

The Corporation of the Town of Lakeshore

Minutes of the Regular Council Meeting



Tuesday, July 14, 2020, 6:00 PM

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

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 Engineering Services, Tony DiCiocco, Manager of Information Technology, Pat Girard, Manager of Legislative Services, Brianna Coughlin, Manager of Water/Wastewater Services, Albert Dionne

1. Call to Order

Mayor Bain called the meeting to order at 6:00 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

2. Moment of Reflection

3. Disclosures of Pecuniary Interest

4. Recognitions

Mayor Bain made note of an incident of graffiti that included a racial slur painted on a Town sidewalk. Mayor Bain confirmed that the Town of Lakeshore does not condone any acts of racial hatred and that the Town has policies in place against acts of racism.

5. Public Meetings under the *Planning Act*

a. ZBA-15-2019, 1972 County Road 27 (Leboeuf)

The Manager of Development Services provided a PowerPoint presentation as overview of the application.

222-07-2020

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

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.

Carried Unanimously

6. Public Presentations

a. Stantec - Lakeshore Stormwater Master Plan Study Phase 1

Nick Emery, Stantec Water Resources Engineer and Clarence Jubenville, Stantec Senior Municipal Engineer, provided a PowerPoint presentation regarding the Lakeshore Stormwater Master Plan Study - Phase 1.

a. Storm Water Master Plan - Phase 1 Study

223-07-2020

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

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.

Carried Unanimously

7. Delegations

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

Haya Obaida, resident, presented a petition requesting that the installation of sidewalks on Rafih Crescent be cancelled.

8. Completion of Unfinished Business

9. Consent Agenda

a. June 23, 2020 Regular Council Meeting Minutes

b. June 29, 2020 Special Council Meeting Minutes

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

d. City of Sarnia - Long Term Care Home Improvements

224-07-2020

Moved By Councillor Walstedt

Seconded By Deputy Mayor Bailey

Approve the minutes of the June 23, 2020 Regular Council Meeting and receive correspondence as listed on the Consent Agenda.

Carried Unanimously

225-07-2020

Moved By Councillor Wilder

Seconded By Councillor Janisse

Defer the approval of the June 29, 2020 Special Council Meeting.

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

Opposed (1): Councillor Walstedt

Carried

226-07-2020

Moved By Councillor Wilder

Seconded By Councillor Janisse

Support the resolution of the City of Sarnia regarding Long Term Care Home Improvements.

Carried Unanimously

10. Reports for Information

a. Stormwater User Fee Implementation

227-07-2020

Moved By Councillor Wilder

Seconded By Councillor Janisse

Direct Administration to bring a report regarding what could be included in the 2021 budget for a stormwater user fee; and,

Include a stormwater user fee feasibility study in the 2021 budget.

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

11. Reports for Direction

a. Rochester Water Main Petition

228-07-2020

Moved By Councillor Walstedt

Seconded By Councillor Kerr

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.

Carried Unanimously

b. Water Financial Plan under Ontario Regulation 453/07 of Safe Drinking Water Act

229-07-2020

Moved By Deputy Mayor Bailey

Seconded By Councillor McKinlay

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.

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

Opposed (1): Councillor Janisse

Carried

10. Reports for Information

b. Flood Prevention Task Force Committee Meeting Draft Minutes of November 12th, 2019

c. Flood Prevention Task Force Committee Electronic Meeting Draft Minutes of June 25th, 2020

230-07-2020

Moved By Deputy Mayor Bailey

Seconded By Councillor Wilder

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

11. Reports for Direction

c. Tender Award – 2020 Surface Treatment Program

231-07-2020

Moved By Councillor Wilder

Seconded By Councillor Janisse

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

Carried Unanimously

d. Ellis Road – MTO Project – Highway 3 Road Widening

232-07-2020

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

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.

Carried Unanimously

e. Belle River Flood Control System and WECl Grant

233-07-2020

Moved By Councillor Janisse

Seconded By Councillor Kerr

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.

Carried Unanimously

f. Temporary Outdoor Patios During COVID-19 Recovery

234-07-2020

Moved By Councillor Santarossa

Seconded By Councillor Kerr

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.

Carried Unanimously

g. Municipal Cannabis Policy Statement - Amendment

235-07-2020

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Adopt By-law 52-2020, to amend the Town of Lakeshore *Municipal Cannabis Policy Statement*, attached as Appendix 1.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Santarossa, and Councillor McKinlay
Opposed (2): Councillor Kerr, and Councillor Walstedt

Carried

12. Announcements by Mayor

Mayor Bain called a recess at 8:32 PM. The meeting reconvened at 8:43 PM.

13. Reports from County Council Representatives

236-07-2020

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

Council move to the Consideration of By-law section and consider the closed session prior to the Notices of Motion.

In Favour (5): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay
Opposed (3): Councillor Wilder, Councillor Janisse, and Councillor Kerr

Carried

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)**
- b. By-law 53-2020, Being a By-law to Confirm Proceedings of Council for June 23rd and June 29th Meetings**
- c. By-law 52-2020, Being a By-law to Adopt a Municipal Cannabis Policy Statement**

237-07-2020**Moved By** Councillor Wilder**Seconded By** Deputy Mayor Bailey

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

Carried Unanimously**238-07-2020****Moved By** Councillor Wilder**Seconded By** Councillor Santarossa

By-law 52-2020 be read and passed in open session on July 14, 2020.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder,
Councillor Janisse, Councillor Santarossa, and Councillor McKinlay

Opposed (2): Councillor Kerr, and Councillor Walstedt

Carried**239-07-2020****Moved By** Councillor McKinlay**Seconded By** Councillor Santarossa

Defer consideration of By-law 53-2020.

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

Opposed (1): Councillor Walstedt

Carried

19. Closed Session

240-07-2020

Moved By Councillor Walstedt

Seconded By Councillor Janisse

Council move into closed session in Council Chambers at 9:01 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.

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

20. Return to Open Session

Council returned to open session at 9:29 PM.

241-07-2020

Moved By Councillor Santarossa

Seconded By Councillor Wilder

Extend the meeting past the 9:30 PM deadline.

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

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

Carried

14. Report from Closed Session

15. Notices of Motion

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

242-07-2020

Moved By Councillor Janisse

Seconded By Councillor McKinlay

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.

Carried Unanimously

b. Notice of Motion submitted by Councillor Kerr - Water Quality Testing

243-07-2020

Moved By Councillor Kerr

Seconded By Councillor Wilder

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 make arrangements upon beach opening to "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.

In Favour (3): Councillor Wilder, Councillor Santarossa, and Councillor Kerr

Opposed (5): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Walstedt, and Councillor McKinlay

Lost

244-07-2020

Moved By Councillor Wilder

Seconded By Councillor McKinlay

Direct Administration to send a letter to the Windsor Essex County Health Unit requesting that water quality testing be undertaken at Lakeview Park West Beach immediately; and,

That the letter be circulated to local municipalities in Windsor-Essex County.

Carried Unanimously

245-07-2020

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Suspend the rules of the Procedural By-law as it relates to Section 3.5(b) to allow the meeting to continue past 10:00 PM.

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

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

Lost

21. Adjournment

246-07-2020

Moved By Councillor Walstedt

Seconded By Councillor Kerr

Council adjourn its meeting at 9:59 PM.

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

Opposed (1): Councillor Wilder

Carried

Tom Bain
Mayor

Kristen Newman
Clerk