

Municipality of Lakeshore

Special Council Meeting Agenda



Thursday, September 16, 2021, 6:30 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. Public Presentations
5. Delegations
6. Completion of Unfinished Business

1. Delegations

1. Draft Animal Care and Control By-law – Results of Public Consultation

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Recommendation:

Direct Administration to include provisions in the Animal Care and Control By-law for minimum primary enclosure space requirements that exceed the level of the *Provincial Animal Welfare Act*, and include additional resources for education and enforcement in the 2022 Budget, as presented at the September 14, 2021 Council meeting.

2. Consent Agenda

1. August 10, 2021 Regular Council Meeting Minutes
2. August 12, 2021 Special Council Meeting Minutes
3. City of Brantford Actively Participate in the Year of the Garden
4. Howard Armstrong Request Amendment to By-law 67-2017 Off-Road Vehicles on Rural Roads

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3. Reports for Information

1.	Police Services Board Meeting Minutes – June 28, 2021	73
2.	Property Standards Committee Hearing Minutes – July 21, 2021	78
3.	Committee of Adjustment Meeting Minutes – August 18, 2021	87
4.	Drainage Board Meeting August 9, 2021	111
5.	Rock Rink Air Conditioning – Option 1 Rooftop or West Exterior Wall HVAC Unit	117
6.	Unbudgeted Funds Approved by Council in 2021	139

4. Reports for Direction

Recommendation:

Whereas the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

And whereas the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

And whereas all Canadians and all orders of government have a role to play in reconciliation;

And whereas Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

And whereas the Federal Government has announced September 30th 2021 as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

Therefore be it resolved that the Council of the Municipality of Lakeshore commits to recognizing September 30th 2021 as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

Recommendation:

Award the tender for Railway Avenue Watermain Replacement to SheaRock Construction for a total cost of \$1,144,500.00 plus applicable HST, as presented at the September 14, 2021 Council meeting.

3. Tender Award – Fire Hall Asphalt Replacement 161
- Recommendation:**
Award the tender for the Fire Hall Asphalt Replacement to Quinlan Inc. in the amount of \$89,807.50 plus applicable HST for asphalt replacement, as described in the September 14, 2021 Council Report.
4. Tender Award – Denis St. Pierre Water Pollution Control Plant Expansion 164
- Note: At the September 14, 2021 meeting, Council awarded the tender to North America Construction (1993) Ltd. Due to time restrictions, Council was unable to finish the discussion relating to the source of funding and 2022 Budget allocation. The recommendation posted on the agenda has been adjusted accordingly.
- Recommendation:**
Approve external debt to be taken in the principal amount of \$45,281,427.72 for the Denis St. Pierre Water Pollution Control Plant Expansion Project; and,

Approve additional funds in the amount of \$2,368,697.60 for the Rourke Line Road Reconstruction to be funded in the 2022 budget from the roads reserve, all as described in the September 14, 2021 Council report.
5. County Wide Active Transportation System (CWATS) 2022 Project, County Rd 2 Lake-9 Segment 190
- Recommendation:**
Approve the construction of a paved shoulder (Lake-9) along Tecumseh Road (County Road 2) between the Moison Creek Bridge to Stuart Lane for submission to the CWATS Committee for consideration in 2022; and

Direct Administration to include \$268,857.00 for the construction of the paved shoulder in the 2022 budget, as further described in the September 14, 2021 Council report.

6.	Atlas Tube Recreation Centre South East Exit Door	196
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Recommendation:

Approve the repurposing of the South East exit door at the Atlas Tube Recreation Centre to an accessible door, the cost of which is to be considered in the 2022 Budget process, as presented at the September 14, 2021 Council meeting.

7.	ATRC Splash Pad – Use, Operations, Lifecycle, Infrastructure	221
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Recommendation:

Confirm the continued use of the ATRC Splash Pad;

Approve in principle the replacement of the existing black tinted windows on the east wall of the WFCU Pools with clear glass windows for the cost of approximately \$101,500, plus HST;

Approve in principle the addition of shaded seating units on the periphery of the splash pad for the cost of approximately \$50,000;

The \$100,000 approved in the 2019 budget for remediation of the heat issue at the ATRC splash pad be used for the glass replacement project; and

The glass replacement amount above \$100,000 and the cost of shaded seating units be considered through the 2022 budget process, as presented at the September 14, 2021 Council meeting.

Recommendation:

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

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

Approve a transfer of \$1,375,407 to the Working Funds Reserve;

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

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

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;

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.

Recommendation:

Approve the net capital transfer to/from projects of (\$295,531) as identified in Appendix A of the 2020 Capital Variance Report for the year ended December 31, 2020 and approve the transfer of \$14,861,791 to the encumbrance reserve.

10.	Accessibility Advisory Committee Draft Meeting Minutes, May 4, 2021	250
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Recommendation:

Direct Administration to prepare a report for the Accessibility Advisory Committee regarding Evacuation Chairs;

Direct Administration to advertise to replace the two vacancies on the Committee; and

Receive the Accessibility Advisory Committee Meeting Minutes of May 4, 2021.

5. Consideration of By-laws

Recommendation:

By-law 67-2021 be read a first and second time and provisionally adopted;

By-laws 48-2021, 57-2021 and 58-2021 be read a third and adopted; and

By-laws 68-2021, 71-2021, 72-2021, 73-2021 and 74-2021 be read and passed in open session on September 16, 2021.

1.	By-law 48-2021, Being a By-law for the No. 3 Government Drain in the Municipality of Lakeshore	256
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6.	By-law 71-2021, Being a By-law to Authorize a Grant to the John Freeman Walls Historic Site & Underground Museum	261
7.	By-law 72-2021, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-24-2021)	264
8.	By-law 73-2021, Being a By-law to Amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-25-2021)	266

9. By-law 74-2021, Being a By-law to amend By-law 2-2012,
Zoning By-law for the Municipality of Lakeshore (ZBA-01-2021)

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7. Adjournment

Recommendation:

Council adjourn its meeting at ____ PM.

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Civic Affairs

Date: September 1, 2021

Subject: Draft Animal Care and Control By-law – Results of Public Consultation

Recommendation

Direct Administration to include provisions in the Animal Care and Control By-law for minimum primary enclosure space requirements that exceed the level of the *Provincial Animal Welfare Act*, and include additional resources for education and enforcement in the 2022 Budget, as presented at the September 14, 2021 Council meeting.

Background

At the June 22, 2021 Council meeting, Administration presented a report and draft Animal Care & Control By-law for consideration (Appendix A). Following the presentation, Council passed the following resolutions:

Resolution #217-06-2021

Direct Administration to public the draft Animal Care and Control By-law as presented June 22, 2021 for public consultation until July 31; and

Present a report at the September 14, 2021 Council meeting summarizing the public commentary and present recommendations for Council consideration.

Resolution #218-06-2021

Allow delegations to address Council regarding the Animal Control By-law to be presented at the September 14, 2021 Council meeting.

Comments

As directed, Administration undertook a public consultation process for the draft Animal Care and Control By-law. This included a survey for Lakeshore residents through the municipal website (linked to the Municipality's Placespeak platform) as well as

encouraging additional comments to be submitted through the Placespeak software or directly to the Civic Affairs division.

Eighty-three surveys were received through Placespeak and twelve additional comments were received.

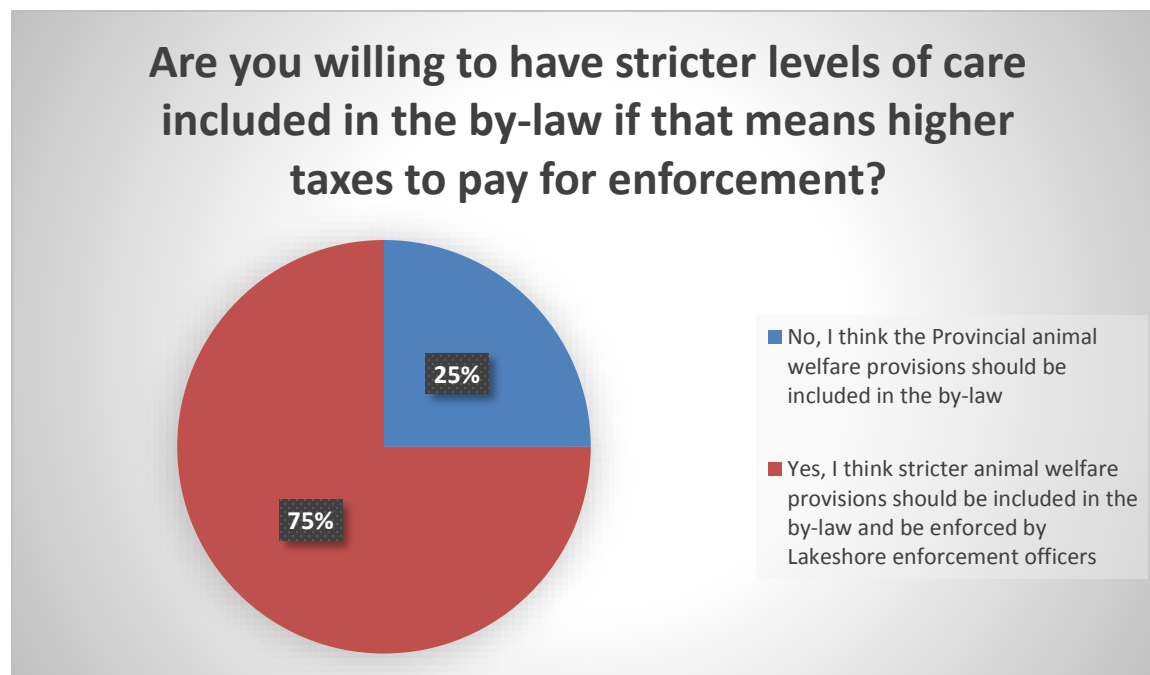
Responses have been summarized and are separated by topic below.

Animal Welfare

The Draft By-law includes animal welfare provisions that are consistent with the *Provincial Animal Welfare Services Act*, including the General Standard of Care found in Schedule B of the by-law. In addition, the following has been included:

- Tethering
- Minimum sheltering requirements
- A maximum of 3 dogs per premises, with a temporary exception for dogs being fostered by rescue groups (eligible rescue groups will need to provide proof of charitable or non-profit status).

As part of the survey, residents were asked to provide comments regarding going above provincial standards for care (requiring municipal enforcement).



This result shows a clear preference for stricter enforcement at the local level over and above the requirements of the Act.

The majority of comments relating to animal care were in relation to kennels, with most received from local animal rescue organizations.

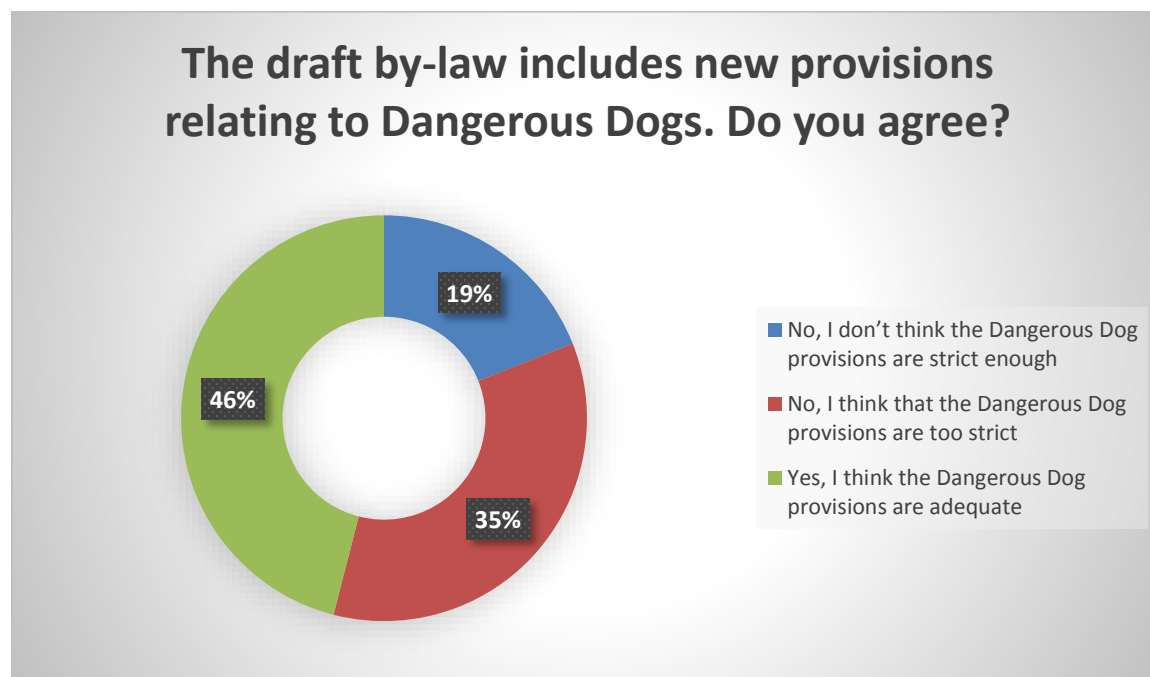
Some comments were received requesting that any outdoor dog shelters be prohibited, while some comments encouraged adequate outdoor sheltering. There were also comments received relating to prohibiting all tethering unless an owner is home or increasing tethering to eight hours to allow for a full work day.

Administration consulted with Windsor/Essex County Humane Society regarding the Draft By-law. The organization is in support of the 4 hour tethering limit included in the Draft By-law.

Dog Licencing

The Draft By-law includes licensing requirements for all dogs, with a fee exemption for service animals, Police dogs and dogs temporarily fostered by rescue groups. In addition, the By-law included provisions relating to Dangerous Dogs.

As part of the survey, residents were asked to provide comments relating to the proposed Dangerous Dog regulations.



Comments received relating to the Dangerous Dog provisions include a preference to prosecute animal abusers rather than restricting dogs, as well as concern relating to breed-specific targeting. It is noted that the Draft By-law does not include breed bans, however the Municipality must continue to abide by the pit bull restrictions in the *Dog Owners Liability Act*.

Administration recommends that the Dangerous Dog provisions remain in the final draft of the Animal Care and Control By-law.

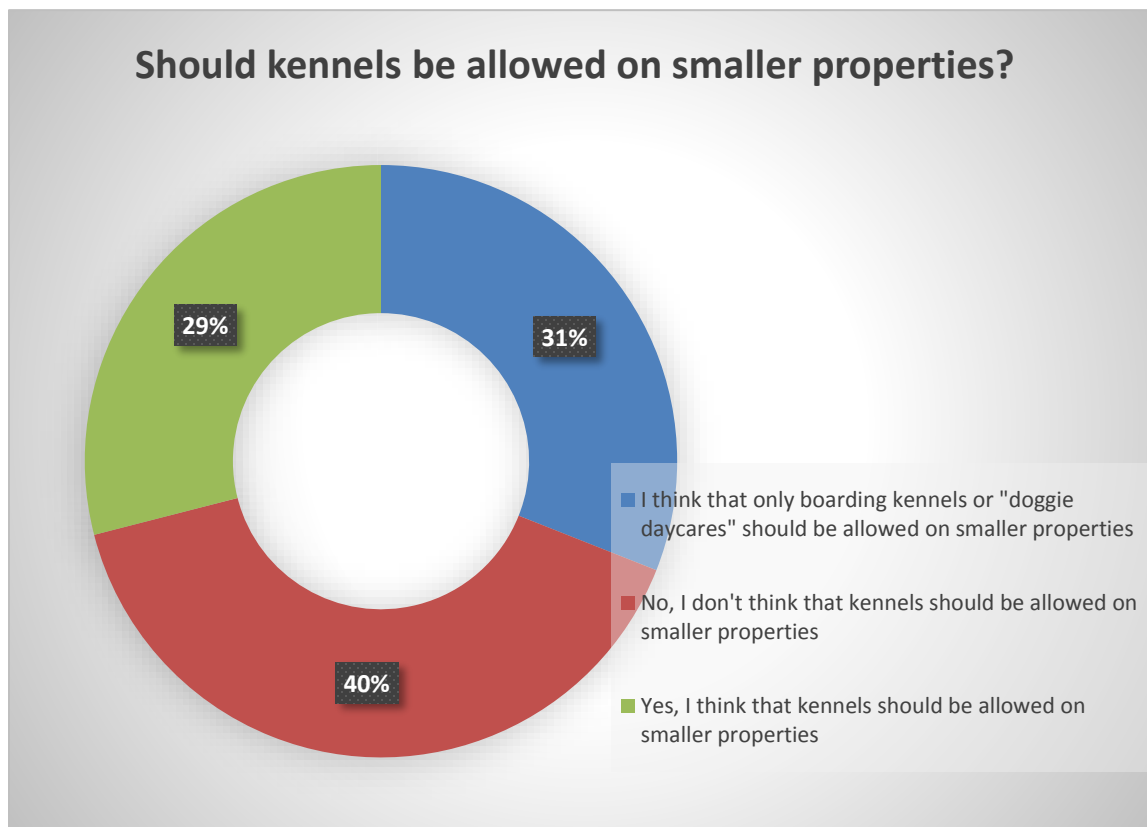
Kennel Licencing

The Draft By-law includes several provisions for kennel licensing, including minimum welfare standards for kennel structures, proof of membership with the Canadian Kennel Club and a requirement for inspections.

As part of the survey, residents were asked to provide comments relating to the proposed kennel regulations, specifically relating to property size.

Respondents were asked the following question:

The draft by-law allows for kennel licensing, with inspection requirements and care conditions. Kennels are only allowed on agricultural properties and cannot be closer than 600m to a neighbouring residence in order to mitigate noise (consistent with the Zoning By-law). Should kennels be allowed on smaller properties?



The majority of comments received for the Draft By-law relate to kennel licensing. As noted in the Animal Care section, many comments were received from animal care

groups requesting increased provisions for the care and control of dogs in kennels. In particular, most commenters requested that the Municipality require all kennel owners or operators to adhere to the recommendations of the Code of Practice from the [Canadian Veterinary Medical Association](#).

While the General Standards of Care (Schedule B of the Draft By-law) allow an enforcement officer discretion in determining what is “adequate and appropriate”, Administration could support specific space requirements that exceed the provincial standards outlined in the PAWS Act. Administration recommends including the following minimum primary enclosure space requirements, as presented in the Code of Practice for Canadian Kennel Operations:

Height of the dog measured at the shoulder (cm)	Area (m ²)	Width (m)	Height (m)
70 or greater	15	2.40	1.80
40 to 70	10	1.80	1.80
20 to 40	6	1.40	1.20
5 to 20	4	1	1.20

Note: minimum primary enclosure space requirements apply to the keeping of one adult dog. Dams and their puppies up to eight weeks of age are provided with an additional space of 10% per puppy. If two or more adult dogs are kept in one enclosure, the minimum dimensions for the enclosure specified are increased by 1.5 m² for each dog kept in the enclosure.

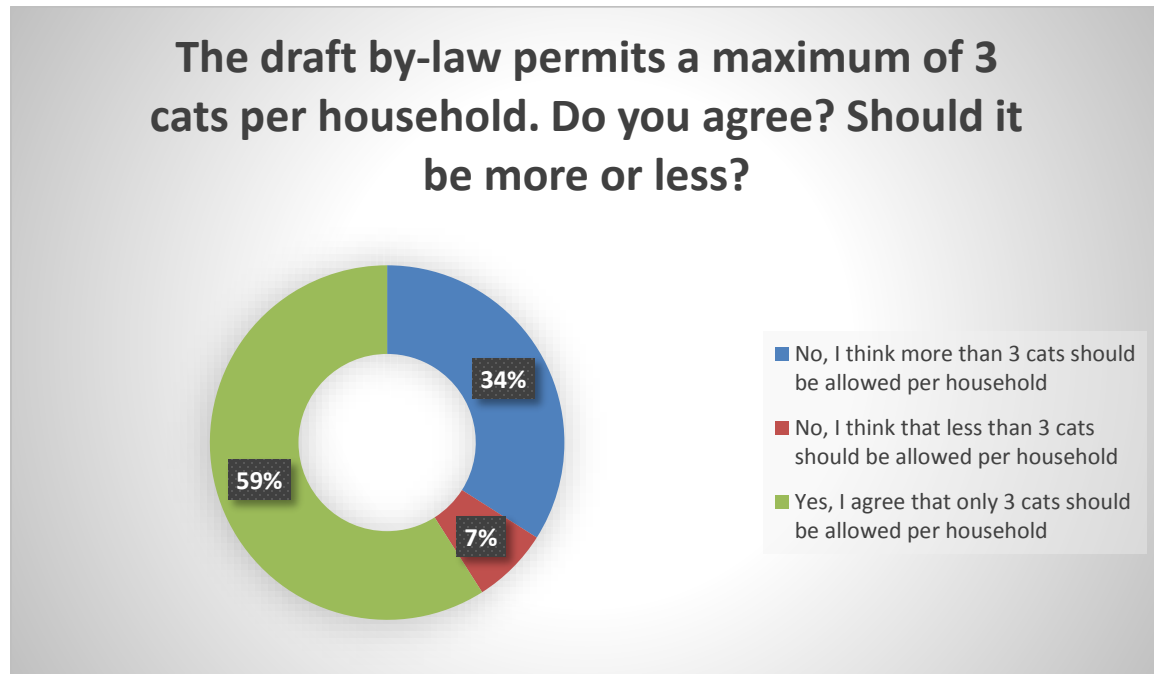
In addition, several comments requested a provision that the operator of a kennel must reside on the property. Administration recommends that should Council wish to include such a provision, an exclusion for veterinary kennels and pounds be included.

There were also several comments received in relation to the required size of a property and distance to neighbours. While most agreed that kennels should be restricted to agricultural properties, several requested that the 600m distance to neighbours be reduced.

Administration recommends keeping the 600m distance requirement to a neighbouring dwelling, in order to mitigate noise and odour complaints. However, it has been suggested that this distance requirement is difficult to achieve if a requirement for the operator to live on site is initiated.

Cats

As directed by Council, the Draft By-law includes provisions prohibiting more than 3 cats per household. Residents were asked to provide comments relating to this new provision.



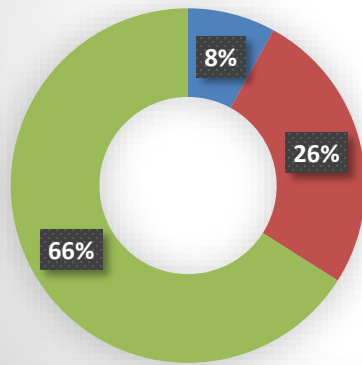
In light of the majority support, Administration recommends that provisions prohibiting more than 3 cats per household remain in the final draft of the Animal Care and Control By-law.

Backyard Hens

The Draft By-law provisions allowing a maximum of 5 hens per property and prohibits roosters. The Draft By-law allows hens only on residential properties larger than 1 acre in size, subject to conditions. This includes a requirement to be registered with the Chicken Farmers of Ontario Family Food Program.

As part of the survey, residents were asked to provide comments relating to the proposed backyard hen provisions.

The draft by-law includes a new provision that allows hens on residential properties over 1 acre in size. Do you agree?



- No, I don't think hens should be allowed on residential properties at all
- No, I think that hens should be allowed on all residential properties regardless of size
- Yes, I think hens should be allowed on these properties

Comments received relating to hens were overwhelmingly in favour of allowing hens on residential properties.

Administration recommends that the provisions remain in the final draft of the Animal Care and Control By-law.

Financial Impacts

Should Council approve stricter levels of care beyond the *Provincial Animal Welfare Act*, it is recommended that additional resources be included in the 2022 Budget for both education and enforcement.

Attachments

Appendix A – Draft Animal Care and Control By-law

Report Approval Details

Document Title:	Draft Animal Care and Control By-law - Results of Public Consultation Process.docx
Attachments:	- DraftAnimalCareandControlBylaw.pdf
Final Approval Date:	Sep 9, 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

Legislative & Legal Services

Legislative Services



To: Mayor & Members of Council

From: Brianna Coughlin, Manager of Legislative Services

Date: June 16, 2021

Subject: Draft Animal Care and Control By-law

Recommendation

Direct Administration to publish the draft Animal Care and Control By-law as presented June 22, 2021 for public consultation for 2 weeks; and

Present a report at the August 11, 2021 Council meeting summarizing the public commentary and present recommendations for Council consideration.

Background

The Province of Ontario has enacted several pieces of legislation that affect animal control, including the *Dog Owner's Liability Act*, the *Pounds Act* and the *Animals for Research Act*. Most recently, in 2019 the Province replaced the *Ontario Society for the Prevention of Cruelty to Animals Act* with the *Provincial Animal Welfare Services Act*.

Currently the Municipality of Lakeshore regulates animals through the Zoning By-law (2-2012), the Animal Control By-law (46-2002), the Keeping of Animals By-law (40-2004) and the Parks By-law (18-2016).

At the December 11, 2018 meeting, Council passed the following resolution:

Whereas the Town of Lakeshore considers dog tethering for long durations to be inhumane because it is a threat to the safety of the confined dog;

Whereas the Town of Lakeshore acknowledge that dogs are naturally social beings that thrive on interaction with human beings and other animals. A dog kept chained in one spot for hours, days, months, or even years suffers immense psychological damage. An otherwise friendly and docile dog, when kept continuously chained, becomes neurotic, unhappy, anxious, and often aggressive;

Whereas, placing a dog on a tether to get fresh air can be acceptable if it is done for short periods of time, keeping a dog tethered for long periods is never acceptable; and

Whereas, in an effort to increase the safety of citizens and their pets, the Town of Lakeshore is enacting an Anti-Tethering by law;

Therefore, be it resolved that a by-law is enacted limiting the use of tethering of dogs to a limit of 4 hours.

Administration presented a report to Council at the August 13, 2019 meeting which recommended several updates to the current Animal Control By-law, including:

- Developing a comprehensive animal control by-law with consistent language with the Zoning By-law;
- Dangerous Dog provisions;
- Anti-abandonment provision;
- Tethering provision.

It was also recommended that public consultation be undertaken to seek input relating to service level items such as cat control, wildlife pickup and urban chickens.

Following presentation of the report, Council passed the following resolution:

Council direct Administration to conduct a public consultation process in order to receive input relating to municipal animal control regulations.

Following a public consultation period in 2020 relating to animal control options, Council passed the following resolution at the August 11, 2020 meeting:

Direct Administration to prepare a draft by-law to present to Council, prior to further public consultation that includes Option 3 with respect to limiting cats and Option 3 with respect to chickens as described in the report of the Manager of Legislative Services at the August 11, 2020 Council meeting.

Comments

The draft by-law is attached as Appendix "A" to this report and is referred to in this report as the Draft By-law. The Draft By-law is intended to replace both the Animal Control By-law and the Keeping of Animals By-law, and to be consistent with the Zoning By-law.

Animal Welfare

The Province recently assumed jurisdiction for animal cruelty and welfare pursuant to the *Provincial Animal Welfare Services Act*, 2019, S.O. 2019, c. 13. The Act is enforced by Provincial inspectors. The standard of care for animals is contained in this legislation and the Province does not consider Lakeshore by-laws (or any other municipal by-laws) when enforcing the law.

The Draft By-law includes animal welfare provisions that are consistent with the *Provincial Animal Welfare Services Act*, including the General Standard of Care found in Schedule B of the by-law. In addition, the following has been included:

- Tethering
- Minimum sheltering requirements
- A maximum of 3 dogs per premises, with a temporary exception for dogs being fostered by rescue groups (eligible rescue groups will need to provide proof of charitable or non-profit status).

Dog Licencing

The Draft By-law requires that all dogs are licensed and have received an annual rabies vaccination. The rabies vaccination requirement is new and in alignment with Provincial law.

In addition, there are new and specific requirements that must be met if a dog has been identified by the Municipality as a Dangerous Dog. This includes, but is not limited to, obtaining a microchip for the dog, displaying a Dangerous Dog warning sign at the entrance to the premises and obtaining liability insurance.

Although all dogs must be licensed, the Draft By-law includes a fee exemption for service animals, Police dogs and dogs fostered by rescue groups.

Kennel Licencing

The Municipality has 2 licenced kennels. The current Animal Control By-law requires that kennel owners provide proof of membership with the Canadian Kennel Club and have proper zoning under the Zoning By-law. The current by-law does not contain a requirement for inspections for these kennels or address any minimum welfare standards for kennel structures. These provisions have been included in the Draft By-law.

Cats

The current Animal Control By-law does not address cats. In accordance with the August 11, 2020 Council resolution, the Draft By-law includes provisions prohibiting more than 3 cats per premises. The Draft By-law does not specifically address feral cats other than formalize the existing voucher-based Spay and Neuter program.

Although there is no licensing provision for cats included in the by-law, it is anticipated that there will be some complaints requiring investigation and/or orders and fines. This is an increase in service that has not been included in the current contract for Animal Control Services.

Backyard Hens

The current Animal Control By-law does not address chickens on residential properties. In accordance with the August 11, 2020 Council resolution, the Draft By-law includes provisions allowing a maximum of 5 hens per property and prohibits roosters. Chickens on lands designated as agricultural are considered livestock, are permitted under the by-law in alignment with the Zoning By-law.

The Draft By-law allows hens only on residential properties larger than 1 acre in size, subject to conditions. This includes a requirement to be registered with the Chicken Farmers of Ontario Family Food Program. This program registers flocks and promotes bird health and disease management.

Although there is no licensing provision for hens included in the by-law, it is anticipated that there will be some complaints requiring investigation and/or orders and fines. This is an increase in service that has not been included in the current contract for Animal Control Services. Should this provision remain in the final by-law, an increase in enforcement costs is anticipated.

Public Comment Period

Administration recommends that the Draft By-law be posted to the Municipality's website for a 2 weeks to solicit input on the draft by-law. Administration will present a report to Council summarizing the feedback and recommendations in order to present a final version of the by-law for Council approval.

Others Consulted

Essex County K-9 – Municipal By-law Compliance Service

Financial Impacts

The drafting of the by-law and public consultation are being executing internally.

Should the final Animal Care and Control By-law include the provisions as drafted for cats and hens, additional Animal Control Services fees are anticipated and will be included in the 2022 budget. The estimate at this time, without experience upon which to base an estimate, is \$3,500.

Attachments: Animal Care and Control By-law (draft)

Report Approval Details

Document Title:	DraftAnimalCareandControlBy-law.docx
Attachments:	DraftAnimalCareandControlBy-law.pdf
Final Approval Date:	Jun 17, 2021

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

Kristen Newman

Rosanna Pellerito

Truper McBride

By-law XXXX-2021 being a by-law regulating the Care and Control of Animals

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DRAFT

Recitals

Whereas sections 8, 9 and 11 of the *Municipal Act, 2001* authorize the Municipality of Lakeshore to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5 and 8 of subsection 11(2) and paragraph 9 of subsection 11(3) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the protection of Persons and property; and animals;

And whereas subsection 8(3) of the *Municipal Act, 2001* provides that a by-law under section 11 of that Act respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a Person to do things respecting the matter, or may provide for a system of licences respecting the matter;

And whereas subsection 103(1) of the *Municipal Act, 2001* provides that if a by-law is passed regulating or prohibiting with respect to the being at large of animals, the by-law may provide for the seizure and impounding of animals being at large and the sale of impounded animals;

And whereas section 425 of the *Municipal Act, 2001* authorizes the Municipality of Lakeshore to pass by-laws providing that a Person who contravenes a by-law of the Municipality of Lakeshore passed under that Act is guilty of an offence;

And whereas subsection 391(1) of the *Municipal Act, 2001* further authorizes the Municipality of Lakeshore, amongst other things, to delegate its authority, to impose fees or charges, to provide for inspections, and to make orders to discontinue activity or to do work;

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

Terminology

1. In this by-law:

"Altered" when used in reference to a Dog means the Dog has been spayed or neutered and "Unaltered" means the Dog has not been spayed or neutered;

"Animal" means any member of the animal kingdom, other than a human, Dog, Cat or Hen;

"At Large" means:

- (i) somewhere other than the Dog Owner's Premises or Dwelling Unit, or the Premises or Dwelling Unit of a Person with the consent of that Person; and,
- (ii) not wearing a leash and under the physical control of a Person so as to avoid unwanted contact with another Person or a Domestic Animal;

"Attack" in reference to a Dog means aggressive behaviour resulting in unwanted physical contact resulting in harm to a Person or Domestic Animal, such as bleeding, bone breakage, sprains, serious bruising, multiple injuries or damage to clothing and "Attacked" or "Attacking" have similar meanings;

"Bite" means the bruising, breaking, or puncturing of the skin of a Person or Domestic Animal caused by the tooth or teeth of a Dog and "Biting" has a similar meaning;

"Business Day" means Monday to Friday, except for a Holiday;

"Cat" means any breed of domesticated cat or cross-breed of domesticated cat;

"Clerk" means the clerk of the Municipality appointed pursuant to the *Municipal Act, 2001*;

"Council" means the municipal council of the Municipality of Lakeshore;

"Dangerous Dog" means a Dog determined to be dangerous pursuant to Division 2 of this by-law;

"Dangerous Dog Tag" means a Tag issued by the Licence Issuer as proof of a Dog Licence for a Dangerous Dog;

"Dangerous Dog Warning Sign" means a sign designed, made, and issued by the Licence Issuer;

"Dog" means any breed of domesticated canine or crossbreed of a domesticated canine;

"Dog Licence" means a Licence issued pursuant to Division 2 and includes a renewal Dog Licence;

"Domestic" when referring to a Dog, Cat, Hen or Animal refers to a pet which is generally understood to be domesticated;

"Dwelling Unit" means one or more habitable rooms, each of which is accessible from the others and which function as an independent or separate housekeeping unit in which separate kitchen and sanitary facilities are provided for the use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building;

"Fee" means a fee prescribed in the User Fee Bylaw;

"Hearing Committee" means a committee appointed by Council to which Council has delegated the authority to handle appeals pursuant to this by-law;

"Hen" means a domesticated biological female chicken that is a minimum of four months old;

"Hen Coop" means a fully enclosed weatherproof and tamperproof building where Hens are Kept and the interior includes nest boxes for egg laying, perches for the Hens and food and water containers;

"Hen Enclosure" means both a Hen Run and a Hen Coop;

"Hen Run" means a secure enclosure that allows Hens access to the outdoors;

“Holiday” means a Statutory or civic holiday;

"Keep" includes to provide care, or to own, harbour, possess or have control over, whether temporary or permanent, and “Keeping” or “Kept” have similar meanings;

“Kennel” means any building or structure or part thereof used or intended for use for the purpose of breeding, boarding or raising three or more Dogs;

“Kennel Licence” means a licence issued to operate a Kennel pursuant to Division 7, and includes a renewal licence;

"Leash" means a restraining device not exceeding 1 metre in length in the case of a Dog found to be a Dangerous Dog under this by-law and, otherwise, not exceeding 2 metres in length which is attached to the collar or harness worn by a Dog and of sufficient strength to restrain the Dog;

"Licence Issuer" means the Person appointed as the Clerk and includes their authorized designate or designates with respect to any authority delegated by the Licence Issuer to such designate;

"Microchip" means an approved Canadian Standard encoded identification device implanted into a Dog which is programmed to store a unique and permanent identification number that permits access to Owner information which is stored in a central data base accessible to the Licence Issuer and "Microchipped" when used in reference to a Dog means a Microchip has been implanted into the Dog;

“Municipality” means the Municipality of Lakeshore, or the geographic area of the Municipality of Lakeshore, depending on the context;

"Muzzle" means a humane fastening or covering device that is strong enough and fitted to prevent the Dog from Biting, without interfering with the breathing, panting or vision of the Dog or with the Dog's ability to drink and "Muzzling" means to cause the Dog to wear a Muzzle and "Muzzled" means the Dog is wearing a Muzzle;

“Off-Leash Dog Park” means an area designated as a leash free area by Municipal by-law where a Person who Owns a Dog which has been issued a Dog Licence is permitted to allow the Dog to be off Leash;

"Own" in reference to a thing, including an Animal, Dog, Cat or Hen, means to possess, harbour or have custody, and “Owner” means a Person that possesses, harbours or has custody and if the Person is a minor under the age of 18 years, the “Owner” is the Person responsible for the custody of the minor;

“Permitted Animal” means any Animal of the class of Animal described in Schedule “A”, Row 1;

"Person" includes an individual, a corporation, a partnership, and an unincorporated association, as the context requires;

"Police" means the police force contracted to provide local policing for the Municipality pursuant to the *Police Services Act*;

"Police Dog" means a Dog trained to aid police officers or peace officers and used by police officers or peace officers in the execution of their duties;

"Pound" means premises that are used for the detention, maintenance or disposal of dogs or cats that have been impounded pursuant to this by-law or the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16;

"Pound Operator" means the operator of a Pound;

"Premises" means a building or part of a building and any land appurtenant to the building or part of the building and includes a vacant lot;

"Prohibited Animal" means any Animal of the class of Animal described in Schedule "A", Row 2;

"Rear Yard" has the same meaning as "Rear Yard" in the Zoning By-law;

"Redemption Period" means three days, excluding the day on which the Animal was impounded and Holidays shall not be included;

"Rescue Group" means a not-for-profit or charitable organization for which the mandate is predominantly the rescue and placement of Dogs and facilitating the Altering of Dogs for Animal welfare purposes;

"Restricted Animal" means any Animal of the class of Animal described in Schedule "A", Row 3;

"Service Dog" means a Dog required by a Person with a disability for assistance; and the Person has documentation from one of the following regulated health professionals confirming that the Person requires the animal for reasons relating to their disability:

- (a) A member of the College of Audiologists and Speech-Language Pathologists of Ontario;
- (b) A member of the College of Chiropractors of Ontario;
- (c) A member of the College of Nurses of Ontario;
- (d) A member of the College of Occupational Therapists of Ontario;
- (e) A member of the College of Optometrists of Ontario;
- (f) A member of the College of Physicians and Surgeons of Ontario;
- (g) A member of the College of Physiotherapists of Ontario;
- (h) A member of the College of Psychologists of Ontario; and,

(i) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario;

“Standards of Care” means the Standards of Care described in Schedule “B”; “Tag” means an identification tag issued by the Licence Issuer as proof of a Dog Licence;

“User Fee By-law” means the Municipality’s By-law to Establish User Fees for Certain Services Provided by the Municipality; and,

“Zoning By-law” means the Municipality’s Comprehensive Zoning By-law 2-2012.

Application

2. The provisions of this by-law apply to the entire geographic area of the Municipality.
3. The requirements of this by-law are in addition to requirements contained in any other applicable by-laws of the Municipality or applicable provincial or federal statutes or regulations.
4. In the event that any set-back requirements in this by-law are inconsistent with the requirements set out in the Zoning By-law, the requirements of the by-law which are more onerous shall prevail.
5. If there is a conflict between a provision of this by-law and any other by-law of the Municipality or a provincial or federal statute or regulation, the most restrictive in relation to the regulation of animals prevails.
6. (1) The provisions of this by-law do not apply to:
 - (a) the Premises of a Pound except insofar as the Pound is referred to in particular;
 - (b) Premises used by the Ontario Society for the Prevention of Cruelty to Animals or an affiliated society;
 - (c) a supply facility Licenced in accordance with the *Animals for Research Act*;
 - (d) a research facility registered in accordance with the *Animals for Research Act*;
 - (e) an animal hospital or clinic operated and supervised by a veterinarian who has a licence to practise veterinary medicine issued under the *Veterinarians Act*;
 - (f) a university or college;

- (g) any display held by an agricultural or horticultural organization incorporated under the *Agricultural and Horticultural Organizations Act* including but not limited to a fair, exhibition or competition held by the Comber Agricultural Society;
- (h) a temporary public display of animals including a circus, carnival or classroom display;
- (i) bees; and,
- (j) the Premises of slaughterhouses licenced pursuant to the *Meat Inspection Act (Ontario)*, R.S.O. 1990, c. M.5.

Interpretation

7. (1) The following rules of interpretation shall be applied to interpretation of this by-law:
- (a) References to items in the plural include the singular, as applicable. "Their" may refer to both the singular and the plural and includes references to a Person or thing that is feminine, masculine or non-binary.
 - (b) The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them. Any examples provided are intended to be representative examples and not intended to be an exhaustive list.
 - (c) Headings are inserted for ease of reference only and are not to be used as interpretation aids.
 - (d) Specific references to laws are printed in italic font and are meant to refer to the current laws applicable at the time that this by-law was enacted and shall be interpreted to include amendments, restatements and successor legislation.
 - (e) Any reference to periods of time, stated in numbers of days, shall be deemed applicable on the first Business Day after a Sunday or a Holiday if the expiration of the time period occurs on a Sunday or Holiday.
 - (f) The obligations imposed by this by-law are in addition to obligations otherwise imposed by law or contract.
 - (g) Where this by-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements may be provided but are of no force or effect. The abbreviation "mm" stands for millimetres and "m" stands for metres.

- (h) Terms with capitals shall be read with the meaning in section 1 and other words shall be given their ordinary meaning.
- (i) Nothing in this by-law shall give any Person any right to Keep any Animal where it is not permitted by:
 - (1) a Zoning By-law regulating the Premises on which the Animals are Kept;
or,
 - (2) federal or provincial statute or regulation thereunder.
- (j) If any court of competent jurisdiction finds any provision of this by-law is illegal or *ultra vires* of the jurisdiction of the Municipality, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this by-law.
- (k) Nothing in this by-law relieves any Person from complying with any provision of any federal or provincial legislation or any other by-law of the Municipality.
- (l) Where a provision of this by-law conflicts with the provisions of another by-law in force in the Municipality, or any of the provisions of any federal or provincial states or regulation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

Part 1: Dogs and Cats

Division 1: Care of Dogs

Standards of Care for Dogs

- 8. (1) Every Owner of a Dog shall ensure that they comply with the Standards of Care.

Tethered Dogs

- 9. (1) Every Person that tethers a Dog shall ensure that:
 - (a) must be at least three metres long;
 - (b) must allow the Dog to move safely and unrestricted, except by its length; and
 - (c) must allow the Dog to have access to adequate and appropriate water and shelter.
- (2) the Tether does not permit the Dog to go beyond the property line of the Premises on which the Dog is Tethered;
- (3) the Dog is tethered for no more than a total of four hours in any one consecutive 24 hour period.

Dogs in Vehicles

10.(1) Subject to subsection (2), no Person shall allow a Dog to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.

(2) A Person may allow a Dog to be outside the passenger cab of a motor vehicle, including riding in the back of a pickup truck or flatbed truck if the Dog is:

- (a) in a fully-enclosed trailer;
 - (b) in a topper enclosing the bed area of a truck;
 - (c) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
 - (d) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation and cannot reach beyond the outside edges of the vehicle.
- 11.(1) No Person shall leave a Dog unattended in a motor vehicle if the weather conditions are not suitable for containment of a Dog.

Division 2: Dog Licencing

Licence Requirement

12.(1) No Person shall Own a Dog without a current, valid Dog Licence.

(2) Despite subsection (1), no Licence for a Dog shall be required for:

- (a) a Dog which has not been weaned and which is under the age of 12 weeks; or
- (b) a Dog which is temporarily Kept at a Kennel, if the Dog, when not being Kept at the Kennel, is Kept at premises located outside of the Municipality.

13.(1) In addition to the requirements of Division 2, an applicant for a Dog Licence or renewal of a Dog Licence shall file with the Licence Issuer:

- (a) evidence satisfactory to the Licence Issuer that the Dog forming the subject of the application has a current and effective rabies vaccination;
- (b) where applicable, evidence satisfactory to the Licence Issuer that the Dog forming the subject of the application has been Altered;
- (c) where applicable, evidence satisfactory to the Licence Issuer that that the Dog forming the subject of the application is a Service Dog or a Police Dog;

- (d) where applicable, evidence satisfactory to the Licence Issuer that a Rescue Group is the applicant; and
- (e) where a Dog has been found to be a Dangerous Dog, evidence satisfactory to the Licence Issuer that the Owner is compliant with the requirements of sections 34 to 38.

Dog to Wear Tag

- 14. (1) Every Owner shall ensure that the Tag corresponding to the Licence issued for their Dog is attached to the Dog at all times.
- (2) Despite subsection (1), the Owner is not required to ensure that the Dog Tag remains securely attached to a Dog if:
 - (a) the Dog is on the Premises of its Owner;
 - (b) a veterinarian has determined it is necessary to remove the Dog Tag for medical treatment of that Dog and evidence of such requirement is produced upon request of a By-law Compliance Officer; and
 - (c) the Dog is a Police Dog while the Police Dog is working.
- (3) No Person shall remove a Tag from a Dog without the consent of the Dog Owner.
- (4) No Person shall attach a Tag to a Dog other than the Dog for which the Licence was provided.
- (5) No Owner shall cause, allow or permit the Owner's Dog to have a Tag attached to it other than the Tag provided for that Dog.
- 15. (1) Every Tag issued by the Licence Issuer remains the property of the Municipality and shall be surrendered upon request of the Licence Issuer or a By-law Compliance Officer after:
 - (a) the death of the Dog to which the Tag corresponds;
 - (b) a change in Ownership of a Dog; or
 - (c) the revocation of the Licence for a Dog for which the Tag was issued.

Application for Licence & Renewal of Licence

- 16. (1) An applicant for a Licence or renewal of a Licence under this by-law shall file with or provide to the Licence Issuer:
 - (a) an application in the form established by the Licence Issuer from time to time;
 - (b) evidence satisfactory to the Licence Issuer that the Dog forming the subject of the application has a current and effective rabies vaccination;
 - (c) where applicable, evidence satisfactory to the Licence Issuer that the Dog forming the subject of the application has been Altered;

- (d) where applicable, evidence satisfactory to the Licence Issuer that that the Dog forming the subject of the application is a Service Dog or a Police Dog;
- (e) where a Dog has been found to be a Dangerous Dog, evidence satisfactory to the Licence Issuer that the Owner has complied with sections 34 to 38; and,
- (f) payment of any Fees required pursuant to the User Fee By-law.

17. (1) Despite paragraph 1(f), a Fee for an application for a Licence or renewal is not required where the application for a Licence or a renewal is submitted:

- (a) by a Rescue Group for a Licence for a Dog; or,
 - (b) for a Licence for a Service Dog or a Police Dog.
- (2) No application Fee shall be refundable for any reason.

18. (1) Subject to any provision to the contrary, if an application satisfies the requirements of this by-law, the Licence Issuer may issue to the applicant, a Licence and Tag for the Dog that is the subject of the application.

Refusal to Issue Licence

19. (1) The Licence Issuer shall refuse to issue or renew a Licence for a Dog where the Licence Issuer is not satisfied that:

- (a) the Dog has a current rabies vaccination;
- (b) the applicant is 18 years of age or older;
- (c) the application is complete and applicable Fees have been paid; or
- (d) in the case of a Dangerous Dog, the Owner does not provide proof of compliance with sections 34 to 38.

Expiry of Licence

20. (1) A Licence for a Dog shall expire upon the earliest of:

- (a) the transfer of Ownership of the Dog;
- (b) the death of the Dog; and,
- (c) the date set out in the Licence as the expiry date.

Revocation of Licence

21. (1) The Licence Issuer shall have the right to revoke the Dog Licence in the event that:

- (a) the Dog Licence was issued in error or as a result of false information provided in the application;

(b) the application Fee is not paid in full whether it be through error, as a result of a cheque being returned marked not sufficient funds, a credit card charge being refused, or for any other reason; or,

(c) in the case of a Dog found to be a Dangerous Dog, the insurance required pursuant to section 38 expires or is cancelled or terminated for any reason, without being replaced.

Replace Lost Tag

22. (1) The Licence Issuer shall provide a replacement Tag to the Owner of a Licenced Dog upon:

(a) application in writing by the Owner in the form established by the Licence Issuer that a replacement Tag is required; and,

(b) payment of the applicable Fee.

Change in Information

23. (1) Except as provided to the contrary in section 17, the Owner of a Licenced Dog shall advise the Licence Issuer in writing within 7 days of:

(a) a change in any information provided in the most recent application for a Licence or renewal of a Licence;

(b) the death of the Dog; and

(c) the sale or other transfer of Ownership of the Dog.

(2) Every Owner of a Dog which is Microchipped shall maintain the currency of the information recorded on the Microchip.

Division 3: Control of Dogs

Number of Dogs

24. (1) Unless licenced as a Dog Kennel pursuant to this by-law, No Person shall Keep in or about any Dwelling Unit or Premises more than three Dogs.

(2) The total number of Dogs shall not include any Dog under the age of twelve weeks.

Despite subsection (1), any Person who, on the date of the passage of this by-law, was lawfully Keeping more than the total number of Dogs stated in subsection (1) may keep the any Dogs over the total number of Dogs permitted until they have died or are otherwise disposed.

(3) The onus shall be on the Person claiming an exemption from subsection (2) to satisfy the By-law Compliance Officer of the Person's entitlement to the exemption.

25. (1) Despite section 24, an authorized Person affiliated with a Rescue Group may Keep up to Six Dogs in or about any Dwelling Unit or Premises provided that the Keeping of more than three Dogs lasts no more than 48 hours in any 90 day period.

(2) The onus shall be on the Person claiming an exemption from subsection (1) to satisfy the By-law Compliance Officer of the Person's entitlement to an exemption.

26. (1) No Owner of a Dog shall cause, allow or permit their Dog to be At Large.

(2) Despite subsection (1), a Licenced Dog shall not be At Large if it is:

- (a) within an Off-Leash Dog Park;
- (b) a Police Dog and is performing the duties for which it was trained.

Abandonment

27. (1) No Person shall leave a Dog in or about any municipal Premises without making provision for its continued care.

Control of Dogs Outdoors but Not At Large

28. (1) Every Premises Owner who allows or permits a Dog to be outdoors shall ensure that the Dog is:

- (a) confined to a pen or other enclosed structure or area, including an area enclosed by electronic fencing known as underground fencing;
- (b) Tethered by a Tether no less than 3 metres in length and which does not permit the Dog to go beyond the property line of the Premises on which the Dog is Tethered; or
- (c) under the control of a Person so as to prevent the Dog from leaving the Premises.

(2) For the purposes of subsection (1), the Owner of the Premises on which the Dog is found shall be deemed to have allowed or permitted the Dog to be outdoors on that Premises.

(3) A Premises Owner may be exempt from subsection (1), if the Dog is on Premises designated as Agricultural in the Zoning By-law that are more than 0.5 hectares in size and the Dog is sufficiently trained so as to remain on the Premises.

Not to Use Dog to Attack or Menace

29. (1) No Person shall cause, use or direct a Dog to Attack, Bite, chase, harass or threaten a Person or Domestic Animal.

(2) No Owner of a Dog shall cause, allow or permit their Dog to behave in a manner that poses a menace to the safety of a Person or domestic Animal.

Not Torment Dog

30. (1) No Person shall tease, torment or annoy any Dog.

Remove Excrement

31. (1) Every Dog Owner shall immediately remove excrement deposited by their Dog on municipal property and dispose of the excrement in a sanitary manner.

(2) Subsection (1) does not apply to an Owner of a Dog where the Owner is unable to remove the excrement due to a physical disability or a visual impairment.

Division 4: Dangerous Dogs

Investigation

32. (1) The Licence Issuer may conduct an investigation to determine if a Dog should be found to be a Dangerous Dog, where the By-law Compliance Officer receives:

- (a) a written complaint, signed by the complainant, that a Dog has Attacked or Bitten a Person or Domestic Animal without provocation or mitigating factors;
- (b) particulars of the name and address of the Owner of the Dog or adequate information to ascertain the Owner of the Dog which is the subject of the complaint; and
- (c) particulars of the incident or incidents giving rise to the complaint.

(2) Where a form for such complaints has been established by the Licence Issuer, the prescribed form shall be used.

(3) The Licence Issuer may decline to investigate a complaint received more than 72 hours after the Bite or Attack.

(4) In conducting the investigation and making a determination of whether a Dog should be found to be a Dangerous Dog, a Licence Issuer shall consider all of the circumstances known to the Licence Issuer, including without limitation:

- (a) the severity of the Attack or Bite and any resulting injuries;
- (b) any prior record of the Dog having Bitten or Attacked;
- (c) the circumstances leading to the Bite or Attack and the location of the Dog at the time;
 - (i) the Dog acting in defence to a Bite or Attack by or menacing actions by a Person or Animal, whether or not such attack was directed towards the Dog in question;
 - (ii) the Dog acting in defence of its young;
 - (iii) the Dog reacting to a Person or a Domestic Animal trespassing on or entering on the Premises where the Dog was situate; or
 - (iv) the Dog being teased, provoked or tormented.

(4) Where, after the investigation, the Licence Issuer is of the opinion that it is appropriate to do so, the Licence Issuer may make a finding that the Dog is a Dangerous Dog.

Dangerous Dog Determination

33. (1) Where the Licence Issuer finds that a Dog is a Dangerous Dog, the Licence Issuer shall issue an order declaring the Dog a Dangerous Dog.

(2) The Licence Issuer may prescribe any such other conditions as the Licence Issuer deems appropriate to protect the health and safety, including but not limited to:

(a) prohibiting the Dangerous Dog from attending any or all Off-Leash Dog Parks or municipal lands;

(b) restricting the movement of the Dangerous Dog from certain areas or locations;

(c) requiring the Dangerous Dog to wear a Dangerous Dog Tag; and

(d) such other conditions as the Licence Issuer may deem appropriate.

(3) The Licence Issuer shall serve the Dangerous Dog Owner with notice of the order and advise the Owner of the following:

(a) the right of appeal of the order;

(b) the requirement to comply with sections 34 to 38 and any additional conditions imposed by the Licence Issuer; and,

(c) that the finding that the Dog is a Dangerous Dog shall continue in effect unless the Hearing Committee finds to the contrary.

Dangerous Dog Conditions

34. (1) Every Dangerous Dog Owner shall comply with such other conditions as may be prescribed by the Licence Issuer.

35. (1) Every Dangerous Dog Owner shall immediately and at all times, display a Dangerous Dog Warning Sign in such a manner that:

(a) it is displayed at the edge of the Premises or at the entrance to the Dwelling Unit where the Owner keeps the Dangerous Dog so that is clearly visible to a Person approaching the entrance to the Dwelling Unit or Premises;

(b) it is erected or placed in a manner that cannot be easily removed by a passerby; and

(c) the Dangerous Dog Warning Sign is replaced from time to time in the event that the Sign is removed, defaced, lost or otherwise becomes illegible.

(2) An Owner required to display a Dangerous Dog Warning Sign shall purchase the Sign from the Licence Issuer at the applicable Fee.

(3) No Person shall remove a Dangerous Dog Warning Sign required to be displayed pursuant to this by-law.

36. (1) Every Owner of a Dangerous Dog shall ensure that at all times when the Dog is on the Owner's Premises, the Dog is:

(a) securely confined inside the Owner's Dwelling Unit; or

(b) if outside the Owner's Dwelling Unit, Dog is securely confined within a pen or other enclosed structure constructed so as to prevent the Dog from leaving the premise and that is constructed in a manner such that the Dog is unable to come into contact with Persons or other Domestic Animals.

(2) For the purposes of this section, secure confinement does not include underground fencing.

37. (1) Every Owner of a Dangerous Dog shall ensure that at all times when the Dog is not on the Owner's Premises, the Dog is:

(a) Muzzled;

(b) Securely fitted with a collar or harness in a manner such that the Dog cannot detach from the collar or harness;

(c) Leashed securely to a collar or harness at all times in a manner such that the Dog cannot detach the Leash from the collar or harness with the Leash held by a Person who has the strength to control the Dog so as to not permit or allow unwanted contact with another Person or a Domestic Animal.

38. (1) Within 14 days of receipt of service of an order issued pursuant to section 33, every Owner of a Dangerous Dog shall:

(a) provide evidence to the Licence Issuer that the Dog has a Microchip;

(b) obtain and maintain a policy of liability insurance with an insurer licenced to operate in Ontario providing:

(i) coverage in an amount not less than two million dollars per occurrence for losses arising from injuries caused by the Dog,

(ii) that the Municipality shall be notified in writing 30 days or more prior to any cancellation, termination or expiry of the policy, and

(iii) adding the Municipality as an additional named insured; and,

(c) provide proof of the insurance required in subsection (2) to the Licence Issuer.

(2) Prior to any change of Ownership or residence of a Dangerous Dog, an Owner shall provide the Licence Issuer with the new physical address of the Dangerous Dog and, if any, the telephone number and other contact information of the Dangerous Dog's new Owner.

Appeal of Order

39. (1) Every Person who is served with an order under this by-law shall comply with the requirements of the order within the time period specified in the order, unless, the Person files an appeal with the Clerk within 10 Business Days of the effective date of service of the order.

(2) An appeal shall be filed only if filed in the form and with the information required by the Clerk and, if filed with the applicable Fee.

(3) In the event that the Clerk determines that the appeal is not filed as required in subsections (1) or (2), the Clerk shall decline the request for a hearing.

(4) A request of the Owner of a Dog for a hearing under this section does not act as a stay of the muzzling requirement.

Hearing Date

40. (1) If a request is compliant with this by-law, the Clerk shall set a date, time and place for a hearing before the Hearing Committee and give notice of the date, time and place of the hearing to the applicant by mail, addressed to the applicant at the address set out in the application and service of the notice of hearing shall be deemed effective on the third day after mailing, whether or not it is actually received.

Hearing

41. (1) On the date and time scheduled for the hearing, or such later date as may be set or consented to by the Hearing Committee, the Hearing Committee may hear and view any evidence provided by the Licence Issuer and appellant and may:

- (a) reverse the order;
- (b) uphold the order; or,
- (c) modify any or all of the conditions of the order.

(2) The decision of the Hearing Committee is final.

(3) The appellant bears the onus of providing evidence satisfactory to the Hearing Committee that the relief being sought should be granted.

(4) Upon the Hearing Committee reaching a decision, the Clerk shall serve notice of the decision in writing to the appellant at the address for the applicant set out in the appeal form.

Division 5: Seizure and Impoundment of Dogs

Seizure and Impoundment

42. (1) A By-law Compliance Officer may seize any Dog found At Large.
- (2) A By-law Compliance Officer may, in their sole discretion, deliver a seized Licenced Dog to its Owner without impounding the Licenced Dog, provided:
- (a) the By-law Compliance Officer is able to contact the Owner and make satisfactory arrangements for return of the Licenced Dog; and
 - (b) the By-law Compliance Officer does not have a record of the Licenced Dog having been seized in the prior 12 months.
- (3) Except as provided to the contrary in subsection (2), a Dog seized under subsection (1) shall be considered impounded at the time and place it is seized by the By-law Compliance Officer and may be delivered to the Pound Operator.
- (4) The Owner of a Dog impounded for being At Large shall be entitled to claim the Dog within the Redemption Period.
- (5) Where a Dog that is impounded is not claimed by its Owner within the Redemption Period, the Pound Operator may retain the Dog for such further time as they may consider proper and may:
- (a) dispose of the Dog in accordance with the *Animals for Research Act*;
 - (b) transfer the Dog to the Windsor-Essex Humane Society; or
 - (c) transfer the Dog to a Rescue Group.
- (6) A Person that knowingly leaves a Dog at the Pound for longer than the Redemption Period shall be considered surrendered.
- (7) Where a Dog is impounded and a veterinarian deems it necessary to destroy the Dog without delay for humane reasons or for reasons of safety to Persons or Domestic Animals, a veterinarian may euthanize the Dog, and may do so without permitting any Person to reclaim the Dog.
- (8) Where a Dog is impounded, and the services of a veterinarian are secured by the Pound Operator for the Dog, the Owner shall pay to the Pound Operator all applicable Fees, whether the Dog is alive or dies.
- (9) Where, in the opinion of a By-law Compliance Officer, a Dog cannot be captured and the safety of Persons or Domestic Animals are endangered, a Police Officer or other trained Person appointed by a By-law Compliance Officer, may euthanize the Dog and no damages or compensation shall be recovered by the Dog Owner for the destruction.

(10) No compensation, damages, fees or any other sum of money paid by a Person on account of or by reason of the impoundment, euthanization or other disposal of a Dog in the course of the administration and enforcement of this by-law shall be recovered by any Owner or other Person from the Municipality or the Pound Operator.

Division 6 - Number of Cats in Dwelling or on Premises

43. (1) No Person shall Keep in or about any Dwelling Unit or Premises more than three Cats.

(2) The total number of Cats shall not include any Cat under the age of twelve weeks.

(3) Notwithstanding subsection (1), any Person who, on the date of the passage of this by-law, was lawfully Keeping more than the total number of Cats stated in subsection (1) may keep any Cats over the total number of Cats permitted until they have died or are otherwise disposed.

(4) The onus shall be on the Owner of the Cat claiming an exemption from subsection (3) to satisfy the By-law Compliance Officer of the Owner's entitlement to the exemption.

Division 7: Dog Kennels

Requirement for a Licence

44. (1) No Person shall operate a Kennel without a current, valid Kennel Licence.

45. (1) No Person shall operate a Kennel on a property that is not designated in the Zoning By-law to permit a Kennel in the Zoning By-law.

46. (1) Every Person operating a Kennel shall ensure that the Kennel is operated in accordance with the applicable Standards of Care.

Licence Application

47. (1) In addition to the requirements in Division 2, an applicant for a Kennel Licence or renewal of a Kennel Licence shall file with the Licence Issuer proof of membership in good standing with the Canadian Kennel Club.

Refusal to Issue Licence

48. (1) The Licence Issuer shall refuse to issue or renew a Kennel Licence where the Licence Issuer is not satisfied that:

- (a) the application does not comply with Division 2;
- (b) the applicant is in good standing with the Canadian Kennel Club;
- (c) the application is complete and applicable Fees have been paid; or

(d) after inspection by a By-law Compliance Officer, the Kennel is found not to be in compliance with this by-law.

Expiry of Licence

49. (1) A Kennel Licence shall expire upon the earliest of:

- (a) the date that the Person operating the Kennel ceases to operate the Kennel; or,
- (b) the date set out in the Licence as the expiry date.

Revocation of Licence

50. (1) The Licence Issuer may revoke a Kennel Licence in the event that:

- (a) the Kennel Licence was issued in error or as a result of false information provided in the application;
- (b) the application Fee is not paid in full whether it be through error, as a result of a cheque being returned marked not sufficient funds, a credit card charge being refused, or for any other reason; or,
- (c) the Person operating the Kennel:
 - (i) after inspection by a By-law Compliance Officer, fails to satisfy the Standards of Care on more than 3 occasions in a 2 year period; or
 - (ii) is convicted of an offence under this by-law.

(2) In the event that a Person's licence is revoked pursuant to subsection (1), that Person shall not make application for a Kennel Licence on any Premises earlier than 1 year following the date of revocation.

Part 2: Keeping of Hens

51. (1) Sections 44 through to and including 50 do not apply to the Keeping of Hens on property designated Agricultural in the Zoning By-law.

52. (1) No Person shall Keep any Backyard Hens unless the Person is registered with the Chicken Farmers of Ontario Family Food Program.

53. (1) No Person shall Keep any Backyard Hens on any Premises unless:

- (a) The Person resides on the Premises;
- (b) the Premises are 1 acre or more in size and designated by the Zoning By-law to permit a single detached Dwelling Unit;
- (c) the Backyard Hens are Kept only in the Rear Yard of the Premises;
- (d) the Backyard Hens are Kept in a Hen Coop that is closed on all of its sides and a Hen Run is provided; and,

(e) the Hen Enclosure is a maximum of 10 square metres useable floor area and a maximum building height of 3 metres;

(f) the Hens are secured in a predator-proof Hen Enclosure or Hen Coop after 10 p.m. and before 5 a.m.

54. (1) No Person shall Keep in or about any Dwelling Unit or Premises more than 5 Backyard Hens.

55. (1) No Person shall Keep a rooster.

56. (1) No Owner of any Backyard Hen shall:

(a) cause, allow or permit their Backyard Hen to be At Large;

(b) destroy a Backyard Hen on the Premises;

(c) Keep any Backyard Hen for a commercial purpose which includes giving, selling or exchanging eggs, manure or other products derived from a Backyard Hen to a Person that does not reside on the Premises;

(d) store more than 0.08 cubic metres of manure on the Premises; or

(e) store manure in any way other than a fully enclosed waterproof container.

57. (1) Every Owner of a Hen shall:

(a) comply with the Standards of Care;

(b) Promptly and humanely dispose of deceased Hens;

(c) Remove uneaten feed from a Hen Enclosure promptly; and

(d) Store bulk feed outside of the Hen Enclosure in a weatherproof and tamperproof container.

58. (1) A By-law Compliance Officer may seize any Backyard Hen found At Large.

(2) A By-law Compliance Officer may, in their sole discretion, deliver a seized Backyard Hen to its Owner without impounding the Hen, provided:

(a) the By-law Compliance Officer is able to contact the Owner and make satisfactory

(b) the By-law Compliance Officer does not have a record of the Hen having been seized in the prior 12 months.

(3) Except as provided to the contrary in subsection (2), a Hen which is seized under subsection (1) shall be considered impounded at the time and place it is seized and may be delivered to the Windsor-Essex Humane Society.

Part 3: Animals Other than Dogs, Cats or Hens

59. (1) No Person shall Keep:

- (a) any Permitted Animal, except on Premises designated Agricultural in the Zoning By-law;
- (b) any Prohibited Animal; or,
- (c) subject to subsection (2), more than a total of 3 of any Restricted Animals on any Premises.

(2) No Person shall Keep a Restricted Animal, unless:

(a) in the case of a Raptor, the Person is licenced to practice falconry in the Province of Ontario.

(b) in the case of Rodentia,

- (i) the Animal will not weigh more than 1,500 grams at any time in its life; and,
- (ii) the Animal is derived from a self-sustaining captive population;

(c) in the case of Squamata, except if:

- (i) the Animal is a snake or a lizard;
- (ii) the snake or lizard is non-venomous; and,
- (iii) in the case of a snake, it will not exceed 3 metres in length from nose to tip of tail at any time in its life; and
- (iv) in the case of a lizard, it will not exceed 2 metres in length from nose to tip of tail at any time in its life.

60. (1) Despite anything to the contrary, no Person shall Keep:

- (a) any insect, spider, Rodentia, or Squamata, except in an escape-proof enclosure; or
- (b) any Animal that produces any poison, venom or toxin.

Part 4: Inspection and Enforcement

Inspection Powers

61. (1) A By-law Compliance Officer may:

- (a) at any reasonable time, enter onto land for the purpose of carrying out an inspection for the purpose of determining compliance with this by-law or the *Municipal Act, 2001*;

(b) during an inspection, require production for inspection of documents or things relevant to the inspection and inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts and photograph such documents or things;

(c) during an inspection require information from any Person concerning a matter related to the inspection;

(d) during an inspection be accompanied by a Person or Persons who has relevant or expert knowledge in relation to this by-law or matters regulated by this by-law;

(e) conduct or direct a Person possessing the relevant or expert knowledge to conduct such examinations or take tests, samples or photographs as the By-law Compliance Officer believes necessary for the purposes of inspection;

(f) conduct inspections prior to a determination as to whether to issue a licence or to confirm compliance with a Licence or conditions of a Licence; and

(g) require that a Licence holder or Owner provide any such information as may be required for the enforcement of this by-law.

62. (1) In addition to any other provision of this by-law, and subject to the provisions of the *Municipal Act, 2001*, a provincial judge or justice of the peace may issue an order authorizing a By-law Compliance Officer and any Person under the Officer's direction to enter onto or into any Premises, including a room or place actually being used as a dwelling for the purpose of carrying out an inspection to determine compliance with this by-law, a Licence issued under this by-law, or an order made under section 431 of the *Municipal Act, 2001* in relation to the subject matter of this by-law.

63. (1) No Person shall refuse or neglect to produce for inspection any document or thing required by a By-law Compliance Officer pursuant to this by-law.

Enforcement

Prohibition

64. (1) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under this by-law.

(2) No Person shall omit information or provide a false or intentionally misleading statement or representation in any application, agreement, investigation or inspection.

Order to Comply

65. (1) Where a By-law Compliance Officer is satisfied that a contravention of this by-law has occurred, an order may be made requiring the Person who contravened this by-law or who caused or permitted the contravention to correct the contravention. The order shall set out:

(a) reasonable particulars of the contravention;

(b) particulars of the location where the contravention occurred;

- (c) any work to be done or steps to be taken to comply with this by-law;
 - (d) the date by which the work must be done or steps taken; and
 - (e) provide that if any work specified is not completed by the date specified to the satisfaction of the By-law Compliance Officer, that the By-law Compliance Officer may cause the work to be done at the expense of the Premises Owner.
- (2) Pursuant to subsection 445(3) of the *Municipal Act, 2001*, an order pursuant to subsection (1) may require the work to be done even though the facts which constitute the contravention of the by-law were present before this by-law making them a contravention came into force.

Offence

66. (1) Any Person who contravenes any provision of this by-law, a Licence, a condition to a Licence, or an order issued pursuant to this by-law is guilty of an offence and subject to prosecution pursuant to the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended and the *Municipal Act, 2001*, as each may be amended from time to time. A Person found guilty shall be liable upon conviction:

- (a) to a minimum fine of \$500 and a maximum fine of \$100,000 for a first conviction;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine of \$500 and a maximum fine of \$10,000 with the total of all daily fines not exceeding \$100,000; and,
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine of \$500 and a maximum fine not exceeding \$10,000, with the total of all daily fines not exceeding \$100,000.
- (2) An offence under this By-law may constitute a continuing offence or a multiple offence as set out in the *Municipal Act, 2001*.
- (3) Any director, employee or officer of a corporation who knowingly authorizes, permits or acquiesces in the contravention of this by-law, a Licence, a condition to a Licence, or an order issued pursuant to this by-law is guilty of an offence and subject to prosecution pursuant to the *Provincial Offences Act*.
- (4) For the purposes of subsections (1) and (2), each day on which a Person, includes a director or officer of a contravention, contravenes any of the provisions of this by-law shall be deemed to constitute a separate offence under this by-law.
- (5) The levying and payment of any fine as provided for under the *Provincial Offences Act* shall not relieve a Person from the necessity of compliance with the obligations under this by-law.

Prohibition Order

67. (1) If this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the Court in which the conviction is entered and any court of competent jurisdiction thereafter may make an order:

- (a) prohibiting the continuation or repetition of the offence by the Person convicted; and,
- (b) requiring the Person convicted to correct the contravention in the manner and within the period that the Court considers appropriate.

Fees and Charges

Attendance Fee

68. (1) A Fee shall be payable for:

- (a) an inspection conducted by a By-law Compliance to ascertain compliance with this by-law for the purpose of a Person applying for a licence; and,
- (b) for the second and each subsequent inspection conducted by a By-law Compliance Officer to ascertain compliance with a notice, direction or order pursuant to this by-law that is conducted after the specified date for compliance.

Collection of Fees

69. (1) All Fees and charges payable under this by-law are due on demand and are a debt owing to the Municipality bearing interest at the rate established in the User Fee By-law from the date of demand until payment in full. The debt may be enforced by any means available to the Municipality, and without limiting the generality of the foregoing, the debt in the nature of fees may, if applicable, be added to the tax roll of any property for which all of the owners are responsible for payment of the debt, and thereafter collectable as property taxes. All remedies open to the Municipality are cumulative.

(2) All Fees and charges incurred under this by-law are payable whether or not there is a charge laid, and whether or not any charge laid leads to a conviction and whether or not a fine has been paid as a result of a charge being laid.

(3) Fines owing to the Municipality that are in default pursuant to section 69 of the *Provincial Offences Act* shall be added by the Treasurer to the tax roll for any property in the Municipality for which the Owner is responsible for paying the fine and the fine may be collected in the same manner as municipal taxes.

Part 5 - General

Administration & Delegation

70. (1) The administration of this by-law is assigned to the Licence Issuer who is delegated the authority to:

- (a) make all decisions required of the Licence Issuer under this by-law;

(b) perform all administrative functions assigned under this by-law and those incidental to and necessary for the due administration and implementation of this by-law;

(c) establish and revise from time to time, such forms, documents, and such standards, protocols and procedures as the Licence Issuer may determine are required to implement and administer this by-law;

(d) develop, implement and promote programs and guidelines to encourage responsible ownership, care and control of Dogs, Cats and Hens provided that the programs and guidelines are consistent with the spirit of this by-law and within Council approved budgets; and,

2) The Licence Issuer may delegate the performance of any one or more of his or her functions under this by-law to one or more Persons from time to time as the occasion requires and may impose conditions upon such delegation and may revoke any such delegation. The Licence Issuer may continue to exercise any function delegated during the delegation.

(3) Unless specifically provided to the contrary in this by-law, the decisions of the Licence Issuer are final and not subject to appeal.

(4) Without limiting the generality of subsection (2), the Licence Issuer may, from time to time enter into agreements, in a form established by the Licence Issuer to authorize Persons who are not Municipality employees to issue Licences on behalf of the Licence Issuer, pursuant to this by-law and subject to the terms and conditions of the Agreement. The Licence Issuer may authorize payment of such Persons of the applicable commission for such service, established by the Licence Issuer from time to time. The Licence Issuer may terminate any such agreement in writing, in accordance with the provisions of the Agreement.

71. (1) This by-law shall be enforced by any By-law Compliance Officer and, where provided in this by-law, the Licence Issuer.

(2) Unless specifically provided to the contrary in this by-law or otherwise at law, the decisions of the Licence Issuer and By-law Compliance Officer are final and not subject to appeal.

72. (1) The Licence Issuer may develop, implement and maintain in force, a program to control or monitor Cats which authorizes participants, in accordance with program guidelines to at their own cost and expense or in accordance with approved budgets to:

(a) trap feral Cats;

(b) cause the trapped feral Cat to be Altered;

(d) release the Altered Cat in the same area from which they were captured; and

(2) Participation in any program to control or manage feral Cats shall be restricted to Persons approved by the Licence Issuer upon application in writing, in the form established by the Licence issuer, and in accordance with guidelines established by the Licence Issuer in establishing the program. The Licence Issuer may revoke any approval granted.

General Requirements - Licence Application Requirements

73. (1) Every Person applying for a License or renewal of a License under this by-law shall provide to the License Issuer:

- (a) an application in the form established by the License Issuer from time to time;
- (b) information including, but not limited to, name, date of birth, address where Dog will reside, email address, and phone number;
- (c) such information, including evidence in support of the application, as may be deemed necessary by the Licence Issuer to process the application for a Licence; and
- (d) except as provided to the contrary in this by-law, payment of the applicable fee for applying for a License.

(2) An Person applying for a licence under this by-law must be a minimum of 18 years in age.

Service of Notices and Orders

74. (1) An order under this by-law shall be deemed to have been served on a Person if:

- (a) delivered to the Person Personally;
- (b) by sending to the Person by regular mail;
- (c) by sending to the Person by registered mail at the last known address of the Person, or by posting in a visible location on the Premises in a manner likely to bring it to the attention of the Person being served.

(2) Service of a notice or order under this by-law shall be effective:

- (a) In the case of Personal service, on the date that Personal service is effected;
- (b) In the case of regular or registered mail, 4 days following the date of mailing;
- (c) In the case of posting, 2 days after the date of posting.

(3) Where Dog Ownership is in question, the Licence Issuer or By-law Compliance Officer may:

- (a) deem the last known Owner of a Dog to be the Dog Owner and serve that Person accordingly; or
- (b) at such address as appears to be the address of the Dog Owner.

Confidential Information

75. (1) Every Person authorized to conduct activities under this by-law is authorized to collect Personal Information for the purposes of administering and enforcing this by-law in accordance with this by-law. Questions regarding collection of personal information may be referred to the Licence Issuer.

(2) All information submitted to and collected by the Municipality in accordance with this by-law shall, unless the Clerk determines otherwise, be available for disclosure to the public in accordance with the MFIPPA.

Transition

76. (1) Any Dog Licence and Tag issued pursuant to By-law 46-2002 shall be continued under this by-law until its expiry on December 31st, 2021, despite the repeal of By-law 46-2002.

(2) An enforcement proceeding commenced under By-laws 46-2002 and 40-2004 shall continue despite the repeal of those by-laws.

Schedules

77. (1) Schedules attached to this by-law form part of this by-law.

Short Title

78. (1) This by-law shall be referred to as the "Animal Care and Control By-law".

Repeal

79. (1) By-laws 46-2002 and 40-2004 and any amendments to those by-laws are repealed.

(2) Where a by-law is repealed by this by-law, the repeal does not:

(a) revive any by-law not in force or existing at the time of which the repeal takes effect;

(b) affect the previous operation of any by-law so repealed;

(c) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the by-law so repealed; or

(d) affect any offence committed against any by-law so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or affect any investigation, legal proceeding or remedy in respect of such privilege, obligation, liability, penalty, forfeiture or punishment.

Enactment

80. (1) This by-law comes into force and effect on January 1, 2022.

Schedule “A”

Classes of Animals

Row	Class	Type of Animal
Row 1	Permitted Animals	<p>Anseriformes (e.g. ducks, geese, swans and screamers)</p> <p>Artiodactyla (e.g. cattle, goats, sheep, pigs, deer, elk, alpacas and llamas)</p> <p>Galliformes (e.g. pheasants, grouse, guinea fowls, turkeys, chickens, quails and peafowls)</p> <p>Horses, donkeys, jackasses, mules, zebras and ponies</p> <p>Struthioniformes (e.g. ostriches, rheas, cassowaries, emus and kiwis)</p>
Row 2	Prohibited Animals	<p>Carnivora (e.g. otters, wolves, bears, coyotes, foxes, tigers, leopards, cougars, lions, lynx, skunks, weasels, badgers, mongooses and racoons), except Dogs, Cats, mink, and ferrets;</p> <p>Chiroptera (e.g. bats, myotis and flying foxes);</p> <p>Crocodylia (e.g. alligators, crocodiles, gavials and caimans);</p> <p>Edentates (e.g. anteaters, sloths and armadillos);</p> <p>Lagomorpha (e.g. hares and pikas), except domestic rabbits</p> <p>Perissodactyla including rhinoceroses, hippopotamuses and tapirs and excluding horses, donkeys, jackasses, mules, zebras and ponies</p> <p>Marsupialia (e.g. koalas, kangaroos, opossums and wallabies)</p> <p>Primates (e.g. chimpanzees, gorillas, monkeys and lemurs)</p>
Row 3	Restricted Animals	<p>Domestic rabbit, mink, and ferret</p> <p>Raptors (e.g. eagles, hawks, falcons and owls), except as permitted under a falconry licence</p>

		Rodentia (e.g. porcupines, prairie dogs, nutria and chinchillas)
		Squamata (e.g. lizards and snakes)

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Schedule “B”

Standards of Care

General Standards of Care for Dogs and Hens

1. (1) Every Dog or Hen must:

- (a) be provided with adequate and appropriate food and water;
- (b) be provided with adequate and appropriate medical attention;
- (c) be provided with the care necessary for its general welfare;
- (d) be transported in a manner that ensures its physical safety and general welfare;
- (e) be provided with an adequate and appropriate resting and sleeping area; and
- (f) be provided with adequate and appropriate:
 - (i) space to enable the Dog or Hen to move naturally and to exercise;
 - (ii) sanitary conditions;
 - (iii) ventilation;
 - (iv) light; and
 - (v) protection from the elements, including harmful temperatures.

Standards of Care for Dogs that Live Outdoors

2. (1) Every Dog that lives primarily outdoors must be provided with a structurally sound enclosure for its use at all times.

- (2) The enclosure must be weather-proofed and insulated.
- (3) The size and design of the enclosure must be adequate and appropriate for the Dog.

Standards of Care for Hen or Dog Enclosures

3. (1) Every Person that confines a Hen or Dog to a pen or other enclosed structure or area, including a Hen Coop or Hen Run, shall ensure that:

- (a) the pen or other enclosed structure or area, and any structures or material in it, must be in a state of good repair;
- (b) the pen or other enclosed structure or area, and any surfaces, structures and materials in it, must be made of and contain only materials that are,
 - (i) safe and non-toxic for the Hen or Dog, and
 - (ii) of a texture and design that will not bruise, cut or otherwise injure the Hen or Dog; and
- (c) the pen or other enclosed structure or area must not contain one or more other animal that may pose a danger to the Hen or Dog.

Municipality of Lakeshore

Minutes of the Regular Council Meeting

Tuesday, August 10, 2021, 6:00 PM

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



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

Staff Present: Chief Administrative Officer Truper McBride, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Community Services Frank Jeney, Division Leader - Civic Affairs Brianna Coughlin, Division Leader - Economic Development & Mobility Ryan Donally, Division Leader - Financial Analysis & Planning Jessica Gaspard, Division Leader - Roads, Parks & Facilities Jeff Wilson, Division Leader - Water Management Albert Dionne, Drainage Superintendent Jill Fiorito, Interim Division Leader – Information Management & Technology Mark Donlon, Building Inspector Brady Mahler, Planner I Ian Search, Planner II Ayusha Hanif, Planner III Aaron Hair

1. Call to Order

Mayor Bain called the meeting to order at 6:08 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

2. Moment of Reflection

3. Disclosures of Pecuniary Interest

4. Recognitions

5. Public Meetings under the *Planning Act*

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

Mayor Bain called the public meeting to order at 6:10 PM.

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

Simon Yared of Ricci, Enns, Rollier and Settingington LLP was present electronically on behalf of the Applicant to answer any questions relating to the application.

The public meeting concluded at 6:13 PM.

241-08-2021

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

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.

Carried Unanimously

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

Mayor Bain called the public meeting to order at 6:15 PM.

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

The Applicant, Ryan Marentette, was present electronically to answer any questions relating to the application.

The public meeting concluded at 6:20 PM.

242-08-2021

Moved By Councillor Walstedt

Seconded By Deputy Mayor Bailey

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.

In Favour (6): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Janisse, Councillor Santarossa, and Councillor Walstedt

Opposed (2): Councillor Kerr, and Councillor McKinlay

Carried

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

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

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

Resident Melissa Jacob was present electronically and asked questions relating to the proposed amendment.

The public meeting concluded at 6:40 PM.

243-08-2021

Moved By Councillor McKinlay

Seconded By Councillor Santarossa

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.

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

Opposed (2): Councillor Janisse, and Councillor Kerr

Carried

244-08-2021

Moved By Councillor Santarossa

Seconded By Councillor Wilder

Direct Administration to include Float Homes in the upcoming Zoning By-law review.

Carried Unanimously

6. Public Presentations

7. Delegations

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

The Planner provided a PowerPoint presentation as overview of the application and confirmed that the public meeting had taken place and was closed on July 31, 2021.

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

245-08-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Walstedt

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%.

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

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

Carried

8. Completion of Unfinished Business

1. Municipal Election 2022 – Alternate Methods of Voting

246-08-2021

Moved By Councillor McKinlay

Seconded By Councillor Walstedt

Approve the voting method of in-person voting method for the 2022 Municipal Election.

Carried Unanimously

9. Consent Agenda

1. July 13, 2021 Regular Council Meeting Minutes

2. City of Toronto - Bill 177 Stronger Fairer Ontario Act Changes to Provincial Offences Act

247-08-2021

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Support the resolution of the City of Toronto regarding Bill 177 Stronger Fairer Ontario Act Changes to Provincial Offences Act.

Carried Unanimously

3. City of Toronto - Building the Early Learning and Child Care System

248-08-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Support the resolution of the City of Toronto regarding Building the Early Learning and Child Care System.

Carried Unanimously

4. Town of Cochrane - Request to Include the PSA Test for Men into the Medical Care System

249-08-2021

Moved By Councillor Janisse

Seconded By Councillor Walstedt

Support the resolution of the Town of Cochrane regarding a Request to Include the PSA Test for Men into the Medical Care System.

Carried Unanimously

5. Town of Halton Hills - Elimination of Local Planning Appeal Tribunal

250-08-2021

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

Mayor Bain called a recess at 7:38 PM. The meeting was reconvened at 7:50 PM.

10. Reports for Information

251-08-2021

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Direct Administration to send the Quarterly Building Activity Report to the County of Essex for information.

Carried Unanimously

252-08-2021

Moved By Councillor Walstedt

Seconded By Councillor McKinlay

Receive the Reports for Information Items 10.1, 10.2 and 10.3 as listed on the agenda.

Carried Unanimously

4. Summary of Flooding Event on July 16, 2021

Tim Byrne, Chief Executive Officer of the Essex Region Conservation Authority, and Sannan Mansoor and Stu Mitchell of Jacobs Engineering Group, were present to answer questions relating to the July 16 flooding event.

253-08-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Defer Item 10.4 and 11.6 pending a special meeting in September.

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

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

Lost

11. Reports for Direction

1. Request for Support for Manufacturer's Limited Liquor Sales Licence – Belle River Brewhouse

254-08-2021

Moved By Councillor Santarossa

Seconded By Councillor Kerr

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).

Carried Unanimously

2. Establishment and Appointment of a Hearing Committee

255-08-2021

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

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

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

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

Carried

18. Consideration of By-laws

256-08-2021**Moved By** Councillor Santarossa**Seconded By** Councillor Walstedt

By-law 63-2021 be read and passed in open session on August 10, 2021.

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

Opposed (1): Councillor Kerr

Carried**257-08-2021****Moved By** Councillor Walstedt**Seconded By** Councillor Santarossa

By-law 65-2021 be read and passed in open session on August 10, 2021.

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

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

Carried**259-08-2021****Moved By** Deputy Mayor Bailey**Seconded By** Councillor McKinlay

By-law 69-2021 be read and passed in open session on August 10, 2021.

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

Opposed (2): Councillor Wilder, and Councillor Janisse

Carried**260-08-2021****Moved By** Councillor Walstedt**Seconded By** Councillor McKinlay

By-law 62-2021 be read and passed in open session on August 10, 2021.

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

Opposed (1): Councillor Kerr

Carried

261-08-2021

Moved By Councillor Walstedt

Seconded By Deputy Mayor Bailey

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

Carried Unanimously

11. Reports for Direction

6. Flood Mitigation and Protection Framework

262-08-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Wilder

Extend the meeting past the 9:30 PM deadline.

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

Opposed (1): Councillor Janisse

Carried

20. Adjournment

The meeting was deemed adjourned at 10:00 PM.

Tom Bain
Mayor

Kristen Newman
Clerk

Municipality of Lakeshore

Minutes of the Special Council Meeting

Thursday, August 12, 2021, 5:00 PM

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



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

Staff Present: Chief Administrative Officer Truper McBride, Corporate Leader - Growth & Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Civic Affairs Brianna Coughlin, Interim Division Leader - Information & Technology Services Mark Donlon

1. Call to Order

Mayor Bain called the meeting to order at 5:05 PM in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

4. Completion of Unfinished Business

1. Reports for Direction

1. Flood Mitigation and Protection Framework

263-08-2021

Moved By Councillor Janisse

Seconded By Councillor Wilder

Defer consideration of the report to the next Council meeting in order to allow for delegations to be heard.

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

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

Lost

264-08-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

Support the Flood Mitigation and Protection Framework (FMPF) presented at the August 10, 2021 Council meeting;

Direct Administration to operationalize a smoke testing program by utilizing the funding from the existing 2021 I & I budget;

Direct Administration to redirect the encumbered \$80,000 from the Community Improvement Plans in two communities to develop and formalize a Flood Rapid Response Plan;

Direct Administration to fund \$111,000 to create a Water Resources and Flood Response Team in 2021 and pre-commit \$554,000 to the 2022 Budget, as described in the Staffing Plan;

Direct Administration to hold public meeting(s), as required, in the fall to gather further feedback from the public on the July 16th storm event and present the Flood Mitigation and Protection Framework; and

Direct the Treasurer to transfer funds from the Contingency reserve for expenses for public meetings, if required.

Carried

2. Use of Council Chambers and Virtual Council Meetings

265-08-2021

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Direct Administration to prepare the necessary amendments to the Procedural By-law to allow for virtual Council meetings, as presented at the August 12, 2021 Council meeting.

In Favor (5): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, and Councillor Kerr

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

Carried

3. 2020 Capital Variance Report

266-08-2021

Moved By Councillor Santarossa

Seconded By Councillor Kerr

Defer consideration of the report to the next Regular Council meeting.

Carried Unanimously

4. 2020 Year End Variance Reporting

267-08-2021

Moved By Councillor Janisse

Seconded By Councillor Wilder

Direct Administration to prepare a report regarding funds approved by Council for 2021 that were unbudgeted from the 2021 Budget.

Carried Unanimously

268-08-2021

Moved By Councillor Wilder

Seconded By Deputy Mayor Bailey

Defer consideration of the report pending a report from Administration regarding the next 2-3 projects in the Stormwater Master Plan.

Carried Unanimously

2. Notices of Motion

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

269-08-2021

Moved By Councillor Walstedt

Seconded By Councillor Santarossa

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.

Carried Unanimously

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

Councillor Kerr withdrew the Notice of Motion.

3. Question Period

270-08-201

Moved By Councillor Wilder

Seconded By Councillor Walstedt

Waive notice required of Section 9.8(a) of the Procedural By-law, which requires a notice of a motion to be in writing and delivered to the Clerk prior to noon of the Wednesday preceding the date of the Regular Council meeting at which the matter is to be considered, to consider a motion regarding a request to the County of Essex to expand the right turning lane from County Road 22 north onto Commercial Boulevard.

Carried Unanimously

271-08-2021

Moved By Councillor Wilder

Seconded By Councillor Santarossa

Request that the County of Essex expand the right turning lane from County Road 22 north onto Commercial Boulevard, including contributions from the Municipality of Lakeshore if required.

In Favor (5): Mayor Bain, Deputy Mayor Bailey, Councillor Wilder, Councillor Santarossa, and Councillor Walstedt

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

Carried

272-08-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Santarossa

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

Carried Unanimously

273-08-2021

Moved By Deputy Mayor Bailey

Seconded By Councillor Walstedt

Approve a grant of \$1,000 to be provided to the Comber Agricultural Society in lieu of funding for the Comber Fair.

Carried Unanimously

4. Non-Agenda Business

5. Closed Session

274-08-2021

Moved By Councillor McKinlay

Seconded By Councillor Santarossa

Council move into closed session at 7:15 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.

Carried Unanimously

5. Adjournment

The meeting was adjourned at the conclusion of the closed session at 7:50 PM.

Tom Bain
Mayor

Kristen Newman
Clerk



August 27, 2021

Federation of Canadian Municipalities

Sent via email: resolutions@fcm.ca

To Whom it May Concern:

Please be advised that the Council of the Corporation of the City of Brantford adopted the following resolution at its City Council meeting held on August 24, 2021:

12.2.14 Year of the Garden 2022

WHEREAS the City of Brantford is committed to being a Garden Friendly City, supporting the development of its garden culture; and

WHEREAS the City has a rich tradition of horticultural excellence with more than 180 floral gardens in municipal parks and along City streets, unique mosaic and carpet bed displays as well as annual plantings that enhance public art and historic monuments throughout the community and within the Downtown; and

WHEREAS Equal Grounds Community Gardens coordinates and supports more than 20 active community gardens throughout the City- an initiative that is maintained fully by community residents and volunteers, to provide places for growing local, healthy and nutritious fruits and vegetables in urban neighbourhoods; and

WHEREAS the City is proud to be home to landscapes that demonstrate a growing commitment to environmental sustainability and climate action including an emphasis on water conservation, and the use of native plants and species providing food and habitat for bees and other pollinators; and

WHEREAS gardens and gardening contribute to the quality of life of our municipality and create safe and healthy places where people can come together, and the entire Country is being asked to proclaim 2022 as the "Year of the Garden";

NOW THEREFORE BE IT RESOLVED:

- A. THAT, the City of Brantford actively PARTICIPATE in the "Year of the Garden" by promoting beautification initiatives, enhancing plantings city wide, encouraging resident engagement and creating a supporting media campaign, and
- B. THAT Staff BE DIRECTED to prepare a plan for 2022 that highlights Brantford's gardening excellence and commitment to environmental sustainability, along with the required budget to be submitted to the

Estimates Committee for consideration through the 2022 budget process,
and

- C. THAT this resolution BE SHARED with the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, The Member of Parliament and Member of Provincial Parliament for Brantford-Brant, the County of Brant, and all Ontario municipalities.

I trust this information is of assistance.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tanya Daniels', with a large, stylized loop at the end.

Tanya Daniels
City Clerk

tdaniels@brantford.ca

Copy to: Association of Municipalities of Ontario
Phil McColeman, MP Brantford-Brant
Will Bouma, MPP Brantford-Brant
The County of Brant
All Ontario Municipalities

Howard Armstrong

August 17, 2021

Lakeshore Council
Notre Dame St.
Belle River, ON
N0R 1A0

Attn: Cindy Lanoue,
Re: Bylaw 65-2017

Dear Lakeshore Council

This letter is a request for the Town of Lakeshore Council to consider an amendment to By-Law 65-2017 which will allow the legal year round commute of Off-Road Vehicles on rural roads for agricultural purposes when going from farm to farm.

These Off-Road Vehicles are as essential to agricultural operations as tractors and combines. Just as the winter season is often needed to complete unfinished corn harvest, tractors haul this crop, and are used for snow removal, like wise, winter is also the season when Off-Road Vehicles are used to clean up downed trees along the ditch rows and repair ditch bank wash outs for example.

Off-Road Vehicles are routinely used in agriculture for such jobs as seeding wheat fields with clover seed in late winter, scouting the fields for weeds, insect pressure and any plant diseases. They also are used for spot spraying smaller problem areas within the field. These vehicles simplify field jobs such as collecting rocks from planted fields which in turn reduces the machinery damage to harvesting equipment, for instance. With the use of the Off-Road Vehicles, the collected stones can easily be placed in washouts at the edges of the fields helping to protect the environment.

These Off-Road Vehicles should be licensed, and the driver carry proof of ownership and insurance. The vehicle should require a licensed driver to drive on the rural roads. The vehicle driver and passenger must be wearing helmets. The vehicle needs to be operated with headlights on just as an automobile or motorcycle has running lights.

This proposal has the support of farmers. We could take up a petition if necessary.

Your consideration is very appreciated. Thank you for taking the time to consider this request.

Sincerely,

Bruce Armstrong Sherry Armstrong
Howard Armstrong Caroline Armstrong

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs



To: Mayor & Members of Council

From: Kristen Newman, Corporate Leader – Strategic & Legal Affairs

Date: August 9, 2021

Subject: Police Services Board Meeting Minutes - June 28th, 2021.docx

Recommendation

This report is for information only.

Background

The Police Services Board met on June 28, 2021. The draft minutes from the June 28, 2021 meeting are attached for Council's information.

Comments

Inspector Miller introduced Provincial Constable Steven Duguay, OPP Media Relations Officer of Essex County.

At the June 28, 2021 the following motion was passed:

10-06-2021

Direct Secretary to send letter to OAPSB following up on resolution presented at the AGM by Lakeshore's Police Services Board requesting actions taken to review and revise medical licenses for cannabis production.

Financial Impacts

There are no financial impacts resulting from this report.

Attachments

June 28, 2021 Police Services Board minutes

Report Approval Details

Document Title:	Police Services Board Meeting Minutes – June 28, 2021.docx
Attachments:	- Police Services Board Meeting Minutes - Jun28_2021.docx
Final Approval Date:	Sep 8, 2021

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

Tammie Ryall

Jessica Gaspard

Kristen Newman

Truper McBride

Municipality of Lakeshore

Minutes of the Police Services Board Meeting

Monday, June 28, 2021, 10:00 AM



Members Present: Mayor Tom Bain, Councillor Kirk Walstedt, Member John Quennell, Chair Francis Kennette, Member Ed Hooker

Staff Present: Inspector Glenn Miller, Board Secretary Cindy Lanoue, OPP Sergeant Byron Hornick, OPP Staff Sergeant Jamie Smith

Others Present: Director of Community & Development Services Tammie Ryall, OPP Provincial Constable Steven Duguay

1. Call to Order

Chair Kennette called the meeting to order at 10:00 AM.

2. Disclosures of Pecuniary Interest

3. Public Presentations

a. Introduction Constable Steven Duguay, OPP Media Relations Officer in Essex County

Inspector Miller introduced Provincial Constable Steven Duguay, OPP Media Relations Officer of Essex County. PC Duguay informed the Board of his plans to enhance the media released by the OPP and looked forward to input from the Board.

4. Delegations

5. Completion of Unfinished Business

6. Consent Agenda

8-06-2021

Moved By Councillor Walstedt

Seconded By Mayor Bain

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

Carried Unanimously

a. April 26, 2021 Meeting Minutes

b. Inspector Miller - Schedule of Fees

Inspector Miller provided the Board with information on the Schedule of Fees.

7. Reports for Information

Staff Sgt. Smith provided an overview of recent policing activity in Lakeshore. Staff Sgt. Smith commented on the lower Calls for Service and attributed the number to the ongoing pandemic.

9-06-2021

Moved By Mayor Bain

Seconded By Member Quennell

Receive the Reports for information as listed on the Agenda.

Carried Unanimously

a. Police Services Board - April 2021

b. Essex County Overview - April 2021

c. Police Services Board - May 2021

d. Essex County Overview - May 2021

e. Update on ATV Enforcement

Staff Sgt. Smith updated the Board on the OPP monitoring of off road vehicles. There has been an increased OPP presence in areas of concern with off road vehicles.

f. Noise By-law Enforcement of Vehicles with Exhaust Modifications

Staff Sgt. Smith informed the Board of the various options available for monitoring noise and the costs associated with them. Staff Sgt. Smith understands the concerns surrounding excessive noise but has not experienced a huge problem reported to date.

g. Update 2021 Spring OAPSB Annual General Meeting

The Chair discussed the highlights from the OAPSB AGM and the focus of future training accreditations for Police Service Board members.

The Chair mentioned the resolution Lakeshore submitted at the AGM which was the only resolution presented and passed.

10-06-2021

Moved By Member Hooker

Seconded By Member Quennell

Direct Secretary to send letter to OAPSB following up on resolution presented at the AGM by Lakeshore's Police Services Board requesting actions taken to review and revise medical licenses for cannabis production.

Carried Unanimously

8. Reports for Direction

9. Notices of Motion

10. Question Period

11. Non-Agenda Business

12. Adjournment

The Police Services Board adjourn its meeting at 11:09 AM.

11-06-2021

Moved By Member Quennell

Seconded By Member Hooker

Carried Unanimously

Francis Kennette
Chair

Cindy Lanoue
Secretary

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Ian Search, Planner 1

Date: August 12, 2021

Subject: Property Standards Committee Hearing Minutes - July 21, 2021.docx

Recommendation

This report is for information only.

Background

The Property Standards Committee issued a Property Standards Order against the owners of 2125 Big Creek Road for violating Section 5.19 of the Municipality of Lakeshore Bylaw No. 23-2018 being a By-law to establish standards for the maintenance and occupancy of all property in the municipality. 5.19 (2) of that Bylaw states that all vacant lots and every yard shall be graded as to prevent surface drainage from adversely affecting neighbouring properties.

An Order was issued on July 24th 2020 after a site inspection revealed that surface drainage originating from 2125 Big Creek Road was likely flowing onto 18725 Tecumseh Road which lies at a relatively lower grade. By-law conducted another investigation on July 11th 2021 that resulted in the same conclusions. The Order was appealed by the owner of 2125 Big Creek Road, and due to concerns over their poor internet connection, the appellant was accommodated at Town Hall for an electronic Property Standards Committee Hearing when COVID-19 public health measures allowed for the accommodation.

When making a decision on an appeal, the Property Standards Committee could decide to confirm, rescind, or modify an Order. The Property Standards Committee ultimately decided to confirm the Order based on findings from the site inspections conducted by By-law Enforcement.

Comments

The draft minutes from the July 21, 2021 Property Standards Committee Hearing is attached.

Financial Impacts

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

Attachments: Property Standards Committee Hearing Minutes – July 21, 2021

Notice of Decision

Report Approval Details

Document Title:	Property Standards Committee Hearing Minutes - July 21, 2021.docx
Attachments:	- Property Standards Committee Hearing Minutes – July 21, 2021.pdf
Final Approval Date:	Sep 8, 2021

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

Aaron Hair

Tammie Ryall

Jessica Gaspard

Kristen Newman

Truper McBride

Municipality of Lakeshore

Minutes of the Property Standards Committee Meeting



Wednesday, July 21, 2021, 4:30 PM

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

Members Present: Chair Mark Hacon, Member Ron Barrette, Member Steve Diemer, Member Robert Sylvestre

Members Absent: Member Michael Hoffman

Staff Present: Corporate Leader - Strategic & Legal Affairs Kristen Newman, Division Leader - Building Services Morris Harding, Planner I - Ian Search

1. Call to Order

Chair Hacon called the meeting to order at 4:36 PM. All Committee members and parties participated in the meeting through video conferencing technology from remote locations.

2. Disclosures of Pecuniary Interest

3. Hearings

a. Appeal of Order - 2125 Big Creek Drive

a. Presentation by Respondent

By-law Compliance Officer Raylene Bailey provided a PowerPoint presentation as overview of the Order:

- In 2019, the Municipality of Lakeshore's Drainage Department received a complaint from R. Beaulieu (18725 Tecumseh Road), regarding the operation of the nearby municipal drain along the South side of Tecumseh Rd. and storm water originating from the neighbouring property of Bernard & Rachelle Moison (2125 Big Creek Rd.), which the complainant must pump into the municipal drain.
- The complainant made a follow-up inquiry into the status of his complaints in July 2020 and Bylaw Compliance Staff were asked to investigate the matter and determine if the situation is in violation of the Municipality of

Lakeshore's Municipal Bylaws.

- The property of 2125 Big Creek Rd. is graded so that a significant portion of both its Northern and North-Western portions drain towards 18725 Tecumseh Rd. The grade of the land is significant and no means of mitigating the overland flow of drainage was observed to be in place.
- The Property Standards violation pertains to the surface runoff, which is permitted to drain toward 18725 Tecumseh Rd. and cross the property boundary.
- Based on inspection it was deemed appropriate to issue a Property Standards Order against the owners of 2125 Big Creek Rd. for violating Section 5.19 of the Municipality of Lakeshore Bylaw No. 23-2018; namely 5.19 (2) that requires all vacant lots and every yard shall be graded as to prevent surface drainage from adversely affecting neighbouring properties.
- The Property Standards Order was drafted on July 24th 2020, which had a compliance date of September 11th 2020 – giving the property owners approximately six (6) weeks after time for mail delivery to make efforts to start and/or complete the remedy process of the drainage violation.
- Raylene Bailey mentioned two "problem areas" on the property that may be contributing to the issue 1) The higher elevation and grade of 2125 Big Creek Rd. is 'funneling' a large portion of the surface drainage from the farm field directly toward the west of 18725 Tecumseh Rd. and 2) No means of mitigating said drainage through the use of berms, ditches, swales, retention walls, retention ponds or pumps are present to this day along the mutual property boundary.

b. Questions to the Respondent by the Committee members/Appellant

The Committee members did not have any questions for the Respondent following the presentation.

The Appellant asked why By-law did not call them to explain the Order that was issued, and also mentioned that the complainant may have removed top soil from their property. They stated the removal of the top soil may be resulting in the drainage issues they are experiencing. The Respondent stated that they were not aware of any top soil removal.

c. Presentation by witnesses called by the Respondent (if any)

There were no witnesses called by the Respondent.

- d. Questions to the witnesses by the Committee members/Appellant
- e. Presentation by Appellant

The Appellant told the Committee that they had not made any changes to the grade of their farm which has remained in its natural state. They noted that it is likely the complainant who has made changes to their property which has caused any problems. It was also stated that the pictures from July 2020 in the Respondent's presentation do not show any drain issues - appears dry - and the appearance of soil saturation is not a case of saturation but is in fact the natural appearance of that particular type of soil in the area.

- f. Questions to the Appellant by the Committee members/Respondent
- Member Barrette asked how long the Appellant owned the property. The Appellant stated 12 years.

Member Diemer asked if the Essex Region Conservation Authority was ever involved in the investigation of the issue. The Appellant said no.

Chair Hacon asked if the complainant ever approached the appellant regarding the issue. The Appellant said the complainant approached them about the issue five years ago and there has been little communication since.

- g. Presentations by witnesses called by the Appellant (if any)
- There were no witnesses called by the Appellant.

- h. Questions to the witnesses by the Committee members/Respondent

- i. Response by Respondent to new information (if any) and closing statement

By-law Compliance Officer Raylene Bailey asked if the property was in the Essex Region Conservation Authority regulated area or Lower Thames Valley Conservation Authority regulated area. The Committee suggested that it was likely in the Lower Thames Valley Conservation Authority regulated area.

- j. Response by Appellant to new information (if any) and closing statement

The Appellant noted they are currently dealing with a number of drainage scheme and pumping scheme costs. They also asked whether the Municipality can and should enforce property standards related to drainage of farm parcels. The Division Leader - Building Services stated that By-law 23-2018 requires all vacant lots, farm parcels and urban lots, to be graded and maintained to prevent surface drainage from adversely affecting adjacent properties.

k. Closing of hearing

Chair Hacon closed the hearing at 5:16 PM.

l. Decision of Committee

Chair Hacon explained that when making a decision on an appeal, the Committee has three options:

- Confirm the Order;
- Rescind the Order; or
- Modify the Order.

Member Sylvestre suggested the issue could be resolved under the Drainage Act with an engineer's report to determine the exact nature of the issue. Member Diemer suggested other properties, not just the subject property, could be contributing to the drainage issue.

The Division Leader - Building Services explained that this particular drainage issue did not relate to a municipal drain and that the drainage issue related to one property owner draining water onto another property owner's land.

1-07-2021

Moved By Robert Sylvestre

Seconded By Steve Diemer

Rescind the Order dated July 24, 2020.

In Favour (2): Steve Diemer, and Robert Sylvestre

Opposed (2): Mark Hacon, and Ron Barrette

Lost

2-07-2021

Moved By Mark Hacon

Seconded By Ron Barrette

Confirm the Order dated July 24 2020.

In Favour (3): Mark Hacon, Ron Barrette and Robert Sylvestre

Opposed (1): Steve Diemer

Carried

4. Adjournment

3-07-2021

Moved By Ron Barrette

Seconded By Robert Sylvestre

The Property Standards Committee adjourn its meeting at 5:34 PM.

Carried Unanimously

Mark Hacon
Chair

Ian Search
Municipal Liaison

The Municipality of Lakeshore

419 Notre Dame
Belle River ON, N0R 1A0



Phone: (519) 728-2700

IN THE MATTER OF The Building Code Act, Statutes of Ontario, 1992, S.O. 1992, c. 23

AND IN THE MATTER OF By-law No. 23-2018 and any amendments thereto, of the Municipality of Lakeshore, being a By-law to establish standards for the maintenance and occupancy of all property in the Municipality of Lakeshore;

AND IN THE MATTER OF the property municipally known as **2125 Big Creek Road (Con 2 Pt Lots 18 & 19 RP 12R10525 Part 1)**, in the Municipality of Lakeshore, in the County of Essex.

DECISION

WE, the undersigned members of the Municipality of Lakeshore Property Standards Committee, constituting a majority of the Committee who heard an appeal on the 21st day of July, 2021, by **Bernard and Rachelle Moison**, against an ORDER of the Property Standards Office respecting property known municipally as **2125 Big Creek Road (Con 2 Pt Lots 18 & 19 RP 12R10525 Part 1)**, and having considered all representations made before us, make the following decision:

That the appeal request by the appellants, Bernard and Rachelle Moison be denied and that the Order to Remedy Violation dated July 24th, 2020 be upheld.

DATED THIS 21st day of July, 2021.

Signature
Mark Hacon

Signature
Robert Sylvestre

Signature
Steve Diemer

Signature
Ron Barrette

Signature
Michael Hoffman (not present)

The Municipality of Lakeshore

419 Notre Dame
Belle River ON, N0R 1A0



Phone: (519) 728-2700

NOTICE OF DECISION

TAKE NOTICE THAT the attached **DECISION** was given by the Property Standards Committee which sat on the 21st day of July, 2021 to deal with an appeal by **Bernard and Rachelle Moison** from an ORDER of the Property Standards Officer made pursuant to the Municipality of Lakeshore By-law No. 23-2018, and any amendments thereto with respect to property known municipally as **2125 Big Creek Road (Con 2 Pt Lots 18 & 19 RP 12R10525 Part 1)**.

AND TAKE NOTICE THAT this decision may be appealed to a Judge of the Ontario Court (General Division – Registrar's Office, 245 Windsor Avenue, Windsor – 973-6620) by so notifying the Clerk of the Municipality of Lakeshore in writing and by applying to the Court for an appointment within fourteen (14) days of the mailing of the Decision- (August 6, 2021).

DATED THIS 23rd OF JULY, 2021.

Ian William Search
Secretary,
Property Standards Committee

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Ian Search, Planner I

Date: August 24, 2021

Subject: Committee of Adjustment Meeting Minutes - August 18, 2021.docx

Recommendation

This report is for information only.

Background

The Committee of Adjustment decisions from the August 18, 2021 meeting are detailed below. The appeal period ended **September 7** for the minor variance applications and **September 9** for the consent applications.

1. Consent – **Granted** – (8225 Essex Kent Road) to permit a surplus farm dwelling severance
2. Minor Variance – **Granted** – (10314 St. Clair Road) to permit an accessory building to have a gross floor area of 80.27 m², subject to the following conditions:
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Dwelling Unit as defined in the Zoning By-law.
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Home Industry as defined in the Zoning By-law
3. Minor Variance – **Granted** – (2024 S. Middle Road) to permit an accessory building to have a gross floor area of 167.23 m², subject to the following conditions:
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Dwelling Unit as defined in the Zoning By-law;
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Home Industry as defined in the Zoning By-law;

- That the accessory building be constructed with a maximum setback of 4.572 metres (15 feet) from the rear lot line as indicated on the site plan drawing submitted with the minor variance application.
4. Minor Variance – **Granted** – (254 Meunier Street) to permit an exterior side yard setback of 3.35 metres to facilitate a building addition
 5. Minor Variance – **Granted** – (1298 County Road 31 – vacant 1.2 acre parcel) to permit an accessory building to have a gross floor area of 222.97 m², subject to the following conditions:
 - That the accessory building be constructed with a maximum setback of 9.144 metres (30 feet) from the rear lot line as indicated on the site plan drawing submitted with the minor variance application.
 - That the accessory building will have a smaller building footprint than the main building (dwelling) on the subject property, and to the satisfaction of the Building Department will not be constructed on the subject property prior to construction of the main building (dwelling).
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Dwelling Unit as defined in the Zoning By-law.
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Home Industry as defined in the Zoning By-law.
 - That the accessory building will not exceed the maximum height provision in the zoning by-law for an accessory building.
 6. Consent – **Granted** – (7654 St. Clair Road) to sever a lot addition that consists of an overall area of 373.04 m² to be added to the abutting property to the east
 7. Consents – **Granted** – (486 & 490 Advance Blvd.) to register a mutual easement agreement between 486 & 490 Advance Blvd. to provide mutual easement on each other's respective lands for the purposes of providing for a shared parking arrangement (parking and access) between the two properties once fully developed. The mutual easement will also provide right-of-way for pedestrian use between the two properties. Additionally, the agreement will include an easement for the purposes of accessing, maintaining, operating, and repairing a pylon sign in favour of 486 Advance Blvd. over 490 Advance Blvd. The sign is located on 490 Advance Blvd. but is utilized by the owner of 486 Advance Blvd.

Comments

The Draft Minutes from the August 18, 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 – August 18, 2021

Report Approval Details

Document Title:	Committee of Adjustment Meeting Minutes - August 18, 2021.docx
Attachments:	- Committee of Adjustment Meeting Minutes - August 18 2021.pdf
Final Approval Date:	Sep 9, 2021

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

Aaron Hair

Tammie Ryall

Jessica Gaspard

Kristen Newman

Truper McBride

**MUNICIPALITY OF LAKESHORE
COMMITTEE OF ADJUSTMENT
WEDNESDAY, AUGUST 18, 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
Planner II	- Ayusha Hanif

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/33/2021
APPLICANT:	T.S. Mullen Farms Ltd.
PROPERTY LOCATION:	8225 Essex Kent Road (County Road 1) (Community of Tilbury West)

PURPOSE OF APPLICATION

The subject farmland is located at the southwest corner of Essex Kent Road (County Road 1) and Lakeshore Road 308, in the Community of Tilbury West. The applicant has applied for a surplus dwelling lot off of County Road 1 with approximately 62.78 metres of frontage and an overall area of approximately 0.946 acres (3,827.6 m²). The retained farmland will then have frontage off County Road 1 of approximately 254.2 metres and an overall area of approximately 24.68 hectares (61 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

T.S. Mullen Farms Ltd., Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No comment
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 on Lakeshore Road 308 will require an entrance permit from the Municipality of Lakeshore. Any new entrances on Essex Kent Road will require an entrance permit from the County of Essex.
4. Lakeshore Fire – No comment

Lakeshore Planning Dept. – The applicant has applied to sever a surplus farm dwelling lot with approximately 62.78 metres of frontage and an overall area of approximately 0.946 acres (3,827.6 m²). The retained farmland will then have frontage off Essex Kent Road of approximately 254.2 metres and an overall area of approximately 24.68 hectares (61 acres) (see attachment B). The dwelling on the subject property is rendered surplus given that the applicant owns at least one other farm holding with a dwelling – including, for example, 8704 County Road 46 in Lakeshore.

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 with the above mentioned severance.

As aforementioned, the subject property is designated Agricultural in the Municipality of Lakeshore Official Plan and is zoned Agricultural (A) in the Lakeshore Zoning By-law. The subject property is not part of any hazard lands, significant woodlands or wetlands. It is located within the Lower Thames Valley Conservation Authority (LTVCA) Limit of Regulated Area due to a municipal drain that runs north-south on the west half of the farm parcel. LTVCA was circulated the proposal for comment.

None of the existing structures to be included in the proposed surplus lot house livestock. An R-Plan will be required to detail the consent and confirm additional zone provisions on the surplus lot – including building setbacks from lot lines. A zoning by-law amendment application will be required on the retained lands, following the surplus lot

creation to ensure that new residential dwellings are prohibited on any vacant parcel of farmland created by the severance.

The applicants will be advised by the Secretary-Treasurer of the Committee of Adjustment prior to the issuance of a consent certificate that the location of any future livestock facility on the retained lands shall be in accordance with the minimum distance separation (MDS) formula of the Agricultural Code of Practice.

Essex Kent Road will provide access to the severed lot, while there are existing accesses to the retained parcel of land from Lakeshore Road 308. The severed lot is serviced by a private water line association with water supply provided by Chatham-Kent Public Utilities Commission. An agreement registered on title will ensure that any future water connection to be established for the retained parcel is separate from the water connection servicing the severed lot.

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 any water connection for the

retained lot will be separate from any water connection servicing the severed lot, and to pay any applicable water rates or fees with respect to the subject lands.

- 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 **August 20, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

5. Lower Thames Valley Conservation Authority – No objection

6. County of Essex – The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original ROW of County Road No. 1. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures. No new accesses will be permitted off County Road No. 1.

APPLICANTS AMENDMENTS

- None

DISCUSSION

T.S. Mullen Farms Ltd. stated they had no objection to the recommendation and recommended conditions

Ron Barrette asked if the dwelling to be severed was habitable. T.S. Mullen Farms Ltd. confirmed that it was habitable

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

That Consent Application B/33/2021 be approved subject to all recommended conditions.

- Carried -

APPLICATION:	A/31/2021
APPLICANT:	F.A. Frabotta & Associates Inc.

PROPERTY LOCATION: 10314 St. Clair Road (Community of Tilbury North)
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PURPOSE OF APPLICATION

The applicant is seeking relief from Lakeshore Zoning By-law 2-2012 to permit an accessory building for the following relief:

- Relief from Section 6.5 a) ix) to permit a gross floor area of 80.27 m² (864 ft²)

Section 6.5 a) ix) limits accessory buildings to not exceed a gross floor area of 55.0 m², for each accessory building on a lot in an R1, R2, R3, RW1, RW2, RM or HR zone;

PRESENT AT MEETING

F.A. Frabotta & Associates Inc., Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Engineering Dept. – Construction of the accessory buildings should not adversely impact the rear yard drainage or adjacent neighbouring lands.
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Fire Dept. – Should this be approved the applicant will need to contact the Lakeshore Fire Department to assist with assessing the use to determine if any Ontario Fire Code requirements may apply.
4. Lakeshore Building Dept. – No comment
5. Essex Region Conservation Authority – We note that the low lying nature of the roadway may result in excess water over the road during 1:100 year flood event. The Municipality must confirm, through applicable emergency services, that they have the ability to safely access this area during a 1:100 year flood event, in order to fulfill the municipality's responsibilities under Section 3.1.7 of the Provincial Policy Statement (2020). Additionally, the applicant must obtain a Section 28 Permit from ERCA prior to undertaking any development on the site.
6. Lakeshore Planning Dept. – Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

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 restrictions on accessory building lot coverages is to provide the following:

- Landscaping and drainage – it is anticipated that the variance will have little to no impact on landscaping and drainage
- Sufficient outdoor amenity space – it is anticipated that the variance will have little to impact on the outdoor amenity space.

Staff took into consideration the size of the lot, and are of the opinion that the variance meets the intent and purpose of the zoning by-law.

The third test determines whether or not the variance is 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 as the neighbouring properties have similar characteristics, and therefore fulfills this test as well.

The final test regards the appropriateness and desirability of the use. Staff are of the opinion that an increased lot coverage for an accessory building does not compromise the desirability of the property with the surrounding neighbourhood because as aforementioned, the neighbouring properties have similar characteristics. 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 A31/2021 subject to the following conditions:

- 1) That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Dwelling Unit as defined in the Zoning By-law
- 2) That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Home Industry as defined in the Zoning By-law

APPLICANTS AMENDMENTS

- None

DISCUSSION

Frank Frabotta stated that he had no questions or concerns with the recommendation and recommended conditions.

Member Hoffman asked what the structure would be used for. Frank stated that it would be used to store a boat and ATV.

Member Sylvestre asked where the septic system was located. Frank stated that the property is on municipal sanitary services.

**Moved by Member Barrette
2nd by Member Hoffman**

That Minor Variance Application A/31/2021 be approved subject to all recommended conditions

- Carried-

APPLICATION:	A/32/2021
APPLICANT:	Phillip Maxwell & Krystal Labonte
PROPERTY LOCATION:	2024 S. Middle Road (Community of Rochester)

PURPOSE OF APPLICATION

The applicant is seeking relief from Lakeshore Zoning By-law 2-2012 to permit an accessory building for the following relief:

- Relief from Section 6.5 a) ix) to permit a gross floor area of 167.23 m² (1800 ft²)

Section 6.5 a) ix) limits accessory buildings to not exceed a gross floor area of 55.0 m², for each accessory building on a lot in an R1, R2, R3, RW1, RW2, RM or HR zone;

PRESENT AT MEETING

Phillip Maxwell & Krystal Labonte, Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No comment

2. Lakeshore Engineering Dept. – Construction of the accessory building should not adversely impact the rear yard drainage or adjacent neighbouring lands
3. Lakeshore Drainage Dept. – No concerns
4. Lakeshore Fire Dept. – This proposed application is significantly larger than the permitted gross floor area of 55 m². Should this be approved the applicant will need to contact the Lakeshore Fire Department to assist with assessing the use to determine if any Ontario Fire Code requirements may apply. Additionally due to the size of the proposed building it should be noted that the Lakeshore Fire Department provides emergency response through its volunteer firefighter service. There is no guaranteed level of coverage. Anticipated response times, equipment and required staffing may be delayed.
5. Essex Region Conservation Authority – No objection
6. Lakeshore Planning Dept. – Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

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 restrictions on accessory building lot coverages is to provide the following:

- Landscaping and drainage – it is anticipated that the variance will have little to no impact on landscaping and drainage
- Sufficient outdoor amenity space – it is anticipated that the variance will have little to impact on the outdoor amenity space.

Staff took into consideration the size of the lot, and are of the opinion that the variance meets the intent and purpose of the zoning by-law.

The third test determines whether or not the variance is 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 took into consideration the size of the lot as well as the characteristics of the surrounding community and are of the opinion that the variance fulfills this test as well.

The final test regards the appropriateness and desirability of the use. Staff are of the opinion that an increased lot coverage for an accessory building does 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 A32/2021 subject to the following conditions:

- That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Dwelling Unit as defined in the Zoning By-law
- That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Home Industry as defined in the Zoning By-law.
- That the accessory building be constructed with a maximum setback of 4.572 metres (15 feet) from the rear lot line as indicated on the site plan drawing submitted with the minor variance application

APPLICANTS AMENDMENTS

- None

DISCUSSION

Phillip Maxwell stated if he would be able to relocate the structure further from the side lot line. Ian Search stated that the Zoning By-law would allow him to move the accessory building further from the side lot line.

Philip Maxwell confirmed that the structure is to be used to store a trailer and other vehicles.

Member Barrette asked about the driveway and potential impacts to drainage. Phillip said that he will maintain a proper drainage system and has cooperated with his neighbour in this regard.

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

That Minor Variance Application A/32/2021 be approved subject to the recommended conditions of the Planning Department.

- Carried-

APPLICATION:	A/30/2021
APPLICANT:	Allan St. Louis & Nicole Coatsworth

PROPERTY LOCATION:	254 Meunier Street (Community of Belle River)
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PURPOSE OF APPLICATION

The applicant is seeking relief from Lakeshore Zoning By-law 2-2012 to permit a building addition for the following relief:

- Relief from Section 8.1 Urban Residential Zone Regulations to permit an exterior side yard setback of 3.35 metres

Section 8.1 Urban Residential Zone Regulations requires a minimum exterior side yard setback of 4.5 metres in the Residential – Low Density (R1) zone

PRESENT AT MEETING

Allan St. Louis & Nicole Coatsworth, Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No comment
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – No comments
4. Lakeshore Fire – No comment
5. Lakeshore Planning Dept. –

Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

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 setbacks on the exterior yard in the Zoning By-law is to provide the following:

- Maintenance of existing streetscape – it is anticipated that the variance will have little to no impact on the maintenance of the streetscape.
- Manoeuvres and sight lines required for turning – As shown in the site plan, the proposed addition does not impact the sight lines required for tuning.

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 a reduced exterior side yard setback does 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 A30/2021.

- 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

Allan St. Louis had no questions or concerns with the recommendation

Member Barrette asked if there were any utilities in the area of the proposed lot addition. Allan said he had a proper locate done.

Member Hacon asked what the existing structure was adjacent to the interior lot line. Allan said it is an existing lean-to that he uses for the storage of tools.

**Moved by Member Barrette
2nd by Member Hoffman**

That Minor Variance application A/30/2021 be approved

- Carried -

APPLICATION:	A/29/2021
APPLICANT:	Kevin and Tracey Horne
PROPERTY LOCATION:	0 County Road 31 (Rochester Con 5 Pt Lot 12 RP 12R27863 Part 1) (Community of Rochester)

PURPOSE OF APPLICATION

The applicant is seeking relief from Lakeshore Zoning By-law 2-2012 to permit an accessory building for the following relief:

- Relief from Section 6.5 a) ix) to permit a gross floor area of 222.97 m² (2,400 ft²) and Section 6.5 a) xi) to permit a height of 5.334 metres (17.5 feet)

Section 6.5 a) ix) limits accessory buildings to not exceed a gross floor area of 55.0 m², for each accessory building on a lot in an R1, R2, R3, RW1, RW2, RM or HR zone;

Section 6.5 a) xi) restricts accessory buildings to not exceed a height of 5 metres unless within an Agriculture Zone

PRESENT AT MEETING

Kevin and Tracey Horne, Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – no comment
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – Construction of the accessory buildings should not adversely impact the rear yard drainage or adjacent neighbouring lands
4. Lakeshore Fire – This proposed application is significantly larger than the permitted gross floor area of 55 m². Should this be approved the applicant will need to contact the Lakeshore Fire Department to assist with assessing the use to determine if any Ontario Fire Code requirements may apply. Additionally due

to the size of the proposed building it should be noted that the Lakeshore Fire Department provides emergency response through its volunteer firefighter service. There is no guaranteed level of coverage. Anticipated response times, equipment and required staffing may be delayed.

5. Lakeshore Planning Dept. – The applicant has indicated that the reason for the minor variance is to permit a new accessory building on the subject property that will be used to store personal belongings such as a Recreational Vehicle (RV) and boat, and provide additional amenity/lounging area.

Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

While the subject property is currently vacant, the site plan drawing indicates that the accessory building will have a smaller building footprint than the dwelling that is to be constructed on the property, and therefore meets the intent of accessory in the zoning by-law. Any approval of the minor variance should be conditional on the accessory building having a smaller building footprint than the dwelling on the property to ensure this intent of the by-law is met.

The intent behind the size restriction provision is to prevent overbuilding on a given lot and to encourage a consistent and compatible built form. The subject property is not a residential lot located in a typical subdivision. It is located near the periphery of the St. Joachim Hamlet settlement area on a Rural Regional Road according to the Official Plan. Like neighbouring properties to the north, it has a large depth of approximately 130 metres, and exceeds the minimum lot area requirement for a hamlet residential property by 2.4 times.

East of the subject property is land zoned Parks and Open Space, and the accessory building is proposed to be located at the rear of the lot – 9.144 metres (30 feet) from the rear lot line and 3.048 metres (10 feet) from the north side lot line – where it will have little visual impact on the streetscape and impact on the surrounding neighbourhood. Given the large lot area of the subject property, the proposed accessory building will only result in 4.6% lot coverage. The request for a 0.334 metre increase in height is considered minor and compatible with the neighbourhood given purpose and proposed location. Additionally, there are other large accessory buildings existing in the area on lands zoned HR – including across the road from the subject property.

While there is supportive context, it is noted that the minor variance request is to exceed the gross floor area provision for an accessory building by four times. The Committee should encourage the applicant to revise and reduce the gross floor area requested and explore the possibility of deferral. One of the main concerns with oversized accessory buildings is what they will ultimately be used

for. This accessory building cannot be used as a Home Industry – shop (electrical, woodworking, window frame, welding, plumbing, machine shop etc.) to support a gainful occupation – or a Dwelling Unit under the Zoning By-law.

If the Committee decides to approve the application, they are advised to impose the following conditions on approval:

- That the accessory building be constructed with a maximum setback of 9.144 metres (30 feet) from the rear lot line as indicated on the site plan drawing submitted with the minor variance application
 - That the accessory building will have a smaller building footprint than the main building (dwelling) on the subject property, and to the satisfaction of the Building Department will not be constructed on the subject property prior to construction of the main building (dwelling)
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Dwelling Unit as defined in the Zoning By-law
 - That, in the absence of a zoning by-law amendment permitting otherwise, the accessory building will not contain a Home Industry as defined in the Zoning By-law
6. County of Essex – The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original ROW of County Road No.31. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures.

APPLICANTS AMENDMENTS

- None

DISCUSSION

Kevin Horne asked what the required setback is from the side lot line. Ian Search stated the required setback is 5 feet.

Kevin stated that he chose to purchase the property because he wanted a larger lot size and would like to utilize the space. He stated the structure will be used to store travel trailer, boat, recreational vehicles, and will also contain a recreational/leisure room.

Member Sylvestre asked if Kevin understood the attached conditions. Kevin said he did.

Member Hoffman asked Kevin to clarify the height of the doors for the proposed accessory structure. Kevin said they will be 10 feet wide by 12 feet in height to accommodate travel trailer.

Member Hacon asked if the height of the accessory building could be reduced to meet the regulation in the zoning by-law (5 metres, 16.4 feet), stating that it would reduce the overall mass of the building. Kevin agreed that would be acceptable to him.

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

That minor variance A/29/2021 be approved subject to all the recommended conditions, plus an additional condition that the accessory building will not exceed the maximum height provision for an accessory building in the zoning by-law.

- Carried -

APPLICATION:	B/32/2021
APPLICANT:	Susan & Angela Papineau
PROPERTY LOCATION:	7654 & 0 St. Clair Road (Pt Lt 7 Con Broken Front Tilbury 12R7516 Parts 1-3) (Community of Tilbury North)

PURPOSE OF APPLICATION

The subject property is located on the north side of St. Clair Road in the Community of Tilbury North, and has approximately 26.74 metres of frontage and an overall area of 2038.06 m². The applicant is applying to sever a lot addition from the subject property – consisting of an overall area of approximately 373.04 m² – to be added to a neighbouring residential property (7702 St. Clair Road). The retained land, will have a resulting frontage of 21.64 metres and an overall area of 1649 m². The subject lands are designated “Residential” and zoned “RW2, Residential Waterfront – Lake St. Clair”.

PRESENT AT MEETING

Susan Papineau, Applicant

CORRESPONDENCE RECEIVED

1. Lakeshore Building Dept. – No comment
2. Lakeshore Drainage Dept. – No concerns
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. Any new entrances will require an entrance permit from the Municipality of Lakeshore and

will need to comply with the Municipality's Development Manual. Private drain connection sheets are required to be submitted to the Municipality for our records at the time of servicing

4. Lakeshore Fire – No comment
5. Essex Region Conservation Authority – No objection
6. Lakeshore Planning Dept. –

The subject property currently consists of two tax roll numbers under one Property Identification Number. This property, and the abutting property to the east receiving the lot addition, are located in the Lake St. Clair Floodprone Area and the Essex Region Conservation Authority (ERCA) Limit of Regulated Area. ERCA was sent the lot addition proposal for comment.

The subject property and the abutting property to the east receiving the lot addition (7702 St. Clair Road) are owned by a single family, with the lot addition/adjustment providing 7702 St. Clair Road with trees and additional yard space for increased privacy. The Lakeshore Official Plan consent policies permit a consent where a new lot is not being created, such as a lot addition, if the lots subject to the application will comply with the Zoning By-law. Moreover, the policies require the lot area and frontage of both resulting lots to be adequate for existing and proposed uses. This lot addition proposal concerns two residential properties designated Residential and zoned Residential Waterfront – Lake St. Clair (RW2). Each lot will meet the minimum frontage (18 metres) and area (800 m²) requirements of the RW2 zone following the lot addition. It is recommended that a survey of both the lot addition lands and the retained land be provided as a condition of consent approval to confirm zone compliance.

7702 St. Clair Road currently consists of Parts 4, 5, and 6 on Registered Plan 12R-7516. It was discovered upon checking title that Part 5 was transferred through Planning Act consent in 1992 (#R1198318). In order for the lot addition lands and the parts comprising 7702 St. Clair Road to legally merge into one parcel, a one-foot square should be detailed on the land survey and conveyed out of Part 5 to the Municipality of Lakeshore. This will spoil the existing consent and ensure the merger.

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:

1. That the applicant obtain a proper Survey and Reference Plan from an Ontario Land Surveyor for the retained and severed parcel of land, and detail a 1' x 1' square from the original lot at 7702 St. Clair Road. The 1' x 1' square will be

conveyed to the municipality.

2. That all municipal taxes be paid in full prior to the stamping of the Deed.
3. That, if required, the applicant enter into an Agreement with the municipality prior to the stamping of the Deeds regarding the apportionment of any current or future local improvements or drainage charges levied against the subject property.
4. That the Deed for the lot addition be prepared and a copy for our records be forwarded to the Secretary for stamping.
5. That Section 50(3) and (5) of The Planning Act shall apply to the severance and that the lot addition lands shall be conveyed and merged to 7702 St. Clair Road
6. 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.
7. 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.
8. That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. by **August 20, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

APPLICANTS AMENDMENTS

- None

DISCUSSION

Susan Papineau stated she had no questions or concerns with the recommendation and recommended conditions

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

That Consent application B/32/2021 be approved subject to all the recommended conditions

APPLICATION:

B/30/2021 & B/31/2021

APPLICANT:	Grand Central Business Park Inc. (B/30/2021) & 2516748 Ontario Inc. (B/31/2021) c/o William Good
PROPERTY LOCATION:	490 Advance Blvd. (B/30/2021) & 486 Advance Blvd. (B/31/2021) (Community of Maidstone)

PURPOSE OF APPLICATION

The applicant is applying to register a mutual easement agreement between 486 & 490 Advance Blvd. to provide mutual easement on each other's respective lands for the purposes of providing for a shared parking arrangement (parking and access) between the two properties once fully developed. The mutual easement will also provide right-of-way for pedestrian use between the two properties. Additionally, the agreement will include an easement for the purposes of accessing, maintaining, operating, and repairing a pylon sign in favour of 486 Advance Blvd. over 490 Advance Blvd. The sign is located on 490 Advance Blvd. but is utilized by the owner of 486 Advance Blvd. The proposed agreement is summarized below:

Easements in favour of 2516748 Ontario Inc. (B-30-2021)

- Easement for sign access and maintenance (Parts 4, 5, 24, and 25 on Plan 12R23533)
- Easement for parking and access (Parts 4, 5, 6, 7, 8, 9, 24, and 25 on 12R-23533)
- Easement for pedestrian use (Parts 5, 6, 7, 8, 9, 24, and 25 on Plan 12R23533)

Easements in favour of Grand Central Business Park Inc. (B-31-2021)

- Easement for parking and access (Parts 3, 10, 11, 12, 15, and 26 on 12R-23533)
- Easement for pedestrian use (Parts 10, 12, 15, and 26 on Plan 12R23533)

PRESENT AT MEETING

William Good, Authorized Applicant for B-30-2021 and B-31-2021

CORRESPONDENCE RECEIVED (B-30-2021 and B-31-2021)

1. Lakeshore Building Dept. – No comment
2. Lakeshore Drainage Dept. – No concerns
3. Lakeshore Engineering Dept. – Owners should enter into a Reciprocal Access Agreement for sign access and walking path access. 490 Advance is required to

have their own access off of Advance Blvd. in case the reciprocal access gets dissolved for any reason

4. Lakeshore Fire – No comment

5. Lakeshore Planning Dept. –

490 Advance Blvd. is currently a vacant 3.89 acre parcel zoned mixed use located west of Patillo Road, south of County Road 22, on the north side of Advance Blvd. (see attachment A).

Development of 490 Advance Blvd. is currently being processed under Site Plan Control – Section 41 of the Planning Act – for a new commercial plaza. The subject property is currently vacant except for an existing pylon sign located at the northeast corner of the property. A proposed easement to be registered on the subject property will provide legal access to this pylon sign in favour of 486 Advance Blvd. to maintain and operate the sign, as it is utilized by the registered owner (2516748 Ontario Inc.) of this abutting property to the west. The easement agreement will enable 2516748 Ontario Inc. to access the subject property to maintain, operate and repair the sign, with the extent of the easement lands being Parts 4, 5, 24, and 25 on Plan 12R-23533 (see attachment B).

In addition to an easement with respect to the pylon sign, the applicant is proposing an easement for parking and access over the entirety of the subject property in favour of 2516748 Ontario Inc. Likewise, the applicant is proposing an easement for parking and access over 486 Advance Blvd. lands in favour of 490 Advance Blvd. (see attachment B). 486 Advance Blvd. is a 6.83 acre property zoned mixed use that currently supports an existing commercial plaza. The mutual easements for parking and access will benefit both properties and improve the functionality of both sites in terms of traffic flow once the planned commercial plaza on 490 Advance Blvd. is developed.

Lastly, there is an existing and continuous pedestrian path/walkway that extends around the perimeter of both properties. The applicant is proposing that each property will provide an easement in favour of the other for pedestrian use of the path/walkway.

The Official Plan consent policies state that a consent may be permitted for legal and technical reasons where a separate lot is not being created – such as an easement. 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 approvals.

If the Committee decides to approve B-30-2021 and B-31-2021, they are advised that each 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, if applicable, 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. by **August 20, 2022**. Failure to fulfil the conditions by this date, shall deem the consent refused, as per The Planning Act.

APPLICANTS AMENDMENTS

- None

DISCUSSION

William Good stated that he had no questions or concerns

Member Sylvestre asked if the sign was currently located at the northeast corner of 490 Advance Blvd. William confirmed that it is.

William Good explained that the reciprocal access and parking agreement was previously registered on title between the two properties but was removed some time in the past. The application is to restore that reciprocal access and parking agreement.

Moved by Member Barrette
2nd by Member Diemer

That Consent applications B-30-2021 and B-31-2021 be approved subject to all the recommended conditions

- Carried -

Moved by Member Barrette
2nd by Member Sylvestre

That the minutes of July 22, 2021 be adopted as printed and distributed.

- Carried -

**Moved by Member Sylvestre
2nd by Member Hoffman**

THAT the meeting adjourn at 7:27 p.m.

- Carried -

Mark Hacon
Chairman

Ian Search
Secretary-Treasurer

DRAFT

Municipality of Lakeshore – Report to Council

Operations

Capital Projects



To: Mayor & Members of Council
From: Jill Fiorito, Drainage Superintendent
Date: August 18, 2021
Subject: Drainage board meeting August 9th, 2021.docx

Recommendation

This report is for information only.

Background

The draft minutes from August 9th, 2021 Drainage Board meeting are attached.

Comments

Mr. Tony Peralta from Peralta Engineering was in attendance to give a brief summary of his drainage report dated April 19th, 2021 (Brown Creek Enclosure).

Mr. Gerard Rood from Rood Engineering was in attendance to give a brief summary of his drainage reports dated June 22nd, 2021 (2nd Conc. Road Drain South of Malden Road – Gevaert & Cavers Bridges), 3rd Concession Drain – East of Little Creek dated June 14th, 2021 and No. 3 Government Drain , dated April 19th, 2021.

The Drainage Board recommended that By-law No. 067-2021 be recommended for first and second reading and By-law No's 058-2021, 057-2021 and 048-2021 be recommended for third reading.

Others Consulted

Essex Regional Conservation Authority (ERCA) has been consulted on these projects.

Financial Impacts

All costs associated with these works will be assessed out according to the proportions outlined in the engineer's reports.

Attachments: Draft Drainage Board minutes dated August 9th, 2021.

Report Approval Details

Document Title:	Drainage board meeting August 9th,2021.docx
Attachments:	- 8 - August. 9 2021 Drainage Board Minutes.docx
Final Approval Date:	Sep 9, 2021

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

Krystal Kalbol

Jessica Gaspard

Kristen Newman

Truper McBride

MUNICIPALITY OF LAKESHORE

MINUTES OF THE DRAINAGE BOARD

PRESENT:	Chairman	-	Dave Armstrong
	Board members	-	Horst Schmidt
		-	Maurice Janisse
		-	Norbert Poggio
	Asst. Drainage Superintendent	-	Kyle Emery
	Engineers	-	Gerard Rood
		-	Tony Peralta

1. CALL TO ORDER AT 5:00 PM

The Chair called the meeting to order at 5:00 p.m.

2. DISCLOSURES OF CONFLICT OF INTEREST AND THE GENERAL NATURE THEREOF

There were no disclosures of conflicts of interest.

3. APPROVING THE MINUTES OF PREVIOUS DRAINAGE BOARD MEETING

Drainage Board Meeting Minutes of July 5th, 2021.

Board Member Poggio moved and Board Member Schmidt seconded

That:

The Board approve the minutes of the Drainage Board Meeting dated July 5th, 2021.

Motion Carried

4 ENGINEERING AND INFRASTRUCTURE SERVICES

READING OF THE REPORT

Brown Drain Enclosure

Mr. Tony Peralta, P.Eng was in attendance and briefly outlined the key points of the drain enclosure in his report dated July 19th, 2021.

The Chairman opened the floor for questions.

There were no other concerns.

Board Member Schmidt moved and Board Member Janisse seconded:

That:

The Engineer's considered report prepared by N.J. Peralta Engineering Ltd., dated July 19th, 2021 for the Brown Drain Enclosure in the Municipality of Lakeshore, in the County of Essex be adopted and By-Law 067-2021 be recommended for the first and second reading.

Motion Carried

COURT OF REVISION

Opening of the Court of Revision

Board Member Schmidt and Board Member Janisse seconded:

It is recommended that:

The Drainage Board move into Court of Revision to consider appeals respecting By-law No. 058-2021, 048-2021 & 057-2021 in the Municipality of Lakeshore, in the County of Essex.

Motion Carried

2nd Con. Road Drain South of Malden Rd. – Gevaert & Cavers Bridge

Mr. Gerard Rood, P.Eng was in attendance and briefly outlined the key points of the assessment schedule in his report dated June 22nd, 2021.

The Chairman opened the floor for questions.

There were no other concerns.

Board Member Janisse moved and Board Member Poggio seconded:

That:

The Schedule of Assessment to provide for the construction of the 2nd Concession Road Drain South of Malden Road – Gaeverts & Cavers bridges in the Municipality of Lakeshore, in the County of Essex as prepared Rood Engineering Inc., dated June 22nd, 2021 be approved and By-Law No. 058-2021 be recommended for third reading.

Motion Carried

3rd Concession Drain – East of Little Creek

Mr. Gerard Rood, P.Eng was in attendance and briefly outlined the key points of the bridge replacement in his report dated June 14th, 2021.

The Chairman opened the floor for questions.

There were no other concerns.

Board Member Schmidt moved and Board Member Janisse seconded:

That:

The Schedule of Assessment to provide for the construction for the 3rd Concession Drain – East of Little Creek bridge in the Municipality of Lakeshore, in the County of Essex as prepared Rood Engineering Inc., dated June 14th, 2021 be approved and By-Law No. 057-2021 be recommended for third reading.

Motion Carried

No.3 Government Drain

Mr. Gerard Rood, P.Eng was in attendance and briefly outlined the key points of the bridge replacement in his report dated April 19th, 2021.

The Chairman opened the floor for questions.

There were no other concerns.

Board Member Schmidt moved and Board Member Janisse seconded:

That:

The Schedule of Assessment to provide for the construction for the No.3 Government Drain bridge in the Municipality of Lakeshore, in the County of Essex as prepared Rood Engineering Inc., dated April 19th, 2021 be approved and By-Law No. 048-2021 be recommended for third reading.

Motion Carried

Closing of the Court of Revision

Board Member Janisse moved and Board Member Poggio seconded:

That:

The Drainage Board moves to close the Court of Revision.

Motion Carried

**DAVID ARMSTRONG
CHAIRMAN**

**JILL FIORITO
DRAINAGE SUPERINTENDENT**

NEXT SCHEDULED MEETING

The next Drainage Board Meeting is scheduled for 5:00pm on September 13th, 2021 in the Municipality of Lakeshore.

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Services



To: Mayor & Members of Council

From: Frank Jeney – Division Leader Community Services

Date: July 27, 2021

Subject: Rock Rink Air Conditioning - Option 1 Rooftop or West Exterior Wall
HVAC Unit.docx

Recommendation

This report is for information only.

Background

At the Regular Council Meeting of February 19, 2019, the following motion was passed:

115-02-2019

Council fund consulting for the Feasibility Study for installation of air conditioning in the ROCK Rink identified on page 64, line 8 of the 2019 Draft Budget from Community Benefit Reserve.

At the Regular Council Meeting of January 12, 2021, a report for information was brought to Council that had the findings of a study completed by Jasel Engineering (Attachment 2). The Jasel report did not include feasibility and estimated financial costing for Option 1 Rooftop or West Exterior Wall HVAC Unit installation.

Comments

The purpose of this further study into a West Exterior HVAC Unit was to assess and recommend how to most effectively air condition the Rock Rink at the Atlas Tube Recreation Centre. Summer Ice requests are increasing each year with twelve month hockey and figure skating becoming a normal activity on each sport. Further, summer events have been requested at the Rock Rink that could be hosted with ice in (covered with flooring for protection), or without ice installed on the cement (such as graduations, special events).

Within the report from CALTAB Air Balance (Attachment 1), it is recommended that new air handling equipment be mounted outdoors and have conditioned air through a new duct system to condition the space. The budget shown in the report consists of two air

handling units, to accommodate the summer ice events and the summer non-ice events.

The recommendation to provide two air handling units is because it allows the facility to operate the summer ice or non-ice events with the one air handling unit handling the ice surface user load, and the other unit handling the spectator load. This allows one unit to shut down when spectators are not in attendance and load is low. This also allows smaller sets of ductwork to be installed in the ceiling of the Rock Rink, rather than one large set of ductwork required to handle the load of one single air handling unit. The estimated cost is \$2,530,000 plus HST.

Others Consulted

CALTAB Air Balance

Financial Impacts

The feasibility study was budgeted for \$80,000 in the 2019 budget to be funded from the Community Benefit Reserve.

The cost of the Jasel Feasibility Study was \$4,746.00.

The cost of the CALTAB Air Balance report was \$4,011.50

The surplus of \$71,242.50 will remain in the Community Benefit Reserve as uncommitted funds.

Should Council wish to proceed with this project it can be brought forward as part of the 2022 budget. If Council wishes to expedite this project, the estimated cost of \$2,530,000 would be funded from the Facilities Reserve Fund which currently has an uncommitted balance of \$2.6M

Attachments

Attachment 1 -CALTAB Air Balance report

Attachment 2 - Jasel Engineering Inc. Air Conditioning Report for the Rock Arena

Attachment 3 - ATC - Rock Rink Air Units (16 Units)

Attachment 4 – Council Report – Jan 12, 2021, Rock Arena Air Conditioning Report

Report Approval Details

Document Title:	Rock Rink Air Conditioning - Option 1 Rooftop or West Exterior Wall HVAC Unit.docx
Attachments:	<ul style="list-style-type: none">- CALTAB Air Balance Report - Rock Rink Air Conditioning.pdf- Jasel Engineering Inc. Air Conditioning Report fro the Rock Arena.pdf- ATC - Rock Rink Air Units (16 Units).pdf- Rock Arena Air Conditioning Report.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

CALTAB
Air Balance (2005) Inc.

515 Regent Road
Tecumseh, Ontario N8N 4B8

Bus: (519) 259-1581
Fax: (519) 739-2523

June 15, 2021

Municipality of Lakeshore
419 Notre Dame Street
Belle River, Ontario
N0R 1A0

Attention: Mr. Frank Jeney
Manager of Recreation and Leisure

RE: Air Conditioning for the Rock Arena

Caltab Air Balance was asked to investigate a concept and cost to air condition the existing Rock Arena at the Atlas Tube Centre in Lakeshore, Ontario.

The purpose of the investigation is to be able to create an environment where the Rock Arena can entertain ice events during the months of May through September and also host summer events in the Rock Arena facility with a maximum of 3000 people in addition to the existing systems.

In this report, we are recommending air handling equipment to be mounted outdoors and have conditioned air through a new duct system to condition the space. The budget shown below consists of two air handling units, to accommodate the summer ice events and the summer events.

The recommendation to provide two air handling units is for two reasons.

1. It allows the facility to operate the summer ice events with the one air handling unit. If the facility has the summer events, then the additional unit can take care of the additional people load. The smaller unit has a capacity of 30,000 cfm with 100 tons of cooling and the larger unit has a capacity of 50,000 cfm with 140 tons of cooling.
2. If we were to use one air handling unit the ductwork would be too large for the space that is available on the existing building.

The budget is from costs as of June 2021. It is important to note that constructions costs at these times are very vulnerable and fluctuate greatly. The intent of this report is to provide a cost for a system to be able to operate the Rock Arena during the summer months.

BUDGET	
Exterior Steel Platform	500,000.00
Civil Work / Repairs	60,000.00
HVAC Equipment	625,000.00
Mechanical Systems	490,000.00
Electrical Systems	220,000.00
Plumbing and Piping	65,000.00
Controls	190,000.00
Engineering	150,000.00
Contingency Fund	<u>230,000.00</u>
	2,530,000.00 + HST

We have assumed that the existing electrical service will accommodate the additional load of the new systems.

Trusting the above will assist you in making an informed decision on conditioning the Rock Arena for summer use.

Yours truly,

Steve Koutsonicolas, P.Eng.

JASEL ENGINEERING INC.

5725 Outer Drive, Tecumseh, Ontario, N9A 6J3
p (519) 737-5725, f (519) 737-5726, e-mail info@jasel.ca

INVESTIGATION AND REPORT

January 22, 2020

To: Terry Fink - Town of Lakeshore
From: James Smith - JASEL Engineering Inc.
CC: Louis Smith - JASEL Engineering Inc.
Re: Air Conditioning Report for the Rock Arena

JASEL Project No.: 2019-050

1.0 PROJECT DESCRIPTION:

The purpose of this Investigation and report is to assess and recommend how to Air Condition the existing Rock arena (Rink No.1) of the Lakeshore Multi-Use Recreational Facility, known at the Atlas Tube Centre.

The Town of Lakeshore requested that the Air Conditioning Report address the following issues and concerns:

1. The consultant will present a written assessment report on the strength and weakness of the integrated air handling system at the Atlas Tube Centre. The report would address the ability of the present air handling system to provide air conditioned air to the Rock Arena. The Consultant's Report would establish a rationale to use the present air handling system or to investigate alternative systems.
2. If the Consultant's position is to recommend the existing air handling system, the following information must be provided in a final report to the Manager of Recreation & Leisure four weeks after the awarding of the above project:
 - a. The impact on the present air handling system
 - b. The projected capital cost of the project
 - c. The projected annual operating cost of the project
 - d. Structural interior and exterior designs
 - e. Construction schedules, noting the most effective time of the year for installation.

INSTITUTIONAL

COMMERCIAL

INDUSTRIAL

3. If the Consultant is not recommending the existing air handling system, two alternative air handling systems must be presented to air condition the Rock Arena. The Consultant will recommend a preferred air handling system with clear rational, four-six weeks after the awarding of the above project. The report will be supported with the following information:
 - a. The impact on the present air handling system
 - b. The projected capital cost of the project
 - c. The projected annual operating cost of the project
 - d. Structural interior and exterior designs
 - e. Construction schedules, noting the most effective time of the year for installation.

2.0 PURPOSE:

It is our understanding that the intent and reason to provide an air conditioning cooling system for the Rock Arena are for two (2) purposes:

1. to provide a suitable indoor environment for a 3000 person event during the summer months. These events could include but not limited to school graduations, art shows, and / or concert type events.
2. Assist in cooling the indoor environment to support the ice installation during the month of August.

Air Conditioning Load Calculations

Cooling Load Calculations have been performed using a computer mode; of the arena based upon existing architectural drawings and it has been determined that 210 Tons of cooling is required.

The air conditioning calculations are based upon a 3000 person occupant load where the activity level of each individual is low.

Please refer to Appendix A for a copy of the Air Conditioning load calculations computer printer outs.

3.0 INVESTIGATION

Jasel Engineering Inc. performed on site review of the Rock arena and appropriate mechanical and electrical rooms servicing the Rock Arena.

Existing Air Handling Unit AHU-1

The existing air handling unit is a unit manufactured by Concepts and Designs Inc. and is a 13,000 CFM indoor desiccant dehumidification unit with glycol heating coil dedicated to the Rock area. The desiccant wheel uses direct fired natural gas heater to remove the moisture form the desiccant wheel.

Note - This unit only services the Rock Arena space.

Please refer to Appendix B for a copy of the original shop drawings for this AHU-1.

Strengths and Weaknesses of the existing AHU System

The existing AHU is a desiccant dehumidification unit with outside air ventilation and glycol heating capabilities.

The main strength of this AHU, and for a Rural community rink, the desiccant dehumidification is excellent design to help control the indoor environment relative humidity.

However, the only weakness for this existing AHU system is that it does not have the ability to provide future cooling as there is no spare space in the AHU to add any form of cooling coil.

Also, the existing supply ductwork would not meet the appropriate requirements to allow for air conditioning cold ductwork and if we would consider to use the existing ductwork, the entire duct insulation would need to be removed and replaced. This would involve exposing all ductwork that is in the ceiling space of the change rooms and covered up with walls.

Therefore, based upon the fact that the AHU cannot accept a cooling coil and the supply ductwork concern, we **do not recommend to reuse the existing AHU** to provide cooling of the Rock Arena.

Site Observations

Based upon our site review, the following issues or concerns are noted that will need to be dealt with in some manner in order to provide air conditioning to the Rock Arena:

1. Existing Structural framing of the roof structure

The existing structural steel support frame for the building is a "Pre-Engineered" system and typically there is no significant additional structural capacity to ADD equipment, ductwork and or piping.

Also, based upon the general concept of the building, adding rooftop equipment would not be aesthetically pleasing and therefore will not be considered for any option for the report.

2. Existing electrical service

The existing electrical service is a 2,000 amp 600 volt service and the expected electrical load due to air conditioning is approximately 600 amps or 30% of the existing service size.

The new air conditioning load could occur at the same time that the ice surfaces are being made and therefore the overall electrical service needs to be confirmed if it can handle the additional electrical load for air conditioning at the same time ice is being made. Further details are required on this item.

3. Integration into the existing building automation controls.

All new equipment must be integrated in the building automation system to ensure it is properly operated and monitored.

4. The increase in operating and maintenance costs for the new air conditioning equipment.

As with all new mechanical equipment, there will be an increase in operating expenses and maintenance expenses to the facility if air conditioning is added to the arena.

Trying to determine and predict the operating costs for an air conditioning system is a very difficult assignment as it is based upon actual hours of operation and how the system will be used.

5. Low headroom on the south side of the building.
6. Noise level of the new equipment.

3.0 PROPOSED OPTIONS FOR CONSIDERATION:

Option 1: Rooftop HVAC Unit – not considered as this is not a Feasible Option

Estimated Cost: unknown

Option2: Chilled Water System with One (1) Indoor Air Handling Unit

Description of Work:

- Cooling to be provided by the use of an outdoor air cooled chiller that would be located on grade on the west side
- Air distribution will require a new indoor air handling unit complete with fans, filters and cooling coil

Note – there is no available space for the unit and we have allowed for taking over the conference room in the middle of the track level to create this new room

- Unit to be located on the North side of the space as there is low headroom on the south side of the space.
- New High level supply and return ductwork to be added from the location of the new unit.
- Chilled water Piping and insulation from the outdoor chiller to the new indoor AHU
- Provide new glycol chemical treatment
- Provide new outdoor air intake vent through north wall / roof
- Provide power to equipment
- Provide building automation controls to the new equipment
- Create new mechanical room for the AHU
- Create new conference room in another location in the site (to be determined)

Advantages:

- Equipment does not require to be in the space
- Reuse of room

Disadvantages:

- Taking over the existing conference and finding location of a new conference room
- Overhead ductwork through out the space
- One (1) chiller does not have equipment redundancy – two chillers will cost more to install

Cost Breakdown:

Cost Breakdown	Estimated Cost
Chiller	\$205,000
Concrete pad	\$20,000
Air Handling Unit	\$150,000
Pumps / Piping / Installation	\$285,000
Sheet Metal / Venting	\$225,000
Piping and duct Insulation	\$75,000
Electrical	\$120,000
Controls	\$50,000
Mechanical room Revisions	\$20,000
New conference Room	\$50,000
Sub-total	\$1,200,000
10% contingency	\$120,000
Engineering Fees 6%	\$72,000
Total	\$1,392,000

Schedule of Work:

Description	Number of Weeks
Design	8
Tender and Award	6
Construction	24
Commissioning	2
TOTAL NUMBER OF WEEKS	40

Option 3: Direct Expansion (DX) cooling system with Indoor Fan Coil Units and Outdoor air cooled condensers

Description of Work:

- Addition of new indoor fan coil units suspended and or placed on custom support stands with their Dx coils
- Units to be located at a high level throughout the space
- Units can operate with ductwork, minimum ductwork
- Multiple outdoor pieces of equipment located on the south side for new Condensers
- Provide refrigerant piping to location of new equipment.
- Provide power to new units
- Provide building automation controls to the new equipment
- Note – reuse of the main air handling is required to provide ventilation air to the space

Advantages:

- Redundancy using multiple pieces of equipment in case of failure.
- Equipment does not require ductwork
- Multiple pieces of equipment
- Low indoor noise from fan coil units
- Phased use of indoor cooling units to minimize electrical load

Disadvantages:

- Multiple pieces of equipment
- Not integrate cooling and ventilation system
- Equipment may be difficult to service
- The building structure may not be able to handle the weight of the new equipment and therefore supports stands may be required
- Outdoor condensers located on south side may need landscape shield to avoid seeing the condensers

Cost Breakdown:

Cost Breakdown	Estimated Cost
Fan Coil and condenser Equipment Cost	\$425,000
Piping / Installation	\$500,000
Sheet Metal	\$75,000
Insulation	\$40,000
Electrical	\$150,000
Controls	\$50,000
Wall Repair	\$25,000
Landscaping / concrete pads	\$60,000
Sub-total	\$1,325,000
10% contingency	\$132,500
Engineering Fee 6%	\$79,500
Total	\$1,537,000

Schedule of Work:

Description	Number of Weeks
Design	8
3 week Tender and 3 week Award	6
Construction	14
Commissioning	2
TOTAL NUMBER OF WEEKS	30

Please see Appendix D for the Option 3 Equipment Details

4.0 RECOMMENDATION:

Option 3 is the recommended option.

Due to the multiple pieces of equipment, with minimum ductwork and reusing the existing AHU-1 for the ventilation air, least impact to the space, we believe this option is the most feasible.

5.0 IMPLEMENTATION STRATEGY:

The implementation strategy upon project approval would be to:

1. Design
2. Approval to proceed to tender
3. Tender,
4. Award contractor with Town of lakeshore approval
5. Construction phase.

Air conditioning would benefit the building for mid June to handle graduation ceremonies and mid August to handle when ice will be made it the arena.

Considering 30 week project duration, if we start February 1, 2020, we will not be able to meet the June date and we will very close to meet the August time when ice will be made.

Otherwise, it may be best to allow for 2021 season for air conditioning.

We hope that the above report is helpful in your planning needs and if you have any questions or concerns, please do not hesitate to contact our office.

Yours truly,

JASEL Engineering Inc.

James Smith, P. Eng.





16 Units Outside



16 Units Inside



Municipality of Lakeshore - Report to Council

Community & Development Services

Recreation Services



To: Mayor & Members of Council
From: Frank Jeney, Manager of Recreation and Leisure Services
Date: December 23, 2020
Subject: Rock Arena Air Conditioning Report

Recommendation

This report is for information only.

Background

At the Regular Council Meeting of February 19, 2019, the following motion was passed:

115-02-2019

Council fund consulting for the Feasibility Study for installation of air conditioning in the ROCK Rink identified on page 64, line 8 of the 2019 Draft Budget from Community Benefit Reserve.

Comments

Subsequent to the Motion, Jasel Engineering Inc. was awarded the contract to undertake the Feasibility Study.

The purpose of the Study was to assess and recommend how to air condition the ROCK Arena at the Atlas Tube Centre. Typically ice is removed from the ROCK arena in May and replaced in August. The ability to rent this space out to groups between May to August is limited due to the high temperatures due to lack of air conditioning.

The recommended option is option 3 below: Direct Expansion (DX) cooling system with Indoor Fan Coil Units and Outdoor air cooled condensers. The cost is estimated at \$1,537,000.00. The Jasel report is attached as Attachment 1. Attachment 2 includes a rendering of what the indoor and outdoor condensers would look like.

The Project Description

Lakeshore requested that the Air Conditioning Report address three issues:

Issue 1: Ability of the current air handling system to provide cooling.

Issue 2: Using the current air handling system (ducts, motors, filters, power, etc.)

Price, impact, projected annual costs, structural (interior & exterior designs), and construction schedules.

Issue 3: Installing a new air conditioning (Cooling) System

The report gives a recommendation of two other air cooling systems

Price, impact, projected annual costs, structural (interior & exterior designs), and construction schedules.

The study results were:

The existing Air Handling Unit (AHU) does not have the ability to provide future cooling as there is no spare space in the AHU to add any form of cooling coil. This would address issue 1.

The existing supply ductwork would not meet the requirements to allow for air conditioning (cool air would cause condensation on the duct work because the current duct work was not set up with insulation needed for cool air). If we would consider to use the existing ductwork it would all need to be insulated, and in some cases replaced. Note: Some of this existing ductwork was installed within concrete walls, and those walls would need to be reconfigured. This would address issue 2.

The Three Options proposed in this Feasibility Study would address issue 3:

Option: 1 Rooftop or West Exterior Wall HVAC Unit installed.

Not considered financially feasible.

Estimated cost: This option was not priced out in the study.

Option: 2 Chilled Water System with one (1) Indoor Air handling Unit

Description of Work

Cooling to be provided by the use of an outdoor air cooled chiller that would be located on grade on the west side.

Air distribution will require a new indoor air handling unit complete with fans, filters and cooling coil. Note – The indoor air handling unit would need to have the air ducts installed at the North end of the ROCK Rink, due to the low ceiling on the South, and the centre ice scoreboard in the middle. Being installed at the North end would require the large cooling unit to be installed in the ROCK Conference room. (This would cause loud noise within the rock rink and surrounding offices.)

The cost of for option 2 is \$1,392,000.

Option: 3 Direct Expansion (DX) cooling system with Indoor Fan Coil Units and Outdoor air cooled condensers.

Description of Work

Addition of new indoor fan coil units suspended and and/or placed on custom support stands with their Dx coils. (Images provided at the end of this report.)

16 indoor cooling units to be located above the South windows of the ROCK Rink.

16 outdoor condenser units located on the South end of the ROCK arena.

Provide refrigerant piping to location of the new equipment from outdoor units, into ROCK Rink, up the walls, and into indoor units.

Provide power to units.

Provide building automation controls to new equipment

Note: Current ROCK Rink Air Handling unit would need to be left on “fan mode” to properly circulate these new units. (Running two systems at once)

Advantages:

Equipment does not require ductwork. Phased use of indoor cooling units to minimize electrical load.

Disadvantages:

Multiple pieces of equipment. Not integrate cooling and ventilation system. Equipment may be difficult to service. The building structure may not be able to handle the weight of the new equipment and therefore supports stands may be required. Outdoor condensers located on the south side may need covers due to the rain runoff of the ROCK Rink rooftop.

The cost of for Option 3 is \$1,537,000.

As the Feasibility Study did not include the price for a stand-alone air handling unit, Administration recommends pursuing other options to deal with Issues 1 and 2. Therefore administration will further investigate options to resolve on Issues 1 and 2. This information will be brought back to Council for consideration.

The cost of providing this retrofit will also be compared with the potential increased usage of the ROCK arena. Air conditioning will expand the usage of the rink into the summer months, if ice sports are expanded to full year.

Others Consulted

Jasel Engineering Inc.

Financial Impacts

The feasibility study was budgeted for \$80,000 in the 2019 budget to be funded from the Community Benefit Reserve.

The cost of the Jasel Feasibility Study was \$4,746. The surplus of \$75,254 will remain in the Community benefit reserve as uncommitted funds.

Should Council wish to proceed with this project it can be brought forward as part of the 2022 budget with the added solution for issues 1 and 2. If Council wishes to expedite this project, funding would come from the Facilities reserve fund which currently has an uncommitted balance of \$2.6M

Attachment 1: Jasel Engineering Inc. report

Attachment 2: Rendering of Option 3.

Report Approval Details

Document Title:	Rock Arena Air Conditioning Report.docx
Attachments:	- Jasel Engineering Inc. Air Conditioning Report fro the Rock Arena.pdf - Attachments 2 - ATC - Rock Rink Air Units (16 Units) (002).pdf
Final Approval Date:	Jan 7, 2021

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

Rosanna Pellerito

Kristen Newman

Truper McBride

Municipality of Lakeshore – Report to Council

Finance & Technology

Financial Planning & Analysis



To: Mayor & Members of Council

From: Jessica Gaspard, Division Leader – Financial Planning & Analysis

Date: September 7, 2021

Subject: Unbudgeted Funds Approved by Council in 2021.docx

Recommendation

This report is for information only.

Background

On August 12th 2021, Council approved resolution #267-08-2021 directing Administration to prepare a report regarding funds approved by Council for 2021 that were unbudgeted from the 2021 Budget.

Comments

A total of \$3,415,978 has been approved by Council for 2021 that was unbudgeted in 2021. Of this amount, \$2,450,410 was for capital projects, of which \$1,342,283 were additional funding required for tender awards, \$460,460 were for emergency repairs, \$525,067 were for change in project scope, \$57,600 were for Council initiative and \$65,000 for administrative initiative.

The remaining \$965,568 was for operations of which \$451,268 was additional funding required for tender awards, \$5,000 for Council initiative, \$111,000 for administration initiative and \$398,300 for closed session items.

Considerable approvals included in the total noted above include an additional \$1,103,483 for the tender award of River Ridge Park, \$469,000 for completing the gravel roads conversion of Walls Road, \$441,970 for emergency pump repairs at the Denis St. Pierre Sewage Treatment plant, and an additional \$385,691 for the tender award for the Bridge Rehabilitation Program.

The bulk of these approvals are one-time adjustments with no future impacts with the exceptions of the positions approved for the Flood Mitigation and Protection Network that will have a yearly impact of approximately \$554,000, and the Community Christmas Lights in Woodslee, St. Joachim. Stoney Point, Comber and Lighthouse Cove that will

have a \$5,000 base budget adjustment for its operations which will be funded annually through the Community Benefit Reserve.

Financial Impacts

There are no financial impacts resulting from this report.

Attachments

Appendix A – 2021 Council Approved Funding Outside of 2021 Budget

Report Approval Details

Document Title:	Unbudgeted Funds Approved by Council in 2021.docx
Attachments:	- Appendix A 2021 Council Approved Funding Outside of 2021 Budget.xlsx
Final Approval Date:	Sep 9, 2021

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

Kristen Newman

Truper McBride

2021 Council Approvals Outside of 2021 Budget
Capital Approvals

Council Resolution Number	Council Date	Resolution	Category	Description	Amount	Source of Funding
24-01-2021	19-Jan-21	2019 Repair to Emergency Light at Fire Station 1	Emergency Repair	Approve the payment of \$18,489.79 to the County of Essex for the installation of warning lights at Fire Station 1; and The expenditure be funded from the Street Lights reserve and accrued to 2020.	18,490	Street Lights Reserve
56-02-2021	16-Feb-21	Upgrade to Water Meter Read Program	Change in Scope	Direct Administration to proceed with an upgrade to the current water meter reading software and the associated equipment; and, Authorize the purchase of the water meter reading software and the associated equipment to be funded from the water reserve at a total cost of \$30,350 plus the non-refundable HST.	31,067	Water Reserve Fund
58-02-2021	16-Feb-21	Gravel Road Conversion Criteria and Amended 10 Year Gravel Conversion Program	Change in Scope	Direct Administration to complete the gravel road conversions of Walls Road (from Lakeshore Road 113 to Lakeshore 115), Lakeshore Road 115 (from Walls Road to Rogers Road) and Rogers Road (from Lakeshore Road 115 to West Belle River Road) in 2021 to be funded from the Gravel Road Conversion reserve in the amount of \$469,000;	469,000	Gravel Road Conversions
83-03-2021	9-Mar-21	Denis St. Pierre Sewage Treatment Plant – Pump Repairs	Emergency Repair	Receive the report of the Manager of Environmental Services regarding the emergency pump repairs for the Denis St. Pierre Sewage Treatment Plant; and, Direct the Treasurer to fund the costs of the emergency pump repairs from the Wastewater Reserve in the amount of \$441,970, as presented at the March 9, 2021 Council meeting.	441,970	Wastewater Reserve
200-06-2021	8-Jun-21	Community Christmas Lights	Council Initiative	Approve a one-time purchase of community winter lights, supply only, for the main streets of Woodslee, St. Joachim, Stoney Point, Comber and Lighthouse Cove, not to exceed \$57,600.00 including HST to be funded from the Community Benefit Reserve Fund	57,600	Community Benefit Reserve
203-06-2021	8-Jun-21	Tender Award – River Ridge Park	Tender Award	Approve the total tender amount of \$3,320,734.08 (including non-recoverable HST) and award the River Ridge Park construction tender to Sterling Ridge General Contracting Inc. subject to further negotiations with the successful proponent for up to a 10% contract reduction; and Authorize up to an additional \$1,103,482.83 to be funded from the 2021 Federal Gas Tax top up allocation; and Authorize the Mayor and Clerk to execute an agreement with Sterling Ridge General Contracting Ltd., as presented at the June 8, 2021 Council meeting.	1,103,483	Federal Gas Tax Reserve Fund
233-07-2021	13-Jul-21	Tender Award - 2021 Fire Department Vehicle Replacement	Tender Award	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.	12,000	Fire Vehicles & Equipment Reserve
234-07-2021	13-Jul-21	Tender Award – Asphalt Roads Resurfacing Program	Tender Award	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;	226,800	Roads Reserve
234-07-2021	13-Jul-21	Tender Award – Asphalt Roads Resurfacing Program	Change in Scope	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.	25,000	Roads Reserve
235-07-2021	13-Jul-21	Civic Centre Concept Design	Administrative Initiative	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.	65,000	Facilities - New Reserve
					2,450,410	

Council Resolution Number	Council Date	Resolution	Category	Description	Amount	Source of Funding
Operating Approvals						
122-04-2021	6-Apr-21	Tender Award - 2021 Supply and Place Gravel Program	Tender Award	Direct Administration to proceed with Option 1 of the report presented at the April 6, 2021 Council meeting; and, Award the 2021 Supply and Place Gravel Program tender to Shepley Excavating & Road Maintenance Ltd. Option 1: Approve the total tender amount of \$384,202.51 (including net HST) whereby the financial impact is the excess amount noted above (\$49,202.51) which will be funded from the roads reserves;	49,203	Roads Reserve
137-04-2021	20-Apr-21	Tender Award for 10th Concession Drain (Bank Repairs)	Tender Award	Award the tender for the 10th Concession Drain (Bank Repairs) to Darrell Dick Excavating in the amount of \$85,951.20 (plus HST), as presented in the April 20, 2021 Council report.	16,375	Road Share Drainage Reserve
182-05-2021	21-May-21	Tender Award - Bridge Rehabilitation Program	Tender Award	Award the tender for the Bridge Rehabilitation Program to South Shore Contracting of Essex County Inc. in the amount of \$1,095,865 plus applicable HST for maintenance repairs of identified bridges, as described in the May 25, 2021 Council Report; and Approve an over-expenditure not to exceed \$385,690.97 to be funded from the Public Works, Bridges and Culverts Reserve.	385,691	Bridges and Culverts Reserve
200-06-2021	8-Jun-21	Community Christmas Lights	Council Initiative	Approve a base budget of \$5,000 for the annual cost to install and operate the lights to be funded from the Community Benefit Reserve Fund, as presented at the June 8, 2021 Council meeting.	5,000	Community Benefit Reserve
264-08-2021	12-Aug-21	Flood Mitigation and Protection Network	Administrative Initiative	Support the Flood Mitigation and Protection Framework (FMPF) presented at the August 10, 2021 Council meeting; Direct Administration to operationalize a smoke testing program by utilizing the funding from the existing 2021 I & I budget; Direct Administration to redirect the encumbered \$80,000 from the Community Improvement Plans in two communities to develop and formalize a Flood Rapid Response Plan; Direct Administration to fund \$111,000 to create a Water Resources and Flood Response Team in 2021 and pre-commit \$554,000 to the 2022 Budget, as described in the Staffing Plan; Direct Administration to hold public meeting(s), as required, in the fall to gather further feedback from the public on the July 16th storm event and present the Flood Mitigation and Protection Framework; and Direct the Treasurer to transfer funds from the Contingency reserve for expenses for public meetings, if required.	111,000	Contingency Reserve
28-04-2021	6-Apr-21	Personnel	Closed Session	Closed Session	388,300	Contingency Reserve
32-04-2021	20-Apr-21	Solicitor-client privilege	Closed Session	Closed Session	10,000	Contingency Reserve
					965,568	
Total Approvals					3,415,978	

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader – Civic Affairs
Alex Denonville, Team Leader – Civic Engagement

Date: August 24, 2021

Subject: Support for National Day for Truth and Reconciliation.docx

Recommendation

Whereas the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

And whereas the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

And whereas all Canadians and all orders of government have a role to play in reconciliation;

And whereas Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

And whereas the Federal Government has announced September 30th 2021 as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

Therefore be it resolved that the Council of the Municipality of Lakeshore commits to recognizing September 30th 2021 as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.

Background

On June 3, 2021, the Government of Canada approved a new statutory holiday named National Day for Truth and Reconciliation. This holiday is intended to honour First Nations, Inuit and Métis Survivors and their families and communities and to ensure that public commemoration of their history and the legacy of residential schools remains a vital component of the reconciliation process.

Comments

The Association of Municipalities of Ontario (AMO) has called upon all municipalities to support the National Day for Truth and Reconciliation, beginning September 30th 2021. AMO has provided two resources to help municipalities in their efforts:

- Resources on the Truth and Reconciliation Commission (TRC) Calls to Action; and
- What Municipal Leaders Can Do To Better Support Indigenous Residents and Neighbours at this Time.

These resources have been attached to this report for information.

Should Council wish to support the recommended resolution, Administration will work to engage citizens by sharing local, provincial or federal educational resources or events.

Financial Impacts

There are no financial impacts as a result of supporting the National Day for Truth and Reconciliation. Civic engagement messaging will be undertaken within the approved Communications budget.

Attachments

Appendix A – AMO Resources on the Truth and Reconciliation Commission (TRC) Calls to Action

Appendix B – AMO What Municipal Leaders Can Do To Better Support Indigenous Residents and Neighbours At This Time

Report Approval Details

Document Title:	Support for National Day for Truth and Reconciliation.docx
Attachments:	- AMO - MunicipalResourceTruthReconciliation.pdf - AMO - WhatMunicipalLeadersCanDoToBetterSupportIndigenousResi dentsNeighboursAtThisTime.pdf
Final Approval Date:	Sep 9, 2021

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

Kristen Newman

Jessica Gaspard

Truper McBride

Resources on the Truth and Reconciliation Commission (TRC) Calls to Action

August 23, 2021

Recent discoveries of remains and unmarked graves across Western Canada has led to increased calls for all levels of government to address the recommendations in the Truth and Reconciliation Commission's (TRC's) Calls to Action.

All Canadians and all orders of government have a role to play in reconciliation. The TRC's 94 Calls to Action are addressed primarily to the federal, provincial, and territorial governments but also to municipal governments, the corporate sector, and the broader Canadian society. They cover a wide range of government responsibilities, including child welfare, education, language and culture, health, justice, commemoration, museums and archives, training for public servants, and a number of specific initiatives related to reconciliation.

Through the work of the AMO Indigenous Relations Task Force (IRTF), various approaches for responding to the Calls to Action will come forward. It is important to note that this is only the beginning of our work on responding to the TRC's Calls for Action. AMO will continue to update this resource document as municipalities share their experiences and we can incorporate responses across the province into this work.

Approaches include the following:

- AMO support for Council and Staff training in intercultural competency, conflict resolution, human rights, and anti-racism.
- AMO encouragement of its members to recognize September 30th as National Orange Shirt Day and the flying of the *Every Child Matters* flag for the month of September at municipal offices.
- AMO exploration of the form and scope of formal and informal relationship agreements between municipal governments and First Nations.

AMO's ongoing work with Ontario Federation of Indigenous Friendship Centres (OFIFC) under our 2020 MOU on policy matters of mutual interest supports these recommendations.

Background:

On June 2, 2015, the Truth and Reconciliation Committee released its final report which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation.

The Truth and Reconciliation Commission (TRC) of Canada was constituted and created by the Indian Residential Schools Settlement agreement, and the Commission spent six years travelling across the country to hear the stories of survivors and their families.

As summarized in the opening Executive Summary of the Truth and Reconciliation Commission's report,

"Canada's residential school system for Aboriginal children was an education system in name only... These residential schools were created for the purpose of separating Aboriginal children from their families, in order to minimize and weaken family ties and

cultural linkages, and to indoctrinate children into a new culture – the culture of the legally dominant Euro-Christian Canadian society”.

In the six years since the Calls to Action were published, there have been only incremental changes and attempts by all levels of government to implement the recommendations.

Recent Discoveries at Former Residential Schools

In May and June 2021, more than 1500 graves have been uncovered in Kamloops, British Columbia; Brandon, Manitoba; Marieval, Saskatchewan; and Cranbrook, British Columbia. Investigations are planned or underway at multiple other sites, and there are calls across the country to investigate the grounds of all former residential schools.

There are 18 former residential school locations in Ontario. According to the Truth and Reconciliation Commission, at least 426 children died while attending these schools, and an unknown number of children are still missing. The TRC has identified 12 unmarked burial sites in Ontario but there are likely more.

AMO, in partnership with the Woodland Cultural Centre, presented a special screening of a virtual tour of the Mohawk Institute Residential School on August 18th as part of the AMO 2021 Conference program.

Municipal Impact and Role to Play in TRC Calls to Action

TRC Call to Action #	Call to Action	Staff Comments
3.	We call upon all levels of government to fully implement Jordan's Principle.	Jordan's Principle makes sure all First Nations children living in Canada can access the products, services and supports they need, when they need them. Funding can help with a wide range of health, social and educational needs, including the unique needs that First Nations Two-Spirit and LGBTQQIA children and youth and those with disabilities may have.
17.	We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.	Could be costs at the municipal level associated with commissioning documents (10\$ to 25\$ for example) to facilitate this process.
47.	We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and <i>terra nullius</i> , and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.	Rights based discussion with respect to land claims, etc. Municipal role could vary based on local experiences and situations with recognition that municipal governments have no authority or expertise in areas regarding Indigenous rights. That is in the domain of the Crown – Provincial and/or Federal
57.	We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the <i>United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)</i> , Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.	AMO could facilitate this or encourage development of training for municipal staff and elected officials. Many cities have adopted UNDRIP
77.	We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.	Municipalities with archives and museums
80.	We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.	The Federal Government has announced September 30 th , 2021, as the first National Orange Shirt Day. AMO has committed to recognizing September 30 th . AMO members are encouraged to do the same.

87.	We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.	Role for municipalities with recreation programs.
88.	We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.	Role for municipalities with recreation programs.

Municipal governments across the country are implementing various responses to the recommendations. Below please find samples of municipal activities undertaken.

If your municipality has or is currently responding to the TRC recommendations that have not been captured below and you would like to share with AMO, please let us know at Policy@amo.on.ca so we can include as we update this resource paper.

1. Treaty 20–Greater Peterborough Area

This partnership has taken a regional approach to First Nation-municipal collaboration, bringing two First Nations, two townships, a regional government, and an economic development corporation together.

- All councils and boards have passed resolutions committing to CEDI from 2017-2020.
- Curve Lake and Hiawatha First Nations now sitting as partners on the County of Peterborough's Official Plan Technical Advisory Committee.
- Co-organized an educational event about the 200th anniversary of Treaty 20 that engaged Indigenous youth and Indigenous knowledge keepers.
- Co-presented at the FCM Annual Conference and Trade Show in Quebec City, June 2019.
- Signed Ezhi-Wijikiwendiyang (Friendship Accord), November 2019.
- The partnership and the Friendship Accord are featured in a [video](#) that was filmed by Indigenous Services Canada.
- Had a Wampum Belt created in March 2020 to honour their commitment to their partnership.

2. The City of London

- The City of London is developing plans to address TRC recommendations through the London Diversity and Race Relations Committee. This committee provides leadership on matters related to diversity, inclusivity, equity, and the elimination of discrimination in London.
- At a City of London council meeting, a Two Row Wampum Belt was unveiled. The belt is a replica of "the grandfather of all treaties" and was given as a gift from the Chippewas of the Thames First Nation in the presence of the Oneida Nation of the Thames. It is on display in the Mayor's office to serve as a reminder to all of the deep and abiding friendship and of the mutual duty to respect the lasting principles of the pledge made long ago.

3. The City of Ottawa

- The City of Ottawa's council established an Aboriginal Working Committee in 2007 – composed of representatives from the Ottawa Aboriginal Coalition, the City of Ottawa, United Way Ottawa, the Ottawa Police Service, and the Ottawa-Carleton District School Board – to provide recommendations to council and identify inter-governmental partnerships.
- The City is currently working with local Indigenous partners to review the TRC's recommendations and determine next steps for approval by city council.
- Ottawa's Police Service partners with several community groups including Wabano Centre for Aboriginal Health and the Ottawa Inuit Children's Centre to run a Soccer Mentorship Program, an initiative of the City's Aboriginal Working Committee.

4. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

- Toronto and Vancouver, among others, have adopted the UNDRIP as part of the cities' commitment to Truth and Reconciliation.
- UNDRIP is an international instrument adopted by the United Nations on September 13, 2007, to enshrine (according to Article 43) the rights that "constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world".
- The UNDRIP protects collective rights that may not be addressed in other human rights charters that emphasize individual rights, and it also safeguards the individual rights of Indigenous people. The Declaration is the product of almost 25 years of deliberation by U.N. member states and Indigenous groups.
- The City of Toronto and Vancouver's councils have endorsed UNDRIP.
- The City of Toronto adopted the UNDRIP as part of the City's year-long proclamation on Truth and Reconciliation 2013-2014.
- The City of Toronto in its 2003 Vision Statement on Access, Equity and Diversity acknowledged the unique status and cultural diversity of the Aboriginal communities and their right to self-determination. This aligns with Article 3 of the UNDRIP which calls for Indigenous peoples' right to self-determination. Article 11 of the UNDRIP states that Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. In the work of Heritage Preservation and other City divisions that complete environmental assessments, the City of Toronto acknowledges this right by consulting with Aboriginal peoples.

5. Records and Archives

- Toronto has asked the Equity, Diversity and Human Rights Division of the City Manager's Office, in consultation with the City Clerk, to identify records held at the city's Archives and City Divisions that are related to the history and legacy of the residential school system and that could be forwarded to the National Centre for Truth and Reconciliation.

6. Sioux Lookout

- Sioux Lookout formed a Mayor's Committee on the Truth and Reconciliation Committee and has reported a significant number of activities in their report on the action of the Mayor's Committee.
- Activities include attending meetings of the Chiefs of Ontario, Assembly of First Nations, and NAN Chiefs; advocacy for alternative justice and a community justice centre; relationship building through a Friendship Accord; First Nations Community Economic Development Hub; Urban Indigenous Action Plan; Municipal-First Nations Working Groups; and the creation of a Police Services Board with an Indigenous Chairperson, among many others.
- A report from the Committee in 2017 made recommendations on a number of Calls to Action, including Education (Recommendation #8, #11); Health (#23); Justice (#31, #41); Royal Proclamation and Covenant (#47); Public Servants (#57); Missing Children and Burial Information (#75); National Centre for Truth and Reconciliation (#77); Sports (#87, #88).

What Municipal Leaders Can Do To Better Support Indigenous Residents And Neighbours At This Time

August 23, 2021

A question we have been hearing from members is how can municipal governments leaders and staff be more supportive and be part of the healing, learning, and restoration needed to support reconciliation with Indigenous friends, neighbours, and communities. Municipal leaders are being looked to in order to set the tone and be part of the constructive societal change that is needed and expected.

To set the context, municipal governments are not [part of] the Crown under the Canadian Constitution, the Federal and Provincial governments are. As such, municipal governments are not able to address outstanding rights and claim issues, but we are able to be better neighbours and partners with Indigenous friends and communities.

1. **Start by listening.** Actively listen to the many Indigenous leaders, elders, and speakers who are sharing their perspectives, advice, and wisdom at this time. Listen locally if you can to Indigenous neighbours and at Friendship Centres. Although there are common elements, each survivor and each community has a unique story to share. Learn from what is shared voluntarily but don't ask Indigenous colleagues or friends to educate you.
2. **Educate yourself** about residential schools through the many stories of survivors. May wish to virtually visit the [Woodland Cultural Centre](#) which was formerly the Mohawk Institute Indian Residential School, one of the few remaining residential schools in Canada. Be compassionate and self-reflective as survivors and their communities grieve with the recent discoveries of several unmarked children's' burials – with likely more discoveries to come.

Educate yourself on the broader area of Indigenous history and perspectives including Indigenous rights under the Canadian [Constitution Act, 1982](#) and [treaties](#) as a start. More informational links can be found at the end of this document.

3. **Speak up thoughtfully.** Consider what your and your council's informed contribution will be to the public discussion in support of Indigenous peoples. Although there is a growing frustration with both silence and platitudes, a sincere and heartfelt statement may take some time to develop which should be accompanied with a follow through implementation strategy. Be particularly careful about the use of social media as it is often not the best forum for thoughtful discussion.
4. **Call for action.** As stated above, municipal governments can't solve issues related to rights and claims. However, they can add their strong voices in support of a call for action to the federal government.

In particular, they can support the Truth and Reconciliation Commission's (TRC) calls to action on residential schools, including the need to fund this essential work. The TRC's recommendations 71-76 ask the federal government to accurately detail the number of children who died, establish a National Residential School Student Death Register, and to locate the bodies of children who died so that they can be respectfully memorialized.

As well, there needs to be a requirement that there is an immediate release all of documents and records related to residential schools in Canada including the names of all missing children – be they federal, provincial and/or church records.

5. **Create a Declaration of Mutual Commitment and Friendship** with the local Friendship Centre. During AMO's 2020 Virtual Conference, the [*Declaration of Mutual Commitment and Friendship*](#) was signed by the Ontario Federation of Indigenous Friendship Centres and AMO.

Developed and led by the Ontario Federation of Indigenous Friendship Centres (OFIFC) ([link https://ofifc.org/](https://ofifc.org/)) and AMO's memberships, the Declaration highlights the relationships and work being done to improve the quality of life of Indigenous people across Ontario's municipalities. The Declaration emphasizes the leadership of collaborating Friendship Centres and municipal governments and raises the bar for increased future dialogue and partnership. The agreement is designed to help municipal governments and Friendship Centres build relationships in order to improve supports and services for Indigenous people in their communities.

Throughout Ontario, 85 per cent of Indigenous people live in urban and rural municipalities. The OFIFC represents the collective interests of 29 Friendship Centres in cities and towns across the province – places for community members and Indigenous people living in urban spaces to gather, connect with one another, and receive culturally-based services. The centres support and encourage equal access to, and participation in, Canadian society while respecting Indigenous cultural distinctiveness, and have existed in Ontario communities for more than half a century ([*Declaration of Mutual Commitment and Friendship*](#)).

6. **Create urban Indigenous-municipal advisory committee** (if one doesn't already exist) where there is no Friendship Centre in the municipality. This advisory committee could work collaboratively with municipal service providers and staff with respect to municipal services and programs related to the social determinants of health (e.g., housing, child care, senior services, public health) to make sure that they are being planned, delivered, resourced, and evaluated in a way that serves the urban Indigenous community appropriately and in partnership.

This may also be, or evolve into, a forum for Indigenous and municipal service providers to work together in human and social services areas where program integration and cooperation would benefit all peoples receiving such services in the municipality.

7. **Create or renew Relationship Agreements** between a municipal government and neighbouring First Nation(s) and/or indigenous communities. Many municipal governments have formal or informal inter-government agreements with neighbouring First Nation(s) and/or Indigenous communities covering how they will work together on areas of mutual interest such as economic recovery, tourism, land use planning, and environmental issues. These are different from service agreements on items such as fire protection services, animal services, solid waste, or water/sewer provision. They are the agreements that provide a framework for how all parties will work together on local issues and how dispute resolution can occur if needed.

AMO staff is looking into developing a template framework that includes the key elements in relationship agreements later in 2021 so that it can be available to assist members, First Nations, and Indigenous communities in local discussions about their own Relationship Agreements.

8. **Support Indigenous colleagues and staff.** It is not a usual time. Know that Indigenous colleagues and staff may need time for themselves, their families, and their communities. If possible, employers should try to make sure that employees have access to culturally appropriate employee support programs or counselling.
9. **Attend memorial events or ceremonies** where non-Indigenous people are invited. Wear orange to demonstrate support for survivors and their families. The *National* Day for Truth and Reconciliation, also known as Orange Shirt Day, on September 30th is now a federal statutory *holiday*.

Municipal governments are encouraged to fly the “Every Child Matters” orange flag for the month of September leading up to the *National* Day for Truth and Reconciliation.

Resources: Too many to list, but a start of a web-based resources list.

The Truth and Reconciliation Commission of Canada

<http://www.trc.ca/>

The National Inquiry into Missing and Murdered Indigenous Women and Girls. June 2019

<https://www.mmiwg-ffada.ca/final-report/>

2020 Status Update on Reconciliation

<https://yellowheadinstitute.org/trc/>

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

<https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

POLIS Water Sustainability Project list of resources

<https://poliswaterproject.org/2021/06/03/reconciliation-resources/>

Indian Residential Schools Survivors Society (B.C. based organization)

<https://www.irsss.ca/home>

Indigenous Ally Toolkit

https://reseaumtlnetwork.com/wp-content/uploads/2019/04/Ally_March.pdf

Legacy of Hope Foundation

<https://legacyofhope.ca/>

Orange Shirt Society

<https://www.orangeshirtday.org/orange-shirt-society.html>

Reconciliation Canada

<https://reconciliationcanada.ca/>

First Nations Child and Family Caring Society

<https://fncaringsociety.com/>

Yellowhead Institute – First Nation-led research centre based at Ryerson University in Toronto

<https://yellowheadinstitute.org/>

<https://www.cbc.ca/books/35-books-to-read-for-national-indigenous-history-month-1.5585489>

Municipality of Lakeshore – Report to Council

Operations

Capital Projects



To: Mayor & Members of Council

From: Wayne Ormshaw, P.Eng.
Division Leader, Capital Projects

Date: September 7, 2021

Subject: Tender Award - Railway Ave. Watermain.docx

Recommendation

Award the tender for Railway Avenue Watermain Replacement to SheaRock Construction for a total cost of \$1,144,500.00 plus applicable HST, as presented at the September 14, 2021 Council meeting.

Background

The Railway Avenue Watermain Replacement includes the replacement of approximately 80 meters of 400mm diameter watermain and 470 meters of 150mm watermain including all valves, fittings, hydrants and replacement of water service connections.

Additionally the Railway Avenue Watermain Replacement includes asphalt resurfacing of the following roadways in conjunction of the watermain replacement:

- Dupuis Street adjacent to Railway Avenue;
- Railway Avenue between Dupuis Street and Seventh Street;
- Sixth Street between Railway Avenue and Broadway Street; and
- Seventh Street between Railway Ave. and Broadway Street.

Placement of gravel shoulders was included along a section of Railway Avenue (from Sixth Street to the end of the cul-de-sac on the south side) as per resolution to Council 372-11-2020:

Direct Administration to include a gravel shoulder in the watermain and road reconstruction work planned for 2021 for Railway Avenue which would allow parking in that area.

Gravel shoulders were not considered in original budget for the project. The Railway Avenue Watermain Replacement tender was publicly advertised on Bids & Tenders on Monday, July 12, 2021.

Comments

A total of three (3) tenders were received prior to tender closing on Friday, July 23, 2021. The tender amounts are shown below.

Tenderer	Price (excluding HST)	Price (including non- refundable HST)
Shearock Construction	\$1,144,500.00	\$1,164,643.20
D'Amore Construction	\$1,235,000.00	\$1,256,736.00
Sterling Ridge Infrastructure	\$1,259,075.00	\$1,281,234.70

Administration is satisfied that the low tenderer has the required equipment and labour expertise to undertake this project and recommends that Council award the above-noted work to Shearock Construction.

Approval from VIA Rail is required prior to commencing construction. Correspondence has been sent and discussions have been held with VIA Rail, however, approval has not yet been received.

Construction will not proceed until approval is received from VIA Rail.

Financial Impacts

The following table illustrates the estimated costs and associated funding sources for this project.

Railway Avenue Watermain Replacement	Project Cost (including non- recoverable HST)	Budget
Construction Costs	\$1,164,643.20	
Engineering (upset limit)	\$190,904.55	
VIA Railway Permit	\$9,095.45	
Total Project Cost	\$1,364,643.20	
2020 Approved Water Budget		\$200,000.00
2021 Approved Water Budget		\$1,150,000.00
2021 Approved Roads Budget		\$42,000.00
Total Project Budget		\$1,392,000.00
Total Surplus/(Deficit)		\$27,356.80

In 2020, Council approved a total budget of \$200,000 for the design and engineering costs. In 2021, Council approved a total budget of \$1,150,000.00 for the construction costs of the Railway Avenue Watermain Replacement. Also, in 2021 Council approved

\$42,000.00 for Railway Avenue as a part of the Road Resurfacing Program. The project is estimated to be in a surplus of \$27,356.80

Report Approval Details

Document Title:	Tender Award - Railway Ave. Watermain.docx
Attachments:	
Final Approval Date:	Sep 9, 2021

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

Krystal Kalbol

Jessica Gaspard

Kristen Newman

Truper McBride

Municipality of Lakeshore – Report to Council

Operations

Roads, Parks & Facilities



To: Mayor & Members of Council
From: Jeff Wilson, Division Leader – Roads, Parks & Facilities
Date: September 14, 2021
Subject: Tender Award –Fire Hall Asphalt Replacement.docx

Recommendation

Award the tender for the Fire Hall Asphalt Replacement to Quinlan Inc. in the amount of \$89,807.50 plus applicable HST for asphalt replacement, as described in the September 14, 2021 Council Report.

Background

Lakeshore's Strategic Facilities Plan completed in 2017 recommended the asphalt replacement for the below noted parking lots:

1. Fire Hall Station # 2 located in Maidstone on Lakeshore Road 203 (included in the 2021 budget); and
2. Fire Hall Station # 3 located in Belle River on St. Charles Street (deferred from 2020 budget).

These two asphalt projects were combined and tendered as one project. The request for tender for the 2021 Fire Hall Asphalt Replacement (for both sites) was publicly advertised on Bids & Tenders on July 6th, 2021.

Comments

The following tenders were received prior to tender closing time on July 23rd, 2021:

Tenderer	Price (excluding HST)	Price (including non- refundable HST)
Steve Smith Construction Corporation	\$109,835.00	\$121,653.24
Neptune Security Services Inc.	\$186,200.00	\$206,235.12
Quinlan Inc.	\$89,807.50	\$90,773.78
1866885 ONT LTD o/a Quality Turf	109,615.00	\$121,409.57

Administration is satisfied that the low tenderer has the required equipment and labour expertise to undertake this project and recommends that Council award the above-noted work to Quinlan Inc.

Pending award of tender, it is anticipated that the project will commence with construction in late September 2021 and is expected to be completed in October 2021.

Financial Impacts

The following table illustrates the estimated costs and associated funding sources for this project.

Facilities Lifecycle Project	Total Cost	Budget
Asphalt Replacement Tender Amount (excluding HST)	\$89,807.50	
Engineering Technologists fees	\$1,500.00	
Non-refundable HST	\$9,663.28	
Total Project Costs	\$100,970.78	
2020 Approved Budget		\$45,000.00
2021 Approved Budget		\$65,000.00
Total Approved Funding		\$110,000.00
Total Surplus/(Deficit)		\$9,029.22

The approved 2020 budget for Fire Hall Station # 3 was \$45,000.00 but was deferred due to COVID.

The approved 2021 budget for Fire Hall Station # 2 was \$65,000.00.

Both projects are funded from the Facilities Lifecycle Reserve and are within the approved budget amounts.

Report Approval Details

Document Title:	Tender Award –Fire Hall Asphalt Replacement.docx
Attachments:	
Final Approval Date:	Sep 9, 2021

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

Krystal Kalbol

Jessica Gaspard

Kristen Newman

Truper McBride

Municipality of Lakeshore – Report to Council

Operations

Capital Projects



To: Mayor & Members of Council

From: Krystal Kalbol, P.Eng
Corporate Leader, Operations

Date: September 8, 2021

Subject: Tender Award – Denis St. Pierre Water Pollution Control Plant Expansion

Recommendation

Award the tender for the Denis St. Pierre Water Pollution Control Plant Expansion Project to North America Construction (1993) Ltd. in the amount of \$43,911,679.00 (plus applicable HST);

Approve external debt to be taken in the principal amount of \$45,281,427.72 for the Plant Expansion; and,

Approve additional funds in the amount of \$2,368,697.60 for the Rourke Line Road Reconstruction to be funded in the 2022 budget from the roads reserve, all as described in the September 14, 2021 Council report.

Background

The Denis St. Pierre Water Pollution Control Plant (the Plant) was identified to be nearing hydraulic capacity in the Municipality of Lakeshore's Water and Wastewater Master Plan Update (completed in May 2018). Based on this, Council approved a total budget of \$200,000 in 2019 to undertake the Environmental Assessment (EA) for the proposed plant expansion. The EA was undertaken and completed in May of 2020. The EA confirmed that the Denis St. Pierre Water Pollution Control Plant Expansion Project would increase the peak operational capacity of the Plant by approximately 70%.

At the end of 2019, the average flows (for 2019) indicated that the Plant was operating at 92% of its rated capacity.

Based on the continued growth across the Municipality and the continued increase in flows at the Plant, Council approved a total budget of \$2,200,000 in 2020 to complete the Design of the Denis St. Pierre Water Pollution Control Plant Expansion and Outfall.

A further review of the plant flow at the end of 2020 identified significantly higher flows than in 2019. The experience in 2020 saw a total increase to the plant's average flow by approximately 13%, at the time operating, on average, at 105% of its rated capacity.

As part of the outfall design (required as part of the Plant expansion), it was determined that the roadway along Rourke Line from the Plant to Lake St. Clair would require reconstruction. Council approved a total budget of \$100,000 in 2021 to complete the design for the Rourke Line road reconstruction.

Further, Council addressed the capacity issue by expediting the funding for the construction of the Denis St. Pierre Water Pollution Control Plant Expansion and in 2021 Council approved a total budget of \$7,500,000 for a portion of the construction costs of the Plant expansion, so that the project could commence with construction in late 2021.

Upon completion of the detailed design, OCWA recommended that parts of the Plant's existing SCADA system be upgraded in advance of the commencement of the Plant expansion in order to be compatible with the expansion's new system. The upgrade was completed in April of 2021 and the cost of this upgrade was \$124,292.07 as part of the Plant expansion.

Design of the Plant expansion was completed in June of 2021. Ministry of the Environment, Conservation and Parks (MECP) approval for the plant expansion was issued on July 12, 2021.

The Denis St. Pierre Water Pollution Control Plant Expansion Project tender was publicly advertised on Bids & Tenders on Friday July 16, 2021, and closed on Friday August 20, 2021.

Comments

The below 4 tenders were received prior to tender closing and opened in accordance with the online bidding process:

Tenderer	Price (excluding HST)	Price (including non-refundable HST)
North America Construction (1993) Ltd.	\$43,911,679.00	\$44,684,524.55
HIRA Ltd.	\$44,462,200.00	\$45,244,734.72
Maple Reinders Constructors Ltd.	\$45,155,650.00	\$45,950,389.44
ASCO Construction (Toronto) Ltd.	\$46,295,527.00	\$47,110,328.28

Administration is satisfied that the lowest tendering party has the required equipment and labour expertise to undertake this project and recommends the award of the Denis St. Pierre Water Pollution Control Plant Expansion Project to North America Construction (1993) Ltd.

In addition to the above tendered project, design documents have been completed, for the Road Reconstruction of Rourke Line (from approximately 400 m meters north of County Road 22 to Caille Avenue), the effluent sewer line and the installation of a new outfall structure to accommodate the Denis St. Pierre Water Pollution Control Plant Expansion.

The Rourke Line Road reconstruction and outfall project is scheduled to be tendered in late 2021/early 2022 for construction to commence in early 2022. Construction completion is expected to occur prior to the commissioning and operation of the Plant expansion.

Financial Impacts

A detailed breakdown of the costs and budget are included below:

Denis St. Pierre Water Pollution Control Plant Expansion And Outfall	Total Project Cost (including applicable HST)	Budget
Environmental Assessment & Engineering Design		
Environmental Assessment	\$115,018.00	
Engineering Design fees for Plant Expansion and Outfall Structure	\$2,049,134.52	
Construction Costs		
SCADA upgrades (to existing plant system)	\$122,142.31	
Tender Price including Provisional and Contingency Allowances	\$43,911,679.00	
Sewer effluent and Outfall (estimate – to be awarded in 2022)	\$4,800,000.00	
Permits	\$29,658.13	
On-Site and Contract Administration fees, Construction of Plant Expansion and Outfall.	\$3,199,400.00	
Non Refundable HST	\$954,395.76	
Total Cost including HST	\$55,181,427.72	
Approved Funding in the 2019 Wastewater Budget - Environmental Assessment		\$200,000.00

Approved Funding in the 2021 Wastewater Budget – Design Plant Expansion		\$2,200,000.00
Approved Funding in the 2021 Wastewater Budget – Construction of Plant expansion and Outfall		\$7,500,000.00
Total Approved Funding		\$9,900,000.00
Total Surplus/(Deficit)		(\$45,281,427.72)

The initial estimate provided in the 2019 EA for the Plant expansion (entire project) was \$29,220,893.00. This did not consider permits or the SCADA upgrades at the existing plant that were required.

Based on the above, the following contributed to the increase in expected deficit:

- The estimated cost noted above was based on 2019 values;
- Further, changes in project scope to improve existing plant operations was discussed and implemented in the pre-design discussions and report; and
- The primary cause for the cost increase is the result of unprecedented price increases for materials and equipment over the last 14 months due to soaring metal costs, COVID-19 shutdowns and strong demand for construction materials.

Administration engaged Watson & Associates Economists Ltd. (Watson) to evaluate the financing options for the Plant expansion. Watson has prepared the attached report with three funding options, which include the following:

1. Finance the remaining project costs with external debt only; or
2. Finance the remaining project costs with internal reserves and reserve funds; or
3. Finance the remaining project costs with a combination of external debt and internal reserve funds.

The total financing required would be \$57,000,000 which is the \$45,281,427.72 plus interest over the 20 year period.

Option 1 – External Debt Only

Benefits

- The project is 90% growth-related, therefore 90% of the principal and interest charges may be funded from the Wastewater Development Charges.
- Spreading out the cost of capital projects over the project's useful life. The cost of the capital project will be borne by both current and future users/rate payers.

- Decreased pressure on current tax and user rates, preventing a substantial one-time increase in rates.
- Interest rates are at a historic low. The use of debt instruments while interest rates are low leaves more capacity in reserves and reserve funds to internally finance future projects. Any subsequent increases in interest rates will make debt financing a less attractive option for future projects.

Risk

- If borrowing from Infrastructure Ontario, the Municipality will be locked in to the term and interest rate negotiated upon the issuance of the debt. The Municipality will not have the ability to extinguish the debt early, as such the interest costs will be fixed.
- The use of debt financing results in additional costs being added to the project, as the Municipality will need to pay interest.
- Setting aside funds for repaying debt may inhibit the Municipality's fiscal flexibility for future projects, as financing options may be limited

Other Financial Considerations

- In the attached report, Watson estimates that the total financing required will be approximately \$57,000,000. As mentioned above, 90% of the principal and interest associated with this debt may be funded from Development Charges. The annual transfer from the Waste Water Development charge would need to be approximately \$2,856,000. Currently, the projected annual revenues are approximately \$600,000, leaving a deficiency of revenues over debt servicing costs of \$2,256,000 annually. Since the next DC Study is scheduled for 2025, the Municipality has two alternatives in relation to development charges which are:
 - Alternative 1: Continue collecting development charges in accordance with the current Development Charge Study, funding the shortfall from grants and other reserves. OCIF Funding for the Non-Growth Related Costs (up to the \$5.3M) and the Federal Gas Tax Funding (approximately \$1,777,000 annually) may cover a portion of the shortfall, however the risk in using either or both of these funding sources is that one or both of the funding sources will be reduced or eliminated in the future. Any further shortfalls would need to be cash-flowed from current user fees and rates. This is the funding strategy outlined in Appendix A. Over time, the Development Charge reserve would need to repay the Wastewater capital reserves.
 - Alternative 2: Engage external consultants to perform an update to the current Development Charges study. This will enable the Municipality to adjust the current Waste Water charges to account for the shortfall. The financial impact of this adjustment would be an increase of approximately \$4,000. The fee associated with an update would be

approximately \$8,000. There is a risk that the increase in development charges would reduce development, impacting the development charge revenue.

Option 2 – Internal Reserves and Reserve Funds

Benefits

- The Municipality would not be locked in to a specified term and would have the ability to repay the debt at a period that is beneficial.
- Interest costs would be paid by the Development Charge reserve to other reserve and reserve funds, rather than external agencies.

Risks

- Non-wastewater reserves and reserve funds would have to cash flow the costs of the expansion project. As these funds have been set aside for specific purposes, the ability for the Municipality to move forward with other projects may be inhibited. Over time, the Development Charge reserve will need to repay the internal borrowings, with interest.

Option 3 – Combination of External Debt and Internal Reserves and Reserve Funds

The risks and benefits of both the preceding options are carried through into this option.

Recommendation

The recommendation by Watson and Associates, as supported by Administration, is Option 1- External Debt, to finance the project.

The interest costs and principal payments would need to be funded by the Wastewater Development Charge Reserve. Given the current shortfall of annual revenues over anticipated debt servicing costs, Administration does recommend proceeding with an update on the development charge study, as the additional revenue to be collected will assist in generating the cash flow and decrease the reliance on grants funding. The update to the study will be brought forward in the 2022 budget.

A detailed breakdown of the costs and budget for the Rourke Line Road Reconstruction Project are included below:

Rourke Line Road Reconstruction	Total Project Cost (including applicable HST)	Budget
Engineering Design	\$100,000.00	
Estimated Road Reconstruction Costs	\$2,200,000.00	

Tender, On-Site and Contract Administration of Road Reconstruction	\$126,000.00	
Non Refundable HST	\$42,697.60	
Total Cost (including HST)	\$2,468,697.60	
Approved Funding in the 2021 Budget - Roads Lifecycle Reserve Budget for Design		\$100,000
Total Surplus/(Deficit)		(\$2,368,697.60)

The deficit for the completion of the Rourke Line Road Reconstruction will be carried forward in the 2022 budget, to be funded from the Roads Reserve.

Attachments

Memo: Watson and Associates - Denis St. Pierre Water Pollution Control Plant Expansion Financing

Appendix A: Funding Strategy of Denis St. Pierre

Report Approval Details

Document Title:	Tender Award - Denis St. Pierre Water Pollution Control Plant Expansion, Outfall and Rourke Line Road Reconstruction.docx
Attachments:	- Memo- Watson and Associates - Denis St. Pierre Water Pollution Control Plant Expansion Financing.pdf - Appendix A- Funding Strategy Denis St Pierre.xlsx
Final Approval Date:	Sep 10, 2021

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

Jessica Gaspard

Kristen Newman

Truper McBride

Memorandum

To	Kate Rowe
From	Gary Scandlan
Date	September 8, 2021
Re:	Denis St. Pierre Water Pollution Control Plant Expansion Financing

Fax ☐ Courier ☐ Mail ☐ Email ☒

1. Introduction

1.1 Introduction

The Municipality of Lakeshore completed a water and wastewater master plan in 2018 which identified the need to expand the water pollution control plant on Rourke Line Road in Belle River. Subsequently in 2019, an environmental assessment was completed which identified the anticipated wastewater capacity needs to 2040 for new growth and existing homes that would connect to the system. Currently, the Municipality is seeking approval for award of the tender for construction of the plant expansion.

The Municipality retained Watson & Associates Economists Ltd. (Watson) to undertake a review of financing options for the upcoming Denis St. Pierre Water Pollution Control Plant Expansion project.

1.2 Overview of the Project

As noted, the Denis St. Pierre Water Pollution Control Plant is located in Belle River. This plant currently provides service to approximately 25,000 residents. The proposed plant expansion would allow for enough capacity to service anticipated growth in Belle River and Wallace Woods, along with existing properties in Belle River.

The capital cost anticipated in the environmental assessment and 2020 development charge (D.C.) study was approximately \$30 million. This was based on construction



and associated tender prices in 2018/2019. The COVID-19 pandemic has been a significant factor in the increase in tender prices for construction. There is no anticipated change in the scope of the project; the increase in cost is reflective of the increase in construction/tender prices. The revised estimate based on current tender prices is \$53.90 million. Based on the analysis in the 2020 D.C. background study, this project is considered 90% growth-related. Therefore 90% of the costs are to be funded from the wastewater D.C. reserve fund. As a result, \$48.51 million of the costs are to be funded from the wastewater D.C. reserve fund and \$5.39 million is to be funded from existing rates/reserves.

Project Cost	2020 Estimated Cost	Current Tender Prices
Total Cost of Project	28,800,000	53,900,000
Growth Share (90%)	25,920,000	48,510,000
Non-growth Share (10%)	2,880,000	5,390,000

To date, \$8.5 million has been spent from non-D.C. reserves/reserve funds. This results in an overcontribution of \$3.13 million. The D.C. reserve fund should pay back these reserves in the amount of \$3.13 million (\$2.97 million to the federal gas tax reserve and \$155,018 to the wastewater reserve). The remaining amount to be financed (\$43.69 million) would be 100% growth-related. The following table provides for a summary of the adjustments noted above:

Source of Funding	Funding to Date	Total Funding Allocated by Source	Adjustments
Wastewater Reserve	5,545,018		155,018
Federal Gas Tax	2,970,000		2,970,000
Sub-total Non-growth Reserves	8,515,018	5,390,000	3,125,018
Wastewater DC Reserve Fund	1,700,000		- 3,125,018
Sub-total Growth Reserve Fund	1,700,000	48,510,000	- 3,125,018
Total	10,215,018	53,900,000	-

1.3 Purpose of this Memo

This memo has been prepared to provide an analysis of three potential financing options:

1. Finance the remaining amounts with external debt only;



2. Finance the remaining amount using internal reserves and reserve funds (internal financing) only; and
3. Utilize a combination of external debt and internal financing.

Each of these options are discussed in further detail below.

2. Current Financial Situation

Debt Financing Capacity

To determine if use of external debt is a feasible option, a review of the Municipality's current debt capacity limitations was undertaken. Municipalities in Ontario have an Annual Repayment Limit (A.R.L.) which denotes the maximum debt payment amount (principal and interest) a municipality may incur. For most municipalities this is set at 25% of their own-source annual revenues (property taxes, user fees, and investment income) less annual long-term debt payments and other long-term financial obligations.

For Lakeshore, the 2021 A.R.L. is \$10,282,220. This means the Municipality may assume additional long-term debt as long as the additional payments do not exceed \$10,282,220. Based on a financing rate of 3% and estimated payback period of 20 years, this would equate to issuing debt for approximately \$153 million. Some municipalities have internal policies with respect to setting their own debt capacity limit. Through discussions with Municipal staff, Lakeshore does not currently have an internal policy on their own debt capacity limit. Based on Watson's experience with assisting municipalities in financial matters for over 30 years, a reasonable internal policy limit would be 20%. Based on the same parameters and using a 20% debt capacity limit the maximum loan obligation the Municipality could receive would be approximately \$112 million.

Along with the need to finance the plant expansion, the Municipality may also be considering expenditures of \$15 million to \$20 million related to construction of a new Municipal building. Given no other significant expenditures have been identified at this time, the Municipality would appear to have the capability of financing the plant expansion project with external debt.



Reserve and Reserve Fund Balances

To review if the Municipality has the ability to finance the construction project by using internal reserves and reserve funds, a review of the anticipated 2021 year-end balances was undertaken. It is anticipated that at the end of the year there will be a total of approximately \$12.53 million in obligatory reserve funds (of this amount, \$1.86 million relates to the wastewater development charges reserve fund and \$2.17 million relates to the water development charges reserve fund), \$14.69 million in discretionary reserve funds for water, a negative balance of \$925,000 in discretionary wastewater reserve funds, and \$2.23 million in other discretionary reserve funds. Further, there will be an anticipated amount of \$41.37 million in reserves providing for a total of \$69.79 million in all Municipal reserves and reserve funds¹.

The majority of these reserves and reserve funds have been established for purposes other than wastewater services. In addition, given the negative balance in the wastewater non-D.C. reserve funds, any amounts utilized for the plant expansion project, would require an internal loan between reserves and reserve funds which would be paid back with interest.

Through discussions with Municipal staff, some policies are in the process of being developed, however, there are no Council adopted policies with respect to the use of specific reserves and reserve funds for purposes such as the plant expansion.

3. Financing Options

As noted, three financing options are provided in this memo. Each option is discussed in further detail with respect to the following criteria:

- Potential Benefits
- Potential Issues
- Equity
- Additional Costs
- Debt Repayment Limit Considerations
- Municipal Policy Considerations

¹ Based on the anticipated reserve and reserve fund balances as per the 2021 budget. See attachment 1.



A table summarizing the options is provided at the end of this memo.

3.1 External Debt

3.1.1 Overview

Municipalities have the ability to enter into long-term debt arrangements to finance capital projects such as the plant expansion. Debt financing may be arranged through a number of sources including Infrastructure Ontario and private banks.

Infrastructure Ontario

Infrastructure Ontario (I.O.) is a Crown agency of Ontario which provides financing opportunities for Municipalities to undertake capital projects. The majority of municipalities throughout Ontario utilize for I.O. for major capital lending. Current interest rates on a 20-year loan are approximately 2.4%. These loans are not “recallable” meaning the payments are locked in for the entire term of the loan.

Private Banks/ Publicly Issued Debentures

Municipalities may also seek financing from private banks or through publicly issued debentures. These loans act similar to other loans whereby principal and interest payments are made on a monthly, semi-annual, or annual basis. Interest rates depend on the Municipality’s credit rating. Current interest rates provided are in the range of 3% depending on the specific terms of the agreement, with an added cost of around 0.5% for the cost of issuing debentures.

3.1.2 Potential Benefits

The interest rates available to the Municipality are at historic lows. As a result, financing significant capital projects with debt has a smaller financial impact than if interest rates were higher. For example, on a \$43.69 million loan at 2.4% interest over 20 years, the total interest costs would be approximately \$11.83 million. Note: as this amount is considered to be 100% growth-related, none of the interest costs would be borne by rate payers and the total \$11.83 million would be funded through development charge revenues.

3.1.3 Potential Issues

Financing this project with external debt will add interest costs to the project, however, as noted the interest would be financed by development charges.

3.1.4 Equity

From an equity perspective, financing the project with debt allocates the payments across 20 years. As 100% of the debt financing would be related to new development,



this would allow for annual development charge revenues to be used against the growth-related debt payments. This would also help ensure that non-wastewater reserves and reserve funds are not cash-flowing the costs of a wastewater project.

3.1.5 Additional Costs

As noted, there are additional costs in the form of interest applied to any debt financing. However, this interest cost would be added into the development charge calculations and funded from development charge revenues.

3.1.6 Debt Repayment Limit Considerations

Currently the Municipality is at about 6.4% of their debt capacity (25% A.R.L.). With the addition of a \$43.69 million loan for 20 years at 2.4% interest, the Municipality would be at 11.3% of their debt capacity. This leaves ample room for further debt obligations and the Municipality to remain below 20% of their debt capacity.

3.1.7 Municipal Policy Considerations

It does not appear that the Municipality has specific policies related to external debt financing.

3.2 Internal Financing

3.2.1 Overview

Rather than financing the project using external debt, the Municipality may consider utilizing existing reserves and reserve funds to finance the project. This would require an “internal loan” to the wastewater development charge reserve fund, which would be paid back with interest.

3.2.2 Potential Benefits

Internal financing would allow the Municipality to set their own payback period for the loaned amounts. In addition, any interest costs would be included in the development charge calculation and funded by growth. These interest costs would then be paid back to the reserves/reserve funds that lent the funds.

3.2.3 Potential Issues

In total, the Municipality is anticipated to have \$69.79 million in reserves and reserve funds at the end of 2021. Internal financing of \$43.69 million would reduce the Municipality’s cashflow by approximately 63%. As well, the funds have been set aside for specific purposes (e.g. winter control, asset replacement, etc.). Consideration of the use of these funds must be considered over the period for which the municipality wishes to finance the loan. Using some of these other funds for the Denis St. Pierre project



may then require financing for the projects for which the reserves were initially established.

3.2.4 Equity

Internal reserves and reserve fund balances (excluding D.C. reserve funds and parkland dedication) are comprised of contributions from existing tax and rate payers. As the remaining amount to be financed is related to growth, use of internal reserves and reserve funds would result in existing taxpayers and rate payers financing costs related to development.

3.2.5 Additional Costs

Additional costs to the Municipality would be limited to interest on the internal financing, however, as the interest costs would be funded from development charge revenues, there would be no impact to existing tax and rate payers.

3.2.6 Debt Repayment Limit Considerations

Internal debt financing would not impact the Municipality's debt capacity or A.R.L.

3.2.7 Municipal Policy Considerations

It does not appear that the Municipality has specific policies related to external debt financing. From an overall perspective, the financial stability of the municipality is reduced.

3.3 Combination of Internal and External Financing

3.3.1 Overview

A third option has been considered with respect to financing the construction of the water pollution control plant. This option considers a combination of internal and external financing. The exact amount to be obtained through each method of financing would be determined subsequently upon further review by finance staff.

3.3.2 Potential Benefits

When compared to the previous two options, the benefits from using a combination of funding sources would be similar. The municipality would receive some benefit by reducing the amount locked into a long-term loan while also benefitting from the low interest rates available on the share that is financed externally.



3.3.3 Potential Issues

Similar to the option of full internal financing, the Municipality would need to consider cashflow implications and the use of funds intended for other purposes.

3.3.4 Equity

As the remaining amount to be financed is related to growth, any use of non-growth-related internal reserves and reserve funds would result in existing taxpayers and rate payers financing costs related to development.

3.3.5 Additional Costs

Additional costs to the Municipality would be incurred for interest on the internal and external financing amounts, however, as the interest costs would be funded from development charge revenues, there would be no impact to existing tax and rate payers.

3.3.6 Debt Repayment Limit Considerations

Currently the Municipality is at about 6.4% of their debt capacity (25% A.R.L.). If the Municipality external financed an amount up to \$43.69 million, the Municipal debt capacity would be no more than 11.3% of their debt capacity. This leaves ample room for further debt obligations and the Municipality to remain below 20% of their debt capacity.

3.3.7 Municipal Policy Considerations

Similar to the previous options, it does not appear that the Municipality has specific policies related to allocation of funds for internal and external debt financing.

4. Recommendations

As presented above, three options were considered for financing of the remaining \$43.69 million for the Denis St. Pierre Water Pollution Control Plant:

1. External financing (debt);
2. Internal financing; and
3. Combination of internal and external financing.

Use of internal financing will reduce the Municipality's cashflow and provide that existing tax and rate payers will be financing (at least in the interim) costs related to new development. Further, utilizing a combination of internal and external financing would reduce the impacts on equity and cashflow, however not to the extent financing the entire project with external debt would.



Based on the information presented above and Watson's experience with municipal finance, it is recommended that the Municipality consider the use of external debt financing for the outstanding \$43.69 million in growth-related costs. The use of external financing has the following benefits:

- Does not impact the Municipality's current cashflow;
- Ensures growth pays for growth by paying the debt payments from the D.C. reserve fund over time as growth proceeds;
- Does not significantly limit the Municipal debt capacity;
- Interest costs may be funded through development charges; and
- Reserve and reserve funds are preserved for their intended purposes.

A table summarizing the various scenarios is provided below.



Table 1: Summary of Financing Options

Criteria	External Debt	Internal Financing	Combination of Internal and External Financing
Potential Benefits	<ul style="list-style-type: none"> Low interest rates 	<ul style="list-style-type: none"> Ability to select own payback period without change to interest rate Interest costs flow back to Municipal reserves and reserve funds 	<ul style="list-style-type: none"> Low interest rates on the balance external financed Ability to select own payback period without change to interest rate on internal financed amounts Interest costs flow back to Municipal reserves and reserve funds on internal financed amounts
Potential Issues	<ul style="list-style-type: none"> Added interest costs (\$11.65 million) 	<ul style="list-style-type: none"> Added interest costs (\$11.65 million) Reduce cashflow by 63% Funds may not be available for the intended use of the reserve/reserve fund as it has been loaned 	<ul style="list-style-type: none"> Added interest costs (\$11.65 million) Reduce cashflow by an amount up to 63%
Equity	<ul style="list-style-type: none"> Able to have growth pay as development proceeds 	<ul style="list-style-type: none"> Existing tax and rate payers would cash flow growth-related costs 	<ul style="list-style-type: none"> Combination of growth paying for growth, with the internal financed amount being funded by existing tax and rate payers



Criteria	External Debt	Internal Financing	Combination of Internal and External Financing
Additional Costs	<ul style="list-style-type: none">• Interest costs, however, paid through D.C. revenues	<ul style="list-style-type: none">• Interest costs, however, paid through D.C. revenues	<ul style="list-style-type: none">• Interest costs, however, paid through D.C. revenues
Debt Repayment Limit Considerations	<ul style="list-style-type: none">• Would increase from 6.4% current debt capacity to 11.4% debt capacity	<ul style="list-style-type: none">• No impact	<ul style="list-style-type: none">• Would increase from 6.4% current debt capacity up to 11.4% debt capacity (depending on the amount financed externally)
Municipal Policy Considerations	<ul style="list-style-type: none">• N/A	<ul style="list-style-type: none">• Overall financial stability of the municipality is reduced if reserve/reserve funds used	<ul style="list-style-type: none">• Overall financial stability of the municipality is reduced if reserve/reserve funds used

2021 Budget

Reserve and Reserve Funds

	Projected Opening Balance	Contributions	Operating and Capital Draws	Estimated Development Charges To Be Collected	Estimated Transfers between Funds	Projected Closing Balance
<u>Obligatory Reserve Funds</u>						
Parkland Dedication	204,027	-	(240,000)	150,000	-	114,027
Development Charges	10,239,595	-	(780,000)	3,949,000	(3,501,548)	9,907,047
Federal Gas Tax	671,716	1,777,000	-	-	(1,777,000)	671,716
Ontario Community Infrastructure Fund (OCIF)	175,397	-	-	-	-	175,397
WEEDC - Economic Development	190,037	-	-	-	-	190,037
Building Services – Operating	1,538,641	-	(302,537)	-	-	1,236,104
Building Services – Capital	149,599	-	-	-	-	149,599
Tree Planting – Subdivisions	103,297	-	(20,000)	-	-	83,297
Parking Lot Development	704	-	-	-	-	704
	13,273,013	1,777,000	(1,342,537)	4,099,000	(5,278,548)	12,527,928
<u>Discretionary Reserve Funds</u>						
Future Employee Benefits	703,862	-	-	-	-	703,862
Debt Reduction	1,175,280	248,920	-	-	-	1,424,200
	1,879,142	248,920	-	-	-	2,128,062
<u>Discretionary Reserve Funds – Wastewater</u>						
Wastewater	2,376,023	1,340,416	(9,387,150)	-	3,477,000	(2,193,711)
Wastewater – Capital	996,830	271,600	-	-	-	1,268,430
	3,372,853	1,612,016	(9,387,150)	-	3,477,000	(925,281)
<u>Discretionary Reserve Funds – Water</u>						
Water	11,333,736	2,773,611	(3,945,367)	-	1,400,000	11,561,980
Water – Filters	977,016	103,000	-	-	-	1,080,016
Water Working Funds	1,061,541	-	-	-	-	1,061,541
Water – Contingency	319,172	-	-	-	-	319,172
Provincial Funding - OCLIF - Cannabis	34,952	-	-	-	-	34,952
Provincial Funding - MMAHO - Efficiency	631,700	-	-	-	-	631,700
	14,358,116	2,876,611	(3,945,367)	-	1,400,000	14,689,360

2021 Budget

Reserve and Reserve Funds

	Projected Opening Balance	Contributions	Operating and Capital Draws	Estimated Development Charges To Be Collected	Estimated Transfers between Funds	Projected Closing Balance
Reserves						
Working Funds	2,872,727	-	-	-	-	2,872,727
Contingency	880,669	-	(150,000)	-	-	730,669
Encumbrance	7,246,434	-	-	-	-	7,246,434
Community Improvement Plan	60,241	-	-	-	-	60,241
Assessment Stabilization	1,566,300	-	-	-	-	1,566,300
Accumulated Sick Leave	55,000	-	-	-	-	55,000
Employee Related	118,614	13,100	(35,000)	-	-	96,714
Self-Insuring	625,114	16,000	-	-	-	641,114
Community Benefit	1,137,290	239,640	(725,500)	-	-	651,430
Police Operating	129,821	54,300	(48,637)	-	-	135,484
Winter Control	373,996	-	-	-	-	373,996
Facilities – New	1,239,389	1,249,500	(1,400,000)	-	-	1,088,889
Facilities	2,167,020	972,800	(533,000)	-	-	2,606,820
Furniture and Fixtures	60,487	24,600	-	-	-	85,087
Vehicles & Equipment	800,555	603,500	(759,333)	-	-	644,722
Technology & Office Equipment	129,117	70,600	(95,100)	-	-	104,617
Technology Software	48,238	131,900	(106,500)	-	-	73,638
Fire Vehicles & Equipment	832,605	452,200	(150,000)	-	-	1,134,805
Roads	9,206,725	5,346,000	(2,930,000)	-	91,548	11,714,273
Railway Crossings	49,433	-	-	-	-	49,433
Bridges & Culverts	324,648	498,300	(45,000)	-	-	777,948
Storm water	1,454,483	834,600	(1,910,000)	-	-	379,083
Road Share of Drainage	948,483	378,700	-	-	-	1,327,183
Gravel Road Conversion	1,419,264	845,200	(40,000)	-	-	2,224,464
Street Lights – New	1,039,608	239,000	-	-	-	1,278,608
Playground Equipment	194,584	164,500	(157,000)	-	-	202,084
Trails – New	425,265	361,900	(75,000)	-	-	712,165
Trails – Existing	213,064	99,600	(20,000)	-	-	292,664
Parks Signage	30,900	10,300	-	-	-	41,200
Parks Furniture & Fixtures	41,987	225,000	(60,000)	-	-	206,987
Building Repairs & Maintenance	740,093	57,700	(65,000)	-	-	732,793
Election	71,356	35,000	(17,500)	-	-	88,856
Tree Replacement	58,130	-	(20,000)	-	-	38,130
Plans & Studies	653,953	319,500	(248,500)	-	310,000	1,034,953
Legal Reserve	96,623	-	-	-	-	96,623
Heritage Committee	-	5,000	-	-	-	5,000
	37,312,215	13,248,440	(9,591,070)	-	401,548	41,371,133
Total Reserves & Reserve Funds	70,195,340	19,762,987	(24,266,124)	4,099,000	-	69,791,203

Municipality of Lakeshore
Appendix A: Funding Strategy of Denis St. Pierre

Current Tender Price

Less: 2019 Approved budget paid through Wastewater Reserve Fund

Less: 2019 Approved budget paid through Wastewater Reserve Fund

Less: 2020 Approved budget paid through Federal Gas Tax Reserve Fund

Less: 2021 Approved budget paid through Wastewater DC Reserve Fund

Less: 2021 Approved budget paid through Federal Gas Tax Reserve Fund

Less: 2021 Approved budget paid through Wastewater Reserve Fund

Current Financing Required

Interest Approximation (2.4% over 20 years)

Total Funds Required (Principal and Interest)

Term (Years)

Yearly Payment Required

Funding Model

Estimated Annual Wastewater Development Charges to be collected

Estimated Annual Increase of Wastewater Development Charges to be collected if

Development Charge Rate Increased

Current Base Transfer to Wastewater Capital Reserve Fund

Current Base Transfer to Wastewater Reserve Fund

Shortfall

Note

Note 1: Estimated Development charges collected based on review of development charges collected between 2017-2020 (High of \$1,250,000 low of \$600,000)

Note 2: This does not take into consideration the increase in growth that we would experience if capacity restrictions were no longer a factor

Note 3: Shortfall could be funded using federal gas tax , OCIF Funding , or other reserves

55,181,427.72

(200,000.00)

(1,000,000.00)

(1,200,000.00)

(1,700,000.00)

(1,777,000.00)

(4,023,000.00)

45,281,427.72

11,830,000.00

57,111,427.72

20.00

2,855,571.00

Current Wastewater Development Charge

10,391.00

**Number of single semi detached home
permits**

58.00

600,000.00

225,000.00

271,600.00

1,300,000.00

2,396,600.00

458,971.00

Estimated New Wastewater Development Charge

14,265.00

Increase
3,874.00

Municipality of Lakeshore – Report to Council
Growth & Sustainability
Community Planning



To: Mayor & Members of Council
From: Tammie Ryall, Corporate Leader – Growth and Sustainability
Date: September 7, 2021
Subject: County Wide Active Transportation System (CWATS) - 2022 Proposed Submission County Road 2 segment.docx

Recommendation

Approve the construction of a paved shoulder (Lake-9) along Tecumseh Road (County Road 2) between the Moison Creek Bridge to Stuart Lane for submission to the CWATS Committee for consideration in 2022; and

Direct Administration to include \$268,857.00 for the construction of the paved shoulder in the 2022 budget, as further described in the September 14, 2021 Council report.

Background

The County Wide Active Transportation System (CWATS) Partnership Program is intended to assist local municipalities in Essex, the Essex Region Conservation Authority, and the Go for Health Windsor-Essex / Windsor-Essex County Health Unit in advancing the implementation of active transportation facilities identified in CWATS that are under their jurisdiction.

Annually the Municipality of Lakeshore is required to submit its top projects to the CWATS Steering Committee in the fall of each year for consideration and approval of projects to be completed in the following calendar year. For a submission to be considered complete, endorsement by the local municipality's Council is required.

At the November 3, 2020 Council meeting, Council passed resolution #376-11-2020 to endorse the following CWATS project for 2021.

Approve the construction of a bike lane/trail link at Lake-9 Tecumseh Road (along County Road 2) between the Moison Creek Bridge to Strong Road for submission to the CWATS Committee for consideration in 2021.

This motion endorses "Phase 1" of a paved shoulder project on County Road 2. It is recommended through this report that Council endorse the second phase of this paved shoulder project, from Moison Creek Bridge to Stuart Lane.

Comments

Paved shoulders on County Road 2 (Lake-9) were built in 2019-2020 through a County Road rehabilitation project, but only from County Road 31 to Strong Rd (3.1 km).

The gap that still needed to be completed is the segment from Strong Line to Stuart Lane (1.7 km). It is noted that this section of County Road 2 is not on the County's current 5 year road rehabilitation list (to 2024), therefore this section is not set to align with rehabilitation work.

Administration recommended that the segment be broken into two (2) Phases over two years to reduce the costs. The links are highlighted on the attached location map (Attachment 1).

Phase 1 from the Moison Creek Bridge eastward to Strong Road is recently being constructed. The tendered costs of this segment are \$147,507.00, including contingency. The Municipality of Lakeshore's share is \$88,504.20 (60%) and the County of Essex share is \$59,002.80 (40%) under the CWATS funding program. Lakeshore budgeted \$75,000.00 in 2021 for this project. Final construction costs are pending.

Phase 2 (from Moison Creek Bridge to Stuart Lane) would provide for the continuation of the paved shoulder/bike lane to connect with the east side of the community of Belle River. It is not known when a road rehabilitation project would occur on this segment.

It is recommended that consideration of Phase 2, Stuart Lane eastward to Moison Creek Bridge be considered as the CWATS 2022 project and through the 2022 budget process at an estimated cost of \$448,095.07.

The below summarizes the tendered and estimated costs:

Project	Length of Road segment	Lakeshore Share (60%)	County Share (40%)	Total Cost
Phase 1 – 2021 (tendered & construction underway) Strong Road to Moison Creek Bridge	425 metres 0.425 kilometre	\$88,504.20	\$59,002.80	\$147,507.00
Phase 2 – 2022 (estimated costs to be budgeted) Moison Creek Bridge to Stuart Lane	1,225 metres 1.2 kilometres	\$268,857.00	\$179,238.00	\$448,095.00
Total Project Cost		\$357,361.20	\$238,240.80	\$595,602.00

If Council indicates support of this project, it will be brought forward to the CWATS committee for approval, and Administration would include the funding for this project in the 2022 budget.

Others Consulted

CWATS Administration

Financial Impacts

The estimated cost of this segment is \$448,095.00. The Municipality of Lakeshore's share is \$268,857.00 (60%) and the County of Essex' share is \$179,238.00 (40%) through the CWATS cost sharing program.

If Council supports the recommendation, the Municipality's 60% share of the estimate, which is \$268,857, will be included in the 2022 budget and funded through the Trails-New Reserve.

Attachments

Attachment 1 – Municipality of Lakeshore CWATS segments – location map

Attachment 2 – Detailed Cost Estimates

Report Approval Details

Document Title:	County Wide Active Transportation System (CWATS) - 2022 Proposed Submission County Road 2 segment.docx
Attachments:	- Attachment 1 CWATS Detailed Map.pdf - Detailed Cost Estimates.pdf
Final Approval Date:	Sep 9, 2021

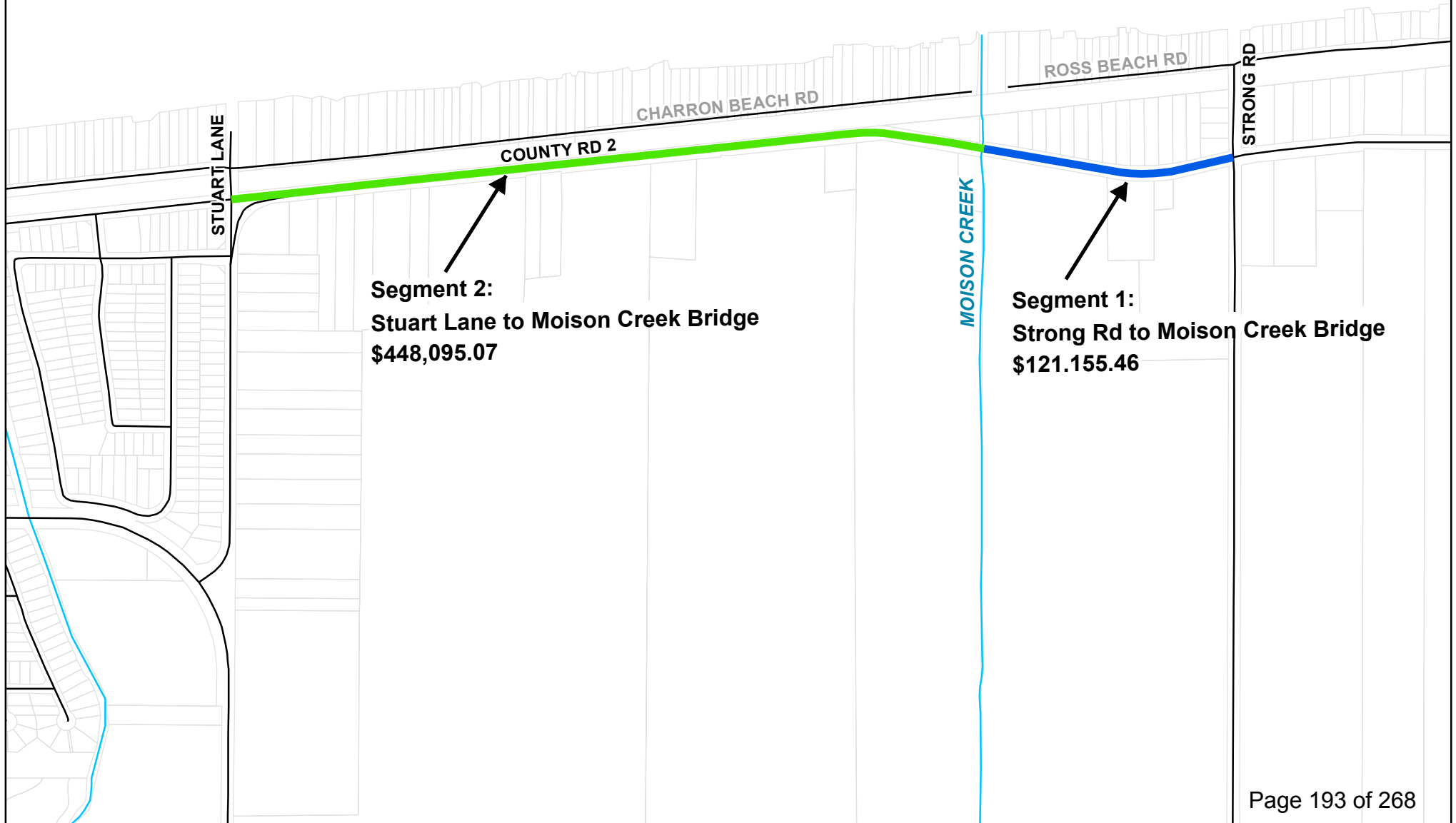
This report and all of its attachments were approved and signed as outlined below:

Jessica Gaspard

Kristen Newman

Truper McBride

Attachment 1



CR20 - 2.5m Paved Shoulders -

Length = 425m

Molson Creek Bridge to Strong Road

Pavement Width = 7m

September 22, 2020

Shoulder Width = 2.5m

Item No.	Item Description	Unit	Quantity	Unit Price	Total
1	Milling Shoulder for Pavement Widening (1.8m x 100mm)	m	850	\$ 10.00	\$ 8,500.00
2	SP19 PPS Base (50mm x 1.8m)	tonne	215	\$ 150.00	\$ 32,250.00
3	Milling Linear Lap Joint	m	850	\$ 6.00	\$ 5,100.00
4	SP12.5 PPS Surface (50mm x 2.1m)	tonne	250	\$ 150.00	\$ 37,500.00
5	SP12.5 Driveway Restoration	tonne	90	\$ 175.00	\$ 15,750.00
6	Granular A Shoulders & Driveways	tonne	105	\$ 35.00	\$ 3,675.00
8	Tack Coat	m ²	1785	\$ 1.00	\$ 1,785.00
9	Utility Locates/(Hydro Vac)	ls	1		\$ 10,000.00
10	Geotechnical Q.A.	ls	1		\$ 2,500.00
11	Water (Dust & Compaction)	lump sum	1	\$ 2,000.00	\$ 2,000.00
12					\$ -
13					\$ -
14					\$ -
15					\$ -
16					\$ -
17					\$ -
18					\$ -
	Total Tender Price				\$ 119,060.00
	HST 1.76%				\$ 2,095.46
	Total Tender Price + HST				\$ 121,155.46

Notes

AADT = 1606 (2019)

50/60km/hr speed limit

0 intersections

18 Paved driveways

1 gravel driveways

CR2 - 1.8m Paved Shoulders -

Length = 1225m

Stuart Lane to Molson Creek Bridge

Pavement Width = 7m

September 17, 2020

Shoulder Width = 2m

Item No.	Item Description	Unit	Quantity	Unit Price	Total
1	Excavation for Pavement Widening (2.1m x 400mm)	m	2,450	\$ 20.00	\$ 49,000.00
2	Granular A Base (300mm)	tonne	3,750	\$ 35.00	\$ 131,250.00
3	SP19 PPS Base (50mm x 1.8m)	tonne	630	\$ 150.00	\$ 94,500.00
4	Milling Linear Lap Joint	m	2,450	\$ 6.00	\$ 14,700.00
5	SP12.5 PPS Surface (50mm x 2.1m)	tonne	730	\$ 150.00	\$ 109,500.00
6	SP12.5 Driveway Restoration	tonne	15	\$ 175.00	\$ 2,625.00
7	Granular A Shoulders & Driveways	tonne	375	\$ 35.00	\$ 13,125.00
8	Tack Coat	m ²	5145	\$ 1.00	\$ 5,145.00
9	Sign and MailBox Relocation	each	5	\$ 200.00	\$ 1,000.00
10	Utility Locates/(Hydro Vac)	ls	1		\$ 15,000.00
11	Geotechnical Q.A.	ls	1		\$ 2,500.00
12	Water (Dust & Compaction)	lump sum	1	\$ 2,000.00	\$ 2,000.00
13					\$ -
14					\$ -
15					\$ -
16					\$ -
17					\$ -
18					\$ -
19					\$ -
	Total Tender Price				\$ 440,345.00
	HST 1.76%				\$ 7,750.07
	Total Tender Price + HST				\$ 448,095.07

Notes

AADT = 1606 (2019)

50/60km/hr speed limit

0 intersections

3 Paved driveways

16 gravel driveways

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Services



To: Mayor & Members of Council
From: Frank Jeney – Division Leader Community Services
Date: July 29, 2021
Subject: Atlas Tube Recreation Centre South East exit door.docx

Recommendation

Approve the repurposing of the South East exit door at the Atlas Tube Recreation Centre to an accessible door, the cost of which is to be considered in the 2022 Budget process, as presented at the September 14, 2021 Council meeting.

Background

At the Regular Council Meeting of May 26, 2020, Council passed resolution 149-05-2020:

Direct Administration to bring a report regarding the conversion of the south-east emergency door at the Atlas Tube Centre to an accessible door, that this report include costs and be considered during the 2021 Budget deliberations.

Comments

The South East exit doors at the Atlas Tube Recreation Centre have been identified as doors that could be repurposed into an exit as well as entrance. This retrofit would help increase ease of access for many visitors, and would especially benefit users with mobility concerns, as well as provide our many soccer field users access to restrooms in the South East hallway.

Those with mobility concerns would have 75 less feet to travel outdoors to enter the Atlas Tube Recreation Centre. This can be an immense help in high winds, rain, and snow.

The Lakeshore Municipal Accessibility Plan 2019 – 2022 (Attachment) mentions “Atlas Tube Centre – Review possibility of entrance closer to the parking lot.” (Page 10)

The retrofit project would include the following:

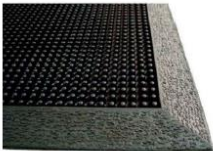
	Estimate
Outdoor pushbutton installed onto the current door frame	\$1,200
Off hours push button lockout	\$3,000
Scraper Floor Mat (2)	\$1,100
Wiper Floor Mat (2)	\$1,100
Runner Floor Mat (4)	\$2,200
Exterior door handles	\$800
Addition of floor drain grates	\$20,000
	\$29,400



***ACCESSIBLE
PUSH BUTTON**



***ACCESSIBLE
DOOR HANDLES**



***SCRAPER**



***WIPER**



***RUNNER**



***FLOOR GRATE**

Once in operation, this entrance would be reviewed for additional items that may be required (air curtain, vestibule, etc.).

Others Consulted

Municipality of Lakeshore Accessibility Plan 2019-2022

Municipality of Lakeshore Fire Department

Financial Impacts

A budget capital project can be brought to Council through the 2022 budget process to complete this project.

Attachments

Municipality of Lakeshore Accessibility Plan 2019-2022

Report Approval Details

Document Title:	Atlas Tube Recreation Centre South East exit door.docx
Attachments:	- Accessibility Plan 2019 - 2022 Final.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

The Corporation of the Town of Lakeshore



Municipal Accessibility Plan 2019 - 2022



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Introduction

The Town of Lakeshore is a vibrant municipality of over 37,000 residents located in South Western Ontario. Lakeshore is one of seven lower tier municipalities in the County of Essex, which also includes the single tier City of Windsor.

Lakeshore is comprised of 52,850 hectares of land having approximately 500 kilometers of roads and streets within its boundaries servicing both urban and rural residents.

The Council of the Corporation of the Town of Lakeshore is committed to:

- The continual improvement of access to all municipally owned facilities, premises and services for all those with disabilities.
- The provision of quality services to all members of the community regardless of abilities.

About Lakeshore's Multi-Year Accessibility Plan

This Multi-Year Plan outlines The Town of Lakeshore's strategy to prevent and remove barriers and meet the requirements under the AODA, Accessible Customer Service Standard (Ontario Regulation 429/07) and Integrated Accessibility Standards (Ontario Regulation 191/11, as amended.) The Corporation of the Town of Lakeshore continues to identify new accessibility initiatives which have been incorporated in this Multi-Year Accessibility Plan which coincides with the term of Council.

Communication of Plan

The Accessibility Plan will be available to the public via:

- Municipal Web Site.
- Copies available through Administration.
- Report made public through Council meeting.

Accessibility Plan Budget

The annual budget shall be used to advance the committee members knowledge of the AODA Integrated Standards and Accessibility related topics. This knowledge shall assist the committee with their advice to Council.

Consultation Activities

In the preparation of this accessibility plan the municipality has consulted with people with disabilities who reside in the municipality. Their comments and ideas are incorporated into this report.

Message from the LAAC Chairperson – Rolf Keller

The LAAC is your **Lakeshore Accessibility Advisory Committee** and, on your behalf, advises Town Council on all issues pertaining to accessibility. We have a common goal of making Lakeshore totally accessible for all people including every age and every accessible need. The LAAC meets four times a year. We have toured all of our parks and advise council on updating playgrounds & washrooms to make them more accessible. Where public washrooms are not available, we have requested to have the larger, accessible, port-a-johns in place. These are also handy for new parents to assist their younger children.

The LAAC also consults on new building plans. The Atlas Tube & Libro Community Centres are built with enhanced accessibility in mind, touchless features, including automatic doors and Sledge Hockey in the Shuren rink. Lakeview Park West Beach now has a fully-accessible Jetty and an Accessibility Mat to maneuver over the sand in the summer.

We invite residents, visitors & business owners to discover the links we have compiled on the Town of Lakeshore's website. Search Accessibility on www.lakeshore.ca for more information and for links to new accessibility regulations. Like or follow the Town of Lakeshore on Facebook and Twitter to keep up-to-date with new events and information. Try www.lakeshore.ca/placespeak as well, to provide your opinions and input in to projects and activities throughout the municipality.

If you have any concerns, comments or suggestions, please direct them to the Manager of Communication and Strategic Initiatives. We look forward to continuing to work together for the betterment of Lakeshore.

In closing, please visit your local parks & community centres. New accessibility changes and improvements can be found everywhere in Lakeshore. Enjoy our accessible Lakeshore!

LAAC Chair Rolf Keller

Statement of Commitment to Accessibility Planning

Town of Lakeshore Council recognizes that improving accessibility is important to all residents. Approximately 15.5% or 1.85 million people in Ontario have a disability – that's one in seven. Including more than 40% of people over age 65. That number is expected to grow significantly in the next 20 years as the population ages.

One in 7 people in Ontario have a Disability



The Corporation of the Town of Lakeshore is committed to meeting the accessibility needs of persons with disabilities in a respectful, equitable and timely manner and will do

so by preventing and removing barriers to accessibility and meeting accessibility requirements under the AODA.

- The Town of Lakeshore will meet Accessibility Standards for the design of public spaces when building or making major modifications to public spaces according to legislation. Public spaces include:
 - Recreational trails/beach access routes
 - Outdoor public eating areas like picnic areas
 - Outdoor play spaces, like playgrounds
 - Outdoor paths of travel, like sidewalks, ramps, stairs, curb ramps, rest areas and accessible pedestrian signals.
 - Accessible off street parking
 - Service related elements like service counters, fixed queuing lines and waiting areas
 - Public washrooms

Legislation

Ontario currently has two active accessibility acts – the **Ontarians with Disabilities Act, 2001** (ODA) and the **Accessibility for Ontarians with Disabilities Act, 2005** (AODA).

In 2008 the Customer Service Standard was the first accessibility standard under the AODA to become law. Designated public sector organizations were required to comply by January 1, 2010.

The Integrated Accessibility Standard (Ontario Regulation 191/11), which regulates Information and Communications, Employment, Transportation, Public Spaces came into effect on July 1, 2011 and is now law. Requirements under this standard were phased in over time (2011-2021).

The purpose of the ODA is to improve opportunities for people with disabilities in Ontario by identifying, preventing and removing physical and other barriers that may limit opportunities for people with disabilities to fully participate in society.

Under the AODA, private, public and non-profit organizations are required to identify, remove and prevent barriers in order to make the Province accessible for all people with disabilities by 2025. Through the AODA, the provincial government has identified key areas for the development of “common” accessibility standards intended to set requirements across all organizations and sectors.

Accessible Canada Act 2019

The Accessible Canada Act, new in 2019, provides for the development of accessibility standards and gives the Government of Canada the authority to work with stakeholders and persons with disabilities to create new accessibility regulations that will apply to

sectors within the federal jurisdiction, such as banking, telecommunications, transportation industries and the Government of Canada itself. These new regulations will set out requirements for organizations to follow in order to identify, remove and prevent barriers to accessibility. The Accessible Canada Act will also put in place compliance and enforcement measures, as well as an accessibility complaints mechanism.

Disability: The AODA Definition

The AODA draws on the broad definition for disability that appears in the Ontario Human Rights Code. “Disability” is:

- a. Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device.
- b. A condition of mental impairment or a developmental disability.
- c. A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.
- d. A mental disorder.
- e. An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.



Disability Barriers

People with disabilities face barriers almost everywhere: at home, at work, at school, in parks, in recreational facilities, in the streets, in theatres, in stores and in restaurants – and even in municipalities.

A “barrier” means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an informational or communications barrier, an attitudinal barrier, a

technological barrier, a policy or a practice. Barriers can prevent people with disabilities from going to school and to work.

Types of Barriers

Barrier Type	Example
Physical	<ul style="list-style-type: none">• A door knob that cannot be operated by a person with limited upper-body mobility and strength.• A medical condition that requires access to services within a limited time frame.
Architectural	A hallway or door that is too narrow for a wheelchair or scooter.
Informational	Typefaces that are too small to be read by a person with low vision.
Attitudinal	A recreation swimming program which discourages people with developmental disabilities from participating.
Technological	Information on a municipal Web site, which cannot be accessed by a person who is blind who has reading software for a computer.
Policy/Practice	A practice of announcing important messages over an intercom that people with hearing impairments cannot hear clearly.

Duties of Municipalities

Duty of Council

Town of Lakeshore Council will obtain advice from the Accessibility Advisory Committee on the accessibility of buildings, structures or premises that:

- The Council purchases, builds or significantly renovates;
- The Council leases; or
- A person makes available as a municipal building (for example, an arena).

Duty of Committees

Accessibility Advisory Committee duties, as per the legislation is included in the Accessibility Advisory Committees Terms of Reference.

Lakeshore's Accessibility Advisory Committee strives to be collaborative with the Town in planning parks, public places and municipal facilities from the site plan through construction to completion.

Municipal Accessibility Plans

As required by legislation, the Council of every municipality will prepare and adopt an accessibility plan; and obtain advice from its Accessibility Advisory Committee.

Content

The accessibility plan will consider barriers to people with disabilities and ways to remove and prevent them.

The accessibility plan must include:

- a. A report on the steps the municipality has taken to identify, remove and prevent barriers to people with disabilities;
- b. How the municipality intends to identify, remove and prevent barriers in the coming year;
- c. Provide multi-year accessible recommendations; and
- d. All other information required by the regulations.

Municipalities will make the accessibility plan available to the public.

Municipal Site Plans

Administration will supply site plans to the Accessibility Advisory Committee for review prior to Council voting. Where possible, site plans shall be in large print and/or 2D or 3D imaging for ease of interpretation. The Accessibility Advisory Committee (AAC) shall be advised from the site plan phase throughout construction of relevant projects.

When planning projects, the committee suggests consideration be given to 'Paths of Travel' – how does a person with a disability get from one point to another. Designers are recommended to consult the Global Alliance on Accessible Technologies and Environments (GAATES) who is the leading international organization dedicated to promoting Accessibility and Universal Design for the built environment and public spaces as per the dispositions of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

Municipal Goods and Services

Prior to purchasing goods and services, Council will take into account how accessible any equipment, supplies or services are to employees or the public.

2019-2022 Community Members of Committee

Carol Pavlov
Mary Lou Hamelin
Rolf Keller

Lydia Williams
Julie Curtis
Joe Matz

Staff Member of Committee (Non-voting)

Rita Chappell – Manager of Communications and Strategic Initiatives

Members of Council

Mayor - Tom Bain

Deputy Mayor – Tracey Bailey

Councilor – Kirk Walstedt



Park Classifications

Lakeshore Parks are divided into park classifications. Each classification determines the features and amenities offered in the park. Park provisioning is identified in the Parks Master Plan Section 4. Classifications are:

- Regional Park (R)
- Community Park (C)
- Neighbourhood Park (with and without sports) (N)
- Parkette (P)
- Trail (T)



Multi-Year Barrier Removal Initiatives

This chart represents Committee priority initiatives completed and for the Town to undertake between 2019 and 2022. It is recognized that due to budget constraints, some initiatives may not be completed within the timeframe. The Town of Lakeshore strives to continue to move toward a fully accessible Municipality.

Accessible playground surfaces are a recognized priority. The Committee recommends the Town remove all Pea Stone & Railroad Ties from playgrounds and replace them with accessible playground surfaces. There is concern the Engineered Wood Fiber may not be fully accessible, especially when wet. The Committee recommends the Town investigate a “Hybrid Surface” solution where rubber surfacing can be installed in areas to provide enhanced accessibility with Engineered Wood Fibre in others. This may be an economical solution to provide the greatest accessibility for Lakeshore’s playgrounds.

The Committee recommends the Town continue to upgrade parks so there are accessible paths to accessible picnic tables, benches and playground equipment. Appendix A lists parks and recommended feature enhancements.

Accessibility Initiatives 2019 – 2022

Location	Description
Municipal parks	Ensure every park with playground equipment has accessible features and/or swing as well as accessible surfacing
Throughout Lakeshore	Upgrade sidewalk widths, install more sidewalks
Atlas Tube Centre	Consider creating a feature accessible park
St. Clair Shores Park	Crosswalk – location to be determined by Lakeshore
Optimist Park Pathway	Lighting alongside Optimist Park Pathway for accessibility.
Ladouceur/Lions Park	Accessible surfacing
Lakeview Park	Lakeview Park Master Plan in progress
Throughout Lakeshore	Accessible kayak launches
Notre Dame Street	Improve accessible street parking as parking spots are too short for a vehicle
All park trails be made accessible.	Ensure all trails have accessible surfaces and are maintained.
All park trails	Accessible washrooms and/or porta-potties are within a reasonable distance
Lakeview Park	Install accessible solar charge station for wheelchairs, etc.
Municipal Parks	Buildings in parks to have an accessible hydro plug to recharge accessible equipment. (Proper signage to be placed where these are located) Installed at West Beach building.
Atlas Tube Centre	Review possibility of entrance closer to parking lot Master Plan in progress
County Road 31/Ruscom River	Install accessible pathway along road. Review in progress
Municipal parks	Install more water bottle fill stations where possible
Municipal washrooms	Public Washrooms to include Braille signage

Completed Accessible Initiatives

Location	Description
Atlas Tube Centre	Accessible node including benches and trees – Phase 1 Completed 2019
Optimist Park	New accessible playground Completed 2019
Comber Community Park	Accessible Swing Completed 2019
Atlas Tube Centre	Community Living Youth in Action Summer Work Experience Program Completed 2019

Throughout Town	Veteran Parking signs Completed 2019
Lakeview Park	Accessible surfacing under Swing Completed 2018
Staple Park	Accessible surfacing under swing & playground Completed 2018
Millen Park	Accessible surfacing under swing and playground Completed 2018
St. Clair Shores park	Accessible surfacing under swing and playground Completed 2018
Duck Creek	Accessible surfacing under park swing and playground. Completed 2018
Maidstone Park	Accessible playground and surfacing Completed 2018
Lakeview Park, West Beach	Water bottle fill stations (2) Completed 2018
Atlas Tube Centre	Accessible Surfacing of Earth Walk Trail Completed 2018
Advise Consultant on Parks Master Plan	Completed 2017
West Beach Walkway	Accessible Matting (seasonal) placed on beach Completed 2017
Comber Community Center	Washrooms need upgrades for accessibility. Completed 2017
West Beach	Accessible matting. Completed 2017
Atlas Tube Centre	Accessible lift in family washroom Completed 2017
Comber	Outdoor accessible washroom Completed 2015
Various – Accessible Signs	Graffiti Proof Signs with fines and time limit. Completed 2014
Lakeview Beach	Accessible washrooms; unlocked and opened Completed 2014
Stoney Point Park	Automatic Door Opener on washroom doors Completed 2014
Comber	Play area-safer and more accessible Completed 2014
Park Washrooms	Grab Bars for urinals Completed 2014
Lakeshore Washrooms – Parks	Updating Lakeshore washrooms to be more accessible Completed 2014

Ongoing Accessible Initiatives

Initiative	Description
Workshops	LAAC Member to attend workshops to learn & share accessibility
General Training, Conferences, and webinars.	LAAC Members
Throughout Town	Upgrade sidewalk widths, install more sidewalks
Review plans for Accessibility	As needed or received. Request opportunity for Committee to be involved in design stage

Lakeshore Parks	Accessible upgrades
Accessible Swings	More accessible swings in Lakeshore Parks
Canada Day, Sunsplash, & Stroll the Streets	Ensuring Accessible Celebrations
Benches	Additional benches along pathways
Council meetings	Live streamed online plus video links to agenda and Council meeting

Multi-Year Recommendations for Municipal Parks

The following identifies parks within Lakeshore and committee recommended accessible revisions. The list also identifies accomplishments from prior years.

Recommendations provided with consideration to the AODA Accessible legislation, where conflicts arise the applicable legislation shall prevail.

1. All parking lots have the minimum number of well-marked handicapped parking spaces. Consider spreading parking spaces to various park amenities or adding extras.
2. Accessible picnic tables and/or benches in all parks and parkettes.
3. Ground surfacing under playground equipment safe, clean and accessible. Accessible surfacing includes rubberized surface, engineered wood fibre and a combination as per safety regulations.
4. Preference to have a ramp to at least one level of play for certain park classifications.
5. Playgrounds to have some play features at ground level.
6. Enhanced signage directing where washrooms are located. Preference to have Braille signs for municipal washrooms.
7. Portable toilets must be accessible style or at least one in each park that does not have an accessible washroom facility.
8. All doorways must be 36 inches wide and level door lip.
9. Accessible washroom stall door to open outwards not inwards and bars/hand rails installed where possible.
10. Buildings in parks recommended to have a hydro plug to recharge accessible equipment. (Proper signage to be placed where these are located).
11. Washroom soap, hand towels and mirrors – lowered to accessible height.
12. Maintain accessibility features installed.
13. Ensure accessible features are included in the recommendations of the individual Parks Master Plan.
14. Continue clearing trails in specific park classifications in winter months.
15. Where possible install accessible swings on swing sets.

Regional Parks

Atlas Tube Centre, 447 Renaud Line Rd, Belle River

1. Master Plan in progress
2. Closer access to parking
3. Consider a completely accessible playground

Lakeview Park, West Beach area & Marina, 100 Lake Road

1. Park Master Plan in Progress
2. Accessible washrooms at Marina are required
3. Make Restaurant accessible
4. Reduce the size of speed bumps or put cuts in for wheelchairs in parking lot
5. Amphitheatre – install a path to go up the hill to join both pathways allowing people walking & wheelchairs to get to a place to hear and see entertainment
6. Path to benches, picnic tables, playground equipment
7. Repaint accessible parking spots, spread out around park
8. Accessible charging station
9. New playground equipment
10. Accessible kayak launch

Community Parks

Comber Fairgrounds Park 7100 Community Centre St., Comber

1. Path to playground equipment, picnic tables and bench
2. Accessible picnic tables
3. Accessible parking near playground equipment as well as building

Geralyn Tellier - Perdu Memorial Park

1. Transition ramp to washroom
2. Path to playground equipment, benches, baseball stands
3. Remove railroad ties around climber
4. Accessible surface under play equipment.
5. Accessible picnic tables

Leffler Peace Park 405-557 Old Tecumseh Rd

1. Accessible playground surfacing
2. Path to playground equipment, benches
3. Transition ramp to washrooms
4. Lower soap dispensers

Lighthouse Cove Lions Park 17845 Melody Drive, Lighthouse Cove

1. **Not under Town control.**

Millen Park Libro Community Centre 1925 S Middle Rd, South Woodslee

1. Install accessible parking spot & sign by path entrance to playground
2. Improve granular path
3. Path to bench, baseball grandstands, pavilion
4. Accessible picnic tables
5. Curb cut by outside washroom

6. Additional curb cuts needed in order to join pathways.

Optimist Park, 705 Notre Dame Street, Belle River

1. Accessible washrooms
2. Better lighting around pathway
3. More accessible picnic tables + benches around walkway
4. Accessible Port-a-John at both ends of the park
5. Benches at the skate park
6. Path to baseball diamonds, picnic tables

River Ridge Park, 1100 Oakwood Drive, Lakeshore

1. Park designs completed, renovations in progress
2. Path to playground equipment
3. Accessible picnic tables

Stoney Point Park 800 Comber Sideroad, Stoney Point

1. Remove railway ties at entrance to play equipment
2. Improve path width at washroom, extend to pavilion
3. Lower soap dispenser in washroom
4. Path from parking lot
5. Accessible picnic tables
6. Accessible parking spots/signs
7. Accessible swing if possible

Neighbourhood Parks

Centennial Park, 1031 Essex County Rd 22, Belle River

1. Path to playground equipment, picnic area
2. Accessible playground surfacing
3. Lower soap container in washroom
4. Accessible parking

Duck Creek Park, 131 Duck Creek Blvd, Belle River

1. Accessible swing if possible
2. Curb cut from street entrance
3. Path to bench

Ladouceur Lions Park, 245 Ouellette St, Belle River

1. Accessible picnic tables
2. Accessible swing
3. Path to playground equipment

Maidstone Park, 1562 Oakwood Avenue, Belle River

1. Accessible swing
2. Path to bench, bleachers

3. Lower soap dispensers
4. Add urinal bars

St. Clair Shores Park 203 Amy Croft Dr, Belle River

1. Accessible Port-a-john
2. Path to picnic tables
3. Accessible swing
4. Repair playground ramp entrance

Shanahan Park 1465 Lakeshore Road 203, Maidstone

1. Accessible surfacing under playground equipment
2. Remove wood railing around playground equipment
3. Paths to playground equipment
4. Transition ramp to washroom
5. Accessible parking spot/sign

Staples Community Park 3052 Rochester Townline, Staples

1. Accessible path from parking lot to playground equipment
2. Accessible Porta Potty
3. Picnic Table
4. Accessible Swing if possible

Parkettes

Girard – Grandview Subdivision Park, 1410 Traditional Trail

1. Path to bench
2. Pathway replaced/resurfaced with accessible material

Helena Park, 743 Helena Crescent

1. Picnic Table
2. Path to playground and bench
3. Accessible swing recommended
4. Remove cement barriers

Johnson Riverview Park, East River Street

1. Path to picnic table

Lakeview Drive Parkette, 493 Lakeview Drive

1. Accessible bench with path

Legion Park, 506 Notre Dame St, Belle River

1. Bench near path

Oakwood Park 1A0, Oakwood Ave

1. Accessible swing if possible
2. Path to playground equipment

River Downs

1. Path to playground equipment

Russell Woods Parkette 450 Old Tecumseh Rd, Belle River

1. Accessible pathway recommended

Terra Lou Park, Terra Lou Drive, Belle River

1. Level entrance and increase size
2. Path to picnic table

Woodslee Memorial Park 52 King St., Woodslee

1. Path to play area and washroom
2. Accessible picnic table/bench adjacent to path

Ten waterfront parkettes were rehabilitated in 2013. All have paths, benches, garbage containers, signage and parking. The following list identifies the locations of each of the parkettes:

- Golfview Road
- Gracey Sideroad
- Puce Road
- Renaud Line
- Ross Beach
- Rourke Line
- Stuart Road
- St. Clair Road
- Stoney Point
- Wallace Line

Facilities Owned by the Town of Lakeshore

Some municipal facilities are not accessible to the public. All public properties are listed for information purposes.

- Town Hall
- Belle River Marina Building
- Comber Community Centre
- Libro Community Centre – new building 2014
- Atlas Tube Centre – 2014
- Public Works Yard – Puce - Not accessible to the public.
- Public Works Yard – Rochester - Not accessible to the public.
- Fire Stations (only accessible to public during open houses)
 - Station 1
 - Station 2
 - Station 3
 - Station 4
 - Station 5

- Lakeshore Dog Pound (Leased)

Municipal Initiatives

1. Accessible Nodes along Earth Walk Trail
2. Notre Dame Street redesign, including wider sidewalks, textured ramps and accessible parking. Phase 1 **Completed 2013**. Phase 2 – **Completed 2014**. Phase 3 in progress anticipated completion 2020.
3. Sidewalks within school boundary areas.- **Completed 2014**
4. Accessible path in Stoney Point. Phase 1 **Completed 2013**. Phase 2 – **Completed 2014**, phase 3 – **Completed 2015**.
5. Accessible path – Old Tecumseh Road (County Road 2) in conjunction with CWATS and County of Essex. Phase 1 **Completed 2018**. Phase 2 anticipated completion 2020. Phase 3 anticipated completion 2020.
6. Installation of new sidewalks, repairs to broken sidewalks – ongoing annually.
7. Installed Veteran Parking at the following locations in 2019:

Facility/Park	Accessible	Veteran
Town Hall	2	1
Libro Building	2	1
Comber Community Centre	2	1
Shanahan Park	1	1
West Beach	2	1
Lakeview Park	6	1
Optimist Park	2	1
Maidstone Park	3	1
Centennial Park	2	1
OPP (775 Notre Dame St)	2	0
ATC	20	1
Ladoucer Park	1	1
Leffler Peace Park	1	1
River Ridge Park (to be redesigned)	0	0
Stoney Point	1	1
Geralyn Tellier Perdu Park	3	1
Duck Creek Park	No parking	
St. Clair Shores Park	No Parking	

8. The Town of Lakeshore notifies job applicants about accommodation in the recruitment process, assessment and selection. The Town develops a written process for individual accommodation plans as well as return to work plans.
9. The Town strives to incorporate accessibility criteria into procuring goods, services and facilities.
10. Meetings run by the municipality proceed in an accessible format.
11. All new employees and volunteers will be trained on the Integrated Accessibility Standard and the Ontario Human Rights Code.
12. The Town will endeavor to make all public areas accessible through renovation and redesign as budget constraints allow.

Review and Monitoring the Plan

The Multi-Year Accessibility Plan will be updated annually to identify progress and again at least once every five years or coinciding with the term of Council. The Accessibility Committee will review the progress of the initiatives on an on-going basis. Progress on the initiatives will be reported to the Town of Lakeshore Council by inclusion of the minutes in Council Agendas.

Feedback

The Town of Lakeshore welcomes public feedback on accessibility initiatives within the Town. Feedback helps identify areas where changes need to be considered and ways the Town can improve facilities, goods and services. Should a member of the public wish to provide general feedback, comments or suggestions on how to improve accessibility on our facilities, goods or services, there are a number of methods. You may contact the municipality through our Customer Services Feedback/Comment process, via our Website or via telephone to the Manager of Communications and Strategic Initiatives.

Recommendations to Council

It is the recommendation of the Lakeshore Accessibility Advisory Committee that:

1. Council adopt the 2019-2022 Accessibility Plan and make it available to the public.
2. Continue improvements to municipal facilities, parks and washrooms throughout Lakeshore enhancing accessibility.

3. Continue to increase the quantity of accessible picnic tables and benches provided in all parks throughout Lakeshore.
4. Ensure surfacing under playground equipment is accessible.
5. Include the Accessibility Advisory Committee in design of accessible features within the municipality including playgrounds, facilities and public places.

The Town of Lakeshore is proud of our accomplishments since the first Accessibility Plan was introduced by improving accessibility for everyone. Accessibility enhancements allows everyone to participate and has a positive impact on the community. The Town of Lakeshore will continue to strive towards a fully accessible municipality.

Appendix A

(on following page)

LAAC Accessibility Bus Tour of Parks (Oct. 24, 2019)

	Wood Fiber Playground	Peastone Playground	Accessible Swing	Baby / Toddler Swing	Regular Swing	Paths to Equipment	Acc. Picnic Tables	Regular Picnic Tables	Benches	Acc. Parking Spots	Accessible Washrooms	Automatic Doors	Other / Comment
Park													
Comber	X		1	1	2	No		3	2	TBD	X		Parking Lot being repaved Designate Acc. Spots
Stoney Point		X	1			No			1	No	X		Acc. Swing lock & Curbs bad Acc. Parking Signs needed
GTP in St. Joachim		X		2	2	No				3		X	Railway ties around playground
Staples	X			2	2	No							
Woodslee Memorial		X		2		No	0	0	0	0			
Woodslee Millen	X		1	1	2	Gravel	0	Many	Some	2	X	X	Acc. Parking Signs needed
Shanahan in PP		X		1	3		1						Acc. Parking Sign needed, railway ties around playground
Oakwood	X					No							
River Ridge	Rubber*		1	1	2	No	1		1	0			Acc. Parking Signs needed Asphalt path needed to table
Duck Creek	X		0	2	4	Asphalt							Curb cutout needed at road
Helena		X	0	2	2								Narrower bollards needed
Tera Lou	X					Grass		1					Path is too steep for wheelchair
Lakeview	Rubber		2	2	4	No	Many	Some	Some		X	X	Asphalt paths needed
Optimist	X		1	1	2		Many	Some	Some	5			Asphalt paths needed to tables
Maidstone	X		1	1	2	Asphalt				2	X	X	Lower soap dispensers
Girard	X					Gravel			2 or 3?				
River Downs	X					No			1	N/A			Asphalt paths needed
Centennial	X	X	1	1	2	No				2			Asphalt paths needed
Leffler in RW		X	1			No	1		Some	0			Lower soap dispensers
St. Clair Shores	X		0	2	2		2		Some	N/A			Asphalt paths needed to tables, accessible port-a-john
Lions' Park in BR	X		0			No				2	X	X	
Lions' Park in LC													Managed by LC Lions Club
ATC										Far	X		Consider 'Featured Park'
Parquettes										0			

* River Ridge Park is scheduled for a complete overhaul, including moving Playground Equipment and installing splashpad.
Curb-cutouts and Accessible Parking Spots to be determined after playground design is finalized.

Municipality of Lakeshore - Report to Council

Growth & Sustainability

Community Services



To: Mayor & Members of Council

From: Frank Jeney, Division Leader – Community Services

Date: September 3, 2021

Subject: Atlas Tube Recreation Centre Splash Pad - Use, Operations, Lifecycle, Infrastructure.docx

Recommendation

Confirm the continued use of the ATRC Splash Pad;

Approve in principle the replacement of the existing black tinted windows on the east wall of the WFCU Pools with clear glass windows for the cost of approximately \$101,500, plus HST;

Approve in principle the addition of shaded seating units on the periphery of the splash pad for the cost of approximately \$50,000;

The \$100,000 approved in the 2019 budget for remediation of the heat issue at the ATRC splash pad be used for the glass replacement project; and

The glass replacement amount above \$100,000 and the cost of shaded seating units be considered through the 2022 budget process, as presented at the September 14, 2021 Council meeting.

Background

At the June 8th 2021 Regular Council meeting, Council directed Administration to bring a report regarding the splash pad at the Atlas Tube Recreation Centre including the use, cost of operation, lifecycle and other anticipated costs and include information regarding the possibility of moving the infrastructure to another location.

During the Regular Council meeting of March 10th 2020, an information report was brought to council (attachment). In that report, under Other Options and Conclusion, it was mentioned that:

Administration has undertaken preliminary research into the use of external blinds which can be pulled down to shield the glass from the sun. This could

possibly be an effective solution to shield the glass on hot days, which can be retracted on cloudy days and during the off-seasons, to allow an unobstructed view in the indoor pool area. As well, a different type of window film may be a solution to reduce the heat on the glass. Solutions could be paired with the development of one of the shade structure options.

Comments

The Atlas Tube Recreation Centre (ATRC) Splash Pad was opened in July 2016. The splash pad is designed as a Programmable Splash Pad System with 12 water features. The splash pad is a fully automated aquatic play environment designed for use in recreational areas. The automated components of the splash pad are the Activator, the Controller, and the distribution manifold. Located in the splash pad play area, the Activator allows splash pad users to initiate the water features with a touch of a hand or foot.

The system operates on a dedicated electrical system as well as a valve chamber/controller system that operates the features of the splash pad. The required electrical system is a WDS system, 120vac, 15 amp service, which operates the entire splash pad. The control system is located underground adjacent to the Splash Pad. The control system allow staff to program the water features that, at last operation in 2019, ran on 4 minute cycles. The system does not record historical use data.

In 2021, the French drainage ditch for the ATRC Splash Pad was filled in and replaced with a ditch, buried pipe, grassway drainage system; that collects the splash pad water as well as area surface water. The ATRC splash pad is “dump and fill” (no recirculating water) which does not require any chemicals while in operation.

In 2019, which was the last normal operating season, staff noted the ATRC splash pad as being used by an estimated 40 users per week. With an average operating season of 15 weeks, that would be an estimated total of 600 patron uses annually.

Warranty and Cost

The Atlas Tube Recreation Centre splash pad is a Vortex Aquatic System. The warranty on the aquatic play products has three levels.

- 25 years on stainless steel structures, stainless steel anchoring systems and aluminum spheres.
- 5 years on brass components including; spray nozzles, spray caps and spray heads, high density polyethylene components. Polyurethane components and ultra-high molecular weight polyethylene components.

- 2 years on colour coating, all moving parts, stainless steel hardware, fiberglass products, SEEflow™ polymer products, and the Toeguard™, made of soft-touch elastomers.

The only parts that could be salvaged for relocation would be the controller, manifolds, and two actuator towers (Push button controls).

It is noted that the investment to build the splash pad at the time the Atlas Tube Recreation Centre's WFCU Pools were constructed was approximately \$664,000. The splash pad was included in the ATRC grant application and funding was received for this structure. If the Municipality decided to decommission the splash pad, it would trigger a repayment of some of the grant funding, and therefore it is not recommended.

ATRC Splash Pad Shade Structure Project Update

In 2019, Council approved a budget of \$100,000 for shade structures in an attempt to remedy the safety of visitors due to the high temperatures noted on the glass at the Splash Pad/East windows of the WFCU Pools.

Note. The glass installed at the WFCU Pools is Greylite 11.

Gryphon Glass was brought in and asked to create a glass temperature testing apparatus to test the daily temperatures of different shades of glass facing the East. Other locations of current eastern facing windows were also tested.

On June 9th 2021, the following temperatures were recorded.

June 9 th 2021 Testing – Outside temperature reached 85 degrees Fahrenheit		
171.9	Fahrenheit	1 – 6mm Greylite 11 (Current East Pool Windows)
140.2	Fahrenheit	2 – 6mm Super Grey (Test)
136	Fahrenheit	3 – 6mm Solar Grey (Test)
132	Fahrenheit	4 – 6mm Opti Grey (Test)
115.3	Fahrenheit	5 – 6mm Clear Energy Select (Test-Recommended)
111	Fahrenheit	6 – 6mm Clear Energy Select (Program Hallway)
109	Fahrenheit	7 – 6mm Clear Energy Select (Gymnasium)
103	Fahrenheit	8 – 6mm Clear Energy Select (Pool Hallway)

Heat Chart		
118	Fahrenheit	At 118 degrees, human skin can sustain first degree burns
131	Fahrenheit	At 131 degrees, human skin can sustain second degree burns
162	Fahrenheit	At 162 degrees, human skin can be destroyed



6 - Program Hallway

7 - Gymnasium

8 - Pool Hallway

The results indicate that the Clear Energy Select windows can significantly reduce the amount of surface heat that is created on the eastern facing windows. The ATRC WFCU Pool lifeguards on deck, window replacement removes loss of view due to window glare. In addition to the window tint remedy, additional barricades can be installed to separate users from the glass. The barricades should be made of non-heat generating products such as plastic or wood. Although the appearance of the building will be changed, this will increase the safety and the usability of the ATRC splash pad.

It is recommended that Council direct Administration to add shaded seating to the area which would increase sun protection and heighten the enjoyment of the ATRC Splash Pad for visitors. These items could be added through the 2022 budget process.

Others Consulted

Hollandia Pools and Spas Owner's Manual

Gryphon Glass - Windsor

Financial Impacts

Water charges are \$1.54/m³ for water and \$1.60/m³ for sewer. (1 cubic meter = 264 gallons)

The Atlas Tube Recreation Centre WFCU Aquatics Centre has one single water meter, which covers the splash pad, 3 bodies of water (Lap, Leisure, Hot Tub), showers, toilets, sinks, and boilers. The splash pad uses an estimated 10 gallons per minute while in a cycle.

It is reasonable to estimate the operation of the Atlas Tube Recreation Centre splash pad costs are between \$1,500 and \$3,000 annually for utilities. The ATRC Facility Attendants oversee the safe operation and yearly opening and closing maintenance.

The estimated cost to replace the twenty two (22) Greylite 11 black tinted windows with clear energy select windows is \$101,500, plus HST, which could be taken from the \$100,000 set aside to remedy the heat on the surface of the splash pad and glass at the ATRC which was approved during the 2019 budget. The amount above \$100,000 could be considered through the 2022 budget process.

As mentioned above, adding shaded seating to the area would increase sun protection and heighten the enjoyment of the ATRC Splash Pad for visitors. The stand- alone seating with shade in the image below is estimated to be between \$6,500 to \$8,000 per unit plus installation. It is recommended that the amount of \$50,000 be brought forward for consideration in the 2022 budget process for these units.



Attachments

Attachment 1 - Council Report, March 10th 2020, Sun Protection at the Atlas Tube Centre Splash Pad

Report Approval Details

Document Title:	Atlas Tube Recreation Centre Splash Pad - Use, Operations, Lifecycle, Infrastructure.docx
Attachments:	- Sun Protection at the Atlas Tube Centre Splash Pad.pdf
Final Approval Date:	Sep 9, 2021

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

Tammie Ryall

Jessica Gaspard

Kristen Newman

Truper McBride

The Corporation of the Town of Lakeshore

Report to Council

Community & Development Services

Recreation Services



To: Mayor & Members of Council

From: Tammie Ryall, Director of Community and Development Services

Date: February 28, 2020

Subject: Sun Protection at the Atlas Tube Centre Splash Pad

Recommendation

Report is provided for information only

Background

This report has been prepared to consolidate the information on sun protection at the Atlas Tube Centre (ATC) splash pad.

At the November 25, 2019 Council Meeting, Council discussed the amount proposed in the 2020 Budget to develop sun protection structures at the ATC splash pad. The following motions took place.

Motion 526-11-2019

Direct administration to close the Atlas Tube Centre splash pad temporarily and to install a temporary barrier to prevent persons from touching the glass; and that Administration be directed to bring back a report regarding barriers.

Motion Lost

Motion 527-11-2019

Direct Administration to remove the proposed \$170,000 for the sun protection for Splash Pad at the Atlas Tube Centre.

Carried

Motion 528-11-2019

Direct Administration to bring back the previous report regarding sun protection for the Atlas Tube Centre splash pad for Council's consideration.

Carried

It is noted that review of this matter was under the 2019 and 2020 Budget discussions. No report was prepared.

Splash Pad Structure

The splash pad was constructed at the same time as the Aquatic wing of the ATC in 2016. It is a cement structure immediately adjacent to the south east side of the building. It is used in the summer for interactive water play. It is approximately 600 square metres in area (6,460 square feet). Attachment 1 shows air photos of the existing splash pad.

Administration is unable to find any design drawings that indicate a permanent shade solution was originally proposed for the splash pad. Two renderings show umbrellas attached to tables (Attachments 2 and 3).

It is noted that the investment to build the splash pad at the time the aquatic centre was constructed was approximately \$664,000. The splash pad was included in the ATC grant application and funding was received for this structure. If the Town decided to decommission the splash pad, it would trigger a repayment of some of the grant funding, and therefore it is not recommended.

Complaints Regarding Sun and Heat

There are no operational issues reported with the water system/usability of the splash pad. However, the Town has received significant feedback from the public on the usability of the splash pad due to the lack of shade during the hot summer days when the sun reflects off of the cement pad. Town staff have also become aware that the glass on the wall separating the pool and the splash pad can also warm to the point of posing a burn risk should users touch it or lean against it. Town staff were aware of this risk and were vigilant in telling children (for example, at the day camp) to not touch the glass. However, it is difficult to effectively warn users when staff are not present.

Comments

The Town has made a significant financial investment to construct the splash pad and it provides an interactive play space which compliments other ATC activities. A cost effective permanent solution to provide sun protection is important to ensure that it is an inviting and safe space that can be used to its full potential. There is also an increased awareness of the importance of providing shade to protect adults and children from sunburn.

The ATC Park Plan program is underway, with proposals for the use of the ATC property to be considered by Council later in 2020. However, it is unlikely that the Park Plan would recommend that the Splash Pad be relocated or removed, as it is an existing structure. Therefore, Administration will proceed to obtain solutions for sun protection in advance of the ATC Park Plan being finalized.

Previous Sun Shade Proposals

Umbrellas:

The operational costs of daily set up and take down, and potential damage due to storm events, is a consideration if the Town were to install tables and umbrellas as was the solution shown in the original renderings (Attachments 2 and 3).

The proposals included in the 2019 and 2020 budgets are set out below.

Option 1 - Hard Roofed Structures (Attachment 4)

This proposal includes the installation of two permanent structures with metal roofs. The dimensions are 16 x 60 feet and 6 x 26 feet. It is noted that the structures in the illustration would be appropriately designed to complement the architectural features of the ATC. This option would be oriented to provide a high degree of shade relief for the public and provide a permanent solution with minimal operational costs. The option is priced at \$135,600 with HST and installation included.

Option 2 – Cantilever Umbrellas over the Splash Pad (Attachments 5 and 6)

This proposal includes the installation of five cantilever umbrella structures with glide rails. Each umbrella is 20 feet x 20 feet by 10 feet high. This option is priced at \$83,500 with HST and installation included.

Both Options 1 and 2, as well as umbrellas attached to tables, may not provide a solution to prevent the glass from heating up in the sunlight.

Option 3 – Pole and Sail Shading and a hard barrier along the glass (Attachments 7 and 8 for illustrative purposes). This option includes of Sails held up by 6 posts, 2 on the pad area and 4 on the perimeter and a metal barrier to shield people from touching the glass. The sails and poles were estimated at \$210,000 and the barrier was estimated at \$60,000 (installation included but no HST). The total was \$270,000. This estimate was provided by JP Thompson Architects Limited. A total of \$100,000 was included in the 2019 budget therefore \$170,000 was included in the 2020 budget to bring the total to \$270,000. As mentioned above, the increase of \$170,000 was not approved by Council in the 2020 budget.

Other Options and Conclusion

Administration has undertaken preliminary research into the use of external blinds which can be pulled down to shield the glass from the sun. This could possibly be an effective solution to shield the glass on hot days, which can be retracted on cloudy days and during the off-seasons, to allow an unobstructed view in the indoor pool area. As well, a different type of window film may be a solution to reduce the heat on the glass. Solutions could be paired with the development of one of the shade structure options.

To reduce the costs, the use of one of the two permanent structures (Option 1) or fewer cantilevered umbrellas (Option 2) could be explored. Administration recommends seeking professional advice on the ideal orientation of (a) structure(s) to provide maximum sun protection, and to shield the glass so that it does not heat up in the sunlight. If there is no effective way to shield the glass, a physical barrier to prevent contact with the glass would need to be proposed.

Administration will proceed to issue a request for proposal to provide options for sun protection. Administration will provide a report to Council if the estimated costs provided through the request for proposal process exceeds the budgeted amount of \$100,000.

Financial Impacts

\$100,000 was included in the 2019 budget for this project.

Attachments:

Attachment 1 – Air photos of the existing splash pad

Attachments 2 and 3 – Renderings of the Atlas Tube Centre showing umbrellas

Attachment 4 – Hard Roofed Structures

Attachments 5 and 6 – Cantilever Umbrellas

Attachment 7 – Example of Pole and Sail Shading

Attachment 8 – Example of a Picket barrier

Report Approval Details

Document Title:	Sun Protection at the Atlas Tube Centre Splash Pad.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 Air photos of the existing splash pad.pdf- Attachment 2 Rendering of the splash pad showing umbrellas.pdf- Attachment 3 Rendering from indoors showing umbrellas outdoors.pdf- Attachment 4, two hard roofed structures.pdf- Attachment 5 Umbrella Shade Structure.pdf- Attachment 6 Cantilever umbrellas.jpg- Attachment 7 Sail Shading.jpg- Attachment 8 Picket Railing System.pdf
Final Approval Date:	Mar 5, 2020

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

Rosanna Pellerito

Kristen Newman

Truper McBride

Municipality of Lakeshore - Report to Council

Finance & Technology

Financial Planning & Analysis



To: Mayor & Members of Council

From: Jessica Gaspard, Division Leader – Financial Planning & Analysis

Date: September 6, 2021

Subject: 2020 Year End Results - 4th Quarter Variance update.docx

Recommendation

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

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

Approve a transfer of \$1,375,407 to the Working Funds Reserve;

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

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

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;

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 \$1,375,407 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 update.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:	Sep 9, 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

Municipality of Lakeshore – Report to Council

Finance & Technology

Financial Planning & Analysis



To: Mayor & Members of Council

From: Jessica Gaspard, Division Leader – Financial Planning & Analysis

Date: September 8, 2021

Subject: 2020 Capital Variance Report Update.docx

Recommendation

Approve the net capital transfer to/from projects of (\$295,531) as identified in Appendix A of the 2020 Capital Variance Report for the year ended December 31, 2020 and approve the transfer of \$14,861,791 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 exceptions of the Renovations to the Former Rourke Line Area- EIS Operations Centre, County Road 31 Sidewalk and the Stoney Point Water Clarifier Project all other projects are expected to be completed on budget

Financial Impacts

In 2020 the Municipality closed out 29 projects with an overall net deficit of (\$295,531). 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 70 projects are being carried over into 2021 as incomplete. The total of encumbered projects carried over to 2021 is \$14,861,791.

It should be noted that the following projects being carried over into 2021 are projected to be in a deficit position at the end of the project.

Former Rourke Line Arena – At the end of 2020 this project was in a surplus of \$14,700. Cost of \$34,291 have been incurred in 2021. The total deficit for this project is expected to be \$20,000. This deficit was incurred during construction with two unexpected costs:

- The floor drains of the old building were connected to the storm sewer system and had to be rerouted to the sanitary; and
- The old Arena roof sheeting was rotted and had to be replaced.

County Road 31 Sidewalk – At the end of 2020 this project was in a surplus of \$69,490. Cost of \$100,460 has been incurred in 2021. The total deficit for this project is expected to be \$30,970. The original approved budget did not include engineering fees and on-site inspection. This was expected to be completed by Lakeshore staff, resources were limited to complete this work. These services were contracted out to a third party.

Stoney Point Water Clarifier - At the end of 2020 this project is in a deficit of \$192,587. Cost of \$67,356 have been incurred in 2021. The total deficit for this project is expected to be approximately \$259,945.

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 Update.docx
Attachments:	- 2020 Capital Variance Report.docx - Appendix A Summary of 2020 Year End Capital Variance.xlsx - Appendix B Summary of Active Projects Encumbered to 2021.xlsx
Final Approval Date:	Sep 9, 2021

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

Krystal Kalbol

Kristen Newman

Truper McBride

Appendix A: Summary of 2020 Year End Capital Variance

Project Description	Project Number	Approved Budget	Total Project Costs	
			Net of Recovery from Third Parties	Surplus/ (Deficit)
Stoney Point Water Treatment Plant Clarifier Rehab	19-6295	766,216.00	958,804.00	(192,588.00)
Oakwood Trunk Sewer	19-6302	-	57,121.00	(57,121.00)
CWATS Trail- Wallace Line to Patillo Road	19-6248	95,816.00	150,220.00	(54,404.00)
Notre Dame Street - 11th to Duck Creek - Sanitary portion	19-6304	-	41,542.00	(41,542.00)
Amy Croft Plaza Entrance - Traffic Signal Improvement	19-6260	114,117.00	151,928.00	(37,811.00)
Stoney Point Treatment Plant design	19-6301	-	19,814.00	(19,814.00)
Turbidity Meter Replacement Phase 2	20-6453	40,000.00	54,325.00	(14,325.00)
CWATS Trail - Patillo Road to East Pike Creek Road	20-6471	1,050,000.00	1,062,603.00	(12,603.00)
St. Peter Street - Chisholm Street to Eleventh Street - Sanitary portion	19-6303	-	9,906.00	(9,906.00)
St. Peter Street - Chisholm Street to Eleventh Street - Watermain portion	19-6293	-	6,692.00	(6,692.00)
Single Axle Cab & Chassis Truck with Reversible Plow	19-6283	257,429.00	263,548.00	(6,119.00)
Half Ton Pickup Truck	20-6483	35,000.00	40,569.00	(5,569.00)
OCWA Capital System Repairs and Maintenance	19-6300	1,270,169.00	1,274,932.00	(4,763.00)
West River Street - Road portion	19-6256	-	4,456.00	(4,456.00)
Septic Tank Replacements - South Woodslee Collection System	20-6498	24,000.00	28,283.00	(4,283.00)
Spectator Bleachers Replacement Program	20-6417	12,000.00	15,032.00	(3,032.00)
Rourke Line Watermain	19-6289	-	2,544.00	(2,544.00)
Stoney Point Streetlights	19-6251	-	2,295.00	(2,295.00)
Surface Conversion - Playgrounds	20-6435	55,000.00	56,946.00	(1,946.00)
Culvert Replacement Gracey Side Road	19-6276	-	1,526.00	(1,526.00)
St Pierre Watermain	19-6290	-	1,125.00	(1,125.00)
One Ton Truck & Mounted Autocrane	20-6482	107,175.00	108,169.00	(994.00)
Asphalt pathways for accessibility in Parks	20-6418	15,000.00	15,264.00	(264.00)
HD Upgrade for Webcasting Council Meetings	20-6427	5,000.00	5,106.00	(106.00)
Backhoe Lifecycle Replacement	20-6480	153,050.00	153,144.00	(94.00)
Ice Resurfacers	19-6203	97,605.00	97,500.00	105.00
St. Peter Street- Phase 1 - Belle River Road to Chisholm Street - Road portion	19-6254	-	(34,590.00)	34,590.00
Pedestrian Crossing - Notre Dame at Eleven	19-6272	60,000.00	-	60,000.00
St. Peter Street - Chisholm Street to Eleventh Street - Road portion	19-6258	97,923.00	3,227.00	94,696.00
Total Capital Surplus/(Deficit)		4,255,500	4,552,031	(296,531)

Appendix B: Summary of Active Projects Encumbered to 2021

Project Description
Wallace Line-Cr22-Cr2
Lifecycle Renewal - Park Furniture
ATRC - TV Monitors
ATRC - Aquatic Board Room
Engineering Field Data Capture Devices
Tremblay Creek Drain
ATRC - Reallocation of C02 Tanks
Fire Station # 5 - Concrete
Computer Lifecycle Replacement
Former Rourke Line Arena - EIS Operations Centre
ATRC - Security System
ATRC - Replacement of Hot Tub Circulation Pump
Comber and Fire Hall #2 - Wall Sealant
IT Backup Enhancement
Ergonomics Office Furniture
Service Delivery & Organization Review
Drainage Work in Parks
Comber Medical Centre Concrete Repairs
Puce Rd Reconstruction
Belle River Minor Baseball Assoc. Improvements
Greenway Trail
ATRC Master Plan
St. Clair Shores Park
Employment Lands Study
FD Records Management System (RMS) Project
Baptiste Creek Bridge Rehab
Stoney Point Skate Park Concrete Pad
Replacement Tractor for Diamond Grooming
Earthwalk Trail Improvement Program
CR31 & Ruscom Path Study
Melody Drive Reconstruction
Electrical Towers at the Marina
Lighthouse Cove Community Improvement Plan
Fire Station Asphalt Replacement
Big Creek (BC-02011) Repairs
County Official Plan
Puce River Bridge Guiderail
Duck Creek Bridge Guiderail
New Solar Lights in Comber Community Park
Tremblay Creek Bridge Rehab
County Rd 22 Corridor Study
Shoreline Management Plan Phase 1 & 2
County Road 31 Sidewalk
Lighthouse Cove Secondary Plan
Sidewalk- HWY 77 (Cty Rd 46 to Industrial Dr.)
Strong Road Watermain Improvements
ATRC - Splash Pad Sunscreen
Sidewalk Lifecycle Replacement
FD Radio System Replacement
Playground Equipment Lifecycle Replacements
Notre Dame 11th to Duck

First St - PED Crossing at VIA
Railway Ave Watermain Improvements
Capital Drainage Assessments
Planning Official Plan and Emeryville Secondary Plan
Lifecycle Asphalt Road Resurfacing Program
West Puce Road Watermain Improvements
Big Creek (BC-02005) Bridge Rehab
Stormwater Master Plan
Stormwater Master Plan Improvements
Patillo Rd-Advance-CPR
Meter Replacement Contract
Hawthorne Drive from Bissonnette to 401 - Gravel Road Conversion
West Beach / Lakeview Park Upgrades
Bridge Rehabilitations
Denis St. Pierre WPCP Expansion Class
Accounting/HRIS System Update
Amy Croft Secondary Development (Lanoue Extension)
River Ridge Redevelopment
Amy Croft and Manning Improvements and Road Widening

Encumbered Project in a deficit position

Project Description
Stoney Point Water Treatment Plant Clarifier Rehab

Project Number	Approved Budget	2020 Expenses	2020 Encumbrance
19-6259	14,126	9,092	5,034
20-6436	15,000	7,327	7,673
20-6426	8,000	-	8,000
20-6463	8,000	-	8,000
20-6428	9,000	-	9,000
20-6416	10,000	-	10,000
20-6464	11,000	-	11,000
20-6439	12,000	-	12,000
20-6448	35,600	23,431	12,169
19-6220	1,530,700	1,516,000	14,700
20-6425	15,000	-	15,000
20-6466	15,000	-	15,000
20-6446	17,000	-	17,000
20-6430	70,000	52,787	17,213
20-6473	30,000	11,456	18,544
20-6415	80,000	60,687	19,313
20-6422	30,000	10,403	19,597
20-6419	20,000	-	20,000
19-6261	40,209	15,885	24,324
20-6421	27,000		27,000
20-6506	27,234	-	27,234
19-6514	69,889	40,064	29,825
20-6504	30,000		30,000
20-6510	36,919	5,113	31,806
20-6442	32,000		32,000
19-6280	36,134	1,199	34,935
20-6441	35,000	-	35,000
20-6445	38,000	-	38,000
20-6433	40,000	-	40,000
20-6250	68,279	27,424	40,855
19-6262	42,610		42,610
20-6467	50,000	5,466	44,534
20-6505	45,000	-	45,000
20-6440	45,000	-	45,000
19-6278	46,167	-	46,167
20-6470	50,000	-	50,000
19-6274	50,000	-	50,000
19-6275	50,000	-	50,000
20-6582	50,000	-	50,000
19-6279	71,167	18,157	53,010
20-6500	75,000	21,132	53,868
20-6495	59,761	-	59,761
20-6438	257,948	188,458	69,490
19-6511	121,464	51,795	69,669
19-6249	75,000	-	75,000
20-6413	150,000	57,785	92,215
19-6200	100,000	-	100,000
20-6489	100,000	-	100,000
20-6443	110,000		110,000
20-6437	120,000	-	120,000
19-6294	145,347	24,332	121,014

19-6273	125,000	-	125,000
20-6455	200,000	73,750	126,250
19-6512	159,271	-	159,271
20-6493	191,368	17,704	173,664
20-6478	700,000	515,785	184,215
20-6454	300,000	101,258	198,742
19-6277	281,167	1,037	280,130
19-6515	293,085	9,578	283,507
19-6287	748,012	437,472	310,540
19-6257	365,506	2,291	363,215
19-6288	580,000	131,594	448,406
19-6271	900,000	378,501	521,499
20-6474	600,000	-	600,000
20-6408	790,000	40,220	749,780
20-6497	1,000,000	-	1,000,000
20-6424	1,270,200	182,319	1,087,881
19-6281	1,416,791	18,068	1,398,723
19-6242	1,660,258	-	1,660,258
19-6456	3,150,000	36,849	3,113,151
	18,956,211	4,094,420	14,861,791

Project Number	Approved Budget	2020 Expenses	2020 Encumbrance
19-6295	766,216.00	958,804.00	(192,588.00)

Municipality of Lakeshore - Report to Council

Community & Development Services

Building Services



To: Mayor & Members of Council

From: Tammie Ryall, Director of Community and Development Services

Date: June 17, 2021

Subject: Accessibility Advisory Committee Draft Meeting Minutes May 4, 2021.docx

Recommendation

Direct Administration to prepare a report for the Accessibility Advisory Committee regarding Evacuation Chairs;

Direct Administration to advertise to replace the two vacancies on the Committee; and

Receive the Accessibility Advisory Committee Meeting Minutes of May 4, 2021.

Background

The purpose of the Accessibility Advisory Committee is to provide advice to Council on accessibility-related issues and matters to identify and break down barriers for people with disabilities in the Town of Lakeshore.

Comments

The draft May 4, 2021 Accessibility Advisory Committee meeting minutes, are attached as Appendix 1.

Two motions were passed by the committee as follows, which require the endorsement of Council:

- (1) That Administration prepare a report for the Committee on Evacuation Chairs, one to be installed at the ATRC and one at Town Hall.

Carried

- (2) That Administration look into advertising for replacing the two vacancies on the Committee.

Carried

Financial Impacts

There are no financial impacts from this report.

Attachment: Accessible Advisory Committee draft Meeting Minutes, May 4, 2021.

Report Approval Details

Document Title:	Accessibility Advisory Committee Draft Meeting Minutes May 4, 2021.docx
Attachments:	- May 4 - Accessibility Advisory Committee Draft Meeting Minutes.docx
Final Approval Date:	Sep 9, 2021

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

Jessica Gaspard

Kristen Newman

Truper McBride



The Corporation of the Municipality of Lakeshore
Minutes of the Accessibility Advisory Committee Meeting
Held Virtually Tuesday, May 4, 2021 at 2:30 PM

Members Present: Mayor Tom Bain, Deputy Mayor Tracey Bailey, Councillor Kirk Walstedt, Chair Rolf Keller, Joe Matz, Carol Pavlov, Lydia Williams

Staff Present: Tammie Ryall, Director of Community and Development Services, Morris Harding, Manager of Building Services and CBO.

Call to Order

Chair Keller called the meeting to order at 2:31 PM.

Disclosures of Pecuniary Interest

None noted.

Adoption of the Minutes

Williams/Pavlov

04-May-2021

That the February 9, 2021 Accessibility Advisory Committee Meeting Minutes be approved.

Carried

Delegations

None

Old Business

- a) LAAC Table Cover / Banner / Flag. Director Ryall will meet with the subcommittee (Keller, Williams and Pavlov) to go over the design of the items and order them. Director Ryall advised that Council approved the recommendation for purchase of the items on February 16.
- b) ECAAC Joint AAC Meeting with County Municipalities occurred on March 11, 2021. Mayor Bain attended.
- c) Administration applied for the Complimentary RHFAC accessibility rating of the Atlas Tube Recreation Centre. The Foundation acknowledged receiving the application, and Administration will monitor receiving a response on the application.
- d) The Accessibility Professional Network Virtual Conference took place on March 11-12. Chair Keller and Member Williams attended and gave reports on the sessions that they attended. They will share information and links to websites with the members.
- e) LAAC Committee members were encouraged to email the Municipal Liaison 2-3 goals for the committee to consider for this meeting. Member Williams submitted ideas and Director Ryall will follow up. Chair Keller will inquire with the County of Essex AAC to determine if they have goals.

New Business

- a) Evacuation Chairs (One at ATRC and one at Town Hall). Chair Keller described evacuation chairs which can be used in times of emergency or power outages to evacuate people if an elevator is not working. Chair Keller will share information with the committee on these chairs that he received through the Accessibility Professional Network Virtual Conference.

Bailey/Walstedt

04-May-2021

That Administration prepare a report for the Committee on Evacuation Chairs, one to be installed at the ATRC and one at Town Hall.

Carried

- b) Touchless Automatic Door Openers. Chair Keller provided a brief overview of a new technology.
- c) Electrical Receptacles at Accessible Seats the ATRC. Chair Keller described how plug in receptacles at accessible seats would allow wheel chairs or scooters to be recharged during games.
- d) Adult Change Tables. Chair Keller described how adult change tables are easier to provide in new builds versus trying to retrofit existing buildings. He will supply a vendor of the change tables so that Administration can share this information with interested builders.
- e) Replacement of LAAC members. It was noted that 2 members of the committee have resigned. The following motion was passed.

Walstedt/Williams

04-May-2021

That Administration look into advertising for replacing the two vacancies on the Committee.

Carried

- f) LAAC Municipal Liaison. Director Ryall advised that the liaison role for the committee will be covered by staff in the Building Department.

7. Dates of Next Meetings

- September 14, 2021 at 2:30 PM
- November 2, 2021 at 2:30 PM

8. Adjournment

04-May-2021 – Williams / Walstedt

That the meeting adjourn at 3:30 PM.

Carried

**MUNICIPALITY OF LAKESHORE
BY-LAW 048 - 2021**

**BEING A BY-LAW FOR THE NO. 3 GOVERNMENT DRAIN
IN THE MUNICIPALITY OF LAKESHORE - IN THE COUNTY OF
ESSEX.**

WHEREAS, the Council of the Municipality of Lakeshore in the County of Essex in accordance with the provisions of the Drainage Act, R.S.O. 1990 C.D. 17 deems it expedient that the following drain be created in accordance with Section 78 of the said Act.

**NO. 3 GOVERNMENT DRAIN
IN THE MUNICIPALITY OF LAKESHORE –
IN THE COUNTY OF ESSEX.**

AND WHEREAS, the estimate cost of repairing and improving the drainage works is \$54,500.00

THEREFORE the Council of the Municipality of Lakeshore pursuant to the Drainage Act, 1990 enacts as follows:

1. The considered report dated April 19th, 2021 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. The Municipality of Lakeshore may borrow on the credit of the Municipality the amount of \$54,500.00 being the amount necessary for construction of the drainage works.
3. The Municipality may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of the lands and roads assessed within the municipality;
 - (c) Monies paid under subsection 61 (3) of the Act, and;
 - (d) Monies assessed in and payable by another municipality.
4. Such debentures shall be made payable within five (5) years from the date of the debentures. If greater than \$10,000 and upon request for a ten (10) year debenture term, such debentures shall be made payable within a ten (10) year period from the date of the debentures. Debentures shall bear interest at a rate established at the date of issuance of such debentures.
5. A special equal annual rate sufficient to redeem the principal and interest on the debentures, shall be levied upon the lands and roads identified in the engineers report and will be collected in the same manner and at the same time as other taxes are collected in each year for five (5) and/or ten (10) years after the passing of this By-law.
6. All assessments of \$750.00 or less are payable in the year in which the assessment is imposed.
7. This By-law comes into force on the passing thereof and may be cited as No. 3 Government Drain

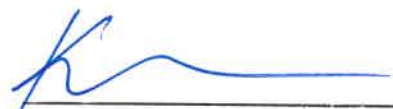
First Reading: June 22nd, 2021

Second Reading: June 22nd, 2021

Provisionally adopted this 22nd day of June, 2021



Tom Bain,
Mayor



Kristen Newman,
Director of Legislative and Legal
Services

Third Reading this **14th** day of **September** , 2021.
Enacted this **14th** day of **September** , 2021.

Tom Bain,
Mayor

Kristen Newman,
Director of Legislative and Legal
Services

**MUNICIPALITY OF LAKESHORE
BY-LAW 57 - 2021**

**BEING A BY-LAW FOR THE 3RD CONCESSION DRAIN – EAST OF LITTLE CREEK
IN THE MUNICIPALITY OF LAKESHORE - IN THE COUNTY OF
ESSEX.**

WHEREAS, the Council of the Municipality of Lakeshore in the County of Essex in accordance with the provisions of the Drainage Act, R.S.O. 1990 C.D. 17 deems it expedient that the following drain be created in accordance with Section 78 of the said Act.

**3RD CONCESSION DRAIN – EAST OF LITTLE CREEK
IN THE MUNICIPALITY OF LAKESHORE –
IN THE COUNTY OF ESSEX.**

AND WHEREAS, the estimate cost of repairing and improving the drainage works is \$21,500.00

THEREFORE the Council of the Municipality of Lakeshore pursuant to the Drainage Act, 1990 enacts as follows:

1. The considered report dated June 14th, 2021 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. The Municipality of Lakeshore may borrow on the credit of the Municipality the amount of \$21,500.00 being the amount necessary for construction of the drainage works.
3. The Municipality may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of the lands and roads assessed within the municipality;
 - (c) Monies paid under subsection 61 (3) of the Act, and;
 - (d) Monies assessed in and payable by another municipality.
4. Such debentures shall be made payable within five (5) years from the date of the debentures. If greater than \$10,000 and upon request for a ten (10) year debenture term, such debentures shall be made payable within a ten (10) year period from the date of the debentures. Debentures shall bear interest at a rate established at the date of issuance of such debentures.
5. A special equal annual rate sufficient to redeem the principal and interest on the debentures, shall be levied upon the lands and roads identified in the engineers report and will be collected in the same manner and at the same time as other taxes are collected in each year for five (5) and/or ten (10) years after the passing of this By-law.
6. All assessments of \$750.00 or less are payable in the year in which the assessment is imposed.
7. This By-law comes into force on the passing thereof and may be cited as 3rd Concession Drain – East of Little Creek

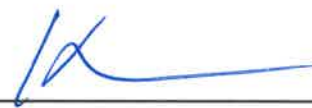
First Reading: July 13th, 2021

Second Reading: July 13th, 2021

Provisionally adopted this 13th day of July, 2021



Tom Bain,
Mayor



Kristen Newman,
Director of Legislative and Legal
Services

Third Reading this 14th day of **September** , 2021.
Enacted this 14th day of **September** , 2021.

Tom Bain,
Mayor

Kristen Newman,
Director of Legislative and Legal
Services

**MUNICIPALITY OF LAKESHORE
BY-LAW 58 - 2021**

**BEING A BY-LAW FOR THE 2ND CONCESSION DRAIN – SOUTH OF MALDEN ROAD
IN THE MUNICIPALITY OF LAKESHORE - IN THE COUNTY OF
ESSEX.**

WHEREAS, the Council of the Municipality of Lakeshore in the County of Essex in accordance with the provisions of the Drainage Act, R.S.O. 1990 C.D. 17 deems it expedient that the following drain be created in accordance with Section 78 of the said Act.

**2ND CONCESSION DRAIN – SOUTH OF MALDEN ROAD
IN THE MUNICIPALITY OF LAKESHORE –
IN THE COUNTY OF ESSEX.**

AND WHEREAS, the estimate cost of repairing and improving the drainage works is \$72,350.00

THEREFORE the Council of the Municipality of Lakeshore pursuant to the Drainage Act, 1990 enacts as follows:

1. The considered report dated June 22nd, 2021 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. The Municipality of Lakeshore may borrow on the credit of the Municipality the amount of \$72,350.00 being the amount necessary for construction of the drainage works.
3. The Municipality may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of the lands and roads assessed within the municipality;
 - (c) Monies paid under subsection 61 (3) of the Act, and;
 - (d) Monies assessed in and payable by another municipality.
4. Such debentures shall be made payable within five (5) years from the date of the debentures. If greater than \$10,000 and upon request for a ten (10) year debenture term, such debentures shall be made payable within a ten (10) year period from the date of the debentures. Debentures shall bear interest at a rate established at the date of issuance of such debentures.
5. A special equal annual rate sufficient to redeem the principal and interest on the debentures, shall be levied upon the lands and roads identified in the engineers report and will be collected in the same manner and at the same time as other taxes are collected in each year for five (5) and/or ten (10) years after the passing of this By-law.
6. All assessments of \$750.00 or less are payable in the year in which the assessment is imposed.
7. This By-law comes into force on the passing thereof and may be cited as 2nd Concession Road Drain – South of Malden Road


First Reading: July 13th, 2021

Second Reading: July 13th, 2021

Provisionally adopted this 13th day of July, 2021



Tom Bain,
Mayor



Kristen Newman,
Director of Legislative and Legal
Services

Third Reading this 14th day of September, 2021.
Enacted this 14th day of September, 2021.

Tom Bain,
Mayor

Kristen Newman,
Director of Legislative and Legal
Services

**MUNICIPALITY OF LAKESHORE
BY-LAW 067 - 2021**

**BEING A BY-LAW FOR THE BROWN DRAIN ENCLOSURE
IN THE MUNICIPALITY OF LAKESHORE - IN THE COUNTY OF
ESSEX.**

WHEREAS, the Council of the Municipality of Lakeshore in the County of Essex in accordance with the provisions of the Drainage Act, R.S.O. 1990 C.D. 17 deems it expedient that the following drain be created in accordance with Section 78 of the said Act.

**BROWN DRAIN ENCLOSURE
IN THE MUNICIPALITY OF LAKESHORE –
IN THE COUNTY OF ESSEX.**

AND WHEREAS, the estimate cost of repairing and improving the drainage works is \$175,573.00

THEREFORE the Council of the Municipality of Lakeshore pursuant to the Drainage Act, 1990 enacts as follows:

1. The considered report dated July 19th, 2021 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
2. The Municipality of Lakeshore may borrow on the credit of the Municipality the amount of \$175,573.00 being the amount necessary for construction of the drainage works.
3. The Municipality may issue debentures for the amount borrowed less the total amount of,
 - (a) Grants received under Section 85 of the Act;
 - (b) Commuted payments made in respect of the lands and roads assessed within the municipality;
 - (c) Monies paid under subsection 61 (3) of the Act, and;
 - (d) Monies assessed in and payable by another municipality.
4. Such debentures shall be made payable within five (5) years from the date of the debentures. If greater than \$10,000 and upon request for a ten (10) year debenture term, such debentures shall be made payable within a ten (10) year period from the date of the debentures. Debentures shall bear interest at a rate established at the date of issuance of such debentures.
5. A special equal annual rate sufficient to redeem the principal and interest on the debentures, shall be levied upon the lands and roads identified in the engineers report and will be collected in the same manner and at the same time as other taxes are collected in each year for five (5) and/or ten (10) years after the passing of this By-law.
6. All assessments of \$750.00 or less are payable in the year in which the assessment is imposed.
7. This By-law comes into force on the passing thereof and may be cited as Brown Drain Enclosure

First Reading: September 14th, 2021
Second Reading: September 14th, 2021
Provisionally adopted this 14th day of September, 2021

Tom Bain,
Mayor

Kristen Newman,
Director of Legislative and Legal
Services

Third Reading this day of , 2021.
Enacted this day of , 2021.

Tom Bain,
Mayor

Kristen Newman,
Director of Legislative and Legal
Services

Municipality of Lakeshore

By-law 68-2021

**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 actions passed and taken by the Council of the Municipality of Lakeshore, documents and transactions entered into during the August 10th & August 12th 2021 sessions of Council be adopted and confirmed as if the same were expressly embodied in this By-law.
2. The Mayor or the Deputy Mayor together with the Clerk are authorized and directed to execute all documents necessary to the action taken by this Council as described in paragraph 1 of this By-law and to affix the Seal of the Municipality of Lakeshore to all documents referred to in said paragraph 1 above.

Read and passed in an open session on September 14th 2021.

**Mayor
Tom Bain**

**Kristen Newman
Clerk**

/cl

Municipality of Lakeshore

By-law 71-2021

Being a By-law to Authorize a Grant to the John Freeman Walls Historic Site & Underground Museum

Whereas pursuant to section 107 of the *Municipal Act, 2001*, S.O. 2001, c. 25, Council may pass by-laws for grants to certain bodies for purposes in the interest of the Municipality;

And whereas on January 12th 2021 Council approved By-law 3-2021, known as the 2021 Grants By-law;

And whereas on August 12th 2021 Council approved resolution #269-08-2021 authorizing 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;

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

1. The Municipality authorizes the financial grant to the John Freeman Walls Historic Site & Underground Museum as described in Schedule “A” to this by-law. The grant shall be in the form and amount specified in column B of Schedule “A”.
2. The Municipality’s Corporate Leader – Finance & Technology Services, in consultation with the Corporate Leader – Strategic & Legal Services, is authorized to execute any agreement, amendment thereto or other documentation to set out the terms and conditions of the grants.
3. The Corporate Leader – Finance & Technology Services may advance all or part of the grant at such time as the Corporate Leader – Finance & Technology Services determines to be appropriate after evidence has been provided to the Corporate Leader – Finance & Technology Services that the conditions upon which the grant have been issued are satisfied.
4. Schedule “A” forms part of this by-law.
5. This By-law comes into force and effect upon passage.

Read and passed in open session on September 14, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Schedule "A"
to By-law 71-2021

Organization	Amount	Purpose of Grant
John Freeman Walls Historic Site & Underground Museum	\$11,500	Ongoing operations

Municipality of Lakeshore

By-law 72-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-24-2021)

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. Schedule "A", Map 33 to By-law 2-2012 is amended by changing the zoning classification on a portion of PLAN 1420 PT BLK A, shown on Schedule "A" attached hereto and forming part of this By-law to read as follows:

"9.6.13 Residential Waterfront – Lake St. Clair ZONE EXCEPTION 13 (RW2-13) (Map 33)

- a) Permitted Uses: A Home Industry;
 - b) The additional use of a Home Industry shall not be permitted following the expiration of the Temporary Use By-law 72-2021 on September 14th, 2022. On or from the day after the expiration date referred to in this clause, Subsection 34(9)(a) of the Planning Act, R.S.O. 1990, c.P.13, does not apply so as to permit the continued use of the land for the purpose temporary authorized."
2. This by-law shall come into force and take effect in accordance with sections 34 and 39 of the *Planning Act*, R.S.O. 1990, c. P. 13.

Read and passed in open session on September 14th, 2021.

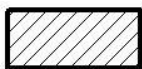
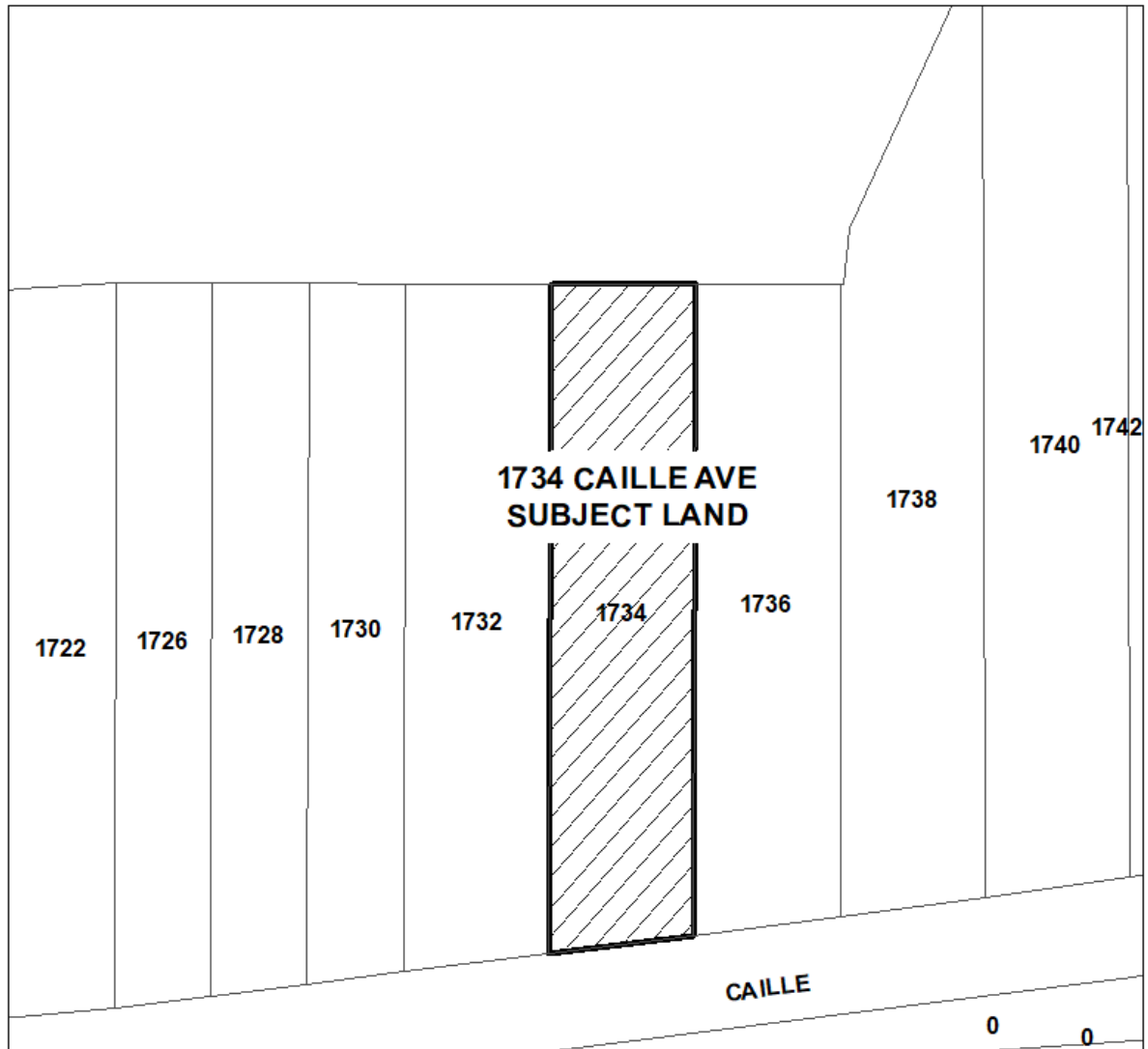
**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Schedule "A"
to By-law 72-2020

PLAN 1420 PT BLK A

In the Municipality of Lakeshore



A Home Industry be added as a temporary permitted use to the subject property.

Municipality of Lakeshore

By-law 73-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-25-2021)

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 to remove the requirement for a maximum gross floor area in the Mixed Use Zone;

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 8.6 of By-law 2-2012, being Mixed Use Zone Regulations, is amended by removing the following provision:

Maximum Gross Floor Area: 3,000 m²

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

Read and passed in open session September 14, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Municipality of Lakeshore

By-law 74-2021

Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-01-2021)

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. Schedule "A", Map 50 to By-law 2-2012 is amended by changing the zoning classification on Plan 248, Lot 14, Part of Lots 13 and A RP 12R24835 Parts 1 and 2, shown on Schedule "A" attached hereto and forming part of this By-law from "Hamlet Commercial Zone Exception 9" to a new site-specific "Hamlet Commercial Zone Exception 9"
2. Section 9.8.9, Hamlet Commercial Exception 9 (HC-9) is amended by adding the following:

"c) Section 6.59(c) of the By-law shall not apply to the subject lands."
3. This by-law shall come into force in accordance with Section 34 of *The Planning Act R.S.O. 1990*.

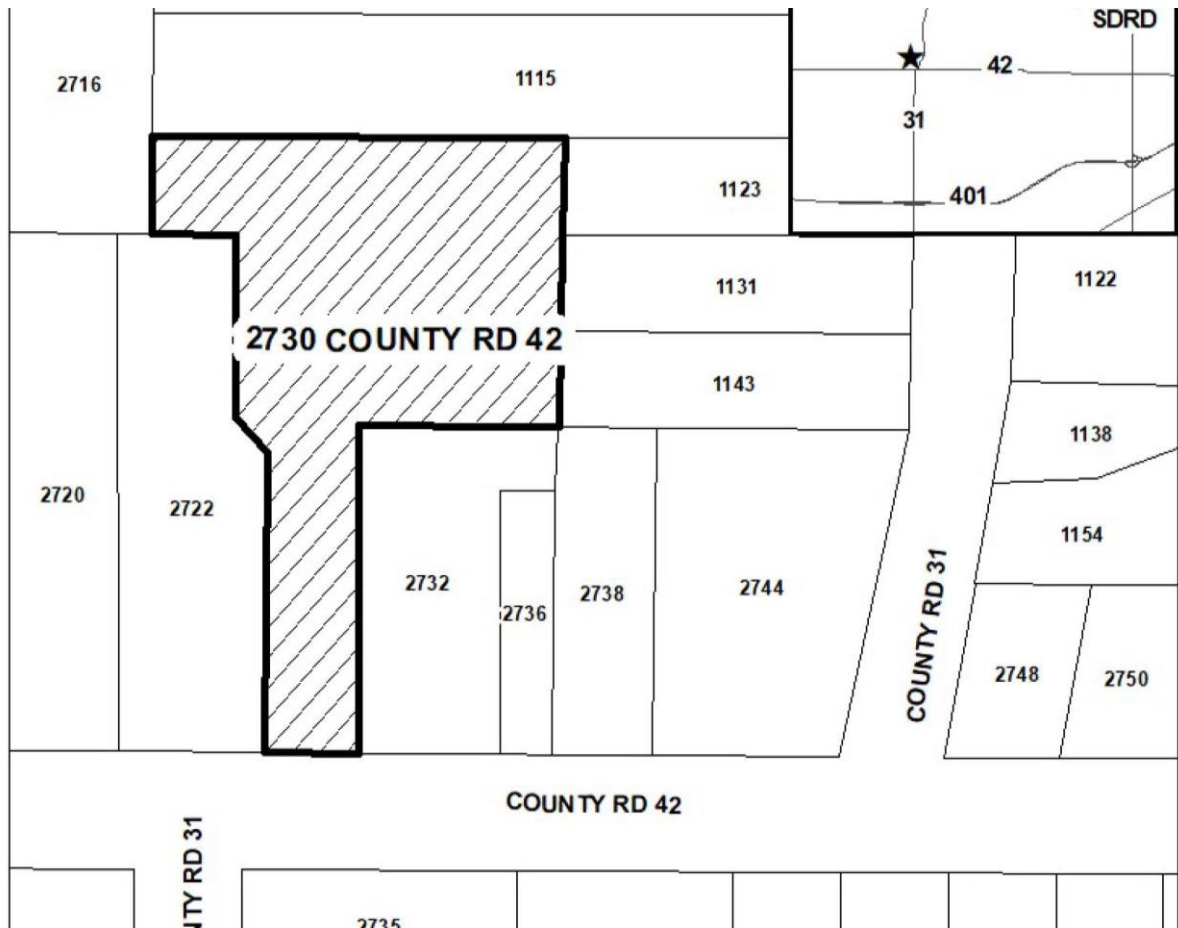
Read and passed in open session September 14, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Schedule "A"
to By-law 74-2021

Plan 248, Lot 14, Part of Lots 13 and A RP 12R24835 Parts 1 and 2
Municipality of Lakeshore



Amend from "Hamlet Commercial Zone Exception 9" to a new site-specific "Hamlet Commercial Zone Exception 9"