



The Corporation of the Township of Malahide

A G E N D A

February 3, 2022 – 7:30 p.m.

**Malahide Township Office
87 John St. South, Aylmer**

**** Note:** Due to the COVID-19 restrictions, this meeting will be held electronically via videoconference. The meeting will be streamed live on YouTube. **

REMINDER: National Sweater Day is back!

On February 3rd, all municipal facilities will drop their heat by 3 degrees to help the planet! Wear your sweater and show your commitment!

- (A) Roll Call
- (B) Disclosure of Pecuniary Interest
- (C) Approval of Previous Minutes **RES 1 (Pages 8-19)**
- (D) Presentations/Delegations/Petitions
- (E) Reports of Departments
 - (i) Director of Fire & Emergency Services
 - Emergency Services Activity Report - December 2021 **RES 2 (Pages 20-23)**
 - Malahide Fire and Emergency Services - 2021 Year End Report **RES 3 (Pages 24-35)**
 - Appointment of District Chief and District Deputy Chief 2022 **RES 4 (Pages 36-37)**

- (ii) Director of Public Works
 - 2022 Priority Capital Projects **RES 5 (Pages 38-42)**
 - Request to Reserve 2021 Allocation for Outstanding Projects **RES 6 (Pages 43-44)**
- (iii) Director of Finance/Treasurer
- (iv) Clerk
- (v) Building/Planning/By-law
 - Amend Conditions for Application for Consent to Sever No. E52-21 of John Loewen & David **RES 7 (Pages 45-48)**
- (vi) CAO
 - Complaint Protocol Annual Report **RES 8 (Pages 49-55)**
- (F) Reports of Committees/Outside Boards
- (G) Correspondence **RES 9**
 - 1. Association of Municipalities of Ontario - Watch File – dated January 20, 2022 and January 27, 2022. **(Pages C2 - 5)**
 - 2. Mayors of Town of Caledon & Town of Mono – Correspondence to Attorney General Addressing POA Court Backlog including the critical challenges occurring locally and some possible solutions to mitigate these issues in Ontario. **(Pages C6-8)**
 - 3. Municipality of Central Elgin – Notice of a Public Hearing for a Minor Variance relating to : **(Page C9)**
 - 426 Edith Cavell Blvd. (former Village of Port Stanley)
 - 4. City of Brantford – Addressing the Revolving Door of Justice – Accountability for Sureties and Swift Justice – Resolution requesting additional resources to address the increasing criminal activity leaving residents fearful for personal safety and loss of confidence in criminal justice system. **(Pages C10-11)**
 - 5. City of Brantford – Closing the Revolving Door of Justice – Resolution requesting the government to immediately strengthen the bail system to elevate increased criminal activity that is leaving residents fearful for their personal safety and losing confidence in the criminal justice system. **(Pages C12-13)**

(H) Other Business

(I) By-laws

- (i) By-law No. 22-06 being a By-law to set the Water Rates for 2022, be given first, second and third readings, and be properly signed and sealed. **RES 10 (Pages 56-60)**
- (ii) By-law No. 22-07 being a By-law to set the Sewer Rates for 2022, be given first, second and third readings, and be properly signed and sealed. **RES 11 (Pages 61- 65)**
- (iii) By-law No. 21-87 being a By-law to provide for Drainage works on the Maginnis Drain Reassessment, be read a third time, finally passed, and be properly signed and sealed. **RES 12 (Pages 66-67)**

(J) Closed Session **RES 13-14**

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board relating to property on Avon Drive.

(K) Confirmatory By-law **RES 15 (Page 68)**

(L) Adjournment **RES 16**

*****VIDEOCONFERENCE MEETING***

In order to respect the current recommendations of South Western Public Health regarding large public gatherings, please note that the Regular Council Meeting scheduled to be held on February 3, 2022 will be via videoconference only.

Please note that, at this time, there is not an option for the public to call in to this meeting. However, we will be livestreaming the Council Meeting via YouTube. [Please click here to watch the Council Meeting.](#)

Written comments regarding the Council Agenda items are welcome – please forward such to the Clerk at aadams@malahide.ca

PLEASE NOTE that the draft resolutions provided below DO NOT represent decisions already made by the Council. They are simply intended for the convenience of the Council to expedite the transaction of Council business. Members of Council will choose whether or not to move the proposed draft motions and the Council may also choose to amend or defeat them during the course of the Council meeting.

1. THAT the minutes of the regular meeting of the Council held on January 6, 2022, be adopted as printed and circulated.
2. THAT Report No. F22-01 entitled "Emergency Services Activity Report – December" be received.
3. THAT Report No. F22-02 entitled "Malahide Fire and Emergency Services – 2021 Year End Report" be received.
4. THAT Report No. F22-03 entitled "Appointment of District Chief and District Deputy Chief 2022" be received.

AND THAT Ryan DeSutter be appointed as the District Chief for the North Station response area and Jason Brown be appointed as the District Deputy Chief for South Station, each for a term of 4 years expiring on December 31, 2025.

5. THAT Report No. PW-22-12 entitled "Priority Capital Projects" be received;

AND THAT the Pressey Line Reconstruction Project, in the budget amount of \$550,000, be included in the 2022 Capital Budget;

AND THAT the Pier Parking Lot Construction and Drainage Works Project, in the budget amount of \$125,000, be included in the 2022 Capital Budget;

AND THAT the Studies – Ontario Structure Inspection Manual Bridge Review Project, in the budget amount of \$40,000, be included in the 2022 Capital Budget;

AND THAT the Studies – Carter Road Bridge Rehabilitation Design Project, in the budget amount of \$25,000, be included in the 2022 Capital Budget;

AND THAT the Studies – Phase 3 Road Safety Audit, in the budget amount of \$30,000, be included in the 2022 Capital Budget;

AND THAT, notwithstanding that the remainder of the 2022 Budget has not yet been approved, the Municipal Council be requested to approve the following projects for completion in 2022: Pressey Line Reconstruction Project, the Pier Parking Lot Construction and Drainage Works Project, the Studies – Ontario Structure Inspection Manual Bridge Review Project, the Studies – Carter Road Bridge Rehabilitation Design Project, and the Studies - Phase 3 Road Safety Audit Project;

AND THAT, the Municipal Staff be authorized and directed to proceed with the initiation of the following projects so that such projects can be pre-planned, tendered, and completed on time and within budget: Pressey Line Reconstruction Project, the Pier Parking Lot Construction and Drainage Works Project, the Studies – Ontario Structure Inspection Manual Bridge Review Project, the Studies – Carter Road Bridge Rehabilitation Design Project, and the Studies - Phase 3 Road Safety Audit Project.

6. THAT Report No. PW-22-13 entitled “Request to Reserve 2021 Allocation for Outstanding Projects” be received;

AND THAT the Director of Finance/Treasurer be authorized to reserve \$195,339.00 from the unspent 2021 Public Works Operating Budget allocation for the completion of outstanding Projects in 2022.

7. THAT Report No. DS-22-06 entitled “Amend Conditions for Application for Consent to Sever No. E52-21 of John Loewen & David Loewen” be received;

AND THAT this report and the condition to be added as noted be forwarded to the Land Division Committee for its review and consideration:

“That the applicants initiate and assume all planning costs associated with the necessary planning applications for the existing transport truck and/or auto repair business operating on the subject lands (known locally as 51432 Woolleyville Line), specifically an amendment to the Township of Malahide Zoning By-law and Site Plan Control, with such cost to be paid in full to the Township and that the required processes be successfully completed prior to the condition being deemed fulfilled, or, that a zoning compliance certificate has been obtained from the Township of Malahide Chief Building Official for above-noted business confirming that the business is in compliance with the Township of Malahide Zoning By-law.”

8. THAT Report No. CAO-22-01 entitled “Complaint Protocol Annual Report” be received;

AND THAT the Staff be directed to amend the Township’s Complaint Protocol by replacing all references to “Chief Administrative Officer/Clerk” with “Chief Administrative Officer”

9. THAT the following correspondence be noted and filed:
1. Association of Municipalities of Ontario - Watch File – dated January 20, 2022 and January 27, 2022. **(Pages C2 - 5)**
 2. Mayors of Town of Caledon & Town of Mono – Correspondence to Attorney General Addressing POA Court Backlog including the critical challenges occurring locally and some possible solutions to mitigate these issues in Ontario. **(Pages C6-8)**
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 5. City of Brantford – Closing the Revolving Door of Justice – Resolution requesting the government to immediately strengthen the bail system to elevate increased criminal activity that is leaving residents fearful for their personal safety and losing confidence in the criminal justice system. **(Pages C12-13)**
10. THAT By-law No. 22-06 being a By-law to set the Water Rates for 2022, be given first, second and third readings, and be properly signed and sealed.
11. THAT By-law No. 22-07 being a By-law to set the Sewer Rates for 2022, be given first, second and third readings, and be properly signed and sealed.
12. THAT By-law No. 21-87 being a By-law to provide for Drainage works on the Maginnis Drain Reassessment, be read a third time, finally passed, and be properly signed and sealed.

13. THAT Council move into Closed Session at _____ p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board relating to property on Avon Drive
14. THAT Council move out of Closed Session and reconvene at _____ p.m. in order to continue with its deliberations.
15. THAT By-law No. 22- , being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.
16. THAT the Council adjourn its meeting at _____ p.m. to meet again on February 17, 2022, at 7:30 p.m.

The Corporation of the Township of Malahide

January 20, 2022– 7:30 p.m.

Virtual Meeting – https://youtu.be/aZ_-xDLUHbY

The Malahide Township Council met via videoconference. The Clerk, Allison Adams was present in the Township Office, 87 John Street South, Aylmer, Ontario.

Due to COVID-19 and public health concerns, public attendance was not permitted at this meeting. The Mayor and other Members of Council participated remotely.

The following members were present:

Council Members via Videoconference: Mayor D. Mennill, Deputy Mayor D. Giguère, Councillor M. Widner, Councillor M. Moore, Councillor R. Cerna, Councillor S. Lewis and Councillor C. Glinski.

Staff via Videoconference: Chief Administrative Officer A. Betteridge, Clerk A. Adams, Director of Financial Services A. Boylan, Director of Fire & Emergency Services J. Spoor, Director of Public Works M. Sweetland, Manager of IT C. Coxen, Drainage Superintendent B. Lopez, Roads & Construction Manager Ryan DeSutter and Manager of Building Services 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 Widner disclosed a pecuniary interest with respect to Council Agenda Report in Section D, item (i) Court of Revision for Maginnis Drain 2021. The nature of the conflict being that a Junior Partner at Spriet Associates is an immediate relative of his.

MINUTES:

No. 22-25

Moved by: Rick Cerna

Seconded by: Max Moore

THAT the minutes of the regular meeting of the Council held on January 6, 2022 be adopted as printed and circulated.

Carried.

PRESENTATIONS/DELEGATIONS/PETITIONS:

Court of Revision – Maginnis Drain 2021 relating to property at Part Lots 20 - 22, Concessions 2 - 4, Geographic Township of Malahide.

No. 22- 26

Moved by: Rick Cerna

Seconded by: Chester Glinski

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Maginnis Drain 2021:

Mayor Dave Mennill (Chair)

Deputy Mayor Dominique Giguère

Councillor Scott Lewis

Carried.

No. 22- 27

Moved by: Scott Lewis

Seconded by: Dominique Giguère

THAT the Court of Revision for the Maginnis Drain 2021 be called to order at 7:32 p.m.

AND THAT Dave Mennill be appointed Chairman

Carried.

No. 22- 28

Moved by: Dominique Giguère

Seconded by: Scott Lewis

THAT the Court of Revision members for the Maginnis Drain 2021 do hereby accept the recommendations of Drainage Engineer Mike DeVos, Spriet Associates London Limited; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated October 28, 2021

Carried.

No. 22- 29

Moved by: Scott Lewis

Seconded by: Dominique Giguère

THAT the Court of Revision relating to the Maginnis Drain 2021 be adjourned and the Council Meeting reconvene at 7:34p.m.

Carried.

No. 22- 30

Moved by: Dominique Giguère

Seconded by: Rick Cerna

THAT the tender for the Maginnis Drain 2021 be awarded to Laemers Excavating in the amount of \$6,090.00; subject to the expiration of all appeal periods and subject to no appeals having been received related to the Maginnis Drain 2021.

Carried.

The Mayor thanked Mike Devos of Spriet Associates and he retired from the meeting.

Public Hearing - Minor Variance Application – Applicant Doyle and Prendergast for Frank Enns relating to property at Part of Lot 35, Concession 4, municipally known as 6791 Richmond Road.

No. 22- 31

Moved by: Max Moore

Seconded by: Scott Lewis

THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:35 p.m. and that Mayor Dave Mennill be appointed Chairperson for the “Committee of Adjustment”.

Carried.

Chair Mennill advised that the purpose of this Public Meeting is to consider an application for a Minor Variance as submitted by Doyle and Prendergast on behalf of Frank Enns. Chair Mennill requested the Chief Administrative Officer to provide an overview of the application. The CAO advised that the applicant is seeking relief from the requirement that a single unit dwelling be constructed prior to an accessory building. Such relief would allow the construction of an accessory building (a 26' x 40' shop) on the northwest corner of the property prior to the construction of a single unit dwelling. The property owner seeks to construct an accessory building prior to the single unit dwelling as construction access to the rear yard will decrease following the construction

of the single unit dwelling.

Chair 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. Councillor Glinski inquired what would happen if the house was not built after allowing the accessory building to be built first. CAO Betteridge indicated that there were draft clauses in the agreement to prevent this from happening. Councillor Glinski asked a follow-up question in regards to the one-year time restriction given there may be delays for the applicants given the current delays with materials. CAO Betteridge indicated that an extension to the agreement could be applied for without having to amend it given the intent to establish a dwelling within a reasonable time is there.

No. 22- 32

Moved by: Chester Glinski

Seconded by: Scott Lewis

THAT Report No. DS-22-03 entitled "Minor Variance Application No. D13-MV-11-21 of Frank Enns" and affecting lands described as Part of Lot 35, Concession 4 in the Township of Malahide (specifically being Part 2 on RP 11R-10782) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-11-21 to permit the construction of an accessory building (a 26' x 40' shop) on the nothwest corner of the property prior to the construction of a single unit dwelling;

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 described and illustrated with the application;**

- 2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location and building size) to the satisfaction of the Chief Building Official; and,
- 3) That the owner/applicant enter into a development agreement with the Township of Malahide to require the construction of a single-unit dwelling on the subject property within a specified period of time to the satisfaction of the Township of Malahide.

Carried.

No. 22- 33

Moved by: Chester Glinski

Seconded by: Scott Lewis

THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:43 p.m.

Carried.

The Mayor thanked Mr. and Mrs. Enns and they retired from the meeting.

Presentation - Melissa Schneider and Greg Fentie, of the Ontario Federation of Agriculture (OFA), relating to the Home Grown Campaign Farmland Preservation

Mr. Fentie presented the Home Grown Campaign Farmland Preservation presentation referencing some of the highlights of the campaign and some of the challenges currently facing Ontario farmlands in respect to urban development.

Deputy Mayor Giguère inquired if this presentation was being presented to Elgin County Council and if the OFA had any specific recommendations for ways that the Elgin County Official Plan could align and address any of these concerns. Mr. Fentie stated that the presentation was not presented to Elgin County Council but instead presented to the lower tier municipalities. Deputy Mayor Giguère recommends that the organization contact Elgin County Council as there is a call to action and through the Official Plan we can address some of these concerns and Elgin County is currently in the process of updating and putting parameters in place to control land use and would welcome specific recommendations from the organization.

Councillor Widner agrees with what the OFA purposes but they need to let us know what their recommendations are to assist with their vision.

No. 22- 34

Moved by: Mark Widner

Seconded by: Rick Cerna

THAT the presentation from Melissa Schneider and Greg Fentie, of the Ontario Federation of Agriculture, relating to the Home Grown Campaign Farmland Preservation, be received

Carried.

The Mayor thanked Greg Fentie and Melissa Schneider and they retired from the meeting.

REPORTS:

Director of Public Works

- Petition for Drainage – Giesbrecht Petition

No. 22-35

Moved by: Dominique Giguère

Seconded by: Scott Lewis

THAT Report No. PW-22-06 entitled “Petition for Drainage – Giesbrecht Petition” be received;

AND THAT, the Petition for Drainage be accepted by the Council and that notice be sent to the CA/MMNRF, OMAFRA and local municipalities affected so they may request a Benefit Cost Statement or Environmental Appraisal.

Carried.

- Petition for Drainage – Muilwyk/Dykxhoorn

No. 22-36

Moved by: Max Moore

Seconded by: Rick Cerna

THAT Report No. PW-22-07 entitled “Petition for Drainage – Muilwyk/ Dykxhoorn Petition” be received;

AND THAT the Petition for Drainage be accepted by the Council and that notice be sent to the CA/MMNRF, OMAFRA and local municipalities affected so they may request a Benefit Cost Statement or Environmental Appraisal.

Carried.

- Tender Results – Hydraulic Wood Chipper

No. 22-37

Moved by: Mark Widner

Seconded by: Scott Lewis

THAT Report No. PW-22-08 entitled “Tender Results – Hydraulic Wood Chipper be received;

AND THAT tender PW-21-10 for the procurement of a hydraulic wood chipper not be awarded at the recommendation of the Equipment Committee;

AND THAT remediation measures for existing fleet be brought to the 2022 Budget Committee.

Carried.

Building/Planning/By-law

- Application for Consent to Sever of Wendy D'Angelo

No. 22-38

Moved by: Max Moore

Seconded by: Dominique Giguère

THAT Report No. DS-22-04 entitled “Application for Consent to Sever of Wendy D'Angelo” be received;

AND THAT the Application for Consent to Sever of Wendy D'Angelo relating to the property located at Lots 105 through 110 on Plan 78, and known municipally as 11789 Superior Street, 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.

THAT the Malahide Township Council has no objection to the Land Severance No. E1/22 in the name of Wendy D'Angelo, relating to the property located at Lots 105 through 110, Plan 78,, Geographic Village of Springfield, subject to the following conditions:

- 1. That the applicant be required to initiate and assume, if required, all cost associate with connection to the Municipal Sanitary Sewer Service, with such**

costs to be paid in full to the township prior to the condition being deemed fulfilled.

2. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
3. That the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled. If a lot grading plan is required as a condition of severance, it should be done in conjunction with the new Municipal drain or relocation of Municipal Drain.
4. That all entrance permits are acquired from the appropriate road authority as per our entrance control policy.
5. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading development plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.
6. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
7. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted in triplicate prior to certification all of which are to be fully executed.
8. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
9. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
10. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.
11. That the applicants initiate and assume the full cost associated with the required Development Agreement with the Township of Malahide in accordance with section 53 of the Ontario Planning Act, R.S.O. 1990 to ensure a single unit dwelling is constructed in accordance with the Ontario Building Code and within a specified period of time to the satisfaction of the Township of Malahide.

Carried.

No. 22-39

Moved by: Chester Glinski

Seconded by: Max Moore

THAT Report No. DS-22-05 entitled “2021 Building Permit Activity Report” be received.

Carried.

Clerk

- Multi-Year Accessibility Plan

No. 22-40

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Report No. CLERK 22-01 entitled “Multi-Year Accessibility Plan” be received;

AND THAT the Municipal Staff be requested to post the Elgin County and Local Municipal Partners Joint Multi-Year Accessibility Plan 2021-2026 on the Township’s website.

Carried.

REPORTS OF COMMITTEES/OUTSIDE BOARDS

Long Point Region Conservation Authority Board of Directors

No. 22-41

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 Board of Directors – Minutes of December 1, 2021.

Carried.

CORRESPONDENCE:

No. 22-42

Moved by: Max Moore

Seconded by: Rick Cerna

THAT the Township of South Frontenac resolution reaffirming its concerns regarding joint and several liability and requesting the Province to review the law to ensure a fair and reasonable way to ensure those who suffer losses are made whole while preventing the further scaling back of public services owing to the excessive insurance costs that result from joint and several liability be supported.

Carried

No. 22-43

Moved by: Max Moore

Seconded by: Rick Cerna

THAT the Ministry of Agriculture, Food and Rural Affairs correspondence to CN Rail advising federally regulated railways are subject to the Drainage Act and expecting CN Rail to pay its costs assessed under the Drainage Act and not hinder the progress of drainage projects be supported.

Carried

No. 22-44

Moved by: Max Moore

Seconded by: Rick Cerna

THAT the following correspondence be noted and filed:

- 1. Association of Municipalities of Ontario - Watch File – dated January 6 and 13, 2022. (Pages C2 - 5)**
- 2. Town of Bradford West Gwillimbury – Resolution declaring their opposition to Quebec’s Bill 21 and supports efforts to see this discriminatory law overturned. (Pages C7-8)**
- 3. Ministry of Northern Development, Mines, Natural Resources and Forestry – Correspondence advising of proposed regulatory changes under the *Aggregate Resources Act*. (Pages C9)**
- 4. Catfish Creek Conservation Authority – 2022 Meeting Dates. (Page C12)**

5. Kettle Creek Conservation Authority – Notice of Meeting for Conservation Authority Levy Approval. (Pages C13-15)

Carried.

OTHER BUSINESS:

- Municipal Staff Retirement Recognition

Councillor Widner extended his congratulations to Diana Wilson for her 31 years of service with the Township. He and other members of Council extended their congratulations to Diana on her upcoming retirement.

- Elgin Group Police Services Board – Request for reappointment of East Elgin representative until Ministry approves new Board composition.

No. 22-45

Moved by: Mark Widner

Seconded by: Max Moore

THAT Dan Froese be reappointed to the Elgin Group Police Services Board as the joint representative from the Eastern Elgin area, until the Ministry approves the Board Composition.

Carried.

- County of Elgin – Correspondence - Response to Malahide's request for consideration of Guide rails on Imperial Road entering Port Bruce

No. 22-46

Moved by: Dominique Giguère

Seconded by: Rick Cerna

THAT the County of Elgin correspondence dated January 11, 2022, and Report of County of Elgin General Manager of Engineering, Planning and Enterprise dated December 21, 2021, relating to a safety review on Imperial Road entering into Port Bruce be received

Carried.

BY-LAWS:

No. 22-47

Moved by: Scott Lewis

Seconded by: Mark Widner

THAT By-law No. 22-05 being a Development Agreement with Frank Enns, relating to property at Part of Lot 35, Concession 4, municipally known as 6791 Richmond Road, be given first, second and third readings, and be properly signed and sealed.

Carried.

No. 22-48

Moved by: Max Moore

Seconded by: Rick Cerna

THAT By-law No. 22-04, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

No. 22-49

Moved by: Chester Glinski

Seconded by: Mark Widner

THAT the Council adjourn its meeting at 8:15 p.m. to meet again on February 3, 2022, at 7:30 p.m.

Carried.

Mayor – D. Mennill

Clerk – A. Adams



Report to Council

REPORT NO.: F-22-01
DATE: February 3, 2022
ATTACHMENT: None
SUBJECT: Emergency Services Activity Report – December

Recommendation:

THAT Report No. F22-01 entitled “Emergency Services Activity Report – December” be received.

Background:

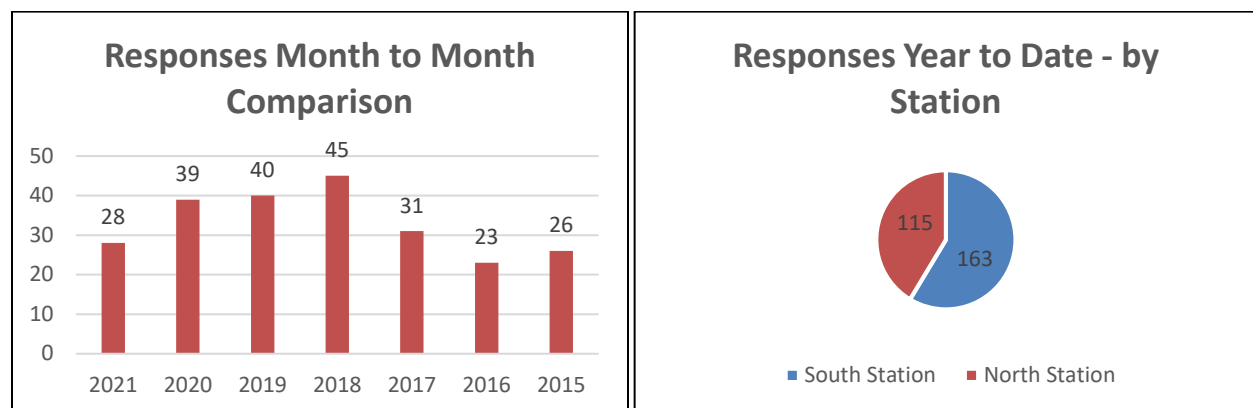
Department Responses

In December, 2021, Malahide Fire Services responded to twenty-eight (28) incidents. This is compared to: thirty-nine (39) incidents in 2020; forty (40) incidents in 2019; forty-five (45) incidents in 2018; thirty-one (31) incidents in 2017; twenty-three (23) incidents in 2016; and, twenty-six (26) incidents in 2015.

Medical incidents accounted for approximately forty (40%) of all December incidents in 2021.

The average age of persons requiring medical response in November, 2021 was 57 with a 50/50 male/female ratio.

Of the twenty-eight (28) incidents in December 2021, South Station responded to seventeen (17) incidents and the North Stations to eleven (11) incidents.



December Incidents	#
Fire	4
Burn Complaint	1
Alarm Malfunction	4
CO Alarm	0
Public Hazard - Wires Down	3
Technical Rescue MVC	1
Technical Rescue Other	1
Medical	11
Assisting Other Fire Department	3
Total	28

Fire Events Loss/Save

There were three incidents that were structure fires in December. The total Dollar Loss was \$795,000 and the Total Dollars Save was \$102,000.00.

Fire Prevention

The December fire safety message of the month was "Water fresh trees daily".

Fire Safety Inspections

In December 2021, the Staff conducted no inspections. No formal inspection orders for non-compliance were issued.

Training Revenue

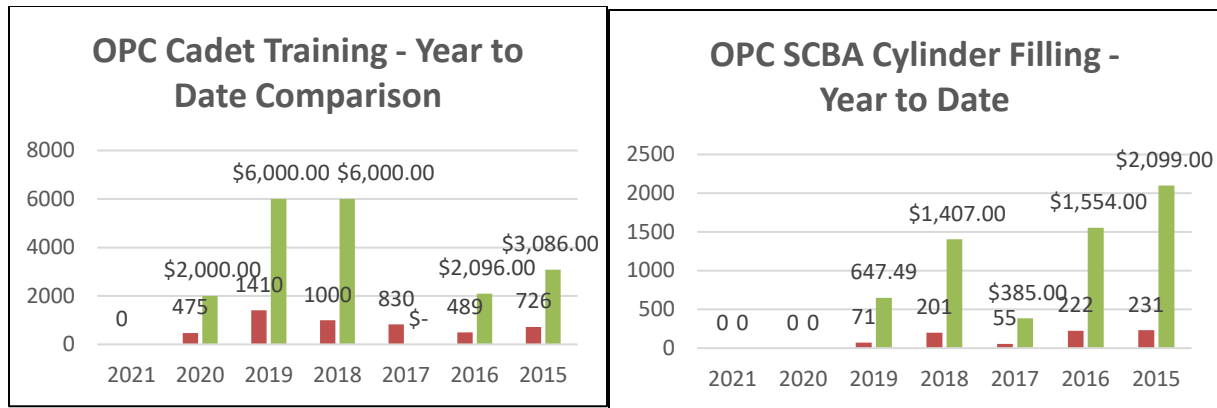
No external DZ training programs were provided in December 2021 to date there has been a total revenue in 2021, after expenses of \$20,292.00.

Ontario Police College

To date in 2021, the Staff have not trained any Police Cadets. The current agreement with the Ontario Police College is that they will reimburse Malahide Fire Service \$2,000.00 per session as well as cover the cost of any equipment that is damaged during any presentation.

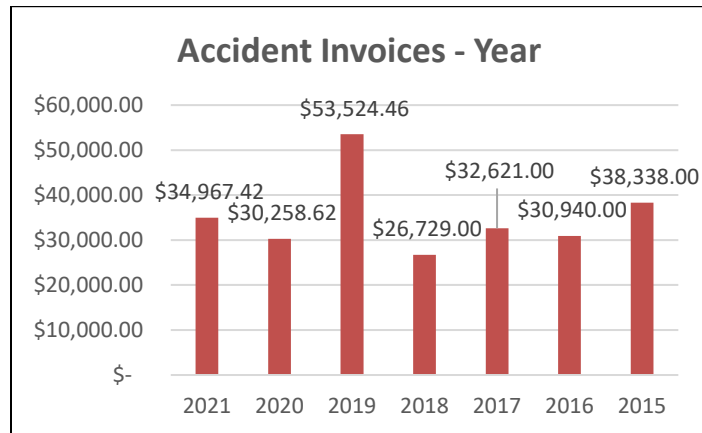
The next training session at OPC was to be scheduled in September, 2021 but to date, the College has not requested this training.

To date in 2021, the Staff have not filled any bottles for the OPC. We have recently been advised that the Ontario Police College has purchased a compressor and therefore will not require this service from Malahide Fire Services going forward.



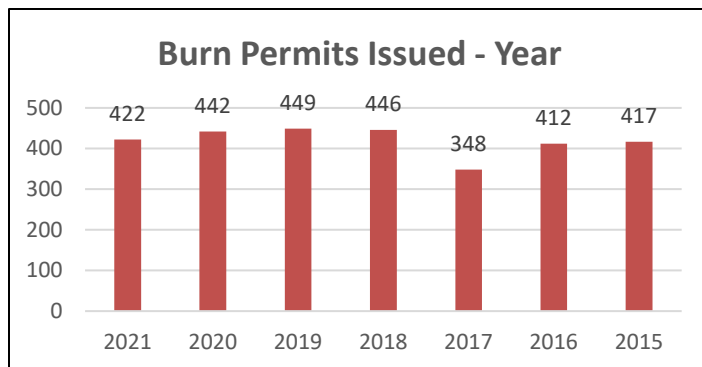
Motor Vehicle Collision Revenues

Malahide Fire Services responded to one (1) motor vehicle collisions (MVC) in December. To date in 2021, we have invoiced \$34,967.42 for services provided to the MTO and to non-residents of Malahide Township (November, 2021 incidents).



Burn Permits

To date in 2021, the Staff have issued four hundred and twenty-two (422) burn permits.



General

Automatic Aid Agreement(s)

The Automatic Aid Agreement with Central Elgin was activated once (1) in November, 2021.

Mutual Aid

In December Malahide Fire Services requested Mutual Aid assistance from Central Elgin and Bayham for tanker support at the Nova Scotia Line fire.

Malahide Fire Services was requested for Mutual Aid in December once by the Town of Aylmer and two times by the Office of the Fire Marshal for investigation assistance.

Emergency Management Program**Emergency Response**

No emergency activities in December.

Public Education/Awareness Training

Completed with Fire Prevention and Public Education Program.

Emergency Management Program Committee

Next meeting – TBD in 2022.

Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the “Our Community” Strategic Pillar relates to “Keep Our Community Safe”. By undertaking a long-range strategy, in consultation with the appropriate emergency services authorities, to identify resources required to optimize the provision of emergency services.

Submitted by:	Approved by:
J. Spoor, Director of Fire and Emergency Services	Adam Betteridge, Chief Administrative Officer



Report to Council

REPORT NO.: F-22-02
DATE: February 3, 2022
ATTACHMENT: None
SUBJECT: Malahide Fire and Emergency Services – 2021 Year End Report

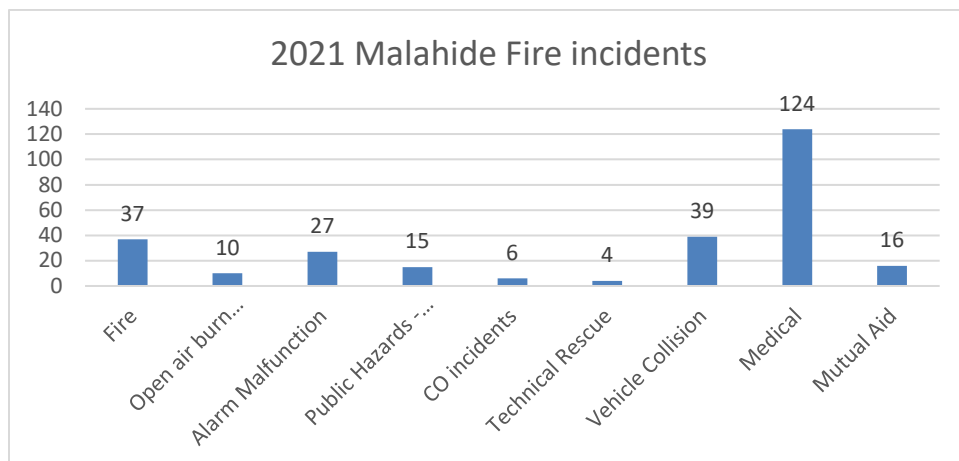
Recommendation:

THAT Report No. F22-02 entitled “Malahide Fire and Emergency Services – 2021 Year End Report” be received.

Background:

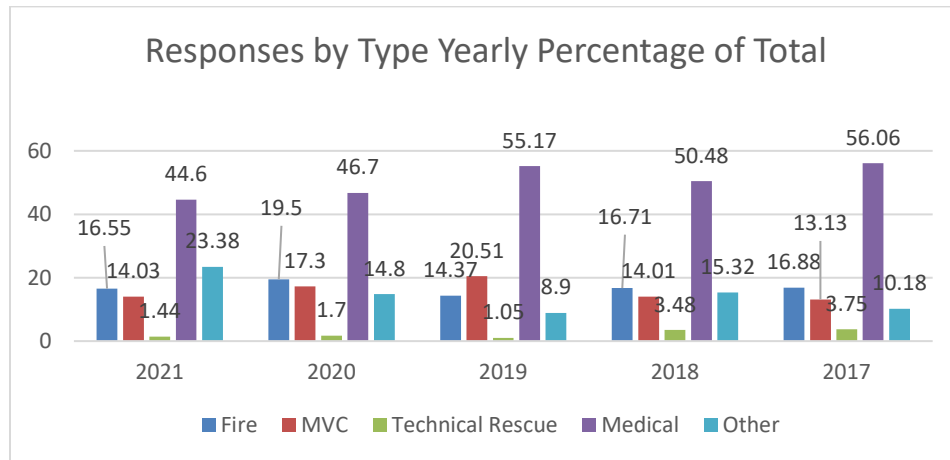
Department Incidents

In 2021, the Malahide Fire Services (MFS) responded 278 times to emergency incidents, as compared to 407 incidents in 2020, 369 incidents in 2019, 521 incidents in 2018, and 474 incidents in 2017.



In 2021, medical responses accounted for approximately 44.6% of all responses as compared to 46.7% in 2020. On average for the last five years, medical responses account for approximately 57.06% of all incidents annually.

Fire responses which have been broken into two categories (Fire 12.59% and burn complaints 3.96%) accounted for approximately 16.55% of all responses in 2021, and account for approximately 15.41% of all responses on average for the last five years. Motor Vehicle Collisions account for 14.03% of all 2021 responses and Technical Rescue calls account for 1.44% of all responses in 2021. The remaining percentages are made up of Mutual Aid and other miscellaneous incidents.



Station Response

The average response time for all incidents in 2021 was 10:33 (all times are minutes:seconds) compared to approximately: 13:18 in 2020; 10:40 in 2019; 11:27 in 2018; 10:57 in 2017; 10:47 minutes in 2016; 11:46 minutes in 2015; 11:17 minutes in 2014; and, 10:35 minutes in 2013.

Station	#calls	Average Response time
North Station	117	8:26
South Station	161	12:04

A further analysis of these numbers reveals that the South Station numbers are somewhat higher because of the large response area resulting in longer drive times to calls as well as the regularity of calls to Port Bruce, which is at the southern most point of the response area.

COVID-19 protocols for medical calls, put in place in March 2020, included:

- a minimum of 3 to maximum of 5 firefighters leaving the hall in a pumper
- no firefighters attending the scene in personal vehicles
- increased PPE while at calls
- proper decontamination of people, gear and vehicles after incidents.

These additional protocols, intended to protect both our volunteer firefighters and the public, have impacted response times.

Response times are considered as the time from when the firefighters receive a page of an incident to the time that the first apparatus arrives on scene. These times are dependent on the availability and proximity of firefighters to the stations and the proximity of the incident to the stations.

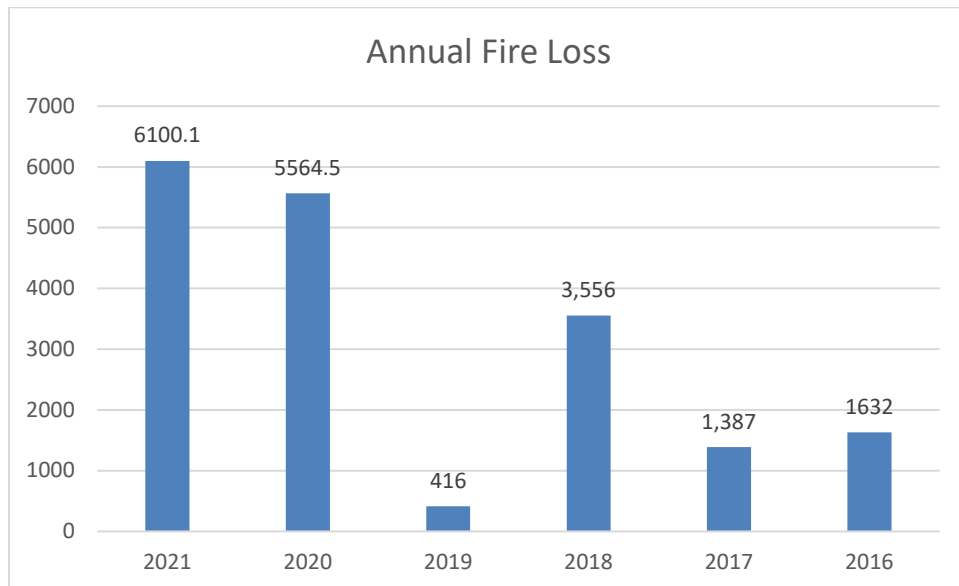
The Department averaged 13.2 firefighters in 2021; 12.4 in 2020; 9.66 in 2019; 8.2 in 2018; and, 8.1 firefighters in 2017. This average takes into account all types of incidents, including medicals, fires, MVC, other incidents, open air burning complaints, etc.

NFPA 1720 establishes a standard of service, Section 4.3.2. further establishes, for rural areas with a population of less than 500 people per square mile of, 6 firefighters on scene within 14 minutes 80% of the time (Malahide falls within section 4.3.2.).

Malahide's response of an average of 13.2 firefighters in attendance in 14 minutes or under is met 95% of the time thus exceeding the NFPA standard. Medical calls are not considered within the standard.

Fire Loss Statistics

In 2021, the estimated dollar loss as a result of fire was approximately \$6.1 million as compared with: approximately \$5.5 million in 2020; \$416,500 in 2019; \$3.6 million in 2018; \$1.38 million in 2017; and, \$1.6 million in 2016. Dollar loss statistics are based on the Staff's best estimate of property and building replacement values only. Fire incidents in 2021 resulted in significant dollars saved due to fast extinguishment and proper tactics used by fire crews.



In addition, 2021 saves of \$5.2 million of property were recorded compared to: 2020 saves of \$4.6 million; 2019 saves of \$1.7 million; 2018 saves of \$4.3 million; 2017 saves of \$2.3 million; and, \$1.8 million saves in 2016.

Total Incident Hours and Staff Hours

The 911 response in 2021 required 1,222 hours of on scene time. The total of all firefighter hours spent at all these incidents total 4,353.

Fire Prevention – Public Education

The MFS public fire safety education activities are delivered by a committed group of volunteer firefighters that partner with the other Elgin County Fire Departments. We currently have 10 members certified as Fire & Life Safety Educators lead by CFPO Dave Bradley.

During COVID restrictions, the group has not been able to carry out in-person public education events, but have continued to regularly post videos to the Township website and set up displays where appropriate.

Fire Safety Inspections

10 inspections were conducted in 2021 with 1 inspection order issued for non-compliance. In 2020 the Staff conducted 12 fire safety inspections. In 2019, 52 fire safety inspections, in 2018, 20 fire safety inspections, and in 2017, the Staff conducted 41 fire safety inspections. The following types of properties/facilities were inspected:

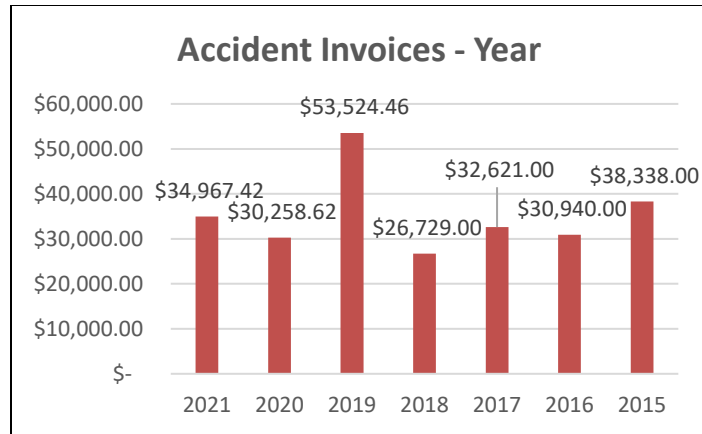
- Assembly (4)
- Industrial (0)
- Institutional (1)
- Mercantile (1)
- Residential (2)
- Miscellaneous (2).

No pro-active inspections were performed in 2021 due to COVID-19 restrictions and best practices recommended by the Ontario Fire Marshal. The inspections that were performed were because of complaints, life safety issues, and mandatory inspections of long-term care facilities.

Fire Services Revenue

Motor Vehicle

In 2021, the Township invoiced (non-residents of Malahide) a total of approximately \$35,000 for response to MVC's on all roadways in the Township, as compared to: \$30,258.62 in 2020; \$53,524 in 2019; \$26,729 in 2018; \$32,621 in 2017; \$30,940 in 2016; and, \$38,437 in 2015.



Ontario Police College (OPC)

Fire Prevention Staff provide fire extinguisher and motor vehicle safety awareness and fire behavior training to Cadets attending the Ontario Police College and fills self-contained breathing apparatus cylinders upon request. New Fire Scene Management and Fire Behavior components were added from the Coroner's Inquest recommendations in 2019.

The OPC is charged a flat fee of \$2,000 per Basic Cadet Training (BCT) intake. This is the agreed amount as the Malahide Fire Services uses their facilities without any invoicing from the College. In 2021, the Township did not provide these services to the OPC because of COVID restrictions.

The revenues generated for services provided to the OPC are dependent on the number of Police Cadets trained annually, and the number of other courses offered by OPC that require the use of self-contained breathing apparatus cylinders by students. The hope is to return to normal course load and full programming later in 2022.

Fire Safety Inspections

The Township's Fees By-law includes provision for the invoice of fire safety inspections on certain types of buildings and properties. Fees are only issued for inspections that are requested by the owner, and are normally due to licensing requirements or the sale of a property. In 2021, the Township invoiced six hundred (\$600.00) dollars for fire safety inspections.

Year	Fees (\$)
2012	500
2013	400
2014	575
2015	0
2016	0
2017	0
2018	0
2019	562.50
2020	0
2021	600.00

Fire Incident Reports

The Township's Fees By-law includes provision for the invoicing of copies of emergency response incident reports.

In 2021, the Township invoiced Two Hundred Twenty-Five (\$225.00) dollars for emergency response incident report requests.

Year	Fees (\$)
2012	0
2013	275
2014	250
2015	105
2016	107.50
2017	207.50
2018	0
2019	0
2020	0
2021	225.00

Burn Permits

In 2013, the Township introduced a new Open Air Burning By-law to regulate the setting of fires in the Township. Under this By-law, residents are not required to obtain a Burn Permit for specific fires such as campfires and recreation fires. The requirements along with the issuance of permits for the calendar year have resulted in less permits being issued annually by the Township Staff.

In 2021, the Township issued approximately 422 permits, a decrease of 20 from 2020.

In 2021, Malahide Fire Services responded to ten (10) unauthorized burning complaints where the property owner did not comply with the Open Air Burning By-law. Written and verbal warnings were issued under the enforcement policy for violating the open-air burning regulations. In 2021, the Staff have not invoiced any property owners for disregarding the provisions of the Open Air Burning By-law.

Payroll to Firefighters

In June 2010, the Township implemented a 'points pay' system for all firefighters. Firefighters are awarded two points per hour for attending emergency incidents, regular training sessions, public education activities, and other approved duties such as filling air cylinders.

In 2019, a standardized point value was determined for a five year period. The 2021 point value (representing ½ hour of time) was \$12.00. Each year the point value will increase by \$1.00 until 2023 when the increase will be consistent with the % increase granted under the then current Collective Agreement.

The first full year for 'points pay' was 2011. Below is a chart indicating the point value from 2011 to 2020.

Year	Total Points	Point Value (\$)
2011 (12 months)	16,399	6.18
2012 (11 months)	15,247	7.19
2013 (12 months)	16,348	7.17
2014 (12 months)	19,932	6.28
2015 (12 months)	18,271	7.61
2016 (12 months)	18,266	8.19
2017 (12 months)	18,621	8.41
2018 (12 months)	24,022	6.98
2019 (12 months)	17,209	10.00
2020 (12 months)	15,491	11.00
2021 (12 months)	16,341	12.00

Malahide Station Training

In 2021, 57 training sessions were conducted for all 3 stations covering 25 subjects from firefighting, medical, and all forms of Technical Rescue. Total time committed by firefighters to in service training was 1,961 hours. Instructors spent additional hours preparing for the delivery of this training.

Technical Rescue Services

The Department's Technical Rescue training program includes:

- a) Auto Extrication;
- b) Water Rescue;
- c) Ice Rescue;
- d) Rope Rescue and
- e) Confined Space.

As of December 31, 2021, the Department has twenty-three (23) firefighters qualified to Awareness, Operations and Technician levels in each of these disciplines.

As of December 31, 2021, the Department has 5 qualified instructors in vehicle extrication, rope and confined space and 3 members designated as Ontario Fire College Associate Instructors for Water and Ice Rescue. All instructors are committed to providing training to other MFS members.

Volunteer Firefighter Recruitment

In 2021, the Department welcomed six (6) new recruit volunteer firefighters. Due to COVID-19 limitations, these recruits have not completed their NFPA 1001 Certification

although they have completed their First Aid/CPR and Modified Tier Responder Training as well as defibrillator, Epi and Naloxone administration.

We are in the process of recruitment for 2022, and believe there will be eight (8) new recruits.

The current compliment of MFS volunteer firefighters (excluding the 2022 recruits) is sixty-one (61).

Junior Firefighter Program

A Junior Firefighter (JFF) is a member of the Department that is currently attending secondary school and interested in the fire service. JFF's are authorized to attend training sessions only, and are not permitted to enter into burning structures during training.

Currently, the Department has one (1) JFF at South Station.

Mutual Aid

Mutual Aid is normally requested when the requesting Department's resources are expended.

In 2021, Malahide Fire Services provided assistance to neighboring Departments (Aylmer, Bayham, Central Elgin, South-West Oxford) at sixteen (16) incidents.

In 2021, Malahide Fire Services requested assistance a total of six (6) times under the Elgin County Fire Departments Mutual Aid Program from Central Elgin and Bayham.

Automatic Aid Agreements

In July 2011, the Township entered into an Automatic Aid Agreement with the Municipality of Central Elgin to provide specific fire and rescue services to specific areas of the Township.

Automatic Aid is when a municipality enters into an agreement to provide or receive the initial or supplemental response to fires, rescues, and emergencies to enhance the delivery of seamless service on a day-to-day basis.

The Automatic Agreement enhances the initial response time to an emergency by ensuring the closet station is dispatched immediately upon the Dispatch Centre receiving the call.

The Agreement has demonstrated that fire and rescue service are timelier than if the Agreement was not in place. For example, Central Elgin Fire and Rescue has arrived anywhere from 3-12 minutes before any Malahide apparatus has arrived at incidents located in the Agreement coverage areas.

An additional benefit of the Agreement is that Malahide can maintain a minimum level of fire protection services to other areas of the Township when dispatched to emergencies in the extreme northwest of the Township.

Automatic Aid was activated 3 times in 2021.

Staff Development

We have continued to expand our training of all firefighters and develop the training of our specialty teams. At the same time we are attempting to bring about Officer Development and certify more Fire Service Instructors. We are actively assisting with providing instructors to the new RTC (Regional Training Centre) for the County of Elgin. This RTC will allow the Township of Malahide to access a greater range of training at a lesser cost.

Draft changes to the *Fire Protection and Prevention Act* are being proposed and will place mandatory certifications for all firefighters as well as mandatory Community Risk Assessments every five years. This may be a very heavy burden moving forward although the full impact that this may have on Malahide is, at this time, unknown. The Provincial Government has restarted looking at implementing these proposed changes however, Malahide continues to ensure that all Staff are trained and certified and we are happy to report that we are fully compliant and ready for the implementation of these changes. This does not diminish the time that will be required for the administration of these changes again, but we have accomplished a great deal in being prepared. The Ontario Fire Marshal has as of December 2021 reiterated that mandatory certification is still a priority and their goal is to have the plan in place by June 2022.

Driver Certification Program

The Township is an authorized agent to deliver a Driver Certification Program (DCP), which allows the Township to certify and renew drivers for up to a Class D and air brake testing and certification.

Employees seeking upgrades to their driver license must undergo a comprehensive training program that includes both in-class training and on-road training. In addition, in order to obtain an air brake endorsement, drivers must attend a 2.5 day in-class training session and demonstrate the ability to perform the MTO air brake inspection requirements.

The Elgin County Chiefs Mutual Aid Association has requested Malahide to provide DZ Certification training to other Elgin County Department recruit firefighters. MTO has provided us with the process in order for this to be acceptable under our program, Dennis Johnson and Ruben Wiebe, our certified trainers, have agreed to dedicate the time to do the training; and the Staff have developed a billing model for the other municipalities to ensure that there are no unrecovered costs to the Township of Malahide for providing this training.

In addition to providing the DCP program to Aylmer, West Elgin, Dutton-Dunwich, Southwold, and Bayham in Elgin, the program has been expanded to also include Thames Centre, Middlesex Centre, and Strathroy-Caradoc in Middlesex County, as well as the OPP. The delivery of the program outside of Elgin County is billed at a higher rate.

Emergency Management Program

Emergency Response

There was approximately 25 hours of ice breaking done in 2021

No flooding response calls were required in 2021, although monitoring of potential flooding was undertaken.

Public Education/Awareness

In 2021, the Township met the Emergency Management Ontario minimum requirements for public education and awareness.

Public education activities included displays at various venues across the Township, normally in conjunction with fire safety education activities set out above.

Emergency Management Program Committee (EMPC)

The Township EMPC has met the Emergency Management Ontario minimum requirements prescribed under the *Emergency Management and Civil Protection Act* (EMCPA) for the Township/s Emergency Management Program.

The EMCPA requires the Township's EMPC to review, revise, develop and/or endorse the following at least annually:

- Community Hazard Identification and Risk Assessment (HIRA)
- General Community Hazards Assessment
- Hazard Information Sheets for each General Hazard
- Community Risk Profile
- Appendices to the Emergency Response Plan
- Critical Infrastructure Assessment
- Malahide Flood Emergency Response Plan.

The Emergency Management Program Committee met on November 24, 2021. All of the above were reviewed prior to the meeting by staff and CEMC Jeff VanRybroek. The Emergency Response Plan and Malahide Flood Emergency Response Plan require updating and staff will be bringing a report in the first quarter of 2022 to adopt updated Plans.

Training and 2020 Program Compliance Activities

The Emergency Management Program Committee met on November 24, 2021 and carried out a tabletop exercise and training. This was very informative for the new staff members who are now part of the Committee.

Comments/Analysis:

In 2021, the Staff completed the following program enhancements:

- Partnered with Elgin County and other Fire Departments to Start a RTC (Regional Training Centre) This will allow Elgin County Fire Departments to access and delivery a certified training program following NFPA Standards. This will help all County Departments with training requirements and fill the void of the closing of the Ontario Fire College. These courses are offered and delivered at a cost recovery basis to the county departments and requests for certain courses can be added as needed.
- Conducted fire safety inspections of all required properties. High risk occupancies, public assembly buildings and migrant farm worker accommodations as requested.
- Maintain effective partnerships with the Ontario Police College, Elgin County Fire Departments, Long Point Region Conservation Authority, and Catfish Creek Conservation Authority.
- Completed training of 6 recruit firefighters 2020 class
- Delivered enhanced medical training to all firefighters.
- Renewed and modified Tiered Response Agreement with Elgin/St Thomas EMS.

In 2022, the Staff will explore enhancements to the following services/programs:

- Malahide Fire Services, in cooperation with the newly formed Elgin County Regional Training Centre, will work together for the purpose of officer, instructor and specialty training and the delivery of two full recruit classes in 2022.
- Continue to build our Township Tech Rescue team and to continue to add challenging training.
- Train firefighters in Officer and Instructor levels.
- Maintain effective partnerships with the Ontario Police College, Elgin County Fire Departments, Elgin OPP, Elgin EMS, local Conservation Authorities.
- Delivery of training for Post-Traumatic Stress Disorder (PTSD) Prevention and resiliency to all firefighters.
- Delivery of Defensive Driver training to all firefighters to enhance their ability to safely operate emergency vehicles.
- Identify upcoming officers and deliver Officer Development training.
- Conduct fire safety inspections on high risk occupancies, including schools, public assembly buildings and small businesses, as requested.
- Train 2021, 2022 recruit firefighters.
- Deliver DZ training to other Elgin and Middlesex County Departments, as well as Elgin OPP under the Township's Driver Certification Program as required.

- Add Two more trained personnel to deliver DZ Training.
- Enhance Emergency Management Plans and create full scale exercise for 2021.
- Continue to deliver paid training for Basic Cadet Program with OPC 452 cadets (trained in 2020 none for 2021 Due to COVID Restrictions)

Relationship to Cultivating Malahide:

The *Cultivating Malahide* Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Local Government.

One of the goals that support the “Our Community” Strategic Pillar relates to “Keep Our Community Safe” by undertaking a long-range strategy, in consultation with the appropriate emergency services authorities, to identify resources required to optimize the provision of emergency services.

Submitted by:	Approved by:
J. Spoor, Director of Fire and Emergency Services	Adam Betteridge, Chief Administrative Officer



Report to Council

REPORT NO.: F-22-03
DATE: February 3, 2022
ATTACHMENT: None
SUBJECT: Appointment of District Chief and District Deputy Chief 2022

Recommendation:

THAT Report No. F22-03 entitled “Appointment of District Chief and District Deputy Chief 2022” be received.

AND THAT Ryan DeSutter be appointed as the District Chief for the North Station response area and Jason Brown be appointed as the District Deputy Chief for South Station, each for a term of 4 years expiring on December 31, 2025.

Background:

Former North response area District Chief, Jeff Spoor, was appointed to the position of Director of Fire and Emergency Services / Fire Chief in October of 2021 leaving this District Chief position vacant.

Former South station District Deputy Chief, Albert Loewen, resigned from Malahide Fire Services in July of 2021 leaving this District Deputy Chief position vacant.

In 2021 the Lyons Station (4) and Springfield Station (3) began responding and training together, and although there are two physical locations where apparatus and vehicles are housed the crews function together as one. In 2021 Malahide Fire Services established that there would be one District Chief for this “north” response area and that there would continue to be two (2) District Deputy Chiefs, one for each station.

The informal merging of these two stations has transitioned well and for the 2022 year forward, in keeping with the senior staff for the south response area, the number of District Deputy Chiefs has been reduced from two to one for the North response area. This reduction of senior staff results in a cost savings of approximately \$8,600.00.

Comments/Analysis:

Both positions set out above were posted within the organization, as set out in the Malahide Fire Services Standard Operating Guideline 10.01 and a formal interview and testing process was completed. There were 2 applicants for the North area District Chief position and 3 applicants for the South Station District Deputy position.

Following the established evaluation process, Ryan DeSutter was determined to be the most qualified candidate for the North District Chief position, and Jason Brown was determined to be the most qualified candidate for the South Station District Deputy position.

Both candidates have received formal Offers and have accepted these new responsibilities.

The following table sets out the Senior Officers with the expiry date of their current term:

Name	Position	Station	Expiry Date of Current Term
DC Randy Loewen	District Chief	South	December 31, 2022
DDC Jason Brown	District Deputy Chief	South	December 31, 2025
DC Ryan DeSutter	District Chief	North	December 31, 2025
DDC Dave Bradley	District Deputy Chief	North	December 31, 2024
Ruben Wiebe	Chief Training Officer	All	No defined term
(Became part of the part-time Deputy Chief position – which is currently vacant)	Chief Fire Prevention Officer	All	No defined term

Relation to Cultivating Malahide:

The *Cultivating Malahide* Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Local Government.

One of the goals that support the “Our Community” Strategic Pillar relates to “Keep Our Community Safe” by undertaking a long-range strategy, in consultation with the appropriate emergency services authorities, to identify resources required to optimize the provision of emergency services.

Submitted by:	Reviewed by:	Approved by:
Gwen Tracey, CHRL Human Resources Manager & Emergency Services Assistant	Jeff Spoor, Director of Fire and Emergency Services / Fire Chief	Adam Betteridge, Chief Administrative Officer



Report to Council

REPORT NO.: PW-22-12
DATE: February 3, 2022
ATTACHMENT:
SUBJECT: 2022 Priority Capital Projects

Recommendation:

THAT Report No. PW-22-12 entitled “Priority Capital Projects” be received;

AND THAT the Pressey Line Reconstruction Project, in the budget amount of \$550,000, be included in the 2022 Capital Budget;

AND THAT the Pier Parking Lot Construction and Drainage Works Project, in the budget amount of \$125,000, be included in the 2022 Capital Budget;

AND THAT the Studies – Ontario Structure Inspection Manual Bridge Review Project, in the budget amount of \$40,000, be included in the 2022 Capital Budget;

AND THAT the Studies – Carter Road Bridge Rehabilitation Design Project, in the budget amount of \$25,000, be included in the 2022 Capital Budget;

AND THAT the Studies – Phase 3 Road Safety Audit, in the budget amount of \$30,000, be included in the 2022 Capital Budget;

AND THAT, notwithstanding that the remainder of the 2022 Budget has not yet been approved, the Municipal Council be requested to approve the following projects for completion in 2022: Pressey Line Reconstruction Project, the Pier Parking Lot Construction and Drainage Works Project, the Studies – Ontario Structure Inspection Manual Bridge Review Project, the Studies – Carter Road Bridge Rehabilitation Design Project, and the Studies - Phase 3 Road Safety Audit Project;

AND THAT, the Municipal Staff be authorized and directed to proceed with the initiation of the following projects so that such projects can be pre-planned, tendered, and completed on time and within budget: Pressey Line Reconstruction Project, the Pier Parking Lot Construction and Drainage Works Project, the Studies – Ontario Structure Inspection Manual Bridge Review Project, the Studies – Carter Road Bridge Rehabilitation Design Project, and the Studies - Phase 3 Road Safety Audit Project.

Background:

The proposed 2022 Capital Budget was last presented to the Budget Committee and Council during 2021 budget deliberations. As the *Municipal Act, 2001* requires that the Council re-adopt the budget for the coming year and the 2022 budget has not received formal adoption at the time of writing this report, and is not expected until as early as April 2022, staff are concerned that various planned capital activities from the multi-year budget may not be undertaken due to weather and competing priorities. There is also benefit to tendering various works and procuring materials early in the year before suppliers and subtrades are fully booked. Accordingly, staff are seeking direction of Council to proceed with the various Capital Projects noted herein which have either been prior included in the multi-year budget, or added to 2022 capital works at the direction of Council throughout 2021. Please note that the following is not an all-encompassing list of directives or capital works for the Township through 2022, and only those works which staff recommend immediate initiation of to ensure appropriate resources are available and projects may be completed.

Comments/Analysis:

Pressey Line Reconstruction

The reconstruction of Pressey Line from Walker Road to Pigram Road was undertaken by Township forces as part of the 2021 Capital Works program and realized savings when compared with tendering the complete project to a private contractor. Consistent with prior adopted road needs studies, the reconstruction of Pressey Line from Springfield Road to Catherine Street and Catherine Street to Walker Road was planned for 2022 reconstruction with an estimated budget of \$1,215,000. Due to the more densely populated nature of Pressey Line from Springfield Road to Catherine Street an urban cross section is being considered which would include an increased pavement width complete with curb and gutter (vs. gravel shoulder). This factor partnered with required hydro-pole relocations will increase the scope of work for the area, and accordingly staff recommend splitting the intended 2022 project over two phases. Staff propose that Pressey Line from Catherine Street to Walker Road be completed with a rural cross section with an estimated budget of \$550,000, and the urban works from Springfield Road to Catherine Street be considered in 2023. Project planning is required during the winter months in order to allow construction to take place in appropriate weather, and accordingly staff are seeking Council authorization to commence planning and procurement for this Capital project ahead of formal approval of the 2022 operating and capital budgets.

Pier Parking Lot and Drainage Works

Engineering design works were completed at the direction of Council in 2021 to address the issue of ponding water and surface material movement of the parking areas west of the Pt. Bruce pier which causes receding water to create pockets of trapped water

behind the pier deck, without a hydraulic outlet and thereby requiring regular and ongoing maintenance. The estimated construction cost to complete the paving and drainage works next to the Pt. Bruce Pier is \$125,000.

Studies – Ontario Structure Inspection Manual (OSIM) Bridge Review

The Township of Malahide undertakes an engineered review of all bridges and culverts in excess of 3m width every two years as recommended by the Ontario Structure Inspection Manual. The last review was completed in 2020 and identified 1 bridge and 5 culverts requiring replacement or major rehabilitation within the 1 to 5 year timeline. Design work to rehabilitate priority projects from those identified (Hacienda Road, Vienna Line) was undertaken in 2021 and capital construction recommendation will be forthcoming to the 2022 budget committee. In the forthcoming RFP for this work in 2022, staff propose to increase the scope of work from the minimum inspection required, to include enhanced inspection of those structures at immediate risk in order to advise the Township of any pending risk, and allow appropriate planning for capital replacement or rehabilitation design and construction works, and have sufficient inventory of projects available for any announced grant opportunities. In order to ensure these inspections and reporting can be received in 2022, staff suggest an early RFP be released to draw on a larger pool of qualified consultants.

Studies – Carter Road Bridge Rehabilitation Design

Continuing from the suggested scope of work inclusion for the 2022 OSIM inspection program, the 2020 OSIM inspections identified immediate critical work required on the Carter Road Bridge located south of Pressey Line which was built in 1965 and experiencing critical cracking and exposed rebar. Detailed follow-up investigation informed that the structure was not at immediate risk of failure, and rehabilitation works would be possible to extend the life of the structure rather than requiring to replace at an estimated cost of \$1.6 Million. The estimated budget to undertake the structural investigation and remedial design work is \$25,000 and staff recommend pre-planning and procurement of this work in 2022.

Studies – Phase 3 Road Safety Audit

Commencing in 2019, the Township endeavored to undertake a safety review of the rural road network (not including Village roads), to inform on compliance with various road design and safety guidance manuals and allow appropriate capital planning to increase safety on the road network. The review was split into three phases, dividing the Township into thirds being: North of Ron McNeil Line, Ron McNeil Line to John Wise Line, John Wise Line to South Limit. The first two phases were complete in 2019 and 2021 and staff propose completion of Phase 3 in 2022 to complete the project. Due to the volume of work involved, an early start is suggested and accordingly staff request Council authorization to proceed with this work, with an estimated budget of \$30,000.

Financial Implications to Budget:

The Director of Finance / Treasurer was consulted on this report and has no concerns.

The implications on the prior considered multi-year capital budget is noted below. In total, the net difference for the consideration of these specific projects only, in comparison to what has been proposed to be undertaken in 2022 from the multi-year budget is a net savings of \$510,000.

<u>Project</u>	<u>Identified in Multi-Year Budget for 2022</u>	<u>New Consideration</u>	<u>Difference</u>	<u>Comments</u>
Pressey Line Reconstructi-on	\$1,215,000	\$550,000	\$(665,000)	Split into multi-phase
Pier Parking Lot and Drainage Works	\$0	\$125,000	\$125,000	Addresses parking and drainage concern
Studies – OSIM Inspection Bridge Review	\$25,000	\$40,000	\$15,000	Enhanced inspection
Vienna Line EA	\$40,000	\$0	\$(40,000)	Not required
Carter Rd Bridge Rehabilitation Design	\$0	\$25,000	\$25,000	Reference: 2020 OSIM Inspection
Studies – Phase 3 Road Safety Audit	\$0	\$30,000	\$30,000	Phase 3 of 3

Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ACSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the “Our Local Government” Strategic Pillar is “Embody Financial Efficiency throughout Decision-Making”. Ensuring that the cost of maintaining municipal infrastructure is equitably borne by current and future ratepayer’s works to achieve this goal.

Submitted by:	Approved for Council:
Matt Sweetland, P.Eng., Director of Public Works	Adam Betteridge, MCIP, RPP Chief Administrative Officer



Report to Council

REPORT NO.: PW-22-13
DATE: February 3, 2022
ATTACHMENT:
SUBJECT: Request to Reserve 2021 Allocation for Outstanding Projects

Recommendation:

THAT Report No. PW-22-13 entitled “Request to Reserve 2021 Allocation for Outstanding Projects” be received;

AND THAT the Director of Finance/Treasurer be authorized to reserve \$195,339.00 from the unspent 2021 Public Works Operating Budget allocation for the completion of outstanding Projects in 2022.

Comments/Analysis:

The following maintenance projects were initiated but not completed in 2021:

1. Walker Road Ditching & Drainage Improvements (Pressey Line to Ron McNeil Line)
2. Springer Hill Road Ditching & Drainage Improvements (Hale Street to Colen Street)
3. Yorke Line Single Surface Treatment (Whittaker Road to Putnam Road)
4. Headstone Maintenance at Trinity and Stewart Cemetery

The Council had approved these projects for 2021 through the Public Works Operating Budget, but could not be carried out due to time spent on other projects, delays in obtaining utility locates and delays due to weather putting contractors behind schedule. Thus, Staff are recommending that \$195,000.00 of the unspent 2021 operating allocation be reserved to complete the work in 2022.

Financial Implications to Budget:

The Public Works Department is requesting the following unspent 2021 allocations be carried forward to 2022:

Project	Account	2021 Budget (B)	2021 Actuals (A)	2021 Unspent Budget (B-A)
Walker Road & Springer Hill Road Ditching	01-1320-5720 01-1320-5721	\$176,024	\$31,145	\$144,879
Yorke Line Surface Treatment	01-1320-5771	\$502,000	\$456,540	\$45,460
Headstone Maintenance	01-1270-5220	\$5,000	\$0	\$5,000
TOTAL		\$683,024	\$487,685	\$195,339

Carrying the funds forward to 2022 will allow the work to be done in 2022 without affecting the approved 2021 budget.

Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based on four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the “Our Local Government” Strategic Pillar relates to “Embody Financial Efficiency throughout Decision-Making”. Regularly reviewing Department Operations and projects ensures that the cost of maintaining municipal infrastructure is equitably borne by current and future rate payers.

Submitted by:	Approved by:	Approved for Council:
Ryan DeSutter, Roads & Construction Manager	Matt Sweetland, P. Eng. Director of Public Works	Adam Betteridge, MCIP, RPP Chief Administrative Officer
Chris Cox, Facilities Coordinator		



Report to Council

REPORT NO.: DS-22-06

DATE: February 3rd, 2022

ATTACHMENT: Report Photo

SUBJECT: Amend Conditions for Application for Consent to Sever No. E52-21 of John Loewen & David (Authorized Agent: David Roe)

LOCATION: Part of Lots 96 & 97, Concession 7, North Talbot Road ("NTR"), and Part of Lot 24, Concession Gore NTR (specifically described as Part 2 on 11R-7037) (51432 Woolleyville Line)

Recommendation:

THAT Report No. DS-22-06 entitled "Amend Conditions for Application for Consent to Sever No. E52-21 of John Loewen & David Loewen" be received;

AND THAT this report and the condition to be added as noted be forwarded to the Land Division Committee for its review and consideration:

"That the applicants initiate and assume all planning costs associated with the necessary planning applications for the existing transport truck and/or auto repair business operating on the subject lands (known locally as 51432 Woolleyville Line), specifically an amendment to the Township of Malahide Zoning By-law and Site Plan Control, with such cost to be paid in full to the Township and that the required processes be successfully completed prior to the condition being deemed fulfilled, or, that a zoning compliance certificate has been obtained from the Township of Malahide Chief Building Official for above-noted business confirming that the business is in compliance with the Township of Malahide Zoning By-law."

Background:

The subject application for Consent to Sever (the "Application") was submitted by David Roe on behalf of John Loewen & David Loewen in order to create an agricultural lot addition. It was submitted concurrently with County Consent Application No. E51-21, which deals with the severance of an existing dwelling located at 51499 Glencolin Line as being "surplus".

Council considered and provided its support, with conditions, to the Application on August 12th, 2021 (see Report No. DS-21-39). The attached Report Photo will assist in recollecting this Application.

The County Land Division Committee (“LDC”) issued provisional consent approval on September 23, 2021.

Comments/Analysis:

The Applicants and their Agent have been working through the imposed conditions, one of which requires a site-specific zoning by-law amendment to address the existing business operating on Glencolin Line.

Upon discussion and review of this condition, it was realized by the Staff that another condition was omitted, and such pertained to also requiring a site-specific zoning by-law amendment for the business operating on Woolleyville Line (shown on the Report Photo).

Planning Report No. DS-21-39 addressed and detailed both conditions, however formal correspondence to the County LDC omitted the second “Woolleyville” condition.

This omission, once realized, was communicated to the Applicants’ Agent. The Agent has concurred that the missed condition is necessary, and is not opposed to the Township rectifying the matter.

In order to rectify this, the Planning Act, RSO 1990 (Sections 53(23), 53(24), 53(25), & 53(26)), does allow the authority (in this case, the County LDC) to change the conditions of a provisional consent at any time before a consent is given. Notice of such changes is required, and the Applicant, and/or any prescribed person, public body may appeal the changed conditions.

A summary of the two conditions are as follows:

1) this condition was imposed and pertains to the northerly business/operation at 51477 Glencolin Line. It reads:

“That the applicants initiate and assume all planning costs associated with the necessary planning applications for the existing transport truck and/or auto repair business operating at 51477 Glencolin Line, specifically, on Part of Lots 23 and 24, Concession Gore NTR, (specifically described as Part 4 on 11R-7037), with such cost to be paid in full to the Township and that the required processes be successfully completed prior to the condition being deemed fulfilled, or, that the Township of Malahide be satisfied that such business has ceased to operate.”

2) The omitted condition pertains to the southerly business/operation at 51432 Woolleyville Line (currently within the “A3-4” zone). This condition should be added by the County LDC. It reads:

“That the applicants initiate and assume all planning costs associated with the necessary planning applications for the existing transport truck and/or

auto repair business operating on the subject lands (known locally as 51432 Woolleyville Line), specifically an amendment to the Township of Malahide Zoning By-law and Site Plan Control, with such cost to be paid in full to the Township and that the required processes be successfully completed prior to the condition being deemed fulfilled, or, that a zoning compliance certificate has been obtained from the Township of Malahide Chief Building Official for above-noted business confirming that the business is in compliance with the Township of Malahide Zoning By-law.”

It is recommended that the County LDC revise the conditions by adding the omitted condition. Further, if the County LDC deems it appropriate to re-start the one-year time limit for completing conditions, such may also be considered appropriate.

Financial Implications to Budget:

The full cost of the consent and associated rezoning process is at the expense of the Applicant and has no implications to the Township’s Operating Budget.

Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ICSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that supports the “Our Land” Strategic Pillar is “Promote growth in a responsible manner”. By promoting new development and directing growth to appropriate areas within the Township through its support of this proposal, the Council is achieving this goal. Another goal that supports the “Our Land” Strategic Pillar is “Protect & Enhance Malahide’s Agricultural Character”. By respecting the agricultural land base through the land use planning process, the Council is achieving this goal.

Approved by:
Adam Betteridge, MCIP, RPP Chief Administrative Officer

APPLICATION FOR A CONSENT TO SEVER
David Roe, agent for John and David Loewen

51432 Wooleyville Line
Part Lot 23 and 24, North Gore
Township of Malahide


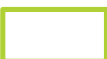

**Township
of Malahide
Figure 1**




OFFICIAL PLAN DESIGNATION
Agriculture

ZONING
A1 General Agricultural
A3 Large Lot Agricultural



-  Parcel B to be Severed
-  Parcel C to be Retained
-  Lands to which parcel B will be conveyed to as a lot addition

 Proposed road widening and turning circle. The precise location, extent, and size of road widening and turning circle block to be determined by the Township.





Report to Council

REPORT NO.: CAO-22-01
DATE: February 3, 2022
ATTACHMENT: Complaint Protocol
SUBJECT: **COMPLAINT PROTOCOL ANNUAL REPORT**

Recommendation:

THAT Report No. CAO-22-01 entitled “Complaint Protocol Annual Report” be received;

AND THAT the Staff be directed to amend the Township’s Complaint Protocol by replacing all references to “Chief Administrative Officer/Clerk” with “Chief Administrative Officer”

Background:

As a follow-up to the *Public Sector and MPP Accountability and Transparency Act, 2014*, a Complaint Protocol was established in 2016 to assist persons in dealing with a concern or complaint regarding Township services and administration. The goal in developing the protocol was to improve the quality of public service provided.

This complaint protocol (see attached) and corresponding complaint form are posted on the Township’s website and are available in hard copy at the Township Office.

The Complaint Protocol requires the Chief Administrative Officer (“CAO”) to report to Council annually. In such report, the CAO shall report on all formal complaints received and, on the disposition (including complaints deemed not to be within the jurisdiction of the Township). Informal complaints, as per the protocol, are not reported on.

Comments/Analysis:

There were no formal complaints received during the 2021 calendar year.

It is recommended that the Complaint Protocol be slightly revised to adjust for the recent separation of the CAO/Clerk position.

Financial Implications to Budget:

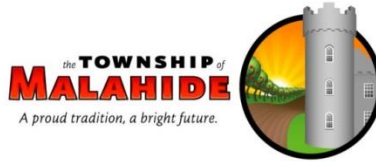
N/A.

Relationship to Cultivating Malahide:

The Cultivating Malahide Integrated Community Sustainability Plan (ACSP) is based upon four pillars of sustainability: Our Land, Our Economy, Our Community, and Our Government.

One of the goals that support the “Our Local Government” Strategic Pillar relates to “Improve Communication within Our Community”. Regularly engaging the public and assisting persons in dealing with a concern or complaint regarding Township services and administration works to achieve this goal and improve the quality of public service for everyone.

Submitted by:
Adam Betteridge, Chief Administrative Officer



COMPLAINT PROTOCOL

COMPLAINTS

Any individual who identifies or witnesses behaviour or an activity by a Member of Staff that appears to be in contravention of:

- a) the Staff Code of Conduct;
- b) established policies and procedures of the Township;
- c) appropriate legislation; or
- d) is unethical on its face;

may pursue the matter through one of the procedures detailed below.

DIRECTLY

The Complainant may address the prohibited behaviour or activity through direct contact with the Member of Staff, as follows:

- a) Advise the Member that the behaviour or activity appears to contravene the Staff Code of Conduct, established policies and procedures, legislation, or is unethical;
- b) Encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behaviour or activity;
- c) Document the incidents including dates, times, locations, other persons present, and any other relevant information; and
- d) Consider the need to pursue the matter in accordance with another complaint procedure.

Individuals are encouraged to pursue this complaint procedure as the first means of remedying behaviour or an activity that they believe violates the Staff Code of Conduct, established policies or procedures, legislation, or is unethical on its face. However, this process is not a precondition or prerequisite to pursuing an informal or formal complaint procedure.

INFORMAL COMPLAINT PROCEDURE

The Complainant may contact the Township of Malahide via email, telephone or over the counter to lodge an informal complaint or concern, requesting the prohibited behaviour or activity be addressed by Management or Council. A Member of Staff shall document the concern or complaint using a Complaint Form. A concern or complaint must include the following information:

- a) The full name of the individual lodging the complaint;
- b) Contact information of the individual lodging the complaint; and
- c) Details of the concern or complaint including reasonable and probable grounds for the allegation, the date and location of the prohibited behaviour or activity, and the names of any other persons who may have been involved in or witnessed the prohibited behaviour or activity.

The following procedure shall be followed upon receipt of an informal complaint:

1. The concern or complaint shall be forwarded within 24 hours of receipt to the appropriate Department Head to review the matter.
2. The Department Head shall review the matter within one business day and shall contact the Complainant to acknowledge receipt of the complaint and to discuss any further questions either the Department Head or the Complainant may have.
3. The Department Head shall investigate the allegation and shall determine a suitable course of action to resolve the matter.
4. The Department Head shall report to the Complainant and the Member as to the findings and the resolution within thirty (30) days of receipt of the complaint.
5. The Department Head shall document the actions taken and the resolution of the issue on the Complaint Form.
6. The completed report and the Complaint Form shall be forwarded to the Chief Administrative Officer/Clerk and shall be filed pursuant to the Township's record retention policies.
7. If the Department Head is unable to resolve the issue, the matter shall be referred to the Chief Administrative Officer/Clerk for further review and action.
8. If the Complainant is not satisfied with the resolution, he or she may consider filing a formal complaint or filing a complaint with the Provincial Ombudsman's office.

FORMAL COMPLAINT PROCEDURE

The Complainant may file a formal complaint in accordance with the following conditions:

- a) All complaints shall be made in writing and shall be dated and signed by an identifiable individual.
- b) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Staff Code of Conduct, established policies and procedures, legislation, or has been unethical in their actions.
- c) If the Complainant is a Member of Council or Staff, their identity shall not be protected if the Provincial Ombudsman finds that the complaint was not made in good faith.
- d) The Council may also file a complaint and/or request an investigation of any of its membership by public motion.

The following procedure shall be followed upon receipt of a formal complaint:

1. The complaint shall be filed with the Chief Administrative Officer/Clerk who shall determine if the matter is, on its face, a complaint with respect to non-compliance and not covered by other legislation or other Council policies as described in subsection 2.
2. If the complaint is not, on its face, a complaint with respect to non-compliance or the complaint is covered by other legislation or complaint procedure under another Council policy, the Chief Administrative Officer/Clerk shall advise the complainant in writing. Other legislation or policies may include:
 - a) Criminal Code of Canada
 - b) Municipal Freedom of Information and Protection of Privacy Act
 - c) Other Policies
 - d) Lack of Jurisdiction
 - e) Matter is already pending.
3. The Chief Administrative Officer/Clerk shall report to Council annually. In his/her report to Council, he/she shall report on all formal complaints received and on the disposition (including complaints deemed not to be within the jurisdiction of the Township).
4. If the Chief Administrative Officer/Clerk is of the opinion that the referral of a matter to him or her is frivolous, vexatious, or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Chief Administrative

Officer/Clerk shall not conduct an investigation and, where this becomes apparent in the course of an investigation, shall terminate the investigation.

5. Following receipt and review of a formal complaint, or at any time during the investigation, where the Chief Administrative Officer/Clerk believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the Complainant and the Member agree, efforts may be pursued to achieve an informal resolution.
6. The Chief Administrative Officer/Clerk shall provide the complaint and supporting information to the Member whose conduct is in question with a request for a written response to the allegation be provided within ten (10) business days.
7. If necessary, after reviewing the submitted materials, the Chief Administrative Officer/Clerk may speak to anyone, access and examine any other documents or electronic materials, and may enter the Township location relevant to the complaint for the purpose of investigation and potential resolution.
8. The Chief Administrative Officer/Clerk shall retain all records related to the complaint and investigation.
9. The Chief Administrative Officer/Clerk shall report to the Complainant and the Member as to the findings and the resolution within thirty (30) days of receipt of the complaint. If the investigation process takes more than thirty (30) days, the Chief Administrative Officer/Clerk shall provide an interim report and advise the parties of the date the final report will be available.
10. Where the complaint is sustained in whole or in part, the Chief Administrative Officer/Clerk shall report to Council, outlining the findings, the terms of any settlement, and/or any recommended corrective action. A copy of the report shall be given to the Complainant and the Member.
11. Where the complaint is not sustained, the Chief Administrative Officer/Clerk shall not report to Council the result of the investigation except as part of an annual report.
12. If the Chief Administrative Officer/Clerk determines that there has been no contravention of the Code of Conduct, established policies and procedures, or legislation, or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the

Chief Administrative Officer/Clerk may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act, 2001*.

13. The Chief Administrative Officer/Clerk and every person acting under his or her jurisdiction shall preserve confidentiality, where appropriate, and where this does not interfere with the course of any investigation, except as required by law and as required by this complaint protocol. At the time of the Chief Administrative Officer/Clerk's report to the Council, the identity of the person who is the subject of the complaint shall not be treated as confidential information if the Chief Administrative Officer/Clerk finds that a breach has occurred.
14. If the Complainant is not satisfied with the resolution, he or she may consider filing a complaint with the Provincial Ombudsman's office.

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 22-06

Being a by-law to amend By-law No. 15-71, to establish rates for municipal water for 2022.

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws that are necessary or desirable for municipal purposes and, in particular, respecting economic, social and environmental well-being of the municipality; health, well-being and safety of Persons; services and things that the municipality is authorized to provide; and protection of Persons and property, including consumer protection;

AND WHEREAS under section 11 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities, which includes a system that is used to provide water services for the public;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001* provides that section 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS section 391 of the *Municipality Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on Persons for services or activities provided by or on behalf of it;

AND WHEREAS the Council of The Corporation of the Township of Malahide enacted By-law No. 15-71, being a by-law to establish rates for municipal water for 2016;

AND WHEREAS the Council of The Corporation of the Township of Malahide enacted By-law Nos. 16-13, 17-100, 18-80 and 19-107, being by-laws to update the rates for municipal water for 2017, 2018, 2019, 2020 and 2021;

AND WHEREAS the Council of The Corporation of the Township of Malahide deems it desirous to amend such municipal water rates as hereinafter set forth;

NOW THEREFORE The Council of the Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. THAT Schedule "A" of By-law No. 15-71, as amended by By-law Nos. 16-13, 17-100, 18-80 and 19-107, be and same is hereby deleted in its entirety and replaced with Schedule "A" attached hereto;

2. THAT this By-law shall come into force and take effect on January 1, 2022.

READ a FIRST and SECOND time this 3rd day of February, 2022.

READ a THIRD time and **FINALLY PASSED** this this 3rd day of February, 2032.

Mayor, D. Mennill

Clerk, A. Adams

**SCHEDULE “A”
TO
BY-LAW NO. 22-06**

Water Rates

ITEM		2020	2021	2022
Base Charge (s.128)	Quarterly	\$72.50	\$75.40	\$78.40
	Annual	\$290.00	\$301.60	\$313.60
Consumption Charge (per cubic meter) (s.120, s.128, s.129, s.130)	Per cubic meter	\$4.02	\$4.34	\$4.69

Water Impost Fees

ITEM	2020	2021	2022
New Connection on existing Water main \$6,225.00 per connection as of 2016, indexed at 3% annually thereafter, plus the cost of the service connection to the water main.	\$7,006.28 plus the cost of the service connection to the water main.	\$7,216.48 plus the cost of the service connection to the water main.	\$7,216.48 plus the cost of the service connection to the water main.

Other Water related Service Fees

ITEM	2020	2021	2022
Hydrant Connection Permit (Bulk Use) The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal staff time and associated costs. The cost of the water purchased is an additional cost, see above. (s.94, s.110(e))	\$80.00 daily fee plus a deposit of \$350.00.	\$80.00 daily fee plus a deposit of \$350.00.	\$80.00 daily fee plus a deposit of \$350.00.
Water Meter Assembly (3/4”) and inspection (s.108, s.110)	\$525.00 plus HST for meters under 3/4” & Full Cost Recovery for meters	\$525.00 plus HST for meters under 3/4” & Full Cost Recovery for meters	\$525.00 plus HST for meters under 3/4” & Full Cost Recovery for meters

ITEM	2020	2021	2022
	larger than ¾"	larger than ¾"	larger than ¾"
New Water connection to inspect from curb stop to house	\$275.00	\$275.00	\$275.00
Water Frost Plates	\$15.00 plus HST	\$15.00 plus HST	\$15.00 plus HST
Connection to waterline where a line tap is required. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal time and associated costs. (s.31).	\$275.00 plus Deposit of \$3,000.00.	\$275.00 plus Deposit of \$3,000.00.	\$275.00 plus Deposit of \$3,000.00.
Water Meter Testing – when no problem discovered. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal time and associated costs.	\$140.00 plus a deposit of \$100.00.	\$140.00 plus a deposit of \$100.00.	\$140.00 plus a deposit of \$100.00.
Voluntary Shut Off/On exceeding 1 per year There is one free voluntary shut off/on per year. Each request thereafter is \$50.00.	\$50.00	\$50.00	\$50.00
Water Service Reconnection includes reconnection after shut off for non-compliance and/or non-payment (s.83, s.91, s.138)	\$60.00	\$60.00	\$60.00
Water Disconnection and Inspection The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal time and associated costs (s.84, s.85, s.86, s.90)	\$100.00 plus a deposit of \$1,000.00.	\$100.00 plus a deposit of \$1,000.00.	\$100.00 plus a deposit of \$1,000.00.
Water Meter Maintenance <i>or Replacement</i> The Township will be responsible for normal testing and repairs to maintain water meters in good operating condition. The cost to repair water meters damaged by freezing, vandalism or wilful neglect will be the responsibility of the property owner (s.120)	Full Cost Recovery	Full Cost Recovery	Full Cost Recovery
Repair to replace curb stop and drain valve (<i>when damaged by abutting property resident</i>)	Full Cost Recovery	Full Cost Recovery	Full Cost Recovery
<i>Service Calls:</i> To Read Meter and/or Attend Property Any additional reads other than the regular meter reading for quarterly or final billing purposes (s.129) <i>Any concerns that require attending the property such as water quality, pressure, billing and other.</i>	\$50.00	\$50.00	\$50.00

Administration Fees

ITEM	2020	2021	2022
Transfer to Taxes: Administration Fee for all water accounts left unpaid after the second consecutive billing, and transferred to the corresponding tax account. (s.135)	\$25.00	\$25.00	\$25.00
Penalty – Utilities Imposed on first day of default (s.133)	5%	5%	5%

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 22-07**

Being a By-law to establish Sewage Rates for the year 2022.

WHEREAS, pursuant to the provisions of the *Municipal Act, 2001*, as amended, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities;

AND WHEREAS a sanitary sewage system falls within the sphere of public utilities;

AND WHEREAS Section 391 of the *Municipal Act, 2001*, as amended, provides that municipalities may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS The Corporation of the Township of Malahide (the "Township") owns, operates, and maintains a sanitary sewage system that serves certain areas of the Township;

NOW THEREFORE the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. THAT the Owner of Premises that is connected to a sanitary sewer main shall pay the applicable Sewer Rate as set out in Schedule "A" to this By-law attached hereto.
2. THAT other fees with respect to the sanitary sewage system shall be determined in conjunction with the Sewer Use By-law and are as set out in Schedule "A" to this By-law attached hereto.
3. THAT By-law No. 19-108, insofar as they relate to Sewage Rates, be and the same is hereby repealed in its entirety.
4. THAT this By-law shall come into force and take effect on the final passing thereof.

READ a **FIRST** and **SECOND** time this 3rd day of February, 2022.

READ a **THIRD** time and **FINALLY PASSED** this 3rd day of February, 2022.

Mayor, D. Mennill

Clerk, A. Adams

SCHEDULE "A"
TO
BY-LAW NO. 22-07

Sewer Rates

ITEM		2020	2021	2022
Single Family Dwelling	Annual	\$1,031.50	\$1,080.63	\$1,132.09
	Quarterly	\$257.87	\$270.15	\$283.02
Single Commercial Unit	Annual	\$1,031.50	\$1,080.63	\$1,132.09
	Quarterly	\$257.87	\$270.15	\$283.02
Duplex or two houses on one account	Annual	\$2,062.99	\$2,161.24	\$2,264.17
	Quarterly	\$515.75	\$540.31	\$566.04
Two apartments or Commercial/ Residential Combination	Annual	\$1,052.11	\$1,102.21	\$1,154.71
	Quarterly	\$263.03	\$275.55	\$288.68
Three apartments or Commercial/ Residential Combination	Annual	\$1,578.16	\$1,653.32	\$1,732.06
	Quarterly	\$394.54	\$413.33	\$433.02
Four apartments or Commercial/ Residential Combination	Annual	\$2,104.21	\$2,204.42	\$2,309.40
	Quarterly	\$526.05	\$551.10	\$577.35
Six apartments or Commercial/ Residential Combination	Annual	\$3,156.31	\$3,306.63	\$3,464.11
	Quarterly	\$789.08	\$826.66	\$866.03
Large User (Malahide Community Place and Springfield Public School) *	Annual	\$4,126.00	\$4,322.50	\$4,528.35
	Quarterly	\$1,031.50	\$1,080.62	\$1,132.09

* The large user rate is four times the single family dwelling rate.

Wastewater Impost Fees

ITEM	2020	2021	2022
Each lot created by consent subsequent to the passage of by-law 02-30 that lies adjacent to the sewer works. \$500.00 to be increased 2% annually as of January 1, 2003 of each year thereafter plus \$2,760.00. Payment in full shall be made prior to the creation of the lot.	\$700.12 plus \$2,760.00. Payment in full shall be made prior to the creation of the lot.	\$714.12 plus \$2,760.00. Payment in full shall be made prior to the creation of the lot.	\$714.12 plus \$2,760.00. Payment in full shall be made prior to the creation of the lot.
Each lot created by registered plan of subdivision or consent subsequent to the passage of by-law 02-30 that requires an extension of the sewage works. \$500.00 as of January 1, 2003 to be increased 2% annually thereafter plus a negotiated impost sewer rate per lot that shall not exceed \$2,760.00 per lot. Payment in full shall be made prior to the creation of the lot.	\$700.12 plus a negotiated impost sewer rate per lot that shall not exceed \$2,760.00 per lot. Payment in full shall be made prior to the creation of the lot.	\$714.12 plus a negotiated impost sewer rate per lot that shall not exceed \$2,760.00 per lot. Payment in full shall be made prior to the creation of the lot.	\$714.12 plus a negotiated impost sewer rate per lot that shall not exceed \$2,760.00 per lot. Payment in full shall be made prior to the creation of the lot.

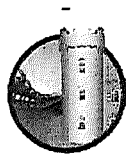
Miscellaneous Wastewater Fees

ITEM	2020	2021	2022
New Private Sewer Connection to inspect from Stub to house.	\$275.00	\$275.00	\$275.00
Unblock Residential Sewer, during working hours	\$150.00 plus deposit of \$500.00. The applicant will be invoiced for the difference between the actual cost incurred and the	\$150.00 plus deposit of \$500.00. The applicant will be invoiced for the difference between the actual cost incurred and the	\$150.00 plus deposit of \$500.00. The applicant will be invoiced for the difference between the actual cost incurred and the

ITEM	2020	2021	2022
	deposit. If the deposit exceeds the actual costs, a refund will be made.	deposit. If the deposit exceeds the actual costs, a refund will be made.	deposit. If the deposit exceeds the actual costs, a refund will be made.
Unblock Residential Sewer, after hours	\$225.00 plus deposit of \$500.00. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made.	\$225.00 plus deposit of \$500.00. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made.	\$225.00 plus deposit of \$500.00. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made.
New Sewer Stub Installation	\$275.00 plus deposit of \$10,000.00. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal time and associated costs.	\$275.00 plus deposit of \$10,000.00. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal time and associated costs.	\$275.00 plus deposit of \$10,000.00. The applicant will be invoiced for the difference between the actual cost incurred and the deposit. If the deposit exceeds the actual costs, a refund will be made. Full cost recovery shall be based on municipal time and associated costs.

Administration Fees

ITEM	2020	2021	2022
Transfer to Taxes Administration fee for all wastewater accounts left unpaid after the second consecutive billing to be transferred to the corresponding tax account. (s.135)	\$25.00	\$25.00	\$25.00
Penalty - Utilities	5% imposed on first day of default (s.133)	5% imposed on first day of default (s.133)	5% imposed on first day of default (s.133)



TOWNSHIP OF MALAHIDE

DRAINAGE BY-LAW NO. 21-87

Drainage Act, R. S.O. 1990, c. D17
Reg. 300/81, s.1, Form 6

Being a By-law to provide for a drainage works
on the Maginnis Drain 2021
in the Township of Malahide,
in the County of Elgin

WHEREAS the requisite number of owners have petitioned the Council of the Township of Malahide in the County of Elgin in accordance with the provisions of the Drainage Act, requesting that the following lands and roads may be drained by a drainage works.

Pt Lots 20 to 22
Concession 2 to 4
In the geographic Township of Malahide

AND WHEREAS the Council for the Township of Malahide has procured a report made by Spriet Associates and the report is attached hereto and forms part of this by-law.

AND WHEREAS the estimated total cost of constructing the drainage works is \$20,500.00.

AND WHEREAS \$20,500.00 is the amount to be contributed by the municipality for construction of the drainage works.

AND WHEREAS \$20,500.00 is being assessed in the Township of Malahide in the County of Elgin.

AND WHEREAS the council is of the opinion that the drainage of the area is desirable.


NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MALAHIDE UNDER THE DRAINAGE ACT ENACTS AS FOLLOWS:

1. The report dated October 28, 2021, and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized, and shall be completed in accordance therewith.
2.
 - (a) The Corporation of the Township of Malahide may borrow on the credit of the Corporation the amount of \$20,500.00 being the amount necessary for construction of the drainage works.

- (b) The Corporation may issue debentures for the amount borrowed less the total amount of,
- i. Grants received under section 85 of the Act;
 - ii. Commuted payments made in respect of lands and roads assessed within the municipality;
 - iii. Moneys paid under subsection 61(3) of the Act; and
 - iv. Moneys assessed in and payable by another municipality,
- (c) And such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by The Ontario Municipal Improvement Corporation on the date of sale of such debentures.
3. A special equal amount rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the Schedule to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this by-law.
4. All assessments of \$500.00 or less are payable in the first year in which the assessment is imposed.
5. This By-law comes into force on the passing thereof and may be cited as the "Maginnis Drain 2021".

READ A FIRST AND SECOND TIME THIS 16th day of December, 2021.


Mayor


Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 3rd day of February, 2022.

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 22-08**

Being a By-law to adopt, confirm and ratify matters dealt with by resolution of the Township of Malahide.

WHEREAS Section 5(3) of the Municipal Act, 2001, c. 25, as amended, provides that the powers of every council are to be exercised by by-law;

AND WHEREAS in many cases, action which is taken or authorized to be taken by the Township of Malahide does not lend itself to the passage of an individual by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Township of Malahide at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. THAT the actions of the Council of the Township of Malahide, at its regular meeting held on February 3, 2022, in respect of each motion, resolution and other action taken by the Council of the Township of Malahide at such meeting is, except where the prior approval of the Ontario Municipal Board or other authority is required by law, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
2. THAT the Mayor and the appropriate officials of the Township of Malahide are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Township of Malahide referred to in the proceeding section.
3. THAT the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the corporate seal of the Township of Malahide.
4. THAT this By-law shall come into force and take effect upon the final passing thereof.

READ a **FIRST** and **SECOND** time this 3rd day of February, 2022.

READ a **THIRD** time and **FINALLY PASSED** this 3rd day of February, 2022.

Mayor, D. Mennill

Clerk, A. Adams