

# Municipality of Lakeshore

## Regular Council Meeting Agenda



Tuesday, March 9, 2021, 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

1. ZBA-12-2020 – Kenneth and Nicole Byrne, 1437 Lakeshore Road 123

8

**Recommendation:**

Approve Zoning By-law Amendment application ZBA-12-2020 (Byrne, 1437 Lakeshore Road 123), as follows:

- a. To rezone the Retained Farmland from “Agriculture (A) Zone” to a site-specific “Agriculture Zone Exception (A-84)”;
- b. To rezone Surplus Lot from “Agriculture (A) Zone” to a site-specific “Agriculture Zone Exception (A-107)”, as presented in the March 9, 2021 Council report; and

Direct the Clerk to read By-law 12-2021 to amend the Zoning By-law, By-law 2-2012, as presented at the March 9, 2021 Council meeting.

2. Zoning By-law Application ZBA-5-2021, 20 North Rear Road

14

**Recommendation:**

Approve a Temporary Zoning By-law Amendment Application ZBA-5-2021 to permit the temporary use of 20 North Rear Road as a film studio for a maximum period of 3 years, for a parcel of land, indicated as the “Subject Property” on the Key Map, Figure 1 (Appendix 1);

Direct the Clerk to read By-law 19-2021 amending the Zoning By-law, By-law 2-2012, as presented at the March 9, 2021 Council meeting.

6. Public Presentations

## **7. Delegations**

- 1. Part Lot Control Exemption By-law (PLC-1-2021) River Ridge Phase 6** 19

**Recommendation:**

Approve the application for exemption for Part Lot Control for Part of Lots 63 to 87 (inclusive) on Registered Plan 12M-657 in the Municipality of Lakeshore;

Direct the Clerk to read By-law 22-2021; and,

Direct Administration to send By-law 22-2021 to the County of Essex for final approval, as presented in the March 9, 2021 Council report.

1. Anthony Rossi, Coco Group

- 2. Adoption of the Municipality of Lakeshore Official Plan Review, Official Plan Amendment No. 16** 25

**Recommendation:**

Direct Administration to prepare a by-law to adopt Official Plan Amendment No. 16, as presented in the Municipality of Lakeshore Official Plan Review Report at the March 9, 2021 Council meeting.

1. Greg Bender, WSP

## **8. Completion of Unfinished Business**

## **9. Consent Agenda**

- 1. February 16, 2021 Regular Council Meeting Minutes** 35
- 2. AGCO Application for a Cannabis Retail Store Authorization** 47
- 3. Township of Perry Resolution of Support Prioritize Children and Childcare as Part of its Post Pandemic Recovery Plan** 48
- 4. Township of Archipelago Requested Amendments to the Municipal Elections Act** 50

**Recommendation:**

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

## **10. Reports for Information**

1.	Committee of Adjustment Meeting Minutes – January 27 and February 17 2021	51
2.	Drainage Board Meeting February 1, 2021	87
3.	Lakeshore Accessibility Advisory Committee Meeting Minutes Feb 9, 2021	92
4.	Drinking Water Quality Management Standards Review Meeting	97

**Recommendation:**

Receive the Reports for Information as listed on the agenda.

**11. Reports for Direction**

1.	Delegation of Authority regarding Title Issues (Serenity Bay Title Issue)	108
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**Recommendation:**

Direct the Clerk to read By-law 26-2021 delegating authority to the Clerk to amend *By-law 50-2020 being a By-Law to Delegate Authority regarding Execution of Instruments relating to Real Property* to delegate authority to the Clerk to execute instruments to permit, consent, agree to or otherwise authorize correction of real property title issues where the Municipality of Lakeshore is not adversely affected; and

Read By-law 27-2021 delegating authority to the Clerk to amend *By-law 50-2020 being a By-Law to Delegate Authority regarding Execution of Instruments relating to Real Property* to delegate authority to the Clerk to execute instruments to permit, consent, agree to or otherwise authorize regarding the correction of the real property title issues with the absolute title regarding the Serenity Bay subdivision, as presented at the March 9, 2021 Council meeting.

2. **Site Plan Control Application SPC-10-2020** 116
- Recommendation:**  
Approve Site Plan Control Application SPC-10-2020 to permit the construction of an outdoor storage and parking area, subject to the following condition:
- a. that the Owner/Developer enter into a Site Plan Amending Agreement with Lakeshore 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,
- The Mayor and Clerk be authorized by By-law 20-2021 to execute the Site Plan Agreement, all as presented in the report at the March 9, 2021 Council meeting.
3. **Tile Loan Application for Deborah and Raymond Tracey – 2403 Lakeshore Road 223, Roll No. 510.000.07400** 122
- Recommendation:**  
Approve the Tile Loan Application submitted by Deborah and Raymond Tracey for tiling work to be performed at 2403 Lakeshore Road 223 (Roll No. 510.000.74000) in the amount of \$12,000.00, subject to Provincial funding, as presented in the March 9, 2020 Council report.
4. **Tile Loan Application – Raymond and Deborah Tracey – 643 County Road 46, Roll No. 080.000.02900** 124
- Recommendation:**  
Approve the Tile Loan Application submitted by Raymond and Deborah Tracey for tiling work to be performed at 643 County Road 46 (Roll No. 080.000.02900) in the amount of \$27,000.00, subject to Provincial funding, as presented at the March 9, 2021 Council meeting.
5. **Tender Award – Goatbe Municipal Drain – Repair and Improvements** 126
- Recommendation:**  
Award the tender for the Goatbe Municipal Drain Repair and Improvements to Murray Mills Excavating & Trucking (Sarnia) Ltd. in the amount of \$387,920.80 (plus HST), as presented in the March 9, 2021 Council report.

**6. Denis St. Pierre Sewage Treatment Plant – Pump Repairs**

129

**Recommendation:**

Receive the report of the Manager of Environmental Services regarding the emergency pump repairs for the Denis St. Pierre Sewage Treatment Plant; and,

Direct the Treasurer to fund the costs of the emergency pump repairs from the Wastewater Reserve in the amount of \$441,970, as presented at the March 9, 2021 Council meeting.

**7. Temporary Outdoor Patios authorized under the Re-opening Ontario Act for 2021**

133

**Recommendation:**

The site plan control agreement fees and the encroachment agreement fees be waived for the 2021 outdoor patio season be waived for outdoor patios, until January 1, 2022 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;

The Municipality of Lakeshore does not object to the temporary physical extension of liquor sales under subsection 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 Municipality of Lakeshore, as presented at the March 9, 2020 Council meeting; and,

That the necessary by-law be prepared.

**8. 2021 Final Tax Levy and Rates**

140

**Recommendation:**

Direct the Clerk to read By-Law 25-2021 establishing the 2021 Final Tax Rates, as presented at the March 9, 2021 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

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|----|--|-----|
| 1. | By-law 6-2021, Being a By-law for the Bridge over the North Townline Drain in the Municipality of Lakeshore  | 142 |
| 2. | By-law 13-2020, Being a By-law to establish an Interim Control By-law, respecting Greenhouses in the Municipality of Lakeshore   | 143 |
| 3. | By-law 12-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-12-2020)   | 146 |
| 4. | By-law 19-2020, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-5-2021)  | 149 |
| 5. | By-law 20-2021, Being a By-law to Authorize the Execution of a Site Plan Amending Agreement with MRK Company Inc. & Bosch Holdings Ltd. (220 Patillo Road– SPC-10-2020)  | 152 |
| 6. | By-law 21, 2021, Being a By-law for the Hermas Moison Drain - Creation of a New Municipal Drain  | 161 |
| 7. | By-law 22-2021, Being a By-law to exempt certain lands from Part Lot Control within Part of Lots 63 to 87 (inclusive), Registered Plan 12M-657, for the former Community of Maidstone, now in the Municipality of Lakeshore (PLC-1-2021) | 162 |
| 8. | By-law 25-2021, Being a By-law to Adopt the 2021 Final Tax Levy, 2021 Tax and Garbage Rates and to Provide for Penalty and Interest in Default of Any Payment for the Year 2021  | 165 |
| 9. | By-law 27-2021, Being a By-law to Confirm Proceedings of Council for the February 16, 2021 Meeting   | 172 |

### **Recommendation:**

By-law 21-2021 be read a first and second time and provisionally adopted;

By-law 6-2021 be read a third and adopted; and

By-laws 12-2021, 13-2021, 20-2021, 22-2021, 25-2021 and 27-2021 be read and passed in open session on March 9, 2021.

**19. Closed Session**

**Recommendation:**

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

- a. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation affecting the municipality, 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 the Amy Croft area.
- 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 Zoning By-law Amendment ZBA-20-2020 (1654 Manning Road).

**20. Return to Open Session**

**21. Adjournment**

**Recommendation:**

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