

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, February 2, 2021, 5:15 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 Services, Krystal Kalbol, Director of Finance, Rosanna Pellerito, Director of Legislative & Legal Services, Kristen Newman, Manager of Communications & Strategic Initiatives, Rita Chappell, Manager of Engineering Services, Tony DiCiocco, Manager of Human Resources, Lisa Granger, Manager of Information Technology, Pat Girard, Manager of Legislative Services, Brianna Coughlin, Manager of Recreation & Leisure, Frank Jeney, Economic Development Officer, Ryan Donally, Engineering & Infrastructure Services Advisor, Nelson Cavacas, Fire Chief, Don Williamson, Planner III, Aaron Hair, Supervisor of Operations, Chad Drummond

1. Call to Order

Mayor Bain called the meeting to order at 5:20 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

2. Closed Session

29-02-2021

Moved By Councillor Kerr

Seconded By Councillor McKinlay

Council move into closed session at 5:15 PM in accordance with:

- a. Paragraph 239(2)(b) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, relating to the Chief Administrative Officer performance evaluation.

Carried Unanimously

3. Return to Open Session

Council returned to open session at 6:13 PM.

5. Moment of Reflection

6. Disclosures of Pecuniary Interest

7. Recognitions

8. Public Meetings under the *Planning Act*

1. Zoning By-law Amendment ZBA-15-2020 - King Developments

The Mayor opened the Statutory Public Meeting at 6:17 PM and advised that the Municipality received a request from the Applicant to defer consideration of the application for a period of approximately three months.

30-02-2021

Moved By Councillor McKinlay

Seconded By Councillor Janisse

Defer consideration of Zoning By-law Amendment application ZBA-15-2020 for three months, or earlier at the request of the Applicant.

Carried Unanimously

2. Zoning By-law Amendment ZBA-20-2020 - Manning Developments

The Mayor opened the Statutory Public Meeting at 6:19 PM.

The Director of Community & Development Services and the interim Manager of Development Services provided a PowerPoint presentation as overview of the application and recommendation of Administration.

Patrick Harrington and Greg Priamo, representing the applicant, Manning Developments, were present electronically and spoke in favour of the application. They requested that Council approve the application with conditions rather than deferring the decision as recommended in the Planning report.

Rashid Farhat, representing 2741981 Ontario Ltd., was present electronically and spoke in favour of the recommendation.

Peter Valente, representing Beachside Development Ltd., was present electronically and spoke in favour of the recommendation.

Mike Bain, resident, was present electronically and spoke in favour of the application.

The public meeting concluded at 7:11 PM.

31-02-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Defer Zoning By-law Amendment Application ZBA-20-2020 (By-law 9-2021, Municipality of Lakeshore Zoning By-law 2-2012, as amended), to rezone the "Subject Property", located at 1654 Manning Road, from "Mixed Use Zone (MU)" to "Mixed Use Zone Exception 35 (MU-35)(H25)" until April or May of 2021.

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

Opposed (1): Councillor Wilder

Carried

9. Public Presentations

10. Delegations

11. Completion of Unfinished Business

12. Consent Agenda

1. January 12, 2021 Regular Council Meeting Minutes

2. January 19, 2021 Special Council Meeting Minutes

3. **Belle River on the Lake BIA Board Meeting Minutes of November 16, 2020**
4. **Essex Region Source Protection Committee - Municipal Representation**
5. **Municipality of Leamington - Removal of Windsor International Airport From NAV Canada Closure List**
6. **Region of Peel - Property Tax Exemptions for Veteran Clubs**
7. **Town of Bracebridge - Infrastructure Funding**
8. **Township of Augusta - Closure of Ontario Fire College**
9. **Township of South-West Oxford - Photo Radar Speed Enforcement**
10. **Municipality of West Grey - Schedule 8 of the Provincial Budget 229, Protect, Support and Recover from COVID-19 Act**

32-02-2021

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

Support the resolutions by Municipality of Leamington and the County of Essex regarding Removal of Windsor International Airport from NAV Canada Closure List.

Carried Unanimously

33-02-2021

Moved By Councillor Walstedt

Seconded By Councillor Wilder

Support the resolution of the Town of Bracebridge regarding Infrastructure Funding.

Carried Unanimously

34-02-2021

Moved By Councillor Santarossa

Seconded By Councillor Kerr

Direct Administration to send a letter to NAV Canada objecting to the closure of the air traffic control office at the Windsor International Airport, including economic development and tourism impacts to the Municipality and the region as a whole.

Carried Unanimously

35-02-2021**Moved By** Councillor Wilder**Seconded By** Councillor Walstedt

Support the resolution of the Township of Augusta regarding the Closure of Ontario Fire College.

Carried Unanimously**36-02-2021****Moved By** Councillor Wilder**Seconded By** Councillor Janisse

Support the resolution of the Township of South-West Oxford regarding Photo Radar Speed Enforcement.

Carried Unanimously**37-02-2021****Moved By** Councillor Walstedt**Seconded By** Deputy Mayor Bailey

Approve the minutes of the January 19, 2021 Special Council Meeting.

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**38-02-2021****Moved By** Deputy Mayor Bailey**Seconded By** Councillor McKinlay

Defer approval of the January 12, 2021 Regular Council Meeting Minutes until February 16, 2021.

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

Opposed (1): Councillor Wilder

Carried

13. Reports for Information

- 1. Drainage Board Minutes for January 11th, 2021**
- 2. Quarterly Building Activity Report – As of December 31, 2020**

39-02-2021

Moved By Councillor Janisse

Seconded By Councillor Walstedt

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

14. Reports for Direction

- 1. 2021 Fire Department Radio System Lease Agreement Extension**

40-02-2021

Moved By Councillor Janisse

Seconded By Councillor Kerr

Authorize the Mayor and Clerk to execute the Master Digital Radio System Contract Extension-Feb 2021 Lakeshore, as described in the report of the Fire Chief presented at the February 2, 2021 Council meeting; and,

That the necessary by-law be prepared.

Carried Unanimously

15. Announcements by Mayor

16. Reports from County Council Representatives

17. Report from Closed Session

18. Notices of Motion

- 1. Notice of Motion submitted by Councillor Kerr - Unfinished Business**

41-02-2021

Moved By Councillor Kerr

Seconded By Councillor Walstedt

Whereas Lakeshore Council Regular Council Meetings run past 10 PM on a regular basis;

And Whereas, Lakeshore Councillors have a multitude of reasons from Municipal Committee meetings to personal reasons for not being able to

attend the Mayor's selected additional Special Council Meeting date and time;

And Whereas, arbitrary in appearance meeting dates and times called by the Mayor to make up for meeting time over runs has caused considerable confusion on scheduling important Council and personal appointments;

And Whereas, once the date and time is selected, and is okay with some but then changed without reason makes individual Councillors resident concern planning impossible;

And Whereas, having a day selected to go along with the Regular Council Meeting Schedule for unfinished business will allow for better planning;
Be it resolved that Council direct Administration to draft an amendment to the Procedural By-law to incorporate the following changes:

- a. If the business of Lakeshore Council is not concluded by 10:00 PM, the Council may, by resolution with 2/3rd in favour vote, extend the meeting for a maximum of one (1) hour, after which time Council must adjourn, unless it is agreed to continue the meeting by a unanimous vote of Council.
- b. If Council does not agree to continue the meeting at either vote, they will meet again at the 10 AM hour on the following day.

In Favour (5): Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (3): Mayor Bain, Councillor Wilder, and Councillor Janisse

Carried

19. Question Period

20. Non-Agenda Business

21. Consideration of By-laws

- 1. By-law 93-2020, Being a By-law for the T Renaud Drain (Trepanier Bridge) in the Municipality of Lakeshore**
- 2. By-law 6, 2021, Being a By-law over the North Townline Drain in the Municipality of Lakeshore**
- 3. By-law 8-2021, Being a By-law to Confirm Proceedings of Council for the December 8th and 15th, 2020 Meetings**

4. **By-law 10-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for Municipality of Lakeshore (ZBA-15-2020)**
5. **By-law 14-2021, Being a By-law to Confirm the Proceedings of Council for the January 12th & 19th, 2021 Meetings**

42-02-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

By-law 6-2021 be read a first and second time and provisionally adopted;

By-law 98-2020 be read a third and adopted; and

By-laws 8-2021 be read and passed in open session on February 2, 2021.

Carried Unanimously

43-02-2021

Moved By Councillor Janisse

Seconded By Councillor Wilder

Defer consideration of By-law 14-2021 in order to separate the January 12, 2021 and January 19, 2021 meeting dates.

In Favour (3): Mayor Bain, Councillor Wilder, and Councillor Janisse

Opposed (5): Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Lost

44-02-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Adopt By-law 14-2021.

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

22. Closed Session

45-02-2021

Moved By Councillor McKinlay

Seconded By Councillor Santarossa

Council move into closed session at 8:33 PM in accordance with:

- a. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation before the Local Planning Appeal Tribunal, advice that is subject to solicitor-client privilege, including communications necessary for that purpose and a position, plan, or instruction to be applied to negotiations carried on behalf of the Municipality regarding Local Planning Appeal Tribunal Appeal of Zoning By-law Amendment ZBA-9-2020 (1654 Manning Road);
- b. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation before the Local Planning Appeal Tribunal, advice that is subject to solicitor-client privilege, including communications necessary for that purpose and a position, plan, or instruction to be applied to negotiations carried on behalf of the Municipality regarding Local Planning Appeal Tribunal Appeal of Consent B/6/2020 (O Canadian Southern Railway Property);
- c. 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 municipal property on Main Street, Comber;
- d. 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, or instruction to be applied to negotiations carried on behalf of the Municipality regarding plans to accommodate Municipality staff.

Carried Unanimously

23. Return to Open Session

The closed session was adjourned at 9:23 PM.

24. Adjournment

46-02-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Council adjourn its meeting at 9:24 PM.

Carried Unanimously

Tom Bain
Mayor

Kristen Newman
Clerk