

**The Corporation of the Township of Malahide****May 18, 2023 – 7:30p.m.**Virtual Meeting - <https://youtu.be/HlfSwezifEc>

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The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30p.m. Seating capacity is limited and those individuals with matters pertaining to agenda items were prioritized for in person attendance. 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 A. Betteridge, Clerk A. Adams, Director of Finance A. Boylan, Director of Fire & Emergency Services J. Spoor, and Director of Public Works M. Sweetland.

**Via Zoom:**

**Absent:**

**Also Present:** Eric Steele – MBPC, John Spriet – Spriet & Associates, George Vereyken – Spriet & Associates, and Jacob Hanlan - FoodCylce Science

**CALL TO ORDER:**

Mayor Giguère took the Chair and called the meeting to order at 7:30p.m.

**DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:**

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items D– Meeting to Consider - Sparta Line Drain 3&4 and Maginnis Drain. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

**MINUTES:**

**No. 23-221**

**Moved By: John H. Wilson**

**Seconded By: Mark Widner**

**THAT the minutes of the regular meeting of Council held on May 4, 2023 be adopted as printed and circulated.**

**Carried**

**PRESENTATIONS/DELEGATIONS/PETITIONS:**

- Public Hearing - Minor Variance Application – Owner Donald & Cindy Sproul, relating to property at MALAHIDE CON 3 PT LOT 34 RP;11R9131 PART 1, municipally known as 53273 Calton Line

**No. 23-222**

**Moved By: Scott Lewis**

**Seconded By: Sarah Leitch**

**THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:34 p.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 Donald Sproul, relating to property at MALAHIDE CON 3 PT LOT 34 RP;11R9131 PART 1, municipally known as 53273 Calton Line

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

Chair Giguère asked if any comments were received and the Clerk advised there were no comments received that haven’t already been discussed.

Chair Giguère asked if any person in attendance wished to make any comments and there were none.

Chair Giguère asked if any Committee members wished to make any comments regarding the application. Councillor Wilson stated that the mapping provided does in fact indicate that the structure is minimally different.

**No. 23-223**

**Moved By: Scott Lewis**

**Seconded By: Chester Glinski**

**THAT Report No. DS-23-12 entitled “Application No. D13-MV-02-23 of Donald and Cindy Sproul” and affecting lands described as Part of Lot 34, Concession 3 in the Township of Malahide, and being 53273 Calton Line, be received;**

**AND THAT the Township of Malahide Committee of Adjustment APPROVE Application No. D13-MV-02-23 to permit an increase in the maximum floor area for an accessory structure;**

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

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

**Carried**

**No. 23-224**

**Moved By: Scott Lewis**

**Seconded By: Sarah Leitch**

**THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:42p.m.**

**Carried**

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda items D– Meeting to Consider Sparta Line Drain 3&4 and Maginnis Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

- Meeting to Consider – Sparta Line Municipal Drain No. 3 & 4, relating to parts of Lots 6 and 7, Concession 3, Township of Malahide

**No. 23-225**

**Moved By: Chester Glinski**

**Seconded By: Sarah Leitch**

**THAT the Engineer's Report for the Sparta Line Drain No. 3 and 4 be accepted;**

**AND THAT By-law No. 23-41 being a by-law to provide for the Sparta Line Drain No. 3 and 4 drainage works be read a first and second time and provisionally adopted.**

**Carried**

**No. 23-226**

**Moved By: Rick Cerna**

**Seconded By: Scott Lewis**

**THAT the Court of Revision for the Sparta Line Drain No. 3 and 4 be scheduled to be held on June 15, 2023, at 7:30 p.m.**

**Carried**

**No. 23-227**

**Moved By: Rick Cerna**

**Seconded By: Sarah Leitch**

**THAT the tenders for the construction of the Sparta Line Drain No. 3 and 4 be requested for June 8, 2023 at 11:00 a.m.**

**Carried**

- Meeting to Consider – Maginnis Drain 2023, relating to parts of Lots 20 to 22, Concession 3 and 4, Township of Malahide

George Martell, owner of 51174 Calton Line, sought clarification with respect to the mapping as well as the cost involved. Mr. Vereyken clarified that the meeting to consider is strictly about the consideration for the physical outline of the drain and the costs are addressed at the Court of Revision stage of the process. He also confirmed that if his property is part of the watershed and contributing water to it there is a cost involved.

Mr. Martell inquired if the drain is on the surface or underground with tile. Mr. Vereyken indicated it's both and clarified where the drain was going. Drainage Superintendent Mr. Lopez confirmed that Mr. Martell is on two drains and that his assessment is minimal.

Mr. Martell sought further clarification of the mapping that was provided for the drain. Mr. Vereyken provided some clarification but both he and Mr. Lopez stated they could set up an appointment to further review and discuss this at a later time. Mr. Martell agreed that this was required as he has continual water issues on his property.

Mayor Giguère inquired if there is a need to survey further. Director Sweetland stated that this isn't necessary as the extra cost would be borne on all of those assessed on the drain and there have been other stages to allow for input into the design for this meeting.

Mr. Martell again spoke about water issues he had on his property as he had sump pumps running constantly. Mr. Vereyken and Mr. Lopez both stated that if a current tile isn't working then he could submit an inspection request to the Township to see if it's functioning correctly. The drain he's referring to is quite old but without a maintenance request which results in costs to any landowner assessed on the drain, it remains status quo.

Mayor Giguère thanked Mr. Martell for his comments and recognized that the discussion is now leading into another issue separate of what is being considered tonight and a meeting could be scheduled with staff to further review this.

Grant Paterson, owner of 51156 Calton Line, indicated that he was confused when he received this information as he was under the impression when he purchased this property that the drainage work had been taken care of. He also thought these items were covered in property taxes. Mr. Lopez clarified that Municipal drains are not part of your property taxes but rather when a property is assessed on a drain you are a community of

landowners in the watershed and any maintenance done on the drain is invoiced separately.

**No. 23-228**

**Moved By: Sarah Leitch**

**Seconded By: Scott Lewis**

**THAT the Engineer's Report for the Maginnis Drain 2023 be accepted;**

**AND THAT By-law No. 23-40 being a by-law to provide for the Maginnis Drain 2023 drainage works be read a first and second time and provisionally adopted.**

**Carried**

**No. 23-229**

**Moved By: John H. Wilson**

**Seconded By: Rick Cerna**

**THAT the Court of Revision for the Maginnis Drain 2023 be scheduled to be held on June 15, 2023, at 7:30 p.m.**

**Carried**

**No. 23-230**

**Moved By: Rick Cerna**

**Seconded By: John H. Wilson**

**THAT the tenders for the construction of the Maginnis Drain 2023 be requested for June 8, 2023 at 11:00 a.m.**

**Carried**

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

- Presentation – Jabob Hanlan

Mr. Hanlan provided an overview of how the Foodcyler program achieves food waste diversion. Councillor Wilson noted that it checks a lot of the boxes but inquired how long the units last. Mr. Hanlan noted the small unit can last 5-7 years and the large unit from 7-10 years and there is a one-year warranty on the unit.

Mayor Giguère inquired if pilot projects have been done in rural municipalities. Mr. Hanlan indicated that rural areas have been involved and although there are other ways to divert waste, residents still participate as they haven't been exposed to this type of unit.

Councillor Wilson inquired if these units have an odor while they are mixing the product. Mr. Hanlan stated they have a carbon filter to prevent smell. A filter last 3-4months.

Mayor Giguère thanked Mr. Hanlan for his presentation and indicated this could be something reviewed as part of the strategic planning process and what residents are looking for in Malahide.

**No. 23-231**

**Moved By: Rick Cerna**

**Seconded By: John H. Wilson**

**THAT the presentation of Jacob Hanlan of FoodCycle Science be received.**

**Carried**

## **REPORTS OF DEPARTMENTS:**

### Director of Public Works

- Capital Programming Change of Scope

**No. 23-232**

**Moved By: Rick Cerna**

**Seconded By: Scott Lewis**

**THAT Report No. PW-23-28 entitled “Capital Programming Change of Scope” be received;**

**AND THAT Staff defer reconstruction of College Line from Springwater Road to Rogers Road and Chalet Line from Carter Road to East Limit to 2024, and proceed with reconstruction of College Line from Rogers Road to Imperial Road in 2023.**

**Carried**

- Copenhagen Park Landscaping

**No. 23-233**

**Moved By: Rick Cerna**

**Seconded By: Sarah Leitch**

**THAT Report No. PW-23-35 entitled “Copenhagen Park Landscaping” be received;**

**AND THAT Staff recommend Council adopt design option #2 for landscaping works at the Dixie Estates Stormwater Management Pond;**

**AND THAT Staff be directed to solicit quotations for the landscaping buildout.**

**Carried**

- Tender Award – Fleet Vehicles

**No. 23-234**

**Moved By: John H. Wilson**

**Seconded By: Mark Widner**

**THAT Report No. PW-23-33 entitled “Tender Award – Fleet Vehicles” be received;**

**AND THAT the bid received from Elgin Chrysler, of St. Thomas, Ontario, in the amount of \$99,588.00 (plus applicable taxes and licensing), for the purchase of two (2) new 1/2 - Ton Pickup Trucks be accepted;**

**AND THAT the bid received from Elgin Chrysler, of St. Thomas, Ontario, in the amount of \$67,105.00 (plus applicable taxes and licensing), for the purchase of one (1) new 3/4 -Ton Pickup Truck be accepted;**

**AND THAT the Mayor and Clerk be authorized to enter into an agreement with Elgin Chrysler, of St. Thomas, Ontario, for the supply of the above noted new 1/2 - Ton Pickup Trucks;**

**AND THAT the Mayor and Clerk be authorized to enter into an agreement with Elgin Chrysler, of St. Thomas, Ontario, for the supply of the above noted new 3/4 -Ton Pickup Truck.**

**Carried**

- Temperance Line 2023 Maintenance Reconsideration

Councillor Leitch confirmed that the option originally chosen is considerably less dusty than gravel and because compaction is quite firm it's midway between gravel and a tar and chip road. Director Sweetland stated this was correct and that overtime it will continue to compact.

Deputy Mayor Widner confirmed it would be packed after resulting in minimal dust.

Mayor Giguère inquired if there was a desire to reconsider this item.

Council Glinski inquired when would the recycled asphalt be covered with a hardtop surface. Director Sweetland noted that at the time of the bi-annual asset management review, if Council wishes, it can be added to the list for review for future capital projects.

**No. 23-235**

**Moved By: Rick Cerna**

**Seconded By: Mark Widner**

**THAT Report No. PW-23-34 entitled “Temperance Line 2023 Maintenance Reconsideration” be received.**

**Carried**

Director of Corporate Services/Treasurer

-2022 Tax Supported Budget Performance

**No. 23-236**

**Moved By: Sarah Leitch**

**Seconded By: John H. Wilson**

**THAT Report No. FIN 23-12 entitled “2022 Tax Supported Budget Performance” be received;**

**AND THAT the Township’s 2022 tax supported operating surplus of \$71,196 be transferred to the Capital Reserve;**

**AND THAT the Township’s 2022 building permit surplus of \$38,196 be transferred to the Building Stabilization Reserve Fund;**

**AND THAT the Township’s 2022 county roads deficit of \$46,496 be funded through a transfer from the County Roads Reserve**

**Carried**

- Building Stabilization Reserve Fund

**No. 23-237**

**Moved By: Rick Cerna**

**Seconded By: John H. Wilson**

**THAT Report No. FIN 23-11 titled “Building Stabilization Reserve Fund” be received.**

**Carried**

- 2022 Water & Sewer Budget Performance

**No. 23-238**

**Moved By: John H. Wilson**

**Seconded By: Mark Widner**

**THAT Report No. FIN 23-13 entitled “2022 Water & Sewer Budget Performance” be received;**

**AND THAT the Township’s 2022 water rate funded operating deficit of \$117,554 be funded from the Water Reserve;**

**AND THAT the Township’s 2022 sewer rate funded operating surplus of \$10,567 be transferred to the Sewer Reserve.**



**Carried**

Building/Planning/By-law

- Application for Consent to Sever of Blake Bennett & Brenda Lee Coleman

**No. 23-239**

**Moved By: John H. Wilson**

**Seconded By: Scott Lewis**

**THAT Report No. DS-22-62 entitled “Application for Consent to Sever of Blake Bennett & Brenda Lee Coleman” be received;**

**AND THAT the Application for Consent to Sever of Blake Bennett & Brenda Lee Coleman, relating to the property located at Concession 7, Part of Lot 13, and known municipally as 15217 Imperial 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**

CAO

- Director of Public Works Position

CAO Betteridge provided a verbal report indicating that as part of the Township recruitment policy, a Council member was to sit on the committee with the CAO, HR Manager, Mayor & Deputy Mayor. Interviews had yet to be scheduled but would be done so prior to the next Council meeting resulting in the urgency of this request. Interviews would be scheduled during business hours and preferably all in one day.

**No. 23-240**

**Moved By: Scott Lewis**

**Seconded By: Sarah Leitch**

**THAT the verbal report of the CAO pertaining to the scheduled recruitment for the position of “Director of Public Works” be received;**

**AND THAT Councillor Cerna be appointed to sit with the Mayor, Deputy Mayor, Chief Administrative Officer, and the HR Manager to form the Recruitment Committee for the hiring of a new Director of Public Works.**

**Carried**

**REPORTS OF COMMITTEES/OUTSIDE BOARDS:****No. 23-241****Moved By: Rick Cerna****Seconded By: Sarah Leitch****THAT the following Reports of Committees/Outside Boards be noted and filed:**

- (i) **Long Point Region Conservation Authority – Minutes of April 5, 2023**
- (ii) **Aylmer-Malahide Museum & Archives – Annual Report 2022**
- (iii) **East Elgin Community Complex Board of Governance Review Committee – Minutes of May 1, 2023**

**Carried****CORRESPONDENCE:****No. 23-242****Moved By: Rick Cerna****Seconded By: Mark Widner****THAT correspondence item number seven be supported;****AND THAT the remaining correspondence items be noted and filed:**

1. **Association of Municipalities of Ontario - Watch File – dated May 4, 2023 and May 11, 2023**
2. **Elgin County – Safety Concerns – Request for guardrails on Imperial Road, Port Bruce**
3. **Elgin County – Council Highlights – May 9, 2023**
4. **Southwestern Public Health - Southwestern Public Health pauses COVID-19 data dashboard; will transition to respiratory virus report this fall**
5. **AORS – 2023 Annual Trade Show**
6. **The Aylmer-Malahide Museum & Archives – May-June Newsletter**
7. **County of Prince Edward – Release of proposed new Provincial Planning Statement 2023**
8. **Township of Perth South – Support City of Stratford's resolution for Use of Long-Term Care Funding to Support Community Care Services**
9. **Township of Armour – Water Aerodromes Awareness**

**10. Municipality of Tweed – Bell-Hydro Infrastructure**

**11. Municipality of Central Elgin - Zoning By-law Amendment - Notice of Public Meeting -Talbot Line Employment Lands**

**Carried**

**OTHER BUSINESS:**

-Provincial Policy Statement Concerns

Deputy Mayor Widner spoke to concerns regarding what is being proposed with the Provincial Planning Statement 2023. Mayor Giguère reiterated these concerns and inquired if staff could send a letter similar to the letter sent by the County of Elgin.

**No. 23-243**

**Moved By: Scott Lewis**

**Seconded By: Sarah Leitch**

**THAT the CAO be directed to provide comments on behalf of Township Council to the Ministry of Municipal Affairs and Housing opposing its proposed policies for an integrated province-wide land use planning policy document;**

**AND THAT the comments sent to the Province reflect the comments being sent by Elgin County Council, and include Township Council's concerns relating to the lack of protection of prime agricultural lands, and the loosening of land protection policies for settlement areas.**

**Carried**

-Follow-up request: Safety Concerns at Ron McNeil Line & Imperial Road

**No. 23-244**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

**That Malahide Township Council request that Elgin County Council provide a status update on the intersection of Ron McNeil Line and Imperial Road.**

**Carried**

Councillor Cerna inquired if staff could investigate the possibility of photo radar in the Township. Mayor Giguère inquired if staff could follow up to see if there is any new information with speed signage that was requested to be installed.

- TVDSB meeting

Councillor Wilson provided an update from the TVDSB meeting this past week and confirmed there has been no outreach to the effected municipalities and is concerned about the lack of communication. Mayor Giguère agreed that the impact of the proposed changes and boundaries is significant as lowering numbers has a domino effect and a letter should be sent to the school board and its trustees.

**No. 23-245**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT Council direct the Mayor to send correspondence on behalf of Council to the TVDSB (including the planning department) & the trustees expressing concerns regarding the proposed school boundary adjustments.**

**Carried**

Deputy Mayor Widner provided updates from the last Elgin County Council meeting. He also shared some details from the community policing committee that after a short hiatus from being allowed in the schools, the OPP are able to have education workshops in the schools, including those in the Thames Valley board again.

Mayor Giguère asked the Director of Emergency Services (absent from last meeting) to provide a follow-up from the department quarterly staff report in respect to the assistance with the Town of Aylmer's large downtown fire. Director of Emergency Services Spoor provided a brief overview of the role that Malahide played as a mutual aid partner.

**No. 23-246**

**Moved By: Rick Cerna**

**Seconded By: Chester Glinski**

**THAT Malahide Volunteer Firefighter Association be granted permission to utilize a portion of the pier in Port Bruce for the purpose of a fireworks display on Sunday, May 21<sup>st</sup> (rain date Monday, May 22<sup>nd</sup>); SUBJECT to providing the Township with proof of Event Liability Insurance naming the Township of Malahide as an additional insured.**

**Carried**

**BY-LAWS:**

**CLOSED:**

**CONFIRMATORY:**

**No. 23-247**

**Moved By: Rick Cerna**

**Seconded By: John H. Wilson**

**THAT By-law No.23-42, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**ADJOURNMENT:**

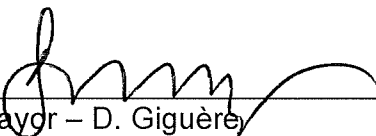
**No. 23-248**

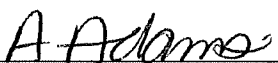
**Moved By: Mark Widner**

**Seconded By: Chester Glinski**

**THAT the Council adjourn its meeting at 9.36p.m. to meet again on June 1, 2023, at 7:30 p.m.**

**Carried**

  
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Mayor – D. Giguère

  
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Clerk – A. Adams