

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, April 12, 2022, 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. Zoning By-law Amendment Application ZBA-21-2020, Jeremy St John

9

Recommendation:

Defer Zoning By-law Amendment Application ZBA-21-2020 to amend the current zone category R2-21, Residential Type 2 Zone Exception 21 to permit a *Stacked Dwelling* containing a maximum of six dwelling units as an additional permitted use on the "Subject Property" (Appendix 1), including site-specific zone regulations, and introduce a holding provision (h29) which will only permit existing uses until site plan approval has been granted, and a site plan agreement has been entered into that adequately addresses sanitary capacity, until the applicant confirms that there is conveyance capacity for sewage flows to support the development, all as presented at the April 12, 2022 Council meeting.

2. ZBA-5-2022 Removal of Holding Symbol - Serenity Bay

22

Recommendation:

Direct the Clerk to read By-law 33-2022 to remove the Holding Provision (h4) from Lots 1-13, Block 14-35 on Plan of Subdivision 12M-673 (Serenity Bay), during the Consideration of By-laws, as presented at the April 12, 2022 Council Meeting.

6. Public Presentations
7. Delegations

8. Completion of Unfinished Business

1. Consent Agenda

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| 1. | March 15, 2022 Regular Council Meeting Minutes | 27 |
| 2. | Town of Wasaga Beach - County of Simcoe Regional Government Review Service Delivery Task Force - Fire Services | 33 |
| 3. | Municipality of Mississippi Mills - Abandoned Cemeteries | 39 |
| 4. | Municipality of Mississippi Mills - Joint and Several Liability Reform | 40 |
| 5. | City of Barrie - Joint and Several Liability Reform | 42 |

2. Reports for Information

Recommendation:

Receive the Reports for Information as listed on the agenda.

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| 1. | Treasurer's Statement – 2021 Council and Appointee Remuneration and Expenses | 44 |
| 2. | Council Requested Report Tracking - March 2022 | 47 |

9. Consent Agenda

Recommendation:

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

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| 1. | Municipality of Clarington - Comprehensive Zoning Bylaw Review | 50 |
| 2. | City of Port Colborne - Year of the Garden | 52 |
| 3. | City of Cambridge - Request to Impose a Moratorium on Gravel Applications | 53 |

10. Reports for Information

Recommendation:

Receive the Reports for Information as listed on the agenda.

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| 1. | Golf Cart Pilot Project – Status Update | 55 |
|----|---|----|

2.	Quarterly Building Activity Report – 2022 Q1	58
11.	Reports for Direction	
1.	Tender Award – 2022- 2024 Grass Cutting Contract	62
	<p>Recommendation: Award the Grass Cutting Contracts for the 2022 to 2024 seasons to Creative Homescapes (Section A) in the amount of \$197,404.67 (including applicable HST); A1 Properties (Section B & Section C) in the amount of \$75,841.73 (including applicable HST); 1866885 Ont Ltd o/a Quality Turf (Section D) in the amount of \$94,428.19 (including applicable HST); TDE Groupe Inc. (Section E) in the amount of \$25,703.35 (including applicable HST); for a total of \$393,377.95 (including applicable HST) to deliver the 2022 program, with a total budget overage of \$37,327.95, as presented at the April 12, 2022 Council meeting.</p>	
2.	Tender Award – 2022 Gravel Conversion Program	66
	<p>Recommendation: Award the tender for the 2022 Gravel Conversion Program to Shepley Road Maintenance Ltd. in the amount of \$827,236.80 including applicable HST and approve \$130,000 including applicable HST from the budgeted amount to undertake field assessments on Lakeshore Road 111, as presented at the April 12, 2022 Council meeting.</p>	
3.	Tender Award - 2022 Supply and Place Gravel Program	70
	<p>Recommendation: Direct Administration to award the 2022 Supply and Place Gravel Program to Shepley Excavating & Road Maintenance Ltd. in the amount of \$430,529.77, as per Option 1 with the excess amount of \$97,210.31, funded from the road reserves, as presented at the April 12, 2022 Council meeting.</p>	
4.	Award for Professional Services for Hood Drain & Leffler Pump Upgrades	74
	<p>Recommendation: Award for Professional Services for Hood Drain and Leffler Pump Station Upgrades to Stantec Consulting Ltd. at a total cost of \$127,200.00 including applicable HST, as presented at the April 12, 2022 Council meeting.</p>	

5. **Award for Professional Services for Bridge Rehabilitation at Lakeshore Road 129 over Ruscom River** 77
- Recommendation:**
Award the Professional Services for Bridge Rehabilitation at Lakeshore Road 129 over Ruscom River to Landmark Engineers Inc. for a total cost of \$101,760.00 including applicable HST, as presented at the April 12, 2022 Council meeting.
6. **Subdivision Agreement Amendment & Part Lot Control Exemption By-law (PLC-1-2022) – Serenity Bay** 80
- Recommendation:**
Approve the amendment to the Serenity Bay Subdivision Agreement; and

Approve the application for Part Lot Control exemption for Blocks 14 - 32 (inclusive) on Registered Plan 12M-673 in the Municipality of Lakeshore as presented at the April 12, 2022 Council meeting; and

Direct the Clerk to read By-law 35-2022 and By-law 36-2022 during the “Consideration of By-laws”.
7. **Half Load Designation on Class B Roads - Update** 86
- Recommendation:**
Receive the letter of support from the Heavy Construction Association of Windsor; and
Direct the Clerk to read the draft by-law related to Half Load Designation on Class B roads for consideration, and Approve a transfer of \$46,500.00 (including applicable HST) to purchase and install signage for all of the Class B roads, as described in the report presented at the April 12, 2022 Council meeting.
8. **Revenue Division Staffing** 108
- Recommendation:**
Direct Administration to implement Option # ____, as described in the report presented at the April 12, 2022 Council meeting.
12. **Announcements by Mayor**
13. **Reports from County Council Representatives**
14. **Report from Closed Session**
15. **Notices of Motion**

1. Councillor Kerr - Atlas Tube Recreation Centre Visioning

113

Recommendation:

Whereas Lakeshore has two regional Parks Lakeview Park/West Beach and Marina along with the Atlas Tube Recreational Centre (ATRC);

And whereas the Lakeview Park/West Beach and Marina redevelopment is in the planning stages;

And whereas the 2020 Lakeshore Budget stated it expects the Lakeview Park/West Beach to cost an estimated \$11.2 million;

And whereas a funding model for such a large undertaking has yet to be brought to Council;

And Whereas the ATRC has been awarded the \$100,000 by motion of Council to start the visioning exercise in 2022 as part of the ATRC redevelopment plan;

And whereas the ATRC public visioning process has yet to start;

And whereas the ATRC has a tax payer funded operating cost in 2022 of \$2.3 million;

And where as the ATRC still has an outstanding loan balance of \$11,202,581 which is expected paid in full in 14 years, December 1, 2036;

And whereas Lakeshore also pays an additional \$780,000 annually from other Reserves towards that loan;

And whereas Lakeview Park/West Beach and Marina has 2022 Budgeted operating cost of approx. \$202,500 plus \$81,150 for the Marina (\$2mil less than ATRC);

Be it resolved that Lakeshore put on hold, the redevelopment plans for the ATRC until the Regional Park of Lakeview Park/West Beach and Marina has completed its redevelopment which is now in stage 3;

Be it further resolved that the \$100,000 for the redevelopment of the ATRC from the 2022 Budget be transferred to the encumbrance reserve fund until the visioning for the ATRC is available to start back up.

2. Councillor Kerr - Park Spending

114

Recommendation:

Whereas Parks Planning is fun for those Lakeshore residents who participate;

And whereas Residents enjoy sharing their vision for the future through the public open house planning process;

And whereas asking residents for their input and not following through breeds distrust in municipal government;

And whereas Lakeshore has shovel ready projects should that be an upper level of government criteria for funding grants;

And whereas Lakeshore has millions in parks planning started without a funding plan or model to pay for them;

And whereas the ATRC has \$100,000 of tax payer money for park planning in its reserve account ready to go but haven't started the public consultation to date;

And whereas Lakeshore can't afford to finish the Regional Park it has started and is in Phase 3, let alone ask tax payers to fund another mega million-dollar regional project at the same time;

And whereas that Lakeshore stop adding more Regional Park plans to the "we can't afford to do it" Park Plan bookshelf;

And whereas Lakeshore should continue to their redesigning to completion the following parks before starting any new redesign projects,

Ward 1 St Clair Park

Ward 2 River Ridge Park

Ward 3 West Beach Park

Ward 4 Lakeview Park

Ward 5 Millen Centre Park

Ward 6 Stoney Point Park

Be it resolved by motion of Lakeshore Council that the ATRC redesign and planning process be placed on hold;

Be it further resolved that by motion of Lakeshore Council that no more tax payer park spending on redesign be added until the six (6) above mentioned parks have had Councils Final budgeting approval and the builds have begun.

3. Councillor McKinlay - Return to Office 116

Recommendation:

Whereas Mayor Bain terminated the State of emergency for the Municipality of Lakeshore;

Direct Administration to bring Council a report that enables Administration and Council to move back into the Administration offices in a responsible and timely manner.

4. Councillor McKinlay - By-laws 117

Recommendation:

Direct Administration to direct the following By-laws including, but not limited to, Campgrounds, B&Bs, Greenhouses, Noxious Odors, to an outside legal counsel for completion, to be presented to Council for approval at the Council meeting scheduled for May 31st 2022.

16. Question Period

17. Non-Agenda Business

18. Consideration of By-laws

Recommendation:

By-law 32-2022 be read a first and second time and provisionally adopted;

By-law 14-2022 be read a third time and adopted; and

By-laws 19-2022, 33-2022, 35-2022, 36-2022 and 37-2022 be read and passed in open session on April 12, 2022.

1. By-law 14-2022, Being a By-law for the West Townline Drain (Nehme Bridge) 118

2. By-law 19-2022, Being a By-law to Amend By-law 2-2002, Being a By-law to Regulate Traffic on Highways under the Jurisdiction of the Municipality of Lakeshore 119

3. By-law 32-2022, Being a By-law for the Hermas Moison Drain North Branch 126

4. By-law 33-2022, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-5-2022) 127

5. By-law 35-2022, Being a By-law to authorize the execution of a Subdivision Amending Agreement pertaining to Serenity Bay 129

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| 6. | By-law 36-2022, Being a By-law to exempt certain lands from Part Lot Control within Blocks 14 - 32 (inclusive), Registered Plan 12M673, in the Municipality of Lakeshore (PLC-1-2022) | 131 |
| 7. | By-law 37-2022, Being a By-law to Adopt a Use of Municipal Resources during Election Policy | 133 |

19. Closed Session

Recommendation:

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

- a. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation or potential litigation, including matters before administrative tribunals, 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 regarding an application under the *Municipal Conflict of Interest Act* and associated litigation.
- b. Paragraph 239(2)(d), (e) and (f) of the *Municipal Act, 2001* to discuss labour relations or employee negotiations, litigation affecting the municipality and advice that is subject to solicitor-client privilege relating to mandatory vaccinations.
- c. Paragraph 239(2)(b) and (d) 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, relating to pay equity.
- d. 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 an employee.

20. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.