

# Municipality of Lakeshore

## Regular Council Meeting Agenda



Tuesday, May 30, 2023, 5:00 PM

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 \_\_\_\_ PM in accordance with:

- a. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality, relating to Stoney Point Park.
- b. 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 infrastructure development in Lighthouse Cove.

### 3. Return to Open Session

Note: if the closed session is complete before 6:00 PM, a recess will be called until 6:00 PM and the open session will resume at that time.

Should the closed session still be in session at 6:00 PM, the open session will resume once the closed session is complete.

### 4. Land Acknowledgement

### 5. Moment of Reflection

### 6. Disclosures of Pecuniary Interest

### 7. Recognitions

### 8. Public Meetings under the Planning Act

1. **Zoning By-law Amendment ZBA-02-2022 – 1498 Walls Rd** 10  
**Recommendation:**  
Approve Zoning By-law Amendment Application ZBA-02-2022 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lot 16, Concession 2 West of Belle River, Maidstone, Lakeshore, and municipally as 1498 Walls Rd, from “Agriculture (A)” to “Agriculture Zone Exception 1 (A-1)” zone (Indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and  
Direct the Clerk to read By-law 34-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.
2. **Zoning By-law Amendment ZBA-12-2022 – 865 Lakeshore Rd 115** 17  
**Recommendation:**  
Approve Zoning By-law Amendment Application ZBA-12-2022 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lot 14, Concession 2 West of Belle River, Maidstone designated as Parts 2 and 3 on Plan 12R11616; Lakeshore, and municipally as 865 Lakeshore Rd 115, from “Agriculture (A)” to “Agriculture Zone Exception 1 (A-1)” zone (Indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and  
Direct the Clerk to read By-law 35-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.
3. **Zoning By-law Amendment ZBA-13-2022 – 1066 County Rd 42** 24  
**Recommendation:**  
Approve Zoning By-law Amendment Application ZBA-13-2022 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lots 6 and 7, Plan 26, Maidstone, as in R1412055; Lakeshore, subject to an easement over Part 1 on Plan 12R22403 as in CE196410, and municipally as 1066 County Rd 42, from “Agriculture (A)” to “Agriculture Zone Exception 113 (A-113)” zone (Indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and  
Direct the Clerk to read By-law 36-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.

**4. Zoning By-law Amendment ZBA-17-2022 – 2889 Lakeshore Rd 225** 32

**Recommendation:**

Approve Zoning By-law Amendment Application ZBA-17-2022, (Zoning By-law 2-2012, as amended), to rezone lands known legally as, Part of Lot 28, Concession 1 East of Belle River, Rochester, Lakeshore, and municipally as 2889 Lakeshore Rd 225, from “Agriculture (A)” to “Agriculture Zone Exception 1 (A-1)” zone (Indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and  
Direct the Clerk to read By-law 37-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.

**5. Zoning By-law Amendment file ZBA-06-2023 at 6804 County Road 8 by 1000048386 Ontario Inc. - Lisa Aronne** 39

**Recommendation:**

Approve Zoning By-law Amendment Application ZBA-06-2023 to amend Zoning By-law 2-2012 for the lands known municipally as 6804 County Road 8, to permit a Group Home on the property and provide relief from the rear yard setback in accordance with the site plan provided; and  
Direct the Clerk to read By-law 48-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.

**6. Zoning By-law Amendment file ZBA-08-2023 at 1258 County Road 22 by Taras Natyshak (Owner) Denis Buj (Agent)** 48

**Recommendation:**

Approve Zoning By-law Amendment Application ZBA-08-2023 to amend Zoning By-law 2-2012 for the lands known municipally as 1258 County Road 22, to increase both the permitted home occupation floor area to 33% and the maximum parking spaces to 10; and

Direct the Clerk to read By-law 49-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.

**9. Public Presentations**

**10. Delegations**

**1. 2021 Year-End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement, Development Charge Reserve Funds Statement, and 2021 Parkland Dedication Reserve Statement**

57

**Recommendation:**

The Audited Consolidated Financial Statements for the year ended December 31, 2021, be approved;

The Audit Findings Report of KPMG for the year ended December 31, 2021, be received;

Administration be authorized to post the 2021 Consolidated Financial Statements on the Municipality of Lakeshore website;

The Statement of Revenue and Expenses and Accumulated Net Expense for Building Services for the year ended December 31, 2021, be received;

The Development Charges Reserve Funds Statement, for the year ended December 31, 2021, be received; and,

The Parkland Dedication Reserve Statement, for the year ended December 31, 2021, be received.

1. Cynthia Swift, KPMG

**11. Completion of Unfinished Business**

**12. Consent Agenda**

**Recommendation:**

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

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|----|--|-----|
| 1. | May 2, 2023 Regular Council Meeting Minutes  | 123 |
| 2. | May 11, 2023 Special Council Meeting Minutes   | 131 |
| 3. | The Women of Ontario Say No - Bill 5, Stopping Harassment and Abuse by Local Leaders Act | 133 |

**13. Reports for Information**

**Recommendation:**

Receive the Reports for Information as listed on the agenda.

1.	2022 Major Accomplishments	142
2.	2021 Year- End Financial Ratios and Indicators	149
3.	Flood Mitigation and Protection Framework Update	157
14.	Reports for Direction	
1.	Tender Award – Leffler Stormwater Pumping Station Upgrades	183
	<p><b>Recommendation:</b>  Award the tender for the Leffler Stormwater Pumping Station Upgrades to Kingdom Construction Ltd. for a total project cost of \$662,793.86 including applicable HST, with the excess amount of \$352,793.86 funded from the stormwater reserve, as presented at the May 30, 2023 Council Meeting</p>	
2.	Request for Temporary Licence Extension – Mr. BIGGS Restaurant & Sportsbar (Sunsplash) – July 13-16, 2023	186
	<p><b>Recommendation:</b>  Direct the Division Leader – Civic Affairs to provide a letter stating that the Municipality of Lakeshore has no objection to the temporary extension of the liquor licence of Mr. BIGGS Restaurant &amp; Sportsbar, 405 Notre Dame Street for Sunsplash event, scheduled for July 13-16 2023 from 11:00 AM to 1:00 PM, on the condition that the conduct of the event is in compliance with the provision of the <i>Liquor Licence Act</i> and associated rules and directive of the Alcohol and Gaming Commission of Ontario.</p>	
3.	2023 Gravel Conversion Program – Reallocation of Funds	189
	<p><b>Recommendation:</b>  Approve the gravel conversion of Oriole Park Drive that was identified in the 10-year gravel conversion program for completion in 2024, in the amount \$187,087.79 (including applicable HST), to be funded from the approved 2023 budgeted amount that was originally allocated for the conversion of Lakeshore Road 111, as presented at the May 30, 2023 Council Meeting.</p>	

**4. Internet Services for the Atlas Tube Centre** 193

**Recommendation:**

Authorize the Mayor and Clerk to enter into an agreement with Cogeco Connexion Inc via Connecting Windsor Essex to provide the Atlas Tube Recreation Centre with Internet Services for a period of five (5) years at a cost of \$810 per month;

Approve administration to run an operating variance to an upset limit of \$6,000 dollars on the telecommunication budget; and

Direct Administration to increase the Internet Service budget in 2024 by \$10,000.00 to account for the increased service level being provided to the Atlas Tube Centre, all as described in the report presented at the May 30, 2023 Council meeting.

**5. Crossing Guard Program** 195

**Recommendation:**

Approve an agreement with PROSTAFF Employment Services to provide services for the Crossing Guard Program and that the Mayor and Clerk be authorized to execute the agreement, as presented at the May 30, 2023 Council meeting.

**6. Lakeshore Canada Day** 215

**Recommendation:**

1) That the 2023 Lakeshore Canada Day festivities take place at the Atlas Tube Recreation Centre and Lakeview Park; and that fireworks displays take place at Stoney Point Community Park and Millen Park on Canada Day weekend, as presented at the May 30, 2023 Council meeting.

2) That Lakeshore Canada Day main events be held at the Atlas Tube Recreation Centre on July 1<sup>st</sup> annually; and, that additional events be considered at other Lakeshore locations each year, all as presented at the May 30, 2023 Council meeting.

**7. Temporary Patio and Temporary Patio Extension Report** 226

**Recommendation:**

Direct Administration to implement the application for approval to authorize temporary patios and temporary patio extensions, and an application fee of \$250, all as presented at the May 30, 2023 Council meeting; and

Direct the Clerk to prepare the necessary by-laws for implementation.

**8. Municipality of Lakeshore, 2023 Flood Rapid Response Plan (FRRP)**

229

**Recommendation:**

Adopt the Municipality of Lakeshore's 2023 Flood Rapid Response Plan as presented at the May 30, 2023 Regular Council Meeting.

**15. Announcements by Mayor**

**16. Reports from County Council Representatives**

**17. Report from Closed Session**

**18. Notices of Motion**

**1. Councillor Kerr - Marina Fencing**

314

**Recommendation:**

Whereas the month of May 2023 has seen another night time incident with racing motor vehicles and unlawful discharging of fireworks over the boats at the northern end of the Belle River Marina;

And whereas the marina slips renters have been asking Lakeshore in implement security measures to keep the Marina parking lot and boat slips safe;

And whereas to date, the current security plan has not been as successful as desired;

Now be it resolved that Administration quickly develops a parking lot and marina area plan for security. The slip renters preferred plan includes east to west fencing in addition to a security officer-controlled entrance of barrier gate arms at the parking lot entrance just north of the boat trailer section of the parking lot; and

Be it further resolved that the fencing have pedestrian gates along the walkways that can be shut by security when the Lakeshore Park and Marina area are closed.

**19. Question Period**

**20. Non-Agenda Business**

## 21. Consideration of By-laws

### **Recommendation:**

By-laws 44-2023, 45-2023, 46-2023 and 47-2023 be read a first and second time and provisionally adopted; and

By-laws 34-2023, 35-2023, 36-2023, 37-2023, 48-2023, 49-2023 and 55-2023 be read and passed in open session on May 30, 2023.

1.	By-law 34-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-02-2022)	315
2.	By-law 35-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-12-2022)	317
3.	By-law 36-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-13-2022)	319
4.	By-law 37-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-17-2022)	322
5.	By-law 44-2023, Being a By-law for the Beattie Drain South Branch (Ellis Drain Outlet)	324
6.	By-law 45-2023, Being a By-law for the East 11th Concession Drain Enclosure Improvements	327
7.	By-law 46-2023, Being a By-law for the Girard Drain (Damphouse Bridge)	330
8.	By-law 48-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-06-2022)	333
9.	By-law 47-2023, Being a By-law for the T. Renaud Drain North Branch	336
10.	By-law 49-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-08-2023)	339
11.	By-law 55-2023, Being a By-law to Confirm the Proceedings of the May 2 and May 11, 2023 Council Meetings	342



**22. Return to Closed Session**

**Recommendation:**

Council move into closed session in Council Chambers at \_\_\_\_ 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.

**23. Adjournment**

**Recommendation:**

Council adjourn its meeting at \_\_\_\_ PM.