

# **The Corporation of the Town of Lakeshore**

## **Minutes of the Special Council Meeting**

**Tuesday, December 15, 2020, 6:00 PM**

**Electronically hosted from Council Chambers, 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, Director of Community & Development Services, Tammie Ryall, Director of Engineering & Infrastructure Services, Krystal Kalbol, Director of Finance, Rosanna Pellerito, Director of Legislative & Legal Services, Kristen Newman, Manager of Communications & Strategic Initiatives, Rita Chappell, Manager of Information Technology, Pat Girard, Manager of Legislative Services, Brianna Coughlin, Planner I, Ian Search, Planner III, Aaron Hair, Economic Development Officer, Ryan Donally

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### **1. Call to Order**

Mayor Bain called the meeting to order at 6:04 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

### **2. Moment of Reflection**

### **3. Disclosures of Pecuniary Interest**

### **4. Recognitions**

### **5. Public Meetings under the Planning Act**

#### **a. ZBA-18-2020 – Kumar & Jain Secondary Dwelling Unit**

Mayor Bain called the public meeting to order at 6:05 PM.

The Planner I provided a PowerPoint presentation as overview of the application and advised that two items of correspondence had been received and sent to Council prior to the meeting.

The applicants, Hemant Kumar and Shilpa Jain, were present electronically and spoke in favour of the recommendation.

Robert Wallace, resident, was present electronically and spoke in opposition of the recommendation.

Matthew Pellitteri, resident, was present electronically and spoke in opposition of the recommendation.

The public meeting concluded at 7:00 PM.

#### **443-12-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

Defer consideration of ZBA-18-2020 until after the adoption of the Town of Lakeshore Official Plan by the County of Essex.

In Favor (5): Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Walstedt, and Councillor McKinlay

Opposed (3): Mayor Bain, Councillor Santarossa, and Councillor Kerr

**Carried**

#### **b. Zoning By-law Amendment (ZBA-23-2020) –Addition of a New Use to Employment Lands**

Mayor Bain called the public meeting to order at 7:04 PM.

The Planner III provided a PowerPoint presentation as overview of the application.

Will Good, representing the applicant Rosati Group, was present electronically and spoke in favour of the recommendation.

The public meeting concluded at 7:10 PM.

#### **444-12-2020**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor McKinlay

Approve Zoning By-law Amendment Application ZBA-23-2020 (By-law 102-2020, Town of Lakeshore By-law 2-2012, as amended), to rezone the parcel, indicated as the "Subject Property", on the Key Map, Appendix 1, located at 0 Silver Creek Industrial Drive (Maidstone Con. EPC Pt Lot 5, RP 12R-14755 Parts 1, 2, 3 and 4), in the Town of Lakeshore, as follows:

- a. To add the following definition, in alphabetical order to Part 4 of the Zoning By-law: Equipment sale, service and rental establishment, means development where equipment including farm equipment, commercial and industrial vehicles and equipment are kept for sale, lease, service or rental to the public.
  - b. To rezone the subject land, indicated on the Appendix A – Key Map, from “General Employment Zone (M1)” to a site-specific “General Employment Exception (M1-8)” zone, which shall add as an additional permitted use an Equipment sale, service, and rental establishment; and,
  - c. sewage servicing will be addressed through the site plan process; and
- Direct the Clerk to present for reading the implementing By-law 102-2020, as presented at the December 15, 2020 Council Meeting.

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

Opposed (1): Councillor Wilder

**Carried**

**c. Zoning By-law Amendment (ZBA-9-2020) Beachside Developments Ltd**

Mayor Bain called the public meeting to order at 7:20 PM.

The Planner III provided a PowerPoint presentation as overview of the application.

Peter Valente and Karl Tanner, representing the applicant, were present electronically and spoke in favour of the recommendation.

The public meeting concluded at 7:38 PM.

**445-12-2020**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Santarossa

Approve Zoning By-law Amendment Application ZBA-9-2020 (By-law 92-2020, Town of Lakeshore By-law 2-2012, as amended), to rezone the parcel, indicated as the "Subject Property", on the Key Map, Appendix 1, located at 0 Amy Croft Drive, in the Town of Lakeshore, as follows:

- a. from “Mixed Use Zone (MU)” to “Mixed Use Zone Exception 32 (MU-32)(H24)” to permit relief for multiple zoning provisions;
- b. from “Mixed Use Zone (MU)” to “Mixed Use Zone Exception 33 (MU-33)(H24)” to permit relief for multiple zoning provisions; and
- c. from “Mixed Use Zone (MU)” to “Mixed Use Zone Exception 34 (MU-34)(H24)” to permit relief for multiple zoning provisions.

Direct the Clerk to present the implementing By-law 92-2020, as presented at the December 15, 2020 Council meeting.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

**6. Public Presentations**

**7. Delegations**

**8. Reports for Information**

- a. **Committee of Adjustment Meeting Minutes – October 7, October 21, and November 18, 2020**

**446-12-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

Approve the Report for Information as listed on the agenda.

**Carried Unanimously**

- b. **Lighthouse Cove Secondary Plan and CIP Update**

**447-12-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor McKinlay

Approve the Report for Information as listed on the agenda.

**Carried Unanimously**

## 9. Reports for Direction

### a. **Site Plan Control Application SPC-11-2020 - 873737 Ontario Limited (Knapp Ford)**

**448-12-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

Approve Site Plan Control Application SPC-11-2020 to permit the construction of a 148.64m<sup>2</sup> (1600ft<sup>2</sup>) accessory structure located at 430 Talbot Road, subject to the following condition:

- a. that the Owner/Developer enter into a Site Plan Agreement with the Town to provide for the installation, construction, and maintenance of driveways, parking areas, lighting, landscaping, grading, drainage, and any necessary service connections, easements and other items; and,

The Clerk present By-law 101-2020 to execute the Site Plan Agreement, all as described in the report presented at the December 15, 2020 Council meeting.

**Carried Unanimously**

### b. **Site Plan Control Application SPC-6-2020 Valente Development Corp.**

**449-12-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Santarossa

Approve Site Plan Control Application SPC-6-2020 to permit the construction of a new Medical Clinic and Pharmacy located at 18 Amy Croft Drive, in the Community of Maidstone, subject to the following conditions:

- a. that the Owner/Developer enter into a Site Plan Amending Agreement with the Town to provide for the installation, construction, and maintenance of driveways, parking areas, lighting, landscaping, grading, drainage, and any necessary service connections, easements and other items; and

The Mayor and Clerk be authorized by By-law #100-2020 to execute the Site Plan Agreement.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

**c. Effects of Greenhouse Development**

Mayor Bain called a recess at 7:56 PM and reconvened the meeting at 8:10 PM.

**450-12-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

Direct Administration to prepare an interim control by-law to study the effects of greenhouse development in Lakeshore, as presented in the report of the Director of Community & Development Services presented at the December 15, 2020 Council meeting; and

Administration advise Council should an application for greenhouse development be submitted during the interim control period.

In Favor (5): Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (3): Mayor Bain, Councillor Wilder, and Councillor Janisse

**Carried**

**d. Town of Lakeshore Official Plan Review**

**451-12-2020**

**Moved By** Councillor Kerr

**Seconded By** Councillor Walstedt

Remove revisions to the draft Official Plan regarding short term rentals.

In Favor (6): Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Mayor Bain, and Councillor Santarossa

**Carried**

**452-12-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

Ensure that the occupied properties outlined on the map shown of West Pike Creek Road (insert addresses) be designated as residential in the Official Plan to match the Zoning By-law.

**Carried Unanimously**

**453-12-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

Report to Council regarding designating the 205 West Pike Creek block abutting West Pike Creek residential, prior to the presentation of the revised official plan for adoption.

**Carried Unanimously**

**454-12-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

Move forward to consideration of the by-laws.

**Carried Unanimously**

## **10. Consideration of By-laws**

- a. **By-law 92-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-9-2020)**
- b. **By-law 99-2020, Being a By-law to amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-18-2020)**
- c. **By-law 100-2020, Being a By-law to Authorize the Execution of a Site Plan Agreement with Valente Development Corporation**
- d. **By-law 101-2020, Being a By-law to authorize the Execution of a Site Plan Agreement with 873737 Ontario Limited (430 Talbot Road – SPC-11-2020)**
- e. **By-law 102-2020, Being a By-law to amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-23-2020)**

**455-12-2020****Moved By** Councillor Walstedt**Seconded By** Councillor Santarossa

By-laws 99-2020 and 101-2020 be read and passed in open session on December 15, 2020.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried****456-12-2020****Moved By** Deputy Mayor Bailey**Seconded By** Councillor McKinlay

By-laws 92-2020, 100-2020 and 102-2020 be read and passed in open session on December 15, 2020.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

The Clerk confirmed that By-law 99-2020 was presented and read for Council's approval in error, as the matter was deferred by Council resolution 443-12-2020. Council reconsidered the approval.

**457-12-2020****Moved By** Councillor Santarossa**Seconded By** Deputy Mayor Bailey

Reconsider approval of By-law 99-2020.

**Carried Unanimously**

**11. Completion of Unfinished Business - Deferred from Regular Council Meeting December 8, 2020**

**a. Consideration of By-laws**

**a. By-law 89-2020, Being a By-law for the Imposition of Development Charges**



- b. **By-law 93-2020, Being a By-law for T Renaud Drain Trepanier Bridge**
- c. **By-law 97-2020, Being a By-law to By-law to Establish User Fees for Certain Services Provided by The Corporation of the Town of Lakeshore**
- d. **By-law 98-2020, Being a By-law to Impose Water and Wastewater Charges to Recover the Capital Cost of Installing Water and Wastewater Services Necessary to Service New Users to the Systems**
- e. **By-law 103-2020, Being a By-law to Adopt the 2021 Budget**
- f. **By-law 104-2020, Being a By-law to Amend By-law 67-2000, being a By-law to Designate Community Safety Zones within the Boundaries of the Town of Lakeshore**
- g. **By-law 105-2020, Being a By-law to Confirm Proceedings of Council for November 10, 17, 23 and 24, 2020**

**458-12-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor McKinlay

By-law 89-2020, 97-2020, 98-2020 and 103-2020 be read and passed in open session on December 15, 2020.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

**459-12-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Kerr

By-law 93-2020 be read a first and second time and provisionally adopted; and

By-laws 104-2020 and 105-2020 be read and passed in open session on December 15, 2020.

**Carried Unanimously**

Council considered a motion to appoint board and committee members, as directed during the closed session held December 8, 2020.

**460-12-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Santarossa

That the following individuals are appointed to committees for the remainder of the 2019-2022 term:

Michael Hoffman – Committee of Adjustment;

Maurice Janisse – Drainage Board; and

Norbert Poggio – Drainage Board.

**Carried Unanimously**

**12. Return to Item 9(e) Town of Lakeshore Official Plan Review**

**461-12-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Kerr

Extend the meeting past the 9:30 PM deadline.

In Favor (4): Councillor Wilder, Councillor Santarossa, Councillor Kerr, and Councillor McKinlay

Opposed (4): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, and Councillor Walstedt

**Lost**

**13. Adjournment**

**462-12-2020**

**Moved By** Councillor McKinlay

**Seconded By** Councillor Walstedt

Council adjourn its meeting at 9:31 PM.

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

Opposed (1): Councillor Wilder

**Carried**

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Tom Bain  
Mayor

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Kristen Newman  
Clerk