

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, August 10, 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. ZBA-13-2021 – Waites Farms Inc. Surplus Farm Dwelling – 9705 Lakeshore Rd. 311

8

Recommendation:

Approve Zoning By-law Amendment Application ZBA-13-2021 (By-law 64-2021, Municipality of Lakeshore By-law 2-2012), to rezone a portion of the farm parcel, indicated as the “Retained Farmland” on the Key Map, Appendix A, located at 9705 Lakeshore Rd. 311, in the Municipality of Lakeshore, from “Agriculture (A) Zone” to a site-specific “Agriculture Zone Exception (A-1)”, which prohibits a single detached dwelling, as presented in the August 10, 2021 Council report.

2. ZBA-17-2021, Ryan Marentette, 970 West Belle River Road

12

Recommendation:

Approve Zoning By-law Amendment Application ZBA-17-2021 (By-law 62 - 2021), to delete and replace the current zone category from RW1-19, Residential Waterfront – Watercourse Zone Exception 19 (RW1-19) to a new RW1-19, Residential Waterfront – Watercourse Zone Exception 19 (RW1-19), to permit a second driveway and an accessory building with a gross floor area of 178.38 m² and a height of 5.334 metres that is setback 9.14 metre from the south side lot line, for a parcel of land indicated as the “Subject Land” on the Key Map, Figure 1 (Appendix 1) located at 970 West Belle River Road, in the Community of Maidstone and adopt the implementing by-law as presented at the August 10, 2021 Council Meeting.

3. Zoning By-law Amendment ZBA-21-2021 re: Float Homes 20

Recommendation:

Approve Zoning By-law Amendment Application ZBA-21-2021 (By-law 63-2021, Lakeshore By-law 2-2012, as amended), to add the definition of Float Home to the Zoning By-law and to add this use to Section 6.62, Uses Prohibited in all Zones as presented at the August 10, 2021, Regular Council meeting.

6. Public Presentations

7. Delegations

1. Updated Zoning By-law Amendment ZBA-14-2021 – Forest Hill Phase 4B 29

Recommendation:

Approve Zoning By-law Amendment Application ZBA-14-2021 (By-law 65-2021, Lakeshore By-law 2-2012), to increase the maximum lot coverage of Lots 62, 65, 67, 83, 86 and 94, 12M-654 as indicated as the “Subject Property”, on the Key Map, Appendix A, located in the Municipality of Lakeshore, from “Residential Low Density (R1) Zone” to “Residential Low Density Zone Exception 38 (R1-38)” to increase the maximum lot coverage from 35% to 40%.

1. Karl Tanner, Dillon Consulting - Representing the Applicant

8. Completion of Unfinished Business

1. Municipal Election 2022 – Alternate Methods of Voting 41

Recommendation:

Approve the voting method of telephone/internet for the 2022 municipal election, as described in the report presented August 10, 2021; and

Direct the Clerk to prepare a by-law authorizing the alternate voting method as required by Section 42(1b) of the *Municipal Elections Act, 1996*.

9. Consent Agenda

Recommendation:

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

1. July 13, 2021 Regular Council Meeting Minutes 50

2.	City of Toronto - Bill 177 Stronger Fairer Ontario Act Changes to Provincial Offenses Act	61
3.	City of Toronto - Building the Early Learning and Child Care System	63
4.	Town of Cochrane - request to Include the PSA Test for Men into the Medical Care System	65
5.	Town of Halton Hills - Elimination of Local Planning Appeal Tribunal	67
10.	Reports for Information	
	Recommendation:	
	Receive the Reports for Information as listed on the agenda.	
1.	Committee of Adjustment Meeting Minutes – July 22, 2021	69
2.	Quarterly Building Activity Report – 2021 Q2	91
3.	Council Requested Report Tracking - July 2021	95
4.	Summary of Flooding Event on July 16, 2021	98
11.	Reports for Direction	
1.	Request for Support for Manufacturer's Limited Liquor Sales Licence – Belle River Brewhouse	121
	Recommendation:	
	Support the application of Belle River Brewhouse Inc. for a Manufacturer's Limited Liquor Sales Licence by the Alcohol and Gaming Commission of Ontario (AGCO).	
2.	Establishment and Appointment of a Hearing Committee	123
	Recommendation:	
	Direct the Clerk to read By-law 69-2021 to appoint a Hearing Committee during the "Consideration of By-laws".	
3.	Use of Council Chambers and Virtual Council Meetings	125
	Recommendation:	
	Direct Administration to prepare the necessary amendments to the Procedural By-law to allow for virtual Council meetings, as presented at the August 10, 2021 Council meeting.	

4. 2020 Capital Variance Report 135

Recommendation:

Approve the net capital transfer to/from projects of (\$62,402) as identified in Appendix A of the 2020 Capital Variance Report for the year ended December 31, 2020; and,

Approve the transfer of \$9,606,038 to the encumbrance reserve.

5. 2020 Year End Variance Reporting 140

Recommendation:

Receive the report regarding the 2020 Year End Variances for the general (taxation funded), wastewater (sanitary sewer) and water funds; and

Approve the taxation supported surplus of \$1,578,084 for the year ended December 31, 2020, and

Approve a transfer of \$1,376,406 to the Working Funds Reserve, and

Approve a transfer to the Legal reserve of \$129,293 representing the 2020 surplus in the Legal expense account budget, and

Approve a transfer to the Insurance reserve of \$73,384 representing the 2020 surplus in the overall insurance claims expense account budget, and

Approve a transfer of \$283,375 to the Building Services – Operating reserve fund to transfer the 2020 Accumulated Net Surplus per the draft 2020 Building Services Statement; and

Approve a transfer of \$491,562 representing a surplus from Wastewater (sanitary sewer) operations for the year ended December 31, 2020 to the Wastewater (Sanitary Sewer) Reserve Fund; and

Approve a transfer of \$189,600 representing a surplus from Water operations for the year ended December 31, 2020 be transferred to the Water Reserve Fund.

12. Announcements by Mayor

13. Reports from County Council Representatives

14. Report from Closed Session

15. Notices of Motion

1. **Notice of Motion submitted by Councillor Walstedt regarding the John Freeman Walls Historic Site & Underground Railroad Museum**

149

Recommendation:

Whereas the John Freeman Walls Historic Site & Underground Railroad Museum has been recognized as a national and international historic site since 1976 when Dr. Bryan Walls founded the Museum on his ancestral property;

And whereas the Municipality of Lakeshore deems the site to be an important part of our heritage which must be preserved for future generations;

And whereas the Municipality of Lakeshore has continually provided financial assistance to the Comber Agricultural Museum and the Maidstone Bicentennial Museum in the form of annual grants;

Therefore be it resolved that the Municipality of Lakeshore hereby provide the John Freeman Walls Historic Site & Underground Railroad Museum with an annual financial grant in the same amount and under the same terms and conditions as provided to the Comber Agricultural Museum and the Maidstone Bicentennial Museum and that the grant for 2021 be funded from municipal reserves.

2. **Notice of Motion submitted by Councillor Kerr regarding a Request for a Special Meeting of Council** 150

Recommendation:

Whereas Lakeshore has had many 1 in a 100 Year Storms over the past 3 years;

And whereas residents have shared their frustration with Council and Administration and basement flooding and sewage backups;

And whereas residents share that information from the Municipality to concerns on these topics create more questions than answers;

And whereas residents have asked many times for a Special Meeting of Council to share their concerns and personal stories;

Be it resolved that Council through the Mayor call for a Special Meeting Of Council in September 2021 to hear from the residents directly about their concerns of sewage backups, basement flooding's and listen to their recommendations as to how to stop these issues from happening again; and

Be it further resolved that Stantec and all other companies that Lakeshore has hired to consult or help with flood mitigation be on hand to answer questions.

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

Recommendation:

By-laws 62-2021, 63-2021, 64-2021, 65-2021, 66-2021 and 69-2021 be read and passed in open session on August 10, 2021.

- | | | |
|----|---|-----|
| 1. | By-law 62-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-17-2021) | 151 |
| 2. | By-law 63-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-21-2021) | 153 |
| 3. | By-law 64-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-13-2021) | 154 |
| 4. | By-law 65-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-14-2021) | 156 |

- | | | |
|----|--|-----|
| 5. | By-law 66-2021, Being a By-law to Confirm Proceedings of Council for the July 13, 2021 Meeting | 158 |
| 6. | By-law 69-2021, Being a By-law to Appoint a Hearing Committee | 159 |

19. Closed Session

Recommendation:

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

- a. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation affecting the municipality, advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board, relating to the Amy Croft area.

20. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Ian Search, Planner I

Date: July 21, 2021

Subject: ZBA-13-2021 – Waites Farms Inc. Surplus Farm Dwelling – 9705 Lakeshore Rd. 311

Recommendation

Approve Zoning By-law Amendment Application ZBA-13-2021 (By-law 64-2021, Municipality of Lakeshore By-law 2-2012), to rezone a portion of the farm parcel, indicated as the “Retained Farmland” on the Key Map, Appendix A, located at 9705 Lakeshore Rd. 311, in the Municipality of Lakeshore, from “Agriculture (A) Zone” to a site-specific “Agriculture Zone Exception (A-1)”, which prohibits a single detached dwelling, as presented in the August 10, 2021 Council report.

Background

The subject property is a 30.35 hectare (75 acre) parcel of farmland located east of Highway 77, south of Highway 401, and is located on the north side of Lakeshore Road 311, in the Community of Tilbury West, known municipally as, 9705 Lakeshore Road 311 (See Appendix ‘1’).

The subject property is designated ‘Agricultural’ in the Municipality of Lakeshore Official Plan and is zoned Agriculture Zone (A) in the Lakeshore Zoning By-law. The subject property is not part of any hazard lands, significant valley lands, woodlands or wetlands. It is located within the Lower Thames Valley Conservation Authority (LTVCA) Limit of Regulated Area. LTVCA stated that they had no objection to the proposal.

Recently, provisional consent (File: B/16/2021) was granted to sever a surplus dwelling lot from the farm parcel. In order to meet conditions of the provisional consent, the applicants have submitted an application to rezone the surplus dwelling lot to recognize the non-farm use and to rezone the remnant (retained) farmland to prohibit single detached dwellings. As a result of the surplus lot creation, the severed lot is automatically recognized for its non-farm residential use, as long as it is under 4 hectares or 9.88 acres. As the surplus farm lot is under 4 ha, there is no need to rezone the severed lot.

Surplus Dwelling Lot (On Plan 12R-28687)	Lot Area – 6260.48 m ² (1.547 ac.) Existing Use – single detached dwelling Proposed Use – same Access – existing driveway access from Lakeshore Road 311
Neighbouring Land Uses	North, South, East & West – agricultural lands
Official Plan	‘Agricultural’
Zoning By-law	Agriculture Zone (A)

Comments

Provincial Policy Statement

The PPS (2.3.4.1(c)(2)) permits “a residence surplus to a farming operation as a result of farm consolidation,” to be severed, “provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.”

It was a condition of the consent application which created the surplus dwelling lot, that a zoning by-law amendment application be submitted to the Municipality for the retained lands, following the surplus lot creation to ensure that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. In addition, the Municipality of Lakeshore Official Plan (Section 6.2.3 b) it requires that the non-farm parcel will be zoned to recognize the non-farm residential use and will not accommodate a livestock operation. By severing off the surplus lot, from the farm lot, the Zoning By-law automatically recognizes the surplus lot’s non-farm use (as a result of the lot’s smaller size). Therefore the proposal is consistent with the PPS.

County of Essex Official Plan and Lakeshore Official Plan and Zoning By-law

The proposal conforms to the land use and consent policies of the Agricultural designations of both the County and Lakeshore Official Plans. In order to satisfy a condition of the provisional consent to sever a surplus dwelling from the farm parcel, the “Retained Farmland” will be re-zoned from “A, Agriculture” to a site-specific “A-1 Agriculture zone” which shall prohibit a single detached dwelling.

Conclusion

Based on the foregoing, it is recommended that Council approve ZBA-13-2021 (Bylaw 64-2021) as per the Recommendation section of the report, as it is consistent with the Provincial Policy Statement and conforms to the County and Lakeshore Official Plans.

Others Consulted

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

Financial Impacts

There are no budget impacts resulting from the recommendation.

Attachment:

Appendix 1 Key Map – Waites Farms Inc.

Report Approval Details

Document Title:	ZBA-13-2021 Waites Farms Inc.docx
Attachments:	- Appendix 1 Key Map – Waites Farms Inc.pdf
Final Approval Date:	Aug 5, 2021

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

Aaron Hair

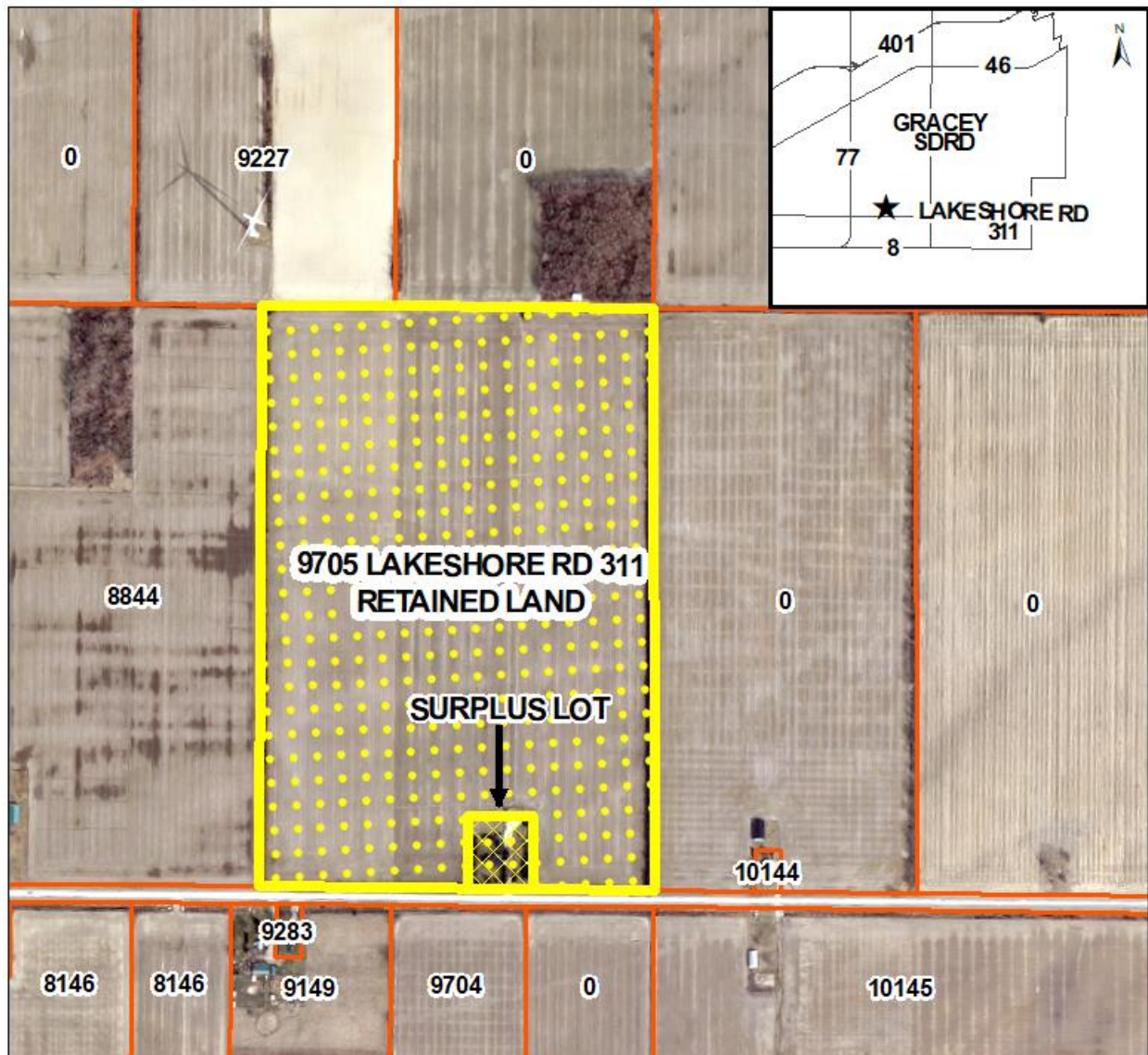
Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

Appendix 1 Key Map – Waites Farms Inc.



Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Ian Search, Planner I

Date: July 23, 2021

Subject: ZBA-17-2021, Ryan Marentette, 970 West Belle River Road

Recommendation

Approve Zoning By-law Amendment Application ZBA-17-2021 (By-law 62 - 2021), to delete and replace the current zone category from RW1-19, Residential Waterfront – Watercourse Zone Exception 19 (RW1-19) to a new RW1-19, Residential Waterfront – Watercourse Zone Exception 19 (RW1-19), to permit a second driveway and an accessory building with a gross floor area of 178.38 m² and a height of 5.334 metres that is setback 9.14 metre from the south side lot line, for a parcel of land indicated as the “Subject Land” on the Key Map, Figure 1 (Appendix 1) located at 970 West Belle River Road, in the Community of Maidstone and adopt the implementing by-law as presented at the August 10, 2021 Council Meeting.

Background

The subject property is a 3,965.92 m² (0.98 acre) residential lot, located on the east side of West Belle River Road, north of Highway 401, in the Community of Maidstone (See Appendix 1).

Last year the applicant obtained a Zoning By-law Amendment (ZBA-11-2020, By-law 58-2020) to permit a 118.92 m² (1,280 ft²) accessory building as an additional permitted use on the subject property. The applicant has since determined that the size of the accessory building will be inadequate for the seasonal storage of his boats and other personal belongings, and has reapplied to permit an accessory building with a gross floor area of 178.38 m² (1,920 ft²) and a height of 5.334 metres (17.5 feet). Additionally, the applicant is applying for a second driveway that he will utilize for the proposed accessory building.

Subject Parcel	Lot Area – 0.98 acres Existing Use – single detached dwelling Proposed Use – accessory building for personal storage proposed as an additional permitted use with a gross floor area of 178.38 m ² (1,920 ft ²) and a height of 5.334 metres (17.5 feet), second driveway
----------------	--

	Access – existing – West Belle River Road Servicing – municipally owned and operated piped water supply, septic system
Surrounding Uses	North – residential land uses East – residential land uses West – agricultural land uses South – residential land uses
Official Plan	Waterfront Residential
Existing Zoning	RW1, Residential Waterfront - Watercourse

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 application does not conflict with the Provincial Policy Statement (PPS) 2020.

The subject property is designated ‘Settlement Area’ in the County Official Plan and “Waterfront Residential” in the Lakeshore Official Plan. A single residential dwelling and accessory uses/buildings are permitted on lands designated ‘Waterfront Residential’.

The subject property is designated “Inland Floodplain Development Control Area” and “Significant Valley Lands” along the rear lot line of the property – east of the proposed accessory building – due to a watercourse at this location. Essex Region Conservation Authority (ERCA) was circulated the application for comment and stated that they had no objection to the application. Given the low likelihood of impact on the natural environment, Administration in consultation with ERCA, determined that an Environmental Impact Assessment would not be required to support the application at the time of submission.

Zoning By-law

The subject lands are currently zoned “RW1-19, Residential Waterfront – Watercourse Zone Exception 19” which permits one accessory building with a gross floor area of 118.92 m² as an additional permitted use. Accessory buildings are permitted in any zone subject to the provisions of the Zoning By-law. Section 6.5 a) xi) of the Zoning By-law states that accessory buildings shall not exceed a height of 5 metres (16.4 feet) unless within an Agriculture Zone. An amendment to Lakeshore’s Zoning By-law 2-2012 is required in order to permit the newly proposed accessory building that will have a gross floor area of 178.38 m² (1,920 ft²) and a height of 5.334 metres (17.5 feet).

The applicant is also proposing to utilize a separate driveway/access from West Belle River Road for the accessory building. There is currently an existing driveway on the

subject property, and Section 6.41.4 d) restricts lots zoned R1, R2, **RW1**, RW2 and HR to not more than one driveway. Therefore, the proposed Zoning By-law Amendment will also permit a second driveway as an additional permitted use on the subject property.

Issues

The main issues associated with this development application, concerns suitability of the property for the proposed building, compatibility to surrounding residential uses, site design, and property values.

Suitability of the Property, Compatibility with Surrounding Uses

The lot area of the subject property is nearly 1 acre, and has a frontage of approximately 77.11 metres (253 feet), making it large enough to comfortably accommodate the accessory building, existing house and septic system. As indicated on the site plan drawing, the applicant is proposing to construct the accessory building over 9.14 metres (30 feet) from the south side lot line when a setback of only 1.5 metres (4.92 feet) is required under the By-law, thereby mitigating the impact of the accessory building on their neighbour to the south. Given the increased gross floor area and height requested, it is recommended that the by-law include a required 9.14 metre (30 feet) setback from the south side lot line to ensure impacts are mitigated.

The purpose of the size restriction in the Zoning By-law is to regulate the size of accessory buildings in a typical subdivision so that these buildings do not dominate the landscape and look out of character. Properties located on the east side of West Belle River Road just north of Lions Club Road, have significantly larger lots and frontages than a typical subdivision. Thus, there is greater separation between dwellings, and more area to accommodate an accessory building of this size without it being considered incompatible with the surrounding area. The agricultural land on the west side of the road contributes to this supportive context.

The request for a second driveway is supportable as the applicant is unable to extend their existing driveway in front of their dwelling to the proposed accessory building because of the septic system between the two buildings. Residential and agricultural lots with more than 30 metres of frontage were permitted to have two driveways under the old Maidstone Zoning By-law. The current Lakeshore Zoning By-law permits two driveways on lots with more than 30 metres of frontage, but it is limited to the Agriculture (A) zone. Unlike a typical residential lot, the subject property has 77.11 metres (253 feet) of frontage allowing it to comfortably accommodate a second driveway.

Aerial photography suggests there is currently a second driveway on the subject property that has existed just south of the proposed accessory building for many years. It is the applicant's plan to establish a new driveway system for the accessory building. Accordingly, as part of their permit process for the desired driveway the applicant will be required to remove the second driveway that currently exists on the lot.

Site Design

The proposal appears to be safe, functional and similar accessory buildings are constructed throughout the municipality.

Property Values

Frequently, when large accessory buildings are proposed, residents perceive that their property values may be negatively impacted.

Devaluation of properties is a perceived effect that is difficult to assess. Property values are influenced by many factors and are primarily determined by the condition of the property for sale and other broader, more complex forces, such as, overall area development and neighbourhood prosperity. Given the context of the area, the location and size of the proposed accessory building has no significant impact on these other conditions which determine property values. The assumption is that property values will decline with the location of the development is typically based on an idea that this one development would affect the whole neighbourhood. The building fits in with the character of the area.

Conclusion

Staff recommend approval of the Zoning By-law Amendment application as it is consistent with the 2020 PPS, County of Essex Official Plan and the Municipality of Lakeshore Official Plan.

Others Consulted

Internal departments and external agencies in accordance with *Planning Act* regulations. A Public Meeting Notice was circulated in accordance with the *Planning Act* for the August 10 Council Meeting.

Financial Impacts

There are no adverse financial budget impacts resulting from the recommendation.

Attachments

Appendix 1 - Site Plan

Appendix 2 - Elevations

Report Approval Details

Document Title:	ZBA-17-2021 Ryan Marentette.docx
Attachments:	- Appendix 1 - Site Plan.pdf - Appendix 2 - Elevations.pdf
Final Approval Date:	Aug 5, 2021

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

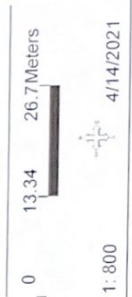
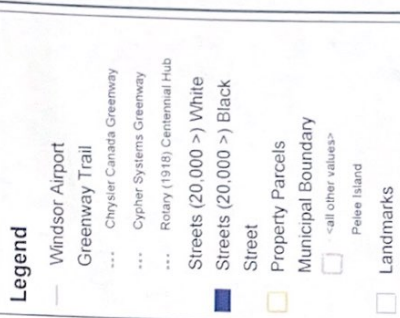
Aaron Hair

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride



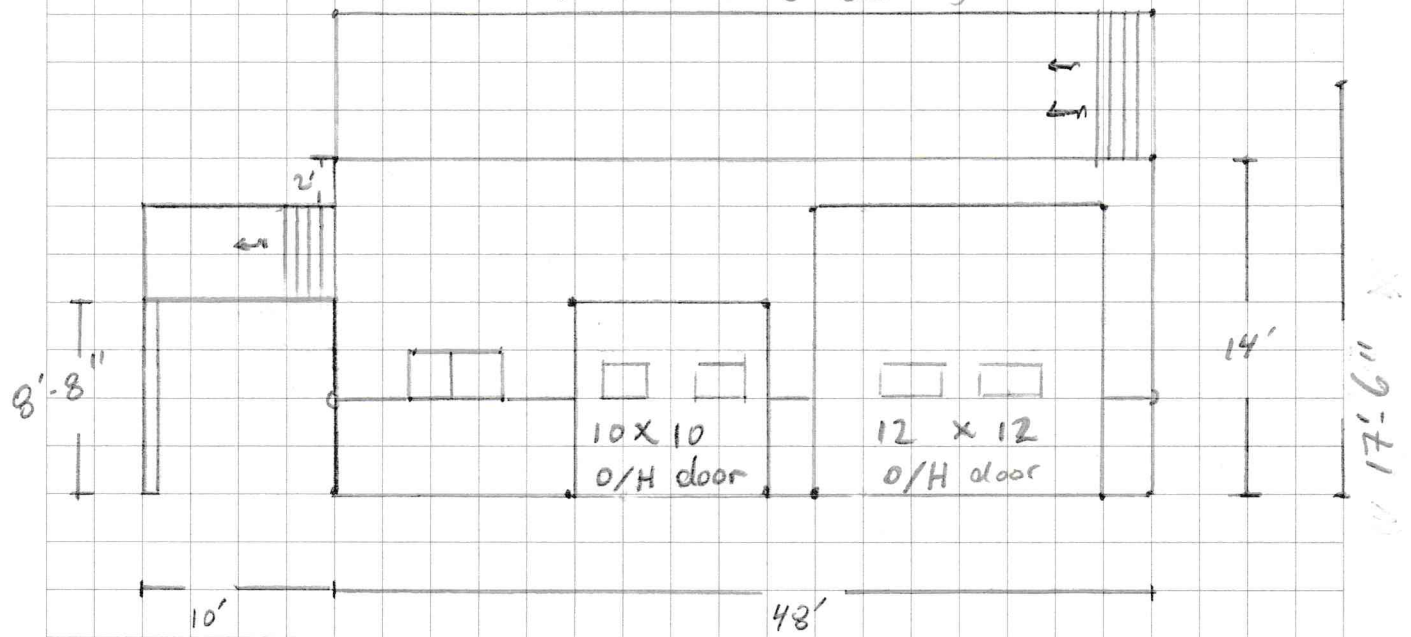
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Copyright the Corporation of the County of Essex, 2019. Data herein is provided by the Corporation of the County of Essex on an "as is" basis. Assessment parcel provided by Tranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

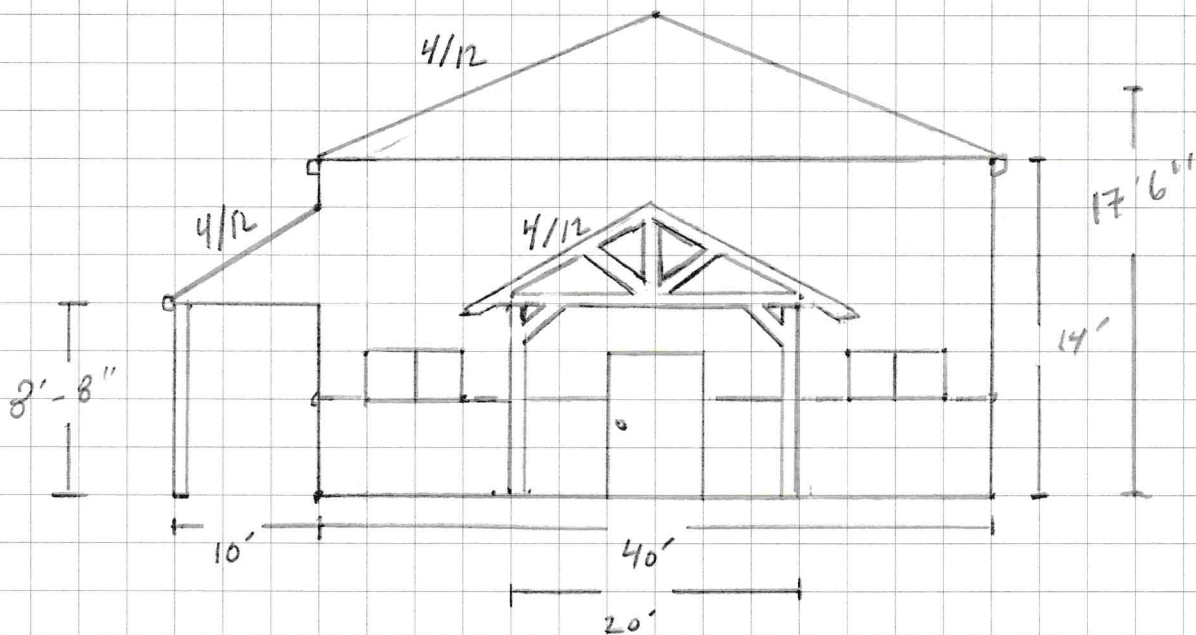
40 x 48 x 14

970 West Belle River Rd.

West Facing Building Wall



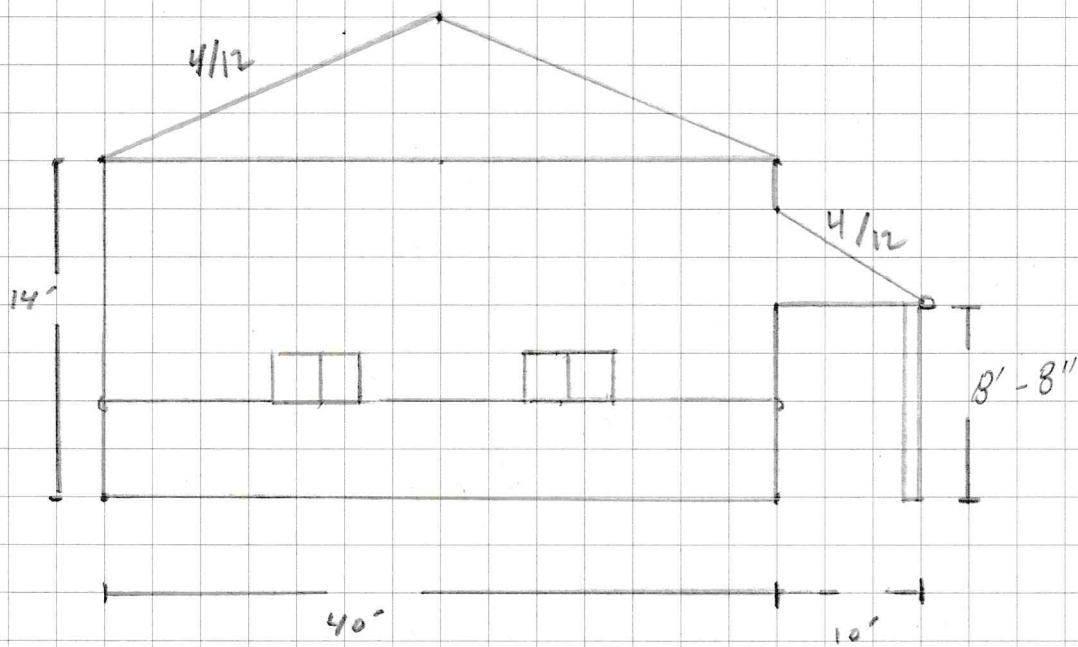
North Side Building Wall



Rear Building Wall Facing East.



Building wall Facing South.



Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Aaron Hair, Planner III

Date: July 21, 2021

Subject: Zoning By-law Amendment ZBA-21-2021 re: Float Homes

Recommendation

Approve Zoning By-law Amendment Application ZBA-21-2021 (By-law 63-2021, Lakeshore By-law 2-2012, as amended), to add the definition of Float Home to the Zoning By-law and to add this use to Section 6.62, Uses Prohibited in all Zones as presented at the August 10, 2021, Regular Council meeting.

Background

Over the past several years Lakeshore has received several inquiries regarding float homes as an alternative living accommodation. As a result of these inquiries, Lakeshore engaged Monteith Brown Planning Consultants (MBPC) and requested a planning opinion in the form of a review and analysis of the Lakeshore Zoning By-law as it relates to the establishment of float homes. MBPC also assisted the Municipality with creating a definition for a Float Home.

FLOAT HOME – shall mean a building or structure incorporating a flotation system, intended or capable of being used in whole or in part for human habitation, that functions substantially as a land building or structure while it is moored or docked and does not include any other type of dwelling as defined herein.

Attachment 1 – contains a few examples products/float homes that have been brought to the Municipality's attention. The definition and zoning by-law amendment is meant to include float homes/structures/products/vessels such as (but not limited to) these.

The Municipality of Lakeshore Zoning By-law has been structured to permit and restrict uses by incorporating provisions commonly found in such documents. Key provisions in this instance are as follows:

1.5 Permitted Uses

Any use not specifically permitted by this By-law within a defined zone shall not be permitted in the Town. A use which is defined, but not specifically

permitted by this By-law within a defined zone or by a zone exception shall not be permitted.

6.62 Uses Prohibited in all Zones

The establishment of any use of land, buildings or structures shall be in accordance with the following provisions, which apply to prohibit particular uses, buildings or structures in all zones unless otherwise stated.

e) Uses not listed as permitted uses in a zone or defined area in this By-law shall be prohibited in such zone or defined area.

Based on discussions with MBPC & Municipal staff, it is apparent that there are a number of concerns/issues associated with the float homes including, and not limited to, waste/refuse management, sanitary waste disposal, inadequate ingress/egress and serious flooding concerns.

MBPC Summary Opinion:

Based on MBPC's review and analysis of the issue at hand and all supporting materials provided to them by the Municipality of Lakeshore, it is the professional planning opinion that the establishment of "float homes" is not permitted by the Municipality of Lakeshore Zoning By-law No. 2-2012. In reaching this conclusion, they offer the following comments and observations for your consideration:

1. As set out in the Municipality of Lakeshore Official Plan, any further development at in the settlement areas is contingent upon the establishment of long-term municipal servicing. This has yet to be undertaken.
2. In the absence of a specific definition of "float home" (or similar residential use, building or structure) in the Municipality of Lakeshore Zoning By-law No. 2-2012, and in the absence of a float home being listed as a permitted use in the Residential Waterfront – Lake St. Clair (RW2) Zone, such a use is not permitted.
3. The Zoning By-law contains sufficient provisions, as typically expected in such documents and as provided for by the Planning Act, so as to preclude a specific use or range of uses from being established unless certain conditions and criteria are satisfied. There is no expressed permissions given in the Zoning By-law that would permit a float home in either the RW2 zone or through a general regulation or provision.
4. While it might be submitted that a float home, and the characteristics which distinguish float homes as an alternative and permanent type of residential occupancy, falls within the definition of a single detached dwelling, this would require a thorough evaluation of the Ontario Building Code and any pertinent definitions and standards contained therein.
5. Based on a review of the Zoning By-law definitions, a float home would not fall within the definition of any other definition of a residential use or occupancy.

6. A determination has not been made as to whether the inland channels form part of a navigable waterway, confirmation of ownership of the bed of the waterway and whether in fact the Municipality has the authority to regulate the use of the waterway.
7. The Lakeshore Official Plan does not designate the inland channels whereas the Zoning By-Law does appear to zone the channels. The Planning Act sets out the requirements to regulate “LAND” use. Arguably, float homes could be considered a water use, although float homes are designed and dependent upon being moored or tied to land. Related to this are the implications of other Provincial and Federal statutes which may apply.

While MBPC is prepared to state that the Zoning By-law does not permit float homes, further investigation is required to examine the implications of assuming jurisdiction over land use control where waterways are concerned. It is important that for now the Municipality should clearly address float homes so as to clearly legislate the treatment of such accommodation to provide clear rules for the public.

Comments

The Provincial Policy Statement states:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns

3.0 Protecting Public Health and Safety

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.

3.1.2 Development and site alteration shall not be permitted within:

- a) the dynamic beach hazard;
- b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);

- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
- d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

The County of Essex Official Plan states:

Section 2.4 Flooding and Erosion (Natural Hazards)

It is the policy of this Plan that local Official Plans direct development to areas outside of areas susceptible to flood or other hazards as depicted on Schedule “C1” of this Plan....

2.4.1 Lake St. Clair, Detroit River and Lake Erie

a) It is a policy of this Plan to identify the Lake St. Clair, Detroit River and Lake Erie floodprone areas as being susceptible to flooding and erosion hazards. The regulatory flood standard for flood plains will be the one in one hundred year (1:100) or maximum observed flood condition for the Essex Region watersheds and the one in one hundred year (1:100) or maximum observed flood condition which is the two hundred and fifty year (1:250) flood condition affecting the Thames River and its tributaries for the Lower Thames Valley watersheds.

The Lakeshore Official Plan states:

5.4.1.3 Lake St. Clair Shoreline Floodprone Area

d) Development and site alteration may be permitted in the Lake St. Clair Floodprone Areas other than those identified in Section 5.4.1.3 (c), in consultation with the appropriate Conservation Authority, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:

- i. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- ii. existing hazards are not aggravated or new hazards are not created;
- iii. no adverse environmental impacts will result, and no negative impact on natural heritage features will result. An EIA may be required to demonstrate that no adverse environmental impacts will result;
- iv. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
- v. the development does not include institutional uses, special needs housing, or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
- vi. development is carried out in accordance with established standards and procedures.

Zoning By-law

A float home, as proposed to be defined, would not fall within the definition of any other definition of a residential use or occupancy. Subject to the draft by-law amendment being adopted by Council and coming into effect, a “Float Home” would not be permitted in any zone ‘as-of-right’ and the use of any land for such purposes would require an amendment to the Zoning By-law.

As stipulated by Section 34(1) of the Planning Act, zoning by-laws may be passed by councils of local municipalities for, in part:

1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.
2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.

The Municipality of Lakeshore Zoning By-law has been structured to permit and restrict uses by incorporating the following key provisions:

1.5 Permitted Uses

Any use not specifically permitted by this By-law within a defined zone shall not be permitted in the Town. A use which is defined, but not specifically permitted by this By-law within a defined zone or by a zone exception shall not be permitted.

3.2 Licenses and Permits

No municipal license or permit shall be issued where the said license or permit is required for a proposed use of land or a proposed erection, enlargement or use of any building or structure that is in violation of any of the provisions of this By-law.

5.7 Application of Regulations

No person shall within any zone or defined area use any land or erect, build, construct, reconstruct, relocate, excavate for, alter, add to, enlarge, extend or use any building or structure, except in conformity with this by-law for the zone or defined area in which such land, building, structure or use is located.

6.62 Uses Prohibited in all Zones

The establishment of any use of land, buildings or structures shall be in accordance with the following provisions, which apply to prohibit particular uses, buildings or structures in all zones unless otherwise stated.

e) Uses not listed as permitted uses in a zone or defined area in this By-law shall be prohibited in such zone or defined area.

There are a number of other development restrictions contained in the Zoning By-law which have applicability to the establishment of float homes on the subject lands. These restrictions include the following”

6.34 Natural Hazards and Flood Protection Provisions

b) Lake St. Clair Shoreline Floodprone Area:

i) Notwithstanding any other provision of this By-law to the contrary, no part of any building or structure shall be erected on lands located within the Lake St. Clair Shoreline Floodprone Area, as shown on Schedule A of this By-law, unless:

1. the lowest opening of any such building or structure has a minimum building elevation prescribed in a permit issued by the applicable Conservation Authority in consultation with the Town;

2. the setback of the nearest wall of any such building or structure from the water's edge is prescribed in a permit issued by the applicable Conservation Authority in consultation with the Town; and

ii) No person shall construct an accessory building or structure within the prescribed setback limits, except a patio, deck, boat lift, boat well, dock, steps and/or shoreline protective works, provided that the said facilities are constructed as prescribed in a permit issued by the applicable Conservation Authority in consultation with the Town.

6.31 Lands Exhibiting Hazardous Conditions

Notwithstanding any other provisions of this By-law, no buildings or structures shall be erected or used on lands which exhibit a hazardous condition, or a potentially hazardous condition, as a result of their susceptibility to flooding, erosion, subsidence, inundation, soil contamination, or the presence of organic soils or unstable and steep slopes. Additional setbacks from these hazardous conditions shall be identified and established in consultation with the Town and the Conservation Authority.

6.51 Servicing Requirements for all Development

No person shall erect, alter or use any building or structure in any zone or defined area within the Town unless such land, building, or structure is serviced with water and a sanitary system satisfactory to the Town or its designated agent.

It is noted that the above-noted provisions reference “lands” and, in that respect, it would need to be clearly established that float homes are inextricably tied to the land and dependent upon that land for anchorage. The regulations which are specific to the subject lands, namely, the RW2 zone, limit the permitted uses to those listed in Table 7.1. A float home is not listed as a permitted use in the RW2 zone.

8.3 Residential Waterfront Zone Regulations

The following regulations shall apply to the Residential Waterfront – Watercourse (RW1) and Residential Waterfront – Lake St. Clair (RW2) zones. Refer to Section 9.0 for a list of zone exceptions.

Residential Waterfront–Lake St. Clair (RW2)
Permitted Uses As indicated in Table 7.1

Table 7.1 – Permitted Uses

- single detached dwelling
- seasonal dwelling
- group home dwelling
- home occupation
- bed and breakfast establishment

A review of the special regulations or “site-specific” zone provisions applying in the RW2 zone, being 9.6 Residential Waterfront – Lake St. Clair (RW2) Exceptions, reveals that in no instance has special permission or zoning been applied to permit a float home in the capacity of either a stand-alone use or as an additional permitted use.

Summary

Presently, no float homes exist in Lakeshore. Administration recommends bringing forward this Zoning By-law amendment in order to address float homes prior to this type of residential unit being brought in or built in Lakeshore. Providing a definition alleviates any uncertainty in the existing Zoning By-law as to whether these types of dwelling units are permitted in the municipality or not.

When the zoning by-law amendment comes into effect, a proposal to establish a float home would trigger a zoning by-law amendment application. The proposal would be reviewed to ensure conformity with the PPS, and Official Plan policies noted above; the servicing and flood proofing requirements would be reviewed; and agencies and adjacent land owners would receive notice and provided the opportunity to give comments.

If Council chooses to in the future, it can amend the Zoning By-law to permit Float Homes as of right or on a case by case basis where it is appropriate to do so. Administration is planning to undertake a comprehensive Zoning By-law review in the near future in which float homes can be included for further review and public input, if Council so wishes.

Conclusion

Administration recommends approval of the Zoning By-law amendment, as it is consistent with the Provincial Policy Statement and conforms to the County of Essex and Lakeshore Official Plan.

Others Consulted

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and Regulations. As of the writing of this report, no written submissions have been received from members of the public.

Financial Impacts

The costs incurred for the consultant to provide services relating to the preparation of this Report and By-law are covered under the Development Services budgeted consulting account.

Attachments

Attachment 1 – Float Home Examples

Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-21-2021 Float Homes.docx
Attachments:	- Attachment 1 - Float Home Examples.pdf
Final Approval Date:	Aug 5, 2021

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

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride



Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Ayusha Hanif, Planner II

Date: July 21, 2021

Subject: Updated Zoning By-law Amendment ZBA-14-2021 – Forest Hill Phase 4B

Recommendation

Approve Zoning By-law Amendment Application ZBA-14-2021 (By-law 65-2021, Lakeshore By-law 2-2012), to increase the maximum lot coverage of Lots 62, 65, 67, 83, 86 and 94, 12M-654 as indicated as the “Subject Property”, on the Key Map, Appendix A, located in the Municipality of Lakeshore, from “Residential Low Density (R1) Zone” to “Residential Low Density Zone Exception 38 (R1-38)” to increase the maximum lot coverage from 35% to 40%.

Background

The applicant had previously applied for a zoning by-law amendment that was presented at the July 13th 2021 Council Meeting, to increase the maximum lot coverage of Lots 51 – 94 (incl.), 107 – 113 (incl.), 12M-654 from 35% to 55% in order to meet the demand of larger units including rear yard decks. However, the Essex Region Conservation Authority raised some concerns with regards to Stormwater management and a decision was not made on the application in order for the storm water management concerns to be addressed.

The applicant has now come forward with a revised zoning by-law amendment application to increase the maximum lot coverage of 6 lots of the Phase 4B of the Forest Hill Subdivision from 35% to 40%. The six lots are as following Lots 62, 65, 67, 83, 86 and 94, 12M-654. Please note, due to the decrease in the request for lot coverage increase and only requesting the increase for 6 lots, it is the opinion of administration that a notice for public meeting is not required under the *Planning Act* (subsections 34(12) and 34 (17).

Proposal

The proposed zoning by-law amendment application affects 6 lots of the Phase 4B of the Forest Hill Subdivision (see Appendix A). The lands are legally described as Lots 62, 65, 67, 83, 86 and 94, 12M-654.

The application wishes to increase the maximum lot coverage of the 6 lots from 35% to 40%.

Subject Land: (6 Lots of the Forest Hill Phase 4B) 364 Christine Ave., 360 Christine Ave., 354 Christine Ave., 339 Christine Ave., 333 Christine Ave., 317 Christine Ave.	Existing Use — Low density residential Proposed Use – Low density residential Access — access off of Christine Avenue Services — municipal water, municipal sewage
Neighbouring Land Uses:	North: Residential South: Residential East: Residential (future) West: Residential
Official Plan:	Residential
Existing Zoning:	Residential – Low Density

Comments

Provincial Policy Statement

The proposed development is consistent with the policies of the 2020 Provincial Policy Statement (PPS).

County of Essex Official Plan

The subject site is located within the primary settlement area in the County of Essex Official Plan. The proposed development is consistent with the County of Essex Official Plan policies for residential development.

Municipality of Lakeshore Official Plan

The site is designated Residential in the Lakeshore Official Plan. The development proposal conforms to the residential policies of the Lakeshore Official Plan.

Zoning By-law

The subject property is currently zoned R1, in the Lakeshore Zoning By-law 2-2012, as amended. A zoning by-law amendment application has been submitted to permit the following exceptions in the R1 zone for the subject property:

- To increase the maximum lot coverage from 35% to 40%.

All other requirements shall be in accordance with the General Provisions of the R1 Zone.

Regulations of the R1 Zone:

Zone Regulations	Residential – Low Density (R1)
Minimum <i>Lot Area</i>	500 m ²
Minimum <i>Lot Frontage</i>	15.0 m
Maximum <i>Lot Coverage</i> (including <i>accessory buildings</i>)	35%
Minimum <i>Landscaped Open Space</i>	30%
Minimum <i>Setbacks (main buildings)</i> :	
Front Yard	7.5 m
Rear Yard	7.5 m
<i>Interior Side Yard</i>	1.5 m (where a private <i>garage</i> is <i>attached</i> or <i>detached</i> from the <i>main building</i>); or 3.0 m on one side and 1.5 m on the other side (where no private <i>garage</i> is <i>attached</i> or <i>detached</i> from the <i>main building</i>)
<i>Exterior Side Yard</i>	4.5 m
Maximum <i>Height of Buildings and Structures</i>	10.5 m

Examples of Other Municipalities in the County of Essex

Staff did a comparative analysis with other municipalities in the County of Essex and it was determined that other municipalities in comparable zones do allow for higher lot coverages typically up to 40% and some zone exceptions allow for greater than 45% lot coverages.

Correspondence from external and internal agencies

To address the concerns related to the increase in lot coverage a memo has been provided by the Stormwater engineer from Dillion Consulting dated July 21st, 2021(see Attachment C).

Essex Region Conservation Authority has also provided comments stating no concerns and that any future lot coverage increase will trigger the need for the Stormwater management report to be updated (Appendix D). Further, Further, Lakeshore engineering department had similar comments stating that should there be any future lot coverage increases (or any other changes that impact stormwater management) within this development, that the Stormwater management report would require updating.

Therefore Administration recommends that Council approve the zoning by-law amendment.

Conclusion

Administration recommends approval of the zoning by-law amendment, as it is consistent with the Provincial Policy Statement and conforms to the County of Essex and the Lakeshore Official Plans.

Based on the foregoing, Administration recommends that Council approve ZBA-14-2021 (By-law 65-2021) as per the Recommendation section of the report.

Others Consulted

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

Financial Impacts

There are no budget impacts resulting from the recommendation.

Attachments

Appendix A – Key Plan
Appendix B – Alternatives under the Planning Act
Appendix C – SWM Memo from Dillion Consulting
Appendix D – Comments from ERCA

Report Approval Details

Document Title:	Updated ZBA-14-2021 RE Forest Hill Phase 4B.docx
Attachments:	<ul style="list-style-type: none">- Appendix A - Key Map.pdf- Appendix B - Alternatives under the Planning Act.docx- Appendix C Forest Hills Phase 4B - Lot Coverage SWM Impact Letter.pdf- Appendix D - Comments from ERCA - July 27, 2021.pdf
Final Approval Date:	Aug 5, 2021

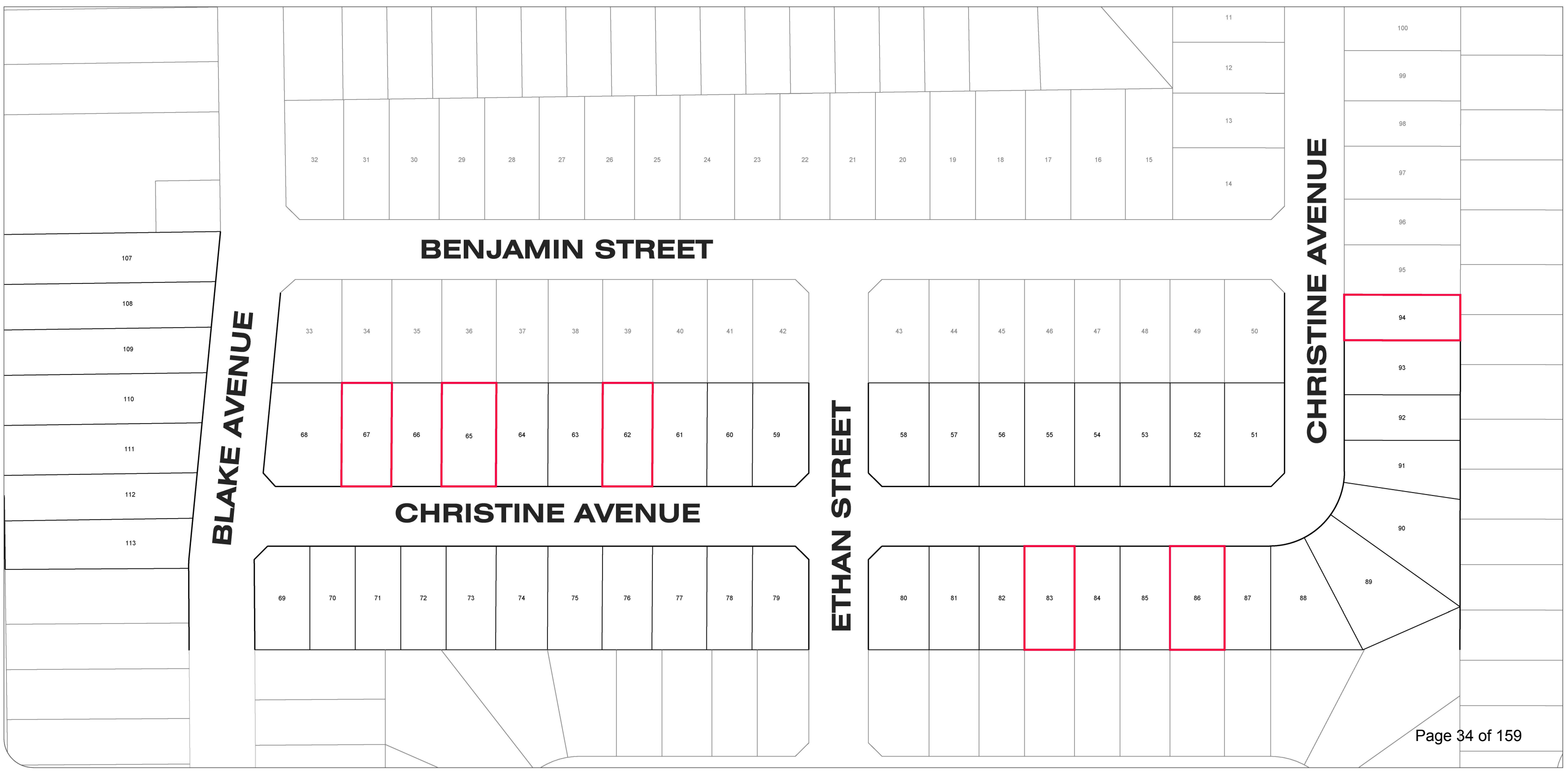
This report and all of its attachments were approved and signed as outlined below:

Aaron Hair

Tammie Ryall

Kristen Newman

Truper McBride



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.

Note - In this particular instance, the Applicant would have the option of appealing Council's decision to the Ontario Land Tribunal.

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.

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

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

Note – at the time of writing the report there were no known modifications that would substantially improve the application.

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

July 21, 2021

Municipality of Lakeshore
419 Notre Dame Street
Lakeshore, ON
NOR 1A0

Attention: Aaron Hair, MCIP, RPP, Planner III
Planning Coordinator

Forest Hills Phase 4B – Increase in Lot Coverage Assessment

As discussed, the client is requesting an increase in lot coverage from 35% to 40% for 6 single residential lots along Christine Avenue within Phase 4B of the Forest Hills Development Area in the Municipality of Lakeshore (as shown highlighted in yellow within the attached **Figure 1.0**).

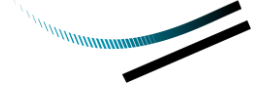
A stormwater management (SWM) analysis report was recently submitted to the municipality by Dillon Consulting for the proposed Cooper II and ultimate buildout condition of the Forest Hills development area (*Forest Hills Development Ultimate Buildout SWM Report – October 2020*). As part of this analysis, an ultimate buildout condition SWM strategy was proposed, which assessed both existing and future development within the Forest Hills development area and identified an ultimate SWM strategy end of pipe treatment to accommodate the future developed lands. This SWM strategy included either an expansion to the existing SWM facility or upgrades to the pump station outlet to accommodate ultimate buildout conditions. Proposed single residential units at that time for Phase 4B through to ultimate buildout were assessed based on a minimum impervious value of 60% (as per Table 3.7.4.1 of the Windsor-Essex Region SWM Standards Manual).

Based on updates to the lot coverage for the 6 lots within Phase 4B, a conservative assessment of 65 % impervious was now considered along Christine Avenue as part of this updated assessment. It was identified that the changes of impervious value for the 6 lots showed the following impacts to the proposed system:

- No increase in 1:5 Year HGL along Christine Avenue Storm Sewer;
- 1:100 Year HGL increase in the Christine Avenue storm sewer of 0.001 m; and
- No Change in maximum water surface elevations or active storage volumes in the existing Forest Hills SWM Facility.

An ultimate buildout condition scenario was also simulated for the additional lot coverage for the 6 lots within Phase 4B. Based on the slight change in impervious value, there were no impacts to the proposed storm sewer or roadway 1:5 and 1:100 year HGLs other than what is shown above along Christine Avenue. It is also identified that

3200 Deziel Drive
Suite 608
Windsor, Ontario
Canada
N8W 5K8
Telephone
519.948.5000
Fax
519.948.5054



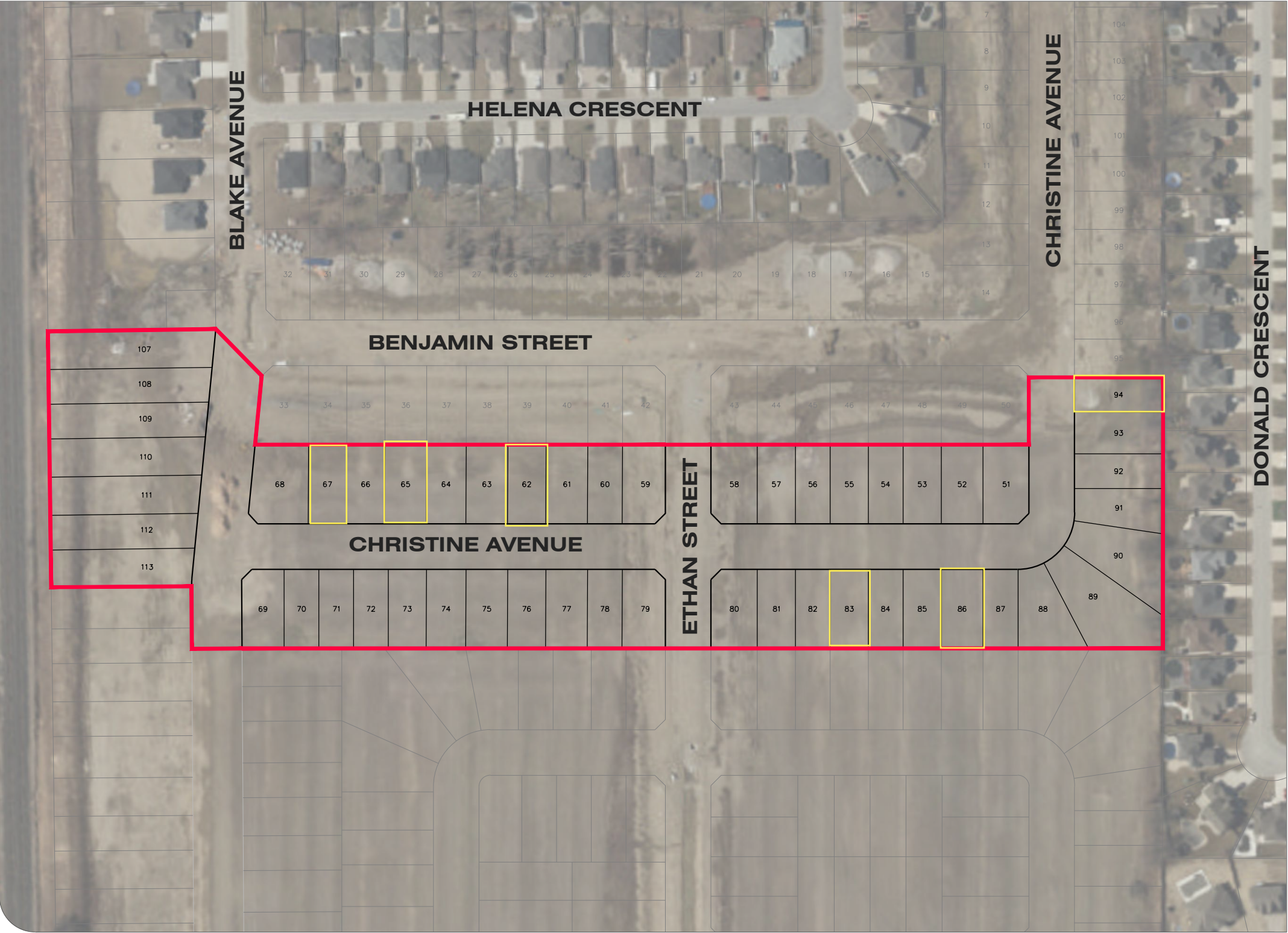
there are no changes in maximum water surface elevations or active storage volume requirements in the ultimate buildout conditions for the SWM facility. Similar results were identified for both the pond expansion and pump station improvement option.

It is therefore identified that at this time that there are no significant impacts on the existing and proposed storm infrastructure for the Forest Hills development based on the very minor changes to the impervious level within the 6 lots. This is expected, as the slight increase in impervious is negligible to the overall Forest Hills development area.

Please do not hesitate to contact the undersigned if you have any questions or require any clarifications to the information provided within this letter.

Regards,

Ryan Langlois, P.Eng
Water Resources Engineer



PHASE 4B LOT INFORMATION

LOT NUMBER	ADDRESS	ROLL NUMBER	AREA (m ²)
51	332 CHRISTINE AVENUE	380000008110000	688.34
52	334 CHRISTINE AVENUE	380000008120000	634.85
53	336 CHRISTINE AVENUE	380000008130000	581.74
54	338 CHRISTINE AVENUE	380000008140000	528.98
55	340 CHRISTINE AVENUE	380000008150000	581.74
56	342 CHRISTINE AVENUE	380000008160000	528.98
57	344 CHRISTINE AVENUE	380000008170000	581.74
58	346 CHRISTINE AVENUE	380000008180000	3695.20
59	348 CHRISTINE AVENUE	380000008190000	644.23
60	350 CHRISTINE AVENUE	380000008200000	528.98
61	352 CHRISTINE AVENUE	380000008200000	634.78
62	354 CHRISTINE AVENUE	380000008220000	581.57
63	356 CHRISTINE AVENUE	380000008230000	634.78
64	358 CHRISTINE AVENUE	380000008240000	602.91
65	360 CHRISTINE AVENUE	380000008250000	634.50
66	362 CHRISTINE AVENUE	380000008260000	581.74
67	364 CHRISTINE AVENUE	380000008270000	581.57
68	366 CHRISTINE AVENUE	380000008280000	859.95
69	367 CHRISTINE AVENUE	380000008290000	632.90
70	365 CHRISTINE AVENUE	380000008300000	529.12
71	363 CHRISTINE AVENUE	380000008310000	529.12
72	361 CHRISTINE AVENUE	380000008320000	529.12
73	359 CHRISTINE AVENUE	380000008330000	578.70
74	357 CHRISTINE AVENUE	380000008340000	603.08
75	355 CHRISTINE AVENUE	380000008350000	634.95
76	353 CHRISTINE AVENUE	380000008360000	581.72
77	351 CHRISTINE AVENUE	380000008370000	634.95
78	349 CHRISTINE AVENUE	380000008380000	529.12
79	347 CHRISTINE AVENUE	380000008390000	647.66
80	345 CHRISTINE AVENUE	380000008400000	695.38
81	343 CHRISTINE AVENUE	380000008410000	581.89
82	341 CHRISTINE AVENUE	380000008420000	529.12
83	339 CHRISTINE AVENUE	380000008430000	581.89
84	337 CHRISTINE AVENUE	380000008440000	529.12
85	335 CHRISTINE AVENUE	380000008450000	581.89
86	333 CHRISTINE AVENUE	380000008460000	635.01
87	331 CHRISTINE AVENUE	380000008470000	536.38
88	329 CHRISTINE AVENUE	380000008480000	770.05
89	327 CHRISTINE AVENUE	380000008490000	1284.94
90	325 CHRISTINE AVENUE	380000008500000	999.81
91	323 CHRISTINE AVENUE	380000008510000	3661.09
92	321 CHRISTINE AVENUE	380000008520000	592.36
93	319 CHRISTINE AVENUE	380000008530000	711.22
94	317 CHRISTINE AVENUE	380000008540000	3592.50
107	310 BLAKE AVENUE	380000008670000	1220.08
108	308 BLAKE AVENUE	380000008680000	1082.46
109	306 BLAKE AVENUE	380000008690000	1057.03
110	304 BLAKE AVENUE	380000008700000	1133.09
111	302 BLAKE AVENUE	380000008710000	1102.34
112	300 BLAKE AVENUE	380000008720000	975.66
113	298 BLAKE AVENUE	380000008730000	1029.66

COOPER ESTATES LIMITED
FOREST HILL - PHASE 4B

PROPOSED MINOR VARIANCES
FIGURE 1.0

PHASE 4B - 4.82 ha
(LOTS REQUESTING
VARIANCE)

File Location:
c:\pw working directory\projects 2020\32esb\dms55521\forest hill - phase 4b lot
coverage variance.dwg
October, 14, 2020 12:16 PM

SOURCE: COUNTY OF ESSEX INTERACTIVE MAPPING (2019)

MAP/DRAWING INFORMATION
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL
DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE
VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.
CREATED BY: ESB
CHECKED BY: JHB
DESIGNED BY: ESB

SCALE: 1:2000 (11x17)



PROJECT: 20-3090
STATUS: DRAFT
DATE: 10/14/2020



planning@erca.org

P.519.776.5209

F.519.776.8688

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

July 27, 2021

Ms. Ayusha Hanif

Corporation of the Town of Lakeshore
Development Services, Planning Division
419 Notre Dame Street
Belle River, ON N0R 1A0

Dear Ms. Ayusha Hanif:

RE: Zoning By-Law Amendment REV' ZBA-14-2021

CHRISTINE AVE

ARN Multiple; PIN: 750291345

Applicant: COOPER ESTATES LIMITED

The following is provided as a result of our review of Zoning By-Law Amendment REV' ZBA-14-2021. The applicant is proposing to increase the lot coverage of 6 parcels from 35% to 40%.

DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS (PPS) AND REGULATORY RESPONSIBILITIES OF THE CONSERVATION AUTHORITIES ACT

The following comments reflect our role as representing the provincial interest in natural hazards as outlined by Section 3.1 of the Provincial Policy Statement of the *Planning Act* as well as our regulatory role as defined by Section 28 of the *Conservation Authorities Act*.

The above noted lands are subject to our 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 Duck Creek. The property owner will be required to obtain a Permit and/or Clearance 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*.

WATERSHED BASED RESOURCE MANAGEMENT AGENCY

The following comments are provided in an advisory capacity as a public commenting body on matters related to watershed management.

SECTION 1.6.6.7 Stormwater Management (PPS, 2020)

Our office has reviewed the proposal and has no concerns relating to stormwater management (see final recommendation).



Ms. Ayusha Hanif
July 27, 2021

PLANNING ADVISORY SERVICE TO PLANNING AUTHORITIES - NATURAL HERITAGE POLICIES OF THE PPS, 2020

The following comments are provided from our perspective as an advisory service provider to the Planning Authority on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the Provincial Policy Statement of the *Planning Act*. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Planning Authority.

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the PPS. Based on our review, we have no objection to the application with respect to the natural heritage policies of the PPS.

FINAL RECOMMENDATION

With the information we have in front of us, we can state that we have no objection with the proposed increases from 35 to 40% on the specified 6 lots. We require the engineering Memo to be sealed by the engineer for our files. Any further requests for increases in lot coverage will require the stormwater management plan to be updated. We also request a copy of the notice of passing to be forwarded to us.

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

Sincerely,



Vitra Chodha, E.P
Resource Planner
/vc



Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader - Civic Affairs

Date: June 28, 2021

Subject: Municipal Election 2022 – Alternate Methods of Voting

Recommendation

Approve the voting method of telephone/internet for the 2022 municipal election, as described in the report presented July 13, 2021; and Direct the Clerk to prepare a by-law authorizing the alternate voting method as required by Section 42(1b) of the *Municipal Elections Act, 1996*.

Background

The next Municipal Election will take place October 24, 2022. Since the 2018 election, several changes have been made to the *Municipal Elections Act, 1996* (MEA) relating to the method and timing of the election, including:

- Shorter time between the first day for nominations (May 1), Nomination Day (August 19) and Election Day (October 24)
- Removal of ranked ballot option (Bill 218)
- Requirement to pass by-law to allow for alternate method of voting extended from May 1, 2021 to May 1, 2022

While the deadline to choose an alternative method has been extended to May 1, 2022, Administration recommends that Council make a decision on the method at this time in order to allow for sufficient preparation and proper resource allocation for the 2022 Budget. The Budget deliberations are scheduled for November 2021. Sufficient time is also required to prepare and issue the necessary requests for proposal associated with the election process.

The following table provides a comparison of voting methods used by municipalities in the County of Essex for the 2018 municipal election. Please note that this is the base method only; in-person voting may have also included the use of assistive devices such as electronic tabulators while alternate methods such as internet/telephone voting may have also utilized in-person voting assistance centres.

Municipality	Voting Method for 2018 Election	Voter Turnout (source: AMO)
Amherstburg	In-person	42.73%
Essex	In-person	45.00%
Kingsville	Vote by mail	46.79%
Lakeshore	Vote by mail	42.12%
LaSalle	Internet/telephone	42.12%
Leamington	Internet/telephone	44.64%
Tecumseh	Internet/telephone	37.43%

The voter turnout results noted above are included as a base comparator only. There are many factors involved in voter turnout including voting method, voter engagement, number of candidates, acclamations, etc. The average voter turnout Ontario-wide was 38.29% in 2018.

Lakeshore has used the Vote By Mail method for the past five election cycles. Voter turnout has ranged between 40% and 53%, with the most recent voter turnout at 42.12%. It is important to note that the Canada Post strike had significant ramifications on the conduct of the 2018 election requiring a significant expenditure of additional staffing time and resources for ballot distribution and collection.

Comments

While each election is unique, the 2022 election will have some special considerations that make it unlike its predecessors.

The COVID-19 pandemic has introduced new challenges to the election planning process. While current vaccination rates are showing increased effectiveness in lowering the number of COVID-19 cases, contingency plans are required for the safety of the voters and election day staff, as well as preparing for the possibility of interruptions in the voting process due to new waves of this virus or other health concerns.

Any in-person voting place or voting assistance centre must consider safety protocols such as social distancing, reducing common touchpoints, Personal Protective Equipment (PPE) or other tools that may be needed to protect both electors and election officials.

In addition to the health and safety considerations noted above, Administration must also ensure that the election process is accessible for all voters and complies with the *Accessibility for Ontarians with Disabilities Act* (AODA). For traditional voting methods, election officials must ensure that each voting location is physically accessible and ensure alternative methods are available for the casting of the ballot itself. Accessibility must be considered in the procurement process for vote tabulating equipment as well as during the hiring process of election officials.

Alternative methods of voting such as Vote By Mail or remote Internet/Telephone Voting provide increased independence of voting for voters with disabilities. Voter assistance centres must also be considered to provide assistance in the voting process and these must comply with accessibility requirements.

It is expected that interest in alternative voting methods will increase throughout Ontario leading up to the next election, especially given the COVID-19 pandemic. Administration has conducted a review and preliminary cost comparison of Vote By Mail and Internet/Telephone voting methods for consideration for the 2022 Municipal Election.

Traditional In-Person Polling Stations

Although Administration is not recommending In-person Polling Stations for the 2022 Municipal Election, it has been included in this report for comparison purposes.

This method of vote requires printing hard-copy ballots that are provided to voters in person at their designated voting location. The counting of the ballots can be enhanced through the use of electronic voting tabulators.

The use of in-person polling stations is the most labour-intensive option, which will require additional considerations for COVID-19 safety and accessibility requirements. It will also require the rental of accessible polling locations; traditionally churches and schools have been rented for voting locations, which may be more difficult to rent given increased safety protocols for COVID-19.

This method of vote provides the option of proxy votes for those electors who cannot attend the voting place in person. Proxy voting has been an issue of concern in recent elections, relating to voter fraud or access to proxy forms. Procedures would need to be put in place to ensure these concerns are mitigated.

In-Person Polling Stations		
Category	Advantages	Disadvantages
Accessibility		Least accessible voting method for voters with disabilities; may require voter assistance and rental of assistive devices because all voting locations must be fully accessible for voters and election staff
Voter Convenience	Voting locations would be located close to home	Must vote in-person during prescribed hours
		Requires a proxy vote if not able to attend in-person

Staffing Requirements		Labour intensive: would require approximately 80 election officials
COVID-19 Safety Precautions		Voting locations must comply with safety protocols (spacing, increased cleaning of touch spots, etc)
		Election officials must be provided with PPE and safety training
		Does not provide a voting alternative for those self-isolating
Technology	No technology required for voters	Recommend renting at least 2 electronic voting tabulators per voting location
		Does not eliminate unintentional spoiled ballots

Administration does not recommend traditional in-person polling stations for the 2022 Municipal Election.

Lakeshore has been a leader in the use of alternate methods of voting for the past five elections and returning to a less-accessible method of vote is not recommended. In addition, this method would require hiring, training and supervising approximately 80 election officials. All of these officials are anticipated to still need to be compliant with COVID-19 safety protocols and PPE provided, if necessary.

Vote By Mail

Lakeshore has conducted 5 elections using the Vote By Mail method. This method relies on significant up-front planning prior to mailing the voting kits but is overall less labour intensive than traditional in-person polling stations.

Of special consideration is the reliance on mail delivery through Canada Post, which has the inherent risk of a postal strike or other delivery delays. Canada Post workers may again be in a position to strike during the 2022 election period as the current collective bargaining agreement is set to expire in January of 2022.

Should Council choose this method of vote, Administration recommends drive-thru drop-off locations be planned in each of the six wards on Election Day. Even if there are no postal delivery delays, this provides an additional element of convenience for electors who may choose to drop off their ballot at any of these locations thereby potentially increasing ballot returns.

Vote By Mail		
Category	Advantages	Disadvantages
Accessibility	Allows independence for voters using assistive devices at home	Concerns with perceived voter fraud
	Eliminates the requirement for proxy votes	
Voter Convenience	Convenient mail or in-person drop off at designated locations	Relies on swift delivery through Canada Post. Recommend the use of drive-thru drop-off locations on Election Day
Staffing Requirements	Less labour intensive than traditional voting polls; election officials for drive-thru drop-off locations and	Multiple election officials required on Election Day, can take several hours to tabulate ballots
COVID-19 Safety Precautions	Option of drive-thru drop-off locations can easily comply with COVID-19 safety protocols	
Technology	No technology required for voters	Requires the rental of voting tabulators and several election officials to count votes on Election Day
	Recommend renting 3 electronic voting tabulators for counting ballots	Does not eliminate unintentional spoiled ballots

The Vote By Mail method is a good alternative voting method for the 2022 Municipal Election. Lakeshore electors are familiar with this method and the convenience and accessibility can be improved upon with the option of drive-thru locations.

Internet/Telephone Voting

The use of remote internet and telephone voting for municipal elections has become more popular over the past decade, as it allows for convenient and accessible voting from any location. Electors are mailed a confidential access code that must be used in conjunction with a personal identifying code, such as birth date, in order to access the ballot online or by telephone.

This method allows for the most flexibility in the voting process, as votes can be cast any time during the 10-day voting period from anywhere in North America. Although the voting process is very accessible, it is recommended that at least one voting assistance centre be established to help voters that are not comfortable with technology or simply wish to cast their ballot “in-person”.

The security of the vote is an important consideration for internet and telephone voting. The procurement process will need to include considerations such as data storage with servers located in Canada, stringent access methodologies (similar to online banking or medical records systems) as well as thorough testing and auditing capabilities throughout the election process.

Internet/Telephone Voting		
Category	Advantages	Disadvantages
Accessibility	Allows independence for voters using assistive devices such as screen readers and TTY phones	Some voters may lack internet access or skills to use the technology. This can be eliminated with the use of phone voting. Recommend having one Voter Assistance Centre located at the Atlas Tube Recreation Centre during the 10-day voting period staffed with election officials and voting kiosks
	Eliminates the requirement for proxy votes	
Voter Convenience	Vote anywhere, anytime during the 10-day voting period	Telephone voting can be confusing if there are more than 10 candidates for one position
Staffing Requirements	Requires fewest election officials	
COVID-19 Safety Precautions	Internet and phone voting can be done “hands off” from any location, even if voters are self-isolating	Requires training and PPE for election officials at the Voter Assistance Centre
	Voter Assistance Centre at ATRC would be accessible and COVID-19 safety compliant	
Technology	Faster results on Election Day with no requirement for vote tabulators	Concerns with voter fraud (reduced with use of PIN and personal identifiers)
	Can vote from any computer, tablet or smart phone (internet voting) or any non-rotary phone (phone voting)	Perceived security concerns (reduced through frequent auditing and other measures outlined in RFP process)
	Eliminates unintentional spoiled ballots (would still allow spoiling a ballot on purpose if desired by voter)	Requires the use of laptops or tablets at the Voter Assistance Centre

The use of internet/telephone voting with one in-person voter assistance centre is the recommended option of Administration for the most accessible “vote anytime anywhere” approach.

Given the size of the Municipality, Council may have a desire to provide a voter assistance centre in each of the six wards. Securing, staffing and maintaining six locations during the 10-day voting period is not recommended, as this is costly and difficult to maintain given accessibility and health/safety considerations. If Council decides that one voter assistance centre is not sufficient, it would be Administration’s recommendation to move to the Vote By Mail method instead.

Election Resources

Administration will continue to use the Voter View system to maintain, revise and finalize the Voters List. Should Council choose the Vote By Mail method of vote, Administration will procure the rental of three electronic tabulators in order to facilitate the counting of ballots on Election Day.

Administration will be including funds in the 2022 Budget for a 10-month temporary contract Election Coordinator position. This position is intended to be a key resource in responding to voter and candidate inquiries and would be responsible for:

- Assisting with the development and implementation of the election workplan;
- Coordinating the assignment of tasks and deployment of staff and resources;
- Assisting with the registration of voters, third-party advertisers and nomination of candidates;
- Performing revisions to the Preliminary List of Electors and maintaining, finalizing, producing and distributing the Voters List;
- Assisting with the development and distribution of communications materials, including public notices and website content;
- Preparing, distributing and securing forms, signs, ballots and other election materials;
- Coordinating the preparation, deployment and use of voting equipment/technology;
- Assisting with the coordination, tabulation and finalization of election results and election statistics;
- Assisting with the inaugural meeting and new Council training sessions.

In addition to this position, Administration will develop an Elections Engagement Plan for the overall communication and branding of the election materials, with the intention of providing consistent and frequent messaging to engage voters in the election process.

Financial Impacts

The following table outlines the estimated cost of Vote By Mail and Internet/Telephone Voting options. Please note that these costs are estimates only at this time and cannot be finalized until after the RFP process and confirmation of voting locations.

Method of Vote	Contract Cost		Location and Equipment Rental	Staffing	Total
Vote By Mail with drop off Station at Town Hall or ATRC	50% turnout	\$147,500 \$5.35 per elector	\$4,000 3 tabulators	\$2,500	\$154,000
	100% turnout	\$175,000 \$5.35 per elector			\$181,500
Vote By Mail with drive-thru in each ward on Election Day	50% turnout	\$147,500 \$5.35 per elector	\$5,400 3 tabulators plus location rental	\$10,500	\$163,400
	50% turnout	\$175,000 \$5.35 per elector			\$190,900
Internet/Telephone Voting with help centre at ATRC	\$81,000 \$2.70 per elector		\$4,000 Tablet/laptops	\$16,400	\$101,400
Internet/Telephone Voting with help centres in each ward	\$81,000 \$2.70 per elector		\$32,000 Equipment cost plus rental and cleaning costs for 10 days	\$98,400	\$211,400
Traditional ballots with tabulators and accessibility devices	Mailing and printing costs \$50,000		\$28,000 12 tabulators plus location rental and equipment	\$53,600	\$131,600

Next Steps

Following the direction of Council, Administration will begin preparing a Request for Proposal (RFP). This will include exploring joint RFP opportunities with local municipalities to find efficiencies. Further information will be provided to Council as part of the 2022 Budget process.

Lakeshore has contributed to the Election reserve fund for the past three years in order to avoid one lump-sum cost in the election year. The Election reserve has a current balance of \$88,856. The annual budget allocation to this reserve is \$35,000. If this is approved as part of the 2022 budget, the Election reserve account will have a balance of \$123,856. As this may not be sufficient to cover the costs of the election based on the options above, there may need to be an increase in the transfer to the reserve for the 2022 budget.

Report Approval Details

Document Title:	Municipal Election 2022 - Alternate Methods of Voting.docx
Attachments:	
Final Approval Date:	Jul 7, 2021

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

Kristen Newman

Rosanna Pellerito

Truper McBride

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, July 13, 2021, 5:01 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, Corporate Leader - Finance & Technology Rosanna Pellerito, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Economic Development & Mobility Ryan Donally, Division Leader - Information Management & Technology Solutions Pat Girard, Division Leader - Roads, Parks & Facilities Jeff Wilson, Division Leader - Water Management Albert Dionne, Fire Chief Don Williamson, Planner I Ian Search, Planner II Ayusha Hanif, Planner III Aaron Hair, Team Leader - Recreation, Growth & Sustainability Dave Orshinsky

1. Call to Order

Mayor Bain called the meeting to order at 5:01 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

2. Closed Session

224-07-2021

Moved By Councillor Walstedt

Seconded By Deputy Mayor Bailey

Council move into closed session in Council Chambers at 5:02 PM in accordance with:

- a. Paragraph 239(2)(c) and (k) of the *Municipal Act, 2001* to discuss a proposed or pending acquisition or disposition of land by the municipality or local board, and a position, plan, or instruction to be applied to negotiations carried on behalf of the Municipality regarding plans to accommodate Municipality staff.
- b. Paragraph 239(f) of the *Municipal Act, 2001* to discuss advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to float homes.
- c. Paragraph 239(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 the Hydro One Chatham to Lakeshore Transmission Line.

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

Carried

Councillor Steven Wilder joined the meeting in closed session at 5:13 PM.

3. Return to Open Session

Council returned to open session at 6:20 PM.

4. Moment of Reflection

5. Disclosures of Pecuniary Interest

6. Recognitions

7. Public Meetings under the *Planning Act*

1. Zoning By-law Amendment ZBA-14-2021 – Forest Hill Phase 4B

The Corporate Leader - Growth & Development advised that the Essex Region Conservation Authority requested deferral of the decision pending a review of the wastewater management plan. Administration recommended continuing with the public meeting however Council could choose to defer the decision on the application if Council so chose.

Mayor Bain called the public meeting to order at 6:25 PM.

The Planner provided a PowerPoint presentation as overview of the application.

Karl Tanner of Dillon Consulting was present electronically on behalf of the Applicant and spoke in favour of the application. Mr. Tanner confirmed that the Applicant was not in favour of deferring the decision of the application but requested that it be made a condition of the building permit instead.

The public meeting concluded at 6:49 PM.

225-07-2021

Moved By Councillor Wilder

Seconded By Councillor Janisse

Leave the public meeting open pending receipt of a stormwater management report.

In Favour (2): Councillor Wilder, and Councillor Janisse

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

Lost

225-07-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

Approve Zoning By-law Amendment Application ZBA-14-2021 (By-law 53-2021, Lakeshore By-law 2-2012), to increase the maximum lot coverage of Lots 51 – 94 (incl.), 107 – 113 (incl.), 12M-654 as indicated as the “Subject Property”, on the Key Map, Appendix A, located in the Municipality of Lakeshore, from “Residential Low Density (R1) Zone” to “Residential Low Density Zone Exception 38 (R1-38)” to increase the maximum lot coverage from 35% to 55%; and

That issuance of the building permits be conditional upon receipt of a wastewater management report satisfactory to the Municipality of Lakeshore and the Essex Region Conservation Authority.

In Favour (2): Deputy Mayor Bailey, and Councillor Santarossa

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

Lost

2. **Zoning By-law Amendment ZBA-14-2016 Cooper Estates Phase 2**

Mayor Bain called the public meeting to order at 6:58 PM.

The Planner provided a PowerPoint presentation as overview of the application.

Karl Tanner of Dillon Consulting was present electronically on behalf of the Applicant and spoke in favour of the application.

Chris and Linda Laramie, residents, were present electronically and advised that they were in favour of the application if they would maintain through access across the municipal right-of-way to ensure they can park their boat in their backyard.

James Cowan, resident, was present electronically and spoke in opposition of the application.

Stephanie Qassisiya, resident, was present electronically and requested clarification regarding the lot coverage.

Councillor Wilder left the meeting at 7:15 PM.

The public meeting concluded at 7:19 PM.

227-07-2021

Moved By Councillor Kerr

Seconded By Councillor McKinlay

Approve Zoning By-law Amendment Application ZBA-14-2016 (By-law 52-2021, Municipality of Lakeshore Zoning By-law 2-2012), to rezone the "Subject Property", located at Rochester CON 1 EBR PT Lots 2 and 3 RP 12R15954 PT Parts 1 and 9, and 12R21390 Part 89, and a Portion of 12R15954 Part 10, 11, 13 and 49, from "Residential – Low Density (R1)(h5)" to "Residential – Medium Density (R2-11)(h27)".

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

Carried

3. **Zoning By-law Amendment ZBA-10-2021 – 2811 County Road 27**

Mayor Bain called the public meeting to order at 7:21 PM.

The Planner provided a PowerPoint presentation as overview of the application.

Councillor Wilder rejoined the meeting at 7:26 PM.

Applicant Erick Marentette and agent, Tom Storey, were present electronically and spoke in favour of the application.

The public meeting concluded at 7:32 PM.

228-07-2021

Moved By Councillor Wilder

Seconded By Councillor Walstedt

Approve Zoning By-law Amendment ZBA-10-2021 (By-law 56-2021, Lakeshore By-law 2-2012), to add an Assembly Hall as an additional permitted use on the subject property 2811 County Road 27 (indicated on the Key Map, Appendix A), in the Municipality of Lakeshore and that a holding symbol be placed on the property regarding entering into a site plan agreement with the Municipality, all as presented in the July 13, 2021 Council report.

Carried Unanimously

4. Zoning By-law Amendment (ZBA-12-2021) – Raymax Construction Ltd. c/o Pillon Abbs Inc.

Mayor Bain called the public meeting to order at 7:36 PM.

The Planner provided a PowerPoint presentation as overview of the application.

The applicant's agent, Tracey Pillon-Abbs, was present electronically and spoke on behalf of the Applicant in favour of the application.

The public meeting concluded at 7:44 PM.

229-07-2021

Moved By Councillor Santarossa

Seconded By Deputy Mayor Bailey

Approve Zoning By-law Amendment Application ZBA-12-2021 (By-law 59-2021, to amend Lakeshore Zoning By-law 2-2012) to rezone 239 Charron Street, indicated as the "Severed Lot" on the Key Map, Appendix 1 from "Residential – Low Density (R1)" to a site-specific "R1-39, Residential Type 1 Zone Exception 39 (h28)", to permit a *semi-detached dwelling* as an additional permitted use and introduce a holding provision regarding the need for expansion at the Denis St. Pierre Water Pollution Control

Plant; and Adopt By-law 59-2021, as presented at the July 13, 2021 Council meeting.

Carried Unanimously

Mayor Bain called a recess at 7:45 PM and reconvened the meeting at 8:02 PM.

5. Zoning By-law Amendment (ZBA-19-2020) – 1734 Caille Ave

Mayor Bain called the public meeting to order at 8:03 PM.

The Planner provided a PowerPoint presentation as overview of the application.

Applicant Susan Lachapelle and business owner Scott Furtah were present electronically and spoke in favour of the application.

Mike Morency, resident, was present electronically and spoke in favour of the application for the current owner, however expressed concern for a long-term zoning change.

Mark Hamelin, resident, was present electronically and spoke in favour of the application.

Giovanni Butera, resident, was registered to attend however was not able to connect electronically. Mayor Bain recessed the public meeting in order to correct the technical issues.

Council returned to the public meeting at 9:27 PM and advised that Mr. Butera withdrew his request to speak on the application.

The public meeting concluded at 9:27 PM.

236-07-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Wilder

Extend the meeting past the 9:30 PM deadline.

Carried Unanimously

237-07-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Wilder

Defer Zoning By-law Amendment application ZBA-19-2020 for Administration to prepare a temporary use by-law to allow for 1 year in order to move or wind down the business and include an option to renew the by-law.

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

Opposed (1): Councillor Kerr

Carried

- 8. Public Presentations**
- 9. Delegations**
- 10. Completion of Unfinished Business**
- 11. Consent Agenda**

230-07-2021

Moved By Councillor Santarossa

Seconded By Councillor McKinlay

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

Carried Unanimously

- 1. June 22, 2021 Regular Council Meeting Minutes**
- 2. County of Essex - Response Regarding Speed Reduction Overpasses**
- 3. Lower Thames Valley Authority - Comments on Phase I Regulatory Proposal Consultation Guide**
- 12. Reports for Information**
 - 1. Committee of Adjustment Meeting Minutes – June 16, 2021**
 - 2. Drainage Board meeting June 7th, 2021**
 - 3. Operating Outdoor Summer Camps**

231-07-2021

Moved By Councillor Wilder

Seconded By Councillor Janisse

Direct Administration to hold outdoor day camps during the month of August 2021.

In Favour (3): Mayor Bain, Councillor Wilder, and Councillor Janisse

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

Lost

232-07-2021

Moved By Councillor McKinlay

Seconded By Councillor Kerr

Receive the Reports for Information as listed on the agenda.

Carried Unanimously

13. Reports for Direction

1. 2021 Fire Department Vehicle Replacement

233-07-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Award the purchase of two - 2021 Ford Escapes from Ken Knapp Ford and the purchase of one – 2021 Ford F150 Super Crew SSV from Lally Ford for the sum of \$102,810.16 including non-refundable HST; and

Approve of the disposal of the 1995 GMC Sierra and 2008 Pontiac Montana in accordance with the Sale of Corporate Vehicles Policy AD-209, and

Approve up to an additional \$12,000 Capital request from the Fire Vehicle and Equipment Reserve for the reflective decaling, identification markings and the installation of emergency lighting/siren equipment for all 3 vehicles, all as presented at the July 13, 2021 Council meeting.

Carried Unanimously

2. **Tender Award – Asphalt Roads Resurfacing Program**

234-07-2021

Moved By Councillor Walstedt

Seconded By Councillor Wilder

Award the tender for the 2021 Asphalt Road Resurfacing Program to Mill-Am Corporation in the total amount of \$1,039,470 plus HST;

Approve additional funds in the amount of \$226,880 (\$69,925 for the 2021 Resurfacing Program, \$156,955 for Chambers Drive) for the repair and resurfacing of five (5) roads to be funded from the roads reserves; and

Approve an additional \$25,000.00 for Geotechnical Investigation for the purposes of pre-planning to identify any additional rehabilitation works that may need to be incorporated into the 2022 budget to be funded from the roads reserve.

Carried Unanimously

3. **Civic Centre Concept Design**

235-07-2021

Moved By Councillor Kerr

Seconded By Councillor McKinlay

Direct Administration to proceed with a Concept Design for a new Civic Centre to be located at 419 Notre Dame Street to be funded with \$65,000 from the Facilities - New Reserve.

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

Opposed (1): Councillor Walstedt

Carried

The Mayor, with the concurrence of Council, asked the Clerk to read the By-laws in order to adopt by-laws prior to the deemed adjournment of the meeting at 10 PM.

20. Consideration of By-laws

238-07-2021

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

By-laws 57-2021 and 58-2021 be read a first and second time and provisionally adopted; and

By-laws 52-2021, 56-2021, 59-2021, 60-2021 and 61-2021 be read and passed in open session on July 13, 2021.

Carried Unanimously

13. Reports for Direction

3. Civic Centre Concept Design

Council returned to Item 13.3 at 9:44 PM.

239-07-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Janisse

Defer consideration of the remaining recommendations in this report pending a report from Administration regarding adequate spacing of employees, the cost of implementation, and Council location.

Carried Unanimously

21. Adjournment

240-07-2021

Moved By Councillor Santarossa

Seconded By Councillor Walstedt

Council adjourn its meeting at 9:58 PM.

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

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

Carried

Tom Bain
Mayor

Kristen Newman
Clerk

City Clerk's Office

Secretariat
Marilyn Toft
Council Secretariat Support
City Hall, 12th Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

Tel: 416-392-7032
Fax: 416-392-2980
e-mail: Marilyn.Toft@toronto.ca
web: www.toronto.ca

**In reply please quote:
Ref.: 21-GL23.3**

June 24, 2021

ONTARIO MUNICIPAL AND REGIONAL COUNCILS:

**Subject: General Government and Licensing Committee Item 23.3
Report on Bill 177 Stronger Fairer Ontario Act Changes to Provincial
Offences Act (Ward All)**

City Council on June 8 and 9, 2021, adopted the following resolution and has circulated it to all Municipal City Councils and Regional Councils in Ontario for support:

1. City Council request the Attorney General of Ontario to halt the proclamation of the Early Resolution reforms included in Bill 177, Stronger, Fairer Ontario Act.
2. City Council request the Attorney General of Ontario to review the Early Resolution provisions of the Provincial Offences Act and take action to streamline and modernize this section with a view to making it easier for the public and prosecutors to engage in resolution discussions, and to administer early resolution proceedings in Provincial Offences Court.
3. City Council request the Attorney General of Ontario to enact changes to the Provincial Offences Act and any related regulations, to permit the prosecutor and defendant or legal representative to agree, at any stage of a proceeding, to a resolution in writing for proceedings commenced under Part I of the Provincial Offences Act and to permit the Clerk of the Court to register the court outcome immediately upon receipt of the written agreement without requiring an appearance before a Justice of the Peace.



for City Clerk

M. Toft/wg

Attachment

c. City Manager

General Government and Licensing Committee

GL23.3		Adopted on Consent		Ward: All
--------	--	-----------------------	--	-----------

Report on Bill 177 Stronger Fairer Ontario Act Changes to Provincial Offences Act

City Council Decision

City Council on June 8 and 9, 2021, adopted the following:

1. City Council request the Attorney General of Ontario to halt the proclamation of the Early Resolution reforms included in Bill 177, Stronger, Fairer Ontario Act.
2. City Council request the Attorney General of Ontario to review the Early Resolution provisions of the Provincial Offences Act and take action to streamline and modernize this section with a view to making it easier for the public and prosecutors to engage in resolution discussions, and to administer early resolution proceedings in Provincial Offences Court.
3. City Council request the Attorney General of Ontario to enact changes to the Provincial Offences Act and any related regulations, to permit the prosecutor and defendant or legal representative to agree, at any stage of a proceeding, to a resolution in writing for proceedings commenced under Part I of the Provincial Offences Act and to permit the Clerk of the Court to register the court outcome immediately upon receipt of the written agreement without requiring an appearance before a Justice of the Peace.
4. City Council direct that this resolution be circulated to the all Municipal City Councils and Regional Councils in Ontario for support.

Committee Recommendations

The General Government and Licensing Committee recommend that:

1. City Council request the Attorney General of Ontario to halt the proclamation of the Early Resolution reforms included in Bill 177, Stronger, Fairer Ontario Act.
2. City Council request the Attorney General of Ontario to review the Early Resolution provisions of the Provincial Offences Act and take action to streamline and modernize this section with a view to making it easier for the public and prosecutors to engage in resolution discussions, and to administer early resolution proceedings in Provincial Offences Court.
3. City Council request the Attorney General of Ontario to enact changes to the Provincial Offences Act and any related regulations, to permit the prosecutor and defendant or legal

ONTARIO MUNICIPALITIES:

**Subject: Member Motion Item 32.12
Building the Early Learning and Child Care System Toronto Needs (Ward All)**

City Council on May 5 and 6, 2021, adopted the following:

1. City Council reaffirm the City of Toronto's support for building a system of early learning and child care services that are high-quality, public and not-for profit, affordable, inclusive and accessible for all families.
2. City Council express its support for the Government of Canada's April 19, 2021 budget announcement to invest in building a Canada wide system of Early Learning and Child Care and Indigenous Early Learning and Child Care, that builds on City of Toronto policies and service plans, and has adequate and ongoing operating and capital funding.
3. City Council communicate to the Provincial and Federal Governments, the City of Toronto's interest in working collaboratively, and participating in tri-lateral discussions as soon as possible, with the goal of achieving intergovernmental agreements by Fall 2021, and City Council make these negotiations a priority in our intergovernmental strategies.
4. City Council direct the General Manager, Children's Services to include in the June 2021 Growth Strategy Update report to the Economic and Community Development Committee and City Council, the opportunities and funding the Federal announcement could provide to expedite the Growth Strategy in Toronto, and to report to the Budget Committee on the City's share of new committed funding for child care once it is known.
5. City Council direct the General Manager, Children's Services to work closely with, and leverage the expertise of partners including the Province, City divisions, school boards and service providers to expand existing and develop new licensed child care services.

City Council

Member Motions - Meeting 32

MM32.12	ACTION	Adopted		Ward: All
----------------	---------------	----------------	--	------------------

Building the Early Learning and Child Care System Toronto Needs - by Councillor Mike Layton, seconded by Councillor Shelley Carroll

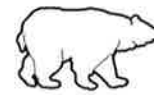
City Council Decision

City Council on May 5 and 6, 2021, adopted the following:

1. City Council reaffirm the City of Toronto's support for building a system of early learning and child care services that are high-quality, public and not-for profit, affordable, inclusive and accessible for all families.
2. City Council express its support for the Government of Canada's April 19, 2021 budget announcement to invest in building a Canada wide system of Early Learning and Child Care and Indigenous Early Learning and Child Care, that builds on City of Toronto policies and service plans, and has adequate and ongoing operating and capital funding.
3. City Council communicate to the Provincial and Federal Governments, the City of Toronto's interest in working collaboratively, and participating in tri-lateral discussions as soon as possible, with the goal of achieving intergovernmental agreements by Fall 2021, and City Council make these negotiations a priority in our intergovernmental strategies.
4. City Council direct the General Manager, Children's Services to include in the June 2021 Growth Strategy Update report to the Economic and Community Development Committee and City Council, the opportunities and funding the Federal announcement could provide to expedite the Growth Strategy in Toronto, and to report to the Budget Committee on the City's share of new committed funding for child care once it is known.
5. City Council direct the General Manager, Children's Services to work closely with, and leverage the expertise of partners including the Province, City divisions, school boards and service providers to expand existing and develop new licensed child care services.
6. City Council request the City Clerk to distribute City Council's decision to other municipalities in Ontario, the Ontario Municipal Social Services Association and the Association of Municipalities of Ontario.

Summary

The lack of affordable, high-quality early learning and child care is one of the most significant challenges for families in our City. The pandemic has exacerbated the situation, and



"Via Email: justin.trudeau@parl.gc.ca

June 24th, 2021

The Honourable Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON
K1A 0A2

Dear Prime Minister Trudeau:

Re: Motion to Include the PSA Test for Men into the Medical Care

This will serve to advise you that Council, at its regular meeting held Tuesday, June 22nd, 2021, passed the following resolution:

"Resolution No. 182-2021

Moved By: Robert Hutchinson

Seconded By: Daniel Belisle

WHEREAS the male population has been made to pay for prostate blood test and whereas 11 Canadian men will die of prostate cancer every day and

WHEREAS 1.5 million Canadian men are not seeking the early detection PSA testing and

WHEREAS prostate cancer is the most common cancer in men and

WHEREAS when detected early the survival rate is close to 100% and detected late 3 of 4 men will be lost and

WHEREAS men who wish to have this test done have to pay \$33.00 for the test

1/2



THEREFORE I Robert Hutchinson move that both the Federal and Provincial Governments move to have this test included in the national health care system and that it be made available for all Canadian men at no charge and further that the Government make every effort to have this become a reality sooner than later as stated above every day that goes by another 11 men will die of this avoidable disease and

FURTHERMORE that this motion be distributed to Right Honourable Justin Trudeau Prime Minister of Canada, Honourable Doug Ford Premier of Ontario, Minister of Health (Canada) Honourable Patty Hajdu, Deputy Premier and Minister of Health (Ontario) Honourable Christine Elliott, all municipalities, and all First Nation Communities .

Carried”

Your attention to this matter is greatly appreciated!

Yours Truly,

THE CORPORATION OF THE TOWN OF COCHRANE



Alice Mercier
Clerk

/am

c.c.: Hon. Doug Ford Premier of Ontario,
Hon. Patty Hajdu, Minister of Health (Canada)
Hon. Christine Elliott, Deputy Premier and Minister of Health (Ontario)
All Municipalities
All First Nation Communities

June 1, 2021

The Honourable Doug Ford, Premier of Ontario
Via Email

Dear Premier Ford;

Re: Elimination of LPAT

Please be advised that Council for the Town of Halton Hills at its meeting of Tuesday, May 25, 2021, adopted the following Resolution:

Resolution No. 2021-0115

WHEREAS The Government of Ontario, on June 6, 2019, passed the *More Homes, More Choice Act*, 2019, (Bill108);

AND WHEREAS the changes to the Local Planning Appeal Tribunal (LPAT), contained in Bill 108 gives LPAT the authority to make final planning decisions based on a subjective “best planning outcome” approach rather than compliance with municipal and provincially approved official plans and consistency with provincial plans and policy;

AND WHEREAS Bill 108 restricts third party appeals of plans of subdivision only to the applicant, municipality, Minister, public body or prescribed list of persons;

AND WHEREAS Bill 108 takes local planning decision-making out of the hands of democratically elected municipal councils and puts it into the hands of a non-elected, unaccountable tribunal;

AND WHEREAS the LPAT adds cost and delays delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act*, 2019;

AND WHEREAS Regional and City/Town Councils have spent millions defending provincially approved plans at the OMB/LPAT;

AND WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

NOW THEREFORE BE IT RESOLVED THAT in the short term, the Minister of Municipal Affairs and Housing immediately restore the amendments to the Planning Act that mandated the evaluation of appeals on a consistency and conformity with Provincial policies and plans basis;

AND FURTHER THAT in the long term the Government of Ontario eliminate the LPAT entirely, as an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out tribunal hearings;

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

AND FURTHER THAT this resolution be forwarded to the Premier, the Minister of Municipal Affairs and Housing, Halton's Members of Provincial Parliament, Leaders of the New Democratic, Liberal and Green parties, the Association of Municipalities of Ontario, the Small Urban Mayors' Caucus of Ontario, Mayors and Regional Chairs of Ontario and Halton's local municipalities.

CARRIED

Attached for your information is a copy of Resolution No. 2021-0115.

If you have any questions, please contact Valerie Petryniak, Town Clerk for the Town of Halton Hills at 905-873-2600 ext. 2331 or valeriep@haltonhills.ca.

Yours truly,



Melissa Lawr
Deputy Clerk – Legislation

- c. The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Halton's Members of Provincial Parliament
Leaders of the New Democratic, Liberal and Green parties
Association of Municipalities of Ontario (AMO)
Small Urban Mayor's Caucus of Ontario
Mayors and Regional Chairs of Ontario
Halton Region
Town of Milton
Town of Oakville
City of Burlington

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Ian Search, Planner I

Date: July 23, 2021

Subject: Committee of Adjustment Meeting Minutes – July 22, 2021

Recommendation

This report is for information only.

Background

The Committee of Adjustment decisions from the July 22, 2021 meeting are detailed below. The appeal period ends **August 10** for the minor variance applications and **August 12** for the consent applications.

1. Consent – **Granted** – (9755 Richardson Sdrd) to permit a surplus farm dwelling severance;
2. Consent – **Granted** – (616 Talbot Road) to permit the creation of one residential lot;
3. Minor Variance – **Granted** – (920 Driftwood Crescent) to permit a porch to encroach 4.071 metres into the rear yard setback;
4. Combined Minor Variance and Consent – **Granted** – (0 Lakeshore Road 229) to permit a lot addition from a farm parcel added to a residential lot and to recognize the existing deficient setback of an accessory building on the residential lot;
5. Consent – **Granted** – (6825 Lakeshore Rd. 302) to permit a farm split;
6. Consent – **Granted** – (14 Amy Croft Drive) to permit a parking easement in favour of 16 & 18 Amy Croft Drive on part of 14 Amy Croft Drive;
7. Consent – **Granted** – (0 Amy Croft Drive) to permit an easement in favour of the owners of 16 & 18 Amy Croft Drive and 14 Amy Croft Drive for the purpose of utilities servicing those properties brought in through what will be known as Beachside Drive within the condominium development.

Comments

The draft minutes from the July 22, 2021 Committee of Adjustment meeting is attached

Financial Impacts

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

Attachments: Committee of Adjustment Minutes July 22 2021

Report Approval Details

Document Title:	Committee of Adjustment Meeting Minutes - July 22, 2021.docx
Attachments:	- Committee of Adjustment Minutes July 22 2021.pdf
Final Approval Date:	Aug 5, 2021

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

Aaron Hair

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

**MUNICIPALITY OF LAKESHORE
COMMITTEE OF ADJUSTMENT
WEDNESDAY, JULY 22, 2021 @ 5:45 P.M.**

The meeting opened at 6:00 P.M. with the following members present:

Chairman	- Mark Hacon
Members	- Steve Diemer
	- Ron Barrette
	- Robert Sylvestre
Secretary-Treasurer & Planner I	- Ian Search

The Chair introduced the Committee members and support staff and provided a brief outline of the process followed through the hearings.

The Chair also inquired if there were any disclosures of pecuniary interest and the general nature thereof with the applications proposed to be heard at tonight's Committee meeting.

- There were no disclosures of pecuniary interests at this time.

APPLICATION:	B/24/2021
APPLICANT:	Peter & Agatha Goertzen c/o Ricci, Enns, Rollier & Settrington LLP
PROPERTY LOCATION:	9755 Richardson Sdrd (Community of Tilbury West)

PURPOSE OF APPLICATION

The subject farmland is located on the west side of Richardson Sdrd., and on the north side of Lakeshore Rd. 310, in the Community of Tilbury West. The applicant has applied for a surplus dwelling lot off of Richardson Sdrd. with approximately 73.58 metres of frontage and an overall area of approximately 1.14 acres (4,613 m²). The retained farmland will then have frontage off Richardson Sdrd. of approximately 263 metres and an overall area of 48.86 acres. The subject lands are zoned A, Agriculture and designated Agricultural.

If approved, both the severed parcel and retained parcels will comply with the Zoning By-law (lot frontage/ area)

PRESENT AT MEETING

Ricci Enns, Rollier & Settingington LLP. (Simon Yared), Authorized Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No concerns
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – Surface water and subsurface drainage tiles and water should be redirected around the severed parcel. Any new entrances require an entrance permit from the Municipality of Lakeshore
4. Lakeshore Fire – No comment
5. Lakeshore Planning Dept. – The dwelling on the subject property is rendered surplus given that the applicant owns another farm holding with a dwelling – indicated as 9225 Richardson Sdrd. in their application. The Municipality of Lakeshore Official Plan and the Provincial Policy Statement (PPS) permit consents to sever a residential building which is considered surplus to the needs of the farming operation, provided the municipality ensure that new residential dwellings are prohibited on any vacant parcel of farmland created by the severance. Further, the Municipality of Lakeshore Official Plan (Section 6.2.3.b.ii) requires that the non-farm parcel be zoned to recognize the non-farm residential use and will not accommodate a livestock operation. As a result of the severance, Section 8.9 of the Lakeshore Zoning By-law automatically recognizes the surplus lot and its non-farm residential use, as long as the resulting lot area is under 4 hectares (9.88 acres) which is the case

If the Committee decides to approve this application, they are advised that the proposed consent would be consistent with the Provincial Policy Statement (PPS), conforms to the Lakeshore Official Plan, subject to the following conditions of consent:

- That the applicant obtain a proper survey and Reference Plan from an Ontario Land Surveyor for the severed parcel of land, including any buildings along the new lot line. Data shall also be provided in the format of a projection (NAD 83) UTM Zone 17.
- That all municipal taxes be paid in full prior to the stamping of the Deed.
- That a Park Fee be imposed on the granting of this Application in the amount of \$600.00 and that such fee shall be paid prior to the stamping of the Deed.
- That the applicant obtain a Zoning By-law amendment respecting the remnant farm parcel to prohibit the construction of a residential dwelling, and that the surplus lot be rezoned to recognize the non- farm residential use.

- That the applicant complete the septic test report in the consent application to the satisfaction of the Municipality, and if required, install a new septic system on the severed lot that meets Part 8 OBC regulations and to the satisfaction of the Chief Building Official, prior to the stamping of the Deed.
- That, if applicable, the applicant enter into an Agreement with the municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property.
- That the applicant enter into an Agreement with the Municipality to be registered on title prior to the stamping of the Deed, that the severed and retained lot shall receive a separate water connection, and to pay any applicable water rates or fees with respect to the subject lands, if and when water services become available.
- That the applicant enter into an Agreement, which requires a “warning clause” to be placed on title alerting potential purchasers of the potential for wind turbine erection within the general area prior to the stamping of the Deed.
- That the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands prior to the stamping of the Deeds.
- That the Deed and a copy for our records be forwarded to the Secretary for stamping.
- That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by **July 23, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

6. Lower Thames Valley Conservation Authority – No objection

APPLICANTS AMENDMENTS

- None

DISCUSSION

Simon Yared stated he was in agreement with the comments from administration and conditions. He questioned the condition with respect to water service connections stating that the severed and retained parcel use private wells.

Member Sylvestre asked if there was a municipal water main at the road. Ian Search explained that the condition is a requirement registered on title that if and when municipal water services become available, a separate connection and fee will be required for municipal water servicing.

**Moved by Member Diemer
2nd by Member Sylvestre**

That Consent Application B/24/2021 by Peter & Agatha Goertzen c/o Ricci, Enns, Rollier & Settrington LLP be approved subject to all recommended conditions.

- Carried -

APPLICATION:	B/25/2021
APPLICANT:	Mark & Lynn Szarek c/o Ricci, Enns, Rollier & Settrington LLP
PROPERTY LOCATION:	616 Talbot Road (Community of Maidstone)

PURPOSE OF APPLICATION

The applicant has submitted a consent application for the subject land that is located on the south side of Talbot Road (County Road 34), in the Community of Maidstone. The applicant has decided to sever a residential lot, with the severed lot having a frontage of approximately 61 metres and an area of approximately 1.75 acres, and the retained lot having a frontage of approximately 100 metres and an area of approximately 2.87 acres. The subject land is zoned Agriculture "A" and is designated "Urban Fringe" in the Official Plan.

If approved, the severed and retained lot will comply with the Zoning By-law (lot frontage/ area)

PRESENT AT MEETING

Ricci, Enns, Rollier & Settrington LLP (Simon Yared), Authorized Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Engineering Dept. – Retained and severed lots subject to water buy in fee according to the tariff of fees by law at the time of servicing. Any new entrances require an entrance permit from the Municipality of Lakeshore.
2. Lakeshore Drainage Dept. – As long as they access the newly created lot from Ellis Sideroad – then Drainage has no concerns
3. Lakeshore Fire Dept. – No comments

4. Lakeshore Building Dept. – No concerns

Lakeshore Planning Dept. – The subject property is designated Urban Fringe in the Lakeshore Official Plan. The Urban Fringe designation permits a single unit residential dwelling on a lot that is suitably sized to accommodate appropriate servicing systems. It is anticipated that the severed lot will be able to comfortably accommodate a private septic system (septic tank and weeping tile) given the proposed lot frontage and area which greatly exceed the minimum requirements of the Zoning By-law.

The subject property is located in a Secondary Settlement Area according to the County of Essex Official Plan. Infill development is permitted in Secondary Settlement Areas according to the Official Plan, and the Provincial Policy Statement permits partial services for infill development within settlement areas. At such time as municipal sewage services become available, the landowner, at their expense, will be required to connect to municipal sewage services.

There is an accessory building located on the proposed severed lot and the applicant has applied for a Zoning By-law Amendment to permit this accessory building on the severed lot without a main building for a temporary period of time. Section 6.5 a) iii) of the Zoning By-law states that accessory buildings shall only be permitted where there is a main building located on the lot. Although the intention may be to construct a dwelling (main building) immediately after the lot is registered, the lot needs to be in compliance with the Zoning By-law at the time of registration. If the Committee chooses to grant the consent, it is recommended that a condition be imposed requiring the applicant to bring the severed lot into conformity with the Zoning By-law.

The subject property is located in the Essex Fringe Settlement Area in the Lakeshore Official Plan. The Urban Fringe designation permits small scale commercial and industrial uses. Additionally, there are neighbouring properties to the south of the subject property, and directly across Ellis Sideroad from the subject property, that are zoned Rural Commercial/Employment (CR) in the Zoning By-law. The CR zone permits uses such as a Transport Terminal and an Agricultural Commercial and/or Industrial Establishment. The activities associated with some of the permitted uses may be considered incompatible with nearby residential lots. The Committee may deem it appropriate to impose a condition requiring an agreement that will be entered into and will be registered on title noting that the owner agrees to place a “warning clause” in every agreement of purchase and sale that the Buyer hereby acknowledges that the property may be within an area planned for small scale commercial and industrial uses.

If the Committee decides to approve this application, they are advised that the proposed consent would be consistent with the Provincial Policy Statement (PPS), conforms to the Lakeshore Official Plan, subject to the following conditions of consent:

- That the applicant obtain a proper survey and Reference Plan from an Ontario Land Surveyor for the severed parcel of land to the satisfaction of the Municipality.

- That all municipal taxes be paid in full prior to the stamping of the Deed.
- That a \$1,200.00 park fee be imposed, and that such fee shall be paid prior to the stamping of the Deed
- That the applicant bring the severed lot into compliance with the Zoning By-law prior to the stamping of the deed.
- That the applicant enter into an Agreement with the Municipality to be registered on title prior to the stamping of the Deed, to pay any applicable water rates or fees with respect to the subject lands, and that the severed lot shall receive a separate water connection
- That, if applicable, the applicant enter into an Agreement with the municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property.
- That the applicant enter into an Agreement with the municipality to be registered on title at the expense of the applicant prior to the stamping of the Deed that a Sanitary Sewer connection be provided for all severed and retained property in the Sanitary Sewer area at the expense of the applicant according to the requirements of the Ministry of the Environment, if and when municipal sanitary services become available.
- That, if required, the applicant install a bridge and/or enclose the municipal drain to the satisfaction of the Municipality and/or County of Essex to provide access to the severed lot from Talbot Road/County Road 34.
- That the applicant enter into an Agreement with the Municipality to be registered on title at the expense of the applicant prior to the stamping of the Deed, to provide an access for each severed and retained lot at the expense of the applicant in accordance with specifications and supervision of the Municipality and/or County of Essex.
- That the applicant enter into an agreement, which requires a “warning clause” be placed on title alerting potential purchasers that the property may be within an area planned for small scale commercial and industrial uses
- That the Deed and a copy for our records be forwarded to the Secretary for stamping.
- That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by **July 23, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

5. Essex Region Conservation Authority – No objection
6. County of Essex – The minimum setback for any proposed structure on this property must be 110 feet from the centre of the original ROW of County Road 34 due to the presence of the South Talbot Drain. With Ellis Road present, no access will be permitted onto County Road No. 34

APPLICANTS AMENDMENTS

- None

DISCUSSION

Simon Yared stated that he agreed with the comments and recommended conditions.

Member Sylvestre asked where the access would be coming from for each lot. Simon Yared explained the severed lot will have access from Ellis Sideroad and the retained lot will have access from County Road 34.

**Moved by Member Barrette
2nd by Member Diemer**

That Consent Application B/25/2021 by Mark & Lynn Szarek, c/o Ricci, Enns, Rollier & Settrington LLP be approved subject to all recommended conditions

- **Carried-**

APPLICATION:	A/27/2021
APPLICANT:	Robert & Tammy Ouellette
PROPERTY LOCATION:	920 Driftwood Crescent (Community of Belle River)

PURPOSE OF APPLICATION

The applicant is seeking relief from the following Section of the Lakeshore Zoning By-law 2-2012 to construct a roof over an existing deck (porch) located in the rear yard of the property:

- Section 6.42 d) for the porch to encroach 4.071 metres into the rear yard setback.

Section 6.42 d) permits porches to encroach 2.5 metres (including eaves and cornices) into front and rear yards

PRESENT AT MEETING

Robert & Tammy Ouellette, Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No concerns
2. Lakeshore Engineering Dept. – No comment
3. Lakeshore Drainage Dept. – No comment
4. Lakeshore Fire Dept. – No comment
5. Lakeshore Planning Dept. – The subject property is located in the Community of Belle River. The subject property is an irregular shaped lot with a Frontage of approximately 16.45 metres (54 feet), a depth of approximately 36.4 metres (119.45 feet) for a Lot Area of approximately 598.78 square metres (7868.67 square feet). The property currently has one residential building on the property. In review of the application, staff considered the intent and purpose of the Official Plan and are satisfied that the variance meets the intent as residential uses are permitted within this designation. Staff took into consideration the intent and purpose of the zoning by-law. The purpose of having limiting encroachments into yards is to provide the following: To provide space for the construction and maintenance of public services located in a road allowance. Because the encroachment is in the rear yard, it is anticipated that the variance will have little to no impact on providing space for maintenance. Therefore, staff are of the opinion that the variance meets the intent and purpose of the zoning by-law. Staff are of the opinion that the variance is also minor in nature; the test is not solely based on quantitative calculations with respect to the request, but also includes qualitative considerations such as impacts and consistency. Staff are of the opinion that the variance has little to no impact on the neighbourhood, and therefore fulfills this test as well. The final test regards the appropriateness and desirability of the use. Staff are of the opinion that eaves encroaching into the rear yard do not compromise the desirability of the property with the surrounding neighbourhood. In the opinion of staff, the proposed variance is appropriate and desirable for the use of land. Therefore, the requested variance meets the following four tests prescribed under Section 45 (1) of the *Planning Act* and staff are recommending approval of Minor Variance A27/2021.
 - i. The variance would be “minor” in nature.
 - ii. It would be desirable for the appropriate development or use of the land, building or structure.
 - iii. It would maintain the general intent and purpose of the Official Plan.
 - iv. It would maintain the general intent and purpose of the Zoning By-law.

APPLICANTS AMENDMENTS

- None

DISCUSSION

Tammy Ouellette stated they had no concerns with the comments read

Member Barrette asked if the proposed roof was temporary or permanent. Tammy Ouellette confirmed it was permanent

Member Barrette asked if any comments from neighbours were received. Ian Search confirmed that no comments from the public were received with respect to the request.

**Moved by Member Diemer
2nd by Member Barrette**

That Minor Variance Application A/27/2021 by Robert & Tammy Ouellette be approved.

- **Carried-**

APPLICATION:	B/26 & A/28/2021
APPLICANT:	Craig Chevalier c/o Kyle Chevalier & Aaron Farough
PROPERTY LOCATION:	0 Lakeshore Road 229 (Con 3 Pt W ½ Lot 27) (Community of Rochester)

PURPOSE OF APPLICATION

The subject farm property is located on the east side of Lakeshore Road 229 in the Community of Rochester, and has approximately 271 metres of frontage and an overall area of 60.43 acres. The applicant is applying to sever a lot addition from the subject farm property – consisting of an overall area of approximately 696.77 m² (0.172 acre) – to be added to a residential property (2728 Lakeshore Road 229). The retained land, will maintain its existing frontage, and an overall area of over 60 acres. The subject lands are designated “Agricultural” and zoned “A, Agriculture”.

The applicants are also seeking relief from Section 6.5 a) vii) of the Lakeshore Zoning By-law 2-2012 to recognize the existing 0.54 metre setback of a vinyl-sided garage from the proposed new lot line. **Section 6.5 a) vii) of Lakeshore Zoning By-law 2-2012 states that accessory structures shall not be built closer than 1.5 m from**

any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line;

PRESENT AT MEETING

Kyle Chevalier & Aaron Farough, Authorized Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No concerns
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – Surface water and subsurface drainage tiles and water should be redirected around any future dwelling/around the severed parcel
4. Lakeshore Fire – If relief for the reduced setback is granted that the wall(s) of this proposed accessory building facing the adjacent property contain a minimum fire resistance rating identified by the Building Department at the time of construction
5. Lakeshore Planning Dept. – The lot addition land consists of an overall area of approximately 696.77 m² (0.172 acre) to be added to a residential property (2728 Lakeshore Road 229). The farm parcel will remain over 60 acres (24.28 hectares) following the lot addition. It appears that the purpose of the lot addition is to bring an existing accessory building entirely onto the residential property that currently encroaches onto the farm parcel, and to add land that appears to have been used as rear yard space in connection with the residence for many years – land which may also be difficult for the owner of the farm to maintain or cultivate. In addition, it is recognized that the land being added to the residence would not take away any land currently being farmed, or any land that has been farmed in many years.

The Provincial Policy Statement permits lot adjustments in prime agricultural areas for legal or technical reasons such as minor boundary adjustments. The Lakeshore Official Plan permits consents in the Agricultural designation for minor boundary adjustments and proposed lot enlargements where the viability of the retained land as a farm parcel is not threatened and need is demonstrated for the enlargement. These policies are also included in the new Official Plan which has been approved by the Municipality of Lakeshore and is awaiting final approval from the County of Essex.

The applicants are also seeking relief from Section 6.5 a) vii) of the Lakeshore Zoning By-law 2-2012 to recognize the existing 0.54 metre setback of a vinyl-sided garage from the proposed new lot line. Section 6.5 a) vii) of Lakeshore Zoning By-law 2-2012 states that accessory structures shall not be built closer than 1.5 m from any lot line except that common semi-detached private garages or carports may be centred on a mutual side lot line. Aerial photography going

back to the earliest possible year (2004) available to administration shows the presence of the vinyl-sided garage on the residential property, located 0.54 metres from the south side lot line in the southeast corner of the lot. The variance to permit a 0.54 metre setback is required as a technical matter to simply recognize the setback of this structure from the new south side lot line following the lot addition, and is considered minor.

Aerial photography shows an accessory building/shed located in the southeast corner of the lot addition lands. The applicant has indicated that this structure will be removed, and given that it appears to encroach onto the neighbour's property to the south (2732 Lakeshore Rd 229), it is recommended that it be removed or relocated to a location in compliance with the Zoning By-law as a condition of consent approval.

If the Committee decides to approve this application, they are advised that the proposed consent be approved subject to the following conditions of consent:

- That the applicant obtain a proper Survey and Reference Plan from an Ontario Land Surveyor for the severed parcel of land and detail a 1' x 1' square from the original lot at 2728 Lakeshore Road 229. The 1' x 1' square will be conveyed to the municipality. The Survey and Reference Plan will be prepared to the satisfaction of the Municipality.
- That all municipal taxes be paid in full prior to the stamping of the Deed.
- That, if applicable, the applicant enter into an Agreement with the municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property.
- That the Deed for the lot addition be prepared and a copy for our records be forwarded to the Secretary for stamping.
- That Section 50(3) and (5) of The Planning Act shall apply to the severance and that the property shall be conveyed & merged to Roll # 3751470000015010000
- That the applicant produce a Deed and/or a Solicitor's Undertaking to the Secretary prior to the stamping of the severance Deed, in evidence that the severed parcel and the abutting parcel will be registered in the same name(s) in satisfaction that all parcels will merge.
- That the applicant/ and or a Solicitor provide an Undertaking to the Secretary prior to the stamping of the severance Deed(s), in evidence that "Application to consolidate Pins" will be submitted to the Land Titles/ Registry Office for the lot addition and provide proof of the consolidation.

- That minor variance A-28-2021 recognizing the existing 0.54 metre setback of a vinyl-sided garage from the proposed new lot line be approved, final and binding
- That, for the purposes of the lot addition, any accessory structures that do not comply with Zoning By-law regulations on the lot addition lands be removed or relocated to a legal location for the new lot.
- That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. by **July 23, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

6. ERCA – No objection

APPLICANTS AMENDMENTS

- None

DISCUSSION

Aaron Farough stated that the accessory building on the lot addition lands has already been removed.

Member Diemer asked if the new lot would be deeper than the residential property to the south. Aaron Farough confirmed that it would be slightly deeper as the intention is to recognize the current use of the lot addition lands as rear yard space for the dwelling.

Member Hacon asked if the accessory building for the minor variance on the property could be relocated. Aaron Farough explained that it would be a huge undertaking to move that accessory building and the variance is needed.

**Moved by Member Barrette
2nd by Member Sylvestre**

That Consent and Minor Variance application B/26 & A/28/2021 by Craig Chevalier c/o Kyle Chevalier & Aaron Farough be approved subject to all the recommended conditions

- Carried -

APPLICATION:	B/27/2021
APPLICANT:	1298464 Ontario Ltd. c/o Edwin Hooker
PROPERTY LOCATION:	6825 Lakeshore Rd. 302

(Community of Rochester)

PURPOSE OF APPLICATION

The applicant has submitted a consent application for the subject land that is located on the south side of Lakeshore Rd. 302 and west side of Comber Sdrd. (County Road 35), in the Community of Rochester. The applicant has decided to split the lands (severed & retained agriculture parcels), with both the severed lot and retained lot each having a frontage of approximately 300 metres and an area of approximately 49.67 acres (20.1 hectares). The subject land is zoned Agriculture "A" and is designated "Agricultural" in the Official Plan.

If approved, the severed and retained lot will comply with the Zoning By-law (lot frontage/ area)

PRESENT AT MEETING

Aaron Farough from Ed Hooker's Office, Authorized Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – no concerns
2. Lakeshore Drainage Dept. – Applicant will have to apply for a new access bridge under the Drainage Act. This will be under Section 78 of the Act and as of today's date, we have not received any signed request from said owner.
3. Lakeshore Engineering Dept. – Retained and severed lots subject to water buy in fee according to the tariff of fees by-law at the time of servicing. Surface water and subsurface drainage tiles and water should be redirected around any future dwelling. Any new entrances require an entrance permit from the Municipality of Lakeshore
4. Lakeshore Fire – No comment
5. Lakeshore Planning Dept. – The subject property is designated Agricultural in the Official Plan, and is split zoned A (Agriculture) and A-52 (Agriculture Zone Exception 52). The A-52 zone applies to 4.65 acres of land located in the northeast corner of the subject property, approximately 75 metres from the proposed severance line. This zone exception permits a machine repair shop as an additional permitted use on the retained land.

The Provincial Policy Statement permits lot creation in prime agricultural areas for agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility

for future changes in the type or size of agricultural operations. Likewise, the current Lakeshore Official Plan permits a consent to split a lot in the Agricultural designation where the minimum area of both the retained and severed lot will be approximately 20 hectares. The Zoning By-law requires a minimum lot area of 19 hectares for a parcel zoned A (Agriculture). The sketch provided by the applicant indicates that the severed and retained lot will have an area of approximately 20.10 hectares (49.675 acres), and a lot frontage of approximately 300 metres following the severance.

As a result of a recent review of the Lakeshore Official Plan, an amendment to the plan is currently being processed that will require both the severed and retained lot to have a minimum lot area of 40 hectares for lot division proposals in the Agricultural designation. The County of Essex Official Plan notes “The trend towards fewer farmers owning larger and a greater number of farms is expected to continue as farming technology and less labour intensive methods continue to evolve affording farmers a greater opportunity to manage larger holdings”. It is acknowledged however, that the proposal conforms to the Lakeshore Official Plan and complies with the Lakeshore Zoning By-law that are currently in effect.

There is a natural heritage feature – woodlands – located in the southwest corner of the subject property. The proposal was circulated to Essex Region Conservation Authority for comment. It is also noted that the subject property is bounded by open municipal drains adjacent to the front lot line and exterior side lot line of the subject property. The applicant will need to provide legal and separate access to the severed and retained lots, which may entail the construction of a new bridge over the Gagnier Drain for the severed lot. At the time of writing this report, the Drainage Department stated that an application for a new access bridge would need to proceed under the Drainage Act. The applicant should be made aware that this process can take several months.

If the Committee decides to approve this application, they are advised that the proposed consent would be consistent with the Provincial Policy Statement (PPS), conforms to the Lakeshore Official Plan, subject to the following conditions of consent:

- That, to the satisfaction of the Municipality, the applicant obtain a proper Survey and Reference Plan from an Ontario Land Surveyor for the severed and retained parcel of land that confirms zoning compliance.
- That all municipal taxes be paid in full prior to the stamping of the Deed.
- That a \$600.00 park fee be imposed, and that such fee shall be paid prior to the stamping of the Deed
- That the applicant establish and/or construct a legal and separate access for the severed lot to the satisfaction of the Municipality

- That the applicant enter into an Agreement with the Municipality to be registered on title prior to the stamping of the Deed, to pay any applicable water rates or fees with respect to the subject lands, and that the severed lot shall receive a separate water connection
- That the applicant enter into an Agreement with the municipality prior to the stamping of the Deed regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property.
- That the applicant enter into a consent agreement, which requires a “warning clause” be placed on title alerting potential purchasers of the potential for wind turbine erection within the general area prior to the stamping of the Deed.
- That, if required by the Drainage Department, the applicant submit a drawing detailing the surface and subsurface drainage for the entire lands to the satisfaction of the Municipality prior to the stamping of the Deeds.
- That the Deed and a copy for our records be forwarded to the Secretary for stamping.
- That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by **July 23, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

6. ERCA – No comment

APPLICANTS AMENDMENTS

- None

DISCUSSION

Aaron Farough stated that the applicant is aware of the need for a new access bridge with respect to the severed lot.

Member Diemer asked if there were any previous severance from the farm parcel. Aaron Farough said that he is of the understanding that a residential lot was severed from the farm in the past.

Moved by Member Barrette
2nd by Member Diemer

That Consent application B/27/2021 by 1298464 Ontario Ltd. c/o Edwin Hooker be approved subject to all the recommended conditions

- Carried -

APPLICATION:	B/28/2021
APPLICANT:	Petcon Hospitality Group Inc. c/o Jeffrey A. Baker
PROPERTY LOCATION:	14 Amy Croft Drive (Community of Maidstone)

PURPOSE OF APPLICATION

The subject property, 14 Amy Croft Drive, is used for a hotel. The applicant is applying to transfer an easement in favour of the owner of 16 & 18 Amy Croft Drive for the purposes of parking for the commercial buildings located at 16 & 18 Amy Croft Drive. The location of the easement consists of that portion of 14 Amy Croft Drive that extends south to Amy Croft Drive, and is 6 metres in width, 46.83 metres in length, and has an overall area of approximately 281 m².

PRESENT AT MEETING

Jeffrey A. Baker, Authorized Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No concerns
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – No comments
4. Lakeshore Fire – No comment
5. Lakeshore Planning Dept. – The subject property currently has a frontage of approximately 6.0 metres (19.68 feet), a depth of approximately 113.16 metres (371.25 feet) and a lot area of approximately 0.682 hectares (1.685 acres) and is located on the north side of Amy Croft Drive, municipally known as 14 Amy Croft Drive. The applicant is applying to transfer an easement in favour of the owner of 16 & 18 Amy Croft Drive for the purposes of parking for the commercial buildings located at 16 & 18 Amy Croft Drive (see Attachment A).

The application concerns two neighbouring properties – 16 and 18 Amy Croft Drive. 16 and 18 Amy Croft Drive, located south of 14 Amy Croft Drive will be receiving the proposed easement lands from 14 Amy Croft Drive. The proposed easement will have a frontage of approximately 6 metres (19.68 feet) onto Amy

Croft Drive, a depth of approximately 46.83 metres (153.64) for an approximate lot area of 281 square meters.

The Official Plan consent policies state that an easement may be permitted where a separate lot is not being created. The applicant is applying for a right-of-way/easement on 14 Amy Croft Drive that will provide additional parking space for the hotel located at 18 Amy Croft Drive. Access/egress will be maintained for the uses located at 14 Amy Croft Drive. It is recommended that an Easement/Right-of-Way Agreement be developed to the satisfaction of the Municipality and registered on title as a condition of consent approval. It is to be noted, that both properties are in conformity with the Zoning By-law.

If the Committee decides to approve B-28-2021, they are advised that the proposed consent would be consistent with the Provincial Policy Statement (PPS), conforms to the Lakeshore Official Plan, subject to the following conditions of consent:

- That the applicant obtain a proper survey and Reference Plan from an Ontario Land Surveyor for the right-of-way/easement and that the draft plan be to the satisfaction of the Municipality.
- That all municipal taxes be paid in full prior to the stamping of the Deed.
- That the Deed and an Easement/Right-of-Way Agreement be prepared to the satisfaction of the Municipality and forwarded to the Secretary for stamping.
- That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by **July 23, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

APPLICANTS AMENDMENTS

- None

DISCUSSION

Jeffrey Baker stated that the proposed easement was already contemplated in the site plan agreement for the subject lands.

Member Sylvester asked if any services run through the proposed easement lands. Jeffrey Baker stated the easement was just for parking.

**Moved by Member Sylvestre
2nd by Member Barrette**

That Consent application B/28/2021 by Petcon Hospitality Group Inc. c/o Jeffrey A. Baker be approved subject to all the recommended conditions

APPLICATION:	B/29/2021
APPLICANT:	Beachside Development Ltd. c/o Jeffrey Baker
PROPERTY LOCATION:	0 Amy Croft Drive (Community of Maidstone)

PURPOSE OF APPLICATION

The subject property is being used for a residential condominium development. The applicant is applying to transfer an easement in favour of the owners of 16 & 18 Amy Croft Drive and 14 Amy Croft Drive for the purpose of utilities servicing those properties brought in through the subject property. The proposed easement lands correspond to what will be known as Beachside Drive within the condominium, running north-south through the subject property, and has 20.42 metres of frontage, and an overall area of approximately 0.741 acres (0.3 hectares).

PRESENT AT MEETING

Jeffrey Baker, Authorized Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No concerns
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – No comments
4. Lakeshore Fire – No comment
5. Lakeshore Planning Dept. – The subject property currently has a frontage of approximately 174.46 metres (572.37 feet), a depth of approximately 171.63 metres (563.09 feet) and a lot area of approximately 3.858 hectares (9.53 acres) and is located on the north side of Amy Croft Drive, municipally known as 0 Amy Croft Drive. The applicant is applying to transfer an easement in favour of the owners of 14, 16 & 18 Amy Croft Drive for the purpose of utilities servicing those properties brought in through the subject property (see Attachment A).

The application concerns three neighbouring properties – 14, 16 and 18 Amy Croft Drive. 14, 16 and 18 Amy Croft Drive, located west of 0 Amy Croft Drive will be receiving the proposed easement lands from 0 Amy Croft Drive. The proposed easement will have a frontage of approximately 20.42 metres (66.99 feet) of frontage, and an overall area of approximately 0.3 hectares (0. 741 acres).

The Official Plan consent policies state that an easement may be permitted where a separate lot is not being created. The applicant is applying for a right-of-way/easement on 0 Amy Croft Drive for the purpose of utilities servicing those properties. Access/egress will be maintained for the uses located at 0 Amy Croft Drive. It is recommended that an Easement/Right-of-Way Agreement be developed to the satisfaction of the Municipality and registered on title as a condition of consent approval.

If the Committee decides to approve B-29-2021, they are advised that the proposed consent would be consistent with the Provincial Policy Statement (PPS), conforms to the Lakeshore Official Plan, subject to the following conditions of consent:

- That the applicant obtain a proper survey and Reference Plan from an Ontario Land Surveyor for the right-of-way/easement and that the draft plan be to the satisfaction of the Municipality.
- That all municipal taxes be paid in full prior to the stamping of the Deed.
- That the Deed and an Easement/Right-of-Way Agreement be prepared to the satisfaction of the Municipality and forwarded to the Secretary for stamping.
- That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by **July 23, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

APPLICANTS AMENDMENTS

- None

DISCUSSION

Member Barrette asked if the services for the easement will be under the roadway. Jeffrey Baker confirmed they would be under the roadway.

Moved by Member Diemer
2nd by Member Sylvestre

That Consent application B/29/2021 by Beachside Development Ltd. c/o Jeffrey Baker be approved subject to all the recommended conditions

- Carried –

**Moved by Member Sylvestre
2nd by Member Barrette**

That the minutes of June 16, 2021 be adopted as printed and distributed.

- Carried –

**Moved by Member Hacon
2nd by Member Diemer**

THAT the meeting adjourn at 7:05 p.m.

- Carried –

Mark Hacon
Chairman

Ian Search
Secretary-Treasurer

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Building Services



To: Mayor & Members of Council

From: Morris Harding, Division Leader – Building & Chief Building Official

Date: July 23, 2021

Subject: Quarterly Building Activity Report – 2021 Q2

Recommendation

This report is provided for information only.

Background

The Building Activity Report is a quarterly report prepared to provide a comparison of building activity with the same periods in 2019, 2020 and 2021.

Comments

The report also provides a comparison of construction value for the same periods at similar quarter ends.

Year to Date Totals	2021	2020	2019
Number of Permits as of June 30 th	554	335	371
This comprises the following units:			
New Single Family Dwellings	120	63	75
New Homes (Semi Detached 2 Units)	8	2	0
New Homes (Multi-Unit Buildings)	58	53	6
Total Dwelling Units Created	186	118	81

Type of Permit	2021	2020	2019
Home Additions / Renovations	39	27	23
Plumbing/Waterline	15	11	15
Commercial (New)	1	1	2
Commercial (Renovations & Additions)	13	8	9
Industrial (New)	0	0	1
Industrial (Renovations and Additions)	2	3	3
Institutional (New)	0	0	0
Institutional (Renovations and Additions)	1	1	2
Agricultural Structures	13	3	8
Garages & Sheds	46	34	49
Swimming Pools	109	36	46
Fences	69	41	57
Decks	7	8	13
Septic Systems	29	26	27
Demolition	15	14	22
Fills	0	0	1
Tents	1	0	8
Signs	5	3	3
Solar Panels	0	1	1
Wind Turbines	0	0	0
Mobile Homes	3	0	0

Construction Value to Date (as of June 30 th)	2021	2020	2019
All Permit Types	\$101,620,401.00	\$57,403,514.00	\$44,016,779.00
New Residential	\$88,208,008.00	\$47,836,184.00	\$35,066,732.00
New Non-Residential	\$25,000.00	\$800,000.00	\$1,835,000.00

Building Department Activity (as of June 30th)

Building Inspections: 3600

Zoning Letters: 67

By-law Enforcement (as of June 30th)

Complaints in Queue: 5

Complaints in Progress: 38

Complaints Closed: 122

Due to the COVID 19 Emergency Orders, the By-Law division has concentrated substantial amounts of time patrolling Municipality owned properties such as parks and marinas as well as private properties.

Financial Impacts

The 2021 anticipated revenue is set in the Budget at \$775,000.00. The revenue to the end of June/21 is \$614,242.00. This represents 79.3% of the revenue expected for the entire year. Based on current permit activity the anticipated revenue at the end the 2021 fiscal year will be approx. \$900,000.00. This would give the Building Dept. a surplus for the year of approximately \$125,000.00. These funds will be balanced through the reserve funds.

Report Approval Details

Document Title:	Quarterly Building Activity Report - 2021 Q2.docx
Attachments:	
Final Approval Date:	Aug 5, 2021

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

Morris Harding

Tammie Ryall

Rosanna Pellerito

Kristen Newman

Truper McBride

COUNCIL REQUESTED REPORT TRACKING					JULY 13, 2021	
ISSUE #	ASSIGNEE	DATE	COUNCIL ASSIGNOR	DESCRIPTION	COMMENTS	Public Consultation / Open House
12-2019	OS	03-05-19	M-Councillor Kerr S-Councillor Walstedt	Prepare a report to Council with the community involvement to restore passive lake access on Ruston Dr.	04/05/19 Discussed with ERCA. Director of EIS to schedule a meeting with residents and review options. 02/14/20 Report to Council anticipated Q4. 09/11/20 Work with ERCA to schedule a PIC with the residents. 06/11/21 Report to Council anticipated Sept 28, 2021	
15-2019	OS	03-19-19	M-Councillor Walstedt S-Councillor Wilder	Prepare a report to Council regarding half-load designations on Class B roads.	01/30/20 Report to Council anticipated Q4, 2020. 09/11/20 To be consolidated in the Traffic Bylaw report for Q3, 2021.	
68-2019	SLA	12-10-19	M-Councillor Santarossa S-Councillor McKinlay	Work with the Municipality's regional partners to develop a Community Safety and Well-being Plan.	01/24/20 The CSWB Plan is underway. 06/10/20 The Province delayed it due to COVID-19. 09/02/20 Restarting meetings. 10/21/20 The City of Windsor will be making a presentation to Council on Dec. 8, 2020. Stakeholder engagement and on-line survey planned for March 4, 2021. 03/15/21 On-going engagement and plan building. 04/20/21 Analyzing results. 06/21/21 Council presentation June 22nd. 07/16/21 Report being compiled by project team.	
1-2020	CAO	01-14-20	M-Councillor Janisse S-Councillor Santarossa	Develop an implementation plan that will detail the planning and process of next steps required to construct a new Municipal Civic Centre Facility.	01/29/20 Report to Council anticipated Q1, 2021. 05/19/21 A follow-up report is anticipated Aug. 10th, 2021.	
19-2020	OS	11-03-20	M-Councillor Kerr S-Councillor Wilder	11/03/20 Administration to investigate a vacuum leaf yard waste program for the Municipality of Lakeshore.	11/17/20 Report to Council anticipated Q2, 2021. 12/11/20 Email to be sent to Council in September, 2021.	
21-2020	GS	12-08-20	M-Councillor Wilder S-Councillor Janisse	04/20/21 Prepare a report outlining boat, trailer and any motorized vehicle parking in a driveway or residential area.	12/11/20 Report to Council through the zoning bylaw review Q3, 2021. 04/14/21 The review will include all recreational vehicles parked in residential areas.	

COUNCIL REQUESTED REPORT TRACKING					JULY 13, 2021	
ISSUE #	ASSIGNEE	DATE	COUNCIL ASSIGNOR	DESCRIPTION	COMMENTS	Public Consultation / Open House
3-2021	OS	01-19-21	M-Councillor Walstedt S-Councillor Kerr	01/19/21 Prepare a survey for users of the Bulk water station re: the proposed move of the bulk water station.	02/12/21 Report to Council on the results in Q3, 2021.	
4-2021	OS	02-16-21	M-Councillor Kerr S-Councillor Janisse	02/16/21 Administration draft a street cleaning and repair by-law.	03/18/21 Report to Council anticipated late Q3/Q4, 2021.	
5-2021	OS	02-16-21	M-Councillor Kerr S-Councillor Wilder	02/16/21 Prepare a report regarding light recreation use of property around stormwater management ponds and beautification.	03/18/21 Report to Council anticipated Q1, 2022.	
6-2021	GS	02-16-21	M-Councillor Kerr S-Councillor Wilder	02/16/21 Prepare a report regarding access to Lake St. Clair for winter recreation.	03/10/21 Report to Council Q4, 2021.	
7-2021	OS	02-16-21	M-Councillor Janisse S-Councillor Santarossa	02/16/21 Prepare a report for the 2022 Budget on the cost to include Maidstone Park to the park winter maintenance list.	03/18/21 Report to Council anticipated Q3, 2021.	
8-2021	OS	04-06-21	M-Councillor Kerr S-Councillor McKinlay	04/06/21 Prepare a report regarding imposing a 40 km/hr speed limit in all residential areas of the Municipality of Lakeshore and develop a policy to implement 40 km/hr speed limits in all new residential areas in Lakeshore.	04/12/21 Report to Council Q2, 2022.	
10-2021	OS	05-25-21	M-Deputy Mayor Bailiey S- Councillor Santarossa	05/25/21 Prepare a report to Council regarding safety measures for Girard Park regarding soccer and baseballs going into adjacent back yards.	06/11/21 Report to Council Sept., 2021	

COUNCIL REQUESTED REPORT TRACKING					JULY 13, 2021	
ISSUE #	ASSIGNEE	DATE	COUNCIL ASSIGNOR	DESCRIPTION	COMMENTS	Public Consultation / Open House
11-2021	OS	05-25-21	M-Deputy Mayor Bailey S-Councillor McKinlay	05/25/21 Prepare a report to Council regarding the cost and installation of signs in municipal parks relating to disposal of waste.	06/11/21 Report to Council Sept. 2021.	
12-2021	OS	06-08-21	M-Deputy Mayor Bailey S-Councillor Santarossa	06/08/21 Prepare a report regarding a municipal-wide strategy for the purchase and installation of winter community lights.	06/11/21 Report to Council Q4, 2021.	
13-2021	GS	06-08-21	M-Councillor McKinlay S-Councillor Walstedt	06/08/21 Develop a Campground Licensing By-law based on best practices in Ontario.	06/09/21 Report to Council Q4, 2021.	
14-2021	GS	06-08-21	M-Deputy Mayor Bailey S-Councillor Santarossa	06/08/21 Prepare a report regarding the splash pad at the ATRC including the use, cost of operation, lifecycle and other anticipated costs and include information regarding the possibility of moving the infrastructure to another location.	06/09/21 Report to Council Q3, 2021.	
15-2021	SLA	06-22-21	M-Councillor Kerr S-Councillor Wilder	06/22/21 Publish the Draft Animal Care and Control By-law as presented June 22 for public consultation until July 31st and present a report at the Sept. 14, 2021 Council meeting summarizing the public commentary and present recommendations for Council consideration.	07/16/21 Out for public consultation.	

Municipality of Lakeshore – Report to Council

Operations

Engineering & Infrastructure



To: Mayor & Members of Council
From: Krystal Kalbol, P. Eng., Corporate Leader, Operations
Date: August 5, 2021
Subject: Summary of Flooding Event on July 16, 2021

Recommendation

This report is for information only.

Background

This report is being presented to summarize the storm event that occurred on July 16th, 2021 (into July 17th, 2021).

This report will also provide Council a summary of actions and programs currently in place to address these types of events including impacts and outcomes to the stormwater system, impacts and outcomes to the sanitary system, programs and projects currently in place and underway to address the impacts and measures home owners must take in order to address their private infrastructure and connections to the public system.

Comments

July 16th and 17th Storm event

During the morning of July 16th and into the morning of July 17th, the Municipality of Lakeshore received approximately 85 - 90 mm of rain through a 24 hour period and approximately 75 mm through a 6 hour period. Essex Region Conservation Authority (ERCA) identified that these actual rainfall amounts and durations are roughly equivalent to a 1:25 year storm event (i.e. 4% chance of occurrence in a given year) and 1:50 year event (i.e. 2% of occurrence in a given year), respectively. A letter entitled Rainfall and Flood Event in the Municipality of Lakeshore on July 16, 2021 from ERCA has been attached for more detail related to the event.

It should be noted that the Municipality purchased 12 weather monitors from WeatherFlow earlier this year to assist with monitoring events and recording rain fall data in several locations within the Municipality. These monitors will assist with

mobilizing staff and resources to the affected areas that are experiencing higher rainfall. These monitors are expected to be installed by early Fall 2021.

Management and Staff Resources during Emergency Event

Although rainfall commenced in the early morning of July 16th, the intensity of the rainfall increased late morning into early afternoon. Operations staff were dispatched to various locations for inspection and action at approximately 12 pm (noon) on July 16th.

Several storm pumps and/or systems were under maintenance (as described below) at the time of the event and were identified as requiring immediate attention. Upon initial inspection, other areas were noted to be overwhelmed during the storm event. Below is a summary of these areas. These areas were identified as priority and managed accordingly at the onset and through the storm event.

System	Inspection and Mitigation Notes
Lefaive Drain - condition of storm outlet	The Lefaive Drain had significant deterioration at the outlet pipe and replacement (under maintenance) was scheduled for the week following the storm (which has since been completed). During the event, Operations had two additional axillary pumps on-site to assist with pumping the Lefaive Drain system down based on the condition of the outlet. Both axillary pumps remained active from 12:30 pm to 11:30 pm on July 16 th , requiring one staff to monitor the pumps.
Little Creek Storm Pump - no hydro	Based on this area having no hydro during the storm event, this pumping station required an operator to pump the system down using an axillary pump. This pump was in place on July 16 th and continued to remain in place until July 17 th .
Vintage Oaks - storm pump out for repairs	At the time of the event, the Vintage Oaks storm pump was out for repairs. Two pumps were brought to the pumping station and were operating when the rain event had started. Pumping continued until late Friday evening on July 16 th , staff were frequently visiting the site to monitor the pumps.
River Ridge - pond level high	The River Ridge pond level was extremely high during this event, even though the system bypass was being utilized. A tractor with an axillary pump was hooked up to assist with heavy flows and was utilized until the morning of Sunday July 18 th .
Wallace Line Drain - outlet gates closed	The Wallace Line Drain outlet gates (Wallace Line, 4 TH Con and Renaud Line Drain) were manually opened on July 16 th at approximately 1:30 pm. The pumps were inspected and determined to be operational and continued to pump the heavy water flows in these drains during the event.

In total, six axillary pumps were utilized during this storm event as indicated above.

At approximately 2:30 pm (after storm pumps and systems were inspected and checked), Operations staff commenced with closing roadways in various locations (those that experienced higher roadway flooding levels) to stop traffic from causing wakes. Calls were received related to roadway flooding during the event and Operations staff proceeded to those areas. Barricades, road closed trailers and staff vehicles were used to assist with closure of roadways. Residents identified that people were not being cautious while driving down those roadways that experienced significant flooding.

Based on the duration of the storm event and the additional hours staff were required to work, it was necessary to call a State of Emergency at 11:25 pm on July 16th. A State of Emergency was called to allow staff to continue to work in accordance with the relevant collective agreements and *Employment Standards Act*. This was required to continue to assist with mitigation of the storm conditions into July 17th.

Operations staff worked from 7:00 am until 12:00 am (midnight) on July 16th, for a total of 17 hours. Staff returned on July 17th at 4:00 am and continued until 6 pm that evening, for a total of 14 hours.

Pumping stations (both storm and sanitary)

Stormwater pumping stations and systems are operated by the Municipality of Lakeshore staff and were managed during the storm event as indicated above. High water levels of these systems are alarm activated and calls are received through Security One when triggered. During significant events, this allows for immediate response to those areas experiencing higher levels. Routine inspections of the pumping stations occur twice a month as well as prior to upcoming known storm events. Outlet pipes are also inspected and cleaned, as required, during these routine inspections.

Sanitary pumping stations are operated by OCWA (Ontario Clear Water Agency). OCWA forces were on site at the sanitary pumping stations upon activation of the high water level alarms starting on July 16th and continuing into July 17th and July 18th. These pumps are also monitored through SCADA system and closely monitored. OCWA has recently implemented a mobile SCADA system so operators can have the information out in the field.

OCWA also conducts routine inspections of the sanitary pumping station regularly (performed 1-2 times a week at the minimum).

OCWA also monitors weather forecasts and inform our team of potential inclement weather to establish a schedule of who will come in after the first watch so to speak until the weather subsides.

Within the areas of flooding, the sanitary pump station high water alarms were activated between 12:01 pm and 1:22 pm on July 16th. Restoration of the high water alarms did not occur until (at the earliest) 12:39 am on July 17th, with the last alarm restoring at 6:39 pm on July 18th.

Treatment Plant Operation and Bypass

The area that experienced basement flooding is within the service area of the Denis St. Pierre Treatment Plant located on Rourke Line, south of County Road 22.

Based on the volume of stormwater received and the inflow experienced by the conveyance system, the plant went into bypass starting on July 16, 2021 at 2:31 pm. The plant flows reduced and bypass of the plant ended on July 18, 2021 at 2:15 pm.

The Denis St. Pierre treatment plant expansion is currently out for tender, is expected to be awarded in early Fall 2021, with construction to following after contract award.

Information gathering and flood survey results

As of July 29th, 2021 a total of 327 people completed the survey related to the event on July 16th. The below is a summary of the results related to the survey as well as calls that were received during the event:

- General Comments & Comments related to flooding (previous years) – 55
- Street Flooding – 69
- Crawl Space Flooding - 3
- Basement Flooding, unable to determine source (storm or sanitary) – 47
- Storm Sewer Flooding – 33
- Sanitary Sewer Flooding – 120

A total of 200 people reported basement flooding through the online survey and information obtained through calls. Areas of basement flooding and the associated numbers are identified in the attached map entitled Basement Flooding, Areas of Impact, July 16th, 2021 Storm Event.

Follow up meetings and debriefing

Management and Operations Staff debrief meetings were held on Sunday July 18th and again on Tuesday July 20th. This included discussions on the event and areas of improvement to assist with future events. Investigation and mitigation measures were also identified and summarized.

An overview of the sanitary sewer system model and capacity and a review of the flow monitoring results from the event were discussed on Wednesday July 21st with Jacobs Consulting to understand the areas that experienced flooding and the impact the storm event had on the sanitary sewer system.

Further, discussions with the IBEW Union occurred on Wednesday July 21st based on recommendations during debriefing related to hours worked by staff and minimal resources available for overtime hours. It was determined that additional staff should be available to assist (whether internal or external forces) during emergency events such as the July 16th event to assist.

Comments

The following outlines the existing municipal system, impacts and mitigation or incentive programs currently in place.

Storm water Systems and Management

The Municipality's storm drainage consists of one of the following systems within the area(s) of flooding:

1. Storm sewer pipes that are designed to convey the 1:2 year event (older areas of the municipality) or the 1:5 year storm event (now current standard) that are either pumped or consist of a gravity outlet directly to river and/or lake; and/or
2. Storm sewer pipes (1:2 year or 1:5 year design) that convey stormwater to a pond or retention system to hold/store the 1:100 year event, that are either pumped or consist of a gravity outlet directly to river and/or lake; and/or
3. Municipal drains (consisting of open and/or closed systems) that are either pumped or consist of a gravity outlet directly to river and/or lake.

It should be noted that in most cases, storm outlets have restricted flows and are designed to Ministry and Regional standards. Outlet restrictions are mandated to minimize impact to the receiving waters (i.e. restricted to pre developed flows, additional volume of storm water is required to be stored in roadways, rear yards, stormwater ponds/retention systems).

Initially, several residents called related to roadway flooding. It should be noted that during events over a 1:2 and/or 1:5 year storm event that roadway and rear yard storage is required and stormwater ponds and municipal drains will be full, as was the case on July 16th, 2021.

Through 2019 and 2020, the Municipality initiated a Stormwater Master Plan report in order to analyze and assess the existing stormwater systems across the Municipality. This study was broken down into two phases. Funding has been secured and work is underway as outlined below:

- Phase 1 of the Stormwater Master Plan was completed in June of 2020. Several recommendations were made in the report to assist with improving drainage conditions within key areas (at 14 locations). These improvements include:
 - Increase in outlet structures or discharge pipes;

- Establish or re-establish overland flow routes to improve roadway flooding levels during extreme events;
- Stormwater pumping station enhancements or replacements to increase peak discharge rates;
- Installation of sluice gates to control flows; and
- Stormwater Pond improvements.

Budget was approved in 2021 to complete the recommendations made at 4 of the 14 locations (with an allocated budget of \$1,650,000). The design for these projects are currently underway and are expected to be completed in 2021/2022. Note that modifications to stormwater systems require amended approvals from various agencies.

- Further, the Municipality had re-allocated \$250,000 of budget from High Water Flood Mitigation Measures to be eligible for application to the Disaster Mitigation Adaptation Fund (DMAF) grant. This federal funding was approved in May of 2021 and the Municipality received an additional \$250,000 (50%) towards Phase 2 of the Stormwater Master Plan. This study will be initiated/underway before the end of 2021.

In addition to the recommended improvements above (which will not accommodate the intensity of the storm event(s) that were experienced on July 16th), residents must take responsibility for their private infrastructure. The following are measures all home owners should be taking to mitigate and protect themselves from stormwater flooding:

- Disconnection of roof leaders from foundation drain within private property.
 - In newer areas, Lakeshore requires that roof leaders be splash padded, where possible, and not be connected into the storm sewer system. Roof leaders should splash onto surrounding lands around homes, as this flow contribution to the storm sewer system is unnecessary and by disconnection of roof leaders can relieve the system of flows. In older areas, disconnections of roof leaders should be completed and are encouraged to be done by residents. Disconnection of roof leaders on grassed surfaces will assist with slowing the flow of stormwater into the piped system.
- Overflow and/or back-up sump pump(s) on hand for more extreme events. Note that an additional pump outlet should be directed to discharge into rear yards or onto driveways. Residents should not pump stormwater into laundry tubs or floor drains as this will overwhelm the sanitary sewer system with stormwater flows.
- Although this storm did not experience hydro outages in most areas, a back-up power source is recommended to further assist if power outages are experienced during future events.
- Inspection and/or camera of storm piping on private property to ensure recirculation of stormwater is not occurring. Foundation drainage piping can come loose and/or be damaged or cracked over time causing the recirculation of stormwater and hence overwhelming private drainage systems.

Sanitary Sewer System and Surcharging

Since 2014, the Municipality has allocated budget to inspect and complete repairs related to Inflow and Infiltration (I & I) into the sanitary sewer system. This work included mainline sanitary sewer and manhole inspections with lateral launches (private drain connections from main line to clean out) as well as the associated repairs based on recommended findings.

The below represents the allocated budget dollars for the last few years related to the I & I program related to the sanitary sewer system:

- 2018 –\$600,000
- 2019 - \$500,000
- 2020 - \$600,000
- 2021 - \$300,000

Further, Lakeshore has been installing rain catchers in sanitary manholes over the last few years within flood prone areas. To date a total of 811 rain catchers in sanitary manholes (out of a total of 1986 manholes) have been placed. This program will continue and have now mandated that rain catchers be installed within areas of new developments.

The Municipality allocated \$150,000 in 2021 to install monitors and calibrate the existing sanitary sewer system model (the model update is expected to be completed by August 2021). The flow monitors were in place during the July 16th event. After the July 16th storm event, a report was requested related to the results of the flows within the sanitary sewer system and details were requested related to the impact that stormwater has on the sanitary sewer system.

The attached memo received from Jacobs dated July 29th, Flow Monitoring Summary confirms that under normal conditions (daily flows) that the system is not surcharging nor is it operating over its design capacity. However, it does note that under storm events, the system experiences different levels of surcharging indicating that the sanitary sewer system is being used to convey stormwater and that inflow and infiltration is occurring in certain areas, some more extreme than others. This information along with the flood mapping will be useful in determining areas that require extensive investigation and mitigation.

After the storm event, inspections were undertaken (on July 17th) for those areas under development where new dwellings were under construction (basement foundations dug). In some cases, dry basements and an open connection to the sanitary system was observed (80 dwellings in total were noted). Warning letters were sent to those builders/landowners advising of the inspection results and that this practice of draining stormwater into the municipal sewage connection is in contravention of the Sewer Use

By-law and must stop immediately. Letters were sent to 4 builders and 2 private homeowners who are responsible for the 80 dwellings.

Following the outcome of the July 17th inspections on new dwellings, inspections will be undertaken, if feasible and safe to do so, during and after future storm events. The objective of the inspections is to ensure that this practice is stopped and if required, charges will be laid under the Sewer Use By-law.

Based on the results of the online survey that indicate areas of significant flooding as well as the results of the flow monitoring completed by Jacobs Consulting, Administration will be identifying those areas requiring more detailed analysis and areas recommended for smoke testing to determine sources of inflow and infiltration into the sanitary sewer system. A flood mitigation plan will be required to be developed to ensure these areas are repaired and/or rectified. It should be noted that it is expected that these areas will include private sources contributing to inflow and infiltration into the Municipal system.

In addition to the above, residents should also be reviewing and undertaking the below protection measures to assist with mitigation of sanitary sewer basement flooding and assume responsibility for their private infrastructure as follows:

- Control of sump pit overflow to eliminate overflow/pumping stormwater into sanitary systems during these events (i.e. overflow of sump pump draining into floor drains);
- Installation of and routine maintenance of sanitary backflow prevention devices (which are now required for all new builds). The Municipality offers incentive programs for installation of sanitary backflow preventers (outlined below);
- Understand the use of backflow prevention devices to ensure operation is not being impacted by the use of sanitary facilities within the home during extreme storm events;
- Coordination with the Municipality through smoke testing of key areas to identify private inflow and infiltration sources, including potential house inspections;
- Cooperation with the Municipality on repairing and rectifying these areas within basements and/or in private yards; and
- Mini-cam inspections can also be coordinated with the Municipality to identify concerns related to sanitary servicing on private property.

Municipal Incentive Programs

The Municipality offers the following incentive programs:

- **Mini- Camera Inspections**

The Municipality offers free mini-cam inspections of private storm drainage systems around foundations drains to identify and confirm repairs. If residents

are experiencing, or suspect a problem with the sanitary or storm services, residents may contact the Municipality for assistance to identify the cause. The Municipality will schedule an appointment with a crew to camera inspect private connection(s). Note: This inspection can be made by appointment only, appointment times can vary depending on the requests received.

This service is provided one-time free of charge to Lakeshore residents.

- Sanitary Backwater Preventer

Private home sanitary drains should be equipped with a functioning backwater valve in the event the private sanitary connection or the Municipality's sanitary sewer system is temporarily surcharged. The backwater valve connects to the sanitary sewer line of the home and protects from sanitary waste flooding into the basement.

Backflow Preventers must be installed by a licensed plumber in order to be eligible for the subsidy. The amount of subsidy is 80% of the cost to a maximum of \$750.

- Installation of Sump Pump Overflow

A home is designed to carry rainwater and groundwater into the sump pit. If the sump pump does not have a discharge pipe discharging to an outside landscaped area, the water is being directed into the Municipality's sewer system. This extra water can lead to the Municipality's sewer system becoming surcharged and increase the risk of basement flooding. Installing a sump pump with an overflow to the outside landscaped area reduces the amount of water entering the sewer, reducing the risk of basement flooding. A sump pump overflow (check valve) releases the water in the sump pit onto the lawn or some area away from the building in the event that the private stormwater service is blocked or backing up.

The overflow must be installed by a licensed plumber. This subsidy is up to a maximum of \$225.

- Downspout Disconnection

Disconnecting downspouts is an important measure that every Municipal property owner should undertake. Disconnecting downspouts redirects rainwater from the roof onto the grassed area surrounding the home, rather than to the sump pump. It also provides more capacity to both the private connections and the municipal sewers to help protect from basement flooding.

Downspout disconnections are subsidized up to \$75.

The below identifies the number of residents (per year) that utilized these programs over the last few years:

Subsidy Year	Mini-Camera Inspections (Storm and/or Sanitary)	Back water Valve (Sanitary)	Sump Pump Overflow (Storm)	Downspout Disconnection (Storm)
2019	63	13	11	Very low participation
2020	73	39	31	
2021 (to date)	62	2	3	

It is encouraged that these incentive programs continue to be utilized by residents to minimize the risk and impact of flooding.

Others Consulted

Essex Regional Conservation Authority, Jacobs Consulting and Ontario Clean Water Agency were consulted in regards to the event.

Financial Impacts

There are no additional financial impacts proposed for this report beyond the approved budgets mentioned above.

Attachments

Attachment 1: Rainfall and Flood Event in the Municipality of Lakeshore on July 16, 2021 letter, dated August 3, 2021, ERCA

Attachment 2: Basement Flooding – Areas of Impact July 16, 2021 Storm Event, Map

Attachment 3: Flow Monitoring Summary Memo, Jacobs, dated July 29, 2021

Report Approval Details

Document Title:	Summary of Flooding Event on July 16, 2021.docx
Attachments:	<ul style="list-style-type: none">- Rainfall and Flood Event in the Municipality of Lakeshore on July 16, 2021 letter, dated August 3, 2021, ERCA.pdf- Basement Flooding – Areas of Impact July 16, 2021 Storm Event, Map.pdf- Flow Monitoring Summary Memo, Jacobs, dated July 29, 2021.pdf
Final Approval Date:	Aug 5, 2021

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

Jessica Gaspard

Kristen Newman

Truper McBride



August 3, 2021

Krystal Kalbol, P.Eng.
Corporate Leader - Operations
The Municipality of Lakeshore
419 Notre Dame St.
Belle River, ON
N0R 1A0

Dear Ms. Kalbol:

Re: Rainfall and Flood Event in the Municipality of Lakeshore on July 16, 2021

On July 16, 2021, the Municipality of Lakeshore along with the Town of LaSalle, City of Windsor, and Town of Tecumseh, received significant rainfall that resulted in flooding across the northern area of the County of Essex. The rainfall event that occurred began in the early hours of the morning on July 16 (approximately 5:00 AM). ERCA received notification of a possible strong thunderstorm at approximately 9:15 AM. These messages are received often throughout the course of a year between spring and fall and form part of ERCA's flood advisory program, administered on behalf of the Province of Ontario. Responsible ERCA Flood Duty staff typically assess field conditions along with weather forecasts and make decisions regarding the Flood Advisory Status. Based on the field conditions at that time along with the predicted rainfall event, ERCA released a Flood Watch at 9:45 AM with the potential for flooding across the Essex Region. The actual storm event surpassed both the predicted intensity and volume of the rainfall causing more severe widespread flooding than anticipated.

The various municipalities and ERCA own and operate approximately 31 climate stations across the region. From the available data, it can be seen that areas between the Town of LaSalle and Lakeshore received rainfall that exceeds typical design standards. On the western limit of Lakeshore, near Pike Creek, available climate station data indicates that roughly 81.5 mm of rain fell by 11:59 PM on July 16, with an additional 8 mm received by 8:00 AM on July 17 for a total of almost 90 mm in that time span. The majority of the rain came within a 6 hour span where the area near Pike Creek saw approximately 75 mm fall within that timeframe. Based on these amounts, the event was roughly equivalent to a 1:25 year storm event (i.e. 4% chance of occurrence in a given year) and a 1:50 year event (i.e. 2% chance of occurrence in a given year), respectively. Much of the existing storm infrastructure throughout Lakeshore was designed for a 1:2 year standard (50% chance of occurrence in any given year), a typical design standard until recently. Even at modern standards, the storm event of July 16 far exceeded the capacity of much of the existing infrastructure within the municipality of Lakeshore. It should also be noted that there were additional rainfall events (albeit minor by comparison) that occurred earlier in the same week as well as the week prior to that which provided some wet antecedent ground conditions. The wet ground along with high lake levels would have impacts on many of the drainage systems across Lakeshore.



It can be seen from the attached figures that the majority of the climate stations across the region capture the storms as they approach Lakeshore from the west. The closest station to one of the more affected areas is the Brighton Pump Station climate station which is situated close to Pike Creek and the County Road 19 (Manning Road) area. Without any stations on the east end of Lakeshore, volumes and intensities are unknown for this area; however, the storm tracked westerly across the County impacting the majority of Lakeshore. ERCA recommends that there be some additional climate stations installed at key locations within the Town east of Belle River to capture real time rainfall data. ERCA is prepared to collaborate with Lakeshore on future installations.

Sincerely,

James Bryant, P.Eng.
Director, Watershed Management Services
Essex Region Conservation Authority

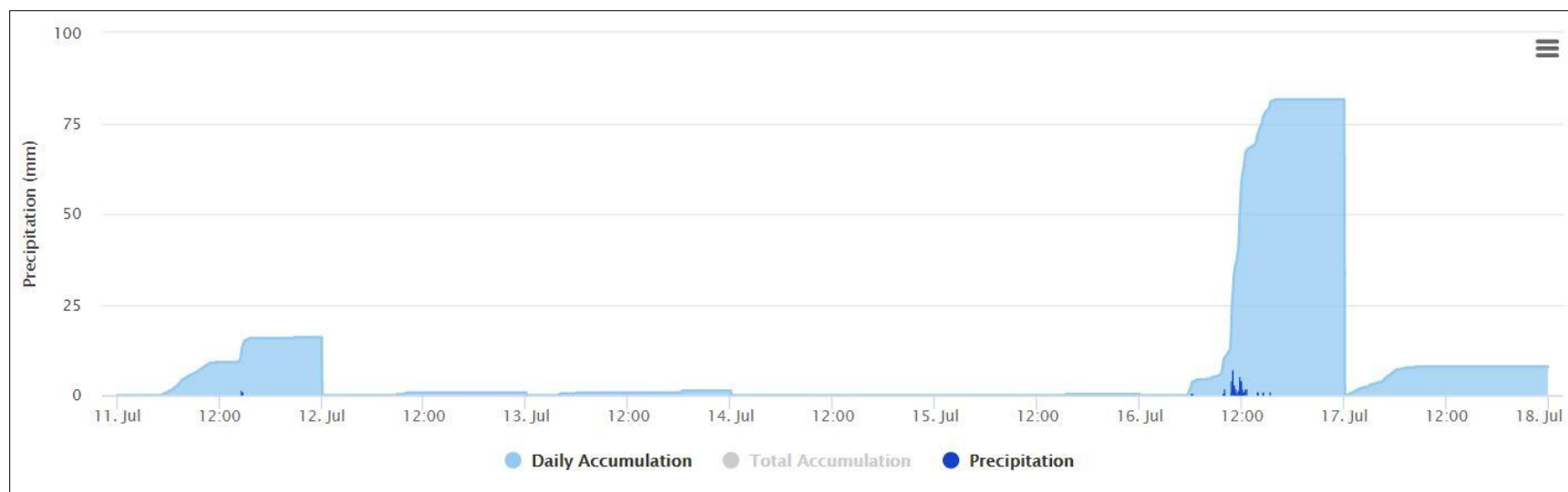
Cc: Tim Byrne, Chief Administrative Officer (ERCA)

Attachments:

- 1) Rainfall - Week of July 12, 2021
- 2) Rainfall Accumulation - July 16, 2021
- 3) Intensity-Duration-Frequency - July 16, 2021



Attachment 1: Rainfall - Week of July 12, 2021



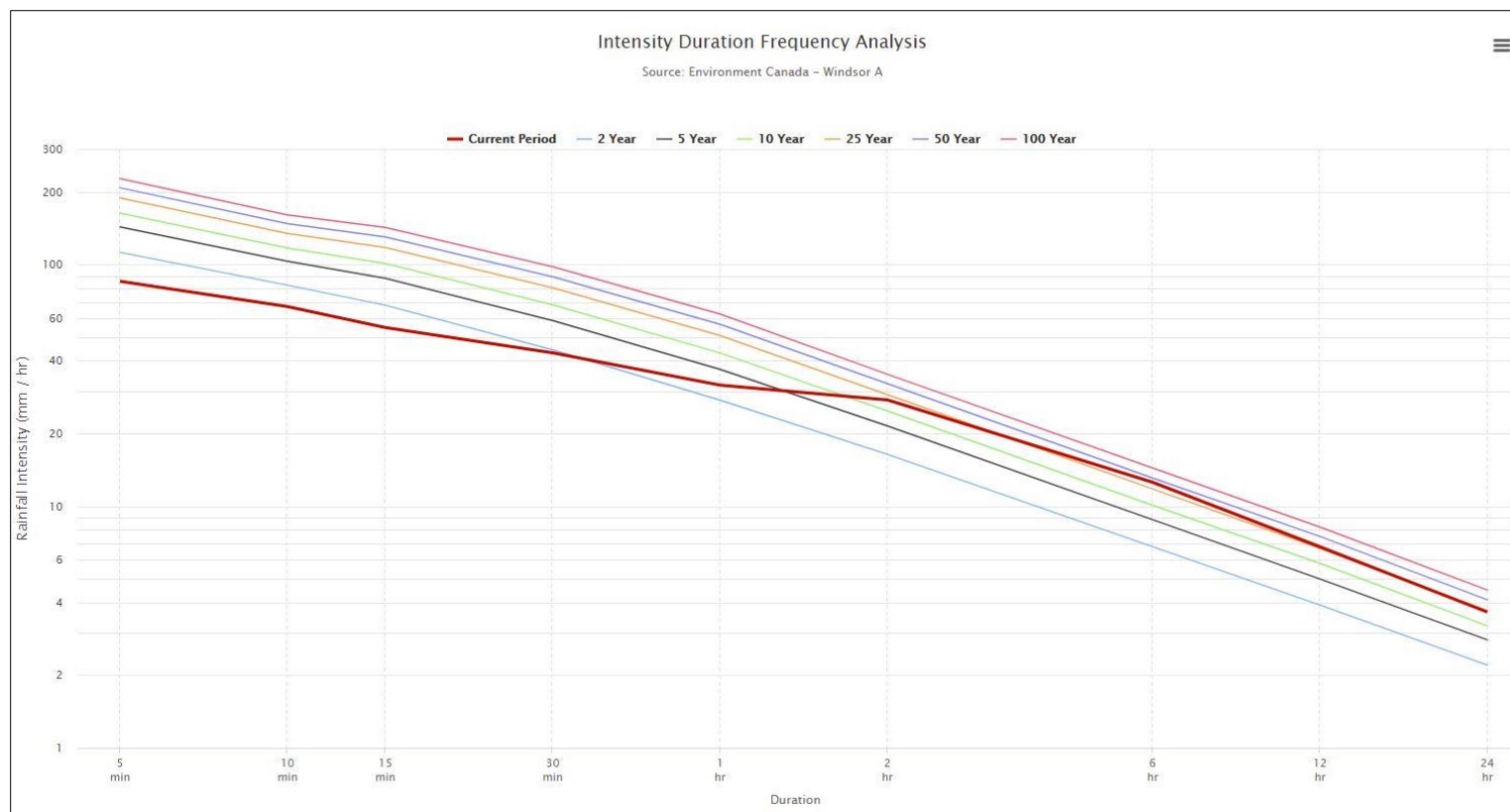


Attachment 2: Rainfall Accumulation - July 16, 2021





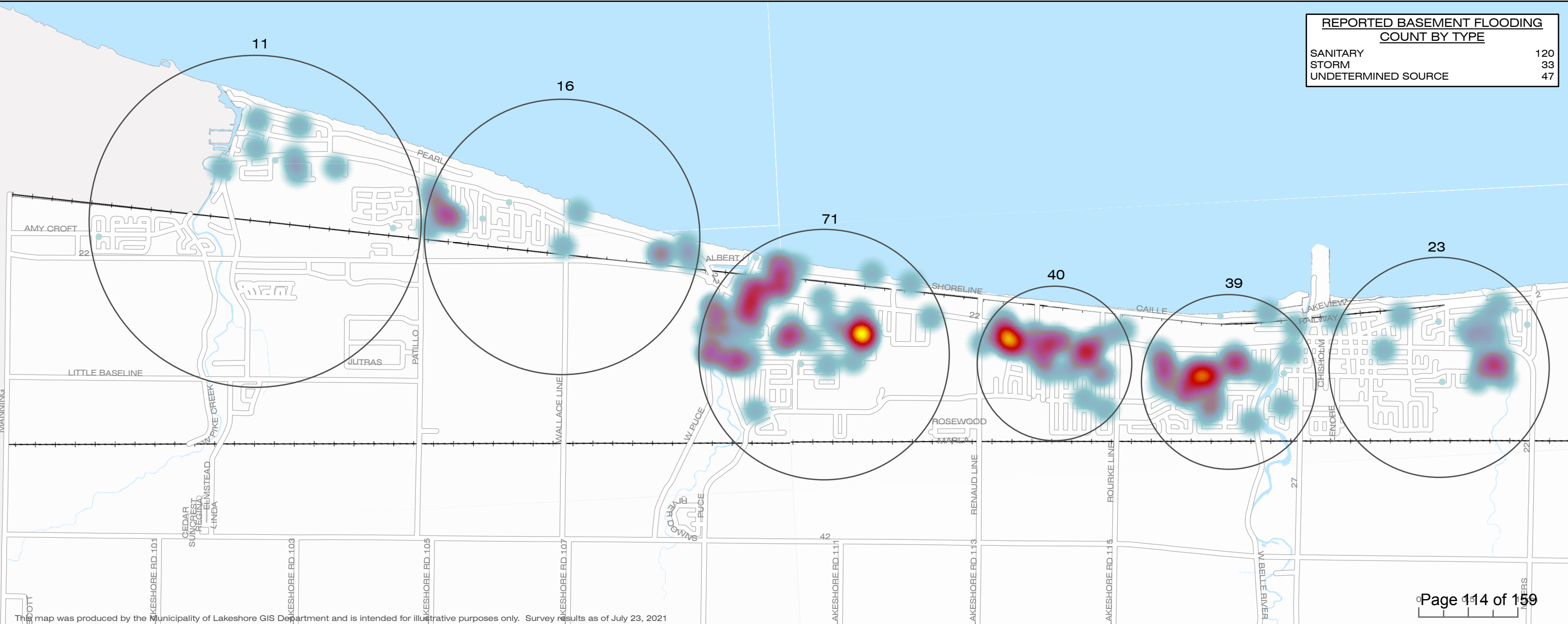
Attachment 3: Intensity-Duration-Frequency - July 16, 2021



BASEMENT FLOODING - AREAS OF IMPACT JULY 16TH, 2021 STORM EVENT



REPORTED BASEMENT FLOODING COUNT BY TYPE	
SANITARY	120
STORM	33
UNDETERMINED SOURCE	47



72 Victoria Street South
Suite 300
Kitchener, ON N2G 4Y9
Canada
T 519 579 3500
F 519 579 8986
www.jacobs.com

Subject	Flow Monitoring Summary [FINAL]	Lakeshore Sanitary Sewer System Hydraulic Model
Attention	Albert Dionne, Manager of Water/Wastewater Services	Project No. CE801100
From	Stu Mitchell, Project Manager	
Date	July 29, 2021	
Copies to	Sannan Mansoor, Krystal Kalbol, Sydnee Rivest	

1. Purpose

A sanitary sewer flow monitoring program was initiated on March 9, 2021 to aid in updating and recalibrating of the existing Sanitary Sewer System Hydraulic Model for the Municipality of Lakeshore. The flow monitoring program is scheduled to last until the end of August 2021. A total of 10 flow monitors and 2 rain gauges were installed throughout the Municipality of Lakeshore by AMG Environmental Group. The locations of these flow monitors and rain gauges are shown in Figure 1.

A virtual modelling workshop was conducted on July 21, 2021 and a summary of the flow monitoring results was requested by the Municipality for the storm event of July 16, 2021. The purpose of this memorandum is to summarize the results of the flow monitoring program up to July 22, 2021. The data used for this summary is preliminary and has not been reviewed for quality assurance. Based on this preliminary data, the storm event of July 16, 2021 was the most significant in terms of peak intensity and total rainfall depth which caused significant surcharging in the sanitary system. The peak intensity recorded was 61 mm/hr with a total rainfall depth of 67 mm for a storm duration of approximately 11 hours at Denis St. Pierre WPCP.

2. Flow Monitors

Table 1 summarizes the data from the 10 flow monitors from March 9, 2021 to July 22, 2021. The average flow and depth values are included along with minimum and maximum recorded flow and depth during this time period. The maximum recorded depth provides indication of the sewer surcharge state; sewer is observed to be surcharged if the maximum water depth exceeds the diameter or height of the sewer. Pipe full capacity (pfc), percentage of full capacity, and a ratio of recorded depth to pipe diameter (d/D) is also included in Table 1 to understand magnitude of surcharge.

Flow monitor location FM 10 at Lalonde Street started malfunctioning post July 7, 2021 as per AMG online web portal. As a result, storm event of July 16, 2021 showed no recorded data at this location and therefore, the results from this flow monitor are excluded from Table 1 below. However, no surcharge was observed during the monitoring period at this location up to July 7, 2021.

Table 1 Flow monitoring summary

Flow Monitor-Street	Sewer Diameter (D in mm)	Pipe full capacity (l/s)	Parameter	Average	Minimum	Maximum	Time of peak	% full capacity ¹	max. depth/diameter ² (d/D)
FM01 – Amy Croft Drive	300	60	Flow (l/s)	7.44	0.26	88.27	July 16 @ 11:10 am)	147%	
			Depth (d in mm)	74.23	18.03	3460.04	July 16 @ 17:05 am)		11.5
FM02 – Russell Road	450	90	Flow (l/s)	16.98	1.09	152.68	July 16 @ 11:35 am)	170%	
			Depth (d in mm)	125.76	62.65	1599	July 16 @ 2:30 pm)		3.6
FM03 – Patillo Road	250	32	Flow (l/s)	4.2	0.45	68.72	July 16 @ 8:20 pm)	215%	
			Depth (d in mm)	93.35	63.59	1628.38	July 16 @ 2:30 pm)		6.5
FM04 – Old Tecumseh Road	600	213	Flow (l/s)	33.12	0.94	347.77	July 16 @ 11:55 am)	163%	
			Depth (d in mm)	206.16	131.52	3160.21	July 17 @ 4:40 am)		5.3
FM05 – Puce Road	200	20	Flow (l/s)	7.58	0.31	47.75	July 16 @ 11:30 am)	239%	
			Depth (d in mm)	144.21	13.88	4825.67	July 16 @ 9:00 pm)		24.1
FM06 – County Road 22	750	270	Flow (l/s)	64.69	10.76	384.35	July 16 @ 11:55 am)	142%	
			Depth (d in mm)	258.41	154.45	3371.98	July 16 @ 3:45 pm)		4.5
FM07 – Rourke Line	750	466	Flow (l/s)	66.07	12.97	406.44	July 16 @ 11:40 am)	87%	
			Depth (d in mm)	235.97	111.52	5394.86	July 16 @ 4:10 pm)		7.2
FM08 – Rego Drive	900	427	Flow (l/s)	17.04	0.3	229.02	July 16 @ 11:50 am)	54%	
			Depth (d in mm)	174.4	61.06	5473.44	July 16 @ 4:20 pm)		6.1
FM09 – Kilrea Avenue	525	112	Flow (l/s)	30.35	1.85	114.73	July 17 @ 8:45 am)	102%	
			Depth (d in mm)	201.67	108.03	5182.11	July 16 @ 4:00 pm)		9.9

Notes:

1. % full capacity greater than 100 % indicates the sewer is operating under surcharge conditions. Standard design practice is to design sanitary sewers to operate at less than 85 % of the pipe full capacity.
2. Maximum depth to diameter (d/D) greater than 1.0 indicates the sewer is operating under surcharge conditions.

3. Conclusions

The following conclusions are derived from the preliminary flow monitoring data:

- All the flow monitors indicate significant surcharge conditions during the storm event of July 16, 2021 except for FM 10 where data was not recorded post July 7, 2021. FM 10 did not show any surcharge during the flow monitoring period from March 9 to July 7, 2021.
- Flow monitors FM05, FM06, FM07, FM08, and FM09 also showed surcharge conditions for June 25, 2021 storm event, although they were not as significant as compared to July 16 storm event. The peak intensity for June 25 storm event was recorded at 58 mm/hr with total rainfall depth of 49 mm for a storm duration of 19.3 hours at Denis St. Pierre RG.
- The maximum surcharge was observed at Puce Road at FM 05 location in 200 mm-diameter sewer where maximum water depth recorded was 4825 mm.
- During a low intensity rain event such as March 26 storm event (peak intensity of 18.29 mm/hr with total rainfall depth of 33 mm for 7-hour storm duration), minimal surcharging is observed as only FM05 and FM09 monitoring locations showed surcharge conditions. Under dry weather flow, no surcharge is observed at any of the flow monitoring locations.
- The average flows for March, April, and May were under the plant rated average design capacity of 14,500 m³/day. However, flow bypass was observed at Denis St. Pierre WPCP during the events of March 26 and April 9, 2021. Data for June and July is not available as of this date, however flow bypass is expected for the storm events of June 25 and July 16.

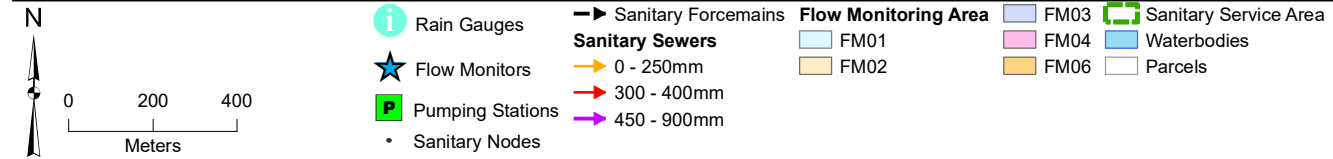
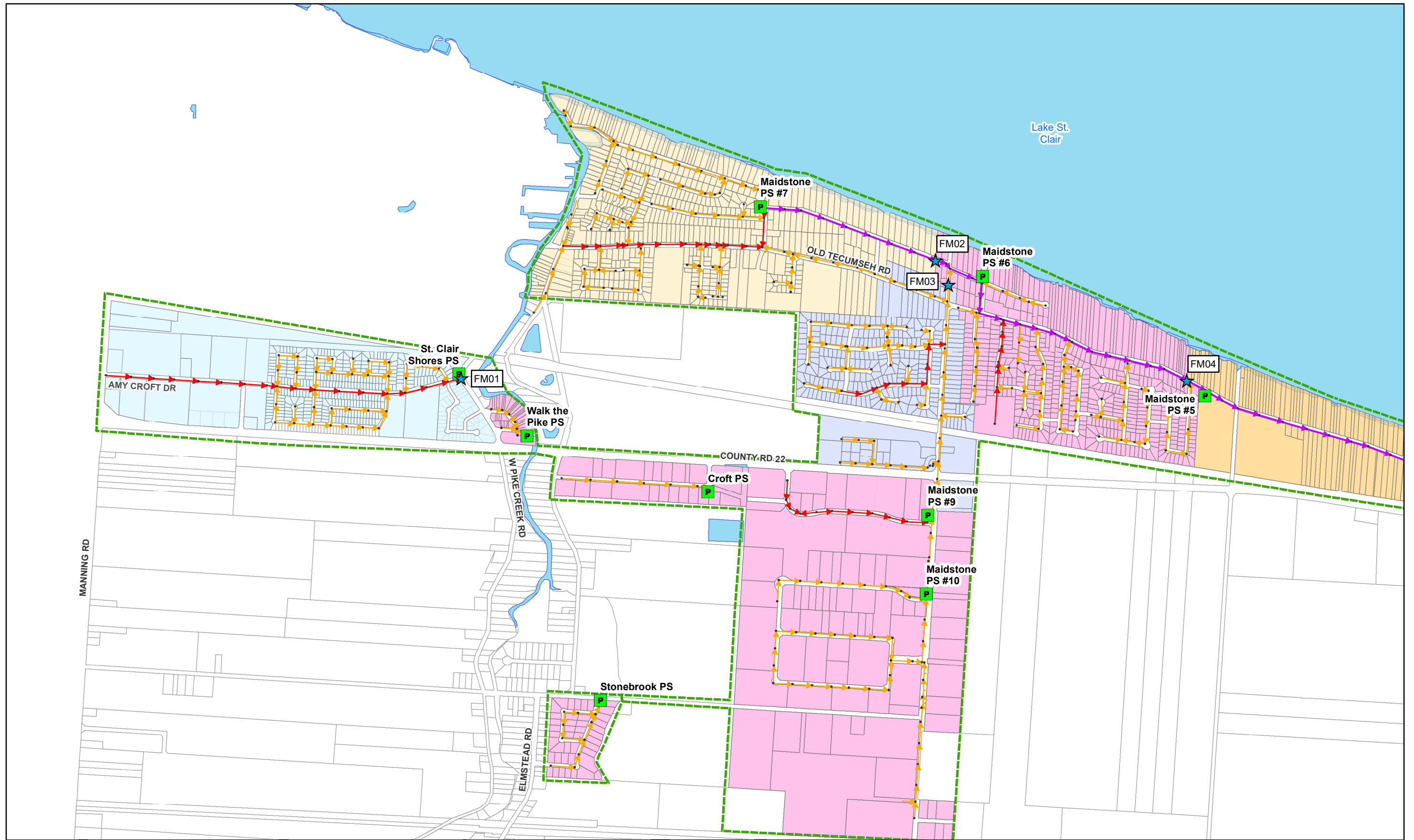


Figure 1a
Flow monitoring locations
Flow Monitoring Summary
Municipality of Lakeshore, Ontario

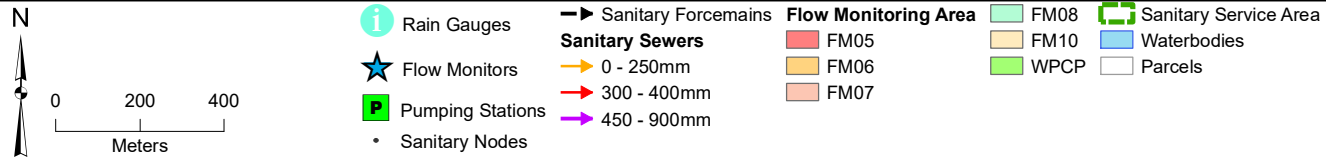
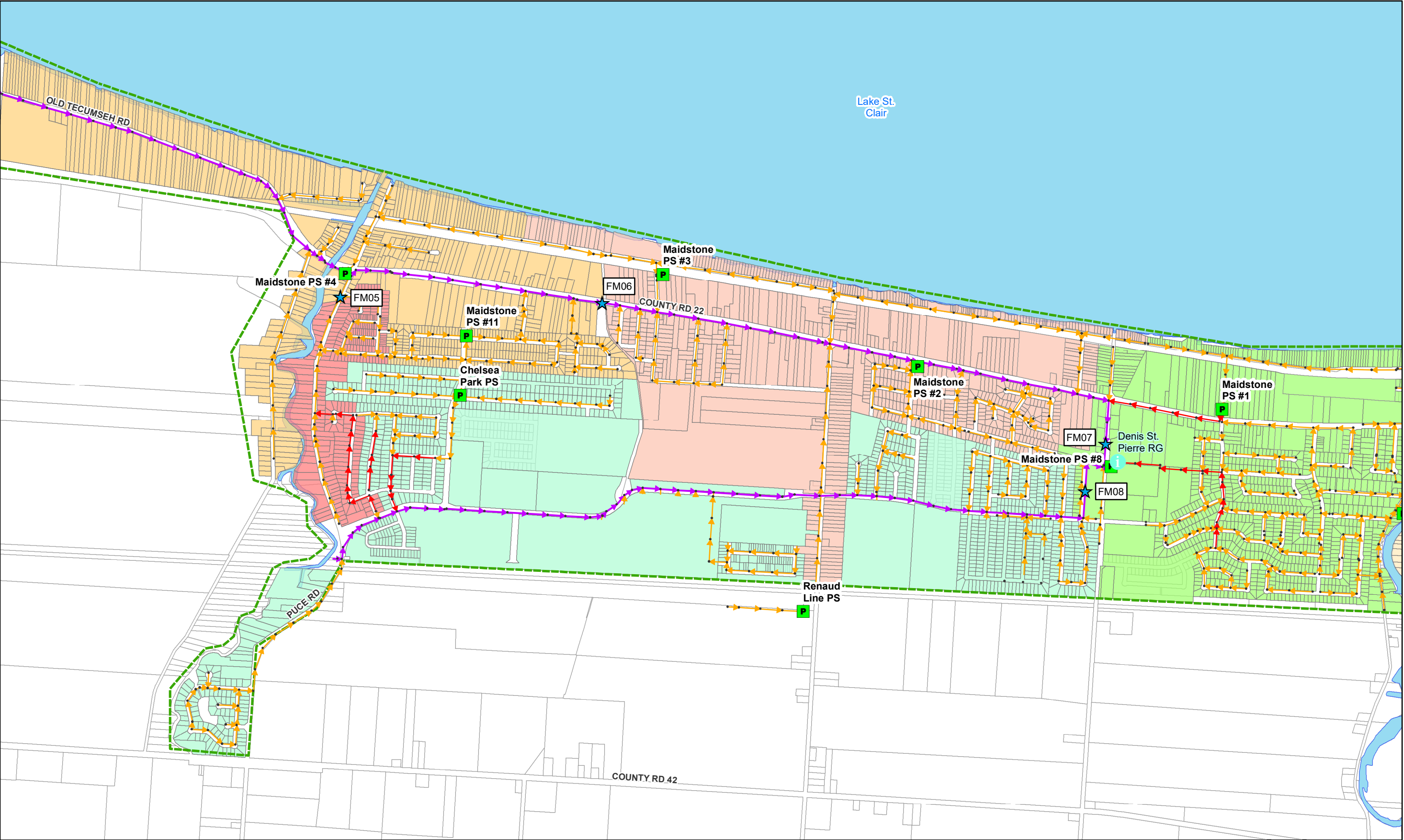


Figure 1b
Flow monitoring locations
Flow Monitoring Summary
Municipality of Lakeshore, Ontario

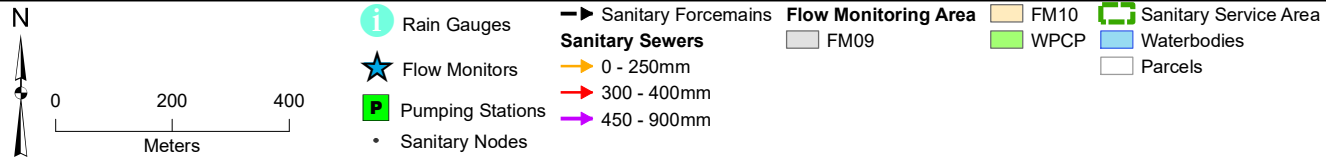
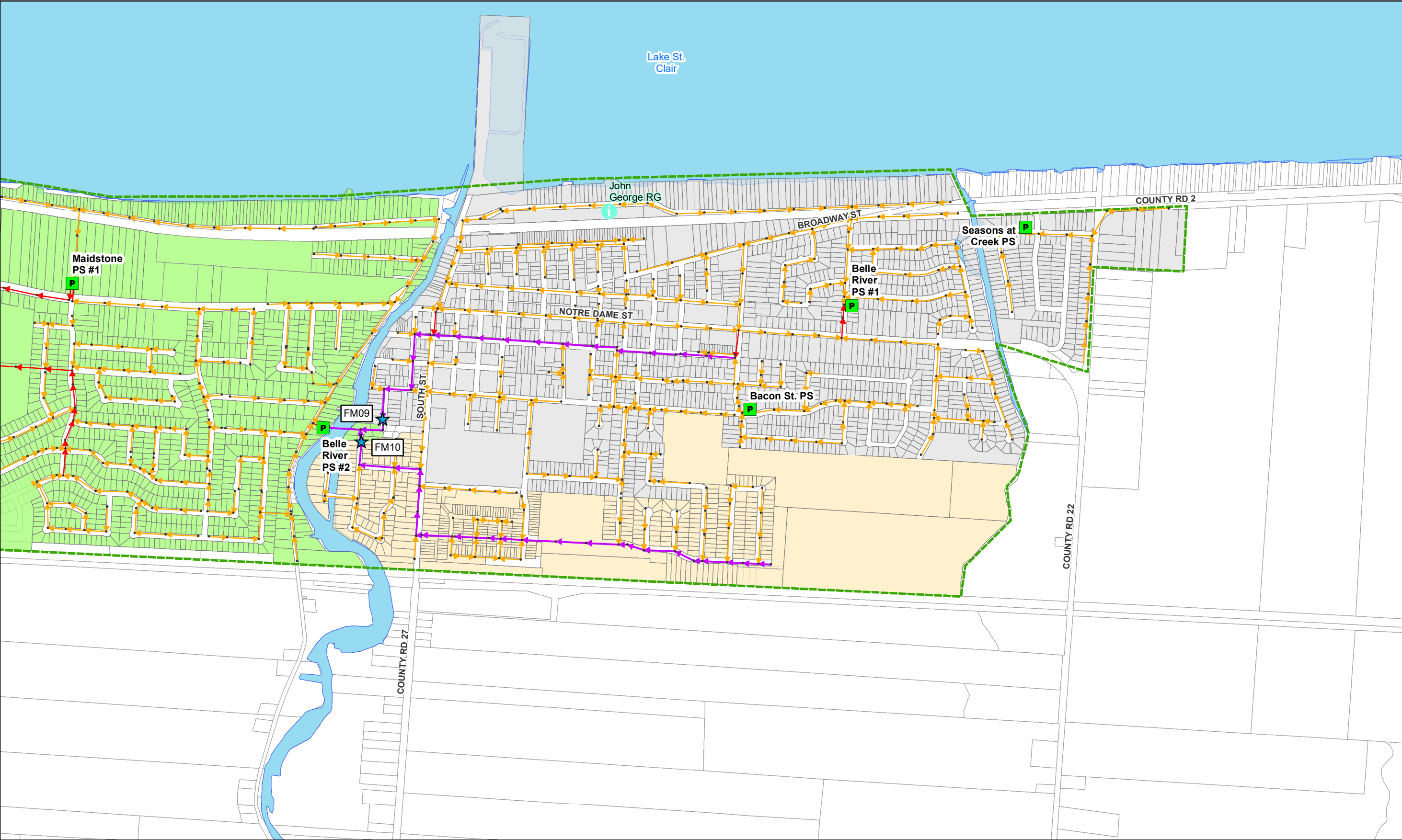


Figure 1c
 Flow monitoring locations
 Flow Monitoring Summary
 Municipality of Lakeshore, Ontario

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Civic Affairs

Date: July 23, 2021

Subject: Request for Support for Manufacturer's Limited Liquor Sales Licence – Belle River Brewhouse

Recommendation

Support the application of Belle River Brewhouse Inc. for a Manufacturer's Limited Liquor Sales Licence by the Alcohol and Gaming Commission of Ontario (AGCO).

Background

The owners of Belle River Brewhouse, located at 499 Notre Dame Street, have requested a resolution of support from Lakeshore Council in order to receive a Manufacturer's Limited Liquor Sales Licence. This licence is also commonly known as a "By the Glass" licence.

The Belle River Brewhouse cannot open its doors to the public for the sale of its products until the AGCO has approved the By the Glass licence. The owners have also applied for a temporary outdoor patio, which will not require a separate liquor licence approval as per By-law 30-2021.

Comments

Building Services was consulted and advised that there were no objections to the application.

The Lakeshore Fire Department was consulted and advised that there were no concerns relating to the application, pending a final inspection to determine load occupancy for the building interior and temporary patio.

Financial Impacts

There is no financial impact to the Municipality of Lakeshore by way of supporting the application to the AGCO.

Report Approval Details

Document Title:	Request for Support for Manufacturer's Limited Liquor Sales Licence - Belle River Brewhouse.docx
Attachments:	
Final Approval Date:	Aug 5, 2021

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

Kristen Newman

Rosanna Pellerito

Truper McBride

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Civic Affairs

Date: August 4, 2021

Subject: Establishment and Appointment of a Hearing Committee

Recommendation

Direct the Clerk to read By-law 69-2021 to appoint a Hearing Committee during the “Consideration of By-laws”.

Background

The Municipality of Lakeshore has adopted several regulatory by-laws that include the ability to appeal decisions or orders. Examples of these include the Property Standards By-law, the Fill By-law and the Vehicles for Hire By-law.

While a Hearing Committee is envisioned to hear such appeals, only the Property Standards Committee has been appointed to date. This Committee is only able to hear appeals to property standards orders at this time.

Comments

Administration has received an appeal to a decision relating to the Fill By-law and would like to schedule a hearing as soon as possible.

It is recommended that, due to their training in hearing procedures, the members of the Property Standards Committee be appointed to act as members of the Hearing Committee until the end of the current term of Council.

Financial Impacts

There is no cost to establishing the Hearing Committee. Costs to conduct hearings, such as member remuneration, will be funded from the projected year end surplus.

Report Approval Details

Document Title:	Establishment and Appointment of a Hearing Committee.docx
Attachments:	
Final Approval Date:	Aug 5, 2021

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

Kristen Newman

Jessica Gaspard

Truper McBride

Municipality of Lakeshore - Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Civic Affairs

Date: August 3, 2021

Subject: Use of Council Chambers and Virtual Council Meetings

Recommendation

Direct Administration to prepare the necessary amendments to the Procedural By-law to allow for virtual Council meetings, as presented at the August 10, 2021 Council meeting.

Background

The *Municipal Act, 2001* was amended in 2018 to include provisions that allow municipalities to allow Council members to participate in Council meetings through means allowing for electronic participation. However, Members attending by electronic means could not be counted toward the quorum for the meeting.

In March 2020, the Act was further amended to allow, during emergencies declared under the *Emergency Management and Civil Protection Act*, for members participating through electronic means to be counted toward quorum. At the Special Council meeting held March 19, 2020, Council approved By-law 30-2020 (attached as Appendix A). This by-law amended the Procedural By-law to allow for electronic attendance by Council members:

- for Council meeting during a declared emergency;
- where the member's health or the health of others will be threatened by the attendance of the member at a meeting; or
- for Emergency Governance Committee meetings.

At the July 13, 2021 meeting, Council considered the Civic Centre Concept Design report which recommended that Council continue online meetings until such time as a new Council Chambers is built.

The following resolutions were approved at the July 13, 2021 Council meeting:

235-07-2021

Direct Administration to proceed with a Concept Design for a new Civic Centre to be located at 419 Notre Dame Street to be funded with \$65,000 from the Facilities – New Reserve.

239-07-2021

Defer consideration of the remaining recommendations in this report pending a report from Administration regarding adequate spacing of employees, the cost of implementation, and Council location.

Comment

Council Chambers

The Council Chambers are not compliant with COVID-19 safety protocols. The current furniture consists of one long curved table for all 8 Council members, the Chief Administrative Officer and the Clerk, as well as shared tables for members of Administration. The current furniture cannot be retrofitted to comply with safety protocols.

Should Council wish to return to in-person meetings, Administration would need to secure individual 6-foot modular stations with plexiglass guards on either side, extending 2 feet behind. This would allow Council members to participate in the meeting without personal protective equipment (masks) however these would need to be worn while moving to and from the desks.

With the above-noted furniture, the Council Chambers would be capable of accommodating all Council members, the Chief Administrative Officer, Clerk and IT support. The customized ordering, purchase and installation of the stations is estimated to take several months and cost approximately \$40,000. All other members of Administration and delegates would need to continue to participate in meetings virtually causing a hybrid system.

Conducting a hybrid model of meetings can be done, however additional resources are required. As noted above, a hybrid Council meeting would consist of Council, Chief Administrative Officer, Clerk and IT Technician in person in a setup that allows for COVID-compliant work space.

Corporate and Division Leaders as well as delegations would be required to attend via a Zoom meeting. The IT Technician would control cameras and audio in Council Chambers to broadcast the meeting to all participants.

The estimated IT costs for changing Council meetings to in-person/Zoom hybrid are as follows:

- Reconfiguration of audio/video system in Council Chambers - \$5,000 to \$10,000. The cost will be at the higher end of the estimate if the Council Chambers are designed to be moved to various municipal facilities, as the audio cart will require changes to allow for this.
- Lighting of participants in Council Chambers - \$5,000
- Additional pan/tilt/zoom camera for capturing all participants in-person in Council Chambers \$3,000
- Additional monitors for members of the meeting to see the virtual participants and presentation \$4,000

The total estimated cost of furniture and technology to hold in-person/Zoom hybrid meetings is \$62,000 which has not been included in the 2021 budget. Should Council wish to explore this option, Administration would recommend including the cost in the 2022 budget with a contingency budget of up to 15%.

Council Chambers – Office Space

As noted in the Civic Centre report presented to Council July 13, 2021, staff accommodation pressures continue to grow as Lakeshore works to respond to demands for increased levels of service brought on by the urbanization and growth in the community. In 2020, the Belle River Arena was converted to a temporary operations centre (now known as the Lakeshore Operations Centre) as per recommendations in the Strategic Facilities Plan which has afforded the Municipality a few more years before a new Civic Centre is required. With the 2021 Budget contemplating further staff adjustments in order to keep up with demand for service this additional space will quickly be exhausted.

Staffing pressures continue to grow as Lakeshore works towards a full re-opening after the COVID-19 pandemic. In order to accommodate staffing requirements, some staff will need to continue to work remotely and make use of temporary hoteling space at municipal facilities when needed to be physically in the office.

Administration is recommending that Council Chambers be retrofitted to accommodate COVID-compliant office space for staff. It is anticipated that the space can fit 8 cubicles and 3 offices. The furniture and installation costs are estimated to be \$41,000.

If Council Chambers are not renovated for office space, accommodation will need to be made elsewhere. This may include the rental of portables and would still require the purchase of furniture.

Moving Council Chambers to Another Location

Administration is recommending that Council meetings continue virtually as this is the easiest and most economical option. However, should Council wish to allow for in-person/virtual hybrid meetings in a location other than the current Council Chambers, these could be held at the Atlas Tube Recreation Centre (ATRC) or the Libro Community Centre.

While the Renaud Room at the ATRC is the largest space and could accommodate more in-person presence, it is also the least private. Closed sessions would need to be accommodated in another room, such as a Program Room 1, which will reduce the possibility of generating revenue from rentals for these spaces.

The Libro Community Centre would be a better location in terms of access and privacy. This would require the same technology upgrades as noted above for Council Chambers. While additional spacing can be achieved at this location and temporary tables could be used, Council may wish to purchase the modular furniture which can eventually be used in the new Council Chambers or for other public meetings. This will require additional storage as well as set up/take down costs.

In addition to the technology and furniture costs, using this facility would mean a loss of possible revenue when Council meetings are scheduled. Currently there are no programs scheduled on Tuesday evenings, however this may also prove challenging in scheduling special meetings if the need arises.

Procedural By-law

As previously noted, Council approved By-law 30-2020 to allow for electronic participation in meetings during times of emergency. Administration recommends that the Procedural By-law be updated to allow for ongoing virtual participation beyond the current COVID-19 declared emergency.

Bill 197, enacted July 2020, further amended the *Municipal Act, 2001* to allow municipalities to allow a member of Council to appoint another member of Council to act as proxy in their place when they are absent from a Council Meeting, subject to the following rules:

- A member shall not appoint a proxy unless the proxyholder is a member of the same council as the appointing member.
- A member shall not act as a proxy for more than one member of council at any one time.

- The member appointing the proxy shall notify the clerk of the appointment in accordance with the process established by the clerk.
- For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
- A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the clerk.
- Where a recorded vote is requested under section 246, the clerk shall record the name of each proxyholder, the name of the member of council for whom the proxyholder is voting and the vote cast on behalf of that member; and
- A member who appoints a proxy for a meeting shall be considered absent from the meeting for the purposes of determining whether the office of the member is vacant under clause 259(1)(c).

Administration is not recommending proxy voting at this time, due to the ability to join the meeting remotely. However, should Council wish proxy voting to be established, it is recommended that this be included in the resolution providing direction.

Financial Impacts

There are no financial impacts to continue the current practice of virtual Council meeting conducted by Zoom. However, for ease of use and accommodation for Council members, Administration would recommend the purchase of laptops with Wifi and hotspot technology to ensure continuous internet access from home or another location. The cost of this purchase is estimated to be \$8,000 and could be funded through the Safe Restart allocation funding.

The total estimated cost of furniture and technology to hold in-person/Zoom hybrid meetings in Council Chambers is \$62,000. This amount was not included in the 2021 budget. However, this cost could be funded through the Safe Restart allocation funding.

It should be noted that the loss of revenue for holding Council meetings at the ATRC or Libro Community Centre cannot be recovered through the Safe Restart allocation funding.

Attachment: By-law 30-2020

Report Approval Details

Document Title:	Virtual Council Meetings.docx
Attachments:	- By-law 30-2020 - Amendment to Procedural By-law - Emergency Measures.pdf
Final Approval Date:	Aug 5, 2021

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

Kristen Newman

Jessica Gaspard

Truper McBride

The Corporation of the Town of Lakeshore

By-law 30-2020

A By-law to Amend By-law 94-2017 being a Comprehensive By-law to Provide Rules Governing the Proceedings of the Council of the Town of Lakeshore and the Conduct of its Members

Whereas By-law 94-2017 was passed on December 12, 2017 pursuant to the *Municipal Act, 2001* for governing the calling, place and proceedings of meetings;

And whereas the Town of Lakeshore's business must continue to proceed during times of Emergency;

And whereas Council members may not be able to attend Council meetings in person during times of Emergency;

And whereas section 238(3.1) of the *Municipal Act, 2001* states that a procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time;

And whereas the Council of The Corporation of the Town of Lakeshore considers it necessary and desirable to allow for the electronic participation of members in open Council meetings during times of Emergency;

And whereas circumstances during times of Emergency may result in times where members of Council may not be able to attend Council meetings but Town business must continue;

Now therefore, the Council of The Corporation of the Town of Lakeshore enacts as follows:

1. Section 1.1 of By-law 94-2017 is amended by inserting the following after paragraph (n) and before paragraph (o):

- "(n.1) "Electronic Attendance" means attendance at a meeting by use of telephone or digital means that:
 - i. enables all of the meeting's participants to hear and speak with each other, and
 - ii. enables the public to hear the statements and votes of the Council Members in electronic attendance during the part of the meeting that is open to the public;
- (n.2) "Emergency" means an emergency existing in the Town and declared in accordance with the *Emergency Management and Civil Protection Act*;
- (n.3) "Emergency Governance Committee" means a standing committee responsible for making binding decisions of Council when quorum cannot be achieved due to an Emergency."

2. Section 3.6 of By-law 94-2017 is amended by inserting the following immediately after section 3.6 and before section 3.7:

“3.6.1 Electronic Attendance by Council Members at Meetings

- a) Electronic Attendance by Council Members at meetings shall only be permitted:
 - a. For Council meetings during an Emergency or where the Member’s health or the health of others will be threatened by the attendance of the Council Member at a meeting; or
 - b. For Emergency Governance Committee meetings.
- b) Electronic Attendance by Members will not be permitted in a meeting closed to the public, unless otherwise permitted by law.
- c) If a Member intends to attend the meeting by Electronic Attendance, the Member shall provide the Clerk of notice of the Member’s intention 6 or more hours prior to the time at which the meeting is scheduled to commence.
- d) Members attending the meeting through means of Electronic Attendance may be included the calculation of quorum as and where permitted by the *Municipal Act, 2001*.
- e) A Member attending through means of Electronic Attendance shall not preside over a meeting.
- f) In the event of an interruption in the communications’ link to a Member in Electronic Attendance, the Chair may:
 - a. decide to take a short recess until it is determined whether or not the link can be re-established, or
 - b. continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.”

3. Section 8.2 of By-law 94-2017 is repealed and replaced with the following:

“8.2 No Member shall speak to a question or motion until the Member has been recognized by the Mayor or Chair. A Member shall signal his/her/their desire to speak by verbally requesting the floor when the Member opens the floor to discussion.”

4. Section 9.1 of By-law 94-2017 is repealed and replaced with the following:

“9.1 Every Member present at a meeting of the Council or Committee when a question is put, shall vote, unless prohibited by statute. If prohibited, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting. A Member attending the meeting through means of Electronic Attendance shall vote by audibly stating “in favour” or “opposed”.”

5. Section 13 of By-law 94-2017 shall be amended by inserting the following after 13.3 and before the heading for Part 14:

“13.4 No decision of any Committee shall be binding on Council and, with the exception of the Emergency Governance Committee, no action shall be taken from that decision, unless Council adopts the Committee's recommendations.”

- 6. By-law 94-2017 is amended by inserting the attached Schedule “A” which shall form Schedule “A.1” to By-law 94-2017, shall form part of By-law 94-2017 and shall have the same effect as if it comprised part of the body of the by-law.
- 7. This By-law shall come into force and effect upon passage.

Read and passed in open session on March 19, 2020.

Tom Bain
Mayor

Kristen Newman
Clerk

Schedule “A” to By-law 30-2020

Schedule “A.1” to By-Law 94-2017 being a By-law to Provide Rules Governing the Proceedings of The Town of Lakeshore and the Conduct of its Members



The Corporation of the Town of Lakeshore

Terms of Reference

Emergency Governance Committee

1.0 Purpose

- 1.1** The Emergency Governance Committee shall be responsible for making binding decisions of Council when quorum of Council cannot be achieved due to a state of emergency.

2.0 Membership

- 2.1** The Committee shall be composed of a minimum of three and a maximum of four members of Council and shall not include citizen appointments.
- 2.2** The Mayor shall be the chairperson of the meeting. If the Mayor is unable to attend, the Deputy Mayor shall be the chairperson of the meeting. If the Mayor and Deputy Mayor are unable to attend, the Acting Mayor shall be the chairperson of the meeting. If the Mayor, the Deputy Mayor and the Acting Mayor are unable to attend the meeting, the members shall elect a chairperson from the members present.

3.0 Responsibilities

- 3.1** The Emergency Governance Committee is authorized to carry out all of the duties and responsibilities of Council that may be lawfully delegated provided that the following conditions exist:
- a) An Emergency; and
 - b) Council is unable to achieve quorum.
- 3.2** Decisions shall be limited to matters of immediate concern for the purpose of business continuity. Long-term governance decisions shall not be considered by the Committee.

4.0 Meetings

- 4.1** The Emergency Governance Committee will meet at the call of the Clerk.
- 4.2** The Emergency Governance Committee will operate pursuant to the Town’s Procedure By-law and is not subject to the Town’s Committee Guidelines.

5.0 Resources

- 5.1** The Clerk is the Municipal Liaison with the support of the Deputy Clerk.

6.0 References

- 6.1** *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9

Municipality of Lakeshore – Report to Council

Finance & Technology

Financial Planning & Analysis



To: Mayor & Members of Council

From: Rosanna Pellerito, Corporate Leader Finance and Technology

Date: July 23, 2021

Subject: 2020 Capital Variance Report

Recommendation

Approve the net capital transfer to/from projects of (\$62,402) as identified in Appendix A of the 2020 Capital Variance Report for the year ended December 31, 2020; and,

Approve the transfer of \$9,606,038 to the encumbrance reserve.

Background

Council approved the 2020 Capital budget on December 10, 2019 through resolution 568-12-2019. Each year, new capital projects that require funding are approved by Council through the annual budget process and added to the list of existing open/active projects that have not yet been completed from prior years.

Departments continue to administer their respective project portfolios and ensure they are completed on a timely basis and on budget. Any year end variance are reported to Council. Beginning in 2020, a separate Capital variance report is being presented to Council which includes a summary of open/active projects that are being carried over to the following year.

Comments

Administration will report to Council annually on the status of all open/active capital projects as well as projects that have been completed in the year. Project leads are encouraged to report any potential significant variances as soon as they can be projected.

This report is intended to bring to Council's attention the overall status of the active capital projects at December 31, 2020 that have been encumbered into 2021 and highlight those projects that have been completed and have surplus or deficit variance.

Appendix A provides a summary status of all projects that are completed and closed out at the end of 2020 as well as the surplus/deficit that needs to be transferred to/from the reserve or reserve funds.

Appendix B provides a summary of projects that are still active and carried over into 2021. With the exception of the Stoney Point clarifier project, all other projects are expected to be completed on budget.

Financial Impacts

In 2020 the Municipality closed out 26 projects with an overall net deficit of (\$62,402). This is primarily due to the close out of a majority of projects in 2020 and unexpected increase in costs of construction and material. The pedestrian crossings on Notre Dame were funded through the original Notre Dame Phase 4 project budget and therefore this project (19-6272) was not needed.

It is recommended that projects identified in Appendix A, be closed and that any deficits be funded from the original funding source and that any surplus be transferred back to the original funding source.

A total of 29 projects are being carried over into 2021 as incomplete. The total of encumbered projects carried over to 2021 is \$9,606,038.

It should be noted that the Stoney Point water clarifier project being carried over into 2021 is expected to be in a deficit position at the end of the project. At the end of 2020 this project is in a deficit of \$192,587. Cost of \$63,046 have been incurred in 2021. The total deficit for this project is expected to be approximately \$255,633.

The Ministry guidelines would not allow the Municipality to take the clarifier completely offline to fully assess the overall condition for repairs. Therefore, during the preliminary investigation not all components were identified for replacement. During the course of the repairs, it was evident that more components needed replacing. The Stoney Point clarifier was originally built in 1965 with the clarifier bowl being rehabilitated in 1982. As such, this asset was beyond repairing. Also, contributing to the deficit was the additional costs required to maintain a temporary filter mechanism in place at a cost of \$10,000/month until the clarifier was commissioned back on line. The additional repairs required this filter to be in place longer than anticipated.

Attachments Appendix A: Summary of 2020 Year End Capital Variance
 Appendix B: Summary of Active Projects Encumbered to 2021

Report Approval Details

Document Title:	2020 Capital Variance Report.docx
Attachments:	- Appendix A - Summary of 2020 Year End Capital Variance.pdf - Appendix B -Summary of Active Projects Encumbered to 2021.pdf
Final Approval Date:	Aug 5, 2021

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

Kristen Newman

Truper McBride

Summary of 2020 Year End Capital Variance				
Project Description	Project Number	Approved Budget	Total Project Costs	Surplus/ (Deficit)
Upgrade for Webcasting Council Meetings	20-6427	5,000	5,106	(106)
Asphalt pathways for accessibility in Parks	20-6418	15,000	15,264	(264)
Spectator Bleachers Replacement Program	20-6417	12,000	15,032	(3,032)
Surface Conversion - Playgrounds	20-6435	55,000	56,946	(1,946)
Culvert Replacement Gracey	19-6276	-	1,526	(1,526)
Stoney Point Streetlights	19-6251	-	2,295	(2,295)
CWATS- CR2 pathway - Wallace to Patillo road	19-6248	95,816	150,220	(54,404)
CWATS - Old Tecumseh Rd (CR2) Trail Phase 3	20-6471	1,050,000	1,062,603	(12,603)
Amy Croft Traffic Signal Improvement	19-6260	114,117	151,928	(37,811)
West River Street road reconstruction project close out	19-6256	-	4,456	(4,456)
Backhoe Lifecycle Replacement	20-6480	153,050	153,144	(94)
One Ton Truck & Autocrane	20-6482	107,175	108,169	(994)
Single Axle Cab & Chassis with Reversible Plow	19-6283	257,429	263,548	(6,118)
Half Ton Pickup Lifecycle Replacement	20-6483	35,000	40,569	(5,569)
Oakwood Trunk - project closeout	19-6302	-	57,121	(57,121)
OCWA Capital System Repairs and Maintenance	19-6300	1,270,169	1,274,932	(4,763)
Septic Tank Replacements - South Woodslee	20-6498	24,000	28,283	(4,283)
St Peter St - Chisolm to 11 (wastewater works)	19-6303	-	9,906	(9,906)
St Peter St - Chisolm-11 (water works)	19-6293	-	6,692	(6,692)
Turbidity Meter Replacement PH2	20-6453	40,000	54,325	(14,325)
Rourke Line Watermain	19-6289	-	2,544	(2,544)
St Pierre Watermain - project closeout	19-6290	-	1,125	(1,125)
Stoney Point WW Plant - project closeout	19-6301	-	19,814	(19,814)
Ice Resurfacers for ATRC	19-6203	97,605	97,500	105
St Peter St-ph 1 (roads work)	19-6254	-	(34,590)	34,590
St Peter St-Chisolm-11 (roads work)	19-6258	97,923	3,227	94,696
Pedestrian Crossing - Notre Dame at Eleventh	19-6272	60,000	-	60,000
Total Capital Surplus/(Deficit)		3,489,283	3,551,685	(62,402)

Summary of Active/Open Projects Encumbered to 2021				
Project Description	Project Number	Approved Budget	,606,038	2020 Encumbrance
ATRC-Splash Pad Sunscreen	19-6200	100,000	-	100,000
ATRC Master Plan	19-6514	69,889	40,064	29,825
Planning Official Plan and Emeryville Secondary Plan	20-6493	191,368	17,704	173,665
Employment Lands Study	20-6510	36,919	5,113	31,806
Lighthouse Cove Secondary Plan	19-6511	121,464	51,795	69,669
Sidewalk- HWY 77 Comber	19-6249	75,000	-	75,000
Cr31&Ruscom Path Study	20-6250	68,279	27,424	40,855
Patillo Rd-Advance-CPR	19-6257	365,506	2,291	363,215
Wallace Line-Cr22-Cr2	19-6259	14,126	9,092	5,034
Puce Rd Reconstruction	19-6261	40,209	15,885	24,324
Melody Drive Reconstruction	19-6262	47,398	4,788	42,610
First St - PED Crossing at VIA	19-6273	125,000	-	125,000
Duck Creek Bridge Guiderail	19-6275	50,000	-	50,000
Big Creek (BC-02005) Bridge Rehab	19-6277	281,167	1,037	280,130
Big Creek (BC-02011) Repairs	19-6278	46,167	-	46,167
Tremblay Creek Bridge Rehab	19-6279	71,167	18,157	53,010
Baptiste Creek Bridge Rehab	19-6280	36,134	1,199	34,936
Amy Croft Secondary Development (Lanoue Extension)	19-6281	1,416,791	18,068	1,398,723
Stormwater Master Plan Improvements	19-6287	748,012	437,472	310,540
Amy Croft and Manning Improvements and Road widening	19-6456	3,150,000	36,849	3,113,151
Stormwater Master Plan	19-6515	293,085	9,578	283,507
Capital Drainage Assessments	19-6512	159,271	-	159,271
Former Rourke Line Arena - EIS Operations Centre	19-6220	3,570,687	3,555,987	14,700
River Ridge Redevelopment	19-6242	1,660,258	-	1,660,258
St. Clair Shores Park	20-6504	30,000	-	30,000
Greenway Trail	20-6506	27,234	-	27,234
Notre Dame-11Th-Duck	19-6294	145,347	24,332	121,014
Denis St Pierre Expansion Design	20-6497	1,585,542	500,561	1,084,982
Puce River Bridge Guiderail	19-6274	50,000	-	50,000
Stoney Point WTP Clarifier Rehab	19-6295	766,216	958,804	(192,587)
		15,342,237	5,736,200	9,606,038

Municipality of Lakeshore - Report to Council

Finance Services

Financial Analysis



To: Mayor & Members of Council

From: Rosanna Pellerito, Corporate Leader Finance and Technology

Date: June 23, 2021

Subject: 2020 Year End Variance Reporting

Recommendation

Receive the report regarding the 2020 Year End Variances for the general (taxation funded), wastewater (sanitary sewer) and water funds; and

Approve the taxation supported surplus of \$1,578,084 for the year ended December 31, 2020, and

Approve a transfer of \$1,376,406 to the Working Funds Reserve, and

Approve a transfer to the Legal reserve of \$129,293 representing the 2020 surplus in the Legal expense account budget, and

Approve a transfer to the Insurance reserve of \$73,384 representing the 2020 surplus in the overall insurance claims expense account budget, and

Approve a transfer of \$283,375 to the Building Services – Operating reserve fund to transfer the 2020 Accumulated Net Surplus per the draft 2020 Building Services Statement; and

Approve a transfer of \$491,562 representing a surplus from Wastewater (sanitary sewer) operations for the year ended December 31, 2020 to the Wastewater (Sanitary Sewer) Reserve Fund; and

Approve a transfer of \$189,600 representing a surplus from Water operations for the year ended December 31, 2020 be transferred to the Water Reserve Fund.

Background

Annual operating budgets for all budget centers are set at the beginning of the calendar year based on Council direction and strategic priorities. Professional estimates, current trends, legislative environment, and other local information available at the time are significant inputs to the operating budgets recommended to Council. Revenues and expenditures are monitored on an ongoing basis and projected through to the end of the

year to ensure they remain at or as close to their approved budget as possible and that all material variances are mitigated as effectively as possible.

Financial results as at December 31, 2020 (4th quarter) have been reviewed and the resulting cumulative surplus/(deficits) have been determined accordingly. This report provides variances from the approved budgets for taxation, water and wastewater rate funded budget centers for the 2020 fiscal year.

Comments

In 2020 the quarterly projections proved to be a bit more challenging with the onset of the COVID-19 pandemic. The extent of the pandemic on levels of service, on revenues and on expenditures required to address COVID process, were estimated at best efforts given all the uncertainty that evolved throughout the year.

Taxation Supported Results

The main elements comprising the net surplus are outlined in the table below. The majority of the surplus is being driven by wages surpluses that resulted from the delay in recruiting positions in 2020 as a result of the pandemic.

Account Description	Surplus (Deficit)
Overall Wages Savings including Provisional Budget	1,763,803
Overall Savings in R&M and Fuel costs	202,151
Overall Savings in Training and Travel	214,613
Savings in Legal Fees	129,294
Savings in Recreation Program Supplies and Transaction Fees	119,361
Savings in Utilities cost	110,874
Savings in Locates Services	102,757
Savings in Insurance Claims	73,384
Savings in Consulting costs for Planning	49,590
Revenue Shortfall	(738,798)
Building Reserve Transfer Deficit	(523,375)
Net Penalty and Interest	(218,637)
COVID Expenses	(138,836)
POA Revenue Shortfall	(129,972)
Shortfall in Waste Collection	(80,507)
Shortfall in Police Grants	(79,368)
Other Miscellaneous	(13,832)
Total Surplus prior to the COVID grant	842,499
COVID Safe Restart Received in 2021	1,411,300
COVID Safe Restart Transferred to 2022	(675,715)
Total Surplus including the COVID grant	1,578,084

The 2020 fiscal year ended with cumulative municipal surplus of \$1,578,084 for taxation supported budget centers. The departmental that resulted in the net surplus are outlined in **Appendix A** attached.

Of the total wage savings of \$1,763,803 in 2020, \$935,543 was from savings in the recreation department due to the closure of the ATRC and other recreation facilities from the COVID pandemic. The balance of \$830,480 is a result of the pause in hiring various vacant positions throughout the organization while the Organizational Review was undertaken. Included in the \$830,480 is the \$200,000 wage provision that was budgeted in 2020 to offset any unfavorable variances resulting from the settlement of outstanding collective agreements and pay equity issues. The Municipality was also successful in receiving wage subsidies for seasonal staff in the amount of \$59,234.

Due to the pandemic and the closure of facilities, savings were incurred in repairs and maintenance costs of \$202,151 and utility costs of \$110,874.

As staff were not able to attend annual conferences and training courses, an overall savings of \$214,613 was realized in overall training and travel budgets across the corporation.

Other savings realized through the year were savings in legal fees of \$129,294, savings in program related costs for recreation programs \$119,361, savings in locate costs of \$102,757 otherwise paid to the Water department (although this translates into a lost revenue in the Water dept.), savings in legal fees related to claims of \$73,384 and savings in planning consulting costs of \$49,590. Administration is recommending that savings in legal fees and savings in insurance claim costs be transferred to their respective reserves in accordance with the reserve fund policy.

Offsetting these savings is a loss in revenue of (\$738,798) from recreation programming and facility rentals, a deficit resulting from a net transfer to the building reserve of (\$523,375), loss in revenue from the deferral of penalty and interest on tax and water bills (\$218,637) as a relief measure implemented to assist with COVID relief to rate payers, COVID related costs of (\$138,836) to implement COVID safety measures, a shortfall in revenue from POA fine of (\$129,972).

Waste collection costs exceeded budget by (\$80,507) in 2020 primarily due to the increased tipping fees that are not recoverable as well as additional garbage pickup performed due to flooding in certain areas of the municipality. With the change in the structure of grants made available for policing, the Municipality did not receive the annual 1000 officer grant as budgeted. There was a budget shortfall of (\$79,368) in this line item. Other miscellaneous shortfalls amounted to (\$12,832).

In 2020 the Municipality received COVID relief funding as part of the provincial safe restart program. Allocations have been made for 2021 as well. In total, the Municipality has been allocated a total of \$2,508,427. Below is a summary of the funding allocated to Lakeshore.

Summary of COVID Funding	
2020 Phase 1 Safe Restart Allocation Funding	\$ 888,300
2020 Phase 2 Safe Restart Application Funding	523,000
Total COVID Funding received in 2020	1,411,300
2021 Phase 2 Safe Restart Allocation Funding	376,000
2021 COVID Recovery Allocation Funding	721,127
Total COVID Funding received in 2021	1,097,127
Total Overall COVID Relief Funding Received	2,508,427
Funding used in 2020	(735,545)
Total COVID Funding available for 2021	1,772,882

Given the uncertainty of the total impacts of the pandemic on the 2021 budget, projections for 2021 will be reported in subsequent variance reports.

Building Operations

Annual building permit collections amounted to \$1,225,857 representing \$450,857 more than budgeted. This was primarily due to increased building activity in 2020 as reported in the Quarterly Building Activity report to Council.

Due to the cyclical nature of development, the Building Code Act mandates municipalities to transfer annual Building related surpluses to reserves so that in underperforming years, that reserve may be drawn upon to cover deficits. With the unanticipated increase in revenue, it is recommended that a transfer of \$283,375 be made to the Building Operating Reserve Fund. The projected balance in the building reserve fund following this transfer will be approximately \$1,519,480.

User Rate Supported Results

Wastewater (Sanitary Sewage)

The wastewater budget center ended the 2022 year with a net surplus of \$491,562. This is primary due to higher than budgeted revenue. In 2020 the Municipality realized a total surplus of \$430,763 in wastewater consumption. This is largely linked to the pandemic with more people staying home and working from home due to the stay at home orders. Offsetting this surplus are marginal cost deficits in utility accounts, maintenance costs paid to OCWA and insurance costs. The Municipality received an additional \$57,701 in Clean Water Wastewater funding that was subsequently transferred to the reserve to fund dedicated capital projects.

Revenue, expenditure and reserve transfer variances that resulted in the net surplus are outlined in **Appendix B** as attached.

Water

The 2020 fiscal year for the water rate supported budget center ended with a net surplus of approximately \$189,600. Similar to what the Municipality experienced with wastewater consumption, water consumption was also higher than budgeted in 2020. This too is directly related to the impacts of the COVID pandemic. The overall surplus for water consumption realized in 2020 was \$441,765. This is partially offset by a deficit in revenue from a reduction in requests for locate services. Also offsetting the revenue surplus is increased costs for water purchased from Union Water and Tecumseh due to increased consumption, as well as system maintenance costs related to higher than planned water main repairs and leaks. These expenditures are difficult to predict. In 2020 Lakeshore experiences in excess of 37 leaks that required repair.

Revenue, expenditure and reserve transfer variances that result in a net surplus are outlined in **Appendix C** as attached.

Financial Impacts

Taxation Supported Results

In accordance with the current Reserve and Reserve Fund Policy FN-389, the working funds reserve fund has been underfunded for several years. The intent of this reserve is to fund day to day operations, maintain general cash flow and ensure business continuity during unforeseen events that may strain financial resources. The recommended target for this reserve is 2 months of operating costs or approximately \$7.8M for 2020.

As evident with the unanticipated financial constraints the Town has and continues to experience from the effects of the COVID-19 pandemic, the value of adequately funding the Working Fund Reserves has never been more apparent. In alignment with Council's strategic priority of financial sustainability, it is recommended the 2020 net surplus of \$1,376,406 be transferred to the Working Funds Reserve. This would increase the current uncommitted balance in the Working Fund Reserve to \$4,243,015.

In addition, in accordance with the reserve fund policy and the requirements of the building code act, a transfer of \$283,375 will be made to the Building Operating reserve fund based on the 2020 Accumulated Net Surplus for Building.

Administration is also recommending a transfer of \$129,293 to the Legal Services reserve to fund unanticipated future legal costs as well as \$73,384 to the insurance reserve to fund unanticipated future claim costs. This in accordance with the Municipalities Reserve and Reserve Fund Policy

User Rate Supported Results

User rate supported surpluses are recommended to be transferred both to the Water Reserve Fund and Wastewater Reserve Fund respectively. Through the five year review of user rates for water and wastewater, Administration will continue to develop the Municipality's financing strategy to best mitigate the impact on rate payers.

Attachments Appendix A - Taxation Funded Variance Summary
 Appendix B - 2020 Wastewater Rate Funded Variance
 Appendix C - 2020 Water Rate Funded Variance

Report Approval Details

Document Title:	2020 Year End Results - 4th Quarter Variance.docx
Attachments:	- Appendix A - Taxation Funded Variance Summary.pdf - Appendix B - 2020 Wastewater Rate Funded Variance.pdf - Appendix C - 2020 Water Rate Funded Variance.pdf
Final Approval Date:	Aug 5, 2021

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

Kristen Newman

Truper McBride

The Corporation of the Town of Lakeshore

2020 Year End Operating Budget Variance

Year ended Projection to December 31, 2020, with comparative information for 2019

		2019		2020		
	Description	2019 Budget	2019 Actual	2020 Budget	2020 Actual	2020 Surplus
Taxation Revenue		30,663,024	30,662,842	33,425,246	33,425,081	165
Budget Centre						
1	Animal Control	38,350	20,533	29,650	44,406	(14,756)
2	Atlas Tube Centre	2,921,985	3,095,285	2,224,707	2,167,878	56,829
3	Building	64,700	66,437	24,740	63,065	(38,325)
4	CAO Admin	381,780	540,093	370,196	353,010	17,186
5	CDS Admin	332,490	310,421	386,036	351,640	34,396
7	Council	(22,375)	(38,999)	347,345	279,358	67,987
8	Committees of Council	-	-	(22,375)	(39,213)	16,838
9	Drainage	310,700	318,966	314,829	352,735	(37,906)
10	EIS Admin	727,262	647,482	830,606	800,921	29,685
11	Facilities	1,609,045	1,629,513	1,682,965	1,545,984	136,981
12	Finance	869,690	275,152	(12,531)	18,889	(31,420)
13	Fire	1,932,150	1,817,320	2,075,571	1,949,215	126,357
14	Human Resource	-	-	358,008	345,120	12,888
15	Information Technology	-	-	844,254	854,872	(10,618)
16	Legal and Legislative Services	1,491,860	1,292,103	1,294,458	1,117,330	177,128
17	Marina	81,935	87,088	85,766	106,709	(20,943)
18	Parks	1,608,470	1,610,008	1,787,769	1,425,327	362,442
19	Planning	567,900	543,785	648,278	499,535	148,743
20	Police	4,834,407	4,865,545	4,834,407	4,896,681	(62,274)
21	Public Works	12,427,500	12,460,267	13,750,141	13,582,150	167,991
22	Recreation	555,415	536,196	557,699	500,376	57,323
23	Solid Waste	1,222,700	1,267,955	1,277,317	1,357,825	(80,507)
24	Corporate Accounts	(1,292,940)	(1,911,994)	(264,590)	(726,815)	462,225
						-
Surplus (Deficit)		-	1,229,687	-	1,578,084	1,578,084

The Corporation of the Town of Lakeshore

Variance Report - Wastewater

Year ended December 31, 2020, with comparative information for 2019

		2019 Budget	2019 Actuals	2019 Variance (Deficit)	2020 Budget	2020 Year End Actuals	2020 Variance Surplus
	Revenue						
1	Collected on water bills - consumption	3,666,827	3,722,599	55,772	3,776,727	4,207,490	430,763
2	Collected on water bills - basic charge	1,902,872	1,895,793	(7,079)	2,182,472	2,178,561	(3,911)
3	Other	151,495	703,969	552,474	151,495	126,205	(25,290)
	Total Revenue	5,721,194	6,322,361	601,167	6,110,694	6,512,256	401,562
	Expenses						
4	Utilities	893,900	936,912	(43,012)	893,900	934,515	(40,615)
5	Outside services - OCWA	1,403,200	1,443,890	(40,690)	1,610,900	1,620,889	(9,989)
6	Administration	462,000	462,000	-	462,000	461,970	30
7	Insurance	30,100	33,253	(3,153)	30,100	36,233	(6,133)
8	Consulting	303,400	255,251	48,149	50,000	35,941	14,059
10	Other operating costs	296,152	382,320	(86,168)	317,136	266,239	50,897
11	Repairs and Maintenance	821,600	944,593	(122,993)	932,800	793,349	139,451
12	Long term debt payments	866,526	866,526	-	866,526	866,525	1
13	Net Transfer To/(From) Reserves	644,316	1,113,514	(469,198)	947,332	1,005,033	(57,701)
14	Capital From Rates	-	256,978	(256,978)			-
	Total expenses	5,721,194	6,695,237	(974,041)	6,110,694	6,020,694	90,000
15	Surplus (Deficit)	-	(372,876)	(372,872)	-	491,562	491,562

The Corporation of the Town of Lakeshore

Variance Report - Water

Year ended December 31, 2020, with comparative information for 2019

		2019 Budget	2019 Actuals	2019 Suprlus (Deficit)	2020 Budget	2020 Actuals	2020 Surplus
	Revenue						
1	Water sales - consumption	5,308,950	5,277,828	31,122	5,349,950	5,791,715	441,765
2	Water sales - basic charge	3,444,272	3,441,228	3,044	3,483,272	3,484,278	1,006
3	Other revenue	740,673	748,899	(8,226)	740,673	702,967	(37,706)
	Total Revenue	9,493,895	9,467,955	25,940	9,573,895	9,978,961	405,066
	Expenses						
4	Long term debt payments	1,372,986	1,372,986	-	1,372,986	1,372,986	0
5	a deficit in the cost of	338,000	414,829	(76,829)	338,000	486,847	(148,847)
6	Wages and benefits	2,329,055	2,168,471	160,584	2,633,845	2,465,161	168,684
7	Purification	233,200	222,835	10,365	265,500	262,074	3,426
8	Utilities	385,900	415,791	(29,891)	385,900	424,648	(38,748)
9	Administration	431,000	431,000	-	445,700	439,707	5,993
10	Consulting	60,200	73,269	(13,069)	30,200	37,805	(7,605)
11	System Maintenance	522,500	603,703	(81,203)	512,500	663,502	(151,002)
12	Other operating expenses	761,100	1,014,164	(253,064)	748,600	795,965	(47,365)
13	Net operating reserve transfers	3,059,954	3,055,252	4,702	2,840,664	2,840,664	-
14	Capital from rates	-	182,558	(182,558)	-	-	-
	Total Expenses	9,493,895	9,954,858	(460,961)	9,573,895	9,789,360	(215,465)
15	Surplus (Deficit)	-	-	486,901	-	189,600	189,600

Notice of Motion submitted by Councillor Walstedt regarding the John Freeman Walls Historic Site & Underground Railroad Museum

Whereas the John Freeman Walls Historic Site & Underground Railroad Museum has been recognized as a national and international historic site since 1976 when Dr. Bryan Walls founded the Museum on his ancestral property;

And whereas the Municipality of Lakeshore deems the site to be an important part of our heritage which must be preserved for future generations;

And whereas the Municipality of Lakeshore has continually provided financial assistance to the Comber Agricultural Museum and the Maidstone Bicentennial Museum in the form of annual grants;

Therefore be it resolved that the Municipality of Lakeshore hereby provide the John Freeman Walls Historic Site & Underground Railroad Museum with an annual financial grant in the same amount and under the same terms and conditions as provided to the Comber Agricultural Museum and the Maidstone Bicentennial Museum and that the grant for 2021 be funded from municipal reserves.

Notice of Motion submitted by Councillor Kerr regarding a Request for a Special Meeting of Council

Whereas Lakeshore has had many 1 in a 100 Year Storms over the past 3 years;

And whereas residents have shared their frustration with Council and Administration and basement flooding and sewage backups;

And whereas residents share that information from the Municipality to concerns on these topics create more questions than answers;

And whereas residents have asked many times for a Special Meeting of Council to share their concerns and personal stories;

Be it resolved that Council through the Mayor call for a Special Meeting Of Council in September 2021 to hear from the residents directly about their concerns of sewage backups, basement flooding's and listen to their recommendations as to how to stop these issues from happening again; and

Be it further resolved that Stantec and all other companies that Lakeshore has hired to consult or help with flood mitigation be on hand to answer questions.

Municipality of Lakeshore
By-law 62-2021
Being a By-law to amend By-law 2-2012,
Zoning By-law for the Municipality of Lakeshore
(ZBA-17-2021)

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 expedient 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. That Section 9.5.19 of By-law 2-2012, Residential Waterfront – Watercourse (RW1) Zone Exception 19 (RW1-19), is deleted in its entirety and replaced with the following:

“9.5.19 RESIDENTIAL WATERFRONT – WATERCOURSE (RW1) ZONE EXCEPTION 19 (RW1-19) as show on Map 37, Schedule “A” of this By-law.

a) Permitted Uses: A second *driveway* and one *accessory building* with a *gross floor area* of 178.38 m² and a *height* of 5.334 metres shall be an additional permitted use.

b) Zone Regulations: Notwithstanding Section 6.5 a) vii) of this By-law to the contrary, an *accessory building* with a *gross floor area* of 178.38 m² and a *height* of 5.334 metres shall be built no closer than 9.144 metres from the south *side lot line*.

2. This by-law shall come into force and take effect in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13.

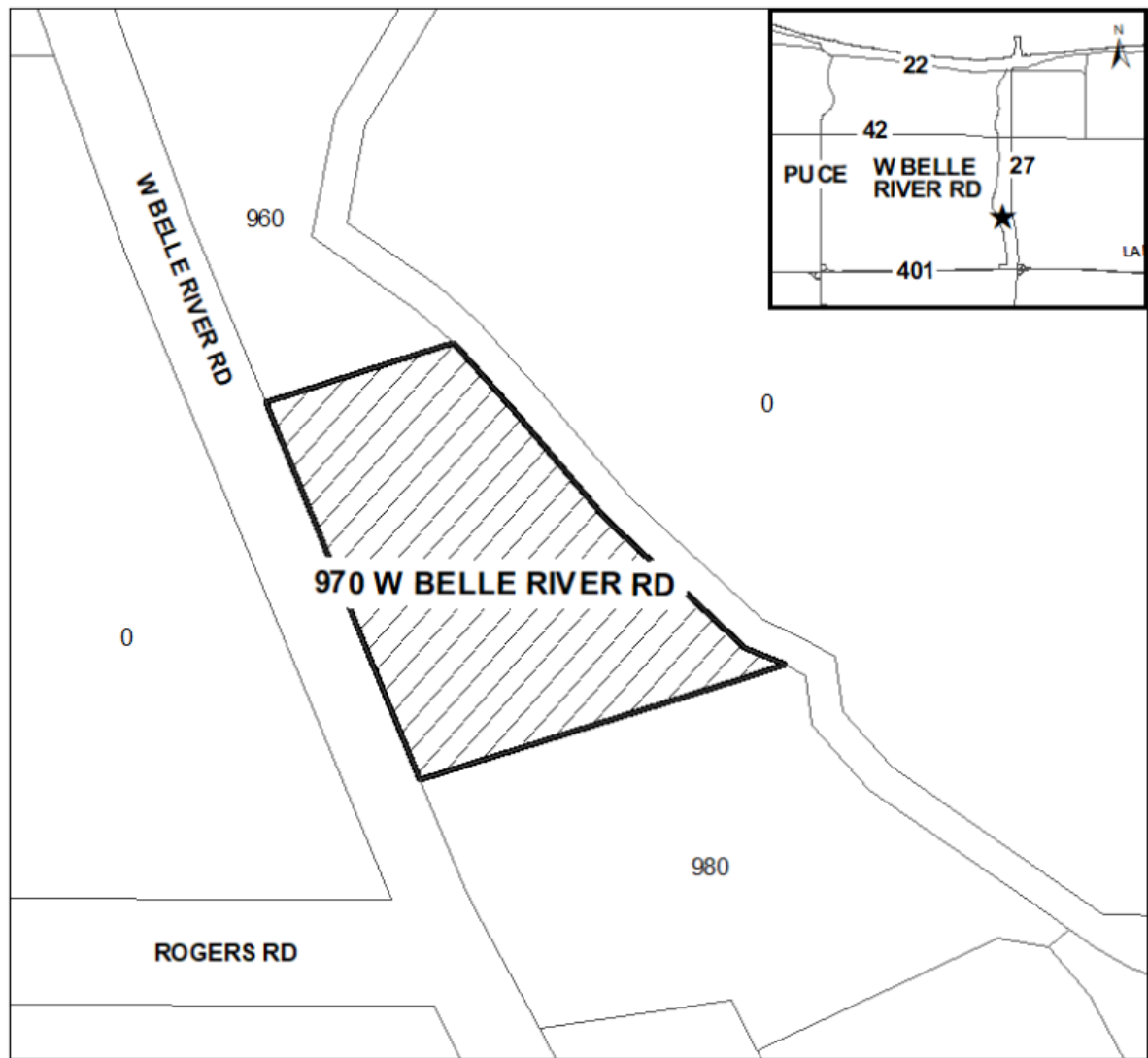
Read and passed in open session August 10, 2021.


Mayor
Tom Bain

Clerk
Kristen Newman

**Schedule “A”
to By-law 62-2021**

Conc. 1 WBR, Pt Lot 12, Part 2, Plan 12R22916
Municipality of Lakeshore



 Subject Property

Municipality of Lakeshore

By-law 63-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-21-2021)

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 Municipality of Lakeshore deems it expedient 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 Lakeshore enacts as follows:

1. Section 4.0 to By-law 2-2012, being Definitions, is hereby amended by the addition of the following subsection:

"82.1 FLOAT HOME – shall mean a building or structure incorporating a flotation system, intended or capable of being used in whole or in part for human habitation, that functions substantially as a land building or structure while it is moored or docked and does not include any other type of dwelling as defined herein."

2. Section 6.62 to By-law 2-2012, being Uses Prohibited in All Zones, is hereby amended by adding the words "and float homes" immediately following the words "Mobile homes" in subsection d).
3. This by-law shall come into force and take effect in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13.

Read and passed in open session August 10, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Municipality of Lakeshore

By-law 64-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-13-2021)

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 in the interest of good planning to further 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. Schedule "A", Map 80 to By-law 2-2012 is amended by changing the zoning classification on the portion of Part of Lot 9, Concession 10 S, shown on Schedule "A" attached and forming part of this By-law from "Agriculture (A) Zone" to "Agriculture Zone Exception 1 (A-1)".
2. This by-law shall come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13.

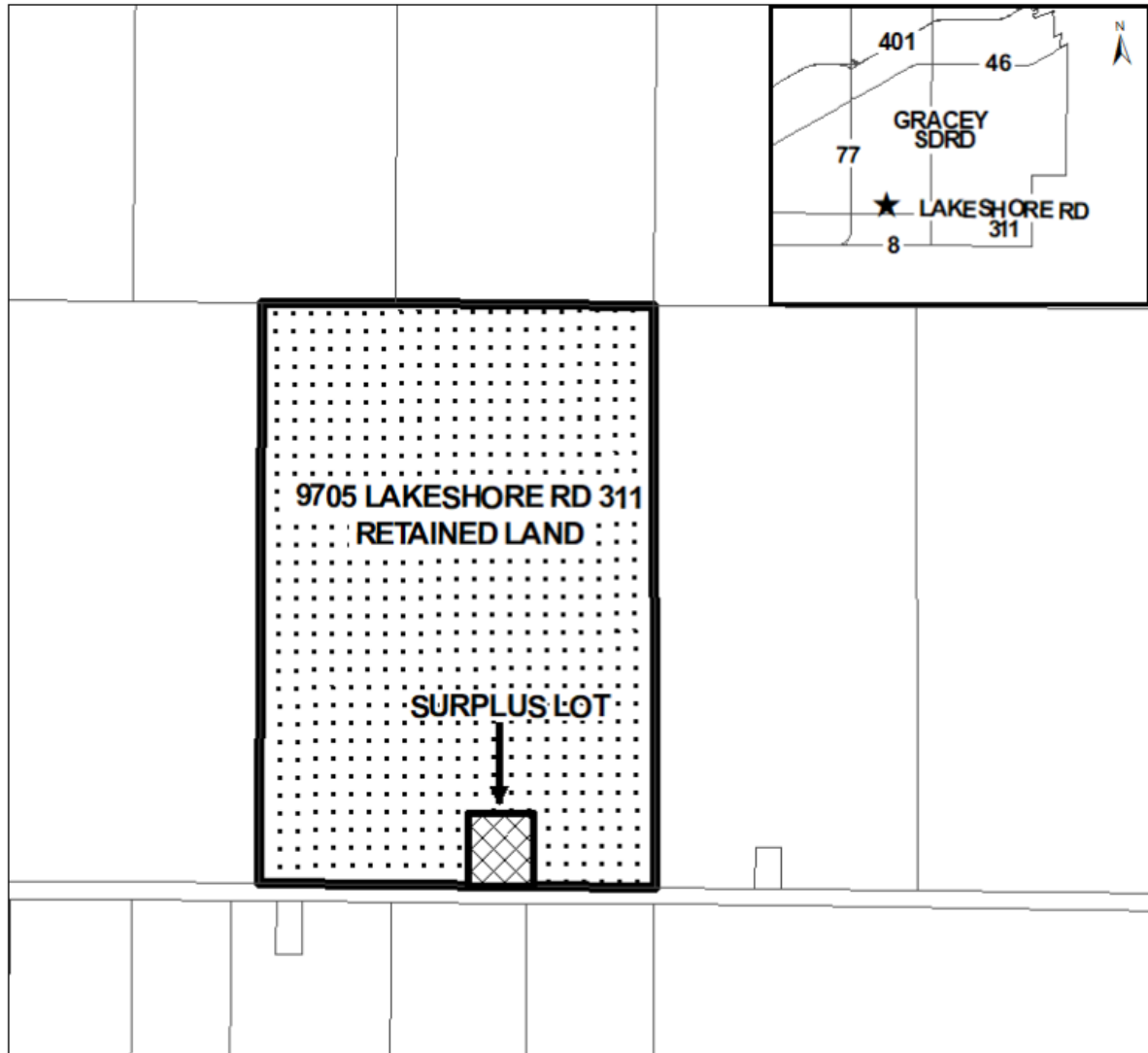
Read and passed in open session August 10, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

**Schedule “A”
to By-law 64-2021**

Concession 10 S, Part of Lot 9,
Municipality of Lakeshore



Amend from “Agriculture (A) Zone” to “Agriculture Zone Exception 1 (A-1)”.

Municipality of Lakeshore

By-law 65-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-14-2021)

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 expedient 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 9.1 of By-law 2-2012, Residential Type 1 (R1) Zone Exceptions, is amended by adding Subsection 9.1.38 to immediately follow Subsection 9.1.37 and to read as follows:

9.1.38 Residential Type 1 Zone exception 38 (R1-38) as shown on Schedule "A" of this By-law.

(a) The maximum Lot Coverage shall be 40%.

(b) All other building requirements shall be in accordance with the requirements of the Residential Type 1 Zone.

2. This by-law shall come into force and take effect in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13.

Read and passed in open session August 10, 2021.

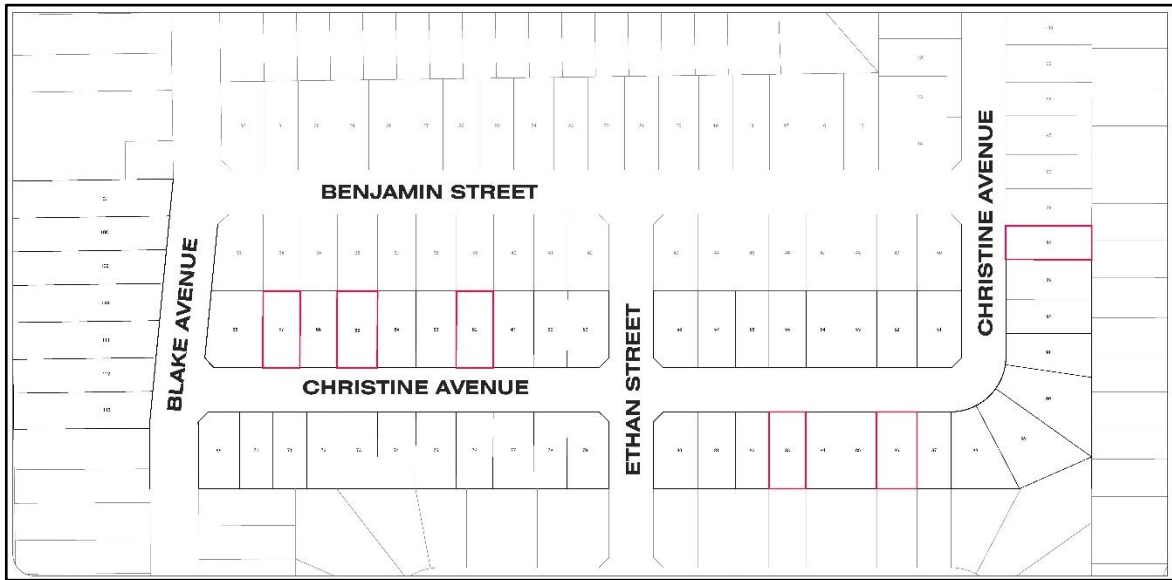
**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Schedule "A" to By-law 65-2021

Lots 62, 65, 67, 83, 86 and 94, 12M-654.

In the Municipality of Lakeshore



Municipality of Lakeshore

By-law 66-2021

**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 these sessions 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 July 13th 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 August 10th 2021.

**Mayor
Tom Bain**

**Kristen Newman
Clerk**

/cl

Municipality of Lakeshore

By-law 69-2021

Being a By-law to Appoint a Hearing Committee for the Municipality of Lakeshore

Whereas pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, Council may pass by-laws regulating, permitting or licensing activities within its jurisdiction;

And whereas it is necessary to establish a Hearing Committee to hear appeals filed in accordance with regulatory by-laws approved by Council;

And whereas it is deemed expedient to appoint members of the Property Standards Committee to act as members of the Hearing Committee for the remainder of the 2018-2022 term of Council;

And whereas the individual members of the Committee have indicated a willingness to be appointed to the Hearing Committee;

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

1. A Hearing Committee is established for the Municipality of Lakeshore, which shall be comprised of the members of the Property Standards Committee.
2. The Deputy Clerk shall be the Secretary of the Hearing Committee.
3. The Hearing Committee shall hear appeals to regulatory by-laws for the Municipality of Lakeshore where provided by by-law.
4. This By-law comes into force and effect upon passage.

Read and passed in open session on August 10, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**