

The Corporation of the Township of Malahide**September 21, 2023 – 7:30p.m.**Virtual Meeting – https://youtu.be/S5bl9Ymq_7Q

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: Interim Chief Administrative Officer A. Boylan, Clerk A. Adams, Director of Fire & Emergency Services J. Spoor, and Director of Public Works J. Godby

Also Present: Eric Steele– Monteith Brown

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 7:31p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item E– Reports of Departments, Request for Improvement – Ketchabaw Drain and Harvest Bowl Status Update. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his and that he is a member of the Harvest Bowl board.

MINUTES:

No. 23-381

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the minutes of the regular meeting of Council held on September 7, 2023 and the special meeting of Council held on August 28, 2023 and August 29, 2023 be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:

- Public Hearing - Minor Variance Application – Owner Gary & Joyce Gonyou, (Authorized Agent: Julie Gonyou), relating to property at CON NTR S PT LOT 74 RP;11R8699 PART 1 and is known municipally as 47442 Talbot Line

No. 23-382**Moved By: Sarah Leitch****Seconded By: John H. Wilson**

THAT the Committee of Adjustment for the Township of Malahide be called to order at 7:33p.m. and that Mayor Dominique Giguère be appointed Chairperson for the “Committee of Adjustment”.

Carried

Chair Giguère advised that the purpose of this Public Hearing is to consider an application for a Minor Variance submitted by Julie Gonyou, relating to property CON NTR S PT LOT 74 RP;11R8699 PART 1, municipally known as 47442 Talbot Line.

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

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

Chair Giguère asked if any person in attendance wished to make any comments. The agent, Ms. Gonyou summarized the application and the unique layout of the property as well as being receptive to the conditions being allocated to the application.

Chair Giguère asked if any Committee members wished to make any comments regarding the application and Councillor Wilson noted that the request for this particular property was logical.

No. 23-383**Moved By: Rick Cerna****Seconded By: Chester Glinski**

THAT Report No. DS-23-24 entitled “Application No. D13-MV-08-23 of Julie Gonyou” and affecting lands described as CON NTR S PT LOT 74 RP;11R8699 PART 1 in the Township of Malahide (47442 Talbot Line) be received;

AND THAT the Township of Malahide Committee of Adjustment APPROVE Application No. D13-MV-08-23 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. 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.

No. 23-384

Moved By: Mark Widner

Seconded By: Sarah Leitch

THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:41p.m.

Carried

- Public Meeting – Official Plan Amendment Application, Zoning By-law Amendment Application & Consent Application– Owner Dan Versnick, (Authorized Agent: Simona Rasanu c/o SBM Limited)

No. 23-385

Moved By: Sarah Leitch

Seconded By: Scott Lewis

THAT the Public Meeting concerning Official Plan Amendment Application No. D09-D09-OPA03-23 and Zoning By-law Amendment Application No D14-Z07-23 of Dan Versnick, relating to the property located at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, and known municipally as 4844 Imperial Road, be called to order at 7:42p.m

Mayor Giguère advised that the purpose of this Public Meeting is to consider an Application was for an official plan amendment and rezoning of the subject property.

Mayor Giguère asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks on September 6th and September 13th. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

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

Mayor Giguère asked if the applicant had anything to add and Ms. Rasanu did not.

Mayor Giguère asked if any Council Members wished to make any comments regarding the application. Councillor Leitch inquired about the access to Imperial Road shown on the application mapping and if the access is wide enough for a roadway if there is future development. Director Godby noted that the current design would not allow for future development and a separate plan would need to be submitted.

Councillor Glinski inquired about the application form referencing a \$10,000 deposit to the Township if a hearing is required. Mr. Steele clarified that this should be updated to the Ontario Land Tribunal but that this deposit has been standard across planning applications in Malahide. Councillor Glinski inquired about creating lots in Copenhagen when settlement areas were removed and added to Springfield. Mr. Steele confirmed this to be true, but that some area was left in Copenhagen with the intention for infill development. Councillor Glinski clarified that the retained farmland would remain agricultural and Mr. Steele confirmed this to be correct.

Deputy Mayor Widner inquired about the comment received regarding low water pressure and was that in relation to the booster station location to certain properties. Director Godby stated this was correct and clarified that the pressures met compliance and that there is no current plan to do any type of capital project.

Councillor Wilson inquired if satellite photos could be included in all applications as it provides full context when Council is reviewing the application. Staff noted this request to ensure applicant mapping is comprehensive and will append its own mapping to Council reports when we feel additional details are required.

Councillor Glinski inquired that when the booster station was built it was supposed to alleviate the problem of water pressure. Mayor Giguère inquired if installing a pressure pump for these new developments would negatively affect other properties. Director Godby stated that the addition of these lots would result in minimal to no water pressure effect on other properties even with a personal pump being installed.

No. 23-386

Moved By: Mark Widner

Seconded By: John H. Wilson

THAT the Public Meeting concerning Official Plan Amendment Application No. D09-D09-OPA03-23 and Zoning By-law Amendment Application No D14-Z07-23 of Dan Versnick, relating to the property located at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, and known municipally as 4844 Imperial Road, reconvene at 8:02p.m.

Carried

No. 23-387

Moved By: Mark Widner

Seconded By: John H. Wilson

THAT Report No. DS-23-25 entitled “OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, & CONSENT APPLICATION OF DAN VERSNICK.” be received;

AND THAT the Official Plan Amendment Application No. D09-OPA03-23 of Dan Versnick, relating to the property located at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973 and known municipally as 4844 Imperial Road, BE ADOPTED for the reasons set out in this Report.

AND THAT Zoning By-law Amendment Application No. D14-Z07-23 of Dan Versnick, relating to the property located at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, and known municipally as 4844 Imperial Road, BE APPROVED for the reasons set out in this Report.

AND THAT Council withholds the passing of the By-law until such time that a Notice of Decision from the County of Elgin approving the associated Official Plan Amendment has been received to the satisfaction of the Township of Malahide.

AND THAT the Application for Consents to Sever D10-E62-23 & D10-E63-23 of Dan Versnick, relating to the property located at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, and known municipally as 4844 Imperial Road, be supported for the reasons set out in this Report;

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

Carried

- Public Meeting –Zoning By-law Amendment Application & Consent Application– Owner Ben Fehr, (Authorized Agent: Simona Rasanu c/o SBM Limited)

No. 23-388

Moved By: Scot Lewis

Seconded By: Sarah Leitch

THAT the Public Meeting concerning Zoning By-law Amendment Application No D14-Z08-23 of Ben Fehr, relating to the property located at Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962 (Malahide), and known municipally as 8483 Imperial Road, be called to order at 8:05p.m

Carried

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

Mayor Giguère asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the

Aylmer Express for two consecutive weeks on September 6th and September 13th. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

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

Mayor Giguère asked if the applicant had anything to add and Ms. Rasanu did not.

Mayor Giguère asked if any Council Members wished to make any comments regarding the application. Councillor Leitch inquired if the proposed lots were in character with the ones surrounding it. Mr. Steele noted there are varying lot sizes in the area including lot frontages but in general they would be consistent. Mayor Giguère noted that was an important clarification as we are under strong recommendations from the Province to densify when we can and these applications don't seem to have negative impacts with the justifications provided. Councillor Cerna noted that creating these two lots wouldn't solve the current housing problem. He stated that the neighbours objections should be recognized and if the lots don't fit they shouldn't be allowed to proceed. Mayor Giguère sought clarification of the term fit and Mr. Steele confirmed that a dwelling along with the appropriate servicing requirements would fit on the proposed lots.

Councillor Wilson noted that an aerial map would be helpful when reviewing these applications to put the application into context.

Councillor Glinski pointed out the requirement to meet the minimum size for previous severances in the settlement area and what potential trend could this set. Mayor Widner inquired how much smaller the proposed lots are than what is allowed and Mr. Steele stated they are approximately 91% of the minimum lot area requirement.

No. 23-389

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT the Public Meeting concerning Zoning By-law Amendment Application No D14-Z08-23 of Ben Fehr, relating to the property located at Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962 (Malahide), and known municipally as 8483 Imperial Road, reconvene at 8:21p.m

Carried

No. 23-390

Moved By: Scott Lewis

Seconded By: Mark Widner

THAT Zoning By-law Amendment Application No. D14-Z08-23 of Ben Fehr, relating to the property located at Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962 (Malahide), and known

municipally as 8483 Imperial Road, BE APPROVED for the reasons set out in this Report.

AND THAT Council withholds the passing of the By-law until such time that a Notice of Decision from the County of Elgin approving the associated Consent application has been received to the satisfaction of the Township of Malahide.

AND THAT the Applications for Consent to Sever D10-E64-23 & D10-E65-23 of Ben Fehr, relating to the property located at Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962 (Malahide), and known municipally as 8483 Imperial Road, be supported for the reasons set out in this Report;

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

Carried

REPORTS OF DEPARTMENTS:

Director of Public Works

- Request for Improvement – Ketchabaw Drain

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item E– Request for Improvement – Ketchabaw Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 23-391

Moved By: Rick Cerna

Seconded By: Chester Glinks

THAT Report No. PW-23-53 entitled “Request for Improvement – Ketchabaw Drain” be received;

AND THAT Council proceed with this matter and appoint John Spriet, P. Eng., of Spriet Associates, to prepare an Engineer’s Report for this petition pursuant to Section 78 of the *Drainage Act R.S.O. 1990*.

Carried

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

- Malahide Community Place Concession Contract for 2024

No. 23-392

Moved By: Chester Glinski
Seconded By: John H. Wilson

THAT Report No. PW-23-54 entitled “Malahide Community Place Concession Contract for 2024” be received;

AND THAT Council authorize the Director of Public Works to execute a contract with Christina Klassen for the operation of the Malahide Community Place Concession Booth for the 2024 operating season.

Carried

- Harvest Bowl Status Update

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item E– -Harvest Bowl Status Update. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 23-393
Moved By: Chester Glinski
Seconded By: Sarah Leitch

THAT Report No. PW-23-55 entitled “Harvest Bowl Status Update” be received;

AND THAT Council continue to support Harvest Bowl’s operations at the South Dorchester Community Hall for 2023;

AND THAT Staff work with Harvest Bowl to address the concerns noted below through the establishment of a Memorandum of Understanding;

AND THAT the Memorandum of Understanding be presented to Council before April 2024.

Carried

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

- Hot Mix Asphalt Road Edge Padding

No. 23-394
Moved By: Chester Glinski
Seconded By: John H. Wilson

THAT Report No. PW-23-56 entitled “Hot Mix Asphalt Road Edge Padding” be received;

AND THAT Staff be authorized to draw on the Contingency Reserve for the additional funding required to complete the hot mix asphalt edge padding work described in this report, up to a maximum of \$25,000.

Carried

BUILDING/PLANNING/BY-LAW

- Application for Consent to Sever of Will Friesen

No. 23-395

Moved By: John H. Wilson

Seconded By: Rick Cerna

THAT Report No. DS-23-27 entitled “Application for Consent to Sever of Will Friesen (Authorized Agent: SBM Consulting) be received;

AND THAT the Application for Consent to Sever D10-E61-23 of Will Friesen relating to the property located at Part of Lot 10, Concession 5, Part 2 on Registered Plan 11R10017 (Malahide), and known municipally as 8231 Imperial Road, be supported for the reasons set out in this Report;

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

CAO

Council discussed additional community organizations to be added to the consultation list and will follow up with staff of the specific community groups, churches, amish community members etc. to be included to the original list.

- Strategic Plan September Update

No. 23-396

Moved By: Leitch

Seconded By: John H. Wilson

THAT Report No. CAO-23-13 “Strategic Plan September Update” be received;

AND THAT Council direct the Mayor and CAO to proceed with the strategic planning process as presented herein.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

- Long Point Region Conservation Authority – Minutes of July 5, 2023

No. 23-397

Moved By: Rick Cerna

Seconded By: John H. Wilson

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

- (i) Long Point Region Conservation Authority – Minutes July 5, 2023

Carried

CORRESPONDENCE:

No. 23-398

Moved By: Scott Lewis

Seconded By: Mark Widner

THAT the following correspondence be noted and filed:

1. **Association of Municipalities of Ontario - WatchFile – August 31,2023, September 7, 2023, and September 14, 2023**
2. **City of Hamilton – Request to Abandon Greenbelt Development**
3. **Town of Grimsby – Establishing a Guaranteed Livable Income**
4. **Ministry of Natural Resources and Forestry - Proposed *Oil, Gas and Salt Resources Act* regulation changes for special projects and well security.**
5. **Ontario Provincial Police – Distribution of Police Record Check Revenue to Municipalities**
6. **Southwestern Public Health – Introducing Vital Perspectives**

Carried

OTHER BUSINESS:

- Speeding Concerns – Kingsmill Corner

Councillor Leitch has received complaints about increased traffic and speeding in Kingsmill Corner. Director Godby noted that staff has already requested the County look closer at Kingsmill Corner. Councillor Lewis provided previous solutions that have helped in Mount Salem in relation to speeding to record the details of the company truck names and provide

to OPP. Mayor Giguère also added that getting the time of day may help the OPP narrow down their patrols.

- Health Unit – Councillor Cerna

Councillor Cerna noted that there is still a push for obtaining COVID vaccines but that the health unit is not offering home care vaccination services. Mayor Giguère stated that lower tier municipalities don't sit on the health unit board but rather County Council members do and the County representatives could raise the concerns about home care vaccination services or the apparent lack thereof.

BY-LAWS:

No. 23-399

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. 23-64 - CAO/Deputy Clerk Appointment**
- (ii) By-law No. 23-66 – Versnick Official Plan Amendment**

Carried

CLOSED:

CONFIRMATORY:

No. 23-400

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT By-law No.23-65, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

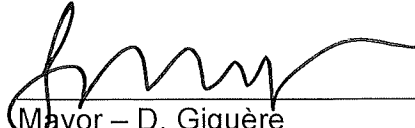
No. 23-401

Moved By: Mark Widner

Seconded By: Chester Glinski

THAT the Council adjourn its meeting at 9:17p.m. to meet again on October 5, 2023, at 7:30p.m.

Carried



Mayor – D. Giguère



Clerk – A. Adams