

# The Corporation of the Town of Lakeshore

## Regular Council Meeting Agenda

Tuesday, July 14, 2020, 6:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Moment of Reflection
3. Disclosures of Pecuniary Interest
4. Recognitions
5. Public Meetings under the Planning Act
  - a. ZBA-15-2019, 1972 County Road 27 (Leboeuf)

10

**Recommendation:**

Approve Zoning By-law Amendment Application ZBA-15-2019 (By-law No.051-2020), Town of Lakeshore By-law 2-2012, as amended), to rezone a portion of the farm parcel(s), indicated as the “Retained Farmland” on the Key Map, Appendix 1, located at 1972 County Road 27, in the Town of Lakeshore, from “A, Agriculture” to a site-specific “A-1, Agriculture” zone, which prohibits a single detached dwelling on the parcel east of the Hydro Corridor and a site specific “A-103, Agriculture Exception Zone, which prohibits a single detached dwelling and recognizes a deficient lot area on the parcel fronting County Road 27.

## 6. Public Presentations

### a. Stantec - Lakeshore Stormwater Master Plan Study Phase 1 15

#### 1. Storm Water Master Plan - Phase 1 Study 30

##### **Recommendation:**

Administration issue a Notice of Completion and place the Town of Lakeshore Stormwater Master Plan – Phase 1 (“SMP-P1”) Class Environmental Assessment draft report on the public record for the 30-day mandatory review period, at its regular Council meeting on July 14, 2020 for information purposes in finalizing the Class EA for the Stormwater Master Plan – Phase 1; and,

Adopt the 5-year storm sewer design standard into the Town’s Development Servicing Standards Manual for all new construction and in accordance with ERCA’s Windsor-Essex Regional Storm Water Management guidelines.

## 7. Delegations

### a. Haya Obaida - Petition to Cancel Sidewalk on Rafih Crescent 35

## 8. Completion of Unfinished Business

## 9. Consent Agenda

### a. June 23, 2020 Regular Council Meeting Minutes 36

### b. June 29, 2020 Special Council Meeting Minutes 44

### c. Ontario Provincial Police Essex County Detachment - Black Lives Movement 54

### d. City of Sarnia - Long Term Care Home Improvements 56

##### **Recommendation:**

Approve the minutes of the previous meetings and receive correspondence as listed on the Consent Agenda.

## 10. Reports for Information

### a. Stormwater User Fee Implementation 58

- |    |  |     |
|----|--|-----|
| b. | <b>Flood Prevention Task Force Committee Meeting Draft Minutes of November 12th, 2019</b>        | 71  |
| c. | <b>Flood Prevention Task Force Committee Electronic Meeting Draft Minutes of June 25th, 2020</b> | 106 |

**Recommendation:**

Receive the Reports for Information as listed on the agenda.

**11. Reports for Direction**

- |    |                                      |     |
|----|--------------------------------------|-----|
| a. | <b>Rochester Water Main Petition</b> | 127 |
|----|--------------------------------------|-----|

**Recommendation:**

Approve the Rochester water main petition to extend the 50mm water main 250m from 997 Rochester Townline Road to the corner of Rochester Townline Road and County Road 42; and,

Direct Administration to implement the water main in accordance with the Water Main Petition Policy; and,

Direct Administration to install the remaining 180m of 50mm water main in order to loop the existing water main located South of County Road 42 to 1166 Rochester Townline Road., as presented at the July 14, 2020 Council meeting.

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| b. | <b>Water Financial Plan under Ontario Regulation 453/07 of Safe Drinking Water Act</b> | 133 |
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**Recommendation:**

The Water Financial Plan (attached) prepared by Watson & Associates Economists Ltd. dated June 30, 2020 as required by Ontario Regulation 453/07 be approved, as presented at the July 14, 2020 Council meeting.

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| c. | <b>Tender Award – 2020 Surface Treatment Program</b> | 180 |
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**Recommendation:**

Award the tender for the 2020 Surface Treatment Program to Shepley Road Maintenance Ltd. in the amount of \$809,077 plus applicable taxes.

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| d. | <b>Ellis Road – MTO Project – Highway 3 Road Widening</b> | 184 |
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**Recommendation:**

The closure of Ellis Side Road southwest of Highway 3 and the modification of the access to Ellis Side Road northeast of Highway 3 to a right-in, right-out configuration be supported.

- e. **Belle River Flood Control System and WECl Grant** 189
- Recommendation:**  
Direct Administration to complete the Belle River Flood Control projects;  
and,  
  
Approve the transfer of a maximum of \$75,000 from the contingency  
reserve to fund the Town's portion of the projects, as presented at the  
July 14, 2020 Council meeting.
- f. **Temporary Outdoor Patios During COVID-19 Recovery** 204
- Recommendation:**  
The site plan control agreement and associated fees until January 1,  
2021 for the 2020 outdoor patio season be waived for outdoor patios, as  
authorized under section 69 of the *Planning Act*, as Council recognizes  
the financial hardships faced by the restaurant industry, as a result of the  
COVID-19 pandemic; and,  
  
The Town of Lakeshore does not object to the temporary physical  
extension of liquor sales under section 97(2) of regulation 719 under the  
*Liquor Licence Act* for an outdoor patio located on private property that is  
permitted under applicable zoning by-law(s) in the Town of Lakeshore.
- g. **Municipal Cannabis Policy Statement - Amendment** 212
- Recommendation:**  
Adopt By-law 052-2020, to amend the Town of Lakeshore *Municipal  
Cannabis Policy Statement*, attached as Appendix 1.
12. **Announcements by Mayor**
13. **Reports from County Council Representatives**
14. **Report from Closed Session**

## 15. Notices of Motion

### a. Notice of Motion submitted by Councillor Janisse - Expansion of Access to High-Speed Internet

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#### **Recommendation:**

Whereas access to reliable, high-speed internet is a necessity for Canadians, especially those who work or attend school remotely;

Whereas various government levels have expressed a commitment to the expansion of and access to, reliable, high-speed internet; and

Whereas conflicts with infrastructure controlled or regulated by other levels of government, such as railroad tracks and highways, pose literal barriers to the expansion of access to reliable, high-speed internet, resulting in additional costs and delays.

Now therefore be it resolved that the Governments of Canada and Ontario take immediate steps to remove all barriers to the expansion of access to reliable, high-speed internet, which fall under their jurisdiction;

Now therefore be it resolved that the Governments of Canada and Ontario prioritize infrastructure projects that promote the expansion of access to reliable, high-speed internet, and fast-track any approvals required due to infrastructure conflicts, which fall under their jurisdiction;

Be it further resolved that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Andrew Sheer, Leader of the Official Opposition, and all MPs in Canada;

Be it further resolved that a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be it further resolved that a copy of this motion be sent to the Federation of Canadian Municipalities, and all Canadian municipalities for their consideration.

**Recommendation:**

Whereas the Windsor Essex County Health Unit has cancelled its historic testing of water quality at the Lakeview Park West Beach;

Whereas the recent history has had the beach closed several weeks during summer due to unsafe levels of ecoli;

Be It Resolved that Lakeshore "immediately start testing" the beach water itself weekly as the WECHU has done in recent years and make the same open vs closed Beach orders that the health Unit does based on the contamination levels.

**Recommendation:**

Whereas the Town of Lakeshore's Strategic Plan prioritizes sustainable community development, which includes the maintenance of a clean and accessible beach and access to Lake St. Clair;

Whereas the West Beach provides equal access to recreation opportunities, which has been an integral part in reopening our communities;

Whereas Council has closed the West Beach for safety reasons related to access and misuse of facilities provided;

Now Therefore be it Resolved that further measures must be taken to improve the quality and safety of the West Beach and lake access for residents prior to re-opening:

Be it Further Resolved that a safe swimming area be designated or marked with buoy lines or buoy markers, or a combination of the two, as per a primary recommendation in the Comprehensive Aquatic Safety Audit Report;

Be it Further Resolved that enough sand be added to the beach to address beach flooding by raising the overall level of the beach to that of the grass;

Be it Further Resolved that additional signs be installed to indicate designated overflow and additional parking areas;

Be it Further Resolved that the volleyball net and accessible matting be reinstalled for the season;

Be it Further Resolved that the monthly rent payment, including HST, for the operator at the West Beach be waived for the month of July;

Be it Further Resolved that a letter be sent to the OPP demanding increased patrols and surveillance of West Beach, including on holidays;

Be it Further Resolved that the by-law enforcement officers be scheduled to survey the West Beach regularly, including weekends;

Be it Further Resolved that a budget of \$35,000 be established to cover the costs of new sand and buoys for the West Beach, and that Administration determine where financial resources are to be allocated from.

d. **Notice of Motion submitted by Councillor Walstedt - Parking on Oriole Park Drive**

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**Recommendation:**

Whereas parking has been prohibited on either side of Oriole Park Drive due to the construction of the new homes on the street which created serious traffic flow issues;

And whereas all of the new home construction is now complete;

And whereas many of the residents who reside on Oriole Park Drive have requested that the municipality permit parking on only one side only of the street;

Therefore, be it resolved that the municipality permit parking on only the west side of Oriole Park Drive.

16. **Question Period**

17. **Non-Agenda Business**

18. **Consideration of By-laws**

a. **By-law 51-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-15-2019)**

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b. **By-law 53-2020, Being a By-law to Confirm Proceedings of Council for June 23rd and June 29th Meetings**

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**Recommendation:**

By-laws 51-2020 and 53-2020 be read and passed in open session on July 14, 2020.

19. **Closed Session**

**Recommendation:**

Council move into closed session in Council Chambers at \_\_\_\_ PM in accordance with:

- a. Paragraph 239(2)(c), (f) and (k) of the *Municipal Act, 2001* for the purpose of discussing a proposed or pending disposition of land by the municipality related to Lanoue Street and Amy Croft Drive and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and 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.



20. Return to Open Session

21. Adjournment

**Recommendation:**

Council adjourn its meeting at \_\_\_\_ PM.