



**The Corporation of the Town of Lakeshore**

**Council Minutes of the Regular Council Meeting of December 11, 2018**

**Time: 6:00 p.m., Council Chambers**

Present:

Council Members: Mayor, Tom Bain, Deputy Mayor, Tracey Bailey, Councillors – Steven Wilder, Len Janisse, Kelsey Santarossa, John Kerr, Kirk Walstedt and Linda McKinlay.

Staff: Chief Administrative Officer, Tom Touralias, Director of Finance Services, Rosanna Pellerito, Director of Community and Development Services, Truper McBride, Director of Engineering and Infrastructure Services, Nelson Cavacas, Director of Legislative and Legal Services, Kristen Newman, Manager of Communications and Strategic Initiatives, Rita Chappell, Manager of Engineering Services, Tony DiCiocco, Fire Chief, Don Williamson and Executive Assistant, Darlene Mooney.

**1. Call to Order**

The Mayor called the meeting to order at 6:00 p.m.

**2. Moment of Reflection**

Council observed a moment of silent reflection.

**3. Approval of Supplementary Agenda**

**4. Disclosures of Pecuniary Interest**

There were no disclosures of pecuniary interest.

**5. Recognitions**

**6. Public Presentations**

## **7. Delegations**

## **8. Consent Agenda**

- 8.(a) Regular Council Meeting Minutes of November 20, 2018**
- 8.(b) Inaugural Council Meeting Minutes of December 3, 2018**
- 8.(c) Police Services Board Minutes of September 24, 2018**  
The agenda reports for monthly overview is not in our binder.
- 8.(d) Committee of Adjustment – Draft Minutes for November 21, 2018**
- 8.(e) BIA Board of Management Meeting Minutes for September 10, 2018**
- 8.(f) BIA Board of Management Meeting Minutes for October 1, 2018**
- 8.(g) Windsor-Essex County Health Unit – Resolution Encouraging Opting Out of Cannabis Retail Stores**
- 8.(h) Greater Essex County School Board Cannabis Retail Stores Proximity to Schools**
- 8.(i) Ministry of Municipal Affairs and Housing – Letter of Congratulations on the Recent Municipal Elections**
- 8.(j) Canadian Cancer Society – Re: Ontario Municipal Tobacco Retail License Fees**
- 8.(k) Minister of Transport – Re: The Use of Flashing Traffic Signals**
- 8.(l) Town of Kingsville – Re: Support of Resolution from the Town of Lakeshore Regarding The Use of Flashing Traffic Signals**
- 8.(m) Town of Essex – Re: Support of Resolution from the Town of Lakeshore Regarding The Use of Flashing Traffic Signals**
- 8.(n) Rural Ontario Municipal Association – Call for Nominations for the Board of Directors**
- 8.(o) Legislative and Legal Services – 2019 Council Meeting Schedule -- Revised**
- 8.(p) Council Assignments/Monthly Tracking Report**

The following resolution was presented:

955-12-2018 Councillor Janisse / Councillor McKinlay:

**Council approve Items 8.(a) and 8.(b) and receive Items 8.(c) through 8.(p) as listed on the Consent section of the December 11, 2018 Council Meeting Agenda.**

**Carried Unanimously**

## **9. Announcements by Mayor**

## **10. Completion of Unfinished Business from Previous Meetings**

### **Reports from Administration**

## **11. Community and Development Services**

**11.(a) Site Plan Control (SPC-8-2018), James Sylvestre Developments Limited c/o Deco Investments Inc., 0 Croft Drive, Community of Maidstone, Town of Lakeshore**

The following resolution was presented:

956-12-2018 Councillor Wilder / Councillor Bailey:

**1. Council approve site plan application SPC-8-2018 to permit the construction of a new 869.58 m<sup>2</sup> (9,360.39 sq. ft.) building for an on-line retail establishment (CPR Depot) and Scuba / Dive / Equipment Shop and Training Facility (Pool) on a .4 hectare (1 acre) portion of land, together with any necessary ancillary facilities, on the north side of Croft Drive, south of County Road 22, in the Community of Maidstone; and**

**2. The Mayor and Clerk be authorized, by By-law (142- 2018) to execute the Site Plan Agreement.**

**Carried Unanimously**

**11.(b) Site Plan Control (SPC-10-2015), Tilbury Auto Sales and RV Inc., 20600 County Road 42, Community of Tilbury North, Town of Lakeshore**

The following resolution was presented:

957-12-2018 Councillor McKinlay / Deputy Mayor Bailey:

1. Council approve site plan application SPC-10-2015 to permit the construction of a new 256.4 m<sup>2</sup> (2,760 sq. ft.) accessory building (i.e. coverall building for equipment storage) on a 5.7 hectare (14.16 acre) portion of land, together with any necessary ancillary facilities, on the north side of County Road 42, outside of the Community of Tilbury; and
2. The Mayor and Clerk be authorized, by By-law (141-2018) to execute the amending Site Plan Agreement.

**Carried Unanimously**

**11.(c) Site Plan Control (SPC-18-2018), Erie Architectural Products, c/o Nellron Holdings Ltd. and 2447276 Ontario Ltd., 0 Jutras Drive North, Community of Maidstone**

The following resolution was presented:

958-12-2018

Councillor Janisse / Councillor Walstedt:

1. Council receive site plan application SPC-18-2018 to permit the construction of a new 4,704.88 m<sup>2</sup> (50,643 ft<sup>2</sup>) building addition for storage and assembly, to be used in conjunction with the manufacturing facility of glass façade windows, located at 477 Jutras Drive South, together with any necessary ancillary facilities;
2. Council delegate approval authority for site plan application SPC-18-2018 to the Director of Community and Development Services; and
3. The Mayor and Clerk be authorized, by, By-law 144-2018, to execute the Site Plan Agreement, once the application has been approved by the Director of Community and Development Services.

**Carried**

**In Favour**

Mayor Tom Bain  
 Deputy Mayor Bailey  
 Councillor Janisse  
 Councillor Santarossa  
 Councillor Kerr  
 Councillor Wilder  
 Councillor McKinlay

**Opposed**

Councillor Wilder

**11.(d) Extension of Draft Plan Approval for the Forest Hill Subdivision File No. 37-T-02009 (Cooper Estates Limited)**

The following resolution was presented:

959-12-2018 Deputy Mayor Bailey / Councillor McKinlay:

**1. The County of Essex be advised that Council for the Town of Lakeshore is in support of extending draft plan approval for the Forest Hill Subdivision for a three year period (expiring March 8, 2022), subject to the existing draft approved conditions remaining in effect.**

**Carried Unanimously**

**11.(e) Legal Cannabis Sales in Ontario – Cannabis Retail Stores**

The following resolution was presented:

960-12-2018 Councillor Walstedt / Councillor McKinlay:

**1. The Town Clerk be delegated the authority to inform the Alcohol and Gaming Commission of Ontario (AGCO) Registrar and the Province of Ontario, that the Town of Lakeshore wishes to opt out of enabling cannabis retail stores at this time.**

**Carried**

**In Favour**

Mayor Tom Bain  
Deputy Mayor Bailey  
Councillor Santarossa  
Councillor Kerr  
Councillor Wilder  
Councillor McKinlay

**Opposed**

Councillor Wilder  
Councillor Janisse

961-12-2018 The following resolution was presented:

Councillor Wilder / Councillor Kerr:

**That Administration work immediately on authorizing cannabis retail sale establishments in Lakeshore.**

**Carried**

**In Favour**

Mayor Tom Bain  
Deputy Mayor Bailey  
Councillor Wilder  
Councillor Janisse  
Councillor Santarossa  
Councillor Kerr

**Opposed**

Councillor Walstedt  
Councillor McKinlay

## **12. Engineering and Infrastructure Services**

### **12.(a) Notre Dame Street (Eleventh Street to Duck) Class Environmental Assessment (EA) Amendment**

The following resolution was presented:

962-12-2018 Deputy Mayor Bailey / Councillor Santarossa:

- 1. Council receive this report for the purpose of finalizing an Amendment to the Class Environmental Assessment (EA) for the Notre Dame Street (Eleventh Street to Duck Creek) project, all of which is further described in the report of the Director of Engineering and Infrastructure Services entitled, "Notre Dame Street – (Eleventh Street to Duck Creek) Class Environmental Assessment (EA) Amendment", presented at the regular Council meeting on November 20, 2018.**
- 2. Council direct Administration to proceed with the filing of the Amendment to the Class EA Notice of Completion for the Notre Dame Street (Eleventh Street to Duck Creek) project.**

**Carried Unanimously**

### **12.(b) Notre Dame Street Speed Limit Review**

The following resolution was presented:

963-12-2018 Councillor Janisse / Councillor Kerr

**That the report regarding Notre Dame Street Speed Limit Review be deferred for further consultation with the BIA.**

**Carried Unanimously**

### **12.(c) Proposal Acceptance for Janitorial Services Contract 2019-2021**

The following resolution was presented:

964-12-2018 Deputy Mayor Bailey / Councillor Wilder:

- 1. Council accept the Proposal from Krautner Janitorial Inc. for the Janitorial Services Contract in the amount of \$279,032.04 (excluding HST) for three (3) years starting January 1, 2019.**

**Carried Unanimously**

### **12.(d) Patillo Road Improvements – Commencement of Expropriation**

The following resolution was presented:

965-12-2018 Councillor Wilder / Deputy Mayor Bailey:

1. Council authorize Engineering and Infrastructure Services to give notice of an application to expropriate the lands for the Patillo Road Improvements; and
2. Council adopt By-law 149-2018 initiating the expropriation of the lands required for the Patillo Road Improvements, all as described in the report of the Manager of Engineering Services entitled Patillo Road Improvements – Commencement of Expropriation presented at the December 11, 2018 Council meeting.

Carried Unanimously

### 13. Finance Services

#### 13.(a) Tax Adjustments under the *Municipal Act, 2001, s.357*

The following resolution was presented:

966-12-2018 Councillor Janisse / Councillor Wilder:

1. Council authorize the reduction of taxes under S. 357 of the Municipal Act, totaling \$2,957.46 for adjustments affecting the 2016, 2017 and 2018 taxation years, as outlined in the schedule attached to the report from Finance Services dated December 11, 2018.

Carried Unanimously

### 14. Legislative and Legal Services

#### 14.(a) 2019 – 2022 Acting Mayor Schedule

The following resolution was presented:

967-12-2018 Councillor McKinlay / Councillor Walstedt:

1. Council approve the attached schedule of Acting Mayors for the 2019 - 2022 calendar year as described in the Director of Legislative and Legal Services report entitled “2019 – 2022 Acting Mayor Schedule” presented at the December 11, 2018 Council meeting.

Carried Unanimously

#### 14.(b) Fire Services Radio System Lease Agreement Extension

The following resolution was presented:

968-12-2018 Councillor Bailey / Councillor Wilder:

1. By-law 146-2018 be adopted authorizing the Mayor and Clerk to execute the Fire Radio System Lease Agreement Extension and attached as Appendix “A” and any amendments thereto as

**described in the report of the Fire Chief entitled Fire Services Radio System Lease Agreement Extension presented at the December 11, 2018 Council meeting.**

**Carried Unanimously**

**14.(c) Chatham-Kent Community Funding**

The following resolution was presented:

969-12-2018 Councillor McKinlay / Councillor Janisse:

**1. That Council receive the report of the Director of Legislative & Legal Services entitled, Chatham-Kent Community Funding, presented at the Council meeting of December 11, 2018.**

The following resolution was presented:

970-12-2018 Deputy Mayor Bailey / Councillor Janisse:

**That Administration be requested to prepare a report to Council on Community Grant Fund Models.**

**Carried Unanimously**

**14.(d) 2018-2022 Boards and Committees Appointment Process**

The following resolution was presented:

971-12-2018 Councillor Walstedt / Councillor Santarossa:

**That Administration prepare a report to Council on the compensation of Town of Lakeshore committee members.**

**Carried Unanimously**

The following resolution was presented:

972-12-2018 Councillor Wilder / Councillor Janisse:

**1. That the Director of Legislative & Legal Services proceed with advertising for community member appointments for the following Town Committees:**

- **Accessibility Advisory Committee**
- **Committee of Adjustment/Property Standards Committee**
- **Drainage Board**
- **Heritage Committee**
- **Lakeshore Police Services Board,**
- **Community Services Advisory Committee,**
- **Youth Advisory Committee, and**
- **Flood Prevention Task Force; and**



2. That the Manager of Environmental Services be appointed as the Town of Lakeshore's representative to the Essex Region Conservation Authority Source Protection Committee, all as described in the report of the Director of Legislative & Legal Services entitled, 2018-2022 Boards and Committees Appointments Process, presented at the Council meeting of December 11, 2018; and

3. That Administration be directed to bring back the Committee Terms of Reference to Council for further review in January, 2019.

Carried Unanimously

973-12-2018 The following resolution was presented:

Councillor Janisse / Councillor Wilder:

**That the Committee Terms of Reference be revised to consist of two members of Council, in addition to the Mayor, to a maximum of three Council members.**

Carried

**In Favour**

Mayor Tom Bain  
Deputy Mayor Bailey  
Councillor Wilder  
Councillor Janisse  
Councillor Kerr  
Councillor Walstedt

**Opposed**

Councillor Santarossa  
Councillor McKinlay

**15. Chief Administrative Officer**

**16. Reports from Council in Closed Session**

**17. Reports from County Council Representatives**

The Mayor reported that the Inaugural meeting of Essex County Council is tomorrow evening and everyone is invited to attend.

Councillor Wilder asked the County of Essex representatives to request the County to restore the "no parking" signs on Old Tecumseh Rd. east of Patillo Rd.

**18. Notices of Motion**

**18.(a) Notice of Motion submitted by Deputy Mayor Bailey**

974-12-2018 The following resolution was presented:

Councillor Wilder / Councillor Janisse:

**That Council defer the Notice of Motion pending community consultation.**

**Lost**

**In Favour**

Mayor Tom Bain  
Councillor Wilder  
Councillor Janisse

**Opposed**

Deputy Mayor Bailey  
Councillor Santarossa  
Councillor Kerr  
Councillor Walstedt  
Councillor McKinlay

975-12-2018 The following resolution was presented:

Deputy Mayor Bailey / Councillor Kerr:

**Whereas the Town of Lakeshore considers dog tethering for long durations to be inhumane because it is a threat to the safety of the confined dog;**

**Whereas the Town of Lakeshore acknowledge that dogs are naturally social beings that thrive on interaction with human beings and other animals. A dog kept chained in one spot for hours, days, months, or even years suffers immense psychological damage. An otherwise friendly and docile dog, when kept continuously chained, becomes neurotic, unhappy, anxious, and often aggressive;**

**Whereas, placing a dog on a tether to get fresh air can be acceptable if it is done for short periods of time, keeping a dog tethered for long periods is never acceptable; and**

**Whereas, in an effort to increase the safety of citizens and their pets, the Town of Lakeshore is enacting an Anti-Tethering by law;**

**Therefore, be it resolved that a by-law is enacted limiting the use of tethering of dogs to a limit of 4 hours.**

**Carried**

**In Favour**

Mayor Tom Bain  
Deputy Mayor Bailey  
Councillor Santarossa  
Councillor Kerr  
Councillor Walstedt  
Councillor McKinlay

**Opposed**

Councillor Wilder  
Councillor Janisse

**19. Question Period**

976-12-2018 The following resolution was presented:

Councillor Wilder / Councillor McKinlay

**That Administration prepare a report to Council regarding the installation of street lighting along the Old Tecumseh Rd.**

**Carried Unanimously**

The following resolution was presented:

977-12-2018 Councillor Wilder / Deputy Mayor Bailey:

**That Administration prepare a report to Council on Bill 66 and what an open-for-business zoning by-law might mean for Lakeshore and the opportunities it presents for Lakeshore.**

**Carried Unanimously**

Councillor Kerr will bring a Motion to the next Council meeting requesting designation of a courtesy parking spot for veterans in municipally owned parking lots located as near as possible to handicapped parking spaces.

**20. Non-Agenda Business**

The following resolution was provided:

978-12-2018 Deputy Mayor Bailey / Councillor Wilder:

- 1. That Council receive the petition from Ron and Eileen Quinlan to consider a cross-walk and Crossing Guard in front of St. John the Baptist School; and**
- 2. That Council request Administration to do a crosswalk analysis in front of St. John the Baptist School and prepare a report on same to bring back to Council.**

**Carried Unanimously**

**21. Reading of the By-laws**

**21. Drainage By-laws**

**21. (a) By-law 136-2018, being a Rating By-law for 2550 Lakeshore Road 233 (David Armstrong)**

The following resolution was presented:

979-12-2018 Councillor Wilder / Councillor Walstedt:

**That By-law 136-2018 be read a first, second and third time and finally adopted this 11<sup>th</sup> day of December, 2018.**

**Carried Unanimously**

**21.1 General By-laws**

**21.1(a) By-law 141-2018, being a By-law to authorize the execution of an amending Site Plan Agreement with Tilbury Auto Sales and RV Inc. (SPC-10-2015)**

**21.1(b) By-law 142-2018, being a By-law to authorize the execution of a Site Plan Agreement with Deco Investments Inc. (0 Croft Drive – SPC-8-2018)**

**21.1(c) By-law 144-2018, being a By-law to delegate Site Plan Approval for Nellron Holdings Ltd. (0/477 Jutras Drive – SPC-18-2018)**

**21.1(d) By-law 146-2018, being a By-law to authorize the execution of an Extension Agreement between RadioCo Ltd. o/a Kelcom**

**21.1(e) By-law 149-2018, being a By-law to authorize the commencement of Expropriation Proceedings for Widening of Patillo Road**

The following resolution was presented:

980-12-2018 Councillor Santarossa / Councillor Janisse:

**That By-laws 141-2018, 142-2018, 146-2018, and 149-2018 be read a first, second and third time and finally adopted this 11<sup>th</sup> day of December, 2018.**

**Carried Unanimously**

The following resolution was presented:

981-12-2018 Councillor McKinlay / Deputy Mayor Bailey:

**That By-law 144-2018 be read a first, second and third time and finally adopted this 11<sup>th</sup> day of December, 2018.**

Carried Unanimously

**22. Resolution Re: Council in Closed Session and Adjournment**

The following resolution was presented:

982-12-2018 Councillor McKinlay / Councillor Walstedt:

**That Council move into closed session at 8:37 p.m. in accordance with section 239 (2) (c) of the *Municipal Act, 2001* to discuss four matters relating to proposed or pending acquisitions or dispositions of land by the Town regarding land acquisition in Lighthouse Cove, sale of municipal vacant land and subdivision lands in Stoney Point and the purchase of an unopened road allowance on waterfront properties.**

Carried Unanimously

983-12-2018 The following resolution was presented:

Councillor McKinlay / Councillor Walstedt:

**That Council move out of closed session at 8:49 p.m.**

Carried Unanimously

984-12-2018 The following resolution was presented:

984-12-2018

Deputy Mayor / Councillor Santarossa:

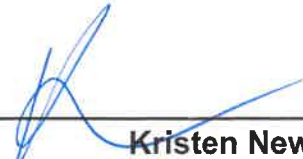
**That Lakeshore Council adjourn its meeting at 8:49 p.m.**

Carried Unanimously



---

Tom Bain  
Mayor



---

Kristen Newman  
Director of Legislative & Legal Services

