

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, April 26, 2022, 6:00 PM

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

Pages

1. Call to Order
2. Land Acknowledgement
3. Moment of Reflection
4. Disclosures of Pecuniary Interest
5. Recognitions
6. Public Meetings under the Planning Act

1. Zoning By-law Amendment ZBA-32-2021 – 2744 County Road 31

8

Recommendation:

Approve Zoning By-law Amendment Application ZBA-32-2021 (By-law 39-2022), Municipality of Lakeshore By-law 2-2012), to prohibit the construction of a residential dwelling on the remnant farmland by rezoning to agriculture uses only, as described in the April 26, 2022 Council meeting report.

2. Zoning By-law Amendment Application ZBA-6-2022, Jean-Marc and Catherine Beneteau

19

Recommendation:

Approve Zoning By-law Amendment Application ZBA-6-2022 to remove the Holding Symbol (h9) from the lands legally described as Part of Lot 14, Concession 1, East of Belle River, Rochester designated as Parts 5-10, 14-65, 69-75 and 77 on Plan RD 131, being all of the Property Identifier Numbers 75028-0120 to 75028-0185 (LT), to remove the requirement that a subdivision agreement be executed by the owner and the development receive final approval by the County of Essex; and

Direct the Clerk to read By-law 40-2022 during the “Consideration of By-laws”, all as presented at the April 26, 2022 Council meeting.

7. Public Meetings under the Municipal Act, 2001

- 1. Development Charges Update Study Public Meeting** 27

Recommendation:

Administration circulate and publish the Development Charge Update Study for public consultation and prepare the Development Charges By-law amendment for Council’s consideration at the May 30, 2022 Council meeting.

8. Public Presentations

9. Delegations

10. Completion of Unfinished Business

11. Consent Agenda

Recommendation:

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

- 1. March 7, 2022 Special Council Meeting Minutes** 85

- 2. March 29, 2022 Regular Council Meeting Minutes** 90

- 3. April 5, 2022 Special Council Meeting Minutes** 102

12. Reports for Information

Recommendation:

Receive the Reports for Information as listed on the agenda.

- 1. Drainage Board Meeting - April 4, 2022** 107

- 2. 2021 MECP Drinking Water Inspections** 113

13. Reports for Direction

1. **Tender Award – 2022 Mowing Tractor and Bush Hog Mower** 196
Recommendation:
Award the 2022 Mowing Tractor & Bush Hog Mower contract to Delta Power Equipment Essex Ltd (Essex) in the amount of \$137,884.80, including applicable HST, with a total budget overage of \$12,884.80 to be funded from the equipment reserve, as presented at the April 26, 2022 Council meeting.
2. **Tender Award – 2022 Asphalt Roads Resurfacing Program** 199
Recommendation:
Award the tender for the 2022 Asphalt Road Resurfacing Program to Mill-Am Corporation in the amount of \$1,277,210.11, including applicable HST, with the excess amount of \$134,651.11 to be funded from the roads reserve (Option 1), as presented at the April 26, 2022 Council meeting.
3. **Rourke Line Road Reconstruction and Denis St. Pierre Sewer Outfall Tender Award** 213
Recommendation:
Approve the tender amount of \$7,960,406.99, including applicable HST, and award the Rourke Line Reconstruction and Denis St Pierre Sewer Outfall construction tender to J&J Lepera Infrastructures Inc. subject to further negotiations with the successful proponent with a contract reduction in the amount of \$1,039,247.41, including HST; and,

Authorize an additional \$791,438.99, including applicable HST to be funded from the roads reserve, as presented at the April 26, 2022 Council meeting.
4. **Award for Professional Services for Bridge Rehabilitation at Lakeshore Road 309 over Big Creek** 217
Recommendation:
Award for Professional Services for Bridge Rehabilitation at Lakeshore Road 309 over Big Creek to Landmark Engineers Inc. for a total cost of \$99,724.80 including applicable HST, as presented at the April 26, 2022 Council meeting

5. **Water & Wastewater Master Plan Update** 220
- Recommendation:**
Direct Administration to redirect the approved 2022 budget allocated to complete the Transportation Master Plan in the amount of \$150,000 to undertake an update to the 2018 Water & Wastewater Master Plan, as presented at the April 26, 2022 Council meeting.
6. **Great Lakes Waterfront Trail, Closing the Gap – Caille Avenue** 222
- Recommendation:**
Support the application made by the Waterfront Regeneration Trust, on behalf of Great Lakes Waterfront Trail, to receive funding through Infrastructure Canada under the Active Transportation Fund (ATF) for the construction of an asphalt pathway along Caille Avenue, as presented at the April 26, 2022 Council meeting.
7. **Maidstone and Area Historical Society Grant Support – Mini-Barn** 228
- Recommendation:**
Support the Maidstone & Area Historical Society's 2022 grant application to Farm Credit Canada's Agri-Spirit Fund for the purchase and installation of a mini-barn;
- Direct Administration to act as the trustee for the grant funding, if approved; and
- Authorize the Corporate Leader - Chief Financial Officer, in consultation with the Corporate Leader – Strategic & Legal Affairs, to execute any agreements or instruments required in support of or to receive the funding, all as further described in the April 26, 2022 Council meeting report.
8. **Bill 109 and Proposed Changes to the Planning Act** 235
- Recommendation:**
Direct Administration to submit official comments on behalf of the Municipality of Lakeshore to inform the Ministry of Municipal Affairs and Housing that the Municipality of Lakeshore does not support the incremental refund scale for land use planning applications as proposed in the *More Homes for Everyone Act, 2022*, due to the negative impact on municipal revenue, as presented at the April 26, 2022 Council meeting.

9.	Delegation of Authority during Restricted Period	258
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Recommendation:

Direct the Clerk to read By-law 38-2022, Being a By-law to Delegate Authority during a Restricted Council Period, during the “Consideration of By-laws”, as presented at the April 26, 2022 Council meeting.

10.	Adoption of Animal Care and Control By-law	261
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Recommendation:

Direct the Clerk to read By-law 27-2022, known as the draft Animal Care and Control By-law, during the “Consideration of By-laws”, as presented at the April 26, 2022 Council meeting.

11.	Notice of Action under Ontario Regulation 199/03, West Nile Virus Response – Larviciding	263
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Recommendation:

Authorize the Mayor and Clerk to execute the resolution in support the Windsor Essex County Health Unit (WECHU) West Nile Virus Response – Larviciding annually, subject to the annual approval in the budget, as presented at the April 26, 2022 Council meeting.

12.	Assumption of Developed Roadways - Lakeshore New Centre Estates Phase 2d, Woodslee Estates Phases 2 & 3, and Lakeside Estates Phase 1	272
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Recommendation:

Direct the Clerk to read By-law 31-2022 during the Consideration of By-laws, for the assumption of developed roadways and municipal services for Lakeshore New Centre Estates Phase 2d, Woodslee Estates Phases 2 & 3, and Lakeside Estates Phase 1 , as presented at the April 26, 2022 Council meeting.

- 14. Announcements by Mayor
- 15. Reports from County Council Representatives
- 16. Report from Closed Session
- 17. Notices of Motion
- 18. Question Period
- 19. Non-Agenda Business

20. Consideration of By-laws

Recommendation:

By-laws 27-2022, 30-2022, 31-2022, 38-2022, 39-2022, 40-2022 and 43-2022 be read and passed in open session on April 26, 2022.

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| 1. | By-law 27-2022, Being a By-law Respecting Animal Care and Control in the Municipality of Lakeshore | 275 |
| 2. | By-law 30-2022, Being a By-law to Confirm the Proceedings of the Council of the Municipality of Lakeshore for February 15, March 7 and March 15, 2022 | 309 |
| 3. | By-law 31-2022, Being a By-law for the Assumption of Municipal Services in the Municipality of Lakeshore – Woodslee Estates Phases 2&3, Lakeshore New Centre Estates Phase 2D and Lakeside Estates Phase 1 | 310 |
| 4. | By-law 38-2022, Being a By-law to Delegate Certain Authorities During a Restricted Period During the 2022 Municipal Election | 312 |
| 5. | By-law 39-2022, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-32-2021) | 315 |
| 6. | By-law 40-2022, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-6-2022) | 317 |
| 7. | By-law 43-2022, Being a By-law to Confirm the Proceedings of the Council of the Municipality of Lakeshore for March 29 and April 5, 2022 | 319 |

21. 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)(e) and (f) of the *Municipal Act, 2001* to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding Lanoue Street construction.
- c. Paragraph 239(2)(k) of the *Municipal Act, 2001* to discuss 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 the use of South Middle Road.
- d. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending disposition of land by the municipality relating to the County Road 46 area.
- e. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending disposition of land by the municipality relating to the St. Charles Street area.

22. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.