



THE CORPORATION OF THE  
*Township Of Pelee*  
REGULAR MEETING OF COUNCIL

MINUTES

TUESDAY, November 14, 2023  
6:00 PM

Virtual meeting

Members of Council: Mayor Cathy Miller  
Deputy Mayor Dayne Malloch  
Councillor Dave De Lellis  
Councillor Michelle Taylor  
Councillor Stephanie Crawford

Members of Administration: Interim Clerk Mary Masse  
Treasurer Michelle Feltz

Others Present: By-law Enforcement Officer – Bill Tetler  
Drainage Superintendent – Eric Chamberlain  
Members of the Public

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**1. CALL TO ORDER**

Mayor Cathy Miller called the Meeting to order at 6:04 p.m.

**2. AMENDMENTS TO THE AGENDA**

The Mayor indicated that item 9a) will be brought forward for discussion directly following the delegation presentations.

**3. DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of interest noted at this time.

**4. CONFIRMATION OF PREVIOUS MINUTES**

**A. Regular Minutes October 24, 2023**

**Resolution 2023 – 235**

**Moved By:** Councillor Michelle Taylor

**Seconded By:** Councillor Dave DeLellis

**That the October 24, 2023 Regular Meeting of Council Minutes BE ADOPTED.**

**CARRIED**

## 5. DELEGATIONS

### a) **Mike Coutts and Jane Freeman, request for exemption from Trailer By-law to allow storage of trailer in the winter months**

The delegate was not available to participate in the meeting, the Mayor acknowledge receipt of the correspondence submitted to Council requesting consideration of an exemption from the Trailer By-law

### b) **Lee Ann Hudak, request for exemption from Trailer By-law to allow storage of trailer in the winter months**

Ms. Hudak reviewed the request for exemption advising of the following:

The property is being developed

Application has been made for a ERCA permit and building permit

The trailer is blocked and anchored

Suggested the exemption was allowed in the past

Moving of trailers adds potential damage to the municipal roads

Suggests there is Federal and Provincial legislation that prohibits a municipality from enacting a Trailer by-law.

### c) **Dave Barriault, request for exemption from Trailer By-law to allow storage of trailer in the winter months**

Mr. Barriault noted that he purchased the property in April 2022 and there was a trailer on the property when he viewed the listing and made the decision to purchase the property in December, 2021.

He intends to build a home on the property.

His Trailer is out of sight in accordance with the existing by-law requirement for storage.

The trailer is a park model type structure not a travel trailer.

Suggests the by-law infringes on his rights to use his property.

9.

#### A. **By-law Enforcement Officer – Bill Tetler**

##### i. Report No. 2023-69 BT – Trailer By-law Amendment

By-law Enforcement Officer Tetler reviewed the report.

Deputy Mayor Malloch requested further clarification regarding section 3.3 as it applies to the Township campground.

Mayor Miller suggested clarification on the definition of structure in schedule “A” of the by-law

The By-law Officer clarified that structure refers to a dwelling and the wording will be amended in schedule “A” of the by-law to reference a dwelling.

Councillor Dave DeLellis questioned whether the new by-law will allow a business to provide a trailer for staff accommodations and indicated that exemptions for businesses were provide in the past.

It was the consensus of Council to review and provide exemptions when deemed necessary based on individual requests.

The Mayor questioned the provisions in place for trailers should Council decide to rescind the trailer by-law.

The By-law Officer advised that trailers would only be allowed in a campground as defined in the Township Zoning by-law.

**Resolution 2023 – 236**

**Moved By:** Deputy Mayor Dayne Malloch

**Seconded By:** Councillor Dave DeLellis

1. The report from the By-law Enforcement Officer dated November 6, 2023 regarding a proposed Trailer By-law 2023-070 **BE RECEIVED for information; and**
2. That Council **give three readings to** the proposed Trailer By-Law 2023-070 as presented and repeal Trailer By-law 2016-029

**CARRIED**

**6. MATTERS SUBJECT TO NOTICE**

**7. CLOSED SESSION**

The Mayor noted that Council will move into closed session at the end of the regular order of business to review a proposed or pending disposition of land by the municipality and a matter of potential litigation related to a matter before a tribunal.

**8. CONSENT AGENDA**

- A. 2024 OMPF – Letter to Heads of Council
- B. Disbursements
- C. Essex County Police Service Board structure revised
- D. GLIA 2023 Retreat Press Release
- E. Town of Aurora request for support re: Cannabis Retail applications
- F. MTO, Safety Program Development Branch re: Micro mobility Pilot Transformation
- G. Municipality off Wawa request for support re: Provincial Short Term Rental regulations
- H. Town of Rainy River request for support re: Expansion of Water Treatment training opportunities
- I. Southwestern Ontario Transportation Task Force Final Report

**Resolution 2023 – 237**

**Moved By:** Councillor Dave DeLellis

**Seconded By:** Councillor Stephanie Crawford

**That Consent Agenda items 8. A to 8.I be received.**

**CARRIED**

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## 9. REPORTS

### A. By-law Enforcement Officer – Bill Tetler

The report was reviewed under item 5 of the agenda.

### B. Interim Clerk – Mary Masse and Treasurer Michelle Feltz

- i. Report No. 2023-70 MM/MF – Service Delivery review - Staffing

Interim Clerk, Mary Masse and Treasurer Michelle Feltz reviewed the report with Council.

#### **Resolution 2023-238**

**Moved by: Councillor Michelle Taylor**

**Seconded by: Councillor Dave DeLellis**

**That Council receive the report dated November 6, 2023 as prepared by the Interim Clerk and Treasurer regarding the hiring of a Community Services Manager and Operations Manager for the Township of Pelee**

**CARRIED**

### C. Treasurer -Michelle Feltz

- i. Report No. 2023-71 MF – Financial Summary and Budget to Actual at October 31, 2023

Treasurer Feltz reviewed the report with Council.

#### **Resolution 2023-239**

**Moved By: Councillor Stephanie Crawford**

**Seconded By: Councillor Michelle Taylor**

**Be it Resolved that the Council of the Township of Pelee hereby Receive Report No: 2023 – 71 MF: Financial Summary and Budget to Actual Report at October 31, 2023.**

**CARRIED**

## 10. NOTICES OF MOTION

The Mayor introduced two motions for Council consideration

### **Resolution 2023-240**

**Moved by: Deputy Mayor Dayne Malloch**

**Seconded by: Councillor Dave DeLellis**

**WHEREAS, The Minister of Environment and Climate Change and Minister responsible for Parks Canada recently announced a collaboration with the Nature Conservancy of Canada (NCC) to protect up to 30,000 hectares adjacent to existing Parks Canada Lands across Canada for a total investment of \$30 million.**

**AND WHEREAS this funding supports Canada's progress in achieving its ambitious target of protecting biodiversity and conserving 30 percent of land and inland water and 30 percent of marine and coastal areas by the year 2030.**

**AND WHEREAS the Council of the Township of Pelee Island would like to congratulate the Minister of Environment and the NCC for implementing the stated conservation target of 30x30.**

**AND WHEREAS, Council acknowledges that The Township of Pelee is over 20% formally protected with 32% natural cover and over 215 species at risk - by far leading the conservation and biodiversity average in most of the province**

**AND WHEREAS, the residents of the Township of Pelee (Peele Island) are proud stewards of the land and lake, however this comes at a great cost that is not clearly communicated within the 30x30 conservation target dialogue.**

**THEREFORE, We urge the Minister and the NCC to realize that Municipalities like ours who have accepted responsibility for conscientious conservation do so at a deficit and that lands moved to conservation status through formal protection or through the Conservation Land Tax Incentive Program (CLIPT) has significantly reduced our tax base and the revenue we can derive from it; and further the bounty of biodiverse endangered species on our island requires added costs for special environmental assessments and studies before most Municipal work can ever be undertaken. In essence, Municipalities subsidize conservation efforts to the degree that the recoverable tax base is reduced or in some cases removed entirely and the added costs of protecting these species comes directly back to us.**

**WE THEREFORE humbly request to be part of any stakeholder consultations or working groups that might be formed around this newly announced initiative so that we can speak to barriers or resistance to these initiatives and what might be done to consider how to reward and incentivize Municipalities like ours for achievements towards the 30x30 goal.**

**AND FURTHER that this resolution be sent to the Honourable Steven Guilbeault and The Nature Conservancy of Canada, with a copy to David Epp, Member of Parliament for Chatham-Kent-Leamington, Irek Kusmierczyk, Member of Parliament for Windsor-Tecumseh, Brian Masse, Member of Parliament for Windsor West, County of Essex Council and Caldwell First Nations requesting their support**

**CARRIED**

**Resolution 2023-241**

**Moved by: Deputy Mayor Dayne Malloch  
Seconded by: Councillor Michelle Taylor**

**WHEREAS, Small Craft Harbours is a nationwide program run by Fisheries and Oceans Canada (DFO) and their mandate is to provide the commercial fishing industry with safe access to waterways as well as vibrant hubs for community life, recreation and other marine services.**

**AND WHEREAS, The Township of Pelee has an ongoing lease agreement with Fisheries and Oceans Canada for the Small Craft Harbours' facility, known as the Scudder Marina docks water lot.**

**AND WHEREAS, The Township of Pelee is through the aforementioned agreement committed to Rental rate for the Small Craft Harbours' facility (Scudder Marina docks water lot), at a rate of \$500 per annum or 20% of gross revenue (whichever is the greater),**

**AND WHEREAS, The Township of Pelee has invested a significant amount of municipal funds over the years to improve / replace the Scudder Marina docks located within the DFO Harbour with the intent to improve the overall asset, improve user experience, increase revenue while maintaining safety standards.**

**AND WHEREAS, the Township of Pelee was recently made aware that the Small Craft Harbours Divestiture Program no longer exists.**

**THEREFORE, The Township of Pelee hereby requests the Department of Fisheries and Oceans to reinstate through the Divestiture program as a means for Small Craft Harbours to transfer ownership of harbours to other levels of government, particularly in the case of:**

- recreational harbours that are tourism assets
- Harbours that house DFO infrastructure in disrepair or decommissioned.
- Harbours where lessees have made significant improvements to the infrastructure within the harbour driving up fair market value
- Particularly on islands where the harbours serve as ingress for emergency service and egress for residents in the case of emergency.

**AND FURTHER that the Department of Fisheries and Oceans be made aware that The Township of Pelee is reluctant to continue to invest in a property that it may need to purchase in the future at a market value that is escalated due to the improvements made to the facility through the use of municipal funds which are collected from the same residents that will be responsible for the cost assessed to purchase the said water docks.**

**AND THAT a copy of this resolution be forwarded to Dave Epp, Member of Parliament for Chatham-Kent Leamington, County of Essex Council, Caldwell First Nations and Minister Gudie Hutchings, Minister of Rural Economic Development of Canada requesting their support.**

**CARRIED**

## 11. RECOGNITIONS AND ANNOUNCEMENTS

The Mayor announced the passing of Scott Somerville who served as Interim Clerk for Pelee. The Mayor and Council recognized the Veterans of War and Royal Canadian Legion members for hosting the Remembrance Day ceremony held on November 11, 2023.

## 12. BY-LAWS

By-Law 2023 –70; Being a By-law to license trailers in the Township of Pelee and repeal by-law 2016-22.

### **Resolution 2023 - 242**

**Moved By: Deputy Mayor Dayne Malloch**

**Seconded By: Councillor Stephanie Crawford**

**That the Council of the Corporation of the Township of Pelee hereby adopt By-Law 2023 – 70; Being a by-law to license trailers in the Township of Pelee and repeal by-law 2016-22**

**CARRIED**

By-law 2023-72; Being a By-Law to confirm the proceedings of the November 14, 2023 meeting of Council

### **Resolution 2023 - 243**

**Moved By: Councillor Michelle Taylor**

**Seconded By: Councillor Dave DeLellis**

**That By-law 2023-72 being a By-Law to confirm the proceedings of the November 14, 2023 meeting of Council is hereby adopted**

**CARRIED**

## 13. CLOSED SESSION AND ADJOURNMENT

The Mayor announced a recess at 6:54 in advance of moving into closed session at 7:09 p.m.

### **Resolution 2023- 244**

**Moved by: Deputy Mayor Dayne Malloch**

**Seconded by: Councillor Dave DeLellis**

**That the Council of the Township of Pelee, pursuant to Section 239(2) of the *Municipal Act, 2001*, enter into Closed Session at 7:00 p.m. to address the following items:**

**A. Proposed or pending disposition of land**

- i. 239 (2) (c) proposed or pending disposition of land owned by the municipality*

**B. *Litigation Matter***

- ii. 239(e) regarding a matter of litigation or potential litigation related to matters before a Tribunal*

**CARRIED**

Council rose from closed session and the Mayor adjourned the regular meeting of Council at 8:40 p.m.

Original Signed by: \_\_\_\_\_

**Catherine Miller,  
Mayor**

Original Signed by: \_\_\_\_\_

**Mary Masse, Interim  
Clerk**