

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, April 12, 2022, 6:00 PM

Electronically hosted from Town Hall, 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, Corporate Leader - Chief Financial Officer Justin Rousseau, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Capital Projects Wayne Ormshaw, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Community Planning Aaron Hair, Division Leader - Community Services Frank Jeney, Division Leader - Roads, Parks & Facilities Jeff Wilson, Division Leader - Workplace Development Lisa Granger, Planner I Ian Search, Team Leader - Revenue Michelle Heslop, IT Technologist Mark Donlon, Planner II Urvi Prajapati

1. Call to Order

Mayor Bain called the meeting to order at 6:00 PM in Council Chambers and read the Land Acknowledgement statement. 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

5. Public Meetings under the *Planning Act*

1. Zoning By-law Amendment Application ZBA-21-2020, Jeremy St John

Mayor Bain opened the public meeting at 6:03 PM.

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

The Applicant, Jeremy St. John, was present electronically to answer questions of Council.

The public meeting concluded at 6:15 PM.

128-04-2022

Moved By Deputy Mayor Bailey

Seconded By Councillor Janisse

Support 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.

In Favour (2): Deputy Mayor Bailey, and Councillor Walstedt

Opposed (6): Mayor Bain, Councillor Wilder, Councillor Janisse, Councillor Santarossa, Councillor Kerr, and Councillor McKinlay

Lost

129-04-2022

Moved By Councillor Santarossa

Seconded By Councillor Wilder

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.

Carried Unanimously

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

Mayor Bain opened the public meeting at 6:34 PM.

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

Mary-Ann Keefner and John Evola, representing the applicant, were present electronically to answer questions of Council.

The public meeting concluded at 6:40 PM.

130-04-2022

Moved By Councillor Walstedt

Seconded By Councillor Janisse

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.

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

Opposed (1): Councillor Wilder

Carried

131-04-2022

Moved By Councillor Wilder

Seconded By Councillor Walstedt

Move forward Item 11.6 as noted in the agenda.

Carried Unanimously

11. Reports for Direction

6. Subdivision Agreement Amendment & Part Lot Control Exemption By-law (PLC-1-2022) – Serenity Bay

132-04-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

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”.

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

Opposed (1): Councillor Wilder

Carried

6. Public Presentations

7. Delegations

Mr. Chris Girard was present electronically and requested that Council consider the gravel conversion of Lakeshore Road 115 from Walls Road to Highway 401.

133-04-2022

Moved By Councillor Walstedt

Seconded By Deputy Mayor Bailey

Add Lakeshore Road 115 from Walls Road to Highway 401 to the gravel conversion construction in 2022, with the cost to be taken from the Gravel Conversion reserve.

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

Opposed (1): Councillor Kerr

Carried

8. Completion of Unfinished Business

1. Consent Agenda

134-04-2022

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

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

Carried Unanimously

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

2. Reports for Information

135-04-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

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

9. Consent Agenda

136-04-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

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

Carried Unanimously

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

10. Reports for Information

137-04-2022

Moved By Councillor McKinlay

Seconded By Councillor Wilder

Receive the Reports for Information as listed on the agenda and bring back the report from the Ministry of Transportation relating to the golf cart pilot project when it becomes available.

Carried Unanimously

1. **Golf Cart Pilot Project – Status Update**
2. **Quarterly Building Activity Report – 2022 Q1**

11. Reports for Direction

1. **Tender Award – 2022- 2024 Grass Cutting Contract**

138-04-2022

Moved By Councillor Wilder

Seconded By Councillor Janisse

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.

Carried Unanimously

2. Tender Award – 2022 Gravel Conversion Program

139-04-2022

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

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.

Carried Unanimously

3. Tender Award - 2022 Supply and Place Gravel Program

140-04-2022

Moved By Councillor Wilder

Seconded By Councillor Janisse

Remove Road 309 (see wording of Option 2)

In Favour (3): Councillor Wilder, Councillor Janisse, and Councillor Santarossa

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

Lost

141-04-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

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.

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

4. Award for Professional Services for Hood Drain & Leffler Pump Upgrades

142-04-2022

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

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.

Carried Unanimously

5. Award for Professional Services for Bridge Rehabilitation at Lakeshore Road 129 over Ruscom River

143-04-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

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.

Carried Unanimously

7. Half Load Designation on Class B Roads - Update

144-04-2022

Moved By Councillor Walstedt

Seconded By Councillor Wilder

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.

Carried Unanimously

8. Revenue Division Staffing

145-04-2022

Moved By Councillor Santarossa

Seconded By Councillor Wilder

Direct Administration to implement Option #1, as described in the report presented at the April 12, 2022 Council meeting.

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

Opposed (1): Deputy Mayor Bailey

Carried

12. Announcements by Mayor

13. Reports from County Council Representatives

Deputy Mayor Bailey provided an overview of matters from County of Essex Council.

19. Closed Session

146-04-2022

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Council move into closed session in Council Chambers at 7:42 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.
- e. 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 to the Hydro One Chatham to Lakeshore Transmission Corridor.
- f. 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, regarding employee recruitment.
- g. Paragraph 239(2)(f) and (k) of the *Municipal Act, 2001* to discuss 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 regarding the Union Water Supply System.

Carried Unanimously

A resolution was passed in closed session to extend the meeting past the 9:30 PM deadline.

21. Adjournment

The meeting was adjourned in closed session at 9:59 PM.

Tom Bain
Mayor

Kristen Newman
Clerk