

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, April 30, 2024, 5:30 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 Larissa Vogler

Members Absent: Councillor Ian Ruston

Staff Present: Chief Administrative Officer Truper McBride, Deputy Chief Administrative Officer - Chief Financial Officer Justin Rousseau, Corporate Leader - Community Health and Safety Frank Jeney, Corporate Leader - General Counsel Susan Hirota, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Division Leader - Bylaw Robert Sassine, Division Leader - Communications and Engagement Alex Denonville, Division Leader - Economic and Intergovernmental Affairs Ryan Donally, Division Leader - Legislative Services Brianna Coughlin, Division Leader – Parks and Facilities William Quinlan, Division Leader - Public Works Jeff Wilson, Team Leader - Legislative Services Cindy Lanoue, Planner I Ian Search, IT Technical Analyst Erik Pelland

1. Call to Order

Mayor Bailey called the meeting to order at 5:32 PM in Council Chambers.

2. Closed Session

143-04-2024

Moved By Councillor Vogler

Seconded By Councillor Santarossa

Council move into closed session in Council Chambers at 5:33 PM in accordance with:

- a. 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 regarding an insurance claim.

Carried Unanimously

3. Return to Open Session

Council returned to open session at 5:45 PM and Mayor Bailey called a recess until 6:00 PM.

Mayor Bailey called the meeting back to order at 6:04 PM.

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-03-2024 –9141 Lakeshore Rd. 305

Mayor Bailey opened the public meeting at 6:06 PM.

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

Applicant Jason Marchand was present to answer any questions relating to the application.

There were no members of the public present that wished to speak on the application.

The public meeting concluded at 6:11 PM.

144-04-2024

Moved By Deputy Mayor Walstedt

Seconded By Councillor Byrne

Approve Zoning By-law Amendment Application ZBA-03-2024 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lot 9, Concession 5, Tilbury, designated as Part 1 on 12R2728, save and except Part 1 on Plan 12R29538, being part of the Property Identifier Number 75063-0043(LT), and known municipally as 9141 Lakeshore Rd. 305, from “Agriculture (A)” to “Agriculture Zone Exception 119 (A-119)” zone (indicated as “9141 Lakeshore Rd. 305 Retained Land” on the Key Map, Appendix B), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 47-2024 during the Consideration of By-laws, all as presented at the April 30, 2024 Council meeting.

Carried Unanimously

9. Public Presentations

1. Raymond Tracey - Comber Subdivision Phase 3

Mr. Tracey and representative Ed Hooker were present to speak to the Comber Subdivision Phase 3, requesting support to move the project forward by directing Administration to work with the developer of the Comber Subdivision Phase 3 to find a solution for sewage capacity and advise the County of Essex that Lakeshore withdraws the opposition to the project.

There were no questions of Council for the delegate. No direction was provided to Administration.

10. Delegations

11. Completion of Unfinished Business

12. Consent Agenda

145-04-2024

Moved By Councillor McNamara

Seconded By Councillor Vogler

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

1. April 9, 2024 Regular Council Meeting Minutes
2. City of St. Catherines - Provincial Regulations Needed to Restrict Keeping Exotic Wild Animals
3. Municipality of West Perth - Minister's Permit and Review Powers Under Conservation Authorities Act

Carried Unanimously

13. Reports for Information

146-04-2024

Moved By Councillor McNamara

Seconded By Deputy Mayor Walstedt

Receive the Reports for Information as listed on the agenda.

1. 2024 Lakeshore Mayor's Arts Awards Recipients
2. 2024 By-law Enforcement First Quarter Activity Report

Carried Unanimously

14. Reports for Direction

1. Tender Award - 2024 Supply and Place Gravel Program

147-04-2024

Moved By Councillor Vogler

Seconded By Deputy Mayor Walstedt

Award the 2024 Supply and Place Gravel Program in the total amount of \$393,103.97 including applicable HST based on the below schedules:

Schedule 1 – Supply and Place Gravel to Shepley Excavating & Road Maintenance Ltd. in the amount of \$258,292.32 including applicable HST; and

Schedule 2 – Supply and Stockpile Gravel to Quinlan Inc. in the amount of \$134,811.65 including applicable HST, all as presented at the April 30, 2024 meeting.

Carried Unanimously

2. 2024 and 2025 Asset Management Plan Consulting Services

148-04-2024

Moved By Councillor Santarossa

Seconded By Councillor McNamara

Approve waiving the requirement for a competitive process pursuant to Schedule “C” (Purchasing Policy) sections 3.9 (a) iii and 3.11 to the Municipality of Lakeshore Procurement By-Law 58-2010;

Award the 2024 and 2025 Asset Management Plan consulting services to PSD Citywide Ltd. in the amount of \$98,606; and

Approve the additional funding of \$48,480, exceeding the approved capital budget of the 2021 Asset Management Update to be funded through the Plans and Studies Reserve, all as presented at the April 30, 2024 Council meeting.

Carried Unanimously

3. RFP for Concessions at West Beach

149-04-2024

Moved By Councillor McNamara

Seconded By Deputy Mayor Walstedt

Approve entering into a three-year contract, with an option to renew for an additional three, one year contracts, with 2588827 Ontario Inc. O/A Scoop and Straw for the provision of concessions operations at the West Beach, as presented at the April 30, 2024 Council meeting; and

Direct the Clerk to read By-law 52-2024 during the consideration of By-laws.

Carried Unanimously

**4. Request for Designation of Municipally Significant Event –
Lighthouse Cove & District Lions Club Fundraising Event – June 15,
2024**

Councillor Vogler declared a conflict regarding this matter and did not participate in the discussion or vote.

150-04-2024

Moved By Councillor Kerr

Seconded By Councillor Byrne

Designate the Lighthouse Cove & District Lions Club fundraising event, scheduled for Saturday, June 15, 2024 at the property municipally known as 17845 Melody Drive (also known as 999 Quenneville Drive), as “municipally significant”, as presented at the April 30, 2024 Council meeting.

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

Conflict (1): Councillor Vogler

Carried

5. AMCTO Submission to the Province of Ontario – Modernizing the Municipal Elections Act for the 21st Century

151-04-2024

Moved By Deputy Mayor Walstedt

Seconded By Councillor Santarossa

Support the submission by the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) entitled “Modernizing the *Municipal Elections Act* for the 21st Century”; and

Request that the Province of Ontario update the *Municipal Elections Act, 1996* (MEA) with priority amendments as outlined by AMCTO before Summer 2025 and commence work to review and re-write the MEA with longer-term recommendations ahead of the 2030 elections, all as presented at the April 30, 2024 Council meeting, with the inclusion of the following:

- Maintain or increase the 25 signatures endorsement requirement;
- Extend training sites to provincially funded sites for election days;
- Add an assessment of mental health fitness and recommend vulnerable sector checks.

In Favour (4): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, and Councillor Santarossa

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

Carried

6. Town Hall Main Floor and Operations Training Room Renovations

152-04-2024

Moved By Councillor Vogler

Seconded By Councillor Santarossa

Defer consideration of the Town Hall Main Floor Renovation and Operations Renovation Concept Plans pending additional information from Administration regarding renovation plan and workplace assessment, and associated cost estimate.

Carried Unanimously

15. Announcements by Mayor

16. Reports from County Council Representatives

17. Report from Closed Session

18. Notices of Motion

1. Councillor McNamara - Testing of Private Water Wells

153-04-2024

Moved By Councillor McNamara

Seconded By Deputy Mayor Walstedt

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites.

Lakeshore, like many communities in Ontario have residents which get their water from private wells. If this proposal were to be implemented it would shift the responsibility and cost for testing onto these residents. This may lead to the reduction of residents testing their water for pathogens and put them at undue risk of illness. We must not forget the events of Walkerton and the seriousness these decisions have and their implications. Private well owners do not have the protection provided to others under the Safe Drinking Water Act 2002. Further, this water testing data can be provided to the regional health units to help determine if a greater health threat is present in the region and act expeditiously. Also, in these times we should not be shouldering residents with the added cost of testing. This is and should always remain a service provided by the Province as it's the Province's responsibility to provide healthcare for its residents.

Therefore, Council supports the responsibility and cost of testing private water wells remain with the Province of Ontario; and

Direct Administration to send a copy of Council's resolution on this matter to Premier Doug Ford, the Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs, the Honourable Sylvia Jones, Ontario Minister of Health, Anthony Leardi MPP – Essex, Trevor Jones MPP – Chatham-Kent - Leamington, the Association of Municipalities of Ontario (AMO) and all Ontario municipalities.

Carried Unanimously

2. Councillor McNamara - Public Transit

154-04-2024

Moved By Councillor McNamara

Seconded By Councillor Santarossa

Reconsider resolution #364-12-2023 approved at the December 12, 2023 Council meeting which states "Direct Administration to defer consideration of future transit services for the Municipality until the next iteration of the Transportation Master Plan, as presented at the December 12, 2023 Council meeting."

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

Opposed (1): Councillor Kerr

Carried

155-04-2024

Moved By Councillor McNamara

Seconded By Councillor Byrne

Direct Administration to enter into discussions with the Town of Tecumseh to determine the feasibility and cost for Tecumseh to deliver public transportation service between Manning and Patillo Road.

Carried Unanimously

19. Question Period

20. Non-Agenda Business

21. Consideration of By-laws

156-04-2024

Moved By Councillor Vogler

Seconded By Deputy Mayor Walstedt

By-laws 47-2024, 49-2024 and 52-2024 be read and passed in open session on April 30, 2024.

Carried Unanimously

1. **By-law 47-2024, Being a By-law to Amend Zoning By-law 2-2012 (ZBA-03-2024)**
2. **By-law 49-2024, Being a By-law to Confirm the Proceedings of the April 9, 2024 Council Meeting**
3. **By-law 52-2024, Being a By-law to Authorize an Agreement with 2588827 Ontario Inc (Lakeshore Park West Beach Seasonal Concession Operations)**

22. Adjournment

157-04-2024

Moved By Councillor McNamara

Seconded By Councillor Vogler

Adjourn the meeting at 7:31 PM.

Carried Unanimously

Tracey Bailey
Mayor

Brianna Coughlin
Clerk