

# The Corporation of the Town of Lakeshore

## Regular Council Meeting Agenda

Tuesday, July 14, 2020, 6:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Moment of Reflection
3. Disclosures of Pecuniary Interest
4. Recognitions
5. Public Meetings under the Planning Act
  - a. ZBA-15-2019, 1972 County Road 27 (Leboeuf)

10

**Recommendation:**

Approve Zoning By-law Amendment Application ZBA-15-2019 (By-law No.051-2020), Town of Lakeshore By-law 2-2012, as amended), to rezone a portion of the farm parcel(s), indicated as the “Retained Farmland” on the Key Map, Appendix 1, located at 1972 County Road 27, in the Town of Lakeshore, from “A, Agriculture” to a site-specific “A-1, Agriculture” zone, which prohibits a single detached dwelling on the parcel east of the Hydro Corridor and a site specific “A-103, Agriculture Exception Zone, which prohibits a single detached dwelling and recognizes a deficient lot area on the parcel fronting County Road 27.

## 6. Public Presentations

### a. Stantec - Lakeshore Stormwater Master Plan Study Phase 1 15

#### 1. Storm Water Master Plan - Phase 1 Study 30

##### **Recommendation:**

Administration issue a Notice of Completion and place the Town of Lakeshore Stormwater Master Plan – Phase 1 (“SMP-P1”) Class Environmental Assessment draft report on the public record for the 30-day mandatory review period, at its regular Council meeting on July 14, 2020 for information purposes in finalizing the Class EA for the Stormwater Master Plan – Phase 1; and,

Adopt the 5-year storm sewer design standard into the Town’s Development Servicing Standards Manual for all new construction and in accordance with ERCA’s Windsor-Essex Regional Storm Water Management guidelines.

## 7. Delegations

### a. Haya Obaida - Petition to Cancel Sidewalk on Rafih Crescent 35

## 8. Completion of Unfinished Business

## 9. Consent Agenda

### a. June 23, 2020 Regular Council Meeting Minutes 36

### b. June 29, 2020 Special Council Meeting Minutes 44

### c. Ontario Provincial Police Essex County Detachment - Black Lives Movement 54

### d. City of Sarnia - Long Term Care Home Improvements 56

##### **Recommendation:**

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

## 10. Reports for Information

### a. Stormwater User Fee Implementation 58

- |    |  |     |
|----|--|-----|
| b. | <b>Flood Prevention Task Force Committee Meeting Draft Minutes of November 12th, 2019</b>        | 71  |
| c. | <b>Flood Prevention Task Force Committee Electronic Meeting Draft Minutes of June 25th, 2020</b> | 106 |

**Recommendation:**

Receive the Reports for Information as listed on the agenda.

**11. Reports for Direction**

- |    |                                      |     |
|----|--------------------------------------|-----|
| a. | <b>Rochester Water Main Petition</b> | 127 |
|----|--------------------------------------|-----|

**Recommendation:**

Approve the Rochester water main petition to extend the 50mm water main 250m from 997 Rochester Townline Road to the corner of Rochester Townline Road and County Road 42; and,

Direct Administration to implement the water main in accordance with the Water Main Petition Policy; and,

Direct Administration to install the remaining 180m of 50mm water main in order to loop the existing water main located South of County Road 42 to 1166 Rochester Townline Road., as presented at the July 14, 2020 Council meeting.

- |    |  |     |
|----|--|-----|
| b. | <b>Water Financial Plan under Ontario Regulation 453/07 of Safe Drinking Water Act</b> | 133 |
|----|--|-----|

**Recommendation:**

The Water Financial Plan (attached) prepared by Watson & Associates Economists Ltd. dated June 30, 2020 as required by Ontario Regulation 453/07 be approved, as presented at the July 14, 2020 Council meeting.

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|----|--|-----|
| c. | <b>Tender Award – 2020 Surface Treatment Program</b> | 180 |
|----|--|-----|

**Recommendation:**

Award the tender for the 2020 Surface Treatment Program to Shepley Road Maintenance Ltd. in the amount of \$809,077 plus applicable taxes.

- |    |   |     |
|----|---|-----|
| d. | <b>Ellis Road – MTO Project – Highway 3 Road Widening</b> | 184 |
|----|---|-----|

**Recommendation:**

The closure of Ellis Side Road southwest of Highway 3 and the modification of the access to Ellis Side Road northeast of Highway 3 to a right-in, right-out configuration be supported.

- e. **Belle River Flood Control System and WECl Grant** 189
- Recommendation:**  
Direct Administration to complete the Belle River Flood Control projects;  
and,  
  
Approve the transfer of a maximum of \$75,000 from the contingency  
reserve to fund the Town's portion of the projects, as presented at the  
July 14, 2020 Council meeting.
- f. **Temporary Outdoor Patios During COVID-19 Recovery** 204
- Recommendation:**  
The site plan control agreement and associated fees until January 1,  
2021 for the 2020 outdoor patio season be waived for outdoor patios, as  
authorized under section 69 of the *Planning Act*, as Council recognizes  
the financial hardships faced by the restaurant industry, as a result of the  
COVID-19 pandemic; and,  
  
The Town of Lakeshore does not object to the temporary physical  
extension of liquor sales under section 97(2) of regulation 719 under the  
*Liquor Licence Act* for an outdoor patio located on private property that is  
permitted under applicable zoning by-law(s) in the Town of Lakeshore.
- g. **Municipal Cannabis Policy Statement - Amendment** 212
- Recommendation:**  
Adopt By-law 052-2020, to amend the Town of Lakeshore *Municipal  
Cannabis Policy Statement*, attached as Appendix 1.
12. **Announcements by Mayor**
13. **Reports from County Council Representatives**
14. **Report from Closed Session**



## 15. Notices of Motion

### a. Notice of Motion submitted by Councillor Janisse - Expansion of Access to High-Speed Internet

232

#### **Recommendation:**

Whereas access to reliable, high-speed internet is a necessity for Canadians, especially those who work or attend school remotely;

Whereas various government levels have expressed a commitment to the expansion of and access to, reliable, high-speed internet; and

Whereas conflicts with infrastructure controlled or regulated by other levels of government, such as railroad tracks and highways, pose literal barriers to the expansion of access to reliable, high-speed internet, resulting in additional costs and delays.

Now therefore be it resolved that the Governments of Canada and Ontario take immediate steps to remove all barriers to the expansion of access to reliable, high-speed internet, which fall under their jurisdiction;

Now therefore be it resolved that the Governments of Canada and Ontario prioritize infrastructure projects that promote the expansion of access to reliable, high-speed internet, and fast-track any approvals required due to infrastructure conflicts, which fall under their jurisdiction;

Be it further resolved that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Andrew Sheer, Leader of the Official Opposition, and all MPs in Canada;

Be it further resolved that a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

Be it further resolved that a copy of this motion be sent to the Federation of Canadian Municipalities, and all Canadian municipalities for their consideration.

**Recommendation:**

Whereas the Windsor Essex County Health Unit has cancelled its historic testing of water quality at the Lakeview Park West Beach;

Whereas the recent history has had the beach closed several weeks during summer due to unsafe levels of ecoli;

Be It Resolved that Lakeshore "immediately start testing" the beach water itself weekly as the WECHU has done in recent years and make the same open vs closed Beach orders that the health Unit does based on the contamination levels.

**Recommendation:**

Whereas the Town of Lakeshore's Strategic Plan prioritizes sustainable community development, which includes the maintenance of a clean and accessible beach and access to Lake St. Clair;

Whereas the West Beach provides equal access to recreation opportunities, which has been an integral part in reopening our communities;

Whereas Council has closed the West Beach for safety reasons related to access and misuse of facilities provided;

Now Therefore be it Resolved that further measures must be taken to improve the quality and safety of the West Beach and lake access for residents prior to re-opening:

Be it Further Resolved that a safe swimming area be designated or marked with buoy lines or buoy markers, or a combination of the two, as per a primary recommendation in the Comprehensive Aquatic Safety Audit Report;

Be it Further Resolved that enough sand be added to the beach to address beach flooding by raising the overall level of the beach to that of the grass;

Be it Further Resolved that additional signs be installed to indicate designated overflow and additional parking areas;

Be it Further Resolved that the volleyball net and accessible matting be reinstalled for the season;

Be it Further Resolved that the monthly rent payment, including HST, for the operator at the West Beach be waived for the month of July;

Be it Further Resolved that a letter be sent to the OPP demanding increased patrols and surveillance of West Beach, including on holidays;

Be it Further Resolved that the by-law enforcement officers be scheduled to survey the West Beach regularly, including weekends;

Be it Further Resolved that a budget of \$35,000 be established to cover the costs of new sand and buoys for the West Beach, and that Administration determine where financial resources are to be allocated from.

d. **Notice of Motion submitted by Councillor Walstedt - Parking on Oriole Park Drive**

235

**Recommendation:**

Whereas parking has been prohibited on either side of Oriole Park Drive due to the construction of the new homes on the street which created serious traffic flow issues;

And whereas all of the new home construction is now complete;

And whereas many of the residents who reside on Oriole Park Drive have requested that the municipality permit parking on only one side only of the street;

Therefore, be it resolved that the municipality permit parking on only the west side of Oriole Park Drive.

16. **Question Period**

17. **Non-Agenda Business**

18. **Consideration of By-laws**

a. **By-law 51-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-15-2019)**

236

b. **By-law 53-2020, Being a By-law to Confirm Proceedings of Council for June 23rd and June 29th Meetings**

238

**Recommendation:**

By-laws 51-2020 and 53-2020 be read and passed in open session on July 14, 2020.

19. **Closed Session**

**Recommendation:**

Council move into closed session in Council Chambers at \_\_\_\_ PM in accordance with:

- a. Paragraph 239(2)(c), (f) and (k) of the *Municipal Act, 2001* for the purpose of discussing a proposed or pending disposition of land by the municipality related to Lanoue Street and Amy Croft Drive and 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.

20. Return to Open Session

21. Adjournment

**Recommendation:**

Council adjourn its meeting at \_\_\_\_ PM.

# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Community & Development Services**

#### **Development Services**



**To:** Mayor & Members of Council

**From:** Kim Darroch, Manager of Development Services

**Date:** June 25, 2020

**Subject:** ZBA-15-2019, 1972 County Road 27 (Leboeuf)

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#### **Recommendation**

Approve Zoning By-law Amendment Application ZBA-15-2019 (By-law No.051-2020), Town of Lakeshore By-law 2-2012, as amended), to rezone a portion of the farm parcel(s), indicated as the “Retained Farmland” on the Key Map, Appendix 1, located at 1972 County Road 27, in the Town of Lakeshore, from “A, Agriculture” to a site-specific “A-1, Agriculture” zone, which prohibits a single detached dwelling on the parcel east of the Hydro Corridor and a site specific “A-103, Agriculture Exception Zone, which prohibits a single detached dwelling and recognizes a deficient lot area on the parcel fronting County Road 27.

#### **Background**

The subject property (1972 County Road 27) is located on the east side of County Road 27, south of Highway 401, in the Community of Rochester (See Appendix 1).

The subject property is designated ‘Agricultural’, ‘Floodplain’, ‘Woodland’ and ‘Limit of Regulated Area (ERCA Jurisdiction)’ in the Town of Lakeshore Official Plan and is zoned Agriculture (A) in the Lakeshore Zoning By-law, 2-2012, as amended.

The proposed surplus lot and the retained farmland located east of the Hydro Corridor, appear to comply with the minimum lot frontage and lot area requirements of the Zoning By-law. However, the retained farmland adjacent to the surplus lot and fronting County Road 27, does not comply with the minimum lot area requirements for a farm parcel to be used for farming purposes. Relief will be required from the Zoning By-law, in addition to recognizing the need to prohibit residential dwellings on both retained farm parcels, in accordance with provincial policy.

## Comments

### 2020 Provincial Policy Statement (PPS)

The PPS permits “a residence surplus to a farming operation as a result of farm consolidation,” to be severed, “provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.”

Comment: It was a condition of the Consent Application B23/2019 which created the surplus dwelling lot, that a zoning by-law amendment application be submitted to the Town for the retained lands on both sides of the Hydro Corridor, following the surplus lot creation to ensure that new residential dwellings are prohibited on any vacant remnant parcel(s) of farmland created by the severance. The retained farm parcel abutting County Road 27 will be re-zoned to recognize its deficient lot area for a farm parcel, whereby 19 hectares (46.9 acres) is required and 10.5 hectares (26 acres) is provided. The retained farm parcel east of the Hydro Corridor is over 200 acres or 80.9 hectares.

In addition, the Town of Lakeshore Official Plan (Section 6.2.3 b) ii requires that the non-farm parcel will be zoned to recognize the non-farm residential use and will not accommodate a livestock operation. By severing off the surplus lot, from the farm lot, the Zoning By-law automatically recognizes the surplus lot's non-farm use (as a result of the lot's smaller size).

Therefore the proposal is consistent with the PPS.

### County Official Plan and Lakeshore Official Plan

The proposal conforms to the land use and consent policies of the Agricultural designations of both the County and Lakeshore Official Plans.

### Conclusion

Administration recommends approval of the zoning by-law amendment, as it is consistent with the Provincial Policy Statement and conforms to the County and Town of Lakeshore Official Plans. Under the Planning Act, when considering a Zoning By-law Amendment, Council has the following four alternatives when making its decision:

1. Alternative 1 - Refusal - should Council choose to refuse an application to amend a Zoning By-law, under Subsection 34(10.9) of the Planning Act, it is now required that a Notice of Refusal be issued, not later than 15 days after the day of the refusal, containing the prescribed information, to be given to:
  - (a) the person or public body that made the application;
  - (b) each person and public body that filed a written request to be notified of a

- refusal; and  
(c) any prescribed person or public body.

As part of the required prescribed information, the Notice of Refusal must also now contain a written explanation for the refusal.

*Comment - In this particular instance, the Applicant would have the option of appealing Council's decision to the LPAT.*

2. Alternative 2 - Deferral - deferral of an application often occurs when further information or consultation is required, usually becoming apparent after the scheduled public meeting date has been set or after the planning report has been completed. Consequently, it is usually something that Administration will recommend either in the planning report or in lieu of the written recommendations. From Council's perspective, a deferral option is often considered should new issues arise at the public meeting or when Council feels that it requires further information in order to make an informed decision.

*Comment - At the time of writing, no additional information or studies were deemed necessary.*

3. Alternative 3 - Approve as modified or revised - this is an approach used where the planning review of the application or the consultation process reveals the need for mitigation measures or compromises. Often the planning report will recommend to approve the application, subject to certain modifications, conditions, etc., that are slightly different from what has been requested in the application. From Council's perspective it may also choose to approve the application, but also modify the approval to the recommendations as submitted.

*Comment - There are no modifications that would substantially improve the application.*

4. Alternative 4 - Approval - the application is approved as submitted without modifications.

Based on the foregoing, the Town's Planner supports Alternative 4 (Approval).

## **Others Consulted**

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and regulations. As of the writing of this report, no comments were received from the public and no concerns were expressed from any agencies.



## **Financial Impacts**

There are no financial impacts resulting from the recommendation.

## **Attachment(s):**

## **Appendix 1 – Key Map**

## **Report Approval Details**

Document Title:	ZBA-15-2019 1972 County Road 27.docx
Attachments:	- Appendix 1 Key Map 1972 County Road 27.docx
Final Approval Date:	Jul 7, 2020

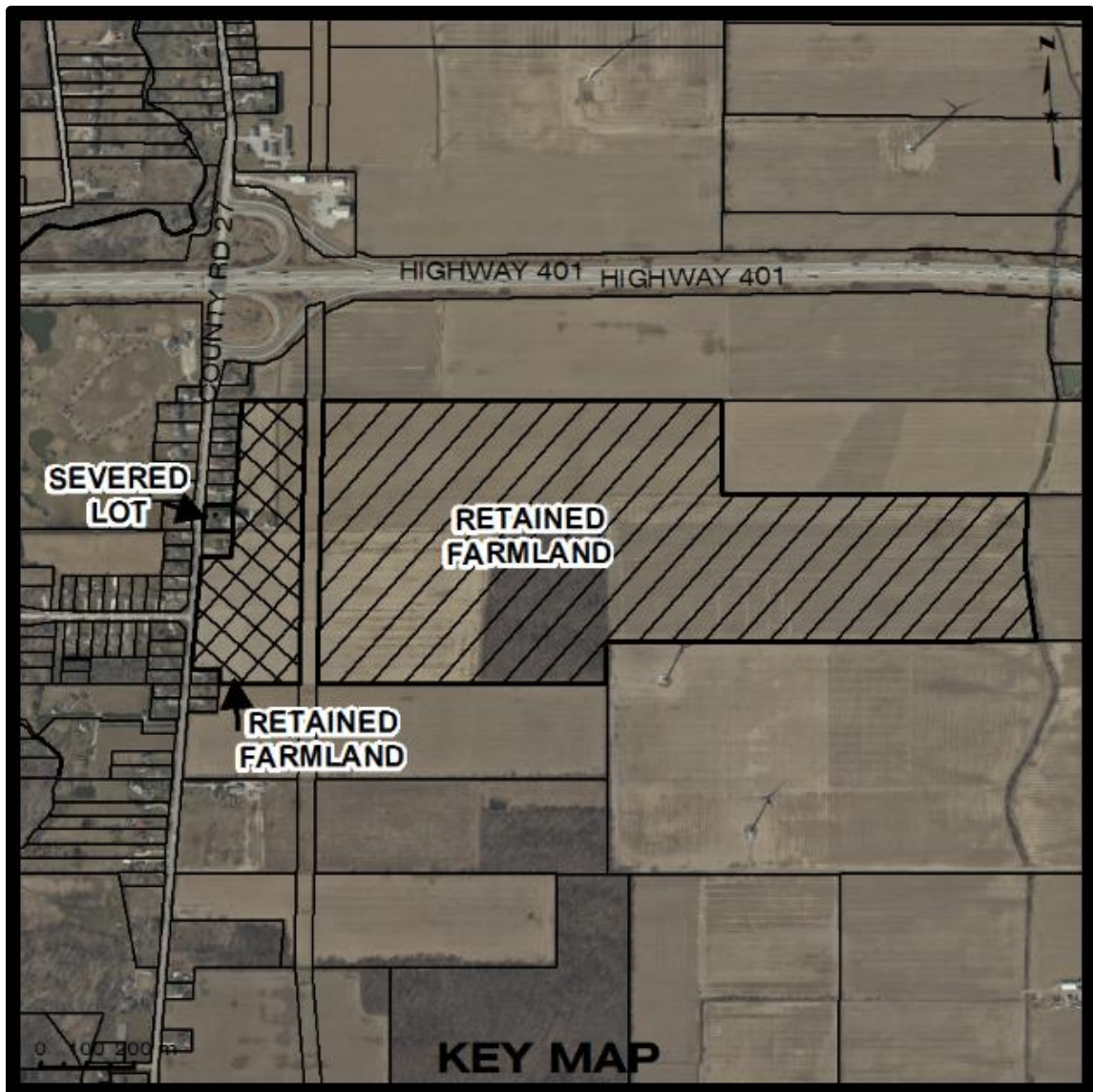
This report and all of its attachments were approved and signed as outlined below:

Tammie Ryall

Rosanna Pellerito

Kristen Newman

## Appendix 1 Key Map



# Welcome

## *Lakeshore Stormwater Master Plan Study Phase 1*

### Presentation to Council

**July 14, 2020**

**Presented by Nick Emery, P.Eng. and Clarence Jubenville, P. Eng.**

# Presentation Outline

- Study Purpose
- Study Area
- Master Plan Process and Approach
- Problem/Opportunity Statement
- Solutions
- Implementation Costs
- Next Steps
- Questions



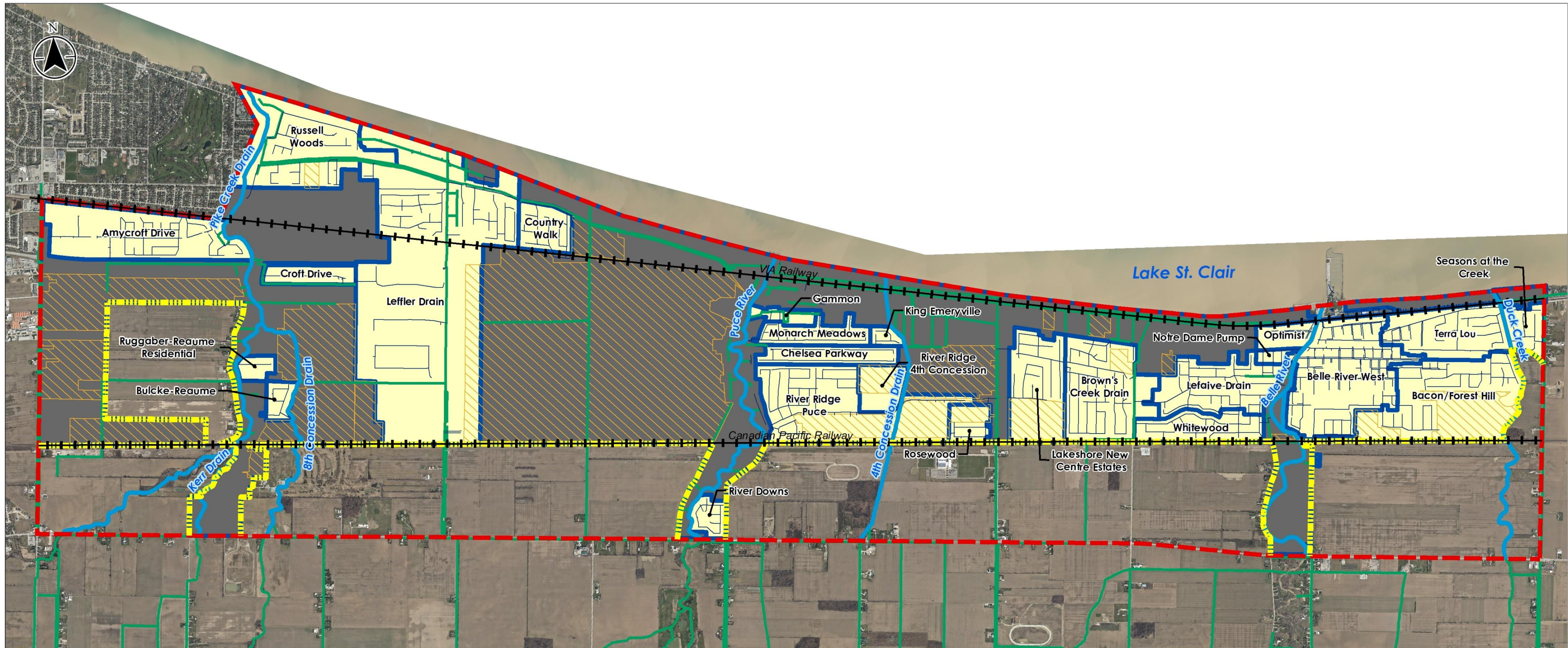
# Purpose of This Study

- Goal is to reduce the risk of basement flooding and property damage caused by significant rainfall events, such as the September 2016 and August 2017 storms.
- Perform a comprehensive review and analysis of stormwater infrastructure and identify areas of need for infrastructure improvements.
- Prioritize improvements based on level of service/risk to develop phasing and sustainable cost strategy.





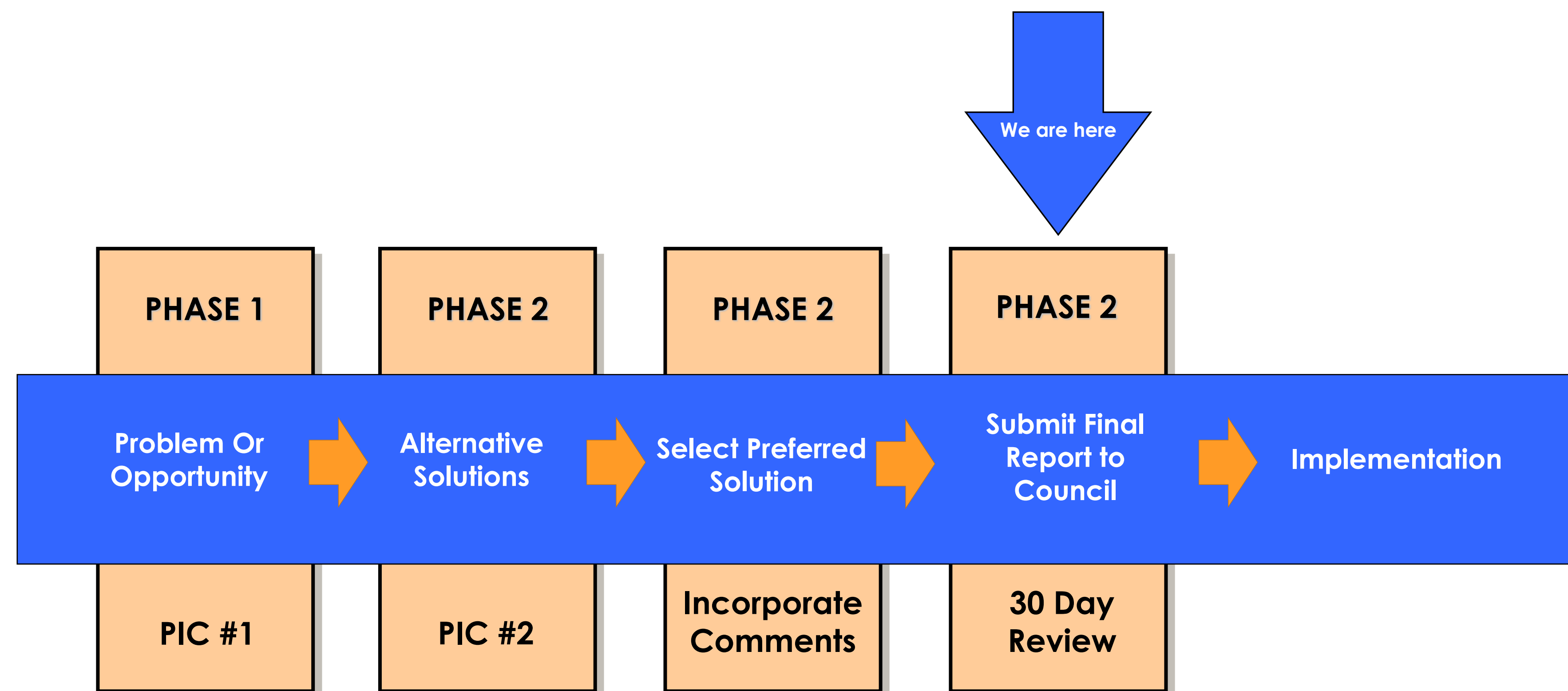
# Study Area





# Municipal Class Environmental Assessment Process

- The Town will meet the requirements of Ontario's Environmental Assessment (EA) Act for infrastructure projects.
- The project is being completed as a Master Plan - Approach 2 which includes completion of Phases 1 and 2 of the Class EA process as set out by the Municipal Engineers Association. We are currently in the Phase 2 stage.
- The EA process is an opportunity for the public and agencies to provide input.



# Problems and Opportunities

The cause of basement flooding at each individual home can be the result of one or many factors. The findings of our study suggest the following:

- The **primary cause** of basement flooding is **deficient private drainage** systems (i.e. – cracked pipes, sump pump failure, sanitary backflow valve failure, tree roots, grading around the house, etc.)
- **Surface ponding in itself is not a cause of basement flooding**, but it can challenge the private drainage system and expose any existing deficiencies.

Reducing the possibility of basement flooding requires a two-part solution:

Part 1. Maintain and **improve private drainage systems** to ensure adequate drainage of surface, roof and groundwater around the home; and

Part 2. **Improve the public drainage system** (i.e. the Town's stormwater system) to reduce the duration and frequency of storm sewer surcharging during intense rainfall events.



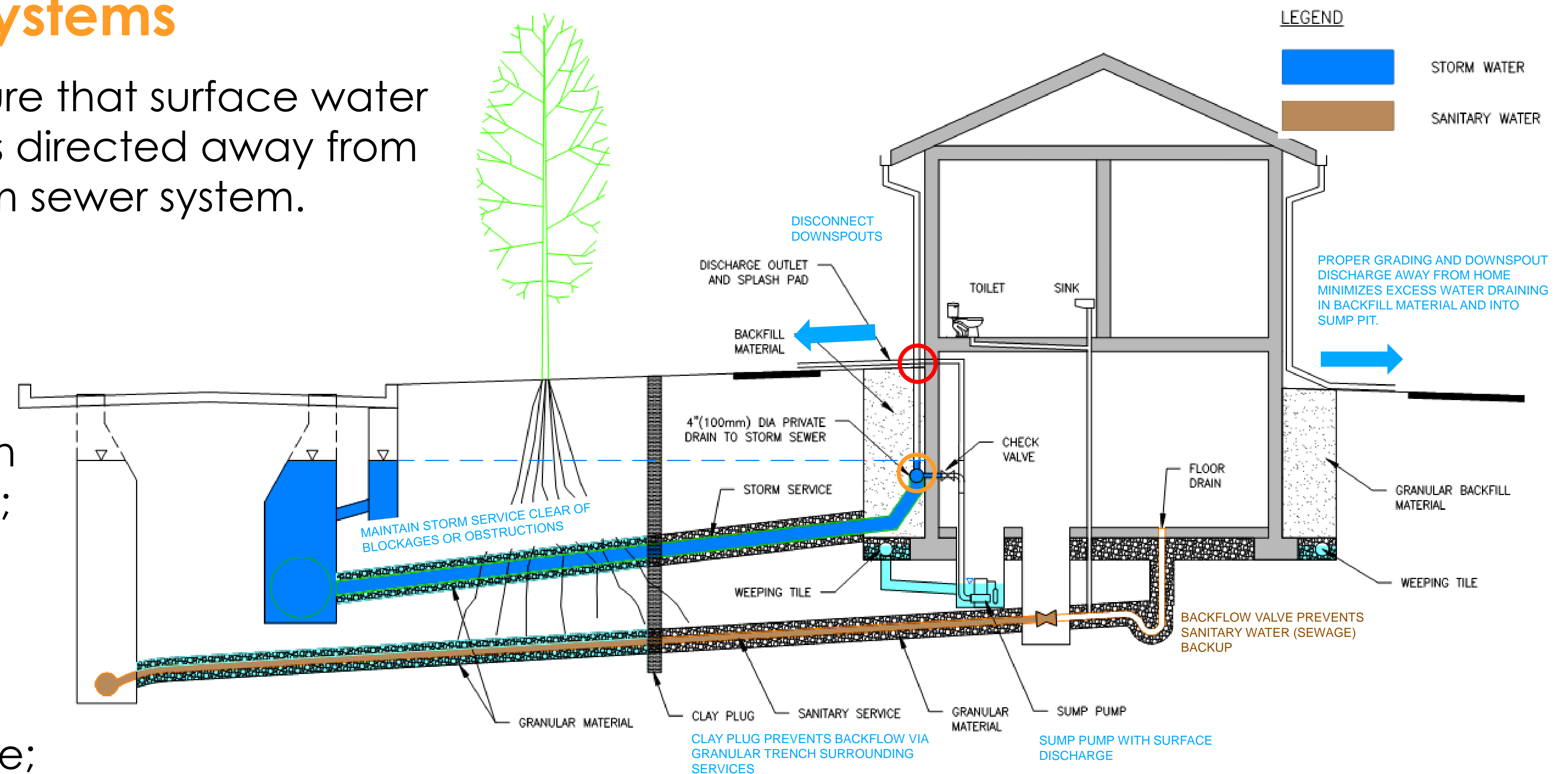
# Solution Part 1

## PRIVATE DRAINAGE SYSTEM MAINTENANCE AND IMPROVEMENTS

### Maintaining Private Drainage Systems

Maintain private drainage systems to ensure that surface water and groundwater surrounding the home is directed away from the home and towards the roadway/storm sewer system. Potential improvements may include:

- Ensure ground surface is graded away from home;
- Disconnect downspouts from foundation drain and direct them away from house;
- Verify that sump pump is in proper working order;
- Provide backup power for sump pump;
- Discharge sump pump to ground surface;
- Install sanitary backflow preventor and verify that it is in proper working order;
- Inspect private drains (storm and sanitary) for cracks or roots; and
- Install clay plugs in private drain trenches.



#### NOTE:

PRIVATE DRAINAGE SYSTEMS CAN BE COMPLEX AND COULD DIFFER FROM THAT SHOWN. IT IS CRITICAL THAT THE HOME OWNER CARRY OUT A SITE ASSIGNMENT WITH A LICENSED PLUMBER, DRAIN CONTRACTOR, OR DRAINAGE ENGINEER TO UNDERSTAND HOW THE EXISTING DRAINAGE SYSTEM OPERATES BEFORE DETERMINING THE APPROPRIATE SYSTEM IMPROVEMENTS.



# Solution Part 2

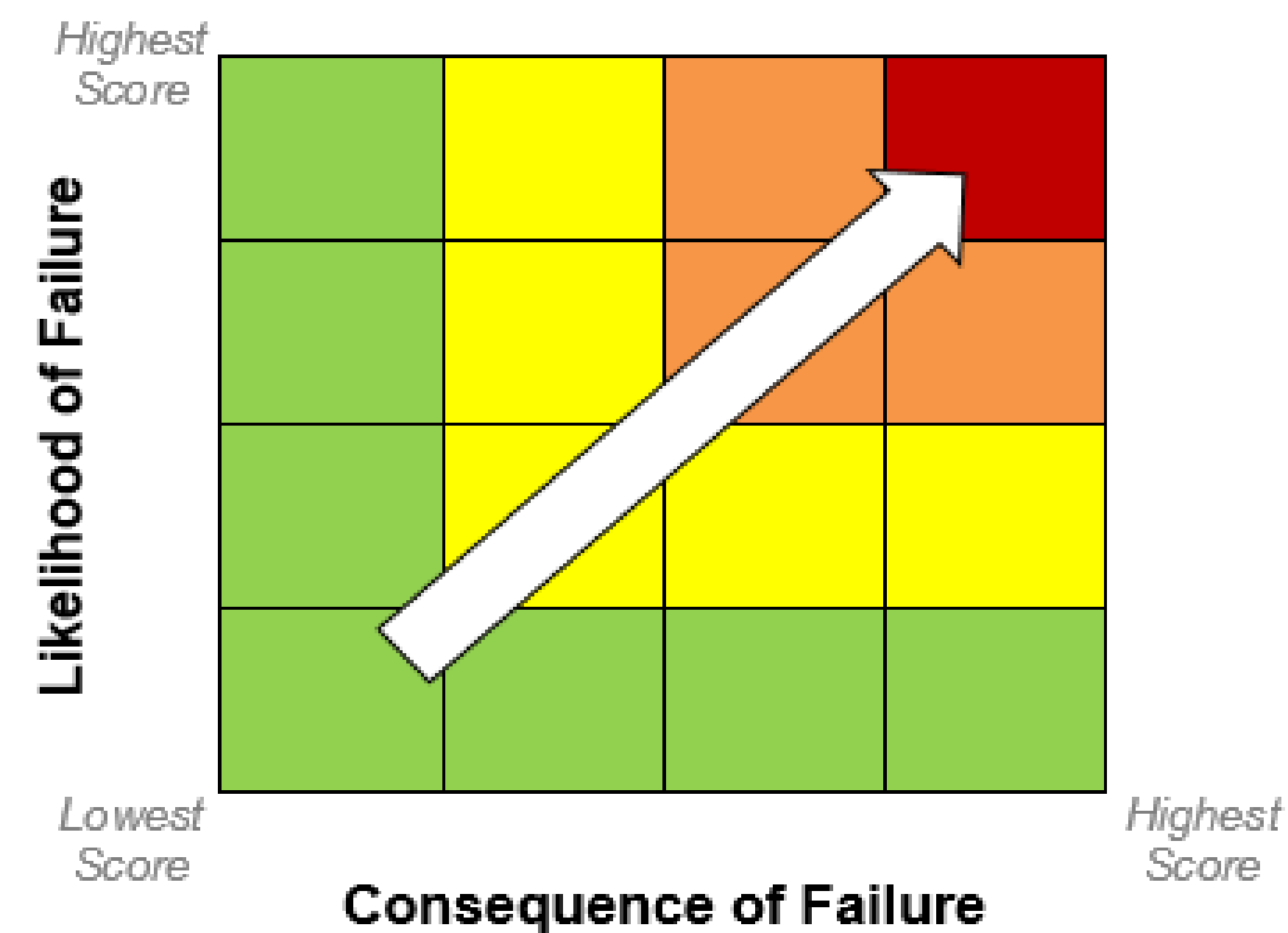
## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Storm Sewer Improvements

- The study area consists of approximately 112.2 kilometres of storm sewers and 1,135 storm manholes.
- Storm sewers provide quick and efficient drainage of urbanized areas to limit the inconvenience of stormwater ponding for most storm events. They are not designed to handle infrequent events such as those experienced in September 2016 and August 2017.

The performance of each storm sewer in the study area was evaluated based on its age, material, capacity, and the flooding that results if it fails.

Each storm sewer was assigned a score based on its performance to prioritize replacement.



Total Score	Prioritization Grade
8-10	Very Poor
6-8	Poor
4-6	Fair
2-4	Good
0-2	Very Good

Approximately 7.6 km of storm sewer received scores of “poor” or “very poor” and will be prioritized for future replacement.

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Catchment Improvements – Alternative Development

Alternative solutions were developed and evaluated for catchments where the following key issues were noted:

- **Minor System Capacity** – Systems with insufficient capacity to provide an adequate level of service during the 2-year storm event;
- **Major System Capacity** – Locations where buildings are likely vulnerable to flooding due to the capacity of the local major system and/or maximum road ponding depths are greater than 0.5 m;
- **Infrastructure Location** – Drainage infrastructure or overland flow routes located outside of the municipal right-of-way and/or drainage easement; and
- **Stormwater Management (SWM) Pond Capacity** – Areas where the existing SWM pond does not have sufficient capacity to accommodate the runoff from its maximum design storm.

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Catchment Improvements – Alternative Evaluation

Environmental Component	Evaluation Criteria
Social/Cultural	<ul style="list-style-type: none"><li>• Public Health and Safety</li><li>• Property Impacts/Acquisitions</li><li>• Municipal Policy/Guidelines</li></ul>
Natural Environment	<ul style="list-style-type: none"><li>• Erosion and Sediment Impacts</li><li>• Aquatic Habitats</li><li>• Terrestrial Habitats</li></ul>
Technical	<ul style="list-style-type: none"><li>• Effects on Surface Flooding</li><li>• Compliance with Standards</li><li>• Constructability</li></ul>
Economic/Financial	<ul style="list-style-type: none"><li>• Capital Costs</li><li>• Property Costs</li><li>• Operation and Maintenance Costs</li></ul>



# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Catchment Improvements – Preliminary Opinion of Probable Costs

Catchment	Project	Estimated Cost
Amy Croft Drive	SWM Pond Retrofit, Storm Sewer Replacement, Major Flow Improvements, Municipal Drain Abandonment	\$800,000
Croft Drive	Major Flow Improvements	\$80,000
Chelsea Parkway	Major Flow Improvements	\$100,000
Optimist	Pump Station Replacement, Storm Sewer Replacement	\$1,400,000
Seasons at the Creek	Pump Station Improvements	\$140,000
Belle River West	New Pump Stations, Major System Improvements	\$4,100,000
Terra Lou	Major System Improvements	\$120,000
Bacon/Forest Hill	Pump Station Improvements	\$1,700,000
Russell Woods	Pump Station Improvements, New Pump Station	\$2,700,000
Lefaive Drain	New Storm Sewer, Pump Station Replacement, Municipal Drain Abandonment	\$8,000,000
Hood and Leffler Drain	Pump Station Improvements, Municipal Drain Enclosure	\$14,000,000
Country Walk and Dean Development	SWM Pond Retrofit	\$700,000
Phase 1 Study Area	Storm Sewer Replacement	\$10,000,000
	<b>TOTAL</b>	<b>\$43,840,000</b>

Costs include engineering but do not include HST

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Additional Recommendations

- Expand existing sanitary sewer inflow & infiltration reduction program to mitigate significant wet weather flows;
- Adopt 5-year storm sewer design standard for all new construction, as per WERSMSM guidelines;
- Develop an annual operation & maintenance schedule for all SWM facilities and pump stations;
- Implement a comprehensive storm sewer video inspection and condition assessment and maintenance program to confirm replacement priorities; and
- Allocate minimum annual budget of approximately \$700,000 for stormwater system operation & maintenance.

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Recommended Annual Operation & Maintenance Budget

Asset	Quantity	Annualized O&M Cost (\$)	Total Estimated Annual O&M Cost (\$)
Town-Owned SWM Ponds	21	\$13,000	\$273,000
Town-Owned Storm Pump Stations	26	\$10,000	\$260,000
Storm Sewer Inspection and Flushing	Ongoing	\$167,000	\$167,000
		<b>TOTAL</b>	<b>\$700,000</b>



# Next Steps

- Council endorsement of the Environmental Study Report (ESR) for the Stormwater Master Plan – Phase 1;
- Notify the public and review agencies of completion of the Class EA;
- File the ESR with the Municipal Clerk and place on the public record for at least 30 calendar days for review by the public and agencies;
- Provision to request Part II Order. If no request for an order is received by the Minister within the review period, then proceed to implementation of the public drainage system improvements:
  - Complete contract drawings and tender documents
  - Obtain approvals including ECA amendments where necessary
  - Proceed to construction and operation
  - Monitor for environmental provisions and commitments



# Thank You for Your Attention

## Questions?

# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Engineering & Infrastructure Services**

#### **Engineering Services**



**To:** Mayor & Members of Council

**From:** Peyman Raji, Project Manager Flood Defence Strategy and Plan

**Date:** June 29, 2020

**Subject:** Storm Water Master Plan - Phase 1 Study

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#### **Recommendation**

Administration issue a Notice of Completion and place the Town of Lakeshore Stormwater Master Plan – Phase 1 (“SMP-P1”) Class Environmental Assessment draft report on the public record for the 30-day mandatory review period, at its regular Council meeting on July 14, 2020 for information purposes in finalizing the Class EA for the Stormwater Master Plan – Phase 1; and,

Adopt the 5-year storm sewer design standard into the Town’s Development Servicing Standards Manual for all new construction and in accordance with ERCA’s Windsor-Essex Regional Storm Water Management guidelines.

#### **Background**

The westerly portion of Lakeshore and neighbouring north shore communities experienced two extreme rainfall events in September 2016 and August 2017. Both events resulted in thousands of flooded homes and inundated streets within the affected communities, which prompted the Town in the undertaking of the Storm Water Master Plan study.

#### **Comments**

The main purpose of the Storm Water Master Plan (SWMP) through the completion of the comprehensive review and analysis of the Town’s storm water infrastructure is to identify short term to long term recommendations of infrastructure enhancements along with implementation of the development of policies and standards to mitigate flooding with the following deliverables:

- 1) Minor System Improvement Recommendations (Sewers & Pump Stations)
- 2) Major System Improvement Recommendations (Overland Routing, Ponds)
- 3) Prioritization of Capital Storm System Upgrades (including cost estimates)

- 4) Storm Water Management Facility Inventory
- 5) Storm Water Design Recommendations ( i.e. 2 yr design vs 5 yr or greater)
- 6) Development of Maintenance Program for storm drainage infrastructure

Considering the vast size of the Town's geography the SWMP was broken down into two phases. The first phase targeted areas that were impacted by the two significant rainfall storm events which consisted of the area west of Duck Creek to Town westerly limit and from CR42 north to St. Clair Lake.

The Storm Water Master Plan – Phase 1 ("SMP-P1") was completed by Stantec Consulting Ltd. and provides multiple recommendations and alternative solutions with respect to various water catchment areas that were analyzed. There was a previous storm sewer and drainage study that was undertaken by Dillon Consulting in September 2012 for the Town in the area of the community of Belle River. This provided input into the SMP-P1 and was also reviewed in the context of expanding this study area and updating it to ensure its relevance and to remain current. Also recognizing that some of this information contained in this storm drainage study was based on information that is greater than 10 years old also merited it be updated to accommodate future impact of environmental changes and trends according to newest standards.

The SMP-P1 is intended to provide timely and cost effective solutions to manage the current stormwater assets and infrastructure in addition to providing the necessary improvements in accordance with current Windsor/Essex Stormwater Management Standards Manual (WESMSM) (2019). Although the new WESMSM implemented by ERCA officially in 2019 many developments well a year prior were required to use the 5 year storm design with new construction of new subdivision servicing. The SMP-P1 includes the recommendation for the Town to also upgrade its 2 year design standard to the 5 year design standard in the Town's Development Servicing Standard Manual. While this has already been in practice, it is also being formally recommended for adoption by Council as the standard policy.

While the SMP-P1 has been ongoing, EIS has worked with Stantec to identify projects that could be prioritized with the funding allocations made in 2019 that were carried forward along with the additional funding in 2020 amounting to \$750,000. The following is a list of projects being undertaken in 2020:

- 1) Amy Croft SWM Pond Outlet Upgrades (Design & Construction)
- 2) Countrywalk Subdivision SWM Pond Expansion (Design & Approvals only)
- 3) River Ridge Subdivision SWM Pond Pump Station Improvements (Pumps)
- 4) Croft Drive overland flow route Inlet Improvements (Design & Construction)
- 5) Terra Lou Storm Outlet Upgrades (Design & Construction)
- 6) Seasons at the Creek Storm Pump Station & Outlet Upgrades (Design & Approvals & Construction)

Also as noted above as one of the deliverables the SMP-P1 was to provide guideline recommendations for annual estimated cost for Operations and Maintenance of Towns Storm infrastructure (Ponds, Pumps and Sewers) that was included as part in the Master Plan Phase 1 study area. The SMP-P1 provides the recommendation that the Town work

towards the establishment of annual \$700,000 operational budget for storm systems. A breakdown of the \$700,000 is provided below in the Financial Impacts section of the report. Currently the annual base amount for storm operational maintenance is \$125,000.

The SMP-P1 document provides the context in which the Municipal Class EA process was carried out and documents the rationale leading to the recommended and preferred solutions with respective cost implications and prioritization. In addition, at various stages of completing the study the SMP-P1 project team consulted with ERCA and provided presentations to the Town's Flood Task Force Committee along the way including two Public Information Consultation (PIC) meetings held at the Atlas Tube Centre Lobby with the first PIC on November 27, 2018 and second PIC on October 23, 2019. Further, the final SMP-P1 report was presented to the Flood Task Force Committee at its Thursday June 25<sup>th</sup>, 2020 meeting and Committee moved to support the filing the notice of completion with the Ministry of Environment, Conservation and Parks (MECP).

Upon approving the SMP-P1 with issuance of filing the notice of completion with the Ministry of Environment, Conservation and Parks (MECP) for public record and the mandatory 30 day review period, the SMP-P1 is finalized allowing for the next steps of obtaining individual MECP approvals for the projects that have commenced this year.

#### **OTHER CONSULTED:**

Stantec Consulting  
Essex Region Conservation Authority  
Town of Lakeshore Flood Task Force Committee

#### **FINANCIAL IMPACTS:**

There are no immediate budget impacts arising out of the recommendations contained in this report. The SMP-P1 was completed with the funding amount of \$350,000 which has been carried forward from prior years to complete the study. Further the projects listed below to be undertaken as part of the recommendations in the SWMP-P1 and these projects before proceeding to construction will have to obtain approval from Council with awarding respective tenders in accordance with the Town's procurement policy.

Estimated cost including Engineering and Contingency Costs for the completion of the identified projects are as follows:

<b>Project Descriptions</b>	<b>Funding Allocation</b>
Amy Croft SWM Pond & Outlet Upgrades	\$240,000
Countrywalk Subdivision SWM Pond Expansion	\$ 75,000
River Ridge Pump Station Improvements	\$135,000
Croft Drive Overland Flow	\$100,000
Terra Lou Storm Outlet Improvements	\$100,000
Seasons at the Creek Pump Station and Outlet upgrades	\$100,000
<b>Total Project Costs</b>	<b>\$750,000</b>

In addition to capital list of projects for upgrades and improvements to storm infrastructure, below is a table identifying industry best management practices of implementation of proactive maintenance activities for three specific storm asset types being SWM ponds, Pump Stations, and Storm Sewers. These factor in the number of each facility type to equate to annual allocation of developing the maintenance programs. This recommendation will increase the current annual operational base amount of \$125,000 for storm infrastructure maintenance to \$700,000 or representatively a 460% increase. Council approved \$450,000 in 2019 as well as an additional \$300,000 in 2020 to complete this work.

**Estimated Operations and Maintenance Costs for Ponds and Pumps and Sewers:**

Storm Asset Type	Quantity	Annualized O&M Cost (\$)	Total Estimated Annual O&M Cost (\$)
Town-Owned SWM Ponds	21	\$13,000	\$273,000
Town-Owned Storm Pump Stations	26	\$10,000	\$260,000
Storm Sewer Inspection and Flushing	Ongoing	\$167,000	\$167,000
		TOTAL	\$700,000

Considering the magnitude of the various SMP-P1 recommendations with respect to future investment toward Capital Projects in the order of \$44 Million and Operational Maintenance annually of \$700,000, Administration will bring forward recommendations in subsequent budgets for Council consideration to approve on the implementation of the SMP-P1.

With finalizing Phase 1 of the Storm Water Master Plan, the Town will commence with Phase 2 of the study area focused in the additional urban areas of the communities of Stoney Point, Lighthouse Cove, Comber and Woodslee. Council approved in 2019 \$275,000 to complete Phase 2 of the study but was delayed until completion of Phase 1. This encumbrance has been carried over into 2020 to fund the Phase 2 study.

Further under a separate report titled “Stormwater User Fee Implementation”, administration outlines the steps and process to undertake a user fee feasibility study to consider the future implementation of a Run-off based Stormwater User Fee that would be used to develop a financial plan to fund all stormwater related expenditures within urban area limits. The information and recommendations from both Phase 1 and 2 of the Storm Water Master Plan would be first required before proceeding to completion of the user fee feasibility study.

**Attachment(s):** None.

## Report Approval Details

Document Title:	Storm Water Master Plan - Phase 1 Study.docx
Attachments:	
Final Approval Date:	Jul 7, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall

## **Petition**

The Town of Lakeshore received the following petition on June 22, 2020:

**“We the undersigned are concerned citizens of the subdivision of Rafih Crescent in Lakeshore, Ontario, who urge our city counsellors to act now to cancel the sidewalk.”**

The petition included 28 signatures.

On July 6, 2020, an amendment was received which included 9 additional signatures and noted that 15 properties on the street are currently vacant.

# **The Corporation of the Town of Lakeshore**

## **Minutes of the Regular Council Meeting**



**Tuesday, June 23, 2020, 5:30 PM**

**Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River**

**Members Present:** Mayor Tom Bain, Deputy Mayor Tracey Bailey, Councillor Steven Wilder, Councillor Len Janisse, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Kirk Walstedt, Councillor Linda McKinlay

**Staff Present:** Chief Administrative Officer, Truper McBride, Director of Community & Development Services, Tammie Ryall, Director of Engineering & Infrastructure Service, Nelson Cavacas, Director of Legislative & Legal Services, Kristen Newman, Manager of Building Services, Morris Harding, Manager of Communications & Strategic Initiatives, Rita Chappell, Manager of Development Services, Kim Darroch, Manager of Engineering Services, Tony DiCiocco, Manager of Human Resources, Lisa Granger, Manager of Legislative Services, Brianna Coughlin, Manager of Public Works, Mazen Jreda, Manager of Recreation & Leisure, Frank Jeney, Manager of Water/Wastewater Services, Albert Dionne

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### **1. Call to Order**

Mayor Bain called the meeting to order at 5:30 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.



## 2. Closed Session

**187-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor McKinlay

Move into closed session in Council Chambers at 5:30 PM in accordance with:

- a. Paragraph 239(2)(b), (d) and (f) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, labour relations or employee negotiations, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to pay equity.
- b. Paragraph 239(2)(c) and (k) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality or local board, 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 or local board, relating to Town administrative facilities.

**Carried Unanimously**

## 3. Return to Open Session

Council returned to Open Session at 5:57 PM and a recess was taken. The meeting resumed at 6:05 PM.

## 4. Moment of Reflection

## 5. Disclosures of Pecuniary Interest

## 6. Recognitions

## 7. Public Meetings under the *Planning Act*

### a. **Beachside Development LTD., 0 Amy Croft Drive - Condominiums**

The Manager of Development Services provided a PowerPoint presentation as overview of the application.

Karl Tanner, Peter Valente, and David Mady were present electronically on behalf of the Applicant.

**188-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Walstedt

1. Adopt the proposed draft conditions for Draft Plan of Condominium applications 37-CD-19002 (Vacant Land Condominium Application) 37-CD-19003 (Standard Condominium Application) and 37-CD-19004 (Standard Condominium Application), 37-CD-20001 (Standard Condominium Application) attached as Appendix 1; and
2. The proposed draft conditions attached as Appendix 1 be submitted to the approval authority, the County of Essex.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Wilder

**Carried**

**b. Cannabis Production Facility (CPF) Zoning By-law Update**

**189-06-2020**

**Moved By** Councillor Kerr

**Seconded By** Councillor Santarossa

Approve zoning by-law amendment ZBA-5-2020 to amend the Town of Lakeshore Zoning By-law 2-2012, to:

- i. delete the definition of Marihuana for Medical Purposes Production Facility;
- ii. add the definition of Cannabis Production Facility;
- iii. revise various sections of the by-law to reflect the changes in (i) and (ii) above,

and adopt the implementing by-law 028-2020.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

## 8. Public Presentations

### a. Connecting Windsor-Essex - Advocating for Broadband

Dan Circelli of Connecting Windsor-Essex provided a PowerPoint presentation as an overview of the organization as well as efforts to improve broadband within the community.

## 9. Delegations

### a. Amico Affiliates (Applicant)

Cindy Prince of Amico Affiliates answered questions relating to the application.

- a. Lakeside Estates Phase 2 – Parkland Amendment, File: 37-T-19002

**190-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Walstedt

1. Adopt the revised draft conditions being 1, 10, 11 ,12 and 16 for draft plan of subdivision application S-A-01-2019 (County File 37-T-19002), attached as Appendix “1”;
2. The revised draft conditions and draft plan be submitted to the approval authority, the County of Essex; and
3. That Administration bring the draft subdivision agreement to the August 11, 2020 Council meeting.

In Favour (5): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Opposed (3): Councillor Wilder, Councillor Janisse, and Councillor Kerr

**Carried**

## 13. Reports for Direction

### b. Heritage Advisory Committee Summary – Draft Minutes of June 3, 2020

Council took a recess at 8:17 PM and reconvened at 8:27 PM.

David Tremblay, resident, appeared as a delegation noting his opposition to the potential demolition of the heritage property.

**191-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor McKinlay

Move Item 13(b) forward.

**Carried Unanimously**

**192-06-2020**

**Moved By** Councillor Kerr

**Seconded By** Councillor Santarossa

Refuse the application due to a lack of information, and should the applicant choose to re-apply, re-apply with the economic and heritage impact assessment.

**Carried Unanimously**

**10. Completion of Unfinished Business**

**11. Consent Agenda**

- a. **Regular Council Meeting Minutes - June 9, 2020**
- b. **Special Council Meeting Minutes - June 16, 2020**
- c. **Town of Essex - Spread of COVID-19 in Farm Worker Population**
- d. **Municipality of Chatham-Kent - Support of Government Commission on Long-Term Care and Recommendations by Community Partners**
- e. **City of Brantford - Essential Workers Day**
- f. **Town of Essex - Financial Relief for Non-Profit and Community Service Clubs**
- g. **Municipality of Grey Highlands - Universal Basic Income**

**193-06-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Wilder

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

**Carried Unanimously**

**194-06-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Santarossa

Support the resolution of the Town of Essex regarding the Spread of COVID-19 in Farm Worker Population.

**Carried Unanimously**

**195-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

Support the correspondence by the Municipality of Chatham-Kent regarding Support of Government Commission on Long-Term Care and Recommendations by Community Partners

**Carried Unanimously**

**196-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Wilder

Extend the meeting past the 9:30 PM deadline.

In Favour (5): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, and Councillor McKinlay

Opposed (3): Councillor Janisse, Councillor Kerr, and Councillor Walstedt

**Carried**

## **12. Reports for Information**

- a. Quarterly Building Activity Report – As of April 30, 2020**
- b. Alternating Sides Parking on Municipal Streets**
- c. Council Assignments Monthly Tracking Report - June 2020**

Councillor John Kerr left the meeting at 9:30 PM.

**197-06-2020**

**Moved By** Councillor Janisse

**Seconded By** Deputy Mayor Bailey

Receive the Reports for Information as listed on the agenda.

In Favour (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

**Carried**

### **13. Reports for Direction**

#### **a. Brentwood Lottery Waiving of Fees Request, 148 Summer Street**

Councillor John Kerr joined the meeting at 9:35 PM.

**198-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Deputy Mayor Bailey

Waive the building permit fees and development charges for the Brentwood Lottery Dream Home at 148 Summer Street and assume the cost of the waiver if the school board should refuse to waive the education development charge.

**Carried Unanimously**

#### **c. Accessibility Committee Plan and Draft Minutes**

**199-06-2020**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Walstedt

Adopt the Municipal Accessibility Plan 2019-2022 and make it available to the public.

**Carried Unanimously**

**200-06-2020**

**Moved By** Councillor Kerr

**Seconded By** Deputy Mayor Bailey

Direct Administration to include the five recommendations outlined in the Accessibility Plan, in the 2021 budget.

In Favour (3): Deputy Mayor Bailey, Councillor Kerr, and Councillor Walstedt

Opposed (5): Mayor Bain, Councillor Wilder, Councillor Janisse, Councillor Santarossa, and Councillor McKinlay

**Lost**

**201-06-2020**

**Moved By** Councillor McKinlay

**Seconded By** Councillor Santarossa

Suspend the rules of the Procedural By-law as it relates to Section 3.5(b) to allow the meeting to continue past 10:00 PM.

In Favour (3): Deputy Mayor Bailey, Councillor Wilder, and Councillor Santarossa

Opposed (5): Mayor Bain, Councillor Janisse, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

**Lost**

## **21. Adjournment**

**202-06-2020**

**Moved By** Councillor Kerr

**Seconded By** Councillor Walstedt

Adjourn the meeting at 10:06 PM.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Santarossa

**Carried**

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Tom Bain  
Mayor

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Kristen Newman  
Clerk

# **The Corporation of the Town of Lakeshore**

## **Minutes of the Special Council Meeting**

**Monday, June 29, 2020, 6:04 PM**

**Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River**



**Members Present:** Mayor Tom Bain, Deputy Mayor Tracey Bailey, Councillor Steven Wilder, Councillor Len Janisse, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Kirk Walstedt, Councillor Linda McKinlay

**Staff Present:** Director of Community & Development Services, Tammie Ryll, Director of Engineering & Infrastructure Service, Nelson Cavacas, Director of Finance, Rosanna Pellerito, Director of Legislative & Legal Services, Kristen Newman, Manager of Communications & Strategic Initiatives, Rita Chappell, Manager of Engineering Services, Tony DiCiocco, Manager of Information Technology, Pat Girard, Manager of Legislative Services, Brianna Coughlin, Manager of Public Works, Mazen Jreda, Manager of Recreation & Leisure, Frank Jeney, Manager of Water/Wastewater Services, Albert Dionne

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### **1. Call to Order**

Mayor Bain called the meeting to order at 6:04 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

### **2. Moment of Reflection**

### **3. Disclosures of Pecuniary Interest**

Mayor Bain congratulated those who volunteered and participated in the June 27, 2020 Miracle Food Drive.



#### 4. Completion of Unfinished Business

##### a. Reports for Direction

- a. Tree Planting Program for Older Subdivisions

**203-06-2020**

**Moved By** Councillor Janisse

**Seconded By** Councillor Kerr

1. Administration develop a pilot program to plant street trees in existing subdivisions to be implemented in 2021, as described in the report presented at the June 23, 2020 regular Council meeting; and,
2. Administration include the costs for the pilot program in the 2021 Parks Budget Centre in the amount of \$20,000 for budget consideration.

**Carried Unanimously**

- b. Tender Award – 2020 Lakeshore Asphalt Road Resurfacing

**204-06-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Janisse

Award the tender for the 2020 Lakeshore Asphalt Road Resurfacing Program to Mill-Am Corporation in the total amount of \$620,380.00 plus applicable taxes for the repair and resurfacing of the following five roads:

1. Frank Court (William St. to end of cul-de-sac)
2. Beechwood Dr. (Cty Rd. 22 to Birchwood Dr.)
3. Birchwood Dr. (Beechwood Cr. to Ashwood Cr.)
4. Emery Dr. (Cty Rd. 22 to Faith Dr.)
5. Faith Dr. (Emery Dr. to St. Mary's Rd.)

In Favor (6): Mayor Bain, Councillor Janisse, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Deputy Mayor Bailey and Councillor Wilder

**Carried**

- c. Tender Award – Hardtop Road Repair

**205-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Walstedt

Award the tender for the Hardtop Road Repair to Shepley Road Maintenance Ltd. in the total amount of \$89,270 plus applicable taxes.

**Carried Unanimously**

- d. Tender Award – Stoney Point Water Treatment Clarifier Repairs

**206-06-2020**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Kerr

1. Award the tender to BGL Contractors Corp. for the Stoney Point Water Treatment Clarifier Repairs in the amount of \$452,340 plus HST with a stipulated date for completion of October 16th, 2020.
2. Proceed with the repairs to the Stoney Point Water Treatment Plant Clarifier using Ecodyne Limited as the preferred supplier and technical resource.

**Carried Unanimously**

- e. Execution of Real Property Instruments

**207-06-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Santarossa

Adopt By-law 50-2020 in accordance with the report entitled, Execution of Real Property Instruments, presented at the June 23, 2020 Council meeting.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

**b. Reports from County Council Representatives**

Deputy Mayor Bailey presented matters from County Council.

Councillor Santarossa left the meeting at 6:50 PM and returned at 6:52 PM.

**c. Notices of Motion**

Councillor Janisse advised that he will be tabling a motion at the July 14, 2020 Council meeting regarding the extension of infrastructure under railway tracks.

- a. Notice of Motion submitted by Councillor Kerr - Bulk Water System at the Comber Fire Station

**208-06-2020**

**Moved By** Councillor Kerr

**Seconded By** Councillor McKinlay

Whereas to use the bulk water system at the Comber Fire Department is at the front of the building;

Whereas the side of the building would be the most optimum place for the bulk water distribution hose;

Be It Resolved upon any building upgrades or new building built for our Comber Area that one of the reports brought forward for Council's consideration is the bulk water distribution be on the side of the building with the least amount of obstruction to the Firefighters service delivery; and

Direct Administration to prepare a report to Council regarding a card system or fob system for bulk water station.

**Carried Unanimously**

**d. Question Period**

Councillor Wilder left the meeting at 7:57 PM and returned at 7:59 PM.

**209-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Kerr

Direct Administration to send a letter to the Ontario Provincial Police, Lakeshore Police Services Board, Member of Parliament and Member of Provincial Parliament to request that the OPP Auxiliary volunteer program services be reinstated during the COVID-19 emergency.

In Favor (6): Mayor Bain, Councillor Wilder, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Deputy Mayor Bailey, and Councillor Janisse

**Carried**

**210-06-2020**

**Moved By** Councillor Janisse

**Seconded By** Deputy Mayor Bailey

Direct Administration to meet with the Essex Region Conservation Authority (ERCA) to identify possible breaches that will create inland flooding from the rivers in the near future.

**Carried Unanimously**

**211-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Deputy Mayor Bailey

Defer discussion regarding water quality testing until after the closed session.

**Carried Unanimously**

**e. Non-Agenda Business**

## 5. Reports for Direction

### a. 764 Old Tecumseh Road – Cannabis Retail Store Authorization

**212-06-2020**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Walstedt

The Manager of Development Services, on behalf of the Mayor and Council, supply the following comments to the *Alcohol and Gaming Commission of Ontario (AGCO)*:

- a. The Town objects to the location of a cannabis retail store proposed at 764 Old Tecumseh Road, as it falls within a residential zone that does not permit a retail store; and
- b. That should the address of 764 Old Tecumseh Road be incorrect, that the AGCO afford the Town the opportunity to review the proposed retail store submitted by “Urbnbud” at the correct address.

**Carried Unanimously**

**213-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Janisse

Waive notice required of Section 9.8(a) of the Procedural By-law, which requires a notice of a motion to be in writing and delivered to the Clerk prior to noon of the Wednesday preceding the date of the Regular Council meeting at which the matter is to be considered, to consider a motion to move the sidewalk on Rafih Crescent.

In Favor (3): Mayor Bain, Councillor Wilder, and Councillor Janisse  
 Opposed (5): Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

**Lost**

#### 4. Completion of Unfinished Business

##### f. Consideration of By-laws

- a. By-law 28-2020, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Town of Lakeshore (ZBA-5-2020)
- b. By-law 46-2020, Being a By-Law to Delegate Authority regarding Governmental Permits and Procurement of Works
- c. By-law 47-2020, Being a By-Law to Deem, Permanently Close, Stop Up and Declare Surplus an Unopened Road Allowance known as Emily Street
- d. By-law 49-2020, Being a By-law to Confirm the Proceedings of Council for May 26th, June 9th and June 16th Meetings
- e. By-law 50-2020, Being a By-Law to Delegate Authority regarding Execution of Instruments relating to Real Property

**214-06-2020**

**Moved By** Councillor Walstedt

**Seconded By** Councillor Santarossa

By-laws 46-2020 and 49-2020 be read and passed in open session on June 29, 2020.

In Favor (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Janisse

**Carried**

**215-06-2020****Moved By** Councillor Santarossa**Seconded By** Councillor Walstedt

By-law 28-2020 be read and passed in open session on June 29, 2020.

In Favor (7): Mayor Bain, Deputy Mayor Bailey, Councillor Janisse, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Wilder

**Carried****216-06-2020****Moved By** Councillor Walstedt**Seconded By** Councillor McKinlay

By-laws 47-2020 be read and passed in open session on June 29, 2020.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried****217-06-2020****Moved By** Councillor Walstedt**Seconded By** Councillor Kerr

By-law 50-2020 be read and passed in open session on June 29, 2020.

In Favor (6): Mayor Bain, Deputy Mayor Bailey, Councillor Santarossa, Councillor Kerr, Councillor Walstedt, and Councillor McKinlay

Opposed (2): Councillor Wilder, and Councillor Janisse

**Carried**

## 6. Closed Session

**218-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Deputy Mayor Bailey

Move into closed session in Council Chambers at 8:55 PM in accordance with:

- a. Paragraph 239(2)(a) of the *Municipal Act, 2001* to discuss the security of the property of the municipality, relating to Lakeview Park and West Beach.

**Carried Unanimously**

## 7. Return to Open Session

During the closed session, a motion was passed to extend the meeting past the 9:30 PM deadline.

Council returned to open session at 9:52 PM.

**219-06-2020**

**Moved By** Councillor Wilder

**Seconded By** Councillor Santarossa

Waive notice required of Section 9.8(a) of the Procedural By-law, which requires a notice of a motion to be in writing and delivered to the Clerk prior to noon of the Wednesday preceding the date of the Regular Council meeting at which the matter is to be considered, to consider a motion regarding the closure of the beach.

**Carried Unanimously**

**220-06-2020**

**Moved By** Deputy Mayor Bailey

**Seconded By** Councillor Walstedt

Direct that West Beach be closed effective immediately and refer the closure to the Emergency Control Group to address the process for reopening procedures.

**Carried Unanimously**



**8. Adjournment****221-06-2020****Moved By** Councillor Wilder**Seconded By** Councillor Santarossa

Council adjourn its meeting at 10:00 PM.

In Favor (7): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Opposed (1): Councillor Kerr

**Carried**

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Tom Bain  
Mayor

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Kristen Newman  
Clerk

Ontario Provincial Police  
Essex County Detachment

1219 Hicks Rd.  
P.O. Box 910  
Essex, Ontario  
N8M 2Y2

Tel: (519) 723-2493 Fax: (519) 723-2133



Police provincial de l'Ontario  
Détachement du Comté d'Essex

1219 rue Hicks  
C.P. 910  
Essex, Ontario  
N8M 2Y2

Tel: (519) 723-2493 Télécopieur: (519) 723-2133

File Reference/

June 18, 2020

Mr. Francis Kennette  
Chair Lakeshore Police Services Board  
Town of Lakeshore

***Ref: Request for Information from Lakeshore Councilor Kelsey Santarossa dated June 08 2020***

In response to a request made by Councilor Santarossa relating to the Black Lives Movement, I will allow the statement issued by our OPP Commissioner on June 04, 2020 that speaks to this event.

As one of North America's largest deployed police services, the OPP sets the benchmark of excellence, as a policing service and an employer of choice. The OPP has a strong history of executing ground breaking initiatives which have embedded the value of diversity within the organization.

Our uniform recruitment attracts and selects the best available candidates for uniform positions with a focus on diversity, renewal and revitalization. Our values include Serving with Pride, Professionalism and Honor, interacting with respect, compassion and fairness and leading with honesty, integrity and courage.

Established in 2014 the OPP Inclusion Plan is guided by the principles of self-awareness as a key to inclusivity, sustaining an environment that support dignity, self-esteem and fair treatment, celebrating differences and recognizing diversity and inclusion as sources of strength and enrichment.

Training is a strict requirement for OPP members in all enacted legislations including Ontario Human Rights Code, Canada's Charter of Rights and Freedoms, Ontario Use of Force Model and the right of everyone to freedom of expression and peaceful assembly.

With respect to addressing racism and other forms of discrimination, the organization follows various policies in the areas of Respectful Workplace, Workplace Violence Prevention and Anti-Racism. Through ongoing education our policies and practices are aligned with our Priorities and Commitments of the OPP's Strategic Plan- Our People, Our Work and Our Communities.

*Answering the Call... Making a Difference*

In the context of a Protest, everyone has the right to freedom of expression and peaceful assembly. The OPP role is to ensure public safety and to keep the peace. The OPP empathizes with communities and recognizes the importance of bias free policing. While everyone has the right to participate in demonstrations that are lawful, peaceful and safe. The OPP strives to provide a safe and peaceful opportunity to exercise lawful rights while minimizing other impacts on the public.

The OPP does not use any law enforcement action that relies upon stereotypes related to race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status and /or disability. The OPP continues to proactively safeguard the rights and protections afforded all individuals.

The OPP is committed to ensuring our organization is a progressive policing organization in the areas of equity, diversity and inclusion. Our values include:

- Serving with Pride, Professionalism and Honor
- Interacting with Respect, Compassion and Fairness
- Leading with Integrity, Honesty and Courage.

With reference to the conversation pertaining to Body Worn Cameras:

- The OPP regularly tests and considers adopting any technology that can be demonstrated to enhance public safety
- The OPP is obligated to conduct full due diligence on the adoption of any new technology to make sure it is safe, feasible, economical and effective.
- OPP members are not currently equipped with body worn cameras.

OPP members work in various assignment throughout Ontario and elsewhere. On the job development is attained throughout a member's career through horizontal and lateral developmental opportunities. Our diversity is well reflected throughout our organization.

I trust this adequately responds to the questions asked by Councilor Santarossa



Glenn Miller, Inspector  
Detachment Commander  
Essex County OPP



**THE CORPORATION OF THE CITY OF SARNIA  
City Clerk's Office**

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June 24, 2020

To: All Ontario Municipalities

**Re: Long Term Care Home Improvements**

At its meeting held on June 22, 2020, Sarnia City Council adopted the following resolution submitted by Councillor Margaret Bird with respect to the conditions in Long Term Care homes exposed by the pandemic:

***That due to the deplorable conditions exposed by the pandemic in LTC homes in the province, and because this is a time for action, not just continuous streams of investigations, commissions and committees, and because the problems have been clearly identified, that Sarnia City Council direct staff to send this motion to the 444 Ontario Municipalities, asking them to urge Premier Ford to start implementing the required resolutions immediately, as follows:***

- 1. increasing hours for all part-time and casual labour***
- 2. since the government provides funding for privately-operated homes, they have an obligation to inspect these homes and see that they are being properly run, and that funds are being used for the benefit of the residents and not the huge profitability of the operators, and***
- 3. to end the neglect and unacceptable conditions being experienced, each day, by our vulnerable seniors.***

Sarnia City Council respectfully seeks your endorsement of this resolution. If your municipal council endorses this resolution, we would request that a copy of the resolution be forwarded to the following:

Doug Ford, Premier of Ontario; and

City of Sarnia, City Clerk's Office  
[clerks@sarnia.ca](mailto:clerks@sarnia.ca)

Sincerely,

A handwritten signature in blue ink that reads "Dianne Gould-Brown". The signature is written in a cursive, flowing style.

Dianne Gould-Brown  
City Clerk

cc: AMO

**The Corporation of the Town of Lakeshore**  
**Report to Council**

**Engineering & Infrastructure Services**



**To:** Mayor & Members of Council  
**From:** Nelson Cavacas, Director, Engineering & Infrastructure Services  
**Date:** July 6, 2020  
**Subject:** Stormwater User Fee Implementation

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**Recommendation**

This report is for information only.

**Background**

Council adopted the following resolution at its June 26, 2018 meeting:

*That a report be provided on the process required to implement a Run-off based Stormwater Fee Assessment for urbanized areas.*

Further, Administration provided a previous report dated June 10, 2018 to Council with information on the establishment of a run-off based storm water fee assessment which is attached for Council's reference.

The previous report outlined some of the various types of storm water fee assessments that have been implemented by other municipalities along with outlining some specific factors that would need to be considered with the Town of Lakeshore's unique landscape of urban and rural areas being serviced by urban storm sewers, municipal drains under the Drainage Act and in some instances by both drainage systems.

This report focuses on the process to implement a Stormwater User Fee which will involve completion of a feasibility study.

**Comments**

With the establishment of any new municipal assessment levy or user fee there are five specific overarching steps involved through the completion of a stormwater user fee feasibility study which are summarized as follows:

- 1) Determine the appropriate and affordable level of service for future stormwater management program projects and activities.
- 2) Identify and evaluate stormwater funding options and alternatives.
- 3) Actively solicit feedback from a Flood Task Force Committee as well as residents and business owners through hosting a Public Information Centre.
- 4) Recommend a preferred option and determine the impacts compared to the current tax-based and municipal drain Drainage Act funding approach.
- 5) Present project findings and study recommendations to Council.

### Stormwater User Fee Feasibility Study (SUFFS)

Completion of the SUFF study will review and recommend a sustainable and fair funding source to support the Town's current stormwater/drainage programs and help achieve the future goals of both phases of the Storm Water Master Plans. The SUFF study will consist of the following five tasks which are also described below:

Task 1 – DATA COLLECTION & ASSESS EXISTING DATA

Task 2 – EXPENDITURE FORECASTING & ALLOCATION

Task 3 – DETERMINE POSSIBLE RATE STRUCTURE MODELS

Task 4 – USER FEE BENCHMARKING

Task 5 – ADMINISTRATION CONSIDERATIONS

### Task 1 – Data Collection

The Town will need to compile storm water and drainage information as identified below that will be reviewed to determine a general order of magnitude of potential fee structures and identify areas or "gaps" for which data/systems are not currently available to support certain fee structures. The data will consist of the following:

- Historical financial records including operating and capital expenditures
- Current stormwater related budgets and year-to-date actuals
- Current municipal drainage maintenance and year-to-date actuals
- Utility billing practices and database with available customer information/data fields
- Tax assessor database with all available property information/data fields
- Stormwater capital improvement project plans aligned with Storm Water Master Plan (Phase 1 and Phase 2) recommendations
- Municipal drainage capital improvement project plans for drainage works under the Drainage Act within defined urban area limits.
- Appropriate GIS geospatial data layers for stormwater assets and properties
- Current staffing levels associated with stormwater management functions
- Unfunded or underfunded stormwater functions
- Existing stormwater system asset descriptions and inventory

## Task 2 – Expenditure Forecasting

Prior to evaluating alternative user fee structures, it will be important to be able to define the current and future state of the stormwater programs. In some communities, services related to stormwater management are spread throughout the entire organization and therefore, it will be necessary to do some investigation to identify types of services that should be considered being provided within the current program such as street sweeping which provides a benefit to receiving stormwater systems.

A review of costs in detail to ensure they represent the full cost of service associated with operating and maintaining all of the stormwater systems within the urban areas. This will include the types and frequency of activities completed as well as incorporate costs for “level of service” improvements not reflected in current budgets such as recommendations arising out of the Storm Water Master Plans.

Once all costs are identified, a financial model will be developed to aggregate and forecast the costs of the Town’s stormwater system under current and future levels of service. The model shall evaluate multiple scenarios regarding capital improvement investment programs, level of stormwater maintenance funding, cost escalation factors, and other variables that impact annual funding needs and ultimately the level of a potential stormwater fee. As part of this task, we will also consider the additional costs that may be required to implement and administer alternative user fee structures.

The model will also need to include high-level functional cost allocations to provide a general understanding of distribution of costs for specific stormwater facilities (such as urban storm sewers, municipal drains, ponds, natural water courses, etc.) to identify parameters around how different customer circumstances could be equitably considered in various user fee structures and credit/incentive programs.

## Task 3 – Rate Structure Models

Once current and future program expenditures by asset category are defined and resident customer circumstances are generally understood, the study will identify and evaluate various options for assessing stormwater fees. The evaluation is to be based on accepted industry practices and other municipality experiences in developing stormwater fees in North America.

The basis for stormwater fees is to be evaluated for various categories of resident customers and property uses. Typically experiences by other municipalities, the basis for assessing stormwater fees to residential parcels (which are generally more homogeneous) is often different than the basis used for assessing individual non-residential parcels (which can vary by property use type and on just a parcel to parcel basis). In evaluating the requirements and merits of each option, consideration to a number of factors including the availability of data, ability to maintain required data, equity with each approach, and administrative effort.



The graph figure below illustrates the varying degree of effort and accuracy relative to the different types of run-off based stormwater utility fees with the simplest being a flat fee at the bottom versus the impervious area measurement with greatest efforts and complexity.



#### Task 4 – Fee Benchmarking

Following the evaluation of possible rate structure models will lead to the development of a number of alternative(s) given the specific characteristics of the Town's stormwater and drainage systems that would be most appropriate. As part of this evaluation of various rate methodologies will also compare possible structure models for the Town against other municipalities throughout Ontario and/or Canada.

#### Task 5 – Administrative Considerations

A key element of the evaluation of stormwater user fees has to account for administrative considerations. This includes how the stormwater fee would be billed, impact of program on property owners with permitted stormwater controls, and strategies to integrate stormwater in the context of the Town's policies, bylaws and standards that may support green infrastructure as part of low impact development.

To evaluate storm water assessment fee billing will require to review and determine the current status and usefulness of various software program datasets as they relate to the development of a stormwater utility billing system. The feasibility study will evaluate existing datasets within the Town to determine the ability to assess and bill a stormwater fee. While it is often preferable to place the stormwater fee on an existing utility bill such as potentially water and wastewater utility bill, circumstances may be such that an alternative approach such as a separate bill or placement of the stormwater assessment fee on the tax bill may be required.

It will also be important to consider the impact of the stormwater utility on properties within the Town that have implemented permitted stormwater management controls and/or participated in funding of municipal drains. It is often necessary to consider a credit

program to offer stormwater fee credits (reductions in the stormwater fee) for onsite stormwater management or consider different levels of fees for certain types of properties with qualifying facilities. The study will identify potential credits, different property customer classes, or fee differential strategies that the Town can consider for each appropriate user fee option.

The SUFF study will also need to identify strategies related to various aspects of potential stormwater fees to ensure consistency with other Town policies, bylaws or planned programs. For example, credits or one-time incentives for green infrastructure practices (permeable pavement, filter strips, green roofs, etc.) may be warranted to encourage low impact development.

### Summary of Feasibility Study

At the conclusion of the feasibility a final report will be completed outlining the analysis and review completed to arrive at recommendations and next steps to implement a run-off based stormwater assessment charge. Through the process of undertaking the SUFF study a minimum of one Public Information Centre (PIC) should be held to solicit feedback from residents and business owners as well as the Flood Task Force Committee. Subsequent to the completion of the SUFF study, a second PIC might be beneficial to educate the residents as part of the next steps to implement stormwater assessment fee.

Other consideration that shall also be required post completion of the feasibility study is the process of converting existing municipal drains that have legal status under the Drainage Act for the drainage works within urban area limits. While some of these drainage works exist within municipal road right-of-ways, there are many drains that exist on private properties without registered easements because they exist on private property through the legal rights under their respective drainage report through municipal bylaws under the Drainage Acts. For this reason the existing municipal drains will require to exist until such time the drain is upgraded to an urban standard storm sewer and registered easements are acquired by the Town.

The conversion of these drains will be required to be completed and phased over several years in concert with the capital upgrade replacements of the drainage works. For larger drainage schemes such as the Leffler Drain that provides drainage to both urban and rural areas an approach under the Drainage Act to abandon sections of the drain may be required. This approach would be considered to establish a delineation at the urban limits so the upper portion of the drain could remain with legal status under the Drainage Act. This would continue to allow for eligibility for OMAFRA grants for rural agricultural properties towards future maintenance and capital works of drainage works under the Drainage Act.

Considering the information required to complete the SUFF study will rely heavily on stormwater capital infrastructure renewals and upgrades along with recommended annual maintenance program activities that will be provided through the completion the 2 phases of storm water master plan studies, the SUFF study should be planned to be undertaken in 2022.

## Others Consulted

Stantec Limited

## Financial Impacts

Although the recommendation has no direct financial implications, the future undertaking of a Stormwater User Fee Feasibility (SUFF) study would cost in the range of \$80,000 and an approximate 9 month time period to complete. Further, through the completion of the SUFF study additional financial impacts shall be identified as to the implementation of future stormwater assessment charge. These could include resources such as staffing to administer the stormwater program fee as well as information technology for associated software depending on level of program fee complexity.

**Attachment(s):** Council Report dated June 10, 2018 on Run-off Based Stormwater Fee Assessment

## Report Approval Details

Document Title:	Stormwater Utility Fee Implementation.docx
Attachments:	- Run-off Based Stormwater Fee Assessment.doc - Attachment-Description of Municipal Storm Water Fee Programs in Ontario.docx
Final Approval Date:	Jul 8, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall

**TOWN OF LAKESHORE**  
**ENGINEERING AND INFRASTRUCTURE SERVICES**

**TO:** Mayor and Members of Council

**FROM:** Nelson Cavacas  
Director, Engineering and Infrastructure Services

**DATE:** June 10, 2018

**SUBJECT:** Run-off Based Stormwater Fee Assessment

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**RECOMMENDATION:**

It is recommended that:

1. Council receive the attached report for information purposes.

**BACKGROUND:**

Council requested at the November 21, 2017 meeting a report on the establishment of a run-off based storm water fee assessment.

**COMMENTS:**

While the concept seems simple, the steps and process of making a change in the recovery of urban storm and municipal drainage costs is complex. Typically properties are serviced by stormwater management systems consisting of the following:

- 1) Urban Storm Sewers
- 2) Municipal Drain (open or enclosed) under Drainage Act
- 3) Storm Water Management Ponds
- 4) Natural Water Courses (i.e. rivers, creeks or lakes)
- 5) Various combinations of the above systems.

**Urban Storm Sewers**

Primarily, urban storm drainage systems can be installed, improved or maintained under the following methods:

- Installed by developers and assumed by municipality
- Installed, improved and maintained under Drainage Act
- Installed as a local improvement
- Installed under general tax levy

The majority of urban storm sewers have been installed by developers and assumed by the municipality. Urban storm sewers generally provide drainage of surface run off in built up areas. Urban properties enjoy similar benefit from the installation, maintenance and improvement of a storm sewer system and associated costs are therefore funded through the general levy.

Urban storm sewers typically possess the following characteristics:

- Erected in municipal right of way/easement registered on title
- Municipal asset
- Provides equal benefit to all residents served by system
- Closed piping system
- Associated costs funded by general tax levy
- Commonly in sanitary sewage area

### Municipal Drains

In agricultural areas the benefits to agricultural properties from a drain improvement will vary from property to property. Municipal drains and their related sub surface components are designed to reduce soil erosion, sediment transfer and standing water thereby increasing crop productivity. The Drainage Act allows the engineer to determine benefit and apportion project costs on a cost per benefit basis to the landowners in the watershed. The Act further provides that “lands used for agricultural purposes” are eligible for Drainage Act grants.

Municipal drains commonly possess the following characteristics:

- Primarily serve agricultural areas
- Installed on private property without an easement on title
- Not a municipal asset
- Commonly open ditch design
- Commonly not in sanitary sewage area
- Associated cost paid by benefitting landowners
- Benefits to landowners vary

### Storm Water Management Ponds

The majority of storm water management ponds have been installed by developers and assumed by the municipality. Storm water management (SWM) ponds generally deal with surface run off only and are designed primarily to prevent flooding in built up areas. Urban properties similarly to urban storm sewers enjoy the benefit from the installation, maintenance and improvement of a SWM ponds and associated costs are therefore funded through the general levy.

SWM Ponds typically possess the following characteristics:

- Erected in municipal property registered on title
- Municipal asset
- Provides equal benefit to all residents served by the SWM pond
- Can be either a dry or wet pond

- Associated costs funded by general tax levy
- Commonly in sanitary sewage area

### Natural Water Courses

Properties that abut and topography slopes towards natural water courses such as Belle River, Pike Creek or St. Clair Lake do not rely on the above drainage systems and run off their storm water directly into the abutting natural water course. In some instances a small portion of the front yards may drain towards the municipal road that could be serviced by either an urban storm sewer or municipal drain but the drainage benefit would be minor.

As noted above for the different types of the Town's drainage systems, storm water management systems are currently funded by a combination of general tax levy and user fee cost recovery of associated costs to benefitting landowners.

### Run-off Based Storm Water Fee

Currently in Ontario there are only eight municipalities that have implemented a separate storm water fee to fund storm water management infrastructure. Storm water fees are specifically imposed on property owners to cover the costs of storm water management (i.e.: the operation, monitoring, and maintenance of grey and green storm water infrastructure).

The Municipal Act, 2001 allows municipalities to implement storm water fees. While the Act is silent on how stormwater fees could be implemented, options for calculating such fees include:

- Flat fee or tiered flat fee; and,
- Equivalent residential unit and single-family unit; and,
- Impervious area: based on the total amount of impervious area on a property.

### Flat Fee

The flat fee or tier flat fee is a set charge that does not vary based on use or size of the land, or a series of set charges for different categories of land (e.g., residential and commercial).

### Equivalent Residential Unit

The equivalent residential unit and single-family unit are calculated through statistical sampling of measured impervious areas for individual residential dwellings to determine the average equivalent residential unit (ERU) or single-family unit (SFU) (square meters of impervious area) that are used as the base billing unit against which all other charges are calculated (ERU) or to come up with the average impervious area (SFU).

### Impervious Area

The impervious area method is based on the total amount of impervious area on each individual property. Hence, the fee will vary dependent on size and impervious coverage of the individual property. Larger properties with greater areas of impervious surfaces would have larger fees than smaller properties on basis that greater surface water run-off is generated by areas with greater impervious surfaces.

Of the 8 Ontario municipalities that charge storm water fees and the fees differ because of varying program needs, fee calculation method, and community input. The average storm water fee for a single detached residential property in Ontario for municipalities that charge a fee ranges from \$3.95 to \$14.92 per month. Attached is a summary table of the fees and methods employed by the 8 municipalities.

### Fee Implementation Benefits

There are many benefits to funding storm water management through a separate fee. First, it can provide municipalities with a dedicated and stable funding source that allows long-range planning, preventative maintenance, and large-scale capital improvements.

At least equally important, a well-designed storm water fee can give developers and property owners an economic incentive to reduce the runoff from their property. This incentive is created if the storm water fee is based on the amount of impermeable surface on a property, whether directly or through a credit program. Landowners can reduce runoff, and therefore their storm water fee, through green infrastructure and other best management practices such as rain barrels, cisterns, rain gardens or permeable pavement or pavers. The combined effect of such practices can dramatically reduce the speed, quantity and pollution of runoff that the municipality must then manage.

Storm water fees based on runoff also have other advantages. For example, they are a more equitable way to finance storm water management, because they implement the polluter pay principle. It requires those who create the most runoff to pay for their proportional share. Storm water fees can also increase awareness of and transparency in how much runoff management costs and why the service is needed. Public understanding can help build public support for this essential, but often invisible public service.

### Implementation Challenges

Implementing storm water fees is a challenging exercise that will require to be managed and will involve significant time and resources to establish and implement.

First, the public may fear a new tax or fee along with the public potentially not understand the need for it, or may distrust that the money will be spent as intended. The Town would need to minimize this challenge through effective public communications on the rationale and implementation of the fee, such as a storm water advisory committee and other outreach and education programs.

Secondly, there may be strong opposition from those for whom storm water fees impose a significant financial burden. The Town would need to consider the potential of whether to offer assistance for property owners that are legitimately unable to pay by any of the following:

- phasing in the fee over a period of time,
- by reducing or eliminating the fee for certain property owners or classes of property,
- by helping such owners to alter their properties to reduce runoff.

Thirdly, what is a common characteristic with the 8 municipalities in Ontario that have implemented storm water fees is that they all are more urban built up areas with less or minimal rural agricultural lands. Implementation of a run-off based fees are designed to best suite municipalities with higher density populations with urban built up landscapes. Rural based municipalities typically employ and administer the Drainage Act process for drainage maintenance and improvements which are recovered from the benefitting landowners. In addition, agricultural farmland properties are also eligible for grant subsidies for drainage works completed under the Drainage Act. To establish a run-off based storm fee for rural properties would be challenging considering implications of farm properties loss of current grants from OMAFRA (Ontario Ministry of Agricultural, Food and Rural Affairs). As such, a potential for a grant for farm properties would need to be subsidized by the Town. Towns similar to Lakeshore with significant large rural areas have not been successful in implementing a run-off based fee program in the past. Consideration was given in Chatham-Kent but ultimately did not proceed.

Fourthly, there are administrative costs, such as the rate study, database management, billing and customer services that require ongoing resources (both staffing and software) to support fee implementation. These costs would need to be considered in the context of the Town establishing a fee design that is compatible with resources and capacity, or if groups of municipalities could share in the fee program costs.

## SUMMARY

In conclusion, considering the foregoing information on the approaches and methods of implementing a charge for storm water fees which details the complexity of these programs and as well the characteristics of the Town of Lakeshore having a large rural agricultural area component, it is recommended that implementation of a storm water fee program is premature at this time and could potentially be revisited in the future.

As communities grow, the agricultural history and characteristics of the municipal drain will evolve to the point where they may no longer be applicable. The evolving changes to areas serviced by municipal drains end up serving built up urban areas and eventually it is appropriate in some cases to abandon the municipal drain under the Drainage Act.

In addition, to implement a run-off based storm water fees there is a number of studies and information required to complete financial analyses and cost recovery approaches. Some of these are ongoing such as the Town's Asset Management Plan and others that



have commenced this year with the completion of a Storm Water Master Plan. Also program costs on maintaining and administering a new storm water fees needs to be reviewed that would consider resource capacity of staffing and technology required to implement. Integration of new software for establishing a new fee program is premature at this time as well considering the Town has identified the need to upgrade current systems.

**OTHERS CONSULTED:**

The Director of Finance was consulted along with the research completed into what the current Ontario municipalities have implemented with a run-off based storm fees program.

**FINANCIAL IMPACTS:**

The information presented in this report provides Council with a general overview of the various approaches and methods of a run-off based storm fees program. The recommendation noted within the report does not have any financial impacts at this time but the report does highlight the future aspects that the Town will need to consider in the future if implementation of a run-off based storm fee program is pursued.

**Prepared by:**

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Nelson Cavacas, C.E.T.  
Director, Engineering and  
Infrastructure Services

**Submitted by:**

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Tom Touralias, P. Eng., MBA  
Chief Administrative Officer

**Attachment:** Description of Municipal Storm Water Fee Programs in Ontario

## Description of Municipal Storm Water Fee Programs in Ontario

Municipality	Type of Fee	Avg. Monthly Fee <sup>(1)</sup>	Year	Credit/ Rebate Program
Aurora	Tiered flat fee based on type of property: - Residential and condominium properties (fee per unit) - Metered non-residential commercial/ industrial and multi-residential properties (fee per unit)	\$5.01	1998	No
Kitchener	Tiered flat fee based type of property and building footprint, number of dwelling units or buildings or impervious area: - Residential (building footprint) - Townhouse/condominium (number of dwelling units) - Multi-residential (number of buildings) - Non-residential (amount of impervious area)	\$11.44	2011	Yes (residential and nonresidential, up to 45 per cent)
London	Tiered flat fee based on type and size of property or calculated based on size of property: - Land areas 0.4 ha or less (flat fee) - Residential land area 0.4 ha or less without a storm drain within 90 m (flat fee) - Land area above 0.4 ha (calculated based on size of property)	\$14.92	1996	No
Markham	Flat fee based on property type or calculated based on property value: - Residential (flat fee) - Non-residential (calculated based on property value)	\$3.95	2015	No
Mississauga	Calculated based on single-family unit (the average hard surface area on a single detached residential property in Mississauga): - Residential rate (tiered based on "roofprint" area for each property) <sup>(2)</sup> - Individual multi-residential and nonresidential rate (calculated based on total impervious area of property) <sup>(3)</sup>	\$8.33	2016	Multi-residential and nonresidential properties: Yes, up to 50 per cent.  Residential: No, but enhanced education and outreach program
Richmond	Flat fee based on type of property: - Residential and farm; and - Industrial, commercial, multi-unit and condominium:	\$8.73:	2013	No
St. Thomas	Flat fee based on type or calculated based on size of property: - Residential and commercial and institutional (flat fee) - Industrial (calculated based on size of property)	\$7.81	2000	No
Waterloo	Tiered flat fee based on type and size of property: - Residential: small, medium and large; - Multi-residential: small, medium and large; - Institutional: small, medium and large; - Commercial and industrial: small, medium, large and largest	\$8.43	2011	Yes, (Residential, non- and multiresidential, up to 45 per cent)

Notes: (1) Rate based on Single, detached residential property

(2) "Roofprint" area is used as a predictor of total impervious area

(3) Multi-residential and non-residential properties' fees are determined by dividing the total hard surface areas by a stormwater billing unit (average total impervious area on a detached single family property in Mississauga is 267m<sup>2</sup>) and then multiplying by the stormwater rate (\$100).

# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Engineering & Infrastructure Services**

#### **Engineering Services**



**To:** Mayor & Members of Council

**From:** Peyman Raji, Project Manager for Flood Defense Strategy and Plan

**Date:** June 26, 2020

**Subject:** Flood Prevention Task Force Committee Meeting Draft Minutes of November 12th, 2019

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#### **Recommendation**

This report is for information only.

#### **Background**

The draft minutes from the November 12, 2019 Flood Prevention Task Force are attached to this report for Council's information.

#### **Comments**

The consultant, Stantec Consulting and Zuzek Inc., provided the FTF Committee with a presentation on the scope and preliminary work of the Town of Lakeshore Shoreline Management Study. Following the presentation updates were provided to the Committee on Phase 1 and Phase 2 of the Stormwater Master Plan studies and the following motion to receive the following:

1. Draft Stormwater Master Plan – Phase I
2. Schedule of Stormwater Master Plan – Phase II

The next meeting of the committee will be held at the recommendation from the Chair.

#### **Others Consulted**

Stantec Consulting and Zuzek Inc. provided a presentation regarding the Town of Lakeshore's Shoreline Management Study.

## Financial Impacts

There are no financial impacts resulting from the recommendation in this report.

## Attachment(s):

Presentation of Stantec and Zuzek Inc.

Final Minutes of the Flood Prevention Task Force of 12 Nov, 2019.

## Report Approval Details

Document Title:	Flood Prevention Task Force - Minutes of November 12, 2019.docx
Attachments:	- Flooding_Task_Force_ShorelineMPOOverview-nd-pz_.pdf - Final FPTF Committee Minutes Nov 12-19.pdf
Final Approval Date:	Jul 8, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall





Town of Lakeshore  
Flooding Task Force  
Meeting

Shoreline  
Management  
Plan

Project Overview  
Nov. 12, 2019



# Agenda



Project Team and Project Partners



Plan Purpose, Objectives, and Outcomes



Relationship to Other Projects



Project Workplan and Engagement



Discussion

## **Consultant Team**

### **Stantec Consulting Ltd.**

Stephanie Bergman

### **Zuzek Inc.**

Peter Zuzek

## **Technical Advisory Group**

### **Town of Lakeshore**

Community and Development Services

Kim Darroch, Manager of

Development Services

Engineering and Infrastructure Services

Building Services

### **County of Essex**

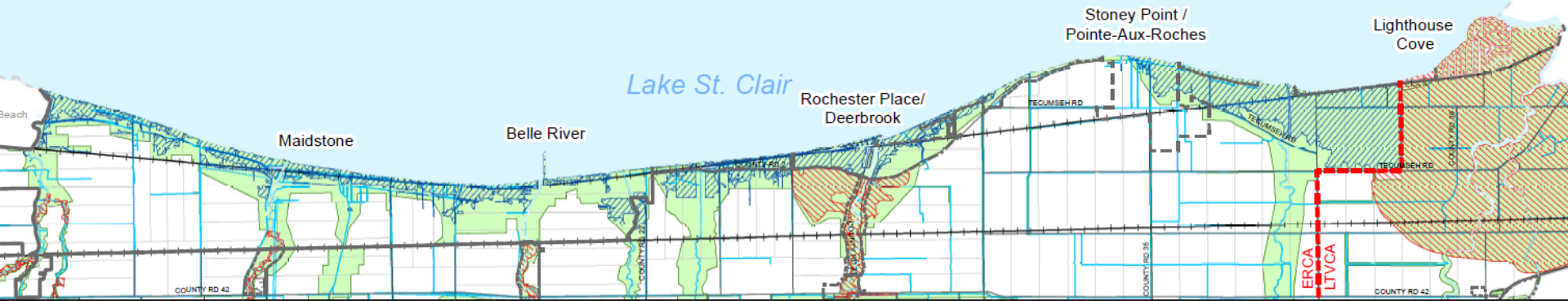
### **Essex Region Conservation Authority (ERCA)**

### **Lower Thames Valley Conservation Authority (LTVCA)**



## **Project Team**

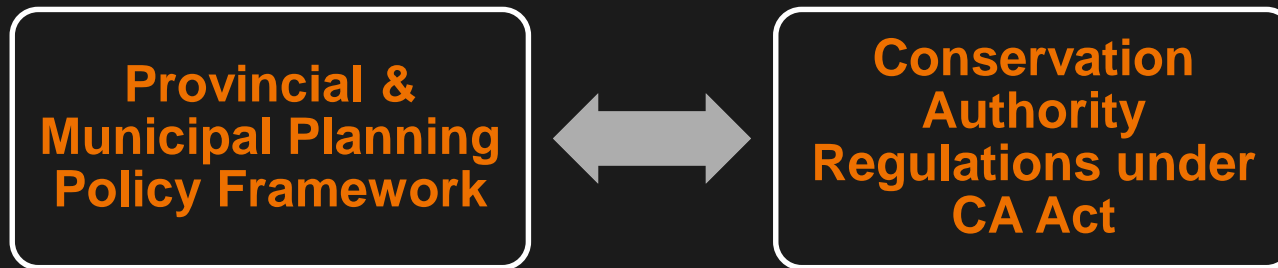




- Existing shoreline Regulations based on floodline/erosion mapping from 1976
- Provincial policy direction
- Coordinated approach to minimize danger to public health, safety, and property

## Purpose of the Plan





Official Plan Policies and  
Hazard Mapping

Zoning

Building Permits

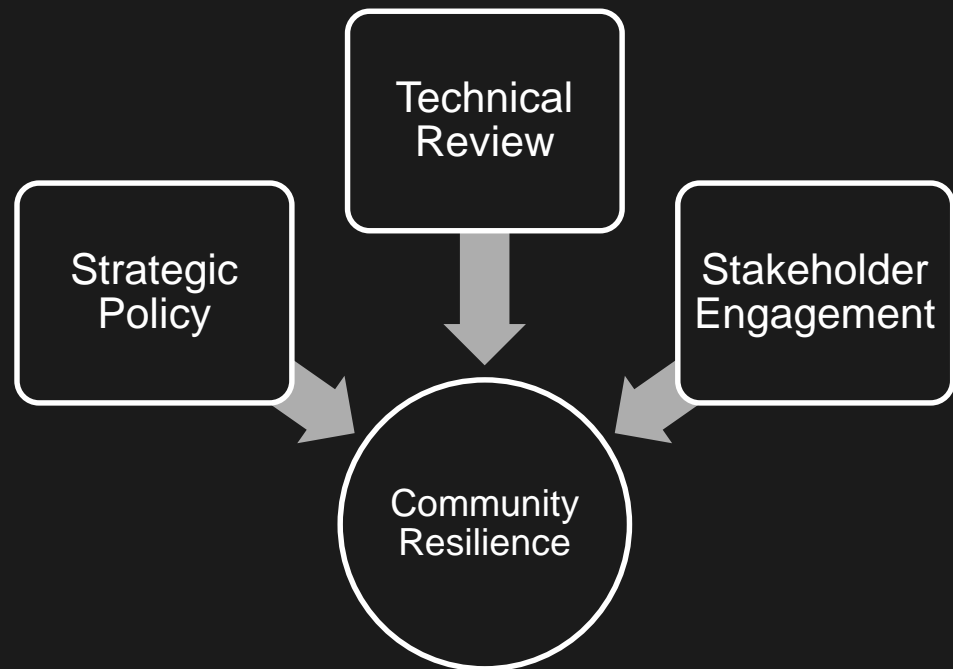
Municipal  
Infrastructure

Strategic Actions

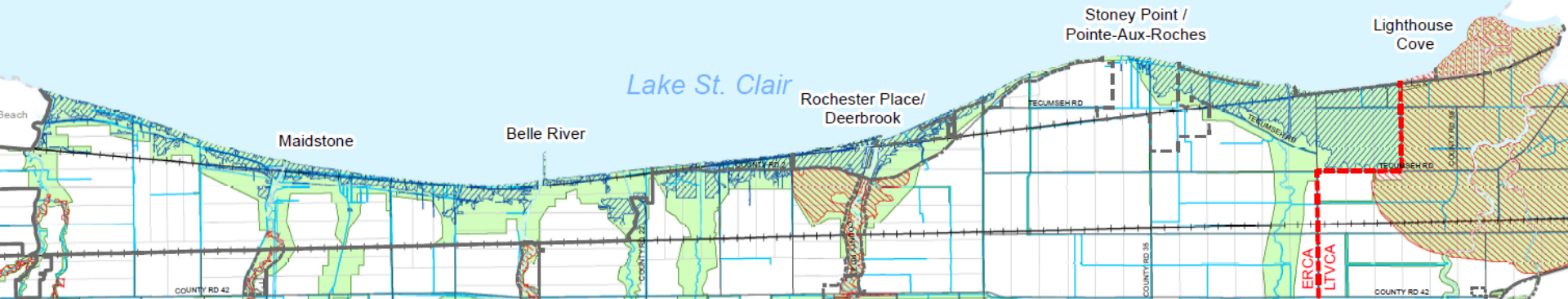
Building/Development:  
Section 28 Permits

## Planning and Regulatory Framework

- Complete technical assessment and produce new hazard mapping
- Update and integrate planning/regulatory policies
- Community and stakeholder engagement & education
- Create community resilience in the face of climate change



## Plan Principles



Prevention



Protection



Emergency  
Response



Public  
Education



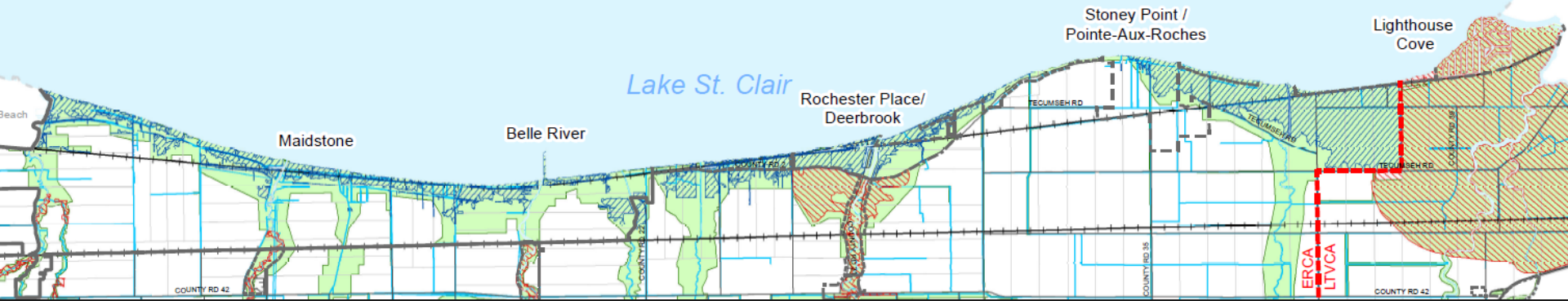
Environment



Monitoring

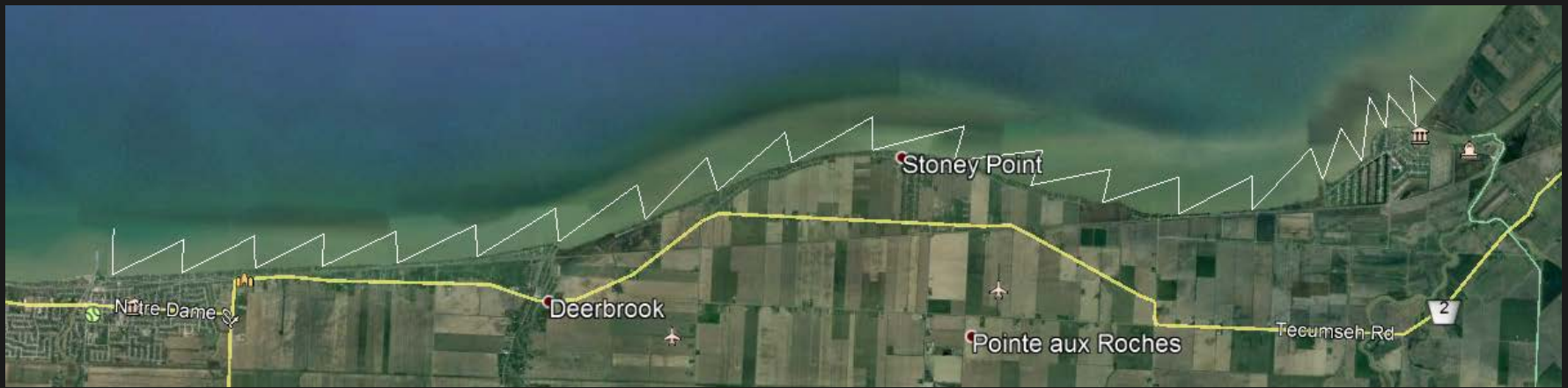


# Plan Objectives



- Updated Shoreline Hazard mapping
- Land use and development policy updates
- Zoning regulations
- Recommendations for both public and private management approaches

## Plan Outcomes



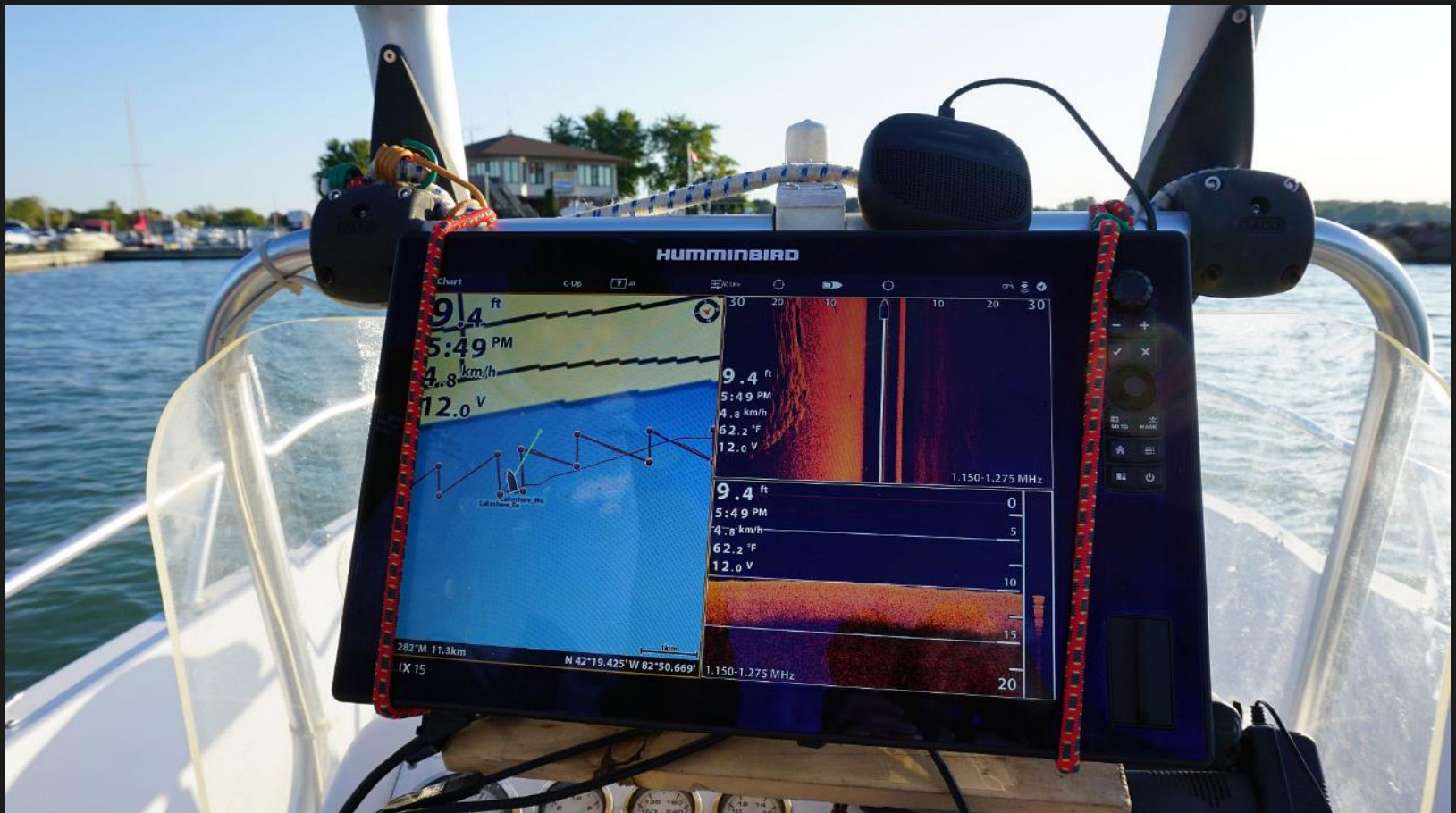
- Tracklines east of Belle River



- Tracklines west of Belle River

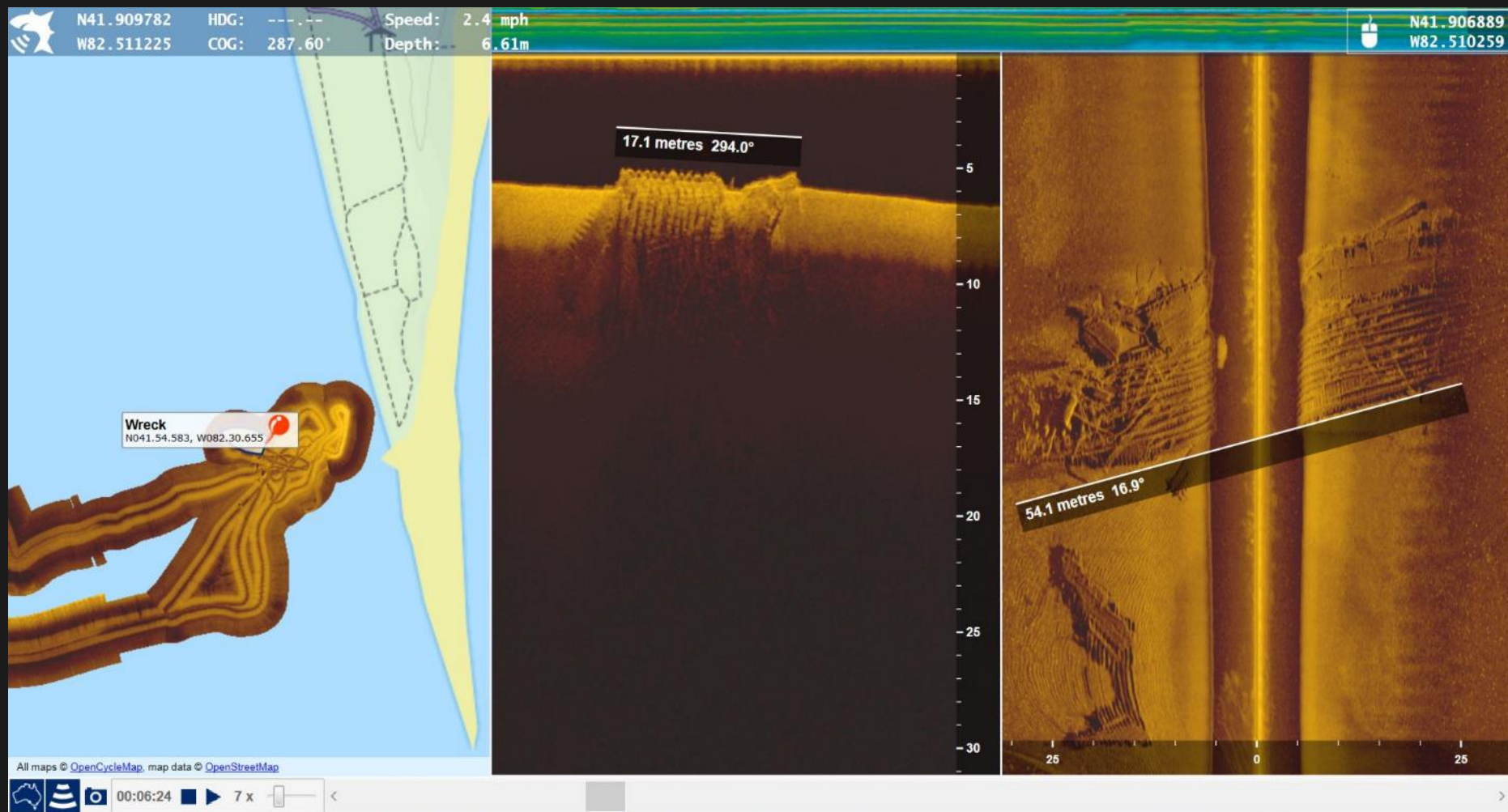
## Field Work - Bathymetry





- SOLIX records water depths and sonar imagery

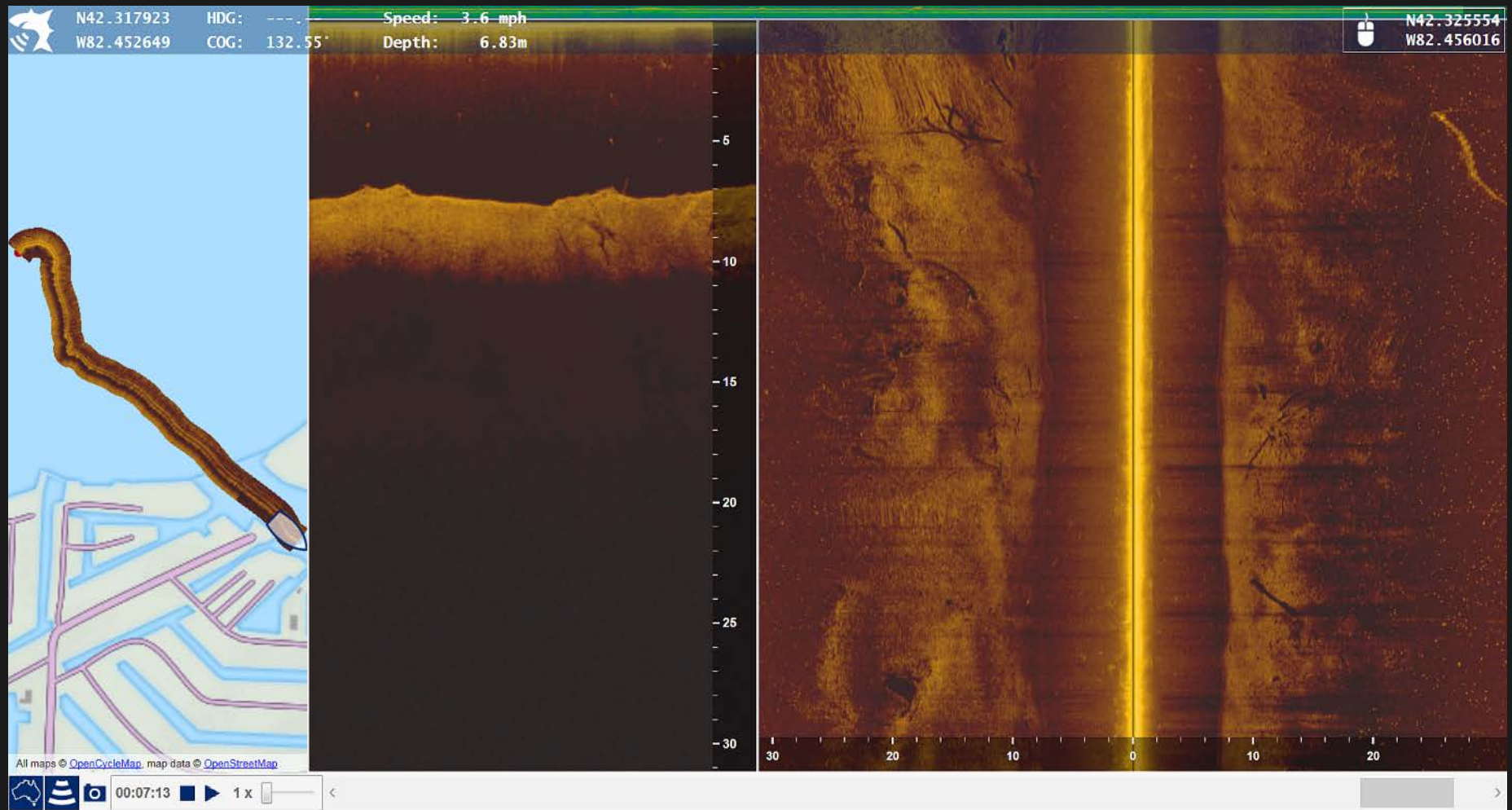
## Field Work - Bathymetry



- Sample of sonar imagery (Conemaugh, Nov. 21, 1906)

## Field Work - Bathymetry

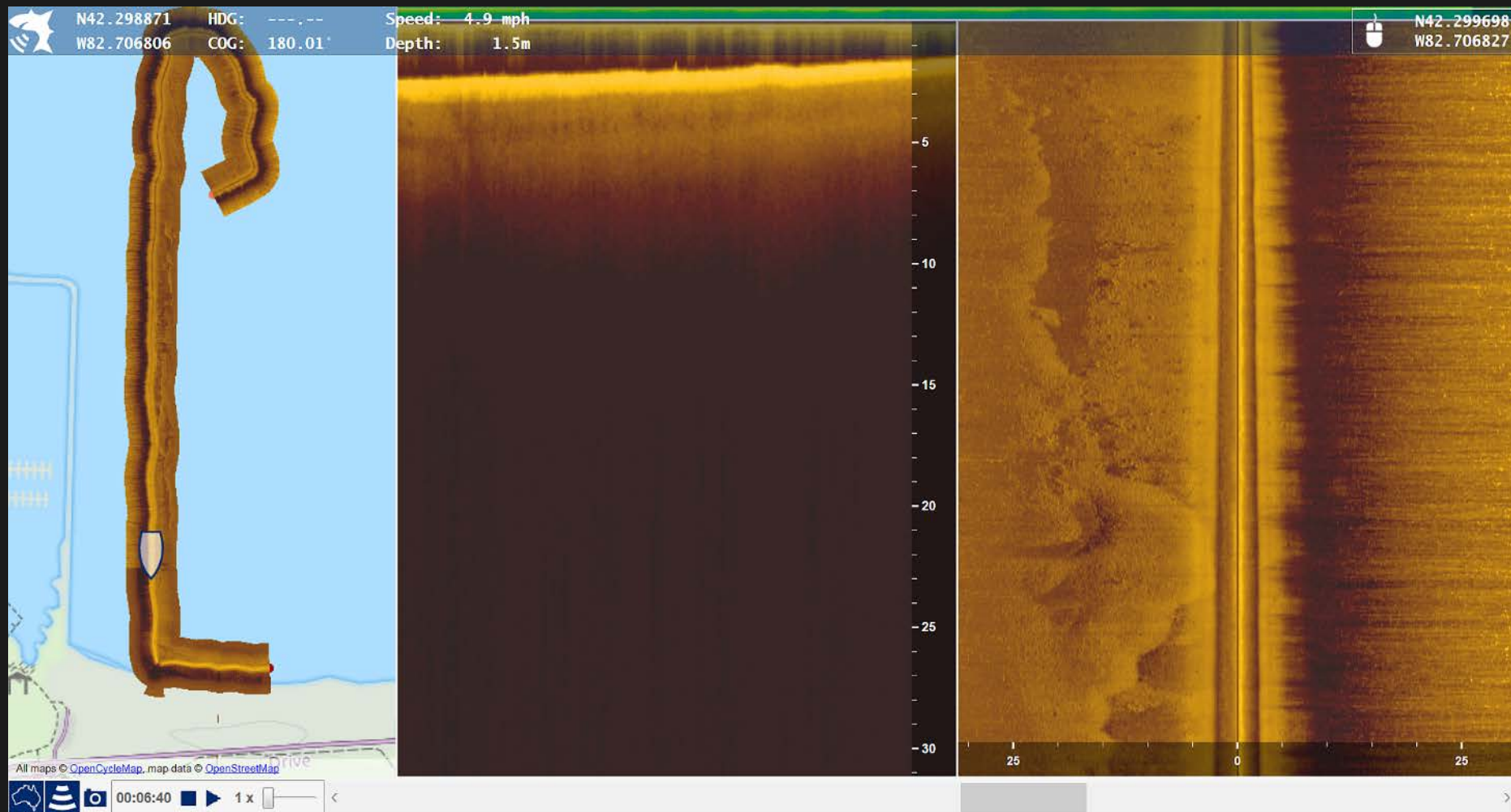




- Mouth of Thames River

## Field Work - Bathymetry





- Typical lake bottom profile east of Belle River Marina
- ## Field Work - Bathymetry



- No shoreline protection

## Field Work – Shoreline Observations





- Nature based shoreline protection (rock and vegetation)

## Field Work – Shoreline Observations





- Steel sheet pile wall (high)

## Field Work – Shoreline Observations





- Steel sheet pile wall (low)

## Field Work – Shoreline Observations

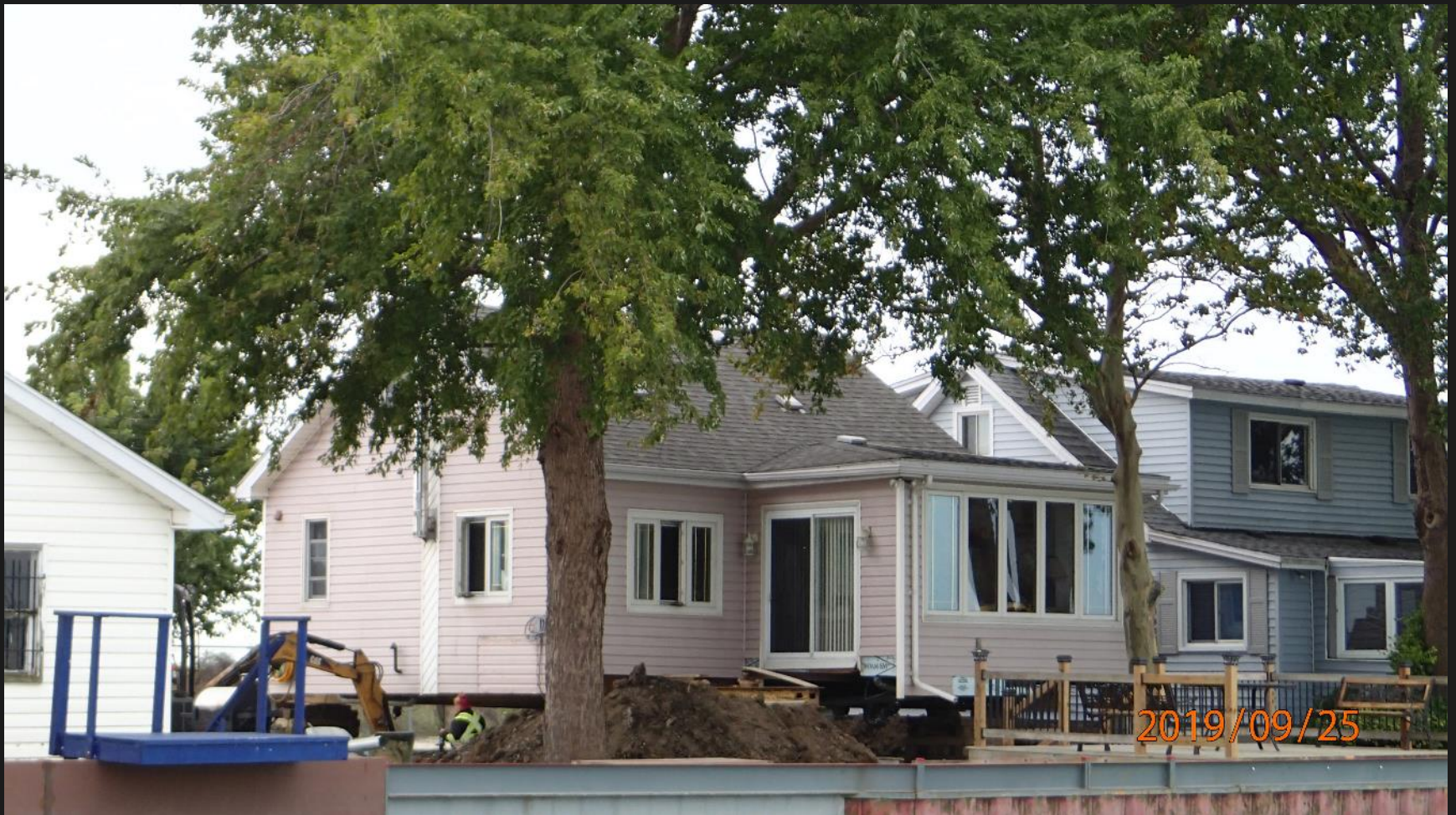




- Low flood-prone properties

## Field Work – Shoreline Observations





- House foundation being raised?

## Field Work – Shoreline Observations





- Flooding of ingress and egress routes

## Field Work – Shoreline Observations





- Challenges with interior drainage schemes

## Field Work – Shoreline Observations

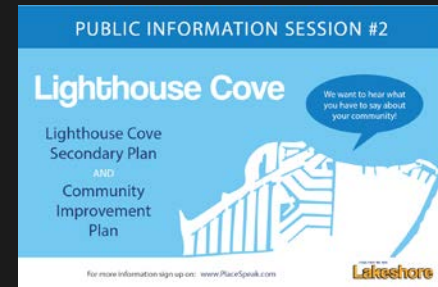
- Finalize shoreline reaches
- Evaluate existing shoreline protection approaches
- Identify high risk areas
- Public meeting

In 2020:

- Updated analysis of extreme lake levels
- Establish nearshore wave climate
- Update erosion, flooding, and dynamic beach hazards
- Generate new hazard maps to regulate development
- More public meetings and reporting

## Technical Analysis – Next Steps

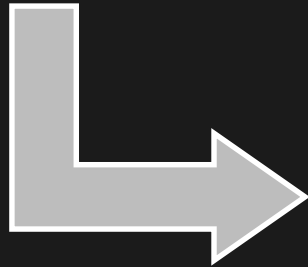
- Town of Lakeshore Strategic Plan 2019 - 2022
- Official Plan Comprehensive Review (draft Sept. 2019)
- Lighthouse Cove Secondary Plan (Ice Jam Modelling @ Thames River)



Relationship with other Projects

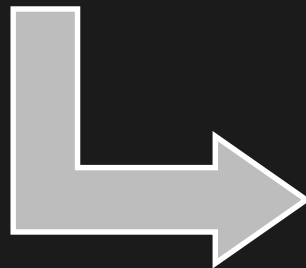
### **Phase 1 – Background Review and Data Collection**

- Drone photography
- Lake bottom depths (via boat)
- Shore Protection Database
- Identify high risk areas



### **Phase 2 – Technical Analysis**

- 1:100 year Flood Level
- Wave Uprush
- Dynamic Beach Assessment
- Policy Options



### **Phase 3 Shoreline Management Plan**

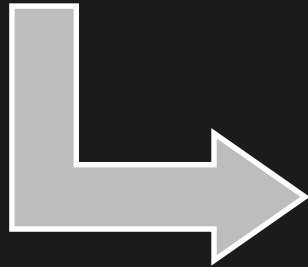
- Draft/Final Plan
- Land Use/Policy Recommendations
- Emergency Response
- Monitoring



## **Project Work Plan**

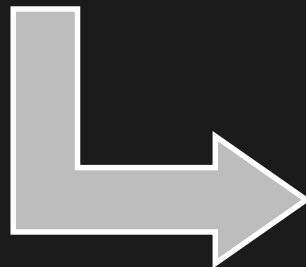
## Phase 1 – Background Review and Data Collection

- Place Speak Survey and Mapping Activity
- Public Information Centre No. 1 (**Nov. 28**)
- Summary Report/Place Speak Update



## Phase 2 – Technical Analysis

- PIC No. 2
- Summary Report/Place Speak Update



## Phase 3 Shoreline Management Plan

- PIC No. 3
- Draft/Final Shoreline MP



Engagement Plan



Questions?

Question:

- What, in your opinion, is the greatest challenge facing the shoreline residents and communities in the short/long term?



Discussion

Question:

- What, in your opinion, is the greatest challenge facing the decision makers of the **Town of Lakeshore** with respect to the Lake St. Clair shoreline in the short/long term?



Discussion



Question:

- When making decisions about how to mitigate the impacts of flooding and erosion along the shoreline, what do you think should be the most important?



Discussion

Thank you!  
Please sign up at  
**[www.lakeshore.ca/Placespeak](http://www.lakeshore.ca/Placespeak)**

**The Corporation of the Town of Lakeshore  
Flood Prevention Task Force Committee  
Minutes of Regular Meeting  
Held Monday, November 12<sup>th</sup>, 2019 at 6:30 PM  
in Council Chambers, 419 Notre Dame Street, Belle River**

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**Members Present:** Mayor Tom Bain  
Councillors: Steven Wilder and Len Janisse  
Members: Francis Kennette, Erin Bates, Donald Polak,  
Jaqueline Morreau, Brian Rivait and Phil Dorner

**Not Present:** Member Robert Roy

**Staff Present:** Manager of Engineering Services, Tony DiCiocco  
Director of Engineering and Infrastructure Services, Nelson  
Cavacas  
Project Manager, Floodwater Defence Action Strategy and Plan,  
Peyman Raji

**Consultants:** Stantec: Nick Dyjach  
Zuzek Inc.: Peter Zuzek

**Call to Order**

Vice-Chair Kennette called the meeting to order at 6:35 PM.

**Disclosures of Pecuniary Interest**

None.

**Adoption of Minutes**

Flood Prevention Task Force Committee Minutes of September 9, 2019

Moved Dorner Seconded Morreau

That the Flood Prevention Task Force Committee Minutes of September 9, 2019 be approved.

**Carried Unanimously**

**Delegations**

Stantec presenting Shoreline Management Plan ("SMP"). (copy attached)

## **Reports for Information**

### Schedule for Phase II of the Stormwater Master Plan ("SWMP"):

The Project Manager, Floodwater Defence Action Strategy and Plan (the "Project Manager"), updated the committee that the RFP is drafted and will be putting it out for proposals as soon as we have the final draft of the SWMP and get it to Council.

Administration reiterated intent is to go to procurement with proposal to engage more consulting firms to bid on work, thereby putting pressure on Stantec to get this SWMP completed as soon as possible. The Town has been attempting to raise the bar with the storm system. Urban storm sewers currently go through a multi-level review and require Ministry approval based on a two-year design. The Town has recommended, together with Stantec and ERCA's assessment, to move onto a five-year design instead.

### PIC 2 Outcomes and Review of Current SWMP Phase I:

The Project Manager, Floodwater Defence Action Strategy and Plan, advised that the Town currently has the preliminary draft of the SWMP Phase I, but it is not yet finalized. Still awaiting further comments from ERCA. The Plan will then go into 30 day review and next will be presented to Council. The Project Manager drew attention to the areas that were specifically reviewed for Phase I. Further, there are areas that are also being reviewed under the Drainage Act. The Project Manager advised that an interesting find coming out of the study was that the systems in Lakeshore were sufficient, however the problems stemmed more from the private side. Costs from Stantec for preferred solutions: \$750,000 for Stormwater Pond Improvements. The Town is trying to get some best industry practices out of this masterplan; asset management and operations, specifically.

### Recommendations from Stantec:

At the last FPTF Meeting, the committee requested clarification of Stantec's recommendations from Administration. The Project Manager advised that in the short term, some recommendations were to inspect the sewer systems for private drain maintenance, installing backflow valves and sump pumps (for which the Town offers subsidies), free mini-camera inspections and private sewage ejector pumps. Issues identified within the storm facilities were vegetation growth and repairing/replacing pumps. Many private drain breaks have been repaired. The Town has commenced a maintenance program in order to be proactive to flooding events rather than reactive. It is in the process of prioritizing and budgeting for issues identified for storm ponds and pump stations. Administration urged the committee to suggest to residents that they take advantage of the free mini-cam inspections so that any private-side issues can be located and taken care of.

## **Motion to Receive Reports**

Motion to receive the following two reports:

1. Draft Stormwater Master Plan – Phase I
2. Schedule of Stormwater Master Plan – Phase II

Moved Dorner Seconded Kennette

That the two reports listed above be received.

**Carried Unanimously**

## **New Business**

### Discussion of the difference between drains under the *Drainage Act* and storm sewer systems and their funding methods

Municipal Drains under the Drainage act are initiated under the Act. These are more common in rural type properties and can be open or closed. Municipal Drains go through a public consultation process and are communal. These are assessed under an assessment schedule and are recoverable.

A Storm Sewer is generally located in urban areas and typically get installed when a new subdivision is developed. These sewers go through the Planning Act process and are included in a Subdivision Agreement. Alternatively, a storm sewer can be initiated under the Municipal Act for local improvement and the costs get assessed.

The Town is considering bringing the idea to Council that when these drains get upgraded and improved, the Town can assume them as part of its assets. The Town is trying to develop a robust asset management into lifecycle funding so that it start building those financial models because to date, the Town has been funding these improvements through the Roads Project budget.

## **Adjournment**

Moved Dorner Seconded Morreau

That the Flood Prevention Task Force Committee adjourn its meeting at 9:20 PM and the next meeting be scheduled at the call of the Chair.

**Carried Unanimously**

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**Steven Wilder**  
Chair

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**Truper McBride**  
Chief Administrative Officer

# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Engineering & Infrastructure Services**

#### **Engineering Services**



**To:** Mayor & Members of Council

**From:** Peyman Raji, Flood Defense Strategy and Plan

**Date:** July 2, 2020

**Subject:** Flood Prevention Task Force Committee Electronic Meeting Draft Minutes of June 25th, 2020

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#### **Recommendation**

This report is for information only.

#### **Background**

The draft minutes from the June 25, 2020 Flood Prevention Task Force are attached to this report for Councils information.

#### **Comments**

The meeting was conducted electronically in light of the Covid-19 pandemic to ensure the health and safety of members and administrative staff.

Stantec provided a presentation on the final draft of Stormwater Master Plan – Phase 1.

The following motion was made:

1. Recommend that the SWMP P1 proceed to Council for issuance of Notice of Completion and to commence 30 Day review period to finalize the study with the incorporation of adding the storm water backwater valve into the report.
  - a. Administration reached out to Stantec and they provided the Language incorporating the request of the committee.

#### **Others Consulted**

Stantec

## Financial Impacts

There are no financial impacts resulting from the recommendation in this report.

## Attachment(s):

1. Draft Minutes of the Flood Prevention Task force regular Meeting of June 25<sup>th</sup>, 2020
2. Presentation of Stantec for FPTF

## Report Approval Details

Document Title:	Flood Prevention Task Force - Minutes June 25, 2020.docx
Attachments:	- FPTF Committee Minutes June 25-2020.pdf - ppt_165620165_200625_lakeshore_swmp_council_presentation.pdf
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall



**The Corporation of the Town of Lakeshore**

**Flood Prevention Task Force Committee**

**Minutes of Regular Meeting**

**Electronically Hosted from Council Chambers Monday, June 25<sup>th</sup>, 2020 at 6:00 PM**

**Zoom Video Meeting**

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**Members Present:** Councillors: Steven Wilder and Len Janisse  
Members: Francis Kennette, Erin Bates, Donald Polak,  
Jaqueline Morreau, Robert Roy, and Brian Rivait

**Not Present:** Phil Dorner

**Staff Present:** Director of Engineering and Infrastructure Services, Nelson  
Cavacas  
Manager of Public Works, Mazen Jreda  
Project Manager, Floodwater Defence Action Strategy and Plan,  
Peyman Raji

**Consultants:** Stantec: Nick Emery  
Stantec: Clarence Jubenvile

**Call to Order**

Chair Steven Wilder called the meeting to order at 6:11PM.

**Disclosures of Pecuniary Interest**

None.

**Adoption of Minutes**

Flood Prevention Task Force Committee Minutes of November 12, 2019

Moved By Roy Seconded by Rivait

That the Flood Prevention Task Force Committee Minutes of November 12, 2019 be approved.

**Carried Unanimously**

**Delegations**

Twin Dolphin/StrongHouse Canada 4 Stage Flood Management System is interested in coming to the committee to do a presentation on shore water management. The

committee has reservations on if it would be worthwhile in our area, but are interested in hearing their ideas. Councilor Janisse would like our engineering consultants to comment if it would even be worthwhile to have them come out. The company has further information if any committee member would like to reach out to them.

## **Old Business**

None.

## **New Business**

- a. Presentation of Stormwater Master Plan Phase1 by Stantec (Mr. Nick Emery P.Eng., and Clarence Jubenville P.Eng.)

Mr. Nick Emery gave an overview of the Stormwater Master Plan Phase 1, what has been completed thus far, and the next steps. The final report is ready to be brought to council.

The suggestion from the report is a two-part solution within the Town of Lakeshore: Improve private drainage systems, and improve public drainage systems.

Committee members brought a concern that the emphasis is on private side, when in their experience the flooding issues were due to the city system being charged.

Nelson Cavacas, clarified that because these circumstances are not predictable, we need to look to both solutions.

The committee noticed that there is nothing stated about adding a backflow preventer on the storm system, and would like to have it considered to be added into the study.

Len Janise would like to discuss with Robert Roy and engineering if this can be included in our development manual for new builds.

The Master Plan identifies an estimated cost for each project improvements, based on identified catchments.

A suggestion from the report is for the Town to allocate an annual budget of \$700,000 for storm water system operation and maintenance.

- b. Recommend that the SWMP P1 proceed to Council for issuance of Notice of Completion and to commence 30 Day review period to finalize the study

-With the incorporation of adding the storm water backwater valve into the report.

Moved Kennette Seconded Polak

**c. Storm Water Master Plan Phase 1 - Project Updates**

Nelson Cavacas gave an update for the projects going on right now. Expansion to the Country Walk subdivision Stormwater pond, design approvals are taking place right now, River Ridge pumps are on order, Croft Drive overland flow route Inlet Improvement taking place hopefully this year, Terra Lou upgrades design approvals and construction, Seasons of the Creek design approvals and construction and Amy Croft Design and retrofit of Stormwater Management Pond. We are hoping to get these completed this year.

Jacqueline Morreau asked if the Town Has reviewed current revised budgets for what should be at for operation maintenance. Nelson Cavacas stated that the Town will have to develop a phase in approach to develop those maintenance programs that will be supported by external resources. The Town currently has already established maintenance items within Town's operating budget, but in order to increase those services the budgets have to increase as well. At this time The Town has a put a reserve on Capital projects, but those have to be increased as well. The Town would like to implement a proactive strategy, rather than a reactive strategy.

**d. High Water Flood Mitigation Measures Update**

Nelson Cavacas stated that the Town has been going out and doing a number of initiatives to deal with the rising levels.

The town has been providing sandbags to residents, and the request from residents has slowed down now. There has been a large amount of residents who have done their own shoreline improvement, such as the installation and improvements of break walls. On Albert St, the town installed a berm to prevent water from coming over onto the road. Grant subsidies are still in place for flood prevention on private side (Backwater Valve for Sanitary, Overflow Bypass for Sump Pump, Eavestrough disconnection and mini Cam inspections). Earth berming is being completed on Mariners Dr., Albert St., Island Cres., Melody Dr.

Erosion protection at Strong Road Parkette, Lakeshore Park Drive, Golfview Road Parkette, Belle River Marina, and the Town is exploring the possibility of installing berms along Caille Ave.

**e. Phase 2 - Storm Water Master Plan schedule update**

Request for Proposal for the second phase is already being reviewed prior being published to the public back in July, the administration has already budgeted

funding for the other area. Intent to get the next phase to be presented to council by August.

### **Adjournment**

**26-06-2020 – Roy / Kennette**

That the Flood Prevention Task Force Committee adjourn its meeting at 8:31 PM and the next meeting be scheduled at the call of the Chair.

**Carried Unanimously**

---

**Steven Wilder**  
Chair

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**Truper McBride**  
Chief Administrative Officer

# Welcome

## *Lakeshore Stormwater Master Plan Study Phase 1*

### Presentation to Flood Defence Task Force

**June 25, 2020**

**Presented by Nick Emery, P.Eng. and Clarence Jubenville, P. Eng.**



# Presentation Outline

- Study Purpose
- Study Area
- Master Plan Process and Approach
- Problem/Opportunity Statement
- Solutions
- Implementation Costs
- Next Steps
- Questions



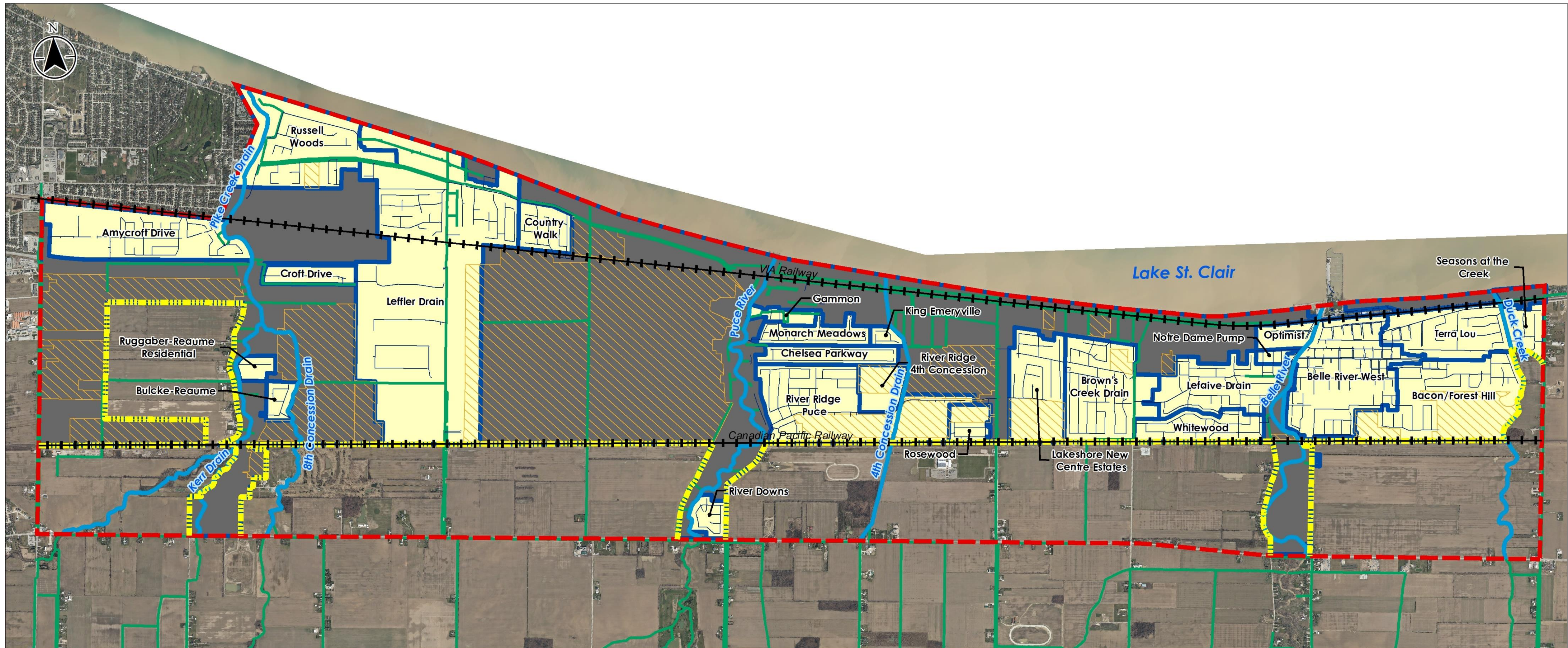
# Purpose of This Study

- Goal is to reduce the risk of basement flooding and property damage caused by significant rainfall events, such as the September 2016 and August 2017 storms.
- Perform a comprehensive review and analysis of stormwater infrastructure and identify areas of need for infrastructure improvements.
- Prioritize improvements based on level of service/risk to develop phasing and sustainable cost strategy.





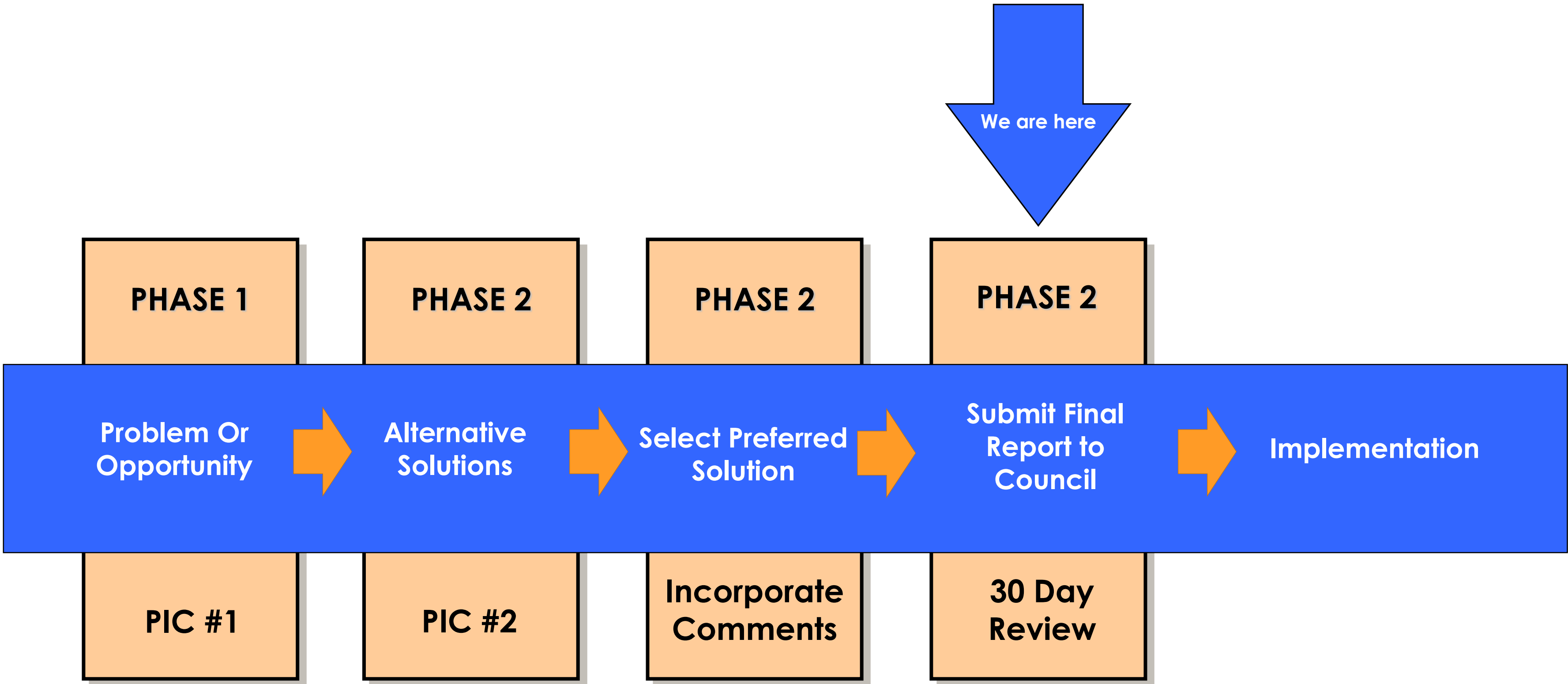
# Study Area





# Municipal Class Environmental Assessment Process

- The Town will meet the requirements of Ontario’s Environmental Assessment (EA) Act for infrastructure projects.
- The project is being completed as a Master Plan - Approach 2 which includes completion of Phases 1 and 2 of the Class EA process as set out by the Municipal Engineers Association. We are currently in the Phase 2 stage.
- The EA process is an opportunity for the public and agencies to provide input.





# Problems and Opportunities

The cause of basement flooding at each individual home can be the result of one or many factors. The findings of our study suggest the following:

- The **primary cause** of basement flooding is **deficient private drainage** systems (i.e. – cracked pipes, sump pump failure, sanitary backflow valve failure, tree roots, grading around the house, etc.)
- **Surface ponding in itself is not a cause of basement flooding**, but it can challenge the private drainage system and expose any existing deficiencies.

Reducing the possibility of basement flooding requires a two-part solution:

Part 1. Maintain and **improve private drainage systems** to ensure adequate drainage of surface, roof and groundwater around the home; and

Part 2. **Improve the public drainage system** (i.e. the Town's stormwater system) to reduce the duration and frequency of storm sewer surcharging during intense rainfall events.



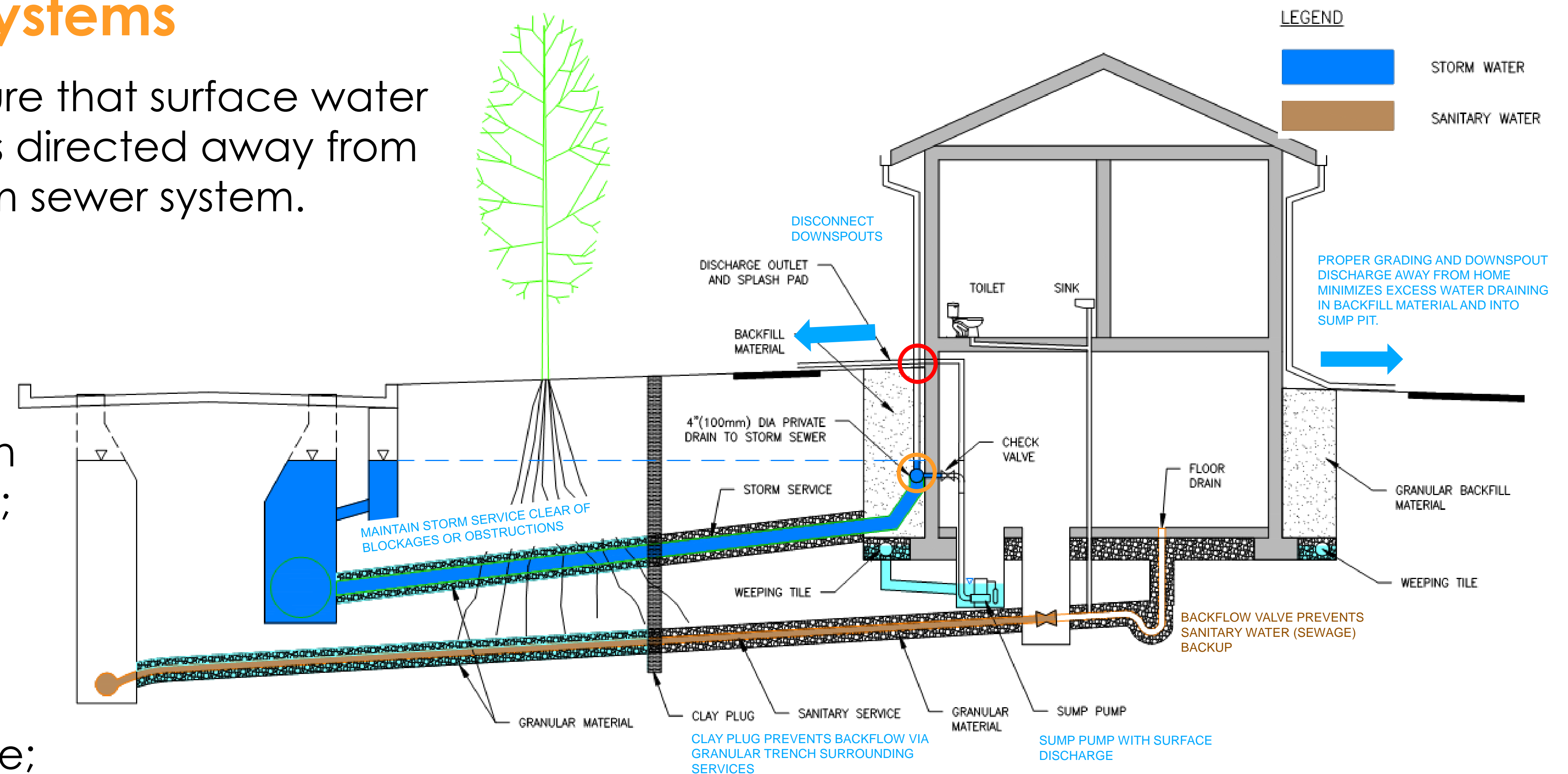
# Solution Part 1

## PRIVATE DRAINAGE SYSTEM MAINTENANCE AND IMPROVEMENTS

### Maintaining Private Drainage Systems

Maintain private drainage systems to ensure that surface water and groundwater surrounding the home is directed away from the home and towards the roadway/storm sewer system. Potential improvements may include:

- Ensure ground surface is graded away from home;
- Disconnect downspouts from foundation drain and direct them away from house;
- Verify that sump pump is in proper working order;
- Provide backup power for sump pump;
- Discharge sump pump to ground surface;
- Install sanitary backflow preventor and verify that it is in proper working order;
- Inspect private drains (storm and sanitary) for cracks or roots; and
- Install clay plugs in private drain trenches.



#### NOTE:

PRIVATE DRAINAGE SYSTEMS CAN BE COMPLEX AND COULD DIFFER FROM THAT SHOWN. IT IS CRITICAL THAT THE HOME OWNER CARRY OUT A SITE ASSIGNMENT WITH A LICENSED PLUMBER, DRAIN CONTRACTOR, OR DRAINAGE ENGINEER TO UNDERSTAND HOW THE EXISTING DRAINAGE SYSTEM OPERATES BEFORE DETERMINING THE APPROPRIATE SYSTEM IMPROVEMENTS.





# Solution Part 2

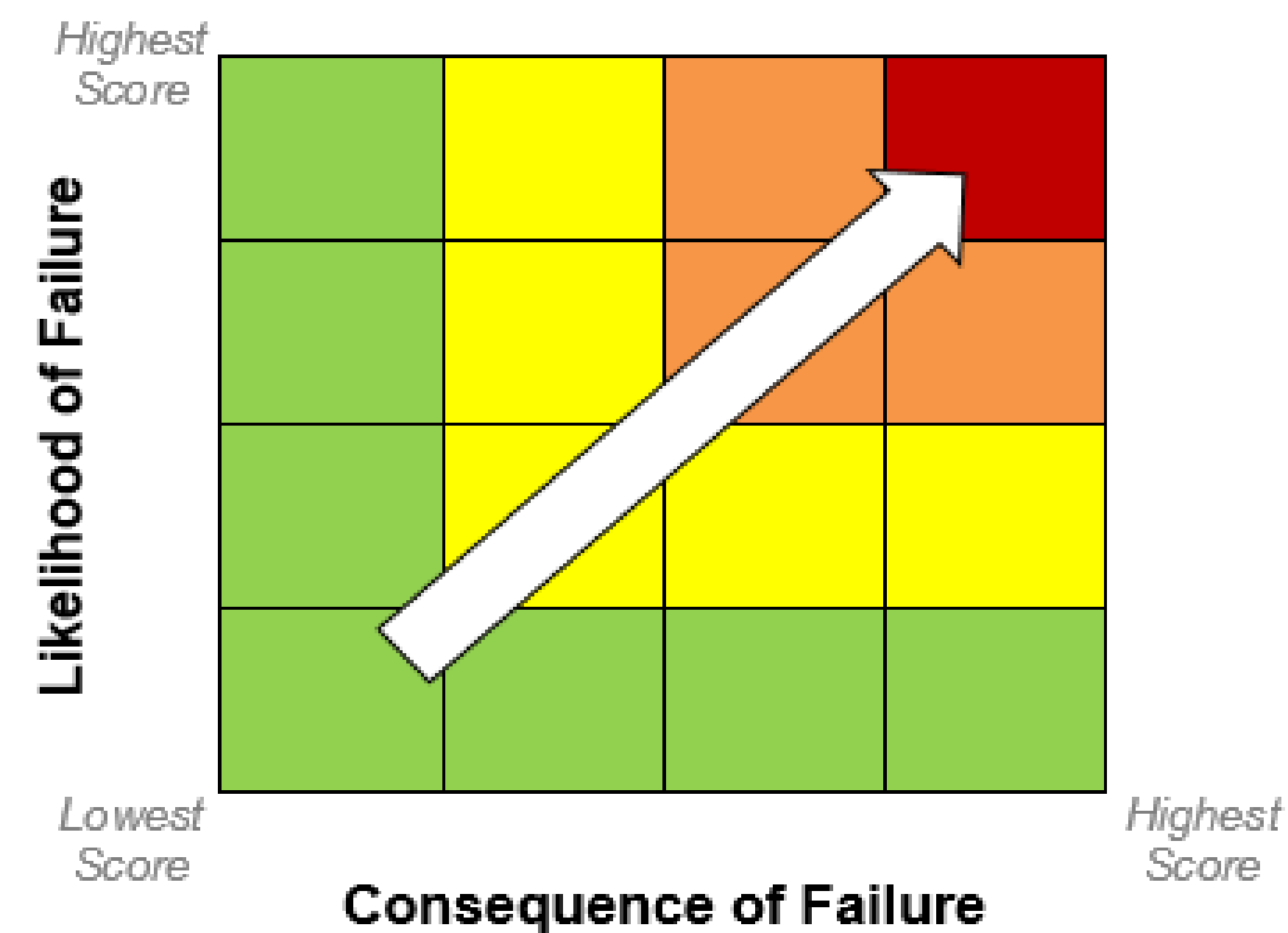
## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Storm Sewer Improvements

- The study area consists of approximately 112.2 kilometres of storm sewers and 1,135 storm manholes.
- Storm sewers provide quick and efficient drainage of urbanized areas to limit the inconvenience of stormwater ponding for most storm events. They are not designed to handle infrequent events such as those experienced in September 2016 and August 2017.

The performance of each storm sewer in the study area was evaluated based on its age, material, capacity, and the flooding that results if it fails.

Each storm sewer was assigned a score based on its performance to prioritize replacement.



Total Score	Prioritization Grade
8-10	Very Poor
6-8	Poor
4-6	Fair
2-4	Good
0-2	Very Good

Approximately 7.6 km of storm sewer received scores of “poor” or “very poor” and will be prioritized for future replacement.

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Catchment Improvements – Alternative Development

Alternative solutions were developed and evaluated for catchments where the following key issues were noted:

- **Minor System Capacity** – Systems with insufficient capacity to provide an adequate level of service during the 2-year storm event;
- **Major System Capacity** – Locations where buildings are likely vulnerable to flooding due to the capacity of the local major system and/or maximum road ponding depths are greater than 0.5 m;
- **Infrastructure Location** – Drainage infrastructure or overland flow routes located outside of the municipal right-of-way and/or drainage easement; and
- **Stormwater Management (SWM) Pond Capacity** – Areas where the existing SWM pond does not have sufficient capacity to accommodate the runoff from its maximum design storm.



# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Catchment Improvements – Alternative Evaluation

Environmental Component	Evaluation Criteria
Social/Cultural	<ul style="list-style-type: none"><li>• Public Health and Safety</li><li>• Property Impacts/Acquisitions</li><li>• Municipal Policy/Guidelines</li></ul>
Natural Environment	<ul style="list-style-type: none"><li>• Erosion and Sediment Impacts</li><li>• Aquatic Habitats</li><li>• Terrestrial Habitats</li></ul>
Technical	<ul style="list-style-type: none"><li>• Effects on Surface Flooding</li><li>• Compliance with Standards</li><li>• Constructability</li></ul>
Economic/Financial	<ul style="list-style-type: none"><li>• Capital Costs</li><li>• Property Costs</li><li>• Operation and Maintenance Costs</li></ul>

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Catchment Improvements – Preliminary Opinion of Probable Costs

Catchment	Project	Estimated Cost
Amy Croft Drive	SWM Pond Retrofit, Storm Sewer Replacement, Major Flow Improvements, Municipal Drain Abandonment	\$800,000
Croft Drive	Major Flow Improvements	\$80,000
Chelsea Parkway	Major Flow Improvements	\$100,000
Optimist	Pump Station Replacement, Storm Sewer Replacement	\$1,400,000
Seasons at the Creek	Pump Station Improvements	\$140,000
Belle River West	New Pump Stations, Major System Improvements	\$4,100,000
Terra Lou	Major System Improvements	\$120,000
Bacon/Forest Hill	Pump Station Improvements	\$1,700,000
Russell Woods	Pump Station Improvements, New Pump Station	\$2,700,000
Lefaive Drain	New Storm Sewer, Pump Station Replacement, Municipal Drain Abandonment	\$8,000,000
Hood and Leffler Drain	Pump Station Improvements, Municipal Drain Enclosure	\$14,000,000
Country Walk and Dean Development	SWM Pond Retrofit	\$700,000
Phase 1 Study Area	Storm Sewer Replacement	\$10,000,000
	<b>TOTAL</b>	<b>\$43,840,000</b>

Costs include engineering but do not include HST

# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Additional Recommendations

- Expand existing sanitary sewer inflow & infiltration reduction program to mitigate significant wet weather flows;
- Adopt 5-year storm sewer design standard for all new construction, as per WERSMSM guidelines;
- Develop an annual operation & maintenance schedule for all SWM facilities and pump stations;
- Implement a comprehensive storm sewer video inspection and condition assessment and maintenance program to confirm replacement priorities; and
- Allocate minimum annual budget of approximately \$700,000 for stormwater system operation & maintenance.



# Solution Part 2

## PUBLIC DRAINAGE SYSTEM IMPROVEMENTS

### Recommended Annual Operation & Maintenance Budget

Asset	Quantity	Annualized O&M Cost (\$)	Total Estimated Annual O&M Cost (\$)
Town-Owned SWM Ponds	21	\$13,000	\$273,000
Town-Owned Storm Pump Stations	26	\$10,000	\$260,000
Storm Sewer Inspection and Flushing	Ongoing	\$167,000	\$167,000
		<b>TOTAL</b>	<b>\$700,000</b>



# Next Steps

- Council endorsement of the Environmental Study Report (ESR) for the Stormwater Master Plan – Phase 1;
- Notify the public and review agencies of completion of the Class EA;
- File the ESR with the Municipal Clerk and place on the public record for at least 30 calendar days for review by the public and agencies;
- Provision to request Part II Order. If no request for an order is received by the Minister within the review period, then proceed to implementation of the public drainage system improvements:
  - Complete contract drawings and tender documents
  - Obtain approvals including ECA amendments where necessary
  - Proceed to construction and operation
  - Monitor for environmental provisions and commitments

# Thank You for Your Attention

## Questions?

# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Engineering & Infrastructure Services**

#### **Environmental Services**



**To:** Mayor & Members of Council

**From:** Albert Dionne, C.E.T.  
Manager, Environmental Services

**Date:** July 7, 2020

**Subject:** Rochester Water Main Petition

---

#### **Recommendations**

Approve the Rochester water main petition to extend the 50mm water main 250m from 997 Rochester Townline Road to the corner of Rochester Townline Road and County Road 42; and,

Direct Administration to implement the water main in accordance with the Water Main Petition Policy; and,

Direct Administration to install the remaining 180m of 50mm water main in order to loop the existing water main located South of County Road 42 to 1166 Rochester Townline Road., as presented at the July 14, 2020 Council meeting.

#### **Background**

The Town has received a petition (attached) for a water line extension from the property owners of 3158 County Road 42 to extend a water main to their property. As requested by the property owners, the Town's current Water Main Petition policy allows for a sole petitioner to upfront the total cost of the project under Section 3.3 of the policy.

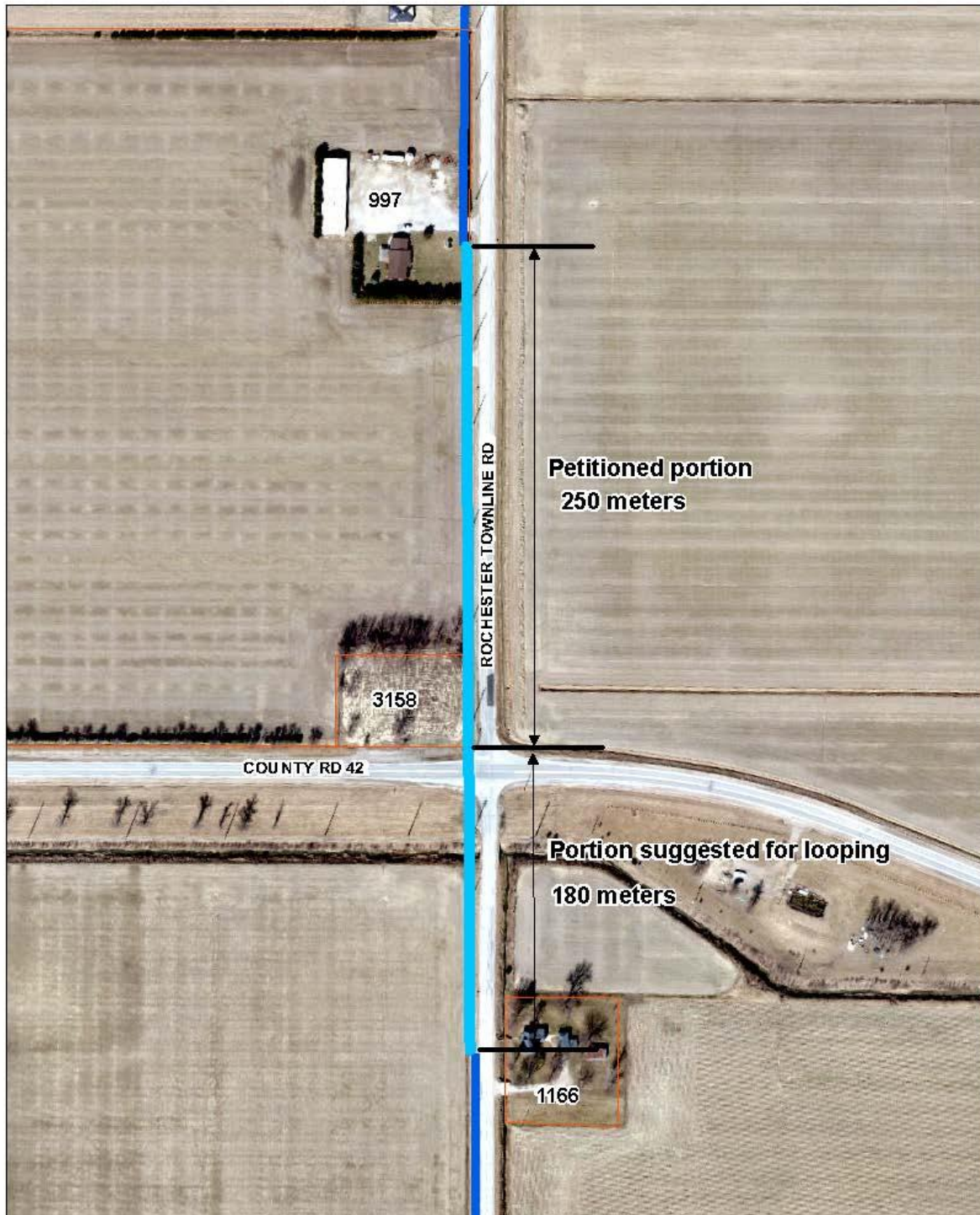
The property owners of 3158 County Road 42 have been provided the Town's policy and agree to pay all costs including water main construction costs, applicable water buy-in fee, cost of a water meter and service connection as outlined and agreed to in the letter and ballot attached.

#### **Comments**

In order for municipal water to be supplied to 3158 County Road 42, a waterline must be connected and extended south from 997 Rochester as shown in Figure 1.

In order to properly maintain adequate residual disinfection of this water main and to reduce regular maintenance and flushing of both the new and existing waterline on Rochester Town Line it is recommended that the two waterlines be connected (looped) as shown in Figure 1.

**Figure 1**





Following initiation of the petition, the Town obtained pricing in accordance with the Town's procurement by-law. The lowest price obtained was from Rapid Drainage in the amount of \$17,176 plus applicable HST to extend the waterline from 997 Rochester to 3158 County Road 42.

Should Council approve the extension of the waterline, the Town will collect the \$17,176 (plus non-refundable HST) from the owner of 3158 County Road 42 in accordance with the Water Main Extension policy. The waterline can only be installed after the total costs are collected from the property owners.

In accordance with the Town's policy, should Council approve the petition, the owners of 3158 County Road 42 would be responsible for the actual costs incurred meaning they will either: receive a refund should the costs be less than \$17,176; or be required to make additional payments should the costs be greater than \$17,176.

### **Financial Impacts**

Should Council approve the extension of the waterline, the Town will assume this newly constructed water main as its exclusive asset and be responsible for all maintenance and lifecycle costs in the future. These costs would be minimal on an annual basis and lifecycle costs would be allocated over the life of the asset.

Further, should Council approve the Environmental Services Department to extend the waterline further to connect to the existing waterline, this would cost the Town \$9,775 plus HST. This would be funded from the repairs and maintenance account in the Water budget center.

**Attachment:** 1) Appendix A – Signed Watermain Petition form  
2) Letter to property owner outlining assessment

### **Report Approval Details**

Document Title:	Rochester Water Main Petition.docx
Attachments:	- Letter to Property Owner.pdf - Town of Lakeshore signed watermain form.pdf
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall



July 2, 2020

Mr. Bill Jraige  
201 Grey Street  
Sedley, SK S0G 4K0

Via Email: [bill@bitechelectric.ca](mailto:bill@bitechelectric.ca)

Dear Sir,

**Re: Waterline Extension to 3158 County Road 42**

I am writing you to provide you with an update to your petition to extend the waterline on Rochester Townline to your property at 3158 County Road 42.

Following the initiation of the initial petition provided by you, the Environmental Services Department has gathered pricing to complete this work. The price was provided by Rapid Drainage with a total cost to install the watermain of \$17,176 plus non-refundable HST. Therefore the total cost to extend the watermain to your property is as follows:

Cost to extend 50mm waterline complete with tracer wire from 997 Rochester Townline to County Rd 42 (approx. 250m)	\$ 17,176.00
Non-refundable HST	\$ 302.30
<b>Total Cost (including HST)</b>	<b>\$ 17,478.30</b>

It should be noted that you will be responsible for the actual costs to extend the watermain. Therefore, should the cost of construction be less than the quote above, you will receive a refund for the balance. Should the cost of construction be greater than said quote, you will be required to pay the additional balance.

In addition to the cost to extend the waterline above, you will be responsible for the following costs to get municipal water to your house:

1. Water Buy-in Fee - \$9,571.00 (HST Included)
2. Water Meter - \$393.92 (HST Included) Water meter to be installed by property owners contractor and subject to inspection.
3. Private plumbing from the property line to the house is the responsibility of the



**Town of Lakeshore**

419 Notre Dame Street, Belle River, ON N0R 1A0  
519.728.2700 Toll Free: 1-877-249-3367 [www.lakeshore.ca](http://www.lakeshore.ca)



property owner.

4. Any permits.
5. Sod, asphalt or concrete restorations.

If you are in agreement with the costs as listed above, please fill out the attached final petition form and return it completed to the undersigned. If you do not agree to pay the fees as outlined above, your petition will be terminated and there will be no costs assessed to you.

Please be advised that a report to Council regarding this petition will be presented on July 14<sup>th</sup>, 2020. Therefore, if you wish to avoid delays please return the signed ballot back to me by July 9<sup>th</sup>, 2020, otherwise the report will be delayed to the next available Council meeting. Should you wish to appear as a delegation to speak to Council about your petition at the July 14<sup>th</sup> Council meeting, please email Kristen Newman, Director of Legislative & Legal Services. Ms. Newman's email address is [knewman@lakeshore.ca](mailto:knewman@lakeshore.ca).

Should you have any questions, please feel free to contact the undersigned at (519) 728-2488.

Yours truly,

Albert Dionne, C.E.T.  
Manager of Environmental Services

AD/bjk

W:\EIS\4. ENVIRONMENTAL SERVICES\4. WATER\2. WATER DISTRIBUTION\Watermain Petitions\2020 - 3158 County Rd 42\Letter to Petitioner.docx



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**Town of Lakeshore**

## Appendix A

### Initial and Final Petition Form

#### Watermain Extension By Petition EN-397 Municipal Act 2001 (See Notes Attached Before Signing)

We, the undersigned owners hereby petition the Town of Lakeshore under the Municipal Act to:

EXTEND EXISTING WATERLINE ON ROCHESTER TOWNLINE  
TO SERVICE 3158 CRY ROAD 2. THIS WILL BE  
FOR SINGLE FAMILY HOME.

Affected Properties      Signatures (Please Sign below to indicate your choice)

Roll No. Address & Registered Owners	In Favour	Opposed	Assessment (For Office Use Only)

Roll No. Address & Registered Owners	In Favour	Opposed	Assessment (For Office Use Only)
3158 CRY ROAD 2 3751.590.000.06800. Bill + Rosette JRAIGG	<i>Becker</i>		
	<i>Rosette Jraigg</i>		

Roll No. Address & Registered Owners	In Favour	Opposed	Assessment (For Office Use Only)

Roll No. Address & Registered Owners	In Favour	Opposed	Assessment (For Office Use Only)

Roll No. Address & Registered Owners	In Favour	Opposed	Assessment (For Office Use Only)

Roll No. Address & Registered Owners	In Favour	Opposed	Assessment (For Office Use Only)

Contact Person Bill JRAIGG  
Date Submitted MAY 2020

Address PO Box 217 SEDLEY SK. S0G AKO  
Telephone 306 540 8224



# The Corporation of the Town of Lakeshore

## Report to Council

### Engineering & Infrastructure Services

#### Environmental Services



**To:** Mayor & Members of Council

**From:** Albert Dionne, C.E.T.  
Manager, Environmental Services

**Date:** July 6, 2020

**Subject:** Water Financial Plan under Ontario Regulation 453/07 of Safe Drinking Water Act

---

#### Recommendations

The Water Financial Plan (attached) prepared by Watson & Associates Economists Ltd. dated June 30, 2020 as required by Ontario Regulation 453/07 be approved, as presented at the July 14, 2020 Council meeting.

#### Background

Ontario Regulation 453/07 of the *Safe Drinking Water Act* requires all Ontario municipalities that provide water services to prepare financial plans as a key step in the long-term stability for municipal residential drinking water systems. A summary of the key required elements of all plans are:

1. All municipal drinking water systems are required to prepare and submit financial plans. The regulations set out the minimum required content but allow municipalities to vary their approach to preparing their plans to suit local needs.
2. Financial plans must be developed for a minimum six-year period but we extended two more years and went to an eight year plan which must contain details of the financial position, financial operations and cash flow. The plans are required to be approved by a resolution of municipal council.
3. The financial plans shall be required as a condition of the system's drinking water license. The license requires the financial plan to be submitted six months before the license expires, which is December 5, 2020.
4. The financial plans must be made available to users of the water system and updated in conjunction with every application to renew a system's drinking water license.

In 2017 the Town completed an updated Water/Waste Water Master Plan. With the updated Master Plan, a revised rate study was needed to update the various assumptions and significant capital projects that were identified in the Master Plan. The Town engaged Watson and Associates Economists Limited to assist in the completion of the Water and Waste Water Rate Study.

## Comments

Administration brought a report to council February 5, 2019 for the Water and Waste Water Rate Study. This study covered a five year period from 2018 to 2023. The recommended annual water rates for the five years are shown below in Table 2. These marginal increases are reflective of the Town's efforts in funding and maintaining the water distribution systems and water treatment facilities. In addition, through an expedited cast iron replacement program the Town has decreased costs to maintain existing infrastructure as identified in the Town's Asset Management Plan.

**Table 2: Water Rate Increases**

	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Base	\$20.01	\$20.21	\$20.41	\$20.61	\$20.82	\$21.03
Consumption	\$1.48	\$1.50	\$1.52	\$1.54	\$1.56	\$1.58

This is the rate study that Watson & Associates Economists Ltd. used with the asset management and the other components to make the new water financial plan for 2020. The new financial plan covers from 2020 to 2028.

Administration has prepared the financial plan based on 8 year horizon rather than the minimum six years to allow for a broader vision and to better assist the Town with long term capital planning. Council should keep in mind that these are forecast numbers and will be revisited annually as part of the budget process.

The highlights of the plan are as follows:

1. The Town will be in a net debt position until the year 2029 until the current water plant debt is repaid.
2. Forecasted water consumption is based on current numbers taking into account conservation measures and efficiencies with new infrastructure as well as slight increases resulting from projected growth estimates.
3. Total outstanding debt for the water treatment plant is just over \$9,400,000 in 2020. The annual payment is slightly over \$1,000,000 and will be paid by the end of 2028. The Town will be considering \$11,500,000 of debt in 2026 to install a new trunk water main that will run from Belle River to Stoney Point Water Treatment Plant. Once completed the existing plant will be turned into a reservoir and booster pump station. This will achieve double the supply to 9,090 m<sup>3</sup>/day.

4. Significant funds are owed from development charges. Any money received for development charges from new building permits is treated as “revenue” to the operating fund as a repayment of the long term debt paid.
5. The forecast includes a moderate rate increase of 1% annually as per the 2019 rate study

Based on the forecast, moderate increases, largely for inflation, can accommodate continued operations, which include debt repayment and some capital replacements and upgrades. The extent of further capital is dependent upon growth and the repayment from development charges.

### **Financial Impacts**

There are no budget impacts resulting from the recommendation.

**Attachment:** Town of Lakeshore Water Financial Plan

### **Report Approval Details**

Document Title:	Water Financial Plan.docx
Attachments:	- FP Report.pdf
Final Approval Date:	Jul 8, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall



 **Watson  
& Associates**  
ECONOMISTS LTD.

# Water Ontario Regulation 453/07 Financial Plan

Town of Lakeshore

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Financial Plan #031-301A

June 30, 2020

Watson & Associates Economists Ltd.  
905-272-3600  
[info@watsonecon.ca](mailto:info@watsonecon.ca)



# Table of Contents

	Page
<b>1. Introduction.....</b>	<b>1-1</b>
1.1 Study Purpose .....	1-1
1.2 Background.....	1-1
1.2.1 Financial Plan Defined .....	1-2
1.2.2 Financial Plan Requirements – Existing System.....	1-2
1.2.3 Financial Plan Requirements – General .....	1-3
1.2.4 Public Sector Accounting Board (PSAB) Requirements .....	1-4
1.2.5 The Town’s Financial Plan .....	1-4
<b>2. Sustainable Financial Planning.....</b>	<b>2-1</b>
2.1 Introduction .....	2-1
2.2 Sustainable Water and Sewage Systems Act.....	2-2
2.3 Water Opportunities Act, 2010.....	2-2
2.4 Infrastructure for Jobs and Prosperity Act (I.J.P.A.), 2015 .....	2-3
2.5 Water Forecast .....	2-4
<b>3. Approach.....</b>	<b>3-1</b>
3.1 Overview .....	3-1
3.2 Conversion Process.....	3-1
3.2.1 Calculate Tangible Capital Asset Balances .....	3-1
3.2.2 Convert Statement of Operations.....	3-2
3.2.3 Convert Statement of Financial Position .....	3-4
3.2.4 Convert Statement of Cash Flow and Net Financial Assets/Debt.....	3-4
3.2.5 Verification and Note Preparation .....	3-6
<b>4. Financial Plan .....</b>	<b>4-1</b>
4.1 Introduction .....	4-1
4.2 Water Financial Plan.....	4-1
4.2.1 Statement of Financial Position (Table 4-1) .....	4-1
4.2.2 Statement of Operations (Table 4-2).....	4-2



# Table of Contents (Cont'd)

	Page
4.2.3 Statement of Change in Net Financial Assets/Debt (Table 4-3) .....	4-3
4.2.4 Statement of Cash Flow (Table 4-4) .....	4-3
<b>5. Process for Financial Plan Approval and Submission to the Province.....</b>	<b>5-1</b>
<b>6. Recommendations .....</b>	<b>6-1</b>



## List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
MECP	Ministry of the Environment, Conservation and Parks
MMAH	Ministry of Municipal Affairs and Housing
O. Reg.	Ontario Regulation
PSAB	Public Sector Accounting Board
S.D.W.A.	Safe Drinking Water Act
T.C.A.	Tangible Capital Assets
W.O.A.	Water Opportunities Act



# Report





# Chapter 1

## Introduction



# 1. Introduction

## 1.1 Study Purpose

---

The Town of Lakeshore (the Town) retained Watson & Associates Economists Ltd. (Watson) to prepare a water financial plan as part of the five submission requirements for the purposes of obtaining a municipal drinking water license as per the *Safe Drinking Water Act, 2002*. In general, a financial plan requires an in-depth analysis of capital and operating needs, a review of current and future demand versus supply, and consideration of available funding sources. The detailed financial planning and forecasting regarding the Town's water systems has been completed based on the Town's 2019 Water and Wastewater Rate Study, dated January 29, 2019 (2019 Rate Study). The objective of the report provided herein is to convert the findings of the 2019 Rate Study into the prescribed reporting requirements for a financial plan as defined by Ontario Regulation 453/07 (O. Reg. 453/07).

## 1.2 Background

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The Safe Drinking Water Act (S.D.W.A.), "the Act," was passed in December 2002 in order to address the recommendations made by the Walkerton Inquiry Part II report. Note that S.D.W.A. has been amended several times since 2002. One of the main requirements of the Act is the mandatory licensing of municipal water providers. Section 31 (1) specifically states:

"No person shall,

- a) establish a new municipal drinking water system or replace or carry out an alteration to a municipal drinking water system except under the authority of and in accordance with an approval under this Part or a drinking water works permit; or
- b) use or operate a municipal drinking water system that was established before or after this section comes into force except under the authority of and in accordance with an approval under this Part or municipal drinking water licence."

In order to become licensed, a municipality must satisfy five key requirements as per section 44(1):



1. Obtain a drinking water works permit.
2. Acceptance of the operational plan for the system based on the Drinking Water Quality Management Standard.
3. Accreditation of the Operating Authority.
4. Prepare and provide a financial plan.
5. Obtain permit to take water.

For licence renewals, the application must be accompanied by proof that the financial plan meets the prescribed requirements as per the Act s. 32 (5) 2.ii.

The preparation of a financial plan is a key requirement for licensing and as such, must be undertaken by all municipal water providers.

### **1.2.1 Financial Plan Defined**

Subsection 30 of the Act provides the following definition of financial plans:

"financial plans" means financial plans that satisfy the requirements prescribed by the Minister. 2017, c. 2, Sched. 11, s. 6 (3).

As of time of writing, the Sustainable Water and Sewage Systems Act, 2002 has been repealed (see section 2.2 of this report); however, the standards that it directs underpin the specific requirements of s. 30 as they are outlined in O. Reg. 453/07 and which will be examined in detail below.

### **1.2.2 Financial Plan Requirements – Existing System**

The O. Reg. 453/07 provides details with regards to the financial plans for existing water systems. The requirements for existing systems are summarized as follows:

- Financial plans must be approved by resolution of Council (or governing body);
- Financial plans must include a statement that the financial impacts have been considered and apply for a minimum six-year period (commencing in the year of licence expiry);
- Financial plans must include detail regarding proposed or projected financial operations itemized by total revenues, total expenses, annual surplus/deficit and



accumulated surplus/deficit (i.e. the components of a “Statement of Operations” as per the PSAB) for each year in which the financial plans apply;

- Financial plans must present financial position itemized by total financial assets, total liabilities, net debt, non-financial assets, and tangible capital assets (i.e. the components of a “Statement of Financial Position” as per PSAB) for each year in which the financial plans apply;
- Gross cash receipts/payments itemized by operating transactions, capital transactions, investing transactions and financial transactions (i.e. the components of a “Statement of Cash Flow” as per PSAB) for each year in which the financial plans apply;
- Financial plans applicable to two or more solely-owned drinking water systems can be prepared as if they are for one drinking water system;
- Financial plans are to be made available to the public upon request and at no charge;
- If a website is maintained, financial plans are to be made available to the public through publication on the Internet at no charge;
- Notice of the availability of the financial plans is to be given to the public;
- Financial plan is to be submitted to the Ministry of Municipal Affairs and Housing; and
- The resolution of Council approving the Financial Plan be submitted to the Ministry of the Environment, Conservation and Parks (MECP).

### **1.2.3 Financial Plan Requirements – General**

Given that the requirements for a financial plan is legislated under the Act, a financial plan is mandatory for water systems. The financial plans shall be for a forecast period of at least six years but longer planning horizons are encouraged. The ten-year forecast goes above and beyond the minimum requirement. The financial plan is to be completed and approved by resolution of Council or the governing body in accordance with subsection 3(1)1 of O. Reg. 453/07. Confirmation of approval of the financial plan must be submitted at the time of municipal drinking water license renewal (i.e. six months prior to license expiry).

A copy of the financial plan will be submitted to the Ministry of Municipal Affairs and Housing (MMAH) and not the MECP; however, MECP may request it in the course of review of the licence renewal. Financial plans may be amended and additional





information beyond what is prescribed can be included if deemed necessary. The financial plan must contain on the front page, the appropriate financial plan number as set out in Schedule A of the Municipal Drinking Water Licence.

#### **1.2.4 Public Sector Accounting Board (PSAB) Requirements**

The components of the financial plans indicated by the regulation are consistent with the requirements for financial statement presentation as set out in section PS1200 of the Canadian Institute of Chartered Accountants Public Sector Accounting Handbook:

“Financial statements should include a Statement of Financial Position, a Statement of Operations, a Statement of Change in Net Debt, and a Statement of Cash Flow.”

The format required is to conform to the requirements of PS1200 and PS3150. The financial statements are to be reported on a full accrual accounting basis. The accrual accounting method recognizes revenues and expenses in the same period as the activities that give rise to them regardless of when they are actually paid for. Since an exchange of cash is not necessary to report a financial transaction, the accrual method is meant to provide a more accurate picture of financial position.

The accounting treatment of tangible capital assets is prescribed under section PS3150. Tangible capital assets are to be capitalized to ensure an inventory of the assets owned are recorded and to account for their ability to provide future benefits.

The Statement of Cash Flow and the Statement of Change in Net Financial Assets/Debt are required statements. The Statement of Change in Net Financial Assets/Debt reports on whether enough revenue was generated in a period to cover the expenses in the period and whether sufficient resources have been generated to support current and future activities. The Statement of Cash Flow reports on how activities were financed for a given period providing a measure of the changes in cash for that period.

#### **1.2.5 The Town's Financial Plan**

The Town is currently in the process of renewing the drinking water license and the previous version of the financial plan no longer meets the requirements as it must apply to a period of a least six years beginning in the year that the licenses would otherwise expire. Although the Act requires at least six years to be included, this financial plan



provides for a nine-year forecast period 2020 to 2028. Lakeshore's residents and businesses are serviced with drinking water from five separate sources, including the:

1. Lakeshore Water System
2. Stoney Point Water System
3. Tecumseh Water System
4. Union Water Supply System
5. Chatham-Kent Public Utilities Commission

The Lakeshore and Stoney Point water systems include both water treatment and distribution, which the Town of Lakeshore owns and operates. For the Tecumseh and Union Water Supply systems, the Town only owns and operates the distribution systems, as they derive their water from the Windsor water treatment plant and the Union Water Supply water treatment plant, respectively. The Chatham-Kent Public Utilities Commission (P.U.C.) includes private water systems that are supplied from Chatham-Kent P.U.C., where all operations are performed by the P.U.C. or by the private system owners. Therefore, the Town has no role in this system beyond granting permission for the P.U.C. to provide the supply of drinking water in Lakeshore, as such, this system is not considered under this Financial Plan. This Financial Plan #031-301A is a combined financial plan for the first four water systems.



# Chapter 2

## Sustainable Financial Planning



## 2. Sustainable Financial Planning

### 2.1 Introduction

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In general, sustainability refers to the ability to maintain a certain position over time. While the Act requires a declaration of the financial plan's sustainability, it does not give a clear definition of what would be considered sustainable. Instead, MECP released a guideline ("Towards Financially Sustainable Drinking-Water and Wastewater Systems") that provides possible approaches to achieving sustainability. The Province's Principles of Financially Sustainable Water and Wastewater Services are provided below:

- Principle #1: Ongoing public engagement and transparency can build support for, and confidence in, financial plans and the system(s) to which they relate.
- Principle #2: An integrated approach to planning among water, wastewater, and storm water systems is desirable given the inherent relationship among these services.
- Principle #3: Revenues collected for the provision of water and wastewater services should ultimately be used to meet the needs of those services.
- Principle #4: Life-cycle planning with mid-course corrections is preferable to planning over the short-term, or not planning at all.
- Principle #5: An asset management plan is a key input to the development of a financial plan.
- Principle #6: A sustainable level of revenue allows for reliable service that meets or exceeds environmental protection standards, while providing sufficient resources for future rehabilitation and replacement needs.
- Principle #7: Ensuring users pay for the services they are provided leads to equitable outcomes and can improve conservation. In general, metering and the use of rates can help ensure users pay for services received.
- Principle #8: Financial plans are "living" documents that require continuous improvement. Comparing the accuracy of financial projections with actual results can lead to improved planning in the future.





Principle #9: Financial plans benefit from the close collaboration of various groups, including engineers, accountants, auditors, utility staff, and municipal Council.

## 2.2 Sustainable Water and Sewage Systems Act

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The *Sustainable Water and Sewage Systems Act* (S.W.S.S.A.) was passed on December 13, 2002. The intent of the Act was to introduce the requirement for municipalities to undertake an assessment of the “full cost” of providing their water and the wastewater services. In total, there were 40 areas within the Act to which the Minister could have made Regulations. It is noted that, the regulations, which accompany the Act, were not issued and the Act was repealed on December 31, 2012.

## 2.3 Water Opportunities Act, 2010

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Since the passage of the *Safe Drinking Water Act*, changes and refinements to the legislation have been introduced, including the *Water Opportunities Act* (W.O.A). W.O.A. was introduced into legislation on May 18, 2010 and received Royal Assent on November 29, 2010, as the *Water Opportunities Act*.

The purposes of the *Water Opportunities Act* are to: foster innovative water, wastewater and storm water technologies, services, and practices; create opportunities for economic development and clean-technology jobs; and conserve and sustain water resources. To achieve this W.O.A. provides for the creation of performance targets (financial, operational and maintenance related), which will vary by service type and location and the required submission of conservation and sustainability plans for water, wastewater, and stormwater.

The sustainability plan in W.O.A. expands on interim legislation for financial plans included in O. Reg. 453/07, to include the following:

- an asset management plan for the physical infrastructure;
- financial plan;
- water conservation plan (for water service only);
- a risk assessment;
- a strategy for maintaining and improving the services; and



- additional information considered advisable.

Where a Board has jurisdiction over a service, the plan (and any plan amendments) must be approved by the municipality in which the municipal service is provided before submission to the Minister. The Minister may also direct preparation of joint or partially joint plans.

Regulations (still forthcoming) will prescribe details in regard to any time periods or time limits, contents of the plans, identifying which portions of the plan will require certification, the public consultation process (if required), limitations updates and refinements.

## **2.4 Infrastructure for Jobs and Prosperity Act (I.J.P.A.), 2015**

---

On June 4, 2015, the Province passed the Infrastructure for Jobs and Prosperity Act (I.J.P.A.) which, over time, will require municipalities to undertake and implement asset management plans for all infrastructure they own. On December 27, 2017, the Province of Ontario released Ontario Regulation 588/17 under I.J.P.A. which has 3 phases that municipalities must meet.

Every municipality in Ontario will have to prepare a strategic asset management policy by July 1, 2019. Municipalities will be required to review their strategic asset management policies at least every five years and make updates, as necessary. The subsequent phases are as follows:

- Phase 1 – Asset Management Plan (by July 1, 2021):
  - For core assets – Municipalities must have the following:
    - Inventory of assets;
    - Current levels of service measured by standard metrics; and
    - Costs to maintain levels of service.
- Phase 2 – Asset Management Plan (by July 1, 2023):
  - Same steps as Phase 1 but for all assets.
- Phase 3 – Asset Management Plan (by July 1, 2024):
  - Builds on Phase 1 and 2 by adding:
    - Proposed levels of service; and
    - Lifecycle management and Financial strategy.



In relation to water (which is considered a core asset), municipalities will need to have an asset management plan that addresses the related infrastructure by July 1, 2021 (Phase 1). O. Reg. 588/17 specifies that the municipality's asset management plan must include the following for each asset category:

- the current levels of service being provided;
  - determined in accordance with the following qualitative descriptions and technical metrics and based on data from at most the two calendar years prior to the year in which all information required under this section is included in the asset management plan.
- the current performance of each asset category;
- a summary of the assets in the category;
- the replacement cost of the assets in the category;
- the average age of the assets in the category, determined by assessing the average age of the components of the assets;
- the information available on the condition of the assets in the category;
- a description of the municipality's approach to assessing the condition of the assets in the category, based on recognized and generally accepted good engineering practices where appropriate; and
- the lifecycle activities that would need to be undertaken to maintain the current levels of service.

Upon completion of the asset management plan for water, the Town will need to consider the impacts during the annual budget and forecast process.

## **2.5 Water Forecast**

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As noted earlier, the Town has already completed and approved a 2019 Rate Study in early 2019. The 2019 Rate Study process is designed to address “full cost” principles and reflect the guiding principles toward sustainable financial planning.

As a result of employing this process, the 2020 to 2028 water forecast, included in the 2019 Rate Study, provides the basis for a sound financial plan for the Town's water system by assessing:

- A detailed assessment of current and future capital needs including an analysis of potential funding sources;



- An analysis of operating costs in order to determine how they will be impacted by evolving infrastructure needs;
- A review and recommendation on rates that ensure revenues are equitable and sufficient to meet system needs; and
- A public process that involved consultation with the main stakeholders including the Town's staff, Council, the general public (specifically the users of the system) and others with the aim of gaining input and collaboration on the sustainability of the water systems.





# Chapter 3

## Approach



## 3. Approach

### 3.1 Overview

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The 2019 Rate Study (along with additional detailed information provided by Municipal Staff) has been used as a starting point to prepare the water financial plan. The Water forecast is prepared on a modified cash basis; therefore, a conversion is required in order to present a full accrual financial plan for the purposes of this report. The conversion process used will help to establish the structure of the financial plan along with the opening balances that will underpin the forecast. This chapter outlines the conversion process utilized and summarizes the adjustments made to prepare the water financial plan.

### 3.2 Conversion Process

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The conversion from the existing modified cash basis found in the 2019 Rate Study to the full accrual reporting format required under O. Reg. 453/07 can be summarized in the following steps:

1. Calculate Tangible Capital Asset Balances
2. Convert Statement of Operations
3. Convert Statement of Financial Position
4. Convert Statement of Cash Flow and Net Assets/Debt
5. Verification and Note Preparation

#### **3.2.1 Calculate Tangible Capital Asset Balances**

In calculating tangible capital asset balances, existing and future purchased, developed, and/or contributed assets will need to be considered. For existing water assets, an inventory has already been compiled and summarized by the Town for the purposes of their annual PSAB 3150 compliance process. As required, for PSAB 3150 reporting purposes, the asset inventory listing included historical cost (which is the original cost to purchase, develop, or construct each asset) along with an estimated useful life for each



asset and any anticipated salvage value is recorded. The following calculations are made to determine net book value:

- Accumulated amortization up to the year prior to the first forecast year.
- Amortization expense on existing assets for each year of the forecast period.
- Acquisition of new assets for each year of the forecast period.
- Disposals and related gains or losses for each year of forecast period.

Future water capital needs have also been determined and summarized within the 2019 Rate Study. These estimates, however, only represent future assets that the Town anticipates purchasing or constructing without consideration for future assets that are contributed by developers and other parties (at no or partial cost to the Town). These contributed assets will form part of the infrastructure going forward in terms of the sustainability of the system and despite their non-monetary nature; future financial plans may need to be adjusted in order to properly account for these transactions. Once the sequence and total asset acquisition has been determined for the forecast period, annual amortization of these assets for each year is calculated in a similar manner as that used for existing assets.

Once the historical cost, accumulated amortization, and amortization expenses are calculated as described above, the total net book value of the tangible capital assets can be determined and recorded on the Statement of Financial Position.

### **3.2.2 Convert Statement of Operations**

A wide range of adjustments will be considered, dependent on the size and complexity of the systems, in order to convert from the cash to full accrual basis (see Figure 3-1). For example, debt repayment costs relating to the principal payment portion only needs to be removed under the accrual basis, as they no longer qualify as an expense for reporting purposes. Principal payments are reported as a decrease in debt liability on the Statement of Financial Position. Transfers to and from reserves are removed as these transactions are represented by changes in cash and accumulated surplus. Finally, expenses relating to tangible capital assets, such as amortization, write-offs, and (gain)/loss on disposal of assets are reported on the Statement of Operations in order to capture the allocation of the cost of these assets to operating activities over their useful lives and therefore are added in under the accrual basis.



Table 3-1  
Conversion Adjustments  
Statement of Operations

Modified Cash Basis	Budget 2019	Adjustments		Full Accrual Budget 2019	Accrual Basis
		DR	CR		
<b>Revenues</b>					<b>Revenues</b>
Base Charge Revenue	3,529,787			3,529,787	Base Charge Revenue
Rate Based Revenue	5,435,628			5,435,628	Rate Based Revenue
Transfers from Reserves	1,233,604	1,233,604			
			1,233,604	1,233,604	Earned Development Charges Revenue
Other Revenue	322,800		231,121	553,922	Other Revenue
<b>Total Revenues</b>	<b>10,521,819</b>			<b>10,752,941</b>	<b>Total Revenues</b>
<b>Expenditures</b>					<b>Expenses</b>
Operating	4,842,100	-		4,842,100	Operating Expenses
Capital					
Transfers to Reserves	4,306,733		4,306,733		
Transfers to Capital	-		-		
Debt Repayment (Principal & Interest)	1,372,987		1,042,697	330,290	Interest on Debt
		1,575,936		1,575,936	Amortization
<b>Total Expenditures</b>	<b>10,521,820</b>			<b>6,748,326</b>	<b>Total Expenses</b>
<b>Net Expenditures</b>	<b>-</b>			<b>4,004,615</b>	<b>Annual Surplus/(Deficit)</b>
Increase (decrease) in amounts to be recovered	-			104,157,259	Accumulated Surplus/(Deficit), beginning of year
<b>Change in Fund Balances</b>	<b>-</b>	<b>4,004,615</b>	<b>-</b>	<b>108,161,874</b>	<b>Accumulated Surplus/(Deficit), end of year</b>
<b>TOTAL ADJUSTMENTS</b>		<b>6,814,155</b>	<b>6,814,155</b>		

**Note:** The combined adjustments above should be balanced and net to \$0 (i.e. Total DR = Total CR)





### **3.2.3 Convert Statement of Financial Position**

Once the Statement of Operations has been converted and the net book value of tangible capital assets has been recorded, balances for the remaining items on the Statement of Financial Position are determined and recorded (see Figure 3-2). The opening/actual balances for the remaining accounts such as accounts receivable, inventory, accounts payable, outstanding debt (principal only), are recorded and classified according to the structure of the Statement of Financial Position as outlined in PS1200.

It is acknowledged that some of the balances required on the Statement of Financial Position will be consolidated across the Town and as such, will be difficult to isolate the information that is relevant to water. An example of this is accounts receivable, which may be administered centrally by the Finance Department. Ontario Regulation 453/07 allows for the exclusion of these numbers if they are not known at the time of preparing the financial plan. Please refer to the Financial Plan Notes in Chapter 4 for more details.

### **3.2.4 Convert Statement of Cash Flow and Net Financial Assets/Debt**

The Statement of Cash Flow summarizes how the Town financed its activities or in other words, how the costs of providing services were recovered. The statement is derived using comparative Statement of Financial Position, the current Statement of Operations and other available transaction data.

The Statement of Change in Net Financial Assets/Debt is a statement which reconciles the difference between the surplus or deficit from current operations and the change in net financial assets/debt for the year. This is significant, as net debt provides an indication of future revenue requirements. In order to complete the Statement of Net Financial Assets/Debt, information regarding any gains/losses on disposals of assets, asset write-downs, acquisition/use of supplies inventory, and the acquisition use of prepaid expenses is necessary, (if applicable). Although the Statement of Change in Net Financial Assets/Debt is not required under O. Reg. 453/07, it has been included in this report as a further indicator of financial viability.



Table 3-2  
Conversion Adjustments  
Statement of Financial Position

Modified Cash Basis	Budget 2019	Adjustments		Full Accrual Budget 2019	Accrual Basis
		DR	CR		
<b>ASSETS</b>					<b>ASSETS</b>
<b>Financial Assets</b>					<b>Financial Assets</b>
Cash	14,281,130			14,281,130	Cash
Accounts Receivable	1,047,410			1,047,410	Accounts Receivable
<b>Total Financial Assets</b>	<b>15,328,540</b>			<b>15,328,540</b>	<b>Total Financial Assets</b>
<b>Non-Financial Assets</b>					
Inventory of Supplies	-		-		
Prepaid Expenses	-		-		
<b>Total Non-Financial Assets</b>	<b>-</b>				
<b>LIABILITIES</b>					<b>Liabilities</b>
Accounts Payable & Accrued Liabilities	-			-	Accounts Payable & Accrued Liabilities
Gross Long-term Liabilities	8,934,250			8,934,250	Debt (Principal only)
Deferred Revenue	623,647			623,647	Deferred Revenue
Bank Indebtedness	-			-	Bank Indebtedness
Other	-			-	Other
<b>Total Liabilities</b>	<b>9,557,897</b>			<b>9,557,897</b>	<b>Total Liabilities</b>
<b>Net Assets/(Debt)</b>	<b>5,770,643</b>			<b>5,770,643</b>	<b>Net Financial Assets/(Debt)</b>
		102,391,231	-	102,391,231	<b>Non-Financial Assets</b>
		-		-	Tangible Capital Assets
		-		-	Inventory of Supplies
					Prepaid Expenses
				<b>102,391,231</b>	<b>Total Non-Financial Assets</b>
<b>Municipal Position</b>					
Water Reserves	14,704,893	14,704,893	-		
Gas Tax Reserve Fund	-	-	-		
Development Charge Reserve Fund	623,647	623,647	-		
Amounts to be Recovered	(9,557,897)	-	9,557,897		
<b>Total Municipal Position</b>	<b>5,770,643</b>		108,161,874	<b>108,161,874</b>	<b>Accumulated Surplus/(Deficit), end of year</b>
<b>TOTAL ADJUSTMENTS</b>		<b>117,719,771</b>	<b>117,719,771</b>		

**Note:** The combined adjustments above should be balanced and net to \$0 (i.e. Total DR = Total CR)



### **3.2.5 Verification and Note Preparation**

The final step in the conversion process is to ensure that all the statements created by the previous steps are in balance. The Statement of Financial Position summarizes the resources and obligations of the Town at a set point in time. The Statement of Operations summarizes how these resources and obligations changed over the reporting period. To this end, the accumulated surplus/deficit reported on the Statement of Financial Position should equal the accumulated surplus/deficit reported on the Statement of Operations.

The Statement of Change in Net Financial Assets/Debt and the Statement of Financial Position are also linked in terms of reporting on net financial assets/debt. On the Statement of Financial Position, net financial assets/debt is equal to the difference between financial assets and liabilities and should equal net financial assets/debt as calculated on the Statement of Net Financial Assets/Debt.

While not part of the financial plan, the accompanying notes are important to summarize the assumptions and estimates made in preparing the financial plan. Some of the significant assumptions that need to be addressed within the financial plan are as follows:

- a) Opening cash balances – Opening cash balances are necessary to complete the Statement of Cash Flows and balance the Statement of Financial Position. Preferably, opening cash balances should be derived from actual information contained within the Town's ledgers. It may not be possible, however, to extract this information from the ledgers for water alone; therefore, a reasonable proxy will be needed. One approach is to assume that opening cash balances equal ending reserve and reserve fund balances from the previous year adjusted for accrual-based transactions reflected by accounts receivable/payable balances. The following equation outlines this approach:

Ending Reserve/Reserve Fund Balance  
Plus: Ending Accounts Payable Balance  
Less: Ending Accounts Receivable Balance  
Equals: Approximate Ending Cash Balance



- b) Amortization Expense – The method and timing of amortization should be based on the Town’s amortization policy.
- c) Accumulated Amortization – Will be based on the culmination of accumulated amortization expenses throughout the life of each asset however derived, along with information on construction/acquisition date and useful life obtained from the capital asset listing provided.
- d) Contributed Assets – As noted earlier, contributed assets could represent a significant part of the Town’s infrastructure acquisitions. As such, a reasonable estimate of value and timing of acquisition/donation may be required in order to adequately capture these assets. In the case where contributed assets are deemed to be insignificant or unknown, an assumption of “no contributed assets within the forecast period” will be made.
- e) Accumulated Surplus – The magnitude of the surplus in this area may precipitate the need for additional explanation especially in the first year of reporting. This Accumulated Surplus captures the historical infrastructure investment which has not been reported in the past but has accumulated to significant levels. It also includes all water reserve and reserve fund balances.
- f) Other Revenues – Will represent the recognition of revenues previously deferred (i.e. development charge revenues) and/or accrued revenues (developer contributions), and/or other minor miscellaneous revenues.





# Chapter 4

## Financial Plan



## 4. Financial Plan

### 4.1 Introduction

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The following tables provide the complete financial plan for the Town's water systems. A brief description and analysis of each table is provided below. It is important to note that the financial plan that follows is a forward look at the financial position of the Town's water systems. It is not an audited document<sup>1</sup> and it contains various estimates as detailed in the "Notes to the Financial Plan" section below.

### 4.2 Water Financial Plan

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#### 4.2.1 *Statement of Financial Position (Table 4-1)*

The Statement of Financial Position provides information that describes the assets, liabilities, and accumulated surplus of the Town's water systems. The first important indicator is net financial assets/(debt), which is defined as the difference between financial assets and liabilities. This indicator provides an indication of the system's "future revenue requirement." A net financial asset position is where financial assets are greater than liabilities and implies that the system has the resources to finance future operations. Conversely, a net debt position implies that the future revenues generated by the system will be needed to finance past transactions, as well as future operations. Table 4-1 indicates that in 2020, the Town's water system was in a net financial asset position of \$5.77 million. The financial plan forecasts a net financial asset position for each year of the forecast period, increasing to a net financial asset position of \$22.29 million by 2028.

Another important indicator on the Statement of Financial Position is the tangible capital asset balance under section PS3150. As noted earlier, providing this information is a requirement for municipalities as part of PS3150 compliance and is significant from a financial planning perspective for the following reasons:

- Tangible capital assets such as watermain and treatment facilities are imperative to water service delivery.

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<sup>1</sup> O. Reg. 453/07 does not require an audited financial plan.



- These assets represent significant economic resources in terms of their historical and replacement costs. Therefore, ongoing capital asset management is essential to managing significant replacements and repairs.
- The annual maintenance required by these assets has an enduring impact on water operational budgets.

In general terms, an increase in the tangible capital asset balance indicates that assets may have been acquired either through purchase by the municipality or donation/contribution by a third party. A decrease in the tangible capital asset balance can indicate a disposal, write down, or use of assets. A use of assets is usually represented by an increase in accumulated amortization due to annual amortization expenses arising as a result of allocating the cost of the asset to operations over the asset's useful life. Table 4-1 shows tangible capital assets net book value is expected to increase over the forecast period of approximately \$28.33. This indicates that the Town continues to acquire new assets over the forecast period.

#### **4.2.2 Statement of Operations (Table 4-2)**

The Statement of Operations summarizes the revenues and expenses generated by the water system for a given period. The annual surplus/deficit measures whether the revenues generated were sufficient to cover the expenses incurred and in turn, whether net financial assets have been maintained or depleted. Table 4-2 illustrates the ratio of expenses to revenues, although fluctuating to some extent, fluctuating over the forecast period with a decrease from 63% in 2020 to 61% by 2028. As a result, annual surplus increases from a surplus of \$4.0 million to a surplus of \$5.53 million by 2028. This is due to a general increasing trend in amortization expense. It is important to note that an annual surplus is beneficial to ensure funding is available to non-expense costs such as tangible capital asset acquisitions and reserve/reserve fund transfers.

Another important indicator on this statement is accumulated surplus/deficit. An accumulated surplus indicates that the available net resources are sufficient to provide future capital water services. An accumulated deficit indicates that resources are insufficient to provide future services and that borrowing, or rate increases are required to finance annual deficits. From Table 4-2, the financial plan proposes to increase by approximately \$48.85 million from a 2020 accumulated surplus of \$104.18 million to \$153.01 million in 2028. The accumulated surplus, as indicated in Table 4-2, is



predominantly made up of reserve and reserve fund balances as well as historical investments in tangible capital assets by the Town.

#### **4.2.3 Statement of Change in Net Financial Assets/Debt (Table 4-3)**

The Statement of Change in Net Financial Assets/Debt indicates whether revenue generated was sufficient to cover operating and non-financial asset costs (i.e. inventory supplies, prepaid expenses, tangible capital assets, etc.) and in so doing, explains the difference between the annual surplus/deficit and the change in net financial assets/debt for the period. Table 4-3 indicates that, forecasted annual surplus exceeds forecasted tangible capital asset acquisitions (net of amortization for the year), resulting in increases in the net financial asset balance. Therefore, an overall increase to net financial assets is anticipated over the forecast period to 2028. This is a result of more significant capital asset acquisitions forecasted between 2020 and 2028 allowing for a long-term plan of funding capital through accumulated surplus (i.e. reserves and reserve funds). This is evidenced by the ratio of cumulative annual surplus before amortization to cumulative tangible capital asset acquisitions decreasing from 1.85 to 1.41 over the forecast period.<sup>1</sup>

#### **4.2.4 Statement of Cash Flow (Table 4-4)**

The Statement of Cash Flow summarizes how water systems are expected to generate and use cash resources during the forecast period. The transactions that provide/use cash are classified as operating, capital, investing, and financing activities as shown in Table 4-4. This statement focuses on the cash aspect of these transactions and thus is the link between cash-based and accrual-based reporting. Table 4-4 indicates that cash from operations will be used to fund capital transactions (i.e. tangible capital asset acquisitions) and build internal reserves and reserve funds over the forecast period. The financial plan projects the cash position of the Town's water systems to improve from a balance of \$13.92 million at the beginning of 2020, to just over \$21.5 million by the end of 2028. For further discussions, on projected cash balances please refer to the Notes to the Financial Plan.

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<sup>1</sup> A desirable ratio is 1:1 or better.





Table 4-1  
Statement of Financial Position: Water Services  
UNAUDITED: For Financial Planning Purposes Only  
2020-2028

	Notes	Forecast								
		2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>Financial Assets</b>										
Cash	1	14,281,130	15,623,807	16,907,139	17,120,361	15,243,277	16,014,188	20,116,341	21,217,388	21,504,545
Accounts Receivable	1	1,047,410	1,068,887	1,090,787	1,110,580	1,132,983	1,155,639	1,178,593	1,334,858	1,358,473
Long-term Accounts Receivable	2	-	-	383,764	1,141,829	6,940,125	7,686,718	7,822,655	9,297,340	10,775,204
<b>Total Financial Assets</b>		<b>15,328,540</b>	<b>16,692,694</b>	<b>18,381,690</b>	<b>19,372,770</b>	<b>23,316,385</b>	<b>24,856,545</b>	<b>29,117,589</b>	<b>31,849,586</b>	<b>33,638,222</b>
<b>Liabilities</b>										
Bank Indebtedness		-	-	-	-	-	-	-	-	-
Accounts Payable & Accrued Liabilities	1	-	-	-	-	-	-	-	-	-
Debt (Principal only)	2	8,934,250	7,860,435	6,754,232	5,614,744	4,464,848	3,280,157	15,533,054	13,480,650	11,353,194
Deferred Revenue	3	623,647	533,143	-	-	-	-	-	-	-
<b>Total Liabilities</b>		<b>9,557,897</b>	<b>8,393,578</b>	<b>6,754,232</b>	<b>5,614,744</b>	<b>4,464,848</b>	<b>3,280,157</b>	<b>15,533,054</b>	<b>13,480,650</b>	<b>11,353,194</b>
<b>Net Financial Assets/(Debt)</b>		<b>5,770,643</b>	<b>8,299,116</b>	<b>11,627,458</b>	<b>13,758,026</b>	<b>18,851,537</b>	<b>21,576,388</b>	<b>13,584,535</b>	<b>18,368,936</b>	<b>22,285,028</b>
<b>Non-Financial Assets</b>										
Tangible Capital Assets	4	102,391,231	103,980,778	105,734,525	108,612,400	113,571,916	115,912,032	128,522,854	129,113,622	130,722,714
<b>Total Non-Financial Assets</b>		<b>102,391,231</b>	<b>103,980,778</b>	<b>105,734,525</b>	<b>108,612,400</b>	<b>113,571,916</b>	<b>115,912,032</b>	<b>128,522,854</b>	<b>129,113,622</b>	<b>130,722,714</b>
<b>Accumulated Surplus/(Deficit)</b>	5	<b>108,161,874</b>	<b>112,279,894</b>	<b>117,361,983</b>	<b>122,370,426</b>	<b>132,423,453</b>	<b>137,488,420</b>	<b>142,107,389</b>	<b>147,482,558</b>	<b>153,007,742</b>
<b>Financial Indicators</b>	<b>Total Change</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
1) Increase/(Decrease) in Net Financial Assets	19,071,936	2,557,551	2,528,473	3,328,342	2,130,568	5,093,511	2,724,851	(7,991,853)	4,784,401	3,916,092
2) Increase/(Decrease) in Tangible Capital Assets	29,778,547	1,447,064	1,589,547	1,753,747	2,877,875	4,959,516	2,340,116	12,610,822	590,768	1,609,092
3) Increase/(Decrease) in Accumulated Surplus	48,850,483	4,004,615	4,118,020	5,082,089	5,008,443	10,053,027	5,064,967	4,618,969	5,375,169	5,525,184



Table 4-2  
Statement of Operations: Water Services  
UNAUDITED: For Financial Planning Purposes Only  
2020-2028

	Notes	Forecast								
		2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>Water Revenue</b>										
Base Charge Revenue		3,529,787	3,616,313	3,705,627	3,795,999	3,887,430	3,979,919	4,073,466	4,169,978	4,267,598
Rate Based Revenue		5,435,628	5,563,744	5,693,331	5,824,387	5,956,914	6,090,910	6,226,376	6,363,313	6,501,719
Earned Development Charges Revenue	3	1,233,604	1,233,604	2,064,774	1,914,314	6,864,604	1,822,525	1,233,978	2,569,094	2,569,094
Other Revenue	6	553,922	581,583	624,294	619,166	695,631	724,969	807,760	860,565	894,879
<b>Total Revenues</b>		<b>10,752,941</b>	<b>10,995,244</b>	<b>12,088,026</b>	<b>12,153,866</b>	<b>17,404,579</b>	<b>12,618,323</b>	<b>12,341,580</b>	<b>13,962,950</b>	<b>14,233,290</b>
<b>Water Expenses</b>										
Operating Expenses	Sch. 4-1	4,842,100	4,957,600	5,077,900	5,202,800	5,332,700	5,467,900	5,608,900	5,756,200	5,909,900
Interest on Debt	2	330,290	299,171	266,784	233,498	199,368	164,572	128,533	632,349	557,298
Amortization	4	1,575,936	1,620,453	1,661,253	1,709,125	1,819,484	1,920,884	1,985,178	2,199,232	2,240,908
Loss on Disposal of Tangible Capital Assets		-	-	-	-	-	-	-	-	-
<b>Total Expenses</b>		<b>6,748,326</b>	<b>6,877,224</b>	<b>7,005,937</b>	<b>7,145,423</b>	<b>7,351,552</b>	<b>7,553,356</b>	<b>7,722,611</b>	<b>8,587,781</b>	<b>8,708,106</b>
<b>Annual Surplus/(Deficit)</b>		<b>4,004,615</b>	<b>4,118,020</b>	<b>5,082,089</b>	<b>5,008,443</b>	<b>10,053,027</b>	<b>5,064,967</b>	<b>4,618,969</b>	<b>5,375,169</b>	<b>5,525,184</b>
Accumulated Surplus/(Deficit), beginning of year	5	104,157,259	108,161,874	112,279,894	117,361,983	122,370,426	132,423,453	137,488,420	142,107,389	147,482,558
Accumulated Surplus/(Deficit), end of year		108,161,874	112,279,894	117,361,983	122,370,426	132,423,453	137,488,420	142,107,389	147,482,558	153,007,742
<b>Note 5:</b>										
<b>Accumulated Surplus/(Deficit) Reconciliation:</b>		<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
<b>Reserve Balances</b>										
Reserves: Development Charges		623,647	533,143	(383,764)	(1,141,829)	(6,940,125)	(7,686,718)	(7,822,655)	(9,297,340)	(10,775,204)
Reserves: Gas Tax		-	-	-	-	-	-	-	-	-
Reserves: Capital/Other		14,704,893	16,159,551	18,381,690	19,372,770	23,316,385	24,856,545	29,117,589	31,849,586	33,638,222
<b>Total Reserves Balance</b>		<b>15,328,540</b>	<b>16,692,694</b>	<b>17,997,926</b>	<b>18,230,941</b>	<b>16,376,260</b>	<b>17,169,827</b>	<b>21,294,934</b>	<b>22,552,246</b>	<b>22,863,018</b>
Less: Debt Obligations and Deferred Revenue		(9,557,897)	(8,393,578)	(6,754,232)	(5,614,744)	(4,464,848)	(3,280,157)	(15,533,054)	(13,480,650)	(11,353,194)
Add: Long-term Accounts Receivable		-	-	383,764	1,141,829	6,940,125	7,686,718	7,822,655	9,297,340	10,775,204
Add: Tangible Capital Assets	4	102,391,231	103,980,778	105,734,525	108,612,400	113,571,916	115,912,032	128,522,854	129,113,622	130,722,714
<b>Total Ending Balance</b>		<b>108,161,874</b>	<b>112,279,894</b>	<b>117,361,983</b>	<b>122,370,426</b>	<b>132,423,453</b>	<b>137,488,420</b>	<b>142,107,389</b>	<b>147,482,558</b>	<b>153,007,742</b>
<b>Financial Indicators</b>	<b>Total Change</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
1) Expense to Revenue Ratio		63%	63%	58%	59%	42%	60%	63%	62%	61%
2) Increase/(Decrease) in Accumulated Surplus	48,850,483	4,004,615	4,118,020	5,082,089	5,008,443	10,053,027	5,064,967	4,618,969	5,375,169	5,525,184



Schedule 4-1  
Statement of Operating Expenses: Water Services  
UNAUDITED: For Financial Planning Purposes Only  
2020-2028

	Notes	Forecast								
		2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>Operating Expenses</b>										
Wages and benefits		2,332,500	2,369,800	2,407,700	2,446,200	2,485,300	2,525,100	2,565,500	2,606,500	2,648,200
Office supplies		5,200	5,300	5,400	5,500	5,600	5,700	5,800	5,900	6,000
Materials and supplies		129,000	131,100	133,200	135,300	137,500	139,700	141,900	144,200	146,500
Water sample testing		54,700	55,600	56,500	57,400	58,300	59,200	60,100	61,100	62,100
Clothing allowance		10,900	11,100	11,300	11,500	11,700	11,900	12,100	12,300	12,500
Advertising		1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Water meter repairs and maintenance		10,300	10,500	10,700	10,900	11,100	11,300	11,500	11,700	11,900
Postage		77,400	78,600	79,900	81,200	82,500	83,800	85,100	86,500	87,900
Janitorial supplies		6,100	6,200	6,300	6,400	6,500	6,600	6,700	6,800	6,900
Purification		212,200	218,600	225,200	232,000	239,000	246,200	253,600	261,200	269,000
Computer		25,100	25,500	25,900	26,300	26,700	27,100	27,500	27,900	28,300
Internet		1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700	1,700
Security services		3,300	3,400	3,500	3,600	3,700	3,800	3,900	4,000	4,100
Telephone		49,800	50,600	51,400	52,200	53,000	53,800	54,700	55,600	56,500
Utilities		478,200	516,500	557,800	602,400	650,600	702,600	758,800	819,500	885,100
Services		54,100	55,000	55,900	56,800	57,700	58,600	59,500	60,500	61,500
Meeting Expense		500	500	500	500	500	500	500	500	500
Property taxes		46,500	47,200	48,000	48,800	49,600	50,400	51,200	52,000	52,800
Water purchased - Union Water		323,600	333,300	343,300	353,600	364,200	375,100	386,400	398,000	409,900
Water purchased - Tecumseh		27,600	28,400	29,300	30,200	31,100	32,000	33,000	34,000	35,000
Administration		289,000	293,600	298,300	303,100	307,900	312,800	317,800	322,900	328,100
Billing and collecting		15,200	15,400	15,600	15,800	16,100	16,400	16,700	17,000	17,300
Legal		2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100
Consulting		77,400	78,600	79,900	81,200	82,500	83,800	85,100	86,500	87,900
Water station expense		4,100	4,200	4,300	4,400	4,500	4,600	4,700	4,800	4,900
Insurance		88,300	89,700	91,100	92,600	94,100	95,600	97,100	98,700	100,300
Water service installations		38,700	39,300	39,900	40,500	41,100	41,800	42,500	43,200	43,900
Meter reading contract		35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000
Janitorial Services		9,500	9,700	9,900	10,100	10,300	10,500	10,700	10,900	11,100
Fuel		63,000	64,000	65,000	66,000	67,100	68,200	69,300	70,400	71,500
Watermain breaks/services/materials		67,100	68,200	69,300	70,400	71,500	72,600	73,800	75,000	76,200
Vehicle maintenance		36,600	37,200	37,800	38,400	39,000	39,600	40,200	40,800	41,500
Building maintenance		23,700	24,100	24,500	24,900	25,300	25,700	26,100	26,500	26,900
Grass cutting/snow removal		27,900	28,300	28,800	29,300	29,800	30,300	30,800	31,300	31,800
Tower maintenance and minor repair		5,200	5,300	5,400	5,500	5,600	5,700	5,800	5,900	6,000
Equipment repairs and maintenance		378,800	384,900	391,100	397,400	403,800	410,300	416,900	423,600	430,400
Health and Safety Supplies		13,400	13,600	13,800	14,000	14,200	14,400	14,600	14,800	15,000
Mileage non-conference		600	600	600	600	600	600	600	600	600
Training & conferences		36,100	36,700	37,300	37,900	38,500	39,100	39,700	40,300	40,900
Memberships and subscriptions		7,800	7,900	8,000	8,100	8,200	8,300	8,400	8,500	8,600
Bad debts		500	500	500	500	500	500	500	500	500
Refunds-leaks		10,300	10,500	10,700	10,900	11,100	11,300	11,500	11,700	11,900
Bank service charge		3,600	3,700	3,800	3,900	4,000	4,100	4,200	4,300	4,400
Expense recoveries		(241,500)	(245,400)	(249,300)	(253,300)	(257,400)	(261,500)	(265,700)	(270,000)	(274,300)
<b>TOTAL OPERATING EXPENSES</b>		<b>4,842,100</b>	<b>4,957,600</b>	<b>5,077,900</b>	<b>5,202,800</b>	<b>5,332,700</b>	<b>5,467,900</b>	<b>5,608,900</b>	<b>5,756,200</b>	<b>5,909,900</b>



Table 4-3  
Statement of Changes in Net Financial Assets/Debt: Water Services  
UNAUDITED: For Financial Planning Purposes Only  
2020-2028

	Notes	Forecast								
		2020	2021	2022	2023	2024	2025	2026	2027	2028
Annual Surplus/(Deficit)		4,004,615	4,118,020	5,082,089	5,008,443	10,053,027	5,064,967	4,618,969	5,375,169	5,525,184
Less: Acquisition of Tangible Capital Assets	4	(3,023,000)	(3,210,000)	(3,415,000)	(4,587,000)	(6,779,000)	(4,261,000)	(14,596,000)	(2,790,000)	(3,850,000)
Add: Amortization of Tangible Capital Assets	4	1,575,936	1,620,453	1,661,253	1,709,125	1,819,484	1,920,884	1,985,178	2,199,232	2,240,908
(Gain)/Loss on disposal of Tangible Capital Assets		-	-	-	-	-	-	-	-	-
Add: Proceeds on Sale of Tangible Capital Assets		-	-	-	-	-	-	-	-	-
Add: Write-downs of Tangible Capital Assets		-	-	-	-	-	-	-	-	-
		(1,447,064)	(1,589,547)	(1,753,747)	(2,877,875)	(4,959,516)	(2,340,116)	(12,610,822)	(590,768)	(1,609,092)
Less: Acquisition of Supplies Inventory		-	-	-	-	-	-	-	-	-
Less: Acquisition of Prepaid Expenses		-	-	-	-	-	-	-	-	-
Add: Consumption of Supplies Inventory		-	-	-	-	-	-	-	-	-
Add: Use of Prepaid Expenses		-	-	-	-	-	-	-	-	-
		-	-	-	-	-	-	-	-	-
<b>Increase/(Decrease) in Net Financial Assets/(Net Debt)</b>		<b>2,557,551</b>	<b>2,528,473</b>	<b>3,328,342</b>	<b>2,130,568</b>	<b>5,093,511</b>	<b>2,724,851</b>	<b>(7,991,853)</b>	<b>4,784,401</b>	<b>3,916,092</b>
Net Financial Assets/(Net Debt), beginning of year		3,213,092	5,770,643	8,299,116	11,627,458	13,758,026	18,851,537	21,576,388	13,584,535	18,368,936
<b>Net Financial Assets/(Net Debt), end of year</b>		<b>5,770,643</b>	<b>8,299,116</b>	<b>11,627,458</b>	<b>13,758,026</b>	<b>18,851,537</b>	<b>21,576,388</b>	<b>13,584,535</b>	<b>18,368,936</b>	<b>22,285,028</b>
<b>Financial Indicators</b>		<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
1) Acquisition of Tangible Capital Assets (Cumulative)		3,023,000	6,233,000	9,648,000	14,235,000	21,014,000	25,275,000	39,871,000	42,661,000	46,511,000
2) Annual Surplus/Deficit before Amortization (Cumulative)		5,580,551	11,319,024	18,062,366	24,779,934	36,652,445	43,638,296	50,242,443	57,816,844	65,582,936
3) Ratio of Annual Surplus before Amortization to Acquisition of TCA's (Cumulative)		1.85	1.82	1.87	1.74	1.74	1.73	1.26	1.36	1.41





Table 4-4  
Statement of Cash Flow – Indirect Method: Water Services  
UNAUDITED: For Financial Planning Purposes Only  
2020-2028

	Notes	Forecast								
		2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>Operating Transactions</b>										
Annual Surplus/Deficit		4,004,615	4,118,020	5,082,089	5,008,443	10,053,027	5,064,967	4,618,969	5,375,169	5,525,184
Add: Amortization of TCA's	4	1,575,936	1,620,453	1,661,253	1,709,125	1,819,484	1,920,884	1,985,178	2,199,232	2,240,908
Less: Earned Deferred Revenue	3	(1,233,604)	(1,233,604)	(2,064,774)	(1,914,314)	(6,864,604)	(1,822,525)	(1,233,978)	(2,569,094)	(2,569,094)
Add: Deferred Revenue Proceeds		1,122,427	1,143,100	1,147,866	1,156,250	1,066,308	1,075,932	1,098,040	1,094,410	1,091,230
Change in A/R (Increase)/Decrease		(1,047,410)	(21,477)	(21,900)	(19,793)	(22,404)	(22,656)	(22,954)	(156,266)	(23,615)
Less: Interest Proceeds		(231,121)	(257,683)	(299,294)	(316,766)	(392,131)	(420,369)	(501,959)	(553,566)	(586,677)
<b>Cash Provided by Operating Transactions</b>		<b>4,190,843</b>	<b>5,368,809</b>	<b>5,505,240</b>	<b>5,622,945</b>	<b>5,659,680</b>	<b>5,796,233</b>	<b>5,943,297</b>	<b>5,389,885</b>	<b>5,677,936</b>
<b>Capital Transactions</b>										
Less: Cash Used to acquire Tangible Capital Assets	4	(3,023,000)	(3,210,000)	(3,415,000)	(4,587,000)	(6,779,000)	(4,261,000)	(14,596,000)	(2,790,000)	(3,850,000)
<b>Cash Applied to Capital Transactions</b>		<b>(3,023,000)</b>	<b>(3,210,000)</b>	<b>(3,415,000)</b>	<b>(4,587,000)</b>	<b>(6,779,000)</b>	<b>(4,261,000)</b>	<b>(14,596,000)</b>	<b>(2,790,000)</b>	<b>(3,850,000)</b>
<b>Investing Transactions</b>										
Proceeds from Investments		231,121	257,683	299,294	316,766	392,131	420,369	501,959	553,566	586,677
<b>Cash Provided by (applied to) Investing Transactions</b>		<b>231,121</b>	<b>257,683</b>	<b>299,294</b>	<b>316,766</b>	<b>392,131</b>	<b>420,369</b>	<b>501,959</b>	<b>553,566</b>	<b>586,677</b>
<b>Financing Transactions</b>										
Proceeds from Debt Issue	2	-	-	-	-	-	-	13,474,000	-	-
Add: Long-term Accounts Receivable Proceeds (recovery of debt)	2	-	-	-	-	-	-	-	-	-
Less: Debt Repayment (Principal only)	2	(1,042,697)	(1,073,815)	(1,106,202)	(1,139,489)	(1,149,895)	(1,184,691)	(1,221,103)	(2,052,404)	(2,127,456)
<b>Cash Applied to Financing Transactions</b>		<b>(1,042,697)</b>	<b>(1,073,815)</b>	<b>(1,106,202)</b>	<b>(1,139,489)</b>	<b>(1,149,895)</b>	<b>(1,184,691)</b>	<b>12,252,897</b>	<b>(2,052,404)</b>	<b>(2,127,456)</b>
Increase in Cash and Cash Equivalents		356,267	1,342,677	1,283,332	213,222	(1,877,084)	770,911	4,102,153	1,101,047	287,157
Cash and Cash Equivalents, beginning of year	1	13,924,863	14,281,130	15,623,807	16,907,139	17,120,361	15,243,277	16,014,188	20,116,341	21,217,388
<b>Cash and Cash Equivalents, end of year</b>	<b>1</b>	<b>14,281,130</b>	<b>15,623,807</b>	<b>16,907,139</b>	<b>17,120,361</b>	<b>15,243,277</b>	<b>16,014,188</b>	<b>20,116,341</b>	<b>21,217,388</b>	<b>21,504,545</b>



## Notes to Financial Plan

The financial plan format as outlined in Chapter 4 closely approximates the full accrual format used by municipalities on their audited financial statements. However, the financial plan is not an audited document and contains various estimates. In this regard, section 3 (2) of O. Reg. 453/07 states the following:

“Each of the following sub-subparagraphs applies only if the information referred to in the sub-subparagraph is known to the owner at the time the financial plans are prepared:

1. Sub-subparagraphs 4 i A, B and C of subsection (1)
2. Sub-subparagraphs 4 iii A, C, E and F of subsection (1).”

The information referred to in sub-subparagraphs 4 i A, B and C of subsection (1) includes:

- A. Total financial assets (i.e. cash and receivables);
- B. Total liabilities (i.e. payables, debt, and deferred revenue);
- C. Net debt (i.e. the difference between A and B above).

The information referred to in sub-subparagraphs 4 iii A, C, E and F of subsection (1) includes:

- A. Operating transactions that are cash received from revenues, cash paid for operating expenses and finance charges
- B. Investing transactions that are acquisitions and disposal of investments
- C. Change in cash and cash equivalents during the year
- D. Cash and cash equivalents at the beginning and end of the year

In order to show a balanced financial plan in a full accrual format for the Town, some of the items listed above have been estimated given that the Town does not maintain all financial asset and liability data separately for water. Usually, this type of data is combined with the financial assets and liabilities of other departments and services



given that there is not a current obligation to disclose this data separately (as there is with revenue and expenses).

The assumptions used have been documented below:

## 1. Cash, Receivables and Payables

It is assumed that the opening cash balances required to complete the financial plan are equal to:

Ending Reserve/Reserve Fund Balance  
*Plus:* Ending Accounts Payable Balance  
*Less:* Ending Accounts Receivable Balance  
*Equals:* *Approximate Ending Cash Balance*

For the Town, receivable and payable balances were estimated for each year of the forecast based on the following factors:

- a) Receivables: Based on the historical levels of water receivables as a percentage of annual water revenue earned; and
- b) Payables: Based on historical levels of water payables as a percentage of annual water expenses.

## 2. Debt

Outstanding water related debt at the end of 2019 was just over \$9.97 million. In addition, the Town anticipates issuing debentures of \$13.474 million over the forecast period to 2028. The principal repayments, for existing and projected debt required over the forecast period are scheduled as follows.

Year	Principal Payments
2020	1,042,697
2021	1,073,815
2022	1,106,202
2023	1,139,489
2024	1,149,895
2025	1,184,691
2026	1,221,103
2027	2,052,404
2028	2,127,456
<b>Total</b>	<b>\$ 12,097,752</b>



### 3. Deferred Revenue

Deferred revenue is typically made up of water development charge reserve balances which are considered to be a liability for financial reporting purposes until the funds are used to emplace the works for which they have been collected. Where future years provide for a negative balance in the water development charge reserve fund balance it is shown as an asset (“long-term accounts receivable”) for financial reporting purposes, representing future amounts to be collected from developers. Currently, the forecast does anticipate a negative balance in the water development charges reserve fund for the years 2022 through 2028.

### 4. Tangible Capital Assets

- Opening net book value of tangible capital assets includes water related assets in the following categories:
  - i. Water treatment facilities, Pumping stations and storage;
  - ii. Linear Infrastructure;
  - iii. Land;
  - iv. Land Improvements; and
  - v. Vehicles and Equipment.
- Amortization is calculated based on using the straight-line approach with a half year of amortization in the year of acquisition or construction.
- Given the planned asset replacement forecast in the 2019 Rate Study, useful life on acquisitions is assumed to be equal to the weighted average useful life for all assets on hand in each respective asset category.
- Write-offs are assumed to equal \$0 for each year in the forecast period.
- Tangible capital assets are shown on a net basis. It is assumed that disposals occur when the asset is being replaced. To calculate the value of each asset disposal, the replacement value (of each new asset that has been identified as a “replacement”) has been deflated (by weighted average useful life for all assets on hand in the respective asset category) to an estimated historical cost. This figure was used to calculate disposals only. Future assets are disposed of when fully amortized.
- Gains/losses on disposal are assumed to be \$0 (it is assumed that historical cost is equal to accumulated amortization for all disposals).





- Residual value is assumed to be \$0 for all assets contained within the forecast period.
- Contributed Assets, as described in section 3.2.1, are deemed to be insignificant/unknown during the forecast period and are therefore assumed to be \$0.
- The Town is unaware of any lead service piping in the municipal water systems.



- The balance of tangible capital assets is summarized as follows:

Asset Historical Cost	2020	2021	2022	2023	2024	2025	2026	2027	2028
Opening Tangible Capital Asset Balance	128,058,580	130,691,582	133,571,266	136,652,801	139,994,892	146,424,222	150,101,491	164,245,789	166,614,183
Acquisitions	3,023,000	3,210,000	3,415,000	4,587,000	6,779,000	4,261,000	14,596,000	2,790,000	3,850,000
Disposals	389,998	330,316	333,465	1,244,909	349,670	583,731	451,702	421,606	1,775,056
<b>Closing Tangible Capital Asset Balance</b>	<b>130,691,582</b>	<b>133,571,266</b>	<b>136,652,801</b>	<b>139,994,892</b>	<b>146,424,222</b>	<b>150,101,491</b>	<b>164,245,789</b>	<b>166,614,183</b>	<b>168,689,127</b>
Opening Accumulated Amortization	27,114,413	28,300,351	29,590,488	30,918,276	31,382,492	32,852,306	34,189,459	35,722,935	37,500,561
Amortization Expense	1,575,936	1,620,453	1,661,253	1,709,125	1,819,484	1,920,884	1,985,178	2,199,232	2,240,908
Amortization on Disposal	389,998	330,316	333,465	1,244,909	349,670	583,731	451,702	421,606	1,775,056
<b>Ending Accumulated Amortization</b>	<b>28,300,351</b>	<b>29,590,488</b>	<b>30,918,276</b>	<b>31,382,492</b>	<b>32,852,306</b>	<b>34,189,459</b>	<b>35,722,935</b>	<b>37,500,561</b>	<b>37,966,413</b>
<b>Net Book Value</b>	<b>102,391,231</b>	<b>103,980,778</b>	<b>105,734,525</b>	<b>108,612,400</b>	<b>113,571,916</b>	<b>115,912,032</b>	<b>128,522,854</b>	<b>129,113,622</b>	<b>130,722,714</b>



## 5. Accumulated Surplus

Opening accumulated surplus for the forecast period is reconciled as follows:

Water	2020 Opening Accumulated Surplus
<b>Reserve Balances</b>	
Reserves: Development Charges	734,824
Reserves: Capital/Other	13,190,039
<b>Total Reserves Balance</b>	<b>13,924,863</b>
Less: Debt Obligations and Deferred Revenue	(10,711,771)
Add: Tangible Capital Assets	100,944,167
<b>Total Opening Balance</b>	<b>104,157,259</b>

The accumulated surplus reconciliation for all years within the forecast period is contained in Table 4-2.

## 6. Other Revenue

Other revenues include minor revenues from water meter sales, buy-in fees, investment income, penalty & interest, etc., these revenues have been held constant over the forecast period. Water station revenues have been inflated annually by 1.6% over the forecast period based on CPI averages.



# Chapter 5

## Process for Financial Plan Approval and Submission to the Province





## 5. Process for Financial Plan Approval and Submission to the Province

As mentioned in section 1.2, preparation of and approval of a financial plan for water assets that meets the requirements of the Act is mandatory for municipal water providers. Proof of the plan preparation and approval is a key submission requirement for municipal drinking water licensing and, upon completion, must be submitted to the MECP. The process established for plan approval, public circulation and filing is set out in O. Reg. 453/07 and can be summarized as follows:

1. The financial plan must be approved by resolution of Council of the municipality who owns the drinking water system or the governing body of the owner. (O. Reg. 453/07, section 3 (1) 1.)
2. The owner of the drinking water system must provide notice advertising the availability of the financial plan. The plans will be made available to the public upon request and without charge. The plans must also be made available to the public on the municipality's website. (O. Reg. 453/07, section 3 (1) 5.)
3. The owner of the drinking water system must provide a copy of the financial plan to the Director of Policy Branch, Ministry of Municipal Affairs and Housing. (O. Reg. 453/07, section 3 (1) 6.)
4. The owner of the drinking water system must provide proof satisfactory to the Director that the financial plans for the system satisfy the requirements under the Safe Drinking Water Act. (S.D.W.A. section 32 (5) 2.ii.)



# Chapter 6

## Recommendations



## 6. Recommendations

This report presents the water financial plan for the Town in accordance with the mandatory reporting formats for water systems as detailed in O. Reg. 453/07. It is important to note that while mandatory, the financial plan is provided for Council's interest and approval however, for decision making purposes, it may be more informative to rely on the information contained within the 2019 Water and Wastewater Rate Study, dated January 29, 2019. Nevertheless, Council is required to pass certain resolutions with regard to this plan and regulations and it is recommended that:

1. The Town of Lakeshore's Water Financial Plan prepared by Watson & Associates Economists Ltd. dated June 30, 2020 be approved.
2. Notice of availability of the Financial Plan be advertised.
3. The Financial Plan dated June 30, 2020 be submitted to the Ministry of Municipal Affairs and Housing. (O. Reg. 453/07, section 3 (1) 6).
4. The resolution of Council approving the Financial Plan be submitted to the MECP, satisfying the requirements under the Safe Drinking Water Act. (S.D.W.A. section 32 (5) 2.ii.).

# The Corporation of the Town of Lakeshore

## Report to Council

### Engineering & Infrastructure Services

### Public Works



**To:** Mayor & Members of Council

**From:** Mazen Jreda, P.Eng., PE, PMP  
Manager, Public Works

**Date:** July 3, 2020

**Subject:** Tender Award – 2020 Surface Treatment Program

---

### Recommendation

Award the tender for the 2020 Surface Treatment Program to Shepley Road Maintenance Ltd. in the amount of \$809,077 plus applicable taxes.

### Background

The request for tender for the 2020 Surface Treatment Program contained six road sections as shown on the attached map. Five of the roads on this list are scheduled to be pulverized before a double lift of surface treatment is applied. One road is planned to receive a third lift of surface treatment. All were approved by Council during the 2020 Budget deliberations.

The request for tender for the 2020 Surface Treatment Program was publicly advertised on the Bids & Tenders website on June 8, 2020. The following tender was received prior to tender closing time on Friday, June 26, 2020 and opened publicly:

<b>Tenderer</b>	<b>Price (excluding HST)</b>	<b>Price including net HST</b>
Shepley Road Maintenance Ltd.	\$ 809,077	\$823,317

### Comments

The 2020 Surface Treatment Program tender included the following sections:

1. Schedule A, W Puce Rd from 343 W Puce Rd to County Rd 42 (double lift)
2. Schedule B, Lakeshore Rd 211 from S Middle Rd to County Rd 8 (double lift)
3. Schedule C, O'Brien Sideroad from N Rear Rd to County Rd 46 (double lift)
4. Schedule D, Gracey Sideroad from CN Rail to County Rd 37 (double lift)



5. Schedule E, King Street from County Rd 27 to South Limit (double lift)
6. Schedule F, S Middle Rd from Lakeshore Rd 229 to County Rd 31 (third lift only)

The total amount budgeted for all six road sections is \$1,242,000.

The tender was reviewed and found to be complete. Shepley Road Maintenance Ltd. has the resources to complete the works and has completed our previous contracts successfully.

## Financial Impacts

The funding for the 2020 Surface Treatment Program is included in the Public Works budget centre, and the financial breakdown is shown in the table below.

	2020 Budget	Cost incl. Net HST	Difference (over)/under
Project Cost:			
W Puce Rd	\$240,000	\$170,463	69,537
Lakeshore Rd 211	430,000	306,622	123,378
S Middle Rd	140,000	82,556	57,444
Gracey Sideroad	200,000	106,510	93,490
King Street	32,000	23,416	8,584
O'Brien Sideroad	200,000	133,750	66,250
<b>Total Tender Price</b>	<b>\$1,242,000</b>	<b>\$823,317</b>	<b>418,683</b>
Contingency	-	50,000	(50,000)
Material Testing	-	25,000	(25,000)
<b>Total Works</b>	<b>\$1,242,000</b>	<b>\$898,315</b>	<b>\$343,683</b>

As noted in the table above the tender for the 2020 Surface Treatment program is within the overall total budget for the 6 road sections.

**Final cost may vary:** The final cost of the 2020 Surface Treatment Program will be based on the actual quantities of emulsion and aggregate used in the surface treatment process (the quantities contained in the tender are estimates only). Should the actual quantities required to complete the 2020 surface treatment work differ from the estimated quantities, the actual cost will vary from the tender price. As such, a contingency amount of \$50,000 is shown in the table above for material quantity adjustments. In addition, material testing cost has also been added to complete the testing of materials used and compaction.

Based on the above, Town will benefit from a savings in this program of \$343,683 in 2020. As this work is being funded from the roads lifecycle reserve, this savings will be carried forward to 2021 for the future lifecycle road work.

**Attachment(s):** Map

### Report Approval Details

Document Title:	Tender Award - 2020 Surface Treatment Program.docx
Attachments:	
Final Approval Date:	Jul 8, 2020

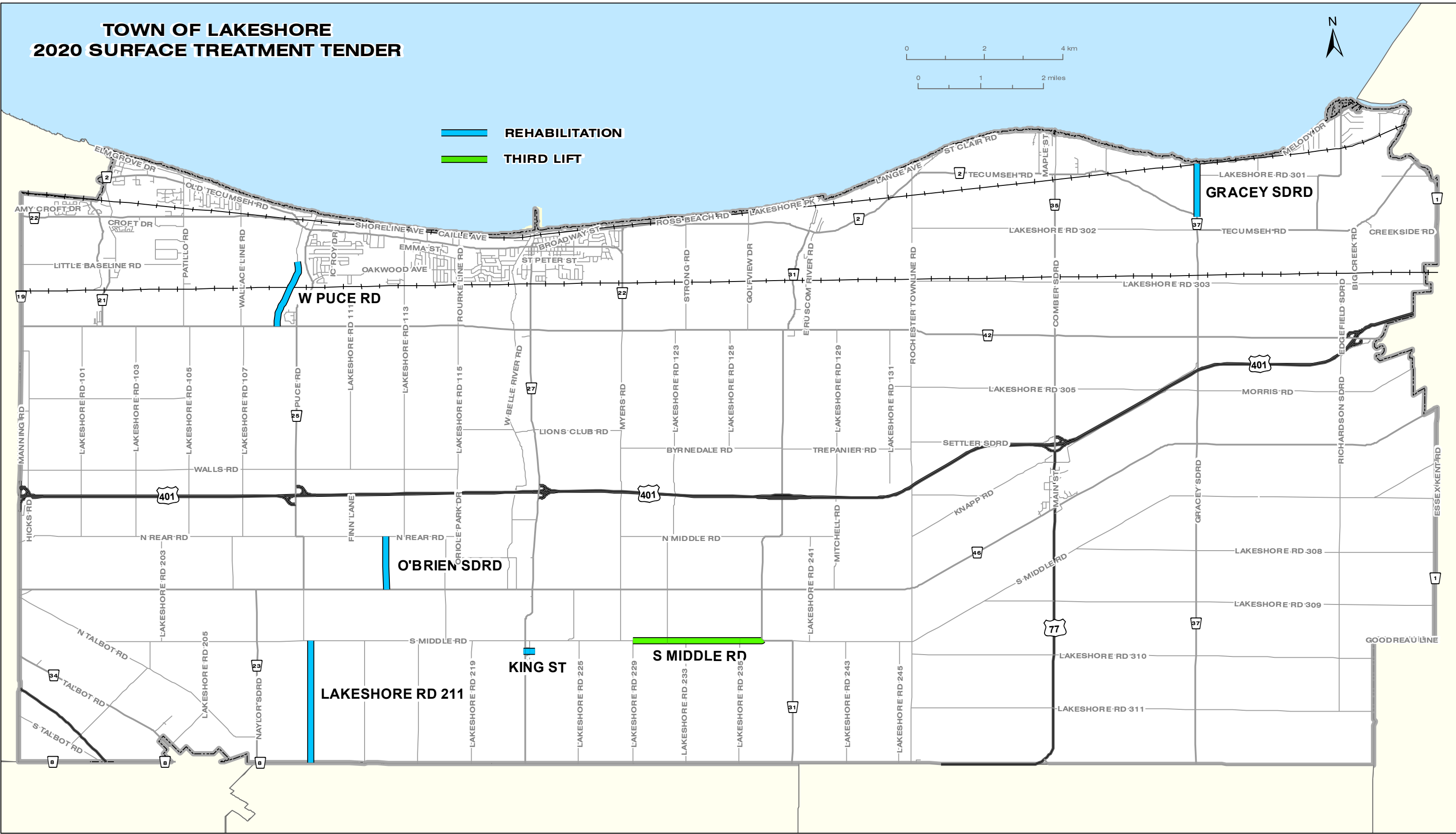
This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall

**TOWN OF LAKESHORE  
2020 SURFACE TREATMENT TENDER**



# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Engineering & Infrastructure Services**

#### **Engineering Services**



**To:** Mayor & Members of Council

**From:** Tony DiCiocco, C.E.T., Manager, Engineering Services

**Date:** June 17, 2020

**Subject:** Ellis Road – MTO Project – Highway 3 Road Widening

---

#### **Recommendation**

The closure of Ellis Side Road southwest of Highway 3 and the modification of the access to Ellis Side Road northeast of Highway 3 to a right-in, right-out configuration be supported.

#### **Background**

The Ministry of Transportation (MTO) completed a Transportation Environmental Study Report (TESR) in 2017 for the widening of Highway #3 in the Towns of Lakeshore, Essex and Kingsville. The MTO has advertised for requests for proposals to design/build the next phase of the Highway 3 widening.

#### **Comments**

The Ministry of Transportation intends to proceed with construction to widen Highway 3 this year in accordance with the approved 2017 Transportation Environmental Study Report. The initial phase of construction will include the closing of the intersection at Ellis Side Road southwest of Highway 3 to end in a cul-de-sac and to modify access to Ellis Side Road northeast of Highway 3 to a right-in, right-out configuration in the Town of Lakeshore. The recommended plan is attached (Attachment 1). At this time, the MTO is seeking a Council resolution from the Town of Lakeshore to close and modify Ellis Side Road at Highway 3 in accordance with the approved TESR. Once construction has been completed, the MTO will be seeking a formal by-law amendment in accordance with Section 27 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, which authorizes a municipality to close a highway via by-law. The correspondence from MTO is attached (Attachment 2).

#### **Others Consulted**

Ministry of Transportation of Ontario



## Financial Impacts

There are no budget impacts resulting from the recommendation. All costs associated with construction of modifying access to Ellis Side Road northeast of Highway 3 to a right-in, right-out configuration shall be incurred by the Province within the MTO Highway 3 project.

**Attachments:** 1) Letter from the MTO dated April 24, 2020  
2) Recommended Plan

## Report Approval Details

Document Title:	Ellis Road – MTO Project-Highway 3 Road Widening.docx
Attachments:	- Letter fr MTO re Council Resolution.pdf - Recommended Plan.pdf
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

Nelson Cavacas

Rosanna Pellerito

Kristen Newman

Tammie Ryall

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**APPENDIX D**  
**Recommended Plan**

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SUPPLEMENTARY LEGEND

- ENVIRONMENTALLY SENSITIVE AREA
- SEED AND EROSION CONTROL BLANKET
- ROCK FLOW CHECK DAM  
OPSD 219.211
- RIP RAP (300mm THICK  
WITH GEOTEXTILE)
- PROPERTY REQUIRED

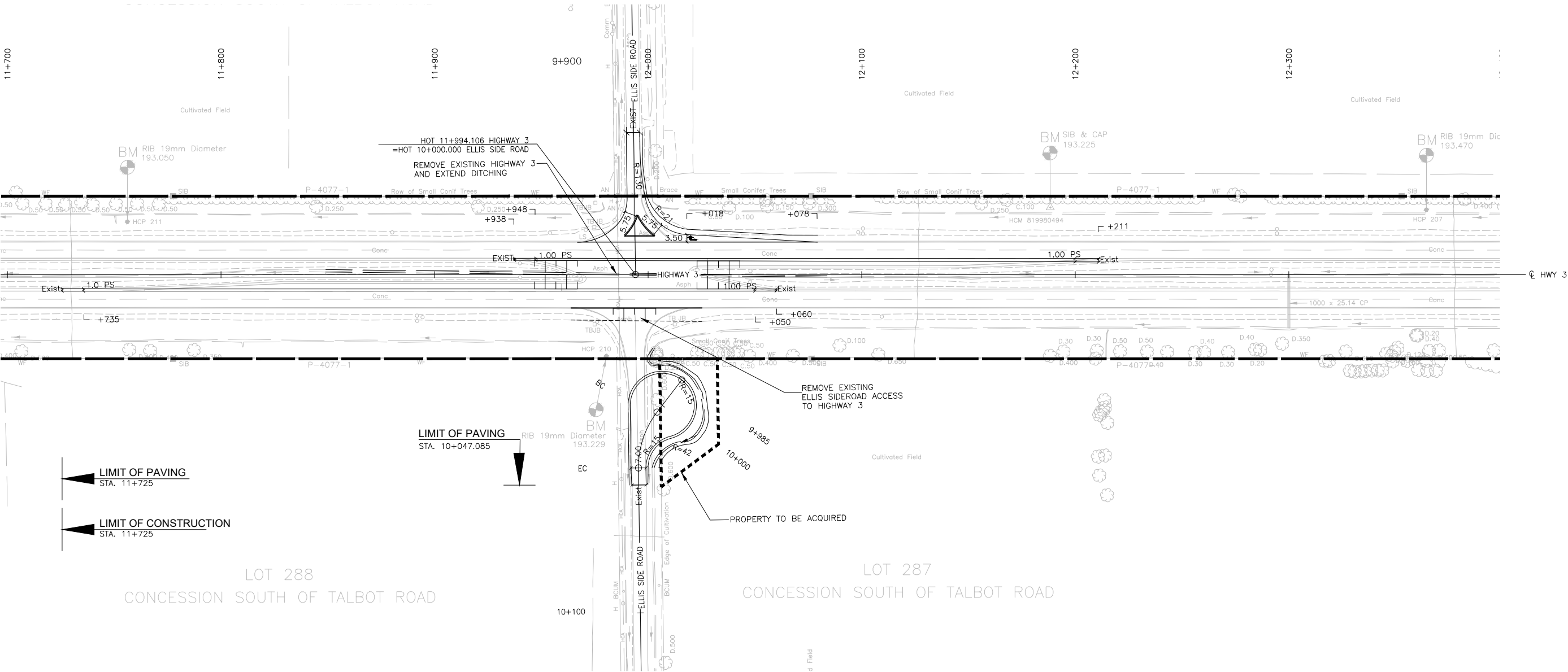
SUPPLEMENTARY ABBREVIATIONS

- SH - SHOULDER
- PS - PAVED SHOULDER
- PPS - PARTIAL PAVED SHOULDER
- SBEAT - STEEL BEAM ENERGY ATTENUATING TERMINAL

NOTES:

- ALL SEWER AND CULVERT OUTLETS TO HAVE RIP RAP TREATMENT AS PER OPSD 810.010 TYPE 'B' UNLESS OTHERWISE NOTED.
- ALL DITCH INLETS TO HAVE RIP RAP TREATMENT AS PER OPSD 810.020.
- ALL CURB & GUTTER TERMINATION TREATMENTS AS PER OPSD 608.010 UNLESS OTHERWISE NOTED.
- SEED AND EROSION CONTROL BLANKET ON ALL SLOPES STEEPER THAN 3:1.

LOT 287  
CONCESSION SOUTH OF TALE



DATE PLOTTED: 3/4/2020 4:38:22 PM  
FILE LOCATION: G:\CAD\126452\02 - Civil\01-Contract\317-New Construction.dwg

MINISTRY OF TRANSPORTATION  
HIGHWAY 3 IMPROVEMENTS  
TOWN OF ESSEX  
GWP 317-98-00



THE DETAILS SHOWN ON THIS  
DRAWING ARE PRELIMINARY AND ARE  
PROVIDED FOR INFORMATION ONLY



CREATED BY: ACR  
CHECKED BY: SJG  
PROJECT No. 12-6452  
DATE: MARCH 2020



NEW CONSTRUCTION  
HIGHWAY 3  
STA. 11+700 TO STA. 12+400  
NC-1

**Ministry of Transportation**  
Engineering Office  
Planning and Design Section  
West Region

659 Exeter Road  
London, Ontario N6E 1L3  
Telephone: (519) 873-4561  
Facsimile: (519) 873-4600

**Ministère des Transports**  
Bureau du génie  
Section de planification et de conception  
Région de l'Ouest

659, chemin Exeter  
London (Ontario) N6E 1L3  
Téléphone : (519) 873-4561  
Télécopieur : (519) 873-4600



April 24, 2020

Albert Dionne C.E.T.  
Manager of Public Works  
Town of Lakeshore  
adionne@lakeshore.ca  
519-728-1975 ext. 291

**Council Resolution to close and modify Ellis Side Road at Highway 3, City of Lakeshore**

Dear Mr. Dionne:

In accordance with Section 27 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes a municipality to close a highway by by-law.

The ministry is requesting, at your next Municipal Council Meeting, to pass a council resolution, agreeing to close Ellis Side Road south-west of Highway 3 and modify access to Ellis Side Road north-east of Highway 3, to a right-in, right-out configuration, at a date to be determined. The ministry intends to proceed with construction and once a schedule is known, the ministry will send a formal letter seeking a by-law amendment.

The abovementioned closure/modification was the approved recommended plan in the 2017 TESR Addendum, please see attached drawings.

Sincerely

A handwritten signature in blue ink, appearing to read "A. Naylor".

Amanda Naylor, P.Eng.  
Project Engineer  
Planning and Design  
Ministry of Transportation  
Amanda.Naylor@ontario.ca  
519-852-2975



# **The Corporation of the Town of Lakeshore**

## **Report to Council**

### **Engineering & Infrastructure Services**



**To:** Mayor & Members of Council

**From:** Nelson Cavacas, Director, Engineering & Infrastructure Services

**Date:** July 6, 2020

**Subject:** Belle River Flood Control System and WECI Grant

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### **Recommendations**

Direct Administration to complete the Belle River Flood Control projects; and,

Approve the transfer of a maximum of \$75,000 from the contingency reserve to fund the Town's portion of the projects, as presented at the July 14, 2020 Council meeting.

### **Background**

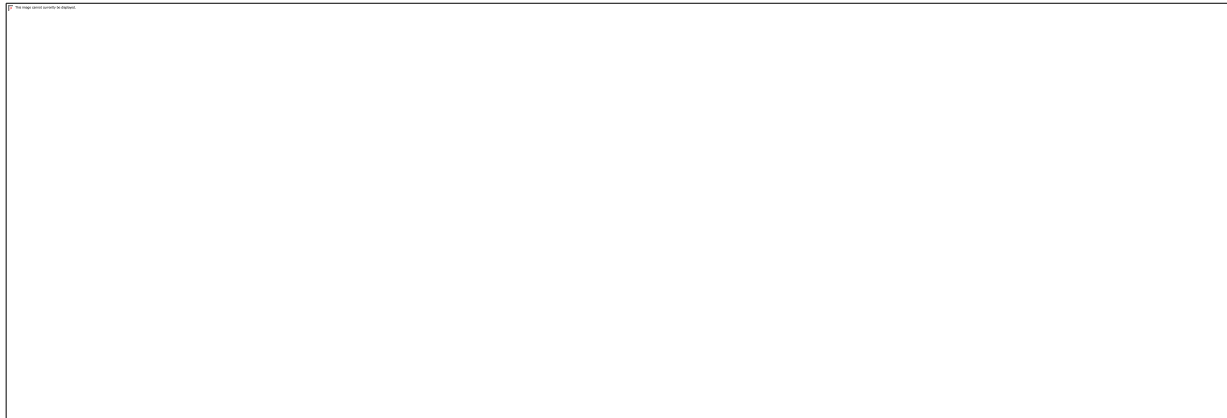
The Belle River Flood Control System was constructed in 1989/1990. The system consisted of the construction of earth berms and retaining walls, shoreline protection and storm water pumping stations to significantly reduce the risk of flooding to the community of Belle River caused by high lake levels and ice jams. In 1989/1990, approximately 1.5 million dollars was expended on this multi-phase project. The Essex Region Conservation Authority (ERCA) and the Town partnered on this project and the original cost was equally shared.

In 2015 and 2017 maintenance repairs were undertaken on a section of the system which involved retaining wall and shoreline protection repairs along the Belle River. Following these repairs and considering the current forecasted high lake levels, the Town partnered with ERCA to proactively identify deficiency areas requiring maintenance, repairs and upgrades of dyke, channel and shoreline protection works along the designated sections of the Belle River Flood Control System in the Town of Lakeshore by undertaking an assessment of the flood control works that was finalized in 2019. It had been 12 years since the last overall engineering assessment was undertaken of the flood control works. All previous repairs and assessment work has been funded 50% by the Town and 50% by ERCA through the Water Erosion Control Infrastructure (WECI) provincial funding program.

The Town in collaboration with ERCA had submitted two applications earlier this year for potential WECI funding utilizing the 2019 assessment study information which is attached.

## Comments

On June 22, 2020 ERCA informed the Town that both applications for the WECI program associated with the Belle River Flood Control (BRFC) Project were approved for 50% funding by the Ministry of Natural Resources and Forestry (MNR) up to the maximum provincial shares identified in the table below. The Town would fund the Local Share of the remaining 50%. Although ERCA does not provide a direct financial contribution, they provide project management oversight with ERCA staff for these projects.



The Belle River Flood Control – Detailed Assessment Study identified as project ID S.20.033 is a result of the previous work done by Landmark Engineers (2019 Assessment Study) which recommended a detailed evaluation of alternatives and the selection of a preferred option for eliminating gaps in the dyking, address long term instability of select locations of shore wall, assess remaining thickness of original sheet steel pile walls by means of ultrasound testing (existing condition shows signs of severe corrosion with visible perforations). Again, this was one of the recommendations from the 2019 report that was funded 50% by the WECI grant from the MNR.

The Belle River Flood Control – Repairs identified as project R.20.045 was also highlighted as the next repair work to be prioritized in Landmark's 2019 assessment report which identified a series of repairs that included top dressing existing berms at select locations, reinstating some sections of flood control berms, repairs to double-retained earth berms, repairing exposed and corroded tie-rods with cover restored. It also includes some thorough drain cleaning of some of the drainage ditches associated with the BRFC project.

## Others Consulted

ERCA

## Financial Impacts

The total cost to complete the two flood control projects is \$141,000 of which the Town's 50% share would be \$70,500. This work supports the Town's strategic priorities regarding Shoreline Protection and Community Resiliency by investing into the planning and repairs of this flood control system while leveraging the benefit of 50% grant funding. Although this work was not included in the 2020 budget, it is recommended this work be funded from the contingency reserves up to a maximum of \$75,000. The reserve currently has a balance of \$955,000.

**Attachment:** 2019 Belle River Flood Control – Inspection Report

## Report Approval Details

Document Title:	Belle River Flood Protection Infrastructure and WECl Grant.docx
Attachments:	- 2019 Belle River Flood Control - Inspection Report.pdf
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

Rosanna Pellerito

Kristen Newman

Tammie Ryall

**Belle River Dyke Inspections**  
**Summary of Observations**

Street Address		Flood Protection		Notes
		Type	Condition	
145	West River	Concrete Wall	Deficient	Small gap in dyke between north termination of concrete wall and garden wall on north abutting property.
149	West River	Concrete Wall	Deficient	Gap in dyke at south termination of concrete wall associated with discontinuity of dyke at south abutting property.
153	West River	Raised Building Envelope	Uncertain	Apparent discontinuity in dyking along north property limit. Existing wood fence will complicate reinstatement of dyke.
163	West River	Raised Building Envelope	Deficient	Apparent discontinuity in dyking along north and south property limits. Recommended detail site assessment to determine full extent of deficiency and appropriate scope of repairs.
167	West River	Double-Retained Berm	Deficient	Apparent instability of boat slip shoreline contributing to settlement of backfill and double retained berm. Portions of retaining walls are leaning outward.
173	West River	Double-Retained Berm	Deficient	Settlement of retained fill (thickness of a brick). Minor outward lean to short segments of retaining wall.
183	West River	Earth Berm	Fair	Settlement of earth berm near transition to north abutting, double-retained berm.
625	Notre Dame	Concrete Wall	Deficient	No backflow valve at CB. Minor gap between concrete wall and berm near lookout. Shorewall appears reasonably stable. Some anchor rods are exposed and rusting. Minor settlement of concrete wall south of the old spillway.
188	First Street	Single-Retained Berm	Fair	Minor vertical deflection / heaving of retaining blocks, apparently due to roots of adjacent tree.
178	First Street	Earth Berm	Deficient	Berm elevation at long gravel paths (between edging stones) is low.
168	First Street	Double-Retained Berm	Fair	Minor settlement of retained fill.
154	First Street	Earth Berm	Deficient	Settlement behind existing SSP shorewall may indicate long term instability. Top elevation of berm is low (176.22-176.36m)
327	West River	Earth Berm	Fair	Minor settlement of berm at north property limit.
323	West River	Earth Berm	Fair	Minor settlement of berm at south property limit.
319	West River	Earth Berm	Deficient	Settlement of berms that abut boathouse.
309	West River	Earth Berm	Deficient	Minor localized settlement of berm.
301	West River	Earth Berm	Deficient	Minor settlement of berm at north property limit.
295	West River	Earth Berm	Deficient	Minor settlement of berm at south property limit.

**BELLE RIVER FLOOD CONTROL PROJECT**  
**BELLE RIVER DYKING INSPECTIONS**

**Landmark**



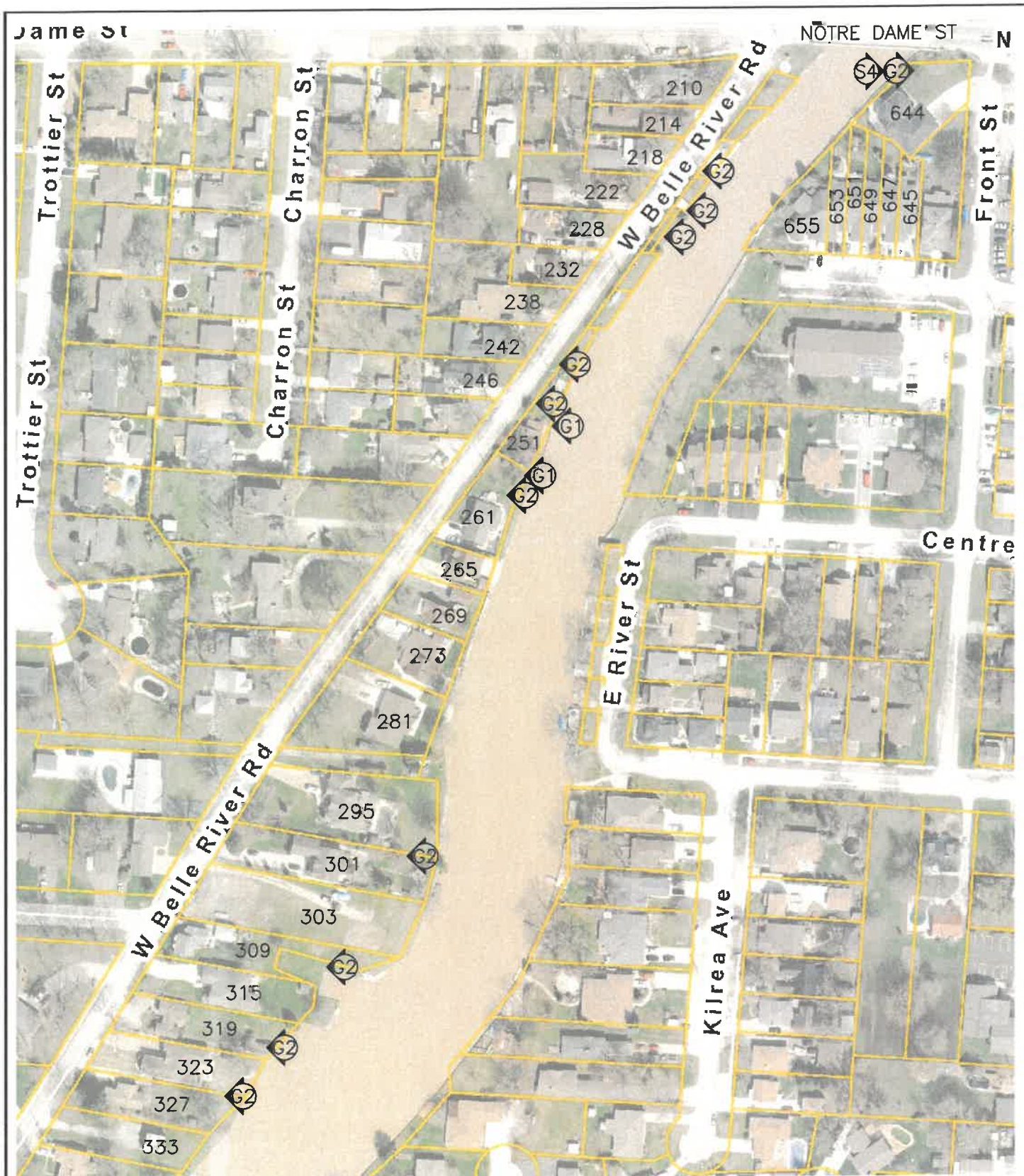
**Belle River Dyke Inspections**  
**Summary of Observations**

Street Address		Flood Protection		Notes
		Type	Condition	
261	West River	Earth Berm	Deficient	Settlement of earth berm at transition to double-retained berm.
		Double-Retained Berm	Deficient	Settlement of retained fill (thickness of one course of brick).
251	West River	Double-Retained Berm	Fair	General minor settlement of retained fill. Retaining walls have differentially settled between steps and concrete wall.
246	West River	Earth Berm	Deficient	Settlement of earth berm at transition to south abutting, double-retained berm.
242	West River	Earth Berm	Deficient	Settlement of earth berm within property limits.
228	West River	Earth Berm	Deficient	Settlement of earth berm over the majority of the property.
222	West River	Earth Berm	Deficient	Settlement of berms that abut boathouse.
218	West River	Earth Berm	Deficient	Settlement of earth berm within property limits.
644	Notre Dame	Earth Berm	Deficient	SSP fronting the site is severely corroded at and above the wale elevation. The dyking that was originally constructed at this site no longer exists. Lands lying north of the dwelling are too low to contain flood waters.
1726	Caille	Earth Berm	Deficient	Settlement of earth berm at transition to concrete wall.



Title DEFICIENCY LOCATION MAP (NORTH)		Date FEBRUARY 2019	FIGURE  1
		Scale 1:2000	
Project BELLE RIVER FLOOD CONTROL PROJECT		Project No. 18-036	





Title	DEFICIENCY LOCATION MAP (SOUTH)
Project	BELLE RIVER FLOOD CONTROL PROJECT

Date	MARCH 7, 2019
Scale	1:2000
Project No.	18-036

FIGURE  
**2**





167 West River St.

**Description:**

Minor settlement of fill in Double-Retained Berm section; some distorted and visibly unstable segments of retaining wall (i.e., leaning and/or loose bricks) and gaps at berm ends and transitions to adjacent structures.

**Locations:**

167, 173, 251 and 261 West River St.  
168 and 188 First Street

**Recommended Action:**

Top up retained berms with soil; reconstruct severely distorted segments of retaining walls as required to restore stability.



251 West River St.



173 West River St.

FEBRUARY 2019

FIGURE 3



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT**

**GENERAL DEFICIENCY - TYPE G1**





**319 West River St.**

*Description:*

Low or discontinuous earth berm - probably due to settlement.

*Locations:*

183, 218, 222, 228, 242, 246, 261, 295, 301, 309, 319, 323 and 327 West River Street  
154, 178 First Street  
644 Notre Dame Street  
1726 Caille Avenue

*Recommended Action:*

Top dress / extend earth berms as required to restore the design top of dyke elevation of 176.48 m (based on GPS datum).



**323 West River St.**



**218 West River St.**

**FEBRUARY 2019**

**FIGURE 4**

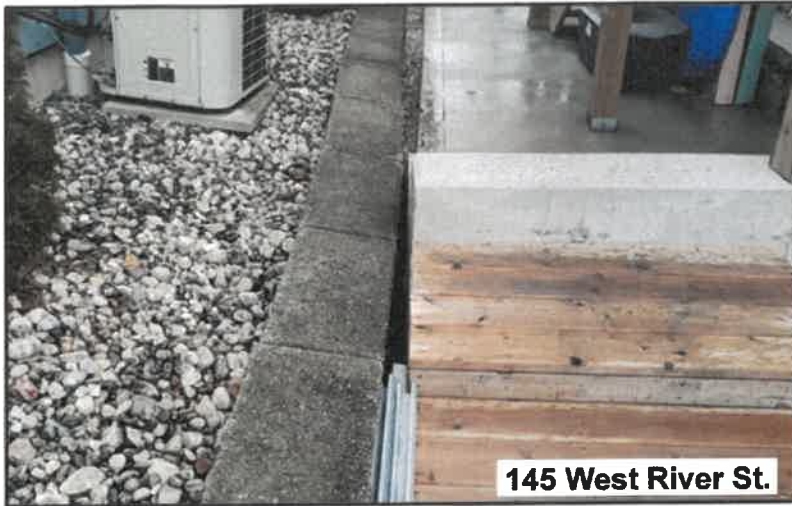


**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT**

**GENERAL DEFICIENCY - TYPE G2**







**Description:**

Gap in dyke at termination of concrete walls and/or at transitions to other structures.

**Locations:**

145, 149 and 153 West River Street  
625 Notre Dame Street

**Recommended Action:**

Fill gap with appropriate filler or backer material and reseal with caulking.



FEBRUARY 2019

FIGURE 5



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT  
GENERAL DEFICIENCY - TYPE G3**





**Description:**

Dyking is not continuous through adjacent properties. Concrete wall is abruptly terminated at property line, which will allow flood water to outflanking of the dyke and spill inland.

**Location:**

Property line between 149 and 153 West River Street.

**Recommended Action:**

Further assessment needs to be undertaken to determine most appropriate repair. (Possible solution would be removing existing fence, construct a curb matching top of wall and tying back into property)



FEBRUARY 2019

FIGURE 6



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT  
SITE SPECIFIC DEFICIENCY  
LOCATION S1**







**Description:**

The dyking is not continuous on north and south sides of the new dwelling. Improper transitions to adjacent properties will allow floodwaters to outflank the dyke and spill inland.

**Location:**

163 West River Street

**Recommended Action:**

A more thorough evaluation of remedial options needs to be undertaken in consultation with affected property owners before an appropriate scope of repairs can be identified.



FEBRUARY 2019

FIGURE 7



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT  
SITE SPECIFIC DEFICIENCY  
LOCATION S2**





**Description:**

The long-term stability of the SSP shorewall is unknown. Top elevation of berm is too low.

**Location:**

154 First Street

**Recommended Action:**

A more detailed assessment of this site is required to confirm the long-term stability of the shorewall before a proper scope of remedial measures can be identified.



FEBRUARY 2019

FIGURE 8



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT  
SITE SPECIFIC DEFICIENCY  
LOCATION S3**







**Description:**

Dyking is non-existent on the north side of the dwelling. The absence of a dyke will allow floodwaters to spill inland. Numerous perforations noted in SSP wall.

**Location:**

644 Notre Dame Street

**Recommended Action:**

A more thorough evaluation of remedial options needs to be undertaken in consultation with affected property owners before an appropriate scope of repairs can be identified.



FEBRUARY 2019

FIGURE 9



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT  
SITE SPECIFIC DEFICIENCY  
LOCATION S4**





**LAKEVIEW DRIVE**

**Description:**

Existing ditches are significantly fouled with woody vegetation and phragmites. Privately constructed drain enclosures and infills along Caille Avenue further compromise conveyance capacity.

**Locations:**

Lakefront drainage ditches immediately north of CN tracks along Lakeview Drive and Caille Avenue

**Recommended Action:**

Clear existing ditches of vegetation along both drains and compile inventory of encroachments along Caille Avenue.



**CAILLE AVENUE**



**CAILLE AVENUE**

**FEBRUARY 2019**

**FIGURE 10**



**BELLE RIVER FLOOD CONTROL PROJECT  
INSPECTION REPORT  
LAKEFRONT DRAINAGE  
TYPICAL CONDITIONS**





# The Corporation of the Town of Lakeshore

## Report to Council

### Community & Development Services

#### Development Services



**To:** Mayor & Members of Council

**From:** Kim Darroch, Manager of Development Services

**Date:** July 7, 2020

**Subject:** Temporary Outdoor Patios During COVID-19 Recovery

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#### Recommendation

The site plan control agreement and associated fees until January 1, 2021 for the 2020 outdoor patio season be waived for outdoor patios, as authorized under section 69 of the *Planning Act*, as Council recognizes the financial hardships faced by the restaurant industry, as a result of the COVID-19 pandemic; and,

The Town of Lakeshore does not object to the temporary physical extension of liquor sales under section 97(2) of regulation 719 under the *Liquor Licence Act* for an outdoor patio located on private property that is permitted under applicable zoning by-law(s) in the Town of Lakeshore.

#### Background

As the Town of Lakeshore begins recovery efforts from the COVID-19 pandemic, the Province has initiated a process to allow for increased and streamlined operations of temporary outdoor patios in 2020. The move was intended to allow restaurant and bar operators to expand outdoor business areas to offset limitations on indoor dining under COVID-19 emergency orders.

The Province's intent is to help restaurant and bar owners expand their patios faster ahead of a planned Stage 3 reopening, as restaurants are currently only permitted to host dine-in guests on outdoor patios under Stage 2. Under stage 2, in addition to take-out and delivery options, restaurants, bars and food trucks will be able to open for outdoor dining on patios and in parking lots or adjacent premises.

To further help restaurant businesses, the Provincial government issued another emergency order regulation *O.Reg.345/20* recently, to help municipalities to quickly pass temporary bylaws allowing for the creation of new patios and the expansion of an existing one, to reduce the process time for passing bylaws from several weeks or more to a matter of days. It is not necessary for Council to pass these temporary by-laws in

Lakeshore, as outdoor patios are permitted in the Town of Lakeshore, as an accessory use, to a permitted eating establishment, in accordance with Zoning By-law 2-2012, as amended:

*EATING ESTABLISHMENT – shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption or take-out and includes such uses as a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, or refreshment room or stand. An outdoor patio may be included as an accessory use.*

*OUTDOOR PATIO – shall mean an area set aside out of doors, covered or uncovered for the use of patrons of a licensed eating establishment as an accessory use to the operation of an adjacent eating establishment.*

O. Reg. 345/20 issued by the Province defines a “patio” as:

*“restaurant or bar patio” means an area that is not an enclosed public place or an enclosed workplace and that meets the following criteria:*

- 1. The public is ordinarily invited or permitted access to the area, either expressly or by implication, whether or not a fee is charged for entry, or the area is worked in or frequented by employees during the course of their employment, whether or not they are acting in the course of their employment at the time.*
- 2. Food or drink is served or sold or offered for consumption in the area, or the area is part of, or operated in conjunction with, an area where food or drink is served or sold or offered.*
- 3. The area is not primarily a private dwelling.*

This regulation allows for quick passage of a temporary use zoning by-law permitting the by-law to be passed by Council without public notice or public meeting requirements, as set out below:

*2. A by-law that would authorize the temporary use of land for a restaurant or bar patio under section 39 of the Planning Act is exempt from subsections 34 (12) to (14.3), (14.5) to (15) and (19) of that Act and paragraphs 4 and 5 of subsection 6 (9) of Ontario Regulation 545/06 under that Act.*

The Province also amended an emergency order to clarify that outdoor dining areas can open if they have a roof, canopy, tent, awning or other covering. At least two full sides of the outdoor dining area must be open to the outdoors and must not be substantially blocked in any way. If the outdoor dining area has a retractable roof, the roof must be fully open and at least one full side must be open to the outdoors and must not be substantially blocked in any way.

In addition, the Province outlined certain regulations for patios that must be met by operators and patrons, like outdoor patios must be open to the air, distance between



tables is 2 metres, allow for safe circulation of customers (*use of floor markers or other physical distance signage*), reservations etc.

Municipalities would still be responsible for compliance activities and ensuring proper health and safety practices, like proper physical distancing. In Lakeshore's case, administration would also rely on the expertise of the Windsor-Essex Health Unit to ensure health and safety practices are followed.

## **Comments**

As many municipalities begin passing temporary use by-laws to temporarily permit outdoor restaurant patios, many are also establishing streamlined processes to review them for health and safety purposes.

### ***Site Plan Control***

The Town of Lakeshore, currently reviews outdoor patios through the site plan control process, as a minor application submission, currently delegated to Administration for review and approval.

The existing site plan protocol for reviewing outdoor patios, directs the Town to take quick action and make way for additional safe outdoor dining spaces for local restaurants and bars, which includes creating or expanding patios onto sidewalks and into curb lanes and adjacent parking lots. It is important for administration to review these proposals to ensure the health and safety of patrons including the review of fire routes.

Under the Temporary Outdoor Patios, during COVID-19 process, patios approved under this process, will only be authorized to operate until from July 15, 2020 to January 1, 2021.

Owners of bars and restaurants who wish to create or expand an outdoor patio will be asked to submit a site plan application and accompanying sketch, to comply with all applicable legislation and regulations, obtain the proper consents, and follow guidelines imposed through the Province (See Appendix 1).

Administration recognizes the financial hardships faced by the restaurant industry as a result of the COVID-19 pandemic and is recommending the fees for the 2020 patio season be waived.

Advice from the Medical Officer of Health to ensure the health and safety of all persons using sidewalk patios, curb lane/parklet patios or public parklets, with areas denoted for physical distancing purposes, will be sought by Administration, during their review of the application.

Once the application is approved by the Town and or the applicant has entered into an agreement with the Town, operators may open their patio, subject to inspections and

enforcement meant to ensure compliance with the requirements and provisions of applicable legislation.

If a patio is expanded onto the Municipally-owned Right of Way (sidewalk/boulevard), the applicant will also have to enter into an encroachment agreement, as part of the site plan agreement and with that agreement, agree to indemnify the Town against losses related to their use of the Right of Way and provide proof of insurance.

### ***Liquor Licence***

The Province of Ontario has announced new measures to extend the outdoor service of alcohol. A restaurant that has a current liquor licence and wishes to serve alcohol in an expanded area can do so without a temporary extension application to the *Alcohol and Gaming Commission of Ontario (AGCO)*. However, Licensees must meet certain criteria. Once they are again permitted to welcome patrons on-site and until January 1, 2021 at 3:00 a.m., liquor sales licensees who wish to temporarily extend the physical size of their existing licensed patio or to temporarily add a new licensed patio within the approved period, are authorized to do so, if the following criteria are met:

1. The physical extension of the premises is adjacent to the premises to which the licence to sell liquor applies;
2. The municipality in which the premises is situated has indicated it does not object to an extension;
3. The licensee is able to demonstrate sufficient control over the physical extension of the premises;
4. There is no condition on the liquor sales licence prohibiting a patio; and,
5. The capacity of any new patio, or extended patio space where the licensee has an existing licensed patio, does not exceed 1.11 square metres per person.

To minimize administrative burden for licensees, those who meet the above criteria are not required to apply to the AGCO or pay a fee to temporarily extend their patio or add a temporary new licensed patio.

### **Financial Impacts**

If the application fee is waived, loss of revenue for a minor site plan application is \$1,770 and the loss of revenue for a minor site plan amendment application is \$1,181. This loss of revenue per application, is warranted for a temporary period, to address the financial hardships faced by the restaurant industry, as a result of the COVID-19 pandemic.

The minor site plan application fee is charged when there is no site plan agreement registered on title. The minor site plan amendment application is charged when there is an existing site plan application registered on title.

The waiver of fees will result in a negative variance in this revenue line item and contribute to the unfunded costs resulting from the COVID pandemic. Any variance will be reported on the quarterly variance reports.

**Attachment(s):** Appendix 1 – Temporary Outdoor Patio Checklist

**Report Approval Details**

Document Title:	Temporary Outdoor Patios During COVID-19 Recovery.docx
Attachments:	- Appendix 1 Temporary-Patio-Site-Plan-Checklist.pdf
Final Approval Date:	Jul 9, 2020

This report and all of its attachments were approved and signed as outlined below:

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Tammie Ryall



## Temporary Outdoor Patio Site Plan Checklist

- ✓ Site Plan Application
- ✓ Sketch / drawing to scale, with dimensions in metric units (*see example below*)
- ✓ Municipal address included, all streets labelled
- ✓ Location of property boundaries identified
- ✓ All existing and proposed structures shown
- ✓ Size of proposed outdoor seating area and capacity identified
- ✓ Location of any obstructions within or adjacent to the patio (*i.e. trees, fire hydrants, lamp-posts*) indicated
- ✓ Location of any patio and building entrances and their widths (*i.e. doors, gates*) indicated
- ✓ Accessible pathway (*sidewalk, entrance access*) identified
- ✓ If any fencing or barriers are proposed, identify the proposed location, type of barrier and height of barrier
- ✓ Location of tables, umbrellas and seating — ensuring a minimum of 2 metres distance between seating at separate tables in accordance with Provincial COVID-19 orders, including from tables on any neighbouring patios indicated
- ✓ Location of any fire department connection (*Siamese*) and or fire hydrants indicated (*must be visible and accessible at all times*)
- ✓ Emergency access routes indicated (*must be unobstructed at all times*)
- ✓ Roof, canopy, tent, awning, or other covering indicated
- ✓ Temporary lighting indicated
- ✓ Garbage / recycle bins identified
- ✓ Maintenance and removal plans indicated (*all patios must be removed by November 15, 2020 unless directed otherwise by the Province of Ontario*)



Important Notes:

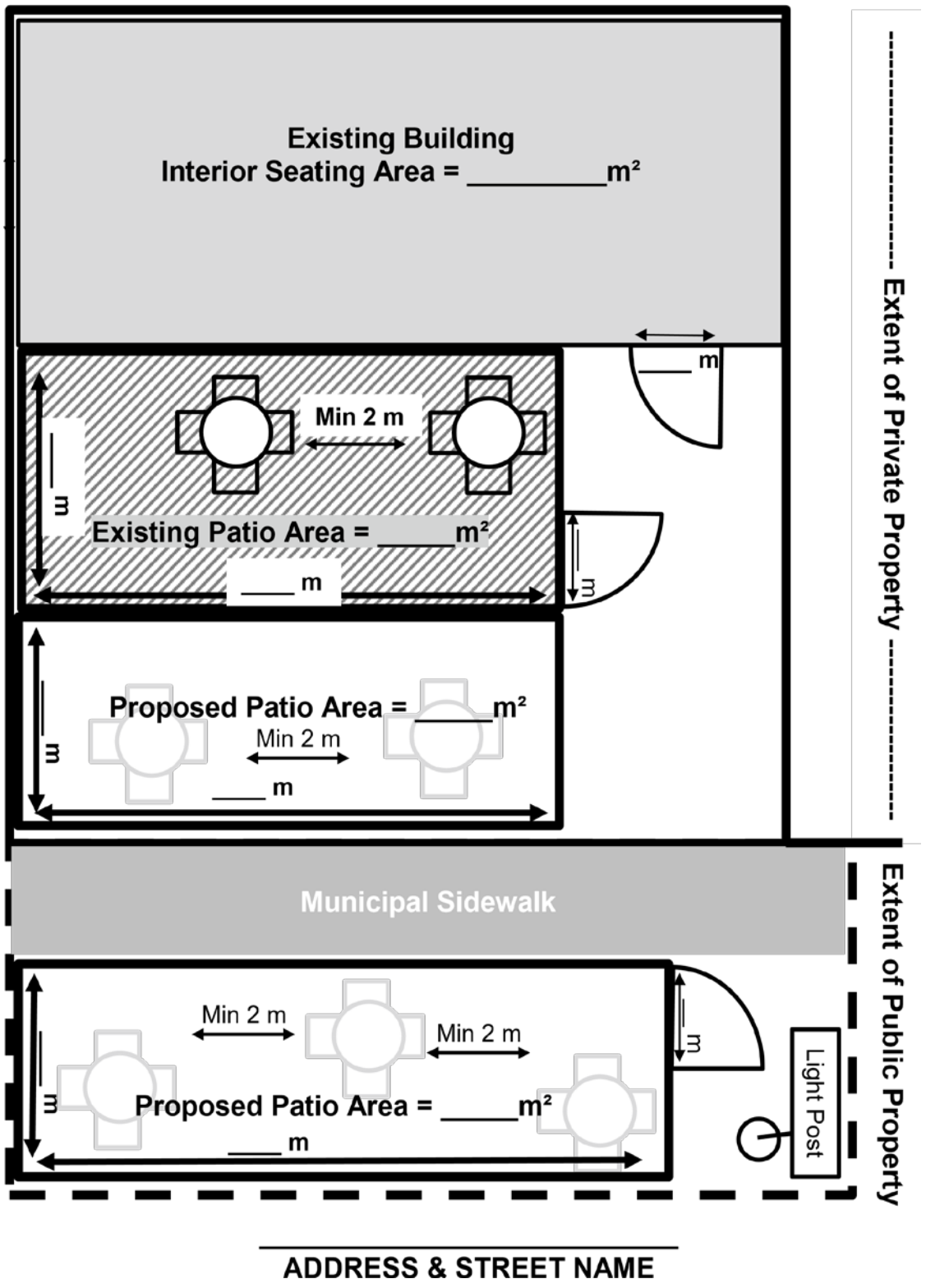
Restaurant and bar operators who wish to expand their patio on private property should begin consultations with their landlords for permission.

Restaurant and bar operators who wish to expand their patio on public (municipally or “town owned”) property should begin consultations with the Town of Lakeshore for permission.

In order to ensure safe operation of outdoor patios on private property, operators may not:

- Build or expand permanent structures like decks, walls, stairs, etc.
- Install new fueled fire appliances, i.e. propane heaters, BBQs
- Amplify sound of any type
- Construct awnings or tent-like structures
- Block access to fire connections or adjacent businesses.

Example Plan



# The Corporation of the Town of Lakeshore

## Report to Council

### Community & Development Services

### Development Services



**To:** Mayor & Members of Council  
**From:** Kim Darroch, Manager of Development Services  
**Date:** June 26, 2020  
**Subject:** Municipal Cannabis Policy Statement - Amendment

---

### Recommendation

Adopt By-law 052-2020, to amend the Town of Lakeshore *Municipal Cannabis Policy Statement*, attached as Appendix 1.

### Background

Council adopted the *Municipal Cannabis Policy Statement* at their special meeting on April 29, 2020.

The following resolution was passed:

118-04-2020

Moved By Deputy Mayor Bailey  
Seconded By Councillor Walstedt

*"Receive the report for information and adopt the Municipal Cannabis Policy Statement."*

In Favour 7  
Opposed 1

Carried

Following that meeting, on May 26, 2020, Council resolved the following:

154-05-2020

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

*“Direct Administration to remove commercial schools from the Municipal Cannabis Policy Statement and bring it back to Council for consideration and that a Special Council Meeting be held should an application be brought forward in the interim.”*

In Favour 6

Opposed 2

Carried

### Cannabis Act

Bill C-45, the *Cannabis Act* came into effect on October 17, 2018. The Act legalizes access to recreational cannabis in Canada and controls and regulates how cannabis is grown, distributed and sold.

In Ontario, the *Cannabis Licence Act, 2018* and Ontario Regulation 468/18 provide the Registrar of the Alcohol and Gaming Commission of Ontario (AGCO) with the authority to establish standards and requirements respecting the licensing of retail cannabis stores.

Under Ontario Regulation 468/18, municipalities are not authorized to pass by-laws under the *Municipal Act, 2001* with respect to business licensing or under the *Planning Act* with respect to zoning, interim control or site plan control with respect to retail cannabis stores.

### ACGO

The AGCO licensing process has three (3) parts: operator approval, retail site location approval, and store management licencing.

The AGCO will have a 15-day window for municipal comments respecting the proposed location of a retail cannabis store within a local municipality. Notice will be provided through the AGCO website and posted at the site of a proposed retail store.

The AGCO Registrar is not obligated to decline a store licence where a municipality or a member of the public provides a submission that is not supportive of a proposed location.

Municipal comments and comments from the public must focus on the three provincial public interest objectives: public health and safety, protecting youth and restricting their access to cannabis, and ending illegal sales of cannabis and illicit activities in relation to cannabis.

The Registrar has mandated a 150 m setback from schools where no retail cannabis store would be permitted to be located.



## Comments

The *Municipal Cannabis Policy Statement* has been revised as directed by Council to remove commercial schools from the policy.

Zoning By-law 2-2012 defines a Commercial School, in accordance with the following definition:

194. SCHOOL – shall mean any educational establishment operating under the jurisdiction of a Board as defined in the *Education Act, R.S.O., 1990, c.E.2, as amended*, or a college or university including a nursery or boarding school which may or may not have accessory dormitory facilities.

a) **SCHOOL, COMMERCIAL** – shall mean an educational establishment not under jurisdiction of any school board or the Government of Ontario, operating for gain or profit (i.e. dance school, karate school, art school, tutoring school etc.).

b) SCHOOL, PRIVATE – shall mean an educational establishment which does not operate under the jurisdiction of a Board or the Government of Ontario.

c) SCHOOL, PUBLIC – shall mean an educational establishment operating under the jurisdiction of the Greater Essex County District School Board, the Windsor-Essex Catholic District School Board, Conseil Scolaire de district du Centre-Sud-Ouest, or a school operated under charter granted by the Province of Ontario.

## Purpose

The purpose of this policy is to:

1. Set out locally sensitive uses (in addition to schools under the *Ontario Education Act*) with respect to the location of retail cannabis stores that the municipality would want considered by the AGCO with respect to the licensing process;
2. Provide municipal staff a framework on which to base comments to the AGCO during the 15 day comment window;
3. Assist individuals and businesses who are planning to make an application to the AGCO to operate a store, understand the local context of where a store may be most appropriate, understanding however, that all licensing is the sole responsibility of the AGCO.

It is noted that the revised *Municipal Cannabis Policy Statement* in Appendix 1, provides the reader with the following important information:

- Background
- Purpose & Vision

- Principles for Cannabis Retail Store Locations
- Relationship to other applicable laws including the Planning Act and the Ontario Building Code
- Acknowledgement that retail cannabis stores are a permitted use where retail sales is permitted in the zoning by-law
- Provision of appropriate setback distances between cannabis retail locations and sensitive land uses / activities

In addition to the 150 metre separation distance from schools imposed by AGCO, the policy statement requests that the Registrar for the AGCO respect additional separation distances from community centres, daycares, parks and libraries. These land uses, and their recommended separation distances, were included in the policy to discourage AGCO from approving recreational cannabis stores next to sensitive land uses designed to serve vulnerable populations such as youth.

An interactive map was created to accompany the policy and will be featured on the town website (See Appendix A of the *Municipal Cannabis Policy Statement*). It illustrates the recommended buffers from sensitive land uses in the policy, in relation to where a cannabis retail store could be developed.

### **Financial Impacts**

The Town of Lakeshore received the funding it was eligible for in January and February 2019.

The province also committed that, if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million, the province will provide 50 per cent of the surplus to those municipalities that did not opt out as of January 22, 2019.

Accordingly, the Town of Lakeshore is not eligible for any future funding regardless of their recent decision to opt-in. Staff will monitor any updates on any further funding announcements.

### **Attachment(s):**

Appendix '1' – Amended *Municipal Cannabis Policy Statement*

## Report Approval Details

Document Title:	Municipal Cannabis Policy Statement - Amendment.docx
Attachments:	- Appendix 1 Municipal Cannabis Policy Statement for adoption July 14 2020.docx
Final Approval Date:	Jul 7, 2020

This report and all of its attachments were approved and signed as outlined below:

Tammie Ryall

Rosanna Pellerito

Kristen Newman



## Municipal Cannabis Policy Statement

Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

### **1.0 Purpose and Scope**

- 1.1** The purpose of this policy statement is to provide input related to proposed cannabis retail outlets to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in the Town of Lakeshore.
- 1.2** This policy applies to all prospective recreational cannabis retailers and properties in the Town of Lakeshore.

### **2.0 Definitions**

- 2.1** “AGCO” is the Alcohol and Gaming Commission of Ontario.

### **3.0 Policy**

- 3.1** Bill C-45, the Cannabis Act came into effect on October 17, 2018. The Act legalizes access to recreational cannabis in Canada and controls and regulates how cannabis is grown, distributed and sold. In Ontario, the Cannabis Licence Act, 2018 and Ontario Regulation 468/18 provide the Registrar of the Alcohol and Gaming Commission of Ontario (AGCO) with the authority to establish standards and requirements respecting the licensing of retail cannabis store.
- 3.2** AGCO is the provincial authority that licenses cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff. Municipal governments have no licensing authority.





## Municipal Cannabis Policy Statement

Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

- 3.3** The AGCO regulates and reviews all aspects of the retail operation to ensure that the proposed store location is consistent with the public interest. Public interest is defined in the regulations (O. Reg. 468/18) as public health or safety, protecting youth and eliminating the illegal market. AGCO has already mandated a 150 metre setback from schools where no retail cannabis store would be permitted to be located.
- 3.4** For each store site proposed by an approved operator, the AGCO will have a 15-day window for public and municipal government comments. Comments must focus on whether a proposed location is in the public interest as defined in the regulation. AGCO is not obligated to reject a store licence where public or municipal government comments are unsupportive of a proposed location.
- 3.5** On December 10, 2019 Council made the decision to allow retail sales of recreational cannabis in the Town of Lakeshore. This policy statement provides municipal staff with guidance on commenting to AGCO when notice on a specific proposed cannabis retail store site is provided on the site location. It also helps prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in the Town of Lakeshore.
- 3.6** Land Use Planning: The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.
- 3.7** Municipal Building Inspections: while the licencing of the store operation is the responsibility of the AGCO, the Building Code applies to cannabis retail store locations. Therefore, where a building permit is required, the building inspector will undertake duties as usual. Fire Code compliance is also mandatory.
- 3.8** For the purposes of this policy statement, a cannabis retail store shall mean a store licensed by the AGCO.



## Municipal Cannabis Policy Statement

Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

- 3.9** The Town of Lakeshore acknowledges that retail cannabis stores are a permitted use in areas zoned for retail stores within the Town's Zoning By-law, 2-2012, as amended. Lakeshore Zoning By-law 2-2012 permits retail uses in the: Hamlet Commercial (HC), Service Commercial (CS), Central Area (CA), Neighbourhood Commercial (CN) and Mixed Use (MU) zones. Retail is a permitted use in some site specific zones as well. In order to help ensure public health and safety, protect youth, and reduce illegal sales, retail cannabis stores are discouraged where nearby properties are designed to serve youth or other sensitive facilities that service persons with mental health or addiction challenges, in accordance with Appendix A attached to this policy (see Section 6.1 below), which identifies each sensitive facility and its separation distance.

### **4.0 Responsibilities**

- 4.1** It is the responsibility of the Manager of Development Services to ensure staff are aware of the policy.

### **5.0 Consequences**

- 5.1** Failure to follow this policy may result in a cannabis retail store being located too close to a sensitive land use and the AGCO not receiving comment in accordance with this policy from the Town of Lakeshore.

### **6.0 Reference Documents**

- 6.1** Appendix A (attached)
- 6.2** Zoning By-law 2-2012, as amended
- 6.3** *Cannabis Licence Act, 2018 and Regulation 468/18*
- 6.4** Ontario Planning Act, R.S.O. 1990 c.P.13



## Municipal Cannabis Policy Statement

Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

### 7.0 Communication and Training

- 7.1 The Manager of Development Services and Manager of Building Services will communicate this policy.
- 7.2 Staff/individuals in the Development Services Department, including the Building / By-law and Planning Divisions, will need to know this policy.
- 7.3 Training will be provided to workers by their Manager/Supervisor on the mapping provided in Appendix A.

### 8.0 Review/Revisions

- 8.1 Timing for reviews are subject updates received from the Building Division on a Bi-annual basis.

#	Date Revised	Author	Section	Details of Change
1				
2				
3				
4				
5				

### Appendix A



## Municipal Cannabis Policy Statement

Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

<b>Community Centres/Facilities</b>	<b>Separation Distance (Metres)</b>	<b>Reference # on Schedule A</b>	<b>Map #</b>
Belle River Marina	100	1	Map 3
Atlas Tube Centre	100	2	Map 2
Comber Community Centre and Fairgrounds	100	3	Map 8
Libro Community Centre	100	4	Map 6
<b>Schools and Daycares</b>	<b>Separation Distance (Metres)</b>	<b>Reference # on Schedule A</b>	<b>Map #</b>
Your Wooden Treehouse (daycare centre)	150	5	Map 3
Alexander's Daycare Centre – Lakeshore	150	6	Map 2
The Children's House Montessori - Lakeshore	150	7	Map 1
Lakeshore Ontario Early Years Centre	150	8	Map 2
Lakeshore Discovery School	150	8	Map 2
St. Anne Catholic High School	150	9	Map 2
St William Catholic Elementary School	150	10	Map 2
Our Lady of Annunciation School	150	11	Map 4
École Élémentaire catholique Pavillon des Jeunes	150	12	Map 2
École élémentaire catholique Saint-Ambroise	150	13	Map 3
École élémentaire catholique Saint-Paul	150	14	Map 4
Belle River District High School	150	15	Map 3





## Municipal Cannabis Policy Statement

Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

St John the Baptist Catholic School	150	16	Map 3
Belle River Public School	150	17	Map 3
Saint John the Evangelist Catholic School	150	18	Map 6

Centennial Central Public School	150	19	Map 8
2548 County Road 27 (Daycare Centre)	150	20	Map 6
<b>Parks</b>	<b>Separation Distance (Metres)</b>	<b>Reference # on Schedule A</b>	<b>Map #</b>
Centennial Park	100	21	Map 2
Duck Creek Park	100	22	Map 3
Geralyn Tellier – Perdu Memorial Park	100	23	Map 3
Girard Park	100	24	Map 2
Golfview Drive Lakefront Parkette	100	25	Map 3
Gracey Sideroad Lakefront Parkette	100	26	Map 4
Helena Park	100	27	Map 3
Johnson Riverview Park	100	28	Map 3
Ladouceur/Lions Park	100	29	Map 3
Lakeview Park	100	30	Map 3
Lakeview Park West Beach	100	31	Map 3
Leffler Peace Park	100	32	Map 1
Legion Park	100	33	Map 3
Lighthouse Cove Community Park	100	34	Map 4
Maidstone Park	100	35	Map 2
Oakwood Park	100	36	Map 2
Optimist Park	100	37	Map 2
Puce Road Lakefront Parkette	100	38	Map 2



## Municipal Cannabis Policy Statement

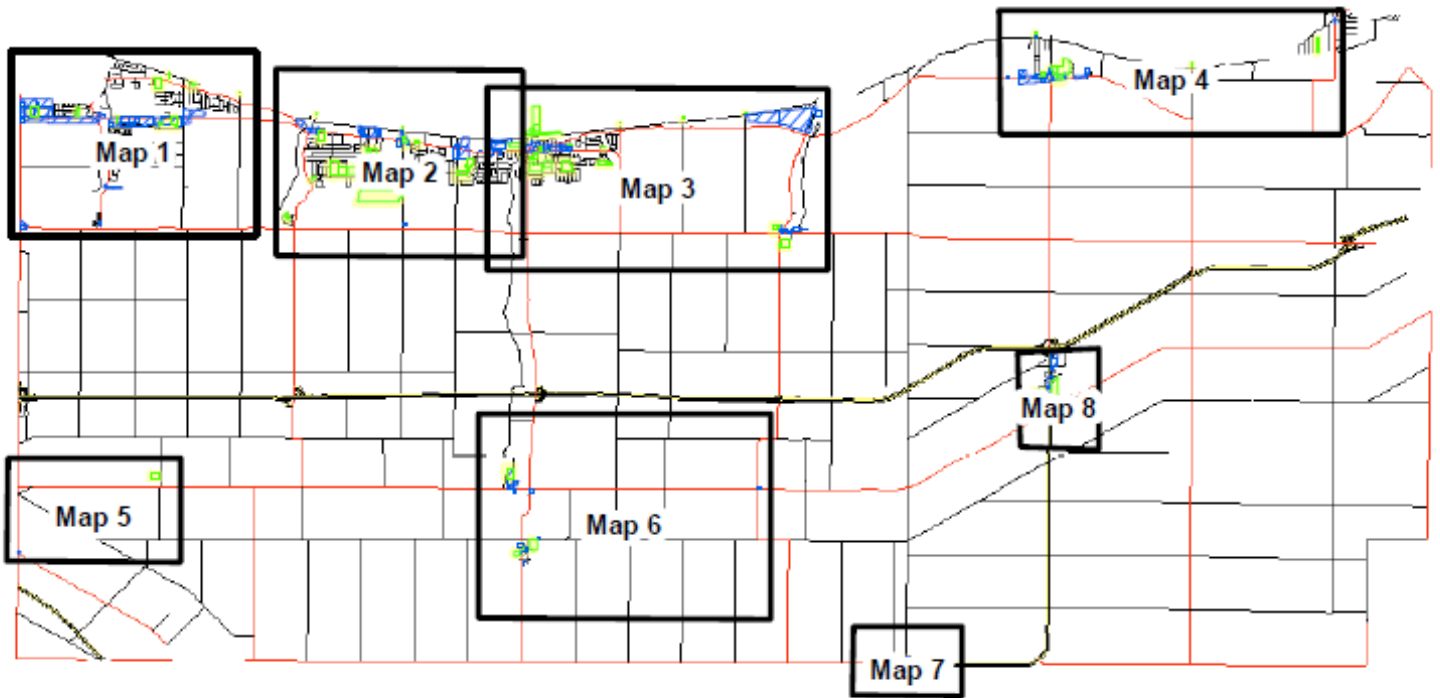
Policy # [C or A] – [DI] - 00000

Date Last Reviewed: July 14, 2020

Renaud Line Lakefront Parkette	100	39	Map 2
River Downs Park	100	40	Map 2
River Ridge Park	100	41	Map 2
Russel Woods Parkette	100	42	Map 1
Shanahan Park	100	43	Map 5
Staples Community Park	100	44	Map 7
St Clair Shores Park	100	45	Map 1
Stoney Point Park	100	46	Map 4
Stoney Point Lakefront Parkette	100	47	Map 4
Strong Lakefront Parkette	100	48	Map 3
Stuart Lakefront Parkette	100	49	Map 3
Terra Lou Park	100	50	Map 3
Wallace Line Lakefront Parkette	100	51	Map 1
Woodslee Memorial Park	100	52	Map 6
<b>Libraries</b>	<b>Separation Distance (Metres)</b>	<b>Reference # on Schedule A</b>	<b>Map #</b>
Comber Library	100	53	Map 8
Stoney Point Library	100	54	Map 4
Toldo Library	100	2	Map 2
Libro Library	100	4	Map 6

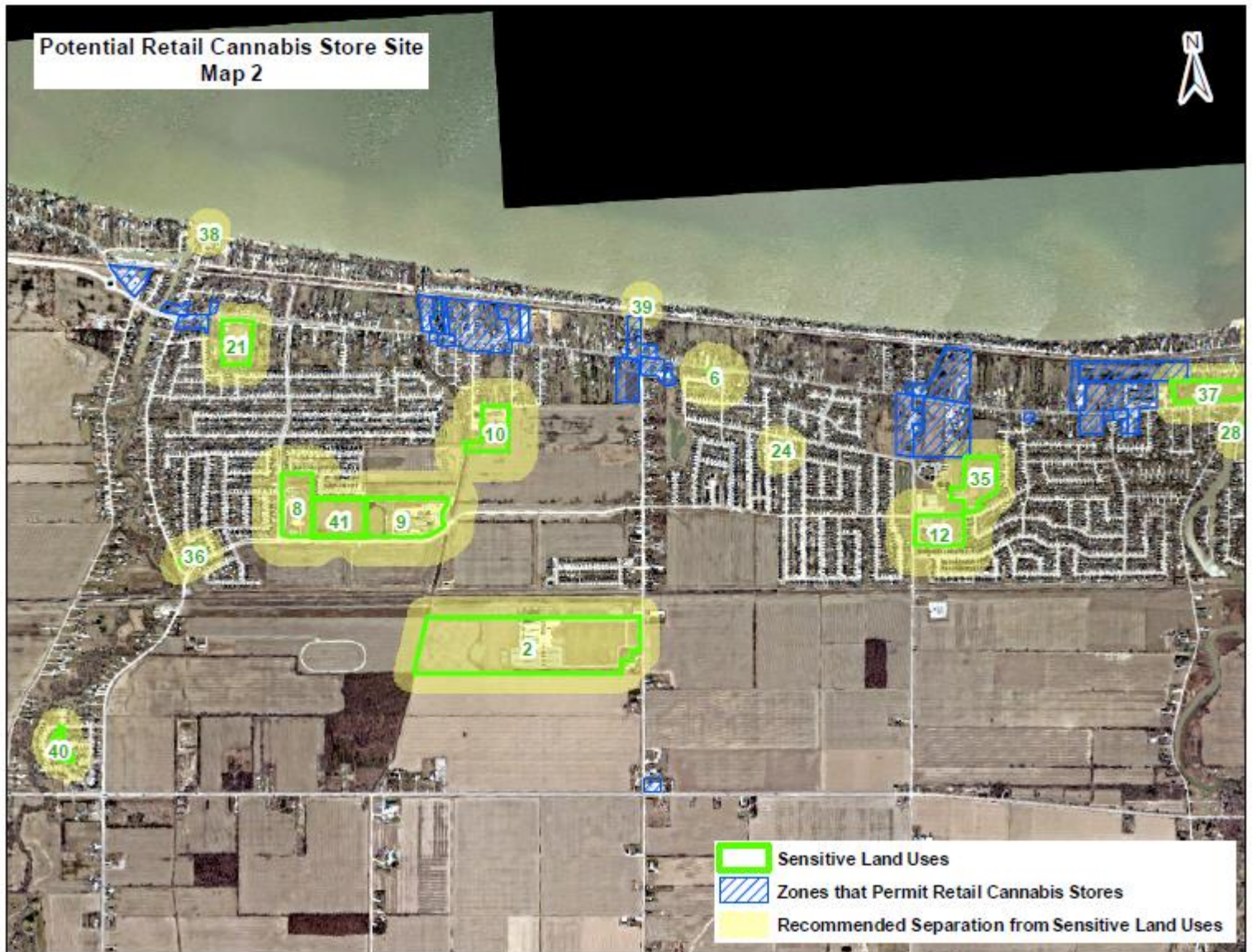
The maps below merely represent a guide that Development Services will use when evaluating the appropriateness of proposed sites in greater detail.

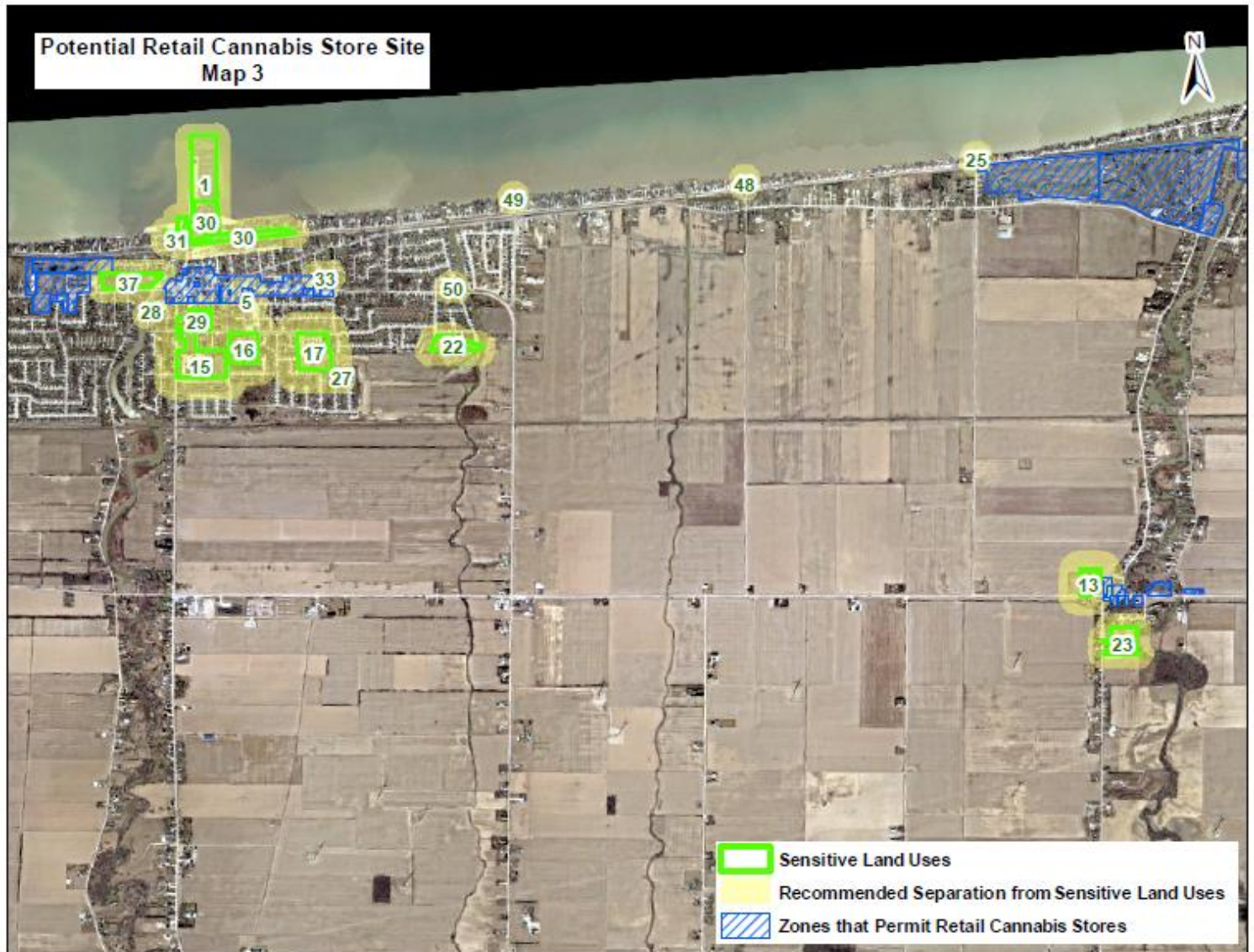
Potential Retail Cannabis Store Site  
Overview



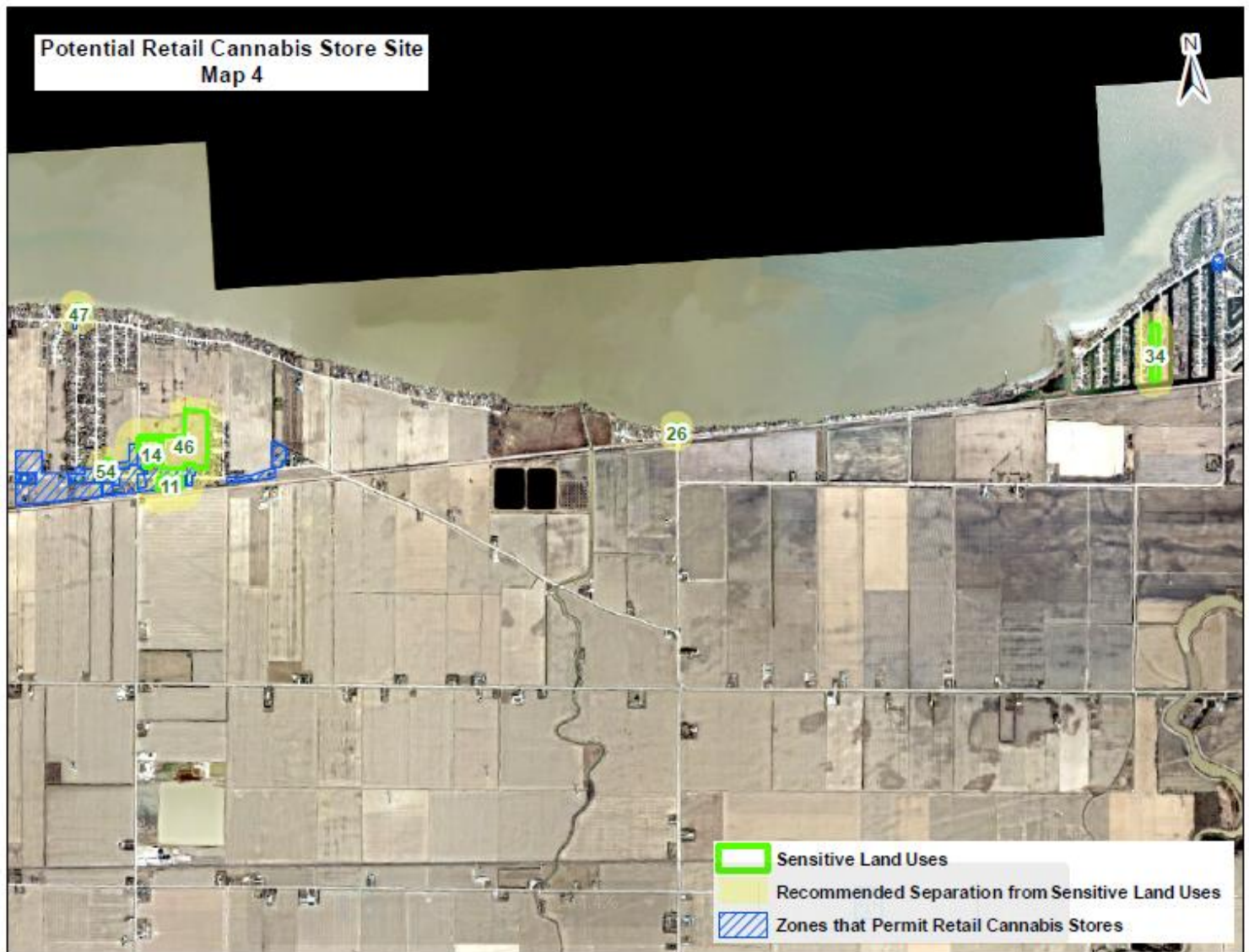




















## **Notice of Motion submitted by Councillor Janisse Re: Expansion of Access to High-Speed Internet**

### **Motion**

**Whereas** access to reliable, high-speed internet is a necessity for Canadians, especially those who work or attend school remotely;

**Whereas** various government levels have expressed a commitment to the expansion of and access to, reliable, high-speed internet; and

**Whereas** conflicts with infrastructure controlled or regulated by other levels of government, such as railroad tracks and highways, pose literal barriers to the expansion of access to reliable, high-speed internet, resulting in additional costs and delays.

**Now therefore be it resolved** that the Governments of Canada and Ontario take immediate steps to remove all barriers to the expansion of access to reliable, high-speed internet, which fall under their jurisdiction;

**Now therefore be it resolved** that the Governments of Canada and Ontario prioritize infrastructure projects that promote the expansion of access to reliable, high-speed internet, and fast-track any approvals required due to infrastructure conflicts, which fall under their jurisdiction;

**Be it further resolved** that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Andrew Sheer, Leader of the Official Opposition, and all MPs in Canada;

**Be it further resolved** that a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

**Be it further resolved** that a copy of this motion be sent to the Federation of Canadian Municipalities, and all Canadian municipalities for their consideration.

## **Notice of Motion submitted by Councillor Kerr Re: Water Quality Testing**

### **Motion**

**Whereas** the Windsor Essex County Health Unit has cancelled its historic testing of water quality at the Lakeview Park West Beach;

**Whereas** the recent history has had the beach closed several weeks during summer due to unsafe levels of ecoli;

**Be It Resolved** that Lakeshore "immediately start testing" the beach water itself weekly as the WECHU has done in recent years and make the same open vs closed Beach orders that the health Unit does based on the contamination levels.



## **Notice of Motion submitted by Councillor Santarossa Re: West Beach**

### **Motion**

**Whereas** the Town of Lakeshore's Strategic Plan prioritizes sustainable community development, which includes the maintenance of a clean and accessible beach and access to Lake St. Clair;

**Whereas** the West Beach provides equal access to recreation opportunities, which has been an integral part in reopening our communities;

**Whereas** Council has closed the West Beach for safety reasons related to access and misuse of facilities provided;

**Now Therefore be it Resolved** that further measures must be taken to improve the quality and safety of the West Beach and lake access for residents prior to re-opening:

**Be it Further Resolved** that a safe swimming area be designated or marked with buoy lines or buoy markers, or a combination of the two, as per a primary recommendation in the Comprehensive Aquatic Safety Audit Report;

**Be it Further Resolved** that enough sand be added to the beach to address beach flooding by raising the overall level of the beach to that of the grass;

**Be it Further Resolved** that additional signs be installed to indicate designated overflow and additional parking areas;

**Be it Further Resolved** that the volleyball net and accessible matting be reinstalled for the season;

**Be it Further Resolved** that the monthly rent payment, including HST, for the operator at the West Beach be waived for the month of July;

**Be it Further Resolved** that a letter be sent to the OPP demanding increased patrols and surveillance of West Beach, including on holidays;

**Be it Further Resolved** that the by-law enforcement officers be scheduled to survey the West Beach regularly, including weekends;

**Be it Further Resolved** that a budget of \$35,000 be established to cover the costs of new sand and buoys for the West Beach, and that Administration determine where financial resources are to be allocated from.



**Notice of Motion submitted by Councillor Walstedt Re: Parking on Oriole Park Drive**

**Motion**

**Whereas** parking has been prohibited on either side of Oriole Park Drive due to the construction of the new homes on the street which created serious traffic flow issues;

**And whereas** all of the new home construction is now complete;

**And whereas** many of the residents who reside on Oriole Park Drive have requested that the municipality permit parking on only one side only of the street;

**Therefore, be it resolved** that the municipality permit parking on only the west side of Oriole Park Drive.

**The Corporation of the Town of Lakeshore  
By-law 51-2020**

**Being a By-law to amend By-law 2-2012,  
Zoning By-law for the Town of Lakeshore  
(ZBA-15-2019)**

**Whereas** By-law 2-2012 is the Town's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Lakeshore;

**And whereas** the Council of the Corporation of the Town of Lakeshore deems it necessary and desirable and in the best interest of proper planning to further amend By-law No. 2-2012;

**And whereas** this amendment is in conformity with the Lakeshore Official Plan;

**Now therefore the Council of The Corporation of the Town of Lakeshore enacts as follows:**

1. That Schedule "A", Map 39 to By-law 2-2012, as amended, is hereby further amended by changing the zoning classification on a portion of Part of Lots 17 and 18, Concession 1, East of Belle River, shown on Schedule "A" attached hereto and forming part of this By-law from "A, Agriculture Zone" to "A-1, Agriculture Exception 1 Zone" and "A-103, Agriculture Exception 103 Zone".
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990.

**Read and passed in open session on July 14, 2020.**

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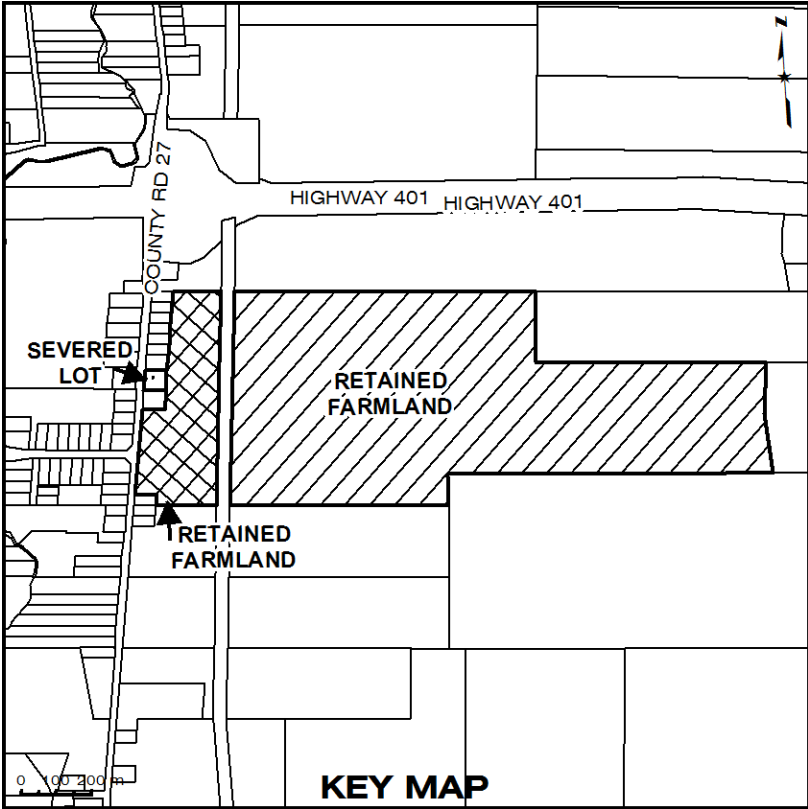
**Mayor  
Tom Bain**

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**Clerk  
Kristen Newman**

Schedule "A"  
to By-law 51-2020

Part of Lots 17 and 18, Concession 1 East of Belle River  
TOWN OF LAKESHORE



Retained Farmland East of Hydro Corridor	AMEND "A, AGRICULTURE" ZONE TO "A-1, AGRICULTURE EXCEPTION 1" ZONE
Retained Farmland East of County Road 27	AMEND "A, AGRICULTURE" ZONE TO "A-103, AGRICULTURE EXCEPTION 103" ZONE

# **The Corporation of the Town of Lakeshore**

## **By-law 53-2020**

### **Being a By-law to Confirm the Proceedings of the Council of The Corporation of the Town of Lakeshore.**

**Whereas**, in accordance with the *Municipal Act 2001*, S.O. 2001, c. 25, municipalities are given powers and duties in accordance with this Act and many other Acts for purposes which include providing the services and other things that a municipality considers are necessary or desirable for the municipality;

**And Whereas**, in accordance with said Act, the powers of a Municipal Corporation shall be exercised by its Council;

**And Whereas**, municipal powers, including a municipality's capacity, rights, powers and privileges shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**And Whereas** it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Lakeshore at this session be confirmed and adopted by By-law.

**Now therefore the Council of The Corporation of the Town of Lakeshore enacts as follows:**

1. The actions of the Council of The Corporation of the Town of Lakeshore in respect of all recommendations in reports of Committees, all motions and resolutions and all other action passed and taken by the Council of The Corporation of the Town of Lakeshore, documents and transactions entered into during the June 23<sup>rd</sup> and June 29<sup>th</sup> 2020 sessions of Council be adopted and confirmed as if the same were expressly embodied in this By-law.
2. The Mayor or the Deputy Mayor together with the Clerk are authorized and directed to execute all documents necessary to the action taken by this Council as described in paragraph 1 of this By-law and to affix the Corporate Seal of The Corporation of the Town of Lakeshore to all documents referred to in said paragraph 1 above.

**Read and passed in an open session on July 14th, 2020.**

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**Mayor  
Tom Bain**

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**Kristen Newman  
Clerk**

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