

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, April 6, 2021, 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
 1. Zoning By-law Amendment ZBA-15-2020 – King Townhomes 7

Recommendation:
Approve Zoning By-law Amendment Application ZBA-15-2020 (By-law 10-2021), to Lakeshore Zoning By-law 2-2012, to rezone 990 County Road 22 and 193 Puce Road, indicated as the “Subject Lands” on the Key Map, Appendix 1 from “Residential –Low Density (R1)” and “Mixed Use (MU)” to a site specific “Mixed Use Zone Exception 36 (MU-36)”, with a holding provision regarding entering into a site plan agreement, as presented at the April 6, 2021 Council meeting.
6. Public Presentations
 1. Tania Jobin and Tim Byrne, Essex Region Conservation Authority - Draft 2021 Budget 20
7. Delegations
 1. Draft Code of Conduct for Members of Council, Local Boards & Committees 21

Recommendation:
Direct the Director of Legislative & Legal Services to prepare and present the by-law to adopt the Code of Conduct for Members of Council, Local Boards & Committees at the next Council meeting, as further described in the report presented at the April 6, 2021 Council meeting.

1. Dr. Bruce Elman - Integrity Commissioner

8. Completion of Unfinished Business

9. Consent Agenda

- | | | |
|----|--|----|
| 1. | March 23, 2021 Regular Council Meeting Minutes | 45 |
| 2. | Township of Brock - Cannabis Licensing and Enforcement | 53 |
| 3. | Township of Hudson - Support for Fire Departments | 55 |
| 4. | Town of LaSalle - Three-Digit Suicide Prevention Hotline | 57 |

Recommendation:

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

10. Reports for Information

- | | | |
|----|---|----|
| 1. | Economic Development Officer Work Plan | 60 |
| 2. | Moratorium on Large Water Users/Greenhouses | 78 |

Recommendation:

Receive the Reports for Information as listed on the agenda.

11. Reports for Direction

- | | | |
|----|---|----|
| 1. | Tile Loan Application for Adam Reeb – Roll No 030.000.02810 | 84 |
|----|---|----|

Recommendation:

Approve the Tile Loan Application submitted by Adam Reeb for tiling work to be performed at 1922 Naylor Sideroad – Roll No. 030.000.02810 – in the amount of \$48,000 subject to Provincial Funding.

- | | | |
|----|---|----|
| 2. | Tender Award - 2021 Supply and Place Gravel Program | 86 |
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Recommendation:

Direct Administration to proceed with Option ____ of the report presented at the April 6, 2021 Council meeting; and,

Award the 2021 Supply and Place Gravel Program tender to Shepley Excavating & Road Maintenance Ltd.

3. Request to Update the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

90

Recommendation:

Support the Township of Guelph/Eramosa in its advocacy for reform of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); and

Request that the Ministry of Government and Consumer Services review MFIPPA and consider the following:

1. That MFIPPA be amended to require that Council appoint a Head under MFIPPA as is the case with other statutory officials;
2. That MFIPPA be updated to address current and emerging technologies;
3. That the Information and Privacy Commissioner work with municipal institutions to encourage consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious threshold be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process or attempting to access records despite the fact that records are accessible through other processes;
6. That administrative practices implied or required under MFIPPA, including those of the IPC, be reviewed and modernized; and
7. That the integrity of MFIPPA be maintained to protect personal privacy and transparent governments; and

Send a copy of the resolution and a copy of this report to the Minister of Government and Consumer Services, the Information and Privacy Commissioner, the local MPPs, the Association of Municipalities of Ontario and all other Ontario municipalities.

Recommendation:

Direct the Clerk to present By-law 28-2021, a By-law to amend 54-2018, being a By-law to Provide for the Maintenance of Land in a Clean and Clear Condition, for reading at the April 20, 2021 Council meeting; and,

Direct Administration to submit set fines for the new offences in the amended by-law in the amount of \$250.00, as described in the report presented at the April 6, 2021 Council meeting.

12. Announcements by Mayor

13. Reports from County Council Representatives

14. Report from Closed Session

15. Notices of Motion

1. Deputy Mayor Bailey - Hydro One Transmission Line between Chatham-Kent and Lakeshore

Recommendation:

Whereas demand for electricity in Southwestern Ontario is anticipated to grow significantly over the next several years, Hydro One has commenced a Class Environmental Assessment to construct a new transmission line between Chatham-Kent to Lakeshore;

And whereas the line selected impacts local farmers and the future development of commercial lands in Lakeshore;

Now be it resolved that the Council of the Municipality of Lakeshore direct Administration to send a letter to Hydro One supporting local residents in requesting a reconsideration of the preferred line selection for the transmission line between Chatham-Kent to Lakeshore.

Recommendation:

Whereas local businesses and service providers are a vital part of our local economy;

And whereas Lakeshore spends multiple millions of dollars each year on projects and services;

And whereas Lakeshore's policies regarding expenditures, including contracts, tenders, and Requests for Proposals, do not currently consider the impact on the local economy, or supporting local businesses and service providers, as part of the decision-making process;

And whereas Lakeshore seeks to support local businesses and service providers as much as possible, in recognition of their vital importance to our local economy and the contributions that they make to our communities;

Therefore be it resolved that Lakeshore consider the impact to the local economy, as part of the decision-making process for all expenditures, including all contracts, tenders and Requests for Proposals; and

Be it further resolved that a 'support local' component, be included as a criteria to be considered in all policies regarding all expenditures, including all contracts, tenders and Requests for Proposal; and

Be it further resolved that a copy of this motion be sent to the City of Windsor, County of Essex, Town of Tecumseh, Town of Lasalle, Town of Amherstburg, Town Essex, Town of Kingsville, and Municipality of Leamington.

16. Question Period**17. Non-Agenda Business****18. Consideration of By-laws**

- | | | |
|----|--|-----|
| 1. | By-law 10-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for Municipality of Lakeshore (ZBA-15-2020) | 113 |
| 2. | By-law 34-2021, Being a By-law to Confirm Proceedings of Council for March 23, 2021 Meeting | 116 |

Recommendation:

By-laws 10-2021 and 34-2021 be read and passed in open session on April 6, 2021.

19. Closed Session

Recommendation:

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

- a. Paragraph 239(2)(e) and (f) of the *Municipal Act, 2001* to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to Tisdelle Road.
- b. 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 and labour relations or employee negotiations, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to an employee.
- c. 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 and labour relations or employee negotiations, relating to an employee.

20. Return to Open Session

21. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.

Municipality of Lakeshore - Report to Council

Community & Development Services

Development Services



To: Mayor & Members of Council

From: Aaron Hair, Planner III

Date: March 19, 2021

Subject: Zoning By-law Amendment ZBA-15-2020 – King Townhomes

Recommendation

Approve Zoning By-law Amendment Application ZBA-15-2020 (By-law 10-2021), to Lakeshore Zoning By-law 2-2012, to rezone 990 County Road 22 and 193 Puce Road, indicated as the “Subject Lands” on the Key Map, Appendix 1 from “Residential –Low Density (R1)” and “Mixed Use (MU)” to a site specific “Mixed Use Zone Exception 36 (MU-36)”, with a holding provision regarding entering into a site plan agreement, as presented at the April 6, 2021 Council meeting.

Background

The proposed site plan affects two properties (which are being consolidated) located at the intersection of County Road 22 and Puce Road, as shown on the Key Map (Appendix A), in the Community of Maidstone. The applicant wishes to construct a 12 unit stacked town house and two detached garages. The proposed stacked townhouse, would require a new definition to be added to the Municipality’s Zoning By-law. The proposed stacked townhouse will consist of 6 units on the ground level, with 6 units on the second storey.

A re-zoning is required because the property located at 193 Puce Road is zoned R1, Residential - Low Density which does not permit townhouse dwellings, only single detached dwellings. The property located at 990 County Road 22, is zoned mixed use and does allow for townhouse, but the existing definition does not contemplate them being stacked.

Subject Land <i>Note: In December 2020 the proponent started the process to consolidate the property PIN's</i>	Lot Area - 4,350m ² (1.07acres) Existing Use – residential – single detached dwellings Proposed Use – stacked townhouse dwellings (12 units) Access – access off of East Puce River Road Services – municipal water, municipal sewage system
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Neighbouring Land Uses	North – Single Detached Dwellings East – Single Detached and Commercial (Gas Station) South – Single Detached Dwellings & Public Utility West – Puce River and Single Detached Dwellings
Official Plan	Mixed Use, Floodplain, and Limit of Regulated Area (ERCA)
Existing Zoning	Residential – Low Density and Mixed Use

Comments

Provincial Policy Statement (PPS), County Official Plan and Lakeshore Official Plan

There are no issues of Provincial, County or municipal significance raised by this application.

The PPS, issued under Section 3 of the *Planning Act* provides policy direction on matters of provincial interest related to land use planning. All planning applications are required to be consistent with applicable policies. The applicable PPS policies are found in: 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns; 1.6 Infrastructure and Public Service Facilities; 2.1 Natural Heritage; 2.6 Cultural Heritage and Archaeology; and 3.0 Protecting Health and Safety.

This application promotes the development of healthy, livable and safe communities, and the efficient use of land and infrastructure through higher densities, mix of housing types, infill and intensification. Section 1.1.3.1 of the PPS states that settlement areas are to be the focus of growth. The site is within a settlement area, as designated in the County of Essex Official Plan and Municipality of Lakeshore Official Plan. The site is further designated 'Mixed Use' in the Municipality of Lakeshore Official Plan which promotes a variety of housing types to meet the demands and characteristics of the population. Medium residential land uses are permitted in the Residential designation, including townhouse dwellings subject to Section 6.6.1 b) of the Official Plan:

b) Medium density residential uses will be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the following criteria:

i) the density, height and character of the development will be compatible with adjacent uses;

ii) the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate transition;

iii) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;

iv) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town, save and except where private septic systems will be permitted;

Note: conveyance of the sanitary to the Dennis St. Pierre Pollution Control Plant (Sanitary treatment facility) is not an issue for the proposed development, that being said the existing Control Plant does not have additional capacity at this time to treat any additional sanitary. As such the Developer is proposing to connect 6 of the units into the sanitary system at this time, with the remaining 6 units being connected into a holding tank which will be regularly pumped out. The holding tank for 6 units is intended to be an interim solution. The Municipality will enter into an agreement with the owner regarding the operation and subsequent decommissioning of the holding tank when the Denis St. Pierre plant expansion is in operation. That being said, based on EIS Review, the additional flows from this development would be a negligible increase when compared to the flows of the existing development on the site. With that being said, Administration is recommending a holding provision which would require the applicant the ability to enter into an agreement with the Municipality for an interim sanitary solution, if required.

Section 7.3.1.1e) of the Official Plan allows for exceptions to full municipal servicing through a Site Specific Zoning By-law Amendment if the following criteria can be satisfied;

- i. a water and sewage servicing master plan is in place to provide future municipal water and sewage systems to service the lands;
- ii. the development of the land and accommodation of a private servicing system will not preclude the ultimate extension of municipal water and sewage systems to service the lands;
- iii. at such time as municipal water and/or sewage services become available, the landowner, at their expense, will be required to connect to municipal water and/or sewage services;
- iv. the topography, soil and environmental characteristics of the land is able to accommodate an appropriate private water and sewage system that will minimize adverse environmental impacts;
- v. water and sewage servicing systems will satisfy the applicable development standards of the Town and approval of the authority having jurisdiction; and
- vi. the proposed development is consistent with this Plan and Town objectives.

Note: Administration has reviewed this request and we are of the opinion that through a site specific Zoning By-law Amendment, this can be accommodated. The existing development of two single detached dwellings (a third dwelling was previously removed) was estimated to generate the equivalent sewage as 5.6 townhome dwellings, which utilize modern plumbing fixtures (i.e. low flow).

- v) the development is adequately serviced by parks and school facilities;
- vi) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
- vii) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be needed by the Town;
- viii) in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
- ix) except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town; and
- x) triplexes, fourplexes, freehold street townhouses or other similar small scale developments, may be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.

The subject lands are subject to Section 2.6 Cultural Heritage and Archaeology of the PPS. The subject lands are not designated under the *Heritage Act*, or listed in the Town of Lakeshore Municipal Register, nor are any adjacent properties. A Stage 1 Archaeology study has been prepared. Documentation from the Ministry of Tourism, Culture and Sport that the Archaeological report has been accepted into the Ontario Public Register of Archaeological reports was provided to the Municipality and according to the Ministry “The Stage 1 and 2 Archaeological Assessment did not result in the identification of any archaeological sites and as such, no further archaeological assessments are recommended for the Study Area.”

Section 3.0 of the PPS speaks to Protecting Public Health and Safety. The subject lands are located within a Floodplain and are within the Conservation Authorities Limit of Regulated Area. Permits are required from the Conservation Authority prior to development in regulated areas. ERCA advises that the subject lands are subject to ERCA Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Puce River and East Puce River Rd Drain West Side. The property owner will be **required to obtain a Permit** from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

Noise and vibration

A Noise & Vibration report prepared by Valcoustics Canada Ltd. dated October 14, 2020 was completed for the proposed development due to the proximity to the rail line. VIA Rail

has reviewed the report and has indicated that they run an additional two trains a day above what was contemplated in the assessment and requested that Valcoustic to review their calculations using the additional trains. VIA Rail has also requested that the following clause be inserted into future purchase agreements or leases.

"Warning: VIA Rail Canada Inc. or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof: There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). VIA will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."

Note: The recalculation to include the additional trains can be finalized prior to the site plan being approved, and a site plan agreement being executed. The requirement to advise future inhabitants of the VIA Rail warning can be included in the site plan agreement.

Zoning By-law

The property located at 990 County Road 22 is currently zoned Mixed Use, which allows for Townhomes, the property located at 193 Puce Road is currently zoned "R1, Residential – Low Density" which permits the single detached dwellings. A re-zoning to "Mixed Use," zone will permit the townhouse development in a site specific zone. A new definition is also being proposed to allow for the townhouse units to share both horizontal and vertical common walls.

Official Plan

The Official Plan identifies the subject property for future mixed use development, therefore rezoning the subject land to mixed use would be consistent with the Official Plan's direction.

Concerns from Public Consultation

In October 2020 administration notified adjacent properties of the proposed development and requested comments or concerns to be returned to the Municipality. These comments were summarized and shared with the applicant.

These comments focussed around the following topics:

- Parking – will all the parking be onsite.
- Traffic – will the amount of units create traffic safety i.e. will vehicles be backing out of the driveway onto Puce Road.
- Stormwater Management/Drainage – with all the additional hard surfacing will that negatively impact adjacent properties.
- Sanitary capacity – can the sewers handle the additional capacity, as surcharging currently occurs.
- Privacy & enjoyment – will the number of units impact the surrounding neighbours'

privacy and enjoyment of their property.

The applicant has advised that he has had conversations with the surrounding landowners and he believes their concerns have been addressed, where appropriate to do so.

The applicant has had a new break-wall installed on the Puce River which will address some of the existing drainage issues. The onsite parking is designed so vehicles can enter and exit the property in a forward motion. The applicant is proposing to locate the AC units away from adjacent dwellings to reduce noise impacts.

Conclusion

Administration recommends Council approve Zoning By-law Amendment with the Holding Provision for Site Plan Approval.

Others Consulted

In addition to the October public notification, a notice was given to agencies and the general public as required under the provisions of the *Planning Act* and Regulations.

Financial Impacts

There are no budget impacts resulting from the recommendation.

Attachments:

Appendix “A” Key Plan

Appendix “B” Site Plan & Elevations

Appendix “C” Engineering Comments re: Sanitary Capacity

Appendix “D” Alternatives under the *Planning Act*

Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-15-2020 – King Townhomes.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Key Plan.pdf- Appendix B - Site Plan and Elevations.pdf- Appendix C - Engineering Comments - re - Sanitary Sewer.pdf- Appendix D – Alternatives under the Planning Act.docx
Final Approval Date:	Apr 1, 2021

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

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

Key Map



Legend

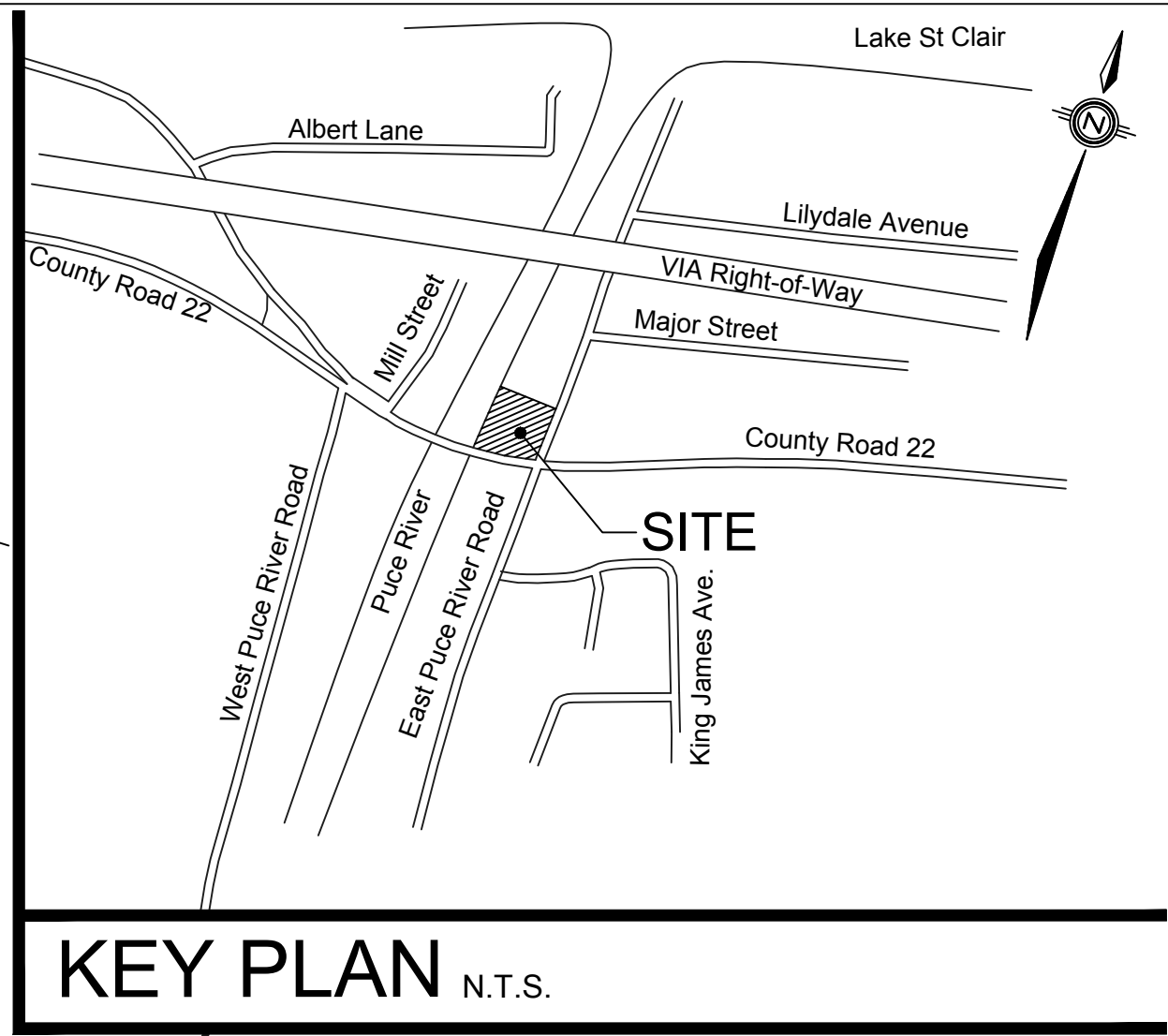
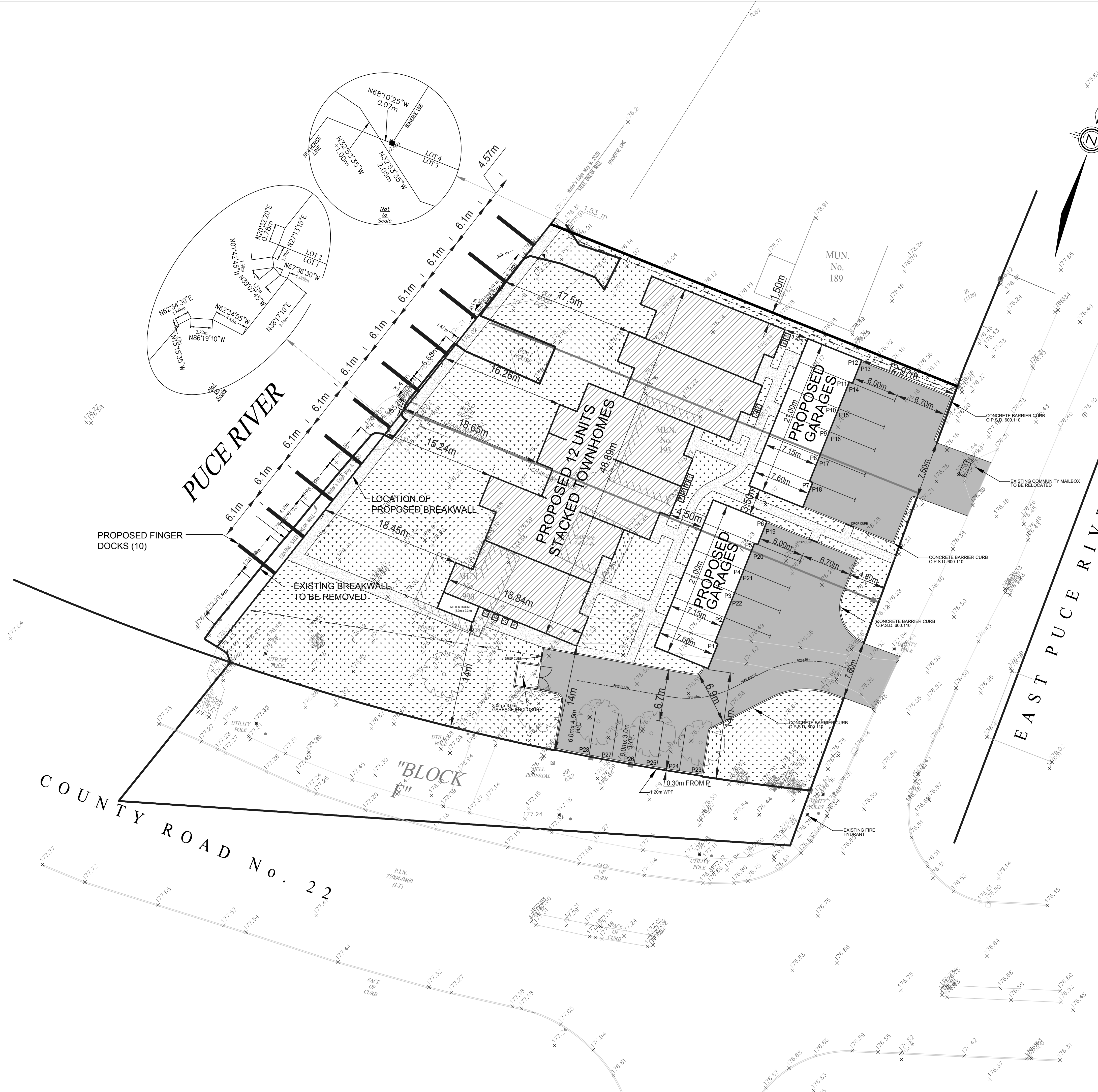
- Tax Parcel
- WorkingParcel
- Street Centreline
- <all other values>
- CNTY
- LAK
- PRIV
- PROV

1: 1,530



Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION



LEGEND

- DENOTES 100mm THICK CONCRETE SIDEWALK
- DENOTES 75mm HL 3 on 250mm Granular "A"
- DENOTES 200mm THICK CONCRETE SIDEWALK
- DENOTES PROPOSED SWALE LOCATION
- DENOTES PROPOSED LANDSCAPED SURFACE

SUMMARY OF REQUIRED/PROVIDED ZONING REGULATIONS		
TOWN OF LAKESHORE ZONING BY-LAW Medium Density Residential-R2		
PERMITTED USE	REQUIRED AS PER R2 ZONING	PROVIDED
Minimum Lot Area	223m ²	4,350m ²
Minimum Lot Frontage	8.0m For Interior Units 9.5m For Exterior Units	56.42m
Maximum Lot Coverage	40%	27%
Minimum Landscaped Open Space	30%	52%
Minimum Setbacks		
Front Yard	6.0m	11.87m
Rear Yard	7.5m	15.24m
Interior Side Yard	1.5m where a private garage is attached to the main building	1.50m
Exterior Side Yard	4.5m	14.0m
Maximum Height of Buildings	10.5m	10.50m
Minimum Front Yard Landscaping Required	When frontage exceeds 30.0m, 40% of front yard shall be maintained as landscaping.	22%
Parking	1.5 spaces required for each unit 1.5 x 12 units = 18 Required Spaces	28 Spaces Provided 23 spaces for each unit.
County Road 22 Setback	14.0m	14.0m

CLIENT:
KING HOMES AND DEVELOPMENTS

PROJECT:
EAST PUCE RIVER ROAD TOWNHOMES

GENERAL NOTES:

ISSUED FOR:	DATE:
1. OWNER'S REVIEW	August 10, 2020
2. Site Plan and Zoning Application	September 9, 2020
3. Revised as per Town comments	November 22, 2020

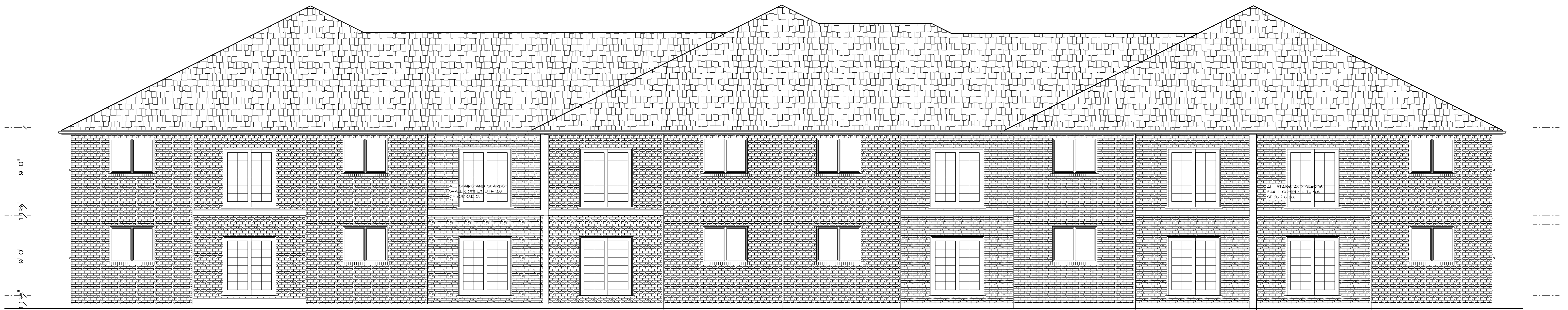
DRAWING TITLE:
SITE PLAN

BLACKROCK PROJECT MANAGEMENT
266 ST. LOUIS AVE.
WINDSOR, ONTARIO
N8S 2K3
519-992-4280

DWN BY: MJ
DATE: JUNE 22, 2020
CHKD BY: MJ
PROJECT No: B20-06

DSGN BY: MJ
SCALE: 1 : 250
DRAWING No: 1

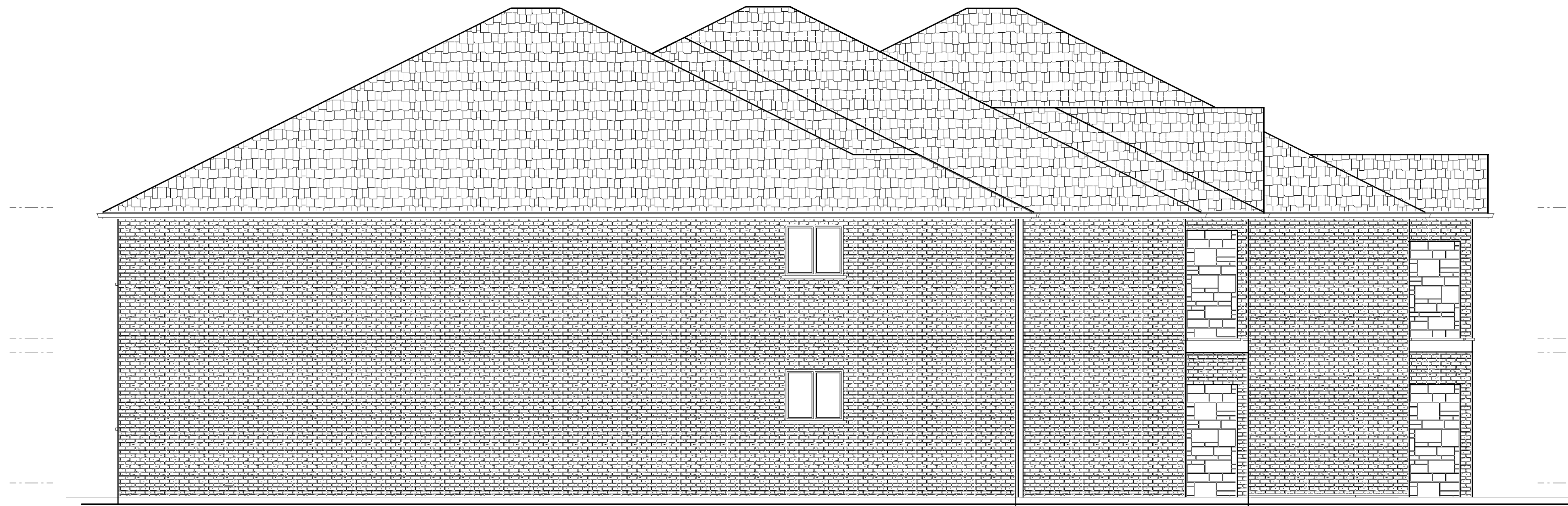
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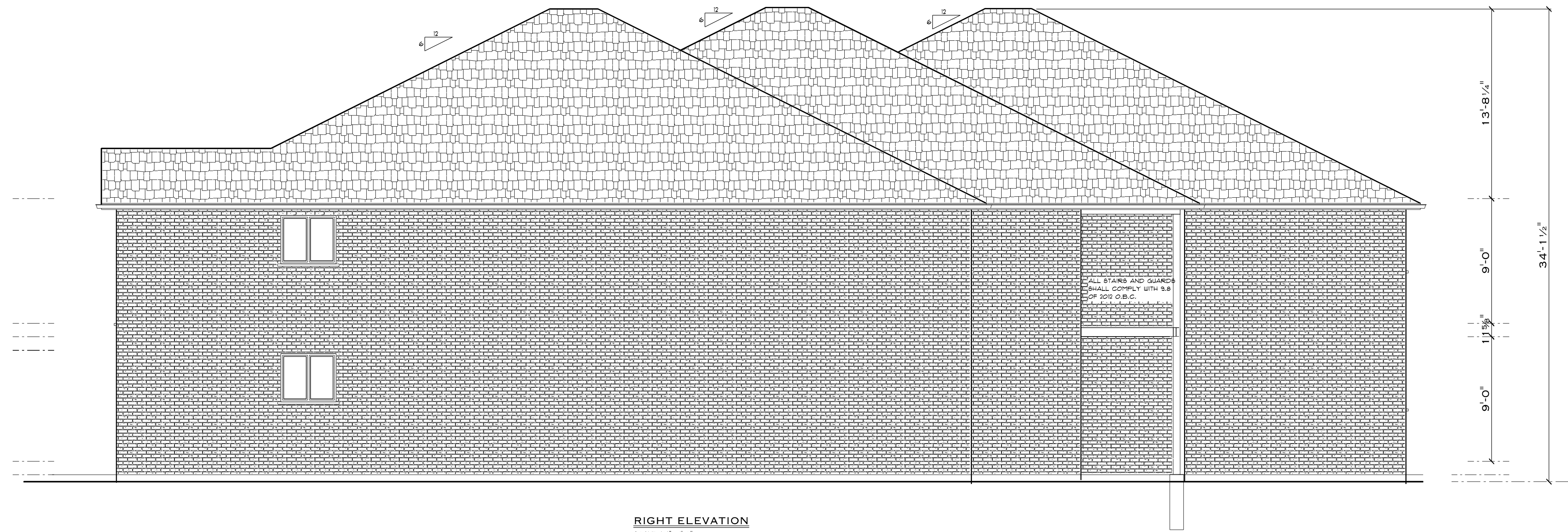
REAR ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Appendix “C” Engineering Comments re: Sanitary Servicing

MEMORANDUM

Date: March 31, 2021
To: Aaron Hair
From: Tony DiCiocco, C.E.T., Manager of Engineering Services Division
Re: 990 County Rd 22 & 193 Puce Rd
King Townhomes, East Puce River Road, Municipality of Lakeshore

We have completed our review of the sanitary service capacity assessment completed by Landmark Engineering Inc and submitted by Blackrock Project Management on behalf of King Townhomes. We have the following comments:

1. The development is proposing to use 2 existing 125mm diameter sanitary connections that were previously servicing 2 single family homes. Landmark’s assessment of the sewage generated for the proposed development concluded that there was a negligible amount of additional sewage being generated from the proposed 12 unit townhome condominium complex. Landmark also concluded that the 2 existing sanitary service connections are sized appropriately to accommodate 6 townhome units each.
2. The Ministry of Environment as-constructed drawings show 2 sanitary connections at 990 County Rd 22 and 1 sanitary connection at 193 Puce Rd. During the reconstruction of County Rd 22, it was determined that the redundant connection on County Rd 22 should be abandoned. This abandonment was completed in 2013.

Recommendations

Based on our analysis, we support the findings in Landmark Engineering Inc.’s correspondence that the additional sewage generated from the proposed development can be serviced using the 2 existing 125mm diameter sanitary service connections. As a result, this development will have a negligible impact on the Dennis St. Pierre sanitary treatment plant capacity.

It is our understanding that this application was submitted in September 2020 and there was significant dialogue with the consultant regarding the use of the 2 existing sanitary sewer connections even before their application was submitted. Considering the negligible impact, Engineering and Infrastructure Services supports this application proceeding.

If you have any questions or require additional information, please contact the undersigned

Tony DiCiocco, C.E.T., Manager
Engineering Services Division

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 contain a written explanation for the refusal with a brief explanation of the effect, if any, that the written and oral submissions had on the decision.

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



February 24, 2021

admin@erca.org

P.519.776.5209

F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

RE: DELEGATION REQUEST

At a meeting of the Essex Region Conservation Authority' Board of Directors on February 18, 2021, the Draft 2021 Budget was approved for distribution to municipalities; and to provide notice that a weighted vote will be held at the Board of Directors' meeting on April 8, 2021. Ontario Regulation 139/96 (as amended by O.R. 231/97) requires that affected municipal partners receive a minimum 30-day notice for which a meeting where a weighted and recorded vote will be taken, regarding non-matching levies. The Regulation also requires that the notice be accompanied by the financial information used to determine that levy. This notice, along with ERCA's report to the Board, with appendices, and a 2021 Draft Budget Companion was circulated to municipal clerks for distribution to members of Council on Monday, February 22, 2021.

As described in the Draft 2021 Budget, the budget totals \$10,026,284 and includes a total levy contribution from member municipalities of approximately \$3,454,619, representing a total increase in levy of 2.0%. This levy equates to \$10.75 for every person in our watershed, based on data compiled by MPAC and the Ministry of Natural Resources and Forestry and municipal levies account for slightly less than 50% of the funding for the ongoing programs of the Authority.

The purpose of the delegation is to explain the recent changes to the Conservation Authorities Act, which have widespread and significant implications for operations and program delivery in 2022, due to the provincially-required bifurcation of services into mandatory and non-mandatory categories and resulting changes to the existing funding model. Representatives from Administration will highlight key points of the budget and demonstrate how it responds to provincial direction and objectives including: increased transparency to municipal funders; identification of mandatory and non-mandatory services and reallocation of municipal levies to core mandated responsibilities, as described in the Conservation Authorities Act.

For reference, are links to [ERCA's 2020 Annual Report](#) and [2020 Annual Report Video](#) presented at our Annual General Meeting that highlight some of the work undertaken by ERCA in our community.

Should you have any questions regarding our budget, please do not hesitate to contact us.

Thank you,

Tim Byrne
CAO/Secretary-Treasurer

Shelley McMullen
Interim CFO/Director, Finance and Corporate Services

Municipality of Lakeshore - Report to Council

Legislative & Legal Services



To: Mayor & Members of Council

From: Kristen Newman, Director of Legislative & Legal Services

Date: March 25, 2021

Subject: Draft Code of Conduct for Members of Council, Local Boards & Committees

Recommendation

Direct the Director of Legislative & Legal Services to prepare and present the by-law to adopt the Code of Conduct for Members of Council, Local Boards & Committees at the next Council meeting, as further described in the report presented at the April 6, 2021 Council meeting.

Background

Section 223.2 of the *Municipal Act, 2001* requires a municipality to establish a code of conduct for members of Council and its local boards.

O. Reg. 55/18, a regulation pursuant to the *Municipal Act, 2001*, requires that the following shall be included in a code of conduct for members of Council and its local boards.

The Municipality's Code of Conduct currently forms part of the Municipality's Procedural By-law. Administration and the Integrity Commissioner have undertaken drafting a new Code of Conduct.

On December 8, 2020, Council passed resolution # 421-12-2020 to:

Receive the Interim Update from the Integrity Commissioner; and,

Direct the Integrity Commissioner and Director of Legislative & Legal Services to present the draft Code of Conduct in February 2021 incorporating the principles described in the report and presentation by the Town's Integrity Commissioner presented at the December 8, 2020 Council meeting.

In passing the resolution, Council supported the inclusion of the following elements into the Code of Conduct:

- Integrity
- Accountability
- Responsibility
- Leadership
- Respect
- Openness
- Honesty
- Respect for human rights and privacy

Furthermore, Council directed that the Code of Conduct include provisions relating to:

- Receipt of gifts and benefits
- Improper use of influence
- Conflict of interest
- Confidentiality
- Conduct at Council
- Conduct respecting staff
- Discreditable conduct
- Transparency and openness relating to Council activities
- Use of Town resources, property and services
- Remuneration, business relations and employment

Comments

The Integrity Commissioner, in consultation with Administration, prepared the draft Code of Conduct (attached as Appendix “A” to this report). The draft includes provisions relating to the elements and principles described above.

The Code of Conduct is structured in such a way that it provides the rules of conduct. The draft is prepared in such a way that it includes interpretive aids by way of commentary. The commentary is intended to assist Members in understanding the Code of Conduct but will not be a binding part of the Code of Conduct. Instead, the Commentary will be included in the version of the Code of Conduct produced for Member use and distributed to the public via the Municipality’s website.

Others Consulted

Dr. Bruce Elman, Integrity Commissioner

Financial Impacts

Dr. Elman's services for the preparation of the draft Code of Conduct were included in the 2021 budget.

Attachment: Appendix A – Draft Code of Conduct

Report Approval Details

Document Title:	DraftCodeofConduct.docx
Attachments:	- Lakeshore Code of Conduct.docx
Final Approval Date:	Mar 31, 2021

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

Rosanna Pellerito

Truper McBride



Municipality of Lakeshore

Code of Conduct for Members of Council, Local Boards, and Committees

Part A: General Provisions

1.0 Preamble

The public is entitled to expect the highest standards of conduct from the Members it elects to local government and from those appointed by the elected Members to Local Boards and Committees. Encouraging high standards of conduct on the part of all government officials will assist in improving the quality of public administration and governance. Adherence to these standards will, furthermore, protect and maintain the Municipality of Lakeshore's reputation for integrity and stability.

A written Code of Conduct helps to ensure that all Members of Council, Local Boards, and Committees share a common understanding of acceptable conduct. **The Code of Conduct for Members of Council, Local Boards, and Committees** ("**Code of Conduct**") provides the principles of good conduct and ethics that Members are expected to demonstrate in the performance of their duties. These standards are based on the principles of integrity and respect, objectivity and justice, responsibility and accountability, and openness and transparency.

The purpose of this **Code of Conduct** is to provide standards of conduct to supplement those standards set out in the laws of the Province of Ontario and the Government of Canada, within which the Members must operate, including:

- *Municipal Act, 2001*;
- *Municipal Conflict of Interest Act (MCIA)*;
- *Municipal Elections Act, 1996*;
- *Municipal Freedom of Information and Protection of Privacy Act*; and
- *Criminal Code of Canada*.

The role of Commentary is to assist with interpreting the **Code of Conduct**. The Commentary sections appear in consolidated versions of the **Code of Conduct By-law** that will be updated periodically but will not form part of the **Code of Conduct** that is adopted by by-law.

2.0 Key Principles

A Member shall at all times be seen to serve the interests of the Municipality in a conscientious and diligent manner and shall approach decision-making with an open mind. The purpose of the **Code of Conduct** is to establish standards of conduct for Members of Council, Local Boards, and Committees to ensure that Members carry out their duties in a manner that reflects the following six key principles:

2.1 Honesty and Integrity

Members of Council, Local Boards, and Committees shall uphold the highest standard of ethical behaviour. This means the following:

- (a) Members have a duty to perform their obligations under their Oath of Office with honesty and integrity;
- (b) Members are responsible for making truthful statements. No Member shall make a statement when they know that statement is false. No member shall make a statement with the intent to mislead Council or Administration or members of the public;
- (c) Members have a duty to make impartial decisions that benefit the municipality and are fair and equitable to all residents;
- (d) Members have a duty to uphold both the letter and the spirit of the laws of the Government of Canada and the Province of Ontario as well as the laws, by-laws, policies, and procedures adopted by the Municipality of Lakeshore; and
- (e) Members shall be free from undue influence and must not act for personal gain or the gain of a Member's family, friends or business interests.

2.2 Accountability

Members of Council, Local Boards, and Committees are responsible for their decisions and the outcomes of those decisions. This includes the act of not making a decision when a decision-making opportunity is expected of Council. Council Members should avoid making decisions or refraining from making decisions when harm could result. Decision-making processes must be transparent and subject to public scrutiny, when at all possible, to promote public confidence.

2.3 Responsibility

Members of Council, Local Boards, and Committees will act responsibly, within the laws of the Government of Canada and the Province of Ontario as well as the laws, by-laws, policies, and procedures adopted by the Municipality of Lakeshore, including the *Procedural By-law* and the **Code of Conduct for Members of Council, Local Boards, and Committees**. This includes:

- (a) Disclosing actual or potential conflicts of interest related to a Member's public duties;
- (b) Taking steps to resolve a conflict for the protection of the public interest;
- (c) Following the letter and spirit of the laws of Canada and Ontario and the laws, by-laws, and policies and procedures of the Municipality of Lakeshore; and
- (d) Exercising all conferred powers strictly for the purpose for which the powers have been conferred.

2.4 Leadership

Members of Council, Local Boards, and Committees will demonstrate and promote the key principles of the **Code of Conduct** through their decisions, actions, and behaviour. A Member's behaviour must build and inspire the public's trust and confidence in local government.

2.5 Respect and Civility

Members of Council, Local Boards, and Committees will conduct themselves with decorum and with proper attention to the Municipality's *Procedural By-Law*. They will value human dignity and equality by always treating each other and others with respect and in a civil manner. They will respect the privacy of the individual. This includes not using derogatory language, respecting the rights of other people, treating people with courtesy, and recognizing the different roles others play in local government decision-making.

2.6 Openness

Members of Council, Local Boards, and Committees have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being

considered, encouraging appropriate public participation, communicating clearly and providing an appropriate means for recourse and feedback.

3.0 Application

3.1 Application – Generally

Subject to Rule 3.2, this **Code of Conduct** applies to the Mayor, Deputy Mayor, and all Members of Council of the Municipality of Lakeshore and to Council appointments to Local Boards, as defined in section 1(1) of the *Municipal Act, 2001*, and to Municipal Committees.

3.2 Local Boards with Codes of Conduct

The provisions of the *Municipal Conflict of Interest Act* also apply to Local Boards with decision-making power, as defined in that Act. If a Local Board, as defined in Section 1(1) of the *Municipal Act, 2001*, has its own **Code of Conduct** for its Members and there is a conflict between a provision the Code for the Local Board and this **Code of Conduct**, the stricter of the two shall apply.

4.0 Interpretation

This **Code of Conduct** is intended to be interpreted in a broad, liberal, and purposive manner in conjunction with the *Municipal Act, 2001* and the *Integrity Commissioner By-laws*. In this **Code of Conduct**, the following terms have the following meanings:

The terms “**child**”, “**parent**” and “**spouse**” have the same meaning as in the *Municipal Conflict of Interest Act*;

“**Complainant**” means a person who believes that a Member’s behaviour or conduct contravenes the **Code of Conduct** and has filed a Complaint under Part 2 of the **Complaint Management Protocol** of the Municipality of Lakeshore;

“**Complaint**” means a statement filed on the prescribed **Complaint Form** and directed to the Integrity Commissioner in accordance with Part 2 of the **Complaint Management Protocol** alleging that a Member has violated the **Code of Conduct** of the Municipality of Lakeshore. Complaints may be Informal or Formal

“**Conflict of interest**” has the same meaning as in the *Municipal Conflict of Interest Act*;

“**Council**” refers to the current elected Council for the Municipality of Lakeshore;

"Integrity Commissioner" means the Integrity Commissioner appointed by Council pursuant to section 223.3 of the *Municipal Act, 2001* to provide independent and consistent advice to Members of Council, Local Boards, and Committees on issues under the **Code of Conduct** and the *Municipal Conflict of Interest Act (MCIA)* and to undertake Complaint investigation and resolution respecting the Application of the **Code of Conduct**;

"Member" means a person elected to the Municipal Council of Lakeshore or appointed to a Local Board or Committee of the Municipality of Lakeshore;

"Municipality" means the Municipality of Lakeshore; and

"Person" includes an individual, corporation, partnership, association and any other entity as the context allows.

Part B: Standards of Conduct

5.0 Confidentiality

5.1 Definition

"Confidential Information" is verbal or written information that is implicitly confidential in nature, which may or may not be marked or communicated in a private manner, including but not limited to:

- (a) Personal Information;
- (b) Information pertaining to the security of the property of the Municipality or Local Board;
- (c) Information pertaining to personal matters about an identifiable individual, including Municipal or Local Board employees;
- (d) Information including plans relating to the management of personnel or the administration of an institution that have not yet been put into operation or made public;
- (e) Information pertaining to a proposed or pending acquisition or disposition of land by the Municipality or Local Board;
- (f) Information pertaining to labour relations or employee negotiations;

- (g) Information pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or Local Board;
- (h) Information including advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (i) Information pertaining to a matter in respect of which a Council, Local Board, or Committee or other body may hold a closed meeting;
- (j) Information explicitly supplied in confidence to the Municipality or Local Board by Canada, a province or territory, or a Crown agency of any of them;
- (k) Information including a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Municipality or Local Board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (l) Information that, if disclosed, could reasonably be expected to seriously threaten the health or safety of an individual;
- (m) Trade secret or scientific, technical, commercial or financial information that belongs to the Municipality or Local Board and has monetary value or potential monetary value;
- (n) Proposed plans, policies or projects of an institution if the disclosure of that information could reasonably be expected to result in premature disclosure of a pending policy decision or undue financial benefit or loss to a person;
- (o) Information whose disclosure could reasonably be expected to be injurious to the financial interests of an institution;
- (p) Information whose disclosure could reasonably be expected to prejudice the economic interests of an institution or the competitive position of an institution;
- (q) Information obtained through research by an employee of an institution if the disclosure could reasonably be expected to deprive the employee of priority of publication;
- (r) 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;
- (s) Questions that are to be used in an examination or test for an educational purpose;

- (t) Information included in a meeting or part of a meeting that is closed to the public if the subject matter of the meeting is:
 - a. a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council, Local Board, commission or other body is the head of an institution for the purposes of that Act; or,
 - b. an ongoing investigation respecting the Municipality, a Local Board or a Municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act or a closed meeting investigator or Municipal ombudsman appointed pursuant to the *Municipal Act, 2001*; and,
- (u) Information communicated in a meeting of Council or Local Board or of a Committee of either of them that may be closed to the public for the purpose of education and training.

“Personal Information” means information about an identifiable individual, including but not limited to:

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) any identifying number, symbol or other particular assigned to the individual;
- (d) the address, telephone number, fingerprints or blood type of the individual;
- (e) the personal opinions or views of the individual except if they relate to another individual;
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the individual; and
- (h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

5.2 General Rule

- (a) No Member shall disclose Confidential Information acquired by virtue of their office to anyone to whom access is not authorized, except as required by law or when authorized by Council to so do.
- (b) No Member shall use Confidential Information except for the purpose for which it was obtained. In particular, no Member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.
- (c) Members should not access or attempt to gain access to confidential information in the custody of the Municipality unless it is necessary for the performance of their duties.

5.3 Closed Meetings

- (a) A matter that has been discussed at a closed meeting remains confidential. No Member shall disclose the content of any such matter, or the substance of deliberations, of the closed meeting until the Council, Local Board, or Committee, as the case may be, discusses the information at a meeting that is open to the public or releases the information to the public.
- (b) A Member may disclose the content of any matter referred to in the preceding paragraph or the subject matter of deliberations, at a closed meeting, only after the Council, Local Board, or Committee, as the case may be, lawfully and knowingly discusses the information at a meeting that is open to the public or releases the information to the public.

6.0 Gifts & Benefits

6.1 Interpretation

In this section, the term “**Benefit**” includes fee, advance, advantage, or service.

6.2 General Rule

- (a) Council Members shall not accept a gift or Benefit that is connected directly or indirectly with the performance of their duties of office, unless permitted by the exceptions listed in section 6.3 below.
- (b) For purposes of this policy, a gift or Benefit provided to a Member’s spouse, child, or parent, with the Member’s knowledge, is deemed to be a gift or Benefit to that Member.

6.3 Exceptions

The following are recognized as exceptions pursuant to section 6.2:

- (a) Compensation authorized by law;
- (b) A political contribution otherwise reported by law, in the case of Members running for office in a municipal election;
- (c) Services provided without compensation by persons volunteering their time;
- (d) A suitable memento of a function honouring the Member;
- (e) Food, lodging, transportation and entertainment provided by federal, provincial, regional and local governments or political subdivisions of such, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity;
- (f) Food and beverages consumed at banquets, receptions or similar events, if:
 - a. Attendance serves a legitimate business purpose;
 - b. The person extending the invitation or a representative of the organization is in attendance; and
 - c. The value is reasonable and the invitations infrequent; and
- (g) Communication to the home or offices of a Member, including subscriptions to newspapers and periodicals.

6.4 Exception Not to Apply

With the exception of category 6.3 (c), the above noted exceptions do not apply where such gifts or Benefits are provided by an individual lobbying a Member with respect to:

- (a) Development, introduction, passage, defeat, amendment, reconsideration, repeal or rescinding of a by-law or resolution on any matter;
- (b) Procurement of goods or services and the award of a contract by the Municipality;
- (c) Development, approval, amendment, modification, or termination of a policy including one dealing with a level of service;

- (d) Approval, approval with conditions, modification, or denial of an application for a service, grant, planning application, permit or other licence or permission;
- (e) Award of a financial contribution, grant or other financial Benefit by or on behalf of the Municipality, its Local Boards, and Committees; or
- (f) Determination of the method for delivering a service.

6.5 Maximum Gift

In the case of the exceptions noted above, but excluding 6.3 (a), (b), and (e), no Member shall accept a gift or Benefit worth in excess of \$500 or gifts or Benefits from one source during a calendar year worth in excess of \$500.

6.6 Member Consideration

In the event that a Member doubts whether acceptance of a gift or Benefit would be a violation of this section, a Member should not accept the gift or Benefit. In the event that a Member receives a gift or Benefit in violation of this section, the Member shall take reasonable steps to return it.

6.7 Public Accountability

Each Member is individually accountable to the public and shall keep a list of all gifts and benefits received from individuals, firms, or associations, with estimated values, for review by the Integrity Commissioner in the event of a Complaint.

6.8 Disclosure Statement

- (a) In cases of categories 6.3 (b), (e), (f), and (g), if the value of the gift or Benefit exceeds \$300.00, or if the total value received from any one source during the course of a calendar year exceeds \$300.00, the Member shall file a disclosure statement with the Integrity Commissioner within 30 days of receipt of the gift or reaching the annual limit.
- (b) The disclosure statement must indicate:
 - a. The nature of the gift or Benefit;
 - b. The source and date of receipt;
 - c. The estimated value of the gift or Benefit;
 - d. What the recipient intends to do with any gift or Benefit; and

- e. Whether the gift or Benefit will at any point be the property of the Municipality.
- (c) A disclosure statement prepared in accordance with this section will be posted on the Municipality's website.

6.9 Duty of Integrity Commissioner

- (a) Upon receipt of a disclosure statement, the Integrity Commissioner shall examine the statement to determine whether the receipt of the Benefit may reasonably create a conflict between a private interest and the duties of the Member.
- (b) If the Integrity Commissioner makes a determination that the receipt of a Benefit may reasonable create the conflict described in (a), the Integrity Commissioner shall call upon the Member to justify receipt of the Benefit.
- (c) Should the Integrity Commissioner determine that receipt was inappropriate, the Integrity Commissioner may direct the Member to return the gift, reimburse the donor for the value of any gift or Benefit already consumed, forfeit the gift, or remit the value of any gift or Benefit already consumed to the Municipality.

7.0 Improper Use of Influence

7.1 General Rule

No Member shall use the influence of his or her office for any purpose other than the exercise of his or her official duties.

7.2 Prohibited Conduct

- (a) Prohibited conduct includes the use of one's status as a Member to improperly influence the decision of another person to the private advantage of oneself, or one's parents, children, spouse, staff members, friends, or associates (business or otherwise).
- (b) Prohibited conduct includes attempts to secure preferential treatment beyond activities in which Members normally engage on behalf of their constituents as part of their official duties.

7.3 Meaning of “Private Advantage”

For the purpose of this **Code of Conduct**, “**Private advantage**” does not include a matter:

- (a) that is of a general application;
- (b) that affects a Member, their parents, children, spouse, staff members, friends, or associates as one of a broad class of persons; or
- (c) that concerns the remuneration or benefits of a Member in the capacity as a Member.

7.4 Promise of Future Advantage

Members shall not hold out the prospect or promise of future advantage through a Member’s supposed influence within Council, Local Board or Committee, as the case may be, in return for the Member’s present action or inaction.

8.0 Conflict of Interest

8.1 *Municipal Conflict of Interest Act and Procedural By-law Binding*

- (a) Members are bound by the Municipal Conflict of Interest Act of the Province of Ontario and the Procedural By-law of the Municipality of Lakeshore to identify and disclose any pecuniary interest in any item or matter before the Council, Local Board, or Committee, as the case may be.
- (b) The purpose of this provision is to maintain public confidence in the Municipality and to avoid conduct of a Member that involves, or appears to involve, a conflict between public duty and private interest.
- (c) The provisions of the Municipal Conflict of Interest Act may be enforced in the same manner as if they were provisions set out in the Code of Conduct of the Municipality of Lakeshore.

8.2 No Special Advantage to be Granted

Members shall not participate in activities that grant, or appear to grant, any special consideration, hearing, treatment, or advantage to an individual which is not applicable to every other individual member of the public.

Commentary: It is unlikely that these situations will arise frequently. Nonetheless, here is an **Example:** A famous pop music star is coming to a municipally owned arena or concert hall in the community. Tickets are at a premium but Members of Council decide to allocate a block of tickets for purchase by Members of Council and their families and friends rather than make them available to the public at large. This would be “grant(ing), or appear(ing) to grant, any special consideration, treatment, or advantage to an individual which is not applicable to every other individual member of the public” and is prohibited by this provision. To quote the Ombudsman: “It is always worrisome when elected officials appear to be gaining personally from their positions, or when they appear to prefer their own self-interest to that of the people they serve.” (See **Investigation into City of Greater Sudbury Council Closed Meeting of February 20, 2008**, Handed down April 25, 2008.)

8.3 Advice May be Sought from Integrity Commissioner

Members may seek conflict of interest advice, including a written opinion, from the Integrity Commissioner, as per Rule 19.0 of this **Code of Conduct**. However, this will not provide immunity in any proceeding in a court of law brought pursuant to the *Municipal Conflict of Interest Act*.

8.4 Furthering Private Interests and the Interests of Other Relations

- (a) Members shall not use their positions to further their private interests, nor shall they vote on any issue at Council, Local Board, or Committee that puts them in a real or apparent conflict with their personal pecuniary interest. They shall declare their conflict and recuse themselves.
- (b) Members shall take all necessary steps to avoid preferential treatment or the appearance of preferential treatment for friends or family. More particularly, Members shall recuse themselves from matters that pose a conflict with the pecuniary interests of their spouses, parents, or children.

8.5 Concurrent Employment

Members shall not accept concurrent employment by an outside interest that is either incompatible with or in conflict with their official duties.

9.0 Conduct at Meetings

9.1 General Rule

At all meetings of Council, Local Boards, and Committees, Members will conduct themselves with decorum in accordance with all applicable statutes and the Municipality's *Procedural By-Law* which provides for the rules of order and procedure for Council, its Local Boards, and Committees.

Commentary: As noted in Section 13, a violation of a Municipal By-law, policy or procedure will also be deemed to be a violation of the **Code of Conduct**. This is particularly applicable to the *Procedural By-law* which provides standards of conduct for all Members.

9.2 Co-operation

Members shall recognize the importance of co-operation and will strive to create an atmosphere that is conducive to solving the issues before Council, local Boards, and Committees, as the case may be.

9.3 Specific Rules of Conduct

The following specific rules of conduct apply to all Meetings of Council, Local Boards, and Committees:

- (a) Members shall listen to various points of view and use respectful language and behaviour towards those in attendance at such meetings;
- (b) Members shall not use indecent, offensive words or insulting expressions at any time toward other Members, Administration, delegations, or members of the public;
- (c) Members shall not speak in a manner that is discriminatory in nature based upon an individual's race, ancestry, place of origin, ethnic origin, creed, gender, sexual orientation, age, colour, marital status, or disability;
- (d) Members shall not distract from the business of the Municipality during presentations or when other Members, Administration, or members of the public have the floor; and
- (e) Members shall not maliciously or falsely injure another Council Member, Member of Administration, or a member of the public during a meeting of Council, Local Boards, and Committees, as the case may be.

10.0 Conduct Respecting Administration

10.1 General Rule

No Member shall use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any Members of Administration with the intent of interfering with that person's duties, including the duty to disclose improper activities.

10.2 Respect for the Neutrality and Objectivity of Administration

A Member shall be respectful of the role of Administration and its members as expert advisors who are politically neutral and objective. Members shall permit Administration to perform their roles without undue influence from any individual Member or faction of Council, Local Board, or Committee, as the case may be. Accordingly, no Member shall maliciously or falsely injure or impugn the professional or ethical reputation, or the prospects or practice of Members of Administration, and all Members shall show respect for the professional capacities of the Administration of the Municipality.

10.3 Requests of Administration

A Member wishing to make a request or inquiry of Administration shall direct the request to the Chief Administrative Officer or Director of the relevant department and the Chief Administrative Officer or Director shall correspond with the Council Member in relation to that matter. In the case of a Committee or Board, requests shall be directed to the Municipal Liaison for the Committee. Members shall not correspond with other employees in relation to Council business.

10.4 Requests of Confidential Information

A Member shall not request that Administration provide them with confidential information to which the Member does not have access and is not entitled.

10.5 Political Activities

No Member shall compel or attempt engage a Member of Administration in partisan political activities or subject a Member of Administration to threats or discrimination for their refusal to engage in such activities.

11.0 Discreditable Conduct

11.1 Obligation of Council Members

All Council Members have a duty to treat members of the public, one another, and staff appropriately and without abuse, bullying or intimidation, and to ensure that the work environment is free from discrimination and harassment.

11.2 Other Obligations to Apply

- (a) The *Ontario Human Rights Code*, the *Municipal Conflict of Interest Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Occupational Health and Safety Act*, and the *Criminal Code of Canada* apply to the conduct of all Members.
- (b) In addition, Members shall adhere to all laws, by-laws, policies and procedures of the Municipality of Lakeshore including the *Procedural By-law*, the *Remuneration By-law*, the Purchasing Policy, the Workplace Violence and Harassment Policy, the Council Members – Administration Relations Policy, and such other policies as may describe standards of conduct applicable to Members.

Commentary: Members can use social media as an effective and powerful tool. These platforms create open and instant access to the Member's constituents and the general population. Further, Council Members can use social media to build and/or enhance their personal profiles through the content they share online. Members can also gain valuable insight through online interactions with their constituents and this can, in turn, inform debate at Meetings and assist in the development of better policies for the Municipality. However, social media can be an extremely limiting platform, with very little room for nuance and context. Members have an obligation to ensure their "posts" are accurate. Members must be mindful that they are still Members of Council, Local Boards, or Committees, as the case may be – in some instances, even when using their "personal" accounts. The basic rule is as follows: ***A Member's interaction with other users on social media should be treated as if it were a face-to-face communication.*** The foregoing also applies to Conduct at Meetings (section 9) and Conduct Respecting Administration (section 10).

12.0 Transparency and Openness

12.1 Openness – General Principle

Members shall endeavour to conduct and convey Council, Local Board, and Committee business and all their duties in an open and transparent manner other than for those decisions which by virtue of legislation are authorized to be deliberated upon in a closed session, so that stakeholders can observe the process and rationale which was used to reach decisions, and the reasons for taking certain actions.

Commentary: On occasion, Members are called upon to fulfil a judicial or quasi-judicial function. It is very important in these instances for Members to be objective and to be seen to be objective in their decision making. Allegations of bias or the apprehension of bias must be avoided. Consequently, if an application is being made to Council or a Local Board or Committee, it is important that Members not have contact with the individuals in advance of the application being heard.

12.2 Accurate Communications

Members shall accurately communicate the decisions of Council, Local Boards, and Committees even if they disagree with the majority decision, and by so doing shall affirm the respect for, and integrity of, the decision-making processes of Council, the Local Board, and Committee, as the case may be.

12.3 Refraining from Disparaging Comments

Members shall avoid criticizing decisions of Council, Local Boards, and Committees. A Member may state that they did not support a decision or voted against a decision. However, Members shall refrain from making disparaging comments about other Members or about the processes and decisions. When communicating with the public, a Member shall at all times refrain from speculating or reflecting upon the motives of other Members in respect of their actions as a Member of Council, Local Board, or Committee, as the case may be.

13.0 Failure to Adhere to Council Policies

Members shall adhere to all required policies and procedures of the Municipality of Lakeshore. This provision does not prevent a Member from requesting that an exemption from a policy be granted.

Commentary: The effect of Section 13 is two-fold: First, it provides that a violation of a Municipal policy or procedure will also be deemed to be a violation of the **Code of Conduct**. This is particularly applicable to the *Procedural By-law*; and, second, this provision does not disqualify a Member from seeking an exemption where one is available to other residents of the Municipality.

14.0 Use of Municipal Property, Services and Other Resources

14.1 Interpretation

In this section, “Other resources” can include, but are not limited to, municipally owned materials, websites, transportation and delivery services, and budgets.

14.2 General Rule

- (a) A Member shall not use municipal resources including personal, real or intellectual property, owned or leased facilities, equipment, supplies, money, staff or other resources other than in the performance of the Member’s lawful duties as a Member.

Commentary: Members shall not realize personal financial gain from the use or sale of intellectual property developed or owned by the Municipality (for example, creative writings and drawings, Municipality of Lakeshore logo and so forth), technical innovations or other items capable of being patented.

- (b) A Member shall not individually permit or authorize the use of municipal resources. Only Council is permitted to authorize the use of municipal resources.

14.3 Municipal Elections

Notwithstanding any other provisions in this **Code of Conduct**, Council Members are required to follow the provisions of the *Municipal Elections Act, 1996*. No Council Member shall use the facilities, equipment, supplies, services or other resources of the Municipality for any election campaign or campaign-related activities. Council Members shall not undertake campaign-related activities on Municipal property and shall not use the services of Administration for election-related purposes during hours in which those persons receive any compensation from the Municipality.

15.0 Remuneration

Every Member of Council shall, on an annual basis, publicly disclose all remuneration paid to him or her as a result of being elected as a Member of Council, including all amounts earned in connection with sitting on any and all Agencies, Boards, Commissions, and Council Committees to which they have been appointed by virtue of being Members of Council.

Commentary: The Treasurer discloses, on an annual basis, Members' salaries, including all amounts earned in connection with sitting on any and all Agencies, Boards, Commissions, and Council Committees to which they have been appointed by virtue of being Members of Council. Members should check with the Treasurer to ensure that all of their earnings have been disclosed and, if they have not, a supplementary disclosure should be made.

16.0 Business Relations

16.1 Acting as a Paid Agent

No Member shall act as a paid agent before Council, its committees, or an agency, board, or commission of the Municipality except in compliance with the *Municipal Conflict of Interest Act*.

16.2 Referral for Payment

No Member shall refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

16.3 Borrowing Money

No Member shall borrow money from any person who regularly does business with the Municipality unless such person is an institution or company regulated under the *Bank Act*, SC 1991, c 46.

17.0 Conduct Concerning Current or Prospective Employment

No Member shall allow their current employment or the prospect of their future employment by a person or entity to affect the performance of their duties to the Municipality.

Part C: Procedural Matters

18.0 Reprisals and Obstruction

Members shall respect the integrity of the **Code of Conduct** and investigations conducted under it. Any reprisal or threat of reprisal against a Complainant or anyone providing relevant information to the Integrity Commissioner is prohibited. It is also a violation of the **Code of Conduct** to obstruct the Integrity Commissioner in carrying out the responsibilities of the Office through, for example, the destruction of documents or the erasing of electronic communications.

Commentary: It is prohibited for a Member or anyone acting on behalf of a Member to obstruct the Integrity Commissioner in the investigation. Therefore, the destruction of documents or the erasing or deleting of electronic communications is prohibited. Similarly, a Member or someone acting on behalf of a Member shall not retaliate or threaten to retaliate against the Complainant or anyone offering evidence against the Member.

Example: An employee of the Municipality has complained to the Integrity Commissioner about a Member's conduct towards the employee. It would be a further exacerbating violation of the **Code of Conduct** if the Member threatened to have the employee dismissed from his/her/their position with the Municipality.

19.0 Acting on Advice of Integrity Commissioner

Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member, as long as all of the relevant facts known to the Member were disclosed in writing to the Integrity Commissioner prior to the written advice being requested.

20.0 Compliance and Sanctions

20.1 Recommendations for Corrective Action

Any recommendations for corrective action by the Integrity Commissioner must be permitted by law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.

20.2 Penalties May be Imposed

In accordance with Section 223.4(5) of the *Municipal Act, 2001*, Council has the authority, following a Report by the Integrity Commissioner, to impose either of two penalties on a Member of Council, a Local Board, or Committee where, in its opinion, there has been a violation of the **Code of Conduct**:

- (a) A reprimand; or
- (b) Suspension of the remuneration paid to the Member in respect of the Member's services for a period of up to 90 days.

20.3 Other Remedial Actions

For remedial purposes, the Integrity Commissioner may also recommend that Council take one or more of the following actions:

- (a) Revocation of a Member's membership on a Local Board or Committee;
- (b) Removal of a Member as the Chair of a Local Board or Committee;
- (c) Repayment or reimbursement of monies received;
- (d) Return of property or reimbursement of its value; or
- (e) Request an apology to Council, the Complainant, or both.

Commentary: Pursuant to Section 223.4(5) of the *Municipal Act, 2001*, Council has, for the purpose of denunciation and deterrence, the authority, following a Report by the Integrity Commissioner, to take corrective action by imposing either of the two penalties noted in section 20.2. However, for remedial purposes, Council may take one or more of the actions noted in section 20.3. In both instances, however, the role of the Integrity Commissioner is to make recommendations; it is the role of Council to take the appropriate corrective or remedial action or both.

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, March 23, 2021, 6:00 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 Services Krystal Kalbol, Director of Finance Rosanna Pellerito, Director of Legislative & Legal Services Kristen Newman, Manager of Building Services Morris Harding, Manager of Communications & Strategic Initiatives Rita Chappell, Manager of Engineering Services Tony DiCiocco, Manager of Human Resources Lisa Granger, Manager of Information Technology Pat Girard, Manager of Legislative Services Brianna Coughlin, Manager of Operations Jeff Wilson, Manager of Recreation & Leisure Frank Jeney, Manager of Water/Wastewater Services Albert Dionne, Economic Development Officer Ryan Donally, Engineering & Infrastructure Services Advisor Nelson Cavacas

1. Call to Order

Mayor Bain called the meeting to order at 6:02 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

4. Recognitions

5. Public Meeting under the *Municipal Act, 2001*

1. Tax Adjustments under the *Municipal Act, 2001, s.357*

Mayor Bain opened the public meeting at 6:03 PM. There were no members of the public in attendance to speak to the matter.

The public meeting was closed at 6:04 PM.

90-03-2021

Moved By Councillor Wilder

Seconded By Councillor Walstedt

Authorize the reduction of taxes under section 357 of the *Municipal Act, 2001* totalling \$21,634.14 for adjustments affecting the 2018, 2019 and 2020 taxation year, as outlined in the report from the Supervisor of Revenue presented at the March 23, 2021 Council meeting.

Carried Unanimously

6. Public Meetings under the *Planning Act*

7. Public Presentations

8. Delegations

1. Lakeshore Organizational Review

The Chief Administrative Officer and delegates Andrea Spencer and Spencer Relph of Optimus SBR provided a PowerPoint presentation regarding the Organizational Review.

91-03-2021

Moved By Councillor Santarossa

Seconded By Deputy Mayor Bailey

Approve the recommendations arising from the Organizational Review in principle; and

Direct Administration to develop an implementation plan for the recommendations, as described in the report presented at the March 23, 2021 Council meeting.

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

9. Completion of Unfinished Business

10. Consent Agenda

- 1. March 9, 2021 Regular Council Meeting Minutes**
- 2. City of Sarnia - Colour Coded Capacity Limits**
- 3. Town of The Blue Mountains - COVID-19 Recovery Funding**
- 4. Township of South Glengarry - Provincial Vaccine Rollout**

92-03-2021

Moved By Councillor Janisse

Seconded By Councillor Kerr

Support the resolution of the Town of The Blue Mountains regarding COVID-19 Recovery Funding.

Carried Unanimously

93-03-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Support the resolution of the City of Sarnia regarding Colour Coded Capacity Limits.

Carried Unanimously

94-03-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

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

Carried Unanimously

11. Reports for Information

- 1. Flood Prevention Task Force Draft Minutes February 23, 2021**
- 2. Drainage Board meeting March 1st, 2021**
- 3. Police Services Board Meeting Minutes – February 22, 2021**
- 4. 2020 Council and Appointee Remuneration and Expenses**
- 5. Viability of OPP Complaint Tracking System**

6. Council Assignments Monthly Tracking Report - March 2021

95-03-2021

Moved By Councillor Wilder

Direct Administration to implement Option 2 regarding chronic traffic complaints.

In Favour (4): Mayor Bain, Councillor Wilder, Councillor Janisse, and Councillor Kerr

Opposed (4): Deputy Mayor Bailey, Councillor Santarossa, Councillor Walstedt, and Councillor McKinlay

Lost

96-03-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor McKinlay

Remove item 9-2019 (resolution 133-03-2019) from the Council Assignment Monthly Tracking Report.

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

Opposed (2): Mayor Bain, and Councillor Wilder

Carried

97-03-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

12. Reports for Direction

- 1. Tender Award – Purchase of one 2021 4x2 Tandem Axle Cab & Chassis with a One-way Plow and Wing**

98-03-2021

Moved By Councillor Wilder

Seconded By Councillor McKinlay

Award the tender for the purchase of one 2021 4x2 tandem axle cab & chassis with one-way plow and wing to Team Truck Centres in the amount of \$313,216.50 (plus HST); and,

Approve the disposal of the Public Works Service Truck (Unit #317) in accordance with the Sale of Corporate Vehicles Policy AD-209, as described in the report presented at the March 23, 2021 Council meeting.

Carried Unanimously

2. Amendments to the Yard Maintenance By-law

99-03-2021

Moved By Councillor Janisse

Seconded By Councillor Wilder

Defer consideration of the Amendments to the Yard Maintenance By-law pending additional information relating to hard-sided garbage receptacles.

Carried Unanimously

3. Municipal Accommodations Tax Report

100-03-2021

Moved By Councillor McKinlay

Seconded By Councillor Kerr

Defer consideration of the Municipal Accommodations Tax Report until after public consultation for Short Term Rentals has occurred.

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

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

Carried

13. Announcements by Mayor

14. Reports from County Council Representatives

Deputy Mayor Bailey provided a verbal update regarding matters of Essex County Council.

15. Report from Closed Session

16. Notices of Motion

Deputy Mayor Bailey advised that she would be bringing forward a motion at the next meeting relating to the proposed Hydro One Chatham to Lakeshore transmission line.

17. Question Period

18. Non-Agenda Business

101-03-2021

Moved By Councillor Walstedt

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 Manning Road Speed Limit petition.

Carried Unanimously

102-03-2021

Moved By Councillor Walstedt

Seconded By Councillor Kerr

Support the petition regarding Manning Road Speed Limit and forward the petition to the County of Essex for consideration.

Carried Unanimously

104-03-2021

Moved By Councillor Santarossa

Seconded By Councillor McKinlay

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 waiving the interest charge for property tax payment for 328 Marie Street.

Carried Unanimously

105-03-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

Direct Administration to waive the interest charge for property tax payment for 328 Marie Street.

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

Opposed (3): Mayor Bain, Councillor Wilder, and Councillor Janisse

Carried

19. Consideration of By-laws

- 1. By-law 23-2021, Being a Tile Drainage Rating By-law**
- 2. By-law 30-2021, Being a By-law to Waive Fees relating to Temporary Outdoor Patios during the COVID-19 Emergency**
- 3. By-law 31-2021, Being a By-law to Confirm proceedings of Council for March 9th, 2021 Meeting**

106-03-2021

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

By-laws 23-2021, 30-2021 and 31-2021 be read and passed in open session on March 23, 2021.

Carried Unanimously

20. Closed Session

107-03-2021

Moved By Councillor McKinlay

Seconded By Councillor Santarossa

Council move into closed session in Council Chambers at 9:10 PM in accordance with:

- a. Paragraph 239(2)(d), (f) and (k) of the *Municipal Act, 2001* for the purpose of discussing labour relations or employee negotiations, advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and positions and plans to be applied to negotiations to be carried on by the Municipality relating to collective bargaining; and

- b. Paragraph 239(2)(c), (e) and (f) of the *Municipal Act, 2001* for the purpose of discussing a proposed disposition of land by the municipality, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose relating to Tecumseh Road.

Carried Unanimously

21. Return to Open Session

Council returned to open session at 9:25 PM.

22. Adjournment

108-03-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Council adjourn its meeting at 9:26 PM.

Carried Unanimously

Tom Bain
Mayor

Kristen Newman
Clerk



The Corporation of
The Township of Brock
1 Cameron St. E., P.O. Box 10
Cannington, ON L0E 1E0
705-432-2355

March 2, 2021

The Honourable Patty Hajdu
Minister of Health Canada
Via email: Patty.Hajdu@parl.gc.ca

Health Canada
Ottawa, Ontario
via email: hcinfo.infosc@canada.ca

Dear Honourable Madam:

Re: Cannabis Licencing and Enforcement

Please be advised that the Council of the Township of Brock, at their meeting held on February 22, 2021 adopted the following resolution:

Resolution Number 22-2

MOVED by **Michael Jubb** and SECONDED by **Cria Pettingill**

WHEREAS the Government of Canada introduced Bill C-45 (the Cannabis Act) to create the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation, and possession;

WHEREAS the police have not been given lawful authority to lay charges under the Cannabis Act to appropriately respond to violations of Health Canada Registrations and Licenses;

WHEREAS there is no direct communication or dedicated effort to provide a communication channel between Municipal government staff or Police Agencies for dealing with Health Canada Registrations and Licenses;

WHEREAS the Township of Brock has not been consulted by Health Canada prior to the issuance of licenses for properties not in compliance with municipal zoning by-laws; the future;

BE IT RESOLVED THAT the Township of Brock requests that Health Canada:

1. Require Federal Licenses and Registrations for Designated Growers to conform with local zoning and control by-laws;
2. Ensure local authorities are provided with notification of any licence issuance, amendment, suspension, reinstatement or revocation within their region;

Received by
MARCH 22, 2021
COUNCIL

If this information is required in an accessible format,
please contact the Township at 705-432-2355.

3. Provide dedicated communication with local governments and Police services;
4. Provide lawful authority to Police agencies to lay charges when registered or licences operations grow in excess of their registration or licence through Health Canada; and,
5. Provide enforcement support and guidance to local municipalities for dealing with land use complaints relating to Cannabis.

AND FURTHER BE IT RESOLVED THAT the Township of Brock will forward this motion by email to the following partners: All municipalities in Ontario; the MP and MPP of Haliburton–Kawartha Lakes–Brock; the Minister of Agriculture, Food and Rural Affairs; the Minister of Agriculture and Agri-Food; and the Durham Region Police Services with the request that the Federal government enact legislation to better support local governments with land use management and enforcement issues as they relate to Cannabis Production and Processing.

MOTION CARRIED

Thank you for your consideration. Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,

THE TOWNSHIP OF BROCK



Becky Jamieson
Municipal Clerk

BJ:dh

cc. The Honourable Christine Elliott, Minister of Health, Ontario –
christine.elliott@ontario.ca
The Honourable Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock -
laurie.scottco@pc.ola.org
Jamie Schmale, MP, Haliburton-Kawartha Lakes-Brock - Jamie.schmale@parl.gc.ca
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs –
minister.omafra@ontario.ca
The Honourable Marie-Claude Bibeau, Minister of Agriculture and Agri-Food - Marie-
Claude.Bibeau@parl.gc.ca
Inspector Ryan Connolly, DRPS - northdivision@drps.ca
Ontario municipalities



CORPORATION OF THE
TOWNSHIP OF HUDSON
903303 HANBURY RD.
NEW LISKEARD, ON P0J1P0
(t) 705-647-5439 (f) 705-647-6373
www.hudson.ca admin@hudson.ca

March 31st, 2021

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Attention: Premier Ford

RE: Support for Fire Departments

At the Township of Hudson's Regular Meeting of Council held on Wednesday March 3rd, 2021, the following resolution 2021-049 was put forward and passed:

WHEREAS the role of Ontario's 441 fire departments and their approximate 30,000 full, part-time, and volunteer firefighters is to protect Ontarians and their property; and

WHEREAS according to the Ontario Fire Marshal and Emergency Management's latest data, in Ontario there was over 11,000 number of loss fires, 9,500 no loss fires, 784 injuries, 91 fatalities, and over \$820 million dollars of estimated loss in 2018; and

WHEREAS fire emergencies only make up a portion of the total calls for help received by fire and emergency service departments as they respond to nearly every public emergency, disaster, or 9-1-1 call; and

WHEREAS Ontario's fire department infrastructure deficit continues to grow annually and is almost entirely borne by the municipality and local taxpayers with the majority having populations under 25,000; and

WHEREAS due to antiquated structures and equipment that do not meet current industry standards the safety of the Ontario public and Ontario firefighters is being jeopardized;

NOW THEREFORE the Council of the Corporation of the Township of Hudson resolves as follows:

1. **THAT** the Federal and Provincial Government includes apparatuses, training, equipment and structures for fire departments as eligible categories to any further infrastructure programs which will not only provide immediate stimulus to the local, provincial and federal economies given current economic uncertainty but also ensure the safety of Canadians and dedicated firefighters; and

2. **THAT** this resolution be forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Laurie Scott, Minister of Infrastructure, local MPP, local MP, the Ontario Fire Marshal, Jon Pegg, the Ontario Association of Fire Chiefs, and all Ontario Municipalities.

Please accept this for your consideration and any necessary action.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jordan Kemp', with a stylized, cursive script.

Jordan Kemp
Clerk-Treasurer
Township of Hudson



Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario N9H 1S4
Phone: 519-969-7770 Fax: 519-969-4029 www.lasalle.ca

March 30, 2021

The Honourable Chris Lewis
Member of Parliament
Chris.Lewis@parl.gc.ca

VIA EMAIL

Re: Three-Digit Suicide Prevention Hotline

At the March 23, 2021 Regular Meeting of Council, the Town of LaSalle Council passed the following resolution:

Resolution No. 465/21

"That the letter received by the House of Commons to bring a National Three-digit Suicide Prevention Hotline line to Canada be endorsed."

Carried.

The correspondence received by the House of Commons has been attached for your convenience.

Thank you,

Agatha Robertson
Director of Council Services/Clerk



Cc:

Taras Natyshak, MPP
tnatyshak-qp@ndp.on.ca

Patty Haju, Federal Minister of Health
Patty.Haju@parl.gc.ca

Canadian Radio-television and Telecommunications
response@ccts-cprst.ca

County of Essex – Mary Birch
City of Windsor – Valerie Critchley
Municipality of Leamington - Brenda Percy
Municipality of Lakeshore - Kristen Newman
Town of Kingsville – Jennifer Astrologo
Town of Amherstburg - Paula Parker
Town of Essex - Robert Auger
Town of Tecumseh - Laura Moy





February 12, 2021

LASALLE TOWN COUNCIL
5950 Malden Road
LaSalle, Ontario
N9H 1S4

RECEIVED

MAR 08 2021

M. BONDY
TOWN OF LASALLE

Dear Members of LaSalle Town Council,

On December 11th, 2020, the House of Commons passed a motion introduced by Conservative MP Todd Doherty, through unanimous consent, to bring a national 3-digit suicide prevention hotline line to Canada.

That, given that the alarming rate of suicide in Canada constitutes a national health crisis, the House call on the government to take immediate action, in collaboration with our provinces, to establish a national suicide prevention hotline that consolidates all suicide crisis numbers into one easy to remember three-digit (988) hot- line that is accessible to all Canadians.

We're asking all municipalities across Canada to consider passing a motion similar, to the one below. In order to make 988 a reality, we must continue to put pressure on the government and the Canadian Radio-television and Telecommunications Commission (CRTC).

Personally, you can support the cause by signing our electronic petition at:
<https://petitions.ourcommons.ca/en/Petition/Details?Petition=e-2772>

The past year has been a challenging year. Lives and livelihoods have been lost. We have begun to see the devastating impacts that COVID has had, through isolation, on the mental health of Canadians. The rates of suicide continue to rise. As elected officials and as leaders, and especially during this period of difficulty as a nation, Canadians are counting on all of us to make a difference.

Please consider passing this motion as soon as possible.

Sincerely,

Chris Lewis, MP
Essex

Municipality of Lakeshore - Report to Council

Community & Development Services

Economic Development



To: Mayor & Members of Council
From: Tammie Ryall, Director, Community and Development Services
Date: March 18, 2021
Subject: Economic Development Officer Work Plan

Recommendation

This report is for information only.

Background

The purpose of this report is to inform Council of the activities the Economic Development Officer will be undertaking.

At the August 13th 2019 regular meeting of Council, the following resolution was passed:

390-08-2019 –

That Administration be directed to bring back a report regarding how a role relating to economic development could be developed for the Town of Lakeshore.

Carried.

A report was prepared by Administration on the Economic Development role. At the November 19, 2019 regular meeting of Council, the following resolution was passed:

507-11-2019 –

That Administration be directed to include an Economic Development Officer position in the 2020 budget to commence in late 2020.

Carried

The Economic Development Officer (EDO) began his tenure at the Town of Lakeshore, on November 10th, 2020.

Comments

The EDO has prepared the attached work plan which outlines areas of responsibility, target objectives, and performance metrics for the position in 2021 and expands into ongoing responsibilities in 2022 and 2023.

It is important for Council to note that the role of the Economic Development Officer must not be overly prescriptive in regard to work-time allocation. Development opportunities are largely driven by external stakeholders who are wishing to create a new business, grow an existing business, or locate a new company to the area. Also, with a regional economic development organization (WindsorEssex Economic Development Corporation) actively marketing the entire region, large scale projects may arise that require immediate and extended attention.

A significant amount of time and resources will be allocated to the creation of a Lakeshore Economic Development Strategy in 2021 and 2022. Multiple references will be made to this project throughout this report and in the attached documents.

Additionally, the Chief Administrative Officers of Lakeshore and Tecumseh are exploring shared opportunities for inter-municipal economic development. The EDO may become involved in this work over the 2021 calendar year. The work completed through the Lakeshore-Tecumseh relationship will be complimentary to the Lakeshore Economic Development Strategy and the overall role of the EDO.

Of note, two major external influences have - and will continue to - impact the position of EDO in 2021, 2022 and into 2023. These two influences are: the COVID-19 pandemic and the current sanitary capacity constraint at the Denis St. Pierre Water Pollution Control Plant.

These external challenges allow for the EDO to focus his work on a number of other objectives and initiatives. Primarily, the EDO will work on leading and completing a comprehensive economic development strategy for the medium and long-term growth of the Municipality's economy. Results of this strategy development will guide operational and executional plans. Council will have the opportunity to determine which of these recommendations will become strategic priorities and guide the long-term structure of this role.

Second, and spawning from the economic development strategy, the Municipality will have the opportunity to determine how it would like to be marketed to the local, regional, provincial, and international audience for either business expansion or business attraction.

Third, the EDO can spend more time on tourism destination development and subsequent promotion. While 2021 is expected to be focused on local/regional tourism, the vaccine roll-out could unlock inter-provincial and US based tourism opportunities for 2022.

Fourth, longer time-line developments can still be explored and targeted. These opportunities are generally larger in scale, and require multi-year project planning. Traditionally, FDI also requires a longer time-horizon.

Specifically related to the creation of a strategic plan, the EDO has had multiple conversations with local economic development organizations, other municipalities and other tourism related bodies. The attached work plan considers the roles and responsibilities of these groups and ensures there is no duplication of service. The Lakeshore Economic Development Strategic Plan will identify more formal alignment of services with clear integration cited between various agencies, organizations and their corresponding mandates.

For council's reference, the EDO is the point person for the ongoing transit feasibility study. The cross-departmental feasibility study team consists of Lakeshore staff from Finance, Planning, Engineering, GIS, and Communications.

This work plan primarily highlights projects ongoing in the next 12-18 months. Stretch Objectives have also been identified. These objectives are not time sensitive and can be picked-up for completion as time resources allow.

A short, mid, and long-term strategy will be identified through the Lakeshore Economic Development Strategy. Long-arc goals and targets for this role will be grounded in research and tangible data points through the Economic Development Strategy.

Others Consulted

WindsorEssex Economic Development Corporation (all departments)
Tourism Windsor Essex Pelee Island
Windsor-Essex Regional Chamber of Commerce
Ontario Tourism Innovation Lab
Town of Essex Economic Development
City of Windsor Economic Development

Financial Impacts

There are no requests for funding from Council for the EDO work plan. It is expected that there will be some financial requests made to Council for the creation and early-stage execution of the Lakeshore Economic Development Strategic Plan.

Attachments

1. Detailed Description of EDO Portfolios and Areas of Responsibility
2. EDO Objectives Cross Reference Document

Report Approval Details

Document Title:	Economic Development Officer Work Plan .docx
Attachments:	- Detailed Description of EDO Portfolios and Areas of Responsibility.pdf - EDO Objectives Cross Reference Document.pdf
Final Approval Date:	Mar 31, 2021

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

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

Appendix 1 – Detailed Description of EDO Portfolios and Areas of Responsibility

Portfolios of the Economic Development Officer Role:

1. Business creation, retention, expansion, and attraction
2. Strategic planning
3. Marketing and promotion
4. Tourism and hospitality

Each portfolio touches upon multiple functional areas of the EDO position. These functional areas are detailed following the portfolio descriptions.

Portfolio 1 - Business creation, retention, expansion, and attraction

Description: planned and coordinated efforts made to provide value to all industries of business in Lakeshore. These efforts to spur economic growth span the entire breadth of business operations and economic development areas of focus: entrepreneurial ventures, business retention, business expansion, and foreign directed investment. A key element to the business portfolio is to act as the primary point person in the Municipality to the business and developer community. The role should work to establish efficiencies and mutually beneficial processes for all stakeholders by providing a voice to business and outlet of administration while building strong relationships between parties.

Functional Areas of EDO Role:

- Business retention and expansion
- Small business and entrepreneurship
- Investment attraction
- Workforce and talent
- Marketing and promotion

Portfolio 2 – Strategic planning and implementation

Description: the process of documenting and establishing a common vision and subsequent operational plan for the Municipality of Lakeshore as it pertains to economic development and tourism over the short, medium and long-term time horizon.

Functional Areas of EDO Role:

- Creation of Lakeshore Economic Development Strategic Plan
- Infrastructure and data
- Innovation and future proofing

Portfolio 3 – Marketing and promotion

Description: the activities Lakeshore undertakes to position itself in the mind of the consumer/stakeholder in relation to economic development and tourism opportunities. The creation and promotion of information through all forms of communication channels to inform local, regional, provincial, and international businesses and stakeholders the value of Lakeshore as a community to live, work and play in.

Functional Areas of EDO Role:

- Marketing and promotions
- Tourism and events
- Investment attraction
- Workforce and talent

Portfolio 4 – Tourism and hospitality

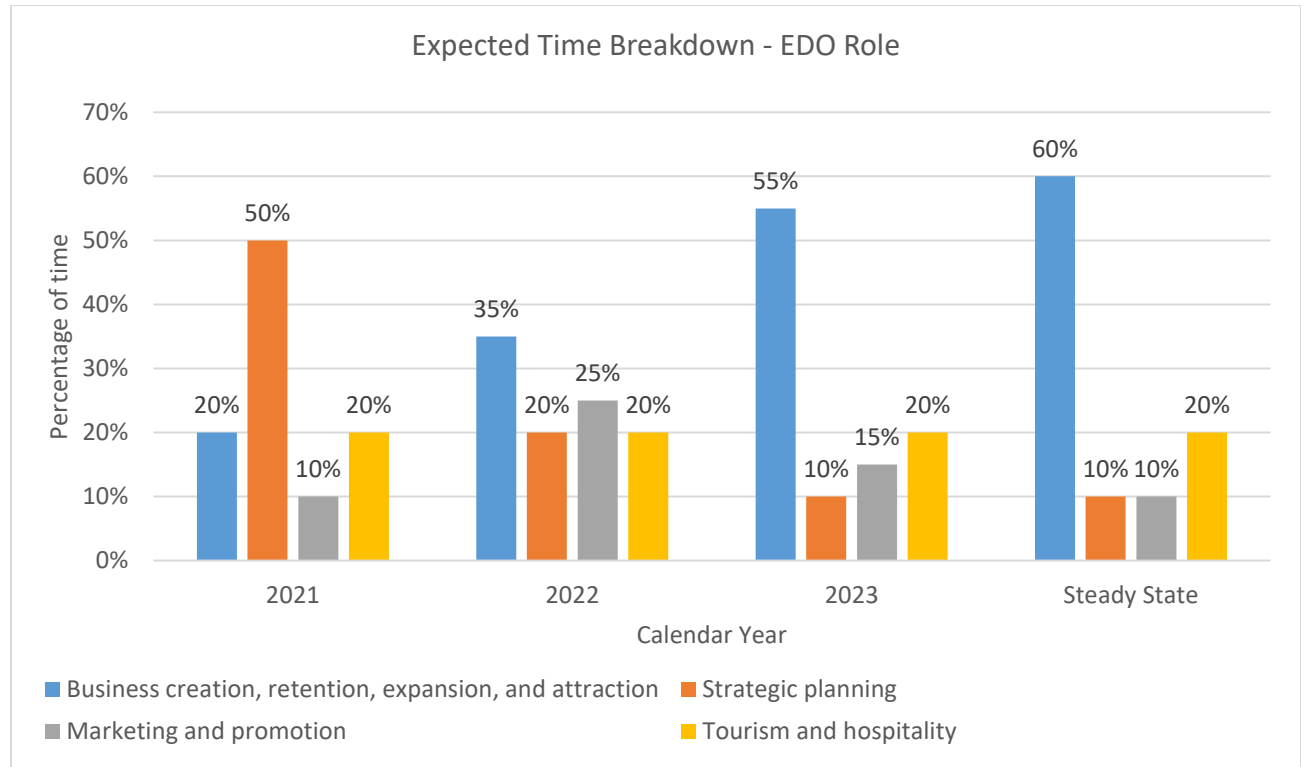
Description: often viewed as an industry of the economy as opposed to its own pillar, tourism and events should be regarded as its own pillar because of the structure of regional agencies (TWEPI vs WE EDC) and the overlapping nature of the industry as it relates to Lakeshore organizational structure (Ec. Dev and Recreation). Tourism is generally defined as people traveling outside of a 45 km radius to participate in leisure or business for not longer than one year. This definition should be extended to local residents to increase participation in the domestic tourism and hospitality sectors.

Functional Areas of EDO Role:

- Tourism and events
- Marketing and promotions

Expected Time Allocation:

The chart and table below outline the expected time allocation for the EDO position over the next 3 years and into a steady state of typical work planning.



<u>Portfolio of Role</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>Steady State</u>
Business creation, retention, expansion, and attraction	20%	35%	55%	60%
Strategic planning	50%	20%	10%	10%
Marketing and promotion	10%	25%	15%	10%
Tourism and hospitality	20%	20%	20%	20%

As visualized above, the focus of 2021 will continue to be strategic planning. As the pandemic lifts, and sanitary capacity is unlocked, the expectation of the role is to primarily serve the businesses of the community which is evident by a proposed 60% of the time allocation in the steady state. Of note, there is a spike in 2022 related to marketing and promotion as there is expected a higher than regular amount of work to be completed to build assets and marketing infrastructure.

Functional Areas – Description, Objectives, Responsibilities, Key Performance Indicators (KPIs)

Timing:

- All *RESPONSIBILITIES* are considered ongoing and have already been undertaken
- All *OBJECTIVES* are planned to begin (or have begun) in 2021. The proposed completion date is identified in brackets.

Business Retention and Expansion (BR&E)

Description	Efforts that encourage local businesses to stay and grow in the community. It is an ongoing process of interactive, two-way contact and touchpoints with local business to ensure we understand the current business climate; challenges and opportunities. Conversely, it is important that this area provides pertinent information and opportunities to the businesses from the municipality or other levels of government. BR&E can be differentiated from Small Business by employment numbers (more than 10 ee's) and types of industry (generally industrial, large commercial).
Responsibilities	<ul style="list-style-type: none"> • CIP Program Administration and Development • Primary point of business enquires/ concierge service • Engage with businesses to encourage expansion • Information and Assistance (data, networking opportunities, connections, government funding) • Provide advice (general business practice, expansion planning, multi-national planning)
Objectives 2021 & 2022 (Target Quarter)	<ul style="list-style-type: none"> • Complete BR&E strategic plan section (Q3/Q4 2021) • Create and maintain an active business directory list through a customer relationship management software project (Q1 2021) • Apply for Rural Economic Development Fund Grant through OMAFRA (Q3/Q4 2021) – (*In consultation with OMAFRA Program Reps, the EDO was recommended to apply after completion of the Strat Plan as the application would have more weight and therefore could have higher financial asks)
Stretch Objectives	<ul style="list-style-type: none"> • Form and lead industry advisory committees (Agri, Manufacturing, Small Business, Restaurants, Retail, Other) • Create process mapping document for various types of developments. Example - process for a commercial plaza development
KPIs	<ul style="list-style-type: none"> • Total investment amount

	<ul style="list-style-type: none"> • Total jobs facilitated • Business assists/match making • Events or workshops • Outreach (corporate calls/plant tours)
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Small Business and Entrepreneurship (SB&E)

Description	Similar service and offerings to BR&E but generally focused on small business (less than 10 ee's) and 'main street' business. For small business, there may be more mentoring, guiding, and consultation due to size, experience or lack of sophistication. All entrepreneurship starts as small business. This role will have some mentoring, but will be a key access point to other services in the region that specialize in this area. The strategic plan may consider structures that can be put in place by Lakeshore to support entrepreneurship.
Responsibilities	<ul style="list-style-type: none"> • Primary point of contact for business related enquiries • Business concierge service – assisting through start-up, expansion, internal Lakeshore processes • Direct and connect individuals to SBEC at WE EDC • Maintain a listing of funding sources and government support
Objectives	<ul style="list-style-type: none"> • Complete SBE strategic planning section (Q3/Q4 2021) • Maintain high degree of involvement with the Belle River on the Lake BIA. Act as key point person within Lakeshore administration.
Stretch Objectives	<ul style="list-style-type: none"> • Create starter guides for small business startups (ex. How to start a restaurant or hair salon or convenience) store.
KPIs	<ul style="list-style-type: none"> • Total investment amount • Total jobs facilitated • New startups • Business assists/ matchmaking • Business consultations - recommendations

Investment Attraction (IA)

Description	The efforts undertaken to entice a company located outside of the region to open a new branch, subsidiary, or franchise in the Municipality. Generally considered <i>Foreign</i> direct investment, for the scope of Lakeshore, we should follow the same guidelines as WE EDC whereby FDI files are companies from anywhere outside
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	of Windsor-Essex. There will be a <i>HIGH</i> degree of integration with WE EDC related to FDI as the scale and scope of projects often require regional, provincial, or federal involvement. WE EDC
Responsibilities	<ul style="list-style-type: none"> • Evaluate employment land utilization - document ownership. Contact ownership for marketability of land • Support sale/purchase of municipal land • Provide site selection data (workforce data, staffing considerations) • Ongoing and regular liaising with WE EDC Investment Attraction • Point of contact for all FDI enquiries and RFQ's
Objectives	<ul style="list-style-type: none"> • Complete IA Strategic plan section (Q3/Q4 2021) • Public and private land inventory (Q2 2021)
Stretch Objectives	<ul style="list-style-type: none"> • Develop promotional materials to be included on the WE EDC website
KPIs	<ul style="list-style-type: none"> • Active files (Low, Medium, High) • Total of jobs facilitated • Total investment amount

Tourism and Hospitality

Description	Tourism is the generally considered activities of people travelling to and staying in places outside of their usual environment for leisure, business or other purposes. Ontario Tourism generally considers anything outside of 45 km as tourism. For Lakeshore, this area of role the EDO role should be more holistic in some respects. Yes, there is and will be traditional tourism effort to bring visitors from outside of Windsor-Essex; however, consideration should be given to the general promotion of activities, events, and participation in the community by residents of Lakeshore and the surrounding municipalities. A vibrant events, hospitality and tourism industry, regardless of the geographic source of patrons, supports BR&E and small business which is a key element to the EDO position and the general success of the Lakeshore economy.
Responsibilities	<ul style="list-style-type: none"> • Liaise with Recreation and Communications to assist in management and execution of municipal-funded local events and celebrations. • Work with TWEPI in promotion of Lakeshore tourism activities • Engage with Tourism related businesses – generate listings – promote on website

	<ul style="list-style-type: none"> • Work with Lakeshore's agency of record and communications to create and maintain Lakeshore assets for tourism • Represent Lakeshore in tourism related committees and conferences • Budget management • Engage with recreation and fitness to explore sport tourism, sport tournament, and other tourism drivers • Engage with the hotel to encourage business travel and conference tourism
Objectives	<ul style="list-style-type: none"> • Launch pilot "Lakeshore experiences" pilot programming with TWEPI by working with its destination development team – review efforts (Q2 2021) • Hire a tourism and events coordinator (Q3 2021) • Complete and administer the MAT and budget (pending council approval). Create and lead Tourism Advisory Group.(Q2 2021)
Stretch Objectives	<ul style="list-style-type: none"> • Document and oversee short term accommodations (pending council direction) • Lakeshore Tourism Strategy
KPIs	<ul style="list-style-type: none"> • Number of events • Event visitors • Event economic impact (TREIM or other) • Active tourism campaigns – engagement data

Workforce and Talent

Description	Supporting the business community in the recruitment and retention of labour and talent into Lakeshore. Ensuring that the supports from Lakeshore are in place to maintain business sustainability related to labour and workforce. The promotion of Lakeshore as a premier location to live, work, and play for individuals who in or entering the workforce.
Responsibilities	<ul style="list-style-type: none"> • Maintain active data for companies – know source material • Maintain active relationships with the academic institutions and other non-profits related to workforce • Act as point of contact for enquiries related to 'living in Lakeshore' • Maintain relationships with staffing agencies • Engage with businesses if a top talent recruitment effort is underway • Maintain relationships with Lakeshore Youth Council to explore short and long-term talent strategies
Objectives	<ul style="list-style-type: none"> • Create and maintain active labour data in Lakeshore (Q2 2021)

	<ul style="list-style-type: none"> • Complete workforce and talent audit derived from primary and secondary sources (Q2 2021) • Update website to reflect labour and talent in the community (Q4 2021) • Develop project(s) scope and on-board co-op or interns from academic institutions for Lakeshore (Q3 2021)
Stretch Objectives	<ul style="list-style-type: none"> • Consider talent attraction campaign – integrate Lakeshore into other regional campaigns
KPIs	<ul style="list-style-type: none"> • Recruitment conversations • Number of campaigns • Confirmed new residents (direct from conversations)

Infrastructure and Data

Description	The tracking, documenting, and potentially assisting with planning of key infrastructure for economic development. Maintenance and tracking of data to allow for strategy creation and assistance with decision making.
Responsibilities	<ul style="list-style-type: none"> • Maintain and build awareness for current and future infrastructure and projects • Maintain resident demographic/psychographic/economic data • Maintain monthly economic development related data/ prepare semi-annual or annual reports • Work with IT/GIS to visualize data to support tourism or economic development • Build business cases and develop consensus for future infrastructure investment • Represent Lakeshore on data strategies or groups related to economic development • Maintain ongoing KPI's related to economic development and tourism. Prepare quarterly reports
Objectives	<ul style="list-style-type: none"> • Complete infrastructure and data audit for Lakeshore (to be used in Strategic Plan) (Q3/Q4 2021) • Lead transit feasibility study – deliver to council and SMT (Q3 2021)
Stretch Objectives	<ul style="list-style-type: none"> • Incorporate Lakeshore into regional data strategy • Prepare comprehensive data report for SMT/Council
KPIs	<ul style="list-style-type: none"> • External infrastructure meetings (ex.Hydro One) • Projects led • Projects supported • Committees • Quarterly report to SMT • Annual council report

Innovation and Future Proofing

Description	Ensuring that Lakeshore is aware of top trends, next generation infrastructure, smart-city initiatives, and how municipalities and business are being impacted by future expectations of work and life. Tied to infrastructure, this area is key to ensuring that Lakeshore is a progressive and future looking municipality and is not 'lost in the past'.
Responsibilities	<ul style="list-style-type: none"> Engage with next generation technology provides to ensure Lakeshore is positioned for future (broadband, 5G, autonomous vehicles, zero emissions) – related to infrastructure Ensure local businesses are aware of major changes or challenges related to tech Maintain relationships with regional for and non-profits whose mandate is related to data and technology (WE EDC's Innovation and Automobiltiy Department, Workforce Windsor Essex)
Objectives	<ul style="list-style-type: none"> Operationalize Lakeshore Economic Development Strategy
Stretch Objectives	<ul style="list-style-type: none"> Review current state of Lakeshore position relatively to Next Gen Technology Create an annual report to SMT and council regarding smart cities or next generation technology Formally engage with regional economic development groups for next-generation planning
KPIs	<ul style="list-style-type: none"> External infrastructure meetings (ex. Hydro One) Projects led Projects supported Committees Semi-annual report to SMT Annual council report

Marketing and Promotion

Description	The activities Lakeshore undertakes to position itself in the mind of the consumer/stakeholder related to economic development and tourism opportunities. The creation and promotion of information through all forms of communication channels to inform local, regional, provincial, and international businesses and stakeholders the value of Lakeshore as a community to live, work and play in.
Responsibilities	<ul style="list-style-type: none"> Maintain marketing/ promo materials for Business Retention & Attraction

	<ul style="list-style-type: none"> • Maintain marketing/ promo materials for Tourism and Events • Represent Municipality at Trade Shows and Ec. Dev meetings • Create periodic reports for council/ SMT • Ensure Lakeshore related materials are updated with WE EDC and other regional stakeholders • Attend business networking events • Work with Communications to promote business development and celebrate business success within Lakeshore. • Update SMT and council for new businesses. Work with business to promote/ highlight successes • Ensure council is present at various 'Grand Openings' for new business • Consideration of Economic Development and/or Tourism Microsites on Lakeshore.ca
Objectives	<ul style="list-style-type: none"> • Update of Lakeshore community profile (Q2 2021) • Create Lakeshore Economic Development 'pitch deck(s)' (Q3 2021) • Work with Communications on economic development marketing/communications plan • Work with communications on tourism plan (Q4 2021 & 2022) • Ensure visibility on upcoming WE EDC website (Q2 2021) • Creation of Economic Development/Tourism microsite
Stretch Objectives	<ul style="list-style-type: none"> • International marketing and promotional campaigns
KPIs	<ul style="list-style-type: none"> • Website metrics • Social media metrics (if applicable) • Campaign performance • Organic calls

EDO Objectives Cross Reference Document

Priority Objectives are highlighted in GREEN – These are time sensitive and/or required to move to the next stage of strategic planning

Stretch Objectives are highlighted in YELLOW – These are not time sensitive, and can be shifted to 2022 and beyond. These objectives can be considered secondary objectives.

Business Retention and Expansion	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
	Create and maintain an active business directory list through a customer relationship management software project		Complete BR&E strategic plan section	Apply for Rural Economic Development Fund Grant through OMAFRA		Form and lead industry advisory committees
					Operationalize Lakeshore Economic Development Strategy	Create process mapping document for various types of developments
Small Business and Entrepreneurship	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
			Complete SBE strategic planning section (Q3/Q4 2021)		Operationalize Lakeshore Economic Development Strategy	Create starter guides for small business start-ups
Investment Attraction	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
		Public and private land inventory	Complete IA Strategic plan section		Operationalize Lakeshore Economic	Develop promotional materials to be included on the

					Development Strategy	WE EDC website including
Tourism and Hospitality	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
		Launch pilot “Lakeshore experiences” pilot programming with TWEPI by working with its destination development team – review efforts	Hire a tourism and events coordinator		Operationalize Lakeshore Economic Development Strategy	Lakeshore Tourism Strategy
		Complete and administer the MAT and budget (pending council approval). Create and lead the Tourism Advisory Group			Prepare Lakeshore Tourism Strategy	Document and oversee short term accommodations (pending council direction)
Workforce and Talent	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
		Create and maintain active labour data in Lakeshore	Develop project(s) scope and on-board co-op or interns from academic institutions		Operationalize Lakeshore Economic Development Strategy	Consider talent attraction campaign – integrate Lakeshore into other regional campaigns

		Complete workforce and talent audit derived from primary and secondary sources		Update website to reflect labour and talent in the community		
Infrastructure and Data	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
			Complete infrastructure and data audit for Lakeshore (to be used in Strategic Plan)			Incorporate Lakeshore into regional data strategy (TBD timeline is not managed by Lakeshore)
			Lead transit feasibility study – deliver to council and SMT		Operationalize Lakeshore Economic Development Strategy	Prepare comprehensive data report for SMT/Council
Innovation and Future Proofing	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
						Review current state of Lakeshore position relatively to Next Gen Technology
						Create an annual report to SMT and council regarding smart cities or next generation technology

					Operationalize Lakeshore Economic Development Strategy	Formally engage with regional economic development groups for next-generation planning
Marketing and Promotion	Q1 2021	Q2 2021	Q3 2021	Q4 2021	2022	Stretch Objectives
		Update of Lakeshore community profile	Create Lakeshore Economic Development 'pitch deck(s)'	Work with Communications on economic development operational/marketing plan	Creation of Economic Development microsite on Lakeshore.ca	International marketing and promotional campaigns
		Ensure visibility on upcoming WE EDC website		Work with Communications on tourism development operational/marketing plan	Creation of Tourism and Events microsite on Lakeshore.ca	
					Operationalize Lakeshore Economic Development Strategy	

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: March 30, 2021

Subject: Moratorium on Large Water Users/Greenhouses

Recommendations

This report is for information only.

Background

On October 21, 2020 the General Manager for UWSS presented a report to the board related to the significant increase in potable water demand over the last few years and its effect on water treatment capacity and allocation.

A follow up letter was sent to the Chief Administrative Officers in Leamington, Kingsville, Essex and Lakeshore on November 2, 2020 regarding the proposed proportionate share of remaining treatment allocation. This letter was seeking support from the related Administration for the proposed allocation.

Concerns were received by UWSS from various Municipalities.

The UWSS Board reviewed the concerns, approved the allocation and further identified the need to coordinate and develop a long term plan regarding capacity and allocation through the creation of a Working Group. This group consists of representation from Administration of all the impacted Municipalities.

The General Manager of UWSS reached out to the Working Group, made up of Administration who are not board members, to commence with having discussions on future water allocation. The first Working Group meeting was held on February 24th, 2021.

Comments

Based on comments and feedback received at the initial meeting of the UWSS Working Group on February 24th, 2021, a report was presented to the UWSS Board on March 17th, 2021 recommending a temporary moratorium on new Large Water User Applications for UWSS treatment capacity allocation.

The recommendation proposed is as follows:

It was recommended that the moratorium become effective immediately. Thus new applications for large water user treatment capacity allocation would no longer be received. Furthermore, the moratorium would be subject to review/renewal 12 months after implementation.

The Moratorium on Applications for UWSS Treated Water Capacity Report was passed at the meeting.

This report is attached for further information.

Financial Impacts

There are no financial impacts. However, there could be long-term financial implications relating to the greenhouse industry generally should that be a direction in which the Municipality decides to grow.

Attachment

Moratorium on Applications for UWSS Treated Water Allocations

Report Approval Details

Document Title:	Moratorium on Large Users-Greenhouses.docx
Attachments:	- Moratorium on Applications for UWSS.pdf
Final Approval Date:	Apr 1, 2021

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

Krystal Kalbol

Rosanna Pellerito

Kristen Newman

Truper McBride

UW/16/21

Report

To: Chair and Members of the Union Water Supply System Joint Board of Management

From: Rodney Bouchard, Union Water Manager

Date: March 11, 2021

Re: Moratorium on Applications for UWSS Treated Water Allocations



Recommendation:

That the Union Water Supply Joint Board of Management (UWSS Board) implements a moratorium to take effect immediately on new requests for treated water allocations from new or existing entities that use more than 50,000 litres per day;

And further, that the moratorium would not apply to any type of residential development;

And further, that the moratorium will be in effect for up to 12 months;

And further, that the UWSS Board directs the UWSS General Manager, with support from the UWSS-Municipal Treatment Capacity Allocation Working Group (Working Group), to undertake an evaluation of all approved treated water allocations to identify any discrepancies between approved allocations versus actual water usage;

And further, that the UWSS Board directs the UWSS General Manager to deliver a report to the UWSS Board by October 31st, 2021 that provides the Working Group's conclusions and recommendations in regards to the evaluation of approved treated water allocations.

Background:

The Union Water Supply System Board of Management is responsible under Transfer Order Union W1/1999 for considering any application by a municipality within its service area for adding a large water service.

New applicants for large water services (i.e. large water users) in the UWSS service area are required to seek approval from the UWSS for treatment capacity allocation and from the local municipality for water distribution capacity. Review of large service applications for water treatment capacity allocation is completed by a consultant on behalf of the UWSS. Upon completion of an application review, the consultant issues a letter to UWSS and the local municipality that provides a recommendation in regards to treatment capacity allocation for the proposed development.

March 11, 2021 - UW/16/21

Re: Moratorium on Applications for UWSS Treated Water Allocations

A review of available records indicates that since the creation of the UWSS in 2001, almost all large service applications have been for greenhouse expansions and new greenhouse developments. It should also be noted that records indicate that most large service applications for UWSS treatment capacity have been reviewed and addressed on a "first come, first served" basis.

At the January 20th, 2021 meeting of the UWSS Board, the UWSS General Manager presented report *UW06-21 UWSS Water Treatment Capacity Allocation* (copy attached). The report highlighted the following:

- Potable water demand from the UWSS has been on a steady increase since 2015. Water demand in 2020 was 32.8% greater than 2015 demand. Most of this increase (approx. 21%) occurred between 2018 and 2020.
- The recent significant increase in water demand is attributed to moderate increase in residential growth but mainly due to significant greenhouse growth in Kingsville and Leamington. Further, some of the water demand increase is likely related to greenhouse crop switchover from food crop to cannabis, which appears to be a more water intensive crop.
- Of the UWSS' approved 24.7 million imperial gallons per day (IGPD) treatment capacity for the UWSS, approximately 2 million IGPD remains "unallocated" and is available to support growth in the UWSS service area. This remaining "unallocated" treatment capacity has been apportioned to each owner municipality based on UWSS ownership share.

Report UW06-21 also recommended the formation of a working group consisting of UWSS and municipal administration representatives to address the issue of treatment capacity allocation and to develop a more robust and equitable application process for allocation of UWSS treatment capacity. This was supported by the UWSS Board.

The UWSS-Municipal Treatment Capacity Allocation Working Group (Working Group) was created in January 2021 with support from the UWSS' 4 owner municipalities. The Working Group held its first meeting on February 24, 2021.

Discussion:

The introductory meeting of the Working Group was held on February 24th, 2020 via Zoom. The meeting included 13 participants: 2 from UWSS and 11 from the municipalities of Leamington, Kingsville, Essex and Lakeshore. Discussions at the meeting were related to various items relating to existing treatment capacity allocations, planned and projected growth in various sectors within municipalities and projected water demands.

The main item of discussion was the existing situation with greenhouse industry growth and the limited remaining treatment capacity at UWSS. This discussion resulted in

March 11, 2021 - UW/16/21

Re: Moratorium on Applications for UWSS Treated Water Allocations

agreement by Working Group participants that a moratorium should be imposed on new applications from Large Water Users, including greenhouse developments, due to the limited remaining treatment capacity. This moratorium would be in place to ensure that residential and commercial developments that are already in the planning/approval process can move ahead from a water requirement perspective. The proposed moratorium would be temporary until additional UWSS treatment capacity is made available.

Based on the comments and feedback received from municipal representatives at the February 24th, 2021 meeting of the Working Group and from subsequent consultations with staff from owner municipalities, the UWSS General Manager proposes that a temporary moratorium be implemented immediately on new applications for UWSS treated water allocations for large water users. The temporary moratorium is proposed as follows:

- Applications for new requests for treated water allocations from new or existing operation that use more than 50,000 litres per day would no longer be reviewed for approval;
- All types of residential developments would be exempt from the moratorium;
- The moratorium would extend for a period of up to 12 months and may be rescinded or extended at the discretion of the UWSS Board based on review of supporting information.

The proposed upper threshold limit of 50,000 litres/day for new applications is based on the Permit to Take Water (PTTW) application under Ontario Regulation 387/04 (Water Taking and Transfer) made under the *Ontario Water Resources Act, 1990*. By law, a person/entity must have a permit from the Ministry of Environment, Conservation and Parks (MECP) if that person/entity plans to take greater than 50,000 litres of water in a day from the environment. The UWSS General Manager stipulates that this value provides a good basis for establishing what could be considered a "large water user".

Also, as per the feedback received from the Working Group, the UWSS General Manager proposes that an evaluation of existing approved treatment capacity allocations be completed. The purpose of the evaluation would be as follows:

- Identify historical approved allocations that may never have been used. It has been recently noted during an application review that some historical allocation approvals for greenhouses have not been used. These allocations should be cancelled so that the associated treated water capacity is available for future use.
- Identify discrepancies between approved allocations and actual water usage for each operation. It should be noted that for greenhouse allocations, some historical allocations were based on 10,000 IGPd/ acre. However, based on technological improvements and conservation measures in the greenhouse industry, water

March 11, 2021 - UW/16/21

Re: Moratorium on Applications for UWSS Treated Water Allocations

usage per acre has decreased. As such, through the years, allocations were decreased to 8,000 IGPD/acre and now the standard for new applications is 6,000 IGPD/acre. Actual water usage for all allocations should be reviewed so that historical higher allocations can be reassessed to lower allocations thus freeing up treatment capacity for future growth.

- Provide recommendations for water allocation that would identify proposed volume rates for future applications.
- Provide recommendations for a revised application process that is more comprehensive and based on actual needed treated water volumes.

This evaluation would be led by UWSS with support and advice from the Working Group. The consultant that currently reviews applications for treated water allocations would also be retained to assist with this evaluation. The UWSS General Manager anticipates that a report would be provided to the UWSS Board no later than the October 20th, 2021 UWSS Board meeting.

It should be noted that support for the moratorium has been received by Working Group participants. Owner municipalities have been consulted in regards to this proposed moratorium.

Closing Comments and Recommendations:

Current treatment capacity allocation methodology has been mostly focused on the growth in the greenhouse industry and has not really taken into consideration other types of growth in the UWSS service area.

The proposed moratorium on new applications by large water users for treated water is intended to allow for continued residential development (and commercial/industrial developments that are not treated water intensive) while restricting non-residential developments that are dependent on large volumes of UWSS treated water.

This will allow the UWSS (in consultation with its owner municipalities) time to complete the required evaluations of existing and proposed future treatment capacity allocations so as to identify "unused" treatment capacity that is already allocated and to develop a more effective process for allocating future treated water requests..

Respectfully submitted,



Rodney Bouchard, General Manager
Union Water Supply System Joint Board of Management

rb/kmj

Filename: t:\union wtr\reports to board\2021\uw16-21 moratorium on applications for uwss treatment capacity allocations.docx

Attachments

Municipality of Lakeshore - Report to Council

Engineering & Infrastructure Services

Drainage Services



To: Mayor & Members of Council
From: Jill Fiorito, Drainage Superintendent
Date: March 18, 2021
Subject: Tile Loan Application for Adam Reeb – Roll No 030.000.02810

Recommendation

Approve the Tile Loan Application submitted by Adam Reeb for tiling work to be performed at 1922 Naylor Sideroad – Roll No. 030.000.02810 – in the amount of \$48,000 subject to Provincial Funding.

Background

An application for a Tile Loan under the Drainage Act, in the amount of \$48,000 has been received from Adam Reeb for tiling work to be performed in the spring of 2021 at 1922 Naylor Sideroad.

Comments

Tiling work will commence in May 2021. Funds available through the Ministry of Agriculture, Food and Rural Affairs for 2021-2022 are administered on first come first served basis with an interest rate of 6%. All subsequent tile loan applications received must be sent to the Ministry to confirm the availability of funding.

Financial Impacts

There are no budget impacts resulting from the recommendations.

Report Approval Details

Document Title:	Tile loan Application for Adam Reeb.docx
Attachments:	
Final Approval Date:	Mar 22, 2021

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

Krystal Kalbol

Rosanna Pellerito

Kristen Newman

Truper McBride

Municipality of Lakeshore - Report to Council

Engineering & Infrastructure Services

Public Works



To: Mayor & Members of Council
From: Jeff Wilson, Manager of Operations
Date: March 26, 2021
Subject: Tender Award - 2021 Supply and Place Gravel Program

Recommendation

Direct Administration to proceed with Option ____ of the report presented at the April 6, 2021 Council meeting; and,

Award the 2021 Supply and Place Gravel Program tender to Shepley Excavating & Road Maintenance Ltd.

Background

The Supply and Place Gravel Program includes 2 components.

Component 1) provides a listing of roads that are identified to receive loose top maintenance within that budgeted year. Roads typically receive loose top maintenance on a three to five year cycle. This list is based on a condition assessment of the existing gravel roads and determined through field assessment.

The 2021 maintenance identified a total of 11.8 kilometers of roadway sections that require loose top maintenance. These roadways, with the respective road lengths, are listed below:

ROAD NAME	ROAD LENGTH (meters)
Lakeshore Road 115	2660
Lakeshore Road 231	1362
Lakeshore Road 243	3128
Lakeshore Road 309	1784
Byrnedale Road	1362
Byrnedale Road	1413
Byrnedale Road	1363

Component 2) includes the stockpile of additional gravel above the noted maintenance program identified in Component 1). This gravel is stockpiled at both the Lakeshore West

and East Public Works Yards and is utilized for shouldering on hardtop roads, general maintenance (potholes on gravel roads, fine grading, etc.) as well as projects such as culvert replacements and storm sewer repairs throughout the year. The stockpile amounts required (based on previous annual amounts) are identified below:

YARD NAME	AMOUNT (TONNES)
Lakeshore West Public Works	2500
Lakeshore East Public Works	2500

Comments

The tender for Supply and Place Gravel was publicly advertised on the Bids & Tenders website on March 10, 2021. One (1) tender was received prior to tender closing. The tender closed on March 24, 2021 at 12:00 PM.

The following outlines the total amounts from the one tender received based on the two schedules (components) identified in the tender documents:

Tenderer	Price (excluding HST)	Price (including net HST)
Schedule 1 - Supply and Place Gravel (Component 1)		
Shepley Excavating & Road Maintenance Ltd.	\$280,582.50	\$285,520.75
Schedule 2 – Stockpile Gravel (Component 2)		
Shepley Excavating & Road Maintenance Ltd.	\$96,975.00	\$98,681.76
Total	\$377,557.50	\$384,202.51

Based on the tendered amounts, the total tender price to Supply & Place Gravel is \$377,557.50 (excluding HST).

The budgeted amount for Loose Top Road Maintenance in the 2021 Public Works budget is \$335,000.00. The total tender would create a budget shortfall of \$49,202.51 factoring in the non-refundable HST.

Based on the tender documents the following clause is applicable:

“Furthermore, the Town reserves the right to reduce or increase the specified quantities in this tender by up to 25%, without penalties to unit prices, subject to budget constraints and Council approval.”

Therefore, Council reserves the right to decrease the total tender price through a reduction of the total tendered quantities while holding the unit price bid.

In order to remain within the 2021 budget (through the reduction of tender quantities), Lakeshore Road 309 (1,784 meters) will be required to be removed from the scheduled maintenance gravel program and further a reduction to the stockpile gravel quantity at the West Public Works Yard (by 500 tonnes) is required, having an impact on shouldering and other maintenance works.

Although Administration strives to stay within the approved budgeted amounts, this reduction will continue to set back this maintenance program.

Financial Impacts

A summary of the 2021 budget amount, the tendered amounts and difference (over) are summarized below:

Based on the 2 identified options the financial impacts are identified below:

- 1) Option 1: Approve the total tender amount of \$384,202.51 (including net HST) whereby the financial impact is the excess amount noted above (\$49,202.51) which will be funded from the roads reserves;

OR

- 2) Option 2: Approve a decrease in tender quantities for a total tender amount of \$335,000 which falls within the approved 2021 budget amount (with no further financial impact).

Project items	2021 Budget	Contract Amount (excluding HST)	Contract Amount (incl. net HST)	Difference (over)/ under
Supply and Place Gravel		\$280,582.50	\$285,570.75	
Stockpile Gravel		\$96,975.00	\$98,681.76	
Total	\$335,000.00	\$377,557.50	\$384,202.51	(\$49,202.51)

Based on the foregoing, Administration recommends that Council award the tender to Jeff Shepley Excavating Ltd. either in the total tendered amount or in an amount within the 2021 approved budget.

Report Approval Details

Document Title:	Tender Award - 2021 Supply and Place Gravel Program .docx
Attachments:	
Final Approval Date:	Apr 1, 2021

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

Krystal Kalbol

Rosanna Pellerito

Kristen Newman

Truper McBride

Municipality of Lakeshore - Report to Council

Legislative & Legal Services

Legislative Services



To: Mayor & Members of Council

From: Brianna Coughlin, Manager of Legislative Services
Kristen Newman, Director of Legislative & Legal Services

Date: March 19, 2021

Subject: Request to Update the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Recommendation

Support the Township of Guelph/Eramosa in its advocacy for reform of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); and

Request that the Ministry of Government and Consumer Services review MFIPPA and consider the following:

1. That MFIPPA be amended to require that Council appoint a Head under MFIPPA as is the case with other statutory officials;
2. That MFIPPA be updated to address current and emerging technologies;
3. That the Information and Privacy Commissioner work with municipal institutions to encourage consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious threshold be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process or attempting to access records despite the fact that records are accessible through other processes;
6. That administrative practices implied or required under MFIPPA, including those of the IPC, be reviewed and modernized; and
7. That the integrity of MFIPPA be maintained to protect personal privacy and transparent governments; and

Send a copy of the resolution and a copy of this report to the Minister of Government and Consumer Services, the Information and Privacy Commissioner, the local MPPs, the Association of Municipalities of Ontario and all other Ontario municipalities.

Background

The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) was enacted in 1990. The purpose of the legislation is to protect the privacy of individuals with respect to their personal information, while also providing access to certain records and personal information under the custody or control of institutions. While recognized in the western world to be a leading piece of legislation at the time that it was passed, the Act is widely recognized to be out of date and requiring modernization to address new and emerging technologies, open data and best practices in relation to the protection of privacy and access to information.

Comments

The Municipality of Lakeshore has received correspondence from the Township of Guelph/Eramosa regarding advocacy for reform to MFIPPA. The correspondence is attached to this report.

Administration is in support of the recommendations for reform to the legislation. Municipal clerks across Ontario have been advocating for updating MFIPPA for several years and recently have received favourable response from both the Province and the Information and Privacy Commissioner on a number of these matters.

It is recommended that Council support the recommendations for reform at this time. Administration has provided recommendations specific to its MFIPPA expertise for consideration as well. The recommendation includes some general recommendations with respect to working on routine disclosure processes and modernization and some that are more specific.

Head as Statutory Official: The Head for the purposes of MFIPPA is Council; however, it is not practical or expedient for Council to meet to respond to access to information requests. As such, the Clerk is designated to carry out the functions of the Head of the institution for MFIPPA purposes for the Municipality of Lakeshore. Administration agrees with the recommendations from Municipal Clerks in other areas of the Province that it would be practical and reflective of the current realities of municipalities to amend MFIPPA to require Council to appoint a head for the purposes of MFIPPA, just as it is required to appoint a Clerk, Chief Building Official and Drainage Superintendent as statutory officials.

Revising the Fees: The fees associated with access to information requests have not changed since MFIPPA's inception. The fees are as follows:

- File an access to information request, \$5.00 per request.
- For photocopies and computer printouts, 20 cents per page.
- For records provided on CD-ROMs, \$10 for each CD-ROM.
- For manually searching a record, \$7.50 for each 15 minutes spent by any person.
- For preparing a record for disclosure, including severing a part of the record, \$7.50 for each 15 minutes spent by any person.
- For developing a computer program or other method of producing a record from machine readable record, \$15 for each 15 minutes spent by any person.
- The costs, including computer costs, that the institution incurs in locating, retrieving, processing and copying the record if those costs are specified in an invoice that the institution has received.

While municipal user fees authorized pursuant to the *Municipal Act, 2001* at least allow for cost recovery, the fees associated with MFIPPA are nowhere close to the cost recovery threshold thus forcing the Municipality to subsidize the cost of each individual request that is filed. The most significant amount of time in responding to a request is liaising with the various departments (there is no fee other than the general \$5.00 fee) and preparing the records for disclosure. Recovery of \$7.50 per 15 minutes does not cover the costs of an Administrative Assistant's time in preparing the records.

Revising the Frivolous/Vexatious Threshold: Lakeshore's experience has been relatively positive with respect to the nature of the requests. However, the access to information request process in many other municipalities has been rife with challenges whereby requesters have used the process to personally attack staff, advance versions of events that have no factual basis or other problematic situations.

Removal of Redundant and Routine Requests: The bulk of Lakeshore's requests in a year are typically associated with building permit documentation or requests relating to litigation proceedings. Administration supports a consistent approach across the Province to create routine disclosure processes, particularly for building permit-related and property-related Teraview/MPAC data licenced to municipalities.

Secondly, Administration recommends that records relating to pending or actual litigation be excluded from the application of MFIPPA. Litigation processes, particularly those in the civil, criminal and quasi-criminal/regulatory realm, have common law or statutory disclosure processes where a defendant or parties to the proceeding can access the information from a municipality. Often, municipalities are obliged to provide the same information through a litigation process as it produces in response to an access to information request. These are redundant processes which do not provide for a full cost recovery mechanism, thus putting the burden on the municipality to subsidize the cost twice for each process. As such, Administration supports removing the opportunity to allow for such redundant processes.

Financial Impacts

There is no financial impact as a result of the recommendation of support.

Attachments

1. Township of Guelph/Eramosa correspondence regarding Advocacy for Reform – MFIPPA Legislation
2. Township of Guelph/Eramosa Clerks Report 21-01 regarding Advocacy for Reform – MFIPPA Legislation

Report Approval Details

Document Title:	Request to Update MFIPPA Legislation.docx
Attachments:	- Township of Guelph Eramosa Advocay for Reform MFIPPA Legislation.pdf - Clerks Report 21-01 re Advocacy for Reform – MFIPPA Legislation.pdf
Final Approval Date:	Mar 31, 2021

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

Rosanna Pellerito

Truper McBride

February 8, 2021

Ministry of Municipal Affairs and Housing

17th Floor, 777 Bay Street
Toronto, ON
M7A 2J3

Attention: The Hon. Steve Clark

Re: Advocacy for Reform – MFIPPA Legislation

At the Township of Guelph/Eramosa's Regular Meeting of Council held on Monday February 1, 2021, the following resolution was put forward and passed:

Be it resolved that the Council of the Township of Guelph/Eramosa has received Clerk's Department Report 21/03 regarding Advocacy for Reform – MFIPPA Legislation; and

That that the following motions be passed in support of a request to review and reform of the Municipal Freedom of Information and Protection of Privacy Act:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Township of Guelph/Eramosa, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

Jenni Spies
Deputy Clerk

Tel: 519-856-9596
jspies@get.on.ca

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in

requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;

6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

Please accept this for your information and any necessary action.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jenni Spies', with a stylized, cursive script.

Jenni Spies
Deputy Clerk

Cc. Ted Arnott, MPP Wellington-Halton Hills
Michael Chong, MP Wellington-Halton Hills
Minister of Consumer Services
Information and Privacy Commissioner of Ontario
Association of Municipalities of Ontario
Association of Clerks and Treasurers of Ontario
Ontario Clerks

**CLERK'S REPORT
REPORT 21/03**

TO: Mayor and Members of Council

FROM: Amanda Knight, Clerk/Director of Legislative Services

MEETING DATE: Monday, February 1, 2020

SUBJECT: Advocacy for Reform – MFIPPA Legislation

RECOMMENDATION

Be it resolved that the Council of the Township of Guelph/Eramosa has received Clerk's Department Report 21/03 regarding Advocacy for Reform – MFIPPA Legislation; and

That that the following motions be passed in support of a request to review and reform of the Municipal Freedom of Information and Protection of Privacy Act:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Township of Guelph/Eramosa, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

BACKGROUND

Many clerks across Ontario have been expressing frustrations and remarking on their experiences with MFIPPA legislation over the years, and have been looking for a mechanism to affect change.

A meeting was held with the Information and Privacy Commissioner (IPC) Senior Management Team to understand their successes and appreciate their challenges, and in September of 2019, a committee formed with the support of the Simcoe County Clerks & Treasurer's Association (SCCTA). The committee determined a mandate to seek changes to MFIPPA, improve interactions with the Information and Privacy Commissioner's Office, and improve public education on the legislation.

This committee has worked diligently over the past 14 months to examine the legislation, identify the problems that are faced by administrators and taxpayers, and come up with recommendations for reform. A presentation of their findings were developed and delivered before the Honourable Lisa Thompson, Minister of Government and Consumer Services in early October. The presentation was positively accepted, and they were encouraged to continue their advocacy locally and through other agencies and associations.

Throughout the past two months, the presentation has been delivered to the Association of Municipal Clerks and Treasurers (AMCTO) Legislative and Policy Committee, and several municipalities and Counties across Ontario, including the Township of Guelph/Eramosa.

DISCUSSION

The legislation dates back 30 years, and in this time we have seen drastic changes in government operations, public expectations, accountability and transparency measures, technology, and other legislations. MFIPPA has not been revised to keep up with the progressions that have occurred over the years.

The committee is advocating for the following changes:

1. Create a Communication Portal to provide a connection between the IPC and institutions to enhance communication, facilitate requests for documentation, process enquiries, and track status of appeals. (similar to those of the Local Planning Appeal Tribunal and the Municipal Property Assessment Corporation).
2. Designate the Clerk as the 'head' under the Act. Few municipalities do not have the clerk designated. It makes sense that the statutory officer responsible for the municipality's records, is also the person that would make determinations on access based on the legislation. In our research, PEI and Nova Scotia have already made this change.
3. Create a Stakeholder Advisory Committee representing different interest groups to provide advice to the Information and Privacy Commissioner on public education, policy and identifying emerging issues affecting access and privacy.
4. Require Routine Disclosure Policies be adopted, and develop a template through coordination of the IPC office, and AMCTO to share collective expertise, allowing for a level of consistency across the province.

-
5. Update the threshold for frivolous and vexatious actions and take in to consideration the community and available resources, as well as that the anonymity of requestors, their abusive nature and language to ensure protection from harassment as provided for in the Occupational Health and Safety Act.
 6. The application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process. Currently there are only two steps in the process that are recoverable – searching and preparing records for disclosure. Appeals can be lengthy and costly and yet those costs are not recoverable.
 7. The regulation be updated to address current and emerging technologies. Most computers do not support CD-ROMs.
 8. The administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized.

Staff are in full support of the recommended changes. The Legislative Services Department has experienced first hand the burden that the current legislation casts on municipalities, especially those of smaller size, like Guelph/Eramosa. As requests for information continue to rise, this is a timely and an extremely important initiative. We are requesting that Council support the proposed recommendation.

CONCLUSION

Modernization of the legislation, with open and transparent processes, resources for administrators and requestors, communication and technology improvements, administrative practice improvements, and respect and accountability for the taxpayer are desperately needed. Should Council adopt the recommendation put before you today, it will be circulated to clerks across the province, local MPPs, the Minister of Consumer Services, the Minister of Municipal Affairs and Housing, the Information and Privacy Commissioner of Ontario, the Association of Municipalities of Ontario (AMO), and the Association of Clerks and Treasurers of Ontario (AMCTO).

FINANCIAL IMPACT:

There is no financial impact to the 2021 budget as a result of this report.

Respectfully Submitted By:

Reviewed By:

Amanda Knight, CMO
 Clerk/Director of Legislative Services

Ian Roger, P. Eng.
 CAO

Municipality of Lakeshore - Report to Council

Community & Development Services

Building Services



To: Mayor & Members of Council
From: Morris Harding, Manager of Building Services
Date: March 25, 2021
Subject: Amendments to the Yard Maintenance By-law – Follow Up

Recommendation

Direct the Clerk to present By-law 28-2021, a By-law to amend 54-2018, being a By-law to Provide for the Maintenance of Land in a Clean and Clear Condition, for reading at the April 20, 2021 Council meeting; and,

Direct Administration to submit set fines for the new offences in the amended by-law in the amount of \$250.00, as described in the report presented at the April 6, 2021 Council meeting.

Background

This purpose of this report is to address the following motion which was passed at the September 1, 2020 Regular Council meeting:

308-09-2020

Direct Administration to bring a report regarding options to reduce stagnant water resulting from unopened pools.

Carried

Through amendments to the Yard Maintenance By-law, the following motion can also be addressed, which was passed at the May 21, 2019 Regular Council meeting.

286-05-2019

Direct Administration to bring a report regarding a regulatory by-law for garbage cans, recycle bins and debris.

Carried

At the March 23, 2021 Council meeting, Council received a report entitled, Amendments to the Yard Maintenance By-law. Council deferred the report pending further information regarding hard-sided waste receptacles but indicated an interest in seeing the swimming pool cover aspect of the by-law return to Council soon in time for the opening of pools.

Comments

Our current Yard Maintenance By-law does not have provisions that will permit the Municipality to specifically address stagnant water on pool covers, ponds or hot tubs. Adding provisions will help eliminate unsafe conditions from occurring during the spring and summer months. The By-Law amendment is also intended to deal with garbage cans, recycle bins and debris left on the road allowance or roadway. The current By-law with revised amended wording is shown in track changes in Attachment 1. The revised amendment also addresses waste receptacles being left in the roadway for too long.

Administration responsible for the solid waste collection contract will pursue discussions with the solid waste collection contractor regarding hard-sided waste receptacles and prepare a report to Council in the future.

Financial Impacts

There will be increased staff hours associated with enforcing the amendment to this By-Law. At this time figures are not available to provide Council. After the first season Administration will have a clearer understanding of the time required for enforcement and will be able to report back. Any variances in wages due to overtime costs will be reported through the quarterly variance reports.

Attachment 1: Track changes amendment

Report Approval Details

Document Title:	Amendments to Yard Maintenance By-law - Updated.docx
Attachments:	- 054-2018 - Yard Maintenance BylawAmendment20210330.docx
Final Approval Date:	Apr 1, 2021

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

Krystal Kalbol

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

THE CORPORATION OF THE TOWN OF LAKESHORE

BY-LAW NUMBER: 54-2018

BEING A BY-LAW TO PROVIDE FOR THE MAINTENANCE OF LAND IN A
CLEAN AND CLEAR CONDITION

AND WHEREAS Section 127 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipality may require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from land, not including buildings, regulate when and how these matters shall be done, prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land, and define “refuse”;

AND WHEREAS Section 425(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the *Municipal Act, 2001, S.O. 2001, c, 25*, is guilty of an offence;

AND WHEREAS Section 429 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that a municipality may establish a system of fines for offences under a by-law;

AND WHEREAS Section 446 of the *Municipal Act, 2001, S.O. 2001, c 25*, as amended, provides that a municipality may direct or require a person to do a matter or thing, and that in default of it being done by the person directed or required to do it, the municipality may have the matter or thing done at the person’s expense and add the costs of doing so to the tax roll and collect them in the same manner as property taxes;

NOW THEREFORE the Council of The Corporation of the Town of Lakeshore hereby ENACTS the following:

1. DEFINITIONS

1.1 In this By-law:

- “Building Department”

shall mean the *Building Department* of The Corporation of The Town of Lakeshore
- “Bylaw Compliance Officer”

shall mean an enforcement officer as appointed by Council of the Town of Lakeshore from time to time for the enforcement of Town Bylaws;
- “Clean”

shall mean the removal and proper disposal of *refuse* and waste material of any kind from any land within the boundaries of the Town of Lakeshore;
- “Costs”

shall mean all monetary expenses incurred by the *Municipality* throughout the process of *remedial action*, plus all other fees as prescribed in the Town of Lakeshore Tariff of Fees Bylaw, as amended, and the Municipal Act;
- “Derelict Motor Vehicle”

shall mean a *motor vehicle* that is disassembled, dismantled or in an inoperable condition and includes a *motor vehicle* that does not have a valid license plates and/or permits in accordance with the *Highway Traffic Act*;

“Domestic Waste” shall include waste belonging to or associated with a house or household or concerning or relating to the home or family;

“Grass” shall mean all forms, types and species of grasses;

“Spa” shall mean a vessel designed or intended for recreational, therapeutic, or bathing purposes commonly referred to as a swim spa, hot tub, whirlpool, hydro massage pool, jetted tub or spa.

“Industrial waste” shall include waste belonging to, relating to or associated with industry, commerce, manufacturing, trade, business, calling or occupation;

“Motor Vehicle” shall include an automobile, truck, motorcycle, snowmobile, trailer, motorhome, ATV, recreational vehicle, utility trailer and any other vehicle propelled or driven otherwise than by muscular power, including motor vehicles running solely upon rails, or a traction engine, farm tractor, self-propelled implements of husbandry or road building machine;

“Municipal Act, 2001” shall mean the *Municipal Act, 2001*, S.O. 2001, c.25, as amended;

“Municipality” shall mean the Corporation of the Town of Lakeshore;

“Naturalized Area” shall mean a property or a portion of a property, of at least .2 hectare (0.5 acres) containing intentional native vegetative growth that has been deliberately implemented to produce ground cover, forest or other natural space, including one or more species of wildflowers, shrubs, perennials, grasses, trees or combinations thereof, consistent with a managed and natural landscape other than regularly mown grass.

“Overgrown” shall mean vegetation that is: in an uncut, unkempt or unsightly state or a potential health or safety risk;

“Owner” shall mean any person, or his/her/it’s agent, who is the registered owner of a property, according to the records at the applicable Land Registry Office or as shown on the last revised assessment roll of the *Municipality*; and, for the purposes of this bylaw shall also include: an occupant in possession of all or part of a property, and/or a contractor who is carrying out work as part of a permit to construct or demolish issued by the building department;

“Swimming Pool” shall mean any body of water contained in whole or in part by artificial means, including:

a) a pond located outdoors, above or below grade, on privately owned property;

b) any body of water contained in a man-made vessel:

i. which has a minimum depth of water at any point of 610 mm and with more than 2.0 m² in potential liquid surface area; and

ii. which may be used or is capable of being used for swimming or diving or both;

	<p><u>iii. includes those swimming pools which are designed to be removed periodically on a seasonal or more frequent basis;</u></p> <p><u>and does not include a swimming pool that is:</u></p> <p><u>i. a pond or reservoir utilized for farming purposes or as part of a golf course;</u></p> <p><u>ii. those swimming pools regulated by the Ontario Building Code; or,</u></p> <p><u>iii. an existing natural body of water or stream, a privately or publicly owned storm water management facility.</u></p>
“Person”	in addition to its regular meaning, includes a business, corporation, partnership, joint venture or any director, officer or manager of a business, corporation, partnership or joint venture.
“Pond”	<u>shall mean a contained body of water not intended for swimming or diving which is located in an area permitting residential uses but does not include bodies of water that are designed for storm water retention, those located on farms, or those on golf courses.</u>
“Property”	shall mean a <i>structure</i> or part of a <i>structure</i> , and includes the lands and premises appurtenant thereto as well as <i>vacant property</i> ; but for the purposes of this bylaw shall not include any building as defined in the Building Code Act, S.O. 1992, c.23, as amended. “ <i>Properties</i> ” shall have a corresponding meaning.
“Refuse”	shall mean material that is left, thrown away, or unfit for use;
“Remedial Action”	shall mean any action taken by the <i>Municipality</i> to achieve compliance with an Order issued under section 445 of the <i>Municipal Act, 2001</i> and this By-Law, including but not limited to: the pick-up, removal, storage and/or disposal of <i>refuse, domestic waste, industrial waste, grass, weeds, motor vehicles</i> and/or <i>infestation</i> from any land within the boundaries of the Town of Lakeshore;
“Road”	shall mean a public right-of-way which has been designated and/or improved for vehicular traffic, and for greater certainty, shall include those lands adjacent to the travelled portion of the road such as sidewalks or boulevards nor privately owned.
“Sidewalk”	shall mean the portion of a municipal or county road located between the edge of the roadway and the nearest adjacent property line that has been improved with concrete or other hard surface and is intended for use by pedestrians;
“Stagnant Water”	<u>shall mean an accumulation of untreated or uncirculated water on any swimming pool cover or in any swimming pool or pond.</u>
“Storage”	shall mean the keeping of goods or materials. “ <i>Store</i> ” shall have a corresponding meaning;

“Waste Receptacle” shall mean a receptacle designed for or used for the collection of waste.

“Weeds” shall mean noxious weeds designated by or under the *Weed Control Act, R.S.O. 1990. W. 5*, as amended and any other plant meeting the common definition.

2. PROPERTY MAINTENANCE

- 2.1 Every owner of a property shall keep his/her/its property free of all garbage, refuse, domestic waste, industrial waste or other miscellaneous debris.
- 2.2 Every owner of a property shall keep his/her/its property free of any conditions that might create a health, fire or accident hazard.
- 2.3 Every owner of a property shall trim, cut or destroy weeds or grass, whether dead or alive, that are more than 20cm (8in) in height.
- 2.4 Every owner of a property shall keep vegetation (other than weeds and grass) trimmed, and kept from becoming unreasonably overgrown, or in a condition that may affect safety, visibility, or the passage of the general public.
- 2.5 Every owner of a property for which a permit to construct or demolish has been issued by the building department, shall keep all garbage, debris, building materials, equipment and other related items associated with the ongoing work in a safe, contained, and orderly manner.
- 2.6 Every owner of property shall remove a plant, tree, limb, branch or portion of it that is dead, diseased, decayed or damaged so as to prevent:
 - a) an unsafe condition, or
 - b) damage to any building.

2.7 (a) No person shall deposit any garbage, refuse or debris upon property under the ownership or control of the municipality, or upon another owner's property;

(b) No person shall permit or allow any of the person's garbage, refuse or debris to rest upon property upon the ownership or control of the municipality.

2.8 Every owner of property shall ensure that his/her/its waste receptacle is removed from property under the ownership or control of the municipality, by 5 p.m. on the day following the date of waste collection.

2.9 Where a swimming pool has been removed or demolished, the owner of a property shall restore the affected land with approved fill material to match existing site grading in a manner that will not adversely affect adjacent properties to the satisfaction of the By-law Compliance Officer.

2.72.10 Every owner of a property shall maintain the swimming pool, spa, pond and any covers so that they are free from stagnant water.

3. NATURALIZED AREAS

- 3.1 Sections 2.3 and 2.4 shall not apply to areas designated as naturalized areas, as approved by the Chief Building Official.
- 3.2 No owner shall permit or cause to be permitted the creation, modification or destruction of a naturalized area on their property without the approval of the Chief Building Official.

- 3.3 Applications for the creation, modification, or destruction of *Naturalized Areas* shall be submitted to the Chief Building Official on the prescribed form, and shall include a site-plan depicting the size and location of the lands being subject to the application, as well as any other information deemed necessary by the Chief Building Official.
- 3.4 The Chief Building Official may approve or deny any application made under Section 3.3, or require that modifications be made to the size and location of a proposed *naturalized area* for any reason. The reasons for refusal or modification of an application shall be provided to the applicant in writing.

4. REMOVAL OF SNOW AND/OR ICE

- 4.1 Every *owner* shall, within twenty-four (24) hours of a significant accumulation, as determined by the Corporation; remove all snow and/or ice from any municipal *sidewalk* adjacent to their *property*.
- 4.2 No person shall damage, or permit or cause to be damaged, any *sidewalk* or *road* during the removal of snow and/or ice.

5. DERELICT MOTOR VEHICLES

- 5.1 No *owner* shall *store*, or permit or cause to be *stored derelict motor vehicles* on his/her/its *property*.
- 5.2 No *owner* shall *store*, or permit or cause to be *stored, motor vehicle* parts or components on his/her/its *property*.
- 5.3 Sections 5.1 and 5.2 shall not apply to any *property* where those prohibitions are specifically permitted in accordance with The Town of Lakeshore Zoning Bylaw No. 2-2012, as amended.

6. ENFORCEMENT

- 6.1 A *Bylaw Compliance Officer* may enter upon any *property* at any reasonable time to determine whether the lands conform to this Bylaw or to determine whether a direction, requirement or Order made under this Bylaw or an order under Section 431 of the *Municipal Act, 2001* is being complied with.
- 6.2 For the purposes of an inspection under Section 6.1 of this Bylaw, a *Bylaw Compliance Officer* may:
 - a) require the production for inspection of documents or things that may be relevant to the land or any part thereof;
 - b) inspect and remove documents or things relevant to the land or part thereof for the purpose of making copies or extracts;
 - c) require information from any person concerning a matter related to the land or part thereof;
 - d) be accompanied by a person who has special or expert knowledge in relation to the land or part thereof;
 - e) alone or in conjunction with any person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

- 6.3** The *Bylaw Compliance Officer* may, make an order pursuant to section 445 of the *Municipal Act, 2001* regarding any contravention of this by-law.
- 6.4** An order made pursuant to section 6.3, above shall be served on the owner personally, by regular or registered mail, or by placing a placard in a conspicuous place on the property.
- 6.5** Every Order sent via registered or regular mail pursuant to section 6.4, above, shall be deemed to have been served on the third day after mailing.
- 6.6** If any *owner* or *occupant* fails to carry out the requirements of an Order under this Bylaw, the *Municipality* may do or cause to be done the *remedial action* necessary to meet the requirements of the Order and add all costs to the tax roll to be collected in the same manner as *property taxes*.
- 6.7** Having removed items from the *property* in accordance with this By-law, the *Municipality* may, in its absolute discretion, elect to *store*, or cause to be *stored*, any or all such items for a maximum of thirty (30) days in order to permit the *owner* of such items to recover and personally dispose of them and the costs of such *storage* shall form a lien on the items in accordance with the *Repair and Storage Liens Act*, R.S.O. 1990, c.R.25, as amended.

7. ADMINISTRATION

- 7.1** The *Bylaw Compliance Officer* shall be responsible for the administration and enforcement of this Bylaw.
- 7.2** If any provision of this Bylaw or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this Bylaw or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this Bylaw shall be separately valid and enforceable to the fullest extent permitted by law.
- 7.3** The *Municipality* shall not be liable to the *owner* or any other *person* by reason of any work conducted, the *storage* of any item or any other loss during the exercise of the powers contained within this Bylaw.

8. PENALTIES

- 8.1** Any person who contravenes any provision of this Bylaw is guilty of an offence and, upon conviction, is liable on a first conviction to a fine of not more than \$5,000.00 and on a subsequent conviction to a fine of not more than \$10,000.00.
- 8.2** Every person who fails to comply with an Order issued by the *Bylaw Compliance Officer* pursuant to section 6.3, above, is guilty of an offence and upon conviction, is liable to a fine of not more than \$10,000 per day for every day the offence continues after the time given for complying with the Order has expired.

9. REPEAL

- 9.1** With the passing of this bylaw, the following bylaws shall be repealed:
- Town of Lakeshore Bylaw No. 149-2003, "Refuse and Debris"

10. TITLE

10.1 This By-Law may be cited as the “Yard Maintenance Bylaw”.

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Read a first time this ~~22nd~~12th day of ~~May~~June, 2018.

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Read a second time this ~~22nd~~12th day of ~~May~~June, 2018.

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Read a third time and finally passed this ~~22nd~~12th day of ~~May~~June, 2018.

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Tom Bain, Mayor

Darlene Mooney, Deputy Clerk

Notice of Motion submitted by Deputy Mayor Bailey regarding Hydro One Transmission Line between Chatham-Kent and Lakeshore

Whereas demand for electricity in Southwestern Ontario is anticipated to grow significantly over the next several years, Hydro One has commenced a Class Environmental Assessment to construct a new transmission line between Chatham-Kent to Lakeshore;

And whereas the line selected impacts local farmers and the future development of commercial lands in Lakeshore;

Now be it resolved that the Council of the Municipality of Lakeshore direct Administration to send a letter to Hydro One supporting local residents in requesting a reconsideration of the preferred line selection for the transmission line between Chatham-Kent to Lakeshore.

Notice of Motion submitted by Councillor Wilder regarding Support Local Component

Whereas local businesses and service providers are a vital part of our local economy;

And whereas Lakeshore spends multiple millions of dollars each year on projects and services;

And whereas Lakeshore's policies regarding expenditures, including contracts, tenders, and Requests for Proposals, do not currently consider the impact on the local economy, or supporting local businesses and service providers, as part of the decision-making process;

And whereas Lakeshore seeks to support local businesses and service providers as much as possible, in recognition of their vital importance to our local economy and the contributions that they make to our communities;

Therefore be it resolved that Lakeshore consider the impact to the local economy, as part of the decision-making process for all expenditures, including all contracts, tenders and Requests for Proposals; and

Be it further resolved that a 'support local' component, be included as a criteria to be considered in all policies regarding all expenditures, including all contracts, tenders and Requests for Proposal; and

Be it further resolved that a copy of this motion be sent to the City of Windsor, County of Essex, Town of Tecumseh, Town of Lasalle, Town of Amherstburg, Town Essex, Town of Kingsville, and Municipality of Leamington.

Municipality of Lakeshore

By-law 10-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for Municipality of Lakeshore (ZBA-15-2020)

Whereas By-law 2-2012 is the Municipality's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Municipality of Lakeshore;

And whereas the Council of the Municipality of Lakeshore deems it necessary and desirable and in the best interest of proper planning to amend By-law 2-2012;

And whereas this amendment is in conformity with the Lakeshore Official Plan;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. Section 5.5, Holding Zone (h) Provisions, is amended by adding the following holding zone provision and to read as follows:

Holding Symbol	Permitted Use Until the holding symbol is removed.	Conditions for removal of the Holding Symbol.
h26	Existing uses shall be the only uses permitted in the interim.	The holding symbol shall not be removed until such time as the following have been completed to the satisfaction of the Municipality of Lakeshore: <ul style="list-style-type: none">- The applicant enters into a site plan and agreement with the Municipality of Lakeshore; and- The applicant enters into an agreement for an interim sanitary solution.

2. Schedule "A", Map 15 to By-law 2-2012, is amended by changing the zoning classification on Plan 1517 Block G Lots 1, 2 and 3, shown on Schedule "A" attached hereto and forming part of this By-law from "Mixed Use Zone (MU)" and "Residential - Low Density (R1)" to "Mixed Use Zone Exception 36 (MU-36)(h26)".
3. Section 9.15, Mixed Use (MU) Zone Exceptions is amended by adding the following immediately after 9.15.35:

“9.15.36 Mixed Use Zone Exception 36 (MU-36) as shown on Map 15, Schedule “A” of this By-law.

a) Permitted Uses:

- i. An *Stacked Townhouse Dwelling* shall be an additional permitted use

b) Zone Regulations:

- i. Notwithstanding Section 6.17(c) the front lot line shall be East Puce River Road.
- ii. Notwithstanding Section 6.5 a) v) an accessory building may be built closer to the front lot line than the main building.
- iii. Notwithstanding Section 6.5 a) ix) an accessory building shall not exceed 153.5m²
- iv. Notwithstanding Section 6.5 d) i) air conditioning units may be permitted in the front yard and exterior side yard, when screening is provided.”

4. Part 4 Definitions of Zoning By-law 2-2012 are amended by adding the following definition:

“Dwelling, Stacked Townhouse - Shall mean a dwelling containing three or more dwelling units in a building vertically configured to be two dwelling units high - ground units below upper units, exclusive of basements – where ground units are attached side-by-side and share a common vertical dividing wall, and where upper units are attached side-by-side and share a common vertical dividing wall.”

5. That the table of contents, sections numbers and page numbers be renumbered as required.
6. This by-law shall come into force in accordance with Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13.

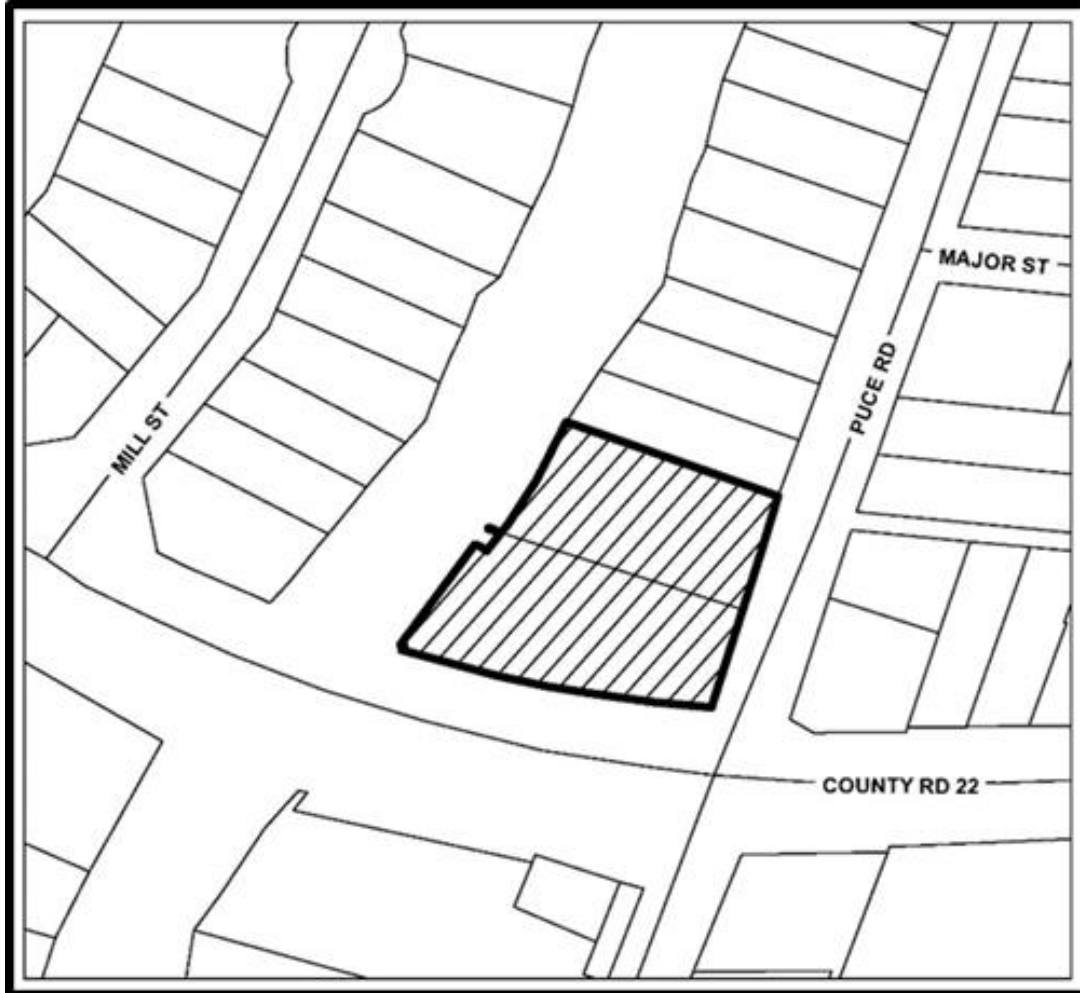
Read and passed in open session April 6, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

**Schedule “A”
to By-law 10-2021**

Plan 1517 Block G Lots 1, 2 and 3 in the Municipality of Lakeshore



Amend from “Mixed Use Zone (MU)” and “Residential – Low Density (R1)” to “Mixed Use Zone Exception 36 (MU-36)(h26)”.

Municipality of Lakeshore

By-law 34-2021

**Being a By-law to Confirm the Proceedings of the
Council of the Municipality 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 municipality 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 Municipality of Lakeshore at this session be confirmed and adopted by By-law.

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The actions of the Council of the Municipality 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 Municipality of Lakeshore, documents and transactions entered into during the March 23rd, 2021 session 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 Seal of the Municipality of Lakeshore to all documents referred to in said paragraph 1 above.

Read and passed in an open session on April 6th 2021.

**Mayor
Tom Bain**

**Kristen Newman
Clerk**

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