



**COUNCIL MEETING MINUTES**

Tuesday, February 22, 2022, 7:00 p.m.

Members Present: Mayor Bill Weber, Deputy Mayor Doug Cook, Councillors Maguire, Sageman, Scott, Dodge, Ferguson, Marsh and Wilcox

Staff Present: Stephanie Troyer-Boyd, Director of Corporate Services, Janet Ferguson, Director of Financial Services, Steve McAuley, Chief Administrative Officer, Will Nywening, Planner, Ashley Farr, Director of Community Services, Nick Verhoeven, Director of Public Works

**1. Call to Order**

Mayor Weber called the meeting to order at 7:05 pm.

The Mayor welcomed new staff member Ken Bulgin to the Planning and Development Department.

**2. Declaration of Pecuniary Interest**

None were declared on February 22, 2022.

**3. Approval of Agenda**

22-0222-01 Moved by: Councillor Scott  
Seconded by: Councillor Maguire

**THAT the February 22, 2022 Council Meeting Agenda be approved as amended.**

**Carried**

Item 13.4 - By-Law 12 of 2022 - The Clerk verified that the published agenda was incorrect and that the by-law to be enacted was a Lease Agreement with Grand Bend Area Chamber of Commerce.

**4. Closed Session**

There was no Closed Session on February 22, 2022.

**5. Adoption of Minutes of Previous Council Meeting**

22-0222-02 Moved by: Councillor Dodge  
Seconded by: Councillor Ferguson

**THAT the minutes of the February 1, 2022 Council meeting be adopted as presented.**

**Carried**

## 6. Councillor Reports

There were no Councillor Reports on February 22, 2022.

## 7. Statutory Public Meetings

### 7.1 ZBA ZO-16-2021 - MFL Properties Ltd. - 17 Pine Street, Grand Bend

22-0222-03 Moved by: Councillor Marsh  
Seconded by: Councillor Dodge

**THAT the Council meeting adjourn at 7:07 p.m. for a Public Meeting held under the Planning Act to hear an application for a Zoning By-Law Amendment Application ZO-16-2021 for MFL Properties Ltd. for property located at 17 Pine Street, Grand Bend.**

**Carried**

Planner Will Nywening explained the purpose and effect of the Zoning By-Law Amendment application for 17 Pine Street. He noted that this is the second public meeting being held for this application; the first being held on December 21, 2021. He noted that a decision was deferred on December 21, 2021 at the request of the applicant. Mr. Nywening noted that given the amount of public interest in the application, this second public meeting was scheduled and notice provided to all those who had provided comments to the first public meeting as well as agencies and property owners within the notice area.

Mr. Nywening summarized his staff report with a recommendation to deny the application. He stated that the application is not consistent with the goals of the Lambton Shores Official Plan with respect to the character of the Grand Bend area and its future development. Mr. Nywening stated that he does not believe it is appropriate land use for the property and not good planning to approve the application either as originally presented or as revised.

Hannah Surgenor, agent for the applicant, made a presentation regarding the changes made to the proposed zoning by-law application put forward by their clients, MFL Properties Ltd. She summarized the revised application and changes made by the applicant since the first public meeting in December 2021. She stated that the applicant is proposing a 3-storey, 3 unit development to be used by themselves and their family.

Jay McGuffin, agent for the applicant, was also in attendance for the public meeting. He stated the requested zoning amendment would allow for an increase in lot coverage.

Applicant Kyle Ford made a speech with the intention of clarifying misconceptions in the community.

Gerry Roeder, President of the Lambton Shores Community Association stated that they do not support the zoning change and the issue is about zoning change and not the building.

Dan Dorschenko of 53 Huron Street stated that two issues still relevant and not addressed in the revised proposal. The first issue is mass with the proposed structure

covering 44% of lot area in a zone that allows for 35% lot coverage. He noted that the examples of lot coverage presented by the applicant were for properties that were constructed prior to lot coverage restrictions were in place. The second issue is the request for an R3 zone. He stated that there are presently three properties in this area that have an R3 zoning that he believes would not be approved with the current regulations.

Martin Williams of 28 Huron Street stated he was in support of staff's recommendation.

Council members had questions relating to lot coverage, number of dwelling units, and on site parking.

The Clerk presented a summary of any correspondence not included with the staff report.

22-0222-04 Moved by: Councillor Maguire  
Seconded by: Councillor Wilcox

**THAT the Public Meeting close and regular Council reconvene at 8:16 p.m.**

**Carried**

7.1.1 Report PL 03-2022 - Deferred ZBA Application ZO-16/2021 - 17 Pine St. Grand Bend

Councillor Dodge requested a recorded vote.

22-0222-05 Moved by: Councillor Dodge  
Seconded by: Deputy Mayor Cook

**THAT Report PL 03-2022, relating to a Zoning By-Law Amendment Application, submitted by MFL Properties Ltd., be received; and**

**THAT Zoning By-Law Amendment Application ZO-16/2021, submitted by MFL Properties Ltd., requesting an amendment to Zoning By-Law 1 of 2003 to rezone portions of 17 Pine Street to permit an R3 Zone with site-specific provisions for construction of a triplex dwelling, be refused.**

In Support: Mayor Bill Weber, Deputy Mayor Cook, Councillor Maguire, Sageman, Scott, Dodge, Ferguson and Marsh. (8)

Opposed: Councillor Wilcox (1)

**Carried**

## **8. Presentations**

There were no Presentations scheduled.

## 9. Delegations

Armand Mallette was present to speak to Item 10.9. He requested the encroachment be allowed to remain.

## 10. Consideration of Correspondence, Petitions, Committee Minutes and Staff Reports

10.1 Correspondence - Johnson Engineering - Transfer of Parking Credit

10.2 Committee of Adjustment Decisions - January 26, 2022

22-0222-06 Moved by: Councillor Ferguson  
Seconded by: Councillor Maguire

**THAT Items 10.1 and 10.2 of the Agenda be received.**

**Carried**

### CORPORATE and STRATEGIC

10.3 Report CAO 02 -2022 - Quarterly Committee of the Whole Meeting

22-0222-07 Moved by: Deputy Mayor Cook  
Seconded by: Councillor Sageman

**THAT Report CAO 02-2022 regarding Quarterly Committee of the Whole Meetings be received; and**

**THAT Committee of the Whole meetings for the purpose of receiving and discussing Quarterly Operational reports be scheduled to for 5:00 pm on the following dates:**

- April 19 – 1<sup>st</sup> Quarter Report
- July 12<sup>th</sup> – 2<sup>nd</sup> Quarter Report
- October 11 – 3<sup>rd</sup> Quarter Report

**Carried**

### COMMUNITY SERVICES

10.4 Report DCS 07-2022 - Ausable Port Franks Optimist Lease Agreement

22-0222-08 Moved by: Councillor Wilcox  
Seconded by: Councillor Dodge

**THAT Report DCS 07-2022 regarding the “Ausable Port Franks Optimist Lease Agreement” be received; and**

**THAT the Mayor and Clerk be authorized to sign the associated agreement.**

**Carried**

10.5 Report DCS 08-2022 - STR Licensing and Regulatory Options

22-0222-09 Moved by: Councillor Scott  
 Seconded by: Councillor Sageman

**THAT Report DCS 08-2022 regarding the “STR Licensing and Regulatory Options” be received; and**

**THAT information related to the proposed STR Licensing Program be made available for public comment for a period of two weeks beginning February 28, 2022; and**

**THAT staff are directed to prepare a Short Term Rental Licensing By-Law.**

**Carried**

PUBLIC WORKS

10.6 Report DPW 01-2022 - Ontario Street North, Grand Bend - Reconstruction Tender Award

22-0222-10 Moved by: Councillor Maguire  
 Seconded by: Councillor Sageman

**THAT Report DPW 01-2022 regarding the Tender award for the Ontario Street North Reconstruction Project be received; and**

**THAT the tender award for the Ontario Street North Reconstruction Project be conditional on the Municipality of South Huron participating in the project; and**

**THAT the tender received from Birnam Excavating Limited for the tendered price of \$6,258,084.12 including HST be accepted; and**

**THAT the additional funds required for this project be funded from the Transportation and Water reserves; and**

**THAT the Mayor and Clerk be authorized to sign the associated contract agreement.**

**Carried**

FINANCIAL SERVICES

10.7 Report TR 04-2022 2021 Draft Operating and Capital Statements

22-0222-11 Moved by: Councillor Wilcox  
 Seconded by: Councillor Maguire

**THAT Report TR 04-2022 regarding the 2021 Draft Year to Date Financial Statements be received; and**

**THAT the following allocations of the 2021 surplus to the identified Reserve Funds be approved:**

**\$650,000.00 – Transportation**

**\$ 39,000.00 – Rolling Stock**

**\$441,000.00 – Parking**

**\$177,000.00 – Equipment**

**\$100,000.00 – Facilities**

**\$114,000.00 – Harbour**

**\$ 90,000.00 – Economic Development; and**

**the Balance – to Working Funds.**

**Carried**

10.8 Report TR 05-2022 - 2022 Approved Operating and Capital Budget

22-0222-12 Moved by: Councillor Maguire

Seconded by: Councillor Sageman

**THAT Report TR-5-2022 regarding the 2022 Approved Operating and Capital Budget be received; and**

**THAT the By-Law 10 of 2022 authorizing the adoption of the 2022 Operating and Capital Budget be approved.**

**Carried**

22-0222-13 Moved by: Deputy Mayor Cook

Seconded by: Councillor Wilcox

**THAT the required amount be transferred from Working Capital Reserve in order to achieve a 0% tax rate change for 2022 over the 2021 rate.**

**Carried**

CORPORATE SERVICES

10.9 Report CL 08-2022 - Request for Encroachment Agreement – 6 Main Street

22-0222-14 Moved by: Councillor Maguire

Seconded by: Councillor Sageman

**THAT Report CL 08-2022 regarding Request for Encroachment Agreement – 6 Main Street be received.**

**Carried**

Mayor Weber requested a recorded vote.

22-0222-15 Moved by: Councillor Maguire  
Seconded by: Councillor Scott

**THAT staff prepare an encroachment agreement with the property owner at 6 Main Street, Grand Bend to allow the encroachment to remain containing provisions not limited to insurance, maintenance, signage, size and access.**

In support: Councillors Maguire, Dodge, Ferguson, Marsh and Wilcox. (5)

Opposed: Mayor Bill Weber, Deputy Mayor Doug Cook and Councillors Sageman and Scott. (4)

**Carried**

#### **11. Notice of Motion**

There were no Notices of Motion submitted.

#### **12. Emergent Issues**

There were no Emergent Issues.

#### **13. By-laws and Resolutions**

13.1 By-Law 09-2022 - Encroachment Agreement - 41 Main Street

13.2 By-Law 10-2022 - Adopt 2022 Budget

13.3 By-Law 11-2022 - Appoint Drainage Superintendent

13.4 By-Law 12-2022 - Lease Agreement - Grand Bend Area Chamber of Commerce

13.5 By-Law 13-2022 - Road Dedication - Brooklawn and Summergrove

13.6 By-Law 14-2022 - Lease Agreement - Ausable Port Franks Optimist Club

13.7 By-Law 15-2022 - Confirming

22-0222-16 Moved by: Councillor Dodge  
Seconded by: Councillor Maguire

**THAT By-Laws 09-2022 through 15-2022 be read a first, second and third time, passed and signed by the Mayor and Clerk.**

**Carried**

**14. Adjournment**

22-0222-17 Moved by: Councillor Ferguson  
Seconded by: Councillor Scott

**THAT the February 22, 2022 Council Meeting adjourn at 9:00  
p.m.**

**Carried**