



The Corporation of the Township of Malahide
REGULAR COUNCIL MEETING AGENDA
July 20, 2023 – 7:30 p.m.

Springfield & Area Community Services Building – Council Chambers
51221 Ron McNeil Line, Springfield & via Zoom

- (A) Call Meeting to Order
- (B) Disclosure of Pecuniary Interest
- (C) Approval of Previous Minutes **RES 1**
- (D) Presentations/Delegations/Petitions
 - Public Hearing - Minor Variance Application – Owner Brad Wiltsie, relating to property at PLAN 71 LOT 32 11R236 PART 1 PART 3 in the Township of Malahide, municipally known as 51272 Clinton Street **RES 2-3**
 - Public Hearing - Minor Variance Application – Owner Michael Terry, relating to property at CON 7 N PT LOT 7 RP 11R1240;PART 1, municipally known as 15539 Whitaker Road **RES 4-5**
 - Closed Session Presentation **RES 6-7**
 - (i) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Proposed Infrastructure Project (Section 239(2)(k))
- (E) Reports of Departments
 - (i) Director of Fire & Emergency Services
 - Emergency Services Activity Report – Quarterly Report (April-June) **RES 8**
 - Follow-Up Report: Emergency Management – Ice Breaking Services **RES 9**
 - (ii) Director of Public Works
 - Tender Award – Wheel Loader **RES 10**
 - (iii) Drainage Update Report **RES 11**
 - (iv) RFQ Award – Copenhagen Park Landscaping **RES 12**
 - (v) J. L. Ferguson Drain **RES 13**

(iii) Director of Corporate Services/Treasurer

(iv) Clerk

(v) Building/Planning/By-law

(vi) CAO

- Health and Safety Policy and Occupational Health and Safety Act – Annual Update **RES 14**
- CAO Recruitment Committee **RES 15**

(F) Reports of Committees/Outside Boards **RES 16**

- (i) Catfish Creek Conservation Authority - Programs Services Inventory Progress Report
- (ii) Long Point Region Conservation Authority – Minutes June 7, 2023

(G) Correspondence **RES 17**

1. Association of Municipalities of Ontario - Watch File – dated July 6, 2023, and July 13, 2023.
2. Ministry of Natural Resources and Forestry - Technical Bulletin - Flooding Hazards: Data Survey and Mapping Specifications
3. Minister of Environment and Climate Change – Response to correspondence sent supporting Township of the Archipelago's phragmites resolution
4. Elgin County – Council Highlights – July 11, 2023
5. Southwestern Public Health – Annual Report 2022
6. Tillsonburg District Memorial Hospital & Alexandra Hospital Ingersoll – Annual Report 2022-2023
7. Chatham-Kent – Time for Change Municipal Freedom of Information and Protection of Privacy Act
8. AGCO - Extension of Hours for Ontario Liquor Sales Licensees During FIFA Women's World Cup 2023
9. Fisheries and Ocean Canada (DFO) - Publication of Proposed Management Plan for Northern Sunfish on the Species at Risk Public Registry
10. Ministry of Natural Resources and Forestry – Proposal to Amend Three Regulated Manuals under the Crown Forest Sustainability Act
11. Town of Aylmer – Notice of Complete Applications and Public Meeting 245-249 John Street South

(H) Other Business

(I) By-laws

(J) Closed

(K) Confirmatory By-law **RES 18**

(L) Adjournment **RES 19**

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 Council held on July 6, 2023 be adopted as printed and circulated.
2. THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:___p.m. and that Mayor Dominique Giguère be appointed Chairperson for the "Committee of Adjustment".
3. THAT Report No. DS-23-20 entitled "Minor Variance Application No. D13-MV-06-23 of Brad Wiltsie" and affecting lands described as PLAN 71 LOT 32 11R236 PART 1 PART 3 in the Township of Malahide (51272 Clinton Street) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Minor Variance Application No. D13-MV-06-23 to permit the construction of an attached garage with a rear yard setback of 6.5m;

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 the existing shed be relocated within the boundaries of the subject lands and is situated to comply with the requirements of the Zoning By-law to the satisfaction of the Chief Building Official.
4. THAT Report No. DS-23-21 entitled "Application No. D13-MV-07-23 of Michael Terry" and affecting lands described as CON 7 N PT LOT 7 RP 11R1240;PART 1 in the Township of Malahide (15539 Whittaker Road) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Application No. D13-MV-07-23 to permit to permit an accessory structure to be located in a front yard and permit a reduced front yard setback of 8 metres;

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.
5. THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:___p.m.
6. THAT Council move into Closed Session at _____ p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:
 - (i) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Proposed Infrastructure Project (Section 239(2)(k))
7. THAT Council move out of Closed Session and reconvene at _____ p.m. in order to continue with its deliberations.
8. THAT Report No. F-23-04 entitled “Emergency Services Activity Report – Quarterly Report (April-June)” be received.
9. THAT Report No. F-23-05 entitled “Follow-Up Report: Emergency Management – Ice Breaking Services” be received.
10. THAT Report No. PW-23-44 entitled “Tender Award – Wheel Loader” be received;

AND THAT the bid received from Toromont Cat, of London, Ontario, in the amount of \$320,781.49 (plus applicable taxes), for the purchase of one (1) new Caterpillar 930M Wheel Loader with Auto-Greasing System be accepted;

AND THAT the Staff be authorized to add Premiere Extended Warranty coverage (6-year/4000-hour) at the time of purchase for an additional cost of \$11,270;

AND THAT the Staff be authorized to trade in the existing 2008 CASE 721E Wheel Loader to Toromont Cat, of London Ontario for a total of \$53,500.00;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Toromont Cat, of London, Ontario, for the supply of the above noted new Wheel Loader.

11. THAT Report No. PW-23-43 entitled “Drainage Update Report” be received.
12. THAT Report No. PW-23-46 entitled “RFQ Award – Copenhagen Park Landscaping” be received;

AND THAT Staff be directed to work with Beamish Landscape Services Inc. to negotiate the award of the RFQ to fit into the project’s allotted budget.

13. THAT Report No. PW-23-45 entitled “Tender Award – J. L. Ferguson Drain” be received;

AND THAT the tender for the J. L. Ferguson Drain be awarded to A. G. Hayter Contracting, in the amount of \$206,843.75 (plus applicable taxes).

14. THAT Report No. HR-23-07 entitled “Health and Safety Policy and Occupational Health and Safety Act – Annual Update” be received;
AND THAT the Mayor and Interim Chief Administrative Officer be authorized to sign the Health & Safety Policy on behalf of the Corporation.
15. THAT Report No. CAO-23-10 entitled “CAO Recruit Committee” be received;
AND THAT Councillor _____ be appointed to sit with the Mayor, Deputy Mayor, and Human Resources Manager to form the Recruitment Committee for the hiring of a Chief Administrative Officer.
16. THAT the following Reports of Committees/Outside Boards be noted and filed:
- (i) Catfish Creek Conservation Authority - Programs Services Inventory Progress Report
 - (ii) Long Point Region Conservation Authority – Minutes June 7, 2023
17. THAT the following correspondence be noted and filed:
- 1. Association of Municipalities of Ontario - Watch File – dated July 6, 2023, and July 13, 2023.
 - 2. Ministry of Natural Resources and Forestry - Technical Bulletin - Flooding Hazards: Data Survey and Mapping Specifications
 - 3. Minister of Environment and Climate Change – Response to correspondence sent supporting Township of the Archipelago’s phragmites resolution
 - 4. Elgin County – Council Highlights – July 11, 2023
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 - 7. Chatham-Kent – Time for Change Municipal Freedom of Information and Protection of Privacy Act
 - 8. AGCO - Extension of Hours for Ontario Liquor Sales Licensees During FIFA Women's World Cup 2023
 - 9. Fisheries and Ocean Canada (DFO) - Publication of Proposed Management Plan for Northern Sunfish on the Species at Risk Public Registry
 - 10. Ministry of Natural Resources and Forestry – Proposal to Amend Three Regulated Manuals under the Crown Forest Sustainability Act
 - 11. Town of Aylmer – Notice of Complete Applications and Public Meeting 245-249 John Street South
18. By-law No.23-54, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.
19. THAT the Council adjourn its meeting at _____ p.m. to meet again on August 3, 2023, at 7:30 p.m.

The Corporation of the Township of Malahide

July 6, 2023 – 7:30p.m.

Virtual Meeting – https://youtu.be/t53Gdm_Wyzk

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30p.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 A. Betteridge, Clerk A. Adams, Director of Finance A. Boylan, and Director of Fire & Emergency Services J. Spoor.

Also Present: Mike Devos – Spriet Associates, Maria Smit – Malahide Community Policing Committee, Rosemary Kennedy - Malahide Community Policing Committee, and Marilyn Howey (resident for J.L. Ferguson 2023 Court of Revision)

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 item D– Court of Revision J.L. Ferguson Drain 2023. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

MINUTES:

No. 23-298

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the minutes of the regular meeting of Council held on June 15, 2023 and June 27, 2023 be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item D– Court of Revision J.L. Ferguson Drain 2023. He retired from the meeting and abstained from all discussions and voting on the matter.

- Court of Revision - J.L. Ferguson Drain 2023, relating to parts of Lots 8 through 11, Concession 8 and 9

No. 23-299

Moved By: Sarah Leitch

Seconded By: Scott Lewis

THAT the Council of the Township of Malahide does hereby appoint the following members to sit on the Court of Revision for the J.L. Ferguson Drain 2023:

**Mayor Dominique Giguère
Councillor Sarah Leitch
Councillor John H. Wilson**

Carried

No. 23-300

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the Court of Revision for the J.L. Ferguson Drain 2023 be called to order at 7:41p.m.

AND THAT Dominique Giguère be appointed Chair.

Carried

Chair Giguère asked the drainage engineer to briefly outline the nature of the proposed drainage works and the related assessment schedule. Drainage Engineer Mike DeVos provided an overview of the J.L. Ferguson Drain 2023.

No written comments/objections were received.

Chair Giguère inquired if anyone in attendance wished to make any comments or ask any questions concerning the proposed assessment schedule. Marilyn Howey, resident of 49677 Yorke Line, inquired about the cost allocation to her property as a result of the drain. Mr. DeVos noted her property is within the watershed with an outlet assessment and that she would have received a copy of the estimate by mail. Mr. DeVos further explained the procedures of costs and billings. Director Boylan confirmed that once the work is completed, the Township can debenture drains over a certain amount otherwise it is

applied to the final tax bill.

Chair Giguère asked if any members of the Court of Revision or members of the public had any comments, questions or required any clarification from the engineer and there were none.

Chair Giguère stated that the next steps of the Court of Revision are for members to consider a resolution to either confirm the rates presented by the engineer or amend the assessments. Drainage Engineer Mike DeVos explained the two types of the appeal process if warranted.

No. 23-301

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Court of Revision members for the J.L. Ferguson Drain 2023 do hereby accept the recommendations of Drainage Engineer Mike DeVos; and further, does hereby confirm the drainage assessments as outlined in the Report of the Drainage Engineer dated April 17, 2023.

Carried

No. 23-302

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT the Court of Revision relating to the J.L. Ferguson Drain 2023 Drain be adjourned and the Council Meeting reconvene at 7:53p.m.

Carried

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

- Malahide Community Policing Committee

The Malahide Community Policing Committee representatives Maria Smit and Rosemary Kennedy made a verbal presentation endorsing the staff report regarding speed radar signs. The committee offered a \$2000.00 financial contribution to the project.

REPORTS OF DEPARTMENTS:

Director of Public Works

- Tender Award – Sparta Line Drain No. 3 & 4

No. 23-303

Moved By: Chester Glinski

Seconded By: Scott Lewis

THAT Report No. PW-23-38 entitled “Tender Award – Sparta Line Drain No. 3 & 4” be received;

AND THAT the tender for the Sparta Line Drain No. 3 & 4 be awarded to Van Bree Drainage and Bulldozing Limited, in the amount of \$60,970.00 (plus applicable taxes).

Carried

- Tender Award – Maginnis Drain 2023

No. 23-304

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Report No. PW-23-39 entitled “Tender Award – Maginnis Drain 2023” be received;

AND THAT the tender for the Maginnis Drain 2023 be awarded J.L. Henderson Excavating Inc., in the amount of \$12,712.50 (plus applicable taxes).

Carried

- Malahide Community Place Concession Booth Update #2

No. 23-305

Moved By: John H. Wilson

Seconded By: Scott Lewis

THAT Report No. PW-23-42 entitled “Malahide Community Place Concession Booth Update #2” be received.

AND that MCP Building Attendant Staff be utilized to operate the concession booth for the remaining 2023 season.

Carried

- Radar Speed Signage

No. 23-306

Moved By: John H. Wilson

Seconded By: Chester Glinski

THAT Report No. PW-23-44 entitled “Radar Speed Signage” be received;

AND THAT Staff be authorized to purchase a solar powered “Safe Place Evolution 12” speed radar sign at a cost of \$4,026;

AND THAT Staff bring forward a follow-up report which recommends a placement schedule for the Township’s speed radar sign.

Carried

Director of Corporate Services/Treasurer

No. 23-307

Moved By: Mark Widner

Seconded By: Scott Lewis

THAT Report No. FIN 23-14 entitled “Midyear Financial Update” be received.

Carried

CAO

No. 23-308

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT Report No. HR-23-03 entitled “Shared Services Update and Establishment and Recruitment of a Shared Building Inspector / Deputy Chief Building Official” be received;

AND THAT Council direct the Interim CAO and HR Manager to make the necessary changes to the Township’s Organization Chart and Salary Grid to establish and recruit for the position of “Building Inspector / Deputy Chief Building Official”.

Carried

CORRESPONDENCE:

No. 23-309

Moved By: Mark Widner

Seconded By: Sarah Leitch

THAT item number 4 be supported and the remaining items be noted and filed:

1. Association of Municipalities of Ontario - Watch File – dated June 15, 2023, June 22, 2023, and June 29, 2023
2. Elgin County Council – Imperial Road and Ron McNeil Line -Status Update
3. Elgin County – Council Highlights – June 27, 2023
4. Corporation of the Town of Essex – Local Emergency Response System and Gaps in Healthcare regarding Code Red and Code Black Frequency
5. Quinte West & Oxford County – Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement
6. Minister of Transport – Response to correspondence sent regarding Railways and the Drainage Act
7. Ministry of Natural Resources and Forestry – Regulatory Amendments 2023 under the Public Lands Act to address floating accommodation
8. Ministry of Municipal Affairs and Housing – Proposed Provincial Planning Statement
9. Municipality of North Perth – Vacant Building Official Positions
10. Aylmer-Malahide Museum and Archives – 2023-2027 Strategic Plan
11. Town of Petrolia – Amendments to current regulations for licensed home-based childcare operators

Carried

OTHER BUSINESS:

No. 23-310

Moved By: Chester Glinski

Seconded By: Rick Cerna

THAT the Elgin County Joint Annual Accessibility Status Report 2022 and the Elgin County and Local Municipal Partners Joint Multi-Year Accessibility Plan 2021-2026 be received, filed and approved.

Carried

BY-LAWS:

No. 23-311

Moved By: Rick Cerna

Seconded By: Scott Lewis

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

- (i) By-law No. 23-40 – Maginnis Drain - Third Reading**
- (ii) By-law No. 23-41 – Sparta Line Drain 3&4 – Third Reading**
- (iii) By-law No. 23-50 – Interim CAO Appointment By-law**
- (iv) By-law No. 23-52 – Municipal By-law Enforcement Officer**
- (v) By-law No. 23-53 – Reduce speed on Van Patter Line**

Carried

CONFIRMATORY:

No. 23-312

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT By-law No.23-51, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

No. 23-313

Moved By: Mark Widner

Seconded By: Chester Glinski

THAT the Council adjourn its meeting at 8:46p.m. to meet again on July 20, 2023, at 7:30 p.m.

Carried

Mayor – D. Giguère

Clerk – A. Adams



Report to Committee of Adjustment

REPORT NO.: DS-23-20
DATE: July 20, 2023
ATTACHMENT: Report Photo, Application, and Comments Received to Date (if any)
SUBJECT: MINOR VARIANCE APPLICATION NO. D13-MV-06-23 OF BRAD WILTSIE

Recommendation:

THAT Report No. DS-23-20 entitled “Minor Variance Application No. D13-MV-06-23 of Brad Wiltsie” and affecting lands described as PLAN 71 LOT 32 11R236 PART 1 PART 3 in the Township of Malahide (51272 Clinton Street) be received;

AND THAT the Township of Malahide Committee of Adjustment **APPROVE** Minor Variance Application No. D13-MV-06-23 to permit the construction of an attached garage with a rear yard setback of 6.5m;

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 the existing shed be relocated within the boundaries of the subject lands and is situated to comply with the requirements of the Zoning By-law to the satisfaction of the Chief Building Official.

Background:

The subject Application relates to the property located at PLAN 71 LOT 32 11R236 PART 1 PART 3, and known municipally as 51272 Clinton Street. The Application seeks

to allow the construction of a garage by permitting a reduced rear yard setback of 6.5 metres, whereas the By-law requires a rear yard setback of 7.5 metres.

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 hearing.

Township Planning 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-06-23.

Comments/Analysis:

The subject lands are approximately 3,720 square metres (0.92 acres) in area and have approximately 86 metres of frontage along Clinton Street. The subject lands contain an existing single detached dwelling, pool, and a small accessory shed. A small watercourse runs across the northeast portion of the property. The subject property is bounded by low density residential uses to the east, north, and west, and Clinton Street to the south. Based on the information provided, the owner is proposing to construct a 128.8 m² addition to the existing dwelling for an attached garage.

County of Elgin Official Plan

The subject property is designated as being in the "Tier 2 - Springfield" Settlement Area on Schedule 'A', Land Use Plan. In addition to the above, the subject property is identified as having frontage along a road that is "Local" on Schedule 'B', "Transportation Plan". The county of Elgin Official Plan generally provides direction regarding housing, land supply and servicing. In Tier 2 Settlements, the character of residential areas is to be maintained and it is to be ensured that land uses are compatible (Section C1.1.1)

Malahide Official Plan

The western portion of the subject lands is designated as 'Residential' and the eastern portion of the subject lands near the watercourse is designated 'Open Space', 'Floodway', 'Floodfringe', and 'Hazard Lands' on Schedule 'B' (Land Use and Constraints Plan for Springfield).

The "Residential" designation permits a range of residential uses, including single detached dwellings, as well as accessory uses. (Section 4.4.2.1). Where private lands are designated as "Open Space" it does not necessarily mean they are free to use by the public, or that the township will assume control upon development, and the primary use of land shall be for community parks, community gardens, conservation areas, fairgrounds, other similar outdoor recreation areas, and cemeteries. Secondary uses such as buildings, structures and parking areas accessory or complementary to the "Open Space" areas may also be permitted, subject to all other applicable policies of the Plan (Section 4.1.6.1, 4.6.1.4).

Development is not permitted within the ‘Floodway’ designation and development may be permitted within the ‘Floodfringe’ designation subject to certain flood proofing requirements. It is noted that the proposed addition would be located outside of the ‘Floodway’, ‘Floodfringe’, and ‘Hazard Lands’ designated areas.

Malahide Zoning By-law No. 18-22

The subject property is within the “Village Residential One (VR1) Zone” on Key Map D3 of Schedule “A” to the Township’s Zoning By-law No. 18-22, with a portion of the subject property identified as “Regulated Area”. The VR1 zone permits single unit dwellings and accessory structures.

The table below identifies the development standards within the Zoning By-law for lands zoned Village Residential 1 (VR1) as they relate to the proposed development:

Table 1. Village Residential 1 (VR1) Zone Requirements

Zoning Provision	Required:	Proposed:
Min. Lot Area	800 m ²	3720.0 m ²
Min. Lot Frontage	20m	86m
Min. Front Yard	6.0m	Greater than 6.0m
Min. Interior Side Yard	2.0m	2.62m
Min. Rear Yard	7.5m	6.5m
Max. Lot Coverage	30%	14.6%
Max. Height	10.5m	~3.4m
Min. Landscaped Open Space	30%	~85%
Max. Dwellings per lot	1	1

The minor variance application is requesting a reduced minimum rear yard setback of **6.5 meters** where the by-law requires a minimum setback of **7.5 meters**.

Public/Agency Comments Received

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

- Catfish Creel Conservation Authority (“CCCA”) has provided comments dated July 12, 2023. CCCA would be able to permit a non-habitable structure, such as the proposed garage, to be built in the proposed location, as it is located outside of the regional flood limit, but written permission pursuant to the Conservation Authorities Act will be required from CCCA before development begins as the property is located within the regulatory limit of CCCA.
- There have been no comments received from the general public as of the date of writing this report.

Typical conditions are recommended (building permit(s) issued within two years and in accordance with the drawings provided with the minor variance application). During the application review process, it was identified that an existing accessory shed encroaches onto the adjacent property to the north. The applicant has confirmed that the shed is able to be relocated and the relocation of the accessory shed is recommended to be included as a condition of approval.

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 tests, along with the Planner's comments concerning same as they relate to the requested variance, are as follows:

1. The variance maintains the general intent and purpose of the Official Plan.

The western portion of the subject lands is designated as 'Residential' and the eastern portion of the subject lands near the watercourse is designated 'Open Space', 'Floodway', 'Floodfringe', and 'Hazard Lands' on Schedule 'B' (Land Use and Constraints Plan for Springfield).

Residential uses are permitted by the Official Plan on this property. The proposed addition would also be located outside of the Floodway, Floodfringe, and Hazard Lands designated areas and is not anticipated to impact the existing watercourse. The application maintains the general intent of the Official Plans.

2. The requested variance maintains the general intent and purpose of the By-law.

The applicant is seeking reductions to the rear yard setback. The intent of a rear yard setback is to provide an adequate building separation distance between buildings on adjacent properties while ensuring both neighbours have adequate outdoor amenity space. The subject lands have adequate outdoor amenity space in the side yard to the east of the dwelling. It is noted that the proposed addition would also be located outside any municipal drain setbacks. The application maintains the general intent of the By-law.

3. The application is "minor" in nature.

Whether a variance is considered minor is evaluated upon the size and impact of the proposed variance from the Zoning By-law. The proposed setback of 6.5 meters is a total of 1.0 meters less than the current setback. Further, there is existing vegetation located on the property line to provide a visual buffer between the adjacent property to the rear and a 6.5 m rear yard is maintained.

The proposed garage would not impact adjacent landowners from using their properties for permitted uses. The application is minor in nature.

4. The proposed development is desirable for the appropriate development or use of the subject property.

The owner is proposing an addition to the existing dwelling, with an attached garage. The proposed variance would permit the garage to extend 1.0m into the rear yard setback, maintaining a 6.5m rear yard. The proposed garage addition mostly occupies space that is currently being used as a paved driveway. As previously noted, the proposed addition would be located outside of any lands subject to flooding hazards. The proposed development is desirable for the appropriate development or use of the subject property.

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 Government.

The proposed minor variance addresses a deviation from a standard of the Township of Malahide Zoning By-law and would have no direct relationship or bearing upon the document.

Submitted by:	Reviewed by:	Approved for Council by:
Eric Steele, BES Monteith Brown Planning Consultants, <u>Consulting Planner for the Township</u>	Jay McGuffin, MCIP, RPP Monteith Brown Planning Consultants Vice President & Principal Planner	Adam Boylan Interim CAO

APPLICATION FOR A MINOR VARIANCE**Owners: Brad & Ann Wiltsie**

51272 Clinton Street
 PLAN 71 LOTS 32 TO 35
 Township of Malahide

Township
 of Malahide
 Figure 1



OFFICIAL PLAN DESIGNATION
 RESIDENTIAL, OPEN SPACE, FLOODWAY, FLOODFRINGE, HAZARD LANDS

ZONING

Village Residential 1 (VR1)



Subject Property



Proposed Attached Garage

File No. **V****LETTER OF AUTHORIZATION
(SAMPLE)**

(date)

TOWNSHIP OF MALAHIDE
87 John St. S.
Aylmer, ON N5H 2C3

Attention: **Development Services Department**

Re: Application for (application type)
John Doe – 1234 Concession Road

I am the registered owner of the lands which are the subject of the above described application. Please consider this correspondence as my authorization for (name) to act on my behalf on all matters with respect to the accompanying application as well as any related planning applications.

Yours truly,

John Doe

Township of Malahide
Application for Minor Variance

ASSOCIATED PLANNING COSTS

The Application fee paid is a **deposit** towards the actual costs which shall be incurred by the Township during the review and approval process.

The Applicant will be billed for the difference between the actual costs incurred and the deposit. If the deposit exceeds the actual cost, a refund will be made.

There is **no guarantee** that any application considered will be approved. An Applicant can spend his (her) money for the planning review process and still not be able to do what they desire.

Basic steps are established in the Planning Act and associated regulations. They include: a notice, review, consultation, public meeting, and Council decision. Major amendments will be subject to a more demanding and complex planning review process which will be reflected in the final costs paid.

Fees shall be based on municipal staff time, consultant fees (planners) and associated costs and disbursements needed to carry out the review of the planning application. **Basically, all costs from the conception of the application up to the decision of Council including posting notification are at the expense of the Applicant. If you wish to discontinue, you must notify the Township in writing and you will be responsible for all costs to that time and any costs to terminate the process you have set in motion.**

Example – 2014 Costs

Municipal Staff billed out at following rates (subject to change)

CAO/Clerk: \$ 90.07 per hour

Department Clerk: \$ 42.58 per hour

Other: Disbursements including advertising, fax, photocopies, postage, prints, mileage, delivery service, telephone calls, etc.

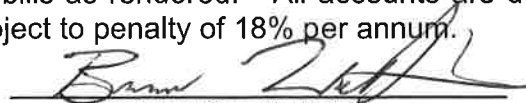
Consultant fees billed out at following rates (Subject to change)

Principal Planner II: \$125.00 per hour

Senior Planner: \$80.00 per hour

Other: Disbursements including advertising, fax, photocopies, postage, telephone calls, delivery service, prints, mileage, special reports, etc.

FURTHER to my signed Affidavit, I acknowledge that there are associated costs for this application and agree to accept the Planners bills as rendered. All accounts are due when rendered. All overdue amounts are subject to penalty of 18% per annum.


Registered Owner/Authorized Agent

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 BRAD WILTSIE
- b) Mailing Address P.O. Box 404 - 51272 CLINTON ST
- c) Telephone No. 226-980-~~26~~ 6969
- d) Fax No. _____

2. SOLICITOR / AUTHORIZED AGENT

- a) Name _____
- b) Mailing Address _____
- c) Telephone No. _____
- d) Fax No. _____

3. LOCATION OF LAND

- a) Lot and Plan or Concession No. LOTS 32-35 PLAN 71
- b) Street No. and Name 51272 CLINTON STREET

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

Name:

Address:

5. Nature and extent of relief applied for:

ATTACHED GARAGE - 3 FEET

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

TYING INTO CURRENT ROOF LINES AND
DEPTH NEEDED

7. Dimensions of the land affected:

a) Frontage (m)

9 m

b) Depth (m)

9 m

c) Area (sq.m / ha)

27 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

PAVED LANEWAY

b) Proposed

ATTACHED GARAGE, 1350 SQ/FT,
1 STOREY, 30' WIDE, 45' LONG, 10' HIGH WALLS

9. Date of acquisition of subject land: MARCH 08, 2023

10. Date of construction of all buildings and structures on subject lands: 2020

11. Existing uses of the subject property:

Home (DRIVEWAY)

12. Length of time and existing uses to the subject property have continued: 20 YEARS

13. Existing uses of abutting properties:

a) North	<u>NONE - (BACKYARD)</u>
b) East	<u>HOUSE</u>
c) South	<u>DRIVEWAY (ROAD)</u>
d) West	<u>NONE (NEIGHBOURS GARAGE)</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 type="checkbox"/>	Other (please specify)	

15. Applicable Official Plan designation(s): _____

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 ☒

STATUTORY DECLARATION

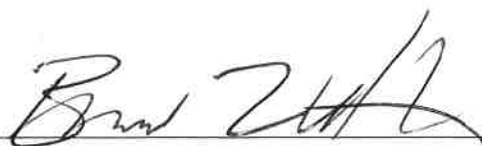
I, BRAD WILTSIE of the MALAHIDE TOWNSHIP
 (Name of Applicant) (City, Municipality, Town, Township)
 in the ELGIN
 (County / District / Region)

SOLEMNLY DECLARE THAT the information provided in this application as required under Section 45 of the Planning Act R.S.O. 1990 and Ontario Regulation 200 / 96 as amended is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and affect as if made under oath.

DECLARED before me

_____)	
(City, Municipality, Town, Township)	
in the _____)	
(County / District / Region)	
this _____ day of _____, 20____)	
_____)	
_____)	
_____)	
_____)	
_____)	
_____)	
A Commissioner, etc.)	


 Signature of Applicant or
 Authorized Agent *

* If authorized agent, a letter from the owner of the property must accompany this application.

APPLICATION FEE to accompany \$2,000.00, payable to the Township of Malahide.

Municipal Freedom of Information Declaration

In accordance with the provisions of the Planning Act, it is the policy of the Township Planning Department to provide public access to all development applications and supporting documentation.

Personal information contained on this form is collected pursuant to the Planning Act, R.S.O. 1990, O.Reg 200/96 as amended and will be used for the purpose of determining permission for minor variance. The personal information collected will be maintained in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.

In submitting this development application and supporting documentation, I BRAD WILTSIE, the owner/authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the Township of Malahide to post a Change of Use sign and municipal staff to have access to the subject site for purposes of evaluation of the subject application.


Signature

18 05 2023
Day Month Year

Signature

Day Month Year

REQUIRED SKETCH FOR MINOR VARIANCE APPLICATIONS

APPLICANT NAME

BRAD WILTSIE

ADDRESS

51272 CLINTON ST.

Lot 32-35

Concession _____

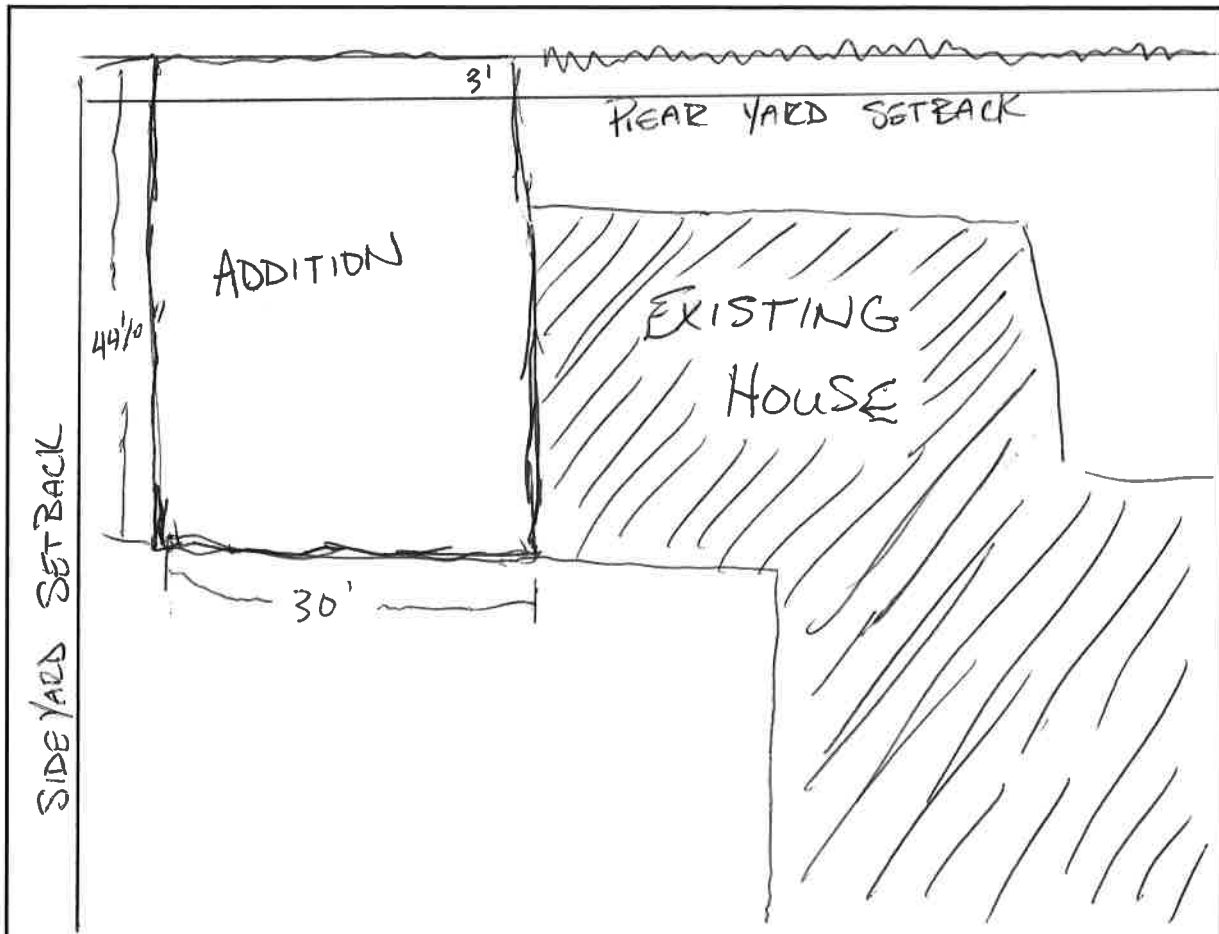
Municipality _____

Registration Plan No. _____

Quarter of Township Lot

N.E. ☐N.W. ☐S.W. ☐S.E. ☐

See Sketch Instructions on the following page.



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

ALL DIMENSIONS MUST BE IN METRIC

SKETCH INSTRUCTIONS

A sketch showing the following:

- i) The boundaries and dimensions of the subject lands.
- ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- iv) The current uses on land that is adjacent to the subject lands.
- v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.

NOTE: Use a separate sheet of paper for the sketch if required.



Report to Committee of Adjustment

REPORT NO.: DS-23-21
DATE: July 20, 2023
ATTACHMENT: Report Photo, Application, and Comments Received to Date (if any)
SUBJECT: APPLICATION NO. D13-MV-07-23 OF MICHAEL & STELLA TERRY

Recommendation:

THAT Report No. DS-23-21 entitled “Application No. D13-MV-07-23 of Michael Terry” and affecting lands described as CON 7 N PT LOT 7 RP 11R1240;PART 1 in the Township of Malahide (15539 Whittaker Road) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Application No. D13-MV--07-23 to permit to permit an accessory structure to be located in a front yard and permit a reduced front yard setback of 8 metres;

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.**

Background:

The subject Application relates to the property located at CON 7 N PT LOT 7 RP 11R1240; PART 1, and known municipally as 15539 Whittaker Road. The Application seeks to facilitate the construction of a carport by permitting an accessory structure to be located closer to the road than the principal use and permit a reduced front yard setback of 8 metres, whereas the By-law requires a front yard setback of 15 metres.

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 July 20, 2023 hearing.

Township Planning 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--07-23.

Comments/Analysis:

The subject property is approximately 0.36 hectares (0.89 acres) in area, and has approximately 67 metres (219.8 feet) of frontage along Whittaker Road. The property has an average depth of approximately 50 metres (164 feet). The subject lands contain an existing automotive repair shop and an associated storage building, as well as an accessory dwelling. The lands are bounded by agricultural lands to the south, west, and east, and Whittaker Road to the west.

County of Elgin Official Plan

The subject property is designated "Agriculture Area" on Schedule 'A', Land Use Plan. In addition to the above, the subject property is identified as having frontage along a "Local" on Schedule 'B', "Transportation Plan". For lands designated as 'Agricultural Area', the County Official Plan permits agricultural uses, single detached dwellings in conjunction with agricultural use, and secondary uses such as a home industry (Section C2.3). The Official Plan also permits the continuation of legally existing uses that are permitted under the local Zoning By-law, but are not specifically permitted under the County Official Plan (Section F4).

Malahide Official Plan

The subject property is designated "Agriculture" on Schedule 'A1' (Land Use Plan). The Official Plan permits small scale farm-related commercial uses along with residential dwellings on parcels that have been severed as part of a surplus farm dwelling severance (Section 2.1.2.2). The Official Plan encourages the protection of agricultural lands and includes policies to ensure that development does not conflict with agricultural uses (Section 2.1.1.2, 2.1.2.2). Existing uses that are permitted under the Zoning By-law, but are not specifically permitted in the Official Plan are deemed to conform to the Official Plan (Section 8.4.2).

Malahide Zoning By-law No. 18-22

The subject property is within the "Rural Industrial - Site Specific (M2-1) Zone" on Key Map 6 of Schedule "A" to the Township's Zoning By-law No. 18-22.

Table 1, below, identifies the development standards within the Zoning By-law for the lands zoned 'Rural Industrial (M2)' as they relate to the proposed development. In addition to the provisions listed in the table it is noted that in the M2 zone, accessory buildings or structures are not permitted to be erected in the front yard or closer to the front line than the minimum distance required for the main building.

Table 1 - Rural Industrial (M2) Zone Requirements

Zone Provision	Required:	Proposed:
Min. Lot Area	2,000 m ²	3629.9m ²
Min. Lot Frontage	30 m	67 m
Min. Front Yard Depth	15 m	8m
Min. Lot Depth	30 m	50 m
Min. Side Yard Width	7.5 m	Legally Existing
Min. Rear Yard Depth	7.5 m	Legally Existing
Max. Lot Coverage	40%	13%
Max. Height	12 m	<6.0m
Min. Landscaped Open Space	10 %	>10%
Accessory Structures		
Min. Setback to Lot Lines	1.2m	8.0m
Max. Lot coverage	10%	7.5%
Max. Building Height	6.0m or two storeys	One storey
Dwelling Units		
Min. Floor area	40m ²	141.5m ²
Max. Number of Units	1	1
M2-1 Site-Specific Provision		
Auto body shop – Maximum Floor Area	301m ²	193.2m ²

The minor variance application proposes to permit **an accessory structure within a front yard**, as well as permit a reduced front yard setback of **8 metres**.

Public/Agency Comments Received

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

- No comments have been received from agencies as of the date of writing this report.
- There have been no comments received from the general public as of the date of writing this report.

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 tests, along with the Planner's comments concerning same as they relate to the requested variance, are as follows:

1. The variance maintains the general intent and purpose of the Official Plan.

The subject lands are designated as 'Agriculture' under the County and Township Official Plans. The Official Plans permits the continuation of legally existing uses that are permitted under the local Zoning By-law. The proposed accessory structure would be a permitted use under the County and Malahide Official Plans. Generally, the policies of the Official Plan seek to guide orderly and logical growth and development and are not specific so as to address details such as the location requirements of accessory structures. The minor variance maintains the general intent and purpose of the Official Plans.

2. The requested variance maintains the general intent and purpose of the By-law.

Section 8.3.1 of the Zoning By-law does not permit accessory buildings and structures to be located in a front yard, which is defined as the area between the front wall of the principal use and the front lot line. The intent of this provision of this provision is to ensure the built form of a property does not dominate the view from a public right of way, and that the rural characteristics of the township are preserved. Additionally, the By-law requires a front yard setback of 15 metres. The intent of the front yard setback requirement is to ensure that there is adequate building separation and to maintain a consistent streetscape.

It is noted that the principal use of the auto repair shop is located in the northwest corner of the property away from Whittaker Road. The southern portion of the parcel is occupied by the accessory dwelling and septic systems, leaving few alternative locations for the proposed carport. The proposed car port would be located behind an existing road of trees so that it will be partially screened from the Whittaker Road. The proposed location of the carport is not anticipated to impact the function of Whittaker Road. The application maintains the general intent of the By-law.

3. The application is "minor" in nature.

Whether a variance is considered minor is evaluated upon the size and impact of the proposed variance from the Zoning By-law. The lands to the south are used for agricultural purposes and do not contain a dwelling. The lands to the north and west contain one dwelling; however the placement of the car port would not likely be able to be viewed from the adjacent dwelling, as it would be obstructed by the existing shop and garage. The proposed accessory structure would not impact adjacent land owners from using their properties for permitted uses. The application is minor in nature.

4. The proposed development is desirable for the appropriate development or use of the subject property.

The carport is proposed to be located in a graveled area that would be would be in a location that is already utilized for parking. The application would permit the construction of an accessory structure in an area that is not already constrained

by the location of existing structures or private services, while enhancing the quality of work for the auto-body shop and life for the owner. The application is desirable for the appropriate development or use of the subject property.

Additional comments are as follows:

Typical conditions are recommended (building permit(s) issued within two years and in accordance with the drawings provided with the minor variance application).

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 Government.

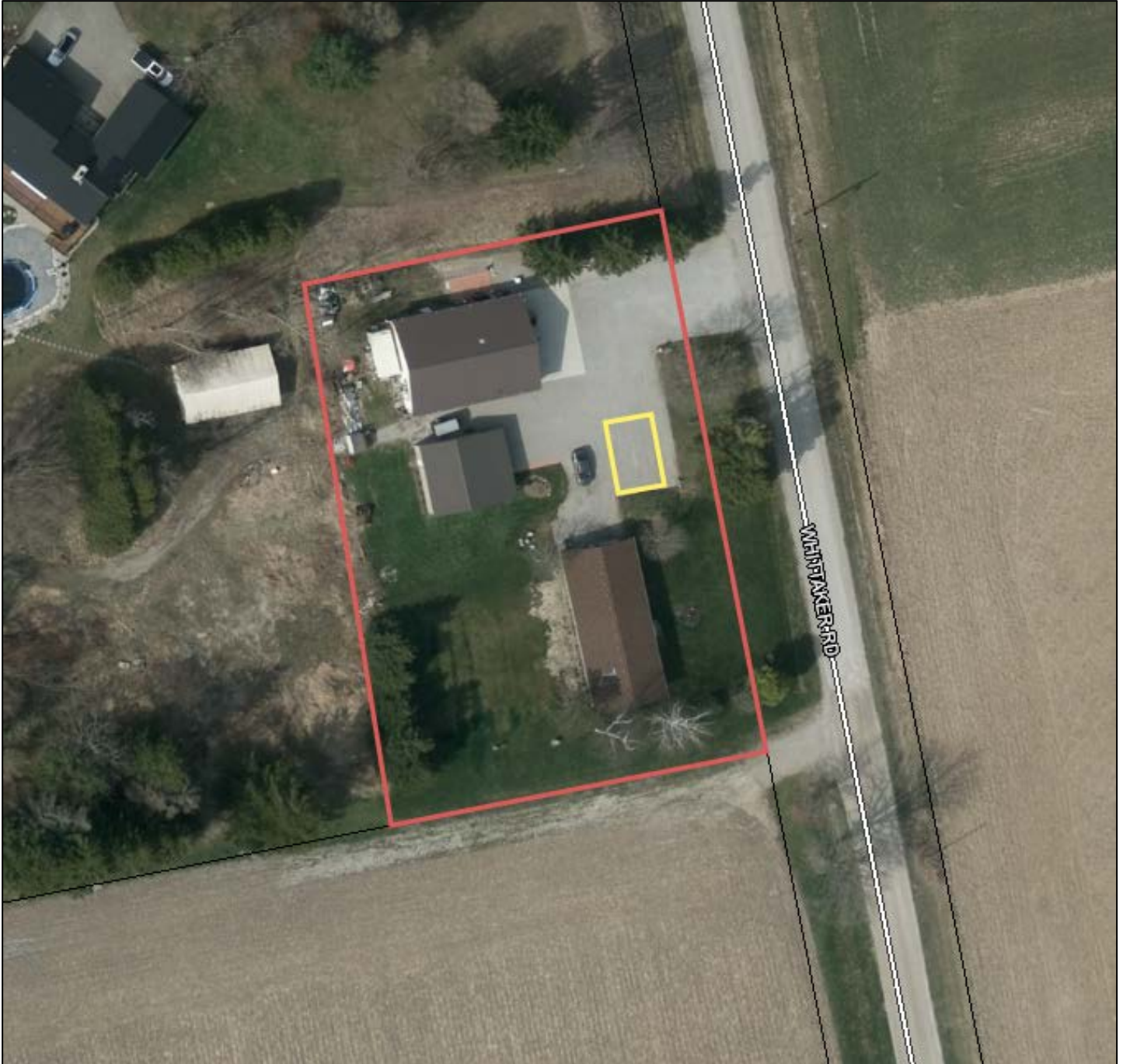
The proposed minor variance addresses a deviation from a standard of the Township of Malahide Zoning By-law and would have no direct relationship or bearing upon the document.

Submitted by:	Reviewed by:	Approved for Council by:
Eric Steele, BES Monteith Brown Planning Consultants, Consulting Planner for the Township	Jay McGuffin, MCIP, RPP Monteith Brown Planning Consultants Vice President & Principal Planner	Adam Boylan Interim CAO

APPLICATION FOR A MINOR VARIANCE**Owners: Michael & Stella Terry**

15539 Whittaker Road
 CON 7 N PT LOT 7 RP 11R1240; PART 1
 Township of Malahide

Township
 of Malahide
 Figure 1



OFFICIAL PLAN DESIGNATION
 AGRICULTURE

ZONING
 Rural Industrial – Site Specific (M2-1)



Subject Property



Proposed Structure

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 MICHAEL + STELLA TERRY
- b) Mailing Address 15539 WHITTAKER Rd.
BELMONT NOL 180
- c) Telephone No. 519 269 3705
- d) Fax No. _____

2. SOLICITOR / AUTHORIZED AGENT

- a) Name NONE
- b) Mailing Address _____
- c) Telephone No. _____
- d) Fax No. _____

3. LOCATION OF LAND

- a) Lot and Plan or Concession No. LOT 7 CONS 7
- b) Street No. and Name WHITTAKER Rd.

ASSOCIATED PLANNING COSTS

The Application fee paid is a **deposit** towards the actual costs which shall be incurred by the Township during the review and approval process.

The Applicant will be billed for the difference between the actual costs incurred and the deposit. If the deposit exceeds the actual cost, a refund will be made.

There is **no guarantee** that any application considered will be approved. An Applicant can spend his (her) money for the planning review process and still not be able to do what they desire.

Basic steps are established in the Planning Act and associated regulations. They include: a notice, review, consultation, public meeting, and Council decision. Major amendments will be subject to a more demanding and complex planning review process which will be reflected in the final costs paid.

Fees shall be based on municipal staff time, consultant fees (planners) and associated costs and disbursements needed to carry out the review of the planning application. **Basically, all costs from the conception of the application up to the decision of Council including posting notification are at the expense of the Applicant. If you wish to discontinue, you must notify the Township in writing and you will be responsible for all costs to that time and any costs to terminate the process you have set in motion.**

Example – 2014 Costs

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Other: Disbursements including advertising, fax, photocopies, postage, prints, mileage, delivery service, telephone calls, etc.

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Senior Planner: \$80.00 per hour

Other: Disbursements including advertising, fax, photocopies, postage, telephone calls, delivery service, prints, mileage, special reports, etc.

FURTHER to my signed Affidavit, I acknowledge that there are associated costs for this application and agree to accept the Planners bills as rendered. All accounts are due when rendered. All overdue amounts are subject to penalty of 18% per annum.


Registered Owner/Authorized Agent

Oct-02

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

Name: Address:

NONE

5. Nature and extent of relief applied for:

NO OTHER PHASE FOR IT

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

VARIANCE

7. Dimensions of the land affected:

a) Frontage (m) 67
b) Depth (m) 50.5
c) Area (sq.m / ha) 3383.5 ?

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 BODY SHOP 16.8 x 11.5
SMALL GARAGE 9.0 x 8.6
HOUSE 16.5 x 8.6

b) Proposed CAR PORT 6.1 x 9.1

9. Date of acquisition of subject land: 1978

10. Date of construction of all buildings and structures on subject lands: HOUSE 1988
SMALL GARAGE 1999. BODY SHOP 1970's

11. Existing uses of the subject property:

BODY SHOP REPAIR.

12. Length of time and existing uses to the subject property have continued: 45 YEARS.

13. Existing uses of abutting properties:

a) North	<u>RES.</u>
b) East	<u>FARM</u>
c) South	<u>FARM</u>
d) West	<u>RES.</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 Tile Field System	<input checked="" type="checkbox"/>	Private Communal System	<input type="checkbox"/>
		Other (please specify)	

15. Applicable Official Plan designation(s): ?

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:

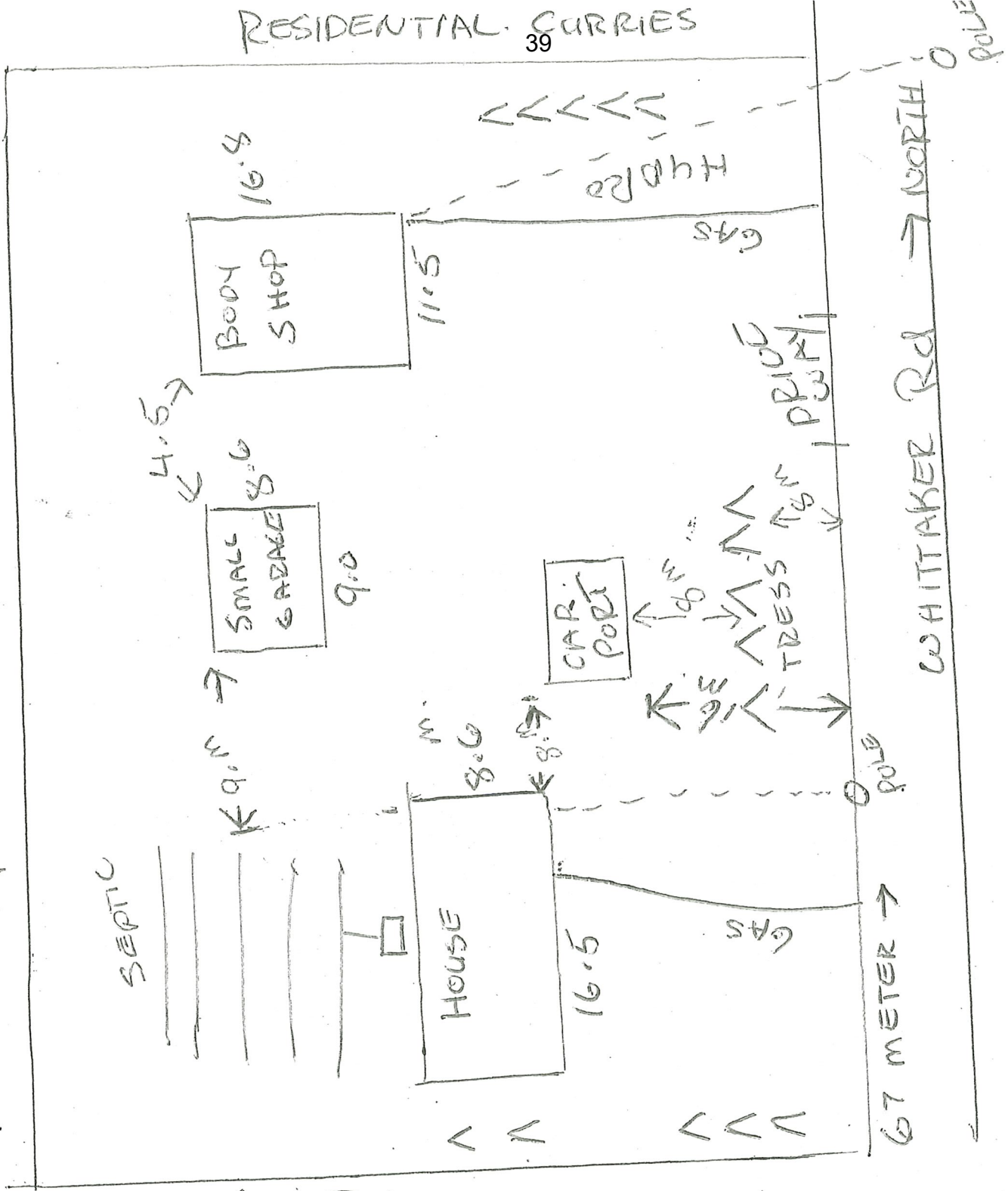
18. Is the subject property the subject of a current application of consent / severance?

Yes ☒ No ☐

RESIDENTIAL CURRIES

RESIDENTIAL CURRIES

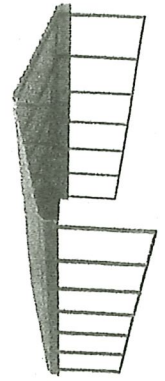
39



50.5 METERS

FARM LAND
UNDERS

CAR PORT:



FARM LAND DE BROT

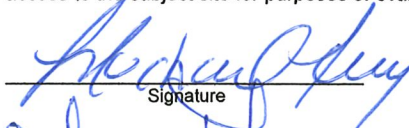
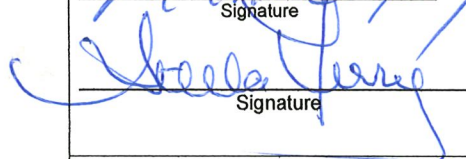
Municipal Freedom of Information Declaration

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Personal information contained on this form is collected pursuant to the Planning Act, R.S.O. 1990, O.Reg 200/96 as amended and will be used for the purpose of determining permission for minor variance. The personal information collected will be maintained in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.

In submitting this development application and supporting documentation, I MICHAEL
TERRY, the owner/authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the Township of Malahide to post a Change of Use sign and municipal staff to have access to the subject site for purposes of evaluation of the subject application.

<u></u> Signature	<u>22</u> Day	<u>06</u> Month	<u>23</u> Year
<u></u> Signature	<u>22</u> Day	<u>06</u> Month	<u>23</u> Year

STATUTORY DECLARATION

I, _____ of the TOWNSHIP OF MALAHIDE
 (Name of Applicant) (City, Municipality, Town, Township)

in the COUNTY OF ELGIN.
 (County / District / Region)

SOLEMNLY DECLARE THAT the information provided in this application as required under Section 45 of the Planning Act R.S.O. 1990 and Ontario Regulation 200 / 96 as amended is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and affect as if made under oath.

DECLARED before me

TOWNSHIP OF MALAHIDE.)
 (City, Municipality, Town, Township))

in the COUNTY OF ELGIN.)
 (County / District / Region))

Stella Perry
 Signature of Applicant or

Authorized Agent *

this 26th day of JUNE, 2023)

A Adams

A Commissioner, etc.)

**Allison Adams, a Commissioner
 for taking Affidavits, Pursuant to
 R.S.O. 1990, C.17, Para. 1(2)**

* If authorized agent, a letter from the owner of the property must accompany this application.

APPLICATION FEE to accompany \$2,000.00, payable to the Township of Malahide.



Report to Council

REPORT NO.: F-23-04
DATE: July 20, 2023
ATTACHMENT: None
SUBJECT: EMERGENCY SERVICES QUARTERLY ACTIVITY REPORT (APRIL-JUNE)

Recommendation:

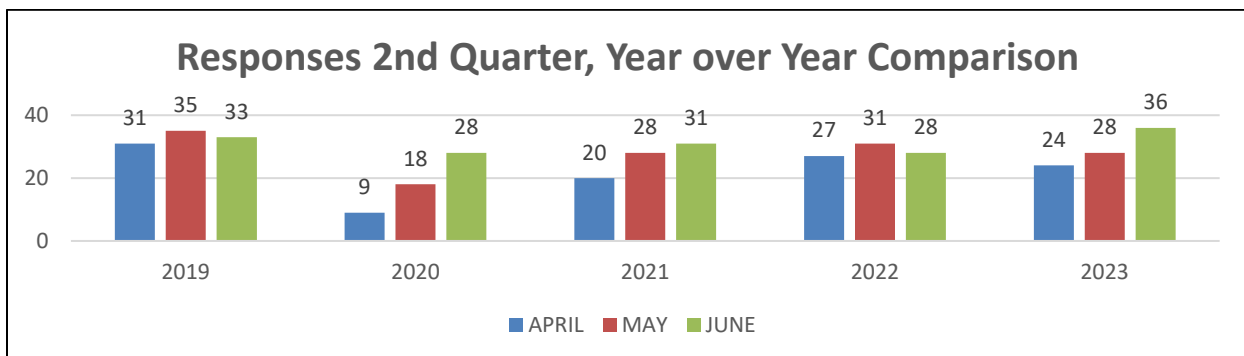
THAT Report No. F-23-04 entitled “Emergency Services Activity Report – Quarterly Report (April-June) be received.

Comments:

This report provides information reported for the second quarter of 2023, including dates of April 1st to June 30th, 2023.

Department Responses

The Malahide Fire Services responded to eighty-nine (88) incidents. A comparison of these incidents to the same quarter of previous years is shown in the bar graph below.



Listed on the next page is a breakdown of the type of incidents. Medical incidents accounted for forty-seven (47%) of all incidents in this quarter. The average age of persons requiring medical response was 57, with 59% being male, 38% being female and 3% unknown.

Quarterly Incidents by Type	#
Fire	9
Burn Complaint	13
Alarm Malfunction	3
CO Alarm	1
Public Hazard - Wires Down	1
Technical Rescue MVC	12
Technical Rescue Other	1
Medical	41
Assisting Other Fire Department	3
Assisting to Police	0
Human - Perceived Emergency	1
Gas Leak - Natural Gas	2
Fire	1
TOTAL:	88

Fire Events Loss/Save

There were five (5) fires with a combined estimated total dollar loss of \$23,100.00, and a total estimated dollar saved of \$3,335,100.00.

Fire Prevention and Public Education

The following fire safety messages have been used this quarter;

April – “Give them room, pull over for flashing green lights, volunteer firefighter responding”

May – “Burn permit required for open air burning”

June – “Handle fuel safely when filling your lawnmower, boat and chainsaw”

Fire Prevention Staff for second quarter attended and participated in the following events in the community:

Fire Extinguisher Training. Malahide Fire Prevention delivered fire extinguisher training at Terrace Lodge for their staff members on Wednesday, June 21. Trainers were there throughout the day to allow both shifts an opportunity to attend the training which instructed them on the use of fire extinguishers and were given hands on experience in putting out actual fires with a propane training prop. The Fire Prevention Team had also scheduled a Code Red Drill and other fire safety initiatives weekly through the month of June but have rescheduled the events to the month of September to accommodate residents & staff moving into the newly constructed wing.

Farm Safety Day at Assumption School. Malahide participated in partnership with Farm Safety, Aylmer Fire and Aylmer Police. Malahide and Aylmer Fire were able to put two hundred (200) students through our fire safety trailer and teach smoke alarm and home fire safety lessons.

Malahide South Firefighters Association Fireworks in Port Bruce. Fire Prevention set up a Fire Safety display and provided information on fire safety at the pavilion to over 350 people prior to the Malahide South Firefighters Association fireworks display. This event continues to draw more people every year to the municipality due to the excellent show put on by the Firefighter’s Association.

Springfield Fun Day. A Fire Safety display was set up at the event and was attended by one hundred fifty to two hundred (150-200) people throughout the day. Malahide North Firefighters Association also held a boot drive in the morning raising around one thousand dollars (\$1,000.00) for Muscular Dystrophy and later hosted a Spaghetti dinner at Malahide Community Place which was well attended.

S.A.F.E.R. Conference. (**S**moke **A**larms **F**or **E**very **R**esidence) With 2022 being the worst year in decades for fire deaths in Ontario (133), including tragic losses of young children and families there needed to be renewed focus on the importance of working smoke alarms in every home. This conference provided delegates with tools and resources to effect behavior change and heighten awareness among Ontarians about the vital role working smoke alarms play in reducing fire deaths and injuries. For more information on this great initiative you can check out this website.

Website Details - <http://savedbythebeep.ca/>



Fire Safety Inspections

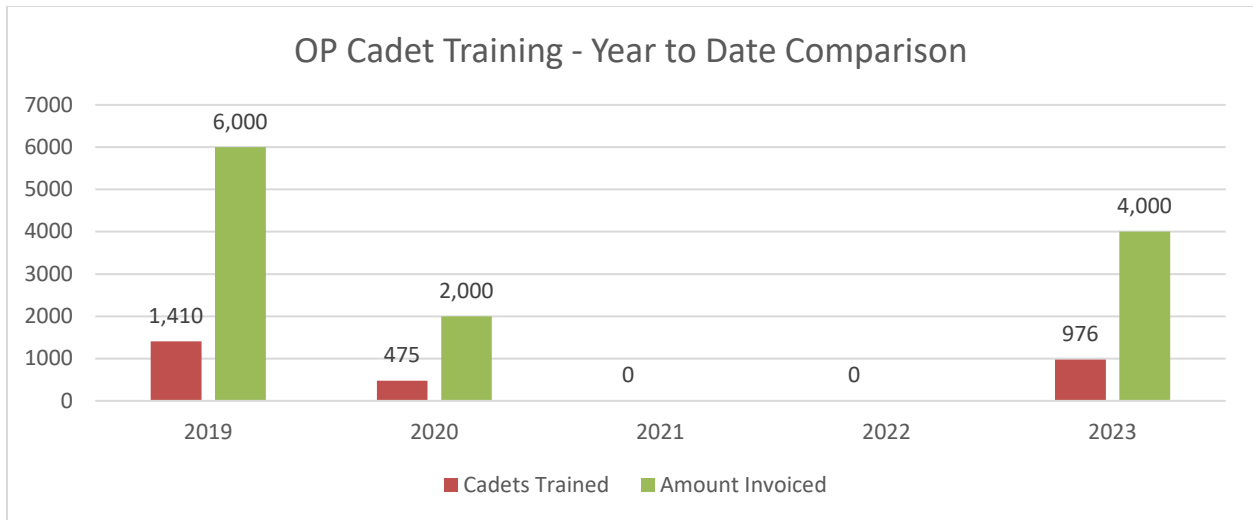
For this quarter Staff conducted seven (7) inspections on three (3) different properties. There were fourteen (14) orders for non-compliance issued from these inspections.

Ontario Police College (“OPC”)

To date in 2023, the Staff has trained 976 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.

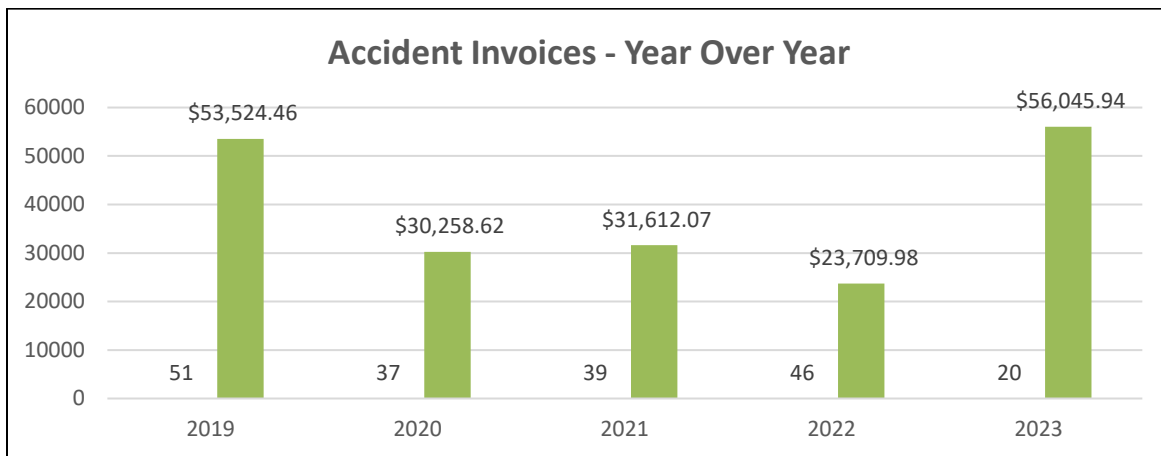
The next training session at OPC is scheduled to be held in the fall of 2024.

In the below bar graph, the total number of cadets trained per year is shown in red, and the amount invoiced to the OPC is shown in green:



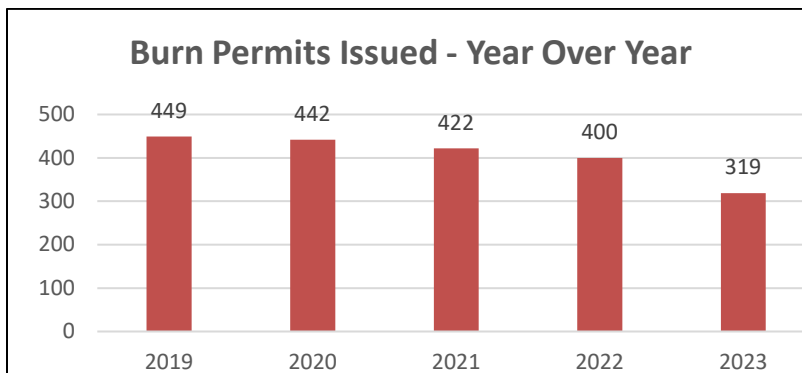
Motor Vehicle Collision Revenues

Malahide Fire Services responded to twelve (12) motor vehicle collisions (“MVC”). Year-to-date invoicing for services provided (e.g. to MTO and to non-residents of Malahide), and total for prior years, is provided below:



Burn Permits

143 burn permits were issued in the second quarter, for a total of 319 in 2023.



Aid Services

Automatic Aid Agreement(s)

The Automatic Aid Agreement with Central Elgin was activated once in the subject quarter.

Mutual Aid

Malahide Fire Services was requested two (2) times for Mutual Aid assistance in the subject quarter: once (1) by the municipality of Bayham, and once (1) by the Township of Thames Centre. Elgin County Mutual Aid continues to have significant positive impact on firefighting capabilities and the handling of large-scale incidents within the county and municipality. We will continue to work closely with these partners.

Requested Aid

Malahide Fire Services did not request Mutual Aid in the subject quarter.

Emergency Management Program

Emergency Response

No emergency activities.

Emergency Program

After our December emergency management table top exercise, one of the main feedback topics presented was to have one by-law that covers all points in the Emergency Management Program and Response Plan, and that is consistent across all local municipalities. Stephanie Cyros acted on this request and created an “all in one” by-law that covers all requirements within our EM Program and EM Response Plan, CEMC, EM Program Committee, EM Control Group, EOC, and EIO. This by-law will also work in correlation with By-Law 21-44 (our emergency service agreement we have with County). This By-law has been amended in draft to reflect the Township of Malahide’s details and will be presented to council for review at the Aug 3rd regular council meeting.

We are currently working on details for this year’s Emergency Management Exercise and Training with the support of our County CEMC Stephanie Cyros. Stephanie will deliver a presentation in regards to this and what we have learned from previous exercises, changes we have made and improved on, and our direction moving forward with our EM Programs at our August 3rd regular council meeting.

Training and Workshops

Due to our St. Clair Sector Regional Field Officer being deployed to assist with Spring Flooding and Forest Fires in northern Ontario, and also a change in Senior Management (CAO and Director), the Malahide/Emergency Management Ontario Senior and Elected Officials Workshop (SEOW) will be moved to fall. This workshop has been re-designed to provide elected officials a succinct introduction to emergency management at the municipal level.

Public Education / Awareness

On Saturday July 1st Malahide Fire Prevention Members attended The Canada Day Extravaganza at the Old Imperial Farmers Market and provided information to 350 people on Emergency Management and Fire Safety topics including, flood awareness, 72-hour safety kits, carbon monoxide dangers and also unattended cooking. Kids were also able to look through and sit in a firetruck. Below are pictures of part of our display at the Farmers Market.



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:
Jeff Spoor	Adam Boylan
Director of Fire & Emergency Services	Interim Chief Administrative Officer



Report to Council

REPORT NO.: F-23-05
DATE: July 20, 2023
ATTACHMENT: none
SUBJECT: FOLLOW-UP REPORT: EMERGENCY MANAGEMENT – ICE BREAKING SERVICES

Recommendation:

THAT Report No. F-23-05 entitled “Follow-Up Report: Emergency Management – Ice Breaking Services” be received.

Background:

In late 2022, the Township sought contractors to provide on ice removal services at Port Bruce for January to March of 2023. Based on a competitive bidding process, the Township received the following tender bids:

- Long-arm operations: Laemers Excavating: Grand Total: \$58,760.00
- Drag-line operations: L. Simon Construction: Grand Total: \$96,106.50

At their December 1, 2022 meeting, Council passed the following resolution:

No. 22-298

THAT Malahide Township, as the benefiting municipality, enter into negotiations with L. Simon Construction for a drag line to be on standby to provide Ice Breaking Services in Port Bruce from January 1 to March 31, 2023

AND THAT Council direct staff to explore the availability of a long arm excavator to be on call

Comments/Analysis:

During negotiations with L. Simon Construction, staff were able to reduce its standby charges by nearly 40% from the original bid amount. Other aspects of the contract were amended as well which included allowing for flexible deployment terms and removed of

fixed lighting costs. A comparison between the original tender amount, the 2023 negotiated contract and actual costs incurred during the year are provided in the table below.

Ice Breaking Costs	Tendered	Negotiated	2023 Actual
Standby Charges	\$61,350	\$36,000	\$26,400
Hourly Operating & Setup	23,700	17,400	1,400
Total	85,050	53,400	27,800
HST	11,057	6,942	3,614
Total Including HST	*96,107	60,342	31,414
Less: Refundable HST**	(9,560)	(6,002)	(3,125)
Actual Cost to Township	\$86,547	\$54,340	\$28,289

**original tender amount reported to Council which included full HST*

***the Township is refunded approximately 86% of HST on most taxable supplies and services*

Ice conditions from the past winter unlike the previous year were less severe and did not provide any significant events that the 2022 winter season had brought us. This along with Malahide Staff monitoring weather, and data and expertise provided by Catfish Creek Conservation Authority (CCCA) were able to have the equipment removed several weeks earlier resulting in additional cost savings as well as the negotiated discount.

Staff are currently working in collaboration with Catfish Creek Conservation Authority (CCCA) to prepare for the upcoming winter season and have started the process for securing Ice Breaking Equipment for 2024.

Financial Implications

The Township budgeted \$47,000 in 2023 based on slightly different usage assumptions than what was advertised in the 2022 Ice Breaking tender documents. Staff will review this budget estimate prior to the 2024 Budget and provided recommendations accordingly.

Submitted by:	Approved by:
Jeff Spoor, Director of Fire and Emergency Services	Adam Boylan, Interim Chief Administrative Officer



Report to Council

REPORT NO.: PW-23-44
DATE: July 20, 2023
ATTACHMENT: Appendix A – RFP Scoring Summary
Appendix B – CAT 930M Specifications
Appendix C – Warranties Outlined
SUBJECT: TENDER AWARD – WHEEL LOADER

Recommendation:

THAT Report No. PW-23-44 entitled “Tender Award – Wheel Loader” be received;

AND THAT the bid received from Toromont Cat, of London, Ontario, in the amount of \$320,781.49 (plus applicable taxes), for the purchase of one (1) new Caterpillar 930M Wheel Loader with Auto-Greasing System be accepted;

AND THAT the Staff be authorized to add Premiere Extended Warranty coverage (6-year/4000-hour) at the time of purchase for an additional cost of \$11,270;

AND THAT the Staff be authorized to trade in the existing 2008 CASE 721E Wheel Loader to Toromont Cat, of London Ontario for a total of \$53,500.00;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Toromont Cat, of London, Ontario, for the supply of the above noted new Wheel Loader.

Background:

The Municipal Staff issued a Request for Proposals for one (1) new Wheel Loader (Tender: PW-23-11) on April 19, 2023 and the document was posted to the Bids & Tenders® website. A total of 5 proposals were received on May 19, 2023 from 4 suppliers.

Comments/Analysis:

A Request for Proposal system was used for the procurement of the new Wheel Loader. Each bid was scored on technical, serviceability and financial components. The technical

and operational component of the evaluations included an onsite demonstration of the equipment by staff to determine suitability of each proposal. Consideration of available dealership service capabilities was also included in the evaluations.

The proposal evaluation criteria were broken down as follows:

ITEMS	DESCRIPTION	EVALUATION AREA	POINTS
1	PROPOSED SOLUTION	PROPOSAL MEETS ALL VEHICLE SPECIFICATIONS	45
2	MAINTENANCE, TRAINING AND SUPPORT	ABILITY TO PROVIDE TIMELY SERVICE AND SUPPORT	15
3	PROPOSED FEE	TOTAL UPSET PRICE	40
Total			100

Normalize Price Component

It was the Township's intention to normalize the Bidder Proposed Price to ensure that assumptions made by each Bidder are comparable. The normalized figures were used in the Proposed Price component of the evaluation.

The lowest price proposed for the entire project was awarded the full amount of points available for the price portion of the evaluation. All higher prices proposed were awarded points, rounded to the closest full point. Evaluation of the proposed price for scoring is based on the following formula:

$$\frac{\text{LOWEST BID}}{\text{PROPOSED BID}} \times (\text{Maximum Points for Proposal Price}) = \text{Points}$$

For example: if the low price is \$25,000, 2nd low price is \$30,000 and 3rd low price is \$40,000 their respective scoring would be as follows:

a) The Bidder with the lowest price of \$25,000 would be awarded **40 points**

b) The bidder with the 2nd lowest price of \$30,000 would be awarded points as follows:

$$\frac{\$25,000}{\$30,000} \times 40 = 33 \text{ Points}$$

c) The Bidder with the 3rd lowest price of \$40,000 would be awarded points as follows:

$$\frac{\$25,000}{\$40,000} \times 40 = 25 \text{ Points}$$

Being similar equipment in nature, proposals received from all suppliers closely matched technical specifications with a few differences.

Toromont Cat's proposal of a 2023 Caterpillar 930M achieved the highest overall score with a total of 74 points.

Staff are recommending that Council accept the proposal submitted by Toromont Cat of London, Ontario, for the supply of One (1) 2023 Caterpillar 930M Wheel Loader.

Financial Implications to Budget:

The recommended proposal received from Toromont Cat for One (1) new Caterpillar 930M wheel loader with an auto-greasing system is \$320,781.49 (plus applicable taxes).

The Staff also recommend purchasing the Premier 6-year/4000-hour extended warranty coverage for this equipment priced at an additional \$11,270.

As part of the Request for Proposal process, each bidder had the opportunity to review the Township's existing 2008 Case 721E Wheel Loader as a potential trade-in. Toromont Cat submitted a trade-in value of \$53,500.00 for the existing loader, which Staff have determined as fair value for the 2008 Case 721E Wheel Loader. The Staff recommend Council accept the trade-in option of \$53,500.00.

The overall Wheel Loader purchase, less trade-in is valued at \$278,551.49 (plus applicable taxes) which is reflected against the 2023 adopted Capital Budget of \$330,000.00 noting a positive variance of \$51,448.51 (16%).

There will be additional expenses incurred to ready the loader for municipal service. These expenses are proposed to be funded through the Capital Equipment Reserve. Once the loader is received, it will be equipped with radio equipment, and other essentials.

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 "Embody Financial Efficiency throughout Decision-Making" Strategic Pillar is ensuring that the cost of maintaining municipal infrastructure is equitably borne by current and future ratepayers.

Submitted by:	Reviewed by:	Approved for Council:
Ryan DeSutter, Roads & Construction Manager	Jason Godby, Director of Public Works	Adam Boylan, Interim CAO

Wheel Loader Proposals

Rating of Proposals

Criteria	Brandt Tractor John Deere	Fullline JCB	Liebherr Canada	Liebherr Canada	Toromont CAT
<i>Technical Score</i>	33	26	25	25	34
<i>Service Score</i>	11	8	5	5	11
<i>Financial Score</i>	25	36	40	29	29
Total Score	69	69	70	59	74
RANK:	4	3	2	5	1



Quote 369073-01

May 15, 2023

TOWNSHIP OF MALAHIDE

87 JOHN STREET SOUTH
AYLMER
Ontario
N5H 2C3

Attention: RYAN DESUTTER

We would like to thank you for your interest in our company and our products, and are pleased to quote the following for your consideration.

CATERPILLAR Model: 930M Wheel Loader

We wish to thank you for the opportunity of quoting on your equipment needs. Prices are subject to change at any time. If there are any questions, please do not hesitate to contact me.

Sincerely,

Daniel Kewin,

Territory Manager

CATERPILLAR Model: 930M Wheel Loader**Standard Equipment****POWERTRAIN**

Hydraulically driven demand cooling fan
Hydrostatic transmission with electronic control
-Operator modes (default, TC, hystat and ice)
-Directional shift aggressiveness (fast, medium, slow)
-Rimpull control, adjust wheel torque

-Creeper control, adjust ground speed
Lubed for life driveshafts
Parking brake, electric
Single plane cooling package wide 6 fins per inch density
S-O-S port, engine, coolant, transmission oil

HYDRAULICS

Automatic lift and bucket kickouts, adjustable in-cab
Bucket and fork modes, adjustable in-cab
Cylinder damping at kickout and mechanical end stops
Fine mode control (fast, medium, slow) in fork mode

Hydraulic response setting (fast, medium, slow)
Hydraulic diagnostic connectors and S-O-S ports
Hydraulic sight gauge, visible
Load sensing hydraulics and steering
Seat mounted hydraulic joystick controls

ELECTRICAL

Alternator, 115-amp, heavy duty
12V power supply in cab (2)
Batteries, 1,000 CCA (2) 24 volt system, disconnect switch
Back up alarm
Emergency shutdown switch
LED rear stop and turn lights

Heavy duty gear reduction starter
Product Link
Remote jump start post
Resettable main and critical function breakers
Roading lights front and rear

OPERATOR ENVIRONMENT

75 mm (3 in) retractable seatbelt
Automatic temperature control
Cab, enclosed ROPS/FOPS pressurized and sound suppressed
Cup holders
External heated mirrors with lower parabolic
Ground level cab door release
Gauges
-Digital hour meter, odometer and tachometer
-Digital ground speedometer and direction indicator
-Engine coolant temperature gauge
-Fuel and diesel exhaust fluid level indicator
-Hydraulic oil temperature gauge
Hydraulic control lockout

Interior cab lighting, door and dome
Interior rearview mirrors (2)
Lunch box storage
Operator warning system indicators
Radio ready speakers
Rear window defrost, electric
Seat mounted electronic implement controls, adjustable
Sliding glass on the side windows
Column mounted multi function control
-lights, wipers, turn signal
Suspension seat, fabric
Tilt and telescope steering wheel
Tinted front glass
Wet arm wiper/washer, 2-speed and intermittent, front
Wet arm wiper washer, rear

OTHER STANDARD EQUIPMENT

Large-access enclosure doors with
adjustable close/open force
Parallel lift loader linkage
Recovery hitch with pin

Remote mounted lubrication points
Vandalism protection-
lockable compartments

POWERTRAIN

Axle seal guards
Auto idle shut down feature
Cat C7.1ACERT engine
-Power modes (standard and performance)
-Power by range (high Power in range 4)
-Tier 4 Final/Stage V compliant
-Turbocharged and aftercooled
-Filtered crankcase breather

-Diesel particulate filter
-Selective catalyst reduction
Coolant protection to -34C (-29F)
Differential lock in front axle
Dry type air cleaner
Enclosed wet disc full hydraulic brakes
Fuel priming pump, automatic
Fuel water separator

Other Components

Description

930M WHEEL LOADER

LANE 2 - AVAILABLE FROM CLAYTON FACTORY.

LANE 3 - AVAILABLE FROM CLAYTON FACTORY.

Serial Number Prefix F5K.

WARNING, BEACON, LED STROBE

Provides hard mounted strobe beacon on
hinged (breakaway) bracket mounted to the rear
of the cab structure.

DIFFERENTIAL,LIMITED SLIP REAR

Adds a rear limited slip traction aid in
addition to the standard front axle
diff-lock.

STEERING, STANDARD

BUCKET-GP, 3.5 YD3, FUS, BOCE

Includes:

BUCKET-GP, HO

Cutting Edge, Bolt On (4 Piece)

2750mm (108") width

General Purpose Bucket

TIRES,20.5R25 MX XHA2 * L3

Michelin;Radial;XHA2;L3;3 pc rim

Non directional tread;Includes axle oscillation stops

STANDARD RADIO (12V)

Standard 12V AM/FM radio with Bluetooth technology, USB port, and
3.5 mm AUX input. Availability varies by country.

Includes Microphones and Aux inputs for connecting MP3 players
in Radio.

FENDERS, FULL COVER

Provides yellow, non-metallic front fenders and full
coverage rear fenders along with mud flaps on the back
side of both front and rear tires. Recommended for

applications such as snow removal and extremely muddy conditions.

RIDE CONTROL

Improves ride quality when travelling.

In "Automatic" mode, Ride Control is set to activate above 6 mph. System is programmable between 1.6 km/h (1 mph) and 14.5 km/h (9 mph).

Includes system active indicator on dash.

PREP PACK, CANADA AND ADSD-S

Includes ISO Decals

JUMPER LINES, AUX 3RD, FUSION

Provides jumper lines and flat face connect under pressure quick disconnect coupling from 3rd function auxiliary lines on the front linkage to the coupler.

REQUIRES: Fusion Coupler and Auxiliary Lines 3rd

TOOLBOX AUX

Provides lockable tool box that mounts under the left side of the cab.

WEATHER, THERMAL BYPASS 120V

FOR USE IN LANE 3 ONLY

Adds the cold start package of ether starting aid, 120V block heater and two additional batteries on the machine right (in place of standard toolbox) along with a thermal bypass valve that allows hydraulic oil to bypass the cooler and quickly warm up. Recommended for use in extreme cold climates for better cold starting and hydraulic performance.

Recommend the following Heated Breather components to be dealer installed when working in environments colder than -25C (-13F)

359-2842 pipe breather

359-2843 pipe breather

359-2844 pipe breather

372-5865 filter as breather

ENGINE

Meets U.S. EPA Tier 4 Final and EU Stage V emission standards.

ONLY FOR USE WITH: DCA1C, DCA2C, DCA3C & DCA4C

LINES, AUX 3RD, STD LIFT

Includes Auxiliary 3rd function hydraulic lines down the lift arm for a standard lift linkage.

REQUIRES: Standard lift linkage

HYDRAULICS, STANDARD

Hydraulic lines to lift and tilt cylinders that do NOT include load check valves.

ONLY FOR USE WITH: 541-2671 930M WHEEL LOADER

QUICK COUPLER, FUSION

Includes a cast coupler frame, and electro-hydraulic coupler actuation system activated from the cab. Includes constant pressure coupler wedges.

REQUIRES COUPLER READY MACHINE

ENVIRONMENT, HIGH DEBRIS

FOR USE IN LANE 3 ONLY

Adds Sy-Klone engine pre-cleaner and reversing fan and upgrades to a brushless, filtered 150 amp alternator.

LIGHTS, ROADING, HALOGEN, RH

Includes (2) halogen roading lights for regions that drive on the right hand side of the road.

CAB, DELUXE

ROPS cab includes automatic blower control, seat mounted implement controls, two heated electrically adjusted external mirrors, two internal mirrors, enhanced in cab LED lighting, front and rear sun visor, tilt, telescopic steering wheel, windshield washing access steps and storage. Also includes the secondary touch screen display which allows real time adjustments to: rimpull; creeper speed; 3rd & 4th maximum flow; throttle lock; fork fine mode; lift & tilt response; hystat modes; directional shift response; ride control activation speed; autolube intervals; bucket float; feather catch; rack snubbing; perfect parallelism, and duals as integrated rear view camera display, rear view camera included

CTWT, HEAVY, 2668LBS, 5PCS

Additional frame mounted counterweights

Recommended for use with Coupler

CANNOT BE USED WITH: 604-7273 TIRES, 20.5R25 TL BRAWLER, SM
604-7278 TIRES, 20.5R25 TL BRAWLER, TR

LIGHTS, AUX, LED, PREMIUM

Premium auxiliary LED light package consisting of two (2) forward facing, cab mounted LED (850 lm) wide flood work lights, two (2) forward facing, cab mounted LED (2100 lm) low beam work lights, two (2) rear facing, cab mounted LED (850 lm) wide flood work lights, two (2) rear door mounted LED (850 lm) work/reversing lights. Plus three (3) additional LED engine enclosure lights and (1) LED Diesel Exhaust Fluid fill light to aid in service.

LED lighting provides brighter lighting and longer life.

SEAT, DELUXE

Fully adjustable fabric covered AIR suspension seat with mid backrest, headrest, mechanical lumbar support, armrests, cushion tilt and extend along with 3 inch (75 mm) retractable high visibility orange seat belt

PRODUCT LINK, CELLULAR PLE641

Product Link Elite series PLE641 (consisting of PL641 radio and PLE601 network manager) uses cellular networks to transmit location, utilization, health and productivity information for viewing in Product Link user applications. Cellular technology provides capabilities for frequent transmission and larger volumes of data.

HYDRAULICS, 3V, CPLR READY, SL

Standard Lift, 3 function hydraulics, coupler ready. Coupler not included.

Does NOT include auxiliary 3rd function hydraulic lines down the lift arm or jumper lines to coupler with quick disconnects.

CONTROL GP, PAYLOAD, DEMO 250 HR

Includes sensors and 250 hours of demonstration time for Cat Production Measurement (CPM). See note above for calibration instructions. The 250 hours of demonstration time can be activated via the secondary display and will remind the operator when time is close to expiring. A permanent software license for Cat Production Measurement (CPM) will be a separate charge. Purchase software license from <https://fps.cat.com> (Use Reason Code #149). Requires SEA 518-3210 CPM PAYLOAD SOFTWARE, SWL for permanent

activation.

REQUIRES: CAB, DELUXE and

565-0909 PRODUCT LINK, CELLULAR PLE641 or

520-1721 PRODUCT LINK, SATELLITE PLE631

CANNOT BE USED WITH: Load Check Valves

HYDRAULIC OIL, STANDARD

SERIALIZED TECHNICAL MEDIA KIT

The technical media kit will include the Operations & Maintenance Manual (OMM) and other media specified on the Factory Notification List required to ship products from the manufacturing facility. Kit may contain multiple Operation & Maintenance Manuals (OMM) based on the final country of destination. Contents will vary.

Any additional media or translations not included in the kit, should be ordered through <https://publications.cat.com>

WARRANTY

MSR PROGRAM LETTER

EQUIPMENT PROTECTION PROGRAMS

PREMIER (includes all Powertrain, Powertrain + Hydraulics, and Powertrain + Hydraulics + Technology and Pro components listed below)

STRUCTURES

Frame
Boom & stick
ROPS

CAB

Steering Column
Gauges/Indicators/Instruments

Circuit Board

Switches
Relays
Dash Group
Wiper Group
Antennas
Cab Air Conditioner & Heater

OTHER MAJOR COMPONENTS

Quick Coupler
Asphalt Paver Screed

ELECTRONICS

Protection Devices & Alarms

STEERING & SUSPENSION

Suspension Cylinder



TOROMONT



WARRANTY

MSR PROGRAM LETTER

EQUIPMENT PROTECTION PROGRAMS

POWERTRAIN + HYDRAULICS + TECHNOLOGY (includes all Powertrain and Powertrain + Hydraulics components listed below)

CAT CONNECT™ TECHNOLOGY COMPONENTS – COMPACT™, GRADE™, PAYLOAD™, LINK™, TERRAIN™

Components covered under standard warranty that are factory or dealer installed prior to delivery

TERRAIN

Displays
Monitors
Sensors**
Satellite Receivers
Laser Receivers

Integrated Joystick Buttons/
Controls
Machine Software
VIMS (Vital Information
Management System)
Product Link™ System

Global Positioning System
Electronic Control
Suspension Control
Cat Grade Control
Speed Sensors
Grade Control Sensors

Compactometer
Payload Monitor System
Autodig Control
Computer Aided Earthmoving

POWERTRAIN + HYDRAULICS (includes all Powertrain components listed below)

STEERING & IMPLEMENT CONTROLS

Hydraulic Pumps
Hydraulic Motors
Hydraulic Cylinders
Hydraulic Valves

Hydraulic Accumulators
Hydraulic Lines
Hydraulic Hoses
Implement & Steering
Electronic Controls**

Implement Electronic Control
System Joystick
Pilot Control Valve
Hydraulic Tank
Swivel

Hydraulic Oil Temp Sensor
Hydraulic Oil Cooler
Transmission Oil Lines
Steering Gear & Valve

POWERTRAIN

ENGINE

Fan & Fan Drive
Hydraulic Fan Motor
Jacket Water Pump, Drive Group
Thermostat/Regulator
Timing/Accessory Gears
Timing Chain/Belt
Engine Oil Cooler
Engine Oil Pump
Engine Oil Pan Group
Engine Oil Filter Housing/Base
Cylinder Block
Cylinder Head Casting
Crankshaft Main & Rod Bearings
Connecting Rod
Governor/Speed Limiter
Pistons & Piston Rings
Camshaft & Camshaft Bearing
Inlet/Exhaust Valve
Push Rod & Balancer

Rocker Arm & Rocker Shaft
Assembly
Valve Cover & Base
Valve Spring
Valve Guide
Flywheel
Aftercooler Group
Turbocharger
Manifolds, Inlet & Exhaust
High Pressure Fuel Pump
Fuel Injection Lines
Fuel Injection Pump
Fuel Transfer Pump
Electronic Control Module (ECM)

TRANSMISSION, TORQUE CONVERTER & TRANSFER CASE

Transmission Case
Transmission Gears
Transmission Shaft
Transmission Hydraulic Control

Transmission Electronic Control
Transmissions Oil Pump
Transmissions Oil Filter Base
Torque Converter
Transfer Gear Group

DRIVE TRAIN

Differential Case
Differential Steering
Axle Housing Assembly
Axle Shaft
Drive Axle
Final Drive Case/Bore
Final Drive Gears
Universal Joint

STEERING & SUSPENSION

Steering Linkage

ELECTRONICS

Traction Control System

BRAKING

Brake Master Cylinder
Control Valves
Accumulator
Parking Brake

OTHER MACHINE COMPONENTS

Swing Gear

CLEAN EMISSIONS MODULE COMPONENTS

Clean Gas Induction Cooler
Diesel Particulate Filter (DPF)
Diesel Exhaust Fluid Module
Diesel Exhaust Fluid Injector
Diesel Exhaust Fluid Pump
Catalytic Converter



Report to Council

REPORT NO.: PW-23-43
DATE: July 20, 2023
ATTACHMENT: None
SUBJECT: DRAINAGE UPDATE REPORT

Recommendation:

THAT Report No. PW-23-43 entitled “Drainage Update Report” be received.

Background:

This report provides Council with an update on the status of the various current/in progress drainage works as of July 1, 2023.

Comments/Analysis:

Name of Report	Date of petition	Meetings	Status
Burks Drain	November 2021	February 2022	To be constructed Summer 2023
Cook Drain (Severance)	February 2020	September 2019	Pending MTO approval
J.L. Ferguson Drain	November 2021	December 2022	Out for Tender
Kettle Creek Drain (Cleanout)	April 2020	April 2022	To be constructed Summer 2023
Maginnis Drain	May 2022	January 2023	To be constructed Summer 2023
Newell Drain	October 2022	December 2022	Preliminary design pending
Pressey Line Drain	October 2021	July 2022	To be constructed Summer 2023
Priester Drain	January 2022	April 2022	Preliminary design pending

Name of Report	Date of petition	Meetings	Status
Pritchard Drain	April 2023	Pending	On site meeting pending
Robinson Drain	November 2022	February 2023	Construction completed June 2023
Sparta Line Drain	June 2021	November 2021	Drain No. 1 to be constructed Summer 2023 Drain No. 2 construction complete May 2023 Drains No. 3 & 4 out for tender
Summers Drain No.3	April 2023	June 2023	Preliminary design pending
Tate Drain	May 2020	December 2022	Pending Tribunal
Woolleyville Line Drain	November 2017	Ongoing	In discussions with land owners

Financial Implications to Budget:

N/A.

Submitted by:	Reviewed By:	Approved for Council:
Bob Lopez, Engineering Technologist/ Drainage Superintendent	Jason Godby Director of Public Works	Adam Boylan Interim CAO



Report to Council

REPORT NO.: PW-23-46
DATE: July 20, 2023
ATTACHMENTS: None
SUBJECT: RFQ AWARD – COPENHAGEN PARK LANDSCAPING

Recommendation:

THAT Report No. PW-23-46 entitled “RFQ Award – Copenhagen Park Landscaping” be received;

AND THAT Staff be directed to work with Beamish Landscape Services Inc. to negotiate the award of the RFQ to fit into the project’s allotted budget.

Background:

At the regular council meeting on May 18th the following resolution was passed:

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

As per this direction, Staff prepared a bid document for the build of the landscape plan at the Stormwater Management Pond in the Dixie Estates Subdivision in Copenhagen.

Comments/Analysis:

The Township of Malahide issued RFQ PW-23-13 for the Copenhagen Park Landscaping which closed on June 9, 2023 at 1:00 pm. The Township received 2 (two) bid submissions at that time. The tender results are summarized as follows:

Beamish Landscape Services Inc	\$75,650.95 (excluding HST)
Tydan Landscape Design Inc	\$91,498.74 (excluding HST)

The lowest bid was received from Beamish Landscape Services Inc, in the amount of \$75,650.95 (excluding HST).

Overall Project Budget:	\$40,000
YTD Project Expenses:	\$11,702
Remaining Project Budget:	\$28,298

Staff recognize the desire of the local residents and Council to have these landscape improvements completed, but note that the tender submissions received are significantly over budget.

The terms of the RFQ provide the Township the right to negotiate with the proponent the terms and conditions of their quote, the details of the contract and the inclusion or exclusion of all or any portion of the work called for under the proposed services in the RFQ. Negotiations may take the form of adding, deleting or modifying requirements to obtain the best possible price.

With this in mind, Staff recommend negotiating with Beamish Landscape Services in order to adjust the scope of the project to keep within the remaining project budget of \$28,298.

Staff will utilize the expertise of Beamish Landscape Services to reduce the scope of work to fit the budget, however note that this will likely involve the following changes, at a minimum:

- removal of mulched areas, which will also decrease future maintenance costs
- removal of plantings from the pond edge, which will ensure proper access to the pond for maintenance of this stormwater infrastructure
- decrease in the number of tree's planted around the perimeter / property line of the site

Financial Implications to Budget:

The 2023 Approved Capital Budget includes \$40,000 for this project. Negotiating with the low bidder will allow staff to adjust the project scope to ensure that the project remaining within the approved budget allotment.

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 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 by:	Approved for Council:
Chris Cox Facilities Manager	Jason Godby Director of Public Works	Adam Boylan Chief Administrative Officer



Report to Council

REPORT NO.: PW-23-45
DATE: July 20, 2023
ATTACHMENT: None
SUBJECT: TENDER AWARD – J. L. FERGUSON DRAIN

Recommendation:

THAT Report No. PW-23-45 entitled “Tender Award – J. L. Ferguson Drain” be received;

AND THAT the tender for the J. L. Ferguson Drain be awarded to A. G. Hayter Contracting, in the amount of \$206,843.75 (plus applicable taxes).

Background:

As Council is aware, the Township of Malahide received a request for improvement to have the existing J. L. Ferguson Drain reconstructed. Township Council authorized for tenders to be called by resolution No. 23-275 following the first and second reading of Bylaw No. 23-45.

No. 23-275

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the tenders for the construction of the J.L. Ferguson Drain be requested for June 30, 2023 at 11:00 a.m.

Carried

Comments/Analysis:

The Township of Malahide called tenders for the construction of the J. L. Ferguson Drain which closed on June 30, 2023 at 11:00 am. The Township received 3 (three) bid submissions at that time. The tender results are as follows (following page, and prices do not include taxes):

A.G. Hayter Contracting - \$206,843.75
 Van Bree Drainage - \$213,460.00
 New Day Excavation – \$223,249.00

Engineer's Estimate: \$215,330.00

The lowest bid was received from A.G. Hayter Contracting, in the amount of \$206,843.75 (plus HST). Staff are satisfied that A.G. Hayter Contracting can perform the duties tasked in this contract. The Staff would therefore recommend that the Council award the J. L. Ferguson Drain tender to A.G. Hayter Contracting.

Financial Implications to Budget:

Staff have reviewed the bid for compliance with the respective tender requirements and the lowest tender bid submission from A.G. Hayter Contracting has been recommended for award. The Engineer's estimate for construction was \$215,330.00 (plus HST).

Actual incurred project costs will be distributed to the benefitting landowners provided in the assessment schedule of the adopted engineers report.

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 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 by:	Approved for Council:
Bob Lopez, Engineering Technologist/ Drainage Superintendent	Jason Godby Director of Public Works	Adam Boylan, Acting Chief Administrative Officer



Report to Council

REPORT NO.: HR-23-07
DATE: July 20, 2023
ATTACHMENT: Health & Safety Policy
SUBJECT: **HEALTH & SAFETY POLICY AND OCCUPATIONAL HEALTH AND SAFETY ACT – ANNUAL UPDATE**

Recommendation:

THAT Report No. HR-23-07 entitled “Health and Safety Policy and Occupational Health and Safety Act – Annual Update” be received;

AND THAT the Mayor and Interim Chief Administrative Officer be authorized to sign the Health & Safety Policy on behalf of the Corporation.

Background:

On July 7, 2022, Council adopted its Health & Safety Policy. The *Occupational Health and Safety Act* indicates that the Employer must **annually** review this policy, update it, post it, and maintain a program to ensure all employees are trained and provided refresher training as required.

Council has also requested an annual update specifically of the inquiries and complaints which have been received under the *Occupational Health and Safety Act*, particularly related to Bill 132 and Bill 168 (Violence and Harassment).

Comments/Analysis:

All new staff, including volunteer firefighters, have received Health & Safety Orientation Training and have been provided with a copy of our Health and Safety Handbook. This training includes specific information regarding Respect in the Workplace (Violence and Harassment) and the processes in place for reporting, investigating and resolving incidents of violence and harassment in the workplace.

Staff are provided with ongoing health and safety training through the distribution of various newsletters, brochures, etc.

In addition, road department staff participate in “tailgate talks” regarding health and safety before leaving the works yard on a regular basis. All staff tasks are reviewed and

hazard assessments are updated as required to ensure the safety of staff during working hours whether during daytime or nighttime hours.

Since the last annual Health and Safety Report, the Joint Health and Safety Committee met on August 4, 2022, October 22, 2022, December 1, 2022, February 1, 2023, April 06, 2023, and June 6, 2023, with the Fire Sub-Committee meeting on July 4, 2022, September 9, 2022, December 5, 2022, and April 3, 2023.

Fourteen (14) incidents were reviewed and discussions took place regarding procedural changes that could be made to prevent these incidents in the future. Details of these incidents are set out in the chart below.

Date	Type of Incident	Nature and Outcome of the Incident
Spring, 2022	Exposure	Employee tested positive for COVID19 and felt exposure had taken place in the workplace. WSIB Report filed as required
	First Aid Injury	Hand injury – hand got caught between cutting tool and seat frame – First Aid only - No WSIB Report required
Spring/Summer, 2022	Exposure	Exposure to chemical agent – carcinogens from shop fire that occurred May 28 – First Aid only – No WSIB Report required
	Exposure	Exposure to chemical agent – carcinogens from shop fire that occurred May 28 – First Aid only – No WSIB Report required
	Exposure	Exposure to biological agent – Poison Ivy – severe outbreak – Medical Treatment sought - WSIB Report filed as required
	Exposure	Exposure to biological agent – Poison Ivy – severe outbreak – Medical Treatment sought - WSIB Report filed as required
Fall/Winter, 2022	Injury	Lower-back strain from tripping going on back of truck/lifting – No WSIB Report required
	Equipment Damage	Misjudged turn – passenger side of truck hit yellow post in front of Firehall – operator error
Winter/Spring, 2023	Equipment Damage	Nicked hydro pole with snowplow wing – operator error
	Equipment Damage	Reversing Pumper into Firehall parking bay lights – operator error
	Exposure	Exposure to biological agent - South Roads Lunch Room – high winds resulted in the front door to open, causing the ceiling tiles to shift and

		causing mice pellets to drop from the ceiling over the lunchroom tables/furniture – First Aid only - No WSIB Report required
	Injury	Mid/Lower body injury from a stack of chairs falling onto employee – treatment sought – WSIB Report filed as required
	Equipment Damage	Backed pickup truck into a pole – operator error
	Injury	Finger injury – No WSIB Report filed

Monthly inspections were carried out and documented for all locations including the Malahide Township Office, North and South Works Yards, Malahide Community Place, South Dorchester Community Hall, Fire Stations 3, 4 and 5.

The Township has the appropriate number of certified people on the Joint Health and Safety Committee as required by the *Occupational Health and Safety Act*. One (1) committee member received Joint Health and Safety Committee recertification training in 2023 and one (1) committee member received Joint Health and Safety Committee certification.

The Township Safety Program ensures that all workers and supervisors are “competent” as defined in the *Occupational Health and Safety Act*.

The Township’s Violence and Harassment Program has been reviewed to ensure compliance with the *Occupational Health and Safety Act*, and consistency with current best practices and no shortcomings were found.

Between the last report (July 2022) and the date of writing this report, there has been one (1) inquiry and one (1) formal complaint brought forward. Regarding the formal complaint, investigations were completed, instructions provided and disciplinary action was taken.

Violence and Harassment Inquiries & Complaints							
	2017	2018	2019	2020	2021	2022	2023
Inquiries	0	0	0	0	0	0	1
Informal Complaints	0	0	0	1	0	0	0
Formal Complaints	2	0	0	1	1	0	1

Financial Implications to Budget:

N/A.

Submitted by:	Approved by:
Sue Loewen Human Resources Manager	Adam Boylan Interim CAO



June 27, 2023

Health & Safety Policy

Malahide Township Council is vitally committed to the health and safety of its employees. It is the objective of the Corporation of the Township of Malahide in conjunction with Council to protect Township employees from workplace injury or illness and to make every effort to ensure a healthy environment and provide for work to be carried out in a manner that protects the safety of the employees and the public. All supervisors, workers and volunteer firefighters must be dedicated to the objective of reducing the risk of injury and illness.

The Health and Safety Program and Violence and Harassment Program, which this Policy is a part of, ensure that health and safety are integrated into all functional operations of the Corporation of the Township of Malahide.

The Township of Malahide is ultimately responsible for worker health and safety. Council for the Township of Malahide is committed to taking every reasonable precaution to protect workers from harm. Legislative requirements of the Occupational Health and Safety Act will serve as the minimal acceptable standard.

Supervisors are accountable for the health and safety of workers under their supervision. Supervisors are responsible to ensure that machinery and equipment are safe and that workers follow established safe work practices and procedures. Workers must receive adequate training in their specific work tasks to protect their health and safety.

Every employee, volunteer firefighter, sub-contractor and employee of a subcontractor must protect his/her own health and safety by following the law and the Township of Malahide's safe work practices and procedures. All hazards must be immediately reported to a supervisor.

All parties are expected to consider health and safety in every activity. Commitment to health and safety must form an essential part of the Township's organization from Council to the workers.

Mayor - D. Giguère

Interim CAO – A. Boylan



Report to Council

REPORT NO.: CAO-23-10
DATE: July 20, 2023
ATTACHMENTS: None
SUBJECT: CAO RECRUITMENT COMMITTEE

Recommendation:

THAT Report No. CAO-23-10 entitled “CAO Recruit Committee” be received;

AND THAT Councillor _____ be appointed to sit with the Mayor, Deputy Mayor, and Human Resources Manager to form the Recruitment Committee for the hiring of a Chief Administrative Officer.

Background:

The Township currently has a job advertisement and candidate brief posted to recruit a new Chief Administrative Officer (CAO). The Township’s hiring procedure, policy number B-1.1, states:

For the position of Chief Administrative Officer or a Director, a recruitment committee comprised of the Mayor, Deputy Mayor, and one member of council shall be responsible for the hiring process in conjunction with the Human Resources Manager. All hiring decisions for Chief Administrative Officer or a Director are subject to the approval of the entire Council.

The Township’s job advertisement for the position closes on July 26th. A committee is imminently required to assess the CAO applicant pool. To this end, Administration requests Council fill the “Councillor seat” on the CAO recruitment committee.

Submitted by:
Adam Boylan Interim Chief Administrative Officer



CATFISH CREEK CONSERVATION AUTHORITY

8079 Springwater Road, RR# 5, Aylmer, Ontario N5H 2R4

PHONE: (519) 773-9037 • FAX: 519-765-1489

email: admin@catfishcreek.ca • www.catfishcreek.ca

June 26, 2023

Re: July 1, 2023 Progress Report

The Ministry of Environment, Conservation and Parks (MECP) proposed many changes to the subsection of the Conservation Authorities Act. These changes have been enacted which will affect the provision of Conservation Authority Programs and Services. There are two phases to the transition period. The first phase is to develop and circulate an Inventory of Programs and Services. The second phase of the transition period includes developing and finalizing the Catfish Creek Conservation Authority municipal agreements in accordance with the regulations.

Regulation 687/21. 7 (2) states that during the second phase of the transition period an Authority shall provide progress reports on July 1, 2022, October 1, 2022, January 1, 2023, April 1, 2023, July 1, 2023, and October 1, 2023, to be submitted to the MECP.

The Progress Reports will detail; any comments or other feedback submitted by a municipality referred to in clause 5 (1) (b) regarding the inventory;

- (a) a summary of any changes that the Authority has made to the inventory to address comments or other feedback referred to in clause (a), including the changed inventory and a clear description of the changes between the previous inventory and changed inventory; and
- (b) an update on the progress of negotiations of cost apportioning agreements with the participating municipalities; and
- (c) an outline of any difficulties that the Authority is experiencing that might affect the ability of the Authority to conclude any cost apportioning agreements with one or more participating municipalities by the transition date.

Please find attached the Catfish Creek Conservation Authority (CCCA) July 1, 2023 Progress Report.

Sincerely,

Dusty Underhill,
General Manager/Secretary-Treasurer

Mission Statement: "To communicate and deliver resource management services and programs In order to achieve social and ecological harmony for the watershed"





July 1, 2023 Progress Report

CATFISH CREEK CONSERVATION AUTHORITY

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Catfish Creek Conservation Authority (CCCA) July 1, 2023 Progress Report in Accordance with Ontario Regulation 687/21. 7(1) (c) and 7(2)

Introduction:

With the passing of Ontario Regulation 687/21; "Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act", Conservation Authorities are required to develop and implement a Transition Plan outlining processes and timelines to ensure compliance and cost apportioning agreements (if applicable) are in place with their member municipalities as required by subsection 21.1.4 (1) of the Act.

The purpose of the transition period is to provide Conservation Authorities and municipalities a period to address changes to the budgeting and levy process based on the delivery of mandatory programs and services (Category 1), municipal programs and services (Category 2), and other programs and services (Category 3) and the need, in some cases, to reach agreements.

Regulation 687/21, Section 7(1)(c) states that during the second phase of the transition period and no later than the transition date, an Authority shall submit to the Ministry six progress reports described in clause (1)(c) of the act, and the Authority shall submit the progress reports described in clause (1)(c) to the ministry on the following dates; July 1, 2022, October 1, 2022, January 1, 2023, April 1, 2023, July 1, 2023 and October 1, 2023. The progress reports will include any comments received or changes to the inventory; an update on the progress of negotiations of cost apportioning agreements, and any difficulties that the CCCA is experiencing with concluding the requirements prior to the end of the transition period. A final report is to be submitted to MECP and each participating municipality by January 31, 2024, including the final version of the Inventory of Programs, Services, and confirmation that the CCCA has entered into all necessary cost apportioning agreements.

Timelines

Deliverable	Due Date	Timeline
Outgoing letter to municipalities		Week of Nov. 22, 2021, following board approval
Create Transition Plan	December 31, 2021	October 25, 2021 to November 10, 2021 (Complete)
Obtain Board approval of Transition Plan	November 19, 2021	Complete
Make it Public	December 31, 2021	Complete
Create Programs and Services Inventory		Feb 2022 (Complete)
Circulate to Municipalities and MECP, Post on Website	February 28, 2022	Complete
Communications and Cost Apportioning Negotiations with Municipalities	January 1, 2024	November 19, 2021 to September 30, 2023
Consultation with neighbouring CA's	As required	November 19, 2021 to November 1, 2023
Execute Municipal Agreements	January 1, 2024	September / October. 2023
Quarterly Reports to MECP as required by Regulation 687/21	July 1, 2022	July 1, 2022 Progress Report was sent to MECP and participating Municipalities on June 29, 2022 as required by O.Reg. 687/21
Quarterly Reports to MECP as required by Regulation 687/21	October 1, 2022	October 1, 2022 Progress Report was sent to MNRF and participating Municipalities on September 28, 2022 as required by O.Reg. 687/21
	January 1, 2023	January 1, 2023 Progress Report was sent to MNRF and participating Municipalities on December , 2022 as required by O.Reg. 687/21
	April 1, 2023	April 1, 2023 Progress Report was sent to MNRF

		and participating Municipalities on September 28, 2023 as required by O.Reg. 687/21
	July 1, 2023	July 1, 2023 Progress Report was sent to MNRF and participating Municipalities on June 26, 2023 as required by O.Reg. 687/21
	Oct. 1, 2023	
Request for Extension of Transition Date	Oct. 1, 2023 (if required)	
Final Report	January 30,2024	

Catfish Creek Conservation Authority Conservation Authorities Act Dispersal Records

Date	Action Item	Recipient
Nov 19, 2021	Transition Plan approved by the CCCA Board and for dispersal to public, MECP, and member municipalities	CCCA Staff & Board
Dec 9, 2021	Transition Plan mailed out to Member Municipality – Township of Malahide	Adam Betteridge, Chief Administrative Officer/Clerk
Dec 9, 2021	Transition Plan mailed out to Member Municipality – County of Oxford	Lynn Buchner, Director of Corporate Services
Dec 9, 2021	Transition Plan mailed out to Member Municipality – Township of SW Oxford	Mary Ellen Greb, Chief Administrative Officer
Dec 9, 2021	Transition Plan mailed out to Member Municipality – Municipality of Central Elgin	Paul Shipway, Chief Administrative Officer/Clerk
Dec 9, 2021	Transition Plan mailed out to Member Municipality – City of St. Thomas	Maria Konefal, City Clerk
Dec 9, 2021	Transition Plan mailed out to Member Municipality – Town of Aylmer	Andy Grozelle, Chief Administrative Officer
Dec 10, 2021	Transition Plan posted onto the CCCA Website as a news item and under the publication section	General Public
Dec 10, 2021	Transition Plan emailed to MECP	MECP (ca.office@ontario.ca)
Jan 27, 2022	Inventory of Programs and Services approved by the CCCA Board and for dispersal to public, MECP, and member municipalities	CCCA Staff & Board
Jan 31, 2022	Inventory of Programs and Services mailed out to Member Municipality – Township of Malahide	Adam Betteridge, Chief Administrative Officer/Clerk
Jan 31, 2022	Inventory of Programs and Services mailed out to Member Municipality – County of Oxford	Lynn Buchner, Director of Corporate Services
Jan 31, 2022	Inventory of Programs and Services mailed out to Member Municipality – Township of SW Oxford	Mary Ellen Greb, Chief Administrative Officer
Jan 31, 2022	Inventory of Programs and Services mailed out to Member Municipality – Municipality of Central Elgin	Paul Shipway, Chief Administrative Officer/Clerk
Jan 31, 2022	Inventory of Programs and Services mailed out to Member Municipality – City of St. Thomas	Maria Konefal, City Clerk

Jan 31, 2022	Inventory of Programs and Services mailed out to Member Municipality – Town of Aylmer	Andy Grozelle, Chief Administrative Officer
Feb 22, 2022	Inventory of Programs and Services emailed to the MECP	MECP
Feb 22, 2022	Inventory of Programs and Services posted on CCCA Website	CCCA
May 10, 2022	Sent 2021 Auditors Report to MECP, posted on website	MECP
June 27, 2022	Requested a meeting to discuss MoA with Paul Shipway from the Municipality of Central Elgin	Paul Shipway, CAO
June 29, 2022	Sent July 1 st Progress Report required under Ontario Regulation 687/21	MECP
June 29, 2022	Requested meeting with St Thomas City Manager to discuss MoA for Category 2 Planning Services	Sandra Datar Bere, City Manager
July 12, 2022	Requested a meeting with Adam Betteridge CAO The Township of Malahide to discuss MoA for Category 2 planning services	
July 14, 2022	Requested a meeting with Andy Grozelle CAO Town of Aylmer to discuss MoA for Category 2 planning services.	
July 15, 2022	Confirmed meeting to discuss MOA with Town of Aylmer.	Andy Grozelle, CAO
July 15, 2022	Discussed Inventory and Agreements with Paul Shipway CAO/ Clerk from the Municipality of Central Elgin in the CCCA Boardroom.	Paul Shipway, CAO, Clerk
July 19, 2022	Email correspondence from Town of Aylmer in regards to MoA.	Andy Grozelle, CAO
July 19, 2022	Email correspondence from Municipality of Central Elgin in regards to MoA.	Paul Shipway, CAO
July 19, 2022	Discussed Inventory and Agreements with Mary Ellen Greb CAO from Township of Southwest Oxford at the Township of South- West Oxford Municipal building. There were no concerns brought fourth at the time of meeting.	Mary Ellen Greb, CAO
July 20, 2022	Discussed Inventory and Agreements with Sandra Datre Beres City Manager from City of St Thomas at the CCCA Boardroom. There were no concerns brought fourth at the time of meeting.	Sandra Datar Bere, City Manager

July 20, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
July 21, 2022	Discussed Inventory and Agreements with Adam Betteridge from Township of Malahide at the CCCA Boardroom. There were no concerns brought fourth at the time of meeting.	Adam Betteridge, CAO
July 21, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
July 22, 2022	Emailed PDF's of MoA to Malahide Township	Adam Betteridge, CAO
July 26, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
July 26, 2022	Email correspondence from Town of Aylmer in regards to MoA.	Andy Grozelle, CAO
July 27, 2022	Email correspondence from Town of Aylmer in regards to MoA	Andy Grozelle, CAO
July 27, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
August 4, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
August 4, 2022	Email correspondence from City of St Thomas in regards to MoA	Sandra Datar Bere City Manager
August 8, 2022	Email correspondence from Malahide Township in regards to MoA	
August 9, 2022	Email correspondence from the Municipality of Central Elgin in regards to MoA	Paul Shipway, CAO
August 11, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
August 12, 2022	Email correspondence from City of St Thomas in regards to MoA	Sandra Datar Bere City Manager
August 15, 2022	Email correspondence from the Municipality of Central Elgin in regards to MoA	Paul Shipway, CAO
August 16, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
August 17, 2022	Email correspondence from the Municipality of Central Elgin in regards to MoA	Paul Shipway, CAO

August 22, 2022	Email correspondence from Oxford County in regards to MoA	Gord Hough, Director of Community Planning
August 22, 2022	Email correspondence from Malahide Township in regards to MoA	Adam Betteridge, CAO
August 23, 2022	Email correspondence from Malahide Township in regards to MoA	Adam Betteridge, CAO
August 30, 2022	Finalized draft agreement sent to CCCA for final review	Andy Grozelle, CAO
September 21, 2022	Emailed MNRF to request a meeting to discuss CCCA's Inventory of Programs and Services	ca.office@ontario.ca
September 21, 2022	Emailed City of St Thomas and Central Elgin to get an update on current status of MoA	Sandra Datar Bere Paul Shipway
September 27, 2022	Email correspondence received from City of St Thomas	Sandra Datar Bere City Manager
October 6, 2022	Email correspondence from the Municipality of Central Elgin in regards to MoA	Paul Shipway, CAO
October 6, 2022	Emailed Central Elgin to discuss MoA	Paul Shipway, CAO
October 24, 2022	Email correspondence from City of St Thomas in regards to MoA	Sandra Datar Bere City Manager
October 24, 2022	Emailed City of St Thomas to discuss MoA	Sandra Datar Bere City Manager

Municipal Comments or Feedback

Municipality	Comments/ Feedback
Township of Malahide	There has been no new comments or feedback received since the January 1, 2023 Progress Report.
Municipality of Central Elgin	There has been no new comments or feedback received since the January 1, 2023 Progress Report.
The Town of Aylmer	There has been no new comments or feedback received since the January 1, 2023 Progress Report.
City of St Thomas	There has been no new comments or feedback received since the January 1, 2023 Progress Report.
Township of Southwest-Oxford	There has been no new comments or feedback received since the January 1, 2023 Progress Report.

Summary of Changes:

On October 3, 2023, the General Manager of the CCCA met with MECP staff to discuss the CCCA's Inventory of Programs and Services. Upon MECP direction, amendments were made to the Inventory of Programs and Services. The amended Inventory of Programs and Services was approved at the December 15, 2022 Full Authority meeting for circulation to MNRF staff and to all five (5) participating Municipalities as information. The CCCA has received very little feedback from members since the October 1, 2022 Progress Report.

The following amendments were made to CCCA's Inventory since a consultation with MECP staff took place and the last Progress Report was submitted on October 1, 2022.

Ice Management Services Page 3
The Special Levy was removed and replaced with Levy. The words "Township of Malahide incurs the Special Levy yearly" has been removed

Catfish Creek Channel Monitoring Page 4
The Special Levy was removed and replaced with Levy. The words "Township of Malahide incurs the Special Levy yearly" has been removed

Well Program Page 6
Well Program was removed from the Inventory of Programs and Services as it is included on Page 5 under Provincial Groundwater Monitoring Network

Conservation Areas Page 7
Changed to a Category 1 from a Category 2 with MECP direction, as Ivan Steen and Ward McKenna are managed by the Town of Aylmer but owned by the CCCA and are still considered conservation areas.

Maple Festival \$11,755.00 was used to supplement Conservation Area maintenance. MECP suggested the Maple Program be added as a Category 3 Program or Service under its own line item in the Inventory.

Land Acquisition Page 8
Funding Mechanism was changed to show that acquisitions are paid by 80% donation and 20% is taken from reserves.

Conservation Areas Strategy Page 9
The Conservation Areas Strategy was added to the Inventory as it is a mandatory requirement in regards to section 21.1(1) of the Conservation Authorities Act.

Maple Syrup Program Page 13
Maple Syrup Program was added as its own line item on the Inventory as suggested by MECP staff.

Cost Apportioning Agreement

During the second phase of the transition period, (to be completed by January 1, 2024) the CCCA will consult with participating municipalities on the Inventory of Programs and Services.

No progress was made in regards to cost apportioning agreements as Conservation Authorities are currently prohibited to enter into these agreements with the introduction of Bill 23 for Category 2 Planning Services. The CCCA will continue to support and provide Category 1, mandatory programs and services and permitting activities will continue in regulated areas.

Difficulties:

Bill 23 prohibits our municipal members from continuing to work with conservation authorities to provide technical support on land use planning matters beyond natural hazards and drinking water source protection. Issuing permits for everything other than Natural Hazards has proven to become costly for Municipalities as now 3rd party. The model before the release of the Bill 23 amendments on December 28, 2022 enabled municipalities to use existing expertise within conservation authorities to fulfill responsibilities for natural heritage and water resources while saving time and money for applicants. This change could potentially require municipalities to hire additional expertise or consultants to support these matters.

Development subject to Planning Act authorizations should not be exempt from conservation authority permits, and CA regulations should not be delegated to municipalities. Municipalities do not have the expertise to review applications for development in a flood plain, shoreline, river valley, and wetland areas or to deal with applications to alter watercourses or interfere with wetlands. The watershed, not municipal boundaries, should continue to be the scale used to assess natural hazards.



LONG POINT REGION CONSERVATION AUTHORITY
Board of Directors Meeting Minutes of June 7, 2023
Approved July 5, 2023

Members in attendance:

John Scholten, Chair	Township of Norwich
Michael Columbus, Vice-Chair	Norfolk County
Shelley Ann Bentley	Haldimand County
Dave Beres	Town of Tillsonburg
Doug Brunton	Norfolk County
Robert Chambers	County of Brant
Tom Masschaele	Norfolk County
Stewart Patterson	Haldimand County
Chris Van Paassen	Norfolk County
Rainey Weisler	Municipality of Bayham/Township of Malahide
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
 Zachary Cox, Interim Marketing Coordinator
 Dana McLachlan, Executive Assistant

1. Welcome and Call to Order

The Chair called the meeting to order at 6:30 p.m., Wednesday, June 7, 2023.

2. Additional Agenda Items

There were no additional agenda items.

3. Declaration of Conflicts of Interest

None were declared.

4. Delegation

a) Turkey Point Mountain Bike Club (Sherri Shira)

The Turkey Point Mountain Bike Club (TPMBC) is a not for profit organization consisting of trail bike riders with an annual membership ranging between 400 and 600 members. The TPMBC operates within the International Mountain Biking Association guidelines.

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
 Tom Masschaele, Stewart Patterson, John Scholten, Rainey Weisler, Chris Van Paassen, Peter Ypma

There has been an agreement between LPRCA and the TPMBC since 2012 to access the Anderson tract for bike trails. The current agreement ends later this year and Ms. Schira offered an apology on behalf of the TPMBC for not seeking approval for the previous misunderstanding regarding trail development on LPRCA land. The TPMBC advised that they are committed to working with LPRCA staff to be able to obtain a new agreement to continue trail riding activities within the Anderson tract.

Two cheques totaling \$3,000 were presented by Club President, Claude LaPrairie, to General Manager, Judy Maxwell, to help with the invasive species control within the Anderson tract.

A-53/23

Moved by T. Masschaele

Seconded by P. Ypma

THAT the LPRCA Board of Directors receives the presentation from the Turkey Point Mountain Bike Club as information.

Carried

5. Minutes of the Previous Meeting

a) Board of Directors Meeting of April 5, 2023

There were no questions or comments.

A-54/23

Moved by D. Beres

Seconded by Rainey Weisler

THAT the minutes of the LPRCA Board of Directors Meeting held May 3, 2023 be adopted as circulated.

Carried

6. Business Arising

No business arising from the previous minutes.

7. Review of Committee Minutes

a) Lee Brown Marsh Management Committee – December 16, 2022

There were no questions or comments.

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Stewart Patterson, John Scholten, Rainey Weisler, Chris Van Paassen, Peter Ypma

A-55/23

Moved by M. Columbus
Seconded by S. Patterson

THAT the minutes of the Lee Brown Marsh Management Committee meeting held December 16, 2022 be adopted as circulated.

Carried

b) Draft Audit and Finance Committee – May 18, 2023**A-56/23**

Moved by Rainey Weisler
Seconded by C. Van Paassen

THAT the draft minutes of the Audit and Finance Committee meeting held May 19, 2023 be adopted as circulated.

Carried

8. Correspondence

There was no correspondence presented for review.

9. Development Applications**a) Section 28 Regulations Approved Permits**

Through the General Manager's delegating authority, 24 applications were approved in the past month. LPRCA-58/23, LPRCA-70/23, LPRCA-72/23, LPRCA-82/23, LPRCA-83/23, LPRCA-84/23, LPRCA-85/23, LPRCA-86/23, LPRCA-87/23, LPRCA-88/23, LPRCA-89/23, LPRCA-90/23, LPRCA-91/23, LPRCA-92/23, LPRCA-93/23, LPRCA-94/23, LPRCA-95/23, LPRCA-96/23, LPRCA-97/23, LPRCA-98/23, LPRCA-99/23, LPRCA-100/23, LPRCA-101/23, and LPRCA-102/23.

All of the staff-approved applications met the requirements as set out in LPRCA's policies for the administration of Section 28 of the *Conservation Authorities Act*.

A-57/23

Moved by S. Bentley
Seconded by P. Ypma

THAT the LPRCA Board of Directors receives the Section 28 Regulations Approved Permits report dated June 7, 2023 as information.

Carried

FULL AUTHORITY COMMITTEE MEMBERS

Shelley Ann Bentley, Dave Beres, Doug Brunton, Robert Chambers, Michael Columbus,
Tom Masschaele, Stewart Patterson, John Scholten, Rainey Weisler, Chris Van Paassen, Peter Ypma

10. New Business

a) General Manager's Report

The General Manager provided an overview of operations this past month.

The Planning Department issued 63 permits as at May 31, 2023, down slightly from last year, has provided comments to municipal staff on 58 planning applications. Sarah Pointer has been hired as the Curator at Backus.

A board member asked how staffing at the parks was this year. The board was notified that staffing is much better than it has been over the last couple of years but there are still a couple of positions to be filled. Also, there were two recent resignations by a park supervisor and assistant park supervisor that will need to be filled.

A-58/23

Moved by Rainey Weisler

Seconded by C. Van Paassen

That the LPRCA Board of Directors receives the General Manager's Report for May 2023 as information.

Carried

b) Cost Apportioning Agreements for Category 3 Programs and Services

To comply with the amended *Conservation Authorities Act*, LPRCA completed an Inventory of Programs and Services and categorized the programs and services into three categories. Under the new regulations, Category 3, other programs and services that LPRCA determines are advisable, can only be funded in whole or in part with municipal levy only if there is a cost-apportioning agreement with each municipality.

A-59/23

Moved by S. Patterson

Seconded by D. Brunton

THAT the LPRCA Board of Directors direct staff to request feedback from municipal staff on the draft Cost Apportioning Agreement for Category 3 Programs and Services prior to its circulation to Member Municipal Councils for consideration.

Carried

c) Legislative Update and Comments – ERO Posting 019-6813

On April 6, the government released a proposed Provincial Planning Statement to replace the Provincial Policy Statement and A Place to Grow: Growth Plan for the

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Greater Golden Horseshoe. The Environmental Registry of Ontario (ERO) post was open for a 60-day commenting period due to close June 5, 2023. The deadline has since been extended to August 4, 2023.

Comments were submitted by LPRCA to the ERO prior to the deadline and can be found in the staff report to the board.

A-60/23

Moved by T. Masschaele

Seconded by D. Beres

THAT the LPRCA Board of Directors receives the “Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument” and the associated submission to the Environmental Registry of Ontario as information.

Carried

d) Audit and Finance Committee Terms of Reference

The current Audit and Finance Committee Terms of Reference is included in the Personnel Policy, Part 2, Section 32. The objective is to update the Terms of Reference to align with the Administrative By-Law and remove it from the Personnel Policy as a separate policy.

The Draft Terms of Reference was presented and approved to be forwarded to the Board for approval at the May 18, 2023 Audit and Finance Committee meeting.

A-61/23

Moved by D. Beres

Seconded by R. Weisler

THAT the Audit and Finance Committee Terms of Reference Part 2 Section 32 of the LPRCA Personnel Policy be removed;

AND

THAT the Draft Audit and Finance Committee Terms of Reference be approved as presented.

Carried

e) Education Centre Exterior Upgrades

The Conservation Education Centre was built in 1991. Various repairs and upgrades have been achieved with funding from grants and donations. A barrier free ramp,

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accessible entrance doors and two washrooms were upgraded with funding received from the Enabling Accessibility Grant Program. The renovation of the classroom, exhibit area and meeting space, upgraded electrical and lighting, new flooring, and new signage were funded by the Tourism Relief Fund in 2022.

To continue with the upgrades, staff requested quotes from contractors and was able to obtain one from PK Construction who had the contract for the accessibility upgrades.

A-62/23

Moved by C. Van Paassen

Seconded by P. Ypma

THAT the LPRCA Board of Directors approves retaining PK Construction Inc. for the replacement of the concrete entrance stairs, new steel rail guards to the elevated landing, and barrier free ramp for \$30,500,

AND

THAT the LPRCA Board of Directors approves retaining PK Construction Inc. for the replacement of existing louvres and flashing around the dormers, cupolas, and gable ends for \$28,600,

AND

THAT the LPRCA Board of Directors approves the use of \$50,880 from the Education Centre Internally Restricted Reserve and \$8,220 from the Backus Woods Endowment Fund deferred interest revenue.

Carried

f) Big Otter Creek Floodplain Mapping Study - RFP

The floodplain mapping project consists of mapping a portion of the Big Otter Creek from Tillsonburg to Calton Line in the Municipality of Bayham. Mapping for the Big Otter Creek from Norwich to Tillsonburg and Calton Line to Port Burwell was completed in 2020. The updated flood hazard mapping will support the flood forecasting and warning in flood-prone communities, and the MNRF Lake Erie Management Unit's fish habitat studies on Big Otter Creek.

A Request for Proposal (RFP) was issued for the Big Otter Creek Floodplain Mapping Study and 10 proposals were received by the deadline. All of the proposals met the RFP requirements and, as a result of the evaluation process, staff recommended the tender be awarded to Aquafor Beech Limited.

The project was included in the 2023 Approved Capital Budget to be funded 50/50 in partnership with the Ministry of Natural Resources and Forests (MNRF) Lake Erie

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Management Unit. The MNRF Lake Erie Management Unit has received additional funding and their commitment is \$40,000 or 76% of the approved budget.

A-63/23

Moved by Rainey Weisler

Seconded by D. Beres

THAT the LPRCA Board of Directors approve retaining Aquafor Beech Ltd. for engineering services to complete the Big Otter Creek Floodplain Mapping Study at a cost of \$51,930 exclusive of HST.

Carried

The closed session began at 8:05 p.m.

11. Closed Session

A-64/23

Moved by R. Weisler

Seconded by S. Patterson

THAT the LPRCA Board of Directors does now enter into a closed session to discuss:

- A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority

Carried

The board reconvened in open session at 8:58 p.m.

The closed meeting minutes of May 3, 2023 was approved in the closed session.

Adjournment

The Chair adjourned the meeting at 9:00 p.m.

John Scholten
Chair

Judy Maxwell
General Manager/Secretary-Treasurer

/dm

FULL AUTHORITY COMMITTEE MEMBERS

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Tom Masschaele, Stewart Patterson, John Scholten, Rainey Weisler, Chris Van Paassen, Peter Ypma

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE**BY-LAW NO. 23-54**

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 July 20, 2023, 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 20th day of July, 2023.

READ a **THIRD** time and **FINALLY PASSED** this 20th day of July, 2023.

Mayor, D. Giguère

Clerk, A. Adams