



The Corporation of the Township of Malahide

A G E N D A

October 21, 2021 – 7:30 p.m.

**Malahide Community Place
12105 Whittaker Road, Springfield.**

**** Note: Due to COVID-19 restrictions, this meeting will have limited seating capacity for Council and Municipal Staff only. The meeting will also be streamed live on YouTube.****

- (A) Roll Call
- (B) Disclosure of Pecuniary Interest
- (C) Approval of Previous Minutes **RES 1 (Pages 14 - 26)**
- (D) Presentations/Delegations/Petitions
 - (i) Court of Revision – Candy Drain Branch No. 4 relating to property at Part Lot 87, Concession 7, Geographic Township of Malahide. **RES 2 - 6 (Page 27)**
 - (ii) Court of Revision – Simpson Drain Reassessment relating to property at Part Lots 6 to 26, Concessions 10 to 12, Geographic Township of Malahide; Village of Springfield; and Part Lots 3 to 14, Concession 10 to 12, Geographic Township of South Dorchester. **RES 7 - 10**
 - (iii) Public Meeting – Minor Variance Application of Todd Hayhoe relating to property at Part Lot 22, Concession 1, Geographic Township of Malahide, municipally known as 51263 Nova Scotia Line. **RES 11 - 13 (Pages 28 - 37)**

- (iv) Public Meeting – Rezoning Application of Marilyn and John Sebok, relating to property at Part Lots 34 and 35, Concession 1, Geographic Township of Malahide, municipally known as 53367 Nova Scotia Line. **RES 14 - 17 (Pages 38 - 52)**
 - (v) Presentation - Warden Tom Marks and CAO Julie Gonyou, of the County of Elgin, providing a County of Elgin Update for 2021. **RES 18 (Pages 53 - 64)**
 - (vi) Presentation – Brad Mousseau of Uplink Communications Inc. providing an internet solution proposal. **RES 19 (Pages 65 - 72)**
- (E) Reports of Departments:
- (i) Director of Fire & Emergency Services
 - Emergency Services Activity Report – September. **RES 20 (Pages 73 - 76)**
 - (ii) Director of Public Works
 - Petition for Drainage: Norton Street. **RES 21 (Pages 77 - 79)**
 - Petition for Drainage – Chromczak Petition. **RES 22 (Pages 80 - 83)**
 - Malahide Water Distribution System – 2021 MECP Final Inspection Report. **RES 23 (Pages 84 - 109)**
 - Contract Award: 2021-2024 Community Facility and Municipal Sidewalk Winter Maintenance. **RES 24 (Pages 110 - 117)**
 - (iii) Director of Development Services
 - Revised Application for Consent to Sever of Margaret Goodhue. **RES 25 (Pages 118 - 130)**
 - Application for Consent to Sever of Anna and Isaak Giesbrecht. **RES 26 - 27 (Pages 131 - 146)**
 - Application for Consent to Sever of Civic Planning Solutions Inc. (David Roe) on behalf of 181711 Ontario Inc. (B & S. Carrel). **RES 28 (Pages 147 - 160)**
 - (iv) Director of Financial Services/Treasurer
 - (v) Clerk
 - Alternative Voting Methods 2022 Municipal Election. **RES 29 (Pages 161 - 171)**
 - (vi) Chief Administrative Officer
- (F) Reports of Committees/Outside Boards. **RES 30**

- (i) Long Point Region Conservation Authority – Board of Directors Minutes of September 1, 2021. **(Pages 172 - 177)**
 - (ii) Elgin Group Police Services Board – Draft Minutes of August 18, 2021. **(Pages 178 - 180)**
- (G) Correspondence **RES 31**
- 1. Association of Municipalities of Ontario - Watch File – dated October 7 and 14, 2021. **(Pages C3 - 9)**
 - 2. Township of Enniskillen – Resolution requesting the Minister of Health to research more fully when AND before an applicant is issued a license for either medicinal or recreational cannabis, AND notification and/or communication be given to the appropriate municipality; mandate regular inspections of the facilities to ensure compliance; any complaints received regarding the facilities should trigger an unannounced inspection; and a comprehensive study of the Cannabis Act be undertaken as many Ontario municipalities have encountered problems. **(Pages C10 - 11)**
 - 3. Township of Enniskillen – Resolution requesting that the Ministry of Agriculture and Rural Affairs re-evaluate their position that cannabis is not an agricultural product such as food for and fibre but is in fact Industrial/Commercial in nature; and that municipalities be able to determine appropriate setbacks in Zoning By-laws as appropriate for their municipality for the placement of cannabis facilities within their Official Plan knowing full well that one size does not fit all. **(Pages C12 - 13)**
 - 4. Municipality of Leamington – Resolution endorsing the Association of Municipalities of Ontario's recommendations contained in its submission to the Long Term Care COVID 19 Commission; and urges the Provincial Government to move forward with implementation of these recommendations, including instituting higher standards with increased funding to homes to implement those standards; and to advocate to the Federal Government to enhance federal health care funding to the Provinces and Territories, specifically dedicating funding to long term care, and to undertake further efforts to protect, promote and restore the physical and mental well-being of long term care residents in Canada. **(Pages C14 - 16)**
 - 5. Ministry of Northern Development, Mines, Natural Resources and Forestry – Correspondence advising of proposed amendments to the Crown Forest Sustainability Act, 1994, Professional Foresters Act, 2000 and the Public Lands Act, Ministry of Northern Development Mines, Natural Resources and Forestry including in the Supporting People and Businesses Act, 2021. **(Pages C17 - 23)**

6. AMO Policy Up-date – Phase 1 Regulations of *Conservation Authorities Act* release. The Province filed three new regulations under the *Conservation Authorities Act* to implement the changes that were required by Bill 229, the Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020. **(Pages C24 - 25)**
 7. Solicitor General - Correspondence Extending the Deadline for adoption and implementation of local community safety and well-being plan. (Malahide adopted the Aylmer-Elgin-St. Thomas Community Safety and Well-Being Plan on June 17, 2021). **(Pages C26 - 27)**
 8. Municipality of Central Elgin – Notice of Proposed Zoning By-law Amendments. **(Pages C28 - 30)**
 - 250 Colborne Street, Port Stanley.
 - 45561 Elm Line.
 - 6531 Bostwick Road.
- (H) Other Business
- (i) Elgin County Museum and Archives correspondence providing the final selected design for the Port Bruce Public Washroom building murals funded by the Bushell bequest. (Deferred from October 7, 2021, Regular Council Meeting.) **RES 32 (Pages 181 - 183)**
- (I) By-laws
- (i) By-law No. 21-76 – Appointment of Director of Finance/Treasurer. **RES 33 (Page 184)**
- (J) Closed Session – Advice that is subject to Solicitor-client privilege, including communications necessary for that purpose relating to Malahide Health and Safety Policy. **RES 34 and 35**
- (K) Confirmatory By-law **RES 36 (Page 185)**
- (L) Adjournment **RES 37**

****VIDEOCONFERENCE MEETING**

Note for Members of the Public:

IMPORTANT --- As a result of COVID-19 protocols, all Council Members and Staff are required to wear a mask or other face covering when they enter Malahide Community Place. Once you are seated in your designated Councillor/Staff spot, you are able to remove your mask while you are seated. If you have to get up and move around during or after the meeting, you are required to put your mask back on. You must wear a mask whenever you are not seated in your designated spot.

Please note that the Regular Council Meeting scheduled to be held on October 21, 2021 will be via videoconference only for presenters, the press and the public.

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 October 7, 2021 be adopted as printed and circulated.
2. THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Candy Drain – Branch No. 4:
Mayor Dave Mennill (Chair)
Deputy Mayor Dominique Giguère
Councillor Rick Cerna
3. THAT the Court of Revision for the Candy Drain – Branch No. 4 be called to order at 7: p.m.

AND THAT Dave Mennill be appointed Chairman.
4. THAT the Court of Revision members for the Candy Drain – Branch No. 4 do hereby accept the recommendations of Drainage Engineer J. M. Spriet, Spriet Associates; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated July 14, 2021.
5. THAT the Court of Revision relating to the Candy Drain – Branch No. 4 be adjourned and the Council Meeting reconvene at 7: p.m.
6. THAT the tender for the Candy Drain be awarded to New Day Excavation Inc. in the amount of \$22,400.00; subject to the expiration of all appeal periods and subject to no appeals having been received related to the Candy Drain – Branch 4.
7. THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the Simpson Drain Reassessment:
Mayor Dave Mennill (Chair)
Deputy Mayor Dominique Giguère
Councillor Max Moore

8. THAT the Court of Revision for the Simpson Drain Reassessment be called to order at 7: p.m.

AND THAT Dave Mennill be appointed Chairman.

9. THAT the Court of Revision members for the Simpson Drain Reassessment do hereby accept the recommendations of Drainage Engineer G. A. Vereyken, Spriet Associates; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated June 18, 2021.
10. THAT the Court of Revision relating to the Simpson Drain Reassessment be adjourned and the Council Meeting reconvene at 7: p.m
11. THAT the Committee of Adjustment for the Township of Malahide be called to order at 7: p.m. and that Mayor Dave Mennill be appointed Chairperson for the "Committee of Adjustment".
12. THAT Report No. DS-21-51 entitled "Minor Variance Application No. D13-MV-08-21 of Todd Hayhoe" and affecting lands described as Part of Lot 22, Concession 1 in the Township of Malahide (51263 Nova Scotia Line) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-08-21;

AND THAT the approval shall permit a new accessory building measuring approximately 117 sq. metres (42 feet by 30 feet) in area and at distances of 3.9 metres (approximately 13 feet) from the property's rear lot line and 1.2 metres (approximately 4 feet) from the property's side lot line;

AND THAT the approval of the Minor Variance shall be subject to the following conditions:

- 1) That the owner/applicant obtain the necessary Building Permit(s) and obtain occupancy of the proposed structure within one (1) year from the date of decision, and to the satisfaction of the Chief Building Official ensuring that the approved variance applies only to the proposed detached accessory structure which is to be situated as illustrated in the application;
- and,
- 2) That, prior to the issuance of the building permit referenced in 1) above, that the Chief Building Official be satisfied that the design of the accessory structure does not include over-head doors facing the rear or westerly-side

lot line, and that the downspouts and roof leaders are not directed to the adjacent farmlands.

13. THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at ?? p.m.
14. THAT the Public Meeting concerning the Zoning By-law Amendment Application of Marilyn and John Sebok relating to the property located at Part Lots 34 and 35, Concession 1, be called to order at 7:30 p.m.
15. THAT the Public Meeting concerning the Zoning By-law Amendment Application of Marilyn and John Sebok relating to the property located at Part Lots 34 and 35, Concession 1, be adjourned and the Council meeting reconvene at 7:00 p.m.
16. THAT Report No. DS-21-44 entitled "Zoning By-law Amendment Application of "Marilyn and John Sebok" be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z09-21 of Marilyn and John Sebok relating to the property located at Part Lots 34 and 35, Concession 1, being Part 4 on RP 11R-5475, and known locally as 53367 Nova Scotia Line, BE APPROVED for the reasons set out in this Report.

17. THAT By-law No. 21-73 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the property owned by Marilyn and John Sebok relating to the property located at Part Lots 34 and 35, Concession 1, be given first, second and third readings, and properly signed and sealed.
18. THAT the presentation of Elgin County Warden Tom Marks and CAO Julie Gonyou relating to Elgin County Update 2021 be received.
19. THAT the presentation of Brad Mousseau relating to an Internet Solution Proposal be received.
20. THAT Report No. F21-13 entitled "*Emergency Services Activity Report – September*" be received.
21. THAT Report No. PW-21-51 entitled "Petition for Drainage: Norton Street" be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates Ltd., be appointed to prepare an Engineer's Report for the Norton Street Petition.

22. THAT Report No. PW-21-55 entitled "Petition for Drainage – Chromczak Petition" be received;

AND THAT Mike Devos, P. Eng. of Spriet Associates Ltd., be appointed to prepare an Engineer's Report for this petition.

23. THAT Report No. PS-21-52 entitled "Malahide Water Distribution System- 2021 MECF Final Inspection Report" be received.
24. THAT Report No. PW-21-53 entitled "Contract Award: 2021-2024 Community Facility and Municipal Sidewalk Winter Maintenance" be received;

AND THAT the 2021-2024 Community Facility Winter Maintenance contract be awarded to Kettle Creek Landscaping Limited;

AND THAT the 2021-2024 Municipal Sidewalk Winter Maintenance contract be awarded to Kettle Creek Landscaping Limited;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Kettle Creek Landscaping Limited, of St. Thomas, Ontario, for the purpose of completing the 2021-2024 Community Facility and Municipal Sidewalk Winter Maintenance contracts.

25. THAT Report No. DS-21-33 entitled "Revised Application for Consent to Sever of Margaret Goodhue" be received;

AND THAT the Application for Consent to Sever No. D10-E54-21 as submitted by Margaret Goodhue, relating to the property located at East Part of Lot 23, Concession 12, (Geographic Township of South Dorchester), and known municipally as 47148 Ron McNeil Line, be supported for the reasons set out in this Report;

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

AND THAT the conditions previously imposed, and forwarded to the Land Division Committee dated July 9th, 2021 remain unchanged.

26. THAT Report No. DS-21-45 entitled "Application for Consent to Sever of Anna and Isaak Giesbrecht" be received;

AND THAT the Application for Consent to Sever of Anna and Isaak Giesbrecht relating to the property located at Part of Lot 11, Concession 1, (Township of Malahide), and known municipally as 49485 Nova Scotia Line, be supported for the reasons set out in this Report;

AND THAT this report and the recommended conditions be forwarded to

the Land Division Committee for its review and consideration.

27. THAT the Malahide Township Council has no objection to the Land Severance No. E73/21 in the name of Anna and Isaak Giesbrecht, relating to the property located at Part Lot 11, Concession 1, Geographic Township of Malahide, subject to the following conditions:

1. 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.
2. 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.
3. 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.
4. 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, including, that the Township be satisfied that all accessory structures are located and situated in accordance with applicable zoning by-law regulations.
5. That the existing asphalt laneway which crosses-over the proposed new lot line be removed & returned to sod.
6. 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 the conversion of the existing barn to residence occurs in accordance with the Ontario Building Code and within a specified period of time.
7. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
8. The owner has the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage disposal system and payment of necessary fees per lot.

9. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
10. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
11. 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.

28. THAT Report No. DS-21-46 entitled "Application for Consent to Sever of Civic Planning Solutions Inc. (David Roe), on behalf of 181711 Ontario Inc (B. & S. Carrel)" be received;

AND THAT the Application for Consent to Sever of Civic Planning Solutions Inc. (David Roe), on behalf of 181711 Ontario Inc (B. & S. Carrel), relating to the property located in Part of Lot 16 through Lot 18 inclusive, Concession 9, (Geographic Township of Malahide), be deferred for the reasons set out herein;

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

The recommendations are based on updated information and at the request of Township administration.

29. THAT Report No. CLERK-21-04 entitled "(Alternative Voting Methods 2022 Municipal Election)" be received;

AND THAT Council approve the use of internet/telephone voting as the alternative voting method for the 2022 Municipal Election being held on Monday October 24, 2022;

AND THAT Staff be authorized to execute any agreements necessary to implement internet/telephone voting;

AND THAT the Clerk be requested to prepare the necessary by-law for consideration by the Council at a future meeting to authorize the internet voting/voting by telephone process;

30. THAT the following Reports of Committees/Outside Boards be noted and filed:
 - (i) Long Point Region Conservation Authority – Board of Directors Minutes of September 1, 2021.

- (ii) Elgin Group Police Services Board – Draft Minutes of August 18, 2021.

31. THAT the following correspondence be noted and filed:

1. Association of Municipalities of Ontario - Watch File – dated October 7 and 14, 2021.
2. Township of Enniskillen – Resolution requesting the Minister of Health to research more fully when AND before an applicant is issued a license for either medicinal or recreational cannabis, AND notification and/or communication be given to the appropriate municipality; mandate regular inspections of the facilities to ensure compliance; any complaints received regarding the facilities should trigger an unannounced inspection; and a comprehensive study of the Cannabis Act be undertaken as many Ontario municipalities have encountered problems.
3. Township of Enniskillen – Resolution requesting that the Ministry of Agriculture and Rural Affairs re-evaluate their position that cannabis is not an agricultural product such as food for and fibre but is in fact Industrial/Commercial in nature; and that municipalities be able to determine appropriate setbacks in Zoning By-laws as appropriate for their municipality for the placement of cannabis facilities within their Official Plan knowing full well that one size does not fit all.
4. Municipality of Leamington – Resolution endorsing the Association of Municipalities of Ontario's recommendations contained in its submission to the Long Term Care COVID 19 Commission; and urges the Provincial Government to move forward with implementation of these recommendations, including instituting higher standards with increased funding to homes to implement those standards; and to advocate to the Federal Government to enhance federal health care funding to the Provinces and Territories, specifically dedicating funding to long term care, and to undertake further efforts to protect, promote and restore the physical and mental well-being of long term care residents in Canada.
5. Ministry of Northern Development, Mines, Natural Resources and Forestry – Correspondence advising of proposed amendments to the Crown Forest Sustainability Act, 1994, Professional Foresters Act, 2000 and the Public Lands Act, Ministry of Northern Development Mines, Natural Resources and Forestry including in the Supporting People and Businesses Act, 2021.

6. AMO Policy Up-date – Phase 1 Regulations of *Conservation Authorities Act* release. The Province filed three new regulations under the *Conservation Authorities Act* to implement the changes that were required by Bill 229, the Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020.
7. Solicitor General - Correspondence Extending the Deadline for adoption and implementation of local community safety and well-being plan. (Malahide adopted the Aylmer-Elgin-St. Thomas Community Safety and Well-Being Plan on June 17, 2021).
8. Municipality of Central Elgin – Notice of Proposed Zoning By-law Amendments.
 - 250 Colborne Street, Port Stanley.
 - 45561 Elm Line.
 - 6531 Bostwick Road.
32. THAT the Elgin County Museum and Archives submission of the final design for the Port Bruce Public Washroom building murals, funded by the Bushell bequest, be approved.
33. THAT By-law No. 21-76 being a By-law to appoint a Director of Finance/Treasurer, be given first, second and third readings, and be properly signed and sealed.
34. THAT Council move into Closed Session at ____ p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss advice that is subject to Solicitor-client privilege, including communications necessary for that purpose relating to Malahide Health and Safety Policy
35. THAT Council move out of Closed Session and reconvene at ____ p.m. in order to continue with its deliberations.
36. THAT By-law No. 21-78, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.
37. THAT the Council adjourn its meeting at _____ p.m. to meet again on November 4, 2021, at 7:30 p.m.

The Corporation of the Township of Malahide

October 7, 2021 – 7:30 p.m.

Virtual Meeting - <https://youtu.be/DBbf3KuGvNs>

Due to COVID 19 and Public Health concerns, the Malahide Township Council met at the Malahide Community Place, at 12105 Whittaker Road, Springfield, at 7:30 p.m. in order to allow for physical distancing. No public attendance was permitted. The following were present:

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

Staff: Chief Administrative Officer A. Betteridge, Clerk A. Adams, Director of Fire and Emergency Services J. Spoor, IT Manager C. Coxen, and Deputy Clerk D. Wilson.

Staff Members via Videoconference: Drainage Superintendent B. Lopez, and Roads and Construction Manager R. DeSutter.

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 two pecuniary interest matters

- (i) Council Agenda Items E (ii) Petition for Drainage – Sparta Line. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.
- (ii) Council Agenda Item E (ii) Harvest Bowl Project. The nature of the conflict being he is on the Board of Directors of the Harvest Bowl Project.

Councillor Moore disclosed a pecuniary interest with respect to Council Agenda Item (D) (i) Rezoning Application of Marion Wallace. The nature of the conflict

being that his daughter and son-in-law purchased one of the previously severed lots of M. Wallace.

Mayor Mennill welcomed the new Director of Fire and Emergency Services, Jeff Spoor to the Township. The Mayor indicated the Council was looking forward to working with Mr. Spoor.

MINUTES:

No. 21-414

Moved by: Rick Cerna

Seconded by: Max Moore

THAT the minutes of the regular meeting of the Council held on September 16, 2021 be adopted as printed and circulated.

Carried.

PRESENTATIONS/DELEGATIONS/PETITIONS:

Public Meeting – Zoning By-law Amendment – Marion Wallace (Agent: Jerome Collins) relating to Part Lots 15 and 16, Concession 2. Geographic Township of South Dorchester.

Councillor Moore declared a conflict of interest with respect to Council Agenda Items D (i) relating to the Zoning By-law Amendment Application of Marion Wallace, retired from the meeting and abstained from all discussions and voting on the matter.

No. 21-415

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT the Public Meeting concerning the Zoning By-law Amendment Application of Marion Wallace relating to the property located at Lots 15 and 16, Concession 7, be called to order at 7:32 p.m.

Carried.

Mayor Mennill advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property located at 48550 and 48670 Yorke Line, to change the zoning to allow severance of two existing dwellings as surplus as a result of a farm consolidation.

Mayor Mennill asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express on September 15 and 22, 2021. In addition, affected property owners within 120 meters were sent a notice by prepaid first class mail that was posted at least twenty days prior to this meeting.

Mayor Mennill requested the Chief Administrative Officer (CAO) to provide an overview and of the application together with any comments received. The CAO advised that the Owner/applicant has obtained approval from the Elgin County Land Division Committee (Application Nos. E25/21 and E26/21) for consent to sever two existing dwellings as surplus as a result of farm consolidation. As a condition of the approval of Application No. E25/21 and E26/21, a Zoning By-law Amendment is required for the severed dwellings and retained farm lands to be regulated as per the requirements of the Provincial Policy Statement and the Official Plans for the County of Elgin and the Township of Malahide.

The subject Zoning By-law Amendment will place the retained/remnant farm property into the "Agricultural (A2) Zone" so as to prohibit the establishment of any subsequent dwelling. The Amendment will also place the two severed dwelling properties into the "Small Lot Agricultural (A4) Zone".

The CAO advised that correspondence was received from Kettle Creek Conservation Authority indicating no objections

Mayor Mennill asked if any persons were in attendance that wished to make any comments regarding the application and there were none.

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

Mayor Mennill advised that the Council will consider all comments received when making its final decision on the application.

No. 21-416

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT the Public Meeting relating to Zoning By-law Amendment Application of Marion Wallace relating to the property located at Lots 15 and 16, Concession 7, be adjourned and the Council meeting reconvene at 7:35 p.m.

Carried.

No. 21-417

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT Report No. DS-21-43 entitled “Zoning By-law Amendment Application of Marion Wallace” be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z08-21 of Marion Wallace relating to the property located at South Part of Lots 15 and 16, Concession 7, Geographic Township of South Dorchester, and known municipally as 48550 and 48670 Yorke Line, BE APPROVED for the reasons set out in this Report.

Carried.

No. 21-418

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT By-law No. 21-67 being a By-law to amend Zoning By-law No. 18-22 insofar as it relates to the property owned by Marion Wallace, located at Lots 15 and 16, Concession 7, be given first, second and third readings, and properly signed and sealed.

Carried.

Councillor Moore resumed his seat at the Council Table.

CLOSED SESSION:

No. 21-419

Moved by: Chester Glinski

Seconded by: Scott Lewis

THAT Council move into Closed Session at 7:35 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- (i) Advice that is subject to Solicitor-Client privilege including communications necessary for that purpose AND/OR Personal Matters about an identifiable individual, including municipal or local board employees, relating to Covid Policy.**

Carried.

No. 21-420

Moved by: Chester Glinski

Seconded by: Scott Lewis

THAT Council move out of Closed Session and reconvene at 7:50 p.m. in order to continue with its deliberations.

Carried.

The Mayor advised that during the Closed Session, the Council received information subject to Solicitor-Client privilege including communications necessary for that purposes and/or Personal Matters about an identifiable individual, including municipal or local board employees, and this item will be discussed further in the Report Section under the Chief Administrative Officer.

REPORTS:

Director of Public Works

- Petition for Drainage: Sparta Line

Councillor Widner declared a conflict of interest with respect to Council Agenda Items E (ii) relating to the Petition for Drainage: Sparta Line, retired from the meeting and abstained from all discussions and voting on the matter.

No. 21-419

Moved by: Max Moore

Seconded by: Scott Lewis

THAT Report No. PW-21-49 entitled “Petition for Drainage: Sparta Line” be received;

AND THAT John M. Spriet, P. Eng., of Spriet Associates Ltd., be appointed to prepare an Engineer’s Report for the Sparta Line Petition, it being noted that the Petitioner is requesting this petition to be incorporated into the Engineers report currently being prepared for the Butters Petition on Sparta Line.

Carried.

Councillor Widner resumed his seat at the Council Table.

- Request for Authorization for Road Authority to Petition for Drainage – Norton Street

No. 21-420

Moved by: Chester Glinski

Seconded by: Rick Cerna

THAT Report No. PW-21-50 entitled “Request for Authorization for Road Authority to Petition for Drainage – Norton Street” be received;

AND THAT The Director of Public Works or his designate be authorized to file a petition for drainage under Section 4 of the *Drainage Act* for future drainage work on Norton Street.

Carried.

- Review of Draft Township Telecommunication Equipment Consent and Road User Agreement.

No. 21-421

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Report No. PW-21-56 entitled “Review of Draft Township Telecommunication Equipment Consent and Road User Agreement” be received;

AND THAT Council approve the form and content of the draft Telecommunication Equipment Consent and Road User Agreement and authorize its use in relation to telecommunication equipment installation projects within road allowances under the jurisdiction and/or ownership of the Township of Malahide.

Carried.

- Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall.

Councillor Widner declared a conflict of interest with respect to Council Agenda Items E (ii) relating to the Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall, retired from the meeting and abstained from all discussions and voting on the matter.

The Mayor noted the great community service that the Harvest Bowl Project delivered to the area residents in need of support. The Mayor noted his concerns with any possible delay in emergency services if the Harvest Bowl Project moved to one of the bays at the Malahide Fire Services Station 4. The Mayor noted his approval of the Harvest Bowl Project continuing out of the South Dorchester Community Hall but did not wish to allow the use of the fire bay at Malahide Station 4. The Mayor noted that the Board of Directors should look for a different location that suited their growing needs.

No. 21-423

Moved by: Chester Glinski

Seconded by: Rick Cerna

THAT Report No. PW 21-57 entitled “Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall” be received.

Carried.

Councillor Widner resumed his seat at the Council Table.

Building/Planning/By-law

- Purchase of Building Permit Software

No. 21-424

Moved by: Max Moore

Seconded By: Scott Lewis

THAT Report No. DS-21-49 entitled “Purchase of Building Permit Software” be received as information;

AND THAT the Municipal Staff be authorized to proceed with the single-source award for the purchase and implementation of Cloudpermit building permit software.

Carried.

Chief Administrative Clerk

- O.P.P. Contract Renewal

No. 21-425

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT Report No. CAO 21-13 entitled “O.P.P. Contract Renewal” be received;

AND THAT the Municipal Council proceed with the adoption of By-law 21-77 authorizing the Mayor and Clerk to sign an Amending Agreement in order to extend the contract with the O.P.P. until the 31st of December 2022.

Carried.

- Proposed COVID-19 Vaccination Verification Policy

No. 21-426

Moved by: Max Moore

Seconded by: Mark Widner

THAT Report No. HR-21-15 entitled “Proposed COVID-19 Vaccination Verification Policy” be received;

AND THAT the Municipal Staff be authorized and directed to implement the COVID 19 Vaccination Verification Policy as set out in Report No. HR-21-15 entitled “Proposed COVID-19 Vaccination Verification Policy” effective October 11, 2021.

AND THAT all new employees and re-hires must show proof of full vaccination.

Carried

The Deputy Mayor questioned if employees were not vaccinated and needed to provide negative rapid antigen test as of November 22, 2021, with the testing at their own expense and outside of working hours, if the Township could provide on-site testing. The CAO advised that municipal staff could consider that option once the number of staff that require testing is known.

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

The Deputy Mayor noted that her name should be included in the listing of attendees in the September 8, 2021, East Elgin Community Complex Board of Management minutes.

No. 21-427

Moved by: Scott Lewis

Seconded by: Chester Glinski

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

- (i) **East Elgin Community Complex Board of Management – Draft Minutes of September 8, 2021, as amended.**

Carried.

CORRESPONDENCE:

Councillor Cerna was pleased the County of Elgin responded to the Township's request regarding a review of the intersection of Ron McNeil Line and Imperial Road to determine if any safety enhancements can be implemented during the construction of Imperial Road and the completion of the County's Transportation Master Plan.

No. 21-428

Moved by: Mark Widner

Seconded by: Max Moore

THAT the Municipality of Chatham-Kent and Town of Kingsville resolution requesting the Provincial Government recognize the value that access to quality eye care brings to all Ontarians and act now to protect it; and address the OHIP-insured eye care immediately and enter into legally binding negotiations with Ontario Optometrists to fund these services at least to the cost of delivery, prior to any job action taking place be supported.

Carried.

No. 21-429

Moved by: Mark Widner

Seconded by: Max Moore

THAT the following correspondence be noted and filed:

- 1. Association of Municipalities of Ontario - Watch File – dated September 16, 23 and 30, 2021.**
- 2. City of Sarnia, Municipality of Chatham-Kent – Resolution requesting the Province to take additional and meaningful steps to address the increasing problem of “Renovictions”.**
- 3. Township of Huron-Kinloss – Resolution supporting Northumberland County and City of Toronto in their plea to include in Bill 177 Stronger Fairer Ontario Act and take immediate action to streamline and modernize this section of the legislation regarding Part 1 and Part II offences in the Provincial Offences Court.**
- 4. Anishinabek Nation – Memorandum advising First Nation Status Cards can be used for Proof of Identification for Vaccination Passports & COVaxON.**

5. **Ministry of Municipal Affairs and Housing – Correspondence providing a Site Plan Control Guide enabling municipalities to reduce red tape and streamline development approvals.**
6. **County of Elgin – Correspondence advising the County will review the intersection of Ron McNeil Line and Imperial Road to determine if any safety enhancements can be implemented during the reconstruction of Imperial Road and the completion of the County's Transportation Master Plan.**
7. **County of Elgin – Correspondence advising the County will review the intersection of Imperial Road and John Wise Line to determine if any safety enhancements can be implemented and be reviewed during the completion of the County of Elgin Transportation Masterplan.**
8. **Ministry of Municipal Affairs and Housing – Correspondence advising of the expiry of the temporary regulations limiting municipal authority to regular construction noise.**
9. **Town of Aylmer – Notice of General Amendment to the Town of Aylmer Zoning By-law No. 57-99 (Housekeeping).**

Carried.

OTHER BUSINESS:

- Mural on Port Bruce Public Washroom

The Deputy Mayor requested the deferral of the approval of the mural design and that the templates be attached to the Port Bruce Public Washrooms so the Community has an opportunity to review and comment on the murals.

No. 21-430

Moved by: Dominique Giguère

Seconded by: Max Moore

THAT the Elgin County Museum and Archives submission of the final design for the Port Bruce Public Washroom building murals, funded by the Bushell bequest, be deferred.

Carried.

- Santa Claus Parade - Springfield

No. 21-431

Moved by: Max Moore
Seconded by: Mark Widner

THAT the Springfield Santa Claus Parade Committee request for permission to tour the streets in Springfield with a Float carrying Santa Claus, together with firetrucks from Malahide Fire Services if available, on Saturday, December 4, 2021, be approved;

AND THAT a copy of this Resolution be forward to the County of Elgin for their information.

Carried.

- East Elgin Community Complex – Ontario Trillium Fund

No. 21-432

Moved by: Scott Lewis
Seconded by: Rick Cerna

THAT the Council of the Township of Malahide support the submission of the EECC parking lot rehabilitation to the Ontario Trillium Fund – Community Building Capital Stream opportunity.

AND THAT a letter of support be forwarded to the EECC Administrator for inclusion in the Ontario Trillium Fund – Community Building Capital Stream submission.

Carried.

- Catfish Creek Conservation Authority – General Manager

Councillor Cerna noted that Chris Wilkinson, the General Manager, of the Catfish Creek Conservation Authority has resigned. He noted that Dusty Underhill, Conservation Area Supervisor, has stepped into the role of General Manager – Secretary/Treasurer on an interim basis.

BY-LAWS:

- By-law No. 21-75 – Joint Sharing of a Fire Training Officer

No. 21-433

Moved by: Scott Lewis
Seconded by: Dominique Giguère

THAT By-law No. 21-75 being a By-law to authorize the execution of an Amendment to the Cost Sharing Agreement for the Joint Sharing of a Fire

Training Officer, with the County of Elgin, Town of Aylmer, Municipality of Bayham, Municipality of Central Elgin, Municipality of Dutton Dunwich, Township of Southwold, Municipality of West Elgin and Township of Malahide, be given first, second and third readings, and be properly signed and sealed.

Carried.

- By-law No. 21-77 – Extension of OPP Police Services

No. 21-434

Moved by: Rick Cerna

Seconded by: Max Moore

THAT By-law No. 21-77 being a By-law to authorize the execution of an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Solicitor General for Police Services for the Elgin Group Municipalities, be given first, second and third readings, and be properly signed and sealed.

Carried.

CLOSED SESSION:

No. 21-435

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Council move into Closed Session at 8:30 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- (i) Labour Relations or Employee Negotiations and/or personal matters about an identifiable individual, including municipal or local board employees relating to the Finance Department.**
- (ii) Advice that is subject to Solicitor Client privilege including communications necessary for that purpose relating to property on Avon Drive.**

Carried.

No. 21-436

Moved by: Mark Widner

Seconded by: Dominique Giguère

THAT Council move out of Closed Session and reconvene at 8:50 p.m. in order to continue with its deliberations.

Carried.

The Mayor advised that during the Closed Session, the Council provided direction to the Municipal Staff regarding a labour relations or employee negotiations and/or personal matters about an identifiable individual, including municipal or local board employees relating to the Finance Department. There is nothing further to report.

The Mayor advised that during the Closed Session, the Council provided direction to the Municipal Staff regarding Advice that is subject to Solicitor Client privilege including communications necessary for that purpose relating to property on Avon Drive. There is nothing further to report.

CONFIRMATORY:

No. 21-437

Moved by: Scott Lewis

Seconded by: Rick Cerna

THAT By-law No. 21-74, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

ADJOURNMENT:

No. 21-438

Moved by: Chester Glinski

Seconded by: Mark Widner

THAT the Council adjourn its meeting at 8:52 p.m. to meet again on October 21, 2021, at 7:30 p.m.

Carried.

Mayor – D. Mennill

Clerk – A. Adams

27
TOWNSHIP OF MALAHIDE
SUMMARY OF TENDERS
Candy Drain Branch No. 4

Subject to Council’s Consideration and Approval.

(Prices do not include HST)

New Day Excavation Inc.	\$ 22,400.00
--------------------------------	--------------

In attendance: Bob Lopez, Cassandra Young



Report to Committee of Adjustment

REPORT NO.: DS-21-51
DATE: October 21, 2021
ATTACHMENT: Report Photo, Application, and Comments Received to Date (if any)
SUBJECT: MINOR VARIANCE APPLICATION NO. D13-MV-08-21 OF TODD HAYHOE (AUTHORIZED AGENT: MIKE WALL, WALL TO WALL CONSTRUCTION)

Recommendation:

THAT Report No. DS-21-51 entitled “Minor Variance Application No. D13-MV-08-21 of Todd Hayhoe” and affecting lands described as Part of Lot 22, Concession 1 in the Township of Malahide (51263 Nova Scotia Line) be received;

AND THAT the Township of Malahide Committee of Adjustment **APPROVE** Minor Variance Application No. D13-MV-08-21;

AND THAT the approval shall permit a new accessory building measuring approximately 117 sq. metres (42 feet by 30 feet) in area and at distances of 3.9 metres (approximately 13 feet) from the property’s rear lot line and 1.2 metres (approximately 4 feet) from the property’s side lot line;

AND THAT the approval of the Minor Variance shall be subject to the following conditions:

- 1) That the owner/applicant obtain the necessary Building Permit(s) and obtain occupancy of the proposed structure within one (1) year from the date of decision, and to the satisfaction of the Chief Building Official ensuring that the approved variance applies only to the proposed detached accessory structure which is to be situated as illustrated in the application;
- and,
- 2) That, prior to the issuance of the building permit referenced in 1) above, that the Chief Building Official be satisfied that the design of the accessory structure does not include over-head doors facing the rear or westerly-side

lot line, and that the downspouts and roof leaders are not directed to the adjacent farmlands.

Background:

The subject Application relates to the property located at Part of Lot 22, Concession 1 (specifically being Part 1 on 11R-9671), and known municipally as 51263 Nova Scotia Line.

The Application seeks relief from the requirements of the Township's Zoning By-law so to allow the construction of a new accessory building. The property is within the "Agricultural (A2) Zone", which is the zone used to prohibit the establishment of a residence on a retained farm parcel following the severance of a surplus farm dwelling.

Upon closer review of the Application it has been determined by Staff that the subject property has mistakenly been zoned in error, however the proposed development desired by the Applicant would still require a minor variance from the correct/appropriate zone, being the "Small Lot Agricultural (A4) Zone".

The property owners seek to demolish the existing accessory building, and construct a new detached garage in a cleared area southwest of the existing single unit dwelling to limit disturbance and removal of trees.

Notice of Public Hearing was given in accordance with Planning Act regulations. Any comments received in response to the Notice of Public Hearing will be reported on at the October 21, 2021 hearing.

Development Services Staff have reviewed and considered the merits of the Application against applicable Official Plan policies, the Township's adopted Zoning By-law, and all (if any) of the correspondence received as of the date of writing and recommends that the Committee of Adjustment approve Application No. D13-MV-08-21.

Comments/Analysis:

The subject property is approximately 0.71 hectares (1.75 acres) in area, and has approximately 64.9 metres (213.2 feet) of frontage along Nova Scotia line. The property has an average depth of approximately 356.1 metres (1168.5 feet). There is an existing single unit dwelling and detached garage, which are technically not permitted (and as will be discussed further).

The effect of the Application will allow a new detached garage to be permitted within the required "rear yard" and "side yard". The garage will be at a distance of approximately 3.9 metres (approximately 13 feet) from the property's rear lot line and approximately 1.2 metres (approximately 4 feet) from the property's side lot line. The size of the detached garage is proposed to be approximately 117 sq. metres (30' by 42').

The subject property is bounded by agricultural land to the north, east, south, and west.

It appears that the property was incorrectly classified into the prohibitive "A2" zone when the Township adopted its new Zoning By-law in 2018. Although these instances are

rare, when such It is recommended that this matter can easily be rectified through a general “Housekeeping Amendment” to the Zoning By-law, and at no charge to the applicant. Approval of this Minor Variance can allow the desired development to proceed notwithstanding.

County of Elgin and Malahide Official Plans

The subject property is designated for agricultural purposes in both official plans. Development Services Staff are satisfied that there are no concerns with regard to official plan conformity.

Malahide Zoning By-law No. 22-18

The subject property is within the “Agricultural (A2) Zone” on Key Map 101 of Schedule “A” to the Township’s Zoning By-law No. 18-22. As noted earlier, the correct zone for this property is the “Small Lot Agricultural (A4) Zone”, and as such, this Application will be evaluated against the standards of the “A4” zone.

The “A4” zone requires the following with regard to Interior Side Yard Width and Rear Yard Depth:

“Small Lot Agricultural (A4) Zone”	Required:	Proposed:
Side Yard Width - Interior (m)	5m	1.2m (4ft)
Rear Yard Depth (m)	1.2m	3.9m (13ft)

Public/Agency Comments Received

Notice of Public Meeting was given in accordance with Planning Act regulations. As of the date of writing this report, the following has been received:

- The Catfish Creek Conservation Authority (CCCA) (letter dated October 12, 2021) has no objections to the application.

When reviewing an application for a minor variance, Section 45(1) of the Planning Act, R.S.O., 1990 requires that the Committee of Adjustment apply four specific tests. These 4 tests are as follows: maintains the general intent and purpose of the Official Plan; maintains the general intent and purpose of the By-law; the application is "minor" in nature; and, the proposed development is desirable for the appropriate development or use of the subject property.

The intent of the required side and rear yard setbacks in the “A4” zone is to respect the fact that such rural properties are larger in nature, and on such “larger” properties it is common to see larger accessory buildings (i.e., shops) where larger vehicles and recreational equipment can be housed.

When those setbacks are needed to be reduced, there are certain design elements that can maintain the intent and purpose of the setbacks, and in this case, those would include:

- a) ensuring there is no opportunity for possible vehicular encroachment onto neighbouring lands. This is a relatively easy matter to cover, and is done by ensuring that there are no over-head doors facing the neighbouring lot lines. and,
- b) ensuring rain run-off from the new, larger shop is not directed to any neighbouring property, which in this case is crop land. Again, this can be addressed easily by requiring that the downspouts and roof leaders are not directed to the adjacent farm fields.

The above have been incorporated into the recommendation.

With regard to the incorrect zoning of the land, Development Services Staff will endeavor to draft a general housekeeping amendment in 2022 that can easily rectify this matter.

To reiterate, the CAO and Development Services Staff acknowledge the error, however are of the opinion that it should not influence the Committee's decision.

Financial Implications to Budget:

The full cost of the minor variance 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 Local Government.

One of the goals that support the "Our Land" and "Our Community" Strategic Pillars is "Promote new development in a responsible manner that directs growth to appropriate areas with the Township".

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

APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

Planning Act, R.S.O. 1990, O.Reg 200/96 as amended

The undersigned hereby applies to the Committee of Adjustment for the

TOWNSHIP OF MALAHIDE

under Section 45 of the Planning Act, R.S.O. 1990 for relief, as described in this application, from By-Law No. 05-27 Township of Malahide.

1. OWNER(S)

- a) Name Todd Hayhoe
- b) Mailing Address 51263 Nova Scotia Line Aylmer On NSH 2RS
- c) Telephone No. 519-842-2409
- d) Fax No. _____

2. SOLICITOR / AUTHORIZED AGENT

- a) Name Mike Wall
- b) Mailing Address 6716 Sawmill Rd. Aylmer On NSH 2RS
- c) Telephone No. 519-639-2933
- d) Fax No. _____

3. LOCATION OF LAND

- a) Lot and Plan or Concession No. _____
- b) Street No. and Name 51263 Nova Scotia Line

4. Names and address of any mortgages, holders and charges or other encumbrances:

Name:

Address:

Mortgage at TD Bank

5. Nature and extent of relief applied for:

Rear yard setback

6. Why is it not possible to comply with the provisions of the Bylaw?

Full grown hickory trees, 3 of them would have to be cut down

7. Dimensions of the land affected:

a) Frontage (m)

64.97 m

b) Depth (m)

110.01 m

c) Area (sq.m / ha)

7147 m²

8. Particulars of all buildings and structures on or proposed for the subject land (specify ground floor area, gross floor area, number of storeys, width, length, height, etc.)

a) Existing

Single family dwelling with attached garage
Detached shed

b) Proposed

Remove Detached shed and build new garage

9. Date of acquisition of subject land:

Sept 2017

10. Date of construction of all buildings and structures on subject lands:

Tore down
old house and built new house Sept 2017

11. Existing uses of the subject property:

Single family dwelling.

12. Length of time and existing uses to the subject property have continued: _____

13. Existing uses of abutting properties:

- | | |
|----------|--|
| a) North | <u>Single family dwellings across Nova Scotia Line</u> |
| b) East | <u>Agriculture</u> |
| c) South | <u>Agriculture</u> |
| d) West | <u>Agriculture</u> |

14. Services available (check appropriate space(s))

a) Method of Water Supply (if applicable)

- | | | | |
|----------------------------|--------------------------|-------------------------|-------------------------------------|
| Public Water Supply System | <input type="checkbox"/> | Private Individual Well | <input checked="" type="checkbox"/> |
| Private Communal Well | <input type="checkbox"/> | Other (please specify) | |

b) Method of Sanitary Waste Disposal (if applicable)

- | | | | |
|-------------------------|-------------------------------------|-------------------------|--------------------------|
| Private Septic Tank and | | Private Communal System | <input type="checkbox"/> |
| Tile Field System | <input checked="" type="checkbox"/> | Other (please specify) | |

15. Applicable Official Plan designation(s): A1

16. Applicable Zoning By-law zone(s): _____

17. Has the owner previously applied for a minor variance in respect to the subject property?

- a) Yes ☐ No ☒

If Yes, describe briefly:

18. Is the subject property the subject of a current application of consent / severance?

- Yes ☐ No ☒

REQUIRED SKETCH FOR MINOR VARIANCE APPLICATIONS

APPLICANT NAME

Todd Hayhoe

ADDRESS

51263 Nova Scotia Line Ayler On NSH 2RS

Lot

Concession

Municipality

Mukhida

Registration Plan No.

Quarter of Township Lot

N.E. ☐N.W. ☐S.W. ☐S.E. ☐

See Sketch Instructions on the following page.

See attached drawing

RETURN THIS SKETCH WITH APPLICATION FORM -
NOTE: WITHOUT A SKETCH AN APPLICATION CANNOT BE PROCESSED

ALL DIMENSIONS MUST BE IN METRIC



ELGIN MAPPING

Public Access

Search...

Sign in

Tools

Advanced Tools



Tool Labels



Distance

Feet (ft)

Feet² (ft²)



Enable Snapping



Select Snapping Layers



Point



Plot Coordinates

Measure

Draw



Styles



Edit

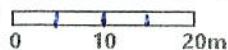


Erase



Clear

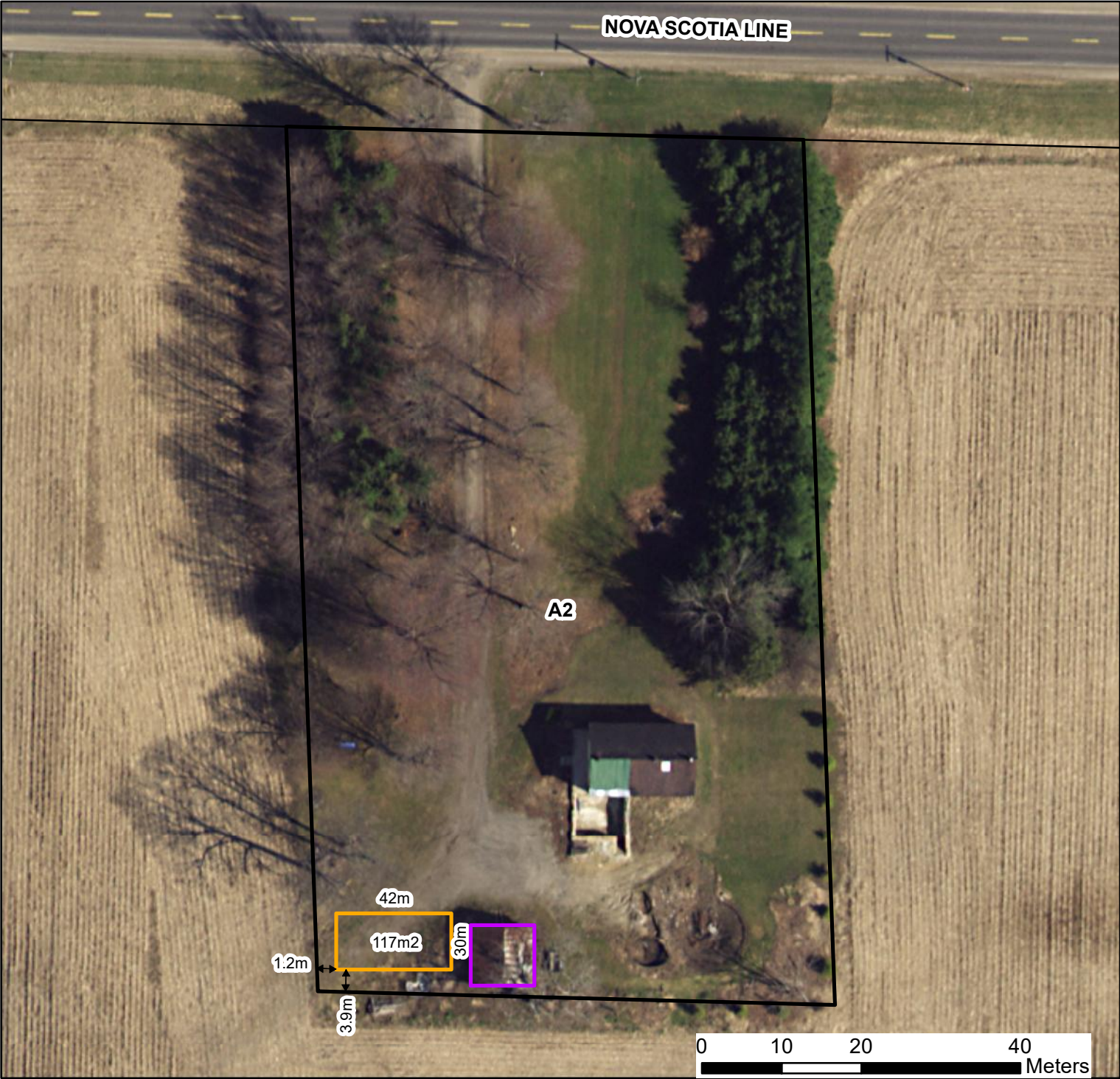
Edit Drawings



All surrounding farm land owned by the same farmer

APPLICATION FOR A MINOR VARIANCE
Mike Wall, Wall to Wall, agent for Todd Hayhoe
51263 Nova Scotia Line
Pt Lot 22, Concession 1
Township of Malahide

**Township
of Malahide
Figure 1**



OFFICIAL PLAN DESIGNATION
Agriculture

ZONING
A2 Special Agricultural



Proposed accesory building



Existing accesory building to be demolished





Report to Council

REPORT NO.: DS-21-44

DATE: October 21, 2021

ATTACHMENT: Report Photo, Severance Sketch, Application, By-law

SUBJECT: **Zoning By-law Amendment Application of Marilyn and John Sebok, (Authorized Agent: David Roe c/o Civic Planning Solutions Inc)**

LOCATION: Part Lots 34 and 35, Concession 1 (being Part 4 on RP 11R-5475, and known locally as 53367 Nova Scotia Line, Malahide)

Recommendation:

THAT Report No. DS-21-44 entitled “Zoning By-law Amendment Application of “Marilyn and John Sebok” be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z09-21 of Marilyn and John Sebok relating to the property located at Part Lots 34 and 35, Concession 1, being Part 4 on RP 11R-5475, and known locally as 53367 Nova Scotia Line, BE APPROVED for the reasons set out in this Report.

Background:

The subject Zoning By-law Amendment Application (the “Application”) has been submitted by David Roe c/o Civic Planning Solutions Inc on behalf of Marilyn and John Sebok to implement the necessary zoning provisions required for a severed farm lot.

Notice of the Application has been circulated to agencies and registered property owners as prescribed and regulated by the Planning Act, RSO 1990, and the Malahide Official Plan, including posting notice in two recent issues of the Aylmer Express.

The analysis of the associated severance/consent Application No. E53/21 by the County Planning Department and Land Division Committee determined that the severance met all applicable policy (Provincial Policy Statement and Official Plan). The consent applications were provisionally approved subject to the Applicant completing a number of conditions, one such being obtaining a zoning by-law amendment.

Comments/Analysis:

The Council considered the associated severance application on July 8, 2021 (Report No. DS-21-34) and supported the severance. A report photo representative of the approved severance is attached for the Council's reference.

The Development Services Technician/ Assistant Planner, in consultation with the Township's CAO, has considered the merits of the subject application against the Provincial Policy Statement (PPS), applicable Official Plan policies and the Township's Zoning By-law and all (if any) of the correspondence received as of the date of writing and recommends that Council approve application no. D14-Z09-21.

Parcels within the "Large Lot Agricultural (A3) Zone" are not intended to be further subdivided unless each parcel can maintain a minimum parcel area of 40 hectares (approx. 100 acres). However, given the configuration of the lands subject to the severance, and topological features associated, the 31.5 hectares (77.83 acres) for this parcel was considered to be appropriate through the severance process.

The drafted by-law places the severed parcel in the necessary zone of the Malahide Zoning By-law, being the "General Agricultural A1" Zone".

Notice of the subject Zoning By-law Amendment Application has been circulated to agencies and registered property owners as prescribed and required. As of the date of writing this report, only the Catfish Creek Conservation Authority (CCCA) has provided comments, stating it has no objection to the application. Any comments submitted will be summarized and provided for the information of the Council/Public at the Public Meeting.

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.

The importance of sustainable planning includes promoting for the protection of agricultural lands. As such, one of the goals that support the "Our Land" Strategic Pillar relates to "Respect the agricultural land base through the land use planning process".

Submitted by:	Reviewed by:
Christine Strupat, HBA, CPT Development Services Technician/ Assistant Planner	Adam Betteridge, MCIP, RPP Chief Administrative Officer

1. Registered Owner's**Name:** Marilyn and John SebokAddress: 53367 Nova Scotia Line, Port Burwell, ON N0J 1T0Phone No.
(Home):519-874-4152

Business:

Fax:

Email: sebok@amtelecom.netLot and Concession (if
applicable):**Are there any other holders of mortgages, charges or other encumbrances of the Subject Lands? If so provide the names and addresses of such persons.****2. Applicant / Authorized Agent:**David Roe , Civic Planning Solutions Inc.Address: 61 Trailview Dr. Tillsonburg, ON N4G 0C6Telephone No.: 519-983-8154

Fax:

Please specify to whom all communications should be sent:

Registered Owner () Applicant / Authorized Agent (x)

3. Legal Description of the land for which the amendment is requested:Concession: 1 Lot: 34 and 35Reference Plan No: 11R5475 Part Lot: 4Street and Municipal Address No.: 53367 Nova Scotia Line**What is the size of property which is subject to this Application?**Area: 31.5ha m Frontage: 213.8m m Depth: 1466m m**When were the subject lands acquired by the current owner?****4. Existing Official Plan Designation:**Agricultural, Hazard Lands, Existing Petroleum Wells,
Significant Wetlands

How does the application conform to the Official Plan?

Section 2.3.4.1 a) severance of agricultural parcels

5. Existing Zoning By-law Classification:

A3 Large Lot Agricultural

What are the current uses of the subject lands?

Agricultural cash crops

If known, provide the length of time these uses have continued on this property.

If there are any existing buildings or structures on the subject lands provide the following information:

Type	Front Lot Line Setback	Side Lot Line Setbacks	Rear Lot Line Setback	Height	Dimension s
Dwelling	107.6m	20.1m/173.3m	significant	1.5 storey	232m2
Garage	146.2m	14.16m/ significant	significant	1 storey	209m2

If known, provide the dates in which each of these buildings were constructed.

6. What is the Nature and Extent of the Rezoning?

Rezone severed parcel from A3 to A1 General Agricultural

7. Why is the rezoning being requested?

Complete condition of severance approval E 53-21

8. Does the proposed Zoning By-law amendment implement a growth boundary adjustment of a settlement area?

no

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

9. Does the proposed amendment remove land from an area of employment?

no

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

10. Description of proposed development for which this amendment is requested (i.e. permitted uses, buildings or structures to be erected. (Be Specific)

nothing at this time

For any proposed buildings or structures on the subject lands provide the following information:

Type	Front Lot Line Setback	Side Lot Line Setbacks	Rear Lot Line Setback	Height	Dimensions
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

11. Services existing or proposed for the subject lands: Please indicate with a ✓

Water Supply

Existing

Proposed

Municipal Piped Water Supply	(<input checked="" type="checkbox"/>)	()
Private Drilled Well	()	()
Private Dug Well	()	()
Communal Well	()	()
Lake or other Surface Water Body	()	()
Other	()	()

Sewage Disposal	Existing	Proposed
Municipal Sanitary Sewers	()	()
Individual Septic System	(<input checked="" type="checkbox"/>)	()
Communal System	()	()
Privy	()	()
Other	()	()

Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.

Are these reports
attached?

If not, where can they be
found?

Storm Drainage

Provisions: Natural drainage

Proposed Outlet: creek

12. How will the property be accessed?

Provincial Highway () County Road (☒) Municipal Road – maintained all year ()

Municipal Road – seasonally maintained () Right-of-way () Water ()

If access is by water, do the parking and docking facilities exist, and what is the nearest public road?

13. Has the subject land ever been the subject of an application under the Planning Act for:

Plan of Subdivision () Consent (x)

Zoning By-law Amendment () Ministers Zoning Order ()

If yes to any of the above, indicate the file number and status of the application.

E53-21 approved July 28th 2021

14. How is the proposed amendment consistent with the Provincial Policy Statement 2005?

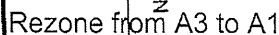
Section 2.3.4.1 a) severance of agricultural parcels

15. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?

17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.

- (a) A sketch based on an Ontario Land Surveyor description of the subject lands showing
- the boundaries and dimension of the subject lands;
 - the location, size and type of all existing and proposed buildings and structures, indicating their setbacks from all lot lines, the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses;
-

- the approximate location of all natural and artificial features (buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are on the subject lands, adjacent to the subject lands, or in the opinion of the applicant may affect the application;
 - the current uses of the land that is adjacent to the subject land;
 - the location, width, and name of any roads within or abutting the subject land, indicating where it is an unopened road allowance, a public traveled road, a private road, or a right-of-way;
 - the location of the parking and docking facilities to be used (if access will be by water only);
 - the location and nature of any easement affecting the subject land.
- (b) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).
- (c) If a private sewage system is necessary, pre-consultation with the Chief Building Official is required about the approval process
- 18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.**
- 19. Additional Information as required by Council**
-
-
-
- 20. If this application is to accommodate the consent of a surplus farm dwelling, please provide the following information:**
- Date surplus farm dwelling was erected: n/a
- Please provide the assessment roll number, location, and zoning of the farm parcel with which the subject lands is being consolidated.
-





APPLICATION FOR A ZONING BY-LAW AMENDMENT

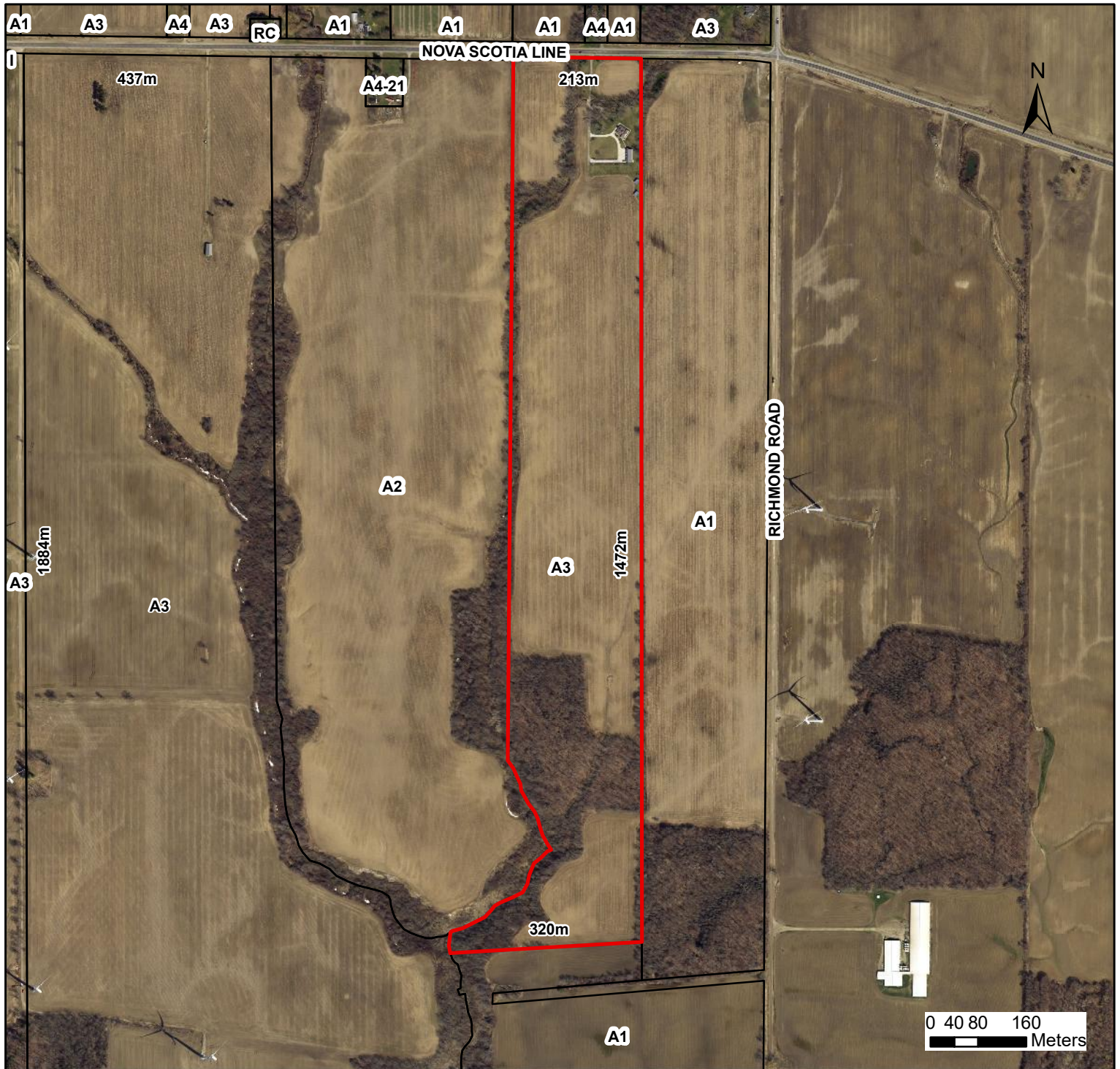
David Roe, Civic Planning Solutions, agent for Marilyn and John Sebok

53367 Nova Scotia Line

Part Lots 32, 33, 34 and 35, Concession 1

Township of Malahide

Township
of Malahide
Figure 1



OFFICIAL PLAN DESIGNATION
Agriculture

ZONING
A3 Large Lot Agricultural



LANDS PROPOSED TO BE REZONED
FROM 'LARGE LOT AGRICULTURAL' ('A3')
TO 'GENERAL AGRICULTURAL' ('A1')

**THE CORPORATION OF THE
TOWNSHIP OF MALAHIDE
BY-LAW NO. 21-73**

Being a By-law to amend By-law No. 18-22

**Marilyn and John Sebok/
53367 Nova Scotia Line**

WHEREAS the Council of The Corporation of the Township of Malahide deems it necessary to pass a By-law to amend By-law No. 18-22, as amended;

AND WHEREAS authority is granted under Section 34 of the Planning Act, as amended, to pass a By-law;

AND WHEREAS this By-law conforms with the Official Plan of the Township of Malahide, as amended;

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

1. **THAT** the area shown in black outline on the attached map, Schedule "A", and described as South Part of Lots 34 and 35, Concession 1, in the Township of Malahide, shall be removed from the "Large Lot Agricultural (A3) Zone" and placed within the "General Agricultural (A1) Zone". The zoning of this land shall be shown as "A1" on Key Map 104 of Schedule "A" to By-law No. 18-22, as amended.
2. **THAT** this By-law shall come into force:
 - a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or,
 - b) Where notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Local Planning Appeal Tribunal.

READ a **FIRST** and **SECOND** time this 21st day of October, 2021.

READ a **THIRD** time and **FINALLY PASSED** this 21st day of October, 2021.

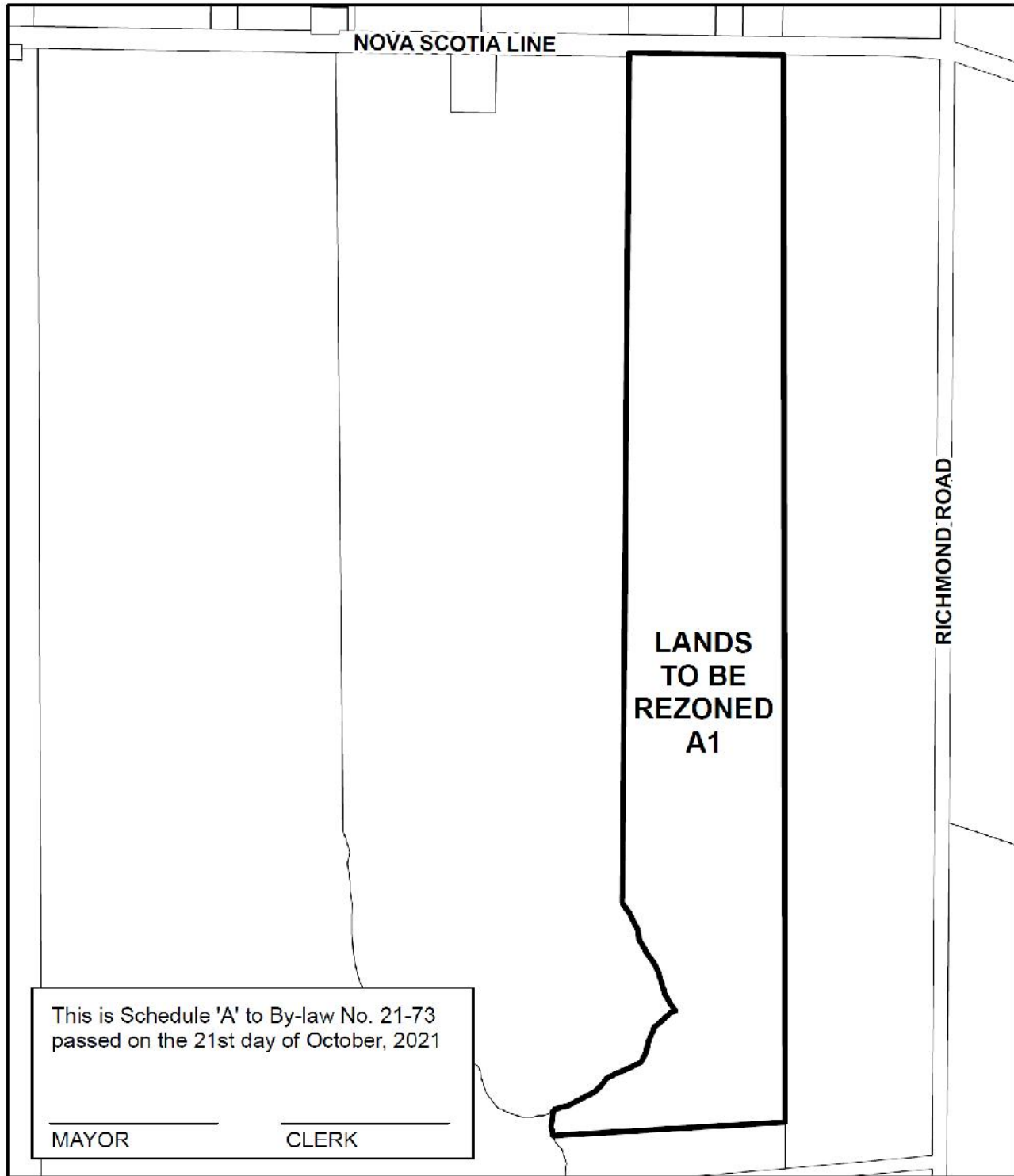
Mayor – D. Mennill

Clerk – A. Adams

DRAFT

SCHEDULE A

DRAFT



0 50 100 200 Metres

Township of Malahide
Comprehensive Zoning By-law No.18-22

SCHEDULE 'A'
Map 104



ElginCounty

ELGIN COUNTY UPDATE 2021

Warden Tom Marks
Julie Gonyou, Chief
Administrative Officer

53



Our Agenda

- Message from the Warden
- Strategic Plan/SDR
- What's New and Exciting?
- Local Priorities

Message from Warden Tom Marks



Elgin County's programs and initiatives are driven by the 2020-2022 Strategic Plan and recommendations from the Service Delivery Review.

2020-2022 Strategic Plan



SERVING ELGIN

To re-design how we respond to community needs in a creative, sustainable way.



GROWING ELGIN

To be the place where people want to live, work and play.



INVESTING IN ELGIN

To make responsible financial decisions.

Service Delivery Review Focus



Reviewing and improving the County's human and community services with a focus on long-term care.



Examining and improving the County's internal operations.



Reviewing, improving and potentially expanding shared municipal services and resources with the County's seven local municipal partners and the City of St. Thomas.



What's New and Exciting?

Infrastructure Projects

- Completed a full structural, mechanical and electrical rehabilitation of the historic King George VI Lift Bridge in Port Stanley.
- Removal of the Temporary Bridge in Port Bruce and its successful repurposing to replace the Meeks Bridge in Southwold.
- Completed Village of Rodney Reconstruction in West Elgin.
- Currently in the process of developing a Transportation Master Plan, scheduled to be completed in Spring 2022.
- Hired a Senior Engineering Design and Construction Technologist bringing engineering design in-house.
- Terrace Lodge Redevelopment is on schedule and within budget. Completion scheduled for 2023.



Planning and Economic Development

- Currently undertaking a 5-Year Review of the County's Official Plan scheduled to be completed in Winter 2022.
- Hired a Planning Technician to take on the role of Secretary/Treasurer of Land Division Committee, to assist in improving LDC processes, and to assist in day to day planning activities.
- Elgin is working with the Township of Southwold to facilitate the redevelopment of the former Ford Assembly Plant in Talbotville by Broccolini Real Estate Group. This work has included the streamlining of planning processes to ensure that Elgin County provides responsive engineering services to support the aggressive development timelines.
- Economic Development, Planning and GIS working with Elgin's Local Municipal Partners to develop a digitally-mapped vacant land inventory.
- Economic Development is participating in a Field to Forks Campaign with CTV. This campaign will run for 6 weeks starting in October 2021 to promote food produced and harvested in Elgin including dairy, beef, produce and maple syrup.



Culture and Community Engagement



Take Our
SURVEY!



Murals celebrating the history of transportation will be going up on select municipal buildings across Elgin County as part of a donation from the Donna Vera Evans Bushell Estate. Work on murals has begun and is expected to be completed in spring of 2022.

Terrace Lodge Redevelopment Fundraising Committee has raised \$113, 017 to-date. The campaign will run for three (3) years.

Launched a dedicated engagement site www.engageelgin.ca. Utilizing this platform for two-way communication with the public on a variety of issues including the Official Plan Review, Connectivity in Elgin, Transportation Master Plan, Budget Process, and Terrace Lodge Redevelopment.

Gathered public opinions through multiple surveys related to the official plan, transportation, connectivity, accessibility, budget spending, and seniors recreation.

Partnered with Local Municipal Partners to organize and promote activities related to acknowledging The National Day for Truth and Reconciliation on September 30.

Elgin County Warden's Golf Tournament raised \$20,000 for the Elgin Middlesex United Way.







Technology and Innovation

- **Hired a Director of Information Technology Services.**
- **In the process of developing a digital transformation strategy for Elgin County.**
- **Connectivity Committee continues to work on solving Elgin's connectivity challenges. The Committee and Council will receive a final consultant report this fall that will offer costed community-based implementation options for consideration.**
- **Digital Services Librarian hired to focus on the increased use of virtual programming and materials in Elgin County Libraries.**
- **Human Capital Management Software to integrate scheduling, payroll and other human resources functions procured and in the implementation phase.**
- **First ever County Employee Intranet launched to facilitate access to corporate updates, wellness information, HR policies, and important forms and documents.**



Partnerships



-  Review of the Road Maintenance Agreement with Local Municipal Partners is currently underway.
-  In the process of exploring a shared Human Resources agreement with interested LMPs.
-  Elgin is currently providing CEMC services to Southwold, Dutton Dunwich and West Elgin and temporary CEMC services to Malahide.
-  Elgin County has been recognized by the provincial government as a Regional Fire Training College. Successfully completed 10 Fire Training Courses in 2021 and a course calendar of 30-40 courses is planned for 2022.
-  Elgin County continues to work closely with its Local Municipal Partners to provide a consistent and coordinated approach to the COVID-19 pandemic.
-  CSWB Plan developed jointly with the Town of Aylmer and the City of St. Thomas. Five (5) high level priorities identified and represented by action tables. An integration table will oversee coordination of efforts.

Local Priorities?

A close-up photograph of a white puzzle piece with the word "PRIORITIES" printed on it in a serif font. The puzzle piece is part of a larger assembly, with other pieces visible around it. The background of the slide features large, overlapping geometric shapes in orange, blue, and green.

PRIORITIES

Questions?





Internet Solution Proposal

the **TOWNSHIP** *of*
MALAHIDE

A proud tradition, a bright future.



Our Solution

66



- ▶ Hybrid Solution
- ▶ Fiber and Wireless Mix
- ▶ 2 (maybe 3) towers 130ft tall covering North and South Township
- ▶ Several 100ft POP's
- ▶ Fiber connections between towers
- ▶ Connecting homes along the path
- ▶ 3 Co-Locations at Township Sites

Our Services



- Unlimited packages
- Universal Min



- Over 150 Channels
- Local News
- PVR



- Can Port **EASTLINK** Numbers
- Unlimited North America
- E911

- Offer the CRTC Universal Minimum... 50/10 on both Wireless and Fiber

Speed / Services

- Fixed wireless speeds of up to 50mbps with UNLIMITED usage
- Fiber services up to 150Mbps for Rural Customers
- Fiber services up to 250Mbps for already built up areas such As Springfield / Lyons

Where We are

Current Fiber Projects (shown during presentation)

Current Fiber Builds Under Way (shown during presentation)

What We Will Do

- ▶ Connect ALL Township sites for free, life time of the agreement, based on Township requirements.
- ▶ Provide Fiber to “Main Roads” in Township
- ▶ Give residents more choice
- ▶ Where not feasible quality high speed wireless
- ▶ Connect ALL church's for free
 - ▶ Springfield Baptist Church (and More)

How You Can Help

- ▶ Reduced / No Fees for Right Of way Usage
- ▶ Access to Land for towers
 - ▶ South Roads & Malahide Community Place / Summers Corners ??
- ▶ Funding via Grant / Loan (towers?)
- ▶ Private / Public Partnership?
- ▶ Access to Built up areas like Springfield / Lyons to fund more rural areas.

Our Commitment to Malahide

- ▶ We are the only ISP based in Elgin County
- ▶ Keep our offices / services in the county
- ▶ Support local groups / sports teams / Not for profits etc
- ▶ Continually reinvest into our network like we have so far
- ▶ Started in Malahide Township, Lyons and 74



Report to Council

REPORT NO.: F21-13
DATE: October 21, 2021
ATTACHMENT: None
SUBJECT: Emergency Services Activity Report – September

Recommendation:

THAT Report No. F21-13 entitled “*Emergency Services Activity Report – September*” be received.

Background:

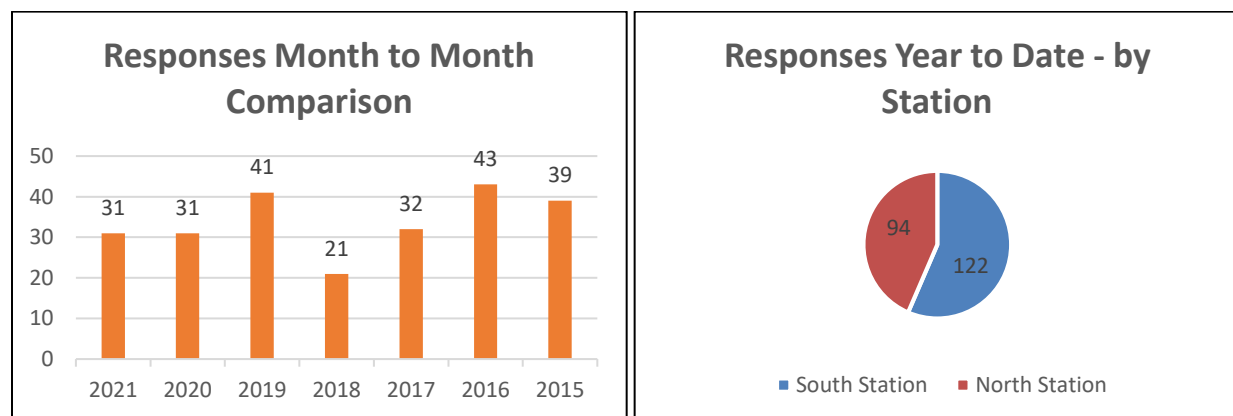
Department Responses

In September, 2021, Malahide Fire Services responded to thirty-one (31) incidents as compared to thirty-one (31) incidents in 2020, forty-one (41) incidents in 2019, twenty-one (21) incidents in 2018, thirty-two (32) incidents in 2017, forty-three (43) incidents in 2016, and thirty-nine (39) incidents in 2015.

Medical incidents accounted for approximately forty-three (43%) of all September incidents in 2021.

The average age of persons requiring medical response in September, 2021 was 86 with a 7/8 male/female ratio.

Of the thirty-one (31) incidents in September 2021, South Station responded to seventeen (17) incidents and the North Stations to fourteen (14) incidents.



September Responses by Type	#
Fire	0
Burn Complaint	1
Alarm Malfunction	1
CO Alarm	0
Public Hazard - Wires Down	8
Technical Rescue MVC	2
Technical Rescue Other	0
Medical	16
Assisting Other Fire Department	3
Total	31

Fire Events Loss/Save

There were no incidents reported as structure fires in September.

Fire Prevention

The September fire safety message of the month was “Do you know your 911 number and Street/Road”.

The Malahide Firefighters Association hosted a dazzling fireworks display in Port Bruce on September 25 that was very well attended and Fire Prevention messaging was circulated at this event.

Fire Safety Inspections

In September 2021, the Staff conducted zero (0) inspections. No formal inspection orders for non-compliance were issued.

Training Revenue

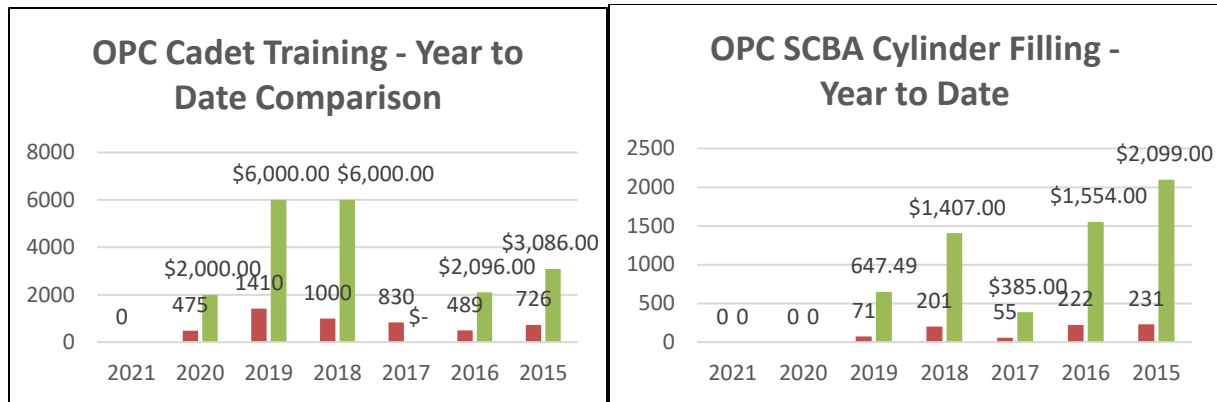
One external DZ training program was provided in August 2021 which was billed in September 2021 resulting in revenue, after expenses of \$5,300.00.

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.

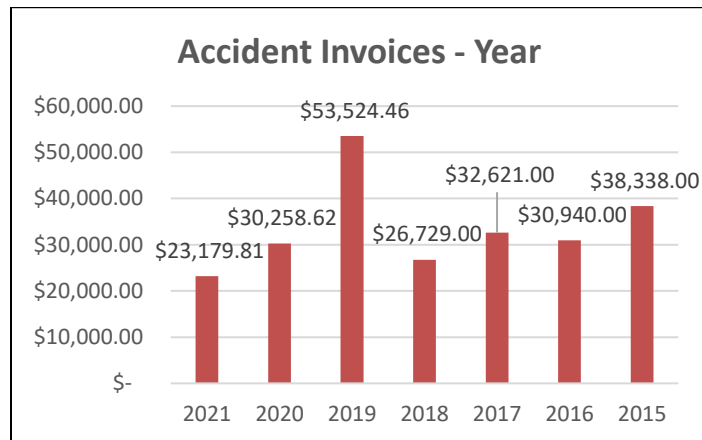
The next training session at OPC was to be scheduled in September, 2021 but to date, the College has not requested this training.

To date in 2021, the Staff have not filled any bottles for the OPC.



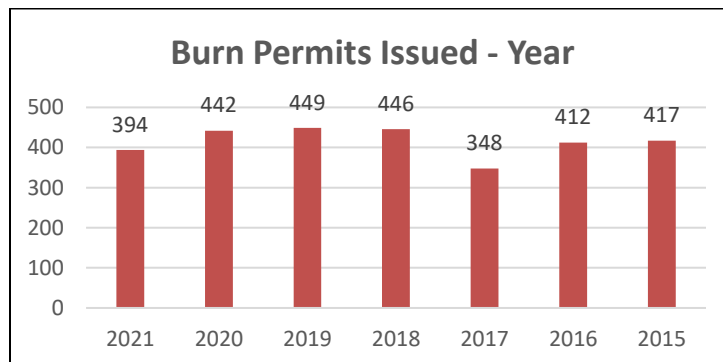
Motor Vehicle Collision Revenues

Malahide Fire Services responded to two (2) motor vehicle collisions (MVC) in September. To date in 2021, we have invoiced \$23,179.81 for services provided to the MTO and to non-residents of Malahide Township (August, 2021 incidents).



Burn Permits

To date in 2021, the Staff have issued three hundred and ninety-four (394) burn permits.



General

Automatic Aid Agreement(s)

The Automatic Aid Agreement with Central Elgin was not activated September, 2021.

Mutual Aid

In September Malahide Fire Services did not request Mutual Aid assistance.

Malahide Fire Services was requested for Mutual Aid for fire response once (1) by Southwest Oxford and once (1) for Alarm malfunction by Aylmer.

Emergency Management Program

Emergency Response

No emergency activities in August.

Public Education/Awareness Training

TBD.

Emergency Management Program Committee

Next meeting – TBD in 2021.

2021 Program Compliance Activities

EMPC Meeting – TBD

ERP Review – TBD

Annual Exercise – TBD

Malahide Flood Plan Review – TBD

Annual CCG Training – TBD

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.: PW-21-51
DATE: October 21, 2021
ATTACHMENT: Petition
SUBJECT: Petition for Drainage: Norton Street

Recommendation:

THAT Report No. PW-21-51 entitled “Petition for Drainage: Norton Street” be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates Ltd., be appointed to prepare an Engineer’s Report for the Norton Street Petition.

Background:

As the Council is aware, Public Works staff have identified an area at the end of Norton Street that needs a legal outlet(s) for water to facilitate proper drainage of the roadway and ditches.

At its regular meeting on October 7, 2021, the Council directed the Staff to prepare and sign the necessary drainage petition to initiate the process. The purpose of this report is to the fulfillment of that obligation and to appoint an Engineer to prepare a drainage report for the Council consideration.

Comments/Analysis:

There are no existing storm sewer or municipal drains in the immediate area on Norton Street that can be utilized for drainage.

Summary:

The Staff are recommending that George Vereyken, P. Eng., of Spriet Associates Ltd., be appointed by the Council to prepare a report to address the Norton Street petition.

Financial Implications to Budget:

The estimated cost of this drain will be determined once the scope of the drainage work required is identified through an Engineer's Report(s), as prescribed under the *Drainage Act*. This cost will be included in the 2022 Capital Budget for this project.

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:
Bob Lopez, Engineering Technologist/ Drainage Superintendent	Adam Betteridge, Chief Administrative Officer



**Petition for Drainage Works by Road
Authority – Form 2***Drainage Act*, R.S.O. 1990, c. D.17, subs. 4(1)(c)To: The Council of the Corporation of the Township of MalahideRe: Road name and road location (provide description of road or section of road that requires drainage)
Northerly portion of Norton Street in OrwellI, DeSutter, Ryan, as an individual having jurisdiction over
(Last, first name)the above road system for the Township of Malahidedeclare that the road described above requires drainage and hereby petition under subsection 4(1)(c) of the *Drainage Act* that
this area be drained by means of a drainage works.

Organization

Corporation of the Township of Malahide

Position Title

Roads and Construction Manager

Signa



Date (yyyy/mm/dd)

2021/10/13**Petitioners become financially responsible as soon as they sign a petition:**

- Once the petition is accepted by council, an engineer is appointed to respond to the petition. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 8(1).
- After the meeting to consider the preliminary report, if the petition does not comply with section 4, the project is terminated and the road authority is responsible for the costs. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 10(4).
- After the meeting to consider the final report, if the petition does not comply with section 4, the project is terminated and the road authority is responsible for the costs. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 43.
- If the project proceeds to completion, a share of the cost of the project will be assessed to the involved properties in relation to the assessment schedule in the engineer's report, as amended on appeal. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 61.



Report to Council

REPORT NO.: PW-21-55
DATE: October 21, 2021
ATTACHMENT: Petition
SUBJECT: Petition for Drainage – Chromcsak Petition

Recommendation:

THAT Report No. PW-21-55 entitled “Petition for Drainage – Chromczak Petition” be received;

AND THAT Mike Devos, P. Eng. of Spriet Associates Ltd., be appointed to prepare an Engineer’s Report for this petition.

Comments/Analysis:

The Township of Malahide has received a request (petition attached) for drainage. The petition is to construct a new drain.

The landowner, Hank Chromczak, has petitioned the Township to have a new drain constructed on the south side of Pressey Line at the intersection with Pigram Road. The estimated length of the project is 250 meters. A sketch is attached showing the location of the property requiring drainage.

Once a landowner submits a petition, the Township is required under the Drainage Act, R.S.O. 1990, to appoint a Drainage Engineer to prepare a Drainage Report for the Council to address the request.

The Staff are recommending that Spriet Associates Ltd. be appointed by the Council to prepare the report. The estimated construction date is fall of 2022.

Financial Implications to Budget:

The Township has lands which contribute to the drainage area, and thus, will likely be a party to the report.

Summary:

The Township has received a petition for drainage. The Staff are recommending that Mike Devos, P. Eng., of Spriet Associates Ltd., be appointed by the Council to prepare an Engineer's Report to address the Chromczak petition.

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:
Bob Lopez, Engineering Technologist/ Drainage Superintendent	Adam Betteridge, Chief Administrative Officer



**Petition for Drainage Works by Owners
Form 1**
Drainage Act, R.S.O. 1990, c. D.17, clause 4(1)(a) or (b)

This form is to be used to petition municipal council for a new drainage works under the *Drainage Act*. It is not to be used to request the improvement or modification of an existing drainage works under the *Drainage Act*.

To: The Council of the Corporation of the TOWNSHIP of MALAHIDE

The area of land described below requires drainage (provide a description of the properties or the portions of properties that require drainage improvements)

In accordance with section 9(2) of the *Drainage Act*, the description of the area requiring drainage will be confirmed or modified by an engineer at the on-site meeting.

As owners of land within the above described area requiring drainage, we hereby petition council under subsection 4(1) of the *Drainage Act* for a drainage works. In accordance with sections 10(4), 43 and 59(1) of the *Drainage Act*, if names are withdrawn from the petition to the point that it is no longer a valid petition, we acknowledge responsibility for costs.

Purpose of the Petition (To be completed by one of the petitioners. Please type/print)

Contact Person (Last Name)	(First Name)	Telephone Number
CHROMCZAK	HANK	519-859-1362
Address		
Road/Street Number	Road/Street Name	
54472	EDEN LINE	

Location of Project			
Lot	Concession	Municipality	Former Municipality (if applicable)
31+32 32	-9 -10	MALAHIDE	

What work do you require? (Check all appropriate boxes)

- ☐ Construction of new open channel
☒ Construction of new tile drain
☐ Deepening or widening of existing watercourse (not currently a municipal drain)
☐ Enclosure of existing watercourse (not currently a municipal drain)
☐ Other (provide description ▼)

Name of watercourse (if known)

Estimated length of project

250 m

General description of soils in the area

Sandy

What is the purpose of the proposed work? (Check appropriate box)

- ☐ Tile drainage only ☐ Surface water drainage only ☒ Both

Petition filed this 7th day of October, 2021

Name of Clerk (Last, first name)

Allison Adams

Signature

A. Aelamo

Property Owners Signing The Petition

Page of

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number if available.
- If you have more than two properties, please take copy(ies) of this page and continue to list them all.

Number	Property Description
	11824 CARTER ROAD CON 9N PT Lots 31, 32 CON 10W PT Lot 32 + RPHR5949 PARTS 4, 5
Ward or Geographic Township	Parcel Roll Number
	34 08 000 050 21000 0000

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)

Signature

Date (yyyy/mm/dd)

☒ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)

Signature

Date (yyyy/mm/dd)

HENRY RICHARD CHROMCZAK

H. Chromczak

2021 09 29

MARGARET ANN CHROMCZAK

M. Chromczak

2021-09-29

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)

Signature

Name of Corporation

I have the authority to bind the Corporation.

Position Title

Date (yyyy/mm/dd)

Number Property Description

Ward or Geographic Township

Parcel Roll Number

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)

Signature

Date (yyyy/mm/dd)

☐ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)

Signature

Date (yyyy/mm/dd)

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)

Signature

Name of Corporation

I have the authority to bind the Corporation.

Position Title

Date (yyyy/mm/dd)

☐ Check here if additional sheets are attached

Clerk initial

Petitioners become financially responsible as soon as they sign a petition.

- Once the petition is accepted by council, an engineer is appointed to respond to the petition. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 8(1).
- After the meeting to consider the preliminary report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible in equal shares for the costs. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 10(4).
- After the meeting to consider the final report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible for the costs in shares proportional to their assessment in the engineer's report. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 43.
- If the project proceeds to completion, a share of the cost of the project will be assessed to the involved properties in relation to the assessment schedule in the engineer's report, as amended on appeal. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 61.

Notice of Collection of Personal Information

Any personal information collected on this form is collected under the authority of the *Drainage Act*, R.S.O. 1990, c. D.17 and will be used for the purposes of administering the Act. Questions concerning the collection of personal information should be directed to: where the form is addressed to a municipality (*municipality to complete*)

and where the form is addressed to a territory without municipal organization, the Drainage Coordinator, Ministry of Agriculture, Food and Rural Affairs, 1 Stone Rd W, Guelph ON N1G 4Y2, 519 826-3552.



Report to Council

REPORT NO.: PW-21-52

DATE: October 21, 2021

ATTACHMENT: 2021 MECP Inspection Report, 2021 MECP Inspection Summary
Rating Record

SUBJECT: **Summary of Malahide Water Distribution System 2021 MECP
Inspection**

Recommendation:

THAT Report No. PS-21-52 entitled “Malahide Water Distribution System- 2021 MECP Final Inspection Report” be received.

Background:

On July 28, 2021, the Ministry of the Environment, Conservation and Parks (MECP) conducted the required annual inspection of the Malahide Water Distribution System. The primary focus of this inspection is to confirm compliance with applicable legislation, as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period.

The ministry uses a comprehensive, multi-barrier approach in the inspection of water systems that focuses on the source, treatment, and distribution components as well as management practices. The Malahide Water System is considered to be a “stand alone connected distribution system”. This type of system receives water from a separately owned “donor” system. The inspection contained critical elements required to assess key compliance and conformance issues associated with a “receiver” system. The inspection process conducted by the Provincial Officer, Jim Miller consisted of a variety of elements, including but not limited to:

- Unannounced physical inspection of the Malahide Water Distribution System on July 28, 2021
- Document and records review of the Drinking Water Works Permit (DWWP) and Municipal Drinking Water License (MDWL)
- Review of operational documents maintained by the owner/operating authority for the period of July 1, 2020 through June 30, 2021 for the Malahide Water Distribution System

- Operational documents/ logbooks and Microbiological and chemical sample test results
- Compliance and operating practices in relation to O. Reg. 170/03, Water Quality Standard O. Reg. 169/03, Safe Drinking Water Act 2002, O. Reg. 128/04 regarding certification of System Operators and Water Quality Analysts

Comments/Analysis:

The MECP has a rigorous scoring system for municipal water systems in Ontario. The scoring is based on a risk rating methodology. The primary goal of the scoring system is to encourage municipalities across Ontario to improve their systems and to establish a way to measure their improvements based on previous inspection scoring. An average inspection rating would not necessarily indicate the municipality is operating an unsafe drinking water system. However, it identifies that a municipality has room for improvement of the system.

For this inspection period, the Malahide Distribution System received a mark of 100%. There were no non-compliances with regulatory requirements identified during this inspection period. This inspection report was positive. As such, the Owner and Operating Authority (OCWA) will continue to strive toward continual improvements on how the water system is operated and maintained.

Financial Implications to Budget:

N/A.

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 Local Government” Strategic Pillar relates to “Regularly articulate the Township’s key accomplishments and upcoming priorities to the general public.

Submitted by:	Approved for Council by:
<i>Sam Gustavson</i> Water/Wastewater Operations Manager	Adam Betteridge Chief Administrative Officer

**Ministry of the Environment,
Conservation and Parks**

Drinking Water and Environmental
Compliance Division

733 Exeter Rd
London ON N6E 1L3
Tel (519) 873-5000
Fax (519) 873-5020

**Ministère de l'Environnement, de la
Protection de la nature et des Parcs**

Division de la conformité en matière
d'eau potable et d'environnement

733, rue Exeter
London ON N6E 1L3
Tel (519) 873-5000
Fax (519) 873-5020



File No. EL-MA-540 WW# 260004774

September 21, 2021

The Corporation of the Township of Malahide
87 John Street South
Aylmer, Ontario N5H 2C3

Attention: Adam Betteridge (Chief Administrative Officer)

Re: Malahide Distribution System (DWS# 260004774) Inspection Report Inspection
performed on July 28, 2021

The enclosed Drinking Water Inspection Report outlines non-compliance, if any, with Ministry legislation, and policies for the above noted water system. Violations noted in this report, if any, have been evaluated based on community risk. These violations will be monitored for compliance with the minimum standards for drinking water in Ontario as set forth under the *Safe Drinking Water Act* and associated regulations. Where risk is deemed to be high and/or compliance is an ongoing concern, violations will be forwarded to this Ministry's Investigation and Enforcement Branch.

Section 19 of the Safe Drinking Water Act (Standard of Care) creates a number of obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware that the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about the drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in "*Taking Care of Your Drinking Water: A guide for members of municipal council*" found under "Resources" on the Drinking Water Ontario website at www.ontario.ca/drinkingwater.

Please note the attached IRR methodology memo describing how the risk rating model has improved to better reflect the health related and administrative non-compliance found in an inspection report. IRR ratings are published (for the previous inspection year) in the Ministry's Chief Drinking Water Inspector's Annual Report. **Please note that due to a change in IT systems, the Inspection Rating Report (IRR) cannot be generated at the same time as the inspection report. The IRR will be sent separately and prior to any public release (typically within 1-2 month of the completion of the inspection).**

If you have any questions regarding the report, please feel free to call me at (519) 317-8039.

Yours truly,



Jim Miller
Provincial Officer
London District Office
jim.w.miller@ontario.ca

cc. Mr. Mark Harris OCWA
Ms. Cindy Sigurdson, OCWA
Mr. Rob Johnson, Malahide
Mr. Sam Gustavson, Malahide
Elgin St. Thomas Public Health
Catfish Creek Conservation Authority
London District File



MALAHIDE DISTRIBUTION SYSTEM
87 JOHN ST S, AYLMER, ON, N5H 2C3
Inspection Report

System Number: 260004774
Inspection Start Date: 07/28/2021
Inspection End Date: 09/21/2021
Inspected By: Jim Miller
Badge #: 1102

A handwritten signature in black ink, appearing to read "Jim Miller", written over a horizontal line.

(signature)

NON-COMPLIANCE/NON-CONFORMANCE ITEMS

This should not be construed as a confirmation of full compliance with all potential applicable legal requirement and BMPs. These inspection findings are limited to the components and/or activities that were assessed, and the legislative framework(s) that were applied. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

If you have any questions related to this inspection, please contact the undersigned Provincial Officer.

INSPECTION DETAILS

This section includes all questions that were assessed during the inspection.

Ministry Program: Regulated Activity: DRINKING WATER : DW Municipal Residential

Question ID	MRDW1001000		
Question	Question Type	Legislative Requirement	
What was the scope of this inspection?	Information	Not Applicable	
Observation			
<p>The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period. The ministry utilizes a comprehensive, multi-barrier approach in the inspection of water systems that focuses on the source, treatment, and distribution components as well as management practices.</p> <p>This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O.Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.</p> <p>This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.</p> <p>Provincial Officer Jim Miller conducted an unannounced physical inspection of the Malahide Water Distribution System, Water Works # 260004774 on July 28, 2021.</p> <p>Documents reviewed in association with this report include but are not limited to:</p> <p>1) Ministry of the Environment Drinking Water Works Permit # 051-201, Issue Number: 4, Dated: May 12, 2020;</p> <p>2) Ministry of the Environment Municipal Drinking Water Licence # 051-101, Issue Number: 4, Dated: May 12, 2020;</p> <p>This report also includes a review and assessment of compliance and operating practices in relation to the following Acts and Regulations:</p> <p>1) Safe Drinking Water Act, 2002;</p> <p>2) Drinking Water Systems Regulation, (Ontario Regulation 170/03);</p> <p>3) Ontario Drinking-Water Quality Standards (Ontario Regulation 169/03);</p> <p>4) Certification of Drinking-Water System Operators and Water Quality Analysts (Ontario Regulation 128/04).</p> <p>Other operational documents maintained by the owner/operating authority for the period July 1,</p>			

2020 through June 30, 2021 were also reviewed in conjunction with this inspection.

Question ID	MRDW1000000	
Question	Question Type	Legislative Requirement
Does this drinking water system provide primary disinfection?	Information	Not Applicable
Observation		
This Drinking Water System provides for only secondary disinfection and distribution of water. Primary disinfection is undertaken by another regulated Drinking Water System which provides treated water to this Drinking Water System.		

Question ID	MRDW1033000	
Question	Question Type	Legislative Requirement
Is the secondary disinfectant residual measured as required for the large municipal residential distribution system?	Legislative	SDWA O. Reg. 170/03 7-2 (3), SDWA O. Reg. 170/03 7-2 (4)
Observation		
The secondary disinfectant residual was measured as required for the distribution system.		
All distribution free available chlorine (FAC) residual measurements provided by the Owner/Operating Authority, during the inspection review were appropriately documented including the time, date, FAC residual and the person who analyzed the sample. The operator typically sampled seven (7) times each week from multiple locations in the distribution system on a 4 and 3 rotation with minimum 48 hours apart each week.		

Question ID	MRDW1018000	
Question	Question Type	Legislative Requirement
Has the owner ensured that all equipment is installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit?	Legislative	SDWA 31 (1)
Observation		
The owner had ensured that all equipment was installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit.		
During the physical inspection all equipment was installed in accordance with the Drinking Water Works Permit # 051-201, Issue Number: 4, Dated: May 12, 2020.		

Question ID	MRDW1021000	
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Question	Question Type	Legislative Requirement
Is the owner/operating authority able to demonstrate that, when required during the inspection period, Form 2 documents were prepared in accordance with their Drinking Water Works Permit?	Legislative	SDWA 31 (1)
Observation		
The owner/operating authority was in compliance with the requirement to prepare Form 2 documents as required by their Drinking Water Works Permit during the inspection period.		

Question ID	MRDW1025000	
Question	Question Type	Legislative Requirement
Were all parts of the drinking water system that came in contact with drinking water (added, modified, replaced or extended) disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit?	Legislative	SDWA 31 (1)
Observation		
<p>All parts of the drinking water system were disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit.</p> <p>The Owner and Operating Authority indicated that they follow AWWA procedures for the disinfection of water system components.</p> <p>Drinking Water Works Permit # 051-201, Issue # 4 Section 2.3 of Schedule B stipulates that all parts of the drinking water system in contact with drinking water which are added, modified, replaced, extended; or taken out of service for inspection, repair or other activities that may lead to contamination, shall be disinfected before being put into service in accordance with a procedure approved by the Director or in accordance with the applicable provisions of the following documents:</p> <ul style="list-style-type: none"> a) The ministry's Watermain Disinfection Procedure, dated November 2015; b) Subject to condition 2.3.2, any updated version of the ministry's Watermain Disinfection Procedure; c) AWWA C652 – Standard for Disinfection of Water-Storage Facilities; d) AWWA C653 – Standard for Disinfection of Water Treatment Plants; and e) AWWA C654 – Standard for Disinfection of Wells. <p>As per Section 2.3.2 Updated requirements described in condition 2.3 b) are effective six months from the date of publication of the updated Watermain Disinfection Procedure.</p> <p>The Ministry's Watermain Disinfection Procedure, was updated dated August 1, 2020.</p>		

Question ID	MRDW1062000
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Question	Question Type	Legislative Requirement
Do records or other record keeping mechanisms confirm that operational testing not performed by continuous monitoring equipment is being done by a certified operator, water quality analyst, or person who meets the requirements of O. Reg. 170/03 7-5?	Legislative	SDWA O. Reg. 170/03 7-5
Observation		
Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.		
All log records regarding O. Reg. 170/03 7-5 reviewed during the inspection period, identified the names of all operators of the facility and their respective signatures and/or initials. It should be noted that any entries in the log must be identified by the person making the entry in the logs. An example of this is if multiple operators make entries in the log. If this occurs, those persons must clearly identify who made the entry (i.e. by signature/initial or electronic login).		

Question ID	MRDW1060000	
Question	Question Type	Legislative Requirement
Do the operations and maintenance manuals meet the requirements of the DWWP and MDWL issued under Part V of the SDWA?	Legislative	SDWA 31 (1)
Observation		
The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.		

Question ID	MRDW1071000	
Question	Question Type	Legislative Requirement
Has the owner provided security measures to protect components of the drinking water system?	BMP	Not Applicable
Observation		
The owner had provided security measures to protect components of the drinking water system.		

Question ID	MRDW1073000	
Question	Question Type	Legislative Requirement
Has the overall responsible operator been designated for all subsystems which comprise the drinking water system?	Legislative	SDWA O. Reg. 128/04 23 (1)
Observation		
The overall responsible operator has been designated for each subsystem.		

At the time of inspection, the Overall Responsible Operator (ORO) was designated for the Malahide Distribution System as well as backup ORO's in the event the ORO is unable to act. The ORO possesses certification equal to or greater than the classification levels of the system (Water Distribution 1 # 3535 September 15, 2005).

Question ID	MRDW1074000		
Question	Question Type	Legislative Requirement	
Have operators in charge been designated for all subsystems for which comprise the drinking water system?	Legislative	SDWA O. Reg. 128/04 25 (1)	
Observation			
Operators-in-charge had been designated for all subsystems which comprised the drinking water system.			
During the inspection period, it was found that the Operators responsible for the operations of the Malahide Distribution System recorded the names of the operator-in-charge (OIC) in the facility log records. The Owner must ensure that one or more operators are designated as operator-in-charge (OIC) for each day that the facility is in operation. An OIC can be any operator with an applicable certificate to the type of operated subsystem.			
An operator-in-training (OIT) cannot be designated as an OIC; any log entries made by the OIT must be approved by the OIC and clearly documented in the log at the time of entry.			

Question ID	MRDW1075000		
Question	Question Type	Legislative Requirement	
Do all operators possess the required certification?	Legislative	SDWA O. Reg. 128/04 22	
Observation	All operators possessed the required certification.		
A review of the operational staff certificates at the Malahide Distribution System indicate that during the inspection period, all operators of the drinking water system/subsystems had adequate certification.			

Question ID	MRDW1076000		
Question	Question Type	Legislative Requirement	
Do only certified operators make adjustments to the treatment equipment?	Legislative	SDWA O. Reg. 170/03 1-2 (2)	

Observation
<p>Only certified operators made adjustments to the treatment equipment.</p> <p>Documentation provided at the time of inspection (logbooks and other record keeping mechanisms) indicated that only certified operational staff made adjustments to operational processes.</p> <p>The Owner/Operator must be aware that the Safe Drinking Water Act (SDWA) Section 11(1) 5 requires the owner and/or the operating authority to ensure that the personnel at the drinking-water system are under the supervision of persons having the prescribed qualifications. The Owner/Operator should reference Ministry web site at the following link: https://www.ontario.ca/page/certification-guide-operators-and-water-quality-analysts</p> <p>"Certification Guide for Operators and Water Quality Analysts of Drinking Water Systems", section 5.1.1 "Certification of Operators" identifies functions that must be performed by a certified operator. The Certification Guide identifies that certain duties must be performed by a certified operator, or at least have a certified operator (or P. Eng. designated as OIC) physically present and monitoring the work being performed. It also identifies duties that can be undertaken by uncertified personnel without the direct physical supervision of the person with prescribed qualifications.</p> <p>It is recommended that the guide be provided to the system operational staff for informational purposes to heighten operator's awareness to help them fully understand their legal responsibilities and certification compliance requirements.</p> <p>However, this does not relieve the OIC from ensuring responsibilities under O. Reg. 128/04 s. 26 (2) are met for any work in the drinking-water system.</p> <p>The OIC shall ensure that any time Non-Certified Persons are making adjustments to mandatory regulated monitoring equipment including programming changes (SCADA; instrumentation calibration; dialer programming) is completed under the direct supervision of the OIC for the water facilities.</p>

Question ID	MRDW1099000		
Question		Question Type	Legislative Requirement
Do records show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O. Reg.. 169/03)?		Information	Not Applicable
Observation			
Records showed that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03).			

Question ID	MRDW1096000		
Question	Question Type	Legislative Requirement	
Do records confirm that chlorine residual tests are being conducted at the same time and at the same location that microbiological samples are obtained?	Legislative	SDWA O. Reg. 170/03 6-3 (1)	
Observation	Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.		
A review of Chain of Custody forms and log records related to regulated water samples indicate that the appropriate information is being recorded by operators.			

Question ID	MRDW1081000		
Question	Question Type	Legislative Requirement	
Are all microbiological water quality monitoring requirements for distribution samples being met?	Legislative	SDWA O. Reg. 170/03 10-2 (1),SDWA O. Reg. 170/03 10-2 (2),SDWA O. Reg. 170/03 10-2 (3)	
Observation			
All microbiological water quality monitoring requirements for distribution samples were being met.			
A review of the statement of analytical results for the inspection period confirmed that a minimum of three (3) distribution samples were taken each week and analyzed for E. coli, total coliform and HPC.			
In accordance with O. Reg. 170/03, Schedule 10-2, and based on the population served of greater than 1000 persons, the Owner/Operating Authority is required to take a minimum of nine (9) distribution system samples each month, ensuring that at least one sample is taken in each week of the month. Each of the distribution samples are to be analyzed for E. coli, total coliform and 25% of the samples must be analyzed for background colony counts based on a heterotrophic plate count (HPC).			

Question ID	MRDW1086000		
Question	Question Type	Legislative Requirement	
Are all haloacetic acid water quality monitoring requirements prescribed by legislation conducted within the	Legislative	SDWA O. Reg. 170/03 13-6.1	

required frequency and at the required location?		(1),SDWA O. Reg. 170/03 13-6.1 (2),SDWA O. Reg. 170/03 13-6.1 (3), SDWA O. Reg. 170/03 13-6.1 (4),SDWA O. Reg. 170/03 13-6.1 (5),SDWA O. Reg. 170/03 13-6.1 (6)
<p>Observation</p> <p>All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location.</p> <p>In accordance with Ontario Regulation 170/03 Schedule 13-6.1, the owner and operating authority shall ensure that at least one distribution water sample that is likely to have an elevated potential for the formation of Haloacetic acids (HAAs) is collected and tested for Haloacetic acids each calendar quarter.</p> <p>Haloacetic Acid monitoring was completed on the following dates during the inspection period: July 06, 2020 (24.7 ug/L) October 05, 2020 (33.4 ug/L) January 11, 2021 (15.4 ug/L) and April 06, 2021 (15.4 ug/L).</p> <p>O. Reg. 169/03 standard (80 ug/L) and the O. Reg. 170/03 reporting requirements for HAAs came into effect on January 1, 2020, Owners/Operating authorities must perform the following calculations to determine compliance with the standard.</p> <p>As per O. Reg 170/03 Schedule 13-6.1 (3) "(3) For the purposes of Schedule 2 to the Ontario Drinking Water Quality Standards, the running annual average of quarterly results with respect to haloacetic acids shall be calculated for each calendar quarter by using the following formula: $[A + B + C + D] \div 4$ in which, "A" is the average of all the results from the samples tested under subsection (2) in that calendar quarter, "B" is the average of all the results from the samples tested under subsection (2) in the most recent calendar quarter preceding the calendar quarter referred to in "A" in which testing was carried out, "C" is the average of all the results from the samples tested under subsection (2) in the most recent calendar quarter preceding the calendar quarter referred to in "B" in which testing was carried out, and "D" is the average of all the results from the samples tested under subsection (2) in the most recent calendar quarter preceding the calendar quarter referred to in "C" in which testing was carried out."</p>		

A running annual average for each quarter must be calculated and recorded to ensure compliance has been met after each quarter.

All sample results for this inspection period show that the distribution water is within acceptable limits for Haloacetic acids as listed in Ontario Regulation 169/03.

Question ID	MRDW1087000		
Question	Question Type	Legislative Requirement	
Have all trihalomethane water quality monitoring requirements prescribed by legislation been conducted within the required frequency and at the required location?	Legislative	SDWA O. Reg. 170/03 13-6 (1)	
Observation			
All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location.			
In accordance with Ontario Regulation 170/03 Schedule 13-6, the owner and operating authority shall ensure that at least one distribution water sample that is likely to have an elevated potential for the formation of Trihalomethanes is collected and tested for Trihalomethanes each calendar quarter.			
Trihalomethane monitoring was completed on the following dates during the inspection period: July 06, 2020 (42.0 ug/L) October 05, 2020 (56.0 ug/L) January 11, 2021 (31.0 ug/L) and April 06, 2021 (23.0 ug/L)			
All sample results for this inspection period show that the distribution water is within acceptable limits for Trihalomethanes as listed in Ontario Regulation 169/03.			

Question ID	MRDW1100000		
Question		Question Type	Legislative Requirement
Did any reportable adverse/exceedance conditions occur during the inspection period?		Information	Not Applicable
Observation			
There were no reportable adverse/exceedances during the inspection period.			

Question ID	MRDW1113000		
Question		Question Type	Legislative Requirement
Have all changes to the system registration information been provided to the Ministry within ten (10) days of the change?		Legislative	SDWA O. Reg. 170/03 10.1 (3)
Observation			
All changes to the system registration information were provided within ten (10) days of the change.			

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Question ID	MRDW1059000		
Question	Question Type	Legislative Requirement	
Do the operations and maintenance manuals contain plans, drawings and process descriptions sufficient for the safe and efficient operation of the system?	Legislative	SDWA O. Reg. 128/04 28	
Observation			
The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.			
The Owner/Operating Authority provided documentation confirming that the operators and maintenance personnel in the subsystem have been provided ready access to comprehensive operation and maintenance manuals that contain plans, drawings and process descriptions sufficient for the safe and efficient operation of the subsystem as required by O. Reg. 128/04, s. 28.			

Question ID	MRDW1061000		
Question	Question Type	Legislative Requirement	
Are logbooks properly maintained and contain the required information?	Legislative	SDWA O. Reg. 128/04 27 (1), SDWA O. Reg. 128/04 27 (2), SDWA O. Reg. 128/04 27 (3), SDWA O. Reg. 128/04 27 (4), SDWA O. Reg. 128/04 27 (5), SDWA O. Reg. 128/04 27 (6), SDWA O. Reg. 128/04 27 (7)	
Observation			
Logbooks were properly maintained and contained the required information.			
During the review of the logbooks, it was found that entries had been made by the operators to fulfill the requirements as prescribed under O. Reg. 128/04 s 27.			
Logbook records identifying daily activities, operational checks, etc. was in place at the time of inspection.			

Operational logs are a key component for the safe and efficient operation of a facility. Logs or other record-keeping mechanisms are required to document the operation of the drinking water system and corrective actions taken to adverse situations.

It should be noted that the OCWA has implemented a new electronic digital log recording system.

Operator's are entering operational activities (secured log entry) in real time via a portable tablet system. All information entered is validated as per the date and time entries made by each operator. The digital log information is currently backed up at three separate locations to help prevent any loss of information.

Stakeholder Appendix

Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles in the table below or use your web browser to search for their titles. Contact the Ministry if you need assistance or have questions at 1-866-793-2588 or waterforms@ontario.ca.

For more information on Ontario's drinking water visit www.ontario.ca/drinkingwater



PUBLICATION TITLE	PUBLICATION NUMBER
FORMS: Drinking Water System Profile Information Laboratory Services Notification Adverse Test Result Notification	012-2149E 012-2148E 012-4444E
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	Website
Procedure for Disinfection of Drinking Water in Ontario	Website
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids	Website
Filtration Processes Technical Bulletin	Website
Ultraviolet Disinfection Technical Bulletin	Website
Guide for Applying for Drinking Water Works Permit Amendments, & License Amendments	Website
Certification Guide for Operators and Water Quality Analysts	Website
Guide to Drinking Water Operator Training Requirements	9802E
Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption	Website
Drinking Water System Contact List	7128E01
Ontario's Drinking Water Quality Management Standard - Pocket Guide	Website
Watermain Disinfection Procedure	Website
List of Licensed Laboratories	Website

Principaux guides et documents de référence sur les réseaux résidentiels municipaux d'eau potable

De nombreux documents utiles peuvent vous aider à exploiter votre réseau d'eau potable. Vous trouverez ci-après une liste de documents que les propriétaires et exploitants de réseaux résidentiels municipaux d'eau potable utilisent fréquemment. Pour accéder à ces documents en ligne, cliquez sur leur titre dans le tableau ci-dessous ou faites une recherche à l'aide de votre navigateur Web. Communiquez avec le ministère au 1-866-793-2588, ou encore à waterforms@ontario.ca si vous avez des questions ou besoin d'aide.



Pour plus de renseignements sur l'eau potable en Ontario, consultez le site www.ontario.ca/eaupotable

TITRE DE LA PUBLICATION	NUMÉRO DE PUBLICATION
Renseignements sur le profil du réseau d'eau potable	012-2149F
Avis de demande de services de laboratoire	012-2148F
Avis de résultats d'analyse insatisfaisants et de règlement des problèmes	012-4444F
Prendre soin de votre eau potable - Un guide destiné aux membres des conseils municipaux	Site Web
Marche à suivre pour désinfecter l'eau potable en Ontario	Site Web
Stratégies pour minimiser les trihalométhanes et les acides haloacétiques de sous-produits de désinfection	Site Web
Filtration Processes Technical Bulletin (en anglais seulement)	Site Web
Ultraviolet Disinfection Technical Bulletin (en anglais seulement)	Site Web
Guide de présentation d'une demande de modification du permis d'aménagement de station de production d'eau potable	Site Web
Guide sur l'accréditation des exploitants de réseaux d'eau potable et des analystes de la qualité de l'eau de réseaux d'eau potable	Site Web
Guide sur les exigences relatives à la formation des exploitants de réseaux d'eau potable	9802F
Échantillonnage et analyse du plomb dans les collectivités : échantillonnage normalisé ou réduit et admissibilité à l'exemption	Site Web
Liste des personnes-ressources du réseau d'eau potable	Site Web
L'eau potable en Ontario - Norme de gestion de la qualité - Guide de poche	Site Web
Procédure de désinfection des conduites principales	Site Web
Laboratoires autorisés	Site Web

APPLICATION OF THE RISK METHODOLOGY USED FOR MEASURING MUNICIPAL RESIDENTIAL DRINKING WATER SYSTEM INSPECTION RESULTS



The Ministry of the Environment (MOE) has a rigorous and comprehensive inspection program for municipal residential drinking water systems (MRDWS). Its objective is to determine the compliance of MRDWS with requirements under the Safe Drinking Water Act and associated regulations. It is the responsibility of the municipal residential drinking water system owner to ensure their drinking water systems are in compliance with all applicable legal requirements.

This document describes the risk rating methodology, which has been applied to the findings of the Ministry's MRDWS inspection

results since fiscal year 2008-09. The primary goals of this assessment are to encourage ongoing improvement of these systems and to establish a way to measure this progress.

MOE reviews the risk rating methodology every three years.

The Ministry's Municipal Residential Drinking Water Inspection Protocol contains 15 inspection modules consisting of approximately 100 regulatory questions. Those protocol questions are also linked to definitive guidance that ministry inspectors use when conducting MRDWS inspections.

ontario.ca/drinkingwater

The questions address a wide range of regulatory issues, from administrative procedures to drinking water quality monitoring. The inspection protocol also contains a number of non-regulatory questions.

A team of drinking water specialists in the ministry assessed each of the inspection protocol regulatory questions to determine the risk (not complying with the regulation) to the delivery of safe drinking water. This assessment was based on established provincial risk assessment principles, with each question receiving a risk rating referred to as the Question Risk Rating. Based on the number of areas where a system is deemed to be non-compliant during the inspection, and the significance of these areas to administrative, environmental, and health consequences, a risk-based inspection rating is calculated by the ministry for each drinking water system.

It is important to be aware that an inspection rating less than 100 per cent does not mean the drinking water from the system is unsafe. It shows areas where a system's operation can improve. The ministry works with owners and operators of systems to make sure they know what they need to do to achieve full compliance.

The inspection rating reflects the inspection results of the specific drinking water system for the reporting year. Since the methodology is applied consistently over a period of years, it serves as a comparative measure both provincially and in relation to the individual system. Both the drinking water system and the public are able to track the performance over time, which encourages continuous improvement and allows systems to identify specific areas requiring attention.

The ministry's annual inspection program is an important aspect of our drinking water safety net. The ministry and its partners share a common commitment to excellence and we continue to work toward the goal of 100 per cent regulatory compliance.

Determining Potential to Compromise the Delivery of Safe Water

The risk management approach used for MRDWS is aligned with the Government of Ontario's Risk Management Framework. Risk management is a systematic approach to identifying potential hazards, understanding the likelihood and consequences of the hazards, and taking steps to reduce their risk if necessary and as appropriate.

The Risk Management Framework provides a formula to be used in the determination of risk:

$$\text{RISK} = \text{LIKELIHOOD} \times \text{CONSEQUENCE}$$

(of the consequence)

Every regulatory question in the inspection protocol possesses a likelihood value (L) for an assigned consequence value (C) as described in **Table 1** and **Table 2**.

TABLE 1:

Likelihood of Consequence Occurring	Likelihood Value
0% - 0.99% (Possible but Highly Unlikely)	L = 0
1 – 10% (Unlikely)	L = 1
11 – 49% (Possible)	L = 2
50 – 89% (Likely)	L = 3
90 – 100% (Almost Certain)	L = 4

TABLE 2:

Consequence	Consequence Value
Medium Administrative Consequence	C = 1
Major Administrative Consequence	C = 2
Minor Environmental Consequence	C = 3
Minor Health Consequence	C = 4
Medium Environmental Consequence	C = 5
Major Environmental Consequence	C = 6
Medium Health Consequence	C = 7
Major Health Consequence	C = 8

The consequence values (0 through 8) are selected to align with other risk-based programs and projects currently under development or in use within the ministry as outlined in **Table 2**.

The Question Risk Rating for each regulatory inspection question is derived from an evaluation of every identified consequence and its corresponding likelihood of occurrence:

- All levels of consequence are evaluated for their potential to occur
- Greatest of all the combinations is selected.

The Question Risk Rating quantifies the risk of non-compliance of each question relative to the others. Questions with higher values are those with a potentially more significant impact on drinking water safety and a higher likelihood of occurrence. The highest possible value would be 32 (4×8) and the lowest would be 0 (0×1).

Table 3 presents a sample question showing the risk rating determination process.

TABLE 3:							
Does the Operator in Charge ensure that the equipment and processes are monitored, inspected and evaluated?							
Risk = Likelihood × Consequence							
C=1	C=2	C=3	C=4	C=5	C=6	C=7	C=8
Medium Administrative Consequence	Major Administrative Consequence	Minor Environmental Consequence	Minor Health Consequence	Medium Environmental Consequence	Major Environmental Consequence	Medium Health Consequence	Major Health Consequence
L=4 (Almost Certain)	L=1 (Unlikely)	L=2 (Possible)	L=3 (Likely)	L=3 (Likely)	L=1 (Unlikely)	L=3 (Likely)	L=2 (Possible)
R=4	R=2	R=6	R=12	R=15	R=6	R=21	R=16

Application of the Methodology to Inspection Results

Based on the results of a MRDWS inspection, an overall inspection risk rating is calculated. During an inspection, inspectors answer the questions related to regulatory compliance and input their “yes”, “no” or “not applicable” responses into the Ministry’s Laboratory and Waterworks Inspection System (LWIS) database. A “no” response indicates non-compliance. The maximum number of regulatory questions asked by an inspector varies by: system (i.e., distribution, stand-alone); type of inspection (i.e., focused, detailed); and source type (i.e., groundwater, surface water).

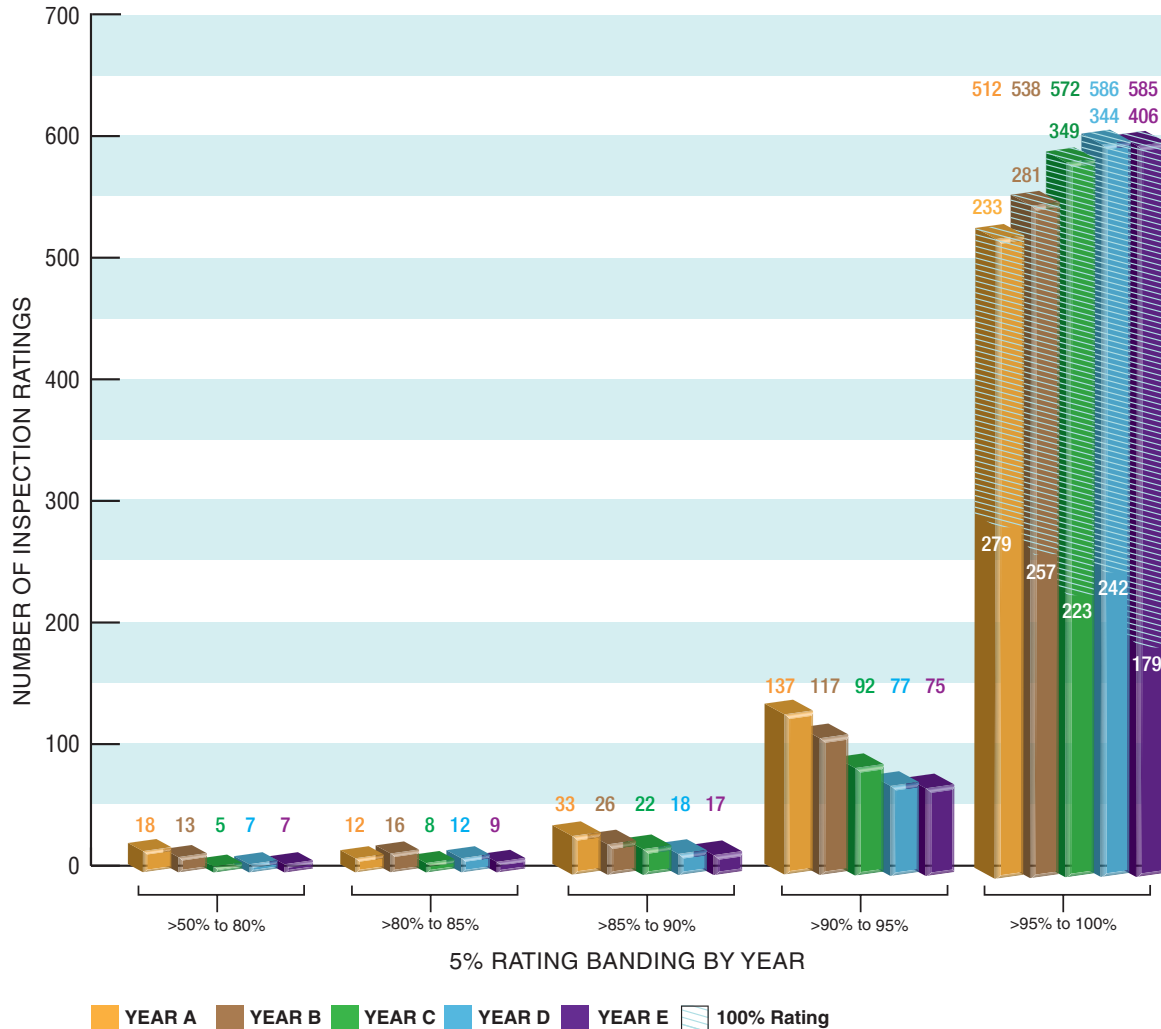
The risk ratings of all non-compliant answers are summed and divided by the sum of the risk ratings of all questions asked (maximum question rating). The resulting inspection risk rating (as a percentage) is subtracted from 100 per cent to arrive at the final inspection rating.

Application of the Methodology for Public Reporting

The individual MRDWS Total Inspection Ratings are published with the ministry's Chief Drinking Water Inspector's Annual Report.

Figure 1 presents the distribution of MRDWS ratings for a sample of annual inspections. Individual drinking water systems can compare against all the other inspected facilities over a period of inspection years.

Figure 1: Year Over Year Distribution of MRDWS Ratings



Reporting Results to MRDWS Owners/Operators

A summary of inspection findings for each system is generated in the form of an Inspection Rating Record (IRR). The findings are grouped into the 15 possible modules of the inspection protocol,

which would provide the system owner/operator with information on the areas where they need to improve. The 15 modules are:

- | | | | |
|-------------------------|---------------------------------|--|--|
| 1. Source | 5. Treatment Process Monitoring | 9. Logbooks | 13. Water Quality Monitoring |
| 2. Permit to Take Water | 6. Process Wastewater | 10. Contingency and Emergency Planning | 14. Reporting, Notification and Corrective Actions |
| 3. Capacity Assessment | 7. Distribution System | 11. Consumer Relations | 15. Other Inspection Findings |
| 4. Treatment Processes | 8. Operations Manuals | 12. Certification and Training | |

For further information, please visit www.ontario.ca/drinkingwater

DWS Name: MALAHIDE DISTRIBUTION SYSTEM
DWS Number: 260004774
DWS Owner: THE CORPORATION OF THE TOWNSHIP OF MALAHIDE
Municipal Location: AYLMER

Regulation: O.REG. 170/03
DWS Category: DW Municipal Residential
Type of Inspection: Focused
Inspection Date: Jul-28-2021
Ministry Office: London District Office

Maximum Risk Rating: 203

Inspection Module	Non Compliance Rating
Treatment Processes	0 / 60
Operations Manuals	0 / 28
Logbooks	0 / 18
Certification and Training	0 / 42
Water Quality Monitoring	0 / 51
Reporting & Corrective Actions	0 / 4
Overall - Calculated	0 / 203

Inspection Risk Rating:	0.00%
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Final Inspection Rating:	100.00%
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DWS Name: MALAHIDE DISTRIBUTION SYSTEM
DWS Number: 260004774
DWS Owner Name: THE CORPORATION OF THE TOWNSHIP OF MALAHIDE
Municipal Location: AYLMER

Regulation: O.REG. 170/03
DWS Category: DW Municipal Residential
Type of Inspection: Focused
Inspection Date: Jul-28-2021
Ministry Office: London District Office

All legislative requirements were met. No detailed rating scores.

Maximum Question Rating: 203

Inspection Risk Rating:	0.00%
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FINAL INSPECTION RATING:	100.00%
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Report to Council

REPORT NO.: PW-21-53
DATE: October 21, 2021
ATTACHMENT: Draft Agreement
SUBJECT: **Contract Award: 2021-2024 Community Facility and Municipal Sidewalk Winter Maintenance**

Recommendation:

THAT Report No. PW-21-53 entitled “Contract Award: 2021-2024 Community Facility and Municipal Sidewalk Winter Maintenance” be received;

AND THAT the 2021-2024 Community Facility Winter Maintenance contract be awarded to Kettle Creek Landscaping Limited;

AND THAT the 2021-2024 Municipal Sidewalk Winter Maintenance contract be awarded to Kettle Creek Landscaping Limited;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Kettle Creek Landscaping Limited, of St. Thomas, Ontario, for the purpose of completing the 2021-2024 Community Facility and Municipal Sidewalk Winter Maintenance contracts.

Background:

The Township awards a contract for Community Facility and Municipal Sidewalk Winter Maintenance by issuing a tender every three years. The most recent contract was awarded in the fall of 2018 and ended in the spring of 2021.

Prior to working for the Township, owner operators/contractors are required to supply the proof of compliance with OH&S, WSIB, Ministry of Labour, adequate insurance coverage, employee training in WHIMIS and MSDS and traffic control plans.

Comments/Analysis:

A request for quotations was called to supply winter maintenance services for community facilities and municipal sidewalks throughout the Township of Malahide.

The tender closed on Friday, September 10, 2021, with one bid received. The lone bid was submitted by Kettle Creek Landscaping Limited, of St. Thomas, Ontario with operating rates of \$120 per hour for community facilities, \$95 per hour for municipal sidewalk operations and \$50 per day standby rate for municipal sidewalks.

Community Facility Winter Maintenance Services:

The community facility winter maintenance includes snow plowing and material application at various Township-owned facilities at a level of service determined by the Community Services Coordinator. The locations are broken down into three separate parts in the tender for bidding purposes based on geographical location, with separate bids accepted for each part.

Part 1: Malahide Community Place, Springfield Fire Station #3, and Springfield Waste Water Pumping Station (Springfield Road).

Part 2: Lyons Fire Station #4/South Dorchester Community Hall

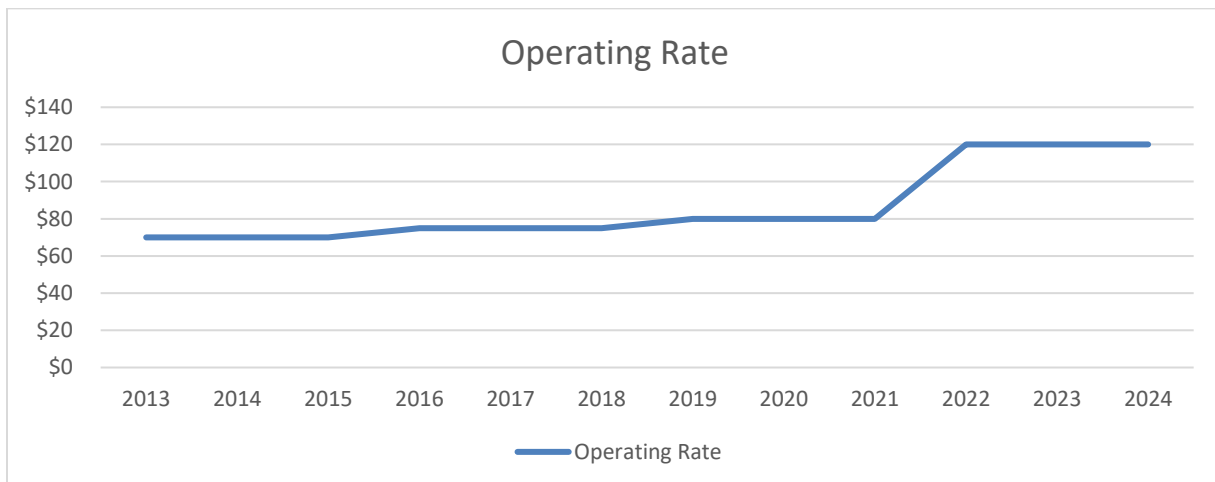
Part 3: OPC Pumping Station, Rod Road, South Fire Station #5

Summary of Bid Rates:

Part	Service Provided	Total per Service	Service Provided	Total per Service
Part 1	Plow and Apply Salt	\$495.00	Salt Application Only	\$240.00
Part 2	Plow and Apply Salt	\$315.00	Salt Application Only	\$150.00
Part 3	Plow and Apply Salt	\$550.00	Salt Application Only	\$275.00

Historical Hourly Rates:

RATE	2013-2015	2016-2018	2019-2021	2022-2024
Hourly	\$70	\$75	\$80	\$120



Average Price Increase (new contract vs. previous contract): 50%

Average Annual Price Increase (new 3-year contract): 16.7%

Municipal Sidewalk Winter Maintenance Services:

The municipal sidewalk winter maintenance includes snow plowing and material application on municipally owned sidewalks as required by O. Reg 239/02 Minimum Maintenance Standards for Municipal Highways, and the Township of Malahide “Sidewalk Winter Maintenance Policy (2019)”. The locations are broken down into three separate parts in the tender for bidding purposes based on geographical location, with separate bids accepted for each part.

Part 4: Springfield Area Sidewalks

Part 5: Lyons Area Sidewalks

Part 6: Avon Area Sidewalks

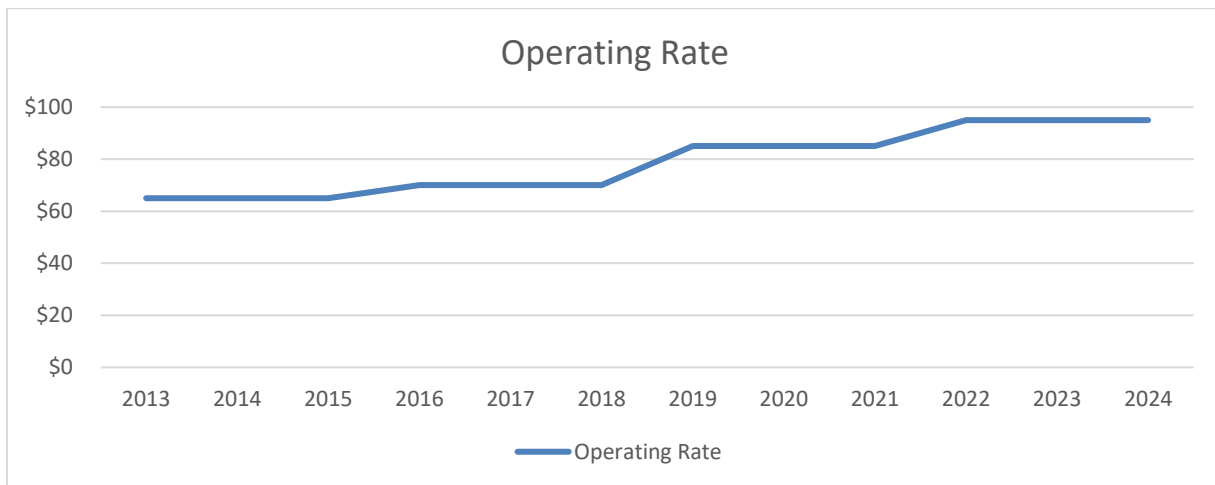
For bidding purposes, an average number of standby days and operating hours were determined for each location.

Summary of Bid Rates:

Part	Time	Unit Rate	Seasonal Total
Stand-by Time	75 days	\$50.00/day	\$3,750.00
Part 4	205 hrs	\$95.00/hr	\$19,475.00
Part 5	25 hrs	\$95.00/hr	\$2,375.00
Part 6	10 hrs	\$95.00/hr	\$950.00

Historical Hourly rates

RATE	2013-2015	2016-2018	2019-2021	2022-2024
Hourly	\$65	\$70	\$85	\$95
Standby	\$45	\$50	\$50	\$50



Average Price Increase (new contract vs. previous contract): 11.8%

Average Annual Price Increase (new 3-year contract): 3.9%

Summary:

The Township of Malahide has a positive working history with the lone bid company and the Staff would recommend awarding the 2021-2024 Sidewalk Winter Maintenance contract to Kettle Creek Landscaping, of St. Thomas, Ontario.

Financial Implications to Budget:

The approved 2021 Operations Budget provides sufficient funding in both the facility grounds maintenance and the sidewalk winter maintenance budget lines to fund the remaining portion of the 2021 winter maintenance. Future operations budgets should be adjusted to accommodate the annual cost of the winter maintenance contract. Currently, the total cost of winter maintenance is funded through the tax levy.

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 “Local Government” Strategic Pillar relates to “Embody Financial Efficiency throughout Decision-Making”. Securing service providers using a competitive procurement practice and using a purchasing co-operative typifies this goal.

Submitted by:	Approved by:
Ryan DeSutter, Roads & Construction Manager	Adam Betteridge, Chief Administrative Officer

AGREEMENT

THIS AGREEMENT made in quadruplicate this 21st day of OCTOBER, 2021

B E T W E E N:

KETTLE CREEK LANDSCAPING LIMITED
herein called the "Contractor"

-AND-

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE
herein called the "Owner".

WHEREAS the Owner has awarded a contract to the Contractor for Municipal Sidewalk Winter Maintenance for the 2021-2024 seasons;

NOW THEREFORE WITNESSETH that the Contractor and the Owner for the consideration hereinafter indicated undertake and agree as follows:

ARTICLE 1:

The following documents are to be read herewith and form part of this Agreement as fully and completely to all intents and purposes as though all the stipulations thereof had been embodied herein and are referred to herein as the "Contract Documents":

1. Form of Tender
2. Contract PW-21-12 – Community Facility and Municipal Sidewalk Winter Maintenance 2021-2024

ARTICLE 2:

The Contractor undertakes and agrees:

1. To provide all materials, except as otherwise specified, and perform all work shown in the Contract Documents entitled:
 - a. **Contract PW-21-12 – Community Facility and Municipal Sidewalk Winter Maintenance 2021-2024,**
2. To do and fulfill everything indicated by this Agreement and the Contract Documents; and,
3. To complete substantially all the work as specified in the Contract Documents.

ARTICLE 3:

The Owner undertakes and agrees:

- a) To pay the Contractor in current funds for the performance of the **PW-21-12 – Community Facility and Municipal Sidewalk Winter Maintenance 2021-2024 at an Hourly rate of One Hundred and Twenty Dollars (\$120.00)** for Community Facility Winter Maintenance Services subject to additions and deductions as provided in the Contract Documents.
- b) To pay the Contractor in current funds for the performance of the **PW-21-12 – Community Facility and Municipal Sidewalk Winter Maintenance 2021-2024 at an Hourly rate of Ninety-five Dollars (\$95.00) and a daily standby rate of Fifty Dollars (\$50.00)** for Municipal Sidewalk Winter Maintenance Services subject to additions and deductions as provided in the Contract Documents.
- c) To make payments on account thereof, as follows:

Payment will be made subject to the provision of monthly invoices submitted to the Township with appropriate product/service receipt tickets signed by Township personnel. Payments will be made within 30 days of receipt of said invoices
- d) If on account of climate or other conditions reasonably beyond the Contractor's control, there are items of work that cannot be readily completed, the payment in full for the work which has been completed shall not be delayed on account thereof, but the Owner may withhold sufficient and reasonable sum until the uncompleted work is finished.

ARTICLE 4:

The Contractor and the Owner for themselves, their successors, executors, administrators and assigns, hereby undertake and agree to the full performance of the covenants contained herein and in the Contract Documents, and that this Agreement constitutes the Contract and the following is an exact enumeration of the Specifications and Drawings:

Contract PW-21-12 – Community Facility and Municipal Sidewalk Winter Maintenance 2021-2024

ARTICLE 5:

If and whenever either party hereto desires to give notice to the other party under or in connection with this Agreement or the General Conditions of the Contract, such notice will be effectively given if sent by registered mail to the Contractor at 66 Progress Drive, St. Thomas, Ontario, N5P 4G5.

To the Owner at **87 John Street South, Aylmer, Ontario N5H 2C3** will be considered as having been so given at the time of the deposit thereof in the Post Office.

ARTICLE 6:

Any variation, amendment or addition of or to this Agreement shall be in writing and be signed by the Owner and the Contractor pursuant to and in accordance with authority delegated by Council, and shall be binding upon the Owner and the Contractor as fully and to the same extent as if set out herein.

ARTICLE 7:

All terms contained in this Agreement and the Contract Documents shall be construed to be several as well as joint, and wherever the singular or masculine is used, it shall be construed as if the plural or the feminine or the neuter, as the case may be, had been used where the context of the Party or the Parties hereto so require, and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals or caused to be affixed their corporate seals under the hands of the duly authorized officers as the case may be.

Corporation of the Township of Malahide

 Name:
 Title:
 Date of Signature:

 Name:
 Title:
 Date if Signature:

We have authority to bind the Corporation.

Kettle Creek Landscaping Limited

 Name:
 Title:
 Date of Signature:

 Name:
 Title:
 Date of Signature:

I/We have authority to bind the Corporation.

APPENDIX 'A' – SIDEWALK LOCATIONS**PRIORITY 1 SIDEWALKS – ON COUNTY ROAD ALLOWANCES WITHIN 1.6KM OF A SCHOOL**

Location	Road Name	Description	Length
Springfield	Ron McNeil Line	South Side, from Mun. No. 50939 to Mun. No. 51429	1,210m
	Ron McNeil Line	North Side, from Mun. No. 51102 to Mun. No. 51336	620m
	Whittaker Road	West Side, from Ron McNeil Line to Mun. No. 12471	620m
	Springfield Road	East Side, from Ron McNeil Line, northerly 40m	40m
	Springfield Road	West Side, from Ron McNeil Line to Mun. No. 11627	900m
Total Priority 1 Sidewalks – Village of Springfield			3390m

PRIORITY 2 SIDEWALKS

Location	Road Name	Description	Length
Avon	Avon Drive	South side, from Putnam Road, easterly 175m	175m
Total Priority 2 Sidewalks - Hamlet of Avon			175m
Lyons	Imperial Road	West side, from Lyons Line northerly 175m	175m
	Imperial Road	West side, from Lyons Line southerly 140m	140m
	Lyons Line	South side, from Imperial Road easterly 170m	170m
Total Priority 2 Sidewalks - Hamlet of Lyons			485m
Springfield	Detroit Street	West side, from Ron McNeil Line to Broadway Street	100m
	Broadway Street	South Side, from Whittaker Road to Mill Street	300m
	Broadway Street	North Side, from McIntosh Street to Whittaker Road	95m
	McIntosh Street	West Side, from Ron McNeil Line to Broadway Street	90m
	Pressey Line	North Side, from Springfield Road to Catherine Street	570m
	Springfield Road	East Side, from Pressey Line to Ron McNeil Line	50m
	Whittaker Road	West Side, from Ron McNeil Line to Broadway Street	100m
Total Priority 2 Sidewalks - Village of Springfield			1,305m
Township of Malahide Total Sidewalks			5,355m



Report to Council

REPORT NO.: DS-21-48
DATE: October 21, 2021
ATTACHMENT: Report Photo and Application
SUBJECT: **Revised Application for Consent to Sever of Margaret Goodhue (Authorized Agent: Helen R. Button - Gunn & Associates)**
LOCATION: East Part of Lot 23, Concession 12 (Geographic Township of South Dorchester) (47148 Ron McNeil Line)

Recommendation:

THAT Report No. DS-21-33 entitled “Revised Application for Consent to Sever of Margaret Goodhue” be received;

AND THAT the Application for Consent to Sever No. D10-E54-21 as submitted by Margaret Goodhue, relating to the property located at East Part of Lot 23, Concession 12, (Geographic Township of South Dorchester), and known municipally as 47148 Ron McNeil Line, be supported for the reasons set out in this Report;

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

AND THAT the conditions previously imposed, and forwarded to the Land Division Committee dated July 9th, 2021 remain unchanged.

Background/Comments:

The revised subject application for Consent to Sever (the “Application”) has been submitted by Helen R. Button of Gunn & Associates, on behalf of Margaret Goodhue in order to sever an existing dwelling as a result of a farm consolidation. The Council considered and supported the original application on July 8th, 2021 (Report No. DS-21-33).

The application was denied by the Land Division Committee on July 28th, 2021 on the basis that the proposed surplus dwelling lot was too large. The revised application proposes to reduce the frontage and area of the severed lot from the original application. The original and revised applications propose the following with regard to lot frontage and lot area.

Application	Proposed Severed parcel Lot Frontage	Proposed Severed parcel Lot Area
Original application	95.8 m (314.3 ft)	0.930 ha (2.3 acres)
Revised application	52.5 m (172.2 ft)	0.607 ha (1.5 acres)

A report photo representative of the proposed severance is attached for the Council's reference.

In all other respects the conditions put forward by Township Council previously remain.

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.

The importance of sustainable planning includes promoting for the protection of agricultural lands. As such, one of the goals that support the "Our Land" Strategic Pillar relates to "Respect the agricultural land base through the land use planning process".

New non-farm lot creation is permitted in very limited circumstances, including surplus farm dwelling severances. As such, the recommendation of this report supports the ICSP.

Submitted by:	Approved by:
Christine Strupat, CPT Development Services Technician/ Assistant Planner	Adam Betteridge, MCIP, RPP Chief Administrative Officer



APPLICATION FOR CONSENT

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE
2. Name of Owner Margaret Alice Goodhue
- Address 44912 Edgeware Line, St. Thomas, Ontario N5P 3T3
- Telephone Number 519-631-8369 Email _____
- Name of owner's solicitor or authorized agent Helen R. Button, Gunn & Associates
- Address 108 Centre Street, St. Thomas, Ontario N5R 2Z7
- Telephone Number 519-631-0700 Email helenbutton@gunn.on.ca

Please specify to whom all communications should be sent:

Owners ☐ Solicitor ☒ Agent ☐

3. (a) Type and purpose of proposed transaction: (check appropriate space)

Transfer:	<input type="checkbox"/>	creation of a new lot	Other:	<input type="checkbox"/>	mortgage/charge
	<input type="checkbox"/>	addition to a lot		<input type="checkbox"/>	lease
	<input checked="" type="checkbox"/>	surplus farm dwelling		<input type="checkbox"/>	easement/R.O.W.
	<input type="checkbox"/>	technical severance		<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____			

- (b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Jennifer Lynn Goodhue

- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

4. (a) Location of land:

Municipality Township of Malahide Concession No. 12

Lot(s) No. 23 Registered Plan No. _____

Name of Street Ron McNeil Line Street No. and/or 911 No. 47148

Assessment Roll No. _____

- (b) Are there any easements or restrictive covenants affecting the subject land?

Yes ☐ No ☒ If Yes, describe the easement or covenant and its effect:

5. Description of land intended to be severed: (Accurate Measurements in Metric)

Frontage 52.58 Depth 124 m Area 0.607 ha / 1.5 ac

Existing Use rural residential Proposed Use same

Number and use of buildings and structures on the land to be severed:

Existing one house, one frame barn, one shed

Proposed same

6. Description of land intended to be retained: (Accurate Measurements in Metric) 106.65 ac

Frontage 260.85 m Depth 1,351 m Area 43.16 ha +/-

Existing Use agriculture Proposed Use same

Number and use of buildings and structures on the land to be retained:

Existing none

Proposed none

7. Number of new lots proposed (including retained lots) two

8. Type of access for proposed and retained lot: (check appropriate space)

TYPE

PROPOSED LOT

RETAINED LOT

Provincial Highway

☐
☐

Municipal road, maintained all year

☒
☒

Municipal road, seasonally maintained

☐
☐

Other public road

☐
☐

Right Of Way

☐
☐

Water access

☐
☐

If proposed access is by water, what boat docking and parking facilities are available on the mainland? (specify) _____

9. (a) What type of water supply is proposed: (check appropriate space)

TYPE

PROPOSED LOT

RETAINED LOT

Publicly owned and operated piped water system

☐
☐

N/A

Privately owned and operated individual well

☒
☐

Privately owned and operated communal well

☐
☐

Lake or other water body

☐
☐

Other means (specify) _____

- (b) If existing water supply is provided from a privately owned and operated individual/ communal well, **the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application)**

10. (a) What type of sewage disposal is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated sanitary sewage system	<input type="checkbox"/>	<input type="checkbox"/> N/A
Privately owned and operated individual septic tank	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated communal septic system	<input type="checkbox"/>	<input type="checkbox"/>
Other means (specify)	_____	_____

- (b) If existing sewage disposal is privately owned, **the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)**

11. When will water supply and sewage disposal services be available?
already available subject to any needed repairs

12. What is the existing Official Plan designation(s) of the subject land?
agriculture

13. What is the existing Zoning designation(s) of the subject land?
A3

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act? Yes ☐ No ☒ Unknown ☐

If Yes, and known, provide the application file number and the decision made on the application
N/A

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application
The western boundary of the proposed severed lot has been moved to the east so that the overall area of the proposed severed lot has been reduced from 0.935 ha (2.31 ac) to 0.607 ha (1.5 ac)

16. (a) Has there been any previous severances of land from this holding?

Yes ☒

No ☐

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's name Arthur Raymond Johnston and Debra Elaine Johnston

Use of parcel residentialDate parcel created December 22, 1977

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes ☐ No ☐

If Yes, provide the previous severance File No.

N/A

18. If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete attached Appendix "C" – "Surplus Farm Dwelling Information Form". (Completed Appendix "C" to be attached to the Application)

19. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes ☒ No ☐

i) Now used for livestock?

Yes ☒No ☐

ii) Capable of being used for livestock?

Yes ☒No ☐

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

20. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes ☐No ☒

21. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes ☐No ☒

If Yes, and known, specify the Ministry file number and status of the application

N/A

22. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes ☐No ☒

If Yes, and known, specify the appropriate file number and status of the application

N/A

23. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes ☒

No ☐

- (b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

s. 2.3.4.1(c)

24. Is the subject land within an area designated under any provincial plan or plans?

Yes ☐

No ☒

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

25. Did pre consultation occur with the local Municipality and other agencies (if applicable)?

Yes ☒

No ☐

Enter date of consultation and contact person

April 7, 2021 - consultation with Adam Betteridge

26. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.
27. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

28. DETAILED SKETCH:

The application shall be accompanied by a detailed sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land;
- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be created and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be retained and shall comply with the Zoning By-Law setbacks;

APPENDIX "C"

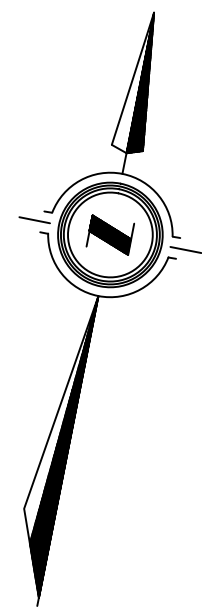
Surplus Farm Dwelling Information Form

in Support of an Application for Consent
under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

1. Details of Subject Lands			
Municipal Address 47148 Ron McNeil Line, Aylmer, Ontario N5H 2R6			
Legal Description Part Lot 23 Concession 12 South Dorchester as in E163583 Except Part 2 11R1334; Malahide			
Lot Area (metric): 42.935 ha	Lot Frontage (metric): 217.6 m	Lot Depth (metric): 1,351 m	Year the surplus dwelling was constructed: approximately 1975
Provide confirmation that the surplus dwelling is capable of human habitation, and that it is not a farm help house: The surplus dwelling is capable of human habitation and is not a farm help house.			
2. Proposed Transaction			
Identify the proposed transaction (i.e. the proposed severance) – to whom will the severed lot and retained agricultural lands be sold or conveyed to? Please include details on purchaser/purchasee Transfer to Jennifer Lynn Goodhue			
Identify how/why the dwelling is surplus to the needs of the owner/purchasing farmer due to farm consolidation? ** See below			
3. Details of the Lands Farmed by the Person to whom the Dwelling is Surplus			
To whom is the dwelling surplus?		<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Purchasing Farmer
Total area of land farmed (metric): 121.4 ha (300 ac)		Total area of farm land owned (metric): 121.4 ha (300 ac)	
Identify the locations of all lands farmed by the owner/purchasing farmer: 47148 Ron McNeil Line, Aylmer, Ontario N5H 2R6; 44912 Edgeware Line, St. Thomas, Ontario N5P 3T3			
4. Principal Residence of the Owner/Purchasing Farmer			
Identify the location of the owner's/purchasing farmer's principal residence: 44912 Edgeware Line, St. Thomas, Ontario N5P 3T3			
Does the owner/purchasing farmer own or rent their principal residence?		<input checked="" type="checkbox"/> Own	<input type="checkbox"/> Rent
Does the owner/purchasing farmer own any other dwellings?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, identify the location of all other dwellings owned by the owner/purchasing farmer: 44912 Edgeware Line, St. Thomas, Ontario N5P 3T3			

** The Applicant resides at her property at 44912 Edgeware Line, St. Thomas, Ontario, and does not require the dwelling at the subject property for her residence.





L o t

2 3

L o t

2 2

Retained Area
= 43.16 ± Hectares
(Not Verified by Survey)

(G e o g r a p h i c T o w n s h i p

C o n c e s s i o n

T o w n s h i p

o f

S o u t h D o r c h e s t e r)

1 2

M a l a h i d e

UTM GRID NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS "1" AND "2". BY REAL TIME NETWORK (RTN) OBSERVATIONS, LEICA GPS SMARTNET NETWORK, UTM ZONE 17, NAD83 (CSRS) EPOCH(2010)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999567546.

OBSERVED REFERENCE POINTS (ORPs) U.T.M. ZONE 17, NAD83 (CSRS) EPOCH(2010). COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP 1	4739861.684	495497.953
ORP 2	4739983.691	495476.112
ORP 3	4739793.459	495150.933

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

P.I.N. 35273-0114

300 Dia.

ORP 3
SIB (741)

140.735

(P1 & Meas)

Found SIB Bent (741)
Spun Set SIB

160.477

N78°52'40"E (Meas)

(N78°50'E, P1)

Ron McNeil Line

(Named by The Corporation of The Township of Malahide
By-Law No. 96-05, Reg'd as Inst. No. 368557)

Line

Road Allowance Between Townships of South Dorchester and Yarmouth

30.480 Wide

P.I.N. 35273-0102

(County Road No. 52)

L o t

2 1,

C o n c e s s i o n

1 0

(G e o g r a p h i c T o w n s h i p o f Y a r m o u t h)

P.I.N. 35273-0114

N78°52'40"E

21.097

IB 1.80 West

42.785

N37°12'50"E

2.49

Gravel

Area

Overhang

9.18

1 Storey

Frame

Building

9.06

Gravel

Area

Septic

Area

9.27

1 Storey

Brick House

Mun. No. 47148

9.15

Conc. Pad

9.15

WELL

PART 1

P.I.N. 35273-0114

Severed Area

= 0.607 Hectares

= 1.500 Acres

South East

Corner Lot 23

Con. 12

ORP 1

SIB (741)

52.577

213.055 (P1 & Meas)

40.97

Asphalt

Driveway

40.90

5.182 (P2 & Meas)

N78°52'40"E (Meas)

(N78°53'30"E, P2, P3)

142.000 (P2 & Meas)

149.073 (P2 & Meas)

Part 3 ,

Expropriation Plan D-979

Post and Wire Fence
Running North from Post

Wood Post

No Evidence

4442 ±

Line Between Lots 22 and 23, Con. 12

Centreline of Trees

0.4 East

IB ORP 2

Centreline of Trees

1.1 East

Centreline of Trees

0.6 East

Row of Trees

124.000

Row of Trees

Row of Trees

P.I.N. 35273-0217

Part 1 , Plan 11R-10315

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER
THE LAND TITLES ACT.

DATE: _____

JUAN D. ZAPATA
ONTARIO LAND SURVEYOR

PLAN 11R-

RECEIVED AND DEPOSITED

DATE: _____

REPRESENTATIVE FOR LAND
REGISTRAR FOR THE LAND TITLES
DIVISION OF ELGIN. (No. 11)

PART SCHEDULE

PART	LOT	CONCESSION	P.I.N.
1	PART OF 23	12	PART OF 35273-0114

PART 1 COMPRISES PART OF PIN 35273-0114

PLAN OF SURVEY

OF PART OF

LOT 23, CONCESSION 12

(GEOGRAPHIC TOWNSHIP OF SOUTH DORCHESTER)

IN THE

TOWNSHIP OF MALAHIDE

COUNTY OF ELGIN

SCALE 1:750

15 10 5 0 15 30 45

SCALE IN METRES

2018

ARCHIBALD, GRAY & McKAY LTD.

ONTARIO LAND SURVEYORS

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE
SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE
REGULATIONS MADE UNDER THEM.

2) THE SURVEY WAS COMPLETED ON THE th DAY OF

JUAN D. ZAPATA
ONTARIO LAND SURVEYOR

NOTES & LEGEND

- DENOTES MONUMENT FOUND
- DENOTES MONUMENT PLANTED
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- 1582 DENOTES KIM S. HUSTED O.L.S.
- 741 DENOTES D. I. HOUGHTON O.L.S.
- P1 DENOTES EXPROPRIATION PLAN D-979
- P2 DENOTES PLAN 11R-10315
- P3 DENOTES EXPROPRIATION PLAN D-988

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048.



ARCHIBALD, GRAY & McKAY LTD.
3514 WHITE OAK ROAD, LONDON, ON, N6E 2Z9
PHONE 519-685-5300 FAX 519-685-5303
EMAIL info@agm.on.ca WEB www.agm.on.ca

DRAWN BY: JGH/WIG	DIGITAL FILE: DS1803RP2C13.DWG	PLAN No:
CHECKED BY: DH		3-Z-7982
Plot Date: AUGUST 6, 2021	FILE No: DORS-12-23-1	

F:\PROJECTS\D\DORS(DS)\DORS\DORS-12\23\DORS-12-23-1\CAD\DS1803RP2C13.DWG

APPLICATION FOR A CONSENT TO SEVER
Helen Button, Gunn & Associates, agent for Margaret Goodhue

47148 Ron McNeil Line
Part Lot 23, Concession 12 Southern Division
Township of Malahide


128

**Township
of Malahide
Figure 1**



OFFICIAL PLAN DESIGNATION
Agriculture

ZONING
A3 Large Lot Agricultural

 LANDS TO BE SEVERED

 LANDS TO BE RETAINED



July 9, 2021.

Land Division Committee
County of Elgin
450 Sunset Drive
St. Thomas, Ontario
N5R 5V1

Dear Committee Members:

RE: Land Severance Application E54/21 – Margaret Goodhue

The Malahide Township Council passed the following Resolutions on July 8, 2021:

THAT the Malahide Township Council has no objection to the Land Severance No. E54/21 in the name of Margaret Goodhue, relating to the property located at Part Lot 23, Concession 12, Geographic Township of South Dorchester, subject to the following conditions:

- (i) 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.
- (ii) 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.
- (iii) That the applicants initiate and assume all planning costs associated with the required Official Plan Amendment, Zoning Amendment, Minor Variance or other land use planning process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
- (iv) Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
- (v) 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.
- (vi) That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.

- (vii) That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
- (viii) 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.

We enclose Municipal Appraisal together with Municipal Report DS-21-33 for your records.

Yours very truly,
TOWNSHIP OF MALAHIDE

A handwritten signature in black ink, appearing to read "D. Wilson", written in a cursive style.

DIANA WILSON
Acting Clerk

Copy - John Seldon
Rosemary Kennedy
Margaret Goodhue



Report to Council

REPORT NO.: DS-21-45
DATE: October 21, 2021
ATTACHMENT: Report Photo, Application, Recommended Conditions
SUBJECT: **Application for Consent to Sever of Anna and Isaak Giesbrecht, (Authorized Agent: David Roe c/o Civic Planning Solutions Inc)**
LOCATION: Part of Lot 11, Concession 1 (Geographic Township of Malahide)
(49485 Nova Scotia Line)

Recommendation:

THAT Report No. DS-21-45 entitled “Application for Consent to Sever of Anna and Isaak Giesbrecht” be received;

AND THAT the Application for Consent to Sever of Anna and Isaak Giesbrecht relating to the property located at Part of Lot 11, Concession 1, (Township of Malahide), and known municipally as 49485 Nova Scotia Line, be supported for the reasons set out in this Report;

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

Background:

The subject application for Consent to Sever (the “Application”) has been submitted by David Roe c/o Civic Planning Solutions Inc, on behalf of Anna and Isaak Giesbrecht in order to create one new residential parcel in the Hamlet of Copenhagen. The Application relates to the property located at Part of Lot 11, Concession 1, and known municipally as 49485 Nova Scotia Line.

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on October 27, 2021.

Comments/Analysis:

The subject property is approximately 0.48 hectares (1.1 acres) in area, and has approximately 70 metres (229.98 feet) of frontage along Nova Scotia Line. The subject property is developed with a single unit dwelling, a shop, a “pack barn” (proposed to be converted to a residence on the proposed severed lot, and 5 smaller accessory sheds.

The Application proposes to create one new residential lot to the west of the single unit dwelling. The new residential lot would contain the existing pack barn, which as mentioned above is proposed to be converted to a single unit dwelling and attached garage. The subject property is bound by residential uses to the north, east and west, and agricultural uses to the south.

County of Elgin Official Plan

The subject property is designated “Tier 2 - Copenhagen” on Schedule ‘A’, Land Use Plan. The subject property is identified as having frontage along a “County Minor Arterial” on Schedule ‘B’, “Transportation Plan”, and has no noted areas on Schedule ‘C’ (Aggregate and Petroleum Resources) or Appendix 1 (Environmental Resource Areas) of the County Official Plan.

Malahide Official Plan

The subject property is designated “Hamlet” on Schedule ‘A1’ (Land Use Plan) and Schedule ‘A2’ (Constraints Plan). The Residential policies of Section 4 of the Official Plan applies to this development. The proposed development is in conformity with these policies.

Malahide Zoning By-law No. 18-22

The subject property is within the “Hamlet Residential (HR) Zone” on Key Map N of Schedule “A” to the Township’s Zoning By-law No. 18-22. The retained and severed lots will remain in the HR zone.

The “Hamlet Residential (HR) Zone” zone requires the following with regard to minimum lot area and frontage:

“HR” Zone	Required:	Proposed Severed Lot	Proposed Retained Lot
Min. Lot Area	1,850 m ²	2,600 m ²	2,200m ²
Min. Lot Frontage	25m	37.7m	32.4m

One accessory building on retained lot is closer than required 2m to proposed side lot line; a condition has been added that requires the shed to be removed or relocated in accordance with the Zoning By-law.

General Comments

The Development Services Staff has considered the merits of the subject application against applicable Official Plan policies and the Township's Zoning By-law and recommends that the Council support the Application.

The Development Services Staff has also considered comments provided by other internal departments. Notably:

- The Township's Drainage Superintendent/Engineering Technologist has advised that:
 - a revised assessment schedule in accordance with the Drainage Act, RSO 1990 is required (1 Split, McDonald Drain); and,
 - a new or relocation of a municipal drain is required in accordance with the Drainage Act, RSO 1990.
- The Township's Roads & Construction Manager has advised that an engineered lot and ditch grading plan prepared in accordance with good engineering practices is required.

The Township's CAO has reviewed and recommends that the following be required by Township Council:

- a) Pertaining to the existing barn proposed to remain on the severed lot and be converted to a dwelling/residence, a development agreement should be executed with the Township as a condition of consent. This will ensure that the conversion indeed happens, given that a barn is not considered a residential accessory building. If it is not converted to become a residence, then it should be removed entirely or reduced in size in accordance with zoning regulations. Financial securities may be held by the Township to ensure such occurs;
- b) The existing asphalt laneway which crosses-over the proposed new lot line should be removed & returned to sod; and,
- c) The location of the existing septic system on the retained parcel will need confirmed to ensure it is entirely contained on retained parcel and in accordance with the Ontario Building Code.

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.

Submitted by:	Approved by:
Christine Strupat, CPT Development Services Technician/Assistant Planner	Adam Betteridge, MCIP, RPP Chief Administrative Officer

E 73-21Anna & Isaak Giesbrecht
49485 Nova Scotia Line**APPLICATION FOR CONSENT**

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE
2. Name of Owner Anna and Isaak Giesbrecht
 Address 49485 Nova Scotia Line, Aylmer, ON N5H 2R2
 Telephone Number 519-281-7681 Email _____
 Name of owner's solicitor or authorized agent David Roe, Civic Planning Solutions Inc.
 Address 61 Trailview Dr. Tillsonburg, ON N4G 0C6
 Telephone Number 519-983-8154 Email civicplanningsolutions@nor-del.com

Please specify to whom all communications should be sent:

Owners ☐ Solicitor ☐ Agent ☒

3. (a) Type and purpose of proposed transaction: (check appropriate space)

Transfer:	<input checked="" type="checkbox"/>	creation of a new lot	Other:	<input type="checkbox"/>	mortgage/charge
	<input type="checkbox"/>	addition to a lot		<input type="checkbox"/>	lease
	<input type="checkbox"/>	surplus farm dwelling		<input type="checkbox"/>	easement/R.O.W.
	<input type="checkbox"/>	technical severance		<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____			

- (b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

4. (a) Location of land:

Municipality Malahide Concession No. 1
 Lot(s) No. 11 Registered Plan No. _____
 Name of Street Nova Scotia Line Street No. and/or 911 No. 49485
 Assessment Roll No. 340800000110308

- (b) Are there any easements or restrictive covenants affecting the subject land?

Yes ☐ No ☒ If Yes, describe the easement or covenant and its effect:

5. Description of land intended to be severed: (Accurate Measurements in Metric)

Frontage 37.717m Depth 68.575m Area 0.26ha

Existing Use Residential Proposed Use Residential

Number and use of buildings and structures on the land to be severed:

Existing barn and 2 small sheds

Proposed convert existing barn into a dwelling with attached garage

6. Description of land intended to be retained: (Accurate Measurements in Metric)

Frontage 32.465m Depth 68.58m Area 0.22ha

Existing Use Residential Proposed Use Residential

Number and use of buildings and structures on the land to be retained:

Existing dwelling, shop and 2 smallsheds

Proposed nothing new

7. Number of new lots proposed (including retained lots) 2

8. Type of access for proposed and retained lot: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained	<input type="checkbox"/>	<input type="checkbox"/>
Other public road	<input type="checkbox"/>	<input type="checkbox"/>
Right Of Way	<input type="checkbox"/>	<input type="checkbox"/>
Water access	<input type="checkbox"/>	<input type="checkbox"/>

If proposed access is by water, what boat docking and parking facilities are available on the mainland? (specify) _____

9. (a) What type of water supply is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated piped water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Privately owned and operated individual well	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated communal well	<input type="checkbox"/>	<input type="checkbox"/>
Lake or other water body	<input type="checkbox"/>	<input type="checkbox"/>
Other means (specify) _____	_____	_____

- (b) If existing water supply is provided from a privately owned and operated individual/ communal well, **the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application)**

10. (a) What type of sewage disposal is proposed: (check appropriate space)

TYPE

PROPOSED LOT

RETAINED LOT

Publicly owned and operated sanitary sewage system

☐
☐

Privately owned and operated individual septic tank

☒
☒

Privately owned and operated communal septic system.

☐
☐

Other means (specify) _____

- (b) If existing sewage disposal is privately owned, **the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)**

11. When will water supply and sewage disposal services be available?

new septic system on severed lot at time of conversion of barn into dwelling

12. What is the existing Official Plan designation(s) of the subject land?

Hamlet

13. What is the existing Zoning designation(s) of the subject land?

HR

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act? Yes ☐ No ☐ Unknown ☒

If Yes, and known, provide the application file number and the decision made on the application

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

16. (a) Has there been any previous severances of land from this holding?

Yes ☐

No ☒

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's name _____

Use of parcel _____
 Date parcel created _____

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes ☐ No ☐

If Yes, provide the previous severance File No.

18. If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete attached Appendix "C" – "Surplus Farm Dwelling Information Form".
 (Completed Appendix "C" to be attached to the Application)

19. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes ☐ No ☒

i) Now used for livestock? Yes ☐ No ☐
 ii) Capable of being used for livestock? Yes ☐ No ☐

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

20. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes ☐ No ☒

21. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes ☐ No ☒

If Yes, and known, specify the Ministry file number and status of the application

22. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes ☐ No ☒

If Yes, and known, specify the appropriate file number and status of the application

23. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes ☒

No ☐

- (b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

Section 1.1.3 residential development within a designated Settlement Area

24. Is the subject land within an area designated under any provincial plan or plans?

Yes ☐

No ☒

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

25. Did pre consultation occur with the local Municipality and other agencies (if applicable)?

Yes ☐

No ☒

Enter date of consultation and contact person

Client did speak with planner for Malahide

26. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.
27. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

28. DETAILED SKETCH:

The application shall be accompanied by a detailed sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land;
- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be created and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be retained and shall comply with the Zoning By-Law setbacks;



43870 Talbot Line | St. Thomas ON, N5P 3S7 | 519-207-0104

Inspection Date: July 1, 2021 Tank Size: 1000 Gallons
Job Site Address: 49485 Nova Scotia Line, Aylmer Status: Good

To Whom It May Concern,

A septic tank inspection was completed at the above stated address on July 1, 2021.

- The levels in the tank were normal. The tank was not pumped during this inspection.
- The baffles are in place.
- The tank has an 1000 gallon capacity and is in good shape.
- The field bed area has 6 runs of 50 feet each.
- There were no signs of breaking out in the field bed area. It was dry at the time of inspection.
- The septic bed ends 30 ft. behind the house.

At the time of the inspection, the technician found that the septic system was working as it should.

A copy of the inspection checklist is included with this report.

Exact Septics Inc. is not liable for any issues arising after date of inspection.

Dan Friesen

Exact Septics Inc.
BCIN# 13548

SEPTIC INSPECTION CHECKLIST: Drainfield

DRAINFIELD QUESTIONS

Are there any strong odors?

☐ Yes

☒ No

Are there any mushy or swampy areas or surfacing effluent?

☐ Yes

☒ No

If inspection ports are present, is there standing water in the ports that is still present 2 hours later?

☐ Yes

☐ No

☒ Not Present

☐ Close up and Clean-up

All openings covered and lids secured

Wash and sanitize all tools

Wash your hands

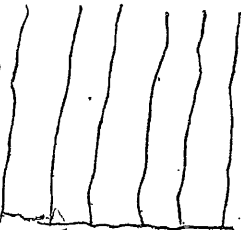
3 Bedrooms

3 Bathrooms

Shed

Big Shed

6 runs
50 feet
Long



30
Feet

Barn

House

1000
gallon
tank
10

49485 Nova Scotia line

Exact Septics Inc.
43870 Talbot Line
St. Thomas ON N5P 3S7

Anna Giesbreit
49485 Nova Scotia line
C-519-281-7681
H-226-342-0346

SEPTIC TANK QUESTIONS

For Severance

- Are the risers watertight with no visible leaks? ☐ Yes ☐ No ☒ Not Present
- Are the risers free of cracks or visible damage? ☐ Yes ☐ No ☒ Not Present
- Is the tank free of strong, overpowering odor? ☐ Yes ☐ No ☒ Not Present
- Where is the liquid level in the tank? ☒ At Base of Outlet Pipe ☐ Above ☐ Below
- Does the scum layer look like living, healthy soil? ☒ Yes ☐ No
- Can you clearly see baffles above the scum layer? ☒ Yes ☐ No
- Is the scum layer well below lid opening? ☒ Yes ☐ No
- Are baffles free of clogs and leaks around the seals?
(If concrete—Is it intact and not corroded?) ☒ Yes ☐ No

Scum and Sludge Measurements

Inlet

Outlet

Scum = _____"

Scum = _____"

Sludge = _____"

Sludge = _____"

Total = _____"

Total = _____"

Did you clean the outlet baffle filter?

☐ Yes

☒ No

Does your tank need pumping?

☐ Yes

☒ No

PUMP TANK QUESTIONS

- Is the riser water tight and free of cracks and damage? ☐ Yes ☐ No ☐ Not Present
- Is the pump tank free of solids? ☐ Yes ☐ No ☐ Not Present
- Is the pump tank free from corrosion or damage? ☐ Yes ☐ No ☐ Not Present
- Is the electrical junction box intact and free of corrosion and damage to the wires? ☐ Yes ☐ No ☐ Not Present
- Are the floats attached to the float tree and not hung up on anything? ☐ Yes ☐ No ☐ Not Present
- If there's a basket screen present, is it intact and not collapsed? ☐ Yes ☐ No ☐ Not Present
- Does the alarm sound when the alarm float is lifted? ☐ Yes ☐ No ☐ Not Present
- Is the control panel free of leaks, corrosion or loose wires? ☐ Yes ☐ No ☐ Not Present
- Did you change the battery in the control panel? ☐ Yes ☐ No ☐ Not Present

APPLICATION FOR A CONSENT TO SEVER

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David Roe, Civic Planning Solutions Inc, agent for Anna and Isaak Giesbrecht

49485 Nova Scotia Line
Part Lot 11, Concession 1
Township of Malahide

**Township
of Malahide
Figure 1**



OFFICIAL PLAN DESIGNATION
Hamlet

ZONING
HR Hamlet Residential



LANDS TO BE SEVERED



LANDS TO BE RETAINED



Recommended Conditions: E73/21

1. 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.
2. 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.
3. 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.
4. 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, including, that the Township be satisfied that all accessory structures are located and situated in accordance with applicable zoning by-law regulations.
5. That the existing asphalt laneway which crosses-over the proposed new lot line be removed & returned to sod.
6. 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 the conversion of the existing barn to residence occurs in accordance with the Ontario Building Code and within a specified period of time.
7. Confirmation that private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
8. The owner has the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage disposal system and payment of necessary fees per lot.
9. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
10. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.

11. 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.



Report to Council

REPORT NO.: DS-21-46

DATE: October 21, 2021 (Report prepared October 13, 2021)

ATTACHMENT: Report Photo, Application, and Draft Conditions

SUBJECT: **Application for Consent to Sever of Civic Planning Solutions Inc. (David Roe), on behalf of 181711 Ontario Inc (B. & S. Carrel), Application E 75-21**

LOCATION: Canadian Southern Railway Lands, (Registered Plan 120 (Geographic Township of Malahide) – Village of Springfield

Recommendation:

THAT Report No. DS-21-46 entitled “Application for Consent to Sever of Civic Planning Solutions Inc. (David Roe), on behalf of 181711 Ontario Inc (B. & S. Carrel)” be received;

AND THAT the Application for Consent to Sever of Civic Planning Solutions Inc. (David Roe), on behalf of 181711 Ontario Inc (B. & S. Carrel), relating to the property located in Part of Lot 16 through Lot 18 inclusive, Concession 9, (Geographic Township of Malahide), be deferred for the reasons set out herein;

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

The recommendations are based on updated information and at the request of Township administration.

Background:

The subject application (E 75-21) for Consent to Sever (the “Application”) has been submitted by David Roe, authorized agent of 181711 Ontario Inc. (B. & S. Carrel), in order to create one new industrial parcel. The applicant has requested that an accompanying application related to the subject parcel (E 74-21) be deferred pending an investigation into a possible deeming by-law.

The Application relates to the property located in part of lot 16 through Lot 18 inclusive,

Concession 9, (Geographic Township of Malahide).

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on October 27, 2021.

Comments/Analysis:

The subject property comprises railway lands formerly owned and operated by Canadian Southern Railway Co, lands which have been abandoned for railway usage for a considerable period of time and where the rails and support ties have been removed. The parcel in questions extends between Hacienda Road and Springfield Road. The lands proposed to be severed are situated entirely within the Village of Springfield while the lands being retained are, for the most part, situated in the rural area lying west of Springfield.

The lands proposed to be severed (conveyed) comprise an area of approximately 1.2 hectares (2.97 ac) with a depth of approximately 304 metres (998.5 ft) and a frontage of approximately 29.2 metres (95.8 ft) on Springfield Road. Existing buildings and structures on the lands are described as a small shed. It is proposed that these lands be developed and used for as yet unspecified industrial purposes.

The lands proposed to be retained comprise an area of approximately 8.22 hectares (20.3 ac) with a depth of approximately 1,700 metres (5,577 ft) and a frontage of approximately 29.3 metres (96 ft) on Hacienda Road. The parcel is devoid of buildings and structures and comprises vacant railway lands where no change in use is proposed.

The lands proposed to be conveyed are situated in an area characterized by existing low density residential development and some limited industrial development (storage) along the north side of Finney Street. The lands proposed to be retained are situated partially within Springfield with the majority of the parcel being situated in an agricultural area characterized primarily by lands under crop production.

County of Elgin Official Plan

The subject property is identified as being situated within a combination of “Tier 2 - Springfield” and ‘Agricultural Area’ on Schedule ‘A’, Land Use Plan. The subject property has no noted areas on Schedule ‘C’ (Aggregate and Petroleum Resources) or Appendix 1 (Environmental Resource Areas) of the County Official Plan.

In addition to the above, the subject property has frontage on Springfield Road and Hacienda Road, both of which are identified as “County Collector” roads on Schedule ‘B’, “Transportation Plan”.

Malahide Official Plan

The subject property is situated within the designated settlement area of the Village of Springfield on Schedule ‘A1’ (Land Use Plan) and is designated, in part, ‘Residential’ on

Schedule 'B'. The majority of the lands are designated 'Agricultural'. Portions of the lands lie within constraint areas which include 'Hazard Land' and 'Flood Fringe'

The Residential policies of Section 4 of the Official Plan are not readily applicable in this instance insofar as an industrial zoning applies to the lands proposed to be developed for industrial purposes. By virtue of the applicable zoning, the lands are 'deemed to conform' to the Official Plan through reference to and reliance upon Section 24(4) of the Planning Act as follows:

Deemed conformity

(4) If a by-law is passed under section 34 by the council of a municipality or a planning board in a planning area in which an official plan is in effect and, within the time limited for appeal no appeal is taken or an appeal is taken and the appeal is withdrawn or dismissed or the by-law is amended by the Tribunal or as directed by the Tribunal, the by-law shall be conclusively deemed to be in conformity with the official plan, except, if the by-law is passed in the circumstances mentioned in subsection (2), the by-law shall be conclusively deemed to be in conformity with the official plan on and after the day the by-law was passed, if the amendment to the official plan comes into effect. 2017, c. 23, Sched. 5, s. 90.

With respect to non-conforming uses, the Malahide Official Plan states:

8.4.2 Non-conforming Uses

Some uses of land existing at the date of adoption of this Plan may not satisfy all the land use policies set out in the Plan. In response to these situations and notwithstanding the land use policies and designations, such uses may be zoned in the Zoning By-law in accordance with their present use provided that:

- a) The zoning will not allow any change of use which will be detrimental to adjacent complying uses;*
- b) The use does not constitute a danger or a nuisance to surrounding uses by the traffic, noise, odours, dust or visual impact which the use may generate;*
- c) Where the use is discontinued, rezoning may only take place if the new use is more compatible with or is in accordance with the policies and the spirit and intent of this Plan.*

A change in use is not proposed in this instance.

Malahide Zoning By-law No. 18-22

The subject property is zoned General Industrial (M1) and Village Residential One (VR1) on Schedule 'D', Map No. D3 and General Agricultural (A1), Special Agricultural (A2) and Large Lot Agricultural (A3) on Schedule 'A', Map No. 28 to the Township's Zoning By-law No. 18-22.

Lots within the General Industrial (M1) Zone require the following:

General Industrial (M1) Zone	Lot Proposed to be Severed
Minimum Lot Area: 800 m ²	1.2 ha
Minimum Lot Frontage: 30 m	29.2 m
Front Yard Depth: 15 m	to be determined by new construction
Lot Depth: 30 m	304 m
Side Yard Width: 15 m/7.5 m	to be determined by new construction
Rear Yard Depth: 15 m/7.5 m	to be determined by new construction
Maximum Lot Coverage: 40%	to be determined by new construction
Maximum Height: 12 m	to be determined by new construction
Minimum Landscaped Open Space: 10%	to be determined by new construction

General Comments

The Township's Development Services Staff has also received comments provided by other internal departments and external commenting agencies, notably:

- The Township's Drainage Superintendent/Engineering Technologist has advised that a revised assessment schedule in accordance with the Drainage Act, RSO 1990 is required (1 split, the Simpson Drain 2021);
- The Township's Water/Wastewater Operations Manager advised that the applicant should install a connection to the municipal sanitary sewer; and,
- The Township's Roads & Construction Manager has advised that an engineered lot and ditch grading plan prepared in accordance with good engineering practices is required.

As of the date of writing there have been no general comments received from the surrounding property owners.

The Township's Consulting Planner has also reviewed and generally has no concerns with the proposal, but does provide the following comments:

Upon the granting of the severance, both the lands being severed and lands being retained forfeit their "existing" status. The slightly deficient frontage of the lands proposed to be severed would need to be acknowledged either through a Minor Variance application or a re-zoning approved. For the lands being retained, recognition of a parcel having less than the minimum lot area and lot frontage standards of the A1, A2 and A3 zones is required and should be addressed through the application of "site-specific" (A1-#, A2-# and A3-#) zoning.

The Ministry of the Environment and Climate Change (MOECC), now the Ministry of Environment, Conservation and Parks (MECP), had previously advised/confirmed in a letter dated April 11, 2017 that a Record of Site Condition is required only where industrial/commercial lands are being changed in use to residential. The Ministry considers railway lands to be an industrial use.

The Consulting Planner notes that site plan control would apply to any new industrial use on the lands proposed to be severed, including the preparation of a detailed site plan and entering into a site plan agreement with the Township. Until such time as a specific development proposal is proposed, application of the holding (H) symbol should be considered to the General Industrial (M1) zoning, with its removal contingent upon completion of the site plan process.

It is recommended that the Application be deferred for the following reasons:

1. Deferral of the Application would provide the opportunity for the Township and the owner to review and discuss the highest and best order of use on the lands proposed to be retained;
2. Deferral of the application would provide the opportunity for the Township and the owner to review and discuss potential future severances on the lands proposed to be retained in exchange for the Township securing the necessary road allowances for connections to future development.

Recommended conditions have been prepared in the event the Application is approved.

Financial Implications to Budget:

The full cost of the consent and associated rezoning and site plan approval 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 (i.e. Village of Springfield) through its support of this proposal, the Council is achieving this goal.

Submitted by:	Reviewed by:
Dan Smith, MA Monteith Brown Planning Consultants, Consulting Planner for the Township	Jay McGuffin, MCIP, RPP Monteith Brown Planning Consultants

Approved by:
Adam Betteridge, Chief Administrative Officer

181711 Ontario Inc
Springfield Rd

Application #2

Parcel A

**APPLICATION FOR CONSENT**

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE
2. Name of Owner 181711 Ontario Inc. (B and S Carrel)
 Address 49934 Glencolin Line, Aylmer, ON N5H 2R3
 Telephone Number 519-773-7448 Email _____
 Name of owner's solicitor or authorized agent David Roe , Civic Planning Solutions Inc.
 Address 61 Trailview Dr. Tillsonburg, ON N4G 0C6
 Telephone Number 519-983-8154 Email civicplanningsolutions@nor-del.com

Please specify to whom all communications should be sent:

Owners ☐ Solicitor ☐ Agent ☒ signs to owners

3. (a) Type and purpose of proposed transaction: (check appropriate space)

Transfer:	<input checked="" type="checkbox"/>	creation of a new lot	Other:	<input type="checkbox"/>	mortgage/charge
	<input type="checkbox"/>	addition to a lot		<input type="checkbox"/>	lease
	<input type="checkbox"/>	surplus farm dwelling		<input type="checkbox"/>	easement/R.O.W.
	<input type="checkbox"/>	technical severance		<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____			

- (b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

4. (a) Location of land:

Municipality Malahide Concession No. _____
 Lot(s) No. Canada Southern Railway Grounds Registered Plan No. 120
And other lands see below*
 Name of Street Springfield Road Street No. and/or 911 No. Not assigned
 Assessment Roll No. 340801200200503,

- (b) Are there any easements or restrictive covenants affecting the subject land?

Yes ☐ No ☒ If Yes, describe the easement or covenant and its effect:

Other lands* Part of Mill St., Part of James St, Part of Lots 7 and 8 West of East St.,
 Part of Lots 8 and 9 East of Mill St., Registered Plan 18

5. Description of land intended to be severed: (Accurate Measurements in Metric) Parcel A
 Frontage 29.2m Depth 304.352m Area 1.2ha
 Existing Use Railway Lands Proposed Use Industrial
 Number and use of buildings and structures on the land to be severed:
 Existing small shed
 Proposed none

6. Description of land intended to be retained: (Accurate Measurements in Metric) Parcel B
 Frontage 29.26m Depth 1700m Area 8.22ha
 Existing Use Railway Lands Proposed Use Railway Lands
 Number and use of buildings and structures on the land to be retained:
 Existing none
 Proposed none

7. Number of new lots proposed (including retained lots) 1

8. Type of access for proposed and retained lot: (check appropriate space)
TYPE
- | | <u>PROPOSED LOT</u> | <u>RETAINED LOT</u> |
|---------------------------------------|-------------------------------------|-------------------------------------|
| Provincial Highway | <input type="checkbox"/> | <input type="checkbox"/> |
| Municipal road, maintained all year | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Municipal road, seasonally maintained | <input type="checkbox"/> | <input type="checkbox"/> |
| Other public road | <input type="checkbox"/> | <input type="checkbox"/> |
| Right Of Way | <input type="checkbox"/> | <input type="checkbox"/> |
| Water access | <input type="checkbox"/> | <input type="checkbox"/> |
- If proposed access is by water, what boat docking and parking facilities are available on the mainland? (specify) _____

9. (a) What type of water supply is proposed: (check appropriate space)
TYPE
- | | <u>PROPOSED LOT</u> | <u>RETAINED LOT</u> |
|--|------------------------------|------------------------------|
| Publicly owned and operated piped water system | <input type="checkbox"/> | <input type="checkbox"/> |
| Privately owned and operated individual well | <input type="checkbox"/> n/a | <input type="checkbox"/> n/a |
| Privately owned and operated communal well | <input type="checkbox"/> | <input type="checkbox"/> |
| Lake or other water body | <input type="checkbox"/> | <input type="checkbox"/> |
| Other means (specify) _____ | _____ | _____ |

- (b) If existing water supply is provided from a privately owned and operated individual/communal well, the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application)

10. (a) What type of sewage disposal is proposed: (check appropriate space)

TYPEPROPOSED LOTRETAINED LOT

Publicly owned and operated sanitary sewage system

☐ n/a☐ n/a

Privately owned and operated individual septic tank

☐☐

Privately owned and operated communal septic system

☐☐

Other means (specify) _____

- (b) If existing sewage disposal is privately owned, the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)

11. When will water supply and sewage disposal services be available?

n/a

12. What is the existing Official Plan designation(s) of the subject land?

13. What is the existing Zoning designation(s) of the subject land?

M1

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act?

Yes ☐No ☐Unknown ☒

If Yes, and known, provide the application file number and the decision made on the application

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

16. (a) Has there been any previous severances of land from this holding?

Yes ☐No ☒

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's name _____

Use of parcel _____
 Date parcel created _____

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes ☐ No ☒

If Yes, provide the previous severance File No.

18. If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete attached Appendix "C" – "Surplus Farm Dwelling Information Form". (Completed Appendix "C" to be attached to the Application)

19. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes ☐ No ☒

i) Now used for livestock? Yes ☐ No ☐
 ii) Capable of being used for livestock? Yes ☐ No ☐

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

20. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes ☒ No ☐

21. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes ☐ No ☒

If Yes, and known, specify the Ministry file number and status of the application

22. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes ☐ No ☒

If Yes, and known, specify the appropriate file number and status of the application

23. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes ☒

No ☐

- (b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

Section 1.1.3.1 Settlement Areas

24. Is the subject land within an area designated under any provincial plan or plans?

Yes ☐

No ☒

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

-
25. Did pre consultation occur with the local Municipality and other agencies (if applicable)?

Yes ☒

No ☐

Enter date of consultation and contact person

Adam Betteridge

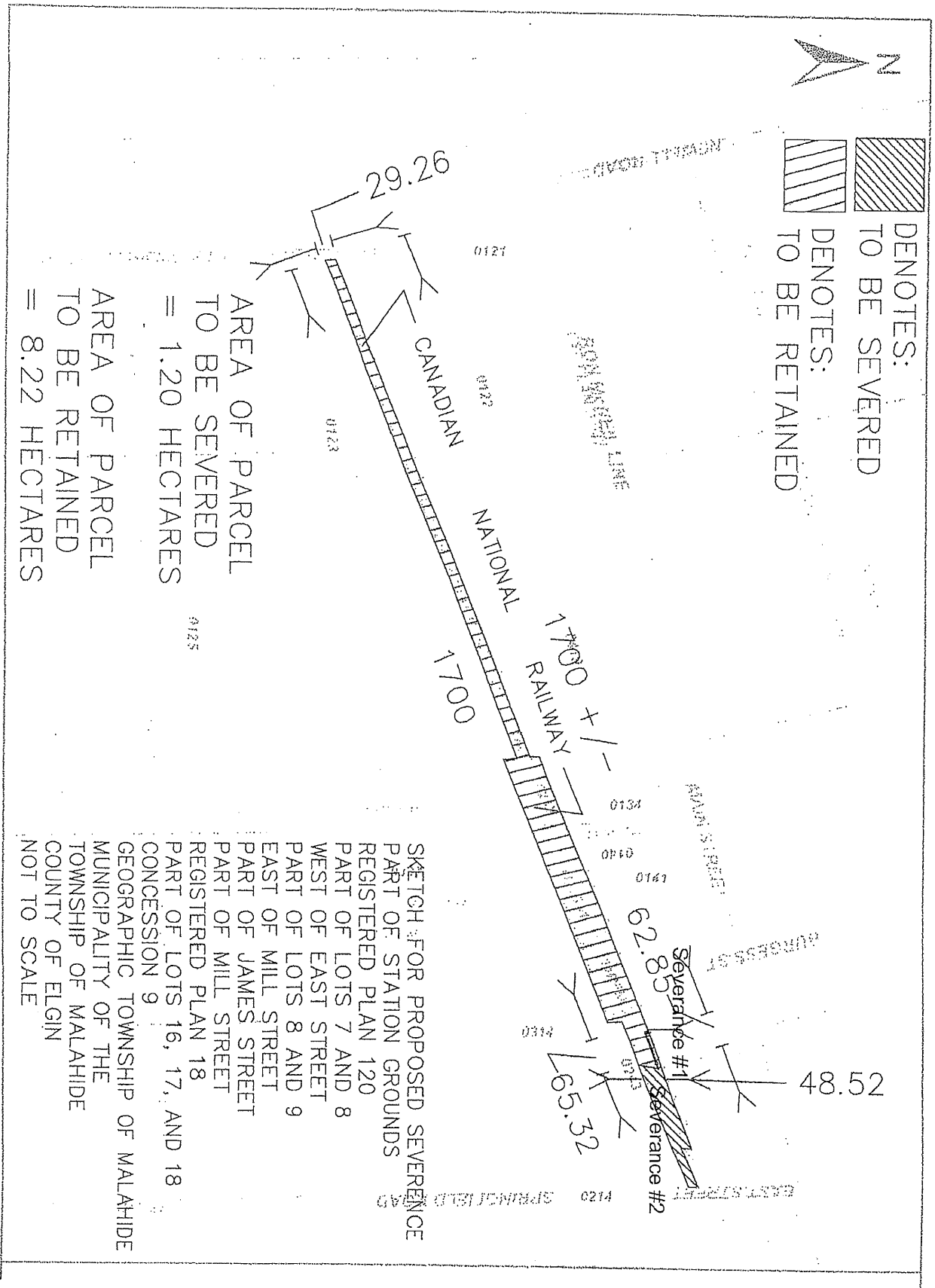
26. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site Inspections with respect to this application.
27. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

28. DETAILED SKETCH:

The application shall be accompanied by a detailed sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land;
- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be created and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries of the lot to be retained and shall comply with the Zoning By-Law setbacks;

Carrel Severance #2 Sketches





APPLICATION FOR A CONSENT TO SEVER

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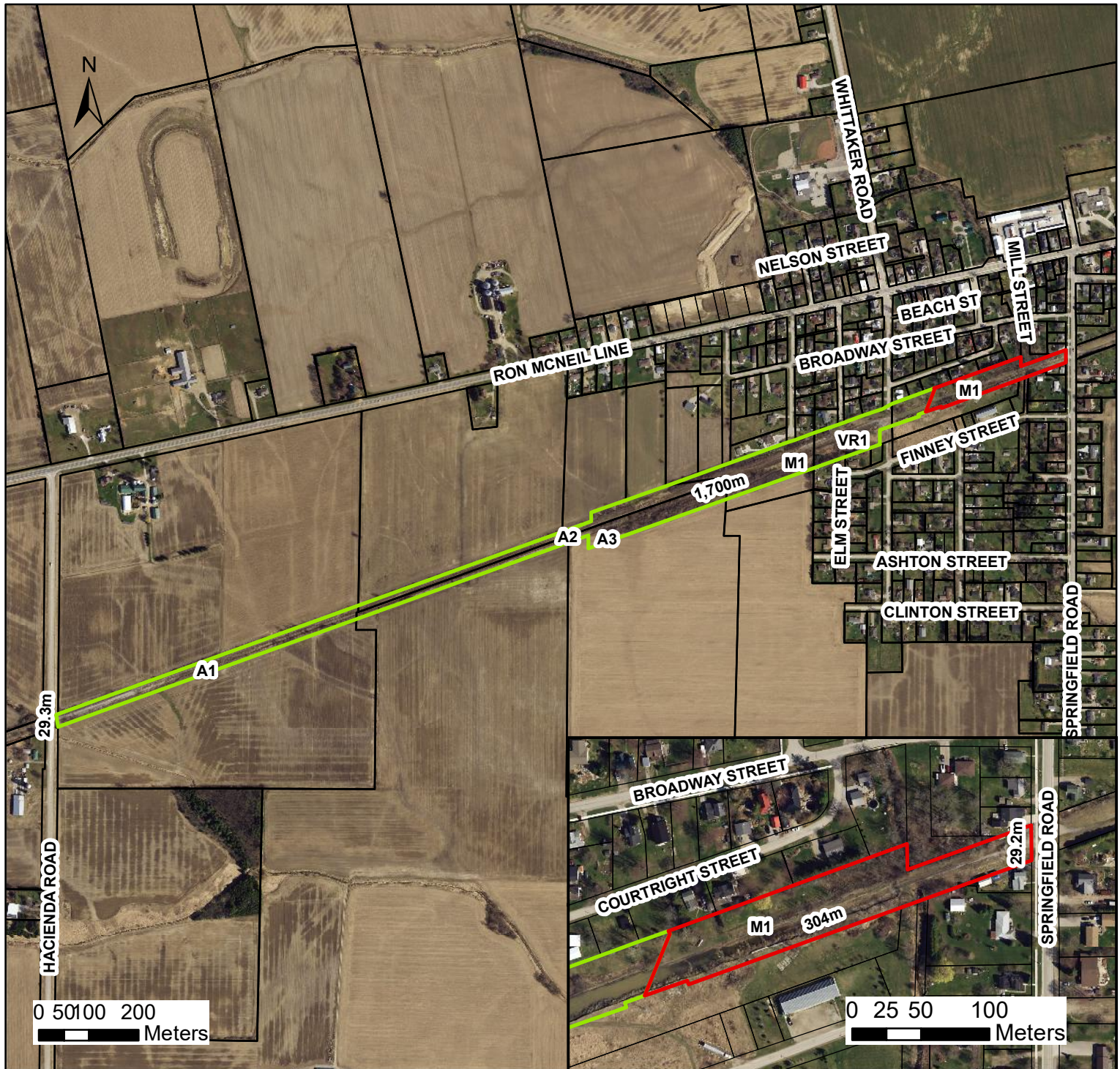
David Roe, Civic Planning Solutions Inc, agent for 181711 Ontario Inc (B. & S. Carrel)

Part of Lot 16 through Lot 18 inclusive, Concession 9

(Geographic Township of Malahide

Township of Malahide

Township
of Malahide
Figure 1



OFFICIAL PLAN DESIGNATION

Residential
Agriculture

ZONING

M1 General Industrial
VR1 Village Residential One
A1 General Agricultural
A2 Special Agricultural
A3 Large Lot Agricultural



LANDS TO BE SEVERED



LANDS TO BE RETAINED

Recommended Conditions: E75/21

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 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.
4. 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.
5. The owner has the necessary review and lot assessment conducted to ensure that it is suitable for the installation of a sewage disposal system and payment of necessary fees per lot.
6. 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.
7. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
8. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
9. 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.
10. That the applicants initiate and assume all planning costs associated with the required Zoning Amendment process as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.



Report to Council

REPORT NO.: CLERK-21-04

DATE: October 21, 2021

ATTACHMENT: Vote by Mail vs. eVote (Internet/Phone)

SUBJECT: Alternative Voting Methods – 2022 Municipal Election

Recommendation:

THAT Report No. CLERK-21-04 entitled “Alternative Voting Methods – 2022 Municipal Election” be received;

AND THAT Council approve the use of internet/telephone voting as the alternative voting method for the 2022 Municipal Election being held on Monday October 24, 2022;

AND THAT Staff be authorized to execute any agreements necessary to implement internet/telephone voting;

AND THAT the Clerk be requested to prepare the necessary by-law for consideration by the Council at a future meeting to authorize the internet voting/voting by telephone process.

Background:

As the 2022 Municipal Election year approaches it is important that the voting system utilized provides ease of access to voting, and at a time and place convenient to the elector. The purpose of this Report is to propose a voting method for the upcoming 2022 Municipal Election that is reliable and secure, both cost effective and affordable for the Township, and is easy to use and to understand for all individuals, regardless of language skills or understanding of the electoral process.

In accordance with the Municipal Elections Act (MEA), municipal elections are to be held every four years and voting day is to be held on the fourth Monday in October, with the

next municipal election scheduled to be held on October 24, 2022. Prior to each municipal election, Section 42(1) of the MEA requires that:

“42 (1) The council of a local municipality may pass by-laws,

(a) authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;

(b) authorizing electors to use an alternative voting method, such as voting by mail or by telephone, that does not require electors to attend at a voting place in order to vote. 1996, c. 32, Sched., s. 42 (1).”

The MEA was amended through Bill 218, requiring a decision on alternative voting methods be made by May 1st in the year of the election rather than in the year before the election. Despite this legislative change, staff believe there are still advantages to selecting an alternative voting method early even if not a legislative requirement especially since most municipalities across Ontario are trending towards alternative voting methods and procuring necessary contracts and equipment may become difficult.

Historical Voting:

In the past three elections, the municipal and school board elections in the Township of Malahide was conducted using vote by mail. The table below reflects Historical Voting data for the Township of Malahide:

Election Year	Election Method	# of Votes Cast	Voter Turnout Percentage
2018	Vote by Mail	2,232	37.66%
2014	Vote by Mail	2,412	40%
2010	Vote by Mail	2,968	51%

There are a number of factors that impact voter turnout including social demographics, political interest, candidate acclamations etc. The true benefit of alternative voting methods is to provide the most opportunities for persons to vote and to accommodate the varied needs of the electorate.

Comments/Analysis:

The two voting method options for Council to consider are provided as follows:

Vote by Mail with Tabulators (Status Quo)

The vote by mail option has been used for the last three Township elections and is a way of conducting an election using the mail to improve overall turnout results and address accessibility requirements, particularly, it increases turnout over the previously used poll station/ballot box method. The concept brings the ballot box to the voter's mail box; eliminates the election costs required for physical poll stations; and streamlines election processes.

Eligible voters receive their ballots in the mail, along with a postage-paid envelope in which to return their executed ballot. Returned ballots are separated from declaration and ballot and placed in respective ward boxes to be counted on Election day.

Consideration should be given to the fact that in 2018 there was a threat of postal strike. The ballots were already in the mail system and could not be distributed through other means. If the strike would have occurred during mailout or during the duration of receiving them back the process could have been unsuccessful.

The estimated cost to conduct a similar vote by mail election with tabulators in 2022 is \$74,034, largely due to the need for a temporary contract position created to assist with the daily operations of the election (as will be discussed further below).

Municipalities across Ontario continue to move towards alternative voting methods. AMCTO conducted a survey of the 2018 municipal election and found that out of the 263 municipal respondents, 107 respondents did internet voting, 25 did paper ballot and internet voting, 48 did Vote by mail and 10 did touch screens. Of the 263 municipal respondents, 190 chose alternative voting methods. It is apparent that the shift in alternative methods of voting continues to be dominant and primarily so towards internet voting methods with 107 municipalities choosing this form vs. 48 municipalities choosing vote by mail of the 263 municipalities who participated in the survey.

eVote (Internet/Telephone Voting)

Internet voting has been received positively by administrators, candidates and electors and is continuing to grow as indicated by the AMCTO chart above. The number of municipalities across Elgin and Middlesex County using the internet/telephone method continues to grow as the benefits (lower cost, voter turnout, and ease of access) continue to be seen. Today many people use the internet to bank, shop, pay bills, or conduct other forms of transactions. Additionally, the global pandemic has further advanced this “digital business” shift. These services are not only accessed on personal computers, but also on tablets, smartphones and home phones. The success of such e-services has reached the point where its availability is expected by most.

A typical internet voting process is one where a voter information package is sent through registered mail to the qualified electors on the Voters’ List. This package includes a unique Personal Numeric Passcode (PIN). Voters log on the election website/telephone system, enter their PIN and a secondary credential (birthdate registered with MPAC) is required for each voter, then proceed to mark their ballots electronically. The voter is allowed to review and reconsider their votes before confirming and moving on to the next race. A voter can log in and choose to vote for one “race” and do the rest later. The PIN is valid to sign in until all the eligible races are selected. Controls are in place to warn the voter of any over-votes or blank offices. Voting data is encrypted and stored in a secure data base and tabulated at the end of voting period. Voter information is severed from an internet/phone ballot after it has been cast. Therefore, there is no way to link a voter with his/her ballot. This option is highly secure and reliable solution that ensures voter anonymity and secrecy of the vote.

There is an option to allow for early voting to commence 7 to 10 days ahead of Election Day and continue 24 hours a day, 7 days a week right up until the close of polls on Election Day. In addition, it would be possible to designate voting kiosks with a laptop and phone set up at our local library and Municipal Office. This would provide voters essentially with a third choice as it would provide the feeling like they are at a polling station which some prefer. The Staff have been assured that there are no enhancements required to current technology, nor would IT resources be burdened.

There is an Auditor module that staff and the IT department would be trained on in order to regularly audit the system to ensure its functionality and validate critical components during the entire election process. Assurance can be provided at the end of the election to confirm consistent and timely access was provided to voters and authorities during the election. The ability for the review of this information throughout the election process provides increased visibility to those election metrics and a secure system.

Each method of voting has questions raised regarding the potential risks that could occur. The internet/telephone voting method can raise the question of the risk of a power outage or loss of internet access. These are both manageable risks. Firstly, internet/telephone voting would be available from any personal computer, smart phone or tablet with internet access and from a smartphone/home phone for call in options for the 7-to-10 day voting period, up to and including the election day until the close of polls. It is unlikely that any internet or power outage would occur for the entire duration. If a home internet connection was lost, data services on the personal device, Wi-Fi connections or hotspots at public locations are an alternative. The kiosk locations set up would provide an alternative option as they are equipped with an emergency back-up generator in the event of a power outage.

The estimated cost to conduct an eVote (Internet/Telephone) election is \$22,505.

In the past three elections, the former CAO/Clerk had the assistance of the Deputy Clerk and Development Services Coordinator to assist with the election process. With the recent retirements and restructuring of departments this configuration is no longer available. The Clerk would be the sole operator of the election. If keeping with the same method of voting (vote by mail) there would be a need for a temporary full-time contract administration staff position created to assist with the daily operations of the election. The vote by mail method requires a locked office for storage of ballot boxes and setup of operations from August until November.

Summary

Internet/Telephone voting is being recommended given the additional convenience and accessibility that it offers voters. Effectively this method of alternative voting is a service enhancement. Having the bundled option creates a digital (and secure) opportunity for majority of voters. Additional benefits include being significantly less costly, provides ease of access to the electors and potential to increase voter turnout. Further, Staff are confident that any security and auditability concerns around internet voting are either exaggerated or unfounded.

Internet Voting cannot resolve some intrinsic problems which have been linked to the decline in voter turnout. Internet/Telephone voting can offer a new way with which to potentially engage or re-engage underrepresented electors. In the same way, it complements existing municipal modernization efforts which establishes the foundations with which to encourage and embrace innovation, bolster transparency and accountability and leverage technology to better support civic participation.

With a new voting method such as Internet/Telephone Voting, an integrated communications strategy for the 2022 Election will be a key component. It will be important to thoroughly engage stakeholders (candidates, public and media) early on in the process, educate them about the process and encourage their questions. Our communications strategy would identify and address the communication needs and issues of all stakeholders (from youth to seniors) and employ various tactics suited to specific and diverse audiences to facilitate voting. The goal will be to ensure that all stakeholders are well informed of the voting process.

Based on the above, it is the Staff's recommendation that Internet/Telephone Voting alternative method be implemented for the 2022 Municipal Election as a cost-effective method that provides convenience, accessibility and integrity in the voting process and is consistent with Township's goals of being a progressive, sustainable, and fiscally responsible organization.

Financial Implications to Budget:

Preliminary cost estimates for the 2022 Municipal Election indicate that the cost of running a Vote by Mail election will be more expensive than in 2018, primarily due to an increase in postage rates, associated staffing costs and the demand for products such as tabulators that due to the COVID-19 pandemic are remaining harder and more expensive to obtain.

The estimated cost of running an internet/telephone election is significantly less, primarily due to reduced postage rates and no need for tabulators, as well as no need for an additional staff person to be hired to assist the Clerk with the election.

Method of Election	Estimated Cost for 2022 Municipal Election
Vote by Mail	\$74,034
Vote by Internet/Telephone	\$22,505

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 Government” Strategic Pillar relates to “Embody Financial Efficiency throughout Decision-Making”. The recommended use of the Vote by Internet/Telephone process is a cost-effective (and secure) method that provides convenience, accessibility and integrity in the voting process, and achieves this goal.

Submitted by:	Approved by:
Allison Adams Manager of Legislative Services/Clerk	Adam Betteridge, Chief Administrative Officer

Vote by Mail Vs. Internet/Phone (eVote)

Situation	Vote By Mail	Internet/Phone (eVote)
Cost	<p>Cost is significantly higher than other method</p> <p>Higher than in previous years due to change in staffing and increase for services (tabulators)</p> <p>2022 budget will need to be altered as not allocated for this price</p> <p>Estimated cost is \$74,034</p>	<p>Cost is significantly less than other method</p> <p>Estimated cost is \$22,505</p>
Convenience of Choice	<p>Voters can mail the ballot package or drop it off at Township office</p> <p>Only one method</p>	<p>New degree of convenience – vote anywhere anytime by two methods</p> <p>Pick the method you feel most comfortable with</p>
Voter Turn Out	<p>Alternative voting to traditional methods worked well to re-engage voters but currently seeing a decline in voting</p> <p>2010- 51%</p> <p>2014 – 40%</p> <p>2018 – 37.66%</p>	<p>Convenience of multiple methods</p> <p>Convenience to do from anywhere, anytime</p> <p>Service enhancement</p> <p>Re-engage voters by offering more convenient methods that they have become to expect (Internet)</p> <p>Examples of voter turnout in 2018 election from other Elgin and Middlesex County Lower Tier Municipalities (attached)</p>
Secrecy	<p>Those that require assistance not given the same ability to have secrecy of their decision, can't read the ballot, can't do the steps to process vote</p>	<p>Those who require assistance can do it alone – using phone voting or using internet screen recognition readers.</p>
Social-economic issue	N/A	<p>Provides two options – creates no digital divide</p> <p>Access of kiosks (with phone and computer availability), wifi availability</p>
Accessibility	<p>Only one choice -Visually impaired voters are not able to</p>	<p>Accommodating to persons with disabilities facilitating their</p>

	read the ballot, physically challenged may not be able to complete the tasks required	comfort and participation as the services use technologies that offer readability of information and audio services Accessibility: votes may be cast on mobile devices, home computers, by telephone or at kiosk locations
Timely Candidate Campaign Information	Daily business day updates of voter lists	Candidate module – see in real time what's happening – always up to date Offers candidates the opportunity to identify supporters and ensure they have cast their ballots. Saves time and energy that they can more effectively direct to their campaign.
Secure	<p>Onus is on voter to cast their ballot for themselves</p> <p>Voter anonymity – ballot is separated from their declaration</p> <p>Scrutineer if candidate wishes to have one is needed</p>	<p>Voter anonymity – ballot is separated from PIN</p> <p>PIN security – PIN and Date of Birth that's registered with MPAC is required to cast the ballot</p> <p>Onus is on voter to cast their ballot for themselves</p> <p>Auditor module – an independent third party can audit the voting and availability of the system during the eVoting period</p> <p>IT department already familiar with setup as other Elgin municipalities are using this method.</p> <p>Security – Auditor function</p> <p>Require PIN and DOB If ever a question, there are security mechanisms in place ie: cell phone number where person voted from</p> <p>Scrutineer not required – as process has audited steps to ensure its functionality</p>

Voter Assistance	Some items can be discussed/provided over the phone Have to come in to get replacement kit if not enough time to mail it out	Voter Help module – provides assistance to electors who contact the HelpLine. **Important to note the agent can never see how an elector has cast their ballot
Spoiled Ballots	Spoiled Ballots Occur	Spoiled Ballot Elimination
Recounts	Can be a time consuming process depending on what is required Injects subjectivity into voter intent and or process	Recounts are instantaneous Voter intention is left with the voter ,there is no discrepancy
Scanners/Tabulators	Time Saving: -But expensive to rent -Can use throughout the election day afternoon/evening and have results within an hour or two after the election closes.	No requirement to rent or buy hardware as eVoting is the service
Results	Tabulators are used throughout the afternoon/evening of Election Day to be able to get results quicker than manual counting Tabulators assist with getting results of the election within an hour or two after close.	Time saving – vote results immediately after voting closes. Process - 8pm the ability to log in is over. Anyone still voting at 8pm is given the opportunity to finish. Once everyone is out of system they close it. Results are available in minutes.
Lost Ballot/Lot PIN	Lost ballot or not received – have to come into office and fill out form in order to get a replacement	Lost PIN or not received – can issue a new one after seeing if they voted or not, verifying some security questions first and can be reissued over the phone – they don't have to come into the office to receive new one
Voter List Management – making changes - wrong ward, moved etc.	Need to change information on list needs to come in for replacement kit if not enough time to send out new one (inconvenience and costly)	Enumerator Module–changing eligible voters is fast, convenient and easy, Recategorize the pin after a few checked items and security questions answered Eligible voters won't be discouraged to call to make the changes needed as quick and convenient

Flexibility	No opportunity to complete a partial vote - Voting occurs at one time only	Cast votes by different methods/different days – if you need to log off or hang up your finalized selections will be cast, when you log back in you will access the races you haven't completed yet.
Environmental Footprint	Greater waste - ballot and return ballot - three envelopes required (received,sent,return) Ballot Destruction waste	PIN letter only (1 piece of paper, one envelope) Ballot destruction is electronic and verifiable – no impact
Fixed and known election costs	Costs aren't as fixed – mail back costs are variable and unknown based upon number of participating voters and the accuracy of the electors list with packages being reissued and resent	Costs incurred by the municipality are based on eligible voters and is a firm fixed price regardless of participation levels
Staff Requirement	Temporary full-time staff would be required for an 8month duration of 2022 to assist the Clerk 8 to 10 staff members required on election day to assist with process	No hiring of temporary full-time staff required Reduces workload for municipal staff on daily basis as process is more concise Reduce need for additional staff time on election day to nearly nil
Timelines	Timeline for return of ballot is lengthy and making a decision while candidates still campaigning Option is available to drop off ballot up until the close of Election Day if available for elector	Candidates can campaign right up to the close of polls on Election day
Age	N/A	Seeing more people voting online and by phone (Examples of voter turnout in 2018 election from other Elgin and Middlesex County Lower Tier Municipalities) (attached) Age isn't a factor, both young and older individuals are choosing these methods (examples from previous elections in Elgin and Middlesex Counties, Seniors Online and

		<p>How are Canadians staying Connected)</p> <p>Day to day life expectations have shifted for eservices to be available</p>
Potential problems	<p>Lost in mail – have to access new package, timelines, not available to acquire one (away for work, travel, school).</p> <p>Potential Postal Strike</p>	<p>Power Outage/ Internet Outage</p> <p>Both these risks are manageable</p> <ul style="list-style-type: none"> - multiple days to vote so shouldn't be subject to this for entire duration -can use phone if internet is down -can use home internet if cell provider data down -can use cell data if home internet down -kiosks at Malahide Office and MCP that will have internet and phone access as buildings have generators -other locations that offer free wifi (library etc.)



LONG POINT REGION CONSERVATION AUTHORITY
Board of Directors Meeting Minutes of September 1, 2021
Approved October 6, 2021

The Board of Directors Meeting was held at the LPRCA Administration Office, Tillsonburg on Wednesday, September 1, 2021.

Members in attendance:

Michael Columbus, Chair	Norfolk County
John Scholten, Vice-Chair	Township of Norwich
Dave Beres	Town of Tillsonburg
Robert Chambers	County of Brant
Kristal Chopp	Norfolk County
Valerie Donnell	Municipality of Bayham/Township of Malahide
Ken Hewitt	Haldimand County
Tom Masschaele	Norfolk County
Stewart Patterson	Haldimand County
Ian Rabbitts	Norfolk County
Peter Ypma	Township of South-West Oxford

Regrets: None

Staff in attendance:

Judy Maxwell, General Manager
 Aaron LeDuc, Manager of Corporate Services
 Leigh-Anne Mauthe, Interim Manager of Watershed Services
 David Proracki, Water Resources Analyst
 Nicole Sullivan, HR Associate/Reception
 Dana McLachlan, Executive Assistant

1. Welcome and Call to Order

The chair called the meeting to order at 6:30 p.m., Wednesday, September 1, 2021.

2. Additional Agenda Items

There were no additional agenda items.

3. Declaration of Conflicts of Interest

K. Hewitt declared a conflict with regard to Item 8 b) New Development Applications LPRCA-196/20.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
 Ken Hewitt, Tom Masschaele, Stewart Patterson, Ian Rabbitts, John Scholten, Peter Ypma

4. Minutes of the Previous Meeting

a) Board of Directors Meeting July 7, 2021

There were no questions or comments.

A-90/21

Moved by T. Masschaele

Seconded by Kristal Chopp

That the minutes of the LPRCA Board of Directors Meeting held July 7, 2021 be adopted as circulated.

CARRIED

5. Business Arising

There was no business arising from the previous minutes

6. Review of Committee Minutes

a) Lee Brown Marsh Management Committee Meeting of March 12, 2021

A-91/21

Moved by D. Beres

Seconded by S. Patterson

That the minutes of the Lee Brown Marsh Management Committee meeting of March 12, 2021 be approved as circulated.

CARRIED

Correspondence

- a) Conservation Ontario letter to the Honourable David Puccini, MECP**
- b) Conservation Ontario suggested solutions to proposed Provincial Regulatory Changes**
- c) LPRCA response to ERO Posting 019-2988 Regulatory Proposal**
- d) Honourable Lisa Thompson Re: Updates to the Drainage Act**
- e) Brant County – Good Forestry Practices By-law**

A-92/21

Moved by K. Hewitt

Seconded by J. Scholten

That the correspondence outlined in the Board of Directors Agenda of September 1, 2021 be received as information.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Ken Hewitt, Tom Masschaele, Stewart Patterson, Ian Rabbitts, John Scholten, Peter Ypma

7. Development Applications

a) Staff Approved applications

Thirty-five applications were approved through the General Manager's delegated authority in the past month. LPRCA-35/21, LPRCA-144/21, LPRCA-150/21 - revised, LPRCA-155/21, LPRCA- 156/21, LPRCA-157/21, LPRCA-158/21, LPRCA-160/21, LPRCA-161-18, LPRCA-162/21, LPRCA-163/21, LPRCA-164/21, LPRCA-165/21, LPRCA-166/21, LPRCA-167/21, LPRCA-168/21, LPRCA-169/21, LPRCA-171/21, LPRCA-172/21, LPRCA-173/21, LPRCA-174/21, LPRCA-175/21, LPRCA-176/21, LPRCA-177/21, LPRCA-178/21, LPRCA-179/21, LPRCA-181/21, LPRCA-182/21, LPRCA-183/21, LPRCA-188/21, LPRCA-189/21, LPRCA-190/21, LPRCA-191/21, LPRCA-192/21 and LPRCA-193/21.

All of the staff approved applications met the requirements as set out in Section 28 of the *Conservation Authorities Act*.

LPRCA-165/21 is located in Charlotteville not Windham as indicated in the report.

A-93/21

Moved by I. Rabbitts

Seconded by K. Hewitt

That the LPRCA Board of Directors receives the Staff Approved Section 28 Regulation Applications report as information.

CARRIED

b) New applications

The Planning Department staff recommended four applications for approval. The applications consisted of four residential structures.

A-94/21

Moved by P. Ypma

Seconded by I Rabbitts

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of this report:

- A. *For Work under Section 28 Regulations, Development, Interference with Wetlands & Alterations to Shorelines and Watercourses Regulations (R.R.O. 1990 Reg. 178/06),*

LPRCA-185/21

LPRCA-196/21

LPRCA-194/21

LPRCA-197/21

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Ken Hewitt, Tom Masschaele, Stewart Patterson, Ian Rabbitts, John Scholten, Peter Ypma

- B. That the designated officers of LPRCA be authorized to complete the approval process for this Development Application, as far as it relates to LPRCA's mandate and related Regulations.*

CARRIED

8. New Business

a) General Manager's Report

The General Manager provided an overview of operations. The Audit and Finance committee met July 26th and since then staff have been working with the investment advisor to seek opportunities to achieve greater investment returns. Options will be presented to the Audit and Finance committee at their next meeting.

The campgrounds continue to gain additional seasonal campers, specifically at Haldimand Conservation Area. It has been a difficult year in recruiting and turnover of seasonal staff at the parks.

The culvert crossing Dedrick Creek at Backus Heritage Conservation Area washed out after an isolated storm. Campers in Campground A were evacuated and the area remains closed. Staff is working to secure emergency repair permits to replace the culvert.

Phragmites control on two LPRCA properties will be completed this month.

A-95/21

Moved by R. Chambers

Seconded by V. Donnell

That the LPRCA Board of Directors receives the General Manager's Report for July and August 2021 as information.

CARRIED

b) 2nd Quarter Financial Report

Revenues to June 30, 2021 represent 64.7% of the annual budget and expenditures 44.8%.

The campgrounds were opened to seasonal campers as of May 1 and nightly camping opened June 11, 2021. Camping revenues are up compared to 2020 as expected due to 2020's COVID restrictions. Seasonal fees have exceeded the 2021 budget and the nightly fees are projected to come under budget by 5-10%. The Forestry department

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Ken Hewitt, Tom Masschaele, Stewart Patterson, Ian Rabbitts, John Scholten, Peter Ypma

awarded all three of their planned tenders and revenues have exceeded the 2021 budget target of \$300,000. Overall, the Authority is in a favourable position.

A-96/21

Moved by V. Donnell
Seconded by J. Scholten

THAT the LPRCA Board of Directors receives the Q2 Financial Report – June 30, 2021 for the period up to and including June 30, 2021 as information.

CARRIED

c) Deer Creek Dam – Concrete Repairs

The dam at Deer Creek was inspected in 2014 which identified potential concerns. Concrete repairs are required and will be completed this fall or next year depending on fish timing windows as per the Department of Fisheries and Oceans (DFO). A Request for Tender (RFT) was posted and one bid was received.

The project is within budget.

A-97/21

Moved by D. Beres
Seconded by R. Chambers

THAT the LPRCA Board of Directors accepts the bid submitted by Watech Services Inc. for construction services to undertake concrete repairs of the Deer Creek Dam at a total cost of \$179,630.57.

CARRIED

9. Closed Session

A-98/21

Moved by J. Scholten
Seconded by P. Ypma

- *Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority;*

CARRIED

The board convened in closed session.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Ken Hewitt, Tom Masschaele, Stewart Patterson, Ian Rabbitts, John Scholten, Peter Ypma

A-99/21

Moved by I. Rabbitts

Seconded by T. Masschaele

That the LPRCA Board of Directors does now adjourn from the closed session.

CARRIED

The Board approved the closed session minutes of July 7, 2021.

11. Adjournment

The Chair adjourned the meeting at 7:10 p.m.

Michael Columbus
Chair

Judy Maxwell
General Manager/Secretary-Treasurer

/dm

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Ken Hewitt, Tom Masschaele, Stewart Patterson, Ian Rabbitts, John Scholten, Peter Ypma

**Draft Minutes
ELGIN GROUP POLICE SERVICES BOARD
August 18, 2021**

The Elgin Group Police Services Board met in the Community Room at the Elgin County Detachment Office, 42696 John Wise Line with the following in attendance:

Sally Martyn, Chair
Ida McCallum, Vice-Chair
Dan Froese, Board Member
Trudy Kanellis, Provincial Member
David Jenkins, Provincial Member
Inspector Mark Loucas, Detachment Commander
Julie Gonyou, Secretary/Administrator
Jenna Fentie, Legislative Services Coordinator
Carolyn Krahn, Legislative Services Coordinator

Call to Order:

The Chair called the meeting to order at 2:00 p.m.

Adoption of Minutes:

Moved by: Dave Jenkins
Seconded by: Ida McCallum

Resolved that the minutes of the meeting held on May 19, 2021 be adopted.

- Motion Carried.

Disclosure of Pecuniary Interest and the General Nature Thereof:

None.

Reports:

1) 2021 OAPSB Spring Conference Summary – Trudy Kanellis

Trudy Kanellis provided a summary of the 2021 OAPSB Spring Conference.

Moved by: Ida McCallum
Seconded by: Dan Froese

Resolved that the May 30th, 2021, report titled, Ontario Association of Police Services Boards (OAPSB) Spring Conference 2021, submitted by Trudy Kanellis, Board Member, be received and filed for information.

- Motion Carried.

2) Board Compensation Review – Legislative Services Coordinator

The Legislative Services Coordinator presented the results of the OAPSB Zone 6 Police Services Board Compensation Survey and recommended that board member compensation be revisited once the Elgin Group Police Services Board submission to the Ministry of the Solicitor General is approved and a new board is formed.

Moved by: Trudy Kanellis
Seconded by: Dave Jenkins

Resolved that the report from the Secretary-Administrator, dated August 12, 2021, be received and filed;

And that member compensation be reviewed and/or adjusted as part of the 2022 Budget.

- Motion Carried.

3) Detachment Commander's Quarterly Report

The Detachment Commander provided statistics on public complaints; crime abatement strategy; patrol hours; violent, property, and drug crimes; and collisions for the period of April to June 2021.

Moved by: Trudy Kanellis
Seconded by: Ida McCallum

Resolved that the report be received and filed.

- Motion Carried.

Correspondence:

1) OAPSB Zone 6 Notice of Meeting – September 28, 2021

Moved by: Dan Froese
Seconded by: Dave Jenkins

Resolved that Correspondence Item #1 be received and filed.

- Motion Carried.

Other Items:

None.

New Business:

Ida McCallum asked whether patrol hours will increase considering the rise in development across the County. Inspector Loucas noted that currently the OPP is above the provincial average for front line availability. Inspector Loucas will review potential patrol hours related to population projections and will provide more information at a future meeting.

Next Meeting:

The next Elgin Group Police Services Board meeting will be held on Wednesday, November 17 at 2:00 p.m.

Adjournment:

Moved by: Dave Jenkins

Seconded by: Trudy Kanellis

Resolved that we do now adjourn at 2:30 p.m.

- Motion Carried.

Julie Gonyou,
Secretary/Administrator.

Sally Martyn,
Chair.



September 17, 2021

To: Mayor Mennill and Malahide Council

RE: Elgin County Cycling History Murals Project funded by the Bushell Bequest; Mural installation, north and east walls of the Port Bruce Public Washroom Building.

Following Malahide Council's approval of the washroom building in Port Bruce as an installation site for a mural at its meeting of March 18, 2021, Elgin County Museum proceeded with issuing a call to artists under a Request for Qualifications process led by the County's Purchasing Coordinator. We are now pleased to present to you the final selected design for the building:

East Wall

Here Dr. Perry Doolittle, the high wheel enthusiast from Luton, has stopped for a minute to admire the sunrise on the Catfish Creek bridge. He was a racer as well as a key figure in the Canadian Wheelman cycling organization in the 1880s and 1890s. The bridge is reminiscent of that period as is his riding outfit. Space has been provided to the left of the image for a plaque that will explain more about his high wheel and the life of Dr. Doolittle.

North Wall

The scene depicts one of the events from Port Bruce's past – the first Ford Picnic in 1915. A detail of two of the cars that lined the streets and pier that day has been included. Then as now, boys lived on their bicycles. Here two young boys, holding their catch of perch, happen by on their way home. Just by turning to their left, viewers will be able to see the same scene as it appears today. Boys on bikes may well be passing by just as they did 100 years ago.

Both images were created by Candy McManiman, an artist from Union. I have attached a view of the design for each wall. We expect that the artist will begin painting within the next two weeks in her studio, with installation sometime in October.

We are grateful to the municipality and to the village of Port Bruce for providing a "canvas" to a local artist on which to interpret some of the community's history.

Please let me know if you have any questions.

Mike Baker
Manager of Museum and Archives, County of Elgin
450 Sunset Drive N5R 5V1
mbaker@elgin.ca

County of Elgin
Community and Cultural Services
450 Sunset Drive
St. Thomas, On N5R 5V1
Phone: 519- 631-1460
www.elgincounty.ca





THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 21-76**

Being a By-law to appoint a Director of Finance/Treasurer
for the Township of Malahide.

WHEREAS the Municipal Act, 2001, S. O. 2001, Chapter 25, Section 286(1) provides that a municipality shall appoint a treasurer who is responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by the Council of the municipality;

AND WHEREAS the Council of The Corporation of the Township of Malahide is desirous of, and deems it expedient, to appoint a Director of Finance/Treasurer for Township business;

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

1. THAT Adam Boylan be and is hereby appointed Director of Finance/ Treasurer of the Township of Malahide and shall have the title of Director of Finance/Treasurer for Township business.
2. THAT the said Adam Boylan shall perform all of the duties required to be performed by the Treasurer under any statutory authority, and any other duties that may be imposed by the Council of The Corporation of the Township of Malahide for Township business.
3. THAT this By-law shall come into force and take effect on October 25, 2021.

READ a FIRST and SECOND time this 21st day of October, 2021.

READ a THIRD time and **FINALLY PASSED** this 21st day of October, 2021.

Mayor, D. Mennill

Clerk, A. Adams

**THE CORPORATION OF THE TOWNSHIP OF MALAHIDE
BY-LAW NO. 21-78**

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 October 21, 2021, 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 21st day of October, 2021.

READ a **THIRD** time and **FINALLY PASSED** this 21st day of October, 2021.

Mayor, D. Mennill

Clerk, A. Adams