

The Corporation of the Township of Malahide

March 17, 2022 – 7:30 p.m.

Virtual Meeting - <https://youtu.be/i4PfXFMjezc>

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 Public Works M. Sweetland, Director of Finance A. Boylan, Director of Fire and Emergency Services J. Spoor, and IT Manager C. Coxen.

Council via Zoom: N/A

Staff via Zoom: N/A

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:

N/A

MINUTES:

No. 22–99

Moved By: Max Moore

Seconded By: Scott Lewis

THAT the minutes of the regular meeting of the Council held on March 3, 2022, be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:**No. 22–100****Moved By: Mark Widner****Seconded By: Dominique Giguère**

THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:30p.m. and that Mayor Dave Mennill be appointed Chairperson for the “Committee of Adjustment”.

Carried

Public Hearing – Minor Variance Application No. D13-MV-01-22 - Farrow

No. 22–101**Moved By: Scott Lewis****Seconded By: Mark Widner**

THAT Report No. DS-22-08 entitled “Minor Variance Application No. D13-MV-01-22 of Stephanie and Ken Farrow” and affecting lands described as Part of Lot 21, Concession 9 Southern Division, former Geographic Township of South Dorchester, Township of Malahide, Part 1 of RP 11R8906 (46998 Crossley-Hunter Line) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-01-22 to permit the construction of an accessory building (a 10.9m x 14m garage/shop) with a height of 6.29 metres (approximately 20 feet) to be situated 1.5 metres (approximately 5 feet) from the eastern side lot line;

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

1) That the owner/applicant obtain the necessary Building Permit within 1 year from the date of decision to the satisfaction of the Chief Building Official, ensuring that the approved variances applies only to the proposed accessory structure as illustrated with the application; and,

2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location, building height and architectural detail), and that all roof leaders not be directed to the adjacent property to the east, all to the satisfaction of the Chief Building Official.

Carried

Councillor Cerna took his seat at the Council Table after arriving a few minutes late to the meeting.

Public Hearing – Minor Variance Application No. D13-MV-02-22 - Lemko

No. 22–102-

Moved By: Rick Cerna

Seconded By: Mark Widner

THAT Report No. DS-22-09 entitled “Minor Variance Application No. D13-MV-02-22 of Michael Lemko And Melissa Harris-Lemko” and affecting lands described as Part of Lot 74, Concession North of Talbot Road; Part 1 of RP 11R1783, in the Geographic Township of Malahide, Township of Malahide (9846 Springwater Road) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-02-22 to permit the construction of a 223 square metre (approximately 2,400 square feet) accessory building to be situated 1.8 metres (approximately 6 feet) from the southern side lot line;

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

1) That the owner/applicant obtain the necessary Building Permit within 1 year from the date of decision to the satisfaction of the Chief Building Official, ensuring that the approved variance applies only to the proposed accessory structure as illustrated with the application; and,

2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location and architectural detail) to the satisfaction of the Chief Building Official.

Carried

Public Hearing – Minor Variance Application No. D13-MV-03-22 - Wiebe

No. 22–103

Moved By: Dominique Giguère

Seconded By: Scott Lewis

THAT Report No. DS-22-12 entitled “Minor Variance Application No. D13-MV-03-22 of Tony and Esther Wiebe” and affecting lands described as Part Lot 7, Concession 4, Part 1 RP 11R740 in the Township of Malahide (48737 John Wise Line) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-03-22 to permit relief from the minimum Rear Yard Depth requirement of 10.0 metres (approximately 32 feet) in order to construct an addition to a single-detached dwelling on the subject property which will have a minimum Rear Yard Depth of 7.3 metres (approximately 24 feet);

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

- 1) 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 variance applies only to the proposed accessory structure as illustrated with the application; and,**
- 2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location and architectural detail) to the satisfaction of the Chief Building Official.**

Carried

No. 22-104

Moved By: Max Moore

Seconded By: Scott Lewis

THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:40p.m.

Carried

Presentation – Dave Anderson – Township of Malahide Roads Need Study

Dave Anderson presented an overview of the findings of the state of infrastructure and asset management plans for roads in Malahide Township. Mr. Anderson's discussion included recommendations that Malahide should review to ensure Malahide's future effectiveness in regards to infrastructure and asset management plans for roads.

Deputy Mayor Giguère asked staff what the plan was for these 19 recommendations provided. She asked if they would be reviewed and analyzed with which ones should be implemented first. Director of Public Works Sweetland, noted this was the intent as the presentation provides the background required for the recommendations. Staff will bring forward a report regarding the recommendations and a plan of how to proceed.

Councillor Widner inquired about the use of inferior products and if he has seen this problem amongst other municipalities he's dealt with. Mr. Anderson stated that it is important that the quality of materials does get monitored and tested to ensure what is specified is what is received. The municipality has to do their own quality assurance to ensure they are getting what is paid for.

No. 22-105

Moved By: Councillor Widner

Seconded By: Rick Cerna

THAT the presentation from Dave Anderson, of 4 Roads Management Services Inc., relating to Township of Malahide Roads Need Study - 2021 State of Infrastructure and Asset Management Plan for Roads, be received.

Carried

REPORTS:

Director of Fire & Emergency Services

- Emergency Services Activity Report – February

Director Spoor noted that the pumper that was damaged in the flooding in Port Bruce is repairable. It will be another 3-4 weeks before it's returned as other maintenance repairs are being completed. Director Spoor confirmed the inquiry Mayor Mennill had regarding having access to Central Elgin's pumper truck while ours is out of commission.

No. 22-106

Moved By: Max Moore

Seconded By: Chester Glinski

THAT Report No. F-22-06 entitled "Emergency Services Activity Report – February" be received.

Carried

Director of Public Works

-Malahide Water Distribution System: 2021 Section 11 Annual Report and Schedule 22 Summary Report

No. 22-107

Moved By: Chester Glinski

Seconded By: Dominique Giguère

THAT Report No. PW-22-18 entitled "Malahide Water Distribution System: 2021 Section 11 Annual Report and Schedule 22 Summary Report" be received.

Carried

- APAM SCADA PLC Upgrades

No. 22-108

Moved By: Scott Lewis

Seconded By: Dominique Giguère

THAT Report No. PW-22-20 entitled “APAM SCADA PLC Upgrades” be received;

AND THAT the Township of Malahide does hereby authorize the Single Source acquisition of the APAM SCADA PLC Upgrades from Summa Engineering Ltd.;

AND THAT the Township of Malahide does hereby accept the quote received from Summa Engineering Ltd., in the amount \$126,400.00 (excluding applicable taxes), for the replacement of the PLC’s at seven (7) of the existing water and wastewater sites connected to the APAM SCADA;

AND THAT the Township of Malahide does hereby approve the Malahide Water Distribution System’s apportioned cost, in the amount of \$18,057.14 (excluding applicable taxes), for the APAM SCADA PLC Upgrades at the Copenhagen Booster Station;

AND THAT the Township of Malahide does hereby approve the Malahide Sewer System’s apportioned cost, in the amount of \$18,057.14 (excluding applicable taxes), for the APAM SCADA PLC Upgrades at the Springfield Sewage Pumping Station;

AND THAT, the Mayor and Clerk, on behalf of the Township of Malahide, the Port Burwell Area Secondary Water Supply System (PBASWSS) Joint Board of Management, and the Aylmer Area Secondary Water Supply System (AASWSS) Joint Board of Management, be authorized as the Administering Municipality to sign and enter into an agreement with Summa Engineering Ltd., on behalf of the PBASWSS and the AASWSS Joint Boards of Management.

Carried

Director of Finance/Treasurer

- 2021 Statement of Council Remuneration

No. 22–109

Moved By: Lewis

Seconded By: Cerna

THAT Report No. FIN 22-06 entitled “2021 Statement of Council Remuneration” be received.

Carried

Clerk

- Procedural By-law Amendment – Inaugural Meeting

No. 22–110

Moved By: Moore

Seconded By: Cerna

THAT Report No. CLERK-22-05 entitled “Procedural By-law Amendment – Inaugural Meeting” be received;

AND THAT the procedural by-law be amended to make the third Thursday in November following the election as the date for the inaugural meeting to align with the 2022 term and future terms of office commencing on November 15.

Carried

-Restricted Acts after Nomination Day and/or Election Day (Lame Duck)

No. 22–111

Moved By: Rick Cerna

Seconded By: Dominique Giguère

THAT Report No. CLERK-22-06 entitled “Restricted Acts after Nomination Day and/or Election Day (Lame Duck)” be received;

AND THAT the Township of Malahide Council directs the Clerk to prepare the necessary By-Law prior to Nomination Day (August 19, 2022) delegating authority to the Chief Administrative Officer from August 19, 2022 to November 17, 2022 to:

- a) Be the financial signing authority for expenditures, outside the current budget, exceeding \$50,000 and/or for the disposition of any real or personal property of the municipality which has value exceeding \$50,000 at the time of disposal;**
- b) Be the authority to hire or remove any officer from/to employment with the Township of Malahide. That the authority to hire as delegated be restricted to not exceed the overall previously allotted compliment number of staff positions excluding those that are 100% provincially funded;**
- c) To have discretion to bind the Corporation for projects/ new funding opportunities with the Provincial and/or Federal governments(s) in instances where the contribution of other levels of government totals 66% or greater with a cap of \$100,000 for the municipal contribution; and,**

d) That the CAO shall submit to Council an informational report, containing the details relevant to the exercise of all delegated authority by that position under the By-law.

Carried

Councillor Cerna noted that in reference to a statement he made regarding Port Bruce and the flooding at a previous meeting he still stands by this statement and will not apologize for it. It was not meant as a blanket statement for everyone. He noted that when you call for a rescue after you have been offered a rescue and refuse it that is not common sense thinking. Nor is when you drive your car into water that your engine is submerged and you have to leave it. When you have water crossing the road at 100 mph, you don't need to be concerned at me driving through causing a wake. He noted that he plans to run again in the upcoming election but not in Port Bruce.

Building/Planning/By-law

- Application for Consent to Sever of David and Mary Thiessen

Dan Smith from Monteith Brown Planning Consultants (MBPC) presented the application for consent to sever of David and Mary Thiessen. He provided an overview of the application and how previous planning applications (Official Plan Amendment 19) had been submitted and approved in order to continue with this step of the process. This consent would add to existing lot occupied by Creative Enterprises and the policies of the OP recognize this and gives legitimacy to existing uses and recognizes the expansion of that use. MBPC have no concerns with the application and recommend that it be supported.

No. 22-112

Moved By: Chester Glinski

Seconded By: Scott Lewis

THAT Report No. entitled "Application for Consent to Sever of David and Mary Thiessen" be received;

AND THAT the Application for Consent to Sever of David and Mary Thiessen, relating to the property located at North Part of Lot 24, Concession 3, Part 2 and Part of Part 3 RP 11R5617, Former Geographic Township of Malahide, Township of Malahide, and known municipally as 51553 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

REPORTS OF COMMITTEES/OUTSIDE BOARDS:**No. 22–113****Moved By: Rick Cerna****Seconded By: Mark Widner**

1. THAT the following Reports of Committees/Outside Boards be noted and filed:
 - (i) Long Point Region Conservation Authority Board of Directors – Minutes of February 23, 2022.
 - (ii) Aylmer Area Secondary Water Supply System and Port Burwell Area Secondary Water Supply System Joint Board of Management – Minutes of December 8, 2021.

Carried**CORRESPONDENCE:****No. 22–114****Moved By: Scott Lewis****Seconded By: Dominique Giguère**

THAT the Town of Mono resolution calling on the federal government to provide greater support to Ukraine in their fight against the invasion of their sovereign territory by Russia be supported.

Carried**No. 22–115****Moved By: Scott Lewis****Seconded By: Dominique Giguère**

THAT the following correspondence be noted and filed:

1. Association of Municipalities of Ontario - Watch File – dated March 10, 2022. (Page C3 – 5)
2. Enbridge Gas Inc – Introduction of new Senior Vice President & President of Enbridge Gas Inc. (Page C6)
3. Town of South Bruce Peninsula – Resolution requesting removal of the Municipal Accommodation Tax exemption for all Crown owned campgrounds. (Pages C7-8)
4. Middlesex County – Notice of Public Open House – Review of County of Middlesex Official Plan Amendment. (Pages C9-10)

5. Ministry of Northern Development, Mines, Natural Resources and Forestry – Seeking municipal input regarding the use of floating accommodations on waterways over Ontario’s public lands. (Pages C11-12)
6. County of Oxford – Notice of Public Meeting – Official Plan Update – Phase 1 Agricultural Policies. (Pages C13-14)
7. Elgin Group Police Services Board – Secretary-Administrator Appointment. (Page C15)
8. Town of The Blue Mountains – Resolution directing Town staff to monitor provincial policy and legislative changes that be proposed by the Province to address Housing and Affordability issues. (Pages C16-24)
9. The Township of Woolwich – Resolution requesting that the Government of Canada provide Mental Health Supports to the Province as part of its 2022 Budget. (Pages C25-26)
10. County of Elgin – 2022 Budget Approval. (Pages C27-35)
11. Town of Wasaga Beach - Resolution requesting the Province to further review the interest arbitration system in reference to Fire Services. (Pages C38-43)

Carried

OTHER BUSINESS:

- Long Point Conservation Authority 2021 Annual Report and 2021 Audited Financial Statements

No. 22–116

Moved By: Scott Lewis

Seconded By: Max Moore

THAT the Long Point Region Conservation Authority 2021 Annual Report and 2021 Audited Financial Statements be received.

Carried

- Kettle Creek Conservation Authority 2022 Levy

No. 22–117

Moved By: Dominique Giguère

Seconded By: Chester Glinski

THAT the correspondence received from the Kettle Creek Conservation Authority (KCCA), regarding the 2022 Levy be received.

Carried

-Catfish Creek Conservation Authority 2021 Financial Statements and 2022 Final Budget

No. 22–118

Moved By: Rick Cerna

Seconded By: Mark Widner

THAT Catfish Creek Conservation Authority 2021 Financial Statements and 2022 Final Budget be received.

Carried

Councillor Widner noted that there were no Hamlet name signs for Crossley Hunter and that this possibly be reviewed in budget discussions. Staff will review the process and criteria for these name signs and report back to Council at a future meeting.

Mayor Mennill noted Cecil's resignation with the Township after many years of service and Council wished him well in his future endeavors.

BY-LAWS:

No. 22–119

Moved By: Max Moore

Seconded By: Mark Widner

THAT By-law No.22-15, being a By-law to reduce the speed limit on a portion of Crossley Hunter Line, be given first, second and third readings, and be properly signed and sealed

Carried

No. 22–120

Moved By: Scott Lewis

Seconded By: Dominique Giguère

THAT By-law No.22-16, being a By-law to amend By-law No. 20-74 rate of remuneration for the Members of Council, be given first, second and third readings, and be properly signed and sealed

Carried

CLOSED SESSION:

No. 22-121

Moved By: Cerna

Seconded By: Widner

THAT the closed session scheduled for tonight's meeting be deferred.

Carried

CONFIRMATORY:

No. 22-122

Moved By: Rick Cerna

Seconded By: Max Moore

THAT By-law No. 22-17, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

No. 22-123

Moved By: Chester Glinski

Seconded By: Mark Widner

THAT the Council adjourn its meeting at 8:55p.m. to meet again on April 7, 2022, at 7:30 p.m.

Carried



Mayor - D. Mennill



Clerk - A. Adams