

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, February 15, 2022, 5:00 PM

Electronically hosted from Town Hall, 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, Corporate Leader – Chief Financial Officer Justin Rousseau, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Bylaw Robert Sassine, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Community Planning Aaron Hair, Division Leader - Economic Development & Mobility Ryan Donally, Division Leader - Roads, Parks & Facilities Jeff Wilson, Division Leader - Water Management Albert Dionne, Division Leader - Workplace Development Lisa Granger, Team Leader - Civic Engagement Alex Denonville, IT Technologist Mark Donlon

1. Call to Order

Mayor Bain called the meeting to order at 5:04 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

2. Closed Session

63-02-2022

Moved By Councillor Santarossa

Seconded By Councillor Wilder

Council move into closed session in Council Chambers at 5:00 PM in accordance with:

1. 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.

2. Paragraph 239(2)(b), (e) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, litigation affecting the municipality and advice that is subject to solicitor-client privilege relating to employees of the Municipality.
3. Paragraph 239(2)(b), (e) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, litigation affecting the municipality and advice that is subject to solicitor-client privilege relating to employees of the Municipality.
4. Paragraph 239(2)(e) and (f) of the *Municipal Act, 2001* to discuss litigation affecting the municipality and advice that is subject to solicitor-client privilege regarding an appeal of a decision of the Property Standards Committee.

Carried Unanimously

3. Return to Open Session

Council returned to open session at 6:05 PM.

4. Land Acknowledgement

Mayor Bain read the following land acknowledgement statement for the first time on behalf of Council:

The Municipality of Lakeshore is located on the traditional territory of the Three Fires Confederacy (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples) and of the Huron-Wendat Peoples and is steeped in a deep and rich Indigenous history. Today we acknowledge the people of these nations whose traditional territory we are meeting on as well as our responsibility to continue the stewardship of the land with them.

Chief Mary Ducksworth was present electronically and provided greetings on behalf of Caldwell First Nation.

Councillor Ron Soney was present electronically and provided greetings on behalf of Walpole Island First Nation.

5. Moment of Reflection

6. Disclosures of Pecuniary Interest

7. Recognitions

8. Public Meetings under the *Planning Act*

9. Public Presentations

10. Delegations

1. Greenhouse Development Interim Control By-Law Extension

Consultant Tom Storey provided a PowerPoint presentation as update on the progress of the study regarding greenhouse development.

64-02-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Approve an amendment to By-law 13-2021 being a By-law to Establish an Interim Control By-law respecting Greenhouses in the Municipality of Lakeshore, to extend the period of time during which it will be in effect to March 9, 2023, to continue studying the effects of greenhouse development in Lakeshore; and

Direct Administration to advise Council should an application for greenhouse development be submitted during the extended interim control period; and

Direct the Clerk to read the By-law during the Consideration of By-laws at the at the February 15, 2022 Council meeting.

Carried Unanimously

2. Notice of Motion submitted by Councillor McKinlay - Community Hub in Stoney Point

Residents Alissa LaPorte, Wayne Zimney and Paul Crack were present electronically and spoke in support of the Notice of Motion submitted by Councillor McKinlay - Community Hub in Stoney Point.

18. Notices of Motion

2. Councillor McKinlay - Community Hub in Stoney Point

65-02-2022

Moved By Councillor McKinlay

Seconded By Councillor Kerr

Whereas Council has directed the purchase of a temporary accessible dwelling to be located in the Stoney Point Community Park;

Whereas Council has directed that the accessible dwelling host community services including library services;

Whereas Council has directed that Stoney Point Community Park visioning exercises commence on or before April 1, 2022;

Whereas the hamlet of Stoney Point is in the queue for their CIP;

Whereas Council desires a permanent Community/ Hub Centre in Stoney Point;

Therefore be it resolved that the Municipality of Lakeshore place \$2M in reserves to be used towards a Community/Hub to be built in the Community of Stoney Point.

And be it further resolved that a detailed design begin no later than 2023 with a target build commenced in 2025.

In Favour (4): Deputy Mayor Bailey, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (4): Mayor Bain, Councillor Wilder, Councillor Janisse, and Councillor Santarossa

Lost

Mayor Bain called a recess at 8:03 PM and reconvened the meeting at 8:18 PM.

11. Completion of Unfinished Business

12. Consent Agenda

- 1. February 1, 2022 Regular Council Meeting Minutes**
- 2. City of Brantford - Addressing the Revolving Door of Justice - Accountability for Sureties**

Councillor Wilder declared a conflict of interest in relation to this item.

66-02-2022

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Support the resolution of the City of Brantford regarding Addressing the Revolving Door of Justice - Accountability for Sureties.

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

Carried

3. Multi-Municipality Wind Turbine Working Group Invitation for New Membership

67-02-2022

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Direct Administration to prepare a report regarding membership in the Multi-Municipal Wind Turbine Working Group; and

Send Councillor Linda McKinlay to attend an upcoming meeting to explore membership.

Carried Unanimously

68-02-2022

Moved By Councillor Santarossa

Seconded By Councillor McKinlay

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

Carried Unanimously

13. Reports for Information

1. Drainage Board Meeting-January 10, 2022

2. Police Services Board Meeting Minutes of January 31, 2022

3. Dedication of Cash-in-lieu of Parkland By-law Review

69-02-2022

Moved By Councillor Wilder

Seconded By Councillor Janisse

Direct Administration to prepare a report for the next Council meeting regarding the quickest process to amend and increase the payment-in-lieu of parkland rates while remaining in compliance with the notice requirements in the *Planning Act*.

In Favour (2): Councillor Wilder, and Councillor Janisse

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

Lost

70-02-2022

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

14. Reports for Direction

1. Appointment to Lower Thames Valley Conservation Authority

71-02-2022

Moved By Councillor Walstedt

Seconded By Councillor Janisse

Confirm the appointment of Councillor Linda McKinlay to the Lower Thames Valley Conservation Authority until the end of the current Council term, as presented at the February 15, 2022 Council meeting.

Carried Unanimously

2. Half Load Designation for Class B Roads – Addition of Gravel Roads

72-02-2022

Moved By Councillor Wilder

Seconded By Councillor McKinlay

Direct Administration to include gravel roads to By-Law 2-2002 being a By-Law to Regulate Traffic on Highways under the jurisdiction of the Municipality of Lakeshore, to include year round load restrictions on Municipal Class B Roads pursuant to section 122 of the *Highway Traffic Act* from January 1st to December 31st of each year; and

Approve the cost of \$8,500.00 (including applicable HST) to purchase and install signage for the additional gravel roads, as required, and as described in the report presented at the February 15, 2022 Council meeting.

Carried Unanimously

3. Changes to Regulation of Water Supply By-Law 97-2004

73-02-2022

Moved By Councillor McKinlay

Seconded By Councillor Wilder

Direct the Clerk to read By-Law 5-2022, which amends Section 3.10 of By-Law 97-2004 being the Regulation of Water Supply in the Town of Lakeshore By-law; and

Repeal By-Law 37-2005, as presented in the February 15, 2022 Council report.

Carried Unanimously

15. Announcements by Mayor

16. Reports from County Council Representatives

17. Report from Closed Session

18. Notices of Motion

1. Councillor Kerr - Bulk Water Hose at Fire Station #5

Councillor Kerr withdrew his notice of motion.

3. Councillor Wilder - Ontario Land Tribunal

74-02-2022

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of our community”; and

Whereas our Official Plan includes provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the

community or fit within the vision of the Municipality of Lakeshore Official Plan; and

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Municipality of Lakeshore Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Municipality of Lakeshore; and

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans; and

Whereas all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That the Municipality of Lakeshore requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
2. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the

Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

In Favour (3): Mayor Bain, Councillor Wilder, and Councillor Santarossa

Opposed (5): Deputy Mayor Bailey, Councillor Janisse, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Lost

21. Consideration of By-laws

75-02-2022

Moved By Deputy Mayor Bailey

Seconded By Councillor McKinlay

By-laws 5-2022 and 17-2022 be read and passed in open session on February 15, 2022.

Carried Unanimously

76-02-2022

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

By-law 18-2022 be read and passed in open session on February 15, 2022.

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

Opposed (1): Councillor Wilder

Carried

77-02-2022

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

By-law 20-2022 be read and passed in open session on February 15, 2022.

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

Opposed (1): Councillor Wilder

Carried

1. **By-law 5-2022, Being a By-law to Amend By-Law 97-2004, Being A By-Law to Provide for the Regulation of the Water Supply in the Municipality of Lakeshore**
 2. **By-law 17-2022, Being a By-law to Confirm Proceedings of Council for February 1, 2022**
 3. **By-law 18-2022, Being a By-law to Extend the Time for an Interim Control By-law, respecting the study of the effects of Greenhouses in the Municipality of Lakeshore**
 4. **By-law 20-2022, Being a By-law to Adopt an Employee COVID-19 Vaccination Policy for the Municipality of Lakeshore**
19. **Question Period**
20. **Non-Agenda Business**
22. **Adjournment**

78-02-2022

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Council adjourn its meeting at 9:30 PM.

Carried Unanimously

Tom Bain
Mayor

Kristen Newman
Clerk