

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, April 6, 2021, 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 Building Services Morris Harding, Manager of Communications & Strategic Initiatives Rita Chappell, Manager of Human Resources Lisa Granger, Manager of Information Technology Pat Girard, Manager of Legislative Services Brianna Coughlin, Manager of Operations Jeff Wilson, Manager of Recreation & Leisure Frank Jeney, Manager of Water/Wastewater Services Albert Dionne, Drainage Superintendent Jill Fiorito, Economic Development Officer Ryan Donally, Engineering & Infrastructure Services Advisor Nelson Cavacas, Planner III Aaron Hair

1. Call to Order

Mayor Bain called the meeting to order at 6:10 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations. Meeting commencement was delayed due to technical issues preventing Members from joining.

2. Moment of Reflection

3. Disclosures of Pecuniary Interest

4. Recognitions

Mayor Bain recognized the Arts Advisory Committee regarding the installation of the Fence Art project.

5. Public Meetings under the *Planning Act*

1. Zoning By-law Amendment ZBA-15-2020 – King Townhomes

Mayor Bain opened the public meeting at 6:11 PM.

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

John King and Mike Jones, representing the applicant King Developments, were present electronically and spoke in favour of the application.

Mike Gillis, resident, was present electronically and spoke in opposition of the application due to the proximity to his neighbouring property.

Ann Marie and Roland H Marcus, residents, were registered to speak to the application however were not present electronically at the time of the meeting. Administration sent the meeting link via email and attempted to reach the delegates by phone, without success.

The public meeting was recessed at 6:34 PM.

113-04-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Defer consideration of the matter until the end of the meeting or until such time as the remaining registered delegates are able to join the meeting.

Carried Unanimously

Council returned to the public meeting at 9:13 PM. Mayor Bain advised that Administration made numerous attempts to contact Ann Marie and Roland H Marcus with no success.

The public meeting concluded at 9:13 PM.

128-04-2021

Moved By Councillor Janisse

Seconded By Councillor Santarossa

Approve Zoning By-law Amendment Application ZBA-15-2020 (By-law 10-2021), to Lakeshore Zoning By-law 2-2012, to rezone 990 County Road 22 and 193 Puce Road, indicated as the "Subject Lands" on the Key Map, Appendix 1 from "Residential –Low Density (R1)" and "Mixed Use (MU)" to a site specific "Mixed Use Zone Exception 36 (MU-36)", with a holding provision regarding entering into a site plan agreement, as presented at the April 6, 2021 Council meeting.

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

Opposed (1): Councillor Wilder

Carried

6. Public Presentations

1. Tania Jobin and Tim Byrne, Essex Region Conservation Authority - Draft 2021 Budget

Chair Tania Jobin and CAO/Secretary-Treasurer Tim Byrne provided a verbal presentation, as well as a video, as overview of the 2021 Budget process for the Essex Region Conservation Authority.

7. Delegations

1. Draft Code of Conduct for Members of Council, Local Boards & Committees

114-04-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

Direct the Director of Legislative & Legal Services to prepare and present the by-law to adopt the Code of Conduct for Members of Council, Local Boards & Committees at the next Council meeting, as further described in the report presented at the April 6, 2021 Council meeting.

Carried Unanimously

15. Notices of Motion

1. Deputy Mayor Bailey - Hydro One Transmission Line between Chatham-Kent and Lakeshore

Residents Winston Morris, Betty Wright, Grace Mullen and Ray Tracey spoke in favour of the proposed motion and in opposition to the proposed location of the Hydro One Chatham-Kent to Lakeshore transmission line.

115-04-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor McKinlay

Whereas demand for electricity in Southwestern Ontario is anticipated to grow significantly over the next several years, Hydro One has commenced

a Class Environmental Assessment to construct a new transmission line between Chatham-Kent to Lakeshore;

And whereas the line selected impacts local farmers and the future development of commercial lands in Lakeshore;

Now be it resolved that the Council of the Municipality of Lakeshore direct Administration to send a letter to Hydro One supporting local residents in requesting a reconsideration of the preferred line selection for the transmission line between Chatham-Kent to Lakeshore.

Carried Unanimously

8. Completion of Unfinished Business

9. Consent Agenda

Mayor Bain called a recess at 7:54 PM. The meeting was reconvened at 8:05 PM.

- 1. March 23, 2021 Regular Council Meeting Minutes**
- 2. Township of Brock - Cannabis Licensing and Enforcement**
- 3. Township of Hudson - Support for Fire Departments**
- 4. Town of LaSalle - Three-Digit Suicide Prevention Hotline**

116-04-2021

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Support the resolution of the Township of Brock regarding Cannabis Licensing and Enforcement.

Carried Unanimously

117-04-2021

Moved By Councillor McKinlay

Seconded By Councillor Wilder

Support the resolution of the Township of Hudson regarding Support for Fire Departments.

Carried Unanimously

118-04-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Support the resolution of the Town of LaSalle regarding the Three-Digit Suicide Prevention Hotline and direct Administration to send a letter of support to the Canadian Radio-television and Telecommunications Commission, MP Todd Doherty and MP Chris Lewis.

Carried Unanimously

119-04-2021

Moved By Councillor McKinlay

Seconded By Councillor Kerr

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

Carried Unanimously

10. Reports for Information

- 1. Economic Development Officer Work Plan**
- 2. Moratorium on Large Water Users/Greenhouses**

120-04-2021

Moved By Councillor Janisse

Seconded By Councillor Santarossa

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

11. Reports for Direction

- 1. Tile Loan Application for Adam Reeb – Roll No 030.000.02810**

121-04-2021

Moved By Councillor Walstedt

Seconded By Councillor Wilder

Approve the Tile Loan Application submitted by Adam Reeb for tiling work to be performed at 1922 Naylor Sideroad – Roll No. 030.000.02810 – in the amount of \$48,000 subject to Provincial Funding.

Carried Unanimously

2. Tender Award - 2021 Supply and Place Gravel Program

122-04-2021

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Direct Administration to proceed with Option 1 of the report presented at the April 6, 2021 Council meeting; and,

Award the 2021 Supply and Place Gravel Program tender to Shepley Excavating & Road Maintenance Ltd.

Carried Unanimously

3. Request to Update the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

123-04-2021

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

Support the Township of Guelph/Eramosa in its advocacy for reform of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); and

Request that the Ministry of Government and Consumer Services review MFIPPA and consider the following:

1. That MFIPPA be amended to require that Council appoint a Head under MFIPPA as is the case with other statutory officials;
2. That MFIPPA be updated to address current and emerging technologies;
3. That the Information and Privacy Commissioner work with municipal institutions to encourage consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious threshold be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process or attempting to access records despite the fact that records are accessible through other processes;

6. That administrative practices implied or required under MFIPPA, including those of the IPC, be reviewed and modernized; and
7. That the integrity of MFIPPA be maintained to protect personal privacy and transparent governments; and

Send a copy of the resolution and a copy of this report to the Minister of Government and Consumer Services, the Information and Privacy Commissioner, the local MPPs, the Association of Municipalities of Ontario and all other Ontario municipalities.

Carried Unanimously

4. Amendments to the Yard Maintenance By-law – Follow Up

124-04-2021

Moved By Councillor Kerr

Seconded By Councillor Wilder

Direct the Clerk to present By-law 28-2021, a By-law to amend 54-2018, being a By-law to Provide for the Maintenance of Land in a Clean and Clear Condition, for reading at the April 20, 2021 Council meeting; and,

Direct Administration to submit set fines for the new offences in the amended by-law in the amount of \$250.00, as described in the report presented at the April 6, 2021 Council meeting.

Carried Unanimously

12. Announcements by Mayor

13. Reports from County Council Representatives

14. Report from Closed Session

15. Notices of Motion

2. Councillor Wilder - Support Local Component

16. Question Period

125-04-2021

Moved By Councillor Kerr

Seconded By Councillor McKinlay

Direct Administration to prepare a report regarding imposing a 40 km/hr speed limit in all residential areas of the Municipality of Lakeshore and developing a policy to implement 40 km/hr speed limits in all new residential areas in Lakeshore.

Carried Unanimously

126-04-2021

Moved By Councillor McKinlay

Seconded By Councillor Kerr

Direct Administration to prepare a report regarding the purchase of Christmas lights for communities hosting wind turbines, with the cost to be funded from the Community Benefit Fund.

Carried Unanimously

17. Non-Agenda Business

127-04-2021

Moved By Councillor Janisse

Seconded By Councillor Wilder

Direct Administration to send a letter to the County of Essex requesting repair to the pavement on County Road 25 CP rail tracks and to install a pedestrian crossing sign near the walking path behind the Atlas Tube Centre.

Carried Unanimously

18. Consideration of By-laws

1. **By-law 10-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for Municipality of Lakeshore (ZBA-15-2020)**
2. **By-law 34-2021, Being a By-law to Confirm Proceedings of Council for March 23, 2021 Meeting**

128-04-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

By-law 10-2021 be read and passed in open session on April 6, 2021.

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

Opposed (1): Councillor Wilder

Carried

129-04-2021

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

By-law 34-2021 be read and passed in open session on April 6, 2021.

Carried Unanimously

19. Closed Session

130-04-2021

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

Council move into closed session in Council Chambers at 9:21 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 or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to Tisdelle Road.
- b. Paragraph 239(2)(b), (d) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to an employee.
- c. Paragraph 239(2)(b), (d) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations, relating to an employee.

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

Opposed (1): Councillor Janisse

Carried

20. Adjournment

A resolution was passed in closed session to extend the meeting past the 9:30 PM deadline.

The meeting was adjourned in closed session at 9:59 PM.

Tom Bain
Mayor

Kristen Newman
Clerk