

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, April 4, 2023, 4:30 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 Ian Ruston, Councillor Larissa Vogler

Staff Present: Chief Administrative Officer Truper McBride, Corporate Leader - Chief Financial Officer Justin Rousseau, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Economic Development & Mobility Ryan Donally, Division Leader - Engineering and Infrastructure Marco Villella, Division Leader - Public Works Jeff Wilson, Division Leader - Workplace Development Lisa Granger, Team Leader - Development Services Kristina Brcic, IT Technical Analyst Simon Barno

1. Call to Order

Mayor Bailey called the meeting to order at 4:33 PM in Council Chambers.

2. Closed Session

104-04-2023

Moved By Councillor Ruston

Seconded By Councillor Santarossa

Council move into closed session in Council Chambers at 4:33 PM in accordance with:

- a. Paragraph 239(3.1) of the *Municipal Act, 2001* for the purpose of educating and training members in relation to workplace violence and harassment legislation.
- b. Paragraph 239(2)(c) of the *Municipal Act, 2001* to discuss a proposed or pending disposition of land by the municipality relating to the Sixth and Seventh streets area.

- c. Paragraph 239(2)(k) of the *Municipal Act, 2001* to discuss 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 relating to Hydro One.

Carried Unanimously

3. Return to Open Session

The closed session concluded at 5:35 PM and Mayor Bailey called a recess.

Council returned to open session at 6:00 PM.

4. Land Acknowledgement

5. Moment of Reflection

6. Disclosures of Pecuniary Interest

7. Recognitions

8. Public Meetings under the *Planning Act*

1. File ZBA-07-2023 Removal of Holding Symbol for the Giorgi Subdivision, 347 Renaud Line Road

Mayor Bailey opened the public meeting at 6:03 PM.

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

Hal Kersey, representing the applicant, was present to answer any questions of Council.

The public meeting concluded at 6:05 PM.

105-04-2023

Moved By Councillor Byrne

Seconded By Councillor Kerr

Approve Zoning By-law Amendment Application ZBA-07-2023 to remove the holding symbol (h4) on lands known municipally as 347 Renaud Line Road zoned 'Residential – Medium Density Holding (R2(h4))'; and

Direct the Clerk to read By-law 24-2023 during the "Consideration of By-laws", all as presented at the April 4, 2023, Council meeting.

Carried Unanimously

2. OPA No. 20 Official Plan Application OPA-2-2018 & Zoning By-law Amendment Application ZBA-20-2014 for a Soil Management Facility by 2438305 ONTARIO LIMITED at 0 Manning Road (County Road 19), ARN 375122000002640

Councillor McNamara declared a conflict on this item. (The applicant and I are adverse in interest on a litigation which is in process.)

Councillor McNamara left the Council Chambers at 6:06 PM.

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 John Mark Jurak, and consultants Mike Stamp and Brent Langille, were present to answer any questions of Council.

The public meeting concluded at 6:15 PM.

106-04-2023

Moved By Councillor Byrne

Seconded By Councillor Kerr

Adopt OPA No. 20 to the Municipality of Lakeshore Official Plan (By-law 29-2023) being Official Plan Amendment Application OPA-2-2018, to remove the reference of rail related uses within the site specific policy area 6.11.3.2 Maidstone Rail-Related Employment Area, to permit a soil management facility to operate on lands known as ARN 375122000002640, and direct Administration to forward OPA No. 20 to the County of Essex for approval; and

Approve Zoning By-law Application ZBA-20-2014 (By-law 30-2023), to amend the wording of the site specific zone 'General Employment Zone Exception 2 (M1-2) (h2)' to:

- a) add the site specific use of a non-effluent formal operation of a Class 1 soil management facility as a permitted use, and;
- b) remove the reference to "that have a dependency on the rail line, rail-related storage facilities", and;

Direct the Clerk to read By-laws 29-2023 and 30-2023 during the "Consideration of By-laws", all as presented at the April 4, 2023 regular Council meeting.

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

Conflict (1): Councillor McNamara

Carried

Councillor McNamara returned to the Council Chambers at 6:21 PM.

- 9. Public Presentations**
- 10. Delegations**
- 11. Completion of Unfinished Business**
- 12. Consent Agenda**

107-04-2023

Moved By Councillor Santarossa

Seconded By Councillor Vogler

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

Endorse the appointments of Dennis Rogers and Frank Garardo to the Essex Region Source Protection Committee.

Carried Unanimously

- 1. March 21, 2023 Regular Council Meeting Minutes**
- 2. Town of Cobourg - Homeless and Unsheltered Persons**
- 3. Town of Essex - Reinstatement of Legislative Permitting Municipality to Retain Surplus Proceeds from Tax Sales**
- 4. Town of Essex - Tax Classification of Short-Term Rental Units**
- 6. Township of South Glengarry - Barriers for Women in Politics**
- 5. Township of South Glengarry - Accuracy of Voters List**
- 7. Essex Region Conservation - Source Protection Committee Endorsement**

13. Reports for Information

108-04-2023

Moved By Councillor McNamara

Seconded By Councillor Kerr

Receive the Reports for Information as listed on the agenda.

1. 2022 Drinking Water Annual Summary Reports
2. Community Benefits Charge Feasibility Assessment

Carried Unanimously

109-04-2023

Moved By Deputy Mayor Walstedt

Seconded By Councillor Ruston

Direct Administration not to proceed with the Community Benefits Charge Feasibility Assessment.

In Favour (4): Mayor Bailey, Deputy Mayor Walstedt, Councillor Ruston, and Councillor Vogler

Opposed (4): Councillor McNamara, Councillor Byrne, Councillor Santarossa, and Councillor Kerr

Lost

14. Reports for Direction

1. Tender Award - 2023 Supply and Place Gravel Program

110-04-2023

Moved By Councillor Kerr

Seconded By Councillor McNamara

Award the 2023 Supply and Place Gravel Program to Shepley Excavating & Road Maintenance Ltd. in the amount of \$408,133.92, as per Option 1 with the excess amount of \$33,133.92, funded from the road reserve, as presented at the April 4, 2023 Council meeting.

Carried Unanimously

2. Tender Award – Stormwater Management Facility Sediment Removal and Maintenance

111-04-2023

Moved By Councillor Ruston

Seconded By Councillor Byrne

Award the tender for the Stormwater Management Facility Sediment Removal and Maintenance to Nevan Construction Inc. for a total project cost of \$403,727.71 including applicable HST, as presented at the April 4, 2023 Council Meeting.

Carried Unanimously

3. Request for Designation of Municipally Significant Event – Lighthouse Cove & District Lions Club – June 17, 2023

Councillor Vogler declared a conflict on this item. (I am a member of the group in question (Lighthouse Cove Lions Club).)

Councillor Vogler left the Council Chambers during the discussion relating to this agenda item and during the voting on the motion.

112-04-2023

Moved By Councillor Byrne

Seconded By Councillor Santarossa

Designate the Lighthouse Cove & District Lions Club fundraising event, scheduled for Saturday, June 17, 2023 at the property municipally known as 17845 Melody Drive (also known as 999 Quennville Drive), as “municipally significant”, as presented at the April 4, 2023 Council meeting.

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

Conflict (1): Councillor Vogler

Carried

Councillor Vogler returned to the Council Chambers following the voting on this agenda item.

4. Regulation of Food Vehicles

113-04-2023

Moved By Councillor Kerr

Seconded By Councillor Santarossa

Direct Administration to prepare a report regarding the regulation of food vehicles as described in Option 3 (to amend the Zoning By-law to permit food trucks on all private property with temporary use permitted on residential property only), all of which is further described in the report presented April 4, 2023.

Carried Unanimously

15. Announcements by Mayor

16. Reports from County Council Representatives

17. Report from Closed Session

18. Notices of Motion

19. Question Period

20. Non-Agenda Business

21. Consideration of By-laws

114-04-2023

Moved By Councillor Santarossa

Seconded By Councillor Ruston

By-laws 24-2023, 29-2023, 30-2023, 31-2023 and 32-2023 be read and passed in open session on April 4, 2023.

Carried Unanimously

1. By-law 24-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-07-2023)

2. By-law 29-2023, Being a By-law to adopt OPA 20 to the Lakeshore Official Plan

3. By-law 30-2023, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-20-2014)

4. By-law 31-2023, Being a Borrowing By-law (Tile Drainage Act)

**5. By-law 32-2023, Being a By-law to Confirm the Proceedings of the
March 21, 2023 Council Meetings**

22. Adjournment

115-04-2023

Moved By Councillor Vogler

Seconded By Councillor McNamara

Council adjourn its meeting at 7:21 PM.

Carried Unanimously

Tracey Bailey
Mayor

Kristen Newman
Clerk