

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, March 9, 2021, 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 Services Krystal Kalbol, Director of Finance Rosanna Pellerito, Director of Legislative & Legal Services Kristen Newman, Manager of Building Services Morris Harding, Manager of Communications & Strategic Initiatives Rita Chappell, Manager of Information Technology Pat Girard, Manager of Legislative Services Brianna Coughlin, Manager of Operations Jeff Wilson, Manager of Recreation & Leisure Frank Jeney, Manager of Water/Wastewater Services Albert Dionne, Drainage Superintendent Jill Fiorito, Economic Development Officer Ryan Donally, Engineering & Infrastructure Services Advisor Nelson Cavacas, Planner I Ian Search, Planner II Ayusha Hanif, Planner III Aaron Hair, Supervisor of Operations Chad Drummond

1. Call to Order

Mayor Bain called the meeting to order at 6:02 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

Councillor Steven Wilder joined the meeting at 6:03 PM.

2. Moment of Reflection

3. Disclosures of Pecuniary Interest

4. **Recognitions**

Mayor Bain recognized two Lakeshore citizens, Leo Munisteri and Chris Oyler, for their heroic actions in saving a neighbour from a burning building.

5. **Public Meetings under the *Planning Act***

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

Mayor Bain called the public meeting to order at 6:05 PM.

The Planner provided a PowerPoint presentation as overview of the application.

The applicants Kenneth and Nicole Byrne were present to answer any questions of Council. There were no other members of the public in attendance to speak to the matter.

The public meeting concluded at 6:09 PM.

70-03-2021

Moved By Councillor Walstedt

Seconded By Councillor Janisse

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.

Carried Unanimously

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

Mayor Bain called the public meeting to order at 6:10 PM.

The Planner provided a PowerPoint presentation as overview of the application.

Josette Eugeni spoke on behalf of the applicant Jamsyl Group Inc. in support of the application.

The public meeting concluded at 6:19 PM.

71-03-2021

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

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.

Carried Unanimously

6. Public Presentations

7. Delegations

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

Anthony Rossi was present on behalf of the applicant Coco Group and spoke in favour of the application.

72-03-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

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.

Carried Unanimously

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

Greg Bender, WSP was present to answer questions of Council on the matter.

73-03-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor McKinlay

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.

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

8. Completion of Unfinished Business

9. Consent Agenda

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

74-03-2021

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Support the resolution of the Township of Perry Resolution of Support Prioritize Children and Childcare as Part of its Post Pandemic Recovery Plan.

Carried Unanimously

75-03-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

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

Carried Unanimously

10. Reports for Information

1. **Committee of Adjustment Meeting Minutes – January 27 and February 17 2021**
2. **Drainage Board Meeting February 1, 2021**
3. **Lakeshore Accessibility Advisory Committee Meeting Minutes Feb 9, 2021**
4. **Drinking Water Quality Management Standards Review Meeting**
76-03-2021
Moved By Councillor Wilder
Seconded By Councillor Kerr

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

11. Reports for Direction

1. **Delegation of Authority regarding Title Issues (Serenity Bay Title Issue)**
77-03-2021
Moved By Councillor Wilder
Seconded By Councillor Janisse

Direct the Clerk to read By-law 29-2021 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.

Carried Unanimously

- 78-03-2021**
Moved By Councillor Walstedt
Seconded By Councillor Santarossa

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.

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

2. Site Plan Control Application SPC-10-2020

79-03-2021

Moved By Councillor Walstedt

Seconded By Councillor Kerr

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.

Carried Unanimously

3. Tile Loan Application for Deborah and Raymond Tracey – 2403 Lakeshore Road 223, Roll No. 510.000.07400

80-03-2021

Moved By Councillor McKinlay

Seconded By Councillor Wilder

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.

Carried Unanimously

4. Tile Loan Application – Raymond and Deborah Tracey – 643 County Road 46, Roll No. 080.000.02900

81-03-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Walstedt

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.

Carried Unanimously

5. Tender Award – Goatbe Municipal Drain – Repair and Improvements

82-03-2021

Moved By Councillor Wilder

Seconded By Councillor Walstedt

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.

Carried Unanimously

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

83-03-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Walstedt

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.

Carried Unanimously

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

84-03-2021

Moved By Councillor Santarossa

Seconded By Councillor Wilder

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.

Carried Unanimously

8. 2021 Final Tax Levy and Rates

85-03-2021

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

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

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

- 1. By-law 6-2021, Being a By-law for the Bridge over the North Townline Drain in the Municipality of Lakeshore**
- 2. By-law 13-2020, Being a By-law to establish an Interim Control By-law, respecting Greenhouses in the Municipality of Lakeshore**
- 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)**
- 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)**
- 5. By-law 20-2021, Being a By-law to Authorize the Execution of a Site Plan Amending Agreement with MRK Company Inc. & Boschin Holdings Ltd. (220 Patillo Road– SPC-10-2020)**
- 6. By-law 21, 2021, Being a By-law for the Hermas Moison Drain - Creation of a New Municipal Drain**
- 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)**
- 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**
- 9. By-law 27-2021, Being a By-law to Confirm Proceedings of Council for the February 16, 2021 Meeting**
- 10. By-law 26-2021. Being a By-law to Amend By-law 50-2020, Being a By-law to Delegate Authority regarding Execution of Instruments relating to Real Property**
- 11. By-law 29-2021, Being a By-law to Delegate Authority regarding Execution of Instruments relating to Real Property relating to the Serenity Bay Subdivision**

86-03-2021**Moved By** Councillor Santarossa**Seconded By** Councillor McKinlay

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

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

By-laws 12-2021, 19-2021, 20-2021, 22-2021, 25-2021, 27-2021 and 29-2021 be read and passed in open session on March 9, 2021.

Carried Unanimously**87-03-2021****Moved By** Councillor Walstedt**Seconded By** Councillor McKinlay

By-law 13-2021 be read and passed in open session on March 9, 2021.

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**88-03-2021****Moved By** Councillor Santarossa**Seconded By** Councillor McKinlay

By-law 26-2021 be read and passed in open session on March 9, 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**19. Closed Session****89-03-2021****Moved By** Councillor Janisse**Seconded By** Councillor Wilder

Council move into closed session at 8:04 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).

Carried Unanimously

21. Adjournment

The closed session concluded at 9:00 PM and the Council meeting was adjourned at that time.

Tom Bain
Mayor

Kristen Newman
Clerk