

# Municipality of Lakeshore

## Minutes of the Regular Council Meeting

Tuesday, June 13, 2023, 6:00 PM

Council Chambers, 419 Notre Dame Street, Belle River



Members Present: Mayor Tracey Bailey, Deputy Mayor Kirk Walstedt, Councillor Ryan McNamara, Councillor Paddy Byrne, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Ian Ruston, Councillor Larissa Vogler

Staff Present: Chief Administrative Officer Truper McBride, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Accounting & Revenue Kate Rowe, Division Leader - Building Morris Harding, Division Leader - Bylaw Robert Sassine, Division Leader - Capital Projects Wayne Ormshaw, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Community Services Frank Jeney, Division Leader - Digital Transformation & Cloud Services Michael Martin, Division Leader - Economic Development & Mobility Ryan Donally, Division Leader - Engineering and Infrastructure Services Marco Villella, Division Leader - Public Works Jeff Wilson, Division Leader - Workplace Development Lisa Granger, Team Leader - Civic Engagement Alex Denonville, Associate Lawyer Nuala Kenny, Team Leader - Civic Affairs Cindy Lanoue, Team Leader - Development Services Kristina Brcic, IT Technical Analyst, Simon Barno

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### 1. Call to Order

Mayor Bailey called the meeting to order at 6:01 PM in Council Chambers.

### 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 H-removal file ZBA-31-2021, Beachside condos by Beachside Development LTD.

Mayor Bailey opened the public meeting at 6:02 PM.

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

Jeff Hewitt, agent of the applicant, was present electronically and spoke in favour of the application. Peter Valente, representing the Applicant, was present to answer any questions of Council.

Brian Chillman, agent for neighbours Rocco and Danielle Tullio, was present electronically and spoke in opposition to the application. It was requested that Council defer the application until such time that there is sufficient evidence that the Inflow & Infiltration concerns have been dealt with.

Rashid Farhat, neighbour, was present and advised that they are not opposed to the development but concerned about what has been done with the wastewater conveyance and capacity issue.

Ian Andres, agent for Local Residents Group, was present electronically and advised that they are not opposed to the application but concerned about water surcharge.

The public meeting concluded at 6:22 PM.

#### **161-06-2023**

**Moved By** Deputy Mayor Walstedt

**Seconded By** Councillor Ruston

Approve Zoning By-law Amendment Application ZBA-31-2021 to amend Zoning By-law 2-2012 over the lands legally described as Part of Lots 2 & 3, Concession West Of Pike Creek Maidstone Part 1, 12R27957, to remove the holding symbol from “Mixed Use Zone Exception 32 (MU-32)(h24),” “Mixed Use Zone Exception 33 (MU-33)(h24)” and “Mixed Use Zone Exception 34 (MU-34)(h24)”.

Direct the Clerk to read By-law 56-2023 during the Consideration of By-laws, all as presented at the June 13, 2023 Council meeting.

**Carried Unanimously**

**2. Zoning By-law Amendment File ZBA-02-2023 initiated by Lakeshore regarding Refreshment Vehicles**

Mayor Bailey opened the public meeting at 6:28 PM.

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

As this was a Zoning By-law Amendment process initiated by the Municipality, there was no applicant present.

No members of the public were present to speak regarding this matter.

The public meeting concluded at 6:32 PM.

**162-06-2023**

**Moved By** Councillor Kerr

**Seconded By** Councillor McNamara

Approve Zoning By-law Amendment Application ZBA-02-2023 (Zoning By-law 2-2012, as amended), to remove the definition of 'Food Cart', to add a definition of Refreshment Vehicle and add a restriction on the length of time a refreshment vehicle can be in a residential zone in the Lakeshore Zoning By-law 2-2012; and

Direct the Clerk to read By-law 54-2023 during the Consideration of By-laws, all as presented at the June 13, 2023 Council meeting.

**Carried Unanimously**

**7. Public Presentations**

**8. Delegations**

**9. Completion of Unfinished Business**

**10. Consent Agenda**

**163-06-2023**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Ruston

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

1. May 30, 2023 Regular Council Meeting Minutes
2. City of Cambridge - Highway Traffic Act Amendments

3. Town of Fort Erie - Pause Proposed New Provincial Planning Statement
4. Municipality of South Huron - Proposed Provincial Planning Statement 2023

**Carried Unanimously**

**164-06-2023**

**Moved By** Deputy Mayor Walstedt

**Seconded By** Councillor Kerr

Support the resolution by the City of Cambridge regarding Highway Traffic Act Amendments.

**Carried Unanimously**

## **11. Reports for Information**

**165-06-2023**

**Moved By** Councillor Vogler

**Seconded By** Councillor Santarossa

Receive the Reports for Information as listed on the agenda.

1. Q1 2023 Site Plan Agreements Executed
2. Ministry of Transportation Micromobility Regulations

**Carried Unanimously**

## **12. Reports for Direction**

1. **Tender Award – Lakeshore 2023 Bridge Rehabilitation Projects**

**166-06-2023**

**Moved By** Councillor Byrne

**Seconded By** Councillor McNamara

Award the Tender for Lakeshore 2023 Bridge Rehabilitation Projects to Front Construction Industries Inc. for a total project cost of \$1,253,582.46 including applicable HST and approve an overage in the amount of \$12,603.26 to be funded from the Bridge & Culverts reserve, as presented at the June 13, 2023 Council Meeting.

**Carried Unanimously**

**2. Tender Award - St. Clair Shores Park Improvements**

**167-06-2023**

**Moved By** Councillor Ruston

**Seconded By** Councillor McNamara

Award the Tender for the St. Clair Shores Park Improvements to 1866885 ONT LTD o/a Quality Turf for a total project cost of \$494,461.61 including applicable HST, and approve a total shortfall of \$106,644.25 to be funded from the Parkland Dedication reserve, as presented at the June 13, 2023 Council Meeting.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, Councillor Santarossa, Councillor Ruston, and Councillor Vogler

Opposed (1): Councillor Kerr

**Carried**

**3. Greenhouse Business Park Request for Proposal (RFP)**

**168-06-2023**

**Moved By** Councillor Vogler

**Seconded By** Councillor Kerr

Direct Administration to re-issue the RFP upon resolution of OPA 18. This option pushes the total project back approximately five to six months. By waiting for OPA 18 resolution at the County level, Administration expects more than one submission from consultants wishing to complete the work outlined. OPA 18 review and approval will likely be completed by The County of Essex by Q4, 2023. Pending approval of the OPA 18 and a re-issuance of this RFP, Council would then see a Report for Direction for awarding of this RFP in late Q4, 2023 or early Q1, 2024 with a completed Greenhouse Business Park Plan Report in Spring/Summer 2024.

In Favour (2): Councillor Kerr, and Councillor Vogler

Opposed (6): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, Councillor Santarossa, and Councillor Ruston

**Lost**

**169-06-2023**

**Moved By** Deputy Mayor Walstedt  
**Seconded By** Councillor McNamara

Award the tender for the Greenhouse Business Park Report to the partnership of Harry Cummings and Associates INC. (HCA) and J.L. Richards & Associates Limited (JLR) and approve up to \$65,000 funded from the Plans and Studies Reserve to cover the cost of the work, as presented at the June 13, 2023 Council meeting.

In Favour (6): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, Councillor Santarossa, and Councillor Ruston

Opposed (2): Councillor Kerr, and Councillor Vogler

**Carried**

**4. Assumption of Developed Roadways and Municipal Services, June 2023**

Councillor John Kerr left the meeting at 7:04 PM.

**170-06-2023**

**Moved By** Councillor Santarossa  
**Seconded By** Councillor McNamara

Direct the Clerk to read By-law 27-2023 during the Consideration of By-laws, for the assumption of developed roadways and municipal services, as presented at the June 13, 2023 Council meeting.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, Councillor Santarossa, Councillor Ruston, and Councillor Vogler

**Carried**

**5. Permanent Closure, Stop Up and Declaration of Surplus for PIN 75022-0047(LT) – Church Street Alley**

Councillor John Kerr joined the meeting at 7:06 PM.

**171-06-2023**

**Moved By** Councillor McNamara

**Seconded By** Councillor Ruston

The portion of land legally known as Part of Lot 42, Rochester; Part of Lot 25, Concession 1, East of Belle River, Rochester as in R511086; Lakeshore, being all of the PIN 75022-0047(LT), be closed, stopped up and declared surplus;

Administration proceed with conveying the land pursuant to Policy CAD – 284, Closing Sale and Disposition of Streets and Alleys; and

Direct the Clerk to read By-law 50-2023 during the “Consideration of By-laws”, all as presented at the June 13, 2023 Council meeting.

**Carried Unanimously**

**6. Permanent Closure, Stop Up and Declaration of Surplus for Alley Plan 158 and PIN 75042-0072(LT) – Alley between Sixth and Seventh Streets**

**172-06-2023**

**Moved By** Councillor Vogler

**Seconded By** Deputy Mayor Walstedt

The portion of land legally known as Alley Plan 158, Rochester, Abutting Lots 22 to 26, Southside Railway Avenue, Plan 158, Lakeshore, being a portion of the Property Identifier Number 75042-0072(LT), be closed, stopped up and declared surplus;

Administration proceed with conveying the land pursuant to Policy CAD – 284, Closing Sale and Disposition of Streets and Alleys; and

Direct the Clerk to read By-law 51-2023 during the “Consideration of By-laws”, all as presented at the June 13, 2023 Council meeting.

**Carried Unanimously**

**7. UWSS Inc. – Lakeshore Director Appointment Process**

**173-06-2023**

**Moved By** Councillor McNamara

**Seconded By** Councillor Ruston

Direct Option #1: appoint the Deputy Mayor as Director to UWSS Inc. as described in the report entitled UWSS Inc. – Lakeshore Director Appointment Process, presented at the June 13, 2023 Council meeting.

**Carried Unanimously**

**13. Announcements by Mayor**

**14. Reports from County Council Representatives**

**15. Report from Closed Session**

**16. Notices of Motion**

**1. Councillor Ruston - By-law Enforcement**

**174-06-2023**

**Moved By** Councillor Ruston

**Seconded By** Deputy Mayor Walstedt

Whereas Lakeshore has reactive by law enforcement;

And whereas Lakeshore has increasingly complex by law matters;

And whereas Lakeshore has a need for by law after hours and weekends;

Now be it resolved to direct Administration to transfer \$55,000 from the working funds reserve to fund six month contracted out by-law officer position to conduct proactive fill permit enforcement.

In Favour (5): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, and Councillor Ruston

Opposed (3): Councillor Santarossa, Councillor Kerr, and Councillor Vogler

**Carried**

**17. Question Period**

**18. Non-Agenda Business**



## 19. Consideration of By-laws

**175-06-2023**

**Moved By** Councillor Ruston

**Seconded By** Councillor Santarossa

By-laws 57-2023 and 58-2023 be read a first and second time and provisionally adopted; and

By-laws 27-2023, 50-2023, 51-2023, 52-2023, 53-2023, 54-2023, 56-2023 and 60-2023 be read and passed in open session on June 13, 2023.

**Carried Unanimously**

1. **By-law 27-2023, Being a By-law for the Assumption of Municipal Services in the Municipality of Lakeshore – Whitewood Subdivision Phase 6A & 6B, Chelsea Park Phase 4B and Mailloux Subdivision**
2. **By-law 50-2023, Being a By-law to Stop Up, Close and Declare Surplus an Alley, being all of PIN 75022-0047(LT)**
3. **By-law 51-2023, Being a By-law to Stop Up, Close and Declare Surplus an Alley, being a portion of PIN 75042-0072(LT)**
4. **By-law 52-2023, Being a By-law to Adopt Rules for the Processing of Temporary Patio Applications and Liquor Licence Applications for Temporary Patios in the Municipality of Lakeshore**
5. **By-law 53-2023, Being a By-law to Amend By-law 11-2023, Being a By-law to Establish User Fees for Certain Services Provided by the Municipality of Lakeshore**
6. **By-law 54-2023, Being a By-law to amend By-law 2-2012, Housekeeping Amendment of the Zoning By-law for the Municipality of Lakeshore (ZBA-02-2023)**
7. **By-law 56-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-31-2021)**
8. **By-law 57-2023, Being a By-law for the Bridge Over the West Townline Drain (Raymond and Deborah Tracey)**
9. **By-law 58-2023, Being a By-law for the Patrick Murphy Drain**
10. **By-law 60-2023, Being a By-law to Confirm the Proceedings of the May 30, 2023 Council Meetings**

**20. Closed Session****176-06-2023****Moved By** Councillor Vogler**Seconded By** Councillor McNamara

Council move into closed session in Council Chambers at 7:23 PM in accordance with:

- a. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending disposition of land by the municipality relating to the Couture Beach area.
- b. 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.
- c. 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 Hydro One Networks Inc.

**Carried Unanimously**

**21. Adjournment**

The meeting was adjourned in closed session at 9:06 PM.

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Tracey Bailey  
Mayor

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Kristen Newman  
Clerk