

The Corporation of the Township of Malahide
June 6, 2024 – 7:30p.m.
Virtual Meeting - <https://youtu.be/a9hpLkLkFqo>

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

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

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

CALL TO ORDER:

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

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item D– Meeting to Consider Ketchabaw Drain and Meeting to Consider Priester Drain, and Agenda item E, Reports of Departments, Petition for Drainage-Wagler, Bender and Petition for Drainage-Fehr. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

MINUTES:

No. 24-194

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the minutes of the regular council meeting held on May 16, 2024 be adopted as printed and circulated.

Carried

PRESENTATIONS/DELEGATIONS/PETITIONS:

- Public Hearing - Minor Variance Application – Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923 (49332 Dexter Line)

No. 24-195

Moved By: Rick Cerna

Seconded By: John H. Wilson

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

Carried

Chair Giguère advised that the purpose of this Public Hearing is to consider an application for a Minor Variance submitted by Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923, and known municipally as 49332 Dexter Line.

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

Chair Giguère asked if any additional comments were received and the Clerk advised there were none.

Chair Giguère asked if any person in attendance wished to make any comments and they did not.

Chair Giguère asked if any Committee members wished to make any comments regarding the application and they did not.

No. 24-196

Moved By: Scott Lewis

Seconded By: Mark Widner

THAT Report No. DS-24-27 entitled “Minor Variance Application of Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923 (49332 Dexter Line)” be received;

AND THAT the Minor Variance Application No. D13-MV-03-24 of Charles Terry and Lori Latvala relating to the property located at Part Unnumbered Lot, N/S Water St. E/S Victoria St. PL55, Township of Malahide Pt2 11R6342, Pt3 11R6923 (49332 Dexter Line)”, BE APPROVED for the reasons set out in this Report.

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.**

Carried

No. 24-197

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the Committee of Adjustment for the Township of Malahide be adjourned and the Council meeting reconvene at 7:38p.m.

Carried

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item D– Meeting to Consider Ketchabaw Drain and Meeting to Consider Priester Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

- Meeting to Consider – Ketchabaw Drain relating to parts of Lots 20 to 22, Concessions 9 and 10 (geographic South Dorchester)

Brian Lunn as a property owner effected on this drain mentioned a concern he would like addressed when this is being constructed. Mr. Spriet noted that the tile on the new drain will likely elevate this as the drain being proposed is quite an upgrade.

No. 24-198

Moved By: Chester Glinski

Seconded By: Rick Cerna

THAT the Engineer’s Report for the Ketchabaw Municipal Drain be accepted;

AND THAT By-law No. 24-29 being a by-law to provide for the Ketchabaw Municipal drainage works be read a first and second time and provisionally adopted.

Carried

No. 24-199

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT the Court of Revision for the Ketchabaw Municipal Drain be scheduled to be held on July 4, 2024, at 7:30 p.m.

Carried

No. 24-200

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the tenders for the construction of the Ketchabaw Municipal Drain be requested for June 24, 2024 at 11:00 a.m.

Carried

- Meeting to Consider – Priester Drain serving parts of Lot A, Concessions 10 to 12 (geographic South Dorchester) in the Township of Malahide and parts of Lots 27 and 28, Concessions 10 and 11 (geographic Dereham) in the Township of South-West Oxford

Wayne Rockx owner of a property in the watershed, stated that in his opinion a grass waterway would be efficient in the area. Mr. Devos agreed but the owner did request a different method that will also be sufficient with active maintenance and monitoring. Mr. Lopez added that landowners, if they choose, are welcome to include these grass waterways.

No. 24-201

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT the Engineer's Report for the Priester Drain be accepted;

AND THAT By-law No. 24-31 being a by-law to provide for the Priester drainage works be read a first and second time and provisionally adopted.

Carried

No. 24-202

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the Court of Revision for the Priester Drain be scheduled to be held on July 4, 2024, at 7:30 p.m.

Carried

No. 24-203

Moved By: Rick Cerna

Seconded By: Sarah Leitch

THAT the tenders for the construction of the Priester Drain be requested for June 24, 2024 at 11:00 a.m.

Carried

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

REPORTS OF DEPARTMENTS:Director of Fire & Emergency Services

- Fire Apparatus Replacement

No. 24-204**Moved By: John H. Wilson****Seconded By: Mark Widner****THAT Report No F24-05 entitled “Fire Apparatus Replacement” be received;****AND THAT the Municipal Staff be authorized and directed to purchase, from Commercial Emergency Equipment Company, one (1) Maxi-Metal Pumper Tanker based on the specifications outlined in the attached proposal, in the amount of \$738,491.23 (plus applicable taxes), to replace the 2004 Tanker currently in service at Station 3;****AND THAT the purchase of such Pumper-Tanker for Station 3 be financed wholly from the approved 2024 Capital Budget.****Carried**Director of Public Works

Deputy Mayor Widner disclosed a pecuniary interest with respect to Council Agenda item E, Reports of Departments, Petition to Drainage-Wagler, Bender and Petition for Drainage-Fehr. He retired from the meeting and abstained from all discussions and voting on the matter

- Petition for Drainage – Wagler, Bender

No. 24-205**Moved By: Rick Cerna****Seconded By: Chester Glinski****THAT Report No. PW- 24-20 entitled “Petition for Drainage – Wagler, Bender” be received;****AND THAT John Spriet, P. Eng., of Spriet Associates, be appointed to prepare an Engineer’s Report for the Wagler Petition.****Carried**

- Petition for Drainage – Fehr

No. 24-206

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT Report No. PW- 24-22 entitled “Petition for Drainage – Fehr” be received;

AND THAT John Spriet, P. Eng., of Spriet Associates, be appointed to prepare an Engineer’s Report for the Fehr Petition.

Carried

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

- College Line Reconstruction – Change of Scope

No. 24-207

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT Report No. PW- 24-25 entitled “College Line Reconstruction – Change of Scope” be received;

AND THAT the change of scope for the 2024 reconstruction of College Line be approved as outlined in this report.

Carried

Director of Corporate Services/Treasurer

- Asset Management Plan Update

No. 24-208

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT Report No. FIN-24-17 entitled “Asset Management Plan Update” be received;

AND THAT Council approve and endorse the Township’s 2024 Asset Management Plans, as appended.

Carried

Building/Planning/By-law

- Application for Consent to Sever No. E 12-24 of Buehlmann Farms Inc.

No. 24-209

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Report No. DS-24-13 entitled “Application for Consent to Sever No. E 12-24 of Buehlmann Farms Inc (Authorized Agent: David Roe c/o Civic Planning Solutions Inc)” be received;

AND THAT the Application for Consent to Sever of Buehlmann Farms Inc (Authorized Agent: David Roe C/O Civic Planning Solutions Inc), relating to the property located at Part of Lots 11 and 12, Concession 9, Township of Malahide and known municipally as 11960 and 11980 Imperial Road, be supported for the reasons set out in this Report;

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

Carried

- Application for Consent to Sever No. E38-24 of Kenneth Drabick, on behalf of Ankor Farm Ltd.

No. 24-210

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT Report No. DS-24-29 entitled “Application for Consent to Sever No. D10-E38-24 of Kenneth Drabick, on behalf of Ankor Farm Ltd. (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe)” be received;

AND THAT the Application for Consent to Sever of Kenneth Drabick, on behalf of Ankor Farm Ltd. (Authorized Agent: Civic Planning Solutions Inc. c/o David Roe), relating to the property located at Lot 18, Concession 8 South Dorchester, Part 2 of RP 11R10007, Former Geographic Township of South Dorchester, Township of Malahide, and known municipally as 48028 Wilson Line, be supported for the reasons set out in this Report;

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

Carried

- Geographical Information Systems – Shared Services Agreement

No. 24-211

Moved By: Sarah Leitch

Seconded By: Rick Cerna

That Report No. DS-24-26 entitled “Geographical Information Systems – Shared Services Agreement”, be received;

AND THAT Malahide Council authorize to execute the Geographical Information Systems Shared Services Agreement with the County of Elgin.

Carried

REPORTS OF COMMITTEES/OUTSIDE BOARDS:

No. 24-212

Moved By: Scott Lewis

Seconded By: Rick Cerna

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

- **EECC – Draft Minutes of May 8, 2024**
- **Kettle Creek Conservation Authority – Minutes of April 17, 2024**

Carried

CORRESPONDENCE:

No. 24-213

Moved By: Rick Cerna

Seconded By: Scott Lewis

THAT the following correspondence items be noted and filed:

- 1. Association of Municipalities of Ontario - WatchFile – May 16, 2024, May 23, 2024, and May 30, 2024**
- 2. Elgin County Council Highlights – May 14, 2024**
- 3. St. Thomas – Elgin Health Recruitment Partnership – Correspondence regarding request for presentation**
- 4. Municipality of Bayham – Notice of Official Plan Review Open House**
- 5. Aylmer-Malahide Museum May-June Newsletter**

6. **Springfield Family Fun Day Committee - Notice of Event**
7. **Western Ontario Wardens Caucus – ERO Posting 019-8462 Submission in regards to proposed development changes to Development Charges Act**
8. **Township of Lake of Bays – Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act**
9. **Correspondence Received (Non-Resident) - Environmental Concern for Roundup use throughout Canada**

Carried

OTHER BUSINESS:

BY-LAWS:

No. 24-214

Moved By: Scott Lewis

Seconded By: Sarah Leitch

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

- By-law-24-30-Appoint CBO & Building Inspectors**
- By-law-24-27-GIS Services Agreement**

Carried

CONFIRMATORY:

No. 24-215

Moved By: Sarah Leitch

Seconded By: Rick Cerna

THAT By-law No.24-32, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

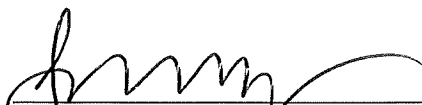
No. 24-216

Moved By: Mark Widner

Seconded By: Rick Cerna

THAT Council adjourn its meeting 9:00p.m to meet again on June 20, 2024.

Carried



Mayor – D. Giguère



Clerk – A. Adams