

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, February 15, 2022, 5:00 PM

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

Pages

1. Call to Order

2. Closed Session

Recommendation:

Council move into closed session in Council Chambers at 5:00 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.
- b. Paragraph 239(2)(b), (e) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, litigation affecting the municipality and advice that is subject to solicitor-client privilege relating to employees of the Municipality.
- c. Paragraph 239(2)(b), (e) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, litigation affecting the municipality and advice that is subject to solicitor-client privilege relating to employees of the Municipality.
- d. Paragraph 239(2)(e) and (f) of the *Municipal Act, 2001* to discuss litigation affecting the municipality and advice that is subject to solicitor-client privilege regarding an appeal of a decision of the Property Standards Committee.

3. Return to Open Session

If the closed session is finished prior to 6:00 PM, Council will continue with the matters listed on the open session agenda.

4. Land Acknowledgement

5. Moment of Reflection

- 6. **Disclosures of Pecuniary Interest**
- 7. **Recognitions**
- 8. **Public Meetings under the Planning Act**
- 9. **Public Presentations**
- 10. **Delegations**

- 1. **Greenhouse Development Interim Control By-Law Extension**

8

Recommendation:

Approve an amendment to By-law 13-2021 being a By-law to Establish an Interim Control By-law respecting Greenhouses in the Municipality of Lakeshore, to extend the period of time during which it will be in effect to March 9, 2023, to continue studying the effects of greenhouse development in Lakeshore; and

Direct Administration to advise Council should an application for greenhouse development be submitted during the extended interim control period; and

Direct the Clerk to read the By-law during the Consideration of By-laws at the at the February 15, 2022 Council meeting.

- 1. Tom Storey, Storey Samways Planning Ltd.

- 11. **Completion of Unfinished Business**

- 12. **Consent Agenda**

Recommendation:

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

- 1. **February 1, 2022 Regular Council Meeting Minutes**

17

- 2. **City of Brantford - Addressing the Revolving Door of Justice - Accountability for Sureties**

31

- 3. **Multi Municipal Wind Turbine Working Group Invitation for New Membership**

33

13. Reports for Information

Recommendation:

Receive the Reports for Information as listed on the agenda.

- 1. **Drainage Board Meeting-January 10, 2022** 37
- 2. **Police Services Board Meeting Minutes of January 31, 2022** 43
- 3. **Dedication of Cash-in-lieu of Parkland By-law Review** 48

14. Reports for Direction

- 1. **Appointment to Lower Thames Valley Conservation Authority** 57

Recommendation:

Confirm the appointment of Councillor Linda McKinlay to the Lower Thames Valley Conservation Authority until the end of the current Council term, as presented at the February 15, 2022 Council meeting.

- 2. **Half Load Designation for Class B Roads – Addition of Gravel Roads** 59

Recommendation:

Direct Administration to include gravel roads to By-Law 2-2002 being a By-Law to Regulate Traffic on Highways under the jurisdiction of the Municipality of Lakeshore, to include year round load restrictions on Municipal Class B Roads pursuant to section 122 of the *Highway Traffic Act* from January 1st to December 31st of each year; and

Approve the cost of \$8,500.00 (including applicable HST) to purchase and install signage for the additional gravel roads, as required, and as described in the report presented at the February 15, 2022 Council meeting.

- 3. **Changes to Regulation of Water Supply By-Law 97-2004** 66

Recommendation:

Direct the Clerk to read By-Law 5-2022, which amends Section 3.10 of By-Law 97-2004 being the Regulation of Water Supply in the Town of Lakeshore By-law; and

Repeal By-Law 37-2005, as presented in the February 15, 2022 Council report.

15. Announcements by Mayor

16. Reports from County Council Representatives

17. Report from Closed Session

18. Notices of Motion

1. Councillor Kerr - Bulk Water Hose at Fire Station #5

68

Recommendation:

Whereas Fire station #5 in Comber will one day be expanding to the library area;

And whereas residents have raised concerns about having to block the firetruck doors to access the bulk water;

Be it resolved that by motion any future upgrades to Firehall #5 because of the library expansion space must include moving the bulk water service to the east side of the building.

2. Councillor McKinlay - Community Hub in Stoney Point

69

Recommendation:

Whereas Council has directed the purchase of a temporary accessible dwelling to be located in the Stoney Point Community Park;

Whereas Council has directed that the accessible dwelling host community services including library services;

Whereas Council has directed that Stoney Point Community Park visioning exercises commence on or before April 1, 2022;

Whereas the hamlet of Stoney Point is in the queue for their CIP;

Whereas Council desires a permanent Community/ Hub Centre in Stoney Point;

Therefore be it resolved that the Municipality of Lakeshore place \$2M in reserves to be used towards a Community/Hub to be built in the Community of Stoney Point.

And be it further resolved that a detailed design begin no later than 2023 with a target build commenced in 2025.

Recommendation:

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of our community”; and

Whereas our Official Plan includes provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the Municipality of Lakeshore Official Plan; and

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Municipality of Lakeshore Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Municipality of Lakeshore; and

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans; and

Whereas all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately

futile OLT hearings; and

Whereas lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That the Municipality of Lakeshore requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
2. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and
3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

19. Question Period

20. Non-Agenda Business

21. Consideration of By-laws

Recommendation:

By-laws 5-2022, 17-2022, 18-2022 and 20-2022 be read and passed in open session on February 15, 2022.

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| 1. | By-law 5-2022, Being a By-law to Amend By-Law 97-2004, Being A By-Law to Provide for the Regulation of the Water Supply in the Municipality of Lakeshore | 72 |
| 2. | By-law 17-2022, Being a By-law to Confirm Proceedings of Council for February 1, 2022 | 73 |
| 3. | By-law 18-2022, Being a By-law to Extend the Time for an Interim Control By-law, respecting the study of the effects of Greenhouses in the Municipality of Lakeshore | 74 |
| 4. | By-law 20-2022, Being a By-law to Adopt an Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore | 76 |

22. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.