

# Municipality of Lakeshore

## Regular Council Meeting Agenda



Tuesday, December 10, 2024, 4:30 PM  
Essex County Council Chambers  
360 Fairview Avenue West, Essex

Pages

1. Call to Order
2. Closed Session

Note: if the closed session is complete before 6:00 PM, a recess will be called until 6:00 PM and the open session will resume at that time.

Should the closed session still be in session at 6:00 PM, the open session will resume once the closed session is complete.

### **Recommendation:**

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

- a. Paragraph 239(3.1) of the *Municipal Act, 2001* for the purpose of educating and training members in relation to by-law enforcement and prosecution processes.
- b. Paragraph 239(2)(e) and (f) of the *Municipal Act, 2001* to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege regarding an insurance claim.

3. Singing of O Canada
4. Land Acknowledgement
5. Moment of Reflection
6. Disclosures of Pecuniary Interest
7. Recognitions
8. Announcements by Mayor
9. Public Meetings under the Planning Act
10. Public Presentations

1.	<b>Essex County OPP Detachment Board – North (Lakeshore, Essex, Tecumseh) - 2025 Proposed Budget</b>	6
<b>11.</b>	<b>Delegations</b>	
1.	<b>Review of the Parkland Dedication By-law and Summary of Consultations</b>	18
	<b>Recommendation:</b>	
	Direct the Clerk to read By-law 110-2024, being a by-law to provide for the dedication of parkland or the payment of cash in lieu thereof as a condition of development or redevelopment, during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.	
1.	Daryl Abbs, Watson and Associates	
<b>12.</b>	<b>Completion of Unfinished Business</b>	
<b>13.</b>	<b>Approval of Minutes</b>	
	<b>Recommendation:</b>	
	Approve minutes of the previous meeting as listed on the Consent Agenda.	
1.	<b>November 19, 2024 Regular Council Meeting Minutes</b>	84
<b>14.</b>	<b>Consent Agenda</b>	
	<b>Recommendation:</b>	
	Receive the items as listed on the Consent Agenda.	
1.	<b>Ministry of Municipal Affairs and Housing - Additional Residential Units</b>	94
2.	<b>Office of the Solicitor General - OPP Service Costs</b>	96
3.	<b>Municipality of Leamington - OPP Detachment Billing Increases</b>	98
4.	<b>10 Year Staffing, Fleet and Station Needs Based on Fire Master Plan and Community Risk Assessment</b>	100
5.	<b>2025 Draft Budget – Information Report</b>	113
<b>15.</b>	<b>Reports for Direction</b>	

1. **ServiceOntario – Marriage Licence Modernization Program** 119

**Recommendation:**  
Direct the Clerk to read By-law 113-2024, being a By-law to authorize an agreement with the Province of Ontario for Marriage Licence Modernization, during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.
2. **Amendment to Appointment By-law and Property Standards By-law** 122

**Recommendation:**  
Direct the Clerk to read By-law 117-2024, being a by-law to amend the Appointment By-law (By-law 34-2019) and the Property Standards By-law (By-law 23-2018), during the Consideration of the By-laws, as presented at the December 10, 2024 Council meeting.
3. **Source Water Protection Plan Part IV Enforcement Transfer Agreement** 124

**Recommendation:**  
Direct the Clerk to read By-law 119-2024, being a by-law to authorize the execution of a Source Water Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority (ERCA) during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.
4. **OCWA Service Agreement 2025** 133

**Recommendation:**  
Direct the Clerk to read By-law 120-2024, being a by-law to authorize the execution of an Operations and Maintenance Service Agreement with the Ontario Clean Water Agency (OCWA), during the Consideration of By-law, as presented at the December 10, 2024 Council meeting.

5. **Subdivision Agreement Amendment and Part Lot Control Exemption By-law (PLC-02-2024) - River Ridge Phase 7** 136

**Recommendation:**

Approve the amendment to the River Ridge Phase 7 Subdivision Agreement;

Approve the application for exemption for Part Lot Control for Blocks 9 and 10, on Registered Plan 12M-659 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 114-2024, By-law 115-2024, and By-law 116-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

6. **ZBA-03-2021 (1356 County Road 46) – Further Deferral of Council decision** 142

**Recommendation:**

Defer Zoning By-law Amendment Application ZBA-03-2021 to amend Zoning By-law 2-2012 (as amended) to amend the zoning of the lands located at 1356 County Road 46 and legally described as Part of the North Half of Lot 17, Concession North of Middle Road; Part of the South Half of Lot 17, Concession North of Middle Road; Maidstone, designated as Part 1 on Plan 12R9966; Lakeshore, save and except Part 1 on Plan 12R21483, being all of the Property Identifier Number 75025-0106(LT), to permit an event venue on a portion of the existing farm and in the existing on-site farm structure as a home industry, for an additional period of six months as presented at the December 10, 2024 Council meeting.

16. **Notices of Motion**
17. **Reports from County Council Representatives**
18. **Report from Closed Session**
19. **Consideration of By-laws**

**Recommendation:**

By-laws 110-2024, 113-2024, 114-2024, 115-2024, 116-2024, 117-2024, 119-2024, 120-2024 and 122-2024 be read and passed in open session on December 10, 2024.

1. **By-law 110-2024, Being a By-law to Provide for the Dedication of Parkland** 164

2.	By-law 113-2024, Being a By-law to Authorize a Marriage Licence Modernization Phase 2 Participation Agreement with His Majesty the King in right of Ontario as represented by the Ministry of Public and Business Service Delivery and Procurement	180
3.	By-law 114-2024, Being a By-law to Exempt Certain Lands from Part Control Within Block 9 of Registered Plan 12M-659	181
4.	By-law 115-2024, Being a By-law to Exempt Certain Lands from Part Lot Control Within Block 10 River Ridge	183
5.	By-law 116-2024, Being a By-law to Amend Subdivision Agreement - River Ridge Phase 7	185
6.	By-law 117-2024, Being a By-law to Amend By-law 34-2019 (Appointment By-law) and to Amend By-law 23-2018 (Property Standards By-law)	187
7.	By-law 119-2024, Being a By-law to Authorize a Source Water Protection Plan Part IV Enforcement Transfer Agreement	193
8.	By-law 120-2024, Being a By-law to Authorize the Execution of a Service Agreement Between the Ontario Clean Water Agency (OCWA) and the Municipality of Lakeshore	194
9.	By-law 122-2024, Being a By-law to Confirm the Proceedings of the November 19, 2024 Council Meeting	195
20.	Non-Agenda Business	
21.	Addendum	
22.	Adjournment	

**Recommendation:**

Adjourn the meeting at \_\_\_\_ PM.

# Essex County OPP Detachment Board – North (Lakeshore, Essex, Tecumseh)

## 2025 Proposed Budget

Presented by:

Dave Kigar, Vice Chair to Town of Essex  
November 25, 2024

Paul Sweet, Chair to  
Town of Tecumseh and Municipality of Lakeshore  
December 10, 2024



# Policing Oversight in Ontario

- New Policing Legislation
  - Community Safety and Policing Act, 2019 (CSPA) and associated regulations are now in effect
  - Detachment Boards (DB) replace Police Services Boards (PSB) for OPP serviced communities
  - There is a distinction between PSBs and DBs under the CSPA:
    - PSBs maintain their own police services while DBs provide civilian input into OPP policing in their communities
    - DBs must report annually (by June 30<sup>th</sup>) to the municipal Councils of the communities in their detachment area on the policing provided by the detachment

# Oversight of Detachment Boards

- The CSPA:
  - Provides for a Code of Conduct for OPP DB members
  - Gives the Inspector General of Policing responsibility for inspecting Ontario's police services and boards
- Adequate and Effective Policing:
  - For OPP serviced communities, the Commissioner of the OPP is responsible for providing adequate and effective policing





# Essex County OPP Detachment Board – North Composition

- The ECODB-N serves the municipalities of Lakeshore, Essex and Tecumseh
- Current 9 member board:

Essex Council Appointment

Mayor Sherry Bondy

Essex Community Appointment

Dave Kigar (Vice Chair)

Lakeshore Council Appointment

Mayor Tracey Bailey

Lakeshore Community Appointment

John Quennell

Tecumseh Council Appointment

Mayor Gary McNamara

Tecumseh Community Appointment

Paul Sweet (Chair)

At-Large Community Appointment

Christopher Hales (Tecumseh - 2024)

Provincial Appointment

Karen Robertson

Provincial Appointment

Marc Gomes



# Detachment Board Activities

- ECODB-N established April 1, 2024
- Board activities to date include:
  - Establishing Board composition, 2024 operating budget, administration, and insurance
  - Hiring of part-time Administrative Support position
  - Mandatory report on policing activity to Lakeshore, Essex and Tecumseh Councils in June
  - 4 meetings in 2024 - 3 regular and 1 budget
  - Attendance at OAPSB Annual Conference and Zone meetings (2)
  - Extensive mandatory training per Ministry of the Solicitor General
  - Preparation of 2025 Budget estimates for Council consideration
  - Acceptance of 2025 at-large member appointment



# Detachment Board Budget

- Under the CSPA, DBs are required to provide estimates of the Board's operating expenses to every municipality within the policing area of the detachment
- The CSPA requires each municipality to pay an equal share of the Board's estimates
  - Each municipality in the detachment area confirmed the rates of pay and the equal apportionment of Board expenses when the 2024 operating budget was established earlier this year



# Detachment Board Budget - 2024

- The approved ECODB-N operating budget for 2024 was \$70,113 plus an estimate of \$2,500 for insurance (annualized at \$5,000)
- Board insurance was addressed in September with the purchase of group insurance through the Ontario Association of Police Services Boards (OAPSB) for \$3,880 (annualized)
- Overall, the Board is tracking toward a negative variance of \$3,530 for 2024
- Any actual negative variance at year end will be credited to each member municipality

# Detachment Board Budget - 2025

- The details of the ECODB-N budget estimates for 2025 are summarized as follows:

Wages and Benefits	\$ 77,849
Office Supplies	1,000
Memberships (OAPSB, Zone 6)	7,570
Professional Development	15,307
DB Host Support (IT, Finance)	2,400
Insurance	4,034
Public Relations	6,710
<b>Total Expenditures</b>	<b>\$ 114,870</b>



# 2025 Key Budget Highlights

- **Annual wages and benefits** are estimated at \$77,849 for 2025, incorporating 2% cost of living allowance, negotiated benefits-in-lieu for the Administrative Support position and employee health tax and WSIB for all members
- **Memberships** were estimated at an annualized cost of \$3,450 in June, however, we have since received invoices for memberships with the OAPSB and Zone 6 for 2025, with fees of \$7,269 plus tax and \$300, respectively
- **Professional development** expenses for 2025 are based on five (5) members and one (1) Municipal Liaison attending the annual OAPSB conference and three (3) members attending two (2) Zone 6 meetings
- **Insurance** for 2025 is based on the annual insurance cost of \$3,880 plus allowance for inflation (4%)
- **Public Relations** estimates include OAPSB annual conference sponsorship, annual holiday dinner, community policing and an allowance for miscellaneous expenses



# Distribution of Expenditure

- Operating budget is divided equally between municipalities except for OMERS contributions for Tecumseh appointments, which are wholly covered by Tecumseh
- Allocations are as follows:

Essex:                   \$ 38,109.67

Lakeshore:             \$ 38,109.67

Tecumseh:             \$ 38,650.67



# Detachment Board Budget Resolution

- At the Detachment Board meeting of November 4, 2024, the following resolution (ECODB-27/24) was adopted:

**That** Report No. ECODB-2024-06, 2025 Budget, **be received**;

**And that** the 2025 Draft Budget for the Essex County OPP Detachment Board – North (Lakeshore, Essex, Tecumseh) **be approved**;

**And further that** the Detachment Board’s recommendation to approve the 2025 Draft Board Budget **be forwarded** to the Municipality of Lakeshore, the Town of Essex and the Town of Tecumseh for consideration of approval during their respective 2025 municipal budget deliberations;

**And further that** the Board Chair or alternate **be authorized** to present the 2025 Draft Board Budget to each municipal Council when each municipal budget is tabled.

- On behalf of the Detachment Board, I respectfully request Council’s favourable consideration of our proposed 2025 Budget during municipal budget deliberations





# Questions?

Thank you for the opportunity to present to Council this evening.

I am available to address questions of Council.



# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council

**From:** Daniel Mercer, Division Leader – Community Planning, RPP, MCIP

**Date:** November 15, 2024

**Subject:** Review of the Parkland Dedication By-law and Summary of Consultations

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### Recommendation

Direct the Clerk to read By-law 110-2024, being a by-law to provide for the dedication of parkland or the payment of cash in lieu thereof as a condition of development or redevelopment, during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

5b) Modernize Citizen-Centered Services - Bylaw Modernization (including a calendar of bylaw review and effective enforcement strategies/capabilities)

### Background

Parkland Dedication By-laws, as required under the *Planning Act*, allow municipalities to charge developers monetary fees, known in the Act as cash in lieu, but referred to in this report and presentation as payments-in-lieu, as a condition of planning approvals. These fees are used by municipalities to ensure their park systems grow in tandem with their community, providing essential parkland for their residents.

Parkland Dedication By-law revenues can be used for the acquisition of parkland throughout the Municipality that may or may not be associated with growth-related development. In addition, the parkland dedication revenue can be used for other public recreational purposes. It is an important component of implementing Lakeshore's Parks and Recreation Master Plan (2017).

The Municipality's current Parkland Dedication By-law (By-law 90-2022) was adopted in October 2022. It allows a payment-in-lieu (PIL) rate of \$2000 per rural and urban residential lot. Prior to this, and dating back to 2014, the payment-in-lieu rates were \$600 per rural residential lot, and \$1200 per urban residential lot. In keeping with the provisions of the Planning Act, the By-law also allows the option for a percentage of

land to be dedicated for parkland (i.e.: 5% of land for residential or institutional developments or 2% for non-residential uses such as commercial and industrial.

In recent years there have been numerous changes to provincial legislation affecting how municipalities can charge parkland dedication fees and, as a result, Watson & Associates Economists Ltd. (“Watson”) has been assisting Administration with analysis, public engagement, and By-law development.

At the September 27, 2022 Council meeting the following motion was passed:

Direct Administration to prepare a draft Parkland Dedication By-law to include a \$2,000 fee per lot for both rural and urban lots for adoption at the October 11, 2022 Council meeting.

As a result, the By-law with a flat fee of \$2,000 per lot was prepared and passed on October 11, 2022 (By-law 90-2022). Also at the September 27, 2022 meeting a second motion was passed:

Direct Administration to consult with the development community and bring further reports to Council as necessary regarding phasing in the parkland dedication fee.

Subsequent to this, the Government of Ontario's Bill 23, was adopted in November of 2022, and sets out the most recent change to how municipalities administer Parkland Dedication By-laws. On December 12, 2023 Council received a report from Administration outlining the legislative changes and recommended next steps. This report also included an economic analysis of payment-in-lieu options developed by Watson.

At the December 12, 2023 Council Meeting, the following resolutions were adopted:

Receive the Watson & Associates Economists Ltd. Parkland dedication Memo entitled “Parks Plan - Parkland Dedication and Payment-in-lieu of Parkland Analysis” dated November 20, 2023; and

Direct Administration with the assistance of Watson & Associates Economists Ltd. to undertake public engagement to review a draft Parkland Dedication By-law to regulate the dedication of parkland or the payment in lieu thereof as a condition of development or redevelopment to implement the changes made by Bill 23, as presented at the December 12, 2023 Council Meeting.

This report is intended to address this resolution and provide background to the draft Parkland Dedication By-law proposed as By-law 110-2024 during “Consideration of By-laws” at this meeting.

## Comments

As a result of the provincial legislative changes, most of the municipalities in the County were updating the parkland dedication By-laws at the same time. Therefore, a joint engagement session with local municipalities was proposed with the public, local school boards, and the development community in order to present the analysis and proposed changes and seek feedback.

Lakeshore, Essex, Tecumseh, LaSalle, Leamington and Kingsville planning staff partnered together with Watson as the consultant. Public consultations were held on Thursday, April 4<sup>th</sup>, 2024 on the proposed by-law(s) and payment-in-lieu amounts. The public was also provided with an opportunity to provide written feedback and comments by email until April 15, 2024. This also ensured that there was a united County-wide approach to how fees would be charged, especially considering that all local municipalities typically deal with the same developers and builders who would be impacted by the proposals. Note that Amherstburg independently updated their own parkland dedication by-law in early 2023 and prior to this joint proposal, as a result, did not need to participate.

Several key changes were identified across the County with existing parkland dedication by-laws that would be addressed with the proposed versions presented for consultation. It was recommended that the parkland dedication fees be reviewed. The amount of PIL of parkland needed to be updated to take into consideration the current costs of land in the Municipality. In addition, the 2017 Lakeshore Parks and Recreation Masterplan recommended that the Parkland Dedication By-law be updated to help raise revenue for future recreation needs.

The public engagement was considered a success. A number of participants from across the County attended the event either in-person or remotely on April 4<sup>th</sup> representing residents, business owners, and the development community. No written comments were received in person or in writing by email following the in-person event. During the public engagement, some questions were raised about the proposed exemptions from PIL such as school boards, the differences in land values between municipalities, and whether municipalities could look to implement a reasonable range of fee for all areas.

Following the comment period, it was felt that a set per unit amount (i.e.: flat fee) would be the best approach to implement for residential development and provide the most certainty for developers versus requiring appraisals for each proposed development. Additional analysis was undertaken and feedback integrated into the draft By-law text as proposed for Council consideration as By-Law 110-2024. Watson retained an appraisal company (Otto & Company) to provide the following current benchmark values of low, medium, and high-density residential development lands within the Municipality of Lakeshore in order determine a per unit:

<b>Summary Conclusions of Vacant Benchmark Value Range</b>					
	<b>Type of Property</b>	<b>Type of Value</b>	<b>Interest</b>	<b>Low (\$/sf land)</b>	<b>High (\$/sf land)</b>
A	Low Density Residential – Rural	Current Market	Fee Simple	\$6.00	\$8.00
B	Low Density Residential – Urban	Current Market	Fee Simple	\$20.00	\$22.00
C	Medium Density Residential – Small	Current Market	Fee Simple	\$45.00	\$50.00
D	Medium Density Residential – Large	Current Market	Fee Simple	\$22.00	\$24.00
E	High Density Residential	Current Market	Fee Simple	\$26.00	\$28.00

The local Administrations who participated in the joint effort are now proposing similar parkland dedication By-laws to their respective Councils. The Municipality is required to give written notice of the passing of a by-law within 20 days of passage and identify the last day for appealing the By-law (40 days after passage). Details of the notice requirements are set out in O.Reg. 509/20.

If adopted by Council a three year phased in approach will be taken with new rates coming into effect starting on January 1, 2025. A comparison of the proposed fees for all six participating municipalities in the County is provided in Attachment A. Schedule 1 of the draft By-law outlines the phasing approach that would be implemented in Lakeshore:

**PIL Per Unit for Residential Development**

<b>Unit Type</b>	<b>PIL per Unit January 1, 2025 to December 31, 2025</b>	<b>PIL per Unit January 1, 2026 to December 31, 2026</b>	<b>PIL per Unit January 1, 2027 onwards</b>
Single-detached Rural	\$3,400	\$4,950	\$6,500
Single-detached Urban	\$3,800	\$5,550	\$7,300
Semi-detached and Multiple Dwellings	\$1,700	\$2,450	\$3,200
Apartments	\$700	\$1,050	\$1,400

**Note: Rates are subject to indexing annually on January 1<sup>st</sup> per section 9(a) of this By-law according to the Statistics Canada New Housing Price Index (house and land, most recent month year-over-year) and posted by the Municipality.**

## **Others Consulted**

Sections 42 and 51.1 of the *Planning Act* require a municipality to consult with persons and public bodies as the municipality considers appropriate. A public meeting is not required under the *Planning Act*. As detailed above, consultations were carried out in April 2024.

## **Financial Impacts**

Parks funding for development or redevelopment of parks has been identified as a significant financial pressure in Lakeshore strategic financial planning 10-year outlook documents. Land acquisition for park purposes will be negotiated with developers in communities where new parkland is needed such as the Wallace Woods secondary plan area. Increases to the parkland fees are charged to individual builders/developers at the building permit stage. Both acquisition and payment in lieu approaches will help reduce the financial burden on the general rate payers of the municipality for land acquisition and development in the future. It is also recommended that financial reviews of parkland development are done on a regular basis to avoid shortfalls in long term funding and financial planning.

To illustrate the increase in PIL fees, the 2025 proposed rate is \$3,800 for an urban single detached unit and \$1,700 for a semi-detached unit. Assuming there will be 100 single detached units, and 20 semi-detached units in a year, \$414,000 would be collected using the proposed 2025 rate as compared to \$220,000 for the 2024 current rates. Increases would be phased in over three years, as shown in the chart above. The 2027 proposed fees would generate \$794,000.

As part of the 2022 Budget process, Project CP-22-6595 Parkland Dedication By-Law Update, was authorized by Council. To date the full amount of the \$30,000 budget has been spent. The cost of holding the joint consultation meeting was minimal. Cost overages have been charged to the related Community Benefit Study also underway by Watson.

## **Attachments**

Attachment A – Summary of Per Unit charges in each Municipality

Attachment B – Presentation: Parkland Dedication By-law (Watson and Associates)

Attachment C – Watson and Associates Economists Ltd. Report

**Report Approval Details**

Document Title:	Review of the Parkland Dedication By-law and Summary of Consultations.docx
Attachments:	<ul style="list-style-type: none"> <li>- Appendix A – Summary of Per Unit charges in each Municipality.pdf</li> <li>- Appendix B – Presentation: Parkland Dedication By-law (Watson and Associates).pdf</li> <li>- Appendix C – Watson &amp; Associates Economists Ltd. Report.pdf</li> </ul>
Final Approval Date:	Nov 27, 2024

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

Prepared by Daniel Mercer

Submitted by Tammie Ryall

Approved by the Corporate Leadership Team

# Summary of Per Unit Charges in Each Municipality – as per appraisal report

**Essex**

Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
Single-detached Rural	\$2,600	\$4,300	\$6,000
Single-detached Urban	\$4,000	\$6,700	\$9,400
Semi-detached and Multiples	\$1,700	\$2,300	\$3,200
Apartments	\$600	\$1,000	\$1,400

**Kingsville**

Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
Single-detached Rural	\$2,900	\$4,700	\$6,500
Single-detached Urban	\$4,000	\$6,550	\$9,100
Semi-detached and Multiples	\$1,400	\$2,300	\$3,200
Apartments	\$600	\$1,000	\$1,400

**Lakeshore**

Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
Single-detached Rural	\$3,400	\$4,950	\$6,500
Single-detached Urban	\$3,800	\$5,550	\$7,300
Semi-detached and Multiples	\$1,700	\$2,450	\$3,200
Apartments	\$700	\$1,050	\$1,400

**LaSalle**



Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
Single-detached - Rural	\$2,800	\$4,650	\$6,500
Single-detached – Urban	\$5,900	\$9,850	\$13,800
Semi-detached and Multiples	\$1,400	\$2,300	\$3,200
Apartments	\$600	\$1,000	\$1,400

**Leamington**

Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
Single-detached Rural	\$2,800	\$4,650	\$6,500
Single-detached Urban	\$3,200	\$5,250	\$7,300
Semi-detached and Multiples	\$1,400	\$2,300	\$3,200
Apartments	\$600	\$1,000	\$1,400

**Tecumseh**

Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
Single-detached Rural	\$2,400	\$4,450	\$6,500
Single-detached Urban	\$5,100	\$9,450	\$13,800
Semi-detached and Multiples	\$1,300	\$2,400	\$3,500
Apartments	\$500	\$950	\$1,400



# Parkland Dedication By-law

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Municipality of Lakeshore  
December 10, 2024

# Parkland Dedication



## Purpose:

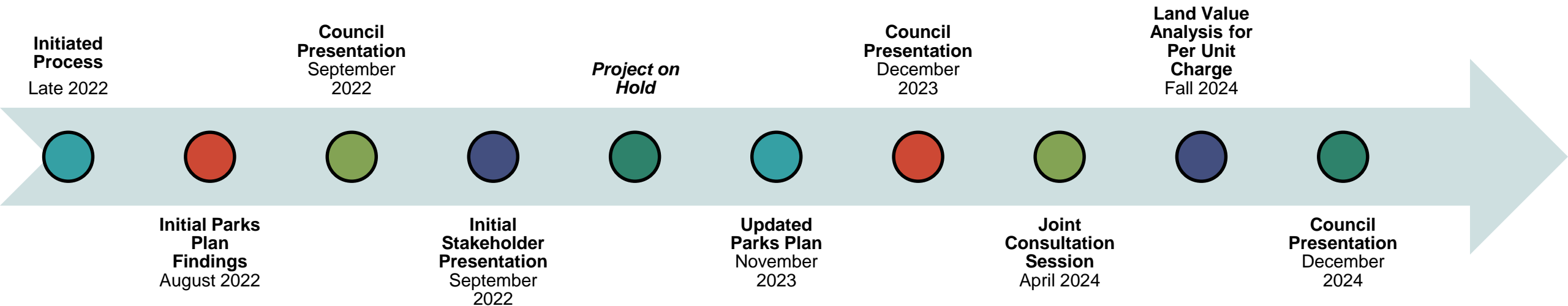
- Allows municipalities to grow their park systems in tandem with their community, providing essential parkland for their residents.
- The dedication of parkland may be required under *the Planning Act*
- Changes to the legislation via Bill 23 have reduced a municipality's ability to recover parkland/Payment-in-Lieu (PIL) and increased pressure on taxes through reductions in Development Charges



# Overview of Parkland Dedication By-law Process



- 6 Municipalities in the County are reviewing/updating parkland dedication by-laws and policies
  - Essex, Kingsville, Lakeshore, LaSalle, Leamington, and Tecumseh



# Parkland Dedication – *Planning Act*



## S. 51.1 (S.53)

### **For subdivisions (Consents)**

- No by-law required (impose as condition)
- 5% for res and institutional and 2% commercial/ industrial
  - Dedication
  - PIL
- Alternative rate for residential
  - Dedication (1ha for 600 units)
  - PIL (1ha for 1,000 units)
- Timing of PIL – day before approval of draft plan (provisional consent)

## S. 42

### **For all development and redevelopment**

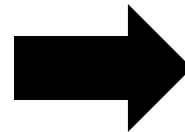
- by-law required
- 5% for res and institutional and 2% commercial/ industrial
  - Dedication
  - PIL
- Alternative rate for residential
  - Dedication (1ha for 600 units)
  - PIL (1ha for 1,000 units)
- Timing of PIL – day before building permit

# Parkland Dedication – Current vs. Recommended Approach



## Current Approach

Dedication and PIL	Residential	Non-residential
Parkland Dedication By-law?	Yes	Yes
Consents	\$2,000 Per lot	n/a
Subdivisions-Dedication	5% or Alt Rate	n/a
Subdivisions-PIL	\$2,000 Per lot	n/a
Other-Dedication	5% or Alt Rate	2%
Other-PIL	5% or Alt Rate at Agreement	2%



## Recommended Approach

Dedication and PIL	Residential	Non-residential
Parkland Dedication By-law?	Yes	Yes
Consents	\$ per unit (see next slide)	2% at Building Permit
Subdivisions-Dedication	5% or Alt Rate	2%
Subdivisions-PIL	\$ per unit (see next slide)	2% at Building Permit
Other-Dedication	5% or Alt Rate	2%
Other-PIL	\$ per unit (see next slide)	2% at Building Permit

# Parkland Dedication – Per Unit Charge



- To simplify the process for the development community and administration, a per unit charge has been estimated.
  - Based on land value analysis undertaken by external appraiser
  - Propose to phase-in the calculated charges
  - Developing landowner may choose to get appraisal if they disagree with these charges

Unit Type	PIL per Unit January 1, 2025 to December 31, 2025	PIL per Unit January 1, 2026 to December 31, 2026	PIL per Unit January 1, 2027 onwards
<b>Single-detached Rural</b>	\$3,400	\$4,950	\$6,500
<b>Single-detached Urban</b>	\$3,800	\$5,550	\$7,300
<b>Semi-detached and Multiples</b>	\$1,700	\$2,450	\$3,200
<b>Apartments</b>	\$700	\$1,050	\$1,400

Only change since consultation meeting

# Parkland Dedication – Proposed Exemptions



- Municipality of Lakeshore buildings/structures
- All institutional development (including schools)
- Replacement of building where there is no increase in residential units or gross floor area
- Enlargement of a residential unit provided no additional units are added
- Enlargement of a non-residential structure by 50% or less
- Temporary uses
- Up to two additional residential units in a single, semi, or rowhouse (mandatory similar to DC exemptions)



Questions?



# Technical Memorandum

<b>To</b>	Tammie Ryall
<b>From</b>	Gary Scandlan and Daryl Abbs
<b>Date</b>	November 20, 2023
<b>Re:</b>	Parks Plan - Parkland Dedication and Payment-in-lieu of Parkland Analysis

Fax  Courier  Mail  Email

This memorandum is being provided to summarize Watson & Associates Economists Ltd. (Watson)'s review and analysis of the Municipality of Lakeshore's (Municipality) parkland dedication and payment-in-lieu of parkland policies.

## 1. Introduction

Watson was retained by the Municipality to undertake a review and analysis of the Municipality's current policies with respect to parkland dedication and payment-in-lieu of parkland. This memo outlines the relevant legislation, the Municipality's current policies, analysis of alternative policies, and next steps/considerations for Municipal staff. Summary information along with a draft parkland dedication by-law are provided in the appendices. This analysis incorporates the recent changes to the Planning Act via *Bill 23, More Homes Built Faster Act, 2022*.

## 2. Legislative Overview

The Planning Act provides municipalities with the authority to impose conditions on development and redevelopment to receive parkland or payment-in-lieu of parkland. Section 42 of the Planning Act provides for the rules with respect to conveyance of land for park purposes (to be imposed by by-law), Section 51.1 provides the rules for the conveyance of parkland imposed as a condition of approval of a plan of subdivision, and Section 53 provides the rules for conveyance of parkland required for consent. The following outlines the relevant paragraphs of Section 42. Note: the rules under Section 51.1 and 53 are similar except for the date of determination of value for payment-in-lieu of parkland, which is noted below. Additionally, no by-law is required to impose the base dedication provisions under Section 51.1 or 53.



## Parkland Dedication

Section 42 (1) provides that the municipality may require land be conveyed in the amount of 2 per cent for industrial and commercial development and 5 per cent for all other development (i.e., residential, and institutional):

*“42 (1) As a condition of development or redevelopment of land, the council of a local municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land be conveyed to the municipality for park or other public recreational purposes.*

*(2) A by-law passed under this section comes into force on the day it is passed, or the day specified in the by-law, whichever is later.”*

### New from Bill 23:

Section 42 (1.1) is proposed to be added upon proclamation by the Lieutenant Governor. This section provides for a reduction in the parkland dedication requirements for affordable residential units. Once enacted, where there are affordable residential units (as defined in the Development Charges Act), the dedication requirements shall not exceed 5% multiplied by the ratio of non-affordable residential units vs. the total number of residential units. For example:

- Number of affordable residential units: 10
- Number of non-affordable residential units: 90
- Total units: 100
- 5% multiplied by (90 divided by 100) equals 90% of 5% or 4.5%.

Section 42 (1.2) has been added to provide for an exemption for non-profit housing developments (as defined in the Development Charges Act).

Section 42 (1.3) has been added to provide for a similar residential intensification exemption as the Development Charges Act:

*(1.3) A by-law passed under this section does not apply to the erection or location of,*

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;*
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other*



*than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or*

- (c) *one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units*

### **Alternative Parkland Dedication Rate**

For residential development or redevelopment, a municipality may also impose an alternative requirement to the 5 per cent dedication based on a rate of one hectare for each 600 net residential units<sup>1</sup>, as follows:

*“(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 600 net residential units proposed or at such lesser rate as may be specified in the by-law. R.S.O. 1990, c. P.13, s. 42 (3).”*

### **New From Bill 23**

Section 42(3.0.2) has been added to identify that the number of units included in the calculation is the net new residential units after the development or redevelopment. This provides for a credit for the existing units.

Section 42(3.0.3) is proposed to be added to note that affordable residential units and attainable residential units (as defined in the Development Charges Act), shall be excluded from the net residential unit calculation.

Section 42(3.3) has been added to provide caps on the maximum dedication/payment-in-lieu required. This section is provided as follows:

- (3.3) *A by-law that provides for the alternative requirement authorized by subsection (3) shall not require a conveyance or payment in lieu that is greater than,*
  - (a) *in the case of land proposed for development or redevelopment that is five hectares or less in area, 10 per cent of the land or the value of the land, as the case may be; and*

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<sup>1</sup> New for Bill 23. Previous amount was one hectare for each 300 dwelling units.



- (b) *in the case of land proposed for development or redevelopment that is greater than five hectares in area, 15 per cent of the land or the value of the land, as the case may be.”*

### **Requirement for a Parkland Dedication By-law – Alternative Residential Rate**

To use the residential alternative requirement of one hectare for each 600 net residential units, a municipality must have the policy in their Official Plan document and pass a by-law which outlines parkland dedication (and payment-in-lieu of parkland) requirements. As of the passage of Bill 73 (Smart Growth for our Communities Act) in 2015, Section 42 of the Planning Act was amended to include a requirement to complete a Parks Plan prior to include the use of the alternative rate provisions in an Official Plan. Now, as per Bill 23, a Parks Plan is required to be undertaken prior to passing a by-law which includes the alternative residential rate.

The Municipality does have the alternative provisions included in their Official Plan; therefore, it appears a Parks Plan would not be required. Section 42 (4.1) and (4.2) denote the requirement for a Parks Plan and the need for consultation with school boards and other persons as the municipality considers appropriate. There is no prescription as to the contents of the Parks Plan.

To impose the alternative rate under Section 42 or 51.1 of the Planning Act, the municipality must pass a by-law. Section 42 (3.1) and (4.4) to (4.24) provide for the rules/requirements to pass a by-law with the inclusion of the alternative rate. A summary of the subsections is as follows:

- **Consultation:** the municipality shall consult with persons and public bodies as the municipality considers appropriate (note that in the preparation of a Parks Plan, the Municipality shall consult with every school board that has jurisdiction and may consult with any other persons or public bodies the municipality considers appropriate);
- **Notice of Passage:** the municipality shall give written notice of the passing of the by-law within 20 days of passage and identify the last day for appealing the by-law (40 days after passage). Details of the notice requirements are set out in O.Reg. 509/20 and are provided in Appendix A;
- **Appeal of By-law to the Ontario Land Tribunal:** A by-law may be appealed. The Clerk has certain duties on appeal which are listed in subsection 4.10. The Tribunal has various powers to dismiss the appeal or direct the municipality to amend the by-law.

Although a by-law is required to impose any parkland dedication under Section 42 of the Planning Act, the notice and consultation requirements do not appear to apply if the by-law does not include provision for the alternative rate.



## Payment-in-lieu of Parkland

The Municipality may receive payment-in-lieu of parkland based on the value of the land otherwise to be conveyed. Further, if the Municipality has authorized the use of the alternative rate for parkland dedication, payment-in-lieu may be received instead, at a rate of one hectare for each 1,000<sup>1</sup> net residential units.

*“42 (6) If a rate authorized by subsection (1) applies, the council may require a payment in lieu, to the value of the land otherwise required to be conveyed.”*

*“42 (6.0.1) If a rate authorized by subsection (3) applies, the council may require a payment in lieu, calculated by using a rate of one hectare for each 1,000 net residential units proposed or such lesser rate as may be specified in the by-law.”*

## Determination of Value of Parkland

The value of the land for payment-in-lieu of parkland purposes shall be determined as of the day before the building permit is issued.

*“42 (6.4) For the purposes of subsections (4.19), (6), (6.0.1) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.”*

Note, for parkland conveyed as a condition of a plan of subdivision, the value shall be determined as of the day before the approval of the draft plan of subdivision. Section 51.1 (4) provides for the following:

*“(4) For the purpose of determining the amount of any payment required under subsection (3) or (3.1), the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.”*

Note, for parkland conveyed under consent, the value shall be determined as of the day before the provisional consent was given. Section 53 (13) provides for the following:

*“(13) If, on the giving of a provisional consent, land is required to be conveyed to a municipality for park or other public recreational purposes and the council of the municipality requires a payment in lieu, for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given.”*

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<sup>1</sup> New for Bill 23. Previous amount was one hectare for each 500 dwelling units.



## New From Bill 23

Sections 42(2.1), (2.2), (2.3), and (2.4) have been added to provide for a rate freeze similar to what is included in the Development Charges Act. This is provided as follows:

- (2.1) *The amount of land or payment in lieu required to be provided under this section is the amount of land or payment in lieu that would be determined under the by-law on,*
- (a) *the day an application for an approval of development in a site plan control area under subsection 41 (4) of this Act or subsection 114 (5) of the City of Toronto Act, 2006 was made in respect of the development or redevelopment;*
- (b) *if clause (a) does not apply, the day an application for an amendment to a by-law passed under section 34 of this Act was made in respect of the development or redevelopment; or*
- (c) *if neither clause (a) nor clause (b) applies, the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.*
- (2.2) *Subsection (2.1) applies regardless of whether the by-law under which the amount of land or payment in lieu would be determined is no longer in effect on the date the land is conveyed, the payment in lieu is made or arrangements for the payment in lieu that are satisfactory to the council are made, as the case may be.*
- (2.3) *If a development was the subject of more than one application referred to in clause (2.1) (a) or (b), the later one is deemed to be the applicable application for the purposes of subsection (2.1).*
- (2.4) *Clauses (2.1) (a) and (b) do not apply if, on the date the first building permit is issued for the development, more than two years have elapsed since the application referred to in clause (2.1) (a) or (b) was approved.”*

## **Special Account and Reporting Requirements**

All money received by the municipality for the purposes of payment-in-lieu shall be paid into a special account and spent only for the following purposes:

- acquisition of land to be used for park or other public recreational purposes;
- erection, improvement or repair of buildings; and
- acquisition of machinery for park or other public recreational purposes.



Subsection 42(17) of the Planning Act provides that a council that passes a by-law under Section 42 shall provide the reports and information as prescribed in the regulation. Ontario Regulation 509/20, Section 7 identifies the information that shall be provided to the public each year (for the previous year):

1. Statements of the opening and closing balances of the special account and of the transactions relating to the account.
2. In respect of the special account referred to above, statements identifying,
  - a. land and machinery acquired during the year with funds from the special account,
  - b. buildings erected, improved or repaired during the year with funds from the special account,
  - c. details of the amounts spent, and
  - d. for each asset mentioned in subparagraphs I and ii, the manner in which any capital cost not funded from the special account was or will be funded.
3. The amount of money borrowed from the special account and the purpose for which it was borrowed.
4. The amount of interest accrued on any money borrowed from the special account.

### New From Bill 23

Section 42(16.1) has been added to require that: “in each calendar year beginning in 2023, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.”

## 3. Current Practice and Analysis

### 3.1 Overview of Guiding Documents

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“Section 4.3.4: Recreation” of the Municipality of Lakeshore’s 2021 Official Plan (O.P.) sets out policies with respect to recreation and public open space along with policies regarding parkland dedication. This section discusses a variety of topics including the types of parks, where they may be located, requirements for parks and recreational facilities, and parkland dedication guidelines. Section 4.3.4.3 notes that parkland dedication may be required at the rates of 5% for residential development and 2% for all other purposes. It also states that the Municipality may accept payment-in-lieu of parkland dedication. Further, the Municipality may require residential development to





dedicate land based on the alternative rate of one (1) hectare of land for each 300<sup>1</sup> net residential units proposed or payment-in-lieu at a rate of one (1) hectare per 500<sup>2</sup> units. Finally, this section notes that “The Municipality will support the implementation of the Parks Master Plan that examines the need for parkland in the Municipality, and a review of the Municipality’s payment-in-lieu of parkland dedication or alternative parkland dedication requirements”.

In 2017, the Municipality undertook a detailed Parks & Recreation Master Plan. This plan undertook a review of Municipal policies with respect to parks and recreation, identified the current inventory of parks, and identified the potential need for future parks. Recommendations were provided to review and update the Municipality’s policies with respect to parkland dedication.

The Municipality’s current parkland dedication by-law (By-law 90-2022) outlines the applicable policies in further detail. By-law 90-2022 replaced the long-standing by-law passed in 2014 (By-law 42-2014).

Additionally, the Municipality’s Zoning by-law was reviewed. This document provides definitions for public parks, community centres, and commercial outdoor recreation facilities.

Finally, a review of the Municipality’s 2020 Development Charge (D.C.) Background Study was undertaken. The D.C. study sets out the inventory of parkland, amenities, vehicles, and recreation facilities over the previous 10-year period. The study also sets out the growth-related capital needs for parks and recreation services (except purchase of parkland) that are to be recovered through D.C.s.

## **3.2 Current Parkland Dedication and Payment-in-Lieu Policies**

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The O.P. provides the overarching policies with respect to parkland dedication and payment-in-lieu of parkland which are further detailed by the Parks Master Plan. These policies are then identified in the parkland dedication by-law (90-2022), which, along with the Planning Act, provide the Municipality with the authority to impose parkland dedication and payment-in-lieu of parkland dedication requirements.

### **3.2.1 Parkland Dedication**

#### **Overview**

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<sup>1</sup> The Official Plan policy should be amended to reflect the changes introduced through Bill 23. The new amount is one hectare for each 600 net residential units.

<sup>2</sup> The Official Plan policy should be amended to reflect the changes introduced through Bill 23. The new amount is one hectare for each 1,000 dwelling units.

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The policies with respect to parkland dedication in the O.P. and the parkland dedication by-law allow for the requirement for 5% of the land for residential developments and 2% for all other developments. Additionally, the Municipality is able to utilize the alternative rate of one (1) hectare of land for each 300 net residential units, if it provides a greater amount of dedication than the 5% rate.

Through discussions with staff, the alternative rate has not been utilized and it is unclear if parkland dedication requirements have been imposed or collected on non-residential development.

### **Alternative Rate Requirement for Parkland Dedication**

As provided in the O.P. and parkland dedication by-law, for residential development, the Municipality may require parkland be dedicated at a rate of one (1) hectare for every 300 net residential units. This rate is to be used where it would provide for a greater amount of dedication relative to the 5% rate. This can be calculated by analyzing the density of development at the breakeven point (i.e., where both rates provide the same land dedication). The rate should be amended in the OP and parkland dedication by-law to reflect the 1 hectare for every 600 net residential units set out in the Planning Act, through Bill 23.

To calculate the breakeven point of density, if we assume there is a 20-hectare development, the parkland dedicated at the 5% rate would yield a dedication of one (1) hectare. If we utilize the alternative rate of one (1) hectare for 600 net residential units, this will imply that to get the same amount of land dedication, there will need to be a density of 600 units on the 20 hectares of development. This equates to a density of 30 units per hectare or 12 units per acre. If density exceeds this breakeven point, the Municipality will receive more land by using the alternative rate.

### **Analysis**

There are a few potential revisions to the current practice that may assist the Municipality in maximizing receipt of dedicated parkland.

- Impose parkland dedication requirements on non-residential development.
- Consider revising the O.P. to include parkland dedication requirements of 5% for institutional development.
  - a) Note that in the O.P. section 4.3.4.3. items (c) and (e) are in conflict. Item (c) states that industrial, commercial, and institutional uses should have the 2% rate apply but item (e) states that all development other than residential, commercial, and industrial shall be subject to the 5% rate.
- Revise the O.P. and include in a parkland dedication by-law, guidance on the use of the alternative rate requirement (i.e., when development exceeds density of 30 units per hectare or 12 units per acre). As a result, the Municipality may consider utilizing the alternative rate for all high-density developments and reviewing



density of each low-density and medium-density development on a case-by-case basis.

### **3.2.2 *Payment-in-Lieu of Parkland***

#### **Overview**

With respect to policies regarding payment-in-lieu of parkland, the O.P. (section 4.3.3) states that the Municipality may accept payment-in-lieu of parkland dedication in the following circumstances:

- where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland to meet the intended park and opens space requirements;
- where the required dedication of land would render the remainder of the site unsuitable or impractical for development;
- the area is well served with park and open space lands and no additional parks and open spaces are required; and/or
- where the Municipality is undertaking broader land acquisition strategies for Community, Municipal, or Regional Parks and it is preferable to have consolidated parkland of a substantial size servicing a wide area.

The acceptance of payment-in-lieu shall be in accordance with the Municipality's Parkland Dedication By-law which includes a fee per lot of \$2,000 for residential lots. This fee was implemented in 2022 through direction by Council. The Planning Act allows a municipality to require payment-in-lieu of 5% for residential and institutional lands and 2% for commercial and industrial lands.

#### **Per Lot Rate**

As noted above, the Municipality utilizes a per lot rate for all payment-in-lieu of parkland dedication. The rates imposed are \$2,000 per residential lot. Watson has reviewed these rates and estimated the equivalent value that would be received on a typical lot in the Municipality. That is, what is the assumed value of the land at the 5% dedication rate using the per lot fee of \$2,000 for residential lots. This summary is provided in Table 3-1 for urban lots.



Table 3-1  
Municipality of Lakeshore  
Per Lot Equivalent Value Calculations

Urban Lots	Current Charge	Calculated Charge based on Average Land Values
Average Price per Hectare		\$2,290,000
Assumed Density per Hectare		10.4
Assumed Value per Lot	\$40,000	\$220,000
<b>P.I.L. Parkland Charge per lot:</b>	<b>\$2,000</b>	<b>\$11,000</b>

As per the table above, at \$2,000 per residential lot, the assumed value of the land would be \$40,000 per lot. To compare this calculated value per lot to the current market, Watson undertook a review of recent sale price data from the Municipal Property Assessment Corporation (MPAC). Based on the properties surveyed, the average price per hectare is approximately \$2,290,000 for urban residential land areas. Utilizing an assumption of 10.4 units per hectare (based on historical building activity), the estimated value per lot would be \$220,000.

Additionally, a review of recent subdivision developments was undertaken. Lot values prior to the issuance of building permits were observed to be approximately \$220,000 per lot (in 2023\$). This land value analysis was undertaken using MPAC<sup>1</sup> database information and is summarized in Appendix C. As a result, utilizing \$220,000 per lot for the above analysis would appear reasonable. The current rate per lot is significantly lower than the amount that would be collected using the 5% rate or the alternative rate (i.e., based on value of land the day before building permit, as provided under S.42 of the Planning Act).

With respect to the commercial and industrial rates per lot, it is unclear as to a typical lot size as properties vary depending on the nature of the business. As a result, it would be recommended that the Municipality require an appraisal be undertaken and the 2% dedication rate be applied.

The recent changes arising from Bill 23 have required that development or redevelopment proceeding through a site plan application or zoning by-law amendment application have their payment-in-lieu rates frozen at the time the application is submitted. As a result, it is recommended that a per lot rate not be used for these types of development and that appraisals are required to apply the 5%/2% rates.

## Analysis

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<sup>1</sup> MPAC database review undertaken as of May 2023



There are a few potential revisions to the current practice that may assist the Municipality in maximizing receipt of payment-in-lieu of parkland.

- Impose payment-in-lieu requirements on non-residential development.
- Consider revising the O.P. to include payment-in-lieu of parkland dedication requirements of 5% for institutional development.
- Continue using the per lot fee for severances and consents only and requiring an appraisal for use of the 5% in all other circumstances.
- Consider increasing the residential per lot fee for all residential lots with provision for indexing. Based on the market review this per lot fee can be increased up to \$11,000 as set out in Table 3.1.
- Update in a future parkland dedication by-law, guidance on the use of the alternative rate requirement (i.e., when development equals or exceeds a density of 50 units per hectare or 20 units per acre).
  - a) As a result, the Municipality may consider utilizing the alternative rate for all high-density developments and reviewing the density of each low-density and medium-density development on a case-by-case basis.

### **3.3 Current Recoveries from Development Charges**

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#### **3.3.1 Overview of Parks vs. Recreation**

The Development Charges Act (D.C.A.) allows for the recovery of growth-related capital costs. Section 2(4) of the D.C.A. lists the services for which recovery of capital costs are eligible; this includes parks and recreation services. There is an exception however, with respect to land for parks which is outlined in Section 2.1 of Ontario Regulation 82/98. Land for an enclosed structure used throughout the year for public recreation and land that is necessary for the structure to be used for that purpose, including parking and access to the structure is eligible for inclusion in a D.C. background study and by-law.

In summary, land for park purposes is not eligible for inclusion in a D.C., however, land for recreation is eligible. The distinction between parkland and land for recreation purposes is important in determining which lands may be recovered from new development through D.C.s as this will help maximize the recovery of costs.

Historically, the Municipality has paid for land for indoor recreation facilities (e.g., arenas, community centres, etc.) through D.C.s and all other parkland has been acquired through dedication or paid with funds collected from payment-in-lieu of parkland. However, a consideration of “recreation” may be undertaken. For example, an indoor soccer field built inside of an air supported structure would be considered an indoor facility and the land for the facility may be funded with D.C.s. If the soccer field was constructed outside, the land would be funded from the parkland reserve. In both cases, the use of the “facility” is the same, however, the funding is different. If soccer facilities (both indoor and outdoor) were defined as “recreation” in all of the

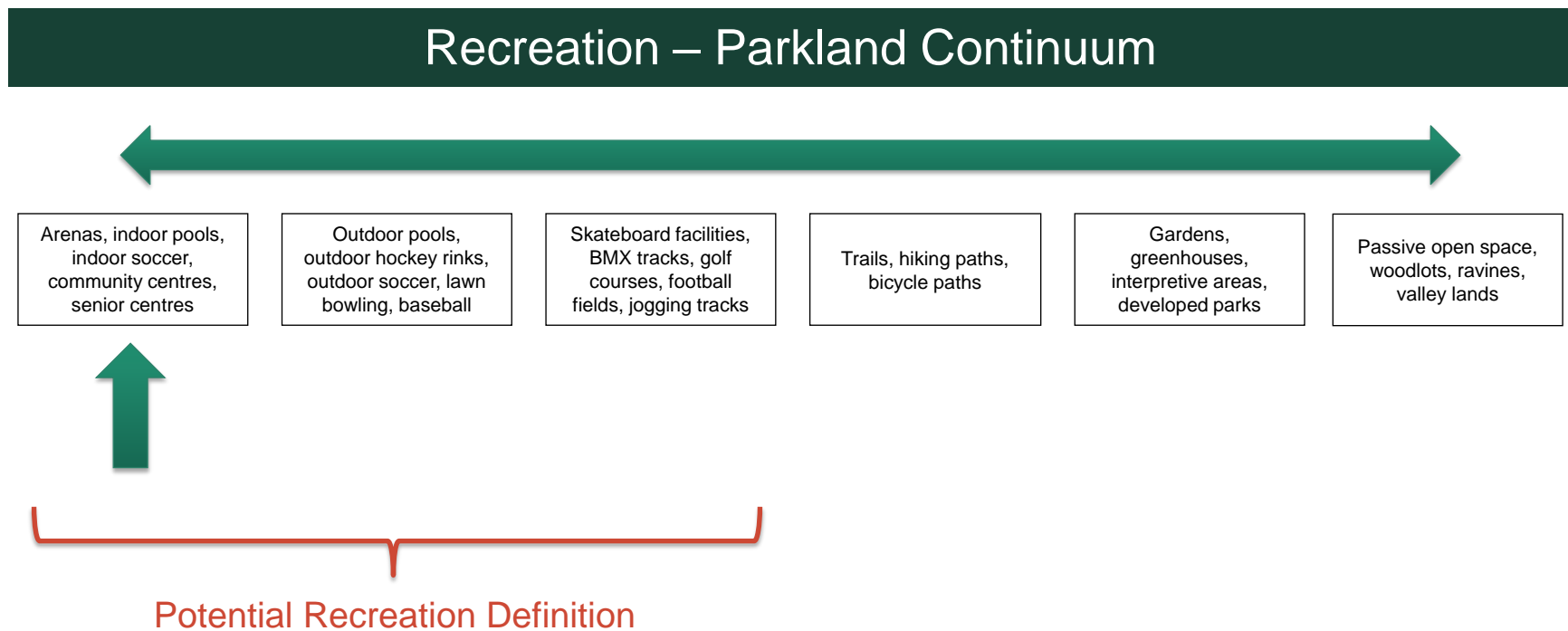


Municipality's policies (e.g., O.P., parks and recreation master plans, zoning by-law, etc.) there is the potential for the Municipality to recover the cost of the land from D.C.s.

Figure 3-1 provides for a spectrum of parks and recreation uses. These range from indoor facilities such as arenas to open space parkland. The green arrow on the left denotes the current definition of recreation utilized by the Municipality (i.e., for which land is included in the D.C. study). There is a potential for the recreation definition to be expanded to include outdoor recreation uses such as pools, outdoor hockey rinks, outdoor soccer, lawn bowling, baseball diamonds, skateboard facilities, BMX tracks, golf courses, football fields, and jogging tracks.



Figure 3-1  
Municipality of Lakeshore  
Recreation to Parkland Continuum





### **3.3.2 Current Definitions in Lakeshore Documents**

To assess and confirm the Municipality's current definitions of parks and recreation, Watson undertook a review of the following documents:

- Municipality of Lakeshore Official Plan (2021);
- Municipality of Lakeshore Zoning By-law (2019); and
- Parks & Recreation Master Plan (2017).

Through a review of these documents, each reference to parks and/or recreation was noted to ascertain the Municipality's assumed definition of each term. Although there are instances where the O.P. utilizes the terms in various contexts and appears to have different meanings, it appears that there are relatively clear distinctions between parks and recreation. For example, in Section 4 of the O.P., there is a clear distinction between parks and open space versus recreation.

In the Zoning By-law, the definition of commercial outdoor recreation facility provides a distinction between parkland versus outdoor recreation spaces (e.g., mini golf courses, outdoor swimming pools, batting cages, etc.).

In the Parks and Recreation Master Plan, parks and outdoor recreation facilities appear to be distinct. For example, Appendix F specifies that soccer fields, tennis courts, splash pads, outdoor pools, etc. are all recreational facilities as opposed to parkland. This appears to make a clear distinction between parks and recreation.

Table B-1 in Appendix B provides for a list of all of the instances of the use of the words "parks" and "recreation" in the above listed documents, along with notes on the implication of the definitions/references.

### **3.3.3 Opportunities for Maximizing Recoveries**

The Municipality may seek to maximize recovery of costs for recreation land by utilizing recovery through D.C.s as much as possible. To achieve this, the Municipality must first review their existing policy documents to clearly define parks versus recreation. These refined definitions should be consistent between all policy documents. Although there are certain instances where distinctions between parks and recreation are unclear, it appears that the Municipality has provided many clear delineations through policy documents.

## **4. Impacts of Current Practice vs. Alternative Approaches**

### **4.1 Approach to Analysis**

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To quantify the impacts of the various approaches on the Municipality's ability to achieve their parkland targets, the following section provides for the anticipated

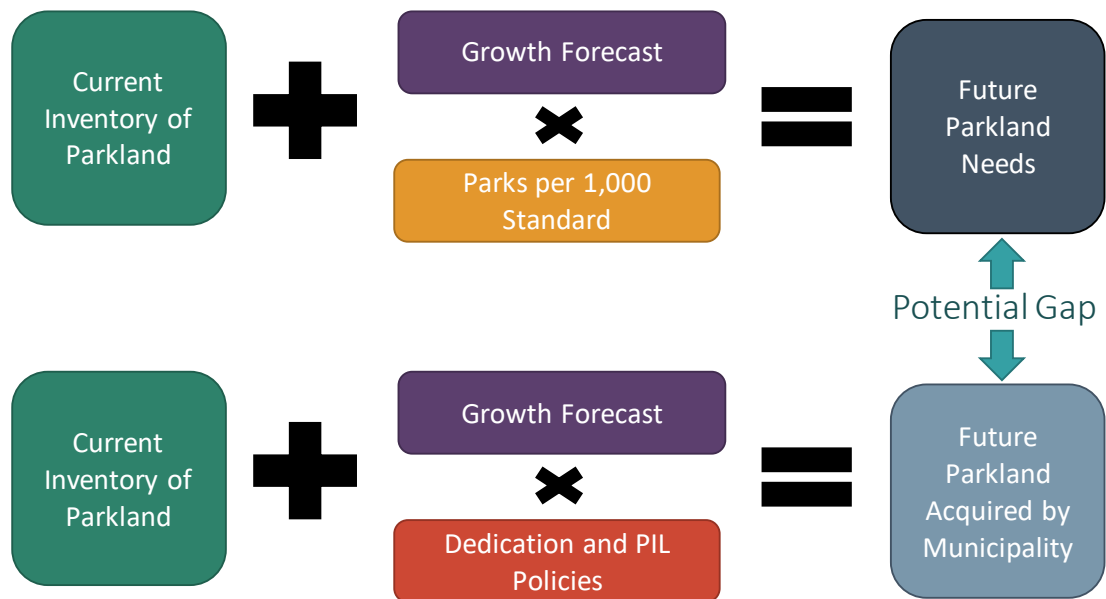
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parkland dedication and payment-in-lieu of dedication, calculated by using the Municipality’s 2020 D.C. background study growth forecast, and the various rates described above.

Figure 4-1 provides an overview of the analysis. To estimate the future parkland needs, the current parkland inventory is added to the parkland needs arising from new development. This analysis is presented in section 4.2. To estimate the potential future parkland received and/or payment-in-lieu of parkland received, various dedication and payment-in-lieu policies are applied to the anticipated growth and added to the current inventory of parkland. Once the anticipated parkland/ payments received analysis is complete, the potential gap in parkland/funding may be identified.

Figure 4-1  
Municipality of Lakeshore  
Parkland Needs Analysis



## 4.2 Current Inventory of Parkland and Future Need

### 4.2.1 Summary of Current Inventory

The 2020 Development Charges Background Update Study identified the current inventory of parks in the Municipality as of 2019. Upon discussions with staff the Municipality did acquire additional lands since the completion of the D.C. Background Study. The updated inventory has been incorporated into the analysis of this report. Table 4-1 therefore, provides for a summary of the 2023 inventory:

Table 4-1  
Municipality of Lakeshore  
Inventory of Parkland (2023)

Inventory of Parkland	Total Hectares	Total Acres
<b>Total Parkland</b>	<b>144.96</b>	<b>358.20</b>

A review of the anticipated parkland needs to 2040 was undertaken based on the anticipated population and the service level of 2.83 hectares (or 7 acres) of parkland per 1,000 residents for community and neighbourhood parks. The calculations provide that the Municipality would require 53.72 hectare or 132.73 acres of parkland, implying that by 2040, the Municipality would not need to receive (or purchase) any additional parkland. This information is summarized in Table 4-2:

Table 4-2  
Municipality of Lakeshore  
Required Parkland by 2040 as per Recommended Service Level and Anticipated Growth

Parkland Requirement Calculations	Current Parkland Inventory	Hectares Required in 2040	Additional Parkland Needed
Projected Population		46,902	
Community and Neighbourhood Parks	144.96	132.73	-
<b>Total Parkland Required (hectares)</b>	<b>144.96</b>	<b>132.73</b>	<b>0.00</b>
<b>Total Parkland Required (acres)</b>	<b>58.67</b>	<b>53.72</b>	<b>0.00</b>

\*Community and neighbourhood parkland based on a standard of 2.48 hectares or 7 acres per 1,000 population

#### 4.2.2 Analysis

##### Parkland Inventory

Watson compared the inventory of parkland identified in the Parks & Recreation Master Plan to updated inventory of parkland provided by staff (the 2020 D.C. background study included a list of parkland inventory; however, the Municipality has acquired land since then). The updated parkland inventory is significantly higher than the amount of parkland identified in the Master Plan. This discrepancy may partially be due to the inclusion of undeveloped parkland in the D.C. inventory. A review and reconciliation of parkland (excluding recreation, discussed further in section 4 of this report) should be undertaken to ascertain the accurate inventory of parkland.

Additionally, the current inventory should be categorized based on the Municipality's parkland hierarchy. The Parks & Recreation Master Plan and the Municipality's O.P. identify five (5) categories of parks: Regional Parks, Community Parks, Neighbourhood

Parks, Parkettes and Trails/Greenway. The anticipated parkland needs identified above may be greater when each category is analysed separately.

### 4.3 Parkland Dedication

#### 4.3.1 Current Approach

Under the current approach, the Municipality imposes payment-in-lieu rather than parkland dedication requirements. As a result, the analysis in this section assumes payment-in-lieu of dedication is received which is then converted to the equivalent hectares of parkland. The Municipality’s 2020 D.C. background study growth forecast was utilized for this analysis and prorated to align with the forecast period in this report. The current fee is \$2,000 per residential lot. Utilizing the growth forecast from the D.C. background study there are a total of 3,217 low and medium density units anticipated to be constructed over the 2023 to 2040 forecast period. Each of these units are assumed to be developed as one lot for each unit. With respect to high-density development, it has been assumed that there may be an average of 50 units per lot. As a result, it is anticipated that there would be an additional 8 apartment lots in total with 50 residential units per lot. The number of lots is then multiplied by the fee per lot to estimate the payment-in-lieu of parkland revenue. Table 4-3 summarizes these calculations. The total anticipated revenue would be approximately \$6.45 million over the forecast period.

Table 4-3  
Municipality of Lakeshore  
Revenues Received through Current Policy

Development Type	Fee Per Lot	Anticipated Lots between 2023 and 2040 (single and townhouse)	Anticipated Lots between 2023 and 2040 (apartments)*	Revenue Anticipated
Urban	\$2,000	3,217	8	6,450,963
<b>Total</b>		<b>3,217</b>	<b>8</b>	<b>6,450,963</b>

*\*Assumed 50 apartments per lot*

*Forecast of units based on DC study forecast*

The Municipality’s current policy allows for dedication from non-residential development at 2% of the land area. However, through discussions with staff, in practice the Municipality does not appear to impose or collect parkland dedication on non-residential development.

Section 4.2 of this memo provided for the inventory of parkland in the Municipality. This inventory was measured as of 2023. As a result, the growth forecast period utilized for this analysis is based on growth from 2023 to 2040. When defining the need for parkland based on the total population of the Municipality, the total hectares of parkland required shows that the Municipality will not need to require or purchase additional parkland. Based on a review of vacant residential land for sale in the Municipality (discussed in Section 3.2 and presented in Appendix C), the average price per hectare of land in the urban area is approximately \$2,290,000. Under the current policy and

based on this average price per hectare, it is estimated that the Municipality could acquire 2.82 hectares of land.

#### 4.3.2 5%/2% Parkland Dedication

The Planning Act allows municipalities to require parkland dedication at a rate of 2% of land for commercial and industrial development and 5% for all other development (i.e., residential, and institutional).

Table 4-3 provides for a summary of the anticipated residential units to be constructed over this time period. With assumed densities of 15, 40, and 100 units per hectare for low, medium, and high-density development, respectively, the total hectares of residential development lands equal 202.02 hectares. At a parkland dedication rate of 5%, the total parkland to be dedicated would be 10.10 hectares.

Table 4-3  
Municipality of Lakeshore  
Residential Parkland Dedication at 5%

Unit Type	Anticipated Units (2023 to 2040)	Density Assumption (units/hectare)	Total Hectares	Total Hectares Dedicated at 5%
Singles	2,818	15	187.90	9.39
Towns	400	40	10.01	0.50
Apartments	412	100	4.12	0.21
<b>Total</b>	<b>3,630</b>		<b>202.02</b>	<b>10.10</b>

Table 4-4 provides for a summary of the anticipated non-residential development to be constructed over the 2023-to-2040-time horizon. Based on the D.C. growth forecast, it is anticipated that there will be an additional 3,738 employees in the Municipality by 2040. Based on the sq.ft. per employee assumptions from the D.C. study, the anticipated floor space totals approximately 3.79 million sq.ft. Assuming the industrial buildings have a lot coverage of 25%, and institutional/commercial buildings have a lot coverage of 30%, the total land area for non-residential development is approximately 14.52 million sq.ft. This equates to a total land area of 134.92 hectares. Based on a 2% dedication rate applied to industrial and commercial properties and a 5% dedication rate applied to institutional development, this would provide the Municipality with 3.57 hectares over the forecast period.

Table 4-4  
Municipality of Lakeshore  
Non-residential Parkland Dedication  
2% for Industrial and Commercial, 5% for Institutional

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2040)	Assumed Lot Coverage	Total Sq.ft. of Land Area	Total Hectares of Land Area	Total Hectares Dedicated
Industrial	2,194	1,300	2,852,742	25%	11,410,967	106.01	2.12
Commercial	979	550	538,404	30%	1,794,681	16.67	0.83
Institutional	565	700	395,179	30%	1,317,264	12.24	0.61
<b>Total</b>	<b>3,738</b>		<b>3,786,325</b>		<b>14,522,911</b>	<b>134.92</b>	<b>3.57</b>

In total, this approach would yield the Municipality with approximately 13.67 hectares of parkland if every property provided parkland dedication.

### 4.3.3 Alternative Residential Rate

With respect to use of the alternative rate for parkland dedication of one (1) hectare for every 600 net residential units, the non-residential dedication would remain the same at 3.57 hectares. However, if the Municipality were to utilize the alternative rate for residential developments, the Municipality would receive 5.78 hectares for a total of 9.34 hectares of parkland. Table 4-5 provides for the anticipated hectares of parkland dedication based on the residential growth forecast from the D.C. study and the alternative rate.

Table 4-5  
Municipality of Lakeshore  
Residential Parkland Dedication at One Hectare for Each 600 Net Residential Units

Unit Type	Anticipated Units (2023 to 2040)	One Hectare per 600 net residential units	Hectares at 10% Maximum*
Singles	2,818	4.70	4.70
Towns	400	0.67	0.67
Apartments	412	0.69	0.41
<b>Total</b>	<b>3,630</b>	<b>6.05</b>	<b>5.78</b>

*\* As per Bill 23 (now s42(3.3) of the Planning Act), properties 5 hectares or less are limited to 10% of the land area. Parkland dedication for apartments would exceed this limitation, therefore the 10% dedication cap assumption was used.*

### 4.3.4 Summary of Analysis

Table 4-6 provides for a comparison of the approaches to parkland dedication for residential development (current policy vs. 5% vs. one hectare for 600 net residential units) and non-residential development (currently policy vs. 2% for industrial/commercial and 5% for institutional). Using the base provisions of 5% for residential (and other types of development) and 2% for non-residential would provide the Municipality with the most hectares of parkland by 2040.

Table 4-6  
Municipality of Lakeshore  
Summary Comparison of Current vs. Alternative Rate Approaches

Summary	Current Policy (Based on \$2,290,000/hectare)	5% for Residential/ Institutional and 2% for Industrial/ Commercial	1 Hectare for 600 net residential Units and 2% for Industrial/Commercial, 5% for Institutional
Residential Hectares	2.82	10.10	5.78
Non-residential Hectares	-	3.57	3.57
<b>Total Hectares Dedicated</b>	<b>2.82</b>	<b>13.67</b>	<b>9.34</b>

#### 4.4 Payment-in-Lieu of Parkland

With respect to Payment-in-Lieu of Parkland, there are three approaches to imposing these fees on development and redevelopment in the Municipality:

1. **Current Policy:** impose a rate per lot (\$2,000 residential);
2. **5%/2% Rates:** impose the equivalent value of 5% of the land area for residential and institutional development and the equivalent value of 2% of the land area for commercial and industrial development; and
3. **Alternative Rate:** impose the equivalent value of one (1) hectare of land for each 1,000 net residential units.

Similar to the analysis with respect to parkland dedication, the D.C. growth forecast was used to estimate the amount of development in the Municipality from 2023 to 2040. The estimated land values in the Municipality were analyzed based on recent land sales obtained from MPAC and are based on the value of the land the day before building permit issuance. A summary table of the properties reviewed is provided in Appendix C. Based on the properties analyzed, the average sales price of residential vacant land is assumed to be \$2,290,000 per hectare<sup>16</sup> and the average sales price of non-residential properties is approximately \$450,000 per hectare for industrial, \$1,190,000 per hectare for commercial, and \$620,000 per hectare for institutional developments.

##### 4.4.1 Current Policy

Based on the discussion in section 4.3.1, under the current policy, the Municipality could expect to receive \$6.45 million in parkland dedication revenues.

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<sup>1</sup> The value utilized in the calculation is based on values in the urban area (i.e., properties services with water and wastewater).

#### 4.4.2 5%/2% Rates

Similar to parkland dedication, the Planning Act allows municipalities to require payment-in-lieu of parkland dedication at a rate of 2% for commercial and industrial development and 5% for all other development (i.e., residential and institutional). Similar to the calculations presented in Table 4-3, Table 4-7 provides a summary of the anticipated residential units to be constructed to 2040. With assumed densities of 15, 40, and 100 units per hectare for low, medium, and high-density development, respectively, the total area of residential development lands equal 202.02 hectares. At a value of \$2.29 million per hectare, the total value of the developable lands would be approximately \$462.62 million. At a rate of 5% of the land value, the Municipality would receive approximately \$23.13 million.

Table 4-7  
Municipality of Lakeshore  
Anticipated Payment-in-Lieu of Parkland Dedication Revenues – 5%

Unit Type	Anticipated Units (2023 to 2040)	Density Assumption (units/hectare)	Total Hectares	Value of Land per Hectare	Total Value of Developable Lands	5% of the Total Value
Singles	2,818	15	187.90	\$2,290,000	\$430,284,639	\$21,514,232
Towns	400	40	10.01	\$2,290,000	\$22,911,927	\$1,145,596
Apartments	412	100	4.12	\$2,290,000	\$9,424,304	\$471,215
<b>Total</b>	<b>3,630</b>		<b>202.02</b>		<b>\$462,620,870</b>	<b>\$23,131,044</b>

With respect to non-residential development, Table 4-8 provides for a summary of the anticipated non-residential development to be constructed over the 2023-to-2040-time horizon. Based on the D.C. growth forecast, it is anticipated that there will be an additional 3,738 employees in the Municipality by 2040. Based on the sq.ft. per employee assumptions from the D.C. study, the anticipated floor space totals approximately 3.79 million sq.ft. Assuming the industrial buildings have a lot coverage of 25%, and institutional/commercial buildings have a lot coverage of 30%, the total land area for non-residential development is approximately 14.52 million sq.ft. This equates to a total land area of 134.92 hectares. At a value of \$450,000 per acre for industrial, \$1,190,000 for commercial, and \$620,000 for institutional developments, the total value of the developable lands would be approximately \$75.13 million. At a rate of 2% of the land value for industrial and commercial and 5% of institutional, the Municipality would receive approximately \$1.73 million.

**Table 4-8**  
**Municipality of Lakeshore**  
**Anticipated Payment-in-Lieu of Parkland Dedication Revenues**  
**2% for Industrial/Commercial and 5% for Institutional**

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2040)	Assumed Lot Coverage	Total Sq.ft. of Land Area
Industrial	2,194	1,300	2,852,742	25%	11,410,967
Commercial	979	550	538,404	30%	1,794,681
Institutional	565	700	395,179	30%	1,317,264
<b>Total</b>	<b>3,738</b>		<b>3,786,325</b>		<b>14,522,911</b>

Type	Total Sq.ft. of Land Area	Total ha of Land Area	Value of Land per ha	Total Value of Developable Lands	2% of the Total Value (5% for institutional)
Industrial	11,410,967	106.01	\$450,000	\$47,705,153	\$954,103
Commercial	1,794,681	16.67	\$1,190,000	\$19,841,041	\$396,821
Institutional	1,317,264	12.24	\$620,000	\$7,587,432	\$379,372
<b>Total</b>	<b>14,522,911</b>	<b>134.92</b>		<b>\$75,133,627</b>	<b>\$1,730,296</b>

#### 4.4.3 Alternative Residential Rate

Regarding receipt of payment-in-lieu of dedication the Planning Act also allows the use of an alternative rate of the value of one (1) hectare of land for each 1,000 net residential units.

With respect to use of the alternative rate the non-residential payment-in-lieu would remain the same at approximately \$1.73 million. However, if the Municipality were to utilize the alternative rate for residential developments, the Municipality would receive approximately \$8.31 million for a total of \$10.04 million. Table 4-10 provides for the anticipated payment-in-lieu of parkland based on the residential growth forecast from the D.C. study and the use of the alternative rate.

**Table 4-10**  
**Municipality of Lakeshore**  
**Residential Payment-in-Lieu of Dedication at One Hectare for Each 1,000 Net Residential Units**

Unit Type	Anticipated Units (2023 to 2040)	1 ha per 1,000 net residential units	Value of Land per ha	Total Revenue Received	Acres at 10% Maximum*	Total Value of Developable Lands
Singles	2,818	2.82	\$2,290,000	\$6,454,270	2.82	\$ 6,454,270
Towns	400	0.40	\$2,290,000	\$916,477	0.40	\$ 916,477
Apartments	412	0.41	\$2,290,000	\$942,430	0.41	\$ 942,430
<b>Total</b>	<b>3,630</b>			<b>\$8,313,177</b>	<b>3.63</b>	<b>\$ 8,313,177</b>

#### 4.4.4 Summary of Analysis

Table 4-11 provides for a comparison of the approaches to payment-in-lieu of parkland for residential development (per lot fee vs. 5% vs. one hectare for 1,000 residential units) and non-residential development (2% for industrial/commercial and 5% for institutional). Use of the per lot fee provides the Municipality with approximately \$6.45



million, use of the 5%/2% provides for approximately \$24.86 million, and use of the alternative rate provides for approximately \$10.04 million.

Table 4-11  
Municipality of Lakeshore  
Summary Comparison of Current vs. Alternative Rate Approaches

<b>Summary</b>	<b>Per Lot Fee</b>	<b>5% for Residential/Institutional and 2% for Industrial/Commercial</b>	<b>1 Hectare for 1,000 net residential Units and 2% for Industrial/Com</b>
Residential Recovery	\$6,450,963	\$23,131,044	\$8,313,177
Non-residential Recovery	\$0	\$1,730,296	\$1,730,296
<b>Total Payment-in-Lieu</b>	<b>\$6,450,963</b>	<b>\$24,861,339</b>	<b>\$10,043,473</b>

## 5. Observations and Comments

The following provides a summary of our observations and potential recommendations for the for the Municipality's consideration.

1. **Parkland Inventory:** Based on the analysis above, it appears that the Municipality will have a surplus of parkland to support growth to 2040. However, the parkland inventory should be allocated to various parkland categories as defined in the parks and recreation master plan. The breakdown of parks should be clearly defined in the master plan with a standard of 1,000 population per hectare for each classification of park. This may have an impact on the hectares of parkland required to support future growth.

For the updates to the Official Plan, the Municipality may consider refining the categories noted to align with the categories in the master plan.

2. **Service Standards:** The current service standard is provided on a Municipal-wide basis. However, the Municipality should consider a standard for each category of parkland.
3. **Parkland Dedication:** The Municipality's current policy for imposing parkland dedication is to impose the 5% dedication requirement on residential development, however the current practice is to impose a per lot fee on residential development and no dedication requirements on non-residential development. The Municipality should consider imposing the following:
  - a. Utilize the alternative rate for residential development (where the alternative rate provides for more dedication and subject to the update to the O.P.);
  - b. Consider including in the O.P. (and a future parkland dedication by-law), guidance on when to use the alternative rate (e.g., when density is greater than 12 units per acre);
  - c. Impose the 5% dedication requirements on residential developments;
  - d. Impose the 2% dedication requirements on commercial and industrial developments;
  - e. Consider revising the O.P. to identify the 5% dedication rate for institutional developments and include in a future parkland dedication by-law;
4. **Payment-in-Lieu:** The current fee per lot of \$2,000 for residential development is less than the value the Municipality would receive by using the 5% and 2% rates. The following provides a summary of recommendations with respect to payment-in-lieu:

- a. **Residential Per Lot Fee:** The current per lot fee is \$2,000. The Municipality should consider increasing this up to an amount of \$11,000 per lot, as set out in Table 3-1, and continue to apply to consents only. Any increases may be phased-in over time. This fee should be included in a parkland dedication by-law and be subject to indexing. For all other development, the 5% or alternative rate would continue to apply, subject to an appraisal.
  - b. **Site Plan and Zoning By-law Amendment Applications:** Development and redevelopment that proceeds through these applications will have their payment-in-lieu rate frozen at the time of submission of the application. As a result, it is recommended that the Municipality require an appraisal be submitted with the application to ensure the appropriate value of land is being dedicated.
  - c. **Commercial and Industrial Per Lot Fee:** With respect to the non-residential rates per lot, it is unclear as to a typical lot size as properties vary depending on the nature of the business. As a result, it would be recommended that the Municipality require an appraisal be undertaken and the 2% dedication rate be applied.
  - d. **Institutional Development and Redevelopment:** It is recommended that the Municipality consider revising their O.P. to include policies to collect payment-in-lieu of dedication for institutional development at a rate of 5% of the value of the land. Additionally, this may be included in a future parkland dedication by-law.
  - e. **All Other Residential Development and Redevelopment:** The Municipality may consider revising their O.P. to include use of the alternative rate (the value is one (1) hectare of land for each 1,000 net residential units) where the alternative rate provides for more payment-in-lieu.
5. **Parkland vs. Recreation Land:** To maximize recovery of costs for parkland and recreation land, the Municipality may consider reviewing definitions in the Official Plan, Master Plan, Zoning By-law, and other policy documents to ensure there is a clear delineation between parkland vs. recreation land. This will allow for more land to be recovered through D.C.s, freeing up the dedication and payment-in-lieu funds to be used for parkland.

## 6. Next Steps

With respect to next steps, Municipal staff may consider the observations provided in the above section. The Municipality may incorporate these observations into a parkland dedication and payment-in-lieu of parkland by-law. An updated draft by-law has been provided in Appendix D. In addition, the municipality should consider updating the Official Plan policies, the procedures to require appraisals, processing and tracking

parkland dedication payments, all in keeping with the Observations and Comments Section above.

We trust that the information provided in this memo is useful and we would be happy to discuss further.



# Appendix A

## Parkland Dedication By-law Passage Notice Requirements

# APPENDIX A: PARKLAND DEDICATION BY-LAW PASSAGE NOTICE REQUIREMENTS

Section 4(2) of O.Reg. 509/20 provides the following notice requirements:

- 2) Notice shall be given,
  - a) by personal service, fax, mail, or email to,
    - i) as determined in accordance with subsection (3), every owner of land in the area to which the by-law applies,
    - ii) every person and organization that has given the clerk of the municipality a written request for notice of the passing of the by-law and has provided a return address,
    - iii) in the case of a by-law passed by the council of a lower-tier municipality, the clerk of the upper-tier municipality that the lower-tier municipality is in, and
    - iv) the secretary of every school board having jurisdiction within the area to which the by-law applies; or
  - b) by publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the by-law applies to give the public reasonable notice of the passing of the by-law.
- 3) For the purposes of subclause (2) (a) (i), an owner is any person who is identified as an as owner on the last revised assessment roll, subject to any written notice of a change of ownership of land the clerk of the municipality may have received.
- 4) A notice given by mail to an owner shall be mailed to the address shown on the last revised assessment roll or, if applicable, to the address shown on the notice of a change of ownership of land received by the clerk.
- 5) Notice shall contain the following information:
  - (1) A statement that the council of the municipality has passed a community benefits charge by-law or a by-law under section 42 of the Act, as the case may be, and the statement shall set out the number of the by-law and the date on which the by-law passed.
  - (2) A statement that any person or organization may appeal the by-law to the Local Planning Appeal Tribunal under subsection 37 (17) or 42 (4.9) of the Act, as applicable, by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.
  - (3) The last day on which the by-law may be appealed.

- (4) In the case of a notice of the passing of a community benefits charge by-law, an explanation of the community benefits charges imposed by the by-law.
  - (5) In the case of a notice of the passing of a by-law under section 42 of the Act, an explanation of the parkland and payment in lieu requirements imposed by the by-law.
  - (6) A description of the lands to which the by-law applies, a key map showing the lands to which the by-law applies, or an explanation why no description or key map is provided.
  - (7) The location and times during which persons may examine a copy of the by-law.
- 6) For the purposes of subsection 37 (16) and 42 (4.8) of the Act, the prescribed day is,
- a) if the notice is by publication in a newspaper, the first day on which the publication is circulated;
  - b) if the notice is given by fax, the day that the notice is faxed;
  - c) if the notice is given by mail, the day that the notice is mailed; or
  - d) if the notice is given by email, the day that the notice is emailed.

# Appendix B

## Parkland vs. Recreation Definitions Review



Table B-1  
Municipality of Lakeshore  
Parkland vs. Recreation – Review of Definitions in Current Policy Documents

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
Official Plan	Introduction Section 1.0  Page 6	The Municipality of Lakeshore Official Plan (the Plan) is an essential tool to manage future growth, development and change in the Municipality. This Plan provides a blueprint for growth over the planning period to the year 2031, by incorporating a growth management framework which ensures orderly and efficient development patterns by building sustainable and complete communities while protecting and enhancing the Municipality's rich natural and agricultural resources. It ensures that the planning framework and tools are in place to make the Municipality of Lakeshore a healthy and desirable place to live, work and enjoy <b>recreational opportunities</b> .	Refers to recreational opportunities to make Lakeshore a desirable place to live and work. Unclear what recreation means in this case.
	Organization of the OP Section 4  Page 8	Building Healthy Communities - provides detailed policies related to the built environment (including community design, cultural heritage), the human environment (including housing and public services, <b>parks and open space, and recreation</b> ), and economic development (including tourism, agriculture, natural resources, retail and employment/industrial policies).	Appears to delineate parks as being separate from recreation
	Economy  Page 13	Promote the Municipality as a tourist and <b>recreational destination</b> . Support the preparation of a tourism strategy to investigate opportunities for accommodation development, in addition to opportunities for special events programming;	Unclear what recreational means in this case
	Community  Page 14	The Municipality of Lakeshore will promote improved quality of life for Lakeshore residents by making the Municipality a desirable place to live, work and enjoy <b>recreational opportunities</b> .  Promote public access to the waterfront and enhanced <b>recreational opportunities</b>	Unclear what recreational means in this case
	Servicing and Facilities  Page 16	"Lakeshore will ensure that our Municipality is well served and well equipped." An integral component of the Official Plan is a comprehensive growth management strategy to ensure the development of sustainable and complete communities. Complete communities meet residents' immediate and future needs by providing access to a full range and mix of housing, a diverse mix of jobs, a range of community services and facilities, <b>recreational and open space opportunities</b> , and convenient transportation choices.  g) Promote expanded recreational services, programs and facilities, including improved access to the waterfront;  h) Promote healthy communities through opportunities for recreation and convenient access to community services and facilities;	Recreational services appear to be allowed on waterfront. Appears to make a distinction between recreation and open space.

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
	Site Specific Policies Page 36	<p>b) The predominant use of land will be a mix of medium to higher density residential uses; non-industrial community-related employment uses including: commercial retail, offices, and services; entertainment and cultural facilities; institutional; and municipal and public services including: schools, <b>recreation centres, parks and open space uses</b> within an innovative pedestrian-oriented main street environment.</p> <p>d) The Municipality will explore opportunities to secure public lands for <b>passive recreation and open spaces.</b></p>	Recreation appears to be delineated from parks in the first case with respect to recreation facilities, however second point appears to blur the line between parks and recreation
	Built Environment Page 45	<p>A high quality of park and open space design will be required. The land for parkland dedication will be carefully selected to facilitate their use as a central focal point for new or existing neighbourhoods. The Municipality's preference will be for conveyance of parkland and will discourage cash in lieu for sufficiently large sized parcels.</p> <p>The Municipality will promote the integration and accessibility of community uses including schools, municipal facilities, institutional uses, parks and open spaces and recreational uses through pedestrian, cycling and trail linkages. The Municipality will require the provision of certain pedestrian, cycling and trail linkages through the development approvals process, in accordance with the policies of this Plan and associated outline plans as approved by Council.</p>	Recreation separate from parks
	Community Improvement Page 48	deficiencies in community and social services including, but not limited to, public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;	Clear delineation between recreation and parks
	Energy Conservation Page 56	The Municipality will encourage public/private partnerships to finance, acquire and construct a linked open space system consisting of bikeways, trails, and walkways which promote walking, cycling and non-motorized modes of transportation between communities.	Provides what open space system consists of
	Recreation Policies Page 73	<p><b>Recreation</b></p> <p>The Plan strives to ensure that sufficient recreational, open space and park facilities are provided within the Municipality to meet the leisure needs and desires of the present and future residents, businesses, as well as visitors to the Municipality.</p> <p>The Municipality will promote appropriate <b>recreational development in parks, open spaces</b>, along the lakeshore and other similar areas of the Municipality that provide opportunities for active, passive and programmed community recreation and leisure, and that contribute to the preservation</p>	Several instances in this section that delineates parks separately from recreation

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
		<p>and protection of open space and the natural environment.</p> <p>The Municipality will assess the feasibility of acquiring private land along the lakeshore for public park or open space uses.</p> <p>The Municipality will promote the provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses.</p>	
	<p>Parks and Open Space Policies</p> <p>Page 73-78</p>	<p>Parks and open spaces appear to be clearly distinct from recreation within this section. There is no mention of recreation or recreational facilities within this section. E.g.</p> <ul style="list-style-type: none"> <li>- The Municipality's parks and open spaces will provide venues for a diverse range of both structured and unstructured, active and passive leisure pursuits for children, teens, adults and seniors to pursue activities of personal interest, skills development, and volunteering active engagement in community life.</li> <li>- The Municipality's parks and open spaces will provide venues to protect and conserve valued natural resources, such as woodlots, marshes, waterfronts, and other natural features vital to a healthy and sustainable ecology and natural environment, as well as to recognize and sustain valued historical and heritage venues that have contributed to both the community's historical development and identity.</li> <li>- Parks and open spaces will also provide lands that contribute to the greening and beautification of the municipality via both natural and planted materials and venues, and will create unique identifiers and focal points for the community.</li> <li>- The Municipality will consider opportunities for the promotion and implementation of stormwater management best practices within the Municipality's parks and open spaces where appropriate. Consideration should be given to stormwater attenuation and re-use and low impact development measures to control the quantity and quality of stormwater.</li> </ul> <p>Elements for each type of park are provided within OP. Recreation facilities are not included within the elements. E.g. Regional Parks consider the following elements:</p> <ul style="list-style-type: none"> <li>i) Incorporate universally accessible guidelines</li> <li>ii) Tree canopy</li> <li>iii) Seating (choices)</li> <li>iv) Trash/Recycling</li> <li>v) Play equipment (alternative opportunities)</li> <li>vi) Tables (picnic or café)</li> <li>vii) Parking</li> <li>viii) Restrooms</li> <li>ix) Internal Trail</li> <li>x) Splash pad water feature</li> <li>xi) Pavilion</li> <li>xii) Support marina programming or recreational programming</li> </ul> <p>Neighbourhood parks with sports classification may also include sports fields,</p>	<p>Implies major sports field may be outdoor recreation</p> <p>CIP section implies recreation is separate from parkland</p>

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
		however, all other elements are indicative of parks vs. recreation	
	Residential Designation Page 151	Neighbourhood parks and trails will be permitted, whereas community parks, major parks and other large-scale recreational uses will only be permitted in the Parks and Open Space Designation.	Appears that recreational uses are part of parks and open spaces
	Recreation and Commercial Designation Page 155	Recreation facilities operating largely for commercial gain including, marinas, parks, golf courses, travel trailer parks, campgrounds, amusement parks, hotels and motels, convention and meeting establishments, museums and galleries and other commercial recreational facilities including restaurants, clubs, taverns, snack bars, and convenience retail establishments.	Parks are part of recreation facilities definition here
	Parks and Open Space Designation Page 176	Recreation and Recreation facilities are noted here a number of times	Parks and recreation definitions appear blurred here.
Zoning By-law	Definitions - Page 45 & 46	<p><b>COMMERCIAL OUTDOOR RECREATION FACILITY</b> – shall mean an outdoor facility or facilities which may include, but not necessarily be restricted to a water slide, a commercial outdoor swimming pool, a wave pool, a baseball batting cage or a paddleboat or bumper-boat pool, and a mini golf course, but shall not include a golf course, go-kart track, a ski club or any other use as otherwise defined or listed herein.</p> <p><b>COMMUNITY CENTRE</b> – shall mean a public building and associated lands used for community recreation or social activities, meetings or other leisure activities and not used for commercial purposes, and the control of which is vested in the Town, a non-profit organization, a local board or agent thereof</p> <p><b>PARK, PUBLIC</b> – shall mean a park controlled or owned by the Town or a public authority normally open to the public.</p>	Separation of parkland from recreation
Parks and Recreation Master Plan	Appendix F	Delineates parks and outdoor recreation facilities - specifies that soccer fields, tennis courts, splash pads, outdoor pools etc. are all recreational facilities	Appears to make the distinction between parks and outdoor recreation



# Appendix C

## MPAC Database Review



Table C-1  
Municipality of Lakeshore  
MPAC Data  
As of May 2023

**MPAC Database**

*Property Code - 100 - Vacant Residential Land not on water*

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$34,000	\$220,000	2023-02-01	0.32	\$ 696,362
Address 2	\$23,000	\$220,000	2023-02-01	0.20	\$ 1,073,837
Address 3	\$34,500	\$220,000	2023-02-01	0.32	\$ 683,342
Address 4	\$25,000	\$220,000	2023-02-01	0.23	\$ 947,836
Address 5	\$23,500	\$220,000	2023-02-01	0.21	\$ 1,061,458
Address 6	\$21,000	\$220,000	2023-02-01	0.19	\$ 1,178,743
Address 7	\$21,500	\$220,000	2023-02-01	0.19	\$ 1,153,768
<b>Total</b>		<b>\$ 1,540,000</b>		<b>1.66</b>	
<b>Average Per Acre</b>					<b>\$ 930,000</b>

**MPAC Database**

*Property Code - 106 - Vacant Industrial*

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$83,000	\$487,500	2022-09-01	2.13	\$ 228,873
Address 2	\$82,000	\$900,000	2021-09-01	2.84	\$ 316,901
Address 3	\$351,000	\$228,684	2021-02-01	3.82	\$ 59,865
<b>Total</b>		<b>\$ 1,616,184</b>		<b>8.79</b>	
<b>Average Per Acre</b>					<b>\$ 180,000</b>

**MPAC Database**

*Property Code - 105 - Vacant Commercial*

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$66,000	\$450,000	2022-07-01	0.16	\$ 2,778,061
Address 2	\$69,000	\$255,850	2022-06-01	0.17	\$ 1,510,753
Address 3	\$64,000	\$210,000	2022-04-01	0.52	\$ 406,560
Address 4	\$37,500	\$325,000	2021-05-01	1.72	\$ 188,953
<b>Total</b>		<b>\$ 1,240,850</b>		<b>\$ 3</b>	
<b>Average Per Acre</b>					<b>\$ 480,000</b>

\* Addresses have been removed for confidentiality purposes.



# Appendix D

## Draft Parkland Dedication By-law

# THE CORPORATION OF THE MUNICIPALITY OF LAKESHORE

## By-law Number XX-2022

Whereas section 42 of the *Planning Act* provides that for the development or redevelopment of land, the council of a local municipality may, by by-law, require that land in an amount not exceeding, in the case of land proposed for Development or Redevelopment for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent, be conveyed to the municipality for park or other public recreational purposes;

And whereas section 51.1 of the *Planning Act* provides that an approval authority may impose, as a condition of the approval of a plan of subdivision, that land be conveyed to the local municipality for park or other public recreational purposes, such land not to exceed, in the case of a subdivision proposed for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent;

And whereas section 53 of the *Planning Act* provides that section 51.1 of the *Planning Act* also applies to the granting of consents;

And whereas a Parks Plan was prepared in consultation with the local school boards and other persons or public bodies the municipality considered appropriate, and made publicly available on \_\_\_\_\_, 2023;

And whereas the Council of the Municipality of Lakeshore wishes to use the provisions of the *Planning Act* for the purposes of acquiring and providing parkland for the use and enjoyment of the residents of the Municipality of Lakeshore;

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

### Part 1: Interpretation

#### Definitions

1. In this by-law:

- (a) “**Act**” means the Planning Act, R.S.O. 1990, c.P.13
- (b) “**Affordable Residential Unit**” means a residential unit that meets the criteria set out in subsection 4.1(2) or 4.1(3) of the *Development Charges Act*;
- (c) “**Attainable Residential Unit**” means a residential unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act*;
- (d) “**Board of Education**” has the same meaning as “board”, as defined in the Education Act, R.S.O. 1990, c.E.2, as amended;
- (e) “**Commercial**” means the use of land, buildings, or structures for a use which is



not industrial, and which are used in connection with:

- i. the selling of commodities to the general public; or
- ii. the supply of services to the general public; or
- iii. office or administrative facilities.

- (f) **“Council”** means the Council for the Municipality of Lakeshore;
- (g) **“Development”** means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
- (h) **“Lakeshore”** means Municipality of Lakeshore;
- (i) **“Gross Floor Area”** has the same meaning as in the Municipality’s Development Charges By-law, as amended.
- (j) **“Industrial”** means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;
- (k) **“Institutional”** means the use of land, buildings, or structures for hospitals, correctional institutions and associated facilities, municipal facilities, elementary and secondary schools, colleges, universities, places of worship and ancillary uses, military and cultural buildings, daycare centres, residential care facilities for more than ten persons and long term care centres;
- (l) **“Mixed Use”** means the physical integration of two or more of the following uses within a building or structure or separate buildings or structures on the lands proposed for Development or Redevelopment: Commercial; Industrial; Institutional; Residential; or any other use not noted herein;
- (m) **“Non-profit housing development”** means development of a building or structure intended for use as residential premises by,
- i. a corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
  - ii. a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - iii. a non-profit housing co-operative that is in good standing under the Co-

operative Corporations Act, or any successor legislation.

- (n) **“Official Plan”** means the Municipality’s Official Plan, as amended.
- (o) **“PIL”** means payment-in-lieu of parkland otherwise required to be conveyed.
- (p) **“Planning Act”** means the Planning Act, R.S.O. 1990, c.P.13, as amended,
- (q) **“Redevelopment”** means the removal of a building or structure from land and the further Development of the land or, the expansion or renovation of a building or structure which results in a change in the character or density of the use in connection therewith;
- (r) **“Residential”** means the use of land, buildings, or structures for human habitation;
- (s) **“Residential Unit”** means one or more habitable rooms each of which is accessible from the others and which function as an independent and 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;
- (t) **“Rural Area”** means those areas designated as not being within a settlement area by the Official Plan;
- (u) **“Shared Use Agreement”** means an agreement between a Board of Education and Lakeshore for the sharing of buildings and/or property;
- (v) **“Municipality”** means the Corporation of the Municipality of Lakeshore; and
- (w) **“Zoning By-law”** means the by-law passed pursuant to section 34 of the Planning Act.

## **Rules of Interpretation**

- 2. (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.
  - (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 or by-laws 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) The obligations imposed by this by-law are in addition to obligations otherwise imposed by law or contract.
- (f) 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.
- (g) Terms with capitals shall be read with the meaning in section 1 and other words shall be given their ordinary meaning.
- (h) 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.
- (i) 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.
- (j) Where a provision of this by-law conflicts with the provisions of another by-law in force in the Municipality, the more specific by-law shall prevail.

### **Application**

- 3. The provisions of this by-law apply to the entire geographic area of the Municipality of Lakeshore.

### **Exemptions**

- 4. Development or Redevelopment described in the subsections (a) through to and including (f) shall be exempt from the obligations to convey land or make a PIL under Parts 2 and 3 of this by-law:
  - a) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of the Municipality of Lakeshore;
  - b) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education, where a Shared Use Agreement exists;
  - c) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause provided that no intensification or change of use is proposed, including but not limited to an increase in total Residential Units count or Gross Floor Area;
  - d) The enlargement of an existing Residential Unit provided that the enlargement does not result in additional Residential Units;

- e) The enlargement of an existing Commercial or Industrial building or structure if the Gross Floor Area is enlarged by 50% or less. The area of the existing building or structure shall be calculated by reference to the first building permit which was issued in respect of the building or structure for which the exemption is sought;
- f) Institutional Development;
- g) Development or Redevelopment of land, buildings or structures for temporary construction uses as defined by the Municipality's Zoning By-law; and
- h) Development or Redevelopment or location of,
  - i. a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
  - ii. a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
  - iii. one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

## **Part 2: Conveyance of Land for Park Purposes**

- 5. Land shall be required to be conveyed to Lakeshore for park purposes as a condition of Development or Redevelopment of land in an amount to be determined in accordance with subsections (a) through to and including (e).
  - a) In the case of lands proposed for Residential uses, the greater of the following:
    - i. if the density of the development is 30 units per hectare or less, at a rate of five per cent (5%) of the land being Developed or Redeveloped, or
    - ii. if the density of the development is greater than 30 units per hectare, at a rate of one (1) hectare for each six hundred (600) net residential units proposed.
      - With respect to land proposed for development or redevelopment that will include affordable residential units or

attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or residential units described in subsection 4.3 (2) of that Act, the amount of land that may be required to be conveyed under subsection (1) shall not exceed 5 per cent of the land multiplied by the ratio of A to B where,

- “A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
  - “B” is the number of residential units that are part of the development or redevelopment; or
- b) In the case of lands proposed for Commercial or Industrial uses, land in the amount of two per cent (2%) of the land to be Developed or Redeveloped.
- c) In the case of a Mixed-Use Development or Redevelopment, land in the aggregate, calculated as follows:
- i. the Residential component, if any, as determined by Lakeshore, of the lands being Developed or Redeveloped, shall require the conveyance of land as determined in accordance with subsection (a) of this by-law; plus
  - ii. the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Lakeshore, shall require the conveyance of land as determined in accordance with subsection (b) of this by-law; plus
  - iii. the component of the lands proposed for any use other than Residential, Commercial or Industrial if any as determined by the Municipality, shall require the conveyance of land as determined in accordance with subsection (d) of this by-law.
- d) In the case of lands proposed for Development or Redevelopment for a use other than those referred to in subsections (a), (b) and (c) of this section, land in the amount of five per cent (5%) of the land to be Developed or Redeveloped.
- e) Where the development of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within two years of building permit issuance, the conveyance shall be determined on the date of the planning application. Where both planning applications apply, conveyance shall be determined on the date of the later planning application.

## **Location of Conveyance and Condition of Title**

6. Subject to restrictions in the Planning Act, the location and configuration of land required to be conveyed pursuant to this by-law shall be as determined by Lakeshore and all such lands shall be free of all encumbrances, including but not limited to such easements which Lakeshore, in its sole and absolute discretion, is not prepared to accept and shall be free of any contamination, including but not limited to any toxic, noxious or dangerous contaminants, and shall otherwise be in a condition satisfactory to Lakeshore.
7. A requirement as part of Development or Redevelopment to convey any valley land or watercourse corridors, woodlands, natural heritage system lands and associated buffers, easements, vista blocks and storm water management ponds, as those terms are defined in the Official Plan or any secondary plan adopted under the Official Plan, shall not be considered to be a conveyance of land for park purposes in satisfaction of a requirement under this by-law.

### **Timing of Conveyance**

8. Where land is required to be conveyed in accordance with this by-law, the lands shall be conveyed as follows:
  - a) in the case of Development or Redevelopment to be approved pursuant to sections 51.1 or 53 of the Planning Act, the conveyance of land may be required as a condition of approval, and said lands shall be conveyed to Lakeshore either prior to or immediately upon registration of the plan of subdivision or upon the consent being given, as determined by Lakeshore; and
  - b) in the case of Development or Redevelopment where land has not been conveyed or has not been required pursuant to sections 51.1 or 53 of the Planning Act, Lakeshore shall require the conveyance of land as a condition of Development or Redevelopment prior to building permit issuance in accordance with section 42 of the Planning Act.

### **Part 3: Payment-in-Lieu of Parkland**

9. In lieu of requiring the conveyance of land required by part 2 of this by-law, Lakeshore may require the payment of the value of the lands otherwise required to be conveyed, calculated in accordance with the following:
  - a) Where the PIL has been required for a consent pursuant to sections 51.1 or 53 of the Planning Act, PIL may be provided on per lot basis where the land is used for a Residential use as per Schedule 1.

The per lot rates shall be indexed annually on January 1st of each year commencing January 1, 2024, by the CMHC housing starts by dwelling type index and posted by Lakeshore. Lakeshore's failure to post the indexed rate shall not waive the requirement for compliance with this by-law.

If the applicant does not agree with the per lot rate, they may submit a property appraisal subject to the PIL requirements is subsection b).

- b) For all other development or redevelopment, the PIL shall be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
- i. in the case of lands proposed for Residential, the greater of the following:
    - 1) if the density of the development is 50 units per hectare or less, at a rate of five per cent (5%) of the value of land being Developed or Redeveloped, or
    - 2) If the density of the development is greater than 50 units per hectares, at a rate of the value of one (1) hectare of land for each one thousand (1,000) net residential units proposed.
  - With respect to land proposed for development or redevelopment that will include affordable residential units or attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or residential units described in subsection 4.3 (2) of that Act, the PIL that may be required shall not exceed 5 per cent of the value of the land multiplied by the ratio of A to B where,
    - “A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
    - “B” is the number of residential units that are part of the development or redevelopment; or
  - ii. in the case of lands proposed for Commercial or uses, the value of two per cent (2%) of the land to be Developed or Redeveloped;
  - iii. in the case of a Mixed-Use Development or Redevelopment, the value of the land in the aggregate, calculated as follows:
    - 1) the Residential component, if any as determined by Lakeshore, of the lands being Developed or Redeveloped, shall require the PIL of the value of land as determined in accordance with paragraph (i) of this subsection; plus
    - 2) the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Lakeshore, shall require the conveyance of land as determined in accordance with paragraph (ii) of this

subsection; plus

- 3) the component of the lands proposed for any use other than Residential, Commercial or Industrial if any as determined by the Municipality, shall require the conveyance of land as determined in accordance with paragraph (iii) of this subsection; and
- iv. in the case of lands proposed for Development or Redevelopment for a use other than those referred to in paragraphs (i), (ii) and (iii) of this subsection, the value of five per cent (5%) of the land to be Developed or Redeveloped.

### **Timing of PIL Payment and Determination of Value**

**10.** PIL shall be paid as follows:

- a) For Development or Redevelopment where the payment of PIL is not required as a condition of an approval or a consent, pursuant to either sections 51.1 or 53 of the Planning Act, the PIL shall be paid prior to the issuance of the building permit in respect of the Development or Redevelopment in accordance with section 42 of the Planning Act. The value of the land shall be determined as of the day before the day the building permit is issued in respect of the Development or Redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.
- b) In the event that an extension of an approval described in subsection (a) or (b) is requested, the value of the land shall be determined as of the day before the day of the approval of the extension.
- c) Where the development of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within two years of building permit issuance, the PIL shall be calculated on the value of the land on the date of the planning application. Where both planning applications apply, PIL shall be calculated on the value of the land on the date of the later planning application.

### **Part 4: Other**

#### **Previous or Required Conveyances**

11. Notwithstanding parts 2 and 3 of this by-law, if land has been conveyed or is required to be conveyed to Lakeshore for park or other public recreational purposes or PIL has been received by Lakeshore or is owing to it pursuant to a condition imposed



pursuant to sections 42, 51.1 or 53 of the Planning Act, no additional conveyance or payment in respect of the lands subject to the earlier conveyance or payment will be required by Lakeshore in respect of subsequent Development or Redevelopment unless:

- a) There is a change in the proposed Development or Redevelopment which would increase the density of the development; or
  - b) Land originally proposed for Development or Redevelopment for Commercial or Industrial uses is now proposed for Development or Redevelopment for other uses.
12. Where there is a claim of previous conveyance or PIL payment, it is the applicant's/owner's responsibility to provide suitable evidence of such previous conveyance or PIL payment, to Lakeshore's satisfaction.
13. Land or PIL required to be conveyed or paid to Lakeshore for park or other public recreation purposes pursuant to parts 2 and 3 of this by-law shall be reduced by the amount of land or PIL previously received by Lakeshore pursuant to sections 42, 51.1 or 53 of the Planning Act in respect of the lands being Developed or Redeveloped.

### **Phased Development**

14. Where approvals are issued in phases for Development or Redevelopment, Lakeshore shall calculate and require the conveyance of land for park purposes or the payment of PIL, in accordance with parts 2 and 3 of this by-law, on a phase-by-phase basis.

### **Part 5: General**

15. Where a determination is required to be made by Lakeshore in this by-law, that determination shall be made by the [Position of Staff Member that Makes Determination]. The [Position of Staff Member that Makes Determination]'s decision shall be final.
16. This by-law shall be referred to as the "Parkland Dedication By-law".
17. By-law xx-xxxx and any amendments to the by-law are repealed. Policies made prior the adoption of By-law xx-xxxx respecting conveyance of land for park purposes and payment in lieu of conveyance of land for park purposes are rescinded.
18. This by-law comes into force upon passage.

### **Schedules**

The following schedule shall form part of this By-law:

Schedule 1: PIL of Parkland Per Lot Fee Required as a Condition of a Severance or Consent

Read and passed in open session on \_\_\_\_\_, 2023.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

**Schedule 1 to By-law XX-2023  
PIL of Parkland Per Lot Fee Required for a Consent**

Parkland Per Lot Fee *
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*\*Rates are subject to indexing as per Section 9(a)*

# Municipality of Lakeshore

## Minutes of the Regular Council Meeting

Tuesday, November 19, 2024, 5:00 PM

Council Chambers, 419 Notre Dame Street, Belle River



Members Present: Mayor Tracey Bailey, Deputy Mayor Kirk Walstedt, Councillor Ryan McNamara, Councillor Michael Hoffman, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Ian Ruston, Councillor Larissa Vogler

Staff Present: Interim Chief Administrative Officer Justin Rousseau, Corporate Leader - Community Health and Safety Frank Jeney, Corporate Leader - General Counsel Susan Hirota, Corporate Leader - Growth and Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Interim Corporate Leader - Chief Financial Officer Kate Rowe, Chief Growth Officer Ryan Donally, Chief Workforce Development Officer Lisa Granger, Division Leader - Capital Projects Wayne Ormshaw, Division Leader - Communication and Engagement Alex Denonville, Division Leader - Legislative Services Brianna Coughlin, Team Leader - Legislative Services Cindy Lanoue, Planner I Ian Search, IT Technical Analyst Erik Pelland

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### 1. Call to Order

Mayor Bailey called the meeting to order at 5:02 PM in Council Chambers.

### 2. Closed Session

**365-11-2024**

**Moved By** Councillor McNamara

**Seconded By** Deputy Mayor Walstedt

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

- a. Paragraph 239(2)(d) of the *Municipal Act, 2001* to discuss labour relations or employee negotiations, relating to a benefits review for non-union employees.

- b. Paragraph 239(2)(e) and (f) of the *Municipal Act, 2001* to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice that is subject to solicitor-client privilege regarding an encroachment matter.

**Carried Unanimously**

Council returned to open session at 6:02 PM.

Mayor Bailey called a recess at this time and reconvened the meeting at 6:10 PM.

- 3. Singing of O Canada**
- 4. Land Acknowledgement**
- 5. Moment of Reflection**
- 6. Disclosures of Pecuniary Interest**
- 7. Recognitions**
- 8. Announcements by Mayor**
- 9. Public Meetings under the Planning Act**
  - 1. Zoning By-law Amendment (ZBA-17-2024) – 12100 Lakeshore Road 303**

Mayor Bailey opened the public meeting at 6:15 PM.

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

Applicants Mike and Jocelyn Mailloux were present to answer any questions relating to the application.

The public meeting concluded at 6:20 PM.

**366-11-2024**

**Moved By** Deputy Mayor Walstedt

**Seconded By** Councillor Ruston

Approve Zoning By-law Amendment Application ZBA-17-2024 (Zoning By-law 2-2012, as amended), to rezone the lands known legally as, Part of Lot 12, Concession 2, Tilbury, designated as Parts 1 to 3 on Plan 12R-5779, save and except Part 1 on Plan 12R29856; Lakeshore, being part of the Property Identifier Number 75066-0088(LT), and known municipally as 12100 Lakeshore Road 303, from "Agriculture (A)" to "Agriculture Zone Exception 120 (A-120)" zone (indicated as "12100 Lakeshore Rd 303 Retained Land" on the Key Map, Appendix B), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 107-2024 during the Consideration of By-laws, all as presented at the November 19, 2024 Council meeting

**Carried Unanimously**

**10. Public Presentations**

**1. Paul Mullins - Request regarding former St. Joachim Church**

Mr. Mullins provided a video relating to the property and his request.

**367-11-2024**

**Moved By** Mayor Bailey

**Seconded By** Deputy Mayor Walstedt

That the Municipality of Lakeshore acknowledges the importance of the heritage value of the former St. Joachim church and the need to comply with the Ontario Heritage designation.

**Carried Unanimously**

**11. Delegations**

**12. Completion of Unfinished Business**

**13. Approval of Minutes****368-11-2024****Moved By** Deputy Mayor Walstedt**Seconded By** Councillor McNamara

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

1. November 5, 2024 Regular Council Meeting Minutes

**Carried Unanimously****14. Consent Agenda****369-11-2024****Moved By** Councillor Santarossa**Seconded By** Councillor Hoffman

Receive the items as listed on the Consent Agenda.

1. County of Essex - Traffic Review of Renaud Line Road and County Road 42

**Carried Unanimously****15. Reports for Direction**

1. **LL-2024-01 Tender Award for Accessibility Compliance, Facility Needs Assessment and Health and Safety Program Audit**

**370-11-2024****Moved By** Councillor Santarossa**Seconded By** Councillor McNamara

Award the tender for the project LL-2024-01 Lakeshore 2024 Audit of Health and Safety Program, Accessibility Compliance and Facility Needs Assessment to Accessibility Partners for the amount of \$82,500 including applicable taxes; and,

Approve an additional \$32,500 from the Plans and Studies reserve in 2025, all as presented at the November 19, 2024 Council meeting.

In Favour (3): Councillor McNamara, Councillor Santarossa, and Councillor Hoffman

Opposed (5): Mayor Bailey, Deputy Mayor Walstedt, Councillor Kerr, Councillor Ruston, and Councillor Vogler

**Lost**

**371-11-2024**

**Moved By** Mayor Bailey

**Seconded By** Deputy Mayor Walstedt

Direct Administration to bring a report regarding the requirement for AODA audit.

**Carried Unanimously**

**2. 2024 Annual Review of the Workplace Violence and Harassment Policy and the Health and Safety Policy**

**372-11-2024**

**Moved By** Councillor Ruston

**Seconded By** Councillor Hoffman

Renew the Workplace Violence and Harassment Policy and the Health and Safety Policy, as presented at the November 19, 2024 Council meeting.

**Carried Unanimously**

**3. Revisions to the Recruitment Policy**

**373-11-2024**

**Moved By** Councillor McNamara

**Seconded By** Councillor Vogler

Approve the proposed changes to the Recruitment Policy as presented at the November 19, 2024 Council meeting and direct Administration to prepare the necessary by-law for adoption.

**Carried Unanimously**

**4. By-law to Authorize Long-Term Borrowing to Finance the Expansion of the Denis St. Pierre Pollution Control Plant**

**374-11-2024**

**Moved By** Councillor Ruston

**Seconded By** Councillor McNamara

Direct the Clerk to read By-law 109-2024 to authorize the issuance of long-term debt through Infrastructure Ontario (IO) in the principal amount of \$45,281,427.72 to finance the expansion of the Denis St. Pierre Water Treatment Plant (the "Project"), during the Consideration of By-laws, as presented at the November 19, 2024 Council meeting.

**Carried Unanimously**



**5. Site Plan Control By-law Update**

**375-11-2024**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Hoffman

Direct the Clerk to read By-law 106-2024, being a by-law to establish a site plan control area within the Municipality and to adopt rules for the processing of site plan development applications, during the Consideration of By-laws, as presented at the November 19, 2024 Council meeting.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, Councillor Ruston, Councillor Vogler, and Councillor Hoffman

Opposed (1): Councillor Kerr

**Carried**

**6. Tender Award – Bridge over Renaud Line Drain**

**376-11-2024**

**Moved By** Councillor Ruston

**Seconded By** Councillor McNamara

Award the tender for the Bridge over Renaud Line Drain to Front Construction Industries Inc. in the amount of \$275,260.80 (including applicable HST), as presented at the November 19, 2024 Council meeting.

**Carried Unanimously**

## 16. Notices of Motion

### 1. Mayor Bailey - Health Travel Grant Program

**377-11-2024**

**Moved By** Mayor Bailey

**Seconded By** Councillor Santarossa

Whereas the Province of Ontario offers a Northern Travel Health Grant for residents who must travel a minimum of 100 kilometers one way to access the nearest medical specialist or provincially-funded healthcare facility services that are not available locally;

And whereas there are residents in the Windsor-Essex County area that are required to travel 100 kilometres or more to access specialized medical services that are not available locally, such as pediatric patients accessing specialized medical care in London or Toronto children's hospitals;

Now therefore the Council of the Municipality of Lakeshore requests that the Province of Ontario expand the Travel Health Grant Program to all Ontarians who are required to travel a minimum of 100 kilometres one-way to access medical specialist or provincially-funded healthcare services that are not available locally.

**Carried Unanimously**

### 2. Deputy Mayor Walstedt - Delegation of Authority to the Committee of Adjustment for Minor Zoning By-law Amendments

**378-11-2024**

**Moved By** Deputy Mayor Walstedt

**Seconded By** Councillor Ruston

Reconsider Resolution #161-05-2024 regarding the Delegation of Authority for Minor Zoning By-law Amendments, presented at the May 7, 2024 Council meeting.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, Councillor Kerr, Councillor Ruston, and Councillor Hoffman

Opposed (1): Councillor Vogler

**Carried**

**379-11-2024****Moved By** Deputy Mayor Walstedt**Seconded By** Councillor Ruston

Direct Administration to provide public notice of a draft Official Plan Amendment, collect comments and schedule a public meeting, as required under the *Planning Act*, for the delegation of authority to the Committee of Adjustment for minor Zoning By-law amendments that are required to fulfill a condition of approval related to a surplus farm dwelling consent application.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, Councillor Kerr, Councillor Ruston, and Councillor Hoffman

Opposed (1): Councillor Vogler

**Carried****3. Councillor Kerr - Commemorative Crosswalk for Veterans****380-11-2024****Moved By** Councillor Kerr**Seconded By** Deputy Mayor Walstedt

Whereas in early November Amherstburg voted unanimously to install a commemorative crosswalk for Veterans;

And whereas also in November, Chatham Kent unveiled their commemorative crosswalk for Veterans at the downtown Chatham cenotaph;

Direct Administration bring back a report as to how Lakeshore can provide our cenotaphs with a commemorative crosswalk for Veterans.

**Carried Unanimously****17. Reports from County Council Representatives****18. Report from Closed Session**

**19. Consideration of By-laws**

**381-11-2024**

**Moved By** Councillor Vogler

**Seconded By** Councillor Hoffman

By-laws 106-2024, 107-2024, 109-2024 and 112-2024 be read and passed in open session on November 19, 2024.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, Councillor Ruston, Councillor Vogler, and Councillor Hoffman

Opposed (1): Councillor Kerr

**Carried**

1. **By-law 106-2024, Being a by-law to establish a site plan control area for the Municipality of Lakeshore and to adopt rules for the processing of site plan development applications**
2. **By-law 107-2024, Being a By-law to amend By-law 2-2012, Zoning By-law for the Municipality of Lakeshore (ZBA-17-2024)**
3. **By-law 112-2024, Being a By-law to Confirm the Proceedings of the November 5, 2024 Council Meeting**

**20. Non-Agenda Business**

**21. Addendum**

1. **Closed session (addendum to section 2)**

This item was addressed with Item 2 - Closed Session.

2. **Consideration of By-laws (addendum to section 19)**

This item was addressed with Item 19 – Consideration of By-laws.

**22. Adjournment**

**382-11-2024**

**Moved By** Deputy Mayor Walstedt

**Seconded By** Councillor Ruston

Adjourn the meeting at 8:10 PM.

**Carried Unanimously**

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Tracey Bailey  
Mayor

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Brianna Coughlin  
Clerk

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416 585-7000



234-2024-5434

November 28, 2024

Dear Head of Council:

Through the *More Homes Built Faster Act, 2022*, changes were made to the *Planning Act* to accelerate implementation of the province's additional residential unit (ARU) framework. These changes allowed "as-of-right" (without the need to apply for a rezoning) the use of up to 3 units per lot in many existing residential areas (i.e., up to 3 units allowed in the primary building, or up to 2 units allowed in the primary building and 1 unit allowed in an ancillary building such as a garage).

To support implementation of ARUs, the *Cutting Red Tape to Build More Homes Act, 2024*, made further changes to the *Planning Act* to provide me, as the Minister of Municipal Affairs and Housing, with broader regulation-making authority to remove municipal zoning by-law barriers that may be limiting the development of ARUs.

Following consultation on the Environmental Registry of Ontario, our government has taken further action to tackle the housing supply crisis and reach our goal of building more homes by amending [Ontario Regulation 299/19 – Additional Residential Units](#) to remove certain municipal zoning by-law barriers. These changes took effect upon filing.

These changes will help to facilitate the creation of ARUs, such as basement suites and garden suites, by eliminating barriers including maximum lot coverage, angular planes, floor space index (FSI), minimum separation distances and minimum lot sizes on parcels of urban residential land subject to the ARU framework in the *Planning Act*. More information on these changes can be found through [Environmental Registry of Ontario posting 019-9210](#).

It is my expectation that municipalities will respect these regulatory changes and the intent behind them. I will not hesitate to use my available powers to ensure these changes to the *Planning Act* are allowed to support our goal of building more homes.

We will continue working with our municipal partners to achieve our goal of building the homes that Ontarians need.

Sincerely,



Hon. Paul Calandra  
Minister of Municipal Affairs and Housing

c. Martha Greenberg, Deputy Minister

Jessica Lippert, Chief of Staff to Minister Calandra

Chief Administrative Officer  
Office of The Clerk

**Solicitor General**

Office of the Solicitor General

25 Grosvenor Street, 18<sup>th</sup> Floor  
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Tel: 416 326-5000  
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Minister.SOLGEN@ontario.ca



November 29, 2024

Her Worship Tracey Bailey  
Mayor  
Municipality of Lakeshore  
[tbailey@lakeshore.ca](mailto:tbailey@lakeshore.ca)

Dear Mayor Bailey:

Our government is proud to have a strong working relationship with both our municipal partners and the police services that keep our communities safe. The collective agreement that was reached between the province and the Ontario Provincial Police Association (OPPA) earlier this year reflects this strong relationship and will support our brave women and men in uniform across Ontario.

At the same time, we understand the impact these changes are having on the budgets of municipalities that are served by the OPP, including your own, which is why we are stepping up with additional provincial support. With that in mind, I am pleased to share with you the following proposed billing changes:

- A 3.75 per cent reduction of the total 2023 reconciled costs to all communities to approximate the full (100 per cent) impact of the Ontario Provincial Police Association (OPPA) salary increases, excluding the 1 per cent increase that was built into the 2023 estimates; and
- A 44 per cent reduction on overtime 2023 reconciled costs to all communities;
- A 10 per cent reduction of 2025 invoice amounts to all communities to approximate the full (100 per cent) impact of the OPPA salary increases excluding the 1 per cent increase that was already built into the 2023 estimate.

These changes would provide over \$77 million in relief to OPP-policed municipalities.

The total billing statement that was initially provided to you for 2025, inclusive of the increases resulting from the new collective agreement, was \$5,847,215. Today's proposed billing changes will provide an estimated \$843,764 in financial relief for your municipality, bringing the new total for OPP services being billed to your municipality in 2025 to \$5,003,451.

In addition to these changes, the Government of Ontario is continuing its annual \$125 million Court Security & Prisoner Transportation Transfer Payment Program for the 2025 calendar year.

... /2



The province will also be examining options for reviewing the OPP billing model to ensure that it meets the needs of communities across the province.

If you have any questions, please contact Ryan Whealy, Deputy Director of Issues and Legislative Affairs, at [Ryan.Whealy@ontario.ca](mailto:Ryan.Whealy@ontario.ca).

Thank you for your continued collaboration, valuable relationship, input and dedication to ensuring the safety and well-being of your community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Kerzner", with a long, sweeping underline.

Michael Kerzner  
Solicitor General



November 14, 2024

Hon. Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
Email: [premier@ontario.ca](mailto:premier@ontario.ca)

Dear Honourable Doug Ford,

**RE: OPP Detachment Billing Increases**

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Please be advised that the Council of the Corporation of the Municipality of Leamington, at its meeting held Tuesday, November 12, 2024 enacted the following resolution:

**WHEREAS** current police services within the Municipality of Leamington (hereinafter referred to as the 'Municipality') are provided by the Ontario Provincial Police (hereinafter referred to as the 'OPP');

**AND WHEREAS** the Municipality and the local OPP detachment have worked in a positive, collaborative and effective manner for decades;

**AND WHEREAS** historical increases in OPP Annual Billing Statements have trended around 5.67%;

**AND WHEREAS** the OPP submitted their 2025 Annual Billing Statement to the Municipality on October 4, 2024, that identifies an approximate \$833,000 (14.45%) increase from 2024 to 2025 that will translate to an approximate 2.48% tax rate increase, in addition to what the Municipality was contemplating for the residents of Leamington;

**AND WHEREAS** the Municipality was not consulted nor provided any advanced notice from the Commissioner regarding the significant cost increase received for OPP services;

**AND WHEREAS** the Municipality cannot afford to absorb this unexpected and entirely preventable increase without causing undo financial strain to our taxpayers;

**THEREFORE BE IT RESOLVED THAT** the Municipality of Leamington wishes to dispute the 2025 OPP Annual Billing Statement;

**AND FURTHER THAT** the Town requests that the 2025 OPP Annual Billing Statement be reduced to an approximate 5% increase that is more manageable for the Municipality and in line with historical trends;

**AND FURTHER THAT** any increase above 5% be absorbed by the province as the additional costs are directly the result of collective bargaining that was within the control of the OPP and should have been known to be financially unsustainable for the municipalities that now need to pay the bill;

**AND FURTHER THAT** the Municipality request that the County of Essex undertake a feasibility study for a County Police Force;

**AND FURTHER THAT** a copy of this Resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Michael Kerzner, Solicitor General, MPP Trevor Jones, the County of Essex, and all 329 municipalities serviced by OPP.

Yours Truly,

*Abbie Marchildon*

Abbie Marchildon, Council and Committee Coordinator

cc: The Hon. Michael Kerzner, Solicitor General  
Trevor Jones, MPP  
County of Essex  
All 329 municipalities serviced by the OPP

# Municipality of Lakeshore – Report to Council

## Community Health and Safety

### Fire Services



**To:** Mayor and Members of Council

**From:** Jason Suchiu – Fire Chief

**Date:** November 1, 2024

**Subject:** 10 Year Staffing, Fleet and Station Needs Based on Fire Master Plan and Community Risk Assessment

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### Recommendation

This report is presented at the December 10, 2024 Council meeting, for information only.

### Strategic Objectives

3b) Modernizing and Enhancing Municipal Functions - Revise business processes to establish and employ a risk management framework, improved workflow management, and financial modelling to inform management of reserves

### Background

The 2023 Fire Master Plan identifies key challenges we face as calls for service continue to increase, and the community continues to grow. The plan identifies the need to recruit a contingent of career (full time) firefighters to ensure 24-7 community coverage. The Lakeshore Fire service is made up of a tremendous group of dedicated volunteer firefighters that will continue to be a valuable asset to the community for decades to come. The challenge is as call volumes continue to increase, availability of volunteer firefighters to respond are impacted. There is a need to include a complement of career staff to support volunteer firefighters to ensure the current level of service can continue to be provided.

Lakeshore is serviced by five fire stations located in areas that protected respective communities' pre-amalgamation. These stations house a fleet of 11 fire apparatus. Stations are aged needing various degree of repair, lack modern amenities such as shower and cleaning capabilities, struggle to fit modern fire apparatus and are not all near locations where emergencies are occurring today. Fire apparatus currently serve the community for a period of 20-25 years. Most of the fleet (eight) apparatus will be reaching the end of their service life over the next eight years.

At the September 9, 2024, meeting, Council approved the following resolution:

297-09-2024

Receive the Fire Master Plan (FMP) 2023 prepared by Emergency Management Group Inc. and direct the Fire Chief to utilize this plan as a reference document to support fire protection service delivery within the Municipality of Lakeshore over the next 10 years (2023-2032);

Direct the Corporate Leader – Chief Financial Officer to incorporate the financial investment recommendations within the 2023 Fire Master Plan, as part of the multi-year budget, based on prioritization of funding as part of the revised long-term community investment plan; and

Direct the Fire Chief to report back to Council on various recommendations provided within the Fire Master Plan through additional staff reports and/ or the budget process, as required.

**Comments**

**Staffing Pressures**

NFPA 1720 is the Standard for the Organization and Development of Fire Suppression, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments. For suburban areas the minimum standard is 10 staff on scene (O) in 10 minutes, 80% of the time. For rural areas the standard is 6 staff on scene (O) in 14 minutes 80 % of the time. On scene times (O) is the total of the assembly time (A) for firefighters to respond to the station plus the time to respond (R) from the station with a staffed apparatus to the emergency scene (A+R=O).

\*The table below shows only our annual average personal and assembly times (A) combined for all stations.

Response times begin at the completion of the dispatch. Assembly time only represents the time it takes for volunteer firefighters to arrive at the station, get dressed and leave on their responding apparatus. Assembly times have steadily increased over the last number of years which is consistent with other volunteer departments. Total response times vary depending on travel distance from the station to the location of the emergency.

Year	Average Personal on 1 <sup>st</sup> Responding Apparatus	Total Personal Responding	Assembly Time (95% of the Time)
2020	1	4	10:07
2021	4	8	10:09
2022	1	2	11:16
2023	3	7	10:54
2024	2	6	10:44

Note: 2024 is current to October 31, 2024

To assist with call volume increases and volunteer firefighter staffing vacancies, as of June this year, operational and response protocol changes were made to have two stations responding in several districts to address gaps. Even with these measures we continue to struggle to get staffing during weekdays. To staff an in-service apparatus requires four firefighters. We have supplemented this by utilizing our four Chief Officers and two fire prevention officers to assist with gap/overlap coverage for emergency responses during weekday, daytime responses (Monday to Friday 830am to 430pm) always guaranteeing a response of one apparatus to all areas of the municipality with four to five staff. Assembly times in comparison to the department average is approximately 60 seconds vs 10 minutes as full-time staff are already at the station. This has allowed for faster on road time and has proven to provide farther reaching coverage meeting a 14 min requirement in NFPA 1720 (see 14 Minute Full Time Coverage map). Comparatively, with station specific assembly and response times, the 14 minute Volunteer Coverage by Station map shows the areas that can be covered when the full time coverage is not available to assist.

These practices of dispatching multiple stations and supplementing weekday staffing with existing full-time staff to support volunteer firefighters are a short-term gap stop. We are asking more from the stretched volunteer and full-time staff by increasing their call volume. Maintaining these measures in place for a long period of time will accelerate volunteer fatigue and staff burn out. Adding designated career firefighters to ensure 24-7 coverage would aid in resetting a healthy and consistent balance of call volume for volunteer firefighters while also helping with long term recruitment and retention. The table below shows the total calls for service over the past five years. Calls for service are increasing at a rate of approximately 18-20% per year over this time.

**Calls For Service - By Station**

Year	1	2	3	4	5	Department Total
2020	168	52	123	47	91	481
2021	217	64	133	58	89	561
2022	294	92	161	69	104	720
2023	271	77	166	90	125	729
2024	239	86	160	110	130	725 (as of Oct 31/24)

The Staffing Model (Appendix A) proposes a phased hiring approach providing the ability to increase career staffing over the next ten years. At that point we will have the ability to have a complement of career firefighters on duty 24-7 which will provide a staffed apparatus responding to all calls for service throughout the municipality supporting our volunteer firefighters.

With the addition of every four career firefighters the overall number of volunteer firefighters per station may be able to be reduced which will help with the pressures of having multi station responses. This will also assist in managing the recruiting impact for Workforce Development as we have been experiencing a need to hire a minimum of 10 volunteer firefighters annually. Turnover of newer staff remains consistent due to

increased pressures with work, family, certification requirements and the decrease interest from the community in wanting to join as a volunteer firefighter. The average length of service for volunteer firefighter in Ontario has decreased to approximately 5 years of service. Lakeshore is very fortunate that we have over 30 staff with more than 20 years of dedicated service however this will add recruiting pressures as these members retire. For each new volunteer firefighter we hire into the service there is a minimum onboarding cost of \$20,000 to provide training, required certifications, protective equipment, uniforms and pagers.

The Staffing Model also illustrates the need for a full time training officer. Ontario Regulation 343/22 – Firefighter Certification establishes the requirement for fire service personnel (career and volunteer firefighters) that participate in the delivery of specific fire protection services to be certified to the corresponding NFPA Professional Qualification Standard (NFPA Pro-Qual). Firefighter training in Ontario has come under increased scrutiny due to firefighter injuries and fatalities, resulting in several inquests. To address some of the recommendations from the inquest and improve firefighter safety, the Ministry of the Solicitor General created O. Reg. 343/22 which came into force on July 1, 2022. Municipalities have four to six years to meet the requirements with the first deadline approaching in July of 2026. In the 2011 Fire Master plan it was recommended the consideration of one full-time trainer / public educator that would develop and deliver all Lakeshore fire suppression training, including delivery of public education programs. This would also provide one additional full-time fire administrative staff member available for emergency response, provide consistency in departmental training, provide capacity to enhance public education programs and prepare for the training needs of future full-time firefighters. Additionally, the 2023 Fire Master Plan recommendations "Add the position of Full-time/Career Training Officer to its compliment of FTEs to address immediate and future training needs; conduct on-going gap analysis and address deficits." The projected financial impact over the course of the next 10 years to add additional career staff is projected to be approximately \$2,440,000.

## **Fleet and Equipment**

Fire Underwriters recommend vehicle replacement cycle of 20 years (Appendix B). As Lakeshore continues to grow as a medium sized municipality front line apparatus may need to be replaced at 15 years. Over the long-term, delaying the replacement of vehicles could add to overall maintenance costs and can influence insurance costs for residents based on the emergency service's Fire Underwriters rating. Our existing fleet is nearing the end of its lifecycle and there are numerous fire apparatus that will be coming due for replacement over the next eight years. Build times for fire apparatus typically take between 2 and 3 years. Additionally, fire apparatus costing has been increasing at a rate of 6-10% over the last several years. Costing beyond the next 10 years has been projected and provided (Appendix C). A review of the entire fleet is underway, however factors such as timing on station replacements could influence the type of apparatus replacement. There are opportunities to potentially reduce the fleet or reduce the cost of the overall fleet by relocating vehicles through the municipality to meet the current needs of the community in conjunction with the build of new fire

stations. The projected financial impact over the course of the next 10 years to the lifecycle fleet and equipment is projected to be approximately \$11,716,284.

### Fire Stations

The current fire stations are located in the following areas, Station 1 (Puce), Station 2 (Maidstone), Station 3 (Belle River), Station 4 (Rochester) and Station 5 (Comber). The chart below shows the year these were constructed as well their current size.

Location	Year of Construction	Square Footage (ft <sup>2</sup> )
Station 1	1962	5000
Station 2	1990	3575
Station 3	1992	4000
Station 4	1984	3200
Station 5	1965	4335

The two stations that need to be prioritized for replacement are Station 1 and Station 5. Both these stations were constructed in the 1960's, are located at the very east and west ends of the municipality and struggle to house modern firefighting apparatus. In 2012, Station 1 had a 350ft<sup>2</sup> addition added so that it could house the current aerial ladder that was purchased at that time. This aerial ladder comes due for replacement in 2026.

It was also noted in the 2023 Fire Master Plan that all stations are at the maximum capacity to store vehicles and equipment. The following are concerns that exist at all locations:

- Lack of adequate firefighter gear storage rooms with proper ventilation to protect against off-gases.
- Exposure of firefighting gear from vehicle exhaust contamination due to limited space.
- Lack of or inadequate laundering facilities for washing firefighting gear and contaminated clothing.
- No showers or lack of adequate shower capabilities for firefighters to properly decontaminate themselves immediately following any fire event. This results in the potential of contaminants to be taken into personal vehicles and home to their families.
- Lack of space to decontaminate and wash equipment after use as well as a lack of space in the station in the winter months to clean vehicles.
- Lack of drive through capabilities.
- Lack of storage for equipment and training resources.
- Lack of automatic emergency standby generators at all stations.
- Existing fire stations do not meet post disaster requirements mandated for any new emergency response facilities.
- Lack of adequate training rooms to house multiple station training sessions. Rooms are small and do not promote a conducive learning environment.
- Lack of appropriate office space for full-time administrative staff.



Emphasis should be placed on planning to replace Station 1 and Station 5 over the next three to five years. Fire stations being built to contain the adequate space for modern sized apparatus, decontamination and cleaning facilities, proper locker room and shower capabilities are approximately 12,000 to 16,000 ft<sup>2</sup> in size. Existing fire stations have been built as stand-alone structure however consideration could be given to the potential for shared use sites. Partnering with other stakeholders or combining with other municipal needs may be an option but should not delay any potential replacement. The financial impact to replace Station 1 and Station 5 is projected to be a minimum of \$17,600,000.

### Financial Impacts

There are no immediate financial implications arising from this report. However, it serves as a foundation for future budget deliberations and long-term capital planning. The report highlights the critical need for proactive measures to address service demands driven by rising call volumes, regulatory compliance (e.g., O. Reg. 343/22), and the community's growth. Additionally, it identifies significant financial pressures and investment needs for the Lakeshore Fire Service over the next ten years. These include increased staffing requirements, fleet lifecycle replacements, and critical facility upgrades to maintain and enhance service delivery.

Below are the funding shortages for the 10-year Fire Master Capital Project Plan (2023-2032)

<b>Category</b>	<b>Total Transfers to Reserve to 2032</b>	<b>Approximate Total Cost to 2032</b>	<b>(Shortfall)/Surplus</b>
Fleet and Equipment- Funded through the Fire Vehicles and Equipment Reserve	\$3,616,000	\$13,616,000	(\$10,000,000)
Fire Stations - Funded through the Facility/Property - New Reserve	\$9,996,000	\$28,300,000	(\$18,304,000)
<b>Totals</b>	<b>\$13,612,000</b>	<b>\$41,916,000</b>	<b>(\$28,304,000)</b>

### **Additional Funding Requirements:**

- **Increase to Reserve Transfers Needed:** An annual increase of \$3,538,000 (\$28,304,000 / 8 years remaining until 2032) is required to fund fire service projects until 2032. This aligns with the \$3,500,000 increase for Fire Reserves included in the Deferred Operating Section of the 2025 Budget. Had this request been included in the 2025 Budget, it would have resulted in an **8.5% tax levy increase**.

### **Operational Staffing Impacts:**

- A **Fire Training Officer** position has been requested in the 2025 budget.
- The addition of **full-time firefighters** (\$250,000) has been deferred to 2026.
- Full-time firefighter staffing increases are projected to result in a **3.90% tax levy impact by 2029**.

While some immediate financial implications, such as staffing enhancements and lifecycle replacements, are included in the proposed 2025 budget, other considerations have been deferred and will be addressed in future budget cycles. Strategic planning will be essential to ensuring financial sustainability while maintaining the high level of fire service delivery that Lakeshore residents expect and deserve.

### **Attachments**

14 Minute Full Time Coverage  
14 Minute Volunteer Coverage By Station  
Appendix A – Staffing Model  
Appendix B – Fleet Equipment Facility Lifecycle  
Appendix C - 25 Year Capital Lifecycle Projection

### Report Approval Details

Document Title:	10 Year Staffing Fleet and Station Needs Based on Fire Master Plan and Community Risk Assessment.docx
Attachments:	<ul style="list-style-type: none"><li>- 14 Minute Full Time Coverage.pdf</li><li>- 14 Minute Volunteer Coverage By Station.pdf</li><li>- Appendix A - Staffing Model.pdf</li><li>- Appendix B - Fleet Equipment Facility Lifecycle.pdf</li><li>- Appendix C - 25 Year Capital Lifecycle Projection.pdf</li></ul>
Final Approval Date:	Nov 27, 2024

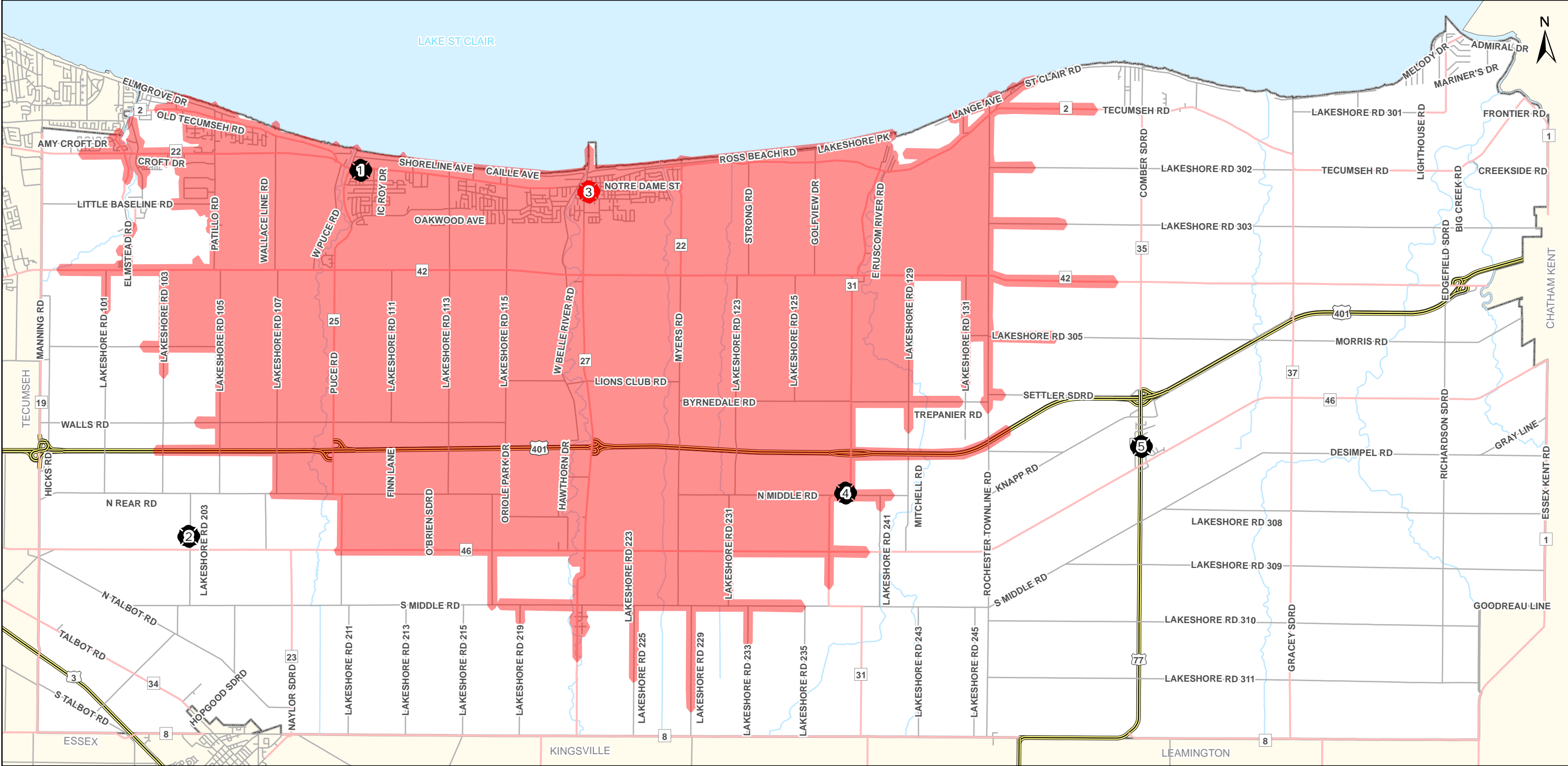
This report and all of its attachments were approved and signed as outlined below:

Prepared by Justin Suchui

Submitted by Frank Jeney

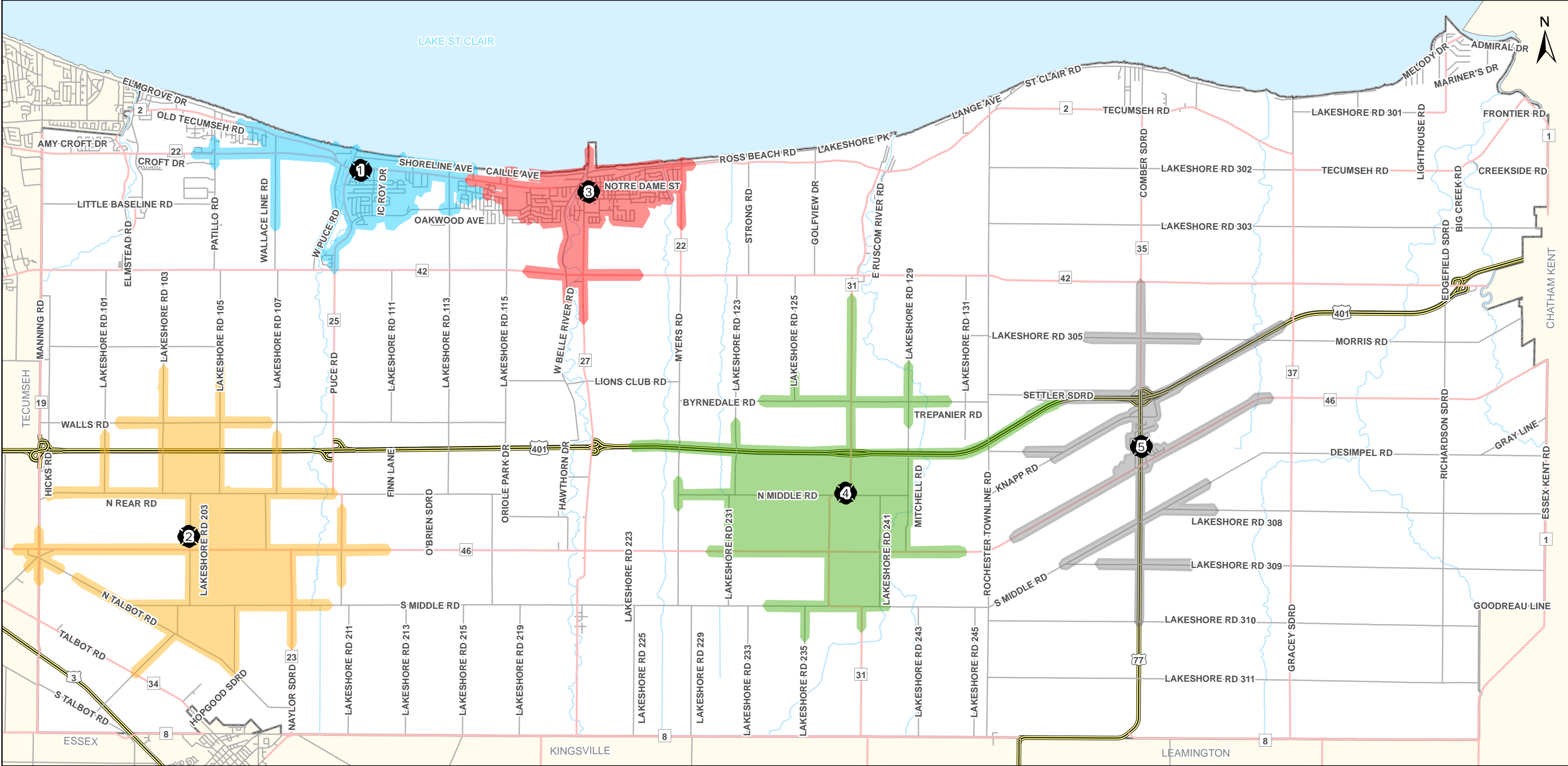
Approved by Corporate Leadership Team


14 MINUTES RESPONSE AREA FROM FIRE STATION 3 (STAFFED STATION)








- FIRE STATION 3 14 MINUTES DRIVE TIME AREA FROM STATION 3
- FIRE STATIONS

14 MINUTE VOLUNTEER RESPONSE BY STATION



**FIRE STATIONS** 
**4 MINUTES DRIVE TIME AREA**

	STATION 1		STATION 4
	STATION 2		STATION 5
	STATION 3		

**Appendix A  
Staffing Model 2023 - 2032**

<b>Budget Year</b>	<b>Additional Staffing</b>	<b>Total Operating Increase</b>	<b>VFFs</b>	<b>FFs**</b>	<b>Total FFs</b>
2024	0	0	100*	0	100
2025	4FF 1 Training Officer	\$380,000	90	4	94
2026	2FF	\$250,000	87	6	93
2027	2FF	\$250,000	80	8	88
2028	2FF	\$250,000	78	10	88
2029	2FF 1 Administrative Assistant	\$350,000	75	12	88
2030	2FF 1 Fire Prevention Officer	\$420,000	72	14	88
2031	2FF	\$270,000	66	16	87
2032	2FF	\$270,000	60	18	78

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<b>Totals</b>	<b>\$2,440,000</b>
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\* Total (20 VFF at 5 stations) when at full commplment

\*\* FFs refer to Career Full Time FF

**Appendix B**  
**Fleet / Equipment/ Facility Lifecycle Needs 2023 - 2032**

<b>Budget Year</b>	<b>Fleet / Facility Replacement Needs</b>	<b>Total Capital Investment</b>	<b>Total</b>
2024	NA	NA	NA
2025	Engine 5 Tanker 2	\$1,035,642 \$1,035,642	\$2,071,284
2026	FH#1 Concept Design Ladder 3 (Addition to Fleet) Command 4 Support 3	\$100,000 \$2,500,000 \$65,000 \$65,000	\$2,730,000
2027	Land/ Design FH#1 FH#1 Breathing Air Compressor Bunker Gear Extractor	\$1,250,000 \$100,000 \$60,000	\$1,410,000
2028	Build FH#1 FH#5 Concept Design Tanker 4	\$9,000,000 \$100,000 \$1,300,000	\$10,400,000
2029	Land/ Design FH#5 Ladder 1 Engine 3  Public Safety Radio / Pager Upgrades	\$1,250,000 \$2,800,000 \$1,300,000  \$600,000	\$5,950,000
2030	Build FH#5 Engine 2 FPO1 FPO2 FH#4 Breathing Air Compressor	\$6,000,000 \$1,400,000 \$65,000 \$65,000 \$100,000	\$7,630,000
2031	Tanker 5 Command 3	\$1,500,000 \$75,000	\$1,575,000
2032	Land / Design and Build FH#3 Command 1 Command 2	\$10,000,000 \$75,000 \$75,000	\$10,150,000
2033	FH#4 Concept Design Engine 4 Rehab Van (Addition to Fleet) SCBA Pack and Bottle Replacement	\$150,000 \$500,000 \$80,000 \$750,000	
2034	FH#4 Detailed Design Defibrillator Lifecycle	\$300,000 \$37,500	

**Totals**

**\$41,916,284**

**Appendix C  
25 Year Capital Lifecycle Projection**

Budget Item	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050
<b>Estimated Annual Draw from Reserves (Facility, Fleet and Equipment ONLY - not staffing)</b>	<b>-\$2,000,000</b>	<b>-\$2,880,000</b>	<b>-\$1,560,000</b>	<b>-\$10,550,000</b>	<b>-\$5,542,500</b>	<b>-\$7,690,000</b>	<b>-\$1,575,000</b>	<b>-\$10,150,000</b>	<b>-\$1,480,000</b>	<b>-\$337,500</b>	<b>-\$4,075,000</b>	<b>-\$75,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$1,150,000</b>	<b>-\$85,000</b>	<b>-\$170,000</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$4,085,000</b>	<b>-\$5,085,000</b>	<b>-\$5,500,000</b>	<b>-\$2,600,000</b>	<b>-\$2,600,000</b>	<b>-\$2,970,000</b>
<b>Capital Expenses - Facilities</b>																										
New Firehall Concept - Fire Hall 1		-\$100,000																								
New FH # 1 Detailed Design			-\$250,000																							
Potential Land Purchase - FH # 1			-\$1,000,000																							
New FH # 1 Build				-\$9,000,000																						
New Firehall Concept - Fire Hall 5				-\$100,000																						
New FH # 5 Detailed Design					-\$250,000																					
Potential Land Purchase - FH # 5					-\$1,000,000																					
New FH # 5 Build						-\$6,000,000																				
New Firehall Concept - Fire Hall 3																										
New FH # 3 Detailed Design																										
Potential Land Purchase - FH # 3																										
New FH # 3 Build								-\$10,000,000																		
New Firehall Concept - Fire Hall 4									-\$150,000																	
New FH # 4 Detailed Design										-\$300,000																
Potential Land Purchase - FH # 4																										
New FH # 4 Build											-\$4,000,000															
Existing Station #3 - surplus				Surplus																						
Existing Station #1 - surplus				Surplus																						
Existing Station #4 - surplus											Surplus															
Existing Station #2 - surplus											Surplus															
<b>Capital Expend - Fleet</b>																										
Engine 5	-\$1,000,000																				-\$2,000,000					
Tanker 2	-\$1,000,000																				-\$2,000,000					
Ladder 1					-\$2,800,000																		-\$5,500,000			
Ladder 3 (Addition to fleet)		-\$2,500,000																				-\$5,000,000				
Rescue 3 - Surplus									Surplus																	
Engine 4 - Surplus Engine and replace with Utility Rescue									-\$500,000																	
Engine 3					-\$1,300,000																				-\$2,600,000	
Tanker 4				-\$1,300,000																				-\$2,600,000		
Engine 2					-\$1,400,000																				-\$2,800,000	
Tanker 5						-\$1,500,000																				
Rescue 1																-\$1,000,000										
Command 4 (pickup)		-\$65,000									-\$75,000											-\$85,000				
Command 3							-\$75,000										-\$85,000									
Command 2								-\$75,000									-\$85,000									
Command 1								-\$75,000									-\$85,000									
Support (Pickup)		-\$65,000									-\$75,000											-\$85,000				
Rehab (Additional transit van to fleet)									-\$80,000																	
FPO1 vehicle						-\$65,000										-\$75,000									-\$85,000	
FPO2 vehicle						-\$65,000										-\$75,000									-\$85,000	
Fire Safety Trailer	Surplus																									
<b>Capital Expend - Equipment</b>																										
Radios (mobile, portables and pagers)		-\$150,000	-\$150,000	-\$150,000	-\$150,000																					
Self Contained Breathing Apparatus and Bottles (50 Packs and 100 Bottles)									-\$750,000																	
Breathing Air Compressor - Station 1			-\$100,000																							
Breathing Air Compressor - Station 4						-\$100,000																				
Gear Extractor - Station 3			-\$60,000																							
Gear Extractor - Station 5 (NEW)						-\$60,000																				
Small Equipment - replacement electric fans (5)					-\$42,500																					
Small Equipment - replacement defibrillators (5)										-\$37,500																



# Municipality of Lakeshore – Report to Council

## Corporate Services

### Financial Planning and Analysis



**To:** Mayor and Members of Council

**From:** Jessica Gaspard, Division Leader – Financial Planning and Analysis  
Kate Rowe, Interim Corporate Leader – Chief Financial Officer  
Justin Rousseau, Corporate Leader – Interim Chief Administrative Officer

**Date:** November 19, 2024

**Subject:** 2025 Draft Budget – Information Report

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### Recommendation

This report is presented at the December 10, 2024 Council meeting for information only.

### Strategic Objectives

Although this report does not directly relate to a Strategic Objective, it outlines a core municipal service by providing an overview of the 2025 Draft Budget, including financial needs, key priorities, and challenges.

### Background

Section 290 of the Municipal Act, 2001 states:

A local municipality shall, in each year, prepare and adopt a budget including estimates of all sums required during the year for the purposes of the municipality, including:

- a) amounts sufficient to pay all debts of the municipality falling due within the year;
- b) amounts required to be raised for sinking funds or retirement funds; and
- c) amounts required for any board, commission, or other body.

The budget shall, in such detail and form as the Minister may require, set out the estimated revenues and expenditures and ensure that estimated revenues are equal to estimated expenditures.

The 2025 Draft Budget addresses the Municipality of Lakeshore's financial needs for both operating and capital requirements, funded through user rates (water and

wastewater), user fees, and taxation. Its development involved a rigorous review process, including submissions from municipal departments, subsequent evaluations by the Corporate Leadership Team (CLT), and a detailed analysis of operational and capital priorities. Throughout this process, Council's strategic objectives played a key role in shaping budget requests and capital projects. These objectives include building and maintaining municipal infrastructure in alignment with the Water/Wastewater Master Plan, developing future communities by designing and constructing one park per term, and modernizing citizen centered services such as increasing the capabilities of bylaw enforcement.

## **Comments**

### ***General Budget Overview***

The municipal levy required for 2025 is \$44,444,090, reflecting an increase of \$3,624,970 before factoring in growth. With projected assessment growth generating \$500,000 in additional tax revenue, the net levy increase is \$3,124,970, equivalent to a 7.66% tax rate increase for existing homeowners.

For a property with an average assessed value of \$270,000, this equates to an estimated monthly tax increase of \$11.75. When combined with expected rates from County and Education authorities, residents can anticipate a blended tax rate increase of 6.30%.

### ***Key Budget Highlights:***

- ***Total Expenditures:*** \$66.1M (up from \$60.7M in 2024).
- ***Capital Projects:*** \$36.3M allocated.
- ***Reserve Contributions:*** \$32.7M.
- ***Reserve Withdrawals:*** \$43M.
- ***Recoveries:*** \$21.6M (up from \$19.8M in 2024).
- ***Tax Revenue:*** \$44.4M (representing a \$3.6M increase from 2024).

### ***Inflationary Pressures***

Inflation remains a significant challenge for municipalities in 2025. Above-average inflation has driven up operational costs, particularly for salaries, goods, and services. Additionally, non-residential construction costs have increased by approximately 10%, placing additional strain on the budget for infrastructure projects and reserve funding. These inflationary pressures necessitate difficult decisions regarding service delivery and infrastructure investments.

### ***Postponement of Property Tax Reassessment***

The Municipal Property Assessment Corporation (MPAC) has again delayed updating property assessments, leaving property taxes based on 2016 valuations. While new developments contribute to weighted assessment growth of 1.22%, these properties remain valued at 2016 construction rates.

## **Impact of 2024 Cuts to Reserve Funding and Transfers from Tax Stabilization**

To reduce the property tax rate in 2024, Council approved one-time reserve transfers, including \$1,000,000 from the Facilities – New Reserve and \$179,000 from the Parks Furniture Reserve. Additionally, \$700,000 was drawn from the Tax Stabilization Reserve, and \$150,000 was taken from the Road Share Drainage Reserve to offset operating expenses. However, reversing these one-time measures in 2025 added a 4.80% impact to the tax levy, meaning the levy increase was already at 4.80% before any new budget change requests were considered.

### ***Proposed Rate Increases***

The following summarizes how rates and fees will change in 2025 compared to 2024, based on an average household in Lakeshore. Tax rates are calculated using the average property value assessed by MPAC, while water and wastewater rates are based on typical household usage.

#### ***Municipal Tax Rate Increase***

- \$141 increase (7.66%)
- This represents the additional amount the average household will pay directly to the Municipality of Lakeshore.

#### ***Blended Tax Rate Increase***

- \$234 increase (6.30%)
- This includes not only the municipal increase (\$141) but also expected increases from the County (\$93) and the School Board (\$0).
- This is the total tax increase residents will see on their tax bill.

#### ***Wastewater Rate Increase***

- \$75 increase (9.00%)
- The average household will pay \$75 more for wastewater services in 2025 compared to 2024.

#### ***Water Rate Increase***

- \$29 increase (4.00%)
- The average household will pay \$29 more for water services in 2025 compared to 2024.

## ***2025 Capital Budget Overview***

The 2025 Capital Budget totals \$36.3M, aligning with Council's priorities for maintaining infrastructure, roads, and parks. Major projects include:

- Comber Watermain Replacement – Phase 1: \$8M
- Rochester Watermain Replacement: \$3.7M
- Stoney Point Park Construction: \$3.5M

- County Road 22 Sanitary Trunk Upgrades: \$3.07M
- 2025 Bridge Rehabilitation Program: \$2.4M
- Fire Truck Replacement – Tanker 2 and Engine 5: \$2.07M
- Lifecycle Asphalt Replacement: \$1.9M

### ***Taxation Budget Highlights***

Revenue: \$66.1M (+8.8%)

Expenses:

- Wages: \$19.4M (+7.2%)
- Admin Expenses: \$3.76M (-3.6%)
- Operating Costs: \$8.83M (+7.7%)
- Professional Services: \$10.4M (+8.0%)
- Reserves: \$21.4M (+14.3%)

### ***Water and Wastewater Budget Highlights***

Revenue: \$21.8M (+13.7%)

Expenses:

- Wages: \$3.6M (+2.4%)
- Operating Costs: \$3.98M (+6.8%)
- Reserves: \$4.55M (+130%)

### ***2025 Regional Comparison***

- Lakeshore's tax rate increase remains one of the lowest in the region.
- Lakeshore's total weighted assessment ranks the highest in the region.

Lakeshore, with the highest weighted assessment and household income in Essex County, ranks low in levy per capita and household. Adopting a funding model similar to Tecumseh or Leamington could increase Lakeshore's levy by \$3.6 million, raising the average household tax by \$247—still \$843 less than the county's highest. If Lakeshore matched the highest-taxed municipality in Essex County, it could generate an additional \$15.6M in revenue, which could help reduce its \$23M infrastructure funding gap.

Council faces a pivotal decision regarding the future direction of infrastructure investment. One path places priority on maintaining infrastructure that supports the current tax base, ensuring reliable services and addressing immediate community needs. The alternative path focuses on investing in growth-oriented infrastructure designed to attract new development and expand the tax base over time.

While the second approach offers the potential for long-term revenue generation and economic growth, it necessitates significant upfront costs, potentially requiring higher municipal levies and increased debt until the anticipated benefits of a larger tax assessment materialize.

Striking a balance between these approaches will shape the Municipality's financial health and community development for years to come.

### ***Reserve and Debt Forecast***

- **Reserves:** Significant decline projected, requiring strategic planning to address a forecasted \$114.5M deficit by 2030 if no additional transfers to reserves occur.
- **Debt:** Projected to exceed the annual repayment limit of 15%, as outlined in the Municipality's Debt Policy, by 2028. This is primarily due to debt financing for the Stoney Point Wastewater Treatment Plant and wastewater conveyance systems, totaling \$129.75 million.

### **Changes to the Budget App**

In 2025, Administration has made progressive improvements in providing additional value to the residents through our existing Budget App. At its core, the Budget App has been enhanced to improve transparency and trust with residents. These additions have been made as part of the feedback we received from residents on the 2024 initial launch of the Budget App.

#### Summary of Additions:

- **Guiding Documents:** Provides residents with the plans and studies we use to shape the budget and future forecasting.
- **How Services are Funded:** Describes each funding source, where it is sourced from, and its purpose. Explains to the residents how we fund the community.
- **Change Request Levy Impact:** Shows residents the impact on the tax increase of each change request as well as the dollar amount. This helps residents better understand how their tax dollars are working for them.
- **5-Year Levy Impact and Service Levels:** This section outlines the capital requirements to maintain the current service level of the Municipality as well as the tax rate impact just to maintain daily operations costs. This section also outlines the proposed service enhancements we would like to bring to them, and the levy increase required to fund them.

## Financial Impacts

The 2025 Draft Budget strives to balance service delivery, capital investment, and fiscal sustainability while addressing external challenges such as inflation and delays in property tax reassessments. However, does not plan on any continued reliance on reserves to stabilize tax rates is not a sustainable approach.

Administration recommends adopting long-term financial strategies, including increased reserve contributions and proactive rate adjustments, to align Lakeshore’s rates and service levels with those of neighboring municipalities. These measures are essential to ensure fiscal stability and support future growth.

Several operating and capital budget requests were deferred to future years or excluded during the CLT budget review process. These items, along with any associated business cases for staffing, are detailed in the Appendices of the budget document for Council's consideration.

## Attachments

The budget can now be found online at

<https://lakeshore.ca/budgetapp>

## Report Approval Details

Document Title:	2025 Draft Budget.docx
Attachments:	
Final Approval Date:	Nov 27, 2024

This report was approved and signed as outlined below:

Prepared by Jessica Gaspard

Submitted by Kate Rowe

Approved by Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Legal and Legislative Services

### Legislative Services



**To:** Mayor and Members of Council  
**From:** Brianna Coughlin, Division Leader – Legislative Services  
**Date:** November 12, 2024  
**Subject:** ServiceOntario – Marriage Licence Modernization Program

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### Recommendation

Direct the Clerk to read By-law 113-2024, being a By-law to authorize an agreement with the Province of Ontario for Marriage Licence Modernization, during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

3b) Modernizing and Enhancing Municipal Functions - Revise business processes to establish and employ a risk management framework, improved workflow management, and financial modelling to inform management of reserves

### Background

The Municipality of Lakeshore issues marriage licences pursuant to the *Marriage Act*. Individuals that wish to be married in Ontario must complete the following steps:

1. complete a marriage licence application;
2. provide 2 pieces of government-issued identification for each person getting married;
3. provide supporting documentation, such as original certificates of divorce (if applicable)
4. pay the licence fee; and
5. sign the marriage licence in-person at the Municipal Office, sworn before the Licence Issuer (Clerk or Deputy Clerk).

The Province of Ontario, through the Ministry of Public and Business Service Delivery and Procurement (ServiceOntario), has been working on a phased approach to modernize the marriage licence application process through the Marriage Licence Modernization (MLM) program. This initiative aims to streamline and transform both the paper-based marriage licence application process for applicants and the issuance

process for municipalities in Ontario by moving towards a digital delivery model that minimizes physical touchpoints.

MLM is using a phased implementation approach with iterative improvements to features and functionalities and gradual rollouts to municipalities. The province-wide rollout strategy is currently being planned.

The first phase was in Spring 2021, when ServiceOntario enabled electronic signatures on marriage licence application forms and developed a PDF tool for municipalities, where applicants could see a proof of the marriage licence prior to obtaining their licence.

The second phase was launched in March 2023 to six municipalities. Since then, the service has expanded its features and functionalities to bring more value to the public and participating municipalities and improve application and issuance processes.

## **Comments**

The Municipality has provided an online application and payment process for marriage licences since 2020. Moving to the provincial online application process will simply require a link to the ServiceOntario site and decommissioning of the Municipality's online application form. The Legislative Services Division will remain the contact for marriage licences and would receive training and support from ServiceOntario.

The advantage of moving to the provincial portal is a clearer process for the applicant, including an online appointment booking process (confirmed and approved by Administration). In addition, ServiceOntario would be responsible for the care and control of the supporting documentation for the applications.

Paper-based applications will continue to be accepted in-person, however it is anticipated that most applications will continue to be submitted online.

Administration recommends entering into an agreement with the Province of Ontario to participate in the online application process. It is anticipated that transition to the provincial process would begin in February 2025.

## **Others Consulted**

ServiceOntario

## **Financial Impacts**

There is no fee for participation in the MLM program. The fees for marriage licences will remain the responsibility of the Municipality of Lakeshore as set out in the annual User Fee By-law.



## Report Approval Details

Document Title:	Service Ontario - Marriage Licence Modernization Program.docx
Attachments:	
Final Approval Date:	Nov 25, 2024

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

Prepared by Brianna Coughlin

Submitted by Susan Hirota

Approved by the Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Legal and Legislative Services

### Legislative Services



**To:** Mayor and Members of Council  
**From:** Brianna Coughlin, Division Leader – Legislative Services  
**Date:** November 18, 2024  
**Subject:** Amendment to Appointment By-law and Property Standards By-law

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### Recommendation

Direct the Clerk to read By-law 117-2024, being a by-law to amend the Appointment By-law (By-law 34-2019) and the Property Standards By-law (By-law 23-2018), during the Consideration of the By-laws, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

5b) Modernize Citizen-Centered Services - Bylaw Modernization (including a calendar of bylaw review and effective enforcement strategies/capabilities)

### Background

By-law 117-2024 is presented to Council for adoption. The draft by-law amendment to By-law 34-2019 is to replace Schedule “A” in order to clarify the appointment of Building Inspectors under the *Building Code Act*, as well as their appointment as compliance officers.

The draft by-law also amends the Property Standards By-law to allow for enforcement by By-law Compliance Officers. This allows for compliance and enforcement activities to be carried out by both the Building Services and By-law Services divisions.

Administration recommends that Council direct the Clerk to present By-law 117-2024 for reading and adoption during the Consideration of the By-laws portion of the Council meeting.

### Financial Impacts

There are no financial impacts resulting from the recommendation. Adoption of the by-law clarifies current business practices.

## Report Approval Details

Document Title:	Amendment to Appointment By-law and Property Standards By-law.docx
Attachments:	
Final Approval Date:	Nov 25, 2024

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

Prepared by Brianna Coughlin

Submitted by Susan Hirota

Approved by the Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Operations

### Water Management



**To:** Mayor and Members of Council  
**From:** Jason Barlow, Division Leader – Water Management  
**Date:** October 30, 2024  
**Subject:** Source Water Protection Plan Part IV Enforcement Transfer Agreement

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### Recommendation

Direct the Clerk to read By-law 119-2024, being a by-law to authorize the execution of a Source Water Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority (ERCA) during the Consideration of By-laws, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

### Background

The Clean Water Act (CWA) mandates that Municipalities develop a Source Protection Plan (SPP) to safeguard drinking water sources. The Essex Region's SPP was approved by the Minister of the Environment and Climate Change on April 15, 2015.

Municipalities identified with significant drinking water threats under this plan are required to have Risk Management Services (RMS), including a Risk Management Official (RMO) and a Risk Management Inspector (RMI), to enforce CWA policies. The Act allows Municipalities to delegate enforcement of RMS through a Source Protection Plan Part IV Enforcement Transfer Agreement to another municipality, board of health, planning board, or Source Protection Authority.

Lakeshore first entered into a Source Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority (ERCA) on September 8, 2015, for a three-year term ending on September 30, 2018.

Subsequent amendments extended this agreement including Amendment No. 1 in October 2018 and Amendment No. 2 in December 2021. Each of these agreements were for three years at an approximate annual cost of \$3,300, with the current term ending on December 31, 2024.

**Comments**

ERCA is proposing a new perpetual agreement that will not require renewal. This agreement will take effect on January 1, 2025, and will automatically renew annually. It will be reviewed to incorporate any required changes every four years.

Any Municipality may withdraw from the agreement, effective January 1 of any year, by providing notice within 120 days prior to December 31 of the preceding year.

**Financial Impacts**

The total cost to enter into the new perpetual agreement is estimated at \$3,260 per year, with an annual economic adjustment equal to the negotiated percentage wage increase for ERCA's unionized staff.

These annual costs will be included in the Municipality's Water Management operating budget annually.

**Attachments**

Attachment 1 – ERCA Risk Management Services Proposal 2024

**Report Approval Details**

Document Title:	Source Water Protection Plan - Part IV Enforcement Transfer Agreement.docx
Attachments:	- ERCA RMS Proposal_2024.pdf
Final Approval Date:	Nov 27, 2024

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

Prepared by Jason Barlow

Submitted by Krystal Kalbol

Approved by Corporate Leadership Team



## **RISK MANAGEMENT SERVICES PROPOSAL FOR RENEWAL OF PART IV TRANSFER AGREEMENT**

Prepared by the Essex Region Conservation Authority for municipalities within the Essex Region

## INTRODUCTION

Through the Clean Water Act, 2006 (CWA), the local Source Protection Committee (SPC) worked together with ERCA, municipalities, community groups and residents to develop a local, watershed-based Source Protection Plan (SPP) and policies to protect our source water from contamination and overuse, now and into the future. Following an extensive process that included broad public input and municipal consultation, the Essex Region SPP came into effect on October 1, 2015. For more information about the SPP, please [visit our website](#).

The Ministry of the Environment, Conservation and Parks (MECP) prescribed activities as drinking water threats if they may cause contamination that could be harmful to human health. The SPP contains policies to ensure that those activities cease to be, or never become, significant threats, using tools such as education and outreach, land use planning, stewardship, existing provincial prescribed instruments, and tools specific to Part IV of the CWA. Significant threat policies, including those written under Part IV of the CWA are legally binding and must be complied with.

The implementation of Part IV policies is the responsibility of the municipality who, under the Municipal Act, has the ability to pass bylaws pertaining to the treatment and distribution of drinking water. However, the CWA allows municipalities to delegate enforcement of their Part IV responsibilities to another municipality, a board of health, planning board or Source Protection Authority (SPA) using a Source Protection Plan Part IV Enforcement Transfer Agreement.

Part IV tools can only be implemented by trained and certified Risk Management Officials (RMO) or Risk Management Inspectors (RMI), collectively referred to as RMO/I. The CWA and O.Reg 287 outline the training, roles and responsibilities of these persons. Currently, two members of ERCA's staff are trained and appointed as RMO/Is. This ensures access to appropriate resources to perform the duties of the RMO/I as described below as well as the ability to respond in a timely manner to inquiries and applications. In carrying out SPA and CA responsibilities, ERCA staff have already built a collaborative peer network with those responsible for planning and building permit processes, engineering technical support, information technology, water treatment plant operators, neighbouring jurisdictions, and other RMO/Is throughout the province.

In 2015, all municipalities in the Essex Region delegated their Part IV responsibilities to the Essex Region Source Protection Authority. This agreement was amended on October 1, 2018 to extend the period of agreement to December 31, 2021. A second amendment further extended the agreement from January 2, 2022 to December 31, 2024. The RMO/I provides these services on behalf of the municipalities in the Essex Region Source Protection Area (ERSPA), as well as the southernmost portion of the Thames-Sydenham and Region Source Protection Region (TSR), which includes parts of the Town of Lakeshore, the Municipality of Leamington, and the Municipality of Chatham-Kent. The Essex Region Risk Management Office collaborates with the Thames-Sydenham and Region Source Protection Authority to ensure consistent implementation of our similar policies.

At this time ERCA is proposing a new perpetual agreement that will not need to be renewed. The new agreement will begin January 1, 2025, and will renew annually. The agreement will be reviewed every four years. Any municipality may withdraw from the agreement effective January 1 of any given year by providing notice within 120 days of December 31<sup>st</sup> of the previous year.

## **SCOPE OF RISK MANAGEMENT SERVICES**

Policies written under Part IV of the Clean Water Act can be used to prohibit (s.57) or manage (s.58) existing and future (new) activities identified as Significant Drinking Water Threats (SDWTs). In the Essex Region SPP, activities are only prohibited using s.57 if they are not known to occur in identified vulnerable areas and are not likely to occur in the future. Most of the identified SDWT activities are managed with s.58 Risk Management Plans. Policies written using s.59 of the Clean Water Act, 2006, are intended to act as a screening tool by municipal planning and building staff to identify any potential future (new) SDWTs that would be subject to s.57 or s.58 policies.

### **Risk Management Plan Negotiation (s.58)**

Risk Management Plans (RMPs) are required for existing and new SDWTs. The handling and storage of large volumes of liquid fuel was identified as a SDWT throughout the Essex Region. Other threats were also identified in small areas close to certain drinking water intakes. A RMP describes how these activities can be managed such that the threat to drinking water can be mitigated. It is a negotiated agreement between the RMO and the person engaging in an activity (the proponent). The RMO will work with the proponent to review and describe risk management measures that are already in place and any additional measures needed for the situation, which will be included in the agreed upon RMP. Alternatively, the proponent may wish to have the RMO develop the RMP to establish it either through agreement or by order. If negotiation does not work, the RMO may notify the proponent that they intend to establish a RMP by Order.

### **Restricted Land Use (s.59)**

Section 59 policies were effective when the SPPs took effect and were a priority for implementation because building permits and approvals under the Planning Act and the Building Code Act cannot be issued until it has been determined that a SDWT will not be created and/or has been managed as part of the proposed works. The RMO/I provided municipalities with a written direction to expedite the s.59 screening process for proposed projects under the Planning Act in the Event Based Area (EBA), and a "Building Information Sheet" to be attached to permit applications under the Building Code Act. ERCA has also integrated s.59 screening in our internal processes, allowing for quick turnaround time so that new building projects are not held up by this requirement. The RMO/I will continue to provide this screening service and work with municipalities to find further efficiencies and to ensure that the intent of these policies is being met. The RMO/I updates the written direction from time to time and offers refresher training to municipal staff by request.



### **Site Specific Risk Assessment**

A proponent can undertake their own Site Specific Risk Assessment (SSRA) if they question the Risk Assessment completed in the approved Assessment Report. An SSRA would be conducted by professionals retained by the proponent and would be completed according to the same technical rules which guided the Assessment Report. It would also be based on guidance and requirements to be provided by the Province.

In the unlikely event that a proponent chooses to conduct an SSRA, the RMO will be required to review and accept the analysis or have access to appropriate professionals to review the work. These situations would be considered on a case-by-case basis and would be considered extraordinary costs. Should these situations arise, the municipality would be immediately notified and consulted. To date, no SSRAs have been completed in the Essex Region.

### **Compliance**

The CWA provides the regulatory tools to ensure compliance with both s.57 (Prohibition) s.58 policies (Risk Management Plans). The CWA allows the RMO/I to issue orders following due notice. These orders can include establishing a RMP, forcing compliance with a RMP or, if appropriate, causing things to be done and recovering costs. In addition to these powers, the CWA provides the RMO/I with similar enforcement tools to Building Officials, By Law Enforcement Officers and other Provincial Offenses Officers. These include seeking a warrant to gain access to property and the ability to lay charges.

There are currently over 100 established RMPs in the Essex Region and the portions served in the Thames Sydenham and Region. Compliance monitoring will be conducted for all existing RMPs. It is not anticipated that many compliance issues will arise that require legal action. Should these situations arise, they would be considered extraordinary costs and the municipality would be immediately notified and consulted.

### **Education & Outreach**

The RMO/I also provides education and outreach to landowners through their threat verification site visits and subsequent negotiation of RMPs. A package is provided to the landowner with site specific information, general information about the Source Water Protection Program and a sticker to be placed on the fuel tanks indicating that the tank is in a vulnerable area and includes the number for Spills Action Center. The RMO/I also provides training for municipal staff as needed and can act as a liaison to provide additional education material either about the Source Protection program or other services provided by ERCA and/or the municipalities.

### **Monitoring & Reporting**

The CWA requires the RMO/I to prepare and submit an annual report on their activities. The CWA contains specific details about the required reporting elements for which the MECP has provided templates and a database. RMO/I are also required to report to each Source Protection

Authority (SPA) in their jurisdiction. For some municipalities in the Essex Region, this includes both the Essex Region SPA and the Thames-Sydenham and Region SPA. The RMO/I also prepares a more fulsome annual report for municipalities detailing the activities undertaken by the RMO/I in the previous year. ERCA uses an internal information management tool to effectively and efficiently record data, track records, analyze and report on the program. All annual reports are publicly available on our [website](#).

## **COST ALLOCATION**

Cost allocation and recovery is broken down into three parts:

- Cost Category A -an equally allocated fixed minimum charge necessary to sustain and deliver the program and determined to be \$2000 per annum, per municipality that is party to the agreement. Cost is recovered bi-annually.
- Cost Category B -weighted shared costs for activities that ensure Risk Management Services are provided consistently such as project management, development and maintenance of databases and templates, training and attendance at regional meetings, and a portion of corporate services. Costs are allocated according to a weighted formula, described below and recovered bi-annually
- Cost Category C -direct costs for activities such as the negotiation of RMPs, s.59 screening and compliance visits, and are estimated in Appendix A, based on previous years and estimated future work. Actual costs are tracked and recorded for each municipality and recovered bi-annually.

The level of effort required for implementation of the services will vary for each municipality. The size, type and number of existing significant drinking water threat (SDWTs) vary, as does the size and nature of the areas which will be regulated through these tools. In consideration of the fact that shared costs are correlated to an extent with activity, ERCA will apply a weighted formula to these costs, as follows: 50% of shared costs (Category A) will be allocated equally amongst the municipalities and 50% of shared costs (Category B) will be allocated on a proportionate basis, calculated as each municipality's direct costs divided by the total direct costs, as incurred by all municipalities. Estimated annual costs are provided in Appendix A.

The attached budget estimates have been prepared to assist municipalities in planning for the services and exploring the merits of receiving the services from ERCA. ERCA will keep accurate records relating to expenses in accordance with generally accepted accounting principles. ERCA issues two invoices per year based on a cost recovery model for services rendered.

The proposed budget does not include the recovery of non-routine costs, as is outlined in section 4.3 of the agreement (e.g. legal action; retention of third party experts). These situations would be considered on a case-by-case basis and the municipality would be consulted with as soon as these situations come to light. Any external parties required to be retained (e.g. legal counsel)

would be hired upon mutual agreement with the affected municipality. To date, no such situation has occurred, and it is anticipated that these situations will continue to be rare.

### **COST RECOVERY OPTIONS**

Risk Management Services may be funded through cost recovery (fees), property taxes and/or water rates.

The CWA allows fees to be collected only for specific actions including receiving an application (s58,59,60); agreeing to or establishing a RMP (s56,58); accepting a SSRA (s60); entering property or any other power under s62 (inspections). Further, the CWA requires that the RMO/I confirm that applicable fees have been paid before issuing certain documents (such as notices of acceptance). These fees could be used to offset the costs charged to the municipalities.

The water system (through rates charged for water) can be used to fund Risk Management Services (or those parts of the services not recovered from the person engaged in the activity). Alternatively, municipal budgets (generated from property taxes) can be used. This would have the benefit of sharing the costs over a larger funding base, however in many cases the water systems provide services to only part of the municipality or may be providing water for a neighbouring municipality.

ERCA can discuss these options with municipalities, but ultimately the source of the funding drawn upon to fund these agreements is left to each municipality to decide. ERCA would support an approach that was consistent throughout the Region. To date, there have been no fees to landowners associated with Risk Management Services.

### **UNCERTAINTIES ASSOCIATED WITH COST OF SERVICES**

The relative level of effort on each of the components will shift as the program matures. For example, negotiation of RMPs for all existing SDWTs has been completed, allowing the RMO/I to focus on compliance and enforcement. Other external factors such as growth and development pressures, and updates to the SPP as a result of modifications to the CWA, its Regulations and/or Technical Rules will also have an impact on costs. It is anticipated that the next update of the SPP will result in the identification of additional SDWTs that will require RMPs. This change will take place during the period of this amended agreement.

### **TERM AND RENEWAL**

ERCA is proposing a new perpetual agreement that will not need to be renewed. The new agreement will begin January 1, 2025, and will renew annually. The agreement will be reviewed every four years. Any municipality may withdraw from the agreement effective January 1 of any given year by providing notice within 120 days of December 31<sup>st</sup> of the previous year.

**APPENDIX A**

The proposed budget below includes estimated annual costs associated with the delivery of Risk Management Services by the Essex Region Conservation Authority on behalf of the Municipalities in the Essex Region as outlined in the proposal above. Cost Category A will be subject to an annual economic adjustment equal to the negotiated percentage wage rate increase for the Authority's unionized staff complement.

	<b>Cost Category A Minimum Fixed Cost</b>	<b>Cost Category B Estimated Shared</b>	<b>Cost Category C Estimated Direct</b>	<b>Total Estimated Annual Program Cost</b>
<b>Amhersburg</b>	\$ 2,000	\$ 1,000	\$ 670	\$ 3,670
<b>Essex</b>	2,000	690	260	2,950
<b>Kingsville</b>	2,000	1,130	850	3,980
<b>Lakeshore</b>	2,000	830	430	3,260
<b>Lasalle</b>	2,000	570	100	2,670
<b>Leamington</b>	2,000	2,110	2,150	6,260
<b>Pelee</b>	2,000	570	100	2,670
<b>Tecumseh</b>	2,000	570	100	2,670
<b>Windsor</b>	2,000	1,460	1,300	4,760
<b>Chatham-Kent</b>	2,000	1,070	770	3,840
	<b>\$ 20,000</b>	<b>\$ 10,000</b>	<b>\$ 6,730</b>	<b>\$ 36,730</b>

# Municipality of Lakeshore – Report to Council

## Operations

### Water Management



**To:** Mayor and Members of Council  
**From:** Jason Barlow, Division Leader – Water Management  
**Date:** November 19, 2024  
**Subject:** OCWA Service Agreement 2025

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### Recommendation

Direct the Clerk to read By-law 120-2024, being a by-law to authorize the execution of an Operations and Maintenance Service Agreement with the Ontario Clean Water Agency (OCWA), during the Consideration of By-law, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

### Background

The Ontario Clean Water Agency (OCWA) has operated most of Lakeshore's wastewater treatment facilities since 1992. Following the 1999 amalgamation, Lakeshore has entered into five operating agreements with OCWA related to these services.

In 2012, Administration conducted a review of wastewater treatment service options and recommended continuing the partnership with OCWA. Council accepted this recommendation, leading to the negotiation and approval of a new Operations and Maintenance Service Agreement at the September 23, 2014, Council meeting.

More recently Council agreed to a contract renewal with OCWA on January 1, 2020 which is now set to expire on December 31, 2024.

### Comments

Based on the above cont, Administration recently entered into discussions with OCWA to negotiate a new Operations and Maintenance Service Agreement.

Administration and OCWA have developed the attached mutually satisfactory agreement aimed at retaining the effective elements of prior agreements and also looked at modernizing the framework and includes previously unaddressed issues.

The new agreement is expected to take effect on January 1, 2025, for a term of three (3) years, with an option to extend for an additional two (2) years, subject to Council approval.

Key objectives identified for the new contract included:

- Covering all operating and maintenance costs within the agreement; and
- Establishing clear performance objectives and reporting mechanisms.

Significant changes in the new agreement include:

- Capital Spending: Lakeshore retains control and approval over capital spending, with all operating and maintenance costs explicitly covered by the agreement; and
- Fees: Both the Management Fee and Service Fee (for major maintenance and capital projects) will increase to 12.5%, up from the current 10%.

Administration recommends continuing the contract with OCWA as it is in Lakeshore's best interest to ensure operational continuity, especially in light of recommended future expansions to the wastewater facilities.

### **Others Consulted**

Ontario Clean Water Agency (OCWA) was consulted.

### **Financial Impacts**

The current annual cost of OCWA services to Lakeshore for 2024 is \$2,239,450.00. The proposed agreement for the Municipality is \$2,361,830.75, reflecting an annual increase of \$122,381.00 (approximately a 5.5% increase).

As noted in the comments above, this increase includes adjustments to the management and service fee structure from the current 10% to 12.5% (2.5% increase).

Similar to the previous contract, subsequent years will include a CPI inflationary adjustment to the Operational Support Services. The Draft 2025 Budget includes the proposed amount of \$2,361,830.75 for wastewater services under the OCWA contract.

The following chart is a breakdown of the proposed contract renewal costs by wastewater facility/system:

<b>Wastewater Facility</b>	<b>2025 Cost</b>	<b>Management Fee (12.5%)</b>	<b>Total</b>
Dennis St Pierre	\$ 1,362,393.58	\$ 170,299.20	\$ 1,532,692.78
North Woodslee	\$ 93,605.65	\$ 11,700.71	\$ 105,306.36
South Woodslee	\$ 199,744.78	\$ 24,968.10	\$ 224,712.88
Comber WWTP	\$ 71,876.54	\$ 8,984.75	\$ 80,861.29
Stoney Point WWTP	\$ 117,883.41	\$ 14,735.43	\$ 132,618.84
Belle River/Maidstone Collection	\$ 253,900.98	\$ 31,737.62	\$ 285,638.60
<b>Total</b>	<b>\$ 2,099,404.94</b>	<b>\$ 262,425.81</b>	<b>\$ 2,361,830.75</b>

Report Approval Details

Document Title:	OCWA Service Agreement - 2025.docx
Attachments:	
Final Approval Date:	Nov 27, 2024

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

Prepared by Jason Barlow

Submitted By Krystal Kalbol

Approved by the Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council

**From:** Urvi Prajapati, Team Leader – Community Planning

**Date:** November 8, 2024

**Subject:** Subdivision Agreement Amendment and Part Lot Control Exemption By-law (PLC-02-2024) - River Ridge Phase 7

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### Recommendation

Approve the amendment to the River Ridge Phase 7 Subdivision Agreement; and

Approve the application for exemption for Part Lot Control for Blocks 9 and 10, on Registered Plan 12M-659 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 114-2024, By-law 115-2024, and By-law 116-2024 during the “Consideration of By-laws”, as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

### Background

The subject lands known as the “River Ridge Phase 7C” received final approval from the County of Essex on May 18, 2018 (File # 37-T-17002). The subject lands under consideration are located on the south side of Oakwood Ave, east of Matese Street and north of the CP Railway. (See Appendix A).

The developer has submitted a request for a Part Lot Control Exemption for Blocks 9 and 10 on Registered Plan 12M-659, to divide the blocks into lots shown on Reference Plan 12R-29940 (See Appendix B). A supplemental subdivision agreement was entered into by the Municipality and the developer on September 11, 2018 and was registered on title on October 3, 2018 as instrument number CE852528. This agreement amended the original subdivision agreement dated November 2, 1999.



The site is designated 'Residential' in the Lakeshore's Official Plan and is zoned (R2-22), Residential – Medium Density, which permits single detached dwelling, semi-detached dwelling, duplex, triplex, townhouses, and accessory uses.

The lots will be serviced by municipal water and sanitary was allocated and reviewed as part of the subdivision approval process. A total of 185 units were approved under the registered subdivision agreement CE852528.

The subdivision consisted of the following blocks and corresponding units:

Block 9 consists of 14 townhomes (2 triplexes and 2 fourplexes) on the west side of Caserta Crescent.

Block 10 consists of 13 townhomes (3 triplexes) on the east side of Caserta Crescent and 2 duplexes on the south side of Orsini Court.

Block 11 – part lot control cannot be applied to part of a block. Hence, a consent application is in progress for the division of those lots through the Committee of Adjustment.

The developer has now come forward with a proposal to add an extra unit under Block 10 as there is sufficient land to accommodate a fourplex instead of the original proposed triplex. Therefore, an amendment to the original subdivision agreement will address this addition and permit a total of 186 units for Phase 7C.

Hence, the part lot control application includes Block 9 consisting of 14 townhomes (2 triplexes and 2 fourplexes) on the west side of Caserta Crescent and Block 10 to include 14 townhomes (2 triplexes, 2 duplexes, and one fourplex).

## Comments

The *Planning Act* under Subsection 50(7) authorizes Council to pass a by-law to designate a part or parts of a registered plan of subdivision as not being subject to the part lot control provisions of Section 50(5) of the *Planning Act*, in effect allowing further subdivision of the designated lands by means of a Reference Plan and without going through the consent or subdivision process. Passage of the part lot control by-law would permit the owner to convey all or portions of a Lot of Block in a registered Plan of Subdivision. Applications of this type are not subject to public hearings or appeal. Final approval of the by-law rests with the County of Essex, the subdivision approval authority.

### *Provincial Planning Statement (PPS)*

The part lot control application is consistent with the applicable policies of the PPS. The subject lands are located within an identified Primary Settlement Area. Although it can be stated that the proposal supports and implements many of the document's policies, the following important policies specifically apply to the proposal:

- Section 2.2, Housing – this section speaks to planning authorities providing for a range of mix housing options and densities, and this entire section is applicable.

- Section 2.3.1 General Policies for Settlement Areas is applicable to this proposal as this section talks about the growth of Settlement Areas and the role of Municipalities in encouraging efficient use of land and resources. Specifically, the following sections apply the most to the proposal.
- Section 2.3.1(1), General Policies for Settlement Areas, of the PPS states “Settlement areas shall be the focus of growth and development”
- Section 2.3.1(2a & b), General Policies for Settlement Areas, of the PPS states “Land use patterns within settlement areas should be based on densities and a mix of land uses which:
  - a) Efficiently use land and resources;
  - b) Optimize existing and planned infrastructure and public service facilities...”
- Section 2.3.1(3) “Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”
- Section 2.4 Strategic Growth Areas – this section also speaks on intensification to encourage complete communities by providing a mix and range of housing.

Considering the policies above, the proposed subdivision development and part lot control request is consistent with the applicable policies of the PPS.

#### *County of Essex Official Plan*

The subdivision is located within the Primary Settlement Area. The proposal conforms to the County of Essex Official Plan.

#### *Lakeshore Official Plan*

The lands are designated ‘Residential’ in the Lakeshore Official Plan and the proposal conforms to the applicable policies.

#### *Zoning*

As noted, the subject lands are zoned for Residential Uses in accordance with the site-specific zoning of R2-22, Residential – Medium Density in the Municipality of Lakeshore Zoning By-law.

#### *Conclusion*

Approve the amendment to the River Ridge Phase 7 Subdivision Agreement;

Approve the application for exemption for Part Lot Control for Blocks 9 and 10, on Registered Plan 12M-659 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 114-2024, By-law 115-2024, and By-law 116-2024 during the “Consideration of By-laws”.

**Others Consulted**

The County of Essex has been forwarded the draft by-law and the County advised that Part Lot Control exemption can only be used to permit whole blocks and lots within a registered plan of subdivision to be further divided. As a result of these comments Part of Block 11, was removed from this Part Lot Control exemption, and will be dealt with under a separate planning application as noted above.

**Financial Impacts**

There are no financial impacts resulting from the recommendation.

**Attachments**

- Appendix A - Key Map
- Appendix B – Reference Plan 12R-29940

**Report Approval Details**

Document Title:	Subdivision Agreement Amendment and Part Lot Control Exemption By-law (PLC-02-2024) - River Ridge Phase 7.docx
Attachments:	- Appendix A - Key Map.jpg - Appendix B - Registered Reference Plan 12R29940.pdf
Final Approval Date:	Nov 26, 2024

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

Prepared by Urvi Prajapati

Submitted by Daniel Mercer and Tammie Ryall

Approved by Justin Rousseau



### Legend

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

1:5,160



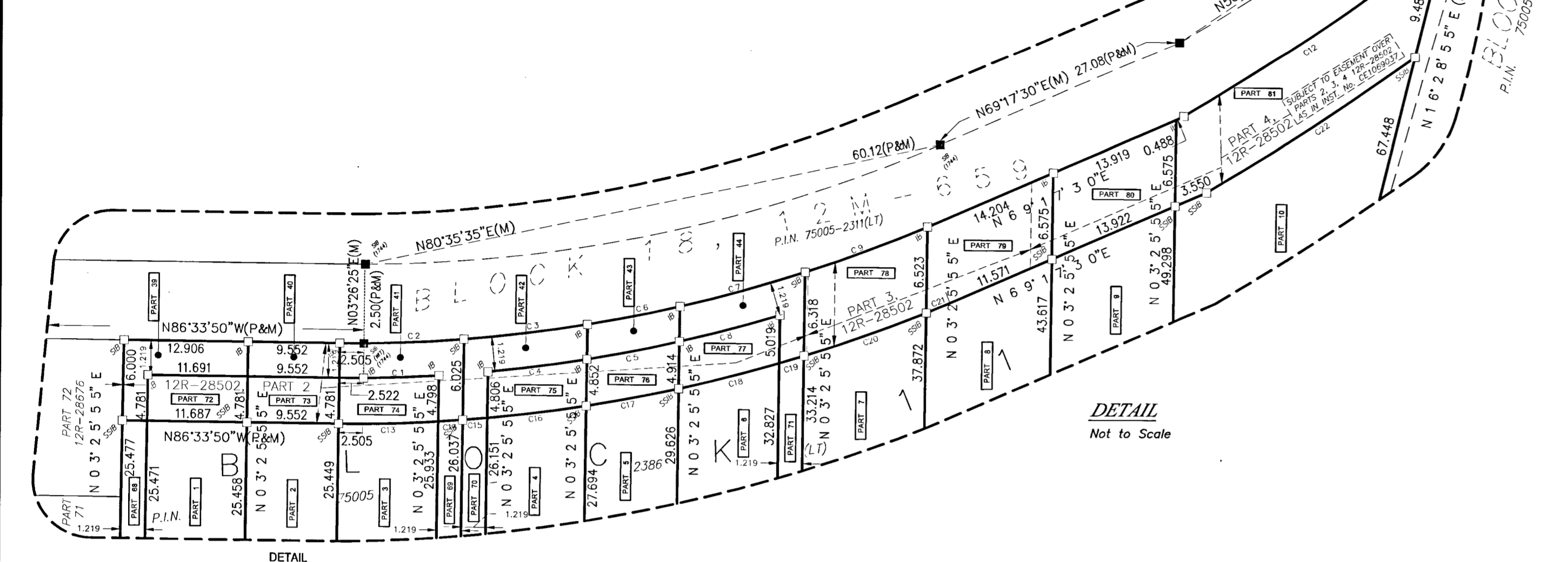
Notes:

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

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE SMART-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN IRON ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 216/10

POINT ID	NORTHING	EASTING
ORP-A	4683067.070	354504.189
ORP-B	4683086.164	354114.943

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



PARTS SCHEDULE					PARTS SCHEDULE					PARTS SCHEDULE					PARTS SCHEDULE					PARTS SCHEDULE										
PART	BLOCK	PLAN	P.L.N.	AREA	PART	BLOCK	PLAN	P.L.N.	AREA	PART	BLOCK	PLAN	P.L.N.	AREA	PART	BLOCK	PLAN	P.L.N.	AREA	PART	BLOCK	PLAN	P.L.N.	AREA	PART	BLOCK	PLAN	P.L.N.	AREA	
1				297.6	20				454.2	39				21.5	58				11.1	70									31.7	
2				243.1	21				401.1	40				11.6	59				11.1	71								40.3		
3				299.1	22	BLOCK			300.5	41	BLOCK			21.2	60				50.0	72								55.9		
4				310.8	23				279.3	42	11			21.6	61				50.4	73								45.7		
5	BLOCK			274.8	24				682.8	43				12.0	62	BLOCK			11.5	74	BLOCK								56.3	
6	11			365.7	25				458.9	44				22.6	63	9			50.3	75	11							55.9		
7				448.2	26				260.6	45				72.5	64				50.3	76								46.0		
8				527.9	27				260.7	46				71.0	65				11.6	77								58.3		
9				590.1	28				322.9	47				12.1	66				19.1	78								81.1		
10				944.7	29				323.1	48	BLOCK			61.5	67	BLOCK			11.9	79									85.2	
11				502.7	30	BLOCK			261.3	49	10			61.2	68	10			8.0	80									83.5	
12				554.4	31				473.4	50				11.6	68	BLOCK			31.0	81									179.4	
13				473.4	32				323.7	51				11.6	69	11														
14				581.5	33				333.4	52				33.0																
15				543.8	34				272.1	53				20.0																
16	BLOCK			475.3	35				332.2	54				11.2																
17	10			562.8	36				333.4	55				11.2																
18				511.0	37				272.7	56	9			49.8																
19				399.5	38				454.1	57				49.7																

AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO SQUARE FEET BY MULTIPLYING BY 10.76391.

PLAN 12R - 29940

RECEIVED AND DEPOSITED DATE: 2024/11/13

HEZEKIAH DAVID

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

PLAN OF SURVEY OF BLOCK 9 and PART OF BLOCKS 10 and 11 on PLAN 12M-659 (IN THE GEOGRAPHIC TOWNSHIP OF MAIDSTONE) IN THE MUNICIPALITY OF LAKESHORE COUNTY OF ESSEX

SCALE = 1:750

BEARING REFERENCE  
BEARINGS ARE UTM GRID, DERIVED FROM THE OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, NAD83 UTM ZONE 17, (CSRS), (2010).

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

DISTANCES  
DISTANCES HEREON ARE HORIZONTAL GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999832372

LEGEND  
SIB DENOTES 25 mm X 25 mm X 1.22 m STANDARD IRON BAR  
SSIB DENOTES 25 mm X 25 mm X 0.61 m SHORT STANDARD IRON BAR  
IB DENOTES 16 mm X 16 mm X 0.61 m IRON BAR  
IB# DENOTES 19 mm Diameter X 0.61 m ROUND IRON BAR  
■ DENOTES SURVEY MONUMENT FOUND  
■ DENOTES SURVEY MONUMENT SET AND MARKED 1858  
WIT. DENOTES WITNESS  
(S) DENOTES SET  
(PROP) DENOTES SET PROPORTIONALLY  
(N.T.S.) DENOTES NOT TO SCALE  
(O.U.) DENOTES ORIGIN UNKNOWN  
(S/W) DENOTES 3/8" SPIKE/WASHER  
(NBF) DENOTES NO BAR FOUND  
(1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC., O.L.S.

"NOTE"  
This plan has been prepared for the limited use of [Lakeland Home, for the purpose of a Ref. Plan.] and cannot be used by other parties. This plan is to remain confidential, is prepared under copyright and must not be used without the permission of the signing surveyor or the company responsible for the plan.

NOTE:  
THIS PLAN NOT FOR DEPOSIT

SURVEYOR'S CERTIFICATE  
I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE PLANNERS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON THE 19th DAY OF JULY, 2024.  
DATE: SEPTEMBER 13, 2024

Bloss J. Sutherland  
ONTARIO LAND SURVEYOR  
FOR TOTAL TECH SURVEYING INC.

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2214950



**Total Tech Surveying Inc.**

341 Talbot St. N.  
Units 2 & 3  
Essex, ON N8M 2W3  
(519) 776-9887

Drawn by: W.R.G. Checked by: B.J.S. Job No: 2024-134 Plan File No: D-461

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council  
**From:** Matt Alexander, Planner 2 (Consultant Planner)  
**Date:** October 25, 2024  
**Subject:** ZBA-03-2021 (1356 County Road 46) – Further Deferral of Council decision

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### Recommendation

Defer Zoning By-law Amendment Application ZBA-03-2021 to amend Zoning By-law 2-2012 (as amended) to amend the zoning of the lands located at 1356 County Road 46 and legally described as Part of the North Half of Lot 17, Concession North of Middle Road; Part of the South Half of Lot 17, Concession North of Middle Road; Maidstone, designated as Part 1 on Plan 12R9966; Lakeshore, save and except Part 1 on Plan 12R21483, being all of the Property Identifier Number 75025-0106(LT), to permit an event venue on a portion of the existing farm and in the existing on-site farm structure as a home industry, for an additional period of six months as presented at the December 10, 2024 Council meeting.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

### Background

On June 11, 2024, Council considered the Zoning By-law Amendment application and voted to defer their decision (Motion 195-06-2024) at the applicant's request for a period of six months. The following motion was passed:

Grant applicant's request for deferral until the terms have been amended and to be enforced by By-law. The application is to be completed within a six-month period.

As the six months expires in December 2024, and the application has not been completed, Administration has brought forward this report to update Council.

The applicant is proposing to convert the existing 5,000 ft<sup>2</sup> barn on-site for a main wedding venue site. The building has been utilized for many years as a barn for hay storage and equipment storage and is now deemed surplus to the farming operation. It is proposed to be converted to include the main dining space and dance floor, venue servery, washroom facilities, bridal suite, bar space and office space.

The subject lands also contain a 4,065 ft<sup>2</sup> animal barn; a 450 ft<sup>2</sup> shed; and a 2,535 ft<sup>2</sup> barn.

A grassed portion of the lands, which do not serve the agricultural operation, is proposed to be the location for on-site parking and as an open-air ceremony site.

Land and buildings currently used for agricultural purposes will not be impacted.

The requested Zoning Bylaw Amendment proposes to retain the subject lands in the ‘Agriculture (A)’ zone while adding the wedding venue as an additional permitted use on site.

<b>Subject Land:</b> (1356 County Road 46)	Lot Area — 19.76 ha (48.8 acre) Existing Use — agriculture Proposed Use – wedding venue Access — County Road 46 Services — private septic and private sewage
<b>Neighbouring Land Uses:</b>	A mix of agricultural and rural residential uses
<b>Official Plan:</b>	Agriculture
<b>Existing Zoning:</b>	Agriculture

At the June 11, 2024 Council meeting a planning report was presented which recommended refusal of the amendment as the proposal was not consistent with the on-farm diversified policies of the Provincial Policy Statement 2020. (Appendix 1 contains the previous report and attachments). As mentioned above, Council considered the Zoning By-law Amendment application and voted to defer their decision at the applicant’s request (Motion 195-06-2024) for a period of six months to provide time for the applicant to address land use planning comments.

In the intervening time Municipal staff have been in contact with the applicant and have discussed ways to modify the proposed zoning by-law amendment and related Site Plan Application to address the land use planning concerns. As of October 25, 2024 the applicant has advised that they will be providing a revised Zoning By-law Amendment proposal and Site Plan in the new year.

**Conclusion**

Administration recommends that Council defer the application for an additional six months for the applicant to bring forward additional information to address the land use planning concerns related to the application and provide time for Administration to review.

## Financial Impacts

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

## Attachments

Appendix 1 – Previous Report to Council

## Report Approval Details

Document Title:	ZBA-03-2021 (1356 County Rd. 46) - Report for Information.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix 1 - previous report to Council ZBA-03-2021 - 1356 County Rd. 46.pdf</li><li>- Appendix 2 - Key Map (1).pdf</li><li>- Appendix 3 - Concept Plan (1).pdf</li><li>- Appendix 4 Wedding Venue Building Opinion Letter - dated 03042024 (1).pdf</li><li>- Appendix 5 Building Comments 1356 County Road 46.pdf</li><li>- Appendix 6 Fire Comments (1).pdf</li><li>- Appendix 7 – Council Decision Alternatives under the Planning Act.pdf</li><li>- Appendix 8 – Request for Re-submission extension for a Zoning By-law Amendment.pdf</li></ul>
Final Approval Date:	Nov 27, 2024

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

Prepared by Matt Alexander

Submitted by Tammie Ryall

Approved by the Corporate Leadership Team



# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor & Members of Council  
**From:** Jonathan Derworiz, Planning Consultant  
**Date:** May 30, 2024  
**Subject:** Zoning By-law Amendment - ZBA-03-2021 – 1356 County Rd. 46

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### Recommendation

Refuse Zoning By-law Amendment Application ZBA-03-2021 to amend Zoning By-law 2-2012 (as amended) to amend the zoning of the lands located at 1356 County Road 46 and legally described as Part of the North Half of Lot 17, Concession North of Middle Road; Part of the South Half of Lot 17, Concession North of Middle Road; Maidstone, designated as Part 1 on Plan 12R9966; Lakeshore, save and except Part 1 on Plan 12R21483, being all of the Property Identifier Number 75025-0106(LT), to permit an event venue on a portion of the existing farm and in the existing on-site farm structure as a home industry, as the proposal is not consistent with the on-farm diversified policies of the Provincial Policy Statement, 2020, as presented at the June 11, 2024 Regular Council meeting.

### Summary

Due to the length of the report, a summary of the key points has been included in this section.

An application to amend the Lakeshore Zoning By-law has been submitted by Pilon Abbs Inc. on behalf of the property owner to permit a wedding venue as an on-farm diversified use on the subject lands. The Municipality of Lakeshore Official Plan designates the subject lands as Agricultural and the subject lands are zoned Agricultural (A) under the Lakeshore Zoning By-law. Administration have reviewed the application and supporting materials and are of the opinion that the proposed wedding venue does not adequately meet criteria to be deemed an on-farm diversified use. For reasons explained in the report, the application does not conform to the Provincial Policy Statement, the County of Essex Official Plan or the Lakeshore Official Plan.

### Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

## Background

The requested Zoning By-law Amendment is proposing to keep the subject lands located at 1356 County Road 46 in the “Agricultural (A)” zone while adding an event venue as an additional permitted use on site (Appendix A, Key Map).

The applicant is proposing to convert the existing 464.51m<sup>2</sup> (5,000 ft<sup>2</sup>) barn on-site for an event venue site. The building has been utilized for many years as a barn for hay storage and equipment storage and is now deemed surplus to the farming operation. The Building Division has no building permit on record for this structure. It is proposed to be converted to include the main dining space and dance floor, venue servery, washroom facilities, bridal suite, bar space and office space. (Appendix B, Concept Plan).

The subject site also contains a 377.65 m<sup>2</sup> (4,065 ft<sup>2</sup>) animal barn; a 41.8 m<sup>2</sup> (450 ft<sup>2</sup>) shed; and, a 235.51 m<sup>2</sup> (2,535 ft<sup>2</sup>) barn. Thus, the 464.51m<sup>2</sup> (5,000 ft<sup>2</sup>) barn has been rendered surplus to the owner’s needs.

A grassed portion of the lands, which do not serve the agricultural operation, will be the location for an open-air wedding ceremony site. The Site Plan proposes converting a grassed portion of the lands to a gravel parking lot, with 83 parking spots to serve the venue. The applicant is also proposing a 54.54 m<sup>2</sup> (587 ft<sup>2</sup>) addition to the event venue building.

Land and buildings currently used for agricultural purposes will not be impacted.

Administration has reviewed the following materials submitted as part of the Zoning By-law application:

- Planning Rationale Report, dated June 2021;
- Planning Rational Report Addendum, dated March 2024;
- Traffic Report, dated December 2020;
- Site Plan Drawing, dated May 2021;
- Photometric Plan, dated June 2021;
- Windsor Disposal Service Memo, dated October 2020;
- Building Elevations, dated May 2021

<b>Subject Land:</b> (1356 County Road 46)	Lot Area — 19.76 ha (48.8 acre) Existing Use — agriculture Proposed Use – event venue Access — County Road 46 Services — private septic and municipal water
<b>Neighbouring Land Uses:</b>	A mix of agricultural and rural residential uses
<b>Official Plan:</b>	Agricultural
<b>Existing Zoning:</b>	Agricultural

The barn where the events occur is referred to under the Building Code as a Quonset Hut due to the cloth/fiber type of material used for the walls and roof. As part of the supporting information submitted, the proponent’s architect (engineering firm) has

indicated that they believe that the building can be changed to comply with the Building Code requirements for an Assembly Hall (Appendix C). The Building Division's response to this letter is contained in Appendix D. It is noted that the Building Division will need to review the structure for compliance with the Building Code which includes fire safety requirements. The Fire Department's comments regarding installation of a fire hydrant are contained in Appendix E.

## Comments

### Provincial Policy Statement (2020) ("PPS")

The following policies apply to the proposed re-development of the subject lands:

Section 1.5.4 notes that development compatible with the rural landscape and sustained by rural service levels should be promoted. The proposed use will alter a significant portion of the site for the event venue, parking, and associated amenities/servicing. Apart from the Traffic Impact Study, no technical studies were provided regarding site servicing for the proposed use.

Section 1.1.5.7 of the PPS states opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Comment: An event venue does not help promote agricultural protection or resource-related uses. Placing an event venue on prime agricultural land undermines the role of such land in sustaining local food production and ecosystem health. A significant portion of the Subject Lands are required for the event venue's operations. Repurposing prime agricultural lands for non-related development reduces the availability of agricultural lands and raises potential land-use conflicts.

Section 2.3 of the PPS states that prime agricultural areas shall be protected for long-term agricultural use. In prime agricultural areas, the PPS permits on-farm diversified uses, defined as uses that are secondary to the principal agricultural use of the property and are limited in area. They include, but are not limited to, home occupations, home industries, Agri-tourism uses, and uses that produce value-added agricultural products. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) published Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2016) to help interpret the policies in the PPS, specifically with reference to agricultural, agricultural-related and on-farm diversified uses described in Policy 2.3.3. The Guidelines on Permitted Uses (Publication 851) is referenced in this Report for context on Policy 2.3.3.

A wide variety of uses may qualify as on-farm diversified uses based on the PPS definition as long as they meet the following criteria described in the Guidelines on Permitted Uses:

**1. Located on a Farm.** (from the label "on-farm" diversified uses and from the definition's requirement that the use be secondary to the principal "agricultural use" of the property)

On-farm diversified uses must be located on a farm property that is actively in agricultural use. Agricultural uses, as described in the PPS definition, comprise the farmland that produces agricultural products. On-farm buildings and structures that are used for agricultural purposes and are integral to the farm operation are agricultural uses.

The Subject Lands measure 48.8 acres and is currently being utilized for agricultural purposes for profit, namely the cultivation of cash crops. The Applicant resides on the lands in the existing dwelling.

**2. Secondary to the Principal Agricultural Use of the Property.** (from the PPS Definition of On-Farm Diversified Uses)

On-farm diversified uses must be secondary to the principal agricultural use of the property. Agricultural use must remain the dominant use of the property. This is measured in spatial and temporal terms. Spatial considerations are addressed below under the “Limited in Area” criteria. Temporal considerations are in reference to uses, such as events, which are temporary or intermittent. It is noted that even temporary uses must meet all criteria for on-farm diversified uses. Acceptable uses must be compatible with and able to coexist with surrounding agricultural operations, permanently displace little-to-no agricultural land, and meet compatibility requirements.

As per the Planning Rationale Report, the Applicant will operate the proposed event venue and all accessory facilities (parking and outdoor ceremony area) permanently. Furthermore, an area of the property that is currently grassed is proposed to be converted to a gravel parking lot for 83 parking spots. It is proposed that the existing 464.51 m<sup>2</sup> (5,000 ft<sup>2</sup>) barn be renovated to include a dining space and dance floor, venue servery, three (3) washroom facilities, a bridal suite, a bar space, and an office space. Lastly, the Applicant proposes a 54.53 m<sup>2</sup> (587 ft<sup>2</sup>) addition to the event venue building.

Administration is of the opinion that the proposed event venue does not meet compatibility requirements. The proposed use will require significant water and wastewater servicing and increase noise and traffic levels in the area. Provided that the site uses municipal water and septic, staff believe that a 150-person event venue is inappropriate in terms of size and resource demands. Furthermore, while the grassed area proposed for parking is not currently used for agricultural operations, the property is in a Prime Agricultural Area, and the conversion of over 3,500 m<sup>2</sup> (37,000 ft<sup>2</sup>) of grassed land for a gravel parking lot could adversely impact the soil quality and fertility should the current or a future property owner desire to resume agricultural use. Hence, although not presently used for agricultural purposes, such a large parking lot would displace prime agricultural land.

**3. Limited in Area.** (from the PPS Definition of On-Farm Diversified Uses)

While PPS policies enable a wide variety of on-farm economic opportunities, the PPS also requires those uses to be limited in area. This criterion is intended to:

- minimize the amount of land taken out of agricultural production, if any
- ensure agriculture remains the main land use in prime agricultural areas;

- limit off-site impacts (e.g., traffic, changes to the agricultural-rural character) to ensure compatibility with surrounding agricultural operations.

The Guidelines recommend that the area of existing buildings used for on-farm diversified uses be discounted at an appropriate rate (e.g. 50%). Notably, 100% of the area for new laneways, parking and outdoor storage should be included. The Guidelines also recommend that the standard for the acceptable area occupied by the on-farm diversified use is up to 2% of a farm parcel to a maximum of one (1) hectare.

Comment: The Planning Rationale Report notes that the venue will occupy the rural residential area of the farm parcel with an area designated of less than 1.8% with 0.04% lot coverage of the building dedicated to the venue. The Planning Rationale Report does not consider the proposed use’s total footprint, including the area of all new buildings, structures, setbacks, outdoor storage, landscaped areas, berms, laneways, and parking, at 100%.

As per the Guidelines on Permitted Uses (Publication 851), the “limited in area” should consider the total footprint of the uses, on a lot coverage ratio basis. The area calculation should account for all aspects of an on-farm diversified use such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads. The lot coverage ratio should be based on the size of the individual parcel of land where the use is located, not the total area of a farm operation, which could include several parcels.

In calculating total lot coverage, Publication 851 allows some relief when an on-farm diversified use utilizes existing buildings or structures. Specifically, Publication 851 offers consideration for calculating existing structures at 50% of their actual lot coverage. In this case, the applicants are proposing to utilize an existing 485 m<sup>2</sup> structure. For the purposes of calculating lot coverage, Administration is considering this structure at 50%. The following table describes the approximate total lot coverage of the proposed on-farm diversified use:

	<b>Lot Coverage (m<sup>2</sup>)</b>
Re-purposed Main Venue	242.71
Concrete parking area, gravel parking lot, laneway/emergency fire route and garbage area	4,292.93
Proposed open space ceremony area	195.81
Proposed outdoor venue area	219.27
Proposed addition to main venue	54.55
Proposed septic location	100.00
Proposed stormwater management pond	3,548.27
<b>Total:</b>	<b>8,653.54</b>

Comment: As per the submitted Site Plan, the affected area represents 8,653.54 m<sup>2</sup> or 0.87 hectares of the Subject Lands which equates to greater than 4% of lot coverage. This is double the standard for the acceptable area occupied by an on-farm diversified use as described by Publication 851. As such, Administration does not believe the proposed use is limited in area.

**4. Includes, but is not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products.** (from the PPS Definition of On-Farm Diversified Uses)

The PPS definition provides several examples of on-farm diversified uses. Beyond these examples, other uses may also be suitable, subject to meeting all PPS criteria.

The PPS language related to uses that are not related to agriculture (i.e., home occupations, home industries) suggests that in prime agricultural areas, these operations must be at a reasonable scale, as discussed under the “secondary to...” and “limited in area” criteria.

Comment: The Applicant has proposed that the event venue be a home industry. Administration is not of the opinion that the scale of the proposed use is reasonable, as explained in the “Limited in Area” criteria section. Further, as mentioned below, the proposal does not meet the criteria of home occupation or home industry in the County of Essex Official Plan, the Lakeshore Official Plan or the Lakeshore Zoning By-law.

**5. Shall be compatible with, and shall not hinder, surrounding agricultural operations.** (from PPS Policy 2.3.3.1)

Per the Guidelines on Permitted Uses (Publication 851), some uses that meet other on-farm diversified uses criteria may not meet the compatibility criterion. For example, uses that attract large numbers of people onto the farm for non-farm events or recreational purposes could result in soil compaction on the farm itself, excessive noise and trespass issues that may be incompatible with surrounding agricultural operations. Commercial or industrial uses that have many employees or attract a large number of customers may also not be compatible in the prime agricultural area. In addition, some uses may be better suited to settlement areas where municipal services are available (PPS Policy 1.6.6). Notably, Section 2.3.3 of Publication 851 uses full-scale restaurants and banquet halls as an example of a use that would typically not be an on-farm diversified use because they do not meet PPS definitions and criteria.

Comment: Administration believes that an event venue with a 150-person capacity and over 80 parking spaces is considered a large number of people for a non-farm event. Further, the use is not a “one-time” or an annual occurrence but is proposed to occur on a regular and ongoing basis. The proposed event venue may be better suited to a settlement area where municipal services are available (PPS Policy 1.6.6). Event venues typically have high water and sewage needs and generate significant traffic. Thus, the proposed use may adversely impact surrounding agricultural uses. Apart from the Traffic Study, the Applicant has not provided Technical Studies to validate that the use is

appropriate to available rural services, such as municipal water and septic tank usage. Finally, the proposed use of an event venue can be considered a banquet hall. In keeping with Section 2.3.3 of Publication 851, full-scale restaurants and banquet halls are an example of a use that would typically not be an on-farm diversified use because they do not meet PPS definitions and criteria.

The proposed Zoning By-law Amendment is not consistent with the 2020 PPS, as the proposed use does not fulfill the criteria for on-farm diversified uses based on the PPS definition and the Guidelines on Permitted Uses.

## **County of Essex Official Plan and Lakeshore Official Plan**

### *County of Essex Official Plan*

Section 3.3 of the County of Essex Official Plan includes the general directive, goals, and policies for lands designated “Agricultural”. In particular, the Goals (Section 3.3.2) for Agricultural lands are important:

- a) To protect prime agricultural areas for agricultural purposes to ensure the continued long-term availability of this resource.
- b) To promote and protect agricultural uses and normal farm practices on lands within the “Agricultural” designation.
- c) To allow and encourage farm operators to engage in a wide range of agricultural activities.
- d) To restrict the type and amount of non-farm development in the “Agricultural” designation by encouraging non-farm uses to locate in the existing “Settlement Areas” identified on Schedule “A1”.

Comment: The use of prime agricultural lands for an event venue does not promote or protect agricultural lands. The proposed development will convert existing agricultural land and an excess barn into an event venue and supporting facilities including an open-air ceremony space, and a gravel parking lot with a capacity of over 80 cars; while currently deemed excess to the farm’s operations the land will not be available for agricultural uses and normal farm practices.

The County of Essex Official Plan allows secondary uses in “Agricultural” lands and sets out Specific Agricultural Policies in Section 3.3.3. The Applicant is proposing that an event venue is a “Home Industry”. Section 3.3.3.2 Secondary Uses, notes that home industry uses are occupations, trades, businesses, professions, or crafts that are secondary to the agricultural use or agriculture-related use or residential use on the property. Adding that, home industry uses shall generally not exceed 90 m<sup>2</sup>; however, local Official Plans may provide for larger home industry uses subject to the establishment of policies that:

- i) Demonstrate that the increased size of the use is not more appropriately located within a settlement area.
- ii) Ensure compatibility with adjacent or nearby uses by preventing adverse effects.

Comment: The barn that is proposed to be the event venue is approximately 485 m<sup>2</sup>, which is nearly five times the 90 m<sup>2</sup> set out in the County Official Plan for a home industry use. Administration does not believe there is a strong rationale for the event venue being located on agricultural land and are of the opinion that the proposed use is more appropriately located within a settlement area with municipal servicing.

### *Lakeshore Official Plan*

One of the key policy objectives for the Municipality of Lakeshore as per Section 2.3.3 e) is to protect agricultural-related activities and limit non-agricultural related uses within agricultural areas. Additionally, Section 1.5. c) notes that the County should direct the majority of growth and investment (infrastructure, community services, and facilities) to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as the focal points for civic, commercial, entertainment and cultural activities. Administration is of the opinion that an event venue, given its purpose for commercial, entertainment and cultural activities, is best situated in a non-agricultural area.

Section 3.3.11 sets out policies for the Agricultural Area. Section 3.3.11 e) states impacts from new or expanding non-agricultural uses on surrounding agricultural uses/operations and lands should be mitigated to the extent feasible.

The "Agricultural" designation of the Official Plan permits uses that are secondary to the principal use of the property, including but not limited to: small-scale home occupations, subject to 6.2.1 g), and, small-scale home industries, subject to 6.2.1 h).

Section 6.2.1. g) notes that small-scale home occupations will be permitted, provided the use remains clearly secondary to the farm operation and is conducted by a member of the family owning the property, and may include: i) sales outlets for agricultural products produced on the farm; ii) small home occupations conducted from the main residence and normally limited to the occupants of the property; iii) bed and breakfast establishments; and iv) farm vacation enterprises.

Administration does not consider an event venue with a capacity of 150 people to be a "small-scale" home occupation. Administration does not believe that the proposed use conforms to the land use policies of the County of Essex Official Plan or the Lakeshore Official Plan.

### **Zoning By-law**

The subject lands are zoned "Agricultural" which permits an on-farm diversified use. The following excerpts from the Comprehensive Zoning By-law show the 'Agriculture' zone provisions with a highlight of the special provisions for the proposed redevelopment of the subject lands.



<b>Provision</b>	<b>Regulations</b>	<b>Subject Lands</b>
Permitted Uses	Agriculture	Agriculture, secondary use event venue
Lot Area (Min.)	19 ha	20 ha
Lot Frontage (Min.)	75 m	110 m
Lot Coverage (Max.)	20%	0.70%
Front Yard Setback	15 m	26.8 m
Interior Side Yard	3 m	11.2 m
Rear Yard	15 m	15 m
Parking Spaces	68	83
Bike Parking Spaces	N/A	6

### **Provisions on Home Industry**

Zoning By-law 2-2012 defines ‘Home Industry’ as a gainful occupation which may include an electrical, woodworking, window frame, welding, plumbing or machine shop, or other similar type use, conducted in whole or in part in an accessory building to a single detached dwelling, and is in accordance with the provisions of Section 6.26 of the Zoning By-law.

Administration is of the opinion that the proposed event venue does not conform to the general intent of the Zoning By-law. The event venue requires significant space, infrastructure, and site alterations. The scale of the proposed use, hosting 150 guests and 83 parking spaces is significantly different than that of a traditional “Home Industry” such as electrical, woodworking, or other technical trades. The scale of operations of the proposed use is more appropriately situated in a commercial or institutional space.

Thus, the proposed event venue does not conform with the Comprehensive Zoning By-law 2-2012.

### **Conclusion**

Administration recommends that Council refuse Zoning By-law Amendment ZBA-03-2021 as it does not fulfill the requirements for rezoning for an on-farm diversified use; nor a home occupation or home industry; and, it is not consistent with the Agricultural policies of the Provincial Policy Statement (2020), nor does the proposal conform to the County of Essex Official Plan, Lakeshore Official Plan and Lakeshore Zoning By-law.

Council’s alternatives for making decisions on land use planning applications under the Planning Act are attached in Appendix F.

## Others Consulted

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and regulations. As of the writing of this report, 2 letters of support and 1 letter of opposition were received from residents. A summary of these comments will be provided to Council. Building Division comments are in Appendix D and Fire Department comments are in Appendix E.

## Financial Impacts

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

## Attachments

- Appendix A – Key Plan
- Appendix B – Site Plan
- Appendix C – Wedding Venue Building Opinion Letter (from proponent)
- Appendix D – Building Division Comments
- Appendix E – Fire Department Comments
- Appendix F – Council decision alternatives under the Planning Act

## Report Approval Details

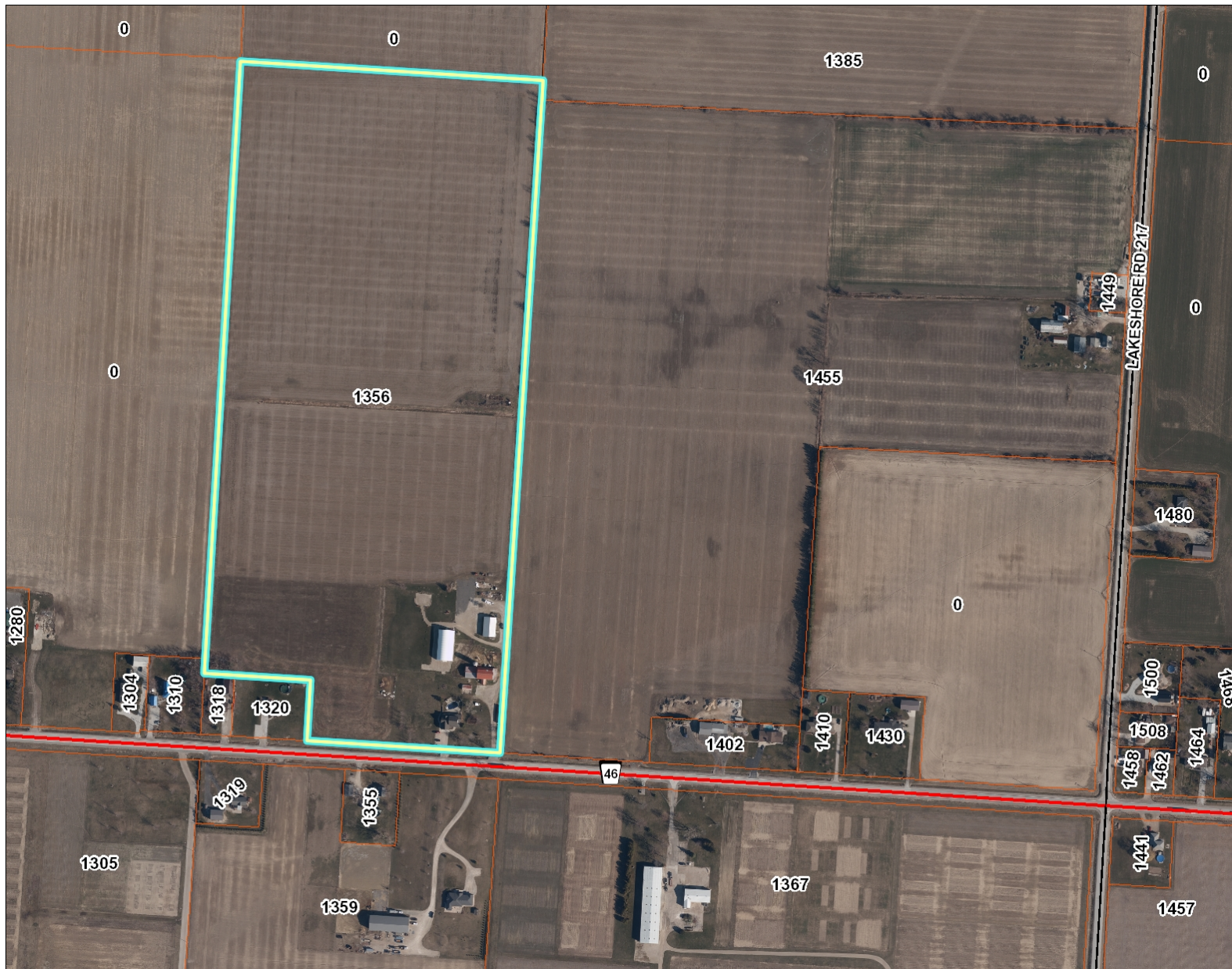
Document Title:	ZBA-03-2021 - 1356 County Rd. 46 .docx
Attachments:	- Appendix A - Key Map.pdf - Appendix B - Concept Plan.pdf - Appendix C Wedding Venue Building Opinion Letter - dated 03042024.pdf - Appendix D Building Comments 1356 County Road 46.pdf - Appendix E Fire Comments.pdf - Appendix F – Council Decision Alternatives under the Planning Act.docx
Final Approval Date:	Jun 3, 2024

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

Prepared by Jonathan Derworiz

Submitted by Ryan Donally and Tammie Ryall

Approved by the Corporate Leadership Team



**Legend**

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

1: 5,921

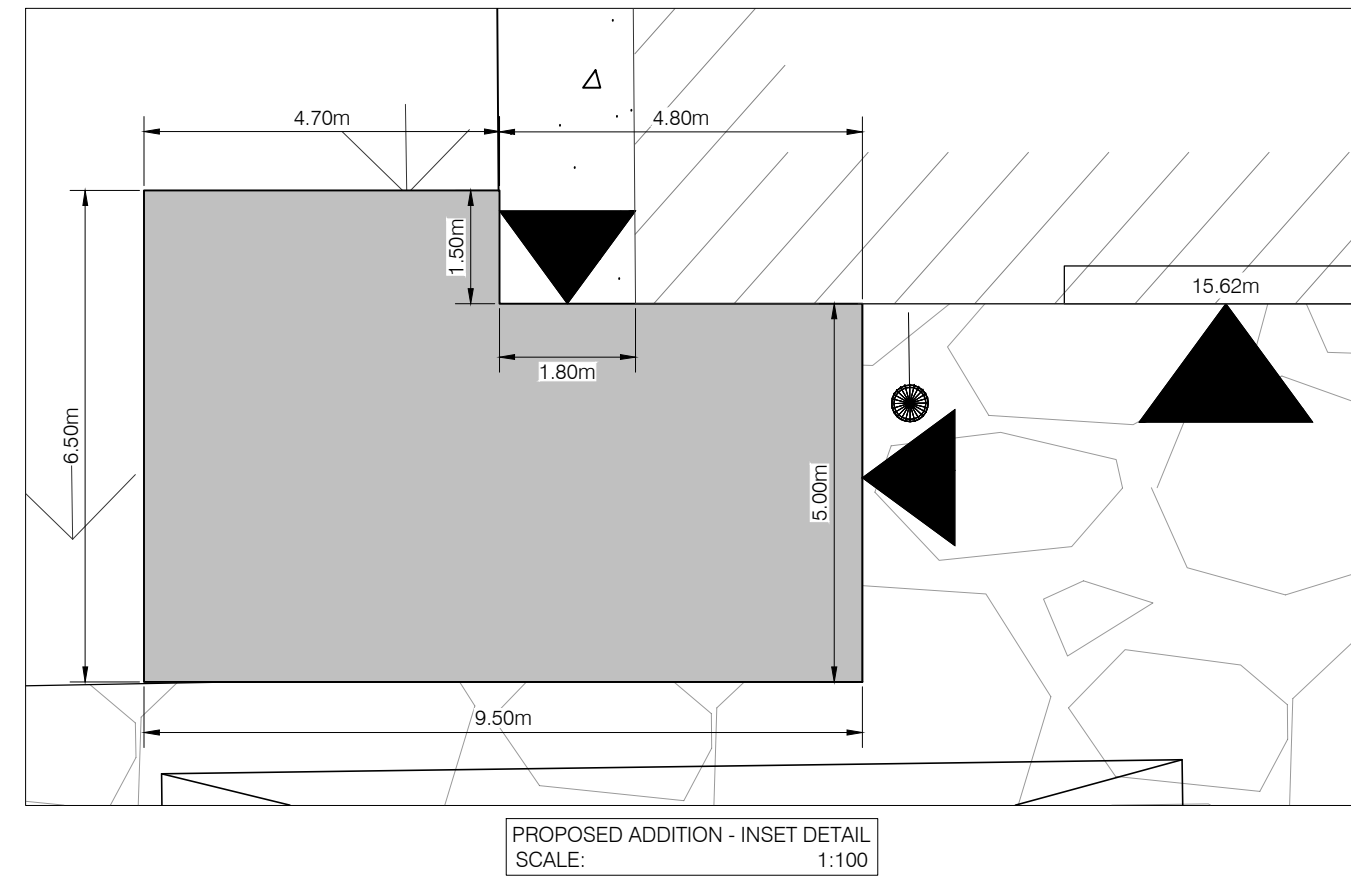
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

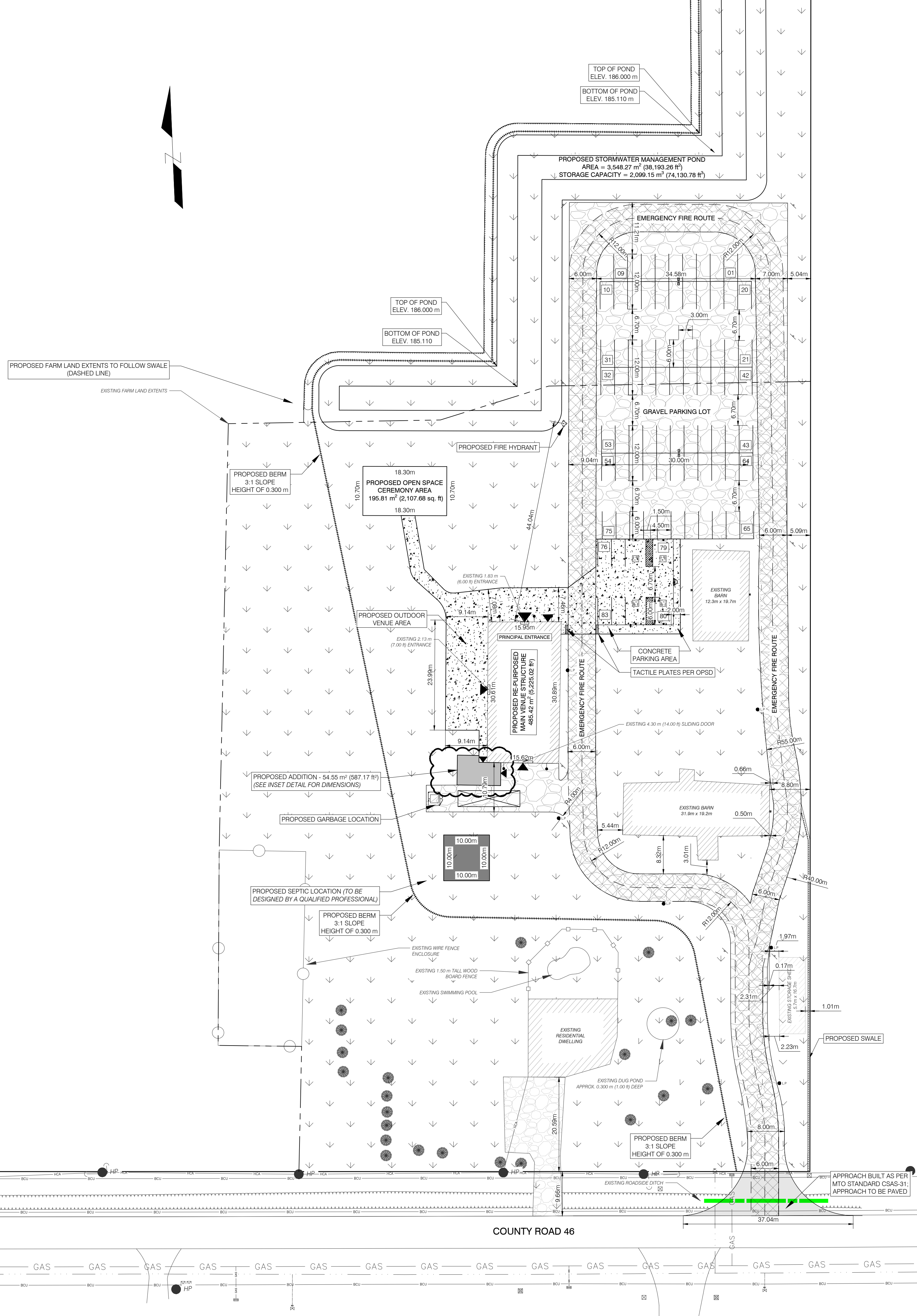
SITE DATA:			
EXISTING ZONING:	AGRICULTURAL ZONE A		
PROPOSED ZONING:	AGRICULTURE ZONE A (WITH SITE SPECIFIC EXCEPTION A-X)		
PERMITTED USE:	AGRICULTURE USE, AN EXISTING ASSEMBLY HALL, SINGLE DETACHED DWELLING, AMONG OTHER USES PERMITTED WITHIN THE AGRICULTURE ZONE A ZONE		
PROPOSED USE:	AGRICULTURE USE, AN EXISTING ASSEMBLY HALL, A NEW ASSEMBLY HALL, & SINGLE DETACHED DWELLING		
DESCRIPTION:	REQUIRED:	PROVIDED:	ZONING COMPLIANCE:
LOT AREA:	MIN. 19.0 ha	197,662.40 m <sup>2</sup> (2,127,620.00 ft <sup>2</sup> ) 19.77 ha (48.84 ac)	COMPLIES
LOT FRONTAGE:	MIN. 75.00 m	387.63 m	COMPLIES
BUILDING HEIGHT:	MAX. 10.50 m (34.45 ft)	≤ 10.50 m (34.45 ft)	COMPLIES
FRONT YARD SETBACK (SOUTH):	MIN. 15.00 m (49.21 ft)	20.59 m (67.55 ft)	COMPLIES
REAR YARD SETBACK (NORTH):	MIN. 15.00 m (49.21 ft)	521.86 m (1,712.14 ft)	COMPLIES
INTERIOR YARD SETBACK (EAST & WEST):	MIN. 3.00 m (9.84 ft)	EAST = 8.80 m (28.87 ft) WEST = 203.75 m (668.47 ft)	COMPLIES
LOT COVERAGE:	MAX. 20%	4.59%	COMPLIES
LANDSCAPED OPEN SPACE:	N/A	9.83%	COMPLIES
PARKING CALCULATED BASED ON GFA:	1 PARKING SPACE FOR EACH 9.0 m <sup>2</sup> OF GFA DEVOTED TO PUBLIC USE @ 735.80 m <sup>2</sup> = 82 PARKING SPACES	83 PARKING SPACES	COMPLIES
ACCESSIBLE PARKING:	4% OF THE TOTAL NUMBER OF PARKING SPACES FOR THE USE OF PERSONS WITH DISABILITIES WHERE THERE IS BETWEEN 13 & 100 PARKING SPACES @ 83 PARKING SPACES = 4 ACCESSIBLE PARKING SPACES	4 ACCESSIBLE PARKING SPACES (2 TYPE 'A' & 2 TYPE 'B')	COMPLIES
LOADING SPACE:	MIN. OF 1 LOADING SPACE FOR ANY NON-RESIDENTIAL USE WITH A GFA ≥ 300.00 m <sup>2</sup> & AN ADDITIONAL LOADING SPACE FOR EACH ADDITIONAL 2,000.00 m <sup>2</sup> OF GFA @ 735.78 m <sup>2</sup> = 1 LOADING SPACE	1 LOADING SPACE	COMPLIES
LOT/BUILDING INFO:			
TOTAL LOT AREA:	197,662.40 m <sup>2</sup> (2,127,620.00 ft <sup>2</sup> ) 19.77 ha (48.84 ac)		
BUILDING AREA:	EXISTING BUILDINGS = 1,045.62 m <sup>2</sup> (11,254.96 ft <sup>2</sup> ) PROPOSED BUILDINGS = 735.80 m <sup>2</sup> (7,920.09 ft <sup>2</sup> )		
BUILDING GFA:	EXISTING BUILDINGS = 1,754.40 m <sup>2</sup> (18,884.20 ft <sup>2</sup> ) PROPOSED BUILDINGS = 735.80 m <sup>2</sup> (7,920.09 ft <sup>2</sup> )		
TOTAL PARKING SPACES:	83 PARKING SPACES (70 STANDARD & 4 ACCESSIBLE)		

LEGEND	
BUILDING GRADE ELEVATION	123.456
EDGE OF PAVEMENT ELEVATION	123.456
SWALE/POND ELEVATION	123.456
HIGH POINT ELEVATIONS	HP: 123.456
EXISTING GROUND ELEVATIONS	×123.456
NUMBERED PARKING STALLS	01
GRADE	1.23%
1:100 YEAR HIGH WATER LEVEL (185.700 m)	
1.5 YEAR HIGH WATER LEVEL (185.340 m)	
GRAVEL	
SIDEWALK/CONCRETE	
LANDSCAPED OPEN SPACE	
GROUND (EARTH)	
PROPERTY LINE	
LIGHT STANDARDS	
PROPOSED BUILDING ENTRANCE	
PROPOSED FIRE ROUTE SIGN LOCATIONS	
PROPOSED STORM/CULVERT	
DRAINAGE AREA/AFFECTED AREA/DISTURBED AREA	
EXISTING TREE	
HYDRO POLE	HP
ABOVE GROUND HYDRO CABLE	
CATCH BASIN	
BELL PEDESTAL	
UNDERGROUND COMMUNICATIONS LINE	
UNDERGROUND GAS LINE	GAS
WATERMAIN	
WATER VALVE	

- NOTES:
- ALL FIRE DEPARTMENT SIGNAGE TO BE COMPLETED AFTER CONSTRUCTION IN COORDINATION WITH FIRE DEPARTMENT.
  - ALL ACCESSIBLE PARKING SPACES TO HAVE RB-93 SIGNS INSTALLED. TYPE 'A' TO HAVE RB-93 SIGNS & TYPE 'B' TO HAVE RB-93 SIGNS.
  - GARBAGE DISPOSAL UNIT LOCATED SOUTH OF PROPOSED VENUE FOR PRIVATE PICKUP.
  - ALL LIGHTING TO BE DARK SKY COMPLIANT.
  - FIRE ROUTE TO BE IN COMPLIANCE WITH OBC REQUIREMENTS.



KEY PLAN  
SCALE: N.T.S.



www.bairdiae.ca  
Local 519-526-6161  
Toll Free 1-844-942-9188

**PARTNER / CONSULTANTS**

REVISIONS	
Date	Revision
JULY 13, 2021	MUNICIPAL COMMENTS
MARCH 07, 2022	MUNICIPAL COMMENTS
SEPT. 14, 2022	MUNICIPAL COMMENTS
APRIL 17, 2023	MUNICIPAL COMMENTS
AUG. 30, 2023	MUNICIPAL COMMENTS
FEB. 20, 2024	NEW BUILDING ADDITION

DATE: MARCH 2021  
SCALE: 1:500  
DRAWN BY: CFS  
CHECKED BY: BP  
APPROVED BY: ---

PROJECT TITLE: **1356 COUNTY RD 46**  
SUBJECT TITLE: **CONCEPT SITE PLAN**

JOB NUMBER: 21-172  
SHEET NUMBER: **C102**

DISCLAIMER: THIS DRAWING IS THE PROPERTY OF BAIRDIAE ARCHITECTURE + ENGINEERING. IT IS PROVIDED AS IS AND THE USER ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. BAIRDIAE ARCHITECTURE + ENGINEERING SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS DRAWING. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. BAIRDIAE ARCHITECTURE + ENGINEERING SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS DRAWING.

March 4, 2024

Municipality of Lakeshore  
Community Planning Department  
419 Notre Dame Street  
Belle River, Ontario N0R 1A0  
Email: [planning@lakeshore.ca](mailto:planning@lakeshore.ca)

Community Planning Department:

**RE: Zoning By-law Amendment Application – Wedding Venue Building Opinion Letter  
1356 County Road 46, Woodslee, Municipality of Lakeshore  
File No. 21-172**

Please be advised that the existing building will need to be converted in order to comply with the requirements of Ontario Regulation 322/12: Building Code under the *Building Code Act, 1992*, S.O. 1992, c. 23. Pending planning approvals with the Municipality, building permits for the said works will be applied for the said conversion of the existing quonset hut building, along with the addition to the existing building, as contemplated in the concept site plan, based on qualified building construction design drawings. Through conversations with the land owner, they are aware that there will be a building process and associated costs to pursue this process, as outlined in a Municipality of Lakeshore email from Urvi Prajapati, dated February 7, 2024.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,



Paul Weidl, OAA, RAMICH  
Principal Architect  
Baird AE Inc.  
1350 Provincial Road, Unit 700  
Windsor, Ontario N8W 5W1  
Office: 519-326-6161 x204  
Email: [pweidl@bairdae.ca](mailto:pweidl@bairdae.ca)

**From:** [Morris Harding](#)  
**To:** [Jonathan Derworiz](#)  
**Cc:** [Tammie Ryall](#); [Urvi Prajapati](#); [Ryan Donally](#)  
**Subject:** Re: 1356 County Road 46 - SPC-04-2021 & ZBA-03-2021  
**Date:** April 11, 2024 8:21:20 PM

---

Hi Jonathan

Their consultant is an engineering firm, if they believe they can get the building to comply it is their prerogative to move forward. I am okay with the letter.

Thank you

Get [Outlook for iOS](#)

**Morris Harding** , C.B.C.O.  
**Division Leader - Building and Chief Building Official**  
Municipality of Lakeshore | Growth and Sustainability - Building  
419 Notre Dame Street, Belle River, ON, NOR 1A0  
T: tel:+15197281975;ext=258  
Connect with us online at [Lakeshore.ca/Connect](https://lakeshore.ca/Connect)

---

**From:** Jonathan Derworiz <jderworiz@lakeshore.ca>  
**Sent:** Wednesday, April 10, 2024 2:36:19 PM  
**To:** Morris Harding <mharding@lakeshore.ca>  
**Cc:** Tammie Ryall <tryall@lakeshore.ca>; Urvi Prajapati <uprajapati@lakeshore.ca>; Ryan Donally <rdonally@lakeshore.ca>  
**Subject:** 1356 County Road 46 - SPC-04-2021 & ZBA-03-2021

Hey Morris!  
Hope all is well.

We requested some documentation from the applicant confirming their understanding of the works required to bring the out-building up to compliance with the OBC so that it could be used as a wedding venue. They provided the attached. I reviewed it and would appreciate you having a look as well to determine if it satisfies Building's concerns with the use.

Let me know if you have any questions.

Thanks, Morris.

Jon

**Jonathan Derworiz**, RPP  
Municipality of Lakeshore  
T:519.728.1975 ext. 243

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**Jonathan Derworiz**  
**Temporary Planner 2**

Municipality of Lakeshore |  
419 Notre Dame Street, Belle River, ON, N0R 1A0  
T: tel:+15197281975;ext=243  
Connect with us online at [Lakeshore.ca/Connect](https://lakeshore.ca/Connect)

## Matt Alexander

---

**From:** Don Williamson  
**Sent:** August 1, 2023 12:17 PM  
**To:** Matt Alexander; Sydnee Botham (Rivest)  
**Cc:** Kristina Brcic; Jonathan Derworiz  
**Subject:** RE: SPC-04-2021 and ZBA-03-02021

Thank you for the adjustments made for fire department access and hydrant location. Fire Services has no other comment regarding the site as presented. As an FYI, after occupancy, the owner will require the private hydrant to have an annual inspection and flow test by a certified 3<sup>rd</sup> party provider to ensure the hydrant is operational. Those documents will be required for fire inspector review during the future fire inspection cycles.

**Don Williamson** , CMM III Fire Service Executive, EMP, ECFO, CEMC, CFI

### Fire Chief

Municipality of Lakeshore | Legal and Legislative Services - Fire Department  
419 Notre Dame Street, Belle River, ON, N0R 1A0  
T: tel:+15197281975;ext=421

Connect with us online at [Lakeshore.ca/Connect](https://lakeshore.ca/Connect)

---

**From:** Matt Alexander <malexander@lakeshore.ca>  
**Sent:** Monday, July 31, 2023 2:06 PM  
**To:** Sydnee Botham (Rivest) <srivest@lakeshore.ca>; Don Williamson <dwilliamson@lakeshore.ca>  
**Cc:** Kristina Brcic <kbrcic@lakeshore.ca>; Jonathan Derworiz <jderworiz@lakeshore.ca>  
**Subject:** RE: SPC-04-2021 and ZBA-03-02021

Good morning, I'm following up on the email below from June 30. Please provide any comments on this submission as soon as possible. Thank you.

**Matt Alexander, Consulting Planner**

Town of Lakeshore  
519-728-1975 Ext. 247

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**From:** Matt Alexander  
**Sent:** Friday, June 30, 2023 2:45 PM  
**To:** David Garneau <dgarneau@lakeshore.ca>; Sydnee Botham (Rivest) <srivest@lakeshore.ca>; Don Williamson <dwilliamson@lakeshore.ca>  
**Cc:** Kristina Brcic <kbrcic@lakeshore.ca>; Jonathan Derworiz <jderworiz@lakeshore.ca>  
**Subject:** SPC-04-2021 and ZBA-03-02021

Good afternoon,



The Town of Lakeshore has received a resubmission of application SPC-04-2021 and ZBA-03-02021. Please review the materials in the following folder and provide any comments you might have by **July 26, 2023**. We have included the Status Report from the 4<sup>th</sup> submission for your reference.

Please advise of any issues accessing the files. Thank you.

[5th Submission - April 2023](#)

Matt Alexander

## Appendix F – Council Decision Alternatives Under the Planning Act

Under the Planning Act, when considering a Zoning By-law Amendment, Council has the following four alternatives when making its decision:

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

As part of the required prescribed information, the Notice of Refusal must also contain a written explanation for the refusal with a brief explanation of the effect, if any, that the written and oral submissions had on the decision.

2. **Alternative 2 - Deferral** - deferral of an application often occurs when further information or consultation is required, usually becoming apparent after the scheduled public meeting date has been set or after the planning report has been completed. Consequently, it is usually something that Administration will recommend either in the planning report or in lieu of the written recommendations. From Council's perspective, a deferral option is often considered should new issues arise at the public meeting or when Council feels that it requires further information in order to make an informed decision.
3. **Alternative 3 - Approve as modified or revised** - this is an approach used where the planning review of the application or the consultation process reveals the need for mitigation measures or compromises. Often the planning report will recommend to approve the application, subject to certain modifications, conditions, etc., that are slightly different from what has been requested in the application. From Council's perspective it may also choose to approve the application, but also modify the approval to the recommendations as submitted.
4. **Alternative 4 - Approval** - the application is approved as submitted without modifications.



23669 Prince Albert Road  
Chatham, ON N7M 5J7  
[tracey@pillonabbs.ca](mailto:tracey@pillonabbs.ca)  
[www.pillonabbs.ca](http://www.pillonabbs.ca)  
226-340-1232

**November 29, 2024**

Matt Alexander, RPP  
Municipality of Lakeshore  
419 Notre Dame Street,  
Belle River, ON, N8L 0P8

**Re: 1356 County Road 46, Lakeshore, Request for Re-submission extension for a Zoning By-law Amendment**

Dear Mr. Alexander,

Further to the June 11, 2024, Council Meeting, on behalf of the application, I formally request an extension for the re-submission of the zoning by-law amendment application.

The applicant has been working on a revised concept plan, which has now been completed. The next step is to provide the Municipality with a comment matrix with a summary of how planning issues have been addressed.

It is anticipated that the resubmission for the zoning by-law amendment application will be provided to the Municipality in the next 2-3 weeks.

Please do not hesitate to contact me if you require any further information.

Yours Truly,

A handwritten signature in black ink, appearing to be "Tracey Pillon-Abbs". The signature is fluid and cursive, starting with a large loop for the letter 'T' and ending with a long horizontal stroke.

Tracey Pillon-Abbs, RPP  
Principal Planner

**FILE 2021-213**

# Municipality of Lakeshore

## By-law 110-2024

### Being a By-law to Provide for the Dedication of Parkland or the Payment of Cash in Lieu Thereof as a Condition of Development or Redevelopment

**Whereas** section 42 of the *Planning Act* provides that, as a condition of the Development or Redevelopment of land, the council of a local municipality may, by by-law, require that land in an amount not exceeding, in the case of land proposed for

Development or Redevelopment for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent, be conveyed to the municipality for park or other public recreational purposes;

**And whereas** section 42 of the *Planning Act* provides that for the Development or Redevelopment of Residential land, the council of a local municipality may, by by-law, require that land may be conveyed using an alternative rate calculation;

**And whereas** section 51.1 of the *Planning Act* provides that an approval authority may impose, as a condition of the approval of a plan of subdivision, that land be conveyed to the local municipality for park or other public recreational purposes, such land not to exceed, in the case of a subdivision proposed for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent;

**And whereas** section 53 of the *Planning Act* provides that section 51.1 of the *Planning Act* also applies to the granting of consents;

**And whereas** a Parks Plan was prepared in consultation with the local school boards and other persons or public bodies the Municipality considered appropriate, and made publicly available on December 12, 2023;

**And whereas** the Council of the Municipality of Lakeshore wishes to use the provisions of the *Planning Act* for the purposes of acquiring and providing parkland for the use and enjoyment of the residents of the Municipality of Lakeshore;

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

### Part 1: Interpretation

#### Definitions

1. In this by-law:

- a) “Affordable Residential Unit” means a Residential Unit that meets the criteria set out in subsection 4.1(2) or 4.1(3) of the *Development Charges Act*;
- b) “Apartment” means a Residential Dwelling comprised of a building containing more than four Dwelling Units where the units are connected by an interior corridor;
- c) “Attainable Residential Unit” means a Residential Unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act*;
- d) “Board of Education” has the same meaning as " board", as defined in the *Education Act*, R. S.O. 1990, c. E.2;
- e) “Commercial” means the use of land, buildings, or structures for a use which is not Industrial, and which are used in connection with:
  - i. the selling of commodities to the general public; or
  - ii. the supply of services to the general public; or
  - iii. office or administrative facilities.
- f) “Council” means the Council for the Municipality of Lakeshore;
- g) “Development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
- h) “Dwelling Unit” means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;
- i) “Gross Floor Area” has the same meaning as in Lakeshore’s Development Charges By-law;
- j) “Industrial” means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an Industrial use, but does not include the sale of commodities to the general public through a warehouse club;
- k) “Institutional” means the use of land, buildings, or structures for hospitals, correctional institutions and associated facilities, municipal facilities, elementary and secondary schools, colleges, universities, places of worship and ancillary uses, military and cultural buildings, daycare centres,

Residential care facilities for more than ten persons and long term care centres;

- l) “Mixed Use” means the physical integration of two or more of the following uses within a building or structure or separate buildings or structures on the lands proposed for Development or Redevelopment: Commercial; Industrial; Institutional; Residential; or any other use not noted herein;
- m) “Multiple Dwellings” means all dwellings other than single-detached, semi-detached and apartment unit dwellings;
- n) “Municipality” means the Municipality of Lakeshore;
- o) “Non-profit housing development” means Development of a building or structure intended for use as Residential premises by,
  - i. a corporation without share capital to which the *Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing;
  - ii. a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - iii. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or any successor legislation.
- p) “Official Plan” means the Municipality’s Official Plan;
- q) “PIL” means payment-in-lieu of parkland otherwise required to be conveyed;
- r) “*Planning Act*” means the *Planning Act*, R.S.O. 1990, c.P.13;
- s) “Redevelopment” means the removal of a building or structure from land and the further Development of the land or, the expansion or renovation of a building or structure which results in a change in the character or density of the use in connection therewith;
- t) “Residential” means the use of land, buildings, or structures for human habitation;
- u) “Residential Unit” means one or more habitable rooms each of which is accessible from the others and which function as an independent and 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;

- v) "Rural Area" means those areas designated as not being within a settlement area by the Official Plan;
- w) "Semi-detached Dwelling" means a building divided vertically into two Dwelling Units each of which has a separate entrance and access to grade;
- x) "Shared Use Agreement" means an agreement between a Board of Education and the Municipality for the sharing of buildings and/or property;
- y) "Single Detached Dwelling" means a Residential building consisting of one Dwelling Unit and not attached to another structure;
- z) "Zoning By-law" means the by-law passed pursuant to section 34 of the *Planning Act*;

### **Rules of Interpretation**

2. The following rules of interpretation shall be applied to the interpretation of this by-law:
  - a) References to items in the plural include the singular, as applicable.
  - 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 or by-laws 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) The obligations imposed by this by-law are in addition to obligations otherwise imposed by law or contract.
  - f) 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.
  - g) Terms with capitals shall be read with the meaning in section 1 and other words shall be given their ordinary meaning.

- h) 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.
- i) 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.
- j) Where a provision of this by-law conflicts with the provisions of another by-law in force in the Municipality, the more specific by-law shall prevail.

### **Application**

- 3. The provisions of this by-law apply to the entire geographic area of the Municipality.

### **Exemptions**

- 4. Development or Redevelopment described in the subsections (a) through to and including (h) shall be exempt from the obligations to convey land or make a PIL under Parts 2 and 3 of this by-law:
  - a) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of the Municipality;
  - b) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education, where a Shared Use Agreement exists;
  - c) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause provided that no intensification or change of use is proposed, including but not limited to an increase in total Residential Units count or Gross Floor Area;
  - d) The enlargement of an existing Residential Unit provided that the enlargement does not result in additional Residential Units;
  - e) The enlargement of an existing Commercial or Industrial building or structure if the Gross Floor Area is enlarged by 50% or less. The area of the existing building or structure shall be calculated by reference to the first building permit which was issued in respect of the building or structure for which the exemption is sought;
  - f) Development or Redevelopment of land, buildings or structures for temporary construction uses as defined by the Municipality's Zoning By-law; and



- g) Development or Redevelopment or location of,
- i. a second Residential Unit in a detached house, semi-detached house or rowhouse on a parcel of land on which Residential use, other than ancillary Residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one Residential Unit;
  - ii. a third Residential Unit in a detached house, semi-detached house or rowhouse on a parcel of land on which Residential use, other than ancillary Residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any Residential Units; or
  - iii. one Residential Unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban Residential land, if the detached house, semi-detached house or rowhouse contains no more than two Residential Units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any Residential Units.

## Part 2: Conveyance of Land for Park Purposes

5. As a condition of Development or Redevelopment of land pursuant to the *Planning Act*, the Municipality shall require the conveyance of land for park purposes as follows:
  - a) In the case of lands proposed for Residential uses:
    - i. If the density of the Development is less than 30 units per hectare, at a rate of 5%. With respect to land proposed for Development or Redevelopment that will include Affordable Residential Units or Attainable Residential Units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or Residential Units described in subsection 4.3 (2) of that Act, the amount of land that may be required to be conveyed shall not exceed 5%, multiplied by the ratio of A to B where,
      - i. “A” is the number of Residential Units that are part of the Development or Redevelopment but are not Affordable Residential Units, Attainable Residential Units or Residential Units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
      - ii. “B” is the number of Residential Units that are part of the Development or Redevelopment; or
    - ii. if the density of the Development is greater than 30 units per hectare, at a rate of one (1) hectare for each six hundred (600) net Residential Units proposed.
      - i. the net Residential Units proposed shall be determined by subtracting the number of Residential Units on the land immediately before the proposed Development or Redevelopment from the number of Residential Units that will be on the land after the proposed Development or Redevelopment;
      - ii. Affordable Residential Units and Attainable Residential Units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, and Residential Units described in subsection 4.3 (2) of that the *Planning Act* shall be excluded from the number of net Residential Units;
      - iii. in the case of land proposed for Development or Redevelopment that is 5 hectares or less in area, the maximum conveyance shall be 10 per cent of the land; and
      - iv. in the case of land proposed for Development or Redevelopment that is greater than 5 hectares in area, the maximum conveyance shall be 15 per cent of the land.
  - b) In the case of lands proposed for Commercial or Industrial land in the amount of two per cent (2%) or in the case of lands proposed for Institutional land in

the amount of five per cent (5%) of the land to be Developed or Redeveloped;

- c) In the case of a Mixed Use Development or Redevelopment, land in the aggregate, calculated as follows:
- i. the Residential component, if any, as determined by the Municipality, of the lands being Developed or Redeveloped, shall require the conveyance of land as determined in accordance with subsection 5(a) of this by-law; plus
  - ii. the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by the Municipality, shall require the conveyance of land as determined in accordance with subsection 5(b) of this by-law; plus
  - iii. the component of the lands proposed for any use other than Residential, Commercial or Industrial if any as determined by the Municipality, shall require the conveyance of land as determined in accordance with subsection (d) of this by-law.
- d) In the case of lands proposed for Development or Redevelopment for a use other than those referred to in subsections (a), (b) and (c) of this section, land in the amount of five per cent (5%) of the land to be Developed or Redeveloped;
- e) Where the Development of land results from the approval of a site plan or Zoning By-law amendment and the approval of the application occurred within 18 months of building permit issuance, the conveyance shall be determined on the date of the planning application. Where both planning applications apply, conveyance shall be determined on the date of the later planning application.

#### **Location of Conveyance and Condition of Title**

6. Subject to restrictions in the *Planning Act*, the location and configuration of land required to be conveyed pursuant to this by-law shall be as determined by the Municipality and all such lands shall be free of all encumbrances, including but not limited to such easements which the Municipality, in its sole and absolute discretion, is not prepared to accept and shall be free of any contamination, including but not limited to any toxic, noxious or dangerous contaminants, and shall otherwise be in a condition satisfactory to the Municipality.
7. A requirement as part of Development or Redevelopment to convey any valley land or watercourse corridors, woodlands, natural heritage system

lands and associated buffers, easements, vista blocks and storm water management ponds, as those terms are defined in the Official Plan or any secondary plan adopted under the Official Plan, shall not be considered to be a conveyance of land for park purposes in satisfaction of a requirement under this by-law.

### **Timing of Conveyance**

8. Where land is required to be conveyed in accordance with this by-law, the lands shall be conveyed as follows:
  - a) In the case of Development or Redevelopment to be approved pursuant to sections 51.1 or 53 of the *Planning Act*, the conveyance of land may be required as a condition of approval, and said lands shall be conveyed to the Municipality either prior to or immediately upon registration of the plan of subdivision or upon the consent being given, as determined by the Municipality; and
  - b) In the case of Development or Redevelopment where land has not been conveyed or has not been required pursuant to sections 51.1 or 53 of the *Planning Act*, the Municipality shall require the conveyance of land as a condition of Development or Redevelopment prior to the building permit issuance in accordance with section 42 of the *Planning Act*.

### Part 3: Payment-in-Lieu of Parkland

9. In lieu of requiring the conveyances referred to in Part 2 of this by-law, the Municipality may require the payment of cash to the value of the lands otherwise required to be conveyed, calculated in accordance with the following:
  - a) For all Residential Development or Redevelopment, the PIL may be calculated and imposed by unit type based on Schedule 1. These rates shall be indexed annually on January 1<sup>st</sup> of each year commencing January 1, 2025 by the Statistics Canada New Housing Price Index (house and land, most recent month year-over-year) and posted by the Municipality. The Municipality's failure to post the indexed rate shall not waive the requirement for compliance with this by-law.
  - b) Where an applicant does not agree with the per unit rate identified in Schedule 1 to this by-law, the applicant shall commission an appraisal from a list of approved appraisers provided by the Municipality and the PIL shall be based on the equivalent value of the land as per the following:
    - i. in the case of lands proposed for Residential:
      - i. if the density of the Development is 50 units per hectare or less, at a rate of five per cent (5%) of the value of land being Developed or Redeveloped:
        1. With respect to land proposed for Development or Redevelopment that will include Affordable Residential Units or Attainable Residential Units, as defined in subsection 4.1 (1) of the *Development Charges Act, 1997*, or Residential Units described in subsection 4.3 (2) of that Act, the PIL that may be required shall not exceed 5 per cent of the value of the land multiplied by the ratio of A to B where,
          - a. "A" is the number of Residential Units that are part of the Development or Redevelopment but are not Affordable Residential Units, Attainable Residential Units or Residential Units described in subsection 4.3 (2) of the *Development Charges Act, 1997*; and
          - b. "B" is the number of Residential Units that are part of the Development or Redevelopment;
        2. if the density of the Development is greater than 50 units per hectares, at a rate of the value of one (1) hectare of land for each one thousand (1,000) net Residential Units proposed:

- a. the net Residential Units proposed shall be determined by subtracting the number of Residential Units on the land immediately before the proposed Development or redevelopment from the number of Residential Units that will be on the land after the proposed Development or Redevelopment;
  - b. Affordable Residential Units and Attainable Residential Units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, and Residential Units described in subsection 4.3 (2) of that Act shall be excluded from the number of net Residential Units;
  - c. in the case of land proposed for Development or Redevelopment that is 5 hectares or less in area, the maximum value of land for PIL shall be 10 per cent; and
  - d. in the case of land proposed for Development or Redevelopment that is greater than 5 hectares in area, the maximum value of land for PIL shall be 15 per cent.
  
- c) For Commercial and Industrial Development or Redevelopment, as well as Mixed Use Development, the PIL shall be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
  - i. in the case of lands proposed for Commercial or Industrial uses, the value of two per cent (2%) of the land to be Developed or Redeveloped;
  - ii. in the case of a Mixed Use Development or Redevelopment, the value of the land in the aggregate, calculated as follows:
    - i. the Residential component, if any as determined by Lakeshore, of the lands being Developed or Redeveloped, shall require the PIL of the value of land as determined in accordance with subsection 9(a) or 9(b) of this by-law; plus
    - ii. the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Lakeshore, shall require the PIL of the value of land as determined in accordance with paragraph (i) of this subsection; plus

- iii. the component of the lands proposed for any use other than Residential, Commercial or Industrial if any as determined by the Municipality, shall require the PIL of the value of land as determined in accordance with subsection 9(b) of this subsection; and
- iii. in the case of lands proposed for Development or Redevelopment for a use other than those referred to in paragraphs (i) and (ii) of this subsection, the value of five per cent (5%) of the land to be Developed or Redeveloped.
- d) In the case land proposed for Development or Redevelopment that is 5 hectares or less in area, the maximum amount of PIL shall be 10% of the value of the land.
- e) In the case of land proposed for Development or Redevelopment that is greater than 5 hectares, the maximum amount of PIL shall be 15% of the value of the land.

#### **Timing of PIL Payment and Determination of Value**

10. PIL shall be paid as follows:

- a) For Development or Redevelopment where the payment of PIL is not required as a condition of an approval or a consent, pursuant to either sections 51.1 or 53 of the *Planning Act*, the PIL shall be paid prior to the issuance of the building permit in respect of the Development or Redevelopment in accordance with section 42 of the *Planning Act*. The value of the land shall be determined as of the day before the day the building permit is issued in respect of the Development or Redevelopment or, if more than one building permit is required for the Development or Redevelopment, as of the day before the day the first permit is issued.
- b) In the event that an extension of an approval described in subsection 10(a) is requested, the value of the land shall be determined as of the day before the day of the approval of the extension.
- c) Where the Development of land results from the approval of a site plan or Zoning By-law amendment and the approval of the application occurred within 18 months of building permit issuance, the PIL shall be calculated on the value of the land on the date of the planning application. Where both planning applications apply, PIL shall be calculated on the value of the land on the date of the later planning application.

## Part 4: Other

### Previous or Required Conveyances

11. Notwithstanding parts 2 and 3 of this by-law, if land has been conveyed or is required to be conveyed to the Municipality for park or other public recreational purposes or PIL has been received by the Municipality or is owing to it pursuant to a condition imposed pursuant to sections 42, 51.1 or 53 of the *Planning Act*, no additional conveyance or payment in respect of the lands subject to the earlier conveyance or payment will be required by the Municipality in respect of subsequent Development or Redevelopment unless:
  - a) There is a change in the proposed Development or Redevelopment which would increase the density of the Development or Redevelopment; or
  - b) Land originally proposed for Development or Redevelopment for Commercial, Industrial, or Institutional uses is now proposed for Development or Redevelopment for other uses.
12. Where there is a claim of previous conveyance or PIL payment, it is the applicant's/owner's responsibility to provide suitable evidence of such previous conveyance or PIL payment, to the Municipality's satisfaction.
13. Land or PIL required to be conveyed or paid to the Municipality for park or other public recreational purposes pursuant to sections 2 and 3 of this by-law shall be reduced by the amount of land or PIL previously received by the Municipality pursuant to sections 42, 51.1 or 53 of the *Planning Act* in respect of the lands being Developed or Redeveloped.

### Phased Development

14. Where approvals are issued in phases for Development or Redevelopment, Lakeshore shall calculate and require the conveyance of land for park purposes or the payment of PIL, in accordance with parts 2 and 3 of this by-law, on a phase-by-phase basis.

### Redevelopment

15. In the case of Redevelopment, the maximum amount of the parkland dedication and/or PIL shall not exceed an amount equal to the amount calculated as per the previous sections of this by-law, multiplied by the ratio of "A" to "B" where,



- a. "A" is the floor area of any part of a building or structure, which part is proposed to be erected or located as part of the Development or Redevelopment, and
- b. "B" is the floor area of all buildings and structures that will be on the land after the Development or Redevelopment.

### **Parkland Conveyance Agreements**

- 16. Nothing in this by-law shall limit the Municipality's ability to enter into a parkland conveyance agreement with one or more landowners for the purposes of assembling parkland. Parkland conveyance agreements entered into by the Municipality shall include provisions for the conveyance of land for park purposes or PIL, the calculation of which shall be as provided in this by-law.

**Part 5: General**

17. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

18. The headings in this by-law are for convenience only and do not form part of this by-law.

19. This by-law shall be referred to as the "Parkland Dedication By-law".

20. By-law 90-2022 and any amendments to the by-law are repealed. Policies made prior the adoption of By-law 90-2022 respecting conveyance of land for park purposes and payment in lieu of conveyance of land for park purposes are rescinded.

21. This By-law comes into force and effect on January 1, 2025.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

**Schedule 1 to  
By-law 110-2024**

**PIL Per Unit for Residential Development**

<b>Unit Type</b>	<b>PIL per Unit January 1, 2025 to December 31, 2025</b>	<b>PIL per Unit January 1, 2026 to December 31, 2026</b>	<b>PIL per Unit January 1, 2027 onwards</b>
Single-detached Rural	\$3,400	\$4,950	\$6,500
Single-detached Urban	\$3,800	\$5,550	\$7,300
Semi-detached and Multiple Dwellings	\$1,700	\$2,450	\$3,200
Apartments	\$700	\$1,050	\$1,400

**Note: rates are subject to indexing as per section 9(a) of this by-law**

# Municipality of Lakeshore

## By-law 113-2024

### Being a By-law to Authorize a Marriage Licence Modernization Phase 2 Participation Agreement with His Majesty the King in right of Ontario as represented by the Ministry of Public and Business Service Delivery and Procurement

**Whereas** section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**And whereas** it is deemed necessary to enter into a Marriage Licence Modernization Phase 2 Participation Agreement as recommended by the Division Leader – Legislative Services at the December 10, 2024 Council meeting;

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

1. The Mayor and the Clerk are delegated the authority to execute an agreement with His Majesty the King in right of Ontario as represented by the Ministry of Public and Business Service Delivery and Procurement, with form and content approved by the Corporate Leader – General Counsel and the Division Leader – Legislative Services.
2. The delegated authority described in Section 1 includes the authority to execute any related amendments or agreements in furtherance of this agreement.
3. In the event of a conflict between this by-law and another Lakeshore by-law, this by-law prevails.
4. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.
5. This By-law comes into force and effect upon passage.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

# Municipality of Lakeshore

## By-law 114-2024

**Being a By-law to exempt certain lands from Part Lot Control within Block 9 of Registered Plan 12M-659, consisting of parts 25 to 38 (all inclusive), and 53 to 66 all inclusive), Reference Plan 12R-29940, for the former Community of Maidstone, now in the Municipality of Lakeshore**

**(PLC-02-2024)**

**Whereas** the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

**And whereas** Subsection 50(7) of the *Planning Act* provides that the Council of the Municipality may by by-law provide that the part lot control provisions of Section 50 of the *Planning Act* does not apply to lands within a registered plan of subdivision or part(s) as designated in the by-law, and where the by-law is passed and approved part lot control as described in Subsection 50(5), ceases to apply to such land;

**And whereas** it is deemed desirable that the provisions of Subsection 50 (5) of the *Planning Act* shall not apply to certain lands that are within Block 9, of Registered Plan 12M-659, in the Municipality of Lakeshore, as recommended by the Team Leader – Development Approvals at the December 10, 2024 Council meeting;

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

1. Subsection 50(5) of the *Planning Act*, R.S.O. 1990, C. P.13 shall not apply to the lands within part of the registered plan of subdivision designated as follows:

Block 9, Registered Plan 12M-659, in the Municipality of Lakeshore.

2. The development of the lands more particularly described in Section 1 of this by-law shall be only by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Municipality of Lakeshore, more particularly described as parts 25 to 38 (all inclusive), and 53 to 66 (all inclusive), Reference Plan 12R-29940.
3. This by-law shall expire on December 10, 2027.
4. This by-law shall come into force and take effect after the final passing thereof on the date upon which this by-law is approved by the County of Essex pursuant to the provisions of the *Planning Act*.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

# Municipality of Lakeshore

## By-law 115-2024

**Being a By-law to exempt certain lands from Part Lot Control within Block 10 of Registered Plan 12M-659, consisting of parts 11 to 24 (both inclusive), 45 to 52 (both inclusive), and part 67, Reference Plan 12R-29940, in the Municipality of Lakeshore**

**(PLC-02-2024)**

**Whereas** the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

**And whereas** Subsection 50(7) of the *Planning Act* provides that the Council of the Municipality may by by-law provide that the part lot control provisions of Section 50 of the *Planning Act* does not apply to lands within a registered plan of subdivision or part(s) as designated in the by-law, and where the by-law is passed and approved part lot control as described in Subsection 50(5), ceases to apply to such land;

**And whereas** it is deemed desirable that the provisions of Subsection 50(5) of the *Planning Act* shall not apply to certain lands that are with within Block 10, of Registered Plan 12M-659, in the Municipality of Lakeshore;

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

1. Subsection 50(5) of the *Planning Act*, R.S.O. 1990, C. P.13 shall not apply to the lands within part of the registered plan of subdivision designated as follows:

Block 10, Registered Plan 12M-659, in the Municipality of Lakeshore.

2. The development of the lands more particularly described in Section 1 of this by-law shall be only by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Municipality of Lakeshore, more particularly described as parts 11 to 24 (both inclusive), 45 to 52 (both inclusive), and part 67, Reference Plan 12R-29940 in the Municipality of Lakeshore.
3. This by-law shall expire on December 10, 2027.
4. This by-law shall come into force and take effect after the final passing thereof on the date upon which this by-law is approved by the County of Essex pursuant to the provisions of the *Planning Act*.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**



# Municipality of Lakeshore

## By-law 116-2024

### Being a By-law to authorize the execution of a Subdivision Amending Agreement pertaining to River Ridge Phase 7

**Whereas** pursuant to the *Planning Act*, R.S.O. 1990, c.P.13, representatives of 1156756 Ontario Limited (the “Owner”) received Draft Plan Approval (37-T-17002) for a plan of subdivision prepared by Verhaegen Stubberfield Hartley Brewer Bezaire Inc. and signed on August 11, 1999, which was subsequently amended on July 5, 2005 on lands legally described as Part of Lot 4 & 5 Con East Puce River Maidstone Twp being Part 13 on 12R21144, Town of Lakeshore (the “Subject Lands”);

**And whereas** the Owner and the Municipality of Lakeshore (“Lakeshore”) entered into a Subdivision Agreement for the Original Development on November 2, 1999, and registered on January 31, 2000, as Instrument Number LT0265467 (the “Original Agreement”), which was subsequently amended on September 11, 2018 by a Supplementary Subdivision Agreement registered as Instrument Number CE852528 on October 3, 2018, to provide for 185 units (the “Supplementary Agreement”. The Owner and Lakeshore wish to further amend the Supplementary Agreement to provide for 186 units.

**And whereas** Section 3.2 of the Supplementary Agreement states that Lakeshore agrees to allocate sanitary sewage treatment capacity for the Plan to a maximum of 185 townhouse dwellings. The Owner acknowledges and agrees that Lakeshore may, in its sole discretion, withdraw the aforementioned treatment capacity allocation and redirect it if the Owner fails to complete the Works, as defined in, and in accordance with the terms and conditions of the Original Agreement, within two years of the execution of the amending agreement authorized by the passing of this by-law;

**And whereas** the Council of the Municipality of Lakeshore passed a resolution directing the Clerk to read a by-law to repeal Section 3.2 of the Supplementary Agreement to be replaced, as recommended by the Planner at the December 10, 2024 Council meeting, to include 186 units.

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

1. The Mayor and Clerk are authorized to execute an amending agreement that is not intended to replace the Original Agreement, as amended by the Supplementary Agreement, but be a further amendment to it.
2. Section 3.2 of the Supplementary Agreement shall be replaced with: “Lakeshore agrees to allocate sanitary sewage treatment capacity for the Plan to a maximum of 186 townhouse dwellings. The Owner acknowledges and agrees that Lakeshore may, in its sole discretion, withdraw the aforementioned treatment capacity allocation and redirect it if the Owner fails to complete the Works, in

accordance with the terms and conditions of this Agreement, within two years of the execution of this Agreement.”

3. The Original Agreement and the Supplementary Agreement shall continue to apply to the Subject Lands except in so far as it is in conflict with the amending agreement in which case the provisions of the amending agreement shall prevail.
4. This by-law shall come into force and effect upon passage.

Read and passed in open session December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

# Municipality of Lakeshore

## By-law 117-2024

### **Being a By-law to Amend By-law 34-2019 to Appoint Statutory Officials and Enforcement Officers for the Corporation of the Town of Lakeshore, and to Amend By-law 23-2018, Being a By-law to Establish Standards for the Maintenance and Occupancy of all Property**

**Whereas** the *Municipal Act, 2001*, S.O. 2001, c. 25, and other statutes of the Province of Ontario require the appointment of officials to occupy positions within the municipal government;

**And whereas** on March 20, 2018, the Council of the Corporation of the Town of Lakeshore enacted By-law 23-2018 to Establish Standards for the Maintenance and Occupancy of all Property;

**And whereas** on August 9, 2022, the Council of the Municipality of Lakeshore enacted By-law 78-2022 to amend By-law 34-2019, being a by-law to Appoint Statutory Officials and Enforcement Officers for the Corporation of the Town of Lakeshore, and to amend By-law 19-2019, being a by-law to Constitute, Appoint and Empower a Committee of Adjustment and to Appoint a Secretary-Treasurer to the Committee of Adjustment and to Repeal any Previous By-laws Dealing with the same Subject Matter;

**And whereas** on June 27, 2023, the Council of the Municipality of Lakeshore enacted By-law 43-2023 to repeal Schedule “A” of 78-2022 and to amend By-law 19-2019, being a by-law to Constitute, Appoint and Empower a Committee of Adjustment and to Appoint a Secretary-Treasurer to the Committee of Adjustment and to Repeal any Previous By-laws Dealing with the same Subject Matter;

**And whereas** on February 13, 2024, the Council of the Municipality of Lakeshore enacted By-law 21-2024 to repeal Schedule “A” of 43-2023 and to amend By-law 34-2019, to include the appointment of the Assistant Drainage Superintendent position;

**And whereas** it is deemed necessary to amend Schedule “A” of By-law 34-2019 to include the Building Inspector position, and to amend By-law 23-2018 to include enforcement provisions for By-law Compliance Officers, as recommended by the Division Leader – Legislative Services at the December 10, 2024 Council meeting;

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

1. By-law 21-2024 is repealed.

2. By-law 34-2019 shall be amended as follows:
  - a. Schedule “A” of By-law 34-2019 is repealed and replaced by Schedule “A” to this by-law.
3. By-law 23-2018 shall be amended by repealing section 3.2 and replacing with the following:

“3.2 This by-law shall be enforced by the Chief Building Official, Building Inspectors and By-law Compliance Officers as appointed pursuant to the Municipality’s Appointment By-law.”
4. This by-law comes into force upon passage.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

**Schedule “A”  
to By-law 117-2024**

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**Schedule “A”  
to By-law 34-2019**

**Statutory Appointments pursuant to Various Acts**

Column A	Column B	Column C
Statutory Position	Designated Official	Applicable Statute
Chief Administrative Officer	Chief Administrative Officer	<i>Municipal Act, 2001</i> , S.O. 2001, c.25, s.229
Clerk	Division Leader – Legislative Services	<i>Municipal Act, 2001</i> , S.O. 2001, c.25 and all applicable legislation
Deputy Clerk for the purpose of being a commissioner	Team Leader – Legislative Services	<i>Commissioners for Taking Affidavits Act</i> , R.S.O. 1990, c.C,17
Deputy Clerk for the purpose of solemnizing marriages	Team Leader – Legislative Services	<i>Marriage Act</i> , R. S. O. 1990, c.M.3
Deputy Clerk for the purpose of Vital Statistics	Team Leader – Legislative Services	<i>Vital Statistics Act</i> , R. S. O. 1990, c.V.4
Secretary/Treasurer, Committee of Adjustment	Planner I  Team Leader – Development Approvals	<i>Planning Act</i> , R.S.O. 1990, c.P.13
Deputy Clerk for the purpose of signing certificates of consent	Secretary/Treasurer, Committee of Adjustment  Team Leader – Development Approvals	<i>Planning Act</i> , R.S.O. 1990, c.P.13 s. 53(42)

<b>Column A</b>	<b>Column B</b>	<b>Column C</b>
<b>Statutory Position</b>	<b>Designated Official</b>	<b>Applicable Statute</b>
Acts as the head for the purposes of the <i>Municipal Freedom of Information and Protection of Privacy Act</i>	Division Leader – Legislative Services	<i>Municipal Freedom of Information and Protection of Privacy Act</i> , R.S.O. 1990, c.M.56
Treasurer	Corporate Leader – Chief Financial Officer	<i>Municipal Act, 2001</i> , S.O. 2001, c.25 and all applicable legislation
Deputy Treasurer	Division Leader – Accounting and Revenue  Division Leader – Financial Planning and Analysis	<i>Municipal Act, 2001</i> , S.O. 2001, c.25 and all applicable legislation
Chief Building Official	Division Leader – Building	<i>Building Code Act</i> , S.O. 1992, c.23 and all applicable legislation
Building Inspector	Building Inspector(s)	<i>Building Code Act</i> , S.O. 1992, c.23 and all applicable legislation
By-law Compliance Officer	Building Inspector(s)  Division Leader – Bylaw  By-law Compliance Officer(s)  Officers appointed pursuant to the <i>Police Services Act</i> , contracted to perform services for the Municipality of Lakeshore  Service provider contracted for by-law enforcement services	<i>Municipal Act, 2001</i> , S.O. 2001, c.25

<b>Column A</b>	<b>Column B</b>	<b>Column C</b>
<b>Statutory Position</b>	<b>Designated Official</b>	<b>Applicable Statute</b>
Provincial Offences Officers	<p>Building Inspector(s)</p> <p>Division Leader – Bylaw</p> <p>By-law Compliance Officer(s)</p> <p>Service provider contracted for Animal Control services</p> <p>Officers appointed pursuant to the <i>Police Services Act</i>, contracted to perform services for the Municipality of Lakeshore</p> <p>Service provider contracted for by-law enforcement services</p>	<i>Provincial Offences Act</i> , S.O. 1990, c.P.33
Municipal Law Officer or By-law Enforcement Officer	<p>Police Services Act to Officers appointed pursuant to the perform services for the Municipality of Lakeshore</p> <p>Service provider contracted for by-law enforcement services</p> <p>By-law Compliance Officer(s)</p>	<i>Municipal Act, 2001</i> , S.O. 2001, c.25
Fire Chief	Fire Chief	<i>Fire Protection and Prevention Act</i> , S.O. 1997, c.4

<b>Column A</b>	<b>Column B</b>	<b>Column C</b>
<b>Statutory Position</b>	<b>Designated Official</b>	<b>Applicable Statute</b>
Community Emergency Management Coordinator	Fire Chief	<i>Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9</i>
Drainage Superintendent	Drainage Superintendent  Assistant Drainage Superintendent	<i>Drainage Act, R.S. O. 1990, c. D. 17</i>
Weed Inspector	Division Leader – Bylaw  Division Leader – Public Works  Team Leader – Roads and Fleet  Team Leader – Parks and Trails	<i>Weed Control Act, R. S. O. 1990, c.W.5</i>



# Municipality of Lakeshore

## By-law 119-2024

### Being a By-law to Authorize a Source Water Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority

**Whereas** section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**And whereas** it is deemed necessary to enter into a Source Water Protection Plan Part IV Enforcement Transfer Agreement with the Essex Region Conservation Authority as recommended by the Division Leader – Water Management at the December 10, 2024 Council meeting;

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

1. The Mayor and the Clerk are delegated the authority to execute an agreement with the Essex Region Conservation Authority with form and content approved by the Corporate Leader – General Counsel and Corporate Leader – Operations.
2. The delegated authority described in Section 1 includes the authority to execute any related amendments or agreements in furtherance of this agreement.
3. In the event of a conflict between this by-law and another Lakeshore by-law, this by-law prevails.
4. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.
5. This By-law comes into force and effect upon passage.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

# Municipality of Lakeshore

## By-law 120-2024

### Being a By-law to Authorize the Execution of a Service Agreement Between the Ontario Clean Water Agency (OCWA) and the Municipality of Lakeshore

**Whereas** pursuant to section 11(2)7 of the *Municipal Act, 2001*, S.O. 2001, c. 25, Council may pass by-laws for respecting services and things that the municipality is authorized to provide;

**And whereas** it is deemed necessary to enter into an agreement with Ontario Clean Water Agency (OCWA) to provide operation and maintenance service for Lakeshore's water pollution facilities as recommended by the Corporate Leader - Operations at the December 10, 2024 Council meeting;

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

1. The Mayor and the Clerk are delegated the authority to execute an agreement with Ontario Clean Water Agency (OCWA) with form and content approved by the Corporate Leader – General Counsel and Corporate Leader – Operations.
2. The delegated authority described in Section 1 includes the authority to execute any related amendments or agreements in furtherance of this agreement.
3. In the event of a conflict between this by-law and another Lakeshore by-law, this by-law prevails.
4. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.
5. This By-law comes into force and effect upon passage.

Read and passed in open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

# Municipality of Lakeshore

## By-law 122-2024

### 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 November 19, 2024 session of Council be adopted and confirmed as if the same were expressly embodied in this By-law.
2. The Mayor or the Deputy Mayor together with the Clerk are authorized and directed to execute all documents necessary to the action taken by this Council as described in paragraph 1 of this By-law and to affix the Seal of the Municipality of Lakeshore to all documents referred to in said paragraph 1 above.

Read and passed in an open session on December 10, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**