

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, December 13, 2022, 5:00 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 - 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 - Civic Affairs Brianna Coughlin, Division Leader - Community Planning Aaron Hair, Division Leader - Economic Development & Mobility Ryan Donally, Division Leader - Public Works Jeff Wilson, Planner I Ian Search, Team Leader - Civic Engagement Alex Denonville, Division Leader - Digital Transformation & Cloud Services Michael Martin, IT Technical Analyst Matthew Mancina

1. Call to Order

Mayor Bailey called the meeting to order at 5:00 PM in Council Chambers.

2. Closed Session

392-12-2022

Moved By Deputy Mayor Walstedt

Seconded By Councillor McNamara

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

- a. 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 financial software agreements.

- b. 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 the Amy Croft area.

Carried Unanimously

Mayor Bailey, Deputy Mayor Walstedt, Councillor Kerr and Councillor Santarossa declared conflicts of pecuniary interest regarding Item 6(b) of the closed session agenda due to being named in an individual misfeasance claim.

Due to the declared conflict, Mayor Bailey relinquished her role as chair and requested Councillor Byrne, as Acting Mayor, assume the role of chair for the remaining portion of the closed session.

Mayor Bailey, Deputy Mayor Walstedt, Councillor Kerr and Councillor Santarossa left the Council Chambers at 5:18 PM and did not return to the closed session.

3. Return to Open Session

The closed session concluded at 5:23 PM.

The meeting was recessed and Council returned to open session at 5:38 PM. Councillor Byrne did not join the meeting at this time.

4. Land Acknowledgement

5. Moment of Reflection

12. Consent Agenda

393-12-2022

Moved By Councillor Vogler

Seconded By Councillor Santarossa

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

1. November 29, 2022 Regular Council Meeting Minutes
2. December 6, 2022 Special Council Meeting Minutes

3. Town of Orangeville - Bill 23, More Homes Built Faster Act
4. Watson and Associates Economists Ltd. More Homes Built Faster Act

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

Carried

13. Reports for Information

Councillor Byrne returned to the Council Chambers at 5:45 PM.

394-12-2022

Moved By Councillor McNamara

Seconded By Councillor Ruston

Receive the Reports for Information as listed on the agenda.

1. Drainage Board Meeting Minutes - September 12, 2022
2. Drainage Board Meeting Minutes - October 3, 2022
3. Drainage Board Meeting Minutes - November 7, 2022
4. IESO Projects Overview
5. Bill 23 (More Homes Built Faster Act) Proposed Planning Framework Changes
6. Use of Delegated Authority During Restricted Period

Carried Unanimously

395-12-2022

Moved By Deputy Mayor Walstedt

Seconded By Councillor Ruston

Direct that Administration proceed with Option 2 as described in the IESO Projects Overview report.

Carried Unanimously

14. Reports for Direction

1. Greenhouse Study Update

396-12-2022

Moved By Councillor Kerr

Seconded By Councillor Vogler

Direct Administration to proceed with Option 4 - to prepare the necessary zoning by-law amendments to prohibit large-scale greenhouses in Lakeshore.

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

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

Lost

397-12-2022

Moved By Deputy Mayor Walstedt

Seconded By Councillor Santarossa

Request the Mayor to send a follow up letter to the Minister of Agriculture, Food, and Rural Affairs outlining Council's ongoing concerns with large scale greenhouse development; and

Direct Administration to proceed with Option 2, to revise the Official Plan policies, Zoning By-law regulations pertaining to Large Scale Greenhouse Facilities, and Design Guidelines for Large Scale Greenhouse Facilities as outlined in Attachment 1, titled Lakeshore Greenhouse Study Final Report, as presented in the report entitled Greenhouse Study Update presented at the December 13, 2022 Council meeting.

Carried Unanimously

8. Public Meetings under the *Planning Act*

1. Zoning By-law Amendment Application ZBA-15-2022, Katie and Paul Amato, 353 Lakeview Drive

Mayor Bailey opened the public meeting at 6:18 PM.

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

The Applicants, Katie and Paul Amato, were present to answer questions relating to the application.

The public meeting concluded at 6:27 PM.

398-12-2022

Moved By Councillor Santarossa

Seconded By Councillor Byrne

Approve Zoning By-law Amendment Application ZBA-15-2022 (Zoning By-law 2-2012, as amended), to rezone the subject property from “Residential Waterfront – Lake St. Clair (RW2)” to “Residential Waterfront – Lake St. Clair Zone Exception 15 (RW2-15)” zone (Indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 96-2022 during the Consideration of By-laws, all as presented at the December 13, 2022 Council meeting.

Carried Unanimously

14. Reports for Direction

2. Demolition Request of Designated Heritage Property 7119 Tecumseh Rd, Church of the Annunciation

Councillor Byrne declared a conflict in relation to this matter. Councillor Byrne left the Council Chambers at 6:31 PM.

The applicant, Mia Lachine, was present electronically.

Jacqueline McDermid, Kayla Galvin and Aly Bousfield Bastedo, with ARA, were present electronically to answer questions relating to the archeological assessment.

399-12-2022

Moved By Councillor Ruston

Seconded By Deputy Mayor Walstedt

Approve the demolition request of the structure at 7119 Tecumseh Road, pursuant to section 34 of the Heritage Act.

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

Conflict (1): Councillor Byrne

Carried

400-12-2022

Moved By Councillor Santarossa

Seconded By Councillor Vogler

That a condition of the demolition approval be that the applicant(s)/owner(s) properly removing and relocating the following heritage attributes to a storage location, to be confirmed and identified by Lakeshore Administration prior to commencing demolition;

- Round arched transom window over the entrance on the façade;
- Viable windows, or windows with the least deterioration;
- Belfry and bell;
- Pinnacles/spirelet;
- Corinthian columns located throughout the nave and upper gallery;
- Painted bible verse, cross and roundels are painted onto plain pressed tin/sheet metal panels;
- A selection of the best-preserved brick and stone masonry units;
- Foundation masonry units and voussoirs and keystone detailing around openings;
- Limestone cross on the church's façade;
- Date stone;
- Wooden exterior brackets;
- Pressed tin/sheet metal ceiling tiles;
- Decorative cornice with dentils and egg-and-dart patterning located throughout the nave and upper gallery;
- Curved pressed tin/sheet metal arcade spanning between the nave's Corinthian columns; and
- Columns, balustrade and brackets at the gallery.

Endorse the recommended procedures and attributes to be salvaged listed above and further described in the scoped peer review memo completed by WSP, dated December 1, 2022 and attached to the Demolition Request of Designated Heritage Property 7119 Tecumseh Rd,

Church of the Annunciation report presented at the December 13, 2022 Council meeting;

Direct Administration to advertise to the community, local organizations, salvage companies and other interested parties of the heritage attributes available for donation; and

Direct Administration to bring a report for Council to consider a plan, including financial implications, for any unclaimed heritage attributes that are in good condition that Lakeshore would want to store or relocate within the community.

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

Opposed (5): Mayor Bailey, Councillor Kerr, Deputy Mayor Walstedt, Councillor McNamara, and Councillor Ruston

Conflict (1): Councillor Byrne

Lost

3. Waste Collection Contract Extension, 2023

Councillor Byrne returned to the Council Chambers at 6:55 PM.

401-12-2022

Moved By Councillor Santarossa

Seconded By Councillor McNamara

Approve an extension of the Waste Collection Contract with Green for Life Environmental Inc. for 1 year, at the cost of \$1,536,435 (including HST and CPI), as presented at the December 13, 2022 Council meeting.

Carried Unanimously

4. Commercial and Industrial Growth Study

402-12-2022

Moved By Deputy Mayor Walstedt

Seconded By Councillor Kerr

Direct Administration to utilize up to \$75,000 from the Development Charges Reserve to retain a consultant to undertake a study to explore the industrial and commercial growth opportunities in the northern and western regions of the Municipality, as presented at the December 13, 2022 Regular Meeting of Council.

Carried Unanimously

5. 2023 Interim Levy By-Law

403-12-2022

Moved By Councillor McNamara

Seconded By Councillor Vogler

Direct the Clerk to read By-law 93 -2022 during the Consideration of By-laws, to adopt the Interim Tax Levy for 2023, as presented at the December 13, 2022 Council meeting.

Carried Unanimously

6. 2023 User Fee By-Law

404-12-2022

Moved By Councillor Ruston

Seconded By Deputy Mayor Walstedt

Defer consideration to the budget deliberation.

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

Opposed (2): Councillor Santarossa, and Councillor Kerr

Carried

15. Announcements by Mayor

16. Reports from County Council Representatives

Deputy Mayor Walstedt provided an overview of County Council matters.

17. Report from Closed Session

Mayor Bailey advised that the following Council members had declared conflicts of pecuniary interest relating to Item 6b) of the closed session and left the meeting at that time: Mayor Bailey, Deputy Mayor Walstedt, Councillor Kerr and Councillor Santarossa.

18. Notices of Motion

19. Question Period

20. Non-Agenda Business

21. Consideration of By-laws

405-12-2022

Moved By Councillor Santarossa

Seconded By Councillor McNamara

By-laws 79-2022 and 80-2022 be read a third time and adopted; and

By-laws 93-2022, 96-2022, 98-2022, 99-2022, 100-2022 and 101-2022 be read and passed in open session on December 13, 2022.

Carried Unanimously

1. **By-law 79-2022, Being a By-law for the Bridge over the Malden Road Drain**
2. **By-law 80-2022, Being a By-law for the Lamy Drain**
3. **By-law 93-2022, Being a By-law to Authorize an Interim Tax Levy Prior to the Adoption of the Estimates for the Year 2023**
4. **By-law 95-2022, Being a By-law to By-law to Establish User Fees for Certain Services Provided by Municipality of Lakeshore**
5. **By-law 96-2022, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-15-2022)**
6. **By-law 98-2022, Being a By-law to Delegate Authority to the Mayor and Clerk to Execute an Agreement for the Provision of Police Services**
7. **By-law 99-2022, Being a By-law to Establish and Adopt Terms of Reference for Boards and Committee for the Municipality of Lakeshore**
8. **By-law 100-2022, Being a By-law to Appoint an Alternate Member to the Essex County Council**
9. **By-law 101-2022, Being a By-law to Confirm the Proceedings of Council for November 29 and December 6, 2022**

22. Adjournment

406-12-2022

Moved By Deputy Mayor Walstedt

Seconded By Councillor Ruston

Council adjourn its meeting at 7:21 PM.

Carried Unanimously

Tracey Bailey
Mayor

Kristen Newman
Clerk