

**The Corporation of the Township of Malahide
May 16, 2024 – 5:00p.m.**

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 5:00p.m. The following were present:

Council: Mayor D. Giguère, Deputy Mayor M. Widner, Councillor S. Leitch, Councillor J. Wilson, Councillor R. Cerna, Councillor S. Lewis, and Councillor C. Glinski.

Staff: Chief Administrative Officer/Deputy Clerk N. Dias, Director of Corporate Services A. Boylan, Director of Public Works J. Godby, and Director of Fire & Emergency Services J. Spoor.

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 5:10p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

N/A

CLOSED:

No. 24-171

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Council move into Closed Session at 5:12p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- **Training and education for the purpose of educating or training of its members- Strategic Vision Workshop (Section 239(3.1)).**

Carried

No. 24-172

Moved By: Rick Cerna

Seconded By: Chester Glinski

THAT Council move out of Closed Session and reconvene at 7:31p.m. in order to continue with its deliberations.

Carried

MINUTES:**No. 24-173****Moved By: Rick Cerna****Seconded By: John H. Wilson**

THAT the minutes of the regular council meeting of Council held on May 2, 2024 be adopted as printed and circulated.

Carried**PRESENTATIONS/DELEGATIONS/PETITIONS:**

- Public Hearing - Minor Variance Application – Owner Johan Friesen & Dave Remple (Agent: Travis Leschied c/o Balan Engineering Corp.) relating to property located at Part of Lot 79, South of Talbot Road East (48291 Talbot Line)

No. 24-174**Moved By: Rick Cerna****Seconded By: Scott Lewis**

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

Carried

Chair Giguère advised that the purpose of this Public Hearing is to consider an application for a Minor Variance submitted by Johan Friesen and Dave Remple (Agent: Travis Leschied), relating to the property located at Part of Lot 79, South of Talbot Road East, Township of Malahide, and known municipally as 48291 Talbot Line.

Chair Giguère requested that Eric Steele of Monteith Brown Planning Consultants (MBPC) provided an overview of the application.

Chair Giguère asked if any additional comments were received and the Deputy Clerk advised there were none.

Chair Giguère asked if any person in attendance wished to make any comments and they did not.

Chair Giguère asked if any Committee members wished to make any comments regarding the application. Councillor Glinski inquired about the building permits for this location. Chair Giguère stated that this committee was for the minor variance process but that staff could follow-up with that inquiry later.

No. 24-175

Moved By: John H. Wilson

Seconded By: Mark Widner

THAT Report No. DS-24-22 entitled “Minor Variance Application of Johan Friesen and Dave Remple (Authorized Agent: Travis Leschied c/o Balan Engineering Corp.) relating to the property located at Part of Lot 79, South of Talbot Road East, Township of Malahide (48291 Talbot Line) (550 Talbot Street West)” be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No D13-MV-04-24 to facilitate the development of a restaurant use;

AND THAT the approval shall be subject to the following condition(s):

- 1) That the owner/applicant obtain the necessary Building Permit within 2 years from the date of decision to the satisfaction of the Chief Building Official, ensuring that the approved variance applies only to the proposed accessory structure as illustrated with the application; and,**
- 2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location and architectural detail) to the satisfaction of the Chief Building Official.**

Carried

- Public Hearing - Minor Variance Application – Owner Cornelius Vanderelst, Catherine Vanerelst, and Brenda Vanderelst (Agent: Lloyd Vermeer c/o VS Design Studio) relating to property at Lot 40, Plan 226 (3225 Imperial Road)

Chair Giguère advised that the purpose of this Public Hearing is to consider an application for a Minor Variance submitted by Cornelius, Catherine and Brenda Vanderelst (Agent: Lloyd Vermeer c/o VS Design Studio) relating to the property located at Lot 40, Plan 226, Township of Malahide, and known municipally as 3225 Imperial Road.

Chair Giguère requested that Eric Steele of Monteith Brown Planning Consultants (MBPC) provided an overview of the application.

Chair Giguère asked if any person in attendance wished to make any comments. The contractor of the project, Derek Vanderelst, noted the intention of the project being that it would restore the building and ensure it would be protected against a future flood.

Chair Giguère asked if any additional comments were received and the Deputy Clerk advised there were none.

Chair Giguère asked if any Committee members wished to make any comments regarding the application and they did not.

No. 24-176

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Report No. DS-24-26 entitled “Minor Variance Application of Cornelius, Catherine and Brenda Vanderelst (Authorized Agent: Lloyd Vermeer c/o VS Design Studio) relating to the property located at Lot 40, Plan 226, Township of Malahide (3225 Imperial Road)” be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-04-23 to permit the reconstruction of an existing dwelling on an existing undersized lot;

AND THAT the approval shall be subject to the following condition(s):

- 1) That the owner/applicant obtain the necessary Building Permit within 2 years from the date of decision to the satisfaction of the Chief Building Official, ensuring that the approved variance applies only to the proposed accessory structure as illustrated with the application; and,**
- 2) That the structure be constructed as per the details shown in the drawings as provided with the application (site location and architectural detail) to the satisfaction of the Chief Building Official.**
- 3) That a lot grading and drainage plan be provided to the satisfaction of the Chief Building Official and Director of Public Works.**

Carried

No. 24-177

Moved By: Scott Lewis

Seconded By: John H. Wilson

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

Carried

- Public Meeting – Zoning By-law Amendment - Application of the Ben & Bonnie Anckaert (Agent: Civic Planning Solutions c/o David Roe) relating to property located at Part of Lot 26, Concession 8 (11088 Walker Road)

No. 24-178

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Public Meeting relating to the Zoning By-Law Amendment Application of Ben & Bonnie Anckaert (Authorized Agent: Civic Planning Solutions c/o David Roe) relating to

the property located at Part of Lot 26, Concession 8, Township of Malahide, known municipally as 11088 Walker Road be called to order at 7:44p.m.

Carried

Mayor Giguère advised that the purpose of this Public Meeting is to consider an application to amend the zoning of the subject property.

Mayor Giguère asked the Deputy Clerk to advise and confirm on the method and date of notice given for this meeting. The Deputy Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks on April 24th and May 1st. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

Mayor Giguère requested that Eric Steele of Monteith Brown provide an overview of the application.

Mayor Giguère asked if anyone in attendance had any questions and they did not. Agent David Roe concurred with Mr. Steele's summary and explanation of the application, having no Additional comments to contribute.

Mayor Giguère asked if any Council Members wished to make any comments and they did not.

No. 24-179

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT the Public Meeting relating to the Zoning By-Law Amendment Application of Ben & Bonnie Anckaert (Authorized Agent: Civic Planning Solutions c/o David Roe) relating to the property located at Part of Lot 26, Concession 8, Township of Malahide, known municipally as 11088 Walker Road be adjourned at 7:49p.m.

Carried

No. 24-180

Moved By: Rick Cerna

Seconded By: Mark Widner

THAT Report No. DS-24-23 entitled "Zoning By-Law Amendment Application of Ben & Bonnie Anckaert (Authorized Agent: Civic Planning Solutions c/o David Roe) relating to the property located at Part of Lot 26, Concession 8, Township of Malahide (11088 Walker Road)" be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z06-24 of Ben & Bonnie Anckaert (Authorized Agent: Civic Planning Solutions c/o David Roe) relating to the property located at Part of Lot 26, Concession 8, Township of Malahide (11088 Walker Road)" BE APPROVED for the reasons set out in this Report.

Carried

- Public Meeting – Official Plan Amendment Application & Zoning By-law Amendment Application –1975455 Ontario Ltd (Agent: Esher Planning Inc) relating to property Part of Lots 31 and 32, Concession 5, Parts 1 & 2 RP 11R9951 (52870 John Wise Line and 7900 Carter Road)

No. 24-181**Moved By: Rick Cerna****Seconded By: Scott Lewis**

THAT the Public Meeting relating to Official Plan and Zoning By-Law Amendment Applications Of 1975455 Ontario Ltd (Authorized Agent: Esher Planning Inc) relating to the properties located at Part of Lots 31 and 32, Concession 5, Parts 1 & 2 RP 11R9951, Township of Malahide, known municipally as 52870 John Wise Line and 7900 Carter Road be called to order at 7:51p.m.

Carried

Mayor Giguère advised that the purpose of this Public Meeting is to consider applications to amend the official plan and zoning of the subject property.

Mayor Giguère asked the Deputy Clerk to advise and confirm on the method and date of notice given for this meeting. The Deputy Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks on April 24th and May 1st. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

Mayor Giguère requested that Eric Steele of Monteith Brown provide an overview of the application.

Mayor Giguère asked if anyone in attendance had any questions or anything to add. Agent Melanie Horton provided an overview of the proposal and scope of the project.

Additional comments were received from the Long Point Region Conservation Authority that were received after the submission deadline, but they did not raise any objections.

Mayor Giguère asked if any Council Members wished to make any comments. Councillor Leitch inquired about the types of species chosen for the planting buffers and if there could be a greater diversity provided. Ms. Horton confirmed that the list of species was chosen in consultation with Ministry of Natural Resources and Forestry and were required through the aggregate license process.

No. 24-182**Moved By: Rick Cerna****Seconded By: Scott Lewis**

THAT the Public Meeting relating to Official Plan and Zoning By-Law Amendment Applications Of 1975455 Ontario Ltd (Authorized Agent: Esher Planning Inc) relating to the properties located at Part of Lots 31 and 32, Concession 5, Parts 1 & 2 RP 11R9951, Township of Malahide, known municipally as 52870 John Wise Line and 7900 Carter Road be adjourned at 8:03p.m.

Carried

No. 24-183

Moved By: Rick Cerna

Seconded By: John H. Wilson

THAT Report No. DS-24-23 entitled “Official Plan and Zoning By-Law Amendment Applications Of 1975455 Ontario Ltd (Authorized Agent: Esher Planning Inc) relating to the properties located at Part of Lots 31 and 32, Concession 5, Parts 1 & 2 RP 11R9951, Township of Malahide (52870 John Wise Line and 7900 Carter Road)” be received;

AND THAT Official Plan Amendment Applications No. D09-OPA01-24 of 1975455 Ontario Ltd (Authorized Agent: Esher Planning Inc) relating to the properties located at Part of Lots 31 and 32, Concession 5, Parts 1 & 2 RP 11R9951, Township of Malahide (52870 John Wise Line and 7900 Carter Road) BE ADOPTED for the reasons set out in this Report.

AND THAT Official Plan Amendment Applications No. D09-OPA01-24 be forwarded to the County of Elgin for approval;

AND THAT Zoning By-law Amendment Applications No. D14-Z04-24 of 1975455 Ontario Ltd (Authorized Agent: Esher Planning Inc) relating to the properties located at Part of Lots 31 and 32, Concession 5, Parts 1 & 2 RP 11R9951, Township of Malahide (52870 John Wise Line and 7900 Carter Road) BE APPROVED for the reasons set out in this Report;

AND THAT the final passing of the By-law be deferred until the Official Plan Amendment is approved by the County of Elgin.

Carried

REPORTS OF DEPARTMENTS:

Director of Public Works

- Tender Results – 2024 Microsurfacing & Surface Treatment

No. 24-184

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Report No. PW-24-19 entitled “Tender Results – 2024 Microsurfacing & Surface Treatment” be received;

AND THAT the 2024 Microsurfacing & Surface Treatment contract be awarded to Duncor Enterprises Inc.;

AND THAT the Mayor and Clerk be authorized to enter into agreement with Duncor Enterprises Inc. of Barrie, Ontario for the purpose of completing the 2024 Microsurfacing & Surface Treatment Program.

Carried

Building/Planning/By-law

- Applications for Consent to Sever No. E13-23 & E18-23 of John & David Loewen
(Authorized Agent: David Roe)

No. 24-185

Moved By: Scott Lewis

Seconded By: Rick Cerna

THAT Report No. DS-24-25 entitled “Applications for Consent to Sever No. E13-23 & E18-23 of John & David Loewen (Authorized Agent: David Roe) relating to the property located at Part of Lots 96 & 97, Concession 7, North Talbot Road (“NTR”), and Part of Lot 24, Concession Gore NTR (specifically described as Part 2 on 11R-7037) (51432 Woolleyville Line)” be received;

AND THAT the Applications for Consent to Sever of John & David Loewen (Authorized Agent: David Roe) relating to the property located at Part of Lots 96 & 97, Concession 7, North Talbot Road (“NTR”), and Part of Lot 24, Concession Gore NTR (specifically described as Part 2 on 11R-7037) (51432 Woolleyville Line) be supported for the reasons set out in this Report.

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

Carried

- Property Standards & Lot Maintenance By-law

No. 24-186

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT Report No. BL-24-24 entitled “Property Standards & Lot Maintenance By-laws” be

received;

AND THAT Staff be directed to take the necessary steps to formulate a Property Standards Appeal Committee in the Township of Malahide.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

No. 24-187

Moved By: Rick Cerna

Seconded By: Scott Lewis

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

- **Long Point Conservation Authority Minutes – April 3, 2024**
- **Long Point Region Source Protection Authority Minutes– April 5, 2023**
- **Catfish Creek Conservation Authority Minutes – April 11, 2024**
- **Catfish Creek Conservation Authority – 2023 Financial Statements**

Carried

CORRESPONDENCE:

No. 24-188

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the following three correspondence items be noted and filed:

1. **Association of Municipalities of Ontario - WatchFile – May 2, 2024, and May 9, 2024**
2. **Elgin County Council Highlights – April 30, 2024**
3. **Ministry of Municipal Affairs & Housing - Affordable Housing Bulletin**

Carried

OTHER BUSINESS:

- **Council Chamber Layout – Verbal Update**

CAO/Deputy Clerk Dias asked Council for feedback on the chamber layout and whether they had any preferences for adjustments before it is finalized. The general consensus was that the layout worked well other than a few minor adjustments to desks being needed.

BY-LAWS:

No. 24-189

Moved By: John H. Wilson

Seconded By: Scott Lewis

THAT the following by-laws be considered read a first, second and third reading and properly signed and sealed:

- **By-law-24-28 – Port Bruce Provincial Park Agreement**
- **By-law-24-21– 1975455 Ontario Ltd.(Antonissen) Official Plan Amendment**
- **By-law-24-23 – Anckaert Rezoning**

Carried

CLOSED:

No. 24-190

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Council move into Closed Session at 8:42p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- **A proposed or pending acquisition or disposition of land by the municipality or local board – unopened road allowance (Section 239 (2)(c)).**
- **Training and education for the purpose of educating or training of its members- Strategic Vision Workshop (Section 239(3.1)).**

Carried

No. 24-191

Moved by: Mark Widner

Seconded by: Sarah Leitch

THAT Council move out of Closed Session and reconvene at 9:42p.m. in order to continue with its deliberations.

Carried

- A proposed or pending acquisition or disposition of land by the municipality or local board – unopened road allowance (Section 239 (2)(c)).

CAO/Deputy Clerk Dias advised during closed session, Council provided direction to Municipal Staff regarding a proposed or pending acquisition or disposition of land by the municipality or local board relating to an unopened road allowance. There is nothing further to report.

- Training and education for the purpose of educating or training of its members- Strategic Vision Workshop (Section 239(3.1)).

CAO/Deputy Clerk Dias advised during closed session that Council completed its training and education session. There is nothing further to report.

CONFIRMATORY:

No. 24-192

Moved By: Mark Widner

Seconded By: Sarah Leitch

THAT By-law No.24-26, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

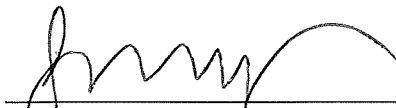
No. 24-193

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT Council adjourn its meeting 9:44p.m to meet again on June 6, 2024.

Carried



Mayor – D. Giguère



CAO/Deputy Clerk – D. Dias