

# The Corporation of the Town of Lakeshore

## Minutes of the Regular Council Meeting

Tuesday, December 10, 2019, 5:30 PM  
Council Chambers, 419 Notre Dame Street



Members Present: Mayor Tom Bain, Deputy Mayor Tracey Bailey, Councillor Steven Wilder, Councillor Len Janisse, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Kirk Walstedt, Councillor Linda McKinlay

Staff Present: Chief Administrative Officer, Truper McBride, Director of Community & Development Services, Tammie Ryall, Director of Engineering & Infrastructure Service, Nelson Cavacas, Director of Finance, Rosanna Pellerito, Director of Legislative & Legal Services, Kristen Newman, Manager of Communications & Strategic Initiatives, Rita Chappell, Manager of Development Services, Kim Darroch, Manager of Legislative Services, Brianna Coughlin

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### 1. Call to Order

Mayor Bain called the meeting to order at 5:30 PM.

### 2. Closed Session

**554-12-2019**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Walstedt

Council move into closed session in Council Chambers at 5:30 PM in accordance with:

a) Paragraph 239(2)(k) of the *Municipal Act, 2001* to discuss 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 municipality or local board, relating to a proposed lease agreement for the Stoney Point Library.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

**Carried**

### 3. Return to Open Session

Councillor Wilder joined the meeting at 5:39 PM.

Council returned to Open Session at 6:00 PM.

**4. Moment of Reflection**

**5. Disclosures of Pecuniary Interest**

Councillor Walstedt declared a conflict of pecuniary interest regarding Item 12.d) due to his position on the Agriculture, Food and Rural Affairs Appeal Tribunal.

**6. Recognitions**

**a. Mary Ann Pinsonneault - Windsor-Essex County Sports Hall of Fame**

Mayor Bain presented Mary Ann Pinsonneault with a commemorative plaque in recognition of her induction into the Windsor-Essex County Sports Hall of Fame.

**7. Resolution from Closed Council**

**555-12-2019**

**Moved By** Councillor McKinlay

**Seconded By** Councillor Santarossa

Council adopt By-law 135-2019 authorizing the Mayor and Clerk to execute the lease with Scott O'Doud for the library services space at 6690 Tecumseh Road in the community of Stoney Point subject to the approval of the Director of Engineering and Infrastructure Service in consultation with the Town's Chief Building Official and Fire Chief that building conditions have been satisfactorily addressed.

**Carried Unanimously**

**8. Public Meetings under the Planning Act**

**9. Public Presentations**

**a. Belle River On the Lake Business Improvement Area - Presentation of 2020 Budget**

Chair Moe Mailloux and BIA Coordinator Janel Gagnier provided a presentation on the value of BIAs and two short videos relating to BIA events undertaken in 2019.

**556-12-2019**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Janisse

Approve the BIA Budget as set out by the Belle River on the Lake Business Improvement Area (BIA) Board for the year ending December 31, 2020.

**Carried Unanimously**

**10. Delegations**

**11. Completion of Unfinished Business**

**12. Consent Agenda**

**557-12-2019**

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

Council approve item 11.a) and receive items 11.b) through 11.d) as listed on the Consent Agenda dated December 10, 2019.

**Carried Unanimously**

**a. Adoption of Council Meeting Minutes November 19, 2019**

**b. Essex County Library Board - Letter regarding Stoney Point Library**

**c. Rural Ontario Municipal Association & Ontario Good Roads Association - Future Opportunities**

**d. Belle River On the Lake Business Improvement Association Meeting Minutes October 7, 2019**

**13. Reports for Information**

**a. Major Accomplishments of 2019**

**558-12-2019**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Kerr

Council receive the report by the Chief Administrative Officer entitled Major Accomplishments of 2019.

**Carried Unanimously**

**b. Implications of Adoption of a Name Change By-law (revised report - December 10, 2019)**

**559-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

That the matter be deferred.

In Favour (2): Councillor Wilder, and Councillor Janisse

Opposed (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

**Lost**

**560-12-2019**

**Moved By** Councillor McKinlay

**Seconded By** Councillor Walstedt

That the Corporation of the Town of Lakeshore be renamed the Municipality of Lakeshore to be implemented January 1, 2021 and furthermore, that Administration draft a by-law on this issue for Council's approval in early spring 2020."

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

**c. Cannabis Retail Stores**

**561-12-2019**

**Moved By** Councillor Kerr

**Seconded By** Councillor McKinlay

Direct Administration to bring the report by the Manager of Development Services entitled Cannabis Retail Stores to the public by conducting another public open house.

In Favour (3): Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (5): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, and Councillor Santarossa

**Lost**

**562-12-2019****Moved By** Councillor Wilder**Seconded By** Deputy Mayor Bailey

Direct staff to undertake the following:

- a. engage public comments through online consultation regarding the attached Municipal Cannabis Policy Statement;
- b. bring forward a by-law to delegate to the Town Clerk and/or the Director of Community and Developments Services, the authority to provide municipal comments on Cannabis Retail Store Authorization requests to the AGCO, in accordance with the Municipal Cannabis Policy Statement;
- c. bring forward a by-law to adopt the Municipal Cannabis Policy Statement; and
- d. the Town Clerk inform the Alcohol and Gaming Commission of Ontario (AGCO) Registrar and the Province of Ontario that the Town of Lakeshore wishes to "opt in" of enabling cannabis retail stores.

In Favour (5): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, and Councillor Santarossa

Opposed (3): Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

**Carried**

d. **Drainage Board Meeting draft Minutes for November 4, 2019**

e. **Committee of Adjustment draft Minutes for November 20, 2019**

**563-12-2019****Moved By** Councillor McKinlay**Seconded By** Councillor Kerr

Council receive Items 12.a) through 12.e) as listed on the Agenda dated December 10, 2019.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Santarossa, Councillor Kerr, and Councillor McKinlay

Opposed (1): Councillor Walstedt

**Carried**

#### 14. Reports for Direction

- a. **Site Plan Control (File: SPC-9-2019), 2366146 Ontario Ltd., c/o Ray Tracey, 1925 County Road 42, Community of Rochester**

**564-12-2019**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor McKinlay

1. Council approve Site Plan Control Application SPC-9-2019 to permit the placement of a 1,232 m<sup>2</sup> (13,261 ft<sup>2</sup>) new warehouse building, located at 1925 County Road 42, in the Community of Rochester, subject to the following conditions:
  - a. that the Owner/Developer enter into an amending Site Plan Agreement with the Town to provide for the installation, construction, and maintenance of driveways, parking areas, lighting, landscaping, grading, drainage, and any necessary service connections, easements and other items; and
2. The Mayor and Clerk be authorized, by By-law # 130 -2019 to execute the amending Site Plan Agreement.

**Carried Unanimously**

- b. **Serenity Bay Subdivision Agreement (County File: 37-T-15001 and Town File: S-A-2-2015), 1903286 Ontario Inc. and Jack Mocerri and Sons Contracting Ltd., c/o Dillon Consulting Limited, 299 Old Tecumseh Road / 0 Jordan Lane**

**565-12-2019**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Kerr

The Mayor and Clerk be authorized, by By-law 131-2019, to execute a Subdivision Agreement with the Owner for Serenity Bay Subdivision, subject to the inclusion of the following provision:

The agreement covers thirteen (13) lots for single detached residential dwellings, four (4) blocks (18, 19, 20 and 24) for twelve (12) townhouse residential dwellings, fifteen (15) blocks (14, 15, 16, 17, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31 and 32) for thirty (30) semi-detached residential dwellings, one (1) block (block 33) for a storm water management facility and two (2) blocks (blocks 34 and 35) for daylight triangles as shown on

the legal 12MPlan, prepared and certified by Roy A. Simone, O. L.S., dated August 31, 2018.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Wilder

**Carried**

**c. Employment Lands Strategy Update**

**566-12-2019**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor McKinlay

1. This staff report be received for information;
2. The information compiled by the consultants on the Employment Lands Strategy be used with the purpose of informing the Town's participation in the County of Essex's Five Year Official Plan Review, commencing in January 2020, starting with participation in the County's Growth Projections exercise and Regional Employment Land Needs Study; and
3. Council direct the Clerk to send this resolution and report to the County of Essex.

**Carried Unanimously**

**d. 2020 Budget Adoption**

**567-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Walstedt

Include the following 5 road projects in the 2020 Budget, to be funded from the Roads Lifecycle Reserve:

- Lakeshore Road 211 from South Middle Road to County Road 8;
- South Middle Road from Lakeshore Road 229 to County Road 31;
- Gracie Side Road from County Road 37 to the CN Rail;
- King Street from County Road 27 to the end of the road; and
- O'Brien Side Road from County Road 46 to North Rear Road.

**Carried Unanimously**

**568-12-2019****Moved By** Councillor McKinlay**Seconded By** Councillor Walstedt

Adopt By-law 133-2019 establishing the 2020 Municipal Tax Levy and Tax Rates.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried****e. 2020 Tariff of Fees**

The Council meeting recessed from 8:20 PM and resumed at 8:35 PM.

**569-12-2019****Moved By** Councillor Wilder**Seconded By** Councillor Santarossa

That the Parkland Dedication fee for rural areas be increased to \$1,500.

In Favour (2): Councillor Wilder, and Councillor Janisse

Opposed (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

**Lost****570-12-2019****Moved By** Councillor Janisse**Seconded By** Councillor Wilder

Direct staff to leave fees at \$1,200 until Administration brings a report on parkland dedication fees regarding increase to fees.

In Favour (4): Mayor Bain, Councillor Wilder, Councillor Janisse, and Councillor Kerr

Opposed (4): Deputy Mayor Bailey, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

**Lost**



**571-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Santarossa

Council defer the report regarding 2020 Tariff of Fees pending a report back from Administration regarding the possibility of increasing the following fees as identified by Council:

1. Schedule A - Fill Permits
2. Schedule A - Parkland Dedication Fees
3. Schedule B - flat fees relating to Planning and Development Services
4. Schedule D - Motor Vehicle Accident Reports
5. Schedule J - Belle River Marina Rates

**Carried Unanimously**

- f. **Tile Loan Application - John and Michelle Sauve - 2078 Lakeshore Road 219 - (Roll No. 010. 000. 01000)**

**573-12-2019**

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

Council approve the Tile Loan Application submitted by John and Michelle Sauve for tiling work to be performed at 2078 Lakeshore Road 219 (Roll No. 010.01000) in the amount of \$50,000.00 subject to Provincial funding.

**Carried Unanimously**

- g. **Continuation of Appointment of Integrity Commissioner**

**574-12-2019**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Kerr

Council adopt By-law 137-2019 continuing the appointment of Bruce Elman as the Town's interim integrity commissioner and authorizing the Mayor and Clerk to execute an agreement with Bruce Elman, The Corporations of the City of Windsor and the City of Amherstburg to retain integrity commissioner services for the term of January 1, 2020 through to and including December 31, 2021 with the possibility of a further 2 year renewal upon mutual agreement and as further described in the report of the Director of Legislative & Legal Services presented at the December 10, 2019 Council meeting.

**Carried Unanimously**

**h. Community Safety and Well-being Plan**

**575-12-2019**

**Moved By** Councillor Santarossa

**Seconded By** Councillor McKinlay

Administration continue to work with the Town's regional partners to develop a community safety and well-being plan as described in the report of the Director of Legislative & Legal Services entitled, Community Safety and Well-being Plan, presented at the December 10, 2019 Council meeting.

**Carried Unanimously**

**i. Renewal of Lakeshore Canadiens Agreement**

**576-12-2019**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Kerr

Council adopt by-law 134-2019 authorizing the execution an agreement between the Town and 2337338 Ontario Inc. ("Hockey Club") for the purpose of utilizing the premises at the Atlas Tube Centre to operate a Junior C franchise in the Ontario Hockey Association as described in the report of the Manager of Recreation and Leisure Service presented at the December 10, 2019 Council meeting.

**Carried Unanimously**

**j. Summer Student Employment Program Revisions**

**579-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Santarossa

Council adopt the revised policy and the report of the Manager of Human Resources entitled, Summer Student Employment Program Revisions as presented at the December 10, 2019 Council meeting.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay  
Opposed (1): Councillor Janisse

**Carried**

## 15. **Announcements by Mayor**

Mayor Bain provided an overview of the successful Breakfast with Santa event that took place at the Atlas Tube Centre December 4-5, 2019.

**580-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Santarossa

That the meeting continue past the 9:30 PM deadline.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay  
Opposed (1): Councillor Janisse

**Carried**

## 16. **Reports from County Council Representatives**

## 17. **Report from Closed Session**

## 18. **Notices of Motion**

### a. **Councillor Janisse - Name Change**

Councillor Janisse withdrew his motion.

### b. **Councillor Wilder - Request for Noise Investigation**

**581-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Kerr

WHEREAS a number of residents have reported hearing a noise, or noises, in the Windsor-Essex County area, which has been described as a hum, buzzing, droning, idling vehicle, and/or a loud stereo system;

WHEREAS it is not known what the source of this noise is, or whether there are multiple sources;

WHEREAS this noise is causing a disturbance to residents and raising concerns over potential health and environmental impacts.

NOW THEREFORE BE IT RESOLVED that the Government of Ontario be urged to investigate the source, or sources, of this noise, as well as any potential impacts including health and environmental impacts;

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the City of Windsor, County of Essex, Town of Tecumseh, Town of Lasalle, Town of Amherstburg, Town of Essex, Town of Kingsville, Municipality of Leamington, the Honourable Doug Ford, Premier of Ontario, the

Honourable Andrea Horwath, Leader of the New Democratic Party, the Honourable Christine Elliott, Minister of Health and Long-Term Care, the Honourable Jeff Yurek, Minister of Environment, Conservation and Parks, Ms. Lisa Gretzky, MPP for Windsor West, Mr. Taras Natyshak, MPP for Essex, Mr. Percy Hatfield, MPP for Windsor-Tecumseh, and Mr. Rick Nicholls, MPP for Chatham-Kent-Leamington.

**Carried Unanimously**

**19. Question Period**

**582-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Walstedt

Direct Administration to communicate to the public that there are opportunities for advertising with the municipality.

In Favour (4): Mayor Bain, Councillor Wilder, Councillor Janisse, and Councillor Walstedt

Opposed (4): Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, and Councillor McKinlay

**Lost**

**583-12-2019**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Kerr

That the rules of the Procedural By-law be waived in order to proceed past the 10 PM deadline.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

**Carried**

**584-12-2019**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Kerr

Direct Administration to bring back a report regarding a light pollution by-law relating to greenhouses.

**Carried Unanimously**

**20. Non-Agenda Business**

## 21. Consideration of By-laws

### 585-12-2019

**Moved By** Councillor Walstedt

**Seconded By** Councillor Santarossa

By-law 130-2019, 132-2019, 134-2019, 135-2019, 136-2019 and 137-2019 be read a first, second and third time and finally adopted this 10th day of December, 2019.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

**Carried**

### 586-12-2019

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

By-law 131-2019 be read a first, second and third time and finally adopted this 10th day of December, 2019.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

### 587-12-2019

**Moved By** Councillor Walstedt

**Seconded By** Councillor Kerr

By-law 133-2019 be read a first, second and third time and finally adopted this 10th day of December, 2019.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

- a. **By-law 127-2019, being a By-law to Establish User Fees for Certain Services Provided by the Corporation of the Town of Lakeshore**
- b. **By-law 130-2019, being a By-law to Authorize the Execution of an Amending Site Plan Agreement with 2366146 Ontario Ltd. (SPC-9-2019)**

- c. **By-law 131-2019, being a By-law to Authorize the Execution of a Subdivision Agreement Pertaining to Serenity Bay**
- d. **By-law 132-2019, being a By-law to Amend By-law 34-2019 (Appointment By-law)**
- e. **By-law 133-2019, being a By-law To Adopt The Budget Estimates, Tax Rates And Further To Provide For Penalty And Interest In Default Of Any Payment For the Year 2020**
- f. **By-law 134-2019, being a By-law to Delegate Authority to the Mayor and Clerk to Execute an Agreement with the Lakeshore Canadiens**
- g. **By-law 135-2019, being a By-law to Delegate Authority to the Mayor and Clerk to Execute an Agreement with the Essex County Library Board**
- h. **By-law 136-2019, being a By-law to Confirm the Proceedings of the Council of the Town of Lakeshore**
- i. **By-law 137-2019, being a By-law to Appoint Bruce Elman as Integrity Commissioner and Execute Agreement Related Thereto**

**22. Adjournment**

**588-12-2019**

**Moved By** Councillor Wilder

**Seconded By** Councillor Santarossa

Council adjourn its meeting at 10:10 PM.

**Carried Unanimously**

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Tom Bain  
Mayor

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Kristen Newman  
Director of Legislative &  
Legal Services (Clerk)