

The Corporation of the Township of Malahide

January 21, 2010 – 8:00 p.m.

The Malahide Township Council met in the Council Chambers at 8:00 p.m. with the following present:

Council: Mayor J. R. Wilson; Deputy Mayor D. Mennill; Councillor G. Cleminshaw; Councillor C. Glinski; Councillor M. Moore; Councillor M. Phillimore; and Councillor M. Widner.

Staff: C.A.O./Clerk M. Casavecchia; Director of Physical Services R. Johnson; Director of Fire and Emergency Services P. Groeneveld; Director of Finance S. Wilson; Water/Wastewater Operations Manager M. Taylor; and Deputy Clerk D. Wilson.

Absent: None.

CALL TO ORDER:

Mayor Wilson took the Chair and called the meeting to order at 8:00 p.m.

DISCLOSURE OF PECUNIARY INTEREST and the General Nature thereof:

No disclosures of pecuniary interests were declared.

MINUTES:

Moved by: Max Moore **No. 26**
Seconded by: George Cleminshaw

THAT the minutes of the regular meeting of the Council held on January 7, 2010 be adopted as printed and circulated.

Carried.

Moved by: Dave Mennill **No. 27**
Seconded by: Mike Phillimore

THAT the minutes of the special meeting of the Council held on January 14, 2010 be adopted as printed and circulated.

Carried.

DELEGATIONS:

Meeting to Consider - Betterly/Legg Extension Drain Branch Q

Drainage Engineer John R. Spriet, of Spriet Associates, appeared before the Council to present the Drainage Report related to the Betterly/Legg Extension Drain Branch Q.

Cliff Willows and Mable Willows were in attendance to indicate their support for the proposed drainage works.

Moved by: Mark Widner **No. 28**

Seconded by: Max Moore

THAT the Engineer's Report on the Betterly/Legg Extension Drain Branch Q, as prepared by Spriet Associates, be accepted.

THAT By-law No. 10-03 being a by-law to provide for drainage works on the Betterly/Legg Extension Drain Branch Q be read a first and second time and provisionally adopted.

Carried.

**Moved by: Dave Mennill
Seconded by: George Cleminshaw**

No. 29

THAT the Court of Revision for the Betterly/Legg Extension Drain Branch Q be set for February 18, 2010.

THAT the tenders for the construction of the Betterly/Legg Extension Drain Branch Q be requested for February 12, 2010, at 12:00 noon.

Carried.

Meeting to Consider - Taylor Drain Branch "A" and "B"

Drainage Engineer John R. Spriet, of Spriet Associates, appeared before the Council to present the Drainage Report related to the Taylor Drain Branch "A" and "B".

There were no members of the public in attendance regarding the Drainage Report related to the Taylor Drain Branch "A" and "B".

**Moved by: Chester Glinski
Seconded by: George Cleminshaw**

No. 30

THAT the Engineer's Report on the Taylor Drain Branch "A" and "B", as prepared by Spriet Associates, be accepted.

THAT By-law No. 10-04 being a by-law to provide for drainage works on the Taylor Drain Branch "A" and "B" be read a first and second time and provisionally adopted.

Carried.

**Moved by: Mark Widner
Seconded by: Dave Mennill**

No. 31

THAT the Court of Revision for the Taylor Drain Branch "A" and "B" be set for February 18, 2010.

THAT the tenders for the construction of the Taylor Drain Branch "A" and "B" be requested for February 12, 2010, at 12:00 noon.

Carried.

John Wise Line Drainage Project Update

Drainage Engineer John R. Spriet, of Spriet Associates, provided a verbal update to the Council with respect to the status of the John Wise Line drainage works recently undertaken by Van Bree Drainage.

The Council noted that the drainage works had gone well and within the proposed budget and timelines.

REPORTS:Director of Fire and Emergency Services:

The Mayor welcomed Paul Groeneveld as the new Director of Fire and Emergency Services.

- Administrative Enhancement Proposal

Moved by: Max Moore

No. 32

Seconded by: Mark Widner

THAT the appointment of new District Chiefs at Stations 1 and 3, and Deputy District Chiefs at Stations 2 and 4 be postponed until June, 2010.

Carried.

Director of Physical Services:

- Water/Wastewater/Streetlights

Moved by: Chester Glinski

No. 33

Seconded by: Mike Phillimore

THAT the Water/Wastewater/Streetlights Report No. W-10-01 be received as information.

Carried.

- CGSB Audit Report – Malahide Distribution System & Operation

Moved by: Dave Mennill

No. 34

Seconded by: Chester Glinski

THAT Report No. W-10-03 regarding the Canadian General Standards Board Audit be received as information.

Carried.

- Drainage

Moved by: Max Moore

No. 35

Seconded by: Mike Phillimore

THAT the Drainage Report No. DR-10-01 be received as information.

Carried.

- Roads

Moved by: Mark Widner

No. 36

Seconded by: Chester Glinski

THAT the General Roads Report No. R-10-01 be received as information.

Carried.

- Speed Zones – Hacienda, Copenhagen, Mount Salem

The Council discussed the matter of speed zones in Copenhagen, Mount Salem and on Hacienda Road. The Council asked the Director of Physical Services to

Carried.

Chief Administrative Officer/Clerk

- Community Adjustment Fund (CAF) Grant Application

The Council received a report from the Municipal Staff with respect to the various elements of the Township's Community Adjustment Fund (CAF) grant application that was submitted on January 18, 2010 to assist with the servicing of an Agri-Industrial Park in Springfield.

The Council noted that the total project costs (including land costs of \$4 million) are estimated to be approximately \$21,200,000. This estimate provides for the maximum costs to instantly and fully develop an Agri-Industrial Park representing approximately 390 acres of land. The Township will finance the "up-front" costs, to acquire and develop the land and these costs will be recovered as parcels of land within the Park are sold. The water tower and transmission line costs would be recovered by an impost fee levied against all properties connecting to the waterline, including future residential, industrial and institutional properties.

The Council asked the CAO/Clerk to request delegations with Provincial Ministers at the upcoming ROMA/OGRA/ROMA Annual Conference in order to provide them with an update on the proposed Agri-Industrial Park project and to seek their support.

CORRESPONDENCE:

Moved by: Dave Mennill **No. 41**
Seconded by: Chester Glinski

THAT the "Helping Haiti" Challenge put forth by the Association of Municipalities of Ontario (AMO) be supported by making a donation to the Canadian Red Cross in the amount of \$100.00.

Carried.

Moved by: Max Moore **No. 42**
Seconded by: Mike Phillimore

THAT the following correspondence be noted and filed:

- i) Ontario Good Roads - Nominations for Directors
- ii) Aylmer & Area Chamber of Commerce – (Mayor's Breakfast and Taxes from a Business Perspective
- iii) Central Elgin – Notice of Public Meeting -rezoning – 420 Edith Cavell Blvd., Port Stanley
- iv) AMO Watch File – January 14, 2010.
- v) Dutton/Dunwich – Letter of Support – Springfield Agri-Park.
- vi) County of Elgin - Letter of Support – Springfield Agri-Park.
- vii) Council of Canadians with Disabilities – A Call for Action.
- viii) AMO - Helping Haiti Challenge
- ix) United Way of Canada - Relief Efforts in Haiti
- x) New Cabinet for Ontario

Carried.

NEW BUSINESS:

- (i) Malahide Informer Newsletter

Moved by: Dave Mennill **No. 43**

Seconded by: George Cleminshaw

THAT the 23rd Issue of the Malahide Informer Newsletter, dated February 2010, be approved.

Carried.

(ii) Land Division Committee Application - Wayne and Wendy Hiepleh

Moved by: Mark Widner

No. 44

Seconded by: Chester Glinski

THAT the Elgin County Land Division Committee be advised that the Malahide Township Council has no objection to Land Severance No. 98/09 in the name of Wayne and Wendy Hiepleh, owner of Part Lots 16 and 17, Concession 8, Malahide, subject to the following:

1. **Drainage Assessment Splits (3 drains);**
2. **Removal of second house on property;**
3. **Civic Addressing Number (911);**
4. **Confirmation that private sewage system be confined entirely within the boundaries of the newly created residential parcel. That system be in conformance with all required setbacks from lot lines; and**
5. **Any other conditions deemed to be necessary in order to complete this severance.**

Carried.

Land Division Committee Application - Imperial Tobacco Leaf

Moved by: Dave Mennill

No. 45

Seconded by: Max Moore

THAT the Elgin County Land Division Committee be advised that the Malahide Township Council has no objection to Land Severance No. 95/09 and 96/09 in the name of Imperial Tobacco Leaf, owner of Part Lots 83, Concession NTR, Malahide, subject to the following:

1. **Drainage Assessment Splits (1 drain); and**
2. **Any other conditions deemed to be necessary in order to complete this severance.**

AND THAT the Director of Municipal Services be authorized to provide a letter of support regarding the proposed severances to the County of Elgin Land Division Committee.

Carried.

(iii) Planning Application - Jantzi

Moved by: George Cleminshaw

No. 46

Seconded by: Mike Phillimore

THAT the planning application of David, Fannie, Noah and Irene Jantzi relating to the property located at Part Lot 28, North Gore, Geographic Township of Malahide, be forwarded to the Municipal Planner (IBI Group) for review and comment.

Carried.

(iv) Planner's Preliminary Comments – Wingate Lodge Application

Mr. Gordon Bryant, Solicitor on behalf of Wingate Lodge, appeared before the Council to answer any questions or concerns regarding his client's application for an Official Plan and Zoning Amendments relating to property in Port Bruce. At Mr. Bryant's request, the Council agreed to hold the matter in abeyance pending further direction from Mr. Bryant. This postponement will enable a pre-circulation of the proposal to neighbouring property owners prior to scheduling a public meeting in early April, 2010.

Moved by: Dave Mennill **No. 47**
Seconded by: George Cleminshaw

THAT the Clerk be authorized to proceed with the scheduling of a public meeting in April, 2010 for the rezoning and Official Plan re-designation of the property owned by Wingate Lodge at 49075 Dexter Line, in the Village of Port Bruce.

Carried.

(v) Site Plan Application – Mount Salem Christian School

Moved by: Chester Glinski **No. 48**
Seconded by: Mike Phillimore

THAT the Site Plan Agreement Application for the Mount Salem Christian School relating to the property located at Part Lot 21, Concession 3, be forwarded to the Municipal Planner (IBI Group) for review and comment.

Carried.

(vi) Catfish Creek Conservation Authority – 2010 Flood Emergency – Ice Management.

Moved by: Max Moore **No. 49**
Seconded by: George Cleminshaw

THAT the Catfish Creek Conservation Authority's Flood Emergency and Ice Management Program, in the amount of \$54,000.00, be supported, noting that the Township of Malahide is deemed the benefiting municipality and as such the Township's funding share will be 50% of the costs to a maximum of \$27,000.00.

Carried.

(vii) Flood Emergency Plan Port Bruce

Moved by: Mark Widner **No. 50**
Seconded by: Mike Phillimore

THAT the Flood Emergency Plan for Port Bruce and Springfield be approved and further that the same be authorized for distribution.

Carried.

BY-LAWS:

(i) By-law No. 10-05 – Removal of Holding Zone – Toth Volume Gun Irrigation

Moved by: Chester Glinski **No. 51**
Seconded by: Dave Mennill

THAT By-law No. 10-05, being a By-law to authorize the removal of a Holding Zone (Toth Volume Gun Irrigation), be given first, second and third readings, and be properly signed and sealed.

Carried.

(ii) By-law No. 10-07 – Drainage Amending By-law - McGonegal

Moved by: George Cleminshaw NO. 52
Seconded by: Mark Widner

THAT By-law No. 10-07, being a McGonegal Drain Amending By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

(iii) By-law No. 10-08 - Drainage Amending By-law - Catfish

Moved by: George Cleminshaw No. 53
Seconded by: Max Moore

THAT By-law No. 10-08, being a Catfish Creek Drain Amending By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

(iv) By-law No. 10-09 - Drainage Amending By-law - Teskey

Moved by: Mark Widner No. 54
Seconded by: Mike Phillimore

THAT By-law No. 10-09, being a Teskey Drain Amending By-law, be given first, second and third readings, and be properly signed and sealed.

Carried.

CLOSED SESSION:

Moved by: Mark Widner No. 55
Seconded by: George Cleminshaw

THAT the Council move into Closed Session at 10:07 p.m., pursuant to Section 239(2) of the Municipal Act, 2001, as amended, to discuss two property matters and a personal matter:

- CS1 - A proposed or pending acquisition or disposition of land matter related to the South Works Yard property.
- CS2 - A proposed or pending acquisition or disposition of land matter related to property on Lyons Line.

Carried.

Moved by: Max Moore No. 56
Seconded by: Mike Phillimore

THAT the Council move out of Closed Session and reconvene at 11:12 p.m. in order to continue with its deliberations.

Carried.

Mayor Wilson advised that during its Closed Session, the Council provided direction to the Director of Community and Corporate Services with respect to the

