

The Corporation of the Town of Lakeshore

Regular Council Meeting Agenda

Tuesday, August 11, 2020, 4:00 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. Completion of Unfinished Business
 - a. Reports for Direction
 1. Mayor's Arts Awards 2020 10

Recommendation:
Defer the 2020 Mayor's Arts Award program to 2021; and,

Direct the Treasurer to apply the \$6,000 budgeted for the Mayor's Arts Awards to offset Town expenses at year end, as presented in the July 28, 2020 Council report.
 2. BIA Request to Redirect Sunsplash Grant for 2020 25

Recommendation:
Direct the Treasurer to use the \$1,000 budgeted for the 2020 Sunplash event to offset Town expenses at year end; and,

Receive the minutes of the BIA Board of Management of May 4, 2020 (final) and July 6, 2020 (draft).
 3. Comber Agricultural Society Request to Redirect Grant for 2020 33

Note: This matter was concluded at the July 28, 2020 Special Council Meeting by way of Motion #253-07-2020

Recommendation:

Council receive the Ministry of Environment, Conservation and Parks (MECP) Drinking Water Inspections for the following systems:

1. Lakeshore Drinking Water System – Report dated November 12, 2019
2. Tecumseh Distribution System – Report dated October 28, 2019
3. Union Distribution System – Report dated November 12, 2019
4. Stoney Point Drinking Water System – Report dated February 5, 2020, as presented at the August 11, 2020 Council meeting.

Recommendation:

Award the tender for the 2020 Inflow and Infiltration Remediation-Cleanout Replacements to Phoenix Drainage Inc. in the total amount of \$300,132 plus HST, as presented at the August 11, 2020 Council meeting.

Recommendation:

Direct Administration to draft a mandatory mask by-law as described in Option #3 of the report presented at the August 11, 2020 Council meeting.

7.	Permanent Closure, Stop Up and Declaration of Surplus for Plan 290 Laneways Unopened Road Allowances	135
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Recommendation:

The portion of land known as Plan 290 Laneways and legally known as Lane Plan 290, Rochester, Abutting Lots 7 to 12, Plan 290, except R1463262; Lakeshore, being all of the Property Identifier Number 75049-0173(R), and Lane Plan 290, Rochester, Abutting Lots 1 to 6, Plan 290, except R1463262; Lakeshore, being all of the Property Identifier Number 75049-0174(R), be closed, stopped up and declared surplus;

Administration proceed with conveying the land pursuant to Town Policy CAD – 284, *Closing Sale and Disposition of Streets and Alleys*; and,

Adopt By-law 62-2020, all as presented in the report entitled, *Permanent Closure, Stop Up and Declaration of Surplus for Plan 290 Laneways Unopened Road Allowances*, presented at the August 11, 2020 Council meeting.

b. Consideration of By-laws

1.	By-law 53-2020, Being a By-law to Confirm Proceedings of Council for June 23rd and June 29th Meetings	141
2.	By-law 56-2020, Being a By-law to Dedicate Certain Lands in the Town of Lakeshore as Part of Amy Croft Drive	142
3.	By-law 62-2020, Being a By-law to Deem, Permanently Close, Stop Up and Declare Surplus Two Unopened Road Allowances	144
4.	By-law 63-2020, Being a By-law to Confirm Proceedings of Council for July 14, 2020 Meeting	146

Recommendation:

By-laws 53-2020, 56-2020, 62-2020 and 63-2020 be read and passed in open session on August 11, 2020.

6. Public Meetings under the Planning Act - 6:00 PM

a. ZBA-3-2020, Cannabis Production Facility (CPF), 417 Jutras Dr. S.

147

Recommendation:

Approve Zoning By-law Amendment Application ZBA-3-2020 (By-law 59-2020, Town of Lakeshore By-law 2-2012, as amended), to rezone the parcel, indicated as the “Subject Land”, on the Key Map, Appendix 1, located at 417 Jutras Drive South, in the Town of Lakeshore, from “M1, General Employment Zone” to “M1- 7, General Employment Zone Exception 7, in Holding (h2)”, to permit a Cannabis Production Facility (CPF):

“CANNABIS PRODUCTION FACILITY – shall mean lands, buildings or structures used for producing, processing or destroying of cannabis which is authorized by licence issued by the Federal Minister of Health, pursuant to the previous *Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19*, as amended from time to time, or any successor thereto. This includes micro-cultivation, standard cultivation and nursery licences issued under the current Government of Canada *Cannabis Regulations SOR/2018-144* that are enabled by the *Controlled Drugs and Substances Act, the Food and Drugs Act and the Cannabis Act.*”;

And, adopt the implementing by-law.

b. ZBA-10-2020, Chad Thomas, 408 County Road 2

153

Recommendation:

Approve Zoning By-law Amendment Application ZBA-10-2020 (By-law 57-2020), to re-zone the current zone category from R1-16, Residential Type 1 Zone Exception 16 to a R1-36, Residential Type 1 Zone Exception 36, to permit a 178.38 m² (1,920 ft²) accessory building that is 5.33 metres (17.5 feet) in height, for a parcel of land, indicated as the “Subject Land” on the Key Map, Figure 1 (Appendix 1) located at 408 County Road 2, in the Community of Rochester, Town of Lakeshore and adopt the implementing by-law.

Recommendation:

Approve Zoning By-law Amendment Application ZBA-11-2020 (By-law 58-2020), to re-zone the current zone category from RW1, Residential Waterfront - Watercourse to a RW1-19, Residential Waterfront – Watercourse Zone Exception 19 (RW1-19), to permit a 118.92 m² (1,280 ft²) accessory building for a parcel of land, indicated as the “Subject Land” on the Key Map, Figure 1 (Appendix 1) located at 970 West Belle River Road, in the Community of Maidstone, Town of Lakeshore and adopt the implementing by-law.

7. Public Presentations

- a. City of Windsor - Windsor Essex Housing and Homelessness Master Plan

170

8. Delegations

- a. Lakeside Estates Phase 2 Subdivision Agreement

192

Recommendation:

The Mayor and Clerk be authorized, by By-law 64-2020, to execute a Subdivision Agreement with the Owner, subject to the inclusion of the following provision:

- a. The agreement covers a total of seventy-one lots for single detached residential dwellings, three blocks for sight triangles (73, 75, 76) and one block for road widening (74) and one block for parkland purposes (72), as shown on the draft plan of subdivision, approved by the County of Essex, for Lakeside Estates Phase 2, prepared and certified by Roy Simone, O.L.S., dated April 24, 2020.

1. Delegation - Amico Affiliates, Applicant

b. Options for New Animal Control By-law

210

Recommendation:

Direct Administration to implement a wildlife pickup user-fee program, effective January 1, 2021;

Direct Administration to proceed in drafting an animal control by-law with the following options:

- Cat Licensing – Option #1 Do not regulate or licence cats in the Town of Lakeshore,
- Limiting cats per household – Option #1 Do not limit the number of cats per household in the Town of Lakeshore,
- Urban Chickens – Option #1 Do not allow chickens in any residential areas; and,
- Specific exemptions relating to accessibility and animal welfare, as described in the “Options for New Animal Control By-law” report presented August 11, 2020;

Direct Administration to post the draft regulatory by-law for public comment.

1. Delegation - Rob Henry, Resident

9. Consent Agenda

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| a. July 28, 2020 Special Council Meeting Minutes | 234 |
| b. City of Windsor - Financial Relief for Community Organizations | 243 |
| c. County of Essex - Request for Federal Assistance for People with Disabilities - COVID-19 Pandemic | 245 |
| d. Essex Region Conservation Authority - Source Protection Committee Membership | 249 |
| e. Town of Essex - Request for Further COVID-19 Data | 251 |

Recommendation:

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

10. Reports for Information

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| a. Committee of Adjustment Meeting Report – July 22, 2020 | 254 |
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- b. Consulting Costs 263
- c. Enhanced Weekly Yard Waste Collection 266

Recommendation:

Receive the Reports for Information as listed on the agenda.

11. Reports for Direction

- a. 2019-2020 MECP Sewage Lagoon Inspections 268

Recommendation:

Receive the Ministry of Environment, Conservation and Parks (MECP) Sewage Lagoon Inspections for the Stoney Point Sewage Lagoon (DWS#110002345) – Announced Inspection Report dated October 29, 2019, and, Comber Sewage Lagoon (DWS#110001676) – Announced Inspection Report dated October 23, 2019, as presented at the August 11, 2020 Council meeting.

- b. Tender Award – Lanoue Street Extension from Manning Road to Amy Croft Drive 304

Recommendation:

The Lanoue Street Extension from Manning Road to Amy Croft Drive project be awarded to Sterling Ridge Infrastructure Inc. in the amount of \$5,670,830, plus applicable taxes.

- c. Tender Award – Hawthorne Gravel Road Conversion 308

Recommendation:

Award the Hawthorne Gravel Road Conversion tender to Rudak Excavating Inc. in the amount of \$470,900 plus applicable taxes.

- d. Adoption of a New Fill By-law 311

Recommendation:

Adopt By-law 60-2020 being a By-law to Provide for the Regulation of the Placing or Dumping of Fill, Alteration of the Grade of, or Removal of Topsoil from Land within the Town of Lakeshore; and,

Approve the short form wording and set fines for the Fill By-law attached as Appendix “A”, as presented at the August 11, 2020 Council meeting.

12. Announcements by Mayor

13. Reports from County Council Representatives

14.	Report from Closed Session	
15.	Notices of Motion	
16.	Question Period	
17.	Non-Agenda Business	
18.	Consideration of By-laws	
a.	By-law 54-2020, Being a Rating By-law - Tile Drainage Act	328
b.	By-law 55-2020, Being a By-law to Delegate Authority to Execute Cost Sharing Agreements Relating to the Amy Croft Secondary Plan	332
c.	By-law 57-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-10-2020)	358
d.	By-law 58-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-11-2020)	361
e.	By-law 59-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-3-2020)	364
f.	By-law 60-2020, Being a By-Law to Regulate Site Alterations of Land or Private Drain Alterations in the Town of Lakeshore	367
g.	By-law 64-2020, Being a By-law to authorize the execution of a Subdivision Agreement Pertaining to Lakeshore Estates Phase 2	380
h.	By-law 65-2020, Being a By-law for the Little Creek Drain Dykes & Mongeon Drain and Pumping Scheme Improvements in the Town of Lakeshore	412
i.	By-law 66-2020, Being a By-law for the Gagnier Drain (Tremblay Enclosure Replacement) in the Town of Lakeshore	413
j.	By-law 67-2020, Being a By-law for the Bridge Over the Alexander Drain in the Town of Lakeshore	414

k. **By-law 68-2020, Being a By-law to Confirm the Proceedings of Council for the July 28th Meeting**

415

Recommendation:

By-laws 65-2020, 66-2020 and 67-2020 be read a first and second time and provisionally adopted; and

By-laws 54-2020, 55-2020, 57-2020, 58-2020, 59-2020, 60-2020, 64-2020 and 68-2020 be read and passed in open session on August 11, 2020.

19. Closed Session

Recommendation:

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

- a. Paragraph 239(2)(f) and (k) of the *Municipal Act, 2001* to discuss 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 or local board, relating to an advertising agreement.
- b. Paragraph 239(2)(c) and (k) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality or local board, 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 or local board, relating to Town administrative facilities.
- c. Paragraph 239(2)(b), (d) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to a Town employee.

20. Return to Open Session

21. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.