

The Corporation of the Township of Malahide
November 21, 2024 – 7:00p.m.
Virtual Meeting - <https://youtu.be/kATPHKm1Y5o>

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:00p.m. The following were present:

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

Staff: Chief Administrative Officer N. Dias, Clerk A. Adams, Director of Corporate Services A. Boylan, and Director of Public Works J. Godby.

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 7:00p.m.

APPROVAL OF AGENDA:

No. 24-400

Moved By: Scott Lewis

Seconded By: Rick Cerna

THAT the November 21, 2024 Regular Council Meeting Agenda be approved as presented with the following additions:

- Section N – Unfinished Business Item – Imperial Road Update

Carried

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item K- Report PW-24-39 - Newell Drain Request for Improvement and Encroachment. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

CLOSED SESSION:

No. 24-401

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT Council move into Closed Session at 7:03p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

- A Labour Relations or Employee Negotiations Matter regarding a Staff Performance Review – CAO Department. (Section 239 (2)(d)).

Carried

No. 24-402

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Council move out of Closed Session and reconvene at 7:42p.m. in order to continue with its deliberations;

AND THAT Council provided staff direction on the following items discussed in closed session

Carried

ANNOUNCEMENTS:

Councillor Wilson shared concerns to increase awareness about cuts happening at the Thames Valley School Board, noting that they are affecting programs ranging from music to shop classes. These cuts are occurring both at the board level and within individual schools, and they are not being applied evenly. Rural schools appear to be particularly impacted. Councillor Wilson emphasized that the decisions being made in London are detrimental to the local community.

ADOPTION OF MINUTES:

No. 24-403

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT the minutes of the regular meeting of Council held on November 7, 2024 be adopted.

Carried

PUBLIC MEETINGS & COMMITTEE OF ADJUSTMENT:

- Public Meeting - Zoning By-law Amendment Application - D14-Z10-24 - Shackelton – 51570 Lyons Line

No. 24-404

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Public Meeting relating to the Zoning By-Law Amendment D14-Z10-24 of John, Michael & Jennifer Shackelton be called to order at 7:48p.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 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 for two consecutive weeks on November 6th and 13th. 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 wished to make comment. Agent David Roe was present to address any questions from Council, should there be any.

Mayor Giguère invited comments from Council Members and there were none.

No. 24-405

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT Report No. DS 24-57 entitled “Zoning By-Law Amendment Application of John, Michael, & Jennifer Shackelton (c/o David Roe), relating to the property located at Concession 10, Part Lot 17, Concession Gore STR (51570 Lyons Line)” be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z10-24 of John, Michael and Jennifer Shackelton (c/o David Roe, relating to the property located at CON 10 PT LOT 4, Concession Gore STR, and known municipally as 51570 Lyons Line, BE APPROVED for the reasons set out in this Report.

Carried**No. 24-406**

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the Public Meeting relating to the Zoning By-Law Amendment D14-Z10-24 of John, Michael and Jennifer Shackelton be adjourned at 7:55p.m.

Carried

- Public Hearing – Minor Variance Application – D13-MV-08-24 - Dyck – 6501 Springfield Road

No. 24-407

Moved By: Scott Lewis

Seconded By: Rick Cerna

THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:56p.m. and that Mayor Dominique Giguère be appointed Chairperson for the "Committee of Adjustment"

Carried

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 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 Wilson asked about the size of the parcel and whether allowing this would set a precedent for other exemption applications. Mr. Steele clarified that each case would be evaluated on its own merits, and all relevant factors would be considered for any applications.

No. 24-408

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT Report No. DS-24-56 entitled "Minor Variance Application of Will and Eva Dyck(Authorized Agent: Zelinka Priamo Ltd. c/o Katelyn Crowley) relating to the property located at Concession 3 Part Lot 20, Parts 1 and 2, Concession South of Talbot Road (6501 Springfield Road)" be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Application No. D13-MV-08-24;

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

- 1)That the minor variance only applies to the retained lot as shown on the submitted Site Plan.

Carried

No. 24-409

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 8:01p.m.

Carried

DELEGATIONS:

No items.

APPROVAL OF BUSINESS (CONSENT AGENDA):

No. 24-410

Moved By: Sarah Leitch

Seconded By: Scott Lewis

THAT all items listed under Approval of Business from the November 7, 2024 Council Agenda, be approved and the recommendations listed in part therein be adopted:

- a. PW-24-38 Recreation Software

Carried

UNFINISHED BUSINESS:

No. 24-411

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT Report No. PW- 24-41 entitled “Commemorative Asset Dedication Policy” be deferred.

Carried

NEW BUSINESS:

- DS-24-55 - Application for Consent to Sever No. E93-24 of David Blatz

No. 24-412

Moved By: John H. Wilson

Seconded By: Mark Widner

THAT Report No. DS-24-55 entitled “Application for Consent to Sever No. E93-24 of David Blatz” be received;

AND THAT the Application for Consent to Sever of David Blatz (c/o Civic Planning Solutions), relating to the property located at Concession North Gore, Part Lots 16 and 17, and known municipally as 9982 Hacienda Road, 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

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item K– Report PW-24-39 - Newell Drain Request for Improvement and Encroachment. He retired from the meeting and abstained from all discussions and voting on the matter

- PW-24-39 - Newell Drain Request for Improvement and Encroachment

No. 24-413

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Report No. PW-24-39 entitled “Newell Drain Request for Improvement and Encroachment” be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates be re-directed to prepare an Engineer’s Report to address a drain encroachment pursuant to Section 78 of the Drainage Act R.S.O. 1990.

Carried

Deputy Mayor Widner returned to his seat at the Council table.

BY-LAWS:

No. 24-414

Moved By: John H. Wilson

Seconded By: Scott Lewis

THAT the following by-laws be now read a first, second and third time and finally passed:

- 24-65 – Shackelton Rezoning – 51570 Lyons Line

Carried

COMMITTEE OF THE WHOLE:

No. 24-415

Moved By: Rick Cerna

Seconded By: Sarah Leitch

RESOLVED THAT we do now move into Committee of the Whole.

Carried

Business for Consideration

- FIN-24-28 - 2025 Draft Sewer Budget

No. 24-416**Moved By: Mark Widner****Seconded By: Scott Lewis**

THAT Report No. FIN-24-28 entitled "2025 Draft Sewer Budget" be received;

AND THAT the 2025 Draft Sewer Budget and sewer system user rates be approved.

Carried

- CLERK-24-09 - Video Surveillance Policy

No. 24-417**Moved By: Mark Widner****Seconded By: John H. Wilson**

THAT Report No. CLERK-24-09 entitled "Video Surveillance Policy" be received;

AND THAT the Video Surveillance Policy be approved.

CarriedUnfinished Business

- Section N – Unfinished Business Item – Imperial Road Update

Deputy Mayor Widner provided an update on the "No Passing" lanes along Imperial Road. Ongoing concerns about turning lane issues led to a meeting with local residents, OPP, and municipal staff. As a result, Township staff will install larger "No Passing" signs with additional wording to clarify the message, along with pavement markings. The OPP will also increase enforcement in the area. Director Godby noted that while the pavement markings cannot be completed this fall, they will be revisited in the spring. The signs have been ordered and will be installed once they arrive.

New Business

No items.

Correspondence

- Correspondence Items

No. 24-418**Moved By: Mark Widner****Seconded By: Scott Lewis**

RESOLVED that items 3 and 4 be supported and the remaining items be received and filed:

1. Catfish Creek Conservation Authority - 2025 CCCA Preliminary Draft Budget
2. Long Point Region Conservation Authority Minutes – October 2, 2024
3. Town of Pelham & The Corporation of the Township of McGarry – Good Roads Association Establishment of an Ontario Rural Road Safety Program
4. The Corporation of the Township of Larder Lake – Redistribution of Land Transfer Tax & GST

Carried

No. 24-419

Moved By: Rick Cerna

Seconded By: Scott Lewis

RESOLVED THAT we do now move out of Committee of the Whole and reconvene the regular council meeting.

Carried

CONFIRMATORY BY-LAW:

No. 24-420

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT By-law No.24-66, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

No. 24-421

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT Council adjourn its meeting at 8:37p.m. meet again on December 5, 2024 at 7:00p.m.

Carried

Original Signed By:

Mayor – D. Giguère

Original Signed By:

Clerk – A. Adams