

**The Corporation of the Township of Malahide
August 15, 2024 – 7:00p.m.**

Virtual Meeting - <https://youtu.be/XFyJC2P5xh4?si=Tdqq6QJoDZvqulkJ>

The Malahide Township Council met at the Springfield & Area Community Services Building, at 51221 Ron McNeil Line, Springfield, at 7:00p.m. The following were present:

Council: Mayor D. Giguère, Deputy Mayor M. Widner, Councillor S. Leitch, Councillor J. Wilson, 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 HR Manager S. Loewen

Absent: Councillor R. Cerna

CALL TO ORDER:

Mayor Giguère took the Chair and called the meeting to order at 7:01p.m.

APPROVAL OF AGENDA:

No. 24-255

Moved By: John H. Wilson

Seconded By: Scott Lewis

THAT the August 15, 2024 Regular Council Meeting Agenda be approved with the following additions:

Section J – New Business Item - PW-24-34-Pressey Line Reconstruction Deferral

Carried

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

Deputy Mayor Widner disclosed a pecuniary interest with respect to agenda item, Petition for Drainage – Hayhoe, Petition for Drainage – Dyck, Tender Award – Ketchabaw Drain, PW- 24-29-Tender Award – Priester Drain and Meeting to Consider- Laidlaw Drain. The nature of the conflict being that a Partner at Spriet Associates is an immediate relative of his.

Councilor Glinski disclosed a pecuniary interest with respect to agenda item Petition for Drainage – Hayhoe. The nature of the conflict being that he is an owner of land affected by the proposed drainage work.

ANNOUNCEMENTS:

Deputy Mayor Widner expressed his gratitude to the fire department for their efforts during the recent fire on College Line.

ADOPTION OF MINUTES:**No. 24-256****Moved By: Mark Widner****Seconded By: Scott Lewis**

THAT the minutes of the regular meeting of Council held on July 4, 2024 be adopted.

Carried**PUBLIC MEETINGS & COMMITTEE OF ADJUSTMENT:**

- Zoning By-law Amendment Application - D14-Z15-22 (Diana & Martin Langlois, Agent: Joe Malec)-51150 Ron McNeil Line

No. 24-257**Moved By: Scott Lewis****Seconded By: John H. Wilson**

THAT the Public Meeting relating to the Zoning By-Law Amendment Application of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15, South Dorchester and known municipally as 51150 Ron McNeil Line be called to order at 7:05p.m.

Carried

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

Mayor Giguère asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks on July 31st and August 7th. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

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

Mayor Giguère asked Clerk Adams if any additional written comments had been received and she indicated no additional written comments had been received.

Mayor Giguère asked if anyone in attendance had any questions and they did not.

Mayor Giguère invited comments from Council Members. Deputy Mayor Widner inquired about the written feedback concerning parking issues. Councillor Leitch echoed these concerns, acknowledging the need for housing but expressing worry about potential future problems. Mr. Steele suggested that a long-term solution might involve a cash-in-lieu-of-parking option, which, although not currently implemented, is permitted by the Official Plan and could be used to fund

off-street parking. Mayor Giguère agreed with this approach and how this could be considered for future applications. Councillor Wilson concurred that while this solution might not be ideal, he supported the need for additional housing.

No. 24-258

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT the Public Meeting relating to the Zoning By-Law Amendment Application of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15, South Dorchester and known municipally as 51150 Ron McNeil Line be adjourned at 7:16p.m.

Carried

No. 24-259

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT Report No. DS-24-35 entitled "Zoning By-Law Amendment Application of Diana & Martin Langlois" relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line) be received;

AND THAT the Zoning By-law Amendment Application No. D14-Z15-22 of Diana & Martin Langlois relating to the property located at Reference Plan 53, Part Lot 1, 12, 13 & 15 (South Dorchester) (51150 Ron McNeil Line), Township of Malahide BE APPROVED for the reasons set out in this Report.

Carried

- Zoning By-law Amendment Application – D14-Z09-24 (General Housekeeping Amendment)

No. 24-260

Moved By: John H. Wilson

Seconded By: Scott Lewis

THAT the Public Meeting relating to the Zoning By-Law Amendment -General Housekeeping Amendment relating to the lands within the Township of Malahide be called to order at 7:18p.m.

Carried

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

Mayor Giguère asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks on July 31st and August 7th. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

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

Mayor Giguère asked Clerk Adams if any additional written comments had been received and she indicated no additional written comments had been received

Mayor Giguère asked if anyone in attendance had any questions and they did not.

Mayor Giguère asked if any Council Members had comments. The Mayor inquired whether the draft Provincial Policy Statement regarding a third dwelling should be included in this general housekeeping or if it only relates to zoning. Mr. Steele confirmed that while a draft Provincial Policy Statement on third residential units in agricultural areas is under review by the Province, it is not yet finalized. If adopted, both the County Official Plan and the Township Official Plan will require amendments.

No. 24-261

Moved By: Sarah Leitch

Seconded By: Scott Lewis

THAT the Public Meeting relating to the Zoning By-Law Amendment -General Housekeeping Amendment relating to the lands within the Township of Malahide be adjourned at 7:25p.m.

Carried

No. 24-262

Moved By: Mark Widner

Seconded By: John H. Wilson

THAT Report No. DS-24-23 entitled “Zoning By-law Application D14-Z09-24 – General Housekeeping Amendment” relating to lands within the Township of Malahide be received;

AND THAT Council hold a public meeting to obtain comments from members of the public;

AND THAT the staff be directed to bring forward a final By-law for consideration by Council at a subsequent meeting.

Carried

- Zoning By-law Amendment Application – D14-Z08-24 (584012 Ontario Limited c/o Bert Brower, Agent: Mark Stone)-52773 Chalet Line

No. 24-263

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT the Public Meeting relating to the Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 and known municipally as 52773 Chalet Line be called to order at 7:27p.m.

Carried

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

Mayor Giguère asked the Clerk to advise and confirm on the method and date of notice given for this meeting. The Clerk advised that this public meeting was advertised in the Aylmer Express for two consecutive weeks on July 31st and August 7th. In addition, affected property owners within 120 meters were sent a notice by mail at minimum 20 days prior to this meeting.

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

Mayor Giguère asked Clerk Adams if any additional written comments had been received and she indicated no additional written comments had been received

Mayor Giguère inquired if anyone present had any questions. The agent, Mark Stone, addressed the staff's recommendation for denial, explaining that it stems from the denial of the severance application. He also confirmed that the proposal meets all specified requirements and that this zoning compliance condition is a condition of the approved severance application.

Mayor Giguère asked if any Council Members wished to make any comments. Councillor Wilson noted the previous comments provided by Councillor Cerna and believed he would want this to be passed if he were in attendance. Deputy Mayor Widner believed Council should stay the course in its decision. Councillor Glinski inquired about the process and why this separate public meeting was required as a condition of severance. Mr. Steele provided clarification of the process. Councillor Glinski confirmed the resolution that was being passed and Mayor Giguère confirmed that would be done at the time of decision.

Councillor Leitch inquired if there was an appropriate zoning class for this parcel if Council chose to approve. Mr. Steele confirmed that if Council decided to continue supporting the consent and approve the Zoning Amendment the zone presented is the appropriate one. The concerns planning staff have articulated are not that there is a more appropriate zone that could be applied to the subject lands but rather staff had not supported the previous severance to permit the lot addition and creation of the undersized agricultural lot

No. 24-264

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT the Public Meeting relating to the Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 and known municipally as 52773 Chalet Line be adjourned at 7:39p.m.

Carried**No. 24-265****Moved By: Scott Lewis****Seconded By: John H. Wilson**

THAT Report No. DS-24-38 entitled "Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer" relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line) be received;

AND THAT Zoning By-law Amendment Application No. D14-Z08-24 of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line), Township of Malahide BE DENIED for the reasons set out in this Report.

Defeated**No. 24-266****Moved By: Mark Widner****Seconded By: Scott Lewis**

THAT Report No. DS-24-38 entitled "Zoning By-Law Amendment Application of 584012 Ontario Limited c/o Bert Brouwer" relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line) be received;

AND THAT Zoning By-law Amendment Application No. D14-Z08-24 of 584012 Ontario Limited c/o Bert Brouwer relating to the property located at Concession 5, Part of Lot 31,32 & 33 (52773 Chalet Line), Township of Malahide BE APPROVED, notwithstanding the recommendations for denial outlined in this Report.

Carried

- Meeting to Consider – Laidlaw Drain

Deputy Mayor Widner disclosed a pecuniary interest with respect to Meeting to Consider – Laidlaw Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 24-267**Moved By: John H. Wilson****Seconded By: Sarah Leitch**

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

AND THAT By-law No. 24-38 being a By-law to provide for the Laidlaw Municipal drainage works be read a first and second time and provisionally adopted.

Carried

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

DELEGATIONS:

No items.

APPROVAL OF BUSINESS (CONSENT AGENDA):

No items.

UNFINISHED BUSINESS:

No items.

NEW BUSINESS:

- DS-24-34-Application for Consent to Sever-Hotke-49757 Talbot Line

No. 24-268

Moved By: Mark Widner

Seconded By: Scott Lewis

THAT Report No. DS-24-33 entitled "Application for Consent to Sever D10-E53/54-24 of James and Barbara Hotke (Authorized Agent: Eugenio DiMeo) be received;

AND THAT the Application for Consent to Sever D10-E53/54-24 of James and Barbara Hotke (Authorized Agent: Eugenio DiMeo) located at CON 6 N PT LOT 15 CON STR N;PT LOT 88 RP 11R1450 PART 1;& RP 11R6231 PART 1, Township of Malahide (49757 Talbot 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

- DS-24-35-Development Agreement Application-Kayla & Jason Smith-51211 Clinton Street

No. 24-269

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT Report No. DS-24-36 entitled "Application for Development Agreement as per Minor Variance of Kayla and Jason Smith" be received;

AND THAT Council pass By-law 24-43, being a By-law to authorize the execution of a Development Agreement with Kayla and Jason Smith pursuant to Section 45 of the Planning Act, R.S.O. 1990, and Minor Variance Application No. D13-MV-08b-21

Carried

- PW-24-33-Playground Surface Supply and Installation Tender Results

No. 24-270**Moved By: Chester Glinski****Seconded By: John H. Wilson**

THAT Report No. PW-24-33 entitled "Playground Surface Supply and Installation Tender Results" be received;

AND THAT Staff be authorized enter into an agreement with Quality Turf Supply for the supply and installation of Playground Surface material at the Mill St Park, Malahide Community Place, South Dorchester Community Hall and Wonnacott Park.

Carried

- PW- 24-32-Petition for Drainage – Hayhoe

Councillor Glinski disclosed a pecuniary interest with the respect to the Petition for Drainage – Hayhoe. He retired from the meeting and abstained from all discussion and voting on the matter.

Deputy Mayor Widner disclosed a pecuniary interest with respect to upcoming agenda items, Petition for Drainage – Hayhoe, Petition for Drainage – Dyck, Tender Award – Ketchabaw Drain and PW- 24-29-Tender Award – Priester Drain. He retired from the meeting and abstained from all discussions and voting on the matter.

No. 24-271**Moved By: Sarah Leitch****Seconded By: Scott Lewis**

THAT Report No. PW- 24-32 entitled "Petition for Drainage – Hayhoe" be received;

AND THAT George Vereyken, P. Eng., of Spriet Associates, be appointed to prepare an Engineer's Report for the Hayhoe Petition, it being noted that the Petitioner is requesting this petition to be incorporated into the Engineers report currently being prepared for the Pritchard Drain Improvement.

Carried

Councillor Glinski returned to his seat at the Council table.

- PW- 24-26-Petition for Drainage – Dyck

No. 24-272**Moved By: Chester Glinski****Seconded By: Sarah Leitch**

THAT Report No. PW- 24-26 entitled “Petition for Drainage – Dyck” be received;

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

Carried

- Tender Award – Ketchabaw Drain

No. 24-273

Moved By: Scott Lewis

Seconded By: Chester Glinski

THAT Report No. PW- 24-28 entitled “Tender Award – Ketchabaw Drain” be received;

AND THAT the tender for the Ketchabaw Drain be awarded to Van Gorp Drainage, in the amount of \$158,448.00 (plus applicable taxes).

Carried

- PW- 24-29-Tender Award – Priester Drain

No. 24-274

Moved By: Sarah Leitch

Seconded By: John H. Wilson

THAT Report No. PW- 24-29 entitled “Tender Award – Priester Drain” be received;

AND THAT the tender for the Priester Drain be awarded to Van Bree Drainage, in the amount of \$387,235.00 (plus applicable taxes).

Carried

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

- PW-24-34-Pressey Line Reconstruction Deferral

No. 24-275

Moved By: John H. Wilson

Seconded By: Chester Glinski

THAT Report No. PW-24-34 entitled “Pressey Line Reconstruction Deferral” be received;

AND THAT Staff be authorized to amend our existing agreement for surface treatment with Duncor Enterprises relating to the Pressey Line Reconstruction work to reflect the deferral of the work until the 2025 construction season;

AND FURTHER THAT the funds previously approved in the 2024 Capital Budget for this project be carried over to 2025.

Carried

- EECC Board of Management Correspondence - Canada Day Celebrations 2025 Joint Application for Grant Funding

No. 24-276

Moved By: Sarah Leitch

Seconded By: Scott Lewis

THAT the Council of the Malahide Township direct staff to participate in a joint funding application to the Canadian Heritage Celebrate Canada funding program for Canada Day Celebrations in 2025 and provide confirmation to the EECC Board.

Carried

BY-LAWS:

No. 24-277

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT the following By-laws now read a first, second and third time and finally passed:

- 24-43-Development Agreement-51211 Clinton Street
- 24-44-By-law Enforcement Officer Appointment
- 24-45-2024 Tax Rate By-law
- 24-48-Langlois Rezoning-51150 Ron McNeil Line
- 24-42-584012 Ontario Limited c/o Bert Brouwer-52773 Chalet Line

AND THAT the following By-laws now be read a third item and finally passed:

- 24-29-Ketchabaw Drain 3rd Reading
- 24-31-Priester Drain 3 Reading

Carried

COMMITTEE OF THE WHOLE:

No. 24-278

Moved By: Chester Glinski

Seconded By: Scott Lewis

RESOLVED THAT we do now move into Committee of the Whole.

Carried

Business for Consideration

- PW-24-23-Drainage Update Report

No. 24-279

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT Report No. PW- 24-23 entitled "Drain Update Report" be received.

Carried

- FIN- 24-20-2023 Budget Performance and Financial Update

No. 24-280

Moved By: Scott Lewis

Seconded By: John H. Wilson

THAT Report No. FIN-24-20 entitled "2023 Budget Performance and Financial Update" be received;

AND THAT the Township's 2023 budget surplus be distributed to reserves as recommended.

Carried

- FIN-24-21-Development Charges Annual Update

No. 24-281

Moved By: John H. Wilson

Seconded By: Mark Widner

THAT Report No. FIN-24-21 entitled "Development Charges Annual Update" be received.

Carried

- FIN-24-22-Cash in Lieu of Parkland

No. 24-282

Moved By: John H. Wilson

Seconded By: Sarah Leitch

THAT Report No. FIN-24-22 entitled "Cash in Lieu of Parkland" be received.

Carried

- FIN-24-23-Building Stabilization Reserve Fund

No. 24-283**Moved By: Mark Widner****Seconded By: Sarah Leitch**

THAT Report No. FIN-24-23 entitled "Building Stabilization Reserve Fund" be received.

Carried

- HR-24-06 entitled Health & Safety Policy under Occupational Health & Safety Act – Annual Compliance Update

No. 24-284**Moved By: Scott Lewis****Seconded By: Chester Glinski**

THAT Report No. HR-24-06 entitled "Health & Safety Policy under Occupational Health & Safety Act – Annual Compliance Update" be received;

AND THAT the Mayor and Chief Administrative Office be authorized to sign the Health & Safety Policy on behalf of the Corporation;

AND THAT the revised Human Resources Policy B-4.2 Respect in the Workplace (Violence and Harassment) be received for information and further be brought forward for approval at an upcoming Council Meeting.

CarriedUnfinished Business

- Customer Service Related Policies

No. 24-285**Moved By: John H. Wilson****Seconded By: Mark Widner**

THAT the Customer Service-Related Policies" be received for information;

AND THAT the policies attached be brought forward for approval at an upcoming Council meeting.

CarriedNew Business

No items.

Correspondence

No. 24-286

Moved By: Scott Lewis

Seconded By: Mark Widner

RESOLVED THAT item 0.2 be supported;

AND THAT the remaining items be received and filed.

Carried

No. 24-287

Moved By: Scott Lewis

Seconded By: Chester Glinski

RESOLVED THAT we do now move out of Committee of the Whole and reconvene the regular council meeting.

Carried

CLOSED SESSION:

No. 24-288

Moved By: Mark Widner

Seconded By: John H. Wilson

THAT Council move into Closed Session at 9:06p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss the following:

-A personal matter about an identifiable individual, including Municipal and Local Board Employees (Section 239 (2)(c)).

Carried

No. 24-289

Moved By: Sarah Leitch

Seconded By: Mark Widner

THAT Council move out of Closed Session and reconvene at 10:14p.m. in order to continue with its deliberations;

AND THAT staff were given direction in closed session on a personal matter about an identifiable individual, including Municipal and Local Board Employees.

Carried

CONFIRMATORY BY-LAW:

No. 24-290

Moved By: Scott Lewis

Seconded By: Sarah Leitch

THAT By-law No.24-39, being a Confirmatory By-law, be given first, second and third readings, and be properly signed and sealed.

Carried

ADJOURNMENT:

No. 24-291

Moved By: Mark Widner

Seconded By: John H. Wilson

THAT Council adjourn its meeting at 10:15p.m to meet again on September 5, 2024 at 7:00p.m.

Carried

Original Signed By:

Mayor – D. Giguère

Original Signed By:

Clerk – A. Adams