



**The Corporation of the Township of Malahide  
REGULAR COUNCIL MEETING AGENDA  
September 21, 2023 – 7:30 p.m.**

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

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- (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 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 **RES 2-4**
  - Public Meeting – Official Plan Amendment Application, Zoning By-law Amendment Application & Consent Application– Owner Dan Versnick, (Authorized Agent: Simona Rasanu c/o SBM Limited), relating to property at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, and known municipally as 4844 Imperial Road **RES 5-7**
  - Public Meeting –Zoning By-law Amendment Application & Consent Application– Owner Ben Fehr, (Authorized Agent: Simona Rasanu c/o SBM Limited), relating to property 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 **RES 8-10**
- (E) Reports of Departments
  - (i) Director of Fire & Emergency Services
  - (ii) Director of Public Works
    - Request for Improvement – Ketchabaw Drain **RES 11**
    - Malahide Community Place Concession Contract for 2024 **RES 12**
    - Harvest Bowl Status Update **RES 13**
    - Hot Mix Asphalt Road Edge Padding **RES 14**
  - (iii) Director of Corporate Services/Treasurer
  - (iv) Clerk

- (v) Building/Planning/By-law
  - Application for Consent to Sever of Will Friesen **RES 15**
- (vi) CAO
  - Strategic Plan September Update **RES 16**
- (F) Reports of Committees/Outside Boards **RES 17**
  - (i) Long Point Region Conservation Authority – Minutes July 5, 2023
- (G) Correspondence **RES 18**
  - 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
- (H) Other Business
- (I) By-laws **RES 19**
  - (i) By-law No. 23-64 - CAO/Deputy Clerk Appointment
  - (ii) By-law No. 23-66 – Versnick Official Plan Amendment
- (J) Closed
- (K) Confirmatory By-law **RES 20**
- (L) Adjournment **RES 21**

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*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.*

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1. 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.
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-23-24 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. 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.

4. THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:\_\_\_p.m.
5. 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:\_\_\_p.m
6. 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 7:\_\_\_p.m.
7. THAT Report No. DS-23-25 entitled “OFFICIAL PLAN AMENDMNET, 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.

8. 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 7: \_\_p.m
9. 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 7: \_\_p.m
10. 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.

11. 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*.

12. 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.

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

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

AND THAT Staff work with the 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

14. 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.

15. 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.

16. 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.

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

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

18. 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

19. 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

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

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

DRAFT

**The Corporation of the Township of Malahide****September 7, 2023 – 7:30p.m.**Virtual Meeting – [https://youtu.be/S5bl9Ymq\\_7Q](https://youtu.be/S5bl9Ymq_7Q)

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The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:30p.m. The following were present:

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

**Via Zoom:** Mayor D. Giguère

**Staff:** Interim Chief Administrative Officer A. Boylan, Clerk A. Adams, Director of Fire & Emergency Services J. Spoor, Director of Public Works J. Godby, and HR Manager S. Loewen

**Also Present:** Elizabeth VanHoorn & Betsy McClure - Kettle Creek Conservation Authority, and Jay McGuffin – Monteith Brown

**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:****MINUTES:****No. 23-368****Moved By: Rick Cerna****Seconded By: Mark Widner**

**THAT the minutes of the regular meeting of Council held on August 3, 2023 and the special meeting of Council held on August 9, 2023 and August 18, 2023 be adopted as printed and circulated.**

**Carried**

**PRESENTATIONS/DELEGATIONS/PETITIONS:**

- Presentation – Elizabeth VanHooren & Betsy McClure, Kettle Creek Conservation Authority – KCCA Cost Apportioning Agreement

**No. 23-369**

**Moved By: John H. Wilson**

**Seconded By: Sarah Leitch**

**THAT the presentation of Elizabeth VanHooren & Betsy McClure of Kettle Creek Conservation Authority be received.**

**Carried**

**REPORTS OF DEPARTMENTS:**

Director of Public Works

- Kettle Creek Conservation Authority Cost Proportioning Agreement

**No. 23-370**

**Moved By: Scott Lewis**

**Seconded By: John H. Wilson**

**THAT Report No. PW-23-50 entitled “Kettle Creek Conservation Authority Cost Proportioning Agreement” be received;**

**AND THAT the Mayor and Clerk be authorized to execute the Cost Apportioning Agreement with Kettle Creek Conservation Authority as outlined in this report.**

**Carried**

- Copenhagen Park Landscape Redesign

**No. 23-371**

**Moved By: Sarah Leitch**

**Seconded By: Scott Lewis**

**THAT Report No. PW-23-51 entitled “Copenhagen Park Landscape Redesign” be received;**

**AND THAT Staff be directed to execute an agreement with Beamish Landscape Services Ltd. to complete landscape design as attached.**

**Carried**



Building/Planning/By-law

- Zoning By-law Amendment to Lift Holding of Paul Wagler

**No. 23-372**

**Moved By: Rick Cerna**

**Seconded By: Mark Widner**

**THAT Report No. DS-23-23 entitled “Zoning By-law Amendment to Lift Holding of Paul Wagler” be received;**

**AND THAT Zoning By-law Amendment No. D14-Z11-23 on behalf of Paul Wagler, relating to the property located at Concession 7 N, Part Lots 26-28, Concession NTR, Part Lots 99-101, and known municipally as 9600 Walker Road, BE APPROVED for the reasons set out in this Report.**

**Carried**

CAO

- Elgin Group Policing Agreement

**No. 23-373**

**Moved By: Chester Glinski**

**Seconded By: Scott Lewis**

**THAT Report No. CAO-23-12 “Elgin Group Policing Agreement” be received;**

**AND THAT Council agrees to extend the existing Elgin Group Policing Services Agreement with the Ontario Provincial Police (OPP) for an additional two-year period, ending December 31, 2025.**

**Carried**

**CORRESPONDENCE:**

**No. 23-374**

**Moved By: Mark Widner**

**Seconded By: Scott Lewis**

**THAT the following correspondence items be noted and filed:**

- 1. Association of Municipalities of Ontario - WatchFile – July 27, 2023 and August 3,2023, August 10, 2023, August 17,2023, and August 24, 2023**
- 2. AMO – 2022 Annual Report**

3. **Elgin County – Council Highlights – August 8, 2023**
4. **Town of Aylmer – Fire Communications Reserve**
5. **Ministry of Municipal Affairs and Housing – Building Faster Fund Update**
6. **EPCOR – Notice of Rates**
7. **MPAC – Property Assessment Update**
8. **Township of Emo – Black Ash Tree Classification**
9. **Municipality of Chatham-Kent – Infrastructure Funding**
10. **City of Toronto, County of Prince Edward, Municipality of St. Charles, Village of Merrickville-Woldford – Provincial Policy Statement Concerns**
11. **Ministry of Infrastructure – Red Tape Reduction for Designated Broadband Projects**
12. **Ministry of the Environment, Conservation and Parks – Modernize Ontario’s Environmental Assessment Program**
13. **City of Hamilton – Provincial Amendments to the Greenbelt Plan**
14. **Ministry of Natural Resources and Forestry – Streamlining of Approvals under the Aggregate Resources Act and Supporting Policy**
15. **Presentation by ROMA at the AMO Conference -Protecting our collective interests together**
16. **Township of Severn – Climate Emergency Just Transition Transfer (JTT)**

**Carried**

**OTHER BUSINESS:**

**By-laws:**

**No. 23-375**

**Moved By: Rick Cerna**

**Seconded By: Sarah Leitch**

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

- (i) By-law No. 23-61 – Five Star Metals Rezoning – Removal of Holding**
- (ii) By-law No. 23-62 – Appoint Chief Building Official, Building Inspector/Deputy**

**Chief Building Official and Building Inspector(s)  
(iii)By-law No. 23-63 – OPP Contract Extension**

**Carried**

**CLOSED:**

**No. 23-376**

**Moved By: Scott Lewis**

**Seconded By: Glinski**

**THAT Council move into Closed Session at 8:05p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:**

- (i) A proposed or pending acquisition or disposition of land by the municipality or local board –Boundary Expansion (Section 239(2)(c)).**
- (ii) Labour Relations or Employee Negotiations Matter relating to the CAO Department staffing (Section 239 (2)(e))**
- (iii) Labour Relations or Employee Negotiations matter regarding CUPE Contract Negotiations (Section 239(2)(d))**
- (iv) Advice that is subject to solicitor client privilege, including communications necessary for that purpose relating to the EECC Governance (Section 239(2)(f))**

**Carried**

**No. 23-377**

**Moved By:**

**Seconded By:**

**THAT Council move out of Closed Session and reconvene at 10:02p.m. in order to continue with its deliberations.**

**Carried**

**No. 23-378**

**Moved By: Sarah Leitch**

**Seconded By: Mark Widner**

**THAT the following closed session items be received for information:**

- (i) Proposed or pending acquisition or disposition of land by the municipality or local board –Boundary Expansion;
- (ii) Labour Relations or Employee Negotiations Matter relating to CAO Department Staffing;
- (iii) Labour Relations or Employee Negotiations Matter relating to CUPE Contract Negotiations;
- (iv) Advice that is subject to solicitor client privilege, including communications necessary for that purpose relating to EECC Governance;

**AND THAT staff proceed as directed by Council.**

**Carried**

**CONFIRMATORY:**

**No. 23-379**

**Moved By: Rick Cerna**

**Seconded By: Scott Lewis**

**THAT By-law No.23-60, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**ADJOURNMENT:**

**No. 23-380**

**Moved By: Mark Widner**

**Seconded By: Chester Glinski**

**THAT the Council adjourn its meeting at 10:05p.m. to meet again on September 21, 2023, at 7:30 p.m.**

**Carried**

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Mayor – D. Giguère

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Clerk – A. Adams

**The Corporation of the Township of Malahide**

**Special Council Meeting**

**August 28, 2023 – 4:00p.m.**

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Malahide Township Council met at the Malahide South Fire Station, at 7355 Imperial Road, Aylmer, at 4:00p.m. The following were present:

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

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

**Absent:** Councillor S. Lewis

**Also Present:** Lori Nemeth – Facilitator

**CALL TO ORDER:**

Mayor Giguère took the Chair and called the meeting to order at 4:00p.m.

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

N/A

**COMMITTEE OF THE WHOLE:**

**No. 23-363**

**Moved By: Rick Cerna**

**Seconded By: Sarah Leitch**

**THAT Council move into a Committee of the Whole meeting for strategic planning presentations and discussions;**

**AND THAT the rules of Procedural By-law 17-97 be temporarily suspended during the Committee of the Whole meeting;**

**AND THAT the following process governing the Committee of Whole be adopted:**

- **The Committee of the Whole Session will be Chaired by the facilitator;**
- **The facilitator will provide direction to the participants on when and how to present or contribute to the discussions;**

- **Only the participants will present or contribute to the discussions. Members of the public in attendance will not be permitted to present or contribute to the discussions;**
- **The participants will include guest speakers, Malahide Council; and Township senior staff;**
- **Malahide's code of conduct remains in effect.**

**AND THEREFORE, BE IT RESOLVED THAT the Committee of the Whole meeting relating to strategic planning be called to order at 4:04p.m.;**

**AND THAT Lori Nemeth be appointed chairperson/facilitator of the "Committee of the Whole".**

### **Carried**

Facilitator Nemeth provided introductions and an overview of the evenings schedule.

Mayor Giguère provided an overview of where the the strategic plan review process is at to date.

Facilitator Nemeth introduced guest speakers, Karen Vecchio – MP Elgin-Middlesex-London, Rob Flack – MPP Elgin-Middlesex-London, and Meeta Ghandi to provide an outline to the Federal, Provincial and Municipal trends that they are experiencing in their respective sectors.

MP – Elgin Middlesex London Karen Vecchio provided an overview of the Federal perspective in relation to current trends.

MPP. – Elgin Middlesex London Rob Flack provided an overview of the Provincial perspective in relation to current trends.

Meeta Gandhi provided an overview of municipal trends that are occurring that the Township should consider when developing its strategic plan.

Council and staff were provided questions to consider for tabletop discussions. They were asked to consider and discuss what they thought to be the most important concepts for Malahide's strategic plan and areas they needed to know more about when drafting this plan in relation to what had been presented of federal, provincial, and municipal Trends.

Eric Steele and Jay McGuffin of Monteith Brown Planning Consultants provided an overview of the importance of Municipal Land Use Planning in relation to creating a strategic plan and areas that should be considered.

Interim CAO Boylan provided an overview of the Township as an organization, its responsibilities, its legislative framework and the Township's partners or potential partners.

Facilitator Nemeth, recessed the meeting at 8:41p.m. for the evening to meet again on August 29, 2023 at 4:00p.m.

**RECONVENE: – August 29, 2023 – 4:00p.m.**

Facilitator Nemeth welcomed everyone back and provided a summary of the previous day's discussion and what the schedule for that evening's meeting.

Municipal Staff provided an overview of the areas that they are looking for direction in from the strategic plan.

Facilitator Nemeth, provided some insight to the community feedback received from the strategic plan survey. She inquired through, tabletop discussions, what the common themes amongst the survey questions were noting that these themes provide a validation of the survey.

After review of these themes, Facilitator Nemeth provided general direction of next steps that Council could choose to take in relation to the strategic plan process.

**ADJOURNMENT:**

**No. 23-364**

**Moved By: Sarah Leitch**

**Seconded By: Chester Glinski**

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

**No. 23-365**

**Moved By: Rick Cerna**

**Seconded By: Sarah Leitch**

**THAT the temporarily suspended rules of Procedural By-law 17-97 be restored**

**Carried**

**CONFIRMATORY:**

**No. 23-366**

**Moved By: Sarah Leitch**

**Seconded By: Rick Cerna**

**THAT By-law No.23-55, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.**

**Carried**

**No. 23-367**

**Moved By: Mark Widner**

**Seconded By: Chester Glinski**

**THAT the special meeting of Council be adjourned at 7:42p.m.**

**Carried**

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Mayor – D. Giguère

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Clerk – A. Adams





## Report to Committee of Adjustment

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**REPORT NO.:** DS-23-24  
**DATE:** September 21, 2023  
**ATTACHMENT:** Report Photo, Application, and Comments Received to Date  
**SUBJECT:** APPLICATION NO. D13-MV-08-23 OF JULIE GONYOU

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### Recommendation:

**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) 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 NTR S PT LOT 74 RP;11R8699 PART 1 and is known municipally as 47442 Talbot Line. The Application seeks to facilitate the construction of an accessory storage building (shop) that is to be located in the front yard, closer to the road than the principal use and permit the floor area of an accessory building greater than the maximum of 150 m<sup>2</sup> as prescribed in the Township of Malahide Zoning By-law No. 18-22.

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 September 21, 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-08-23.

### **Comments/Analysis:**

The subject property is approximately 1.00 hectares (2.47 acres) in area, has approximately 110 metres (360.9 feet) of frontage along Talbot Line, and has a depth of approximately 90 metres (295.3 feet). The subject property contains an existing single detached dwelling and is bound by the Catfish Creek to the north. To the west of the subject lands, land use is composed of single detached residential dwellings part of the Orwell Hamlet. To the north, across catfish creek, and to the south and east of the subject property, the land uses are agricultural.

### **County of Elgin Official Plan**

The subject property is designated "Tier 2 Settlement Area" on Schedule 'A', Land Use Plan, along with having frontage along a "Provincial Highway" and being in a "Tourism Corridor" on Schedule 'B', "Transportation Plan". For lands designated as "Tier 2 Settlement Areas", the County Official Plan permits a mix of land uses including a variety of housing types, commercial and employment uses, institutional uses, community and recreational facilities, and open space (Section B1).

All proposed development located adjacent to and in the vicinity of a provincial highway within Ministry of Transportation (MTO) permit control area under the Provincial Transportation and Highway Improvement Act will also be subject to MTO approval. (Section E5.4.3).

### **Malahide Official Plan**

The subject property is designated as being in a "Hamlet" on Schedule 'A1' (Land Use Plan). In the "Hamlet" designation, the Official Plan permits uses including residential dwellings, variety stores, public garages and small commercial and industrial uses directly related to and servicing the immediate surrounding community (Section 4.3.1.2).

Schedule 'A2' (Constraints) designates a portion of the subject property as being in "Hazard Lands". On Hazard Lands, the location of buildings and structures for purposes other than flood or erosion control will be regulated through the provisions of the Zoning By-law after Township Council has consulted the appropriate Conservation Authority where applicable (Section 5.1.1.2). Further, building setbacks will be imposed from the margins of "Hazard Lands" in relation to the kind, extent and severity of the existing and potential hazards after consultation with the appropriate Conservation Authority (Section 5.1.5).

## Malahide Zoning By-law No. 18-22

The subject property is within the “Hamlet Residential (HR)” zone on Map No. F1 of Schedule “F” 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 “Hamlet Residential” as they relate to the proposed development. In addition to the provisions listed in the table it is noted that in the “HR” 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 (Section 6.3.2).

**Table 1 - Rural Industrial (M2) Zone Requirements**

<b>Zone Provision</b>	<b>Required:</b>	<b>Proposed:</b>
Min. Lot Area	1,850 m <sup>2</sup>	9,981 m <sup>2</sup>
Min. Lot Frontage	25 m	110 m
Min. Front Yard Depth	6.0 m	8.5 m
Min. Side Yard Width (Interior)	2.0 m	30 m
Min. Rear Yard Depth	7.5 m	47 m
Max. Lot Coverage	30%	6.4%
Max. Height	10.5 m	Less than 10.5 m
Max. Floor Area of a Dwelling	90 m <sup>2</sup>	418 m <sup>2</sup>
Max. Floor Area of an Accessory Building	150 m <sup>2</sup>	<b>*223 m<sup>2</sup></b>
Minimum Landscaped Open Space	30 %	Greater than 30 %
Maximum Number of Dwelling Units	1	1
<b>Accessory Structures</b>		
Min. Setback to Lot Lines	1.2 m	8.5 m
Max. Lot coverage	10%	2.2%
Max. Building Height	6.0m or two storeys	5.1 m (one storey)
Min. Distance to main building	1.0 m	Greater than 1.0m

**\*Indicates zoning deficiency**

The minor variance application proposes to permit **an accessory structure within a front yard**, closer to the front lot line than the main building, as well as permit a maximum floor area of an accessory building of **223 m<sup>2</sup>**.

### 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:

- The Catfish Creek Conservation Authority (CCCA) (dated September 6, 2023) has commented that the CCCA would require the proposed accessory structure to be located a minimum of 15 metres away from the top of bank of Catfish Creek and require this setback to be shown on the approved site plan. The CCCA has noted that if the proposed structure is to be located closer than 15 metres, a geotechnical engineer slope stability report would be required to determine a safe setback. The CCCA has also noted that a permit will be required from the CCCA to permit the proposed development.

- The proposed accessory structure is to be located 20 metres from the top of bank and this information has been included on the submitted site plan.
- The Ministry of Transportation (MTO) provided comments during the pre-consultation process that a structure would be required to be located a minimum of 8 metres from the front lot line. Additionally, an MTO Building & Land Use permit will be required prior to construction. No further comments have been received by MTO at the time of the submission of this report.
  - The proposed structure is proposed to be located 8.5 metres from the front lot line.

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 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 'Settlement Area' under the County Official Plan and 'Hamlet' under the Township Official Plan. The Official Plans permit residential land uses, and 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 accessory building to be under 150 square meters in floor area. The intent of this provision is to ensure buildings are kept at a scale appropriate for their lot size and character of the area they are located in.

It is noted that the subject property is constrained by a conservation authority regulation area. The proposed accessory building has been located in the front yard as it is further away from the natural hazard within this regulated area. The size of the shop has been noted as needed to accommodate personal indoor storage space on the property. This proposed accessory structure maintains the general intent and purpose 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 North, South and East are used for agricultural purposes and would not be impacted by the construction of the accessory building. The lands to the west contain one dwelling; however the placement of the accessory structure is on the east side of the subject property and would not likely impact the neighbouring property or affect their ability to use their property in any way. As the proposed accessory structure 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 accessory structure is proposed to provide indoor personal storage. The application would permit the construction of an accessory structure an adequate distance away from a natural hazard, while enhancing the quality of life for the resident. The Catfish Creek Conservation Authority stated that so long as the building is located 15 meters away from the top of bank of the Catfish Creek as indicated on a site plan, the construction shall be permissible. Permits from the Catfish Creek Conservation Authority. In terms of the minor variance, the proposed accessory structure is desirable for the appropriate development and 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.

Submitted by:	Reviewed by:	Approved 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 Chief Administrative Officer

## 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.

*[Handwritten Signature]*

*[Handwritten Name]*

**LETTER OF AUTHORIZATION**

July 13, 2023

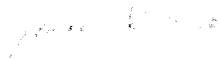
TOWNSHIP OF MALAHIDE  
87 John St. S.  
Aylmer, ON N5H 2C3

Attention: **Development Services Department**

**Re: Application for Minor Variance  
Gary and Joyce Gonyou - 47442 Talbot Line**

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 Julie Gonyou to act on my behalf on all matters with respect to the accompanying application as well as any related planning applications.

Yours truly,



Gary and Joyce Gonyou

Township of Malahide  
Application for Minor Variance

# 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	Gary and Joyce Gonyou
b) Mailing Address	47442 Talbot Line
	Aylmer, ON, N5H 2R6
c) Telephone No.	226-373-1277
d) Fax No.	n/a

### 2. SOLICITOR / AUTHORIZED AGENT

a) Name	Julie Gonyou
b) Mailing Address	same as above
c) Telephone No.	519-312-2192
d) Fax No.	n/a

### 3. LOCATION OF LAND

a) Lot and Plan or Concession No.	PT LT 74 CON NTR Malahide PT1 11R8699 AKA LT 1 CON 7 Malahide
b) Street No. and Name	47442 Talbot Line



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

Name: Address:

n/a

5. Nature and extent of relief applied for:

Seeking relief from By-law No. 18-22, section 6.3.2 (c), (d), and (f)

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

Shop location in front / east yard is proposed so as to avoid encroachment on CA regulated limits to the extent possible; and adheres to MTO requirements of an 8 metre setback from the highway property limit for a structure on a residential property for this class of highway. Shop size needed to accommodate storage for personal use.

7. Dimensions of the land affected:

- a) Frontage (m) 110 m
- b) Depth (m) 35-145 m
- c) Area (sq.m / ha) 9,981 sq. m / 1 ha

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 single detached dwelling
- b) Proposed 1 storey accessory storage building (sketch included)

9. Date of acquisition of subject land: November 23, 2022

10. Date of construction of all buildings and structures on subject lands: 1988

11. Existing uses of the subject property:

Residential

12. Length of time and existing uses to the subject property have continued: since 1988

13. Existing uses of abutting properties:

- a) North Agricultural
- b) East Residential
- c) South Agricultural
- d) West Residential

14. Services available (check appropriate space(s))

- a) Method of Water Supply (if applicable)
  - Public Water Supply System  Private Individual Well
  - Private Communal Well  Other (please specify) \_\_\_\_\_
  
- b) Method of Sanitary Waste Disposal (if applicable)
  - Private Septic Tank and Tile Field System  Private Communal System
  - Other (please specify) \_\_\_\_\_

15. Applicable Official Plan designation(s): Hamlet

16. Applicable Zoning By-law zone(s): Hamlet Residential (HR)

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

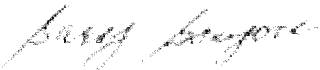
**Municipal Freedom of Information Declaration**

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/we Gary and Joyce Gonyou, 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

13 July 2023

Day Month Year



Signature

13 July 2023

Day Month Year

**REQUIRED SKETCH FOR MINOR VARIANCE APPLICATIONS**

**APPLICANT NAME** Gary and Joyce Gonyou

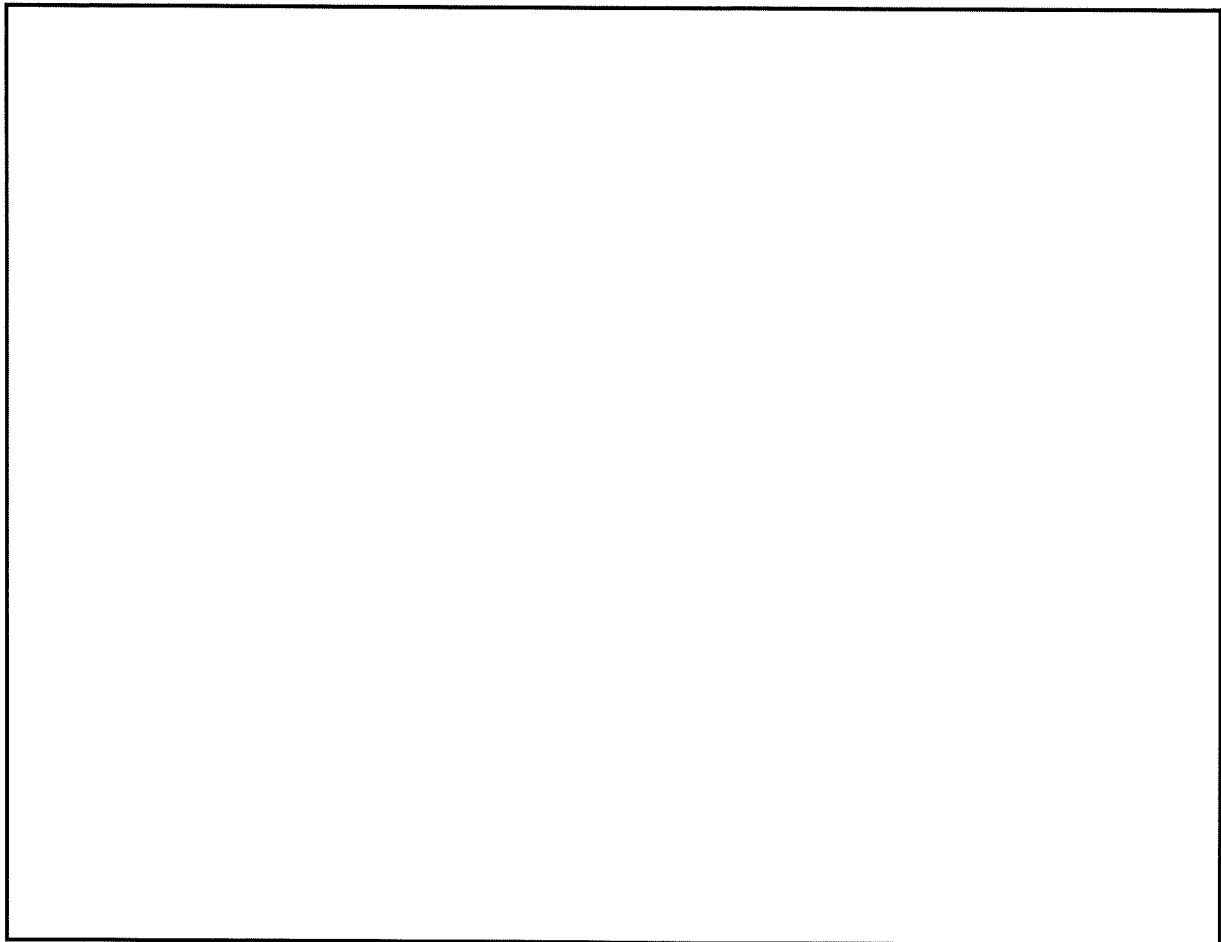
**ADDRESS** 47442 Talbot Line, Aylmer ON  
N5H 2R6

**Lot** 1      **Concession** 7      **Municipality** Township of Malahide

**Registration Plan No.** CT223568

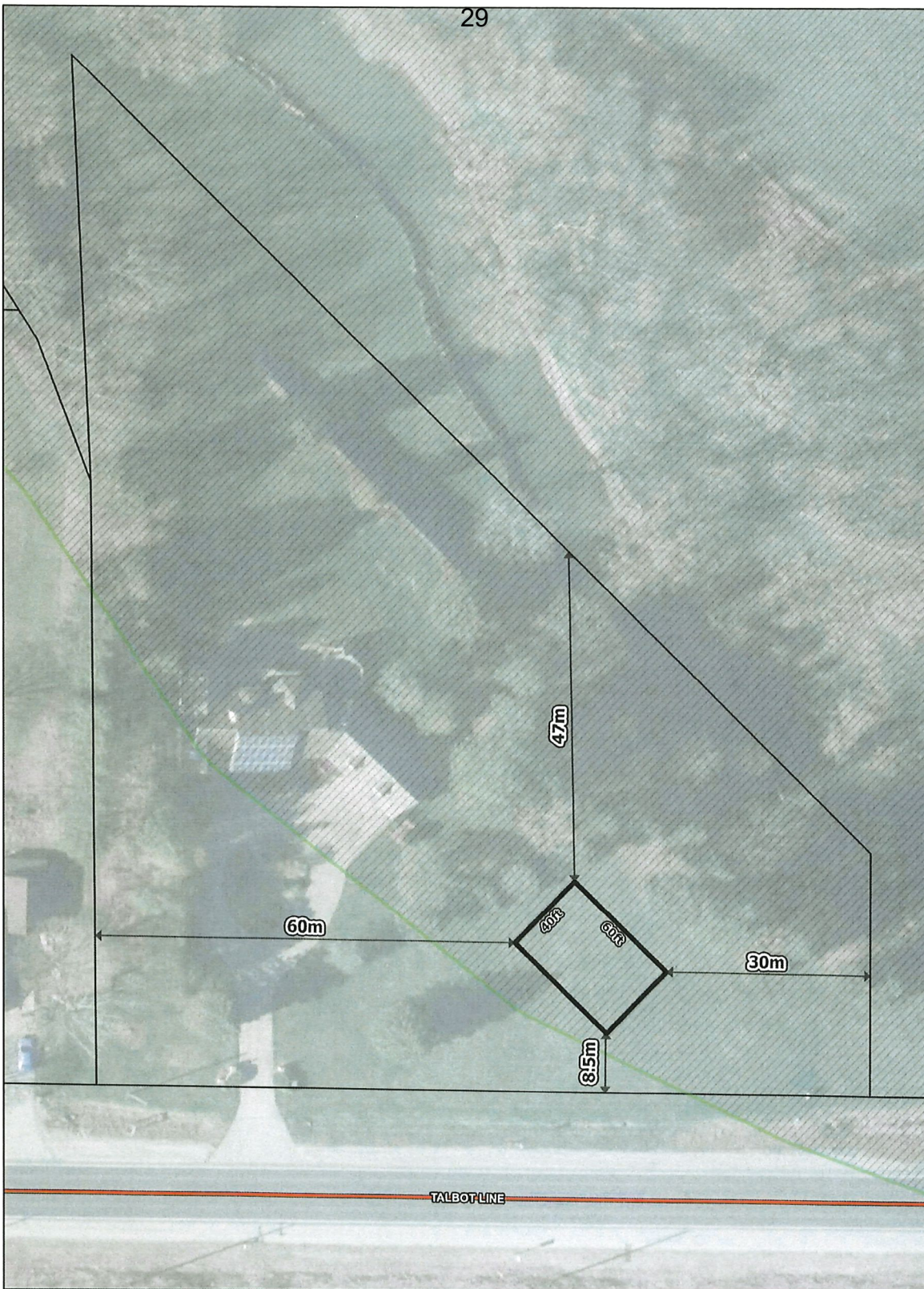
**Quarter of Township Lot**    **N.E.**       **N.W.**       **S.W.**       **S.E.**

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**

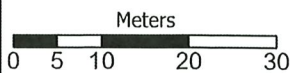


### Location Map

Subject Site: 47442 Talbot Line  
Township of Malahide  
Zoning: HR Hamlet Residential  
CA: Catfish Creek Conservation Authority  
Proposed 60ft x 40ft Shop  
Date: 05/04/2023

#### Legend

-  Proposed Shop
-  Regulation Limits



**STATUTORY DECLARATION**

I, Gary and Joyce Gonyou 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) )

Julie Gonyou  
Signature of Applicant or  
Authorized Agent \*

this 19 day of July, 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.



# Location Map

Subject Site: 47442 Talbot Line  
 Township of Malahide  
 Zoning: HR Hamlet Residential  
 CA: Catfish Creek Conservation Authority  
 Proposed 60ft x 40ft Shop  
 Date: 05/04/2023

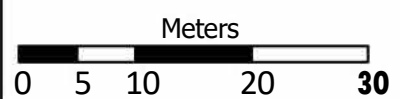
## Legend



Proposed Shop



Regulation Limits





## Report to Council

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**REPORT NO.:** DS-23-25

**DATE:** September 21, 2023

**ATTACHMENT:** OPA Application, ZBA Application, Consent Application, Site Plan, Public Comments, Official Plan Amendment, Draft Zoning By-law, Recommended Conditions

**SUBJECT:** **OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, & CONSENT APPLICATIONS OF DAN VERSNICK, (AUTHORIZED AGENT: SIMONA RASANU C/O SBM LIMITED)**

**LOCATION:** North Part of Lot 11, Concession 1, Part 8 of RP;11R7973 (4844 Imperial)

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### Recommendation:

**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.**

### **Background:**

The Applications for an Official Plan Amendment, Zoning By-law Amendment, and Consents relate to the properties located at North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, and known municipally as 4844 Imperial Road.

The Applications have been submitted by SBM Consulting, on behalf of the owners, to facilitate the creation of two new residential lots in the Hamlet of Copenhagen. The Official Plan Amendment proposes to reallocate approximately 146 m<sup>2</sup> of land designated "Hamlet" to an area along Imperial Road to provide a sufficient lot area for the proposed residential lots. The Zoning By-law Amendment proposes to rezone the proposed severed parcels from "Hamlet Residential – Holding (HR-H-1)" to "Hamlet Residential (HR)" and rezone the proposed retained lands from "Hamlet Residential – Holding (HR-H-1)" to "General Agriculture – Special (A1-22)" including a site-specific provision to permit a reduced lot area of 50 metres for an existing access on Imperial Road.

Notice of the Application has been circulated to agencies and registered property owners as prescribed and regulated by the Planning Act, RSO 1990, and the Malahide Official Plan, including posting notice in two recent issues of the Aylmer Express.

### **Comments/Analysis:**

The subject lands are approximately 17.5 hectares (42.7 acres) in size with a broken frontage of 113 metres and 15.3 metres along Imperial Road. The lands are currently used for agricultural purposes with a portion of the lot being located within the Copenhagen settlement boundary. Based on the information provided, the owners are looking to sever two residential lots on the portion of the subject lands designated "Hamlet".

The proposed retained farm parcel is approximately 17.3 hectares in size and has approximately 53.3 metres of frontage on Imperial Road. The lands would continue to be used for agricultural purposes.

The two lots proposed to be severed are both 2038.9 m<sup>2</sup> (0.5 acres) in size and have approximately 37.5 metres of frontage on Imperial Road. The lands are currently vacant, and each lot would contain a single detached dwelling.

### **Provincial Policy Statement (PPS)**

A planning authority may identify a settlement area or permit the expansion to a settlement area through the comprehensive review process. However, Section 1.1.3.9 of the PPS permits adjustments to settlement area boundaries outside of a comprehensive review, provided certain criteria are met, including there would be no net

increase in land within the settlement area, the adjustment would support intensification, the lands are not comprised of a specialty crop area, alternative locations that avoid prime agricultural areas have been considered, and the lands can be appropriately serviced.

The applications propose to take 146 m<sup>2</sup> of 'Hamlet' designated lands on the property and reallocate it to one of the proposed severed parcels, resulting in no net increase in lands located within the settlement area and would support the creation of two residential infill lots. The subject lands do not consist of a specialty crop area and lands surrounding the settlement of Copenhagen are primarily designated as prime agricultural lands, providing no alternative location for the lands to be added to other areas of the settlement area that avoids prime agricultural areas. The settlement of Copenhagen is partially serviced by municipal water and private septic disposal. A functional servicing report submitted with the application confirmed that the lots would be serviced by municipal water and are of sufficient size to support private septic systems.

### **County of Elgin Official Plan**

The subject lands are designated "Tier 3 Settlement Area" and "Agriculture" on Schedule 'A', Land Use Plan. In addition to the above, the subject property is identified as having frontage along a "Minor Arterial Road" on Schedule 'B', "Transportation Plan".

Section B2.8.4 of the County Official Plan does not require an amendment to the Plan to permit that provides for a minor settlement area boundary adjustment.

The County Official Plan permits the creation of new lots provided that the proposed severed and retained lots have frontage on a public road, will not cause a traffic hazard, can be adequately serviced, will not have negative impacts on drainage, will not negatively impact water quality or quantity, or natural hazard process, and will not restrict development on the retained lands.

The proposed severed and retained lots will have frontage on a public road (Imperial Road) and are not anticipated to create a traffic hazard. A servicing report and hydrogeological report were submitted with the application and determined that the lots could be adequately serviced and there would be no negative impacts on groundwater quantity and quality. The proposed retained lands are designated as "Agriculture" and therefore would not be subject to future residential development.

### **Malahide Official Plan**

The subject lands are designated "Agriculture", "Hamlet", on Schedule 'A1' (Land Use Plan) and "Provincially Significant Woodland" on Schedule 'A2' (Constraints Plan).

Section 4.1.4.5 of the Official Plan permits settlement area adjustments provided the criteria under the PPS are met, which is discussed previously in this report.

The Official Plan permits residential lot creation provided there will be no undue extension of services, the proposed severed and retained lots have frontage on a public road, the proposed severed and retained lots are of an appropriate size, and there is no

traffic hazard created (Section 4.3.3). The proposed lots would be serviced by existing water services along Imperial Road which would not result in an undue extension of services. The proposed lots are of sufficient size to accommodate individual private septic systems. The severed and retained lots would have frontage on Imperial Road and it is not anticipated that a traffic hazard would be created.

A portion of the subject lands is designated as “Provincially Significant Woodland” in the Official Plan. The proposed severed lots are located greater than 120 metres from these designated lands and as a result, it is not anticipated that there will be any negative impacts on natural heritage features.

### **Malahide Zoning By-law No. 18-22**

The subject lands are zoned “Hamlet Residential – Holding (HR-H-1)” and on Key Map N of Schedule “A” to the Township’s Zoning By-law No. 18-22. The Zoning By-law Amendment proposes to rezone the retained farm parcel from “Hamlet Residential – Holding (HR-H-1)” to “General Agriculture – Special (A1-22)”. The retained parcel was previously located in the Hamlet settlement area. However, during the Malahide Official Plan Review, the lands that comprise the retained farm parcel were reallocated to Springfield. The proposed Zoning Amendment would align the zoning of the property with the current Official Plan designation, as well as permit a reduced lot frontage of 50 metre for the retained parcel from Imperial Road.

The Zoning By-law Amendment proposes to rezone the proposed severed parcels from “Hamlet Residential – Holding (HR-H-1)” to “Hamlet Residential”. The holding symbol was applied to require development of the larger land holding to take place through a plan of subdivision. The holding symbol was likely applied when the entire parcel was within the settlement boundary. Through the 2021 Official Plan Review, the majority of the subject lands were removed from the settlement area, except for the land where the proposed severed lots are located. Since the majority of the parcel is no longer in the Copenhagen settlement area, it is appropriate that the subdivision of land take place by way of consent.

### **Public/Agency Comments Received**

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

- The Catfish Creek Conservation Authority (CCCA) (dated September 6, 2023) has no objections to the application.
- Public Works: The Port Burwell Area Secondary Water Supply system is located in the subject area (12" Watermain). The system does not have in place a requirement to connect. The system has available capacity to service the proposed development should the proponent wish to connect.
- Drainage Superintendent: This portion of property is not assessed into a municipal drain and will be required to connect.
- Hydro One: No comments.
- Public comments have been received from one resident in support of the application; however, the resident noted a concern regarding water pressure in the area.

- Public Works staff have confirmed commented that the water pressure in this area is considered to be relatively low. The topography of the area is such that the pressure is lower at higher elevations while in the low-lying areas (Port Bruce) pressure is much higher. It is recommended that any new home directly connecting to the PB secondary transmission main install a pressure system within their dwelling to boost the water pressure if they wish to do so. It is not required and is up to the homeowner to decide if they wish to install a pressure system.

○

**Financial Implications to Budget:**

The full cost of the consent and associated rezoning 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.

One of the goals that supports the “Our Land” Strategic Pillar is “Promote growth in a responsible manner”. By ensuring new development meets “good planning” principles, the Council is achieving this goal.

Submitted by:	Reviewed 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

Approved by:
Adam Boylan, Treasurer, Interim Chief Administrative Officer

# APPLICATION FOR AMENDMENT TO THE OFFICIAL PLAN OF THE TOWNSHIP OF MALAHIDE

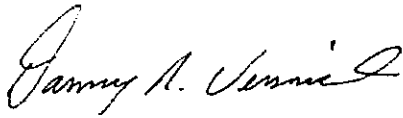
**Note:** This application must be filed in duplicate with the Clerk of the Township of Malahide.

**To:** The Clerk of the Township of Malahide

I **HEREBY SUBMIT THIS** application to amend the **Official Plan** of the Township of Malahide with respect to the lands herein described. This Application is accompanied by a deposit payment in the amount of **\$2,500.00**.

I, **the Applicant**, acknowledges that if an OMB Hearing is required, an additional deposit of **\$10,000.00** will be submitted to the Township of Malahide prior to the Township sending the notice to the OMB. The actual expenses related to the OMB hearing shall be calculated and 50% of the costs will be deducted from the said deposit. Any balance remaining will be refunded.

I, **the Applicant**, shall assume responsibility for any additional costs exceeding the deposited amounts related to the said application and the OMB hearing and understand and agree that for payment of said additional costs shall be a condition of this signed application. I also agree to accept all costs as rendered.




---

**Property Owner**

---

**Property Owner**

**FOR OFFICE USE ONLY**

<b>DATE RECEIVED:</b>	<b>AMOUNT RECEIVED:</b>
<b>FILE NO:</b>	<b>DATE ADOPTED BY COUNCIL:</b>

## 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 – 2005 Costs

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

CAO/Clerk: \$ 58.99 per hour

Assistant Clerk: \$ 36.38 per hour

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

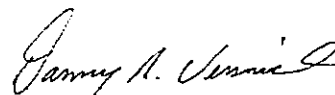
Consultant fees billed out at following rates (Subject to change)

Senior Planner: \$147.00 per hour

Secretary: \$63.00 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

## LETTER OF AUTHORIZATION

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

Attention: **Development Services Department**

Re: **Application for OPA**  
**Dan Versnick – 4844 Imperial Rd**

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 Strik Baldinelli Moniz (SBM) Ltd. to act on my behalf on all matters with respect to the accompanying application as well as any related planning applications.

Yours truly,



Dan Versnick

Township of Malahide  
Application for Official Plan Amendment

1. **Registered Owner's  
Name:** \_\_\_\_\_

DAN VERSNICK



Address: 4844 IMPERIAL ROAD

Phone No. (Home): 519-77-1001 Business: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Lot and Concession (if applicable): CON IN PT LOT 11

2. Applicant / Authorized Agent: SBM LTD. CM. POODAR

Address: 1599 ADELAIDE ST. N.

Telephone No.: 519-471-6667 Fax: \_\_\_\_\_

Please specify to whom all communications should be sent:

Registered Owner ( ) Applicant / Authorized Agent ()

3. Legal Description of the land for which the amendment is requested:

Concession: IN Lot: PT LOT 11

Reference Plan No: RP 11R 7973 Part Lot: PART 8

Street and Municipal Address No.: 4844

4. Size of property which is subject to this Application:

Area: 17.79 ha Frontage: 131.0m ~~160m + 115m~~ Depth: 363.36m ~~PT~~

5. Does the proposed amendment add, change, replace, or delete a policy/schedule of the Official Plan? NO

Add ( ) Change ( ) Replace ( ) Delete ( )

If so, policy/schedule to be added, changed, replaced, or deleted:

Attach separately the requested additions, changes, or replacements.

6. Does the proposed amendment alter a growth boundary of any settlement  
NO - SEE PLANNING REPORT

area?

If so, attach separately justification for the request based on the current Official Plan policies.

7. Does the proposed amendment remove land from an area of employment designation?

NO

If so, attach separately justification for the request based on the current Official Plan policies.

8. Existing Official Plan Designations:

HAMLET SETTLEMENT AREA

Land Uses Permitted in existing Designation:

RESIDENTIAL USES

9. Present Use of subject lands (be specific):

VACANT

10. Proposed Official Plan Designation:

CHANGE  
NO CHANGE -> SEE PLANNING REPORT

11. What is the purpose of the proposed Official Plan amendment?

SETTLEMENT AREA BOUNDARY RECENTLY REVISED - REAR YARD  
OF ONE PROPOSED LOT SLIGHTLY GOES BEYOND SETTLEMENT AREA  
BOUNDARY, OPA IS TO RECOGNIZE / ADDRESS THE AFOREMENTIONED

**12. Description of proposed development for which this amendment is requested (i.e. permitted uses, buildings or structures to be erected. (Be Specific)**

SINGLE DETACHED DWELLINGS

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**13. Services existing or proposed for the subject lands: Please indicate with a ✓**

<b>Water Supply</b>	<b>Existing</b>	<b>Proposed</b>
Municipal Piped Water Supply	( )	( ✓ )
Private Drilled Well	( )	( )
Private Dug Well	( )	( )
Communal Well	( )	( )
Lake or other Surface Water Body	( )	( )
Other	( )	( )

<b>Sewage Disposal</b>	<b>Existing</b>	<b>Proposed</b>
Municipal Sanitary Sewers	( )	( )
Individual Septic System	( )	( ✓ )
Communal System	( )	( )
Privy	( )	( )
Other	( )	( )

**Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.**

Are these reports attached?       YES      

If not, where can they be       —

found? \_\_\_\_\_

Storm Drainage SEE SERVICING REPORT

Provisions: \_\_\_\_\_

Proposed Outlet: \_\_\_\_\_

**14. Is the subject land or land within 120 metres of it subject of an application under the Planning Act for:**

Minor Variance ( )      Consent (  )      Official Plan amendment ( )

Zoning By-law amendment (  )      Plan of Subdivision ( )      Site Plan ( )

If yes to any of the above, indicate the file number, name of approval authority, the land it affects, purpose, status, and effect on this proposed amendment

SEE PLANNING ~~REP~~ REPORT, CURRENT APPLICATION FOR  
CONSENT TO CREATE TWO LOTS WITHIN COPENHAGEN  
HAMLET SETTLEMENT AREA. ZBA & OPA ARE IN TANDEM  
AS CONDITIONS TO BE FULFILLED RELATED TO THE CONSENT

**15. How is the proposed amendment consistent with the Provincial Policy Statement 2005?**

SEE PLANNING REPORT -> DIRECT DEVELOPMENT TO DESIGNATED  
SETTLEMENT AREA ENCOURAGING THE EFFICIENT USE OF  
LAND, RESOURCES AND INFRASTRUCTURE

**16. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?**

NO

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**17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.**

- (a) Survey plan, or a sketch based on an Ontario Land Surveyor description of all lands in the Owner's possession in the vicinity of the subject application with the lands covered by this application outlined in red, and showing the location, size and use of all buildings and structures on the Owner's lands and on all adjacent properties.
  
- (b) Large scale detail plan of the proposed development, showing the location and type of all buildings, setbacks, number and floor area or dwelling units (if applicable) the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses.
  
- (c) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).

**18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.**

**19. Additional Information for Council consideration of the application**

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I / We, DAN VERSNICK, of the ~~FORTH~~ TOWN,  
Name Town/Township/City/Village etc.

of MALAHIDE, in the county ELGIN, do solemnly declare:  
Municipality Name of County Name

- (i) that I / We am / are the owner(s) of the lands described above
- (ii) that to the best of my / our knowledge and belief, all of the information and statements given in this application and in all exhibits transmitted are true.
- (iii) that I / we hereby appoint SBM LTD. (M. P. ODDAR) to act as an Agent on my/our behalf in all aspects of this application.

And I / We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

DECLARED BEFORE ME at the: CITY  
of LONDON

in the County/Region of MIDDLESEX this 5th  
day of JUNE 20 23.

[Signature]  
Signature of Commissioner of Oaths

[Signature]  
Owner / Agent

**KEVIN ANDREW MONIZ,**  
a Commissioner, etc. Province of Ontario,  
for Strik, Baldinelli, Moniz Ltd.  
and SBM Geomatics Ltd.  
Expires November 30, 2023.

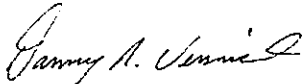
**Municipal Freedom of Information Declaration**

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.

In submitting this development application and supporting documentation, I DAN  
VERNICK

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

65

Day

06

Month

23

Year

# APPLICATION FOR AMENDMENT TO THE ZONING BY-LAW OF THE TOWNSHIP OF MALAHIDE

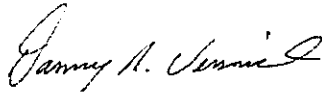
**Note:** This application must be filed in duplicate with the Clerk of the Township of Malahide.

**To:** The Clerk of the Township of Malahide

I **HEREBY SUBMIT THIS** application to amend the **Zoning By-law** of the Township of Malahide with respect to the lands herein described. This Application is accompanied by a deposit payment in the amount of **\$4000.00**.

I, **the Applicant**, acknowledges that if a Local Planning Appeal Tribunal Hearing is required, an additional deposit of **\$10,000.00** will be submitted to the Township of Malahide prior to the Township sending the notice to the Local Appeal Tribunal. The actual expenses related to the Local Appeal Tribunal hearing shall be calculated and 50% of the costs will be deducted from the said deposit. Any balance remaining will be refunded.

I, **the Applicant**, shall assume responsibility for any additional costs exceeding the deposited amounts related to the said application and the Local Appeal Tribunal hearing and understand and agree that for payment of said additional costs shall be a condition of this signed application. I also agree to accept all costs as rendered.




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**Property Owner**

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**Property Owner**

**FOR OFFICE USE ONLY**

<b>DATE RECEIVED:</b>	<b>AMOUNT RECEIVED:</b>
<b>FILE NO:</b>	<b>DATE ADOPTED BY COUNCIL:</b>



## 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 – 2005 Costs

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

CAO/Clerk: \$ 58.99 per hour

Assistant Clerk: \$ 36.38 per hour

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

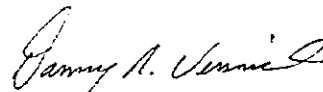
Consultant fees billed out at following rates (Subject to change)

Senior Planner: \$147.00 per hour

Secretary: \$63.00 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.**



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Registered Owner/Authorized Agent

## LETTER OF AUTHORIZATION

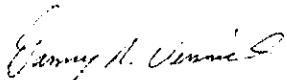
TOWNSHIP OF MALAHIDE  
87 John St. S.  
Aylmer, ON N5H 2C3

Attention: **Development Services Department**

Re: **Application for OPA**  
**Dan Versnick – 4844 Imperial Rd**

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 Strik Baldinelli Moniz (SBM) Ltd. to act on my behalf on all matters with respect to the accompanying application as well as any related planning applications.

Yours truly,



Dan Versnick

Township of Malahide  
Application for Rezoning

1. Registered Owner's  
Name:

DAN VERSNICK

Address:

4844 IMPERIAL ROAD

Phone No.  
(Home):

519-719-1001

Business:

\_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Lot and Concession  
(if applicable):

CONTIN PT LOT 11 & RP 112773 PART 8

Are there any other holders of mortgages, charges or other encumbrances of the Subject Lands? If so provide the names and addresses of such persons.

—

2. Applicant / Authorized Agent:

SBM LTD. (M. PODDAR)

Address: 1579 ADELAIDE ST N

Telephone No.: 519-471-6667 Fax: \_\_\_\_\_

Please specify to whom all communications should be sent:

Registered Owner ( ) Applicant / Authorized Agent

3. Legal Description of the land for which the amendment is requested:

Concession: 12 Lot: PT LOT 11

Reference Plan No: RP 112773 Part Lot: PT LOT 11 PART 8

Street and Municipal Address No.:  
4844 IMPERIAL ROAD

What is the size of property which is subject to this Application?

Area: 17.79 ha ~~##~~ Frontage: 131.0m m Depth: 363.36m  
m (varies) 160m + 115.0m

When were the subject lands acquired by the current owner?

Several years ago

4. Existing Official Plan Designation:

How does the application conform to the Official Plan?

SEE PLANNING REPORT

5. Existing Zoning By-law Classification:

HAMLET RESIDENTIAL HOLDING HR-H-1

What are the current uses of the subject lands?

VACANT / CASH CROP PRODUCTION

If known, provide the length of time these uses have continued on this property.

SINCE ACQUISITION - SEVERAL YEARS

N/A If there are any existing buildings or structures on the subject lands provide the following information:

Type	Front Lot Line Setback	Side Lot Line Setbacks	Rear Lot Line Setback	Height	Dimensions

If known, provide the dates in which each of these buildings were constructed.

6. What is the Nature and Extent of the Rezoning?

REZONING IS TO CHANGE FROM HR-H-1 TO HR

7. Why is the rezoning being requested?

AS CONDITION OF CONSENT TO FACILITATE NEW RESIDENTIAL LOTS

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8. Does the proposed Zoning By-law amendment implement a growth boundary adjustment of a settlement area? SEE PLANNING REPORT NO

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

9. Does the proposed amendment remove land from an area of employment? NO

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

10. Description of proposed development for which this amendment is requested (i.e. permitted uses, buildings or structures to be erected. (Be Specific)

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For any proposed buildings or structures on the subject lands provide the following information:

TO BE CONFIRMED AT BUILDING PERMIT STAGE  
ALL STANDARD REQUIREMENTS CAN BE MET

Type	Front Lot Line Setback	Side Lot Line Setbacks	Rear Lot Line Setback	Height	Dimensions
HOUSE	10.0m	4.91m	29.92m	2 stores	13.4m x 23.7m

11. Services existing or proposed for the subject lands: Please indicate with a

Water Supply Existing Proposed

Municipal Piped Water Supply	( <i>✓</i> )	( <i>✓</i> )
Private Drilled Well	( )	( )
Private Dug Well	( )	( )
Communal Well	( )	( )
Lake or other Surface Water Body	( )	( )
Other	( )	( )

<b>Sewage Disposal</b>	<b>Existing</b>	<b>Proposed</b>
Municipal Sanitary Sewers	( )	( )
Individual Septic System	( )	( <i>✓</i> )
Communal System	( )	( )
Privy	( )	( )
Other	( )	( )

**Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.**

Are these reports attached? YES

If not, where can they be found? \_\_\_\_\_

**Storm Drainage** SEE SERVICING REPORT

Provisions: \_\_\_\_\_

Proposed Outlet: \_\_\_\_\_

**12. How will the property be accessed?**

Provincial Highway ( ) County Road ( ) Municipal Road – maintained all year ( *✓* )

Municipal Road – seasonally maintained ( ) Right-of-way ( ) Water ( )

If access is by water, do the parking and docking facilities exist, and what is the nearest public road?

- 
13. Has the subject land ever been the subject of an application under the Planning Act for:
- Plan of Subdivision ( )      Consent ( )      UNKNOWN
- Zoning By-law Amendment ( )      Ministers Zoning Order ( )

If yes to any of the above, indicate the file number and status of the application.

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14. How is the proposed amendment consistent with the Provincial Policy Statement 2005?

SEE PLANNING REPORT -> RESIDENTIAL DEVELOPMENT

DIRECTED TO HAMLET SETTLEMENT AREA ENCOURAGING

EFFICIENT USE OF LAND, RESOURCES AND INFRASTRUCTURE

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15. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?

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17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.

- (a) A sketch based on an Ontario Land Surveyor description of the subject lands showing
- the boundaries and dimension of the subject lands;
  - the location, size and type of all existing and proposed buildings and structures, indicating their setbacks from all lot lines, the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses;



- the approximate location of all natural and artificial features (buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are on the subject lands, adjacent to the subject lands, or in the opinion of the applicant may affect the application;
- the current uses of the land that is adjacent to the subject land;
- the location, width, and name of any roads within or abutting the subject land, indicating where it is an unopened road allowance, a public traveled road, a private road, or a right-of-way;
- the location of the parking and docking facilities to be used (if access will be by water only);
- the location and nature of any easement affecting the subject land.

(b) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).

(c) If a private sewage system is necessary, pre-consultation with the Chief Building Official is required about the approval process

**18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.**

**19. Additional Information as required by Council**

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**20. If this application is to accommodate the consent of a surplus farm dwelling, please provide the following information: N/A**

Date surplus farm dwelling was erected: \_\_\_\_\_

Please provide the assessment roll number, location, and zoning of the farm parcel with which the subject lands is being consolidated.

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**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 re-zoning. 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 DAN  
VERSNICK

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.

*Danny A. Versnick*

05 06 2025

Signature

Day

Month

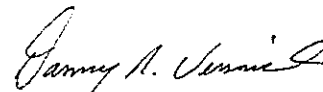
Year

I/We, DAN VERSNICK, of the TOWN  
Name Town/Township/City/Village etc.  
of MALAHIDE, in the county ELGIN, do solemnly declare:  
Municipality Name County Name

- (i) that I / We am / are the owner(s) of the lands described above
- (ii) that to the best of my / our knowledge and belief, all of the information and statements given in this application and in all exhibits transmitted are true.
- (iii) that I /we hereby appoint SBM LTD . to act as an Agent on my/our behalf in all aspects of this application.

And I / We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

DECLARED BEFORE ME at the:



CITY of LONDON Owner / Agent

in the County/Region of MIDDLESEX this 5th

day of JUNE 20 23

Owner / Agent



Signature of Commissioner of Oaths

**KEVIN ANDREW MONIZ,**  
 a Commissioner, etc., Province of Ontario,  
 for Strik, Baldinelli, Moniz Ltd.  
 and SBM Geomatics Ltd.  
 Expires November 30, 2023.



**APPLICATION FOR CONSENT**

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE

2. (a) **Name of Owner** DAN VERSNICK

Address 4844 IMPERIAL ROAD

Telephone Number 519-719-1001 Email \_\_\_\_\_

2. (b) **Name of owner's solicitor or authorized agent** STRIK BALDINELLI MONIZ (M. PODDAR)

Address 1599 ADELAIDE STREET NORTH

Telephone Number 519-471-6667 Email mpoddar@sbmltd.ca

2. (c) **Name of Applicant** DAN VERSNICK

Address 4844 IMPERIAL ROAD, COPENHAGEN ON

Telephone Number 519-719-1001 Email \_\_\_\_\_

Relationship to Owner: Purchasing Farmer ( ) Other ( ) please specify OWNER

Please specify to whom all communications should be sent:

Owner(s) (  ) Solicitor (  ) Agent (  ) Applicant (  )

**AUTHORIZATION TO APPOINT AN AGENT must be provided if an agent or solicitor is acting on behalf of the land owner or applicant.**

3. (a) Type and purpose of proposed transaction: (check appropriate space)

Transfer:	<input checked="" type="checkbox"/>	creation of a new lot	Other:	<input type="checkbox"/>	mortgage/charge
	<input type="checkbox"/>	addition to a lot		<input type="checkbox"/>	lease
	<input type="checkbox"/>	surplus farm dwelling**		<input type="checkbox"/>	easement/R.O.W.
	<input type="checkbox"/>	technical severance		<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____			

**\*\* If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete and submit attached Appendix "B" – "Surplus Farm Dwelling Information Form."**

(b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

N/A

- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

N/A

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## 4. (a) Location of land:

Municipality MALAHIDE Concession No. \_\_\_\_\_

Lot(s) No. \_\_\_\_\_ Registered Plan No. \_\_\_\_\_

Name of Street IMPERIAL ROAD Street No. and/or 911 No. 4844

Assessment Roll No. \_\_\_\_\_

## (b) Are there any easements or restrictive covenants affecting the subject land?

Yes  No  If Yes, describe the easement or covenant and its effect:

\_\_\_\_\_

5. Description of land intended **to be severed**: (values below are same for each proposed lot – 2 new lots)Frontage 37.5m Depth 68.6m Area 2038.9 sq.m.Existing Use VACANT Proposed Use RESIDENTIAL

Number and use of buildings and structures on the land to be severed:

Existing VACANTProposed SINGLE DETACHED DWELLING6. Description of land intended **to be retained**: (Accurate Measurements in Metric)Frontage 15.33m Depth varies Area 17.38haExisting Use FARM Proposed Use CONTINUE AGRICULTURAL

Number and use of buildings and structures on the land to be retained:

Existing NONEProposed SINGLE DETACHED DWELLING7. Number of new lots proposed (including retained lots) 3

## 8. Type of access for proposed and retained lot: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained	<input type="checkbox"/>	<input type="checkbox"/>
Other public road	<input type="checkbox"/>	<input type="checkbox"/>
Right Of Way	<input type="checkbox"/>	<input type="checkbox"/>
Water access	<input type="checkbox"/>	<input type="checkbox"/>

9. (a) What type of water supply is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated piped water system	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated individual well **	<input type="checkbox"/>	<input type="checkbox"/>
Privately owned and operated communal well **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Lake or other water body	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

- (b) \*\* If existing water supply is provided from a privately owned and operated individual/ communal well, **the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application); AND**

- (c) \*\* **A water quality test by the applicable public health unit is required (Written confirmation to be attached to the Application)**

10. (a) What type of sewage disposal is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated sanitary sewage system		(
<b><u>Privately owned and operated individual septic Tank **</u></b>	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated communal septic System **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

- (b) \*\*If existing sewage disposal is privately owned, **the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)**

**NOTE:** If 9(b), 9(c) and 10(b) are not provided, the application is not considered complete and the application will not be accepted until such time as the outstanding items have been provided and it is deemed complete.

11. When will water supply and sewage disposal services be available?

PRIVATE SEPTIC AND MUNICIPAL WATER WILL BE PROVIDED FOR EACH NEW LOT IF APPROVED

12. What is the existing Official Plan designation(s) of the subject land?

HAMLET (COPENHAGEN) AND AGRICULTURAL

13. What is the existing Zoning designation(s) of the subject land?

HAMLET RESIDENTIAL HOLDING HR-H-1

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act? Yes  No  Unknown

If Yes, and known, provide the application file number and the decision made on the application

---

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application  
NO
- 

16. (a) Has there been any previous severances of land from this holding?

Yes  No

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed: N/A

Who the severance was granted to \_\_\_\_\_

Use of parcel \_\_\_\_\_

Date parcel created (Year) \_\_\_\_\_

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes  No

If Yes, provide the previous severance File No.

---

18. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes  No

i) Now used for livestock? Yes  No

ii) Capable of being used for livestock? Yes  No

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

19. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes  No



20. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes  No

If Yes, and known, specify the Ministry file number and status of the application  
 Concurrent OPA for minor lot boundary adjustment due to change in hamlet boundary

---

21. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes  No

If Yes, and known, specify the appropriate file number and status of the application  
 Concurrent application for ZBA being filed to change lands from HR-H-1 to HR

---

22. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes  No

(b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

Section 1.1 - Consent encourages new residential development in a recognized settlement area

23. Is the subject land within an area designated under any provincial plan or plans?

Yes  No

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

---

24. Did pre-consultation occur with the local Municipality and/or other agencies?

Yes  No

Enter date of consultation and contact person  
 SUMMER 2022 - ERIC STEELE (MONTEITH BROWN)

---

25. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.
26. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.
27. DETAILED SKETCH:  
 The application shall be accompanied by a detailed sketch showing the following:
- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
  - the boundaries and dimensions of any land owned by the owner of the subject land and

that abuts the subject land;

- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be created** and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be retained** and shall comply with the Zoning By-Law setbacks;
- the existing use(s) on adjacent lands;
- 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;
- if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- the location and nature of any easement affecting the subject land.

Dated at the CITY OF LONDON of COUNTY OF MIDDLESEX  
 (Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 05 day of 06 20 23  
 (day) (month) (year)

*M Poddar*

**SIGNATURE OF APPLICANT(S), SOLICITOR OR AUTHORIZED AGENT**

**AFFIDAVIT OR SWORN DECLARATION**

I/We MANEESH PODDAR of the CITY  
\_\_\_\_\_  
(Applicant/Agent Name) (Municipality/Township/City/etc.)

of LONDON in the County of MIDDLESEX  
\_\_\_\_\_  
(Name of Municipality/Township/City/etc.) (County Name)

solemnly declare that all the information contained in this application is true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me in the

CITY of LONDON  
\_\_\_\_\_  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

in the COUNTY OF MIDDLESEX this 05 day of 06  
\_\_\_\_\_  
(County/Region if applicable) (Day) (Month)

20 23  
\_\_\_\_\_  
(Year)

MPoddar  
\_\_\_\_\_  
Signature

[Signature]  
\_\_\_\_\_  
Signature of Commissioner of Oaths

**KEVIN ANDREW MONIZ,**  
a Commissioner, etc., Province of Ontario,  
for Strik, Baldinelli, Moniz Ltd.  
and SBM Geomatics Ltd.  
Expires November 30, 2023.

If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the seal, if any, must be affixed.

It is required that one copy of this application be filed, together with one copy of the detailed sketch described, with the responsible person, accompanied by a fee of – \$1,250.00 in cash or by cheque made payable to TREASURER, COUNTY OF ELGIN.

An additional fee of \$300.00 will be charged for affixing the consent stamp.

**AUTHORIZATION TO APPOINT AN AGENT**

**NOTE:** This form is only to be used for applications, which are to be signed by someone other than the owner(s).

To: Secretary-Treasurer  
Land Division Committee  
Corporation of the County of Elgin

Description and Address of Subject Lands:

4844 IMPERIAL ROAD, MALAHIDE ON

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

MANEESH PODDAR of THE CITY OF LONDON to:  
(Agents Name/Names) (Agents City/Town of Residence)

- (1) make an application on my behalf to the County of Elgin Land Division Committee;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Land Division Committee relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ LONDON \_\_\_\_\_  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 5th day of JUNE 2023  
(Day) (Month) (Year)

DAN VERSNICK  
Name of Owner

  
Signature of Owner

\_\_\_\_\_  
Name of Owner

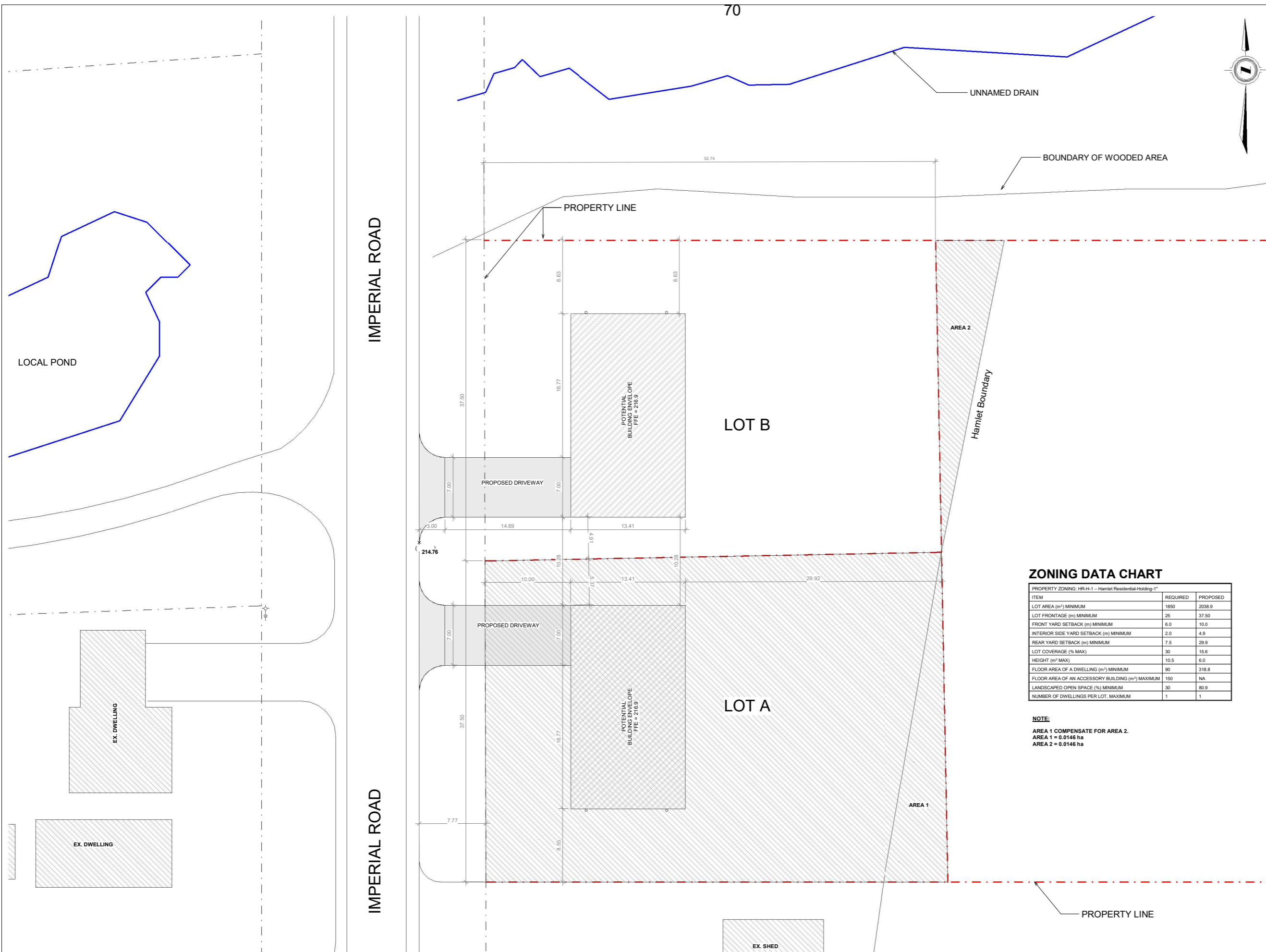
\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
Signature of Owner

MANEESH PODDAR  
Name of Witness

M Poddar  
Signature of Witness



70



GSPrimo

GSPrimo Design Inc.  
Cell: 519-871-3234  
www.gsprimo.com



*M. Heidari*

Date: February 24, 2023

THESE DRAWINGS ARE "DESIGN DRAWINGS" ONLY. THEY MAY NOT BE SUITABLE FOR USE AS SHOP DRAWINGS. USE OF THESE DRAWINGS AS BASE DRAWINGS FOR "SHOP DRAWINGS" IS NOT PERMITTED UNLESS WRITTEN PERMISSION CONTAINING CERTAIN CONDITIONS AND LIMITATIONS IS OBTAINED FROM RJC. THE WORK "AS CONSTRUCTED" MAY VARY FROM WHAT IS SHOWN ON THESE DRAWINGS.

Project Number: 286

Client: Dan Versnick

Address: 4844 Imperial Road, Malahide, Ontario

Revision: No. 1

Sheet Name: Proposed Development

Designed by: M. Heidari, PhD, P.Eng.

Sheet Number: Figure 2

Scale: As indicated

**ZONING DATA CHART**

PROPERTY ZONING: HR-H-1 - Hamlet Residential-Holding-1"		
ITEM	REQUIRED	PROPOSED
LOT AREA (m <sup>2</sup> ) MINIMUM	1850	2038.9
LOT FRONTAGE (m) MINIMUM	25	37.50
FRONT YARD SETBACK (m) MINIMUM	6.0	10.0
INTERIOR SIDE YARD SETBACK (m) MINIMUM	2.0	4.9
REAR YARD SETBACK (m) MINIMUM	7.5	29.9
LOT COVERAGE (% MAX)	30	15.6
HEIGHT (m <sup>2</sup> MAX)	10.5	6.0
FLOOR AREA OF A DWELLING (m <sup>2</sup> ) MINIMUM	90	318.8
FLOOR AREA OF AN ACCESSORY BUILDING (m <sup>2</sup> ) MAXIMUM	150	NA
LANDSCAPED OPEN SPACE (% MINIMUM)	30	80.9
NUMBER OF DWELLINGS PER LOT, MAXIMUM	1	1

**NOTE:**  
AREA 1 COMPENSATE FOR AREA 2.  
AREA 1 = 0.0146 ha  
AREA 2 = 0.0146 ha

**Eric Steele**

---

**From:** Allison Adams <AAdams@malahide.ca>  
**Sent:** Monday, September 11, 2023 3:09 PM  
**To:** Eric Steele  
**Subject:** FW: Re application #D09-OPAO3-23, D14-ZO7-23

Comment received in regards to D09-OPAO3-23, D14-ZO7-23.

Thanks,  
Allison

**Allison Adams – H.BA Political Science, AMP**  
Manager of Legislative Services/Clerk  
Office: 519.773.5344 x222  
Fax: 519.773.5334

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**Township of Malahide**

87 John Street South  
Aylmer, ON  
N5H 2C3



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**From:** Roberta Gordon <RGordon@malahide.ca> **On Behalf Of** Malahide General  
**Sent:** Friday, September 8, 2023 11:55 AM  
**To:** Allison Adams <AAdams@malahide.ca>  
**Subject:** FW: Re application #D09-OPAO3-23, D14-ZO7-23

Was in the general mailbox

**From:** R Vandersluis <[rvdsluis57@gmail.com](mailto:rvdsluis57@gmail.com)>  
**Sent:** Friday, September 8, 2023 11:46 AM  
**To:** Malahide General <[malahide@malahide.ca](mailto:malahide@malahide.ca)>  
**Subject:** Re application #D09-OPAO3-23, D14-ZO7-23

We are in favor of this application. It makes sense to infill the village. The only concern, from a builders perspective, is the poor water pressure south of Nova Scotia line. Regards, Bob and Barbara VanderSluis 4829 Imperial Rd, Aylmer, ON N5H 2R2, 519 827 6658

**AMENDMENT NO. 23  
TO THE  
OFFICIAL PLAN  
OF THE  
TOWNSHIP OF MALAHIDE**

**Subject: Versnick  
4844 Imperial Road**

**September 21, 2023**



**CORPORATION OF THE TOWNSHIP OF MALAHIDE****BY-LAW NO. 23-66**

**WHEREAS** the Township of Malahide has an official plan that is in effect, adopted by Council on 16 August 2001 and approved by the Ministry of Municipal Affairs on 9 March 2003, and as subsequently amended; and

**WHEREAS** the proposed amendment would be consistent with the Provincial Policy Statement;

**WHEREAS** the intent of the Official Plan of the County of Elgin and the Official Plan of the Township of Malahide would be maintained;

**WHEREAS** the Council of the Corporation of the Township of Malahide now deems it expedient to adopt the proposed amendment to the Official Plan of the Township of Malahide

**THEREFORE** the Council of the Corporation of the Township of Malahide, in accordance with Section 17 of the Planning Act, R.S.O., 1990, as amended, hereby enacts as follows:

1. THAT Amendment No. 22 to the Official Plan of the Township of Malahide, consisting of the attached explanatory text and schedules, is hereby adopted.
2. THAT this By-law shall come into force:
  - a. a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or
  - b. b) Where notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.

**READ** a **FIRST** and **SECOND** time this 21<sup>st</sup> day of September, 2023.

**READ** a **THIRD** time and **FINALLY PASSED** this 21<sup>st</sup> day of September, 2023.

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Mayor – D. Giguère

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Clerk – A. Adams

## PART A - THE PREAMBLE

### 1. PURPOSE

The purpose of this Amendment is to facilitate the adjustment of a settlement boundary as it relates to the subject lands, being North Part of Lot 11, Concession 1, Part 8 of Registered Plan 11R7973, in the geographic Township of Malahide, to permit the creation of two residential lots.

### 2. BASIS

The Amendment to the Official Plan would be consistent with the policies of the Provincial Policy Statement 2020, County of Elgin Official Plan, and Township of Malahide Official Plan.

The full basis for this Amendment has been set out in the Application and supplementary materials submitted in support of this Amendment.

## PART B - THE AMENDMENT

All of this part of the Amendment entitled 'Part B - The Amendment', consisting of the following text, constitutes **Amendment No. 22** to the Official Plan of the Township of Malahide.

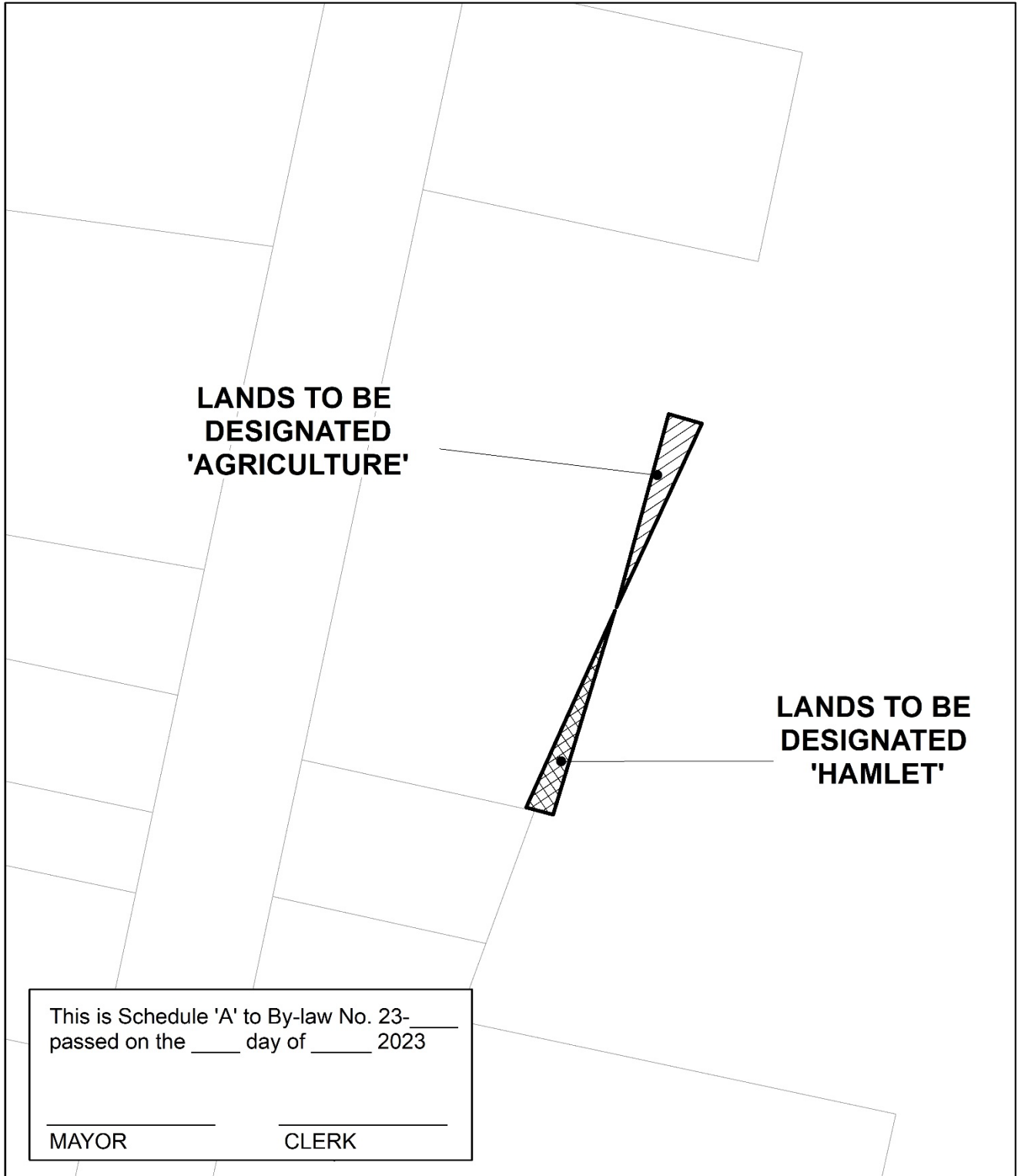
### DETAILS OF THE AMENDMENT

1. Schedule 'A1', Land Use of the Official Plan of the Township of Malahide, is hereby amended by changing the designation as it applies to certain lands, being North Part of Lot 11, Concession 1, Part 8 of Registered Plan 11R7973, in the geographic Township of Malahide from '**Agriculture**' to '**Hamlet**' as shown on Schedule 'A' hereto.
2. Schedule 'A1', Land Use of the Official Plan of the Township of Malahide, is hereby amended by changing the designation as it applies to certain lands, being North Part of Lot 11, Concession 1, Part 8 of Registered Plan 11R7973, in the geographic Township of Malahide from '**Hamlet**' to '**Agriculture**' as shown on Schedule 'A' hereto.

## PART C - THE APPENDICES

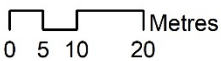
The following appendices do not constitute part of Amendment No. 22 but are included as information supporting the amendment.

Appendix I - Notice of Public Meeting



Official Plan  
of the Township of Malahide

**SCHEDULE 'A1'**  
LAND USE



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

Being a By-law to amend By-law No. 18-22

**Versnick  
4844 Imperial Road**

**WHEREAS** the Council of The Corporation of the Township of Malahide deems it necessary to pass a By-law to amend By-law No. 18-22, as amended;

**AND WHEREAS** authority is granted under Section 34 of the Planning Act, as amended, to pass a By-law;

**AND WHEREAS** this By-law conforms with the Official Plan of the Township of Malahide, as amended;

**NOW THEREFORE** the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** the area shown in hatching on the attached map, Schedule "A", and described as North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, in the Township of Malahide, shall remain in the "Hamlet Residential (HR)" Zone of By-law No. 18-22. The zoning of this land shall be shown as "HR" on Key Map N of Schedule "A" to By-law No. 18-22, as amended.
2. **THAT** the area shown in hatching on the attached map, Schedule "A", and described as North Part of Lot 11, Concession 1, Part 8 of RP;11R7973, in the Township of Malahide, shall be removed from the "Hamlet Residential (HR)" Zone one of By-law No. 18-22 and placed in the "General Agriculture (A1)" Zone of By-law subject to the added provisions of Section 5.4 of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "A1-22" on Key Map N of Schedule "A" to By-law No. 18-22, as amended.
3. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 5.4 GENERAL AGRICULTURAL (A1) ZONE – 'SITE-SPECIFIC' ZONES, by adding the following new subsection.

**"5.4.22 a) Defined Area**

***A1-22 as shown on Schedule 'A', Map No. N.***

**b) Minimum Lot Frontage                      50 metres**

1. **THAT** this By-law shall come into force:

- a) Where no notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or,
- b) Where notice of objection has been filed with the Township's Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.

**READ** a **FIRST** and **SECOND** time this 21st day of September, 2023.

**READ** a **THIRD** time and **FINALLY PASSED** this 21st day of September 2023.

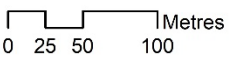
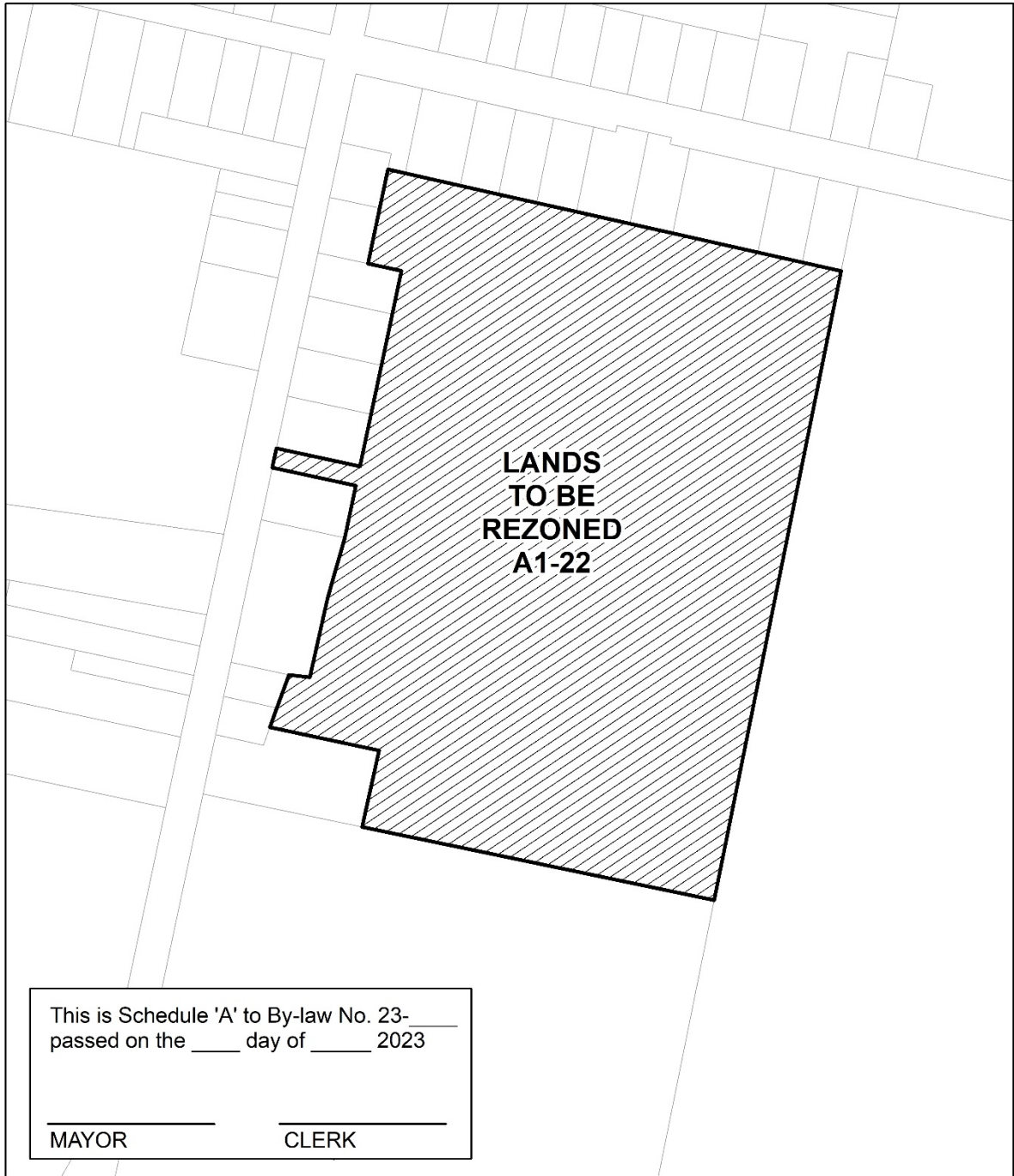
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Mayor – D. Giguère

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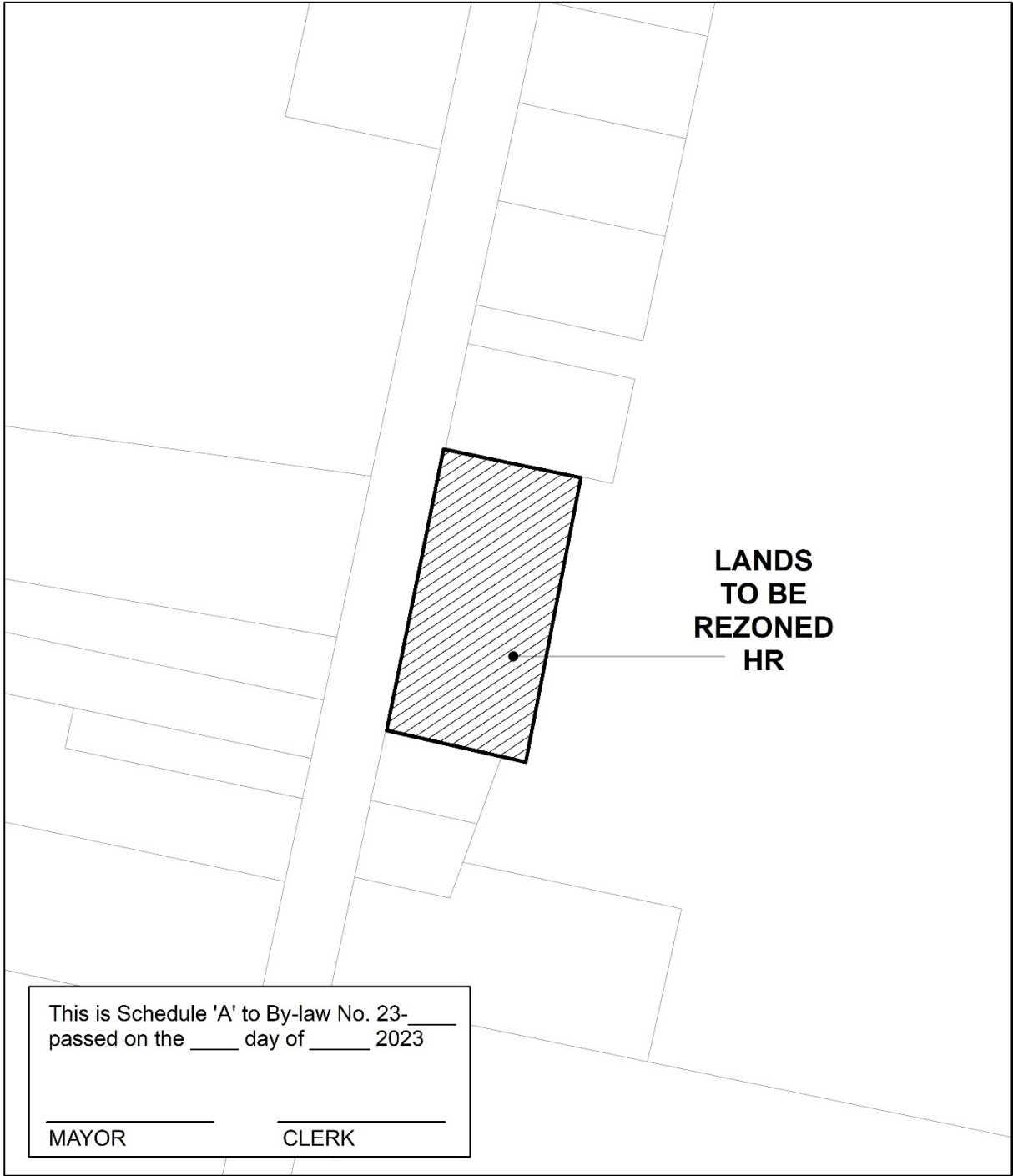
Clerk – A. Adams

**SCHEDULE A**



Township of Malahide  
Comprehensive Zoning By-law No.18-22

**SCHEDULE 'A'**  
Map 99



## E62-23 – Recommended Conditions

1. That the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled. If a lot grading plan is required as a condition of severance, it should be done in conjunction with the new Municipal drain or relocation of Municipal Drain.
2. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading development plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.
3. That the applicants initiate and assume all planning costs associated with the required Official Plan Amendment and Zoning Amendment as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
4. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted prior to certification all of which are to be fully executed.
5. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
6. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
7. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.
8. That in accordance with the Planning Act RSO 1990, as amended, the owner pay a cash-in-lieu of parkland fee in the amount of five percent (5%) of the value of the land. The owner shall provide, at their sole cost, an appraisal of value of the land from a certified Canadian Residential Appraiser to the satisfaction of the Municipality.



## E63-23 – Recommended Conditions

1. That the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled. If a lot grading plan is required as a condition of severance, it should be done in conjunction with the new Municipal drain or relocation of Municipal Drain.
2. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading development plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.
3. That the applicants initiate and assume all planning costs associated with the required Official Plan Amendment and Zoning Amendment as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
4. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted prior to certification all of which are to be fully executed.
5. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.
6. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
7. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.
8. That in accordance with the Planning Act RSO 1990, as amended, the owner pay a cash-in-lieu of parkland fee in the amount of five percent (5%) of the value of the land. The owner shall provide, at their sole cost, an appraisal of value of the land from a certified Canadian Residential Appraiser to the satisfaction of the Municipality.



## Report to Council

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**REPORT NO.:** DS-23-26

**DATE:** September 21, 2023

**ATTACHMENT:** Report Photo, Application, Recommended Conditions, By-law

**SUBJECT:** **ZONING BY-LAW AMENDMENT, & CONSENT APPLICATIONS OF BEN FEHR, (AUTHORIZED AGENT: SIMONA RASANU C/O SBM LIMITED)**

**LOCATION:** Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962 (Malahide) (8483 Imperial Road)

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### Recommendation:

**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.**

### Background:

The Applications for Zoning By-law Amendment and Consents relate to the properties 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.

The Applications have been submitted by SBM Consulting, on behalf of the owners, to facilitate the creation of two new residential lots in the Hamlet of South Gore. The Zoning By-law Amendment proposes to rezone the proposed severed lots from “Hamlet Commercial – Site Specific (HC-1)” to “Hamlet Residential – Site Specific (HR-5) to permit a reduced lot area of 1,700 m<sup>2</sup> and reduced lot frontage of 24 metres. The Amendment also proposes to rezone the proposed retained parcel from “Hamlet Commercial – Site Specific (HC-1)” to “Hamlet Residential – Site Specific (HR-6) to permit a reduced lot area of 1,700 m<sup>2</sup>, reduced lot frontage of 24 metres, and recognize an existing interior side yard setback of 1.2 metres.

Notice of the Application has been circulated to agencies and registered property owners as prescribed and regulated by the Planning Act, RSO 1990, and the Malahide Official Plan, including posting notice in two recent issues of the Aylmer Express.

The County Land Division Committee has scheduled a Public Hearing for Consent applications E64-23 and E65-23 to be considered on September 27, 2023.

### **Comments/Analysis:**

The subject lands are approximately 5,213 m<sup>2</sup> in area and have approximately 76.2 metres of frontage on Imperial Road. The subject lands were the site of a former greenhouse. The use has since been discontinued and the property currently contains an existing single detached dwelling and accessory structure. The parcel is bounded by residential uses to the north and south, agricultural lands to the west, and Imperial Road to the east.

Based on the information provided in the application, the owners are proposing to sever two new residential lots. The severed lots are proposed to have an area of approximately 1,700 m<sup>2</sup> and a lot frontage of approximately 24.8 metres and are both currently vacant.

The proposed retained parcel is approximately 1,738 m<sup>2</sup> in area and has approximately 25.9 metres of frontage on Imperial Road. The retained parcel contains the existing dwelling and accessory structure.

### **Provincial Policy Statement (PPS)**

The PPS directs growth and development to existing settlement areas and promotes the efficient use of land (s. 1.1.3.1, 1.1.3.2). The PPS also supports development on individual private services where full municipal services are not available (s. 1.6.6.4). There are no municipal services available in the hamlet of South Gore. A functional servicing report was submitted with the application and determined that the proposed severed and retained lots were of sufficient size to accommodate private wells and septic systems.

## **County of Elgin Official Plan**

The subject lands are designated “Tier 3 Settlement Area” on Schedule ‘A’, Land Use Plan. In addition to the above, the subject property is identified as having frontage along a “Minor Arterial Road” on Schedule ‘B’, “Transportation Plan”.

The County Official Plan permits the creation of new lots provided that the proposed severed and retained lots have frontage on a public road, will not cause a traffic hazard, can be adequately serviced, will not have negative impacts on drainage, will not negatively impact water quality or quantity, or natural hazard process, and will not restrict development on the retained lands. The proposed severed and retained lots will have frontage on a public road (Imperial Road) and are not anticipated to create a traffic hazard. A servicing report and hydrogeological report were submitted with the application and determined that the lots could be adequately serviced and there would be no negative impacts on groundwater quantity and quality.

The County Official Plan requires that sites with the potential for contamination have an Environmental Site Assessment (ESA) to be completed (s. D3.8). An ESA was submitted with the application to determine whether there was any contamination from the previous commercial use and the study determined that there were no identified sources of contamination on-site and that a Record of Site Condition was not required.

## **Malahide Official Plan**

The subject property is designated ‘Hamlet’ on Schedule ‘A1’ (Land Use Plan). The Official Plan permits residential lot creation provided there will be no undue extension of services, the proposed severed and retained lots have frontage on a public road, the proposed severed and retained lots are of an appropriate size, and there is no traffic hazard created (Section 4.3.3). There are no municipal services available in the hamlet of South Gore. A functional servicing report was submitted with the application and determined that the proposed severed and retained lots were of sufficient size to accommodate private wells and septic systems. The severed and retained lots would have frontage on Imperial Road and it is not anticipated that a traffic hazard would be created.

## **Malahide Zoning By-law No. 18-22**

The subject lands zoned “Hamlet Residential (HR)” on Key Map J of the Township’s Zoning By-law. The Zoning By-law Amendment proposes to rezone both severed lots from “Hamlet Commercial – Site Specific (HC-1)” to “Hamlet Residential – Site Specific (HR-5) to permit a reduced lot area of 1,700 m<sup>2</sup> whereas the By-law requires a minimum lot area of 1,850 m<sup>2</sup>, and a reduced lot frontage of 24 metres whereas the By-law requires a minimum lot frontage of 25 m.

The Amendment also proposes to rezone the retained parcel from “Hamlet Commercial – Site Specific (HC-1)” to “Hamlet Residential – Site Specific (HR-6) to permit a reduced lot area of 1,700 m<sup>2</sup> whereas the By-law requires a minimum lot area of 1,850 m<sup>2</sup>, and a reduced lot frontage of 24 metres whereas the By-law requires a minimum lot frontage of 25 m. The HR-6 zone will also recognize the interior side yard setback to the existing dwelling of 1.2 metres whereas the By-law requires a minimum interior side yard of 2 metres.

The previous commercial use is no longer in operation and has been discontinued on the subject lands. The subject lands are surrounded by residential uses to the north, east, and south and so the proposed residential use would be compatible with the adjacent land uses. The application supports the creation of infill development and housing within the community.

The purpose of the minimum lot area provision is to ensure adequate area is available to accommodate any buildings, structures, and private services associated with a land use. As noted, the Zoning by-law Amendment application proposes a minimum lot area of 1,700 m<sup>2</sup>. A functional servicing report was submitted with the application that determined the lot size was sufficient to accommodate private well and septic services. While the lots in the surrounding area are slightly larger, ranging from 1,900 m<sup>2</sup> to 2,000 m<sup>2</sup>, the proposed lots would be consistent with the general character of the community.

The purpose of the minimum lot frontage requirement is to ensure that lots have adequate space for ingress and egress to the property, as well as ensure there are no impacts to the public roadway. The proposed reduction in frontage of 0.5 metres for the proposed lots is considered minor and not anticipated to impact the provision of access to the roadway. It is noted that Imperial Road is a County highway, and the County would provide comments on any concerns with access to the roadway.

**General Comments**

The Development Services Staff has also considered comments provided (if any) by other internal departments:

- The Catfish Creek Conservation Authority (CCCA) (dated September 6, 2023) has no objections to the application.
- Public comments have been received comments from two members of the public objecting to the proposed applications. The comments raised concerns of the size of the proposed lots, impacts on wells and stormwater management in the surrounding area, as well as impacts on property values.

As noted in the report, the proposed lots would be of sufficient size to accommodate private well and septic services and are not anticipated to impact adjacent wells in the area. Additionally, the functional servicing report submitted with the application confirmed that stormwater management would be able to be accommodated by the municipal drain located at the southern edge of the property and post-development stormwater flows would not exceed pre-development flows. Impacts to property values are not considered a land use planning matter and are not included further in this report.

Submitted by:	Reviewed by:	Approved 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 Chief Administrative Officer

# APPLICATION FOR AMENDMENT TO THE ZONING BY-LAW OF THE TOWNSHIP OF MALAHIDE

**Note:** This application must be filed in duplicate with the Clerk of the Township of Malahide.

**To:** The Clerk of the Township of Malahide

**I HEREBY SUBMIT THIS** application to amend the **Zoning By-law** of the Township of Malahide with respect to the lands herein described. This Application is accompanied by a deposit payment in the amount of **\$4000.00**.

**I, the Applicant,** acknowledges that if a Local Planning Appeal Tribunal Hearing is required, an additional deposit of **\$10,000.00** will be submitted to the Township of Malahide prior to the Township sending the notice to the Local Appeal Tribunal. The actual expenses related to the Local Appeal Tribunal hearing shall be calculated and 50% of the costs will be deducted from the said deposit. Any balance remaining will be refunded.

**I, the Applicant,** shall assume responsibility for any additional costs exceeding the deposited amounts related to the said application and the Local Appeal Tribunal hearing and understand and agree that for payment of said additional costs shall be a condition of this signed application. I also agree to accept all costs as rendered.



\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Property Owner

**FOR OFFICE USE ONLY**

DATE RECEIVED:	AMOUNT RECEIVED:
FILE NO:	DATE ADOPTED BY COUNCIL:

### 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 – 2005 Costs

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

CAO/Clerk: \$ 58.99 per hour

Assistant Clerk: \$ 36.38 per hour

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

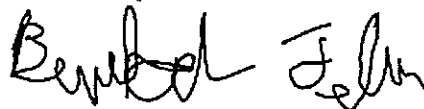
Consultant fees billed out at following rates (Subject to change)

Senior Planner: \$147.00 per hour

Secretary: \$63.00 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

**LETTER OF AUTHORIZATION**

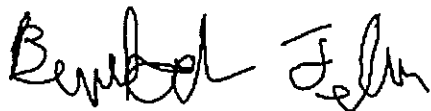
TOWNSHIP OF MALAHIDE  
87 John St. S.  
Aylmer, ON N5H 2C3

**Attention: Development Services**

**Re: Application for Zoning Bylaw Amendment**  
**Ben Fehr – 8483 Imperial 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 Strik Baldinelli Moniz (SBM) to act on my behalf on all matters with respect to the accompanying application as well as any related planning applications.

Yours truly,

A handwritten signature in black ink that reads "Ben Fehr". The signature is written in a cursive style with a large initial "B" and "F".

Ben Fehr



Township of Malahide  
Application for Rezoning

1. Registered Owner's  
Name:

BEN FEHR

Address: 8483 IMPERIAL ROAD, MALAHIDE

Phone No.  
(Home):

519-933-5858

Business:

\_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Lot and Concession  
(if applicable): \_\_\_\_\_

Are there any other holders of mortgages, charges or other encumbrances of the Subject Lands? If so provide the names and addresses of such persons.

2. Applicant / Authorized Agent:

STRIK BACDINELLI MONIZ

Address: 1599 ADELAIDE STREET NORTH

Telephone No.: 519-471-6667 Fax: \_\_\_\_\_

Please specify to whom all communications should be sent:

Registered Owner ( ) Applicant / Authorized Agent (✓)

3. Legal Description of the land for which the amendment is requested:

Concession: GORE SOUTH Lot: \_\_\_\_\_

Reference Plan No: \_\_\_\_\_ Part Lot: 10

Street and Municipal Address No.: 8483 IMPERIAL ROAD

What is the size of property which is subject to this Application?

5140m<sup>2</sup>

Area: ~~0.51ha~~ m<sup>2</sup> Frontage: 76.50 m Depth: 67.05 m

When were the subject lands acquired by the current owner?

SEVERAL YEARS AGO

4. Existing Official Plan Designation:

How does the application conform to the Official Plan? HAMLET SETTLEMENT AREA

5. Existing Zoning By-law Classification:

HAMLET COMMERCIAL HOLDING (HC-H-1)

What are the current uses of the subject lands?

RESIDENTIAL (EXISTING DWELLING)

If known, provide the length of time these uses have continued on this property.

SINCE DEVELOPMENT

If there are any existing buildings or structures on the subject lands provide the following information:

Type	Front Lot Line Setback	Side Lot Line Setbacks	Rear Lot Line Setback	Height	Dimensions
SINGLE DETACHED DWELLING w/ GARAGE	16.04m	<del>2m</del> 1.12m	43.37m	2 STOREY	~ 7.65 x 7.65 m (ground floor of ~ 630 sq. ft.)

If known, provide the dates in which each of these buildings were constructed.

UNKNOWN

6. What is the Nature and Extent of the Rezoning? HAMLET

REZONING TO SITE SPECIFIC RESIDENTIAL ZONE (HR#)

THE ZONING REMOVES THE PREVIOUS COMMERCIAL ZONING AND ADDRESSES THE SLIGHTLY SMALLER LOT SIZE

7. Why is the rezoning being requested?

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8. Does the proposed Zoning By-law amendment implement a growth boundary adjustment of a settlement area?

NO

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

9. Does the proposed amendment remove land from an area of employment?

NO

If so, attach separately justification or information for the request based on the current Official Plan policies or associated Official Plan amendment.

10. Description of proposed development for which this amendment is requested (i.e. permitted uses, buildings or structures to be erected. (Be Specific)

PROPOSED REZONING RECOGNIZES EXISTING DWELLING AND FACILITATES NEW DWELLINGS ON THE PROPOSED LOTS

For any proposed buildings or structures on the subject lands provide the following information:

BUILDING DESIGN FINALIZED AT BUILDING PERMIT STAGE

Type	Front Lot Line Setback	Side Lot Line Setbacks	Rear Lot Line Setback	Height	Dimensions
SINGLE DETACHED DWELLING	≥ 6.0m	≥ 2.0m	→ 7.5m	≤ 10.5m	TBD

11. Services existing or proposed for the subject lands: Please indicate with a

Water Supply

Existing  
PRIVATE WELL

Proposed  
PRIVATE WELL

Municipal Piped Water Supply	( )	( )
Private Drilled Well	( )	( )
Private Dug Well	( )	( )
Communal Well	( )	( )
Lake or other Surface Water Body	( )	( )
Other	( )	( )

<b>Sewage Disposal</b>	<b>Existing</b>	<b>Proposed</b>
Municipal Sanitary Sewers	( )	( )
Individual Septic System	(✓)	(✓)
Communal System	( )	( )
Privy	( )	( )
Other	( )	( )

**Note: If the proposed development is on a private or communal system and generate more than 4500 litres of effluent per day, the applicant must include a servicing options report and a hydrogeological report.**

Are these reports attached?

YES

If not, where can they be found?

**Storm Drainage**

Provisions:

Proposed Outlet:

**12. How will the property be accessed?**

Provincial Highway ( ) County Road (✓) Municipal Road – maintained all year ( )  
NO. 73  
 Municipal Road – seasonally maintained ( ) Right-of-way ( ) Water ( )

If access is by water, do the parking and docking facilities exist, and what is the nearest public road?

- 
13. Has the subject land ever been the subject of an application under the Planning Act for:
- Plan of Subdivision ( )      Consent ( )
- Zoning By-law Amendment ( )      Ministers Zoning Order ( )
- If yes to any of the above, indicate the file number and status of the application.

NO

- 
14. How is the proposed amendment consistent with the Provincial Policy Statement 2005?

PLEASE SEE PLANNING JUSTIFICATION REPORT

- 
15. Are the subject lands within area designated under any Provincial Plan(s)? If the answer is yes, does the proposed amendment conform to the Provincial Plan(s)?

NO

- 
17. The Owner is required to attach the following information with the application and it will form part of the application. Applications will not be accepted without the following.

- (a) A sketch based on an Ontario Land Surveyor description of the subject lands showing
- the boundaries and dimension of the subject lands;
  - the location, size and type of all existing and proposed buildings and structures, indicating their setbacks from all lot lines, the location of driveways, parking or loading spaces, landscaping areas, planting strips, and other uses;
-

- the approximate location of all natural and artificial features (buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are on the subject lands, adjacent to the subject lands, or in the opinion of the applicant may affect the application;
- the current uses of the land that is adjacent to the subject land;
- the location, width, and name of any roads within or abutting the subject land, indicating where it is an unopened road allowance, a public traveled road, a private road, or a right-of-way;
- the location of the parking and docking facilities to be used (if access will be by water only);
- the location and nature of any easement affecting the subject land.

(b) Written comments from the Elgin St. Thomas Health Unit, Long Point Region Conservation Authority and Ministry of Transportation (if applicable).

(c) If a private sewage system is necessary, pre-consultation with the Chief Building Official is required about the approval process

**18. If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's written authorization must accompany the application. If the applicant is a corporation acting without an agent or solicitor the application must be signed by an officer of the corporation and the seal if any must be affixed.**

**19. Additional Information as required by Council**

N/A

**20. If this application is to accommodate the consent of a surplus farm dwelling, please provide the following information:** N/A

Date surplus farm dwelling was erected: \_\_\_\_\_

Please provide the assessment roll number, location, and zoning of the farm parcel with which the subject lands is being consolidated.

**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 re-zoning. 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 BEN  
FEHR

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.

*Benedict Feher*

05 06 2023

Signature

Day

Month

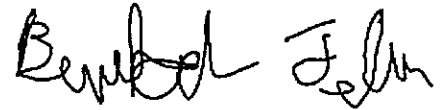
Year

I / We, \_\_\_\_\_, of the \_\_\_\_\_  
Name Town/Township/City/Village etc.  
of \_\_\_\_\_, in the county \_\_\_\_\_, do solemnly declare:  
Municipality Name County Name



- (i) that I / We am / are the owner(s) of the lands described above
- (ii) that to the best of my / our knowledge and belief, all of the information and statements given in this application and in all exhibits transmitted are true.
- (iii) that I /we hereby appoint SBM LTD. to act as an Agent on my/our behalf in all aspects of this application.

And I / We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".



DECLARED BEFORE ME at the:

CITY of LONDON Owner / Agent

in the County/Region of MIDDLESEX this 5th

day of JUNE 20 23 .  
Owner / Agent

  
Signature of Commissioner of Oaths

**KEVIN ANDREW MONIZ,**  
a Commissioner, etc., Province of Ontario,  
for Strik, Baldinelli, Moniz Ltd.  
and SBM Geomatics Ltd.  
Expires November 30, 2023.



APPLICATION FOR CONSENT (LOT A)

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE
2. (a) Name of Owner BEN FEHR  
 Address 8483 IMPERIAL ROAD  
 Telephone Number 519-933-5858 Email \_\_\_\_\_
2. (b) Name of owner's solicitor or authorized agent STRIK BALDINELLI MONIZ (M. PODDAR)  
 Address 1599 ADELAIDE STREET NORTH  
 Telephone Number 519-471-6667 Email mpoddar@sbmltd.ca
2. (c) Name of Applicant BEN FEHR  
 Address 8483 IMPERIAL ROAD, MALAHIDE ON  
 Telephone Number 519-933-5858 Email \_\_\_\_\_

Relationship to Owner: Purchasing Farmer ( ) Other ( ) please specify OWNER

Please specify to whom all communications should be sent:

Owner(s)  Solicitor  Agent  Applicant

**AUTHORIZATION TO APPOINT AN AGENT must be provided if an agent or solicitor is acting on behalf of the land owner or applicant.**

3. (a) Type and purpose of proposed transaction: (check appropriate space)

Transfer:	<input checked="" type="checkbox"/>	creation of a new lot	Other:	<input type="checkbox"/>	mortgage/charge
	<input type="checkbox"/>	addition to a lot		<input type="checkbox"/>	lease
	<input type="checkbox"/>	surplus farm dwelling**		<input type="checkbox"/>	easement/R.O.W.
	<input type="checkbox"/>	technical severance		<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____			

**\*\* If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete and submit attached Appendix "B" – "Surplus Farm Dwelling Information Form."**

- (b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

N/A

(c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

N/A

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4. (a) Location of land:

Municipality MALAHIDE Concession No. \_\_\_\_\_

Lot(s) No. \_\_\_\_\_ Registered Plan No. \_\_\_\_\_

Name of Street IMPERIAL ROAD Street No. and/or 911 No. 8483

Assessment Roll No. \_\_\_\_\_

(b) Are there any easements or restrictive covenants affecting the subject land?

Yes  No  If Yes, describe the easement or covenant and its effect:

\_\_\_\_\_

5. Description of land intended to be severed: (Accurate Measurements in Metric)

Frontage ~~50.48m~~ 24.89 m Depth 67.02m Area 0.17ha  
0.34ha

Existing Use VACANT Proposed Use RESIDENTIAL

Number and use of buildings and structures on the land to be severed:

Existing VACANT

Proposed SINGLE DETACHED DWELLING

6. Description of land intended to be retained: (Accurate Measurements in Metric)

Frontage 25.94m Depth 67.02m Area 1738.5 sq.m.

Existing Use HOME Proposed Use CONTINUE RESIDENTIAL

Number and use of buildings and structures on the land to be retained:

Existing DWELLING AND SHED

Proposed NONE - EXISTING DWELLING, AND SHED TO REMAIN

7. Number of new lots proposed (including retained lots) 3

8. Type of access for proposed and retained lot: (check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained	<input type="checkbox"/>	<input type="checkbox"/>
Other public road	<input type="checkbox"/>	<input type="checkbox"/>
Right Of Way	<input type="checkbox"/>	<input type="checkbox"/>
Water access	<input type="checkbox"/>	<input type="checkbox"/>

9. (a) What type of water supply is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated piped water system	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Privately owned and operated individual well **	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated communal well **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Lake or other water body	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

(b) \*\* If existing water supply is provided from a privately owned and operated individual/ communal well, **the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application); AND**

(c) \*\* **A water quality test by the applicable public health unit is required (Written confirmation to be attached to the Application)**

10. (a) What type of sewage disposal is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated sanitary sewage system		( <input type="checkbox"/> )
<b><u>Privately owned and operated individual septic Tank **</u></b>	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated communal septic System **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

(b) \*\*If existing sewage disposal is privately owned, **the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)**

**NOTE:** If 9(b), 9(c) and 10(b) are not provided, the application is not considered complete and the application will not be accepted until such time as the outstanding items have been provided and it is deemed complete.

11. When will water supply and sewage disposal services be available?

A PRIVATE WELL AND SEPTIC SYSTEM WILL BE CREATED FOR EACH NEW LOT IF APPROVED

12. What is the existing Official Plan designation(s) of the subject land?

SUBURBAN AREA (SOUTH GORE)

13. What is the existing Zoning designation(s) of the subject land?

HAMLET RESIDENTIAL (HR)

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act? Yes  No  Unknown

If Yes, and known, provide the application file number and the decision made on the application

---

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

NO

---

16. (a) Has there been any previous severances of land from this holding?

Yes  No

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed: N/A

Who the severance was granted to \_\_\_\_\_

Use of parcel \_\_\_\_\_

Date parcel created (Year) \_\_\_\_\_

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes  No

If Yes, provide the previous severance File No.

---

18. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes  No

i) Now used for livestock? Yes  No

ii) Capable of being used for livestock? Yes  No

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

19. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes  No

20. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes  No

If Yes, and known, specify the Ministry file number and status of the application

---

21. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes  No

If Yes, and known, specify the appropriate file number and status of the application  
Concurrent application for ZBA being filed

---

22. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes  No

- (b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

Section 1.1 - Consent encourages new residential development in a recognized settlement area

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23. Is the subject land within an area designated under any provincial plan or plans?

Yes  No

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

---

24. Did pre-consultation occur with the local Municipality and/or other agencies?

Yes  No

Enter date of consultation and contact person

SUMMER 2022 - ERIC STEELE (MONTEITH BROWN)

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25. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.

26. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

27. DETAILED SKETCH:

The application shall be accompanied by a detailed sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and

that abuts the subject land;

- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be created** and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be retained** and shall comply with the Zoning By-Law setbacks;
- the existing use(s) on adjacent lands;
- 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;
- if access to the subject land is by water only, the location of the parking and boatdocking facilities to be used;
- the location and nature of any easement affecting the subject land.

Dated at the CITY OF LONDON of COUNTY OF MIDDLESEX  
 (Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 05 day of 06 20 23  
 (day) (month) (year)

*M Poddar*

\_\_\_\_\_  
 SIGNATURE OF APPLICANT(S), SOLICITOR OR AUTHORIZED AGENT



**AFFIDAVIT OR SWORN DECLARATION**

I/We MANEESHPODDAR of the CITY  
(Applicant/Agent Name) (Municipality/Township/City/etc.)

of LONDON in the County of MIDDLESEX  
(Name of Municipality/Township/City/etc.) (County Name)

solemnly declare that all the information contained in this application is true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me in the

CITY of LONDON  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

in the COUNTY OF MIDDLESEX this 05 day of 06  
(County/Region if applicable) (Day) (Month)

20 23  
(Year)

M Poddar  
Signature

Kevin Andrew Moniz  
Signature of Commissioner of Oaths

**KEVIN ANDREW MONIZ,**  
a Commissioner, etc., Province of Ontario,  
for Strik, Baldinelli, Moniz Ltd.  
and SBM Geomatics Ltd.  
Expires November 30, 2023.

If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the seal, if any, must be affixed.

It is required that one copy of this application be filed, together with one copy of the detailed sketch described, with the responsible person, accompanied by a fee of – \$1,250.00 in cash or by cheque made payable to TREASURER, COUNTY OF ELGIN.

An additional fee of \$300.00 will be charged for affixing the consent stamp.

**AUTHORIZATION TO APPOINT AN AGENT**

**NOTE:** This form is only to be used for applications, which are to be signed by someone other than the owner(s).

To: Secretary-Treasurer  
Land Division Committee  
Corporation of the County of Elgin

Description and Address of Subject Lands:

8483 IMPERIAL ROAD, MALAHIDE ON

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

MANEESH PODDAR of THE CITY OF LONDON to:  
(Agents Name/Names) (Agents City/Town of Residence)


- (1) make an application on my behalf to the County of Elgin Land Division Committee;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Land Division Committee relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ LONDON \_\_\_\_\_  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 5th day of JUNE 2023  
(Day) (Month) (Year)

BEN FEHR  
Name of Owner

  
Signature of Owner


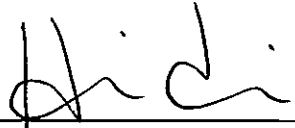
\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
Signature of Owner

MANEESH PODDAR MEHDI HEIDARI  
Name of Witness

   
Signature of Witness



APPLICATION FOR CONSENT

(LOT B)

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE

2. (a) Name of Owner BEN FEHR

Address 8483 IMPERIAL ROAD

Telephone Number 519-933-5858 Email \_\_\_\_\_

2. (b) Name of owner's solicitor or authorized agent STRIK BALDINELLI MONIZ (M. PODDAR)

Address 1599 ADELAIDE STREET NORTH

Telephone Number 519-471-6667 Email mpoddar@sbmltd.ca

2. (c) Name of Applicant BEN FEHR

Address 8483 IMPERIAL ROAD, MALAHIDE ON

Telephone Number 519-933-5858 Email \_\_\_\_\_

Relationship to Owner: Purchasing Farmer ( ) Other ( ) please specify OWNER

Please specify to whom all communications should be sent:

Owner(s)  Solicitor  Agent  Applicant

**AUTHORIZATION TO APPOINT AN AGENT must be provided if an agent or solicitor is acting on behalf of the land owner or applicant.**

3. (a) Type and purpose of proposed transaction: (check appropriate space)

Transfer:	<input checked="" type="checkbox"/>	creation of a new lot	Other:	<input type="checkbox"/>	mortgage/charge
	<input type="checkbox"/>	addition to a lot		<input type="checkbox"/>	lease
	<input type="checkbox"/>	surplus farm dwelling**		<input type="checkbox"/>	easement/R.O.W.
	<input type="checkbox"/>	technical severance		<input type="checkbox"/>	correction of title
	<input type="checkbox"/>	other (specify) _____			

**\*\* If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete and submit attached Appendix "B" – "Surplus Farm Dwelling Information Form."**

(b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

N/A

- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:

N/A

---

4. (a) Location of land:

Municipality MALAHIDE Concession No. \_\_\_\_\_

Lot(s) No. \_\_\_\_\_ Registered Plan No. \_\_\_\_\_

Name of Street IMPERIAL ROAD Street No. and/or 911 No. 8483

Assessment Roll No. \_\_\_\_\_

(b) Are there any easements or restrictive covenants affecting the subject land?

Yes  No  If Yes, describe the easement or covenant and its effect:

5. Description of land intended to be severed: (Accurate Measurements in Metric)

Frontage ~~50.48m~~ 25.59m Depth 67.02m Area ~~0.34ha~~ 0.17ha

Existing Use VACANT Proposed Use RESIDENTIAL

Number and use of buildings and structures on the land to be severed:

Existing VACANT

Proposed SINGLE DETACHED DWELLING

6. Description of land intended to be retained: (Accurate Measurements in Metric)

Frontage 25.94m Depth 67.02m Area 1738.5 sq.m.

Existing Use HOME Proposed Use CONTINUE RESIDENTIAL

Number and use of buildings and structures on the land to be retained:

Existing DWELLING AND SHED

Proposed NONE - EXISTING DWELLING, AND SHED TO REMAIN

7. Number of new lots proposed (including retained lots) 3

8. Type of access for proposed and retained lot: (check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained	<input type="checkbox"/>	<input type="checkbox"/>
Other public road	<input type="checkbox"/>	<input type="checkbox"/>
Right Of Way	<input type="checkbox"/>	<input type="checkbox"/>
Water access	<input type="checkbox"/>	<input type="checkbox"/>

9. (a) What type of water supply is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated piped water system	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Privately owned and operated individual well **	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated communal well **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Lake or other water body	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

(b) \*\* If existing water supply is provided from a privately owned and operated individual/ communal well, **the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application); AND**

(c) \*\* **A water quality test by the applicable public health unit is required (Written confirmation to be attached to the Application)**

10. (a) What type of sewage disposal is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated sanitary sewage system		( <input type="checkbox"/> )
<b><u>Privately owned and operated individual septic Tank **</u></b>	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated communal septic System **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

(b) \*\*If existing sewage disposal is privately owned, **the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)**

**NOTE:** If 9(b), 9(c) and 10(b) are not provided, the application is not considered complete and the application will not be accepted until such time as the outstanding items have been provided and it is deemed complete.

11. When will water supply and sewage disposal services be available?

A PRIVATE WELL AND SEPTIC SYSTEM WILL BE CREATED FOR EACH NEW LOT IF APPROVED

12. What is the existing Official Plan designation(s) of the subject land?

SUBURBAN AREA (SOUTH GORE)

13. What is the existing Zoning designation(s) of the subject land?

HAMLET RESIDENTIAL (HR)

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act? Yes  No  Unknown

If Yes, and known, provide the application file number and the decision made on the application

---

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

NO

---

16. (a) Has there been any previous severances of land from this holding?

Yes

No

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed: N/A

Who the severance was granted to \_\_\_\_\_

Use of parcel \_\_\_\_\_

Date parcel created (Year) \_\_\_\_\_

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes  No

If Yes, provide the previous severance File No.

---

18. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes  No

i) Now used for livestock? Yes  No

ii) Capable of being used for livestock? Yes  No

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

19. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes

No



20. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes  No

If Yes, and known, specify the Ministry file number and status of the application

---

21. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes  No

If Yes, and known, specify the appropriate file number and status of the application

Concurrent application for ZBA being filed

---

22. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes  No

- (b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

Section 1.1 - Consent encourages new residential development in a recognized settlement area

23. Is the subject land within an area designated under any provincial plan or plans?

Yes  No

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

---

24. Did pre-consultation occur with the local Municipality and/or other agencies?

Yes  No

Enter date of consultation and contact person

SUMMER 2022 - ERIC STEELE (MONTEITH BROWN)

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25. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.
26. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.
27. DETAILED SKETCH:  
The application shall be accompanied by a detailed sketch showing the following:
- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
  - the boundaries and dimensions of any land owned by the owner of the subject land and

that abuts the subject land;

- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be created** and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be retained** and shall comply with the Zoning By-Law setbacks;
- the existing use(s) on adjacent lands;
- 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;
- if access to the subject land is by water only, the location of the parking and boatdocking facilities to be used;
- the location and nature of any easement affecting the subject land.

Dated at the CITY OF LONDON of COUNTY OF MIDDLESEX  
 (Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 05 day of 06 20 23  
 (day) (month) (year)

*M Poddar*

---

**SIGNATURE OF APPLICANT(S), SOLICITOR OR AUTHORIZED AGENT**

**AFFIDAVIT OR SWORN DECLARATION**

I/We MANEESHPODDAR of the CITY  
\_\_\_\_\_  
(Applicant/Agent Name) (Municipality/Township/City/etc.)

of LONDON in the County of MIDDLESEX  
\_\_\_\_\_  
(Name of Municipality/Township/City/etc.) (County Name)

solemnly declare that all the information contained in this application is true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me in the  
CITY of LONDON  
\_\_\_\_\_  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

in the COUNTY OF MIDDLESEX this 05 day of 06  
\_\_\_\_\_  
(County/Region if applicable) (Day) (Month)

20 23  
\_\_\_\_\_  
(Year)

M Poddar  
\_\_\_\_\_  
Signature

[Signature]  
\_\_\_\_\_  
Signature of Commissioner of Oaths

**KEVIN ANDREW MONIZ,**  
Commissioner, etc., Province of Ontario,  
for Strik, Baldinelli, Moniz Ltd.  
and SBM Geomatics Ltd.  
Expires November 30, 2023.

If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the seal, if any, must be affixed.

It is required that one copy of this application be filed, together with one copy of the detailed sketch described, with the responsible person, accompanied by a fee of – \$1,250.00 in cash or by cheque made payable to TREASURER, COUNTY OF ELGIN.

An additional fee of \$300.00 will be charged for affixing the consent stamp.

**AUTHORIZATION TO APPOINT AN AGENT**

**NOTE:** This form is only to be used for applications, which are to be signed by someone other than the owner(s).

To: Secretary-Treasurer  
Land Division Committee  
Corporation of the County of Elgin

Description and Address of Subject Lands:

8483 IMPERIAL ROAD, MALAHIDE ON

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

MANEESH PODDAR of THE CITY OF LONDON to:  
(Agents Name/Names) (Agents City/Town of Residence)

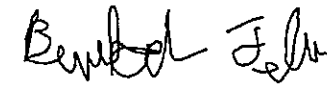
- (1) make an application on my behalf to the County of Elgin Land Division Committee;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Land Division Committee relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the CITY of LONDON  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 5th day of JUNE 20 23  
(Day) (Month) (Year)

BEN FEHR  
Name of Owner

  
Signature of Owner



\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Name of Owner

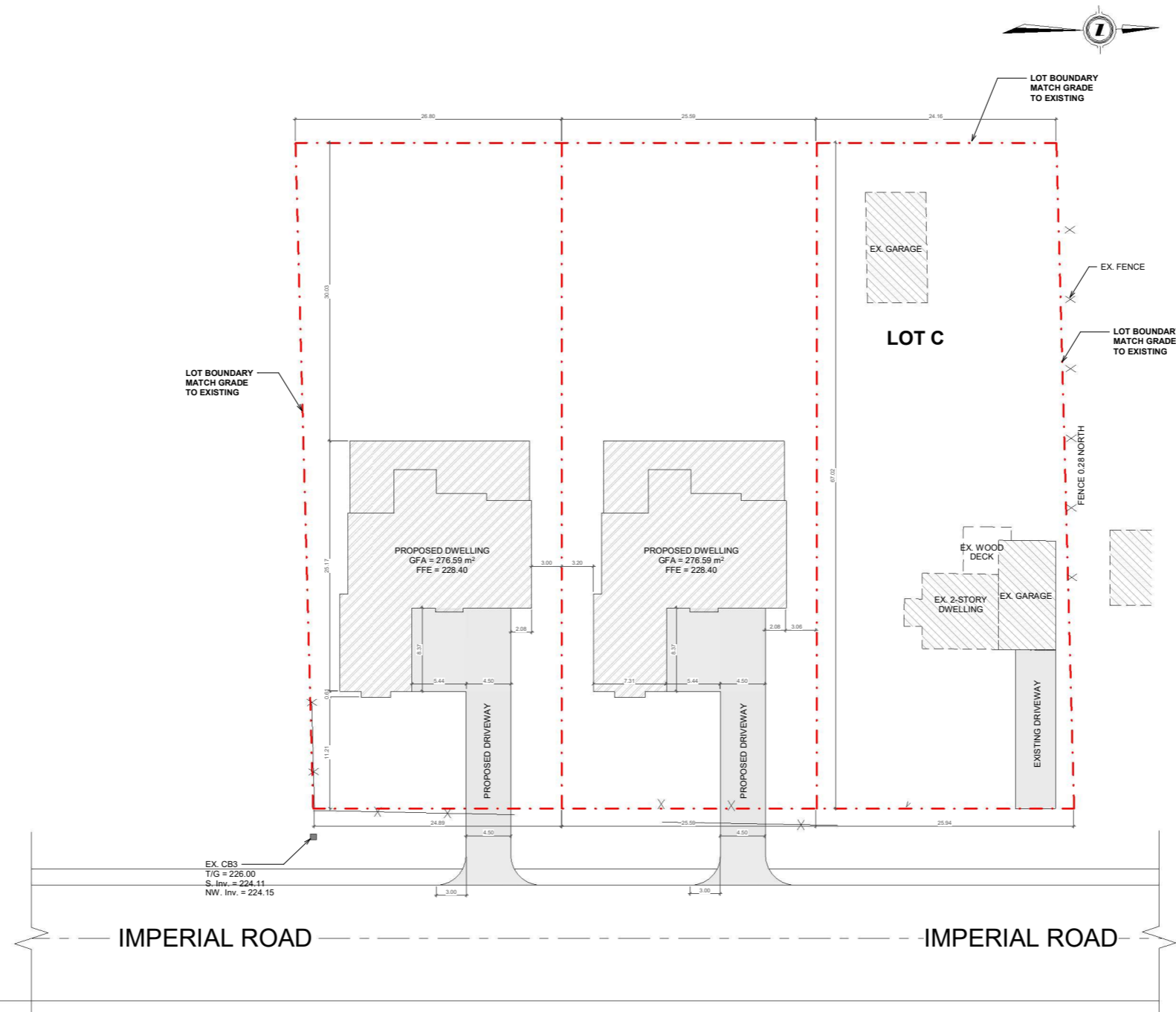
\_\_\_\_\_  
Signature of Owner

MANEESH PODDAR MEHDI HEIDARI  
Name of Witness

   
Signature of Witness

**ZONING DATA CHART**

PROPERTY ZONING: HR – Hamlet Residential		
ITEM	REQUIRED	PROPOSED
LOT AREA (m <sup>2</sup> ) MINIMUM	1850	1736.6
LOT FRONTAGE (m) MINIMUM	25	24.9
FRONT YARD SETBACK (m) MINIMUM	6.0	11.2
INTERIOR SIDE YARD SETBACK (m) MINIMUM	2.0	3.0
REAR YARD SETBACK (m) MINIMUM	7.5	25.2
LOT COVERAGE (% MAX)	30	21.5
HEIGHT (m <sup>2</sup> MAX)	10.5	6.0
FLOOR AREA OF A DWELLING (m <sup>2</sup> ) MINIMUM	90	373.9
FLOOR AREA OF AN ACCESSORY BUILDING (m <sup>2</sup> ) MAXIMUM	150	(67.3 EXISTING GARAGE)
LANDSCAPED OPEN SPACE (%) MINIMUM	30	70.6
NUMBER OF DWELLINGS PER LOT, MAXIMUM	1	1



PROPOSED DEVELOPMENT  
1 : 200



GSPrimo

GSPrimo Design Inc.  
Cell: 519-871-3234  
www.gsprimo.com



*M. Heidari*

Date: February 24, 2023

THESE DRAWINGS ARE "DESIGN DRAWINGS" ONLY. THEY MAY NOT BE SUITABLE FOR USE AS SHOP DRAWINGS. USE OF THESE DRAWINGS AS BASE DRAWINGS FOR "SHOP DRAWINGS" IS NOT PERMITTED UNLESS WRITTEN PERMISSION CONTAINING CERTAIN CONDITIONS AND LIMITATIONS IS OBTAINED FROM RJC. THE WORK "AS CONSTRUCTED" MAY VARY FROM WHAT IS SHOWN ON THESE DRAWINGS.

Project Number: 287

Client: Ben Fehr

Address: 8483 Imperial Road,  
Malahide, Ontario

Revision: No. 1

Sheet Name: PROPOSED DEVELOPMENT

Designed by: M. Heidari, PhD, P.Eng.

Sheet Number: S.1

Scale: As indicated

**Eric Steele**

---

**From:** Allison Adams <AAdams@malahide.ca>  
**Sent:** Monday, September 11, 2023 9:08 AM  
**To:** horsecreektrail@gmail.com  
**Cc:** Eric Steele  
**Subject:** FW: Attention Allison Adams re application :D14-Z08-23

Hi Judy,

Thank you for submitting your comments for the D14-Z08-23 rezoning application. I have cc'd Eric Steele, Township Planner, so that he is aware of these comments moving forward and address them as part of the process.

Thanks,  
Allison

Allison Adams – H.BA Political Science, AMP Manager of Legislative Services/Clerk  
Office: 519.773.5344 x222  
Fax: 519.773.5334

-----Original Message-----

From: Judy Jones <horsecreektrail@gmail.com>  
Sent: Friday, September 8, 2023 5:04 PM  
To: Malahide General <malahide@malahide.ca>  
Cc: Dominique Giguere <dominique@dg4malahide.ca>; Judy Jones <horsecreektrail@gmail.com>  
Subject: Attention Allison Adams re application :D14-Z08-23

September 8, 2023.

Dear Members of the Township of Malahide Council,

As taxpayers of this township for over 50 years, we object to the application for the zoning by-law amendment. ( application D14-Z08-23) The lots directly across from this property were divided by us and consisted of large country lots 100x250 feet which were generous considering township requirements. The current by laws require a minimum lot area of 1850 m and a lot frontage of 25 m. If theses are the requirements council has established then there should be no need to 'bend' the rules to squeeze in two houses on two smaller lots. This just encourages other township landowners to do the same and we end up with more houses on smaller lots with more driveways, packed into an already very congested area.

We strongly object to this application and ask that council consider carefully the opening this provides for others seeking similar lot size changes.

Unfortunately we are unable to attend this meeting as we will be out of country.

We thank you in advance for your serious consideration of denying this application.

Regards,  
Leonard Jones  
Judy Jones

49686 Van Patter Line  
8502 Imperial Road Aylmer On

8443 Imperial Road Aylmer On  
8514 Imperial Road Aylmer On



**Eric Steele**

---

**From:** Allison Adams <AAdams@malahide.ca>  
**Sent:** Tuesday, September 12, 2023 12:11 PM  
**To:** dellerk62@gmail.com  
**Cc:** Eric Steele  
**Subject:** FW: Subject - File No. D14-Z08-23 (8483 Imperial Rd)

Hi Kirby,

Thanks for forwarding your concern. I have included Eric Steele, Township Planner, on this email thread so that he can include your comments in his report/presentation to Council as part of the public meeting process.

You do not have to attend the meeting to have the comments included as part of the review of this zoning process. You can attend in person, you can simply watch the meeting via YouTube on our website, [www.malahide.ca](http://www.malahide.ca) or if you want to speak/participate in the meeting I can send you a link to the meeting directly. If you do want to attend, you have the details of the meeting time and location via the notice you have received. If you want to attend via zoom to speak, please let me know and I can forward that link to you next week. If you simply want to be notified of the decision, be assured you are included in that circulation list.

Let me know if there is anything further we can assist with.

Thanks,  
Allison

**Allison Adams – H.BA Political Science, AMP**  
 Manager of Legislative Services/Clerk  
 Office: 519.773.5344 x222  
 Fax: 519.773.5334

---

**Township of Malahide**

87 John Street South  
 Aylmer, ON  
 N5H 2C3




---

**From:** Roberta Gordon <RGordon@malahide.ca> **On Behalf Of** Malahide General  
**Sent:** Tuesday, September 12, 2023 10:45 AM  
**To:** Allison Adams <AAdams@malahide.ca>  
**Subject:** FW: Subject - File No. D14-Z08-23 (8483 Imperial Rd)

From Malahide general

**From:** Kirby Deller <[dellerk62@gmail.com](mailto:dellerk62@gmail.com)>  
**Sent:** Tuesday, September 12, 2023 9:34 AM  
**To:** Malahide General <[malahide@malahide.ca](mailto:malahide@malahide.ca)>  
**Subject:** Subject - File No. D14-Z08-23 (8483 Imperial Rd)

Attention; Allison Adams

Mornining Allison, My name is Kirby Deller and my home address is 8490 Imperial Rd, Aylmer, ON N5H 2R2. I am writing in regards to the Zoning By-Law Amendment for file No. D14-Z08-23.

I am not in favour of the township permitting a zoning change to reduce the size of lots (to permit three lots were only two should be allowed). I am in favour of splitting the original parcel of Land at 8483 Imperial road in two lots but I believe allowing three lots will reduce the property value of neighbouring properties, and put added stress on storm drainage systems plus decrease ground water purity from adding an extra septic system.

When we purchased our lot a little over a year ago we understood the lot sizes would be maintained to the original Township standards and I believe the township should maintain these standards.

Can you confirm if I have to attend the meeting or is this email sufficient to have my voice heard. I am interested in the out come of the townships decision.

Thanks for your time

Best Regards

--

Kirby Deller

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

Being a By-law to amend By-law No. 18-22

**Fehr  
8483 Imperial Road**

**WHEREAS** the Council of The Corporation of the Township of Malahide deems it necessary to pass a By-law to amend By-law No. 18-22, as amended;

**AND WHEREAS** authority is granted under Section 34 of the Planning Act, as amended, to pass a By-law;

**AND WHEREAS** this By-law conforms with the Official Plan of the Township of Malahide, as amended;

**NOW THEREFORE** the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** the area shown in hatching on the attached map, Schedule "A", and described as Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962, in the Township of Malahide, shall be removed from the "Hamlet Commercial (HC)" Zone of By-law No. 18-22 and shall be placed in the "Hamlet Residential (HR)" Zone subject to the added provisions of Section 6.6 of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as "HR-5" on Key Map J of Schedule "A" to By-law No. 18-22, as amended.
2. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 6.6 HAMLET RESIDENTIAL (HR) ZONE – 'SITE-SPECIFIC' ZONES, by adding the following new subsection.

**"6.6.5 a) Defined Area**

***HR-5 as shown on Schedule 'A', Map No. J.***

**b) Minimum Lot Area      1,700 square metres**

**c) Minimum Lot Frontage      24 metres**

3. **THAT** the area shown in hatching on the attached map, Schedule "A", and described as Part of Lot 10, Concession South Gore, Part 1 on Registered Plan 11R3690 & Part 1 on Registered Plan 11R5962, in the Township of Malahide, shall remain in the "Hamlet Residential (HR)" Zone

of By-law No. 18-22 and shall be subject to the added provisions of Section 6.5 of By-law No. 18-22 as set forth in this By-law. The zoning of this land shall be shown as “HR-6” on Key Map J of Schedule “A” to By-law No. 18-22, as amended.

4. **THAT** By-law No. 18-22, as amended, is hereby further amended by amending Section 6.6 HAMLET RESIDENTIAL (HR) ZONE – ‘SITE-SPECIFIC’ ZONES, by adding the following new subsection.

**“6.6.6 a) Defined Area**

***HR-6 as shown on Schedule ‘A’, Map No. J.***

- |   |                            |
|---|----------------------------|
| <b>b) <u>Minimum Lot Area</u></b>           | <b>1,700 square metres</b> |
| <b>c) <u>Minimum Lot Frontage</u></b>       | <b>24 metres</b>           |
| <b>d) <u>Minimum Interior Side Yard</u></b> | <b>1.2 metres</b>          |

1. **THAT** this By-law shall come into force:

- a) Where no notice of objection has been filed with the Township’s Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or,
- b) Where notice of objection has been filed with the Township’s Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Land Tribunal.

**READ** a **FIRST** and **SECOND** time this 21<sup>st</sup> day of September, 2023.

**READ** a **THIRD** time and **FINALLY PASSED** this 21<sup>st</sup> day of September, 2023.

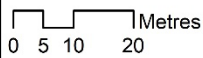
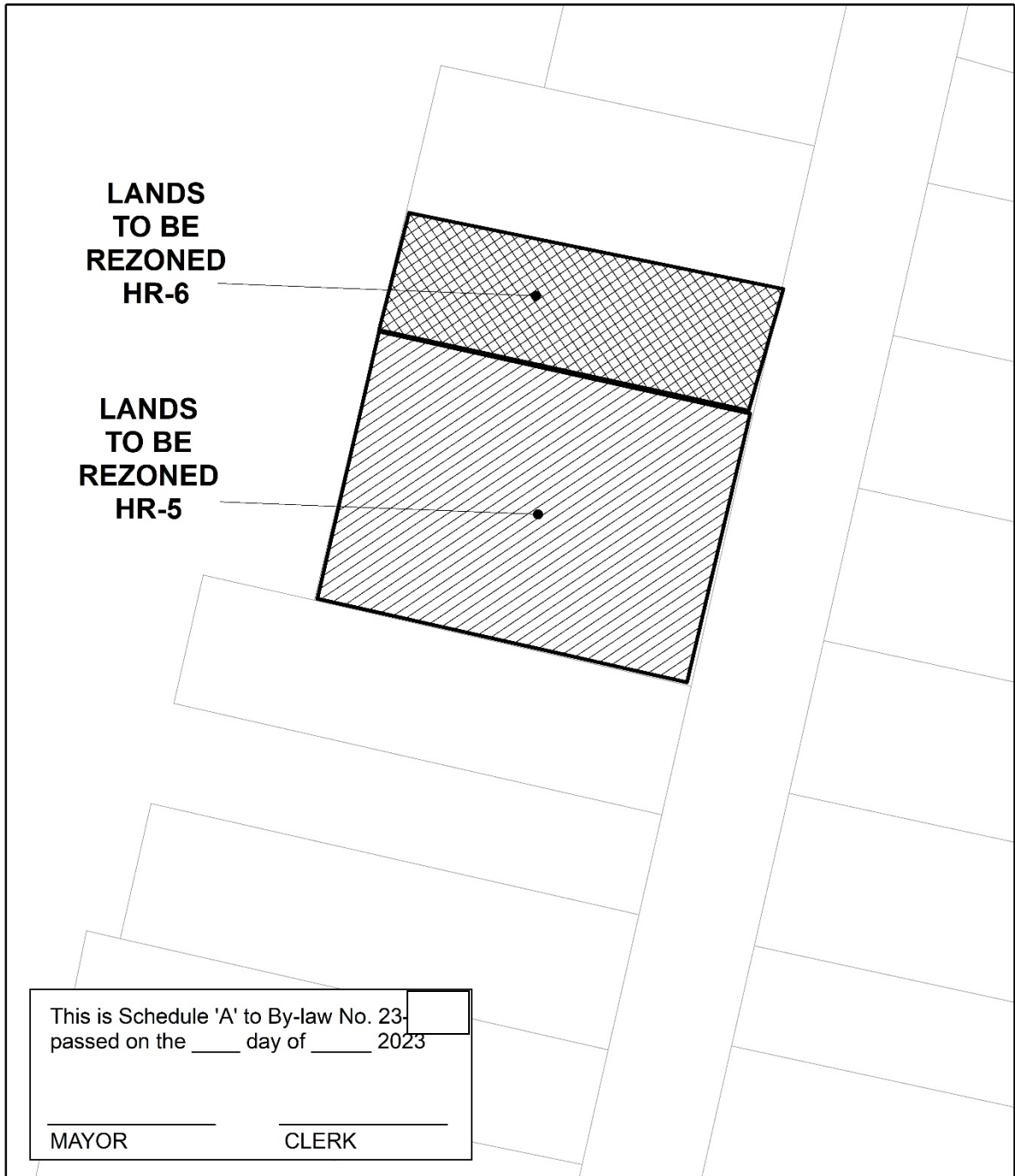
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Mayor – D. Giguère

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Clerk – A. Adams

**SCHEDULE A**



Township of Malahide  
Comprehensive Zoning By-law No.18-22

**SCHEDULE 'J'**  
**SOUTH GORE**

## E64/23 – Recommended Conditions

1. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
2. That the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled. If a lot grading plan is required as a condition of severance, it should be done in conjunction with the new Municipal drain or relocation of Municipal Drain.
3. That all entrance permits are acquired from the appropriate road authority as per our entrance control policy.
4. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading development plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.
5. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
6. That the applicants initiate and assume all planning costs associated with the required Zoning Amendment as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
7. Confirmation that the existing private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
8. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted to the Municipality prior to certification all of which are to be fully executed.
9. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.

10. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
11. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.
12. That in accordance with the Planning Act RSO 1990, as amended, the owner pay a cash-in-lieu of parkland fee in the amount of five percent (5%) of the value of the land. The owner shall provide, at their sole cost, an appraisal of value of the land from a certified Canadian Residential Appraiser to the satisfaction of the Municipality.

## E65/23 – Recommended Conditions

1. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, as amended, with a deposit to be paid in full to the township prior to the condition being deemed fulfilled. If the deposit does not cover the costs of the revised assessment schedule, the applicant will be billed for any additional costs incurred.
2. That the applicant initiate and assume, if required, all engineering and construction costs associated with construction of a new Municipal drain, or, the relocation of Municipal drain. To be commenced in accordance with the Drainage Act, RSO 1990. All costs to be paid in full to the township prior to the condition being deemed fulfilled. If a lot grading plan is required as a condition of severance, it should be done in conjunction with the new Municipal drain or relocation of Municipal Drain.
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4. That the applicant be required to retain the services of a professional designer and have an engineered Lot grading development plan and ditch grading plan prepared in accordance with good engineering practices, that are suitable to the Township prior to the condition being deemed fulfilled.
5. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official prior to the condition being deemed fulfilled.
6. That the applicants initiate and assume all planning costs associated with the required Zoning Amendment as required in accordance with the Ontario Planning Act, RSO 1990, with such cost to be paid in full to the Township and that the required process be successfully completed prior to the condition being deemed fulfilled.
7. Confirmation that the existing private sewage system be confined entirely within the boundaries of the newly created parcel. That system be in conformance with all required setbacks from lot lines prior to the condition being deemed fulfilled.
8. That the necessary deeds, transfers and charges for certificates and/or instruments necessary for registration be submitted to the Municipality prior to certification all of which are to be fully executed.
9. That all applicable property taxes, municipal fees and charges be paid to the Municipality prior to the stamping of the deeds.



10. That an electronic version of the reference plan be submitted to the satisfaction of the Municipality.
11. That the applicant is responsible to apply and pay all fees to the Township with respect to Civic Addressing Numbers/Signage for the severed and retained portions of property prior to the condition being deemed fulfilled.
12. That in accordance with the Planning Act RSO 1990, as amended, the owner pay a cash-in-lieu of parkland fee in the amount of five percent (5%) of the value of the land. The owner shall provide, at their sole cost, an appraisal of value of the land from a certified Canadian Residential Appraiser to the satisfaction of the Municipality.



## Report to Council

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**REPORT NO.:** PW-23-53  
**DATE:** September 21, 2023  
**ATTACHMENTS:** # 1 – Notice of Request for Drain Improvement  
# 2 – Overview Map

**SUBJECT: REQUEST FOR IMPROVEMENT – KETCHABAW DRAIN**

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### **Recommendation:**

**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.***

### **Background:**

The Township of Malahide has received a Request for Improvement for the Ketchabaw Drain that services properties on both sides of Crossley – Hunter Line. William Fournie, the landowner at 47511 Crossley – Hunter Line, has requested that a portion of the existing drain be reconstructed to alleviate drainage issues he is having on his property.

### **Comments/Analysis:**

The existing Ketchabaw Drain was constructed pursuant to a report completed by Spriet Associates, dated March 20, 1970. It is a closed tile drain consisting of 6”, 8”, 10” and 12” tile. Over the past few years there have been a number of washouts at the bottom end of the drain that have required significant repair. This has been generally attributed to high flows in the drain, surface water flow that is not entering the drain pipes, and that the drain is likely undersized by today’s standard. These items will be evaluated by the Drainage Engineer and appropriate actions be recommended throughout this process.

As per *Sections 6 and 7 of the Drainage Act R.S.O. 1990*, once Council has initiated the drain improvement, notice will be sent out to local municipalities, local conservation authorities and the Ontario Ministry of Agriculture, Food and Rural Affairs. These agencies have the right to request an environmental appraisal or a cost benefit analysis at their own expense.

Staff have examined the drain and area in question and are recommending that Council accept the landowners Request for Improvement and proceed with the provisions as outlined in *Section 78 of the Drainage Act R.S.O. 1990*.

The estimated construction date for this project is the Fall of 2024.

**Financial Implications to Budget:**

The Township has lands which contribute to the drainage area and will likely be an assessed party to the Report.

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

# Notice of Request for Drain Improvement

Drainage Act, R.S.O. 1990, c. D.17, subs. 78(1)

To: The Council of the Corporation of the Township of Malahide

Re: Kethabaw drain  
(Name of Drain)

In accordance with section 78(1) of the *Drainage Act*, take notice that I/we, as owner(s) of land affected, request that the above mentioned drain be improved.

The work being requested is (check all appropriate boxes):

- Changing the course of the drainage works;
- Making a new outlet for the whole or any part of the drainage works;
- Constructing a tile drain under the bed of the whole or any part of the drainage works;
- Constructing, reconstructing or extending bridges or culverts;
- Constructing, reconstructing or extending embankments, walls, dykes, dams, reservoirs, pumping stations or other protective works in connection with the drainage works;
- Otherwise improving, extending to an outlet or altering the drainage works;
- Covering all or part of the drainage works; and/or
- Consolidating two or more drainage works.

Provide a more specific description of the proposed drain improvement you are requesting:

Reduce from creek to road (Crossley Hunter) Drain is in poor condition + undersize for today's water flow. field is washing + tile has blown out

**Property Owners:**

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.

**Property Description**

Port lots 19+20 South Dorchester Con 10N

Ward or Geographic Township

Malahide

Parcel Roll Number

3408014020126000000

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner(s) of the property may request a drain improvement.

Select Ownership Type

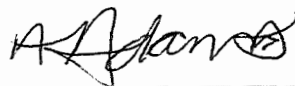
133

Enter the mailing address and primary contact information of property owner below:

Last Name Fournie		First Name William	Middle Initial J
Mailing Address			
Unit Number 4754	Street/Road Number 47511	Street/Road Name Crossley Hunter Line	PO Box <del>NOL 130</del>
City/Town Belmont		Province Ont	Postal Code NOL 1B0
Telephone Number 519-644-1687	Cell Phone Number (Optional) N/A	Email Address (Optional) N/A	

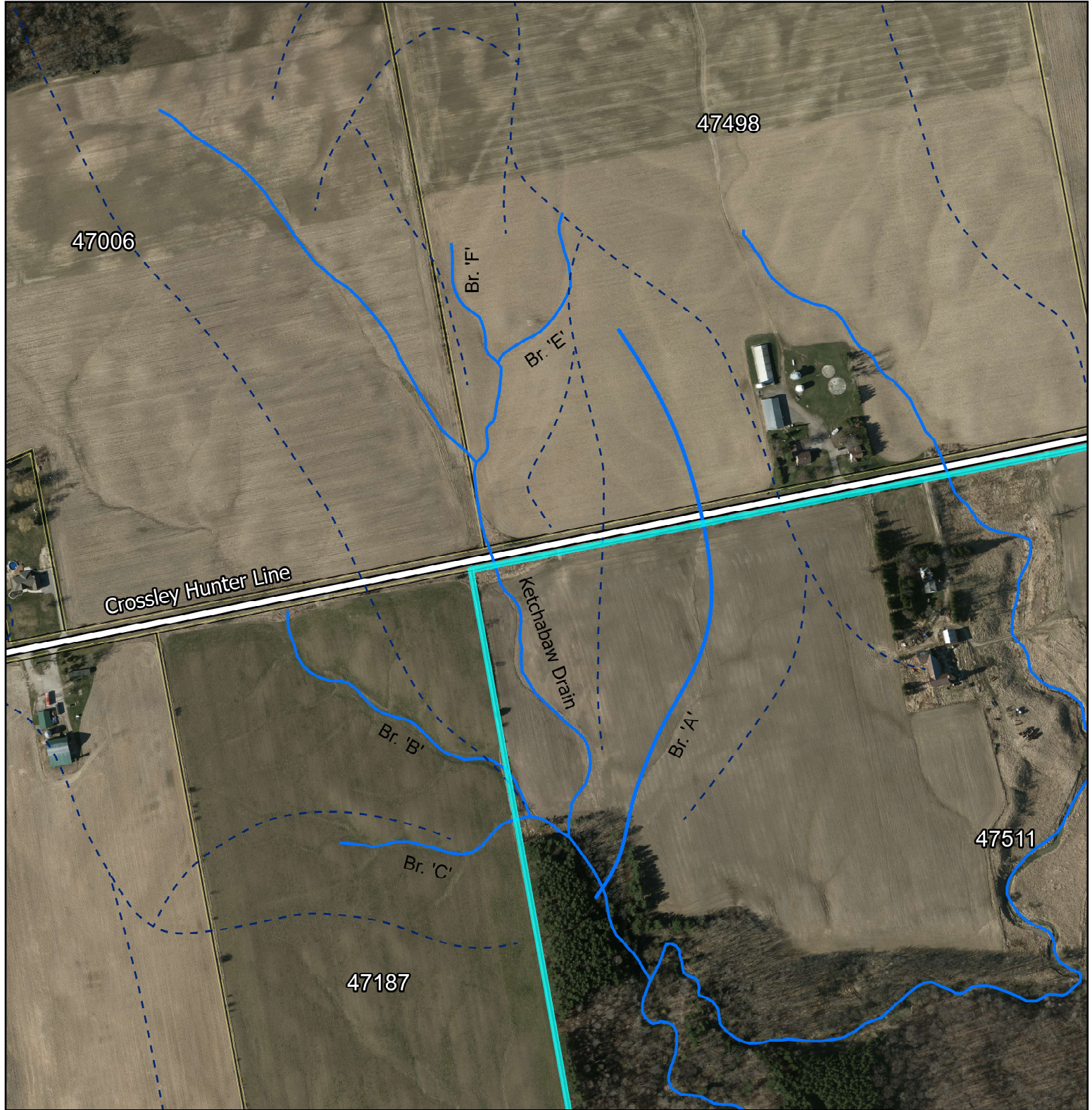
To be completed by recipient municipality:

Notice filed this 8 day of SEPT 20 23

Name of Clerk (Last Name, First Name) ADAMS, ALLISON	Signature of Clerk 
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# Ketchabaw Drain






Map Produced by:  
Township of Malahide

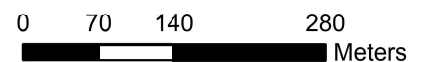
Projection: NAD 83  
UTM ZONE 17

Date: September 14, 2023

This drawing is neither a  
legally recorded map  
nor a survey and is not  
intended to be used as one.

## Legend

-  Municipal Drain
-  Drain Watershed
-  Petitioning Property





## Report to Council

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**REPORT NO.:** PW-23-54  
**DATE:** Sept 21, 2023  
**ATTACHMENT:** None  
**SUBJECT:** **MALAHIDE COMMUNITY PLACE CONCESSION CONTRACT FOR 2024**

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### **Recommendation:**

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.

### **Background:**

At the beginning of 2023 there was no contract in place for the operation of the Malahide Community Place concession booth. Staff issued an Expression of Interest (EOI) for the operation of the concession booth. The EOI closed on April 20<sup>th</sup>, 2023. The document was sent directly to 3 potential contractors and was advertised in the newspaper and on social media. After the closing on April 20<sup>th</sup> the Township received zero responses to the Expression of Interest.

Under the Township's procurement by-law, a non-competitive, or direct negotiating procurement process, can be used in circumstances where an attempt to purchase the required good or service has been made in good faith, using a competitive bid method and has failed to identify a successful bidder (section 5.2.2).

After the closing of the Expression of Interest, the Facilities Manager was contacted by two contractors who were interested in discussing the concession contract. The Facilities Manager met with each of these potential contractors. The first decided they didn't have time. The second, Christina Klassen, expressed their desire to operate the concession for the 2024 season, and is open to the potential of extending this contract for three more years based on the results of the 2024 season.

Christina is a local business person who wants to expand her current business and move it to the concession booth.

**Comments/Analysis:**

The contract for the concession is the standard contract document that was previously developed for operation of the concession booth at Malahide Community Place.

Some of the key items included in the contract include:

- Specifies an operating season from May 1<sup>st</sup> to Oct 31<sup>st</sup>
- Specifies that the concession booth is open during all occasions when the baseball diamonds are in use for organized baseball league games or tournaments, and for other events as prescribed by Malahide
- Contractor is responsible to have booth running during the season by themselves or staff that they have hired
- Contractor to pay \$5,000.00 for the 2024 season for the rental of the concession space and equipment in it
- Contractor to maintain cleanliness and proper working order of all equipment and space
- Contractor to be properly trained in Safe Food Handling, Smart Serve, First Aid and CPR
- Any repairs of Township owned equipment due to normal wear and tear will be covered by the Township, any repairs due to damage by contractor will be covered by contractor
- Contactor to maintain required insurance coverages

The \$5,000.00 rental fee covers the annual preventative maintenance for the concession, utilities and a small reserve for any potential repairs.

In the fall of 2024 staff will provide a follow up report to Council on the 2024 season and recommendations for extension of contract.

**Financial Implications to Budget:**

Contract revenue for 2024 will be built into the 2024 budget.

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





## Report to Council

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**REPORT NO.:** PW-23-55  
**DATE:** Sept 21, 2023  
**ATTACHMENT:** Harvest Bowl Letter June 26 2023  
**SUBJECT:** HARVEST BOWL STATUS UPDATE

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### Recommendation:

**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**

### Background:

Harvest Bowl is a non-profit organization that in 2018 started a gleaning program with local farmers to dehydrate unused crops and turn the dehydrated product into soup mixes for the local food banks / shelters. In this program Harvest Bowl approached the Township of Malahide to use the South Dorchester Community Hall as a base for this pilot project. Over the last 5 years this project has been a large success and has provided a large quantity of its soup mixes to the local community.

In 2021 the following recommendations were approved by Council:

“THAT Report No. PW 21-57 entitled “Harvest Bowl Project Use of Station 4 and South Dorchester Community Hall” be received;

AND THAT the Council for the Township of Malahide acknowledges and appreciates the charitable success of, and the growing needs of the Harvest Bowl Program;

AND THAT in order to support the Harvest Bowl Project, and its continued presence in our community, the Council can support the requests made by Donna Lunn, on behalf of the Harvest Bowl Project as presented to Council at it's Regular Meeting on May 20<sup>th</sup>, 2021;

AND THAT the Township's Facilities Coordinator, in consultation with Donna Lunn, the CAO, and Fire Chief, be directed to prepare a Memorandum of Understanding between the Township and the Harvest Bowl Project for additional usage of the South Dorchester Community Hall and Fire Hall #4 for Council consideration at its October 21<sup>st</sup>, 2021 meeting;

AND THAT the Memorandum of Understanding between the Township and the Harvest Bowl contain the minimum requirements, financial and otherwise, of the Township's Facilities Coordinator and Fire Services Staff."

In addition to these recommendations, it was stated that while Council is supportive of the operation, Harvest Bowl should continue to explore alternative locations to better support their growing operation.

### **Comments/Analysis:**

Malahide staff and Harvest Bowl have yet to establish a Memorandum of Understanding for the continued occupancy of the South Dorchester Community Hall.

The Township received a letter from Harvest Bowl in June 2023 requesting to continue to use the facility on a permanent basis, as well as indicating that Harvest Bowl is prepared to write any grant proposals that may be required to cover the cost of any required improvements to the facility.

Staff has compiled a list of concerns and provided possible solutions for Council's consideration should Council choose to approve Harvest Bowl's request for continued use of the South Dorchester Community Hall.

### Outside Storage / Property Use

Concerns:

1. Storage container at side parking area partially obstruct the turning radius of emergency vehicle leaving the firehall.
2. The appearance of the storage container and dehydrator makes the site less suitable as a wedding venue due to their aesthetic.
3. The pavement underneath the storage container and dehydrator has been damaged and is now sagging.
4. Due to their size, building permits are required for both the storage container and the dehydrator if they are 'permanent' structures on the site, and building locations will need to be in compliance with the Malahide Zoning By-Law.

5. Lack of preventative maintenance / upkeep of Harvest Bowl assets on site to prevent any potential hazards for people using the facilities. For example, staff identified the start of wasp nest found under cover of propane tank.
6. Harvest Bowl operations frequently block the firehall's bay doors. In the event of a fire emergency this could pose a danger to Harvest Bowl volunteers or impede the response time of emergency operations
7. Food scraps become lodged in pavement seams and cracks which attract rodents and other pests.
8. Food scraps and cleaning chemicals from the cleaning processes are discharged into the outside parking lot drains. These parking lot drains are designed to redirect storm water, not waste water from food processing. They flow directly to the Brooks Drain which is part of Catfish Creek.

### Building Access / Security

#### Concerns:

1. Harvest Bowl currently has access to the Fire Services portion of the building in order to access water.
2. Harvest Bowl currently stores their power washer in Fire Services storage area where the fire and rescue equipment is stored. Available storage is limited in this area.

### Rental and Utility Costs

#### Concerns:

1. Harvest Bowl's equipment (power washer and dehydrator) use a lot of electricity, however no rental or utility fees are paid for the use of the facility. This means that these operating costs are being subsidized by the general tax levy.
2. Establishing SDCH as a permanent home to Harvest Bowl's operation will require additional capital and operating expenses to the facility which are not currently in the budget forecast.

### **Financial Implications to Budget:**

The negotiation of a Memorandum of Understanding / Lease Agreement for the use of the South Dorchester Community Hall may contain rental fees and other required capital improvements. These items are currently not accounted for in the Township's budgets. Due to the timing of this report, budget amendments may be required upon execution of an MOU.

Harvest Bowl typically applies for Malahide's Community Grants Program, which may help offset some of the required rental and/or capital costs.

Harvest Bowl has indicated that they are willing to seek other grant opportunities in order to offset some of the required rental and/or capital costs.

Submitted by:	Approved by:
Jason Godby Director of Public Works	Adam Boylan Interim Chief Administrative Officer (CAO)

To Malahide Council

June 25, 2023

Attn: Adam Betteridge, CAO

Dear Honourable Mayor Giguere and Council

I am following up from a discussion with Mayor Giguere and CAO Adam Betteridge regarding the status of Harvest Bowl at the hall in Lyons. When we first started this endeavour of food recovery from local fields, dehydrating, and creating soup mixes for the needy, we had no idea of the reception. The need for these at the food banks was great and is growing. We have been blessed with the local business community supplying us with all items ranging from vegetables to propane to building us tray washers, squash cutters, etc. And double blessed with all the volunteers from the community including various church groups, school classes, the Amish and Mennonite Communities, and now businesses providing time for their employees to volunteer!

Location we have learned is critical. We have tried searching for locations but our requirements are unique.

- We need less than 25 days to accomplish all of our work! Renting space for that small amount of time would be expensive.
- We have to have a certified kitchen available while we perform our work according to the Public Health rules.
- The unique and critical relationship with Norterra (formerly Bonduelle) a vegetable processing plant just north of Elgin requires us to be close and have enough room for totes of vegetables to be delivered. Receiving frozen corn already cut off the cob and peas already shucked, and ready to go on the trays for dehydrating is something we could not replicate.
- Water use is really just washing off soil from fresh veggies, so we would rather not be paying for water 'in and out'.
- Our activity is really not conducive to being within a more urban environment.

We are truly thankful for Malahide Council allowing us to utilize our current location. Most of our activity is outside but creating the soup bags do require us to be in indoors. We are trying to accommodate other locations with a 'mobile' bagging operation such as travelling to West Elgin with our ingredients and tools, creating the bags in a church with their local volunteers and leaving the soups for their community needs.

As Malahide taxpayers, we try very hard to keep the premises clean and tidy after every use. And try to stay out of the way of the township usage of the property. The new container we have holds all of our equipment (save for the hot water pressure washer tucked in a corner of the fire hall) and all of our dried vegetables.

The arrangement works for us and hopefully you as well. We did provide almost 5000 soup bags to food banks last year! We keep our own local food bank and churches supplied as well as Aylmer and Area Christmas Care. Large bags of vegetables are supplied to the soup kitchens.

We can only hope that needs for this could go down, but the near future is that an increase again is imminent.

Harvest Bowl does hope that we could continue to reside at the property. I am prepared to write any grant proposals that would be necessary to cover costs including those of improvements to the hall for the Township.

If there are any questions please don't hesitate to contact me.

Thanks for all your support so far and for this consideration

Donna Lunn

[Harvestbowl01@gmail.com](mailto:Harvestbowl01@gmail.com)

519 859 6988



## Report to Council

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**REPORT NO.:** PW-23-56  
**DATE:** Sept 21, 2023  
**ATTACHMENT:** None  
**SUBJECT:** HOT MIX ASPHALT ROAD EDGE PADDING

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### Recommendation:

**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.**

### Background:

Malahide is responsible to ensure that all our roads meet or exceed the *Ontario Minimum Maintenance Standards for Municipal Highways* (MMS) established through Ontario Regulation 292/03, as amended. The MMS sets out minimum standards for road and highway maintenance for all municipalities. MMS regulations pertain to various elements of road repair and maintenance, such as the frequency of road inspections, response time for road surface and shoulder repairs, and specifications on the allowable size and depth of potholes and shoulder drop-offs. Compliance with the MMS is essential for the municipality to ensure we are protected against potential liabilities and litigation.

Through the course of 2023, staff have identified significant road surface and shoulder repairs that are required to ensure compliance with the MMS is achieved on the following roads:

- Dorchester Road from Ron McNeil Line to Mapleton Line
- Wilson Line from Belmont Road to Dorchester Road
- Wilson Line from Dorchester Road to Imperial Road
- Dingle Line from Hacienda Road to Springfield Road

- Carter Road from Calton Line to John Wise Line

**Comments/Analysis:**

The annual Roads Operating Budget contains funding that is utilized for the repair and maintenance of road surfaces and shoulders. In most years, this funding is sufficient to complete the required work identified each calendar year.

The road segments identified in this report have deteriorated to a point that restoration work is required. Dorchester Road, Wilson Line and Dingle Line are all scheduled for road resurfacing in 2024.

The annual Road Resurfacing Capital Program includes funding to complete hot mix asphalt edge padding in advance of a single surface treatment to the entire road surface. This means that our 2024 program will include funding to have edge padding completed on Dorchester Road, Wilson Line and Dingle Line.

While the 2023 Roads Operating Budget contains sufficient funding to ensure that we maintain MMS compliance on these roads, staff have significant concerns. If these road edge repairs are not completed prior to the 2023/2024 winter season, that the annual freeze/thaw cycle, combined with winter maintenance activities will increase the amount of road edge breakup. If this occurs, the road surfaces may deteriorate to a point where we will be unable to maintain MMS compliance. Additionally, the required repairs in 2024 will be significantly more costly than if we are able to complete this work prior to the 2023/2024 winter season.

Staff estimate that the total cost for the supply and application of hot mix application asphalt by Roads staff to stabilize and restore the road edges will be approximately \$75,000. The 2023 Roads Operating Budget has approximately \$50,000 remaining for this type of work. Roads staff are beginning to complete these repairs, prioritizing the worst sections of road to be completed within our existing budget allocations.

Staff are requesting authorization to draw on the Contingency Reserve the additional funding required to have these road sections repaired prior to the 2023/2024 winter season, up to a maximum of \$25,000. This will allow staff to complete all the essential work in 2023 without redirecting funds from other operational areas. It will also ensure that these road segments are properly stabilized before the winter season thus reducing the potential for further significant deterioration.

Submitted by:	Approved by:
Jason Godby Director of Public Works	Adam Boylan Interim Chief Administrative Officer (CAO)





## Report to Council

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**REPORT NO.:** DS-23-27

**DATE:** September 21, 2023

**ATTACHMENT:** Report Photo, Application, Recommended Conditions

**SUBJECT:** **Application for Consent to Sever of Will Friesen (Authorized Agent: SBM Consulting)**

**LOCATION:** Part of Lot 10, Concession 5, Part 2 on Registered Plan 11R10017 (Malahide)  
(8231 Imperial Road)

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### Recommendation:

**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.**

### Background:

The application for Consent to Sever (the “Application”) has been submitted by SBM Consulting, on behalf of the owners, to sever a new residential lot in the Hamlet of South Gore.

The Application relates 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.

The County Land Division Committee has scheduled a Public Hearing for this application to be considered on September 27, 2023.

### Comments/Analysis:

The subject lands are approximately 14,431 m<sup>2</sup> (1.44 hectares) in area and have approximately 74.1 metres of frontage on Imperial Road. The subject lands contain an existing single detached dwelling located towards the northern portion of the parcel, as well as an existing accessory garage. The western portion of the property consists of a pine plantation originally planted for commercial harvesting. The parcel is bounded by residential uses to the north and south, agricultural lands to the west, and Imperial Road to the east.

Based on the information provided in the application, the owners are proposing to sever the existing dwelling on a new residential lot with an area of approximately 2,500 m<sup>2</sup> (0.25 ha) and approximately 33.3 metres of frontage on Imperial Road. The existing accessory garage is proposed to be relocated within the boundaries of the proposed severed parcel.

The retained parcel is proposed to have an area of approximately 11,931 m<sup>2</sup> (1.19 hectares) and approximately 41 metres of frontage on Imperial Road. A new dwelling and accessory building are proposed to be constructed on the retained parcel.

### **Provincial Policy Statement (PPS)**

The PPS directs growth and development to existing settlement areas and promotes the efficient use of land (s. 1.1.3.1, 1.1.3.2). The PPS also supports development on individual private services where full municipal services are not available (s. 1.6.6.4). There are no municipal services available in the hamlet of South Gore. A functional servicing report was submitted with the application and determined that the proposed severed and retained lots were of sufficient size to accommodate private wells and septic systems.

### **County of Elgin Official Plan**

The subject lands are designated "Tier 3 Settlement Area" on Schedule 'A', Land Use Plan. In addition to the above, the subject property is identified as having frontage along a "Minor Arterial Road" on Schedule 'B', "Transportation Plan".

The County Official Plan permits the creation of new lots provided that the proposed severed and retained lots have frontage on a public road, will not cause a traffic hazard, can be adequately serviced, will not have negative impacts on drainage, will not negatively impact water quality or quantity, or natural hazard process, and will not restrict development on the retained lands.

The proposed severed and retained lots will have frontage on a public road (Imperial Road) and are not anticipated to create a traffic hazard. A servicing report and hydrogeological report were submitted with the application and determined that the lots could be adequately serviced and there would be no negative impacts on groundwater quantity and quality.

The subject lands are within 120 metres of a designated Significant Woodland. The County Official Plan considers woodlands 10 hectares or greater as significant woodlands. However, County staff have confirmed that the natural heritage feature is less than 10 hectares and as a result, would not meet the criteria of being a Significant Woodland.

## **Malahide Official Plan**

The subject property is designated 'Hamlet' on Schedule 'A1' (Land Use Plan) and a small portion at the west end of the property is designated as "Hazard Lands" on Schedule 'A2' (Constraints Plan).

The Official Plan permits residential lot creation provided there will be no undue extension of services, the proposed severed and retained lots have frontage on a public road, the proposed severed and retained lots are of an appropriate size, and there is no traffic hazard created (Section 4.3.3). There are no municipal services available in the hamlet of South Gore. A functional servicing report was submitted with the application and determined that the proposed severed and retained lots were of sufficient size to accommodate private wells and septic systems. The severed and retained lots would have frontage on Imperial Road and it is not anticipated that a traffic hazard would be created.

The Official Plan does not permit development within Hazard Lands unless approval has been granted by the Conservation Authority. No development is proposed within designated Hazard Lands and the Conservation Authority has raised no concerns with the application.

## **Malahide Zoning By-law No. 18-22**

The subject lands zoned "Hamlet Residential (HR)" on Key Map J of the Township's Zoning By-law. The proposed severed and retained lots would exceed both the minimum lot area of 1,850 m<sup>2</sup> and the minimum frontage of 25 m required under the Zoning by-law.

## **General Comments**

The Development Services Staff has also considered comments provided (if any) by other internal departments:

- The Catfish Creek Conservation Authority (CCCA) (dated September 6, 2023) has no objections to the application.

Submitted by:	Reviewed by:	Approved 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 Chief Administrative Officer



**APPLICATION FOR CONSENT**

1. Name of Approval Authority ELGIN COUNTY LAND DIVISION COMMITTEE
2. (a) **Name of Owner** WILL FRIESEN  
 Address 8231 IMPERIAL ROAD  
 Telephone Number 519-709-1228 Email \_\_\_\_\_
2. (b) **Name of owner’s solicitor or authorized agent** STRIK BALDINELLI MONIZ (M. PODDAR)  
 Address 1599 ADELAIDE STREET NORTH  
 Telephone Number 519-471-6667 Email mpoddar@sbmltd.ca
2. (c) **Name of Applicant** WILL FRIESEN  
 Address 8231 IMPERIAL ROAD, MALAHIDE ON  
 Telephone Number 519-709-1228 Email \_\_\_\_\_  
 Relationship to Owner: Purchasing Farmer () Other () please specify OWNER

Please specify to whom all communications should be sent:

Owner(s) () Solicitor () Agent () Applicant ()

**AUTHORIZATION TO APPOINT AN AGENT must be provided if an agent or solicitor is acting on behalf of the land owner or applicant.**

3. (a) Type and purpose of proposed transaction: (check appropriate space)
- |           |                                     |                                |        |                          |                     |
|-----------|-------------------------------------|--------------------------------|--------|--------------------------|---------------------|
| Transfer: | <input checked="" type="checkbox"/> | creation of a new lot          | Other: | <input type="checkbox"/> | mortgage/charge     |
|           | <input type="checkbox"/>            | addition to a lot              |        | <input type="checkbox"/> | lease               |
|           | <input type="checkbox"/>            | <i>surplus farm dwelling**</i> |        | <input type="checkbox"/> | easement/R.O.W.     |
|           | <input type="checkbox"/>            | technical severance            |        | <input type="checkbox"/> | correction of title |
|           | <input type="checkbox"/>            | other (specify) _____          |        |                          |                     |

**\*\* If the application involves the severance of a surplus farmhouse (through farm consolidation), please complete and submit attached Appendix “B” – “Surplus Farm Dwelling Information Form.”**

- (b) Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:  
N/A
- (c) If a lot addition, identify the assessment roll number and property owner of the lands to which the parcel will be added:  
N/A

## 4. (a) Location of land:

Municipality MALAHIDE Concession No. \_\_\_\_\_  
 Lot(s) No. \_\_\_\_\_ Registered Plan No. \_\_\_\_\_  
 Name of Street IMPERIAL ROAD Street No. and/or 911 No. 8231  
 Assessment Roll No. \_\_\_\_\_

## (b) Are there any easements or restrictive covenants affecting the subject land?

Yes  No  If Yes, describe the easement or covenant and its effect:  
 \_\_\_\_\_

5. Description of land intended **to be severed**: (Accurate Measurements in Metric)

Frontage 33.37m Depth 74.25m Area 0.25ha  
 Existing Use RESIDENTIAL Proposed Use RESIDENTIAL  
 Number and use of buildings and structures on the land to be severed:  
 Existing SINGLE DETACHED DWELLING AND WORKSHOP/GARAGE  
 Proposed SINGLE DETACHED DWELLING AND WORKSHOP (MAINTAIN EXISTING)

6. Description of land intended **to be retained**: (Accurate Measurements in Metric)

Frontage 41.07m Depth 182.34m Area 1.19ha  
 Existing Use VACANT Proposed Use RESIDENTIAL  
 Number and use of buildings and structures on the land to be retained:  
 Existing 0  
 Proposed 2 - NEW DWELLING, AND NEW WORKSHOP

7. Number of new lots proposed (including retained lots) 2

## 8. Type of access for proposed and retained lot: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Provincial Highway	<input type="checkbox"/>	<input type="checkbox"/>
Municipal road, maintained all year	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Municipal road, seasonally maintained	<input type="checkbox"/>	<input type="checkbox"/>
Other public road	<input type="checkbox"/>	<input type="checkbox"/>
Right Of Way	<input type="checkbox"/>	<input type="checkbox"/>
Water access	<input type="checkbox"/>	<input type="checkbox"/>

If proposed access is by water, what boat docking and parking facilities are available on the mainland?  
 (specify) \_\_\_\_\_

9. (a) What type of water supply is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated piped water system	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Privately owned and operated individual well **	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated communal well **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Lake or other water body	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

(b) \*\* If existing water supply is provided from a privately owned and operated individual/ communal well, **the owner shall be required to provide written confirmation from a licensed well installer that the private well provides the quality and quantity of potable water required by Provincial standards. (Written confirmation to be attached to the Application); AND**

(c) \*\* **A water quality test by the applicable public health unit is required (Written confirmation to be attached to the Application)**

10. (a) What type of sewage disposal is proposed: (check appropriate space)

<u>TYPE</u>	<u>PROPOSED LOT</u>	<u>RETAINED LOT</u>
Publicly owned and operated sanitary sewage system	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> )
Privately owned and operated individual septic Tank **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Privately owned and operated communal septic System **	( <input type="checkbox"/> )	( <input type="checkbox"/> )
Other means (specify)	_____	_____

(b) \*\*If existing sewage disposal is privately owned, **the owner shall be required to provide written confirmation from a licensed septic installer that the system is in satisfactory operating condition. (Written confirmation to be attached to the Application)**

**NOTE:** If 9(b), 9(c) and 10(b) are not provided, the application is not considered complete and the application will not be accepted until such time as the outstanding items have been provided and it is deemed complete.

11. When will water supply and sewage disposal services be available?

A PRIVATE WELL AND SEPTIC SYSTEM WILL BE CREATED FOR THE NEW LOT IF APPROVED

12. What is the existing Official Plan designation(s) of the subject land?

SUBURBAN AREA (SOUTH GORE)

13. What is the existing Zoning designation(s) of the subject land?

HAMLET RESIDENTIAL (HR)

14. Has the subject land ever been the subject of an application for approval of a plan of subdivision under the Planning Act? Yes  No  Unknown

If Yes, and known, provide the application file number and the decision made on the application

---

15. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application

NO

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16. (a) Has there been any previous severances of land from this holding?

Yes

No

- (b) If the answer to (a) is Yes, please indicate previous severances on the required sketch and supply the following information for each lot severed: N/A

Who the severance was granted to \_\_\_\_\_

Use of parcel \_\_\_\_\_

Date parcel created (Year) \_\_\_\_\_

17. If this application is for a lot addition, has the lot to be enlarged ever been the subject of a previous severance?

Yes  No

If Yes, provide the previous severance File No.

---

18. (a) Are there any barns within 750 metres of the proposed severed lands?

Yes

No

i) Now used for livestock?

Yes

No

ii) Capable of being used for livestock?

Yes

No

- (b) If there are livestock barns located within 750 metres of the dwelling on the retained lands a MDS 1 calculation is required to be submitted with this application for consent pursuant to Minimum Distance Separation (MDS) document -Implementation Guideline #6.

19. Is the owner, solicitor, or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

Yes

No

20. Is the subject land currently the subject of a proposed official plan or official plan amendment that has been submitted to the Minister for approval?

Yes  No

If Yes, and known, specify the Ministry file number and status of the application

---

21. Is the subject land currently the subject of an application for a zoning by-law amendment, Minister's zoning order amendment, minor variance, or approval of a plan of subdivision?

Yes  No

If Yes, and known, specify the appropriate file number and status of the application

---

22. (a) Is the application consistent with the Provincial Policy Statement 2020 issued under subsection 3(1) of the Planning Act?

Yes  No

- (b) If Yes, identify policies from the Provincial Policy Statement 2020 to support this application for consent

Section 1.1 - Consent encourages new residential devevelopment in a recognized settlement area

23. Is the subject land within an area designated under any provincial plan or plans?

Yes  No

If Yes, does the application conform to or conflict with the applicable provincial plan or plans

---

24. Did pre-consultation occur with the local Municipality and/or other agencies?

Yes  No

Enter date of consultation and contact person

SUMMER 2022 - ERIC STEELE (MONTEITH BROWN)

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25. The Owner/Applicant/Agent hereby authorizes Land Division Committee members and the Corporation of the County of Elgin staff to enter onto the subject property for the purpose of Site inspections with respect to this application.

26. The Owner/Applicant/Agent hereby consents to disclosure of the information contained in this Application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an Act to provide for Freedom of Information and Protection of Individual Privacy in Municipalities and Local Boards.

27. DETAILED SKETCH:

The application shall be accompanied by a detailed sketch showing the following:

- the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
- the boundaries and dimensions of any land owned by the owner of the subject land and



that abuts the subject land;

- the distance between the subject land and the nearest municipal lot line or landmark, such as a railway crossing or bridge;
- the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
- the approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be created** and shall comply with the Zoning By-Law setbacks;
- the location of private wells and septic system must be located entirely within the boundaries **of the lot to be retained** and shall comply with the Zoning By-Law setbacks;
- the existing use(s) on adjacent lands;
- 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;
- if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
- the location and nature of any easement affecting the subject land.

Dated at the CITY OF LONDON of COUNTY OF MIDDLESEX  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 05 day of 06 20 23  
(day) (month) (year)

*M Poddar*

**SIGNATURE OF APPLICANT(S), SOLICITOR OR AUTHORIZED AGENT**

**AFFIDAVIT OR SWORN DECLARATION**

I/We MANEESH PODDAR of the CITY  
 (Applicant/Agent Name) (Municipality/Township/City/etc.)

of LONDON in the County of MIDDLESEX  
 (Name of Municipality/Township/City/etc.) (County Name)

solemnly declare that all the information contained in this application is true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath and by virtue of the CANADA EVIDENCE ACT.

DECLARED before me in the

CITY of LONDON  
 (Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

in the COUNTY OF MIDDLESEX this 05 day of 06  
 (County/Region if applicable) (Day) (Month)

20 23  
 (Year)

M Poddar  
 Signature

Kevin Moniz  
 Signature of Commissioner of Oaths

**KEVIN ANDREW MONIZ,**  
 a Commissioner, etc., Province of Ontario,  
 for Strik, Baldinelli, Moniz Ltd.  
 and SBM Geomatics Ltd.  
 Expires November 30, 2023.

If this application is signed by an agent or solicitor on behalf of an applicant(s), the owner's authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the seal, if any, must be affixed.

It is required that one copy of this application be filed, together with one copy of the detailed sketch described, with the responsible person, accompanied by a fee of – \$1,250.00 in cash or by cheque made payable to TREASURER, COUNTY OF ELGIN.

An additional fee of \$300.00 will be charged for affixing the consent stamp.

**AUTHORIZATION TO APPOINT AN AGENT**

**NOTE:** This form is only to be used for applications, which are to be signed by someone other than the owner(s).

To: Secretary-Treasurer  
Land Division Committee  
Corporation of the County of Elgin

Description and Address of Subject Lands:

8231 IMPERIAL ROAD

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

SBM LTD. (MANEESH PODDAR) of THE CITY OF LONDON to:  
(Agents Name/Names) (Agents City/Town of Residence)

- (1) make an application on my behalf to the County of Elgin Land Division Committee;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Land Division Committee relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the CITY of LONDON  
(Municipality/Township/City/etc.) (Name of Municipality/Township/City/etc.)

this 05 day of 06 20 23  
(Day) (Month) (Year)

WILMER FRIESEN  
Name of Owner

  
Signature of Owner

TUDY FRIESEN  
Name of Owner

  
Signature of Owner

\_\_\_\_\_  
Name of Owner

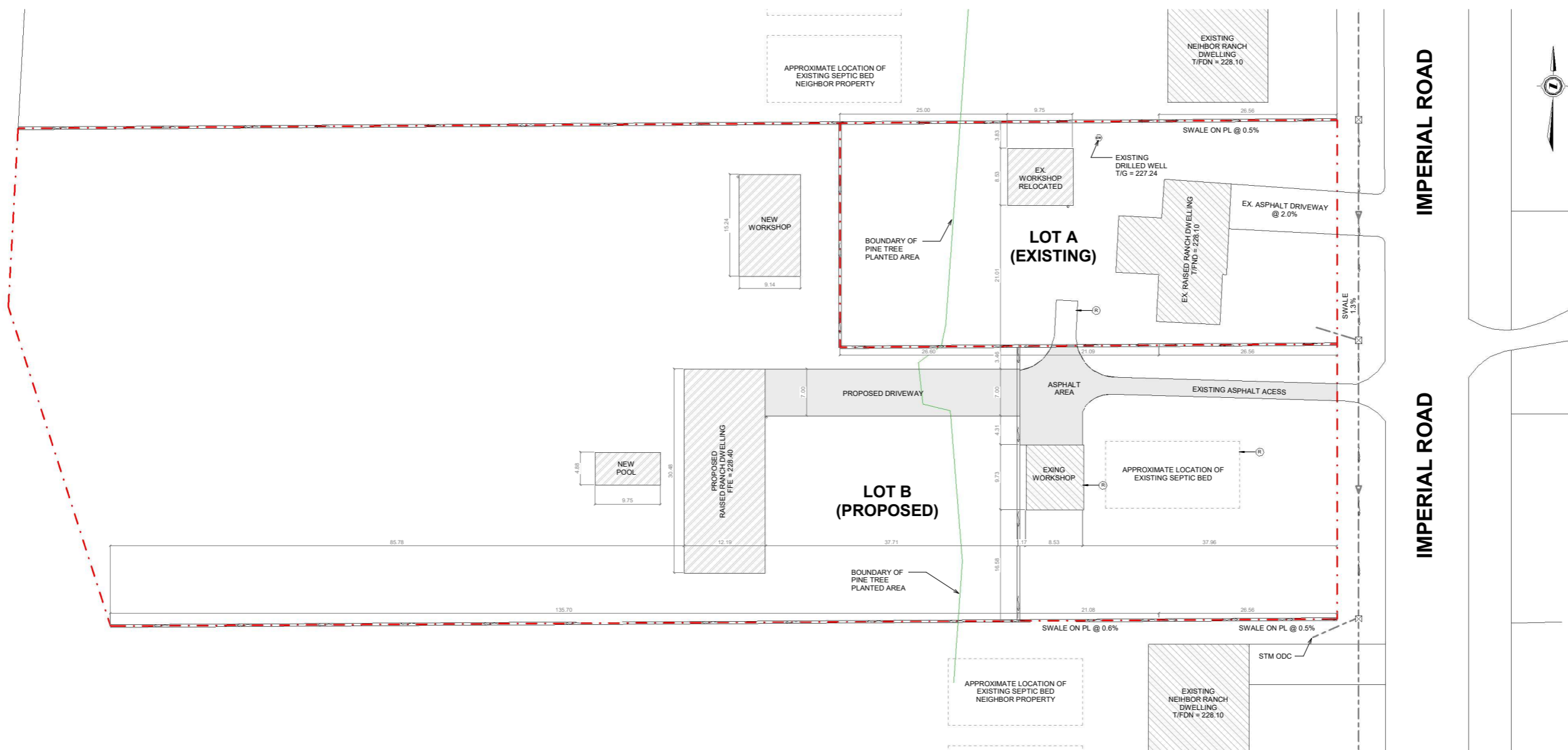
\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Name of Witness

\_\_\_\_\_  
Signature of Witness

**ZONING DATA CHART**

PROPERTY ZONING: HR – Hamlet Residential		
ITEM	REQUIRED	PROPOSED
LOT AREA (m <sup>2</sup> ) MINIMUM	1850	11931.62
LOT FRONTAGE (m) MINIMUM	25	41.07
FRONT YARD SETBACK (m) MINIMUM	6.0	85.38
INTERIOR SIDE YARD SETBACK (m) MINIMUM	2.0	7.39
REAR YARD SETBACK (m) MINIMUM	7.5	85.78
LOT COVERAGE (% MAX)	30	4.28
HEIGHT (m <sup>2</sup> MAX)	10.5	6.0
FLOOR AREA OF A DWELLING (m <sup>2</sup> ) MINIMUM	90	372.0
FLOOR AREA OF AN ACCESSORY BUILDING (m <sup>2</sup> ) MAXIMUM	150	139.29
LANDSCAPED OPEN SPACE (%) MINIMUM	30	93.80
NUMBER OF DWELLINGS PER LOT, MAXIMUM	1	1



Proposed Development

1 : 250



GSPrimo

GSPrimo Design Inc.  
Cell: 519-871-3234  
www.gsprimo.com



*M. Heidari*

Date: February 24, 2022

THESE DRAWINGS ARE "DESIGN DRAWINGS" ONLY. THEY MAY NOT BE SUITABLE FOR USE AS SHOP DRAWINGS. USE OF THESE DRAWINGS AS BASE DRAWINGS FOR "SHOP DRAWINGS" IS NOT PERMITTED UNLESS WRITTEN PERMISSION CONTAINING CERTAIN CONDITIONS AND LIMITATIONS IS OBTAINED FROM RJC. THE WORK "AS CONSTRUCTED" MAY VARY FROM WHAT IS SHOWN ON THESE DRAWINGS.

Project Number: 289

Client: Will Friesen

Address: 8231 Imperial Road, Malahide, Ontario

Revision: No. 1

Sheet Name: PROPOSED DEVELOPMENT

Designed by: M. Heidari, PhD, P.Eng.

Sheet Number: SP.1-1

Scale: As indicated



## Report to Council

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**REPORT NO.:** CAO-23-13  
**DATE:** September 21, 2023  
**ATTACHMENTS:** Draft Memo to Community Organizations  
**SUBJECT:** STRATEGIC PLAN SEPTEMBER UPDATE

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### **Recommendation:**

**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.**

### **Background:**

At its May 4<sup>th</sup> meeting, Council adopted a phased approach to developing its 2023-2033 Strategic Plan. The step-by-step approach provided flexibility for each phase to be adjusted based on the results of the previous step. Phase 1 was completed in July and Phase 2 was completed in August. As part of Phase 2, Council and Senior Staff met to receive and discuss the results of the community survey as well as input from federal, provincial, and municipal levels. This report includes the notes capturing the presentations and the discussions had to date. The results of the community survey have been shared on social media and can be found on the Township’s website.

### **Next Steps:**

At the workshops held on August 28 and 29, Council and Senior Staff were able to assess and determine next steps in more detail. The subsequent chart proposes recommended steps for Phases 3 and 4, while still leaving some flexibility for Phases 5 and 6. This will allow the process to continue to move forward with and arrive at a sufficient level of decision to inform the operational and budget planning process in November. The Township’s current phase, phase 3, includes further outreach to neighbouring municipalities and community groups. To that end, the draft memo and list of community groups to contact is appended to this report for Council’s consideration.

Phase	Tasks	Timelines and key dates	Status
Phase 1	Community Survey		Completed
Phase 2	Results analysis and collection of input from stakeholder (federal, provincial, municipal staff): Workshop #1	July – August 2023	Completed
Phase 3	<p>Receive report from workshop #1</p> <p>Gather additional input:</p> <ul style="list-style-type: none"> <li>• Conversations with leaders of neighbouring municipalities (Bayham, Aylmer, Central Elgin, County).</li> <li>• Email short questionnaire to community groups and other stakeholder groups</li> </ul>	<p>September 21, council meeting</p> <p>Week of October 2: Mayor, Deputy Mayor, CAO, Director of Finance</p> <p>Review list at September 21 meeting. Send emails September 22</p>	
Phase 4	<p>Receive additional input and discuss a first draft of strategic plan designed from input to-date: Workshop #2</p> <p>Discuss and determine validation process: e.g. online, in person, Town Hall...</p>	Council and staff workshop #2: October 19, 4:30pm (before regular meeting of Council)	
Phase 5	Implement validation process	October 19 to November 16, 2023.	
Phase 6	<p>Receive results of validation process;</p> <p>Adjust and finalize Strategic Plan;</p> <p>Determine implementation plan: Workshop #3.</p>	December. Date to be confirmed.	

Submitted by:

Dominique Giguère, Mayor,  
Adam Boylan, Interim Chief Administrative Officer

87 John Street South  
Aylmer ON N5H 2C3  
Phone: 519-773-5344  
Fax: 519-773-5334  
Website: [www.malahide.ca](http://www.malahide.ca)



Name  
Address – Line 1  
Address – Line 2

Date

Dear XYZ,

As you may be aware, Malahide Township is in the midst of writing a new strategic plan to map our path forward for the next decade.

We are gathering input from as many stakeholders as possible to ensure we are considering a full range of perspectives and sources into our planning process. As a valuable organization who provides much needed programming, activities, services, and leadership in our community, we want to hear from you.

On behalf of Council, I would therefore like to invite the members of your Committee or Board to consider the following questions and send us an email with you answers, if possible, by October 13th:

- What are the goals and priorities of your organization?
- What are the challenges you are facing in delivering on your goals and priorities?
- What type of collaboration or partnership with Malahide, if any, could help you address your challenges and deliver your priorities?
- What do you hope to see as the priorities for Malahide?
- How could your organization help Malahide deliver these priorities?
- Anything else you hope Malahide Council will consider when writing the strategic plan?

Thank you for taking the time to provide input in our strategic planning process. Council truly values your leadership and all the great work you do for our community. We look forward to hearing from you!



**LONG POINT REGION CONSERVATION AUTHORITY**  
**Board of Directors Meeting Minutes of July 5, 2023**  
**Approved September 6, 2023**

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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, July 5, 2023.

**2. Additional Agenda Items**

There were no additional agenda items.

**3. Declaration of Conflicts of Interest**

None were declared.

**4. Minutes of the Previous Meeting**

**a) Board of Directors Meeting of June 7, 2023**

There were no questions or comments.

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**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-65/23**

Moved by P. Ypma

Seconded by D. Beres

THAT the minutes of the LPRCA Board of Directors Meeting held June 7, 2023 be adopted as circulated.

**Carried**

**5. Business Arising**

No business arising from the previous minutes.

**6. Review of Committee Minutes**

No committee minutes were presented.

**7. Correspondence**

There was no correspondence presented for review.

**8. Development Applications**

**a) Section 28 Regulations Approved Permits**

Through the General Manager's delegating authority, 24 applications were approved in the past month. LPRCA-103/23, LPRCA-104/23, LPRCA-105/23, LPRCA-106/23, LPRCA-107/23, LPRCA-108/23, LPRCA-109/23, LPRCA-110/23, LPRCA-111/23, LPRCA-112/23, LPRCA-113/23, LPRCA-114/23, LPRCA-115/23, LPRCA-117/23, LPRCA-118/23, LPRCA-120/23, LPRCA-121/23, LPRCA-122/23, LPRCA-123/23, LPRCA-125/23, LPRCA-126/23, LPRCA-127/23, LPRCA-128/23, and LPRCA-129/23.

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

**A-66/23**

Moved by R. Weisler

Seconded by T. Masschaele

THAT the LPRCA Board of Directors receives the Section 28 Regulations Approved Permits report dated July 5, 2023 as information.

**Carried**

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**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

**b) Application #LPRCA-124/23 to Approval**

Application LPRCA-124/23 was submitted for a large-scale public infrastructure construction project. The application met the requirements set out in LPRCA's policies for the administration of Section 28 of the *Conservation Authorities Act*; although, it was deemed unreasonable to complete the project within the standard 24 months. The planning department staff recommended approval of the application with a period of validity of 60 months.

**A-67/23**

Moved by M. Columbus

Seconded by P. Ypma

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of this report:

- A. For Work under Section 28 Regulations, Development, Interference with Wetlands & Alterations to Shorelines and Watercourses Regulations (R.R.O. 1990 Reg. 178/06),

**LPRCA-124/23**

- B. That the designated officers of LPRCA be authorized to complete the approval process for this Development Application, as far as it relates to LPRCA's mandate and related Regulations,
- C. That permission be granted for 60 months in accordance with section 9(1)(b)(i) and 9(1)(b)(ii) of Ontario Regulation 178/06.

**Carried**

**9. New Business**

**a) General Manager's Report**

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

The Planning Department issued 125 permits as of June 24, 2023, down slightly from last year, provided comments to municipal staff on 68 planning applications, and participated in 13 pre-consultations.

Safety training was offered to employees who needed or had expired certification. Ten employees received the chainsaw safety certification, and 14 employees were certified in First Aid/CPR/AED this year.

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**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

Five seasonal sites remain for the 2023 season. Overnight camping started slow but is continually picking up. Students started working at the campgrounds once school finished the last week of June, and Corporate Services continues to recruit for the few positions still available.

**A-68/23**

Moved by T. Masschaele

Seconded by C. Van Paassen

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

**Carried**

**b) 2024 LPRCA Budget Schedule**

The new Ontario Regulation 402/22, Budget and Apportionment, came into force on July 1, 2023. The regulation affects the budget process by adding a second 30-day notice to the member municipalities. Therefore, after the budget meeting scheduled for November 8, 2023, the draft budget will be sent to the member municipalities for a 30-day comment period, as usual. The draft budget, including comments and edits, will be considered at the January 5, 2024 meeting and a 30-day notice will be sent to member municipalities of the budget and levy vote.

The final budget will be presented to the board and voted on at the February 7, 2024 meeting.

**A-69/23**

Moved by R. Weisler

Seconded by S Bentley

THAT the LPRCA Board of Directors receives the 2024 LPRCA Budget Schedule as information.

**Carried**

**c) 2023 Christmas Operating Schedule**

LPRCA will close down operations (except for emergency response) over the Christmas-New Year period. Staff proposed a process similar to what has occurred in previous years.

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**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-70/23**

Moved by D. Beres

Seconded by C. VanPaassen

THAT the LPRCA Board of Directors closes operations from December 27th to December 29th, 2023 (except for emergency response);

And,

THAT staff working be granted one complimentary day off with pay;

And,

THAT staff are required to utilize two (2) vacation days during the period or take unpaid leave.

**Carried**

**d) Proposed 2024 Meeting Schedule**

The first meeting of the New Year is scheduled for January 3, 2024 to consider the final draft budget and to elect the officers and committees for 2024. The meeting is held early to accommodate the 30-day notice to member municipalities of the budget and levy vote meeting.

**A-71/23**

Moved by D. Brunton

Seconded by R. Weisler

THAT the LPRCA Board of Directors approves the Proposed 2024 Meeting Schedule as presented.

**Carried**

**e) Vittoria Dam Class Environmental Assessment**

Staff outlined the ongoing progress of the Vittoria Dam Class EA Assessment. As part of the process, the contractor, Matrix Solutions Inc., will facilitate, and seek members to form, a Community Liaison Committee. Staff recommended that a board member join the Community Liaison Committee.

Michael Columbus proposed Chris Van Paassen for the Committee because the Vittoria Dam is in Mr. Van Paassen's municipal ward. Chris Van Paassen accepted the appointment.

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**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-72/23**

Moved by M. Columbus  
 Seconded by T. Masschaele

THAT the LPRCA Board of Directors receives the Vittoria Dam Class Environmental Assessment Progress Report as information.

AND THAT the LPRCA Board of Directors approves the following appointment:  
 Chris Van Paassen, as a member of the Vittoria Class Environment Assessment Community Liaison Committee.

**Carried**

**f) Watershed Conditions Update**

The weather over the last few months has been unusual. April saw a large amount of rain, and May was abnormally dry into June.

Staff is monitoring the flows in the watershed rivers and creeks, and while some are below average and others above average, there is no requirement to issue a Low Water Response at this time. Staff continue to monitor the data.

Lake Erie has hit the seasonal peak and is now trending downward. The level is still above average but below the record highs of a few years ago.

**A-73/23**

Moved by S. Bentley  
 Seconded by D. Brunton

THAT the LPRCA Board of Directors receives the watershed conditions update report as information.

**Carried**

**g) Timber Tenders #LPRCA-124/23**

Tender packages were sent to various loggers, sawmill operators, and timber buyers for both the Blommaert and Livsey properties with a closing date of June 23, 2023.

Two bids were received for the Blommaert Tract, and three bids were received for the Livsey Tract. Staff recommended the tender be awarded to the highest bidder for both tenders.

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**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-74/23**

Moved by P. Ypma

Seconded by R. Weisler

THAT the LPRCA Board of Directors accepts the tender submitted by Townsend Lumber Inc. for marked standing timber at the Blommaert Tract – LP-351-23 for a total tendered price of \$41,785.00 and Porter Lumber for marked standing timber at the Livsey Tract – LP-352-23 for a total tendered price of \$35,360.00.

**Carried**

**h) Oak Wilt**

Oak Wilt is the latest major threat to Ontario forests and has recently been found in the Barrie and Niagara areas. The fungal disease is known to infect and kill oak trees, red oaks are particularly at risk. Approximately, 90% of LPRCA property is forested, and of that, approximately 20% is oak species.

To help prevent the spread of invasive species campgrounds will have signage and the online reservation system will notify campers to not move firewood to protect the forests. Information will be sent out via social media by LPRCA.

Staff are participating in webinars to learn more about Oak Wilt and will be monitoring the situation closely.

**A-75/23**

Moved by S. Patterson

Seconded by S. Bentley

THAT the LPRCA Board of Directors receives the Oak Wilt Outbreak report as information.

**Carried**

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

**10. Closed Session****A-76/23**

Moved by T. Masschaele

Seconded by C. Van Paassen

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

- A trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or

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**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 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 7:10 p.m.

The closed meeting minutes of June 7, 2023 was approved in the closed session.

Next meeting: September 6, 2023

**Adjournment**

The Chair adjourned the meeting at 7:55 p.m.

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John Scholten  
Chair

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Judy Maxwell  
General Manager/Secretary-Treasurer

/dm

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**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

**THE CORPORATION OF THE TOWNSHIP OF MALAHIDE****BY-LAW NO. 23-64**

Being a by-law to appoint a Chief Administrative Officer/Deputy Clerk for the Township of Malahide.

**WHEREAS** in accordance with Section 229 of the Municipal Act, 2001, S.O. c. 25, a municipality may appoint a Chief Administrative Officer who shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality;

**AND WHEREAS** the Council of The Corporation of the Township of Malahide considers it desirable and expedient to appoint a Chief Administrative Officer/Deputy Clerk;

**NOW THEREFORE** the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

1. THAT Nathan Dias is hereby appointed as Chief Administrative Officer/Deputy Clerk for the Township of Malahide.
2. THAT the Chief Administrative Officer/Deputy Clerk shall carry out duties in accordance with the provisions of the Municipal Act and any and all other applicable legislation, regulations and municipal by-laws.
3. THAT By-law No. 23-50, being a by-law to appoint an Interim CAO and any other by-laws or resolutions contrary to this by-law are hereby repealed once this by-law comes into effect.
4. THAT this By-law shall come into full force and take effect September 25, 2023.

**READ** a **FIRST** and **SECOND** time this 21<sup>st</sup> day of September, 2023.

**READ** a **THIRD** time and **FINALLY PASSED** this 21<sup>st</sup> day of September, 2023.

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Mayor, D. Giguère

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Clerk, A. Adams



**THE CORPORATION OF THE TOWNSHIP OF MALAHIDE****BY-LAW NO. 23-65**

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 September 21, 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 21<sup>st</sup> day of September, 2023.

**READ** a **THIRD** time and **FINALLY PASSED** this 21<sup>st</sup> day of September, 2023.

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Mayor, D. Giguère

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Clerk, A. Adams