A Labour Relations or Employee Negotiations Matter relating to a staff recruitment matter.**

**Carried**

**No. 22 – 156**

**Moved By: Max Moore**

**Seconded By: Rick Cerna**

**THAT Council move out of Closed Session and reconvene at 8:31p.m. in order to continue with its deliberations.**

**Carried**

That during the Closed Session, Council provided direction to Municipal Staff regarding a labour relations or employee negotiations relating to a staff recruitment matter. There is nothing further to report.

**CONFIRMATORY:**

**No. 22 – 157**

**Moved By: Mark Widner**

**Seconded By: Rick Cerna**

**THAT By-law No. 22-23, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**ADJOURNMENT:**

**No. 22 – 158**


**Moved By: Mark Widner**

**Seconded By: Chester Glinski**

**THAT the Council adjourn its meeting at 8:32p.m. to meet again on April 21, 2022, at 7:30 p.m.**

**Carried**

  
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Mayor – D. Mennill

  
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Clerk – A. Adams